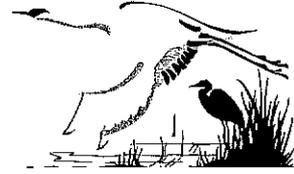


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October 13, 2009

Ms. Kathleen Rollings-McDonald
Local Agency Formation Commission
215 North "D" Street, Suite 204
San Bernardino, CA 92415-0490

RECEIVED
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LAFCO
San Bernardino County

Dear Kathy:

LAFCO 3100 consists of the annexation through reorganization of approximately ±6.46-acres in the City of Victorville. The reorganization includes annexation to the City of Victorville and the Victorville Water District and detachments from the San Bernardino County Fire Protection District and its North Desert Service Area and from County Service Area 70. The general location of the reorganization area encompasses two individual parcels and a portion of a third parcel owned by the railroad that is generally bordered by Terra Linda Street on the north and parcels lines (existing City of Victorville boundaries) on the east, south and west. Refer to the attached drawing.

The City has Pre-zoned the property for heavy industrial development. The County's current land use designation is for regional industrial (IC). Based on these land use designations, the annexation to the City does not pose any additional physical impacts on the environment if or when the property is developed in the future. Thus, the same level of development could occur under either jurisdiction. Based on this finding, I recommend that the Commission find that a Statutory Exemption applies to LAFCO 3100 under Section 15061(b)(3) which states: "A project is exempt from CEQA if the activity is covered the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." It is my opinion and recommendation to the Commission, that under the current circumstances, no possibility of a significant effect on the environment applies to LAFCO 3100 as the annexation to the City of Victorville has no potential to cause a significant effect on the environment.

Based on a review of LAFCO 3100 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that this action does not constitute a project under CEQA and adoption of the Statutory Exemption and filing of a Notice of Exemption is the most appropriate determination to comply with the CEQA process for this action. The Commission can approve the identified actions proposed under this action as statutorily exempt from CEQA for the reasons outlined in the State CEQA Guideline sections cited above. The Commission needs to file a Notice of Exemption with the County Clerk of the Board for this action once the hearing is completed.

A copy of this exemption should be retained in LAFCO's project file to serve as verification of this evaluation and as the CEQA environmental determination record. If you have any questions, please feel free to give me a call.

Sincerely,

A handwritten signature in cursive script that reads "Tom Dodson".

Tom Dodson