

FINAL

ENVIRONMENTAL IMPACT REPORT

ANTIOCH WALMART EXPANSION PROJECT

STATE CLEARINGHOUSE No. 2005062009

CITY OF ANTIOCH

MAY 2010

**COMMENTS RECEIVED ON DRAFT EIR
RESPONSES TO COMMENTS
REVISIONS TO TEXT OF DRAFT EIR**

FINAL
ENVIRONMENTAL IMPACT REPORT

ANTIOCH WALMART EXPANSION PROJECT

STATE CLEARINGHOUSE NO. 2005062009

Prepared for

CITY OF ANTIOCH
THIRD AND 'H' STREETS
ANTIOCH, CA 94531

DESIGN REVIEW CASE NO. AR-04-25

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MAY 2010

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PREFACE

The document, together with the Draft Environmental Impact Report (DEIR) for the Antioch Walmart Expansion project, constitutes the Final Environment Impact Report (FEIR) for the proposed project. The Final EIR is an informational document prepared by the Lead Agency that must be considered by the decision-makers before approving the proposed project (CEQA Guidelines Section 15090). The California Environmental Quality Act (CEQA) Guidelines (Section 15132) specify that a Final EIR shall consist of the following:

- The Draft EIR or a revision of the Draft (incorporated by reference).
- Comments and recommendations received on the Draft EIR either verbatim or in a summary.
- A list of persons, organizations, and public agencies commenting on the Draft EIR.
- The responses of the Lead Agency to the significant environmental points raised in the review and consultation process.
- Any other information added by the Lead Agency.

Due to its length, the text of the Draft EIR is not included with these written responses. However, the DEIR is incorporated by reference in this Final EIR.

In conformance with the CEQA Guidelines, the Final EIR provides objective information regarding the environmental consequences of the proposed project. The Final EIR is used by the City and other Responsible Agencies in making decisions regarding the project. The CEQA Guidelines require that, while the information in the Final EIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the Draft EIR by making written findings for each of those significant effects before it approves a project.

According to the CEQA Guidelines (§15091), no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant environmental effects of the project, unless the public agency makes one or more written findings for each of those significant effects. According to the State Public Resources Code (Section 21081), no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless *both* of the following occur:

- a) The public agency makes one or more of the following findings with respect to each significant effect:
 - 1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
 - 2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been required or can and should be adopted by that other agency.
 - 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities of highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

- b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

SUMMARY FROM DRAFT EIR

PROJECT DESCRIPTION

The proposed project consists of the design review of the expansion and remodeling of the existing Walmart store located in the Williamson Ranch Plaza at the northwest corner of Lone Tree Way and Hillcrest Avenue in southeast Antioch. 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 Walmart site (see Figures 1 and 2).

The proposed project consists of the physical expansion of the existing 141,498 square-foot Walmart store by 33,575 square feet, increasing the total floor area to 175,073 square feet. The expanded store will consist of general merchandise sales, grocery sales, grocery sales support, and 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/receiving, ancillary uses and back office functions.

The existing store will be expanded westward 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. The south/front façade of the Walmart store will be completely reconstructed in order to provide a greater degree of articulation and detailing. Modifications to the exterior of the north building area include relocation and replacement of the existing trash compactor, relocation of storage areas for pallets and cardboard bales, and relocation of the transformer. No metal containers will be stored on the site.

The project includes construction of an additional parking area to the west of the building expansion area. A small portion of 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 918 parking spaces serving the Walmart store, increasing the number of on-site parking spaces by 176 stalls.

The existing 8-foot high textured block wall which runs along the north/rear property boundary will be extended westward for a distance of about 596 feet along the northern edge of the expansion area to the Walmart western property boundary. Also, a new 10-foot high masonry block wall will be constructed on the north edge of the existing recessed loading dock near the northeast corner of the building, and a 10-foot screenwall will also be constructed on the north edge of the new grocery loading dock at the northwest corner of the expanded building. An 8-foot masonry screenwall will also be constructed along the north side of the relocated trash compactor. The two new pallet and bale storage areas along the north site boundary will be enclosed on the west, north, and east sides by 10-foot masonry walls, and the south sides will be enclosed by ornamental steel enclosures with sliding metal gates.

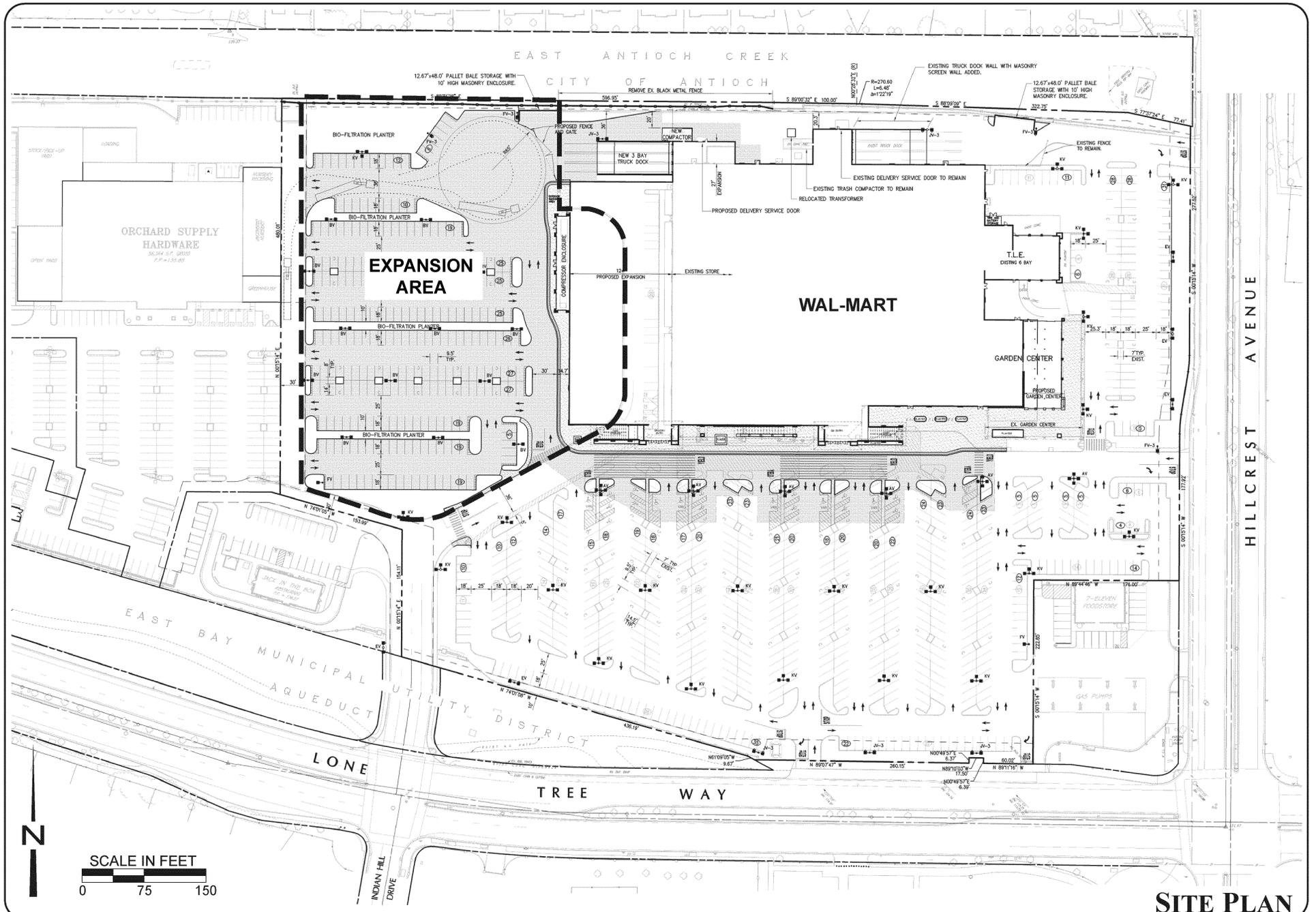
The existing landscape trees along the main project entry drive off Lone Tree Way will be augmented, as will the perimeter landscaping along the street frontages. A new landscaped berm will be installed at the southern end of the expansion area. In addition, stormwater collected from the expansion area will be treated by in-ground planters to be installed between the rows of parking and by a bioretention area planned for the northwest corner of the project site.



SOURCE: GOOGLE EARTH

AERIAL PHOTOGRAPH

FIGURE 1



SOURCE: KARN & ASSOCIATES

SITE PLAN
FIGURE 2

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 Walmart 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. Along the rear of the building, light fixtures will be mounted about 12-feet high on the wall. These lights will also be downward directed, shielded, and fitted with low-wattage light bulbs to avoid direct illumination and minimize the intensity of night lighting.

The expanded Walmart 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 Walmart 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 Walmart site, particularly by RVs, is prohibited, and Walmart has authorized the City of Antioch to enforce this prohibition on the Walmart property.

The existing Walmart store was approved by the City of Antioch as part of the Williamson Ranch Plaza project (Phases 1 and 2) in June 1998. The original entitlement provides for 245,100 square feet of interior retail space, of which 181,652 square feet have been constructed. The remaining 63,448 square feet of retail space under the original entitlement exceeds the 39,974 square feet of interior retail space proposed for the Walmart expansion. (Note: The net expansion area is 33,575 square feet with the proposed reduction of the existing garden center by 6,399 square feet. Please refer to Table 1 on page 2 for details.) Thus, the planned expansion would bring the total constructed floor area of Phase 1 and 2 to 221,626 square feet.)

The original project was the subject of a Mitigated Negative Declaration (MND) under CEQA, which was adopted in conjunction with the project. The subject EIR on the Walmart expansion will constitute an update of the original MND, as provided under CEQA Guidelines Section 15162(b). (See 'Introduction' at the beginning of this EIR for a detail discussion of the legal basis of this document under CEQA.)

The following is a **brief summary** of project impacts and mitigation measures addressed in the main body of this EIR. The complete project description and discussion of impacts and mitigations is contained in the main text of the EIR.

The mitigations listed below include: measures required as conditions of the original project approval; measures subsequently required by the City of Antioch; and measures which are newly identified in this EIR. The origin of each measure is noted in the main text of this EIR.

SUMMARY OF IMPACTS AND MITIGATIONS

IMPACTS

MITIGATION

A. AESTHETICS

<p>A1. <u>Visual Change Resulting From Project</u>. The project would result in a change to the visual character of the site; however, this would not represent a significant adverse visual impact. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>A2. <u>Lighting and Glare</u>. Lighting for the project building, parking lot, and loading areas could produce light and glare at off-site locations; however, the effects of lighting and glare would be minimized through compliance with the applicable City requirements and standards. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>A3. <u>Cumulative Aesthetic Impacts</u>. The project and the other cumulative projects would result in changes to the visual character of their setting; however, these visual changes would not represent a cumulatively significant adverse visual impact. (Less-than-Significant Cumulative Impact)</p>	<p>No mitigation required.</p>

B. AIR QUALITY

<p>B1. <u>Construction Emissions</u>. Construction activities such as demolition, clearing, excavation and grading operations, construction vehicle traffic and wind blowing over exposed earth would generate fugitive dust emissions which would temporarily affect local air quality. (Potentially Significant Impact)</p>	<p>Consistent with BAAQMD CEQA Guidelines, the following measures shall be required to be included in construction contracts and specifications for the expansion project.</p> <p>Dust (PM₁₀) Control Measures:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives; • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard; <p>(Continued next page)</p>
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IMPACTS

MITIGATION

B. AIR QUALITY (CONT'D)

<p>B1 <u>Construction Emissions (Continued)</u></p>	<ul style="list-style-type: none">• Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites;• Sweep daily (preferably with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality;• Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets;• Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas;• Apply non-toxic soil stabilizers to inactive construction areas;• Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);• Limit traffic speeds on unpaved roads to 15 mph.• Install sandbags or other erosion control measures to prevent silt runoff to public roadways;• Replant vegetation in disturbed areas as quickly as possible;• Suspend construction activities that cause visible dust plumes to extend beyond the construction site. <p>Measures to reduce diesel particulate matter and PM_{2.5} from construction</p> <ul style="list-style-type: none">• Diesel equipment standing idle for more than five minutes shall be turned off. This includes trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks may keep their engines running continuously as long as they were onsite. Signs describing idling restrictions shall be conspicuously posted at the construction site. <p>(Continued next page)</p>
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IMPACTS

MITIGATION

B. AIR QUALITY (CONT'D)

<p>B1. <u>Construction Emissions (Continued)</u></p>	<ul style="list-style-type: none">• Prohibit equipment with dirty emissions. The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. This measure means that equipment with continuous dark emissions would be in violation of the requirement.• Properly tune and maintain equipment for low emissions.• Use electrical power, rather than diesel powered generators. <p>(Less-than-Significant Impact with Mitigation)</p>
<p>B2. <u>Ozone Precursors and Particulate Matter.</u> Emissions from the project would result in the criteria pollutants ROG, NO_x, and PM; however, the net new emissions from the project would not exceed the BAAQMD thresholds of significance, and therefore represent a less-than-significant impact. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>B3. <u>Carbon Monoxide Emissions.</u> Traffic generated by the expansion project would increase carbon monoxide emissions at local roadways and intersections; however, the resulting carbon monoxide concentrations would not exceed applicable regulatory thresholds. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>

IMPACTS

MITIGATION

B. AIR QUALITY (CONT'D)

<p>B4. <u>Exposure of Sensitive Receptors to Toxic Air Contaminants.</u> Construction activity, delivery trucks, and customer traffic would expose nearby receptors to diesel particulate matter (DPM), a toxic air contaminant. A screening health risk assessment to assess the cancer risk from these emissions found the cancer risk to be below the BAAQMD significance threshold. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>B5. <u>Odors.</u> The fast-food restaurant in the project could release cooking exhausts which could result in noticeable odors beyond project boundaries. (Potentially Significant Impact)</p>	<p>The fast-food restaurant in the project shall install kitchen exhaust vents in accordance with accepted engineering practice, and shall install exhaust filtration systems or other accepted methods of odor reduction. (Less-than-Significant Impact with Mitigation)</p>
<p>B6. <u>Consistency with Regional Air Quality Plan.</u> The project would not conflict with the current clean air plan or obstruct its implementation. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>B7. <u>Cumulative Air Quality Impacts.</u> Under cumulative conditions, the impacts of the cumulative projects in terms of localized air pollutants such as construction PM, carbon monoxide, and toxic air pollution would be less-than-significant. For regional criteria pollutants, the cumulative impacts would be significant. (Less-than-Significant Cumulative Impact)</p>	<p>No mitigation required.</p>

C. BIOLOGICAL RESOURCES

<p>C1. <u>Disturbance to Nesting Burrowing Owls.</u> The project could adversely affect burrowing owls which could establish a nest on the project site prior to commencement of project grading and construction. (Potentially Significant Impact)</p>	<p>To avoid potential “take” of burrowing owls, the following measures shall be implemented in conjunction with the project: (Continued on next page.)</p>
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IMPACTS

MITIGATION

C. BIOLOGICAL RESOURCES (CONT'D)

<p>C1. <u>Disturbance to Nesting Burrowing Owls.</u> (Continued)</p>	<ul style="list-style-type: none">• Within 30 days of scheduled ground disturbance, the project applicant shall retain a qualified biologist to conduct protocol surveys in order to ensure that nesting or roosting owls are absent from the site. If these surveys demonstrate that owls are absent, then ground disturbance may proceed without any impediment. On the other hand, if nesting burrowing owls are detected on-site prior to ground disturbance, then the applicant shall establish a 250-foot construction free buffer around the active nest, with the perimeter of the buffer zone clearly delineated by flagged survey stakes or construction fencing. No equipment or activity shall be allowed within the buffer zone until the owls have either vacated the nest (e.g., due to nest failure) or the young have fledged (usually no later than mid-September), as determined by a qualified biologist. Additionally, the applicant shall inform both the City of Antioch and the California Department of Fish and Game (CDFG) of the presence of the owl(s) and the establishment of the buffer.• If ground disturbance is to occur after the breeding season or a non-nesting owl inhabits a burrow during the nesting season (i.e., February 1 through August 31), the applicant may proceed with grading provided that the standard measures to passively relocate the owls are implemented by a qualified biologist. The applicant shall inform CDFG of their intent to passively relocate non-nesting owls and then a qualified biologist shall place one-way doors in all potential burrows on site. These doors shall remain in place for three days and be inspected daily by a qualified biologist. In the event that new burrows of suitable size for burrowing owls are created after the placement of the one-way doors, additional doors shall be installed in these newly constructed burrows and shall remain in place for a minimum of three days. Burrows may be collapsed after three days upon a determination by a qualified biologist that they are absent of owls. (The foregoing are standard measures prescribed by CDFG.) <p>(Less-than-Significant Impact with Mitigation)</p>
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IMPACTS

MITIGATION

C. BIOLOGICAL RESOURCES (CONT'D)

<p>C2. <u>Cumulative Impacts to Biological Resources.</u> Upon mitigation for biological impacts associated with the project and other cumulative projects in the vicinity, the residual biological impacts from these projects, when taken together, would not be cumulatively significant. (Less-than-Significant Cumulative Impact)</p>	<p>No mitigation required.</p>
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D. CULTURAL RESOURCES

<p>D1. <u>Disturbance to Buried Archaeological Resources.</u> It is possible that previously undiscovered cultural materials (prehistoric and historic), including human remains, may be buried on the site which could be adversely affected by grading and construction for the project. (Potentially Significant Impact)</p>	<p>Implementation of the following measures will mitigate any potential impacts to archaeological resources.</p> <ul style="list-style-type: none">• If any prehistoric or historic artifacts, or other indications or archaeological resources are found once project construction is underway, all work within 25 feet of the find must stop and the City shall be immediately notified. An archaeologist meeting the Secretary of Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be retained to evaluate the find and recommend appropriate mitigation measures for the discovered cultural resources, which shall be implemented.• If human remains are discovered, all work must stop in the immediate vicinity of the find, and the Contra Costa County Coroner must be notified, according to Section 7050.5 of the California Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, who would identify a most likely descendant to make recommendations to the land owner for dealing with the human remains and any associated grave goods, as provided in Public Resources Code Section 5097.98. The most likely descendant shall complete the inspection within 48 hours of notification by the NAHC. (Less-than-Significant Impact with Mitigation)
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IMPACTS

MITIGATION

D. CULTURAL RESOURCES (CONT'D)

<p>D2. <u>Disturbance of Paleontological Resources</u>. It is unlikely that any paleontological resources which may be present on the project site at depth would be adversely affected by grading, excavation, or construction for the project. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>D3. <u>Cumulative Impacts to Cultural Resources</u>. There are no known archaeological, historical or resources or significant paleontological resources on the project site or the other cumulative project sites. It is possible that previously undiscovered cultural materials may be buried on cumulative project sites which could be adversely affected by grading and construction for the projects. However, any such potential impacts would be mitigated to less-than-significant levels on a project-specific basis in each case, in accordance with the applicable State and local requirements. (Less-than-Significant Cumulative Impact)</p>	<p>No mitigation required.</p>

E. GEOLOGY AND SOILS

<p>E1. <u>Seismic Ground Shaking</u>. Strong ground shaking expected at the site during a moderate to severe earthquake could potentially result in severe damage to project buildings and other structures. (Potentially Significant Impact)</p>	<p>Structural damage to buildings caused by ground shaking shall be minimized by following the requirements of the Uniform Building Code (UBC), and implementing the recommendations of the project geotechnical engineer. (Less-than-Significant Impact with Mitigation)</p>
<p>E2. <u>Expansive Soils</u>. Expansive soils on the site could potentially cause damage to on-site structures and foundations. (Potentially Significant Impact)</p>	<p>Potential damage due to expansive soils shall be minimized by implementing the site preparation, drainage and foundation recommendations of the project geotechnical engineer. (Less-than-Significant with Mitigation)</p>

IMPACTS

MITIGATION

E. GEOLOGY AND SOILS (CONT'D)

<p>E3. <u>Cumulative Geologic and Soils Impacts.</u> The potential geology and soils impacts would be mitigated on a project-specific basis for all cumulative projects, as required by existing regulations. The less-than-significant geology and soils impacts resulting from the project combined with the residual impacts associated with the cumulative projects would not result in a cumulatively significant impact. (Less-than-Significant Cumulative Impact)</p>	<p>No mitigation required.</p>
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F. HAZARDS AND HAZARDOUS MATERIALS

<p>F1. <u>Sale of Household Hazardous Products.</u> Household cleaners, fertilizers, pesticides, oil, automobile products, and other household hazardous materials are sold by Walmart and may be located within the planned expansion area. These products would be safely packaged to prevent harm to employees and consumers, and would be handled, stored, transported, and disposed of in accordance with applicable federal, state, and local regulations. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>F2. <u>Cumulative Hazardous Materials Impacts.</u> The hazardous materials at the project would be handled, stored, transported, and disposed of in accordance with federal, state, and local laws and regulations. It is expected that any potential hazardous materials that may be present at other cumulative project sites would be similarly mitigated. (Less-than-Significant Cumulative Impact)</p>	<p>No mitigation required.</p>

IMPACTS

MITIGATION

G. HYDROLOGY AND WATER QUALITY

<p>G1. <u>Increased Stormwater Runoff</u>. The Walmart expansion project would increase stormwater runoff generated at the site compared to existing conditions; however, the storm drain system for the expansion project would avoid flooding and drainage impacts. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>G2. <u>Construction-Related Impacts to Water Quality</u>. During grading and construction, erosion of exposed soils and pollutants from equipment may result in water quality impacts to downstream water bodies. (Potentially Significant Impact)</p>	<p>A comprehensive erosion control and water pollution prevention program shall be implemented during site clearing, demolition, grading, and construction. Practices to be implemented to minimize water quality impacts during the grading and construction phase would include but not be limited to the following:</p> <ul style="list-style-type: none">• Exposed soils would be stabilized by the end of October of any given year by revegetating disturbed areas or applying hydromulch with tetra-foam or other adhesive material.• Runoff from areas of exposed soils would be conveyed to siltation basins to provide for the settling of eroded sediments.• Storm drain inlets would be protected with fiber roll and filter fabric, screen and gravel.• Measures would be implemented to prevent runoff of fuel, oil, lubricants and solvents from areas used for construction vehicle and equipment storage, washing and maintenance. This would include the containment of temporary storage and other service areas with dikes. <p>(Less-than-Significant Impact with Mitigation)</p>

IMPACTS

MITIGATION

G. HYDROLOGY AND WATER QUALITY (CONT'D)

<p>G3. <u>Urban Nonpoint Source Pollution</u>. The project would generate urban nonpoint contaminants which may be carried in stormwater runoff from paved surfaces to downstream water bodies. (Potentially Significant Impact)</p>	<p>To minimize downstream nonpoint source pollution, the management of project storm drainage would include pre-treatment of site runoff through installation of bioretention areas and in-ground planters throughout the new parking lot within the 3.7-acre expansion area, as well as other operational measures, as specified under Provision C.3 of the City's NPDES Municipal Stormwater Permit. (Less-than-Significant Impact with Mitigation)</p>
<p>G4. <u>Cumulative Hydrology and Water Quality Impacts</u>. The potential hydrology and water quality impacts would be mitigated on a project-specific basis for all cumulative projects, as required by existing regulations and programs, particularly the State law requirement to prepare and implement Storm Water Pollution Prevention Plans (SWPPPs), and the NPDES requirement for treatment of post-construction surface runoff. The residual hydrology and water quality impacts resulting from the project in combination with other cumulative projects would not result in a cumulatively significant impact. (Less-than-Significant Cumulative Impact)</p>	<p>No mitigation required.</p>

H. LAND USE AND PLANNING

<p>H1. <u>Consistency with General Plan and Zoning Ordinance</u>. The planned expansion project is consistent with the provisions of the City of Antioch General Plan and Zoning Ordinance. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>H2. <u>Land Use Compatibility</u>. The project would constitute a change in land use within the planned expansion area; however, it would not result in significant conflicts or incompatibility with adjacent or nearby land uses. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>

IMPACTS

MITIGATION

H. LAND USE AND PLANNING (CONT'D)

<p>H3. <u>Potential for Urban Decay Due to Economic Impacts.</u> The project would include a new grocery sales area, which would compete with existing supermarkets and grocery stores in Antioch, Brentwood and Oakley. The increased competition resulting from the project is not expected to cause or contribute to the closure of any existing food stores in the area. As such, it is very unlikely that the project would initiate or contribute to a chain of events resulting in physical deterioration of properties, or urban decay. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>H4. <u>Cumulative Land Use Impacts.</u> The proposed project combined with the other cumulative projects would result in land use changes on their sites from vacant to urban uses. However, these changes would not combine to result in significant land use conflicts or incompatibility with adjacent or nearby land uses. (Less-than-Significant Cumulative Impact)</p>	<p>No mitigation required.</p>
<p>H5. <u>Cumulative Urban Decay Impacts.</u> The project, combined with the other cumulative commercial retail projects in the trade area, would potentially result in minor economic impacts to existing supermarkets over the short term. This increased competition is unlikely to result in the closure of any existing supermarkets. However, in the unlikely event that an existing supermarket was to close under cumulative conditions, it is very unlikely that such vacancy would initiate a series of events resulting ultimately in urban decay, primarily because the factors which would lead to urban decay – prolonged vacancy and lack of property maintenance – are unlikely to occur in the trade area. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>

IMPACTS

MITIGATION

I. NOISE

<p>I1. <u>Existing Noise from Off-Site Traffic Sources.</u> The project noise environment would be affected by existing off-site noise sources such as traffic on the adjacent roadways. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>I2. <u>Project Traffic Noise.</u> Traffic generated by the project would increase noise levels along roadways in the vicinity. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>I3. <u>Noise from Project Activity.</u> Noise generated by activity associated with the project would increase noise levels in the vicinity. (Potentially Significant Impact)</p>	<p>The following is a comprehensive list of measures required to reduce project-generated noise to less-than-significant levels. These measures are either: 1) design measures included in the planned project expansion; 2) conditions of approval from the original project approval which are applicable to the planned expansion; 3) City of Antioch requirements established subsequent to the original project approval; or 4) measures newly identified in this EIR. The origin of each noise reduction measure is noted parenthetically at the end of each measure. Some of the listed measures have been modified slightly from their original form to provide greater specificity or clarity, but without changing the meaning or intent of the measure. Since almost all of the listed measures are planned to be incorporated into the project as planned design measures or as previously required mitigations, they are listed below mainly for information and reference purposes. (Note: The time limitations specified below also apply during the holiday shopping season when the store may be open for extended hours.)</p> <ul style="list-style-type: none">• All outdoor operational activities shall be prohibited on the north and west sides of the center including but not limited to loading and unloading, delivery truck engine idling or starts, operation of refrigeration/condenser equipment, operation of trash compactors, pallet or bale moving or handling, and any other staff activity, between the hours of 10:00 PM and 7:00 AM. (Continued on next page.)

