*Timeline for the Denied Brookfield-Poseidon Huntington Beach Desalination Project*

**SUMMARY:**

In order to better understand the political and social environment surrounding the Brookfield-Poseidon Huntington Beach desalination plant proposal, the following timeline outlines Brookfield-Poseidon’s entire history with desalination: beginning with its other desal projects around the country (particularly Carlsbad), before delving into the legislation, board appointments, hearings and permits all related to the Huntington Beach plant. This originally appeared on californiadesalfacts.org, a website produced by the Stop Poseidon Coalition.

**LEGEND:**

California law/politics

Brookfield-Poseidon Huntington Beach desalination project

Brookfield-Poseidon Carlsbad desalination project

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**1970s - Desal begins**

Department of Interior Office of Water Resources and Technology becomes interested in developing a desalination plant in Southern California

**1975 - One year of desal**

Desalination plant built and put into operation in Huntington - operates for a year before the federal government withdraws support due to high operation and fuel costs

**1998 - Carlsbad**

Poseidon begins applying for permits in Carlsbad

**March 1999 - Poseidon tries (and fails) at desalination in Tampa Bay**

Poseidon breaks ground on a desalination plant in Tampa Bay, FL which ends up $40 million over budget, 5 years behind schedule, needing $30 million in repairs and consistently fails to meet promised production levels <https://www.coastkeeper.org/case-study-experience-poseidons-tampa-bay-desalination-facility/>

**1999 - Poseidon begins applying for permits in HB**

Poseidon sets its eyes on Huntington Beach to build a massive private desalination plant

**2001 - AES Power Station: Private Property Lease**

**2003 - Environmental review**

Environmental review of the Huntington Beach desalination project begins

**2005 - City of Huntington Beach; Original Environmental Impact Report (EIR)**

**2006 - Carlsbad prioritization**

At this point, the company didn’t have enough staffing to be working on two desal projects. Poseidon decided to place Huntington Beach on the backburner and prioritize Carlsbad because the Carlsbad project was further along, according to VP Maloni.

**2006-2008 - Approval**

Carlsbad Plant is approved by the Carlsbad City Council, the Regional Water Control Board and the California Coastal Commission

**2009 - Environmental stewardship**

Regional Water Quality Control Board approves Poseidon Water’s environmental stewardship package

**2010 - Loss in the courts for Surfrider, San Diego Coastkeeper and Coastal Environmental Rights Foundation**

8-4 vote by the California Coastal Commission denies requests to revoke the Carlsbad permit on the basis of Poseidon omitting information <https://www.sdcoastkeeper.org/press-releases/press-release-entry-number-two>

**2010 – California Law/Politics**

City of Huntington Beach: Subsequent EIR for OTC Policy, Conditional Use and CDP, SLC: Public Property Lease (Expires 2026)

**2011 - OC District Letter**

OCWD submits a letter to the Santa Ana Regional Water Quality Control Board (Regional Board) in support of the Project’s National Pollutant Discharge Elimination System (NPDES) permit and advised the Regional Board that OCWD would “be opposed to any alternative seawater intake system that could potentially impact the efficacy of Talbert Aquifer Seawater Intrusion Barrier on the groundwater basin, unless the impacts were adequately mitigated.”

**2012 - Building begins**

Water Purchase Agreement executed between Poseidon Water and the San Diego County Water Authority (SDCWA); $734 million in private bonds sold; construction begins on Carlsbad Desalination Project

**May 2013 - California Law/Politics**

OCWD Board of Directors resolves that it is the goal of OCWD to consider and develop a variety of local water resources—including seawater desalination—to ensure sufficient water supplies are always available to the residents and businesses in the service territory.

**July 2013 - California Law/Politics**

OCWD Board of Directors approved executing an amendment to the 2010 Confidentiality Agreement with Poseidon Resources, giving OCWD access to additional information to study the project's economic feasibility and consider a water purchase agreement for the entire proposed 50-million-gallon-per-day production capacity of the plant. At that time, OCWD’s Board also directed its staff to conduct a financial evaluation of the project.

