

April 2, 2009

To Whom It May Concern
Merced Planning Department
678 West 18th Street
Merced, CA 95340

Subject: Draft Environmental Impact Report for the WalMart Distribution Center

I had the chance to review the Alternatives for the Proposed Project in the draft report. I think you are missing input from the Municipal Airport Authority in regards to Site #3 in your list of Alternative Sites. Is the Airport Authority even aware that an alternative site is next to their runway? Are there safety issues that ought to be explored? As I understand it, under CEQA, you have to provide good options as alternatives. Maybe Alternative Site 3 is really not a good option. I hope you will come up some other options.

Thank you,

Signature

Anison Harris

Print Name

420 W. 19th Street

Address

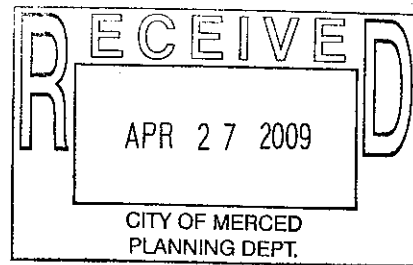
Merced CA 95340

Phone

209-722-7167

April 15, 2009

Kim Espinosa
Project Manager
Planning Division
City of Merced
Merced, CA 95340



Hi Kim,

I am writing to support the "environmentally superior alternative" for the Wal-Mart distribution center mentioned in the draft report. I don't want a distribution center period, but since the city wants it, they'll get it. So, might as well pick the lesser of two evils.

I think a smaller sized distribution center makes the most sense. Hopefully it will mean less traffic and pollution in my neighborhood.

Regards,

A handwritten signature in cursive script, appearing to read "Allison Harris".

Signature

Allison Harris

Print Name

420 W. 19th Street

Address

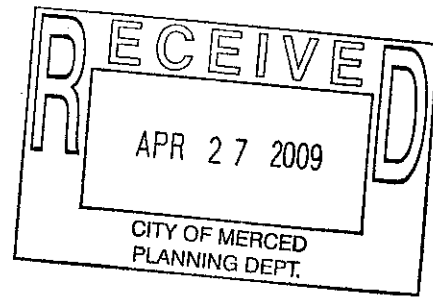
Merced, CA 95340

Phone

209-722-7167

4.12.09

Ms. Kim Espinosa
 Project Manager
 Merced Planning Division
 678 West 18th Street
 Merced, CA 95340



Dear Ms. Espinosa:

I appreciate the opportunity to take a look at the study on the Wal-Mart Distribution Center. Thanks for putting it on-line. As an educator, I think it is absolutely critical that residents take a look. I think we need more time and the comment period should be extended, but that's another topic for another day.

Anyway, I am looking at some of the alternative ideas you have presented. Seems to me what makes sense is to 1: reduce the size and 2: move it to the other side of highway 99. Look, your own report says a reduced size will decrease the impacts. Move it west of 99 and its father away from schools and the neighborhoods. Everyone's happy and the city gets its precious distribution center. It just makes sense.

Thank for your time,

Signature

Allison Harris

Print Name

420 W. 19th Street

Address

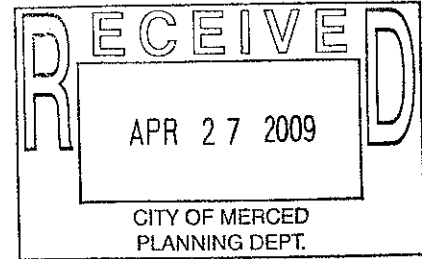
Merced, CA 95340

Phone

209-722-7167

April 3, 2009

Kim Espinosa
 Project Manager
 Merced Planning Division
 678 W. 18th St.
 Merced, CA 95340



Ms. Espinosa,

In regards to Alternative Site #3, I think you have to remove this suggestion from Section 5 of the draft environmental impact report. I would be especially troubled by having the distribution center's fuel storage tank being so close to the southern runway of Merced Municipal Airport. I have to think there are safety issues with having fuel tanks in low flight paths as plans land and take off and I would have concerns for the safety of residents on the western side of Highway 99.

Please prepare a viable and safe alternative.

Sincerely,

Cheryl Haupt
 Signature

Cheryl Haupt
 Print Name

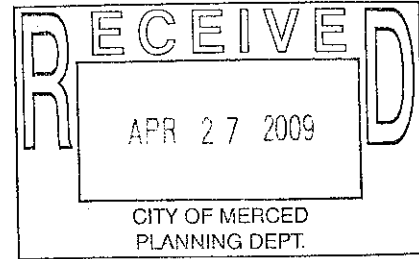
2146 Bristol CT
 Address

Merced, CA

Phone
209 726 6251

April 13, 2009

Kim Espinosa
Project Director
City of Merced
Planning Division
678 West 18th St.
Merced, CA 95340



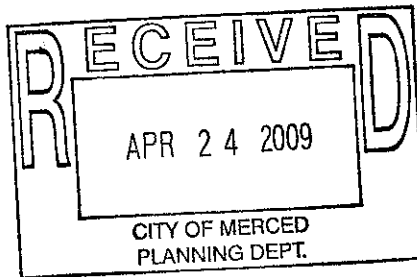
I wanted to share my thoughts on the distribution center in Merced. As a resident in Southeast Merced, I was disappointed in reading the Air Quality section of the Toxic Air Contaminants. Why are you ignoring TAC data from diesel PM? You say that there is "no routine measurement method" which currently exists.

Perhaps there are other distribution centers where you could study diesel PM?

You should investigate this, if you really want to have an accurate environmental impact report.

Gene Porter
Frank Hawksworth

Kim Espinosa, Planning Manager
 City of Merced Planning Division
 678 West 18th Street
 Merced, Ca 95340



Jon Hawthorne
 974 Wyoming Dr
 Merced, Ca 95340
 April 24, 2009

Dear Ms. Espinosa,

After reading through the Draft EIR report on the Wal-Mart Distribution Center, I have several concerns about this project.

1. Compliance with mitigations and consequences if Wal-Mart doesn't do what they are required to do according to the Final EIR. Who or what agency will monitor and verify compliance with the mitigations required by the final EIR? Will they report to the City of Merced or to Wal-Mart? This person or agency should be accountable to the people of Merced and not to Wal-Mart. There should be assurances in any agreement which reflect that.
2. Urban decay. My understanding was that urban decay must be addressed in the DEIR and I couldn't find it anywhere. There will definitely be urban decay if the project goes through. It will bring with it the typical elements of urban decay: lower property values, vacancies, crimes and prostitution to name a few? Who's going to want to build or buy houses next to this huge distribution center, with it's hundreds of diesel polluting trucks caravanning past their homes 24/7?
3. Water runoff. I was a little confused about how the water runoff from rain was going to be handled in a adequate way. I understand that there are going to be ponding basins arranged to collect the runoff, but it didn't seem like they are deep enough. The overflow from these ponding basins would then be pumped to the Merced canal system with all the pavement runoff contaminates in it. Can you simplify for me how this is going to work and keep our waterways clean?
4. Traffic. With 600 to 900 semi-trucks traveling past and though schools and residential developments, the traffic impact is going to be enormous. Everyone in the vicinity is going to be impacted in a negative way with the constant parade of dirty diesel polluting trucks, unceasing noise, greatly increased likelihood of accidents and severe wear of the roadways overused by this large number of trucks everyday 24/7.
5. Air Pollution. The current air quality of Merced and the Valley is bad and will only get worse from this type of industry locating here. The harmful and deadly effects of the dirty air our children and elders have to breathe is well documented. Diesel trucks are a major source of the most harmful kind of pollutants we can be exposed to. There are two schools in close enough proximity to this project that will be impacted in a very significant way if this project goes through. The plan to build a new school located near this distribution center site will have to be abandoned if this project goes through.

If this distribution center is allowed to go through it will allow many, many more Wal-Mart and Super Wal-Mart stores to pop-up in our local valley. This means there won't just be "hundreds" of trucks coming to and from this center, but "thousands" of diesel trucks spewing their noxious fumes that we all have to breathe. This means massive amounts of unwanted air pollution and traffic problems for our town and central valley. This is a bad project for our city and valley regardless of the number of jobs that may be promised.

Jon Hawthorne

Espinosa, Kim

From: Annette Heikkila [aheikkila@transcountytitle.com]

Sent: Wednesday, March 25, 2009 11:09 AM

To: Espinosa, Kim

Subject: Wal Mart

I am strongly for the Wal Mart Distribution Center. We need jobs in Merced County desperately. Our economy is suffering and we cannot afford to let a job opportunity of this caliber pass us by.

Now more than ever, is the time for us to embrace this job opportunity in Merced County. Our unemployment rate continues to soar. We need jobs in Merced County!!

I say "YES" for Wal-Mart!

Thank you,
Annette Heikkila

(209) 358-8254

Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Tuesday, March 31, 2009 9:33 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: Conway, Mike; Davidson, Dana; Quintero, Frank; Espinosa, Kim; Schechter, Jeanne
Subject: FW: Madera 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

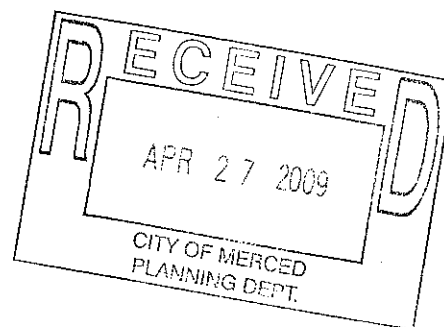
-----Original Message-----

From: Joe Henriques [mailto:joehenriques@sbcglobal.net]
Sent: Tuesday, March 31, 2009 7:46 AM
To: city, council
Subject: Madera Distribution Center

Watch out Madera has a nice distribution center that just became available for Wal-Mart.

Joe Henriques

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



Re: Wal-Mart distribution center trucks and idling.

How many diesel and construction vehicles and equipment will be running at the Wal-Mart construction site at any time? According to California law, trucks can't idle for more than 5 minutes at a time, which means that trucks will be moving around very quickly and with a lot of frequency.

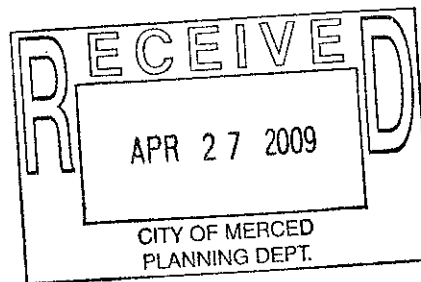
This will make the noise at the site deafening during and after construction. I would like to see figures in the final EIR regarding how many idling trucks there will be at the site in a 24 hour time period.

Sincerely,

Jamie Hernandez
438 Hydrangea Ct
Merced, CA 95301
95341

April 20, 2009

Kim Espinosa
 Project Director
 Merced City Planning Department
 678 W. 18th Street
 Merced, CA 95340




Dear Ms. Espinosa,

After reading Air Quality mitigation measure 4.2-2b, one of your suggestions is implementing parking fees for employees who commute alone in their cars. I like the idea behind requiring commuters to pay a fee to park, but that's a difficult burden for Wal-Mart's employees to bear.

Second, what's not to prevent single occupancy commuters to park outside the distribution center in our nearby neighborhoods? Who will police this activity? Merced parking enforcement? Will Wal-Mart fund this?

Finally, where will these parking fees go? Will it be used to for air quality efforts or for policing single occupancy commuters?

Thank you.


 Signature

Emilie Herr
 Print Name

1240 W. 6th St.
 Address

Merced, CA 95341

 Phone

Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Tuesday, March 10, 2009 8:21 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; Schechter, Jeanne
Subject: FW: WalMart EIR

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-----

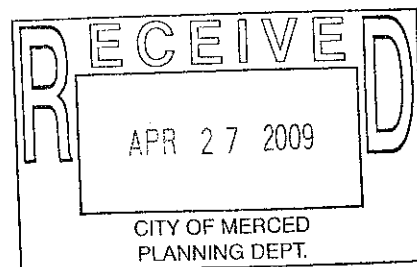
From: David Hetland [mailto:dhetland2003@yahoo.com]
Sent: Monday, March 09, 2009 8:43 PM
To: city, council
Subject: WalMart EIR

The EIR for the Wal-Mart Distribution Center project is daunting, to say the least. Please consider extending the review period to more than 60 days.

Sincerely,

David Hetland
3359 Shamrock Place
Merced, CA 95340

Kim Espinoza, Planning Manager
City of Merced Planning Department
678 West 18th Street
Merced, CA 95340



Ms. Espinoza:

The Wal-Mart distribution Center idea is bad. Teachers and parents are concerned because we know that South Merced will become less safe and more polluted. The project is not worth the sales tax revenue.

The City Council needs to do some due diligence before it approves this project. The Council needs to do more to prevent the trucks and pollution from spilling into the neighborhood, and then it needs to seek a deal with Wal-Mart so that Wal-Mart will pay impact fees. At a minimum, this will take the bite out of the damage to this neighborhood.

DAVID HETLAND
3359 SLAMROCK PLACE
MERCED, CA 95340

David Hetland

April 23, 2009

Espinosa, Kim

From: Barbara Hill [barbaraahill@sbcglobal.net]
Sent: Wednesday, March 04, 2009 12:44 AM
To: Espinosa, Kim
Subject: Mixed feelings about Walmart but.....

Dear Ms Espinosa,

I am writing this email to express my concern about the inaccessability of the Walmart BIR to Spanish and Hmong speakers who could be potentially affected by the distribution center. The favorable bias towards the project by the city government is obvious but as long as the city is following the letter and intent of the law all we can do is voice our opinion. I myself have mixed feelings about the project generally I am opposed to Walmart because of its discriminatory policies which serve to oppress people of color and women. They only recently settled a lawsuit (one of many) while admitting no wrong doing. How can they be doing no wrong when these lawsuits consistently come up? Also, the warehouse is in a bad location. Why can it not be moved to another part of the county where children and families will not suffer from the direct effect of pollution, if it must be in Merced. Once again people of color are being disproportionately affected. However,

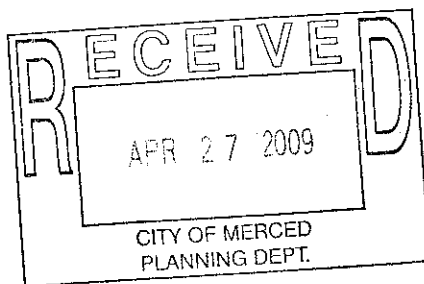
I work with people who experience hunger and feel it is very easy for me be against jobs when I have food on my table. It is hard to believe that this is the only business that can be attracted to Merced. This brings me back to my original point: when you deny citizens the right to understand a public process you are in essence oppressing them. This is also relevant to English speakers. To make a document that is incoherent and too technical also serves to shut folks out of the democratic process. The city might be well served to study and emulate President Obama's document on ethics in government made public his first week in office. At its center is transparency. I want to thank you for your service to the city and I hope you will understand that I am fulfilling my obligation as a citizen who is interested in justice and fairness above all and in making sure that long term decisions are made for the common good that are based on accurate understandable data. I hope that Walmart realizes that if they come to town the pressure to make sure they are being equitable will not subside especially if are found to be discriminatory in their hiring and promotion practices. Again, thank you for your service to the city.

Sincerely,

Barbara Hill

March 29, 2009

Ms. Kim Espinosa
Project Director
Merced Planning Division
678 W. 18th Street
Merced, CA 95340



Ms. Espinosa,

I am concerned about cancer rates which will result from the Wal-Mart distribution center. It appears to me that you are using false data in the draft environmental impact study.

First, you admit that you are using the incorrect Particular Matter in you toxic air contaminant measure.

Second, you fail to use PM_{2.5} in your TAC assessments, which means your cancer rates are unreliable.

Please update your data before you make your recommendation.

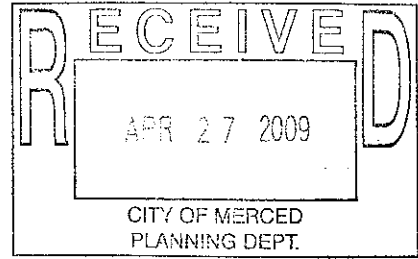
Thanks.

Bill, MSPH

*Christina Hill
2427 Olive Ave
Atwater, CA 95301*

April 9, 2009

Ms. Kim Espinosa
Planning Department of Merced
678 West 18th Street
Merced, CA 95340



Dear Ms. Espinosa,

Regarding the proposal to construct a Wal-Mart distribution center, I am fairly concerned on the damage which could occur to the possible archaeological items (specifically those important to Native-Americans) that may be found on the site if the construction were not to take place. There are many Native-American tribes in Northern California whose history has had to be pieced together due to the lack of historical documentation. Artifacts sometimes provide such history and many artifacts have been found in the Merced region already.

To allow for the construction, and implicit destruction of artifacts, to occur on the site is a shame and dishonor to the various Native American tribes in the region. The City must not allow the project to be approved thus harming an area which could contain such artifacts

Thank you,

[Handwritten Signature]

Signature

De Howell

Print Name

28 E 21st St.

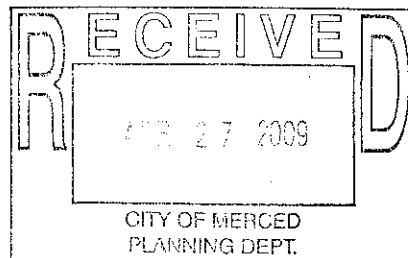
Address

Merced, Ca. 95340

Phone

3/25/09

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



Dear Ms. Espinosa,

What will happen at this facility when county-wide emissions exceed federal standards?
Can it be closed during spare the air days, or on days when we can't light a fire in our fire place?

Could a mitigation for the project include mandatory shutdown during those periods?

Thank you,

[Handwritten Signature]

Signature

Se Howell

Print Name

28 E. 21st St,

Address

Merced, Ca, 95340

Phone

Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Thursday, April 02, 2009 1:10 PM
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; Schechter, Jeanne; Espinosa, Kim
Subject: FW: Wal-Mart

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-----

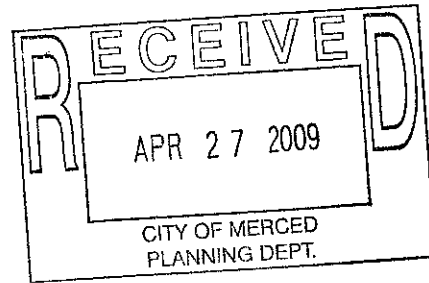
From: Dan Hultgren [mailto:dhultgren@gonellarealty.com]
Sent: Thursday, April 02, 2009 12:13 PM
To: city, council
Subject: Wal-Mart

I cannot see where the debate is. We need jobs in this county so bad. We are at least 18% unemployment. As leaders of our community how could you turn down this opportunity.
Sincerely
Dan Hultgren

4/3/2009

3/22/09

Kim Espinosa
 Project Director
 Merced Planning Division
 678 West 18th St.
 Merced, CA 95340



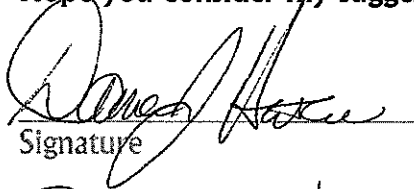
RE: Merced's proposed distribution center

Dear Ms. Espinosa:

Air quality is obviously a huge concern for those of us throughout Merced. I appreciate you considering the McLane Pacific Grocery. I heard that Wal-Mart owns McLane. Is this true?

If it is, shouldn't you also include them as a part of your Wal-Mart study? Combine all your figures? That would be a good way to get an accurate picture.

Hope you consider my suggestions.


 Signature

Dawna J Hunter
 Print Name

1240 W. 6th St.
 Address

Merced, CA 95340

209-385-6676
 Phone

Espinosa, Kim

From: judy jones [911jj@sbcglobal.net]
Sent: Tuesday, April 14, 2009 9:41 AM
To: Espinosa, Kim
Subject: Wal Mart Distribution Center

To whom it may concern,

I am writing in regard to the Wal Mart Distribution Center coming to Merced. The eight hundred jobs this business will supposedly create is more than likely an over statement on the part of Wal Mart. In most cases, businesses will bring along trained employees from other stores to open the new location.

I realize the Merced area is in desperate need of any and all jobs we can get. The fact remains that nine hundred (not ninety!), but nine hundred trucks per day will assault our area highways in order to maintain the operation of this business. The trucks on Highway 99 are already at a disturbing high and traffic is an existing problem.

The health issues alone should be enough to halt the progress of this business coming to the area. The excessive traffic congestion is also an issue that should not be overlooked.

There are certainly other ways to bring quality jobs to the Merced area that do not have these negative issues attached. Health issues for all surely out weigh jobs for a few.

Respectfully,

Judy A. Jones
320 W. Alexander Ave.
Merced, Ca. 95348

Espinosa, Kim

From: Walker, Dawn on behalf of city, council
Sent: Monday, March 09, 2009 9:40 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; Schechter, Jeanne; Espinosa, Kim
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: Charlie Judd [mailto:charlietuna10@gmail.com]
Sent: Monday, March 09, 2009 4:49 AM
To: city, council
Subject: Walmart

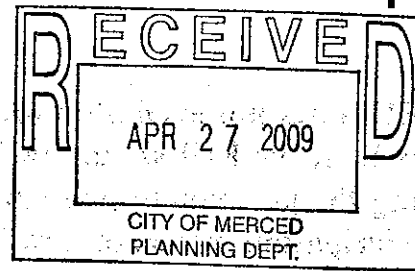
We urge a yes vote for the plans for Walmart to come here. With our unemployment rate at 19%, and stores closing left and right, we can use the stimulus and jobs for our community.

Thank you.

Mr. and Mrs. Judd

April 26, 2009

Kim Espinosa
 City of Merced - Planning Department
 678 W. 18th
 Merced, CA 95340



Re: Proposed Merced Wal-Mart Distribution Center DEIR

This Draft Environmental Impact Report for the proposed Wal-Mart Distribution Center in Merced contains weaknesses in identification, quantification, and mitigation of impacts, which should be corrected in order to provide a more accurate representation of the effects this project would have on our community.

The DEIR has left too many "significant and unavoidable" impacts, including huge greenhouse gas emissions which cannot be accepted. If the project proponents cannot add ways to truly reduce these impacts in the final EIR then the project must be rejected.

My comments will focus on the following areas:

- I. Loss of prime farmland with access to local surface irrigation
- II. Irreplaceable loss of habitat
- III. Degradation of air quality, with severe impacts on health and efforts to reverse climate change-inducing greenhouse gases
- IV. Degradation of the local community, urban decay, and disincentive for higher quality ventures to locate in Merced

I. The loss of prime farmland is a significant and unavoidable impact of the project, and yet this impact must be avoided. Obviously the project cannot truly mitigate this impact. Development decisions of the last few decades have had a devastating effect on available farmland, especially land with access to local surface irrigation. Recent drought and the uncertainty of future water supplies caused by climate change and our rapidly increasing population have caused thousands of acres of farmland in California to be abandoned or left unplanted indefinitely. The decision by the City of Merced to annex and zone this piece of excellent farmland as an industrial area was a mistake to begin with. Now that such land is becoming a vanishing, irreplaceable resource, the wisest course is to avoid this loss by rejecting the project and returning the land to agricultural use.

The DEIR does not even attempt to offer any sort of mitigation for this impact. At the very least the EIR should include an attempt to offset this farmland loss by requiring the permanent preservation of existing prime farmland with access to surface irrigation water, in a ratio of 4:1 (preserved to lost).

II. Similar to farmland loss, the loss of foraging habitat for sensitive species is a significant and unavoidable impact that must be avoided. Species become threatened when their habitat is lost, and the collective actions of piecemeal development over time have resulted in every remaining piece of habitat being critical.

Mitigation measure 4.3-2 proposes to protect $\frac{3}{4}$ acre of Swainson's Hawk foraging land for every 1 acre lost, according to outdated and obviously inadequate DFG guidelines. The land available for protection according to the guidelines, in a 1 to 5 mile radius from the project, is probably already within the hawks' foraging area and so the result is still a loss of habitat with only a small amount of the remaining habitat protected from future development. It is easy to see how with piecemeal development and "mitigation", the City can let itself believe that it is doing something to protect habitat with each new development while it is actually inexorably decreasing the size of the remaining habitat until there is not enough left to sustain the supposedly protected wildlife populations.

In order to make a good faith effort to truly mitigate the loss of foraging habitat for the Swainson's Hawk, the EIR should include a mitigation measure that requires protection of ALL of the remaining foraging habitat within 5 miles of the nearest active nest.

III. Air Quality

The proposed distribution center will generate significant amounts of air pollution in Merced and will have severe impacts on the people living and attending schools nearby. **The EIR should state that all of the local air pollution impacts will be eliminated by local mitigation measures and not offset fees that reduce pollution elsewhere. One such mitigation measure should be to require and enforce that all trucks coming in and out of the project will have the highest level of pollution controls available. If it is determined that all emissions can't be mitigated locally then offsets should be made at a 2:1 ratio (emissions offset to emissions generated).**

The computation of the project's operational air pollution emissions is based on faulty assumptions and inconsistent and incomplete data.

All computations are based on the Merced Distribution Center serving 49 stores that are currently being served by two other distribution centers. Since these 49 stores are already being served without the Merced project, and taking into account the size of the proposed Merced project, it is obvious that the Merced Distribution Center (DC) is being designed to serve many more planned stores.

The air pollution computations in the EIR must take into account the emissions of trucks from the Merced DC serving the planned and foreseeable new Wal-Mart stores, in addition to the current stores.

