

FINDING OF NO SIGNIFICANT IMPACT

Smith River Rancheria Wastewater Infrastructure Construction – Phase II

The U.S. Environmental Protection Agency (EPA) is considering awarding an \$873,000 grant to the Smith River Rancheria, Smith River California, to fund construction of the wastewater collection system (hereafter referred to as The Project) that will collect wastewater from several locations on or near South Indian Road and serve the Howonquet Community Hall, the UIHS Health Clinic, residential units, and a new senior housing project currently under construction. The Project is expected to benefit socioeconomic conditions and environmental justice for both the Tribe and the Smith River community by stimulating the development of needed housing for Tribal members, and by removing pollutant sources. Further, the extended collection system will deliver the design flows for the existing wastewater treatment plant and provide the organic loading needed for a healthy treatment facility. Construction would occur within the boundaries of the Smith River Rancheria.

The construction elements of this project include the installation of approximately 3,400 feet of 3-inch forcemain, 5,200 feet of 6-inch gravity line, 2 lift stations, and stub-outs for at least 40 lateral service lines, and associated appurtenances such as manholes, cleanouts, electrical telemetry, and generators.

EPA has completed an Environmental Assessment (EA), dated February 2010, to evaluate the environmental consequences of the proposed action, along with the no action alternative. As a result of the EA, as well as public discussion of the proposed project and alternative, the 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):

A review of biological impacts indicated that all of the proposed construction will be located on access roads to housing developments, UIHS center, and Howonquet Community Center. The Project area's roads are totally within the Smith River Rancheria boundaries. The review of biological impacts indicated that the proposed construction will occur in an area where there were no federally-endangered species or otherwise special status species detected. The analysis also indicated that no federally-listed or otherwise special status species were determined to have a moderate or high potential to exist within the Project area. Informal consultation with the U.S. Fish and Wildlife Service indicated a determination of no adverse effect on any listed species or critical habitat. EPA has concluded that the project will not impact federally endangered or otherwise special status plant or animal species.

The context and intensity of potential impacts on cultural resources were considered, to determine whether the project would impact on historic properties under the National Historic Preservation Act of 1966. EPA conducted a cultural resource assessment and has consulted with the Smith River Tribal Historic Preservation Office (THPO). The consultation concluded that cultural resources will not be impacted during this project.

Public Review

The EA is available for public review at the offices of EPA, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901. To make an appointment to review the EA at this location, contact Janis Gomes at (415) 972-3517 or via e-mail at gomes.janis@epa.gov. Copies of the EA are also available for review at the Smith River Rancheria, 140 Rowdy Creek Road, Smith River, CA 95567 by contacting Brad Cass at (707) 487-9255 for an appointment. In addition, copies are available at: the Del Norte County Library, Main Branch, 190 Price Mall, Crescent City, CA 95531; and the Del Norte County Library, Smith River Branch, 1241 First Street, Smith River, CA 95567.

EPA must receive comments on the FNSI for consideration within 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 can be mailed, faxed, or e-mailed to Janis Gomes, U.S. EPA, WTR-10, 75 Hawthorne, San Francisco, CA 94105; FAX (415) 947-3537; gomes.janis@epa.gov.

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 this FNSI is signed by the Regional Administrator, it will not be re-circulated for review, but will be available to any individual upon request.

Jared Blumenfeld
Regional Administrator
EPA, Region 9

Date