

APPENDIX A

NOTICE OF PREPARATION (NOP) AND RESPONSES

NOTICE OF PREPARATION

TO: _____ FROM: City of Antioch
_____ BERT VERRIPS Community Development Department
_____ 11942 Red Hill Ave. _____ Third and "H" Streets
_____ Santa Ana, CA 92705 _____ P.O. Box 5007
_____ _____ Antioch, CA 94531-5007
_____ _____ Contact: Tina Wehrmeister

SUBJECT: Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR)

The City of Antioch will be the Lead Agency and will prepare an Environmental Impact Report for the project identified below.

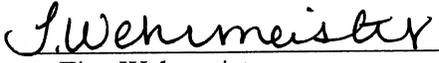
This NOP solicits responses that will assist in determining the scope of analysis for the EIR. If your agency has statutory responsibilities in connection with the project, it will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

A location map, project description, and a brief discussion of the project's potential environmental effects are contained in the attached materials. A copy of the Initial Study is not attached but is available at the City of Antioch Community Development Department offices located at 3rd and H Streets in Antioch, California.

Due to the time limits mandated by State law, we ask that you respond at the earliest possible time, but *not later than 30 days* after receipt of this notice. Please send your response to **Tina Wehrmeister** at the address shown above. We will need the name of a contact person in your agency or organization.

PROJECT TITLE: Wal-Mart Expansion Project, Williamson Ranch Plaza.
PROJECT LOCATION Northwest corner of Lone Tree Way and Hillcrest Avenue.
PROJECT APPLICANT: Wal-Mart Stores, Inc.

DATE: August 13, 2008.

Signature: 
Tina Wehrmeister
Title: Deputy Director
Phone: (925) 779-7035
Fax: (925) 779-7034
Email: cwehrmeister@ci.antioch.ca.us

Reference: California Administrative Code, Title 24, Sections 15082(a), 15103, and 15375

PROJECT INFORMATION

1. Project Title

Antioch Wal-Mart Expansion
Assessor's Parcel Nos: 056-011-030 and -041
City File No: AR 04-25

2. Lead Agency

City of Antioch Community Development Department
3rd and "H" Streets
Antioch, CA 94509
Attn: Tina Wehrmeister

3. Project Applicant/Owner/Developer

Wal-Mart Stores, Inc.
c/o Robert A. Karn & Associates
707 Beck Avenue
Fairfield, CA 945338
Attn: Todd Anderson

4. Project Location

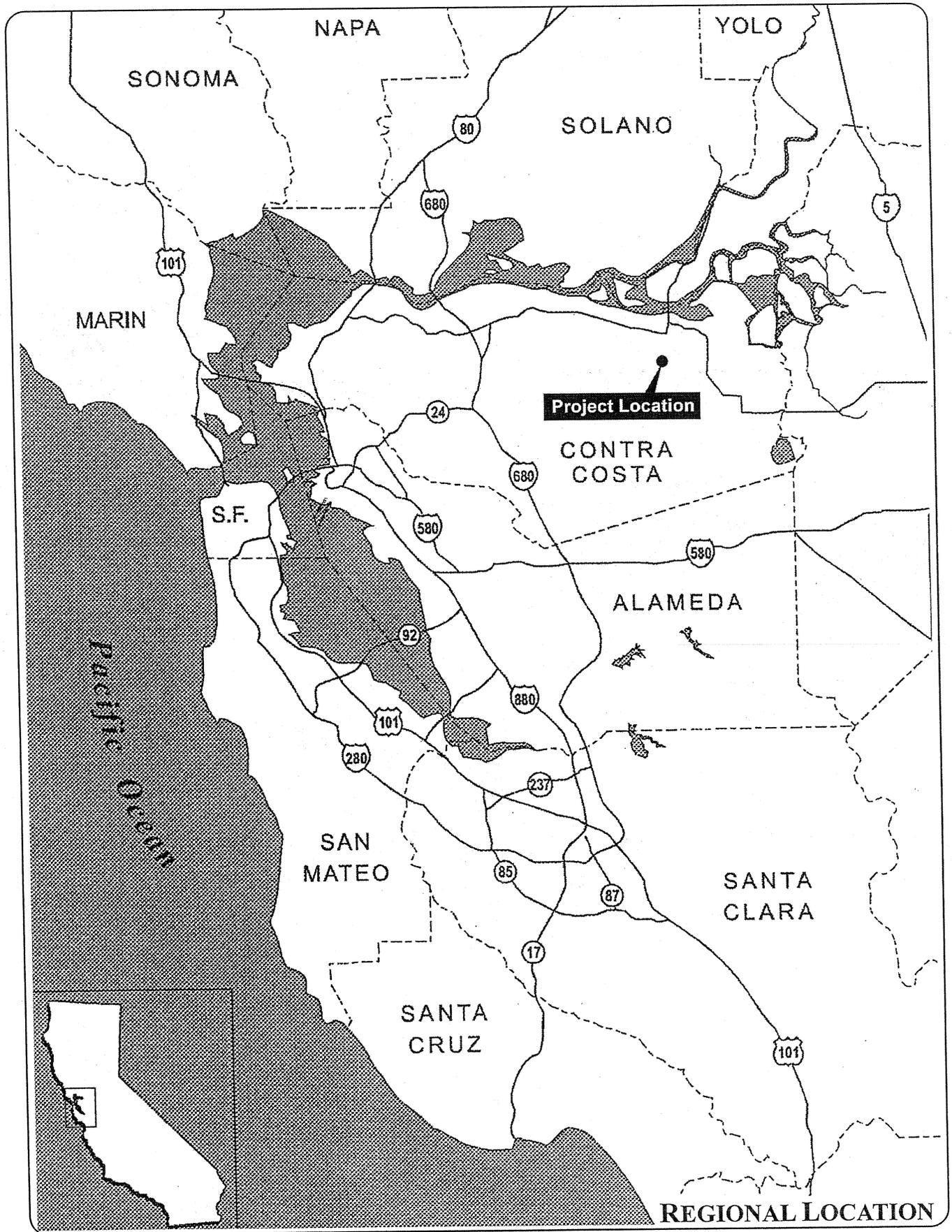
The 21.6-acre Wal-Mart site is located in the Williamson Ranch Plaza in southeast Antioch at the northwest corner of Lone Tree Way and Hillcrest Avenue (see Figures 1, 2 and 3).

5. General Plan Designation

The Antioch General Plan designates the project site 'Neighborhood/Community Commercial' which allows a broad range of commercial uses including: general merchandise sales, food and beverage sales, automotive uses, banks and financial services, administrative and professional offices, personal services, eating and drinking establishments, health clubs and spas, lodging and visitor services, and theaters, among other uses.

