

Staff Report 61

PARTY:

California State Lands Commission

PROPOSED ACTION:

Authorize a 1-year extension to a Commission approved 3-year moratorium for accepting and considering mineral prospecting permits and lease applications.

AREA, LAND TYPE, AND LOCATION:

Approximately 480 acres of State-owned, 100 percent reserved mineral interest school land, known as Bodie Hills Reserved Mineral Interest (RMI) parcel, (State Parcel Number 049-514; Assessor's Parcel Number 009-140-007), located within the Southwest 1/4 and the East 1/2 of Section 16, Township 5 North, Range 27 East, Mount Diablo Baseline and Meridian, about 15 miles northeast of the town of Bridgeport and 5 miles north of Bodie State Historic Park, Mono County (as shown in Figures 1 and 2, below).

Figure 1. Location Map

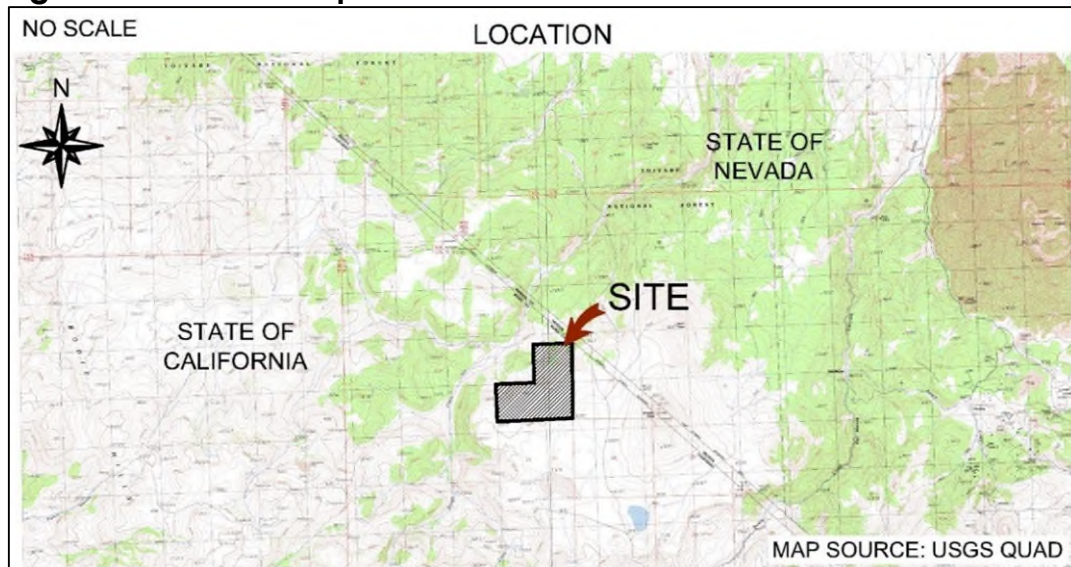
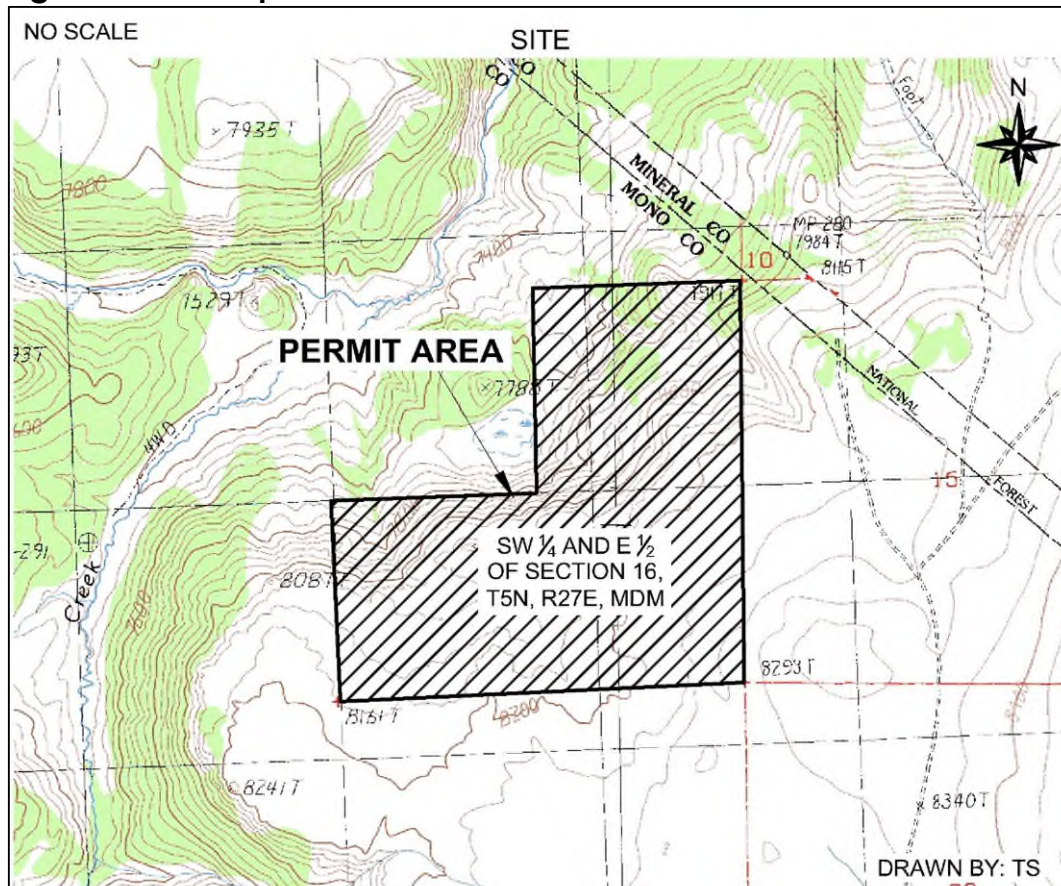


Figure 2. Site Map



NOTE: This depiction of the area is based on unverified information provided by the Commission and is not a waiver or limitation of any State interest in the subject or any other property.

