

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

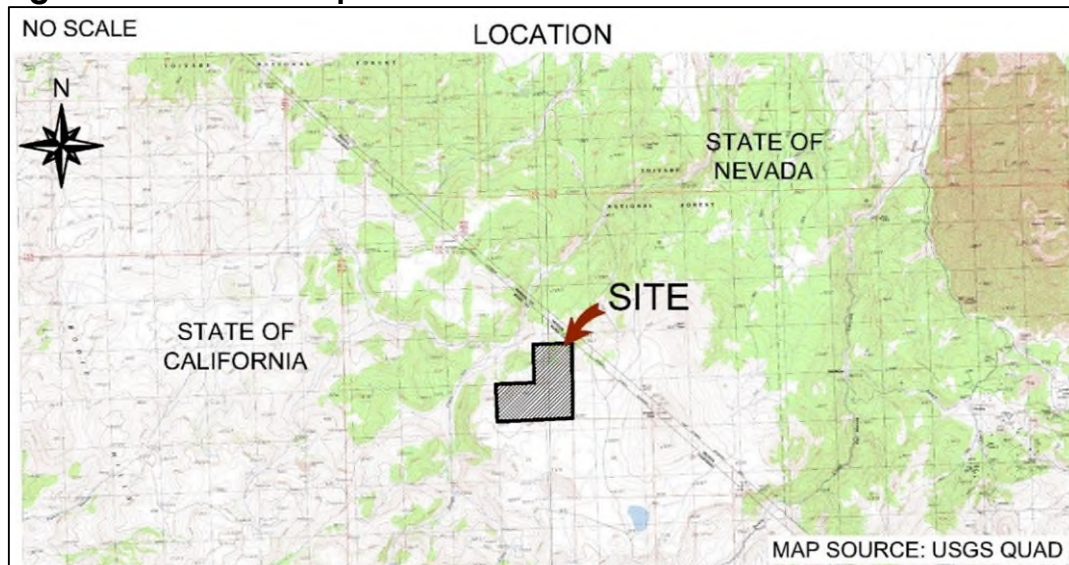
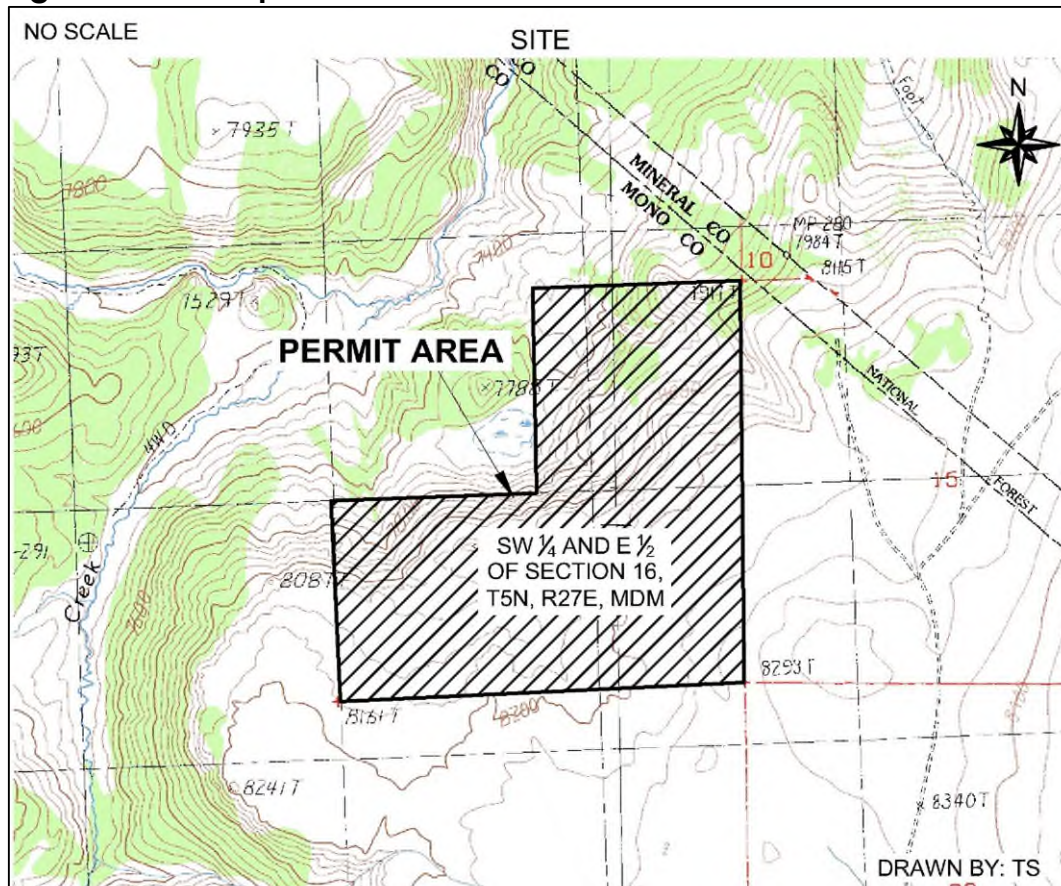


Figure 2. Site Map

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.