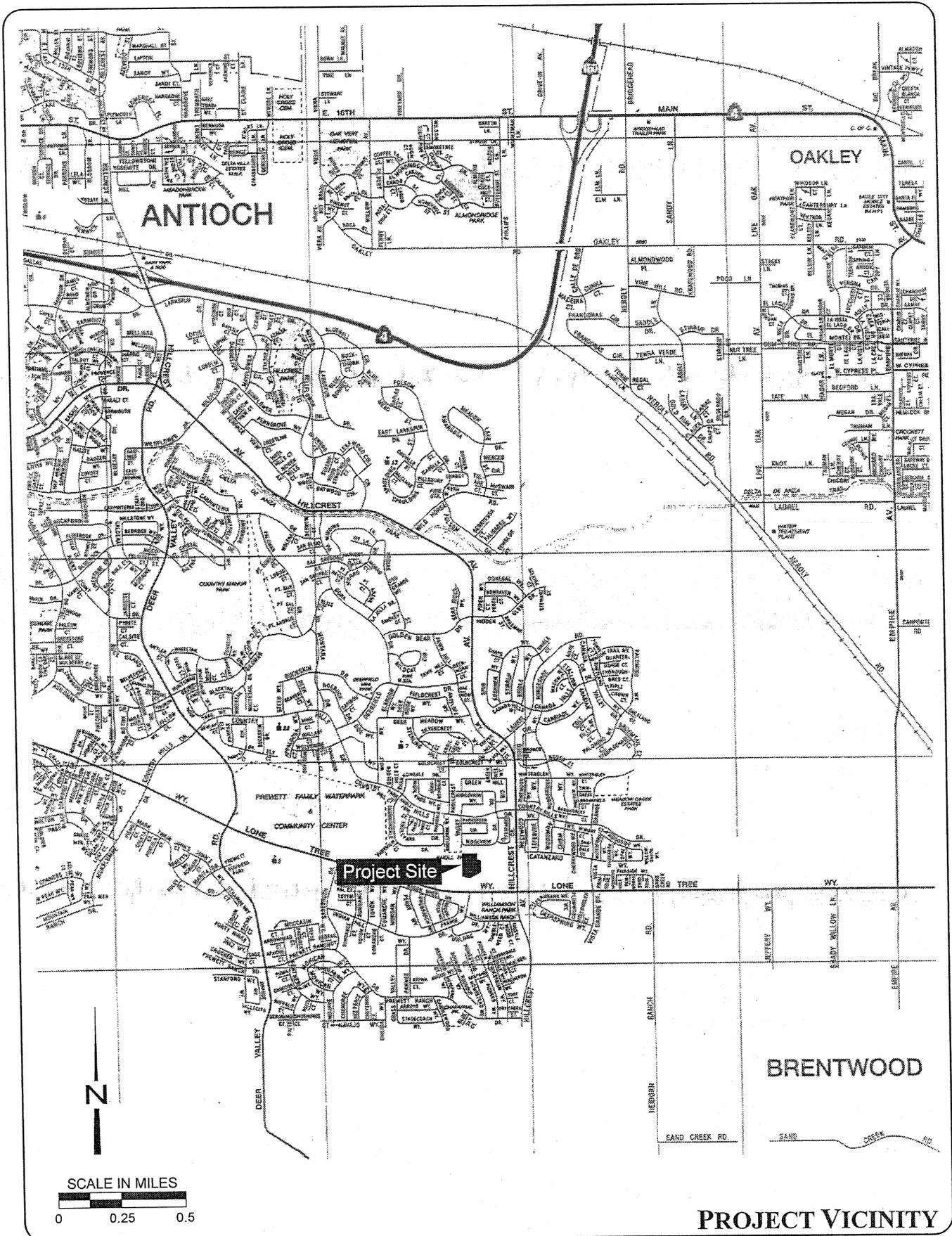
6. Zoning

The project site is zoned "Planned Development District." The Williamson Ranch Plaza Development Standards and the Williamson Ranch Plaza Sign Criteria, which were approved by City Council in 1998, govern the land uses and the form and appearance of development on the project site.



REGIONAL LOCATION

FIGURE 1



SOURCE: CSAA

PROJECT VICINITY
FIGURE 2



SOURCE: GOOGLE EARTH

AERIAL PHOTOGRAPH

FIGURE 3

PROJECT DESCRIPTION

INTRODUCTION AND BACKGROUND

The proposed project consists of the remodeling and expansion of the existing Wal-Mart store located at the northwest corner of Lone Tree Way and Hillcrest Avenue in southeast Antioch (see Figures 1, 2 and 3). The planned improvements will include the development of approximately 3.7 acres of currently vacant land in the western portion of the approximately 21.6-acre Wal-Mart site.

The existing Wal-Mart store is in the Williamson Ranch Plaza and was approved by the City of Antioch as part of Phases I and II of the Plaza project in June 1998. (See discussion of 'Entitlements' below.) The original project was the subject of a Mitigated Negative Declaration (MND) under CEQA, which was adopted in conjunction with project approval in 1998. The subject EIR on the Wal-Mart expansion will constitute an update of the original MND, as provided under CEQA Guidelines Section 15162(b).

EXISTING SITE CONDITIONS

The majority of the 21.6-acre Wal-Mart site is developed with the existing discount store and surrounding parking, loading, and landscaped areas. The westerly 3.7-acre portion of the site is vacant and is covered with grasses and weedy vegetation. There are no trees or other notable vegetation on the vacant portion of the site. There is a small temporary storm drainage basin on the eastern portion of the vacant area, adjacent to the existing Wal-Mart parking area. The project site is bounded on the east, south, and west by commercial retail land uses, and on the north by the East Antioch Creek flood control channel and residential development beyond.

DETAILED PROJECT DESCRIPTION

The proposed project consists of the physical expansion of the existing 141,498 square-foot Wal-Mart store by 33,575 square feet, increasing the total floor area to 175,073 square feet (see Figure 4). The primary departments within the expanded store will be general merchandise sales (100,983 square feet), and grocery sales (31,639 square feet), with the remaining 42,251 square feet distributed among a number of smaller departments (outdoor garden center, tire and lube express) and tenant spaces (pharmacy, vision center, portrait studio, fast-food restaurant), as well as stockroom, grocery sales support area, and back office functions.

The project includes a number of physical improvements to the Wal-Mart store and adjacent exterior areas of the site, of which the major elements are listed below:

- **Building Expansion.** The existing store will be expanded westward, as described above, and will include the addition of a new grocery sales area and stockroom, as well as exterior features such as a grocery loading dock, a trash compactor, and two compressor units within a concrete block enclosure. The south/front side of the store will also be modified slightly to include two new entry vestibules, one serving the grocery sales area and the other serving the general merchandise sales area. Modifications to the exterior of the north building area include relocation of a trash compactor, the storage areas for pallets and cardboard bales, and the addition of a new transformer. No metal containers will be stored on the site.
- **Building Design Modifications.** The south/front façade of the Wal-Mart store will be completely reconstructed in order to provide a greater degree of articulation and detailing.
- **Parking Lot Expansion and Modifications.** This mainly consists of construction of an additional parking area to the west of the building expansion area. A small portion of the existing parking area along the south/front building façade will be reconstructed and restriped to improve handicapped access. The expanded and reconfigured parking lot will provide a total of 935

parking spaces serving the Wal-Mart store, increasing the number of on-site parking spaces by 178 stalls.

- Screenwalls. The existing 8-foot high textured block wall that runs along the north/rear property boundary will be extended westward for a distance of about 600 feet along the northern edge of the expansion area to the Wal-Mart western property boundary. Also, a new 8-foot high masonry screenwall will be constructed on the north edge of the existing recessed loading dock near the northeast corner of the building, and an 8-foot screenwall will also be constructed on the north edge of the new grocery loading dock at the northwest corner of the expanded building.
- Landscaping Modifications. The existing landscape trees along the main project entry drive off Lone Tree Way will be augmented, as will the perimeter landscaping along the street frontages. A new landscaped berm will be installed at the southern end of the expansion area. In addition, series of bioretention areas (bioswales) for stormwater treatment will be installed between rows of parking in the new parking area and in the northwest corner of the site.
- Lighting Modifications. All of the existing 40-foot high light standards in the existing parking areas will be replaced with new light standards with a total height of 20 feet, similar to the existing parking lot light standards on the adjacent Orchard Supply Hardware site to the west. The same low-profile light standards will be installed in the expanded parking area to the west of the Wal-Mart store. The lights will include 400-watt energy efficient light fixtures (the existing lights are 1,000 watts), and will be fitted with cut-off shields along the site perimeter to avoid direct illumination spilling beyond the site boundaries.
- Signage Modifications. The expanded and remodeled store will include new signs for the expanded building area as well as updated signage for the remodeled portion of the building. Signage will include directional signs and wall signs, some of which will be internally illuminated. New signs include a store sign and signs indicating store departments such as “Market & Pharmacy” and “Home & Living”. A sign program is included as part of the proposed project. No new site signs are planned, and no structural alterations are planned for the existing monument sign, although the sign faces will be replaced and updated. New colors will be added to the monument sign to match the building design.
- Grading, Drainage and Utilities. Site grading will be required to provide gradients necessary for positive surface drainage throughout the expansion area. Storm runoff within the expansion area will be directed to new catch basins located throughout the proposed parking area and will be conveyed via underground storm drains to the existing Wal-Mart storm drain system, which was designed to accommodate drainage from the expansion area, as required by local and state regulations. In order to meet regulatory requirements for treatment of stormwater, as specified by Provision C.3 of the City’s NPDES Municipal Stormwater Permit, several bioretention areas (bioswales) will be required to be installed within the expanded parking area. The bioretention areas will be required to treat stormwater generated within the 3.7-acre expansion area before it is discharged to the East Antioch Creek flood control channel. The on-site domestic water, sanitary sewer, electric power, and communications systems will be required to be expanded and modified as necessary to serve the enlarged store and meet the requirements of the City of Antioch and the other service providers.
- Access and Circulation. Primary site access would continue to be provided via existing project entry drives on Lone Tree Way and Hillcrest Avenue, and no new entrances are planned. The internal circulation system would also remain essentially as it is currently, except for the added drive aisles in the expanded parking area. Vehicular connections would also be made available between the west side of the expanded parking area and the common drive aisle that runs along the east side of the existing Orchard Supply Hardware adjacent to the west.

- Truck Deliveries. The existing Wal-Mart store receives approximately 6 to 8 semi-trailer deliveries and approximately 4 to 7 smaller deliveries per day. The expansion would increase the totals to 6 to 10 semi-trailer deliveries and approximately 5 to 7 vendor deliveries per day. As required under current City requirements for the existing Wal-Mart store, the delivery times would continue to be limited to the hours of 7 AM to 10 PM. (As discussed below, truck gates along the north side of the building will be closed between 10 PM and 7 AM to prevent vehicular access to the loading areas.) For semi-trailer deliveries, all trailers are currently dropped at the truck docks for unloading, with empty trailers hauled away from the site, as required. This will continue to be the requirement after completion of the planned expansion, and no trailers or metal shipping containers will be allowed to be used as storage containers or kept on the site, as required by previous action of the City of Antioch.
- Hours of Operation. The expanded Wal-Mart store will be open for business during the same hours as the existing store with extended hours proposed during the holidays (6 AM to midnight). There is no proposal for 24-hour store operation. As noted, the City has imposed restrictions on outdoor nighttime operations and loading activity in order to reduce noise impacts to the nearby residential area to the north. To implement the City requirement for restricted nighttime access to the loading areas, fencing and gates have been installed at both ends of the access driveway along the north side of the existing Wal-Mart store to prevent ingress and egress by delivery trucks during nighttime hours. The expanded store operation would be subject to the same restrictions on nighttime deliveries, and truck fencing and gates would remain to prevent nighttime deliveries. (The eastern truck fence and gate would remain in place and the western truck fence and gate would be relocated as necessary to accommodate the building expansion.) In addition, overnight parking on the Wal-Mart site, particularly by RVs, is prohibited, and Wal-Mart has authorized the City of Antioch to enforce this prohibition on the Wal-Mart property.