Table 4.2-7, "Summary of Modeled Project-Generated, Operation-Related Emissions of Criteria Air Pollutants and Precursors", shows that the EIR is offsetting the project emissions with the reduction in emissions from the DC's that are currently serving the 49 stores referenced above. This is a flawed assumption in that the Merced DC will not be the same distance from either the ports or sources of the transported materials or the stores which the DC will supply. It is highly likely that the Merced DC will be farther from the supplies of goods than the Porterville and Red Bluff DC's. **More precise estimates can and should be made, using actual truck trips that will be generated by the project, upon which to base mitigation measures.**

The effect of offsetting emissions from inbound receivable truck trips from existing DC's against the trips by the proposed project is to come up with zero new emissions from inbound receivable truck trips needing mitigation by the Merced project. This is based on the assumption that Merced's DC will serve only the same stores as the existing DC's, and that these stores are the same average distance from the Merced DC as they are from the existing DC's. As noted in the paragraphs above, this is a faulty assumption and it greatly distorts the amount of emissions needing reduction – in favor of the project developers.

ISR rules may allow new sources of pollution to offset old ones for the purposes of certain computations, but in this case the new sources can't be assumed to be the same as the existing. In addition, the emissions from the DC's in Porterville and Red Bluff are not necessarily all in the San Joaquin Valley Air Basin and so should not be used to offset emissions in the Valley.

Even more importantly, the emissions from the new project in Merced will be impacting the local community far more than the emissions from the DC's in Porterville and Red Bluff. **The EIR must mitigate all emissions that actually impact Merced and the Valley, and not use a loophole to falsely claim that one entire source will create no emissions.**

IV. Urban decay is explicitly dismissed as an area to be addressed in the EIR, and yet the document acknowledges that urban decay is an appropriate impact for EIR consideration under CEQA.

According to the EIR noise disturbance to the surrounding neighborhoods and schools will be significant and cannot be sufficiently mitigated. Traffic problems will be chronic and severe. These plus the presence of a huge, diesel-fume-filled, asphalt-landscaped distribution center will inevitably and obviously reduce the values of the homes and make it impossible to have the kind of comfort and pride in one's neighborhood to induce people who have better options to live there.

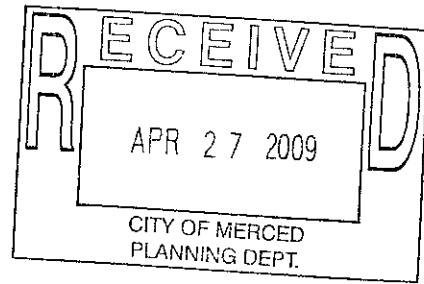
The impact upon the economic prospects of the community could be even more severe. This project at the southern gateway to Merced reflects a community's desperation for jobs at any price and as such is an enticement to dirty, undesirable industries to locate here while at the same time discouraging cleaner ventures that could have a more positive impact on the community.

The EIR must examine, communicate, and attempt to mitigate the projects' inevitable impact upon urban decay.



Lisa Kayser-Grant
1425 W.N. Bear Creek Drive
Merced, CA 95348

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



RE: Wal-Mart Distribution Center DEIR

Dear Kim Espinosa,

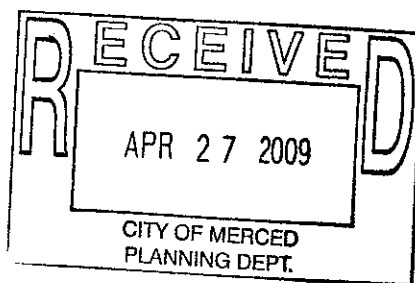
I would like more detail about the numbers of heavy equipment at the Wal-Mart construction. The EIR declines to provide specifics that are not acceptable to ignore.

There should be specific figures on how many excavators, graders, scrapers, loaders, backhoes, haul trucks, and cranes will be used. Those are gas burning vehicles which need to be accounted for in the air quality and environmental impacts. If we don't know this then we cannot know the real effect of pollution and noise construction will create. Please provide specific figures.

Regards,

Greg Kelly
3241 Nashville Ct.
Merced, CA 95340

Kim Espinosa, Planning Manager
 City of Merced Planning Department
 678 West 18th Street
 Merced, CA 95340



Ms. Espinosa:

I'm writing today in regard to the EIR on the Wal-Mart distribution center project. Specifically, I'm concerned that the city's study badly fails to properly address cumulative and growth inducing impacts of this project because the premise of what area will be affected is far too narrow.

The cumulative impacts section says on page 6-1 that it is based "on an examination of existing urban development in southeast Merced". Unfortunately, that misses the point that many of us concerned have been making about the project – this will affect an area far wider than just southeast Merced. If you need proof of this, just look at the project title for the word "regional". This project is going to add a very large, very cumbersome industrial project to the Central Valley and will be the hub of operations for the largest company in the world from Sacramento to the Bay Area and as far south as the Bakersfield area. 900 big rigs will be going in and out of the region 365 days a year, adding to our air quality woes, emitting green house gases, and making the entire valley a more industrial, less-agricultural region. You cannot honestly conduct a review of the cumulative effects of this project without looking well beyond the Merced city limits to view this project in context of the entire region.

This review should be reflective of a larger scope. If you think Merced can get away with pretending the impacts will only affect this small corner of the city then you are ignoring how far-reaching the downsides of this project will be.

Please re-draft this section to include a "regional" focus on the impacts.

Sincerely,

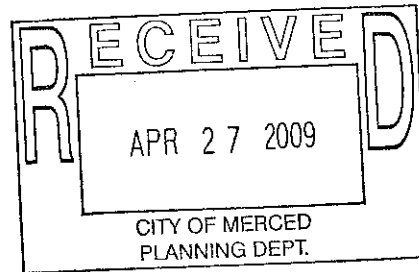
Grace Kenny
 Name
321 W. 27 St.
 Address
Merced, CA, 95340
 City, State, Zip
[Signature]
 Signature

Kim Espinosa, Planning Manager

City of Merced Planning Division

678 West 18th Street

Merced, CA 95340



Planning Manager Espinosa,

I have deep concerns about the use of construction equipment for the proposed Wal-Mart Distribution Center. Many studies have illustrated the fact that construction equipment is one of the leading sources of diesel pollution in California.

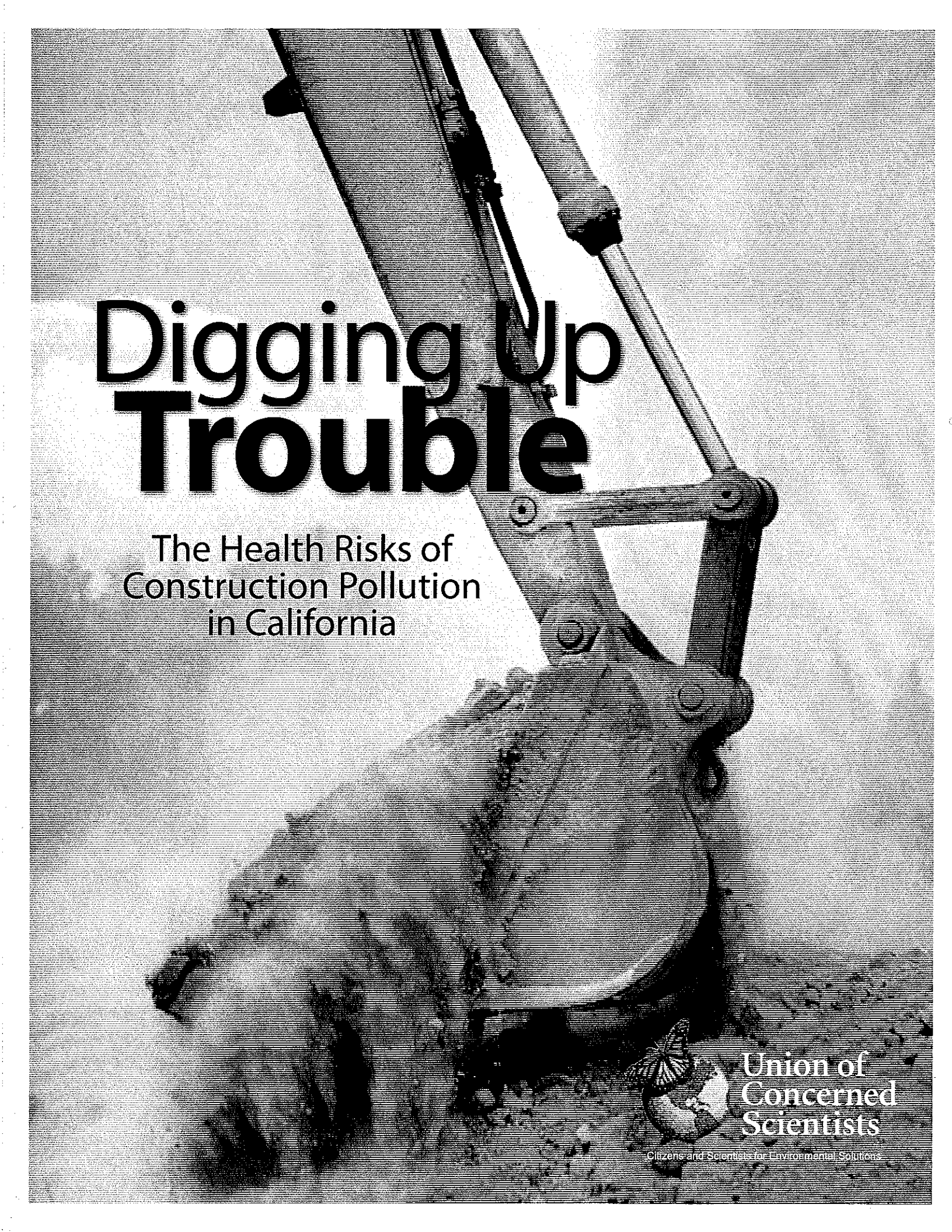
Please include the following study in the EIR record, *Digging-Up Trouble - The Health Risks of Construction Pollution in California*, 2006 by the Union of Concerned Scientists. In short their study quantifies the effects of construction pollution on California's public health and economy, both across the state and in the five most affected regions.

Did you know that Merced is one of the cities cited as being a "high-risk area." The final environmental report must implement the safety steps residents can take in protecting themselves against harmful construction equipment highlighted on page 32 of the study.

Please review the study, add into the record and address in the final EIR.

Thank you,

Post in Kenny
321 west 27th st
Merced CA 95346
J. Kenny



Digging Up Trouble

The Health Risks of
Construction Pollution
in California

Union of
Concerned
Scientists

Citizens and Scientists for Environmental Solutions

Digging Up Trouble

**The Health Risks of
Construction Pollution in California**

D O N A N A I R

Union of Concerned Scientists
November 2006

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Don Anair is a vehicles engineer in the Union of Concerned Scientists Clean Vehicles Program.

The Union of Concerned Scientists (UCS) is the leading science-based nonprofit working for a healthy environment and a safer world. UCS combines independent scientific research and citizen action to develop innovative, practical solutions and to secure responsible changes in government policy, corporate practices, and consumer choices.

The UCS Clean Vehicles Program develops and promotes strategies to reduce the adverse environmental impact of the U.S. transportation system.

More information about UCS and the Clean Vehicles Program is available on the UCS website at www.ucsusa.org.

The full text of this report is available online at www.ucsusa.org/clean_vehicles or may be obtained from:

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Here at the Union of Concerned Scientists, I want to thank Patricia Monahan, Jason Mark, David Friedman, Erin Rogers, Rich Hayes, and Daniel Kalb for their valuable comments and advice at various stages in the preparation of this report. Additional thanks go to Bryan Wadsworth for copyediting and David Gerratt for layout and design.

The opinions expressed in this report do not necessarily reflect the opinions of the foundations that supported the work, or the individuals who reviewed and commented on the report. Both the opinions and information contained herein are the sole responsibility of the author.

EXECUTIVE SUMMARY

Pollution from diesel construction equipment is taking a toll on the health and economic well-being of California residents. This equipment contributes to particulate and ozone pollution that can cause severe cardiovascular and respiratory illnesses, asthma attacks, acute bronchitis, and even premature death.

This study analyzes air pollution caused by construction equipment and—for the first time—quantifies its effect on California’s public health and economy, both across the state and in the five most-affected regions. In addition, we evaluate the risk of exposure to construction activity in specific cities in each of these five regions. Lagging emission standards and very old equipment have made construction equipment one of the largest sources of toxic diesel particulate matter pollution in the state, necessitating an accelerated cleanup program to protect the health of all Californians.

Using established U.S. Environmental Protection Agency (EPA) and California Air Resources Board (CARB) methods to quantify the impact of air pollution, the Union of Concerned Scientists (UCS) estimates that construction equipment emissions statewide are responsible for:

- more than 1,100 premature deaths per year
- more than 1,000 hospital admissions for cardiovascular and respiratory illness
- 2,500 cases of acute bronchitis
- tens of thousands of asthma attacks and other lower respiratory symptoms

This pollution is hurting the state’s economy as well. Construction equipment is critical to the building industry (a sector of the economy worth \$60 billion per year)¹ and instrumental in maintaining and building our roads and highways (on which California spent eight billion dollars last year). But the pollution from this equipment results in more than nine billion dollars in annual public health costs, including hundreds of thousands of lost work days and school absences.

Construction equipment is used extensively throughout the entire state. More than 270,000 acres of land in California were under construction permit during 2005—an area the size of Los Angeles.² In addition, more than 10,000 miles of state roadway were under contract for construction, repairs, or maintenance.³

The impact of construction pollution on public health is greatest where equipment and people mix, and 90 percent of the health and economic damage occurs in California’s five most populous air basins. The South Coast air basin (which encompasses most of Los Angeles, Orange, Riverside, and San Bernardino counties) ranks first with more than 700 premature deaths and more than 650 hospitalizations for respiratory and cardiovascular illness annually. The San Francisco Bay Area and San Diego follow, with more than 150 and 89 premature deaths, respectively, every year. The San Joaquin Valley and Sacramento Valley (the two largest air basins in

¹ As reported to the California Department of Finance by the California Construction Industry Research Board. Available at http://www.dof.ca.gov/HTML/FS_DATA/LatestEconData/FS_Construction.htm.

² Total acres based on State Water Resources Control Board data (SWRCB 2005). The city of Los Angeles covers 300,160 acres.

³ Mileage based on ongoing contract data available from the California Department of Transportation (CALTRANS 2005).

TABLE 1 Health Damage from Construction Pollution (by Air Basin)

Health Endpoint	Total Incidences					
	Statewide	South Coast	San Francisco Bay Area	San Diego	San Joaquin Valley	Sacramento Valley
Premature Deaths	1,132	731	154	89	49	39
Respiratory Hospitalizations	669	383	56	50	55	30
Cardiovascular Hospitalizations	417	274	61	33	14	12
Asthma and Other Lower Respiratory Symptoms	30,118	20,941	3,406	2,127	1,284	790
Acute Bronchitis	2,494	1,729	284	177	107	66
Lost Work Days	182,940	123,439	25,713	14,014	6,241	4,617
Minor Restricted Activity Days	1,544,952	959,839	168,459	113,280	99,585	50,408
School Absences	331,040	175,339	18,472	24,689	33,282	17,492

NOTE: Values represent the mean annual incidence estimate for 2005.

California's Central Valley) round out the top five with 49 and 39 annual premature deaths, respectively.

Construction activity varies from city to city and, therefore, so does potential exposure to harmful diesel exhaust. Areas with high population density and construction activity are an obvious concern because construction equipment emissions are more likely to be occurring in close proximity to people. Nevertheless, the most densely populated cities are not the only areas with high potential for construction risk; evaluation of active construction projects finds areas outside major population centers also face risks since large-scale construction projects accompany regional population growth.

While incentive programs have begun to clean up some of this equipment, only statewide regulations can achieve the reductions in construction equipment pollution needed to truly protect public health. Cost-effective technology solutions that would help meet this regulatory goal already exist, and more will become available over the next few years. CARB should adopt a regulatory regime that will clean up existing construction equipment by retiring the oldest, most-polluting equipment and using retrofit technology where appropriate.

*Chapter 1***DIESEL POLLUTION FROM CONSTRUCTION EQUIPMENT**

Highway truck and bus engine manufacturers have had to meet increasingly stringent emission regulations since the late 1980s. Construction and other off-road equipment, however, did not face new particulate matter (PM) emission standards until 1996, with some engines unregulated as late as 2003.⁴ In 2004, the U.S. Environmental Protection Agency (EPA) finally forced construction equipment to meet similar standards to highway trucks and buses, requiring 90 percent reductions in nitrogen oxides (NO_x) and PM for most engine sizes. These standards will phase in over a seven-year period starting in 2008, reaching full implementation in 2014 (EPA 2004).

Although these standards will significantly reduce pollutants from new engines, the full benefits will not be realized until sometime after 2030, when the long-lasting equipment currently in use today is finally retired. There are technology options available to clean up these existing machines, but neither the EPA nor the state of California currently requires them. As a result, if no additional requirements are put in place, the construction sector will continue emitting high levels of toxic and smog-forming pollution for the next two to three decades.

THE WORST OFFENDERS

The Union of Concerned Scientists (UCS) took a closer look at pollution from California's construction equipment to find out which types of

equipment emit the most toxic diesel PM (or "soot") and smog-forming NO_x. Most people think of trucks and buses when they think of diesel pollution, but as it turns out, the equipment repairing the road near your home or operating at a construction site near your office may be many times more polluting. Diesel construction equipment ranges from backhoes and bulldozers to paving equipment and cranes; we have identified the worst offenders.

Out of 18 categories of construction equipment identified in the 2005 California Air Resources Board (CARB) emission inventory, the five highest-polluting categories are responsible for 65 percent of PM and 60 percent of NO_x emissions. In descending order, they are excavators, tractors/loaders/backhoes, crawler tractors (commonly called bulldozers), rubber-tired loaders, and skid-steer loaders (CARB 2006c).

We compared PM and NO_x emissions from these types of equipment with the number of miles a new heavy-duty tractor-trailer truck (or "big rig") would have to travel to emit the same amount of pollution. The emissions of a model year 2007 big rig were estimated based on a truck traveling 55 miles per hour and operating on recently available ultra-low-sulfur diesel fuel. Hourly construction equipment emissions were calculated from equipment population estimates and CARB's 2005 emission inventory.

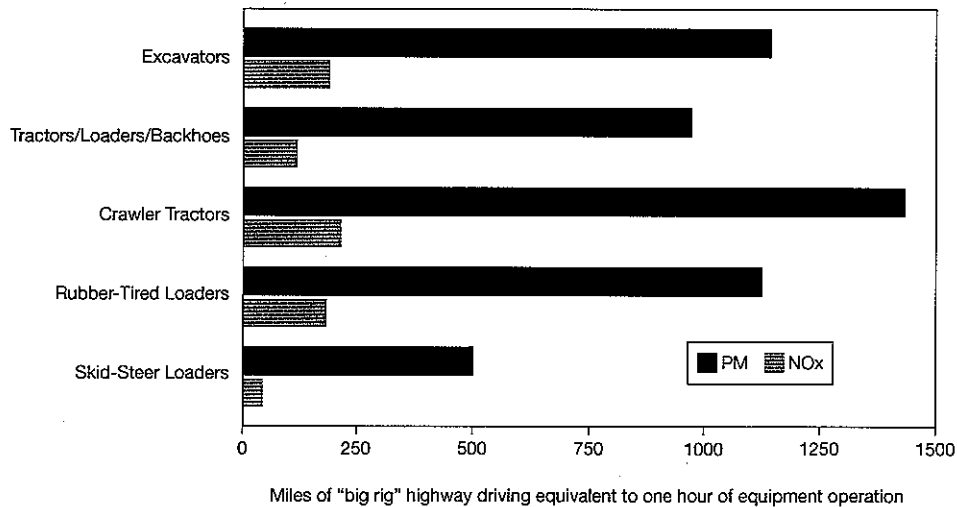
⁴ Tier 1 EPA nonroad engine standards did not include PM limits for engines of 50 to 175 horsepower.

TABLE 2 Emissions by Type of Construction Equipment

	Percent of Total PM from Construction Equipment	Percent of Total NOx from Construction Equipment	Useful Life (in years)
Excavators	17%	18%	17
Tractors/Loaders/Backhoes	16%	12%	18
Crawler Tractors (Tracked Bulldozers)	13%	13%	29
Rubber-Tired Loaders	12%	12%	21
Skid-Steer Loaders	7%	4%	13
Off-Highway Trucks	5%	9%	17
Rough-Terrain Forklifts	5%	3%	16
Graders	5%	5%	23
Off-Highway Tractors	4%	5%	31
Rollers	3%	3%	20
Trenchers	3%	2%	28
Scrapers	3%	4%	26
Cranes	3%	4%	19
Rubber-Tired Dozers	2%	2%	32
Pavers	2%	1%	26
Bore/Drill Rigs	1%	1%	10
Other Construction Equipment	0.4%	1%	16
Paving Equipment	0.3%	0.2%	24
Surfacing Equipment	0.04%	0.1%	22

NOTE: Useful life is defined as the age at which half of the equipment of a given model year has been retired.
 SOURCE: Based on 2005 CARB construction emission inventory (updated as of September 2006).

FIGURE 1 Construction Equipment Emissions Compared with a New "Big Rig"



Excavators

There are an estimated 19,000 excavators in California, ranging in size from about 50 to 750 horsepower. The annual PM pollution from excavators accounts for 17 percent of all PM from construction equipment. On average, an excavator operating for one hour emits as much PM as a new big rig traveling 1,100 miles, while NOx emissions are equivalent to driving a big rig about 200 miles. The useful life of this equipment is 17 years.⁵



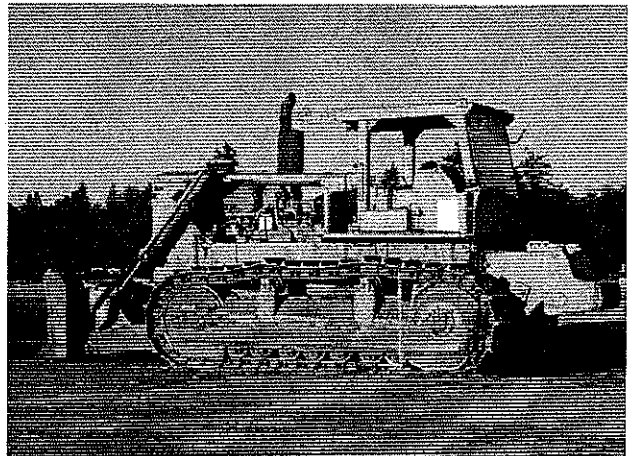
Tractors/loaders/backhoes

These versatile pieces of equipment are commonly used on construction sites and road repair projects. More than 30,000 backhoes are operated in California every year, emitting 16 percent of all PM from construction equipment. The PM produced by the average backhoe in one hour is equivalent to driving a big rig nearly 1,000 miles, while the NOx emissions are equivalent to driving more than 100 miles. The useful life of this equipment is 18 years.



Crawler tractors (bulldozers)

These tracked vehicles are used primarily for earthmoving operations. More than 16,000 bulldozers operate in California and emit 13 percent of all PM from construction equipment. The average bulldozer operating for one hour emits the same amount of PM as a new big rig driving 1,400 miles. The NOx emissions from an hour of operation are equivalent to driving a big rig 200 miles. The useful life of a crawler tractor is an impressive 29 years.



⁵ Useful life is defined as the age at which half of the equipment of a certain model year has been retired. The useful life, equipment populations, emissions, and other equipment specifics described in this section are based on CARB's updated off-road emission inventory model as of September 2006 (CARB 2006c).

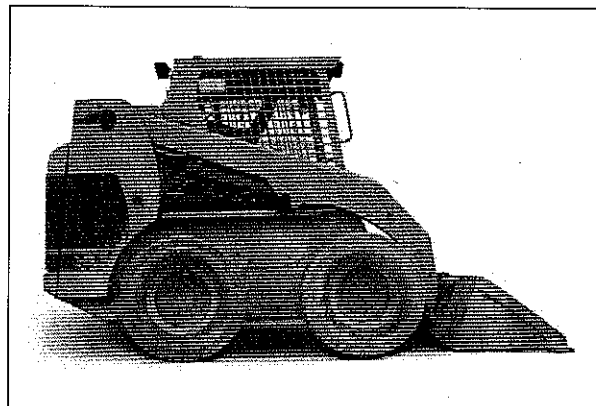
Rubber-tired loaders

These heavy-duty vehicles, commonly used to load trucks, represent the fourth largest source of diesel emissions from construction equipment; the estimated 19,000 rubber-tired loaders in California account for 12 percent of all construction pollution. The average loader operating for one hour emits PM equivalent to driving a new big rig 1,100 miles and NOx emissions equivalent to driving 200 miles. The useful life of rubber-tired loaders is 21 years.



Skid-steer loaders

More than 29,000 of these relatively small pieces of equipment operate in California on all types of construction projects, and account for seven percent of all PM from construction equipment. Even though the average skid-steer loader delivers less than 50 horsepower (a fraction of that provided by a big rig),⁶ its PM emissions from one hour of operation are equivalent to driving a new big rig 500 miles. The useful life of a skid-steer loader is 13 years.



⁶ A new big rig's engine can range anywhere from 300 to 600 horsepower.

Chapter 2

HEALTH AND ECONOMIC DAMAGE FROM CONSTRUCTION EQUIPMENT

Emissions from construction equipment and other diesel vehicles are harmful to our health and well-being. The damage comes in the form of premature death, increased hospital admissions for respiratory and cardiovascular diseases, asthma attacks, and lost productivity through school absences and missed work days. Following established statistical methods, UCS has quantified the cost of diesel emissions from construction equipment in California.

The impact of several pollutants that comprise diesel exhaust must be taken into account:

- **Particulate matter (PM).** Also known as soot, these small particles (25 times smaller than the width of a human hair) are released directly from the tailpipe or formed indirectly from emissions of NO_x and sulfur oxides (SO_x). PM can penetrate deeply into the lungs, causing or aggravating a variety of respiratory and cardiovascular illnesses and even leading in some cases to premature death (Pope 2002, Krewski 2000, Samet 2000).
- **Smog-forming pollutants.** NO_x and hydrocarbons react in the presence of sunlight to form ozone (smog), which can damage the respiratory tract, reduce lung function, exacerbate asthma, aggravate chronic lung diseases, and also cause premature death (White 1994,

Koren 1995, Thurston 2001, Bell 2005). As much as 10 to 20 percent of all summertime hospital visits and admissions for respiratory illness are associated with ozone, and more than 90 percent of Californians live in areas that do not comply with federal ozone standards (Thurston 1992, 1994).

