

**In the matter of Joint Hearing Application for Encroachment Permit L956S02061 to add a new floating dock with two new floating fingers to accommodate two new boat slips. Sourdough Point Homeowners Association, President Sherrel Rhys, President.**

**Agency Case No. PH-2026-NAY-20-002**

**OAH Case No. 26-320-06**

**Objector:** Safe Harbour Holdings Corp.  
3946 Edenstone Road NW  
Calgary, Alberta T3A 3Z6

## **Prehearing Documents**

### **Disclosure of Witnesses:**

Kevin Palmer  
3946 Edenstone Road NW  
Calgary, Alberta T3A 3Z6  
Phone: 403.585.5588

Cyndi Palmer - tentative  
3946 Edenstone Road NW  
Calgary, Alberta T3A 3Z6  
Phone: 403.585.5588

Kandice Stewart – tentative  
11883 West Trail Heights Street  
Star, Idaho 83669  
Tel: 208-680-0912

Engineer Consultant (pending and TBA)  
Dock Construction Expert (pending and TBA)  
Lake Area Property Specialist (pending and TBA)

### **Exhibit List of documents. drawings, photographs, etc. (Partial, other items forthcoming)**

SH-01 L96S02061 Application for Permits  
SH-02 Neighbour Notices  
SH-03 Agency Notices  
SH-04 BCB#7609 NOA Order Confirmation Bonnie Counter  
SH-05 Adjudication Notice HOA  
SH-06 Notice of Appointment of Hearing Officer

- SH-07 Scheduling Order Sourdough
- SH-08 Notice of Hearing Location
- SH-10 Objection Safe Harbour Holdings Corp.
- SH-21 Boat Dock Ownership Question
- SH-24 Community minutes and boat dock map
- SH-25 Opposition to dock expansion – community members
- SH-26 SPOA Annual Meeting Minutes
- SH-30 Title 58 Navigational Encroachments (Legislation)
- SH-50 Community Map and Photos
  - other slides and video to follow

## **Pre-Hearing Statement from Safe Harbour Holdings Corp. (Kevin Palmer)**

Safe Harbour Holdings Corp. (and Kevin Palmer) is an adjacent littoral lakeshore property owner located within the same navigable waterway affected by the proposed Sourdough Point Owners Association dock expansion, and a member of the Sourdough Community. I respectfully object to the proposed encroachment (as indicated by my filed objection notice to the IDL) and intend to present evidence regarding the navigational, property use, and public interest impacts associated with the proposal.

### **Applicable Law**

This matter is governed primarily by the Idaho Lake Protection Act, Idaho Code Title 58, Chapter 13, and the rules administered by the Idaho Department of Lands.

Under this framework, encroachment applications must be evaluated with consideration for factors including navigation, adjacent property rights, public safety, recreational use, lakebed value, environmental considerations, aesthetic impacts, water quality, and other public trust interests.

Navigable waters such as Lake Pend Oreille are also subject to longstanding federal principles governing structures that may affect navigation.

### **Summary of Relevant Facts**

The proposed expansion involves extending an existing dock structure further waterward within a relatively shallow lagoon area of Lake Pend Oreille and further into the shared navigable waterway serving adjacent shoreline properties.

The surrounding waterway is used by vessels accessing shoreline docks, the nearby SPOA community docks, and vessels navigating through the area.

Evidence presented at hearing will address how the proposed extension may affect navigation, vessel maneuverability, and adjacent property access within this portion of the waterbody, as well as other consequential impacts.

### **Evidence Anticipated**

Evidence expected to be presented at hearing may include photographs, aerial imagery, diagrams, site observations, and testimony regarding navigation, safety and other impacts, site conditions, and applicable regulatory considerations.

Additional witnesses and exhibits will be confirmed as preparation continues.

### **Conclusion**

For the reasons summarized above, I respectfully maintain my objection to the proposed encroachment and look forward to presenting evidence at the hearing to assist the Hearing Officer in evaluating the navigational and public interest considerations associated with the proposal.

### **Confirming request for additional time to supplement the records.**

Pursuant to the Scheduling Order and the Hearing Officer's allowance for additional time, I anticipate providing additional witness information and documentary exhibits on or before April 3, 2026. This timeline will be adequate to prepare, organize and distribute the materials to all parties prior to the hearing. Some additional exhibits I expect to provide will be determined after I return to the Sandpoint area.

I thank the Hearing Officer for this consideration, in view of SPOA not agreeing to delay the hearing 30 days, as I proposed.