PREVIOUS ENTITLEMENTS

The planned improvements fall under an existing Final Development Plan, Master Use Permit, and Parcel Map, as approved and adopted by the Antioch City Council in June 1998. The planned expansion lies within the approved building envelope for Williamson Ranch Plaza Phases 1 and 2, and the planned expansion would not exceed the total approved floor area of 245,100 square feet. Additionally, the proposed new grocery sales use is included in the list of approved uses for the Williamson Ranch Plaza and therefore does not require a separate use permit.

AGENCY APPROVALS REQUIRED

City of Antioch - Architectural and Site Approval (ASA) by the Design Review Board (DRB).

Regional Water Quality Control Board (RWQCB) – 1) Administration of General Permit for Storm Water Discharges Related to Construction Activities under the National Pollutant Discharge Elimination System (NPDES); 2) Administration of NPDES Municipal Stormwater Permit under Contra Costa Clean Water Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project involving at least one impact that is a "Potentially Significant" as indicated by the checklist on the following pages.

	Aesthetics		Agricultural Resources
√	Air Quality	√	Biological Resources
	Cultural Resources		Geology and Soils
	Hazards		Hydrology and Water Quality
	Land Use and Planning		Mineral Resources
	Noise		Population and Housing
	Public Services		Recreation
√	Transportation/Circulation		Utilities and Service Systems
	Mandatory Findings of Significance		

DETERMINATION:

On the basis of this initial evaluation:

_____ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

_____ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the proposed proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

X I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.

_____ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

_____ I find that although the proposed project could have a significant effect on the environment, but because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable legal standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measure that are imposed upon the proposed project, nothing further is required.

Signature Tina Wehrmeister
 Tina Wehrmeister, Deputy Director
 City of Antioch

Date: 8/13/08



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

August 14, 2008

RECEIVED

AUG 18 2008

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

To: Reviewing Agencies
Re: Antioch Wal-Mart Expansion Project
SCH# 2005062009

Attached for your review and comment is the Notice of Preparation (NOP) for the Antioch Wal-Mart Expansion Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Tina Wehrmeister
City of Antioch
Third and H Streets
Antioch, CA 94531

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2005062009
Project Title Antioch Wal-Mart Expansion Project
Lead Agency Antioch, City of

Type NOP Notice of Preparation
Description Expansion and remodeling of the existing Wal-Mart store located in the Williamson Ranch Plaza. The existing 141,498 square-foot Wal-Mart store will be enlarged by 33,575 square feet, increasing the total floor area to 175,073 square feet. The project will include the development of approximately 3.7 acres of currently vacant land in the western portion of the approximately 21.6-acre Wal-Mart site.

Lead Agency Contact

Name Tina Wehrmeister
Agency City of Antioch
Phone 925-779-7035 **Fax**
email
Address Third and H Streets
City Antioch **State** CA **Zip** 94531

Project Location

County Contra Costa
City
Region
Cross Streets Lone Tree Way and Hillcrest Avenue
Lat / Long
Parcel No. 056-011-030, 041
Township 1N **Range** 2E **Section** 4 **Base**

Proximity to:

Highways 4
Airports
Railways UPRR
Waterways East Antioch Creek
Schools
Land Use Land Use: Commercial retail on easterly 17.9 acres; vacant on westerly 3.7 acres
Zoning: P-D Planned Development
General Plan: Neighborhood / Community Commercial

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Noise; Public Services; Sewer Capacity; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 3; Native American Heritage Commission; Public Utilities Commission; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Bd., Region 5 (Sacramento)

Date Received 08/14/2008 **Start of Review** 08/14/2008 **End of Review** 09/12/2008

NOP Distribution List

<input type="checkbox"/> <u>Resources Agency</u>	<input type="checkbox"/> Fish & Game Region 2 Jeff Drongesen	<input type="checkbox"/> Public Utilities Commission Ken Lewis	<input type="checkbox"/> Caltrans, District 8 Dan Kopulsky	<input type="checkbox"/> Regional Water Quality Control Board (RWQCB)
<input checked="" type="checkbox"/> Resources Agency Nadell Gayou	<input checked="" type="checkbox"/> Fish & Game Region 3 Robert Floerke	<input type="checkbox"/> Santa Monica Bay Restoration Guangyu Wang	<input type="checkbox"/> Caltrans, District 9 Gayle Rosander	<input type="checkbox"/> RWQCB 1 Cathleen Hudson North Coast Region (1)
<input type="checkbox"/> Dept. of Boating & Waterways David Johnson	<input type="checkbox"/> Fish & Game Region 4 Julie Vance	<input type="checkbox"/> State Lands Commission Marina Brand	<input type="checkbox"/> Caltrans, District 10 Tom Dumas	<input type="checkbox"/> RWQCB 2 Environmental Document Coordinator San Francisco Bay Region (2)
<input type="checkbox"/> California Coastal Commission Elizabeth A. Fuchs	<input type="checkbox"/> Fish & Game Region 5 Don Chadwick Habitat Conservation Program	<input type="checkbox"/> Tahoe Regional Planning Agency (TRPA) Cherry Jacques	<input type="checkbox"/> Caltrans, District 11 Jacob Armstrong	<input type="checkbox"/> RWQCB 3 Central Coast Region (3)
<input type="checkbox"/> Colorado River Board Gerald R. Zimmerman	<input type="checkbox"/> Fish & Game Region 6 Gabrina Gatchel Habitat Conservation Program	<u>Business, Trans & Housing</u>	<input type="checkbox"/> Caltrans, District 12 Ryan P. Chamberlain	<input type="checkbox"/> RWQCB 4 Teresa Rodgers Los Angeles Region (4)
<input type="checkbox"/> Dept. of Conservation Sharon Howell	<input type="checkbox"/> Fish & Game Region 6 I/M Gabrina Gatchel Inyo/Mono, Habitat Conservation Program	<input type="checkbox"/> Caltrans - Division of Aeronautics Sandy Hesnard	<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> RWQCB 5 Central Valley Region (5)
<input type="checkbox"/> California Energy Commission Dale Edwards	<input type="checkbox"/> Dept. of Fish & Game M George Isaac Marine Region	<input type="checkbox"/> Caltrans - Planning Terri Pencovic	<input type="checkbox"/> Airport Projects Jim Lerner	<input checked="" type="checkbox"/> RWQCB 5F Central Valley Region (5) Fresno Branch Office
<input type="checkbox"/> Cal Fire Allen Robertson	<u>Other Departments</u>	<input type="checkbox"/> California Highway Patrol Shirley Kelly Office of Special Projects	<input type="checkbox"/> Transportation Projects Ravi Ramalingam	<input type="checkbox"/> RWQCB 5R Central Valley Region (5) Redding Branch Office
<input type="checkbox"/> Office of Historic Preservation Wayne Donaldson	<input type="checkbox"/> Food & Agriculture Steve Shaffer Dept. of Food and Agriculture	<input type="checkbox"/> Housing & Community Development CEQA Coordinator Housing Policy Division	<input type="checkbox"/> Industrial Projects Mike Tollstrup	<input type="checkbox"/> RWQCB 6 Lahontan Region (6)
<input checked="" type="checkbox"/> Dept. of Parks & Recreation Environmental Stewardship Section	<input type="checkbox"/> Dept. of General Services Public School Construction	<input type="checkbox"/> Dept. of Transportation	<input type="checkbox"/> California Integrated Waste Management Board Sue O'Leary	<input type="checkbox"/> RWQCB 6V Lahontan Region (6) Victorville Branch Office
<input type="checkbox"/> Central Valley Flood Protection Board Mark Herald	<input type="checkbox"/> Dept. of General Services Anna Garbeff Environmental Services Section	<input type="checkbox"/> Caltrans, District 1 Rex Jackman	<input type="checkbox"/> State Water Resources Control Board Regional Programs Unit Division of Financial Assistance	<input type="checkbox"/> RWQCB 7 Colorado River Basin Region (7)
<input type="checkbox"/> S.F. Bay Conservation & Dev't. Comm. Steve McAdam	<input type="checkbox"/> Dept. of Public Health Veronica Malloy Dept. of Health/Drinking Water	<input type="checkbox"/> Caltrans, District 2 Marcelino Gonzalez	<input type="checkbox"/> State Water Resources Control Board Student Intern, 401 Water Quality Certification Unit Division of Water Quality	<input type="checkbox"/> RWQCB 8 Santa Ana Region (8)
<input checked="" type="checkbox"/> Dept. of Water Resources Resources Agency Nadell Gayou	<u>Independent Commissions, Boards</u>	<input type="checkbox"/> Caltrans, District 3 Bruce de Terra	<input type="checkbox"/> State Water Resources Control Board Steven Herrera Division of Water Rights	<input type="checkbox"/> RWQCB 9 San Diego Region (9)
<input type="checkbox"/> Conservancy	<input type="checkbox"/> Delta Protection Commission Debbie Eddy	<input type="checkbox"/> Caltrans, District 4 Lisa Carboni	<input type="checkbox"/> Dept. of Toxic Substances Control CEQA Tracking Center	<input type="checkbox"/> Other
<u>Fish and Game</u>	<input type="checkbox"/> Office of Emergency Services Dennis Castrillo	<input type="checkbox"/> Caltrans, District 5 David Murray	<input type="checkbox"/> Department of Pesticide Regulation CEQA Coordinator	
<input type="checkbox"/> Dept. of Fish & Game Scott Flint Environmental Services Division	<input type="checkbox"/> Governor's Office of Planning & Research State Clearinghouse	<input type="checkbox"/> Caltrans, District 6 Michael Navarro		
<input type="checkbox"/> Fish & Game Region 1 Donald Koch	<input checked="" type="checkbox"/> Native American Heritage Comm. Debbie Treadway	<input type="checkbox"/> Caltrans, District 7 Elmer Alvarez		
<input type="checkbox"/> Fish & Game Region 1E Laurie Harnsberger				

