

**CALENDAR ITEM
C38**

A 10

02/07/17
PRC 9353.1
W 26975
D. Tutov

S 2

RESCISSION OF APPROVAL OF A GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Joan E. Carlson and Mark Ropers

PREVIOUSLY PROPOSED LEASE:

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Tomales Bay, adjacent to 18555 State Route 1, near the town of Marshall, Marin County.

AUTHORIZED USE:

Installation, use, and maintenance of a proposed mooring buoy.

LEASE TERM:

10 years, beginning August 9, 2016.

CONSIDERATION:

\$125 per year; with an annual Consumer Price Index adjustment.

BACKGROUND AND RECOMMENDATION:

On August 9, 2016, the Commission authorized a General Lease – Recreational Use to Joan E. Carlson and Mark Ropers ([Calendar Item 23, August 9, 2016](#)) for installation, use, and maintenance of a proposed mooring buoy through the Tomales Bay Mooring Program (<http://www.slc.ca.gov/Leases-Permits/TomalesBay.html>). Subsequent to the Commission's approval, but before the lease was executed, the Lessee requested rescission and notified staff that the proposed improvements will not be installed on State land. Staff is now recommending that the August 9, 2016, authorization be rescinded.

OTHER PERTINENT INFORMATION:

1. Rescission of the lease approval 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.

CALENDAR ITEM NO. **C38** (CONT'D)

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

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Rescind previous authorization of Lease No. PRC 9353.1, a General Lease – Recreational Use, on August 9, 2016, to Joan E. Carlson and Mark Ropers.

EXHIBIT A

W 26975

LAND DESCRIPTION

A parcel of submerged land situated in the bed of Tomales Bay in the Greater Farallones National Marine Sanctuary, lying adjacent to Tide Lands Location 241, patented February 19, 1947, County of Marin, State of California, more particularly described as follows:

A circular parcel of land, being 50 feet in diameter, underlying a proposed buoy lying adjacent to that parcel described in Affidavit of Surviving Cotrustee recorded June 12, 2008 as Document Number 2008-0027741 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 06/07/2016 by the California State Lands Commission Boundary Unit.



APN
106-301-04

APN 106-301-05

APPROX.
SHORELINE

TOMALES BAY



PROPOSED BUOY

EXHIBIT A

Page 2 of 2

RGB 06/07/16

LAND DESCRIPTION PLAT
W26975, CARLSON-ROPER'S
MARIN COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

APN
106-301-04

APN 106-301-05

APPROX.
SHORELINE



TOMALES BAY

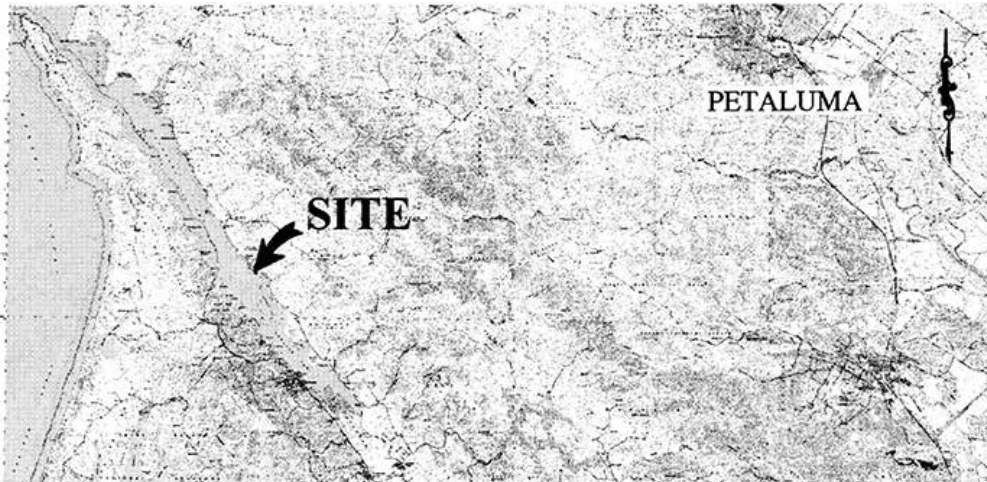
PROPOSED BUOY



NEAR 18555 STATE HIGHWAY 1, MARSHALL

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 26975
CARLSON-ROPER'S
APN 106-301-04
GENERAL LEASE -
RECREATIONAL USE
MARIN COUNTY



RGB 06/07/16

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.