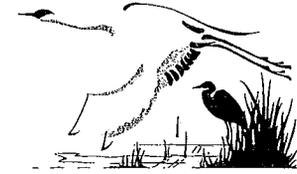


TOM DODSON & ASSOCIATES
2150 N. ARROWHEAD AVENUE
SAN BERNARDINO, CA 92405
TEL (909) 882-3612 • FAX (909) 882-7015
E-MAIL tda@tdaenv.com



April 9, 2012

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 3133 consists of a service review for the Crestline Sanitation District (District) pursuant to Government Code Section 56430 and Sphere of Influence Update pursuant to Government Code 56425. The District encompasses approximately 15 square miles generally bordered by a combination of section lines and parcel lines along the western edge of the communities of Twin Peaks and Rimforest on the east; parcel lines generally along Rim of the World Highway (highway 18) on the south, a combination of section lines and parcel lines generally along Playground Driver, Ridge Drive, and Sawpit Canyon Trail and Silverwood Lake on the west, and a combination of section lines and parcel lines south of Sawpit Canyon, Miller Canyon and Pilot Rock on the north.

The District provides wastewater service within the area identified above, and to two entities outside of the existing/proposed Sphere. The District provides wastewater service to the State of California Parks Department and to Cal Fire at its Pilot Rock facility. The Commission staff is recommending that the existing Sphere be expanded to include two parcels located adjacent to the City of Hesperia where the District discharges treated effluent from its wastewater treatment operations. The properties are owned by the District and it will be able to save funds if these parcels are ultimately annexed. LAFCO 3133 also includes sphere expansions and reductions to match existing parcel delineation and include surrounding private land to reflect the Crest Forest community. The two entities discussed above will remain outside of the District's proposed Sphere, but since they are existing services, there would be no adverse effect on the environment from continuing to serve these locations.

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, expansion and reduction of the Sphere as indicated, does not appear to have any potential to alter the existing physical environment in any manner. Expansion and reduction 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 3133 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 3133.

In this case, adopting the expanded and reduced Sphere of the District 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. Based on this review of LAFCO 3133 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCO 3133 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 3133 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".

Tom Dodson