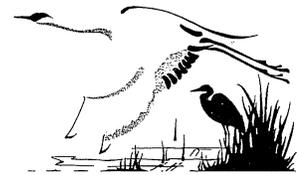


**Environmental Response Letter from
Tom Dodson of
Tom Dodson and Associates**

Attachment 5

TOM DODSON & ASSOCIATES

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



October 28, 2011

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

RECEIVED
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LAFCO
San Bernardino County

Dear Kathy:

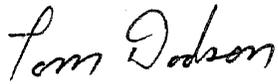
LAFCO 3160 consists of a municipal service review for the Phelan Pinon Hills Community Services District (District) pursuant to Government Code Section 56430 and establishment of a Sphere of Influence for the District pursuant to Government Code 56426.5. At the present time there appears to be only one option proposed for the establishment of the Sphere of Influence for the District. The proposal is to establish Sphere boundaries for the District that would be coterminous with the existing boundary of the District. This Sphere boundary would be located north of the San Bernardino National Forest boundary, east of the Los Angeles County line, south of Rancho Road, and west of a combination of section lines, the City of Adelanto boundary and Sphere of Influence, the City of Victorville Sphere of Influence boundary and the City of Hesperia Sphere of Influence boundary.

Based on this information, it appears that LAFCO 3160 can be implemented without causing any physical changes to the environment or any adverse environmental impacts. Therefore, I recommend that the Commission find that a Statutory Exemption (as defined in the California Environmental Quality Act, CEQA) applies to LAFCO 3160 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 3160. In this case, the establishment of the District Sphere of Influence with the same boundary as the current District boundary does not alter the existing environmental setting.

Based on this review of LAFCO 3160 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCO 3160 does not constitute a project under CEQA and establishment 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 3160 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 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