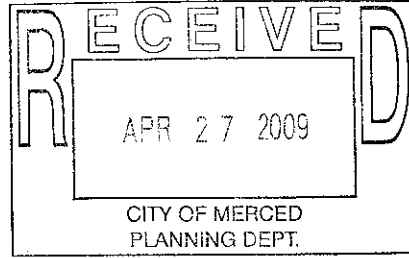


March 17, 2009

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



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

132-1

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

Thank you for your time.

Tina Lopez

Signature

Tina G. Lopez

Print Name

1235 Pleasant lane
Merced 95340

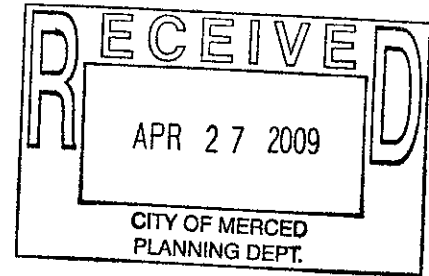
Address

Phone

132-1

Please see responses to comments 29-21 and 17-12 regarding concerns about impacts to nearby schools and reference to mitigation for truck traffic.

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



Ms. Espinosa,

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

133A-1

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

Ted Lorona

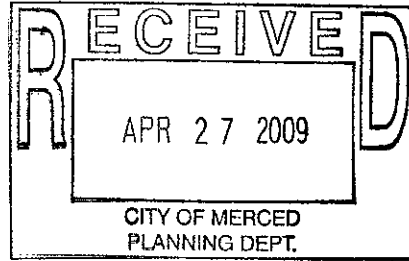
1038 Robinson Dr.

Merced, CA 95340

Ted Lorona

725-9339

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



Kim Espinosa,

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

133B-1

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

133B-2

Ted Corona

Ted Corona

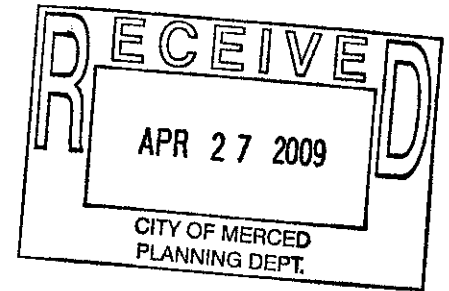
1038 Robinson Dr.

Merced, CA 95340

(209) 725-9339

April 2, 2009

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



Kim,

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

133C-1

Just a thought.

Ted Lorona
Signature

Ted Lorona
Print Name

1038 Robinson Dr.
Address

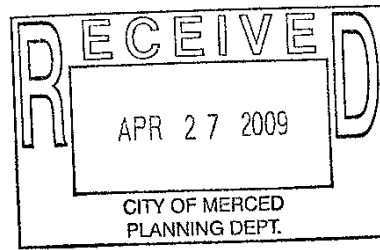
Merced, CA 95340
(209) 725-9339
Phone

**Letter
133A-C
Response**

Ted Lorona
➤ 133A–Undated
➤ 133B–Undated
➤ 133C–April 2, 2009

- 133A-1 This comment raises issues related to language barrier and translation of CEQA documents. Please refer to Master Response 2: Language Barrier and Public Review Period, which addresses these issues.
- 133B-1 The commenter expresses concern about the proximity of a proposed elementary school to truck traffic on Campus Parkway and to the project site. Please refer to the response to comment 17-12, which discusses how the relative locations of nearby schools, including the proposed school site, was analyzed in the traffic analysis, and response to comment 16-8 which discusses how the schools were included in the HRA performed for the project.
- 133B-2 The comment states that area schools will be affected by noise generated by long-term operations of the distribution center, such as sirens and trailers slamming (assumed to mean the noise generated by trailer movements). The comment also states that Campus Parkway will become a major noise source if the project is implemented. As stated in Table 4.8-10 on page 4.8-21, the loudest sounds emanating from the distribution center would be from air horns (sirens) and truck compression brakes. Other noise sources such as trailer movements are discussed in Impact 4.8-2, but are not as loud as air horns and truck compressions brakes. As stated in Impact 4.8-2, noise from these sources would be less than applicable standards at the nearest sensitive receptor (700 feet). As a result, noise generated by these sources would also be less than applicable standards at the nearest schools (3,200 and 3,800 feet). Campus Parkway noise levels would increase under project operations. Impacts 4.8-3 and 4.8-4 discuss the noise levels and significance of increased traffic related to the project.
- The comment also expresses concern about the health risk associated with project-generated emissions. Please refer to Master Response 13 and response to comment 92-3.
- 133C-1 The commenter indicates that based on review of the DEIR Section 5 “Alternatives to the Proposed Project,” he supports building the proposed project at a different location. The commenter does not raise issues related to the adequacy of the DEIR’s analysis.

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



Re: Electricity Consumption & Wal-Mart Distribution Center

Dear Ms. Espinosa,

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

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

134-1

For instance, the study should address the type of lighting the distribution center will use. In January of 2009, Coca-Cola released a statement saying they had reduced their consumption of electricity in California by 5.6 million kilowatt-hours per year through changing their lighting source. (Article can be found at: <http://news.moneycentral.msn.com/ticker/article.aspx?symbol=US:OESX&feed=BW&date=20090109&id=9502842>).

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

134-2

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

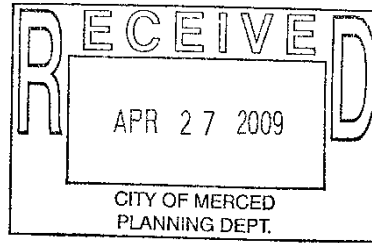
134-3

Thank you,

Olivia A. Macchia
Name
147 Sweetwater Ave.
Address
Merced, CA 95341
City, State, Zip
Olivia A. Macchia
Signature
4-17-09
Date

- 134-1 The commenter expresses concerns about the City's electrical grid, and states that the environmental study should require more specific details on how Wal-Mart will take measures to reduce electricity consumption, and should address the type of lighting the distribution center will use related to energy consumption. As described in Chapter 3, "Project Description," of the DEIR (see page 3-14), information has been provided by representatives of Wal-Mart Stores East LP regarding measures to reduce potential impacts (including energy usage) of construction and operation of the proposed distribution center. As stated on page 3-15 of the DEIR, the facility would incorporate an energy monitoring and reporting system, and high-efficiency interior lighting including a dimming system with sensors. In addition, all viable technologies would be incorporated into the building design and operations plan of the project including a daylight harvesting system, and "smart systems" that power down warehouse equipment when not in use.
- Consistent with the requirements of CEQA, impacts associated with electricity demand are considered in Section 4.12, "Utilities and Public Services," of the DEIR (see Impact 4.12-4, page 4.12-18). As described therein, the proposed project would result in a significant utilities and public services impact if it would result in inefficient, wasteful, or unnecessary consumption of energy; or create demand for electrical service that is substantial in relation to existing demands (see page 4.12-13). As described in Section 4.12, the project would result in a potentially significant electricity demand impact, and mitigation is recommended to reduce this impact to a less-than-significant level (see page 4.12-19). As demonstrated by the analysis contained in Section 4.12, the detailed information requested by the commenter is not necessary to thoroughly and adequately analyze proposed project electricity demand impacts. Please also see response to comment 5-5 regarding the level of detail necessary for adequate analysis and review of project impacts.
- The commenter does not provide any specific disagreements with the analysis provided in the DEIR, and does not offer any evidence that demonstrates how the project's electricity demand impact would remain significant after implementation of Mitigation Measure 4.12-4, "Incorporate Energy Efficiency Features into Project Designs." Please also refer to response to comment 5-5 regarding the type of lighting the distribution center will use. It should further be noted that this mitigation measure is required in conjunction with Mitigation Measure 4.2-2a through 4.2-2e, which require considerable energy conservation measures.
- 134-2 The commenter states that the project should be required to use lighting such as the Orion Compact Modular system. This comment is addressed in response to comment 134-1 above, and is also addressed in response to comment 5-5 regarding the type of lighting the distribution center will use. This comment is noted for the City's consideration during review and approval of the project. No further response is necessary.
- 134-3 The commenter states that City staff should require more details about issues such as electricity consumption. Please see response to comment 134-1 regarding level of detail necessary for an adequate impact analysis. The commenter does not provide any specific disagreements with the analysis provided in the DEIR; therefore, no further response can be provided. This comment is noted for the City's consideration during review and approval of the project.

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



Dear Ms. Espinosa,

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

135-1

Much appreciation,

RICHARD MACCHIA
Name

147 SWEETWATER AVE
Address

MERCED, CA 95341
City, State, Zip

[Signature]
Signature

4/17/09
Date

**Letter
135
Response**

Richard Macchia
April 17, 2009

135-1

The commenter raises issues regarding the feasibility of noise mitigation included in the DEIR. Please see Response to Comment 126B-1, which addresses this issue.

Espinosa, Kim

From: Jessica Madruga [jmadruga@transcountytitle.com]
Sent: Wednesday, March 25, 2009 11:27 AM
To: Espinosa, Kim
Subject: Wal-Mart

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

136-1

Thank you,

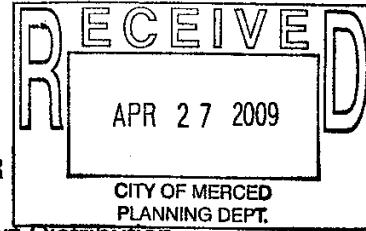
*Jessica Madruga
Certified Escrow Technician
TransCounty Title Company
635 W. 19th Street
Merced, CA 95340
(209)383-4660 EX. 49*

**Letter
136
Response**

Jessica Madruga, Certified Escrow Technician
TransCounty Title Company
March 25, 2009

136-1

The comment addresses the merits of the proposed project, recommends approval, and does not raise environmental issues or any issues regarding the adequacy of the Draft EIR. The comment is noted.



TESTIMONY AGAINST THE WALMART DISTRIBUTION CENTER

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

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

137-1

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

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

137-2

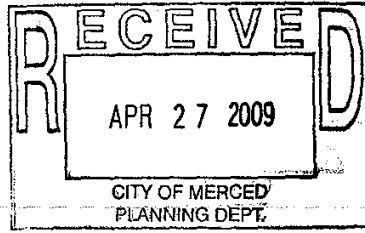
As you well know, the San Joaquin Valley, and Merced County in particular, has a very high air pollution rate resulting in poor health conditions for many citizens. Why encourage a business to come here that will worsen to a large degree, our air pollution problems, especially in the schools near the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

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

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

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

- 137-1 The commenter is concerned with conflict between UC Merced traffic and project-related trucks. According to the UC Merced Website, “G” Street is the exit designated for travelers on SR 99 to access the campus. “G” Street is substantially north of Yosemite Parkway, which is the extent of the traffic impact study area (other streets were determined to be relatively unaffected by project traffic). Therefore, “G” Street should be considered the “gateway” to the UC Merced campus, not any roadway in the project vicinity, which is on the opposite side of the city. Truck traffic associated with the proposed project would not typically interact with traffic on “G” Street. However, in the future and upon its full completion to Yosemite Avenue (approximately 3 miles north of the subject site), Campus Parkway will serve as a “gateway” to the UC Merced campus from SR 99. The segment of Campus Parkway from SR 99 to Childs Avenue is under construction, but as of this date, no schedule exists for the completion of Campus Parkway north of Childs Avenue. Therefore, the date when UC Merced traffic would be “mixing” with traffic from this project is unknown.
- 137-2 The commenter expresses general concern regarding air quality and health, as well as traffic safety. The DEIR addresses project-related impacts to Air Quality in Section 4.2 “Air Quality,” and impacts related to traffic safety are addressed in Section 4.11 “Traffic and Transportation.” Please also refer to Master Response 13 regarding air quality-related public health concerns. The comment does not raise issues with the adequacy of the DEIR. The comment is noted.



4-27-09

Hello Kim

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

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

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

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

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

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

Put them to work.

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

138-1

**Letter
138
Response**

Anna Markiano
March 27, 2009

138-1

The comment addresses the merits of the proposed project and dismisses environmental issues. The comment does not raise any issues regarding the adequacy of the Draft EIR. The comment is noted.



March 8, 2009

To: Merced City Council members:

Dear council members,

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

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

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

Sincerely yours,
David W. Martin
Kristi Martin



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



139-1

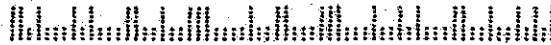
Mr. & Mrs. David & Kristi Martin
1956 Janet Ct
Merced CA 95340

STOCKTON, CA 95231
10 MAR 2009 PM



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

95340+4708



**Letter
139
Response**

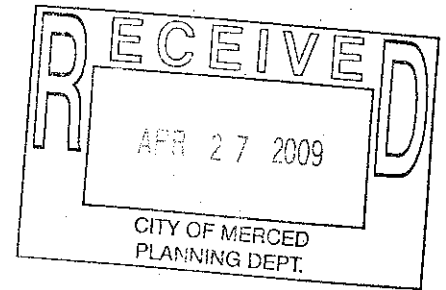
David W. Martin
Kristi Martin
March 8, 2009

139-1

This comment raises issues related to adequacy of the public review period of the Draft EIR. Please refer to Master Response 2: Language Barrier and Public Review Period, which addresses this issue.

This page intentionally blank.

