

# JOINT APPLICATION FOR PERMITS

## U.S. ARMY CORPS OF ENGINEERS - IDAHO DEPARTMENT OF WATER RESOURCES - IDAHO DEPARTMENT OF LANDS

**Authorities:** The Department of Army Corps of Engineers (Corps), Idaho Department of Water Resources (IDWR), and Idaho Department of Lands (IDL) established a joint process for activities impacting jurisdictional waterways that require review and/or approval of both the Corps and State of Idaho. Department of Army permits are required by Section 10 of the Rivers & Harbors Act of 1899 for any structure(s) or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for the discharge of dredged or fill materials into waters of the United States, including adjacent wetlands. State permits are required under the State of Idaho, Stream Protection Act (Title 42, Chapter 38, Idaho Code and Lake Protection Act (Section 58, Chapter 13 et seq., Idaho Code). In addition the information will be used to determine compliance with Section 401 of the Clean Water Act by the appropriate State, Tribal or Federal entity.

**Joint Application:** Information provided on this application will be used in evaluating the proposed activities. Disclosure of requested information is voluntary. Failure to supply the requested information may delay processing and issuance of the appropriate permit or authorization. **Applicant will need to send a completed application, along with one (1) set of legible, black and white (8½"x11"), reproducible drawings that illustrate the location and character of the proposed project / activities to both the Corps and the State of Idaho.**

**See Instruction Guide** for assistance with Application. Accurate submission of requested information can prevent delays in reviewing and permitting your application. Drawings including vicinity maps, plan-view and section-view drawings must be submitted on 8-1/2 x 11 papers.

