

April 19, 2009

Kim Espinosa  
 Merced Planning Division  
 678 West 18<sup>th</sup> St.  
 Merced, CA 95340



Ms. Espinosa:

After looking at Table 4.2-2 in the Merced Wal-Mart Distribution Center DEIR, two things stood out to me.

First, your data is old. I understand that you have been studying this proposed project for a number of years now, but your data is only current as of 2007? Why are you ignoring 2008? Why isn't 2008 data available?

Merced has spent a lot of money on this project (TAXPAYER MONEY) so why does this draft report seem so out-of-date already?

Second, your report evidently points out the PM<sub>2.5</sub> matter released has declined between 2005-2007, but what is alarming is that your foot notes say you typically picked 6 days to collect this data. That is not sufficient enough, especially when you are talking about three schools and thousands of students/staff that will be impacted. You should spend more time studying this issue.

Carlos G. Miramontes  
 Signature

CARLOS G. MIRAMONTES  
 Print Name

178 SWEETWATER AVE.  
 Address

MERCED CA 95341  
 City, State Zip

726-9329  
 Phone Number

151B

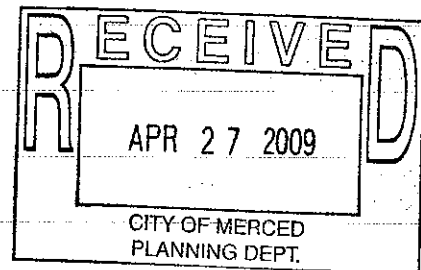
CARLOS E. MIRAMONTES

4-23-09

178 SWEETWATER AVE.

MERCED CA- 95341

(209) 726-9329



A QUIEN CORRESPONDA:

YO ESTOY EN DESACUERDO CON EL CENTRO DE DISTRIBUCION WAL MART. POR EL IMPACTO NEGATIVO QUE CAUSARA A MI FAMILIA EN SU SALUD.

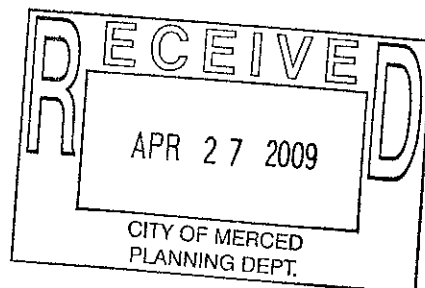
MI ESPOSA PADECE LA DEFICIENCIA RESPIRATORIOS AL IGUAL QUE MI HIJO Y ALGUNOS NIETOS MIOS.

TENDRIAMOS QUE MOVERNOS DE CASA Y ESO ME TRAERIA MUCHOS PROBLEMAS

A handwritten signature in black ink, appearing to read "Carlos E. Miramontes".

2 de Abril de 2009

Kim Espinosa  
Merced Department of Planning  
City of Merced  
678 West 18<sup>th</sup> Street  
Merced, CA 95340



Ms. Espinosa,

Estoy decepcionado para aprender que el estudio del centro de distribución está sólo disponible en una idioma. Merced hace un trabajo bueno de traducir los materiales que contienen la importante información pública. ¿Por lo menos podría usted hacer un sumario de los resultados del reporte en otras idiomas? Siento que animaría a más personas a estar implicadas en el proceso y la discusión. ¿Por qué no querría usted tener la participación de todas las comunidades en Merced?

Por favor incluye estos comentarios en el final reporte del EIR.

Sinceramente,

CARLOS MIRAMONTES

March 27, 2009

178 SWEETWATER AVE

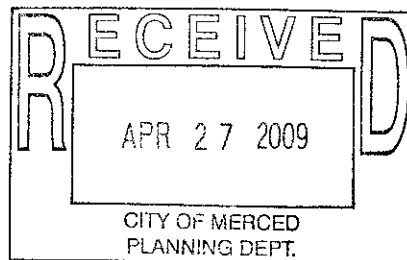
Merced, CA

MERCED CA 95341

Carlos G. Miramontes

March 27, 2009

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 DEIR 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 a very critical issue that should be addressed with more detail in the EIR. Wal-Mart understands the scope of this project, so it should have exact estimates from previous distribution projects completed. Knowing the exact number of these vehicles is critical in calculating noises and pollutants that will be generated during construction.

Regards,

*Rebecca Bousamonte*

Name

*178 Sweetwater Ave.*

Address

*Merced, CA, 95341*

City, State, Zip

*[Signature]*

Signature

*04/19/09*

Date

**Espinosa, Kim**

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**From:** clint.moore@ubs.com  
**Sent:** Thursday, April 16, 2009 3:08 PM  
**To:** Espinosa, Kim

Hello City of Merced

I just want to write and say I am 100% in favor of the Walmart Distribution Center being built in Merced. It will be a perfect place for many in Merced to work and in the future many UC students may find an employer with 3 round the clock shifts a place that allows them to work when they do not have school. WalMart is an excellent employer and will be around for a long many years. We should encourage them to locate here with as many incentives as are available to us. We also should not waste any more time in approving them so they don't find another place to locate. Please grant WalMart permission to come to Merced as soon as possible.

Clinton Moore

1255 W. 21st St.  
Merced, Ca. 95340

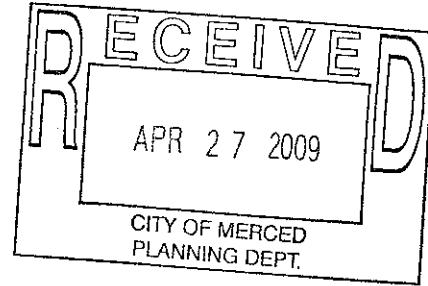
Please do not transmit orders or instructions regarding a UBS account electronically, including but not limited to e-mail, fax, text or instant messaging. The information provided in this e-mail or any attachments is not an official transaction confirmation or account statement. For your protection, do not include account numbers, Social Security numbers, credit card numbers, passwords or other non-public information in your e-mail. Because the information contained in this message may be privileged, confidential, proprietary or otherwise protected from disclosure, please notify us immediately by replying to this message and deleting it from your computer if you have received this communication in error. Thank you.

UBS Financial Services Inc.

UBS International Inc.

UBS Financial Services Incorporated of Puerto Rico

Kim Espinoza  
Merced Department of Planning  
City of Merced  
678 West 18<sup>th</sup> Street  
Merced, CA 95340



Ms. Espinoza,

I am writing to tell the city that I've had enough of the city leaving minorities out of the public process. The Wal-Mart distribution center study is so important to the future of this community in terms of what might happen with jobs, traffic and the environment, and I can't believe there is nothing available in Spanish to help people understand what this center will do.

If I can vote in Spanish, why can't I get a copy of the most important project in Merced's history translated into Spanish? Wal-Mart should pay for a translation so we aren't shut out of the discussion.

LADONNA S. MOORE  
878 CAROL AVE  
MERCED, CA 95341

*Ladonna S Moore*

**Espinosa, Kim**

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**From:** Bingaman, Jamie  
**Sent:** Wednesday, March 11, 2009 1:49 PM  
**To:** Espinosa, Kim  
**Subject:** For the Wal-Mart Record (voicemail messages)

## Summary of Messages:

#1--From Mr. Munde (726-9329)

Requested at least 6 months to review the Wal-mart Project; 60 days was not enough

✓ #2--From Chuck Morgan (380 Brookdale Dr, Merced, 722-1919)

He received a yellow flyer from SWAT and asked the Council to represent the people and vote for the Wal-Mart project for the jobs it would bring.

--Kim



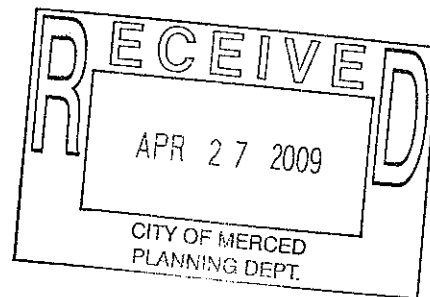
FW: Message from an unidentifi...



FW: Message from an unidentifi...

April 14, 2009

Ms. Kim Espinosa  
Merced Planning Department  
678 West 18<sup>th</sup> Street  
Merced, CA 95340



Dear Ms. Espinosa:

UC Merced has a reputation of being a leader on green technology engineering and that is something Merced residents can be very proud off. I see this Wal-Mart distribution center project as being a great opportunity to build a truly green building with as little a carbon foot print as possible. Why don't we require that Wal-Mart that build this project to LEED platinum certification.

The report acknowledges the significant impacts on air quality and pollution this distribution center will bring, so it only makes sense that the City make Wal-Mart do all it can to minimize these impacts. I'd like to see the environmental impact report address LEED standards as a viable alternative.

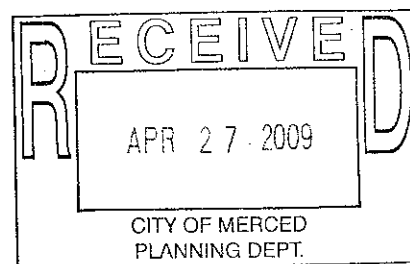
Thank you for your consideration of my comments.

*Thomas J. Alvarez*  
469 Hydrogen St  
Merced, CA 95341



April 1, 2009

Ms. Kim Espinosa  
Planning Director  
Planning Division, City of Merced  
678 West 18<sup>th</sup> Street  
Merced, CA 95340



Reading your assessment of what an "odor" means in the environmental impact report for the Wal-Mart distribution center, it's so reassuring that you report there is "no discrete source of odor in the vicinity of the project site." There are no repugnant smells in the Merced air.

Do you leave your office at all? Do you venture outdoors? As a commuter who travels from Merced to the Southside of the Bay Area, there is a noticeable smell between both regions.

I also appreciate your "1-day site visit" to the area where the distribution center will be built. Here is a suggestion. Travel up to Red Bluff or Porterville and stand outside their Wal-Mart distribution centers. Maybe take some Toxic Air Contaminant samples while you are at it.

Let us know what you find. Thank you.

*Theresa S. Mull*  
702 Round Hill Rd  
Merced, CA 95348

**Espinosa, Kim**

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**From:** Bingaman, Jamie  
**Sent:** Wednesday, March 11, 2009 1:49 PM  
**To:** Espinosa, Kim  
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--Kim



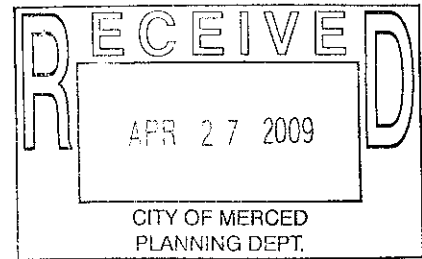
FW: Message from an unidentifi...



FW: Message from an unidentifi...

**Kim Espinoza, Planning Manager**

**City of Merced Planning Department  
678 West 18<sup>th</sup> Street  
Merced, CA 95340**



**Ms. Espinoza:**

**I'm shocked that your EIR consultant did not study urban decay. The notion that since this is not a store there doesn't need to be an examination or explanation of the urban decay impacts is completely not fair. Urban decay is a phenomenon of growth in general, not just retail growth. Think about it: If somebody placed a few hundred acre industrial project responsible for 900 big rigs trucks every day, do you think the value of your property would do anything but drop?**

**When I see that your consultants have opted to skip doing an urban decay section altogether I lose faith that you are doing all you can to protect this community from the impacts of industrialization.**

**I urge you to study urban decay as it relates to the distribution center. Approving the project without a comprehensive urban decay study is a critical mistake that we as residents will have to endure.**

*Maria Munguia*  
*Maria Munguia*

**Espinosa, Kim**

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**From:** Ed Murphy [edmurphy1954@yahoo.com]

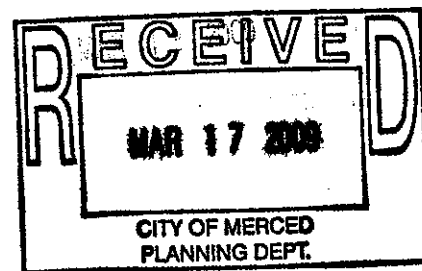
**Sent:** Friday, April 03, 2009 6:31 PM

**To:** Espinosa, Kim

**Subject:** Walmart

We need lets let them build it.  
Ed Murphy

March 11, 2009



Merced City Council  
Merced, CA

Ladies and Gentlemen of the Council:

My family and I are very much in favor of the Wal-Mart Distribution center coming to Merced. What prompted me to write this, my first letter to the Council, was receiving a letter from the Action Team that is trying and spending hard to stop it. I think that is a ridiculous position for them to take and I am amazed at their fervor. I imagine you are being bombarded by them.

Their arguments are, to me, weak. This business about the air is a non-issue; those trucks will be rolling up and down the highways no matter where the center is built. So why not get the income the project will provide us and not let it go to Madera or Stanislaus and lose out.

Well, we hope you can hold up and vote the project in as soon as possible; we can't afford for them to become restless and go somewhere else – there are other sites that are available to them.

This project is in a perfect location with the proper zoning and the right amount of acreage. We have that big new interchange to safely accommodate their trucks. We need the income they will bring; by that I mean jobs and paychecks, but also taxes and income to the county itself. To me this is a wonderful opportunity that has been placed right in our laps. We must take advantage of this prize.

Sincerely,



James H. Nash

1129 Julie Drive  
Merced, CA, 95348

**Espinosa, Kim**

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**From:** Ernie Ochoa [Eochoa@c21mm.com]  
**Sent:** Wednesday, March 25, 2009 6:52 PM  
**To:** Espinosa, Kim  
**Subject:** Wal-Mart Distribution Center

***I'm all for JOBS in Merced.....PLEASE APPROVE THIS DISTRIBUTION CENTER!  
THANKS!***

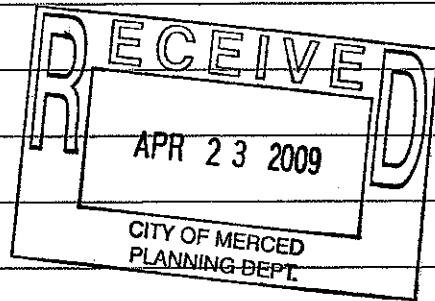
***Ernie Ochoa  
Realtor***

**Century 21 M&M and Associates  
Merced and Livingston Offices  
209-386-1140 office/cell  
209-356-3107 fax  
[www.erniechoa.com](http://www.erniechoa.com)**

**PS.. Oh, by the way, if you know someone who would appreciate my services, please call me with their name and number and I will be happy to help them or just pass my name along.**

April 20, 2009

Kim Espinoza  
 Merced City  
 678 W. 18<sup>th</sup> St.  
 Merced, Ca 95340



Re: DEIR Walmart Distribution Center

I am writing to request more study of environmental impacts to not only the schools and people residing in the near vicinity of the proposed project, but also the impacts to the community, county and state.

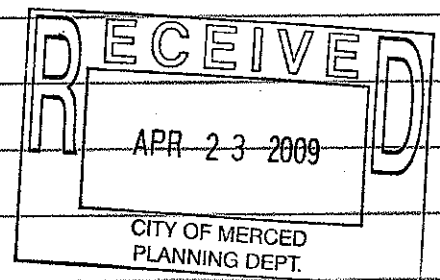
As a farmer in Merced County, I am directly impacted by the ever increasing number of trucks parked along country roads and on/off ramps of freeways. This is a safety issue and economical issue.

