



January 28, 2019

Ben Neill, P.E.
Water Resources Control Engineer
San Diego Regional Water Quality Control Board
2375 Northside Drive, Suite 100
San Diego, CA 92108

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County of San Diego

Submitted electronically via: SanDiego@waterboards.ca.gov

Subject: Comment – Tentative Order R9-2019-0003

Dear Mr. Neill:

On December 21, 2018 the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) released for public review and comment Tentative Order No. R9-2019-0003 (NPDES permit CA0109223), *Waste Discharge Requirements for Poseidon Resources (Channelside) LP Claude "Bud" Lewis Carlsbad Desalination Plant Discharge to the Pacific Ocean (Tentative Order) which include a California Water Code section 13142.5(b) determination*. San Diego County Water Authority (Water Authority), the sole purchaser of water produced at the Carlsbad Desalination Plant (CDP), has reviewed the Tentative Order and is submitting the enclosed comments for the San Diego Water Board's consideration.

1. General

The Water Authority concurs with the statements and requested modifications to the Tentative Order that are contained in Poseidon's Comment Letter, submitted to you under separate cover on January 28, 2019.

2. California Environmental Quality Act (Section II.F, Attachment F, III.B)

The Water Authority is currently working on the Sixth Addendum to the Final EIR and anticipates finalizing the document in February 2019. Please revise the language in the Tentative Order, as shown in red below, to reflect the current status:

"The action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100, et seq.) in accordance with section 13389 of the Water Code. The Water Code section 13142.5(b) determination set forth in Attachments H-1 and H-2 to this Order is issued under state law authority only and is a discretionary approval subject to compliance with CEQA. In August 2016, the SDCWA certified the Final Supplement to the Precise Development Plan and Desalination Plant Project Final Environmental Impact Report (EIR 03-05; State Clearinghouse No. 2004041081) (Final EIR). ~~In January 2019, the SDCWA approved the~~

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~~Sixth Addendum to the Final EIR.~~ In February 2019, the SDCWA finalized the Sixth Addendum to the Final EIR. The San Diego Water Board independently considered the environmental effects of the project as described in the 2006 EIR, the 2016 Supplemental EIR, and addendums. Details of CEQA compliance are set forth in the Fact Sheet (Attachment F)."

In closing, the CDP has been operating since December 2015 and is a critical piece of the Water Authority's overall regional water supply reliability and diversification strategy. The facility meets approximately nine percent of the region's water supply, providing drought-proof, high quality water to the public.

Thank you for consideration of these comments. Please feel free to contact Kelley Gage, Director of Water Resources, at 858-522-6741 if you have any questions.

Sincerely,



Maureen A. Stapleton
General Manager