



CEQA COMPLIANCE MEMORANDUM
Addendum to Adopted Mitigated Negative Declaration (MND)

Project Title: Disney's Boat Rentals – Pier Design Modification

SCH#: 2024091171

Lead Agency: City of Lakeport

Prepared By: Victor Fernandez – Planning Services Manager

Approved By: Joey Hejnowicz – Community Development Director

Date: September 8, 2025

I. PURPOSE AND BACKGROUND

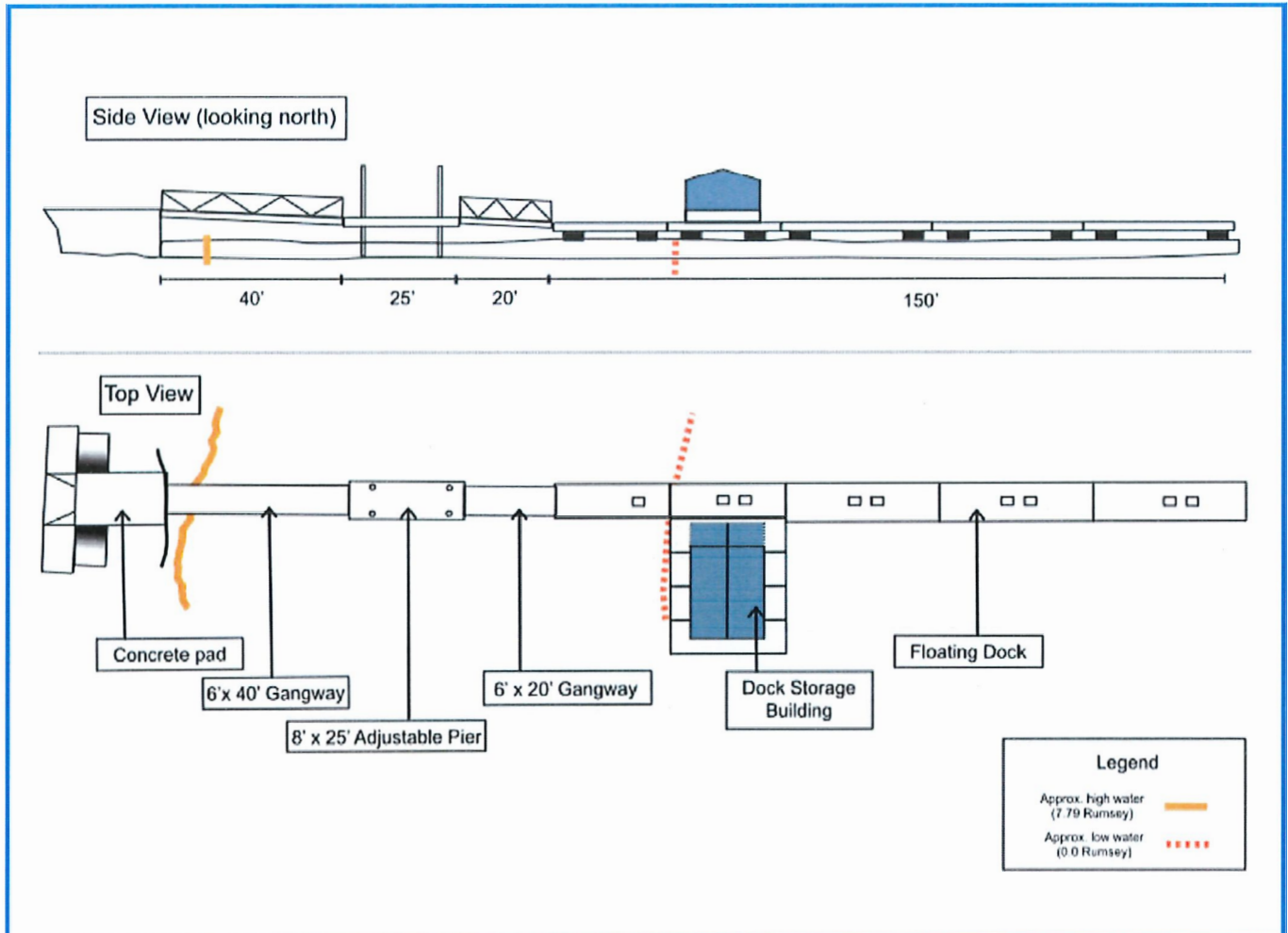
The purpose of this memorandum is to formally document the City of Lakeport's determination, as Lead Agency under the California Environmental Quality Act (CEQA), that an Addendum to the previously adopted Mitigated Negative Declaration (MND) is the appropriate level of environmental review for a proposed design modification to the Disney's Boat Rentals project. This determination is made in accordance with CEQA Guidelines Sections 15162 and 15164, which allow for preparation of an addendum when minor changes are proposed and no new or more severe environmental impacts would occur.