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



Re: Hybrid Diesel Trucks

Dear Ms. Espinosa,

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

140A-1

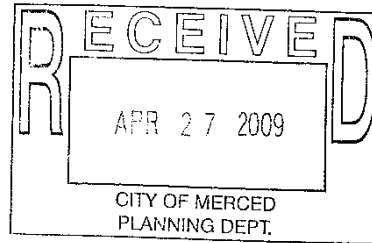
I would hope that since city officials went to Apple Valley to look at a similar project it expects Wal-Mart to provide the same level of quality at least. For example, will Wal-Mart be required to make 30% of its fleet be hybrid diesel? Will it be required to increase that percentage over time to ultimately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

140A-2

Sincerely,

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

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



Dear Ms. Espinosa,

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

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

With Much appreciation,

David W. Marten
1956 Janet Ct
Merced, CA 95340

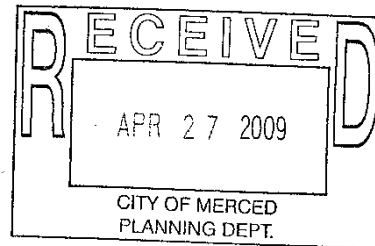
140B-1

Kim Espinosa, Planning Manager

City of Merced Planning Division

678 West 18th Street

Merced, CA 95340



RE: Wal-Mart Distribution Center DEIR

Dear Kim Espinosa,

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

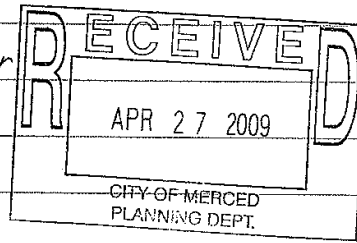
This is an important issue that needs to be addressed more specifically in the Final EIR. Wal-Mart understands the scope of this project, so it should have exact estimates from previous distribution projects completed. Knowing ~~the~~ exactly how many of these vehicles is critical in calculating noises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

140C-1

Sincerely,

David W. Marten
1956 Janet Ct
Merced, CA 95340

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



RE: Wal-Mart Distribution Center Draft EIR

Sirs:

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

They are:

1. The huge increase in trucks traffic. Highway 99 is only two lanes, each direction, and is quite busy most of the day. This was not adequately addressed, 140D-1
2. The negative impact this project will have in the southeast portion of Merced. Trucks and kids don't mix, 140D-2
3. The increase in air quality pollutants. 140D-3
4. Possible high water problems. 140D-4

I believe the EIR is seriously deficient in meeting the requirements of CEQA. I understand CEQA allows a project to be disapproved based on a negative environmental impact report, 140D-5

David W. Martin

David W. Martin

1956 Janet Ct., Merced, CA 95340

(209) 383-6934

**Letter
140A-D
Response**

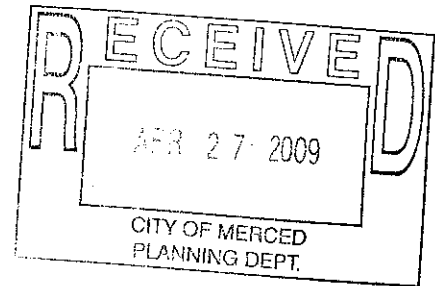
David W. Martin
➤ 140A–Undated ➤ 140C–Undated
➤ 140B–Undated ➤ 140D–Undated

- 140A-1 The commenter states that hybrid diesel trucks are used at the Wal-Mart’s distribution center in Apple Valley, CA but no such requirement is included in the DEIR. This is not a comment about the adequacy of the DEIR. It shall be noted, nonetheless, that Mitigation Measure 4.2-2d includes the following requirement, where feasible:
- ▶ Purchase and operate electric or hybrid-powered yard tractors (e.g., Volk-brand tractors) to serve as “yard trucks” that move trailers to and from the trailer yard and loading docks.
- Impact 4.2-2 in the DEIR discusses operational emissions, including emissions from on-site yard trucks and long-haul truck trips. Mitigation Measures 4.2-2a, 4.2-2b, 4.2-2c, and 4.2-2e will ensure that operational emissions would be reduced to a less-than-significant level, as discussed on pages 4.2-41 and 4.2-22 of the DEIR.
- 140A-2 The commenter indicates that the proposed distribution center should be required to use hybrid vehicles similar to the Apple Valley facility. It should first be noted that the Apple Valley facility does not use hybrid tractor trailers. Second, the City and its consultants are not aware of any hybrid tractor trailers currently on the market.
- 140B-1 The comment raises issues with mitigation enforceability. Please see Response to Comment 126B-1, which addresses this issue.
- 140C-1 The commenter raises concerns regarding the number of construction equipment assumed for the DEIR’s air quality analysis. Please refer to response to comment 30D-1, which addresses this issue.
- 140D-1 The commenter indicates that the DEIR’s analysis of traffic impacts related to project trucks is inadequate. However, the commenter offers no specific criticism of the DEIR’s analysis. See Master Response 6: Trucks and the Transportation Analysis for more information. The comment is noted.
- 140D-2 The commenter raises issues related to conflicts between trucks and pedestrians. This issue is addressed in the DEIR under Section 4.11 “Traffic and Transportation,” specifically under Impact 4.11-5 “Transit, Pedestrian, and Bicycle Impacts.” The DEIR includes mitigation measures to reduce these impacts to a less-than-significant level. The commenter does not raise issues related to the adequacy of the DEIR.
- 140D-3 The commenter identifies issues related to air quality. The DEIR analyzes the potential of the proposed project to result in impacts to air quality. Please see Section 4.2 of the DEIR “Air Quality.” The comment does not raise issues with the adequacy of the DEIR.
- 140D-4 The comment raises a general concern regarding a “possible high water problem”. These issues are addressed in the DEIR under section 4.6 “Hydrology and Water Quality.” Also, see Master Response 7: Detention Basins and Drainage which addresses comments pertaining to stormwater volume and flooding.

140D-5

The commenter indicates that the DEIR is seriously deficient in meeting the requirements of CEQA. However, the commenter offers no reasoning behind the criticism. Therefore, no additional response can be provided. The comment is noted.

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



Re: Construction Noise Impacts

Dear Merced City Council and Ms. Espinosa,

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

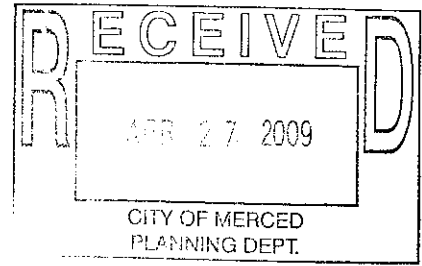
141A-1

Thanks,

ALTHEA MASON
463 WEAVER AVE
MERCED, CA 95341

Althea Mason

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



Ms. Espinosa,

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

141B-1

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

**Letter
141A-B
Response**

Althea Mason
➤ 141A-Undated ➤ 141B-Undated

- 141A-1 The commenter raises issues related to conflicts between school-related pedestrians/traffic and heavy truck traffic. The issue of truck trips near schools was analyzed in Section 4.11 of the DEIR and Mitigation Measures 4.11-2b and 4.11-4 specifically address the issue of trucks and schools. The mitigation measures would reduce impacts to a less-than-significant level; additional mitigation is not necessary. The comment does not raise issues regarding the adequacy of the DEIR. The comment is noted.
- 141B-1 The comment raises concerns regarding truck traffic. The DEIR analyzes impacts related to truck traffic in Section 4.11 “Traffic and Transportation.” Please also see Master Response 6: Trucks and the Transportation Analysis. The comment does not raise issues related to the adequacy of the DEIR. The comment is noted.

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Espinosa, Kim

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

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

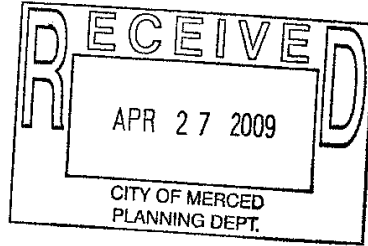
142-1

Access 350+ FREE radio stations anytime from anywhere on the web. [Get the Radio Toolbar!](#)

142-1

The comment addresses the merits of the proposed project, recommends project approval, and does not raise environmental issues or any issues regarding the adequacy of the Draft EIR. The comment is noted.

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



Re: Hybrid Diesel Trucks

Dear Ms. Espinosa,

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

143-1

Sincerely,

Marc Medefind

Name

2381 Lakeside Drive

Address

Merced, CA 95340

City, State, Zip

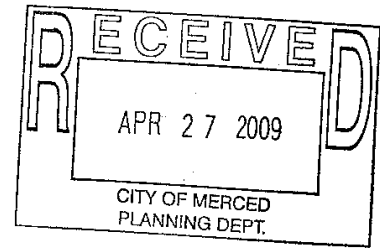
Marc Medefind

Signature

4/16/09

Date

Today's Trucking



Permission to reprint or copy this article must be obtained from Newcom Business Media Inc. Call Jack Meli, 416/614-2200, or e-mail jack@todaystrucking.com with your request.

Wal-Mart checks hybrid trucks off shopping list

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

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

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

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

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

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

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

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

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

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

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

Other initiatives include:

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

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143-1

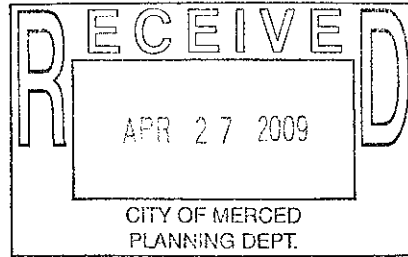
The commenter states that hybrid diesel trucks are used at the Wal-Mart's distribution center in Apple Valley, CA but no such requirement is included in the DEIR. This is not a comment about the adequacy of the DEIR. It shall be noted, nonetheless, that Mitigation Measure 4.2-2d includes the following requirement, where feasible:

- ▶ Purchase and operate electric or hybrid-powered yard tractors (e.g., Volk-brand tractors) to serve as "yard trucks" that move trailers to and from the trailer yard and loading docks.

Impact 4.2-2 in the DEIR discusses operational emissions, including emissions from on-site yard trucks and long-haul truck trips. Mitigation Measures 4.2-2a, 4.2-2b, 4.2-2c, and 4.2-2e will ensure that operational emissions would be reduced to a less-than-significant level, as discussed on pages 4.2-41 and 4.2-22 of the DEIR.

April 25, 2009

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



Ms. Espinosa,

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

144A-1

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

144A-2

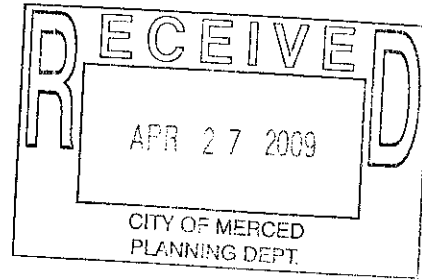
Sincerely,

Suzette Meik
482 Hydrangea Ct.
Merced, CA
95341

Meik

April 3, 2009

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



Ms. Espinosa,

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

144B-1

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

Thank you,

Suzette Meik

Meik

482 Hydrangea Ct.
Merced, CA 95341

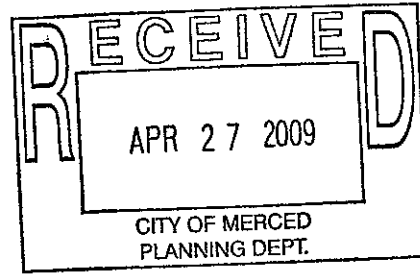
**Letter
144A-B
Response**

Suzette Meik
➤ 144A–April 25, 2009
➤ 144B–April 3, 2009

- 144A-1 The commenter states that the DEIR does not include a landscaping plan, and is concerned about water usage impacts. Please refer to response to comment 121C-1 regarding water consumption and water supply. The commenter does not provide any specific disagreements with the analysis provided in the DEIR; therefore, no further response can be provided.
- 144A-2 The commenter asks that landscape plans are addressed in the DEIR. Please refer to response to comment 121C-1 for information on landscape plans. No further response is necessary because no issues related to the specific environmental impacts of the project were raised.
- 144B-1 Please refer to mitigation measure 4.2-6d, which requires the use of solar panels for on-site electricity generation to serve the proposed project. (Please refer to response to comment 22-7 regarding some text changes that will be made to Mitigation measure 4.2-6d.)

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



Señorita Espinosa:

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

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

Alina Méndez

2285 Linden St

Atwater Ca 95301

Alina Méndez

The attached comment letter regarding the Wal-Mart Distribution Center Draft Environmental Impact Report has been translated by:

Juan F. Olmos

Juan Olmos

Maintenance Worker III

Title

5-5-09

Date

English Transcription:

LETTER 1 (*Corresponds with LETTER #145A*)

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

Miss Espinosa:

The City Council made a bad decision when rejected something which was going to help people who only speak Spanish to understand more the plan about the distribution center EIR. If it is not allowed by the law to write the report on Spanish, the city should know better that rejecting the petition when approximately a third of the people who live here speaks Spanish. The EIR is hard enough to read to a person who knows English well, how hard do you think it's for people who are learning English to read (1000) pages.

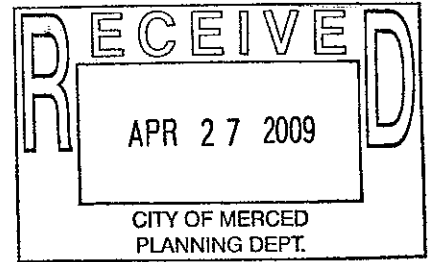
145A-1

This project would be bad for our homes and our kids, traffic jams, air quality, asthma and environment – the only way that many persons would learn this if Merced stops language discrimination against the Hispanic residents.

145A-2

Alina Mendez
2285 Linden St
Atwater CA 95301

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



Señora Espinoza:

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

A small, circular handwritten mark or signature.

Alina Méndez
2285 Linden St
Atwater, ca 95301

The attached comment letter regarding the Wal-Mart Distribution Center Draft Environmental Impact Report has been translated by:

Juan F. Olmos
Juan Olmos

Maintenance Worker III
Title

5-5-09
Date

English Transcription:

LETTER 2 (Corresponds with LETTER #145B)

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

Misses Espinoza:

The people who speaks Spanish deserve to have an inform in Spanish about the Wal-Mart EIR distribution center! Its time to treat the Hispanic community the same like the others!

145B-1

Alina Mendez
2285 Linden St
Atwater CA 95301

**Letter
145A-B
Response**

Alina Méndez
➤ 145A–Undated
➤ 145B–Undated

- 145A-1 This comment raises issues related to language barrier and translation of CEQA documents. Please refer to Master Response 2: Language Barrier and Public Review Period, which addresses these issues.
- 145A-2 The comment describes concerns related to homes, kids, traffic, air quality, and the environment. Regarding traffic and air quality, the Draft EIR analyzes these environmental issues under sections 4.11 “Traffic and Transportation” and 4.2 “Air Quality.” (It is assumed that impacts to “kids” refer to traffic and air quality impacts, which would be covered under Sections 4.11 and 4.2.) Impacts to the environment, in general, are addressed throughout the Draft EIR. It is assumed that impacts to “homes” refers to property values, which is not an environmental issues and does not require analysis under CEQA. The comment does not raise issues related to the adequacy of the Draft EIR.
- 145B-1 This comment raises issues related to language barrier and translation of CEQA documents. Please refer to Master Response 2: Language Barrier and Public Review Period, which addresses these issues.