Our roads are not well maintained now. As reported in the Merced County General Plan Update now being studied, one loaded large truck impact on roads is equal to 9,300 cars!

A quantitative and qualitative study

should be made of impacts of parked trucks in Merced County, and for that matter, the entire Central Valley. Safety and economic costs need more study. Health issues caused by poor air quality is another personal concern I have. The cumulative effects of more trucks must be considered, especially those trucks which are older and more polluting. A study of how many independent trucks and Walmart trucks will be allowed for this project, and also are now being used in other Walmart Distribution Centers in California, should be finalized. Thank you for the opportunity to respond.

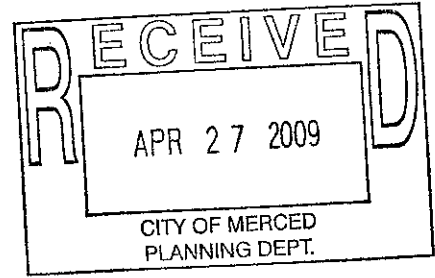
Jean Okun  
10181 W. Olive  
Livingston, Ca 95334  
(209) 394-2421





April 17, 2009

Kim Espinosa, Project Director  
Merced Department of Planning  
678 West 18<sup>th</sup> Street  
Merced, CA 95340



Ms. Espinosa,

One of the ways you are looking to mitigate Air Quality impacts is by allowing employees and their children who attend our nearby schools to vanpool together. While this is a nice idea, it's often impossible to coordinate the busy schedules of children and their parents. It's not realistic to expect these vanpools would be used all that often.

Also, will these vanpool drivers be required to undergo criminal background checks, especially because of their close proximity to children and schools?

Thank you for considering my comments.

Sincerely yours,

*Tom Olejniczak*  
Signature

Tom Olejniczak  
Print Name

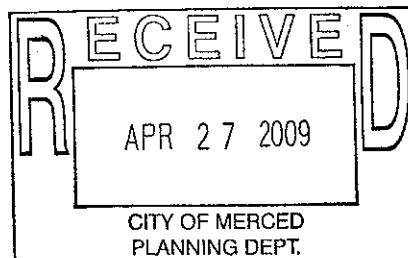
3941 Temple Ct  
Address

Merced Ca 95348

Phone 628-0204

Kim Espinoza, Planning Manager

City of Merced Planning Department  
678 West 18<sup>th</sup> Street  
Merced, CA 95340



Ms. Espinoza,

I'm not at all pleased that the Wal-Mart Distribution Center EIR does not study the effect of the project on blight or urban decay.

Our neighborhood is a struggling middle class area plagued by foreclosure and dropping property values. Many of us are hoping that it won't be too many years before our neighborhood will rebound, but building an enormous industrial complex at the edge of this neighborhood will permanently doom our neighborhood a drive down property values even further – but this time it will be a guaranteed, permanent dive.

CEQA requires a study of blight or urban decay to determine how economic and growth issues can change a physical environment. This is not confined to looking at just stores.

The City of Merced will be responsible for allowing Wal-Mart to turn southeast Merced into a ghetto. Don't you think your EIR consultants should do live up to their responsibilities and draft a legitimate urban decay section instead of dismissing the issue simply because it isn't a retail store?

Warm regards,  
Heather Oliver

Heather Oliver

2525 E. Gerard Ave.  
Merced, CA 95341

**Espinosa, Kim**

166

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**From:** Linda Olsen [linny47@sbcglobal.net]  
**Sent:** Friday, April 17, 2009 10:36 PM  
**To:** Espinosa, Kim  
**Subject:** walmart distribution center

To: Planning Manager

My name is Kenneth W. Olsen and address is 898 Sonora Ave, Merced, Ca. 95340.

I am totally for the Wal-Mart Distribution Center and implore you to vote for it to be built in Merced. If not here, somewhere else down the road. Let's keep the tax dollars and the jobs here.

Thank you

**Espinosa, Kim**

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**From:** Linda Olsen [linny47@sbcglobal.net]

**Sent:** Friday, April 17, 2009 10:34 PM

**To:** Espinosa, Kim

**Subject:** wal mart distribution center

To: Planning Manager

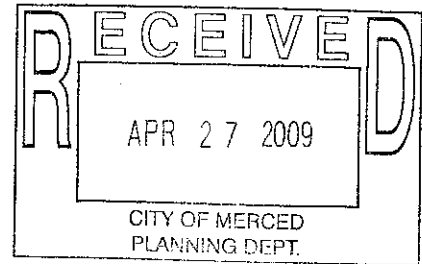
My name is Linda M. Olsen and address is 898 Sonora Ave, Merced, Ca. 95340.

I am totally for the Wal-Mart Distribution Center and implore you to vote for it to be built in Merced. If not here, somewhere else down the road. Let's keep the tax dollars and the jobs here.

Thank you

3/26/09

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



Dear Ms. Espinosa:

Truck traffic on Childs Ave and Gerard Ave should be restricted during the school day and the period immediately before and after school when children are present. Students and parents should not have to navigate to and from school while fighting distribution center traffic. If Wal-mart doesn't like it they should find another location far away from children.

Perhaps trucks traffic should be restricted at all times on Gerard and Childs. That way our children would be safe. A truck route could be created to and from the 99 which is far away from schools and homes.

Sincerely,

Signature

Claire Osborne

Print Name

162 W. 27<sup>th</sup> St.

Merced

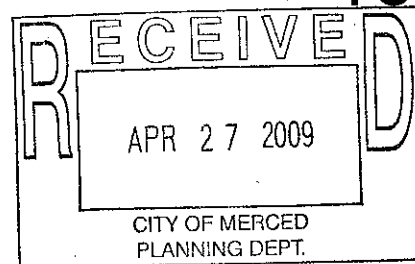
Address

209-384-3209

Phone

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,



Signature

Josh Osborne

Print Name

162 W 27<sup>th</sup> St.

Address

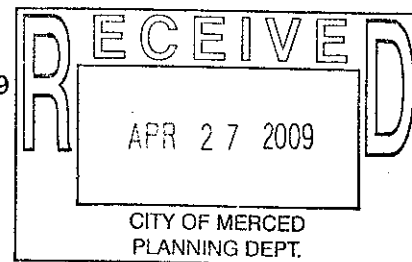
Merced, CA

(209) 384-3209

Phone

Kim Espinosa,  
 Planning Manager  
 City of Merced  
 CA. 95340

27<sup>th</sup> April 2009



Dear Ms. Espinosa,

I write to you to inform you of my disappointment that Merced City and Merced County, by promoting the development and building of the Wal-Mart Distribution Center here in Merced City, will break local government, national government and international government laws prohibiting gross pollution of our countryside and urban/towns.

Examples:-

Local California Government - Vehicle pollution increases child asthma by 30%  
<http://www.arb.ca.gov/newsrel/nr042309.htm>

National Government - Non-attainment PM2.5 pollution  
<http://www.epa.gov/air/oagps/greenbk/qnca.html#7381>

International Government - Article 25 (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family.....  
<http://www.un.org/Overview/rights.html>

You are putting profit before health! All five members of my household:-

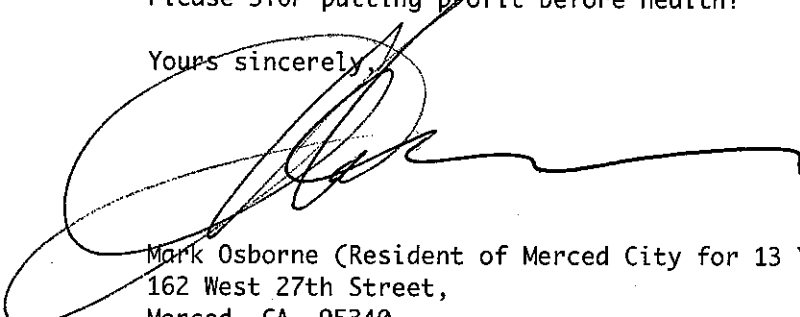
Mark Osborne	Age 45
Claire Osborne	Age 41
Josh Osborne	Age 18
Toby Osborne	Age 12
Hann Osborne	Age 10

suffer from asthma, all five family members have proscrition drugs that attempt to control our asthmatic lives. Pollution is a direct provocateur of Asthma. It is a direct breach of my and my families human rights when some one else's actions, yours (that I have limited control over), effects my families health. The Wal-Mart Distribution Center will create unacceptable levels of pollution which will decrease the standard of health of my family.

I am against the development of the Wal-Mart Distribution Center.

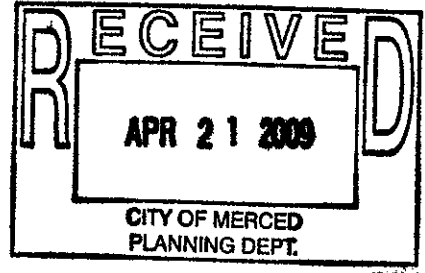
Please STOP putting profit before health!

Yours sincerely,



Mark Osborne (Resident of Merced City for 13 Years)  
 162 West 27th Street,  
 Merced, CA. 95340  
 Tel: 209 384-3209

To Merced City Manager, 209-725-8775  
Re: My Comment for Wal-Mart Distribution Center



Name: GUANCHEN PAN  
419 Azalea Ct  
Merced, CA 95341  
Email: [mercedpan@gmail.com](mailto:mercedpan@gmail.com)

The Wal-Mart Distribution Center is located on east side of Campus Parkway, most people in that area are living on west side of Campus Parkway. People always worry about trucks' pollution and noisy bother their life.

I have a solution here, the City and Wal-Mart work together to make a rule for NOT allowing Wal-Mart trucks are driven to west side of Campus Parkway. All trucks must go to Campus Parkway, then to Highway 99, even to the Wal-Mart on Olive Ave in Merced. This way limits truck pollution and noisy on Wal-Mart Distribution Center and its surrounding area only, reduces the impact to the environment.

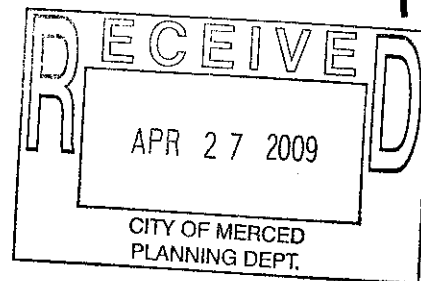
Thank you for your hard work for Merced residence.

\*\*\*\*\*



172A

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



Dear Ms. Espinosa,

The DEIR needs to provide a detailed plan regarding public transportation options for employees of the Wal-Mart Center. How will bus traffic, bikes and pedestrian walkways be incorporated into the project? This information will impact the schools traffic and kids nearby as well, and it should be publicly available as a part of this EIR.

Thank you,

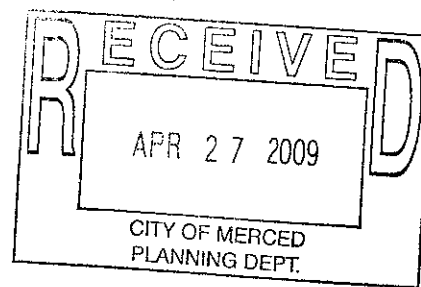
*Oscar F. Pastrana*

A handwritten signature in cursive script, appearing to read "Oscar F. Pastrana".

*2169 W. Little Sandy Dr.  
Merced CA 95348  
(209) 801-5499*

April 11, 2009

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



Dear Mrs. Espinosa,

My family is worried about the quality of life and health risks associated with living next to the Wal-Mart distribution center in Merced. It's very frustrating having to live somewhere where they want to build a 1.2 million square foot warehouse on 240 acres of land and want to build it by my house and my children's school (Weaver Elementary). If they build this warehouse my family will have health problems and will have to go to the doctor almost every week for medication refills for asthma. With an increase of medicine they will endure costly regular doctor visits as well. With the economy today, I will have to work extra hard to supply my family with the healthcare they would need on a regular basis.

Not only will I be affected by this health cost to my family but I'm sure other families who live in Merced will have similar concerns. Here in the valley we are experiencing an increased number of asthma related cases among young children and I'm saddened to see this on a rise in Merced. I would like to see something else built in my neighborhood like a new school, healthcare facilities or even a shopping center. This is wrong for our community and we don't need Wal-Mart in our neighborhood.

Sincerely,

Oscar Pastrana

2169 W. Little Sandy Dr.

Merced CA 95343

**Espinosa, Kim**

**From:** Marilynne Pereira [marilynne@gmail.com]  
**Sent:** Monday, April 27, 2009 4:51 PM  
**To:** Espinosa, Kim  
**Subject:** Letter of Concern for the WMDC



173A

City Planning Department

I am writing this letter with concern to your plan to build the Wal-Mart Distribution Center between Childs and Gerard Avenue in Southeast Merced. I think that your decision to locate the distribution center next to 2 new subdivisions and numerous single residential homes, not to mention 2 schools, is not very good planning. It may look good on paper, but in reality, the placement of the WMDC in this location will have ongoing negative impacts to the residents in this area, including myself. I know the proposed site was rezoned from ag land to heavy industrial many years back, and most new residents to that area have or had no idea what the almond trees would give way to when they purchased their home. Certainly the sales offices at these new subdivisions did not offer that information and some even gave wrong information about where the proposed site was going to be (like across the highway by the Save Mart DC.)

I'm guessing they didn't feel it was their responsibility to let home buyers know of what might be moving into their back yard.

Some residents I have spoken to wondered what the concern was since there is not a problem with the McLane Pacific or Save Mart Distribution Centers. The Wal-Mart Distribution Center cannot be compared to either in size or truck traffic. Both cause few problems to its neighbors, although driving down Kibby when the trucks are lined up getting into the gates is not pleasant.

Trucks have also agreed to not drive down Childs Avenue during school hours. But the size of the facility itself and the employees that will work there as well as the truck traffic generated by the WMDC will have a devastating impact on the area surrounding the proposed WMDC.

These are my concerns:

Truck traffic a menace and pollutant—

Wal-Mart says that their new truck fleets will be “green” and therefore not pose a pollution problem. Kudos to WM for pushing this idea. Maybe they can lead the world in their green truck philosophy. But what they don't talk about is that at least half of the trucks entering and leaving the DC will NOT be green because they will be independent trucks. Wal-Mart only has control over its own fleets. Therefore the other 200-400 (I've heard varying numbers) will be heavy polluters, polluting even more the already heavily polluted air we live with today.

In theory, the idea that the trucks will exit Highway 99 and take the Campus Parkway to the Distribution Center and back again and will not be a menace to the surrounding area is just that, a theory. In reality, according to routine activity at other WMDCs like Porterville, truck drivers get hungry and will find their way down Childs Avenue to Burger King, McDonalds, Starbucks, and the other fast food restaurants or markets thus clogging the already crazy intersection at Childs, 99, Motel Drive, and Carol Avenue.

Noise and Light Pollution—

Not much is mentioned about the noise from loud speakers calling to drivers and the dropping of the trailers to remove them from the cabs. During daytime hours the noise is swallowed up by normal traffic and routine noises in and around the homes. But in the middle of the night, when all is quiet in most homes or on Sunday mornings when Gerard Avenue is really quiet, the Wal-Mart Distribution Center will be working its normal schedule. Sound cannot be contained and it's unfair to expect that residents will always keep their windows closed.

The lights that surround the other Wal-Mart Distribution Centers are like those at a big stadium.