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 622-5491
FAX (510) 286-5559
TTY 711



*Flex your power!
Be energy efficient!*

August 20, 2008

Ms. Tina Wehrmeister
City of Antioch
P.O. Box 5007
Antioch, CA 94531

RECEIVED
AUG 26 2008
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

CC004917
CC-4-R27.790
SCH2005062009

Dear Ms. Wehrmeister:

Antioch Wal-Mart Expansion Project – Notice of Preparation

Thank you for including the California Department of Transportation (Department) in the early stages of the environmental review process for the proposed Antioch Wal-Mart Expansion Project. We have reviewed the Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) and have the following comments to offer:

As lead agency, the City of Antioch is responsible for all project mitigation, including improvements to State Highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. This information should also be presented in the Mitigation Monitoring and Reporting Plan of the DEIR. Any required roadway improvements should be completed prior to issuance of the project's building permit.

Traffic Impact Analysis and Highway Operations

The Department is primarily concerned with impacts to the State Highway system. Specifically, the detailed Traffic Impact Analysis (TIA) should identify impacts to all state facilities with and without the proposed project's traffic. The TIA should include, but is not limited to the following:

1. Information on the project's traffic impacts in terms of trip generation, distribution, and assignment. The assumptions and methodologies used in compiling this information should be addressed.
2. Average Daily Traffic (ADT) and AM and PM peak hour volumes on all significantly affected streets and highways, including crossroads and controlling intersections.
3. Schematic illustration of the traffic conditions for: 1) existing, 2) existing plus project, and 3) cumulative for the intersections in the project area.

~~Ms. Tina Wehrmeister~~
August 20, 2008
Page 2

4. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect the State Highway facilities being evaluated.
5. Mitigation measures should consider highway and non-highway improvements and services. Special attention should be given to the development of alternate solutions to circulation problems that do not rely on increased highway construction.
6. All mitigation measures proposed should be fully discussed, including financing, scheduling, implementation responsibilities, and lead agency monitoring.

We encourage the City of Antioch to coordinate preparation of the TIA with our office, and we would appreciate the opportunity to review the scope of work. We recommend you utilize Caltrans' "*Guide for the Preparation of Traffic Impact Studies*" which can be accessed from the following webpage:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

We look forward to reviewing the TIA, including technical appendices and the electronic raw traffic volume counts and the "Synchro" files for this project. We expect to receive a copy from the State Clearinghouse, but in order to expedite our review, you may send two copies in advance to:

Lisa Carboni
Office of Transit and Community Planning Office, MS 10D
California DOT, District 4
P. O. Box 23660
Oakland, CA 94623-0660

Should you have any questions regarding this letter, please call me at (510) 622-5491 or lisa_carboni@dot.ca.gov.

Sincerely,



LISA CARBONI
District Branch Chief
Local Development – Intergovernmental Review

c: State Clearinghouse

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
Fax (916) 657-5390



August 25, 2008

Tina Wehrmeister
City of Antioch
Third and H Streets
Antioch, CA 94531

RECEIVED
AUG 27 2008
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

RE: SCH# 2005062009 - Antioch Wal-Mart Expansion project, Contra Costa County

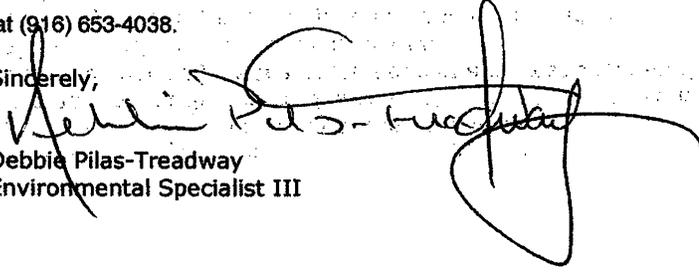
Dear Ms. Wehrmeister:

The Native American Heritage Commission has reviewed the above mentioned NOP. To adequately assess and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

1. Contact the appropriate Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
3. Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. Requests must be made in writing with the County, Quad map name, township, range and section.
 - A list of appropriate Native American Contacts for consultation concerning the project site and to assist in the mitigation measures.
4. Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5 (e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

If you have any questions, please contact me at (916) 653-4038.

Sincerely,


Debbie Pilas-Treadway
Environmental Specialist III

CC: State Clearinghouse



Contra Costa County
Flood Control
& Water Conservation District

Julia R. Bueren,
ex officio Chief Engineer
R. Mitch Avalon,
Deputy Chief Engineer

September 11, 2008

RECEIVED

SEP 25 2008

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Tina Wehrmeister
City of Antioch
Community Development Department
P.O. Box 5007
Antioch, CA 94531

Our File: 3056-06 056-011-030

Dear Ms. Wehrmeister:

We have reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Wal-Mart Expansion Project, Williamson Ranch Plaza, located on the Northwest corner of Lone Tree Way and Hillcrest Avenue. We received the document on August 14, 2008, and submit the following comments:

1. We have previously commented on this project on July 6, 2005. Comments No. 2, 4, and 5 still apply, and comments No. 1 and 3 can be disregarded. The previous comments are attached for your convenience. Additional comments are below.
2. We request that the DEIR provide a map of the watersheds where the project is located, including watershed boundaries.
3. In the Hydrology Section, please identify and show all existing watercourses, tributaries, and man-made drainage facilities within the project site, and that which might be impacted by this project. The discussion should include an analysis of the capacity of the existing watercourses.
4. The Hydrology Section should quantify the amount of runoff that would be generated by the project and discuss how the runoff entering and originating from the site would be distributed between the natural watercourses, the detention basins (if proposed), and the man-made drainage facilities.
5. We recommend that the DEIR address the design and construction of storm drain facilities to adequately collect and convey stormwater entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed, per Title 9 of the County Ordinance Code.
6. The DEIR should discuss the adverse impacts of the runoff from the project site to the existing drainage facilities and drainage problems in the downstream areas, including those areas outside of the City of Antioch (City).
7. The DEIR should discuss any proposed on-site and off-site drainage improvements and include maps or drawings for the improvements.

8. This proposed project is located within Drainage Area 56, for which a drainage fee is due in accordance with Flood Control Ordinance Number 2002-24. By ordinance, all building permits or subdivision maps filed in this area are subject to the provisions of the drainage fee ordinance. The fee for this project is based on \$0.69 per square foot of newly created impervious surface area. However, our records show that the fees for this parcel were paid under Minor Subdivision 302-98. Therefore, no fees are due at this time.
9. Drainage Area 56 has no funding for maintenance of the existing and proposed detention basin facilities. The City should ensure that a perpetual funding source is in place for maintenance of those facilities by requiring that this development annex into a City Community Facilities District (CFD) or similar funding entity.
10. The project site is adjacent to East Antioch Creek, and therefore creek structure setbacks may be required. The developer may be required to show the creek structure setback line on the tentative map and dedicate development rights to the City by separate instrument. In the next submittal, please have the applicant provide a clear demonstration of how the creek structure setback was determined. Creek cross-sections that clearly superimpose the ordinance requirement with the actual creek cross-section would be acceptable.
11. The Contra Costa County Flood Control & Water Conservation District (FC District) should be included in the review of all drainage facilities that have a region-wide benefit, that impact region-wide facilities, or that impact FC District-owned facilities. The FC District is available to provide technical assistance during the development of the DEIR, including hydrology and hydraulic information and our HYDRO6 method, under our Fee-for-Service program.

We appreciate the opportunity to comment on the NOP submittal and welcome continued coordination. We look forward to reviewing an Administrative DEIR, which should address our comments. If you should have any questions, please call Jane Kao at (925) 313-2179 or me at (925) 313-2363.

