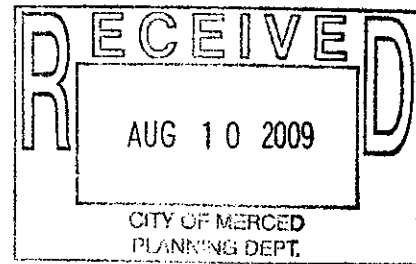


City of Merced Planning Commission

678 W. 18th St.

Merced, CA 95346



Attn: All Members

Re: Approval of Walmart Distribution Center.

Dear Sirs and Madames,

As a long time resident and property owner in the City of Merced, I urge you to approve and recommend the building of a Walmart Distribution Center in Merced to the City Council.

We have waited long enough for the jobs and advantages that such a "Center" would bring to this area.

Thank you for your consideration.

Judith Bechte
1512 Spalding Ct.

Merced, CA 95348

Espinosa, Kim

From: Lane, Victoria
Sent: Tuesday, August 11, 2009 8:17 AM
To: Espinosa, Kim
Subject: FW: Wal-Mart Distribution Center Public Hearing Notice

Here is an email from one of the people I emailed since his address was not completely correct on the address label. I have fixed the label for next time.
Vicci

-----Original Message-----

From: tom tran [mailto:tomtran86@yahoo.com]
Sent: Friday, August 07, 2009 5:53 PM
To: Lane, Victoria
Subject: Re: Wal-Mart Distribution Center Public Hearing Notice

Sorry Lane,

The address is 8311 E Childs Rd, Le Grand CA 95333.

I can't not attend a hearing due to I have to work in San Jose. However, I am 100% for WalMart to be build. We need jobs here, some of my friends have to drive to San Jose to work and go back home everyday, and those kids at UC Merced need jobs to pay for tuitions, books etc... Well! we have a new BurgerKing by 99 and who have money to spend since everyone unemploye? and next to the WalMart side? the new vacance lot house does not look to well, we need those vacance lot to be build and those who work for WalMart to live there, we need tax to pay for city employe... and tax to pay for you name its.

sincerey your,

Tom Tran

--- On Wed, 8/5/09, Lane, Victoria <LaneV@cityofmerced.org> wrote:

From: Lane, Victoria <LaneV@cityofmerced.org>
Subject: Wal-Mart Distribution Center Public Hearing Notice
To: tomtran86@yahoo.com
Cc: "Espinosa, Kim" <ESPINOSAK@cityofmerced.org>
Date: Wednesday, August 5, 2009, 9:45 PM

Hello Tom Tran,
We attempted to mail the attached public hearing notice regarding the Wal-Mart Distribution Center to your 8311 Childs Avenue, Le Grand, CA 95333 address. It was returned to us by the US Postal Service. Please find the notice attached here. Thank you.

<<WalMart PHN 7-27-09.pdf>>

Vicci Lane

8/11/2009

* SPECIAL EDITION

RECEIVED AT Plamena
Commission MEETING
OF 8/5/09
(DATE)

Distribution center bad air hits Merced
Page 2

Horror stories from distribution center city
Page 4

Merced home values to dip even more
Page 5

Bad roads, drugs, prostitution at truck stops
Page 3

Merced Citizen Voice

Community News from Merced

July/August 2009

WAL-MART JOBS THREATEN LIVES

Kids, seniors at great health risk - cancer to heart disease

Many of the proposed Wal-Mart distribution center's impacts are local - very local.

Southeast Merced's family-friendly multi-ethnic neighborhoods will bear the brunt of the project's impacts to traffic and roads, water quality and home values.

But the local air quality impacts of the project's 900 daily diesel truck trips threaten the health of current and future generations of families and students in the neighborhood.

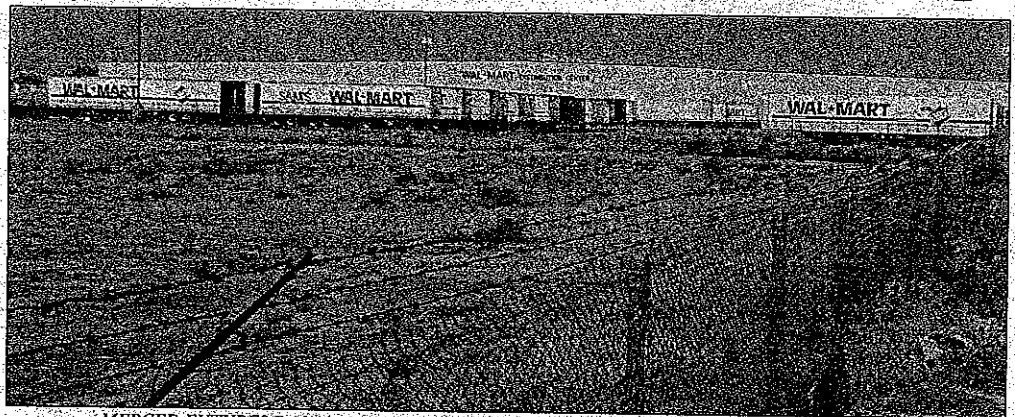
Studies show that people living within 1,500 feet of a busy truck route have a much higher chance to develop severe asthma and respiratory problems, even heart disease and cancer.

Pioneer Elementary school is located about 1,000 feet from Wal-Mart's Campus Parkway, which is routed within 500 feet of dozens of homes, another elementary school site and Dwight Amey Park. *See pages 6-7 for a map of the neighborhood.

According to the San Joaquin Valley Air District, the proposed distribution center's cancer risk could be "well over 10 in 1 million."

This means that in addition to existing pollution on Highway 99, Wal-Mart's warehouse will cause lung cancer in at least one in every 100,000 people who breathe its spout over a lifetime.

(See Page 11 Kids Health)



MERCED FUTURE? Barbed wire view from residences near Wal-Mart distribution center in Porterville.

What kind of 'jobs'?

Wal-Mart may leave Merced holding a bag - of dirty air

From the moment we heard that Merced was working hard to attract a major distribution center to the city, there has been promise in the air - promise of a better future for all of us, promise of recovery from our economic woes, and most of all, a great promise of jobs.

But, have we stopped to ask what kind of jobs? Have we tried to analyze whether our unemployed people have the skills that would match those required by the Wal-Mart distribution center?

Do we know the wages and benefits to be paid? How many people who reside in Merced will actually be hired?

Wal-Mart, one of the world's largest corporations, is known for storming into an area and calling the shots. Wal-

Mart's impact on a community is one of setting the stage for "the race to the bottom," whereby more jobs are lost than gained, wages spiral downward, and unions are busted.

Of course, this time around will be a little different. We are not talking about a retail store, or even a "supercenter," we are talking about a distribution center, one of just a handful in the state.

The function of this distribution center would be to receive goods that have arrived at the major ports of California, such as Long Beach and Oakland, and then send those goods out to some 49 Wal-Mart stores and supercenters throughout the region.

At more than a million square feet, the proposed distribution center will be a monstrous building. It will create

noise around the clock and light up the area 365 nights a year.

It will change the visual character of southeast Merced; cause horrendous traffic congestion, and most important, 900 diesel trucks trips every 24 hours will cause the air to be even dirtier than it already is.

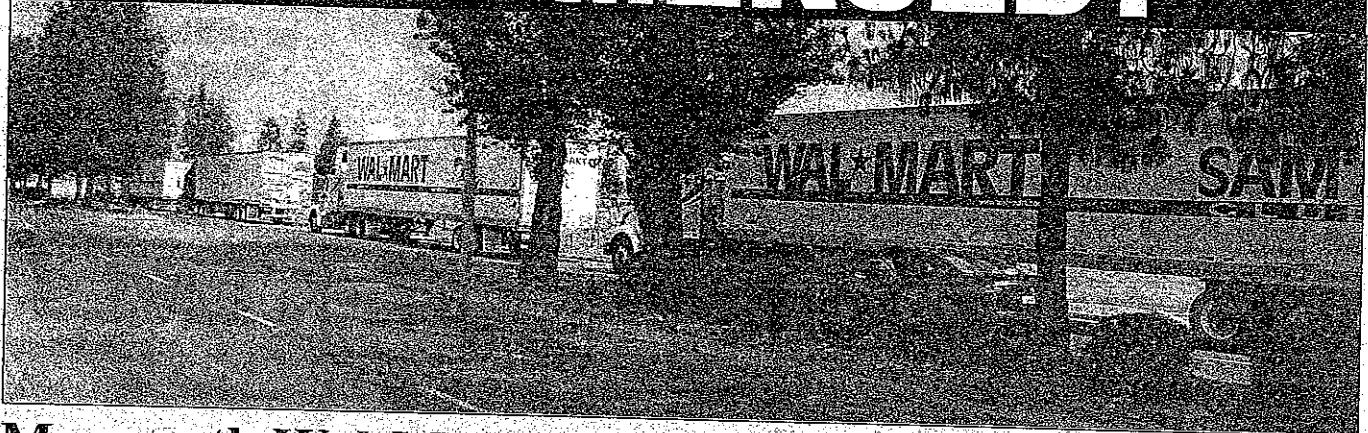
What will we gain from this giant in our midst? Wal-Mart is already donating money to local schools and organizations, projecting an image of kindness and generosity - in short, a seemingly good citizen.

Of course, this would amount to someone with a \$30,000 yearly wage giving out about 17 cents!

We know about the dirty air and we

(See Page 11 Jobs)

WHY MERCED?



Mammoth Wal-Mart warehouse bad news for Merced quality of life; millions of \$\$ spent to subsidize retailer

In the past few years, Wal-Mart has proposed dozens of new supercenters and store expansions across the Bay and San Joaquin Valley, including a new supercenter in Livingston and a grocery expansion in the Los Banos store.

This has accelerated as the recession has worsened and our communities are more desperate for any kind of jobs - even Wal-Mart jobs. The Waltons, Wal-Mart's founding family, are now worth over \$100 billion.

They've become wealthy on the backs of some of the lowest-paid, hardest working employees in the country. Wal-Mart also depends on local communities to pay for its infrastructure costs (roads, water, sewer, etc) and allow it to pollute local communities' air and water for free.

We are left with poisoned drinking water and asthma from dirty air while Wal-Mart sends its profits back to Bentonville.

What is a distribution center?

Wal-Mart needs to expand its distribution network in order to bring goods to all these new stores while making as much profit as possible. Goods sold in Wal-Mart stores travel thousands of miles before reaching the Valley.

Wal-Mart's stuff is manufactured overseas then packed in large containers, shipped to a port on the West Coast

and driven by a diesel truck to a Wal-Mart regional distribution center.

These very large warehouses (the size of 25 supercenters) are used to store Wal-Mart's stuff before the containers are repacked and taken by big rig trucks to Wal-Mart stores.

The nearest Wal-Mart distribution centers are in Porterville to the South and Red Bluff to the North.

Why Merced?

Highway 99 is the busiest highway west of the Mississippi. Diesel trucks use 99 as a convenient route to deliver goods to wealthier communities.

When Wal-Mart began to look for a new distribution center in 2002, they looked at over 100 cities from Reno to Ukiah and as far south as the west side of Kings County.

Most of the final sites were in the Northern San Joaquin Valley, such as Livingston, Delhi, Crow's Landing and Tracy.

According to Wal-Mart, many sites were rejected because "political issues made the process of obtaining development approval uncertain."

In reality, Merced County politicians and "leaders" lobbied hard to woo Wal-Mart, and promised them that the City Council wouldn't stand up for the interests of their constituents if Wal-Mart wanted to build in Merced.

Once Campus Parkway construction was announced in July 2005, the Wal-Mart distribution center was announced a month later.

How many more millions will the City spend to subsidize Wal-Mart?

But why Southeast Merced?

Since the 1970s, nearly 500 acres of prime agricultural land was set aside for industrial development. One reason that all this industrial zoning is clustered in southeast Merced is that there is a prevailing Northwest to

Southeast wind in the Valley, which would blow industrial air pollution away from the City.

However, in Winter, when soot hangs low to the ground because of the inversion layer, this wind pattern reverses itself and blows Southeast to Northwest - back into the City.

In the 1990s and early 2000's, City Councils dominated by finance, insurance and real estate interests approved large residential subdivisions throughout southeast Merced, until these new homes were adjacent to the Campus Parkway - now Wal-Mart's planned truck route.

These newer neighborhoods are filled with young families. Many have been hard hit by foreclosures, are underserved by police and fire protection, and are miles from services the rest of the City takes for granted, like shopping, medical care and banking.

Mayor Wooten says developers were "stupid" for building homes so close to an industrial area. That the distribution center is even being considered in its current location is a model of bad planning.

The cure isn't just to hold Wal-Mart accountable for its impacts to residents most affected by the project.

Only by taking political power will our health and quality of life be considered over their profit in land use decisions - get involved!

'However, in winter, when soot hangs low to the ground..wind pattern reverses itself and blows Southeast to Northwest - back into the City.'

BAD ROADS

900 truck trips a day could cause major Merced road damage, report suggests

Of the many unforeseen costs of Wal-Mart's distribution center in Merced, one cost that very few people think of is road maintenance and repair resulting from the hundreds of tractor trailer trucks coming to and from the site.

Both state and local funds will be required to repair and maintain roads including State Road 99, State Road 140, Childs, Gerard and Mission Avenues.

Sadly, the burden is placed on local governments and local tax payers. State or federal transportation funds are reserved for capital improvements or major rehabilitation, and cannot be used for general road maintenance.

According to a report by the Sacramento Region Metropolitan Transportation Plan called MTP 2035, published in 2006, local governments in the Sacramento region should spend \$350 million dollars PER YEAR to keep all their 10,000 miles of roads, streets, sidewalks and bridges in good condition and rehabilitate those that need it.

In reality, only 30 percent of the \$350 million dollar figure was spent in 2005 on critical road maintenance.

Let's look at the big picture. Wal-Mart estimates 900 delivery truck trips to and from the center everyday. Tractor trailer trucks typically weigh 80,000 pounds and range in

length from 67 to 75 feet. According to the MTP 2035 report:

"Heavy-truck traffic and wet weather comprise the two most critical factors in pavement deterioration. In simple terms, one fully loaded 80,000-pound truck causes as much pavement wear as 10,000 automobiles.

Since 1990, heavy-truck travel has grown at a 50 percent greater rate than automobile travel. Many local agencies have identified wear and tear damage from heavy trucks on arterial streets as a rising factor in poor pavement condition. In Sacramento, trucks commonly use arterial roads due to the lack of cross-suburban freeways."

Can you imagine what the roads and pavement will look like under those truck routes after one year? Two years? Five years? Pot holes may be the least of our worries, experts say.

"Since the 1980s, California has gained a reputation of poor quality roads—a startling reversal from the 1960s when California's road system was envied throughout the nation. California's six metropolitan areas with greater than 1 million population ranked first, second, third, fourth, sixth and tenth worst on a national list of 52 such metropolitan areas. As a result, the average motorist faces \$609 in annual vehicle damage from rough roads,



BEATEN ROADS: This road, W. Gibbons Ave., borders the Wal-Mart distribution center in Porterville - it's already showing obvious signs of major wear and tear.

50 percent higher than the national average," the report explained.

Although large trucks represent only three percent of all the registered vehicles on the road, they account for over 25 percent of passenger vehicle deaths in multiple vehicle collisions.

According to the data collected by National Highway Transportation Safety Association (NHTSA), each year approximately 5000 drivers of smaller vehicles get killed and over 140,000 get injured when involved in accidents with large trucks, whereas about 600 large truck occupants get killed and about 30,000 get injured in collisions.

Clearly, in vehicle crashes, smaller vehicles and their occupants are at a vast disadvantage when a large truck is involved.

California is one of a few states (one

of approximately 10 states) that impose a lower speed limit for large trucks and commercial vehicles. Approximately seven percent of all of the vehicle miles driven in the nation are done by drivers of large trucks.

Federal crash statistics have shown that at least 20 percent of large trucking accidents are due to excessive speed. Mechanical failures, reckless driving and improper driver training account for many of the crashes.

