

APPENDIX D

Appendix D1: Summary of Comments on the NOP and Index to
Location Where Each NOP Comment is Addressed in the
Supplemental EIR

Appendix D2: Notice of Preparation

Appendix D3: Scoping Hearing Transcript

Appendix D includes a list of commenters and summary of comments received on the Notice of Preparation (NOP) for the Seawater Desalination Project at Huntington Beach: Outfall/Intake Modifications & General Lease — Industrial Use (PRC 1980.1) Amendment (Project), an index to the location in the Supplemental Environmental Impact Report (EIR) where each NOP comment is addressed, a copy of the NOP, and the transcript from the Public Scoping Hearing conducted on the NOP.

Table D-1 lists all comment correspondences received and shows the comment set identification number for each letter or commenter. Table D-2 identifies the location where each comment is addressed in the Supplemental EIR.

Table D-1. NOP Commenters and Comment Set Numbers

Agency/Affiliation	Name or Affiliation	Date of Comment	NOP Comment Set
COMMENT LETTERS			
AGENCY LETTERS			
City of Huntington Beach Environmental Board	Jessica Budica, Chair	12/21/16	A-1
CA Native American Heritage Commission	Gayle Totton, Associate Governmental Program Analyst	12/22/16	A-2
Santa Ana Regional Water Quality Control Board	Kurt V. Berchtold, Executive Officer	12/21/16	A-3
South Coast Air Quality Management District	Jillian Wong, Planning and Rules Manager	12/9/16	A-4
CA Department of Parks and Recreation Orange Coast District	James Newland, Assistant District Superintendent	12/9/16	A-5
CA Coastal Commission	Tom Luster; Energy, Ocean Resources, and Federal Consistency Review Division	12/21/16	A-6
Orange County Public Works	Joanna Chang for Laree Alonso, Planning Division Manager	12/21/16	A-7
Southern California Association of Governments	Ping Chang, Compliance and Performance Monitoring Acting Manager	12/21/16	A-8
NGO LETTERS			
CA Coastal Protection Network	Susan Jordan, Executive Director	12/16/16	N-1
CA Coastkeeper Alliance Also: Surfrider Foundation, CA Coastal Protection Network, Residents for Responsible Desalination, Heal the Bay, Natural Resources Defense Fund	<ul style="list-style-type: none"> • Sean Bothwell, Policy Director (CA Coastkeeper Alliance) • Garry Brown, Executive Director (Orange County Coastkeeper) • Staley Prom, Legal Associate (Surfrider Foundation) • Susan Jordan, Executive Director (CA Coastal Protection Network) • Tony Soriano, Chair (Surfrider Foundation, Huntington Beach, Seal 	12/21/16	N-2

Table D-1. NOP Commenters and Comment Set Numbers

Agency/Affiliation	Name or Affiliation	Date of Comment	NOP Comment Set
	Beach Chapter) <ul style="list-style-type: none"> • Merle Moshiri, resident (Residents for Responsible Desalination) • Conner Everts, Executive Director (Southern California Watershed Alliance Heal the Bay), Co-Chair (Desal Response Group, Environmental Water Caucus) • Steven Johnson, Water Resources Policy Analyst (Heal the Bay) • Elizabeth Murdock, Director (Natural Resources Defense Council, Pacific Ocean Initiative) 		
PUBLIC LETTERS			
Richard Armendariz	Ret. CA Administration Law Judge; Board Member of Residents for Responsible Desalination	12/16/16	P-1
Ken Asbury	n/a	12/17/16	P-2
Kim and AJ Aschenbrenner	n/a	12/18/16	P-3
Dennis Ashendorf	n/a	12/18/16	P-4
Mary Jo Baretich	Board Member, Residents for Responsible Desalination; President, Cabrillo Wetland Conservancy	12/15/16	P-5
Mary Jo Baretich	Board Member, Residents for Responsible Desalination; President, Cabrillo Wetland Conservancy	12/18/16	P-6
Nolan Bautista	n/a	12/17/16	P-7
Jeanine and Joel Benson	n/a	12/18/16	P-8
Pam Brennan	n/a	12/18/16	P-9
Linda Conn	n/a	12/18/16	P-10
Shirley Dettloff	Former Mayor of Huntington Beach; Former State Coastal Commissioner	n/a	P-11
Marinka Horack	n/a	12/15/16	P-12
Joshua McIntosh	n/a	12/21/16	P-13
Ross Nash	n/a	12/19/16	P-14
Kirk and Mary Nason	n/a	12/17/16	P-15
Patrick O'Sullivan	n/a	12/19/16	P-16
Bruce and Cheryl Pulcini	n/a	12/18/16	P-17
Ann Tarkington	n/a	12/18/16	P-18
Steve Tyler	n/a	12/18/16	P-19
Dallas Weaver	Scientist, Scientific Hatcheries	n/a	P-20
Dallas Weaver	Scientist, Scientific Hatcheries	12/18/16	P-21
Jay Schneider	n/a	12/22/16	P-22
Tim Noble	n/a	12/21/16	P-23

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Agency/Affiliation	Name or Affiliation	Date of Comment	NOP Comment Set
Kathy Abler	n/a	12/20/16	P-24
Penny Elia	n/a	n/a	P-25
Bill McCarty	n/a	12/20/16	P-26
Jason Pyle	n/a	12/19/16	P-27
Jason Pyle	n/a	12/19/16	P-28
Jason Pyle	n/a	12/19/16	P-29
Merle Moshiri	Residents for Responsible Desalination	12/21/16	P-30
Dorothy Maruyama	n/a	12/29/16	P-31
Dallas Weaver	Scientist, Scientific Hatcheries	1/3/17	P-32 (see also P-20, P-21, M-8)
NOP COMMENT MEETING SPEAKERS			
F. Adelman	n/a	12/14/16	M-1
P. Kabre	n/a	12/14/16	M-2
L. Marcovici	n/a	12/14/16	M-3
Richard Armendariz	Ret. CA Administration Law Judge; Board Member of Residents for Responsible Desalination	12/14/16	M-4 (see also P-1)
Susanne Dehritz	Volunteer, Surfrider Foundation; Volunteer, Coastkeeper	12/14/16	M-5
Michael Wellborn	Vice President, Friends of Harbors, Beaches, and Parks	12/14/16	M-6
Scott Smith	n/a	12/14/16	M-7
Dallas Weaver	Scientist, Scientific Hatcheries	12/14/16	M-8 (see also P-20, P-21, P-32)
Richard Fancher	n/a	12/14/16	M-9
Mandy Sackett	CA Policy Coordinator, Surfrider Foundation	12/14/16	M-10
Staley Prom	Legal Associate, Surfrider Foundation	12/14/16	M-11
Mary Jo Baretich	Board Member, Residents for Responsible Desalination; President, Cabrillo Wetland Conservancy	12/14/16	M-12 (see also P-5, P-6)
Clay Dominguez	n/a	12/14/16	M-13
Conner Everts	Detail Response Group	12/14/16	M-14
Joe Greener	Member, Residents for Responsible Desalination	12/14/16	M-15
Shawn Thompson	Member, Huntington Beach Environmental Board	12/14/16	M-16
Gerry Brown	Founder and President, Orange County Coast Keeper	12/14/16	M-17
Armida Brashears	n/a	12/14/16	M-18
Susan Jordan	Individual Comment, but is Executive Director of the CA Coastal Protection	12/14/16	M-19

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Agency/Affiliation	Name or Affiliation	Date of Comment	NOP Comment Set
	Network		
Dan Kalmick	Member, City of Huntington Beach Planning Commission	12/14/16	M-20
Bruce Wareh	n/a	12/14/16	M-21
Bruce Wareh	n/a	12/14/16	M-22

