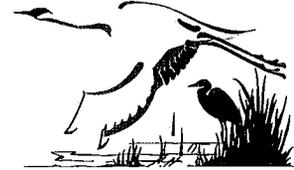


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May 4, 2012

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



Dear Kathy:

LAFCO 3101 consists of a service review for the City of Twentynine Palms (City) pursuant to Government Code Section 56430 and Sphere of Influence Update pursuant to Government Code 56425. The City Sphere encompasses approximately 89 square miles generally bordered by Joshua Tree National Park on the south, a combination of section lines and the Joshua Tree Community Plan on the west, a combination of section lines and parcel boundaries (including the residential portion of the Twentynine Palms Marin Corps Base) on the north, and the Wonder Valley community, as defined by the boundaries of County Service Area 70 Zone M, on the east. The City provides municipal services within the incorporated portion of the Sphere.

The Commission staff is recommending that the Sphere be modified to include expansion and reduction to encompass the Twentynine Palms community as defined by the Commission. The alternative, is for the Commission to retain 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 City, retention of the existing Sphere or modification of the Sphere as indicated, do not appear to have any potential to alter the existing physical environment in any manner. Therefore, I recommend that the Commission find that a Statutory Exemption (as defined in the California Environmental Quality Act, CEQA) applies to LAFCO 3101 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 3101.

In this case, adopting a modified Sphere or the existing Sphere of the City does not alter the existing operations or obligations of the City or the affected Sphere area and does not adversely affect any existing physical facilities. Based on this review of LAFCO 3101 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCO 3101 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 3101 as statutorily exempt from CEQA for the reasons outlined in the State CEQA Guideline section 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