

**Summary Statement For Board Of Supervisors  
July 28<sup>th</sup> Meeting  
Lakeshore Estates & Special Districts Sewer Crisis**

An ongoing debate over who is to maintain a sewer lateral has created a public health crisis, sewer dumping into the lake, and 50 homes at risk.

**History:** A public sewer manhole and public storm drain sits 3-4 feet into our property along Lakeshore Blvd roadside without an easement. The storm drain does not connect to our park in any way, but so far no one is responsible for maintenance.

As for the sewer drain, Special Districts took over responsibility of sewer mainlines and laterals to property lines from Beach Street to Parkway after 1997—when City of Lakeport operated and maintained it. During this transition, many documents went missing. Because they have not needed any maintenance, this was not a problem since our park was built in 1981. The sewer lateral connects to another mobilehome park, Colonial Village, and the Church of Christ. Due to recent lake flooding, excess oil built up coming from Colonial Village, and a failing main sewer line pump/lift station on Park Ave exacerbated by power outages with no backup generator, the manhole connecting all three properties has backed up on several occasions since we bought the park in 2015. When it backs up, if not fixed immediately, raw sewage from 50 homes dumps into Clearlake causing a public health crisis. No local plumber will touch the manhole except Rotor Rooter, all assuming it is a public line due to how it's built. Special Districts will not maintain the manhole because they say they have no easement allowing them to come 3-4 feet into to our property.

**Problem:** We have been the only one maintaining this public sewer line at our expense and potential legal risk. This cannot continue because:

- **We Have No Legal Authority, Jurisdiction, Nor Financial Means To Maintain A Pubic Sewer Line.** Our neighbors are not our clients. Our properties were never connected as one. We have no authority to enforce our neighbors to comply with sewer protocols, means to manage their sewer debris, nor right to collect funds to pay for maintenance. Stamped, approved maps show everything was built up to code, approved locally and by state, and that our property is connected to a public sewer lateral. It's not an illegal sewer line, nor is there proof of a private line. I have no recourse against my neighbors—who also refuse to offer any compensation or cooperate in any way. Special Districts collects funds to maintain all main sewer lines and main laterals and should take responsibility. And, if we tamper with a public utility line without authorization, it violates CA Penal Code, Section 498.
- **State Demands Local Responsibility.** A state HCD inspector has been involved in this issue and onsite during a sewer backup. Their position is that this is a public lateral and neither park should maintain a public sewer line. The CA Dept of Housing & Community Development (HCD) would not approve our permit to operate without local approval first, nor can they allow us to shut off another park for maintenance—they could pull our

permit to operate if we tampered with the line.

- **Impacts Property Values.** Special District's sudden decision to make this is a private line without any definitive proof--they lost historical background on connection details--has a direct impact on all property values. And no one has an answer of how we are to now maintain a public storm drain, nor how a church got approved in 1995 to connect to an "existing" sewer line, with missing sewer inspection signatures.
- **Damages Future Property Investment.** Since we bought the park in 2015, we have removed 35,000 pounds of trash, two debilitated mobile homes, and added two brand new mobile homes to our park while repairing roads, added landscaping, and removing illegal marijuana growers and drug dealers. We also dismantled a 10-15 person homeless community on Lakeshore Blvd, right on the lake. We hope to continue to rebuild our park and the area around Lakeshore Blvd while offering affordable housing—but can't do so without local government support. With this confusion, missing public records, missing sewer inspections on the Church, potential HOBBS Act violations, others may be fearful of investing in the county.
- **Public Health Crisis.** As long as Special Districts can't legally access our property, confusion persists, and we have no means to turn off our neighbor's water during a back-up, raw sewage may continue to dump into Clearlake. In the April 9<sup>th</sup>, 2019 spill, Lake County Environmental Health had to call Fish and Game, Tribes, Water Resources, and Community Development—yet no one knew how to fix it or who was responsible. As a favor, and because we were the ones who alerted the Dept of Health that day, we called Rotor Rooter and had them fix it at our expense. We were advised by Special Districts in a meeting on Oct. 5<sup>th</sup>, 2018 that Dept. of Health "could force the issue," but still nothing has been done. We need to solve this for the health of our lake! A simple easement would have solved this.
- **50 Low-Income Homes Risk Losing Water/Sewer.** Special Districts has sent several letters to Colonial Village, warning of grease they found coming from their line. If this persists, according to section 803, they can disconnect the sewer at the public/private junction. As it stands now, that would include all properties instead of just the park in violation, Colonial Village. With an easement, they can plug just the line connecting Colonial Village to enforce their ongoing sewer violation—saving our tenants.

