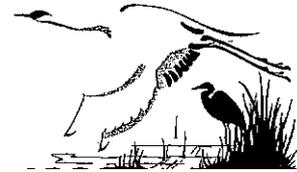


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May 19, 2010

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

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LAFCO
San Bernardino County

Dear Kathy:

LAFCO 3089 consists of the establishment of a Sphere of Influence for the Helendale Community Services District (District). The District presently encompasses approximately 116 square miles and is located along the Mojave River between the Cities of Victorville and Adelanto Spheres and the City of Barstow Sphere. The proposal is to establish a Sphere of Influence for the District that will encompass an estimated 181 square miles. This proposed Sphere of Influence consists of approximately 57% private land and approximately 43% federal public land, managed by the Bureau of Land Management. As we have learned from previous sphere actions, the designation of a sphere, which is a planning boundary, does not by itself cause any modifications to the physical environment. Only when the subsequent step is taken to physically revise the jurisdictional boundary of a service district does a potential for physical change in the environment occur. The County will continue to retain jurisdiction over land use within the whole of the proposed Helendale Community Services District Sphere of Influence.

The effects of establishing a Sphere of Influence for the District does not appear to have any potential to alter the existing physical environment in any manner. Establishment of a Sphere of Influence for the District does not have any identified potential for causing physical changes in the environment. Therefore, I recommend that the Commission find that a Statutory Exemption (as defined in the California Environmental Quality Act, CEQA) applies to LAFCO 3089 under Section 15061 (b) (3) of the State CEQA Guidelines, which states: "A project is exempt from CEQA if the activity is covered by 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 this circumstance applies to LAFCO 3089.

Based on this review of LAFCO 3089 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCO 3089 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 CEQA for this action. The Commission can approve the review and findings for this action and I recommend that you notice LAFCO 3089 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 to the Board for this action once the action 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 contact me.

Sincerely,

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

Tom Dodson