IMPACTS

MITIGATION

I. NOISE (CONT'D)

<p>I3. <u>Noise from Project Activity (Continued)</u></p>	<p>(However, with the installation of rubber gasket seals on the loading doors, as specified below, trailers which have been properly backed up against the loading door gaskets may be unloaded at any time of the day or night since any interior loading noise would be effectively attenuated by the rubber gaskets.) Trucks arriving on-site during these 'quiet hours' shall park in front of the building and not on the side or behind the store. Signs shall be posted at the rear of the property identifying the quiet hours and prohibition of activities during this time. (Condition of original project approval.)</p> <ul style="list-style-type: none">• Rubber gasket seals shall be installed at the new truck dock to reduce noise generated during loading activities. (Condition of original project approval.)• The truck gates along the north side of the Walmart building shall be closed between the hours of 10:00 PM and 7:00 AM to prohibit vehicular access to the rear of the building during these hours. The existing westerly truck fence and gate shall be relocated further to the west in conjunction with the building expansion. (City requirement established subsequent to original project approval; design measure included in the planned project expansion.)• The planned trash compactor on the north side of the building expansion shall be screened with an 8-foot high masonry block wall. (Design measure included in the planned project expansion.)• The planned trash compactor on the north side of the building expansion shall be enclosed with fencing and a locked gate to prevent access by store employees or garbage trucks between the hours of 10:00 PM and 7:00 AM. In addition, signage shall be prominently posted near the trash compactor areas providing notice that no garbage pickup is to occur during these designated nighttime hours. (Newly identified in this EIR.) <p>(Continued on next page)</p>
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IMPACTS

MITIGATION

I. NOISE (CONT'D)

<p>I3. <u>Noise from Project Activity</u> (Continued)</p>	<ul style="list-style-type: none">• All delivery trucks, garbage trucks, and other service vehicles of any kind shall be prohibited from parking near the rear or sides of the Walmart store between the hours of 10:00 PM and 7:00 AM. Signs shall be prominently posted which provide notice to all truck drivers arriving on the site during these nighttime hours to park at the front of the store. In addition, the Walmart store management shall make every effort to directly notify all truck drivers of this requirement. (Newly identified in this EIR.)• All areas on the site which are designated for storage of cargo pallets or cardboard/plastic bales shall be individually enclosed on the west, north and east sides by 10-foot high masonry block wall. (Design measure included in the planned project expansion.)• All areas on the site which are designated for storage of cargo pallets or cardboard bales shall be individually fenced and gated to prevent access between the hours of 10:00 pm and 7:00 am. Pallets and cardboard/plastic bales shall be stacked no higher than eight feet. (Newly identified in this EIR.)• The existing 8-foot high soundwall, which runs along the northern property line of the site, shall be extended westward to the west Walmart boundary. (Design measure included in the planned project expansion.)• A 10-foot high CMU (concrete masonry unit) wall shall be constructed along the north side of the existing loading dock and along the north side of the planned new loading dock at the northwest corner of the expanded building. (Design measure included in the planned project expansion.) <p>(Continued on next page)</p>
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IMPACTS

MITIGATION

I. NOISE (CONT'D)

<p>I3. <u>Noise from Project Activity (Continued)</u></p>	<ul style="list-style-type: none">• Metal storage containers shall not be kept on-site. All truck trailers brought to the site shall be dropped at the loading docks and empty trailers shall be removed from the loading docks and the site after unloading. (City requirement established subsequent to original project approval.)• Leaf blowers and store cleaning operations shall be prohibited north of the retail building within the project boundary between the hours of 8:00 PM and 7:00 AM. (Condition of original project approval.)• Prior to the issuance of building permits, the applicant shall submit engineering and acoustical specifications for project mechanical equipment demonstrating that the equipment design (types, location, enclosure specifications) will control noise from the equipment such that noise levels shall not exceed 45 dBA L_{eq} at the nearest residential backyards. (Condition of original project approval.)• Refrigeration/condenser units shall be enclosed along the north and west sides by solid concrete block walls with a wall height exceeding the final height of the equipment by three feet or more. A minimum of 50 percent of the interior sides of the enclosure walls shall be covered with acoustically absorptive material. Openings to the enclosure structure shall be configured to face away from the nearest residences. The specification for the refrigeration/condenser units shall specify a maximum noise level rating of 65 dBA at a distance of 50 feet. (Newly identified in this EIR.) <p>(Continued next page)</p>
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IMPACTS

MITIGATION

I. NOISE (CONT'D)

<p>I3. <u>Noise from Project Activity</u> (Continued)</p>	<ul style="list-style-type: none">Walmart shall designate a “noise disturbance coordinator” who will be responsible for responding to any local complaints about on-site operational noise. The disturbance coordinator would determine the cause of the noise complaint and institute reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted in the bulletin board area at the store entrance. (Newly identified in this EIR.) <p>(Less-than-Significant Impact with Mitigation)</p>
<p>I4. <u>Construction Noise</u>. Noise-generating activities associated with the construction of the expansion project would temporarily elevate noise levels at nearby noise-sensitive receptors. (Potentially Significant Impact)</p>	<p>The following is the list of measures required to reduce project construction noise to less-than-significant levels. These measures are divided into the following two categories: 1) Measures required as conditions of the original project approval; 2) Measures newly identified in this EIR, based on policies contained in the City of Antioch General Plan.</p> <p><i>Mitigations Required with Original Project Approval</i></p> <p>[Note: In some instances the language of the original measure has been modified slightly for greater specificity or clarity, without changing the intent or meaning of the original measure.]</p> <ul style="list-style-type: none">Noise-generating construction activities, including truck traffic coming to and from the site for any purpose, shall be limited to weekdays between 8:00 AM to 5:00 PM, or as approved by the City Engineer.All equipment driven by internal combustion engines shall be equipped with mufflers which are in good condition and appropriate for the equipment. <p>(Continued next page)</p>

IMPACTS

MITIGATION

I. NOISE (CONT'D)

I4.	<u>Construction Noise (continued).</u>	<ul style="list-style-type: none">• The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where the technology exists.• At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from noise-sensitive receptors.• Unnecessary idling of internal combustion engines shall be prohibited.• Owners and occupants of residential and non-residential properties located within 300 feet of the construction site shall be notified of the construction schedule in writing.• The construction contractor shall designate a “noise disturbance coordinator” who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site. <p><i>Mitigations Newly Identified in this EIR</i></p> <p>The following mitigation measures are based on the noise policies of the City of Antioch General Plan. The applicable General Plan policy number is indicated following each mitigation measure.</p> <ul style="list-style-type: none">• Prior to the issuance of any grading permits, the applicant shall submit a construction-related noise mitigation plan for City review and approval. The plan shall depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project through the use of such methods as: (Continued next page)
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IMPACTS

MITIGATION

I. NOISE (CONT'D)

<p>I4. <u>Construction Noise (continued).</u></p>	<ul style="list-style-type: none">• The use of temporary noise-attenuation fences, where feasible, to reduce construction noise impacts on adjacent noise sensitive land uses;• Placement of all stationary construction equipment so that the emitted noise is directed away from sensitive receptors nearest the project site;• Establishment of construction staging areas at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. (GP Noise Policy 11.6.2m.)• The required construction-related noise mitigation plan shall also specify that haul truck deliveries be subject to the same hours specified for operation of construction equipment. (GP Noise Policy 11.6.2n.) (Note: Haul trucks and construction vehicles and equipment will be largely confined to Lone Tree Way since no heavy trucks are allowed on Hillcrest Avenue.) (Less-than-Significant Impact with Mitigation)
<p>I5. <u>Cumulative Noise Impacts.</u> The noise generated by project sources, combined with noise from other cumulative projects, would not result in a cumulatively significant noise impact. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>

IMPACTS

MITIGATION

J. PUBLIC SERVICES

<p>J1. <u>Fire, Police, and Solid Waste.</u> The project would increase the need for fire and police protection services, as well as the demand for solid waste collection and disposal service; however, these increased demands would not degrade service levels or result in the need for new or altered facilities for any of these services. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>J2. <u>Cumulative Public Services Impacts.</u> The increased demands for police and fire services, and solid waste collection and disposal services resulting from the cumulative projects in the project vicinity will likely require additional staff and equipment but are not expected to require the construction of new or expanded facilities. (Less-than-Significant Cumulative Impact)</p>	<p>No mitigation required.</p>

K. TRAFFIC AND CIRCULATION

<p>K1. <u>Near-Term (2010) Intersection Level of Service.</u> With the addition of traffic generated by the Walmart expansion project, Levels of Service at all affected intersections would be between LOS A and D, and thus would meet the applicable LOS criteria. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>K2. <u>Far-Term (2025) Intersection Level of Service.</u> With the addition of traffic generated by Walmart expansion project, the Lone Tree Way/Country Hills Drive intersection, which will operate at unacceptable LOS E in the AM peak period without the project, will undergo a slight increase in v/c (volume to capacity ratio), i.e., congestion, during the AM peak period as a result of traffic added by the project. However, this impact was mitigated in April 2009 by a City-initiated signal optimization project for the Lone Tree Way corridor. With the signal optimization, the intersection will operate at acceptable LOS D in the AM peak hour in the Far Term. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>

IMPACTS

MITIGATION

K. TRAFFIC AND CIRCULATION (CONT'D)

<p>K3. <u>Far-Term (2025) Delay Index.</u> With the addition of traffic generated by Walmart expansion project, the delay index on Lone Tree Way, which will be at an unacceptable delay index of greater than 2.0 without the project, will undergo a slight increase in congestion and delay during the AM peak period as a result of traffic added by the project. (Potentially Significant Impact)</p>	<p>The timing of the signal phasing shall be optimized at the intersection of Lone Tree Way/Deer Valley Road, in the Far Term. Prior to the issuance of Certificates of Occupancy for the project, the applicant shall contribute \$11,000 to the City of Antioch Traffic Signal Maintenance Fund to cover the cost of the signal optimization. After mitigation, the Delay Index and volume to capacity ratio (v/c) will be improved to better than pre-project levels in the Far-Term. (Less-than-Significant Impact with Mitigation.)</p>
<p>K4. <u>Transit, Bicycle and Pedestrian Facilities.</u> The Walmart expansion project would not result in operational or capacity deficiencies to the transit, bicycle or pedestrian facilities serving the project or the project area. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>K5. <u>Site Access and Circulation.</u> The planned Walmart expansion would not result in on-site congestion due to inadequate site access and circulation. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>K6. <u>Parking.</u> The planned expansion would result in a total Walmart parking supply which meets the City of Antioch parking requirements for the project; therefore, the project would not result in a parking deficiency. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>K7. <u>Cumulative Traffic Impacts.</u> The cumulative traffic impacts are significant and the project contribution to the cumulative traffic impact is considerable. [The cumulative traffic impacts are evaluated together with project-specific traffic impacts under Impacts K1 through K3 above. See EIR text for further explanation.] (Potential Cumulatively Significant Impact)</p>	<p>[Mitigation for far-term cumulative impacts is included with mitigation measures for project-specific impacts identified in Mitigation K3]. (Less-than-Cumulatively Significant Impact with Mitigation.)</p>

IMPACTS

MITIGATION

L. UTILITIES AND SERVICE SYSTEMS

<p>L1. <u>Water Supply</u>. The planned expansion would result in increased demand for domestic water service; however, existing water resources and supply infrastructure are adequate to serve the domestic and fire flow needs of the project. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>L2. <u>Wastewater Collection and Treatment</u>. The planned expansion project would increase the demand for wastewater collection, treatment and disposal facilities serving the site; however, there is sufficient existing capacity in the municipal wastewater collection, treatment, and disposal system to serve the project without expansion of existing infrastructure. (Less-than-Significant Impact)</p>	<p>No mitigation required.</p>
<p>L3. <u>Cumulative Utilities and Services Impacts</u>. The increased demands for water supply, sanitary sewer service, and wastewater collection, treatment, and disposal resulting from the proposed project and other cumulative projects will likely require the improvements to and expansions of utilities and service systems. Extensions of utility mains would be constructed as needed in accordance with the City's master utility plans. Water mains and storage facilities would be constructed as needed to meet cumulative water supply demands, and the wastewater treatment capacity would likewise be expanded incrementally to meet growth needs. There are plans and programs currently in place that provide for the necessary capacity expansions. Any physical expansion of facilities would be subject to separate environmental review and any resulting impacts would be mitigated to the extent feasible, as required. (Less-than-Significant Cumulative Impact)</p>	<p>No mitigation required.</p>

IMPACTS

MITIGATION

M. ENERGY

M1. <u>Energy Consumption</u> . The project would increase energy consumption at the project site in the construction and operational phases of the project. However, energy conservation measures incorporated into the design, construction and operation of the project would avoid wasteful, inefficient or unnecessary consumption of energy. (Less-than-Significant Impact)	No mitigation required.
M2. <u>Impact on Energy Supplies and Infrastructure</u> . The increased demand for energy resulting from the project would not be substantial enough to require new or expanded sources of supply or the construction of new or expanded energy delivery systems or infrastructure capacity. (Less-than-Significant Impact)	No mitigation required.
M3. <u>Cumulative Energy Impacts</u> . The combined energy use by the proposed project and the other cumulative projects would not result in cumulatively significant impacts in terms of wasteful, inefficient or unnecessary use of energy; nor would the combined energy demand from these projects be substantial enough to require new or expanded sources of supply or the construction of new or expanded energy delivery systems or infrastructure capacity. (Less-than-Significant Cumulative Impact)	No mitigation required.

N. GLOBAL CLIMATE CHANGE

N1. <u>Potential for Project to Impede Implementation of AB 32</u> . The greenhouse gas emissions resulting from the proposed project would not be sufficient to significantly hinder or delay the State's ability to implement the greenhouse gas reduction targets prescribed by AB 32. (Less-than-Considerable Contribution to Cumulative Impact)	No mitigation required.
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I. LIST OF AGENCIES, ORGANIZATIONS AND INDIVIDUALS RECEIVING THE DRAFT EIR

State Agencies

California Department of Transportation (Caltrans), District 4
California Highway Patrol
Office of Planning and Research, State Clearinghouse
California Resources Agency
California Air Resources Board
California State Water Resources Control Board
California Solid Waste Management Board
California Department of Fish and Game, Region 3
California Department of Health Services
California Department of Food and Agriculture
California Department of Water Resources
California Department of Parks and Recreation
State Office of Historic Preservation
Native American Heritage Commission

Regional Agencies

California Regional Water Quality Control Board, Regions 2 and 5
Delta Protection Commission

Local Agencies, Districts and Utilities

City of Antioch Community Development Department
City of Antioch Engineering Division
City of Antioch City Managers Office
City of Antioch Economic Development Department
City of Antioch Police Department
City of Antioch Public Works Department
City of Antioch Planning Commission
City of Antioch City Council

[Note: The DEIR was accessible on the City of Antioch website throughout the 45-day review period. The Notice of Availability of the Draft EIR stated that “[c]opies of the Draft Environmental Impact Report (and technical appendices) are available for review online at: www.ci.antioch.ca.us.”]

II. LIST OF AGENCIES, ORGANIZATIONS AND INDIVIDUALS COMMENTING ON THE DRAFT EIR

Presented below is a list of agencies, organizations, and individuals who submitted written comments on the Draft EIR. This is followed by a list of individuals who presented oral comments at the public hearing on the Draft EIR held by the Planning Commission on January 6, 2010.

Written Comments on the DEIR Received From

- A. Governor's Office of Planning and Research – State Clearinghouse and Planning Unit
- B. California Department of Transportation (Caltrans) – District 4
- C. East Bay Municipal Utility District (EBMUD)
- D. Coates Field Service, Inc.
- E. M.R. Wolfe & Associates
- F. Diane L. Allison
- G. Miguel Angel
- H. Joseph Arello
- I. Sandra Baltzell
- J. Bindu Bedi
- K. Xavier Bejarano
- L. Linda Bish
- M. Emma Blunt
- N. Luis Boggiano Sr.
- O. Catherine Bussey
- P. Stephanie Butler
- Q. Urell Caldwell
- R. Norma Caughron
- S. Darold Chan
- T. Patricia Choate
- U. Leon Clark Jr.
- V. Christina Cowan
- W. John Cox
- X. Cesar Delgado
- Y. Richard A. Flay
- Z. Murietta Fontamilla

II. LIST OF AGENCIES, ORGANIZATIONS AND INDIVIDUALS COMMENTING ON
THE DRAFT EIR (CONTINUED)

AA. Deborah Gonsalves
BB. Steven M. Gonsalves
CC. Kathleen Guadagni
DD. Helen Harkins
EE. Austin Howard
FF. Dawn Kelley
GG. Sheri Kelsey
HH. Corazon Lacanlale
II. Raquel Land
JJ. Debra Larsh
KK. Jim Laughridge
LL. Nestor Linares
MM. Nicholas A. McFarling
NN. James McKalip
OO. Damien Miller
PP. Laura Morales
QQ. Mary Morse
RR. Regina Neill
SS. John Novak
TT. Jakki Ong-Maxwell
UU. Rick Padilla
VV. Tomas Perez
WW. Brian T. Perry
XX. Judy Peterson
YY. Pam Phillips
ZZ. Tim Posey
AAA. Patricia Ricketts
BBB. Kristen Rodriguez
CCC. Gina A. Ryan
DDD. Maureen Kelly Salazar
EEE. Debbie Schneider

II. LIST OF AGENCIES, ORGANIZATIONS AND INDIVIDUALS COMMENTING ON
THE DRAFT EIR (CONTINUED)

FFF. Ronald J. Shure Jr.
GGG. Eduardo Siqueros
HHH. Tiffany Smith
III. Lorie Sommer
JJJ. Charlene Sotelo
KKK. Marilyn Sotelo
LLL. Joseph L. Stroup
MMM. Michelle Toy
NNN. Sean Vida
OOO. Patricia Walker
PPP. Misty Walters
QQQ. Joy Wamsley
RRR. Zachary Wildes
SSS. Charlisa Wilson

Comments on DEIR Presented at the Planning Commission Hearing of January 6, 2010

TTT. Devi Lanphere, Antioch Chamber of Commerce
UUU. Melroy Tergen
VVV. George & Patricia Davis
WWW. Lise Bartl-Lewin
XXX. Bobbie Brittner

III. MASTER RESPONSES

Since many of the comments received on the Draft EIR address similar issues of concern, this section is presented to provide detailed discussion on those subjects. In the responses to the individual comments in Section IV, the reader is sometimes referred to these Master Responses for more detailed discussion.

The following is a list of the Master Responses presented below:

- Master Response 1 – Retail Effects
- Master Response 2 – Socio-Economic Effects
- Master Response 3 – Crime and Security
- Master Response 4 – Fiscal Effects

MASTER RESPONSE 1 – RETAIL EFFECTS

Effect on Existing Supermarkets

A number of comment letters expressed concern with the potential for the project to result in the closure of existing supermarkets in Antioch. This issue is thoroughly analyzed and discussed in the Economic Impact Report prepared by Bay Area Economics (BAE), contained in Appendix F of the DEIR, and summarized in Section II. H. *Land Use and Planning* in the DEIR (on pages 102 through 110). In summary, it is BAE's report states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary economic effect would be unlikely to result in any store closures. BAE's report states that the supermarkets nearest to the project site, such as the Lucky store (formerly Albertsons) one mile west on Lone Tree Way, might be most vulnerable to closure. However, it is BAE's conclusion that the Lucky store is unlikely to be subject to closure due to competition from the new Walmart grocery department alone. This conclusion is based on several factors. First, this Lucky store has performed better since it was taken over by Save Mart (which rebranded this Albertsons store as "Lucky"). Also, it is located in a newer center and has good access to future residential growth areas to the east via Lone Tree Way and south via Deer Valley Road. Finally, the Lucky store management indicated to BAE that while they expected substantial lost sales to the Walmart grocery department, they did not believe the store was likely to close as a result. [Note: On March 10, 2010, BAE staff again spoke with the Lucky store manager to determine if his views had changed with respect to the possible impact of the Walmart expansion on his store under current economic conditions. The Lucky store manager stated that the store's sales levels had been consistent over the past year. The store manager again indicated that while he expected the Walmart expansion to result in reduced sales at his store, the Lucky store would not close because of the Walmart expansion.]

Effect on Small Markets

Several comment letters also expressed concern with the potential for smaller markets to close as a result of the Walmart expansion. As discussed in the BAE report, the expanded Walmart would include space that is equivalent in function and layout to a large modern supermarket, so the principal competitors would be other similar supermarkets. Smaller food stores such as small ethnic markets and convenience stores and other small outlets are considered to have a level of sales that already accounts for

supermarket-type competition. Further, an additional large supermarket represented by the Walmart expansion is unlikely to draw a substantial number of shoppers away from these small stores, which survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods.

Urban Decay

Under CEQA, a negative economic effect, such as loss of business revenue, would only have a potentially significant effect if it indirectly resulted in a physical deterioration of the built environment, or urban decay. For retail stores, urban decay would be considered a reasonably foreseeable outcome if there is substantial evidence that the loss of business revenue resulting as consequence of the proposed project would result in the following series of events: 1) the project would result in business closures; 2) the resulting vacancies would continue over a prolonged period; 3) the vacant buildings would not be properly maintained and would be allowed to deteriorate; and 4) the sequence of preceding events would ultimately result in urban decay. In this regard, Section 15064(d)(3) of the CEQA Guidelines states: “An indirect physical impact is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.” In addition, CEQA requires that a determination that a project may have a significant environmental effect must be based on substantial evidence (CEQA Guidelines §15064(f)).

As discussed in the DEIR on pages 102 through 110, the proposed project is not expected to result in or contribute to any retail closures which would result in building vacancies. Since the likelihood of store closures resulting from the Walmart expansion is small, there is no substantial evidence that the project would be likely to initiate a chain of events – including prolonged building vacancy combined with lack of maintenance – which could ultimately result in physical deterioration or urban decay. Since the physical impact was found to be less than significant, no mitigation measures for urban decay are required to be identified under CEQA.

MASTER RESPONSE 2 – SOCIO-ECONOMIC EFFECTS

Many comment letters asserted that there would be a loss of jobs resulting from the proposed Walmart expansion, although no evidence is presented to support this claim. The potential loss of jobs and related issues such as wages, benefits, working hours, and health care are socio-economic issues which are outside the scope of review of the EIR. Under CEQA, only direct and indirect physical effects of projects are to be considered. Section 15064(d) of the state CEQA Guidelines provides: “In evaluating the significance of the environmental effect of a project, the lead agency shall consider direct physical changes in the environment which are caused by and immediately related to the project.” Under CEQA Guidelines Section 15064(e), economic and social changes resulting from a project are only relevant to the extent that they result in physical changes to the environment. Thus unless substantial evidence exists that physical changes to the environment would occur as a result of social and economic changes, such issues are outside the scope of CEQA review. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and wages, these issues are not within the range of issues required to be addressed in EIRs prepared under CEQA.

MASTER RESPONSE 3 – CRIME AND SECURITY

A number of comment letters expressed concern with the potential for increased crime to result from the Walmart expansion project. The subject of crime is discussed on pages 138 and 139 of the DEIR in connection with police services. However, crime is a socio-economic issue which is generally outside the scope of CEQA review. As discussed under Master Response 2 above, economic and social changes resulting from a project are only relevant to the extent that they result in physical changes to the environment (CEQA Guidelines Section 15064(e)). As discussed on page 136 of the DEIR, the project would be considered to result in a significant public services impact under CEQA if it would: result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services (CEQA Guidelines, Appendix G). The Antioch Police Department indicated that crime rates at retail stores are generally correlated with the volume of business at the stores, and the Department expects that the demand for police services from the expanded Walmart would increase proportionately with the increased size of the store. The Police Department has indicated that with the incorporation of the security measures included in the Walmart expansion project it has adequate staff and equipment to respond to increased frequency of calls for service that could be generated by the expansion project. In addition, the Police Department indicated that the project would not compromise its ability to respond to emergency calls in other parts of the City while maintaining response time standards. Accordingly, the Police Department does not anticipate the need to augment or expand its facilities as a result of the project. Since the proposed project would not necessitate the physical expansion of police facilities, the project would not potentially result in an indirect physical impact on the environment as a result of such construction.

Although crime is not a CEQA issue subject to review in the project EIR, additional discussion and information on crime and crime prevention is provided here to address the concerns expressed in the comment letters. As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store. These include the installation of additional surveillance cameras inside and outside the store, and the establishment of a parking lot patrol outside the store, among other things. The full list of planned security features (from page 13 of the DEIR) is listed below. [Subsequent to the release of the DEIR, the third bulleted item below was revised by Walmart to specify that a third party security company would be retained to provide parking lot patrol service. The Project Description and the discussion of Public Services in the Draft EIR have been revised to reflect this newly proposed security feature. (See *Section VI. Revisions to the Text of the Draft EIR.*)]

- Conduct a risk analysis (crime survey) of the area to evaluate the security needs for the store and implement a security plan based upon this analysis.
- Install closed-circuit camera systems (surveillance cameras) inside and outside the store. Digital recording cameras will be used that have scanning and recording capabilities. The cameras used on the exterior of the building will be able to monitor the entire perimeter of the store.
- Provide a third party security company to patrol the parking lot between the hours of 8:00 AM and 10:30 PM for the Walmart store area, which patrol assists customers, ensures safety and takes action to identify and prevent any suspicious activity (such as loitering and vandalism) during hours of operation. The patrol will be available to escort those shoppers who want assistance going to their vehicles. It will have an electric cart or scooter to patrol the parking area and the area behind the store.

- Establish a Risk Control Team, which is a team of associates responsible and trained to identify and correct safety and security issues at the site. The Risk Control Team will be on duty during hours of operation. The Risk Control Team will patrol the inside of the store to ensure safety and security. The lead patrol officer will have a phone/device to notify law enforcement quickly of problems at the store.
- Train cashiers to oversee self checkout lines to ensure a smooth checkout process and to prevent minors from making unlawful purchases.
- Provide lighting in the parking area that will ensure public safety.
- Prohibit consumption of alcohol in the Walmart parking lot by having associates regularly “patrol” the parking area while collecting shopping carts, and report any inappropriate activity to the store manager.

All security features proposed by Walmart are included in the project description in the FEIR (as listed above and in Section *VI. Revisions to the Text of the Draft EIR*); therefore, Walmart will be required to implement them if the project is approved.

MASTER RESPONSE 4 – FISCAL EFFECTS

According to Bay Area Economics (BAE), the sales revenues from a typical supermarket will include approximately 30 to 35 percent from taxable items such as housewares, prepared foods, soft drinks, alcoholic beverages, etc. The amount of taxable items that will be included in the Walmart expansion is unknown; however, it is possible that sales of soft drinks, alcoholic beverages, and similar taxable items would increase over existing levels. In addition, the expansion project will increase the property value of the site and therefore will result in increased property tax revenues. In any case, questions of tax revenue and municipal finance are not subject to CEQA review. Under CEQA, only direct and indirect physical effects of projects are to be considered. Section 15064(d) of the state CEQA Guidelines provides: “In evaluating the significance of the environmental effect of a project, the lead agency shall consider direct physical changes in the environment which are caused by and immediately related to the project.” Under CEQA Guidelines Section 15064(e), economic and social changes resulting from a project are only relevant to the extent that they result in physical changes to the environment. Thus unless substantial evidence exists that physical changes to the environment would occur as a result of social and economic changes, such issues are outside the scope of CEQA review. Since no physical changes to the environment would occur from purely socio-economic issues such as taxation and municipal finance, these issues are not within the range of issues required to be addressed in EIRs prepared under CEQA.

IV. COMMENT LETTERS AND RESPONSES

This section contains copies of the written comment letters received on the DEIR within the 45-day comment period, along with the responses to those comments. One of the comment letters included lengthy attachments of printed materials. It is important to note that these materials are included in this Final EIR, but are attached as exhibits at the back of the document.

The individual comment items are numbered in the margins of the comment letters, with the corresponding responses appearing on the following pages. To facilitate cross-referencing, each comment has an alpha-numeric identification corresponding to the comment letter and the item number. Thus 'Comment A-4' is item '4' in comment letter 'A', and 'Response A-4' is the response to that comment.

Responses were provided only for comments which refer to a specific substantive item or aspect of the EIR, or which raise new environmental issues which may not have been addressed in the EIR. Comments such as "I am opposed to the project" state opinion about the project and are helpful to the decision-making process. However, comments of this nature do not provide specific comment on the Draft EIR or environmental issues related to the project, and thus do not require responses under CEQA. Nevertheless, opinion comments are published in the Final EIR for the record.

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A



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



ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

February 3, 2010

RECEIVED

FEB 08 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Alexis Morris
City of Antioch
Third and H Streets
Antioch, CA 94531

Subject: Antioch Walmart Expansion Project
SCH#: 2005062009

Dear Alexis Morris:

A-1

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on January 29, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Acting Director, State Clearinghouse

**Document Details Report
State Clearinghouse Data Base**

SCH# 2005062009
Project Title Antioch Walmart Expansion Project
Lead Agency Antioch, City of

Type EIR Draft EIR
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 Alexis Morris
Agency City of Antioch
Phone 925-779-7035
email
Address Third and H Streets
City Antioch
Fax
State CA **Zip** 94531

Project Location

County Contra Costa
City
Region
Lat / Long
Cross Streets Lone Tree Way and Hillcrest Avenue
Parcel No. 056-011-030
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 Agricultural Land; Air Quality; Archaeologic-Historic; 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; Aesthetic/Visual; Solid Waste; Other Issues

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

Date Received 12/16/2009 **Start of Review** 12/16/2009 **End of Review** 01/29/2010

Note: Blanks in data fields result from insufficient information provided by lead agency.

A. RESPONSES TO COMMENTS FROM GOVERNOR'S OFFICE OF PLANNING AND RESEARCH, STATE CLEARINGHOUSE AND PLANNING UNIT, FEBRUARY 3, 2010

Response A-1

Transmittal Letter: This is a standard form letter sent to the City of Antioch at the close of the public and agency review period for the DEIR. It indicates that the City has complied with the State Clearinghouse review requirements for EIRs and that no comments from State agencies were submitted to the Clearinghouse. No further response is necessary.

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!*

February 16, 2010

CC004917
CC-4-R28.94
SCH #2005062009

Ms. Alexis Morris
City of Antioch
P.O. Box 5007
Antioch, CA 94531

Dear Ms. Morris:

Antioch Walmart Expansion Project – Draft Environmental Impact Report (DEIR)

B-1

Thank you for including the California Department of Transportation (Department) in the environmental review process for the Antioch Walmart Expansion Project. The following comments are based on the DEIR. As the lead agency, the City of Antioch is responsible for all project mitigation, including any needed 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. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy. Since an encroachment permit is required for work in the State right of way (ROW), and the Department will not issue a permit until our concerns are adequately addressed, we strongly recommend that the City of Antioch work with both the applicant and the Department to ensure that our concerns are resolved during the California Environmental Quality Act (CEQA) process, and in any case prior to submittal of a permit application. Further comments will be provided during the encroachment permit process.

B-2

Forecasting

Page 153: The Traffic Report is incorrectly referred to as Appendix G. It is Appendix H.

B-3

Table 11, Walmart Expansion Trip Generation, contains a small error. The AM Peak outbound trip generation rate for a Free Standing Discount Superstore is listed as 0.75 trips/KSF. 0.73 trips/KSF is the proper figure. However, the proper figure seems to have been used when calculating the trips generated.

B-4

A Pass-by trip rate of 17% was used for the PM Peak trips for the Free Standing Discount Store and 28% was used for the Free Standing Discount Superstore. These are the average rate from the Institute of Transportation Engineers (ITE) Trip Generation Handbook, Second Edition. However,

B-4 | the Trip Generation Handbook states, "the average rate derived from the pass-by data presented in Section 5.4 should be considered as a starting point for estimating pass-by trip-making..." More analysis is needed before these rates should be used.

B-5 | Trips distribution and assignment from the Walmart Expansion is only discussed in the most general terms. The methods used and the actual trips assigned to each roadway needs to be given. Information is not given on how the long term cumulative conditions were forecast. This is definitely needed.

B-6 | **Highway Operations**
Highway Operations last comments in 2006 were for a project truck trip generation (existing &) forecast.

B-7 | Applicant would have to indicate fair share contribution for impact to intersection #18, #19, and the northbound on ramps on Jeffrey Way.

B-8 | **Signal Operations**
The traffic analysis for the far-term condition is at the year 2025. The Department recommends a far-term (long-term) analysis at least 20 years from current year. Please update the traffic analysis to extend to year 2030 or later.

B-9 | The signalized intersection (#18) at Lone Tree Way and State Route 4 (SR) 4 Bypass is at an unacceptable LOS (Level of Service) "E" for the long-term with or without project. Describe mitigations that would improve the LOS to "D" or better.

B-10 | Please also send us the electronic file of the traffic analysis (Synchro analysis) for the near-term and long-term (year 2030) with or without project for further review.

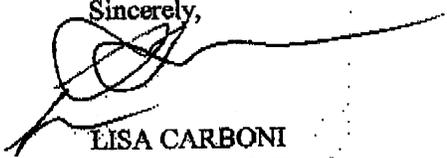
B-11 | **Encroachment Permit**
Please be advised that any work or traffic control that encroaches onto the State ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the following address:

Michael Condie, District Office Chief
Office of Permits
California DOT, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Ms. Alexis Morris/ City of Antioch
February 16, 2010
Page 3

B-12 | Please feel free to call or email Luis Melendez of my staff at (510) 286-5606 or Luis_Melendez@dot.ca.gov with any questions regarding this letter.

Sincerely,



LISA CARBONI
District Branch Chief
Local Development – Intergovernmental Review

c: State Clearinghouse

Caltrans improves mobility across California

B. RESPONSES TO COMMENTS FROM CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), DATED FEBRUARY 16, 2010

Response B-1

Encroachment Permit: According to the DEIR traffic study by Kimley-Horn and Associates, the proposed project does not result in significant traffic impacts to nearby state highways such as the Highway 4 Bypass, its ramps, or ramp junctions with surface streets. Since no traffic mitigation measures are required at state highways, no improvements will be required to state facilities. As such, no encroachment permits will be required for construction work within the state right-of-way.

Response B-2

Appendix Reference: Section II. K. *Traffic and Circulation* of the Draft EIR has been revised to state that the Traffic Report is included in Appendix H. (See Section VI. *Revisions to the Text of the Draft EIR*.)

Response B-3

Table Correction: Table 11 in section II. K. *Traffic and Circulation* of the Draft EIR has been revised to correct the noted typographical error. The correct table shows that the AM Peak outbound trip generation rate for a Free Standing Discount Superstore is listed as 0.73 trips/KSF. (See Section VI. *Revisions to the Text of the Draft EIR*.) [Note: The corresponding table from the Traffic Report in Appendix H of the DEIR contains the correct number in the original. The incorrect number in the DEIR is due to a transcription error from the corresponding table in the Traffic Report and does not affect the traffic calculations reported in the Traffic Report or DEIR.]

