

## **Appendix A      Agency Correspondence**

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DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD, SUITE 900  
SAN DIEGO, CA 92106-4310

5090

Ser BPMOW.els/0499

OCT 2 2013

Mr. Dan Cordova  
U.S. Fish and Wildlife Service  
2800 Cottage Way  
Sacramento, CA 95825-1846

Dear Mr. Cordova:

The Department of the Navy (Navy) seeks to initiate formal Endangered Species Act (ESA) Section 7 consultation for the transfer of approximately 5,038 acres of surplus federal property located within the Inland Portion of the former Naval Weapons Station Seal Beach Detachment Concord (NWS Concord), Concord, Contra Costa County, California. As discussed below, the Navy is seeking to join the ongoing U.S. Army Corps of Engineers (ACOE) Section 7 consultation supporting ACOE issuance of a Clean Water Act, Section 404 permit to the City of Concord for future redevelopment of surplus Federal property at NWS Concord. The ACOE initiated formal consultation with the submittal of a Biological Assessment (BA 2010-001-90S) on July 12, 2013.

The purpose of this letter is to summarize coordination thus far, describe the Navy's proposed action, and request a separate determination section in the joint Biological Opinion (BO) proposed for issuance to both the Navy and the ACOE.

Consultation History

- June 21, 2013- Navy submits letter to the U.S. Fish and Wildlife Service (USFWS) requesting early coordination on Section 7 approach for disposal of surplus property at NWS Concord
- July 16, 2013- Navy meets with USFWS in Sacramento for early coordination and USFWS recommends joint consultation between the Navy and ACOE
- September 10, 2013- USFWS, ACOE, Navy, and City of Concord meet to discuss Section 7 consultation for the transfer and reuse. All parties agree to pursue a joint consultation. The joint BO will have clearly-defined roles and responsibilities for the Navy and ACOE.

OCT 2 2013

**Navy's Proposed Action Area**

In 2005, a portion of the former NWS Concord was designated for closure under the authority of Public Law 101-510, the Defense Base Closure and Realignment Act of 1990, as amended. At the time of its closure, NWS Concord was comprised of two major land holdings - (1) the Tidal Area along Suisun Bay, and (2) the Inland Area. The Tidal Area along with 115 acres of the Inland Area were transferred to the U.S. Army and is now the Military Ocean Terminal Concord (6,419 acres in total). Approximately 59 acres of the Inland Area, which supported military housing, was transferred to the U.S. Coast Guard. The remaining 5,038 acres of the Inland Area was declared surplus to the federal government on May 6, 2007 (72 FR 9935) and is proposed for transfer out of Federal ownership for redevelopment. The Navy's proposed action is the administrative task of transferring the surplus property. The BA submitted to USFWS on July 12, 2013 by the ACOE analyzes the redevelopment as described in the City of Concord's Area Plan which was adopted by the City of Concord on January 24, 2012. The disposal of surplus property is the responsibility of the Navy, and the City of Concord is responsible for the implementation of the Area Plan. After the property has been conveyed to non-Federal entities, the property will be subject to local land use regulations, including zoning, land use plans, building codes, and other permit requirements which is no longer the responsibility of the Navy.

The Navy recognizes that the Navy's proposed property transfer, the ACOE's issuance of a 404 master permit to the City of Concord and the City of Concord's subsequent redevelopment are interrelated and interdependent. However, as an administrative action, the Navy's disposal of surplus property will have no effect on federally-listed species. The developer or future property owner will be responsible for adopting practicable means to avoid or minimize take of federally listed species that may result from implementing the Area Plan. Therefore, as proposed by the USFWS during the September 10, 2013 meeting, the Navy requests a separate section in the joint BO distinguishing the Navy's responsibilities and requirements from those of the ACOE post transfer. We look forward to

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continued consultation on this project and request a review of the draft BO prior to issuance.

Should you have questions or require additional information, the Navy's point of contact is Ms. Nicole Olmsted, Natural Resources Specialist, (Naval Facilities Engineering Command, Southwest). Ms. Olmsted can be contacted at 619-532-3618 or by email at [nicole.olmsted@navy.mil](mailto:nicole.olmsted@navy.mil).

Sincerely,

A handwritten signature in cursive script that reads "Alan K. Lee".

ALAN K. LEE

Base Closure Manager

By direction of the Director





**DEPARTMENT OF THE NAVY**  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE ROAD, SUITE.900  
SAN DIEGO, CA 92108-4310

5090  
Ser BPMOW/0343  
June 21, 2013

Mr. Dan Cordova  
U.S. Fish and Wildlife Service  
2800 Cottage Way  
Sacramento, CA 95825-1846

Dear Mr. Cordova:

In connection with the Base Realignment and Closure (BRAC) process, the U.S. Department of the Navy has initiated the environmental planning effort required for a **PROPOSED TRANSFER OF APPROXIMATELY 5,038 ACRES OF SURPLUS FEDERAL PROPERTY** located within the Inland Portion of the former Naval Weapons Station Seal Beach Detachment Concord (NWS Concord), Concord, Contra Costa County, California. To support this planning effort with an efficient and effective approach to compliance with Endangered Species Act (ESA) Section 7 consultation requirements, the Navy requests a meeting to conduct early planning and coordination with appropriate USFWS personnel.

This letter serves to preliminarily identify the proposed action area, describe the Navy's proposed action, and identify the known federally-listed species within the project area. Additionally, this letter describes the differing roles and responsibilities for property disposal and redevelopment, addresses an anticipated U.S. Army Corps of Engineers (ACOE) Section 7 consultation concerning a Section 404 permit for redevelopment activities, and proposes a path forward for Section 7 consultation regarding the BRAC disposal action.

**Navy's Proposed Action Area**

The Department of the Navy (Navy) is preparing a National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS) to evaluate the potential environmental consequences of the disposal and reuse of surplus property at the former NWS Concord. In accordance with NEPA, the Navy must analyze the environmental effects of the disposal of the NWS Concord property.

The project area examined within the NEPA EIS encompasses approximately 5,038 acres of surplus federal property located within the Inland Portion of the former NWS Concord. The project area is located within the City of Concord (see Figure 1) in the northeastern portion of the San Francisco Bay Area, approximately 28 miles northeast of the City of San Francisco. At this time, the Navy considers the 5,038 acres within the Inland Area to be the Section 7 Action Area.

### **Description of the Navy's Proposed Action**

In 2005, a portion of the former NWS Concord was designated for closure under the authority of Public Law 101-510, the Defense Base Closure and Realignment Act (DBCRA) of 1990, as amended. At the time of its closure, NWS Concord was comprised of two major land holdings – (1) the Tidal Area along Suisun Bay and (2) the Inland Area. The Tidal Area along with 115 acres of the Inland Area were transferred to the U.S. Army and is now the Military Ocean Terminal Concord (6,419 acres in total). Approximately 59 acres of the Inland Area, which supported military housing, was transferred to the U.S. Coast Guard. The remaining 5,038 acres of the Inland Area was declared surplus to the federal government on May 6, 2007 (72 FR 9935) and may be transferred to non-federal ownership for redevelopment. This proposed transfer to non-federal entities is the Navy's Proposed Action and the focus of its NEPA EIS. Figure 1 identifies the location of the proposed action (i.e., surplus property).

Per 10 USC 2687, at note Section 2905(c), the provisions of NEPA apply to the Navy's property disposal action. For the purposes of carrying out the NEPA assessment, the redevelopment plan submitted by the Local Redevelopment Authority, the City of Concord, is treated as part of the proposed Federal action (10 USC 2687, at note Section 2905(b)). Although the Navy's EIS will analyze the proposed community reuse, the City of Concord is responsible for the local reuse planning process, and the Navy has no role or responsibility in that planning process, or in the implementation of the community's reuse plan.

For purposes of NEPA, the proposed action is defined as the disposal of surplus NWS Concord property from federal ownership and its subsequent reuse by a future owner or developer in a manner consistent with the Concord Reuse Project Area Plan ("Area Plan"), as adopted by the City of Concord on January 24, 2012. The disposal of surplus property is the responsibility of the Navy, and the City of Concord is responsible for the implementation of the Area Plan. After the property has been conveyed to non-Federal entities, the property will be subject to local land use regulations, including zoning, land use plans, and building codes. As a result, the local community exercises substantial control over future use of the property. The developer or future property owner, under the direction of the City of Concord, and federal, state, and local agencies with regulatory authority over protected resources, will be responsible for adopting practicable means to avoid or minimize environmental harm that may result from implementing the community developed Area Plan.

### **City of Concord's Reuse Project Area Plan**

Following disposal of surplus federal property by the Navy to non-Federal entities, the property would be developed by a future owner or developer in a manner consistent with the Area Plan. Under the Area Plan, approximately 69% of the property would be maintained as conservation, parks, or recreational land uses, and the remaining 31% of the property would be redeveloped as a mix of office, retail, residential, community facilities, light industrial, and research and development/educational land uses. The redeveloped area would involve up to a

maximum of 12,272 housing units and 6,100,000 square feet of commercial space over a total development footprint of approximately 1,545 acres. The remaining portion of the property would be utilized for conservation, parks, or recreational land uses, including a 2,537 acre regional park, which would encompass the east side of the property along the ridgeline of the Los Medanos Hills. The western side of the property would be developed as a series of mixed-use development districts, with higher development densities at the north end of the property, near State Route 4 and the North Concord/Martinez Bay Area Rapid Transit (BART) station, and lower density residential villages as you move south towards Bailey Road. The development districts would be serviced by local and connector streets and two new through-streets, Los Medanos Boulevard running north/south from the BART station and Delta Road running east/west paralleling Highway 4. In addition, the transportation network will include a high-capacity bus transit service that will connect the development to BART, downtown Concord, and the surrounding neighborhoods. Figure 2 identifies the proposed land use plan.

For more information on the community's reuse plan for the former NWS Concord property, including copies of the Area Plan, CEQA environmental analysis, and other planning documents please see the City of Concord's reuse project Website at <http://www.concordreuseproject.org/>.

#### **Proposed City of Concord Master Permitting Process and Clean Water Act Section 404 Permit**

The Navy recognizes and supports the City of Concord's approach to establish a Master Natural Resources Permitting Framework to manage potential natural resource impacts and permitting through a comprehensive, site-wide, master permitting process – as opposed to having future individual development projects address these issues separately on a project-by-project basis. In addition, we understand that the City has met with USFWS and other stakeholders to discuss this master permitting process in the past and we understand that past coordination has been productive.

As part of developing the master permitting process, the City has applied to the ACOE for an Individual Clean Water Act Section 404 permit to authorize the fill of wetlands and other waters of the United States that would occur through implementation of the City of Concord's Area Plan. As a result of the Section 404 permit and as part of the larger City of Concord Master Natural Resources Permitting Framework, the City of Concord will:

- Incur permit condition obligations, which can be transferred to future individual developers within the permit area.
- Prepare a Compensatory Mitigation Plan and be responsible for mitigation required by ACOE.

- Create, enhance, and preserve aquatic features, and recoup appropriate expenses through entitlements for future development within the reuse area and associated development agreements.
- Develop, with ACOE, a mutually agreeable approach to long-term responsibility and funding for the mitigation (3<sup>rd</sup> party management with easement and endowment is ACOE's preferred approach).
- Establish a permit term of 10 years with expectation that wetland fill and mitigation within permit term.

As part of the Section 404 permitting process, the ACOE intends to engage in formal Section 7 consultation with USFWS. Such consultation will address the effects of authorizing such fill, as well as the effects of all interrelated and interdependent activities (i.e., implementation of the Area Plan), on threatened and endangered species and any designated critical habitat. The Navy understands that the ACOE has, or will in the near future, be submitting a Biological Assessment (BA) to initiate formal Section 7 consultation. Their consultation encompasses the entire site (i.e., approximately 5,038 acres of surplus federal property located within the Inland Portion of the former NWS Concord) and will address both the Area Plan development, and creation, enhancement and preservation of the endangered species habitat.

The ACOE is a NEPA Cooperating Agency in the Navy's EIS, because we understand that ACOE intends to "tier" off of the Navy's EIS to prepare an ACOE NEPA analysis that specifically supports a future Clean Water Act Section 404 permit. The Navy's EIS does not include the City of Concord's Master Natural Resources Permitting Framework or the specific actions required to support the ACOE's Section 404 permitting process as part of the Navy's proposed action. As mentioned, the Navy has no role in the redevelopment of the property, the City of Concord's Master Permitting Framework, or the City of Concord and ACOE Section 404 permitting process.

### **Federally Listed Species and Critical Habitat in the Vicinity of the Action Area**

The following federally-listed species are known to occur within the Action Area:

- California tiger salamander (*Ambystoma californiense*), federally-listed as threatened.
- California red-legged frog (*Rana draytonii*), federally-listed as threatened.

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Ser BPMOW/0343  
June 21, 2013

Additionally, the Inland Area may contain suitable habitat for the Alameda Whipsnake (*Masticophis lateralis euryxanthus*), a federally-listed species. No other federally-listed threatened or endangered, proposed, and candidate species and no proposed or designated critical habitat are known to exist within the Project Area.

**Proposed Navy/USFWS Early Coordination Meeting**

As an administrative action, the disposal of surplus property would have no effect on federally-listed species, nor would it destroy/adversely modify designated critical habitat. However, as an interrelated action, the subsequent redevelopment of the property by a future developer or owner “may affect, and is likely to adversely affect” listed species.

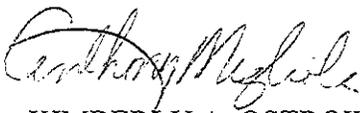
In order to ensure that the Navy addresses its ESA Section 7 requirements in an effective and efficient manner, the Navy requests a meeting to conduct early planning and coordination with the appropriate USFWS personnel. The purpose of the meeting would be to:

- 1.) Discuss and decide on an appropriate consultation approach to ensure Navy compliance with Section 7.
- 2.) Discuss how to most effectively recognize and maximize the use of the ongoing City of Concord/ACOE Master Permitting Process and Section 7 consultation relative to the Navy’s compliance with Section 7.

We will follow up with you soon to schedule the requested meeting and identify appropriate participants. Should you have questions or concerns, please contact Mr. Ronald Bochenek, at (619) 532-0906 or via email at [ronald.bochenek.ctr@navy.mil](mailto:ronald.bochenek.ctr@navy.mil).

Thank you in advance for your assistance.

Sincerely,

  
KIMBERLY A. OSTROWSKI  
Base Closure Manager  
By direction of the Director

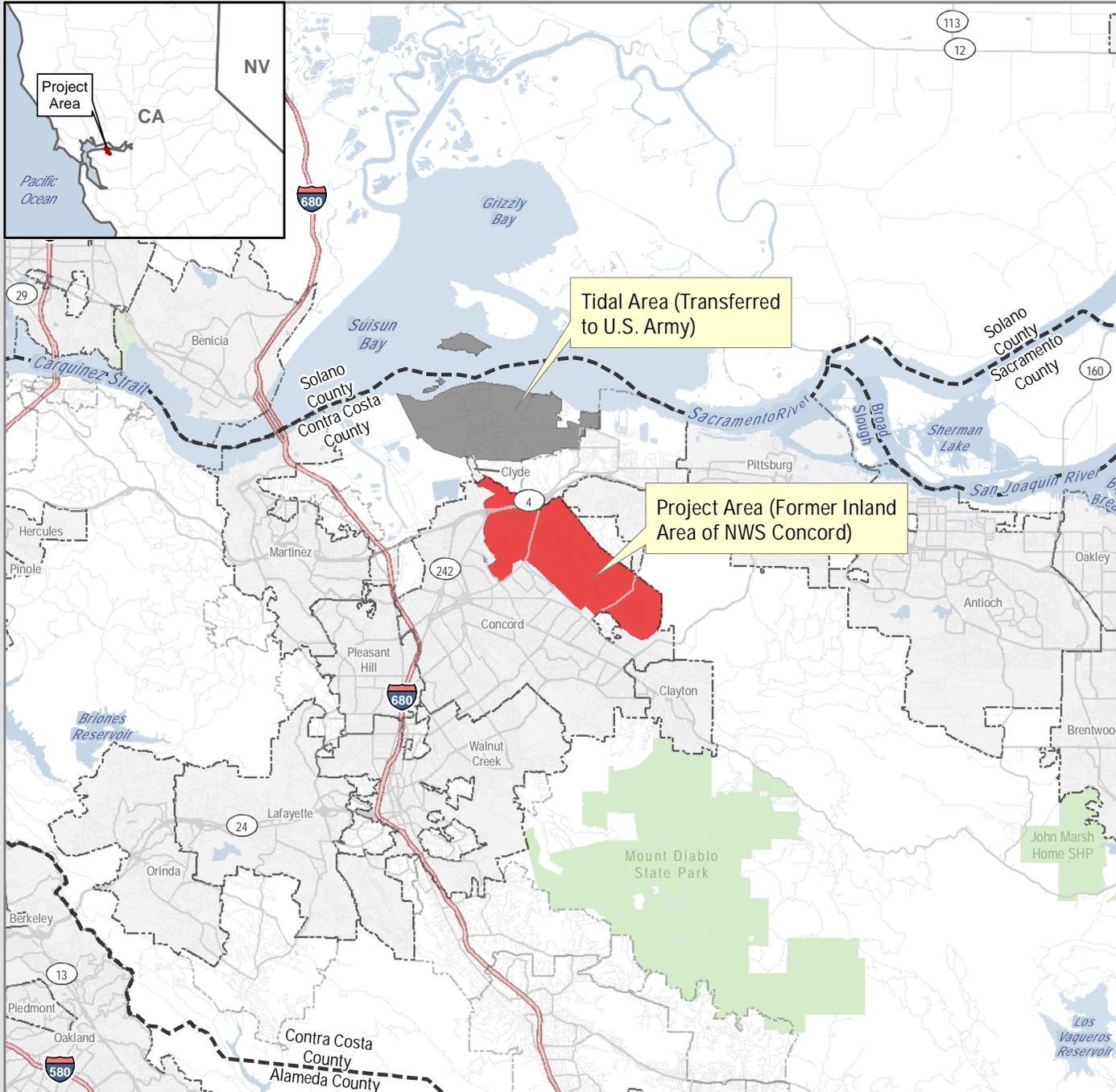


Figure 1  
Project Area

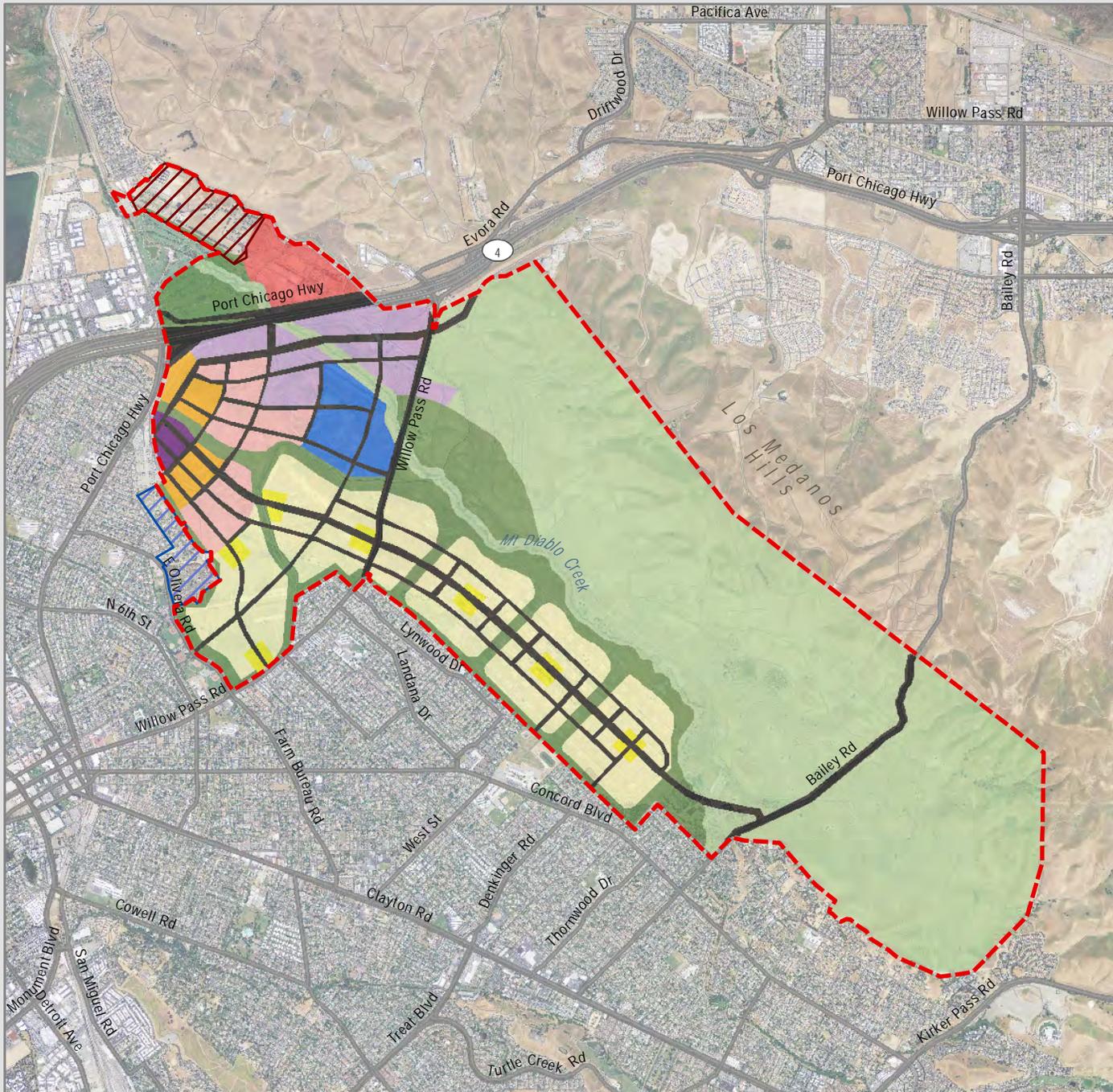
Legend

-  County Boundary
-  City Boundary
-  State Park
-  Waterbody



Source: ESRI 2010; NAIP 2012.

Figure 2  
Alternative 1: Concord  
Reuse Project Area Plan



Legend

-  Inland Area
- Land Use
-  Campus
-  Central Neighborhood
-  Commercial Flex
-  Conservation Open Space
-  First Responder Training Center
-  Greenways and Citywide Parks
-  North Concord TOD Core
-  North Concord TOD Neighborhood
-  Road
-  Village Center
-  Village Neighborhood
-  Transfer to U.S. Army
-  Transfer to U.S. Coast Guard

Scale:  
0 2,000 4,000  
Feet



Source: ESRI 2010; NAIP 2012.





REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
1455 MARKET STREET, 16<sup>TH</sup> FLOOR  
SAN FRANCISCO, CALIFORNIA 94103-1398

JUN 12 2013

Regulatory Division

Subject: File Number 2010-00190S

Mr. Rodney McInnis  
c/o Mr. Gary Stern  
National Marine Fisheries Service, Southwest Region  
777 Sonoma Avenue, Room 325  
Santa Rosa, California 95404-4731

Dear Mr. McInnis:

This letter serves to initiate informal Section 7 consultation pursuant to the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. § 1531 *et seq.*) (33 C.F.R. § 325.2(b)(5)) for federally listed Central California Coast Steelhead (*Oncorhynchus mykiss*), and designated critical habitat for this species.

The U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit from the City of Concord for the re-development of the Concord Naval Weapons Station, located in the City of Concord, Contra Costa County, California. This application is being processed pursuant to Section 404 of the Clean Water Act of 1973 (33 U.S.C. Section 1344). Work would include a multi-phased development of open land, with the creation of new city infrastructure, such as wastewater treatment, schools, fire stations, businesses, homes, parks and roads. Impacts to Corps jurisdiction would include grading and filling of seasonal wetlands and other waters over a span of years. Please see the attached "Biological Assessment," dated May 10, 2013, for more information.

The proposed project has been reviewed for its impacts to federally listed species and their designated critical habitat. According to documents provided by H.T. Harvey and Associates, Central California Coast Steelhead, and their habitat, may be present in the project vicinity. The applicant has proposed avoidance and minimization measures outlined in the enclosed documents on page 28. The Corps has determined that the proposed project would have no effect on the above outlined species and its designated critical habitat.

Additionally, the proposed project has been reviewed for potential impacts to EFH. The Corps has determined that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in California waters. This determination is based on the fact no species regulated by the Magnuson-Stevens Fishery Conservation and Management Act occurs on the project site.

Should additional information become available that would lead us to determine the proposed project would adversely affect any federally listed species, this letter would then serve as our written initiation of formal consultation pursuant to Section 7 of the Endangered Species Act of 1973, as amended (50 CFR Part 402.14).

You may refer any questions on this matter to Ian Liffmann of my Regulatory staff by telephone at (415) 503-6769 or by e-mail at [ian.liffmann@usace.army.mil](mailto:ian.liffmann@usace.army.mil). All correspondence should be addressed to the Regulatory Division, South Branch, referencing the file number at the head of this letter.

Sincerely,



Jane M. Hicks  
Chief, Regulatory Division

Enclosures

Copies Furnished (w/o encl):

City of Concord; Attn: Michael W. Wright  
H.T. Harvey & Associates

## Shawn Zovod

---

**From:** Liffmann, Ian SPN <Ian.Liffmann@usace.army.mil>  
**Sent:** Wednesday, January 22, 2014 9:57 AM  
**To:** Wright, Michael (Michael.Wright@cityofconcord.org); Shawn Zovod; Steve Rottenborn  
**Subject:** FW: [EXTERNAL] Concord Naval Weapons Station - Reuse Plan (2010-00190S)

FYI

Ian Liffmann  
U.S. Army Corps of Engineers  
Regulatory Division, 16th Floor  
1455 Market Street  
San Francisco, CA 94103  
(415) 503-6769

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

From: Liffmann, Ian SPN  
Sent: Wednesday, January 22, 2014 9:55 AM  
To: 'Gary Stern'  
Subject: RE: [EXTERNAL] Concord Naval Weapons Station - Reuse Plan (2010-00190S)

Hello Gary-

Thank you very much for your attention to this project. In light of our phone call yesterday morning, and the information provided in the email below, I agree that further consultation would not be necessary. At this point, the Corps does not have any further information that would indicate possible effects on federally listed fish species. The Corps is therefore withdrawing its request for consultation with NMFS on the Concord Naval Weapons Station Reuse Plan (file number 2010-00190S). Please let me know if you need any further information from the Corps.

