

DRAFT MITIGATED FINDING OF NO SIGNIFICANT IMPACT

Indian Health Service San Pasqual Band of Mission Indians Community Sewer Conversion San Diego County, CA

Indian Health Service (IHS), an agency within the U.S. Department of Health and Human Services (DHHS) proposes to provide financial assistance to the San Pasqual Band of Mission Indians (Band) under the Sanitation Facilities Construction (SFC) program to conduct improvements to the Band's existing wastewater system (Proposed Action). The San Pasqual Band of Mission Indians Community Sewer Conversion (Proposed Project) would involve the construction of new wastewater facilities, including gravity pipelines, lift stations, force mains and a wastewater treatment plant (WWTP). These facilities would replace the existing septic systems within 5,450 acres of three districts (Districts A, B, and C) of the Band's Reservation Area, inclusive of a 325-acre portion of land northwest of District B. Each district would include improvements, such as gravity pipelines, lift stations and force mains. District A would also include the listed improvements as well as the WWTP.

The primary purpose for the Proposed Project is to modernize and centralize a sewage conveyance and treatment infrastructure within the Band Reservation area to provide a reliable, consistent means to treat sewage generation within the Band Reservation area. The secondary purpose of the Proposed Project would be to reduce the hazards associated with the continued use of underground septic tanks, such as toxic leakage associated with failing septic systems as they reach the end of the effective lifespan.

IHS has prepared an Environmental Assessment (EA) for the Proposed Action in accordance with the National Environmental Policy Act of 1969 (NEPA) 42 United States Code [USC] 4321-4370h), as amended in 2025 via Executive Order (EO) 14154: Unleashing American Energy; and the current IHS Environmental Review Manual.

The affected environment, a description of the Proposed Project, and analyses of potential impacts are included in the EA, which is incorporated herein by reference. The EA also includes a "No Action Alternative." IHS examined potential impacts to the following environmental resources: Topography, Geology, and Soils; Water Resources; Biological Resources; Air Quality; Greenhouse Gases; Noise; Land Use; Historical, Architectural, Archeological, and Cultural Resources; Public Services; Utilities; Hazardous Materials, Solid Waste, and Pollution Prevention; and Transportation. Considering the findings in the EA along with comments received during the Preliminary Notice period of the 8-Step Decision-Making Process and the Notice of Availability of EA and Draft Finding of No Significant Impact (FONSI), the IHS has made a determination that the Proposed Project would not have a significant impact on the quality of the human environment.

The following summaries of the impact analyses for each human environmental resource support the Mitigated Finding of No Significant Impact:

Topography, Geology, and Soils

The Proposed Action was reviewed and analyzed for potential impacts to topography, geology, and soils. Construction in the project area would involve earthwork in undeveloped and previously disturbed areas. The project area was evaluated for the potential risks of hazardous geologic impacts. It was determined that proposed project area has a low risk of potentially hazardous geologic impacts. However, mitigation was still proposed, including the preparation of additional geotechnical investigations prior to ground movement and grading activities if unforeseen geological resources are encountered.

Water Resources

The Proposed Action was reviewed and analyzed for potential impacts to water resources. The Proposed Action would not involve construction of structures that would alter or negatively impact wastewater, surface water or groundwater resources. It was determined that the Proposed Action would have positive impacts on groundwater resources resulting from the higher level of treatment to wastewater before disposal.

Additionally, since a portion of the project area is located within a known floodplain, the 8-Step Decision Making Process was undertaken, as required by EO: 11988: Floodplain Management. Steps 1 through 6 of the Process have been completed. Steps 1 through 6 included identifying floodplain conditions within the project area, providing preliminary public notice, evaluating practicable alternatives (including the No Action and Proposed Project alternatives), assessing potential impacts and floodplain values, identifying mitigation measures, and re-evaluating alternatives based on updated information and the findings of the EA. Step 7 (Final Public Notice) and Step 8 (Project Implementation and Post-Implementation Compliance) remain to be completed. The conclusion of the 8-Step Decision Making Process determined that no other practicable alternative was identified and mitigation has been developed and will be implemented. In response to the preliminary notice of a proposed activity in a Special Flood Hazard Area completed as part of Step 2, the County of San Diego (DPW) indicated that wastewater infrastructure should be construction to avoid overlap with floodplains and floodways or be designed to prevent the mixture of stormwater and wastewater flows or subject wastewater infrastructure to harmful erosive factors. They also recommended that plans for work within the County right-of-way or work that may impact County roadway drainage facilities be submitted to DPW for review. No other responses to the preliminary notice were received.

In response to the comments received and to ensure that impacts on water resources are reduced to less than significant levels, mitigation measures have been proposed to avoid impacts on

floodways and wetlands. Mitigation measures require infrastructure improvements to be designed outside of floodways to the greatest extent feasible, and when not feasible to elevate structures above the base flood elevation; avoidance of waters of the United States by acquiring a United States Army Corps of Engineers (USACE) Section 404 permit; and approval of construction plans by the County of San Diego.

Biological Resources

The Proposed Action was reviewed and analyzed for potential impacts to biological resources. The Proposed Action would not involve construction of structures that would alter or negatively impact biological resources or jurisdictional waters. The Proposed Action would not impact special status species, wildlife corridors, or critical habitat. Several special status plant species have the potential to be present on the Project site and encountered during construction activities. For those species that have the potential to be impacted by project-related construction activities, mitigation measures are planned to reduce impacts. Mitigation measures include exclusionary wildlife fencing around construction areas that contain sensitive habitat and biological monitoring in these areas; and conducting construction outside of nesting season to avoid impacts to birds protected by the Migratory Bird Treaty Act or conducting pre-construction nesting bird surveys and establishing appropriate buffers around active nests. Additionally, IHS consulted with the United States Fish and Wildlife Service (USFWS) to determine applicability of Section 7 of the ESA of 1973, as amended. The USFWS requested that focus surveys be conducted for coastal California gnatcatcher and least Bell's vireo, which were subsequently completed during the 2025 breeding season with negative results. A No Effect determination was made and USFWS was notified of the determination.

