



# ENVIRONMENTAL ASSESSMENT FOR THE SOBOBA INDIAN HEALTH CLINIC SAN JACINTO, CALIFORNIA



Prepared for:  
Bureau of Indian Affairs

April 2020



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**ENVIRONMENTAL ASSESSMENT**

**SOBOBA INDIAN HEALTH CLINIC  
REPLACEMENT PROJECT  
SAN JACINTO, CALIFORNIA**

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April 2020

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# TABLE OF CONTENTS

<b>Section</b>	<b>Page</b>
<b>1.0 INTRODUCTION AND BACKGROUND .....</b>	<b>1</b>
1.1. Riverside-San Bernardino County Health, Inc. ....	2
1.2. Background .....	3
1.3. Purpose and Need for the Proposed Action .....	6
1.4. Overview of the Environmental Review Process.....	6
1.5. Environmental Issues Addressed .....	6
1.6. Resource Categories Not Affected by Proposed Action .....	7
1.7. Regulatory Requirements and Approvals .....	8
<b>2.0 PROPOSED ACTION AND ALTERNATIVES .....</b>	<b>9</b>
2.1. Proposed Action .....	9
2.2. No Action Alternative .....	11
2.3. Alternatives Considered But Rejected.....	11
<b>3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES .....</b>	<b>12</b>
3.1. Land Resources .....	12
3.2. Water Resources.....	19
3.3. Air Quality .....	23
3.4. Biological Resources .....	32
3.5. Cultural and Paleontological Resources .....	35
3.6. Socioeconomics and Environmental Justice.....	38
3.7. Resource Use Patterns .....	42
3.8. Traffic .....	44
3.9. Other Resources .....	45
<b>4.0 GROWTH INDUCEMENT/INDIRECT EFFECTS .....</b>	<b>54</b>
<b>5.0 RELATIONSHIP BETWEEN SHORT-TERM USES OF MAN'S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY .....</b>	<b>55</b>
<b>6.0 IRREVERSIBLE OR IRRETRIEVABLE COMMITMENTS OF RESOURCES.....</b>	<b>56</b>
<b>7.0 PUBLIC INVOLVEMENT AND AGENCY CONSULTATION.....</b>	<b>57</b>

# TABLE OF CONTENTS

<b>Section</b>	<b>Page</b>
<b>8.0 RESPONSIBLE FEDERAL OFFICIAL AND LIST OF PREPARERS .....</b>	<b>58</b>
<b>9.0 REFERENCES .....</b>	<b>59</b>

## LIST OF TABLES

Table 2-1	Proposed Development Summary.....	9
Table 3.3-1	Ambient Air Quality Standards .....	25
Table 3.3-2	Attainment Status – South Coast Air Basin (Riverside County Portion).....	26
Table 3.3-3	Construction Emissions .....	30
Table 3.3-4	Operational Emissions.....	30
Table 3.3-5	Proposed Greenhouse Emissions .....	31
Table 3.6-1	Regional Population, 2000 to 2017.....	39
Table 3.6-2	2017 Population By Race .....	40
Table 3.7-1	NCRS Soils on the Project Site.....	43
Table 3.8-1	Project Trip Generation .....	45
Table 3.9-1	Typical Construction Equipment Noise Levels (in dBA) .....	51

## APPENDICES

### Appendix A

#### Figures

Figure 1-1	Regional Location
Figure 1-2	Project Location
Figure 2-1	Proposed Site Plan
Figure 2-2a	Proposed Grading Plan – Replacement Health Clinic
Figure 2-2b	Grading Plan -Commodities Building
Figure 2-3	Proposed Utility Plan
Figure 2.4	Erosion Control Plan
Figure 3.2-1	FEMA Flood Hazards

### Appendix B

#### Air Quality Study

## **GLOSSARY, ABBREVIATIONS AND ACRONYMS**

### **Glossary**

**Action Area** – For consultation under the federal Endangered Species Act of 1973, as amended, the Action Area is defined by regulation as all areas to be affected directly or indirectly by the action and not merely the immediate area involved in the action (50 CFR §402.02(d)).

**Affected Environment** – A description of the existing environment to be affected by the Proposed Action (40 CFR 1502.15).

**Alternative** – A reasonable way to fix the identified problem or satisfy the stated need. It is used to compare and present the environmental impacts of the Proposed Action to alternatives to provide a clear basis for choice among options by the decisionmaker and the public. (40 CFR 1502.14).

**Council on Environmental Quality (CEQ)** – Established under Title II of NEPA to develop Federal agency-wide policy and regulations for implementing the procedural provisions of NEPA, resolve interagency disagreements concerning proposed major Federal actions, and to ensure that Federal agency programs and procedures are in compliance with NEPA.

**Cumulative Impact (Effect)** – The incremental environmental impact or effect of the Proposed Action, together with impacts of past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).

**Environmental Assessment (EA)** – A concise public document, prepared in compliance with NEPA, that briefly discusses the purpose and need for an action, alternatives to such action, and provides sufficient evidence and analysis of impacts to determine whether to prepare an environmental impact statement or finding of no significant impact (40 CFR 1508.9).

**Environmental Consequences** – Environmental effects of project alternatives, including the Proposed Action, any adverse environmental effects which cannot be avoided, the relationship between short-term uses of the human environment, and any irreversible or irretrievable commitments of resources which would be involved if the proposal should be implemented (40 CFR 1502.16).

**Finding of No Significant Impact (FONSI)** – A document prepared in compliance with NEPA, supported by an environmental assessment, that presents the reasons why a Federal action will have no significant effect on the quality of the human environment and for which an environmental impact statement, therefore, will not be prepared (40 CFR 1508.13).

**Human Environment** – Includes the natural and physical environment and the relationship of people with the environment (40 CFR 1508.14).

**Impact (Effect)** – A direct result of an action which occurs at the same time and place; or an indirect result of an action which occurs later in time or in a different place and is reasonably foreseeable; or the cumulative results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions (40 CFR 1508.8).

**Lead Agency** – The agency or agencies responsible for preparing the environmental assessment (40 CFR 1508.16).

**Major Federal Action** – Actions with effects that may be major and which are potentially subject to Federal control and responsibility (40 CFR 1508.18).

**Minor** – Environmental effects are not detectable or are so minor that they will neither destabilize nor noticeably alter any important attribute of the resource.

**Mitigation** – Actions taken to: avoid an impact altogether; minimize the degree or magnitude of the impact; reduce or eliminate the impact over time by preservation and maintenance operations; rectifying the impact by repairing, rehabilitating, or restoring the affected environment; or, compensating for the impact by replacing or providing substitute resources or environments (40 CFR 1508.20).

**Moderate** – Environmental effects are sufficient to alter noticeably, but not to destabilize, important attributes of the resource.

**National Environmental Policy Act of 1969 (NEPA)** – Requires all agencies to examine the environmental impacts of their actions, incorporate environmental information, and utilize public participation in the planning and implementation of all actions. Federal agencies must integrate NEPA with other planning requirements and prepare appropriate NEPA documents to facilitate better environmental decision making.

**No Action Alternative** – The alternative where current conditions and trends are projected into the future without another proposed action (40 CFR 1502.14(d)). The No Action alternative is not to take the action.

**Proposed Action** – The project, activity, or decision that a federal agency is considering implementing or undertaking.

**Relationship of Short-Term Uses and Long-Term Productivity** – The balance or trade-off between short-term uses and long-term productivity need to be defined in relation to the proposed

activity in question. Each resource, of necessity, has to be provided with its own definitions of short- term and long-term (40 CFR 1502.16).

**Severe** – Environmental effects are clearly noticeable and are sufficient to destabilize important attributes of the resource.

**Significantly** – “Significantly” as used in in NEPA requires consideration of both context and intensity (40 CFR 1508.27). (a) Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. (b) Intensity. This refers to the severity of impact.

**Temporary Impacts** – Impacts of project alternatives that may occur during project construction.

**Unavoidable Adverse Effects** – Unavoidable adverse effects caused by the Proposed Action and Action Alternatives that would remain after applying the proposed mitigation measures.

**Undertaking** – A project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval (36 CFR 800.16 (y)).

## Abbreviations and Acronyms

ACOE	U.S. Army Corps of Engineers
ADT	average daily trips
AI/AN	American Indian/Alaska Native
APE	Area of Potential Effects
APN	Assessor’s Parcel Number
AQMP	Air Quality Management Plan
ASTM	American Society for Testing Materials
BIA	Bureau of Indian Affairs
bgs	Below ground surface
BMPs	Best Management Practices
BRG	BRG Consulting, Inc.
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emission Estimator Model
CARB	California Air Resources Board
CARB	California Air Resources Board
CBC	California Building Code

## Abbreviations and Acronyms

CBRA	Coastal Barrier Resources Act
CDF	California Department of Forestry and Fire Protection
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
cfs	cubic feet per second
CHP	California Highway Patrol
CO	Carbon Monoxide
CO	Carbon Monoxide
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
dB	Decibel
dBA	A-Weighted Decibel
DEH	Department of Environmental Health
DHHS	U.S. Department of Health and Human Services
DOI	Department of Interior
DTSC	Department of Toxic Substances Control
EA	Environmental Assessment
EIS	Environmental Impact Statement
EMWD	Eastern Municipal Water District
EO	Executive Order
EPA	Environmental Protection Agency
FEIS	Final Environmental Impact Statement
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
GIS	Geographic Information System
GHG	Greenhouse Gas
gpd	gallons per day
GWP	global warming potential
HSC	Health and Safety Code
I	Interstate
IAM	Indian Affairs Manual

## Abbreviations and Acronyms

ICC	International Code Council
IHS	Indian Health Service
ITE	Institute of Transportation Engineers
km	kilometer
Ldn	day-night sound level
LEED	Leadership in Energy and Environmental Design
Leq	Equivalent Sound Pressure Level
LHMWD	Lake Hemet Municipal Water District
Lmax	Maximum Sound Pressure Level
Lmin	Minimum Sound Pressure Level
LSTs	Localized Significance Thresholds
MBTA	Migratory Bird Treaty Act
MCLs	Maximum Contaminant Levels
mg/m <sup>3</sup>	milligrams per cubic meter
MRF	Material recovery facility
MSL	mean sea level
MWMP	Medical Waste Management Plan
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NO <sub>2</sub>	Nitrogen Dioxide
NOI	Notice of Intent
NO <sub>x</sub>	Oxides of Nitrogen
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
O <sub>3</sub>	ozone
°F	Fahrenheit
Pb	lead
PM <sub>10</sub>	Particulate Matter (10 microns in diameter or less)
PM <sub>2.5</sub>	Particulate Matter (2.5 microns in diameter or less)
POLS	petroleum, oil, and lubricants
ppb	parts per billion
ppm	parts per million
QaL	alluvium

## Abbreviations and Acronyms

RCFD	Riverside County Fire Department
RCSD	Riverside County Sheriff's Department
ROG	Reactive Organic Gas
RSBCIHI	Riverside-San Bernardino County Indian Health, Inc.
RWQCB	Regional Water Quality Control Board
SBKR	San Bernardino Kangaroo Rat
SCAB	South Coast Air Basin
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCGC	Southern California Gas Company
SDWA	Safe Drinking Water Act
SF	square feet
SIP	State Implementation Plan
SO	Secretarial Order
SO <sub>2</sub>	Sulfur Dioxide
SPCC	Spill Prevention, Control and Countermeasure
SR	State Route
SSA	Sole Source Aquifer
SWPPP	Stormwater Pollution Prevention Plan
TDS	Total Dissolved Solids
THPO	Tribal Historic Preservation Office
U.S.	United States
U.S.C.	United States Code
UCMP	University of California Museum of Paleontology
USDA	United States Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	United States Geological Survey
UWMP	Urban Water Management Plan
µg/m <sup>3</sup>	Micrograms Per Cubic Meter
WMP	Water Management Plan
WQMP	Water Quality Management Plan

## 1.0 INTRODUCTION AND BACKGROUND

This Environmental Assessment (EA) has been prepared for the Bureau of Indian Affairs (BIA) to support an application from the Riverside-San Bernardino Indian Health Clinics, Inc. (RSBIHCI) to lease approximately 8.3 acres of land held in trust held on behalf of the Soboba Tribe, immediately adjacent to the Soboba Band of Luiseño Indians Reservation (Reservation). The BIA is the federal agency that is charged with reviewing and approving business leases. The RSBIHCI proposes to construct and operate a replacement Soboba Indian health clinic and commodity distribution center on a portion of Assessor Parcel Number 433-140-020, located within Section 34, Township 4 South, Range 1 East, within the Soboba Indian Reservation in Riverside County (Proposed Action). Figure 1-1 shows the regional location of the Project site, and Figure 1-2 shows the Project site in relation to the Tribe's Reservation/Trust Lands and the surrounding area.

This federal action requires the preparation of an Environmental Assessment (EA) completed in accordance with the requirements set forth in the National Environmental Policy Act (NEPA), the Council on Environmental Quality Regulations for Implementing NEPA (40 Code of Federal Regulations [CFR] 1500–1508), and the BIA NEPA Guidebook (59 Indian Affairs Manual [IAM] 3-H; BIA 2012). NEPA requires that environmental consequences associated with the Proposed Action and the Alternatives to the Proposed Action be evaluated in this document.

BRG Consulting, Inc. (BRG), on behalf of the RSBIHCI and under the direction of the BIA, has been contracted to prepare this EA. The BIA is the lead federal agency for purposes of complying with NEPA and all other federal environmental laws, regulations, Executive and Secretarial Orders. Environmental analysis of the resources potentially susceptible to direct, indirect, and cumulative impacts from construction, operation, and maintenance of the Proposed Action found no significant negative impacts along with minor beneficial impacts. This EA describes the Proposed Action and No Action alternative, the affected environment, environmental consequences, and mitigation measures.

The Department of the Interior regulations (43 CFR 46.300(a)) specify that an EA must be prepared for any Federal action except those: (1) covered by a CE; (2) covered by an earlier environmental document; or (3) a decision has already been made to prepare an Environmental Impact Statement (EIS). The EA is the document that provides sufficient analysis for determining whether a proposed action may or will have a significant impact on the quality of the human environment and therefore require the preparation of an EIS.

On August 15, 2017, President Trump issued Executive Order (EO) 13807, *Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects*, to ensure the federal environmental review and permitting process for infrastructure projects is coordinated, predictable, and transparent. Shortly after the issuance of EO 13807, on August 31, 2017, the Secretary of the Department of the Interior (DOI) issued Secretarial Order (SO) 3355, *Streamlining NEPA Reviews and Implementation of EO 13807*. This SO dovetails with

EO 13807 regarding the DOI's overall efforts to streamline the NEPA process. SO 3355 applies to all DOI actions and sets page and time limit requirements for Environmental Impact Statements. On August 6, 2018, the DOI Deputy Secretary issued an additional memorandum regarding *Additional Direction for Implementing Secretary's Order 3355 Regarding Environmental Assessments*. This memorandum includes an EA page limit of 75 pages, and a timeline of 180 days to complete the EA process from application to the signing of a Finding of No Significant Impact (or a Notice of Intent to prepare an EIS if warranted).

Accordingly, this EA has been prepared for the BIA to support the RSBIHCI requests for approval of a lease by the Division of Real Estate Services. This approval represents the Proposed Action. The construction and operation of the replacement health clinic and commodity distribution center constitute the Proposed Project. The BIA will use this EA to determine if the Proposed Action and subsequent Proposed Project would result in adverse effects to the environment.

This document has been prepared in accordance with the requirements set out in NEPA (42 United States Code [USC] §4321 et seq.), the Council on Environmental Quality (CEQ) Guidelines for Implementing NEPA (40 CFR Parts 1500-1508), the BIA's NEPA Guidebook (59 Indian Affairs Manual [IAM] 3-H), Executive Order 13807 and Secretarial Order 3355. Section 2.0 of this EA provides a detailed description of the Project Alternatives. Section 3.0 provides a description of the existing environmental conditions on and in the vicinity of the Project site, an analysis of the potential environmental consequences associated with the Project Alternatives, and impact mitigation measures. Section 4.0 describes cumulative and growth-inducing effects.

Consistent with the requirements of NEPA, the BIA will review and analyze the environmental consequences associated with the Proposed Action and Project Alternatives and either determine that a Finding of No Significant Impact (FONSI) is appropriate, request additional analysis, or request that an Environmental Impact Statement (EIS) be prepared.

### **1.1. Riverside-San Bernardino County Indian Health, Inc. (RSBCIHI)**

The RSBCIHI, is a Native American healthcare organization consisting of a consortium of nine tribes located throughout Riverside and San Bernardino Counties including Agua Caliente, Cahuilla, Morongo, Pechanga, Ramona, San Manuel, Santa Rosa, Soboba, and Torres-Martinez. RSBCIHI provides culturally sensitive healthcare to eligible Native Americans and their families residing in Riverside or San Bernardino counties. RSBCIHI's current facilities include five health clinics; two (2) Community Health Representative Program offices; an Outreach Office; and, a Commodity Warehouse. Formed in 1986, their mission is to provide culturally sensitive healthcare, respect, and abide by the traditional customs of the Indian Communities they serve; to promote wellness and provide early intervention to achieve healthy lifestyles. In FY 2019, the

RSBCIHI had a total of 37,462 Registered Patients<sup>(1)</sup> and 14,001 Active Indian Patients<sup>(2)</sup> (IHS, 2020).

## 1.2. Background

The Soboba Band of Luiseño Indians (Tribe) are a federally recognized Indian tribe, possessing sovereign status and powers by virtue of such recognition. The Soboba Indian Reservation was established by Executive Order on June 19, 1883. The reservation today encompasses nearly 7,000 acres, 400 of which are devoted to residential use. The Soboba Band has a current enrollment of approximately 1,200 tribal members who are governed by an elected tribal council that consists of five (5) tribal members. The Soboba Indian Reservation lies in the lower reaches of the San Jacinto Mountains, across the San Jacinto River from the city of San Jacinto. The Reservation stretches eastward to the boundary of the San Bernardino National Forest, and westward and southward to the cities of San Jacinto and Hemet, respectively, in Riverside County, California.

### 1.2.1 Existing Soboba Indian Health Clinic

The existing Soboba Band of Luiseño Indians Health Clinic, located at 607 Donna Way, serves American Indian and Alaska Natives (AI/AN) and is operated pursuant to a health care services contract or compact entered into under the Indian Self-Determination and Education Assistance Act, Public Law 93-638.

The existing clinic offers a variety of non-emergency medical and community services including:

- Alcohol/ Chemical Dependency
- Behavior Health/Mental Health Services
- Dental Hygiene
- Family Practice/Internal Medicine
- Immunizations Clinics
- Nutrition Program
- Obstetrics and Gynecology
- Pain Management
- Pediatric Care
- Podiatry
- Preventive Medicine

These services are provided Monday, Tuesday, and Thursday, from 8:00 AM to 5:00 PM, Wednesday from 8:00 AM to 7:00 PM and Fridays from 8:00 AM to 2:00 PM. The clinic is closed on weekends and holidays.

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<sup>1</sup> An eligible Indian individual who has obtained health care services from an Indian health program at least once.

<sup>2</sup> An eligible Indian individual who resides in a designated community and who has obtained health care services from an Indian health program at least once during the past three years.

## 1.2.2 Horseshoe Grande Fee-to-Trust Project

In 2007, the Soboba Band of Luiseno Indians, California (Tribe) submitted a fee-to-trust application to BIA requesting that the Department of the Interior acquire land in trust in Riverside County, California, for gaming and other purposes. The subject property is referred to herein as the “Horseshoe Grande Site” The Tribe's application requested that 535 +/- acres be taken into trust and agreed to donate 125 +/- acres of the Horseshoe Grande Site to the Western Riverside County Regional Conservation Authority for perpetual habitat conservation. As a result, the total amount of land acquired in trust was 410 +/- acres. The Horseshoe Grande Site is contiguous to the Soboba Indian Reservation, with 300 +/- acres located within the City of San Jacinto and the remainder within unincorporated Riverside County.

The BIA prepared a Draft and Final EIS for the Horseshoe Grande Fee-to-Trust Project (BIA, 2013) which analyzed the acquisition and alternative development scenarios for the subject property. The BIA issued the Final EIS on November 29, 2013 and the Record of Decision (ROD) in May 2015 (BIA, 2015). On December 2, 2011, the U.S. Fish and Wildlife Service (Service) issued a biological opinion (FWS-WRIV-08B0367-11F0503) to address the Horseshoe Grande fee-to-trust application from the Soboba Band of Luiseño Indians (Tribe) in Riverside County, California. The biological opinion addressed the effects of the development of the Horseshoe Grande property on the federally endangered San Bernardino kangaroo rat (SBKR) and its designated critical habitat, in accordance with section 7 of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C 1531 et seq.).

The Preferred Alternative, identified in the Final EIS as the Proposed Action, included:

- A 55-acre footprint within the 410-acres for the gaming facility;
- Development of the Soboba Hotel and Casino, which opened in early 2019. This facility included a 300-room hotel, restaurant, retail space, events arena, a spa/fitness center, and a possible convention center (729,500 SF);
- Two (2) tribal fire stations;
- A gas station/convenience store;
- Parking spaces within two (2) parking structures and surface parking lots (5,080 spaces);
- Infrastructures improvements (road realignments, wastewater treatment, etc.); and,
- Land donations for habitat preservation/conservation.

The Preferred Alternative incorporated all mitigation measures found in Section 5.0 of the Final EIS. It should be noted that the Soboba Hotel and Casino opened in early 2019 and a new Fire Station opened in June 2019.

### **1.2.3 Location and Setting of Proposed Action Area**

The Project site is located on federal trust lands contiguous to the boundaries of the Soboba Indian Reservation within the community of San Jacinto California. The Project site is also located within the area evaluated in the Final EIS for Horseshoe Grande Fee to Trust Project (2013).

The Project site is located within the community of San Jacinto, California, in Riverside County, California. The parcel is located at approximately 33°47'06.04" North Latitude and 116°55'30.41" West Longitude, within Sec. 31, T4S, R1E, Mount Diablo Meridian. The Project site is located within the Soboba Indian Reservation in the north-northwest quarter of Section 30, Township 4 South, and Range 1 East on the USGS 7.5-minute topographic quadrangle of San Jacinto.

The Project site is bordered on the north by Soboba View Drive and residences, by the Soboba Fire Station on the east and by vacant land on the south and west (Figure 1-2). The area west of the Project site was included in the Final EIS as "Conservation Area D" which was set aside by the Tribe for conservation purposes and managed in accordance with Western Riverside County Multiple Species Habitat Conservation Plan habitat management guidelines.

The newly constructed Soboba Fire Station is located northeast of the Project site. A roadway off of Soboba Road to the Project site has already been constructed as well as an access road to the Project site from Soboba View Drive. The Project site itself is vacant of all structures and as of September 2019, was covered with a moderate growth of weeds and grass. The site was previously graded in 2002 and underwent substantial additional subsequent grading activities with the construction of the Soboba Fire Station in late 2018 and early 2019. Grading activities included rough grading of the entire site as well as over-excavation and re-compaction of replacement health clinic and commodities building pads, all street improvements and utility stub-outs.

Regional access is provided by State Route 79, which travels in a general north-south direction, or State Route 74, which travels in a general east-west direction. They are located approximately 1.9 miles (3.0 km) east and 2.5 miles (4.0 km) south of the Project site, respectively. Local access to the Project site is provided by Soboba Road and Soboba Trail Road. Soboba Road is a paved, two lane undivided roadway running north-south. Soboba Trail Road runs east-west and is accessed from a right lane turnout from Soboba Road. An additional access road to the Project site from the Soboba Springs Mobile Estates is provided off of Soboba View Drive.

The nearest metropolitan areas are the City of San Jacinto, located less than 2 miles west of the Project site. The nearest residential uses are within Soboba Springs Mobile Estates, located north across Soboba View Drive approximately less than 100 feet (1.8 km), north of the Project site.

The Project site is located in the foothills on the west side of the San Jacinto Mountains that separate the San Jacinto River Basin to the west from the Coachella Valley to the east and is adjacent to the San Jacinto River. A levee is present on the western side of the San Jacinto River.

The Reservation is situated adjacent to the San Jacinto Valley to the west and at the base of the San Jacinto Mountains. The Lakeview Mountains extend beyond the San Jacinto Valley to the west, while the Santa Rosa Hills extend to the south.

Warm summers, mild winters, infrequent rainfall, moderate afternoon breezes, and generally fair weather characterize the climate of the San Jacinto area. Winters are cool with an average temperature of 38 degrees Fahrenheit (°F) and summers are hot with an average temperature of 96 °F. San Jacinto’s average annual rainfall is 12 to 13 inches, occurring from November to March.

### **1.3. Purpose and Need for the Proposed Action**

The federal Proposed Action is the approval of a commercial lease under 25 U.S.C. 415(a) for the construction and operation of a replacement health care facility and food distribution building on the Soboba Indian Reservation. The purpose of the Proposed Action is to provide improved health care services and assure that comprehensive, culturally acceptable personal and public health services are available and accessible to American Indian people residing in Riverside and San Bernardino Counties. These services are needed to maintain and promote the health status and overall quality of life for eligible Native Americans and their families.

Implementation of the Proposed Action would assist the RSBCIHI in meeting the following project objectives:

- Construct and operate a new health care and food distribution facility on the Soboba Reservation with additional space and increased food staffing;
- Provide access to a modern health care facility for American Indians/Alaska Natives that would improve the clinical quality of, and increase their access to health care services; and,
- Replace the existing health clinic with a larger facility and increased staff levels that can accommodate increased patient loads.

### **1.4. Overview of the Environmental Review Process**

This EA is intended to satisfy the environmental review process of 59 IAM 3-H, 40 CFR § 1501.3, and 40 CFR § 1508.9. After reviewing this EA and any public input received, either a FONSI will be issued or additional environmental analysis will be conducted.

### **1.5. Environmental Issues Addressed**

In accordance with NEPA, and based on a review of the Project site, the following environmental issue areas are evaluated in this EA:

- Land Resources
- Water Resources
- Socioeconomic Conditions/Environmental Justice
- Resource Use Patterns

- Air Quality and Climate Change
- Biological Resources
- Cultural and Paleontological Resources
- Traffic
- Other Resources

## 1.6. Resource Categories Not Affected by Proposed Action

The following issues and impact topics were dismissed from further analysis in this EA:

### Coastal Resources

The Coastal Zone Management Act (CZMA) encourages states to preserve, protect, develop, and where possible, restore or enhance valuable natural coastal resources such as wetlands, floodplains, estuaries, beaches, dunes, barrier islands, and coral reefs, as well as the fish and wildlife using those habitats. The CZMA and its implementing regulations require federal agencies proposing actions, whether within or outside of a State's coastal zone, to determine if the action is reasonably likely to affect any land or water use or natural resource within that coastal zone. The nearest coastal zone is located over 45 miles west of the Project site and would not be affected by the Proposed Action. For this reason, this topic is dismissed from further analysis.

### Wild and Scenic Rivers

The National Wild and Scenic Rivers Act is administered by four federal agencies: the Bureau of Land Management, the National Park Service, the U.S. Fish and Wildlife Service, and the U.S. Forest Service. The Act protects selected rivers, and their immediate environments, which possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values. There are no Wild and Scenic Rivers within the vicinity of the Project site. The nearest wild and scenic river is Bautista Creek located in within the San Bernardino National Forest. It is located approximately 8.2 miles southeast of the Project site and would not be affected by the Proposed Action. For this reason, this topic is dismissed from further analysis.

### Wetlands

Executive Order 11990, *Protection of Wetlands*, requires federal agencies to take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agency's responsibilities. Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas, and are protected under the federal Clean Water Act (CWA) Section 404 permit program. The Natural Resource Conservation Service (NRCS) maps soils in the area as "It - Indio very fine sandy loam, 0 to 2% slopes" (NRCS, 2018a). This soil type is not identified as a hydric soil (NRCS, 2018b).

According to the Final EIS for the Soboba Band of Luiseño Indians Horseshoe Grande Fee to Trust Project (BIA, 2013), there are no wetlands at the Project site. The Project site was partially graded in 2002 and subsequently underwent substantial additional grading activities with the construction of the Soboba Fire Station in late 2018/early 2019. The disturbed nature of the Project site was verified during a site visit conducted in September 2019. Additionally, the nearest wetlands are located approximately 0.25 miles east of the Project site, within the San Jacinto River. Therefore, this topic is dismissed from further analysis.

### **Coastal Barrier Resources**

The Coastal Barrier Resources Act (CBRA) restricts Federal expenditures and financial assistance which would have the effect of encouraging development of coastal barriers. The Act established a Coastal Barrier Resources System consisting of those undeveloped coastal barriers located on the Atlantic and Gulf coasts of the United States. The coastal barriers provide habitat for migratory birds and wildlife, and contain resources of extraordinary scenic, scientific, natural, historic, and other importance. The project area is not in the vicinity of the Coastal Barrier Resources System; therefore, this topic is dismissed from further analysis.

## **1.7. Regulatory Requirements and Approvals**

The following direct and indirect federal or state actions may occur as a result of the Proposed Action:

- National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity in compliance with the U.S. Environmental Protection Agency (EPA).

## 2.0 PROPOSED ACTION AND ALTERNATIVES

### 2.1. Proposed Action

The BIA is considering the approval of a lease agreement for the construction and operation of a replacement health care facility on the Soboba Indian Reservation. The existing Soboba Indian Health Clinic serves AI/AN and is operated pursuant to a health care services contract or compact entered into under the Indian Self-Determination and Education Assistance Act, Public Law 93-638. The new Soboba Indian Health Clinic would provide space to support a modern and adequately staffed health care delivery program. The new clinic would ensure availability of the medical services needed to maintain and promote the health status and overall quality of life for the residents of the service area.

#### 2.1.1. Proposed Replacement Clinic

The proposed replacement clinic would consist of a single-story building on an approximately 8.3-acre portion of Assessor’s Parcel Number (APN) 433-140-020, located immediately south of Soboba View Drive and approximately 400 feet southwest of Soboba Road in the San Jacinto community of Riverside County. Non-emergency medical and community services, described in Chapter 1 would continue to be provided from Monday, Tuesday and Thursday, from 8:00 AM to 5:00 PM, Wednesday from 8:00 AM to 7:00 PM and Fridays from 8:00 AM to 2:00 PM.

The Project would also include a single-story commodity distribution building in which a food distribution program would be implemented. The proposed Site Plan is provided on Figure 2-1 and the development summary is provided on Table 2-1.

**TABLE 2-1. PROPOSED DEVELOPMENT SUMMARY**

Proposed Use	Size (SF)	Parking Spaces
Replacement Health Clinic	44,000	303 <sup>(1)</sup>
Commodities Building	12,300	70 <sup>(2)</sup>
<b>TOTAL</b>	56,300	373

Notes:

- (1) Includes 16 Handicapped Parking Spaces
- (2) Includes 4 Handicapped Parking Spaces

Vehicle access to the site would be provided from Soboba Road, via Soboba Trails Road, an existing two-lane private road constructed as part of the Soboba Fire Station Project.

It is anticipated that the building in which the existing Soboba Health Clinic is currently located would be reused for medical office or professional office uses, as permitted within the City of San Jacinto’s General Commercial Zone (see Section 4.2 for a discuss of indirect impacts).

### **2.1.2. Construction**

Construction would include clearing of remnant vegetation, finish grading and paving, and installation of landscaping, lighting and utilities. Site preparation would involve minor cuts and fills in order to achieve the desired building pad elevation and provide adequate gradients for site drainage. Construction would comply with Executive Order 13717, Section 3(a), Establishing a Federal Earthquake Risk Management Standard. Additionally, the proposed facilities would conform to the applicable building code requirements of the California Building Code (CBC) and California Public Safety Code (CPSC), including building, electrical, mechanical, plumbing, energy, fire protection, and safety.

The new facilities would be constructed in two phases and take approximately 24 months to construct. Construction activities will occur between 7:00 AM and 7:00 PM, Monday through Saturday and will voluntarily be conducted in accordance with the City of San Jacinto Noise Ordinances found in Section 8.40.040). Approximately 100 construction jobs will be provided in the short term. Employment at the replacement health clinic and commodity distribution center would be offered first to California tribal members and then to local community residents.

The horizontal area of disturbance is 8.3-acres and was determined through reviews of project plans, estimations of maximum potential for ground disturbance, topographic and geographical constraints, etc. The vertical area of disturbance would range between six-inches and 5 to 6-feet for construction of the new utilities/utility connections.

### **2.1.3. Proposed Utilities**

Water for the Proposed Project would be obtained from the Tribally-owned Soboba Water Utilities which is the main domestic water system for the Reservation. This system is regulated by the EPA as a Community Water System (Public Water System No. 06000151) and complies with all EPA drinking water regulations (BIA, 2013). The Project would connect to existing 8” waterlines within Soboba Trails Road (see Figure 2-3).

Wastewater service will be provided by the Eastern Municipal Water District (EMWD) and the Project would connect to existing 8” sewer lines within Soboba Trails Road (see Figure 2-3). The wastewater from the Proposed Project would be sent to Eastern Municipal Water District’s San Jacinto Valley Regional Water Reclamation Facility.

### ***Electricity and Natural Gas***

The Southern California Edison (SCE) provides electricity services in the project area and the Southern California Gas Company (SCGC) provides natural gas services. The Project would connect to electrical and natural gas lines within Soboba Trails Road (See Figure 2-3).

#### **2.1.4. Grading and Drainage**

Construction would involve grading and excavation for building pads and would require an estimated 4,000 cubic yards (CY) of cut and a3,500 CY of fill, balanced on-site to the extent feasible. All grading will be conducted in conformance with the latest edition of the International Building Code and the recommendations of contained within Appendix D of the Geotechnical Investigation conducted for the Project (GeoCon, 2017).

The installation of storm drain facilities would provide a system to control storm water flows, thereby reducing the potential for surface water flooding and provide a means to safely convey such flows through the Project Site for appropriate discharge (see Figures 2-3a and 2-3b). Inlets would be placed at appropriate intervals to capture runoff and convey it to the existing detention basin located north of Soboba Trail Road. Collected run-off would be allowed to percolate back into the ground.

### **2.2. No Action Alternative**

The No Action Alternative is considered as a baseline for comparison of environmental effects (including direct, indirect and cumulative effects) and demonstrates the consequences of not meeting the need for the action. Under the No Action Alternative, a replacement health clinic would not be constructed, and health care services would continue to be provided at the existing Soboba Indian Health Clinic. As a result of the No Action Alternative, the clinic quality of health care services would not be improved, additional patient loads could not be accommodated, and the food distribution program would not be implemented.

### **2.3. Alternatives Considered But Rejected**

Section 1502.14 of the Council on Environmental Quality's (CEQ) Regulations for Implementing NEPA require that Federal agencies explore and objectively evaluate all reasonable alternatives to a Proposed Action, and to briefly discuss the rationale for eliminating any alternatives that were not considered in detail. One alternative was considered, in addition to the Proposed Action, but was dismissed from further analysis. The alternative is discussed below.

#### **2.3.1. Alternative 1 - Existing Health Clinic Site**

Alternative 1 consists of developing the new/replacement facility at the site of the existing Soboba Indian Health Clinic, located at 607 Donna Way, San Jacinto, CA 92583. This alternative was rejected because there is insufficient space at the current site to accommodate the larger clinic building and installation of the new commodities distribution building. Additionally, health care services at the Soboba Reservation would have to be relocated into temporary facilities during construction.

## **3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES**

### **3.1 Land Resources**

#### **3.1.1 Affected Environment**

Geocon West, Inc prepared a Geotechnical Investigation for the proposed Soboba Community Services Center, which included the Soboba Indian Health Clinic Replacement Project Site in October 2017 (Geocon, 2017). The investigation included a Project site reconnaissance, stereoscopic aerial photograph review, laboratory testing, engineering analyses, and subsurface exploration. The field investigation included the excavation of 15 small geotechnical borings to depths of between approximately 26 and 51 feet below the existing ground surface. Four of the boring locations (B3, B4, B5 and B8) are located within the Project site.

#### ***Topography, Geology and Soils***

The Project site is located in the foothills on the west side of the San Jacinto Mountains that separate the San Jacinto River Basin to the west from the Coachella Valley to the east and is adjacent to the San Jacinto River. A levee is present on the western side of the San Jacinto River. The Reservation is situated adjacent to the San Jacinto Valley to the west and at the base of the San Jacinto Mountains. The Lakeview Mountains extend beyond the San Jacinto Valley to the west, while the Santa Rosa Hills extend to the south. The Project site is located within a horseshoe shaped parcel bounded on the northeast by Soboba Road, on the northwest by Lake Park Drive, on the southeast by an existing residence, and on the southwest by the San Jacinto River. The middle of the horseshoe is occupied by an existing mobile home park.

In general, the Project site has a gentle slope towards the west, with elevations along Soboba Road ranging from 1,652 feet mean sea level (MSL) in the south to 1,632 MSL in the north, and the western edge ranges from approximately 1,608 feet MSL in the south to approximately 1,598 feet MSL in the north. The San Jacinto River is located along the western perimeter of the Project site at an elevation of 1,600 feet MSL in the south to an approximate elevation of 1,595 feet MSL in the north. A 16-foot-high levee is present along the river between the channel and western Project site perimeter. The Project site is currently vacant and covered with a moderate growth of weeds and grass. The Project site was partially graded in 2002. Remnants of the grading operation include unpaved streets, sheet graded pads, and a detention basin along the eastern boundary near the intersection of Soboba Road and Lake Park Drive (Geocon, 2017). The Project site underwent additional subsequent grading activities with the construction of the Soboba Fire Station.

There are four mapped soil series on the Project site which include; Cf- Chino silt loam, drained, saline-alkali, GtA- Grangeville fine sandy loam, drained, 0-2% slopes, SeC2- San Emigdio fine sandy loam, 2-8% slopes, eroded, and MhB- Metz loamy fine sand, sandy loam substratum, 0-5% slopes. Chino silt loam is present in flood plains and consist of alluvium derived from granite. This

soil contains slopes of 0-2 percent, is somewhat poorly drained, has moderate shrink-swell potential and is classified as farmland of statewide importance. Grangeville fine sandy loam is present on alluvial fans and consist of alluvium derived from granite. This soil contains slopes of 0-2 percent, is moderately well drained, has low shrink-swell potential, and is considered prime farmland if irrigated and drained. San Emigdio fine sandy loam soil is present on alluvial fans and consists of residuum weathered from sedimentary rock. This soil contains slopes of 2-8 percent, is well drained, has low shrink-swell potential, and is considered prime farmland if irrigated. Metz loamy fine sand soil is present on alluvial fans and consists of alluvium derived from sedimentary rock. This soil contains slopes of 0-5 percent, is somewhat excessively drained, has low shrink-swell potential and is considered prime farmland if irrigated.

During the field investigation, undocumented fill underlain by Holocene-age Younger Alluvium was encountered throughout the majority of the Project site at depths ranging to 26.5 feet below grade surface (bgs). In deeper excavations to 51 feet bgs, older alluvium was encountered. Plio-Pleistocene Bautista Beds (arkosic sandstone) likely underlies the Project site at depth. Groundwater was not encountered during the field investigation.

### ***Seismicity/Seismic Hazards***

#### **Faults**

The Project site is located in the highly seismic Southern California region within the influence of several fault systems that are considered to be active or potentially active. An active fault is defined by the State of California as a "sufficiently active and well-defined fault" that has exhibited surface displacement within the Holocene epoch (about the last 11,000 years). A potentially active fault is defined by the State as a fault with a history of movement within Pleistocene time (between 11,000 and 1.6 million years ago). A State of California Alquist-Priolo active fault zone is located west of and outside of the Project site. Alquist-Priolo zones are well-defined areas located within seismically active zones, typically along active fault zones susceptible to surface fault ruptures. The northeast portion of the Project site is located within the San Jacinto Fault Zone. Both the San Jacinto Fault (the main fault in the San Jacinto Fault System) and the Claremont Fault (a major member of the San Jacinto Fault System) are located less than a quarter mile away from the Project site boundary.

#### **Landslides and Liquefaction**

The geotechnical investigation for the Soboba Community Services Center states that the Project site is mapped as a zone of moderate liquefaction potential but due to the absence of groundwater at the Project site the potential for liquefaction and associated ground deformations beneath the Project site is negligible.

The toe of the San Jacinto Mountains is located immediately east of Soboba Road. There are no landslides mapped in the vicinity and there is no evidence of landslide activity which would pose

a hazard to the Project site (Geocon, 2017). Therefore, landslides are unlikely to be a potential hazard at the Project site.

### **Tsunamis and Seiches**

Because the Project site is situated at an inland location and is not immediately adjacent to any impounded bodies of water. Although the Project site is located within 1,800 feet of San Jacinto River, the seasonal nature of the water way makes a seiche an unlikely hazard. For this this reason, the risk associated with tsunamis and seiches is considered negligible.

### ***Mineral Resources***

Mineral resources in the Project site and surrounding area include sand and gravel, limestone, quarry rock, and geothermal resources (hot springs). No mineral resources are currently being mined on the Project site, and there are no plans for mining.

### **3.1.2. Regulatory Framework**

#### ***Executive Order (EO) 13717***

Executive Order (EO) 13717, *Establishing a Federal Earthquake Risk Management Standard*, establishes minimum levels of seismic safety in buildings owned, leased, financed, or regulated by the Federal government, which is to be achieved by satisfying the requirements of referenced building codes and standards, as outlined in Section 3 of the EO. Specifically, Section 3(a) requires each agency to ensure that every new building is in compliance with the earthquake-resistant design provisions of the 2015 editions of the International Building Code, nationally recognized building codes promulgated by the International Code Council (ICC), or equivalent codes. When determining the code requirements for new construction, major renovation, and/or replacement of real property, the BIA uses the latest published code at the design contract execution date.

#### ***Executive Order (EO) 13807/Secretarial Order 3355***

On August 15, 2017, President Trump issued EO 13807, *Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects*, to ensure the federal environmental review and permitting process for infrastructure projects is coordinated, predictable, and transparent. Shortly after the issuance of EO 13807, on August 31, 2017, the Secretary of the Department of the Interior (DOI) issued Secretarial Order (SO) 3355, *Streamlining NEPA Reviews and Implementation of EO 13807*. This SO dovetails with EO 13807 regarding the DOI's overall efforts to streamline the NEPA process. SO 3355 applies to all DOI actions and sets page and time limit requirements for Environmental Impact Statements. On August 6, 2018, the DOI Deputy Secretary issued an additional memorandum regarding *Additional Direction for Implementing Secretary's Order 3355 Regarding Environmental Assessments*. This memorandum includes an EA page limit of 75 pages, and a timeline of 180 days to complete the

EA process from application to the signing of a Finding of No Significant Impact (or a Notice of Intent to prepare an EIS if warranted).

### ***California Building Code (CBC)***

The CBC (California Code of Regulations Title 24, Part 2) encompasses a number of requirements related to geologic issues. Specifically, these include general provisions (Chapter 1); structural design (Chapters 16/16A); structural tests and special inspections, including seismic resistance (Chapters 17/17A); soils and foundations (Chapters 18/18A); concrete (Chapters 19/19A); masonry (Chapters 21/21A); wood, including consideration of seismic design categories (Chapter 23); glass and glazing (Chapter 24); construction safeguards (Chapter 33); and grading, including excavation, fill, drainage, and erosion control criteria (Appendix J). All occupancies in California are subject to national model codes adopted into Title 24, and occupancies are further subject to amendments adopted by state agencies and ordinances implemented by local jurisdictions' governing bodies. As noted in Chapter 2, the proposed facilities would voluntarily conform to the applicable building code requirements of the California Building Code (CBC) and California Public Safety Code (CPSC), including building, electrical, mechanical, plumbing, energy, fire protection, and safety.

### **3.1.3. Environmental Consequences**

#### ***Proposed Action***

##### **Topography**

Under the Proposed Action, the entire Project site, would be disturbed by Project site preparation activities in accordance with local grading permit requirements. However, because the Project site is flat, the Proposed Action would have negligible impacts on topography. The Project site would be contoured to an even grade according to architectural and engineering design specifications. The portion of the Project site disturbed for the utilities would be returned to existing grade. This would have a permanent, negligible to minor, adverse impact on the topography of the area.

##### **Soils**

As most construction projects involving use of heavy equipment, there is a small risk of accidental fuel or chemical spills, and potential contamination of soils. To reduce the potential for soil contamination, fuels would be stored and maintained in a designated equipment staging area or equipment would be fueled off-site. A Spill Control and Countermeasure Plan (SPCC) would be included in the Stormwater Pollution Prevention Plan (SWPPP) to identify the appropriate emergency response in case of a release of petroleum fluids into the environment. Emergency spill kits containing absorption pads, absorbent material, a shovel or rake, and other cleanup items, would be available on Project site in the event of an accidental spill. Following these precautions, the potential for an accidental chemical or fuel spill to occur and result in adverse impacts on soils would be negligible.

The National Pollutant Discharge Elimination System (NPDES) under the CWA prohibits the discharge of any pollutant, including sediments, to waters of the United States. The discharge of stormwater runoff from construction Project sites is regulated under the NPDES program. The Project will be required to apply for an NPDES General Permit for Storm Water Discharges Associated with Construction Activity through the US Environmental Protection Agency. The chief requirements of the NPDES general permit for construction Project sites are a construction Notice of Intent (NOI) and the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP). SWPPPs contain site-specific non-structural and structural best management practices (BMPs) to reduce soil erosion and prevent pollution from petroleum, oil, and lubricants (POLS) and other chemicals or hazardous/toxic materials at construction Project sites. Specifically, SWPPP plans assess the characteristics of the Project site such as nearby surface waters, topography, and storm water runoff patterns; identify potential sources of pollutants such as sediment from disturbed areas, and stored wastes or fuels; and identify BMPs which will be used to minimize or eliminate the potential for these pollutants to reach surface waters through storm water runoff.

By utilizing standard construction BMPs, such as installing perimeter silt fences, spreading straw and mulch to protect exposed ground, and covering stockpiles of earth or soils, runoff, erosion and impacts to on-site and off-site soils would be minimized. Erosion control methods would also be in place to control the fugitive dust produced during construction activities. Dust control could be provided through the use of water applied on exposed earth or the application of calcium chloride on gravel surfaces. With implementation of standard construction BMPs, impacts to soil resources would be negligible to minor and adverse.

### **Seismic Considerations**

Seismic events associated with the San Jacinto fault system pose a potentially significant effect at the Project site. The Alquist-Priolo Earthquake Fault Zoning Act adopted by the State of California in 1972 states that structures designed for human occupancy will not be situated within 50 feet of a mapped fault line unless a geologic investigation is conducted and concludes that the fault does not pose a hazard to the proposed structure. Based on the Project site plans, all structures designed for human occupancy are 50 feet or greater from the mapped fault lines, in compliance with the Alquist-Priolo Earthquake Fault Zoning Act.

The proposed Soboba Indian Health Clinic will be in compliance with EO 13717 and the International Building Code, and the recommendations presented in the geotechnical investigation for the Soboba Community Services Center would be incorporated into the Project. Use of the IBC design and construction standards would allow ground shaking-related hazards to be managed from a geologic, geotechnical, and structural standpoint such that adverse impacts to the health or safety of workers or members of the public would be minimized.

## **Mineral Resources**

There are currently no mines or mineral resources utilized at the Project site. The Proposed Action would create no effect related to the mineral resources at the Project site.

### ***No Action Alternative***

Under the No Action alternative, grading and construction activities associated with the replacement health clinic and commodity distribution center would not occur and there would be no direct, or indirect impacts to topography, geology or soils.

### **3.1.4. Mitigation Measures**

#### ***Mitigation Measure Soils-1: SWPPP***

The RSBCIHI would prepare a SWPPP to be administered during grading and project construction. The SWPPP must contain BMPs that meet the technical standards of the General Construction Permit to ensure that on- and off-Project site erosion during construction is minimized and that no water quality standards are violated. The SWPPP must address spill prevention and include a Spill Prevention, Control and Countermeasure Plan (SPCC) describing measures to ensure proper collection and disposal of all pollutants handled or produced on the Project site during construction. BMPs included in the SWPPP must be consistent with the California Stormwater Best Management Practices Handbook for Construction and typically consist of various erosion and sediment control measures. Regular inspections of the erosion and sediment control measures would be performed after any storm event by qualified personnel, and as required in the NPDES General Permit. All disturbed areas would be stabilized and revegetated with native plant vegetation following commencement of construction activities. Proper seed selection would result in native plants with deep root systems, which would increase local times of concentration and reduce Project site outflows. The potential to impact soils from sediment and contamination would be minimized through use of BMPs described above.

#### ***Mitigation Measure Soils-2: Seismic Mitigation Compliance***

In compliance with EO 13717, Section 3(a), mitigation for seismic considerations would follow the recommendations in the geotechnical investigation for the Soboba Community Services Center or any subsequent project-specific geotechnical investigation.

For all proposed structures, engineering designs should comply with the latest edition of the California Building Code (CBC) for Project site Class. A qualified geologist should inspect any excavations (foundation, utility, etc.) on the Project site during construction for possible indications of faulting.

The Proposed Action would follow the all the conclusions and recommendations provided within the Geotechnical Investigation including the following:

## **Earthwork and Grading**

- **Grading.** Grading should be performed in accordance with the *Recommended Grading Specifications* contained in *Appendix D* of the Geotechnical Report and the Riverside County Grading Ordinance.
- **Project site Preparation/Stripping.** Areas to be graded should be cleared of any existing vegetation, associated root systems, and debris. All areas scheduled to receive fill should be cleared of old fills and any irreducible matter. The depth of removal should be such that material exposed in cut areas or soil to be used as fill is relatively free of organic matter. Material generated during stripping and/or Project site demolition should be exported from the Project site. Deleterious debris such as wood and root structures should also be exported from the Project site and should not be mixed with the fill soils. Asphalt and concrete should not be mixed with the fill soils unless approved in writing by the Geotechnical Engineer. All existing underground improvements planned for removal should be completely excavated and the resulting depressions properly backfilled.
- **Preparation of the Building Areas.** The upper 6 feet of existing soil within building footprint areas be excavated and properly compacted for foundation and slab support. The excavations should extend laterally a minimum distance of 6 feet beyond the building footprint areas, including building appurtenances, or a distance equal to the depth of fill below the foundation, whichever is greater.

## **Foundations**

Foundations for the structures may consist of either continuous strip footings and/or isolated spread footings. Conventionally reinforced continuous footings should be at least 12 inches wide, and isolated spread footings should have a minimum width of 24 inches. Footings should extend to the minimum footing embedment.

## **Exterior Concrete Flatwork**

Exterior concrete flatwork not subject to vehicular traffic should be constructed in accordance with the recommendations herein assuming the subgrade materials possess an Expansion Index of 20 or less. Subgrade soils should be compacted to 90 percent relative compaction at optimum moisture. Slab panels should be a minimum of 4 inches thick and when in excess of 8 feet square should be reinforced with No. 3 reinforcing bars spaced 18 inches center-to-center in both directions to reduce the potential for cracking. In addition, concrete flatwork should be provided with crack control joints to reduce and/or control shrinkage cracking.

## **Pavement Design**

Asphalt concrete pavements should be designed in accordance with Topic 608 of the Caltrans Highway Design Manual based on R-Value and Traffic Index. Roads should be designed in accordance with the City of San Jacinto *Improvement Standard Drawings*. Asphalt concrete should

conform to Section 200-2.2 and Section 203-6, respectively, of the *Standard Specifications for Public Works Construction* (Greenbook) and the latest edition of the City of San Jacinto *Improvement Standard Drawings*.

### **Drainage**

No water should be allowed to pond on or immediately adjacent to foundation elements. The Project site should be graded and maintained such that surface drainage is directed away from structures in accordance with 2016 CBC 1804.4 or other applicable standards. In addition, surface drainage should be directed away from the top of slopes into swales or other controlled drainage devices. Roof and pavement drainage should be directed into conduits that carry runoff away from the proposed structure.

## **3.2. Water Resources**

### **3.2.1. Affected Environment**

The following describes the existing water resources conditions, including surface water, groundwater, sole source aquifer, stormwater and floodplains that occur within the Project site and general vicinity. Information on the existing setting was obtained from the Final Environmental Impact Statement (FEIS) for the Soboba Band of Luiseño Indians Horseshoe Grande Fee to Trust Project (BIA, 2013) and a site visit conducted in September 2019.

#### ***Surface Water***

The Project site is situated in the geologic floodplain of the San Jacinto River. The Project site is physically protected by levees that were constructed by the U.S. Army Corps of Engineers (ACOE) and Riverside County Flood Control and Water Conservation District. The levees are maintained today by Riverside County Flood Control and Water Conservation District.

The San Jacinto River flows intermittently, but is typically dry for most of the year. Flow, if any, occurs predominately from December through June in response to rainfall events and spring snow melt from the upper watershed. The average monthly flow ranges from 0.0 cubic feet per second (cfs), which has occurred in all months of the year, to a maximum average monthly flow of 1,039 cfs.

As part of the Water Rights Settlement, the Tribe waived its claims to surface water rights in the San Jacinto River basin in exchange for rights to groundwater, leaving Eastern Municipal Water District (EMWD) and Lake Hemet Municipal Water District (LHMWD) as the most significant surface water users in the basin above the Project site and surrounding area.

### ***Groundwater***

Groundwater is a valuable and increasingly scarce resource in western Riverside County. It is the only source of water supply on the Reservation. Groundwater from existing Tribal wells would supply water to the Project site. The existing domestic water system for the Reservation, which would also supply the proposed health clinic and food distribution center, obtains its potable water supply from three wells in the Canyon aquifer.

Southwest of Soboba Road contains significant groundwater resources. This part of the San Jacinto Valley is underlain by an alluvial aquifer system consisting of water-bearing sands and gravels deposited by the ancestral San Jacinto River. The San Jacinto Valley aquifers together comprise the San Jacinto Groundwater Basin.

A Water Management Plan (WMP) for the basin has been drafted as part of the Water Rights Settlement, which provides for comprehensive groundwater monitoring. The WMP also aims to eliminate basin overdraft through a combination of limitations on pumping, and artificial recharge using imported water. Groundwater production in the basins has exceeded operational yield since 1958 and are presently in a state of overdraft. If the Tribe cannot produce at least 3,000 acre-feet per year from the Canyon aquifer using its existing wells, then the off-Reservation utilities are obligated to deliver water of like quality to the Reservation.

### ***Sole Source Aquifer***

The EPA's Sole Source Aquifer (SSA) Program, established in 1977 under the Safe Drinking Water Act, requires evaluation of projects to determine if they have the potential to contaminate a sole source aquifer. The sole source aquifers nearest the Project site namely Campo/Cottonwood Creek and Ocotillo-Coyote Wells, are located approximately 63.5 miles (102.2 kilometers) south and 80.6 miles (129.7 kilometers) southeast of the Project site, respectively (USEPA, 2019).

### ***Stormwater***

Storm runoff to the Project site and surrounding areas originates in the steep mountain-front topography northeast of Soboba Road. The tributary watersheds converge on steep ravines incised in bedrock that empty onto alluvial fans where the ravines enter the valley near Soboba Road. The alluvial fans are in close proximity to the road, facilitating water flowing across the road during storm events.

CWA Section 402 regulates construction-related stormwater discharges to surface waters through the NPDES program. On tribal lands in California, the EPA retains authority for administering the NPDES program and has developed a General Permit for Discharges from Construction Activities, Permit No. CAR10I000 (US EPA, 2017). Projects that disturb one or more acre of land or projects that disturb less than one acre but are part of a larger common plan of development that, in total, disturbs one or more acre, are required to obtain coverage under this general permit.

This process includes preparation of a SWPPP and submittal of a NOI to EPA at least 14 calendar days before commencing construction activities. During construction, the contractor would be responsible for preparing and implementing a SWPPP, installing stormwater controls, implementing erosion and sediment controls and maintaining stormwater BMPs to prevent the discharge of sediment from the site.

### ***Floodplains***

Executive Order 11988, Floodplain Management and Protection (May 24, 1977), directs federal agencies to avoid, to the extent possible, the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.

The Project site is situated in the geologic floodplain of the San Jacinto River. The Project site is physically protected by levees that were constructed by the U.S. Army Corps of Engineers (ACOE) and Riverside County Flood Control and Water Conservation District. The levees are maintained today by Riverside County Flood Control and Water Conservation District.

The Project site is located in within Zone X on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), Community-Panel Number 06065C1495. The entirety of the Project site is located within Zone X but the western portion is defined as “area with reduced flood risk due to levee” and the remaining portion is defined as “area of minimal flood hazard due to levee”.

### ***Executive Order 11990, Protection of Wetlands***

Executive Order 11990, Protection of Wetlands (May 24, 1977), directs federal agencies to avoid, to the extent possible, adverse impacts associated with the destruction or modification of wetlands. Under DOE regulations, a wetlands assessment is required for any action involving wetlands (10 CFR 1022). There are no wetlands on or near the Project site.

### ***Water Quality***

While the Reservation is not subject to state or county jurisdiction, the Tribe’s policy is to adopt Federal water quality, EPA standards for environmental protection. While EPA alone has the authority to enforce water quality standards on Indian trust status lands, the California Regional Water Quality Control Board (RWQCB) implements the Clean Water Act in California under the delegation and oversight of the EPA, including the responsibility to enforce waste discharges under the National Pollutant Discharge Elimination System (NPDES). While the RWQCB has no approval authority over the Proposed Action or Alternatives, the goals and policies relating to surface water contained within the Santa Ana River Basin Plan (Basin Plan) characterize the water quality issues in the Project area.

Water quality regulations and baseline conditions for the Project Site are described in the Basin Plan. The Basin Plan (California Regional Water Quality Control Board, Santa Ana Region, 1995, as amended) identifies the beneficial uses of the surface water and groundwater on the Project site and sets water quality objectives for the basin. The purpose of these objectives is to describe water quality conditions in the basin that would support and protect the beneficial uses.

The only impaired water body within the San Jacinto River watershed is located upstream of the Project Site. The Proposed Action do not influence this lake, which is in the Indian Creek sub-watershed, many miles upstream of the Project site.

Groundwater in the San Jacinto Valley section of the Project Site is of high quality for domestic use, while groundwater in the Canyon and Intake sub-basins on the Reservation are considered Category 1 water under EPA guidance. Category 1 waters attain all designated uses and no use is threatened.

### **3.2.2. Environmental Consequences**

#### ***Proposed Action***

##### **Groundwater**

Operation of the replacement health clinic and commodity distribution center would result in a slight increase in water use, above current levels. Fire flows and water for fire storage would be provided in accordance with applicable fire insurance codes. The replacement health clinic and commodity distribution center would rely on groundwater from existing tribal wells.

The construction phase of the project would require coverage under EPA Region 9 NPDES CGP. This would require preparation and implementation of a SWPPP and inspection and maintenance of stormwater BMPs throughout the construction phase of the project. General construction impacts associated with the development of the Project site could affect water resources by increased stormwater runoff from the site carrying sediment and contamination loads off-site during times of heavy rain, and by contamination from construction activities infiltrating area soils and percolating down into the groundwater.

The incorporation of the mitigation measures into the design phase of the Proposed Project would reduce impacts to water resources below the level of significance.

Development of the replacement health clinic and commodity distribution center would introduce impermeable or substantially less permeable surfaces than present groundcover. This could affect water infiltration at the Project site. Storm water flows would be collected, conveyed, and discharged to the existing off-site detention basin (shown on Figures 2-3a and 2-3b) to attenuate storm water flows. Collected run-off would be allowed to percolate back into the ground to recharge the groundwater table. The proposed increase in impermeable surfaces resulting from

implementation of the Proposed Project would be minimal compared the groundwater recharge area of the East Coachella Valley. Therefore, project impacts with regard to groundwater depletion and groundwater interference would be adverse and minor.

As previously noted, the Project site is physically protected by levees constructed by the ACOE and flood hazards would be minimal. With adherence to the NPDES permitting program and implementation of the BMPs included in the Stormwater Pollution Prevention Plan adverse impacts to surface water quality from construction activities would be temporary and minor.

### **Sole Source Aquifer**

The Proposed Action would not require the drilling of drinking water supply wells. Additionally, the nearest designated sole source aquifers are located approximately 63.5 miles (102.2 kilometers) south and 80.6 miles (129.7 kilometers) southeast of the Project site, respectively and would not be affected.

Overall impacts to water resources would be negligible to minor.

### ***No Action Alternative***

Under the No Action Alternative, the replacement health clinic and commodity distribution center would not be constructed, and no water resource impacts would result. The Project site would continue in its present use or could be developed with other allowed uses. Health care and food distribution services would continue to be provided at the existing clinic location and would result in no changes to water resources.

### **3.2.3. Mitigation Measures**

BMPs would be placed along portions of the site perimeter to control erosion during all construction activities. Driveways and parking areas would be designed to minimize both the volume and velocity of runoff. Pavement should be minimized; buffers of native vegetation should be maximized to prevent excessive velocity buildup of runoff. The Project site would be graded to direct surface water run-off to a storm water retention basin to reduce runoff leaving the Project site. The replacement health clinic and commodity distribution center would be LEED certified and would incorporate water-conserving fixtures in accordance with the certification requirements.

## **3.3. Air Quality**

Birdseye Consulting Group, Inc. prepared an Air Quality Report for the proposed Soboba Indian Health Clinic Replacement Project to document existing climate and ambient air quality in the Region and at the Project site and identify the effects of construction and operation of the Proposed Action (Birdseye, 2019). A copy of this report is included as Appendix B. The air quality rules and regulations that apply to the Proposed Action are also presented in Appendix B.

### 3.3.1. Affected Environment

The Project site is located in the South Coast Air Basin (SCAB), which includes the non-desert portions of Los Angeles, Riverside, and San Bernardino counties and all of Orange County. Although it does not have jurisdiction over Tribal lands, the South Coast Air Quality Management District (SCAQMD) is the regional agency responsible for protecting public health from air pollution within the SCAB.

Warm summers, mild winters, infrequent rainfall, moderate afternoon breezes, and generally fair weather characterize the climate of the San Jacinto area. Winters are cool with an average temperature of 38 degrees Fahrenheit (°F) and summers are hot with an average temperature of 96 °F. San Jacinto’s average annual rainfall about 11 inches, occurring primarily from November to March.

Air quality is defined by ambient air concentrations of specific pollutants identified by the EPA to be of concern with respect to health and welfare of the general public. The EPA is responsible for enforcing the Federal Clean Air Act (CAA) of 1970 and its 1977 and 1990 Amendments, which required the EPA to establish National Ambient Air Quality Standards (NAAQS). These standards identify concentrations of the ambient air pollutants below which no adverse effects on the public health and welfare are anticipated. In response, the EPA established primary and secondary standards for several pollutants (called “criteria” pollutants). “Primary standards” are designed to protect human health and “Secondary standards” are designed to protect property and the public welfare from air pollutants in the atmosphere. Criteria pollutants include ozone (O<sub>3</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), respirable particulate matter of 10 microns or less (PM<sub>10</sub>), respirable particulate matter of 2.5 microns or less (PM<sub>2.5</sub>) and lead (Pb).

The CAA allows states to adopt ambient air quality standards and other regulations provided they are at least as stringent as federal standards. The California Air Resources Board (CARB) established the more stringent California Ambient Air Quality Standards (CAAQS) for the six original criteria pollutants through the California Clean Air Act of 1988, and as well as CAAQS for additional pollutants, including sulfates, hydrogen sulfide, vinyl chloride and visibility-reducing particles. The NAAQS and CAAQS are presented in Table 3.3-1.

**TABLE 3.3-1. AMBIENT AIR QUALITY STANDARDS**

POLLUTANT	AVERAGE TIME	CALIFORNIA STANDARDS <sup>(1)</sup>		NATIONAL STANDARDS <sup>(2)</sup>		
		Concentration <sup>(3)</sup>	Method <sup>(4)</sup>	Primary <sup>(3,5)</sup>	Secondary <sup>(3,6)</sup>	Method <sup>(7)</sup>
Ozone <sup>(8)</sup> (O <sub>3</sub> )	1 hour	0.09 ppm (180 µg/ m <sup>3</sup> )	Ultraviolet Photometry	--	Same as Primary Standard	Ultraviolet Photometry
	8 hours	0.070 ppm (137µg/ m <sup>3</sup> )		0.070 ppm (137 µg/m <sup>3</sup> )		
Carbon Monoxide (CO)	8 hours	9.0 ppm (10 mg/ m <sup>3</sup> )	Non-Dispersive Infrared Spectroscopy (NDIR)	9 ppm (10 mg/ m <sup>3</sup> )	--	Non-Dispersive Infrared Spectroscopy (NDIR)
	1 hour	20 ppm (23 mg/ m <sup>3</sup> )		35 ppm (40 mg/ m <sup>3</sup> )		
Nitrogen Dioxide (NO <sub>2</sub> ) <sup>(10)</sup>	Annual Average	0.030 ppm (57 µg/ m <sup>3</sup> )	Gas Phase Chemiluminescence	0.053 ppm (100 µg/ m <sup>3</sup> )	Same as Primary Standard	Gas Phase Chemiluminescence
	1 hour	0.18 ppm (339 µg/ m <sup>3</sup> )		100 ppb (188 µg/ m <sup>3</sup> )	--	
Sulfur Dioxide (SO <sub>2</sub> ) <sup>(11)</sup>	Annual Average	--	Ultraviolet Fluorescence	0.03 ppm (80 µg/ m <sup>3</sup> )	--	Pararosaniline
	24 hours	0.04 ppm (105 µg/ m <sup>3</sup> )		0.14 ppm (365 µg/ m <sup>3</sup> )	--	
	3 hours	--		--	0.5 ppm (1300 µg/ m <sup>3</sup> )	
	1 hour	0.25 ppm (655 µg/ m <sup>3</sup> )		75 ppb (196µg/m <sup>3</sup> )	--	
Respirable Particulate Matter (PM <sub>10</sub> ) <sup>(9)</sup>	24 hours	50 µg/ m <sup>3</sup>	Gravimetric or Beta Attenuation	150 µg/ m <sup>3</sup>	150 µg/ m <sup>3</sup>	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/ m <sup>3</sup>		--	--	
Fine Particulate Matter (PM <sub>2.5</sub> ) <sup>(9)</sup>	Annual Arithmetic Mean	12 µg/ m <sup>3</sup>	Gravimetric or Beta Attenuation	12 µg/ m <sup>3</sup>	15 µg/ m <sup>3</sup>	Inertial Separation and Gravimetric Analysis
	24 hours	--		35 µg/ m <sup>3</sup>	Same as Primary Standard	
Sulfates	24 hours	25 µg/ m <sup>3</sup>	Ion Chromatography	--	--	--
Lead <sup>(12, 13)</sup> (Pb)	30-day Average	1.5 µg/ m <sup>3</sup>	Atomic Absorption	--	Same as Primary Standard	High Volume Sampler and Atomic Absorption
	Calendar Quarter	--		1.5 µg/ m <sup>3</sup>		
	3-month Rolling Average	--		0.15 µg/ m <sup>3</sup>		
Hydrogen Sulfide (H <sub>2</sub> S)	1 hour	0.03 ppm (42 µg/ m <sup>3</sup> )	Ultraviolet Fluorescence	--	--	--
Vinyl Chloride <sup>(12)</sup>	24 hours	0.010 ppm (26 µg/m <sup>3</sup> )	Gas Chromatography	--	--	--

Notes:

ppm = parts per million      µg/m<sup>3</sup> = micrograms per cubic meter      mg/m<sup>3</sup> = milligrams per cubic meter

- California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM<sub>10</sub>, PM<sub>2.5</sub>, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
- National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM<sub>10</sub>, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m<sup>3</sup> is equal to or less than one. For PM<sub>2.5</sub>, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
- Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a

**TABLE 3.3-1. AMBIENT AIR QUALITY STANDARDS**

POLLUTANT	AVERAGE TIME	CALIFORNIA STANDARDS <sup>(1)</sup>		NATIONAL STANDARDS <sup>(2)</sup>		
		Concentration <sup>(3)</sup>	Method <sup>(4)</sup>	Primary <sup>(3,5)</sup>	Secondary <sup>(3,6)</sup>	Method <sup>(7)</sup>

reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4. Any equivalent measurement method which can be shown to the satisfaction of the CARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the U.S. EPA. An “equivalent method” of measurement may be used but must have a “consistent relationship to the reference method” and must be approved by the U.S. EPA.
8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
9. On December 14, 2012, the national annual PM<sub>2.5</sub> primary standard was lowered from 15 µg/ m<sup>3</sup> to 12.0 µg/ m<sup>3</sup>. The existing national 24-hour PM<sub>2.5</sub> standards (primary and secondary) were retained at 35 µg/ m<sup>3</sup>, as was the annual secondary standard of 15 µg/ m<sup>3</sup>. The existing 24-hour PM<sub>10</sub> standards (primary and secondary) of 150 µg/ m<sup>3</sup> also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
11. On June 2, 2010, a new 1-hour SO<sub>2</sub> standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO<sub>2</sub> national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.  
  
Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
12. The CARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/ m<sup>3</sup> as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
14. In 1989, the CARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30- mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

Source: Birdseye Consulting Group, 2019 (Appendix B).

### ***Regional Air Quality***

#### **National and California Ambient Air Quality Standard Designations**

As described above, the EPA regulates six air pollutants (criteria pollutants) for which standards for safe levels of exposure have been set under the Clean Air Act of 1990: ozone, carbon monoxide, nitrogen dioxide, particulate matter, sulfur dioxide and lead. Areas where air pollution levels persistently exceed either the National Ambient Air Quality Standard or the California Ambient Air Quality Standards may be designated “nonattainment.”

As shown on Table 3.3-2, Riverside County is classified as a federal nonattainment area for PM<sub>2.5</sub>. It is classified as a state nonattainment area for ozone (8-hour standard), PM<sub>10</sub> and PM<sub>2.5</sub>, and as an extreme nonattainment area for ozone (1-hour standard).

**TABLE 3.3-2. ATTAINMENT STATUS – SOUTH COAST AIR BASIN  
(RIVERSIDE COUNTY PORTION)**

Pollutant	Attainment Status South Coast Air Basin	
	Federal	State
Ozone – 1 hour	N/A	Extreme Nonattainment
Ozone – 8 hours (2015 Standard)	Designation Pending	Nonattainment
CO	Attainment (Maintenance)	Attainment
NO <sub>2</sub>	Attainment	Attainment
SO <sub>2</sub>	Attainment	Attainment
PM <sub>10</sub>	Attainment (Maintenance)	Nonattainment
PM <sub>2.5</sub>	Nonattainment	Nonattainment

Source: Birdseye Consulting Group, 2019 (Appendix B).

In addition to criteria pollutants, the EPA and CARB both regulate greenhouse gases.

### ***Greenhouse Gas Emissions***

Greenhouse gases (GHGs) are gases that trap heat in the atmosphere. These emissions occur from natural processes as well as human activities. The accumulation of GHGs in the atmosphere regulates the earth’s temperature. Scientific evidence indicates a trend of increasing global temperature over the past century due to an increase in GHG emissions from human activities.

Recent observed changes resulting from global warming include shrinking glaciers, thawing permafrost, a lengthened growing season, and shifts in plant and animal ranges (Intergovernmental Panel on Climate Change, 2007). Predictions of long-term environmental impacts due to global warming include sea level rise, changing weather patterns with increases in the severity of storms and droughts, changes to local and regional ecosystems including the potential loss of species, and a significant reduction in winter snowpack.

The most common GHGs emitted from natural processes and human activities include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). Examples of GHGs created and emitted primarily through human activities include fluorinated gases (hydrofluorocarbons and perfluorocarbons) and sulfur hexafluoride. Each GHG is assigned a global warming potential (GWP). The GWP is the ability of a gas or aerosol to trap heat in the atmosphere. The GWP rating system is standardized to CO<sub>2</sub>, which has a value of one. For example, CH<sub>4</sub> has a GWP of 21, which means that it has a global warming effect 21 times greater than CO<sub>2</sub> on an equal-mass basis.

Total GHG emissions from a source are often reported as a CO<sub>2</sub> equivalent (CO<sub>2</sub>e). The CO<sub>2</sub>e is calculated by multiplying the emission of each GHG by its GWP and adding the results together

to produce a single, combined emission rate representing all GHGs. Executive Order 13834, Efficient Federal Operations was signed by President Trump on May 17, 2018 with a goal for federal agencies to ensure that new construction conform to application building energy efficiency requirements and sustainable design principles. Consistent with the requirements of E.O. 13834 Section 2(a-g), effective management of overall operations with respect to reducing facility energy consumption, meeting renewable energy targets, minimizing waste, increasing fleet efficiency, advancing sustainable buildings, and improving efficiency will drive reductions of corresponding GHG emissions. Additionally, the California Global Warming Solutions Act of 2006 directs the State of California to reduce statewide GHG emissions to 1990 levels by the year 2020.

### ***General Conformity***

The EPA is responsible for ensuring that air quality protects public health and welfare. Under the EPA's General Conformity Rule, any federal agency responsible for an action in a nonattainment area is required to determine that the action conforms to the applicable State Implementation Plan (SIP) or is exempt from the General Conformity Rule requirements. The General Conformity Rule applies only to emissions caused by federal actions that occur in a federal nonattainment or maintenance area. The Project site is located in an area that is classified as a federal nonattainment area for PM<sub>2.5</sub>. Therefore, if project emissions are equal to or exceed applicable de minimis levels for any criteria air pollutant provided in 40 CFR §93.153 (b)(1) and (2), then a federal general conformity determination analysis would be required.

Because the Project site is located within the SCAQMD and because the Soboba Band of Luiseño Indians do not have an approved Tribal Implementation Plan (USEPA, 2019a), to conform with the SIP, the Proposed Project must comply with the SCAQMD's 2016 Air Quality Management Plan (AQMP).

### ***Sensitive Receptors***

Sensitive receptors are facilities that house or attract children, the elderly, and people with illnesses or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors. The nearest sensitive receptors are the mobile homes located adjacent to the Project site.

## **3.3.2. Environmental Consequences**

### ***Proposed Action***

The effects on air quality were assessed by developing emission estimates associated with proposed construction and operational activities. Emission calculations were based on anticipated on-road vehicle use, off-road equipment use, and land disturbance.

## **Construction**

The Soboba Indian Health Clinic Replacement Project would be constructed over a period of approximately 12 to 24 months. During this time, criteria air pollutants would be emitted from the engine exhaust of diesel- and gasoline-fueled vehicles and construction equipment. Heavy-duty diesel- and gasoline-powered equipment and vehicles at the Project site would include loaders, graders, backhoes, cranes, and trucks. Emissions of fugitive dust would be generated by grading activities and vehicle travel for construction of the Proposed Action. Construction-related traffic generation would include equipment delivery, on- and off-site vehicle and construction equipment, and automobile trips for construction workers in personal vehicles commuting to and from the Project site.

Construction typically proceeds in distinct phases: construction is initiated with site preparation, and paving, which is then followed by erection of structures, and finally the finishing of those structures and infrastructure. Of these phases, site preparation can generate fugitive dust and diesel equipment emissions of PM<sub>10</sub> and PM<sub>2.5</sub>. Construction and finishing of structures typically result in greater ROG and NO<sub>x</sub> emissions associated with diesel and gasoline combustion stationary equipment, mobile equipment, and worker vehicle trips.

The daily emissions presented in Table 3.3-3 represent the highest estimated emissions on a given day from all concurrent construction activities. Detailed emission calculations were calculated using the California Emission Estimator Model (CalEEMod 2016.3.2) which is the latest version of the air quality model approved by the EPA for use in California.

Additionally, the SCAQMD has developed Localized Significance Thresholds (LSTs) for the following criteria pollutants: NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>. LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor. LSTs only apply to emissions within a fixed stationary location, including idling emissions during both project construction and operation and are not applicable to mobile sources such as cars on a roadway. The Project site is located in Source Receptor Area 28 (SRA-28, Hemet/San Jacinto Valley Area). Site preparation and grading activities will likely occur along the northwestern property boundary adjacent to existing residences located along Soboba View Drive.

As shown on Table 3.3-3 the level of emissions from Project construction, including ROG, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>, would not exceed SCAQMD thresholds. However, the allowable emissions of PM<sub>10</sub> and PM<sub>2.5</sub> exceed the applicable LSTs. With the implementation of the Mitigation Measure AQ-1, the Proposed Project would not result in a significant local air quality impact.

**TABLE 3.3-3. CONSTRUCTION EMISSIONS**

Emission Source	Pounds Per Day					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sup>2.5</sup>
Construction Emissions, lbs./day (2020)	4.1	42.4	22.3	0.04	10.1	6.4
Construction Emissions, lbs./day (2021)	31.5	20.7	20.1	0.04	2.0	1.2
<b>SCAQMD Regional Significance Thresholds</b>	<b>75</b>	<b>100</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
Above Regional Significance Thresholds?	No	No	No	No	No	No
<b>Local Significance Threshold (25 meters)</b>		234	1,100		7	4
Above LST Significance Threshold?		No	No		<b>Yes</b>	<b>Yes</b>

Notes:

CO = Carbon Monoxide.

NO<sub>x</sub> = Oxides of Nitrogen.

ROG = Reactive Organic Gas.

Source: Birdseye Consulting Group, 2019 (Appendix B).

PM<sub>2.5</sub> = Particulate Matter (2.5 microns in diameter or less).

PM<sub>10</sub> = Particulate Matter (10 microns in diameter or less).

SO<sub>x</sub> = Sulfur Oxides.

### Operations

Operational emissions would be comprised primarily of mobile sources emissions associated with transporting patients, vendors and employees to/from the clinic as well as from operation of the clinic (energy, water and solid waste) and were calculated using the California Emission Estimator Model (CalEEMod 2016.3.2). Operational emissions are summarized on Table 3.3-4.

**TABLE 3.3-4. OPERATIONS EMISSIONS**

Emission Source	Tons Per Year					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sup>2.5</sup>
<b>Operational Emissions</b>	1.7	3.2	4.8	0.01	1.3	0.3
<b>SCAQMD Regional Significance Thresholds</b>	<b>75</b>	<b>100</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
Above Significance Thresholds?	No	No	No	No	No	No
<b>Federal De Minimis Thresholds</b>	10	10	100	N/A	70	100
Above <i>De Minimis</i> Thresholds?	No	No	No	No	No	No
<b>Local Significance Threshold (25 meters)</b>		234	1,100		7	4
Above LST Significance Threshold?		No	No		No	No

Notes:

CO = Carbon Monoxide.

NO<sub>x</sub> = Oxides of Nitrogen.

ROG = Reactive Organic Gas.

Source: Birdseye Consulting Group, 2019 (Appendix A).

PM<sub>2.5</sub> = Particulate Matter (2.5 microns in diameter or less).

PM<sub>10</sub> = Particulate Matter (10 microns in diameter or less).

SO<sub>x</sub> = Sulfur Oxides.

N/A = Not Applicable

As shown on Table 3.3-4, the long-term operational emissions of ROG, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> would not exceed SCAQMD thresholds.

The Project conforms with the SCAQMD's 2016 AQMP because air emissions would not exceed the thresholds presented in Table 3.3-4. Additionally, emissions are below the SCAQMD and

Federal De Minimis thresholds for ROG, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>. Emissions during site preparation (i.e., scraping/grubbing/clearing) would exceed the LST limits for PM<sub>10</sub> and PM<sub>2.5</sub>. Implementation of Mitigation Measure AQ-1 would reduce temporary construction emissions and avoid an exceedance of the LSTs for fugitive dust. Accordingly, a conformity determination is not required under 40 CFR Part 51, Subpart W.

### **Greenhouse Gas Emissions**

The potential effects of proposed GHG emissions are by nature global and cumulative impacts, as individual sources of GHG emissions are not large enough to have an appreciable effect on climate change. Therefore, the impact of proposed GHG emissions to climate change is discussed in the context of cumulative impacts.

There are no known past, present, and foreseeable future activities within the Project Area that could have the potential to result in cumulative air quality impacts. The project would provide necessary medical care for Tribal members and reduce the need to travel off the reservation for routine health care services. Because overall travel associated with obtaining medical care would be reduced from existing conditions, it is not anticipated that the project would result in long-term cumulatively considerable impacts.

Greenhouse gas emissions do not result in direct impacts (CNRA, 2009). They are addressed only on a cumulative basis. Table 3.3-5 presents a summary of the estimated greenhouse gas emissions.

**TABLE 3.3-5 PROPOSED GREENHOUSE GAS EMISSIONS**

Emission Source	CO <sub>2</sub>	CH <sub>4</sub>	NO <sub>2</sub>
	Emissions, metric tons/year		
Construction Emissions (2020 and 2021)	524 (17.4)	0.08	0.0
Operating Emissions	481	1.6	0.01
<b>TOTAL</b>	<b>498.4</b>	<b>1.68</b>	<b>0.01</b>
CO <sub>2</sub> Equivalent	500		

Source: Birdseye Consulting Group, 2019 (Appendix B).

Total construction emissions are estimated to be 524 metric tons of CO<sub>2</sub>E. Amortized over the 30-year life of the project, a total of 17.4 metric tons was added to the operational emissions. Total CO<sub>2</sub>e emissions would be 500 metric tons. The estimated total is below the SCAQMD’s proposed threshold of 3,000 metric tons of CO<sub>2</sub>e. The level is also below the 900-metric ton CO<sub>2</sub>E threshold proposed by the California Air Pollution Control Officers Association (CAPCOA) as a threshold below which further analysis is not required. This level of GHG emissions would not result in a cumulatively considerable impact on global climate.

### ***No Action Alternative***

Under the No Action Alternative, the replacement clinic and commodity distribution center would not be constructed. The Project site would continue in its present use or could be developed with other allowable uses. Health care and food distribution services would continue to be provided at the existing clinic location. Emissions associated with travel to/from the existing clinic would continue, but construction related emissions would be avoided. The No Action Alternative would have no adverse air quality impacts.

#### **3.3.3. Mitigation Measures**

##### ***AQ-1: Site Preparation PM<sub>10</sub> and PM<sub>2.5</sub> Reduction***

Contractor will be conditioned to apply water to soils being actively disturbed during site preparation occurring within 25 meters of the nearest residence such that the moisture content reaches 15%. Water shall be applied using an active sprinkler system or water truck. The moisture content will be verified using a lab sample or moisture probe.

Implementation of MM AQ-1 would reduce temporary PM<sub>10</sub> emissions to 5.7 pounds daily and PM<sub>2.5</sub> emissions to 3.9 pounds daily, below the LSTs thresholds.

In addition to MM AQ-1 best management practices would be implemented to ensure that fugitive dust emissions do not affect adjacent land users, and that VOC emissions are minimized utilizing the following measures:

- Apply soil stabilizers to inactive areas
- Equipment loading/unloading controls
- Replace ground cover in disturbed areas quickly
- Water exposed surfaces
- Use of low-VOC exterior and interior paints and coatings

### **3.4. Biological Resources**

#### **3.4.1. Affected Environment**

The following describes the existing biological resources conditions that occur within the Project site and general vicinity. Information on the existing setting was obtained from the Final Environmental Impact Statement (FEIS) for the Soboba Band of Luiseño Indians Horseshoe Grande Fee to Trust Project (BIA, 2013) and a general biological survey conducted in September 2019. On December 2, 2011, the U.S. Fish and Wildlife Service (USFWS) issued a Biological Opinion to address the Horseshoe Grande Fee to Trust Project, which covered the area that would be developed under the Proposed Project. The Biological Opinion included minimization measures, terms and conditions to mitigate adverse effects on biological resources.

## ***Wildlife***

The Project site was partially graded in 2002 and underwent substantial additional subsequent grading activities with the construction of the Soboba Fire Station in late 2018 and early 2019. Grading activities included rough grading of the entire site as well as over-excavation and re-compaction of replacement health clinic and commodities building pads, all street improvements and utility stub-outs. Due to the current disturbed nature of the area, few species are expected to occur within the Project site.

### ***Federally Threatened and Endangered Listed Species***

The FEIS for the Soboba Band of Luiseño Indians Horseshoe Grande Fee to Trust Project classified the Project site as barren and devoid of vegetation. No federally threatened and/or endangered listed species and/or potentially suitable habitat for federally listed species are expected to occur within the Project site primarily due to the disturbed nature of the site and lack of suitable habitat.

The area west of the Project site is deemed habitat for the endangered San Bernardino Kangaroo Rat. No development is currently planned for this area. The bounds of the Project site are fenced and therefore physically separated from the San Bernardino Kangaroo Rat habitat.

### ***Wildlife Corridors***

Wildlife corridors are important in preserving species diversity. Connections between areas of open space are integral to maintaining biological diversity and population viability. For the purposes of this EA, we have defined wildlife corridor as follows: a linear landscape feature utilized by resident or transient wildlife for movement between two blocks of habitat. The Project site is located adjacent to residential development. The Project site does not feature landscape/topography that typically facilitates wildlife movement such as a canyon, ridgeline, or riparian corridor. The Project site is not a part of a regional or local wildlife corridor.

### ***Federal Migratory Bird Treaty Act***

Under the Migratory Bird Treaty Act (MBTA), it is unlawful, except as permitted by the U.S. Fish and Wildlife Service (USFWS), to “take, possess, transport, sell, purchase, barter, import, or export all species of birds protected by the MBTA, as well as their feathers, parts, nests, or eggs. Take means to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect (50 CFR 10.12).” It is important to note that “take” as defined under the federal MBTA is not synonymous with “take” as defined under the federal Endangered Species Act (ESA). The MBTA definition of “take” lacks a “harm and harassment” clause comparable to “take” under the ESA, thus, the MBTA authority does not extend to activities beyond the nests, eggs, feathers, or specific bird parts (i.e., activities or habitat modification in the vicinity of nesting birds that do not result in “take” as defined under the MBTA are not prohibited).

The Biological Resources Assessment for the FEIS found that no nesting migratory birds were observed. The Project site is covered with a moderate growth of weeds and grass with no suitable nesting habitat existing on the site. Due to the lack of vegetation within the project action area, the Project site only has the potential to be utilized by a very limited amount of ground nesting regionally common migratory birds that are protected under the federal MBTA. Similarly, due to the lack of trees, the Project site does not support potentially suitable nesting raptor habitat.

### ***Vegetation***

The entire Project site vegetative community and wildlife habitat was identified as barren in the FEIS. Barren land is un-vegetated, including bare, sandy areas in the floodplain of the San Jacinto River and old bladed lots. Patches of non-native, invasive annuals were observed in portions of the barren areas during the September 2019 site visit.

No federal wetlands occur on the Project site. No critical habitats are located within or immediately adjacent to the Project site.

### ***Western Riverside County Multiple Species Habitat Conservation Plan***

The Western Riverside County MSHCP serves as a Habitat Conservation Plan pursuant to Section 10(a)(1)(B) of the federal Endangered Species Act of 1973 (ESA), as well as a Natural Communities Conservation Plan (NCCP) under the NCCP Act of 2001. The plan area for the Western Riverside County MSHCP encompasses 1.26 million acres (1,966 square miles) and includes all unincorporated Riverside County lands west of the San Jacinto Mountains and the Cities of Hemet and San Jacinto. The Soboba Reservation is not subject to MSHCP enforcement, as the Tribe is not a signatory to the plan. The Western Riverside County Regional Conservation Authority (WRCRCA) is delegated ESA permit authority on proposed developments. As part of the Fee-to-Trust Project, the Tribe transferred 125- acres to the WRCRCA for conservation and management to mitigate for potential effects to MSHCP habitat, species, and linkages.

## **3.4.2. Environmental Consequences**

### ***Proposed Action***

#### **Habitats/Vegetation Communities**

The Proposed Project would impact barren habitat. The loss of these onsite low-quality habitats that are not federal wetlands and do not support federally listed species would not be significant. No habitat mitigation is required for the Proposed Action.

Potential indirect impacts such as an increase in noise and artificial lighting from the clinic building and parking lot that may spill into the adjacent offsite habitats may occur from the operation of the proposed health clinic development; however, these potential impacts are not significant, because the surrounding habitats also do not support federal wetlands or federally listed species.

### **Wildlife/Federally Threatened and Endangered Listed Species**

Due to the disturbed nature of the area, few wildlife species would be impacted by the Proposed Action. Impacts to wildlife would not be significant.

No federally listed animal or plant species occur or are expected to occur onsite based on a lack of suitable habitat, conditions, and/or known records in project vicinity and thus no federally listed animal or plant species would be impacted or adversely affected by the Proposed Action.

Similarly, no federally designated or proposed critical habitat for any federally listed species occurs within the Project site and thus no critical habitat would be affected by the Proposed Action.

The Project site is located within the “action area” covered in the Biological Opinion (BO) for the Horseshoe Grande Fee to Trust Project. The Proposed Project will implement all applicable minimization measures, terms and conditions identified in the BO to mitigate adverse effects on biological resources.

### **Wildlife Corridors**

The Project site does not support a regional or local wildlife movement corridor and thus no wildlife corridors would be impacted by the Proposed Action.

### **Impacts Under the Federal Migratory Bird Treaty Act**

The Project site does not have the potential to be utilized by nesting regionally common migratory birds that are protected under the federal MBTA. Due to the lack of vegetation and specifically larger trees, the Project site does not support potentially suitable nesting raptor habitat.

### ***No Action Alternative***

Under the No Action Alternative, the replacement health clinic and commodity distribution center would not be constructed and there would be no disturbance at the Project site. Current vegetation and wildlife conditions would continue as they are. There would be no disturbance to the Project site and no biological resources would be impacted. The Project site would remain in a vacant/barren and disturbed condition or it could be developed with other allowed uses. Health care and food distribution services would continue to be provided at the existing clinic location. No Action Alternative would have no adverse biological resource impacts.

## **3.5. Cultural and Paleontological Resources**

The following describes the existing cultural and paleontological resources conditions that occur within the Project site and general vicinity. Information on the existing setting was obtained from the Final Environmental Impact Statement (FEIS) for the Soboba Band of Luiseño Indians Horseshoe Grande Fee to Trust Project (BIA, 2013) and the Geotechnical Investigation for the Soboba Community Services Center (GeoCon, 2017).

The term “historic properties” refers to a wide array of resources that includes prehistoric or historic districts, sites, buildings, structures, or objects included in, or eligible for inclusion in the National Register of Historic Places (NRHP).

### 3.5.1. Affected Environment

The Area of Potential Effects (APE) for direct impacts resulting from the Proposed Action includes all areas of potential ground disturbing activities (Figure 2-1). The vertical APE will extend up to 5-feet below ground surface for site preparation activities and installation of the utilities. As noted in Section 3.1 (Land Resources), the Project site has been highly disturbed by partial grading in 2002 (GeoCon, 2017). Since that time, several internal streets/access roads have been constructed/paved; utilities such as streetlights and fire hydrants have been installed, and the Soboba Fire Station has been constructed.

Riverside County’s paleontological sensitivity map indicates that the Project Site is located in a region with high paleontological sensitivity. However, as noted above, the Project site is highly disturbed.

### 3.5.2. Regulatory Framework

#### *Cultural Resources*

According to 36 CFR 60.4 - Criteria for Evaluation, a historic resource is listed or considered eligible for listing on the NRHP if it meets one of the following criteria:

- Criterion A:** the resource is associated with events that have made a contribution to the broad pattern of our history;
- Criterion B:** the resource is associated with the lives of people significant in our past;
- Criterion C:** the resource embodies the distinct characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or,
- Criterion D:** the resource has yielded, or is likely to yield, information important in prehistory or history.

Recommendations for site NRHP eligibility are presented in reports and site recordation forms. A site determined to be eligible for the NRHP is a site that would need to be mitigated if adversely affected by an undertaking <sup>(3)</sup>. Cultural Resources found to be ineligible for the NRHP are not, by definition, Historic Properties and would not require further consideration if affected by the

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<sup>3</sup> Undertaking means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval (36 CFR 800.16).

undertaking. Eligibility determinations are made by the federal lead agency and reviewed by the appropriate SHPO or THPO for concurrence. Comparatively few sites are formally nominated to the NRHP due to the lengthy and labor-intensive nomination process. Typically, if a site is evaluated by the cultural resources consultant and determined by the lead federal agency to meet the eligibility criteria; and, if the SHPO/THPO concurs with this determination, the site will be avoided, or impacts mitigated without going through the nomination process.

According to 36 CFR§ 800.5, a proposed action would have an adverse effect on a historic property if it would directly or indirectly alter any of the characteristics that renders it eligible for inclusion in the NRHP. Adverse effects include:

- Physical destruction of or damage to all or part of the property;
- Alteration of a resource, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary of Interior's Standards and Guidelines for the Treatment of Historic Properties (36 CFR§ 68);
- Removal of the property from its historic location;
- Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the resource's significant historic characteristics;
- Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a resource of religious and cultural significance to an Indian Tribe; and,
- Transfer, lease, or sale of the resource out of federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the resource's historic significance.

### ***Tribal Consultation and Coordination***

Branches of the Federal Government are required to consult with Native American tribes for federal undertakings that may affect historic properties for which they attach religious and cultural significance. This requirement is stipulated under the National Historic Preservation Act: at 36 CFR Part 800.2(c)(2)(ii).

### ***Agency Compliance With Section 106 of the NHPA***

The BIA has previously consulted with the SHPO concerning land acquisitions that overlap the site for the replacement health clinic and commodity distribution center. In 2008, the SHPO concurred with BIA's determination of No Historic Properties Affected for the Horseshoe Grande

Fee-to-Trust transfer. No further consultation under Section 106 is necessary, as it would be duplicative of past consultation efforts and results.

### ***Paleontological Resources***

While the Project Area is located in a region with high paleontological sensitivity, construction associated with the Project is not anticipated to result in significant adverse effects to paleontological resources. Preliminary soil borings advanced between approximately 26 and 51 feet below the existing ground surface did not encounter bedrock. Potential paleontological resources would only be expected at depths where bedrock is encountered. Soil grading and earthwork operations are not planned at depths where bedrock is present. In addition, the Project site was partially graded in 2002 and underwent substantial additional subsequent grading activities with the construction of the Soboba Fire Station in late 2018 and early 2019. Therefore, potential paleontological resources will not be disturbed.

### **3.5.3. Environmental Consequences**

#### ***Proposed Action***

The FEIS for the Soboba Band of Luiseño Indians Horseshoe Grande Fee to Trust Project, as well as the previous EA for the Horseshoe Property, determined that the Proposed Action would not have an effect on any known significant archaeological or historical resources. The FEIS also included mitigation measures for the inadvertent discovery of previously unknown archaeological resources. The proposed Soboba Health Clinic Replacement Project would not impact any sites that are potentially eligible or eligible for the National Register of Historic Places.

While the Project Area is located in a region with high paleontological sensitivity, construction associated with the project is not anticipated to result in significant adverse effects to paleontological resources. Potential paleontological resources would only be expected at depths where bedrock is encountered. Soil grading and earthwork operations are not planned at depths where bedrock is present; therefore, potential paleontological resources would not be disturbed.

#### ***No Action Alternative***

Under the No Action Alternative, the replacement health clinic and commodity distribution center would not be constructed, and no ground disturbance would occur. The Project site would continue in its present use or could be developed with other allowed uses. Health care and food distribution services would continue to be provided at the existing clinic location. The No Action Alternative would have no effect on historic properties or paleontological resources.

### 3.6. Socioeconomics and Environmental Justice

#### 3.6.1. Affected Environment

##### *Demographic and Economic Characteristics*

The Project site is located in Riverside County in southern California. The nearest population center to the Project site is the City of San Jacinto.

Table 3.6-1 shows 2000, 2010 and 2017 population estimates for the Soboba Reservation, the City of San Jacinto, Riverside County as a whole, and for the state of California. Over the 17-year period from 2000 to 2017, population on the Reservation and within the City of San Jacinto increase at rates of 3.4 percent and 4.4 percent per year, respectively. Over the same period, population growth within Riverside County grew at a rate of 2.7 percent per year and population within the State grew at a rate of 1.0 percent per year.

It is estimated that the Reservation population is expected to reach between 915 and 1,049 people in 2020, and by the year 2030, the population is expected to be somewhere between 1,144 and 1,345 (BIA, 2013). By 2050, the expected population will fall between 1,540 and 2,596.

**TABLE 3.6-1. REGIONAL POPULATION, 2000 TO 2017**

Location	2000	2010	2017	Net Change	Trend <sup>(1)</sup>
Soboba Reservation <sup>(a) (b) (c)</sup>	522	332	891	+ 369	3.4%
City of San Jacinto <sup>(a) (d)</sup>	23,779	44,199	47,560	+ 23,781	4.4%
Riverside County <sup>(d)</sup>	1,545,387	2,189,641	2,382,640	+ 837,253	2.7%
California <sup>(d)</sup>	33,873,086	37,253,956	39,500,973	+ 5,627,887	1.0%

Note: (1) Denotes change per year

Source: (a) BIA, 2013. (b) U.S. Census Bureau, 2010. (c) California, 2018.

A comparison of the ethnic makeup of the Reservation in 2017 to the ethnic makeup of Riverside County and the State of California in 2017 is presented on Table 3.6-2. For the purposes of this analysis, a minority population consists of any geographic area in which minority representation is greater than the national average of 30.7 percent. Minorities include individuals classified by the U.S. Census Bureau as Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and other Pacific Islander, Hispanic or Latino, and those classified under “two or more races.” Hispanics may be of any race and are excluded from the totals for individual races to avoid double counting.

As shown on Table 3.6-2, ethnic minorities make up a 49.38 percent minority of the Reservation’s population. The ethnic makeup of Riverside County was 61.59 percent White and 38.41 percent minority. Although the population of the County is predominantly white, it reflects a similar level of diversity, when compared to the State of California and the US as a whole.

**TABLE 3.6-2. 2017 POPULATION BY RACE**

Population by Race	Soboba Band of Luiseño Indians Reservation <sup>(1)</sup>		Riverside County <sup>(1)</sup>		California <sup>(1)</sup>		United States <sup>(1)</sup>	
	Persons	%	Persons	%	Persons	%	Persons	%
White	451	50.61%	1,450,473	61.59%	23,607,242	60.56%	235,507,457	72%
Black/African American	5	0.56%	148,960	6.33%	2,263,222	5.81%	41,393,491	13%
American Indian/Alaskan Native	260	29.18%	19,865	> 1%	292,018	> 1%	2,726,278	1%
Asian	17	1.91%	148,213	6.29%	5,503,672	14.12%	18,215,328	6%
Native Hawaiian/Pacific Islander	0	0.00%	6,863	> 1%	152,027	> 1%	608,219	0%
Some Other Race (Hispanic)	46	4.16%	474,855	20.16%	5,329,952	13.67%	16,552,940	5%
2+ Races	112	12.57%	105,773	4.49%	1,834,714	4.71%	21,430,930	7%
<b>TOTAL PERSONS</b>	<b>891</b>		<b>2,355,002</b>		<b>38,982,847</b>		<b>325,719,178</b>	
<b>TOTAL MINORITY</b>	<b>440</b>	<b>49.38%</b>	<b>904,529</b>	<b>38.41%</b>	<b>15,375,605</b>	<b>39.44%</b>	<b>90,211,721</b>	<b>28%</b>

Source: (1) US Census Bureau, 2017.

The US Census Bureau reported that Riverside County had a 2017 population of 2,355,002 and the total population on the Reservation was estimated at 891 persons.

Of this total, 87.5 percent of the population is over the age of 16; 30.6 percent are working in civilian jobs; and 69.4 percent are not in the labor force. Approximately 8.2 percent of all families on the Reservation are below the poverty level, compared to 12.0 percent of families in Riverside County and 11.1 percent state-wide.

The 2017 median household income for persons residing on the Soboba Reservation was \$46,696, compared to \$60,807 for Riverside County and \$67,169 for the state of California (US Census Bureau, 2017).

***Environmental Justice***

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, requires Federal agencies to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations in the United States. Because, as shown on Table 3.6-2, the Soboba Reservation has a higher minority population than the national average, it is considered to be an Environmental Justice Community.

### **3.6.2. Environmental Consequences**

#### ***Proposed Action***

##### **Economic Impacts**

Approximately 80 workers would be required for construction of the Proposed Project. Construction contractors will be encouraged to give Tribal members living within or near the boundaries of the Soboba Reservation preference in employment. The RSBCIHI is further encouraged to select Indian-owned companies for contracts and employ tribal members to the maximum extent possible. Benefits to the local economy would be seen through increased wages, overhead expenses, materials costs, and profit. Local commercial and service entities in the community could expect to see some short-term, minor increase in activity related to expenditures by workers that are not from the area. Construction employment would be limited and temporary and does not represent a permanent change in local employment.

Currently, the Soboba Indian Health Clinic is staffed with 45 full time employees. Over the next 10 years, it is anticipated that 2 to 3 new staff persons would be added annually; for a total of 10 to 15 new employees. This increase would not be appreciable and overall, the impact on the local economy would be minor, beneficial and temporary.

##### **Social Impacts**

The provision of a replacement health clinic and commodity distribution center would be beneficial toward improving the health and environment of eligible Native Americans and their families living in Riverside or San Bernardino counties which would enhance the long-term social vitality of these areas.

##### **Environmental Justice**

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, requires Federal agencies to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations in the United States. Even though minority and low-income populations are located near the Project site, no high and adverse “human health impacts” are anticipated as a result of the construction or operational of the Proposed Project.

In terms of adverse “environmental impacts”, construction of the Proposed Project would subject neighboring properties to increased construction-related air quality emissions and noise levels. Section 3.3 (Air Quality) found that the construction emissions would be far below SCAQMD’s significance thresholds, such that adverse air quality impacts would be temporary and minor. Emissions during site preparation (i.e., scraping/grubbing/clearing) would exceed the LST limits

for PM<sub>10</sub> and PM<sub>2.5</sub>. Implementation of Mitigation Measure AQ-1 would reduce temporary construction emissions and avoid an exceedance of the LSTs for fugitive dust.

Additionally, construction of the Proposed Project could result in temporary noise levels that exceed 75 dBA at neighboring properties. This temporary adverse effect would fall disproportionately on the low income and minority population on the Reservation. However, construction noise impacts would be temporary and would be reduced through implementation of noise mitigation measures N-1, N-2, N-3 and N-4. These measures would require the use of electric powered construction equipment, limiting the number of construction vehicles operating simultaneously near sensitive receptors, provide 24 hours advanced notice to neighbors when construction activities that could result in substantial noise levels are planned, and implement a noise control plan/noise control monitoring program to ensure construction noise levels do not exceed 75 decibels over a 12-hour period at the nearest sensitive receptors. No additional mitigation would be required.

### *No Action Alternative*

Under the No Action alternative, the replacement health clinic and commodity distribution center would not be constructed. The Project site would continue in its present use or could be developed with other allowed uses. Health care and food distribution services would continue to be provided at the existing clinic location. Therefore, no new construction-related employment opportunities would be created. No additional wages or benefits would be generated or spent in the local economy and no beneficial social impacts from improving the health of eligible Native Americans and their families would be realized.

## **3.7. Resource Use Patterns**

### **3.7.1. Proposed Action**

#### *Hunting, Fishing and Gathering*

The Project site is not currently utilized for traditional gathering and hunting. Implementation of the Proposed Project would not cause adverse effects to hunting, fishing, or gathering resources.

#### *Timber Harvesting*

The Project site does not contain merchantable timber stands. Implementation of the Proposed Project would not cause adverse effects to commercial timber resources.

#### *Agriculture*

Commercial agriculture does not occur on the Project site. While the NRCS Soils Survey identifies the following soils on the Project site, it does not account for the grading activities that have been conducted which have resulted in the disturbance, removal and/or covering of these soil units.

**TABLE 3.7-1. NCRS SOILS ON THE PROJECT SITE**

Soil Map Symbol	Map Unit   Name	Farmland Classification
Cf	Chino silt loam, drained, saline-alkali	Statewide Importance
GtA	Grangeville fine sandy loam, drained, 0-2% slopes	Prime Farmland if irrigated and drained
MhB	Metz loamy fine sand, sandy loam substratum, 0-5% slopes	Prime Farmland if irrigated
SeC2	San Emigdio fine sandy loam, 2-8% slopes, eroded	Prime Farmland if irrigated

Source: NCRS Web Soil Survey, 2019.

Because the Project would not convert farmland to non-agricultural use, the Farmland Protection Policy Act (FPPA) does not apply. Implementation of the Proposed Project would not cause adverse effects to agricultural uses.

***Mineral Extraction***

Commercial mining is not a current land use activity within the Project site. Mineral resources in the Project Site and surrounding area include sand and gravel, limestone, quarry rock, and geothermal resources (hot springs). Over seven million tons of high-quality sand and gravel were mined on the Reservation from the San Jacinto River flood plain between 1986 and 2006, when the mine was closed (BIA, 2013). The volume of remaining sand and gravel deposits on the Reservation adjacent to the existing gravel pit probably exceeds the amount mined to date, and similar deposits underlie the valley portion of the Project Site. The land is much more valuable in its unmined condition, however, and the Tribe has no intention to mine sand and gravel on the Project Site. No activity proposed under this Project is anticipated to cause significant adverse effects to the surface mineral resources.

***Recreation***

Recreational activities in the vicinity of the Project site include the Soboba Springs Golf Course and Country Club and the Soboba Casino Resort. The resort includes a new hotel, 2,000 slot machines, table games, and restaurants. The Proposed Project would not affect existing, nor generate the need for new/expanded recreational facilities.

**3.7.2. No Action Alternative**

Under the No Action alternative, the replacement health clinic and commodity distribution center would not be constructed. The Project site would continue in its present use or could be developed with other allowable uses. Health care and food distribution services would continue to be provided at the existing clinic location and resource use patterns would remain unchanged. No impacts related to resource use patterns would occur beyond existing conditions with the No Action Alternative.

## **3.8. Transportation**

### **3.8.1. Affected Environment**

Regional access is provided by State Route 79, which travels in a general north-south direction, or State Route 74, which travels in a general east-west direction. They are located approximately 1.9 miles (3.0 km) east and 2.5 miles (4.0 km) south of the Project site, respectively. Local access to the Project site is provided by Soboba Road and Soboba Trail Road. Soboba Road is a north-south two-lane undivided roadway, which is currently being improved to its ultimate half-section width as a Secondary Highway (100-foot right-of-way) as mitigation for the Horseshoe Grande Fee to Trust Project to ensure acceptable operating conditions (BIA, 2015). Soboba Trail Road private a is a two-lane east-west road and is accessed from a dedicated right-turn lane from Soboba Road. An additional private road to the Project site from the Soboba Springs Mobile Estates is provided off of Soboba View Drive. With the traffic improvements required by the Horseshoe Grande Fee to Trust Project, roadways and intersections in the project area operate at acceptable levels of service.

### **3.8.2. Environmental Consequences**

#### ***Proposed Action***

Vehicle trips generated by the existing clinic were estimated using staffing numbers, facility operation schedules and patient appointment data from 2018. Specifically, permanent on-site staff included 20 full-time employees in 2018. Because the clinic is closed on weekends and holidays, a total of 253 working days were assumed in 2018. The approximately 5,000 patient appointments recorded in 2018 were divided by the number of days the existing facility was open ( $5,000 \text{ patients} \div 253 \text{ days} = 19.7 \text{ patients per day}$ , rounded to 20). Each patient and each staff person were assumed to make two round vehicle trips resulting in 130 average daily trips (ADT) [ $(45 \text{ staff vehicle trips/day} + 20 \text{ patient vehicle trips/day}) \times 2 = 130 \text{ vehicle trips/day}$ ].

To calculate trips that would be generated by the replacement clinic, volumes from the existing clinic were increased by a factor of 2.5 because the replacement clinic would be larger than the existing clinic by a factor of 2.5. After applying a “credit” for trips generated by the existing health clinic, and adding trips generated by the commodity facility, the Proposed Project is estimated to generate an additional 220 ADT, with 14 of those trips occurring during the AM peak hour, and 20 occurring during the PM peak hour (Table 3.8-1).

**TABLE 3.8-1. PROJECT TRIP GENERATION**

Land Use	Size	ADT	AM Peak Hour <sup>(1)</sup>			PM Peak Hour <sup>(1)</sup>		
	(SF)		IN	OUT	TOTAL	IN	OUT	TOTAL
Replacement Health Clinic	44,000	325	17	4	21	8	20	28
Credit for Existing Clinic	(17,500)	(130)	(7)	(2)	(9)	(3)	(8)	(11)
Commodity Facility	12,300	25	1	1	2	1	2	3
<b>NET INCREASE</b>	<b>38,800</b>	<b>220</b>	<b>11</b>	<b>3</b>	<b>14</b>	<b>6</b>	<b>14</b>	<b>20</b>

Note: (1) Rates based on ITE Trip Generation, 10th Edition.  
Source: BRG Consulting, Inc., 2019.

The net increase of 220 daily trips and 34 peak hour trips would not affect operations on any affected street segment or intersection. Potential impacts on local transportation and circulation patterns near the Project site would be negligible.

***No Action Alternative***

Under the No Action Alternative, the replacement health clinic and commodity distribution center would not be constructed, and no transportation impacts would result. The Project site would continue in its present use or could be developed with allowed uses. Healthcare and food distribution services would continue to be offered at the existing site. The No Action Alternative would have no transportation impacts.

**3.9. Other Resources**

**3.9.1. Affected Environment**

***Hazardous Materials***

A Phase I Environmental Site Assessment was prepared for the Horseshoe Grande Fee to Trust Project in July 2007 (BIA, 2013). No Recognized Environmental Conditions were identified for the Project site. Since that time, the Project site has undergone rough grading as part of the construction of the Soboba Fire Station in late 2018/early 2019.

Based upon review of the following data resources that provide information regarding the facilities or sites identified as meeting the “Cortese List” requirements the Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and is not located near known hazardous waste sites or non-contaminated permitted facilities including gas stations, underground storage tanks, or land disposal sites:

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database  
<https://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&reporttype=CORTE>

[SE&site\\_type=CSITES,OPEN,FUDS,CLOSE&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST\)](#)

- List of Leaking Underground Storage Tank Sites by County and Fiscal Water Board Year from State Water Resource Control Boards GeoTracker database (<https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=23121+Soboba+Road+San+Jacinto+California>)
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit (<https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/SiteCleanup-CorteseList-CurrentList.pdf>)
- List of “active” Cease and Desist Orders and Cleanup and Abatement Orders from California State Water Board (<https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/SiteCleanup-CorteseList-CDOCAOList.xlsx>)

No recognized environmental conditions have been identified within 1 mile of the Proposed Project site.

### ***Medical Waste***

Virtually every medical facility, including health clinics, generate medical wastes to one degree or another. Pursuant to the State of California’s Medical Waste Management Act of 2017 (Sections 117600-118360 of the California Health and Safety Code [HSC]), a “large quantity generator” is defined as a “medical waste generator, other than a trauma scene waste management practitioner, that generates 200 or more pounds of medical waste in any month.” Small-quantity generators fall under 200 pounds per month (California Department of Health, 2017).

Pursuant to HSC Section 117960, medical generators are required to file a “medical waste management plan” with the County of Riverside Department of Environmental Health (DEH). This plan serves to disclose the types and amounts of medical waste generated by a site; how the waste will be handled, stored or shipped; as well as specify the onsite waste treatment methods used to render the waste non-hazardous prior to disposal (if applicable), for example through steam sterilization, incineration, etc. The plan must also address the storage and disposal of sharps, biohazardous substances, radioactive waste, chemotherapeutics, human tissues, etc., as well as mixed wastes (containing both medical and non-medical waste types). The existing Soboba Indian Health Clinic has a Medical Waste Management Plan (MWMP) on file with DEH, which identifies the facility as a “small quantity generator”. Types of waste generated include laboratory wastes, blood or bodily fluids wastes, sharps waste and pharmaceutical wastes. The estimated quantity generated is 20 pounds per month. The MWMP describes the methods used in the handling, segregation, containment, and storage of medical wastes. It also identifies the labeling, containment, and disinfection procedures used, as well as the emergency action plan to be implemented in the event of treatment system breakdowns, spills, etc. Hazardous waste is hauled, treated and disposed by Stericycle, Inc.

## *Noise*

### **Noise Definitions and Overview of Sound Measurements**

Noise is defined as unwanted sound. The degree to which noise disturbs others can be subjective and depends upon its intensity. The loudness of a sound is measured in units called decibels (dB). “A-weighted” decibel (dB(A)) measurements are used to characterize sound levels that can be sensed by the human ear. “A-weighted” denotes the adjustment of the frequency content of a noise event to represent the way in which the average human ear responds to the noise event. The EPA identifies 24-hour exposure levels in excess of 45 dBA indoors and 55 dBA outdoors as interfering with activities and causing annoyance (USEPA, 1974). Levels below these noise thresholds permit spoken conversation and other activities such as sleeping, working, and recreation.

The County of Riverside has General Noise Regulations at Chapter 7.35.010 and 7.35.020 of the Code of Ordinances (Code) which indicate construction and other reasonable noise activity is acceptable during the hours of 7:00 AM to 7:00 PM on weekdays (County of Riverside, 2018a). Additionally, Nuisance Exterior Sound Level Limits, contained in Chapter 7.25.010 of the Code, makes it unlawful for any person to cause or allow the creation of any exterior noise level, measures at the property line of a residential use to exceed 55 dBA during the day (7:00 AM to 10:00 PM) and 45 dBA at night (10:00 PM to 7:00 AM) (County of Riverside, 2018b).

Although the County’s Noise Regulations do not apply on Reservation lands, both the EPA and the County’s noise exposure limits are considered in the assessment of potential noise effects.

Noise levels typically attenuate (or drop off) at a rate of 6 dBA per doubling of distance from the source. Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dBA per doubling of distance. Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by 5 to 10 dBA.

In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. Two measurements used by government agencies to relate the time-varying quality of environmental noise to its known effect on people are the equivalent noise level (Leq) and the day-night sound level (Ldn). The Leq considers both duration and sound power level and is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). Typically, Leq is summed over a one-hour period. Maximum Sound Pressure Level (Lmax) is the highest root mean squared (RMS) sound pressure level within the measuring period, and Minimum Sound Pressure Level (Lmin) is the lowest RMS sound pressure level within the measuring period.

### **Sensitive Receptors**

Sensitive receptors are facilities that house or attract children, the elderly, and people with illnesses or others who are especially sensitive to the effects of noise. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors. The nearest sensitive receptors are the mobile home residences located within 25 feet of the Project site across Soboba View Drive. Additional residences are located 2,500 feet west of the Project site, across the San Jacinto River.

### **Existing Noise Sources**

The noise environment surrounding the Project site is influenced primarily by vehicular traffic and emergency vehicle sirens at the Fire Station.

### ***Visual Resources***

The Project site was partially graded in 2002 and underwent substantial additional subsequent grading activities with the construction of the Soboba Fire Station in late 2018 and early 2019. Grading activities included rough grading of the entire site as well as over-excavation and re-compaction of replacement health clinic and commodities building pads, all street improvements and utility stub-outs. Patches of non-native, invasive annuals were observed in portions of the barren areas during the September 2019 site visit. Public views of the Project Site from Soboba Road are obscured by buildings and topography. The site can be viewed from the Soboba Trails Road (a private road adjacent to the site) as well as from private residences in the adjacent mobile home park.

### ***Public Services and Utilities***

Public services and utilities provided in the project area include fire protection services, police protection, schools, public parks, water, wastewater, electricity and natural gas

### **Fire Protection**

Fire protection and emergency services for the Project site would be provided by the Soboba Fire Department, from the Main Fire station located immediately adjacent to the project site, at 23121 Soboba Road. This new facility, opened in 2019 is equipped with three vehicles: Engine 1, Brush Engine and a Tractor-Driven Truck also known as a Tiller Engine.

### **Police Protection**

Under PL 280, the Riverside County Sheriff's Department (RCSD) and California Highway Patrol (CHP) are responsible for responding to emergencies on the Reservation, and would be responsible for calls to the Project Site. The police station nearest the project site is located approximately 3.25 miles to the south at 43950 Acacia Avenue in Hemet. The County provides an officer-to-

population ratio of approximately 1 per 1,000 population with a stated goal of reaching 1.2 officers per 1,000 population by 2018.

### **Schools**

Riverside County operates approximately 450 schools, which are divided into 26 districts. According to the California Department of Education, public education services were provided to approximately 428,500 students from kindergarten to 12th grade during the 2018-2019 school year in Riverside County (California Dept. of Education, 2020). The San Jacinto Unified School District, composed of 15 schools, is the district nearest the Project Site and served approximately 11,600 students during the 2018-2019 school year. Additionally, the Noli Indian School, an alternative school for Native American high school and middle school, serves students from over 20 tribes. Students commute from Riverside, San Bernardino, Imperial and San Diego counties (ACS, 2019).

### **Public Parks**

Riverside County owns and maintains a wide range of parks and community facilities. The public park nearest the Project site is the City of San Jacinto's Durango Park with picnic benches, tot lot, and grassy areas. The park is located approximately one mile west of the Project site.

### **Water, Wastewater, Electricity and Natural Gas**

As depicted on Figure 2-3, utility stub outs for water, wastewater collection, electricity and natural gas are located within Soboba Trails Road.

## **3.9.2. Environmental Consequences**

### ***Proposed Action***

#### **Hazardous Materials**

##### **Construction**

The construction of the Proposed Project would generate construction debris waste, which would require proper disposal or reuse. The Project site is vacant of structures and therefore, demolition activities are not required. Construction of the facility is estimated to take approximately six months, and would begin with site preparation, foundations, and utilities installation.

Any hazardous waste generated during construction (e.g. motor oil, cleaning chemicals, solvents, paints, glues, degreasers, and caulking compounds, etc.) would be collected in hazardous waste accumulation containers near the point of generation and moved daily to the general contractor's 90-day hazardous waste storage area located onsite. The accumulated waste would be transported by an authorized waste transporter to an off-site waste management facility authorized to accept

the waste. Hazardous waste would be recycled or managed and disposed of properly in a licensed Class I waste disposal facility authorized to accept the waste.

Any non-hazardous construction debris that cannot be reused or recycled will be disposed of by a licensed solid waste hauler. The construction contractor would be responsible for ensuring that the waste material generated is properly disposed. Portable restrooms for employee use during the construction period would be provided and maintained by a private contractor.

### Operations

Solid waste generated from operation activities would be disposed of by a licensed solid waste hauler. Hazardous waste would consist of flashlight batteries and fluorescent lamp bulbs, which can be recycled through a local recycling program.

The Soboba Indian Health Clinic has an existing Medical Waste Management Plan on file with the Riverside County DEH. This Plan would be updated and modified, as necessary to reflect operations at the replacement health clinic and provided to DEH for review and approval.

The overall impacts of hazardous materials and waste management from the Proposed Action would be localized and negligible.

### Noise

#### Operational Noise

Operation of the replacement health clinic and commodity distribution center is anticipated to have a negligible impact on noise levels. The hours of operation would be Monday, Tuesday and Thursday, from 8:00 AM to 5:00 PM, Wednesday from 8:00 AM to 7:00 PM and Fridays from 8:00 AM to 2:00 PM. Additionally, the new health clinic and commodity distribution center would be set back from Soboba View Drive, and vehicle noise associated with the new facility would only contribute an insignificant amount over the background levels of traffic noise that currently exists in the area.

#### Construction Noise

Construction activities would be limited to the daytime hours consistent with the County of Riverside's General Noise Regulations at Chapter 7.35.010 and 7.35.020 of the Code of Ordinances. The main sources of short-term noise impacts during construction activities would include heavy machinery used during site preparation at the Project site, as well as equipment used for construction. Table 3.9-1 shows the typical noise levels associated with heavy construction equipment. As shown, average noise levels at construction sites can range from about 81 to 95 dBA at 25 feet from the source, depending upon the types of equipment in operation at any given time and phase of construction.

**TABLE 3.9-1. TYPICAL CONSTRUCTION EQUIPMENT NOISE LEVELS (IN DBA)**

Equipment Onsite	Distance from the Source							
	25 Feet	50 Feet	100 Feet	200 Feet	400 Feet	800 Feet	1,600 Feet	3,200 Feet
Air Compressor	84	78	64	58	52	46	40	34
Backhoe	84	78	64	58	52	46	40	34
Bobcat Tractor	84	78	64	58	52	46	40	34
Bulldozer	88	82	76	70	64	58	52	46
Concrete Mixer	85	79	73	67	61	55	49	43
Dump Truck	82	76	70	64	58	52	46	40
Jack Hammer	95	89	83	77	71	65	59	53
Man Lift	81	75	69	63	57	51	45	39
Pavement Roller	86	80	74	68	62	56	50	44
Street Sweeper	88	82	76	70	64	58	52	46

Based upon the Proposed Site Plan (Figure 2-1), construction operations would occur near the western property line (the location closest to sensitive receptors) while other operations could occur as far as 600 feet from the same property line along the eastern property boundary.

If during site preparation and finish grading several pieces of construction equipment were working simultaneously generally near the western site boundaries over an 8-hour workday, the 8-hour Leq could exceed the 75-dBA average at the edge of the mobile home park. Because it is difficult to predict what equipment would be used on the site, where it would be used and for how long each day, construction of the project could result in minor adverse short-term noise impacts. Noise mitigation noted in Section 3.9.3 would minimize temporary construction noise impacts.

**Visual Resources**

Minor short-term visual impacts to neighboring properties are anticipated during the construction of the project. The proposed project would introduce new visual elements of the clinic and food distribution center structures, hardscape, and landscaping. However, long-term impacts resulting from the change in visual character of the project site would be reduced by the proposed structures’ architectural design and landscaping that would be in harmony with the scale, form, line, color, and texture of the Fire station. Long-term adverse visual impacts are considered to be minor.

**Public Services and Utilities**

The Riverside County Sheriff’s Department and the Soboba Fire Department have sufficient manpower and resources to respond to emergencies at the Project site. Impacts to police and fire services resulting from the Proposed Project would be negligible.

Impacts to schools and public parks are related to project-related population increases. The Proposed Project would not result in a population increase in American Indian and Alaska Natives, but would improve the quality of health care and nutritional services for this demographic. Therefore, impacts to schools and public parks would be negligible.

Utilities required for the replacement health clinic and commodities building include potable water, wastewater treatment, electricity; natural gas; communications lines and cellular service.

Potable water to serve the Proposed Project would be obtained from the Tribally-owned Soboba Water Utilities which is the main domestic water system for the Reservation. This system is regulated by the EPA as a Community Water System (Public Water System No. 06000151) and complies with all EPA drinking water regulations (BIA, 2013). The Project would connect to existing 8" waterlines within Soboba Trails Road (see Figure 2-3). Wastewater service will be provided by the Eastern Municipal Water District (EMWD) and the Project would connect to existing 8" sewer lines within Soboba Trails Road (see Figure 2-3). Wastewater from the Proposed Project would be sent to Eastern Municipal Water District's San Jacinto Valley Regional Water Reclamation Facility. This facility maintains a capacity of 14 million gallons per day (gpd), with an approximate 7 million gpd in daily flow, leaving 7 million gpd in available treatment capacity <sup>(4)</sup>.

Operations of the Project will result in an increase in water and wastewater treatment demands compared to the current undeveloped site condition, however, this increase would be minimal and would not create the need for new or for additional water supply or wastewater treatment facilities.

Southern California Edison (SCE) provides electricity services in the project area and the Southern California Gas Company (SCGC) provides natural gas services. The Project would connect to electrical and natural gas lines within Soboba Trails Road (See Figure 2-3). Electrical and telephone infrastructure facilities are currently located on and near the project site. Various companies provide telephone and communication service to the area. An increase in the demand for energy is anticipated for the replacement clinic, however, this increase would be negligible and would not create the need for new or for additional energy supplies or generation. The Applicant would coordinate with service providers regarding the extension of services to the Project site. No utility service impacts would occur that would result in physical adverse impacts to the environment.

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<sup>4</sup> San Jacinto Valley Regional Water Reclamation Facility Newsletter No. 4, October 2016.

## *No Action Alternative*

### **Hazardous Materials**

Under the No Action Alternative, the replacement health clinic and commodity distribution center would not be constructed, and no hazardous materials impacts would result. Health care and food distribution services and the clinic would continue to operate under its existing Medical Waste Management Plan. The Project site would continue in its present use or could be developed with other allowed uses. Health care services would continue to be provided at the existing clinic location.

### **Noise**

Under the No Action Alternative, the replacement health clinic and commodity distribution center would not be constructed. The Project site would continue in its present use or could be developed with other allowed uses. Health care and food distribution services would continue to be provided at the existing clinic location. No construction or operational noise from mobile or stationary sources would occur.

### **Visual Resources**

Under the No Action Alternative, the replacement health clinic and commodity distribution center would not be constructed. The Project site would continue in its present use or could be developed with other allowed uses. Health care and food distribution services would continue to be provided at the existing clinic location no impact to visual resources at the Project site would occur.

### **Public Services and Utilities**

Since the replacement clinic and commodity distribution center would not be constructed under the No Action Alternative, no additional utility connections, constructions, or extensions would be necessary under this alternative. Use patterns and demands for public services and utilities would continue at current levels. Public emergency services would continue to operate under current conditions and demands. No impacts on public services or utilities are anticipated under the No Action Alternative.

## **3.9.3 Mitigation Measures**

### ***N-1 Electric Powered - Construction Equipment***

Electrical power would be used to run air compressors and similar power tools. Internal combustion engines would be equipped with a muffler of a type recommended by the manufacturer and in good repair. All diesel equipment would be operated with closed engine doors and would be equipped with factory-recommended mufflers. Stationary noise-generating equipment, such as generators and compressors, would be located as far as practically possible from the nearest residential property lines.

### ***N-2 Limit Operations Adjacent to Receivers***

Limit the number of large pieces of equipment (i.e., bulldozers or concrete mixers) operating adjacent to receivers to one at any given time.

### ***N-3 Neighbor Notification***

Provide notification to residences adjacent to the Project site at least 24 hours prior to the start of construction activities that could result in substantial noise levels at outdoor or indoor living areas. This notification would include the anticipated hours and duration of construction; a description of noise reduction measures being implemented; and a telephone number for local residents to call to submit complaints associated with construction noise.

### ***N-4 Noise Control Plan***

Construction contractors would develop and implement a noise control plan that includes a noise control monitoring program to ensure sustained construction noise levels do not exceed 75 decibels over a 12-hour period at the nearest sensitive receivers. The plan may include the following requirements:

- Turn off idling equipment.
- Perform noisier operations during the times least sensitive to receptors.
- All diesel equipment operated with closed engine doors and equipped with factory-recommended mufflers.
- Electrical power would be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or security staff facilities.
- For all noise-generating construction activities, additional noise attenuation techniques would be employed as necessary to reduce noise levels. Such techniques could include, but are not limited to, the use of sound blankets, noise shrouds and temporary sound barriers between construction areas and nearby sensitive receptors as specified in the noise control plan.

## **4.0 GROWTH INDUCING /INDIRECT EFFECTS**

### **4.1 Growth Inducing Effects**

Growth inducement may constitute a significant effect if the increased growth is not consistent with or accommodated by the land use and growth management plans and policies for the area affected. Local land use plans provide for development patterns and growth policies allow for orderly development supported by adequate public services and utilities such as water supply, roadway infrastructure, sewer services, and solid waste disposal services. A project that would

induce “disorderly” growth (i.e. would conflict with local land use plans) could indirectly cause adverse environmental or public service impacts.

Currently, the Soboba Indian Health Clinic is staffed with 45 full time employees. Over the next 10 years, it is anticipated that 2 to 3 new staff persons would be added annually; for a total of 10 to 15 new employees. This increase would not be appreciable. Therefore, the Proposed Project would not directly induce substantial population growth in the region. Analyses of the adequacy of local infrastructure and services are included in the discussion of environmental consequences for each proposed Alternative. No significant, unmitigated impacts have been identified that would result from the Proposed Project.

Utility infrastructure would not be improved or expanded to increase service availability to any areas beyond the Project site. Therefore, growth-inducing impacts for the Proposed Project would be negligible.

#### **4.2. Indirect Effects**

Analyses of the adequacy of local resources, infrastructure, and services are included in the discussion of environmental consequences for each Project Alternative. No significant, unmitigable impacts to resources have been identified that would result from the implementation of the Proposed Action/Proposed Project.

Any utility upgrades would be limited to connecting to existing electrical and/or gas lines and installation of the septic tank and leach field. Local utility providers have existing capacity to serve the Project site. A substantial number of new employees would not move to the community from out of the area; as such, no new housing, schools, or other facilities would be constructed as a result of development on the Project Site. There would be no change in off-site land use and no significant change in population density in the vicinity of the Project site.

It is anticipated that the building in which the existing Soboba Health Clinic is currently located would be reused for medical or professional office purposes, as permitted within the City of San Jacinto’s General Commercial Zone. Impacts associated with the future reuse of this building (i.e., traffic, air quality, public services and utilities) would be similar to those occurring the existing use and would be less than significant.

No significant adverse indirect effects to any environmental issue area would occur.

### **5.0 RELATIONSHIP BETWEEN SHORT-TERM USES OF MAN’S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY**

The Proposed Project would result in adverse, short-term impacts due to construction-related activities. Short-term impacts are those that would occur only during the period of construction,

and would then cease at the end, or shortly after the end, of construction. Long-term impacts are those that would occur throughout the operational life of the new/replacement health clinic and commodity distribution center.

Adverse short-term impacts to air quality would occur as a result of emissions from construction vehicles, commuting for construction workers, fugitive dust emissions from active grading and wind erosion of exposed soils. Emissions during site preparation (i.e., scraping/grubbing/clearing) would exceed the LST limits for PM<sub>10</sub> and PM<sub>2.5</sub>. Implementation of Mitigation Measure AQ-1 would reduce temporary construction emissions and avoid an exceedance of the LSTs for fugitive dust. Most of these impacts would cease at the end of construction. Fugitive dust emissions from erosion of exposed soils would continue for a short period after construction ceases, but decrease as revegetation of temporarily disturbed areas takes place. Following construction, minor adverse air quality impacts associated with operations would continue, but at a level reduced from that associated with construction. Both construction and operation-related emissions would be reduced through compliance with federal, state, and local regulations. None of the air quality resource impacts would occur with the No Action Alternative.

Socioeconomic impacts associated with the Proposed Project are expected to be beneficial, due to short term increases in construction employment. These beneficial impacts would be greatest during project construction, when employment levels are highest, and would then continue at a reduced level during project operations. There would be no beneficial socioeconomic impacts associated with the No Action Alternative.

The magnitude and type of adverse impacts to traffic from the Proposed Project would also change through time. The level of these adverse impacts would be at their highest during project construction, due to the highest levels of employment and equipment deliveries during this time. Once the Proposed Project became operational, adverse traffic impacts associated with increased vehicle trips from higher patient loads, but at a reduced level. No traffic impacts would occur with implementation of the No Action Alternative.

## **6.0 IRREVERSIBLE OR IRRETRIEVABLE COMMITMENTS OF RESOURCES**

Section 40 CFR 1502.16 of the NEPA regulations requires a discussion of any irreversible or irretrievable commitments of resources which would be involved in the Proposed Project.

Implementation of the Proposed Project would result in the consumption of energy as it relates to the fuel needed for construction-related activities. Given the limited size of the new/replacement health clinic and commodity distribution facilities, and the limited duration of construction, large amounts of gasoline and diesel fuel would not be required for project construction. Additionally, construction would require the manufacture of new materials, some of which would not be recyclable. The raw materials and energy required for the production of these materials would

result in an irretrievable commitment of natural resources. Operation of the Proposed Project would not cause a substantial increase in the consumption or use of non-renewable resources.

The No Action Alternative would not require any non-renewable resources to be consumed.

Construction and operation of the Proposed Project would require the use of a limited amount of hazardous materials such as fuel, lubricants, and cleaning solvents. All hazardous materials would be stored, handled, and used in accordance with Best Management Practices, and by compliance with applicable, federal, state, and local regulations, including a construction-phase SWPPP. Assuming appropriate implementation of these plans and practices, potential degradation of the environment due to accidental spills associated with the Proposed Project's use of hazardous materials would be minimized to the extent practicable.

The No Action Alternative would involve no irreversible use or irretrievable commitment of resources.

## **7.0 PUBLIC INVOLVEMENT AND AGENCY CONSULTATION**

### **7.1 Agencies, Organizations, and Persons Consulted**

The following agencies, organizations, and individuals received a copy of the Environmental Assessment and were invited to comment on its accuracy and adequacy during a 30-day review period. Copies of the Environmental Assessment and any technical appendices may be reviewed in the offices of Soboba Band of Luiseño Indians, RSBCIHI, BIA, and at the San Jacinto Public Library.

#### **Soboba Band of Luiseño Indians**

23904 Soboba Road, San Jacinto, CA 92583

#### **State of California**

California State Clearinghouse

#### **Local**

San Jacinto Public Library (5955 San Jacinto Avenue, San Jacinto, CA 92583)

A Notice of Availability (NOA) has been prepared for this EA and the draft Finding of No Significant Impact (FONSI). The NOA will be published in the Public Record Newspaper and sent to interested parties.

## **8.0 RESPONSIBLE FEDERAL OFFICIAL AND LIST OF PREPARERS**

### **Bureau of Indian Affairs**

Felix Kitto, Regional Environmental Analyst – DECRMS Branch Chief  
Chad A. Broussard, Environmental Protection Specialist

### **Riverside-San Bernardino County Indian Health, Inc.**

Bill Guerth, Project Manager

### **BRG Consulting, Inc.**

Erich R. Lathers, Principal-in-Charge  
Christina J. Willis, Project Manager and Principal Investigator  
Rachel Rowe, Environmental Planner and GIS Analyst  
John Addenbrooke, Document Production Manager

### **Birdseye Consulting Group (Air Quality)**

Ryan Birdseye, Principal

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