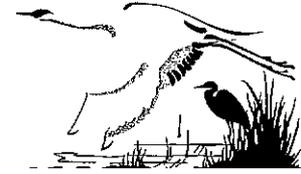
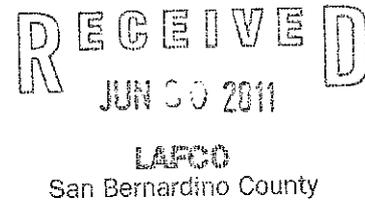


TOM DODSON & ASSOCIATES
2150 N. ARROWHEAD AVENUE
SAN BERNARDINO, CA 92405
TEL (909) 882-3612 • FAX (909) 882-7015
E-MAIL tda@tdaenv.com



June 29, 2011

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



Dear Kathy:

LAFCO 3165 is a Reorganization to include Annexations to the City of Barstow, Barstow Fire Protection District and Odessa Water District, and the Barstow Fire Protection District, and Detachments from the San Bernardino County Fire Protection District and its North Desert Service Zone, County Service Area SL-1 and County Service Area 70 (West Lenwood Island Annexation). The proposed reorganization is generally located west of Lenwood Road, east and west of Main Street (National Trails Highway) within the City of Barstow's northwestern unincorporated sphere of influence.

The proposed Reorganization encompasses two parcels of land in the Lenwood area near Barstow as follows: *Area 1 - Annexation to the City of Barstow and Odessa Water District and Detachment from County Service Area 70 (this Reorganization encompasses approximately 145 acres generally bordered by a combination of parcel lines and Lenwood Road on the east, and a combination of parcel lines, Sweeten Lane, and the BNSF Railroad Right-of-Way (existing City and Odessa Water District boundaries) on the south, west and north); Area 2 - Annexation to the Barstow Fire Protection District and Detachment from San Bernardino County Fire Protection District and its North Desert Service Zone (The proposed annexation to the Barstow Fire Protection District (FPD) encompasses approximately 61 acres generally bordered by a combination of parcel lines, Sweeten Lane, and the BNSF Railroad Right-of-Way (existing Barstow FPD) on the north, and parcel lines (existing Barstow FPD boundaries) on the east, south, west and north.); and Area 3 - Detachment from County Service Area SL-1 (Area 3 encompasses approximately 88 acres, generally bordered by the BNSF Railroad Right-of-Way (existing CSA SL-1 boundary) on the north, a combination of parcel lines and Lenwood Road on the east, and parcel lines (existing CSA SL-1 boundaries) on the south and west.*

The Reorganization areas are bordered on three sides by the City and Barstow FPD which allows this application to be processed as an island annexation.

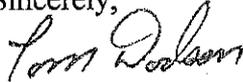
Island Annexations are allowed to proceed as ministerial actions because the originating statute indicates that the Commission has no discretion over their approval. However, an environmental determination for compliance with the California Environmental Quality Act (CEQA) is still required for such project.

Based on my understanding of the proposed action, is a ministerial decision that is automatically exempt (Statutorily Exempt) for the CEQA. Therefore, I recommend that the Commission find that a Statutory Exemption applies to LAFCO 3165 under the Section 15268 of the State CEQA Guidelines which states: "Ministerial projects are exempt from the requirements of CEQA." It is my opinion, and recommendation to the Commission, that, under the current application for LAFCO 3165, the Commission action in this matter is ministerial only (not subject to the discretion of the Commission) and not subject to CEQA, i.e., statutorily exempt.

Based on a review of LAFCO 3165 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 Statute for this action. The Commission can approve the identified actions proposed under this application as statutorily exempt from CEQA for the reasons outlined above and in accordance with 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