- **Air toxics.** The state of California has classified diesel exhaust and more than 40 compounds in diesel exhaust as toxic air contaminants.⁷ Exposure to these chemicals can cause cancer, damage to fetuses, and other serious health and reproductive problems. CARB has estimated that diesel exhaust is responsible for 70 percent of the state's risk of cancer from airborne toxics (CARB 1998).

ESTIMATING HEALTH EFFECTS OF CONSTRUCTION POLLUTION

This analysis uses methods established by CARB and the EPA to quantify health and economic damage from diesel pollution. In March 2006, CARB released a study detailing the regional health and economic damage caused by California's goods movement system (CARB 2006a). A number of adverse health effects, or endpoints, strongly linked to diesel pollution were quantified along with an estimate of the economic costs associated with these endpoints.

⁷ According to the California Health and Safety Code, a toxic air contaminant is "an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health."



How Diesel Exhaust Damages Lungs

As PM from diesel exhaust travels through the air and is inhaled, the largest particles settle in the nose, throat, and lungs. The finest particles are able to evade the body's natural defenses (such as sneezing and coughing) and travel deep into the lungs. Once there, these particles can cause inflammation and scarring of air passageways and lung tissue, resulting in reduced oxygen flow to the rest of the body. Symptoms can range from coughing and shortness of breath to severe and fatal asthma attacks.

When inhaled, ozone—a key ingredient of smog—can also damage lungs by chemically burning delicate tissue and causing scarring. Recent evidence suggests that exposure to ozone can cause asthma in otherwise healthy children (McConnell 2002). On days with high ozone levels, health officials recommend reducing outdoor activities to lower exposure to this dangerous pollutant.

Using emission data specific to diesel construction equipment in California, we used the same methodology to quantify the damage from construction equipment pollution. Because our ability to quantify the public health impact of diesel pollution is limited, the health endpoints quantified in this analysis do not represent all of the potential damage associated with diesel pollution and are therefore conservative estimates.

Economic damage associated with construction equipment pollution is estimated by assigning each health endpoint an economic value. Economic valuations for each health endpoint are based on the cost of treating an illness, lost productivity or wages, or the value society is willing to pay to lower the risk of certain outcomes.

For further discussion of the methodology used to estimate the health and economic impact of construction pollution, please refer to the appendix.

Our analysis found that the economic and health damage caused by construction equipment pollution in California is staggering. More than 1,000 premature deaths per year can be attributed to these emissions, along with more than 1,000 hospitalizations for cardiovascular and respiratory illness, and more than 30,000 asthma attacks and other respiratory symptoms. Hundreds of thousands of lost work days and school absences equate to more than \$60 million in annual economic losses. In addition, Californians collectively experience millions of days each year when air pollution restricts their activities. Overall, construction equipment pollution costs the state more than nine billion dollars every year.

TABLE 3 Health and Economic Damage from Construction Pollution (Statewide)

Health Endpoint	Pollutants	Total Incidences	Costs (in thousands of 2005 dollars)
Premature Deaths (\$7.9 million/incidence)	PM and ozone	1,132 (328-1930)	8,944,256 (2,588,161-15,249,672)
Respiratory Hospitalizations (\$34,000/incidence)	PM and ozone	669 (398-933)	22,758 (13,530-31,735)
Cardiovascular Hospitalizations (\$41,000/incidence)	PM only	417 (263-646)	17,082 (10,795-26,491)
Asthma and Other Lower Respiratory Symptoms (\$19/incidence)	PM only	30,118 (11,686-48,110)	572 (222-914)
Acute Bronchitis (\$422/incidence)	PM only	2,494 (-609-5,408)	1,053 (-257-2,282)
Lost Work Days (\$180/incidence)	PM only	182,940 (155,031-210,810)	32,929 (27,906-37,946)
Minor Restricted Activity Days (\$60/incidence)	PM and ozone	1,544,952 (988,809-2,150,641)	92,697 (59,329-129,038)
School Absences (\$88/incidence)	Ozone only	331,040 (134,632-531,374)	29,131 (11,848-46,761)
Total Cost			9,140,480 (2,711,532-15,524,840)

DEFINITIONS:

Premature deaths: Premature deaths due to exposure to PM and ozone, including cardiopulmonary and lung cancer mortality.

Respiratory hospitalizations: Hospital admissions for respiratory illnesses (such as emphysema or chronic bronchitis) as a result of exposure to both PM and ozone.

Cardiovascular hospitalizations: Hospital admissions for cardiovascular illnesses (such as heart attacks or hypertension) as a result of exposure to PM.

Lower respiratory symptoms: Asthma attacks and other symptoms such as wheezing, coughing, and shortness of breath.

Acute bronchitis: Symptoms can include coughing, chest discomfort, and slight fever and can last several days.

Lost work days: Days of work missed due to symptoms resulting from exposure to PM or to take care of an individual with such symptoms.

Minor restricted activity days: Days in which high ozone and PM levels require less strenuous activities but do not result in a lost work day or school absence.

School absences: Days of school missed due to symptoms resulting from exposure to ozone.

NOTE: Mean estimates are shown in bold; ranges shown in parentheses represent the 95 percent confidence interval (i.e., there is a 95 percent chance that the actual value falls between the two values shown).

*Chapter 3***CONSTRUCTION POLLUTION IMPACT BY REGION**

The majority of the damage caused by construction equipment pollution occurs in areas where large numbers of people are exposed. Five of California's 15 air basins, home to more than 85 percent of the state's population, suffer more than 90 percent of the total health and economic damage from construction pollution. In each of these five air basins, which are the focus of this chapter, concerns exist in both urban and suburban areas.

Air basins are largely defined by physical features, such as mountain ranges, and meteorological conditions, such as air flow patterns, that restrict the movement of air pollution to another air basin. Air quality in a given air basin is influenced by the emission sources within it, and to a lesser degree by pollution entering from another air basin. Transport of air pollution from neighboring air basins is an ongoing area of research and, for the purposes of this analysis, construction equipment emissions are assumed to remain in the air basin in which they were generated.

WHERE PEOPLE AND CONSTRUCTION MIX

UCS also evaluated the likelihood of exposure to construction activity in specific cities within the five most-affected air basins. While construction equipment contributes to overall PM and ozone concentrations in each air basin, people who live or work near construction equipment may be at a higher risk of exposure to these dangerous pollutants.⁸ Using 2000 census data and

2005 construction permit data from the California State Water Resources Control Board (SWRCB), we have identified those cities that have a higher risk of exposure to construction activity. The results show that areas where construction activity and people mix are spread throughout each region, in both urban and suburban cities and towns.

The SWRCB requires permits for construction projects that disturb more than one acre of land through clearing, grading, or excavation. We used permits from the SWRCB database for our analysis because such land disturbance generally involves the use of diesel earthmoving construction equipment. By excluding local building permits, we attempted to eliminate small projects such as single-family home construction and remodeling work that may not require the use of diesel equipment. The permits selected for this analysis were either active or issued between January 1, 2005, and December 31, 2005 (SWRCB 2005).

We then created maps using geographic information system (GIS) software to display "Construction Risk Zones" related to construction activity in each of the five studied air basins. Construction Risk Zones represent the risk of exposure to construction pollution in a given city, based on its mixture of construction activity and population density. To determine the relative risk potential for each city, we multiplied the total acreage under construction permit during 2005

⁸ Northeast States for Coordinated Air Use Management showed increased concentrations of diesel PM near construction sites (NESCAUM 2003). Other studies have shown an elevated risk of cancer near diesel pollution sources; these studies include a health risk assessment at a California rail yard (CARB 2005).

by population density from the 2000 census. A city's risk potential is presented in relation to other cities within the air basin, ranging from a relatively high risk to a relatively low risk.

The resulting Construction Risk Zones are based on the best information available, but it is important to note that this is not a measure of actual exposure to emissions and is only one measure of the likelihood that people and construction equipment will be in proximity to one another. Actual exposure levels depend on the amount of emissions produced by specific equipment, the types of equipment on a construction site and the length of time they operate, wind patterns and atmospheric conditions, and proximity

to the emission source. These details are not available from the SWRCB permit database.

Also, because we have measured construction activity in terms of acreage, a multi-story project and a single-story project are treated equally. In addition, the construction permit data used to evaluate Construction Risk Zones does not include California Department of Transportation (Caltrans) highway projects—a major source of construction activity in the state.⁹ In spite of these limitations, our Construction Risk Zone evaluation captures a majority of the largest construction sites in the state.

Please see the appendix for further discussion of the SWRCB permit data.

⁹ For perspective, Caltrans contracts were worth eight billion dollars in 2005 (CALTRANS 2005) while building and construction contracts were valued at \$65 billion according to the California Department of Finance (CDF 2005).

SOUTH COAST

Comprising most of Los Angeles, San Bernardino, Riverside, and Orange counties, this air basin experiences the greatest degree of health and economic damage in the state from construction equipment emissions. For 2005, this includes estimates of:

- more than 700 premature deaths
- 650 hospitalizations for respiratory and cardiovascular disease
- more than 1,700 cases of acute bronchitis
- nearly 21,000 incidences of asthma attack and other lower respiratory symptoms
- 300,000 days of lost work and school absences
- close to one million days of restricted activity

This loss of life and productivity cost South Coast residents an estimated \$5.9 billion.

Within the air basin, 127 cities and towns had active construction permits during 2005 accounting for more than 70,000 acres of land under construction. Areas designated as high-risk are spread throughout the region, with cities in all four counties falling in the top 10 percent of Construction Risk Zones. San Bernardino and Riverside counties each have four such cities while Los Angeles has three and Orange two. The presence of less population-dense cities such as Murrieta and Temecula in this group reflects the fact that large developments of 50 acres or more are common in these cities.

TABLE 4 South Coast Construction Pollution Damage

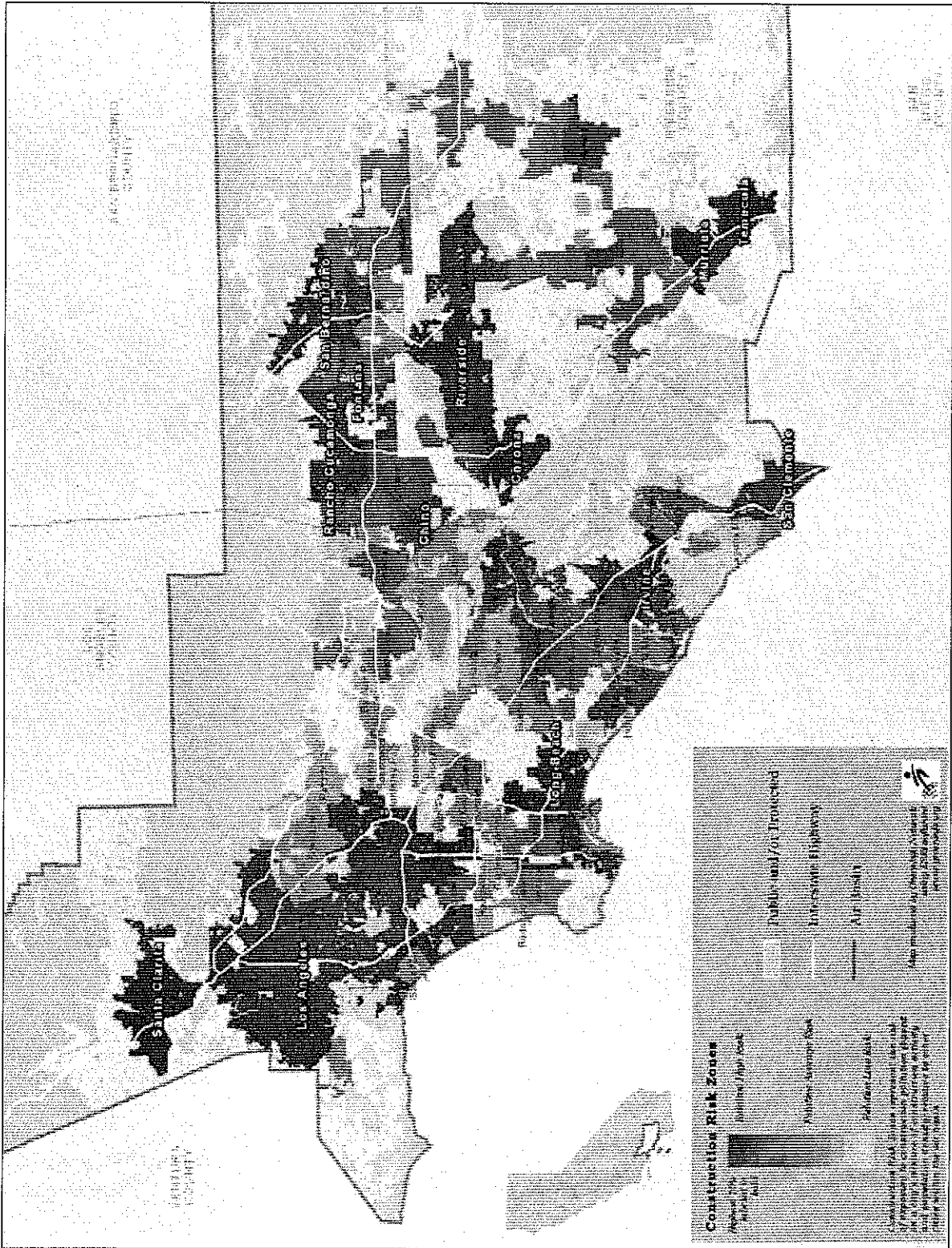
Health Endpoint	Mean Annual Incidences	Annual Costs (in thousands of 2005 dollars)
Premature Deaths	731	5,776,261
Respiratory Hospitalizations	383	13,019
Cardiovascular Hospitalizations	274	11,248
Asthma and Other Lower Respiratory Symptoms	20,941	398
Acute Bronchitis	1,729	730
Lost Work Days	123,439	22,219
Minor Restricted Activity Days	959,839	57,590
School Absences	175,339	15,430
Total Annual Cost		5,896,894

TABLE 5 Top 10 Percent of South Coast Construction Risk Zones

City	County
Long Beach	Los Angeles
Los Angeles	Los Angeles
Santa Clarita	Los Angeles
Irvine	Orange
San Clemente	Orange
Corona	Riverside
Murrieta	Riverside
Riverside	Riverside
Temecula	Riverside
Chino	San Bernardino
Fontana	San Bernardino
Rancho Cucamonga	San Bernardino
San Bernardino	San Bernardino

NOTE: Cities are listed in alphabetical order by county.

FIGURE 2 Construction Pollution Risk in the South Coast Air Basin



SAN FRANCISCO BAY AREA

This air basin comprises nine counties and is second only to the South Coast air basin in health and economic damage from construction equipment emissions. For 2005, this includes estimates of:

- more than 150 premature deaths
- 100 hospitalizations for respiratory and cardiovascular disease
- more than 280 cases of acute bronchitis
- 3,000 incidences of asthma attack and other lower respiratory symptoms
- 44,000 days of lost work and school absences
- well over 100,000 days of restricted activity

This loss of life and productivity cost Bay Area residents an estimated \$1.2 billion.

Within the air basin, 80 cities and towns had active construction permits during 2005 accounting for more than 17,500 acres of land under construction. As in the South Coast, areas designated as high-risk are spread throughout the region. San Francisco and San Jose, both densely populated cities, fall in the top 10 percent of Construction Risk Zones along with less population-dense cities in Contra Costa, Alameda, and Solano counties (where large amounts of acreage are under construction).

It should be noted that the replacement of the Bay Bridge's eastern span, a multi-year, multi-billion-dollar project involving large amounts of construction equipment, is not captured in this evaluation.

TABLE 6 San Francisco Bay Area Construction Pollution Damage

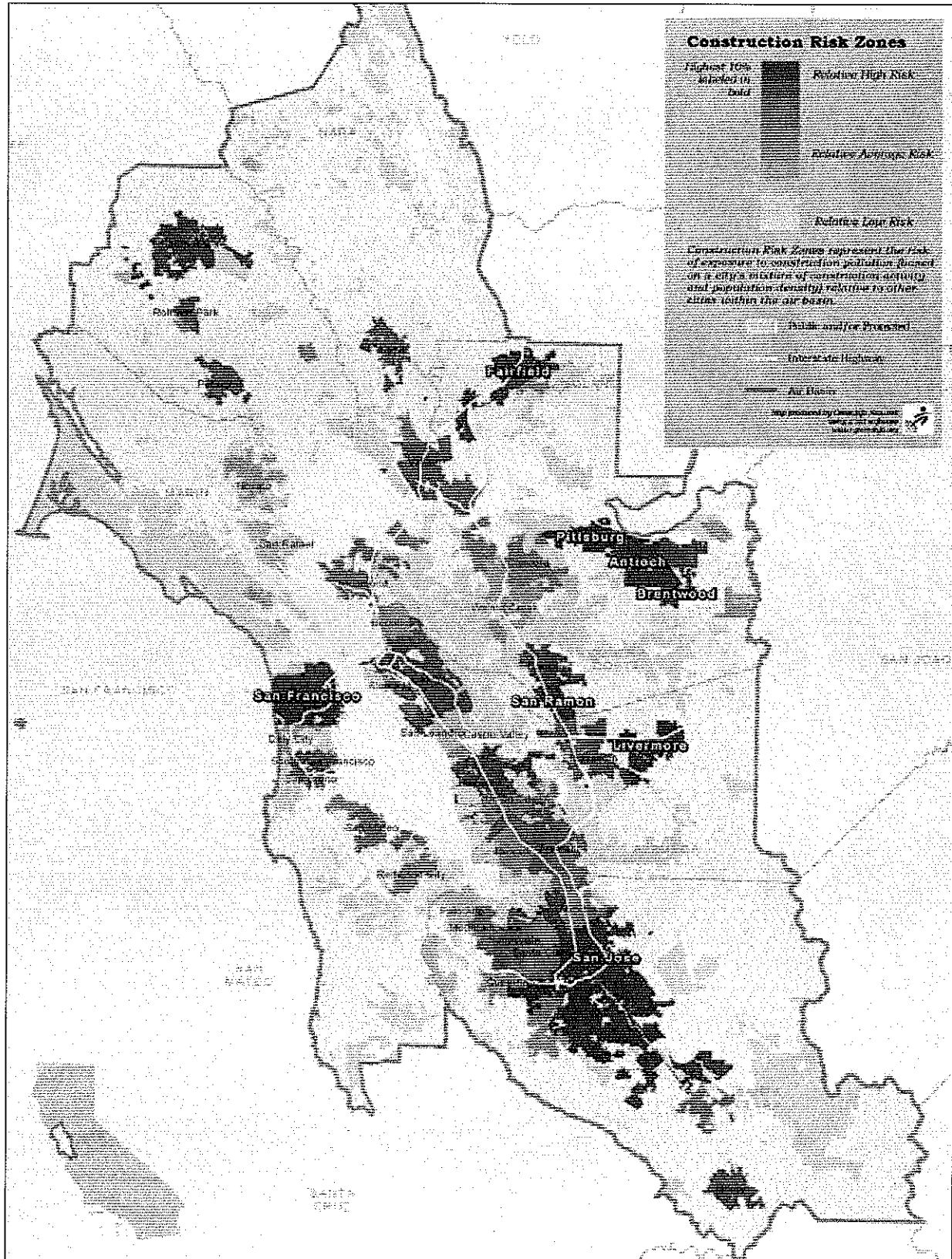
Health Endpoint	Mean Annual Incidences	Annual Costs (in thousands of 2005 dollars)
Premature Deaths	154	1,215,948
Respiratory Hospitalizations	56	1,914
Cardiovascular Hospitalizations	61	2,482
Asthma and Other Lower Respiratory Symptoms	3,406	65
Acute Bronchitis	284	120
Lost Work Days	25,713	4,628
Minor Restricted Activity Days	168,459	10,108
School Absences	18,472	1,626
Total Annual Cost		1,236,890

TABLE 7 Top 10 Percent of San Francisco Bay Area Construction Risk Zones

City	County
Livermore	Alameda
Antioch	Contra Costa
Brentwood	Contra Costa
Pittsburg	Contra Costa
San Ramon	Contra Costa
San Francisco	San Francisco
San Jose	Santa Clara
Fairfield	Solano

NOTE: Cities are listed in alphabetical order by county.

FIGURE 3 Construction Pollution Risk in the San Francisco Bay Area Air Basin



SAN DIEGO

This air basin ranks third behind the South Coast and San Francisco Bay Area for damage from construction equipment pollution. For 2005, this includes estimates of:

- nearly 90 premature deaths
- more than 80 hospitalizations for respiratory and cardiovascular disease
- more than 170 cases of acute bronchitis
- more than 2,000 incidences of asthma attack and other lower respiratory symptoms
- 38,500 days of lost work and school absences
- more than 100,000 days of restricted activity

This loss of life and productivity cost San Diego residents an estimated \$718 million.

Within the air basin, 25 cities and towns had active construction permits during 2005 accounting for more than 22,500 acres of land under construction. San Diego is by far the most populated and largest city in the air basin falling in the top 10 percent of Construction Risk Zones; others include Chula Vista and Oceanside, which both have a population density similar to San Diego and more than 1,000 acres under construction permit in 2005.

TABLE 8 San Diego Construction Pollution Damage

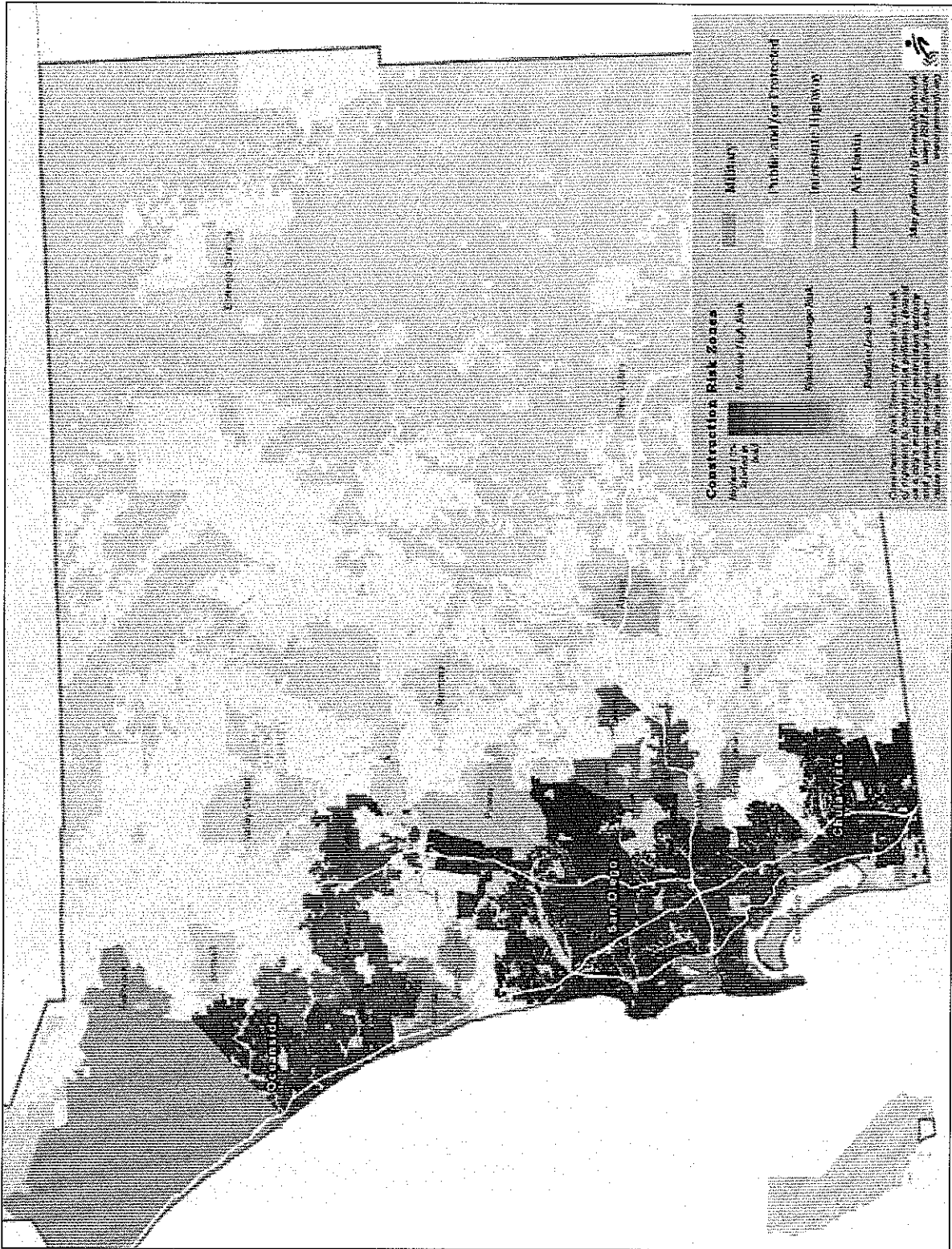
Health Endpoint	Mean Annual Incidences	Annual Costs (in thousands of 2005 dollars)
Premature Deaths	89	703,222
Respiratory Hospitalizations	50	1,703
Cardiovascular Hospitalizations	33	1,357
Asthma and Other Lower Respiratory Symptoms	2,127	40
Acute Bronchitis	177	75
Lost Work Days	14,014	2,523
Minor Restricted Activity Days	113,280	6,797
School Absences	24,689	2,173
Total Annual Cost		717,890

TABLE 9 Top 10 Percent of San Diego Construction Risk Zones

City	County
Chula Vista	San Diego
Oceanside	San Diego
San Diego	San Diego

NOTE: Cities are listed in alphabetical order by county.