Thank you,

-Ian

Ian Liffmann  
U.S. Army Corps of Engineers  
Regulatory Division, 16th Floor  
1455 Market Street  
San Francisco, CA 94103  
(415) 503-6769

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

From: Gary Stern [<mailto:gary.stern@noaa.gov>]  
Sent: Tuesday, January 21, 2014 10:48 AM  
To: Liffmann, Ian SPN  
Subject: [EXTERNAL] Concord Naval Weapons Station - Reuse Plan

Hi Ian,

As I mentioned to you by telephone this morning, NMFS has reviewed the materials provided with the Corps' June 12, 2013, request for section 7 consultation regarding the Reuse Plan for the Inland Area of the Concord

Naval Weapons Station. The proposed project's biological assessment dated May 10, 2013 prepared by H.T. Harvey & Assoc. assesses the potential effects of the project on several listed species including threatened Central California Coast (CCC) steelhead. On page 55, the biological assessment discusses man-made barriers to fish migration in Mt. Diablo Creek and concludes that steelhead can no longer access upstream areas in the watershed. This is consistent with other information regarding the watershed reported by Rob Leidy (Leidy et al. 2005) and others. Thus, NMFS concurs with the findings in the biological assessment that threatened steelhead are not present in the Mt. Diablo Creek, including the project's action area. Mt. Diablo Creek is not designated as critical habitat for CCC steelhead. With the biological assessment's determination (on page 76) that the proposed project would have "no effect" upon CCC steelhead, the Corps does not need to consult with NMFS pursuant to section 7 of the ESA. Please let me know if there is additional information NMFS should consider, or if the Corps would like to withdraw this request for section 7 consultation.

thank you  
Gary Stern  
707-575-6060

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DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
1455 MARKET STREET, 16<sup>TH</sup> FLOOR  
SAN FRANCISCO, CALIFORNIA 94103-1398

JUN 12 2013

REPLY TO  
ATTENTION OF

Regulatory Division

Subject: File Number 2010-00190S

Mr. Ryan Olah  
United States Fish and Wildlife Service  
Endangered Species Division  
2800 Cottage Way, W-2605  
Sacramento, California 95825

Dear Mr. Olah:

This letter serves to initiate formal Section 7 consultation pursuant to the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. § 1531 *et seq.*) (33 C.F.R. § 325.2(b)(5)) for federally listed California tiger salamander (*Ambystoma californiense*), California red-legged frog (*Rana aurora draytonii*), Alameda whipsnake (*Masticophis lateralis euryxanthus*), and San Joaquin kit fox (*Vulpes macrotis mutica*), and designated critical habitat for these species.

The U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit from the City of Concord for the re-development of the Concord Naval Weapons Station, located in the City of Concord, Contra Costa County, California. This application is being processed pursuant to Section 404 of the Clean Water Act of 1973 (33 U.S.C. Section 1344). Work would include a multi-phased development of open land, with the creation of new city infrastructure, such as wastewater treatment, schools, fire stations, businesses, homes, parks and roads. Impacts to Corps jurisdiction would include grading and filling of seasonal wetlands and other waters over a span of years. Please see the attached "Biological Assessment," dated May 10, 2013, for more information.

The proposed project has been reviewed for its impacts to federally listed species and their designated critical habitat. According to documents provided by H.T. Harvey and Associates, California tiger salamander, California red-legged frog, Alameda whipsnake, and San Joaquin kit fox, or their habitat, have the potential to be present in the project vicinity. The applicant has proposed avoidance and minimization measures outlined in the enclosed documents on page 28. The Corps has determined that the proposed project is likely to adversely affect California tiger salamander, California red-legged frog, and Alameda whipsnake, and will have no effect on San Joaquin kit fox, and request formal consultation on the above outlined species.

With this letter the Corps is initiating formal consultation in accordance with 50 C.F.R. 402.14(e) and 50 C.F.R. 600.905(b), and requests that formal consultation concludes within 90

calendar days of this letter. The ESA regulations further require that the biological opinion be delivered to the Corps within 45 days after the conclusion of formal consultation.

You may refer any questions on this matter to Ian Liffmann of my Regulatory staff by telephone at (415) 503-6769 or by e-mail at [ian.liffmann@usace.army.mil](mailto:ian.liffmann@usace.army.mil). All correspondence should be addressed to the Regulatory Division, South Branch, referencing the file number at the head of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jane M. Hicks', written over a horizontal line.

Jane M. Hicks  
Chief, Regulatory Division

Enclosures

Copies Furnished (w/o encl):

✓ City of Concord; Attn: Michael W. Wright  
H.T. Harvey & Associates



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
1455 MARKET STREET, 16<sup>TH</sup> FLOOR  
SAN FRANCISCO, CALIFORNIA 94103-1398

JUN 12 2013

Regulatory Division

Subject: File Number 2010-00190S

Mr. Rodney McInnis  
c/o Mr. Gary Stern  
National Marine Fisheries Service, Southwest Region  
777 Sonoma Avenue, Room 325  
Santa Rosa, California 95404-4731

Dear Mr. McInnis:

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The proposed project has been reviewed for its impacts to federally listed species and their designated critical habitat. According to documents provided by H.T. Harvey and Associates, Central California Coast Steelhead, and their habitat, may be present in the project vicinity. The applicant has proposed avoidance and minimization measures outlined in the enclosed documents on page 28. The Corps has determined that the proposed project would have no effect on the above outlined species and its designated critical habitat.

Additionally, the proposed project has been reviewed for potential impacts to EFH. The Corps has determined that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in California waters. This determination is based on the fact no species regulated by the Magnuson-Stevens Fishery Conservation and Management Act occurs on the project site.

Should additional information become available that would lead us to determine the proposed project would adversely affect any federally listed species, this letter would then serve as our written initiation of formal consultation pursuant to Section 7 of the Endangered Species Act of 1973, as amended (50 CFR Part 402.14).

You may refer any questions on this matter to Ian Liffmann of my Regulatory staff by telephone at (415) 503-6769 or by e-mail at [ian.liffmann@usace.army.mil](mailto:ian.liffmann@usace.army.mil). All correspondence should be addressed to the Regulatory Division, South Branch, referencing the file number at the head of this letter.

Sincerely,



Jane M. Hicks  
Chief, Regulatory Division

Enclosures

Copies Furnished (w/o encl):

City of Concord; Attn: Michael W. Wright  
H.T. Harvey & Associates



DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD, SUITE 900  
SAN DIEGO, CA 92108-4310

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Ser BPMOW.els/0049

JAN 30 2013

Mr. Tristan Tozer  
California Department of Parks and Recreation  
Office of Historic Preservation (OHP)  
1725 23rd Street, Suite 100  
Sacramento, CA 95816

Dear Mr. Tozer:

The Navy seeks State Historic Preservation Officer (SHPO) concurrence on the findings of the enclosed *Draft Historic Building Inventory and Evaluation Update Report, Inland Area, Concord Naval Weapons Station, Contra Costa County, California* (December, 2012) ("Draft Historic Evaluation Report," hereafter) (Enclosure (1)). As discussed at our November 18, 2012 consultation meeting, the Draft Historic Evaluation Report was prepared to support Navy's compliance with Section 106 for the proposed Base Realignment and Closure (BRAC) transfer at Naval Weapons Station Seal Beach (NWSSB) Detachment Concord ("former NWS Concord," hereafter), located in Contra Costa County, California (SHPO Reference: USN070813A). Specifically, the Draft Historic Evaluation Report aims to identify whether there are historic buildings or structures located within the Area of Potential Effect (APE) (Inland Area of the former NWS Concord proposed for transfer). We respectfully request your concurrence on our report's findings within 30 days, or by **March 1, 2013**. Via separate correspondence, the Navy is also concurrently seeking and considering the input of the consulting parties identified in the distribution list included in Enclosure (2).

The enclosed Draft Historic Evaluation Report provides an update to two previous Navy evaluation reports: ~~one for World War II-era buildings and structures (Self and Associates, 1993) and one for Cold War-era resources (JRP, 1998)~~. Taken together, the Self and Associates and JRP evaluations concluded that none of the Navy's buildings or structures within the Inland Area were eligible for the NRHP. The Navy consulted on these studies and received SHPO concurrence on both in the 1990s. The enclosed Draft Historic Evaluation Report re-affirms the findings of the two previous studies and confirms that the passage of time has not

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JAN 30 2013

affected the eligibility status of resources that were less than 50 years of age at the time of their initial evaluation. Overall, the enclosed Draft Historic Evaluation Report concludes that none of the 422 historic buildings or structures evaluated is eligible for listing in the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR), either individually or as part of a historic district.

The evaluation of NRHP/CRHR eligibility for buildings and structures within the APE is included in Chapter 4 of the enclosed report, with overall conclusions provided at the end of that chapter. Department of Parks Recreation (DPR) 523 site forms in Appendix B record the resources and provide resource-specific evaluations of NRHP/CRHR eligibility. Similar resources are grouped together by function or by general area on these DPR 523 site forms. Appendix A, Table 1 can assist the reader in identifying DPR 523 site forms of interest: Table 1 provides a list of all evaluated resources by Navy Building Number / Function and indicates which DPR 523 form addresses each resource. Appendix B then contains a large-format map of the APE/Inland Area, followed by the DPR 523 forms in alphabetical order by Resource Name (located in the top right corner of the form).

Additionally, it is important to note that the Contra Costa Canal (including its subsidiary, the Clayton Canal) is located within the APE and is a historic property eligible for the NRHP/CRHR as determined by consensus with SHPO on March 9, 2005 (SHPO Reference: FHWA050131A). Portions of the Contra Costa Canal and Clayton Canal are located within the Navy's APE and are resources owned by the US Bureau of Reclamation and operated by the Contra Costa Water District. Therefore, via the correspondence included in Enclosure 3, the Navy is inviting the USBR and CCWD to participate in this Section 106 consultation. The enclosed Historic Evaluation Report evaluates bridges and culverts associated with the Contra Costa Canal, but the Navy's report does not re-evaluate the Contra Costa Canal or Clayton Canal.

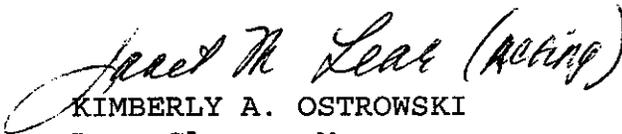
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**JAN 30 2013**

We respectfully request SHPO concurrence on the findings of the enclosed report within 30 days, or **by no later than March 1, 2013**. Please send your comments/concurrence to Ms. Erica Spinelli, Senior Cultural Resources Manager, at the address above. Should you have any questions or need additional information, please contact Ms. Erica Spinelli at (619) 532-0980 or by email at erica.spinelli@navy.mil.

Sincerely,



KIMBERLY A. OSTROWSKI

Base Closure Manager

By direction of the Director

- Enclosures:
1. *Draft Historic Building Inventory and Evaluation Update Report, Inland Area, Concord Naval Weapons Station, Contra Costa County, California* (December, 2012) (1 hard copy / 1 CD)
  2. Copy of Consultation Letter to Consulting Parties
  3. Copy of Consultation Letter to US Bureau of Reclamation and Contra Costa Water District

Copy to: (w/o encl)

Mr. George Herbst, Archaeologist

Naval Facilities Engineering Command, Southwest

1220 Pacific Highway, Code EV5.GH

San Diego, CA 92132

**ENCLOSURE 2**

**Distribution List of Consulting Parties**

**Proposed Property Recipients**

City of Concord  
East Bay Regional Park District  
Contra Costa County Fire Protection District

**Federally-Recognized Indian Tribes**

California Valley Miwok Tribe  
Ione Band of Miwok Indians  
Shingle Springs Band of Miwok Indians

**Other Potentially-Interested Parties**

Trina Marine Ruano Family  
Concord Historical Society  
Save Mt. Diablo  
United States Bureau of Reclamation (via separate  
correspondence)  
Contra Costa Water District (via separate correspondence)

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**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

1725 23<sup>rd</sup> Street, Suite 100  
SACRAMENTO, CA 95816-7100  
445-7000 Fax: (916) 445-7053  
ohp@parks.ca.gov  
www.ohp.parks.ca.gov



February 14, 2013

Reply in Reference To: USN070813A

Kimberly A. Ostrowski  
Acting Base Closure Manager  
1455 Frazee Road, Suite 900  
San Diego, CA 92108

RE: Base Realignment and Closure Transfer, Naval Weapons Station Seal Beach  
Detachment Concord, Contra Costa County, CA

Dear Ms. Ostrowski:

Thank you for consulting with me. You do so on behalf of the United States Navy (NAVY) in an effort to comply with Section 106 of the National Historic Preservation Act of 1966, as amended. You are requesting I concur with a number of Determinations of Eligibility related to the proposed Base Realignment and Closure (BRAC) transfer at Naval Weapons Station Seal Beach Detachment Concord (Detachment Concord).

The Navy is in the process of transferring Detachment Concord out of Federal ownership through the BRAC program. In support of this undertaking, you have provided the following study:

- *Draft: Historic Building Inventory and Evaluation Update Report, Inland Area, Concord Naval Weapons Station, Contra Costa County, California* (JRP Historical Consulting, LLC: December 2012)

The Draft Historic Evaluation Report provides an update to two previous Navy evaluation reports: one for World War II-era buildings and structures (Self and Associates, 1993) and one for Cold War-era resources (JRP, 1998). The evaluations concluded that none of the Navy's buildings or structures within the Inland Area was eligible for listing on the National Register of Historic Places (NRHP). The Navy consulted with and received concurrence from the State Historic Preservation Officer in the 1990s. The Draft Historic Evaluation Report re-affirms the findings of the previous studies and confirms that the passage of time has not affected the eligibility status of resources that were less than fifty years of age at the time of their initial evaluation. Overall, the Report concludes that none of the 422 historic buildings or structures is eligible for listing on the NRHP or the California Register of Historic Resources, either individually or as part of a historic district (see attached list).

You define the Area of Potential Effects (APE) for this undertaking as the inland area of Detachment Concord. You also note that portions of the National Register eligible Contra Costa Canal and Clayton Canal are located within the APE. The Draft Historic

Evaluation Report evaluates the bridges and culverts associated with the Contra Costa Canal, but the Navy's report does not re-evaluate the canals.

Having reviewed your submittal, I have the following comments:

- 1) I have no objection to the your delineation of the APE;
- 2) I concur that the 422 resources evaluated in the Draft Historic Evaluation Report are ineligible for listing on the NRHP under Criteria A, B, and C for the reasons outlined on Pages 10-14 of the report;
- 3) Please be reminded that in the event of a change in project description or an inadvertent discovery, you may have additional responsibilities under 36 CFR Part 800.

Thank you for seeking my comments and considering historic properties as part of your project planning. If you have any questions or concerns, please contact Tristan Tozer of my staff at (916) 445-7027 or at email at [Tristan.Tozer@parks.ca.gov](mailto:Tristan.Tozer@parks.ca.gov).

Sincerely,

*Susan K Stratton for*

Carol Roland-Nawi, Ph.D.  
State Historic Preservation Officer

**Table 1: All Inventoried Buildings and Structures**

| <b>Building Number</b> | <b>Function</b>                    | <b>Year Built</b> | <b>DPR 523 Form</b> |
|------------------------|------------------------------------|-------------------|---------------------|
| 61                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 62                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 63                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 64                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 65                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 66                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 67                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 68                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 69                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 70                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 71                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 72                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 73                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 74                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 75                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 76                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 77                     | High Explosive Magazine            | 1959              | Alpha Area          |
| 78                     | Small Arms / Pyrotechnics Magazine | 1959              | Alpha Area          |
| 79                     | Guard House                        | 1959              | Alpha Area          |
| 81                     | Weapons Maintenance                | 1959              | Building 81 Complex |
| 82                     | RDT&E Storage                      | 1959              | Building 81 Complex |
| 83                     | Lunch, Locker, and Boiler          | 1959              | Building 81 Complex |
| 84                     | Storage                            | 1959              | Building 81 Complex |
| 85                     | Pumphouse                          | 1959              | Building 81 Complex |
| 86                     | Generator                          | 1959              | Building 81 Complex |
| 87                     | Inert Storage Building             | 1959              | Building 87 Complex |

| Building Number | Function                         | Year Built | DPR 523 Form           |
|-----------------|----------------------------------|------------|------------------------|
| 88              | Storage Shed                     | 1959       | Building 87 Complex    |
| 89              | Pump House                       | 1959       | Building 87 Complex    |
| 93              | Guidance Checkout Facility       | 1960       | Building 93 Complex    |
| 94              | Ready Issue Building             | 1960       | Building 93 Complex    |
| 96              | Lunch, Locker, Boiler Building   | 1960       | Building 93 Complex    |
| 97              | Warhead Assembly Building        | 1960       | Building 97 Complex    |
| 98              | Boiler and Sentry House          | 1960       | Building 97 Complex    |
| 112             | Field Toilet                     | 1954       | Building IA50 Complex  |
| 113             | Operational Storage              | 1946       | Building IA50 Complex  |
| 114             | Fire Station Outbuilding         | 1946       | Security and Safety    |
| 116             | Public Works Shop                | 1946       | Public Works           |
| 131             | Water Tank                       | 1960       | Utilities and Services |
| 132             | Water Tank                       | 1960       | Utilities and Services |
| 150             | Public Works Maintenance Storage | 1963       | Public Works           |
| 151             | Guided Missile Facility          | 1963       | Building 97 Complex    |
| 152             | Gymnasium                        | 1966       | MWR                    |
| 159             | E.M. Club                        | 1966       | MWR                    |
| 161             | Parade Grounds                   | 1945       | Monuments              |
| 168             | Computer / Analysis Lab.         | 1967       | WQFC Complex           |
| 178             | Service Station                  | 1969       | Utilities and Services |
| 185             | Barracks / Admin. Building       | 1972       | Old BEQ                |
| 186             | Company Barracks                 | 1972       | Old BEQ                |
| 187             | BEQ                              | 1972       | Old BEQ                |
| 193             | Auto Hobby Shop                  | 1971       | MWR                    |
| 252             | Warehouse                        | 1972       | MWR                    |
| 253             | Warehouse                        | 1972       | MWR                    |

| Building Number | Function                          | Year Built | DPR 523 Form               |
|-----------------|-----------------------------------|------------|----------------------------|
| 254             | Storage                           | 1972       | MWR                        |
| 256             | Hobby Shop                        | 1973       | MWR                        |
| 261             | Guided Missile Laboratory         | 1970       | WQEC Complex               |
| 263             | Ammunition Rework                 | 1974       | Barricaded Building<br>263 |
| 264             | Special Service Center            | 1974       | MWR                        |
| 265             | Special Service Center            | 1974       | MWR                        |
| 270             | Administrative Storage            | 1973       | WQEC Complex               |
| 271             | Storage                           | 1976       | Old BEQ                    |
| 275             | Sentry House                      | 1976       | Security and Safety        |
| 276             | Guided Missile Laboratory         | 1973       | WQEC Complex               |
| 277             | Administrative Storage            | 1973       | WQEC Complex               |
| 282             | Computer / Analysis<br>Laboratory | 1976       | WQEC Complex               |
| 291             | Missile Magazine West             | 1980       | Bunker City                |
| 292             | Missile Magazine East             | 1980       | Bunker City                |
| 293             | Administrative Storage            | 1980       | WQEC Complex               |
| 294             | Administrative Storage            | 1980       | WQEC Complex               |
| 296             | Materials Laboratory              | 1971       | WQEC Complex               |
| 297             | Materials Laboratory              | 1971       | WQEC Complex               |
| 395             | Administration                    | 1981       | New BEQ                    |
| 396             | Lounge                            | 1981       | New BEQ                    |
| 397             | BEQ                               | 1981       | New BEQ                    |
| 398             | Dining Facility and BEQ           | 1981       | New BEQ                    |
| 405             | Utility Shed                      |            | WQEC Complex               |
| 406             | RDT&E Storage                     | 1980       | WQEC Complex               |
| 409             | Chapel                            | 1980       | MWR                        |
| 416             | Fire Station Outbuilding          | 1946       | Security and Safety        |
| 420             | Storage Shed                      | c.1990     | Building 93<br>Complex     |
| 421             | Storage Shed                      | c.1990     | Building 93<br>Complex     |
| 422             | Ordnance Operations               | 1983       | Bunker City                |
| 423             | Ordnance Operations               | 1984       | Public Works               |
| 428             | Hazardous Waste Storage           | 1987       | Bunker City                |
| 429             | Hazardous Waste Storage           | 1987       | Building 93<br>Complex     |

| Building Number  | Function                           | Year Built | DPR 523 Form           |
|------------------|------------------------------------|------------|------------------------|
| 430              | Hazardous Waste Storage            | 1987       | WQEC Complex           |
| 435              | Racquetball Courts Addition        | 1989       | MWR                    |
| 441              | Magazine                           | c.1980     | Bunker City            |
| 442              | Magazine                           | c.1980     | Bunker City            |
| BP1-BP5          | Black Powder Magazine              | 1945       | BP1-BP5                |
| C3, C3A          | Railroad Barricade                 | 1945       | Railroad               |
| CS1-CS16         | Telephone Sheds                    | 1945       | CS1-CS16               |
| 3FT1-3FT10       | Fuse and Detonator Magazine        | 1945       | 3FT1-10                |
| E98              | Safety and Training Building       | 1945       | E98                    |
| FD11             | Fuse and Detonator Magazine        | 1953       | 3FT Area               |
| FD12             | Fuse and Detonator Magazine        | 1953       | 3FT Area               |
| FD13             | Fuse and Detonator Magazine        | 1953       | 3FT Area               |
| FD14             | Fuse and Detonator Magazine        | 1954       | Alpha Area             |
| GA1-GA93         | Magazines                          | 1945       | GA1-93                 |
| GA94-GA116       | Smokeless Powder Magazines         | 1953       | Bunker City            |
| HE1-HE60         | High Explosive Magazines           | 1945       | HE1-60                 |
| IA1              | Administration Building            | 1945       | IA1                    |
| IA4              | Generator                          |            | Utilities and Services |
| IA5              | Warehouse / Supply Department      | 1945       | IA5                    |
| IA6              | Boiler House                       | 1945       | IA6                    |
| IA7              | Inland Firehouse                   | 1945       | IA7                    |
| IA8              | Personnel Offices                  | 1945       | IA8                    |
| IA10             | Barracks                           | 1945       | IA10                   |
| IA11             | Offices / Storage                  | 1945       | IA11                   |
| IA12             | Heavy Equipment Repair             | 1945       | IA12                   |
| IA13             | Water Distribution Facility        | 1945       | IA13                   |
| IA15             | Public Works Shop                  | 1945       | IA15 and IA16          |
| IA16             | Public Works Shop                  | 1945       | IA15 and IA16          |
| IA17             | Service Station                    | 1945       | IA17                   |
| IA18, A, B, C, D | Base Hospital                      | 1945       | IA18, A, B, C, D       |
| IA19             | Boiler House                       | 1945       | IA19                   |
| IA20             | Materials Laboratory               | 1947       | WQEC Complex           |
| IA21             | Computer / Analysis Lab            | 1953       | WQEC Complex           |
| IA21A            | Physical / Non-destructive Testing | 1953       | WQEC Complex           |

| Building Number | Function                            | Year Built | DPR 523 Form           |
|-----------------|-------------------------------------|------------|------------------------|
| IA22            | Evaluation Library                  | 1945       | IA22                   |
| IA23            | Ammunition / Explosives             | 1947       | WQEC Complex           |
| IA24, A, B      | Battery Charging Building           | 1945       | IA24                   |
| IA25            | Ammunitions Rework Building         | 1945       | IA25                   |
| IA27            | Car Blocking Shop / Storage         | 1945       | IA27                   |
| IA36            | Utility Building                    | 1946       | WQEC Complex           |
| IA37            | Public Works Shop                   | 1947       | Public Works           |
| IA38            | Warehouse                           | 1947       | Public Works           |
| IA43            | Storage                             | 1951       | Public Works           |
| IA45            | Pumphouse                           |            | Former Airport Area    |
| IA46            | Storage                             | 1952       | Public Works           |
| IA48            | Storage                             | 1952       | Public Works           |
| IA49            | Maintenance / Storage               | 1952       | Public Works           |
| IA50            | Ammunition Transfer Facility        | 1953       | Building IA50 Complex  |
| IA51            | Auto Maintenance Facility           | 1953       | Public Works           |
| IA52            | Compressor House                    | 1953       | Public Works           |
| IA53            | Substation                          | 1988       | Utilities and Services |
| IA54            | Substation                          |            | Utilities and Services |
| IA55            | Ordnance Operations                 | 1954       | Bunker City            |
| IA56            | Field Office                        | 1954       | Former Airport Area    |
| IA57            | Pistol Range                        | 1946       | MWR Outdoor            |
| IA58            | Materials Laboratory                | 1957       | WQEC Complex           |
| IA60            | Baseball Field                      | 1957       | MWR Outdoor            |
| IS1             | Inert Storehouse Building           | 1945       | IS1-4, IS6-9           |
| IS2             | Storehouse Building                 | 1945       | IS1-4, IS6-9           |
| IS3             | Storehouse Building                 | 1945       | IS1-4, IS6-9           |
| IS4             | Guided Missile Maintenance Facility | 1945       | IS1-4, IS6-9           |
| IS5             | Guided Missile Air Launch           | 1945       | IS5                    |
| IS6             | Inert Storehouse Building           | 1945       | IS1-4, IS6-9           |
| IS7             | Guided Missile Container Storage    | 1945       | IS1-4, IS6-9           |
| IS8             | Inert Storehouse Building           | 1945       | IS1-4, IS6-9           |

| Building Number            | Function                    | Year Built             | DPR 523 Form           |
|----------------------------|-----------------------------|------------------------|------------------------|
| IS9                        | Inert Storehouse Building   | 1945                   | IS1-4, IS6-9           |
| IS10-IS14                  | Inert Material Storage      | 1953                   | Bunker City            |
| IT1                        | Water Tank                  | 1945                   | Utilities and Services |
| IT2                        | Water Tank                  |                        | Utilities and Services |
| IT4                        | Water Tank                  | 1959                   | Utilities and Services |
| RBS1-RBS32<br>and RBS59-95 | Railroad Barricaded Sidings | 1945                   | RBS1-9                 |
| RS1-RS6                    | Ready Magazine              | RS1-2 1947, RS3-6 1952 | WQEC Complex           |
| SD1                        | RDT&E Storage               | 1945                   | WQEC Complex           |
|                            | Tunnels                     | c.1975                 | Road System            |
|                            | Mine                        | c. 1870-1900           | Mine                   |
|                            | Railroad Trackage           | continuous             | Railroad               |
|                            | Locomotive Steam Cleaner    | 1975                   | Railroad               |
|                            | Gazebo                      | 1972                   | Old BEQ                |
|                            | Canal Bridges               | 1937-1950s             | Canal Bridges          |
|                            | Cistern                     | c. 1896                | Cistern                |



DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD, SUITE 900  
SAN DIEGO, CA 92108-4310

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JAN 30 2013

Ms. Anastasia Leigh  
United States Bureau of Reclamation  
Environmental Compliance Office, MP 150  
2800 Cottage Way  
Sacramento CA 95825-1898

Mr. Mark Seedall  
Principal Planner  
Contra Costa Water District  
P.O. Box H20  
Concord, CA 94524-2099

Dear Ms. Leigh and Mr. Seedall:

As discussed with your staff via telephone on January 16 and 17, 2013, the Navy is conducting consultation under Section 106 of the National Historic Preservation Act (NHPA) regarding the Navy's proposed Base Realignment and Closure (BRAC) transfer of Federal property at the Naval Weapons Station Seal Beach (NWSSB) Detachment Concord, located in Contra Costa County, California ("former NWS Concord," hereafter). The Navy is inviting the United States Bureau of Reclamation (USBR) and Contra Costa County Water District (CCCWD) to participate in this consultation because the USBR-owned and CCCWD-operated Contra Costa Canal and Clayton Canal are located within the Navy's Area of Potential Effect (APE). This letter summarizes Navy's compliance actions to date, and outlines plans for future consultation. Additionally, the Navy seeks your input on the findings of the enclosed *Draft Historic Building Inventory and Evaluation Update Report, Inland Area, Concord Naval Weapons Station, Contra Costa County, California* (December, 2012) ("~~Draft Historic Evaluation Report,"~~ hereafter) (Enclosure (1)). We respectfully request your input concurrence on the report's findings within 30 days, or **by March 1, 2013**. The Navy is concurrently seeking and considering the input of the consulting parties identified in the distribution list included in Enclosure (2), and seeking the concurrence of the State Historic Preservation Officer (SHPO).

