



COUNTY OF LAKE
DEPARTMENT OF WATER RESOURCES
255 N. Forbes Street
Lakeport, California 95453
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Scott De Leon
Water Resources Director

Marina Deligiannis
Deputy Director

NOTICE OF VIOLATION

June 24, 2022

LAKESHORE ASSOCIATES INC C/O PEGGY GRIFFIN, TREASURER
6133 HILL ROAD
OAKLAND, CA 94618

RE: 11360 NORTH DR, CLEARLAKE PARK
APN 036-091-05

Dear Landowner:

This letter is in regards to construction to pier/dock structure below 7.8 Rumsey without Lakebed Encroachment Permit. This work was in violation of Chapter 23, The Shoreline Ordinance, Sec. 23-4.1(A).

Background

The County of Lake is the trustee of the submerged lands of Clear Lake, and areas lakeward from 7.79 feet Rumsey are public trust lands. Structures within public trust lands must support reasonable conditions or use(s) that promote public trust purposes such as commerce, navigation, recreation, fisheries, and the public's right to maintain the project site in its natural state. The Water Resources Department is administrator of those public trust lands through County Ordinance Chapter 23 – The Shoreline Ordinance and regulates construction of lakebed structures through the Lakebed Encroachment Permit process. Landowners with structures lakeward of 0 R are required to enter into a Lakebed Encroachment Lease for use of public trust lands. Construction, structure placement, or other shorezone work activities lakeward of 7.79 R require a Lakebed Encroachment Permit.

Whenever practical, Lakebed Management tries to resolve these types of violations within the context of an 'after-the-fact' permit.

Required Action(s)

To resolve the above stated issue, Lakebed Management requires the following:

- Date that above stated work was started and completed (piling reinforcement);
- Contractor that did the above stated work;
- Submit an application for a Lakebed Encroachment Permit and payment of application fee (\$849); project description should include any additional work to be done within the shorezone;
- Payment of \$100 fine for above stated violation. Note that this fine can be assessed for each day that the violation persists. If efforts are not made to resolve this issue in a timely manner, that fine will be imposed.

This letter is to inform you that you have 30 calendar days from the date of this letter to respond and to begin the process of resolving the above issue. Failure to immediately take steps to resolve this issue may result in additional fines and/or the County taking other measures to resolve the issue.

The Shoreline Ordinance provides for Enforcement Appeals to the Planning Commission in Section 4.11:

- (A) The Planning Commission shall have the power to hear and decide administrative appeals based on the enforcement or interpretation of the provisions of this chapter. Appeals of enforcement actions which consist of the issuance of a citation for a violation of this chapter shall not be allowed.
- (B) A written notice of violation or stop work order issued by a County Official or authorized employee may be appealed to the Planning Commission as follows:
 - 1. The appeal must be filed in writing within five (5) working days of receipt of the notice of violation or stop work order.
 - 2. The appeal must be filed with the secretary of the Planning Commission.
 - 3. Payment of the appropriate fee must be made at the time the appeal is filed.
- (C) Upon receipt of such administrative appeal and any required fee, the secretary of the Planning Commission shall set the matter for hearing at the next available regularly scheduled meeting of the Commission. Notice of the time, date, and place of the hearing shall be provided to the appellant at the time of filing the appeal.
- (D) The Planning Commission shall render its decision at the close of the hearing.
- (E) The Planning Commission decisions on all enforcement appeals shall be final.

If you have any questions regarding this matter, please contact me at the Water Resources Department office at (707) 263-2344 or by e-mail at William.Fox@lakecountyca.gov.

Sincerely,

William Fox
Water Resources Program Coordinator