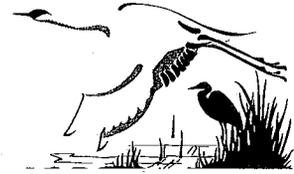


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June 26, 2010

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:

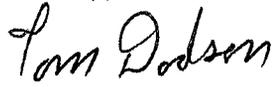
LAFCO 3149 consists of a service review for the Rim of the World Recreation and Park (District) pursuant to Government Code Section 56430 and Sphere of Influence Update pursuant to Government Code 56425. The Agency encompasses approximately 110 square miles generally bordered by a combination of section lines and parcels along Butler Peak and Slide Peak on the east; section lines along Government Peak, Long, Red Rock Wall, and Panorama Points (generally along Highway 18 and Highway 330) on the south; a combination of section lines and parcel lines generally along Monument Peak and Breezy Point on the west; and section lines along Mt. Marie Louise, Deer Mountain, Little Shay Mountain and Hawes Peak on the north. The Commission staff is recommending that the existing Sphere and services of the Agency be retained in its current configuration and scope. As we have learned from previous sphere and service reviews, the designation of a sphere and retention 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 range of services of a service district does a potential for physical change in the environment occur.

The effects of the sphere and service review for the District to the existing sphere does not appear to have any potential to alter the existing physical environment in any manner. Verification of the current District Sphere and Services does not have any 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 3149 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 3149.

In this case, adopting the existing Sphere and service scope of the District does not alter the existing operations or obligations of the District and does not adversely affect any existing physical facilities. Based on this review of LAFCO 3149 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCO 3149 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 3149 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,

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