The National Highway Transportation Safety Association reports that driver fatigue is responsible for between 30 and 40 percent of all big rig crashes and is the probable cause in over 30 percent of the crashes that resulted in truck drivers death.

In a survey done in 2003, nearly 20 percent of truckers admitted to falling asleep at the wheel at least once in the previous three-month period.

Prostitution, drugs and other crimes a threat at Wal-Mart stop?

Prostitution, drugs and crime may well come to Merced - especially in the area next to three schools - if the Wal-Mart Distribution Center is built, according to truckers familiar with "activities" near distribution centers.

Truck stops and large distribution center parking lots are magnets for prostitution and other criminal activity.

One former career driver from Saline County, Arkansas, told *The Trucker* magazine that the back parking lanes are known as "party row."

"Anywhere there are big trucks delivering goods you'll find prostitutes, both male and female, it's a fact of life," he said.

One FBI "sting" on a prostitution ring in December of 2005 charged 31 individuals in four U.S. FBI districts involving several truck stops.

While many consider prostitution a victimless crime, and view it as a matter of free enterprise, according to law enforcement and statistics, their view is wrong.

Often prostitutes have been traumatized by being sexually molested by family members as children.

Many of the prostitutes are teenagers, an especially key finding considering that the Wal-Mart proposed distribution center will be located near Golden Valley High School.

"These children are victimized twice," asserts FBI Assistant Director Chris Swecker, "first by the handler who exploits them and secondly by the individual who solicits them."

Many of these prostitutes are involved in drugs, authorities say. Cases of crimes against prostitutes, including beatings and murder, are not rare.

In addition to increased crime rates where drugs and prostitution are involved, there is also a higher risk of spreading sexually transmitted diseases, including HIV.

Jobs are jobs, but many Merced residents are wondering if they want to expose their children to this kind of threat near the Wal-Mart facility.

Living in the shadow of a distribution center

Porterville residents tell horror stories about their post-Wal-Mart experience

(This is an interview -- conducted by Merced residents concerned with the plan to bring a Wal-Mart distribution center to the Golden Valley neighborhood area -- with residents located near the Wal-Mart distribution center in the small community of Porterville. All were willing to share their feelings and experiences of how life has changed since the Wal-Mart distribution center opened in Porterville.)

Doug and Cheryl Anderson: The couple purchased their property and built their home before the Porterville Wal-Mart distribution center was constructed. "I bought this property in 1987 before Wal-Mart, if I had known Wal-Mart was going to be here or had plans to build I would not have bought the property," said Doug Anderson. "All of the trucks go by our house, because our home is directly across the street from the truck entrance," said Cheryl.

"You need to band together to fight city hall as an organized group. Otherwise sell and get out as quickly as possible."

Kathie Carillo: She lives on South J Street, and she had a career as a truck driver until her mother was stricken with cancer. Kathie now serves as a caregiver for her mom. "My experience with Wal-Mart and my family's experience with Wal-Mart has been rough going here," said Kathie.

Kim Stepp: She also resides across from the distribution center with her teenage daughter and son, and says: "The Wal-Mart Distribution is very noisy, we have to keep the television or music on just to drown out the noise."

Q. How does the distribution center affect Porterville youth?

Kim Stepp: "Kids and trucks don't mix. If you plan to put a distribution center within a 2-mile radius of 4 or 5 schools it won't work. It is going to make it a very dangerous situation for the school children. We had a bus stop right down the street, but it was crazy, kids had to dodge the trucks. Parents refused to allow their kids to use the bus stop and the school district moved the bus stop to another location for safety reasons."

Doug Anderson: "It is not safe to walk up and down this street with all of the trucks. It is only a matter of time before something major happens."

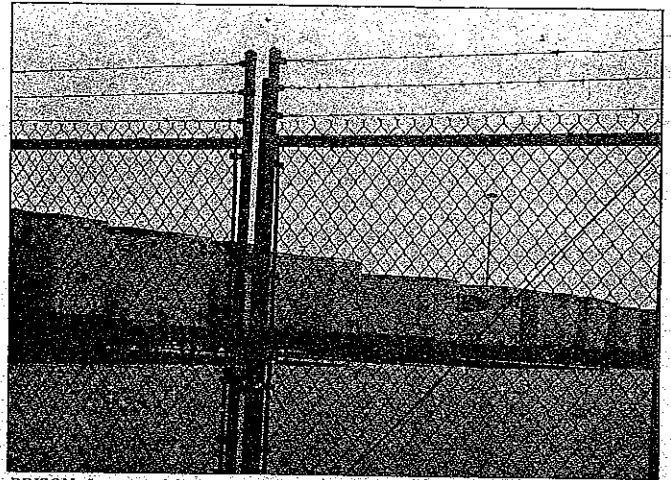
Kathie Carillo: "(Kids) already can't go on their bikes in the other direction because it is unsafe with all the truck traffic."

Q. How does it affect the residential environment?

Kathie Carillo: "Kids and adults have difficulty breathing because of all the diesel fumes the trucks emit, and there is so much noise that it is difficult to sleep at night. Also, with lights on 40-foot poles the brightness lights up the house; makes it almost impossible to sleep. ... kids don't get proper sleep and they have difficulty functioning at school. Everything has changed since we moved in here. I'm a truck driver I know how it works, all of these trucks you see sitting around are idling - if it is in

the winter they need heat and in the summer they need air conditioning in order to sleep. It is not just the Wal-Mart trucks but also all of the independents that have contracted with Wal-Mart to deliver their goods. The trucker doesn't know whether the delay is going to be 20 minutes, 2 hours, or 2 days. You just have to get accustomed to the noise of the diesel engines roar in order to sleep. You have to keep the television or radio on all night, otherwise all you hear are trucks, trailer loads dropping, or the PA system blaring, all of that noise because of Wal-Mart."

Cheryl Anderson: "Not only are the lights at the distribution center bright, but the street lights and lights at the nearby fast food establishments have added to the brightness of light. We also have to listen to the trucks idle. At first we just woke up constantly, because of the idling truck noise. Sometimes my husband has to go out and tap on the window of the idling truck and ask the trucker to turn off the engine and allow us to sleep. When we have company they complain, boy do they complain. They would say, 'It is too noisy in this place; how do you sleep here. Because of



PRISON. Just one of the horror scenes from Porterville distribution center residents.

all the dust you have to wash your windows more often. As a result of all the trucks going by over the years my driveway and patio have cracked. Also, the bricks near my flower beds and below the stucco have started cracking."

Doug Anderson: "When the trucks start parking around in the winter, the trucks idle all night in order to keep their heaters on, and in the summer months the trucks idle all day and night so they can keep their air conditioners going. There is a steady stream of trucks going by all day, over 400, I don't know I can't count them all, I lose track. The dust is a problem."

Q. How does it affect traffic?

Doug Anderson: "There's probably 450 trucks a day going in and out of the distribution center 24 hours a day non-stop."

Kathie Carillo: "The truck traffic is something else, I know everyone living around here is fed up with the traffic jams. Not only are there traffic jams, but the truckers all want to stop in the middle of the road and park while they go to the store or eat at the Burger King. So you've got trucks everywhere. Everywhere. One morning my mother who has breast cancer couldn't make her doctor's appointment, because a truck had jack knifed and the driveway was blocked and that is just one thing, a trucker hit our gas line and they didn't bother to come and tell us, the only way I knew it was I heard the gas spewing out."

Cheryl Anderson: "They used to park in a vacant lot next to our house every night. There is a store near our house that they like to frequent and they now pull into the median across the street from our house and leave their trucks idling."

Q. What other problems has the distribution center brought to the area?

Cheryl Anderson: "There are countless things that you need to consider, not just

the distribution center itself. They need to have some place to eat so you are going to have restaurants and fast food places move into the area. They are planning to put in another motel to go along with the one that was already there. Agents said they don't believe they could sell our house on the market at a price that would enable us to purchase another of comparable value. I had one real estate lady tell me that the only person that might be willing to buy the house would be a drug dealer, because with all of the action of the distribution center and the truck traffic it wouldn't interfere with the transactions of the drug dealer."

Kim Stepp: "We are already having problems now with our little two lane road, they want to expand it to four lanes which is only going to increase the traffic and further increase the accident risks for (children)."

Doug Anderson: "We feel that the distribution center has lowered the value of our property. We really haven't put the house on the market, but I don't know who would want to buy it with all of those trucks going buy 24 hours a day."

Q. What is your message to the citizens of Merced?

Kathie Carillo: "All of these large companies don't care about the health and safety of the people living next to where they want to locate the distribution center; they only care about the almighty dollar. If they don't want to have to deal with this mess we have in Porterville, they better tell the city of Merced no! Anyone that has houses that they have bought, they are stuck. I don't have anything good to say about Wal-Mart, but a distribution center needs to be away from people and kids, especially kids."

Cheryl Anderson: "Singularly, you will be ineffective. You need to band together to fight city hall as an organized group. Otherwise sell and get out as quickly as possible."

Homeowners near Wal-Mart bamboozled?

Not informed, resident homes would border distribution center

(The author is a longtime resident of Merced, and a homeowner in the area adjacent to where the Wal-Mart distribution center may be built)

This story begins in the year 2002. Merced was at the height of the "Real Estate Boom." Money was changing hands faster than a Las Vegas card shark.

We have heard it was then that the City of Merced was first approached, behind closed doors, by representatives of Wal-Mart.

The Arkansas mega-firm was exploring the possibility of building an enormous Wal-Mart distribution center in our community.

To put the size of this 1.2 million square foot development in perspective, if it was built in downtown Merced, this facility would cover Merced from 16th to 22nd Street and "R" Street to MLK.

A parcel of land, located between Childs and Gerard in Southeast Merced, had already been identified as the area for the proposed site.

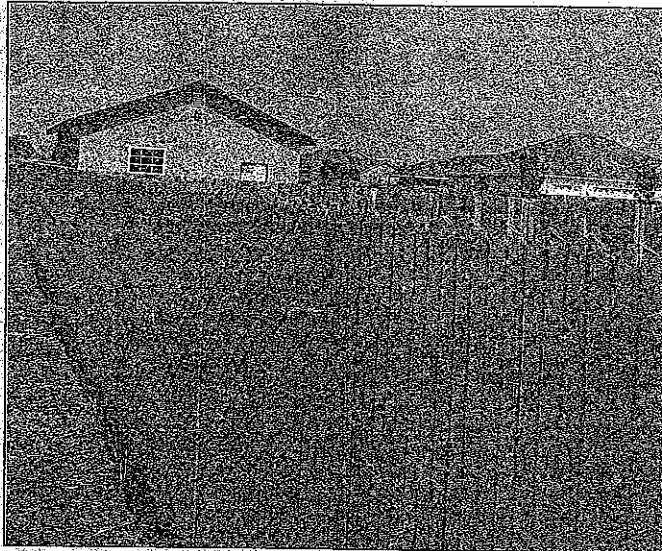
Before Wal-Mart would finalize its intentions, the State of California had to come through by building the taxpayer-funded Mission Interchange, which, along with the Campus Parkway, was originally intended to provide access to and from the new University of California, Merced.

Wal-Mart, however, needed this vital component to allow its expected 450 trucks a day (900 truck trips) to get in and out of the distribution center and on and off Highway 99.

Fast-forward to the year 2006.

Officials and the Staff of the City of Merced, accompanied of course by Wal-Mart execs, make the proposal public, and homeowners living in the area of the tentative center were shocked to hear the news.

Why on earth were they led to be-



FENCED IN: Porterville homeowners, as is the case in Merced, were surprised when plans were announced to build a distribution center next door, leading to this fencing.

lieve that the area surrounding their homes, the interchange and Campus Parkway was intended to be used for future schools, businesses, housing and retail outlets?

Why didn't their realtors notify them of the potential for a massive Wal-Mart distribution center a literal stone's throw from their new homes?

City Officials claim that a "confidentiality agreement" existed between the city of Merced and Wal-Mart, which barred public disclosure. It allegedly existed to protect Wal-Mart's plans from being revealed to its competitors.

One can only surmise about whether there were other motives for keeping this development a secret for four years?

In 2002, the housing bubble in Merced had not yet burst. Land in Merced was at a premium and properties in prominent areas were selling for incredibly high prices.

Even prices for land in Southeast Merced were several times higher than they had been even a few years before.

What if Wal-Mart's intentions had been made public before all the land in the area of the distribution center had been bought up by developers and speculators? Would the parcels there have commanded the lofty prices prop-

erty owners were asking? Would builders have placed residential developments in close proximity to the area Wal-Mart wanted to locate its distribution center?

Would individuals have been as willing to purchase homes knowing a colossal Wal-Mart distribution center was being proposed in the vicinity?

One must presume the answer to all these questions is a resounding "No!"

Most huge distribution centers such as the one proposed by Wal-Mart, are usually located far from residential homes, businesses and schools for several reasons.

It's not just the high-pollution and the 24/7 lighting and noise coming from these facilities, other real dangers include pedestrian accidents.

The strain on city infrastructure that makes a distribution center undesirable to a community within its city limits.

Perhaps it boils down to the fact that most informed individuals do not want to face the daily consequences associated with a large distribution center.

Therefore, these areas are less desirable.

Consequently, if an area is less desirable, the property located within it is generally worth less.

Just think about how much money the city would have lost in taxes and other fees not to mention the losses incurred by realtors.

These financial losses make the City of Merced's reluctance to disclose its plans with Wal-Mart egregious!

New homeowners in Southeast Merced, already hit hard by the collapse of the housing market, need development that will add value to their investment not decrease it further.

We've been bamboozled. And, that's a polite way of saying it.

Merced public water may be at risk

Merced public water system may be threatened by Wal-Mart.

The Merced Irrigation District (MID) has weighed in on the Wal-Mart distribution center in Merced, raising major concerns with the proposed distribution center and potential impacts on Merced's public water supply.

MID operated and maintains a series of pipelines on the western property line of the center's property and requested in a letter to the City of Merced that Wal-Mart be required to enter into a storm drainage agreement to keep as much of the pollutants created by distribution center from entering the drinking water supply.

MID notes in a letter to the City of Merced that they have reached out

to Wal-Mart and presented the company with storm water discharge alternatives as well as discharge rates and recommended improvements to pipelines and discharge structure assemblies. However, according to MID's letter, there is no indication that Wal-Mart has responded to MID's recommendations.