4/27/2009

While Wal-Mart says the lights are special and focus their light only on the area around the site, they too cannot be contained and will create a constant glow at night creating a daylight effect all night long, seven days a week.

Jobs, are there guarantees?—

Yes, Merced needs jobs. The number of jobs the Wal-Mart Distribution Center will really offer is anything from 400-1200 depending on who you talk to or what article you read. There has been little discussion about whether these are full time (40 hours per week) or Wal-Mart's full time (less than 40 hours per week) or if they will include medical benefits. I know that most of the operation is computerized, so what are the skills needed for the jobs? Will Wal-Mart be hiring locally? Will they pull from other Distribution Centers? Will they commute from other communities? Will Mercedians even qualify for the jobs?

Will the construction jobs be local or will the City give the job to outside contractors?

Negative impact to the environment--

Building a facility the size of the proposed Wal-Mart Distribution Center will have a negative impact on the land. Paving over the larger portion of the 230 acres the DC will occupy will have more of a negative impact than you would expect. Destroying the trees and replacing them with asphalt, cement, and buildings will cause the area to heat up by absorbing the 100+ degree summer heat. When it rains, the rain will not seep into the ground and replenish the ground water Merced residents drink. The rainwater will combine with the oil and diesel and other pollutants that come from the trucks and pollute the surrounding grounds.

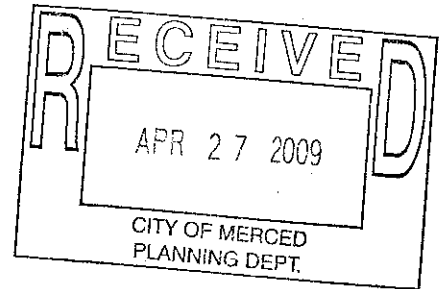
I'd like to see Merced City Planners promote smaller and independent businesses and build downtown. Give small businesses the same tax breaks you will be giving Wal-Mart. Encourage smaller businesses that complement our UC Merced and build businesses that would have less of an impact on our city, our residents, and especially our precious ag land.

I have been following the discussions surrounding the WMDC since it was announced several years ago. Nothing the City or Wal-Mart executives have said regarding the positive impact to the community of Merced has changed my perspective. I believed then and I believe now that the placement of the WMDC is wrong. Please consider moving it to a location more appropriate: away from residential neighborhoods and schools.

Thank you,  
Marilynne Pereira  
505 Mustang Court  
Merced, CA 95341  
723-6053

173B

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



Re: Opposition to Wal-Mart Distribution Center

Dear Ms. Espinosa,

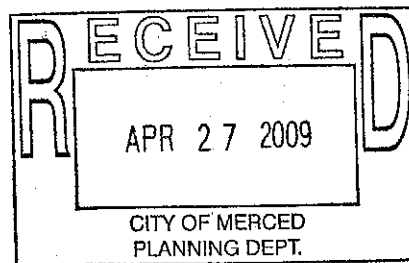
There needs to be greater explanation in the Wal-Mart EIR about the access of public transportation to the site. There should be details about street lighting and cross walks, bus routes and schedules, and bicycle lanes. I hope that by omission the City does not expect that all the employees must own a car and commute as their only transportation option.

Also, Wal-Mart could provide shuttles to and from the area to offset the public cost of alternative transportation. This facility will put a bigger burden on public transportation, so why shouldn't the folks causing the trouble be creating the solution?

Sincerely,

*Marilynne Pereira*  
Marilynne Pereira  
505 Mustang Ct.  
Merced, CA 95341  
(209) 723-6053

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



173C

Dear Ms. Espinosa,

Regarding the Wal-Mart Distribution Center's Draft Environmental Impact Report (DEIR), why isn't there a thorough landscaping plan from Wal-Mart at this time? We need to understand how much water this site will consume, which is tough to do without a landscaping plan.

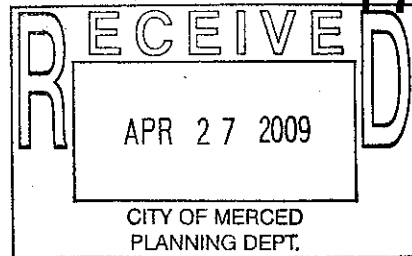
I would like to see a significant number of trees to be preserved and/or placed at the site to limit to bad views that people will be able to see from the road. Most major distribution centers are horrible eyesores, like the one for IKEA on Highway 5 near the Grapevine or row after row of the distribution centers outside of Tracy. Merced should have high standards for landscaping and foliage at this site to minimize the drop in property values.

Sincerely,

Marilynne Pereira  
Marilynne Pereira  
505 Mustang Ct.  
Merced, CA 95341  
(209) 723-6053

173D

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



Re: Comments on Wal-Mart Distribution Center

Ms. Espinosa,

I have real concerns about noise impacts that might come from the construction of this center. Other towns who have these facilities are currently estimating that a diesel truck is either coming or leaving the distribution center every two minutes. I cannot find in the EIR a similar figure that points to the frequency with which trucks will be passing by for this project. I would like the final EIR to add this statistic. Statistics regarding the frequency of non-truck employee traffic should also be added.

Sincerely,

*Marilynne Pereira*

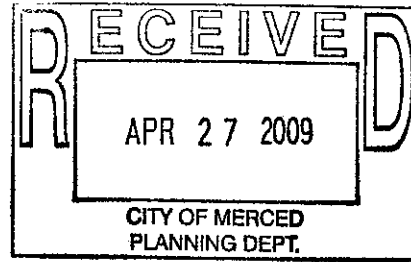
Marilynne Pereira  
505 Mustang Ct  
Merced CA 95341

(209) 723-6053

FAX 209-725-8775

174

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



The EIR should be very clear as to how many diesel trucks and construction equipment will be idling at any given time at the project site.

The study says a potential of 4 diesel trucks may be idling at any given time during an hour period. I did some research and found that California State Law requires that no truck can idle longer than 5 minutes continuously.

The study should specify how many trucks would be idling throughout a 24-hour period.

Thanks,

Alfa G. Perez

3165 Dinkey Creek Ave

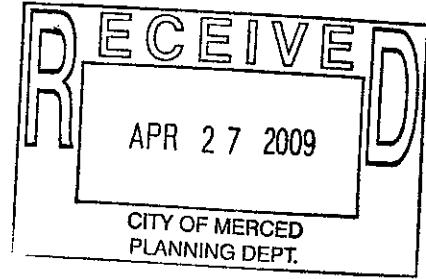
Merced CA 95341

209-723-9029

Ps: The air and noise pollution is very important  
for me, for my family A.P



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



Ms. Espinosa:

After waiting for three years to read the Wal-Mart distribution center EIR, I'm shocked that your consultants decided that they did not need to study urban decay. The rationale that since this is not a store there doesn't need to be an examination or explanation of the urban decay impacts is completely ridiculous. Urban decay is a phenomenon of growth in general, not just retail growth. Think about it: If somebody placed a 230 acre industrial complex responsible for the movement of 900 big rigs trucks each day, do you think your value of your property would do anything but drop like a rock?

We pay our taxes, send our kids to the public school within a stone's throw of the project site and we expect our city council to pay us the respect of doing a thorough and honest job of studying this project. When I see that your consultants have opted to skip doing an urban decay section altogether I lose faith that you are doing all you can to protect this community from the impacts of industrialization.

Bottom line: you need to tell us what kind of urban decay we are facing with respect to how our property values will drop and how this neighborhood will be a place nobody will want to live in again. Don't make the mistake of believing that urban decay only means retail competition.

Sincerely,

PEGGY PERKINS

Name  
321 W 27 ST

Address  
Merced CA 95340

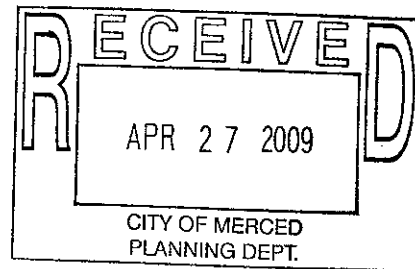
City, State, Zip  
[Signature]  
Signature



PEGGY PERKINS

175B

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



26 April 2009

Dear Ms. Espinosa,

I'm sure you are inundated with letters from citizens on both sides of the Wal-Mart Distribution Center controversy. I can only hope that you are able to read them all, consider carefully the benefits as well as the problems with the proposed project, and urge the City Council to do the same.

It may have been helpful for you to attend the public forum held at Golden Valley last Thursday, April 23, 2009. The three panelists offered information not necessarily covered in the DEIR, including the impact of urban decay, that should be addressed by the planning department and the council.

One bit of information in particular that I found troubling was the lack of a Technical Appendix in the DEIR which would clearly and fully explain the mitigation concerning the water issues - storm water and other run-off, as well as daily use included. The hydrologist spoke of the current plan and it's questionable mitigation measures, and said that in all the other DEIRs he has read, they include an appendix that outlines the exact plan and how it will work. Without this appendix, he said, there was no way to tell how - or IF - the proposed mitigation would actually work. It would be disastrous to build the center only to find out that these problems were not fully addressed.

I think it would be disastrous anyway to put the Distribution Center in the proposed area, no matter the mitigation. I am not, as some people would say, "anti-job". I am just "pro-rational thinking". To take on this huge project for the sake of employing 600 people, even 900 people - at any rate less than 1% of Merced County is NOT the answer to unemployment. Not when there are so many compelling reasons, including the health of our citizens and our environment, not to.

Sincerely,

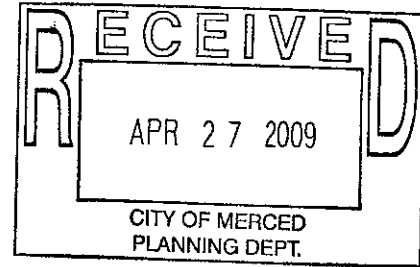
peggy perkins



PEGGY PERKINS

175C

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



27 April 2009

Dear Ms. Espinosa,

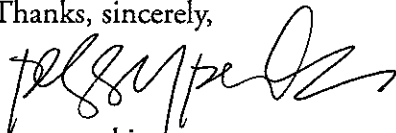
In another letter I referred you to the problem of storm- and waste-water mitigation at the proposed Wal-Mart Distribution Center site. If you would like to research the past and on-going environmental problems Wal-Mart has caused and been sued and/or fined for, I suggest you start here:

<http://walmartwatch.com/issues/environment/>

Please don't dismiss this information as "anti" Wal-Mart or misleading because it is on a website that asks citizens/consumers to try to change some of Wal-Mart's ways. The information presented comes from very reliable sources including the Associated Press, the NY Times, Business Week, the Christian Science Monitor, and Wal-Mart's own website. It is not just a blogger badmouthing Wal-Mart.

My hope is that you will inform yourself and the City Council as to the serious issues facing the proposed DC project. Please DO NOT be afraid to question the validity of Wal-Mart's claims and promises. They don't want what is best for Merced, they just want to grow their business.

Thanks, sincerely,

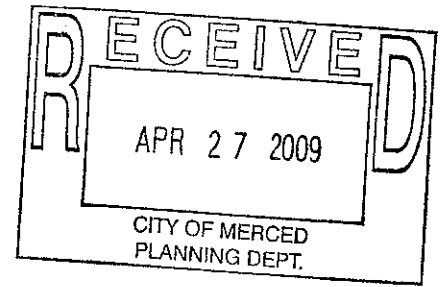


peggy perkins

175D

3/24/2009

Merced Planning Division  
RE: Wal-Mart Distribution Center  
678 West 18<sup>th</sup> Street  
Merced, CA 95340



To Whom It May Concern:

As a resident who is opposed to the distribution center at it's currently proposed site, I've been reading through the Project Alternative Section (Section 5). Have you noticed who many other communities have said told Wal-Mart "thanks, but no thanks?" The section says there is "no detailed explanation of what constituted a political or socioeconomic issue." In other words, these communities rejected Wal-Mart. What is it that they know that Merced doesn't? Perhaps they are not willing to sell out there residents like Merced is.

Do you realize that thousands of people live within 500 yards of the where the distribution center will be? Perhaps Livingston, Delhi, Escalon, Oakdale and Tracy felt the health and safety of their residents is just more important.

Please think about this. Thank you.

A handwritten signature in black ink, appearing to read "Peggy Perkins".

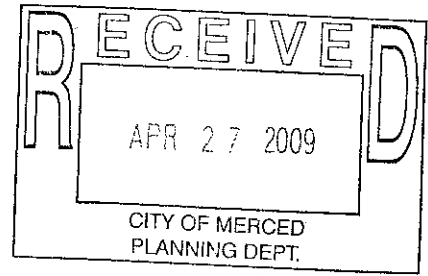
PEGGY PERKINS

321 W 27 St.

Merced CA 95340

209.725.8898

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



**Ms. Espinoza:**

**Here are questions that I have regarding the EIR for the Wal-Mart Distribution Center:**

**Why is Wal-Mart not paying the costs of the road improvements that will need to be made?**

**Is this best location for this distribution center? For example, why can't this project be built on the West side of Highway 99?** *or North Merced on Rocky Land*

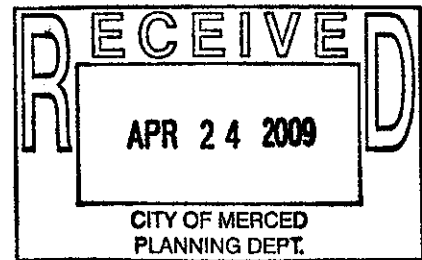
**Unless these questions are answered and solutions are worked out with the taxpayers in Merced, I cannot support this project.**

**Thank you,**

*Betty Phillipps  
Betty Phillipps  
81 N. Cooper Street  
Merced, CA 95340*

*Why take our good farmland?*

Joan Porter  
1431 Yosemite Pkwy #2  
Merced, CA 95340  
Phone: (209) 722-2383  
Email: [Joan.700@hotmail.com](mailto:Joan.700@hotmail.com)



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

Subject Walmart

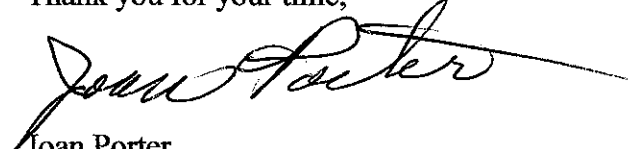
Dear Ms. Espinosa and the Planning Division,

I am sending you my story of the flooding of Alviso, a first hand accounting of what happened when greed and power took over as Silicon blossomed from farming and pear orchards to the high-tech metropolis it has become. I send this to you because Walmart plans to blacktop 110 acres of flood plane near schools, UC Merced and residential areas. It can only lead to disaster.

In 2006 as Merced was building wildly and rapidly we flooded a mobile home parks and residential areas on Ashby Rd. In addition Sandy Mush Road flooded out and cows and cattle were dieing in fields as they stood in water.

It is a natural phenomenon that water can't just be pumped, it has to go somewhere. Please take the time to read this short story because I believe blacktopping 110 acres on a flood plane is an accident waiting to happen.

