



City of Carlsbad

Office of the City Council

March 26, 2008

Chairman Richard Wright
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123

Subject: Carlsbad Desalination Project (No. R9-2006-065 – NPDES Permit No. CA01092223) April 9, 2008 Hearing – Agenda Item 7.

Dear Chairman Wright:

I am writing to request your continued support for the Carlsbad Desalination Project, originally approved by the Regional Board in August 2006. Pursuant to the permit your board issued, Poseidon has prepared a Flow, Entrainment and Impingement Minimization Plan. The Plan has been under review for twelve months and was extensively revised on two occasions in response to comments received from the Regional Board staff and the public.

Since 1998, the City of Carlsbad has been working on a public-private partnership with Poseidon Resources to build the Carlsbad Desalination Project. This partnership has been joined by eight other public water agencies over the years as concerns for San Diego County's water supply have grown.

Despite many years of research, study and affirmation from elected and appointed decision-makers serving on permitting and regulatory agencies, the Carlsbad Desalination Project is the subject of unending scrutiny from certain factions of the regulatory community. Carlsbad supports the development of an environmentally sound project, and has been an advocate for proper technology and mitigation measures. However, even after many years of study, the certification of the Environmental Impact Report by the City of Carlsbad, the approval of a Coastal Development Permit by the Coastal Commission, and the issuance of the necessary permits by the Regional Water Quality Control Board, there seems to be repeated opposition to the project from the staff of the California Coastal Commission. The letter submitted by Coastal Commission staff to the Regional Board dated March 20, 2008 is a continuation of the delay tactics that started prior to the City's certification of the project's Environmental Impact Report in 2006. The staff of Coastal Commission continues to search for every possible argument to delay action of this project. If the City and every regulatory agency bowed to these calls for delay the project would still lack a certified environmental report and San Diego would be one step closer to a water supply catastrophe.

It's important to know that every regulatory agency that has reviewed the project, including the Coastal Commission itself, has determined the project to be necessary and environmentally sound. An unbiased, scientific review of the project has concluded that the Carlsbad desalination facility is a critical water supply project and an environmental preservation and enhancement project. It's a win-win.

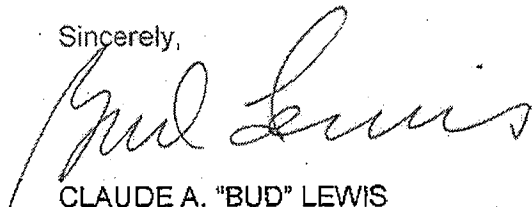


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The Flow, Entrainment and Impingement Minimization Plan contains full and comprehensive response to the Regional Board's requirement that Poseidon assess the feasibility of the best available site, design, technology and mitigation for protection of the Pacific Ocean and Agua Hedionda Lagoon marine ecosystem. Your board's decision to accept and finalize this plan should be dependent solely on the merit of the plan – not by another agency's attempt to overstep its authority and undermine yours. Furthermore the plan complies with California Water Code Section 13142.5(b) and by taking action the Regional Board is in no way violating the spirit or letter of the Porter-Cologne Act, as insinuated by Coastal Commission staff.

After ten years, it's time to move this water supply project forward. In 2006, the Regional Board agreed and unanimously approved the project and its discharge permit. I urge you to do so again on April 9th.

Sincerely,



CLAUDE A. "BUD" LEWIS
Mayor

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