Response B-4

Pass-by Rates: The pass-by rates contained in the ITE Trip Generation Handbook are based on numerous surveys at multiple locations in the U.S., which represent the most complete source of data on pass-by trips. In addition, the Texas Transportation Institute completed the *Nationwide Walmart Supercenter Study of Trip Generation Characteristics versus Gross Floor Area*¹ and documented that pass-by rates for the 32 Walmart Supercenters surveyed ranged from 16% to 36% with a straight average of 26%, which is within 2% of the average published by ITE. Lone Tree Way and Hillcrest Avenue, which border the project site, are two of the busiest roadways in the City of Antioch, thus creating the conditions for high levels of pass-by trips. Lone Tree Way in particular is a major commercial corridor in a mature suburb. Therefore, in the professional judgement of Kimley-Horn and Associates, the authors of the EIR Traffic Study, the average pass-by rates from ITE's *Trip Generation Handbook, Second Edition* appropriately apply to a project at this location.

Response B-5

Trip Distribution and Assignment: The purpose of the EIR text is to present a discussion of traffic impacts that is concise and not unduly technical in order to facilitate understanding by the lay reader. Therefore, the text of the Draft EIR summarizes the more detailed technical discussion of the Traffic

¹ Texas Transportation Institute, *Nationwide Walmart Supercenter Study of Trip Generation Characteristics versus Gross Floor Area*, March 28, 2008.

Report, which is available in the EIR Appendix H for those who wish to review the technical aspects of the study. The text of the DEIR includes numerous clear cross-references to the locations where the more technical analysis and discussion can be found.

Response B-6

Truck Trips: The existing store receives deliveries from up to 8 heavy duty 4-axle trucks and up to 7 light duty 2-axle trucks daily, on average. The Draft EIR conservatively estimated that there will be an average of up to 22 delivery trucks accessing the expanded Walmart on a daily basis compared with up to 15 trucks per day for the existing Walmart store. Of the 22 truck deliveries anticipated, 10 are expected to be heavy duty 4-axle trucks, with 2 of these trucks equipped with Transport Refrigeration Units (TRUs), and 12 are expected to be lighter duty 2-axle trucks. The addition of 2 large and 5 light duty trucks per day, which will typically arrive outside the peak commute periods, are accounted for in the ITE trip generation rates for the project and would not result in additional operational impacts at study intersections.

Response B-7

Fair Share Contributions: The traffic study found that the project would not result in significant traffic impacts at the SR-4 ramps. Therefore, no mitigation measures were identified and no fair share calculations were necessary.

Response B-8

Far-Term Traffic Analysis: At the time the traffic impact study was prepared, an accurate 2030 model for the study area was not available from Contra Costa Transportation Authority (CCTA). At the direction of the City of Antioch and with the approval of CCTA, Kimley-Horn was directed to use the City of Antioch's 2025 General Plan model for the far-term traffic analysis.

Response B-9

Lone Tree Way and SR-4: The *Caltrans Guide for the Preparation of Traffic Impact Studies* states that "if an existing State highway facility is operating at less than the appropriate target LOS, the existing MOE (measure of effectiveness) should be maintained." Because this project is in Contra Costa County, the traffic analysis was completed using the CCTA LOS methodology which has volume to capacity (v/c) as the MOE. As shown in Table 13 of the Draft EIR, the addition of project traffic at this intersection would not change the v/c ratio. Therefore, the project would not result in a significant traffic impact at this intersection and no project mitigation is necessary.

Response B-10

Synchro Analysis: Per CCTA requirements, the analysis was completed in Traffix using the CCTALOS methodology and Synchro was used to evaluate queuing only. Kimley-Horn and Associates is pleased to provide the Traffix and Synchro files for further review. However, it should be kept in mind that the intersection MOE analysis was completed in Traffix and the Synchro model should only be reviewed for the queuing analysis. (The electronic files were included with a copy of these responses that have been mailed to the commenter.)

Response B-11

Encroachment Permit: The proposed project would not result in significant traffic impacts to nearby state highways such as the Highway 4 Bypass, its ramps, or its ramp junctions with surface streets. Since no traffic mitigation measures are required at state highways, no improvements will be required to state facilities. As such, no encroachment permits will be required for construction work within the state right-of-way.

Response B-12

Closing: This closing material includes information for the Caltrans contact person on this project. No response is required.

C



January 13, 2010

RECEIVED
JAN 19 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Alexis Morris, Senior Planner
City of Antioch
Community Development Department
Third and "H" Streets
P.O. Box 5007
Antioch, CA 94531-5007

Re: Notice of Availability of the Draft Environmental Impact Report - Wal-Mart Expansion Project, Antioch

Dear Mr. Morris:

C-1

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Wal-Mart Expansion Project located in the City of Antioch. EBMUD provided a written response to the Notice of Preparation of a Draft EIR on September 15, 2008 (see enclosed); these comments were not addressed in the Draft EIR and still apply to the project and should be incorporated into the environmental documentation.

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:AMW:sb
sb10_002.doc

Enclosure

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

375 ELEVENTH STREET, OAKLAND, CA 94607-4240, TOLL-FREE 1-866-40-EBMUD



September 15, 2008

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

C. RESPONSES TO COMMENTS FROM EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD), DATED JANUARY 13, 2010

(Note: The documents submitted as attachments to this comment letter are reproduced as Exhibit “A” in Chapter VII of this Final EIR.)

Response C-1

NOP Comments: The main entrance driveway for the Walmart store crosses over the Mokelumne Aqueduct which runs underground between Lone Tree Way and the project site. The proposed Walmart expansion project includes no plans or proposals for altering the existing vehicular crossing over the aqueduct in any way. In addition, the Draft EIR does not identify any mitigation measures, for traffic impacts or otherwise, which would necessitate physical alteration or construction within EBMUD’s right-of-way for the Mokelumne Aqueduct. As such, there are no issues related to the Mokelumne Aqueduct or its right-of-way which need to be addressed in the Draft EIR. Nevertheless, for purposes of clarity, information has been added to *Section I. Project Description* of the Draft EIR. (See *Section VI. Revisions to the Text of the Draft EIR.*)

D

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

TEL. 925-935-5101

FAX. 925 935-8367

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DEC 21 2009
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

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

December 15, 2009

Alexis Morris
Senior Planner
City of Antioch
P.O. Box 5007
Antioch, CA 94531

Dear Ms. Morris:

D-1

Chevron Pipe Line Company has received your Notice of Availability of the Draft Environmental Impact Report for the Walmart Expansion. Please be advised that Chevron has no buried pipelines, easements or other facilities in the area that encompasses the limits of the proposed "Walmart Expansion Project" that could impact the project. Chevron's closest active petroleum pipeline is located approximately 1 mile west of your project's location.

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: Walmart Expansion.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

**D. RESPONSES TO COMMENTS FROM COATES FIELD SERVICE, INC., DATED
DECEMBER 15, 2009**

Response D-1

Buried Pipelines: The comment letter indicates that Chevron Pipeline Company has no buried pipelines or other facilities in the area that would be affected by the project. No response is necessary.

February 12, 2010

Via Fax & E-Mail

Alexis Morris, Senior Planner
Community Development Department
City of Antioch
P.O. Box 5007
Antioch, CA 94531
Fax: (925) 779-70134
Email: amorris@ci.antioch.ca.us

Re: Draft EIR for Walmart Expansion

Dear Ms. Morris,

On behalf of the California Healthy Communities Network (“HCN”) and its members who live and/or work in Antioch, please accept the following comments on the Draft Environmental Impact Report (“DEIR”) for the Walmart Expansion Project referenced above (“Project”). HCN is an unincorporated association of conservation, labor, and social justice organizations that include Antioch citizens. HCN is a project of the Tides Center, a non-profit organization.

E-1

We have reviewed the DEIR for the proposed expansion of Antioch’s existing Walmart store into a “supercenter” format, together with its technical appendices and other documents and materials referenced in its discussion. As explained in this letter, the DEIR’s disclosure and analysis of potentially significant environmental impacts falls short of CEQA’s requirements in several respects, most notably in the areas of Air Quality, Global Climate Change, Noise, and Urban Decay. The errors and omissions are substantial and material, and require preparation of new studies in order to comply with CEQA’s standards for investigation, analysis and disclosure. These studies in turn must be circulated for additional public review and comment in the form of a revised DEIR in accordance with Section 15088.5 of the CEQA Guidelines.

Following is a more detailed discussion of the DEIR’s analytic deficiencies.

I. AIR QUALITY

A. Consistency with Bay Area Clean Air Plan

The DEIR must show that the Project is consistent with the BAAQMD's *Bay Area 2005 Ozone Strategy*, also known as the Bay Area Clean Air Plan. This showing requires that Project build-out is in turn consistent with the growth projections (*i.e.*, land use assumptions) in the Clean Air Plan.

E-2

The DEIR states that the 2003 Antioch General Plan's growth projections "would have been used" in preparing the Clean Air Plan. DEIR, p. 58. This phrasing suggests the authors have not actually verified that this is the case. The DEIR should be revised to show that General Plan growth projections were in fact used in the development of the current Clean Air Plan. Specifically, the DEIR should document the actual assumptions used in developing the 2005 Ozone Strategy with respect to 1) the Project site and 2) the Traffic Analysis Zone containing the Project. These assumptions should include, but not be limited to, land use, population, and employment assumptions for 1) the Project site and 2) the Traffic Analysis Zone containing the Project. The DEIR should provide these assumptions separately for the project site and its Traffic Analysis Zone.

Furthermore, the DEIR should indicate the sources of these assumptions or growth projections, *e.g.*, by referencing portions of the General Plan or General Plan EIR or other documentation that constituted the source. It should also identify the documentation that was actually provided to BAAQMD, either by the City or by other parties, and show that it then actually used by BAAQMD in developing the current air quality plan.

B. Construction Impacts

The DEIR does not quantify construction emissions. It should be revised to identify all of the equipment to be used during Project construction that will generate emissions, including on-site equipment and off-site vehicles used to deliver or remove materials from the site. Please identify the duration of the construction period and the acreage involved during the construction period.

E-3

The DEIR does not explain why organic gas emissions during construction are not considered significant. Such emissions obviously could cause or contribute to exceedances of NAAQS or CAAQS. The DEIR should be revised to document the analysis supporting the conclusion that such emissions will not be a significant impact.

The DEIR should also be revised to explain the implementation of the 40 percent opacity limitation proposed and identify the methodology for evaluating mobile emissions in this regard.

C. Delivery Trucks

E-4

The DEIR omits information regarding the Project's delivery fleet that is necessary to determine whether emissions from the fleet will cause significant impacts. Please provide data on the size of delivery trucks currently used to delivery goods and materials to the site to support ongoing operations. In particular, please identify the numbers of daily trips by trucks, classifying them by the vehicle weight classes in Table 1 of the Emfac2007, Version 2.30 Users Guide, "Calculating emission inventories for vehicles in California," available at http://www.arb.ca.gov/msei/onroad/downloads/docs/user_guide_emfac2007.pdf. Please identify how many trucks have transport refrigeration units ("TRUs").

Please identify the projected increase in each vehicle class model as a result of Project operations. Please identify the projected increase in trucks using TRUs. Please identify the source and explain the basis of the projected increases. Please compare the projected overall delivery activity by truck weight class and TRU status to delivery truck data from similar sites, that is, to sites of comparable sales and square footage, so that we may determine whether the projected increase in delivery truck activity is reasonable. Please identify and document the comparison sites.

II. GLOBAL CLIMATE CHANGE

A. Significance Thresholds for Evaluating GHG Impacts

E-5

The DEIR was released for public review on December 17, 2009. Ten days before, BAAQMD released the final version of its *Proposed Thresholds of Significance* for inclusion in its CEQA Guidelines update.¹ The DEIR should have evaluated the Project's greenhouse gas ("GHG") emissions against the significance thresholds contained in that document. The fact that the document has not been adopted in final form at the time the DEIR was released is not determinative; the DEIR itself cites and relies upon a number of pending, un-adopted regulatory programs throughout its discussion of global climate change impacts. Indeed, the DEIR expressly relies on OPR's then-proposed amendment to Appendix G of the CEQA Guidelines for determining the significance of a project's GHG emissions. Those amendments, like the BAAQMD's currently proposed significance thresholds, though not yet formally adopted, were published and in the public domain at the time the DEIR was under preparation. There accordingly is no justification for the DEIR's failure to evaluate the Project's GHG emissions against the proposed BAAQMD significance thresholds.

The BAAQMD is the local agency responsible for air quality in the Bay Area region, and used the best available data to establish the specific land use sector emissions reductions necessary to achieve the 2020 target in the AB 32 Scoping Plan. In order to

¹ The document is available at: <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES.aspx>

E-5

achieve the District calculated target of 1.6 MMT CO₂e/yr from new land use projects between now and 2020, the District recommends a threshold of 1,100 MT CO₂e/yr (BAAQMD, October 2009, p. 51). Since Table 3.2-16 shows that the proposed Project will result in net new emissions of 8,423 MT CO₂e/yr (DEIR, 3.2-55), the Project must be considered cumulatively considerable. In order to reduce emissions to a less than significant level, the Project would need to demonstrate compliance with an efficiency standard (in units of emissions per service population), or mitigate Project emissions below the threshold. Neither of these options is likely since the proposed Project is primarily auto-dependent. On the contrary, the DEIR does not even attempt to quantify the greenhouse gas emissions reductions resulting from mitigation measures.

B. Inconsistency AB 32 Scoping Plan

E-6

Although the adopted AB 32 Scoping Plan does not contain specific requirements for land use projects, it does provide specific goals for emissions reductions from different sectors, highlighting the important role that local land use decisions have in meeting the AB 32 emission reduction goals. Specifically, AB 32 established Regional Transportation Related Greenhouse Gas Targets (achieving 5 MMTCO₂E statewide) to be achieved through better land use planning resulting in a reduction in VMT.

Here, DEIR implicitly acknowledges that the Project will not help, but instead will hinder, progress toward meeting the Regional Transportation Related Greenhouse Gas Targets. The DEIR describes the commercial area around the Project site as “auto-oriented” with “a high amount of customer traffic” (DEIR 3.2-64, 65). The Project would obviously worsen these conditions by providing a low-density use with even more abundant free parking that encourages more, not less, automobile use. The provision of a bus stop in Mitigation Measure TRANS-8a will likely only serve to create a demand to provide additional bus service while not providing the additional ridership needed to support the cost of providing the service.

C. Failure to Impose All Feasible Mitigation

E-7

Furthermore, the mitigation measures listed on page 3.2-70 of the DEIR by no means constitute “all feasible mitigation.” For example, measure AIR-7e requires the use of “new heating, ventilation, and air conditioning (HVAC) units that achieve a minimum overall Energy Efficiency Ratio of 12.7. Although this appears to be a valid and measurable mitigation measure, its effectiveness is actually misleading. Energy efficiency for a building is calculated with respect to Title-24, the California energy efficiency building code. Title-24 evaluates efficiency by including all energy-related building components, so that overall efficiency is measured. This is the only method to ensure real efficiency that leads to reduced energy demand and greenhouse gas reductions. Even with the provision of an efficient HVAC system as proposed, the building could provide other less efficient building components and still meet Title-24 standards. Therefore, isolating individual building components as mitigation is vague and impermissible. It is also inconsistent with the Governor’s Green Building Executive

Order (S-20-04) performance standard of 20 percent reduction in energy consumption by 2015 compared to a 2003 baseline. There is simply no evidence that the mitigation will achieve efficiency levels beyond those already required by Title-24. Instead, the DEIR should have required that the building achieve a minimum 20 percent increase in efficiency relative to the California Title-24 energy efficiency building code requirements. This is the only method to ensure that the building as a whole achieves an increase in energy efficiency.

Other important mitigation measures have been rejected based on a technically inadequate feasibility evaluation. For example, the Project could include photovoltaic energy production to meet all or a portion of the projected energy demand. Photovoltaic energy production is a recommended component in the AB32 Scoping Plan, the CAPCOA White Paper, and the Attorney General mitigation. But the DEIR dismisses photovoltaic opportunities due to economic and technical feasibility. (DEIR, 3.2-60) The DEIR attempts to justify the photovoltaic energy dismissal, but as explained below, the dismissal was improper and remains unjustified.

E-7

The DEIR also claims that photovoltaic energy is not feasible because it would only supply a portion of the building's overall energy demand, that it is not economical, and that PG&E already obtains some energy from "non-carbon" sources. Specifically, the DEIR states that a photovoltaic system could provide between 10-30 percent of the electricity demand. But even a 10 percent demand reduction *is* significant and would lead to reduced emissions of greenhouse gases and other pollutants. The DEIR offers no explanation of the economic costs and benefits.

In reality, a photovoltaic system will realize cost savings every year until the system pays for itself. Many, if not most, mitigation measures *never* pay for themselves. It should be noted, since the DEIR admits that solar technology is economically feasible in the short term with subsidies and incentives, that incentive funding is available through utilities such as PG&E², as well as savings available through federal and/or state tax credits. CEQA does not require that mitigation is free, only that it is feasible. The DEIR should have included both the photovoltaic energy system *and* the other energy efficiency measures such as skylights, as well as the purchase of renewable energy through utility services for the remaining demand. There is simply no adequate justification provided for not including a photovoltaic energy system.

Fundamentally, the failure to implement broadly recommended strategies such as photovoltaic power is contrary to the DEIR argument that the Project is consistent with the AB 32 Scoping Plan strategies. Since the Project is not consistent with the Scoping Plan, greenhouse gas emissions should have been identified as a significant impact.

² Information on solar incentives (including commercial projects) available through PG&E is readily available on the Internet at: <http://www.pge.com/mybusiness/energysavingsrebates/solar/csi/howitworks/index.shtml>

III. NOISE

E-8 | The Project will increase stationary and traffic noise at a site that has already been developed beyond the level of intensity proposed in the General Plan for a location designated Neighborhood/Community Commercial. Since the EIR admits that the area is already heavily impacted by noise, it is difficult to understand how any noise increment can be found to be less than significant or cumulatively considerable.

E-9 | The site is directly adjacent to residential uses that will experience increased operational noise from stationary sources. However, the DEIR dismisses the significance of noise impacts to the adjacent residential area without evaluating the combined effects of all of the noise sources.

E-10 | The Project will also generate additional traffic that will increase already unacceptable noise levels affecting residential streets in the Project vicinity. The DEIR dismisses the significance of the noise problem because the Project by itself does not add more than 3 dBA to the noise level. But if the General Plan permits unmitigated increments of 3 dBA and the City continues to approve such projects, residential neighborhoods will not attain the City's noise objectives.

Furthermore, the DEIR's Noise Assessment is inadequate for the reasons set out below.

E-11 | **A. Inadequate baseline and other data**

The DEIR does not present sufficient data to enable the public to evaluate the conclusions in its noise analysis.

For example, the traffic noise increase is stated, but there is no indication of the traffic volumes or speeds used for the analysis. Please identify and provide all of the background data and calculations used to determine traffic noise in the DEIR's Noise Assessment. Please provide the calculations for each traffic noise scenario evaluated, including cumulative condition scenarios. Please indicate which segments of Hillcrest Avenue and Lone Tree Way were evaluated.

E-12 | Furthermore, the source noise level of refrigeration trucks is not provided. The DEIR provides only relative information about the noise during high and low cycles with the diesel engine running and operation using electrical power. Please identify and provide all documentation of the sources used to determine refrigeration truck noise, including the "measurements of diesel-powered refrigeration trucks" referenced in the Noise Assessment at page 15. Please provide all of the calculations used to determine the noise of refrigeration trucks at the nearest residences, referenced at page 16 of the Noise Assessment.

E-13 Please also identify and provide documentation of the “field observations” of “typical loading noise from trailers backed up to rubber gasket seals” referenced in the Noise Assessment at page 15.

Please identify and provide documentation of the noise levels for the following sources, including the source noise measurements, durations and times of day for the noise, and the determination of the resulting noise level at nearby residences:

- E-14**
- Delivery truck movements, including maximum instantaneous noise levels generated by heavy trucks at the nearest residences behind the Wal-Mart sound wall;
 - The noise generated by vendor trucks;
 - Noises from operations of the forklift and pallet stacking;
 - Each of the parking lot noise sources referenced at pages 16-17 of the Noise Assessment, including the noise from parking lot sweepers;
 - The rooftop mechanical equipment noise sources identified at page 17 of the Noise Assessment;
 - The refrigeration condenser unit noise; and
 - The trash compactor noise.

B. Noise measurements and contours

E-15 It is difficult to understand how the noise environment of the entire project vicinity can be adequately characterized by a single CNEL measurement location. The Noise Assessment should be revised to provide additional measurement locations.

E-16 Neither the DEIR nor the General Plan provide a graphic or tabular noise contours showing the existing and future noise for the residential areas, including residences directly north of the Project, that will be affected by the Project. Without this information, it is impossible to evaluate the effects of the Project’s noise or the wisdom of permitting additional development at this location.

E-17 Please provide noise contours for areas in the Project, including Hillcrest Avenue north and south of Lone Tree Way, Ridgeview Drive, Crestpark Circle, Country Hills Drive east and west of Hillcrest Avenue, Lone Tree Way east and west of Hillcrest Avenue, Indian Hill Drive south of Lone Tree Way, and Williamson Ranch Drive west of Hillcrest Avenue. Please provide these contours with and without the Project’s incremental traffic and stationary noise increments.

C. Upper floor residential areas

E-18 | The DEIR does not discuss any evaluation of the noise levels at the upper floors of the residences north of the Project site that will be most heavily affected by stationary noise sources. Please advise us whether any assessment was made of existing or future noise levels. Please explain whether and how the sound wall is assumed to shield upper floors from stationary noise sources, including truck exhaust noise, truck-mounted refrigeration units, and rooftop mechanical equipment.

IV. URBAN DECAY

E-19 | The DEIR concludes that the Project will not cause or contribute to the closure of existing supermarkets in the Primary Trade Area (“PTA”), and hence carries not risk of causing urban decay. As discussed the analysis supporting this conclusion is fundamentally flawed, and this conclusion ultimately lacks substantial evidentiary support.

A. Understatement of Existing Supermarket sales in the PTA

E-20 | BAE estimates, based in part on undisclosed “confidential sources,” that average annual sales from all supermarkets in the Project’s primary trade (“PTA”) \$367 per square foot, compared to the Urban Land Institute (“ULI”) benchmark nationwide median of \$486 per square foot. This suggests the typical supermarket in the PTA is under-performing the national median by nearly 25 percent. Notwithstanding BAE’s unsupported statement that this “does not indicate definitively that existing stores are struggling,” it certainly points to a state of market disequilibrium and an over-supply of supermarket square-footage in the PTA. Indeed, nearly 200,000 s.f. of supermarket space would need to close in the PTA in order for sales to equal the ULI benchmark, even before the 40,000 s.f. of planned additional space is considered. Absent substantial evidence to support BAE’s statement that existing supermarkets in the PTA are “not necessarily struggling,” the DEIR should assume that the Project will cause three or four 40,000 - 50,000 s.f. square foot supermarkets to close.

Absent from the DEIR is any report of store-specific sales figures. If BAE was able to calculate a PTA average of \$367 per square foot, it must necessarily have examined sales data for each store. These data would show whether any existing supermarkets in the primary trade area were “struggling.” Any store with sales far below either the ULI benchmark or even BAE’s reported PTA median are obviously at risk of closure as a result of the Project.

B. Understatement of Walmart Grocery Sales per Square Foot.

E-21 | BAE reports Walmart will have store sales of \$500 per gross square foot, and that their 40,000 square foot supermarket will therefore do \$20 million annually. BAE Report, Table 11. The source of this figure is Walmart itself, with no clarifying citation. *Id.* This figure is significantly lower than what has been reported for Walmart from published sources. For example, data collected in 2009 by Nielsen TDLinx, which collects and maintains store information across all channels selling consumer packaged goods, shows that Walmart's food sales from its supercenters average \$852 per square foot of selling area. Since the proposed expansion will add 35,000 square feet of sales area, this would yield total sales of about \$30 million. This \$10 million difference will significantly increase impacts to competing supermarkets and hence exacerbate the potential for urban decay.

Given Walmart's inherent interest in downplaying the extent of sales impacts in the PTA, the Walmart-provided sales estimate of \$500/s.f. does not constitute substantial evidence.

C. Population Projections Based on Out-of-Date ABAG Forecasts

E-22 | BAE estimates population growth in the PTA based on ABAG's *Projections 2007*. In August, 2009, ABAG published *Projections 2009*. The population growth forecasts should be based on ABAG's most current projections, particularly given the housing crisis that has hit the PTA particularly hard since 2008. Building permit activity in the PTA plummeted by nearly two thirds between 2007 and 2008. The large number of foreclosed properties in the PTA strongly suggests that the area's population is not growing to the extent BAE estimates, even under its "delayed growth" scenario. This in turn suggests that BAE's conclusion that the PTA can absorb the Project without causing even a single competing supermarket to close is overly optimistic.

D. Retenancing Assumptions are Purely Speculative

E-23 | BAE concludes that in the "unlikely" event a supermarket were to close, it would likely be re-tenanted by another retail use, such as a dollar store or a fitness store. Notwithstanding that the closure of at least one if not more underperforming supermarkets in the PTA appears likely given that the average store is already underperforming the ULI benchmark by nearly 25 percent, BAE provides no evidence whatsoever that "dollar store" or "fitness center" uses are in demand in the trade area or that a large supermarket space could be economically converted to such a use. Accordingly, any conclusion that a closed supermarket would be rapidly re-tenanted is purely speculative and not based on substantial evidence.

V. RECIRCULATION OF A REVISED DRAFT EIR IS REQUIRED

E-24

CEQA requires an agency to recirculate a revised draft EIR whenever there is an addition of significant new information in an EIR after the public comment deadline but before certification. CEQA Guidelines, § 15088.5, subd. (a). “Significant new information” includes a disclosure showing that “[t]he draft EIR was so fundamentally and basically inadequate in nature that meaningful public review and comment were precluded.” *Id.* Here, the errors and omissions discussed above establish that the current DEIR is “fundamentally and basically inadequate” that meaningful public participation has effectively been precluded. The City should therefore recirculate a revised draft EIR after correcting the errors and omissions in question.

Thank you for your consideration of these comments.

Yours sincerely,

M. R. WOLFE & ASSOCIATES, P.C.



Mark R. Wolfe
On behalf of the California Healthy
Communities Network

MRW:ms

**E. RESPONSES TO COMMENTS FROM M. R. WOLFE & ASSOCIATES, DATED
FEBRUARY 12, 2010**

Response E-1

Introductory Comments: The general discussion on the first page of the comment letter claims that the Draft EIR is deficient in several areas and that the DEIR must be revised and recirculated for additional public review. The City of Antioch does not agree with these general comments for the reasons stated in the following responses to the more detailed comments contained in this letter.

Letter E – Wolfe – p. 2

Response E-2

Air Quality – Consistency with Bay Area Clean Air Plan: The current Clean Air Plan for the Bay Area is the 2005 Bay Area Ozone Strategy. The Ozone Strategy utilized the travel demand model of the Metropolitan Transportation Commission (MTC), which in turn utilized the employment and population projections contained in the Association of Bay Area Governments' (ABAG) Projections 2003. The ABAG projections were based on data on existing land uses and planned land uses as designated by local general plans and specific plans for each vacant or undeveloped parcel of land throughout the nine-county Bay Area. Since 1988, the City of Antioch General Plan land use designation for the project site has been 'Neighborhood/Community Commercial,' and since 1982 the Southeast Antioch Specific Plan land use designation for the site has been Community Commercial which is consistent with the governing General Plan designation. This land use designation was used by ABAG to determine the population and employment generated by the project site for purposes of preparing Projections 2003. Those demographic projections in turn were utilized in the MTC travel demand model, which in turn was used to develop the 2005 Ozone Strategy. Therefore, the 2005 Ozone Strategy incorporates land use data for the project site as commercial retail development under the prevailing and long-time General Plan and Specific Plan designations for the site. Since the proposed project consists of commercial retail development that is consistent with the governing General Plan and Specific Plan designations for the project site, the project is therefore consistent with the 2005 Ozone Strategy. No further response is necessary.

Response E-3

Air Quality – Construction Impacts: As indicated on page 1 of the DEIR, the Walmart expansion project would involve development of the vacant 3.7-acre vacant area to the west of the existing store. The period of construction is anticipated to be less than one year. The BAAQMD currently does not have emission-based significance thresholds that apply to temporary construction activities. The thresholds are for long-term operational impacts. The DEIR followed BAAQMD's guidelines in identifying appropriate mitigation measures to control PM₁₀ emissions and also added measures to reduce exhaust emissions. One of the measures requires that any piece of equipment with dark visible emissions should be repaired immediately. Construction inspectors can be trained to interpret a Ringleman chart that shows the various levels of opacity with smoke or exhaust emissions. Dark smoke from a piece of construction equipment would be an indication that the equipment is out of compliance.

It should be noted that the URBEMIS2007 model was used to predict construction emissions, specifically for the purposes of providing diesel particulate matter emissions for use in the health risk evaluation. The URBEMIS2007 modeling provided in the air quality study contained in Appendix C of the DEIR indicates that construction emissions would be below the operational BAAQMD thresholds, even though they do not apply. These emissions include overestimates of Reactive Organic Gases (ROG) emissions from the application of architectural coatings. (Note: URBEMIS2007 uses assumptions regarding VOC content of paints that do not reflect the latest and more stringent BAAQMD standards.)

Letter E – Wolfe – p. 3

Response E-4

Air Quality – Delivery Trucks: The existing deliveries at the Walmart store are described in Section *I. Project Description* on page 12 of the Draft EIR, which states: “[t]he existing Walmart store receives approximately 6 to 8 semi-trailer deliveries and approximately 4 to 7 smaller deliveries per day.” The semi-trailer trucks are 4-axle trucks that are greater than 14,000 pounds (EMFAC2007’s “Heavy Heavy Duty Truck” or HHDT). The smaller vendor trucks are 2-axle trucks that are less than 14,000 pounds (EMFAC2007’s “Light Heavy Duty 1 Truck” or LHDT1).

The increase in truck deliveries for the expanded Walmart are also described in Section *I. Project Description* on page 12 of the Draft EIR, which states: “[w]ith the store expansion these would be increased to 6 to 10 semi-trailer deliveries (of which two would be refrigerated trucks) and 5 to 7 vendor deliveries per day.” This data is from material submitted by the applicant to the City of Antioch in conjunction with the subject application for design review. The applicant indicated that this estimated increase in average daily truck deliveries reflects the increases experienced at other similarly-sized Walmart expansions. However, in order to present a reasonable worst-case condition for the EIR technical analyses, these daily truck delivery estimates were increased to 10 semi-trailer deliveries (EMFAC2007’s “Heavy Heavy Duty Truck” or HHDT), including two truck deliveries with Transport Refrigeration Units (TRUs), and 12 smaller vendor truck deliveries (EMFAC2007’s “Light Heavy Duty 1 Truck” or LHDT1). For purposes of analysis, these higher-than-expected truck delivery rates were applied in the air quality study. The inventory and emission factors used are shown in Tables A3-8 and A3-9 in the air quality report, which is contained in Appendix C of the Draft EIR.

