

Schneider

STATE OF IDAHO
DEPARTMENT OF LANDS
ATTACHMENT FOR ENCROACHMENT

RIPRAP REQUIREMENTS

General requirements are as follows:

- 1) Riprap used to stabilize shorelines will consist of rock that is appropriately sized to resist movement from anticipated wave heights or tractive forces of the water flow. The rock shall be sound, dense, durable, and angular rock resistant to weathering and free of fines. The riprap shall overlie a distinct filter layer which consists of sand, gravel, or nonwoven geotextile fabric. The riprap and filter layer shall be keyed into the bed below the ordinary or artificial high-water mark, as applicable. If the applicant wishes to install riprap with different standards, they must submit a design that is signed and stamped for construction purposes by a professional engineer registered in the state of Idaho.
- 2) Riprap used to protect the base of a seawall, or other vertical walls may not need to be keyed into the bed and may not require a filter layer, at the department's discretion.

Please check one and initial:



I have reviewed the application, including the scope and location of the proposed encroachment as depicted. **I consent** to the application and do not wish to participate in a public hearing. _____ (initial)



I have reviewed the application, including the scope and location of the proposed encroachment as depicted. **I object to the application and request a Public Hearing** in which I will be named as an objecting party. I have attached a summary of my objection to this form on a separate page **and a \$75 publication fee**. I UNDERSTAND THAT I AM REQUIRED TO SUBMIT MY CONTACT INFORMATION (NAME, PHONE NUMBER, EMAIL ADDRESS) IN ORDER TO SET A HEARING DATE. _____ (initial)

***IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT AMIDY FUSON AFUSON@IDL.IDAHO.GOV AS SOON AS POSSIBLE.**

Date

Name

Address City State Zip

Phone Number Email Address

Phone Number

L&M Olson LLC
5403 S Quail Ridge Circle
Spokane, WA 99223

September 10, 2026

Mica Supervisory Area
3258 W Industrial Loop
Coeur d'Alene, ID 83815

To Whom it Concerns:

This is a letter in response to the proposition for our neighboring property off of Burley Ct., Hayden Lake Idaho regarding the retaining wall that was subsequently built last year. We have several concerns regarding this. The first was that there was no permit granted and/or applied for prior to constructing the current wall that is there and this is therefore not agreeable as a neighboring property understanding this was and an illegitimate structure. We are in agreement with our neighboring colleagues who also had no insight into this construction. We are both in agreement this is very frustrating because it has several problematic issues with regard to current code that were not addressed prior to its original construction.

Our primary concern is that the current retaining wall is below the water line which has been documented by multiple pictures as well as a recent plot survey however the final results have not been completed but they agree this violated the watermark; this was done last week. We have well-documented evidence that this is below the high water line which is not within the code of Kootenai County.

Our second major concern is the proximity to our property line. Originally when they built this retaining wall it forced their access to the dock off of our property which has been mitigated but I am uncertain if this is still within legal limits as to building code with her current stair limits.

Our third concern is the impact this will have on water flow in our local bay. We discussed this with several of the other neighboring owners in the area and this has created increased silt deposition secondary to the fact again it is below the water line creating a larger swamp in the back corner of ARB a which does have significant impact on several different owners docks water depths and access to the lake.

We do object to this proposal understanding that the initial wall was not ever licensed and/or proposed and was built simply without regards to any recent or current water codes in our county. Second concern is that his proposal now is to change but not demolish and recertify the wall and what would be ultimately in accordance with the code but still would not address either of the issues outlined above understanding this is currently below the water line and secondly it will impact the water flow to our bay.

For the reasons stated above, **we object to Encroachment Application NP220096 and request a public hearing.**

We believe there are substantial unresolved questions concerning the existing wall, its location relative to the ordinary high water mark, the impacts of the proposed work on adjacent property and riparian rights, and the potential effects on water flow, sediment deposition, water quality, and access to neighboring docks.

We respectfully request that the Department:

1. Verify the ordinary high water mark and proposed wall elevations using independent survey information;
2. Review the location of the existing wall and document the portion that was constructed below/beyond the OHWM;
3. Determine whether all required permits and approvals were obtained before the original wall was constructed;
4. Verify the proposed wall and associated stairs/landings against the actual property and riparian boundaries;
5. Evaluate the potential effects of the proposed wall on water circulation, sediment deposition, water quality, aquatic habitat, and adjacent properties;
6. Consider whether the proposed project represents the minimum necessary work to address the applicant's stated erosion and structural concerns; and
7. Require appropriate mitigation or modification of the proposal if the evidence demonstrates adverse impacts to neighboring property or lake values.

We appreciate the Department's consideration of our concerns and respectfully request that this objection and the accompanying documentation be made part of the official record for Application NP220096.

Sincerely,

L&M Olson LLC
5403 S. Quail Ridge Circle
Spokane, WA 99223