

From: Huffer, Benjamin@Wildlife
To: Victor Fernandez; Ewing, Ben@Wildlife
Cc: Joey Hejnowicz
Subject: RE: Request for Review / Disney's Boat Rentals
Date: Thursday, December 7, 2023 7:57:21 AM
Attachments: [image001.png](#)

Good morning Victor,

Thank you for reaching out regarding the Disney's Boat Rental Project in Lakeport. I am the CDFW contact who reviews the environmental documents in Lake County. I did receive the associated documents from R2CEQA. I am currently drafting comments for the project to have ready before the 12th and will address your mitigation question in my response. You can continue to submit similar documents through R2CEQA and feel free to reach out to me directly about specific aspects of a project. I am always happy to assist and discuss. Thank you and have a great day!

Best regards,
Ben

From: Victor Fernandez <vfernandez@cityoflakeport.com>
Sent: Wednesday, December 6, 2023 12:58 PM
To: Huffer, Benjamin@Wildlife <Benjamin.Huffer@Wildlife.ca.gov>; Ewing, Ben@Wildlife <Ben.Ewing@wildlife.ca.gov>
Cc: Joey Hejnowicz <jhejnowicz@cityoflakeport.com>
Subject: FW: Request for Review / Disney's Boat Rentals

Some people who received this message don't often get email from vfernandez@cityoflakeport.com. [Learn why this is important](#)

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Good Afternoon,

I am the planner for the City of Lakeport, and we have recently received a project located at 2200 Lakeshore Blvd in Lakeport, CA. I initially sent the request for review to R2CEQA@wildlife.ca.gov however, I would like to reach out to you as well. Our agency is looking for your feedback and/or comments on the project. One of the elements of the project is that it proposes a 4,000 gallon fueling tank on the eastern side of Lakeshore Blvd. With the proximity to the Lake, has your agency encountered similar projects to this one? If so, what mitigations has your agency recommended or required in the past?

Please refer to the attached documents for further information. Additionally, my apologies if I have the incorrect contact and if I should be awaiting a response from R2CEQA@wildlife.ca.gov.

Thank you in advance and please let me know if you have any questions.

Victor Fernandez
Associate Planner



City of Lakeport
225 Park Street
Lakeport, CA 95453

Phone: (707) 263-5615 x203
Fax: (707) 263-8584
www.cityoflakeport.com

From: Victor Fernandez

Sent: Tuesday, November 28, 2023 9:09 AM

To: P Curren <paul@curren.ws>; Joey Hejnowicz <jhejnowicz@cityoflakeport.com>; Jim Kennedy <jkennedy@cityoflakeport.com>; Ron Ladd <rladd@cityoflakeport.com>; Bethany Moss <bmoss@cityoflakeport.com>; preitz@lakeportfire.com; Brad Rasmussen <brasmussen@lakeportpolice.org>; Katie.Carpenter@lakecountyca.gov; Marina Deligiannis <marina.deligiannis@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; 'R2CEQA@wildlife.ca.gov' <R2CEQA@wildlife.ca.gov>; 'SPKRegulatoryMailbox@usace.army.mil' <SPKRegulatoryMailbox@usace.army.mil>; Tami Carley <tcarley@lakeportusd.org>; Katherine Schaefers <Katherine.Schaefers@lakecountyca.gov>; Laura Hall <Laura.Hall@lakecountyca.gov>; Scott Webb <Scott.Webb@lakecountyca.gov>

Cc: Joey Hejnowicz <jhejnowicz@cityoflakeport.com>; Linda Sobieraj <lsobieraj@cityoflakeport.com>

Subject: Request for Review / Disney's Boat Rentals

Good Morning Fellow Agencies,

The City of Lakeport – Community Development Department has received an application for a Tentative Parcel Map, Use Permit, Architectural and Design Review, Shoreline Development Permit, and Environmental Review located at 2200 Lakeshore Blvd. Your agencies may recall that an initial notice for this project was sent out on April 6th, 2023. However, the applicant has amended their plans, therefore, a new notice has been prepared. Disney's Boat Rentals proposes to relocate their business to 2200 Lakeshore Blvd. The project consists of subdividing the existing parcel into four separate lots as well as constructing a boat rental office, a parking lot, and relocating their dock to this new location. Please refer to the attached RFR and plans for further information on the project. Please submit your comments by December 12, 2023.