Table D-2. Comment Summary & Location in EIR Where Comments Addressed

Comment # / Affiliation	Summary of Comments	EIR Location Where Comments Addressed
AGENCY COMMENT LETTERS		
A-1. City of Huntington Beach Environmental Board	<ul style="list-style-type: none"> • Requests preparation of a new EIR in lieu of an SEIR since several project parameters have changed and thus a new EIR is required by law. • Since the desal facility is no longer sharing the power plant intake and outfall, the facility will also accept water treated by Orange County Water District; it is inefficient to have to transport and filter this water since it already clean enough to be released into the ocean. • Demand for water in the area has changed due to drought restrictions and conservation education, so the need for this project should be re-evaluated. • Since expanding, the Orange County Water District has increased its capacity, so justification for the new project is needed. • Cumulative impacts of concurrent projects require that an EIR analyze these impacts. • Requests re-analyzing the air quality and GHG emissions as outlined in the 2010 EIR. • Requests addressing issues/questions related to: changes to the water intake and outtake technology, projected life of the facility, durability of the piping system, identification of the regulatory agency in charge of enforcing compliance with MMs and the funding of enforcement, and analysis of the impact of maintenance scenarios related to modification of the discharge pipe in the SEIR. • Requests demonstration of the effectiveness and impact of the proposed project design. • Requests consideration of sea level rise and storm surges in the SEIR. • Requests addressing the issue of injection into the local groundwater basin. • Requests preparation of a plan to notify and protect local residents of any hazardous materials on-site. 	<p>Purpose and Scope of Supplemental EIR (Section 1.4), Cumulative Projects (Section 3.0), Air Quality (Section 4.4), Climate Change and GHG Emissions (Section 4.5), Project Description (Section 2.0), Mitigation Monitoring Program (Section 7.0), Coastal Processes (Section 4.15), Hazards and Hazardous Materials (Section 4.9)</p> <p>Other issues are not within the scope of this Supplemental EIR (refer to Section 1, Introduction, for information on the scope and context of this Supplemental EIR).</p>
A-2. CA Native American Heritage Commission	<ul style="list-style-type: none"> • Recommends consulting with all CA Native American tribes that are traditionally and culturally affiliated with the geographic area of the project as soon as possible. • Requests lead agency’s legal counsel be consulted about compliance with AB 52, SB 18, and other applicable laws. • Requests Native American Tribal Contact Lists and “Sacred Lands File” searches” from the NAHC continue to be requested. • Requests contacting appropriate regional CHRIS 	<p>Cultural Resources (Section 4.12), Tribal Cultural Resources (Section 4.13)</p>

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	<p>Center for archaeological records search.</p> <ul style="list-style-type: none"> • Requests that if an archaeological inventory survey is required, a professional report detailing the findings and recommendations of the records search and field survey be prepared. • Requests consideration for the fact that the lack of surface evidence of archaeological and tribal cultural resources does not preclude their subsurface existence. 	
<p>A-3. Santa Ana Regional Water Quality Control Board</p>	<ul style="list-style-type: none"> • Requests the SEIR evaluate impacts associated with installing and operating a two-port diffuser that would operate under stand-alone conditions in the event that there are no co-located operations for the project. • Requests the SEIR include estimates of bio productivity of impacted habitat(s) and proposed mitigation habitat(s). • Requests SEIR evaluate effects of how design and orientation of wedgewire screens can be optimized to minimize entrainment and prevent/eliminate impingement. • Requests SEIR evaluate how wedgewire screens will be cleaned/maintained. • Requests SEIR assess impacts from the potential impact of increased turbidity caused by the installation of the new technology on bio resources, particularly by including analysis of the velocity of the brine plume at the point where it intersects with the seafloor and a discussion of the type of sediment/grain size at the location of discharge. • Requests SEIR evaluate the operational impacts on biological resources associated with the diffuser and that the evaluation be reviewed by experts. • Requests SEIR evaluate impacts of leaching on marine water quality and bio resources. • Requests SEIR analyze impacts associated with any chemicals used in the maintenance of the screens/intake structure. • Requests SEIR evaluate water quality parameters of the discharge plume/receiving waters to determine if/where hypoxic conditions are occurring. 	<p>Marine Biological Resources (Section 4.2), Ocean Water Quality (Section 4.3), Project Description (Section 2.0)</p>
<p>A-4. South Coast Air Quality Management District</p>	<ul style="list-style-type: none"> • Requests a copy of the DEIR, as well as all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files (original emission 	<p>Air Quality (Section 4.4)</p>

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	<p>calculation spreadsheets and modeling files, not Adobe PDF files) to be forwarded to the SCAQMD since copies that are submitted to the State Clearinghouse are not forwarded to the SCAQMD.</p> <ul style="list-style-type: none"> • Recommends the CEQA Air Quality Handbook be used as guidance when preparing the air quality analysis. • Recommends using the CalEEMod land use emissions software. • Requests identification of any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources (including indirect sources) related to the project. • Requests calculation of air quality impacts from construction, operation, and demolition. • Requests quantification of criteria pollutant emissions and comparison of these to recommended regional significance thresholds. • Recommends calculation of regional/localized air quality impacts and comparison of these to localized significance thresholds (LSTs). • Recommends performing a localized analysis using LSTs developed by the SCAQMD/performing dispersion modeling as necessary. • Recommends performing a mobile source health risk assessment if the project generates/attracts vehicular trips. • Requests analysis of all toxic air contaminant impacts due to equipment use that potentially generate air pollutants. • Informs that a permit may be required and the SCAQMD be listed as a responsible agency and be consulted if the project includes equipment that generates/controls air contaminants. • Requests discussion of impacts resulting from mitigation measures. 	
<p>A-5. CA Department of Parks and Recreation Orange Coast District</p>	<ul style="list-style-type: none"> • Are concerned with any potential effects resulting from design and implementation of intake systems and project actions to marine and natural resources along with recreational uses at Huntington State Beach. • Will review and comment further when the S/EIR is received. 	<p>Marine Biological Resources (Section 4.2), Ocean Water Quality (Section 4.3), Recreation (Section 4.10)</p>
<p>A-6. CA Coastal Commission</p>	<ul style="list-style-type: none"> • Recommends that the SLC comprehensively evaluate the significant project changes, changes circumstances, and new information that have occurred or have been developed since the 2010 	<p>Introduction (Section 1.0); Marine Biological Resources (Section 4.2); Ocean</p>

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	<p>CEQA review and that SLC considers expanding the expected scope of its review.</p> <ul style="list-style-type: none"> • The changes and new info are likely applicable to a broader set of issue areas than are currently identified in the NOP. • Project changes that require comprehensive evaluation: <ul style="list-style-type: none"> ○ Extended project life of the project has changed from a 30-year operating life to a 60-year operating life, which would extend the time the project would impact marine life, increase indirect GHG emissions associated with facility operations, and increase project-related effects from climate change, sea level rise, coastal erosion, and other coastal hazards. ○ New information on coastal hazards suggest that new infrastructure like the project be reconsidered to avoid sites subject to these hazards or be built to adapt to such hazards. In addition, new info suggests the project’s presence would result in adverse effects on nearby coastal resources that were not previously evaluated (e.g., increased storm and wave energy and higher rates of coastal erosion within state tidelands could result in exposure and damage to the project’s intake/outtake structures, which could then affect public access and marine life; project’s increased grading and higher elevation could redirect storm and wave energy, flood waters, etc. to other existing nearby developments). ○ Recommend that the CEQA analyses focus primarily on the project’s proposed stand-alone operations rather than any co-located operations with the existing power plant since it is likely that the project would operate in stand-alone mode for the majority, if not the entirety, of its operating life. Recommend that the CEQA analyses focus on diffuser designs applicable to the lower discharge volumes expected from stand-alone operations instead of the higher volumes of co-located operations and that the analyses primarily identify impacts and alternatives for the stand- alone operations. ○ Recommend the analysis assess visual impacts (including increased light and glare) resulting from the proposed increased elevation. 	<p>Water Quality (Section 4.3); Climate Change and GHG Emissions (Section 4.5); Coastal Processes (Section 4.15); Project Description (Section 2.0); Aesthetics, Light, and Glare (Section 4.8); Alternatives (Section 5.0); Recreation (Section 4.10); Transportation (Section 4.11)</p> <p>Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>

