

**SUPPLEMENTAL
ENVIRONMENTAL ASSESSMENT

FOR

PALA TRIBAL WASTEWATER SYSTEM
REHABILITATION PROJECT**

Prepared for:

**U. S. ENVIRONMENTAL PROTECTION AGENCY
REGION 9
75 HAWTHORNE STREET
SAN FRANCISCO, CALIFORNIA 94105
(415) 972-3564**

And

**PALA BAND OF MISSION INDIANS
ENVIRONMENTAL SERVICES
12196 PALA MISSION ROAD
PALA, CALIFORNIA 92059
(760) 891-3515**

INTRODUCTION

The U.S. Environmental Protection Agency (U.S. 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. The proposed project is partially funded through a U.S. EPA Tribal Border Infrastructure Program grant, with the balance of funding being provided by Pala. The project would address a serious sanitation and public health problem, by the replacement of residential septic systems near Pala Creek and the provision of wastewater collection through the extension of the Pala community sewer system.

An environmental assessment (EA) and unsigned Finding of No Significant Impact (FNSI) were completed by U.S. EPA and distributed in 2008. After considering comments, the U.S. EPA Regional Administrator signed the FNSI on July 9, 2008. The EA is being supplemented due to a change in the scope of the proposed project, which is described below.

As a result of a review of alternatives by the Band's engineer, the sewage lift station planned for the Sycamore Lane sewer main extension has been deleted and a gravity sewer would extend across a bridge over Pala Creek. In addition, the gravity sewer would be installed at a greater depth along the Pala Temecula Road south of Moro Road, and then west on Nejo Road, as shown on Figure 1. These changes would reduce the maintenance burden and electrical costs inherent in the operation of a sewage lift station.

The Proposed Action is the release of U.S. EPA funding for the revised scope of work. All applicable environmental mitigation measures included in the above referenced EA would be applied to the construction of the proposed wastewater collection system. Construction of the project is anticipated to begin in spring of 2009. The proposed construction contract should be completed within 200 days after award of the contract.

This Supplemental EA concludes that the approval of the proposed alternative would not have a significant impact on the quality of the physical and human environment so an Environmental Impact Statement is not required.

PROPOSED FACILITIES

The proposed sewer main extension would serve 63 houses located along and near the Pala Temecula Road, see Figure 1, Pala Mission Road, Lugo Road and Cactus Road. The Band plans to install 13,073 feet of 8" diameter sewer main, 54 manholes, and 63 sewer service connections. An above grade sewer main crossing of Pala Creek would be installed in 10" diameter steel pipe, supported by steel brackets on the down-stream side of a box culvert. No excavation in the Creek is planned. The project would include abandonment of existing septic systems funded by Pala. Please refer to Figure 1 for a site map of the revised sewer main and to Figures 2 – 10 for photographs of the sewer main alignments.



The sewer main would extend south of Moro Road, along the Pala Temecula Road, see Figure 2 below. The sewer would be installed within the disturbed road right-of-way, on the left side of the photograph.



Figure 2 View of Pala Temecula Road looking north from Nejo Road (2/26/09)

The sewer main would extend west along Nejo Road, within the disturbed right-of-way, along the left side of Figure 3 below.



Figure 3 View of Nejo Road looking east toward the Pala Temecula Road (2/26/09)

The sewer main would terminate in an existing manhole in the subdivision shown below in Figure 4. Note construction of the sewer main would take place in the bermed area shown below, which is protected by riprap.



Figure 4 View of bermed embankment along Pala Creek, south of Nejo Road (2/26/09)

VEGETATION and WILDLIFE

This section includes consideration of the biotic community, vegetation and wildlife, riparian and aquatic species, and threatened and endangered species. The U.S. Fish and Wildlife Service (USFWS) lists threatened, endangered, and sensitive species pursuant to the Endangered Species Act (ESA). The list of ESA species was obtained from the USFWS Pacific Southwest Region website. USFWS and the California Natural Diversity Database (CNDDB) Rarefind included 18 listed species that potentially occur in San Diego County, California.

The biological assessment by Tierra Environmental Services dated August 23, 2007, which is included in the EA, concluded that there was potential habitat for ten listed species in this area, but since the work would be within developed residential lots and roadways only one federally-listed endangered species, the arroyo toad (*Bufo californicus*) has the potential to occur in the project area. Based on the above evaluation, the U.S. EPA determined the project may effect, but would have no adverse effect on the arroyo toad. In a letter dated December 3, 2007, the USFWS concurred with U.S. EPA's decision regarding potential impacts to the arroyo toad and provided conditions which would avoid adverse effects to the toad. Conditions include:

- silt fencing would be installed around the perimeter of all work areas,
- six surveys of arroyo toads must be conducted within the fenced area,

- construction is prohibited immediately after significant rainfall when the toad may be active,
- during the toad breeding season, March 15 – July 1, project related vehicular traffic is limited to daylight hours,
- a monitoring biologist must be onsite at least once per week during construction,
- employees limit activities and vehicular traffic to the fenced areas,
- the area shall be kept clean of debris,
- no project personnel pets would be allowed on the project site,
- excess fill must be disposed of outside “waters of the U.S.”,
- all equipment maintenance and fueling must take place outside “waters of the U.S.”,
- a biologist shall train construction personnel regarding the Endangered Species Act and impacts to the arroyo toad.