Thank you!

Victor Fernandez

From: [Paul Curren](#)
To: [Linda Sobieraj](#); [Victor Fernandez](#); [Jim Kennedy](#)
Subject: Re: Request for Review - Parkside TPM
Date: Wednesday, December 6, 2023 2:39:14 PM

As discussed today, my comments for the Disney proposed development are as follows:

1. Sidewalks should be constructed on the west side of parcel 2 for the entire length of the parcel.
2. On the east side, the development needs to include a pull-out sized to comfortably fit whatever fuel truck will be used to deliver fuel to the fueling station. The pull-out should be located south of the proposed fueling station such that the delivery truck will be able to see oncoming traffic northbound to safely pull out into traffic. The pull-out should include a 3 foot valley gutter with the flowline located at the existing gutter flowline. We highly suggest that the pull-out be concrete due to the potential for fuel spillage. It should be sloped toward the valley gutter at 1.5% to 2%. Sidewalk should be constructed from the southern end of the pull-out to 20 feet past the new ADA ramp on the north end.
3. Installation of the RRFB including all signage and pavement markings shall be installed prior to occupancy of the project. The RRFB shall be solar powered.
3. Sidewalk on the

On Wed, Jan 18, 2023 at 11:08 AM Linda Sobieraj <lsobieraj@cityoflakeport.com> wrote:

Paul,

Victor is out at training today but I will have him call you tomorrow.

Victor can you please contact Paul Curren regarding this RFR

Thanks.

Linda Sobieraj

Administrative Analyst

Phone: 707-263-3056 Ext. 204

Fax: 707-263-8584

City Hall Hours 8:00 a.m. - 5:30 p.m.

CLOSED FRIDAYS

From: Paul Curren <paul@curren.ws>
Sent: Wednesday, January 18, 2023 11:06 AM
To: Linda Sobieraj <lsobieraj@cityoflakeport.com>
Subject: Re: Request for Review - Parkside TPM

Please have Victor call be about this. I need to know what the planning commission conditions were.

On Wed, Jan 18, 2023 at 9:46 AM Linda Sobieraj <lsobieraj@cityoflakeport.com> wrote:

Please find attached a new request for review.

Linda Sobieraj

Administrative Analyst

Phone: 707-263-3056 Ext. 204

Fax: 707-263-8584

City Hall Hours 8:00 a.m. - 5:30 p.m.

CLOSED FRIDAYS

From: [Ryan Lewelling](#)
To: [Victor Fernandez](#)
Subject: Tentative PM 2023-09 review - APN 026-031-290-000
Date: Thursday, March 23, 2023 8:39:48 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image005.png](#)

Victor,

This Assessor's Office review of proposed Tentative Parcel Map 2023-09, LAKEPORT BOAT RENTALS INC, APN 026-031-290-000, has the following comments:

- No Tax Rate Area conflicts identified
- Property taxes are current as of 3/21/2023
- Ownership confirmed per doc no. 2021020743
 - Please have the property owner submit an [Agent Authorization](#) designating who may access assessment information
- Tentative Parcel Map reviewed and located
 - Easements: no reference for Lakeshore Blvd, Bus stop, utility – power poles and power lines
 - Easements proposed: 40' Storm Drain, multiple 20' Drainages

Please proceed accordingly.