## 2007 Initiation of Consultation

In accordance with the enacted BRAC 2005 recommendations, the former NWS Concord was identified for closure and was operationally closed in 2008. Since that time, the Navy has transferred property to the U.S. Army and U.S. Coast Guard via Federal-to-Federal property transfers. The Navy is proposing to transfer the remaining portion of the "Inland Area" out of Federal ownership (Enclosure 3). The Navy initiated consultation on this undertaking with the California State Historic Preservation Office (SHPO) and other-potentially-interested parties on August 6, 2007 and requested SHPO concurrence on the determination of the APE. The Navy defined the APE as the approximately 5,032-acre portion of the "Inland Area" proposed for transfer. The Navy received SHPO concurrence on the APE determination on September 12, 2007 (USN#070813A).

## Section 106 Compliance Efforts Since 2007

Since 2007, the Navy has conducted an archaeological survey (2008), a historic building evaluation (2009, updated 2012), the fieldwork for an archaeological evaluation (2012), and re-engaged consultation in November 2012.

### *Identification and Evaluation of Archaeological Resources*

In 2008, the Navy completed a Phase I intensive, pedestrian survey of the "Inland Area" (ASM Affiliates-Garcia-Herbst and Hale, 2008). The result of the survey was the identification and/or re-identification of a total of twenty-two archaeological sites and four archaeological isolates. These included the relocation of two prehistoric sites (CA-CC0-680, P-07-00861) and three historical archaeological sites (P-07-00860, P-07-000485, and P-07-2683); and the identification of seventeen new archaeological sites including one prehistoric site (CA-CC0-786) and sixteen historical archaeological sites. No artifacts were collected as part of the pedestrian survey.

Due to the potential to encounter human remains at prehistoric site CA-CC0-680, the Navy consulted with Federally-

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recognized Indian Tribes to develop a Native American Graves Protection and Repatriation Act (NAGPRA) Plan of Action under 43 CFR 10.5. prior to conducting a Phase II subsurface testing/evaluation program. To support implementation of the NAGPRA Plan of Action and to assist the Navy in identifying historic properties that may possess religious and cultural significance to Indian Tribes under 36 CFR 800.4(c) (1), the Navy invited representatives of the California Valley Miwok Tribe, the Ione Band of Miwok Indians, and the Shingle Springs Band of Miwok Indians to participate as Native American Specialists for the Phase II evaluation.

On August 24, 2012, the Navy completed the fieldwork for a Phase II archaeological evaluation of the identified archaeological resources from the 2008 survey. This effort included a subsurface archaeological testing program at prehistoric sites CA-CC0-680, CACC0-786, and P-07-00861 and historical archaeological site CA-CC0-791H. During fieldwork, human remains and NAGPRA funerary objects were encountered at CA-CC0-680. In accordance with the NAGPRA Plan of Action, all human remains and NAGPRA cultural items were reburied on site. Although the Navy's archaeological evaluation report is still in development, the Navy anticipates that CA-CC0-680 may be eligible for the National Register. Additional archaeological sites may also be identified as eligible during the preparation of and consultation concerning the archaeological evaluation report. Given the limited potential for subsurface archaeological data to be present at the remaining historical archaeological sites, which primarily include above-ground features from the mid to late 19th and early 20th century ranching occupation (i.e. foundations, fence lines, wells, windmills, corrals, mine shafts, etc ...), the Navy's archaeological report will also include a comprehensive historic, rural landscape evaluation of the remaining historic archaeological resources that were not tested.

The Navy expects that we will be beginning consultation on a draft Phase II archaeological evaluation report in late February.

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*Identification and Evaluation of Historic Resources*

In 2009, the Navy conducted an updated evaluation of historic resources in the Inland Area proposed for transfer. The 2009 "(DRAFT) *UPDATE REPORT- Historic Building Inventory and Evaluation, Concord Naval Weapons Station, Contra Costa County, California*" (JRP Historical Consulting Services, 2009) provided an update to prior historic evaluations (William Self Associates, 1993; JRP Historical Consulting Services, 1998). The report inventoried and evaluated 422 buildings and structures and concludes that none meet the criteria for listing in the NRHP. In order to finalize the evaluation of historic resources, the Navy has field verified the 2009 Draft and prepared the enclosed Draft Historic Evaluation Report (December 2012) for consulting party input.

**Plans for Future Consultation**

The Navy re-engaged Section 106 consultation with SHPO and interested parties at a consultation meeting on November 8, 2012. At this initial meeting, the Navy described its undertaking (transfer), provided an overview of plans for future consultation on draft historic resources and archaeological resource reports, and identified interested consulting parties. The Navy may identify additional interested parties through the public participation components of the National Environmental Policy Act (NEPA) process. The next step in the ongoing consultation is Navy's consideration of consulting party input on the enclosed Draft Historic Evaluation Report.

**Draft Historic Evaluation Report: Now Seeking Input**

---

The enclosed Draft Historic Evaluation Report aims to identify whether there are historic buildings or structures located within the Area of Potential Effect (APE) (Inland Area of the former NWS Concord proposed for transfer). The enclosed Draft Historic Evaluation Report provides an update to two previous Navy evaluation reports: one for World War II-era buildings and structures (Self and Associates, 1993) and one for Cold War-era resources (JRP, 1998). Taken together, the Self and Associates and JRP evaluations concluded that none of the Navy's buildings or structures within the Inland Area were

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eligible for the NRHP. The Navy consulted on these studies and received SHPO concurrence on both in the 1990s. The enclosed Draft Historic Evaluation Report re-affirms the findings of the two previous studies and confirms that the passage of time has not affected the eligibility status of resources that were less than 50 years of age at the time of their initial evaluation. Overall, the enclosed Draft Historic Evaluation Report concludes that none of the 422 historic buildings or structures evaluated is eligible for listing in the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR), either individually or as part of a historic district.

The evaluation of NRHP/CRHR eligibility for buildings and structures within the APE is included in Chapter 4 of the enclosed report, with overall conclusions provided at the end of that chapter. Department of Parks Recreation (DPR) 523 site forms in Appendix B record the resources and provide resource-specific evaluations of NRHP/CRHR eligibility. Similar resources are grouped together by function or by general area on these DPR 523 site forms. Appendix A, Table 1 can assist the reader in identifying DPR 523 site forms of interest: Table 1 provides a list of all evaluated resources by Navy Building Number / Function and indicates which DPR 523 form addresses each resource. Appendix B then contains a large-format map of the APE/Inland Area, followed by the DPR 523 forms in alphabetical order by Resource Name (located in the top right corner of the form).

Additionally, it is important to note that the Contra Costa Canal (including its subsidiary, the Clayton Canal) is located within the APE and is a historic property eligible for the ~~NRHP/CRHR as determined by consensus with SHPO on March 9, 2005~~ (SHPO Reference: FHWA050131A). Portions of the Contra Costa Canal and Clayton Canal are located within the Navy's APE and are resources owned by the US Bureau of Reclamation and operated by the Contra Costa Water District. Therefore, the Navy is inviting the USBR and CCWD to participate in this Section 106 consultation. The enclosed Historic Evaluation Report evaluates bridges and culverts associated with the Contra Costa Canal, but the Navy's report does not re-evaluate the Contra Costa Canal or Clayton Canal. Additionally, the enclosed

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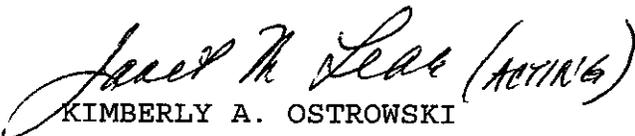
**JAN 30 2013**

evaluation report also appears to have evaluated bridges over the canals in the Inland Area that may be owned or operated by USBR and CCWD. In coordination with USBR and CCWD in 2009, our Navy real estate team identified eight Navy-owned bridges along the canals, with other bridges assumed to be owned by USBR/CCWD (Enclosure (4)). The Navy's finding on all evaluated bridges and culverts is not eligible for the NRHP or CRHR. The bridges and culverts are evaluated on the "CCC/Clayton Canal Bridges & Culverts" DPR 523 Form in Appendix B.

We respectfully request your input on the findings of the enclosed report within 30 days, or **by no later than March 1, 2013**. You will soon receive an email providing an electronic version of a "consulting party comment form." To expedite our response to comments, we respectfully request that you submit your organization's comments on the comment form and via email to Ms. Erica Spinelli (erica.spinelli@navy.mil) by March 1, 2013.

Should you have any questions or need additional information, please contact Ms. Erica Spinelli, Senior Cultural Resources Manager, at (619) 532-0980 or by email at erica.spinelli@navy.mil.

Sincerely,



KIMBERLY A. OSTROWSKI

Base Closure Manager

By direction of the Director

- 
- Enclosures: 1. *Draft Historic Building Inventory and Evaluation Update Report, Inland Area, Concord Naval Weapons Station, Contra Costa County, California* (December, 2012) (Report provided on CD)  
2. Distribution List of Consulting Parties  
3. Regional Location Map Depicting the "Inland Area" Proposed for Transfer

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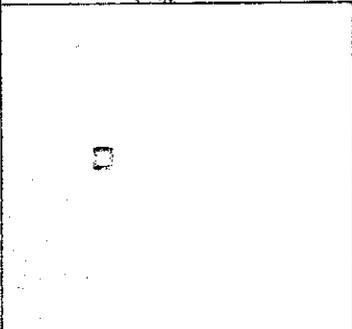
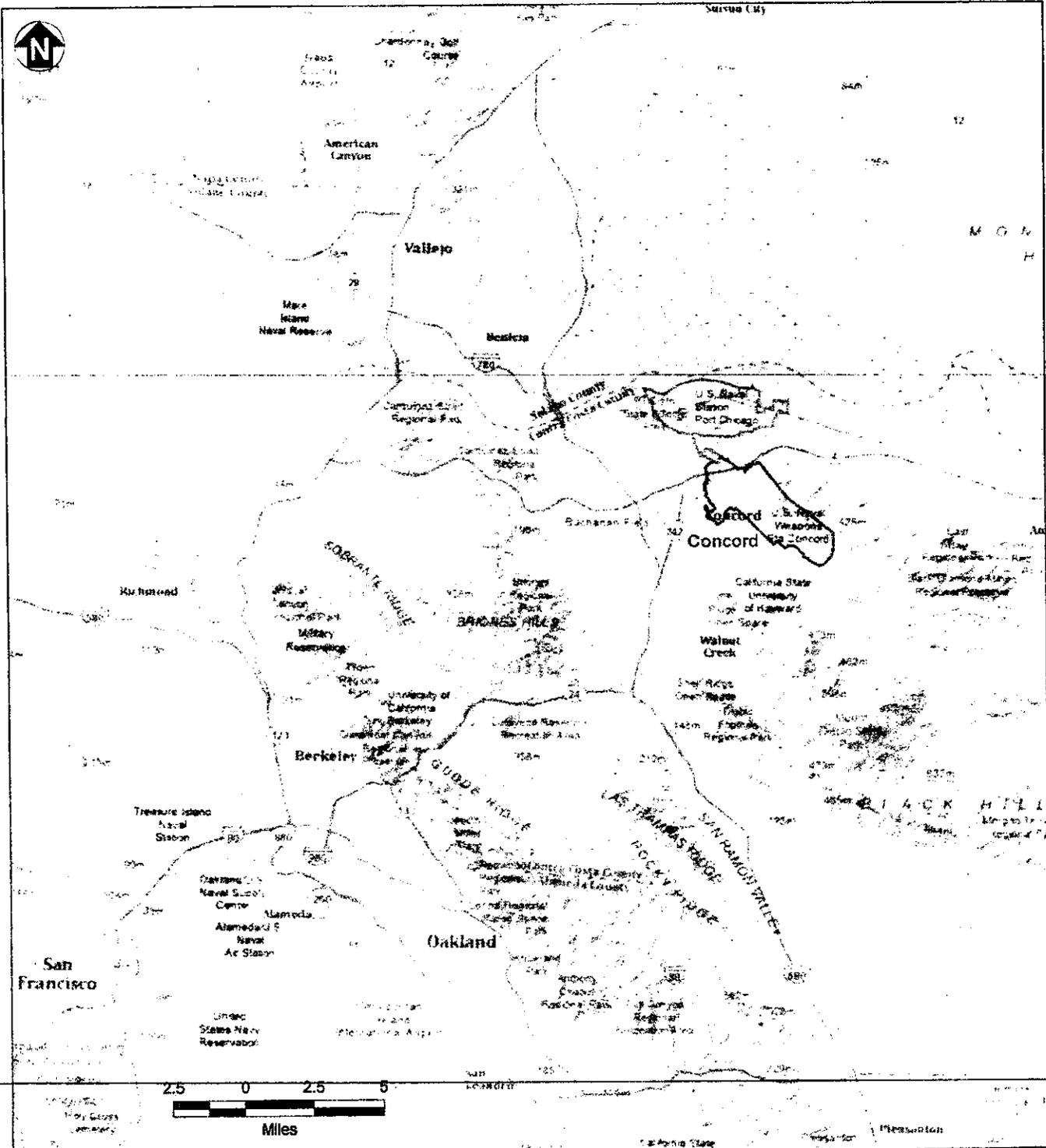
Ser BPMOW.els/0049B

**JAN 30 2013**

Copy to: (w/o encl)

Ms. Brandee Bruce  
Architectural Historian  
United States Bureau of Reclamation  
Environmental Compliance Office, MP 150  
2800 Cottage Way  
Sacramento CA 95825-1898

Mr. George Herbst, Archaeologist  
Naval Facilities Engineering Command, Southwest  
1220 Pacific Highway, Code EV5.GH  
San Diego, CA 92132



**Installation Boundary**  
 Tidal Area  
 Inland Area  
 Basemap Source: ESRI, USGS, DeLorme, TANA, FAO

 TETRA TECH  
**FORMER NAVAL WEAPONS STATION  
 SEAL BEACH DETACHMENT CONCORD**  
**ENCLOSURE 1**  
**REGIONAL LOCATION MAP**

**ENCLOSURE 2**

**Distribution List of Consulting Parties**

**Proposed Property Recipients**

City of Concord  
East Bay Regional Park District  
Contra Costa County Fire Protection District

**Federally-Recognized Indian Tribes**

California Valley Miwok Tribe  
Ione Band of Miwok Indians  
Shingle Springs Band of Miwok Indians

**Other Consulting Parties**

Trina Marine Ruano Family  
Concord Historical Society  
Save Mt. Diablo  
United States Bureau of Reclamation  
Contra Costa Water District





DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD, SUITE 900  
SAN DIEGO, CA 92108-4310

5090

Ser BPMOW.els/0049A

JAN 30 2013

Dear Consulting Parties:

The Navy seeks your input on the findings of the enclosed *Draft Historic Building Inventory and Evaluation Update Report, Inland Area, Concord Naval Weapons Station, Contra Costa County, California* (December, 2012) ("Draft Historic Evaluation Report," hereafter ) (Enclosure (1)). As discussed at our November 18, 2012 consultation meeting, the Draft Historic Evaluation Report was prepared to support Navy's compliance with Section 106 for the proposed Base Realignment and Closure (BRAC) transfer at Naval Weapons Station Seal Beach (NWSSB) Detachment Concord ("former NWS Concord," hereafter), located in Contra Costa County, California (SHPO Reference: USN070813A). Specifically, the Draft Historic Evaluation Report aims to identify whether there are historic buildings or structures located within the Area of Potential Effect (APE) (Inland Area of the former NWS Concord proposed for transfer). We respectfully request your input on our report's findings within 30 days, or **by March 1, 2013**. Via this correspondence, the Navy is concurrently seeking and considering the input of the consulting parties identified in the distribution list included in Enclosure (2). Via separate correspondence, the Navy is additionally seeking the concurrence of the State Historic Preservation Officer (SHPO).

The enclosed Draft Historic Evaluation Report provides an update to two previous Navy evaluation reports: one for World War II-era buildings and structures (Self and Associates, 1993) and one for Cold War-era resources (JRP, 1998). Taken together, the Self and Associates and JRP evaluations concluded that none of the Navy's buildings or structures within the Inland Area were eligible for the NRHP. The Navy consulted on these studies and received SHPO concurrence on both in the 1990s. The enclosed Draft Historic Evaluation Report re-affirms the findings of the two previous studies and confirms that the passage of time has not affected the eligibility status of resources that were less than 50 years of age at the time of their initial evaluation. Overall, the enclosed Draft Historic Evaluation Report concludes that none of the 422 historic buildings or structures evaluated is eligible for listing in the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR), either individually or as part of a historic district.

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**JAN 30 2013**

The evaluation of NRHP/CRHR eligibility for buildings and structures within the APE is included in Chapter 4 of the enclosed report, with overall conclusions provided at the end of that chapter. Department of Parks Recreation (DPR) 523 site forms in Appendix B record the resources and provide resource-specific evaluations of NRHP/CRHR eligibility. Similar resources are grouped together by function or by general area on these DPR 523 site forms. Appendix A, Table 1 can assist the reader in identifying DPR 523 site forms of interest: Table 1 provides a list of all evaluated resources by Navy Building Number / Function and indicates which DPR 523 form addresses each resource. Appendix B then contains a large-format map of the APE/Inland Area, followed by the DPR 523 forms in alphabetical order by Resource Name (located in the top right corner of the form).

Additionally, it is important to note that the Contra Costa Canal (including its subsidiary, the Clayton Canal) is located within the APE and is a historic property eligible for the NRHP/CRHR as determined by consensus with SHPO on March 9, 2005 (SHPO Reference: FHWA050131A). Portions of the Contra Costa Canal and Clayton Canal are located within the Navy's APE and are resources owned by the US Bureau of Reclamation and operated by the Contra Costa Water District. Therefore, via the correspondence included in Enclosure 3, the Navy is inviting the USBR and CCWD to participate in this Section 106 consultation. The enclosed Historic Evaluation Report evaluates bridges and culverts associated with the Contra Costa Canal, but the Navy's report does not re-evaluate the Contra Costa Canal or Clayton Canal.

We respectfully request your input on the findings of the enclosed report within 30 days, or **by no later than March 1, 2013**. You will soon receive an email providing an electronic version of a "consulting party comment form." To expedite our response to comments, we respectfully request that you submit your organization's comments in the provided comment matrix and via email to Ms. Erica Spinelli (erica.spinelli@navy.mil) by March 1, 2013.

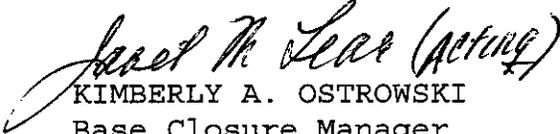
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JAN 30 2013

Should you have any questions or need additional information, please contact Ms. Erica Spinelli, Senior Cultural Resources Manager, at (619) 532-0980 or by email at erica.spinelli@navy.mil.

Sincerely,



KIMBERLY A. OSTROWSKI

Base Closure Manager

By direction of the Director

Enclosures: 1. *Draft Historic Building Inventory and Evaluation Update Report, Inland Area, Concord Naval Weapons Station, Contra Costa County, California (December, 2012) (Report provided on CD)*  
2. Distribution List of Consulting Parties

Copy to: (w/o encl)

Mr. George Herbst, Archaeologist

Naval Facilities Engineering Command, Southwest

1220 Pacific Highway, Code EV5.GH

San Diego, CA 92132

**ENCLOSURE 2**

**Distribution List of Consulting Parties**

**Proposed Property Recipients**

City of Concord  
East Bay Regional Park District  
Contra Costa County Fire Protection District

**Federally-Recognized Indian Tribes**

California Valley Miwok Tribe  
Ione Band of Miwok Indians  
Shingle Springs Band of Miwok Indians

**Other Potentially-Interested Parties**

Trina Marine Ruano Family  
Concord Historical Society  
Save Mt. Diablo  
United States Bureau of Reclamation (via separate  
correspondence)  
Contra Costa Water District (via separate correspondence)

**Navy Responses to Consulting Party Comments on**  
 “DRAFT Historic Building Inventory and Evaluation Update Report,  
 Inland Area, Concord Naval Weapons Station, Contra Costa County, California”  
 (dated December 2012)

| Comment # | Section, Page, Paragraph      | DPR 523 Resource Name | Comment  | Comment By                                 | Navy Response   |
|-----------|-------------------------------|-----------------------|--|--|---|
| 1.        | 3.3.1<br>Page 30<br>Parag 1   | Stone cistern         | <p>- The cistern was built in May and June 1935 by Bob Motheral and Joe Case for dairyman Ralph Bollman. This is substantiated with dated photographs at the Concord Historical Society (<a href="http://www.ConcordHistorical.org">www.ConcordHistorical.org</a>; AG-5 photo files) and through a transcribed oral history I conducted in 2003 with Beverly and Harold, children of Ralph Bollman.</p> <p>- Prior to the cistern’s construction, according to Harold, the Bollman ranch and dairy relied on “little wooden water tanks on towers.” Could these constitute the structure that “appears on the location as early as 1896”?</p> <p>- Ralph Bollman was a significant member of society. In 1936 he was elected to the first Contra Costa County Water District Board of Directors. He served 32 years, all of them as President. (<a href="http://www.ccwater.com/CCWDHistory/Timelines.asp">http://www.ccwater.com/CCWDHistory/Timelines.asp</a>) It will be noted that the CCCWD’s history includes the Contra Costa Canal system, which is addressed on page 16 of this report.</p> | John Keibel,<br>Concord Historical Society | <p>Comments noted.</p> <p>Revisions made to page 30 and DPR 523 form on the Stone Cistern to include additional information provided.</p> |
| 2.        | 2.2<br>Page 19<br>Paragraph 2 |                       | The ammunition loaders’ work stoppage in 1944 occurred at Mare Island. You might re-word the last sentence of the paragraph as follows: “In the weeks following the explosion, many of the surviving ammunition loaders, now re-assigned to the ammunition depot at Mare Island, refused to load   | John Keibel,<br>Concord Historical Society | Sentence revised.   |

|     |  |  |   |  |  |
|-----|--|--|---|--|--|
|     |  |  | waiting ships. This led to the infamous ....” (See <i>The Port Chicago Mutiny</i> by Robert Allen, pp. 80-81.)  |  |  |
| 3.  |  |  | [In a letter dated February 13, 2013, the City of Concord stated that “Whereas the conclusions regarding eligibility for listing of buildings and structures in the National or California Registers has not changed from earlier reports, the City has no further comments.” ]   | Michael Wright,<br>Executive Director,<br>Local Reuse Authority,<br>City of Concord                        | Comment noted.   |
| 4.  |  |  | [In a February 13, 2013 email, the U.S. Bureau of Reclamation stated that “Reclamation is satisfied that the CCC and Clayton Canal are acknowledged as a historic property. Reclamation does not have any edits or concerns at this time.”]   | BranDee Bruce,<br>Architectural Historian,<br>US Bureau of Reclamation                                     | Comment noted .  |
| 5.  |  |  | [In a February 14, 2013 letter, the California Office of Historic Preservation provided a concurrence letter stating “I concur that the 422 resources evaluated in the Draft Historic Evaluation Report are ineligible for listing on the NRHP under Criteria A, B, and C for the reasons outlined on Pages 10-14 of the report.” | Dr. Carol Rowland-Nawi, State Historic Preservation Officer,<br>California Office of Historic Preservation | Concurrence with report findings noted. A copy of this SHPO concurrence letter is included in the Appendix as part of the Section 106 Consultation Record. |
| 6.  |  |  |   |  |  |
| 7.  |  |  |   |  |  |
| 8.  |  |  |   |  |  |
| 9.  |  |  |   |  |  |
| 10. |  |  |   |  |  |
| 11. |  |  |   |  |  |
| 12. |  |  |   |  |  |

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

1725 23<sup>rd</sup> Street, Suite 100  
SACRAMENTO, CA 95816-7100  
(916) 445-7000 Fax: (916) 445-7053  
calshpo@parks.ca.gov  
www.ohp.parks.ca.gov



January 23, 2014

Reply in Reference To: USN070813A

Alan K. Lee  
Department of the Navy, Base Closure Manager  
Program Management Office West  
1455 Frazee Road, Suite 900  
San Diego, CA 92108

RE: Base Realignment and Closure Transfer, Naval Weapons Station Seal Beach  
Detachment Concord, Contra Costa County, CA

Dear Mr. Lee:

Thank you for consulting with me. You do so on behalf of the United States Navy (NAVY) in an effort to comply with Section 106 of the National Historic Preservation Act of 1966, as amended. You are requesting I concur with a number of Determinations of Eligibility related to the proposed Base Realignment and Closure (BRAC) transfer at Naval Weapons Station Seal Beach Detachment Concord (Detachment Concord).