**Do not start work until you have received all required permits from both the Corps and the State of Idaho**

| FOR AGENCY USE ONLY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |                                                   |              |                                                                        |                                                                                                                                                         |                                               |                                   |                       |                    |                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------|--------------|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------|-----------------------|--------------------|--------------------|
| USACE<br>NWW-                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  | Date Received:                                    |              | <input type="checkbox"/> Incomplete Application Returned               |                                                                                                                                                         | Date Returned:                                |                                   |                       |                    |                    |
| Idaho Department of Water Resources<br>No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | Date Received:                                    |              | <input type="checkbox"/> Fee Received<br>DATE:                         |                                                                                                                                                         | Receipt No.:                                  |                                   |                       |                    |                    |
| Idaho Department of Lands<br>No. <b>NP220096</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  | Date Received: <b>7/29/21</b>                     |              | <input checked="" type="checkbox"/> Fee Received <b>\$625</b><br>DATE: |                                                                                                                                                         | Receipt No.:                                  |                                   |                       |                    |                    |
| INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |                                                   |              |                                                                        |                                                                                                                                                         |                                               |                                   |                       |                    |                    |
| 1. CONTACT INFORMATION - APPLICANT Required:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |                                                   |              |                                                                        | 2. CONTACT INFORMATION - AGENT:                                                                                                                         |                                               |                                   |                       |                    |                    |
| Name:<br>Gregory Schneider                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                                                   |              |                                                                        | Name:<br>John McKervey, P.E.                                                                                                                            |                                               |                                   |                       |                    |                    |
| Company:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                                   |              |                                                                        | Company:<br>JM Engineering                                                                                                                              |                                               |                                   |                       |                    |                    |
| Mailing Address:<br>14953 E Hayden Lake Road                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |                                                   |              |                                                                        | Mailing Address:<br>2706 N Blue Raven Lane                                                                                                              |                                               |                                   |                       |                    |                    |
| City:<br>Hayden                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                   | State:<br>ID | Zip Code:<br>83835                                                     |                                                                                                                                                         | City:<br>Spokane                              |                                   |                       | State:<br>WA       | Zip Code:<br>99204 |
| Phone Number (include area code):<br>208-755-5876                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  | E-mail:<br>greg@transplanet.net                   |              |                                                                        | Phone Number (include area code):<br>509-953-9771                                                                                                       |                                               | E-mail:<br>johnmckervey@yahoo.com |                       |                    |                    |
| 3. PROJECT NAME or TITLE: Schneider Shoreline Retaining Wall                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |                                                   |              |                                                                        | 4. PROJECT STREET ADDRESS: 15053 E Hayden Lake Road                                                                                                     |                                               |                                   |                       |                    |                    |
| 5. PROJECT COUNTY:<br>Kootenai                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  | 6. PROJECT CITY:<br>Hayden                        |              | 7. PROJECT ZIP CODE:<br>83835                                          |                                                                                                                                                         | 8. NEAREST WATERWAY/WATERBODY:<br>Hayden Lake |                                   |                       |                    |                    |
| 9. TAX PARCEL ID#:<br>51N03W144020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  | 10. LATITUDE: 47.7792 N<br>LONGITUDE: -116.6793 E |              | 11a. 1/4:<br>SE                                                        | 11b. 1/4:<br>NE                                                                                                                                         | 11c. SECTION:<br>4                            |                                   | 11d. TOWNSHIP:<br>51N | 11e. RANGE:<br>03W |                    |
| 12a. ESTIMATED START DATE:<br>11/01/2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  | 12b. ESTIMATED END DATE:<br>12/20/2024            |              |                                                                        | 13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES?<br><input checked="" type="checkbox"/> NO <input type="checkbox"/> YES Tribe: |                                               |                                   |                       |                    |                    |
| 13b. IS PROJECT LOCATED IN LISTED ESA AREA? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                   |              |                                                                        | 13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES                                    |                                               |                                   |                       |                    |                    |
| 14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks.<br>From I-90 travel north on Highway 95 to Honeysuckle Ave, turn right and head east to E Hayden Lake Road, turn right and follow E Hayden Lake Road to the site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                   |              |                                                                        |                                                                                                                                                         |                                               |                                   |                       |                    |                    |
| 15. PURPOSE and NEED: <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Public <input checked="" type="checkbox"/> Private <input type="checkbox"/> Other<br>Describe the reason or purpose of your project; include a brief description of the overall project. Continue to Block 16 to detail each work activity and overall project.<br>This proposed project will replace an existing poured in place concrete retaining wall with a segmental block retaining wall. The existing wall is failing and will end up falling into the lake if not addressed. In addition, the shoreline to the southeast of the end of the concrete wall is eroding and rocks and debris are falling into the lake. |  |                                                   |              |                                                                        |                                                                                                                                                         |                                               |                                   |                       |                    |                    |

16. DETAILED DESCRIPTION OF EACH ACTIVITY WITHIN OVERALL PROJECT. Specifically indicate portions that take place within waters of the United States, including wetlands: Include dimensions; equipment, construction, methods; erosion, sediment and turbidity controls; hydrological changes: general stream/surface water flows, estimated winter/summer flows; borrow sources, disposal locations etc.:

This project proposes to construct two retaining walls on the site. The first wall will be located along the shoreline of Hayden Lake. The proposed wall will be located in front of the existing failing, concrete, retaining wall and the existing concrete wall will remain. The shoreline wall is approximately 118 l.f. and 9 feet tall. The second wall will be located outside of the 25 foot setback from the OHWM and will be installed to support a parking area. The second wall is approximately 91 l.f. and 6 feet tall.

The work will be conducted when the water level is low and silt fencing will be installed to prevent any erosion from contaminating the lake. Once the walls are installed, all deleterious materials will be removed and permanent erosion control measures will be installed. For the shoreline wall, the permanent erosion control will consist of rip rap installed in front of the wall. For the upper wall, the permanent erosion control consists of seeding the disturbed ground and establishing vegetative ground cover.

The walls will be installed with an excavator as the main piece of equipment. A skid steer loader will be utilized to transport the segmental blocks and the drainrock to the location of each wall. A jumping jack compactor and/or plate compactor will be used to compact the subgrade and the base gravel.



17. DESCRIBE ALTERNATIVES CONSIDERED TO AVOID or MEASURES TAKEN to MINIMIZE and/ or COMPENSATE for IMPACTS to WATERS of the UNITED STATES, INCLUDING WETLANDS: See Instruction Guide for specific details.

