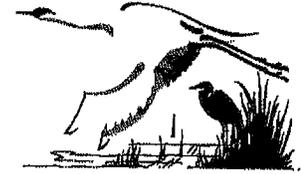


**Tom Dodson's
Environmental Response
for LAFCO 3210**

Attachment 5

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



September 8, 2016

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

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SEP 12 2016

LAFCO
San Bernardino County

Dear Kathy:

LAFCO 3210 consists of a request for an Annexation of a single parcel to the Apple Valley Heights County Water District (District). The parcel being proposed for annexation encompasses about 1.25 acres and is located on the east side of Cholla Road, south of Roundup Way. If LAFCO 3210 is approved by the Commission the identified property would be annexed to the District and the District will supply water from its existing production and distribution system as it has in the past. Based on the above proposal, the proposed Annexation would allow the District to permanently extend potable water supply services within the area to be annexed. The approval of LAFCO 3210 does not appear to have any potential to significantly alter the existing physical environment in a significant manner relative to the existing environmental circumstance.

Therefore, I recommend that the Commission find that a Statutory Exemption (General Rule), as defined in CEQA under Section 15061 (b) (3) of the State CEQA Guidelines, applies to LAFCO 3210. 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 this circumstance applies to LAFCO 3210 due to the limited water demand from one residential parcel, which in fact has been provided water service previously.

Based on this review of LAFCO 3210 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 Statutory Exemption and filing of a Notice of Exemption is the most appropriate environmental determination to comply with CEQA for this action. The Commission can approve the review and findings for this action and I recommend that you notice LAFCO 3210 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 3210 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,

Tom Dodson