The Navy is in the process of transferring Detachment Concord out of Federal ownership through the BRAC program. In our previous round of consultation I concurred that 442 historic resources evaluated as part of the transfer of Detachment Concord were eligible for listing on the National Register of Historic Places (NRHP). I also had no issues with your delineation of the Project's Area of Potential Effects (APE).

Since this time the Navy has prepared a Draft Archaeological Evaluation Report. The report aims to identify whether there are National Register-eligible archeological sites located within the APE. The results of these investigations are summarized in the following report:

- *National Register of Historic Places Evaluation of 21 Archaeological Sites in Support of the Environmental Impact Statement for Disposal and Reuse of the Former Naval Weapons Station, Seal Beach, Detachment Concord, Contra Costa County, California* (ASM Affiliates, Inc.: November 2013)

This study builds on the findings of a 2008 intensive pedestrian survey of the Detachment Concord Inland Area. The report concludes that sites CCO-680 and P-861 are eligible for listing on the NRHP; CCO-680 under Criterion D and P-861 under Criteria A and D. The remaining nineteen sites have been evaluated as ineligible for listing on the NRHP (see the attached chart for a complete list of evaluated resources). The evaluation also concludes that there are no identified rural historic landscapes,

traditional cultural properties (TCPs), or traditional cultural landscapes (TCLs) located with the APE that meet the criteria for listing on the NRHP.

Having reviewed your submittal, I have the following comments:

- 1) I concur that archaeological sites CCO-680 and P-861 are eligible for listing on the NRHP under the above-listed National Register Criteria. However, as P-861 is completely within the boundary of CC-680, shouldn't they be considered one multi-component site?
- 2) I further concur that the remaining nineteen resources are ineligible for listing on the NRHP under any applicable criteria;
- 3) I agree that there are no rural historic landscapes, TCPs, or TCLs within the APE that meet the criteria for listing on the NRHP;
- 4) Please be reminded that in the event of a change in project description or an inadvertent discovery, you may have additional responsibilities under 36 CFR Part 800.

Thank you for seeking my comments and considering historic properties as part of your project planning. I look forward to further consultation with you on the transfer of this property. If you have any questions or concerns, please contact Tristan Tozer of my staff at (916) 445-7027 or at email at [Tristan.Tozer@parks.ca.gov](mailto:Tristan.Tozer@parks.ca.gov).

Sincerely,



Carol Roland-Nawi, Ph.D.  
State Historic Preservation Officer

Table 9.1 Sites Evaluated at NWSSB DET Concord Inland Area by Rural Historic Landscape Study and Archaeological Testing

| Evaluation Type and Site Number | Site Class or Type     | Contribution to Historical Themes |          | Contribution to Ethnographic/Prehistoric Themes |                          |                    | Management Issues |                  |    |
|---------------------------------|------------------------|-----------------------------------|----------|---|--------------------------|--------------------|-------------------|------------------|----|
|                                 |                        | Agriculture                       | Ranching | Settlement and Subsistence                      | Interaction and Exchange | Physical Integrity | Data Potential    | NRHP Eligibility |    |
| <i>Historic Landscape</i>       |                        |                                   |          |   |                          |                    |                   |                  |    |
| P-485                           | Agricultural           | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| P-860                           | Agricultural           | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| P-2683                          | Mining                 | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-777H                        | Ranch/Agricultural     | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-778H                        | Agricultural           | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-779H                        | Agricultural           | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-780H                        | Agricultural           | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-781H                        | Agricultural           | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-782H                        | Agricultural           | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-783H                        | Agricultural           | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-784H                        | Refuse Deposit         | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-785H                        | Ranch/Agricultural     | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-787H                        | Railroad/Industrial    | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-788H                        | Ranch/Agricultural     | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-789H                        | Military               | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-793H                        | Refuse Deposit         | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| CCO-794H                        | Military Rock Quarry   | -                                 | -        | na  | na                       | na                 | Poor              | Low              | NE |
| <i>Archaeological Testing</i>   |                        |                                   |          |   |                          |                    |                   |                  |    |
| CCO-791H                        | Ranch/Agricultural     | -                                 | -        | na  | na                       | na                 | Fair              | Moderate         | NE |
| CCO-786                         | Prehistoric Habitation | na                                | na       | -   | -                        | -                  | Poor              | Low              | NE |
| P-861                           | Prehistoric Habitation | na                                | na       | +   | +                        | +                  | Good              | High             | E  |
| CCO-680                         | Prehistoric Habitation | na                                | na       | +   | +                        | +                  | Good              | High             | E  |

▪ Note: NE, Not Eligible; E, Eligible; na, Not Applicable





DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD, SUITE 900  
SAN DIEGO, CA 92108-4310

5090

Ser BPMOW.els/0584

NOV 25 2013

Dear Consulting Parties:

The Navy seeks your input on the findings of the enclosed *Draft National Register of Historic Places Evaluation of 21 Archaeological Sites in Support of the Environmental Impact Statement for Disposal and Reuse of the Former Naval Weapons Station, Seal Beach, Detachment Concord, Contra Costa County, California* (November, 2013) ("Draft Archaeological Evaluation Report," hereafter ) (Enclosure (1)). As discussed at our November 18, 2012 consultation meeting, the Draft Archaeological Evaluation Report was prepared to support Navy's compliance with Section 106 for the proposed Base Realignment and Closure (BRAC) transfer at Naval Weapons Station Seal Beach (NWSSB) Detachment Concord ("former NWS Concord," hereafter), located in Contra Costa County, California (SHPO Reference: USN070813A). Specifically, the Draft Archaeological Evaluation Report aims to identify whether there are National Register-eligible archaeological sites located within the Area of Potential Effect (APE) (Inland Area of the former NWS Concord proposed for transfer). Recognizing that the typical 30-day consultation period on this report would end during the holiday season, we respectfully request your concurrence on our report's findings **by January 10, 2014**. Via this correspondence, the Navy is concurrently seeking and considering the input of the consulting parties identified in the distribution list included in Enclosure (2). Via separate correspondence, the Navy is additionally seeking the concurrence of the State Historic Preservation Officer (SHPO).

The enclosed report provides the results of three integrated research efforts: Phase II archaeological testing of prehistoric sites CCO-680, P-861, and CCO-786, and historic archaeological site CCO-791H; ethnographic study; and evaluation of historic archaeological sites via a rural historic landscape study. The archaeological evaluation builds from the findings of a 2008 intensive pedestrian survey of the Inland Area conducted in 2008. The enclosed Draft Archaeological Report concludes that Sites CCO-680 and P-861 are eligible for listing in the National Register of Historic Places (NRHP). The evaluation concludes that there are no identified rural historic landscapes,

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Ser BPMOW.els/0584  
NOV 25 2013

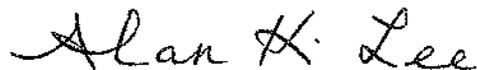
Traditional Cultural Properties, or Traditional Cultural Landscapes located within the APE that meet the criteria for listing in the NRHP.

A detailed summary of the report and the evaluations of NRHP eligibility are included in Chapter 9, with Department of Parks Recreation (DPR) 523 site forms provided in Appendix A of the confidential version of the report. To protect confidential data regarding sensitive resources, the Navy has prepared two versions of the report: one with confidential information and one without. As identified in Enclosure 2, the Navy is distributing the confidential version of the report to OHP, Federally-Recognized Indian Tribes, proposed property recipients (City of Concord and the East Bay Regional Park District), and the cooperating agency on the Navy's Environmental Impact Statement (the United States Army Corps of Engineers).

We respectfully request your input on the findings of the enclosed report by **no later than January 10, 2014**. You will soon receive an email providing an electronic version of a "consulting party comment form." To expedite our response to comments, we request that you submit your organization's comments in the provided comment matrix and via email to Ms. Erica Spinelli (erica.spinelli@navy.mil) by January 10, 2014.

Should you have any questions or need additional information, please contact Ms. Erica Spinelli, Senior Cultural Resources Manager, at (619) 532-0980 or by email at erica.spinelli@navy.mil.

Sincerely,



ALAN K. LEE  
Base Closure Manager  
By direction of the Director

5090

Ser BPMOW.els/0584

NOV 25 2013

- Enclosures: 1. *Draft National Register of Historic Places  
Evaluation of 21 Archaeological Sites in Support  
of the Environmental Impact Statement for  
Disposal and Reuse of the Former Naval Weapons  
Station, Seal Beach, Detachment Concord, Contra  
Costa County, California (November, 2013)*
2. Distribution List of Consulting Parties

Copy to: (w/o encl)

Mr. George Herbst, Archaeologist  
Naval Facilities Engineering Command, Southwest  
1220 Pacific Highway, Code EV5.GH  
San Diego, CA 92132

**ENCLOSURE 2**

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Contra Costa County Fire Protection District

**Federally-Recognized Indian Tribes**

California Valley Miwok Tribe

Ione Band of Miwok Indians

Shingle Springs Band of Miwok Indians

**Other Consulting Parties**

United States Army Corps of Engineers

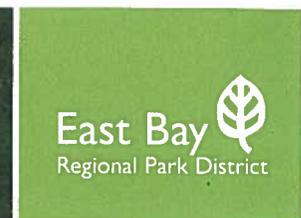
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Save Mt. Diablo

United States Bureau of Reclamation

Contra Costa Water District



2950 PERALTA OAKS COURT • P.O. BOX 5381 • OAKLAND • CA • 94605-0381  
T. 1 888 EBPARKS F. 510 569 4319 TDD. 510 633 0460 WWW.EBPARKS.ORG

February 5, 2014

Erica Spinelli  
NEPA Planner / Senior Cultural Resources Manager  
Navy BRAC Program Management Office (PMO) West  
1455 Frazee Road, Suite 900  
San Diego, CA 92108  
Sent via email to: [erica.spinelli@navy.mil](mailto:erica.spinelli@navy.mil)

**RE: Sec. 106 Consultation, Former Naval Weapons Station, Seal Beach, Detachment Concord**

Dear Ms. Spinelli -

Thank you for providing the East Bay Regional Park District (the "District") with the opportunity to comment on the "Draft National Register of Historic Places Evaluation of 21 Archaeological Sites in Support of the Environmental Impact Statement for Disposal and Reuse of the Former Naval Weapons Station, Seal Beach, Detachment Concord, Contra Costa County, California (dated November, 2013)".

The District has been working with the U.S. Navy, the National Park Service, and the City of Concord to establish a new regional park on the former Naval Weapons Station, Seal Beach, Detachment Concord. The Reuse Plan adopted by the City of Concord, sitting as the Local Reuse Authority, identifies a new regional park to be managed by the District on over 50% of the former military facility. The District has submitted an application for a Public Benefit Conveyance to the National Park Service for conveyance of these lands through the Federal Lands to Parks program.

The District concurs with the conclusions of the draft National Register of Historic Places Evaluation for the archaeological sites as it pertains to the lands proposed for a new regional park and appreciates the thorough evaluation included in the report.

It should be noted that pursuant to the District's land use planning process and the California Environmental Quality Act, impacts on cultural resources through the development and operation of a regional park on the former military facility will need to be evaluated. The District will rely in part on the analysis and conclusions of this report in our planning and analysis.

Thank you again for the opportunity to review and provide comments throughout the Section 106 process for the former Naval Weapons Station, Seal Beach, Detachment Concord. Please feel free to contact me at (510) 544-2623 or [bholt@ebparks.org](mailto:bholt@ebparks.org) should you have any questions.

Respectfully,

Brian W. Holt  
Senior Planner

Cc: Larry Tong, Interagency Planning Manager  
Beverly Ortiz, Cultural Services Coordinator

Board of Directors

|                                     |  |                                  |                                   |                        |                         |                       |                                    |
|-------------------------------------|--|----------------------------------|-----------------------------------|------------------------|-------------------------|-----------------------|------------------------------------|
| Ayn Wieskamp<br>President<br>Ward 5 | Whitney Dotson<br>Vice-President<br>Ward 1 | Ted Radke<br>Treasurer<br>Ward 7 | Doug Siden<br>Secretary<br>Ward 4 | Beverly Lane<br>Ward 6 | Carol Severin<br>Ward 3 | John Sutter<br>Ward 2 | Robert E. Doyle<br>General Manager |
|-------------------------------------|--|----------------------------------|-----------------------------------|------------------------|-------------------------|-----------------------|------------------------------------|



## Navy Responses to Consulting Party Comments on

*“DRAFT National Register of Historic Places Evaluation of 21 Archaeological Sites in Support of the Environmental Impact Statement for Disposal and Reuse of the Former Naval Weapons Station, Seal Beach, Detachment Concord, Contra Costa County, California  
(dated November, 2013)*

**Instructions:**

- For comments on the text of the report, please use all appropriate locators for your comment: section number, page number, paragraph number.
- Should you have any questions, please contact Erica Spinelli at [erica.spinelli@navy.mil](mailto:erica.spinelli@navy.mil) or at 619-532-0980.

| Comment # | Section                 | Page | Paragraph | Comment   | Comment By   | Navy Response   |
|-----------|-------------------------|------|-----------|---|--|---|
| 1.        | References              | R-11 | 8         | The correct spelling of John's last name: Keibel  | John Keibel,<br>Concord<br>Historical Society  | Spelling corrected via errata sheet.  |
| 2.        | Appendix H - References |      |           | The correct spelling of John's last name: Keibel  | John Keibel,<br>Concord<br>Historical Society  | Spelling corrected via errata sheet.  |
| 3.        |                         |      |           | [In a letter dated January 23, 2014, the California Office of Historic Preservation stated that “1) I concur that archaeological sites CC0-680 and P-861 are eligible for listing on the NRHP under the above-listed National Register Criteria... 2) I further concur that the remaining nineteen resources are ineligible for listing on the NRHP under any applicable criteria; 3) I agree that there are no rural historic landscapes, TCPs, or TCLs within the APE that meet the criteria for listing on the NRHP...”] | Dr. Carol Rowland-Nawi,<br>State Historic Preservation Officer, California Office of Historic Preservation | OHP concurrence with report findings noted. A copy of this letter is included in the Appendix as part of the Section 106 consultation record. |
| 4.        |                         |      |           | [In a letter dated February 5, 2014, the East Bay Regional Park District stated that “The District concurs with the conclusions of the draft National Register of Historic Places Evaluation for the archaeological sites as it pertains to the lands proposed  | Brian W. Holt,<br>Senior Planner,<br>East Bay Regional Park District                                       | Comment noted. A copy of this letter is included in the Appendix as part of the Section 106 consultation record.                              |

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|     |  |  |  | for a new regional park and appreciates the thorough evaluation included in the report.”] |  |  |
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DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD, SUITE 900  
SAN DIEGO, CA 92108-4310

5090  
Ser BPMOW.els/0075  
**MAR 3 2014**

Mr. Tristan Tozer  
California Department of Parks and Recreation  
Office of Historic Preservation (OHP)  
1725 23rd Street, Suite 100  
Sacramento, CA 95816

Dear Mr. Tozer:

This letter continues consultation under Section 106 of National Historic Preservation Act (NHPA) regarding the Navy's proposed Base Realignment and Closure (BRAC) transfer of Federal property at the former Naval Weapons Station Seal Beach (NWSSB) Detachment Concord ("former NWS Concord," hereafter), located in Contra Costa County, California (SHPO Reference: USN070813A). Enclosed with this letter is the Final Archaeological Evaluation Report, which finalizes the Navy's identification of historic properties efforts under 36 CFR 800.4. This letter additionally documents the Navy's finding of adverse effect under 36 CFR 800.5 and proposes a March 26, 2014 consultation meeting to begin consultation regarding a Section 106 Memorandum of Agreement (MOA).

As more thoroughly described in prior correspondence, the Navy is proposing to transfer the remaining portion of the "Inland Area" of the former NWS Concord out of Federal ownership. This property transfer comprises the Navy's undertaking under Section 106 and the Area of Potential Effects (APE) is the approximately 5,032-acre portion of surplus property proposed for transfer. The City of Concord is the designated Local Reuse Authority (LRA) and proposed, primary property recipient. The City of Concord proposes reuse of this property consistent with its *Concord Reuse Project Area Plan* (2012).

Identification of Historic Properties Efforts Complete (36 CFR 800.4)

In January 2013, the Navy began consultation on a draft Historic Evaluation Report with the Office of Historic Preservation (OHP) and other consulting parties. The Historic Evaluation Report concluded that none of the 422 historic

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MAR 3 2014

buildings or structures evaluated is eligible for listing in the National Register of Historic Places (NRHP), either individually or as part of a historic district. The Navy received OHP concurrence on the findings of the Historic Evaluation Report on February 14, 2013.

In November 2013, the Navy began consultation with the OHP and interested consulting parties on the *Draft National Register of Historic Places Evaluation of 21 Archaeological Sites in Support of the Environmental Impact Statement for Disposal and Reuse of the Former Naval Weapons Station, Seal Beach, Detachment Concord, Contra Costa County, California* (November, 2013) ("Draft Archaeological Evaluation Report," hereafter). Although consulting parties provided comments, there were no objections to the Navy's NRHP eligibility findings. The Navy received OHP concurrence on the findings of the Draft Archaeological Evaluation Report on January 23, 2014. Therefore, the Navy's findings remain unchanged from the draft report: Sites CCO-680 and P-861 are eligible for listing in the National Register of Historic Places (NRHP), and there are no identified rural historic landscapes, Traditional Cultural Properties, or Traditional Cultural Landscapes located within the APE that meet the criteria for listing in the NRHP. Enclosed is a CD containing the Final Archaeological Evaluation Report, and hard copy page replacements for insertion into the previously-provided hard copy of the Draft report. Page replacements/insertions include Appendix I- Section 106 Consultation Record which contains the Navy's responses to all comments received and copies of consultation correspondence.

Finding of Adverse Effect (36 CFR 800.5)

As a result of the above identification efforts, the Navy has identified two historic properties eligible for the NRHP (prehistoric archaeological sites CA-CCO-680 and P-861) that are subject to the Navy's proposed transfer of property out of Federal ownership. Without "adequate and legally enforceable restrictions or conditions to ensure long-term preservation of these properties' historic significance," transfer of these properties out of Federal ownership would be considered an adverse effect under 36 CFR 800.5(2)(vii). Additionally, it is

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MAR 3 2014

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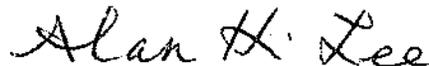
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Consultation Meeting to Develop a Section 106 Memorandum of Agreement

In accordance with 36 CFR 800.6, the Navy is proposing a meeting with interested consulting parties to begin consultation regarding the resolution of adverse effects. The goal of the meeting will be to discuss means to avoid, minimize, and mitigate potential adverse effects to historic properties. The Navy is proposing a Section 106 Memorandum of Agreement (MOA) and is seeking consulting party input on its content.

Section 106 Consultation Meeting re Former NWS Concord  
Wednesday, March 26, 2014  
10:00 AM to 1:00 PM  
Community Meeting Room  
City of Concord Police Department  
1350 Galindo Street  
Concord, CA 94520

Sincerely,



ALAN K. LEE  
Base Closure Manager  
By direction of the Director

- Enclosures: 1. Final Archaeological Evaluation Report - CD and page replacements  
2. Copy of Consultation Letter to Consulting Parties

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Ser BPMOW.els/0075

**MAR 3 2014**

Copy to: (w/o encl)

Mr. George Herbst, Archaeologist  
Naval Facilities Engineering Command, Southwest  
1220 Pacific Highway, Code EV5.GH  
San Diego, CA 92132



DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD, SUITE 900  
SAN DIEGO, CA 92108-4310

5090

Ser BPMOW.els/0076

**MAR 3 2014**

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MAR 8 2014

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MAR 9 2014

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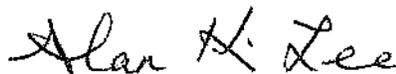
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Section 106 Consultation Meeting re Former NWS Concord  
Wednesday, March 26, 2014  
10:00 AM to 1:00 PM  
Community Meeting Room  
City of Concord Police Department  
1350 Galindo Street  
Concord, CA 94520

Please email Ms. Erica Spinelli at [erica.spinelli@navy.mil](mailto:erica.spinelli@navy.mil) to indicate your participation in the meeting.

Sincerely,



ALAN K. LEE  
Base Closure Manager  
By direction of the Director

Enclosures: 1. Final Archaeological Evaluation Report on CD  
2. Distribution List of Consulting Parties

5090

Ser BPMOW.els/0076

**MAR 3 2014**

Copy to: (w/o encl)

Mr. George Herbst, Archaeologist

Naval Facilities Engineering Command, Southwest

1220 Pacific Highway, Code EV5.GH

San Diego, CA 92132

**ENCLOSURE 2**

**Distribution List of Consulting Parties**

**Proposed Property Recipients**

City of Concord  
East Bay Regional Park District  
Contra Costa County Fire Protection District

**Federally-Recognized Indian Tribes**

California Valley Miwok Tribe  
Ione Band of Miwok Indians  
Shingle Springs Band of Miwok Indians

**Other Consulting Parties**

United States Army Corps of Engineers  
Trina Marine Ruano Family  
Concord Historical Society  
Save Mt. Diablo  
United States Bureau of Reclamation  
Contra Costa Water District





DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE ROAD, SUITE 999  
SAN DIEGO, CA 92160-4318

5090  
Ser BPMOW/0078  
March 4, 2014

Ms. Kelly Fanizzo  
Advisory Council on Historic Preservation  
1100 Pennsylvania Avenue, NW, Suite 803  
Old Post Office Building  
Washington, DC 20004

Dear Ms. Fanizzo:

This purpose of this letter is to notify the Advisory Council on Historic Preservation (ACHP) of an adverse effect finding regarding the Navy's proposed Base Realignment and Closure (BRAC) transfer of Federal property at the former Naval Weapons Station Seal Beach (NWSSB) Detachment Concord ("former NWS Concord," hereafter), located in Contra Costa County, California (SHPO Reference: USN070813A). This letter summarizes the Navy's identification of historic properties efforts under 36 CFR 800.4, documents the Navy's finding of adverse effect under 36 CFR 800.5, and proposes a Section 106 Memorandum of Agreement (MOA).

The Navy is proposing to transfer the remaining portion of the "Inland Area" of the former NWS Concord out of Federal ownership. This property transfer comprises the Navy's undertaking under Section 106 and the Area of Potential Effects (APE) is the approximately 5,032-acre portion of surplus property proposed for transfer. The City of Concord is the designated Local Reuse Authority (LRA) and proposed, primary property recipient. The City of Concord proposes reuse of this property consistent with its *Concord Reuse Project Area Plan* (2012). The 2012 Area Plan is available online at <http://www.concordreuseproject.org/library/> and a diagram of the Area Plan's proposed land uses is provided as an enclosure. The City of Concord also certified a California Environmental Quality Act (CEQA) Final Environmental Impact Report (EIR) Addendum on the Area Plan in 2012.

Identification of Historic Properties Efforts Complete (36 CFR 800.4)

In January 2013, the Navy began consultation on a draft Historic Evaluation Report with the Office of Historic Preservation (OHP) and other consulting parties. The Historic

Evaluation Report concluded that none of the 422 historic buildings or structures evaluated is eligible for listing in the National Register of Historic Places (NRHP), either individually or as part of a historic district. The Navy received OHP concurrence on the findings of the Historic Evaluation Report on February 14, 2013.

In November 2013, the Navy began consultation with the OHP and interested consulting parties on the *Draft National Register of Historic Places Evaluation of 21 Archaeological Sites in Support of the Environmental Impact Statement for Disposal and Reuse of the Former Naval Weapons Station, Seal Beach, Detachment Concord, Contra Costa County, California* (November, 2013) ("Draft Archaeological Evaluation Report," hereafter). Although consulting parties provided comments, there were no objections to the Navy's NRHP eligibility findings. The Navy received OHP concurrence on the findings of the Draft Archaeological Evaluation Report on January 23, 2014. Therefore, the Navy's findings remain unchanged from the draft report: Sites CA-CCO-680 and P-861 are eligible for listing in the National Register of Historic Places (NRHP), and there are no identified rural historic landscapes, Traditional Cultural Properties, or Traditional Cultural Landscapes located within the APE that meet the criteria for listing in the NRHP.

#### Summary of Historic Properties Identified Within the APE

Site CA-CCO 680 is a prehistoric archaeological site located near the intersection of East Olivera and Willow Pass Roads. Site CCO-680 appears to represent a remnant of a once more substantial burial and habitation locality spanning from 500 B.C. to 1800 A.D. Prehistoric cultural materials at Site CCO-680 are both horizontally and vertically extensive, reflecting a fairly complex depositional history. Surface materials are widely distributed (280 N-S x 175 m E-W) but occur primarily within an artifact concentration roughly 90 m in diameter. The surface of the artifact concentration contains flaked stone tools, ground stone tools, shell artifacts, faunal bone, shell detritus, and human remains, while surfaces beyond this area mainly yielded much lower artifact densities of these materials. Exploratory excavations confirmed these differences, finding a rich, deep midden deposit inside the artifact concentration but only a thin layer of redistributed midden matrix around the periphery of the artifact concentration within

the plow zone. Human remains are also present throughout the cultural deposit, consisting of highly fragmented skeletal elements from all portions of the body.

