

September 22, 2016

**VIA EMAIL AND U.S. MAIL**

Mr. Kurt Berchtold  
Executive Officer  
Santa Ana Regional Water Quality Control Board  
3737 Main Street, Suite 500  
Riverside, CA 92501-3339

Re: 30-day Extension to Deem Water Code Section 13142.5(b) Application Complete

Dear Mr. Berchtold,

This letter concerns Poseidon Water's ("Poseidon's") application to the Santa Ana Regional Water Quality Control Board ("Regional Board") for a Water Code section 13142.5(b) determination and an amendment and renewal of Oder No. R8-2012-0007, NPDES No. CA8000403 ("NPDES Permit") for the Huntington Beach Desalination Project (the "Project"). By and through this letter, Poseidon agrees to a one-time, 30-day extension for the Regional Board to deem Poseidon's application for the section 13142.5(b) determination complete under the Permit Streamlining Act, pursuant to California Government Code section 65957.

Under the Permit Streamlining Act, California Government Code sections 65920 *et seq.*, an agency is required to deem an application complete or incomplete within 30 days of receipt. Cal. Gov't Code § 65943. If the agency does not make this determination within the prescribed timeframe, the application will be automatically deemed complete, unless the agency requests and receives an extension from the applicant. § 65943.

On March 15, 2016, Poseidon submitted a formal request to the Regional Board to conduct a Water Code section 13142.5(b) determination for the Project. At the request of the Regional Board and the State Water Resources Control Board staffs, Poseidon also submitted supporting documents including a detailed Water Code section 13142.5(b) compliance matrix, supporting studies, and reports showing how the Project proposes to comply with the Desalination Amendment and section 13142.5(b). On June 29, 2016, Poseidon applied to the Regional Board to amend and renew the NPDES Permit.

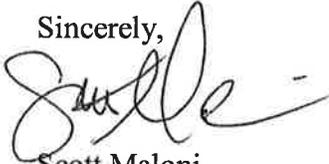
**Poseidon Water LLC**

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www.poseidonwater.com

On July 29, 2016, the Regional Board sent Poseidon a Notice of Incomplete Application identifying three items requiring more information. On September 1, 2016, Poseidon responded with additional documentation on six separate areas, including technical memoranda on ecological data and hydraulic modeling, two white papers relating to the Desalination Amendment, and a more robust alternative sites matrix.

We understand that the Regional Board would like additional time to review Poseidon's application materials. Pursuant to Government Code section 65957, Poseidon agrees to a one-time 30-day extension. Accordingly, the Regional Board now has until October 31, 2016, to deem Poseidon's application for a Water Code section 13142.5(b) determination complete or explicitly specify the remaining addition information necessary to deem the application complete.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Maloni", written over the word "Sincerely,".

Scott Maloni

Vice President Poseidon Water

cc: Philip G. Wyels, State Water Resources Control Board  
David Rice, State Water Resources Control Board