**October 2013 - California Law/Politics**

OCWD submits a letter to the California Coastal Commission stating, “The District believes the Project is beneficial to enhancing regional water supply reliability by diversifying Orange County’s portfolio with a new local drought-proof source … In addition to offsetting imported demand, water from the Project could provide flexibility in how the District manages the groundwater basin, specifically, the desalinated water could be used to augment supplies we inject into our Talbert Seawater Barrier to help prevent seawater intrusion into the groundwater basin.”

**November 2013 - California Law/Politics**

The OCWD’S Board of Directors authorizes OCWD support for the California Coastal Commission to approve development of the Poseidon Resources Huntington Beach Ocean Desalination Project.

**2013 - CCC Independent scientific technical advisory panel**

The California Coastal Commission assembles an independent scientific technical advisory panel (ISTAP) to assess feasibility of alternative ocean intake technology. The expert panel was completing phase 2 and preparing to enter phase 3 when the State Water Board adopted its new Ocean Plan amendment on desalination regulations. That amendment requires all seawater desalination facilities use the “best available” site, design, technology, and mitigation measures feasible. It also establishes that the State and Regional Boards have primary authority to determine whether proposed facilities meet that standard. The amendment also establishes that subsurface intakes are the preferred method for facilities to obtain seawater.

**2013 - HB Application attempt 1**

Poseidon withdraws application after California Coastal Commission tells them they need more information

**2014 - Huntington Beach**

OCWD staff released a comprehensive report titled “Poseidon Resources Huntington Beach Ocean Desalination Project Information and Update.” The report summarizes the water reliability advantages and financial impacts if OCWD were to purchase the Project’s 56,000 acre-feet/year of water and then resell the water to interested retail water agencies.

**2014 - California Law/Politics**

OCWD’s Board of Directors defers establishing the Ocean Desalination Citizens’ Advisory Committee.

**February 2014 - California Law/Politics**

OCWD submits a letter to Governor Brown urging regulatory relief for seawater desalination projects that stated, “It is imperative that any drought relief legislation encourages and supports the creation and development of desalination for new water supply.”

**June 2014 - California Law/Politics**

OCWD Board of Directors authorizes issuance of agreement to Clean Energy Capital for $49,720 to provide financial analysis on the proposed Poseidon Resources City of Huntington Beach Ocean Desalination Project.

**October 2014 - California Law/Politics**

Clean Energy Capital (CEC) provides an informational presentation to the OCWD Board that summarizes its draft financial analysis report regarding the proposed Poseidon Resources Huntington Beach Ocean Desalination project. This was an informational item and the Board took no official action.

**November 2014 - Huntington Beach**

Informational presentations given regarding the proposed Poseidon Resources Huntington Beach Ocean Desalination project at the Water Issues Committee meeting. The Board took no official action.

**December 2014 - California Law/Politics**

OCWD Board of Directors votes to increase the Clean Energy Capital Contract by $27,000 to $76,720

**December 2014 - Huntington Beach**

OCWD holds a special workshop, open to the public, to discuss the proposed Poseidon Resources Huntington Beach Ocean Desalination Facility. No board action is taken.

**January 2015 - Huntington Beach**

The OCWD Board of Directors voted to begin negotiating a term sheet with Poseidon Resources to purchase 50 million gallons of water a day (56,000 acre-feet annually) created by the proposed Huntington Beach Ocean Desalination Plant. As part of this process, the Board decides to move forward with appointing an Ocean Desalination Citizens’ Advisory Committee (ODCAC) to ensure the public is provided ample opportunity to provide input. Each OCWD Board Member will appoint up to two committee members and an alternate member.