BACKGROUND:

At the February 25, 2022, Commission meeting ([Item 48, February 25, 2022](#)), the Commission took the following actions:

1. Authorized a temporary 3-year moratorium, on accepting and considering mineral prospecting permits and lease applications, for the Bodie Hills Reserved Mineral Interest (RMI) parcel.
2. Directed staff to conduct a needs assessment of the Commission's RMI parcel.
3. Adopted a Resolution supporting the proposed map amendment to add the Bodie Hills RMI parcel to the 2002 Dry Lakes Plateau Archaeological District (District).

The 3-year moratorium will expire on February 24, 2025. Staff has prepared a comprehensive draft Bodie Hills Needs Assessment but requires additional time to finalize the report to include pending information and to provide final recommendations for the future use of the RMI parcel.

In 2002, a National Register of Historic Places district designation, Dry Lakes Plateau (District, 02001394), was approved for 3,340 acres of land managed by the Bureau of Land Management, pursuant to the National Historic Preservation Act of 1966. The National Register of Historic Places is administered by the National Park Service and preserves the official list of the Nation's historic places worthy of preservation. It is part of a national program coordinating and supporting public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

On November 7, 2024, the California State Historic Resources Commission approved an amendment nomination for Dry Lakes Plateau District. This amendment to the 2002 National Register listing would rename the District using a traditional Numu toponym, expand the boundaries of the District to include the Bodie Hills RMI parcel, add six additional contributing sites, and recognize the District as a Traditional Cultural Place. The boundary expansion adds 630 acres of privately owned land and an additional 20 acres of Bureau of Land Management land. This addition is necessary to include all the identified sites associated with traditional cultural and procurement activities. Additional documentation supplied in the amendment is intended to augment the original listing information. The Dry Lakes Plateau Amendment nomination will be sent to the Keeper of the National Register of Historic Places at the National Park Service for final determination. These activities result in potential decision dates past the moratorium's expiration date and therefore have prompted staff's request for the extension.

TRIBAL CONSULTATION:

In December 2019, Commission staff began government-to-government consultation with the Bridgeport Indian Colony related to its objection to mining activities. At the request of the Bridgeport Indian Colony and the current surface owner, the Hunewill family, the Commission adopted the 2022 Resolution supporting the proposed District nomination amendment and established the above 3-year moratorium. Staff is currently engaging with the Bridgeport Indian Colony and other culturally affiliated tribes for additional consultation.

OTHER CONSIDERATIONS:

The final Bodie Hills Needs Assessment weighs the cultural and environmental significance of the surface against the likelihood of successful mineral development. The Assessment addresses the following items:

- Site characteristics to understand the full spectrum of the cultural landscape.
- Mineral evaluation to assess the potential value of the Commission's mineral interest.
- Legal analysis of the options related to the future use.
- Logistical constraints such as geographic isolation and physical access to the parcel.
- Consideration of tribal cultural values, other environmental impacts, and statewide policy needs.

Following Tribal consultation and the decision of the National Parks Service on the District amendment, staff will present the final Bodie Hills Needs Assessment in a future regularly scheduled Commission meeting.

AUTHORITY:

Public Resources Code sections 6005, 6216, 6501.1 and 6890; California Code of Regulations, title 2, sections 2000 and 2003.

STATE'S BEST INTERESTS:

For the reasons discussed above, staff believes that a one-year extension of the 3-year moratorium on accepting and considering mineral prospecting permits and lease applications for the Bodie Hills RMI parcel is in the State's best interest.

OTHER PERTINENT INFORMATION:

1. The Commission has broad discretion in all aspects of leasing when acting in the best interest of the State. Pursuant to Public Resources Code sections 6005, 6216, and 6501.1, and California Code of Regulations, title 2, section 2000, the Commission has the authority to extend a temporary moratorium on consideration of mineral prospecting permits and lease applications for State Parcel Number 049-514, Assessor's Parcel Number 009-140-007.

2. This action is consistent with the “Partnering with Sovereign Tribal Governments and Communities” and “Committing to Collaborative Leadership” Strategic Focus Areas of the Commission’s 2021-2025 Strategic Plan.
3. The extension of a temporary moratorium on permit and lease applications is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15060, subdivision (c)(3), and 15378, subdivision (b)(5).

EXHIBITS:

- A. Land Description
- B. Letter of support for the National Register of Historic Places Amendment Nomination for Dry Lakes Plateau (Additional Documentation and Boundary Increase) located in Mono County.

RECOMMENDED ACTION:

It is recommended that the Commission:

STATE’S BEST INTERESTS:

Find that the 1-year extension to the 3-year temporary moratorium is in the best interests of the State.

AUTHORIZATION:

Authorize a 1-year extension to the temporary 3-year moratorium on accepting and considering mineral prospecting permits and lease applications on 480 acres of 100 percent reserved mineral interest, located within the Southwest 1/4 and the East 1/2 of Section 16, Township 5 North, Range 27 East, Mount Diablo Baseline and Meridian.