Sincerely,



Tert E. Rie
Associate Civil Engineer
Contra Costa County Flood Control
& Water Conservation District

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\WALMART Sept. 11, 2008 2nd LTR.doc
Enclosure

c: Greg Connaughton, Flood Control
Tim Jensen, Flood Control



Contra Costa County
FLOOD CONTROL
& Water Conservation District

Maurice M. Shiu
ex officio Chief Engineer

255 Glacier Drive, Martinez, CA 94553-4825
Telephone: (925) 313-2000
FAX (925) 313-2333

July 6, 2005

Nina Oshinsky
City of Antioch
Community Development Department
P.O. Box 5007
Antioch, CA 94531

Our File: 3056-06
APN 056-011-030

Dear Ms. Oshinsky:

We have reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Wal-Mart Expansion Project, located on the northwest corner of Lone Tree Way and Hillcrest Avenue. We received the document on June 8, 2005, and submit the following comments:

1. This proposed project is located within Drainage Area 56 (DA 56), for which a drainage fee is due in accordance with Flood Control Ordinance Number 2002-24. The Board of Supervisors previously adopted this drainage fee. By ordinance, all building permits or subdivision maps filed in this area are subject to the provisions of the drainage fee ordinance. The fee for this project is based on \$0.62 per square foot of newly created impervious surface area. This fee pays for drainage improvements that help mitigate the increased runoff generated by new developments. The City of Antioch will need to collect the fee during the development process, prior to filing the Parcel Map, and forward the fee to the District.
2. The District is not the approving local agency for this project as defined by the Subdivision Map Act. As a special district, the District has an independent authority to collect drainage fees that is not restricted by the Subdivision Map Act. The District reviews the drainage fee rate every year the ordinance is in effect and adjusts the rate annually on January 1 to account for inflation. The drainage fee rate does not vest at the time of Tentative Map approval. The drainage fees due and payable will be based on the fee in effect at the time of fee collection.
3. Based on the expansion area of 72,890 square feet provided in the NOP, the drainage area fee due is approximately \$45,200. Please have the developer's engineer submit calculations showing the exact area of impervious surface proposed for the expansion and the existing impervious surface area. The worksheet submitted will be the basis for establishing the fee obligation.
4. We recommend that the City condition the developer to design and construct storm drain facilities to adequately collect and convey storm water entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed, per Title 9 of the County Ordinance Code.

Nina Oshinsky
July 6, 2005
Page 2

5. The developer should be required to submit hydrology and hydraulic calculations to the City that prove the adequacy of the in-tract drainage system and the downstream drainage system. We defer review of the local drainage to the City. However, the District is available to provide technical review under our fee for service program.

We appreciate the opportunity to review plans that affect drainage area facilities and welcome continued coordination. If you have any questions, please call Alexander Rivas at (925) 313-2359 or me at (925) 313-2396.

Very truly yours,



Tim Jensen
Associate Civil Engineer
Flood Control Engineering

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Wal-Mart, Lone Tree & Hillcrest\WALMART June 16, 2005.doc

c: Greg Connaughton, Flood Control
Bob Faraone, Flood Control
Karen Fernandez, Accounting (APN 056-011-030) (via-e-mail)

Contra Costa County



Fire Protection District

Fire Chief
KEITH RICHTER

September 5, 2008

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SEP 10 2008

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Ms. Tina Wehrmeister
City of Antioch
Community Development Department
P.O. Box 5007
Antioch, CA 94531-5007

Subject: Wal-Mart Expansion Project
Williamson Ranch Plaza
4893 Lone Tree Way, Antioch
CCCFPD Project No.: 103683-EIR

Dear Ms. Wehrmeister:

We have reviewed the Notice of Preparation of a Draft Environment Impact Report to expand an existing 141,498 square-foot Wal-Mart store by 33,575 square feet at the subject location. The project as proposed will not impact the Fire District's ability to deliver emergency services to this site.

In accordance with the Health and Safety Code, the 2007 California Fire Code (CFC), and the 2007 California Building Code (CBC), the following shall be included as part of the conditions of approval for this project:

1. Emergency apparatus access with a driving surface of not less than 20-feet unobstructed width shall be provided to within 150 feet of travel distance to all portions of the exterior walls of the proposed building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. (503) CFC
2. The developer shall provide additional hydrants of the East Bay type. **Hydrant locations will be determined by this office.** (C103.1) CFC
3. The developer shall submit three copies of site improvement plans indicating all existing or proposed fire apparatus access for review and approval prior to construction. (501.3) CFC

Note: This submittal may be used to locate the above-required hydrants.

4. The developer shall provide an adequate and reliable water supply for fire protection as set forth in the California Fire Code. (508.1) CFC
5. The developer shall submit three complete sets of plans and specifications of the subject project, including any required built-in fire protection systems, to the Fire District for review and approval *prior to* construction to insure compliance with minimum requirements related to fire and life safety. Plan review fees will be assessed at that time. (901.2) CFC, (108.4.1) CBC

The above-referenced CCCFPD Project Number shall be required in all correspondence or communication with the Fire District.

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

Please provide this office with a copy of the conditions of approval as set forth by your Planning Division for our files.

If you have any questions regarding this matter, please contact this office at 925.941.3300.

Sincerely,



Ted Leach
Fire Prevention Technician

TL/mm

c: Wal-Mart Stores, Inc.
c/o Robert A. Karn & Associates
707 Beck Avenue
Fairfield, CA 94533
Attn: Todd Anderson

WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

SHERMAN L. QUINLAN, REHS, MPH
ENVIRONMENTAL HEALTH DIRECTOR

RICHARD K. LEE, REHS
ENVIRONMENTAL HEALTH ASSISTANT DIRECTOR



CONTRA COSTA
ENVIRONMENTAL HEALTH

2120 Diamond Blvd., Suite 200
Concord, California 94520

Phone (925) 646-5225
Fax (925) 646-5168
www.cocoeh.org

MEMO

Date: August 26, 2008

To: Tina Wehrmeister, City of Antioch, Community Development

From: Diana Kato, Environmental Health Division *(DK)*

RE: Wal-Mart Expansion Project

I am in receipt of your Planning Department application packet dated August 13, 2008 for Wal-Mart. The facility will need a health permit from Environmental Health Division to operate. The applicant will need to have plans approved by Environmental Health Division prior to the issuance of a building permit. The applicant should also be informed that a hot/cold water supply and a drain to the sanitary sewer might be required in the refuse disposal (dumpster) area.

You may also wish to add a condition that any abandoned wells or septic tanks on the property be properly destroyed with a permit from Contra Costa Environmental Health.

If you have any questions, I can be reached at (925) 692-2547

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CITY OF ANTIOCH
COMMUNITY DEVELOPMENT





September 15, 2008

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SEP 15 2008
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Tina Wehrmeister, Deputy Director
City of Antioch
Community Development Department
Third and "H" Streets
P.O. Box 5007
Antioch, CA 94531-5007

Re: Notice of Preparation of a Draft Environmental Impact Report - Wal-Mart Expansion Project, Williamson Ranch Plaza, Antioch

Dear Ms. Wehrmeister:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report for the Wal-Mart Expansion Project in the City of Antioch. EBMUD has the following comments.

EBMUD's Mokelumne Aqueducts (Aqueducts), located within an EBMUD right-of-way (owned in fee) are located on Lone Tree Way near the proposed project. The applicant must adhere to EBMUD's requirements for use of the right-of-way and the procedure for Requirements for Entry or use of EBMUD Property. A copy of these requirements and procedures is enclosed for your reference. The following are additional comments regarding EBMUD's Aqueducts.

Design drawings for any project encroachment (roadway, utility, facility, etc) crossing the right-of-way will need to be submitted for proper review, approval and permitting. Design drawings for any projects planned adjacent to the Aqueduct right-of-way should also be submitted to EBMUD for review of possible drainage, site grading, fencing, construction access, and other conditions that affect the property. EBMUD requires a full set of drawings (full size or 11x17) for review and approval. All submittals need to be sent to Andrew Enos. Documents requiring courier use such as FedEx should be sent to 1804 W. Main Street, Stockton, CA 95203. Normal letter correspondence should be sent to P.O. Box 228, Stockton, CA 95201.

Tina Wehrmeister, Deputy Director
September 15, 2008
Page 2

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning at (510) 287-1365.

Sincerely,



William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:DJR:sb
sb08_240.doc

Enclosure

cc: Todd Anderson
Wal-Mart Stores, Inc.
c/o Robert A. Karn & Associates
707 Beck Avenue
Fairfield, CA 94538



Procedure 718

EFFECTIVE 01 MAY 08

SUPERSEDES 27 JUN 06

LEAD DEPARTMENT O&M

RAW WATER AQUEDUCT RIGHT-OF-WAY NON-AQUEDUCT USES

PURPOSE - To establish procedures and criteria for review and authorization of surface and sub-surface use of District-owned property containing raw water aqueducts for purposes other than installation, maintenance, and operation of District raw water aqueducts.

