Letter from Commission Environmental Consultant Tom Dodson of Tom Dodson and Associates Dated April 2, 2016

Attachment 3

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April 2, 2016

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LAFCO
San Bernardino County

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

Dear Kathy:

LAFCO 3205 consists of a Sphere of Influence (SOI) Amendment for the San Bernardino County Fire Protection District to encompass the corporate boundaries of the City of Needles. LAFCO 3206 consists of a proposal initiated by the City of Needles(City) 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 response services. The study area encompasses the entirety of the City boundaries (approximately 20,998 acres) as shown on the attached map. The purpose of the SOI Amendment and Reorganization is to annex the City service area to County Fire, its South Desert Service Zone, and its Service Zone FP-5.

This change of organization will entail the transfer of the City fire service assets, obligations, liabilities and responsibilities to County Fire and its related service zones. 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 City to take advantage of the substantial economies of scale available from this agency. If LAFCOs 3205 and 3206 are approved, County Fire will assume full responsibility for providing fire suppression and emergency medical response services for the City of Needles.

The City currently contracts with County Fire to provide fire protection and emergency medical response and the Reorganization allowed by LAFCO 3206 represents the best possible replacement of the City's fire service obligation within the corporate boundaries. The City's existing physical assets will be transferred to County Fire. In essence, these services will continue to be provided by County Fire to the City service area residents, but County Fire assumes the full responsibility for providing these services in the future. Accordingly, approval of LAFCOs 3205/3206 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 3205/3206 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 3205/3206, which will facilitate provision of future fire protection and emergency medical response service to the residents of the area to be reorganized.

Based on this review of LAFCOs 3205 and 3206 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that these actions do 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 3205/3208 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 3205/3206. If you have any questions, please feel free to contact me.

Sincerely,

Tom Dodson

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