Ryan Lewelling
Cadastral Mapping Specialist
Assessor-Recorder Department
255 N. Forbes St., Room 223
Lakeport, CA 95453
Phone: (707) 263-2302 x32112
Fax: (707) 263-3703
Email: Ryan.Lewelling@lakecountyca.gov
STAY CONNECTED:



From: [Lake County Community Development - Resource Planning](#)
To: [Victor Fernandez](#)
Subject: FW: Request for Review / Disney's Boat Rentals
Date: Wednesday, December 6, 2023 12:37:57 PM
Attachments: [image001.png](#)
[image002.png](#)
[8-25-21 - email - Disney Seawall initial response to WR.pdf](#)
[2200sitemap.pdf](#)
[RE Disney dock structure.msg](#)

From: Lake County Community Development - Resource Planning
Sent: Tuesday, November 28, 2023 9:39 AM
To: Victor Fernandez <vfernandez@cityoflakeport.com>
Cc: Lake County Community Development - Resource Planning
<ResourcePlanning@lakecountyca.gov>
Subject: RE: Request for Review / Disney's Boat Rentals

Good morning Victor,

I am not familiar with this one, however, I have appended here some background information on potentially processing a Disney boat rental project from 2021 and 2022. The conversation includes the County (CDD and Water Resources) and the Lakeport Building Division.

I do not have any additional records indicating that a CE or Mitigated Neg Dec was processed for a Lakebed permit for this party.

Thank you,



Katherine Schaefer, MA
Resource Planner
Community Development Department
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221
Fax: (707) 262-1843
Email: ResourcePlanning@lakecountyca.gov

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From: Victor Fernandez <vfernandez@cityoflakeport.com>

Sent: Tuesday, November 28, 2023 9:09 AM

To: P Curren <paul@curren.ws>; Joey Hejnowicz <jhejnowicz@cityoflakeport.com>; Jim Kennedy <jkennedy@cityoflakeport.com>; Ron Ladd <rladd@cityoflakeport.com>; Bethany Moss <bmoss@cityoflakeport.com>; preitz@lakeportfire.com; Brad Rasmussen <brasmussen@lakeportpolice.org>; Katie Carpenter <Katie.Carpenter@lakecountyca.gov>; Marina Deligiannis <marina.deligiannis@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; R2CEQA@wildlife.ca.gov; SPKRegulatoryMailbox@usace.army.mil; Tami Carley <tcarley@lakeportusd.org>; Katherine Schaefer <Katherine.Schaefer@lakecountyca.gov>; Laura Hall <laura.hall@lakecountyca.gov>; Scott Webb <Scott.Webb@lakecountyca.gov>

Cc: Joey Hejnowicz <jhejnowicz@cityoflakeport.com>; Linda Sobieraj <lsobieraj@cityoflakeport.com>

Subject: [EXTERNAL] Request for Review / Disney's Boat Rentals

Good Morning Fellow Agencies,

The City of Lakeport – Community Development Department has received an application for a Tentative Parcel Map, Use Permit, Architectural and Design Review, Shoreline Development Permit, and Environmental Review located at 2200 Lakeshore Blvd. Your agencies may recall that an initial notice for this project was sent out on April 6th, 2023. However, the applicant has amended their plans, therefore, a new notice has been prepared. Disney's Boat Rentals proposes to relocate their business to 2200 Lakeshore Blvd. The project consists of subdividing the existing parcel into four separate lots as well as constructing a boat rental office, a parking lot, and relocating their dock to this new location. Please refer to the attached RFR and plans for further information on the project. Please submit your comments by December 12, 2023.

Thank you!

Victor Fernandez
Associate Planner



City of Lakeport
225 Park Street
Lakeport, CA 95453

Phone: (707) 263-5615 x203
Fax: (707) 263-8584
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COUNTY OF LAKE
WATER RESOURCES DEPARTMENT
255 N. Forbes Street
Lakeport, California 95453
Telephone (707) 263-2344
Fax (707) 263-1965

Scott De Leon
Director

Marina Deligiannis
Deputy Director

December 14, 2023

Disney Boat Rental Project
County of Lake Water Resources Dept. Comments

Lakebed Structures – Note that most of these concerns will be addressed in the Lakebed Encroachment Permit process.

