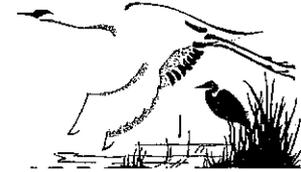


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August 30, 2010

Ms. Kathleen Rollings-McDonald
Executive Officer
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:

I have completed the California Environmental Quality Act (CEQA) review of out-of-area service contract, SC#355 for the Commission. LAFCO SC#355 would permit the County Service Area (CSA) 42 to extend water and sewer service to single parcel of land (about 56.36 acres in size) located west of National Trails Highway and north and east of parcel boundaries and south of the Mojave River, south of a private road owned by TXI. The territory is proposed for the development of a Junior High and High School site by the Oro Grande School District. If approved, the service extension would provide water and sewer service and allow a proposed school facility to initiate operation. In return, the School district makes a commitment to annex this parcel to the CSA 42.

Based on the above proposal and the findings presented below, it appears that LAFCO SC#355 can be implemented without causing significant adverse environmental impacts. The proposed water and sewer service extension does not appear to have any potential to significantly alter the existing physical environment as the school facility exists, beyond the single parcel of land. Extending water and sewer service has no effect on land uses which are governed by the County. Extending water and sewer service to this parcel does not create growth inducement because the key issue is the school is in place and requires essential water and sewer services without which a health and safety concern could be created for school occupants.

Without a potential for causing significant physical changes in the environment, I recommend that the Commission find that a Statutory Exemption applies to LAFCO SC#355 under the Section 15061 (b) (3) 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 SC#355.

Thus, based on the above review of LAFCO SC#355 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 proposed extension of water and sewer service and I recommend that you notice LAFCO SC#355 as statutorily exempt from CEQA for the reasons outlined in the State CEQA Guideline section cited above. The Commission needs to file a Notice of Exemption with the County Clerk to 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