The Pala Tribal Environmental Service Director, Lenore Lamb and USFWS biologist, Michelle Moreno, visited the proposed sewer main extension alignments on February 26, 2009 to consider impacts of the new pipeline construction on the arroyo toad. USFWS verbally agreed that since the proposed sewer mains are located within previously disturbed road and street right-of way, the above conditions would apply to the total project. U.S. EPA forwarded a letter to USFWS to confirm the project would be consistent with the previous determination of no adverse impact to the toad or other listed species. During construction, the Pala Tribe and U.S. EPA would comply with all USFWS requirements for protection of the toad.

CULTURAL RESOURCES

Tierra Environmental Services conducted archival and field surveys of the sewer main alignments in 2006, and a copy of their report is included in the EA appendix. The records and literature search identified 47 cultural resources within one-mile of the project, including one near the APE. The site adjacent to the APE is a milling feature, well beyond the pipeline alignment. The new wastewater main alignment was reviewed by staff from the Cupa Cultural Committee and there were no additional cultural resources identified within the revised APE, due in part to the highly disturbed nature of the area. U.S. EPA forwarded a letter to the California State Historic Preservation Officer, to confirm the determination that the project would have no effect on National Register of Historic Places properties.

Archaeological and local Native American cultural monitoring would be used as necessary for ground disturbing activities along Pala Mission and Cactus Roads as determined by the Pala Cultural Center. The Cupa Cultural Committee confirmed that no additional archaeological monitoring would be required along the new alignment. All project personnel and contractors would be informed of cultural resource issues. If a previously unidentified archaeological feature and/or concentration of artifacts are encountered during construction, all activities shall cease within the discovery area until a qualified archaeologist retained or employed by the

Pala Tribe has the opportunity to evaluate the findings. Based on the cultural resource findings, the U.S. EPA made a determination of no cultural resources affected.

TRANSPORTATION

Due to the proximity of wastewater main construction activities to the Pala Temecula Road, the project would require an encroachment permit from CALTRANS. The construction contractor would be required to comply with traffic and trench safety requirements of CALTRANS and the Occupational Health and Safety Administration while working adjacent to the Road. The proposed project may cause minor traffic delays during the construction of the sewer mains however, the delays would be short-term. The contractor would be required to prepare and comply with a traffic control plan for construction that would impact the Pala Temecula Road. No long-term impact to the transportation network is expected as a result of the proposed project.

OTHER ENVIRONMENTAL ISSUES

Pala Creek is considered jurisdictional under Section 404 of the Clean Water Act (CWA). The sewer main crossing of the Creek would include hanging the pipe on the side of a concrete bridge. No excavation would take place within the jurisdictional area. A CWA 404 permit from the U.S. Army Corps of Engineers would not be applicable. Construction of the Sycamore Lane sewer would protect Pala Creek.

The contractor would implement Best Management Practices including the use of swales, detention basins, hay bales, straw waddles, silt curtains, gravel bags, hydro-seeding and the use of vegetative barriers and adhere to erosion and sediment controls as defined in the Storm Water Pollution Prevention Plan to prevent soil erosion. This would conform to terms of a U.S. EPA storm water permit.

A pedestrian survey of the new wastewater main alignments did not reveal any hazardous materials, since the construction area is within existing roadways. The revised project scope would have essentially the same environmental impact on public services, including law enforcement, fire protection, emergency service, solid waste disposal, water supply, wastewater treatment, telecommunications, electrical and gas service.

There are no major impacts to climate change, considering the scope of the project. Air quality impacts would be essentially the same, due to mitigation measures included in the EA and to the short duration of construction.

The construction of the sewer would result in short-term impacts to the natural environment. However, these short-term impacts would be minimized using the mitigation measures listed above and included in the original EA. The long-term benefits to the Pala Tribe as a result of the proposed project are improved public health and environmental enhancement due to elimination of failing septic systems.

No major, long-term irreversible or irretrievable impacts are identified for construction of the sewer. These facilities would pose short-term, minor adverse impacts to the soils, and vegetation, however, these impacts would be minimized through a variety of mitigation measures, which are defined in the EA.

The Pala Tribe plans to install 4754 lineal feet of 8" and 10" diameter water line, serving 38 houses at the same time as the sewer line construction, although the Tribe's construction is not funded by EPA. Environmental impacts resulting from the Tribe's water line project have not been included within the scope of this Supplemental EA, except to assess the potential cumulative impacts. Other similar construction projects funded by the Tribe are ongoing. Impacts from the proposed change in scope were compared to the no action alternative, and the environmental benefits from replacing septic systems with community sewer lines are positive. Therefore there are no anticipated additional cumulative impacts resulting from the construction of the additional sewer lines.

During the preparation of this Supplemental EA, the Pala Environmental Protection Office, and Cultural Resources Program were consulted along with the U.S. Fish and Wildlife Service.

PREPARER

This document has been prepared by Mr. John Hamilton, P.E, U.S. EPA engineering consultant. Mr. Hamilton has over 30 years experience in environmental engineering and related environmental compliance in Indian Country.

APPENDIX A

PICTURES

A proposed new sewer main would extend east from the Pala Temecula Road along Santiago Road. See Figure 5 below.



Figure 5 View of Santiago Road sewer alignment, looking west. (2/26/09)



Figure 6 View of Pala Creek and embankment at terminal end of gravity sewer. (2/26/09)

A short sewer main extension would be constructed at Wachenio Circle to serve the house shown in Figure 7 below.



Figure 7 View of Wachenio Circle sewer alignment. (2/26/09)

A sewer main extension would be constructed at Sibimooat Circle to serve the house shown below in Figure 8.



Figure 8 View of the Sibimooat sewer extension. (2/26/09)