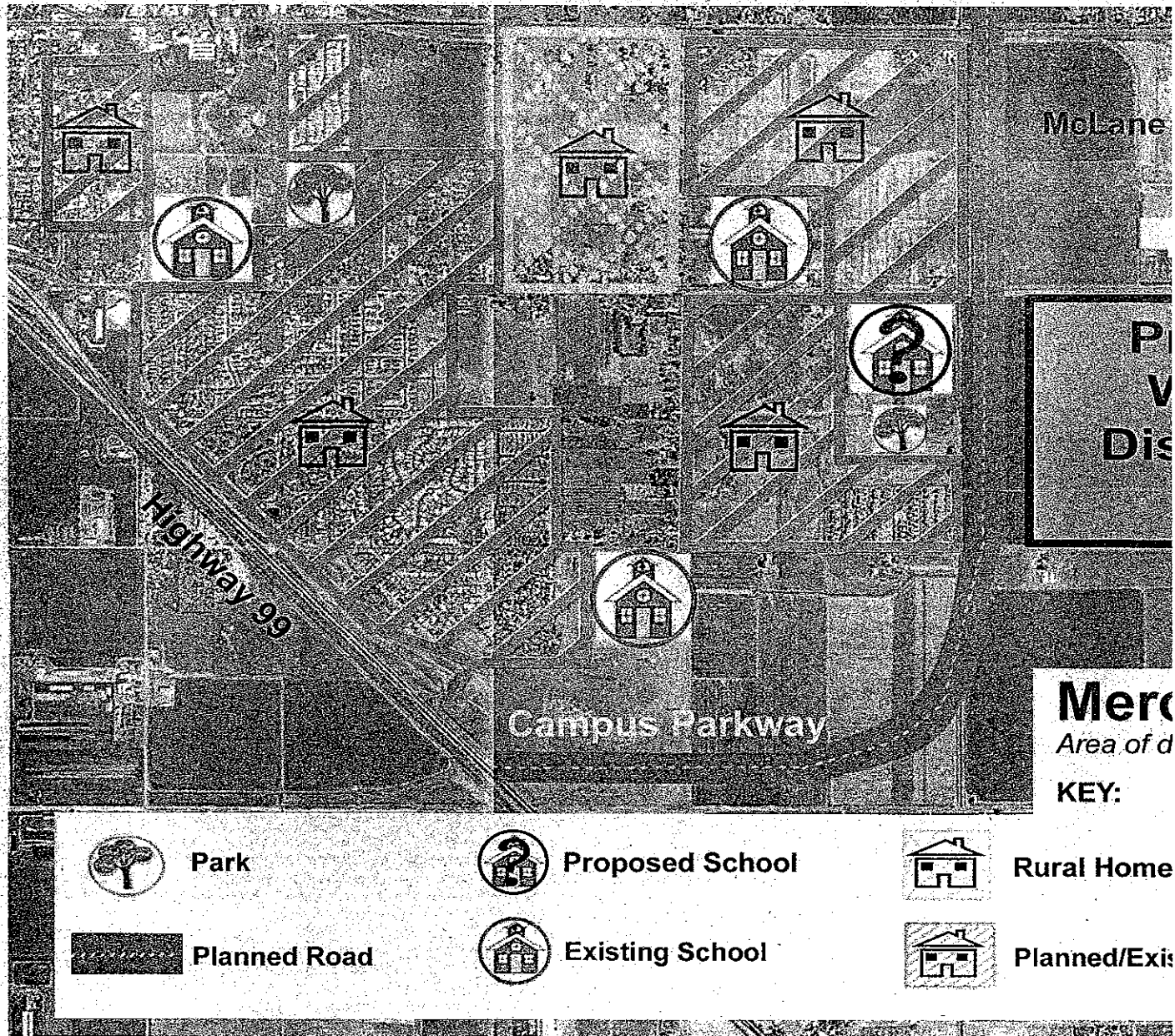
In his letter, Rory Randol, a facilities specialist for MID writes, "Wal-Mart needs to engage MID."

Randol also cautions Wal-Mart that it must be diligent during the construction period and make sure pollutants do not enter MID's pipeline systems.

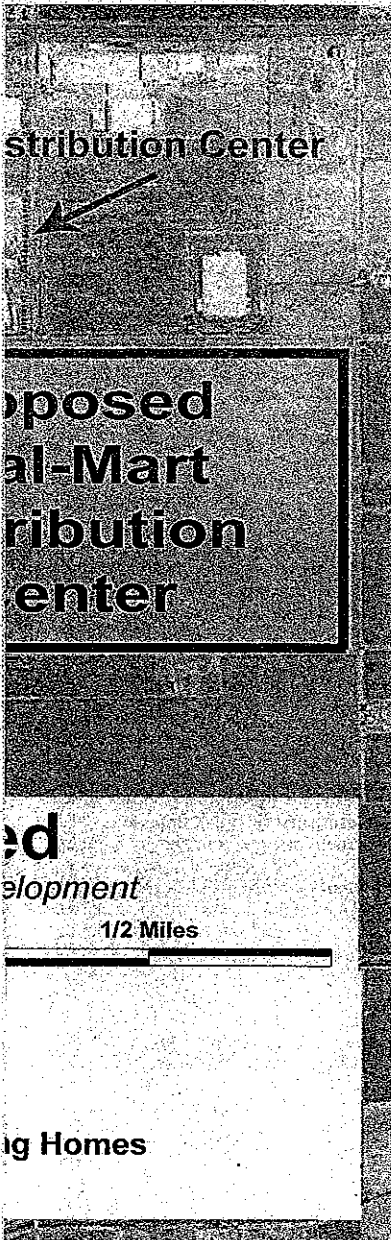
"Please note that construction runoff into MID facilities is not allowed," he writes.

The Merced Wal-Mart
Distribution Center is:

THIS



BIG



What's the true cost to Merced of the Distribution Center?

Pavement/Parking	4,353,000 sq. ft
Warehouse	1,100,000 sq. ft
Office Support	37,000 sq. ft
Aerosol Storage	24,000 sq. ft
Truck Maintenance	17,000 sq. ft
Fire Pump House	1,600 sq. ft

TOTAL SIZE: 230 Acres, more than 5.5 MILLION square feet!

900 Truck Trips a Day

2,150 Passenger Vehicle Trips a Day

- Endangering school children walking to and from school – 3 schools in vicinity.
- More big-rig and car traffic means increased risk of accidents.

Health Impacts From Trucks

- Additional air pollution from diesel exhaust causes cancer, asthma and other health problems.
- Each year in California, diesel pollution contributes to 2,900 early deaths, 3,600 hospitalizations and 240,000 asthma attacks

Light and Noise 24-Hours a Day, 365 Days a Year

- Alarm systems, loudspeakers system, truck & car traffic, radios, reverse indicators (beeps), trailers dropping, etc.
- Lights placed on 40-foot poles and walls making the night nearly as bright as day – all “night.”

Ground Water Threats

- Runoff ends up in storm sewers, ground water and surface water.
- Pollutants in water can contain waste oil, vehicle exhaust, freon, aerosols, hazardous products, etc.
- Runoff will likely seep into the groundwater that Merced drinks.
- The proposed Wal-Mart site is a FEMA Flood Hazard Zone meaning storms could produce extra flooding and contaminate surrounding neighbors.

Cost to City Services

- Distribution centers generate about 55,000 gallons of sewage per day.
- Merced taxpayers fund additional road repair, sewer services, etc.
- Roads will suffer terribly with 900 truck trips and 2,000-plus car trips A DAY.

Merced at Crossroads

Short-term, low-paying jobs, or promise for bright future?

The community of Merced finds itself at a crossroads.

One direction suggests economic recovery over the short term with a promised 1,200 jobs at a massive Wal-Mart distribution center.

The other direction leads to long-range economic development with clean, "green" industries linked to our new university.

Which of these choices will result in a future that we can all be proud of, one which offers jobs across the spectrum, from entry-level and non-skilled through professional?

An article in the June 4, 2009, *Merced County Times* describes a new Human Sciences Research Institute at UC Merced that will study health issues in the Central Valley and "boost the university's plans to build a world-class medical school on campus."

We can only imagine students, professors and support personnel fighting the hundreds of Wal-Mart diesels daily

competing for space at the Mission Interchange on Highway 99 and on the Campus Parkway.

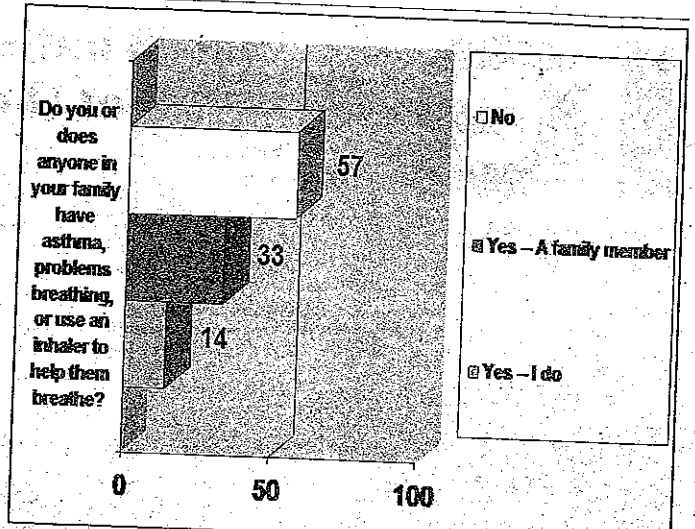
Traffic congestion would be only one, very visible impact, however.

What about the air pollution that will be produced by these trucks as they enter and leave the distribution center, and when their engines idle as they wait their turn to load or unload?

Our Valley is already known to have some of the dirtiest air in America. Because of the serious, even deadly, health impacts of air pollution, many people who can choose to live somewhere else simply do so.

We are told that Children's Hospital Central California, in the Fresno-Madera area, is unable to fully staff its medical positions.

The reason? Doctors' families, especially those with young children, just do not want to live in an area that, by its location alone, could threaten the health of their offspring.



MERCED AT CROSSROADS - CLEAN AIR OR ? : An in-depth survey of residents living near the proposed Wal-Mart distribution center shows nearly half have asthma, or respiratory problems, or a family member does - problems made worse living next to a distribution center.

So now, back to the plans for our University, how will Merced attract people to live and work in Merced and neighboring communities and help fulfill the greatness that has so often been promised for this, the first major research university of the twenty-first century?

How will we recover from our reputation for dirty air? By working hard

to create yet another major source of pollution? The choice is obvious.

We need to join hands and decide to work as one community to attract a range of research-based industries that will be clean, will attract talented people to this area, and will provide jobs to a diversity of individuals.

We must say no to Wal-Mart and its polluting distribution center.

Jobs from Wal-Mart distribution center won't materialize, according to expert; most will go to non-residents of city

Most of the jobs at a proposed Wal-Mart distribution center in Merced will not go to Merced residents, according to an analysis of the draft Environmental Impact Report by a San Francisco State University economics professor.

The majority of the jobs will go to non-residents of Merced, including roughly half of the trucking jobs will be handled by independent truckers hauling items to the distribution center. Dr. Philip King said in a letter to the City of Merced.

That conclusion by the economics expert negates the major argument by Wal-Mart supporters, who claim all the negatives of the project - water and air pollution, traffic problems and harming children and seniors because of the bad air - should be ignored because

jobs for Merced residents will be created.

King said the job creation argument is not correct.

Another issue raised by King in his comments to the City is the lack of discussion of Wal-Mart's plans for future store expansion.

Since the draft report only focuses on existing stores, it cannot give a realistic portrayal of the full impacts of traffic, noise, air quality when future delivery trucks in and out of Merced, King said.

He argues that under the California Environmental Quality Act, environmental impact report should consider "reasonably foreseeable" future retail operations when that information is

relevant to potential environmental impacts.

A list of planned, proposed and anticipated new stores that would be serviced by the Merced distribution center ought to be included in the report and those additional stores ought to be taken into consideration in the report, King said.

The second issue King addresses is that the report ignores the impacts that the distribution center will have on property values on the nearby residential neighborhoods.

"It is unusual to locate a large distribution center in such close proximity to a significant residential area," wrote King in his comments to the City.

He argues that although the property is zoned for industry, not all industries

are alike in their impacts. King says the estimated 900 trucks trips daily will be trucks not operating during regular business hours - but "after hours" on a 24-hour a day schedule.

"One cannot dismiss the impacts on local neighbors merely because land deemed industrial was placed adjacent to land planned for residences," wrote King.

Dr. King argues that the distribution center will drive down property and housing values as most home shoppers will choose not to live near the center, prolonging the housing market melt down currently plaguing the San Joaquin Valley.

Unfortunately, the City chose not to address this issue in their report, which is a serious omission, he asserts.

Less than 1/2 mile from Wal-Mart warehouse project

No where to hide, homeowner fears for safety of 3 children

Benny Contreras moved to Merced from the San Francisco Bay Area because it was safe for his children.

Now, because of a proposed Wal-Mart distribution center to be built less than a half mile from his home, he said he fears for his children's security.

After living for two years in the Bay Area with his wife and three children, Benny was eager to move to a small city where he could afford a home for his family.

The cost of living in the bay area was extremely expensive for Benny and his family, but a good friend of Benny's informed him that Merced's affordability for homes was great and that he should consider his options to move to Merced.

So, Benny became a single father to his three children and decided to purchase a home in Merced.

After moving to Merced, Benny worked as an insurance agent (transaction coordinator) and auto body and paint specialist.

With the troubled economy and housing bust in Merced, Benny found himself in the same unemployment crisis that many residents have found themselves in recently - Merced's unemployment rate is 17.3 percent.

To make matters worse, Benny became disabled shortly after his accident at his former job when he sustained a back injury and was forced to find other work on his own. Benny currently does outreach to local businesses in Merced doing free advertisement at the Merced flea market.

Benny has lived in Merced for a short time and has really seen Merced's economy and housing boom fall drastically. In today's economy, many people are taking advantage of the foreclosed and the reduced prices of houses throughout California.

Benny carried those same intentions and purchased a home in southeast Merced in the sandcastle neighborhood. Benny's reason to buy a home in southeast Merced was because of the affordable housing prices and finding a nice, quiet, and clean neighborhood

where he could raise his children.

A local community group called the Stop Wal-Mart Action Team (SWAT) would leave various fliers throughout his neighborhood and Benny realized that a proposed Wal-Mart distribution center would be less than 500 feet away from his home.

Benny was previously unaware of this project and realized that his neighborhood and children would be affected by the noise, truck traffic and additional air pollution on a daily basis.

"This effects me a lot because if I would have known ahead of time I would have never purchased my home," said Benny, who also worries about the health and quality of life of his children and really hopes that his neighbors feel the same way.

Benny is concerned for his two younger children who walk to Weaver School and feels that it will not be safe for the children because of the hundreds of Wal-Mart diesel trucks driving around schools.

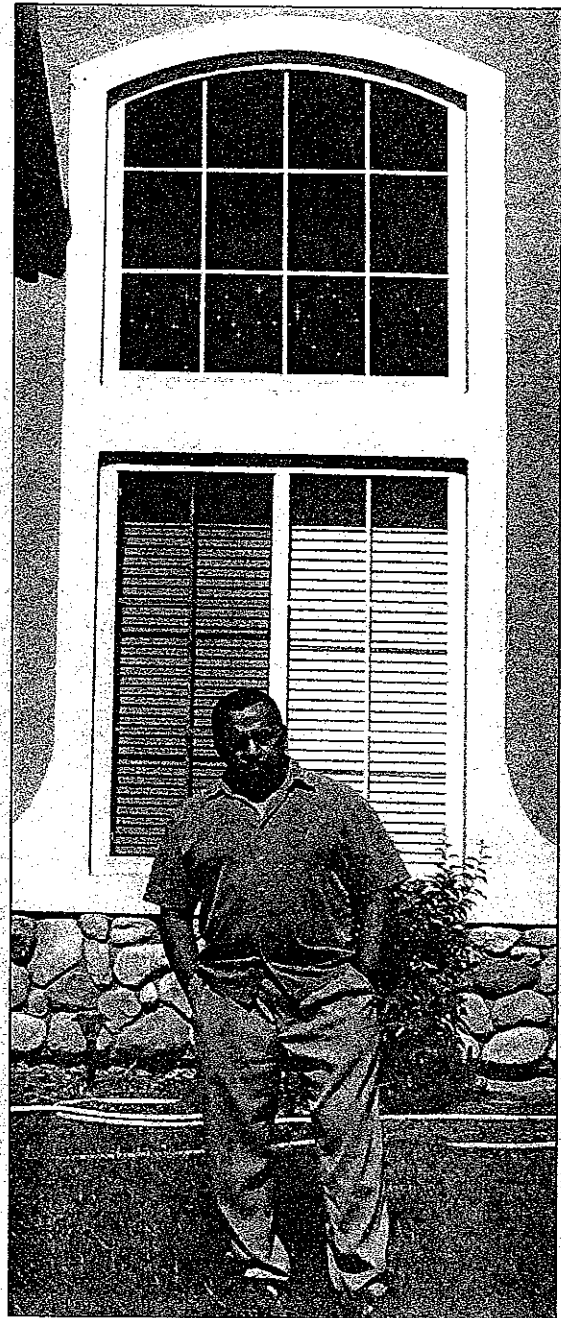
Benny also believes - as do many real estate experts - that when the trucks start coming in from Wal-Mart that the prices of houses will drop from the impacts of noise and traffic.

For over three years, Wal-Mart has been claiming that its distribution center will generate 900-1,200 jobs, but Benny believes that most of those jobs will go to out-of-towners (See Story Page 8) and Merced will be left with the increased crime, traffic, noise, pollution, and safety problems.

