

FINDING OF NO SIGNIFICANT IMPACT

Poche Creek BMP Treatment System

City of San Clemente, California

The U. S. Environmental Protection Agency (EPA) is considering awarding \$300,000 of federal grant funds to the City of San Clemente for construction of a package treatment system to treat urban water runoff from Poche Creek. The project would also eliminate the scour pool that has formed as a result of this runoff and install debris nets within the existing main and tributary flood control channels. Significantly high levels of fecal coliform have been found in the channel and have moved downstream to its outlet at Poche Beach. As a result, Poche Beach has been frequently posted as a public health risk and closed to use.

The proposed project would provide a package treatment system to collect, filter, and disinfect 500 GPM (700,000 GPD, or 1.1 CFS) of abandoned runoff water from the M01 outlet structure. The treated water would be returned to the M01 channel prior to discharge into the ocean. The treatment system is expected to reduce bacteria concentrations by 99.9%. The project would include sand moving activities to eliminate stagnant pooling behind a sand beach berm. Debris nets consisting of a floating boom with attached weighted netting would catch trash coming down the channel during wet weather flows.

Pursuant to the National Environmental Policy Act (NEPA), EPA has completed an Environmental Assessment (EA), dated December 2002 to evaluate the environmental consequences of the proposed action. The EA includes a discussion of alternatives considered including the no action alternative. Based on information from the EA, public discussion of the proposed project, and consultation with other agencies, the EPA has determined the action will not have a significant impact on the quality of the human environment. An Environmental Impact Statement is not required.

The following supports the Finding of No Significant Impact (FONSI):

The project site is entirely within a previously disturbed area and is not expected to have any impact on cultural resources. Through the environmental review process including informal consultation with the National Marine Fisheries Service and the US Fish and Wildlife Service, it was determined that the project is not expected to have any adverse impact to listed species.

All required easements, agreements, and permits including Clean Water Act Section 401 and 404 permits will be obtained. The project will be designed so as not to obstruct flood flows. Backwash water from the treatment plant will be discharged to the city sewer system. The proposed project will not result in the need for new electrical or sewage facility construction. The facility is considered to be a pilot project and the discharge will be regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater permit. The project is cited within the rail right of way and adjacent to Coast Highway. Coordination with the Orange County Transportation Authority (OCTA) and the Southern California Regional Rail Authority (SCRRA)

will be necessary and will include development of an agreement with safety measures such as the presence of an OCTA/SCRRA flagman.

The plant will be cited at or below the level of the guardrail on the coastal side of the Coast Highway so as not to obstruct the view. Mitigation measures such as limited construction hours and reduced traffic speeds on site during construction will minimize noise and air quality impacts.

A public meeting was held on October 21, 2002 for general public participation. This meeting was attended by twenty-six people representing the County of Orange, City of Dana Point, City of San Clemente, the Capistrano Bay Homeowners Association residents, Shorecliff Homeowners Association residents and San Clemente residents. The project purpose and the elements of the project were presented. The group was generally supportive of the project and had practical questions about the project relating to the construction, treatment, and maintenance of the system. Several members of the Capistrano Bay and Shorecliff Homeowners Associations have since expressed their desire to see the project implemented as soon as possible.

Public Review

The EA is available for public review at http://www.haimann.com/poche/poche_beach_ea.pdf and at the offices of EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901. Contact Sara Jacobs at (415) 972-3564 or via e-mail at jacobs.sara@epa.gov. Copies of the EA are also available for review at the offices of the County of Orange, Public Facilities and Resources Department, 300 N. Flower, Santa Ana, CA, 92702-4048. Contact Richard Haimann at (714) 834-4786 or via e-mail at richard@haimann.com.

EPA must receive comments on the FONSI by January 31, 2003 which provides at least 30 calendar days from the date of publication of the Legal Notice of Decision. EPA will take no administrative action on the above-described project prior to expiration of this comment period. Comments should be mailed to Sara Jacobs, WTR-10, U. S. EPA, Region 9, 75 Hawthorne Street, San Francisco, CA, 94105-3901 or faxed to Ms. Jacobs at (415) 947-3549.

After EPA assesses any comments received, those comments, EPA's responses and this FONSI will be forwarded to the Regional Administrator for review and signature. If this FONSI is signed by the Regional Administrator, it will not be re-circulated for review, but will be available to any individual upon request.

Wayne Nastri
EPA, Regional Administrator

Date