

## NOTICE OF EXEMPTION

**TO:** County Clerk County of Alameda  
1106 Madison St. - First Floor  
Oakland, CA

**FROM:** City of Livermore  
1052 South Livermore  
Livermore, CA 94550

**SUBJECT:** NOTICE OF EXEMPTION in compliance with the California Environmental Quality Act

### PROJECT

**Title:** Pacific Fusion: Planned Development Amendment (PD) 25-002, Subdivision (SUB) 25-001, Site Plan Design Review (SPDR) 25-005, and Conditional Use Permit (CUP) 25-002.

**Location:** An approximately 51.9-acre parcel identified by Assessor's Parcel Number (APN) 904-3-1-4, located on the south side of West Jack London Boulevard adjacent to the existing Oaks Business Park and approximately 800 feet west of the Discovery Drive/West Jack London Boulevard intersection.

**Description:** The project is a new, approximately 225,500 square-foot research and development facility and would include site improvements such as driveway access from West Jack London Boulevard, on-site landscaping and a surface parking lot. The facility would test and demonstrate commercially viable clean energy through fusion power. The project proposes modifications to allowable building heights for portions of the facility to accommodate specialized testing equipment. The project would also include public improvements to the project frontage along Jack London Boulevard, such as widening of the roadway with a median, landscaping, lighting, curb, gutter, and a Class I Trail, and a new signalized access into the site. The project includes consideration of an economic incentive program framework consisting of including unsecured property tax abatement, removal of construction tax, and formation of community facilities district.

**Applicant:** Jun Lee, Hines INC.

**City's Contact:** Emily LaDue, Assistant Planner

**Telephone:** (925) 960-4462

**Public Agency Approving Project:** City of Livermore

### EXEMPT STATUS:

Categorical Exemption (Sec. 15303 (e))

Declared Emergency (Sec. 15269(a); 21080(b)(3))

- Emergency Project (Sec. 15269(b)(c); 21080(b)(4))
- Ministerial (Sec. 15268; 21080(b)(1))
- Statutory Exemption (21080.69, as amended by Senate Bill 131, a project that consists exclusively of a facility for advanced manufacturing)
- "Common Sense" Exemption (Sec. 15061(b)(3)) The possible environmental impacts of the project have been considered in making this determination, as explained below.

Reasons why project is exempt:

The Project is statutorily exempt from CEQA in accordance with CEQA and CEQA Guidelines:


Section: 21080.69, as amended by Senate Bill 131, a project that consists exclusively of a facility for advanced manufacturing

1. Findings. A project that consists exclusively of a facility for advanced manufacturing, as defined in [Public Resources Code] Section 26003, if the project is located on a site zoned exclusively for industrial uses.

Response: Section 26003 defines advanced manufacturing as follows:

“Advanced manufacturing’ means manufacturing processes that improve existing or create entirely new materials, products, and processes through the use of science, engineering, or information technologies, high-precision tools and methods, a high-performance workforce, and innovative business or organizational models utilizing any of the following technology areas.”

Pacific Fusion is considered “advanced manufacturing” because the project would create entirely new equipment and processes using science and engineering to generate, demonstrate, and test the effectiveness of fusion energy. A majority of the equipment, machinery, and systems would be custom created on site (without the use of off-the-shelf components), which requires high-precision tools and construction methods, a high-performance and advance workforce, and innovative business models.

Signature:   
Name & Title: Emily LaDue, Assistant Planner  
Project Approval Date: September 8, 2025