The Disney's Boat Rentals project, located at 2200 Lakeshore Boulevard in Lakeport, California, received its Notice of Determination (NOD) on January 14, 2025, under State Clearinghouse #2024091171, following approval by the Lakeport Planning Commission on January 8, 2025. The approved project included construction of a dock and pier system utilizing a gangway–pier–gangway design supported by four pilings.

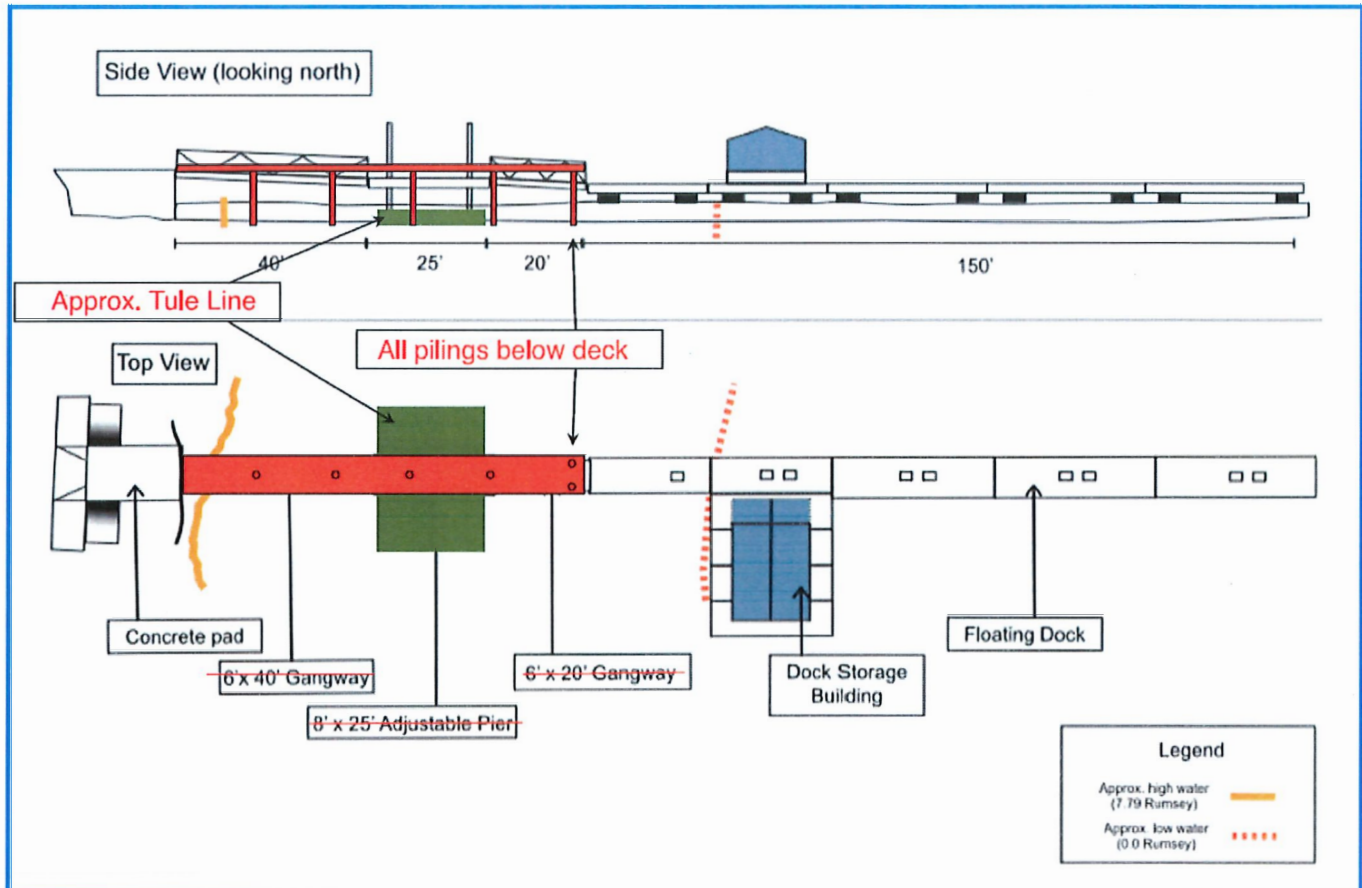
Since that time, the applicant has proposed a minor amendment to the pier configuration. The revised design replaces the original gangway–pier–gangway layout with a more direct pier–gangway connection, increases the number of support pilings from four to six, and slightly shifts the layout to further avoid impacts to sensitive emergent wetland and tule vegetation. A Biological Technical Memo, prepared by Dr. Gary Graening and dated August 19, 2025, confirms that the revised design does not introduce new significant environmental effects and is less environmentally invasive than the original plan. The memo is provided as Attachment 1 and includes diagrams showing both the original and proposed configurations. In addition, the approved design and proposed revised design are provided on the following pages of this memo.