**February 2015 - California Law/Politics**

OCWD Board of Directors votes to defer action regarding the adoption of recommended roles, responsibilities, and administrative procedures for the Ocean Desalination Citizens Advisory Committee to the March 18, 2015 Board of Directors meeting

**March 2015 - California Law/Politics**

OCWD Board of Directors votes to appoint members of the Ocean Desalination Citizens Advisory Committee (ODCAC). The Board also voted to schedule ODCAC meetings on March 26, 2015; April 9, 2015; and April 23, 2015; at 5:30 p.m. ODCAC will provide input on the draft term sheet and the project in general. It will operate according to the established Roles, Responsibilities, and Administrative Procedures.

**May 2015 - Huntington Beach**

OCWD’s Board of Directors approves the term sheet with Poseidon Water as presented. Staff is authorized to hire and execute contracts with consultants for a total amount not to exceed $230,000 to review project issues relating to distributing the Poseidon water, water quality, considering alternative supplies, and financial assistance. Staff is further authorized to seek bond funding for such a project. Directors Flory and Yoy requested that the Citizens Advisory Committee reconvenes during review of the term sheet. The Board agreed to defer this discussion to a future meeting.

**September 2015 - HB Application attempt 2**

At the OCWD Board of Directors meeting, Poseidon Resources announced they had resubmitted its application to the California Coastal Commission for the proposed Huntington Beach Desalination Project for the last remaining Coastal Development Permit it needs to build the facility.

**September 2015 - HB Application attempt 2**

This was contrary to the staff’s recommendation that Poseidon fund a third phase of the ISTAP review to determine the feasibility of alternative sites along the Orange County shoreline. This application was later withdrawn in the fall of 2016, just before it was scheduled to go to hearing and after a staff report was completed. The environmental community and local citizen groups oppose this project because it does not meet recommendations by the science community to minimize threats to marine life and address energy implications. Approving the Poseidon facility would set the worst possible standard for future ocean desalination proposals statewide. Poseidon’s Huntington Beach project proposal will create tremendous economic and environmental adverse impacts.

**June 2016 - Huntington Beach**

OCWD’s Board of Directors approves amending the Confidentiality Agreement with Poseidon Resources to extend until December 31, 2019. The Board approves the Reimbursement Agreement with Poseidon Resources and authorizes the preparation of CEQA documents for the proposed project for a cost not to exceed $500,000.

**2016 - California Law/Politics**

Poseidon refuses to withdraw its CDP application, unless state agencies (the California Water Board, California Coastal Commission, and State Lands Commission) develop an expedited review sequence with Poseidon (that the SLC will complete its CEQA review; that the Regional Board staff will develop a tentative decision within 90 days of receiving all necessary information from Poseidon and of completion of the proposed project’s CEQA requirements; and that California Coastal Commission staff will schedule a hearing on Poseidon’s new CDP application within 90 days of the Regional Board’s published tentative determination of Poseidon’s project’s conformity with the Desalination Amendment)

**2016 - California Ocean Plan**

https://www.waterboards.ca.gov/water\_issues/programs/ocean/docs/cop2015.pdf - Stricter rules for how ocean water could be taken into a desalination plant and how the brine byproduct of desalination was to be pumped back into the ocean. Carlsbad was able to be built in exception to these regulations, Huntington Beach sent it back to the drawing board.

**2015-2016 - Water pumping**

Carlsbad plant begins delivering 50 million gallons per day

**July 2017 - Huntington Beach**

OCWD’s Board of Directors approved increasing the Poseidon project budget to $320,000 and gave staff the authority to hire consultants as necessary to continue evaluating the project. This was an increase of $90,000 from the initial budget approved in May 2015.

**2017 - California Law/Politics**

SLC: Supplemental Environmental Impact Report EIR for changed design

**2017 - Huntington Beach**

The California State Lands Commission votes to approve a supplemental environmental impact report and lease amendment to deal with project changes since original approval.

**2018 - Huntington Beach**

OCWD’s Board of Directors voted to postpone a vote of the 2018 Poseidon term sheet to the July 18, 2018 board meeting.

