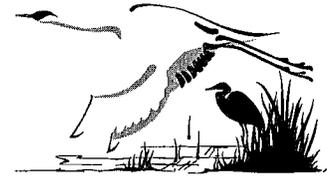


**Letter Dated June 19, 2016 from
Tom Dodson, of Tom Dodson and
Associates, Recommending Statutory
Exemption for LAFCO 3202**

Attachment 10

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 19, 2016

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

Dear Kathy:

LAFCO 3202 consists of a proposal for a Reorganization to include Formation of the Wrightwood Community Services District (District) and Dissolution of County Service Area (CSA) 56 (Wrightwood community within San Bernardino and Los Angeles Counties). The territory proposed for reorganization to include formation and dissolution encompasses approximately 17 square miles, an area about twice as large as CSA 56. If approved, LAFCO 3202 will create the Wrightwood Community Services District with powers to provide streetlighting, solid waste, park and recreation services, and planning for wastewater collection and treatment services. CSA 56 currently provides streetlighting and park and recreation services to a portion of the reorganization area located within San Bernardino County. The addition of solid waste collection would replace existing similar services within the reorganization area. The staff's proposed modification to include sewer planning services allows for only planning, not actual implementation, until a plan is developed for wastewater collection and treatment for the Wrightwood area.

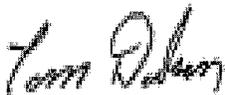
If LAFCO 3202 is approved by the Commission and CSA 56 is dissolved, the new District would provide these services to the approximate 17 square mile area. The District has no current proposal for physical modifications within the reorganization area and any such proposals would require a subsequent environmental determination to comply with the California Environmental Quality Act (CEQA).

Based on the above proposal, it appears that the proposed reorganization would allow the District to assume responsibility for the provision of the services currently provided by CSA 56 (streetlighting and park and recreation services) and the ability to provide these services, including the additional solid waste service and planning for wastewater service, to the entire reorganization area including an area within Los Angeles County at some point in the future. In general the replacement of one service agency (CSA 56) with another agency, the District, that assumes the service responsibilities will not result in any new physical impacts on the environment. However, based on previous analyses for similar assumptions of responsibility, a potential exists for the agency being detached to incur economic impacts that can adversely impact other operations. In this case San Bernardino County Special Districts ability to provide service at other locations, will incur only a small reduction in property taxes that will not adversely impact the financial capability of the County's Special Districts to serve the residual areas under its management. Thus, it appears the proposed actions can be implemented without causing significant physical changes to the environment or any significant adverse environmental impacts. The approval of LAFCO 3202 does not appear to have any potential to significantly alter the existing physical environment in any manner different from the existing environmental setting.

Therefore, I recommend that the Commission find that a General Rule Statutory Exemption, as defined in CEQA under Section 15061 (b) (3) of the State CEQA Guidelines, applies to LAFCO 3202. This Section 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 the General Rule exemption applies to LAFCO 3202.

Based on this review of LAFCO 3202 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that the proposed LAFCO action 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 environmental determination to comply with CEQA for this action. Therefore, the Commission can approve the review and findings for this action as the appropriate CEQA environmental determination, and I recommend that you notice LAFCO 3202 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 and assuming LAFCO 3202 is approved. 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,

A handwritten signature in black ink, appearing to read "Tom Dodson". The signature is written in a cursive, slightly slanted style.

Tom Dodson