

Staff Report 31

APPLICANT:

Eric Holmes

PROPOSED ACTION:

Rescission of Approval of a General Lease – Recreational Use.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Tomales Bay, adjacent to Teachers Beach, near Inverness, Marin County (as shown in Figure 1).

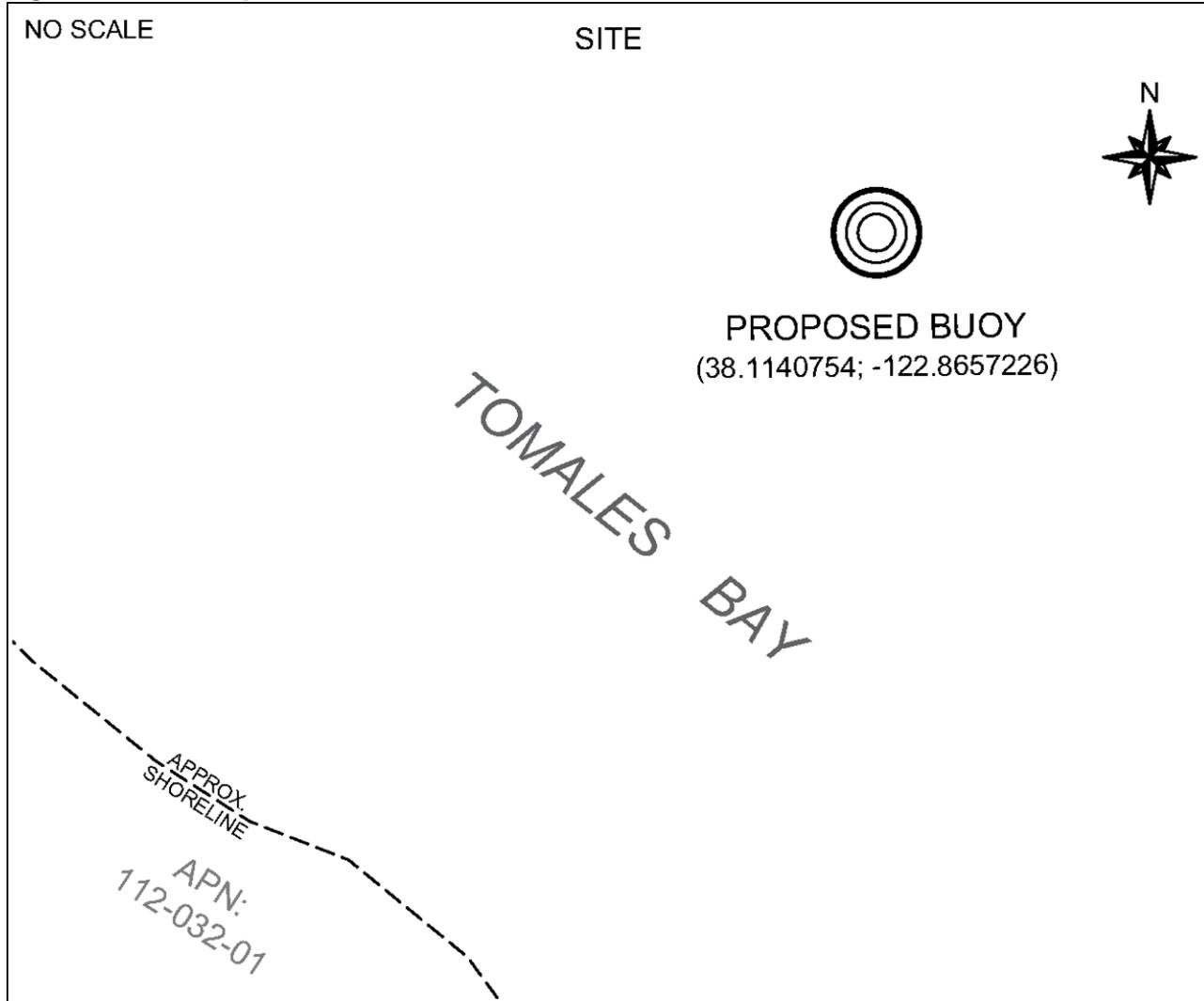
Figure 1. Location



AUTHORIZED USE:

Installation and use of one mooring buoy (as shown in Figure 2).

Figure 2. Site Map



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

TERM:

10 years, beginning April 2, 2025.

CONSIDERATION:

\$167 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

- Lessee shall provide the Commission with proof of current and valid Protection and Indemnity or Watercraft Liability Insurance in an amount no less than \$500,000 per occurrence.
- Lessee agrees to comply with the Tomales Bay Mooring Program (TBMP) requirements, available online at www.slc.ca.gov/leases-permits/tomalesbay/. Lessee agrees to abide by any reasonable modifications to the program.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6501.1, 6503, 6503.5, and 6505.5; California Code of regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

On April 2, 2025, the Commission authorized an issuance of a General Lease – Recreational Use, to Eric Holmes, for the installation and use of one mooring buoy, adjacent to Teachers Beach, near Inverness, Marin County ([Item 23, April 2, 2025](#)). This lease is set to expire on April 1, 2035.

Following Commission authorization, the Applicant decided not to enter into the lease. There are no improvements on sovereign land, as the proposed mooring buoy was never installed. Staff believes the rescission of the approval of Lease 9824 is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the rescission is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law.
2. This action is consistent with the "Leading Climate Activism" and "Meeting Evolving Public Trust Needs" Strategic Focus Areas of the Commission's 2021-2025 Strategic Plan.

3. Rescission of the lease is not a project as defined by the California Environmental Quality Act (CEQA) 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).

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the rescission of approval of Lease 9824 is in the best interests of the State.

AUTHORIZATION:

Authorize the rescission of the Commission's April 2, 2025 ([Item 23](#)) authorization of Lease 9824, a General Lease – Recreational Use to Eric Holmes.