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	<ul style="list-style-type: none"> ○ Recommend the review evaluate the increased emissions resulting from additional construction and grading activities beyond those evaluated in the 2010 review. ○ Recommend the SLC include new information wherein a portion of the proposed project footprint was identified in the 2015 U.S. Fish and Wildlife Service National Wetland Inventory as consisting largely of wetlands in an evaluation of the project's direct wetland impacts. ○ Design change to elevate the facility several feet higher than had been proposed and evaluated in the 2010 CEQA review is likely to increase the project's construction-related impacts - e.g., amount of grading required, additional truck trips and emissions, etc. - and could increase the project's adverse effects in other issue areas, such as visual impacts, light and glare, effects on adjacent wetlands and sensitive habitat areas, etc. ○ Recommend that if the evaluations on the facility's outfall's structural stability show the outfall does have the necessary structural integrity, that the review assess alternatives to using the existing structure, including the potential of "sliplining" the existing outfall to allow it to convey Poseidon's discharge and potentially avoid some construction-related impacts that would result if alternative structural improvements are required. ○ The currently proposed project would affect local hydrology in at least two ways that were not addressed during the previous CEQA review. First, Poseidon has recently proposed that its project footprint include an approximately 10-acre impermeable surface within which all stormwater would be collected and discharged through the existing power plant outfall. This change to the proposed project and this method of stormwater removal is likely to modify local hydrologic characteristics and may adversely affect wetlands in and adjacent to the project site. Recommend the CEQA review evaluate the adverse effects of this proposed project feature and identify alternatives that may avoid or minimize any adverse effects. ○ Recommend the CEQA review evaluate likely 	

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	<p>changes needed to these public services and the environmental effects of the infrastructure changes that would likely be necessary to protect the site and facility, and that the review incorporate the new state and agency guidance on sea level rise, climate change, infrastructure adaptability as cited above. Recommend the SEIR's "no project alternative" include an evaluation of the increased opportunities to adapt to these phenomena that would be available in the absence of the facility.</p> <ul style="list-style-type: none"> ○ Recommend that the transportation/traffic review also evaluates onshore project-related traffic since the 2010 review is outdated and incomplete. • Page 6 of the NOP incorrectly describes one of the conclusions of the Independent Science and Technical Advisory Panel. The NOP states that the Panel "concluded that subsurface intake technologies at the HB Desalination Plant site location were infeasible;" however, the Panel actually concluded that one of the subsurface intake technologies would be feasible, though not economically viable for several years. 	
A-7. Orange County Public Works	Has no specific comments at this time, but Would like to be kept on the distribution list to advised of any further developments.	n/a
A-8. Southern California Association of Governments	Requests environmental documentation be sent to the agency.	n/a
NGO COMMENT LETTERS		
N-1. CA Coastal Protection Network	<ul style="list-style-type: none"> • Provided link to the article referenced in her testimony: "Why One Decision Could Decide the Future of Desalination in California – Water Deeply." • Provided link to an article about the project: "A \$1-billion desalination plant might be coming to Huntington Beach, but it will test California's environmental rules – LA Times." • Provided a link to materials from a forum recently held in Ventura County in which Poseidon was on the panel. 	n/a
N-2. CA Coastkeeper Alliance	• Recent significant changes to the project and the surrounding area of the project site necessitate additional environmental review under CEQA and a subsequent EIR should be prepared, not a	Purpose and Scope of Supplemental EIR (Section 1.4); Cumulative Projects

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	<p>supplemental EIR, that evaluates impacts from the whole project and updates analysis of cumulative impacts.</p> <ul style="list-style-type: none"> • SLC must play the full role of a lead agency and consider all reasonably foreseeable direct, indirect and cumulative impacts from the Project, including from those aspects of the Project that may fall under the approval jurisdiction of another responsible agency. • SLC cannot segment the SEIR or defer consideration of substantial changes to another agency. • The following are proposed changes to the project, changes in circumstances, and new information, which all give rise to numerous and significant new and more severe significant impacts and therefore necessitates a subsequent EIR: <ul style="list-style-type: none"> ○ Several other agencies have further discretionary approvals to grant for the project and will rely on the additional CEQA review by the SLC that addresses the changes to the project. ○ A subsequent EIR is required because under CEQA, the responsible agency (SLC) shall assume the role of the lead agency (formerly the City of HB) when any of the following conditions occur: • The lead agency prepared environmental documents for the project, but the following conditions occur: <ul style="list-style-type: none"> ○ A subsequent EIR is required pursuant to Section 15162, ○ The lead agency has granted a final approval for the project, and ○ The statute of limitations for challenging the lead agency's action under CEQA has expired ○ Discussion on the delivery of the product water from the desal facility must be included in the revised EIR since the delivery system previously proposed has been changed (i.e., where will the delivery pipes be built, how will construction of these pipes impact the community/environment, how will the product water be put into the groundwater basin, and what impacts will result from the product water being mixed with groundwater?). ○ SLC must evaluate the changes to the product water pipeline and the groundwater injection in 	<p>(Section 3.0); Alternatives (Section 5.0); Marine Biological Resources (Section 4.2); Ocean Water Quality (Section 4.3); Coastal Processes (Section 4.15); Geology, Soils, and Seismicity (Section 4.6) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>

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	<p>the updated SEIR.</p> <ul style="list-style-type: none"> ○ In public statements, Poseidon and its parent Canadian-based parent Brookfield Infrastructure have no intention of meeting the standards in the Desalination Amendment. • The State Water Board’s Desalination Amendment should be fully considered in the SEIR, especially the Amendment’s preference for subsurface intakes as the best tech for minimizing marine life mortality. • SEIR needs to thoroughly analyze alternative sites that may be more feasible for preferred intakes (sub-surface). • The assertion that analysis of other locations is encompassed in the “no project” alternative is legally inadequate. • SEIR must review whether alternative sites would minimize all the cumulative impacts from developing the desalination plant at the AES that site. • SLC needs to reconsider significant impacts to water quality and marine resources due to changed circumstances and new information. • History of Poseidon’s Carlsbad facility’s multiple permit violations is cause for concern for the project. • SLC needs to consider significant impacts from sea level inundation, tsunami run-up, and storm surge, especially since new information is available on foreseeable sea level rise in the area, which also is a reason for a Subsequent EIR. • The site needs to be analyzed for threats from earthquakes and other geological disturbance. • All new foreseeable projects need to be analyzed as cumulative impacts to the environment and the surrounding community. • SEIR needs to reconsider the purpose and alternatives for the project, especially since the development of the OCWD Groundwater Replenishment System, new water demand projections for the area that show significantly reduced water demand even as the local economy and population grow, and the proposed development of the LA County GWRS project. In addition, for Poseidon’s Carlsbad facility, the San Diego County Water Authority had to dump stored Poseidon water desalinated produced by the Carlsbad facility into the San Vicente Reservoir – 	

