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

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LAFCO
San Bernardino County

June 25, 2011

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

Dear Kathy:

LAFCO 3150 consists of a service review for the Big Bear City Community Services District (District) pursuant to Government Code Section 56430 and Sphere of Influence Update pursuant to Government Code 56425. The District study area encompasses approximately 41 square miles generally bordered by a combination of section and parcel lines along State Route (SR) 38, Erwin Lake, and SR 18 on the east, section lines along Sugarloaf Mountain on the south, a combination of Division and Menlo Drives, Sheephorn and Wolf Roads, and parcel lines on the west, and section lines along Gold Mountain on the north. The area includes the unincorporated communities of Big Bear City, Sugarloaf, Moonridge, and Erwin Lake.

The Commission staff is recommending that the Commission consider a combination of sphere expansion (by approximately 4,640 acres) and reduction (by approximately 3,550 aces). The proposed reduction of the District's existing sphere by approximately 2,880 acres (Area 1) would exclude the onyx Summit area which is outside of the current community definition for Bear Valley, and is also outside of the proposed redefined community for Bear Valley. Modify the District's sphere through expansion of approximately 400 acres (Area 2) and reduction of approximately 30 acres (Area 3) located in the Moonridge area. The proposed amendment would align the sphere along existing parcel lines. The proposed amendment would expand the sphere for the District along the west by approximately 320 acres (Area 4) to align its sphere along existing parcel lines. A reduction in the District's existing sphere by approximately 640 acres (Area 5) to exclude a section along the northern sphere which is outside of the proposed redefined community for Bear Valley. Staff has also recommended expansion of the sphere for the District along the east boundary by approximately 3,920 aces (Area 6) to encompass the Baldwin Lake area. The Baldwin Lake area has historically opposed inclusion with the District. However, the area's population has steadily increased while access to services remains limited. The area could benefit from planning that would be required of the District for possible extension of service. It is also

recommended that the service description for the District's sewer function be modified by adding "transportation" and removing "disposal", the service description for its Fire Protection function be modified to include "suppression", "prevention", "rescue" and "first aid" and the service description for its Park and Recreation function be modified by removing "senior citizens center." The Commission also has the option of retaining the existing sphere in its current configuration.

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 agency does a potential for physical change in the environment occur.

The effects of the sphere and service review for the District, retain the existing Sphere or reduction/expansion of the current Sphere as outlined above, does not appear to have any potential to alter the existing physical environment in any manner. Affirmation or expansion of the current Sphere 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 3150 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 3150.

In this case, expanding/reducing the existing Sphere or retaining the existing sphere and modifying the service description does not alter the existing District operations or obligations and does not adversely affect any existing physical facilities. It modifies a planning boundary only. Based on this review of LAFCO 3159 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCO 3150 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 3150 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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