PROPOSED FINDING OF NO SIGNIFICANT IMPACT
Septic-to-Sewer Project for the Barona Band of Mission Indians
Barona Indian Reservation, San Diego County, California

PROPOSED ACTION

The U.S. Environmental Protection Agency (EPA) is considering authorizing the award of up to $500,000 in grant funds to the Barona Band of Mission Indians (Tribe) for the Barona Septic-to-Sewer project. The proposed project would extend the Barona sewer system to replace failing wastewater disposal systems that currently serve the Tribal government offices, school, community recreation center and cultural museum, and 12 homes. The proposed project would convey the wastewater from these buildings and homes to the Tribe's existing wastewater treatment plant.

PURPOSE AND NEED FOR THE PROPOSED PROJECT

The purpose and need of the proposed project is to replace two failed septic systems on the Reservation with systems that protect public health and the environment by providing adequate wastewater treatment. Other purposes of the proposed project are to efficiently utilize the Tribe's resources, protect the groundwater supply, and conserve the treated wastewater for reuse as irrigation.

One of the failing septic systems serves the Tribal government offices, school, community recreation center and cultural museum, and the other failing septic system serves 12 existing homes north of the Tribal buildings. The septic tank drainfield for the Tribal buildings no longer percolates sufficiently to handle the volume of wastewater produced; and, the 2,500 gallon septic tank must be pumped on a regular basis to avoid overflows and the associated saturation of soil and ponding of effluent. The wastewater disposal system serving 12 homes consist of individual septic tanks for each home with a sewer system conveying effluent to a reed pond treatment system that has not performed as designed, resulting in the ponding of partially treated effluent.

ENVIRONMENTAL CONSEQUENCES

In accordance with the National Environmental Policy Act (NEPA), an Environmental Assessment (EA) was prepared to examine the environmental impacts of the proposed project on Land Resources, Water Resources, Air Quality, Living Resources, Cultural Resources, Socioeconomic Conditions and Environmental Justice, Resource Use Patterns, and Other Values for Sound and Noise, Public Health and Safety, and Visual Resources/Aesthetics. The EA found that the proposed project has "no anticipated impacts" or "potentially beneficial impacts" to Socioeconomic Conditions and Environmental Justice, Resource Use Patterns, and Other Values for Public Health and Safety. The EA found that the project "needs mitigation" to minimize potential adverse impacts to the following resources to a less than significant level: Water Resources, Air Quality, Living Resources, Cultural Resources, and Other Values for Sound and Noise, and Visual Resources/Aesthetics. Detailed impact analyses are contained in the EA, and

a summary of potential impacts and required mitigation measures is provided below.

Water Resources

The proposed project will disturb approximately 1.8 acres. To minimize potential impacts from stormwater erosion, a Stormwater Pollution Prevention Plan will be prepared and Best Management Practices (BMPs) will be implemented, in accordance with EPA's National Pollutant Discharge Elimination System general permit. BMPs may consist of the use of swales, detention basins, hay bales, straw waddles, site curtains, and gravel bags, as well as hydroseeding and the preservation of vegetated buffers between areas of excavation and stream channels.

The proposed project includes temporary impacts to 0.11 acres of an unnamed blue line tributary drainage subject to regulations by the U.S. Army Corps of Engineers (ACOE) under Section 404 of the Clean Water Act. Construction will be limited to when the drainage is dry, and the bed and banks of the drainage channel will be restored to their original contours immediately upon completion of the installation of the pipeline. All work will be done in compliance with the terms and conditions of Nationwide Permit 12 by the ACOE, which will require the implementation of BMPs to protect surface water quality.

Portions of the proposed project may be within the likely 100-year flood plain for the Padre Barona Creek which is dry much of the year. Although the 100-year floodplain has not been mapped, the project engineers will calculate the possible limits of 100-year flows and will design the below-ground pump station and backup generator outside the likely 100 year floodplain.

Air Quality

For the most part, 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 (PM_{10}) associated with trenching and earth moving activities. The Tribe will implement standard dust control measures, such as the 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. Long term impacts to air quality will be limited to the gasoline-powered emergency generation, which will not represent a significant air quality impact due to its infrequent operation.

Living Resources

Construction of the pipeline may affect the endangered arroyo toad based on the identification of suitable habitat within the Padre Barona Creek, although no arroyo toads are known to exist on the project site and none of the Barona Indian Reservation has been designated as critical habitat. EPA has initiated informal consultation with the U.S. Fish and Wildlife Service (USFWS) pursuant to the Endangered Species Act. In the past, the USFWS has recommended the following mitigation measures for work within or adjacent to occupied arroyo toad habitat:

- Install silt fencing around the perimeter of the construction site.
- Avoid construction during the arroyo toad breeding season (March 15 - July 1).
- Provide a qualified (approved by the USFWS) biological monitor to conduct two focused surveys for arroyo toads prior to construction but after the installation of the silt fencing.
- Relocate arroyo toads outside the construction area and notify USFWS.
- Project biologist to train all construction personnel to identify arroyo toads.
- All construction activities to be limited to within the fenced perimeter.
- No dogs or pets to be allowed on the construction site.
- No artificial lighting during breeding season. Night lighting is only allowed in emergency situations.
- No construction during rain events.
- All compliance measures are to be documented and a monitoring report is to be provided to the USFWS if arroyo toads were determined to be present.

Cultural Resources

A records search and intensive field survey did not identify any cultural resources that will be impacted by the proposed action. A qualified archaeological monitor shall be present during trenching activities in undisturbed soils. Should cultural resources be encountered during construction, the archeological monitor would have the authority to halt and redirect excavation until an evaluation of the significance of the find is made, pursuant to the National Historic Preservation Act.

Sound and Noise

Construction of the proposed project would result in short-term noise impacts from the digging and backfilling of narrow trenches with standard diesel powered equipment over a 6-8 week period. The installation of the pipeline between the proposed pump station and the existing septic system serving the school would be limited to times when classes are not in session so as to avoid the disruption of lessons with construction noise.

Visual Resources/Aesthetics

Adverse effects to visual resources caused by the trenches would be mitigated through the backfilling of all trenches and the application of a non-native seed mix to those portions of the alignment not located within existing dirt roads.

CONCLUSION

The EA did not identify any significant and unmitigated environmental impacts resulting from the implementation of the proposed EPA funded project. Consequently, EPA has made the preliminary decision to prepare this Finding of No Significant Impact (FNSI) and not to prepare an Environmental Impact Statement.

PUBLIC REVIEW

The EA is on file and is available for public inspection at the EPA Region 9 office at 75 Hawthorne Street, San Francisco, CA. To make an appointment to review the EA at this office or to obtain additional information about the project, please contact Linda Reeves at (415) 972-3445. Copies of the EA are also available for public review at the Barona Tribal Office, 1095 Barona Road, Lakeside, CA, between the hours of 8:30am and 4:00pm Monday through Friday.

Interested persons may submit comments to EPA within 30 calendar days from the date the Notice of Availability is published in the newspaper. No administrative action will be taken by EPA on the proposed project prior to the expiration of this comment period. Comments should be: (1) mailed to Linda Reeves, U.S. EPA (WTR-10), 75 Hawthorne Street, San Francisco, CA 94105; (2) faxed to Linda Reeves at (415) 947-3537; or, (3) e-mailed to reeves.linda@epa.gov.

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

FINDING

After review of the EA and any comments received, EPA has determined that the proposed project will not have significant and unmitigated environmental impacts and that an Environmental Impact Statement will not be prepared for this project.

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Wayne Nastri Date
Regional Administrator