1. This project will require a new lakebed encroachment permit. Project components described include a raised boardwalk, gangway, floating docks, and fueling system. The permit application must include a site map that focuses on those project components on the east side of Lakeshore Blvd. The site map should show the project components noted above and must include zero Rumsey (OLWM) and 7.79 Rumsey (OHWM).
2. The lakebed encroachment permit will require CEQA. The City of Lakeport has indicated that they will be the lead agency processing CEQA.
3. In wetland areas, raised piers or rails are required to minimize loss of wetland habitat (Lake County Code of Ordinances Sec 23-6.1(A)). This property has a natural opening in the approximate area of the proposed structure. If the floating docks are placed in that area, the referenced section of the ordinance is met; if placed in an alternative area, Sec 23-6.1(A) will apply.
4. The floating docks will require an anchorage plan. This plan must include the number of anchors, locations of anchors, weight of anchors, and describe adjustments required to account for changing lake levels. The Use Permit states that "location will only differ perpendicularly to the shoreline as the lake level increases or decreases." This should also be addressed in the anchorage plan, as well as placement of additional structures to access the floating docks during extreme low lake levels. Also note that the Biological Report states that the floating dock is anchored in upland areas; this contradicts diagrams in the Shoreline Development section of the Use Permit.
5. Parts of the raised boardwalk appear to be lakeward of 7.79 Rumsey. For the part of the boardwalk that is lakeward of 7.79 Rumsey, provide the size and number of pier posts that will be placed.
6. Will the project include facilities for launching boats (e.g., a boat ramp, launch rails, etc.)? If a boat ramp is to be constructed, the project must address the County's no net loss policy (see Sec 23-3.51 and Sec 23-6.1(C)). If launch facilities will not be constructed for this project, describe where boats will be deployed from, and day-to-day storage of vessels.
7. Describe any other potential shorezone disturbance.

Stormwater

1. This project is within City of Lakeport's jurisdiction, so assessment, approval, monitoring, and other aspects of the stormwater plan is the City's responsibility.

Fueling System

1. The Water Resources Dept. (WRD) is requesting to review the proposed design of the fueling system with an emphasis on the operation and maintenance, containment, and the spill response plan.
2. The fueling system is adjacent to the OHWM and is within the 100-year flood zone, which could result in a flood risk to the fueling system. This concern should be addressed in the Use Permit. WRD would prefer that the fueling system be located on the west side of Lakeshore Blvd and outside of the 100-year flood zone.
3. The proposed fueling system is directly under electrical power lines; this poses a potential fire risk.
4. The Biological Report states that the fuel storage is 1,200 gallons, whereas the Use Permit indicates 4,000 gallons. This discrepancy should be clarified.

Biological Concerns

1. The species list in the Biological Report includes highly invasive hydrilla as an aquatic vegetation occurring in the project area. During the field survey, was hydrilla observed? If hydrilla was observed, was this sighting reported to CA Dept. of Food and Agriculture?
2. Native vegetation provides important habitat for many species, and native vegetation is generally protected by County Ordinance Sec 23-15. Protection of native vegetation (specifically trees and tules) should be discussed in the Biological Report.
3. Clear Lake hitch and its critical habitat exist within the project area. A spatial review of CNDDDB (Sept 2019) indicates the potential presence of hitch in the project area. The Biological Report should address hitch and that tules are critical habitat for hitch. Potential displacement of tules must address the County's no net loss policy. Protections for hitch and critical habitat should be addressed via communication with CA Dept. of Fish and Wildlife; WRD would prefer to be included in those communications.
4. The Biological Report discusses wildlife corridors and that they do not exist in the project area partly because of constant traffic on Hwy 20. This statement seems out of context.

If you have any questions, please contact me at (707) 263-2344 or scott.webb@lakecountyca.gov.