**RESOLUTION:** We simply ask that the Board of Supervisors require Special Districts to create an easement so that they are allowed to come 3-4 feet on our property to maintain one manhole, the public cleanout that connects both parks and the connecting lateral along the Lakeshore Blvd roadside. Same with the public storm drain. Both are along the roadway. This would solve the State's involvement, help Special Districts to enforce sewage violations, and allow Lake County to quickly deal with a back-up to protect our lake. Total sewer bills since 2017 have come to \$3006.50. We are not demanding compensation at this time, if resolved locally.

We understand Special District's hesitation to create an easement: it opens the door for others to force Special Districts to maintain their private laterals. That is not our goal. However, we are

not talking about a lateral connecting a few single-family homes, but one that connects three commercial properties, including two parks that are managed by the State, with documentation that proves we connected to a public lateral along the roadway, and a means to stop a public health crisis. We hope that the Board of Directors can help find a way to allow for an easement that also protects Special Districts from taking over endless private laterals, potentially installed illegally.

### **PROOF THAT OUR LATERAL IS PUBLIC:**

- **Approved/Stamped Construction Plans.** We have signed, stamped, legal engineering plans from the City of Lakeport, from 1981, showing that the connecting lateral existed as a public sewer lateral before the park was built and shows that the manhole in question was added as a means to tie into the existing public sewer lateral. The maps show that the lateral, manhole, and storm drain in question were developed and approved OUTSIDE our property line. In fact, a “third party aerial topographic map” from the City of Lakeport also showed that our public sewer connection was the manhole on our property. But after I contacted Special Districts, the map was changed showing that manhole #20—a manhole 60 feet north along the main sewer line—was suddenly now our public connecting sewer manhole, right after April 17<sup>th</sup>, 2018, when Stan Schubert came out to the property for an unannounced inspection from Special Districts.
- **Approval Public Sewer Letter from City of Lakeport.** Dated May 4th, 1979 from the City of Lakeport, approval letter for our park on Lot 46 to connect to the CLMSD sewer main for service. It does not state that the park is getting approval to be connected to a private line for sewer service, which is also required by Section 402 of the Lake County Sanitation District Sewer Use Ordinance.
- **State Approval Process.** The CA Housing and Community Development Department manages and approves all mobilehome parks. They will not offer a permit to operate without local approval FIRST. HCD was formed Sept 17, 1965. Our park was constructed in 1981, so it would have had to go through local approval.
- **Roadway Lateral Construction.** If a lateral is on the roadway, it is public and no easement would have been needed. This may be why an easement is currently missing, but was accidentally constructed inside our property line. Also, the main sewer line and lateral run parallel along Lakeshore Blvd, only a few feet apart—probably constructed by the City of Lakeport at the same time due around 1965 to their proximity and length.
- **Missing Church Inspection & Approval.** Somehow, local government approved the Church, built in 1995, connecting their sewer to two state managed mobilehome parks without an easement or permission to connect to a private line. The only way that Church and two parks could have been locally approved is if the lateral was considered a main lateral from the beginning, not private. If it was not public, the Church should have never been approved for connection, without the required Section 402.

We have been dealing with this issue since 2017 and have had countless Special District meetings, emails, conversations, letters to neighbors, and calls with State and local authorities over this one manhole. Our lake has suffered. Homes are at risk. We hope the Board of Supervisors will put a final end to this circus.

Regards,

Bridget McQueen & Tomasz Piszczek  
Owners and Managers

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