

MITIGATED FINDING OF NO SIGNIFICANT IMPACT
California Area Indian Health Service
Soboba Band of Luiseño Indians Septic to Sewer Conversion Project
Riverside County, California

The California Area Office (CAO) of the Indian Health Service (IHS), an agency within the U.S. Department of Health and Human Services (DHHS), proposes the approval of federal funding being requested by the Soboba Band of Luiseño Indians (Band) for the construction of the Soboba Septic-to-Sewer Project (Proposed Project), which includes improvements both on and off the Soboba Reservation in Riverside County, California. The Proposed Action is the approval of federal funding for the construction of a sewer system that would convey flows to a regional wastewater treatment plant and would replace the Band's existing septic systems. The proposed improvements, including approximately 19.6 miles of pipeline alignments, lift stations, and staging areas, would be located primarily within the Band's 8,320-acre Reservation, with approximately 4.4 acres extending into off-Reservation areas within the City of San Jacinto and County of Riverside.

The purpose of the Proposed Action is to improve wastewater treatment and disposal on the Soboba Reservation by replacing aging and inadequate septic systems with a sewer system, representing a key health and safety initiative of the Band. The Proposed Project would provide essential community services, support development of new housing that has long been planned within the Reservation, and protect public health and the environment.

The IHS, which represents the lead federal agency for the Proposed Action, prepared an Environmental Assessment (EA) dated April 2025 for the Proposed Project. This EA is part of the jointly prepared Initial Study/EA (IS/EA), developed in coordination with the State Water Resources Control Board (SWRCB), which represents the lead state agency, to fulfill the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] §21000 et seq.) and the National Environmental Policy Act (NEPA) (42 United States Code [USC] §4321 et seq.).

The affected environment, a description of the Proposed Action, 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: air quality, water resources, soils and geologic resources, biological resources, recreation, noise, visual resources, historic properties, land use, public services and infrastructure, and hazardous materials. Considering the findings in the EA, including the environmental commitments and mitigation measures,, the IHS has made a determination that the action will not have a significant impact on the quality of the human environment.

The following supports the Mitigated Finding of No Significant Impact:

Air Quality

The Proposed Action was reviewed and analyzed for potential impacts to air quality. Emissions of criteria pollutants from construction of the Proposed Project would not exceed applicable federal *de minimis* levels; therefore, a conformity determination is not required. The implementation of construction best

management practices (BMPs), as required by mitigation measure AQ-1, would further control emissions, including hazardous air pollutants and fugitive dust during construction. Because the Proposed Project is a wastewater conveyance system, long term operational emissions would be negligible, and would not exceed applicable federal *de minimis* levels. The Proposed Project would not impede the ability of the state of California to meet National Ambient Air Quality Standards.

Water Resources

The Proposed Action was reviewed and analyzed for potential impacts to water resources. Construction of the Proposed Project could result in adverse impacts to water quality due to discharges of pollutants and stormwater runoff. The Band will obtain coverage under the U.S. Environmental Protection Agency (USEPA) and SWRCB National Pollutant Discharge Elimination System (NPDES) permits, which will require preparation and implementation of federal and State-level Stormwater Pollution Prevention Plans (SWPPPs) and the implementation of construction BMPs to minimize adverse impacts to surface waters from construction activities. The Proposed Project has limited potential for a frac-out to occur during microtunneling operations below the San Jacinto River. A detailed Frac-Out Contingency Plan will be finalized prior to the construction of the portion of the Proposed Project that involves microtunneling that will ensure impacts are reduced to less-than-significant levels should a frac-out occur.

The Proposed Action will result in a beneficial impact to water quality in the project area, as wastewater management will be improved.

