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From: Halter, Amanda (OC)
Sent: Tuesday, March 03, 2009 8:35 PM
To: 'PWyels@waterboards.ca.gov'; 'Catherine Hagan (George)'
Cc: 'Peter MacLaggan'; Garrett, Christopher (SD); Singarella, Paul (OC)
Subject: Poseidon: draft administrative record index

Attachments: 999771_2.DOC

Phil and Catherine,

Attached is a draft administrative record index for discussion. The only item we've included from the 2006 permit proceedings is the permit itself since any challenge would only be to the Board's subsequent decisions, but query whether there are additional items you think it makes sense to add.

Also, has a location and specific date for this April's hearing been determined yet?

With regard to the Minimization Plan, I wanted to extend again the invitation to discuss any comments or questions you may have with our team on Thursday. Our hope is that to the extent you or staff have identified outstanding informational needs by Thursday evening, we can work toward addressing them by Monday.

Best regards,
Amanda

Amanda Halter

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(226 KB)

ATTACHMENT

Poseidon Resources Corporation, Proposed Carlsbad Desalination Project
Flow, Entrainment and Impingement Minimization Plan
Draft Administrative Record Index
San Diego Regional Water Quality Control Board
Order R9-2006-0065, NPDES NO. CA 0109223

Tab	Date	Description
April 9, 2008 Meeting - Conditional Approval of Revised Flow, Entrainment, and Impingement Minimization Plan		
Agenda and Meeting Materials		
1	04/09/08	RWQCB Meeting Agenda; Executive Officer's Summary Report, Item 7; Minutes
2	04/09/08	Location Map (Supporting Document 1a.)
3	04/09/08	Poseidon Flow Schematic (Supporting Document 1b.)
4	04/09/08	Order R9-2006-0065, NPDES No. CA0109223, Waste Discharge Requirements for the Poseidon Resource Corporation, Carlsbad Desalination Project, Discharge to the Pacific Ocean via the Encina Power Station Discharge Channel (Supporting Document 2)
5	02/19/08	Regional Board Comment Letter on 2/12/07 Revised Plan (Supporting Document 3)
6	03/06/08	Revised Flow, Entrainment, and Impingement Minimization Plan (Supporting Document 4a.)
7	03/06/08	Revised Flow, Entrainment and Impingement Minimization Plan, Attachment 1 - Cost Estimate of Subsurface Intake Alternatives (Supporting Document 4b.)
8	03/07/08	Poseidon Response to February 19, 2008 Regional Board Comments (Supporting Document 5.)
9	03/14/08	San Diego Desal Partners Letter (Supporting Document 6.)
10	03/19/08	San Diego Coastkeeper & Surfrider Foundation Letter (Supporting Document 7.)
11	03/20/08	California Coastal Commission Letter (Supporting Document 8.)
12	04/09/08	Supplemental Executive Officer Summary Report, Item 7
13	04/09/08	Tentative Resolution R9-2008-0039, Conditional Approval of Revised Flow, Entrainment, and Impingement Minimization Plan for Poseidon Resources Corporation, Carlsbad Desalination Project (Supporting Document 9.)
14	04/04/08	RWQCB Technical Report, Review of Carlsbad seawater Desalination Plant Flow, Entrainment, and Impingement Minimization Plan (Supporting Document 10)
15	04/09/08	Additional Public Comments (Supporting Document 11)
16	04/09/08	RWQCB Resolution R9-2008-0039, Conditional Approval of Revised Flow, Entrainment, and Impingement Minimization Plan for Poseidon Resources Corporation, Carlsbad Desalination Project
17	04/09/08	Certified Partial Transcript of Proceedings