Benny worries the crime rate in Merced would increase because of workers coming from other cities to work at the distribution center.

He fears for his children's safety and security and feels that no matter what Wal-Mart does it's going to affect the people of Merced.

Benny resents the project being built, and hopes the construction of the project will not move forward for the sake of his family and fellow neighbors, who will be the most impacted by the Wal-Mart distribution center.



Benny Contreras in front of his Merced home

WHAT ABOUT the DISTRIBUTION CENTER?

A Street Poll of Merced Residents

QUESTIONS:

1) Wal-Mart is trying to build a distribution center here in Merced. How do you feel about it?

2) Do you think they should sign a contract to hire a certain percentage of people only from Merced?

3) What are your feelings on the environmental impacts in Merced such as air & water?

Tina

I don't think I would want it because of the trucks. I don't like it because of pollution from the diesel trucks.

no response

No, it would be better in a more secluded area.

Margarita

It's not good, not very good for additional trucks to be in Merced.

no response

No I don't think it's a good idea to have this near schools and houses.

Norma

I don't think it would be good. We don't need it. 2) There would be more contamination from the trucks and they will destroy our roads.

Local hiring- No I don't think so it should be for all people.

Our water is almost all gone and I think we should watch for contamination, too.

Annie

I don't think it's a good idea (to have) trucks coming in and out. I think it is bad.

I think it's a good idea to have a contract for jobs.

Water quality is bad in the area, as well as air quality. I'm concerned about the use of farmland.

Melissa and Adrian

(A) That's an awful place to put it. (M) It would make sense to put it in a place that is further on the outskirts of town. (A) It is an industrial facility - you should have parks next to houses and schools - not a distribution center.

(A & M) OF COURSE they should sign a contract to hire locally in Merced.

no response.

Tiffany

I wouldn't want the pollution from the 900 trucks around the school

They should sign a contract saying they would hire locally in Merced.

see question #1

Eliseo

It's bad about that many trucks coming in and out around schools. I don't think that is a good place.

They should be willing to sign a contract to hire people from Merced.

It is kind of like people smoking. It affects me -- just being around smoke and breathing this air bothers me. School children should not have to deal with these things.

DRINKING WATER THREAT?

Independent hydrologist questions whether City is protecting water

A review of water issues studied in the Draft Environmental Impact Report (DEIR) for the proposed Merced Wal-Mart Distribution Center raises more questions and concerns than answers.

Merced's drinking water may be threatened, according to independent hydrologist Dennis Jackson.

He submitted his analysis of the DEIR to the Merced City staff April 27, and said there are three areas of controversy that the report does not address, including: (1) Impacts on water quality from an on-site fuel storage facility and truck wash; (2) Stormwater system failure resulting in pollution running into nearby neighborhoods and (3) Storage tanks located under the distribution center leaking into public drinking water.

Jackson notes the City of Merced's report contains no "substantive discussion of the underground storage tanks and the risk they pose."

He adds that this gross oversight is heightened by the fact that the City also fails to address a municipal water well

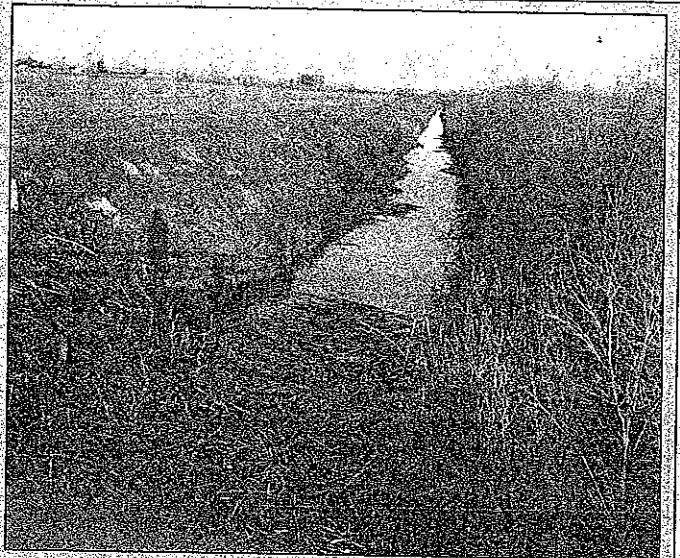
which supplies drinking water to Merced.

It is located near four proposed underground tanks, and will contain new and waste oil and diesel fuel.

Jackson's comment letter cites a geotechnical report which is part of the DEIR that states the soil around the proposed distribution center site contains corrosive metals which could corrode the underground tanks causing their contents to leak into the municipal drinking water well.

"By neglecting the presence of corrosive soils on the project site and the proximity of a municipal water supply well down-gradient from the proposed underground storage tanks the DEIR has failed to provide full disclosure of potential environment risks," writes Jackson.

According to Jackson, the City has also failed to address in their report what would happen if the distribution center's stormwater system fails and releases pollution into the nearby neighborhoods.



POLLUTED WATER? This is Miles Creek in Merced, which will take runoff from the Wal-Mart distribution center project.

Stormwater systems are used to separate and keep pollutants out of drinking water supplies.

The distribution center site would create 140 acres of impervious surface

area and in a rain shower, water on the surface collects oil, dust and chemicals on the paved surface and the rainwater eventually runs off the site and into the ground.

KID'S HEALTH (From Page 1)

So far, the City has ignored residents who will be most affected by the project's impacts.

That's why from November 2008 to April 2009, volunteers led by the Stop Wal-Mart Action Team went door to door with a survey to ask every household in Southeast Merced about the distribution center, asthma, traffic and City Council.

Four hundred and sixteen Southeast Merced residents completed the survey out of an estimated 2,300 total households in the area east of Highway 99 and south of State Route 140.

Results:

- About 63 percent of residents living in the shadow of the proposed Wal-Mart mega-warehouse either oppose outright or do not support the project wholeheartedly. This is clearly a community, despite a need for jobs, concerned about a poorly planned project that threatens their health and quality of life.

- Fourteen percent of residents surveyed have asthma or respiratory problems themselves, and another 33

percent report that a family member has problems breathing. This means that half of households in Southeast Merced have an asthmatic family member. These families also opposed the distribution center much more often.

- Nearly half (47 percent) of respondents felt that the Merced City Council as a whole would not take them seriously if they gave their opinions to the City Council.

- Residents overwhelmingly support shopping (71 percent), parks (70 percent) and health care (63 percent) for new development, while industrial (36 percent) and residential (34 percent) uses were the least supported.

*The full report will be available on the Stop Wal-Mart Action Team's website (www.mercedstopwalmart.org) in early August.

Southeast Merced residents have reason for concern.

Kids in southeast Merced are being told to bear the risk so that Wal-Mart can make more profit.

If anyone can afford to guarantee local hiring, clean trucks and new roads, it's Wal-Mart.

But, so far, Wal-Mart has fought ev-

ery measure that would commit it to reduce its local impact.

Will the City Council stand up for their residents, or throw them under the truck?

JOBS (From Page 1)

know Wal-Mart will "offset" the deadly effects of soot and other pollutants by paying into a fund that would, for example, help make diesel vehicles burn cleaner somewhere in this valley.

But, we in Merced would still be stuck with the pollution.

So, in the end, is there any way this project could benefit Merced and its people?

Many people who have looked at the bad impacts of the distribution center - on the air, on traffic, noise, and so forth - would say no.

However, if the City Council is determined to vote for the project, at the very least it could draw up a binding contract with Wal-Mart that could guarantee that some good would come to the community.

For example, Wal-Mart would assure

that an agreed-upon percentage of jobs would be filled by Merced residents.

Further, there would be a commitment about wages and benefits for workers. There would also be written understandings about mitigations - that is, actions on the part of Wal-Mart to truly offset the many negative features of this project.

All of the agreements between Wal-Mart and the City of Merced would have the force of a legal contract, including penalties in the event of violations.

But, would Wal-Mart do that? Apparently, they have never done so.

And, that leaves us in Merced holding an empty bag, with a whole lot of dirty air, bad traffic, noise, safety concerns and general pollution inside it.

Merced Citizen Voice

Published in the public interest by Merced Alliance for Responsible Growth (MARG) and other organizations involved in health and land use issues in the City of Merced. For more information, contact MARG at PO Box 110, Merced, CA 95341. info@mercedalliance.net

An unnatural disaster.

Wal-Mart's proposed distribution center. And the health of Merced.

Air pollution is a public health crisis for Merced residents. Wal-Mart's proposed high-polluting distribution center will make a terrible situation **much worse**. You can help protect the health of Merced's most vulnerable residents.

- In 2007, Merced was the 6th most ozone polluted city in the U.S. Ozone irritates your respiratory system, aggravating asthma and causing lung damage.
- Merced children are already twice as likely to be diagnosed with asthma than the national average.² One in five children in the San Joaquin Valley (22%) suffers from asthma.³ Particulate (soot) pollution causes nearly 3,000 early deaths from heart and lung disease in the Valley each year.
- Studies show a direct link between childhood asthma and attending school and/or living 1,500 feet from busy roads (like Campus Parkway). Wal-Mart trucks would pass less than 1/4 mile from Pioneer elementary school.
- The majority (55-60%) of trucks entering the distribution center would be non-Wal-Mart trucks, including some of the oldest and most polluting trucks on the road.
- The California Air Resources Board and cities including Riverside restrict high-polluting industry from siting near homes and schools. This project would violate the planning code of many other cities in California.

The proposed Wal-Mart distribution center would generate 900 truck trips per day, within a mile of 3 Merced schools. Wal-Mart trucks, and cars (2,150 car trips per day), will use roads just 500 feet from the nearest homes and a new elementary school. The trucks will dump 2.4 tons of diesel particulate and 83 tons of oxides into our Valley air every year!

**Wal-Mart's distribution center would cause illness and even death to Merced's most vulnerable residents: children, elders, and low-income community members. The City Council must protect our health by rejecting Wal-Mart's distribution center as proposed.
We can create quality jobs without sacrificing our health and quality of life.**

Tell the City Council to protect the health of Merced residents and say 'no' to Wal-Mart!

Mayor Ellie Wooten

wootene@cityofmerced.org

Mayor Pro Tempore John Carlisle

carlislej@cityofmerced.org

Councilmember Joe Cortez

cortezj@cityofmerced.org

Councilmember Michele Gabriault-Acosta

gabriaultm@cityofmerced.org

Councilmember Noah Lor

loru@cityofmerced.org

Councilmember Jim Sanders

sandersj@cityofmerced.org

Councilmember Bill Spriggs

spriggsb@cityofmerced.org

Or call the Merced City Council at 209.385-6834; Fax: 209.723-1780; Mail: 678 West 18th Street, Merced, CA 95340

For more information about this ad, contact Merced Stop Wal-Mart Action Team, swat@mercedalliance.org, 209.723-9458

Merced Alliance for Responsible Growth
Post Office Box 110
Merced, CA 95341

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Return Service Requested

Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Tuesday, August 04, 2009 8:36 AM
To: city, council; Bill Spriggs (E-mail); Carlisle, John; Conway, Mike; Cortez, Joseph; Dawn Walker (E-mail); Ellie Wooten (E-mail 2); Ellie Wooten (E-mail); Gabriault, Michele; Jim Sanders (E-mail); Joe Cortez (E-mail); John Bramble; John Carlisle (E-mail); Lor, Noah; Lor, Noah; Michele Gabriault-Acosta (E-mail 2); Michele Gabriault-Acosta (E-mail); Sanders, Jim; Spriggs, Bill
Cc: Davidson, Dana; Quintero, Frank; Espinosa, Kim; Schechter, Jeanne
Subject: FW: Proposed Walmart distribution center

From the website.

Dawn

Dawn Walker
Executive Secretary
City of Merced
678 West 18th Street
Merced, CA 95340
Phone: (209) 385-6834
Fax: (209) 385-1780

-----Original Message-----

From: susan posey [mailto:susan.posey@att.net]
Sent: Monday, August 03, 2009 8:27 PM
To: city, council
Subject: Proposed Walmart distribution center

I received a notice from Walmart about the proposed distribution center on E. Childs avenue. I live on E. Childs avenue and feel that our neighborhood does not need the addition of 1,200 people driving to work in the area. Walmart states that their trucks will use the Campus Parkway for their trucks but they don't address the employee traffic. We have the McLain trucking employees speeding and driving erratically. We have the high school and Weaver elementary, kids walking to school with very little sidewalks or crosswalks. I'm not against Walmart but they need to find land that is directly accessible to highways 99 or 5 and away from schools and neighborhoods. I would like information on the environmental and traffic studies if they have been done. If studies have not been done, will they? I would like to be notified when the hearings of the proposed plans will be.

Thank you

Susan Posey
susan.posey@att.net

JULY 9-2009

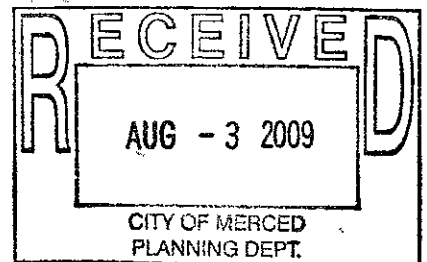
CITY COUNCIL

WHY CAN'T MERCED O.K.
WALMART TO BUILD A WARE-
HOUSE HERE?

JUST THINK OF THE JOBS
FOR PLUMBERS, CARPENTERS,
ELECTRICIANS, CEMENT WORKERS
TO BUILD THE WAREHOUSE. THEN
WHEN IT IS DONE 300 TO 500 JOBS.
THAT WOULD HELP MERCED
PLUS WOULD BRING IN TAX
MONEY.

ALSO WOULD HAVE TO BUY
A LOT OF SUPPLIES TO PUT UP
THE BUILDING

R. GONZALES
MERCED, CA.



Dear City Counsel Members:

Ellie Wooten

John Carlisle

Michele Gabriault-Acosta

Noah Lor

Joe Cortez

Jim Sanders

Bill Spriggs

I am writing this letter in support of the Wal Mart Distribution Center to be built.

Please vote YES in allowing this distribution center to be built here.

I'm sure you are very well aware of the desperate need in Merced County for jobs.

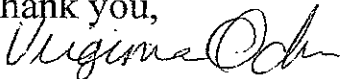
I am looking forward to applying for employment at this facility.

I live approximately 1 1/2 miles from this location and would like to welcome Wal Mart into my neighborhood.

My husband presently works driving a truck for a Wal Mart distribution center in Nevada. I have been to this distribution center myself and have seen with my own eyes that there is not a grey cloud of smog above the DC.

It would also be great to have my husband work much closer to home. Right now my husband cannot find a trucking job in the Merced area.

Thank you,

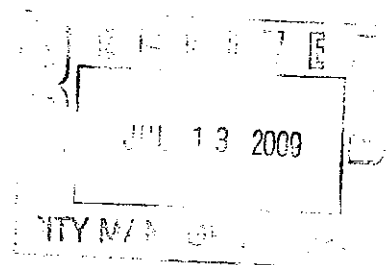
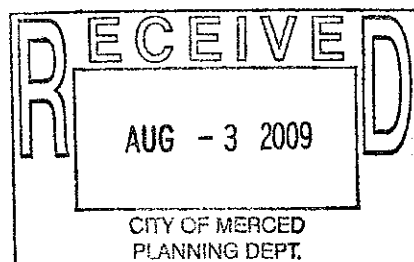


Virginia Ochoa

97 Manzanita Ave.

Merced, CA

95341



Honorable Ellie Wooten and Council
c/o Merced City Hall
Merced, California 95340

July 13, 2009

Madam Mayor and Merced City Council,

This is a crucial time in the decision-making process to permit the WalMart* Distribution Center to build in Merced. We feel we must write again to express our heartfelt belief that the WalMart* project has the potential to become our most lucrative Merced investment to date. It will expand our contracting tax dollar options by millions, maybe even more, over the coming years if citizens allow the internationally well-respected and environmentally conscientious corporation to locate here.