Response E-5

Global Climate Change – Significance Thresholds for Evaluating GHG Impacts: The comment letter suggests that the BAAQMD’s *Proposed Thresholds of Significance* should be utilized in determining the significance of the project’s greenhouse gas emissions. The DEIR does not utilize the proposed significance thresholds for several reasons. First, the proposed thresholds still have not been adopted by BAAQMD, so they do not represent established significance criteria under CEQA. Second, there is considerable uncertainty surrounding the proposed thresholds, particularly the proposed greenhouse gas emissions threshold, which does not support an assumption that the thresholds will be adopted in their present proposed form. For example, the schedule for adoption of the new significance thresholds had been postponed from January to April, and was recently postponed again to June 2010. These postponements are largely due to the level of controversy surrounding the proposed thresholds which are considered by many agencies to be overly restrictive and unduly burdensome. One of the most problematic issues is the difficulty presented by administration of the low proposed threshold for greenhouse gas emissions (1,100 metric tons of CO₂ equivalents per year), which would potentially necessitate the preparation of EIRs for many very small projects. For example, the 1,100 metric ton

screening level corresponds to a fast-food restaurant of 1,000 square feet (such restaurants are typically 3,000 square feet), or supermarkets of 8,000 square feet (supermarkets are typically 50,000 square feet or more). Unless the greenhouse gas emissions associated with such projects could be demonstrated to be reduced to below the 1,100 metric ton screening level on a case-by-case basis, such small projects would be required to have EIRs prepared along with the subsequent adoption of findings of overriding considerations. Moreover, other Air Quality Management Districts have a different position on the definition of “fair share” contribution to greenhouse gas reduction from land development projects. For example, the South Coast Air Quality Management District (SCAQMD) is considering a fair-share screening threshold of 3,000 metric tons of greenhouse gas emissions for residential and commercial projects. It is estimated by SCAQMD that this threshold would capture 90 percent of the GHG emissions from new commercial and residential projects.² This threshold is almost three times as high as the proposed BAAQMD threshold. As demonstrated in BAAQMD’s April 2009 Options Report on the development of thresholds, there are various approaches to achieving project-level compliance with AB 32 greenhouse gas reduction targets, and among them are approaches that do not involve a low “bright-line” threshold like the one currently proposed by BAAQMD staff.

The comment letter notes that the DEIR applies the recently adopted CEQA Guidelines Amendments in the analysis of global climate change, even though the Guidelines Amendments had not been adopted at the time the DEIR was released for public review on December 17, 2009. The comment states that the DEIR should therefore also have applied BAAQMD’s proposed greenhouse gas threshold notwithstanding that this and the other proposed air quality thresholds are not yet adopted. However, the proposed CEQA Guidelines Amendments were not controversial during the time leading up their adoption, which was imminent at the time the Antioch DEIR was released. As such, there was little or no risk that they would be revised before adoption (i.e., the DEIR was released on December 17, and on December 30 the CEQA Guidelines Amendments were adopted by the Natural Resources Agency without further revision. The Guidelines Amendments took effect on February 18, 2010.) Given that the CEQA Guidelines amendments were virtually certain to be adopted without alteration from the time the Draft EIR was released, the City of Antioch would have been remiss not to have applied them in the DEIR’s climate change analysis. Indeed, the commenter likely would have commented that the City’s failure to do so required recirculation since the Guidelines Amendments were adopted while the DEIR was still in public review.

By contrast, BAAQMD’s Proposed Thresholds of Significance will not be adopted until June 2010 at the earliest, and the substantial doubt as to the administrative feasibility of the currently proposed greenhouse gas screening threshold represents a formidable issue that needs to be resolved in the meantime. Therefore, the sound reasoning behind the City of Antioch’s decision to include consideration of the now-adopted CEQA Guidelines Amendments in its EIR analysis of global climate change would not similarly support the inclusion of currently proposed BAAQMD greenhouse gas screening threshold in that analysis. On the contrary, the very unsettled nature of the BAAQMD’s proposed thresholds provides support for the City’s decision not to include them in the DEIR analysis.

[Note: There is an incorrect DEIR reference in the first paragraph on page 4 of the comment letter. The letter references “Table 3.2-16” which purportedly indicates project GHG emissions of “8,423 MT CO₂e/yr (DEIR, 3.2-55).” There are no such table or page numbers in the Antioch Walmart Expansion DEIR. As noted above, the estimated operational GHG emissions from the Antioch Walmart Expansion project are 2,240.622 MT CO₂e/yr (DEIR, Table 18, page 218.)]

² South Coast Air Quality Management District, *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold*, October 2008, pp. 3-13 – 3-16.

Letter E – Wolfe – pp. 4 and 5

Response E-6

Global Climate Change – Inconsistency with AB 32 Scoping Plan: This comment does not appear to apply to the Antioch Walmart Expansion DEIR. The DEIR page references cited in the comment do not correspond to any page numbers in the Antioch Walmart DEIR. In addition, the purported quotes from the DEIR (“auto-oriented”, “a high amount of customer traffic”) do not appear in the Antioch Walmart DEIR. In addition, the comment discusses a mitigation measure (“TRANS-8a”) which does not appear in the Antioch Walmart DEIR. It should be noted that the Antioch Walmart DEIR finds that the proposed project does not have the potential to impede implementation of AB 32 and therefore would not result in a significant impact in terms of global climate change. As such, no mitigation measures were identified or required for the proposed project.

Response E-7

Global Climate Change – Failure to Impose All Feasible Mitigations: The discussion beginning on the last paragraph of page 4 and including all of page 5 of the comment letter does not address the subject Antioch Walmart Expansion DEIR. As occurs in the preceding Comment E-6, this entire comment refers to mitigations and discussions that do not exist in the subject DEIR. For example, the comment refers to “mitigation measures listed on page 3.2-70 of the DEIR” and “measure AIR-7e.” Neither the referenced page nor the referenced mitigation measure exists in the Antioch Walmart Expansion DEIR. Further, the subject DEIR identifies no mitigation measures for global climate change, as noted above. Neither the CEQA statute nor the CEQA Guidelines requires mitigation for impacts found not to be significant, and climate change impacts are no exception. It is noteworthy that in the recently adopted CEQA Guidelines Amendments (effective February 18, 2010), the new subsection on Mitigation Measures Related to Greenhouse Gas Emissions (§15126.4(c)) states that “lead agencies shall consider feasible means, supported by substantial evidence and subject to monitoring or reporting, of mitigating the significant effects of greenhouse gas emissions.” There is no requirement in the statute or Guidelines to mitigate less-than-significant impacts.

Although none of the discussion in this comment is specifically directed to the content of the subject DEIR, this response includes a general discussion of rooftop solar panels since this subject is germane to the CARB Scoping Plan evaluation included in the Antioch Walmart Expansion DEIR. In Table 19 on page 225 of the DEIR, there is a tabular evaluation of the potential for the proposed project to conflict with CARB’s Climate Change Scoping Plan. Under the subheading “Renewable Energy,” the State’s Million Solar Roofs Program is briefly described. The corresponding evaluation in the adjacent table cell indicates that this is “not feasible.” The reasoning for this conclusion, as provided in the table, is as follows:

There are no plans to install rooftop solar panels in conjunction with the store expansion. According to the applicant, rooftop solar panels are not proposed for the Walmart expansion for the following reasons: 1) The amount of rooftop area that can be devoted to solar panels is severely restricted based on the configuration of the roof, the setback requirements, and the placement of rooftop mechanical equipment; 2) To accommodate rooftop solar panels, the planned skylight areas would need to be reduced, thus substantially reducing the energy savings captured by the proposed daylighting system. (DEIR, p. 225.)

According to information provided by the applicant, Walmart currently utilizes daylighting in over 2,200 locations in the U.S. All of Walmart’s skylights are provided by Sunoptics, which is a Sacramento-based

company. It is estimated that through the use of Sunoptics Prismatic Skylights for high performance daylighting, Walmart has eliminated the need for at least one 500 megawatt coal-fired plant from the electrical grid, along with the environmental impacts associated with such a power plant.

While solar panels have been found to be infeasible by the applicant for the reasons stated above, the daylighting system provides a cost-effective alternative form of energy conservation and greenhouse gas reduction. While the proposed skylight system would not generate electricity as solar panels would, it would substantially reduce the need for power generated from off-site sources.

Letter E – Wolfe – p. 6

Response E-8

General Plan Consistency: The comment states that the proposed project “has already been developed beyond the level of intensity proposed in the General Plan for a location designated Neighborhood/Community Commercial.” This erroneously implies that the proposed project is not consistent with the Antioch General Plan. As discussed on page 100 of the DEIR, the project is consistent with the land use designation and applicable policies of the Antioch General Plan. As discussed on page 101 of the DEIR, the proposed project is also consistent with the P-D Zoning District covering the project site which permits a total of 245,100 square feet of building area on the Phase 1 and 2 of the Williamson Ranch Plaza project (of which the proposed project is a part). As discussed in the DEIR, the proposed Walmart expansion would bring the Phase 1 and 2 floor area to a total of 221,626 square feet, which is well within the maximum building intensity permitted under the applicable P-D zoning district.

Existing Noise Levels: While existing noise levels are high along the adjacent major roadways – Lone Tree Way and Hillcrest Avenue – measured noise levels near the residential property line north of the existing Walmart loading dock were 54 dBA CNEL on weekdays and 53 dBA CNEL on weekends. The City of Antioch General Plan considers noise levels of up to 60 dBA CNEL to be appropriate for residential land uses throughout Antioch.

Response E-9

Combined Effects of Noise Sources: The project site adjoins the broad channel of East Antioch Creek which acts as a buffer between the project site and the nearest residences to the north. Measured noise levels behind the existing store demonstrate that existing operations are generating noise levels that are clearly compatible with single-family residential noise limits established in the Antioch General Plan. The noise study focused on changes to the site plan that could cause changes in noise levels at the most affected residences as a result of the relocation or addition of specific activities at the project site. The focus of the noise study was on the intermittent maximum noise levels or average noise levels resulting from new equipment, such as truck refrigeration units associated with the new loading docks proposed at the northwest corner of the expanded Walmart. The analysis of these new and intensified noises focused on a comparison of estimated noise levels from these sources with the appropriate hourly or maximum intermittent noise level standards. The combined or aggregate effect of these noise sources is considered by evaluating the change in the 24-hour day/night average noise level (CNEL) that would result from the project. The noise levels at any residence along the northern property line would increase by about 1 dBA CNEL, at most, primarily as a result of noise from the new refrigeration equipment planned on the west side of the expanded store. The noise resulting from all other activities identified in the analysis would cause a change in noise levels of less than 0.5 dBA CNEL (see Appendix A – Illingworth &

Rodkin Response Memo to Comments on Noise Section of DEIR, p. 2). Such a small incremental change is not normally predictable within the measurement or modeling precision for environmental acoustics, would be imperceptible, and is well below the City’s increase threshold of 3 dBA CNEL. Thus the consideration of combined or aggregate noise levels tends to mask or obscure the maximum noise levels generated by specific activities, which need to be evaluated to provide a more meaningful assessment of noise effects resulting from the proposed project. The maximum noise levels from individual project activities are estimated and evaluated for impacts upon nearby residents. There are numerous mitigations identified in the Draft EIR which address potential noise impacts associated with project activities. Thus the claim in the comment letter that these impacts were “dismissed” is not accurate.

Response E-10

Traffic Noise: As discussed on page 131 of the DEIR, the project is calculated to increase traffic noise levels by 0.1 dBA CNEL along Hillcrest Avenue adjacent to the project site and up to 0.2 dBA CNEL along Lone Tree Way in the roadway segments east and west of Hillcrest Avenue (see also Appendix A – Illingworth & Rodkin Response Memo to Comments on Noise Section of DEIR, p. 2). The predicted increases are so small that they are less than the margin of accuracy for noise modeling and measurement, and are far below the limits of perceptible noise change in human hearing. Thus the traffic generated by the proposed project would result no impact on traffic noise levels in the area.

Response E-11

Traffic Volumes and Speeds: The project would cause an incremental increase in traffic on adjacent roadways. Traffic noise levels are a function primarily of traffic volume and traffic speed with increases in volume or speed causing an increase in calculated noise level. Traffic speeds tend to decrease with increasing volume. However, for purposes of the noise analysis, it was conservatively assumed that the traffic speed would remain the same as in the baseline condition (see Appendix A – Illingworth & Rodkin Response Memo to Comments on Noise Section of DEIR, p. 2). Changes in overall noise levels resulting in a change in volume are calculated using a logarithmic relationship of traffic volume to noise level changes. Since the Kimley-Horn traffic report in Appendix H of the DEIR is focused on the analysis of operational traffic impacts during the critical AM and PM peak traffic periods, it does not include trip distributions and assignments to study area roadways for average daily conditions. Therefore, the assessment of roadway noise impacts is based on traffic volume data for the affected roadways during the peak period which is subject to the greatest increase in traffic volume due to the project, which is extrapolated to calculate average daily noise levels in terms of CNEL. This is the standard method for calculating roadway noise increases resulting from land development projects. The following AM peak hour volumes were used in the analysis, based on traffic volume data contained in the Traffic Report in Appendix H of the DEIR.

Roadway Segments	AM Peak Hour Traffic Volumes			
	Existing	Existing + Project	Cumulative	Cumulative + Project
Lone Tree Way east of Hillcrest	1833	1874	3093	3133
Long Tree Way west of Hillcrest	1857	1925	3310	3378
Hillcrest north of Lone Tree	1023	1046	1754	1777
Hillcrest south of Lone Tree	229	233	1805	1808

Source: Kimley-Horn & Associates.

Based on these traffic volume data, the project was calculated to cause noise level increases of 0.1 dBA CNEL along Hillcrest Avenue in the segments north and south of Lone Tree Way and the segment of Lone Tree Way east of Hillcrest Avenue, and 0.2 dBA CNEL along the segment of Lone Tree Way west of Hillcrest Avenue. Illingworth & Rodkin evaluated other nearby roadway segments (i.e., Lone Tree west of Indian Hills, and Hillcrest north of the east project access road) with similar results. Because the project's contribution to increased noise levels in the area would only be a small fraction of a single decibel, such an increase is not cumulatively considerable; therefore, the project would not contribute to a cumulative noise impact.

Response E-12

Refrigeration Trucks: The source noise level for truck refrigeration units (TRUs) is 86 dBA at 10 feet with a diesel unit operating at high speed (based on field measurements taken by EIR noise consultant Illingworth & Rodkin of actual truck refrigeration units at a creamery in Petaluma and a packaged food manufacturing facility in Santa Rosa). All other calculated noise levels for TRUs are referenced to that source level. The methodology used to predict noise levels at the residential property line follow standard barrier theory and assumes spherical propagation losses with no excess attenuation. Other geometrical information necessary to analyze barrier effects is presented on page 16 of the October 2009 Environmental Noise Assessment prepared by Illingworth & Rodkin, which is contained in Appendix G of the DEIR. (See Appendix A – Illingworth & Rodkin Response Memo to Comments on Noise Section of DEIR, p. 4.)

Letter E – Wolfe – p. 7

Response E-13

Loading Noise: On several occasions, Illingworth & Rodkin staff has measured the unloading of trucks at supermarkets which are equipped with rubber gasket loading door seals. These locations include the Lucky supermarket in Petaluma, California, the Lucky supermarket in Concord, California, and the Albertson's supermarket in Pacific Grove, California. On each of these occasions, measurements were conducted over a period of from one hour to several hours during which time it was confirmed that the refrigeration trucks were being unloaded. During these measurements, other activities associated with the supermarket loading docks, such as the circulation of trucks, pallet jacks and fork lifts, were identified as significant contributors to measured noise levels at adjacent property lines. Because the noise of the unloading of the trucks was found to not generate noise levels that were measurable, no specific noise levels for the unloading activity were reported. There is no additional written documentation on this matter. (See Appendix A – Illingworth & Rodkin Response Memo to Comments on Noise Section of DEIR, p. 4.)

Response E-14

Noise Level Documentation: Since the project is the expansion of an existing store, sources of noise that currently occur at the store would be representative of existing and project-added noise sources. Therefore, noise generating activities at the existing Walmart store were measured, including delivery truck noise from heavy trucks and vendor trucks, forklift and pallet stacking, and parking lot noise. (The measurement data are presented in Figure 3 of the environmental noise study for the project prepared by Illingworth & Rodkin in October 2009, which is contained in Appendix G of the Draft EIR.) Data on the parking lot sweepers was taken from the Red Bluff Walmart Expansion Environmental Impact Report,

City of Red Bluff, August 2008. Noise compressor data was obtained from a typical manufacturer of such equipment for Walmart stores. The manufacturer's data for prototypical units was based on Recold Type JC285 compressor units. Noise from trash compactors was measured by I&R at the Pacific Grove Albertson's store in February 2000. Data for the pallet area was measured in the October 2008 noise survey for this Walmart Expansion DEIR at Monitoring Location ST-2, which had an unobstructed view of the pallet area. Noise levels from the proposed parking areas were based on observations of existing parking areas near potentially affected residences as noted on page 16 of the Environmental Noise Assessment, and noise levels for low speed, low volume traffic movements calculated using the standard FHWA Traffic Noise Model algorithm. Data for rooftop mechanical equipment was based on measurements at several commercial centers conducted during the preparation of other environmental studies or as a part of noise control engineering projects. As noted on page 17 of the noise study, rooftop mechanical equipment is expected to be similar to rooftop equipment at the existing store. The noise from this equipment was not detectable at the noise study measurement locations and does not make a measurable or distinguishing contribution to the ambient noise environment. Nonetheless, a noise performance standard was established as a mitigation measure for this equipment to ensure that noise control treatments are incorporated, if required for the selected equipment, to meet the noise performance standard. (See Appendix A – Illingworth & Rodkin Response Memo to Comments on Noise Section of DEIR, pp. 4–5.)

Response E-15

Noise Measurements: Residences affected by noise from the proposed project are located north of the East Antioch Creek. Noise levels at five locations along the north side of the Walmart property were measured. A long-term (24-hour) measurement location was selected near the center of the existing store where source noise levels could be measured from existing operational activities. The short-term measurements were made in order to characterize variations in the existing noise environment at different locations along the north project boundary. The noise monitoring locations were selected to provide a conservative and comprehensive set of data to establish the existing noise environment behind the store at sensitive receptors potentially affected by the proposed project.

Response E-16

Existing and Future Noise Contours: Noise contours would not add information of value to the analysis of the noise impacts from the proposed Walmart expansion. Baseline noise levels were measured to establish existing conditions at representative sensitive receiver locations most affected by the proposed expansion. These data provide a direct measure against which project-generated noise can be compared, in terms of intermittent maximum noise levels, hourly average noise levels, and noise levels averaged over a 24-hour period at the most affected receptors. Generalized noise contours could not be generated at a sufficient level of detail to provide any additional information in this analysis and would likely mask potential impacts that would be identified through the more specific analytical procedures used in the noise study.

Response E-17

Project Noise Contours: As discussed in Response E-16 above, a comparison of generalized noise contours in the area would not add any information of value to this analysis. The issue of noise contours for the project's stationary sources is discussed in the preceding comment. With respect to traffic noise, the question is whether the project's traffic would result in a substantial increase in noise at sensitive receptors in the area. The analysis showed that project-generated traffic would increase noise levels by 0.1 to 0.2 dBA CNEL. Such an increase is insignificant by any measure. No traffic data were produced for Ridgeview Drive, Crestpark Circle, and Williamson Ranch Drive since the project would generate

very few trips and no traffic impacts along these roadways. (See Appendix A – Illingworth & Rodkin Response Memo to Comments on Noise Section of DEIR, p. 6.)

Letter E – Wolfe – p. 8

Response E-18

Noise at Upper Floors: Noise levels for the nearest residential receptors to the north were calculated at the residential property plane, an imaginary vertical plane that extends upward from ground level along the rear residential property lines. The noise calculations did not account for any noise reduction that may occur due to existing solid fences along the rear of these residential properties. The noise calculations did take into account the noise shielding effects of the existing masonry block walls on the Walmart site, as well as the additional masonry walls proposed as part of the expansion project, including the wall along the entire north site boundary, the screen walls at the loading docks and the trash compactor, and the pallet and bale storage areas. (The noise mitigation for the refrigeration condenser units to be located on the western building wall – solid masonry wall to a height three feet above the tallest unit – would reduce noise from this source to less-than-significant levels at the nearest rear residential property plane.) It is important to note that the existing, planned and mitigation walls are located relatively near the noise sources on the Walmart site, and that the nearest residential building walls to the north are at least 120 feet from the nearest noise source. The masonry walls on the Walmart site would shield the ground level noise sources, but would not shield the higher noise sources such as truck exhausts, truck-mounted refrigeration units (while in transit), and residual noise from rooftop mechanical equipment (i.e., noise that is not attenuated by parapet walls). The noise from these unshielded sources is attenuated by the distance separating the source from the receivers. In addition, there are no noise sources at the proposed project for which the line of sight is broken at the ground floor receivers but not at the upper floor receivers. Therefore, the noise levels emanating from the project site would result in the same noise levels at the ground floor and the upper floors of the nearest residences to the north, and would be less-than-significant for both after mitigation.

Response E-19

Evidence for Conclusion of No Urban Decay: The comment asserts that the DEIR does not present substantial evidence to support a finding that the proposed project would not result in urban decay. To the contrary, the BAE report and DEIR provide ample evidence that the store closures are unlikely to result from the proposed Walmart expansion. As such there would not be a triggering event to commence a chain of causation that could ultimately result in urban decay. For retail stores, urban decay would be considered a reasonably foreseeable outcome if there is substantial evidence that the loss of business revenue resulting as consequence of the proposed project would result in the following series of events: 1) the project would result in business closures; 2) the resulting vacancies would continue over a prolonged period; 3) the vacant buildings would not be properly maintained and would be allowed to deteriorate; and 4) the sequence of preceding events would ultimately result in urban decay. In this regard, Section 15064(d)(3) of the CEQA Guidelines states: “An indirect physical impact is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.” In addition, CEQA requires that a determination that a project may have a significant environmental effect must be based on substantial evidence (CEQA Guidelines §15064(f)). The commenter has not provided any substantial evidence that any of the above conditions would occur as a result of the proposed project, and therefore has no basis for suggesting that urban decay would be a reasonably foreseeable impact of the proposed project. This is discussed in further detail in *Master Response 1 – Retail Effects*.

Response E-20

Existing Supermarket Sales per Square Foot: The title of this section of the comment letter is misleading. There is nothing in the comment that actually argues that there is an “Understatement of Existing Supermarket sales in the PTA.” Rather, it asserts that having sales per square foot levels below a referenced national median indicates that stores in the PTA are “struggling” while providing no evidence that this is actually the case. In fact, different supermarket operators, in differing markets, may have entirely different expectations and “hurdle rates” for survival and profitability. Furthermore, the ULI median itself seems subject to considerable variability (perhaps caused by sampling error rather than actual changes in the market over time) making it a questionable benchmark for measurement of success. See Footnote 3 on Page 27 of BAE’s report, “The benchmark used [from 2008] shows considerable variability over time, in a way not necessarily accounted for by inflation; the same ULI/ICSC benchmark from 2006, for instance, was only \$392.” Finally, an estimate of overall sales per square foot would not necessarily indicate that sales data for each store were “examined.” All that is necessary for an estimate of average sales per square foot are aggregate sales and overall square footage for supermarkets in the trade area, as shown in Table 10 of BAE’s report.

Letter E – Wolfe – p. 9

Response E-21

Walmart Sales per Square Foot: The source for the \$500 per square foot estimate is provided in Table 11, in footnote (b) of the BAE report, which is contained in Appendix F of the Draft EIR. More specifically, the \$423 per square foot number noted there for sales nationwide is based on Walmart’s 2008 10-K filed with the SEC and available at www.walmart.com under “Investor Relations.” The number was increased from this national benchmark based on data from Trade Dimensions and site visits, as noted in the footnote. The relative amount of store traffic was compared qualitatively with the numerous other Walmarts BAE has visited over the last 10 years as part of research for various projects. Trade Dimensions data were purchased from The Nielsen Company, a vendor of store sales estimates and other data nationwide, and also the source of the TDLinx data cited in the comment letter.

The TDLinx source indicating that grocery sales in Walmart are above the storewide average has deficiencies that make the conclusion that those sales are greater than for other items questionable. The source data from TDLinx are found in a *Progressive Grocer* publication.³ This source has problems in narrowing its definition to exclude non-food items. The *Progressive Grocer* measurement defines supermarket sales by All Commodity Volume (ACV), including all items sold in a typical supermarket, thus including many items already sold by a non-Supercenter Walmart, just as Walmart includes similar items in its own categorization of “grocery items” as found in its 10-K:

Grocery consists of a full line of grocery items, including meat, produce, deli, bakery, dairy, frozen foods, floral and dry grocery *as well as consumables such as health and beauty aids, household chemicals, paper goods and pet supplies.*⁴ [emphasis added]

³ While the comment letter does not cite a specific *Progressive Grocer* document, it appears that the numbers cited are derived from *Progressive Grocer*’s May 2009 article, “The Super 50.” In any case, BAE has used this as its reference source. The numbers are the same for sales per square foot.

⁴ P. 5, FORM 10-K, Wal-Mart Stores, Inc., Filed April 01, 2009

Walmart's published figure for approximately the same annual time period (from the most recent 10-K as cited above) for total sales is approximately \$256 billion; *Progressive Grocer* shows total ACV of \$146 billion, or slightly more than half of the total.⁵ This proportion may be higher than Walmart's own 49 percent due to the exclusion of the non-Supercenter Walmarts, but is of the same order of magnitude as Walmart's own "grocery" segment definition, which again includes many items already sold in the existing Antioch store, and thus includes sales already occurring in that store. Another indicator that *Progressive Grocer* is including sales area devoted to items already sold in non-Supercenter Walmarts is the square footage listed by *Progressive Grocer*, which averages approximately 62,000 square feet per store. The proposed expansion of the Antioch store is far less than this square footage, at just over 27,000 square feet of selling space. Furthermore, for the numerous proposed Supercenters that BAE has analyzed, none of them showed internal plans with anywhere near this amount of selling space for food items. Finally, the comment letter improperly compares the sales per square foot estimate from TDLinx/*Progressive Grocer* with the estimate used by BAE; the comment letter cites \$852 per square foot, and states that the BAE estimate is "significantly lower." However, BAE's estimate is based on total square footage, including storage and ancillary areas, while the comment letter's number is based solely on sales area. Applying the proportion of the Antioch expansion grocery selling area to the total supermarket-equivalent floor area, the adjusted sales per square foot number is only \$581 per square foot, considerably closer to BAE's estimate. Furthermore, the comment letter describes the store as having 35,000 square feet of sales area; as noted in Table 1 of the BAE report, the proposed grocery sales area, excluding support and stockroom/ancillary areas, is only 27,146 square feet.

In summary, BAE has not used the source cited by the comment letter in part because it does not adequately separate out the new sales of grocery items as will be added to the Antioch store, and because it is "not an actual retail sales report."⁶ Thus this source is not a reliable indicator of the sales per square foot for the expansion portion of the Antioch Walmart. Furthermore, contrary to comment letter's assertion, BAE's estimate is based on substantial evidence, i.e., published sales data from Walmart adjusted upward based on observation of local conditions. In effect, the commenter has created a "battle of experts" with the presentation of information from a source that conflicts with the sources used by the EIR economic consultant BAE. The City of Antioch has considered the information presented by BAE and the conflicting information presented by the commenter and has determined that it concurs with the conclusions reached by BAE based on its information sources.

Response E-22

Population Projections: BAE completed its demographic analysis prior to the release of ABAG's Projections 2009. However, a comparison of Projections 2007 and Projections 2009 shows that the projections made in 2009 are actually higher for 2010 for Antioch and the Primary Trade Area than the projections made in 2007 (see Table below). Thus, while current growth may have slowed, in 2007 ABAG may have underestimated growth prior to the recession. The 2009 ABAG estimates for 2015, while nearly the same as those made in 2007, are still higher for the Primary Trade Area than the Projections 2007 estimates. Thus BAE's estimate of the Primary Trade Area population, even for the non-delayed scenario, is below an estimate based on Projections 2009, and the delayed growth scenario is extremely conservative in light of the newer projections.

⁵ It should be noted, that in the *Progressive Grocer* article, the TDLinx methodology states that the "ACV is an estimate based on best available data...*not an actual sales report.*" [emphasis added]. The Walmart number cited by BAE is based on actual Walmart sales data.

⁶ See footnote above regarding methodology for TDLinx estimate.

Comparison of Population Trends based on ABAG Projections 2007 and 2009

	Year of Estimate	Average Annual Change			2008 (a)		Average Annual Change		Average Annual Change	
		1990	2005	1990-2005	2010	2005-2010	2015	2010-2015		
Antioch (b)	2007	62,195	101,500	3.3%	104,177	106,000	0.9%	110,400	0.8%	
	2009	62,195	101,500	3.3%	105,176	107,700	1.2%	110,200	0.5%	
Primary Trade Area (b)	2007	88,132	174,550	4.7%	183,227	189,250	1.6%	204,050	1.5%	
	2009	88,132	174,550	4.7%	190,904	202,650	3.0%	211,650	0.9%	
Contra Costa County (b)	2007	803,732	1,023,400	1.6%	1,046,329	1,061,900	0.7%	1,107,300	0.8%	
	2009	803,732	1,023,400	1.6%	1,063,031	1,090,300	1.3%	1,130,700	0.7%	

(a) 2008 estimate for Antioch, PTA, STA, and County derived by assuming a constant rate of growth per ABAG Projections from 2005 through 2010.
 (b) 2005, 2010, and 2015 from ABAG. 1990 and 2000 from U.S. Census.
 Sources: 1990 & 2000 U.S. Census; Association of Bay Area Governments (ABAG) *Projections 2007 and Projections 2009*; BAE, 2010.

Response E-23

Retenancing: The issue of “underperforming” stores relative to the ULI benchmark is discussed in the response to Comment E-20 above. Also, it is important to note that the BAE report does not conclude that any existing stores would close as a result of the proposed Walmart expansion. The discussion of potential retenancing is presented to address conditions in the “[u]nlikely event that an existing supermarket were to close as a result of the proposed Walmart Expansion” (BAE report, page 34, in Appendix F of the Draft EIR). BAE’s discussion provides substantial evidence of the potential for retenancing by referencing as an example the expansion plans of one of the national dollar store chains in the current economic climate, as well as noting the additional unmet demand for retail goods in the Primary Trade Area due to leakage, not all of which would be absorbed by the recently opened Streets of Brentwood project.

Within the Primary Trade Area, there are only limited recent examples of retenancing of closed supermarkets, but this is largely because there have been very few supermarket closures, even as large new competitors such as WinCo have entered the market. One example is a former Lucky store in Antioch at 2515 Somersville Road, which has been retenanced as a 99 Cents Only Store. In Brentwood, a closed Albertsons was re-tenanced as a Food Maxx, re-establishing the previous supermarket usage (and indicating a continued desire of supermarket operators to enter this market despite the closure of the Albertsons).

