

US EPA ARCHIVE DOCUMENT

## FINDING OF NO SIGNIFICANT IMPACT

### Pala Wastewater System Rehabilitation Project

The U. S. Environmental Protection Agency (EPA) is considering approving a change in scope of a \$1,540,000 wastewater system rehabilitation project grant to the Pala Band of Mission Indians (Pala), in San Diego County, California. This project will correct serious sanitation and public health problems. The revised project scope includes an increase of 3,443 feet of 8" diameter sewer line. The Pala wastewater project will therefore include: construction of 13,073 feet of 8" diameter sewer line adjacent to existing paved and unpaved roads to connect residents currently on septic systems with an existing wastewater treatment plant. The project will also include connections of the new sewer main to an existing sewer main, along with sewer laterals and connections for 63 houses, and cleanup and abandonment of the existing septic tanks.

EPA completed the project Environmental Assessment (EA) to evaluate the environmental consequences of the originally proposed action, along with the no action alternative. As a result of the EA, the EPA determined the action would not have a significant impact on the quality of the human environment. The Finding of No Significant Impact (FNSI) was approved on July 9, 2008. As a result of the recently proposed change in scope, EPA drafted a Supplemental EA to evaluate environmental impacts of the revised scope of work and the no action alternative. As a result of the Supplemental EA and public review of the proposed project, EPA has determined the action will not have a significant impact on the quality of the human environment. An Environmental Impact Statement is not required.

**The following supports the Finding of No Significant Impact (FNSI):**

#### **Living Resources**

EPA completed a biological assessment, dated August 23, 2007, to assess the effects of the project on the listed species under the Endangered Species Act. A review of biological impacts indicated that construction of the sewer system rehabilitation may effect but would not adversely affect the arroyo southwest toad. The U.S. Fish and Wildlife Service (Service) concurred with this determination through an informal consultation and required mitigation measures summarized in the Supplemental EA.

The Service biologist and Pala Environmental Director visited the proposed sewer main extension alignments and the Service verbally agreed the same mitigation measures would apply to protect the toad. EPA forwarded a letter to the Service to confirm the revised project would be consistent with the previous determination of no adverse effect on the toad.

### **Cultural Resources**

The revised project area has been disturbed by the development of streets, utilities and other infrastructure. Cultural resource surveys, which were included in the EA, confirmed the project would have no effect on National Register of Historic Places or eligible historic and cultural properties. EPA consulted with both the State Historic Preservation Office (SHPO) and Pala's Cupa Cultural Center. No cultural resources were identified within the project's Area of Potential Effects (APE). One cultural resource was found adjacent to Pala Creek but outside the pipeline alignment. The Cupa Cultural Center observed the proposed project changes and confirmed by letter that no cultural impacts were anticipated along the revised sewer alignment.

Archaeological and local Native American cultural monitoring will be used for all excavations along Sycamore Lane. All project personnel and contractors will be informed of cultural resource issues. If National Register eligible sites or human remains are discovered during the construction phase of the project, the Tribal and State cultural preservation staff will be consulted in accordance with the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act.

### **Water Resources**

Water resources would be improved and protected through the replacement of failing septic systems with sewer lines and community wastewater treatment. An NPDES storm water discharge permit will be secured. There will be an emphasis on protection of Pala Creek and the San Luis Rey River through the use of Best Management Practices (BMP's). A storm water pollution prevention plan will be developed to mitigate impacts to these streams. Typical BMP's include the use of swales, detention basins, straw waddles, silt curtains, gravel bags, hydro-seeding and the preservation of vegetated buffers near stream channels.

Wetlands and creek beds are under the jurisdiction of the Army Corps of Engineers pursuant to Section 404 of the Clean Water Act. Project impacts to Pala Creek, which is considered jurisdictional waters of the U.S, will be avoided by installing the sewer main on Sycamore Lane bridge, rather than excavating in the Creek.

### **Air Quality**

Project impacts to air quality will be limited to construction activities and will consist of emissions from gas and diesel engines in construction trucks and equipment, as well as dust associated with trenching and earth moving activities. The project is exempt from the state implementation plan as the emissions are below de-minimis limits. Due to the short duration of the project construction and limited amount of equipment needed, air quality impacts are considered less than significant.

The Tribe will implement standard dust control measures, such as watering of exposed dirt areas, 15 mph speed limits for construction vehicles on dirt roads, and cessation of construction activities if wind speeds exceed 25 mph.

### **Transportation**

The proposed project would have minor, short term impacts on transportation, as the sewer mains would be installed within the shoulder of existing roads. A traffic safety plan will be prepared and implemented by the construction contractor to avoid adverse impacts to vehicular and pedestrian traffic.

### **Sound and Noise**

Construction would take place within and adjacent to existing roadways and near existing houses. Construction noise would be noticeable to residents from 7:00 AM to 7:00 PM, Monday through Friday, although work in any one location would be limited to several days duration.

### **Public Review**

The Environmental Assessment (EA) is available for public review at the web site: <http://www.epa.gov/region09/nepa/epa-generated.html> and at the offices of EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901. EPA Region 9 (WTR-6), 75 Hawthorne Street, San Francisco, CA 94105-3901. To make an appointment to review the EA at this location contact Linda Reeves at (415) 972-3445 or via e-mail at [reeves.linda@epa.gov](mailto:reeves.linda@epa.gov). Copies of the EA are also available for review at the Pala Band of Mission Indians, Pala Environmental Protection Agency, 35008 Pala Temecula Road, PMB 10, Pala, CA, 92059-0050 by contacting Lenore Lamb (760) 891-3515 or via e-mail at [llamb@palatribe.com](mailto:llamb@palatribe.com) for an appointment.

EPA must receive comments on the FNSI by April 27, 2009 which provides a minimum of 30 calendar days from the date of publication of the Legal Notice of Decision. EPA will take no administrative action on the above-described project prior to expiration of this comment period. Comments should be mailed to:

Linda Reeves  
U. S. EPA Region 9  
75 Hawthorne Street (WTR-6)  
San Francisco, CA  
94105-3901

or faxed to Ms. Reeves at (415) 947-3549.

After EPA assesses any comments received, those comments, EPA's responses and this FNSI will be forwarded to the Regional Administrator for review and signature. If the Regional Administrator signs this FNSI, it will not be re-circulated for review, but will be available to any individual upon request.

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Laura Yoshi, Acting  
Regional Administrator

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Date