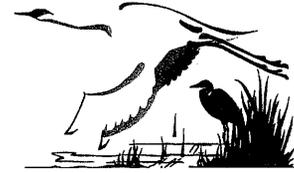


**Response from Commission's  
Environmental Consultant,  
Tom Dodson of  
Tom Dodson and Associates**

**Attachment 4**

**TOM DODSON & ASSOCIATES**  
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September 25, 2012

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

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**LAFCO**  
San Bernardino County

Dear Kathy:

LAFCO 3166 consists of a request by the Hesperia Water District for approval of a Reorganization to include Annexations to the District and detachments from County Service Area 70 and its Zone J (water service). The proposed Reorganization includes five separate areas encompassing a total of approximately 1,553 acres located within the City's boundaries. The areas being considered include:

Area 1 (Annexation to Hesperia Water District and Detachment from CSA 70 and its Zone J): Area 1 encompasses approximately 938 acres and is generally bordered by a combination of parcel lines and Muscatel Avenue (existing Hesperia Water District boundary) on the north, a combination of parcel lines, Palm Street, the California Aqueduct, Cedar Street, and Maple Avenue (existing Hesperia Water District boundaries) on the east, a combination of parcel lines and Whitehaven Street (existing Hesperia Water District boundary) on the south, and a combination of parcel lines, the California Aqueduct and Topaz Avenue on the west.

Area 2 (Annexation to Hesperia Water District and Detachment from CSA 70 and its Zone J): Area 2 encompasses approximately 60 acres is within and is generally located along the I-15 Freeway right-of-way area, between Main Street and Bear Valley Road. The island area is generally bordered by the Hesperia Water District boundary on the east, a combination of the Hesperia Water District and the Victorville Water District boundaries on the west and northwest, and the Victorville Water District on the north, all within the I-15 Freeway right-of-way area.

Area 3 (Detachment from CSA 70 and its Zone J): Area 3 encompasses approximately 185 acres and is generally bordered by a combination of parcel lines and the natural extension of Coyote Trail on the east, Muscatel Street (portion of existing Hesperia Water District) on the south, and the I-15 Freeway on the west.

Area 4 (Detachment from CSA 70 and its Zone J): Area 4 encompasses approximately 325 acres located within the City of Hesperia. Area 4 is generally bordered by a combination of parcel lines and Sultana Street on the north, Topaz Avenue on the east, a combination of parcel lines and Muscatel Street (portion of existing Hesperia Water District) on the south, and Escondido Avenue on the west.

Area 5 (Detachment from CSA 70 and its Zone J): Area 5 encompasses approximately 45 acres located within the City of Hesperia. Area 4 is generally bordered by Palm Street (existing Hesperia Water District boundary) on the north, Maple Avenue on the east, a combination of parcel lines and Cedar Street on the south, and parcel lines (existing Hesperia Water District boundary) on the west.

Based on the above proposal, it appears that the proposed Reorganization, LAFCO 3166, can be implemented without causing any physical changes to the environment or any adverse environmental impacts. This finding is based on the continued provision of water service to all areas that are proposed to be reorganized. Thus, the proposed Reorganization does not appear to have any potential to alter the existing physical environment in any manner different from the existing environmental circumstance.

Therefore, I recommend that the Commission find that a General Rule Statutory Exemption (as defined in the CEQA) applies to LAFCO 3166 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 3166.

Based on this review of LAFCO 3166 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that this LAFCO action does not constitute a project under CEQA and adoption of a General Rule 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 3166 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 recommendation 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