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Espinosa, Kim

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

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

146-1

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

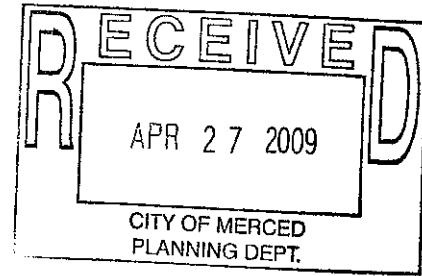
**Letter
146
Response**

William Mendonca
Universal Service Recycling, Inc.
February 25, 2009

146-1

The comment addresses the merits of the proposed project, recommends approval, and does not raise environmental issues or any issues regarding the adequacy of the Draft EIR. The comment is noted.

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



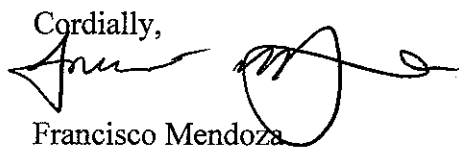
Dear Kim Espinosa,

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

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

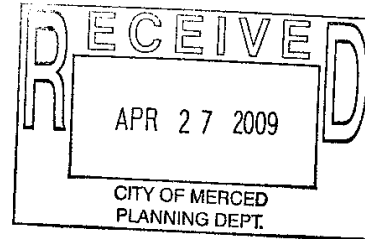
147-1

147-2

Cordially,

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

- 147-1 The commenter would like to know if the proposed project would increase the amount of time it would take for the SJVAB to attain air quality standards. Post-mitigation, the project would not be anticipated to substantially conflict with air quality attainment planning efforts in the SJVAB. Thus, the project itself would not contribute a delay in attainment of air quality standards.
- The commenter would also like to know why a one-time fee payment would be sufficient mitigation. SJVAPCD’s ISR program has calculated the cost to offset criteria air pollutants and precursors in the SJVAB. Implementation of an offset project using ISR funds results in operational emissions offsets. For example, if some portion of the project’s fees remitted to SJVAPCD were used to repower an engine in a piece of off-road mobile equipment to make that piece of equipment lower-emitting, the offset would exist for the life of that engine. The lifetime or “permanence” of the offset project implemented with ISR funds is taken into account in SJVAPCD’s cost per ton of pollutant offset.
- 147-2 The commenter expresses concern the jobs will not go to local residents. Please see Responses to Comments 29-19 and 92-4, which address this issue.

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



Dear Ms. Espinosa,

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

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

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

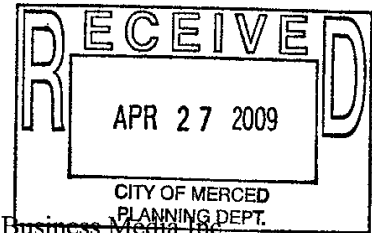
Thank you, *Javier Mendoza*

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

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

148-1

Today's Trucking



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Wal-Mart checks hybrid trucks off shopping list

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

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

<http://www.todaystrucking.com/printarticle.cfm?intDocID=21149>

4/27/2009

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

Other initiatives include:

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148-1

The commenter states that hybrid diesel trucks are used at the Wal-Mart's distribution center in Apple Valley, CA but no such requirement is included in the DEIR. This is not a comment about the adequacy of the DEIR. It shall be noted, nonetheless, that Mitigation Measure 4.2-2d includes the following requirement, where feasible:

- ▶ Purchase and operate electric or hybrid-powered yard tractors (e.g., Volk-brand tractors) to serve as "yard trucks" that move trailers to and from the trailer yard and loading docks.

Impact 4.2-2 in the DEIR discusses operational emissions, including emissions from on-site yard trucks and long-haul truck trips. Mitigation Measures 4.2-2a, 4.2-2b, 4.2-2c, and 4.2-2e will ensure that operational emissions would be reduced to a less-than-significant level, as discussed on pages 4.2-41 and 4.2-22 of the DEIR.

Espinosa, Kim

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



pesgm2008p-000334.pdf


Good morning!

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

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

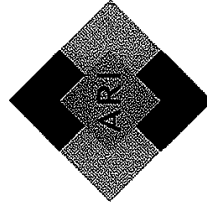
> From: R John Meyer <rjmeyer@vtlnet.com>
> Subject: Emailing: pesgm2008p-000334.pdf
> To: rjmeyer@vtlnet.com
> Date: Monday, March 16, 2009, 1:02 AM
> Supervisors,
>
> Because WalMart has been developing a micro-grid (electric
> power) they
> project an essential commodity & need for this county -
>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

149-1



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

23 July 2008



Prof. Saifur Rahman

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

Challenges Facing the US Electric Power Industry

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

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

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

Likely Scenario

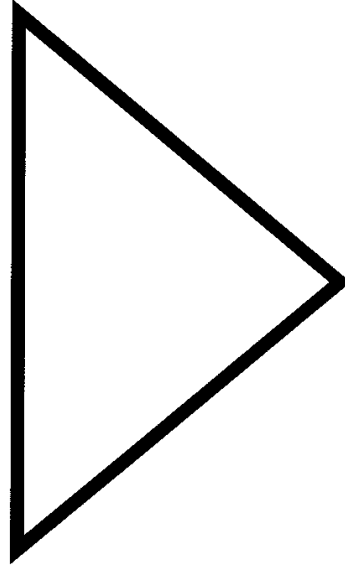
- Electricity supply mix away from fossil fuels with expanded development of wind, solar, biomass, geothermal, nuclear and energy from the oceans
 - Expanded focus on energy efficiency
 - Greater application of IT and communication technologies
 - Smart electric power grid
-

Challenges in Today's Grid

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

Evolving Philosophy in Power System Operation

Security **Reliability**



Efficiency

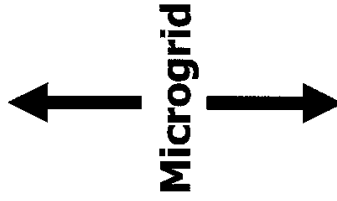
A Vision for the Smart Grid

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

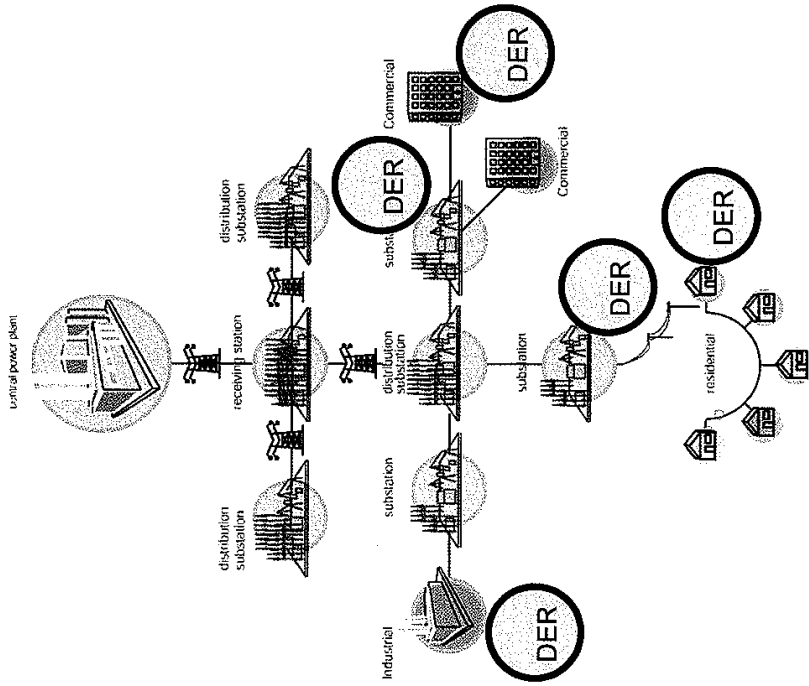
Source: the NREL Modern Grid Initiative

Definition & Building Blocks of a Smart Grid

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



The Microgrid as a Building Block of a Smart Grid

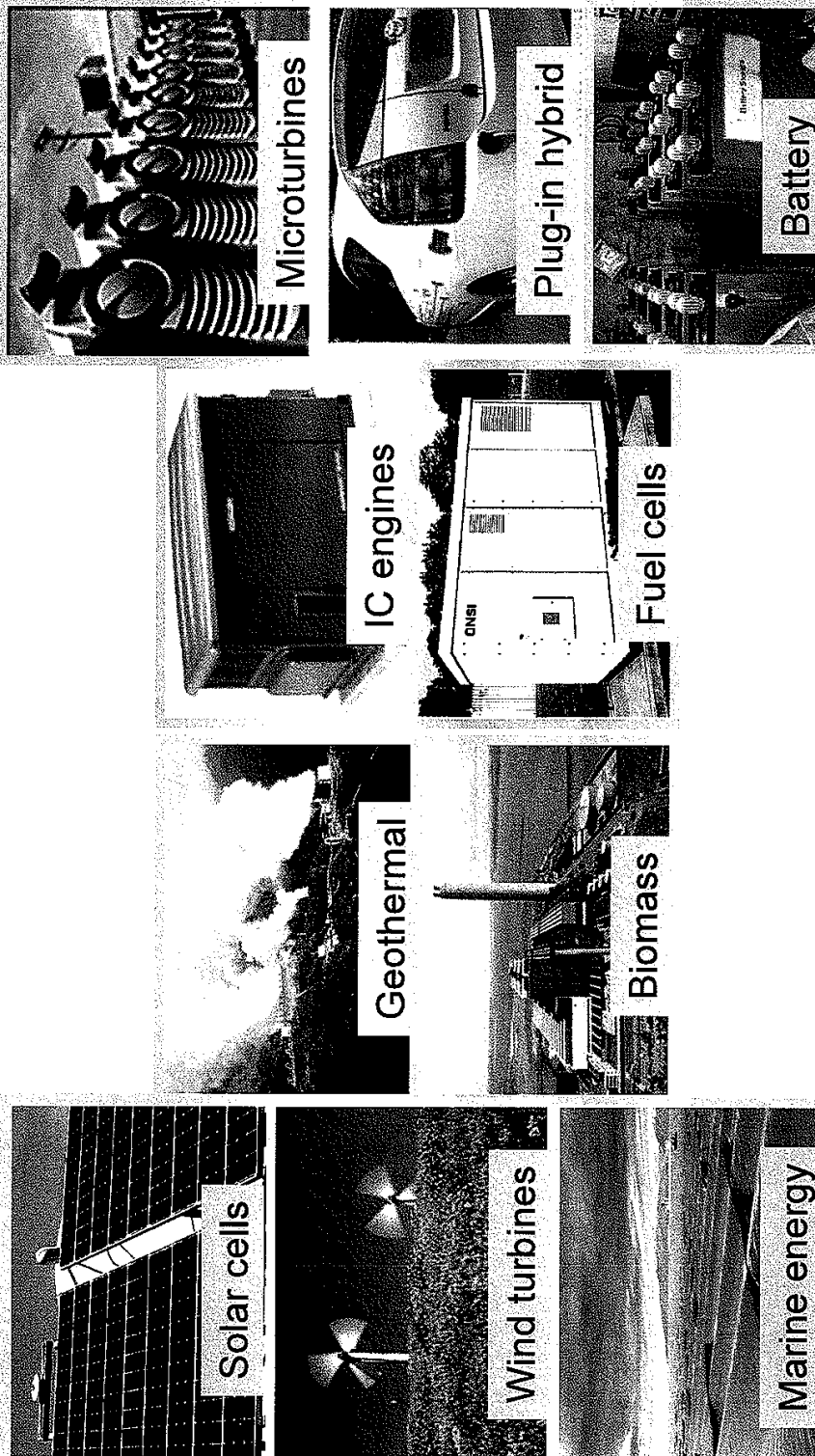


A microgrid is an islandable part of a power delivery system that:

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

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

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

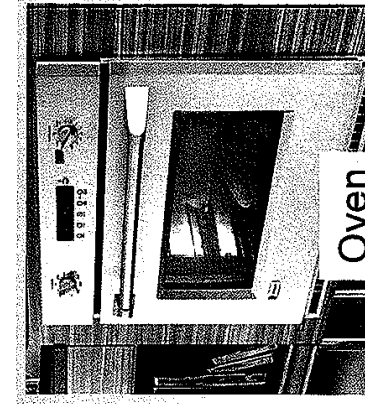
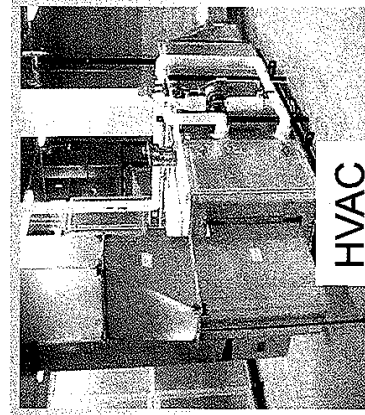
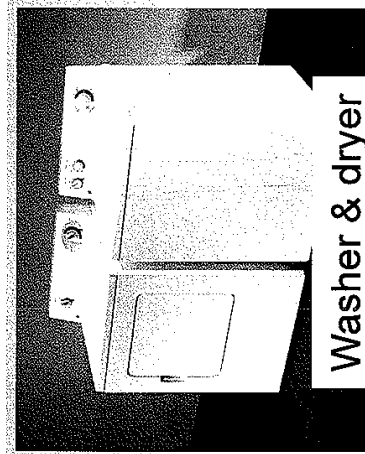