Site CCO-680 is eligible for NRHP listing under Criterion D as it has the potential to yield important information in two respects. First, CCO-680 has the potential to provide data concerning prehistoric burial/ceremonial practices. The site carries religious/cultural significance with regard to contemporary ethnographic perspectives about death and burial. It is also possible that future studies at Site CCO-680 could provide useful information about the social organization of individuals interred at the site. Contemporary Miwok consultants interpret Site CCO-680 as a burial site due to the presence of human remains, regardless of their condition or location. Evidence for multiple interments at Site CCO-680 potentially reflects repeated use of the site as a cemetery or burial location over an extended period of time. Along these lines, it is also important to consider the data potential of Site CCO-680 with respect to its possible relationship to the previously-identified Site CCO-250 (the Maltby Mound). A more definitive answer regarding the relationship of these sites could potentially be obtained through a comparative analysis between the currently recorded assemblage and the existing artifact collection at U.C. Berkeley. Moreover, if Site CCO-680 does represent the basal layer of Site CCO-250, it could offer additional information regarding the evolution of burial customs from the Middle/Late Transition into the Late Period and to improve our understanding of late prehistoric mortuary and adaptive patterns in central California.

Additionally, site CCO-680 has great data potential under Criterion D with respect to coastal-inland adaptations, obsidian conveyance/exchange networks, settlement systems, subsistence patterns, and many other related issues. Considering the restricted volume of excavated deposits at Site CCO-680 at the time of this study, it is very likely that additional diagnostic artifacts, dateable materials, and subsistence data would still be available from Site CCO-680 through future studies.

Site P-861 is a prehistoric archaeological site located to the east of Mt. Diablo Creek that consists of four rock features (two with multiple bedrock mortars and two with numerous cupules) and a shallow, but horizontally-extensive, midden deposit. Site P-861 appears to have been a short-term residential camp that may have also been utilized for ceremonial

purposes during specific events and likely at different times of year. The site appears to have been occupied between about 1,900 and 300 years ago. From an archaeological standpoint, mortar features such as these are often assumed to represent acorn and other plant food processing, while the cupule rocks may have served either for food processing or ceremonial activities. Limited testing in the midden yielded a small obsidian arrow point fragment, flaked stone tools, pieces of obsidian, chert, and petrified wood debitage, and some vertebrate and invertebrate fauna.

Site P-861 is eligible for NRHP listing under Criterion A and D since it appears to have high data potential with respect to ethnographic and prehistoric research. With respect to Criterion A, the current ethnographic study indicates that Site P-861 was potentially used as a ceremonial location for people living in the Inland Area at NWSSB DET Concord during prehistoric times. If ceremonial, it may have also functioned as a "power" site or a medicine camp where rituals were performed and/or plants used to assist in those rituals were gathered. In its current condition, Site P-861 preserves a group of archaeological remains that exemplifies the use of certain "special" sites for both ceremonial and utilitarian purposes and provides some insight to how prehistoric people may have conceptualized and divided the use of ritual and living space. The importance of Site P-861 with respect to events in prehistory is measured by the significance attributed to the ceremonial events that likely took place there by the Miwok consultants.

With respect to Criterion D, Site P-861 has the potential to yield important archaeological data regarding prehistoric chronology, settlement, and subsistence. Obsidian studies have facilitated an estimate of site age and offer a glimpse of lithic material conveyance patterns and reflect the spatial extent of regional settlement and exchange systems. Mortar features and subsistence remains provide insight as to the types and locations of environments used by site occupants and, by extension, of how people made seasonal use of inland and coastal landscapes in western Contra Costa County. It is possible that further archaeological work at Site P-861 could recover additional cultural materials to solidify site chronology, test current hypotheses, and examine other local and regional research issues concerning the prehistory of NWSSB DET Concord. As bedrock milling elements are rare in this area, future research such as residue studies could provide significant

additional data for understanding the function of these features along with a better understanding of site function.

The **Contra Costa Canal** (including its subsidiary, the Clayton Canal) is located within the Navy's APE and is a historic property eligible for the NRHP as determined by consensus with SHPO on March 9, 2005 (SHPO Reference: FHWA050131A). Portions of the Contra Costa Canal and Clayton Canal are located within the Navy's APE and are resources owned by the US Bureau of Reclamation and operated by the Contra Costa Water District. The Canals are not subject to the Navy property transfer.

#### Finding of Adverse Effect (36 CFR 800.5)

As a result of the above identification efforts, the Navy has identified two historic properties eligible for the NRHP (prehistoric archaeological sites CA-CCO-680 and P-861) that are subject to the Navy's proposed transfer of property out of Federal ownership. Without "adequate and legally enforceable restrictions or conditions to ensure long-term preservation of these properties' historic significance," transfer of these properties out of Federal ownership would be considered an adverse effect under 36 CFR 800.5(2)(vii). Additionally, it is reasonably-foreseeable that reuse of the surplus property consistent with the City of Concord's *Concord Reuse Project Area Plan* (2012) may also adversely affect historic properties.

The *Area Plan* proposes the following land uses in the vicinity of each historic property. CA-CCO-680 is located within an area proposed for "Greenways, Citywide Parks, and Tournament Facilities." P-861 is located within an area proposed for "Conservation Open Space" and a regional park. Although redevelopment is proposed for the areas surrounding the **Contra Costa Canal**, no direct effects to the Canals are proposed in the *Area Plan*.

In accordance with 36 CFR 800.5 and through the analysis above, the Navy has applied the criteria of adverse effect and finds that the Navy's proposed undertaking, and the subsequent reuse of the surplus property by other property owners, has the potential to result in adverse effects to historic properties.

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Ser BPMOW/0078  
March 4, 2014

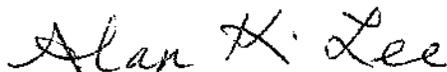
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Section 106 Consultation Meeting re Former NWS Concord  
Wednesday, March 26, 2014  
10:00 AM to 1:00 PM  
Community Meeting Room  
City of Concord Police Department  
1350 Galindo Street  
Concord, CA 94520

As discussed on February 28, 2014, the Navy will follow up with you after this meeting to discuss whether the ACHP will participate in the consultation.

Sincerely,



ALAN K. LEE  
Base Closure Manager  
By direction

Enclosures: 1. Concord Reuse Project Area Plan (2012) Diagram  
2. Copy of Consultation Letter to Consulting Parties

Copy to: (w/o encl via electronic mail)  
NAVFAC HQ Cultural Resources Program Lead (Mr. William Manley)  
NAVFAC SW (Mr. George Herbst)  
CA Department of Parks and Recreation- OHP (Mr. Tristan Tozer)



DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD, SUITE 900  
SAN DIEGO, CA 92108-4310

5090

Ser BPMOW.els/0076

**MAR 3 2014**

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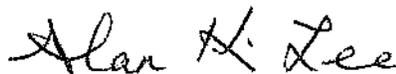
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1350 Galindo Street  
Concord, CA 94520

Please email Ms. Erica Spinelli at [erica.spinelli@navy.mil](mailto:erica.spinelli@navy.mil) to indicate your participation in the meeting.

Sincerely,



ALAN K. LEE  
Base Closure Manager  
By direction of the Director

Enclosures: 1. Final Archaeological Evaluation Report on CD  
2. Distribution List of Consulting Parties

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Ser BPMOW.els/0076

MAR 3 2014

Copy to: (w/o encl)

Mr. George Herbst, Archaeologist

Naval Facilities Engineering Command, Southwest

1220 Pacific Highway, Code EV5.GH

San Diego, CA 92132

**ENCLOSURE 2**

**Distribution List of Consulting Parties**

**Proposed Property Recipients**

City of Concord

East Bay Regional Park District

Contra Costa County Fire Protection District

**Federally-Recognized Indian Tribes**

California Valley Miwok Tribe

Ione Band of Miwok Indians

Shingle Springs Band of Miwok Indians

**Other Consulting Parties**

United States Army Corps of Engineers

Trina Marine Ruano Family

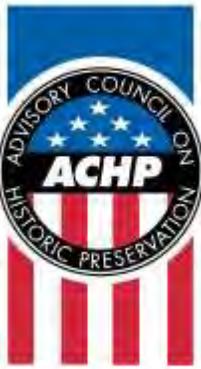
Concord Historical Society

Save Mt. Diablo

United States Bureau of Reclamation

Contra Costa Water District





Preserving America's Heritage

April 28, 2014

Mr. Alan K. Lee  
Base Closure Manager  
Department of the Navy  
Program Management Office West  
1455 Frazee Road, Suite 900  
San Diego, CA 92108-4310

**Ref: *Proposed Base Realignment and Closure and Transfer of Naval Weapons Station Concord  
Contra Costa County, California  
5090 – Ser BPMOW/0078***

Dear Mr. Lee:

The Advisory Council on Historic Preservation (ACHP) recently received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on properties listed on and eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800) does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or another party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR 800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the California State Historic Preservation Officer (SHPO) and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the Agreement and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Kelly Fanizzo at 202-606-8507, or via email at [kfanizzo@achp.gov](mailto:kfanizzo@achp.gov).

Sincerely,

Raymond V. Wallace  
Historic Preservation Technician  
Office of Federal Agency Programs





DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD, SUITE 900  
SAN DIEGO, CA 92108-4310

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Ser BPMOW.els/0804

MAR 5 2014

Mr. Troy Burdick  
Superintendent  
Central California Agency  
Bureau of Indian Affairs  
650 Capitol Mall, Suite 8-500  
Sacramento, California 95814

Dear Mr. Burdick:

We received your letter dated December 31, 2013 (Forestry 4401-P5) regarding a proposed meeting concerning the Ione Band of Miwok Indians' and California Indian Water Commission's interest in the former Naval Weapons Station, Concord. As requested, our staff contacted the Bureau of Indian Affairs' (BIA) Central California Agency Real Estate Department to discuss and schedule the proposed meeting. The Real Estate Department referred us to Mr. Gerald Jones, Assistant Regional Forester, for additional information. After several attempts to reach your staff, we have been unsuccessful in further discussing BIA's interest and the prospective meeting agenda. Should the BIA's interest involve the treatment of National Register of Historic Places (NRHP)-eligible resources at NWS Concord, we invite your agency's participation in Navy's March 26, 2014 Section 106 consultation meeting. Additional background on the current status of the proposed BRAC property transfer is described below.

By email correspondence with Mr. Jones dated January 27, 2014, the Navy summarized the current status of the BRAC process at Concord. The former NWS Concord was identified for BRAC closure in 2005 and, as required by BRAC regulations, the Navy solicited for Federal Agency interest by means of correspondence and Federal Register notice on January 17, 2006. After identification of the Federal Agency transferee (the United States Coast Guard was the only responding agency), the City of Concord (City), as the Local Reuse Authority (LRA), conducted surplus screening for approximately 5,032 acres in 2007. Under the surplus screening process, the City receives and reviews applications for the property for those agencies interested in public benefit conveyances, and incorporates the approved applicants into its reuse plan. As a result of a 6-year local

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**MAR 5 2014**

planning process, the City finalized its reuse plan (the Concord Reuse Project Area Plan or "Area Plan") and certified a California Environmental Quality Act Environmental Impact Report for the Area Plan in 2012. The Navy is proposing to transfer a total of approximately 5,032 acres of "surplus" property in the Inland Area of the former Naval Weapons Station Concord to the City, as well as to the Department of Interior (for East Bay Regional Parks District (EBRPD)) in accordance with the Area Plan.

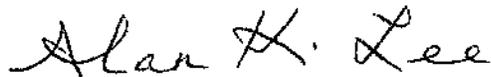
To support the proposed property transfers to the City of Concord and EBRPD, the Navy is currently in the process of complying with Section 106 of the National Historic Preservation Act. The Navy has recently completed consultation regarding the identification of historic properties. The State Historic Preservation Officer has concurred with the Navy's 2013 basewide historic resources evaluation (no historic resources identified), and with the 2013 Phase II archaeological evaluation report (which identifies prehistoric archaeological sites CA-CCO-680 and P-861 as eligible for the NRHP). The Navy previously consulted with the Ione Band, California Valley Miwok Tribe, and Shingle Springs Band of Miwok Indians under Native American Graves Protection and Repatriation Act (NAGPRA) and tribal representatives participated in the archaeological fieldwork and provided ethnographic input to our evaluation report. We anticipate that these Tribes will continue consultation with Navy to identify ways to avoid, minimize, and mitigate the potentially-adverse effects of the proposed transfers and reuse on sites CA-CCO-680 and P-861. The enclosure provides the Navy's Section 106 finding of adverse effect and proposes a consultation meeting on March 26, 2014 from 10:00am to 1:00pm in Concord, California to begin consultation on a Section 106 Memorandum of Agreement (MOA). We welcome BIA participation in this meeting.

Other BIA or Tribal proposals regarding land use after Navy transfer, such as natural resources stewardship or land management partnerships, should be separately coordinated with the LRA (City of Concord) because the Navy will not have a long-term land management or oversight role at the former installation.

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Please advise as to whether the BIA plans to participate in the Section 106 consultation meeting. The point of contact regarding Section 106 is Ms. Erica Spinelli, NEPA Planner / Senior Cultural Resources Manager at erica.spinelli@navy.mil and 619-532-0980.

Sincerely,



ALAN K. LEE  
Base Closure Manager  
By direction of the Director

Enclosure: Navy consultation letter re: Section 106 Finding of Effect

Copy to: (w/encl)  
Mr. Gerald Jones  
Assistant Regional Forester  
Pacific Regional Office  
Bureau of Indian Affairs  
2800 Cottage Way, Room W2822  
Sacramento, CA 95825

Realty Officer  
Central California Agency  
Bureau of Indian Affairs  
650 Capitol Mall, Suite 8-500  
Sacramento, California 95814

Honorable Yvonne Miller  
Chairperson  
Ione Band of Miwok Indians  
9252 Bush Street, Suite 3  
Plymouth, CA 95669

Vice Chair  
California Indian Water Commission, Inc.  
4305 39th Ave.  
Sacramento, CA 95824





DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
1455 MARKET STREET, 16<sup>TH</sup> FLOOR  
SAN FRANCISCO, CALIFORNIA 94103-1398

REPLY TO  
ATTENTION OF

Regulatory Division

MAR - 5 2013

Subject: File Number 2010-00190S

Department of the Navy BRAC PMO West  
Attn: Ronald Bochenek  
1455 Frazee Road, Suite 900  
San Diego, CA 92108

Dear Mr. Bochenek:

Pursuant to the Council on Environmental Quality National Environmental Policy Act (NEPA) regulations (40 CFR 1501.6), and Section 106 of the National Historic Preservation Act (NHPA) (16 USC 470.f), the U.S. Army Corps of Engineers (Corps) requests cooperating agency status on the Concord Naval Weapons Station Closure and Redevelopment Project (CNWS), in the City of Concord, Contra Costa County, California. Your agency is currently acting as lead federal agency for the project, and due to the fact that the Corps will likely be taking over as the federal lead once the closure is complete, it would be beneficial to share resources during the base closure process. Please respond in order to confirm cooperating agency status, or to discuss any questions or concerns.

You may refer any questions on this matter to Ian Liffmann of my Regulatory staff by telephone at (415) 503-6769 or by e-mail at [ian.liffmann@usace.army.mil](mailto:ian.liffmann@usace.army.mil). All correspondence should be addressed to the Regulatory Division, South Branch, referencing the file number at the head of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane M. Hicks".

Jane M. Hicks  
Chief, Regulatory Division

Copy Furnished:

Ebbin, Moser & Skaggs, LLP; Attn: Shawn Zovod





DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD, SUITE 900  
SAN DIEGO, CA 92108-4310

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APR 1 2013

Ms. Jane Hicks  
Chief, Regulatory Division  
Department of the Army  
San Francisco Division, U.S. Army Corps of Engineers  
1455 Market Street, 16<sup>th</sup> Floor  
San Francisco, CA 94103-1398

SUBJECT: NEPA AND SECTION 106 STATEMENT OF COOPERATION

Dear Ms. Hicks:

In response to your letter of March 5, 2013, the Navy concurs with your request to be a Cooperating Agency for the preparation of the Environmental Impact Statement (EIS) for the disposal and reuse of Naval Weapons Station Seal Beach, Detachment Concord (NWS Concord), Concord, CA. The Navy will serve as the Lead Agency and the United States Army Corps of Engineers (USACE) will be designated a Cooperating Agency, as the terms are defined and used in 40 CFR 1501-1508. It is understood that USACE will incorporate the EIS into a future USACE National Environmental Policy Act (NEPA) analysis to support a Clean Water Act Section 404 permit. Additionally, this letter formally accepts the USACE as a consulting party in the Navy's ongoing Section 106 consultation regarding the disposal of the former NWS Concord.

The Navy, as part of its EIS, will study the potential environmental consequences resulting from the disposal of surplus property at NWS Concord from federal ownership and its subsequent reuse in a manner consistent with the *Concord Reuse Project Area Plan*, as adopted by the City of Concord on January 24, 2012. To assess the potential environmental consequences, the EIS will evaluate two property reuse alternatives and a No Action Alternative. Alternative 1 is the reuse of the property in a manner consistent with the *Concord Reuse Project Area Plan*. Alternative 2 consists of a greater amount of residential and mixed-use development. Alternative 2 includes elements of the Connected Villages Alternative (Alternative 2) assessed in the 2008 Draft Environmental Impact Report (DEIR) of the City of Concord's Reuse Plan conducted in compliance with the California

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Environmental Quality Act (CEQA). Alternative 2 is included for the purposes of the NEPA analysis and does not imply a change to the City of Concord's adopted Area Plan and 2030 General Plan, which is the result of a public planning process. The No-Action Alternative is evaluated in detail in this EIS as prescribed by CEQ regulations. Both reuse alternatives assume full build-out over a 25-year period; the period of analysis will be during construction and when full build-out has been completed.

The EIS will address potential direct, indirect, short-term, long-term, and cumulative impacts on the human and natural environments, including but not limited to potential impacts on topography, geology and soils; water resources; biological resources; air quality; greenhouse gases and climate change; noise; infrastructure and utilities; transportation, traffic, and circulation; cultural resources; land use; socioeconomic and environmental justice; hazards and hazardous substances; and public services. The level of analysis will consist of a programmatic analysis and will not assess the future proposed reuse in detail (e.g., construction/design-level detail). It is our understanding the USACE has not requested any changes to the "scope" of the EIS analysis, including the proposed action, purpose and need, project area, NEPA alternatives, analysis methodology, project schedule, or proposed public involvement activities as proposed by the Navy. The EIS will be prepared in accordance with all applicable federal guidance, including Section 102(2) (c) of the National Environmental Policy Act (NEPA) of 1969, as implemented by the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Office of the Chief of Naval Operations Instruction (OPNAVINST) 5090.1C CH-1.

The Navy requests USACE support in preparing the water resources analysis of the EIS, including description of existing conditions and analysis of potential indirect, direct, and cumulative impacts, and participation at the Draft EIS Public Hearing Meeting.

The Navy will cooperate, as necessary, and keep USACE apprised of the status of the NEPA project, including schedule and major project milestones. In addition, the Navy will provide

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an opportunity for USACE to review and comment on draft project deliverables, including participation in any Draft EIS and Final EIS government review meetings. It is expected that USACE will review and comment on project deliverables in a timely manner (i.e., within three weeks). The Navy requests that USACE not release preliminary or draft versions of any project deliverable (e.g., Draft EIS) to the public or any other local, state, or federal agency without coordinating and receiving approval from the Navy. The Navy requests that throughout this process, USACE provide timely expert input, analyses review and comment to address the potential impacts of disposal and reuse, and ensure that the EIS schedule is maintained. In addition, the Navy requests that USACE keep the Navy apprised of current events in relation to their proposed Section 404 permitting process.

The Navy is solely responsible for directing the scope of the NEPA analysis and determining the final content of all project deliverables, including the Draft and Final EIS, Notice of Availability, and all public meeting materials; distributing project documents; determining analysis methodology, findings, and conclusions; timing and schedule of the NEPA analysis and project milestones; and responding to all public and agency comments (e.g., response to comments) and public inquiries. All public or regulatory requests for EIS related documents and comments/questions on the Navy's NEPA process or the EIS must be forwarded to the Navy.

The Navy will ensure that input from USACE is appropriately incorporated into the Draft and Final EIS and will utilize USACE's comments to the maximum extent possible, consistent with the legal requirements and our responsibilities as Lead Agency.

The Navy will administer the contracts for the EIS. If the USACE believes an additional contract or funding is required, the USACE will notify the Navy. The Navy will only be responsible for funding and or administering the contract if it is determined by the Navy to be necessary and integral to satisfy the Navy's NEPA obligations. Both agencies will work cooperatively and in good faith. The Navy retains all decision-making authority over the EIS.

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In addition to the request for NEPA Cooperating Agency status, your March 5, 2013 letter also requested collaboration between our agencies regarding Section 106 of the NHPA. Recognizing the opportunity for Navy/USACE collaboration in our agencies' compliance with Section 106, the Navy accepts the USACE as a consulting party in the Navy's ongoing Section 106 consultation concerning the proposed disposal of the former NWS Concord. The Navy initiated consultation on this undertaking in 2007 and has recently re-engaged consultation to move forward with the identification of historic properties within the Area of Potential Effects. At a minimum, USACE support will be necessary for future consultation meetings and for the analysis and resolution of potential effects on historic properties related to wetland habitat restoration / mitigation, or other aspects of the USACE's 404 permitting process. The Navy looks forward to the USACE's participation as a consulting party, as defined under Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR 800. We request that our agencies' cultural resources managers and regulatory staffs confer in order to discuss the details of this approach.

As the consultation progresses and additional information about historic properties and potential effects becomes available, the Navy and USACE will need to continue coordination regarding the most appropriate Section 106 compliance strategy(ies) for our two agencies. Accordingly, our agencies may revisit the USACE's role and responsibilities under Section 106. For example, should it be necessary to resolve adverse effects related to the USACE's 404 permitting process, the USACE's role under Section 106 may expand to include signatory or invited signatory status on a Section 106 agreement document such as a Memorandum of Agreement or Programmatic Agreement. Alternatively, the USACE may choose to conduct a separate Section 106 consultation that tiers off from the Navy's consultation.

If you have any questions regarding the Navy's NEPA process or the NWS Concord EIS, please contact Mr. Ronald Bochenek, NEPA Planner, at (619) 532-0906 or [ronald.bochenek.ctr@navy.mil](mailto:ronald.bochenek.ctr@navy.mil). Should you have any questions regarding the Navy's Section 106

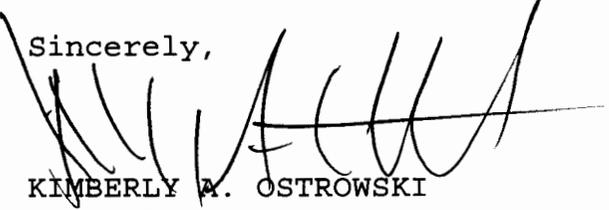
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consultation, please contact Ms. Erica Spinelli, Senior Cultural Resources Manager, at (619) 532-0906 or [erica.spinelli@navy.mil](mailto:erica.spinelli@navy.mil). The legal point of contact is Mr. Marvin Norman, Associate Counsel, NAVFAC SW, (415) 743-4727 or [marvin.norman@navy.mil](mailto:marvin.norman@navy.mil).

Sincerely,



KIMBERLY A. OSTROWSKI

Base Closure Manager

By direction of the Director



## **Appendix B      Scoping Summary Report**

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---

# Final Scoping Process Summary

for the

## Environmental Impact Statement for the Disposal and Reuse of Surplus Property at Naval Weapons Station Concord Concord, California

June 2014



BRAC Program Management Office

Prepared by:

Ecology and Environment, Inc.  
368 Pleasant View Drive  
Lancaster, NY 14086



# 1 Overview

In accordance with the National Environmental Policy Act (NEPA) and regulations set forth by the Council on Environmental Quality (CEQ), the U.S. Department of the Navy (Navy) implemented a scoping process to encourage and facilitate public involvement early in the development of the environmental impact statement (EIS) for the disposal and reuse of surplus property at the former Naval Weapons Station (NWS) Concord, California. Individuals and public agencies were encouraged to review information about the proposed action and express their concerns and issues to be addressed in the EIS by submitting comments to the Navy. The purpose of this document is to provide the results of the scoping process, a summary of the comments received, and a brief description of how the comments will be addressed in the Draft EIS.

As stated in the CEQ regulations implementing NEPA, the scoping process is designed to:

- Identify people or organizations who are interested in the proposed action
- Identify the scope (e.g., range of actions, alternatives, and impacts) and the significant issues to be analyzed in the EIS
- Identify and eliminate from detailed review those issues that will not be significant or those that have been adequately covered in prior environmental review
- Identify gaps in data and informational needs
- Set time limits for the process and page limits for the EIS
- Identify any related environmental assessments (EAs) or EISs
- Identify other environmental review and consultation requirements so they can be integrated with the EIS
- Indicate the relationship between the development of the environmental analysis and the agency's tentative decision-making schedule.

The public scoping period was initiated with publication of the Notice of Intent (NOI) in the *Federal Register* on March 14, 2013. The scoping period concluded on April 19, 2013. Two open house sessions were held on a single day (April 4, 2013) to present information to the public on the Navy's proposed action, alternatives, and resource areas to be addressed in the EIS. Comments from the public could be submitted in writing to Navy representatives during the open house sessions; or mailed in, emailed, or faxed to the Navy's designated point of contact. Comment sheets were provided at the open house sessions for members of the public to use in documenting their written comments during the public meetings.

## 1.1 Public Notification

### 1.1.1 Notice of Intent

An NOI to prepare the EIS was published in the *Federal Register* on March 14, 2013 (78 *Federal Register* [FR] 16255; see Appendix A). The NOI described the proposed action and alternatives and provided information on the Navy's scoping process, including the date, location, and times of two public scoping open house sessions to be held in the vicinity of the former NWS Concord.

### **1.1.2 Newspaper Display Notices**

A newspaper display notice announcing the Navy's public scoping process, including the date, location and times of the public scoping open house sessions, was published in local daily newspapers that serve the population in the vicinity of the former NWS Concord. The notice was published in the following newspapers on the following dates:

- ***Contra Costa Times*: March 17, 29, 30, and 31**
- ***East County Times*: March 17, 29, 30, and 31**
- **A copy of the display notice is provided in Appendix A.**

### **1.1.3 Scoping Notification Mailer and Email**

A mailer announcing the Navy's intent to prepare an EIS and to announce the public scoping process was distributed on March 14, 2013, to 2,600 federal, state, and local agencies, elected representatives, tribal entities, neighborhood alliances, and other stakeholders including residents and businesses within 500 feet of NWS Concord. An email address was available for approximately 1,184 residents and businesses within 500 feet of NWS Concord in lieu of the postal address, and for these stakeholders, an email notification was provided. A copy of the scoping notification mailer is provided in Appendix A.

