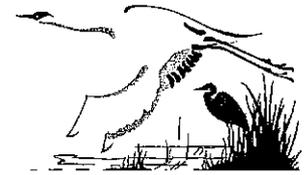


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August 30, 2010

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

RECEIVED  
AUG 31 2010

LAFCO  
San Bernardino County

Dear Kathy:

LAFCOs 3146 and 3147 consists of a request by the Oro Grande School District to expand the Sphere of County Service Area (CSA) 42 by 57.09 acres and Reorganize the same acreage to include annexations to CSA 42. Area A of the study area consists of approximately 56.36 acres generally located west of National Trails Highway and north and east of parcel boundaries and south of the Mojave River, south of the private road owned by TXI. Area B encompasses about 0.73 acre generally located southeast of Portland Street and its natural extension and west and north of parcel lines. Both sites are part of developed school sites that require water and sewer service that can be provided by CSA 42. Water and sewer service will have been extended to these sites as part of Out-of-Service Agreement SC#355. If approved by the Commission, management of water and sewer services for the properties would be permanently assigned to CSA 42.

Based on the above proposal, it appears that the proposed Sphere expansion and Reorganization, LAFCOs 3146 and 3147, can be implemented without causing any physical changes to the environment or any adverse environmental impacts. This finding is based on the lack of any proposals to make physical modifications to the project area if the LAFCO actions are approved. The proposed Sphere Expansion and Reorganization does not appear to have any potential to alter the existing physical environment in any manner different from the existing environmental circumstance.

Therefore, I recommend that the Commission find that a Statutory Exemption (as defined in the CEQA) applies to LAFCOs 3146 and 3147 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 LAFCOs 3146 and 3147.

Based on this review of LAFCOs 3146 and 3147 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that these LAFCO actions do 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 LAFCOs 3146 and 3147 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 hearing is completed.

A copy of this exemption recommendation 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". The signature is written in black ink and is positioned below the word "Sincerely,".

Tom Dodson