Sincerely,



Scott Webb
Water Resources Technician



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone (707) 263-1164
FAX (707) 263-1681

Susan Parker
Interim Health Services Director

Craig Wetherbee
Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: December 11, 2023
TO: Victor Fernandez, Associate Planner
FROM: Christina Gearhart, EHS
RE: Application 2023-36; Tentative Parcel Map;
Architectural and Design Review; Use Permit,
Shoreline Development Permit; and Environmental
Review – Disney Boat Rentals
APN: APN: 026-031-29/SR00005338

Please see comments below from Lake County Environmental Health regarding the project referenced above:

If the applicant stores hazardous materials equal to or greater than 55 gallons of a liquid, 500 pounds of a solid or 200 cubic feet of compressed gas, the applicant will be required to submit a Hazardous Materials Inventory Disclosure Statement/ Business Plan to the Environmental Health Division via the California Electronic Reporting System (CERS) and it shall be renewed and updated annually or if quantities increase. Note that additional California Unified Program Agency (CUPA) requirements may apply depending on the amounts of hazardous materials stored on site.

If hazardous waste is generated in any quantity, then the site would be subject to regulation as a small quantity hazardous waste generator, which includes a one time submittal to CERS and fees and inspection by the CUPA.



Note that Lake County Environmental Health has no record of a CUPA facility on file for the current Disney Boat Rentals location (401 S Main St., Lakeport). If either the current or proposed location stores hazardous materials/hazardous waste in quantities as per above, or generates hazardous waste in any quantity, then the above requirements would apply.

Hazardous materials shall not be allowed to leak onto the ground or contaminate surface waters. Any release of hazardous materials shall be recycled or disposed of through a registered waste hauler to an approved site authorized to accept such materials.

Industrial Waste shall not be disposed of on-site without review or permit from the Environmental Health Division or the Regional Water Quality Control Board.

It is noted on the submitted plans and information that there is a 4000 gallon “engineered fueling system” installed on the portion of the property east of Lakeshore Blvd.. There is insufficient detail to evaluate the proposed fueling system for hazards at this time, and we expect more details and will make further comments during CEQA review. However, the placement of the fuel tank on the eastern side of the property is a point of concern both for the proximity to the lake and that it is within the flood zone (zone AE) as well.

From: [Huffer, Benjamin@Wildlife](mailto:Huffer.Benjamin@Wildlife)
To: [Victor Fernandez](#)
Subject: Disney's Boat Rentals
Date: Tuesday, December 12, 2023 2:22:35 PM
Attachments: [image001.png](#)

Good afternoon Victor,

Thank you for the opportunity to provide comments on the proposed Disney's Boat Rentals Project. Based on available information and the described project activities, CDFW recommends the project applicant submit a Notification for a Lakebed Alteration Agreement for CDFW review. While there will be no piles driven in the water, the cement pads that the dock structure will be secured to may be subject to Notification. Additionally, the fueling station east of Lakeshore Boulevard may impact riparian habitat that would also require notification. Further information on CDFW's Lakebed Alteration Program and our online permitting portal can be found at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

In terms of minimization measures, the primary measure to protect to the Clear Lake Hitch (CLH) (*Lavinia exilicauda chi*), a species listed as *threatened* under CESA, is the work window from October 15 through December 31. If no activities occur in the waters of Clear Lake it is likely work can occur outside this window, but the project may still be subject to a 1600 Lakebed Alteration Agreement (LAA). I also did not see what preconstruction surveys were recommended, but a nesting bird survey and potentially a rare plant survey would be included to identify and avoid any sensitive resources. Additionally, general BMPs, erosion control measures and potentially a catch basin or similar structure around the fueling station, are some minimization measures we would recommend. For mitigation around the 4,000 gallon fuel tank, we would likely ask for revegetation for riparian habitat loss and would prefer Tules or willow cutting used in the revegetation at an appropriate ratio to restore ecosystem function. I hope this information helps. Please let me know if you have any questions or concerns. Thank you.

Best regards,
Ben

Ben Huffer
Environmental Scientist
(916) 216-6253
1701 Nimbus Rd.
Rancho Cordova, CA 95670

CALIFORNIA DEPARTMENT OF
FISH and WILDLIFE 



Scotts Valley Band of Pomo Indians

November 28, 2023

Victor Fernandez
City of Lakeport
225 Park Street
Lakeport, CA 95453

Re: Request for Review / AB 52 - Disney's Boat Rentals at 2200 Lakeshore Blvd.
Lakeport CA. 95453

Mr. Victor Fernandez,

We are in receipt of the information sent to our tribe on November 28, 2023, regarding 2200 Lakeshore Blvd., and we would like to comment as this land falls within our ancestral area. It is well known that tribes around the lake used lakeshores for fishing, ceremonial, collecting cultural resources, recreational and other reasons.