2. Demand Aspects of a Microgrid: Consumer Participation and Demand Response

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

⇒ Smart appliances

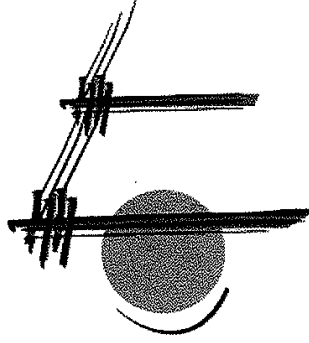
⇒ Intelligent circuit breakers



3. Communication Aspects of a Microgrid: Integrated Communications

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

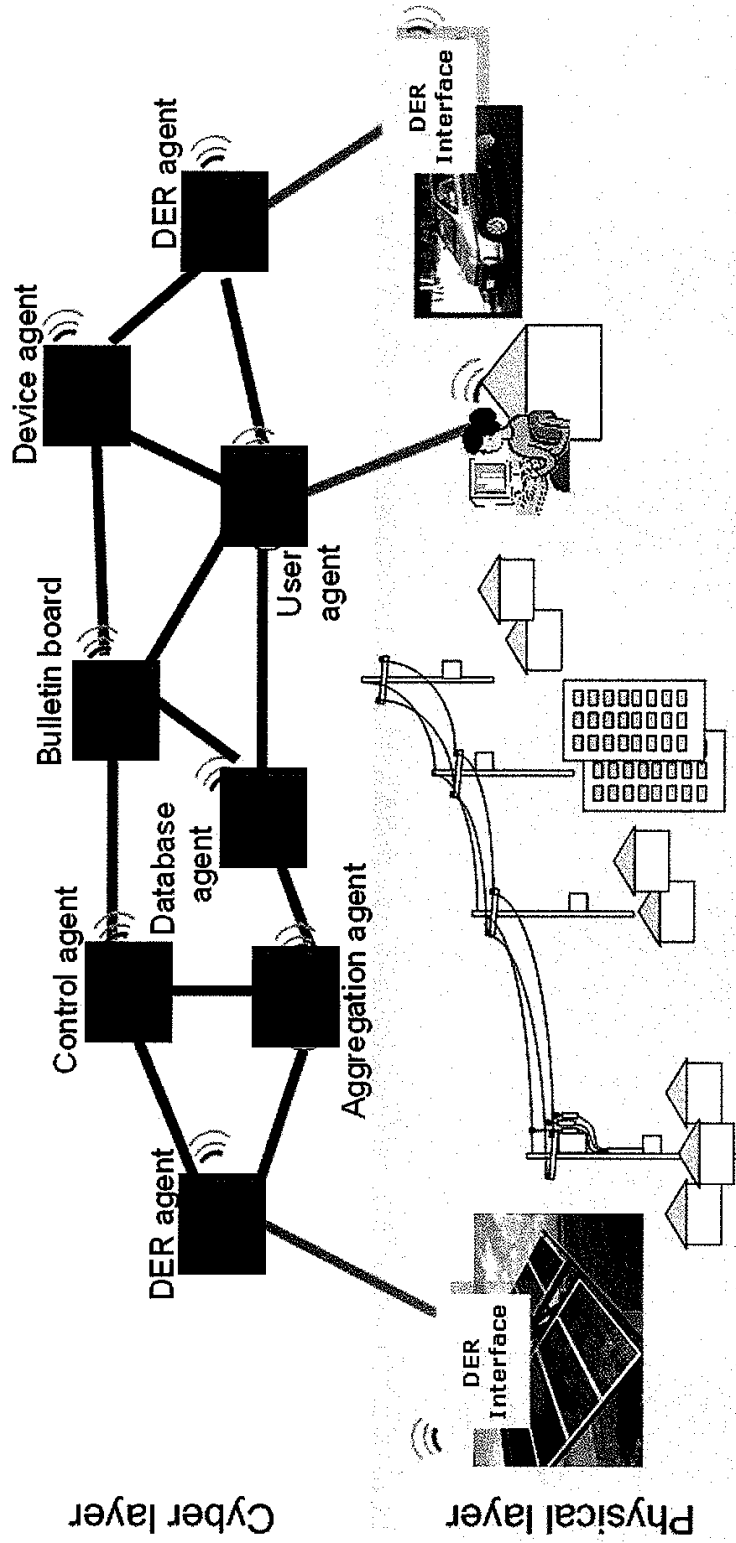
- ⇒ Power line carrier
- ⇒ Broadband over power line
- ⇒ LAN/WAN/Internet
- ⇒ Wireless radio system
- ⇒ WiFi 802.11b (range a few 100 meters; speed 5-10 Mbps)
- ⇒ WiMAX 802.16 (range 10-30 miles; speed 75 Mbps)
- ⇒ ZigBee/IEEE 802.15.4 (for automated metering system)



4. Control of a Microgrid

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

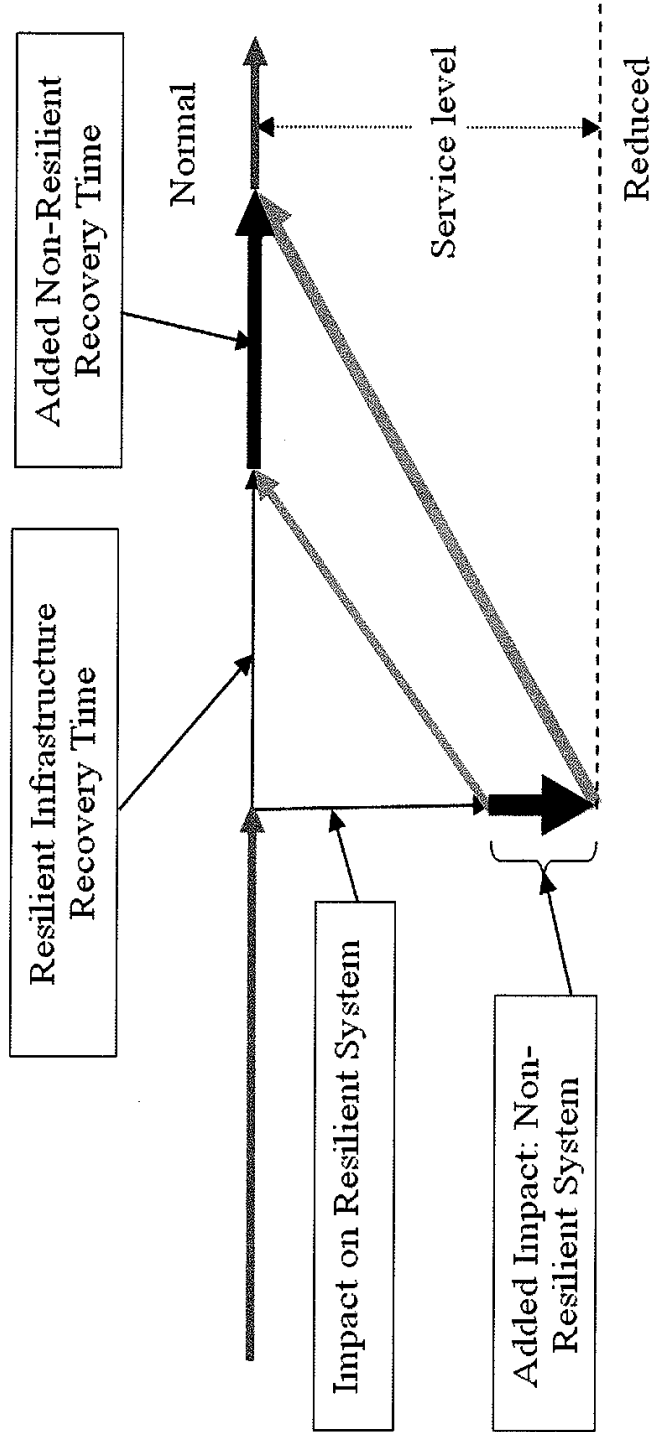
Microgrid Physical and Cyber Layers



Resilience as a Key Component

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

Resilience and Service Restoration Graphic



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

Resilience and 4 Qualities

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

- Robustness
- Redundancy
- Resourcefulness
- Rapidity

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

Potential Contributors to a Microgrid

Walmart – a Practitioner of the Microgrid Concept in Commercial Facilities

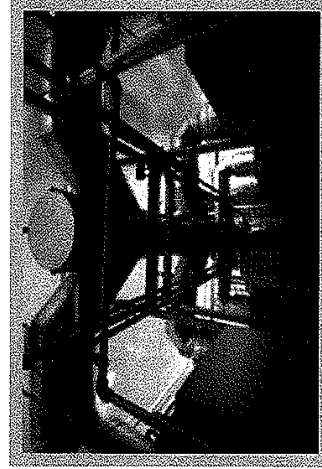
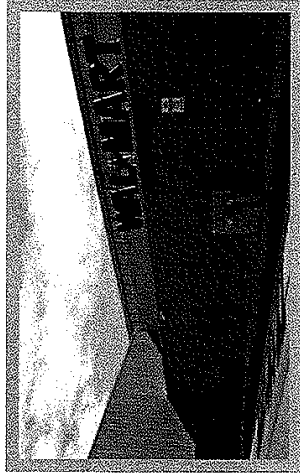
Location: Walmart - Aurora, Colorado

Commissioned: Nov 2005

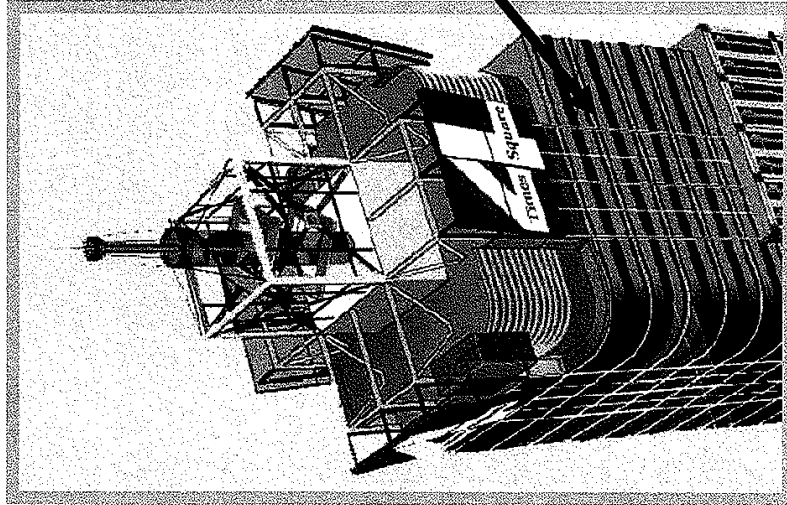
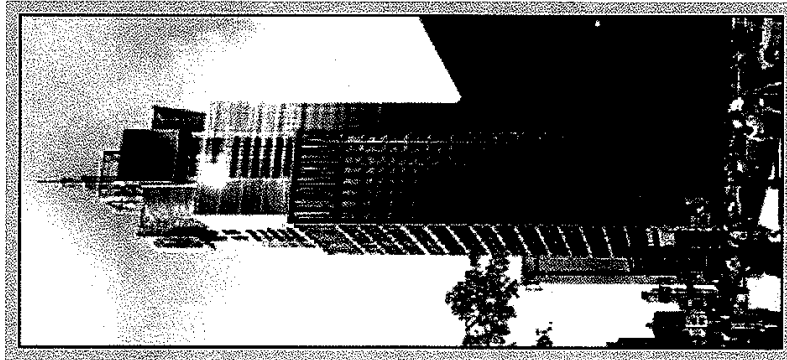
System: PureComfort Model 360M
6 x 60kW microturbines & a double-effect absorption chiller
(Microturbine co-generation)

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

Efficiency: 80% (total system eff)



Building for the 21st Century



Building:

4 Times Square, NY

Key features:

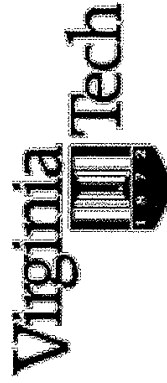
- 2 x 200k W fuel cells (4th floor)
- 15 kW building integrated PV panels (top 19th floors)
- Natural-gas powered absorption chillers /heaters (roof)

Thank you for your attention

Saifur Rahman

srahman@vt.edu

Professor and Director



Virginia Tech - Advanced Research Institute (VT-ARI)

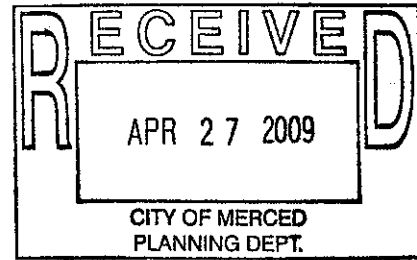
4300 Wilson Blvd Ste 750, Arlington, VA

www.ari.vt.edu

149-1

The commenter asks if the proposed distribution center would become “another link into the micro-grid.” Although the commenter attached a presentation related to energy demand, which includes some discussion of micro-grids, the commenter is unclear how the project could become such a link, or what kind of environmental effects relate to micro-grids. Section 4.12 of the DEIR “Utilities and Public Services” addresses impacts related to the energy supply. For additional information, please see Response to Comment 121B-1. Because the commenter raises no specific environmental concerns with respect to micro-grids, no addition response can be provided.

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April 27, 2009

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

Dear Ms. Espinosa,

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

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

150-1

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

150-2

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

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

150-1

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

150-3
Cont'd

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

Yours truly,



Kara Middlebrooks
3425 Sueno Ct.
Merced, CA 95340

- 150-1 The comment suggests that the proposed project is not compatible with land uses in the vicinity, including existing and planned residences and schools. The suggested incompatibility is based on environmental issues, such as traffic, noise, air quality, and aesthetics (night lighting). The Draft EIR analyzes these environmental issues under sections 4.2 “Air Quality,” 4.8 “Noise,” 4.11 “Traffic and Transportation,” and 4.13-1 “Visual Resources.” The conclusions in the Draft EIR do not suggest a land use incompatibility, although the Draft EIR does identify several significant environmental impacts that cannot be reduced to a less-than-significant level (See Draft EIR Section 6.4 for more information regarding the unavoidable significant impacts). These significant environmental effects are not unique to industrial development and would not likely be avoided by placement of a different industry on the site (as recommended by the commenter), or other urban development of a similar scale. In addition, the project site was analyzed for industrial uses under the 1997 General Plan Update EIR. The comment does not raise issues with the adequacy of the Draft EIR.
- 150-2 The commenter questions why the new distribution center needs to be built in Merced, and why other potential new distribution centers and retail stores are not considered in the DEIR. The proposed project, a Wal-Mart regional distribution center, is the whole of the action that is under consideration, and is not a segmented part of a larger project. As described on page 3-4 of the DEIR, the project applicant conducted an extensive siting study that resulted in selection of the site for the proposed project. The site was selected for multiple reasons as described on pages 3-4 and 3-11 of the DEIR. Also see Master Response 12: Alternatives.
- As described on page 1-1 of the DEIR, Section 15378 of the CEQA Guidelines defines a “project” as the whole of an action, which has the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. The term “project” refers to the activity that is being considered for approval and that may be subject to several discretionary approvals by governmental agencies. As defined in Section 3.1, “Project Overview,” of the DEIR (see page 3-1), the proposed project is a regional distribution center located on 230 acres in the City of Merced. The City of Merced is the lead agency with primary authority for approval of the project.
- The commenter implies that Wal-Mart may potentially expand operations in California in the future, and propose new distribution centers and/or retail stores. Under CEQA, such new distribution centers or retail stores would be considered separate projects from the proposed project, and are not considered in the DEIR because proposed new distribution centers or retail stores are not reasonably foreseeable, and such projects are considered speculative. Furthermore, the commenter has not provided any evidence to demonstrate how development of the proposed project is linked to development of any other Wal-Mart project. Please see Master Response 1: Growth Inducement and Expansion for more information.
- The commenter also raises the issue of cumulative impacts. The project’s cumulative impacts were evaluated consistent with the requirements of CEQA in Chapter 6, “Cumulative and Growth Inducing Impacts,” of the DEIR. As described therein, the project’s cumulative impacts for a variety of environmental topic areas are analyzed (see page 6-2). The commenter does not provide any specific disagreements with the analysis provided in the DEIR; therefore, no further response can be provided.