With the failing concrete retaining wall, the only practical solution is to replace the retaining wall. To mitigate potential impacts from removal of the concrete retaining wall, this project proposes to construct a new retaining wall in front of the old wall and leave the existing wall in place.

As far as the eroding shoreline, beyond the existing concrete wall, while it is possible to install rip rap to prevent erosion, the most effective means of controlling the erosion is to extend the proposed segmental block retaining wall.

18. PROPOSED MITIGATION STATEMENT or PLAN: If you believe a mitigation plan is not needed, provide a statement and your reasoning why a mitigation plan is NOT required. Or, attach a copy of your proposed mitigation plan.

The proposed Site Disturbance Plan has been included.

19. TYPE and QUANTITY of MATERIAL(S) to be discharged below the ordinary high water mark and/or wetlands:

|                           |       |                 |
|---------------------------|-------|-----------------|
| Dirt or Topsoil:          | _____ | cubic yards     |
| Dredged Material:         | _____ | cubic yards     |
| Clean Sand:               | _____ | cubic yards     |
| Clay:                     | _____ | cubic yards     |
| Gravel, Rock, or Stone:   | 354   | cubic yards     |
| Concrete:                 | _____ | cubic yards     |
| Other (describe): _____ : | _____ | cubic yards     |
| Other (describe): _____ : | _____ | cubic yards     |
| TOTAL:                    |       | 354 cubic yards |

20. TYPE and QUANTITY of impacts to waters of the United States, including wetlands:

|                     |       |       |       |        |        |                          |
|---------------------|-------|-------|-------|--------|--------|--------------------------|
| Filling:            | _____ | acres | _____ | sq ft. | _____  | cubic yards              |
| Backfill & Bedding: | _____ | acres | _____ | sq ft. | 354    | cubic yards              |
| Land Clearing:      | _____ | acres | _____ | sq ft. | _____  | cubic yards              |
| Dredging:           | _____ | acres | _____ | sq ft. | _____  | cubic yards              |
| Flooding:           | _____ | acres | _____ | sq ft. | _____  | cubic yards              |
| Excavation:         | _____ | acres | _____ | sq ft. | _____  | cubic yards              |
| Draining:           | _____ | acres | _____ | sq ft. | _____  | cubic yards              |
| Other:              | _____ | :     | _____ | acres  | _____  | sq ft. _____ cubic yards |
| TOTALS:             |       | _____ | acres | _____  | sq ft. | 354 cubic yards          |

21. HAVE ANY WORK ACTIVITIES STARTED ON THIS PROJECT? ☐ NO ☒ YES If yes, describe ALL work that has occurred including dates.

The shoreline retaining wall has been installed and the existing failing concrete wall has been removed. Work started on September 15, 2023 and ended on November 30, 2023

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:

There are no previously issued permits



23. ☐ YES, Alteration(s) are located on Public Trust Lands, Administered by Idaho Department of Lands

24. SIZE AND FLOW CAPACITY OF BRIDGE/CULVERT and DRAINAGE AREA SERVED: \_\_\_\_\_ Square Miles

25. IS PROJECT LOCATED IN A MAPPED FLOODWAY? ☒ NO ☐ YES If yes, contact the floodplain administrator in the local government jurisdiction in which the project is located. A Floodplain Development permit and a No-rise Certification may be required.

26a WATER QUALITY CERTIFICATION: Pursuant to the Clean Water Act, anyone who wishes to discharge dredge or fill material into the waters of the United States, either on private or public property, must obtain a Section 401 Water Quality Certification (WQC) from the appropriate water quality certifying government entity.

See Instruction Guide for further clarification and all contact information.

The following information is requested by IDEQ and/or EPA concerning the proposed impacts to water quality and anti-degradation:

- ☒ NO ☐ YES Is applicant willing to assume that the affected waterbody is high quality?  
☒ NO ☐ YES Does applicant have water quality data relevant to determining whether the affected waterbody is high quality or not?  
☒ NO ☐ YES Is the applicant willing to collect the data needed to determine whether the affected waterbody is high quality or not?

