Tom Dodson's Environmental Response for LAFCO 3209

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

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LAFCO
San Bernardino County

July 30, 2016

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

Dear Kathy:

LAFCO 3209 consists of a request for a Reorganization by the West Valley Mosquito and Vector Control District (District) and its Assessment District No. 1 and Zone A to annex approximately 27.6 square miles into the District. The territory proposed for reorganization includes two separate areas generally described as follows: Area 1 includes the entirety of the City of Upland's boundaries and its northern unincorporated Sphere of Influence area known as San Antonio Heights, encompassing about 18.3 square miles; and Area 2 includes the City of Rancho Cucamonga's northern unincorporated Sphere of Influence, encompassing about 9.3 square miles. If LAFCO 3209 is approved by the Commission the identified property would be annexed to the District and its financing zones, which will replace the current mosquito and vector service performed by the County Department of Environmental Health, Vector Control Division.

Based on the above proposal, the proposed reorganization would allow the District to assume existing services within the area to be annexed. Thus, in this case a new serving agency will take over the existing County services, and the area being annexed will receive the same services. The approval of LAFCO 3209 does not appear to have any potential to significantly alter the existing physical environment in any manner different from 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 3209. 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 3209.

Based on this review of LAFCO 3209 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 3209 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 3209 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

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