FIGURE 4 Construction Pollution Risk in the San Diego Air Basin



SAN JOAQUIN VALLEY

This air basin, comprising the southern counties of California's Central Valley, ranks fourth for health and economic damage from construction equipment pollution. For 2005, this includes estimates of:

- nearly 50 premature deaths
- 70 hospitalizations for respiratory and cardiovascular disease
- more than 100 cases of acute bronchitis
- more than 1,200 incidences of asthma attack and other lower respiratory symptoms
- 39,000 days of lost work and school absences
- nearly 100,000 days of restricted activity

This loss of life and productivity cost San Joaquin Valley residents an estimated \$401 million.

Within the air basin, 66 cities and towns had active construction permits during 2005 accounting for more than 32,500 acres of land under construction. The seven cities comprising the air basin's top 10 percent of Construction Risk Zones are spread throughout the valley (in six different counties) and correspond to the most populated areas.

TABLE 10 San Joaquin Valley Construction Pollution Damage

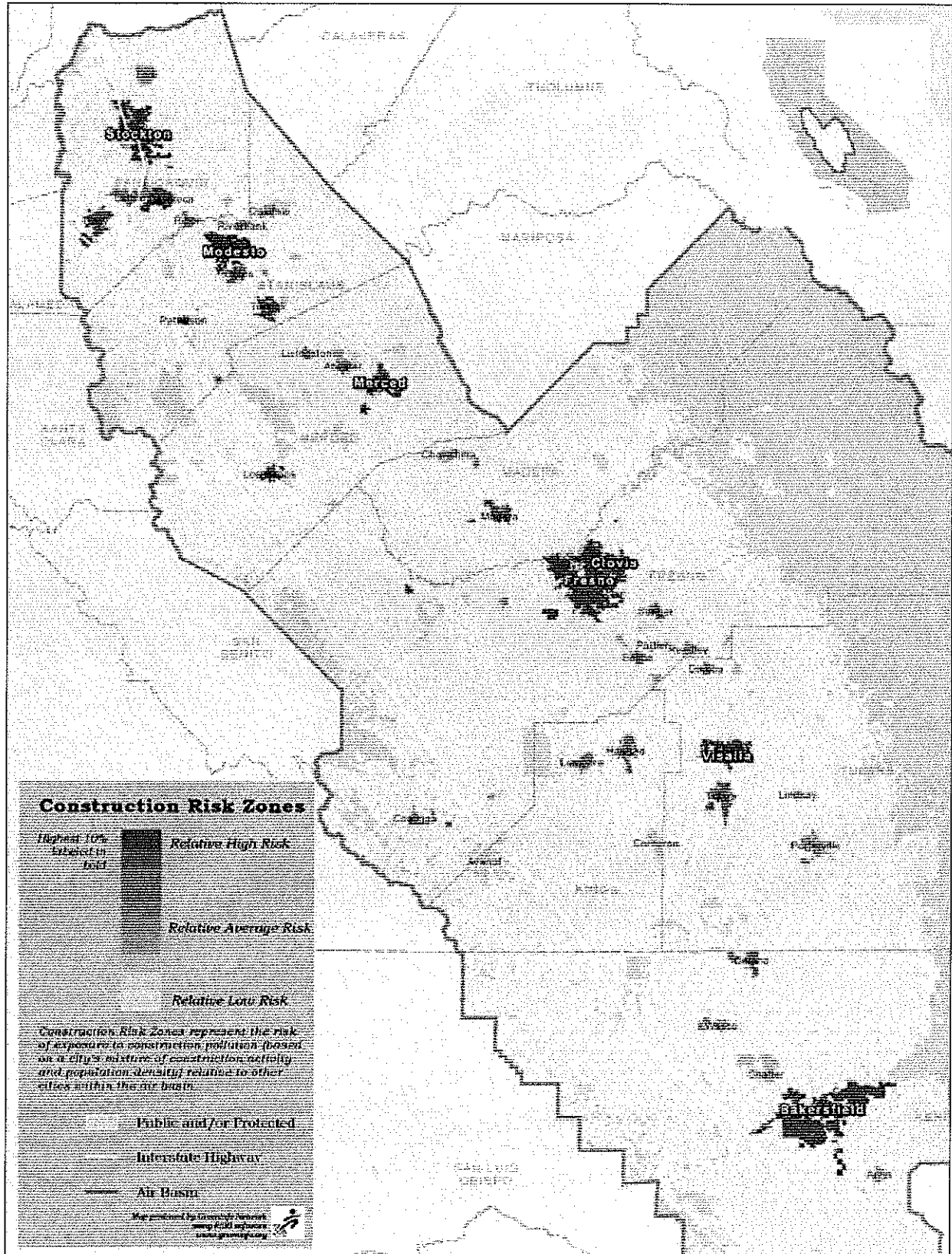
Health Endpoint	Mean Annual Incidences	Annual Costs (in thousands of 2005 dollars)
Premature Deaths	49	388,547
Respiratory Hospitalizations	55	1,858
Cardiovascular Hospitalizations	14	592
Asthma and Other Lower Respiratory Symptoms	1,284	24
Acute Bronchitis	107	45
Lost Work Days	6,241	1,123
Minor Restricted Activity Days	99,585	5,975
School Absences	33,282	2,929
Total Annual Cost		401,094

TABLE 11 Top 10 Percent of San Joaquin Valley Construction Risk Zones

City	County
Clovis	Fresno
Fresno	Fresno
Bakersfield	Kern
Merced	Merced
Stockton	San Joaquin
Modesto	Stanislaus
Visalia	Tulare

NOTE: Cities are listed in alphabetical order by county.

FIGURE 5 Construction Pollution Risk in the San Joaquin Valley Air Basin



SACRAMENTO VALLEY

This air basin, comprising the northern counties of California's Central Valley, ranks fifth for health and economic damage from construction equipment pollution. For 2005, this includes estimates of:

- nearly 40 premature deaths
- more than 40 hospitalizations for respiratory and cardiovascular disease
- more than 65 cases of acute bronchitis
- 790 incidences of asthma attack and other lower respiratory symptoms
- 22,000 days of lost work and school absences
- more than 50,000 days of restricted activity

This loss of life and productivity cost Sacramento Valley residents an estimated \$314 million.

Within the air basin, 52 cities and towns had active construction permits during 2005 accounting for more than 29,000 acres of land under construction. The cities falling in the top 10 percent of Construction Risk Zones include the city of Sacramento and its suburbs Elk Grove, Roseville, and Woodland, along with Yuba City in Sutter County.

TABLE 13 Top 10 Percent of Sacramento Valley Construction Risk Zones

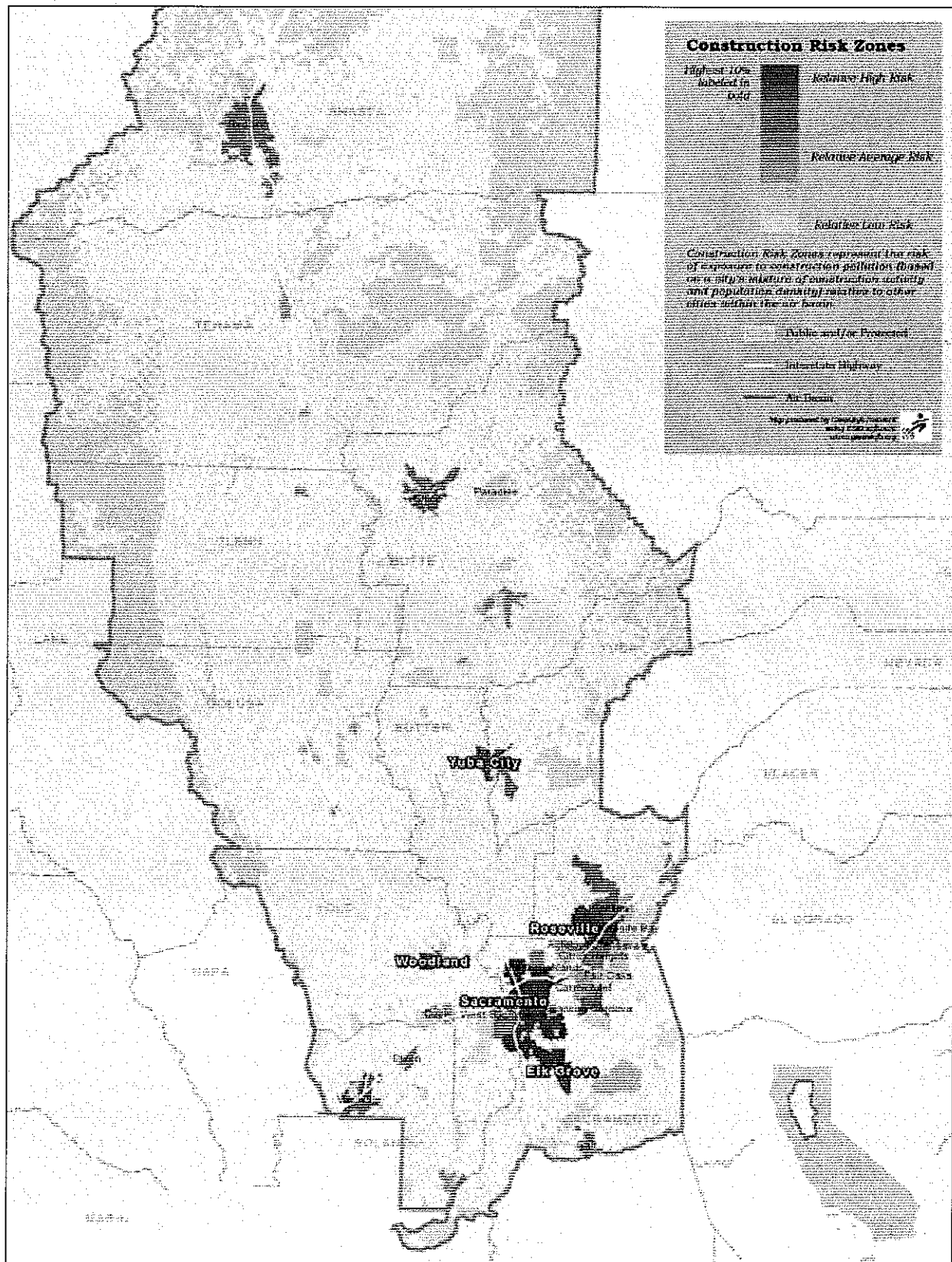
City	County
Roseville	Placer
Elk Grove	Sacramento
Sacramento	Sacramento
Yuba City	Sutter
Woodland	Yolo

NOTE: Cities are listed in alphabetical order by county.

TABLE 12 Sacramento Valley Construction Pollution Damage

Health Endpoint	Mean Annual Incidences	Annual Costs (in thousands of 2005 dollars)
Premature Deaths	39	306,638
Respiratory Hospitalizations	30	1,003
Cardiovascular Hospitalizations	12	493
Asthma and Other Lower Respiratory Symptoms	790	15
Acute Bronchitis	66	28
Lost Work Days	4,617	831
Minor Restricted Activity Days	50,408	3,025
School Absences	17,492	1,539
Total Annual Cost		313,571

FIGURE 6 Construction Pollution Risk in the Sacramento Valley Air Basin



CONCLUSIONS

Construction equipment is operating in cities and towns throughout California, releasing harmful NO_x and PM emissions into the air and raising the risk of exposure to these pollutants for residents who live and work near construction sites. The likelihood of people living or working close to construction sites is highest in densely populated urban areas, but the suburbs are not

free of risk from construction equipment pollution. Many projects in these areas, including new commercial and residential developments, require extensive use of construction equipment for land clearing and grading operations. Road construction and maintenance projects occurring throughout the state add additional risk.

Construction equipment pollution is therefore a health concern for all Californians.

Chapter 4

BUILDING A CLEANER FUTURE

Because of its long working life, high replacement cost, and lagging emission standards, diesel construction equipment will continue to pollute for decades. That means Californians will suffer from increased hospital admissions for respiratory and cardiovascular disease, asthma attacks, acute bronchitis, and even premature death—unless the state takes action to dramatically reduce construction equipment pollution.

WHAT CAN CALIFORNIA DO?

Under the federal Clean Air Act, California has the unique authority to regulate construction equipment. The state should use this authority to establish stringent new regulations that would complement its recent efforts to clean up pollution from other on-road and off-road sources of diesel pollution.¹⁰ An effective regulatory regime for diesel construction equipment would:

- reduce diesel PM 75 percent below 2000 levels by 2010 and 85 percent below 2000 levels by 2020—which would reduce estimated annual premature deaths from construction equipment pollution by 790 (70 percent) compared with 2005
- phase out or retire the oldest, most polluting equipment
- install the best available retrofit technology on newer equipment

- require the strongest emission controls near sensitive locations such as schools, nursing homes, hospitals, and day care centers

Incentive programs have also proven effective in cleaning up construction equipment (UCS 2004). These programs should continue to fund equipment cleanup with the goal of achieving emission reductions above and beyond what regulations require.

There are a number of cost-effective ways to reduce emissions from construction and other off-road diesel equipment, allowing for flexibility in meeting reduction targets:¹¹

- **Refuel.** Switching to alternative diesel fuels can achieve modest reductions in pollutants. These fuels can also facilitate the use of advanced retrofit technologies, resulting in even less pollution.
- **Repower.** The body or chassis of some equipment can last many decades, beyond the life of the original engine. Installing a new low-emission engine in an older chassis can allow the machine to run cleanly for many more years. California's Carl Moyer incentive program is currently funding some repower projects for construction equipment.¹²
- **Replace.** Replacing old equipment with a new lower-emission model ahead of schedule can result in substantial pollution reductions.

¹⁰ CARB has passed numerous regulations under its Diesel Risk Reduction Plan that set strict emission reduction targets for specific types of diesel vehicles and equipment (CARB 2005a, 2005b, 2005c, 2004b, 2003a, 2003b, 2003c, 2000).

¹¹ Previous UCS analysis found that diesel cleanup through California's Carl Moyer incentive program achieves benefits valued at 10 times the cost of cleanup (UCS 2004).

¹² Repower projects funded by the Carl Moyer incentive program must meet stringent cost-effectiveness thresholds (CARB 2000a, 2004a).

- **Retrofit.** Existing engines that can be expected to run for many more years can be retrofitted with emission control technologies that reduce PM more than 90 percent.¹³
- **Reduce idling.** Idling equipment not only pollutes, but also wastes fuel. Limiting idle time, on the other hand, saves money by reducing fuel use and wear-and-tear on the engine.

Efforts around the country and around the world are proving that the technology exists to lower construction equipment emissions. In Switzerland, for example, an aggressive regulation to curtail diesel PM emissions from construction sites has resulted in thousands of retrofits (Mayer 2004, 2005). In 2003, New York City passed an ordinance requiring that diesel equipment on all city-funded construction sites use ultra-low-sulfur fuel and be retrofitted with the best available control technology (Bradley 2006). Boston's "Big Dig" incorporated more than 200 retrofit devices on construction equipment, and Connecticut's Harbor Crossing Corridor is following suit.

In California, some air districts are funding repowers and retrofits through the Carl Moyer incentive program and, for large projects, requiring the use of cleaner construction equipment.¹⁴ These and other groundbreaking efforts (MECA 2006) have proven the success of cleanup technology for construction equipment, but statewide action is necessary to achieve the greatest reductions and maximum health benefits.

WHAT CAN YOU DO?

By taking the following actions, individuals can help protect themselves from harmful diesel emissions and make sure that the appropriate

decision makers know that Californians want diesel-powered construction equipment cleaned up:

- File a visible smoke complaint with your air district (contact information can be found at <http://www.arb.ca.gov/capcoal/roster.htm>) or CARB (call 800-952-5588 or email vruiz@arb.ca.gov) when you see plumes of diesel soot coming from construction equipment. Request that an inspector be sent to the site and investigate the emission source.
- Report illegal idling (commercial trucks that haul dirt or service construction sites cannot idle for more than five minutes) to CARB (visit <http://www.arb.ca.gov/enf/complaints/complaints.htm> or call 800-END-SMOG) or your local air district (contact information can be found at <http://www.arb.ca.gov/capcoal/roster.htm>). Citations for illegal idling can also be issued by local law enforcement.
- Tell your state legislative representatives (contact information can be found at <http://www.leginfo.ca.gov/yourleg.html>) and CARB (arbboard@arb.ca.gov) that cleaner construction equipment is important to you.
- Close your windows while diesel-powered equipment is operating near your home or office.
- Raise your concern about emissions from proposed construction in your neighborhood during the public review period, and demand that the project's environmental impact review assesses these emissions and includes a strategy for controlling them.
- Urge your city council to protect residents from construction pollution by enacting a clean-construction ordinance—especially around sensitive sites such as schools and day care centers.

¹³ CARB has verified retrofit technologies for use on off-road equipment. See <http://www.arb.ca.gov/diesel/verde/verifiedtechnologies/cvt.htm>.

¹⁴ The Sacramento Metropolitan Air Quality Management District (<http://www.airquality.org/ceqa/index.shtml>) and San Luis Obispo County Air Pollution Control District (contact: Andrew Muziger) require construction equipment pollution mitigation for some projects under the California Environmental Quality Act.

*Appendix***ESTIMATING THE HEALTH DAMAGE AND ECONOMIC COSTS OF CONSTRUCTION POLLUTION**

Our polluted air has provided researchers a real-world laboratory for studying the impact of air pollution on people's health. Numerous epidemiological studies tracking thousands of individuals have linked PM exposure to premature death as well as cardiovascular and respiratory illnesses. Similar studies have been carried out for exposure to ozone pollution. These studies provide the basis for estimating the health benefits of reducing air pollution and are used in this study to estimate the impact of construction pollution.

The health effects quantified in this report are based on peer-reviewed epidemiological studies used by both the EPA and CARB to evaluate the benefits of reducing air pollution. These studies establish a statistically significant relationship between exposure to PM and ozone and increased incidences of specific health endpoints, which can then be quantified through a concentration-response function. The uncertainty in these estimates is quantified by presenting results as both a mean estimate of the number of incidences and a range of estimates representing the 95 percent confidence interval.¹⁵

Our analysis links health and economic damage to construction equipment pollution by using California-specific air quality monitoring data, county baseline health incidence rates, population estimates, and a diesel construction equipment emission inventory. PM concentrations for specific air basins were measured by CARB when identifying diesel PM as a toxic air contaminant (CARB 1998). And CARB recently evaluated

concentration-response functions for specific health endpoints using diesel PM concentration estimates along with population data, baseline health incidence rates, and an inventory of diesel emission sources related to the movement of goods (CARB 2006a). As part of these efforts, air basin-specific factors were estimated (in tons of diesel pollution per incidence) for each health endpoint. UCS used these factors along with CARB's air basin-specific inventory of diesel PM, NO_x, and reactive organic gases (ROG) to estimate the health effects of PM and ozone from construction equipment (CARB 2006d).

Each health endpoint covered in this report is assigned a dollar value to estimate the economic impact of diesel pollution. The EPA uses economic valuations of health endpoints to perform cost-benefit analyses of air pollution reduction measures, and our analysis reflects changes made to the EPA's hospitalization endpoints and lost work days to better reflect California-specific wage and health care data (CARB 2006a).

Premature death is the most serious health endpoint related to diesel pollution and has the greatest economic impact. Estimates of premature death resulting from exposure to fine PM are based on long-term exposure for people 30 or older, and include all causes of death (Pope 2002). Individuals with existing respiratory and cardiovascular disease and the elderly are most vulnerable, and life expectancies are shortened by months or even years (Pope 2000). Economic valuation of premature death is based on a review of studies carried

¹⁵ For a list of the epidemiological studies used, see CARB 2006a and EPA 2004.

out by the EPA and on society's "willingness-to-pay" to lower the risk of premature death (EPA 1999).

CONSTRUCTION PERMIT DATA

The California State Water Resources Control Board (SWRCB) construction permit database was chosen as the primary source for representing construction activity in California. Residential and commercial building permit data were excluded from the study due to overlapping information with the SWRCB database and the inclusion of projects that may not involve the use of diesel construction equipment.

SWRCB construction permits, which we used to calculate Construction Risk Zones, are required under the federal Clean Water Act for projects that disturb more than one acre of land. According to the SWRCB Fact Sheet for Water Quality Order 99-08-DWQ:

Construction activity subject to this General Permit includes clearing, grading, disturbances to the ground such as stockpiling, or excavation that results in soil disturbances of at least one acre of total land area. Construction activity that results in soil disturbances of less than one acre is subject to this General Permit if the construction activity is part of a larger common plan of development that encompasses one or more acres of soil disturbance or if there is significant water quality impairment resulting from the activity.

Construction projects that disturb more than one acre of land generally involve the use of diesel earthmoving construction equipment. These permits, while not directly representing construction equipment activity, provide the best available indication of where large earthmoving equipment is being used.

Limitations of permit data. There are, however, some limitations to estimating construction activity from SWRCB permits.

Projects under permit may go through many different phases of construction before completion, not all of which require the use of diesel-powered construction equipment or sustained levels of construction equipment activity. Therefore, there is no guarantee that construction equipment was operated on site during a specific period of time, but permittees must pay an annual fee to the SWRCB to keep permits active. This monetary requirement should minimize the number of permittees holding active permits but not performing construction activity.

Additionally, there are some construction projects that will not appear in the SWRCB database. Projects in which storm runoff is captured in a combined sewer/storm water system do not require permits because the water treatment plant that receives the runoff is the permitted entity. Some projects in San Francisco and Sacramento, where a combined sewer system exists, may be excluded from the database as a result, but the majority of California cities do not have combined sewer/storm water systems.

Furthermore, some projects listed in the SWRCB database have incomplete location information. These details can include street address with or without number, street intersections with or without compass directions, pier number, and tract number. Mapping project location by city rather than zip code or street address allowed us to capture 90 percent of the acres under permit.

Because the size of a project is represented by the number of acres disturbed during construction, the amount of construction equipment activity may not have a linear relationship to the size

of the project. In general, large-acreage projects will likely have greater construction equipment activity than small-acreage projects. However, urban construction sites that are relatively small in area may have heavy construction equipment activity due to multi-story construction. For instance, a two-acre high-rise construction site in

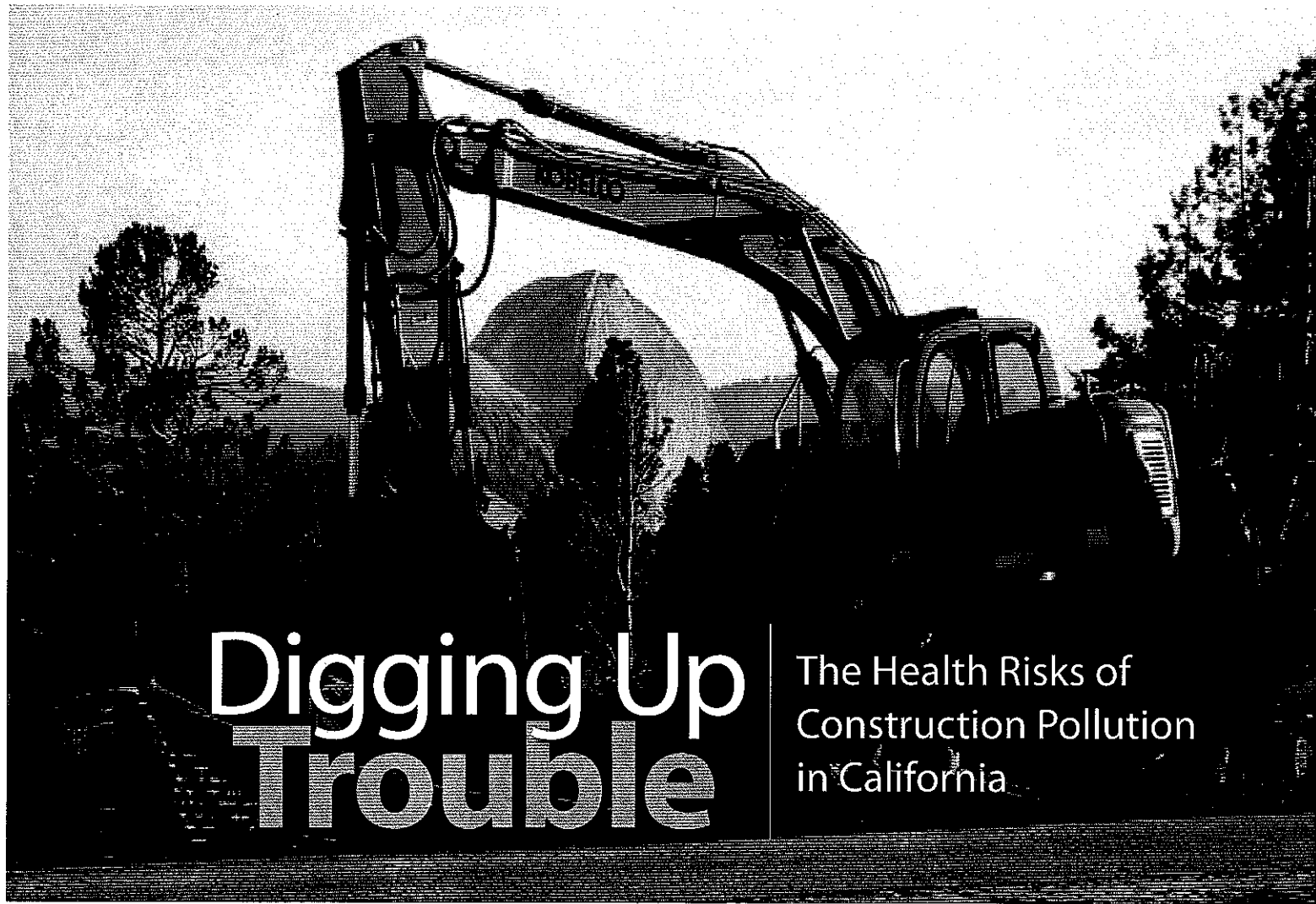
downtown Los Angeles may have a much higher sustained level of construction equipment activity than a two-acre single-family home construction site in the suburbs. The available data did not allow us to distinguish between single-story and multi-story construction.