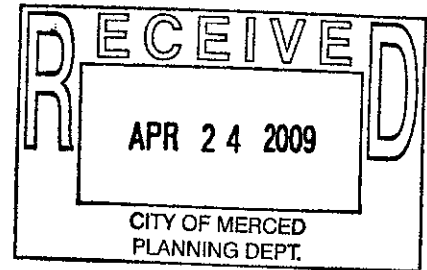
Thank you for your time,



Joan Porter

Joan Porter  
1431 Yosemite Parkway #2  
Merced, CA 95340  
Phone:(209) 722-2383  
Email: joanp71@gmail.com

Words count: 1250



## The flooding of Alviso

by  
Joan Porter

Silicon Valley grew rapidly between 1975 and 1982. Booming electronics corporations with names like IBM, Hewlett Packard, Apple Computers and hundreds of lesser known Hi-Tech companies caused an economic surge, population explosion and building expansion. Silicon Valley had grown unexpectedly from pear orchards, dairies and farms to a metropolis with cable cars and skyscrapers to accommodate an astronomic economic surge.

Everything has its price. Plant and animal life disappeared. Rivers and underground water sources were diverted and pumped into the San Francisco Bay mostly through canals to make way for more and more construction. As might be expected the bay began to rise and

bayside communities began to flood. Water crept up on the land, beaches disappeared and flooding took its toll especially in the south bay.

The little town of Alviso had lost its ten foot sea wall to the bay. That 1930's structure never returned. A canal next to that small Hispanic shanty town drained water into the bay. Alviso began to flood each spring with runoff from higher ground, runoff from the Sierras through the San Joaquin delta and the influx of too many high rise buildings in Silicon Valley. It would be detrimental to the local economy if the expensive new areas were to flood.

In the spring of 1980 canal water rose to the top of its banks ready to flood San Jose, Santa Clara and the newly emerged Silicon Valley. Suddenly, in the wee hours of morning Alviso flooded three feet deep and all else was saved. The citizens of Alviso said men from the water district were seen opening the floodgates in Alviso, but it couldn't be proven. Who would believe those poor, poverty stricken Mexicans in the slums of Alviso?

In the spring of 1981 Alviso went 6 feet under water. The water spread all the way to Highway 237, then stopped abruptly. The ocean hugged and followed Highway 237 around the entire south bay that year. I lived in a Mobile Home Park just on the other side of Highway 237. I walked to the highway and looked out on the bay with breakers, waves and tides. How lucky that the ocean had not jumped the highway that year. A priest from Santa Clara rowed to the church in Alviso to rescue the Blessed Sacrament, his sacred duty to protect. The Red Cross and disaster relief agencies helped the town's people cleanup and recoup their losses when the waters receded.



The people of Alviso cried out in anguish to the County of Santa Clara to please not flood the town again. But as usual, the poor went unheard amid denials of deliberate flooding. Some said it might be a good thing if Alviso was left at the bottom of the bay as the hopeless slum it had become.

The floods of 1982 came quick and furious. The mobile home park where I lived was surrounded by a levee as required by law because of the flooding potential. The residents of the park were notified that the floods were coming again and this year we would be affected. We were given the options of leaving the park during the flood or staying inside the park's levee until the waters receded. No one knew how long the flooding would last.

With a keen sense of adventure, I surveyed my terrain and found a spot where flood waters could be breached. I could make access to the canal bank. If I could cross the canal at the highway, I would be on the dry side. I parked my car in a safe area on the opposite side of the canal and walked into the park by the afore mentioned route. My decision to stay and experience this once in a life time event had been made.

I telephoned my daughter and told her what was happening. "I'll be right home," Sharyl said.

"Maybe you should stay with a friend tonight," I suggested.

"I'll be home in just a few minutes," she stated defiantly.

An hour later Sharyl called me. "I got to the stop light and just looked. I'm not going into that. I'm staying at Linda's tonight."

“Good thinking,” I responded.

I went outside and climbed to the top of the levee. To the south, north and west everything looked normal. To the east the San Francisco bay was moving in with waves and breakers. I wondered if my decision to stay was a good one and returned to my little home. About a dozen homes were occupied; the remainder of the 150 were abandoned.

Night and darkness came. I slept on the couch in the living room and didn't bother to get out of my clothes. Senses sharp, I was prepared for an emergency. Every smell, sound or feeling left my nerves jumping.

Suddenly a faint chirping like a million insects began a crescendo that lasted for more than an hour. The unearthly sound was like being in a science fiction movie . Rushing water like a massive waterfall hitting trees, rocks, boulders and anything else in its way reached a nerve shattering frequency and remained for a maddening length of time. I plugged my ears with my fingers to stop the shrillness. Then abruptly the sound stopped. My ears strained to hear something, anything. There was only silence. I knew instinctively that water had surrounded the levee. To my surprise, public water, electricity, phones, sewer system and gas were all working.

Sleep that night was fitful. The sun came up and I quickly dressed for work, then left giving myself a full hour to reach my destination to compensate for the flood.

Climbing to the top of the levee around the park I surveyed my oceanic domain. No one would travel Highway 237 that day. The ocean had invaded from the bay at Alviso across the highway and about a mile to the west of me toward San Jose.

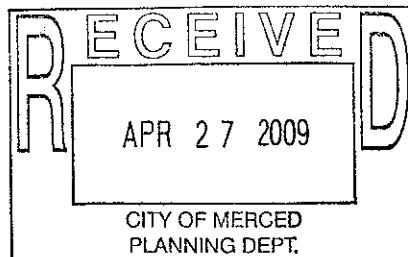
I looked for my predetermined crossing and found the high spot to freedom leading from the levee to the canal bank, then across the canal at the edge of the highway. Accepting Neptune's challenge, I cautiously made my way to the dry side of the canal and my car. My return from work was just as cautious as I challenged the ocean to battle.

A few short days later the water returned to its place in the bay. The water lines against buildings in Alviso were nine feet high. Alviso was devastated and would not be able to survive another flood like the spring of 1982. Santa Clara County needed to formulate a solution to prevent flooding from happening again. It was not an easy task, but it was accomplished. That was the last year of flooding.

I'm not sure how flood control was achieved, but some say if a major earthquake rocks the South San Francisco Bay that a process called liquefaction will sink buildings into a quagmire of quicksand from Milpitas to Fremont. People say many things. Could it really happen?

April 20, 2009

Kim Espinosa  
Project Director  
Planning Division  
678 W. 18<sup>th</sup> Street  
Merced, CA 95340



Ms. Espinosa,

According to Air Quality Section 4.2-10 of the Merced Wal-Mart Distribution Center DEIR, you used "The General Location Guide for Ultramafic Rocks in California – Area More Likely to Contain Naturally Occurring Asbestos" printed by Churchill and Hill in 2000 to determine if you need to study asbestos on and around the proposed distribution center site.

How nice of you to use a guide written in 2000, nine years ago. Shows you really put a lot of time and care into this study. Oh...and I see this guide is based on a "general" determination of location and that it is "more likely" to contain naturally occurring asbestos. How about you take a map of the San Joaquin Valley and throw darts at it in order to determine where you should study asbestos?

I find your approach to be pathetically lazy. How about this? Take a shovel and dig 20 holes on the site, then test the soil?

This is our health. This is our neighborhood. This is safety of our children.

You and the city fail to appreciate this.

Signature

MARIA PULIDO

Print Name

1240 W 6<sup>th</sup> St

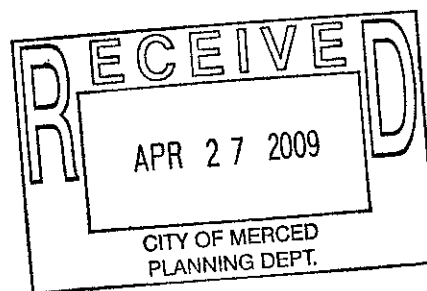
Address

Merced CA 95340

(209) 385-6676

Phone

Kim Espinosa, Planning Manger  
City of Merced Planning Department  
678 West 18<sup>th</sup> Street  
Merced, CA 95340



Dear, miss Espinosa:

I'm writing you a letter to talk about the Wal-Mart distribution center here in the Southeast Merced. The reason why I oppose to the Wal-mart distribution center is because of the 900 trucks coming in and out. Because they are going to be passing by pioneer, weaver elementary and golden valley there are lots of risk like cancer and asthma. This will affect a lot to all the people who live near this project wants to be built at. There's no pedestrian sidewalks or bicycle facilities. How are the children going to be safe with the diesel trucks and the 900 trucks coming on child Ave.? I think it's dangerous because there are no safe sidewalks or where children can walk on. For the air quality it should be first a health risk assessment that includes a study of cancer risk caused by off-site WMDC project traffic. The noise will be mechanical equipment, buzzers, bells loud speakers, or other noise. The proposed project would have an increase in traffic around sensitive receptors and would be a significant impact. The water quality will runoff will be a serious risk from the construction of the proposed 230 acre site. The oil and diesel associated with diesel trucks going to and from the distribution center. I think they should just build the proposed elementary school and it would be less than 500 feet from the camps parkway. And it would be safer for the children. We already have enough of air pollution near in the valley should think about what is the best for the children safe and everyone here health. We don't need this Wal-Mart distribution center here at all. This should be a nice peaceful place where it should be clean and where the children would be safe. We would not want to see our children having health problems in this area, by the cause of this warehouse being built here. It would be great if they would build something that is useful no something that would bring something bad in this valley. I wouldn't like to see the children's getting sick off of the bad air pollution in this valley it's not good. Hope that they don't build this warehouse here. Thank you for your time. Please make the right for everyone that is oppose to the Wal-Mart distribution center. This is why I oppose to the Wal-Mart distribution center.

Laura Angelica Ramirez  
2285 Linden St  
Atwater Ca 95301

*Laura Angelica Ramirez*

**Espinosa, Kim**

---

**From:** Walker, Dawn on behalf of city, council  
**Sent:** Thursday, March 12, 2009 8:31 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: Merced Stop Wal-Mart Action Team

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:** Yonathan Ramirez [mailto:yonitran18@hotmail.com]  
**Sent:** Tuesday, March 10, 2009 3:57 PM  
**To:** city, council  
**Subject:** Merced Stop Wal-Mart Action Team

**Merced needs six months to give the residents, taxpayers, parents and voters who invest their lives in this city to review this complex, complicated and overwhelming project proposal.**

**The City took three and a half years to draft this plan, but the public gets only 60 to review it?**

**THAT'S RECKLESS AND WRONG!!!!**

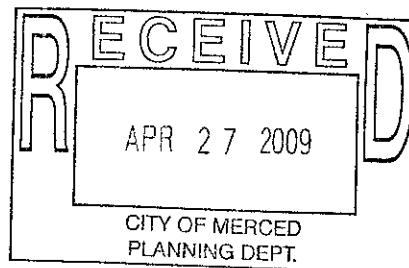
Yonathan Ramirez  
alias "yoni"

---

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March 30, 2009

Kim Espinosa  
Merced Planning Division  
678 West 18<sup>th</sup> St.  
Merced, CA 95340



Dear Ms. Espinosa:

What kind of things will Merced make Wal-Mart do to limit the amounts of PM<sub>2.5</sub> that their distribution center will contribute to? I noticed in your "Summary of 2005 Estimated Emissions Inventory for Merced County" table that industrial processing contributes to the highest amount of PM<sub>2.5</sub> release. What can we do to try to lower that number? This is a health issue we're talking about!

Thank you,

Maria E. Alvarez

Signature

Maria E. Ramos

Print Name

66 S. Fork Ave.

Address

Merced, CA. 95341

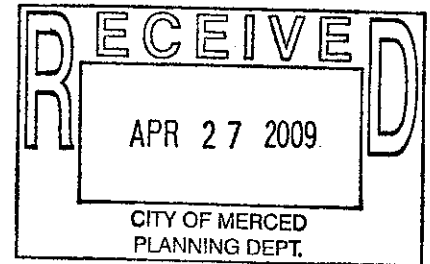
City, State Zip

(209) 726-3436

Phone Number

Merced, April 26, 2009

Kim Espinosa, Planning Manager  
City of Merced Planning Division  
678 W 18<sup>th</sup> Street  
Merced CA 95340



Dear Ms Espinosa,

The Wal-Mart Distribution Center doesn't belong next to homes, we were here first. Wal-Mart can build somewhere else, we, all the neighbors here, cannot.

A few jobs, which it isn't even stipulated how many are going to be for Merced residents are not worthy the health cost involved. City and county resources will have to be diverted to patch the string of asthma an allergy sufferers which will increase dramatically.

By ordinance I cannot even burn a log in winter (random/temporary) for the heavy pollution, and you are ready to allow a PERMANENT 24/7 source of the same type of pollution just a couple of blocks from my home?

Please reconsider. By the way, where do *you* live?

Thank you,

A handwritten signature in cursive script that reads "Carmensol Rehbein".

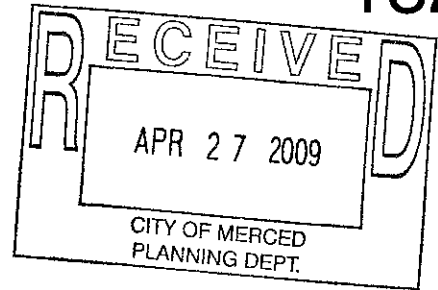
Carmensol Rehbein  
3185 Dinkey Creek Av  
Merced CA 95341  
(209) 349-8378  
(925) 321-1567 cell  
carmensolR@gmail.com



4/23/09

182B

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



Ms. Espinosa,

I am worried about the 900 trucks coming in and out of Southeast Merced everyday around our streets and schools. Heavy duty diesel trucks that weigh over thousands of tons will mess up the roads more and tax payers like me will have to repay for the roads. We need to make Wal-Mart accountable for paying their way here in Merced before we consider them at all. I think this warehouse should be built somewhere else, but not here in Southeast Merced! This is why I oppose the Wal-Mart distribution center.

Best,

Carmensol Reinken

Carmensol Reinken  
3185 Dinky Creek Ave  
Merced CA 95341  
(209) 349-8378  
carmensolR@gmail.com

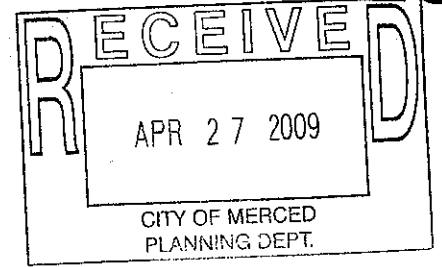
PS: I'm also very concerned about the pollution: air, water, noise, etc., even 24/7 artificial lights that such a center will bring. Also urban decay is a worry, the builder already stopped building in our neighborhood and the vacant lots add to the auction / for sale / foreclosed homes

CR

4/23/09

182C

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



Dear Ms. Espinosa,

There are some major details lacking with regard to projected employment figures and available jobs at the Wal-Mart distribution center. I would like to know the following:

1. How many jobs will be full time?
2. How many jobs will be part time?
3. Will City of Merced residents be given priority hiring over non residents?
4. How many new stores will be proposed locally and regionally once this SuperCenter is built?

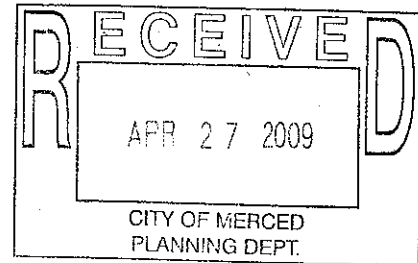
Some analysis of the economic impact of the project should have been conducted. These questions are tied hand in hand with environmental issues. For example, more people back at work means more cars on the road, more GHG emissions, more demand from public services and safety, etc. Failure to include all this makes this document very incomplete.

