

**FINDING OF NO SIGNIFICANT IMPACT
FOR THE PROPOSED
MORONGO INDIAN HEALTH CLINIC REPLACEMENT PROJECT**

AGENCY: Morongo Band of Mission Indians
Environmental Protection Department

ACTIONS: Finding of No Significant Impact

SUMMARY:

The Riverside-San Bernardino Indian Health Clinics, Inc. (RSBIHCI) submitted an application to the Morongo Band of Mission Indians to lease approximately 10 acres of land within the Morongo Indian Reservation in Riverside County (County), California for healthcare purposes (Proposed Action). The RSBICHI subsequently proposes to construct and operate a replacement Morongo Indian Health Clinic on a portion of Assessor's Parcel Number (APN) 532-030-005 (Proposed Project). The Replacement Clinic site is located within Sec. 33, T3S, R1E, San Bernardino Meridian, and is bordered by vacant tribal land to the north, south and east, and on the west by the City of Banning's eastern boundary, a sand mine, and residential uses.

In addition to the construction and operation of the replacement clinic, the Project also includes the Reconstruction of North Hathaway Street as a two-lane road, between Morongo Road and North Hoffer Street; along with the eastward extension of Hoffer Street (approximately 750 feet in length) as a two-lane roadway, between North Hathaway Street and Morongo Road. The Project would also relocate the existing Morongo Guard Shack and gated entrance on Morongo Road eastward to the new intersection of Morongo Road and North Hathaway Street. Additionally, the Project includes the removal, demolition, or disposal of all existing Morongo Health Clinic buildings, with the exception of the historic Tribal jail, and associated above ground civil infrastructure at 11555½ Potrero Road.

Based upon the entire administrative record including analysis in the Environmental Assessment (EA), the Morongo Band of Mission Indians Environmental Protection Department makes a finding of no significant impact (FONSI) for the Proposed Action to approve a commercial lease of approximately 10 acres of land and the subsequent construction and operation of a health clinic. This finding constitutes a determination that the Proposed Action would not have a Significant Effect on the environment with the implementation of specified mitigation measures. Therefore, in accordance with Section 102(2)(c) of the National Environmental Policy Act, 42 U.S.C § 4321 et seq., an Environmental Impact Statement (EIS) is not required.

PURPOSE AND NEED:

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.

ALTERNATIVES CONSIDERED:

The Proposed Action as described in the EA is the preferred alternative. The No Action Alternative was also considered. As required under NEPA and 40 CFR 1502.14, the Morongo Environmental Protection Department (MEPD) considered other potential alternatives to the Proposed Action and reached the conclusion that these potential alternatives do not warrant further consideration and have been eliminated from further study. An alternative was considered but eliminated from further study. Alternative 1 (Existing Health Clinic Site) consisted of developing the new/replacement facility at the site of the existing Morongo Indian Health Clinic, located at located at 11555½ Potrero Road, Banning, CA 92220. This alternative was rejected because the Morongo Tribe has plans to redevelop the site with allowable uses upon completion of the replacement clinic. Additionally, if the existing clinic site were used for the replacement clinic, health care services at the Morongo Reservation would need to be relocated during the 18-month construction period.

ENVIRONMENTAL IMPACTS:

Potential impacts to land resources, water resources; air quality and climate change; biological resources; cultural and paleontological resources; socioeconomics and environmental justice; important farmlands; noise; transportation; resource use patterns; hazardous materials; visual resources; and public services and utilities were evaluated in the EA.

The following supports the Finding of No Significant Impact:

Land Resources (EA § 3.1)

The Replacement Clinic Site is relatively flat and grading would have negligible to minor impacts on topography. The Project site would be contoured to an even grade according to architectural and engineering design specifications. The portion of the 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.

A Spill Control and Countermeasure Plan (SPCC) would be included in the Stormwater Pollution Prevention Plan (SWPPP) that will be prepared for the Replacement Clinic Site and for the Existing Clinic Site to identify the appropriate emergency response in case of a petroleum fluids release into the environment.

