

California Regional Water Quality Control Board

San Diego Region

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Arnold Schwarzenegger Governor

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Item No. 12 Supporting Document No. 2

April 22, 2010

Mr. Peter M. MacLaggan Senior Vice President Poseidon Resources 501 West Broadway, Suite 840 San Diego, CA 92101

In reply refer to: CRU: 9 000001103: MMATA CIWQS Place ID: 640063

Dear Mr. MacLaggan:

SUBJECT: TENTATIVE ORDER NO. R9-2010-0073, AN ORDER MODIFYING ORDER NO. R9-2006-0065, NPDES NO. CA0109223, POSEIDON RESOURCES (CHANNELSIDE) LLC, CARLSBAD DESALINATION PROJECT. DISCHARGE TO THE PACIFIC OCEAN VIA THE ENCINA POWER STATION DISCHARGE CHANNEL

Enclosed is a copy of tentative Order No. R9-2010-0073, which San Diego Water Board staff intends to present to the San Diego Water Board for adoption at their regularly scheduled meeting on May 12, 2010.

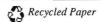
If adopted, tentative Order No. R9-2010-0073, would transfer, convey, and assign responsibility of Order No. R9-2006-0065, NPDES No. CA0109223, including implementation of the Flow, Impingement and Entrainment Minimization Plan, from Poseidon Resources Corporation to Poseidon Resources (Channelside) LLC.

The May 12, 2010 meeting will begin promptly at 9:00 AM and will be held at the following location:

> Water Quality Control Board Board Meeting Room 9174 Sky Park Court San Diego, CA 92123

Please review and comment on the tentative order at your earliest convenience. It is recommended that written comments be submitted as soon as possible to enable staff to amend the tentative order, if necessary, and allow changes to the tentative order to be fully reviewed by the San Diego Water Board and interested parties. To ensure that the San Diego Water Board has the opportunity to fully study and consider written material, comments should be received by the San Diego Water Board no later than

California Environmental Protection Agency



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noon on Wednesday, April 28, 2010. The final deadline for submittal of written comments, however, is 5:00 PM on Tuesday May 4, 2010. Please be aware that written material submitted to the San Diego Water Board office after the May 4 submittal deadline date will not be provided to the San Diego Water Board members. Also, it is not likely that written material will be accepted by the San Diego Water Board on the day of the meeting.

The heading portion of this letter includes a San Diego Water Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence, please include this code number in the heading or subject line portion of all correspondence and reports to the San Diego Water Board pertaining to this matter.

If you have any questions or comments, please contact Michelle Mata at (858) 467-2981 or via email at mmata@waterboards.ca.gov.

Respectfully,

David T. Barker Supervising Engineer

DTB:bdk:mm

Enclosure

Order No.

R9-2010-0073

NPDES No.

CIWQS Place ID 640063

WDID 9 000001429

Reg. Measure No.

373874

Party ID

522151

Person ID

339921

California Environmental Protection Agency