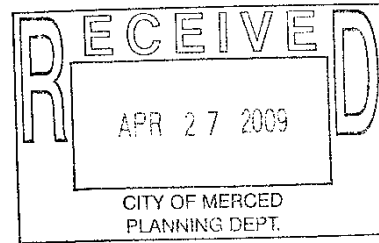
150-3

The commenter raises concerns about the aesthetic impact of the proposed project, as well as potential traffic impacts. Please see response to comment 58-2 regarding the project's aesthetic and visual impacts. The commenter does not offer any evidence on how the project would result in significant aesthetic impacts, and does not raise any issues with the environmental analysis provided in the DEIR; therefore, no further response can be provided. The comment is noted for consideration by the City during review and approval of the project.

Regarding the project's potential traffic impacts, please refer to response to comment 29-22. The commenter does not provide and specific disagreements with the analysis provided in the DEIR; therefore, no further response can be provided. Please also see Response to Comment 137-1.

April 19, 2009

Kim Espinosa
Merced Planning Division
678 West 18th 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?

151A-1

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

151A-2

Second, your report evidently points out the PM_{2.5} 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.

151A-3

Carlos G. Miramontes
Signature

CARLOS G. MIRAMONTES
Print Name

178 SWEETWATER AVE
Address

MERCED CA 95341
City, State Zip

726-9329
Phone Number

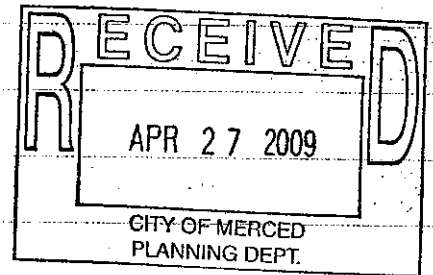
CARLOS G. MIRAMONTES

4-23-09

178 SWEETWATER AVE.

MERCED CA 95341

(209) 726-9329



A QUIEN CORRESPONDA:

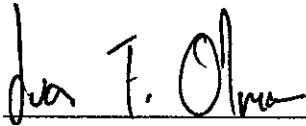
YO ESTOY EN DESACUERDO CON EL CENTRO DE DISTRIBUCION WAL MART. POR EL IMPACTO NEGATIVO QUE CAUSARA A MI FAMILIA EN SU SALUD.

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

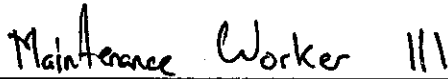
TENDRIAMOS QUE MOVERNOS DE CASA Y ESO ME TRAERIA MUCHOS PROBLEMAS

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

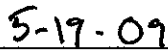
The attached comment letter regarding the Wal-Mart Distribution Center Draft Environmental Impact Report has been translated by:



Juan Olmos



Title



Date

English Transcription:

LETTER 14 (Corresponds with LETTER #151B)

CARLOS G. MIRAMONTES
128 SWEETWATER AVE
MERCED CA 95341
(209) 726-9329

4-23-09

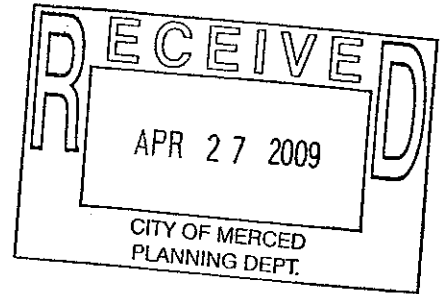
To Whom It May Concern:

I am in disagreement with the Wal-Mart distribution center by the negative impact that it will have in my family's health.
Mi wife already has respiratory deficiency just like my son and some of my grand kids.
We will have to move of house and that will bring many problems.

151B-1

2 de Abril de 2009

Kim Espinosa
Merced Department of Planning
City of Merced
678 West 18th 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

Nombre

178 SWEETWATER AVE

Dirección

MERCED CA 95341

Código Postal

Carlos G. Miramontes

Fecha

The attached comment letter regarding the Wal-Mart Distribution Center Draft Environmental Impact Report has been translated by:

Juan F. Olmos

Juan Olmos

Maintenance Worker III

Title

5-19-09

Date

English Transcription:

LETTER 15 (Corresponds with LETTER #151C)

April 2, 2009

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

Ms. Espinosa,

I am disappointed to learn that the study of the distribution center its only available in one language. Merced does a good job translating the materials that have important public information. At least could you make a summary of the results of the report in other languages? I feel the will encourage more persons to be involved in the process and the arguments. Why would not you have the participation of all the communities in Merced?

151C-1

Please include these comments in the EIR final report.

Sincerely,

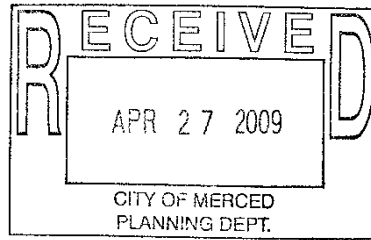
Carlos Miramontes
178 Sweetwater Ave
Merced CA 95341

**Letter
151A-C
Response**

Carlos G. Miramontes
➤ 151A–April 19, 2009 ➤ 151B–April 23, 2009
➤ 151C–April 2, 2009

- 151A-1 The commenter asserts that the data in the air quality analysis from 2007 is old. This is interpreted to apply to the ambient air quality monitoring data presented in Table 4.2-2 on page 4.2-7 of the DEIR. At the time of writing, 2007 data was the most recent data available. Since the time the DEIR was released, 2008 data has become available and is presented in Section 4.4 of the FEIR. However, the availability of 2008 data does not affect the air quality analysis in the DEIR or any of the impact conclusions presented therein.
- 151A-2 The comment does not raise issues with the adequacy of the DEIR. The comment is noted.
- 151A-3 This comment appears to misunderstand footnote 2 of Table 4.2-2 on page 4.2-7 of the DEIR. ARB collects air quality measurements every six days, and extrapolates the data in order to calculate the estimated number of air quality violations that would occur as though measurements were recorded every day. This is ARB’s standard way of measuring ambient air quality data on which attainment designations for criteria air pollutants are based. These measurements were not recorded specifically for this project, but, rather, this existing data set was used to characterize the ambient air quality in the project area, because it is considered representative of the project area.
- 151B-1 The commenter indicates disagreement with the perceived negative impact to health. The DEIR addresses impacts related to air quality in Section 4.2. The commenter does not raise issues with the adequacy of the DEIR.
- 151C-1 This comment raises issues related to language barrier and translation of CEQA documents. Please refer to Master Response 2: Language Barrier and Public Review Period, which addresses these issues.

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.

152-1

Regards,

Rebecca B. Montes

Name

178 Sweetwater Ave.

Address

Merced, CA, 95341

City, State, Zip

[Signature]

Signature

04/19/09

Date

152-1

Please see response to comments 30-D and 108-1. Information on detailed modeling input parameters, including the SJVAPCD-Recommended Construction Fleet spreadsheet is included in Appendix C to the DEIR, as stated on Page 4.2-29. The analysis of construction-generated GHG and other emissions is based on the best available information at the time of the analysis. This is an evolving issue, and will continue to evolve substantially as air districts establish methods and thresholds.

Espinosa, Kim

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

153-1

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.

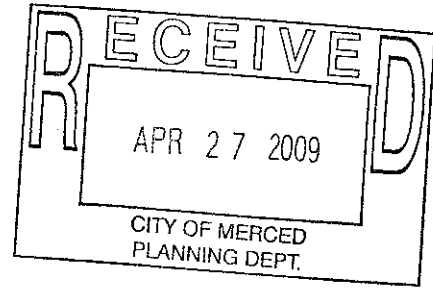
UBS International Inc.

UBS Financial Services Incorporated of Puerto Rico

153-1

The comment addresses the merits of the proposed project and does not raise environmental issues or any issues regarding the adequacy of the Draft EIR. The comment is noted.

Kim Espinoza
Merced Department of Planning
City of Merced
678 West 18th 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.

154-1

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

**Letter
154
Response**

LaDonna S. Moore
Undated

154-1

This comment raises issues related to language barrier and translation of CEQA documents. Please refer to Master Response 2: Language Barrier and Public Review Period, which addresses these issues.

Espinosa, Kim

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 | 155-1

✓ #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. | 155-2
--Kim



FW: Message from an unidentifi... FW: Message from an unidentifi...

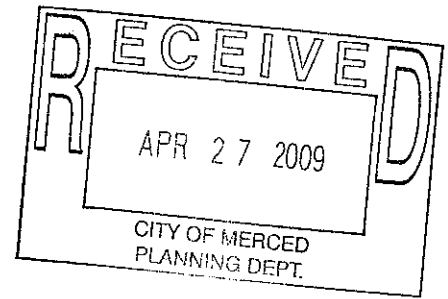
**Letter
155
Response**

Mr. Munde
Chuck Morgan
Phone Message

- 155-1 This phone message raises issues related to adequacy of the public review period of the Draft EIR. The City required written comments be submitted and is not required to respond to voice messages. However, the following response is provided: please refer to Master Response 2: Language Barrier and Public Review Period, which addresses this issue.
- 155-2 The phone message addresses the merits of the proposed project and does not raise environmental issues or any issues regarding the adequacy of the Draft EIR. It should be noted that the City required written comments be submitted and is not required to respond to voice messages. The comment is noted.

April 14, 2009

Ms. Kim Espinosa
Merced Planning Department
678 West 18th 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 of. 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.

156-1

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.

156-2

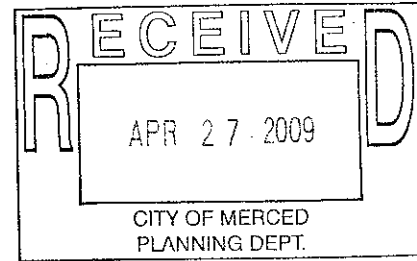
Thank you for your consideration of my comments.

Thomas J. Alvarez
469 Hydrogen St
Merced, CA 95341

- 156-1 The commenter recommends the proposed project be LEED Platinum certified. Mitigation measures proposed for impacts 4.2-2 and 4.2-6 contain many energy efficiency and emissions reduction components similar to the types of criteria used in LEED certification. However, it would be financially prohibitive to construct the project to meet LEED Platinum certification requirements, and would make this suggestion economically infeasible. In addition, Mitigation Measures 4.2-2a through 4.2-2e would reduce Impact 4.2-2 to a less-than-significant level.
- 156-2 The commenter recommends the proposed project be LEED Platinum certified. Mitigation measures proposed for impacts 4.2-2 and 4.2-6 contain many energy efficiency and emissions reduction components similar to the types of criteria used in LEED certification. However, it would be financially prohibitive to construct the project to meet LEED Platinum certification requirements, and would make this suggestion economically infeasible. In addition, Mitigation Measures 4.2-2a through 4.2-2e would reduce Impact 4.2-2 to a less-than-significant level.

April 1, 2009

Ms. Kim Espinosa
Planning Director
Planning Division, City of Merced
678 West 18th 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

157-1

**Letter
157
Response**

XXXXX L. Mull
April 1, 2009

157-1

Please refer to Comment 86-1 regarding odors. The comment does not raise issues with the adequacy of the DEIR. The comment is noted. Please refer to Comments 86-2 regarding the ideal of collecting TAC samples on the project site.

Espinosa, Kim

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 | 158-1

- #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. | 158-2
--Kim



FW: Message from an unidenti... FW: Message from an unidenti...

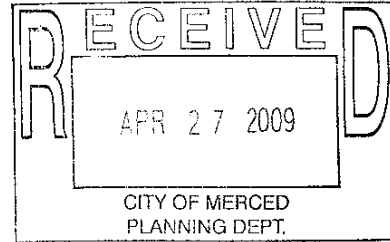
**Letter
158
Response**

Mr. Munde
Chuck Morgan
Phone Message

- 158-1 This letter is a duplicate of Letter 155. See Response to Comment 155-1.
- 158-2 This letter is a duplicate of Letter 155. See Response to Comment 155-2.

Kim Espinoza, Planning Manager

**City of Merced Planning Department
678 West 18th 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.

159-1

Maria Munguia
Maria Munguia

159-1

The commenter indicates that the DEIR does not evaluate urban decay impacts and expresses concern related to decrease in property values resulting from project-related increase in truck traffic. Project effects on property values alone do not constitute environmental impacts and therefore are not required to be analyzed under CEQA. However, urban decay resulting from such socioeconomic effects may be considered an impact to the environment. Please see Master Response 11: Economics and Urban Decay, which addresses this issue.

Espinosa, Kim

From: Ed Murphy [edmurphy1954@yahoo.com]
Sent: Friday, April 03, 2009 6:31 PM
To: Espinosa, Kim
Subject: Walmart

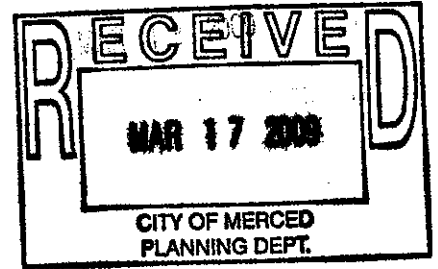
We need lets let them build it.
Ed Murphy

| 160-1

160-1

The comment addresses the merits of the proposed project, recommends approval, and does not raise environmental issues or any issues regarding the adequacy of the Draft EIR. The comment is noted.