Sincerely,

Carmen Reisin

Carmen Reisin  
3185 Dinkey Creek Av  
Merced CA 95341  
209-349-8378  
985-321-1567 cel

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



Dear Ms. Espinosa,

The DEIR for the Wal-Mart Distribution Center says that Wal-Mart will reduce electricity demands through the use of solar panels.

How many solar panels? How much electricity will it produce? What percentage of their annual electrical needs will be provided by these solar panels? Why can't 100% of their electrical usage be provided by solar panels? That would take an enormous load off of our electrical grid and help avoid blackouts.

Sincerely,

MAURICIO REHBEIN  
 3185 DINKLEY Creek AVE  
 Merced CA, 95341

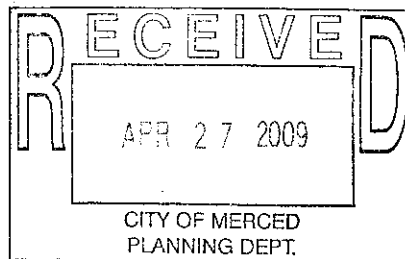
I'm also concerned about truck noise, and why Wal-Mart D.C. did not find a place far from already builded Houses - Other case will be if the houses where builded after WMDC, be there. -

Thanks -

MR

4/23/09

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



Ms. Espinosa,

I am writing today to show my opposition to the proposed Wal-Mart Distribution Center in Merced. My reason is that the facility will bring terrible effects to the health of this community because of the massive traffic from employees and big rigs that will happen every day.

The EIR also lacks specifics about the cost of the project which need to be disclosed. In section 4.93 (Environmental Impact) under Impact Analysis 4.9-1, it discusses new infrastructure for public water, wastewater and utility infrastructure but there is nothing which discusses the costs of these aspects of the project. Will Wal-Mart be paying for these or will the city? What is the percentage of the infrastructure costs that Wal-Mart will pay in comparison to the percentage paid by taxpayers?

I hope the answer is that Wal-Mart is paying 100% of the cost. The City of Merced should not be engaged in handing out public money to massive corporations.

Sincerely,

MAURICIO REHBEIN

I already suffer from Asthma -  
 That will increase my symptoms -

ML

3185 Pinkey Creek Ave  
 Merced CA 95341

**Espinosa, Kim**

---

**From:** Walker, Dawn on behalf of city, council  
**Sent:** Tuesday, March 10, 2009 8:22 AM  
**To:** Davidson, Dana; Conway, Mike; Quintero, Frank; Espinosa, Kim; Schechter, Jeanne  
**Subject:** FW: walmart distribution center

From the website.

Dawn

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

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

From: graciela rey [mailto:reygraci@sbcglobal.net]  
 Sent: Monday, March 09, 2009 8:12 PM  
 To: city, council  
 Subject: walmart distribution center

it seems that the time has come to approve the distribution center we cannot longer wait for a better employer the needs of merced are to great to ignore them or allow a small group to dictate the fate of the rest of the citizens of this town there are no jobs available the foreclosure is increasing hourly action is required from our city council this is not the time to play politics with the well-being and stability of our families we cannot wait for miracles drastic problems require drastic measures

by the way the resident from the south part of town did not get the right adjustments not only that but my property taxes went up when i went to complaint they told me i have to wait till january 2009 for the new assessment???? right now i am down 60,000 of my own money which it was my initial investment for what?? to be treated as a second class citizen because i live in la bella vista by g an gerard the only person that cares what happen to us is Kelly Rossman from code enforcement because honestly we dont see any patrolling in our street and we certainly can use some attention we are seeing graffiti inside the subdivision which indicates illegal activities and the last time i check my tax bill we still paying yearly maintenance sincerely yours,  
 graciela rey  
 110 San Clemente Drive  
 Merced Ca 95341  
 and yes we exercise our right to votegr

**Espinosa, Kim**

---

**From:** Walker, Dawn  
**Sent:** Monday, March 09, 2009 9:26 AM  
**To:** city, council; Bill Spriggs (E-mail); Carlisle, John; Conway, Mike; Cortez, Joseph; Dawn Walker (E-mail); Ellie Wooten (E-mail 2); Ellie Wooten (E-mail); Gabriault, Michele; Jim Sanders (E-mail); Joe Cortez (E-mail); John Bramble; John Carlisle (E-mail); Lor, Noah; Lor, Noah; Michele Gabriault-Acosta (E-mail 2); Michele Gabriault-Acosta (E-mail); Sanders, Jim; Spriggs, Bill  
**Cc:** Davidson, Dana; Conway, Mike; Quintero, Frank; Schechter, Jeanne; Espinosa, Kim  
**Subject:** FW: Phone message

Please see the message below.

Thank you,

*Dawn*

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

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

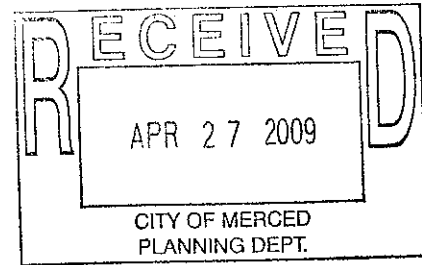
**From:** Pineda, Maria  
**Sent:** Monday, March 09, 2009 9:24 AM  
**To:** Walker, Dawn  
**Subject:** Phone message

Mary Ann Reynolds called she would like the Walmart EIR public review extended from three months to six months in order to give the public time to review it. She would like an email response from each council member. mareynolds42@sbcglobal.net / 723-5996.

*Thank You,  
Maria E. Pineda  
Secretary  
City of Merced  
Redevelopment & Economic Development  
678 W. 18th Street, Merced, CA 95340  
(209) 385-6827, (209) 723-1780 Fax  
pinedam@cityofmerced.org*

April 18, 2009


Ms. Kim Espinosa  
Merced City Planning Division  
678 W. 18<sup>th</sup> Street  
Merced, CA 95340



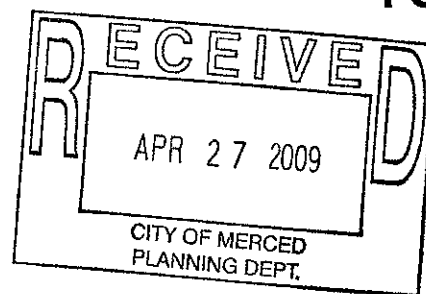
Ms. Espinosa,

Please define what (2006x) means in the Wal-Mart distribution center report. I see this figure repeatedly in the DEIR. I understand it is attributed to the Air Resource Board (ARB), but we're now in 2009. Surely, the San Joaquin Air Resources Board has more up-to-date data than 2006. Please address this in the Final EIR. I think we owe it to our children to make sure we are using the most current information in this report.

Sincerely,

  
Signature  
Tammy Rodriguez  
Print Name  
1240 W. 6<sup>th</sup> St.  
Address  
Merced, CA 95341  
Phone (209) 385-6676

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



Re: Truck Idling

The environmental impact study should be clear as to how many diesels and construction equipment will be idling at any given time at the project site. The study indicates a potential of 4 diesel trucks idling at any given time during a 1-hour period. Because state law requires that no truck can idle longer than 5 minutes continuously, this is significant because it means trucks will be moving with extreme frequency. This clearly impacts the noise that will be generated both during construction and after the site is in operation. The study should specify how many trucks would be idling throughout a 24-hour period at the distribution center. Thank you.

Sincerely,

GABRIEL D. ROSALES  
Name

137 SWEETWATER AVE-  
Address

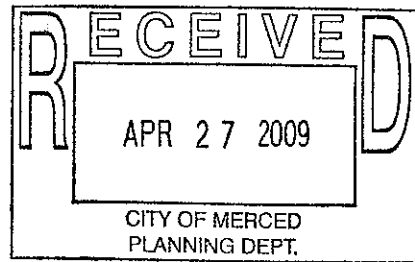
MERCED, CA - 95341  
City, State, Zip

Gabriel D. Rosales  
Signature

4-16-09  
Date



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



188

RE: Construction Equipment and the Wal-Mart Distribution Center

Dear Ms. Espinosa,

I have grave concerns about the use of construction equipment for the proposed Wal-Mart Distribution Center. Several studies have highlighted 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. The risk of exposure to construction activity is evaluated for cities in each of these regions. Merced is one of the cities cited as being a high-risk area. Additionally, the EIR should implement the safety steps residents can take in protecting themselves against harmful construction equipment highlighted on page 32 of the study.

The DEIR is deficient in its analysis of how many and what type of construction equipment will be used during construction and should include it in its final drafting. Thank you.

Regards,

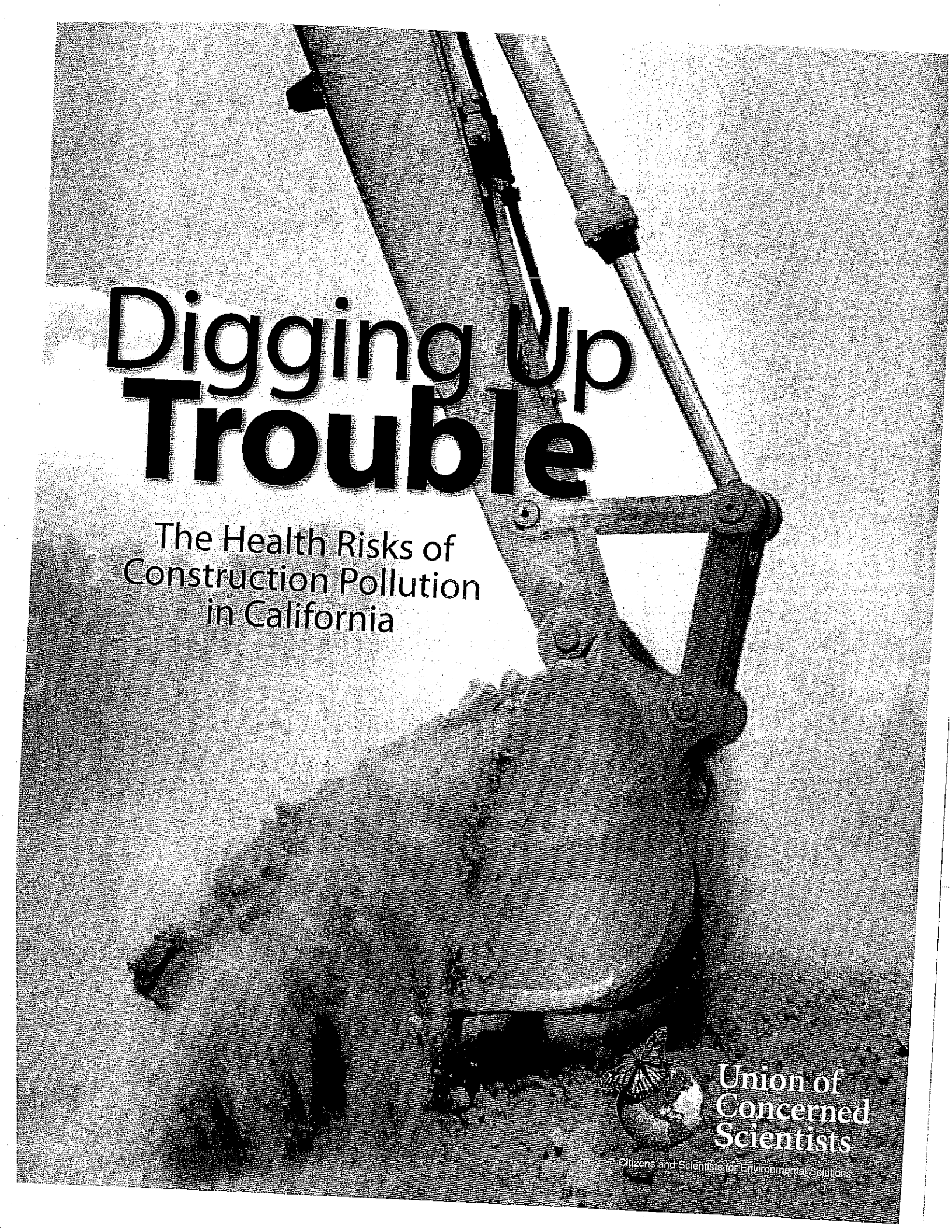
Lisa M. Rosales  
Name

137 Sweetwater Ave  
Address

Merced, Ca 95341  
City, State, Zip

Lisa M. Rosales  
Signature

4/16/09  
Date



# 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**

DON ANAIR

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](http://www.ucsusa.org).

The full text of this report is available online at [www.ucsusa.org/clean\\_vehicles](http://www.ucsusa.org/clean_vehicles) or may be obtained from:

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## ACKNOWLEDGMENTS

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The author would like to thank the helpful staff of the California Air Resources Board for its expertise and advice. I am especially grateful to Hien Tran, Kim Heroy-Rogalski, Jeff Wilson, Debbie Futaba, and Lei Zhou.

I would also like to acknowledge Tom Albo at Greeninfo for his data processing and map production, Patrick Otsuji at the California State Water Resources Board for his expertise and help in gathering construction permit information, and Karen Huss and Larry Sherwood at the Sacramento Metropolitan Air Quality Management District for information regarding their construction mitigation program.

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)<sup>1</sup> 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.<sup>2</sup> In addition, more than 10,000 miles of state roadway were under contract for construction, repairs, or maintenance.<sup>3</sup>

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

<sup>1</sup> 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](http://www.dof.ca.gov/HTML/FS_DATA/LatestEconData/FS_Construction.htm).

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

<sup>3</sup> 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.<sup>4</sup> 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 (NOx) 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 NOx. 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 NOx 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 NOx 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.

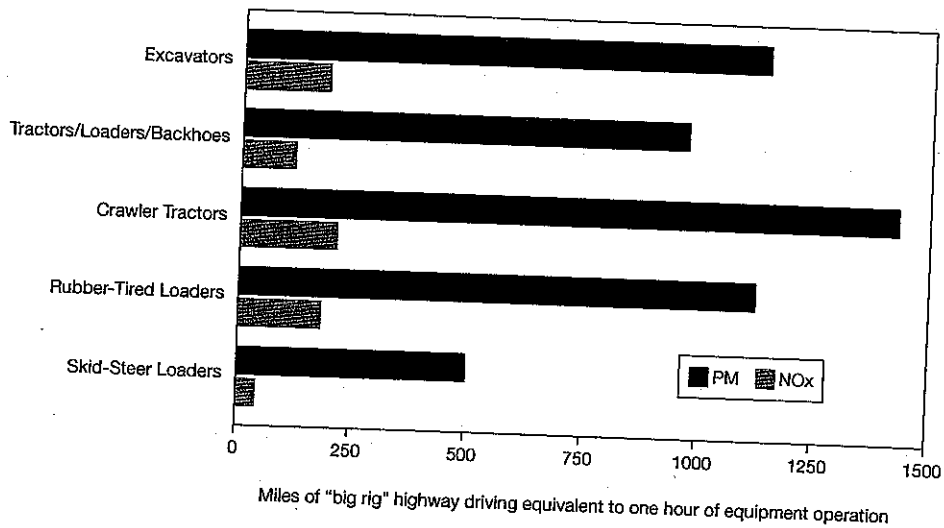
<sup>4</sup> Tier 1 EPA nonroad engine standards did not include PM limits for engines of 50 to 175 horsepower.