Letter E – Wolfe – p. 10

Response E-24

Recirculation of a Revised Draft EIR is Required: As presented in Section VI. *Revisions to the Text of the Draft EIR*, there are a few minor corrections and clarifications that have been made to the Draft EIR as a result of the public and agency review of the Draft EIR. However, none of these corrections or clarifications constitutes “significant new information” pursuant to CEQA Guidelines Section 15088.5. Since no evidence has been presented as to the existence of any such “significant new information,” no recirculation of the DEIR is required.

Alexis Morris, Sr. Planner
City of Antioch
Planning Department
Antioch, CA 94531

RECEIVED
FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Ms. Morris:

- F-1 | Please consider very seriously the issue of Wal-Mart's expansion. Is another grocery store really needed in the area? I know that in other cities, by allowing a super-center into their city, the result was urban decay in the surrounding area. Existing businesses offering the same products and services begin to close, further contributing to a revenue loss in other areas of the city.
- F-2 | The City of Antioch has benefited by residential and commercial development in the Lone Tree area. A super-center with a large scale grocery store is not going to increase our tax revenue base, because groceries are non-taxable.
- F-3 | Smart and Final is an example of already too many grocery store in that area, trying to survive. Do you honestly feel that another grocery store is needed?
- F-4 | How many good paying jobs with benefits will the City of Antioch lose? Is this really what the citizens of Antioch want and need?

Please vote this project down!

Diane L Allison
Diane L Allison
137 E Madill St
Antioch Ca 94509
925-565-2612

F. RESPONSES TO COMMENTS FROM DIANE L. ALLISON (NO DATE)

Response F-1

Store Closures and Urban Decay: As discussed in detail in the DEIR on pages 102 through 110, the economic impact analysis prepared for the EIR concluded that the proposed Walmart expansion is unlikely to result in any store closures, and therefore would not initiate a series of events which could ultimately result in urban decay. This is discussed in further detail in *Master Response 1 – Retail Effects*.

Response F-2

Tax Revenues: The amount of taxable items that will be included in the Walmart expansion is unknown; however, it is possible that sales of soft drinks, alcoholic beverages, and similar taxable items would increase over existing levels. In addition, the expansion project will increase the property value of the site and therefore will result in increased property tax revenues. It should be noted, however, that questions of tax revenue and municipal finance are not subject to CEQA review since they do not involve physical effects on the environment. This issue is discussed in further detail in *Master Response 4 – Fiscal Effects*.

Response F-3

Closure of Smart & Final: The reasons for the closure of the Smart & Final store (formerly located one mile east of the project site at Lone Tree Plaza in Brentwood) are unclear, although a number of possible factors may have contributed to the failure of this store. The “Extra” store concept is relatively new and may have had difficulty finding its market under current economic conditions. The location may also have been problematic, as it was set back in a larger center, with limited street visibility, and with an extremely strong competitor (Trader Joe’s) in a better-visibility location in the same center. In any case, its closure cannot be attributed to the expanded Walmart since it did not exist during the time Smart & Final was open.

Response F-4

Jobs and Benefits: The comment presents no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA because it confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

G

January 15, 2010

Alexis Morris
Senior Planner
Community Development
City of Antioch
PO Box 5007
Antioch, CA 94531

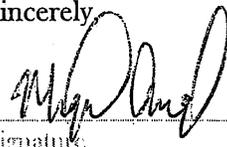
Re: Walmart Expansion

Dear Ms. Morris:

G-1 | Based on the environmental studies recently released, I am opposed to Walmart
expanding to include grocery items. I applaud the City for denying this original application.
G-2 | Now that Walmart has come back with revisions, I don't believe they will stick to the hours
stated on their application. At anytime they can go back and request for a 24 hr store which
they are planning on doing. We already have enough crime and don't need to be attracting
more especially to this area.

Please do the right thing and oppose this proposal.

Sincerely,


Signature

Miguel Angel
Print Name

2708 STAMM DR.
Address

(925) 754-0445
Phone

Phone

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

G. RESPONSES TO COMMENTS FROM MIQUEL ANGEL, DATED JANUARY 15, 2010

Response G-1

Opening Comments: The first three sentences in this comment letter express general opposition to the project. Since they contain no comments on the Draft EIR itself, and raise no new environmental issues or concerns, no response is required.

Response G-2

Store Hours: The applicant proposes to maintain the current store hours of 8 AM to 10 PM, with the usual extended hours during the holiday season when the store would be open from 6 AM to Midnight. There is no proposal for the expanded store to be open 24 hours per day. In the event that the applicant was to seek the City's permission to convert the store to a 24-hour operation at some future date, any such request would be brought to the Planning Commission for review. The Planning Commission hearing on the matter would be duly noticed in advance with full opportunity for public input and testimony.



February 3, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA. 94531

RECEIVED

FEB 16 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Re: Wal-Mart Proposal

Dear Ms. Morris,

H-1

In the past year, our community has gotten worse in terms of crime. Wal-Mart can't control the crime that goes on with their current store, how can they possibly control a larger one? They haven't been responsible and if they can't take care of their current problems then they shouldn't be rewarded to have a larger store than will just attract more crime. I want to thank you for being responsible for denying the first Wal-Mart application. I trust that you will do what is responsible for Antioch and deny this application as well.

Protect the residents of Antioch and deny a development that will add to the problem.

Name *John Um...*
Address *PO Box 471
Antioch*
Phone *(425) 563-3728*
Signature *Joseph Abello*

H. RESPONSES TO COMMENTS FROM JOSEPH ARELLO, DATED FEBRUARY 3, 2010

Response H-1

Crime: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.



February 1, 2010

Ms. Alexis Morris
Senior Planner
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA. 94531

RECEIVED
FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Dear Ms. Morris,

I-1 | In the DEIR, it states that there are no significant unavoidable impacts. Really? What
I-2 | about the many grocery stores in Antioch that would be affected? The jobs lost? I find
that very offensive that the consultants conducting this study wouldn't consider the jobs
added versus the jobs lost. To the many workers in those stores, it's very significant. An
expansion that would only add 75 jobs or so does not compare to the many stores that
would have to layoff people or have the hours reduced. Those 75 jobs are they part time
or full time? How much will they be paid? How do we know that Wal-Mart will really
fill all those 75 positions? I think these are the type of questions we need to be asking.
Let's also look at neighboring towns that have expansions this size and see how many
people actually work there.

Wal-Mart says this is a benefit to our community; however, I'm having trouble understanding those benefits.

Thank you,

Sincerely,

Name *Sandra Baltzell*

Address *1416 Mill Dr.
Antioch CA 94509*

Phone *925-257-0930*

Signature *Sandra Baltzell*

I. RESPONSES TO COMMENTS FROM SANDRA BALTZELL, DATED FEBRUARY 1, 2010

Response I-1

Effect on Existing Grocery Stores: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. Under CEQA, a negative economic effect, such as loss of business revenue, would only be considered to have a potentially significant effect if it indirectly resulted in physical deterioration of the built environment, or urban decay. Since the likelihood of store closures resulting from the Walmart expansion is small, there is no substantial evidence that it is reasonably foreseeable that the project would initiate a chain of events which could ultimately result in physical deterioration or urban decay impacts. Thus the economic effects of the project would not result in any significant impacts under CEQA. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response I-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

Ms. Morris, Senior Planner
City of Antioch, Planning Department
PO Box 5007
Antioch, CA 94531

Dear Ms. Morris:

My letter will be simple and direct to the point. Do not under any circumstances allow Wal-Mart to expand their store to be a supercenter.

J-1

I did not move my family to this community to have it be over-run by the largest corporation in the world and have them over run our small businesses in the process. There is no benefit for you all to approve this project and just as the council did several years ago, the current city council should follow their lead.

Wal-mart is not the neighborhood friendly store they claim to be; all they are concerned with is making the largest profit possible.

I urge you to do what is best for our city and vote NO to the proposed expansion plans.

Bindu Bedi
Name
1509 Alexis Court
Address
Antioch, C.A, 94509
City, State, Zip
Bindu Bedi
Signature

RECEIVED
FEB 03 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

J. RESPONSES TO COMMENTS FROM BINDU BEDI (NO DATE)

Response J-1

General Comments: This comment letter expresses general opposition to the project. Since it contains no comments on the Draft EIR itself, and raises no new environmental issues or concerns, no response is required.



January 15, 2010

Alexis Morris
Senior Planner
Community Development
City of Antioch
PO Box 5007
Antioch, CA 94531

Re: Walmart Expansion

Dear Ms. Morris:

- K-1 | Based on the environmental studies recently released, I am opposed to Walmart expanding to include grocery items. I applaud the City for denying this original application.
- K-2 | Now that Walmart has come back with revisions, I don't believe they will stick to the hours stated on their application. At anytime they can go back and request for a 24 hr store which they are planning on doing. We already have enough crime and don't need to be attracting more especially to this area.
- K-3 |

Please do the right thing and oppose this proposal.

Sincerely,


Signature

Xavier Bejarano
Print Name

4201 woodbridge way
Address

Antioch, CA

(925) 234-9349
Phone

RECEIVED

JAN 25 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

K. RESPONSES TO COMMENTS FROM XAVIER BEJARANO, DATED JANUARY 15, 2010

Response K-1

Opening Comments: The first two sentences in this comment letter express general opposition to the project. No response is required.

Response K-2

Store Hours: The applicant proposes to maintain the current store hours of 8 AM to 10 PM, with the usual extended hours during the holiday season when the store would be open from 6 AM to Midnight. There is no proposal for the expanded store to be open 24 hours per day. In the event that the applicant was to seek the City's permission to convert the store to a 24-hour operation at some future date, any such request would be brought to the Planning Commission for review. The Planning Commission hearing on the matter would be duly noticed in advance with full opportunity for public input and testimony.

Response K-3

Increased Crime: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

L

February 3, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA. 94531

RECEIVED

FEB 16 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Re: Wal-Mart Supercenter

Dear Ms. Morris,

L-1

I am writing in regards to the Wal-Mart Supercenter proposal. If this development is approved, this will cause a significant economic impact to the community. This will not allow for Antioch to have a neighborhood centers we can walk to. Employees and customers will be forced to get in their cars and drive. Not only will this negatively affect our existing grocery stores and possibly close them down, but also this will force employees at these stores to either find new jobs or be transferred to stores outside of Antioch,

L-2

It's not worth it. Think about the future of Antioch and do what's right.

Thank you,



Name

Linda Bish

Address

2828 Petar Pl antioch ca

Phone

925-754-9894

Signature



L. RESPONSES TO COMMENTS FROM LINDA BISH, DATED FEBRUARY 3, 2010

Response L-1

Economic Effects and Store Closures: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary economic effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response L-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.



February 4, 2010

Ms. Alexis Morris
Senior Planner
Community Development
City of Antioch
P.O. Box 5007
Antioch, CA. 94531

RECEIVED
FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Re: Wal-Mart Supercenter

Dear Ms. Morris,

Think about the future of Antioch and do what's right.

- M-1 | I am writing in regards to the Wal-Mart Supercenter proposal. If this development is approved, this will cause significant economic impacts to the community. Not only will this negatively affect our existing grocery stores and possible close them down, but this will force employees at their store to either find new jobs or be transferred to stores
- M-2 | outside of Antioch. This will not allow for Antioch to have a neighborhood centers that we can walk to. Employees and customers will be forced to get into their cars and drive.

Thank you,

Name

Emma Blunt

Address

600 Hillbur Ave. #3055

Phone

(925) 755-7763

Signature

Emma Blunt

M. RESPONSES TO COMMENTS FROM EMMA BLUNT, DATED FEBRUARY 4, 2010

Response M-1

Economic Effects and Store Closures: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary economic effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response M-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

N

January 19, 2010
Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development Department
P.O. Box 5007
Antioch, CA 94531

Dear Ms. Morris,

N-1 | I am opposed to Wal-Mart's application. I believe that the City of Antioch
needs to think of public safety. We know that Wal-Marts in general
perpetuate crime and in ever since this Wal-Mart opened, we have seen a
significant increase in crime here. Not allowing them to operate 24 hours is
not enough. What is the current amount of crime with the store as is? The
draft environmental impact study needs to analyze the amount of crime at
nearby or like-sized Wal-Marts to better understand the type crime we will
N-2 | generate if we expand. We also need to make sure that Wal-Mart will not
change their store hours later.

Sincerely,

Luis Boggiano SR

LUIS BOGGIANO SR

900 CARPINTERIA DR

(925) 779-9720

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

N. RESPONSES TO COMMENTS FROM LUIS BOGGIANO SR., DATED JANUARY 15, 2010

Response N-1

Increased Crime: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

Response N-2

Store Hours: The applicant proposes to maintain the current store hours of 8 AM to 10 PM, with the usual extended hours during the holiday season when the store would be open from 6 AM to Midnight. There is no proposal for the expanded store to be open 24 hours per day. In the event that the applicant was to seek the City's permission to convert the store to a 24-hour operation at some future date, any such request would be brought to the Planning Commission for review. The Planning Commission hearing on the matter would be duly noticed in advance with full opportunity for public input and testimony.

O

Alexis Morris, Sr. Planner
City of Antioch
Planning Department
Antioch, CA 94531

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CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Ms. Morris:

Wal-Mart is NOT the friendly neighborhood store they claim to be. Wal-Mart desires to make the largest profit possible; and if you doubt that, take a good look at the existing Antioch store.

O-1

There is no real benefit to the city of Antioch for the planning department to approve the new application from Wal-Mart for expansion of their grocery department. Perhaps the city council and planning department should follow the lead of the past and turn this "big corporation" down.

Antioch does not need a Super Center in our neighborhood or anywhere in our city.

Please give consideration to my opinion on this matter.

Catherine Bussey
Catherine Bussey
327 Brookside St.
Antioch, Ca.
94509

O. RESPONSES TO COMMENTS FROM CATHERINE BUSSEY (NO DATE)

Response O-1

General Comments: This comment letter expresses general opposition to the project. Since it contains no comments on the Draft EIR itself, and raises no new environmental issues or concerns, no response is required.

P

February 3, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA. 94531

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FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Re: Wal-Mart Project

Dear Ms. Morris,

P-1 | In regards to the Draft Environment Impact Report, I am opposed to the city
P-2 | expanding this project. The last thing we need is for our other local neighborhood
grocery stores to close. The Supercenter would force the entire community to
shop at only the existing Supercenter. This area already has too much and Lone
Tree Way is too congested. The City has been responsible in denying this
expansion and I hope they will continue to see that this is not a benefit to the
community and will just be a negative impact.

Please deny this application and keep it as is. Thank you for your consideration.

Name *Stephanie Butler*

Address *4129 Limestone Dr.
Antioch CA 94509*

Phone *510-228-2801*

Signature *Stephanie Butler*

P. RESPONSES TO COMMENTS FROM STEPHANIE BUTLER, DATED FEBRUARY 3, 2010

Response P-1

Closure of Grocery Stores: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary economic effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response P-2

Traffic: As discussed in Section *K. Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals, which would result in a level of congestion that is no worse than pre-project conditions.

Q

February 2, 2010

Ms. Alexis Morris
Senior Planner
Community Development
City of Antioch
P.O. Box 5007
Antioch, CA. 94531

RECEIVED
FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Re: Wal-Mart Expansion

Dear Ms. Morris,

In regards to the recent Wal-Mart application to expand their store to a supercenter, I am opposed to the expansion.

Q-1

Since the last application Wal-Mart submitted, they have done nothing on providing more security for their existing store. Crime has gone up, I never see Wal-Mart security in their parking lots, only one outside camera works, and while walking around the area, I saw two license plates on the side of the road which had clearly been ripped off.

If Wal-Mart has a hard time controlling the existing store then perhaps they don't need to be adding more to it. It's hard to believe any of their "promises" when they can't even control the issue now. Let's look at existing behavior before we make decisions that greatly affect the future of Antioch.

Sincerely,

Name

urell caldwell

Address

1000 stonecrest dr

Phone

(925) 706-1392

Signature

urellcaldwell

Q. RESPONSES TO COMMENTS FROM URELL CALDWELL, DATED FEBRUARY 2, 2010

Response Q-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

R

February 2, 2010

Ms. Alexis Morris
City of Antioch
P.O. Box 5007
Antioch, CA. 94531

RECEIVED
FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Dear Ms. Morris,

R-1

The proposed Wal-Mart supercenter is a bad idea for our City. I value my community and approving a development that will negatively impact our businesses as well as the environment is not something we should support. We need to protect our local stores and jobs and not lose them because of one expansion to an existing store.

R-2

Save our community and support local business and local jobs. Thank you for your consideration.

Name

NORMA CAUGHRO
105 Diana Way
Antioch, Ca 94599

Address

Norma Caughro

Phone

Signature

R. RESPONSES TO COMMENTS FROM NORMA CAUGHYRON, DATED FEBRUARY 2, 2010

Response R-1

Impact on Local Businesses: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary economic effect would be unlikely to result in any store closures. In addition, the Walmart expansion is unlikely to draw a substantial number of shoppers away from smaller markets and shops since these stores survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. These issues are discussed in further detail under *Master Response 1 – Retail Effects*.

Response R-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

S

February 1, 2010

Ms. Alexis Morris, Senior Planner
Community Development
City of Antioch
P.O. Box 5007
Antioch, CA. 94531

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FEB 16 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Dear Ms. Morris,

S-1
S-2
S-3

The Draft Environmental Impact Report for the proposed Wal-Mart expansion at Lone Tree Way is far from being an accurate study of the true environmental impacts this expansion will have. The expansion will significantly impact our already congested roads especially Lone Tree Way. I don't think this can be mitigated. Not to mention that the additional amount of foot traffic from other towns this will result in an increase of air pollution and carbon footprint of our community. It will also impact our existing grocers and small market stores.

Please take that into consideration as you prepare the final study.

Sincerely,



Name

David Chan

Address

1831 Vender Ct. Antioch, CA

Phone

925 - 200 - 8898

Signature

S. RESPONSES TO COMMENTS FROM DAROLD CHAN, DATED FEBRUARY 2, 2010

Response S-1

Traffic: As discussed in Section K. *Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals, which would result in a level of congestion that is no worse than pre-project conditions.

Response S-2

Air Quality: As discussed in Section M. *Air Quality* on pages 37 through 61 of the DEIR, the air emissions resulting from traffic generated by the Walmart expansion project would result in a less-than-significant air quality impact according to the emissions thresholds established by the Bay Area Air Quality Management District (BAAQMD).

Response S-3

Impact on Local Businesses: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary economic effect would be unlikely to result in any store closures. In addition, the Walmart expansion is unlikely to draw a substantial number of shoppers away from smaller markets and shops since these stores survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. These issues are discussed in further detail under *Master Response 1 – Retail Effects*.

T

December 11, 2009
Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development Department
P.O. Box 5007
Antioch, CA 94531

Dear Ms. Morris,

T-1 | In the DEIR, it states that there are no significant unavoidable impacts. Really? What
T-2 | about the many grocery stores in Antioch that would be affected? The jobs lost? I find
that very offensive that the consultants conducting this study wouldn't consider the jobs
added versus the jobs lost. To the many workers in those stores, it's very significant. An
expansion, that would only add 75 jobs or so does not compare to the many stores that
would have to layoff people or have the hours reduced. Those 75 jobs, are they part time
or full time? How much will they be paid? How do we know that Wal-Mart will really
fill all those 75 positions? I think these are the type of questions we need to be asking.
Lets also look a neighboring towns who have expansions this size and see how many
people actually work there.

Wal-Mart says this is a benefit to our community, however, I'm having trouble
understanding those benefits.

Thank you.

Sincerely,

Patricia Choate

Patricia Choate
114 Macaulay St.
Antioch, CA
94509

925-755-8870

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JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

T. RESPONSES TO COMMENTS FROM PATRICIA CHOATE, DATED DECEMBER 11, 2009

Response T-1

Effect on Existing Grocery Stores: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. Under CEQA, a negative economic effect, such as loss of business revenue, would only be considered to have a potentially significant effect if it indirectly resulted in physical deterioration of the built environment, or urban decay. Since the likelihood of store closures resulting from the Walmart expansion is small, there is no substantial evidence that it is reasonably foreseeable that the project would initiate a chain of events which could ultimately result in physical deterioration or urban decay impacts. Thus the economic effects of the project would not result in any significant impacts under CEQA. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response T-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

U

January 19, 2010
Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5077
Antioch, CA 94531

Dear Ms. Morris

- U-1 | I am very concerned about the economic impacts this could have on our
 - U-2 | community. Our town has many small market stores that would be greatly
 - U-3 | affected. What is the plan to ensure that businesses are not negatively impacted
- or result in job loss? Not to mention that if this forces businesses to close, we have the issue of blight. We should not risk the local business community for one store that wants to expand.

Thank you,

Leon Clark Jr
LEON CLARK JR
1738 NANDINA CT.
ANTIOCH, CA.
94531

925-565-7818

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JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

U. RESPONSES TO COMMENTS FROM LEON CLARK JR., DATED JANUARY 19, 2010

Response U-1

Impacts on Small Markets: As discussed in the BAE report in Appendix F of the DEIR, the expanded Walmart would include space that is equivalent in function and layout to a large modern supermarket, so the principal competitors will be other similar supermarkets. Smaller food stores such as small ethnic markets and convenience stores and other small outlets are considered to have a level of sales that already accounts for supermarket-type competition. Further, the Walmart expansion is unlikely to draw a substantial number of shoppers away from these small stores, which survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods.

Response U-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

Response U-3

Business Closures: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. Under CEQA, a negative economic effect, such as loss of business revenue, would only be considered to have a potentially significant effect if it indirectly resulted in physical deterioration of the built environment, or urban decay. Since the likelihood of store closures resulting from the Walmart expansion is small, there is no evidence that the project would be likely to initiate a chain of events which could ultimately result in physical deterioration or urban decay impacts such as blight. Thus the economic effects of the project would not result in any significant impacts under CEQA. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.



Alexis Morris, Sr. Planner
 City of Antioch
 Planning Department
 Antioch, CA 94531

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 FEB 16 2010
 CITY OF ANTIOCH
 COMMUNITY DEVELOPMENT

Ms. Morris:

Once again, Wal-Mart is trying to throw their idea of a super-center here in Antioch down your throats and along with the citizens of Antioch.

- V-1 | You may want to consider a few of my questions and those of my fellow co-workers. Why do you think no other city in Contra Costa County desires to deal with a super-center in their
- V-2 | city? Could it be due to the fact there are no sales taxes on groceries and therefore no extra revenue to the city coffers? Is a super-store worth the loss of good paying jobs
- V-3 | (that provide benefits) from the existing grocery stores in Wal-Mart's neighborhood? How about increased police patrols at Wal-Mart, which would have to be paid for by the City of Antioch, due to the lack of revenue (because groceries are not taxable)?

V-4 | My final question is very important...Why do you think Smart & Final pulled out of Antioch, after only 8 months?

V-5 | Even I understand that there is not enough population to support all the existing grocery stores in Antioch. Your EIR report states that one store will close if the super-store is permitted to open. The closing of an existing grocery store means the loss of good paying jobs that include benefits for employees, the majority of whom live in the Antioch city limits or immediate surrounding area. These employees spend their hard earned pay checks in Antioch, and the city benefits from them.

V-6 | Why should we vote in a Wal-Mart super-center? It is well documented that 75% of Wal-Mart employees work less than 24 hours weekly. How can they afford to pay rent? Section 8 perhaps? How can they afford to feed themselves or any family members on so few hours and so little pay? Food Stamps? And who pays for all this extra help for these Wal-Mart employees? All the taxpayers do which includes you and me. Now add in the unemployed workers from the closed store your EIR anticipates! Sounds like you want to add to the unemployment in the area instead of helping the economic condition of the city of Antioch.

Please take these questions seriously.

Christina Cowan

Christina Cowan

14 Greensboro Ct

Antioch, Ca 94509

925-777-1129

V. RESPONSES TO COMMENTS FROM CHRISTINA COWAN (NO DATE)

Response V-1

Tax Revenue: The amount of taxable items that will be included in the Walmart expansion is unknown; however, it is possible that sales of soft drinks, alcoholic beverages, and similar taxable items would increase over existing levels. In addition, the expansion project will increase the property value of the site and therefore will result in increased property tax revenues. It should be noted, however, that questions of tax revenue and municipal finance are not subject to CEQA review since they do not involve physical effects on the environment. This issue is discussed in further detail in *Master Response 4 – Fiscal Effects*.

Response V-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

Response V-3

Police Services: The Antioch Police Department has indicated that it has adequate staff and equipment to respond to increased frequency of calls for service that would be generated by the expansion project, and that it does not anticipate the need to augment or expand its facilities as a result of the project. As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

Response V-4

Closure of Smart & Final: The reasons for the closure of the Smart & Final store are unclear, although a number of possible factors may have contributed to the failure of this store. The “Extra” store concept is relatively new and may have had difficulty finding its market under current economic conditions. The location may also have been problematic, as it was set back in a larger center, with limited street visibility, and with an extremely strong competitor (Trader Joe’s) in a better-visibility location in the same center. In any case, its closure cannot be attributed to the expanded Walmart since it did not exist during the time Smart & Final was open.

Response V-5

Store Closures: The DEIR does not conclude that the project would result in store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response V-6

Walmart Jobs: The issues of jobs, wages, hours, and benefits are socio-economic questions which are outside the scope of CEQA review, because it is confined to the evaluation of physical effects on the environment. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

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Alexis Morris, Sr. Planner
City of Antioch, Planning Dep't
P.O. Box 5007
Antioch, CA 94531

Ms. Morris:

W-1 | I was here in 2007 when the City Council voted against Wal-mart's expansion proposal and was very pleased with that outcome.

It is my understanding they are trying once again to enlarge their store. Everyone knows Wal-mart is the largest corporation in the world but that does not mean they can try and bully our city and the council into getting what they want.

W-2 | The issues were clear three years ago as they are now; there is already too much traffic, the existing store is filled with trash and allowing them to potentially operate 24 hours a day seems like a really bad idea. As far as I understand it, it's the job of the planning commission and City Council to protect our interests, well, you did it once and I sure hope you all will do it again.

W-3 |

Please stand up to this mega-corporation and protect our city. Thank you!

John Cox

Name

310 ELIZABETH CT

Address

Antioch CA

City, State, Zip

94509

Signature

John Cox

RECEIVED

FEB 03 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

W. RESPONSES TO COMMENTS FROM JOHN COX (NO DATE)

Response W-1

General Comments: The first two paragraphs in this comment letter express general opposition to the project. No response is required.

Response W-2

Traffic: As discussed in Section *K. Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals, which would result in a level of congestion that is no worse than pre-project conditions.

Response W-3

Litter: The comments are duly noted. The City of Antioch Municipal Code contains extensive and detailed requirements for Commercial Property Maintenance. In particular, Section 5-1.204(G)(8) of the Municipal Code requires that “litter removal be performed daily.” Failure to properly manage and maintain commercial property constitutes a violation of the Municipal Code.

Response W-4

Store Hours: There is no proposal for the expanded store to be open 24 hours per day. The applicant proposes to maintain the current store hours of 8 AM to 10 PM, with the usual extended hours during the holiday season when the store would be open from 6 AM to Midnight.



January 19, 2010

Alexis Morris
Senior Planner
City of Antioch
P.O. Box 5007
Antioch, CA 94531

Wal-Mart Expansion

Dear Ms. Morris:

X-1 | In regards to the recent Wal-Mart application to expand their store to a supercenter, I am opposed to the expansion.

X-2 | Since the last application Wal-Mart submitted, they have done nothing on providing more security for their existing store. Crime has gone up, I never see Wal-Mart security in their parking lots, only one outside camera works, and while walking around the area, I saw two license plates on the side of the road which had clearly been ripped off.

If Wal-Mart has a hard time controlling the existing store then perhaps they don't need to be adding more to it. It's hard to believe any of their "promises" when they can't even control the issue now. Let's look at existing behavior before we make decisions that greatly affect the future of Antioch.

Sincerely,


Signature

Cesar Delgado
Print Name

109 Sunset Drive
Address

Antioch, CA 94509

925-778-8648
Phone

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

X. RESPONSES TO COMMENTS FROM CESAR DELGADO, DATED JANUARY 19, 2010

Response X-1

Opening Comments: The first paragraph in this comment letter expresses general opposition to the project. No response is required.

Response X-2

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

Y

January 18, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5077
Antioch, CA 94531

Dear Ms. Morris,

Y-1 | In regards to the Walmart DEIR, the urban decay study concludes that a majority of the
Y-2 | grocery stores within the project's market area will not compete with the proposed
Y-3 | Supercenter and will therefore not be impacted. However, there is a limited amount of
grocery dollars in a market area; thus, when a customer purchases groceries from one
store, such as a Supercenter, they are not going to then go and purchase those same
groceries from another store even if it is an upscale supermarket, such as Luckys or
Safeway. Other grocers and smaller markets will be impacted. You need to calculate the
number of job losses and revenue losses due to store closures as result.

Thank you for your consideration.

Sincerely,

Richard A. Flay

Richard A. Flay
3616 Blythe Dr.
Antioch CA. 94509

(925) 756-0771

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JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Y. RESPONSES TO COMMENTS FROM RICHARD A. FLAY, DATED JANUARY 19, 2010

Response Y-1

Supermarket Closures: The DEIR does not conclude that the project would result in store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. It should be noted that under CEQA, a negative economic effect, such as loss of business revenue, would only be considered to have a potentially significant effect if it indirectly resulted in physical deterioration of the built environment, or urban decay. Since the likelihood of store closures resulting from the Walmart expansion is small, there is no evidence that the project would be likely to initiate a chain of events which could ultimately result in physical deterioration or urban decay impacts such as blight. Thus the economic effects of the project would not result in any significant impacts under CEQA. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response Y-2

Impacts on Small Markets: As discussed in the BAE report in Appendix F of the DEIR, the expanded Walmart would include space that is equivalent in function and layout to a large modern supermarket, so the principal competitors will be other similar supermarkets. Smaller food stores such as small ethnic markets and convenience stores and other small outlets are considered to have a level of sales that already accounts for supermarket-type competition. Further, the Walmart expansion is unlikely to draw a substantial number of shoppers away from these small stores, which survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods.

Response Y-3

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

Z

December 11, 2009
Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development Department
P.O Box 5077
Antioch, CA 94531

Dear Ms. Morris,

Z-1 | The Antioch DEIR doesn't seem very balanced. For one, to say that there are no
Z-2 | unavoidable significant impacts doesn't seem completely accurate. I can think of a few.
Z-3 | For one, the existing store has attracted an increase in crime in the neighborhood. If this
store expands bringing more people through Lone Tree Way including outsiders, this will
certainly cause more crime than what already exists. Two, the traffic congestion on Lone
Tree is already an issue and I understand this study says it can be mitigated, but the
mitigations are not going to relieve the congestion. Three, the economic impacts this will
have on local businesses alone is reason to not move forward with this project.

What is best for Antioch and its residents? This expansion is just an expansion of bad
behavior.

Thank you,

Marietta Fontanille
Marietta Fontanille
1235 Giordani St.
Antioch, Ca 94509

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Z. RESPONSES TO COMMENTS FROM MURIETTA FONTAMILLA, DECEMBER 11, 2009

Response Z-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

Response Z-2

Traffic Congestion: As discussed in Section K. *Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals, which would result in a level of congestion that is no worse than pre-project conditions.