Forms Used

L-14 Limited Land Use Permit
K-47 Work Request Agreement
N-15 Certificate of Public Liability Insurance
N-17 Certificate of Workers' Compensation Insurance
Application for Use of EBMUD Property or Request for Information
General Fund Receipts for Miscellaneous Payments

Authority and Responsibility

Use, development, and control of fee-owned rights-of-way for District and non-District uses must be consistent with water supply security and the rights and obligations of the District. District and non-District uses of District-owned aqueduct rights-of-way may be permitted when they conform to Policy 7.01, Aqueduct Rights-of-Way Maintenance.

- No use of District aqueduct properties by others will be permitted as a condition to meet city/county zoning requirements or to obtain any land use permit, approval, or entitlement affecting properties not owned by the District.
- No use of District properties by others will be permitted except under terms of a written agreement.
- Use of raw water aqueduct rights-of-way for District purposes shall have the concurrence of the Aqueduct Section Superintendent.
- Use of aqueduct rights-of-way for District treated water lines shall include all applicable aqueduct protections required for similar third-party utility water line crossings.

For the Mokelumne, Lafayette, and Moraga raw water aqueducts, acceptable long-term uses of the rights-of-way include but are not limited to: utility crossings, road crossings, limited agriculture, equestrian and pedestrian trails, parks, oil and gas leases, and District-owned ground water wells. Acceptable, long-term uses of rights-of-way and easements for future raw water aqueducts will be evaluated upon facility completion. Such uses will be authorized by letter, limited land use permits, revocable licenses, leases or easements, as appropriate. All approved uses will conform to the requirements and limitations described in Requirements for Entry or Use (Supplement No.1 to Procedure 718) and all other conditions as specified in the written approval, permit or easement for each individual use.

The Water Supply Division is responsible for monitoring permitted uses and detecting and preventing unauthorized uses of raw water aqueduct rights-of-way. The Office of General Counsel and the Manager of Real Estate Services will be consulted whenever an unauthorized user will not voluntarily desist.

The Water Supply Division is responsible for coordinating the development of recommendations with respect to the terms and conditions to be stipulated when a District or non-District use of a raw water aqueduct right-of-way is to be permitted.

The Manager of Design Division or the Manager of the Pipeline Infrastructure Division shall be consulted when needed to supply location analysis or to determine what structural, grading, drainage, corrosion protection or other engineering measures are required and to obtain estimates of engineering, design and inspection costs.

Inquiries and Applications for Use

For the Mokelumne, Lafayette, and Moraga raw water aqueducts, applications and inquiries for use of raw water aqueduct rights-of-way shall be processed by the Water Supply Division. Applications for non-District uses will not be processed unless accompanied by the appropriate application fees outlined in Supplement No. 2 to Procedure 718, Fees and Documentation Charges, Use of Aqueduct Rights-of-Way by Others.

The Water Supply Division is responsible for:

- Providing requirements for use of the District's raw water aqueduct rights-of-way to applicants and to other District departments requesting use of the right-of-way. See Supplement No. 1, Requirements for Entry or Use of Mokelumne, Lafayette and Moraga Aqueduct Rights-of-Way.
- Checking for completeness to ensure compliance with the requirements for entry or use of raw water aqueduct rights-of-way contained in Requirements for Entry or Use plus any other conditions applicable to the proposed use.
- Collecting engineering, plan review and construction inspection costs and documentation of insurance coverage, if necessary.
- Monitoring existing encroachments and inspection of the construction of new approved encroachments.
- Providing information to the Survey Section, Pipeline Infrastructure Division, and Engineering Services Division for update of District raw water aqueduct right-of-way drawings.
- Collecting application fees and charges associated with the preparation and execution of revocable licenses.
- Assuring proper environmental documentation.

Real Estate Services is responsible for:

- Advising Manager of Water Supply Division of any real estate matters which relate to a specific proposed use.
- Collecting of application fees and charges, preparing and executing limited land use permits, leases, easements, and all other property-related agreements (except for revocable licenses and temporary entry permits) and recommending fees and charges appropriate to the property use allowed, and for securing payment. See Supplement No. 2, Fees and Documentation Charges, Use of Aqueduct Rights-of-Way by Others.
- Maintaining records relating to rights-of-way crossings and use, and providing information to Survey Section and Engineering Services Division for the update of District raw water aqueduct right-of-way drawings.

**Types of Permit
License or Easement**

The Manager of Water Supply Division shall keep available the forms listing the general requirements set forth in Requirements for Entry or Use for each of the following:

Temporary Entry/Temporary Construction Permit

For temporary access to raw water aqueduct right-of-way such as for surveying, potholing, construction, for temporary access via the District's right-of-way to property adjacent to the right-of-way, and other similar short-term situations.

Revocable License and Revocable Landscape License

For pipelines, sewers, storm drains, overhead and underground cables, public trails, landscaping and other crossings or lateral encroachments.

Limited Land Use Permit

Provides for agricultural or other surface use of the right-of-way for a period not to exceed one year. These permits are renewable annually if inspection reveals satisfactory conformance to conditions of permit.

Easement

For streets, highways, large pipelines, canals and railroads, and other permanent publicly owned encroachments. Easements are officially recorded with the county having jurisdiction. The fee or consideration will be significant and based on the value of the property being encumbered.

The Manager of Water Supply Division shall request review of any proposed revisions to application forms and lists of requirements from the Engineering and Construction Department, Real Estate Services Division and Office of General Counsel, and the District's Pipe Committee.

**Processing
Applications**

Temporary Entry Permits

The Manager of Water Supply Division may issue temporary entry permits including standard and temporary conditions relating to the use. The Manager of Real Estate Services and the Office of General Counsel will be consulted regarding unusual circumstances.

Revocable Licenses

The Water Supply Division, if warranted, shall conduct a field investigation to determine requirements for aqueduct protection and in consultation with the Design Division or the Pipeline Infrastructure Division, will set forth the engineering and operating requirements.

The Manager of Water Supply Division shall then specify any and all requirements, including special conditions to the applicant, discuss the terms and conditions of the license agreement as well as any processing, design and inspection costs and license fee. The Manager of Water Supply Division may then enter into a standard license agreement with relevant special conditions on behalf of the District. The Manager of Real Estate Services and the Office of General Counsel shall be consulted regarding any unusual circumstances.

Copies of all revocable licenses issued by the Water Supply Division shall be provided to the Manager of Real Estate Services.

Limited Land Use Permits

The Manager of Water Supply Division shall convey the District requirements to the applicant and investigate to determine any special conditions.

Real Estate Services shall prepare the Limited Land Use Permit (Form L-14) in duplicate, including special conditions or stipulations, accompanied by a District-prepared location sketch that will refer to aqueduct stationing and other appropriate location identifiers, including adjacent aqueduct structures.

After payment of the stipulated consideration determined by Real Estate Services, the Manager of Water Supply Division shall review and execute the permit. These copies are then returned to the Manager of Real Estate Services, together with any stipulated consideration.

Forty-five days before expiration of a Limited Land Use Permit, the Manager of Real Estate Services shall notify the Manager of Water Supply Division, who shall investigate the permittee's operations. If renewal of the permit is recommended, the permit will be renewed by letter from the Manager of Real Estate Services.

Leases and Easements

The Manager of Water Supply Division shall conduct a field investigation to determine requirements for aqueduct protection and, in consultation with the Design Division or Pipeline Infrastructure Division, if necessary, will set forth the engineering and operating requirements.

If structural or corrosion protective facilities are required, the Manager of Water Supply Division shall request the Manager of Design Division to proceed with the required design or plan reviews. (During design, the designer will communicate with the applicant's engineer.) Upon completion of design, the plans will be delivered to the applicant via the Manager of Water Supply Division, who will arrange for inspection as required.

The Manager of Real Estate Services shall discuss with the applicant the terms of the agreement and the amount of the consideration, including any processing, design, and inspection costs. Real Estate Services shall obtain an appraisal and engineering estimates, if necessary.

Upon agreement with the applicant, the Manager of Real Estate Services, shall draft, for review and approval by the Water Supply Division and Office of General Counsel, an agreement granting the applicant the property interest under the terms and for the consideration as approved. Real Estate Services shall assure that evidence of insurance is provided, if required. The lease or easement shall be submitted to the District's Board of Directors for approval, if required by Procedure 108. Two copies of the lease or easement shall be sent to the applicant with instructions to sign and return the copies, together with the consideration, to the Manager of Real Estate Services. Easements shall be recorded and the applicant shall provide the Manager of Real Estate Services, with the recording data.

Approvals

District uses of the raw water aqueduct right-of-way shall be confirmed in writing listing any special conditions which may apply to the proposed use to the requesting District departments by the Manager of Water Supply Division.

Terminations

If the Water Supply Division terminates any permit or license, the Manager of Real Estate Services and the Design Division shall be so notified by memo.

Appeals

The final determination of the terms and conditions appropriate for District uses of aqueduct properties rests with the Director of Operations and Maintenance.

The final determination of the terms and conditions appropriate for a specific third party applicant rests with the General Manager and the Board of Directors. Appeals by third parties directed to the Board of Directors shall be forwarded to the General Manager for resolution.

Records

The Manager of Real Estate Services shall maintain a file containing copies of all documents relating to right-of-way crossings or uses and is responsible for the assignment of right-of-way crossing numbers to approved documents.

