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LAFCO
San Bernardino County

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

Dear Kathy:

LAFCO 3117 consists of a service review for County Service Area 18 (CSA 18, Cedarpines Park) pursuant to Government Code Section 56430 and Sphere of Influence Update pursuant to Government Code 56425. CSA 18 encompasses approximately 950 acres generally bordered by a combination of section lines and parcel lines along Mojave River Road and Pine Drive on the east, parcel lines along Crest Forest Drive on the south, parcel lines along Peak Circil, Ridge Drive and Lovers Lane on the west, and section lines along Buck Drive on the north. The CSA provides road maintenance and snow removal services and provides park maintenance and operation of a community Center. The Commission staff is recommending that the existing Sphere and services of the District be expanded as shown on the attached map. This would include expanding the Sphere area to encompass all of Cedarpines Park and modification of the road service description to reflect actual snow removal services provided.

As we have learned from previous sphere and service reviews, the designation of a sphere and clarification of existing services, which focuses on 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 or to provide a new range of services of a service agency does a potential for physical change in the environment occur.

The effects of the sphere and service review for CSA 18, expansion of the Sphere and service modifications, does not appear to have any potential to alter the existing physical environment in any manner. Expansion of the current Sphere and modification of the services provided does not have any potential for causing physical changes in the environment because it is solely a planning boundary. Therefore, I recommend that the Commission find that a Statutory Exemption (as defined in the California Environmental Quality Act, CEQA) applies to LAFCO 3117 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 3117.

In this case, adopting the expanded Sphere and service scope of CSA 18 does not alter the existing operations or obligations of the area and does not adversely affect any existing physical facilities. It modifies a planning boundary only and modifies its service description under its authorized roads function. Based on this review of LAFCO 3117 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCO 3117 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 this review and finding for this action and I recommend that you notice LAFCO 3117 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 (NOE) with the County Clerk to the Board for this action once the action is completed.

A copy of this memorandum and the NOE 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,

Tom Dodson

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