

State of California
Regional Water Quality Control Board
San Diego Region

SUPPLEMENTAL EXECUTIVE OFFICER SUMMARY
REPORT
April 9, 2008

- ITEM: 7
- SUBJECT: Poseidon Resources Corporation, Proposed Carlsbad Desalination Project - The Regional Board will consider approval of a Technical Report for Revised Flow, Entrainment, and Impingement Minimization Plan (a Special Study), dated March 6, 2008, which was submitted as required by Order No. R9-2006-0065, NPDES No. CA0109223. (Brian Kelley)
- PURPOSE: The Regional Board will consider adoption of Tentative Resolution No. R9-2008-0039 (Attachment 9), conditionally approving the Revised Flow, Entrainment, and Impingement Minimization Plan, dated March 6, 2008 and received on March 7, 2008.
- PUBLIC NOTICE: Previously discussed in original Executive Officer Summary Report.
- DISCUSSION: The Regional Board's Watershed Unit staff have reviewed Poseidon's Revised Flow, Entrainment, and Impingement Minimization Plan ("Plan" dated March 6, 2008) and developed a technical staff report (Attachment 10). Tentative Resolution No. R9-2008-0039 contains a conditional approval of Poseidon's proposed Plan. The tentative Resolution contains the following conditions for approval:
1. Within six months of adoption of this resolution, Poseidon shall submit to the Regional Board for approval an amendment to the Plan that include a specific proposal for mitigation of the impacts, by impingement and entrainment upon marine organisms resulting from the intake of seawater from Agua Hedionda Lagoon, and shall resolve the concerns identified in the Regional Board's February 19, 2008 letter to Poseidon Resources.

2. Poseidon's Plan, including any amendments that are subsequently approved by the Regional Board, are of limited duration and are applicable only to CDP's current cooperative operation with EPS. When Poseidon proposes to operate independent of EPS or EPS permanently ceases power generation operations, EPS's cessation of power generation operations, would be necessary to further evaluate appropriate mitigation and/or minimization of impacts to marine organisms of CDP's operations.

Approval of the Plan is currently not a condition for commencement of the discharge from the CDP.

The Regional Board has received public comments on Item 7 from public agencies, municipalities, environmental groups, and elected officials. Those comments were provided to the Regional Board via letters, email and faxes that were received since the date of the original Executive Officer Summary Report. Those most recent public comments have been compiled and are provided in Attachment 11.

LEGAL CONCERNS: None.

SUPPORTING
DOCUMENTS:

9. Tentative Resolution R9-2008-0039
10. Technical Report For Poseidon, dated April 4, 2008
11. Additional Public Comments

RECOMMENDATION: The Executive Officer will provide a recommendation at the conclusion of the item.