Response Z-3

Impacts on Business: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. In addition, the Walmart expansion is unlikely to draw a substantial number of shoppers away from smaller markets and shops since these stores survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. These issues are discussed in further detail under *Master Response 1 – Retail Effects*.



January 18' 2010

Alexis Morris
Senior Planner
Community Development
City of Antioch
PO Box 5007
Antioch, CA 94531

Re: Walmart Proposal

Ms. Morris:

AA-1

Thank you for being responsible for denying the first WalMart application. I trust that you will do what is responsible for Antioch and deny this application as well. In the past year, our community has gotten worse in terms of crime. WalMart can't control the crime that goes on with their current store, how can they possibly control a larger one? They haven't been responsible and if they can't take care of their current problems then they shouldn't be rewarded to have a larger store than will just attract more crime.

Protect the residents of Antioch and deny a development that will add to the problem.

Deborah Gonsalves
Signature

Deborah Gonsalves
Print Name

4517 Shannondale Dr.
Address

Antioch CA 94531

(925) 778-6789
Phone

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

AA. RESPONSES TO COMMENTS FROM DEBORAH GONSALVES, JANUARY 19, 2010

Response AA-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

BB

February 3, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA. 94531

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FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Dear Ms. Morris,

BB-1

We, the citizens of Antioch, know that Wal-Mart will generally increase the crime rate and since this Wal-Mart opened, we have seen a significant increase in crime here. Not allowing them to operate 24 hours is not enough. What is current amount of crime with the store as is? The draft environmental impact study needs to analyze the amount of crime at nearby or like-sized Wal-Marts to better understand the type of crime we will generate if we expand. We also need to make sure that Wal-Mart will not change their store hours later. I am totally opposed to Wal-Mart's application. I believe that the City of Antioch needs to think of public safety first and foremost.

Sincerely,

Name Steven M. Gonzales

Address 4517 Shannondale Dr.

Phone 925 778-6789

Signature 

BB. RESPONSES TO COMMENTS FROM STEVEN M. GONSALVES, FEBRUARY 2, 2010

Response BB-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

CC

February 5, 2010

Ms. Alexis Morris
Senior Planner
Community Development
City of Antioch
P.O. Box 5007
Antioch, CA. 94531

RECEIVED
FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Re: Wal-Mart Expansion

Dear Ms. Morris,

CC-1
CC-2
CC-3

The Antioch DEIR doesn't seem very balanced. For one, to say that there are no unavoidable significant impacts doesn't seem completely accurate. I can think of a few. For one, the existing store has attracted an increase in crime in the neighborhood. If this store expands it will bring more people through Lone Tree Way including outsiders, this will certainly cause more crime then what already exists. Two, the traffic congestion on Lone Tree is already an issue and I understand this study says it can be mitigated, but the mitigations are not going to relieve the congestion. Three, the economic impacts this will have on local businesses alone is reason to not move forward with this project.

What is best for Antioch and it residents? This expansion is just an expansion of bad behavior.

Thank you,

Name Kathleen Gualagnis

Address 213 Wackerell Rd
Antioch CA 94509

Phone

Signature K Gualagnis

CC. RESPONSES TO COMMENTS FROM KATHLEEN GUADAGNI, FEBRUARY 2, 2010

Response CC-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company 1 to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

Response CC-2

Traffic Congestion: As discussed in Section K. *Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals, which would result in a level of congestion that is no worse than pre-project conditions.

Response CC-3

Impacts on Business: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. In addition, the Walmart expansion is unlikely to draw a substantial number of shoppers away from smaller markets and shops since these stores survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. These issues are discussed in further detail under *Master Response 1 – Retail Effects*.

DD

Alexis Morris, Senior Planner
City of Antioch – Planning Department
PO Box 5007
Antioch, CA 94531

Dear Ms. Morris,

DD-1

It's rather curious to us why on earth Walmart would want to expand their store when the current one is in horrible shape. Not sure if you or anyone from the planning department have been over to the store lately but it's a mess. There are considerable security issues, there is trash everywhere and all over the parking lot and the overall basic condition of the store is bad.

DD-2

DD-3

It would make sense for Walmart to clean up and address these issues *first* before trying to add a grocery component to their store. I cannot imagine anyone in their right mind would want to buy or handle food around such unsanitary conditions.

A supercenter store does not make sense to any of us and it's our wish that you and the commission thoroughly review and research this proposal. Please do what is right for us residents.

Thank you.

Name Helen Hankins
Address 2637 Pointson Ct
City, State, Zip Antioch CA 94531
Signature 

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COMMUNITY DEVELOPMENT

DD. RESPONSES TO COMMENTS FROM HELEN HARKINS (NO DATE)

Response DD-1

Litter: The comments are duly noted. The City of Antioch Municipal Code contains extensive and detailed requirements for Commercial Property Maintenance. In particular, Section 5-1.204(G)(8) of the Municipal Code requires that “litter removal be performed daily.” Failure to properly manage and maintain commercial property constitutes a violation of the Municipal Code.

Response DD-2

Store Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store. These include: the installation of additional surveillance cameras inside and outside the store; the establishment and implementation of a security plan based on a crime survey; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store; and the provision of adequate exterior lighting to ensure public safety. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

Response DD-3

Closing Comments: The last two paragraphs in this comment letter express general opinions on the project that are not related to the DEIR. No response is required.

EE

December 11, 2009
Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development Department
P.O. Box 5007
Antioch, CA 94531

Dear Ms. Morris,

EE-1

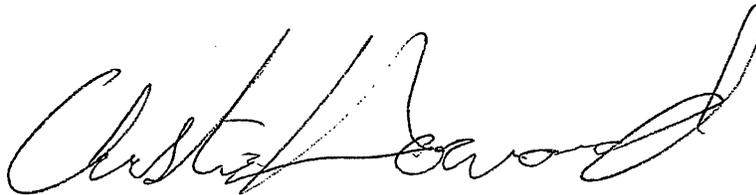
In the DEIR, it states that there are no significant unavoidable impacts. Really? What about the many grocery stores in Antioch that would be affected? The jobs lost? I find that very offensive that the consultants conducting this study wouldn't consider the jobs added versus the jobs lost. To the many workers in those stores, it's very significant. An expansion that would only add 75 jobs or so does not compare to the many stores that would have to layoff people or have the hours reduced. Those 75 jobs are they part time or full time? How much will they be paid? How do we know that Wal-Mart will really fill all those 75 positions? I think these are the type of questions we need to be asking. Let's also look at neighboring towns that have expansions this size and see how many people actually work there.

EE-2

Wal-Mart says this is a benefit to our community; however, I'm having trouble understanding those benefits.

Thank you.

Sincerely,



Austin Howard

2276 Renwick, Ln
Antioch, CA 94509

(925) - (727) - (8106)

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

EE. RESPONSES TO COMMENTS FROM AUSTIN HOWARD, DATED DECEMBER 11, 2009

Response EE-1

Grocery Store Closings: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. It should be noted that under CEQA, a negative economic effect, such as loss of business revenue, would only be considered to have a potentially significant effect if it indirectly resulted in physical deterioration of the built environment, or urban decay. Since the likelihood of store closures resulting from the Walmart expansion is small, there is no evidence that the project would be likely to initiate a chain of events which could ultimately result in physical deterioration or urban decay impacts such as blight. Thus the economic effects of the project would not result in any significant impacts under CEQA. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response EE-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

FF

January 31, 2010

Ms. Alexis Morris
Senior Planner
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA. 94531

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FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Dear Ms. Morris,

Please do the right thing and oppose the proposal.

FF-1 |

FF-2 |

FF-3 |

I applaud the City for denying the original application. Based on the environmental studies recently released, I am opposed to Wal-Mart expanding to include grocery items. Now that Wal-Mart has come back with revisions, I don't believe they will stick to the hours stated on their application. At anytime they can go back and request for a 24 hour store which they are planning on doing. We already have enough crime and don't need to be attracting more especially to this are.

Thank you,

Name *Dawn Kelley*

Address
*58 Belshaw St
Antioch, CA 94509*

Phone

Signature *Dawn Kelley*

FF. RESPONSES TO COMMENTS FROM DAWN KELLEY, DATED JANUARY 19, 2010

Response FF-1

Opening Comments: The first two sentences in this comment letter express general opposition to the project. No response is required.

Response FF-2

Store Hours: The applicant proposes to maintain the current store hours of 8 AM to 10 PM, with the usual extended hours during the holiday season when the store would be open from 6 AM to Midnight. There is no proposal for the expanded store to be open 24 hours per day. In the event that the applicant was to seek the City's permission to convert the store to a 24-hour operation at some future date, any such request would be brought to the Planning Commission for review. The Planning Commission hearing on the matter would be duly noticed in advance with full opportunity for public input and testimony.

Response FF-3

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.



January 18' 2010

Alexis Morris
Senior Planner
Community Development
City of Antioch
PO Box 5007
Antioch, CA 94531

Re: Walmart Proposal

Ms. Morris:

GG-1

Thank you for being responsible for denying the first WalMart application. I trust that you will do what is responsible for Antioch and deny this application as well. In the past year, our community has gotten worse in terms of crime. WalMart can't control the crime that goes on with their current store, how can they possibly control a larger one? They haven't been responsible and if they can't take care of their current problems then they shouldn't be rewarded to have a larger store than will just attract more crime.

Protect the residents of Antioch and deny a development that will add to the problem.

Sheri Kelsey
Signature

Sheri Kelsey
Print Name

218 William Reed Dr.
Address

Antioch, CA 94509

925-753-5860
Phone

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JAN 25 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

GG, RESPONSES TO COMMENTS FROM SHERI KELSEY, DATED JANUARY 19, 2010

Response GG-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.



Alexis Morris, Sr. Planner
City of Antioch, Planning Dep't
P.O. Box 5007
Antioch, CA 94531

Ms. Morris:

HH-1

My family and I have been living here for many years and we enjoy our community, its people and living in this quiet, peaceful city. However, the thought that a supercenter could be built just blocks from us is disturbing. Those monster-box-stores are not the kind of shopping options we need. We have more than enough options with Home Depot, Lowes, Costco and more that we don't need *another* huge store in our neighborhood.

Also, was this exact same plan rejected back in 2007? What makes them think this time around it will be different? Just because they change their logo, added a sun icon to their image and pretended to become a "green" company does not mean anything about their supercenter will change.

Please do not approve this plan for a supercenter. It's not right for our community and for us residents.

Regards,

Corazon Lacanbal
Name
5565 Westmeath Way
Address
Antioch, Ca. 94531
City, State, Zip
ylacanbal
Signature

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CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

HH. RESPONSES TO COMMENTS FROM CORAZON LACANLALE (NO DATE)

Response HH-1

General Comments: This comment letter expresses general opposition to the project. Since it contains no comments on the Draft EIR itself, and raises no new environmental issues or concerns, no response is required.

II

February 1, 2010

Ms. Alexis Morris
Senior Planner
City of Antioch
P.O. Box 5007
Antioch, CA. 94531

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FEB 16 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Re: Wal-Mart Supercenter

Dear Ms. Morris,

Save our community and support local business and local jobs.

II-1

The proposed Wal-Mart supercenter is a bad idea for our City and Community. I value my community and approving a development that will negatively impact our businesses as well as the environment is not something we should support.

II-2

We need to protect our local stores and jobs and not lose them because of one expansion to an existing store.

Thank you for your consideration.

Name

Raquel Land

Address

5025 Mesa Ridge Dr.
Antioch CA

Phone

Signature

Raquel Land

II. RESPONSES TO COMMENTS FROM RAQUEL LAND, DATED FEBRUARY 1, 2010

Response II-1

Negative Impact on Business: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. In addition, the Walmart expansion is unlikely to draw a substantial number of shoppers away from smaller markets and shops since these stores survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. These issues are discussed in further detail under *Master Response 1 – Retail Effects*.

Response II-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

JJ

Alexis Morris, Senior Planner
City of Antioch – Planning Department
PO Box 5007
Antioch, CA 94531

Dear Ms. Morris:

JJ-1

JJ-2

JJ-3

This letter is regarding wal-mart's proposal for an expansion on their Lone Tree Way store. I have taken some time and read through the environmental impact report and cannot find one reason you or the planning commission or the city council should approve this project. Firstly, this exact same proposal was introduced back in 2006 and the outcome was clear – no thank you. Secondly, we don't need a walmart supercenter in Antioch, we need jobs and economic growth. Thirdly, walmart is only out to line their pockets and do what is most profitable for them. They have yet to demonstrate in any community that they are a good business who contributes to public causes. What they have demonstrated is they are good at making a profit, good at destroying local businesses and good at increasing traffic. We don't need any of this in Antioch and I sure hope you won't allow them to have their way.

We beat them once, we can beat them again.

Regards:

Debra Lash
Name
2785 Del Oro Circle
Address
Antioch
City, State, Zip
CA 94509
Signature

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FEB 03 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

JJ. RESPONSES TO COMMENTS FROM DEBRA LARSH (NO DATE)

Response JJ-1

General Comments: The first six sentences in this comment letter express general opinions on the project. Since they contain no specific comments on the Draft EIR itself, and raise no new environmental issues or concerns, no response is required.

Response JJ-2

Impact on Local Business: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. In addition, the Walmart expansion is unlikely to draw a substantial number of shoppers away from smaller markets and shops since these stores survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. These issues are discussed in further detail under *Master Response 1 – Retail Effects*.

Response JJ-3

Traffic: As discussed in Section *K. Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals, which would result in a level of congestion that is no worse than pre-project conditions.



Morris, Alexis

From: Wehrmeister, Tina
Sent: Wednesday, January 06, 2010 4:21 PM
To: Morris, Alexis
Subject: FW: City Website Comment Form

Tina Wehrmeister
Community Development Director
City of Antioch

Due to the ongoing economic crisis and its impact to the City's budget, City offices are closed every Friday. The Community Development Department has the following operating hours:

8:00am – 11:30am: Full service counter hours
12:00pm – 1:00pm: Closed for lunch
1:00pm – 5:00pm: By appointment only

We thank you for your understanding.

From: ufo316@comcast.net [mailto:ufo316@comcast.net]
Sent: Wednesday, January 06, 2010 4:20 PM
To: Wehrmeister, Tina
Subject: City Website Comment Form

Planning Division

Jim Laughridge
3617 dana dr
ANTIOCH
CA
94509
9257540498

KK-1 | This is about the Walmart supersize. I still notice people with moterhomes spending the nights in there parking
KK-2 | lots.And yes it will hurt the stores already here its time that Anioch takes a stand and not let them bully us.

ufo316@comcast.net

KK. RESPONSES TO COMMENTS FROM JIM LAUGHRIDGE, DATED JANUARY 19, 2010

Response KK-1

Motor Homes: The City of Antioch has received no reports of RV parking overnight in the Antioch Walmart parking lot. Overnight parking on the Walmart property is prohibited pursuant to a Use Permit amendment on the Walmart store which was approved by City Council Resolution No. 2002/103 on June 25, 2002. The Use Permit amendment also required the posting of signage on the Walmart property prohibiting overnight parking.

Response KK-2

Impact on Existing Stores: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. In addition, the Walmart expansion is unlikely to draw a substantial number of shoppers away from smaller markets and shops since these stores survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. These issues are discussed in further detail under *Master Response 1 – Retail Effects*.

LL

Alexis Morris, Sr. Planner
City of Antioch, Planning Dep't
P.O. Box 5007
Antioch, CA 94531

To Ms. Morris;

LL-1

This letter is to reflect not only my feelings but also those of my neighbors. We live not too far from the proposed Wal-Mart expansion project and are very much opposed to it. The store, as it is now, is in bad shape. There is trash and papers all over the place, it's never clean and it's an unpleasant place to shop. We used to go there on occasion but in the past few years, we refuse to shop there.

I don't see or understand how if the current management cannot even maintain their store as is now, how will they do so with so many more thousands of square feet, not to mention food and groceries everywhere? I sure will not be buying any food from them, not in those conditions.

I urge you and the council NOT to approve this proposal. It's a bad idea - you all rejected it one time, I hope you will do so a second time.

Thank you.

Name

NESTOR LINARES

Address

4533 ROEBUCK WAY

City, State, Zip

ANTIOCH CA. 94531

Signature

Nestor Linares

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FEB 03 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

LL. RESPONSES TO COMMENTS FROM NESTOR LINARES (NO DATE)

Response LL-1

Litter: The comments are duly noted. The City of Antioch Municipal Code contains extensive and detailed requirements for Commercial Property Maintenance. In particular, Section 5-1.204(G)(8) of the Municipal Code requires that “litter removal be performed daily.” Failure to properly manage and maintain commercial property constitutes a violation of the Municipal Code.



Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5077
Antioch, CA 94531

Dear Ms. Morris:

MM-1

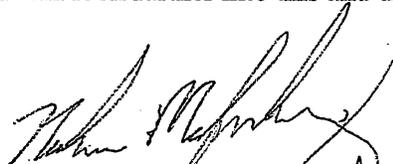
I am writing in regards to the Walmart expansion on Lone Tree Way. I support local business and providing good jobs to our community. I believe that approving an expansion to the existing Walmart would jeopardize business for smaller markets and the good jobs it provides to our residents.

MM-2

I believe further studies should be conducted on the economic impacts. A new study was just released and in the findings it concluded that a Walmart store is not job generating and in fact only costs the community jobs.

I hope you will look further into this and do an additional study.

Thanks,


Nicholas A. McFarling

4150 Limestone dr.
Antioch CA 94509
1(925) 779-0610

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

MM. RESPONSES TO COMMENTS FROM NICHOLAS A. McFARLING (NO DATE)

Response MM-1

Impacts on Small Markets: As discussed in the economic impact report by BAE, contained in Appendix F of the DEIR, the expanded Walmart would include space that is equivalent in function and layout to a large modern supermarket, so the principal competitors will be other similar supermarkets. Smaller food stores such as small ethnic markets and convenience stores and other small outlets are considered to have a level of sales that already accounts for supermarket-type competition. Further, the Walmart expansion is unlikely to draw a substantial number of shoppers away from these small stores, which survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods.

Response MM-2

Jobs: The comment does not include a reference to the “new study” mentioned and includes no other evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.



Morris, Alexis

From: Wehrmeister, Tina
Sent: Monday, January 04, 2010 3:58 PM
To: Morris, Alexis
Subject: FW: City Website Comment Form

Tina Wehrmeister
Community Development Director
City of Antioch

Due to the ongoing economic crisis and its impact to the City's budget, City offices are closed every Friday. The Community Development Department has the following operating hours:

8:00am – 11:30am: Full service counter hours
12:00pm – 1:00pm: Closed for lunch
1:00pm – 5:00pm: By appointment only

We thank you for your understanding.

From: jimwen@earthlink.net [mailto:jimwen@earthlink.net]
Sent: Monday, January 04, 2010 3:51 PM
To: Wehrmeister, Tina
Subject: City Website Comment Form

Planning Division

James McKalip
5062 Prairie way
Antioch
Ca
94531
925-779-1906

NN-1 | I oppose the Walmart expansion for three reasons. 1. Traffic is already out of hand 2. Walmart parking lots are
NN-2 | among the most crime ridden areas nationwide. 3. We risk losing the buisnesses we already have, which
NN-3 | provide better jobs and have been serving our community for sometime.
NN-4 |

jimwen@earthlink.net

NN. RESPONSES TO COMMENTS FROM JAMES McKALIP, DATED JANUARY 4, 2010

Response NN-1

Traffic: As discussed in Section K. *Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals which would result in a level of congestion that is no worse than pre-project conditions.

Response NN-2

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

Response NN-3

Store Closures: The DEIR does not conclude that the project would result in store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response NN-4

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

00

Alexis Morris, Sr. Planner
City of Antioch
Planning Department
Antioch, CA 94531

RECEIVED
FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Ms. Morris:

Once again, Wal-Mart is trying to throw their idea of a super-center here in Antioch down your throats and along with the citizens of Antioch.

- 00-1 | You may want to consider a few of my questions and those of my fellow co-workers. Why do you think no other city in Contra Costa County desires to deal with a super-center in their city? Could it be due to the fact there are no sales taxes on groceries and therefore no extra revenue to the city coffers? Is a super-store worth the loss of good paying jobs (that provide benefits) from the existing grocery stores in Wal-Mart's neighborhood? How about increased police patrols at Wal-Mart, which would have to be paid for by the City of Antioch, due to the lack of revenue (because groceries are not taxable)?
- 00-2 |
- 00-3 |

Please consider these issues carefully and vote NO on the Wal-Mart expansion.

Damian Miller, Damian Miller

(925) 457-0969 - 504 W. MadillSt Antioch, 94509

OO. RESPONSES TO COMMENTS FROM DAMIEN MILLER (NO DATE)

Response OO-1

Tax Revenue: The amount of taxable items that will be included in the Walmart expansion is unknown; however, it is possible that sales of soft drinks, alcoholic beverages, and similar taxable items would increase over existing levels. In addition, the expansion project will increase the property value of the site and therefore will result in increased property tax revenues. It should be noted, however, that questions of tax revenue and municipal finance are not subject to CEQA review since they do not involve physical effects on the environment. This issue is discussed in further detail in *Master Response 4 – Fiscal Effects*.

Response OO-2

Jobs and Benefits: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

Response OO-3

Police and Security: The Antioch Police Department has indicated that it has adequate staff and equipment to respond to increased frequency of calls for service that would be generated by the expansion project, and that it does not anticipate the need to augment or expand its facilities as a result of the project. In addition, as described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. These measures are described in further detail in *Master Response 3 – Crime and Security*.

PP

January 18, 2010

Alexis Morris
Senior Planner
Community Development
City of Antioch
P.O. Box
Antioch, CA 94531

Re: WalMart Supercenter

Dear Ms. Morris:

PP-1 | I am writing in regards to the Wal-Mart Supercenter proposal. If this development is
PP-2 | approved, this will cause significant economic impacts to the community. Not only will this
negatively affect our existing grocery stores and possibly close them down, but this will force
employees at these stores to either find new jobs or be transferred to stores outside of
Antioch. This will not allow for Antioch to have a neighborhood centers we can walk to.
Employees and customers will be forced to get in their cars and drive.

It's not worth it. Think about the future of Antioch and do what's right.

Thank you,


Signature

Laura Morales
Print Name

2207 D St
Address

Antioch CA 94509

925 776-3994
Phone

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

PP. RESPONSES TO COMMENTS FROM LAURA MORALES, DATED JANUARY 18, 2010

Response PP-1

Grocery Store Closings: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response PP-1

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.



February 1, 2010

Ms. Alexis Morris, Senior Planner
Community Development
City of Antioch
P.O. Box 5007
Antioch, Ca. 94531

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FEB 16 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Re: Wal-Mart Project

Dear Ms. Morris,

In regards to the Draft Environmental Impact Report, I am opposed to the city expanding this property.

QQ-1

This area already has too much congestion and also Lone Tree Way is too congested. The last thing we need is for our other local neighborhood grocery stores to close, forcing the entire community to shop at a Supercenter. The City has been responsible in denying this expansion before and I hope they will continue to see that this is not a benefit to the community and will just be a negative impact on our community.

QQ-2

Please deny this application and keep it as is.

Thank you for your consideration.

Name *Mary Morse*

Address *320 E 13th St.*

Phone *457-3579*

Signature *Mary Morse*

QQ. RESPONSES TO COMMENTS FROM MARY MORSE, DATED FEBRUARY 1, 2010

Response QQ-1

Traffic Congestion: As discussed in Section *K. Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals which would result in a level of congestion that is no worse than pre-project conditions.

Response QQ-2

Store Closures: The DEIR does not conclude that the project would result in store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

RR

January 20, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5077
Antioch, CA 94531

Dear Ms. Morris:

RR-1 | I am writing in regards to the Walmart expansion on Lone Tree Way. I support local business and providing good jobs to our community. I believe that approving an expansion to the existing Walmart would jeopardize business for smaller markets and the good jobs it provides to our residents.

RR-2 | I believe further studies should be conducted on the economic impacts. A new study was just released and in the findings it concluded that a Walmart store is not job generating and in fact only costs the community jobs.

I hope you will look further into this and do an additional study.

Thanks,

REGINA WEILL
1216 Rio Grande Ct.
Antioch CA 94509
(925) 756-7072

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

RR. RESPONSES TO COMMENTS FROM REGINA NEILL, DATED JANUARY 20, 2010

Response RR-1

Impacts on Small Markets: As discussed in the economic impact report by BAE, contained in Appendix F of the DEIR, the expanded Walmart would include space that is equivalent in function and layout to a large modern supermarket, so the principal competitors will be other similar supermarkets. Smaller food stores such as small ethnic markets and convenience stores and other small outlets are considered to have a level of sales that already accounts for supermarket-type competition. Further, the Walmart expansion is unlikely to draw a substantial number of shoppers away from these small stores, which survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response RR-2

Jobs: The comment does not include a reference to the “new study” mentioned and includes no other evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA because it confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

SS

February 5, 2010

Ms. Alexis Morris
Senior Planner
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA. 94531

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CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Dear Ms. Morris,

SS-1

Protect the residents of Antioch and deny a development that will add to the crime problem. I thank you for being responsible for denying the first Wal-Mart application. I trust that you will do what is right for the citizens of Antioch and deny this application as well. In the past year, our community has gotten worse in terms of crime. Wal-Mart can't control the crime that goes on with their current store, so what makes you think that they can possibly control a larger store? They haven't been responsible in the past and if they can't take care of their current problems then they shouldn't be rewarded to have a larger store that will just attract more crime.

Sincerely,



Name

JOHN NOVAK

Address

221 HUNTINGTON DR

PH 925-522-0900

Signature

SS. RESPONSES TO COMMENTS FROM JOHN NOVAK, DATED FEBRUARY 5, 2010

Response SS-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

TT

December 18, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5077
Antioch, CA 94531

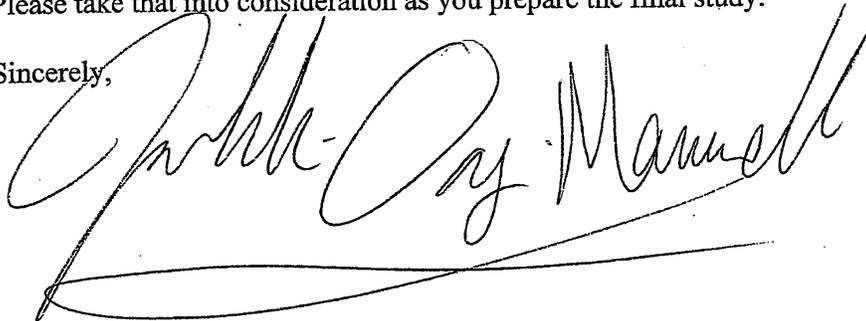
Dear Ms. Morris,

TT-1
TT-2
TT-3
TT-4

The Draft Environmental Impact Report for the proposed Wal-Mart expansion at Lone Tree Way is far from being an accurate study of the true environmental impacts this expansion will have. This expansion will significantly impact our already congested t roads especially Lone Tree Way. I don't think this can be mitigated. Not to mention that the additional amount of foot traffic from other towns which will result in an increase of air pollution and carbon footprint of our community. It will also impact our existing grocers and small market stores.

Please take that into consideration as you prepare the final study.

Sincerely,



Jackie Ong Maxwell
2201 San Jose Dr
Apt # E105
Antioch CA 94509
Phone # 925-864-8756

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

TT. RESPONSES TO COMMENTS FROM JAKKI ONG-MAXWELL, DECEMBER 18, 2009

Response TT-1

Traffic Congestion: As discussed in Section K. *Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals which would result in a level of congestion that is no worse than pre-project conditions.

Response TT-2

Air Quality: As discussed in Section M. Air Quality on pages 37 through 61 of the DEIR, the air emissions resulting from traffic generated by the Walmart expansion project would result in a less-than-significant air quality impact according to the emissions thresholds established by the Bay Area Air Quality Management District (BAAQMD).

Response TT-3

Grocery Store Closings: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. It should be noted that under CEQA, a negative economic effect, such as loss of business revenue, would only be considered to have a potentially significant effect if it indirectly resulted in physical deterioration of the built environment, or urban decay. Since the likelihood of store closures resulting from the Walmart expansion is small, there is no evidence that the project would be likely to initiate a chain of events which could ultimately result in physical deterioration or urban decay impacts such as blight. Thus the economic effects of the project would not result in any significant impacts under CEQA. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response TT-4

Impacts on Small Markets: As discussed in the economic impact report by BAE, contained in Appendix F of the DEIR, the expanded Walmart would include space that is equivalent in function and layout to a large modern supermarket, so the principal competitors will be other similar supermarkets. Smaller food stores such as small ethnic markets and convenience stores and other small outlets are considered to have a level of sales that already accounts for supermarket-type competition. Further, the Walmart expansion is unlikely to draw a substantial number of shoppers away from these small stores, which survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.



Alexis Morris, Sr. Planner
City of Antioch, Planning Dep't
P.O. Box 5007
Antioch, CA 94531

Dear Alexis Morris:

UU-1

Please do not allow Wal-mart to build a supercenter store. They are not good for our community, our environment, our local businesses and our roads. What is more astonishing to me is how the city is considering this application when barely 3 years ago you all rejected their plans? What has changed in this time period to even consider this plan a good idea?

I have seen their new advertising campaign how they are now 'green' (appears all companies now claim to be green) and giving facts and figures of how much shoppers can save each year by shopping there. This does not change their business practices or the fact that the Antioch Council said NO three years ago.

There are plenty of legitimate reasons indicated in the EIR not to support this project. My opinion is if you denied them once, you can do it again for the same reasons.

Thank you for your time.

Rick Padilla
Name
3902 Boulder Dr
Address
Antioch CA 94509
City, State, Zip
Rick Padilla
Signature

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CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

UU. RESPONSES TO COMMENTS FROM RICK PADILLA (NO DATE)

Response UU-1

General Comments: This comment letter expresses general opposition to the project. Since it contains no comments on the Draft EIR itself, and raises no new environmental issues or concerns, no response is required.



January 18, 2010

Alexis Morris
City of Antioch
P.O. Box
Antioch, CA 94531

Re: Walmart Supercenter

Dear Ms. Morris:

VV-1
VV-2

The proposed Walmart supercenter is a bad idea for our City. I value my community and approving a development that will negatively impact our businesses as well as they environment is not something we should support. We need to protect our local stores and jobs and not lose them because of one expansion to an existing store.

Save our community and support local business and local jobs. Thank you for your consideration.


Signature
TOMAS Perez
Print Name
3565 WAXWING WAY
Address
Antioch CA
925-759-2019
Phone

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

VV. RESPONSES TO COMMENTS FROM TOMAS PEREZ, DATED JANUARY 18, 2010

Response VV-1

Store Closures: The DEIR does not conclude that the project would result in store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response VV-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.



January 31, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA. 94531

RECEIVED
FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Dear Ms. Morris,

WW-1

WW-2

I am writing in regards to the Wal-Mart expansion on Lone Tree Way. I support local business and providing good jobs to our community. I believe that approving an expansion to the existing Wal-Mart would jeopardize business for smaller markets and the good jobs it provides to our residents. I believe further studies should be conducted on the economic impacts. A new study was just released and in the findings it concluded that a Wal-Mart store is not job generating and in fact only costs the community jobs and stores to close.