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	<p>presumably from lack of immediate demand. Then they had to dump the water from the reservoir into a lake – from lack of demand.</p> <ul style="list-style-type: none"> The project will result in substantial new cumulative impacts and this should be evaluated by the SLC. 	
PUBLIC COMMENT LETTERS		
P-1. Richard Armendariz	<ul style="list-style-type: none"> Proposed changes and modifications to the desal facility are numerous and significant enough to warrant a full Subsequent EIR. Requests the SEIR reconsider the purpose and alternatives for the project. Provided alternative: Creating additional pumping stations like what was done in the Orange County Water District for their Ground Water Recycling System. Requests SLC review Poseidon’s past unsuccessful attempt to build a similar desal plant in Tampa Bay, FL. Impacts of the desal plant, especially those affecting marine life, will impact not only HB, but also areas as Far as Dana Point and Palos Verde. Pollution of the offshore waters with brine will severely harm the whale population and their food source and will destroy marine life, which will result in severe financial loss to the CA coastal fishing industry. 	<p>Purpose and Scope of Supplemental EIR (Section 1.4), Alternatives (Section 5.0), Marine Biological Resources (Section 4.2), Ocean Water Quality (Section 4.3), Socioeconomics and Environmental Justice (Section 4.14) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
P-2. Ken Asbury	<ul style="list-style-type: none"> Supports the development of the desal plant due to Orange County’s proximity to the ocean, population growth in the coastal region, and the ongoing drought. 	n/a
P-3. Kim and AJ Aschenbrenner	<ul style="list-style-type: none"> The desal facility will have substantial negative consequences to the quality of life of the neighborhoods in the vicinity of the facility. Such desal facilities do not seem to be successful elsewhere. Concerned about impacts to the local marine life. 	<p>Marine Biological Resources (Section 4.2) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
P-4. Dennis Ashendorf	<ul style="list-style-type: none"> The desal facility is necessary as a part of a robust water use strategy in a semi-arid climate and as a response to possible climate and population changes. 	n/a

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P-5. Mary Jo Baretich	<ul style="list-style-type: none"> • Requests a Subsequent EIR and not a supplemental EIR due to the tech changes and cumulative impacts. • Location of the project is not ideal anymore because the AES cooling water intake will be abandoned by 2020. • Requests SEIR thoroughly analyze alternative sites where subsurface intakes are more feasible. • Concerned with issues related to: protection of marine life and water quality; excessive expensive energy use; impact on local ocean recreation; protection against seismic events; potential cross-contamination from the Ascon Toxic Waste Dump; liquefaction; tsunami run-up; nearby fault lines; chemical and brine discharge effects on marine life, coastal waters, and human health; noise effects of construction and operation on humans and wetland wildlife; air quality degradation regarding asbestos and lead removal during decommissioning of the AES facility and its effect on wildlife and locals; and environmental justice violation for residents of the nearby mobile home park. • Concerned that the 1mm filtering system will not stop entrainment. • Believes that subsurface technology is the best alternative. • Requests that alternative sites be proposed if the Subsequent EIR shows that subsurface technology can't be used at the project site. • Desal water is not needed because the local Ground Water Replenishment System uses efficient and cost worth tech. 	Purpose and Scope of Supplemental EIR (Section 1.4); Cumulative Projects (Section 3.0); Alternatives (Section 5.0); Marine Biological Resources (Section 4.2); Ocean Water Quality (Section 4.3); Recreation (Section 4.10); Geology, Soils, and Seismicity (Section 4.6); Coastal Processes (Section 4.15); Noise and Vibration (Section 4.7); Air Quality (Section 4.4); Socioeconomics and Environmental Justice (Section 4.14) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of this Supplemental EIR).
P-6. Mary Jo Baretich	Same as above. This person sent her concerns as both an email and a letter.	<i>Same as above.</i>
P-7. Nolan Bautista	<ul style="list-style-type: none"> • Believes that there is no positive outcome for the city if the desal facility is constructed, only monetary revenue for the operators. • Believes there is a long-term possibility that the facility would cost the city and property owners due to repairs/maintenance caused by system failures/issues at the facility. • Heard that the desal plant in Santa Barbara will be reactivated; does not see the need for construction of another facility when there is already an operational one. 	Issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of this Supplemental EIR).
P-8. Jeanine and Joel	• Poseidon is using very old information if they are working off of a 7-year-old EIR.	Alternatives (Section 5.0)

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Comment # / Affiliation	Summary of Comments	EIR Location Where Comments Addressed
Benson	<ul style="list-style-type: none"> • There are more economical and less impactful alternatives to the desal facility; HB does not need costly water. • HB is a very publicly used area and the effects of the desal facility will be long lasting. • Does not have faith in building a desal facility in HB since many others around the world have been closed. 	Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of this Supplemental EIR).
P-9. Pam Brennan	<ul style="list-style-type: none"> • Desal is the only way to sustain CA's water supply and is the most expensive. • Exhaust all other avenues first before using desal. • Poseidon has been trying to push their project forward without updating their tech to the current tech standards. • Requests that the desal plant be demanded to run on renewable energy. 	Issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of this Supplemental EIR).
P-10. Linda Conn	<ul style="list-style-type: none"> • Is leaning towards supporting the project. • Would like to know more of the facts so is wondering if there will be another public meeting. 	Issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of this Supplemental EIR).
P-11. Shirley Dettloff	<ul style="list-style-type: none"> • The project will help Orange County survive during drought years and conserve water. • Importing water from N. CA is more environmentally damaging than desal; the Orange County Water District supports the project as a way to reduce the need for imported water. • HB is a good location for a desal facility because of the existence of the AES and the infrastructure required by the project will not impact what is already there; impact to nearby residents is minimal, if at all, since such conditions existed before they lived there. • The studies conducted on subsurface intake would be useful in creating the EIR report. • Many studies have been done that do not conclude that major environmental damage will result from facilities like the project. 	n/a
P-12. Marinka Horack	<ul style="list-style-type: none"> • Proposed changes and modifications to the desal facility are numerous and significant enough to warrant a full Subsequent EIR. 	Purpose and Scope of Supplemental EIR (Section 1.4),

Table D-2. Comment Summary & Location in EIR Where Comments Addressed

Comment # / Affiliation	Summary of Comments	EIR Location Where Comments Addressed
	<ul style="list-style-type: none"> • Requests the SEIR reconsider the purpose and alternatives for the project. • Provided alternative: Creating additional pumping stations like what was done in the Orange County Water District for their Ground Water Recycling System. • Requests SLC review Poseidon’s past unsuccessful attempt to build a similar desal plant in Tampa Bay, FL. • Impacts of the desal plant, especially those affecting marine life, will impact not only HB, but also areas as Far as Dana Point and Palos Verde. • Pollution of the offshore waters with brine will severely harm the whale population and their food source and will destroy marine life, which will result in severe financial loss to the CA coastal fishing industry. 	<p>Alternatives (Section 5.0), Marine Biological Resources (Section 4.2), Ocean Water Quality (Section 4.3)</p> <p>Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
P-13. Joshua McIntosh	<ul style="list-style-type: none"> • Poseidon just wants to make money off of the local residents through the project. • There are better options to replenish the local water system that is not as environmentally damaging, does not use as much energy, and does not pollute as much. 	<p>Issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
P-14. Ross Nash	<ul style="list-style-type: none"> • There are other more efficient and less expensive ways to desalinate water that should be considered. • Poseidon’s Carlsbad plant proved mistakes were made and has incurred costs that could have been avoided. • It is unfair that HB has not been given a chance to consider other desal bids that may be more efficient and less costly. 	<p>Alternatives (Section 5.0)</p> <p>Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
P-15. Kirk and Mary Nason	<ul style="list-style-type: none"> • There has not been a thorough environmental impact analysis for this project. • HB has one of the most utilized beaches in S. CA. • Recommends that the capabilities of the current water purification plant be expanded and that run-off water from the river between HB and Newport be captured for use. • Recommends the continued promotion of conservation and incentives to reduce water usage in lieu of the high costs and environmental impacts 	<p>Issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>

