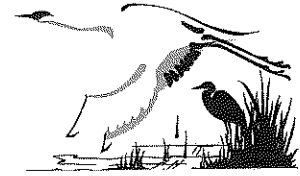


**Response from Tom Dodson
and Associates**

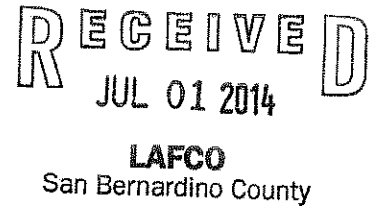
Attachment 4

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



June 27, 2014

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



Dear Kathy:

LAFCO 3177 is a reorganization to include City of Fontana Annexation N. 173 and Detachment from County Service Areas 70 and SL-1. The proposed reorganization encompasses about 486 acres, generally bordered by the centerline of Interstate 10 Freeway on the north; a combination of parcel lines and Almond Avenue on the east; parcel lines east and west of Calabash Avenue on the south; and Mulberry Avenue on the west. Although the City prepared and certified an Environmental Impact Report to comply with the California Environmental Quality Act (CEQA) in 2012, this application comes to the Commission as an island annexation. Island annexations are allowed to proceed as ministerial actions because the originating statute indicates that the Commission has no discretion over their approval. However, an environmental determination for compliance with the California Environmental Quality Act (CEQA) is still required for such project.

Based on my understanding of the proposed action, a ministerial decision is automatically exempt (Statutorily Exempt) from CEQA. Therefore, I recommend that the Commission find that a Statutory Exemption applies to LAFCO 3177 under the Section 15268 of the State CEQA Guidelines which states: "Ministerial projects are exempt from the requirements of CEQA." It is my opinion, and recommendation to the Commission, that, under the current

application for LAFCO 3177, the Commission action in this matter is ministerial only and not subject to CEQA, i.e., statutorily exempt.

Based on a review of LAFCO 3177 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that this action 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 the CEQA Statute for this action. The Commission can approve the identified actions proposed under this application as statutorily exempt from CEQA for the reasons outlined above and in the State CEQA Guideline section 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