



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

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September 20, 2007

CERTIFIED MAIL

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In reply refer to:

NCRU: 02-1429.02:ebecker

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

Dear Mr. MacLaggan:

Revised Flow, Entrainment and Impingement Minimization Plan, Order No. R9-2006-0065, NPDES Permit No. CA0109223, The Poseidon Resource Corporation, Carlsbad Desalination Project

In a letter dated September 6, 2007, I indicated that I am deferring determination of the Revised Flow, Entrainment and Impingement Minimization Plan (Plan) based on reduction of intake flows at Encina Power Station (EPS), removal of key Federal 316(b) regulation, and pending State Water Resources Control Board guidance on the Best Technology Available (BTA) requirements for ocean intake structures to reduce impingement and entrainment of marine life. In a letter dated September 10, 2007, Poseidon Resource Corporation (Poseidon) requested that I rescind the letter. Upon further consideration of your September 10, 2007 letter, I concur with the information provided to support your request and, therefore, hereby rescind my September 6, 2007 letter.

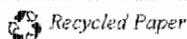
The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions regarding the above, please contact Mr. Eric Becker at (858) 492-1785, or at Ebecker@waterboards.ca.gov

Respectfully,

John H. Robertus
Executive Officer

California Environmental Protection Agency



Mr. Peter M. MacLaggan
Poseidon Resources Corporation
Revised Flow, Entrainment, and Impingement Plan

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September 20, 2007

cc:

State Water Resources Control Board
Division of Water Quality
P.O. Box 944213
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Attn: James Maughan

Mr. Tom Luster
California Coastal Commission
Energy and Ocean Resources Unit
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

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Attn: Douglas Eberhardt

Judy Brown
Public Land Management Specialist
CA State Lands Commission
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Sacramento, CA 95825-8202

cc : (See Enclosed Interested Parties List)

California Environmental Protection Agency

Interested Parties
Order No. R9-2006-0065
NPDES Permit No. CA0109223

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Interested Parties
Order No. R9-2006-0065
NPDES Permit No. CA0109223

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