Biological Resources

The Proposed Action was reviewed and analyzed for potential impacts to biological resources and Endangered Species Act Section 7 consultation occurred. With implementation of Conservation Measures, the Proposed Project would be Not Likely to Adversely Affect federally listed species. With the implementation of mitigation measures BIO-1 through BIO-6, adverse impacts to State-listed species would not occur. The Project Site and vicinity provide potential nesting habitat for migratory birds and other birds of prey, and as such, development of the Proposed Project could result in adverse impacts to these species if active nests are present. The implementation of mitigation measure BIO-6, which includes pre-construction surveys and placement of disturbance-free buffers around active nests, would reduce potential adverse effects to nesting birds during construction to less than significant.

Noise

The Proposed Action was reviewed and analyzed for potential impacts to noise. The Proposed Project could have an adverse impact due to noise and vibration from construction equipment, however these activities would be brief and temporary at any given location, minimizing exposure for sensitive receptors. Mitigation measure NOI-1 would restrict vibrational construction equipment to levels below 100 VdB within 100 feet of any adjacent building to the Project Site to prevent structural damage and any adverse noise and vibration impacts.

Historic Properties

The project's Area of Potential Effects (APE) was reviewed for potential impacts to historic properties. Based on records searches, Native American outreach, and a field inspection conducted during the preparation of a Cultural Resources Survey by EnviroPro Consulting, LLC, two historical resources were identified near the Project Site: the S-Curve Site and the Fiesta Site. Both sites are recommended as eligible for the National Register of Historic Places (NRHP) under Criterion D as Traditional Cultural Properties.

On February 27, 2025, IHS sent letters to the State Historic Preservation Office (SHPO) and the Tribal Historic Preservation Office (THPO) requesting concurrence with its determination that the proposed improvements would result in a "No Historic Properties Affected" for the off-Reservation portion and "Historic Properties – Adverse Effect" finding for the on-Reservation portion of the Project Site. The SHPO and THPO responded on March 25, 2025, confirming their agreement with IHS's determinations pursuant to 36 CFR §800.4(d).

To resolve the identified adverse effects, a Memorandum of Agreement will be developed with consulting parties in accordance with 36 CFR §800.6 under mitigation measure CR-5. There remains a possibility of inadvertently discovering unrecorded or unknown subsurface resources during ground-disturbing activities, including those associated with the S-Curve or Fiesta Site. To address this, mitigation measures CR-1, CR-2, and CR-3 establish protocols for the inadvertent discovery of historic properties or human remains to avoid potential adverse effects on historic properties during construction. Additionally, mitigation measure CR-4 requires the Band to retain a qualified archaeologist before ground-disturbing activities begin to develop a Cultural Resource Management Plan, in consultation with the Soboba THPO, outlining procedures for cultural resource monitoring and inadvertent discoveries.

Other Resources

The Proposed Project was found to have insignificant or beneficial impacts on the following resources and/or issues due to the nature and/or location of the Proposed Action: Soils and Geologic Resources, Recreation, Visual Resources, Land Use, Public Services and Infrastructure, and Hazardous Materials.

Public Review

The EA and this Mitigated Finding of No Significant Impact (FONSI) has been posted on the IHS website. The IHS made these documents available for a 30-day review period. Copies of the documents have also been available at the locations listed below.

Soboba Band Administration Office
23906 Soboba Road
San Jacinto, CA 92583

San Jacinto Public Library
595 S San Jacinto Avenue
San Jacinto, CA 92583

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

Finding

After review of the EA, including the environmental commitments and mitigation measures, the IHS has determined the Proposed Project will have no significant impact on the quality of the human environment; therefore, the preparation of an Environmental Impact Statement is not warranted.

The Mitigated FONSI is hereby approved and will be available to any agency or individual upon request at Donna M. Meyer, CEM, HPS, Environmental Protection Specialist, 650 Capitol Mall, Suite 7-100, Sacramento, CA 95814, 916-930-3981 x 342, donna.meyer@ihs.gov.

Approved:

Date:

Beverly Miller, M.H.A., M.B.A
Director
California Area Indian Health Service