Table D-2. Comment Summary & Location in EIR Where Comments Addressed

Comment # / Affiliation	Summary of Comments	EIR Location Where Comments Addressed
	<p>of the desal facility.</p> <ul style="list-style-type: none"> • Poseidon has a long history of cost overruns and mismanagement of their plants. 	
P-16. Patrick O'Sullivan	<ul style="list-style-type: none"> • Requests a Subsequent EIR instead of a Supplemental EIR and that it analyzing all the project changes together. • Requests the SEIR reconsider the purpose, need, and alternatives for the project; include discussion on the desal facility's delivery of the produced water; update and adequately review cumulative impact analysis; include analysis of cumulative GHGs and dust in air emissions analysis, sea level rise, geological hazards, alternative intake tech, alternative site, alternatives for discharge tech, co-location versus stand-alone operation, and the unresolved issues brought forth by the R4RD, et al. appeal to the Coastal Commission regarding the project's Coastal Development Permit. 	<p>Purpose and Scope of Supplemental EIR (Section 1.4); Alternatives (Section 5.0); Cumulative Projects (Section 3.0); Climate Change and GHG Emissions (Section 4.5); Coastal Processes (Section 4.15); Geology, Soils, and Seismicity (Section 4.6)</p> <p>Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
P-17. Bruce and Cheryl Pulcini	<ul style="list-style-type: none"> • The project will raise water rates, further disrupt the visual qualities of the shoreline, disrupt the peace and quiet of the local neighborhood, and impact the marine life and local environment. • Water produced by the desal facility is not needed by HB; South County needs it so they should build it there with a better design than that proposed. 	<p>Issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
P-18. Ann Tarkington	<ul style="list-style-type: none"> • The project is not needed or wanted. • The information used is out of date. 	n/a
P-19. Steve Tyler	<ul style="list-style-type: none"> • The project will have a negative environmental impact and will prevent people from learning to preserve natural resources. 	<p>Issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
P-20. Dallas Weaver	<ul style="list-style-type: none"> • The commercial value of 80 million larvae (the relevant entrainment number for the desal facility) is 	Marine Biological Resources (Section

Table D-2. Comment Summary & Location in EIR Where Comments Addressed

Comment # / Affiliation	Summary of Comments	EIR Location Where Comments Addressed
	<p>less than \$100,000. The CCC’s demand for a billion dollar intake structure to solve a \$100,000 problem is absurd.</p> <ul style="list-style-type: none"> • The implicit assumption of larval survival rates being independent of larval density (density independence) in the mathematical models demanded by the CCC is wrong; doubling or halving the number of larva can have very little impact upon ultimate fish numbers. • The CCC understands the larval density dependence and demands the killing of a billion white seabass larva per year at the Hubbs hatchery in Carlsbad. But on this entrainment issue they contradict themselves and make false assumptions that increase the calculated impacts by huge factors that gives them more mitigation money and power. • The wedgewire screen at 1mm opening at 25 cm/sec flow velocities won’t work for the larval fish less than 5mm in length, which will be killed. 	<p>4.2) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
<p>P-21. Dallas Weaver</p>	<ul style="list-style-type: none"> • Recommendations for alternative to current wedgewire screen: In aquaculture, it is common to use drum screen filters. • Experimental work by state “experts” on discharge modifications appeared to involve “weak” fish test subjects. • Provides many references to scientific literature for SLC review. • How to get junk science corrected in government? • Recommendations for the scope of the EIR revision analysis: <ul style="list-style-type: none"> ○ Estimate the natural “entrainment organism losses” by natural surf filtration and tidal pumping along the beach length calculated in the Empirical Transport Model as part of the APF mitigation calculation being applied. ○ Estimate the adult equivalent losses required to produce the 80 million larvae (the relevant entrainment number for the desal facility) and for each entrained species and compare it to how much a commercial fisherman needs to catch to make a living - Do we really think it’s wise to allow the amount of fish caught in a day by a local fisherman to prevent the development of a desperately needed source of fresh water in our drought-stricken area? ○ Estimate the value of the entrainment losses from commercial sales of eggs and larval from 	<p>Alternatives (Section 5.0), Marine Biological Resources (Section 4.2), Ocean Water Quality (Section 4.3)</p>

Table D-2. Comment Summary & Location in EIR Where Comments Addressed

Comment # / Affiliation	Summary of Comments	EIR Location Where Comments Addressed
	<p>hatcheries around the world for large volume sales contracts in the many millions of larvae per shipment.</p> <ul style="list-style-type: none"> ○ Consider different models like “adult equivalency loss” or like the models tied in with fisheries recruitment data (recruitment forgone) and correct the false assumption in the APF model about density independent survival. ○ For the alternative of the wedgewire screen, adjust the transport part of the impact model for the lower average age of the entrained larvae at < 5mm. ○ Correct the record on the sub-sand filtration approaches by providing an analysis of the ecological modification that will occur on that sand surface from the nutrient flux from the downward flowing water column and the “entrained biomass” that it contains. ○ Utilize actual data on the wedgewire screen performance as a function of larval size. Check the scientific literature for larval swimming speeds relative to the slot velocities on the edge wire screens. ○ Depending upon the cost of the wedgewire screens, the use of an open intake into drum microscreen filters with return of “entrainment organisms” to the ocean could be considered in the scope of this analysis. ○ If the hydrodynamic model meets all the specification of 2 ppt and no one is suggesting a tighter standard or more restrictive area limit, no reanalysis is required. <ul style="list-style-type: none"> ▪ If the standard specifications of 2 ppt are being reopened, all the data on salinity stress testing in the scientific peer reviewed literature needs to be included in the analysis. ● 8 scientific articles are referenced in the comment letter; one additional article was submitted in January. 	
P-22. Jay Schneider	A full EIR should be conducted for the project.	Purpose and Scope of Supplemental EIR (Section 1.4)
P-23. Tim Noble	<ul style="list-style-type: none"> ● HB should focus on water conservation and reclamation to combat the drought. ● The brine discharge will negatively impact marine life and the long-term effects of continual discharge off the HB coast is unknown. 	Ocean Water Quality (Section 4.3), Alternatives (Section 5.0) Other issues are not

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Comment # / Affiliation	Summary of Comments	EIR Location Where Comments Addressed
	<ul style="list-style-type: none"> • Concerned about giving responsibility of HB’s water production to a private company and the connection between water production and rising energy costs. • Request considering more sustainable alternatives that do not use as much energy. 	<p>within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
<p>P-24. Kathy Abler</p>	<p>Requests a full EIR for the project because:</p> <ul style="list-style-type: none"> • There is no longer a need for the project because OCWD has significantly expanded its GWS and water conservation efforts have greatly reduced the need. • Include the proposed water delivery system in the EIR. • There has been changes in cumulative impacts to the area. 	<p>Purpose and Scope of Supplemental EIR (Section 1.4), Cumulative Projects (Section 3.0) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
<p>P-25. Penny Elia</p>	<ul style="list-style-type: none"> • Requests a Subsequent EIR, not a Supplemental EIR, that focuses solely on intake and discharge modifications and that all changes be analyze together in one document: <ul style="list-style-type: none"> ○ SEIR should reconsider the purpose and alternatives for the project, i.e. how they have changed and how they will change, especially since the expansion of the OCWD GWRS, the proposed La County GWRS, and increased water conservation in Orange County even as the local economy and population continues to grow. ○ Requests the SEIR include discussion of delivery of the product water, i.e. location of new delivery pipelines and method of putting water into the groundwater basin. ○ Requests cumulative impacts be analyzed in SEIR, especially air emissions, since nearby proposed developments have changed. ○ Project proposal needs to be thoroughly analyzed for threats from sea level rise, tsunami run-up, storm surge, earthquakes, and other geological disturbance. ○ Requests analysis of the need of the project and alternatives to meet the need. 	<p>Purpose and Scope of Supplemental EIR (Section 1.4); Alternatives (Section 5.0); Cumulative Projects (Section 3.0); Air Quality (Section 4.4); Coastal Processes (4.15); Geology, Soils, and Seismicity (Section 4.6), Project Description (Section 2.0), Marine Biological Resources (Section 4.2) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>

