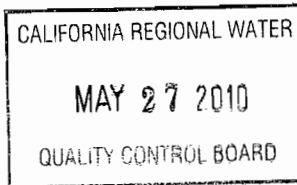


May 25, 2010

Mr. Bruce Wolfe  
Executive Officer  
SF Bay RWQCB  
1515 Clay Street, Suite 1400  
Oakland, CA 94612



Re: Wilder Project; No R2-2009-0017

Dear Mr. Wolfe:

I represent the Friends of Orinda Creeks (FOC) a nonprofit group doing business in Orinda, California, and we are very interested in the outcome of the above mentioned Wilder Project.

The FOC is a volunteer organization, founded in 1994, seeking to conserve, restore and help educate the public about the values of, and threats to, the creeks in Orinda. Our Board of Directors, composed of seven members, four of whom have graduate degrees in environmental science, meets monthly, recording minutes and outcomes. We maintain a website at [www.orindacreeks.org](http://www.orindacreeks.org).

In 2001 we designed a plan to revitalize and restore the downtown portion of San Pablo Creek to its condition prior to construction of Highway 24. This plan is included in the City's Planning Task Force on revitalizing downtown Orinda. In coordination with the Contra Costa County Watershed program for improving creeks we have attended training in and performed BMI testing at four different locations over a span of four years on the San Pablo and Moraga Creeks to assess the possibilities of introducing native fish into area where they at one time flourished.

We also organize creek cleanups twice a year to remove trash and invasive plant life and replace it with native vegetation.

Since our founding we have operated under the 501 C(3) umbrella of the Orinda Park and Rec Foundation, also known as the Orinda Foundation. We are now in the process of obtaining a separate 501 C(3) status for ourselves.

As you can appreciate from the above, we were naturally quite excited when the Wilder representatives asked for our participation in developing a SEP that would be funded from a portion of the Civil Liability Complaint assessment against Wilder thereby keeping needed creek restoration funds in Orinda. Interacting with the Wilder representatives, FOC and the Restoration Trust devoted many hours in developing a SEP that we thought would be acceptable to Wilder and the RWQCB.

We recognize there must be a reliable 501 C(3) nonprofit to take on the responsibilities

of reliably managing to a satisfactory conclusion the proposed SEP. The Restoration Trust and the Orinda Park and Rec. Foundation are two strong candidates for this responsibility. Working with a reliable manager we can accomplish a satisfactory conclusion of the proposed SEP.

We urge you to take the above into consideration in determining your decision on the Tentative Order.

Sincerely,

A handwritten signature in cursive script that reads "Jim Luini".

Jim Luini

President

Friends of Orinda Creeks

(925) 254-6208

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