

**FINDING OF NO SIGNIFICANT IMPACT
FOR THE
SANTA ROSA RANCHERIA RV-PARK AND ORCHARD
FEE-TO-TRUST PROJECT**

AGENCY: Bureau of Indian Affairs (BIA)

ACTIONS: Finding of No Significant Impact

SUMMARY:

The Santa Rosa Rancheria (Tribe) submitted a request to the Bureau of Indian Affairs (BIA) to transfer ten parcels (APNs 024-160-018, -025, -026, -027, -028, -029, -030, -031, -032, -033) totaling approximately 437 acres (project site) into federal trust on behalf of the Tribe to be used for the development of an orchard and a RV-park (Proposed Action). The project site is located in unincorporated Kings County, near the City of Lemoore and adjacent to the Santa Rosa Rancheria (see Environmental Assessment (EA) Figures 1, 2, and 3). Based upon the entire administrative record including analysis in an August 2023 Environmental Assessment (EA), mitigation imposed, and consultation with the United States Fish and Wildlife Service (USFWS) and 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 (NEPA), 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 facilitate Tribal self-sufficiency, self-determination, and to diversify the Tribe's revenue base. 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 a No Action Alternative. The Proposed Action is summarized above and includes the fee-to-trust transfer of ten parcels of land totaling approximately 437 acres. The Tribe subsequently proposes to develop the land with a 155-space RV park and a 57-acre orchard. Under the No Action Alternative, no federal actions would occur, and the Tribe would not construct the orchard or RV park. 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; 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 Action¹ (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 project. No significant impacts would occur.

Water Resources

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

Air Quality

Impacts to air quality would occur during construction and operation of the project. No significant impacts would occur.

Biological Resources

Impacts to biological resources would occur from the development of the project. Mitigation measures detailed in EA Section 4 would ensure impacts to biological resources are less than significant. The USFWS concurred with the BIA's finding of no adverse effects to endangered species in a memorandum dated June 28, 2023.²

Cultural Resources

Impacts to cultural resources could occur from the development of the project. Mitigation measures detailed in EA Section 4 would ensure impacts to cultural resources are less than significant. The SHPO concurred with BIA's finding of no adverse effects to historic properties in a letter dated September 7, 2022.

Socioeconomics

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

Transportation and Circulation

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

² Memorandum from San Joaquin Valley Division Supervisor, Sacramento Fish and Wildlife Office to Regional Director, Pacific Regional Office, BIA. Subject: Informal Consultation on the Tachi Yokut Gilcrease Fee to Trust Conveyance, Kings County, California. Reference No. 2022-0079539. Dated June 28, 2023.

Public Services

Impacts to public services would occur from the operation of the project. No significant impacts would occur.

Noise

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

Hazardous Materials

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

Visual Resources

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

PUBLIC AVAILABILITY:

A Notice of Availability for the EA has been provided to for public review for a period of 30 days. No public comments were received.

DETERMINATION:

It has been determined that the proposed Federal action to take approximately 437 acres of fee land into federal trust for the purpose of developing a RV park and an orchard 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 August 2023 EA, consultation with the USFWS and SHPO, 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
