



VIA FACSIMILE AND ELECTRONIC MAIL

February 2, 2009

Dr. Richard Wright, Chair and Members of the Board
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340

Re: February 11, 2009 Regional Board Meeting: Item #6
Poseidon Resources Corporation, Proposed Carlsbad Desalination Project: Marine Life
Mitigation Plan

Dear Chairman Wright and Members of the Regional Board:

I write in support of the Poseidon Carlsbad Desalination Project and of the sufficiency of Poseidon's Marine Life Mitigation Plan (MLMP), a critical component to addressing the Board's prior conditional approval in Resolution No. R9-2008-0039.

California needs to pursue aggressively a combination of water conservation and water development options to assure our economic and environmental well-being. Our water portfolio will vary by region, as the update of the California Water Plan due this year will show. Desalination will certainly be an important component of that portfolio for the Central and the South Coast.

As secretary of the state agency responsible for restoring, protecting and managing California's natural resources, I want to highlight that staff from the California Department of Fish and Game (DFG) was actively involved in the review of the desalination project's Flow, Impingement and Entrainment Minimization Plan. Additionally, DFG aided in the development of the project's MLMP, in conjunction with the staff from the Regional Board, the California Coastal Commission, the State Lands Commission and other state agencies. DFG supports the MLMP as constructed, and is satisfied that this collaborative interagency process resulted in the identification of 11 priority sites for mitigation purposes within Southern California and provides that Poseidon may also consider any sites that may be recommended by DFG as high priority wetland restoration projects.

The Coastal Commission has determined that the MLMP fully mitigates the entrainment effects that will be associated with the desalination facility operations and will enhance and restore the marine environment. DFG concurs with this determination on the basis that the plan establishes: (1) the minimum acreage to be restored; (2) requirements of final mitigation site selection; (3) schedule for completion; (4) objective performance criteria for measuring success; (5) budget for monitoring, management and oversight; and (6) an enforcement mechanism.

1416 Ninth Street, Suite 1311, Sacramento, CA 95814 Ph. 916.653.5656 Fax 916.653.8102 <http://resources.ca.gov>



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In total, the MLMP includes all of the elements necessary to ensure a high likelihood of success as the Project comes on line, and becomes a significant new tool in the effort to ensure a new, reliable supply of water for Southern California.

Before closing, let me remind the Regional Board that California is experiencing severe drought conditions, which are putting the sustainability of our state's water supply in jeopardy. Just last week, the Department of Water Resources (DWR) announced that for the third consecutive year, reservoirs throughout California are significantly below normal. Statewide, snow water content is only 61 percent of normal and we are facing one of the worst droughts in California history. San Diego is particularly vulnerable to drought conditions because it imports approximately 90 percent of its water supply. Increased biological restrictions on moving water from northern California to Southern California make the San Diego region even more vulnerable to drought conditions, which will likely result in water rationing this summer.

As the Regional Board will recall, the Poseidon Carlsbad Desalination Project has undergone rigorous review by state, regional and local agencies. For more than six years, Poseidon has been working to secure all of the permits and entitlements needed for the Project. The Poseidon Resources Corporation has sufficiently addressed the many hurdles necessary in obtaining the required approvals for the Poseidon Carlsbad Desalination Project.

The Poseidon Carlsbad Desalination Project is an important infrastructure project and I urge you to determine that the MLMP satisfies sufficiently the conditions that the Regional Board established in Resolution No. R9-2008-0039.

Thank you for your consideration.

Sincerely,



Mike Chrisman
Secretary for Natural Resources
California Natural Resources Agency
Ocean Protection Council, Chair

cc: Linda S. Adams, Secretary
California Environmental Protection Agency

Tam Doduc, Chair
State Water Resources Control Board

Dorothy Rice, Executive Director
State Water Resources Control Board

John Robertus, Executive Officer
California Regional Water Quality Control Board
San Diego Region