### **1.1.4 California State Clearinghouse Notification**

A Notice of Completion and Environmental Document Transmittal form was completed and delivered to the California State Clearinghouse on March 15, 2013.

### **1.1.5 Websites**

The Base Realignment and Closure Program Management Office (BRAC PMO) provided the NOI to the Chief of Information (CHINFO) for posting to the BRAC PMO website ([www.bracpmo.navy.mil](http://www.bracpmo.navy.mil)). Additionally, the BRAC PMO provided the NOI to the City of Concord for posting on the city's website, as appropriate.

## 2 Public Scoping Meetings

### 2.1 Meeting Locations and Attendance

Two public scoping open house meeting sessions were held on April 4, 2012 from 4:00 p.m. to 6:00 pm and 7:00 p.m. to 9:00 pm. The open house was held at the Concord Senior Citizen's Center (Wisteria Room), 2727 Parkside Circle, Concord, California, 94519. Fifty-nine people attended the sessions.

### 2.2 Meeting Format and Information Provided to the Public

The Navy used an "open house" meeting format for the scoping meeting sessions. This format provides interested persons with an opportunity to review information presented at the meeting and ask questions of project representatives in an open, one-on-one setting before formulating their comments. The open house format provided a variety of layered information sources to meet individual needs and allowed for maximum community participation.

The open house layout also provides attendees with a continuous and logical flow of information about the project and offers various methods for commenting. On entering the open house, attendees were directed to a sign-in table. EIS team members at the sign-in table explained the layout of the open house and how to provide comments.

The open house included eight display booths. The booths exhibited posters with the following titles:

- The BRAC Process
- NEPA and the EIS
- Proposed Action and Alternatives
- Key EIS Topic: Land Use and Socioeconomics
- Key EIS Topic: Natural Resources
- Key EIS Topic: Quality of Life
- Key EIS Topic: Traffic and Transportation
- Key EIS Topic: Cultural Resources

The EIS team members staffed the display booths and answered questions, provided handouts, and assisted participants in submitting their comments.

Handouts available at the sign-in table and at display booths were designed to complement the display booths and to provide further information for attendees. Handouts included:

- *Base Realignment and Closure (BRAC) Process*
- *The National Environmental Policy Act (NEPA) and the EIS Process*
- *Proposed Action and Alternatives*
- *Key Topics – Environmental Impact Statement Naval Weapons Station Concord*
- *Cultural Resources*
- *Agency Contact Information*

Additionally, a poster on how to comment was also provided at the meeting, and comment forms and comment boxes were available on tables throughout the meeting room.

### 3 Summary of Comments and How Issues Will Be Addressed

#### 3.1 Introduction

Scoping “statements” and scoping “comments” are defined in this report as follows:

- **Scoping Statement.** A letter, website entry, or comment submitted by comment form during the formal scoping period that may include one or more comments.
- **Scoping Comment.** One or more single issues contained in the scoping statement, related to the scope of the EIS (e.g., the purpose and need for the project, alternatives, or potential environmental impacts).

Comments about the project were written and submitted on comment forms at the scoping meetings. Other comments were received by regular mail, email, or fax. A total of 40 scoping statements were submitted during the formal scoping period. These 40 scoping statements comprised 101 comments. Fifteen comment forms were submitted at the public scoping open house sessions; the remaining comments were submitted after the meeting. Many of the scoping statements and comments focused on the development scenarios and mitigation measures that would occur after property transfer and on pre-construction.

Table 3-1 provides a summary of the scoping statements received.

**Table 3-1 Format of Scoping Statements Received**

| Type of Scoping Statement   | Number of Scoping Statements |
|---|------------------------------|
| Comment form at scoping meeting   | 15                           |
| Mail-in/fax/email letter from government agencies (local, state, federal)                                     | 9                            |
| Email letter from the public (including community-based organizations, neighborhood alliances, and residents) | 8                            |
| Mail-in or fax letter from public   | 8                            |
| <b>Total</b>  | <b>40</b>                    |

#### 3.2 Scoping Statements from Government Agencies and Elected Representatives

Comments received from federal, state, and local government agencies have been incorporated into the summary tables of issues and concerns by resource area (see Table 3-3). Agency comments are also summarized below by agency.

##### 3.2.1 Elected Representatives

No scoping statements were received from federal or state elected representatives. One comment was received from the Mayor of Concord at the open house scoping meeting. The mayor indicated his support for an efficient and expedited NEPA process.

##### 3.2.2 Federal Agencies

Comments were received from the U.S. Coast Guard (USCG) and the U.S. Environmental Protection Agency (EPA), Region 9.

The USCG noted a preliminary determination that the adjacent former U.S. Navy housing area, with 78 housing units, is in excess of its needs and that a decision has not been reached on potential disposal methods.

The EPA commented on a range of issues, including the following:

- Remediation requirements for the associated site parcels
- Construction and operational impacts on air quality
- Inclusion of alternatives to demonstrate compliance with Clean Water Section 404(b)(1) Guidelines
- Compliance with Section 438 of the Energy Independence and Security Act, i.e., measures to mitigate flow increases above pre-development levels, including the use of green infrastructure or low-impact development (LID) practices
- Indirect effects such as the potential for population and employment growth off-base
- Climate change effects and adaptation measures, including the use of on-site renewable energy components.

### **3.2.3 State Agencies**

Comments were received from the California Public Utilities Commission and the California Department of Transportation (Caltrans).

The Public Utilities Commission commented on a range of issues, including the following:

- Development should be planned with consideration of the safety of the adjacent railroad/light rail right-of-way (ROW)
- Pedestrian circulation patterns or destinations with respect to the railroad ROW and compliance with the American Disabilities Act
- Increased traffic volumes at at-grade rail crossings
- Mitigation measures such as planning for grade separations at major thoroughfares, improvements at existing at-grade crossings, and installing continuous vandal-resistant fencing/barriers to limit trespasser access onto the railroad ROW.

Caltrans commented that the DEIS should address the following issues:

- Traffic impacts such as project-related trip generation, distribution, and assignment
- Calculation of average daily traffic, morning and evening peak hour volumes and levels of services, and cumulative traffic volumes
- Consistency with local plans
- Mitigation measures for roadways or intersections with insufficient capacity to maintain acceptable levels of service (LOSs)
- Traffic impact fees
- Scheduling and costs associated with planned improvements
- Cumulative impacts on state ROWs such as hazardous materials transport, tree removal, seasonal wetlands, and water quality impacts
- Bicycle and pedestrian facilities and local BART stations.

Additionally, Caltrans indicated that the Navy needs to coordinate projects with Caltrans, CCTA, and the city and that the developer must submit a transportation management plan prior to construction. The Caltrans letter also identifies the permits that must be obtained by the developer prior to construction and the studies/documentation that must be submitted with these permit applications.

### 3.2.4 Local Agencies

Comments were received from the City of Concord, the City of Antioch, the Contra Costa Environmental Health Division, and the East Bay Municipal Utility District (EBMUD).

The City of Concord reiterated its support for Alternative 1 (the Preferred Alternative), encouraged the Navy to incorporate the findings of the city’s Final Environmental Impact Report (EIR) into the Navy’s DEIS to the maximum extent possible; and recommended the use of graphics and boundaries used by the City of Concord in its EIR.

The City of Antioch was primarily concerned with traffic and transportation impacts and resubmitted a 2009 letter that provided comments on the City of Concord’s EIR.

The Contra Costa Environmental Health Division (CCEHD) commented on pre-construction issues, identifying permit requirements, recommending that future projects are served by public sewer and city water, and noting that closed landfills on the property may fall under their jurisdiction following property disposal.

The EBMUD indicated that project development could 1) increase encroachment onto the Aqueducts right-of-way (R/W), 2) generate storm water and flooding impacts; and 3) generate flow impacts in Mt. Diablo Creek. EBMUD requested that the developer submit proposals for review and referenced additional pre-construction requirements.

### 3.2.5 Tribal Governments

No scoping comments were received from Native American tribal representatives.

## 3.3 Summary of Issues of Concern by Resource Area

All of the comments received from the public and from state, local, or federal agencies were identified and tabulated in a database by topic. Comments from the public were mostly from private citizens. Table 3-2 categorizes the comments received by frequency and topic. Issues related to the proposed action and alternatives received the most comments, followed by traffic and transportation and land use, open space and community facility/services. A number of comments indicated various permit requirements or recommendations for agency consultation prior to construction. Table 3-3 provides a summary of the comments received, organized by resource area.

**Table 3-2 Frequency of Comments by Topic**

| Topic  | Number of Comments |
|--|--------------------|
| Proposed Action and Alternatives             | 22                 |
| Traffic and Transportation                   | 13                 |
| Land Use, Open Space, and Community Services | 11                 |
| Natural Resources                            | 9                  |
| Socioeconomics                               | 7                  |
| Quality of Life                              | 6                  |
| Air Quality                                  | 5                  |
| Water Resources/Quality                      | 3                  |

**Table 3-2 Frequency of Comments by Topic**

| Topic   | Number of Comments |
|---|--------------------|
| Cultural Resources                            | 3                  |
| Environmental Management                      | 3                  |
| Infrastructure/Energy                         | 2                  |
| Noise   | 1                  |
| Required Consultations or Permit Requirements | 8                  |
| Miscellaneous Comments                        | 8                  |
| <b>Total</b>                                  | <b>101</b>         |

### 3.3.1 Proposed Action and Alternatives

Twenty-two comments were received regarding the proposed action and alternatives. The majority of these comments (15) indicated a preference for Alternative 1. Many of the commenters noted that the city's reuse planning process resulted in the Area Plan (Alternative 1) and questioned why a second alternative discarded during the city's reuse planning process was included as Alternative 2. Five comments indicated a preference for the No Action alternative. One comment from the City of Concord expressed the importance of keeping map and alternative boundaries consistent between the Navy's NEPA EIS and the city's California Environmental Quality Act (CEQA) EIR. One commenter suggested a design change to the proposed action, noting that the existing railroad ROW could be removed and replaced by a through-street.

The EIS will evaluate the impacts of Alternative 1 (the Preferred Alternative, which is consistent with the Concord Reuse Area Plan). NEPA also requires the assessment of a second alternative (Alternative 2) and a No Action alternative. The Navy will not change elements of the Concord Reuse Area Plan in response to public comments; however, more specific development scenarios within the context of the Area Plan may need to be assumed in order to assess the potential impacts.

### 3.3.2 Transportation

Transportation concerns were noted in 13 comments. Most of the comments were submitted by neighborhood residents who expressed concern that the influx of residents and vehicles would generate more traffic in an already congested area and within the region. Specifically, residents were concerned with traffic on Concord Boulevard at the intersections of Bailey Road, Denkinger Road, and West Street, and on Bailey Road; and they noted that traffic is an issue in the vicinity of the four area schools. One commenter noted that the addition of connector streets and the increased traffic on local streets would adversely impact their neighborhood (Dana Estates). One commenter resides in the neighborhood adjacent to the North Concord BART station, where commuter traffic is a concern, and requested that the DEIS study traffic impacts and recommend reasonable solutions/mitigation. Several commenters suggested the need for a traffic study during the EIS process. Caltrans also submitted several comments in a single comment statement, suggesting that the Navy employ specific methodologies and guidance in development of the DEIS. Caltrans also commented on traffic impact fees, mitigation, and funding sources. The City of Antioch indicated its concerns regarding impacts of the reuse plan on the regional transportation network and requested that the DEIS consider the impacts and concerns contained in the Transplan Committee letter submitted to the City of Concord in 2009.

The California State Public Utilities Commission indicated that the project area includes active railroad and/or light rail tracks. The agency recommended that future development in these areas be planned with the safety of the rail corridor in mind, especially at at-grade crossings. The agency recommended that the DEIS consider pedestrian circulation patterns or destinations and compliance with the Americans with

Disabilities Act. Additionally, the comment identified mitigation measures that could be employed to address these issues.

The EIS will evaluate effects of the proposed action on transportation, traffic, pedestrians, and alternative transportation users within and around the surplus property. The EIS will include an examination of existing and future transportation conditions, including existing and future traffic volumes and levels of service, trip generation, trip distribution, and accident analyses. The EIS will also recommend potential measures to mitigate traffic impacts.

### **3.3.3 Land Use, Open Space, and Community Facilities/Services**

Concerns related to land use, open space, and community facilities/services were noted in 11 comments. Most of the comments indicated the commenters' preference to preserve open space and natural resources both to protect wildlife and habitat and to provide users with parks and opportunities for passive recreational activities such as hiking, bicycling on trails, horseback riding, and other activities. One commenter requested that motorized sports (e.g. Motocross) be banned.

One comment indicated that a local residential developer owns land adjacent to the boundary of the former NWS Concord, including the ridge top, and that the DEIS should consider that these lands will be developed in the near future. With respect to community facilities/services, one comment requested that bus routes be provided at 15-minute intervals for access to/from the base area and Willow Pass Road. One agency recommended that future projects be served by public sewer and city water. A commenter requested that the proposed development scenarios include large percentages of single-family homes in order to be compatible with surrounding neighborhoods.

The EIS will address the property-specific plans included in the city's Area Plan, but implementation of the Reuse Plan and management of the redevelopment and construction is the responsibility of the City of Concord as the Local Redevelopment Authority (LRA). The EIS will address existing land uses and will include an evaluation of direct, indirect, and cumulative impacts on surrounding land use. The EIS also will address existing community facilities and infrastructure and the impacts of each alternative on these facilities.

### **3.3.4 Natural Resources**

Nine comments pertained to natural resources. A community-based organization (CBO) has designated the area as one of the 15 priority plant protection areas of the East Bay, noting that the project area includes aspects of a native landscape that are worth conserving and restoring.

A state agency (Caltrans) commented that project-level activities related to habitat restoration and management should be coordinated with local and regional habitat conservation plans and with Caltrans where their programs share stewardship responsibilities for habitats, species, and/or migration routes.

Many commenters were concerned with protecting habitat from development and human impacts. These resources include the riparian corridor and 100-year floodplain setback; local wildlife; and wetlands. One commenter wants to see wetlands restored or created to attract wildlife. The same commenter requested that all development be required to use only native plants, grasses, and trees. One commenter generally noted that the EIS should evaluate the impacts of resource preservation or removal.

Several comments were concerned with local wildlife such as elk, deer, cows, coyote, turkeys, and birds as well as threatened and endangered species such as tiger salamanders, red-legged frogs, and burrowing owls.

The EIS will use recent data and will coordinate with federal and state resource agencies to address potential impacts on natural resources, soils, and water resources. The Navy will not be responsible for development of the site or for associated mitigation measures but will identify recommended mitigation measures in the DEIS.

### **3.3.5 Socioeconomics**

Seven comments were received regarding socioeconomics. Three commenters were concerned that their property values would decrease as a result of the adjacent development and associated traffic, air quality, and noise impacts. Four commenters requested that the DEIS evaluate the number and types of jobs and economic opportunities associated with the project. The EPA indicated that the DEIS should identify indirect effects that could occur outside the project boundary, including the potential increase in off-base population and employment. One commenter added that the DEIS should study housing affordability and should identify the sources of funding for new transit service.

The EIS will study the direct, indirect, and induced socioeconomic impacts of the project alternatives. These impacts include both construction and operations employment and spending. The EIS will provide reasonable assumptions associated with the alternatives, in terms of size, number of employees, trip generation, etc. for each of the planned uses in order to present a quantitative impact assessment. Housing affordability and property values will be discussed in general terms.

The City of Concord, as the LRA, will be responsible for identifying funding sources associated with future development; the site developers will determine specific employment needs and skillsets.

### **3.3.6 Quality of Life**

Quality of life issues were the subject of six comments. The commenters were neighborhood residents and homeowners who indicated that they moved to the area for serenity and open space, and the combined effects of additional traffic, noise, and air pollution would decrease their quality of life. One commenter noted that the city's traffic study near Denkinger Road and West Street indicated that noise pollution is beyond acceptable and questioned what could be done to minimize/mitigate air and noise pollution in the area of Concord Boulevard, Denkinger Road, and West Street.

The quality of life issues of noise, air quality, and traffic will be addressed as separate resource areas in the DEIS. The cumulative impacts on these resource areas will be evaluated, and a general assessment will be made regarding quality of life impacts.

### **3.3.7 Air Quality**

Air quality was the subject of five comments. The EPA recommended that the DEIS provide a detailed discussion of ambient air conditions, National Ambient Air Quality Standards (NAAQS), criteria pollutant nonattainment areas, and potential air quality impacts. The EPA also recommended that the EIS provide adequate discussion on construction and operational emissions as well as mitigation measures that have been adopted in the city's reuse plan and the party responsible for implementation. Additionally, the EPA requested that the DEIS discuss the additive impacts from climate change on resources affected by the project; climate change adaptation measures; and the energy requirements and conservation potential of various alternatives and mitigation measures. The discussion should address whether any part of the energy demand for development could be met with on-site renewable energy component.

One commenter indicated that residents of Esperanza Drive are currently exposed to wind and pollution from two freeways and expressed concern about the air quality impacts resulting from additional traffic. Another commenter expressed doubt that future development would affect climate change and greenhouse gas (GHG) emissions.

The EIS will describe ambient air conditions, NAAQS, and criteria pollutant nonattainment areas; address air quality impacts; and discuss construction and operational emissions. Additionally, the EIS will discuss the additive impacts of climate change, climate change adaptation measures, and the energy requirements and conservation potential of various alternatives.

### **3.3.8 Water Resources/ Water Quality**

Water resources and water quality were the subject of three comments. The EPA recommended that the DEIS describe all waters of the U.S. that could be affected by the project and indicated that NEPA alternatives should be crafted for consistency with Section 404 permit requirements. The East Bay Municipal Utility District noted that any activities conducted in the vicinity of their facilities could generate storm water and flooding impacts if not adequately mitigated. A resident of Esperanza Drive expressed concern about groundwater contamination resulting from cleanup activities or project construction.

The EIS will address water quality, surface water and groundwater impacts, and will recommend storm water prevention and protection measures. The EIS also will discuss the project alternatives and compliance with the Section 404 process as appropriate.

### **3.3.9 Cultural Resources**

Cultural resources were the topic of three comments. One comment, submitted by Caltrans, indicated that the DEIS must include documentation of a current archaeological record if construction activities are proposed within the state ROW. These construction activities include but are not limited to lane widening, channelization, auxiliary lands, and/or modification of existing features such as slopes, drainage features, curbs, sidewalks, and driveways within or adjacent to the state ROW. Two residents expressed a desire to honor NWS Concord's history; one commenter suggested a display commemorating how NWS Concord served the U.S. during World War II; and the other commenter recommended tours, monuments, and plaques to honor NWS Concord servicemen and servicewomen.

The EIS will present a discussion of the Navy's compliance with the requirements under the National Historic Preservation Act (NHPA) of 1966 and other pertinent statutes. Additionally, the EIS will include the results of cultural resources survey (architecture and archaeology) that are under way. The City of Concord is responsible for implementation of the Reuse Plan and ultimately will decide how to incorporate historical memorabilia into the new development.

### **3.3.10 Environmental Management**

Three comments were received in relation to environmental management. The EPA requested that the DEIS identify hazardous contaminants associated with the site and provide a general overview of the cleanup status. The agency recommended that for each parcel, the DEIS describe land use, the proposed cleanup remedy, and proposed development activities, and that the DEIS discuss how construction activities could come in contact with site contamination. Per the EPA, the DEIS should also provide an overview of monitoring pursuant to Superfund cleanup, including the party responsible for monitoring. A neighborhood alliance also asked that the Navy identify how environmental cleanup will be managed. One resident expressed concern about potential exposure to toxins during site remediation activities, whether through air or soil.

The EIS will describe the CERCLA process as a parallel but separate process that will ensure public health and safety of properties prior to transfer.

### **3.3.11 Infrastructure/Energy**

Two comments were related to infrastructure/energy concerns. The key issue of concern was the implementation of sustainable practices in the redevelopment. The EPA recommended the use of standards and guidelines consistent with “green buildings” and the use of LID options to mitigate potential impacts on water quality. A resident suggested that the development incorporate a recycled water program for irrigation and asked that developers be required to include alternative energy programs in their development plans.

Infrastructure and utility requirements will be discussed in the EIS, including a discussion of Section 438 of the Energy Independence and Security Act (EISA); however, The City of Concord is responsible for the implementation of the Reuse Plan and management of property and redevelopment and will ultimately decide what, how, and where green building techniques or alternative energy elements may be incorporated.

### **3.3.12 Noise**

One comment was submitted in relation to noise impacts. The resident was concerned with increased noise associated with the influx of residents within the project area and requested a noise study at the intersection of Concord Boulevard and Denkinger/West, and on Willow Pass and Landana Roads.

The EIS will document baseline noise conditions at various locations in the vicinity of the project area and will estimate the impacts of construction and operations noise for each alternative.

### **3.3.13 Required Consultations or Permit Requirements**

Three agencies submitted comment statements indicating pre-construction requirements or recommendations. Eight comments were contained in these statements. Examples include Caltrans (the developer may be required to submit a Transportation Management Plan prior to construction and obtain transportation permits for oversize vehicles); East Bay Municipal Utility District (any proposed projects in the aqueduct’s ROW must be submitted to EBMUD for review and approval, and may require permits); and the Contra Costa Environmental Health Division (a permit is required for any well or soil boring prior to commencing drilling activities; some closed landfills may come under the jurisdiction of the agency after transfer of the property).

The City of Concord will be responsible for development of the property following property transfer. The city will select project developers, and those developers will be required to consult with the appropriate agencies and comply with the various permit requirements during project design and prior to construction.

### **3.3.14 Miscellaneous Comments**

Eight comments were submitted that do not fall within any of the aforementioned resource areas. Several commenters noted that the city’s EIR process was comprehensive and that the Navy’s EIS should utilize the previously submitted information and Final EIR findings to the maximum degree possible in order to expedite the NEPA process. One commenter requested that the NEPA process be open and inclusive. Another commenter requested that the DEIS described how weapons will be removed from the site. The USCG submitted notification that the adjacent parcel (78 housing units on the former U.S. Navy housing area in Concord) is in excess of their needs.

The Navy EIS will utilize existing information to the extent practicable during the NEPA process. The NEPA process incorporates public involvement at several points; the public is afforded opportunity to comment during scoping, after the DEIS is completed, and after the FEIS; and agencies are consulted as appropriate during development of the EIS. The EIS will describe the activities to be undertaken during disposal and transfer of the property.