Tab	Date	Description
Related Non-Agenda Materials		
18	02/12/07	Draft Flow, Entrainment, and Impingement Minimization Plan for the Carlsbad Seawater Desalination Project
19	02/21/07	RWQCB Public Notice of Availability - Flow, Entrainment, and Impingement Minimization Plan, Poseidon Resources Corporation, Carlsbad Desalination Project
20	04/09/07	Letter from Sierra Club to RWQCB re Flow, Entrainment, and Impingement Minimization Plan, Poseidon Resources Corporation, Carlsbad Desalination Project
21	04/10/07	Letter from Coastkeeper to RWQCB re Comments on the Poseidon Resources Flow, Entrainment, and Impingement Minimization Plan for the Carlsbad Desalination Project
22	05/02/07	Letter from California Coastal Commission to RWQCB re Comments on the February 12, 2007 proposed Flow, Entrainment, and Impingement Minimization Plan
23	06/29/07	Letter from Poseidon Resources to RWQCB re: Transmittal Revised Flow, Entrainment, and Impingement Minimization Plan for the Carlsbad Seawater Desalination Project (REVISED PLAN Dated June 1, 2007)
24	04/02/08	Letter from Poseidon Resources to RWQCB re: Carlsbad Desalination Project (Order No. R9-2006-0065, NPDES No. CA0109223), April 9, 2008 Hearing, Agenda Item #7 (Coastal Commission request to postpone action)
25	04/02/08	Letter from Poseidon Resources to RWQCB re: Carlsbad Desalination Project (Order No. R9-2006-0065, NPDES No. CA0109223), April 9, 2008 Hearing, Agenda Item #7 (Coastkeeper request to postpone action)
26	05/07/08	Petition Requesting State Water Board Review of Regional Board Order No. R9-2008-0039
27	08/05/08	California Coastal Commission Staff Recommended Modifications to the Revised Findings (Item W4a). Addendum to E-06-013 – Poseidon Resources (Channelside), LLC – Carlsbad Desalination Facility
28	08/19/08	Letter from SWRCB to Deborah Sivas, Esq. re Dismissal of Petition A-1931 (RWQCB Order No. R9-2008-0039)
29	11/14/08	Letter from Poseidon Resources to RWQCB re Carlsbad Desalination Project re: Adopted Order No. R9-2008-0039 conditionally approving <i>Revised Flow, Entrainment, and Impingement Minimization Plan</i> (Submittal of Marine Life Mitigation Plan)
30	11/21/08	California Coastal Commission Recommended Revised Condition Compliance Findings (Item W16a). Condition Compliance for CDP No. E-06-013 – Poseidon Resources (Channelside), LLC; Special Condition 8: Submittal of a Marine Life Mitigation Plan (Approved by Coastal Commission 12/10/08)
31	12/02/08	Letter from RWQCB to Poseidon re: Review of Proposed Poseidon Resources Carlsbad Desalination Plant Marine Life Mitigation Plan, Resolution No. R9-2008-0039

Tab	Date	Description
32	12/09/08	Letter from Poseidon Resources to RWQCB re: Adopted Resolution No. R9-2008-0039 conditionally approving <i>Revised Flow, Entrainment, and Impingement Minimization Plan</i>
February 11, 2009 Hearing - Review of Marine Life Mitigation Plan		
Agenda and Hearing Materials		
33	12/30/08	Notice of Public Hearing California Regional Water Quality Control Board, San Diego Region re: February 11, 2009 Hearing
34	01/02/09	Corrected Notice of Public Hearing California Regional Water Quality Control Board, San Diego Region re: February 11, 2009 Hearing
35	02/11/09	Agenda, Supplemental Agenda and Agenda Notes
36	02/11/09	Executive Officer Summary Report, Item 6
37	02/11/09	Site Map (Supporting Document No. 1)
38	04/09/08	Resolution No. R9-2008-0039 (Supporting Document No. 2)
39	11/14/08	Flow, Entrainment and Impingement Minimization Plan (Supporting Document No. 3)
40	12/02/08	Regional Board Review of November 14, 2008 Submittal (Supporting Document No. 4)
41	12/09/08	Poseidon Resources Corporation Response to Regional Board December 2, 2008 Letter (Supporting Document No. 5)
42	01/16/09	San Diego Coastkeeper Letter Regarding Closed Session Discussion During the January 21, 2009 Board Meeting (Supporting Document No. 6)
43	01/19/09	Comments from Hubbs-Sea World Research Center (Supporting Document No. 7)
44	01/19/09	Comments from Industrial Environmental Association (Supporting Document No. 8)
45	01/19/09	Comments from Carlsbad Chamber of Commerce (Supporting Document No. 9)
46	01/19/09	Comments from City of Carlsbad, Office of the Mayor (Supporting Document No. 10)
47	01/19/09	Comments from San Diego County Building & Construction Trades Council (Supporting Document No. 11)
48	01/21/09	Comments from Latham & Watkins on behalf of Poseidon Resources Corporation (Supporting Document No. 12)
49	01/21/09	Comments from Sweetwater Authority (Supporting Document No. 13)
50	01/21/09	Comments from San Diego County Tax Payers Association (Supporting Document No. 14)
51	01/21/09	Comments from The Flower Fields at Carlsbad Ranch (Supporting Document No. 15)
52	01/21/09	Comments from Santa Fe Irrigation District (Supporting Document No. 16)
53	01/21/09	Comments from Olivenhain Municipal Water District (Supporting Document No. 17)
54	01/21/09	Comments from San Diego City Councilman Benjamin Hueso (Supporting Document No. 18)