People have spoken eloquently and written about the jobs WalMart* creates, but we would like to emphasize an additional point: Merced has one of the highest unemployment and per-capita poverty rates in the Nation. Our upside-down housing market is held up as the example of what NOT to do. Service providers and non-profit organizations are suffering, while trying to meet the extraordinary needs of our community.

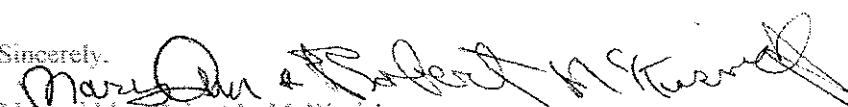
Walmart's corporate philosophy is of building community partnerships. Records show WalMart* voluntarily donates an average of some quarter-billion dollars annually to mitigate socio-economic concerns in communities throughout this nation and internationally.

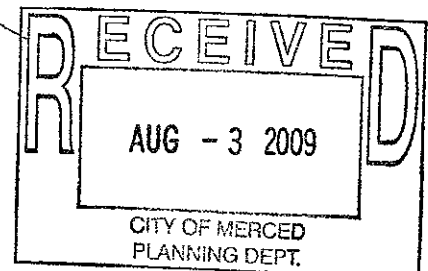
Here in Merced, our Loughborough Avenue retail WalMart* staff has demonstrated its commitment to us by their physical volunteer presence and/or monetary participation in supporting local food banks, cancer treatment and research, Salvation Army, Men's Mission, United Way, women's abuse and child protection programs, free back-to-school/Christmas basket supply sprees, coats for kids, Merced clean up days, Applegate Zoo, the little train restoration, arts, theater, symphonies, music guilds, book drives ---And many other charitable endeavors.

Having the WalMart* Distribution Center come here is an extraordinary opportunity for Merced residents. The project needs to move forward WalMart* loses patience with Mercedians.

Shortly in August, you and the Council will have the opportunity to finally make it happen. It is our fervent hope you will see your way to voting "yes" and allow the process to move forward. We plan to attend the Council meetings and hope to be able to thank you each personally for affirming the building of the Merced WalMart* Distribution Center.

Sincerely,

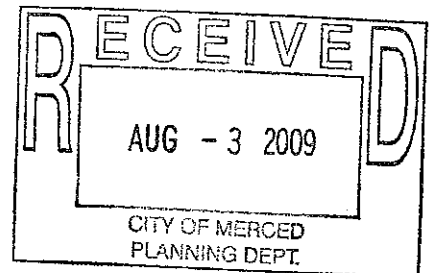
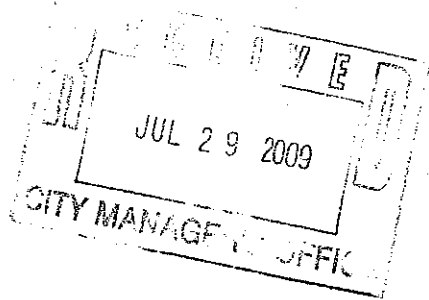

Mr. and Mrs. Robert L. McKissick
580 Seminole Drive
Merced, California 95340



Dear Council Member,

Please see the documentaries "The Corporation" and "Wal-Mart: The High Cost of Low Price" before making the Wal-Mart decision.

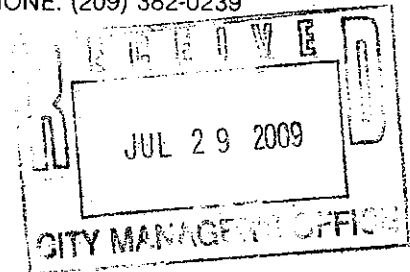
Thank you!





P.O. BOX 67 / PLANADA, CALIFORNIA 95365 / TELEPHONE: (209) 382-0239

The Honorable City Manager
John Bramble
Merced City Administration
678 West 18th Street
Merced, CA 95340



Dear City Manager Bramble,

I am writing to urge your vote to approve the Wal-Mart Distribution Center. Merced's current economic environment requires positive job growth and substantial infrastructure investment. At this time there is not a bounty of proposals by companies considering Merced as a place to invest in. The Wal-Mart Distribution Center is currently the only large project on the books.

In 1972 the City of Merced approved the application for RAGU' Foods. The project was built and hundreds of people were put to work. The facility ran for over 34 years until it closed in June 2006. My company was a major truck transportation provider for Ragu from day one. I was personally involved with the truck traffic organization and oversight, I truly know the truck traffic volume that was facilitated. Most Mercedians in those days were not aware of what was happening on Ashby road. It's a fact that during the peak processing periods the average truck trips were well over 1,200 per day, 24 hours per day, seven days a week. Three hundred more than projected in Wal Mart's Environmental Impact Report and three times the volume the Wal-Mart folks are realistically projecting. We also had numerous shuttle trucks running within the plant 24 hours a day, seven days a week, all using diesel fuel.

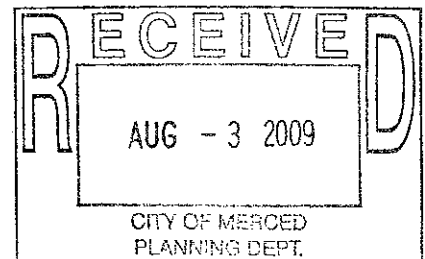
The power units we used were all diesel and not the low emissions equipment that the Wal-Mart "Green Fleet" is using. The diesel fuel that was used for many years was not the low sulfur CARB blend we used in later years. Ironically, the only complaints we ever received at the plant were regarding the late night and early morning noise.

So if you rationalize what happened at the Ragu facility for over thirty years, it makes you question what is all the controversy about? As a community, we will be simply replacing lost business, lost jobs at a lesser truck volume and using 75% cleaner burning trucks and equipment. To go a step further, under the California Air Resources Board (CARB) rules, by 2017 the Wal-Mart trucks will be burning 100% cleaner than the trucks of the Ragu period, and with regard to the non Wal-Mart carriers, the CARB rules applies to ALL trucks.

I hope the facility is approved. If not, the citizens of our County will still get to see the trucks pass through our towns giving off pollutants, but there will be no jobs for Merced and her sister cities.

Sincerely,

Bud Wallace





P.O. BOX 67 / PLANADA, CALIFORNIA 95365 / TELEPHONE: (209) 382-0239

The Honorable Mayor
Ellie Wooten
Merced City Council
678 West 18th Street
Merced, CA 95340

Dear Mayor Wooten,

I am writing to urge your vote to approve the Wal-Mart Distribution Center. Merced's current economic environment requires positive job growth and substantial infrastructure investment. At this time there is not a bounty of proposals by companies considering Merced as a place to invest in. The Wal-Mart Distribution Center is currently the only large project on the books.

In 1972 the City of Merced approved the application for RAGU Foods. The project was built and hundreds of people were put to work. The facility ran for over 34 years until it closed in June 2006. My company was a major truck transportation provider for Ragu from day one. I was personally involved with the truck traffic organization and oversight, I truly know the truck traffic volume that was facilitated. Most Mercedians in those days were not aware of what was happening on Ashby road. It's a fact that during the peak processing periods the average truck trips were well over 1,200 per day, 24 hours per day, seven days a week. Three hundred more than projected in Wal Mart's Environmental Impact Report and three times the volume the Wal-Mart folks are realistically projecting. We also had numerous shuttle trucks running within the plant 24 hours a day, seven days a week, all using diesel fuel.

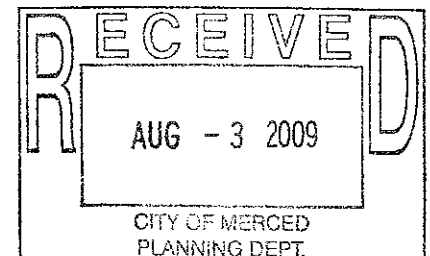
The power units we used were all diesel and not the low emissions equipment that the Wal-Mart "Green Fleet" is using. The diesel fuel that was used for many years was not the low sulfur CARB blend we used in later years. Ironically, the only complaints we ever received at the plant were regarding the late night and early morning noise.

So if you rationalize what happened at the Ragu facility for over thirty years, it makes you question what is all the controversy about? As a community, we will be simply replacing lost business, lost jobs at a lesser truck volume and using 75% cleaner burning trucks and equipment. To go a step further, under the California Air Resources Board (CARB) rules, by 2017 the Wal-Mart trucks will be burning 100% cleaner than the trucks of the Ragu period, and with regard to the non Wal-Mart carriers, the CARB rules applies to ALL trucks.

I hope the facility is approved. If not, the citizens of our County will still get to see the trucks pass through our towns giving off pollutants, but there will be no jobs for Merced and her sister cities.

Sincerely,


Bud Wallace



City of Merced

MEMORANDUM

DATE: July 31, 2009
TO: Planning Commission
FROM: Vicci Lane, Secretary II
SUBJECT: Message from Doug Fluetsch

Doug Fluetsch, Fluetsch & Busby Insurance, called and asked if you would call him at (209) 722-1541 to discuss setting up a meeting with him to discuss the Wal-Mart Distribution Center. I let him know that I would forward his message. Thank you.

If you have any questions, please feel free to contact me.

Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Friday, July 31, 2009 11:48 AM
To: city, council; Bill Spriggs (E-mail); Carlisle, John; Conway, Mike; Cortez, Joseph; Dawn Walker (E-mail); Ellie Wooten (E-mail 2); Ellie Wooten (E-mail); Gabriault, Michele; Jim Sanders (E-mail); Joe Cortez (E-mail); John Bramble; John Carlisle (E-mail); Lor, Noah; Lor, Noah; Michele Gabriault-Acosta (E-mail 2); Michele Gabriault-Acosta (E-mail); Sanders, Jim; Spriggs, Bill
Cc: Davidson, Dana; Quintero, Frank; Espinosa, Kim; Schechter, Jeanne
Subject: FW: Vote yes on Walmart Distribution Center

From the website.

Dawn

Dawn Walker
Executive Secretary
City of Merced
678 West 18th Street
Merced, CA 95340
Phone: (209) 385-6834
Fax: (209) 385-1780

-----Original Message-----

From: HOMEJJ@aol.com [mailto:HOMEJJ@aol.com]
Sent: Friday, July 31, 2009 11:19 AM
To: city, council
Subject: Re: Vote yes on Walmart Distribution Center

As a senior citizen from the county of Merced I would like to request a yes vote for the Walmart Distribution Center being built to create more jobs for our dear county. Being that it is where it is there will be readily availability for the trucks to get on the highway. Plus it could help more of the homeless and unemployed be able to get jobs. Walmart is a great company to work for.

Please vote yes on the project.

Jean Andrews
6134 Mulberry Ave.
Atwater, CA 95301

A bad credit score is 600 & below. Checking won't affect your score. [See now!](#)

Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Thursday, July 30, 2009 8:06 AM
To: city, council; Bill Spriggs (E-mail); Carlisle, John; Conway, Mike; Cortez, Joseph; Dawn Walker (E-mail); Ellie Wooten (E-mail 2); Ellie Wooten (E-mail); Gabriault, Michele; Jim Sanders (E-mail); Joe Cortez (E-mail); John Bramble; John Carlisle (E-mail); Lor, Noah; Lor, Noah; Michele Gabriault-Acosta (E-mail 2); Michele Gabriault-Acosta (E-mail); Sanders, Jim; Spriggs, Bill
Cc: Davidson, Dana; Quintero, Frank; Espinosa, Kim; Schechter, Jeanne
Subject: FW: Walmart Center

From the website.

Dawn

Dawn Walker
Executive Secretary
City of Merced
678 West 18th Street
Merced, CA 95340
Phone: (209) 385-6834
Fax: (209) 385-1780

-----Original Message-----

From: Jenny Bega [mailto:bega.j@mccd.edu]
Sent: Thursday, July 30, 2009 6:55 AM
To: city, council
Subject: Walmart Center

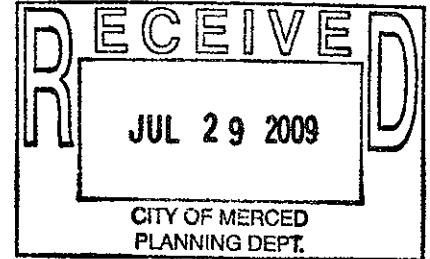
This letter is in support of the Walmart Center for Merced. We are in dire need of companies to come to Merced for jobs. Our community is suffering during these economic times and this is a start to employ a lot of people. Merced needs to wake up and recruit good companies, we have a UC and these new graduates are not going to stay in Merced if we do not have quality companies.

Thank You, Jenny Bega



P.O. BOX 67 / PLANADA, CALIFORNIA 95365 / TELEPHONE: (209) 382-0239

The Honorable Commissioner
Chair, Dwight Amey
Merced City Planning Commission
678 West 18th Street
Merced, CA 95340



Dear Commissioner Amey,

I am writing to urge your vote to approve the Wal-Mart Distribution Center. Merced's current economic environment requires positive job growth and substantial infrastructure investment. At this time there is not a bounty of proposals by companies considering Merced as a place to invest in. The Wal-Mart Distribution Center is currently the only large project on the books.

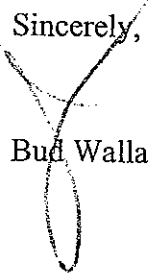
In 1972 the City of Merced approved the application for RAGU Foods. The project was built and hundreds of people were put to work. The facility ran for over 34 years until it closed in June 2006. My company was a major truck transportation provider for Ragu from day one. I was personally involved with the truck traffic organization and oversight, I truly know the truck traffic volume that was facilitated. Most Mercedians in those days were not aware of what was happening on Ashby road. It's a fact that during the peak processing periods the average truck trips were well over 1,200 per day, 24 hours per day, seven days a week. Three hundred more than projected in Wal Mart's Environmental Impact Report and three times the volume the Wal-Mart folks are realistically projecting. We also had numerous shuttle trucks running within the plant 24 hours a day, seven days a week, all using diesel fuel.

The power units we used were all diesel and not the low emissions equipment that the Wal-Mart "Green Fleet" is using. The diesel fuel that was used for many years was not the low sulfur CARB blend we used in later years. Ironically, the only complaints we ever received at the plant were regarding the late night and early morning noise.

So if you rationalize what happened at the Ragu facility for over thirty years, it makes you question what is all the controversy about? As a community, we will be simply replacing lost business, lost jobs at a lesser truck volume and using 75% cleaner burning trucks and equipment. To go a step further, under the California Air Resources Board (CARB) rules, by 2017 the Wal-Mart trucks will be burning 100% cleaner than the trucks of the Ragu period, and with regard to the non Wal-Mart carriers, the CARB rules applies to ALL trucks.

I hope the facility is approved. If not, the citizens of our County will still get to see the trucks pass through our towns giving off pollutants, but there will be no jobs for Merced and her sister cities.

Sincerely,


Bud Wallace

Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Tuesday, July 28, 2009 9:05 AM
To: city, council; Bill Spriggs (E-mail); Carlisle, John; Conway, Mike; Cortez, Joseph; Dawn Walker (E-mail); Ellie Wooten (E-mail 2); Ellie Wooten (E-mail); Gabriault, Michele; Jim Sanders (E-mail); Joe Cortez (E-mail); John Bramble; John Carlisle (E-mail); Lor, Noah; Lor, Noah; Michele Gabriault-Acosta (E-mail 2); Michele Gabriault-Acosta (E-mail); Sanders, Jim; Spriggs, Bill
Cc: Davidson, Dana; Quintero, Frank; Espinosa, Kim; Schechter, Jeanne
Subject: FW: Walmart

From the website.

Dawn

Dawn Walker
Executive Secretary
City of Merced
678 West 18th Street
Merced, CA 95340
Phone: (209) 385-6834
Fax: (209) 385-1780

-----Original Message-----

From: khaas1227 [mailto:khaas1227@sbcglobal.net]
Sent: Monday, July 27, 2009 9:34 AM
To: city, council
Subject: Walmart

WE NEED JOBS, with our unemployment rate and foreclosures close to the highest in the nation; we cannot afford to wait. Your job is to do what is best for all the residents of the city; VOTE NOW AND VOTE YES!