The proposed change remains within the scope of the original environmental review, and all previously adopted mitigation measures remain applicable. Therefore, the City has determined that preparation of an Addendum is appropriate and that no Subsequent MND or EIR is required. The following sections of this document provide further analysis and justification supporting this conclusion.

Approved Design



Proposed Revised Design



II. BASIS FOR ADDENDUM UNDER CEQA GUIDELINES SECTION 15164

According to Section 15164 of the CEQA Guidelines, an addendum to a previously certified Environmental Impact Report (EIR) or adopted Negative Declaration (ND) may be prepared by the lead or responsible agency when only minor changes or additions are required and none of the circumstances outlined in Section 15162 have occurred that would otherwise necessitate the preparation of a subsequent EIR or ND. The addendum does not require circulation for public review but must be included in or attached to the final EIR or adopted ND. Additionally, a brief explanation justifying why a subsequent EIR is not needed under Section 15162 (*See Section III. Evaluation Under CEQA Guidelines Section 15162 for further details*) must be provided and supported by substantial evidence in the administrative record. This explanation can be included in the addendum itself, in the lead agency's findings on the project, or elsewhere in the project record.

The proposed modifications to the Disney's Boat Rentals project involve a revised pier design that replaces the previously approved gangway-to-pier-to-gangway configuration with a simplified design consisting of a single extended pier connecting directly to the floating dock. This updated design also

increases the number of pilings from four to six. According to the technical memorandum submitted by the project biologist, the revised design does not result in any new or more severe environmental impacts than were originally analyzed under the adopted Mitigated Negative Declaration (MND) (SCH# 2024091171).

III. EVALUATION UNDER CEQA GUIDELINES SECTION 15162

As indicated in Section II, Section 15162 of CEQA Guidelines indicates that a Subsequent EIR or Negative Declaration should be prepared when it meets the following triggers in the table below. The proposed amendment does not fall under the categories listed below.