March 11, 2009



Merced City Council
Merced, CA

Ladies and Gentlemen of the Council:

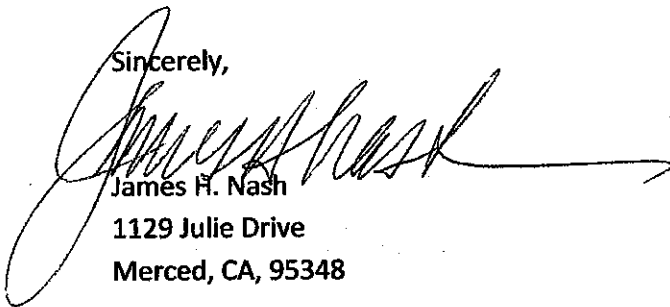
My family and I are very much in favor of the Wal-Mart Distribution center coming to Merced. What prompted me to write this, my first letter to the Council, was receiving a letter from the Action Team that is trying and spending hard to stop it. I think that is a ridiculous position for them to take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

161-1

**Letter
161
Response**

Maes H. Nash
March 13, 2009

161-1

The comment addresses the merits of the proposed project, recommends approval, and dismisses environmental issues. The comment does not raise any issues regarding the adequacy of the Draft EIR. The comment is noted.

Espinosa, Kim

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!***

162-1

***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***

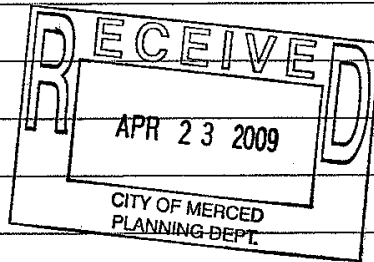
PS.. Oh, by the way, if you know someone who would appreciate my services, please call me with their name and number and I will be happy to help them or just pass my name along.

162-1

The comment addresses the merits of the proposed project and recommends approval. The comment does not raise any issues regarding the adequacy of the Draft EIR. The comment is noted.

April 20, 2009

Him Espinoza
Merced City
678 W. 18th 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.

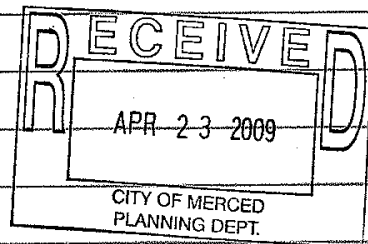
As reported in the Merced County General Plan Update now being studied, one loaded large truck impact on roads is equal to 9,300 cars!

A quantitative and qualitative study

163-1

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



163-1
Cont'd

163-2

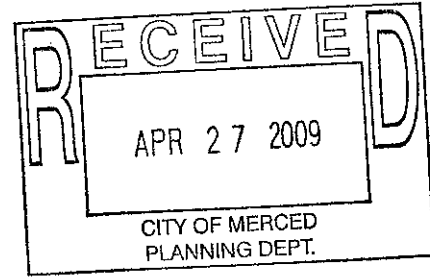
163-3

- 163-1 The commenter raises issues related to parked trucks. Please refer the Master Response 6: Trucks and the Transportation Analysis regarding truck trips and analysis. The DEIR analyzed the potential impacts of trucks associated with the proposed project. The comment regarding trucks parked in Merced County and the entire Central Valley is noted.
- 163-2 The commenter expresses concern about health issues, including asthma, caused by poor air quality and emissions generated by trucks. Please refer to the Master Response 13 regarding the commenter's concern about project-generated emissions of air pollutants and the public health concerns (including asthma). Please refer to the response to comment 17-12, which discusses how the relative locations of nearby residences and schools were analyzed in the traffic analysis. The comment does not raise issues with the adequacy of the DEIR. The comment is noted.
- 163-3 The commenter suggests that a study should be performed to identify the number of Wal-Mart trucks versus other trucks. A study is not necessary. It is anticipated that 40% of the trucks associated with the proposed distribution center would be Wal-Mart trucks and the remainder would be other trucks. The comment does not raise issues regarding the adequacy of the DEIR. The comment is noted.

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April 17, 2009

Kim Espinosa, Project Director
Merced Department of Planning
678 West 18th 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.

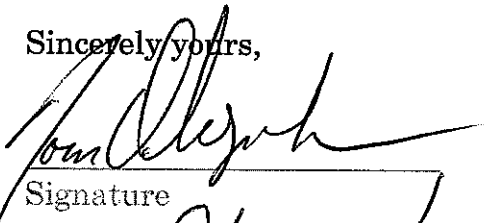
164-1

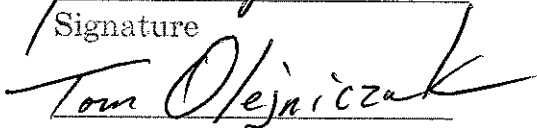
Also, will these vanpool drivers be required to undergo criminal background checks, especially because of their close proximity to children and schools?

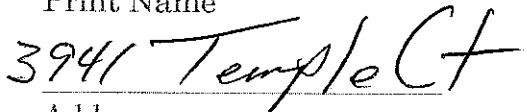
164-2

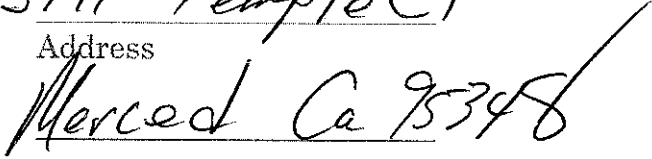
Thank you for considering my comments.

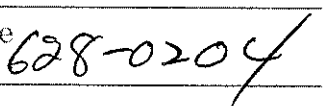
Sincerely yours,


Signature


Print Name


Address



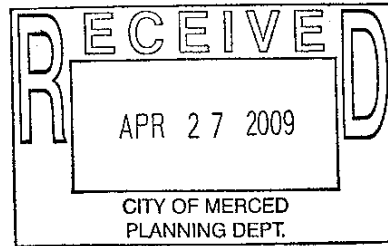
Phone 

**Letter
164
Response**

Tom Olejniczak
April 17, 2009

- 164-1 The commenter believes that one component of mitigation measure 4.2-2c (vanpooling) would be ineffective and would not be used by the employees. The commenter provides no reasoning to support this belief, however. This measure has been moved to the list of Additional Measures to Reduce Employee Commute Trips and Associated Mobile-source Emissions under Mitigation Measure 4.2-2b, which may be implemented if determined to be feasible by the City and the applicant.
- 164-2 The commenter would like to know if criminal background checks would be required of vanpool drivers. This is not specified in Mitigation Measure 4.2-2b in the DEIR because this would have no effect in mobile-source emissions. This is not an environmental issue and is therefore not required to be considered under CEQA.

kim Espinoza, Planning Manager
City of Merced Planning Department
678 West 18th 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

165-1

165-1

The commenter indicates that the DEIR does not evaluate urban decay impacts and suggests that the CEQA requires such an analysis. Project effects on property values alone do not constitute environmental impacts and therefore are not required to be analyzed under CEQA. However, urban decay resulting from such socioeconomic effects may be considered an impact to the environment. Please see Master Response 11: Economics and Urban Decay, which addresses this issue.

Espinosa, Kim

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. | 166-1

Thank you

**Letter
166
Response**

Kenneth W. Olsen
April 17, 2009

166-1

The comment addresses the merits of the proposed project, recommends approval, and does not raise environmental issues or any issues regarding the adequacy of the Draft EIR. The comment is noted.

Espinosa, Kim

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. | 167-1

Thank you

**Letter
167
Response**

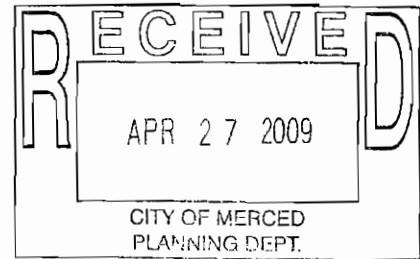
Linda M. Olsen
April 17, 2009

167-1

The comment addresses the merits of the proposed project, recommends approval, and does not raise environmental issues or any issues regarding the adequacy of the Draft EIR. The comment is noted.

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.

168-1

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. 27th St.

Merced

Address

209-384-3209

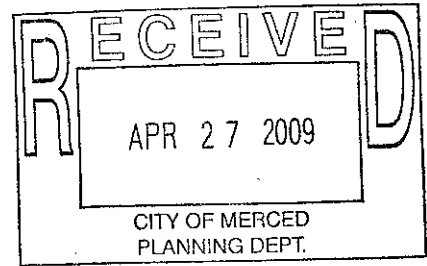
Phone

168-1

The commenter raises issues related to conflicts between school-related pedestrians/traffic and heavy truck traffic. The issue of truck trips near schools was analyzed in Section 4.11 of the DEIR and Mitigation Measures 4.11-2b and 4.11-4 specifically address the issue of trucks and schools. These mitigation measures reduce the impact to a less-than-significant level. Additional mitigation measures are not necessary. The comment does not raise issues regarding the adequacy of the DEIR. The comment is noted.

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?

169-1

169-2

Thank you for your consideration,

Josh Osborne
Signature

Josh Osborne
Print Name

162 W 27th St.
Address

Merced, CA

(209) 384-3209
Phone

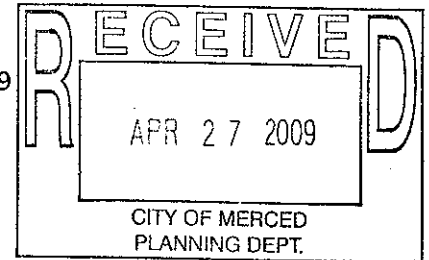
**Letter
169
Response**

Josh Osborne
April 5, 2009

- 169-1 Please refer to Master Response 13 regarding air quality-related public health concerns. The comment does not raise issues with the adequacy of the DEIR. The comment is noted.
- 169-2 The commenter suggests that the project be located on a more remote site to avoid impacts to neighborhoods. Please see Response to Comment 94-3, which addresses this issue. The comment does not raise issues with the adequacy of the DEIR. The commenter's question is noted.

Kim Espinosa,
Planning Manager
City of Merced
CA. 95340

27th 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>

170-1

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

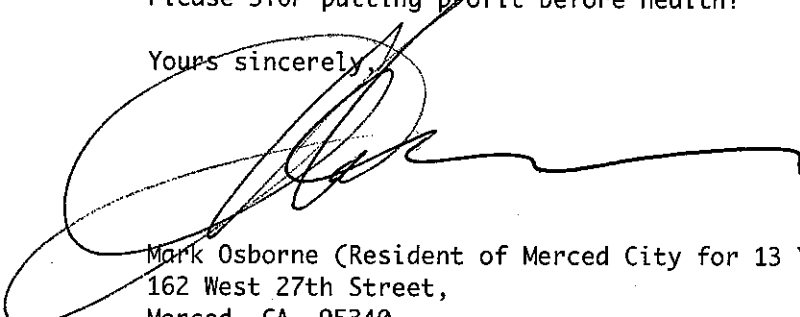
Mark Osborne Age 45
Claire Osborne Age 41
Josh Osborne Age 18
Toby Osborne Age 12
Hann Osborne Age 10

suffer from asthma, all five family members have proscripton 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

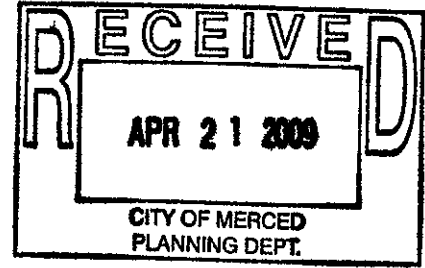
**Letter
170
Response**

Mark Osborne
April 27, 2009

170-1

Please refer to Master Response 13 regarding air quality-related public health concerns. The comment does not raise issues with the adequacy of the DEIR. The comment is noted.

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

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.

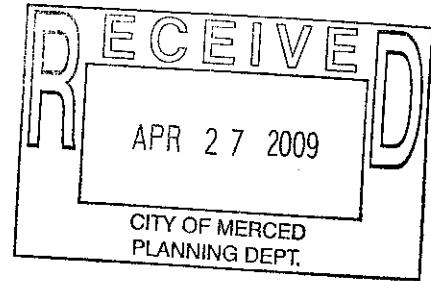
171-1

Thank you for your hard work for Merced residence.

171-1

The commenter suggests an alternate truck route. The designated truck routes for WalMart Distribution Center trucks, whether STAA routes or other routes approved by the City of Merced, would be defined as per Mitigation Measure 4-11-2b (a, b and c) as stated in the DEIR. If the routes under Mitigation Measure 4-11-2b (c) are not deemed appropriate by the City of Merced, then they wouldn't be included in the traffic safety assurance plan noted in Mitigation Measure 4-11-2b (a). No changes to the DEIR are necessary.

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.

172A-1

Thank you,

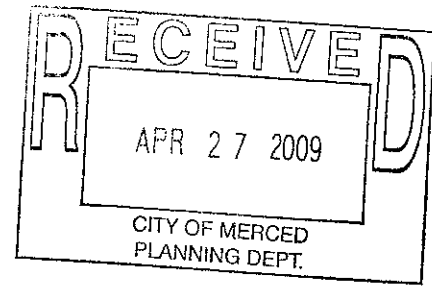
Oscar F. Pastana

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

*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 18th 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.

172B-1

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

A handwritten signature in black ink, appearing to read "Oscar Pastrana".

Letter
172A-B
Response

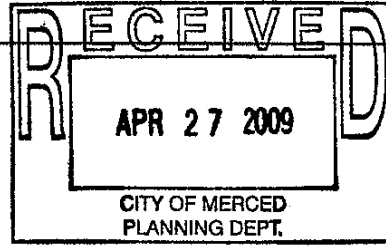
Oscar F. Pastrana
Oscar F. Pastrana
➤ 172A–Undated
➤ 172B–April 11, 2009

- 172A-1 The comment recommends that the DEIR include analysis of various transportation alternatives. To be conservative, the DEIR transportation analysis assumed a worst case scenario, in that employees would drive to the site and park. The assumptions regarding mode choice and potential affect to pedestrian, bicycle and transit operations are described in more detail on page 4.11-4 and in the Traffic Impact Analysis report in Appendix E of the DEIR.
- 172B-1 Please refer to Master Response 13 regarding air quality-related public health concerns. Please refer to the response to comment 16-8 which discusses how the schools were included in the HRA performed for the project. The comment does not raise issues with the adequacy of the DEIR. The comment is noted.

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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



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.)

173A-1

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.

173A-2

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.

173A-3

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.

173A-4

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

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.

173A-4
Cont'd

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?

173A-5

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.

173A-6

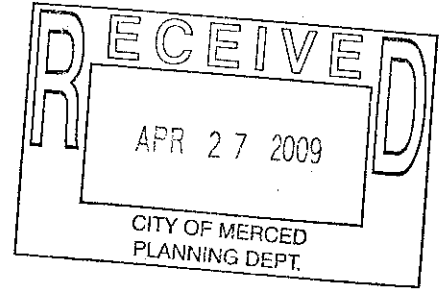
I'd like to see Merced City Planners promote smaller and independent businesses and build downtown. Give small businesses the same tax breaks you will be giving Wal-Mart. Encourage smaller businesses that complement our UC Merced and build businesses that would have less of an impact on our city, our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

173A-7

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

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.