Kenneth Haas
1168 Paseo Verde Drive
Merced, CA 95348

Dear Planning Comission of Merced,

I am writing this letter in support of the Wal Mart Distribution Center to be built.

Please vote YES in allowing this distribution center to be built here. I'm sure you are very well aware of the desperate need in Merced County for jobs.

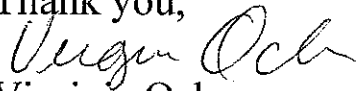
I am looking forward to applying for employment at this facility.

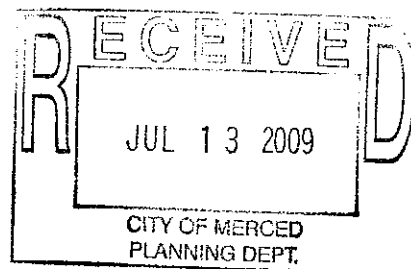
I live approximately 1 1/2 miles from this location and would like to welcome Wal Mart into my neighborhood.

My husband presently works driving a truck for a Wal Mart distribution center in Nevada. I have been to this distribution center myself and have seen with my own eyes that there is not a grey cloud of smog above the DC.

It would also be great to have my husband work much closer to home. Right now my husband cannot find a trucking job in the Merced area.

Thank you,


Virginia Ochoa
97 Manzanita Ave.
Merced, CA
95341



Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Friday, July 10, 2009 8:26 AM
To: city, council; Bill Spriggs (E-mail); Carlisle, John; Conway, Mike; Cortez, Joseph; Dawn Walker (E-mail); Ellie Wooten (E-mail 2); Ellie Wooten (E-mail); Gabriault, Michele; Jim Sanders (E-mail); Joe Cortez (E-mail); John Bramble; John Carlisle (E-mail); Lor, Noah; Lor, Noah; Michele Gabriault-Acosta (E-mail 2); Michele Gabriault-Acosta (E-mail); Sanders, Jim; Spriggs, Bill
Cc: Davidson, Dana; Schechter, Jeanne; Quintero, Frank; Espinosa, Kim
Subject: FW: Wal-Mart
Importance: High

From the website.

Dawn

Dawn Walker
Executive Secretary
City of Merced
678 West 18th Street
Merced, CA 95340
Phone: (209) 385-6834
Fax: (209) 385-1780

-----Original Message-----

From: Robert Vincelette [mailto:vincelette.r@mccd.edu]
Sent: Friday, July 10, 2009 7:56 AM
To: city, council
Subject: Wal-Mart
Importance: High

I urge a YES on allowing the Wal-Mart Distribution Center into Merced! Vince

Robert 'Vince' Vincelette
Director WpLRC
Merced College
630 W. 19th St, Merced CA 95340
Ph (209) 386-6734 Fax (209) 386-6793
<http://www.mercedworkplacecenter.org/>

Espinosa, Kim

From: Walker, Dawn
Sent: Thursday, May 14, 2009 11:54 AM
To: city, council; Bill Spriggs (E-mail); Carlisle, John; Conway, Mike; Cortez, Joseph; Dawn Walker (E-mail); Ellie Wooten (E-mail 2); Ellie Wooten (E-mail); Gabriault, Michele; Jim Sanders (E-mail); Joe Cortez (E-mail); John Bramble; John Carlisle (E-mail); Lor, Noah; Lor, Noah; Michele Gabriault-Acosta (E-mail 2); Michele Gabriault-Acosta (E-mail); Sanders, Jim; Spriggs, Bill
Cc: Davidson, Dana; Quintero, Frank; Schechter, Jeanne; Espinosa, Kim
Subject: Wal-Mart Telephone Call

Good morning,

The Office of the City Council received a telephone call from William Armstrong, 726-8281, regarding the Wal-Mart Distribution Center. Mr. Armstrong stated he is in favor of the Center because he has lived in two places that have had Wal-Mart centers, and it was a favorable experience. He further stated that Wal-Mart does good things for the community, especially related to special needs individuals.

Thank you,

Dawn

Dawn Walker
Executive Secretary
City of Merced
678 West 18th Street
Merced, CA 95340
Phone: (209) 385-6834
Fax: (209) 385-1780

Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Friday, May 08, 2009 11:03 AM
To: city, council; Bill Spriggs (E-mail); Carlisle, John; Conway, Mike; Cortez, Joseph; Dawn Walker (E-mail); Ellie Wooten (E-mail 2); Ellie Wooten (E-mail); Gabriault, Michele; Jim Sanders (E-mail); Joe Cortez (E-mail); John Bramble; John Carlisle (E-mail); Lor, Noah; Lor, Noah; Michele Gabriault-Acosta (E-mail 2); Michele Gabriault-Acosta (E-mail); Sanders, Jim; Spriggs, Bill
Cc: Davidson, Dana; Espinosa, Kim; Schechter, Jeanne; Quintero, Frank
Subject: FW: Wal-mart distribution center

From the website.

Dawn

Dawn Walker
Executive Secretary
City of Merced
678 West 18th Street
Merced, CA 95340
Phone: (209) 385-6834
Fax: (209) 385-1780

-----Original Message-----

From: khaas1227 [mailto:khaas1227@sbcglobal.net]
Sent: Wednesday, May 06, 2009 9:18 PM
To: city, council
Subject: Wal-mart distribution center

Mayor Wooten and council members

We do not need additional information, study or translations regarding a vote on the Wal-Mart distribution center; please do not delay the decision regarding the distribution center any longer. If we stall much longer Wal-Mart will make the decision for us. I hope this is not the intent of some city council members. The request for more time and additional information is just a stalling tactic by a small group of "I hate Wal-Mart" dissenters that hope Wal-Mart will give up and go away.

WE NEED JOBS, with our unemployment rate and foreclosures close to the highest in the nation we cannot afford to wait. Your job is to do what is best for all the residents of the city; VOTE NOW AND VOTE YES!

Kenneth Haas
1168 Paseo Verde Drive
Merced, CA 95348

Espinosa, Kim

From: Espinosa, Kim
Sent: Thursday, February 19, 2009 2:11 PM
To: 'swisscolonyapts@sbcglobal.net'
Subject: Wal-Mart Project

Susan,

Here is a map of the proposed Distribution Center. I have also enclosed a copy of a flyer that we just sent out to those on our mailing list, which I have also added you to. Thanks!

--Kim

Kim Espinosa, Planning Manager
City of Merced Planning & Permitting
678 West 18th Street
Merced, CA 95340
Phone: (209) 385-6858
Fax: (209) 725-8775
Email: espinosak@cityofmerced.org

*Thomason Properties
3075 Park Ave
Merced, CA 95348*



WMRT Points
06-05-15.pdf



Meeting Notice--Feb
25-09.doc

Wal-Mart Distribution Center Information Points

For more information please contact Mike Conway, Public Information Officer
City of Merced 678 W. 18th Street (209) 385-6834

LAND USE

What does Wal-Mart want to do?

It proposed building a distribution center in the University Industrial Park. It is not proposing a retail or super center operation. The proposed facility is 1.2 million square feet.

Is the land zoned appropriately?

Yes, the site is zoned heavy industrial and is within the current Merced City limits.

PERMITS

What approvals are required for the project?

Wal-Mart must get a Site Plan Review, which includes an Environmental Impact Report. There also will be a general plan amendment to abandon the unbuilt southern extension of Kibby Road.

Did Wal-Mart get any fees waived?

No, Wal-Mart is paying all of the required fees, which is expected to be over \$5 million. Area schools should receive over \$400,000 in fees from the Wal-Mart project.

INCENTIVES

Did Wal-Mart get subsidies from the City for its project?

No, the City did not offer any financial relief. Subsidies -- none. Property tax rebates -- none. Fee waivers -- none. Sales tax rebates -- none. Tax-free land -- none.

TRUCK TRAFFIC

How much traffic would the project create?

Wal-Mart said there would be up to 450 truck trips into the facility a day, and 450 truck trips leaving the facility each day.

What route will the trucks take?

The trucks will leave from one of the two gates on Gerard Avenue, going to the Campus Parkway and then onto Highway 99.

JOBS

How many people will the center employ?

Wal-Mart says there will be 600 full-time employees at the plant.

When will the center be operating?

The center will operate 24-hours a day, 7-days a week. There will be two operating shifts and the overnight shift will perform maintenance on the facility.

How much will the jobs pay?

Wal-Mart said the starting pay will be between \$13.00 to \$14.00 an hour.

What is the typical starting pay in Merced?

According to the state Employment Development Department, the average starting pay in Merced is \$8.05 an hour.

IMPACTS

Did Wal-Mart get CalTrans to put in the Mission Interchange on Highway 99?

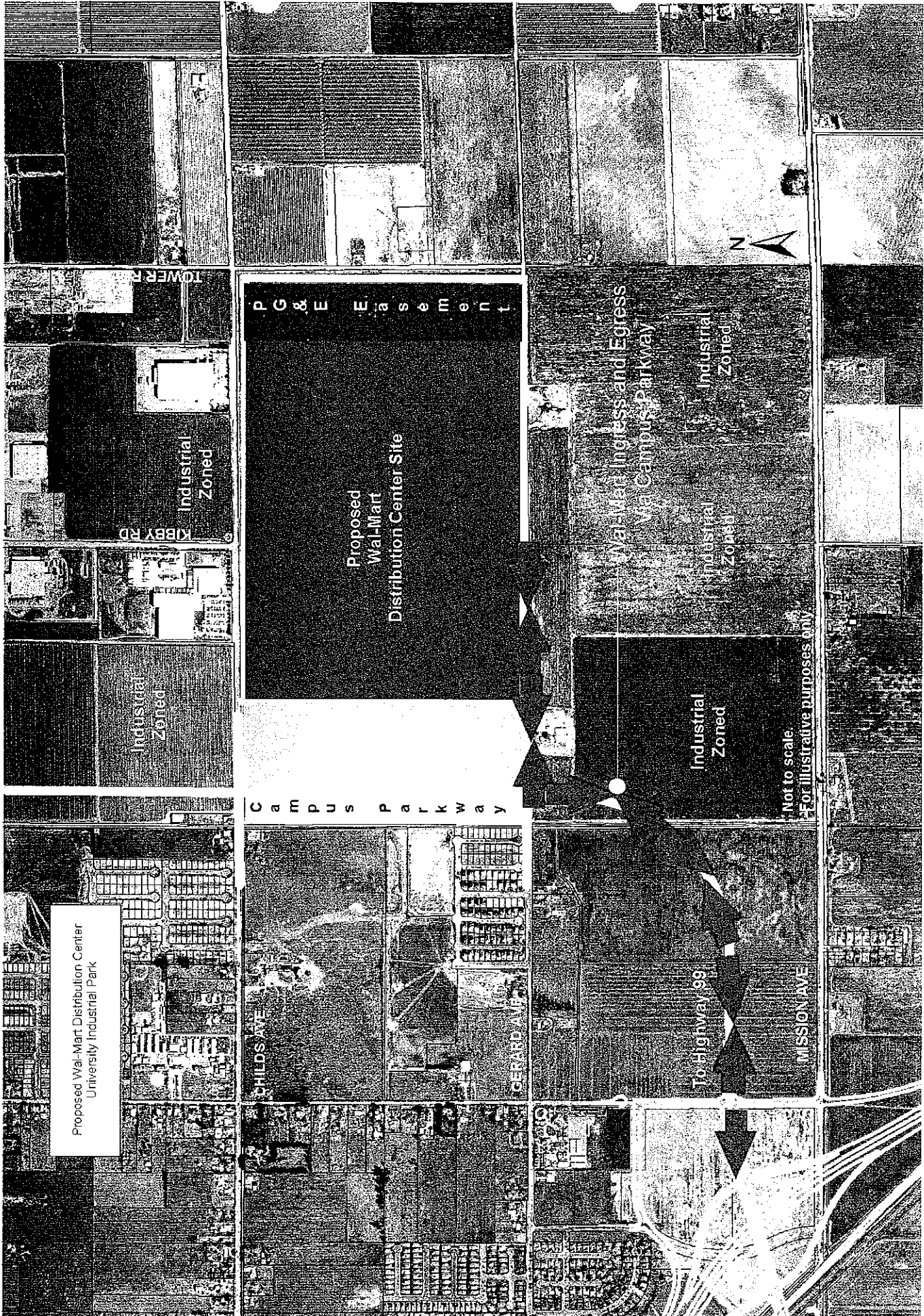
No, the Mission Interchange was first designated in 1963 during the Kennedy Administration. The Campus Parkway is part of a traffic loop around the City of Merced that was first discussed in the 1980s and added to the General Plan in the 1990s.

Is condemnation necessary?

No, the proposed site is vacant industrial zoned land.

Will the public have an opportunity to comment on the project?

Yes, there will be several opportunities available for public comment during the Environmental Impact Report phase on items such as traffic, noise, and glare.



Proposed Wal-Mart Distribution Center
University Industrial Park

P G & E E a s e m e n t

Proposed
Wal-Mart
Distribution Center Site

Industrial
Zoned

KIBBY RD

Industrial
Zoned

C a m p u s P a r k w a y

CHILDS AVE

GERARD AVE

To Highway 99

MISSION AVE

Wal-Mart Ingress and Egress
via Campus Parkway

Industrial
Zoned

Industrial
Zoned

Industrial
Zoned

Not to scale.
For illustrative purposes only.



**PUBLIC RELEASE OF
DRAFT ENVIRONMENTAL IMPACT REPORT FOR
*WAL-MART DISTRIBUTION CENTER***

The City will be releasing the **Draft Environmental Impact Report for the proposed Wal-Mart Distribution Center** for its 60-day public review, beginning on Wednesday, February 25, 2009 and ending on Monday, April 27, 2009. City staff will be available to answer questions about the public review process. This is NOT a public hearing and no public testimony will be taken, but the public is invited to attend.

Copies of the Draft EIR on CD-Rom will be available for the first time at the meeting. Copies may also be ordered through the Planning Division or downloaded from the City's website. The first copy of the CD is available free of charge, but there will be a cost (yet to be determined) for additional CD's and printed copies of the document.

Wednesday, February 25, 2009

11:00 a.m. – 12:00 p.m.

First Floor Lobby

Merced Civic Center, 678 West 18th Street, Merced

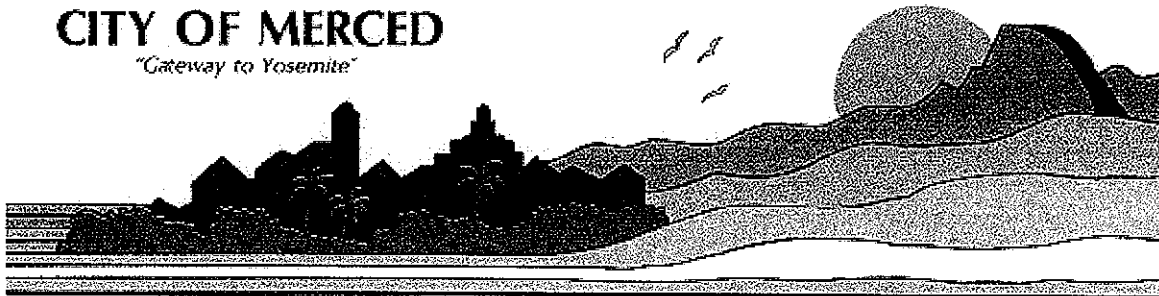
Questions should be directed to:

City Planning Division, planningweb@cityofmerced.org, (209) 385-6858

City of Merced, 678 W 18th Street, Merced, CA 95340

CITY OF MERCED

"Gateway to Yosemite"



Please note that the Draft EIR will NOT be available until February 25 at 11:00 a.m. at the above meeting Instructions for how to provide comments during the public comment period will also be described at the meeting. After that time, the Draft EIR, Technical Appendices, and public comment instructions will be available from the City of Merced Planning Division (contact information above) or on the City's website at www.cityofmerced.org.

Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Thursday, February 19, 2009 10:00 AM
To: city, council; Bill Spriggs (E-mail); Carlisle, John; Conway, Mike; Cortez, Joseph; Dawn Walker (E-mail); Ellie Wooten (E-mail 2); Ellie Wooten (E-mail); Gabriault, Michele; Jim Sanders (E-mail); Joe Cortez (E-mail); John Bramble; John Carlisle (E-mail); Lor, Noah; Lor, Noah; Michele Gabriault-Acosta (E-mail 2); Michele Gabriault-Acosta (E-mail); Sanders, Jim; Spriggs, Bill
Cc: Davidson, Dana; Quintero, Frank; Conway, Mike; Espinosa, Kim; Rozell, Kenneth
Subject: FW: Wal-Mart Distribution Center

From the website.

Dawn

Dawn Walker
Executive Secretary
City of Merced
678 West 18th Street
Merced, CA 95340
Phone: (209) 385-6834
Fax: (209) 385-1780

-----Original Message-----

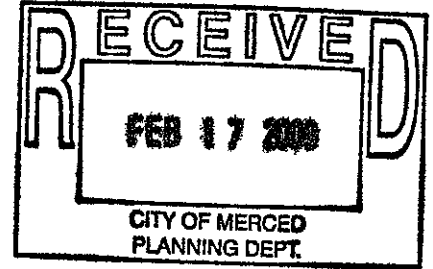
From: 4everdodgerblue@sbcglobal.net [mailto:4everdodgerblue@sbcglobal.net]
Sent: Saturday, February 14, 2009 3:14 PM
To: city, council
Subject: Wal-Mart Distribution Center

Let Wal-Mart in ! I can't believe that we are even debating this, It's a no-brainer. With unemployment at 15% in Merced county we need this distribution center more than ever and if we keep messing around, some other city will snag it up. Jobs are more important right now than any enviromental impact.

John & Vickie Stephan
1284 El Portal Dr.
Merced CA 95340



Hon. John Carlisle
City of Merced
678 West 18th Street
Merced, CA 95340



Dear Councilmember Carlisle,

I wanted to take a moment to share with you a recent study commissioned by Walmart analyzing the changes in local taxable retail sales and retail business permits for each community where Walmart has opened new Supercenters or expanded an existing Walmart Discount Store into a Supercenter. The report's author concluded what we as a company have believed for years – Walmart Supercenters have a positive economic impact on not only our customers, but to the communities we serve.

In part, the report found:

- In every city where a Walmart Supercenter opened, taxable retail sales increased in the year following the opening and continued to grow in subsequent years in all communities that have had Supercenters for multiple years.
- Taxable retail sales increases after the opening of a Supercenter averaged more than \$79 million the first year, \$123.9 million the second year, and \$206.2 million the third year compared to the year before the opening.
- Taxable sales at other retail stores, including restaurants and bars, building materials and farm implements, auto dealers and supply, and service stations also increased an average of more than \$72 million in each of the 21 communities where Supercenters opened.
- In more than 85 percent of the communities examined in the study, the number of retail business permits increased in the year following the opening of a Supercenter. The average increase in the number of retail business permits was 32.7 per community. All communities showed increases in the second year.

I have enclosed a copy of the Executive Summary of the Analysis for your review. The full report can viewed online at <http://walmartstores.com/download/3411.pdf>. Should you have any questions on the enclosed information, or on Walmart in general, please feel free to contact me.

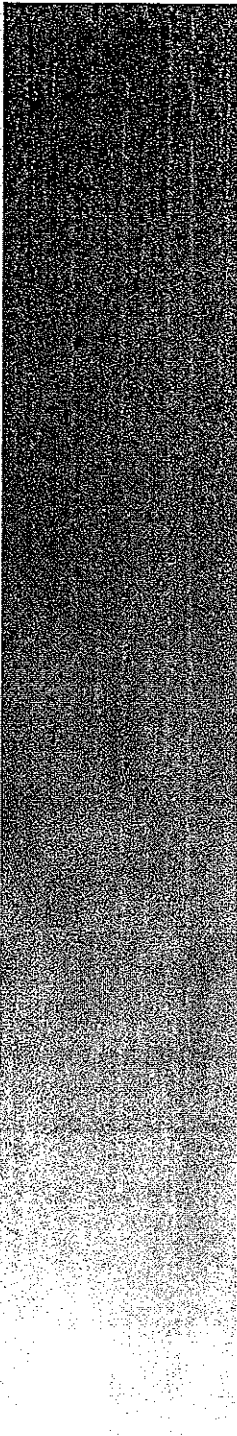
Wishing you a happy and healthy 2009.

Aaron Rios
Senior Manager, Public Affairs & Government Relations
aaron.rios@wal-mart.com

About the Author of the Study - Lon Hatamiya, Director of Navigant Consulting, provides international, national and regional economic analysis and expert testimony. He has testified over a hundred times before the WTO, U.S. Congress, California Legislature, and all levels of courts, boards and commissions on a wide variety of issues. He served as Secretary of the California Technology, Trade and Commerce Agency, as well as Administrator of the Foreign Agricultural Service at USDA. He serves as a lecturer at the UC Davis School of Law, and at the University of Denver International Studies Program. Mr. Hatamiya previously served as an adjunct professor at the UC Davis Graduate School of Management.

Paid for by Wal-Mart Stores, Inc. For more information on Walmart and the benefits we bring to the communities we serve, please visit www.walmartfacts.com.

Rec'd
2/5/09
jc



**An Analysis of Taxable
Retail Sales and Retail
Business Permits in
California Cities with
WAL*MART Supercenters**

Prepared for

Wal-Mart Stores, Inc.

Lon Hatamiya, MBA, JD

Director

Navigant Consulting, Inc.

December, 2008

Executive Summary

We were retained by Wal-Mart Stores, Inc. to perform an independent and objective analysis to quantify the city-wide *Taxable Retail Sales* in California communities where Wal-Mart Supercenters have opened during the period of 2003-2007. We also analyzed the number of *Retail Business Permits* in those same communities. We accomplished this through a comparative analysis of *Taxable Retail Sales* and *Retail Business Permits* from the years just prior to and the years just after the opening of the various Wal-Mart Supercenters. We also looked at data from subsequent years for those locations that have been opened for more than one year. Since data is only available through the end of 2007, we were able to perform these comparisons for the cities of 21 of the 32 Wal-Mart Supercenters in California (the remaining 11 Supercenters opened in 2007 or later).

The results of our analysis are as follows:

- In every city where Wal-Mart has opened a Supercenter in California, the city-wide *Taxable Retail Sales* (including apparel stores, general merchandise stores, grocery stores, home furnishing and appliance stores, and other retail stores) have increased in the year following the opening of the Supercenter as compared to the *Taxable Retail Sales* of the year prior to the opening. Moreover, city-wide *Taxable Retail Sales* have continued to increase in each subsequent year in all communities that have had Wal-Mart Supercenters for multiple years.

- Increases of city-wide *Taxable Retail Sales* one year after the opening of the Wal-Mart Supercenter averaged over \$79 million compared to the year prior to the opening for all communities (21 Supercenters). *Taxable Retail Sales* increases averaged 15.0% for all cities.
- Increases of city-wide *Taxable Retail Sales* two years after the opening of the Wal-Mart Supercenter averaged nearly \$123.9 million compared to the year prior to the opening for all locations opened more than one year (10 Supercenters). *Taxable Retail Sales* increases after two years averaged over 25.9% for the ten cities.
- Increases of city-wide *Taxable Retail Sales* three years after the opening of the Wal-Mart Supercenter averaged over \$206.2 million compared to the year prior to the opening for all locations opened for more than two years (3 Supercenters). *Taxable Retail Sales* increases after three years averaged over 39.6% for the three cities.
- Taxable sales for *Other Retail Outlets* (including restaurants and bars, building materials and farm implements, auto dealers and supply, and service stations) also increased in each community following the opening of Wal-Mart Supercenters. These increases averaged over \$72 million compared to the year prior to the opening for all locations with available data (15 Supercenters). This was an average increase of 10.5% for each city.

- Increases of taxable retail sales for *Other Retail Outlets* two years after the opening of the Wal-Mart Supercenter averaged over \$124.1 million compared to the year prior to the opening for all locations (with available data) opened more than one year (7 Supercenters). This was an average increase of 16.8% for each city. Increases of taxable retail sales for *Other Retail Outlets* three years after the opening averaged over \$204 million (3 locations); with an average increase of 30.4% per city.
- When combined, city-wide *Taxable Retail Sales* and *Other Retail Outlets* (“total taxable retail sales”) one year after the opening of the Wal-Mart Supercenter increased by an average of \$157 million when compared to the year prior to the opening (15 Supercenter locations). The total taxable retail sales increased even more dramatically after two years to an average of \$271.6 million per city (7 Supercenter locations). After three years, total taxable retail sales increased even further to an average of \$410.3 million per city (3 locations).
- In 18 of 21 communities, the number of *Retail Business Permits* increased in the year following the opening of the Wal-Mart Supercenter when compared with the year prior to the opening. The average increase in the number of *Retail Business Permits* was 32.7 per community. Slight declines occurred in Gilroy (from 516 to 508), Palm Desert (from 1446 to 1388), and Palm Springs (from 881 to 803). However, these were offset in those communities by sizable gains in *Retail Business Permits* two years following the opening of the Wal-Mart Supercenter—Gilroy (up to 517), and Palm Springs (up to 840).

- In 9 of 10 communities, the number of *Retail Business Permits* increased two years following the opening of the Wal-Mart Supercenter when compared with the year prior to the opening. The average increase was 65.8 Retail Business Permits per city. This is double the increase after only one year and reflects a total increase of 658 new Retail Business Permits across 10 cities and an average increase of 8.2% per city. Additionally, the number of *Retail Business Permits* increased three years following the opening in all three communities, nearly doubling again to an average of 130.3 Retail Business Permits per city or a 15.7% increase.
- Regardless of population, all California communities which opened a Wal-Mart Supercenter also enjoyed sizeable gains in city-wide *Taxable Retail Sales*. Cities with populations over 50,000 had an average increase of nearly \$91 million; cities with populations under 50,000 had an average increase of more than \$64.2 million; and cities with populations under 25,000 had an average increase of more than \$34.4 million.
- Central Valley and Imperial Valley communities, where economic growth is historically the slowest in the state, experienced strong city-wide *Taxable Retail Sales* gains after the opening of Wal-Mart Supercenters. From the north to the south through the Central Valley, Anderson has seen an increase of \$51.2 million or 37%; Marysville—\$8.9 million or 6.6%; Yuba City—\$35.2 million or 7.9%; Dixon—\$27.8 million or 17.4%; Stockton—\$122.3 million or 21.4%; Dinuba—\$49.9 million or 12.8%; and Hanford—\$32.4 million or 10%. In addition, the Imperial Valley cities of

Calexico and El Centro have seen increases of \$38.5 million or 18.4% and \$61.8 million or 16.1% respectively. Just as impressive, all of the aforementioned communities also experienced a gain in the number of *Retail Business Permits* over this same period.

Based upon our analysis of the available data and information, we believe that the presence of Wal-Mart Supercenters across California has provided various positive economic benefits to their local economies. City-wide *Taxable Retail Sales* have increased, often dramatically, in every California community where Wal-Mart has opened a Supercenter. In addition, these increases in *Taxable Retail Sales* were not solely the result of Wal-Mart's presence, but also the result of other new businesses opening in the same communities. Furthermore, the opening of Wal-Mart Supercenters also enhanced the taxable sales of *Other Retail Outlets* such as restaurants, auto dealers, and service stations. Thus, increased retail traffic brought on by the opening of Wal-Mart Supercenters appears to have resulted in sizable sales gains for other related service providers.

In addition, the benefits of the greater *Taxable Retail Sales* were not limited to metropolitan or suburban communities. Economically challenged rural areas such as the Central Valley and Imperial Valley both experienced strong increases in *Taxable Retail Sales* and in the number of *Retail Business Permits* after the opening of Wal-Mart Supercenters in their communities. In sum, the presence of Wal-Mart Supercenters in any California community appears to enhance the local community as it relates to increased *Taxable Retail Sales* and increased numbers of *Retail Business Permits*.

Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Thursday, February 12, 2009 8:48 AM
To: city, council; Bill Spriggs (E-mail); Carlisle, John; Conway, Mike; Cortez, Joseph; Dawn Walker (E-mail); Ellie Wooten (E-mail 2); Ellie Wooten (E-mail); Gabriault, Michele; Jim Sanders (E-mail); Joe Cortez (E-mail); John Bramble; John Carlisle (E-mail); Lor, Noah; Lor, Noah; Michele Gabriault-Acosta (E-mail 2); Michele Gabriault-Acosta (E-mail); Sanders, Jim; Spriggs, Bill
Cc: Davidson, Dana; Conway, Mike; Quintero, Frank; Espinosa, Kim
Subject: FW: Wal-Mart's proposed Distribution Center

From the website.

Dawn

Dawn Walker
Executive Secretary
City of Merced
678 West 18th Street
Merced, CA 95340
Phone: (209) 385-6834
Fax: (209) 385-1780

-----Original Message-----

From: Ted Hoffman [mailto:tedhoff@yahoo.com]
Sent: Wednesday, February 11, 2009 8:22 PM
To: city, council
Subject: Wal-Mart's proposed Distribution Center

Attn: Mayor Ellie Wooten & the Merced City Council:

My family and I are in support of Wal-Mart's proposed Distribution Center. We encourage you to support it, too. Merced needs more jobs. Wal-Mart's proposed Distribution Center will supply our city with needed jobs.

Thank you.

Best regards,
Ted Hoffman
3573 Sepulveda Avenue
Merced, CA 95348-3573
(209) 631-6835
tedhoff@yahoo.com

Espinosa, Kim

From: Bingaman, Jamie
Sent: Monday, February 02, 2009 10:59 AM
To: 'ndrobinson@gmail.com'
Subject: CI Memo Re: Wal-Mart Porterville Visit

Good Morning Nick,

Attached is the requested Council Information Newsletter regarding the Wal-Mart Porterville Visit. If you have any questions, please contact me at Bingamanj@cityofmerced.org or by telephone at (209) 388-7122.

Thank you,

Jamie Bingaman
Records Clerk
(209) 388-7122

City of Merced
678 West 18th Street
Merced, CA 95340



CI.pdf

DENEEN PROCTOR

City of Merced Inter-Office Memorandum

To: Honorable Mayor and City Council January 30, 2009
From: John M. Bramble, City Manager
Subject: Council Information Newsletter

FEDERAL ECONOMIC STIMULUS PLAN

The Senate Appropriations Committee approved the President's economic stimulus plan for consideration on the floor of the Senate today. Attached is the press release outlining the details of the Stimulus Plan. The highway portion of the plan is now \$27 billion (down from the \$30 billion proposed earlier), but the funds do not have to be committed for 180 days from award rather than the 90 that was in the initial version of the Plan. Other areas of the Stimulus Plan that could get to local governments is the \$16 billion in school modernization, some of the Homeland Security allocation, Mass Transit funding and the allocation of Neighborhood Stabilization funds for housing.

WAL-MART PORTERVILLE VISIT

As you are aware we had a team visit Porterville to meet with the Chamber, Wal-Mart and City officials. It was obvious from the discussion with the City and Chamber that Wal-Mart is a very active participant in sponsoring local events and has distributed Foundation funds for community charity fundraisers and benefits. In addition, the employees have conducted independent fundraising efforts for specific projects for the schools and other local charities.

The Porterville Distribution Center is the second busiest distribution center in the Wal-Mart system and serves 75 stores (three in Hawaii). They have a 169-acre facility that has development around the site, most of it since the

Honorable Mayor and City Council

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January 30, 2009

facility was located in Porterville in 1991. The Center has a total of 1,099 employees, 876 full time, 47 part time and 176 drivers. The Center Manager indicated that of the 60 managers, 8 started as part-time workers for the Center. Ninety-three percent of the workers are local residents and they have about a 10% turn over rate in the Center and 4% in truck drivers. The average wages are \$16.63 with health benefits for the associate employees in the Center and low \$80,000 for truck drivers.