Tab	Date	Description
55	01/21/09	Comments from California Assemblymember Martin Garrick (Supporting Document No. 19)
56	01/21/09	Comments from Don Christiansen (Supporting Document No. 20)
57	01/22/09	Comments from California Senator Mark Wyland (Supporting Document No. 21)
58	01/22/09	Comments from Robert Simmons, Counselor-at-Law (Supporting Document No. 22)
59	01/23/09	Comments from San Diego Regional Chamber of Commerce (Supporting Document No. 23)
60	01/23/09	Comments from Valley Center Water District (Supporting Document No. 24)
61	01/23/09	Comments from Julianne Nygaard (Supporting Document No. 25)
62	01/26/09	Comments from San Diego County Water Authority (Supporting Document No. 26)
63	01/26/09	Poseidon Resources Corporation request to enter audio cassette of 11/12/08 Board Meeting into record (Supporting Document No. 27)
64	01/26/09	Latham & Watkins Statement of Procedural Objections and Request for Alternate Procedures (Supporting Document No. 28)
65	01/26/09	Dr. David Mayer, Ph.D., Expert Opinion on Poseidon's Marine Like Mitigation Plan (Supporting Document No. 29)
66	01/26/09	Chris Norton (Nordby), Expert Opinion on Poseidon's Marine Life Mitigation Plan (Supporting Document No. 30)
67	01/26/09	Dr. Scott A. Jenkins, Ph.D., Expert Opinion on Biological Data Used to Support Poseidon's Impingement and Entrainment Assessment (Supporting Document No. 31)
68	01/26/09	Comments Letter from Latham & Watkins on behalf of Poseidon Resources Corporation, with 2-volume Appendix (Supporting Document No. 32)
69	01/26/09	Latham & Watkins cover letter, with enclosures (Supporting Document No. 33): <ul style="list-style-type: none"> • Declaration of Peter M. MacLaggan, with exhibits A-F; • Declaration of Jessica H. Jones, with exhibit A; and • January 26, 2009 Letter from Peter MacLaggan to Members of the Regional Board
70	02/19/08	Regional Board Review of Poseidon's February 12, 2007, and June 27, 2007, Flow, Entrainment, and Impingement Minimization Plan(s) (Supporting Document No. 34)
71	01/21/09	Comments from Senator Christine Kehoe (Supporting Document No. 35)
72	01/21/09	Comments from Vallecitos Water District (Supporting Document No. 36)
73	01/21/09	Comments from Agua Hedionda Lagoon Foundation (Supporting Document No. 37)
74	01/21/09	Comments from San Diego North Economic Development Council (Supporting Document No. 38)
75	01/21/09	Comments from Farm Bureau San Diego County (Supporting Document No. 39)

