

**MacArthur Boulevard Associates
c/o Jay-Phares Corporation
10700 MacArthur Blvd., Suite 200
Oakland, CA 94605-5260
510-562-9500**

September 2, 2009

Mr. Jerry Wickham
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502

Subject: Fuel Leak Case No. RO0232
Geotracker Global ID T0600101808
Former USA Station No. 57
Foothill Square
10700 MacArthur Boulevard
Oakland, California 94605

Dear Mr. Wickham:

Thank you for your August 28, 2009 email suggesting alternative times to meet with all parties to discuss the report titled *Remedial Alternatives Evaluation and Proposed Site Specific Cleanup Objectives* dated August 12, 2009 submitted by Stratus Environmental (Stratus) on behalf of Moller Investment Group, Inc. (Moller) regarding the above referenced project. We have forwarded your suggested meeting times to other parties and will promptly respond to you upon receipt of their response. On behalf of the property owner, MacArthur Boulevard Associates, a California limited partnership (MBA), we have been in communication with Moller/Stratus during the development of this document.

As you know, we are in negotiations with Ralphs Grocery Company, a potential buyer of a 5.3 acre portion of Foothill Square, an existing 13.5 acre commercial center. The buyer is planning on developing a new 72,330 s.f. FoodsCo supermarket above the former USA Station #57 site as part of the redevelopment of Foothill Square. MBA is willing to accept commercial site specific target level cleanup goals for this project on whatever reasonable terms are acceptable to the buyer and to agencies having jurisdiction. The buyer has expressed willingness to accept a commercial land use restriction (subject to certain indemnities and legal qualifications) in conjunction with issuance of a No Further Action letter from ACHCSA and the Water Board.

Based on the potential end use for this property for this proposed development, we support and agree with the use of proposed commercial level cleanup goals (SSTLs) for this project. Acceptance of this commercial land use SSTLs approach is predicated on the SSTLs, and the methods by which they are derived, being approved by the ACHCSA and the Water Board.

Mr. Jerry Wickham, ACHCSA
Former USA Station No. 57, Oakland, CA
September 2, 2009
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We look forward to our meeting with Alameda County Health Care Services Agency and Moller/Stratus to discuss the document and overall strategy.

Sincerely,

MAC ARTHUR BOULEVARD ASSOCIATES
(a California limited partnership)

BY: JAY-PHARES CORPORATION
(a California corporation)
Its Management Agent



By: _____
Hugh K. Phares, III
Its President

cc: Mr. Charles Miller, Moller Investment Group, Inc.
Mr. John Jay, Jay-Phares Corporation
Mr. Peter McIntyre, AEI Consultants, Inc.
Mr. Gowri Kowtha, Stratus Environmental, Inc.