

**Notice of Exemption**  
California Environmental Quality Act



**TO:**  **COUNTY CLERK**  
County of Contra Costa  
555 Escobar Street  
Martinez, CA 94553

**STATE OF CALIFORNIA**  
Office of Planning & Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814


**FROM:** **CITY OF CONCORD**  
**Planning Division**  
1950 Parkside Drive, MS/53  
Concord, CA 94519  
PHONE: (925) 671-3152  
FAX: (925) 671-3381

<b>PROJECT TITLE</b> <b>Local Reuse Authority's Acceptance of BCUS Acquisitions LLC's (Brookfield) Term Sheet</b>	
<b>PROJECT LOCATION - SPECIFIC</b> <b>Concord Naval Weapon Station, Concord, CA</b>	
<b>PROJECT LOCATION - CITY, COUNTY</b> <b>CITY OF CONCORD, CONTRA COSTA COUNTY</b>	
<b>PROJECT DESCRIPTION</b> Local Reuse Authority's Acceptance of BCUS Acquisitions LLC's (Brookfield) Term Sheet for the development of approximately 2,300 acres ("the Economic Development Conveyance property") at the former Concord Naval Weapons Station (CNWS); directing staff to Proceed to the Disposition and Development Agreement (DDA) stage of the Negotiation Period, as defined in the Exclusive Agreement to Negotiate (ENA); and approving the First Amendment of the ENA between the Local Reuse Authority and Brookfield to extend the DDA stage up to 48 months. The Term Sheet provides a framework to be further negotiated in the proposed DDA and statutory Development Agreement (DA) and reflected in the land use entitlement documents required to implement the project to redevelop the former CNWS, including a Specific Plan and Environmental Impact Report. The proposed development phases provide a balanced mix of land uses, parks and open space including the phased restoration of Mt. Diablo Creek.	
<b>NAME OF LEAD AGENCY APPROVING PROJECT</b> City of Concord 1950 Parkside Drive, M/S 53 Concord, CA 94519 (925) 671-3370	<b>PROJECT APPLICANT, ADDRESS, &amp; PHONE NUMBER</b> City of Concord 1950 Parkside Drive, M/S 53 Concord, CA 94519 (925) 671-3370
<b>EXEMPT STATUS (Check One)</b> <input type="checkbox"/> Ministerial (Sec. 21080(b)(1); 15268) <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a)) <input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269(b)(c)) <input type="checkbox"/> Statutory Exemption - CODE NO: _____ <input checked="" type="checkbox"/> Categorical Exemption - CLASS: <u>Not a "project" and/or exempt under Section 21065.</u> SECTION NO: <u>21065, 15060(c), 15378, 15061(b)(3)</u>	
<b>REASON WHY PROJECT IS EXEMPT</b> Pursuant to Public Resources Code Section 21065, CEQA Guidelines Sections 15060(c), 15061(b)(3), and/or 15378, City Council action on this item is not subject to environmental review under the California Environmental Quality Act (CEQA) of 1970, as amended, as it does not constitute a "project," does not commit the City to a definite course of action, does not constitute discretionary approval of a specific project, and will not result in a direct or reasonably foreseeable indirect physical change in the environment, and in the alternative is exempt from CEQA as it falls within the "common sense" exemption set forth in CEQA Guidelines Section 15061(b)(3), excluding projects where "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." This determination reflects the City's independent judgment and analysis. Individual projects will undergo CEQA analysis as necessary. Taking action on the attached Brookfield Term Sheet is a preliminary step that does not bind the City to approve the conceptual land use plan it is based upon. The DDA, Specific Plan, and associated land use approvals will be developed over the coming months and will be the subject of a subsequent EIR, all of which are subject to review by City and the City retains its discretion to act on those entitlements. Also, the City and Brookfield have expressly acknowledged in the Brookfield Term Sheet that the CEQA process could necessitate adoption of an alternative development plan and/or mitigation measures that could alter the ultimate project.	
<b>LEAD AGENCY CONTACT PERSON</b> Joan Ryan, Principal Planner	<b>TELEPHONE/EMAIL</b> (925) 671-3370; joan.ryan@cityofconcord.org

**This notice shall be filed only after approval of an exempt project.**

IF FILED BY APPLICANT:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No
3. Attach a \$50.00 check made payable to County of Contra Costa.
4. Attach original and two copies of this Notice of Exemption.
5. Attach two self-addressed, stamped envelopes.

SIGNATURE 	TITLE Principal Planner	DATE March 21, 2024
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Signed by:  Applicant  Lead Agency

**AFFIDAVIT OF COUNTY CLERK FILING AND POSTING**

I declare that on \_\_\_\_\_ I received and posted this Notice as required by California Public Resources Code Section 2115.2. Said Notice will remain posted for thirty (30) days from the filing date.

By \_\_\_\_\_ Date \_\_\_\_\_