The Survey Section and Engineering Services Division of the Engineering and Construction Department shall maintain working sets of right-of-way prints for each District raw water aqueduct right-of-way. These prints shall be updated following:

1. Grant of Revocable License or Easement. Notice to be supplied by the Manager of Real Estate Services.
2. Completion of crossing construction covered by license or easement. Notice, including "as built" location data, to be supplied by the applicant to the Water Supply Division for transmittal to the Engineering and Construction Department. This notice will be routed through the Engineering and Construction Department, as necessary, then to the Manager of Real Estate Services. After right-of-way tracings are revised, new prints will be released to those having sets.
3. Termination of any raw water aqueduct right-of-way use. Notice to be supplied by the Manager of Real Estate Services.

Revised prints shall be released following all right-of-way drawing revisions.

Requirements and Fees

Requirements for use of raw water aqueduct right-of-way and fees for the processing of applications and documents related to such uses are included in the documents Requirements for Entry or Use and Fees and Documentation Charges, Use of Aqueduct Rights-of-Way by Others, respectively (see Supplement No. 2, attached). The Manager of Water Supply Division is responsible for periodic review and updating of Requirements for Entry or Use. The Manager of Real Estate Services is responsible for review and updating of Fees and Documentation Charges, Use of Aqueduct Rights-of-Way by Others.

References

Procedure 108 - Real Estate Transactions
Procedure 436 - Cash Receipts

Requirements for Entry or Use of Mokelumne, Lafayette & Moraga Aqueducts Rights-of-Way (attached)
Fees and Documentation Charges Use of Aqueduct Rights-Of- Way by Others (attached)

Schedule of Rates and Charges to Customers of the East Bay Municipal Utility District - Real Property Use Application Fees - Resolution 33046-97



**REQUIREMENTS FOR ENTRY OR USE OF
MOKELUMNE, LAFAYETTE & MORAGA
AQUEDUCT RIGHTS-OF-WAY**

SUPPLEMENT NO. 1 TO PROCEDURE 718

**East Bay Municipal Utility District
P. O. Box 228, Stockton, CA 95201
(209) 946-8000**

1. Requests for encroachment rights or for other uses of the District's aqueduct properties shall be directed to the Manager of Water Supply Division, P.O. Box 228, Stockton, California 95201. Property uses shall only be permitted subject to appropriate written permit, license, easement, or lease agreement.
2. Requests for property uses shall be in writing and accompanied by a completed application, plan and profile drawings, in triplicate, of the area and work involved. District aqueduct stationing and adjacent above ground structures must be shown. Applicant's horizontal and vertical control must be correlated to the District's.
3. The applicant must agree to indemnify and hold harmless the District from any loss, claim, or liability which may arise by reason of applicant's use of District property and may be required to provide insurance coverage.
4. District land and facilities shall be restored to a condition as good as that which existed before applicant's entry on the right-of-way.
5. Applicant's use of property shall not increase District costs or interfere with District access, operations, maintenance, or repair of its facilities.
6. The applicant must pay the District the appraised value of the easement or lease, if appropriate, for the rights granted to the applicant. Appropriate environmental documentation must be completed in accordance with the California Environmental Quality Act before the rights can be granted.
7. For any District-approved encroachment, the applicant must pay the District for any of the following measures, as needed:
 - a. Design of fences or other structures
 - b. Structural protective measures
 - c. Corrosion control protective measures
 - d. District engineering, plan review, and inspection of activities
 - e. Environmental documentation
 - f. Application, permit or license fees.
8. The plan for the execution of the work must be approved by the District.
9. The type and weight of equipment working over the aqueduct must be approved by the District. The use of vibratory compaction equipment is prohibited on the aqueduct right-of-way.
10. A minimum of 48 hours notice must be given to the District before work commences. To contact the District by telephone, call: The Aqueduct Section Stockton Office at (209) 946-8000.
11. A preconstruction meeting is required prior to start of work.
12. No building or portions of buildings shall be constructed on the property. No other types of structures shall be constructed unless specific approval is given by the District.

13. No longitudinal encroachments such as drainage ditches; gas, phone, or electrical lines; pipelines, or roads will be permitted. All property line fences must be located completely outside the aqueduct property lines.
14. No pile driving will be allowed within 50 feet of the aqueducts.
15. Railroad, freeway and highway crossings of the aqueduct right-of-way shall be on permanent bridges with a minimum vertical clearance of 14 feet 6 inches between the finished ground surface and the underside of the bridge. Crossings on grade will be over structurally-encased aqueducts with a sleeve for a fourth aqueduct.
16. Street and road crossings constructed on grade shall incorporate protection of the aqueducts. Based on the load carrying capability of the aqueduct, protective measures will be designed by the District or by applicant's licensed engineer to District standards with specific District approval of each design.
17. Traffic control fences or approved barriers shall be installed along each side of the street, road or trail before opening to the public.
18. Temporary construction fences and barricades shall be installed by contractor as directed by the District.
19. Any changes in finished grade must be approved by the Aqueduct Section. Earthfills or cuts on adjacent property shall not encroach onto District property except where authorized for vehicular crossings on grade and except where the District determines that there will be no detrimental effect on the aqueducts or their maintenance.
20. Pipeline crossings shall be perpendicular to the aqueducts and on a constant grade across District property. Sanitary sewers, water lines or petroleum product lines crossing above the aqueducts must be encased in a steel or polyvinyl chloride (PVC) conduit or reinforced concrete with a minimum vertical clearance of one foot between the pipeline and the top of District aqueducts.
21. All pipelines crossing below the aqueducts must be encased in a steel or reinforced concrete conduit and provide a minimum of two feet of clearance between the casing and the bottom of the District aqueducts.
22. On pressurized pipe crossings, shutoff valves shall be provided outside and adjacent to both sides of District property.
23. At the point of crossing, steel pipeline crossings and steel casings shall incorporate electrolysis test leads, bond leads, and leads necessary for interference testing. Corrosion control devices, when required, must be approved by the District.
24. Cathodic protection for steel encasements must be installed as follows:
 - Provide a dielectric coating to the exterior surface of the steel casing within the District's right-of-way, 16 mil epoxy or equivalent.
 - Provide galvanic protection to the portion of the steel casing within the District's right-of-way in accordance with the National Association of Corrosion Engineers RP-01-69.

- If the carrier pipe is constructed of ductile iron or steel, provide electrical isolation between the carrier and casing using casing insulators; redwood skids are not permitted.
 - Provide test results to the District demonstrating the adequacy of the cathodic protection system, and the adequacy of the electrical isolation of the carrier (if metallic) from the casing. The District reserves the right to witness any such tests.
25. Gravity drainage of District property shall be maintained. Open channels constructed across the right-of-way shall be paved with reinforced concrete. Headwalls, inlets, and other appurtenances shall be located outside District property. Drainage facilities shall be provided outside the District's property at the top and/or toe of fill slopes or cuts constructed adjacent to District property to assure adequate drainage.
 26. Overhead electrical power conductors across the property shall be a minimum of 30 feet above ground. Communication and cable TV crossings shall be a minimum of 20 feet above the ground. Supporting poles or towers shall be located outside the aqueduct right-of-way.
 27. Buried electrical cables passing over the aqueducts shall be installed in PVC conduit and encased in red concrete across the entire width of the right-of-way. In some cases, PVC-coated steel conduit with a red concrete cap may be substituted. All other buried cables shall be installed in conduit and marked in the appropriate Underground Service Alert (USA) colored marking materials across the entire width of the aqueduct right-of-way. The minimum vertical clearance between the conduit and the top of the District's aqueducts is one foot.
 28. Electrical or telecommunications cables passing under the aqueducts shall be encased in conduit and marked at both edges of the aqueduct right-of-way with the appropriate USA color coded markers. The minimum vertical clearance between the conduit and the bottom of the District's aqueducts is two feet. For directional bored conduits the minimum vertical clearance is five feet.
 29. Vehicular parking and storage of equipment or material on aqueduct property are specifically prohibited.
 30. Extraction of oil and gas from aqueduct properties may be permitted under appropriate lease agreements.
 31. All District survey monuments and markers shall be undisturbed. If any District survey markers or monuments must be disturbed, they will be replaced or relocated by the District at applicant's expense prior to the start of any ground disturbing work.
 32. All aqueduct crossings involving mechanical excavation on the right-of-way require potholing of all three aqueducts at the site of the proposed crossing. Visible reference markings showing the aqueduct alignments and depths to top of pipe shall be maintained for the duration of any mechanical excavation on District property. Entry permits are required for pothole work.
 33. All grading or excavating of the right-of-way requires Underground Service Alert (USA) notification and the maintenance of a current inquiry identification number.

34. Certified six-sack mix is the minimum acceptable concrete batch to be used on the aqueduct right-of-way. Concrete compression strength shall be 3,000 per square inch (PSI) or better at 28 days. If samples do not reach 3,000 PSI at 28 days, entire section of slab or encasement related to that sample must be removed and replaced at applicant's expense.
35. Each truckload of concrete to be placed on the aqueduct right-of-way may be sampled by the District. No water may be added to the mix after sampling.
36. Maximum allowable slump is three inches. All concrete exceeding three inches will be rejected and cannot be used on the aqueduct right-of-way.
37. No traffic will be allowed over protective slabs until 3000 PSI is reached.
38. All work areas shall be inspected by the District for final approval. As-built drawing submittals are required for District approval.