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Comment # / Affiliation	Summary of Comments	EIR Location Where Comments Addressed
	<ul style="list-style-type: none"> • Requests analysis of alternative intake and discharge tech. • Requests analysis of alternative sites for the project. • Co-location versus stand-alone operation: How will Poseidon meet the standard for using the best technology available to minimize intake and mortality of marine life if they operate the facility before that technology is installed? 	
P-26. Bill McCarty	An EIR addendum is not sufficient due to the age of the existing EIR and the potential environmental impacts of the desal facility.	Purpose and Scope of Supplemental EIR (Section 1.4)
P-27. Jason Pyle	<ul style="list-style-type: none"> • A new EIR should be required because since the last EIR and SEIR was completed, significant changes have taken place in the immediate area: <ul style="list-style-type: none"> ○ Development of new projects in the vicinity of the project site. ○ Completion of the new water reclamation system at the HB/Fountain Valley Sanitation Facilities. ○ Need for water produced by Poseidon is now questionable. • Poseidon’s original noise study is inadequate and fails to identify the effects on the local area’s natural environment and wildlife: <ul style="list-style-type: none"> ○ Focused on complying with LORS only and failed to clearly identify the “actual” noise production. ○ Scott Maloni (Poseidon Resources) confirms the assertion that the SEIR and Noise study only will be confined to the limits established in the City’s Noise Ordinance. ○ Failed to identify the endangered wildlife in the area in the SEIR and how it will be affected by noise. ○ Continuously failed to identify the cumulative effects of two major industrial projects simultaneously building and operating at the same location. ○ Failed to apply the same principles that the CEC has identified as the criteria for a possible CEQA violation. 	Purpose and Scope of Supplemental EIR (Section 1.4), Cumulative Projects (Section 3.0), Noise and Vibration (Section 4.7) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of this Supplemental EIR).
P-28. Jason Pyle	<p>(Attached letter from Jason Pyle to Ricky Ramos, Senior Planning Specialist at the HB Dept. of Planning and Building regarding the previous DEIR)</p> <ul style="list-style-type: none"> • Section 4.5 “Noise” of the SEIR is incorrect in its findings and thus its “Summary of Impacts” is incomplete and wrong since it failed to address 	Noise and Vibration (Section 4.7)

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	<p>these issues:</p> <ul style="list-style-type: none"> ○ Failed to correctly quantify existing ambient noise levels in the project area. ○ Failed to identify and take into account the effects of the dramatic difference between the current ambient noise levels at night and the proposed project noise levels at night. ○ Failed to acknowledge the guidelines set forth in CEQA Section 21000. SEIR should have listed the project as a “SIGNIFICANT ENVIRONMENTAL IMPACT” due to Significant changes in Ambient Noise Levels. ● Simple solution is to require that the proposed project develop mitigation measures that will reduce any and all noise levels to a dBA level no greater than the Lowest Current Ambient Levels of Noise for day and night. 	
P-29. Jason Pyle	<p>(Attached letter from Scott Maloni of Poseidon to HB City Council regarding Jason Pyle’s concerns about Poseidon’s noise study)</p> <ul style="list-style-type: none"> ● Was aware that Jason Pyle’s concerns with the noise study regarded the time of day in which noise sampling was conducted and the use of the noise ordinance standard of 50 dBA Leq for nighttime noise as a benchmark for noise attenuation design purposes. ● Poseidon committed to the following measure to address Pyle’s concerns: <ul style="list-style-type: none"> ○ Conducting an additional noise study at the project design stage when more detailed information on pump specifications and configurations were available and conducting sound level sampling at around 3am. ○ Attenuating project-generated noise to avoid a perceptible increase in noise at the nearest residential property, but allowing up to a 5 dBA increase above the calculated nighttime ambient noise levels at the nearest property line. 	Noise and Vibration (Section 4.7)
P-30. Merle Moshiri	<p>Requests a new EIR since the area has changed:</p> <ul style="list-style-type: none"> ● Cumulative impacts from new proposed projects in the vicinity of the project will be detrimental to local residents, e.g. air pollution impacts to the nearby residential area and nearby schools. ● Concerned about impacts to local wetlands and the Magnolia Marsh (i.e., noise and lighting impacts on breeding birds in the Marsh) and the effects of annual King Tides, sea level rise, tsunamis, and the 	Purpose and Scope of Supplemental EIR (Section 1.4); Cumulative Projects (Section 3.0); Air Quality (Section 4.4); Noise and Vibration (Section 4.7); Aesthetics, Light, and

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	<p>Newport/Inglewood Faultline.</p> <ul style="list-style-type: none"> The need for the project has not been established. 	<p>Glare (Section 4.8); Coastal Processes (Section 4.15) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
P-31. Dorothy Maruyama	<ul style="list-style-type: none"> Poseidon has not addressed or proposed solutions to the potential impacts of the old equipment at the Edison Power Plant on the ocean. Lack of information regarding the delivery of product water. Believes that if other areas need water, the desal facility should be built there. Does not see the need for the project since HB and Fountain Valley do not need the water. Poseidon has not addressed how they would maintain the infrastructure for the continued delivery of the current water from the area's natural aquifer. Poseidon has not addressed potential cross-contamination from the Ascon Toxic Waste Dump to the desal plant. Poseidon's has a history of permit violations at their Florida and Carlsbad facilities. 	<p>Cumulative Projects (Section 3.0) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
P-32. Dallas Weaver	<ul style="list-style-type: none"> States that a CA Coastal Commission staffer, Tom Luster, who handles ocean intake issues, has been providing false information to the public by trying to maintain that entrainment is a significant issue when studies show that it is not a significant issue. Included a forwarded email from researchers stating that Tom Luster misrepresented their results and conclusions in a study, titled "Dramatic declines in coastal and oceanic fish communities off California" published in the journal <i>Marine Ecology Progress Series</i> that concludes that it is not reasonable to attribute nearshore and offshore fish population decline to the impact of coastal development or nearshore power-plant intakes. The researchers point out that large-scale ocean forcing, rather than local coastal processes such as power plant water intakes, are driving the observed 	<p>Marine Biological Resources (Section 4.2) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>

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	fish population changes and that Tom Luster claimed the opposite when citing their research. (Reprint of the published article was included in the forwarded email.)	
Scoping Meeting Comments – December 15, 2016		
M-1. F. Adelman	Does not want the desalination facility to be constructed.	n/a
M-2. P. Kabre	Would like to know the impact of the brine released back into the ocean on the local beaches and marine life.	Marine Biological Resources (Section 4.2), Ocean Water Quality (Section 4.3)
M-3. L. Marcovici	Would like to know if the intake or outflow from the desal facility will affect local ocean currents.	Coastal Processes (Section 4.15)
M-4. Richard Armendariz	<ul style="list-style-type: none"> • Changes to the original project necessitate that a full EIR, not a Supplemental EIR based solely on the intake/discharge modifications, be developed. • Piecemealing the EIR is not allowed under CEQA. • OCWD, Orange County Water District should prepare a separate EIR for the water delivery system. • All changes should be analyzed together in one subsequent EIR. • The SEIR needs to reconsider the purpose and alternatives for the project. • CA regulations regarding desalination plants makes subsurface intake mandatory. • Case of Poseidon vs. Tampa Bay: Poseidon said they would be able to deliver 25 million gal of fresh water a day, but they weren't able to because they had to stop the pumps every 2 hours to backflush marine life from the screens. Poseidon ended up filing for bankruptcy and walked away from the project, leaving the local water company millions of dollars in debt. The same will happen for this project. 	Purpose and Scope of Supplemental EIR (Section 1.4), Alternatives (Section 5.0) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of this Supplemental EIR).
M-5. Suzanne Dehritz	<ul style="list-style-type: none"> • Concerned that Poseidon is not invested in the health of the local beach. • Poseidon does not want to do subsurface intake because it'll cost them \$1.5 billion more. • Beaches cannot be manufactured; would like the SLC to keep this in mind when making decisions. 	Alternatives (Section 5.0)
M-6. Michael Wellborn	<ul style="list-style-type: none"> • There has been a history of bad science, conjecture, and outlandish ideas associated with this project. • Concerned that the lease amendment will approve a project that will harm the fragile and highly valued coast, will continue to contribute to adverse climate 	Climate Change and GHG Emissions (Section 4.5), Alternatives (Section 5.0) Other issues are not