Tab	Date	Description
76	01/26/09	Comments from Poseidon Resources Corporation (Request for final action on 2/11/09) (Supporting Document No. 40)
77	01/27/09	Request for removal of documents erroneously included in Declaration of Peter MacLaggan (Supporting Document No. 41)
78	01/29/09	Regional Board Response to Latham & Watkins Statement of Procedural Objections and Request for Alternate Procedures dated January 26, 2009 (Supporting Document No. 42)
79	01/30/09	Comments from Linda Adams, California Environmental Protection Agency (Supporting Document No. 43)
80	02/02/09	Comments from A.G. Kawamura, California Department of Food & Agriculture (Supporting Document No. 44)
81	02/02/09	Comments from Governor Arnold Schwarzenegger (Supporting Document No. 45)
82	02/02/09	Comments from Mike Chrisman, California Natural Resources Agency (Supporting Document No. 46)
83	02/02/09	Comments from Donald Koch, California Department of Fish & Game (Supporting Document No. 47)
84	02/02/09	Latham & Watkins LLP Response to Regional Board Staff Claim that Coastal Commission's Approved Inter-Agency MLMP Fails to Contain A Specific Mitigation Proposal (Supporting Document No. 48)
85	02/02/09	<p>Poseidon Resources Corporation Response to Executive Officer Summary Report Released January 29, 2009 Request for Board Action on Poseidon Submittal on February 11, 2009 (Supporting Document No. 49), enclosing 3 Volumes:</p> <ul style="list-style-type: none"> • Volume 1 – <ul style="list-style-type: none"> ○ Tab 1: Poseidon Summary Chart and Detailed Response to Executive Officer Summary Report Released January 29, 2009; ○ Tab 2: Poseidon Request for Regional Board Action Re: Conduct of Hearing for Item No. 6; and ○ Tab 3: Poseidon Proposed Resolution For Adoption By Regional Board On February 11th Approving Submitted Marine Life Mitigation Plan, Finding Compliance With Resolution No. R9-2008-0039, and Compliance With Resolution R9-2006-0065, and Making Appropriate Findings • Volume 2 – <ul style="list-style-type: none"> ○ Tab 4: Poseidon's Response to Staff's "Overarching Concern" Re: The Inclusion of a "Specific Mitigation Alternative" in the Marine Life Mitigation Plan; ○ Tab 5: Supplemental Statement and Evidence Presented by Chris Nordby Re: Impingement Issues ○ Tab 6: Summary Charts of Staff Issues and Poseidon Responses to Regional Board Staff Review Letters and Technical Report of February 19, 2008 and April 4, 2008 ○ Tab 7: Offer of Proof Regarding Testimony and Evidence From

Tab	Date	Description
		<ul style="list-style-type: none"> Poseidon <ul style="list-style-type: none"> ○ Tab 8: Coastal Commission Recommended Revised Condition Compliance Findings for CDP No. E-06-013 – Poseidon Resources (Channelside), LLC; Special Condition 8: Submittal of a Marine Life Mitigation Plan, adopted December 10, 2008 • Volume 3 – <ul style="list-style-type: none"> ○ Tab 9: Annotated Index of Authority and Technical Studies and Scientific Studies Supporting Board Decision
86	02/11/09	PowerPoint Presentation – Peter MacLaggan
87	02/11/09	PowerPoint Presentation – Marco Gonzalez
88	02/11/09	Partial Transcript of Proceedings
Related Non-Agenda Materials		
89	02/04/09	Letter from Catherine George Hagan, RWQCB to Amanda Halter, L&W enclosing staff e-mails between staff and third-parties regarding the Carlsbad Desalination Plant
90	02/27/09	Governor Schwarzenegger Proclamation, State of Emergency – Water Shortage
April 8, 2009 Hearing		
91	03/02/09	Flow, Entrainment and Impingement Minimization Plan
Flow, Entrainment and Impingement Minimization Plan References (In Alphabetical Order)		
92	04/01/06	Cabrillo Power I LLC <i>Proposal for Information Collection Clean Water Act Section 316(b). Encina Power Station</i> , April 1, 2006.
93	01/00/05	California Coastal Commission. <i>Recommended Revised Findings Coastal Development Permit E-06-013, Poseidon Resources Carlsbad Desalination Project</i> , February 21, 2008. California State Lands Commission and U.S. Army Corps of Engineers. <i>Draft Environmental Impact Report / Environmental Assessment – Agua Hedionda Northern Inlet Jetty Restoration</i> , January 2005.
94	n/a	City of Carlsbad. <i>Final Environmental Impact Report for Precise Development Plan and Desalination Plant, EIR 03-05 – SCH #2004041081</i> .
95	09/00/86	EPRI. 1986. Assessment of Downstream Migrant Fish Protection Technologies for Fish Protection. Prepared by Stone & Webster for EPRI. Report AP-4711. September 1986.
96	00/00/86	EPRI (Electric Power Research Institute). 1986. Assessment of Downstream Migrant Fish Protection Technologies for Hydroelectric Application. EPRI Report No. 2694-1.
97	09/00/88	EPRI 1988. Field Testing of Behavioral Barriers for Fish Exclusion at Cooling Water Intake Systems. Central Hudson Gas & Electric Company - Roseton Generating Station. Prepared by Lawler, Matuskey & Skelly Engineers. Report CS-5995. September 1988.
98	02/00/90	EPRI 1990. Fish Protection Systems for Hydro Plants. Test Results. Prepared

