



IN REPLY REFER TO:

# United States Department of the Interior



BUREAU OF INDIAN AFFAIRS  
Sacramento Area Office  
2800 Cottage Way  
Sacramento, California 95825

SEP 19 1997

Mr. Daniel E. Lungren  
Attorney General  
State of California  
1515 K Street, Suite 511  
Sacramento, California 94244-2550

Dear Mr. Lungren:

As requested in your letter to the Bureau of Indian Affairs, Sacramento Area Office, regarding land acquisition requests, we are sending you a copy of a Finding of No Significant Impact (FONSI) for the proposed land acquisition in trust status by the United States for the Chico Band of Mechoopda Indians. The FONSI and the Environmental Assessment documents were submitted to the State Clearinghouse for 30-day review, which ended on September 5, 1997, and comments were received from one agency.

If you have any questions or need additional information, please contact Frank Fryman, Acting Area Natural Resources Officer, at (916) 979-2575 extension 255.

Sincerely,

Michael R. Smith  
Area Director

Enclosure

cc: Area Realty Officer, Sacramento Area Office  
Chairperson, Chico Band of Mechoopda Indians  
Superintendent, Central California Agency



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## FINDING OF NO SIGNIFICANT IMPACT (FONSI)

### PROPOSED ACQUISITION OF 240 ACRES OF LAND BY THE UNITED STATES IN TRUST STATUS FOR THE CHICO BAND OF MECHOOPDA INDIANS

The Bureau of Indian Affairs (BIA), Sacramento Area Office, has reviewed and adopted an Environmental Assessment, "Environmental Assessment, Mechoopda Indian Tribe of the Chico Rancheria Land Acquisition Project" for the acquisition of land by the United States in trust status for the Chico Band of Mechoopda Indians, in Sutter County, California. The proposed federal actions are the acquisition of land into trust status and the Bureau of Indian Affairs' approval of the necessary associated rights-of-way for the Chico Band of Mechoopda Indians. The proposed acquisition of land includes a parcel of land totaling 240 acres, more or less, in southeastern Sutter County, California.

The parcel is located at the southeast quadrant of the intersection of State Highway 99 and Sankey Road, about 15 miles north of Sacramento. The parcel measures approximately 4,000 feet in the north-south dimension and approximately 2,600 feet in the east-west dimension. The proposed uses of the parcel would be for a 50,000 square foot Class II gaming facility, an eighteen hole golf course, a driving range, a recreational vehicle park, a tribal office and conference room, and a parking area for 2550 vehicles.

The Mechoopda Tribe is a landless tribe because their original tribal reservation was terminated in 1955. The Tribe was re-recognized by the BIA in 1992. The Tribe has been barred from establishing its reservation within the former boundaries. This acquisition would provide a reservation for the Chico Band of Mechoopda Indians. The land is needed to support the Tribe's economic development goals.

Based on the analysis in the Environmental Assessment for the proposed actions, I have determined that these actions are not federal actions significantly affecting the quality of the human

environment. Therefore, in accordance with Section 102 (2) (c) of the National Environmental Policy Act (NEPA) of 1969, as amended, an Environmental Impact Statement is not required.

This determination is supported by the following findings:

1. The trust acquisition will not affect any historic properties (archeological and historical resources). Compliance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, has been completed for this undertaking. Should cultural remains be encountered during development of these lands, work will stop in the area of the discovery and the stipulations of 36 CFR 800.11 will be followed.
2. No federally listed, threatened or endangered species or designated critical habitat will be affected by the BIA actions. There is no effect on the California red-legged frog, the valley elderberry beetle, the giant garter snake, or any other threatened or endangered species. The land use designation is for industrial/commercial reserve. The drainage ditch and a buffer strip will be excluded from development to provide potential giant garter snake and other wildlife habitat (EA - Pages 4-11).
3. The parcel is within a zone intended by the Sutter County general plan for future industrial and/or commercial development (EA - Page 2-1).
4. Regarding water drainage, the subject land is within Reclamation District (RD) 1000. The Tribe will need to enter into an agreement with RD 1000 if more than the agriculture rate of water run-off is delivered to the District. If the project development will result in a increase in runoff over levels currently associated with agricultural use (typically 0.1 CFS per acre), the project will have to implement on-site detention and pumping facilities or/and pay the District for the improvements necessary to handle the additional capacity. The golf course will be used to provide on-site water retention (EA - Page 4-4 & 4-5).
5. Development of the site will include flood design requirements such as pad/finished floor of structures a minimum elevation of one foot above the nearest Zone X area. Federal Emergency Management Agency (FEMA) procedures will be implemented to specify flood and construction requirements (EA - Page 4-2).

6. No traffic or circulation impacts will result from vehicle ingress to the project site. A right turn/queuing lane will be constructed on the south side of Sankey Road, east of State Highway (SR) 99/70, approaching the entrance to the facility parking lot, which will prevent vehicles from backing up onto SR 99/70. Potential impacts of traffic associated with vehicle egress from the project will be mitigated by a combination of improvements to the intersection of Sankey Road and SR 99/70, which may include signalization of this intersection, and/or procedures and roadway improvements to divert project traffic to the existing signalized intersection of Riego Road and SR 99/70. The selection of traffic mitigation and roadway improvements to County Roads will be approved by Sutter County and completed to County Standards. Traffic impact fees may be necessary to complete the necessary roadway improvements. Any roadway improvements to Sankey Road, Pacific Road, and Riego Road will be completed before opening of the proposed facilities (EA and Traffic Study).

7. The Level of Service (LOS) for traffic conditions estimated for the proposed build-out to a 50,000 square-foot gaming facility would not decrease the LOS for the roadway segments or intersections below a LOS C (EA - Pages 4-18 through 4-25).

8. A package sewage treatment plant will be installed to handle all effluent wastewater generated by the activities on the site. Wastewater will be treated to tertiary-treatment standards and will be used to supplement golf course irrigation and other landscaping (EA - Page 2-5).

9. To minimize fugitive dust active exposed construction sites will be watered or covered to minimize dust and excavating and grading will be suspended when the wind speed exceeds 15 mph (EA - Page 59).

References: See the Environmental Assessment and Traffic Study.

  
Area Director

7-26-97

Date