

6. 15-YEAR NON-COMMERCIAL LEASE, TIDE AND SUBMERGED LAND AT TEACHERS BEACH IN TOMALES BAY, MARIN COUNTY; TEACHERS' BEACH ASSOCIATION, A CALIFORNIA CORPORATION - N 149, PRC 4899.1.

After consideration of Calendar Item 5 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT A FINAL ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT BY THE DIVISION FOLLOWING EVALUATION OF COMMENTS AND CONSULTATION WITH PUBLIC AGENCIES WHICH WILL ISSUE APPROVALS FOR THE PROJECT.
2. CERTIFIES THAT THE FINAL ENVIRONMENTAL IMPACT REPORT HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED AND THE STATE GUIDELINES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINES THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZES THE ISSUANCE TO TEACHERS' BEACH ASSOCIATION OF A 15-YEAR NON-COMMERCIAL LEASE FROM JULY 15, 1973; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$150, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; AND PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$100,000/\$300,000 FOR PERSONAL INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR THE OPERATION AND MAINTENANCE OF A PIER, BOATHOUSE, GROIN, AND FLOAT ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT LESSEE SHALL REMOVE THE GROIN FROM STATE LAND IF THE COMMISSION SHALL DETERMINE AT ANY FUTURE TIME THAT THE GROIN CAUSES A SERIOUS THREAT TO SAND MOVEMENT AND DISTRIBUTION ALONG THE BEACH.

Attachment:

Calendar Item 5 (3 pages)

CALENDAR ITEM

5.

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N 149

NON-COMMERCIAL LEASE

APPLICANT: Teachers' Beach Association, a California corporation.

AREA, TYPE LAND AND LOCATION:

A .067-acre parcel of tide and submerged land at Teachers Beach in Tomales Bay, Marin County.

LAND USE:

Operation and maintenance of a pier, boathouse, groin and float.

TERMS OF PROPOSED LEASE:

Initial period: 15 years, from July 15, 1973.

Surety bond: \$2,000.

Public liability insurance:

\$100,000/\$300,000 for personal injury
and \$50,000 for property damage.

CONSIDERATION: \$150 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Minimum rental for this type of lease.

PREREQUISITE TERMS:

U. S. Army Corps of Engineers permit issued.

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 and 10.

OTHER PERTINENT INFORMATION:

1. An environmental impact report has been prepared and circulated to agencies and persons having jurisdiction or expertise. Those comments and recommendations received have been incorporated into the report.
2. Two special clauses have been added to the proposed lease to alleviate the effects of the groin. One provides that the groin will be removed within 90 days if the State determines that it is a serious threat to sand movement and distribution along the beach. The other

CALENDAR ITEM NO. 5 (CONTD)

provides that the lessee shall prominently display a sign which extends to the public the right to use the lessee's boathouse deck and stairway for public passage along the beach.

EXHIBITS:

A. Land Description.

B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT A FINAL ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT BY THE DIVISION FOLLOWING EVALUATION OF COMMENTS AND CONSULTATION WITH PUBLIC AGENCIES WHICH WILL ISSUE APPROVALS FOR THE PROJECT.
2. CERTIFY THAT THE FINAL ENVIRONMENTAL IMPACT REPORT HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED AND THE STATE GUIDELINES AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE THE ISSUANCE TO TEACHERS' BEACH ASSOCIATION OF A 15-YEAR NON-COMMERCIAL LEASE FROM JULY 15, 1973; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$150, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; AND PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$100,000/\$300,000 FOR PERSONAL INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR THE OPERATION AND MAINTENANCE OF A PIER, BOATHOUSE, GROIN, AND FLOAT ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED THAT LESSEE SHALL REMOVE THE GROIN FROM STATE LAND IF THE COMMISSION SHALL DETERMINE AT ANY FUTURE TIME THAT THE GROIN CAUSES A SERIOUS THREAT TO SAND MOVEMENT AND DISTRIBUTION ALONG THE BEACH.

Attachment: Exhibit "A"

EXHIBIT "A"

N 0149

A parcel of submerged land in the bed of Tomales Bay, Marin County, California, adjacent to the Rancho Punta Del Los Reyes and approximately one mile northwesterly of the community of Inverness; said parcel is immediately beneath an existing pier and extends ten feet on all sides from an existing attached float, and is adjacent to the following described land:

That parcel conveyed to Teachers' Beach Association by Quitclaim Deed dated October 31, 1968, and recorded as Document No. 32019 on November 12, 1968, in Book 2254, page 407, Official Records of Marin County, California.

EXCEPTING THEREFROM any portion lying landward of the mean high tide line.

END OF DESCRIPTION