**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

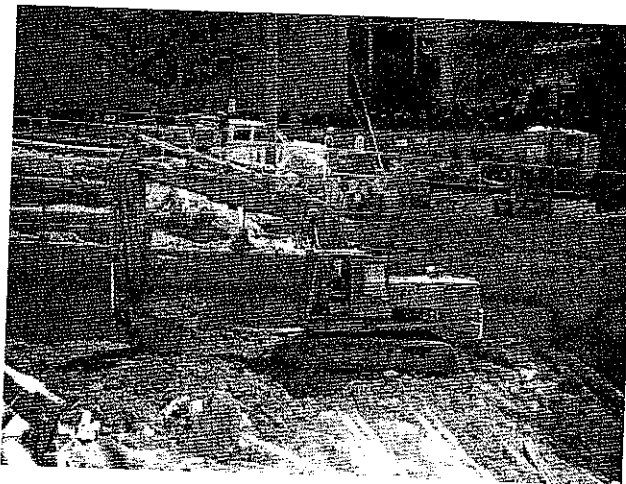
NOTE: Useful life is defined as the age at which half of the equipment of a given model year has been retired.  
 SOURCE: Based on 2005 CARB construction emission inventory (updated as of September 2006).

**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 NO<sub>x</sub> emissions are equivalent to driving a big rig about 200 miles. The useful life of this equipment is 17 years.<sup>5</sup>



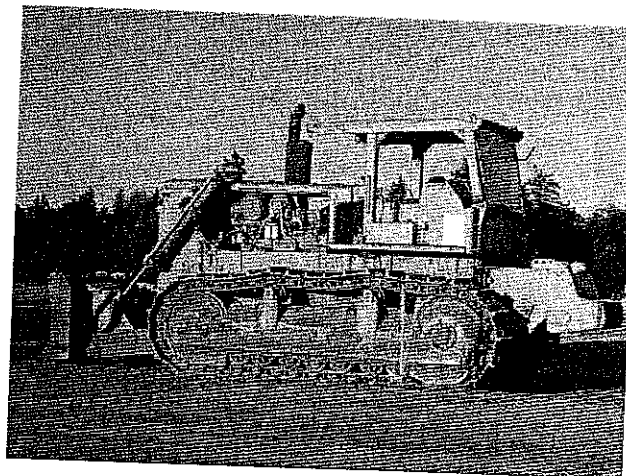
### Tractors/loaders/backhoes

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 NO<sub>x</sub> 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 NO<sub>x</sub> 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.



<sup>5</sup> 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).

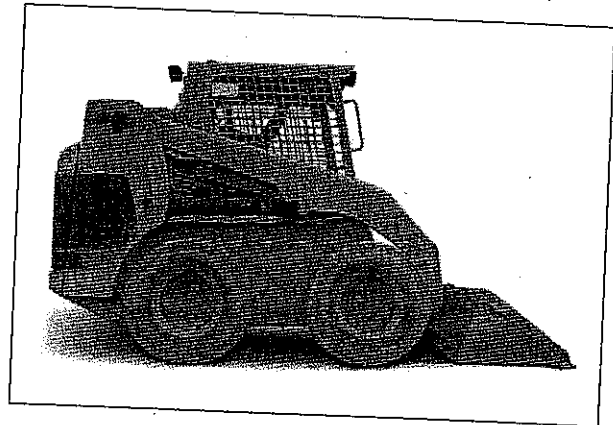
### Rubber-tired loaders

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 NO<sub>x</sub> 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),<sup>6</sup> 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

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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<sub>x</sub> and sulfur oxides (SO<sub>x</sub>). 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<sub>x</sub> 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.<sup>7</sup> 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.

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<sup>7</sup> 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)
<b>Premature Deaths</b> (\$7.9 million/incidence)	PM and ozone	<b>1,132</b> (328-1930)	<b>8,944,256</b> (2,588,161-15,249,672)
<b>Respiratory Hospitalizations</b> (\$34,000/incidence)	PM and ozone	<b>669</b> (398-933)	<b>22,758</b> (13,530-31,795)
<b>Cardiovascular Hospitalizations</b> (\$41,000/incidence)	PM only	<b>417</b> (263-646)	<b>17,082</b> (10,795-26,491)
<b>Asthma and Other Lower Respiratory Symptoms</b> (\$19/incidence)	PM only	<b>30,118</b> (11,686-48,110)	<b>572</b> (222-914)
<b>Acute Bronchitis</b> (\$422/incidence)	PM only	<b>2,494</b> (-609-5,408)	<b>1,053</b> (-257-2,282)
<b>Lost Work Days</b> (\$180/incidence)	PM only	<b>182,940</b> (155,031-210,810)	<b>32,829</b> (27,906-37,946)
<b>Minor Restricted Activity Days</b> (\$60/incidence)	PM and ozone	<b>1,544,952</b> (988,809-2,150,641)	<b>92,697</b> (59,329-129,038)
<b>School Absences</b> (\$86/incidence)	Ozone only	<b>331,040</b> (134,632-531,374)	<b>29,131</b> (11,848-46,761)
<b>Total Cost</b>			<b>9,140,480</b> (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**

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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.<sup>8</sup> 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

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<sup>8</sup> 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.<sup>9</sup> 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.

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<sup>9</sup> 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**

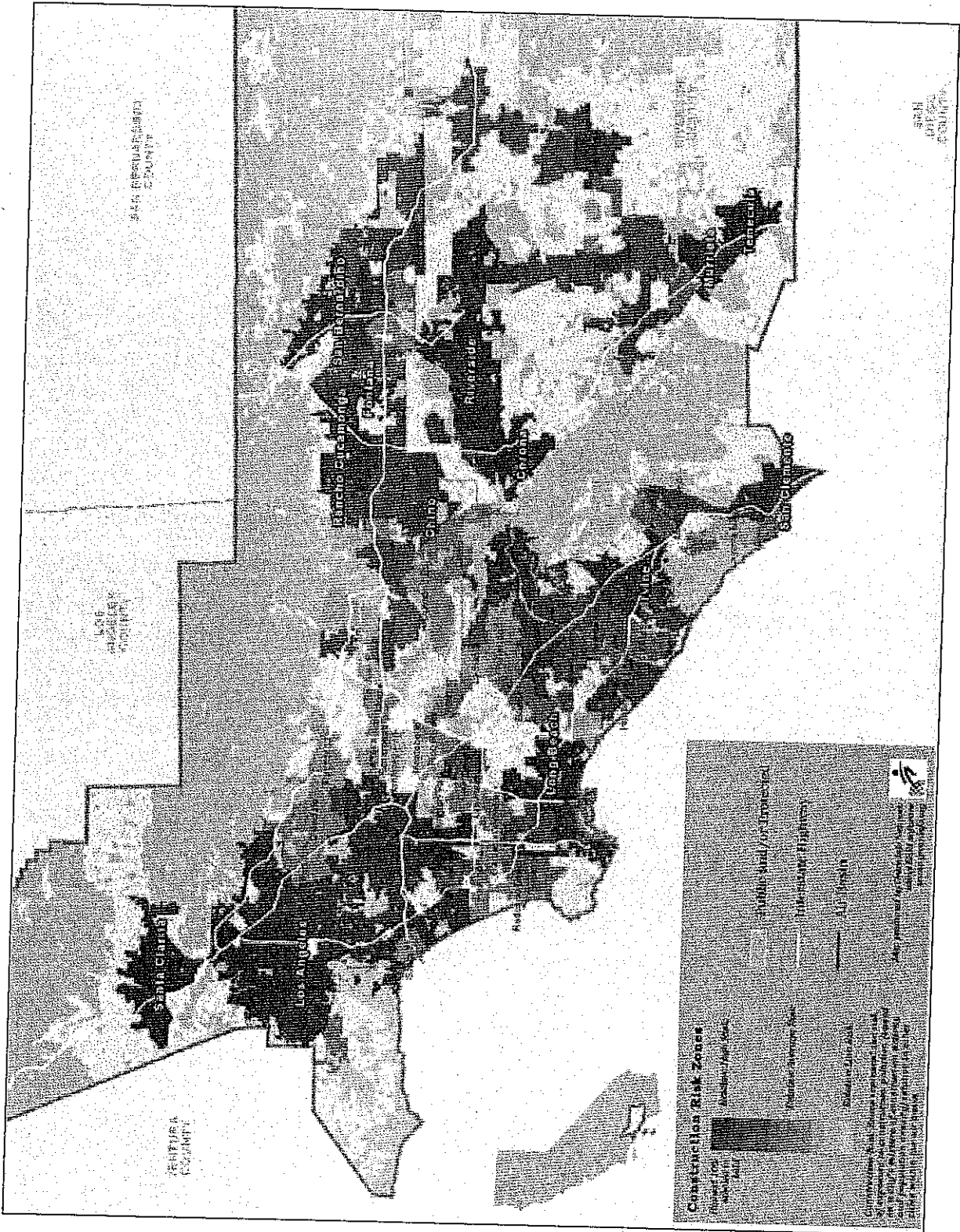
Health Endpoint	Mean Annual Incidences	Annual Costs (in thousands of 2005 dollars)
Premature Deaths	731	5,776,261
Respiratory Hospitalizations	383	13,019
Cardiovascular Hospitalizations	274	11,248
Asthma and Other Lower Respiratory Symptoms	20,941	398
Acute Bronchitis	1,729	730
Lost Work Days	129,439	22,219
Minor Restricted Activity Days	959,839	57,590
School Absences	175,339	15,430
<b>Total Annual Cost</b>		<b>5,896,894</b>

**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**

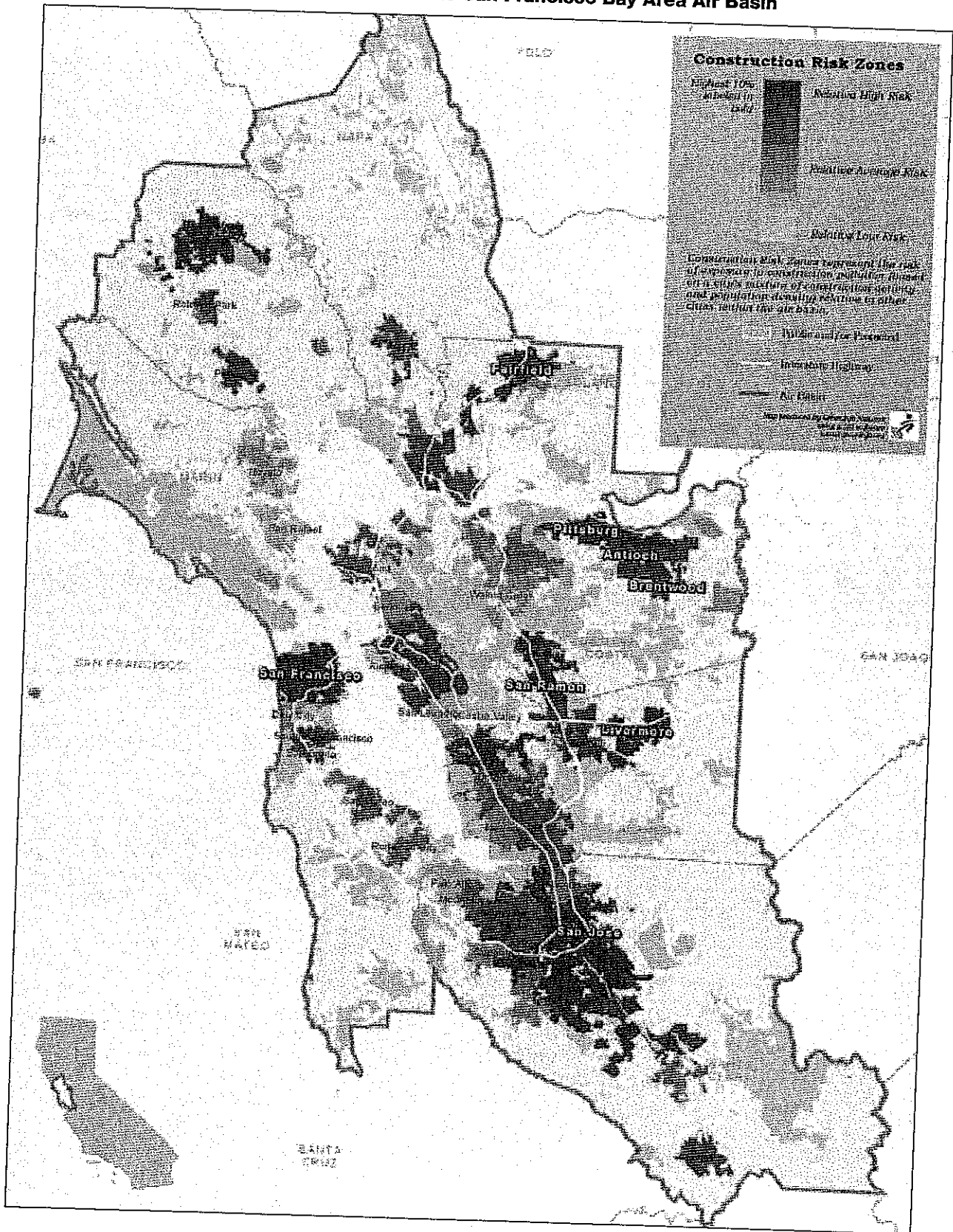
Health Endpoint	Mean Annual Incidences	Annual Costs (in thousands of 2005 dollars)
Premature Deaths	154	1,215,948
Respiratory Hospitalizations	56	1,914
Cardiovascular Hospitalizations	61	2,482
Asthma and Other Lower Respiratory Symptoms	3,406	65
Acute Bronchitis	284	120
Lost Work Days	25,713	4,628
Minor Restricted Activity Days	168,459	10,108
School Absences	18,472	1,826
<b>Total Annual Cost</b>		<b>1,236,890</b>

