



# California Regional Water Quality Control Board San Diego Region



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<http://www.swrcb.ca.gov/rwqcb9/>

Supporting Document No. 3

March 9, 2009

**CERTIFIED MAIL**  
7006 2760 0000 1615 6281

In reply refer to:  
**CRU: 9 000001103: MMATA**

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

Dear Mr. MacLaggan:

**SUBJECT: TENTATIVE ORDER NO. R9-2009-0038 AMENDING ORDER NO. R9-2006-0065 (NPDES NO. CA0109223) WASTE DISCHARGE REQUIREMENTS FOR THE POSEIDON RESOURCES CORPORATION CARLSBAD DESALINATION PROJECT DISCHARGE TO THE PACIFIC OCEAN VIA THE ENCINA POWER STATION DISCHARGE CHANNEL**

Enclosed is a copy of Tentative Order No. R9-2009-0038 which Regional Board staff intends to present to the Regional Board for adoption at their regularly scheduled meeting on April 8, 2009.

If adopted, tentative Order No. R9-2009-0038 would amend waste discharge requirements, Order No. R9-2006-0065, NPDES No. CA0109223, to approve and require implementation of the March 9, 2009 Flow, Entrainment and Impingement Minimization Plan. The tentative Order would supersede Resolution No. R9-2008-0039, update Order findings, language, and the Fact Sheet.

The April 8, 2009 meeting will begin promptly at 9:00 a.m. and will be held at the following location:

Regional Water Quality Control Board  
Regional Board Meeting Room  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123

Please review and comment on the tentative order at your earliest convenience. The public comment period will remain open until the Regional Board takes action on April 8. However, to ensure that the Regional Board has the opportunity to fully study and

Mr. Peter MacLaggan  
Tentative Order No. R9-2009-0038

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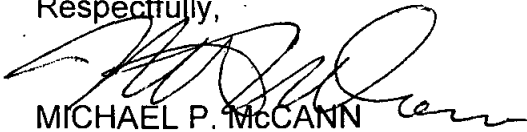
March 9, 2009

consider written material, written comments should be received in the Regional Board's office no later than 5:00 P.M. on Wednesday, April 1, 2009.

The heading portion of this letter includes a Regional 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 Regional 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](mailto:mmata@waterboards.ca.gov).

Respectfully,



MICHAEL P. McCANN  
Assistant Executive Officer

MPM:bdk:mm

Enclosure

cc: Interested Parties List