I hope you will look further into this and do an additional study.

Thanks,

Name

Brian T. Perry

Address

221 Wilbur Ave # 8
Antioch, CA 94509

Phone

(925) 778-2541

Signature

WW. RESPONSES TO COMMENTS FROM BRIAN T. PERRY, DATED JANUARY 31, 2010

Response WW-1

Impacts on Small Markets: As discussed in the economic impact report by BAE, contained in Appendix F of the DEIR, the expanded Walmart would include space that is equivalent in function and layout to a large modern supermarket, so the principal competitors will be other similar supermarkets. Smaller food stores such as small ethnic markets and convenience stores and other small outlets are considered to have a level of sales that already accounts for supermarket-type competition. Further, the Walmart expansion is unlikely to draw a substantial number of shoppers away from these small stores, which survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response WW-2

Jobs: The comment does not include a reference to the “new study” mentioned and includes no other evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

XX

January 19, 2010
Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5077
Antioch, CA 94531

Dear Ms. Morris

XX-1 | I am very concerned about the economic impacts this could have on our community. Our
XX-2 | town has many small market stores that would be greatly affected. What is the plan to
XX-3 | ensure that businesses are not negatively impacted or result in job loss? Not to mention
that if this forces businesses to close, we have the issue of blight. We should not risk the
local business community for one store that wants to expand.

Thank you,

Judy Peterson
JUDY PETERSON
2316 Tompkins Way
ANTIOCH, CA. 94509
(925) 439-5448

RECEIVED

JAN 25 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

XX. RESPONSES TO COMMENTS JUDY PETERSON, JANUARY 19, 2010

Response XX-1

Impacts on Small Markets: As discussed in the economic impact report by BAE, contained in Appendix F of the DEIR, the expanded Walmart would include space that is equivalent in function and layout to a large modern supermarket, so the principal competitors will be other similar supermarkets. Smaller food stores such as small ethnic markets and convenience stores and other small outlets are considered to have a level of sales that already accounts for supermarket-type competition. Further, the Walmart expansion is unlikely to draw a substantial number of shoppers away from these small stores, which survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response XX-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

Response XX-3

Store Closures and Urban Decay: As discussed in detail in the DEIR on pages 102 through 110, the economic impact analysis prepared for the EIR concluded that the proposed Walmart expansion is unlikely to result in any store closures, and therefore would not initiate a series of events which could ultimately result in urban decay or blight. This is discussed in further detail in *Master Response 1 – Retail Effects*.

YY

Alexis Morris, Sr. Planner
City of Antioch
Planning Department
Antioch, CA 94531

RECEIVED
FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Ms. Morris:

Well, here we go again. Wal-Mart is once again back trying to shove their Super Center idea at Antioch.

YY-1

Isn't it interesting that Antioch is the only city in Contra Costa County lucky enough to be offered a Super Center? Why? No other city wants to deal with Wal-Mart and their demands. Concord? No! Oakley? No! Pinole? No!

Why does Antioch have to accept this application? If Wal-Mart wants to sell groceries, there is more than enough room already existing in the Antioch store.

By the way, the city is not doing a good job of making sure that the Wal-Mart store and parking lot are kept clean. Is this really what Antioch wants?

Thank you for your consideration.

Pam Phillips
1513 Alexis Ct.
Ant Ca. 94509
925-381-4422



YY. RESPONSES TO COMMENTS FROM PAM PHILLIPS (NO DATE)

Response YY-1

General Comments: This comment letter expresses general opposition to the project. Since it contains no comments on the Draft EIR itself, and raises no new environmental issues or concerns, no response is required.



January 19, 2010

Alexis Morris
Senior Planner
City of Antioch
PO Box 5007
Antioch, CA 94531

Re: Wal-Mart Project

Dear Ms. Morris:

In regards to the Draft Environmental Impact Report, I am opposed to the City expanding this property.

ZZ-1

This area already had too much and Lone Tree Way is too congested. The last thing we need is for our other local neighborhood grocery stores to close, forcing the entire community to shop at a Supercenter. The City has been responsible in denying this expansion and I hope they will continue to see that this is not a benefit to the community and will just be a negative impact.

ZZ-2

Please deny this application and keep it as is. Thank you for your consideration.

Tim Posey
Signature

Tim Posey
Print Name

2245 Hamlin Dr
Address

Antioch CA 94509
Phone

(925) 864-2299

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

ZZ. RESPONSES TO COMMENTS FROM TIM POSEY, DATED JANUARY 19, 2010

Response ZZ-1

Traffic Congestion: As discussed in Section K. *Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals which would result in a level of congestion that is no worse than pre-project conditions.

Response ZZ-2

Grocery Store Closings: The DEIR does not conclude that the project would result in grocery store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. It should be noted that under CEQA, a negative economic effect, such as loss of business revenue, would only be considered to have a potentially significant effect if it indirectly resulted in physical deterioration of the built environment, or urban decay. Since the likelihood of store closures resulting from the Walmart expansion is small, there is no evidence that the project would be likely to initiate a chain of events which could ultimately result in physical deterioration or urban decay impacts such as blight. Thus the economic effects of the project would not result in any significant impacts under CEQA. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

AAA

Alexis Morris, Senior Planner
City of Antioch – Planning Department
PO Box 5007
Antioch, CA 94531

Ms. Morris –

AAA-1

AAA-2

AAA-3

AAA-4

I am writing you today in response to Wal-mart's application to expand their existing discount store on Lone Tree Way. It's rather curious to me how this exact same application was voted down back in 2007 and miraculously has resurfaced now with a new council. Sure, our economic situation has worsened and people are watching their pocket-book more closely but not sure why people's minds would change about an enormous supercenter in our backyard? Quite frankly, I am rather offended at the audacity this council and Wal-mart has towards us residents. This project is not good for Antioch on many levels; it will certainly put most, if not all, local businesses out on the streets, the hours of operations have me concerned and the already congested roads and highways will only increase.

I strongly encourage you and the planning commission/city council to think about the effects this supercenter will have on our community. While the prices may be right, the business is NOT!

Sincerely,

Patricia Ricketts

Name

50. W. 17th St

Address

Antioch, Ca 94509

City, State Zip

Patricia Ricketts

Signature

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FEB 03 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

AAA. RESPONSES TO COMMENTS FROM PATRICIA RICKETTS (NO DATE)

Response AAA-1

Opening Comments: The first four sentences in this comment letter express general opposition to the project. No response is required.

Response AAA-2

Business Closures: The DEIR does not conclude that the project would result in store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response AAA-3

Store Hours: The applicant proposes to maintain the current store hours of 8 AM to 10 PM, with the usual extended hours during the holiday season when the store would be open from 6 AM to Midnight. There is no proposal for the expanded store to be open 24 hours per day.

Response AAA-4

Traffic Congestion: As discussed in Section *K. Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals, which would result in a level of congestion that is no worse than pre-project conditions.

BBB

Alexis Morris, Sr. Planner
City of Antioch
Planning Department
Antioch, CA 94531

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COMMUNITY DEVELOPMENT

Ms. Morris:

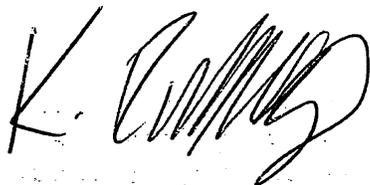
BBB-1 | With regard to the Wal-Mart DEIR, I believe whoever made up this report did just that! MADE IT UP!

BBB-2 | How can Wal-Mart state that by adding a super-center in Antioch that the other existing grocery stores would not be impacted? I understand that one grocery store is projected to close if the super-center was allowed to open. Have your people heard that Smart & Final is already gone? In less than 8 months, they could not survive. Was the demise of Smart & Final considered in the DEIR? Does this mean that actually 2 grocery stores (counting Smart & Final as the first) will close if Wal-Mart is allowed to develop its super-center?

BBB-3 |

BBB-4 | Where is the logic? How many more stores will be forced to close or at least cut working hours of their workers due to a drop in business caused by a super-center? Is this what the citizens of Antioch need or want...the loss of good paying jobs that carry benefits in order to bring in lower paying jobs with no benefits?

Thank you for your thoughtful consideration of these issues.



Kristen Rodriguez
5324 W. Hartley Ct Antioch 94531
925.219.7672

BBB. RESPONSES TO COMMENTS FROM KRISTEN RODRIGUEZ (NO DATE)

Response BBB-1

Grocery Store Closings: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response BBB-2

Closure of Smart & Final: The reasons for the closure of the Smart & Final store are unclear, although a number of possible factors may have contributed to the failure of this store. The “Extra” store concept is relatively new and may have had difficulty finding its market under current economic conditions. The location may also have been problematic, as it was set back in a larger center, with limited street visibility, and with an extremely strong competitor (Trader Joe’s) in a better-visibility location in the same center. In any case, its closure cannot be attributed to the expanded Walmart since it did not exist during the time Smart & Final was open.

Response BBB-3

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.



January 31, 2010

Ms. Alexis Morris
Senior Planner
City of Antioch
P.O. Box 5007
Antioch, CA 94531

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FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Re: Wal-Mart Expansion

Dear Ms. Morris,

In regards to the recent Wal-Mart application to expand their store to a supercenter, I am opposed to the expansion.

Since the last application Wal-Mart submitted, they have done nothing on providing more security for their existing store. Crime has gone up, I never see Wal-Mart security in their parking lots, only one outside camera works, and while walking around the area, I saw two license plates on the side of the road which had clearly been ripped off.

If Wal-Mart has a hard time controlling the existing store then perhaps they don't need to be adding more to it. It's hard to believe any of their "promises" when they can't even control the issue now. Let's look at existing behavior before we make decisions that greatly affect the future of Antioch.

Sincerely,

Name

Gina A. Ryan

Address

4821 Fawn Hill Way
Antioch, CA 94531

Phone

(925) 776-7785

Signature

CCC-1

CCC. RESPONSES TO COMMENTS FROM GINA A. RYAN, DATED JANUARY 31, 2010

Response CCC-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

DDD

February 3, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA. 94531

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CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Re: Wal-Mart Expansion

Dear Ms. Morris,

DDD-1

DDD-2

DDD-3

Lets look at neighboring towns that have expansions this size and see how many people actually work there. In the DETR, it states that there are no significant unavoidable impacts. Really? I think the type of questions we should be asking are the following:
What about the many grocery stores in Antioch that would be affected? The jobs lost? I find that very offensive that the consultants conducting this study wouldn't consider the jobs added versus the hobs lost. To the many workers in those stores, it's very significant. An expansion, that would only add 75 jobs or so does not compare to the many stores that would have to layoff people or have the hours reduced. Those 75 jobs, are they part time or full time? How much will they be paid? How do w know that Wal-Mart will really fill all those 75 positions?

Wal-Mart says this is a benefit to our community; however, I'm just don't see the benefits for our community.

Thank you

Sincerely,

^{Name}
Maureen Shelly Salazar

^{Address}
1440 DEODAR AVE
ANTIOCH, CA 94509

^{Phone}
925-354-1048

^{Signature}
Maureen Salazar

DDD. RESPONSES TO COMMENTS FROM MAUREEN KELLY SALAZAR, FEB. 3, 2010

Response DDD-1

Grocery Store Closings: The DEIR does not conclude that the project would result in grocery store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response DDD-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

Response DDD-3

Walmart Jobs: As discussed in Response DDD-2 above, the issues of jobs, wages, hours, and benefits are socio-economic questions which are outside the scope of CEQA review, because it is confined to the evaluation of physical effects on the environment. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

EEE

December 11, 2009

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development Department
P.O Box 5077
Antioch, CA 94531

Dear Ms. Morris,

EEE-1 | The Antioch DEIR doesn't seem very balanced. For one, to say that there are no
unavoidable significant impacts doesn't seem completely accurate. I can think of a few.
EEE-2 | For one, the existing store has attracted an increase in crime in the neighborhood. If this
store expands bringing more people through Lone Tree Way including outsiders, this will
EEE-3 | certainly cause more crime than what already exists. Two, the traffic congestion on Lone
Tree is already an issue and I understand this study says it can be mitigated, but the
mitigations are not going to relieve the congestion. Three, the economic impacts this will
have on local businesses alone is reason to not move forward with this project.

What is best for Antioch and its residents? This expansion is just an expansion of bad
behavior.

Thank you,

Debbie Schneider
DEBBIE SCHNEIDER
2920 Harris Dr.
Antioch, CA 94509
925-778-5318

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JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

EEE. RESPONSES TO COMMENTS FROM DEBBIE SCHNEIDER, DECEMBER 11, 2009

Response EEE-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

Response EEE-2

Traffic Congestion: As discussed in Section K. *Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals which would result in a level of congestion that is no worse than pre-project conditions.

Response EEE-3

Negative Impact on Business: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. In addition, the Walmart expansion is unlikely to draw a substantial number of shoppers away from smaller markets and shops since these stores survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. These issues are discussed in further detail under *Master Response 1 – Retail Effects*.

FFF

Alexis Morris, Planner
City of Antioch - Planning Department
P.O. Box 5007
Antioch, CA 94531

Ms. Morris:

FFF-1

As a concerned resident of Antioch, I feel it's my obligation to write to you and question why Wal-Mart would want to expand their existing store when they are having a difficult time maintaining their current store.

If you have not been there lately, please allow me to describe what it is like. There is trash and debris all over the place, at the entrance of the store, all over the parking lot, around the huge dumpsters and the inside isn't exactly tidy. This is not the type of store I want to shop at and cannot understand why you would allow them to continue operating under such conditions let alone allow them to make their store even larger.

I am not against Wal-Mart as a company but I am against them wanting to expand and against how filthy their surroundings are.

Sincerely,

RONALD J. STARE JR

Name

2024 CRESTWOOD DR

Address

ANTIOCH, CA 94509

City, State, Zip

[Signature]

Signature

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FEB 03 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

FFF. RESPONSES TO COMMENTS FROM RONALD J. SHURE JR. (NO DATE)

Response FFF-1

Litter. The comments are duly noted. The City of Antioch Municipal Code contains extensive and detailed requirements for Commercial Property Maintenance. In particular, Section 5-1.204(G)(8) of the Municipal Code requires that “litter removal be performed daily.” Failure to properly manage and maintain commercial property constitutes a violation of the Municipal Code.



January 19, 2010

Alexis Morris
Senior Planner
City of Antioch
P.O. Box 5007
Antioch, CA 94531

Wal-Mart Expansion

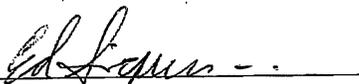
Dear Ms. Morris:

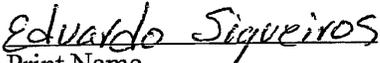
In regards to the recent Wal-Mart application to expand their store to a supercenter, I am opposed to the expansion.

Since the last application Wal-Mart submitted, they have done nothing on providing more security for their existing store. Crime has gone up, I never see Wal-Mart security in their parking lots, only one outside camera works, and while walking around the area, I saw two license plates on the side of the road which had clearly been ripped off.

If Wal-Mart has a hard time controlling the existing store then perhaps they don't need to be adding more to it. It's hard to believe any of their "promises" when they can't even control the issue now. Let's look at existing behavior before we make decisions that greatly affect the future of Antioch.

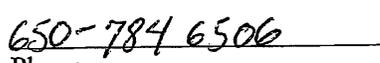
Sincerely,


Signature


Print Name


Address


Antioch CA 94509


Phone

GGG-1

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JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

GGG. RESPONSES TO COMMENTS FROM EDUARDO SIQUEROS, JANUARY 19, 2010

Response GGG-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. The City of Antioch would ensure that this and other planned security, safety and crime prevention measures are implemented by including them as conditions of project approval. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.



February 3, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA. 94531

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CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Dear Ms. Morris,

HHH-1 | In regards to the Wal-Mart DEIR, there is a limited amount of grocery dollars in a
 HHH-2 | market area: thus, when a customer purchases groceries from one store, such as a
 HHH-3 | Supercenter, they are not going to then go and purchase those same groceries from
 another store even if it is and upscale supermarket, such as Lucky's or Safeway.
 Other grocers and smaller markets will be impacted. The urban decay study
 concludes that a majority of the grocery stores within the project's market area
 will not compete with the proposed Supercenter and will therefore not be
 impacted. However you need to calculate the number of job losses and revenue
 losses due to store closures as result.

Thank you for your consideration.

Sincerely,

Name *Tiffany Smith*

Address *33 east 7th Street Apt 18
Antioch CA 94509*

Phone *(925) 470-8562*

Signature *Tiffany Smith*

HHH. RESPONSES TO COMMENTS FROM TIFFANY SMITH, DATED FEBRUARY 3, 2010

Response HHH-1

Store Closures: The DEIR does not conclude that the project would result in store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response HHH-2

Impacts on Small Markets: As discussed in the economic impact report by BAE, contained in Appendix F of the DEIR, the expanded Walmart would include space that is equivalent in function and layout to a large modern supermarket, so the principal competitors will be other similar supermarkets. Smaller food stores such as small ethnic markets and convenience stores and other small outlets are considered to have a level of sales that already accounts for supermarket-type competition. Further, the Walmart expansion is unlikely to draw a substantial number of shoppers away from these small stores, which survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response HHH-3

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.



January 19, 2010
Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development Department
P.O. Box 5007
Antioch, CA 94531

Dear Ms. Morris,

III-1

I am opposed to Wal-Mart's application. I believe that the City of Antioch needs to think of public safety. We know that Wal-Marts in general perpetuate crime and in ever since this Wal-Mart opened, we have seen a significant increase in crime here. Not allowing them to operate 24 hours is not enough. What is current amount of crime with the store as is? The draft environmental impact study needs to analyze the amount of crime at nearby or like-sized Wal-Marts to better understand the type crime we will generate if we expand. We also need to make sure that Wal-Mart will not change their store hours later.

Sincerely,

Lorie Sommer

Lorie Sommer

2409 Brazil Dr
Antioch ca 94509

(925) 700-1941

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JAN 25 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

III. RESPONSES TO COMMENTS FROM LORIE SOMMER, DATED JANUARY 19, 2010

Response III-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

JJJ

January 19, 2010

Alexis Morris
City of Antioch
P.O. Box
Antioch, CA 94531

Re: Walmart Supercenter

Dear Ms. Morris:

JJJ-1 | The proposed Walmart supercenter is a bad idea for our City. I value my
 community and approving a development that will negatively impact our
 businesses as well as they environment is not something we should support.
 JJJ-2 | We need to protect our local stores and jobs and not lose them because of one
 expansion to an existing store.

Save our community and support local business and local jobs. Thank you for your consideration.

Charlene Sotelo

Signature

~~Charlene Sotelo~~

Print Name

5084 Toyon Wy

Address

Antioch Ca. 94531

(925) 754-4135

Phone

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CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

JJJ. RESPONSES TO COMMENTS FROM CHARLENE SOTELO, JANUARY 19, 2010

Response JJJ-1

Negative Impact on Business: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. In addition, the Walmart expansion is unlikely to draw a substantial number of shoppers away from smaller markets and shops since these stores survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. These issues are discussed in further detail under *Master Response 1 – Retail Effects*.

Response JJJ-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

KKK

January 19, 2010
Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5077
Antioch, CA 94531

RE: WALMART EXPANSION

Dear Ms. Morris,

KKK-1

The urban decay study doesn't discuss the potential impacts to the other Wal-Mart discount stores located in the region. A Supercenter will draw customers from the other Wal-Mart stores bringing more pollution, traffic and crime to our community. Do we really want that kind of draw? There's a reason other towns deny Wal-Mart Supercenters and perhaps we should learn a lesson from those case studies. We don't want Antioch to become known as the Supercenter town.

KKK-2

Protect our community.

Sincerely,

Marilyn Sotelo

Marilyn Sotelo
5034 Toyon way
Antioch, CA 94531

925-754-4135

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CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

KKK. RESPONSES TO COMMENTS FROM MARILYN SOTELO, JANUARY 19, 2010

Response KKK-1

Effect on other Walmarts: The only other Walmart in eastern Contra Costa County is the Pittsburg Walmart store, which is approximately 8 miles northwest of the project site and outside the primary trade area of the expanded Antioch Walmart store. While some customers who currently shop at the Pittsburg Walmart store would be drawn to the expanded Antioch store for its full line of groceries, this attraction would diminish with distance from the Antioch Walmart. Considering that at least half of the trade area for the Pittsburg Walmart is situated from 8 to 20 miles east from the Antioch Walmart, it is unlikely that the expanded Antioch Walmart would have a substantial negative effect on the Pittsburg Walmart's sales. In any case, the traffic generated by the expanded Walmart is fully accounted for in the traffic study contained in the EIR, as are the associated air emissions; and the impacts associated with the increased traffic and emissions are fully analyzed and mitigations identified for any potentially significant impacts.

Response KKK-2

Concluding Remarks: The last three sentences in this letter express an opinion about the project and do not include a specific comment on the Draft EIR; nor do they raise new environmental issues or concerns subject to consideration under CEQA. As such, no response is required.



Alexis Morris, Sr. Planner
City of Antioch
Planning Department
Antioch, CA 94531

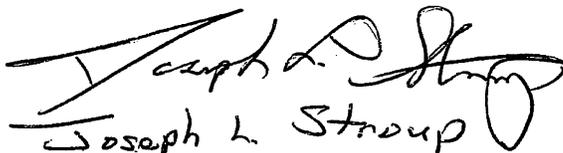
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COMMUNITY DEVELOPMENT

Ms. Morris:

Once again, Wal-Mart is trying to throw their idea of a super-center here in Antioch down your throats and along with the citizens of Antioch.

- LLL-1 | You may want to consider a few of my questions and those of my fellow co-workers. Why do you think no other city in Contra Costa County desires to deal with a super-center in their city? Could it be due to the fact there are no sales taxes on groceries and therefore no extra revenue to the city coffers? Is a super-store worth the loss of good paying jobs (that provide benefits) from the existing grocery stores in Wal-Mart's neighborhood? How about increased police patrols at Wal-Mart, which would have to be paid for by the City of Antioch, due to the lack of revenue (because groceries are not taxable)?
- LLL-2 |
- LLL-3 |

Please consider these issues carefully and vote NO on the Wal-Mart expansion.


 Joseph L. Stroup
 2716 Almaselridge Dr.
 Antioch 94509
 (925) 252-4211

LLL. RESPONSES TO COMMENTS FROM JOSEPH L. STROUP (NO DATE)

Response LLL-1

Tax Revenue: The amount of taxable items that will be included in the Walmart expansion is unknown; however, it is possible that sales of soft drinks, alcoholic beverages, and similar taxable items would increase over existing levels. In addition, the expansion project will increase the property value of the site and therefore will result in increased property tax revenues. It should be noted, however, that questions of tax revenue and municipal finance are not subject to CEQA review since they do not involve physical effects on the environment. This issue is discussed in further detail in *Master Response 4 – Fiscal Effects*.

Response LLL-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

Response LLL-3

Police: The Antioch Police Department has indicated that it has adequate staff and equipment to respond to increased frequency of calls for service that would be generated by the expansion project, and that it does not anticipate the need to augment or expand its facilities as a result of the project. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.



Alexis Morris, Sr. Planner
City of Antioch
Planning Department
Antioch, CA 94531

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CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Ms. Morris:

MMM-1 | Even I understand that there is not enough population to support all the existing grocery stores in Antioch. Your EIR report states that one store will close if the super-store is permitted to open. The closing of an existing grocery store means the loss of good paying jobs that include benefits for employees, the majority of whom live in the Antioch city limits or immediate surrounding area. These employees spend their hard earned pay checks in Antioch, and the city benefits from them.

MMM-2 |

MMM-3 | Why should we vote in a Wal-Mart super-center? It is well documented that 75% of Wal-Mart employees work less than 24 hours weekly. How can they afford to pay rent? Section 8 perhaps? How can they afford to feed themselves or any family members on so few hours and so little pay? Food Stamps? And who pays for all this extra help for these Wal-Mart employees? All the taxpayers do, which includes you and me. Now add in the unemployed workers from the closed store your EIR anticipates! Sounds like you want to add to the unemployment in the area instead of helping the economic condition of the city of Antioch.

Please take these questions seriously.

Michelle Toy

3341 Judsonville Dr

ANTIOCH CA 94531

925-759-2995 cell

MMM. RESPONSES TO COMMENTS FROM MICHELLE TOY (NO DATE)

Response MMM-1

Store Closures: The DEIR does not conclude that the project would result in store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response MMM-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

Response MMM-3

Walmart Jobs: As noted in Response MMM-2 above, the issues of jobs, wages, hours, and benefits are socio-economic questions which are outside the scope of CEQA review, because it is confined to the evaluation of physical effects on the environment. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.



January 20, 2010

Alexis Morris
Senior Planner
City of Antioch
PO Box 5007
Antioch, CA 94531

Re: Wal-Mart Project

Dear Ms. Morris:

In regards to the Draft Environmental Impact Report, I am opposed to the City expanding this property.

NNN-1

This area already had too much and Lone Tree Way is too congested. The last thing we need is for our other local neighborhood grocery stores to close, forcing the entire community to shop at a Supercenter. The City has been responsible in denying this expansion and I hope they will continue to see that this is not a benefit to the community and will just be a negative impact.

NNN-2

Please deny this application and keep it as is. Thank you for your consideration.

Signature

Sean Vida

Print Name

5638 Roscommon Way
Antioch, CA 94531

Address

925.759.2944

Phone

RECEIVED

JAN 25 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

NNN. RESPONSES TO COMMENTS FROM SEAN VIDA, DATED JANUARY 20, 2010

Response NNN-1

Opening and Closing Comments: The first and last paragraphs in this comment letter express general opposition to the project. No response is required.

Response NNN-2

Traffic Congestion: As discussed in Section *K. Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals which would result in a level of congestion that is no worse than pre-project conditions.

Response NNN-3

Grocery Store Closures: The DEIR does not conclude that the project would result in store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

000

January 19, 2010
Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5077
Antioch, CA 94531

RE: WALMART EXPANSION

Dear Ms. Morris,

000-1

The urban decay study doesn't discuss the potential impacts to the other Wal-Mart discount stores located in the region. A Supercenter will draw customers from the other Wal-Mart stores bringing more pollution, traffic and crime to our community. Do we really want that kind of draw? There's a reason other towns deny Wal-Mart Supercenters and perhaps we should learn a lesson from those case studies. We don't want Antioch to become known as the Supercenter town.

Protect our community.

Sincerely,

Patricia Walker

Patricia Walker
2201 San Jose Dr # W103
Antioch Calif 94509
(925) 754-2141

RECEIVED

JAN 25 2010

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

OOO. RESPONSES TO COMMENTS FROM PATRICIA WALKER, JANUARY 19, 2010

Response OOO-1

Effect on other Walmarts: The only other Walmart in eastern Contra Costa County is the Pittsburg Walmart store, which is approximately 8 miles northwest of the project site and outside the primary trade area of the expanded Antioch Walmart store. While some customers who currently shop at the Pittsburg Walmart store would be drawn to the expanded Antioch store for its full line of groceries, this attraction would diminish with distance from the Antioch Walmart. Considering that at least half of the trade area for the Pittsburg Walmart is situated from 8 to 20 miles east from the Antioch Walmart, it is unlikely that the expanded Antioch Walmart would have a substantial negative effect on the Pittsburg Walmart's sales. In any case, the traffic generated by the expanded Walmart is fully accounted for in the traffic study contained in the EIR, as are the associated air emissions, and the impacts associated with the increased traffic and emissions are fully analyzed and mitigations identified for any potentially significant impacts.



February 3, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5007
Antioch, CA. 94531

RECEIVED
FEB 16 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

Re: Wal-Mart Expansion

Dear Ms. Morris,

PPP-1

Based on the environmental studies recently released, I am opposed to the Wal-Mart expanding to include grocery items. I applaud the City for denying this original application. Now that Wal-Mart has come back with revisions, I don't believe they will stick to the hours stated on their application. At anytime they can go back and request for a 24-hour store, which they are planning on doing. We already have enough crime and don't need to be attracting more especially to this area.

PPP-2

Please do the right thing and oppose this proposal.

Sincerely,

Name

Misty Walters

Address

4841 Ridgeway Dr. Antioch, CA 94531

Phone

925-714-2314

Signature

PPP. RESPONSES TO COMMENTS FROM MISTY WALTERS, DATED FEBRUARY 3, 2010

Response PPP-1

Store Hours: The applicant proposes to maintain the current store hours of 8 AM to 10 PM, with the usual extended hours during the holiday season when the store would be open from 6 AM to Midnight. There is no proposal for the expanded store to be open 24 hours per day. In the event that the applicant was to seek the City's permission to convert the store to a 24-hour operation at some future date, any such request would be brought to the Planning Commission for review. The Planning Commission meeting on the matter would be duly noticed in advance with full opportunity for public input and testimony at the public hearing.

Response PPP-2

Crime: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

QQQ

Thursday, January 28, 2010

Alexis Morris, Sr. Planner
City of Antioch, Planning Dep't
P.O. Box 5007
Antioch, CA 94531

Dear Ms. Morris:

You and the planning commission have a unique opportunity before you to do something most communities in northern California have never done before and that is to deny Wal-mart not once but twice!

QQQ-1

What a wonderful privilege you all have to be able to control our community and decide what is best for our city. I have yet to speak with one person in Antioch who actually supports a supercenter coming to town. Sure, some of their items may be discounted and you can get all your shopping done in one location but what about the local businesses who have spent a lifetime building their business. What about them?

QQQ-2

It easy to see how the council and city are tempted to allow Wal-mart to expand their store because of the potential tax revenue, but let's get serious, we all know those measly dollars won't make any difference when local businesses have shut down.

Please think this proposal through – you all got it right once, please get it right again!

Warmly,

Joy Wamsley
Name
2319 Glendale Circle
Address
Antioch Ca 94509
City, State, Zip
Joy Wamsley
Signature

RECEIVED
FEB 03 2010
CITY OF ANTIOCH

QQQ. RESPONSES TO COMMENTS FROM JOY WAMSLEY, DATED JANUARY 28, 2010

Response QQQ-1

General Comments: The first two paragraphs in this comment letter express general opposition to the project. No response is required.

Response QQQ-2

Business Closures: The DEIR does not conclude that the project would result in business closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. In addition, the Walmart expansion is unlikely to draw a substantial number of shoppers away from smaller markets and shops since these stores survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. These issues are discussed in further detail under *Master Response 1 – Retail Effects*.

RRR

December 18, 2010

Ms. Alexis Morris, Senior Planner
City of Antioch
Community Development
P.O. Box 5077
Antioch, CA 94531

Dear Ms. Morris,

RRR-1 | The Draft Environmental Impact Report for the proposed Wal-
RRR-2 | Mart expansion at Lone Tree Way is far from being an
RRR-3 | accurate study of the true environmental impacts this
expansion will have. This expansion will significantly
impact our already congested roads especially Lone Tree
Way. I don't think this can be mitigated. Not to mention
that the additional amount of foot traffic from other towns
this will result in an increase of air pollution and carbon
footprint of our community. It will also impact our
existing grocers and small market stores.