Air Quality

The Proposed Action was reviewed and analyzed for potential impacts to air quality. The Proposed Action's short-term construction and long-term operational criteria pollutant emissions would not exceed the General Conformity de minimis threshold levels or San Diego County Air Pollution Control District's (SDAPCD) thresholds. Further, carcinogenic and non-carcinogenic hazards were calculated to be within acceptable limits, with the implementation of mitigation measures. The identified mitigation measure requires all off-road diesel-powered construction equipment greater than 50 horsepower must meet California Air Resources Board off-road emissions standards or incorporate emission control strategy. Therefore, with implementation of the identified mitigation, the Proposed Action would not result in air quality impacts.

Greenhouse Gases

The Proposed Project was analyzed for potential impacts due to greenhouse gas emissions. It was determined that the Proposed Project would directly generate insignificant levels of greenhouse gas emissions. Additionally, the greenhouse gas levels generated by the Proposed Project would be within threshold targets established by the State. Greenhouse gas emissions impacts were found to be less than significant.

Noise

The Proposed Action was reviewed and analyzed for potential impacts to noise. The short-term construction and long-term operational noise levels from the Proposed Action would not result in a temporary or permanent substantial noise increase with the implementation of mitigation measures. The required mitigation measures include the preparation and implementation of a construction noise control plan and the implementation of additional attenuation techniques to reduce noise levels during construction.

Land Use

The Proposed Action was reviewed and analyzed for potential impacts to land use. It was determined that the Proposed Action would not generate significant impacts to land use as the proposed infrastructure improvements would remain generally consistent with existing uses except for a single previously vacant property, where the WWTP is proposed. The construction of the WWTP would require the redevelopment of an abandoned residential site. However, the Proposed Action would not reduce or remove residences. Based on the proposed land use and insignificant impacts to land use, no mitigation measures are required.

Historic Properties and Archaeological and Cultural Resources

The Proposed Action was reviewed and analyzed for potential impacts to historical, architectural, archaeological, and cultural resources. The results of the research and field work conducted for the Proposed Action indicated that the Area of Potential Effect (APE) is highly sensitive for buried and surface archaeological resources. A total of 23 archaeological resources were identified during the research and field efforts within the APE and 100 historic properties were identified within a 1-mile radius of the APE. Considering the archaeological sensitivity for buried and surface resources to be present, mitigation measures have been identified. The mitigation measures would require any inadvertent discoveries of archaeological resources to be preserved in place; implementation of a historic property training to be lead by a qualified archaeologist and a San Pasqual Tribal Monitor; presence of a qualified historic properties monitor and San Pasqual Tribal Monitor during all ground-disturbing activities; and preparation of an avoidance, minimization,

and mitigation plan to be implemented during construction. Additionally, consultation with the Tribal Historic Preservation Officer (THPO) was completed on December 3, 2025, and the THPO concurred with the finding of effect. With the implementation of mitigation measures, the undertaking would result in no adverse effect on historic properties.

Public Services

The Proposed Action was reviewed and analyzed for potential impacts to public services. The Proposed Action would not involve construction of structures that would require additional police or fire services to be present. Considering the proposed land use and insignificant impacts to public services, no mitigation measures are required.

Utilities

The Proposed Action was reviewed and analyzed for potential impacts to utilities. The Proposed Action would not involve construction of structures that would substantially expand the use of or demand for utility resources. The Proposed Action would introduce an additional utility resource to the Band Reservation Area. Considering the proposed land use and insignificant impacts to utilities, no mitigation measures are required.

Hazardous Materials, Solid Waste, and Pollution Prevention

The Proposed Action was reviewed and analyzed for potential impacts to hazardous materials. The Proposed Action would not involve construction of structures that would exceed allowable levels or operations activities which would create harmful hazardous materials. Additionally, the project area is not included on the list of hazardous waste sites. Considering the insignificant impacts to hazardous materials, no mitigation is required to reduce impacts.

Transportation

The Proposed Action was reviewed and analyzed for potential impacts to transportation. The Proposed Action would not involve construction of structures that would substantially diminish transportation resources. A new service road is proposed for the WWTP, which would be private and gated, providing only access to the WWTP from District A and District B via Canal Road and Lake Wohlford Road. Considering the nature of the Proposed Action and the insignificant impacts to transportation, no mitigation is required to reduce impacts.

Public Review

The Notice of Availability, EA, and the Draft Mitigated Finding of No Significant Impact (FONSI) were made available on the IHS website here: <https://www.ihs.gov/california/index.cfm/about-us/oehe/ofc-assoc-dir/nepa/>. The listed documents are also available on the Band website at: <https://www.sanpasqualbandofmissionindians.org/departments/environmental-department>. Hard copies were also made available at tribal buildings within the Band’s Reservation Area. The documents were available for a 30-day review period from February 25, 2026 to March 27, 2026.

The IHS took no administrative action on the above-described project, prior to the expiration of the comment period and review of all comments received.

Finding

After review of the EA, and due to a lack of substantial public agency and public comments received, IHS has determined that the Proposed Project would have no significant impact on the quality of the human environment through the implementation of the Proposed Project’s mitigation measures. Therefore, preparation of an Environmental Impact Statement is not warranted.

The Draft Mitigated FONSI is hereby approved and made final and will be available to any agency or individual upon request at:

Indian Health Service
Attention: Julia Majkrzak, P.E., Project Engineer
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Approved:

Date:

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