

**CALENDAR ITEM  
C08**

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01/29/09  
WP 5575.9  
N. Lee

**RECREATIONAL PIER LEASE**

**APPLICANT:**

Sally Bankofier Markstein as Trustee of the Sally Bankofier Markstein Trust dated March 11, 1997

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in Lake Tahoe, adjacent to 3380 Edgewater Drive, near Dollar Point, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier and one mooring buoy as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning May 9, 2008.

**CONSIDERATION:**

No monetary consideration pursuant to Public Resources Code section 6503.5.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in the amount of no less than \$500,000.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On February 27, 1998, the Commission authorized a ten-year Recreational Pier Lease with Sally B. Markstein. That lease expired on May 8, 2008. In 1997, Sally B. Markstein deeded the littoral parcel to Sally Bankofier Markstein as Trustee of the Sally Bankofier Markstein Trust dated March 11, 1997. Applicant is now applying for a new Recreational Pier Lease.

CALENDAR ITEM NO. C08 (CONT'D)

3. Applicant qualifies for a Recreational Pier Lease because the Applicant is a natural person who owns the littoral parcel that is improved with a single-family dwelling.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO SALLY BANKOFIER MARKSTEIN AS TRUSTEE OF THE

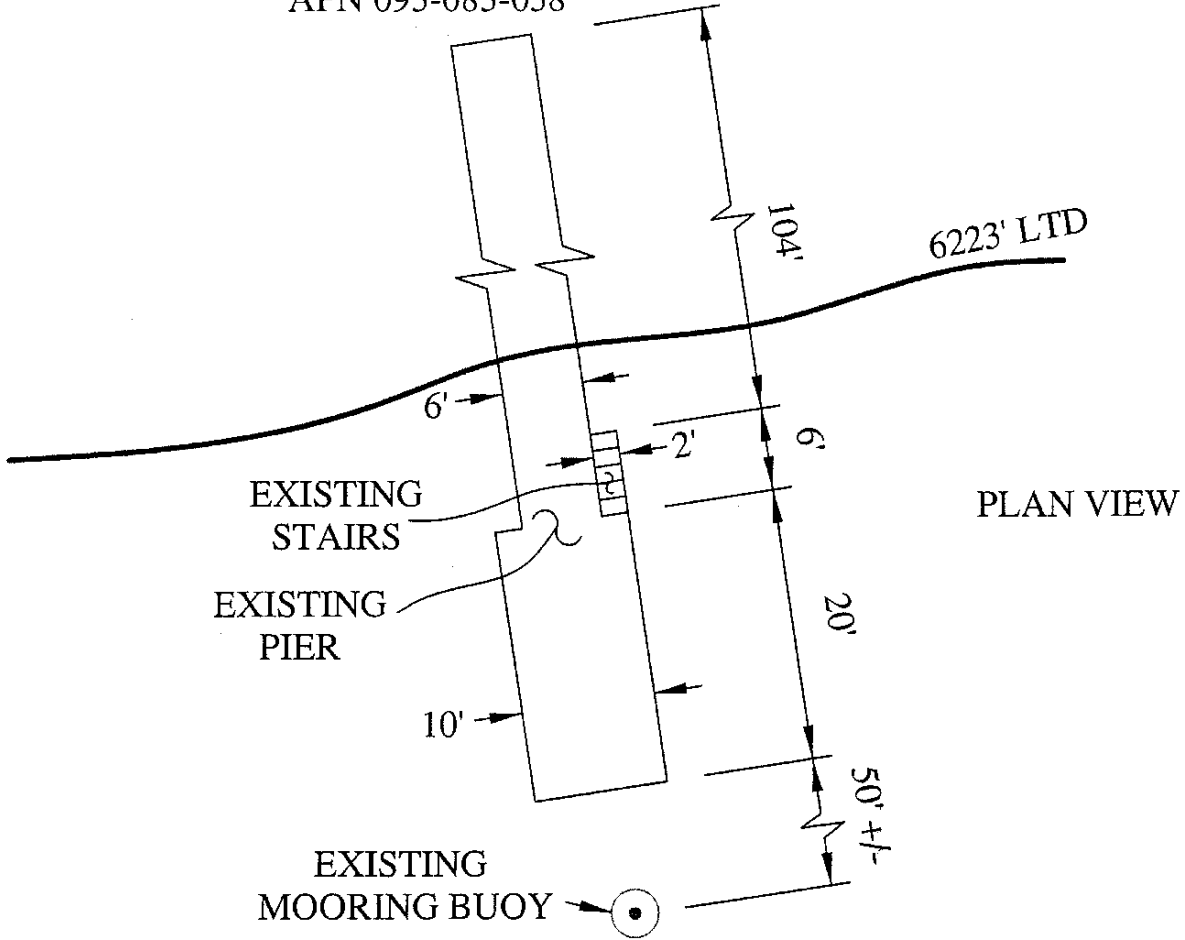
CALENDAR ITEM NO. **C08** (CONT'D)

SALLY BANKOFIER MARKSTEIN TRUST DATED MARCH 11, 1997, BEGINNING MAY 9, 2008, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER AND ONE MOORING BUOY AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; AND LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$500,000.

NO SCALE

### SITE

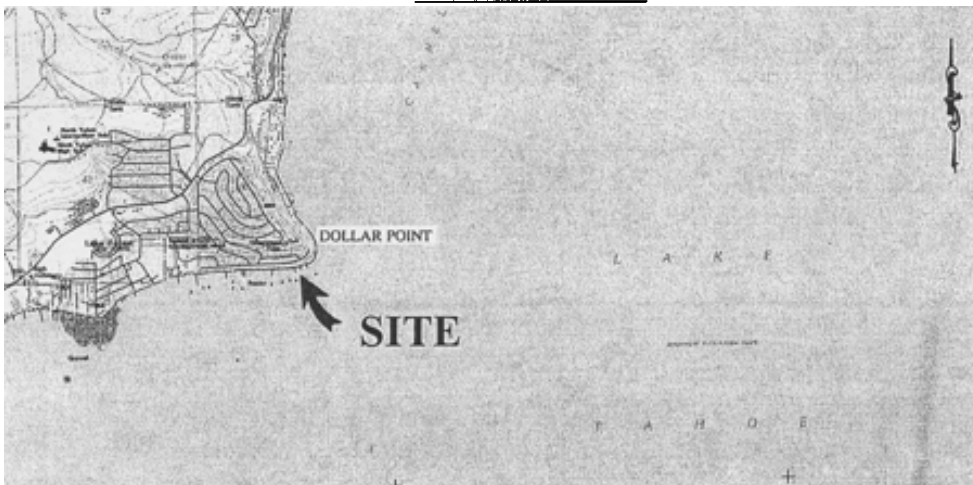
APN 093-083-038



3380 EDGEWATER DRIVE, NEAR DOLLAR POINT

NO SCALE

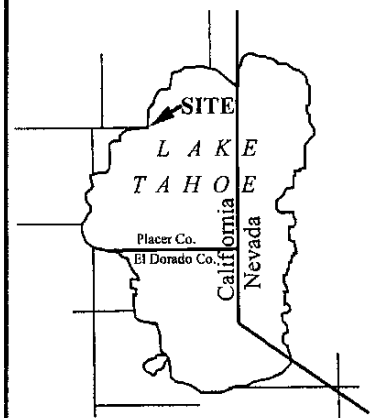
### LOCATION



MAP SOURCE: USGS QUAD

### Exhibit A

PRC 5575.9  
 MARKSTEIN  
 APN 093-083-038  
 RECREATIONAL PIER  
 LEASE  
 PLACER COUNTY



JP 08/08

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.