There has been so much clearing of natural resources around the lake that it has affected the health of the water negatively. Although we understand the desire for economic development, we know it is very important to consider the health of cultural resources of the tribes around the lake and the plants and animals around the lake. The state endangered hitch fish dwells in the tule and we see more and more that these fish are declining in number and health.

This is why the 4000-gallon fueling system that is in the plan to be installed is of great concern as it is near the lake and leakage, or spills, can impact the health of the lake and its cultural resources negatively.

Furthermore, with the high possibility of cultural remains and cultural artifacts the tribe believes any turning of dirt, even under water needs to have a cultural monitor present from Scotts Valley Band of Pomo Indians.

Finally, we ask that you keep the Scotts Valley Band of Pomo Indians apprised of any plans to move forward.

Thank you,

Patricia Franklin
Environmental Director
Scotts Valley Band of Pomo Indians

From: [Scott Webb](#)
To: [Victor Fernandez](#)
Cc: [Angela DePalma-Dow](#); [Mitchell Breedlove](#); [Marina Deligiannis](#)
Subject: RE: Disney project comments
Date: Monday, December 18, 2023 10:39:45 AM
Attachments: [image001.png](#)

Environmental Health Dept. does the permitting for fueling stations within the County jurisdiction; I'm not sure about the City of Lakeport or Clearlake. EHD could give you more of the specifics. Konocti Harbor does have a fueling station on one of their floating docks (docks are secured with pilings). Pine Dell Resort (APN 036-311-03) pulled a permit in 2003 to install a fuel dock (fixed pier). I think Richmond Park also pulled a permit in 2003 for a fuel dock (APN changed). I'm sure there are other fueling stations around the lake, but I could not indicate where.

Chapter 23 does not have specific regulations regarding fueling stations. One of our concerns was the containment plan and spill response plan. Having the fueling station located under power lines seems less than optimal. The Use Permit indicates that Lakeport Fire will be involved in the approval of that component of the project; WRD will let Lakeport Fire formally address the potential fire concern that might be caused by the powerlines. Having the fuel station located out of the flood zone would be good; but a good design can address and minimize flood risk concerns.

Let me know if you have any more questions.

Scott

From: Victor Fernandez <vfernandez@cityoflakeport.com>
Sent: Monday, December 18, 2023 9:57 AM
To: Scott Webb <Scott.Webb@lakecountyca.gov>
Subject: [EXTERNAL] RE: Disney project comments

Hello Scott,

I had a follow-up question. I believe there are a couple of lakefront (or on the lake) fueling stations around the lake. Do you know what requirements or processes were provided for these locations? I'm not 100% sure but I believe Konocti Harbor might have a location. I just want to ensure I capture all the requirements and mitigations as well.

Thank you in advance!

Victor Fernandez
Associate Planner



City of Lakeport
225 Park Street
Lakeport, CA 95453

Phone: (707) 263-5615 x203
Fax: (707) 263-8584
www.cityoflakeport.com

From: Scott Webb <Scott.Webb@lakecountyca.gov>
Sent: Thursday, December 14, 2023 2:18 PM
To: Victor Fernandez <vfernandez@cityoflakeport.com>
Cc: Marina Deligiannis <marina.deligiannis@lakecountyca.gov>; Mitchell Breedlove <Mitchell.Breedlove@lakecountyca.gov>; Angela DePalma-Dow <Angela.DePalma-Dow@lakecountyca.gov>
Subject: Disney project comments

Attached are the comments from Water Resources Dept regarding the Disney project. If need be, I can be reached in the office at (707) 263-2344, work cell (707) 272-2222, or e-mail.

Thanks,

Scott Webb
Water Resources Technician
County of Lake, CA