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OC Print-Mail Center

From: Catherine Hagan (George) [CHagan@waterboards.ca.gov]
Sent: Saturday, March 07, 2009 9:31 AM
To: Halter, Amanda (OC); Chiara Clemente; Deborah Woodward
Cc: Garrett, Christopher (SD); Singarella, Paul (OC); PMacLaggan@poseidon1.com; dmayer@tenera.com; Philip Wyels
Subject: Re: Poseidon: Preliminary Draft Supplemental ImpingementStatement

All,

As Phil and I discussed with Chris yesterday, following on our Thursday conference call, we are expecting an analysis of how the impingement impacts under different scenarios are accounted for with the 37/55.4 acres in the MLMP. In order to have time to review and modify the draft order and staff report, I would like to have this analysis no later than mid-afternoon today. Our documents need to be finalized tomorrow for posting Monday morning. I would appreciate an update as to when we can expect to receive the information. In addition, we are expecting a response about any concerns with the proposed changes to Chapter 6 regarding the Regional Board's role in the MLMP process. Please advise as soon as possible if you have any concerns with the proposed changes.

Thank you.

Catherine George Hagan
Senior Staff Counsel
Office of Chief Counsel
State Water Resources Control Board
chagan@waterboards.ca.gov

9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340
Telephone: 858.467.2958
Facsimile: 858.571.6972

>>> <Amanda.Halter@lw.com> 3/5/2009 7:30 PM >>>

All,

Attached for your review and comment is the preliminary draft supplemental impingement statement evaluating the three approaches to estimating CDP's projected impingement based on the EPS data. As discussed, this was generated in response to the position that no adjustment should be made to EPS's impingement when estimating CDP's, which was expressed to us on Monday. This statement is still being revised and will be submitted in a final form on Monday.

Best regards,
Amanda

Amanda Halter

LATHAM & WATKINS ^{LLP}
650 Town Center Drive, 20th Floor
Costa Mesa, CA 92626
Direct Tel: 714-755-2238

4/1/2009

Fax: 714-755-8290

Email: amanda.halter@lw.com

<<Preliminary Draft Supplemental Impingement Statement.pdf>>

To comply with IRS regulations, we advise you that any discussion of Federal tax issues in this e-mail was not intended or written to be used, and cannot be used by you, (i) to avoid any penal imposed under the Internal Revenue Code or (ii) to promote, market or recommend to another party transaction or matter addressed herein.

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From: Halter, Amanda (OC)
Sent: Saturday, March 07, 2009 2:39 PM
To: 'Catherine Hagan (George)'
Cc: 'Philip Wyels'; 'pmaclaggan@poseidon1.com'; Garrett, Christopher (SD); Singarella, Paul (OC)
Subject: Re: Revisions to Chapter 6
Importance: High

Catherine,

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- The purpose of this proposed addition is to make clear that if a site doesn't meet the criteria of Section 3.0 of the MLMP it would not be feasible.

(2) On p 6-7, you propose this change to the first row: "Upon determining that the goals or standards are not achieved, the Executive Director or the Executive Officer shall prescribe remedial measures, after consultation with each other and the permittee, which shall be.... If the permittee does not agree that remediation is necessary, the matter may be set for hearing and disposition by the Commission or the Regional Board or both, as determined by the Executive Director and the Executive Officer. ~~The Regional Board shall act consistently with any such remedial measures.~~"

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Best regards,
Amanda

Amanda Halter

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Costa Mesa, CA 92626

Direct Tel: 714-755-2238

Fax: 714-755-8290

Email: amanda.halter@lw.com

From: Catherine Hagan (George) [mailto:CHagan@waterboards.ca.gov]

Sent: Thursday, March 05, 2009 5:47 PM

To: Halter, Amanda (OC); Garrett, Christopher (SD); Singarella, Paul (OC); PMacLaggan@poseidon1.com

Cc: Chiara Clemente; Deborah Woodward; Philip Wyels

Subject: Revisions to Chapter 6

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From: Halter, Amanda (OC)
Sent: Saturday, March 07, 2009 6:20 PM
To: 'PWyels@waterboards.ca.gov'; 'CHagan@waterboards.ca.gov'
Cc: Garrett, Christopher (SD); Singarella, Paul (OC); 'pmaclaggan@poseidon1.com'
Subject: Re: Revisions to Chapter 6

Thanks, Phil. Chapter 6 will reflect these changes when submitted tomorrow.

From: Philip Wyels
To: Halter, Amanda (OC); Catherine Hagan (George)
Cc: Garrett, Christopher (SD); Singarella, Paul (OC); pmaclaggan@poseidon1.com
Sent: Sat Mar 07 18:02:34 2009
Subject: Re: Revisions to Chapter 6

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To: <CHagan@waterboards.ca.gov>
CC: <PWyels@waterboards.ca.gov>, <pmaclaggan@poseidon1.com>, <CHRISTOPHER.GARRETT@LW.com>, <PAUL.SINGARELLA@LW.com>
Date: 3/7/2009 2:42 PM
Subject: Re: Revisions to Chapter 6

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From: Philip Wyels [PWyels@waterboards.ca.gov]
Sent: Saturday, March 07, 2009 6:03 PM
To: Halter, Amanda (OC); Catherine Hagan (George)
Cc: Garrett, Christopher (SD); Singarella, Paul (OC); pmaclaggan@poseidon1.com
Subject: Re: Revisions to Chapter 6

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CC: <PWyels@waterboards.ca.gov>, <pmaclaggan@poseidon1.com>, <CHRISTOPHER.GARRETT@LW.com>, <PAUL.SINGARELLA@LW.com>
Date: 3/7/2009 2:42 PM
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To: Halter, Amanda (OC); Garrett, Christopher (SD); Singarella, Paul (OC); PMacLaggan@poseidon1.com
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Sent: Saturday, March 07, 2009 7:52 PM
To: Halter, Amanda (OC); Catherine Hagan (George)
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Subject: Re: Revisions to Chapter 6

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 Phil

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