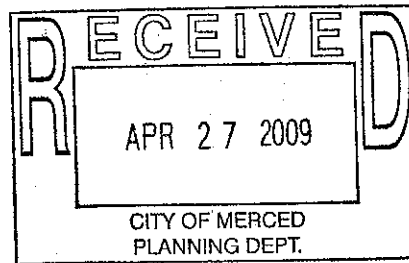
173B-1

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



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.

173C-1

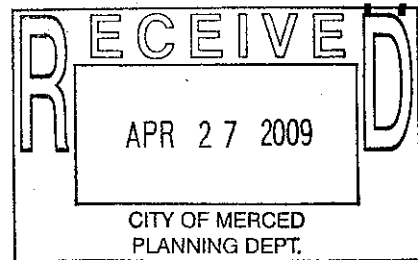
I would like to see a significant number of trees to be preserved and/or placed at the site to limit to bad views that people will be able to see from the road. Most major distribution centers are horrible eyesores, like the one for IKEA on Highway 5 near the Grapevine or row after row of the distribution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

173C-2

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



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.

173D-1

Sincerely,

Marilynne Pereira

Marilynne Pereira
505 Mustang Ct
Merced CA 95341

(209) 723-6053

**Letter
173A–D
Response**

Marilynne Pereira

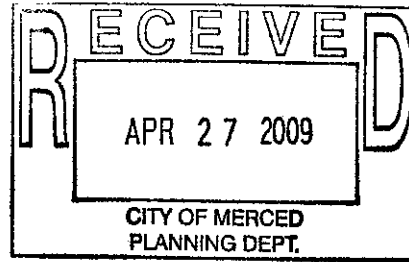
- 173A–April 27, 2009
 - 173B–Undated
 - 173C–Undated
 - 173D–Undated
-

- 173A-1 The commenter addresses the merits of the project and does not raise environmental issues or issues with the adequacy of the DEIR. The comment is noted.
- 173A-2 The commenter describes a general lack of concern with the existing distribution centers in the vicinity, but considers the proposed project in a different category because of its larger size. The commenter indicates the project would result in impacts, but offers no specifics. With no additional information, no further response can be provided. The comment is noted.
- 173A-3 The commenter states that approximately half of the truck trips generated by the proposed project would be by independent trucks not owned by Wal-Mart. Please refer to response to comment 12-5.
- The commenter also states that the traffic analysis in the DEIR assumes that trucks arriving to or departing the proposed distribution center would use Campus Parkway to travel between the project site and Highway 99 and, in reality, the commenter suggests, many truck drivers would head into town to visit restaurants and other amenities. As stated on page 4.11-21 of the DEIR, “the direction of approach and departure for project trips of the proposed Wal-Mart Distribution Center were estimated based on regional distribution of residences in Merced County and around the study area. Based on prevailing traffic patterns, roadway capacity, and consultation with the City of Merced and Wal-Mart Stores, Inc., SR 99, SR 140 and SR 152 were designated as the major routes that would service the proposed project site.” The next paragraph on the same page states “The project truck trips having their origins or destinations on SR 99 and SR 152 (90% of the truck trips) would be assumed to access the project site via the Mission interchange and Campus Parkway. The other 10% of truck trips from and to SR 140 West would be assumed to continue on SR 140 and use Tower Road. Also the City has designated truck routes (per Chapter 10.40.010 of the City of Merced Municipal Code).” Furthermore, please refer to Mitigation Measure 4.11-2b in the DEIR, which requires the applicant to develop and implement a truck route plan, which would restrict truck traffic to certain streets.
- 173A-4 The commenter feels that the proposed project lighting cannot be contained and will create a daylight effect all night long every seven days a week, resulting in increased noise and lighting impacts. Please refer to response to comment 29-3 regarding the project’s lighting impacts. Potential noise impacts of the project related to both mobile and stationary sources are fully described in Section 4.8 of the DEIR. The commenter does not provide any specific disagreements with the analysis provided in the DEIR; therefore, no further response can be provided.
- The comment also states that truck yard loudspeaker announcements are not addressed in the EIR. Please see Response to Comment 29-2. With regard to nighttime noise, the noise analysis presented under Impact 4.8-2 of the DEIR discusses the impact of on-site stationary and area-source noise associated with project operations. The analysis of maximum noise levels (i.e., Lmax) generated by on-site activities is not a function of background noise levels in the community. In addition the analysis of the Land Use Compatibility of Proposed Project discussed in Impact 4.8-6 uses the Day-Night noise level metric, which is a 24-hour noise metric that incorporates a 10 dBA “penalty” for noise events that occur during the noise-sensitive hours between 10:00 p.m. and 7:00 a.m. This metric is explained on page 4.8-4 of the DEIR.

- 173A-5 The comment asks questions regarding the specifics of the jobs that would be offered at the proposed distribution center. Specific information related to the jobs, such as specific benefits and specific skills required, do not inform the environmental analysis. These questions raise only non-environmental issues, and CEQA does not require that such issues be analyzed in the Draft EIR. The comment is noted.
- 173A-6 The commenter raises issues primarily associated with surface water quality and ground water quality. These issues are addressed in the DEIR under Section 4.6 “Hydrology and Water Quality.” Please also refer to Master Responses 8 and 9. The comment does not raise issues related to the adequacy of the DEIR. The commenter also alludes to an increase in heat in the vicinity of the proposed facility. Please see Responses to Comments 75G-2 and 96B-28, which address issues related to “heat island” effect.
- 173A-7 The commenter suggests that the project be located on a more remote site to avoid impacts to neighborhoods. Please see Response to Comment 94-3, which addresses this issue.
- 173B-1 The comment recommends that the DEIR include analysis of various transportation alternatives. To be conservative, the DEIR transportation analysis assumed a worst case scenario, in that employees would drive to the site and park. The assumptions regarding mode choice and potential affect to pedestrian, bicycle and transit operations are described in more detail on page 4.11-4 and in the Traffic Impact Analysis report in Appendix E of the DEIR.
- 173C-1 The commenter questions why a thorough landscaping plan is not available from Wal-Mart at this time, and is concerned about water consumption issues. Please refer to response to comment 121C-1 regarding landscaping, water consumption, and water supply. The commenter does not provide any specific disagreements with the analysis provided in the DEIR; therefore, no further response can be provided.
- 173C-2 The commenter requests that a significant number of trees be preserved or placed on the site to limit bad views that people will see from the road. Please see responses to comments 121C-2 and 75G-3 regarding visual resources impacts and related mitigation. The commenter does not provide any specific disagreements with the analysis provided in the DEIR; therefore, no further response can be provided. This comment is noted for the City’s consideration during review and approval of the project. No further response is necessary.
- 173D-1 The comment states that the EIR should state how many trucks would be accessing the distribution center per minute and that the EIR should account for the employee’s vehicle trips into the distribution center. Please see Response to Comment 126A-1,2,3.

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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.

174-1

Thanks,

A handwritten signature in cursive script that reads "Alfa G. Perez".

Alfa G. Perez

3165 Dinkey Creek Ave

Merced CA 95341

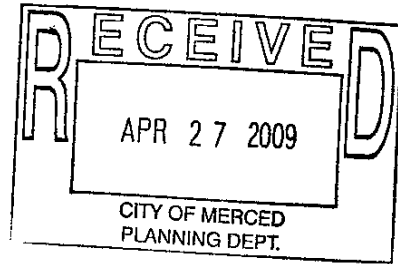
209-723-9029

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

174-1

The commenter would like to know how many trucks would be idling at the proposed project site during a 24 hour period. According to the traffic analysis prepared for the project, the project would experience approximately 643 trucks per day (365 incoming trucks and 278 outbound trucks). None of these trucks would be permitted to idle for more than 5 minutes as required by law. Please also refer to the response to comment 108-1.

Kim Espinosa, Planning Manager
City of Merced Planning Department
678 West 18th 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.

175A-1

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.

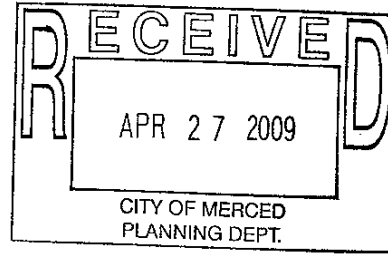
Sincerely,

PEGGY PERKINS
Name
321 W 27 St
Address
Merced CA 95340
City, State, Zip
[Signature]
Signature



PEGGY PERKINS

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.


175B-1

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.

175B-2

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,

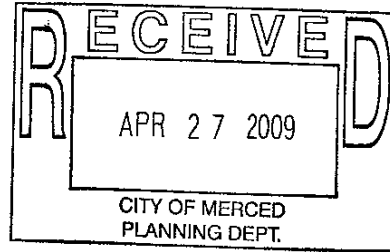

peggy perkins

321 West 27th Street Merced, California 95340 p 209.725.8898 f 209.726.8438 e slivermoon@mac.com



PEGGY PERKINS

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



27 April 2009

Dear Ms. Espinosa,

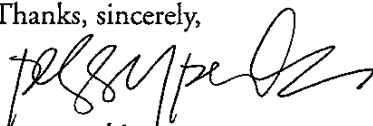
In another letter I referred you to the problem of storm- and waste-water mitigation at the proposed Wal-Mart Distribution Center site. If you would like to research the past and on-going environmental problems Wal-Mart has caused and been sued and/or fined for, I suggest you start here:

<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,

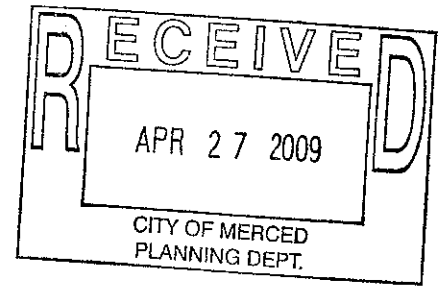

peggy perkins

175C-1

321 West 27th Street Merced, California 95340 p 209.725.8898 f 209.726.8438 e slivermoon@mac.com

3/24/2009

Merced Planning Division
RE: Wal-Mart Distribution Center
678 West 18th 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.

175D-1

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.

PEGGY PERKINS

321 W 27 St.

Merced CA 95340

209.725.8898

**Letter
175A-D
Response**

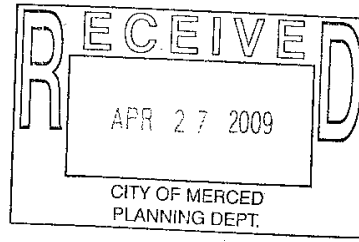
Peggy Perkins

- 175A–Undated ➤ 175B–April 26, 2009
➤ 175C–April 27, 2009 ➤ 175D–March 24, 2009
-

- 175A-1 The commenter indicates that the DEIR does not evaluate urban decay impacts and suggests that the project-related increase in truck traffic will decrease property values. Project effects on property values alone do not constitute environmental impacts and therefore are not required to be analyzed under CEQA. However, urban decay resulting from such socioeconomic effects may be considered an impact to the environment. Please see Master Response 11: Economics and Urban Decay, which addresses this issue.
- 175B-1 The comment indicates that the DEIR does not evaluate urban decay impacts. Please see Master Response 11: Economics and Urban Decay, which addresses this issue.
- 175B-2 A more detailed explanation of Mitigation Measure 4.6-2 was requested via a Technical Appendix. The final drainage plan has not been produced, but all of the technical references cited in 4.6 “Hydrology and Water Quality” are part of the Administrative Record and accessible. Also see Master Response 7: Detention Basins and Drainage which addresses comments pertaining to stormwater volume. See Master Response 8: Runoff Water Quality which addresses comments related to stormwater facility effectiveness.
- 175C-1 The commenter makes reference to a website for studies related to past and ongoing environmental issues over which Wal-Mart has been litigated. Comment noted.
- 175D-1 The commenter interprets the DEIR’s Alternatives section as implying that other communities have rejected Wal-Mart, and the commenter urges the decision makers to do the same. The commenter does not raise issues with the adequacy of the Draft EIR.

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**Kim Espinoza, Planning Manager
City of Merced Planning Department
678 West 18th 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?

176-1

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*

176-2

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

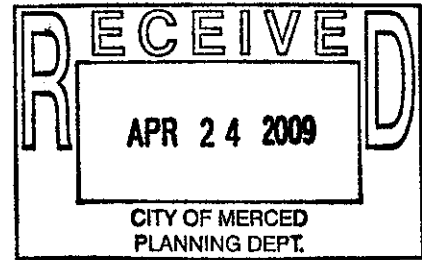
Thank you,

why take our good farmland?

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

- 176-1 The commenter raises concern related to the party responsible for financing roadway improvements. The City of Merced is responsible for execution of a Mitigation and Monitoring Program, which outlines the responsible party and timing of all mitigation measures. Costs to be paid by Wal-Mart are outlined in the Mitigation and Monitoring Program. The comment does not raise issues with the adequacy of the DEIR.
- 176-2 The comment suggests that placement of the proposed project in west of SR 99. Three off-site alternatives were evaluated in the Draft EIR (See DEIR Section 5 “Alternatives to the Proposed Project.” Alternative Sites #2 and #3 are located west of SR 99. As indicated in Table 5-8, the impacts associated with Alternative Sites #2 and #3 are generally greater than those resulting from the proposed project. The commenter also raises the possibility of an alternative site north of Merced, suggesting avoidance of prime farmland. The Draft EIR did not evaluate an alternative site north of Merced; however, the Draft EIR evaluates a reasonable range of Alternatives, including three alternative sites. Nothing more is required under CEQA. For more discussion related to project alternatives, see Master Response 12: Alternatives. The commenter does not raise issues regarding the adequacy of the Draft EIR’s analysis.

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



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

Subject Walmart

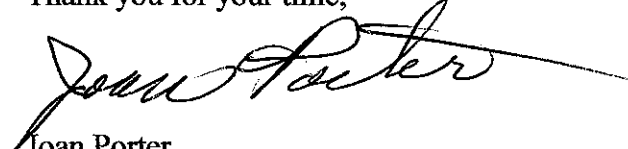
Dear Ms. Espinosa and the Planning Division,

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,

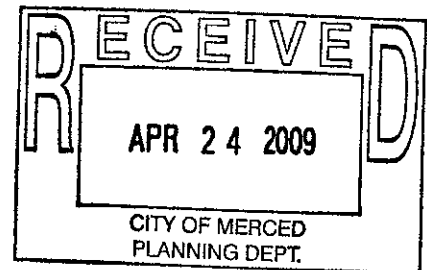


Joan Porter

177-1

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?