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name                 |                                       | Comment   |
|----------------------------------|---------------------------------------|---|
| Proposed Action and Alternatives |                                       |   |
| 1                                | Local Agency (City of Concord)        | The Navy has made a determination that a more intense land use alternative to the Area Plan is required to be part of the analysis. While the LRA is not in agreement with the necessity of such an analysis, we agree with the use of an alternative developed, and not selected, during the community planning process, as Alternative 1. We will work with the Navy and the community to make sure the purpose for inclusion of the previously eliminated alternative in the EIS is clear.   |
| 2                                | Local Agency (City of Concord)        | Staff noticed, in looking at the graphics at Station 2 of the scoping meeting, discrepancies between the approved Concord Reuse Project Area Plan and Alternative 2 and the station exhibit. As a specific example, in the representation of the Area Plan, the green frame around the village neighborhoods was not accurately represented. This is such an important aspect of the plan to the residents that it raised a lot of negative comments from the community. The LRA would recommend that its original graphics be used.  |
| 3                                | Local Agency (City of Concord)        | We concur with the Navy's use of the Area Plan as the preferred land use alternative for the transfer action.   |
| 4                                | CBO (California Native Plant Society) | The Concord Reuse Project Area Plan is described as Alternative 1 of the Navy's NOI document. East Bay CNPS was very active in providing input and supporting the plan during its development and therefore recommends Alternative 1 of the NOI be adopted so that the City of Concord can begin implementing it.   |
| 5                                | CBO (California Native Plant Society) | East Bay CNPS recommends that the purpose of the proposed action as described on page 2 of the NOI be modified to also include the conservation of natural resources. Modifying the purpose in this way would ensure that it is consistent with the Concord Reuse Project Area Plan, which set aside the majority of the surplus property at the CNWS for Open Space and Parks and Recreation Use.  |
| 6                                | CBO (California Native Plant Society) | The East Bay CNPS notes that Alternative 2 of the NOI includes less open space and fewer parks than Alternative 1 in favor of greater development intensity. We understand that a range of alternatives are required for consideration as part of an EIS, and we ask that the environmental impacts of this more intensive development plan be addressed as part of the environmental review, especially in the context of impacts on biological resources, including endangered species, geology and soils, and hydrology. We also note that Alternative 2 does not meet the stated purpose of the NOI to be consistent with the Concord Reuse Project Area Plan and that Alternative 1 is therefore the superior Alternative. |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name |   | Comment   |
|------------------|---|---|
| 7                | CBO (Contra Costa Building Trades Council IBEW Local 302 and the Central Labor Council) | Our members and partners have a vested interest in balancing the density and availability of open space, affordable housing, good jobs, and local benefits for local residents of the base development process. I want to reiterate that we support Alternative 1 and feel that any deviation from this plan would be a mistake.  |
| 8                | Concord NWS Neighborhood Alliance   | The second alternative is not acceptable for residents. Though we do want the process to move forward in order to convey land for a Great Regional Park to the East Bay Regional Parks, local residents prefer less development on the CNWS.  |
| 9                | Resident  | I support the No Action alternative.  |
| 10               | Resident  | I strongly feel that the widening of Denkinger Road and West Street will result in increased traffic volumes and speeds. Extensions of these roads will kill trees and encroach on high school property. I support expansion of the North Concord BART area.  |
| 11               | Resident  | We are in favor of Alternative 1 because we envision 1) walks through this scenic area, 2) friend and family picnic areas, 3) nature watching over the seasons, 4) play areas for baseball, soccer, and other sports, 5) trails for hiking or walking pets. We concur that Alternative 1 will support the necessary funds for developing, advancing, and maintaining this area. |
| 12               | Resident  | We recommend the site of the current railroad tracks be removed and replaced with an access road.   |
| 13               | Resident  | I support Alternative 1 because it keeps more open space available for wildlife and recreation and because it concentrates development near the North Concord BART station. The hills should be protected as open space as they enhance quality of life for all residents.  |
| 14               | Resident  | If the Navy decides to proceed with Alternative 2, it will bring additional traffic, noise, and air pollution to the neighborhood. Overall, it will reduce the quality of life in the neighborhood and damage the surrounding wildlife habitat.   |
| 15               | Resident  | I prefer that no action be taken on the development. Alternative 2 will result in increased noise and pollution and will greatly affect property values.  |
| 16               | Resident  | We oppose massive building and dense population as it brings increasing traffic and congestion.   |
| 17               | Resident  | Maximize the remaining natural resources on the property by protecting as much land, water etc. by retaining Alternative 1.   |
| 18               | Resident  | Extending West Street or Denkinger would be extremely disastrous for Concord High and the two other schools. Please don't do this.  |
| 19               | Resident  | No action alternative is preferred. We are opposed to Alternative 2.  |
| 20               | Resident  | My wish is for the No Action Alternative and that the Navy keep the property.   |
| 21               | Resident  | We are opposed to high density cluster housing except adjacent to the Bart Station. The Cluster homes become slums in a couple of decades.  |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name                  |   | Comment  |
|-----------------------------------|---|--|
| 22                                | Resident  | We select the No Action alternative.   |
| <b>Traffic and Transportation</b> |   |  |
| 23                                | State Agency (California Public Utilities Commission)           | The project site area includes active railroad and/or light rail tracks. Railroad crossings engineering section (RCES) recommends that the Navy add language to the Concord NWS so that any future development adjacent to or near the railroad/light rail ROW is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade crossings. This includes considering pedestrian circulation patterns or destinations with respect to railroad ROW and compliance with the Americans with Disabilities Act. Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade crossings due to increase in traffic volumes and continuous vandal-resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad ROW.  |
| 24                                | State Agency (California Department of Transportation/Caltrans) | <p>The EIS Section on traffic should reference:</p> <ol style="list-style-type: none"> <li>1) Vicinity map, regional location map, and a site plan clearly showing project access in relation to nearby state roadways. Ingress and egress for all project components should be clearly identified. The state ROW should be clearly identified. The maps should also include project driveways, local roads and intersections, parking and transit facilities.</li> <li>2) Project-related trip generation, distribution and assignment. The assumptions and methodologies used to develop this information should be detailed in the study and supported with the appropriate documentation.</li> <li>3) Average daily traffic, AM and PM peak hour volumes and LOS on all roadways where potentially significant impacts may occur, including crossroads and controlled intersections for existing, existing plus project, cumulative and cumulative plus project scenarios. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect study area roadways and intersections. The analysis should clearly identify the project's contribution to area traffic and any degradation to existing and cumulative LOS. Caltrans' LOS threshold, which is the transition between LOS C and D, and is explained in detail in the traffic impact study (TIS) guide, should be applied to all state facilities.</li> <li>4) Schematic illustration of traffic conditions including the project site and study area roadways, trip distribution percentages and volumes as well as intersection geometrics, i.e., lane</li> </ol> |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name | Comment   |
|------------------|---|
|                  | <p>configurations, for the scenarios described above.</p> <p>5) The project site building potential as identified in the City of Concord's 2030 General Plan. The project's consistency with both the Circulation Element of the General Plan and the Congestion Management Agency's Congestion Management Plan should be evaluated.</p> <p>6) Identification of mitigation for any roadway mainline section or intersection with insufficient capacity to maintain an acceptable LOS with the addition of project-related and/or cumulative traffic. As noted above, the project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should also be fully discussed for all proposed mitigation measures.</p> <p>7) Identify traffic impact fees for development plans, requiring traffic impact fees that are based on projected traffic and on associated cost estimates for public transportation facilities necessitated by development.</p> <p>8) Scheduling and costs associated with planned improvements on the state's ROW should be listed, in addition to identifying viable funding sources correlated to the pace of roadway improvements.</p> <p>9) Cumulative impacts should also be considered where alternatives contemplate work that would affect state ROW such as any transportation or hazardous material on the state ROW, tree removal, seasonal wetlands, and water quality impacts.</p> <p>10) The Concord, North Concord/Martinez, and Pittsburg/Bay Point BART stations.</p> <p>11) Bicycle and pedestrian facilities.</p> <p>12) All traffic impacts not fully studied in the Concord Community Reuse Project Draft EIR.</p> |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name |   | Comment   |
|------------------|---|---|
| 25               | State Agency (California Department of Transportation/Caltrans) | Identify traffic impact fees to be used for project mitigation. Development plans should require traffic impact fees based on projected traffic and/or based on associated cost estimates for public transportation facilities necessitated by development. Scheduling and costs associated with planned improvements on the state's ROW should be listed, in addition to identifying viable funding sources correlated to the pace of roadway improvements, if any. DOD should work with the city and Transportation partnership and cooperation (TRANSPAC) on the Subregional Transportation Mitigation Program to mitigate and plan for the impact of future growth on the regional transportation system. |
| 26               | Local Agency (City of Antioch)                                  | The City of Antioch continues to have significant concerns regarding impacts of a reuse plan on the regional transportation network. It is requested that the EIS also consider and study the impacts and concerns contained in the Transplan Committee's 2009 letter to the City of Concord (attached).  |
| 27               | Concord NWS Neighborhood Alliance                               | We are concerned about significant traffic impacts throughout the City of Concord, as well as regional traffic impacts. We are most concerned about traffic impacts on Concord Blvd., especially at the intersections of Bailey Road, Denkinger Road, and West Street. There are 4 schools located in the area of Concord Blvd. between Denkinger Road and West Street. During the school year these schools alone cause major traffic congestion. On rainy days Concord Blvd. in the area of the 4 schools is a parking lot, with major congestion. What will be done to minimize congestion in these areas?   |
| 28               | Resident  | The EIS should evaluate traffic congestion impacts and identify ways to plan for this congestion.   |
| 29               | Resident  | Traffic is already a big problem. There are 4 schools at Denkinger/West Street and Concord Boulevard.   |
| 30               | Resident  | Concerned with traffic impacts on Bailey Road and Landana.  |
| 31               | Resident  | Will there be access to the development from Lynwood Drive?   |
| 32               | Resident  | The extensions of West Street and Denkinger are going to be major access roads and, according to the map (shown at the scoping meeting), look inadequate and dangerous by the 3 public, 1 private school.   |
| 33               | Resident  | Traffic issues are of paramount interest to the community.  |
| 34               | Resident  | Current proposal would destroy the Dana Estates neighborhood by adding connector streets and increasing traffic on local streets.   |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name   |   | Comment  |
|--|---|--|
| 35   | Resident  | My home is the neighborhood adjacent to the North Concord Bart Station where the proposed development is being considered. There is only one exit and one entrance to this property. At commute time our streets are inundated with cars. The cars can either turn right to exit to Highway 4 or empty through our neighborhood to add traffic congestion on our streets. Right now Concord has a population of 122,000 residents. With this new plan the city will add 33,000 residents plus commercial development, which will cause an all-day traffic situation. I hope you have done a complete study of the project and are realistic about the problems involved. I hope you can arrive at a reasonable solution for our residents. |
| <b>Land Use, Open Space, and Community Facilities/Services</b> |   |  |
| 36   | Local Agency (Contra Costa Environmental Health Division)                               | It is recommended that projects be served by public sewer and city water.  |
| 37   | Concord NWS Neighborhood Alliance   | Residents request that maximum open space be preserved for both active and passive parks. We request no roads east of Mt. Diablo Creek. The area south of Bailey Road should be preserved and protected from development. Residents fully support a large regional park on this site. Seeno/Discovery Homes owns the ridge top and adjacent land; be aware that this area will be developed in the future.   |
| 38   | Concord NWS Neighborhood Alliance   | The Navy should be aware that Seeno/Discovery Homes and other Seeno development companies own the ridge top and the land directly adjacent to the CNWS (in Pittsburg) and have development plans in place. Although this area appears to be open space now, it will be developed.  |
| 39   | CBO (Contra Costa Building Trades Council IBEW Local 302 and the Central Labor Council) | This property will be used by myself and my entire family when opened up, built out and developed. I look forward to hiking the ridges, visiting family and enjoying nightlife on the former base.   |
| 40   | Resident  | Recreational activities should be non-invasive to wildlife and should include hiking, horseback riding, and bicycling on trails. Motor cross and other active recreational activities should be banned.  |
| 41   | Resident  | Our request would be to preserve as much open space as possible and develop it into parks, recreation areas and walking trails for residents and guests.   |
| 42   | Resident  | We need more open space and a large greenbelt between existing homes. Protect trees that were planted along fence lines. There are a lot of beautiful 45-year old pine trees. Many families bought their homes because they were told it would always be open space.   |
| 43   | Resident  | The open space area should be protected from the human impacts of air, noise, water, soil and other pollutants and a buffer zone established around the natural lands.   |
| 44   | Resident  | I want to mandate bus routes at 15-minute intervals in the base area and Willow Pass.  |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name         |   | Comment  |
|--------------------------|---|--|
| 45                       | Resident  | Bunkers or park landscapes are issues that have involved the community.  |
| 46                       | Resident  | We desire a good percentage of single-family homes be built to be compatible with the surrounding single-family subdivisions.  |
| <b>Natural Resources</b> |   |  |
| 47                       | State Agency (California Department of Transportation/Caltrans) | Project level activities related to habitat restoration and management should be done in coordination with local and regional habitat conservation plans and with Caltrans where our programs share stewardship responsibilities for habitats, species, and/or migration routes.   |
| 48                       | CBO (California Native Plant Society)                           | EBCNPS has designated this area as one of the 15 priority plant protection areas of the East Bay. This large expanse of valley grassland (which occupies most of the site) connects an intact mosaic of saline bayland habitats with uplands that extend into the summits of Mt. Diablo. This crucial strip of land sits in one of the least developed urban watersheds that connects mountains to marshes. The project area being considered in this EIS includes aspects of a native landscape that are worth conserving and restoring.      |
| 49                       | Concord NWS Neighborhood Alliance                               | Our experiences with California Fish and Game on the CNWS have not been pleasant, e.g., removal of elk, tree trimming during nesting season. We request that wildlife and endangered species be preserved, including but not limited to burrowing owls, tiger salamanders, and red-legged frogs. Local residential developers destroy ponds and endangered wildlife, pay a fine and continue building. We do not want to see this type of destruction in the development of the CNWS. All species of wildlife in the CNWS should be preserved. |
| 50                       | Resident  | The EIS should evaluate the impacts of resource preservation or removal.   |
| 51                       | Resident  | I hope the elk return and will have a dedicated space.   |
| 52                       | Resident  | I would like to see wetlands restored or new wetlands created to create wildlife habitat. All development should be required to use only native plants, grasses, and trees.  |
| 53                       | Resident  | We have been fortunate to enjoy the wildlife such as elk, deer, cows, turkeys and a large variety of birds. Please save this beautiful area.   |
| 54                       | Resident  | We hate to see the wildlife disappear. This has been a wonderful home for elk, deer, turkeys, coyote. Orioles return to nest every year.   |
| 55                       | Resident  | The riparian corridor, inclusive of the 100-year floodplain setback, should be protected from human impact.  |
| <b>Socioeconomics</b>    |   |  |
| 56                       | Federal Agency (EPA)  | The DEIS should identify indirect effects that could occur outside the project boundary that is induced by the development within the base boundary, including the potential for population and employment to occur off-base as a result of the project development.   |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name       |   | Comment   |
|------------------------|---|---|
| 57                     | CBO (Contra Costa Building Trades Council IBEW Local 302 and the Central Labor Council) | This piece of land will be the crown jewel of CCC and our members look forward to the build out. Apprentices and journeymen will be involved throughout their careers in the process.   |
| 58                     | Resident  | The EIS should evaluate the types of jobs and economic development opportunities associated with the proposed action and should identify the types of skills and education needed to obtain these jobs.   |
| 59                     | Resident  | The DEIS should study housing affordability and where the resources will come from for the new transit service. Will local people get jobs? Are there ways to ensure that they do?  |
| 60                     | Resident  | I am concerned about property values.   |
| 61                     | Resident  | Consider home values. Who would want to purchase my home?   |
| 62                     | Resident  | The value of the property cannot help but decrease due to the negatives inherent in the development plan proposed   |
| <b>Quality of Life</b> |   |   |
| 63                     | Concord NWS Neighborhood Alliance   | Stonebrook Convalescent Home is located in the same area. Due to the nature of this business, fire trucks and ambulances visit the facility daily. Although the city's traffic study near Denkinger Rd. and West Streets was not conducted during the peak morning traffic period, it indicated that noise pollution in that area is already beyond acceptable. Adding traffic to these areas will increase the already high air and noise pollution. What will be done to minimize air and noise pollution in the area of Concord Blvd/Denkinger/West Streets? |
| 64                     | Resident  | Air quality and noise are issues.   |
| 65                     | Resident  | What is going to happen to the quality of life for homeowners on Willow Pass Road? It appears that traffic will double, based on the proposed housing. Will it be possible to be offered a way out? Please consider traffic control, noise control, etc. for homeowners.  |
| 66                     | Resident  | My issue is traffic and quality of life in our neighborhood. Denkinger and West are bad enough now. We do not need an extra burden in the area. If the school district changes its mind and decides to add 400 more students due to the closing of more schools, then widening the streets to accommodate the villages will really impact our lives.  |
| 67                     | Resident  | I bought my home largely due to the open space backing up to the homes directly across the street for the serenity and lack of traffic. I do not appreciate that the serenity will be shattered by cutting through Denkinger, increasing traffic, noise, pollution, while decreasing quality of life.   |
| 68                     | Resident  | The traffic, noise and pollution would be disastrous and certainly change our lives.  |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name   |                      | Comment   |
|--------------------|----------------------|---|
| <b>Air Quality</b> |                      |   |
| 69                 | Federal Agency (EPA) | The DEIS should provide a detailed discussion of ambient air conditions, NAAQS, and criteria pollutant nonattainment areas, and potential air quality impacts (including cumulative and indirect impacts). Emissions should be estimated for the construction and operational phases, and mitigation measures discussed. The DEIS should address the applicability of CAA Section 176 and EPA's general conformity regulations at 40 CFR Parts 51 and 93. The San Francisco Bay Area is designated as nonattainment for NAAQS for particulate matter less than 2.5 microns and for 8-hour ozone and as maintenance area for carbon monoxide. The DEIS should ensure all reasonable mitigation measures have been identified to reduce these pollutants for both the construction and operational phases. Identify mitigation measures that have been adopted in the city's reuse plan and the party responsible for implementation. |
| 70                 | Federal Agency (EPA) | Climate change is likely to contribute cumulative impacts on some resources, including water, air, and biological resources. The additive impacts from climate changes on resources affected by the project should be discussed. Climate change effects on the project itself, and any recommended adaptation measures, should also be discussed. Additionally, discuss the energy requirements and conservation potential of various alternatives and mitigation measures as required by 40 CFR 1502.16(e). Include a discussion as to whether any part of the energy demand for the development could be met with onsite renewable energy components.   |
| 71                 | Resident             | I am concerned about air quality in my neighborhood on Esperanza Drive. We are exposed to wind from two freeways (4 and 242). I am concerned about the dust inside of our dual pane windows.  |
| 72                 | Resident             | A hill next to the Bart Station will be leveled and this hill currently helps us not to breathe fumes directly from Freeway 4.  |
| 73                 | Resident             | Climate change and GHG emissions are the current fad. This project will make zero difference regardless of the option selected.   |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name                     |  | Comment   |
|--------------------------------------|--|---|
| <b>Water Resources/Water Quality</b> |  |   |
| 74                                   | Federal Agency (EPA)                               | The DEIS should describe and identify all waters of the U.S. that could be affected by the project alternatives, and include maps that clearly identify all waters within the project area. The discussion should include the acreages and channel lengths, habitat types, values and functions of these waters. If a Section 404 permit is required, the project must comply with Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials (40 CFR 230). Pursuant to 40 CFR 230, any permitted discharge into waters of the U.S. must be the least environmentally damaging practicable alternative available to achieve the project purpose. If possible, the DEIS should include and craft NEPA alternatives consistent with evaluating project alternatives in this context to demonstrate the project's compliance with the Section 404 guidelines. Since the Corps of Engineers is a cooperating agency for this project, discuss the 404 permit process and the alternatives that will be part of the 404(b)(1) alternatives analysis. If, under the proposed project, dredged or fill material would be discharged into waters of the U.S., the DEIS should discuss alternatives to avoid those discharges. |
| 75                                   | Local Agency (East Bay Municipal Utility District) | The aqueduct's Right-of-Way (R/W) runs parallel to and west of State Highway 242 running north. It then crosses under State Highway 4 and continues north along the eastern toe of Contra Costa Water District's Mallard Reservoir and continues parallel to the Port Chicago Highway and then crosses Port Chicago Highway north of the NWS Concord entry road. Any development within the NWS Concord property has potential to increase encroachment onto the EBMUD aqueduct R/W and impact safety and security of EBMUD facilities. Any development of NWS Concord inland area may impact EBMUD due to increased encroachments onto R/W by utility agencies, the city and developers; and to generate storm water and flooding impacts on the aqueduct's R/W and Clyde Wasteway if drainage impacts are not adequately addressed. The Mt. Diablo Creek, which crosses the aqueducts R/W north of Mallard Reservoir, may be impacted by the increased runoff due to the development within the NWS Concord property and can have potential to increase the creek's flow, thus posing a risk to EBMUD's property and infrastructure.  |
| 76                                   | Resident   | I am concerned about groundwater contamination.   |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name                |   | Comment  |
|---------------------------------|---|--|
| <b>Cultural Resources</b>       |   |  |
| 77                              | State Agency (California Department of Transportation/Caltrans) | A project environmental document must include documentation of a current archaeological record from the Northwest Information Center of the California Historical Resources Information System if construction activities are proposed within state ROW. Current record searches must be no more than five years old. The requirements and applicable mitigation must be fulfilled before an encroachment permit can be issued for project-related work in a state ROW; these requirements also apply to NEPA documents when there is a federal action such as on this project. Work subject to these requirements includes, but is not limited to, lane widening, channelization, auxiliary lands, and/or modification of existing features such as slopes, drainage features, curbs, sidewalks and driveways within or adjacent to State ROW.  |
| 78                              | Resident  | We wish to see a museum which contains a display of how the NWS Concord served the U.S.A. during World War II.   |
| 79                              | Resident  | We should honor our servicemen and women and history of the Naval Weapons Station with tours, monuments, and plaques.  |
| <b>Environmental Management</b> |   |  |
| 80                              | Federal Agency (EPA)  | The DEIS should identify hazardous contaminants that are associated with site parcels and provide general overview of the status of the cleanup pursuant to the CERCLA/Superfund. It is important that the DEIS include information regarding how the proposed development would interface with cleanup remedies. The DEIS should indicate whether the physical development of the proposed action could expose construction workers, visitors, occupants, or ecological systems to potential hazards associated with contaminants. The EPA recommends that the DEIS discuss the proposed land use for each cleanup parcel for each alternative, identify cleanup remedy for that parcel, and describe the proposed development activities that would occur there during construction. The DEIS should discuss how construction activities could come in contact with any contamination that may remain on-site and if/how the development might affect the final remedy. The DEIS should disclose if the development is part of the remedy (i.e., capping). The DEIS should provide an overview of any monitoring that would occur pursuant to the Superfund cleanup, including the party responsible for monitoring. |
| 81                              | Concord NWS Neighborhood Alliance                               | Current residents have great concerns about breathing hazardous materials once cleanup and dirt removal begins. How will the Navy deal with hazardous cleanup, and how will we be protected?   |
| 82                              | Resident  | We are concerned about the various toxins being released in air in cleanup or leaching through the soil to our irrigation wells when the development begins.   |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name                                  |   | Comment  |
|---|---|--|
| <b>Infrastructure/Energy</b>                      |   |  |
| 83  | Federal Agency (EPA)  | DEIS should identify measures that would be adopted to demonstrate how storm water flows from increases in impervious surfaces will be addressed to prevent flow increases above pre-development levels, consistent with Section 438 of the Energy Independence and Security Act. Refer to Technical Guidance on Section 438 of the Energy Independence and Security Act, which generally focuses on retaining rainfall on-site through infiltration, evaporation/transpiration, and re-use to the same extent as occurred prior to redevelopment. Federal agencies can comply with Section 438 by using a variety of storm water management practices often referred to as green infrastructure or low-impact development practices, including, for example, reducing impervious surfaces, using vegetative practices, porous pavements, cisterns, and green roofs. |
| 84  | Resident  | The development is an opportunity to install plumbing for recycled water. The appropriate agencies should collaborate to develop a recycled water program for irrigation. The developer should be required to include alternative energy like solar and wind in their development plans.   |
| <b>Noise</b>                                      |   |  |
| 85  | Resident  | We need a noise study at the intersection of Concord Boulevard and Denkinger/West. With the addition of 15,000 people on the base in three villages, there will be thousands of additional noise makers on these routes past the schools. Also need a noise study at Willow Pass and Landana area.   |
| <b>Required Consultations/Permit Requirements</b> |   |  |
| 86  | State Agency (California Department of Transportation/Caltrans) | Caltrans and the CCTA are working on widening the SR4 corridor along with proposed projects at the SR and Interstate (I)-680 interchange. The DOD needs to coordinate their projects with Caltrans, CCTA, and the city. Caltrans has plans for several projects of concern on SR-4 and I-680 in the vicinity of the city including, but not limited to, 1) modifying the interchange between I-680 and SR4, 2) widening SR 4 between Somersville Road and SR 160, and 3) reconstructing the Loveridge road interchange on SR4.   |
| 87  | State Agency (California Department of Transportation/Caltrans) | If traffic restrictions and detours are needed on or affecting state highways, a transportation management plan (TMP) or construction traffic impact study may be required of the developer prior to construction. TMPs must be prepared in accordance with California Manual on Uniform Traffic Control Devices.  |
| 88  | State Agency (California Department of Transportation/Caltrans) | Project work that requires movement of oversized or excessive load vehicles on state roadways requires a transportation permit that is issued by Caltrans.   |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name              |   | Comment  |
|-------------------------------|---|--|
| 89                            | State Agency (California Department of Transportation/Caltrans) | Please be advised that any work or traffic control that encroaches onto the state ROW requires an encroachment permit that is issued by Caltrans. Traffic-related mitigation measures should be incorporated into the construction plans prior to the permit process.  |
| 90                            | Local Agency (East Bay Municipal Utility District)              | EBMUD has the following additional comments regarding any proposed activity within the aqueduct R/W: zoning shall not be changed on the R/W; any proposed projects or changes to the area in the vicinity of the aqueduct’s R/W must be submitted to EBMUD for review, comment and approval and may require permits from EBMUD: no longitudinal encroachments (e.g., drainage ditches, utility lines, pipelines, roads) are permitted within the aqueduct R/W. Various construction mitigation measures must be followed during development (security fencing, required clearance and siting of infrastructure; shutoff valves, gravity drainage, etc.). EBMUD must approve each design and protective/control devices. Additional requirements are outlined in the letter and must be followed prior to construction. |
| 91                            | Local Agency (Contra Costa Environmental Health Division)       | A permit from the CCEHD is required for any well or soil boring prior to commencing drilling activities, including those associated with water supply, environmental investigation and cleanup, or geotechnical investigation.   |
| 92                            | Local Agency (Contra Costa Environmental Health Division)       | Any abandoned wells and septic tanks must be destroyed under permit from CCEHD. If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these must be clearly marked, kept secure, and destroyed pursuant to CCEHD requirements.  |
| 93                            | Local Agency (Contra Costa Environmental Health Division)       | The CCEHD is the local enforcement agency for solid waste facilities, including landfills, closed landfills, transfer stations, and waste tire generators and haulers. There are some closed landfills on the property that may come under the jurisdiction of the local enforcement agency when the property is transferred from federal control.   |
| <b>Miscellaneous Comments</b> |   |  |
| 94                            | Federal Agency (U.S. Coast Guard)                               | This letter informs you of Coast Guard activities on adjacent property which may affect your Environmental Impact Statement. Specifically, the Coast Guard has made a preliminary determination that 78 housing units located on the adjacent parcel are excess to our needs. This location is the former U.S. Navy housing area in Concord, CA. The Navy has not completed the NEPA analysis related to the site, and thus has not reached a decision on potential disposal methods.  |

**Table 3-3 Summary of Scoping Comments**

| Stakeholder Name |   | Comment   |
|------------------|---|---|
| 95               | Local Agency (City of Concord)  | To help expedite the EIS process and ensure consistency between the federal and state analyses we encourage the Navy to use the Final EIR to the maximum degree possible. We note that the analyses associated with traffic impacts and related quality of life impacts on air quality and noise are particularly important to the community and need to be coordinated with the FEIR findings. |
| 96               | Local Representative (Dan Helix, Mayor)   | Hopefully the approved, unchallenged EIR of the City of Concord can be fully utilized in fulfilling the NEPA requirements so we can accelerate delivering the property to the City.   |
| 97               | CBO (California Native Plant Society)   | We recommend that the Navy utilize as much of the information gained during the CEQA EIR process as possible in order to expedite this secondary review process.  |
| 98               | CBO (California Native Plant Society)   | EBCNPS hopes that federal budget sequestration will not impede this project from moving forward to completion, especially since the majority of the required environmental studies have already been completed as part of the CEQA EIR.   |
| 99               | CBO (Contra Costa Building Trades Council IBEW Local 302 and the Central Labor Council) | The city has held and continues to have an open and inclusive process for the base development. We have been involved in every step of the way and hope that this continues.  |
| 100              | Resident  | Health impacts of the full build out should be evaluated in the EIS, especially (EJ) areas.   |
| 101              | Resident  | The EIS should describe how weapons will be removed from the site.  |

## **Appendix A: Public Notification Material**



the Need for a NOAA Environmental Data Management Framework; (5) Proposal for a RESTORE Act Working Group; (6) Membership for the Climate Working Group; and (7) Updates from SAB Working Groups.

**FOR FURTHER INFORMATION CONTACT:** Dr. Cynthia Decker, Executive Director, Science Advisory Board, NOAA, Rm. 11230, 1315 East-West Highway, Silver Spring, Maryland 20910. (Phone: 301-734-1156, Fax: 301-713-1459. Email: [Cynthia.Decker@noaa.gov](mailto:Cynthia.Decker@noaa.gov); or visit the NOAA SAB Web site at <http://www.sab.noaa.gov>.