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Digging Up Trouble

The Health Risks of Construction Pollution in California

Diesel engines may conjure up images of big rigs or transit buses, but construction equipment is a leading source of diesel pollution in California. Air pollution caused by construction equipment can result in severe cardiovascular and respiratory illnesses, asthma attacks, acute bronchitis, and even premature death.

This study quantifies the effect of construction pollution on California's public health and economy, both across the state and in the five most-affected regions. The risk of exposure to construction activity is evaluated for cities in each of these regions.

Construction equipment will continue to be a significant source of pollution over the next two to three decades unless California acts now. By adopting the cost-effective technology solutions that already exist (and those that will become available over the next few years), the state can reduce this public health threat and help all Californians breathe easier.

National Headquarters
Two Brattle Square
Cambridge, MA 02238-9105
Phone: (617) 547-5552
Fax: (617) 864-9405

West Coast Office
2397 Shattuck Ave., Ste. 203
Berkeley, CA 94704-1567
Phone: (510) 843-1872
Fax: (510) 843-3785

Washington, DC, Office
1707 H St. NW, Ste. 600
Washington, DC 20006-3962
Phone: (202) 223-6133
Fax: (202) 223-6162



**Union of
Concerned
Scientists**

Citizens and Scientists for Environmental Solutions

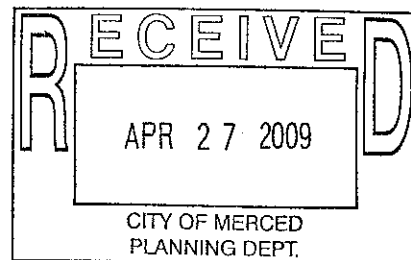
Website www.ucsusa.org

Email ucs@ucsusa.org



Printed on recycled paper

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



Dear Ms. Espinosa,

The Wal-Mart Distribution Center could legitimately increase the likelihood of blackouts in Merced. Merced has experienced blackouts during some of the hottest days of the year. Both displacement and death have been unfortunate results.

The environmental study should require more specific details on how Wal-Mart will take measures ensure it does not increase our electrical capacity and put residents in danger.

Moreover, the applicant should go one step further and commission a study to help reduce its consumption on our city grids. In January of 2009, Coca-Cola released a statement saying they had reduced their consumption of electricity in California by 5.6 million kilowatt-hours per year through changing their lighting source. (Article can be found at: <http://news.moneycentral.msn.com/ticker/article.aspx?symbol=US:OESX&feed=BW&date=20090109&id=9502842>).

This should be a public safety priority for the City of Merced.

Thank you,

Justin Kenne
321 West 27th St
Merced CA 95340

For Immediate Release

Coca-Cola Enterprises reduces electricity consumption by 5.6 million kilowatt-hours a year in California facilities

Smart energy management practices drastically reduce greenhouse gas emissions, earns local bottler environmental award

Downey, CA – January 9, 2009 - As part of its global commitment to corporate responsibility and sustainability, Coca-Cola Enterprises (CCE) is nearly complete with a major lighting retrofit project to reduce energy consumption in its California facilities. The project will decrease CCE's energy consumption for lighting by 5.6 million kilowatt-hours (kWh) a year, with the potential to decrease 113 million kilowatt-hours over the 20-year life of the new system. This is enough electricity to power 537 homes annually. The project has earned CCE the Orion Energy Systems Environmental Stewardship Award, which was presented today by Orion's executive vice president Michael Potts to Coca-Cola Enterprises' executives during a ceremony at its Downey, Calif., production facility.

Public officials who attended the event and addressed the audience include the Mayor of the City of Downey, California, Dn. Mario Guerra, 27th District, California State Senator Alan Lowenthal (D-Long Beach), California Governor Arnold Schwarzenegger's Deputy District Director Araceli Gonzalez and U.S. Senator Dianne Feinstein's Field Representative Elizabeth Delgado. Also in attendance were Downey Third District Councilman Roger Brossmer and 5th District Councilman Luis Marquez.

Campbell Hawkins, manager of energy efficiency for Southern California Edison, the utility that provides power to many of Coca-Cola Enterprises' California facilities, applauded CCE for its commitment to energy efficiency. Hawkins also cited the importance of working together with companies like Coca-Cola Enterprises and Orion Energy Systems to reduce pressure on California's strained electrical grid.

The project entailed replacing more than 4,000 high-intensity discharge (HID) and fluorescent lights with Orion's Compact Modular™, high-intensity fluorescent (HIF) system at 24 Coca-Cola Enterprises facilities throughout California. CCE also has installed solar power generating panels on the roof of its Los Angeles facility, has committed to make all sales and marketing equipment on average 20 percent more energy efficient by 2010, and has 10 hybrid electric trucks delivering product to customers throughout Los Angeles. In all, CCE has 142 hybrid electric delivery trucks, giving it the largest fleet of heavy-duty hybrid delivery trucks in North America.

Coca-Cola Enterprises has established five strategic focus areas, three of which – energy conservation/climate change, water stewardship, and sustainable packaging/recycling – are

related to the environment. CCE remains focused on conserving water in its operations and is in the process of installing water-efficient technology such as container rinsers that use ionized air rather than water, silicon-based dry lubricants on its production lines and water reclamation upgrades. Additionally, the company has worked to increase recycling rates nationwide through the work of Coca-Cola Recycling.

“At Coca-Cola Enterprises, corporate responsibility and sustainability is where the world touches our business and where our business touches the world,” said Terry Fitch, general manager and vice president of Coca-Cola Enterprises’ West Business Unit. “We’re doing everything we can to help reduce our carbon footprint in California and across the country, because we believe that responsible and sustainable business practices like this will not only help us manage through these complex times but will also ensure the long-term growth of our company, sustainable development in our communities, and protection of the environment.”

As a result of the 5.6 million kWh annual reduction generated from the lighting retrofit, Coca-Cola Enterprises will help to divert 3,715 tons of carbon dioxide (CO₂) from entering the atmosphere each year, according to the Environmental Protection Agency. Also, Coca-Cola Enterprises will reduce the amount of sulfur dioxide (SO₂) released by 15 tons per year, and the amount of nitrogen oxides (NO_x) by 5 tons per year. The power use reduction is the air-scrubbing equivalent of planting a 1,038-acre forest or the energy equivalent of saving 466,962 gallons of gasoline each year.

The environmental benefits and energy cost savings of the Coca-Cola Enterprises project are possible because Orion fixtures are engineered based on the dual principles of optimizing input energy and maximizing lighting output. Orion’s patented high-intensity fluorescent lighting platform uses about 50 percent less energy and provides 50 percent more light than traditional high-intensity discharge lights, which have been the industry norm since approximately 1960. Orion systems turn on instantly, provide a more natural type of light, and operate at a relatively cool 110 degrees.

“Coca-Cola Enterprises is fast becoming one of the leaders in responsible and sustainable business practices,” said Michael Potts, executive vice president of Orion. “The State of California benefits from the environmental attributes of Coca-Cola Enterprises’ efforts, including taking significant power off the electrical grid which tends to lessen the upward pressure that exists on power prices and the need for new power plants.”

“Lighting accounts for 55 percent of the energy we use in our sales and distribution centers and ten percent in our production facilities. Therefore, reducing our lighting energy use by half makes good economic sense for us because it creates operational efficiencies while protecting the environment,” added Fitch.

“This is an historic moment,” said California State Senator Alan Lowenthal. “What we are experiencing here today is a major paradigm shift. Corporate citizens such as Coca-Cola Enterprises and Orion Energy Systems are saying the solution to pollution is prevention. The solution to pollution is sustainability. The solution to pollution is reducing our carbon footprint.

Great corporate citizens like Coca-Cola Enterprises – that is how the United States will lead the world, so I am just really pleased to be here.”

Orion’s energy efficient technology platform includes its Compact Modular™ high-intensity fluorescent lighting system, the Intelite™ wireless control system and the direct renewable Apollo™ solar light pipe, all of which are installed as an integrated system in the Downey facility warehouse. The integrated system was recently internationally recognized with the prestigious Platts Global Energy award for the single most innovative and sustainable technology of 2008. The system can reduce energy consumption for lighting in a commercial/industrial facility for up to ten hours a day during daylight hours when the electric grid is operating at or near peak capacity.

Orion has deployed its energy management systems in 4,068 facilities across North America including 108 of the Fortune 500. Since 2001, Orion technology has displaced more than 386 megawatts, saving customers more than \$455 million and reducing indirect carbon dioxide emissions by 4 million tons.

About Orion Energy Systems, Inc.

Orion Energy Systems Inc. (Nasdaq: OESX) is a leading power technology enterprise that designs, manufactures and implements energy management systems, consisting primarily of high-performance, energy-efficient lighting systems, controls and related services for commercial and industrial customers without compromising their quantity or quality of light. For more information, visit www.oriones.com.

About Coca-Cola Enterprises

Coca-Cola Enterprises is the world’s largest marketer, distributor, and producer of bottle and can liquid nonalcoholic refreshment. CCE sells approximately 80 percent of The Coca-Cola Company’s bottle and can volume in North America and is the sole licensed bottler for products of The Coca-Cola Company in Belgium, continental France, Great Britain, Luxembourg, Monaco, and the Netherlands. For more information, please visit www.cokecce.com.

Media Contact

Linda Diedrich

Corporate Communications

Orion Energy Systems, Inc.

(920) 482-1988

lijd@oes1.com

Bob Phillips

Public Affairs and Communications

Coca-Cola Enterprises

(213) 744-8653

bophilips@cokecce.com

Laura Brightwell

Public Affairs and Communications

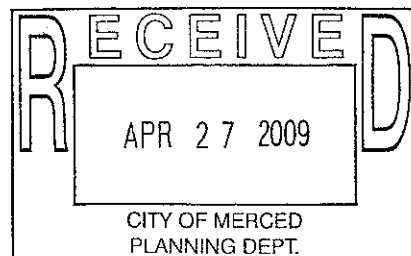
Coca-Cola Enterprises
(770) 989-3023
lbrightwell@cokecce.com

Kim Espinosa, Planning Manager

City of Merced Planning Division

678 West 18th Street

Merced, CA 95340



Dear Ms. Espinosa,

The DEIR should have required a specific landscaping plan from the Wal-Mart. A better understanding of the water consumption issues needs to be looked into.

I understand that the City has requirements regarding the implementation of water efficient landscaping, but the large size of the project requires further study at the steps they will take to

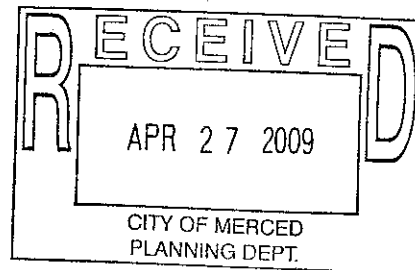
The City should require the applicant to plant more mature trees, evergreen and deciduous trees, along the perimeter of the distribution center as a visual safeguard.

Sincerely,

Justin Kenney
321 West 20th
Merced CA 95340

121D

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




Dear Ms. Espinosa,

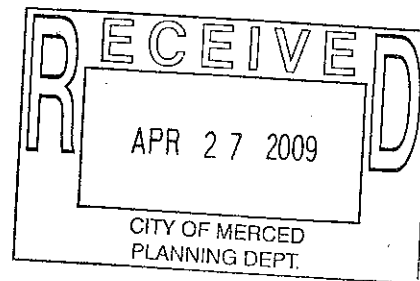
I am writing to request that the City of Merced require the proposed Wal-Mart Distribution Center to be LEED Platinum Certified as a condition to its final approval.

I encourage you to make sure that this brings out the best in Merced.

Best Regards,

Just in kenney
321 west 27th st
Merced CA 95340


Kim Espinoza, Planning Manager
City of Merced Planning Department
678 West 18th Street
Merced, CA 95340



Ms. Espinoza:

I have a real problem with Section 6 of the Environmental Impact Report for the Wal-Mart distribution center.

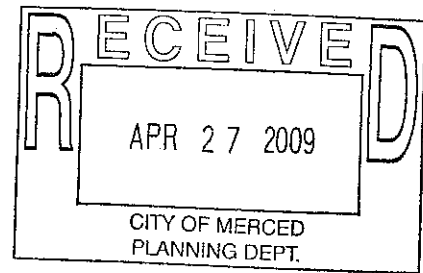
The EIR only looks at impacts in the southeastern part of Merced. That is a problem because this project impacts the entire region. The City of Merced has the obligation to look at the entire picture and assess the cumulative impacts on the region, not just the southeastern portion.

As a resident, I demand you follow look at this project for what it is called, a regional distribution center. After a few years of review of this project, I expected to see an EIR that got the job done explaining specifics about the project. This did not happen, and Merced residents may have to bear the impacts because the City was not thorough enough.

Post in Kenny
321 west 27th st
Merced CA 95340

121F

**Kim Espinoza, Planning Manager
City of Merced Planning Department
678 West 18th Street
Merced, CA 95340**



Ms. Espinoza:


After reading through the EIR for the Wal-Mart Distribution Center, I am appalled by many questions the document did not address. Below please find a few important issues not addressed properly in the EIR:

- Why would you knowingly offer up a project that violates the goals of California's AB 32 guidelines to curb global warming? You are inviting a costly lawsuit that the City is likely to lose.

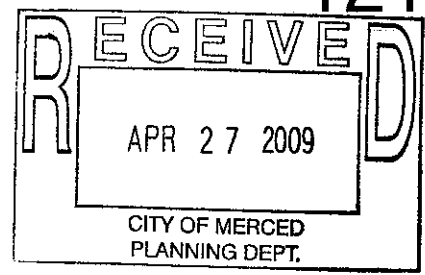
- Why does the cumulative impact analysis look only at the South Merced area? This distribution center is being built to accommodate major new retail growth in central California. The trucks that run in and out of this distribution center will impacts multiple roads and highways and generate traffic, pollution and dangerous roadway throughout the region.

On what reasonable basis can you assume that "the proposed project can be viewed as a means to improve the service of existing retail outlets"? (6-35)

. This section author realizes that to be truthful about the purpose of this store is to open a can of worms about cumulative impacts in multiple jurisdictions that will have a say in this project.

Justin Kenny
321 West 27th St
Merced CA 95340


121G



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

Dear Ms. Espinosa,

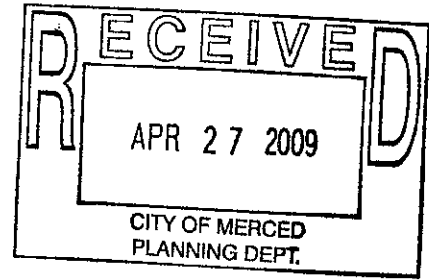
As a teacher in Merced schools, I've very concerned that the Wal-Mart distribution center is a poorly chosen site because of the danger the massive truck traffic will pose to our students.

To minimize the dangers, Wal-Mart should be barred from using the ramps at Childs and Highway 99 and from cutting through local streets to get to Highway 140. There will still be significant dangers, but these are at least reasonable steps toward making sure kids who walk to and from school will be safer.

Post in kenay
 Name
 321 west 27th Street
 Address
 Merced, CA 95340
 City, State, Zip
 [Signature]
 Signature
 April 16/2009
 Date

April 11, 2009

Kim Espinosa
Project Manager
Merced Planning Division
678 West 18th St.
Merced, CA 95340



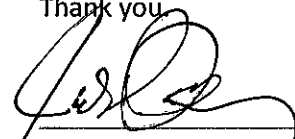
Ms. Espinosa,

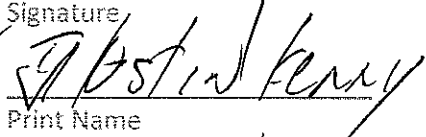
I think the environmental impact report makes a very egregious claim in its "Alternative to the Proposed Project" section. Under section 5.4.12 Transportation/Traffic, you assume that any other proposal for the location will be the same size as Wal-Marts. You claim that no alternative would change the conclusions of the traffic section.

Do you ever consider that some other company might have an even smaller design than Wal-Mart? Why do you assume another company would have the same proposal as Wal-Mart? Besides, in Section 5.4.14 Attainment of Project Objectives you go on to claim "However, as shown below, a different project with an essentially identical use, could meet all identified objectives identified by both the applicant and the City." It's so obvious that this report is biased that you conclude the only project that is possible for this site is this distribution center. There are alternatives that will change your narrow minded conclusions.

As a concerned teacher in Merced, I think you failed to live up to the requirements of CEQA under this report. Go back to the drawing board.

Thank you



Signature


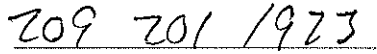
Print Name



Address

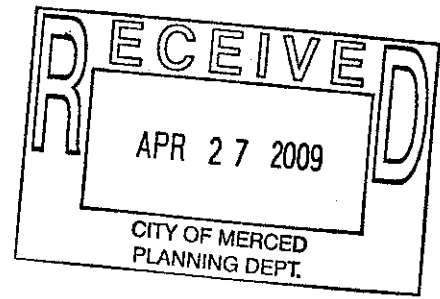


Address



Phone

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



Dear Ms. Espinosa,

The DEIR should provide a detailed plan regarding public transportation alternatives, specifically regarding public trails leading to the distribution center. Wal-Mart should be required to pay for trails to be linked directly to the distribution center to encourage employees from driving to the center on a daily basis. The EIR is deficient in looking at transportation alternatives for employees and should be addressed in the EIR's final report.

Sincerely,

Justin Kenny

Name

321 west 27th Street

Address

Merced CA 95340

City, State, Zip

[Handwritten Signature]

Signature

April 12/2009

Date

Espinosa, Kim

From: Espinosa, Kim
Sent: Wednesday, March 11, 2009 5:36 PM
To: Aaron Rios (E-mail); Bingaman, Jamie; Bramble, John; Colby Tanner (E-mail); Ed Hess (E-mail); Gary Jakobs (E-mail); Jim Emerson (E-mail); Joseph Loethen (E-mail); Judy Davidoff; Keith Morris (E-mail); Mark Spenser (E-mail); Marko Mlikotin (E-mail); Miriam Montesinos (E-mail); Quintero, Frank; Randy Chafin (E-mail); Thomas E. Dalferes (Ted) (E-mail)
Subject: FW: We need walmart!

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

From: JDKIM37@aol.com [mailto:JDKIM37@aol.com]
Sent: Tuesday, March 10, 2009 7:16 PM
To: Espinosa, Kim
Subject: We need walmart!

Kim,

Who needs a report we've lost budweiser distributor, rago, linens and things, Mervyns, circuit city, Albertsons and numerous businesses downtown just take a drive down main St. I think there's more places empty than open, we need jobs, we need Walmart, these people who oppose them coming to town are just plain crazy. I live in the area close to the Walmart warehouse so if anyone wants to come by my house to ask if I oppose Walmart I would be glad to answer there question! Please let Walmart come to Merced to help our people.

Thanks Jason Kimbro
215 Torino CT
Merced, Ca 95341
jdkim37@aol.com

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

Espinosa, Kim

From: Rita [message2rita@earthlink.net]
Sent: Sunday, March 29, 2009 7:50 PM
To: Espinosa, Kim
Subject: Wal-Mart Distribution Center

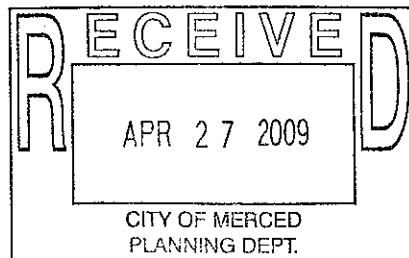
Ms. Espinosa,

My husband and I oppose the building of a Wal-Mart Distribution Center at Gerard Avenue and Tower Road. We live off Gerard Avenue on Capella Drive. We were happy to move to Merced, where my husband has been employed for over ten years, from the Bay Area because the housing prices were lower. We were attracted to our current home because it appeared to be located in a relatively undeveloped area with good potential. The building of the Wal-Mart Distribution Center would mean the loss of that potential as we ended up living in an area of increased traffic (especially truck traffic), pollution, and noise as if the homeowners of this part of Merced were written off by city leaders. Please don't disappoint us by putting unattractive, disruptive, and undesirable industry where it doesn't belong. Merced has other areas where the Distribution Center could easily be placed with little or no disruption and less controversy. Choosing one of those areas would mean that the homeowners of southeast Merced were valued by city leaders as much as those in parts of the city that are so-called fashionable.

Rita and Thomas Kindle
2674 Capella Drive
Merced, CA 95341

March 17, 2009

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



It seems to me the city has an attitude that we should just let Wal-mart do what they want. Are we so desperate for jobs that we need to build a MASSIVE industrial complex in a neighborhood? There are three schools in the area. Are we going to limit the noisy, dirty, 18-wheel trucks to when the kids aren't in school?

Why can't we find a site for this that isn't near schools and homes? Surely there is a site somewhere in this county that is closer to the freeway and better suited to the community than this one.

Thank you for your time.

Diana Knapp
 Signature

Diana Knapp
 Print Name

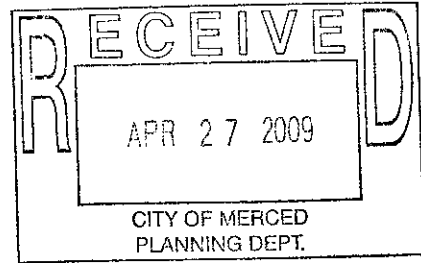
1240 W. 6th St.

Merced, CA 95340
 Address

209 385-6676
 Phone

March 31, 2009

Kim Esponosa
Merced Planning Department
678 West 18th Street
Merced, CA 95340



Ms. Espinosa,

After taking a glance at the Air Quality section of the distribution center's draft report, I'd like you to address the impact of the hot summers we have here in the Valley. I think about those hot days and how on some days, the air just doesn't seem to move. With no breeze, the pollution in the air just sits there, seeming to hang around the city. I hope you will study the air during these summer days and find out of how much more air pollution will be added. If you find there will be a lot, then this project shouldn't be allowed to be built.

Sincerely,

[Handwritten Signature]

Signature

Joel J. Knox

Print Name

88 Sweetwater Ave

Address

Merced, CA 95341

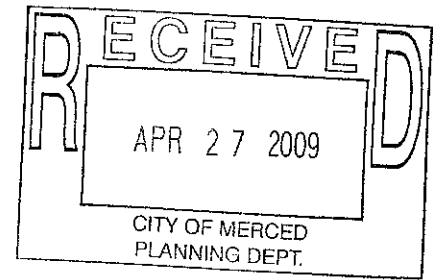
City, State Zip

(209) 726-1022

Phone Number

April 13, 2009

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



Re: Noise impacts of Wal-Mart Distribution Center

Dear Ms. Espinosa,

I have read the Section 4.8 Noise in the Wal-Mart Distribution Center DEIR and I have concerns with several issues. In particular I have concerns about noise. I have done some research on other Wal-Mart Distribution Centers and have learned that nearby residents can anticipate a diesel truck coming or leaving the distribution center every two minutes, 24 hours a day, every day of the year. The DEIR should specify the frequency of the 322 diesel trucks into and out of the distribution center by minute per hour. Additionally, it should detail the frequency in which the 1,200 employees will be entering and exiting the distribution center. In essence, my concern is that residents will be exposed to constant truck noise that currently does not exist. A sound wall will not mitigate diesel truck traffic every two minutes.

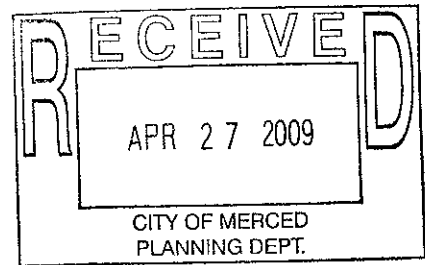
Sincerely,

Caroline Kreide

Caroline Kreide
1038 Robinson Dr.
Merced, CA 95340-3122
(209) 725-9339

March 28, 2009

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



Dear Ms. Espinosa,

The mitigation measures outlined in 4.8-1 are not feasible unless there is a specific monitoring plan. Who will this 'enforcement manager' report to? Is the person an employee of Wal-Mart? Or will the person be an employee of the City of Merced? Or will the enforcement manager be hired through an independent third party? What authority will this person have? The city should demand that Wal-Mart provide details, salary, etc for the enforcement manager it states it shall provide during construction.

Much appreciation,

Caroline Kreide

Caroline Kreide

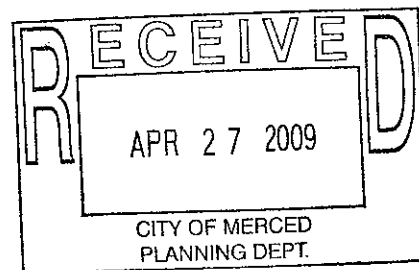
1038 Robinson Dr.

Merced, CA 95340-3122

(209) 725-9339

April 7, 2009

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



Re: Construction Noise Impacts

Dear Merced City Council and Ms. Espinosa,

While the construction hours outlined in the DEIR are reasonable, they are not reflective of the existing environment in Merced. There are many children walking and riding bicycles to school throughout the year. Obviously, this is much more frequent during the active school year, particularly during school hours. I would like the city to consider changing the hours of construction for the Wal-Mart Distribution Center to 8:30am to 3:30pm. This would significantly decrease the amount of harmful pollutants children might be exposed to on a daily basis.

Thank you,

Caroline Kreide

Caroline Kreide

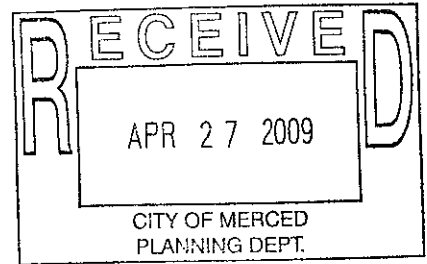
1038 Robinson Dr.

Merced, CA 95340-3122

(209) 725-9339

3/25/09

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



Dear Ms. Espinosa,

What will happen at this facility when county-wide emissions exceed federal standards? Can it be closed during spare the air days, or on days when we can't light a fire in our fire place?

Could a mitigation for the project include mandatory shutdown during those periods?

