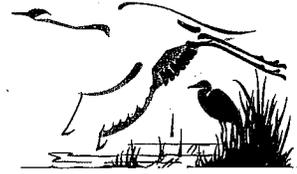


**Letter from Commission Environmental  
Consultant Tom Dodson of Tom Dodson  
and Associates Dated February 8, 2016**

**Attachment 8**

**TOM DODSON & ASSOCIATES**  
2150 N. ARROWHEAD AVENUE  
SAN BERNARDINO, CA 92405  
TEL (909) 882-3612 • FAX (909) 882-7015  
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February 8, 2016

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

**RECEIVED**  
FEB 09 2016

**LAFCO**  
San Bernardino County

Dear Kathy:

LAFCO 3199 consists of a Sphere of Influence (SOI) Amendment for the San Bernardino County Fire Protection District to encompass the Twentynine Palms Water District's service area. LAFCO 3200 consists of a proposal initiated by the Twentynine Palms Water District (District) to reorganize and annex into the San Bernardino County Fire Protection District (County Fire), its South Desert Service Zone and its Service Zone FP-5 (FP-5) for the provision of fire suppression and emergency medical services. The study area encompasses the entirety of the District boundaries as shown on the attached map. The purpose of the SOI Amendment and Reorganization is to annex the District service area to County Fire and its Service Zone FP-5. The Annexation to County Fire Service Zone FP-5 includes the District service area and the area outside of the District generally identified as the peninsula between Morongo Road and the City of 29 Palms south of the Marine Corps base. Currently a part of County Fire.

This change of organization will entail the transfer of the District Fire Department employees, assets, obligations, liabilities and responsibilities to County Fire and its related service zone. The consideration of the proposed Reorganization will include the annexation into County Fire Service Zone FP-5 which includes a special tax for funding of fire protection and emergency medical response services. This special tax includes an annual inflationary rate of up to a maximum 3% increase. Annexation to County Fire will allow the District to take advantage of the substantial economies of scale available from this agency, as well as existing County Fire stations and personnel located near to the District. If LAFCOs 3199 and 3200 are approved, County Fire will assume responsibility for providing fire suppression and emergency medical response services for the District.

The Reorganization allowed by LAFCO 3200 represents the best possible replacement of the District existing Fire Department by County Fire. The District existing fire, rescue and emergency personnel and physical assets will be transferred to the County, except for Station 421 which will be a leaseback with the City of Twentynine Palms. In essence, these services will continue to be provided to the District service area residents, but County Fire assumes the responsibility for these services in the future. Accordingly, approval of LAFCOs 3199/3200 has no identified potential to cause any modifications to the physical environment. Given this circumstance, I recommend that the Commission find that a Statutory Exemption (as defined in the California Environmental Quality

Act, CEQA) applies to LAFCOs 3199/3200 under Section 15061 (b) (3) of the State CEQA Guidelines (General Rule), 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 LAFCOs 3199/3200, which will facilitate future emergency response service to the residents of the area to be annexed.

Based on this review of LAFCOs 3199 and 3200 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCOs 3199/3200 does not constitute a project under CEQA and adoption of the General Rule Statutory Exemption and filing of a Notice of Exemption is the most appropriate determination to comply with CEQA for these actions. The Commission can approve the review and findings for these actions and I recommend that you notice LAFCOs 3199/3200 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 it is completed.

A copy of this exemption should be retained in the LAFCO project file to serve as verification of this evaluation and as the CEQA environmental determination record for LAFCOs 3190/3200. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Tom Dodson".

Tom Dodson