**2017-2019 - Poseidon contributes to Newsom and multi-million dollar lobbying efforts**

After she left office in 2017, Poseidon hired former US Senator Barbara Boxer to advocate for its Huntington Beach plant. Boxer never registers as a lobbyist and Governor Newsom receives $25,000 for his inauguration from Poseidon. Axiom Advisors was founded in 2018 by former partners of Gov Newsom’s friend and transition team member, Jason Kinney. In Jan 2019, Kinney joined Axiom Advisors and later the firm took on Poseidon as a client.

**March 2020 - Gov Newsom guts the Brown Act**

COVID hits California and the Brown Act is gutted by the executive order limiting public participation. Poseidon pushes the regional water board to expedite the proceedings anyways.

**April 2020 - Poseidon supporter meets with future board member**

Ernesto Medrano meets with soon-to-be appointed Water Board member Letitia Clark. Campaign disclosures show Clark received contributions from Medrano’s trade organization that supports Poseidon.

**July/August 2020 - Gov Newsom admin has illegal private calls with three board members**

The Newsom administration calls Water Board Members during the July/August proceedings touting the Governors Water Portfolio in relation to Poseidon. The ex-partes were not disclosed for 6 months.

**October 2020 - Gov Newsom ousts Poseidon critic, appoints Clark who has backing of desal supporter**

Water board Vice-Chair Von Blasingame, an engineer, is ousted and Letitia Clark is appointed 5 months after meeting with Ernesto Medrano. A month later, Newsom is spotted celebrating his friend and Poseidon lobbyist Jason Kinney’s birthday at the French Laundry, ignoring COVID protocols

**February 2021 - Disclosures show officials in the Newsom Administration interfering with water board decision making through illegal calls**

When asked through a public records act request how many times the officials in the Newsom Administration met with Poseidon, the Governor’s office refused to answer. Water Board disclosures revealed the illegal calls six months after they occurred. California government code section 11430.10 prohibits ex parte communications on issues pending before the regional water board

**2021 - California Law/Politics**

Regional Board: Addendum for Diffuser Design

**2021 - California Law/Politics**

Santa Ana Regional Water Quality Control Board – WDR (intake) and NPDES (discharge)

**April 2021 - Permit Renewal**

Santa Ana Regional Water Quality Control Board renews Brookfield-Poseidon Huntington Beach Desalination Plant Facility permit https://www.waterboards.ca.gov/santaana/water\_issues/programs/Wastewater/Poseidon.html

**June 2021 - Coordination and communications plan**

Poseidon develops and releases a coordination and communications plan for the Huntington Beach plant in accordance with the Santa Ana Regional Water Quality Control Board’s directives https://www.waterboards.ca.gov/santaana/water\_issues/programs/Wastewater/Poseidon/2021/hbdp\_mitigation\_project\_coordination\_communication\_plan.pdf

**October 2021 - Newsom Appointments**

Governor Newsom appoints Gloria Alvarado and John Scandura to the Santa Ana Regional Water Quality Control Board, Betty Olsonto and Stefanie Warren to the San Diego Regional Water Quality Control Board https://www.gov.ca.gov/2021/10/29/governor-newsom-announces-appointments-10-29-21/

**May 2022 - Brookfield-Poseidon hearings**

Postponed from the end of 2021 to March 12, 2022 and later to May 12, 2022 (as of early April 2022).

**May 2022 - Coastal Commission denies permit**

Coastal Commission unanimously denies approval of a coastal development permit for the Poseidon Huntington Beach project on May 12, 2022

**September 2022 - Santa Ana water permit terminated**

The Santa Ana Regional Water Quality Control Board terminates the waste discharge requirements (water quality permit) for the Poseidon Huntington Beach project.

**November 2022 - Decertification of EIR**

The City of Huntington Beach decertifies the environmental impact report the City approved and various regulatory agencies relied on when they approved permits for the Poseidon Huntington Beach project.

**December 2022 - Poseidon's state land lease cancelled**

The State Lands Commission cancelled the lease of state lands that Poseidon needed to build and operate the Huntington Beach project.