Thank you,

Caroline Kreide
Signature

Caroline Kreide
Practitioner

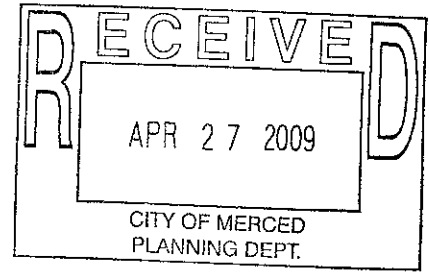
1038 Robinson Dr.
Address

Merced, CA 95340-3122
(209) 725-9339
Phone

126E

April 5, 2009

Ms. Kim Espinosa
Merced Planning Division
678 West 18th Street
Merced, CA 95340



Ms. Espinosa,

This project is going to worsen, and even exacerbate, poor air quality. The city needs to find a more appropriate location for this facility. For heavens sake, there are thousands of acres of farm land in this county. Why are we considering constructing a major industrial complex near homes and schools?

Thank you for your consideration,

Caroline Kreide

Signature

Caroline Kreide

Print Name

1038 Robinson Dr.

Address

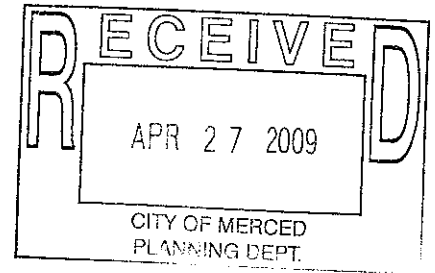
Merced, CA 95340-3122

(209) 725-9339

Phone

April 10, 2009

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



Kim,

I appreciate that some measures have been incorporated into the construction phase of this project to limit exposure to the fungus that causes valley fever, but more needs to be done specifically to prevent fungus from spreading during construction.

Sincerely,

Caroline Kreide
Signature

Caroline Kreide
Print Name

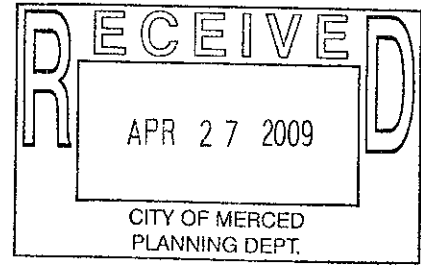
1038 Robinson Dr.
Address

Merced, CA 95340-3122
(209) 725-9339
Phone

126G

April 17, 2009

Ms. Kim Espinosa
Planning Manager
Merced Planning Division
678 West 18th Street
Merced, CA 95340



Dear Ms. Espinosa:

We already have poor air quality during the summer and part of the winter. We hang flags around the city to identify the air quality level. For some of us, we can't go outside or engage in outdoor physical activity when the Air Quality index exceeds 50 (yellow flag).

Approving this project will just create more days of the year when some of our kids can't play outside. Creating jobs is important, but so is the quality of life. I think it is far more important for our children and grandchildren to be able to play outside free of inhalers than it is to create a major polluter.

More needs to be done to make this facility a non-polluter.

Thank you for your attention.

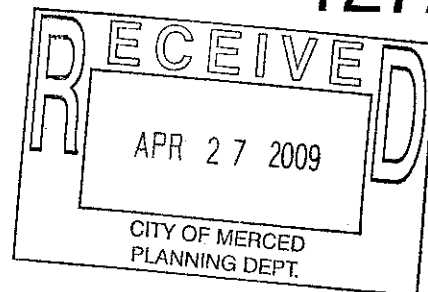
Caroline Kreide
Signature

Caroline Kreide
Print Name

1038 Robinson Dr.
Address

Merced, CA 95340-3122
(209) 725-9339
Phone

127A



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

Dear Ms. Espinosa,

I would like to see the City of Merced require the proposed Wal-Mart Distribution Center to be LEED Platinum Certified as a condition to the approval of the EIR and all permits. LEED is the current top standard for minimizing the impacts of construction on the local environment. The EIR should also include an explanation of how it would obtain LEED certification in its mitigation measures.

Regards,

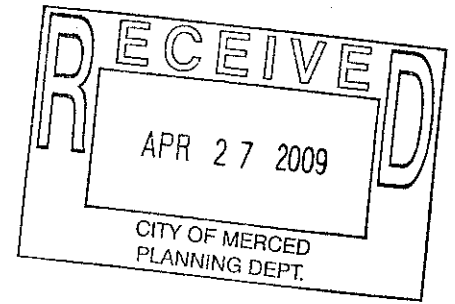
Cristina Lamban
Cristina Lamban

241 S. Coffee St.
Merced CA 95341

Kim Espinosa, Planning Manager
City of Merced Planning Division

127B

Kim Espinoza, Directora de Planificación
Ciudad de Merced Departamento de Planificación
678 West 18th Street
Merced, CA 95340



Señorita Espinoza:

Es decepcionante y triste que la ciudad de Merced no hará ninguna parte del estudio del centro de distribución de Wal-Mart disponible en Español. Hay una grande minoría de gente en el sur de Merced y nosotros somos quien va vivir cada día con los impactos de este proyecto, pero cuando viene el tiempo para tener acceso a documentos de la ciudad somos dejados del proceso por nuestro propio Gobierno Municipal.

El concilio debería tratar a las familias que hablan Español con más respeto y empezar a tener los documentos de la ciudad en diferentes idiomas.

Cristina Lambaren

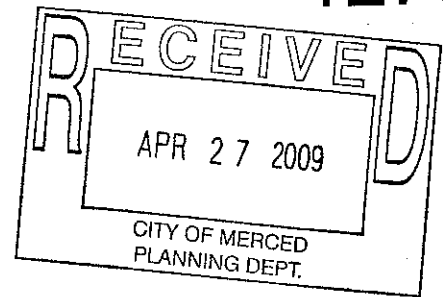
241 S coffee

merced CA 95341

Cristina Lambaren

127C

Kim Espinosa
Directora de Planificación
Ciudad de Merced Departamento de Planificación
678 West 18th Street
Merced, CA 95340



Ms. Espinosa:

Mis niños van a la escuela en la misma vecindad que Wal-Mart quiere poner su centro de transporte para camión. Estoy muy preocupado sobre que seguros estan los caminos cuando los niños caminan a la escuela y cuando otros padres manijan sus carros llenos de niños en las calles Childs y Gerard. Esto parece ser un lugar muy malo para este proyecto y no entiendo por qué no hay otro lugar como el otro lado de la carretera 99 donde ellos pueden construir pero no hará daño a esta vecindad.

Yo también estoy preocupado cómo la ciudad trata el vecindario con este estudio. Estamos en tiempos duros aquí y nuestros valores de propiedad han caído mucho. ¿Si usted construye esto, cómo pueden subir los valores otra vez? Muchas de las personas aquí sólo hablan Español y no saben lo que este proyecto hará. Más necesidades necesitan hacer hechos por el Departamento de Planificación para incluir a residentes Latinos en este proceso, quizás un foro en Español para la comunidad o un estudio en Español del EIR, para hacerlo un poco más fácil para personas que siempre estan dejado fuera del proceso político.

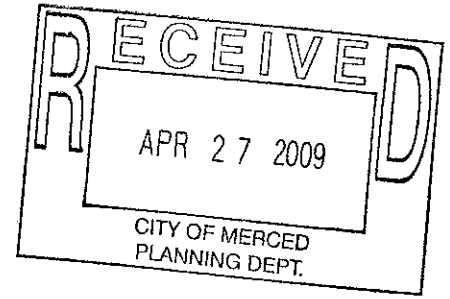
Gracias por su consideración.

Cristina Lambaron
241 S coffee
merced CA 95341
Cristina Lambaron

P.S. - Quiero que esta carta sea incluida con las otras cartas de comentario del EIR para la consideración del final EIR.

April 2, 2009

Ms. Kim Espinosa
City of Merced Planning Division
678 West 18th Street
Merced, CA 95340



Ms. Espinosa:

I have asthma. Members of my family have asthma. A lot of people in this community have asthma. Building a distribution center is not going to help the thousands of locals who suffer from illnesses caused by poor air quality. I saw that a Health Risk Assessment was completed, but where are the findings?

I think we all deserve to know exactly how bad this facility will be for our health.

Sincerely,

Elizabeth Lambaren

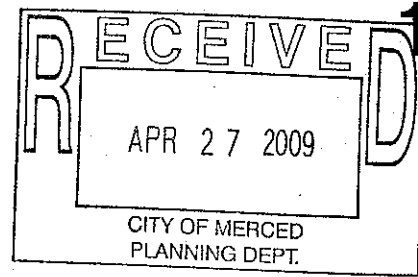
Elizabeth Lambaren
Print Name

241 S. Coffee St.
Address

City of Merced

Phone

678 West 18th Street
Merced, CA 95340



129A

Dear Ms. Espinosa,

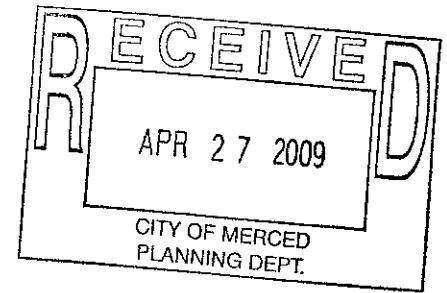
The EIR study for the Wal-Mart Distribution Center lacks a detailed plan for regulating the use of construction equipment during the construction phase of the project. Without such a plan, there is no real way to calculate how many GHG emissions will actually be made by this facility. If we don't know how many units of heavy equipment will be operating at the site and how often, how can we really know how accurate the information is you are providing about air quality and pollution impacts?

Thank you,

Jose Lamberen
Jose Lamberen
241 S Coffee St
Merced CA 95341

Kim Espinosa, Planning Manager

Kim Espinosa, Planning Manager
 City of Merced Planning Department
 678 West 18th Street
 Merced, CA 95340



Señora Espinosa:

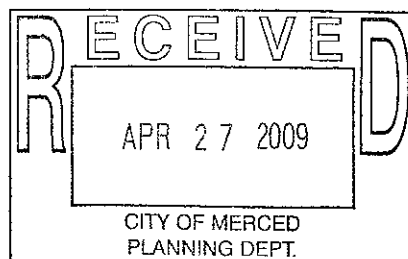
En el siglo XXI (21st) la gente que solo habla Español debenden de tener más acceso a los documentos importantes del gobierno como el EIR sobre el centro de distribución de Wal-Mart. Cuando el Gobierno municipal no dijo más tiempo para la revisión y no hizo nada para hacer un documento en Español, se enojó muchos Latinos en esta comunidad que trabaja duro, paga sus impuestos y sólo piden sus derechos al Gobierno.

El Departamento de planificación debe encontrar ayuda para arreglar este problema. La gente más afectada por el proyecto son los que necesitan más acceso al las idiomas alternativas. El Estado de California debería exigir que ciudades como Merced deben de tener sus documentos importantes públicos en otras idiomas para que tenganos un honesto y abierto proceso.

Jose Lambaren
 Jose Lambaren
 241 S. Coffee St
 Merced, CA 95341

April 17, 2009

Ms. Kim Espinosa
Planning Manager
Merced Planning Division
678 West 18th Street
Merced, CA 95340



Dear Ms. Espinosa:

We already have poor air quality during the summer and part of the winter. We hang flags around the city to identify the air quality level. For some of us, we can't go outside or engage in outdoor physical activity when the Air Quality index exceeds 50 (yellow flag).

Approving this project will just create more days of the year when some of our kids can't play outside. Creating jobs is important, but so is the quality of life. I think it is far more important for our children and grandchildren to be able to play outside free of inhalers than it is to create a major polluter.

More needs to be done to make this facility a non-polluter.

Thank you for your attention.

Kenneth J. Leap
Signature

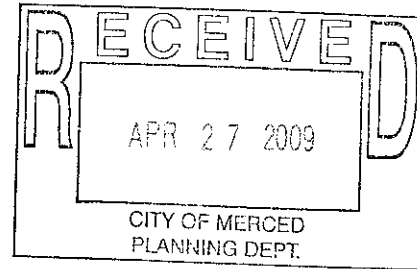
Kenneth J. Leap
Print Name

6113 Country Club Place
Address

Merced, CA 95340

(209) 722-5461
Phone

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



RE: Wal-Mart Distribution Center

Dear Ms. Espinosa,

I have major concerns about the use of construction equipment for the proposed Wal-Mart Distribution Center.

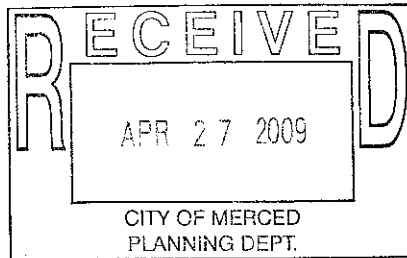
Several studies have said that construction equipment is one of the leading sources of diesel pollution in this state. I'm disappointed that more detail has not been provided about the number of diesel machines on site, when they will be used and in what frequency. I think you need to look deeper into this question and force Wal-Mart to provide more answers.

Thank you,

Laura Lopez
2529 E Childs

March 17, 2009

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



It seems to me the city has an attitude that we should just let Wal-mart do what they want. Are we so desperate for jobs that we need to build a MASSIVE industrial complex in a neighborhood? There are three schools in the area. Are we going to limit the noisy, dirty, 18-wheel trucks to when the kids aren't in school?

Why can't we find a site for this that isn't near schools and homes? Surely there is a site somewhere in this county that is closer to the freeway and better suited to the community than this one.

Thank you for your time.

Tina Lopez

Signature

Tina G. Lopez

Print Name

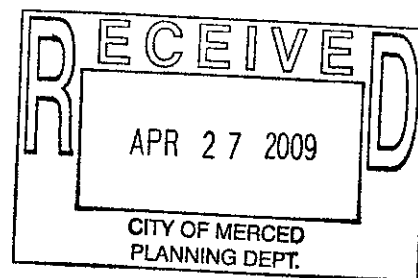
1235 Pleasant lane

Address

Merced 95340

Phone

Kim Espinosa
Merced Department of Planning
City of Merced
678 West 18th Street
Merced, CA 95340



Ms. Espinosa,

The Merced city council should be ashamed that they refused to incorporate any Spanish language translations into the Wal-Mart EIR. Is the city in such a hurry to get this project approved that it is willing to disenfranchise its own residents? What impacts from the project is the city hoping to hide from the Latino community by publishing this massive, overly technical document?

The CEQA process should be about openness and the ability of the public to have access to important information. In a city with so many Spanish speakers, how can the city fail to plan for this obvious need.

Ted Lorona

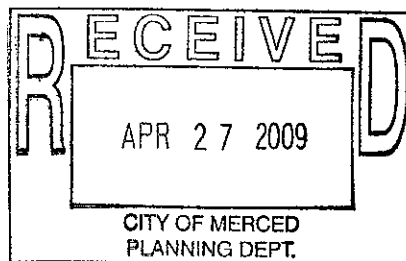
1038 Robinson Dr.

Merced, CA 95340

Ted Lorona

725-9339

Kim Espinosa
Planning Department
City of Merced
678 West 18th Street
Merced, CA 95340



Kim Espinosa,

I think they should build a new elementary school instead of the Wal-Mart distribution center. A proposed elementary school would be less than 500 feet from the campus parkway and the proposed Wal-Mart distribution center. Our children will be affected by the diesel soot which causes air pollution and cancer to our children. For the health of our children you should reconsider building this warehouse.

Our children's education will be impacted by the constant noise generated by the loud sirens and slamming of the trailers. The DEIR doesn't state that a sound wall will be built to reduce the impact of noise generated by the 24-hour distribution center. The campus parkway will be an expressway that will also contribute to noise and air pollution. We don't need any kind of business that will contribute more pollution in our community. There should be a law that enforces businesses to pay for health risks that they pose on our community. Thank you for your time and I hope this warehouse isn't built in Merced.

Ted Corona

Ted Corona

1038 Robinson Dr.

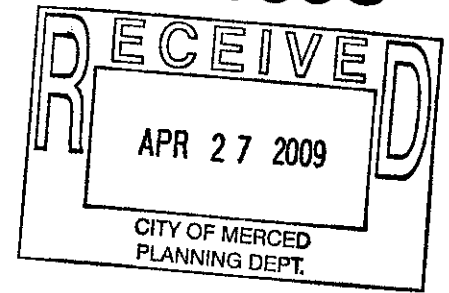
Merced, CA 95340

(209) 725-9339

133C

April 2, 2009

Ms. Kim Espinosa
Merced Planning Division
678 West 18th Street
Merced, CA 95340



Kim,

Thanks for giving us the chance to share our thoughts on the draft report on the distribution center. I've been reading through the "Alternatives to the Proposed Project" section and what I read on page 5-6 really stuck out. It said that if the project is not built here in Merced, then Wal-Mart might find another area in the Central Valley to build their distribution center. I think that's a great idea! One bit of advice for Wal-Mart, find a location that does not have residential neighborhoods across the street. I mean really, just use some common sense. If they would pick a location away from our homes and schools, there might not be such uproar from residents.

Just a thought.

Ted Lorona
Signature

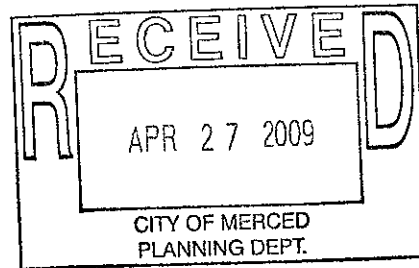
Ted Lorona
Print Name

1038 Robinson Dr.
Address

Merced, CA 95340

(209) 725-9339
Phone

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



Re: Electricity Consumption & Wal-Mart Distribution Center

Dear Ms. Espinosa,

Merced has been subject to blackouts during some of the hottest days of the year, resulting in resident displacement and sometimes death. The electrical grid of the City has problems without the approval of a massive Wal-Mart Distribution Center!

The environmental study should require more specific details on how Wal-Mart will take measures to reduce electrical consumption. The study states that Porterville uses 13.3 million kilowatt-hours per year, however it would be useful to know what other companies with comparable sized distribution centers use per year.

For instance, the study should address the type of lighting the distribution center will use. In January of 2009, Coca-Cola released a statement saying they had reduced their consumption of electricity in California by 5.6 million kilowatt-hours per year through changing their lighting source. (Article can be found at:

<http://news.moneycentral.msn.com/ticker/article.aspx?symbol=US:OESX&feed=BW&date=20090109&id=9502842>).

The Wal-Mart Distribution Center in Merced should be required to use lighting such as the Orion Compact Modular high-intensity fluorescent lighting system detailed in the aforementioned article.

City staff should require more details about issues such as electricity consumption as it is a current issue and risk in Merced that will only get worse.

Thank you,

Olivia A. Macchia

Name

147 Sweetwater Ave.

Address

Merced, CA 95341

City, State, Zip

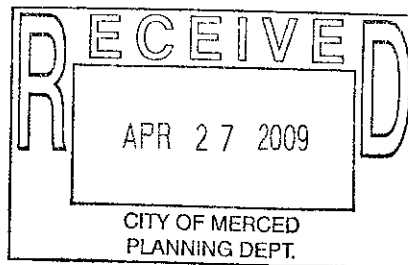
Olivia A. Macchia

Signature

4-17-09

Date

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



Dear Ms. Espinosa,

The mitigation measures outlined in 4.8-1 are not feasible unless there is a specific monitoring plan. Who will this 'enforcement manager' report to? Is the person an employee of Wal-Mart? Or will the person be an employee of the City of Merced? Or will the enforcement manager be hired through an independent third party? What authority will this person have? The city should demand that Wal-Mart provide details, salary, etc for the enforcement manager it states it shall provide during construction.

Much appreciation,

RICHARD MACCHIA

Name

147 SWEETWATER AVE

Address

MERCED, CA 95341

City, State, Zip

[Signature]

Signature

4/17/09

Date

Espinosa, Kim

From: Jessica Madruga [jmadruga@transcountytitle.com]

Sent: Wednesday, March 25, 2009 11:27 AM

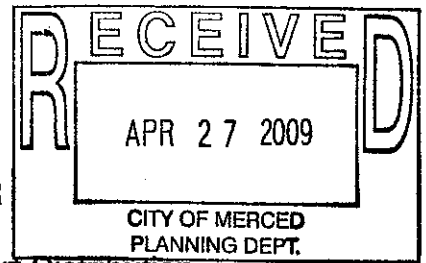
To: Espinosa, Kim

Subject: Wal-Mart

I just wanted to email and show my support for the Wal-Mart Distribution Center. I believe that the Wal-Mart Distributoin Center will bring much need jobs to our area.

Thank you,

*Jessica Madruga
Certified Escrow Technician
TransCounty Title Company
635 W. 19th Street
Merced, CA 95340
(209)383-4660 EX. 49*



TESTIMONY AGAINST THE WALMART DISTRIBUTION CENTER

My wife and I are very concerned about the building of the Walmart Distribution Center in Merced for several reasons. True, jobs will be created, but Walmart is known for their poor relationship with their workers. They are an anti-union business with low wages and poor health care benefits which could lead to a financial problem for our county.

137

We are especially concerned about the tremendous amount of truck traffic at the interchange that will also be used by students, professors and guests who will be traveling to the U.C. campus. We believe it is very important for the University, the city of Merced and the new, proposed Campus Community, to have an attractive, safe entrance to the University and not one where drivers have to contend with monster trucks that will make for dangerous and unpleasant driving conditions.

The huge amount of trucks traveling to and from the Distribution Center will of course greatly increase traffic in its area and will not only be dangerous for the local citizens but especially for children on their bikes or walking to school.

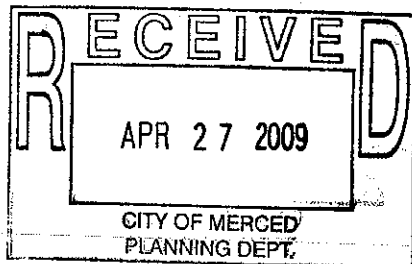
As teachers have undoubtedly informed you, the asthma problems with children in their classrooms is very high. Truck traffic is to blame for much of the hazardous pollutants in our air. We must seriously consider their health when considering Walmart. It truly is a problem and NOT a myth.

As you well know, the San Joaquin Valley, and Merced County in particular, has a very high air pollution rate resulting in poor health conditions for many citizens. Why encourage a business to come here that will worsen to a large degree, our air pollution problems, especially in the schools near the Walmart Center and Mission overpass.

We would like to see more Green business's attracted to Merced County. Maybe working with the U.C. Merced, experts, it can happen. Lastly, most of the profits from Walmart go back to Arkansas and their billionaire families, how about attracting business's here whose profits stay in our county?

We know you have worked very hard to attract Walmart to have their Distribution Center here, but maybe at the time, you just thought of only one aspect of their being here....jobs. We hope you will seriously consider the the serious problems that disturb so many of us about the arrival of the Walmart Distribution Center in Merced.

Charles and Sally Magneson
10235 El Capitan Way
Ballico, CA. 95303
394-7045 csmagneson@gvni.com



138

4-27-09

Hello Kim

I'm disgusted with all that is going on with Wal. Mart.

I've lived on Bellevue Rd. since 1962. I had more planes that flew over my house & had more odor from the with fumes of gasoline.

I have more garbage trucks, cement trucks & buses & all the traffic that drives on ~~Bellevue Rd.~~ Bellevue Rd than Wal Mart trucks would have.

I'm 89 years old & I have no health problems.

We don't need welfare we need jobs. I talked with one employee from the County & she said we need welfare otherwise I won't have a job. Tax payers are supporting them give them a job to earn their living. Get them out of their beds - as we don't need more babies.

Take a roll call at the gambling buses & you will find over 50% are on welfare. One woman told me she lost \$400 & I told her she was spending our tax money. Put them to work.

Thank you
Anna Markario
1227 W. Bellevue Rd
Merced, Ca. 95348



March 8, 2009

To: Merced City Council members:

Dear council members,

My wife and I are very upset over learning that only a 60 day review period has been set for the review of the Wal-Mart Distribution Center project.

We are very concerned over this short review period for such a major project. We believe many others will also find this short review period to be inadequate.

We request that the review period be lengthen to six months or longer in order to provide adequate time for a proper review.

Sincerely yours,
David W. Martin
Kristi Martin

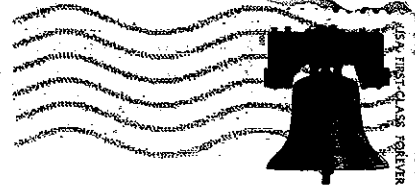


Mr. & Mrs. David & Kristi Martin
1956 Janet Ct
Merced CA 95340



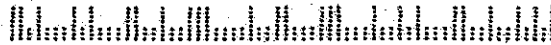
Mr. & Mrs. David & Kristi Martin
1956 Janet Ct
Merced CA 95340

STOCKTON, CA 95231
10 MAR 2009 PM

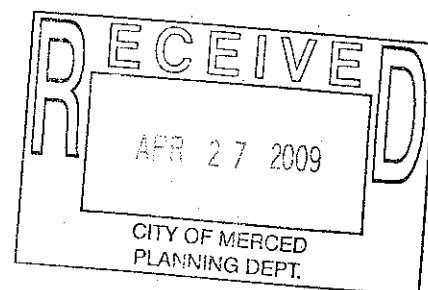


Merced City Council
678 W. 18th St.
Merced, CA 95340

95340+4708



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



Re: Hybrid Diesel Trucks

Dear Ms. Espinosa,

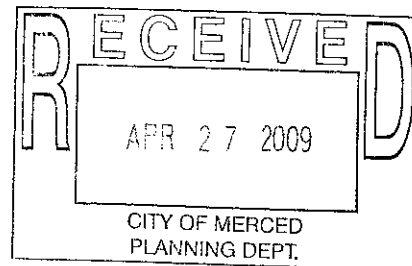
What is Merced doing to ensure that the vehicles used at the proposed distribution center site are the same hybrid diesel trucks used at the Apple Valley site?