CEQA SECTION	JUSTIFICATION
Section 15162(a)(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.	The proposed change eliminates one gangway and extends the pier directly to the floating dock, increasing the number of pilings from four to six. As confirmed by the project biologist in the submitted Technical Memo, this adjustment results in a reduction in impact to emergent wetland/tule vegetation and does not introduce any new significant environmental effects. Thus, the change is not substantial and does not warrant major revisions to the previously adopted MND. Conclusion: No new significant environmental effects or increased severity of impacts. Compliant with 15162(a)(1).
Section 15162(a)(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.	There have been no substantial changes in the surrounding environment or regulatory framework that would cause new or more severe impacts. The site conditions remain materially the same as when the MND was adopted. The physical changes to the project remain within the environmental assumptions of the adopted MND. Conclusion: No changes in circumstances resulting in more severe effects. Compliant with 15162(a)(2).
Section 15162(a)(3)(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration	The biological memo concludes that the revised pier design is less invasive and does not introduce any new significant effects. All environmental resources evaluated in the original MND remain applicable, and no new impact categories are triggered. Conclusion: No new significant effects. Compliant with 15162(a)(3)(A).
Section 15162(a)(3)(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;	The minor design change does not intensify any of the previously identified impacts. On the contrary, it reduces encroachment on sensitive habitat as originally the pier construction proposed 4 pilings

	within the wetland/Tule habitat, however, while the proposed project now includes 6 pilings rather than 4, only 2 pilings are within the wetland/Tule habitat area. Therefore, no previously identified impacts become more severe under the revised design. Conclusion: No increase in severity of previously examined effects. Compliant with 15162(a)(3)(B).
Section 15162(a)(3)(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative;	No new feasible mitigation measures have emerged. The adopted mitigation measures remain effective and adequate, and no new feasible but unadopted measures have been identified or declined by the applicant. Conclusion: No change to mitigation feasibility or implementation. Compliant with 15162(a)(3)(C).
Section 15162(a)(3)(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.	No substantially different alternatives or mitigation measures that would reduce impacts have been identified. The current mitigation strategy remains sufficient, and no new unadopted options have been proposed that would alter the impact conclusions. Conclusion: No new alternatives required. Compliant with 15162(a)(3)(D).
Section 15162(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.	Although the design of the pier is changing, the revised configuration remains entirely within the approved area and environmental impact boundaries evaluated in the originally adopted Mitigated Negative Declaration (MND). The original project scope, as reviewed under CEQA, analyzed the construction of a gangway-to-pier-to-gangway structure extending into the lake. The proposed amendment eliminates both gangways and instead incorporates a single extended pier connecting directly to the dock. Importantly, this modification does not expand the total overwater coverage area or extend beyond the originally proposed limits within the project site. The pier remains within the same general alignment and previously assessed disturbance envelope. The biologist's technical memorandum

	submitted by the applicant confirms that the revised design does not introduce any new or more severe impacts to biological resources or sensitive habitats. In fact, the updated design reduces the potential for impacts to emergent wetland and tule vegetation by simplifying the structural configuration and minimizing in-water elements. Additionally, the number of pilings has increased from four to six, but the locations of the new pilings are still within the same environmentally reviewed area and do not alter the conclusions of the original MND. There is no evidence of new significant environmental effects, nor is there an increase in the severity of any previously identified impacts. As such, under CEQA Guidelines Sections 15162 and 15164, the City has determined that the proposed change constitutes a minor modification to the project. Conclusion: The adopted MND remains valid, and the preparation of an Addendum is appropriate and sufficient for CEQA compliance. Compliant with 15162(b)
Section 15162(c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.	Under CEQA Guidelines Section 15162(c), if any of the conditions identified in subdivision (a) were triggered by the proposed change, the City would be responsible for preparing a subsequent environmental document. However, as documented through the City's review and supported by substantial evidence in the record, none of the criteria under Section 15162(a) have been met. The proposed design modification will not result in new or more severe significant impacts, and therefore, preparation of a subsequent MND or EIR is not required. Accordingly, the City may proceed with the use of an Addendum to the adopted MND under CEQA Guidelines Section 15164. No further action is required from other responsible or trustee agencies prior to the City's approval of the revised design. Conclusion: The adopted MND remains valid, and the preparation of an Addendum is appropriate and sufficient for CEQA compliance. Compliant with 15162(c)
Section 15162(d) A subsequent EIR or subsequent negative	This does not apply as this is an Addendum and not a Subsequent EIR or Negative Declaration.

declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.	
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IV. REVIEW AUTHORITY FOR ADDENDUM

On January 8, 2025, the City of Lakeport Planning Commission approved the Disney's Boat Rentals project, adopting the associated Mitigated Negative Declaration (SCH# 2024091171) and granting entitlements including a Tentative Parcel Map, Architectural and Design Review, Use Permit, and Shoreline Development Permit. This approval established the environmental and discretionary framework under which the project is authorized to proceed.