The Project will obtain coverage under the National Pollutant Discharge Elimination System Permit (NPDES) Construction General Permit from the United States Environmental Protection Agency (EPA) for construction of the proposed health clinic, off-site circulation improvements and utility upgrades, as well as demolition of the existing clinic. A SWPPP will be prepared, implemented, and maintained throughout the construction phase of the replacement clinic, off-site circulation and utility improvements and demolition of the existing clinic to reduce impacts related to soil erosion and ensure that no water quality standards are violated. Implementation of the SWPPP and standard construction best management practices (BMPs) will reduce soil erosion and prevent, minimize or eliminate the potential for pollutants to reach surface waters through storm water runoff. Erosion control methods will also be implemented to control fugitive dust generation.

The Project will be designed in compliance with Executive Order (EO) 13717, Establishing a Federal Earthquake Risk Management Standard, the California Building Code, the California Public Safety Code (CPSC); the International Building Code (IBC) and the Morongo Tribal Building Codes. Grading and site preparation recommendations presented in the site-specific geotechnical investigation for the Morongo Indian Health 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. Mitigation for seismic considerations will follow the recommendations in the geotechnical investigation for the Morongo Indian Health Center or any subsequent project-specific geotechnical investigation.

There are no known mineral resources of local, regional, or national importance on the Project site. Therefore, no impacts to mineral resources would occur.

Project design; implementation of Best Management Practices (BMPs); compliance with EO 13717 and the California and International Building Codes; obtaining coverage under EPA's General Construction Permit for Stormwater Discharges; preparation and implementation of separate Stormwater Pollution Prevention Plans for the replacement clinic and existing clinic; and incorporation into the Project any recommendations to be presented in a site-specific geotechnical investigation would ensure that adverse land resource effects would be less than significant. These measures will be incorporated into the terms of the lease.

Water Resources (EA § 3.2)

Operation of the replacement health clinic 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 would rely on potable water from the City of Banning Public Works and Utilities Department.

The Project will comply with the NPDES General Construction Permit from the EPA for construction site runoff during the construction phase in compliance with the Clean Water Act,33

U.S.C. § 1251 *et seq.* A SWPPP will also be prepared for the Replacement Clinic Site and the Existing Clinic Site, implemented and maintained during construction/demolition.

During operations, storm water flows would be collected, conveyed, and discharged to a new detention basin to attenuate storm water flows. Collected run-off would be allowed to percolate back into the ground to recharge the groundwater table. The design of the project, implementation of BMPs and implementation of erosion control and site plan design mitigation measures will ensure that adverse impacts to water resources would be less than significant. These measures will be incorporated into the terms of the lease.

Air Quality and Climate Change (EA § 3.3)

The Project's emissions of criteria pollutants during construction and operation of the replacement clinic and demolition of the existing clinic would not exceed the South Coast Air Quality Management District (SCAQMD) significance thresholds. During construction, the Project would exceed the Localized Significance Thresholds (LSTs) for particulate matter, both PM10 and PM2.5. This temporary impact would be reduced to below LST threshold through watering of the active construction areas on the replacement clinic and existing clinic sites three (3) times daily the during site preparation.

Greenhouse gas (GHG) emissions during construction and operation are below the SCAQMD's proposed threshold. Adverse air quality impacts would be temporary and minor and GHG emissions would not result in a cumulatively considerable impact on global climate. Similarly, long term operational emissions would not exceed SCAQMD thresholds and adverse air quality impacts would be minor and would be less than significant. A Conformity Determination is not required under 40 CFR Part 51, Subpart W because emissions are below federal De Minimis thresholds.

Implementation of the mitigation measure to water the active construction areas on the replacement clinic and existing clinic sites three (3) times daily the during site preparation. will ensure that temporary adverse air quality impacts would be less than significant. This measure will be incorporated into the terms of the lease.

Biological Resources (EA § 3.4)

The Proposed Project would result in direct impacts 9.18 acres of desert scrub and 1.43 acres of chamise chaparral. The loss of these onsite, low-quality habitats, that are not federal wetlands, and do not support federally listed species would not be significant. Due to the disturbed nature of the Replacement Clinic Site and the Existing Clinic Site, few wildlife species would be impacted by the Proposed Action. 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 within the Biological Study Area (BSA) or 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 or directly adjacent to the

project BSA and thus no critical habitat would be affected by the Proposed Action. The project action area does not support a regional or local wildlife movement corridor and thus no wildlife corridors would be impacted by the Proposed Action.

The Proposed Action could result in impacts to active bird nests and burrowing owls protected under the federal MBTA if construction-related activities were to occur during the avian breeding season (January 15 to September 15). No suitable raptor habitat (i.e., trees) occurs within the Project site and thus no raptor species would be impacted. Minor, adverse and temporary impacts to active birds' nests would be avoided or minimized with implementation mitigation measures. The requirement to conduct pre-construction surveys for migratory birds will be incorporated into the terms of the lease.

Cultural and Paleontological Resources (EA § 3.5)

No cultural resources have been previously recorded in the APE or within a half-mile of the APE, nor were any identified during the pedestrian survey. However, the potential for discovery of unknown intact archaeological deposits, resources, or features is deemed to be moderate. In order to avoid impacts to unknown subsurface historic properties, the applicant shall enter into a Tribal Monitoring Agreement for the Project with the Morongo Band of Mission Indians; retain a qualified archaeologist who meets the U.S. Secretary of the Interior Standards to be present during all ground-disturbing activities; develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities at the Replacement Clinic Site; the archaeologist shall attend the pre-grade meeting with the grading contractors; the archeologist and the Native American monitor shall monitor all ground-disturbing activities the qualified archaeologist and shall be on-site full-time and a final report documenting the monitoring efforts and results shall be submitted to the Bureau of Indian Affairs BIA and Consulting Tribe[s] for review and comment. A permit for archaeological investigations, in accordance with the Archaeological Resources Protection Act of 1979 (ARPA), will be obtained from the BIA for the construction monitoring efforts. Implementation these mitigation measures, which will be incorporated into the terms of the lease, would reduce the possibility of adverse effects to historic properties and there would be no adverse effects on historic properties.

Socioeconomics and Environmental Justice (EA § 3.6)

The project will create approximately 75 new jobs during construction and approximately 15 to 20 jobs during long-term operations of the health clinic. The overall beneficial impact on the local economy would be minor. The provision of a replacement health clinic however would result in a social beneficial impact by 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. With a higher minority population than the national average, the Morongo Reservation is considered to be an Environmental Justice Community. Construction emissions would be far below SCAQMD's significance thresholds and the "noisiest" construction equipment would result in exterior noise levels of below the EPA's compatibility guideline,

therefore no disproportionately high or adverse environmental impacts would occur. With the incorporation of the air quality mitigation measure, impacts to socioeconomic conditions and environmental justice will be less than significant.

Important Farmlands (EA § 3.7)

The Project site consists of vegetated land that is vacant of development and the Existing Clinic site is fully developed. The soils on the Project site and the Replacement Clinic Site have been mapped by the National Resource Conservation Service (NRCS) as “HdD2 - Hanford cobbly coarse sandy loam, 2 to 15 percent slopes, eroded” and “GnD - Gorgonio cobbly loamy fine sand, 2 to 15 percent slopes” (NRCS, 2021). Both soil types have a farmland classification of “not prime farmland”. Implementation of the Project would not convert farmland to non-agricultural use and no significant impacts to important farmlands would occur.

Noise (EA § 3.8)

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. The operation of the “noisiest” construction equipment would result in exterior noise levels that would periodically exceed the EPA’s and the County’s compatibility guidelines of 55 dBA. Operational noise impacts would be negligible. Having considered potential noise impacts during project design/planning, no adverse impacts to the ambient noise environmental will occur during construction or operation. With implementation of noise mitigation measures, which will be incorporated into the terms of the lease, impacts from noise will be less than significant.

Transportation (EA § 3.9)

The net increase of 969 daily trips and 83 PM peak hour trips would not significantly affect operations on any affected street segment or intersection. Potential impacts on local transportation and circulation patterns near the Project site would not be significant.