I would hope that since city officials went to Apple Valley to look at a similar project it expects Wal-Mart to provide the same level of quality at least. For example, will Wal-Mart be required to make 30% of its fleet be hybrid diesel? Will it be required to increase that percentage over time to ultimately eliminate non hybrid technology? These are important mitigation steps Merced should be requiring of Wal-Mart.

Sincerely,

David W. Martin
1956 Janet Ct.
Merced, CA 95340

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



Dear Ms. Espinosa,

The mitigation measures explained in 4.8-1 are cannot be implemented unless there is a detailed monitoring plan. Here are my questions that I would like addressed:

- a. To whom will this *enforcement manager* report?
- b. Is the person an employee of Wal-Mart?
- c. Or will the person be an employee of the City of Merced?
- d. Or will the enforcement manager be hired through an independent third party?
- e. What authority will this person have?

With Much appreciation,

David W. Marten
1956 Janet Ct
Merced, CA 95340

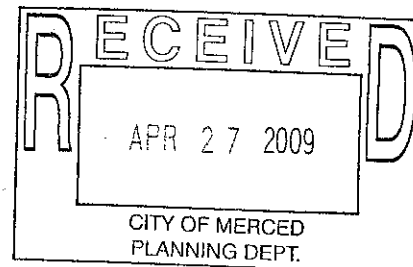
Kim Espinosa, Planning Manager

City of Merced Planning Division

678 West 18th Street

Merced, CA 95340

RE: Wal-Mart Distribution Center DEIR



Dear Kim Espinosa,

The Draft EIR says that the big equipment that will be used during construction is not known but likely to include, "excavators, graders, scrapers, loaders, backhoes, haul trucks, and cranes."

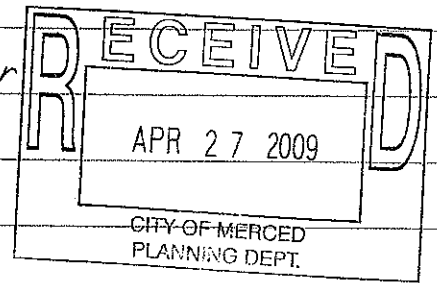
This is an important issue that needs to be addressed more specifically in the Final EIR. Wal-Mart understands the scope of this project, so it should have exact estimates from previous distribution projects completed. Knowing ~~the~~ exactly how many of these vehicles is critical in calculating noises and pollutants that will be generated during construction.

Sincerely,

David W. Martin
1956 Janet Ct.
Merced, CA 95340

140D

Kim Espinosa, Planning Manager
City of Merced Planning Div,
678 W. 18th St.
Merced, CA 95340



RE: Wal-Mart Distribution Center Draft EIR

Sirs:

I have various concerns ~~con~~ with the EIR.

They are:

1. The huge increase in trucks traffic. Highway 99 is only two lanes, each direction, and is quite busy most of the day. This was not adequately addressed.
2. The negative impact this project will have in the southeast portion of Merced. Trucks and kids don't mix.
3. The increase in air quality pollutants.
4. Possible high water problems.

I believe the EIR is seriously deficient in meeting the requirements of CEQA. I understand CEQA allows a project to be disapproved based on a negative environmental impact report.

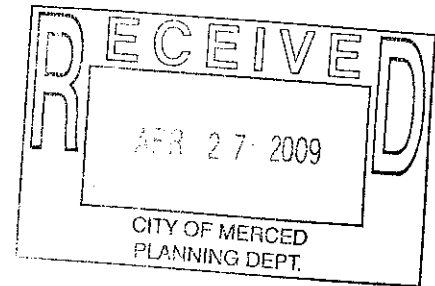
David W. Martin

David W. Martin

1956 Janet Ct., Merced, CA 95340

(209) 383-6934

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



Re: Construction Noise Impacts

Dear Merced City Council and Ms. Espinosa,

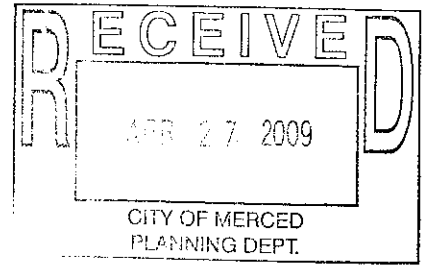
With three schools within a couple miles of the Wal-Mart site, why would construction be allowed to take place in the hours that kids would be walking from to and from school? There should be significant blackout periods for construction – or perhaps all construction should be limited to weekdays 8AM to 3pm to prevent the students and residents from being disrupted by the noise, dust and traffic of construction.

Thanks,

ALTHEA MASON
463 WEAVER AVE
MERCED, CA 95341

Althea Mason

Kim Espinosa
Planning Department
City of Merced
678 West 18th Street
Merced, CA 95340



Ms. Espinosa,

I think the traffic in the southeast Merced is terrible but by having more trucks on the freeway it will cause more traffic congestion near our neighborhood. I live near Yosemite parkway which is already designated a truck route so for my family and I we feel that more car and truck traffic will impact our neighborhood even worse. Wal-Mart isn't a corporate citizen and will only draw profit while subsidizing their employees. Wal-Mart is looking out how they can make a profit by not considering to not build here in Merced. WAL-MART IS WRONG FOR MERCED RESIDENTS!

ALTHEA MASON
Name
463 WEAVER AVE
Address
MERCED CA 95341
City/State/Zip
Althea Mason
Signature

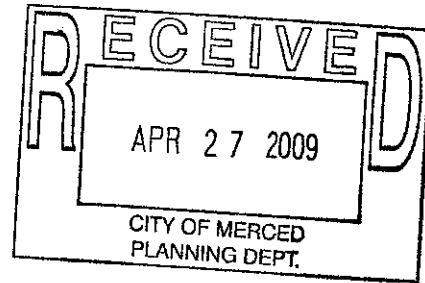
Espinosa, Kim

From: Doloresmay1@aol.com
Sent: Friday, April 17, 2009 9:27 AM
To: Espinosa, Kim
Subject: Walmart Distribution Center

I have been wanting to comment on the proposed Walmart Distribution Center. It needs to be approved for the added opportunity for jobs!! Also a couple of years ago, I traveled to Red Bluff, CA after my knee surgery and noticed there was a Walmart Distribution Center south of the city. It was off the highway 99 and there weren't any more trucks on the road as there are Walmart trucks down here. It is very important that this facility be built for the underemployed and unemployed in Merced. This could also alleviate some of the vacant houses in Merced. People could buy up some of these foreclosures. Dolores May

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



Re: Hybrid Diesel Trucks

Dear Ms. Espinosa,

I have read that Apple Valley's Distribution Center is using several hybrid diesel trucks (TodaysTrucking.com, Feb. 3, 2009). The city should require that at least 30 percent of Wal-Mart's diesel fleet be hybrid diesel trucks for the Merced distribution center. It should require at least 60 percent within 5-years of its operation. Please include the article found at: <http://www.todaystrucking.com/news.cfm?intDocID=21149> in the record. The EIR should research the use of hybrid diesel trucks as mitigation alternatives for air quality and noise.

Sincerely,

Marc Medefind

Name

2381 Lakeside Drive

Address

Merced, CA 95340

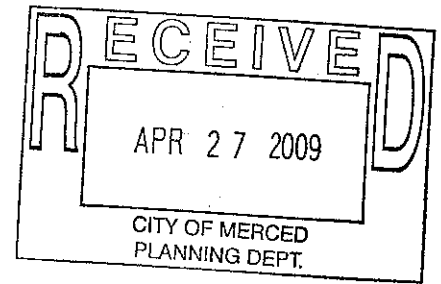
City, State, Zip

Marc Medefind

Signature

4/16/09

Date



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Wal-Mart checks hybrid trucks off shopping list

BENTONVILLE, Ark. -- Wal-Mart Stores, Inc. is set to test two new types of heavy-duty commercial hybrid trucks and two different alternatively fueled heavy-duty trucks as part of the company's efforts to having a more sustainable trucking fleet.

Wal-Mart has partnered with **Arvin Meritor**, **Eaton**, **Peterbilt** and **International** to develop and test these technologies, which will take place throughout 2009.

"In order to meet our goal of doubling our fleet efficiency, we are taking an active role in the development of these technologies," said Chris Sulzemeier, senior vice-president of transportation for Wal-Mart Stores. "We look forward to determining if these technologies will help reduce our environmental footprint, are viable for our business and provide a return on investment."

Wal-Mart achieved more than a 25 percent increase in efficiency within its private fleet between 2005 and 2008, surpassing one of the company's stated sustainability goals.

By reaching this goal, Wal-Mart has been able to reduce its carbon dioxide emissions and its fuel use. This goal was reached by using a combination of new, innovative technologies, better delivery routes and by loading its trailers more efficiently. Now, the company is working toward its goal of doubling its fleet efficiency by 2015, from its 2005 baseline.

Part of this pilot program is to determine if alternatively fueled trucks can help move Wal-Mart toward that goal in addition to reducing environmental impacts.

One of the new trucks being tested is a full-propulsion Arvin Meritor hybrid that will initially operate in the Detroit area. This dual-mode diesel-electric hybrid is believed to be the first vehicle of its type.

"While most hybrid systems today are best suited for start-stop applications, our hybrid drivetrain is specifically designed for linehaul, over-the-road trucks, the largest segment of the commercial vehicle population," said Carsten J. Reinhardt, president of ArvinMeritor's Commercial Vehicle Systems (CVS) business.

The Meritor dual-mode hybrid drivetrain combines both mechanical and electrical propulsion systems. Under 48 mph, vehicle propulsion is delivered entirely through an electric motor with power from lithium ion batteries. These batteries are recharged through regenerative braking and/or an engine-driven generator. As the vehicle approaches highway speed, the drivetrain phases to a diesel-powered system with the electric motor providing power, only as required, allowing for total system optimization.

The key differentiation of this system is its ability for zero-emission mode over a wide range of vehicle driving conditions. Additionally, the batteries provide continuous power for hotel loads during an overnight rest period, eliminating the need for engine idling or other redundant anti-idling systems.

The Meritor hybrid drivetrain was developed in collaboration with Navistar and Cummins and is comprised of a proprietary motor/generator unit, high capacity lithium ion batteries, as well as the overall power-management system.

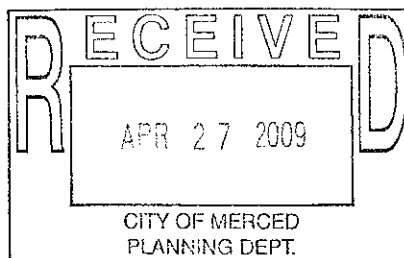
Other initiatives include:

- Fifteen trucks operating in Buckeye, Ariz. distribution center near Phoenix, will be converted to run on Reclaimed Grease Fuel, made with the waste brown cooking grease from Walmart stores. In addition, the remaining trucks located in the Buckeye distribution center will operate on an 80/20 blend of biodiesel made of reclaimed yellow waste grease.
- Five Peterbilt Model 386 heavy duty hybrid trucks with diesel-electric hybrid power systems developed by Eaton Corporation and PACCAR, that will be based in Dallas, Houston, Apple Valley, Calif., Atlanta and the Washington/Baltimore regions.
- Four Peterbilt Model 386 trucks and one yard truck, which operates only on the distribution center property, will operate on liquid natural gas. These trucks are part of a partnership with the Mojave Air Quality Management District and will operate out of the distribution center in Southern California.

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April 25, 2009

Ms. Kim Espinosa
Project Manager
Merced Division of Planning
Civic Center
678 West 18th St.
Merced, CA 95340



Ms. Espinosa,

I noticed there isn't a landscape plan in the Wal-Mart DEIR. You're probably wondering why this is important, so I'll tell you. The kinds of vegetation and trees on the site will impact water usage and will either result in the distribution center requiring more water or less water. If the project needs more water, where will it come from? Who will pay for it? Wal-Mart? I would ~~help~~ ^{hope} so.

Please make sure vegetation and landscape plans are addressed in the environmental impact report.

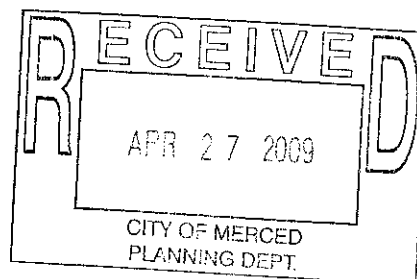
Sincerely,

Suzette Meik
482 Hydrangea Ct.
Merced, CA
95341

Meik

April 3, 2009

Kim Espinosa, Planning Manager
Division of Planning
Merced Civic Center
678 West 18th Street
Merced, CA 95340



Ms. Espinosa,

I didn't see any mentions of using solar panels or solar power in the Wal-Mart Distribution Center. Today's solar technology can generate significant amounts of power and many companies are embracing this technology as a way to reduce the amounts of pollution their offices, stores, farms or distribution centers create.

I hope Merced will encourage the use of solar panels in new projects. One way you can do this is to require Wal-Mart to use them in their proposals. Wal-Mart should address this as part of their environmental impact report.

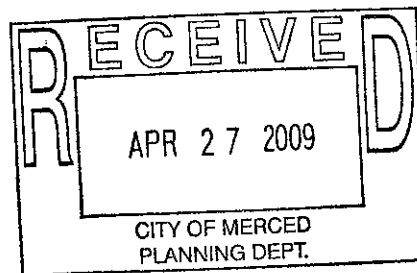
Thank you,

Suzette Meik

Meik

482 Hydrangea Ct.
Merced, CA 95341

Kim Espinosa, Planning Manager
 City of Merced Planning Department
 678 West 18th Street
 Merced, CA 95340



Señorita Espinosa:

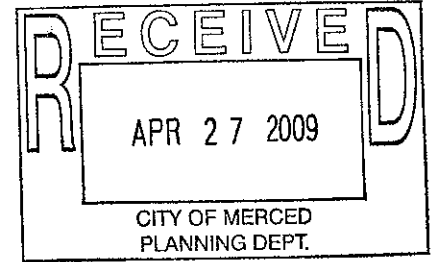
El Gobierno Municipal hizo un decisión muy malo cuando rechazó hacer algo para ayudar a la gente que nomas habla Español a entender más sobre el plan del centro de distribución para el EIR. Si no es permitido por la ley para escribir un reporte en Español, la ciudad debería saber mejor que negar la petición cuando aproximadamente un tercio de la gente que vive aquí habla Español. ¿El EIR es suficiente duro para leer para una persona que habla Inglés bien, que difícil piensa usted sobre este documento de mil (1,000) páginas es para la gente que esta aprendiendo Inglés?

Este proyecto será malo para nuestras casas y nuestros niños, el tráfico, calidad del aire y asma y el ambiente - pero el único modo que muchas personas podria aprender de esto es si Merced pare la discriminación de la idioma contra sus residentes Hispanos.

Alina Méndez
 2285 Linden St
 Atwater Ca 95301
 Alina Méndez

145B

**Kim Espinoza, Planning Manager
City of Merced Planning Department
678 West 18th Street
Merced, CA 95340**



Señora Espinoza:

¡La gente que habla Español merecen tener una informe en Español sobre el EIR del centro de distribución de Wal-Mart! ¡Es tiempo de tratar la comunidad Hispana de Merced el mismo como los otros!

A small, circular handwritten mark, possibly a signature or initials.

Alina Méndez
2285 Linden St
Atwater, ca 95301

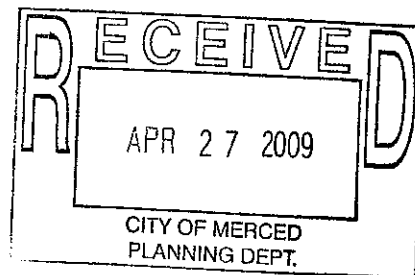
Espinosa, Kim

From: William Mendonca [wmendonca@usrscrap.com]
Sent: Wednesday, February 25, 2009 2:05 PM
To: Espinosa, Kim
Subject: Wal-Mart

Kim I am emailing you to support the Wal-Mart project , as A business and property owner located at 450 North Tower rd. we support any business expansion in the area that creates jobs thanks.

William Mendonca
Universal Service Recycling, Inc.
3200 South El Dorado St.
Stockton ca. 95206
209-944-9555 office
209-944-5552 fax
wmendonca@usrscrap.com

Kim Espinosa, Planning Manager
City of Merced Planning Division
678 West 18th Street
Merced, Ca 95340



Dear Kim Espinosa,

My name is Francisco Mendoza and I've been a resident of Merced for over 20 years. I have various concerns about the proposed Wal-Mart distribution center. I would appreciate it if these concerns would be addressed and considered before making your final decision on the Wal-Mart distribution center. I'm assuming it is within your power to place conditions on the proposed center. I'm going to be giving Wal-Mart the benefit of the doubt that they don't want to "use" Merced for their financial gain but they want to be part of our community. That being said, as community member, I expect other community members to care for the community we live in. Wal-Mart's slogan "save money live better" suggest they have a concern for better living.

I am sure you are aware of the pollution problem already existing in our county. I remember reading in a study done by the California air resources board we will not be having clean summertime air for quite some time. Will the Wal-Mart distribution center in any way hinder the time it's going to take for us to get clean summer time air in? If so by how much time and how is that figured out? From my understanding Wal-Mart will be paying a one time emissions reduction agreement fee to help offset pollution in the region, well what about our community? Can you please explain what portion of that fee and specifically how it will be used in the Merced community? Why is this a one time fee? This makes is seem as if they only have a one time concern for our community and shouldn't a community member be concerned with their community all time? What will they be doing for or with the community to compensate for their pollution? I'm not too sure if there's a way but can we require them to actually care about our community and the impact they are going to have on it. How do they plan on reducing their pollution? Can we also have Wal-Mart define the role they want to play in our community? What percentage of employees will be hired specifically from Merced? Can we make it a condition that at least 90% the employment at the distribution center is only from Merced? Because the majority of the people who are supporting this Wal-Mart distribution center believe they are going to get a job there. Thank you for taking your time to consider and address my concerns and questions.

Cordially,

Francisco Mendoza
4038 St Tropez Ct
Merced Ca 95348
209-499-4792

FAX 209-725-8775

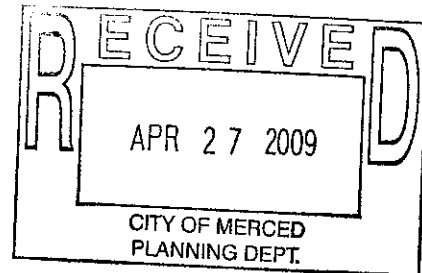
148

Kim Espinosa, Planning Manager

City of Merced Planning Division

678 West 18th Street

Merced, CA 95340



Dear Ms. Espinosa,

I have read about the Wal-Mart Distribution Center in Apple Valley is using many hybrid diesel trucks - I found this article in TodaysTrucking.com, Feb. 3, 2009.

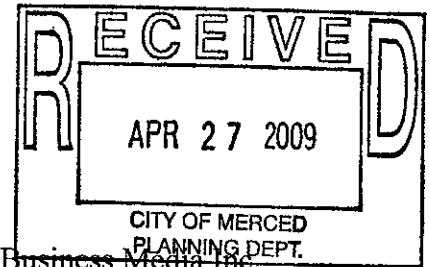
The city should require that at least 35 percent of Wal-Mart's diesel fleet be hybrid diesel trucks for the Merced distribution center. We should incrementally move to 60% within 4 years. We are already plagued with very bad air quality. Let's not damage our future just a distribution center.

The following article explains this and ought to be included in the record: <http://www.todaystrucking.com/news.cfm?intDocID=21149> in the record.

Thank you, *Javier Mendoza*

Javier Mendoza
3165 Dinky Creek Ave
Merced CA 95341
209-723-9029

PS: Home values are low enough as it is, the vacancy rate will be disastrous J.M.



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Espinosa, Kim

From: John Carlisle [jbc76@sbcglobal.net]
Sent: Monday, March 16, 2009 1:31 AM
To: Espinosa, Kim; Davidson, Dana; Bramble, John
Subject: Fw: Emailing: pesgm2008p-000334.pdf



pesgm2008p-000334.pdf

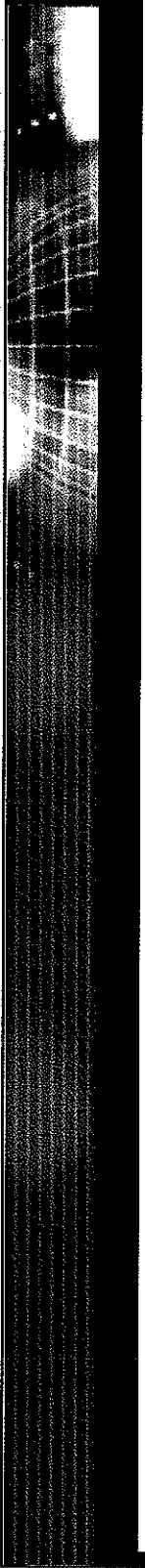
Good morning!

I'm not sure if this was sent to the City or other City Council members, so I am passing it on for the WMDC record (Dana) and for information only.

John Carlisle

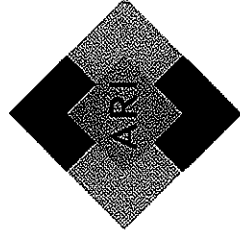
--- On Mon, 3/16/09, R John Meyer <rjmeyer@vtlnet.com> wrote:

> From: R John Meyer <rjmeyer@vtlnet.com>
> Subject: Emailing: pesgm2008p-000334.pdf
> To: rjmeyer@vtlnet.com
> Date: Monday, March 16, 2009, 1:02 AM
> Supervisors,
>
> Because WalMart has been developing a micro-grid (electric
> power) they
> project an essential commodity & need for this county -
> more electric power.
>
> Suggest a review of the attached briefing; it notes WalMart
> has established
> their initial entry point into the electric grid - located
> in Aurora, CO.
>
> Will the proposed WalMart distribution center under
> consideration for this
> area become another link into the micro-grid? What does
> WalMart have to say
> about this?
>
> Respectfully submitted,
>
> John Meyer
> Agri-tourist Promoter
>
>
>
> E-mail message checked by Spyware Doctor (6.0.0.386)
> Database version: 5.11960
> <http://www.pctools.com/en/spyware-doctor-antivirus/>



*A Framework for a Resilient &
Environment-Friendly Microgrid With
Demand-Side Participation*

23 July 2008



Prof. Saifur Rahman

Advanced Research Institute
Virginia Polytechnic Inst & State University, U.S.A.
www.ari.vt.edu

Challenges Facing the US Electric Power Industry

- Current US electric power generation capacity is 1,022 GW
- By 2030 it is expected to grow to about 1400 GW
- With retirements this means over 600 new 1,000 MW power plants
- Where would you put these?
- Where would you find the water to run these?

The Prospective Generation Capacity of China in 2020 and 2030-2050

- The total generation capacity of China in 2006 was 622 GW and the per capita value was 0.47kW
- The total generation capacity in 2020 is expected to be around 1,500 GW and the per capita generation capacity 1kW.
- In 2030-2050 timeframe, when per capita generation capacity reach will reach 1.5 kW, the total generation capacity is expected to be 2,400GW (1.6 Billion people the maximum in China).

