

FINDING OF NO SIGNIFICANT IMPACT FOR THE OOM RESIDENTIAL FEE-TO-TRUST PROJECT

AGENCY: Bureau of Indian Affairs

ACTIONS: Finding of No Significant Impact

SUMMARY:

The Karuk Tribe (Tribe) submitted a request to the Bureau of Indian Affairs (BIA), Pacific Region, Division of Real Estate Services for approval to transfer two parcels of fee land (project site) into federal trust on behalf of the Tribe to be used for the development of low to moderate income Tribal housing (Proposed Action). The project site is located at the southeastern border of the City of Yreka (see EA Figure 1-3). Based upon the entire administrative record including analysis in a December 2018 Environmental Assessment (EA) and recent consultations with the U.S. Fish and Wildlife Service (USFWS) and the State Historic Preservation Officer (SHPO), the BIA makes a finding of no significant impact (FONSI) for the Proposed Action¹. This finding constitutes a determination the Proposed Action is not a Federal action significantly affecting the quality of the human environment. Therefore, in accordance with Section 102(2)(c) of the National Environmental Policy Act (NEPA), 42 U.S.C § 4321 et seq., an Environmental Impact Statement (EIS) is not required.

PURPOSE AND NEED:

The existing Tribal land base has long reached full build-out in most communities. Given the future growth trends of the Tribe, future needs cannot be realized given the Tribe's present trust land holding designated for housing. The requested fee-to-trust action would permit the Tribe to more fully exercise its right to self-determination consistent with federal policy by providing the Tribe additional lands under its control on which to continue building and strengthening the Karuk tribal community in Happy Camp through affordable housing. Even with innovative housing finance programs developed by the Karuk Tribe Housing Authority (KTHA), the housing needs of the Tribe's members remain acute. Many of its members live in substandard housing. Understandably, the Tribe, through the KTHA, wants to provide as many of its members as possible with decent, safe, and sanitary housing. The BIA's role under the Indian Relocation Act (IRA) is to partner with tribes to help them achieve their goals for self-determination, while also maintaining its

¹ Note that the December 2018 EA also analyzes the effects of taking six additional parcels into trust for the purposes of housing. A Finding of No Significant Impact was issued for these parcels on March 10, 2021.

responsibilities under the Federal-Tribal trust and government-to-government relationships. Additional details regarding the purpose and need can be found in EA Section 1.3.

ALTERNATIVES CONSIDERED:

Two alternatives are analyzed in the EA: the Proposed Action and the No Action Alternative. The Proposed Action is summarized above and includes the fee-to-trust transfer of two parcels (the Oom property, APNs 013-120-420 and 062-151-250) in Yreka totaling approximately 20 acres. The Tribe subsequently proposes to develop the parcels with low to moderate income housing.

The Proposed Action would best meet the purpose and need and therefore has been identified as the Preferred Alternative. Under the No Action Alternative, no federal actions would occur, and the Tribe would not construct any housing. Additional details regarding the Proposed Action and No Action Alternative can be found in EA Section 2.

ENVIRONMENTAL IMPACTS:

Potential impacts to land resources, water resources; air quality; biological resources; cultural resources; socioeconomics; resource use patterns; transportation; land use and agriculture, public services, noise and vibration, hazardous materials; and visual resources; were evaluated in the EA, with the following conclusions (see EA Sections 3, 4, and 5 for detailed analysis and for specific mitigation measures):

Land Resources

Land resources impacts could occur during the construction and operation of the housing project. Mitigation measures detailed in EA Section 5.1 would ensure land resources impacts are less than significant.

Water Resources

Impacts to water resources would occur during construction and operation of the housing project. No significant water resources impacts would occur.

Air Quality

Impacts to air quality would occur during construction and operation of the housing project. Mitigation measures detailed in EA Section 5.3 would ensure air quality impacts are less than significant.

Biological Resources

A Biological Resources Assessment and additional floristic surveys in 2021 and 2022 determined no effects to federally listed endangered or threatened species. Nonetheless, impacts to biological resources could occur from the development of the housing project. Mitigation measures detailed in EA Section 5.4 would ensure impacts to biological resources are less than significant.

Cultural Resources

Impacts to cultural resources could occur from the development of the housing project. Mitigation measures detailed in EA Section 5.5 would ensure impacts to cultural resources are less than significant. The SHPO concurred with BIA's finding of no historic properties affected in a consultation that was completed July 15, 2022.

Socioeconomics

Impacts to socioeconomics would occur during the fee-to-trust transfer and during the construction/operation of the housing project. Mitigation measures in EA Section 5.6 would ensure impacts are less than significant.

Transportation and Circulation

Impacts to transportation and circulation would occur during construction and operation of the housing project. No significant transportation or circulation impacts would occur.

Land Use and Agriculture

Impacts to land use and agriculture would occur during construction and operation of the housing project. No significant impacts would occur.

Public Services

Impacts to public services would occur from the operation of the housing project. No significant impacts would occur. Mitigation measures in EA Section 5.9 would ensure impacts are less than significant.

Noise and Vibration

Noise and vibration impacts would occur during construction and operation of the housing project. Mitigation measures detailed in EA Section 5.10 would ensure noise impacts are less than significant.

Hazardous Materials

Hazardous materials impacts could occur during construction and operation of the housing project. No significant impacts would occur.

Visual Resources

Impacts to visual resource would occur from the development of the housing project. No significant impact would occur.

PUBLIC AVAILABILITY:

A Notice of Availability for the EA was published and made available for public review for 30-days in 2021. No public comments were received.

DETERMINATION:

It has been determined that the proposed Federal action to take approximately 20 acres of fee land into federal trust for the purpose of developing low to moderate income housing

units does not constitute a major federal action that would significantly affect the quality of the human 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 and the analysis contained in the entire administrative record, including the December 2018 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 the BIA NEPA Guidebook (59 IAM 3-H, August, 2012).

Approved:

Date:

Acting Regional Director
Bureau of Indian Affairs, Pacific Region