Resource Use Patterns (EA § 3.10)

The Replacement Clinic Site and surrounding land is not used for traditional gathering and hunting and does not contain merchantable timber stands. Commercial agriculture does not occur on the site and the project would have no effect on local farm support services or on the continuance of local farms in the area. Commercial mining is not a current land use activity and the Tribe has no intention to mine sand and gravel on the Replacement Clinic Site. Additionally, the Project would not affect existing, nor generate the need for new or expanded recreational facilities. No significant impacts to resource use patterns would occur.

Other Resources (EA § 3.11)

Hazardous Materials

No recognized environmental conditions were identified within one-mile of the Replacement or Existing Clinic sites. Neither site is 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. Hazardous waste generated during construction would be collected and transported to a permitted facility. Medical waste would be handled in accordance with the existing clinic's Medical Waste Management Plan on file with Riverside County Department of Environmental Health, which will be updated and modified, as necessary. Solid waste generated during operations activities would be disposed of by a licensed solid waste hauler in a permitting facility. Given the age of structures that would be demolished, removed and disposed at the Existing Clinic site, they may contain asbestos-containing materials (ACM) and lead based paint (LBP). Prior to the demolition of the existing clinic buildings, surveys to evaluate the presence, location, and quantities of asbestos-containing materials and lead based paint shall be prepared. If such materials or other hazardous building materials are found to be present, a licensed abatement contractor shall be retained to implement appropriate abatement, removal and disposal measures.

With implementation of this mitigation measure, which will be incorporated into the terms of the lease, the project's overall impacts from hazardous materials and waste management would not be significant.

Public Services and Utilities

The Morongo Reservation Patrol-Tribal Law Enforcement Department and the Morongo Fire have sufficient manpower and resources to respond to emergencies at the Replacement Clinic site. Impacts to police and fire services resulting from the Project would be negligible. Impacts to schools and public parks are related to project-related population increases. Because the Project would not result in a population increase, impacts to schools and public parks would be negligible.

Utilities required for the replacement health clinic include electricity; natural gas/propane; communications lines and cellular service; stormwater management; wastewater treatment and potable water. The project will connect to existing water, sewer, electrical and natural gas lines within Hathaway Street. Operations will result in minimal demand increases for water and wastewater treatment compared to current conditions, however, this increase will not create the need for new or for additional water supply or wastewater treatment facilities. All utility agencies have enough capacity to provide water, wastewater, electricity, gas, and telephone/communication services for the project.

Public service and utility impacts would be less than significant.

Visual Resources

Minor short-term and long-term visual impacts to travelers on North Hathaway Street and Hoffer Street are anticipated during the construction and operation of the Project. The Project would introduce new visual elements of the health clinic as well as the associated hardscape and landscaping. However, impacts resulting from the change in visual character of the Replacement Clinic 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 existing environment. Long-term adverse visual impacts are considered to be minor and would be less than significant.

PUBLIC AVAILABILITY:

A Notice of Availability for the EA and FONSI have been provided to agencies, organizations, and interested parties. These documents have been made available for a 20 day review period. Copies of the documents were also available at the location listed below.

Morongo Band of Indians
12700 Pumarra Road,
Banning, CA 92220
<https://morongonation.org/environmentalreview>

The Morongo Band of Mission Indians took no administrative action on the above described project, prior to expiration of the review period and review of all comments received.

DETERMINATION:

Based on the attached EA, it has been determined that the Proposed Action to approve the Riverside San Bernardino Indian Health Clinic's request for a commercial lease of 10 acres of land for the purpose of constructing and operating a health clinic, would not have Significant Effect on the environment. Therefore, in accordance with Section 102(2)(c) of the National Environmental Policy Act, 42 U.S.C § 4321 et seq., an Environmental Impact Statement is not required. This determination is supported by the aforementioned findings described in this FONSI, the analysis contained in the entire administrative record, including the EA, and the mitigation imposed. This fulfills the requirements of NEPA as set out in the Council on Environmental Quality Regulations for Implementing NEPA (40 C.F.R. 1500–1508), and Morongo Tribal Leasing Ordinance. The FONSI is a finding on environmental effects, not a decision to proceed. The final decision to proceed will be determined by the Morongo Tribal Council and General Membership, pursuant to Tribal Law.

Approved:

Date:

Environmental Director,
Morongo Band of Mission Indians