P O S E I D O N R E S O U R C E S

February 2, 2009

Chairman Richard Wright
Vice Chair David King
Eric Anderson
Wayne Rayfield
Kris Weber
Grant Destache
George Loveland
Gary Thompson
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340

SAN DIEGO REGIONAL
WATER QUALITY
CONTROL BOARD
2009 FEB -2 P 4: 43

Re: Agenda Item No. 6 - Regional Board Meeting of February 11, 2009
Poseidon Response To Executive Officer Summary Report Released January 29, 2009
Request For Board Action On Poseidon Submittal On February 11, 2009

Dear Chairman Wright, Vice Chair King and Members of the Regional Board:

For your review and consideration regarding Agenda Item No. 6 for the February 11, 2009 San Diego Regional Water Quality Control Board meeting, we are transmitting to you the following items, which are attached to this letter. To keep the materials organized, we have placed them into three bound volumes, with the documents referenced and organized by Tab, and designated by colored paper.

Because your staff has not as yet presented you with an alternative resolution approving our submittal, we have also prepared a proposed resolution [Tab 3, Green Colored Paper] for your consideration and possible adoption on February 11th.

Volume 1:

- Tab 1: Poseidon Summary Chart and Detailed Response to Executive Officer Summary Report Released January 29, 2009. [Pink Colored Paper]
- Tab 2: Poseidon Request for Regional Board Action Re: Conduct of Hearing for Item No. 6. [Yellow Colored Paper]
- Tab 3: Poseidon Proposed Resolution For Adoption By Regional Board On February 11th Approving Submitted Marine Life Mitigation Plan, Finding Compliance With Resolution No. R9-2008-0039, and Compliance With Resolution R9-2006-0065, and Making Appropriate Findings. [Green Colored Paper]

Poseidon Resources
501 West Broadway, Suite 2020, San Diego, CA 92101, USA
619-595-7802 Fax: 619-595-7892

Volume 2:

- Tab 4: Poseidon's Response to Staff's "Overarching Concern" Re: The Inclusion of a "Specific Mitigation Alternative" in the Marine Life Mitigation Plan. [White Colored Paper]

- Tab 5: Supplemental Statement and Evidence Presented by Chris Nordby Re: Impingement Issues. [White Colored Paper]

- Tab 6: Summary Charts of Staff Issues and Poseidon Responses to Regional Board Staff Review Letters and Technical Report of February 19, 2008 and April 4, 2008. [White Colored Paper]

- Tab 7: Offer of Proof Regarding Testimony and Evidence From Poseidon. [White Colored Paper]

- Tab 8: Coastal Commission Recommended Revised Condition Compliance Findings for CDP No. E-06-013 – Poseidon Resources (Channelside), LLC; Special Condition 8: Submittal of a Marine Life Mitigation Plan, adopted December 10, 2008. [White Colored Paper]

Volume 3:

- Tab 9: Annotated Index of Authority and Technical Studies and Scientific Studies Supporting Board Decision. [White Colored Paper]

Please let me know if you have any questions about this transmittal.

Sincerely,

Peter M. MacLaggan