**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**

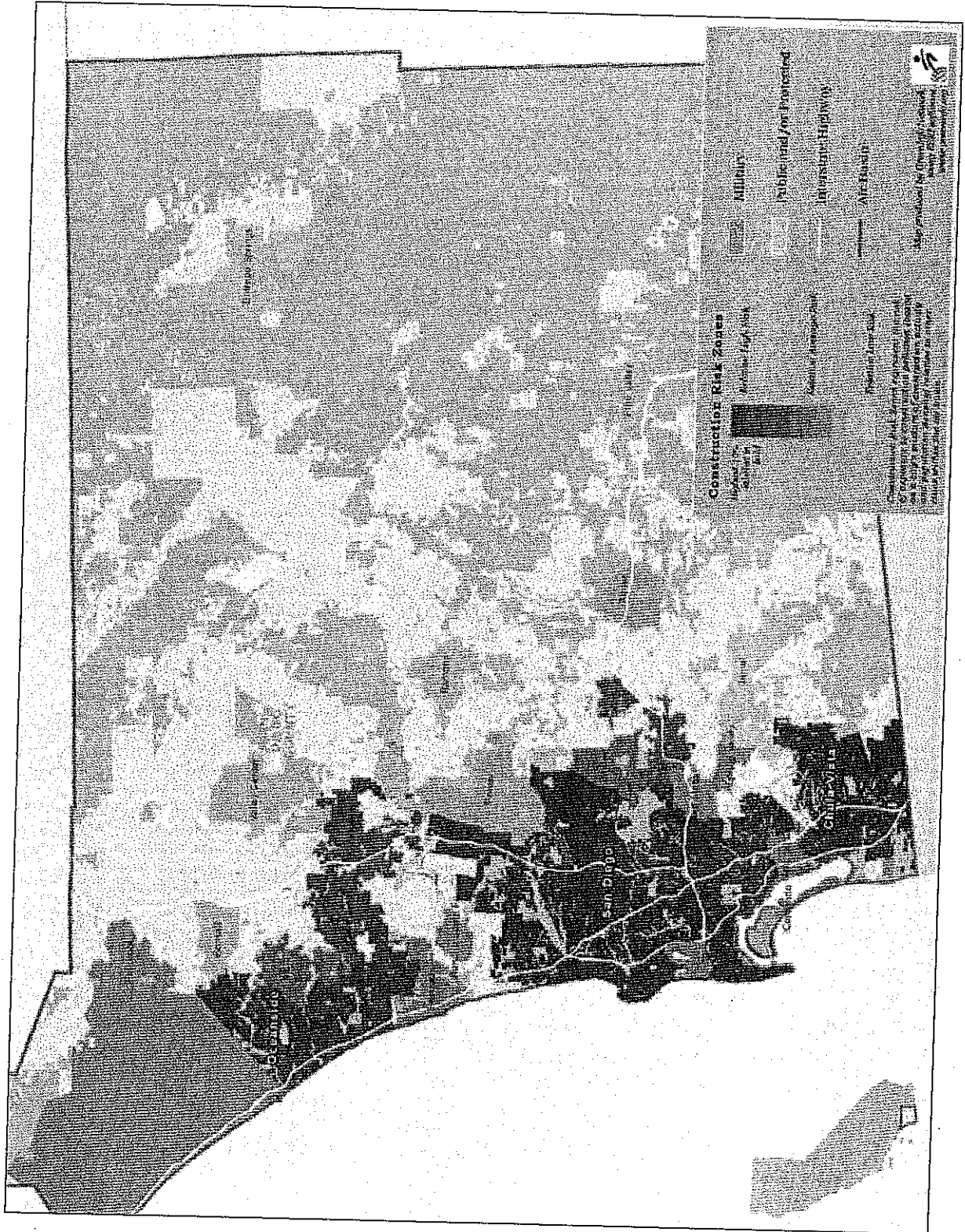
Health Endpoint	Mean Annual Incidences	Annual Costs (in thousands of 2005 dollars)
Premature Deaths	89	703,222
Respiratory Hospitalizations	50	1,703
Cardiovascular Hospitalizations	33	1,357
Asthma and Other Lower Respiratory Symptoms	2,127	40
Acute Bronchitis	177	75
Lost Work Days	14,014	2,523
Minor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

**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**

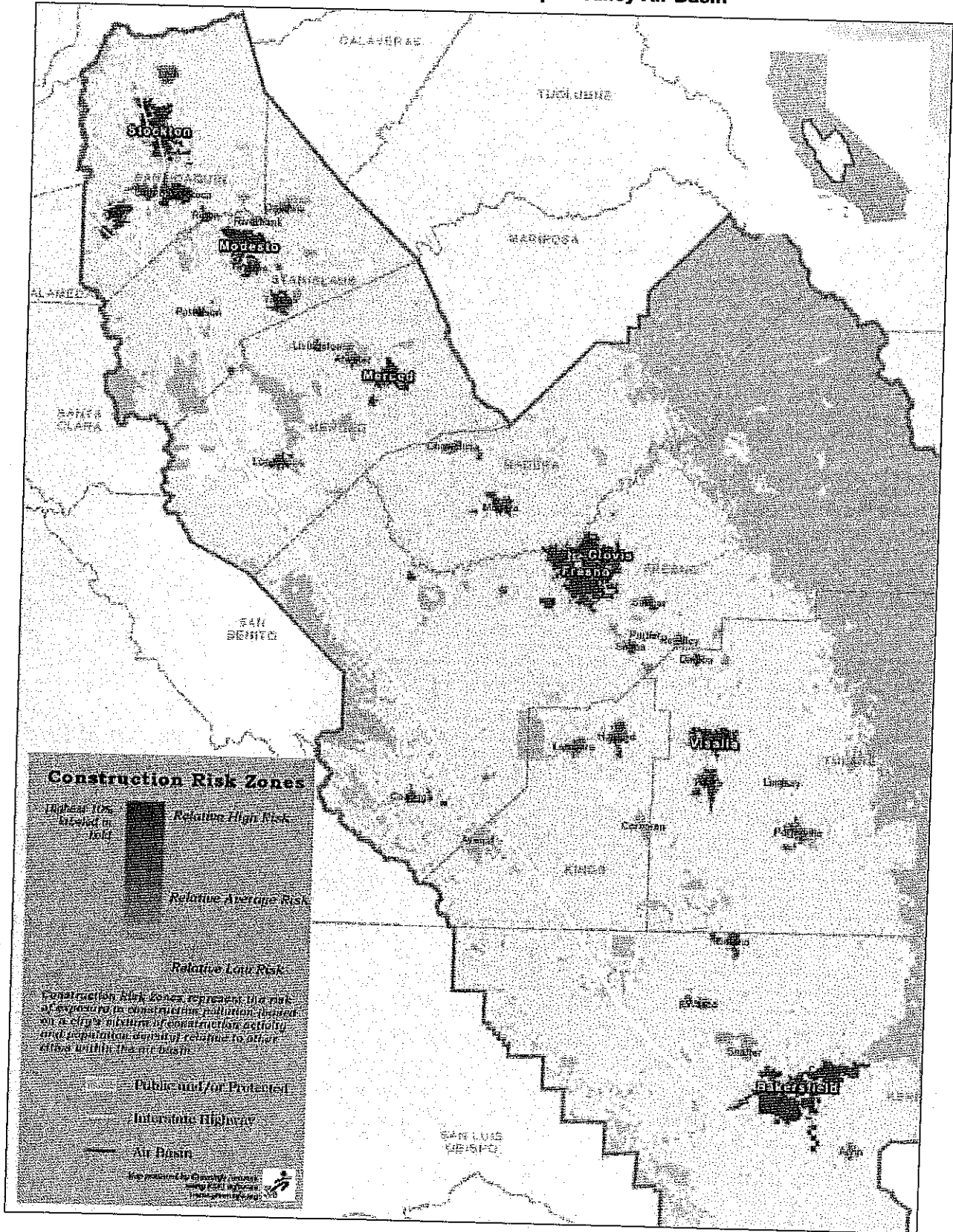
Health Endpoint	Mean Annual Incidences	Annual Costs (in thousands of 2005 dollars)
Premature Deaths	49	388,547
Respiratory Hospitalizations	55	1,858
Cardiovascular Hospitalizations	14	592
Asthma and Other Lower Respiratory Symptoms	1,284	24
Acute Bronchitis	107	45
Lost Work Days	6,241	1,123
Minor Restricted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

**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**

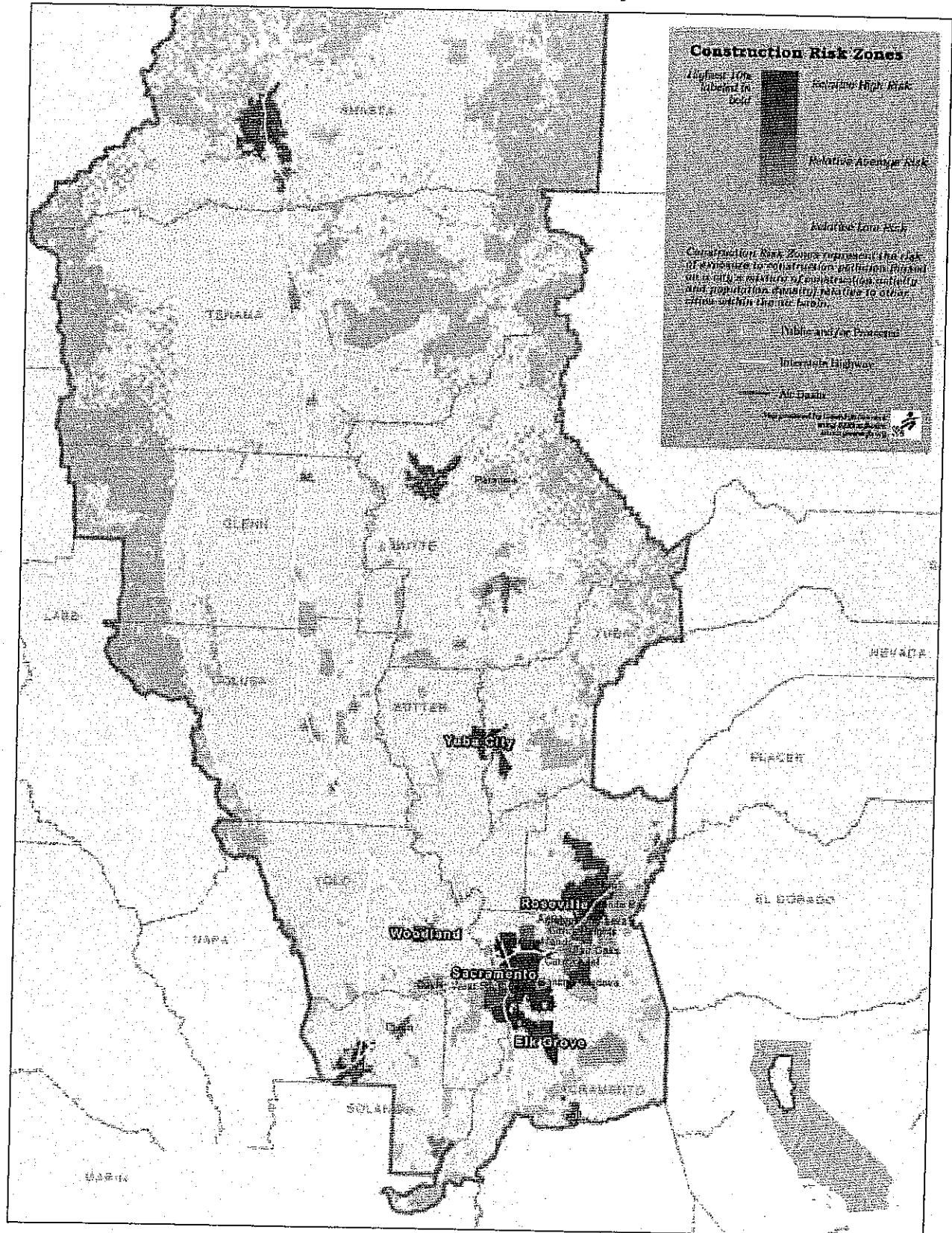
City	County
Roseville	Placer
Elk Grove	Sacramento
Sacramento	Sacramento
Yuba City	Sutter
Woodland	Yolo

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
<b>Total Annual Cost</b>		<b>313,571</b>

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<sub>x</sub> 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.<sup>10</sup> 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:<sup>11</sup>

- **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.<sup>12</sup>
- **Replace.** Replacing old equipment with a new lower-emission model ahead of schedule can result in substantial pollution reductions.

<sup>10</sup> 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).

<sup>11</sup> 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).

<sup>12</sup> 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.<sup>13</sup>
- **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.<sup>14</sup> 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](mailto: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](mailto: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.

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

<sup>14</sup> 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 Mutziger) 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.<sup>15</sup>

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<sub>x</sub>, 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

<sup>15</sup> 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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California State Water Resources Control Board

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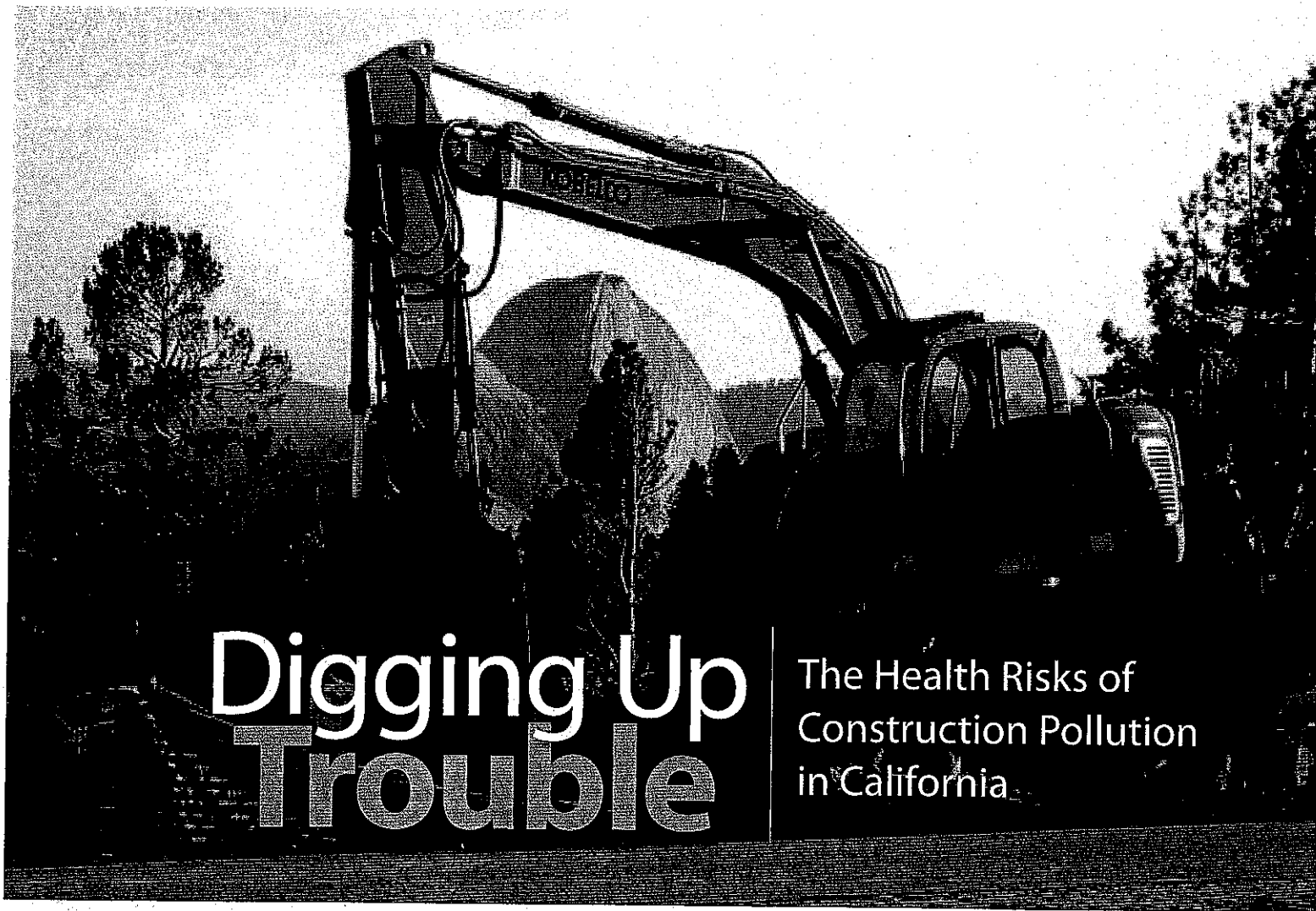
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# Digging Up Trouble

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.