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		by Stone & Webster. EPRI Report GS-6712. February 1990.
99	11/00/92	EPRI 1992. Evaluation of Strobe Lights for Fish Diversion at the York Haven Hydroelectric Project. Prepared by Stone & Webster. Report TR-101703; November 1992.
100	11/00/99	EPRI 1999. Status Report on Fish Protection at Cooling Water Intakes. Prepared by Alden Research Laboratory. Report TR-114013. November 1999.
101	00/00/88	Kuhl, G.M., and K.N. Mueller. 1988. Prairie Island Nuclear. Engineering Plant Environmental Monitoring Program 1988 Annual Report: Fine-mesh Vertical Traveling Screens Impingement Survival Study. Prepared for Northern States Power Company.
102	n/a	Gunderboom Promotional Brochure.
103	07/09/04	National Pollutant Discharge Elimination System-Final Regulations to Establish Requirements for Cooling Water Intake Structures at Phase II Existing Facilities; Federal Register No. 69, No.13 1 Friday, July 9, 2004 Rules And Regulations.
104	05/00/96	P. F. Shires, E. P. Taft; "Evaluation of the Modular Inclined Screen (MIS) at the Green Island Hydroelectric Project: 1995 Test Results"; Electric Power Research Institute (EPRI) Report TR-104498; May 1996.
105	08/28/06	Poseidon Resources Corporation. Application for Coastal Development Permit, August 28, 2006, including (but not limited to) attachments: <ul style="list-style-type: none"> – Final Environmental Impact Report – Verification of All Other Permits or Approvals Applied for by Public Agencies – City of Carlsbad Resolution No. 2006-156-EIR 03-05 – City of Carlsbad Resolution No. 420-RP 05-12 – City of Carlsbad Ordinance No. NS-805-SP 144 (H) – City of Carlsbad Ordinance No. NS-806-PDP 00-02 – Planning Commission Resolution No. 6093 – SUP 05-04 – Planning Commission Resolution No. 6092 – CDP 04-41 – Planning Commission Resolution No. 6090 – DA 05-01 / Development Agreement Finding of Fact – CEQA Mitigation Monitoring and Reporting Program for the FEIR – Planning Commission Resolution No. 6094 – HMPP 05-08 – Planning Commission Resolution No. 6088 – PDP 00-02 – Planning Commission Resolution No. 6091 – RP 05-12 – Planning Commission Resolution No. 6089 – SP 144 (H)
106	11/30/06	Poseidon Resources Corporation. Response to California Coastal Commission's September 28, 2006 Request for Additional Information, November 30, 2006, including (but not limited to) attachments: <ul style="list-style-type: none"> – San Diego Regional Water Quality Control Board, Order No. R9-2006-0065 ("NPDES Permit")

