



REGIONAL  
WATER QUALITY  
CONTROL BOARD

January 26, 2009

**BY HAND DELIVERY**

2009 JAN 26 P 4:39

Dr. Richard Wright  
Chairman  
San Diego Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, CA. 92123-4340

Re: February 11, 2009 San Diego Regional Board Meeting, Item 6 - Poseidon Resources Corporation, Proposed Carlsbad Desalination Project (Order No. R9-2006-0065, NPDES No. CA0109223)

Dear Chairman Wright:

I am writing in regards to California Regional Water Quality Control Board, San Diego Region ("RWQCB") Corrected Notice of Public Hearing re: Review of Marine Life Mitigation Plan: Waste Discharge Requirements for Poseidon Resources Corporation, Proposed Carlsbad Desalination Project, Order No. R9-2006-0065, NPDES No. CA0109223, and request for public comment on these proposed agency actions.

On January 20, 2009, on behalf of Poseidon Resources Corporation, I requested a copy of the November 12, 2008 public meeting transcript for Agenda Item 2 (Public Forum) from the RWQCB. In response, RWQCB staff provided the enclosed audio cassette tape on January 22, 2009, labeled "ITEM 2 (Public Forum) 11-12-08 BD. MTG." RWQCB also provided me with the enclosed (Partial) Minutes of the November 12, 2008 RWQCB meeting.

We respectfully request that the enclosed audio cassette tape and (Partial) Minutes of the November 12, 2008 RWQCB meeting be given appropriate consideration, placed in the administrative record for the review of the Marine Life Mitigation Plan, and related February 11, 2009 Agenda Item 6, and thereafter maintained in RWQCB's records.

If you have any questions, please feel free to contact me.

Respectfully submitted,

Jessica H. Jones  
Assistant Project Manager

Enclosure

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION  
9174 Sky Park Court, Suite 100  
San Diego, California 92123

(Partial) MINUTES OF MEETING  
NOVEMBER 12, 2008

**Item 2** – Public Forum

Stacy Mitchum, In-Pipe Technology, informed the Board that her company provided a service that helped municipalities achieve compliance with permit requirements and realize significant cost savings and better, more efficient wastewater treatment and explained how it worked.

Gabriel Solmer, San Diego Coastkeeper, expressed concern that the Poseidon Resources Corporation's Marine Life Mitigation Plan, that was due to the Regional Board on October 9, 2008, was not received. Ms. Solmer also stated that Poseidon had not reported when the Regional Board would receive the Plan. Mr. Robertus and senior staff member, Chiara Clemente, gave an update on the Plan.

Katelyn Kinn, San Diego Coastkeeper, spoke about the environmental complaint the Regional Board received from the Humane Society of the United States against Armstrong Farms, an egg producing operation, for illegal discharge of pollutants. Ms. Kinn requested that the Regional Board terminate the conditional waiver for the operation, begin regulating the facility with waste discharge requirements, and initiate formal enforcement.