Likely Scenario

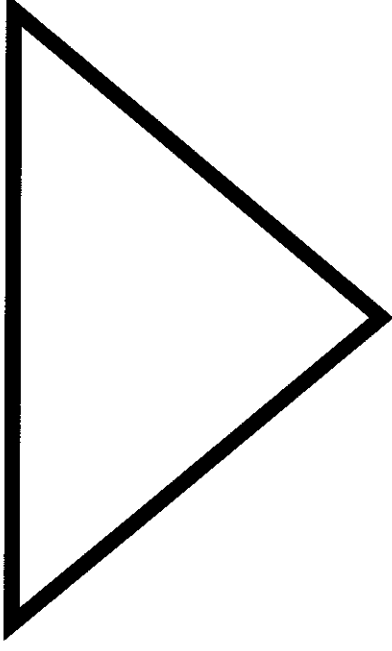
- Electricity supply mix away from fossil fuels with expanded development of wind, solar, biomass, geothermal, nuclear and energy from the oceans
- Expanded focus on energy efficiency
- Greater application of IT and communication technologies
- Smart electric power grid

Challenges in Today's Grid

- The grid is aging, developed in 1950s or earlier.
- Recent changes in the electricity sector, such as deregulation, may be adding to the security problem.
- The power grid is increasingly operating at its limit, facing shortcomings in capacity, reliability, security and power quality.
 - ⇒ Power interruptions and disturbances cost the US electricity consumer at least \$79 billion per year (LBL)
 - ⇒ The recent rolling blackout caused an estimated \$75 million in losses in Silicon Valley alone (NREL)

Evolving Philosophy in Power System Operation

Security **Reliability**



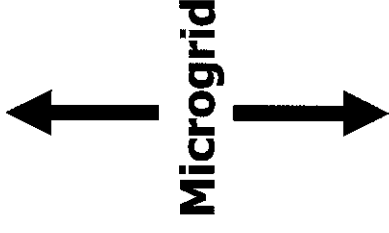
Efficiency

A Vision for the Smart Grid

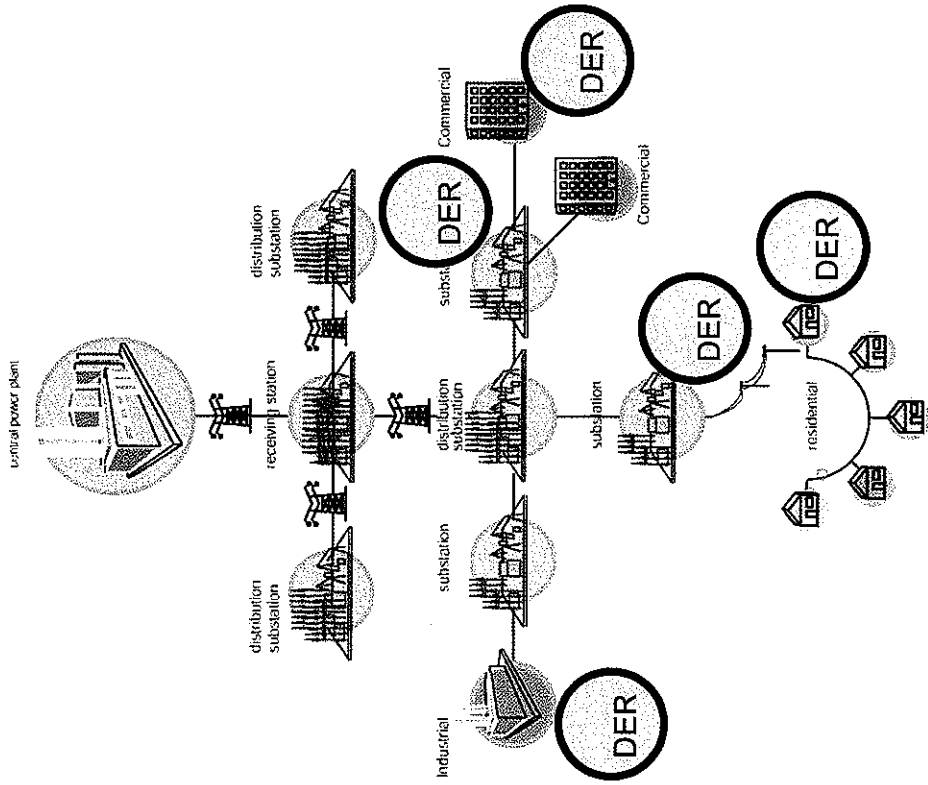
- The following seven characteristics make the grid more resilient and distributed, more intelligent and more controllable than today's grid.
 - ⇒ Self-heals
 - ⇒ Motivates & includes the consumer
 - ⇒ Resists attack
 - ⇒ Provides power quality for 21st century needs
 - ⇒ Accommodates all generation and storage options
 - ⇒ Enables markets
 - ⇒ Optimizes assets and operate efficiently

Definition & Building Blocks of a Smart Grid

- A smart grid uses advanced sensing, communication and control strategies to generate and distribute electricity more effectively, economically and securely.
- Technologies of a smart grid:
 - ⇒ Distributed Energy Resources (DERs)
 - ⇒ Demand-side participation
 - ⇒ Integrated communications
 - ⇒ Decision support units



The Microgrid as a Building Block of a Smart Grid

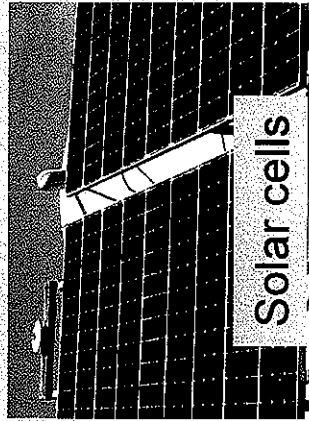


A microgrid is an islandable part of a power delivery system that:

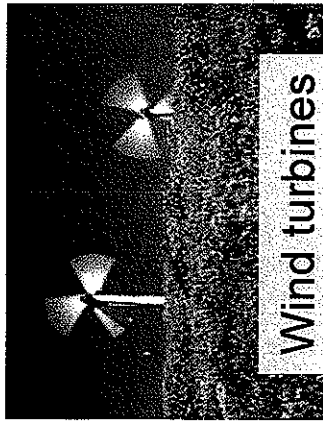
- Serves one or more consumers
- Incorporates DERs and/or includes one or more points of connection to a large power system
- May range in size from a city block to a small city

Source: California Distributed Energy Resource Guide (picture - left)
EPRI - Electricity Technology Roadmap: 2003 Summary & Synthesis (MG definition)

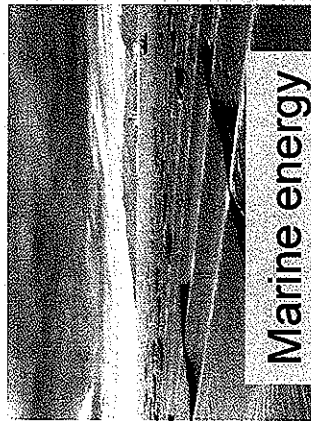
1. Generation Candidates for a Microgrid: Renewable & Non-Renewable DERs



Solar cells



Wind turbines



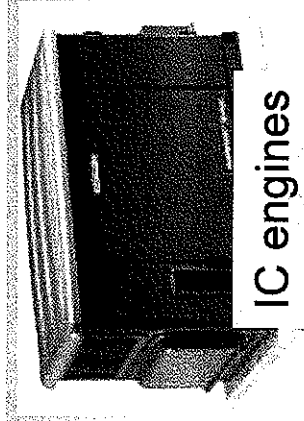
Marine energy



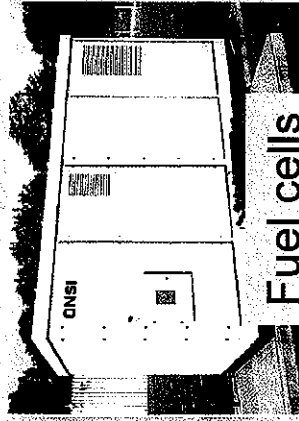
Geothermal



Biomass



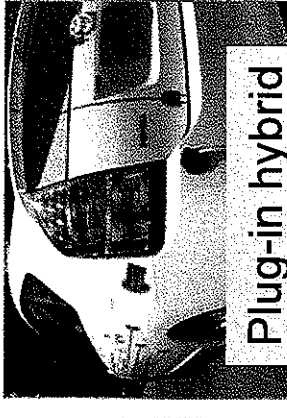
IC engines



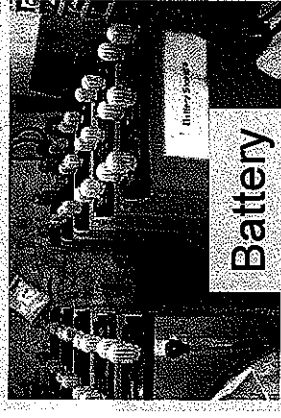
Fuel cells



Microturbines



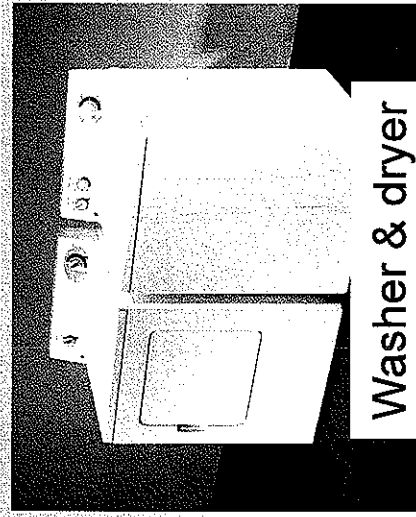
Plug-in hybrid



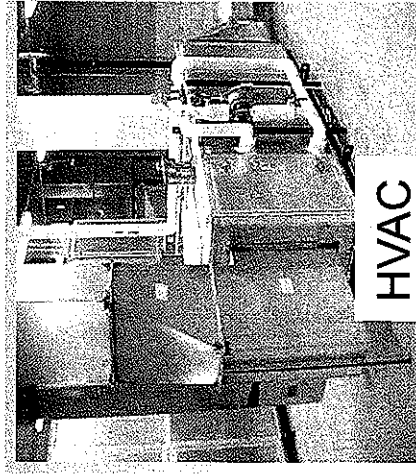
Battery

2. Demand Aspects of a Microgrid: Consumer Participation and Demand Response

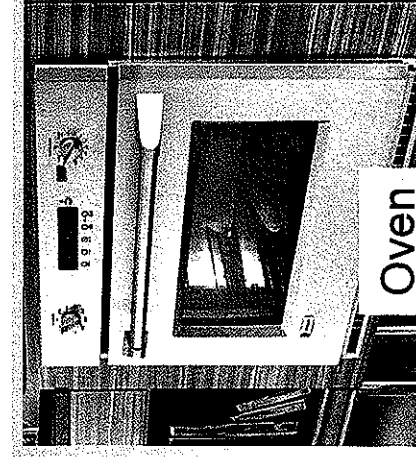
- In a smart grid, the consumer will be an integral part of the grid.
- The following consumer portals offer demand response, real-time pricing, outage detection, remote connect/disconnect and improved customer information.
 - ⇒ Smart appliances
 - ⇒ Intelligent circuit breakers



Washer & dryer



HVAC

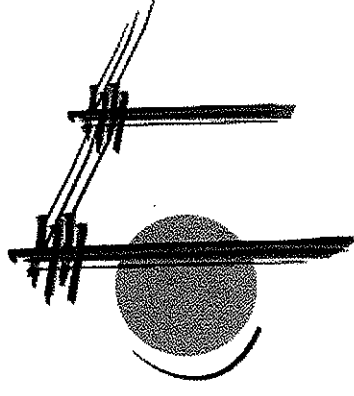


Oven

3. Communication Aspects of a Microgrid: Integrated Communications

■ There are a variety of communication media in use in the electric power system.

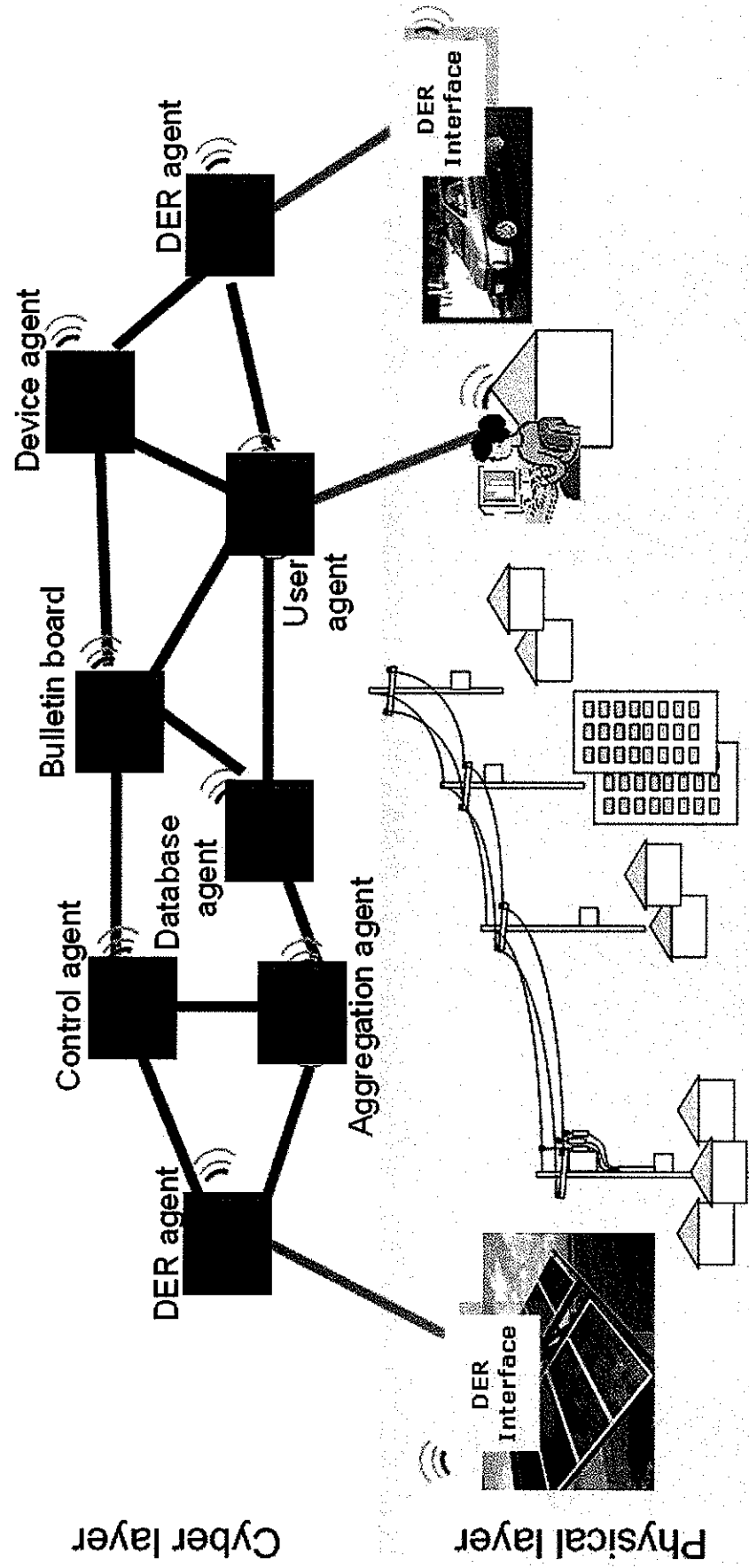
- ⇒ Power line carrier
- ⇒ Broadband over power line
- ⇒ LAN/WAN/Internet
- ⇒ Wireless radio system
- ⇒ WiFi 802.11b (range a few 100 meters; speed 5-10 Mbps)
- ⇒ WiMAX 802.16 (range 10-30 miles; speed 75 Mbps)
- ⇒ ZigBee/IEEE 802.15.4 (for automated metering system)



4. *Control of a Microgrid*

- Key technologies may include:
 - Sensing, metering and measurement
 - ⇨ Wireless & intelligent sensors (including AMR/AMI)
 - Advanced control method
 - ⇨ Agent and multi-agent systems
 - ⇨ Substation automation
 - ⇨ Distribution automation
 - Decision support and human interfaces
 - ⇨ Visualization tools

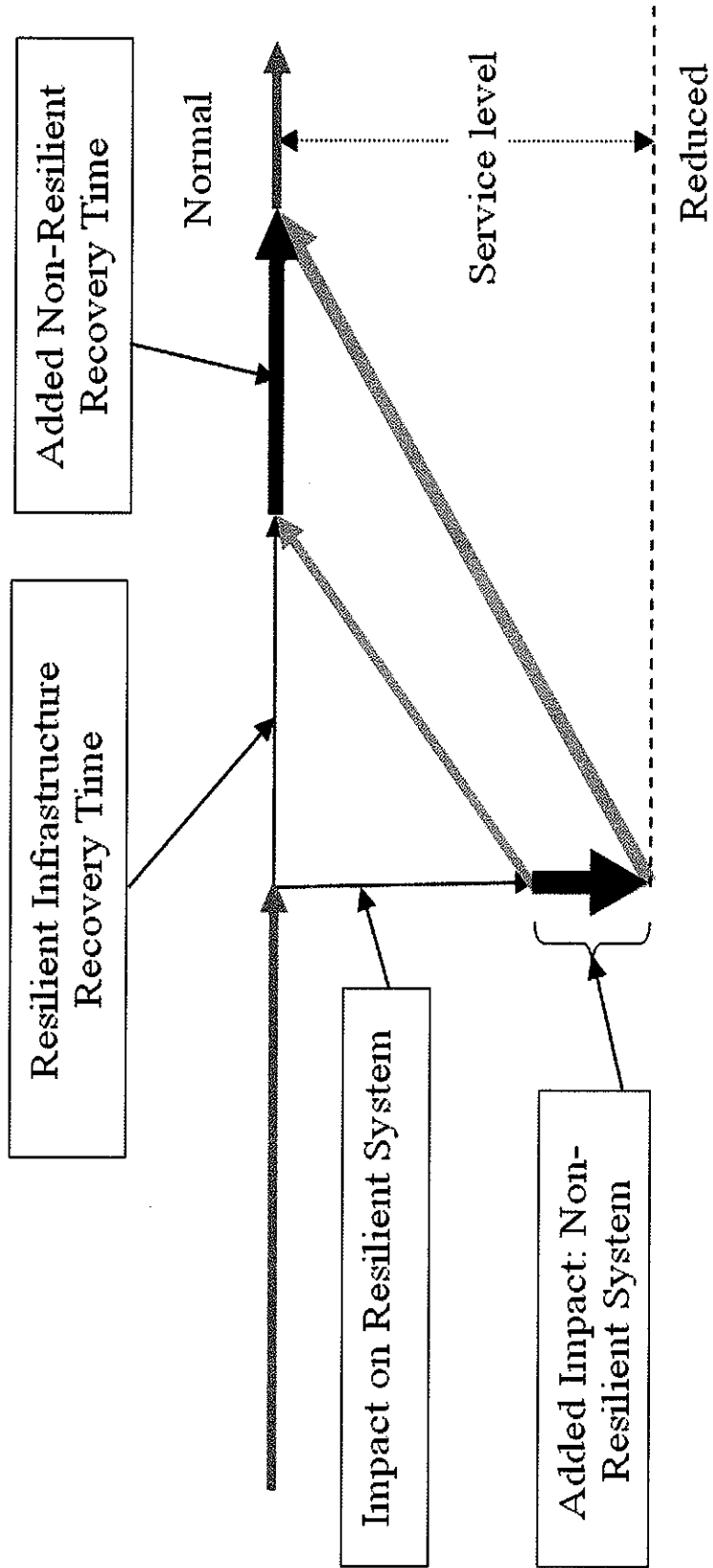
Microgrid Physical and Cyber Layers



Resilience as a Key Component

Resilience refers to the capacity of the infrastructure, service and social systems potentially exposed to hazards from technical, natural or intentional events to adapt either by resisting system degradation or by readily restoring and maintaining acceptable levels of functionality, structure and service following an event.

Resilience and Service Restoration Graphic



“Resilient physical and social systems must be robust, redundant, resourceful, and capable of rapid response”

Resilience and 4 Qualities

Resilience for both physical and social systems can be conceptualized as having 4 infrastructural qualities:

- Robustness
- Redundancy
- Resourcefulness
- Rapidity

Source: Bruneau, M., S. Chang, R. Eguchi, G. Lee, T. O'Rourke, A. Reinhorn, M. Shinozuka, K. Tierney, W. Wallace, 17 and D. von Winterfeldt. 2003. A framework to quantitatively assess and enhance the seismic resilience of communities. Earthquake Spectra 19(4): 733-752.

Potential Contributors to a Microgrid

Walmart – a Practitioner of the Microgrid

Concept in Commercial Facilities

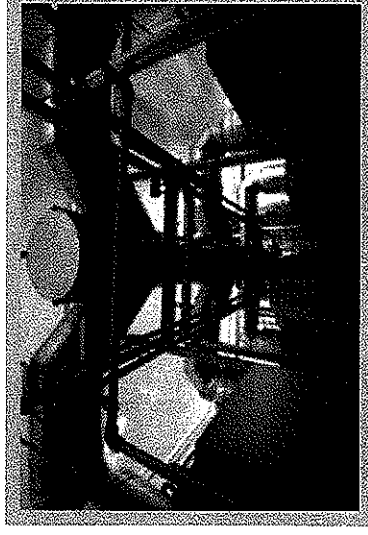
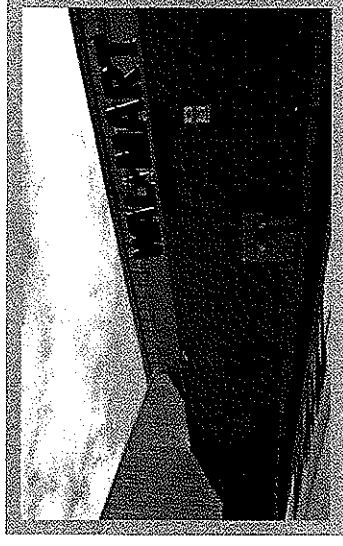
Location: Walmart - Aurora, Colorado

Commissioned: Nov 2005

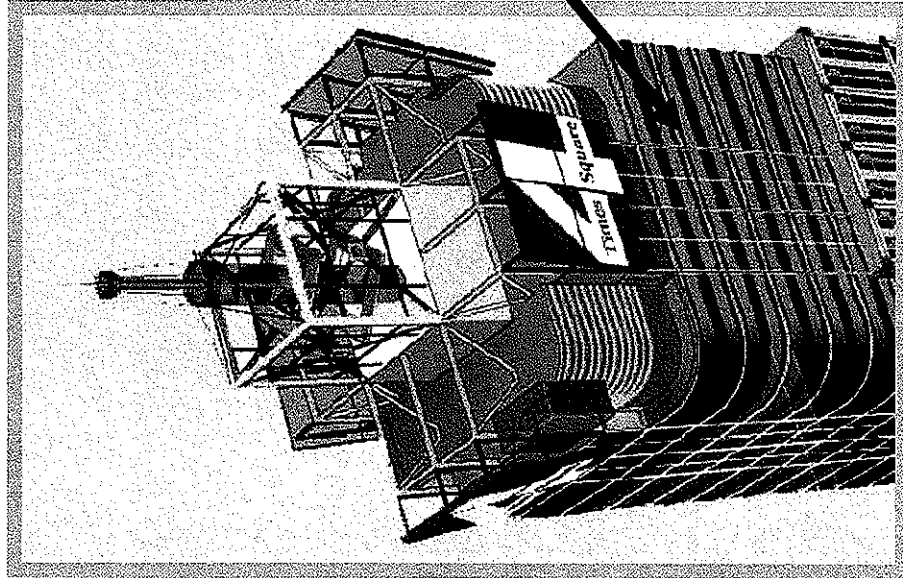
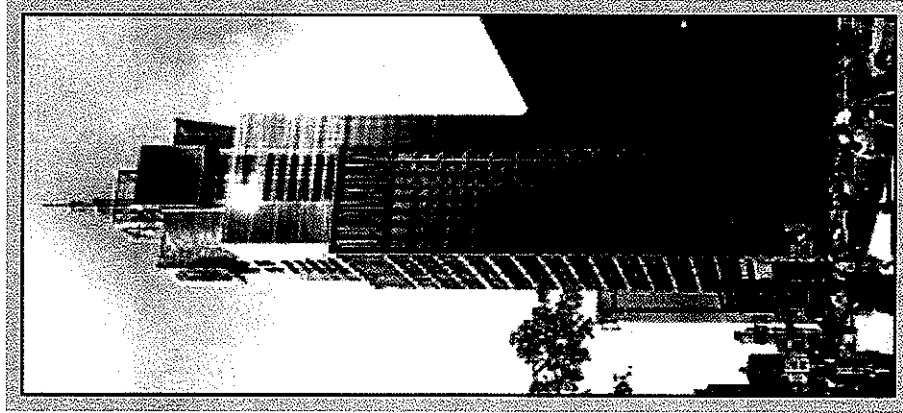
System: PureComfort Model 360M
6 x 60kW microturbines & a double-effect absorption chiller
(Microturbine co-generation)

Output: Cooling (185 RT)
Thermal (1.3 MMBTUs)
Electrical 292kW

Efficiency: 80% (total system eff)



Building for the 21th Century



Building:

4 Times Square, NY

Key features:

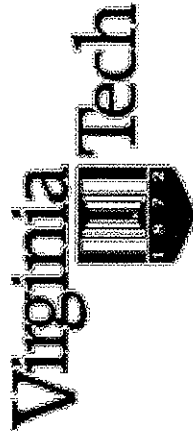
- 2 x 200k W fuel cells (4th floor)
- 15 kW building integrated PV panels (top 19th floors)
- Natural-gas powered absorption chillers /heaters (roof)

Thank you for your attention

Saifur Rahman

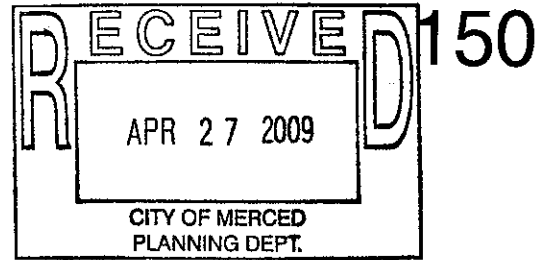
srahman@vt.edu

Professor and Director



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www.ari.vt.edu



April 27, 2009

Kim Espinosa, Planning Manager
City of Merced
678 W. 18th Street
Merced, CA 95340

Dear Ms. Espinosa,

Following are my comments regarding the proposed Wal-Mart Distribution Center in Merced.

1. Location. Although the proposed site is zoned for industrial uses, it is sheer folly to locate a trucking/logistics facility here. The residences, both existing and planned, and the several schools in the vicinity should rule out consideration of an industry that would clog the area with hundreds of trucks throughout the day and night, every day of the year. There will be noise, air pollution, traffic congestion, and all-night lighting, features which are totally incompatible with current lands uses in the area. Please work to find industries that would be more likely to enhance the environment and the human activities in this part of Merced.

2. Cumulative Impacts. The Draft EIR notes in several places that the proposed distribution center will serve 49 Wal-Mart stores in the region, all of which are currently served by distribution centers in other parts of California. If this is the case, then why do we need to build this new center in Merced? Isn't it more probable that Wal-Mart plans to expand its operations in the state, perhaps with as many as 40 additional stores and super centers? Such an expansion would understandably require a new distribution center in order to adequately serve the increased network of retail facilities in California. Why wasn't this likely expansion addressed in the EIR? One reason may be the occurrence of cumulative impacts which would accompany the opening of new Wal-Mart stores. These would have to be analyzed and mitigated.

What will happen if the number of stores eventually served by the proposed distribution center exceeds 49? Aren't there planned super centers up and down the valley, probably including Merced? Would there be new data to analyze and a revised EIR circulated? It does seem disingenuous to act like Wal-Mart's presence in this fast-growing part of California will simply stagnate.

3. Aesthetics. The new symbol of Merced is the University of California's tenth campus located here, complete with a freeway interchange and a parkway that will provide direct

and easy access to the UC site. Are we now going to plant at this gateway a 1.1 million square-foot warehouse, with 900 trucks coming and going each day? How will the Mission Interchange and the Campus Parkway accommodate these trucks and also the traffic that will serve a campus of 25,000 and a university community of 30,000? Which should be the emblem of the City of Merced, a major research university or a noisy, polluting warehouse facility?

Thank you for the opportunity to comment on the Draft EIR for this Wal-Mart project.

Yours truly,

A handwritten signature in cursive script that reads "Kara Middlebrooks". The signature is written in black ink and is positioned above the typed name and address.

Kara Middlebrooks
3425 Sueno Ct.
Merced, CA 95340