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	<p>impacts due to the high energy intensity required for the facility operation, will overload the community with exorbitant costs, and that has unnecessary aspects that other solutions could provide.</p> <ul style="list-style-type: none"> • Requests that the SLC consider an alternative to abandon the existing lease and terminate the use of the existing intakes or future intakes for Poseidon. Believe that privatizing water is bad policy. • Encourage the SLC to take a broader viewpoint in the reviewing process. • Hope that quality science will be utilized in analyses and not the weaker science that Poseidon has brought forth in the past. 	<p>within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
M-7. Scott Smith	<ul style="list-style-type: none"> • Requiring the water intake to not be subsurface is detrimental to the environment. • Instead of just adding the screens and having the intake go from the beach from the front all the way out to the environment, consider having the intakes start from where the pipes are now and bringing the subsurface water from there. • Analysis needed to cover the fact that the 2nd deadliest earthquake in CA history occurred right where the intake pipes are proposed to be located. 	<p>Alternatives (Section 5.0); Geology, Soils, and Seismicity (Section 4.6) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
M-8. Dallas Weaver	<ul style="list-style-type: none"> • The commercial value of 80 million larvae (the relevant entrainment number for the desal facility) is less than \$100,000. The CCC's demand for a billion dollar intake structure to solve a \$100,000 problem is absurd. • The implicit assumption of larval survival rates being independent of larval density (density independence) in the mathematical models demanded by the CCC is wrong; doubling or halving the number of larvae can have very little impact upon ultimate fish numbers. • The wedgewire screen at 1mm opening at 25 cm/sec flow velocities won't work for the larval fish less than 5mm in length, which will be killed. • Existing entrainment is insignificant at only a few hundred kilos a year in biomass. The wedgewire proposal is just a waste of economic resources. 	<p>Marine Biological Resources (Section 4.2) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
M-9. Richard Fancher	<ul style="list-style-type: none"> • Concerned with the privatization of water, is one of the most important public policy issues facing CA now and in the future. Poseidon seems to try to create a more political environment surrounding 	<p>Air Quality (Section 4.4), Marine Biological Resources (Section 4.2),</p>

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	<p>water privatization and try to make favorable connection with people on state and local boards and commissions. They have never comprehensively answered all the questions they were asked.</p> <ul style="list-style-type: none"> • It does not make economic sense to pursue a project that will incur costs that are projected to be between 2 to 5 times what other water supply costs are when we should focus on smart, sound water conservation policy. • Environmentally sound water policy includes considering wastewater solutions. Currently, we are only capturing 10 to 15% of wastewater to re-purify it. • Desalination should only be considered after other water capacity and capability solutions have been considered. • Other issues include impacts to air quality and bio resources. The subsurface intakes are a destructive proposal that Poseidon has admitted is too expensive – this is not smart public policy. 	<p>Alternatives (Section 5.0) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
M-10. Mandy Sackett	<p>Topics for further analysis:</p> <ul style="list-style-type: none"> • Project objectives for the 2005 and 2010 project proposals have already been partially fulfilled by conservation measures and wastewater recycling – the need for water has decreased drastically in Orange County, especially due to the Water District’s GWRS. • LA County and the Metropolitan Water District are also planning indirect potable reuse system that will replenish LA and Orange County groundwater basins, which further decreases the need to desalinate water. • For Poseidon’s Carlsbad facility, during record-breaking drought conditions, the San Diego County Water Authority had to dump stored Poseidon water desalinated produced by the Carlsbad facility into the San Vicente Reservoir because of lack of immediate demand. Then they had to dump the water from the reservoir into a lake because of lack of demand. • It is now being proposed that the desalinated water be injected into groundwater storage sites instead of going directly into use as originally proposed. • Other nearby foreseeable projects necessitate more cumulative impacts analysis. • New info related to sea level rise is available since 	<p>Purpose and Scope of Supplemental EIR (Section 1.4), Cumulative Projects (Section 3.0), Coastal Processes (Section 4.15), Alternatives (Section 5.0), Marine Biological Resources (Section 4.2) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>

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	<p>the 2010 proposal – the project site needs to be analyzed for threats from sea level rise, tsunami runoff, and storm surge.</p> <ul style="list-style-type: none"> • Project purpose and alternative should be analyzed in the SEIR. • SEIR should consider feasibility of alternatives, including subsurface wells, and alternative project sites (especially due to the eventual abandonment of the AES cooling water intake). Including alternative site analysis under the “No Project Alternative” is inadequate. • SEIR must review whether alternatives would minimize cumulative impacts from developing the facility at that site. • Analysis needs to be done on why Poseidon is proposing to use pressurized diffusers when they have argued in the past that this tech entrains and kills marine life. • A Supplemental EIR is not sufficient to evaluate all the changes to the project comprehensively. 	
M-11. Staley Prom	<ul style="list-style-type: none"> • Environmental review must be conducted for the entire project and encompass all changes to the project and new info. These changes require a full subsequent EIR, not a Supplemental EIR, especially due to significant changes in circumstances, such as: <ul style="list-style-type: none"> ○ Product water delivery system has changed and its impacts to groundwater. ○ Changes in water demand and supply like what Mandy Sackett discussed. ○ New water demand projections from OCWD show significantly reduced demand, which undermines the need for the project and should be analyzed. ○ New info regarding the Poseidon Carlsbad plant must be considered since they have been cited for multiple permit violations, which gives rise to a need for stricter monitoring mitigation and cease and desist condition provisions. • Changes do not only apply to the intake/outtake components, but also to the project’s water delivery plans. These changes raise new concerns regarding impacts to the community from construction or impacts to groundwater. • Under CEQA, a project includes the whole of an activity, so the product water delivery system, a critical component of the entire project, not a 	<p>Purpose and Scope of Supplemental EIR (Section 1.4), Project Description (Section 2.0)</p> <p>Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>

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	foreseeable consequence, must be reviewed together with the intake/outtake modifications so that project segmentation cannot occur.	
M-12. Mary Jo Baretich	<ul style="list-style-type: none"> • Concerned about impacts to marine life due to the use of the proposed intake/outtake tech as opposed to subsurface tech. • Concerned about the impact of noise and vibration occurring 24/7 from the pumps on nearby wetlands, birds, and animals. • Project location is not the best site available since the cooling water intake will be abandoned by AES in 2020 – SEIR needs to analyze alternative sites where subsurface tech may be more feasible or preferred. • Requests a Subsequent EIR, not a Supplemental EIR. • Cumulative impacts from foreseeable projects will impact residents’ health and quality of life, traffic, parking, noise, dust, nighttime lighting, air pollution, asbestos and other chemical releases, etc. • Possibility of lead-based cross-contamination from the demolition of any of the AES tank areas. • Concerned with project site being located on area susceptible to earthquakes. • Concerned about impacts to local animals and the nearby wetlands conservancy center, humane society, mobile home parks, RV parks, and people to the north where prevailing winds can bring the harmful air pollution – it is an environmental justice issue. 	Marine Biological Resources (Section 4.2); Noise and Vibration (Section 4.7); Alternatives (Section 5.0); Purpose and Scope of Supplemental EIR (Section 1.4); Cumulative Projects (Section 3.0); Air Quality (Section 4.4); Transportation (Section 4.11); Aesthetics, Light, and Glare (Section 4.8); Geology, Soils, and Seismicity (Section 4.6); Socioeconomics and Environmental Justice (Section 4.14) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of this Supplemental EIR).
M-13. Clay Dominguez	<ul style="list-style-type: none"> • Concerned with project site being located on area susceptible to earthquakes. • Requests a full EIR, not a Supplemental EIR. • Concerned about the effects of pumping the product water into a ground basin. • Once the SEIR is completed, HB should ultimately be able to decide whether or not the desal facility can be built. 	Geology, Soils, and Seismicity (Section 4.6), Purpose and Scope of Supplemental EIR (Section 1.4) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of this Supplemental