As part of the Planning Commission's approval, Condition No. 2 of the adopted Project Conditions Agreement (Land Use File No. 2023-36) specifically authorizes the Community Development Director (CDD Director) to approve minor alterations to the project in writing. The proposed modification to the pier design—consisting of the elimination of two gangways, extension of the pier, and installation of six pilings instead of four—constitutes a minor change that remains within the scope of the previously evaluated project.

In accordance with CEQA Guidelines §15164, an Addendum may be prepared when only minor changes are proposed and none of the conditions in §15162 requiring a Subsequent MND or EIR are met. Given the limited nature of the design change and the absence of any new or more severe environmental impacts, the CDD Director has the authority to approve this Addendum on behalf of the City of Lakeport. The Addendum will be included in the administrative record and considered alongside the previously adopted MND as part of the City's CEQA compliance.

V. AGENCY REVIEW

On August 21, 2025, the City of Lakeport circulated a project memorandum describing the proposed pier design modification to the County of Lake Water Resources Department, California Department of Fish and Wildlife (CDFW), County of Lake Community Development Department – Planning Division, and the Scotts Valley and Big Valley Band of Pomo Indians for agency and tribal review.

The County of Lake Community Development Department – Planning Division indicated they had no comments on the addendum. As of the date of this Addendum, the City has not received any comments indicating there are concerns from the reviewing agencies or tribes. The absence of comments indicates that no additional concerns have been raised beyond those previously considered in the adopted Mitigated Negative Declaration (SCH# 2024091171).

VI. CONCLUSION

Based on the City of Lakeport's comprehensive evaluation of the proposed pier design modification and its consistency with CEQA Guidelines Sections 15162 and 15164, the City concludes that an Addendum

to the adopted Mitigated Negative Declaration (MND) is the appropriate level of environmental documentation for this project.

The revised design—replacing the previously approved gangway–pier–gangway configuration with a single extended pier and adding two additional pilings—represents a minor change that does not introduce new significant environmental effects, nor does it increase the severity of previously identified impacts. Substantial evidence in the form of the biological technical memo confirms that the proposed changes reduce encroachment into sensitive tule and emergent wetland vegetation and remain within the footprint evaluated in the original environmental analysis.

No new circumstances, information, or project features have been identified that would trigger the need for a subsequent MND or EIR under Section 15162(a). Further, the conditions outlined in Sections 15162(b), (c), and (d) do not apply, as the project change does not constitute a substantial deviation requiring a new public review process or discretionary action beyond the scope of the City's original approval. Instead, the Addendum may be considered and adopted by the City's decision-making body in conjunction with the previously adopted MND.

Accordingly, the City of Lakeport will retain this Addendum in the administrative record for the project and will include it with all future approvals or project documentation to demonstrate continued compliance with CEQA.

VII. APPROVAL

This Addendum to the adopted Mitigated Negative Declaration (MND) for the Disney's Boat Rentals project has been prepared by the City of Lakeport Planning Division and reviewed for compliance with the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15162 and 15164. The Addendum concludes that the proposed project modifications do not result in new or more severe significant environmental effects and therefore do not require preparation of a subsequent MND or EIR.

Pursuant to the authority delegated by the Lakeport Planning Commission through the project's Conditions of Approval, the Community Development Director has reviewed and approved this Addendum as a minor amendment to the original project.

PREPARED BY :


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City of Lakeport

9/8/2025
Dated:

APPROVED BY :


Joey Hejnowicz
Community Development Director
City of Lakeport

9/8/2025
Dated: