

**Tom Dodson and Associates Response,  
the County's Environmental Documents  
for the Conditional Use Permit**

**Attachment 4**

**TOM DODSON & ASSOCIATES**  
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November 21, 2015

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

Dear Kathy:

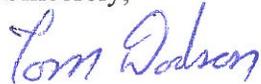
I have completed the California Environmental Quality Act (CEQA) review of out-of-area service contract, SC#402 for the Commission. LAFCO SC#402 would permit the City of San Bernardino to extend sewer service to single parcel of land (about one acre in size) located in unincorporated territory on the west side of the City in the community of Muscoy which is in the City's western Sphere of Influence. The project site is located on the south side of Porter Street, about 400 feet west of California Street. If approved, the service extension would provide sewer service and allow a single family residence to be constructed in the near term future on a lot that is currently vacant. The County has approved Tentative Parcel Map (TPM) 17356 which could allow an additional two lots to be developed in the future. If approved, these facilities would be connected to City of San Bernardino regional wastewater collection system and the regional treatment system operated by the City Municipal Water Department. In return, the owner makes a commitment to ultimately annex this parcel to the City. At the present time the property is noncontiguous with the City's boundary.

Based on the above proposal and the findings presented below, it appears that LAFCO SC#402 can be implemented without causing significant adverse environmental impacts. The administrative record does not identify any action to comply with the California Environmental Quality Act (CEQA) for this proposed project. Therefore, LAFCO will consider this extension of service contract as the CEQA lead agency. Based on the limited number of units that can ultimately be developed on this property (three, based on TPM17356), this project has not potential to cause a significant adverse impact on the environment. Therefore, I conclude that LAFCO SC#402 does not constitute a project under CEQA and adoption of the Statutory Exemption (under the "General Rule" and filing of a Notice of Exemption is the most appropriate determination to comply with the CEQA exemption found in Section 15061 ( b ) ( 3 ) for this action. The Commission can approve this review and finding for this action and I recommend that you notice LAFCO SC#402 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 a decision is made for this out-of-area service agreement.

Thus, after independent review of this proposed action, the proposed sewer service extension does not appear to have any potential to significantly alter the existing physical environment. Extending sewer service has no effect on land uses which are governed by the County. Thus, this service extension does not involve any change in the authorized end use, which will consist of one single family residence in the near future and two additional residential units in the future. Since no other project is pending or will occur as a result of approving this application, no other potential significant physical changes in the environment are forecast to result from this action. Further, extending sewer service to this parcel is not forecast to create growth inducement because most of the land along this segment of Porter Street is already development with residential uses.

Based on a review of LAFCO SC#402 and the pertinent sections of CEQA and the State CEQA Guidelines, I believe it is appropriate for the Commission's CEQA environmental determination to cite the "General Rule" exemption, as adequate documentation in accordance with the Commission's CEQA lead agency status. If you have any questions regarding these recommendations, please feel free to give me a call.

Sincerely,



Tom Dodson