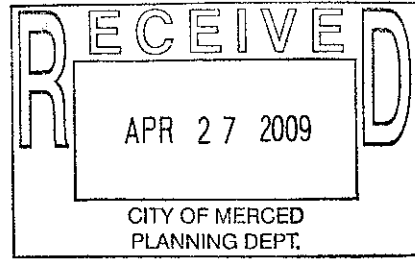
177-1

The commenter generally comments on flooding concerns due to the increase in impervious surfaces. The story regarding flooding in the town of Alviso is provided as reference. Section 4.6 “Hydrology and Water Quality” presents analyses of pre- and post-development conditions and Mitigation Measure 4.6-2 addresses both volume and quality of stormwater runoff from proposed impervious surfaces. The final design specifications would be required to demonstrate to the City and MID that runoff generated as a result of the project would be properly contained and conveyed.

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April 20, 2009

Kim Espinosa
Project Director
Planning Division
678 W. 18th 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?

178-1

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 6th St

Address

Merced CA 95340

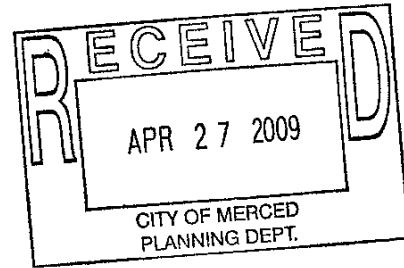
(209) 385-6676

Phone

178-1

The commenter questions the applicability of the source of data referenced for determining the relative likelihood of naturally occurring asbestos (NOA) on the project site because the source is nine years old. This source of data is from the California Department of Mines and Geology, a reputable and recognized expert source on the subject. No more recent data or evidence has been made available (and none was recommended by the commenter) that contradicts the information contained in Churchill and Hill 2000. The comment does not raise issues with the adequacy of the DEIR. The comment is noted.

Kim Espinosa, Planning Manger
City of Merced Planning Department
678 West 18th 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.

179-1

Laura Angelica Ramirez
2285 Linden St
Atwater Ca 95301

179-1

The commenter addresses several environmental issues, but focuses primarily on air quality, water quality, and traffic safety. Regarding air quality the commenter suggests that a health risk assessment be prepared to evaluate cancer risk. It should be noted that a health risk assessment was prepared specifically for the project, and the analysis of cancer risk was discussed in the DEIR under Impact 4.2 “Exposure of Sensitive Receptors to Emissions of Toxic Air Contaminants” (See DEIR p. 4.2-41). Project-related impacts to water quality are also discussed in the DEIR under Section 4.6 “Hydrology and Water Quality.” Traffic and pedestrian safety is discussed under Impact 4.11-2 “Design Feature Hazards, Vehicle Stacking, and Parking Capacity” and Impact 4.11-5 “Transit, Pedestrian, and Bicycle Impacts.” Both impact discussions conclude that the proposed project would result in significant impacts, and mitigation measures are included to reduce these impacts to a less-than-significant level. Mitigation measures include development of a construction truck safety plan, development of a truck route plan, and an update to the Safe Routes to School Plan.

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"

180-1

Color coding for safety: Windows Live Hotmail alerts you to suspicious email. [Sign up today.](#)

**Letter
180
Response**

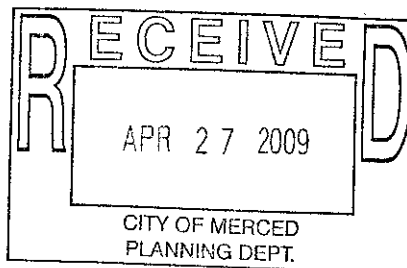
Yonathan Ramirez
March 10, 2009

180-1

This comment raises issues related to adequacy of the public review period of the Draft EIR. Please refer to Master Response 2: Language Barrier and Public Review Period, which addresses this issue.

March 30, 2009

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



Dear Ms. Espinosa:

What kind of things will Merced make Wal-Mart do to limit the amounts of PM_{2.5} 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_{2.5} release. What can we do to try to lower that number? This is a health issue we're talking about!

181-1

Thank you,

Maria E. Alvarez

Signature

Maria E. Ramos

Print Name

606 S. Fork Ave.

Address

Merced, CA. 95341

City, State Zip

(209) 726-3436

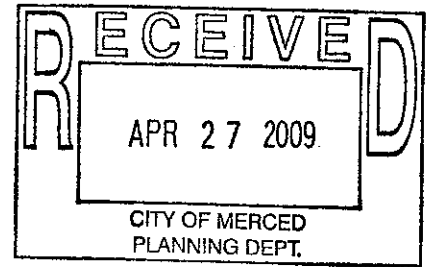
Phone Number

181-1

The commenter states that industrial processing contributes the highest amount of PM2.5 in Table 4.2-1. This is incorrect. Please see page 4.2-5 of the DEIR, which states that area wide sources are the largest contributor of PM2.5 emissions in Merced County. Further, the commenter would like to know what the City would require of the project applicant to reduce the project's contribution of PM2.5 emissions. Please see mitigation measures 4.2-1 (pages 4.2-31 through 4.2-35) and 4.2-2 (pages 4.2-38 through 4.2-41) of the DEIR regarding measures required of the project applicant to reduce emissions of criteria air pollutants, including PM2.5.

Merced, April 26, 2009

Kim Espinosa, Planning Manager
City of Merced Planning Division
678 W 18th 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,

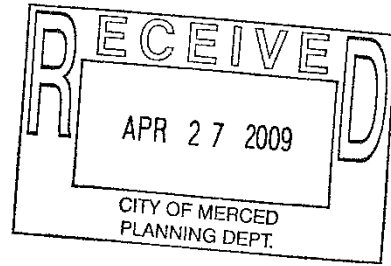
A handwritten signature in cursive script that reads "Carmensol Rehhein".

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

182A-1

4/23/09

Kim Espinosa, Planning Manager
City of Merced Planning Department
678 West 18th 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.

182B-1

Best,

Carmensol Rebein

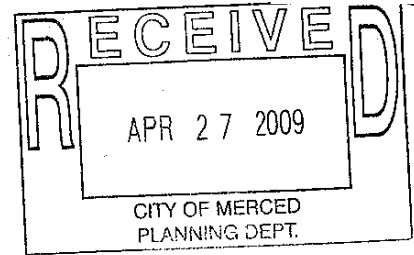
Carmensol Rebein
3185 Dinky Creek Ave
Merced CA 95341
(209) 349-8378
carmensolR@gmail.com

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

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?

182C-1

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.

182C-2

Sincerely,

Carmen Relis

Carmen Relis
3185 Dinky Creek Av
Merced CA 95341
209-349-8378
985-321-1567 cel

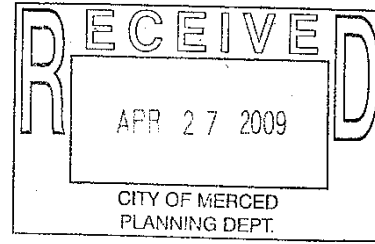
- 182A-1 This is a comment expressing opposition to the project and does not pertain to the adequacy of the DEIR.
- 182B-1 The commenter raises concern that the DEIR does not address the impacts to city streets and schools, suggesting that the increase in truck traffic will have significant impacts on the condition of Merced streets. The commenter indicates that Wal-Mart should pay for the maintenance of roadways that will be impacted by increased truck traffic. The DEIR under Section 4.12.1 “Environmental Setting” discusses potential impacts to schools. As described on page 4.12.7 of the DEIR, schools would not be impacted by the proposed project as the proposed project is expected to hire from the existing community and would generate little in-migration. In addition, the City of Merced, in accordance with state law, requires new industrial uses to pay school impact fees to offset any possible impacts to school facilities. It should also be noted that the City will require Wal-Mart to pay approximately \$4.2 million in impact fees for public services (based on 2009 fee levels; see Response to Comment 16-5).
- Regarding road maintenance, the City of Merced is responsible for maintaining roads and other public infrastructure within the city limits (Merced County or a maintenance district is typically responsible for maintaining such facilities outside the City limits), and the financing of the maintenance is not an environmental issue. The proposed project is consistent with the General Plan land use designation and zoning for the site; therefore, the proposed project would not result in the development of a land use that would increase wear and tear on local roadways such that maintenance would be required beyond the level anticipated for General Plan buildout. Any issues related to poor maintenance of roadways would not be a result of the proposed project, but an issue that should be discussed with City (or county) officials, who are responsible for roadway maintenance. Please see Response to Comment 96B-5 for more information. It should also be noted that funding for roadway maintenance comes from a variety of sources including Measure C, and state and federal sources.
- 182B-2 The comment raises various environmental issues, including air quality, noise, water quality, and aesthetics (night lighting). The Draft EIR analyzes these environmental issues under sections 4.2 “Air Quality,” 4.8 “Noise,” 4.6 “Hydrology and Water Quality,” and 4.13-1 “Visual Resources” (for night lighting). However, the commenter does not raise issues related to the adequacy of the Draft EIR. The comment is noted.
- 182B-3 The commenter raises issues related to urban decay. Please see Master Response 11: Economics and Urban Decay, which addresses this issue.
- 182C-1 The comment asks questions related to employment, including number of full-time versus part-time positions, hiring priority for Merced residents, new stores spawned from the development of the proposed project. Regarding full-time versus part-time positions, Table 3-2 in the Draft EIR identifies the number of employees per shift for all 1,200 employees. As indicated by the table, each shift represents at least 40 hours; therefore, all employees would be full-time. Regarding hiring priority for Merced residents, please see Response to Comment 92-4. Regarding new stores spawned from the proposed project, please see Master Response 1: Growth Inducement and Expansion. The comment does not raise issues regarding the adequacy of the Draft EIR’s analysis.

182C-2

The commenter states that an economic impact analysis of the project should have been conducted and that failure to add economic analysis to the DEIR makes the document incomplete. The commenter states that economic impacts and environmental issues are related and cites some general examples. Please refer to Response to Comment 12-14 and Master Response 11: Economics and Urban Decay for discussion related to economic impacts and CEQA.

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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.

183A-1

Sincerely,

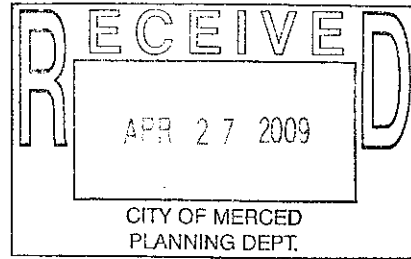
MAURICIO REHBEIN
3185 DINKLEY Creek AVE
Merced CA, 95341

I'm also concern about truck noise, and why Wal-Mart DC 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?

183B-1

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

183A-1 The comment states that the truck noise is a concern of residents. Truck noise resulting from project implementation is discussed in Impacts 4.8-2, 3, and 4.

183B-1 The commenter states opposition to the project and concern that the facility will create health impacts for the community from increased daily traffic from employees and daily warehouse trucks trips. The commenter states that the EIR does not specify costs of the project and specifically refers to Impact 4.9-1 and the costs associated with new infrastructure. The commenter asks who will pay for infrastructure costs and what percentage will be paid by taxpayers.

Please refer to Section 4.2, ‘Air Quality’, of the DEIR for analysis of health impacts related to air quality. Regarding the comment on costs associated with infrastructure discussed in Impact 4.9-1, the impact states that existing infrastructure would have the ability to serve the other development in the vicinity of the project site and that no new major infrastructure is required to serve the project. The project proponent would be responsible for paying sewer and water connection charges when the proposed project connects to the City’s sewer and water system (see Section 4.12, Utilities and Public Services, Impact 4.12-2). Payment of these fees would ensure the project proponent pays for its fair share of the cost of sewer and water infrastructure and WWTP services. For a general discussion of economic impacts and how they relate to CEQA, please refer to Response to Comment 12-14.

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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

184-1

**Letter
184
Response**

Graciela Ray
March 9, 2009

184-1

The comment addresses the merits of the proposed project and raises a property tax and maintenance issue not related to the proposed project. The comment does not raise environmental issues or any issues regarding the adequacy of the Draft EIR. The comment is noted.

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.

185-1

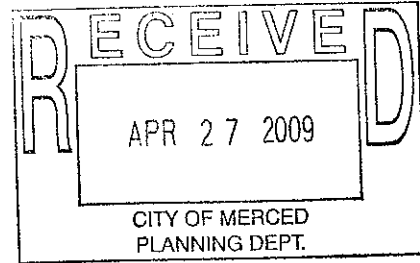
*Thank You,
Maria E. Pineda
Secretary
City of Merced
Redevelopment & Economic Development
678 W. 18th Street, Merced, CA 95340
(209) 385-6827, (209) 723-1780 Fax
pinedam@cityofmerced.org*

185-1

This comment raises issues related to adequacy of the public review period of the Draft EIR. The City required written comments be submitted and is not required to respond to voice messages. However, the following response is provided: please refer to Master Response 2: Language Barrier and Public Review Period, which addresses this issue.

April 18, 2009

Ms. Kim Espinosa
Merced City Planning Division
678 W. 18th 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.

186-1

Sincerely,


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

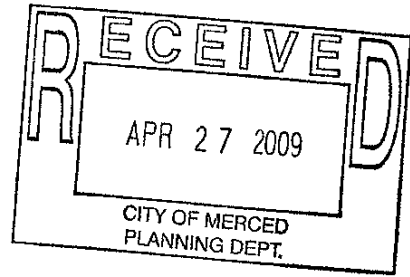
**Letter
186
Response**

Tammy Rodriguez
April 18, 2009

186-1

This comment has been addressed in the form of text changes to the air quality section (Section 4.2) of the DEIR.

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.

187-1

Sincerely,

GABRIEL D. ROSALES
Name

137 SWEETWATER AVE-
Address

MERCED, CA - 95341
City, State, Zip

Gabriel D. Rosales
Signature

4-16-09
Date

**Letter
187
Response**

Gabriel D. Rosales
April 16, 2009

187-1

Please see response to the response comment 174-1 regarding average daily truck traffic. Please refer to the response to comment 30D-1 regarding construction equipment.