Dated: March 8, 2013.

**Jason Donaldson,**

*Chief Financial Officer/Chief Administrative Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.*

[FR Doc. 2013-05899 Filed 3-13-13; 8:45 am]

**BILLING CODE 3510-KD-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XC059**

**Endangered Species; File No. 17022**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given that the NMFS Pacific Islands Fisheries Science Center (PIFSC; Samuel Pooley, Ph.D., Responsible Party), has been issued a permit to take green (*Chelonia mydas*) and hawksbill (*Eretmochelys imbricata*) sea turtles for purposes of scientific research.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following offices:

Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376; and Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, HI 96814-4700; phone (808) 944-2200; fax (808) 973-2941;

**FOR FURTHER INFORMATION CONTACT:** Amy Hapeman or Rosa L. González, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** On June 25, 2012, notice was published in the **Federal Register** (77 FR 37877) that a request for a scientific research permit to take green and hawksbill sea turtles

had been submitted by the above-named organization. The requested permit has been issued under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

The PIFSC is authorized to begin long-term monitoring of green and hawksbill sea turtles in the remote U.S. Islands and Territories excluding Hawaii in the Central Pacific to estimate sea turtle abundance, size ranges, health status, habitat use, foraging ecology, local movements, and migration routes. Researchers may capture, examine, measure, flipper and passive integrated transponder tag, weigh, skin and blood sample, and/or attach transmitters on sea turtles before release. Researchers also may collect the carcasses, tissues and parts of dead sea turtles encountered during surveys. The permit is valid for five years.

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) Was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: March 11, 2013.

**P. Michael Payne,**

*Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2013-05896 Filed 3-13-13; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Technical Information Service**

**National Technical Information Service Advisory Board**

**AGENCY:** National Technical Information Service, Commerce.

**ACTION:** Notice of Open Meeting.

**SUMMARY:** This notice announces the next meeting of the National Technical Information Service Advisory Board (the Advisory Board), which advises the Secretary of Commerce and the Director of the National Technical Information Service (NTIS) on policies and operations of the Service.

**DATES:** The Advisory Board will meet on Friday, April 19, 2012 from 9:00 a.m. to approximately 4:30 a.m.

**ADDRESSES:** The Advisory Board will be held in Room 115 of the NTIS Facility at 5301 Shawnee Road, Alexandria, Virginia 22312. Please note admittance

instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bruce Borzino, (703) 605-6405, [bborzino@ntis.gov](mailto:bborzino@ntis.gov).

**SUPPLEMENTARY INFORMATION:** The NTIS Advisory Board is established by Section 3704b(c) of Title 15 of the United States Code. The charter has been filed in accordance with the requirements of the Federal Advisory Committee Act, as amended (5 U.S.C. App.).

The morning session will focus on a review of NTIS performance in the first half of Fiscal Year 2013. The afternoon session is expected to focus on program plans for the remainder of Fiscal Year 2013. A final agenda and summary of the proceedings will be posted at NTIS Web site as soon as they are available (<http://www.ntis.gov/about/advisorybd.aspx>).

The NTIS Facility is a secure one. Accordingly persons wishing to attend should call the NTIS Visitors Center, (703) 605-6040, to arrange for admission. If there are sufficient expressions of interest, up to one-half hour will be reserved for public comments during the afternoon session. Questions from the public will not be considered by the Board but any person who wishes to submit a written question for the Board's consideration should mail or email it to the NTIS Visitor Center, [bookstore@ntis.gov](mailto:bookstore@ntis.gov), not later than April 10, 2013.

Dated: March 11, 2013.

**Bruce Borzino,**

*Director.*

[FR Doc. 2013-05918 Filed 3-13-13; 8:45 am]

**BILLING CODE 3510-04-P**

**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**Notice of Intent To Prepare an Environmental Impact Statement for the Disposal and Reuse of the Naval Weapons Station Seal Beach Detachment Concord, City of Concord, California, and To Announce Public Scoping Meetings**

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice.

**SUMMARY:** Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as implemented by the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), the Department of the Navy (DoN) announces its intent to prepare an Environmental Impact Statement (EIS)

to evaluate the potential environmental consequences of the disposal and reuse of surplus property at the former Naval Weapons Station Seal Beach Detachment Concord (NWS Concord), Concord, Contra Costa County, California. In accordance with NEPA, before disposing of any real property, the DoN must analyze the environmental effects of the disposal of the NWS Concord property. A 30-day public scoping period is being held to receive comments on the scope of the EIS, including the range of actions, alternatives, and environmental concerns that should be addressed. Public scoping meetings will also be held in the City of Concord, California, to provide information and receive written comments on the scope of the EIS. Federal, state, and local agencies and interested individuals are invited to comment on the scope of the EIS and attend the public scoping meeting.

**Dates and Addresses:** Two public scoping meetings will be held on Thursday, April 4, 2013 at 4:00–6:00 p.m. and 7:00–9:00 p.m. at the Concord Senior Citizens Center (Wisteria Room), 2727 Parkside Circle, Concord, California, 94519. DoN representatives will be available to provide clarification as necessary related to the EIS. There will not be a formal presentation.

**FOR FURTHER INFORMATION CONTACT:**

Director, NAVFAC BRAC PMO West, Attn: Mr. Ronald Bochenek, 1455 Frazee Road, Suite 900, San Diego, California 92108–4310, telephone 619–532–0906, fax 619–532–9858, email: [ronald.bochenek.ctr@navy.mil](mailto:ronald.bochenek.ctr@navy.mil).

For more information on the NWS Concord EIS visit the DoN BRAC PMO Web site (<http://www.bracpmo.navy.mil>).

**SUPPLEMENTARY INFORMATION:** In 2005, a portion of NWS Concord was designated for closure under the authority of Public Law 101–510, the Defense Base Closure and Realignment Act of 1990, as amended. At the time, the former NWS Concord comprised two major land holdings— (1) the Tidal Area, along Suisun Bay and (2) the Inland Area, within the City of Concord. In 2008, the Tidal Area and 115 acres of the Inland Area were transferred to the U.S. Army and is now the Military Ocean Terminal Concord (6,419 acres in total). In addition, approximately 59 acres of the Inland Area, which supported military housing, was transferred to the U.S. Coast Guard. The remaining 5,038 acres of the Inland Area was declared surplus to the needs of the federal government on May 6, 2007 (72 FR 9935) and its disposal and reuse is the focus of this EIS.

The purpose of the proposed action is the disposal of surplus property at NWS Concord from federal ownership and its subsequent reuse in a manner consistent with the Concord Reuse Project Area Plan, as adopted by the City of Concord on January 24, 2012. The need for the proposed action is to provide the local community the opportunity for economic development and job creation. The DoN is the action proponent for the proposed action. The U.S. Army Corps of Engineers has requested to serve as a Cooperating Agency.

To assess the potential impacts of the proposed action, the DoN will evaluate two property reuse alternatives and a No Action Alternative. Alternative 1 is the reuse of the property in a manner consistent with the Concord Reuse Project Area Plan. Alternative 2 consists of a greater amount of residential and mixed-use development. Alternative 2 includes elements of the Connected Villages Alternative (Alternative 2) assessed in the 2008 Draft Environmental Impact Report of the City of Concord's Reuse Plan conducted in compliance with the California Environmental Quality Act. The No-Action Alternative is evaluated in detail in this EIS as prescribed by CEQ regulations. Both reuse alternatives assume full build-out over a 25-year period; the period of analysis will be during construction and when full build-out has been completed.

Alternative 1 is the disposal and reuse of surplus property at the former NWS Concord in a manner consistent with the Concord Reuse Project Area Plan. Under Alternative 1, approximately 69% of the property would be maintained as conservation, parks, or recreational land uses, and 31% would be mixed-use development, including a mix of office, retail, residential, community facilities, light industrial, and research and development/ educational land uses. Development on the site would involve up to a maximum of 12,272 housing units and 6,100,000 square feet of commercial space over a total development footprint of approximately 1,545 acres. The remaining portion of the property would be utilized for conservation, parks, or recreational land uses, including a 2,537 acre regional park, which would encompass the east side of the property along the ridgeline of the Los Medanos Hills. The western side of the property would be developed as a series of mixed-use development districts, with higher development densities at the north end of the property, near State Route 4 and the North Concord/ Martinez Bay Area Rapid Transit (BART) station, and lower density

residential villages as you move south towards Bailey Road. The development districts would be serviced by local and connector streets and two new through-streets, Los Medanos Boulevard running north/south from the BART station and Delta Road running east/west paralleling Highway 4. In addition, the transportation network will include a high-capacity bus transit service that will connect the development to BART, downtown Concord, and the surrounding neighborhoods.

Alternative 2 would include a greater amount of development throughout the site, as approximately 60% of the property would be maintained as conservation, parks, or recreational land uses, and approximately 40% would be mixed-use development, including a mix of office, retail, hotel, residential, and community/institutional land uses. Development on the site would involve up to a maximum of 13,000 housing units, and 7,900,000 square feet of commercial space over a total development footprint of approximately 2,000 acres. The transportation network will include a high-capacity bus transit service throughout the site connecting the villages to downtown Concord and existing neighborhoods. An arterial road connecting Bailey Road and Willow Pass Road would be included east of Mt. Diablo Creek. Alternative 2 is included for the purposes of the NEPA analysis and does not imply a change to the City of Concord's adopted Area Plan and 2030 General Plan, which is the result of a public planning process. The DoN has no role in the community planning process.

The No Action Alternative is required by NEPA and evaluates the impacts at NWS Concord in the event that the surplus property is not disposed. Under this alternative the property would be retained by the DoN in caretaker status. No reuse or redevelopment would occur under this alternative.

The EIS will address potential direct, indirect, short-term, long-term, and cumulative impacts on the human and natural environments, including but not limited to potential impacts on topography, geology and soils; water resources; biological resources; air quality; greenhouse gases and climate change; noise; infrastructure and utilities; transportation, traffic, and circulation; cultural resources; land use; socioeconomics and environmental justice; hazards and hazardous substances; and public services. Known areas of concern associated with the proposed action include impacts on biological and cultural resources, impacts on local traffic patterns resulting from reuse scenarios, and the

cleanup of installation remediation sites.

The DoN is initiating a 30-day scoping period to receive comments on the scope of the EIS, including the range of actions, alternatives, and environmental concerns that should be addressed. Public scoping meetings will be held in the City of Concord, California, to provide information and receive written comments on the scope of the EIS. Federal, state, and local agencies and interested individuals are encouraged to comment on the scope of the EIS or attend the public scoping meetings. To be most helpful, scoping comments should clearly describe specific issues or topics that the commenter believes the EIS should address.

Comments can be made in the following ways: (1) Written comments at the scheduled public scoping meetings; or (2) written comments mailed to the DoN BRAC PMO address in this notice; or (3) written comments faxed to the DoN BRAC PMO fax number in this notice; or (4) comments submitted via email using the DoN BRAC PMO email address in this notice.

Written comments must be postmarked, faxed, or emailed by midnight Friday, April 19, 2013, and sent to: Director, NAVFAC BRAC PMO West, Attn: Mr. Ronald Bochenek, 1455 Frazee Road, Suite 900, San Diego, California 92108-4310, telephone 619-532-0906, fax 619-532-9858, email: [ronald.bochenek.ctr@navy.mil](mailto:ronald.bochenek.ctr@navy.mil).

Requests for special assistance, sign language interpretation for the hearing impaired, language interpreters, or other auxiliary aids for the scheduled public scoping meetings must be sent by mail or email by Friday, March 29, 2013 to the address provided in this notice.

**C.K. Chiappetta,**

*Lieutenant Commander, Office of the Judge Advocate General, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. 2013-05925 Filed 3-13-13; 8:45 am]

**BILLING CODE 3810-FF-P**

**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**Notice of Intent To Prepare the Commonwealth of the Northern Mariana Islands Joint Military Training Environmental Impact Statement/ Overseas Environmental Impact Statement**

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to section (102)(2)(c) of the National Environmental Policy

Act (NEPA) of 1969, as implemented by the Council on Environmental Quality Regulations (40 Code of Federal Regulations parts 1500-1508), and Executive Order 12114, and United States (U.S.) Marine Corps NEPA implementing regulations in Marine Corps Order P5090.2A, Marine Corps Forces, Pacific (MARFORPAC), as the Executive Agent designated by the U.S. Pacific Command (PACOM), announces its intent to prepare an Environmental Impact Statement (EIS)/Overseas EIS (OEIS) to evaluate the potential impacts associated with preliminary alternatives for meeting PACOM Service Components' unfilled unit level and combined level military training requirements in the Western Pacific. The proposed action is to establish a series of live-fire and maneuver Ranges and Training Areas (RTAs) within the Commonwealth of the Northern Mariana Islands (CNMI) to meet this purpose.

Existing Department of Defense (DoD) RTAs and support facilities in the Western Pacific, particularly those in the Mariana Islands, are insufficient to support PACOM Service Components' U.S. Code (U.S.C.) Title 10 training requirements for the region. The expansion of existing RTAs and construction of new RTAs will satisfy identified training deficiencies for PACOM forces that are based in or regularly train in the CNMI. These RTAs will be available to U.S. forces and their allies on a continuous and uninterrupted schedule. These RTAs are needed to support ongoing operational requirements, changes to U.S. force structure and geographic positioning of forces, and U.S. training relationships with allied nations.

MARFORPAC, as the Executive Agent, has invited the Federal Aviation Administration (FAA); International Broadcasting Bureau (IBB); U.S. Army Corps of Engineers; National Marine Fisheries Service; U.S. Fish and Wildlife Service; and U.S. Department of Interior, Office of Insular Affairs, to participate as cooperating agencies in the preparation of the EIS/OEIS. MARFORPAC has also developed a Memorandum of Understanding with the military services regarding their support and engagement in the development of the EIS/OEIS.

MARFORPAC encourages governmental agencies, private-sector organizations, and the general public to participate in the NEPA process for the EIS/OEIS. MARFORPAC is initiating the scoping process for the EIS/OEIS with this Notice of Intent (NOI). Scoping assists MARFORPAC in identifying community concerns and specific issues to be addressed in the EIS/OEIS. All

interested parties are invited to attend the scoping meetings and are encouraged to provide comments. MARFORPAC will consider these comments in determining the scope of the EIS/OEIS.

**DATES:** Three public scoping meetings, using an open-house format, will be held on the following dates and locations in the CNMI:

- Wednesday, April 10, 2013, 5:00 p.m. to 8:00 p.m., Dandan Elementary School Cafeteria, Dandan Road, Dandan, Saipan, CNMI 96960
- Thursday, April 11, 2013, 4:00 p.m. to 7:00 p.m., Tinian Gym, San Jose, Tinian, CNMI 96950
- Friday, April 12, 2013, 5:00 p.m. to 8:00 p.m., Carolinian Utt, Garapan, Saipan, CNMI 96960

Concurrent with the NEPA process, MARFORPAC is initiating National Historic Preservation Act Section 106 Consultation to determine the potential effects of the proposed action on historic properties. During each of the above meetings, MARFORPAC will hold Section 106 meetings in a separate area where subject matter experts will explain the Section 106 process and solicit public input on the identification of historic properties and potential effects of the proposed action on historic properties.

Comments on the proposed action and preliminary alternatives may be submitted during the 45-day public scoping comment period. Comments should be postmarked or received by April 29, 2013, Chamorro Standard Time (ChST). There are three ways to submit written comments: (1) providing comments at one of the public scoping meetings; (2) submitting comments through the project Web site: [www.cnmijointmilitarytrainingeis.com](http://www.cnmijointmilitarytrainingeis.com); and (3) mailing comments to the following address: Naval Facilities Engineering Command, Pacific, Attn: EV21, CNMI Joint Military Training EIS/OEIS Project Manager, 258 Makalapa Drive, Suite 100, JBPHH, HI 96860-3134.

**FOR FURTHER INFORMATION CONTACT:**

Please visit the project Web site or contact the CNMI Joint Military Training EIS/OEIS Project Manager by telephone at 808-472-1253 or by email via the project Web site. Please submit requests for special assistance, sign language interpretation for the hearing impaired, or other auxiliary aids needed at the public scoping open house to the Project Manager by March 25, 2013.

**SUPPLEMENTARY INFORMATION:** The U.S. military is charged with upholding the U.S. Constitution, defending the United





**NOTICE OF INTENT TO PREPARE AN ENVIRONMENTAL IMPACT STATEMENT FOR THE DISPOSAL AND REUSE OF THE NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD (NWS CONCORD), CITY OF CONCORD, CALIFORNIA, AND TO ANNOUNCE A PUBLIC SCOPING MEETING**

Pursuant to the National Environmental Policy Act (NEPA), the Department of the Navy (Navy) announces its intent to prepare an Environmental Impact Statement (EIS) to evaluate the potential environmental consequences associated with the Navy's disposal of surplus federal property at the NWS Concord and its subsequent reuse in a manner consistent with the Concord Reuse Project Area Plan, as adopted by the City of Concord on January 24, 2012. A 30-day public scoping period is being held to receive comments on the scope of the EIS, including the range of actions, alternatives, and environmental concerns that should be addressed. A public scoping meeting will also be held in the City of Concord to provide information and receive written comments on the scope of the EIS. There will not be a formal presentation. Federal, state, and local agencies and interested individuals are invited to comment on the scope of the EIS and attend the public scoping meeting.

The public scoping meeting is scheduled as follows:

**Date:** Thursday, April 4, 2013

**Times:** (Session 1) 4:00 – 6:00 p.m.  
(Session 2) 7:00 – 9:00 p.m.

**Location:** Concord Senior Citizens Center (Wisteria Room)  
2727 Parkside Circle  
Concord, CA 94519

If you cannot attend the public scoping meeting, you may submit written scoping comments via mail, fax, and email. All comments must be postmarked or received by midnight Friday, April 19, 2013, and sent to:

Director, NAVFAC BRAC PMO West  
Attn: Mr. Ronald Bochenek  
1455 Frazee Road, Suite 900  
San Diego, CA 92108-4310  
Fax: 619-532-9858

Email: [ronald.bochenek.ctr@navy.mil](mailto:ronald.bochenek.ctr@navy.mil)

For more information on the NWS Concord EIS, including the complete text of the Notice of Intent, go to the Navy BRAC PMO Website (<http://www.bracpmo.navy.mil/>).





**DEPARTMENT OF THE NAVY**  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD., SUITE 900  
SAN DIEGO, CA 92108-4310

## **Notice of Intent to Prepare an Environmental Impact Statement for the Disposal and Reuse of the Naval Weapons Station Seal Beach Detachment Concord (NWS Concord), City of Concord, California, and to Announce a Public Scoping Meeting**

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Notice.

**SUMMARY:** Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as implemented by the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), the Department of the Navy (Navy) announces its intent to prepare an Environmental Impact Statement (EIS) to evaluate the potential environmental consequences of the disposal and reuse of surplus property at the former NWS Concord, Concord, Contra Costa County, California. In accordance with NEPA, before disposing of any real property, the Navy must analyze the environmental effects of the disposal of the NWS Concord property. A 30-day public scoping period is being held to receive comments on the scope of the EIS, including the range of actions, alternatives, and environmental concerns that should be addressed. A public scoping meeting will also be held in the City of Concord, California, to provide information and receive written comments on the scope of the EIS. Federal, state, and local agencies and interested individuals are invited to comment on the scope of the EIS and attend the public scoping meeting.

**PUBLIC SCOPING MEETING DATE AND ADDRESS:** Two public scoping meeting sessions will be held on Thursday, April 4, 2013, at 4:00 - 6:00 p.m. and 7:00 - 9:00 p.m. at the Concord Senior Citizens Center (Wisteria Room), 2727 Parkside Circle, Concord, California, 94519. Navy representatives will be available to provide clarification as necessary related to the EIS. There will not be a formal presentation.

**FOR FURTHER INFORMATION CONTACT:** Director, NAVFAC BRAC PMO West, Attn: Mr. Ronald Bochenek, 1455 Frazee Road, Suite 900, San Diego, California 92108-4310, telephone 619-532-0906, fax 619-532-9858, email: [ronald.bochenek.ctr@navy.mil](mailto:ronald.bochenek.ctr@navy.mil).

For more information on the NWS Concord EIS, visit the Navy BRAC PMO Website (<http://www.bracpmo.navy.mil/>).

**SUPPLEMENTARY INFORMATION:** In 2005, a portion of NWS Concord was designated for closure under the authority of Public Law 101-510, the Defense Base Closure and Realignment Act (DBCRA) of 1990, as amended. At the time, the former NWS Concord comprised two major land holdings: (1) the Tidal Area, along Suisun Bay and (2) the Inland Area, within the City of Concord. In 2008, the Tidal Area and 115 acres of the Inland Area were transferred to the

U.S. Army and is now the Military Ocean Terminal Concord (6,419 acres in total). In addition, approximately 59 acres of the Inland Area, which supported military housing, was transferred to the U.S. Coast Guard. The remaining 5,038 acres of the Inland Area was declared surplus to the needs of the federal government on May 6, 2007 (72 FR 9935), and its disposal and reuse is the focus of this EIS.

The purpose of the proposed action is the disposal of surplus property at NWS Concord from federal ownership and its subsequent reuse in a manner consistent with the *Concord Reuse Project Area Plan*, as adopted by the City of Concord on January 24, 2012. The need for the proposed action is to provide the local community the opportunity for economic development and job creation. The Navy is the action proponent for the proposed action. The U.S. Army Corps of Engineers has requested to serve as a Cooperating Agency.

To assess the potential impacts of the proposed action, the Navy will evaluate two property reuse alternatives and a No Action Alternative. Alternative 1 is the reuse of the property in a manner consistent with the *Concord Reuse Project Area Plan*. Alternative 2 consists of a greater amount of residential and mixed-use development. Alternative 2 includes elements of the Connected Villages Alternative (Alternative 2), which was assessed in the 2008 Draft Environmental Impact Report (DEIR) of the City of Concord's Reuse Plan, which was conducted in compliance with the California Environmental Quality Act (CEQA). The No Action Alternative will be evaluated in detail in this EIS as prescribed by CEQ regulations. Both reuse alternatives assume full build-out over a 25-year period; the period of analysis will be during construction and when full build-out has been completed.

**Alternative 1: Concord Reuse Project Area Plan** - Alternative 1 is the disposal and reuse of surplus property at the former NWS Concord in a manner consistent with the *Concord Reuse Project Area Plan*. Under Alternative 1, approximately 69% of the property would be maintained as conservation, parks, or recreational land uses, and 31% would be mixed-use development, including a mix of office, retail, residential, community facilities, light industrial, and research and development/educational land uses. Development on the site would involve up to a maximum of 12,272 housing units and 6.1 million square feet of commercial space over a total development footprint of approximately 1,545 acres. The remaining portion of the property would be utilized for conservation, parks, and recreational land uses, including a 2,537-acre regional park, which would encompass the east side of the property along the ridgeline of the Los Medanos Hills. The western side of the property would be developed as a series of mixed-use development districts, with higher development densities at the north end of the property, near State Route 4 and the North Concord/Martinez Bay Area Rapid Transit (BART) station, and lower density residential villages to the south, towards Bailey Road. The development districts would be serviced by local and connector streets and two new through-streets—Los Medanos Boulevard running north-south from the BART station and Delta Road running east-west paralleling Highway 4. In addition, the transportation network would include a high-capacity bus transit service that would connect the development to BART, downtown Concord, and the surrounding neighborhoods.

**Alternative 2: Larger Development Footprint** - Alternative 2 would include a greater amount of development throughout the site, as approximately 60% of the property would be maintained as conservation, parks, or recreational land uses, and approximately 40% would be mixed-use development, including a mix of office, retail, hotel, residential, and community/institutional

land uses. Development on the site would involve up to a maximum of 13,000 housing units and 7.9 million square feet of commercial space over a total development footprint of approximately 2,000 acres. The transportation network would include a high-capacity bus transit service throughout the site, connecting the villages to downtown Concord and existing neighborhoods. An arterial road connecting Bailey Road and Willow Pass Road would be included east of Mt. Diablo Creek. Alternative 2 is included for the purposes of the NEPA analysis and does not imply a change to the City of Concord's adopted Area Plan and 2030 General Plan, which is the result of a public planning process. The Navy has no role in the community planning process.

**No Action Alternative** - The No Action Alternative is required by NEPA and evaluates the impacts at NWS Concord in the event that the surplus property is not disposed. Under this alternative, the property would be retained by the Navy in caretaker status. No reuse or redevelopment would occur under this alternative.

The EIS will address potential direct, indirect, short-term, long-term, and cumulative impacts on the human and natural environments, including but not limited to potential impacts on topography, geology and soils; water resources; biological resources; air quality; greenhouse gases and climate change; noise; infrastructure and utilities; transportation, traffic, and circulation; cultural resources; land use; socioeconomics and environmental justice; hazards and hazardous substances; and public services. Known areas of concern associated with the proposed action include impacts on biological and cultural resources, impacts on local traffic patterns resulting from reuse scenarios, and the cleanup of installation remediation sites.

The Navy is initiating a 30-day scoping period to receive comments on the scope of the EIS, including the range of actions, alternatives, and environmental concerns that should be addressed. A public scoping meeting will be held in the City of Concord, California, to provide information and receive written comments on the scope of the EIS. Federal, state, and local agencies and interested individuals are encouraged to comment on the scope of the EIS or attend the public scoping meeting. To be most helpful, scoping comments should clearly describe specific issues or topics that the commenter believes the EIS should address.

Comments can be made in the following ways:

- (1) Written comments at the scheduled public scoping meeting; or
- (2) Written comments mailed to the Navy BRAC PMO address in this notice; or
- (3) Written comments faxed to the Navy BRAC PMO fax number in this notice; or
- (4) Comments submitted via email using the Navy BRAC PMO email address in this notice.

Written comments must be postmarked, faxed, or emailed by midnight Friday, April 19, 2013, and sent to: Director, NAVFAC BRAC PMO West, Attn: Mr. Ronald Bochenek, 1455 Frazee Road, Suite 900, San Diego, California 92108-4310, telephone 619-532-0906, fax 619-532-9858, email: [ronald.bochenek.ctr@navy.mil](mailto:ronald.bochenek.ctr@navy.mil).

Requests for special assistance, sign language interpretation for the hearing impaired, language interpreters, or other auxiliary aids for the scheduled public scoping meeting must be sent by mail or email by Friday, March 29, 2013, to the address provided in this notice.