Please take that into consideration as you prepare the
final study.

Sincerely,



Zachary Wildes
602 Doolittle Way
925-768-6738

RECEIVED
JAN 25 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

RRR. RESPONSES TO COMMENTS FROM ZACHARY WILDES, DECEMBER 18, 2009

Response RRR-1

Traffic Congestion: As discussed in Section II. K. *Traffic and Circulation* on pages 143 through 164 of the DEIR, the traffic generated by the project would result in a one potentially significant traffic impact – a slight increase in congestion and delay at the Lone Tree Way/Deer Valley Road intersection in 2025. The mitigation for this impact is to optimize the timing of the existing traffic signals which would result in a level of congestion that is no worse than pre-project conditions.

Response RRR-2

Air Quality: As discussed in Section II. M. *Air Quality* on pages 37 through 61 of the DEIR, the air emissions resulting from traffic generated by the Walmart expansion project would result in a less-than-significant air quality impact according to the emissions thresholds established by the Bay Area Air Quality Management District (BAAQMD).

Response RRR-3

Impact on Existing Grocers and Small Markets: The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. In addition, the Walmart expansion is unlikely to draw a substantial number of shoppers away from smaller markets and shops since these stores survive by focusing on a different market niche than major supermarkets, such as convenience, ethnic, or specialty goods. These issues are discussed in further detail under *Master Response 1 – Retail Effects*.

SSS

January 18, 2010

Alexis Morris
Senior Planner
Community Development
City of Antioch
P.O. Box
Antioch, CA 94531

Re: WalMart Supercenter

Dear Ms. Morris:

SSS-1

I am writing in regards to the Wal-Mart Supercenter proposal. If this development is approved, this will cause significant economic impacts to the community. Not only will this negatively affect our existing grocery stores and possibly close them down, but this will force employees at these stores to either find new jobs or be transferred to stores outside of Antioch. This will not allow for Antioch to have a neighborhood centers we can walk to. Employees and customers will be forced to get in their cars and drive.

SSS-2

It's not worth it. Think about the future of Antioch and do what's right.

Thank you,

Charlisa Wilson

Signature

Charlisa Wilson

Print Name

920 Paisley Ct

Address

(925) 783-9424

Phone

RECEIVED
JAN 26 2010
CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

SSS. RESPONSES TO COMMENTS FROM CHARLISA WILSON, JANUARY 18, 2010

Response SSS-1

Grocery Store Closings: The DEIR does not conclude that the project would result in grocery store closures. The economic impact analysis by Bay Area Economics (BAE), which is summarized on pages 102 through 110 of the DEIR, states that existing supermarkets could undergo short-term average sales reductions of 3 to 6 percent depending on which growth scenario is considered, and that average sales would return to pre-project levels in 3 to 5 years. This temporary effect would be unlikely to result in any store closures. This issue is discussed in further detail under *Master Response 1 – Retail Effects*.

Response SSS-2

Jobs: The comment includes no evidence that any jobs would be lost as a result of the Walmart expansion. In addition, the issue of jobs is a socio-economic question which is not subject to review under CEQA which confines environmental analyses in EIRs to direct or indirect physical impacts. Since no physical changes to the environment would occur from purely socio-economic issues such as jobs and benefits, these issues are not within the range of issues required to be addressed in EIRs prepared under the CEQA. This issue is discussed in further detail in *Master Response 2 – Socio-Economic Effects*.

V. RESPONSES TO COMMENTS PRESENTED AT THE PLANNING COMMISSION HEARING OF JANUARY 6, 2010

In this chapter, the comments presented on the Walmart Expansion DEIR at the January 6, 2010 Planning Commission hearing are summarized. The individual comment summaries are followed in turn by responses to those comments.

TTT. RESPONSES TO COMMENTS FROM DEVI LANPHERE, ANTIOCH CHAMBER OF COMMERCE

Comment TTT-1

Devi Lanphere with the Chamber of Commerce stated that she is in support of the project, is excited to see the project go forward and feels this is a great opportunity for the City to receive revenue as well as provide jobs. She stated that Antioch lost WinCo and that given that Walmart is a good member of the community, does not want to make it difficult for projects like this in Antioch.

Response TTT-1

The comments in support of the proposed project are duly noted. Since the comments do not address the Draft EIR itself, and since they raise no new environmental issues or concerns, no response is required.

UUU. RESPONSES TO COMMENTS FROM MELROY TERGEN

Comment UUU-1

Melroy Tergen stated that he is representing twelve people who support the development of the project. He stated that WinCo is in Pittsburg and in Brentwood and not in Antioch. He stated that this project would provide jobs, be a benefit to the community and that Super Walmarts are located throughout the country and should not be denied here.

Response UUU-1

The comments in support of the proposed project are duly noted. Since the comments do not address the Draft EIR itself, and since they raise no new environmental issues or concerns, no response is required.

VVV. RESPONSES TO COMMENTS FROM GEORGE AND PATRICIA DAVIS

Comment VVV-1

Chairman Langford read the statement left by George and Patricia Davis who stated that they are very disappointed that the Planning Commission previously denied Walmart to expand in Antioch and would like the Commission to reconsider the previous decision and allow a Super Walmart in Antioch.

Response VVV-1

The comments in support of the proposed project are duly noted. Since the comments do not address the Draft EIR itself, and since they raise no new environmental issues or concerns, no response is required. (As a point of clarification, the Planning Commission did not previously deny the Walmart expansion.)

WWW.RESPONSES TO COMMENTS FROM LISE BARTL-LEWIN

Comment WWW-1

Chairman Langford read a comment from Lise Bartl-Lewin who stated that she is against Walmart's addition on Lone Tree Way, that she lives in the neighborhood, that crime and littering has increased and she is afraid to walk along in the area.

Response WWW-1

Crime and Security: As described on pages 138 and 139 of the DEIR, the applicant proposes to include a number of security measures in the operation of the expanded store, including the installation of additional surveillance cameras inside and outside the store; the establishment of a risk control team to ensure safety and security inside the store; a third party security company to ensure safety and assist customers outside the store, among other things. This issue is discussed in further detail in *Master Response 3 – Crime and Security*.

Litter: The City of Antioch Municipal Code contains extensive and detailed requirements for Commercial Property Maintenance. In particular, Section 5-1.204(G)(8) of the Municipal Code requires that "litter removal be performed daily." Failure to properly manage and maintain commercial property constitutes a violation of the Municipal Code.

XXX. RESPONSES TO COMMENTS FROM BOBBIE BRITTNER

Comment XXX-1

Bobbie Brittner stated that she is supportive of the project, and is thrilled that the Planning Commission is considering going forward with it at this time. She stated that she lives nearby, that she feels comfortable, feels the store is well run and she strongly approves the project.

Response XXX-1

The comments in support of the proposed project are duly noted. Since the comments do not address the Draft EIR itself, and since they raise no new environmental issues or concerns, no response is required.

VI. REVISIONS TO THE TEXT OF THE DRAFT EIR

The following section contains revisions to the Draft Environmental Impact Report for the Antioch Walmart Expansion project. Underlining depicts text added while ~~strikeouts~~ depict text removed.

INTRODUCTION

Page vi – REVISE the fourth paragraph on the page as follows:

This EIR is a Subsequent EIR to a Previously Adopted Mitigated Negative Declaration (MND)

The proposed project involves a building expansion (primarily for grocery sales), for which the land use, building envelope, and floor area was previously included in the City's approval of the original entitlements (e.g., Final Development Plan, Master Use Permit, and Parcel Map) for the Williamson Ranch Plaza Project (Phases 1 and 2) in 1998. This original approval was for a commercial shopping center with a gross floor area of up to 245,100 square feet. (In 2000, the City approved development of Phases 3 and 4 of the Williamson Ranch Project which included up to 105,500 square feet of commercial shopping center.) The CEQA documentation for the original project (Phases 1 and 2) consisted of an Initial Study/Mitigated Negative Declaration (MND 98-10) which was adopted in conjunction with project approval. The current project proposal includes site and building modifications which are subject to Design Review approval. According to the City Zoning Code, the purpose of design review is to: *"promote the orderly and harmonious development of the city, the stability of land values and investments, and the general welfare and to encourage and promote the highest quality of design and site planning to delight the user and others who come in contact with uses and structures in the city"* (Zoning Code §9-5.2701(B)). ~~No other City entitlements are required for the proposed expansion and project modifications.~~ (See Section I. *Project Description* for details.)

I. PROJECT DESCRIPTION

B. DESCRIPTION OF SITE AND SURROUNDING LANDS

Page 1 REVISE the fourth paragraph on the page, and add a new fifth paragraph, as follows:

Surrounding Land Use

The remaining portions of the Williamson Ranch Plaza are largely built-out with commercial retail, professional office, and restaurant uses. (The final phase of development consists of a 20,000 square foot office building which has been approved for development at the west end of the plaza.) The land uses immediately to the north, west and south of the Williamson Ranch Plaza are essentially the same as existed in 1998. The site is bordered on the north by East Antioch Creek, an excavated flood control channel with a width of 80 to 90 feet in this reach. To

the north of the channel is the Parkside neighborhood of single-family dwellings, the nearest of which back onto the creek channel and are located just over 100 feet from the project boundary. To the west lies the Prewett Family Park. ~~The Mokelumne Aqueduct runs underground along the southern project frontage.~~ Across Lone Tree Way to the south is a community park which includes the historic Williamson Ranch complex, beyond which is the Williamson Ranch residential community.

The Mokelumne Aqueduct of the East Bay Municipal Utility District (EBMUD) runs underground along the southern frontage of the Walmart property. The existing main entrance driveway for the existing Walmart store crosses over the Mokelumne Aqueduct and its right-of-way. The proposed Walmart expansion project includes no plans or proposals for altering the existing vehicular crossing over the aqueduct in any way. (Note: This EIR does not identify any mitigation measures, for traffic impacts or otherwise, which would necessitate physical alteration or construction within EBMUD's right-of-way for the Mokelumne Aqueduct.)

C. DESCRIPTION OF THE PROPOSED PROJECT

Page 13 REVISE the description of 'Security Features' as follows:

Security Features

Based on information provided by the applicant, the following security measures will be implemented in the operation of the expanded store:

- Conduct a risk analysis (crime survey) of the area to evaluate the security needs for the store and implement a security plan based upon this analysis.
- Install closed-circuit camera systems (surveillance cameras) inside and outside the store. Digital recording cameras will be used that have scanning and recording capabilities. The cameras used on the exterior of the building will be able to monitor the entire perimeter of the store.
- ~~Establish a parking lot patrol for the Walmart store area~~ Provide a third party security company to patrol the parking lot between the hours of 8:00 AM and 10:30 PM for the Walmart store area, which patrol assists customers, ensures safety and takes action to identify and prevent any suspicious activity (such as loitering and vandalism) during hours of operation. The patrol will be available to escort those shoppers who want assistance going to their vehicles. It will have an electric cart or scooter to patrol the parking area and the area behind the store.
- Establish a parking lot patrol for the Walmart store area, which patrol assists customers, ensures safety and takes action to identify and prevent any suspicious activity (such as loitering and vandalism) during hours of operation. The patrol will be available to escort those shoppers who want assistance going to their vehicles. It will have an electric cart or scooter to patrol the parking area and the area behind the store.
- Establish a Risk Control Team, which is a team of associates responsible and trained to identify and correct safety and security issues at the site. The Risk Control Team will be on duty during hours of operation. The Risk Control Team will patrol the inside of the store to ensure safety and security. The lead patrol officer will have a phone/device to notify law enforcement quickly of problems at the store.
- Train cashiers to oversee self checkout lines to ensure a smooth checkout process and to prevent minors from making unlawful purchases.
- Provide lighting in the parking area that will ensure public safety.

- Prohibit consumption of alcohol in the Walmart parking lot by having associates regularly “patrol” the parking area while collecting shopping carts, and report any inappropriate activity to the store manager. (Also, per state law, alcohol sales will be limited to the hours of 6 AM to 2 AM of the following day.)

II. ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

D. CULTURAL RESOURCES

Page 72 REVISE the ‘Mitigation D1’ as follows:

Mitigation D1. Implementation of the following measures will mitigate any potential impacts to archaeological resources:

- **If any prehistoric or historic artifacts, or other indications of archaeological resources are found once project construction is underway, all work in the within 25 feet of the find must stop and the City shall be immediately notified. An archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be retained to evaluate the finds and recommend appropriate mitigation measures for the discovered cultural resources, which shall be implemented.**

H LAND USE AND PLANNING

Page 101 REVISE the discussion under ‘Zoning’ as follows:

Zoning

The planned Walmart expansion is consistent with the land use provisions of the P-D Zoning District covering the site, which permits grocery sales and general merchandise sales. The planned expansion will bring the total constructed floor area of Phase 1 and 2 of the Williamson Ranch Plaza to 221,626 square feet, which is within the maximum 245,100 square feet permitted under the P-D Zoning for the site. The planned expansion will be subject to the development standards, guidelines and criteria applicable to the site, as contained in the Williamson Ranch Plaza Development Standards and the Williamson Ranch Plaza Sign Criteria, which were approved by City Council in 1998. ~~Therefore, the only General Zoning Ordinance provisions which will be applied to the site will be the general provisions~~ related to the enhancement of visual quality of development and the reduction or avoidance of aesthetic impacts and conflicts with adjacent uses and other Zoning Ordinance provisions will be applied. The consistency of the project with all of the applicable provisions pertaining to quality of the project design and its compatibility with neighboring land uses will be ensured through the City’s design review process.

J. PUBLIC SERVICES

Pages 138 – 139 REVISION: REVISE the impact discussion on ‘Police Protection’ as follows:

Police Protection

The most frequent incidents requiring police involvement at the project would likely be shoplifting and incidents in the parking lot such as theft from vehicles. The Department currently responds to an average of two five calls per day week from the existing Walmart store. Walmart has a security staff which handles pre-processing for most shoplifting cases, which saves the Police Department considerable time in processing these cases. With the expansion of the Walmart, calls from the project are expected to increase in proportion to customer traffic.

~~According to~~ Police Captain Allan Cantando has indicated that with the incorporation of the security measures included in the Walmart expansion project (listed below) the Antioch Police Department has adequate staff and equipment to respond to increased frequency of emergency calls that would be generated by the expansion project. In addition, Captain Cantando indicated that the project would not compromise the Police Department’s ability to respond to emergency calls in other parts of the City while maintaining response time standards, either upon project opening or in the future (see Impact J2 below for a discussion of cumulative impacts to public services).

The project applicant has indicated that Walmart will implement the following security measures in its operation of the expanded store:

- Conduct a risk analysis (crime survey) of the area to evaluate the security needs for the store and implement a security plan based upon this analysis.
- Install closed-circuit camera systems (surveillance cameras) inside and outside the store. Digital recording cameras will be used that have scanning and recording capabilities. The cameras used on the exterior of the building will be able to monitor the entire perimeter of the store.
- Establish a parking lot patrol for the Walmart store area, which patrol assists customers, ensures safety and takes action to identify and prevent any suspicious activity (such as loitering and vandalism) during hours of operation. The patrol will be available to escort those shoppers who want assistance going to their vehicles. It will have an electric cart or scooter to patrol the parking area and the area behind the store.
- ~~Establish a parking lot patrol for the Walmart store area~~ Provide a third party security company to patrol the parking lot between the hours of 8:00 AM and 10:30 PM for the Walmart store area, which patrol assists customers, ensures safety and takes action to identify and prevent any suspicious activity (such as loitering and vandalism) during hours of operation. The patrol will be available to escort those shoppers who want assistance going to their vehicles. It will have an electric cart or scooter to patrol the parking area and the area behind the store.
- Establish a Risk Control Team, which is a team of associates responsible and trained to identify and correct safety and security issues at the site. The Risk Control Team will be on duty during hours of operation. The Risk Control Team will patrol the

inside of the store to ensure safety and security. The lead patrol officer will have a phone/device to notify law enforcement quickly of problems at the store.

- Train cashiers to oversee self checkout lines to ensure a smooth checkout process and to prevent minors from making unlawful purchases.
- Provide lighting in the parking area that will ensure public safety.
- Prohibit consumption of alcohol in the Walmart parking lot by having associates regularly “patrol” the parking area while collecting shopping carts, and report any inappropriate activity to the store manager. (Also, per state law, alcohol sales will be limited to the hours of 6AM to 2AM of the following day.)

The Police Department would also be involved in development review process for the project to ensure that crime prevention measures are included in the project design. These measures may include security alarms, surveillance equipment, security guards, adequate lighting for parking lots and walkways, and landscaping and building design to eliminate potential crime areas.

Based on the above discussion, the project’s impact on police services would be *less than significant*.

K. TRAFFIC AND CIRCULATION

Page 153 CORRECT the last sentence in the third full paragraph on the page as follows:

(For a detailed discussion of trip generation for the project, see the traffic report in Appendix G H.)

K. TRAFFIC AND CIRCULATION

Page 153 CORRECT Table 11 as follows:

**TABLE 11
WALMART EXPANSION TRIP GENERATION**

TIME PERIOD	LAND USE	Trip Generation Rate			Project Trips		
		In	Out	Total	In	Out	Total
AM Peak	Free Standing Discount Store (130.213 KSF)	0.72	0.34	1.06	(94)	(44)	(138)
	<i>Discount Store Pass-by (0)</i>				0	0	0
	Free Standing Discount Superstore (170.187 KSF)	0.94	0.75 0.73	1.67	159	125	284
	<i>Discount Superstore Pass-by (0)</i>				0	0	0
	Net New Vehicle Trips				65	81	146
PM Peak	Free Standing Discount Store (130.213 KSF)	2.50	2.50	5.00	(326)	(325)	(651)
	<i>Discount Store Pass-by (17%)</i>				56	55	111
	Free Standing Discount Superstore (170.187 KSF)	2.26	2.35	4.61	385	400	785
	<i>Discount Superstore Pass-by (28%)</i>				(108)	(112)	(220)
	Net New Vehicle Trips				7	18	25

Source: Kimley-Horn and Associates.

[Note: The corresponding table from the Traffic Report contains the correct number in the original. The incorrect number in the DEIR is due to a transcription error from the corresponding table in the Traffic Report and does not affect the traffic calculations reported in the Traffic Report or DEIR.]

VII. ATTACHMENTS TO COMMENT LETTERS SUBMITTED ON THE DRAFT EIR

The material in this portion of the document consists of printed material submitted as an attachment to one of the comment letters. This attachment has been assigned an exhibit number, as listed below, and is reproduced on the following pages.

Exhibit “A” – East Bay Municipal Utility District (EBMUD) – Materials Related to the Mokelumne Aqueduct Right-of-Way

EXHIBIT "A"



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.).

APPENDIX A

**Illingworth & Rodkin Memo
Responses to Comments on Noise Section of DEIR**

Prepared by

Illingworth & Rodkin, Inc.

April 2010

ILLINGWORTH & RODKIN, INC.
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M E M O

Date: April 1, 2010
To: Bert Verrips
Email: bverrips@aol.com
From: Richard B. Rodkin, PE
SUBJECT: **Antioch Wal-Mart Expansion –
Response to Comments on Noise Section of DEIR**

This memo presents responses to comments related to noise submitted by Mark R. Wolfe, M.R. Wolfe & Associates, P.C.¹

Comment 1, page 6, first paragraph:

“Since the EIR admits that the area is already heavily impacted by noise, it is difficult to understand how any noise increment can be found to be less than significant or cumulatively considerable.”

Response:

While noise levels are high along the major roadways serving the Wal-Mart Store, Lone Tree Way and Hillcrest Avenue, measured noise levels near the residential property line north of the existing Wal-Mart loading dock were 54 dBA CNEL on weekdays and 53 dBA CNEL on weekends. The City of Antioch General Plan considers noise levels of up to 60 dBA CNEL to be appropriate for residential land uses throughout Antioch.

Comment 2, page 6, second paragraph:

“The site is directly adjacent to residential uses that will experience increased operational noise from stationary sources. However, the DEIR dismisses the significance of noise impacts to the adjacent residential area without evaluating the combined effects of all of the noise sources.”

Response:

The project site adjoins the East Antioch Creek that acts as a buffer between the project site and the nearest residences to the north. Measured noise levels behind the existing store clearly demonstrate that existing operations are generating noise levels that are clearly compatible with single-family residential noise limits. The noise study focused on changes to the site plan that could cause changes in noise levels at the most affected

¹ Letter to Alexis Morris, Senior Planner, Community Development Department, City of Antioch, from Mark R. Wolfe, February 12, 2010.

residences as a result of the relocation or addition of specific activities at the project site. The focus of the noise study was on the intermittent maximum noise levels or average noise levels resulting from new equipment, such as truck refrigeration units associated with the re-located supermarket loading dock. The analysis of these new and intensified noises focused on a comparison to appropriate hourly or maximum intermittent noise level standards. If one were to look at this in aggregate and look at the change in the 24-hour day/night average noise level, as is indicated in this comment and in subsequent comments, new potential impacts would be masked. Overall noise levels at any residence along the northern property line will increase by, at most, about 1 dBA CNEL, resulting primarily from noise from the new refrigeration equipment planned on the west side of the store. [This assumes the implementation of the mitigation for the refrigeration equipment consisting of a noise barrier around the units.] The noise resulting from all other activities identified in the analysis would cause a change in noise levels of less than 0.5 dBA CNEL. Such a small incremental change is not normally predictable within the measurement or modeling precision for environmental acoustics, would be imperceptible, and is well below the City's increase threshold of 3 dBA CNEL.

Comment 3, page 6, third paragraph:

“The project will also generate additional traffic that will increase already unacceptable noise levels affecting residential streets in the project vicinity. The DEIR dismisses the significance of the noise problem because the project by itself does not add more than 3 dBA to the noise level. But, if the General Plan permits unmitigated increments of 3 dBA and the City continues to approve such projects, residential neighborhoods will not attain the City's noise objectives.”

Response:

The project is calculated to increase traffic noise levels by 0.1 dBA CNEL along Hillcrest Avenue adjacent to the project site and up to 0.2 dBA CNEL along Lone Tree Way on either side of Hillcrest Avenue. The predicted increases, within the ability to model and measure community noise, should be considered “no change”. The proposed project would cause no impact on traffic noise levels in the area.

Comment 4, page 6, paragraph 6:

“For example, the traffic noise increase is stated, but there is no indication of the traffic volumes or speeds used for the analysis” ... etc.

Response:

The project would cause an incremental increase in traffic on adjacent roadways. Traffic noise levels are a function primarily of traffic volume and traffic speed with increases in volume or speed causing an increase in calculated noise level. Traffic speeds tend to decrease with increasing volume. To be conservative it was assumed that the traffic speeds would remain the same as in the existing baseline condition. Changes in overall noise levels resulting in a change in volume are calculated using a logarithmic relationship of traffic volume to noise level changes. The traffic data for the roadway

segments are contained in the appendix to the Kimley-Horn traffic report in Appendix H of the DEIR. Since the traffic report is focused on the analysis of operational traffic impacts during the critical AM and PM peak traffic periods, it does not include trip distributions and assignments to study area roadways for average daily conditions. Therefore, the assessment of roadway noise impacts is based on traffic volume data for the affected roadways during the peak period which is subject to the greatest increase in traffic volume due to the project, which is extrapolated to calculate average daily noise levels in terms of CNEL. This is the standard method for calculating roadway noise increases resulting from land development projects. The following AM peak hour volumes were used in the analysis, based on traffic volume data contained in the Traffic Report in Appendix H of the DEIR.

Roadway Segments	AM Peak Hour Traffic Volumes			
	Existing	Existing + Project	Cumulative	Cumulative + Project
Lone Tree Way east of Hillcrest	1833	1874	3093	3133
Long Tree Way west of Hillcrest	1857	1925	3310	3378
Hillcrest north of Lone Tree	1023	1046	1754	1777
Hillcrest south of Lone Tree	229	233	1805	1808

Source: Kimley-Horn & Associates.

Utilizing these data, the project was calculated to cause noise level increases of 0.1 dBA along Hillcrest Avenue north and south of Lone Tree Way and Lone Tree Way east of Hillcrest Avenue, and 0.2 dBA along Lone Tree Way west of Hillcrest Avenue. Because the project's contribution to increased noise levels in the area would only be a small fraction of a single decibel, such an increase is not cumulatively considerable, so the project cannot contribute to a cumulative impact. Roadway segments were also analyzed along Lone Tree Way and Indian Hill Drive and along Hillcrest Avenue at the project access road with similar results.

Comment 5, page 6, paragraph 7:

"... the source noise level of refrigeration trucks is not provided."

Response:

The source level, based on field measurements of actual units at a creamery in Petaluma and a packaged food manufacturing facility in Santa Rosa, is 86 dBA at 10 feet with a diesel unit operating at high speed. All other levels are referenced to that source level. The methodology used to predict noise levels at the residential property line follow standard barrier theory and assume spherical propagation losses with no excess

attenuation. Other geometrical information necessary to analyze barrier effects is presented on page 16 of the October 2009 Environmental Noise Assessment prepared by Illingworth & Rodkin, Inc. and included as Appendix G to the DEIR.

Comment 6, page 7, paragraph 1:

“Please also identify and provide documentation of the “field observations” of “typical loading noise from trailers backed up to rubber gaskets” referenced in the noise assessment on page 15.”

Response:

I&R staff have measured the unloading of trucks at supermarkets on several occasions. These locations include the Lucky Supermarket in Petaluma, California, the Lucky Supermarket in Concord, California, and the Albertson’s Supermarket in Pacific Grove, California. On each of these occasions, measurements were conducted over a period of from one hour to several hours during which time it was confirmed that the refrigeration trucks were being unloaded. Other activities associated with the supermarket loading docks, such as the circulation of trucks, pallet jacks and fork lifts, were identified as significant contributors to measured noise levels at adjacent property lines. Because the noise of the unloading of the trucks was found to not generate noise levels that were measurable, noise levels were not reported. There is no additional written documentation.

Comment, page 7, paragraph 2:

“Please identify and provide documentation of the noise levels for the following sources, including source noise measurements, durations and times of day for the noise, and the determination of resulting noise levels at nearby residences” ...

Response:

Because the project is the expansion of an existing store, sources of noise that currently occur at the store that would be representative of existing and project added noise sources, were measured at the Wal-Mart Store. These data are presented in Figure 3 of the previously referenced environmental noise study for the project prepared by Illingworth & Rodkin, Inc. in October 2009. Data on the parking lot sweepers was taken from the Red Bluff Wal-Mart Supercenter Environmental Impact Report, City of Red Bluff, August 2008. Noise compressor data was submitted from a typical manufacturer of such equipment for Wal-Mart stores. The manufacturer’s data for prototypical units was based on Recold Type JC285 compressor units. Noise from trash compactors was measured by I&R at the Pacific Grove Albertson’s Store in February 2000. Data for the pallet area was measured in the October 2008 noise survey for this Wal-Mart Expansion DEIR at Monitoring Location ST-2, which had an unobstructed view of the pallet area. Data for rooftop mechanical equipment was based on measurements at several commercial centers conducted during the preparation of other environmental studies or as a part of noise control engineering projects. As noted on page 17 of the noise study and referenced in the comment, rooftop mechanical equipment is expected to be similar to

rooftop equipment at the existing store. Such equipment was not detectable at the noise measurement locations and does not make a measurable or distinguishable contribution to the ambient noise environment. Nonetheless, a noise performance standard was established for this equipment to ensure that noise control treatments are incorporated, if required for the selected equipment, to meet the noise performance standard. Noise levels from the proposed parking areas were based on observations of existing parking areas near potentially affected residences as noted on page 16 of the Environmental Noise Assessment, and calculated levels for low speed, low volume traffic movements using the standard FHWA Traffic Noise Model algorithm.

Comment 8, page 7, paragraph 4:

“It is difficult to understand how the noise environment of the entire project vicinity can be adequately characterized by a single CNEL measurement location. The noise assessment should be revised to provide additional measurement locations.”

Response:

Residences affected by noise from the proposed project are located north of the East Antioch Creek. [A long-term measurement location was selected near the center of the existing store where source noise levels could be measured from existing activities.] Additional short-term measurements were made in order to characterize variations in the noise environment along the property line of the residences to the north. The noise monitoring locations were selected to provide a conservative and comprehensive set of data to establish the existing noise environment behind the store at sensitive receptors potentially affected by the proposed project.

Comment 9, page 7, paragraph 5:

“Neither the DEIR nor the General Plan provide a graphic or tabular noise contour showing existing and future noise for residential areas including residences directly north of the project that would be affected by the project. Without this information, it is impossible to evaluate the effects of the project’s noise or the wisdom of permitting additional development at this location.”

Response:

Generalized noise contours would not assist in the analysis of the noise impacts from the Wal-Mart Store. Baseline noise levels were measured to establish existing conditions at representative sensitive receiver locations most affected by the proposed expansion. These data provide a direct measure against which project-generated noise can be compared, in terms of intermittent maximum noise levels, hourly average noise levels, and noise levels averaged over a 24-hour period at the most affected receptors. Generalized noise contours could not be generated at a sufficient level of detail to provide any additional information in this analysis and would likely mask potential impacts that would be identified following the procedures used in the noise study.

Comment 10, page 7, paragraph 6:

“Please provide noise contours for areas in the project, including Hillcrest Avenue, Lone Tree Way, Ridge View Drive,” etc.

Response:

Again, a comparison of generalized noise contours in the area would not add any information to this analysis. The issue of noise contours for the project’s stationary sources is discussed in the preceding comment. With respect to traffic noise, the question is, would the project’s traffic cause a substantial increase in noise at sensitive receptors in the area? The analysis showed that project-generated traffic would increase noise levels by 0.1 to 0.2 dBA CNEL. Such an increase is insignificant by any measure, for both a project and cumulative analysis. No traffic data were produced for Ridgeview Drive, Crestpark Circle, and Williamson Ranch Drive since the project would generate very few trips and no traffic impacts along these roadways.

Comment 11, page 8, paragraph 1:

“The DEIR does not discuss any evaluation of the noise levels at the upper floors of the residences north of the project that would be most heavily affected by stationary noise sources.”

Response:

Noise levels were typically calculated at the residential property plane. The effect of noise barriers on the Wal-Mart property, such as at the Wal-Mart property line where trucks would be circulating immediately behind the sound wall, at the truck loading dock, and noise barriers that would shield ground level equipment, were included in the noise analysis. Predicted property plane noise levels are also representative of second-story residential noise exposures because in this geometry the barrier attenuation would be the same for the location above the existing residential sound wall at the property plane where noise levels were calculated, and at the second story exposure of the residences.

Noise from proposed refrigeration compressors was calculated in the rear yards of the residences, and noise levels were reported with and without the effect of existing and proposed noise barriers. In this instance, these barriers were not sufficient to mitigate the noise from this source. The newly proposed mitigation measure for the compressor noise, a barrier surrounding the compressors at least 3 feet higher than the height of the selected equipment, would be equally effective at reducing the compressor noise at the second story of the residences.