**FEES AND DOCUMENTATION CHARGES
USE OF AQUEDUCT RIGHTS-OF-WAY BY OTHERS**

SUPPLEMENT NO. 2 TO PROCEDURE 718

TYPE OF DOCUMENT	APPLICATION FEE		
Fee Title (Outright purchase of District property)			\$2,000
Easement (Rights for permanent use of District property such as access, utilities, etc.)			\$1,000
Quitclaim (Removal of District's right, title, and interest to property)			\$1,000
Revocable License (Permission to use District property for periods exceeding one year. Subject to revocation)			\$500
Revocable License and Application Fees:			
Applicant	Application	Property Rights	Total
Government Agencies	May be Waived	\$1,000	\$1,000
Public Utilities	May be Waived	\$1,000	\$1,000
Privately Owned Public Utilities (AT&T, PG&E, etc.)	\$500	\$1,000	\$1,500
Developers & other profit-seeking activities	\$500	\$1,000	\$1,500
Private, nonprofit organizations	\$500	\$1,000	\$1,500
Lease (The right to occupy and use District land for a specified time period)			\$600
Telecommunication Lease (The right to occupy and use District land for a specified time period)			\$2,000
Information Only (Request for information requiring research of District records)			\$60/hr
Processing and Review of Watershed Land Use Proposals (Request for District to perform a formal evaluation of watershed land use proposal)			\$60/hr <i>(Plus all other District costs)</i>
Property Entry Permits, Rights of Entry, Temporary Construction Permits (Permission for temporary access onto District property)			\$100
Limited Land Use Permit (Allows landscaping, gardening, or other minor surface use of District property; subject to annual renewal)			\$25

1. In addition to the above charges, applicants will be required to reimburse the District for its costs of engineering, surveying, and inspection of the proposed use of encroachment.
2. Fair market value for property rights conveyed shall also be paid by the applicant where appropriate including all costs (appraisal, recordation, title report, etc.).

COATES FIELD SERVICE, INC.
1233 ALPINE ROAD, #214
WALNUT CREEK, CALIFORNIA 94596

TEL. 925-935-5101

FAX. 925 935-8367

Please reply to:

Jeremy L. Gross
Contract Conflict Inquiry Representative
Chevron Pipe Line Company
2360 Buchanan Rd.
Pittsburg, CA 94565
TEL (925) 753-2003 FAX (925) 0753-2030
jgpf@chevron.com

August 15, 2008

Re: Notice of Preparation of a Draft Environmental Impact Report for the Wal-Mart Expansion Project

Ms. Tina Wehrmeister
City of Antioch
Community Development Department
Third and "H" Streets
P.O. Box 5007
Antioch, CA 94531

RECEIVED

AUG 18 2008

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Dear Ms. Wehrmeister:

Chevron Pipe Line Company has received your August 13, 2008 Notice of Preparation together with a Vicinity Map for the planned **Wal-Mart Expansion Project**. According to your vicinity map your project limits are within Assessor's Parcel Nos: 056-011-030 and -041 on the northwest corner of Hillcrest and Lone Tree. Please be advised that Chevron has no buried pipelines, easements or other facilities in the area that encompasses the limits of the proposed "Wal-Mart Expansion" that could impact the project. Chevron's closest active petroleum pipelines are located just west of Deer Valley Road.

We here at Chevron Pipe Line always appreciate being notified of these projects even if it is determined that we are not involved.

Regards,

JEREMY GROSS
CONTRACT CONFLICT INQUIRY SPECIALIST
FOR CHEVRON PIPE LINE COMPANY

File: Wal-Mart Expansion NOP.doc

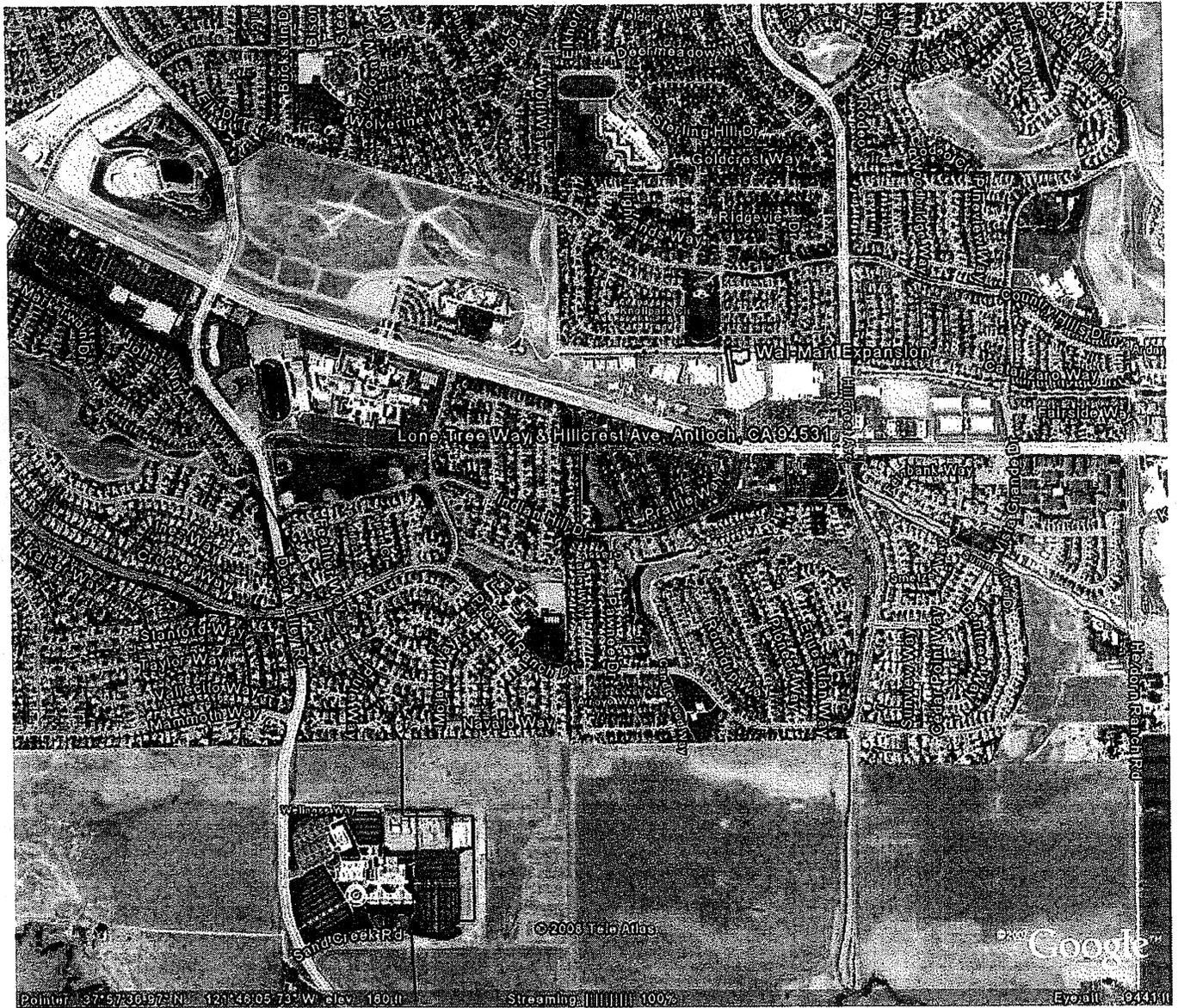
OKLAHOMA CITY, OK
405-528-5676
CORPORATE OFFICE

ALBANY, NEW YORK
518-438-4499



TAMPA, FLORIDA
813-623-6446

HOUSTON, TEXAS
281-583-7300



September 3, 2008

Paul & Alice Sun
P.O. Box 2516
Walnut Creek, CA 94595

Ms. Tina Wehrmeister
Deputy Community Development Director
City of Antioch
Community Development Department
P.O. 5007
Antioch, CA 94531-5007

RECEIVED
SEP 05 2008
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

RE: Your 8/27/2008 Notice Soliciting Comments on Proposed Wal-Mart Expansion

Dear Ms. Wehrmeister:

Thank you for keeping us informed on the Wal-Mart Expansion Plan.

We are the owners of a retail building located at 4801 Lone Tree Way in Antioch. We support wholeheartedly the expansion plan by Wal-Mart. Its implementation will provide many tangible benefits to local community: additional jobs, new tax revenues to city government, best and highest use of the empty land next to Wal-Mart, improving overall business environment of Williamson Ranch Plaza and the surrounding area, etc. Approving such a plan is consistent with Antioch's policy to bring businesses and jobs to Lone Tree Way and the general area. It is against good common sense to delaying such a valuable project.

Thank you for the opportunity of providing comments.

Sincerely yours,

Handwritten signature of Paul & Alice Sun in cursive script.

Paul & Alice Sun