There is a holding area on-site for the trucks to queue for as much as 12 hours if the truck is early for the delivery (both company trucks and independent). There is a no-idling policy for all trucks on site and the company trucks are equipped with an automatic turn-off switch after three minutes to stop truck idling. The majority of the non-company trucks are large corporation haulers, but they did not represent that their trucks had a similar device to stop idling, however, when on the Distribution Center site, they were required to cease idling. The distribution of trucks serving the site was 85% Wal-Mart vehicles and 15% other haulers.

The Distribution Center Manager outlined all the environmental measures the Center has instituted over the past two to three years. They completed a solar panel installation in 2008, which generates sufficient electricity to operate the Center. They have installed "dark sky exterior lighting" in the parking lot. The Center instituted a recycling program for wood, shrink-wrap and paper two years ago and, based upon recent estimates, they have reduced the waste stream by 55 percent. Other areas of environmental measures included internal light activity sensors both in offices and on the center floor and an automated conveyor system that shuts down the conveyor belts when not in use.

Finally, the City officials indicated that the Wal-Mart Distribution Center was the largest private employer in Porterville and brought \$23 million in payroll to the community initially, which stimulated the opening of 80 new commercial businesses and has attracted 3 new industrial businesses. Wal-Mart has continued to work with the City to improve traffic circulation around the center, as well as, noise and other environmental issues around the site as new development moved into the area. The Economic Development representatives indicated that Wal-Mart had assisted in the attraction of new businesses to the area. The one complaint the Manager

January 30, 2009

indicated he handled from the residents around the Distribution Center was employees operating their car stereos too loudly as they entered and exited the work site. As a testament to the complaints, they had a large sign alerting the employees to tone down their car stereos at the employee gate.

Attachments

A. Items of Local Interest and Concern


1. City of Merced Planning Commission Agenda – February 4, 2009.
2. Capital Improvement Projects Update – January 2009.

B. Items From Council

1. Correspondence to Member of Congress Dennis Cardoza dated January 26, 2009 regarding Housing Opportunity and Mortgage Equity Act from Mayor Wooten.

C. Items From Other Agencies

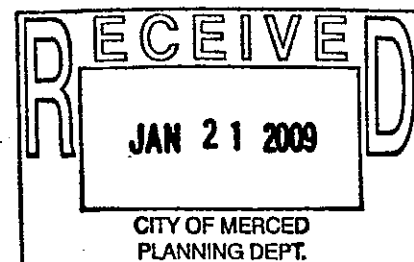
1. Central Valley Regional Water Quality Control Board Agenda – February 5, 2009.
2. The International Awards for Liveable Communities' 2009 LivCom Awards – October 8-12, 2009.



John M. Bramble
City Manager

JMB/CI013009

MEMORANDUM



TO: Kim Espinosa, Planning Manager
City of Merced Planning & Permitting Division
678 West 18th Street
Merced, CA 95340

CC: Mayor, City Council members and other interested parties

FROM: The Merced Stop Wal-Mart Action Team
1735 Canal St. Suite 13
Merced, CA 95340
swat@mercedstopwalmart.org

DATE: January 20, 2008

RE: Proposed Abandonment of a Portion of a Certain Right-of-Way and Storm Drain Detention Basin for the Campus Parkway Project

Environmental Review #08-52 (CEQA Section 15162 Finding)

Ms. Espinosa:

We are the Merced Stop Wal-Mart Action Team: a broad, grassroots coalition of community groups and thousands of Merced residents opposed to the construction of the proposed Wal-Mart distribution center in Southeast Merced. Many of our members and supporters live in South and Southeast Merced, meaning that our health and quality of life will be among those most affected by the proposed distribution center and other development in southeast Merced.

We are writing to continue our previous comments found in the City Council Administrative Report as Attachment #5.

Summary

The City proposes to vacate to Lyons Investments a 59,729 sq. ft. piece of land (a map is found in Staff Report Attachment #1). This is land for which the City paid Lyons Investments about \$90,000 in 2006, but the City does not propose to request any refund from Lyons for returning it by means of the vacation. The area was intended to be a storm drain basin for the Campus Parkway, but, according to the City, it was determined to be no longer needed. The City describes the impact of this abandonment as "negligible."

The City also proposes to acquire a 3,718 sq. ft. piece of land located at the southeast corner of the Campus Parkway and Childs Ave. intersection to be used as an additional and/or modified right turn lane from Northbound Campus Parkway onto Eastbound Childs Ave. A 10 ft. temporary construction easement would surround both of these pieces of land. The draft City Council Resolution included in the Staff Report describes

the vacation as conditional upon the acquisition of the 3,718 sq. ft. piece of land near Childs Ave. on or before Feb. 13, 2009.

However, the City also proposes to independently acquire 10,150 sq. ft. of land along Gerard Ave. The staff report identifies the use of the Gerard Ave. land only as "additional right of way" and claims without explanation that both pieces of land to be acquired "[add] to the functionality of the Campus Parkway project." The accompanying plat maps, legal description and the rationale for bundling the Gerard Ave. land to be acquired with this action are confusing, contradictory, and obscure. Therefore, we must use these comments to shed light on the subject.

We are obliged to point out that, before City Council can adopt the draft resolution approving the vacation, the City must:

- Show fiscal responsibility and demand that Lyons Investments refund the portion of fee reimbursement it received in 2006 from the City of Merced for the land now proposed for vacation—according to the assessment value used when right-of-way was originally acquired, Lyons Investments should refund the City \$89,126.70;
- Appropriately amend the "Public Facilities Impact Fee Credit or Reimbursement Agreement" entered into by the City and Lyons Investments in 2006;
- Amend Lot Split Resolution #871, including Condition #7, which requires dedication of the area proposed to be abandoned and the construction of storm drainage improvements on this land;
- Add an addendum to the Campus Parkway EIR/EIS that explains the new information that prompted the City to believe land originally intended as a storm drain basin is in fact unneeded and can be abandoned without loss of critical storm drainage capacity, as well as why changes to the right turn lane configuration from the Campus Parkway onto Childs Ave. is necessary, including any traffic study conducted;
- Describe why the City now believes that the expansion of the Childs Ave./Campus Parkway intersection requires no environmental review after several years of arguing the opposite in various environmental documents;
- Describe the intended use of the 10,150 sq. ft. of land to be acquired along Gerard Ave. and how this acquisition and subsequent improvement interacts with surrounding development, including the Lyons Investments properties and the proposed Wal-Mart distribution center;

Fiscal Responsibility

On Feb. 6, 2006, the City of Merced and Lyons Investments entered into a "Public Facilities Impact Fee Credit or Reimbursement Agreement" for storm basin right-of-way and oversized right-of-way dedication "in excess of 74 feet (collector standard) or 37 feet measured from both the east and west ultimate right-of-way line." Per this agreement, the City of Merced paid \$758,615 to Lyons Investments in April 2006 to acquire 21 acres of land. This included \$464,490 for storm basin right-of-way, including the land now proposed for vacation, which was purchased at \$65,000 per acre. At 59,729 sq. ft., or

1.37118 acres, the land proposed for vacation cost the City \$89,126.70 when Lyons Investments dedicated it in 2006.

Furthermore, it is important to note that Lyons Investments is not eligible for reimbursement for the land now proposed for acquisition by the City. In September 1998, the Merced City Council approved Expanded Initial Study #97-22 for the Lyons Annexation, adding approximately 484 acres of agricultural land pre-zoned as Heavy-Industrial (I-H) in the southeast corner of the City of Merced. The Expanded Initial Study also includes a number of mitigation measures that are binding on future development within the annexation area, including Transportation/Circulation item M-3:

M-3 The developer shall dedicate the full right-of-way for all arterial and higher order streets within the Project boundaries as defined in the *Merced Vision 2015 General Plan*. For those arterial or higher order streets that are adjacent to but do not lie completely within the Project boundaries, the developer shall dedicate half of the required right-of-way. This includes Childs Avenue, Mission Avenue, and the Campus Parkway. Consistent with Mitigation Measure 7.b of the *Merced Vision 2015 General Plan EIR*, where the extent of right-of-way dedication exceeds the City's development standards for a collector street (currently 74 feet for a collector street located entirely within the Project and 37 feet for a collector abutting the Project), then the developer is eligible for reimbursements in accordance with the City's Public Facilities Impact Fee Ordinance and guidelines, unless a traffic study determines that the Project's traffic impacts require additional dedication.
(emphasis supplied)

The 10,150 sq. ft. piece of land along Gerard Ave. is part of a planned minor arterial in the City General Plan and falls completely within the project boundaries and is therefore not eligible for reimbursements. The 3,718 sq. ft. piece of land along Childs Ave. is an arterial adjacent to the annexation area and therefore Lyons is contractually obligated to dedicate this required right-of-way without reimbursement as well.

Our members include taxpayers who reside within the City of Merced. As former City Manager Jim Marshall wrote in his final memo for the fiscal year 2008-2009 City of Merced Municipal Budget:

We are public servants. We need to keep a narrow focus during tight budgets and not attempt to publicly finance every project or program that presents itself. Basic public services must not be diluted at the expense of providing deep pocket funding to those who are unwilling or unable to develop their own source of capital. Be vigilant.

In the spirit of fiscal responsibility and vigilance, we demand that the City obtain a refund for the portion of storm drain basin right-of-way it purchased from Lyons Investments but has determined is no longer needed. The land at issue has both market value, and, as indicated in the Administrative Report, potential future "bike path and open space benefits." To return this land to Lyons Investments without fair compensation would be to waste valuable City assets. We demand, then, that the City obtain a refund from Lyons Investments for the costs of acquiring and later abandoning this piece of land, including at least \$89,126.70 for the land itself, as well as compensation for staff time and attorney's fees. We also remind the City of California Code Section 526a:

An action to obtain a judgment, restraining and preventing any illegal expenditure of, waste of, or injury to, the estate, funds, or other property of a county, town, city or city and county of the state, may be maintained against any officer thereof, or any agent, or other person, acting in its behalf, either by a

citizen resident therein, or by a corporation, who is assessed for and is liable to pay, or, within one year before the commencement of the action, has paid, a tax therein.

Amendments to Existing Agreements and Resolutions

On December 15, 2005, during the final review of the Campus Parkway EIR/EIS, the City of Merced Minor Subdivision Committee approved the resubdivision of 313 acres of the Lyons Annexation, including the portion of land the City proposes to vacate in this action. Resolution #871 of the City's Minor Subdivision Committee contains 14 conditions that apply to the land described in this action. Most importantly, Condition #7 of the Resolution required Lyons Investments to dedicate right-of-way along the route of the future Campus Parkway, including the right-of-way now proposed for vacation. Therefore, the vacation will result in non-compliance with Resolution #871 unless the Resolution is amended prior to the vacation.

Furthermore, the Reimbursement Agreement described above includes a finding, contained within Recital C, that the improvements intended for the right-of-way now proposed for vacation are critical for the city's infrastructure. The City must amend this finding prior to abandoning the right-of-way—and thus any potential future infrastructure on it.

Additional Environmental Review

In October 1998, the City signed a development agreement with Lyons Investments, LLC that contains 35 "sections" that define how the City will govern future development within the annexation area. Since the portion of land that the City proposes to vacate is within the Lyons Annexation area, both the Expanded Initial Study #97-22 and the Lyons Annexation development agreement contain conditions that apply to the land described in this action. In the following years, the City and County of Merced, CalTrans and the U.S. Department of Transportation conducted the planning and environmental review for the Campus Parkway. The Campus Parkway EIR/EIS document was released for public review mid-2005.

Page 2-27 of the "Project Alternatives" chapter of the Campus Parkway Final EIR/EIS clearly describes the potential significant impacts of widening the intersection of Childs and the Campus Parkway:

A constraint to widening the Childs Avenue intersection at Campus Parkway was identified as a result of environmental review. The Sunshine Dairy is southwest of and adjacent to the Hartley Lateral, which parallels the existing Childs Avenue in the area of the proposed Campus Parkway. Adding turning lanes on Childs Avenue may require minor relocation of the canal, which would require acquisition of a small sliver of land in the existing fields at the Sunshine Dairy. The Sunshine Dairy was determined eligible for listing in the National Register of Historic Places and the California Register of Historic Resources. To avoid this property entirely, the traffic signal and the intersection of Childs Avenue and Campus Parkway would be designed to minimize widening of Childs Avenue.

These same constraints were reiterated by the City in Staff Report #07-01 dated January 2007 for General Plan Amendment #06-12.

On July 5, 2005, Lyons Investments submitted a traffic study performed by Fehr & Peers as comments on the Campus Parkway EIR/EIS. Senior Transportation Engineer Richard Lee writes of the Childs and Campus Parkway intersection:

It is important that this intersection provide an adequate level of service for traffic, including truck traffic, traveling to and from the existing and future industrial facilities along Childs Avenue. Please confirm that there will be sufficient right of way on the western leg of the Childs Avenue/Campus Parkway intersection to develop Childs Avenue as an arterial as it is designed in the City of Merced's 1997 General Plan.

The reply:

The constraints noted in the Draft EIS/EIR would remain as long as the dairy is present. When and if a development plan is submitted for this parcel, intersection improvements (or at least right-of-way acquisition or dedication) would be made a requirement. If no development plan is advanced for this parcel, the intersection is still functional.

The Jan. 20, 2009 action apparently proposes to only widen the southeastern portion of the Childs/Campus Parkway intersection. Even so, portions of the Hartley Lateral would still need to be rebuilt. How would this impact the existing canal system in the area? Who will conduct those improvements? Has the City notified MID that it has plans to rebuild its canal? The staff report and Environmental Review #08-52 do not provide answers. In fact, the acquisition of 3,718 sq. ft. of land for an additional right turn lane onto Childs contradicts evidence provided in the Campus Parkway EIR/EIS; it is totally unacceptable to tier off of this document per CEQA Guidelines 15162. Additional review is needed.

Furthermore, Condition #6 of Resolution #871 states clearly that any additional right-of-way needed for the Childs Ave./Campus Parkway intersection must be "addressed at the Site Plan Approval stage." In other words, the Resolution anticipates that extra right-of-way may be needed to accommodate future industrial projects within the Lyons subdivision area—exactly the reason we believe the City is currently attempting to acquire additional right-of-way in these locations—and requires this issue to be addressed during site plan review. As we have noted in our previous comments, the present action is in this and many other ways a part of the Wal-Mart distribution center project and/or other future Lyons industrial projects, and must be reviewed as part of those projects, not independently.

Conditions of Approval

The City has noted the value of this land as open space, and the Administrative Report implies that even after abandonment the land will remain open space. If this is accurate, it would alleviate some of our concerns regarding the action. Therefore, when abandoning this piece of land, we also request that the City add certain conditions, particularly that Lyons Investments place the land into an easement that guarantees its use as open space in perpetuity, and that it will not be used to piecemeal the development of other industrial development or induce other types of high-polluting development in the area.

Attachments:

Lyons Annexation Development Agreement, signed Oct. 19, 1998, and Lyons Annexation Expanded Initial Study #97-22 mitigation measures

http://www.mercedstopwalmart.org/images/SWAT_PDFS/lyonsdevelopmentagreement.pdf

Public Facilities Impact Fee Credit or Reimbursement Agreement dated February 6, 2006, and Lot Split Resolution #871, adopted Dec. 19, 2005

http://mercedstopwalmart.org/images/SWAT_PDFS/lyonsreimbursement.pdf

City of Merced Staff Report #07-01 to Planning Commission, Jan. 17, 2007.

<http://www.cityofmerced.org/civica/filebank/blobdload.asp?BlobID=5047>

Campus Parkway Final EIR/EIS

<http://www.dot.ca.gov/dist10/media/docs/CampusParkwayFinalEIS.pdf>

City of Merced 2015 General Plan, Chapter 4: Transportation and Circulation

<http://www.cityofmerced.org/civica/filebank/blobdload.asp?BlobID=3997>

Marshall, James G. "Fiscal Year 2008-2009 City of Merced Municipal Budget,"

<http://www.cityofmerced.org/civica/filebank/blobdload.asp?BlobID=6494>