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**Union of  
Concerned  
Scientists**

Citizens and Scientists for Environmental Solutions

**Website** [www.ucsusa.org](http://www.ucsusa.org)

**Email** [ucs@ucsusa.org](mailto:ucs@ucsusa.org)

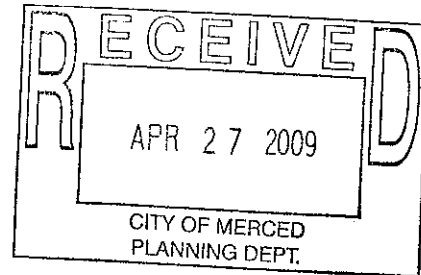


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March 28, 2009

Ms. Kim Espinosa  
 Planning Director  
 City of Merced Planning Department  
 678 W. 18<sup>th</sup> Street  
 Merced, CA 95340



Dear Kim,

Reading the Air Quality section of the Wal-Mart Distribution Center's DEIR, it is a stark reminder about how little rain fall we get here in the Valley. As you know, rain is always a welcomed sign for us in Merced. Acid rain is something that rarely crosses my mind, but if this distribution center brings additional air pollution to the Valley, this could be a very serious problem!

Dirty rain is bad for our health, our agricultural crops and our cars. It might be silly to mention cars, but I want to make the point that acid rain affects so many things in our lives. In fact on page 4.2-3, you even state "Ground level ozone also damages forests, agricultural crops, and some human-made materials, such as rubber, paint and plastics (City of Merced 1977)".

With all these trucks driving in and out of Merced and idling in the parking lot of the distribution center, there will be more unintended consequences then you might be aware of.

Thank you for your attention to this matter.

*Vincent G. Rosales*  
 Signature

Vincent G. Rosales  
 Print Name

137 Sweetwater Ave.  
 Address

Merced CA 95341  
 City, State Zip

(209) 777-3142  
 Phone Number

**Espinosa, Kim**

---

**From:** Saan Saechao [saechao.s@live.com]  
**Sent:** Friday, April 24, 2009 7:47 PM  
**To:** Espinosa, Kim  
**Subject:** RESPONSIBLE growth

I can fully understand the reason why some Mercedians would want the Wal-Mart distribution center to move in, employment. There would always be pros and cons in an argument but in this situation the pros have no competition against the cons. From traffic affecting school area to more taxes, it would be very ignorant for anyone living in the Merced area to accept the Wal-Mart distribution center. The best argument against the Wal-Mart distribution center is how it will effect the air we breathe everyday. The air in the Central Valley is already a problem so why feed flame to the fire? When summer rolls by you can bet the humidity would be extremely horrible. I would suggest the Central Valley Air Quality coalition (CVAQ) to get invovle in this matter. I am all in for growth in Merced but you have to do it the smart way, another word **RESPONSIBLE**.

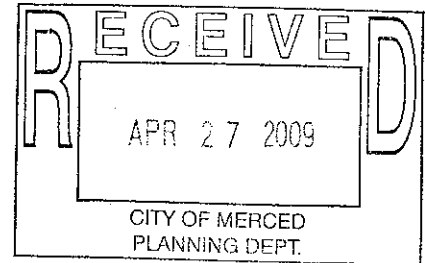
Saan Saechao  
Business Major  
Merced Community College

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April 16, 2009

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



Dear Ms. Espinosa:

After reading the Implementing Actions from our 2015 General Plan, listed in the Wal-Mart distribution center's environmental impact report, I am writing to learn how Merced will work with Wal-Mart to agree to alternatives which might replace or convert tractor trailer trucks used at the distribution center. I feel Wal-Mart should make sure that at the very least, 50% of it's truck fleet coming in and out of Merced be fitted with the cleanest burning engines possible.

Second, I know Wal-Mart subcontracts outside trucks. I hope Merced will ask Wal-Mart to make sure that at least 25% of the subcontract trucks used at the distribution center will also be outfitted with clean burning diesel engines.

These are simple and small steps that Merced can take to reduce the impacts on air quality.

Sincerely yours,

*Anna Sanchez*

672 Santa Barbara Ave  
Los Banos CA 93635

**Espinosa, Kim**

---

**From:** JULIA SANCHEZ [jsanchez-contreras@sbcglobal.net]  
**Sent:** Thursday, February 26, 2009 10:35 AM  
**To:** Espinosa, Kim  
**Cc:** sjson@mercedsun-star.com  
**Subject:** Wal Mart

Ms. Espinosa - My name is Julia Sanchez-Contreras I am a resident of Merced and have lived in Merced and Merced County for most of my life. I care deeply about our farm rich area and value our small town environment here in Merced.

I work in for a large insurance company and travel from Bakerfield up to Northern California. I travel lots of Freeways but am on the 99 on most days. About a year ago my work took me to Porterville where I would be spending the night for an early morning appointment. As I approached my hotel I noticed a Wal Mart sign on a building and as I approached the building got bigger and bigger. It turned out to be a Wal Mart Distribution Center.

As I checked in I commented on how terrible it must be to have a Wal Mart Warehouse right in front of the hotel. There must be so much pollution, traffic and noise. Not to mention the low paying jobs. I also made mention that I was from Merced and that we were battling the building of a Wal Mart center ourselves.

Out of the six from the hotel that I spoke with that and the next day and the several other people I spoke with in town about the same subject I got the same response. Wal Mart is considered to be a good partner to the community. That the traffic is paced and most of it done at night so that the town is not affected. The building itself does not create any pollution and that the only added pollution is from the trucks. The noise if also not a factor. The pay is good and most of those I spoke with either knew or were related to someone that worked there.

When I heard this I changed my view. I was very against it. Now I am for it so long as Wal Mart is paying a good wage, manages the traffic and creates minimal pollution what harm can it bring to Merced. In this uncertain economic time we certainly need the jobs. We need the revenue from the property and other applicable taxes.

In all the articles that I have read in the Merced Sun-Star I have never read about the Porterville Distribution Center. It is so close to use in distance and in likeness to our community. Why? Has anyone from the City Council or Board of Supervisors ever talked to thier counter parts in Porterville. Have we talked to other communities that faced the same challenging decision?

Julia Sanchez-Contreras  
3138 McKee Road  
Merced, CA 95340

**Espinosa, Kim**

---

**From:** clayton sandy [clayton\_clayton\_mortal@yahoo.com]  
**Sent:** Saturday, February 28, 2009 4:21 PM  
**To:** Espinosa, Kim  
**Subject:** Walmart Distribution Center

We need the Walmart distribution center. If we do not get the jobs your going to see crime really go up. This was their only hope in getting a job. You'll see more desparate people doing deparate things to survive in this bad economy. People with money will no longer be safe.

GIVE HOPE TO THE PEOPLE AND WE WILL LIVE IN A SAFER ENVIRONMENT.

GOD BLESS AMERICA!

[clayton\\_clayton\\_mortal@yahoo.com](mailto:clayton_clayton_mortal@yahoo.com)

**Espinosa, Kim**

---

**From:** Jeanne Sanford [jeannesanf@sbcglobal.net]  
**Sent:** Saturday, February 28, 2009 2:16 PM  
**To:** Espinosa, Kim  
**Subject:** Wal-Mart Dist. Center

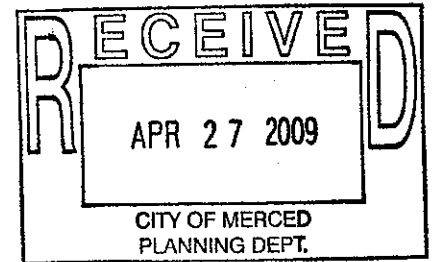
**Dear Ms. Espinosa,**

**I'm a retired teacher from Weaver School District. My major concern is the health of children in the area of the proposed Wal-Mart Distribution Center. The incidence of asthma among children has risen alarmingly in the area where the center would be located. I urge that the Planning Commission and the City Council protect our children's health from the air pollution that would be caused by trucks coming, going, and idling in connection with their deliveries and possible layovers. Please give primary consideration to the well being of the children.**

**Sincerely,**

**Jeanne Sanford  
146 Madrona Dr.  
Atwater, CA 95301**

**William C. Sanford**  
146 Madrona Dr.  
Atwater, CA 95301-2272  
209/357-0701; [wjsanford@sbcglobal.net](mailto:wjsanford@sbcglobal.net)



April 25, 2009

To the Planning Commissioners

Gentlepersons:

I write to comment on the proposed Wal-Mart Distribution Center.

Some citizens are offering thoughts in favor, and I need not speak for them.

Some citizens are raising issues in opposition, and neither they nor you need me to go over that ground for what the umpteenth time. No, my objective is strictly limited. I want to identify one point which may not have been given the attention I believe it deserves. My thought relates particularly to location.

In my view, the proposed location is seriously flawed. It is way too close to schools and residences. I'm under the impression that many people living in close proximity don't want this particular development to land in their neighborhood.

I ask then that you bring into consideration an ethical guideline common to at least seven of the world's major religions: Hinduism, Buddhism, Taoism, Confucianism, Judaism, Christianity and Islam. The guideline is often called "The Golden Rule." My personal favorite rendering is in Matthew 7:12 New English Bible: "Always treat others as you would like them to treat you."

But let me lay alongside that a negative rendering drawn from a Confucian source: "What you do not want done to yourself, do not do to others."

Expressed either way, the guidance seems clear to me. If I wouldn't want to live there, then I should not be a party to making someone else live there.

Much of the world gives the 'rule' lip service. I invite you to honor it by acting on it. That's my point. Thanks for considering it.

Yours truly,

*Bill Sanford*

**Espinosa, Kim**

---

**From:** Dhruv Shah [dhruvshah@sbcglobal.net]  
**Sent:** Saturday, April 18, 2009 10:48 AM  
**To:** Espinosa, Kim  
**Subject:** Approve Walmart Distribution Center.

Hi,

My name is Dhruv Shah and I'm the General Manager at the Quality Inn in Merced. I've to tell you this even though you all might already know, I've been managing the place since April of 2008 and I'm seeing over a 50% drop in business when comparing 08-09 Q1 reports. We are the worst hit area in the nation due to this economic downtown.

I honestly think that somethings needs to be done to bring Merced from the worst performing city and county and the Walmart Distribution Center is just the kind of boost we need in this area. 1200 Jobs is what the city and county needs and we've not seen a big employer like that in a long time, if we pass up this opportunity we'll not find another one like this anytime soon.

I can understand the effect that it will have the enviornment but at the same time we've to think about a healthy community mentally and financially and this is a perfect way to address these issues. I'm sure the grants from places will help ease some of the air pollution effects that people are talking about.

I hope this goes through and i'll praying everyday for this to happen. This is not just for my job security but for the security of the community that is falling apart due to high unemployment rates.

Thanks,

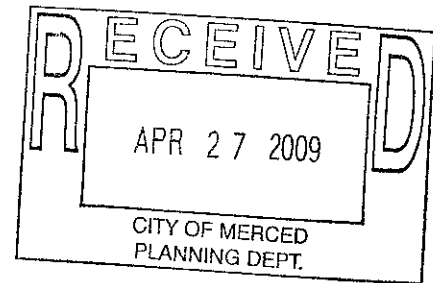
Dhruv Shah

2654 El Centro Rd.  
Sacramento, CA 95833  
Ph# 415-385-3291  
Fax# 415-230-4704  
dhruvshah@sbcglobal.net



**April 24, 2009**

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



**Ms. Espinosa:**

**Thinking of transportation alternatives which could reduce the number of cars employees take to work, you should consider walking routes or trails that employees who live in Southeast Merced could take to the distribution center. It's a great way to get employees who live nearby out of their cars and getting a little exercise.**

**If new walking trails or paths have to be build, let's make sure that Wal-Mart pays for them. I don't feel taxpayers should be on the hook for this.**

**Please explore walking paths and trails as ways to commute in the Environmental Impact Report.**

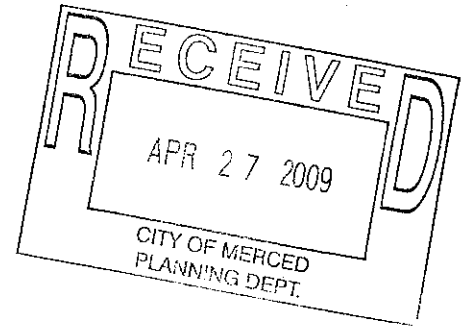
**Thank you for your attention,**

*Jan Shaw*

488 HYDRANGEA CT  
MERCED CA 95341

April 20, 2009

Ms. Kim Espinosa  
Planning Manager  
City of Merced Planning Department  
678 W. 18<sup>th</sup> St.  
Merced, CA 95340



Dear Ms. Espinosa,

The construction period of the Wal-Mart Distribution Center is just as important to study as when the center is operational. I'm glad the draft environmental impact report addresses the issue, but I feel it does not go into enough specifics.

For example, some construction equipment will be noisier and more polluting than others. I don't see anything in the report that mentions this or what measures will be taken by Wal-Mart to reduce all of the impacts from the more obnoxious machinery than the less obnoxious ones.

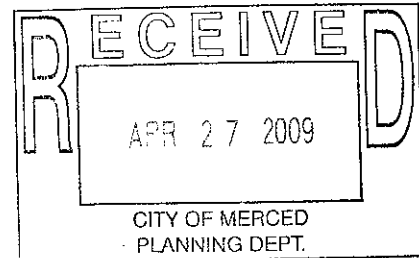
Are there more details you can make available in the report?

Thank you,

*Terese Shaw  
488 Hydrangea CT  
Merced CA 95341*

April 19, 2009

Kim Espinosa, Project Director  
Merced Planning Division  
678 W. 18<sup>th</sup> St.  
Merced, CA 95340



Ms. Espinosa,

Why are you using data that is almost 10 years out-of-date in your asbestos assessment? I noticed that you are using a guide that was published in 2000. Seems to me that some recent data ought to be available. Please study this issue further. There are some very serious health concerns that you ought to explore.

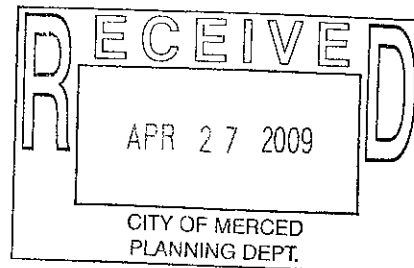
Sincerely,

*Carol Simmers-Tilma*

Carol Simmers-Tilma  
7229 Tokay Circle  
Winton, CA 95388

April 12, 2009

Kim Espinosa  
Planning Manager  
Merced Planning Department  
City of Merced  
678 W. 18<sup>th</sup> St.  
Merced, CA 95340



Re: Merced Wal-Mart Distribution Center Project

Kim,

As an avid naturalist, I was shocked to learn that the City was actually seriously considering the approval of a Wal-Mart Distribution Center on a property which provides over 200 acres of open space and nature. Having such a piece of land seems to be harder and harder to come by these days. Not only would residents not have the value of such a piece of property if it were replaced by pavement, buildings, and an endless parade of semi-trucks, but various wildlife species would be harmed in the process. While the area is close to human movement, constructing and developing the site would disrupt the wildlife that has considered this their home. I am more than against the idea of the project and would hope the City takes my sentiments and the sentiments of the many other citizens against the project into consideration.

Thank you.

Signature

Renee Smith

Print Name

318 Pomelo Ave - Los Banos, Ca, 98635

Address

(209) 675-6339

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