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M-14. Conner Everts	<ul style="list-style-type: none"> • Demand for water, and therefore the project, has dropped substantially, especially as a result of the LA County and Carson facility and the Metropolitan Water District project. • Requests a Subsequent EIR, not a Supplemental EIR. • Recommends reducing demand before considering desalination. 	EIR). Purpose and Scope of Supplemental EIR (Section 1.4) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of this Supplemental EIR).
M-15. Joe Greener	<ul style="list-style-type: none"> • The water intake tech in the 2005 EIR was challenged by R4RD because they believed it was reasonably foreseeable that the cooling water intake was going to be prohibited, to which Poseidon, the City, and the court disagreed and called speculative. The first subsequent EIR in 2010 was required because it ended up being true. • R4RD commented on the 2010 EIR saying that the Ocean Plan Amendment was in the works and that it was reasonably foreseeable that that intake would not be allowed anymore, to which it was argued was also speculative but ended also being true. • Changes to the project include: intake/discharge tech, new developments in the area, and the proposed product water delivery system. 	Project Description (Section 2.0), Cumulative Projects (Section 3.0) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of this Supplemental EIR).
M-16. Shawn Thompson	<ul style="list-style-type: none"> • Not speaking for the HB Environmental Board – is speaking for herself. • Topics not being considered that should: <ul style="list-style-type: none"> ○ If water from the wastewater plant is brought in after co-location, there will not be enough flow, so pumping will be required, which will result in emissions. ○ Where Poseidon proposes to bring in the wastewater and how they're getting it there. • Questions that should be answered: <ul style="list-style-type: none"> ○ How soon will Poseidon use the outfall pipes and what is the lifespan of the pipes when they were first constructed? ○ If the ends of the outfalls are modified, will those welds hold? ○ Will there now be a need for constant maintenance of the outfalls? ○ Who will check for breaches to the outfall pipes and who will repair them? Is there any motivation 	Project Description (Section 2.0), Socioeconomics and Environmental Justice (Section 4.14), Coastal Processes (Section 4.15), Hazards and Hazardous Materials (Section 4.9), Cumulative Projects (Section 3.0) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i> , for information on the scope and context of

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	<p>for Poseidon to do those repairs?</p> <ul style="list-style-type: none"> ○ What are the impacts if the diffusers no longer work? Would it close the beach? ○ What is the economic impact to the City and State? ○ Is sea level rise considered when talking about the integrity of the outfalls? ○ Has there been discussion on flooding that might be caused by sea level rise? ○ Are there any chemicals on-site that might be released as a result of sea level rise or flooding? <ul style="list-style-type: none"> ● If ocean outfalls were considered impractical in the 2010 subsequent EIR, why is this being considered? ● Concerned about cumulative impacts. 	<p>this Supplemental EIR).</p>
<p>M-17. Gerry Brown</p>	<ul style="list-style-type: none"> ● Requests a full subsequent EIR due to changes in land use, project need/water demand, new statewide desal policies. ● Analysis should discuss the purpose and need of the project, especially since locals have conserved 24-27% of the water supply. ● Requests greater effort in the analysis of alternatives for slant wells or subsurface wells. 	<p>Purpose and Scope of Supplemental EIR (Section 1.4), Alternatives (Section 5.0) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
<p>M-18. Armida Brashears</p>	<ul style="list-style-type: none"> ● Desal is not critical for HB. ● Improvements to the local water system infrastructure and the availability of other sources of water has provided a lot more potable water, so with the costs of the desal facility, it doesn't make sense to build it. ● The project will result in high energy use for its operation, which leads to high levels of GHG emissions and negative impacts to the CA coastal ecosystem. ● Discharge of the brine will increase the occurrence of rashes after exposure to ocean water with increased salinity, which will harm HB's reputation as Surf City. ● Requests that SLC look critically at all the documentation Poseidon is offering since they have never fully met their requirements throughout the process of getting their project approved. 	<p>Climate Change and GHG Emissions (Section 4.5), Ocean Water Quality (Section 4.3) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>

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M-19. Susan Jordan	<ul style="list-style-type: none"> • Supports a Subsequent EIR, not Supplemental EIR, which doesn't achieve the objectives and is not legal. • The project will decide the future of desal in CA. • Throughout the years, Poseidon has tried to get away with not complying with every regulation possible. They begged the State Water Board to not have to go back and do subsurface intake at the Carlsbad facility after the water cooling was phased-out even though they knew the possibility of this happening and even though it was in their contract that it was possible. They promised to comply with the policy at HB but now is trying everything to not comply. • Will forward a recent article from Water Deeply in which Mr. Maloni of Poseidon made comments that said that if the State ultimately insists on subsurface intakes since that's what the policy calls for, the project will be dead and that he has no intention of considering an alternative site. • Public amendable to sequencing, not a permanent streamlining agreement as was issued in a press release by Poseidon after SLC issued an MOU that was a sequencing document. • The State has said that if this project is denied, it send a message that desal is dead in CA, but it's just the opposite. It sends the message that if you don't do subsurface intakes, you will have a harder time getting your project approved, and if you do subsurface intakes, the State will be supportive when there's demonstrated need. 	<p>Purpose and Scope of Supplemental EIR (Section 1.4), Alternatives (Section 5.0)</p> <p>Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
M-20. Dan Kalmick	<ul style="list-style-type: none"> • Speaking as a resident, not as a member of the HB Planning Commission. • Updates to the general plan and new FEMA maps show that the project area will be underwater in 2050 and 2100. Hopes that this be evaluated as part of the significant impacts of placing a structure in the flood plain for a 100-year flood. • The mitigation measure for this was initially revetment for shielding, but the Coastal Commission said that won't be done anymore. • A subsequent EIR is appropriate and needed because the project has changed a great deal. 	<p>Coastal Processes (Section 4.15), Purpose and Scope of Supplemental EIR (Section 1.4)</p> <p>Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
M-21. Bruce Wareh	<ul style="list-style-type: none"> • Concerned about the impacts of increased salinity in the ocean as a result of the brine, especially how 	<p>Ocean Water Quality (Section 4.3)</p>

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	<p>this might cause an increase in the presence of stingrays and jellyfish that can scare tourists away, causing HB to loss revenue through sales taxes. Will Poseidon be responsible for any damage to HB visitors and loss of revenue?</p> <ul style="list-style-type: none"> • The increase in salinity will attract more larger or more dangerous fish to the area, which will negatively impact the surfing and tourism industries. 	<p>Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>
M-22. Bruce Wareh	<ul style="list-style-type: none"> • HB doesn't need water – the project will be providing emergency water. However, water from the desal facility will not be available in an emergency because power will be the first to go out in an emergency and the facility relies on it to create the product water. • The facility will be inundated if sea level rises and the berms proposed in the original plan won't handle that. 	<p>Coastal Processes (Section 4.15) Other issues are not within the scope of this Supplemental EIR (refer to Section 1, <i>Introduction</i>, for information on the scope and context of this Supplemental EIR).</p>

[insert Notice of Preparation]

[insert public scoping hearing transcript]