Tab	Date	Description
		<ul style="list-style-type: none"> – Poseidon Resources Corporation. Response to California Coastal Commission’s December 28, 2006 Request for Additional Information (including attachments), January 19, 2006. – Poseidon Resources Corporation. Transmittal of Analysis of Alternative Subsurface Seawater Intake Structures, Proposed Desalination Plant, Carlsbad, CA, Wieldlin & Associates (January 30, 2007), sent February 2, 2007. – Poseidon Resources Corporation. Response to California Coastal Commission’s February 20, 2007 Request for Additional Information (including attachments), June 1, 2007. – Poseidon Resources Corporation. Appeal of California Coastal Commission’s July 3, 2007 Notice of Incomplete, July 6, 2007. – Poseidon Resources Corporation. Response to California Coastal Commission’s July 3, 2007 Request for Additional Information (including attachments), July 16, 2007. – Poseidon Resources Corporation. Additional Analysis of Submerged Seabed Intake Gallery (including attachments), October 8, 2007. – Poseidon Resources Corporation. Analysis of Offshore Intakes, October 8, 2007, including attachments: <ul style="list-style-type: none"> ○ Scott A. Jenkins, Ph.D. and Joseph Wasyl. Comparative Analysis of Intake Flow Rate on Sand Influx Rates at Agua Hedionda Lagoon: Low-Flow vs. No-Flow Alternatives, September 28, 2007. ○ J.B. Graham, S. Le Page and D. Mayer. Issues Related to the Use of the Agua Hedionda Inlet Jetty Extension EIR to Recommend an Alternative Seawater Intake for the Carlsbad Desalination Project, October 8, 2007. – Poseidon Resources Corporation. Coastal Habitat Restoration and Enhancement Plan (including attachments), October 9, 2007. – Poseidon Resources Corporation. Transmittal of Intake Cost Estimates, October 17, 2007. – Poseidon Resources Corporation. Transmittal of Garabaldi Study and Coastal Development Permit for Southern California Edison and San Dieguito River Valley Joint Powers Authority’s San Dieguito Wetland Restoration Plan, November 7, 2007.
107	00/00/93	Public Service Electric and Gas Company. 1993. Appendix I-Modeling. Permit No. NJ0005622. Prepared by Lawler, Matusky, and Skelly Engineers, Pearl River, NY. Comments on NJPDES Draft. 82 p.
108	12/00/80	San Diego Gas and Electric (SDG&E). 1980. <i>Encina Power Plant Cooling Water Intake System Demonstration</i> . Prepared for California Regional Water Quality Control Board, San Diego Region. December 1980.

Tab	Date	Description
109	05/00/94	S. V. Amaral, F. C. Winchell, T. C. Cook, E. P. Taft; "Biological Evaluation of a Modular Inclined Screen for Protecting Fish at Water Intakes"; Electric Power Research Institute (EPRI) Report TR- 104121 ; May 1994.
110	00/00/00	Tenera Environmental. 2000a. Diablo Canyon Power Plant: 316(b) Demonstration Report. Prepared for Pacific Gas and Elec. Co., San Francisco, CA. Doc. No. E9-055.0.
111	00/00/00	Tenera Environmental. 2000b. Moss Landing Power Plant Modernization Project: 316(b) Resource Assessment. Prepared for Duke Energy Moss Landing, L.L.C., Oakland, CA.
112	09/00/06	Voutchkov, Nikolay. <i>Challenges and Considerations When Using Coastal Aquifers for Seawater Desalination</i> , in <i>Ultrapure Water</i> , Volume 23:6, September 2006.
113	12/00/58	Weight, R.H. "Ocean Cooling Water System for 800 MW Power Station", Journal of the Power Division, Proceedings of the American Society of Civil Engineers, Dec 1958.

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very important document, as it contains the President's message to Congress for the first time since the beginning of the Civil War. The President discusses the state of the Union, the progress of the war, and the need for Congress to take action to support the war effort.

2. The second part of the document is a report from the Secretary of War, dated January 10, 1862. It provides a detailed account of the military operations of the Union Army during the previous year. The report includes information about the number of troops, the equipment, and the results of the battles. It also discusses the challenges faced by the Army and the measures taken to overcome them.

3. The third part of the document is a report from the Secretary of the Navy, dated January 15, 1862. It provides a detailed account of the naval operations of the Union Navy during the previous year. The report includes information about the number of ships, the crew, and the results of the battles. It also discusses the challenges faced by the Navy and the measures taken to overcome them.

4. The fourth part of the document is a report from the Secretary of the Interior, dated January 20, 1862. It provides a detailed account of the land and natural resources of the United States. The report includes information about the land area, the population, and the natural resources. It also discusses the challenges faced by the Interior Department and the measures taken to overcome them.

5. The fifth part of the document is a report from the Secretary of the Treasury, dated January 25, 1862. It provides a detailed account of the financial operations of the United States government during the previous year. The report includes information about the revenue, the expenditures, and the debt. It also discusses the challenges faced by the Treasury Department and the measures taken to overcome them.