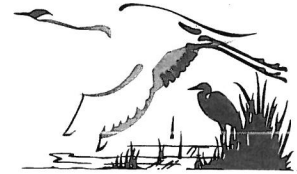


**Letter from Commission  
Environmental Consultant  
Tom Dodson of Tom Dodson  
and Associates Dated  
December 20, 2017**

**Attachment 4**

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



December 20, 2017

Ms. Kathleen Rollings-McDonald  
Local Agency Formation Commission  
1170 W. 3<sup>rd</sup> Street, Unit 150  
San Bernardino, CA 92415-0490

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FORMATION COMMISSION

Dear Kathy:

LAFCO 3222 consists of the establishment of a Sphere of Influence in San Bernardino County for the Metropolitan Water District (MWD) of Southern California. LAFCO 3222 proposes to establish a Sphere of Influence that will be coterminous with the Sphere of influence for its member agency, Inland Empire Utilities Agency, which includes the watershed of the San Gabriel Mountain, generally including:

- All of the territories and Spheres of Influence of the cities of Chino, Chino Hills, Montclair, Rancho Cucamonga, Ontario, and Upland
- The majority of the territory of the City of Fontana; and
- Portion of the territory and Sphere of the City of Rialto.

In this instance the proposed Sphere establishment does not involve any physical changes in the environment. This is because approval of the Sphere establishment will not result in any physical changes to the environment. LAFCO 3222 establishes a planning boundary for MWD with no proposed annexations or other actions before the Commission at this time.

Therefore, I recommend that the Commission find that a Statutory Exemption (as defined in the California Environmental Quality Act, CEQA) applies to LAFCO 3222 under Section 15061 (b) (3) of the State CEQA Guidelines. This General Rule exemption 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 3222.

In this case, adopting the proposed Sphere expansion establishes a future planning area in San Bernardino County should MWD require further actions in the future. Thus, no physical changes in the environmental can result from approving LAFCO 3222. Based on this review of LAFCO 3222 and the pertinent sections of

CEQA and the State CEQA Guidelines, I conclude that LAFCO 3222 does not constitute a project under CEQA and adoption of the Statutory Exemption and filing of a Notice of Exemption is the most appropriate determination to comply with CEQA for this action. The Commission can approve this review and finding for this action and I recommend that you notice LAFCO 3222 as statutorily exempt from CEQA for the reasons outlined in the State CEQA Guideline section cited above. The Commission needs to file a Notice of Exemption (NOE) with the County Clerk of the Board for this action once it is completed.

A copy of this memorandum and the NOE should be retained in the LAFCO project file to serve as verification of this evaluation and as the CEQA environmental determination record for LAFCO 3222. If you have any questions, please feel free to give me a call.

Sincerely,

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

Tom Dodson