EXHIBIT A

W 27254

LAND DESCRIPTION

That certain parcel of State School Land in Mono County, State of California, more particularly described as follows:

Southwest $\frac{1}{4}$ and East $\frac{1}{2}$ of Section 16, Township 5 North, Range 27 East,
Mount Diablo Meridian, as shown on the Official U.S. Government Township Plat
approved
May 17, 1879.

END OF DESCRIPTION

Revised 11/12/2024 by the California State Lands Commission Boundary Unit.



Exhibit B

STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

CALIFORNIA STATE LANDS COMMISSION



Established in 1938

EXECUTIVE OFFICE

100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

JENNIFER LUCCHESI, Executive Officer

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October 30, 2024

SENT VIA ELECTRONIC MAIL

calshpo.shrc@parks.ca.gov

State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816-7100

**Subject: Letter of Support for National Register of Historic Places Amendment
Nomination for Dry Lakes Plateau (Additional Documentation and
Boundary Increase) Dry Lakes Plateau, Mono County**

Dear State Historic Preservation Officer,

As the Executive Officer of the California State Lands Commission (Commission), I am pleased to offer this letter supporting the Dry Lakes Plateau amendment nomination. In 2002, the Dry Lakes Plateau was listed as an archaeological district pursuant to the National Register of Historic Places, this amendment is significant because it will add areas of the Dry Lakes Plateau archeological district (District) that were excluded in 2002. The amendment renames the historic district using a traditional Numu toponym, expands the boundaries of the District from 3,340 to 3,990 acres, adds six additional contributing sites, and recognizes the District as a Traditional Cultural Place. At the time of its listing, the District boundaries excluded two areas that were in private ownership, at that landowner's request, despite the occurrence on these parcels of sites, information, history, and materials of significance to the Paiute people and to history/prehistory. More recently, however, the two excluded areas have been sold and the current surface landowner, Hunewill Land and Livestock Company, has indicated support for the District and for the map amendment to add the previously excluded portion of its property on the Dry Lakes Plateau, consisting of Section 16 and portions of Section 28.

Revised 06/10/25

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October 30, 2024

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As background, the Commission is the steward of California's "school lands," which are parcels of land located throughout the state that were granted to the state by the federal government upon statehood, with a mandate to manage the lands for the benefit of public education. In some places, including on the Dry Lakes Plateau, surface estates were sold; this is the case on a 480-acre portion of Section 16 (T5N, R25E), where Hunewill Land and Livestock Company owns the surface estate (APN 009-140-002-000). At this location, however, the Commission retains a 100 percent reserved mineral interest, and as a result, this location is known as a "split estate." At its February 25, 2022 meeting, the Commission authorized a resolution in support of the National Register map amendment to include the Section 16 parcel in the Dry Lakes Plateau archaeological district as well as a temporary moratorium on consideration of state-issued prospecting permits for minerals and lease applications on Section 16. All of these lands were inhabited by California's Native people prior to western colonization and continue to possess significant value to tribal communities today. The Commission is pleased to support this nomination as part of our ongoing government-to-government consultation to achieve certain strategic co-management goals promoting tribal self-determination. We began consultation with the Bridgeport Indian Colony in December 2019.

We believe this amendment nomination represents an important step to enhance Tribal sovereignty and cultural preservation. The addition of the two previously excluded surface parcels will aid the Paiute people in preserving and revitalizing their cultural heritage, and will enhance opportunities for members, from youth to elders, to reconnect in service to one another.

The Commission staff support the Dry Lakes Plateau amendment nomination as this project aligns with the Commission's 2021-2025 Strategic Plan commitments to Integrate Native American Perspectives¹ as a core value. Staff commit to continued partnership with the Bridgeport Indian Colony, Hunewill Land and Livestock Company, and Mono County, as applicable, to ensure

¹ "We are committed to respecting and recognizing the sovereign rights and heritage of tribal governments, learning from, and collaborating with them to integrate their unique and valuable knowledges and practices, including traditional ecological knowledges into land management decisions. We are committed to working cooperatively to protect tribal cultural resources and to identify opportunities for co-management of and access to natural lands that are within Tribes' ancestral territories and under the ownership or control of the Commission." (2021-2025 Strategic Plan core values, page 7)

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the success and sustainability of the project. Commission staff is working on a Needs Assessment which will be considered by the Commission in early 2025.

We look forward to the approval of this amendment nomination for the Dry Lakes Plateau. Please do not hesitate to reach out to the Commission's Tribal Liaison, Yessica Ramirez, with any questions, at Yessica.Ramirez@slc.ca.gov.

Sincerely,

DocuSigned by:

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JENNIFER LUCCHESI
Executive Officer