

**FINDING OF NO SIGNIFICANT IMPACT
FOR THE
MONTGOMERY CREEK 40-ACRE FEE-TO-TRUST PROJECT**

AGENCY: Bureau of Indian Affairs

ACTIONS: Finding of No Significant Impact

SUMMARY:

The Pit River Tribe (Tribe) submitted a request to the Bureau of Indian Affairs (BIA) to transfer one parcel (APN 029-520-004) (project site) into federal trust on behalf of the Tribe to be used for the development of Tribal housing (Proposed Action). The project site is located in unincorporated Shasta County, adjacent to State Route 299 (SR-299), approximately 30 miles northeast of the City of Redding, California. The project site's northern boundary is Windy Point Road, and its western boundary is SR-299 (see EA Figures 1-1, 1-2, and 1-3). Based upon the entire administrative record including analysis in a March 2022 Environmental Assessment (EA) and recent consultation with the State Historic Preservation Officer (SHPO), the BIA makes a finding of no significant impact (FONSI) for the Proposed Action. 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, 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 increased long-term cultural security through the development of Tribal housing. This would allow expansion of a housing base that is currently inadequate for Tribal needs. Additional details regarding the purpose and need can be found in EA Section 1.3.

ALTERNATIVES CONSIDERED:

Three alternatives are analyzed in the EA: the Proposed Action, a Reduced-Density Alternative, and a No Action Alternative. The Proposed Action is summarized above and includes the fee-to-trust transfer of one parcel of land totaling approximately 40 acres. The Tribe subsequently proposes to develop the parcel with approximately 32 houses on .69-1 acre lots. The Reduced-Density Alternative would also include the fee-to-trust transfer but would reduce the number of houses built to 12 on 2-3 acre lots. 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 Alternatives can be found in EA Section 2.

ENVIRONMENTAL IMPACTS:

Potential impacts to land resources, water resources; air quality; biological resources; cultural resources; socioeconomics; environmental justice; transportation; land use and agriculture; public services; noise; hazardous materials; and visual resources were evaluated in the EA, with the following conclusions for the Proposed Action and Reduced-Density Alternative¹ (see EA Section 3 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 3.1 and 3.2 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. Mitigation measures detailed in EA Section 3.2 would ensure water resources impacts are less than significant.

Air Quality

Impacts to air quality would occur during construction and operation of the housing project. Mitigation measures detailed in EA Section 3.3 would ensure air quality impacts are less than significant.

Biological Resources

Impacts to biological resources would occur from the development of the housing project. Mitigation measures detailed in EA Section 3.4 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 3.5 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 May 15, 2020.

Socioeconomics

Impacts to socioeconomics would occur during the fee-to-trust transfer and during the construction/operation of the housing project. No significant socioeconomics impacts would occur.

¹ The No Action Alternative would generally not result in detrimental impacts to the environment, therefore the impacts and mitigation measures detailed here are generally not applicable (see EA for more details). As noted in the EA, the No Action Alternative would not meet the purpose and need of the action.

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.

Noise

Noise and vibration impacts would occur during construction and operation of the housing project. No significant impacts would occur.

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 and this FONSI has been provided to agencies, organizations, and interested parties. These documents have been made available for a 30 day review period. BIA will take no administrative action on the Proposed Action prior to expiration of the review period and review of any comments received.

DETERMINATION:

It has been determined that the proposed Federal action to take approximately 40 acres of fee land into federal trust for the purpose of developing housing 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 findings described in this FONSI and the analysis contained in the entire administrative record, including the March 2022 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: _____

Regional Director
Bureau of Indian Affairs, Pacific Region