26b. BEST MANAGEMENT PRACTICES (BMP's): List the Best Management Practices and describe these practices that you will use to minimize impacts on water quality and anti-degradation of water quality. All feasible alternatives should be considered - treatment or otherwise. Select an alternative which will minimize degrading water quality

Silt fencing will be installed during construction. Following construction, rip rap will be installed in front of the shoreline wall and vegetation will be planted in front of the upper wall.

Through the 401 Certification process, water quality certification will stipulate minimum management practices needed to prevent degradation.

27. LIST EACH IMPACT to stream, river, lake, reservoir, including shoreline: Attach site map with each impact location.

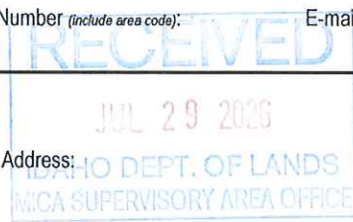
| Activity                            | Name of Water Body | Intermittent<br>Perennial | Description of Impact<br>and Dimensions | Impact Length<br>Linear Feet |
|-------------------------------------|--------------------|---------------------------|-----------------------------------------|------------------------------|
| Retaining Wall                      | Hayden Lake        | Perennial                 | 9.0 foot shoreline retaining wall       | 118 l.f.                     |
|                                     |                    |                           |                                         |                              |
|                                     |                    |                           |                                         |                              |
| TOTAL STREAM IMPACTS (Linear Feet): |                    |                           |                                         | 118                          |

28. LIST EACH WETLAND IMPACT include mechanized clearing, fill excavation, flood, drainage, etc. Attach site map with each impact location.

| Activity                             | Wetland Type:<br>Emergent, Forested, Scrub/Shrub | Distance to<br>Water Body<br>(linear ft) | Description of Impact<br>Purpose: road crossing, compound, culvert, etc. | Impact Length<br>(acres, square ft<br>linear ft) |
|--------------------------------------|--------------------------------------------------|------------------------------------------|--------------------------------------------------------------------------|--------------------------------------------------|
|                                      |                                                  |                                          |                                                                          |                                                  |
|                                      |                                                  |                                          |                                                                          |                                                  |
|                                      |                                                  |                                          |                                                                          |                                                  |
|                                      |                                                  |                                          |                                                                          |                                                  |
| TOTAL WETLAND IMPACTS (Square Feet): |                                                  |                                          |                                                                          |                                                  |

29. ADJACENT PROPERTY OWNERS NOTIFICATION REQUIREMENT: Provide contact information of ALL adjacent property owners below.

|                                                                                                                                                                                              |                                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name: Douglas & Pkilana Mcinnis Family Trust<br><br>Mailing Address: 15050 E Hayden Lake Road<br><br>City: Hayden State: ID Zip Code: 83835<br><br>Phone Number (include area code): E-mail: | Name: L&M Olson LLC<br><br>Mailing Address: 5403 S Quail Ridge Circle<br><br>City: Spokane State: WA Zip Code: 99223<br><br>Phone Number (include area code): E-mail: |
| Name:<br><br>Mailing Address:<br><br>City: State: Zip Code:<br><br>Phone Number (include area code): E-mail:                                                                                 | Name:<br><br>Mailing Address:<br><br>City: State: Zip Code:<br><br>Phone Number (include area code): E-mail:                                                          |
| Name:<br><br>Mailing Address:<br><br>City: State: Zip Code:<br><br>Phone Number (include area code): E-mail:                                                                                 | Name:<br><br>Mailing Address:<br><br>City: State: Zip Code:<br><br>Phone Number (include area code): E-mail:                                                          |
| Name:<br><br>Mailing Address:<br><br>City: State: Zip Code:<br><br>Phone Number (include area code): E-mail:                                                                                 | Name:<br><br>Mailing Address:<br><br>City: State: Zip Code:<br><br>Phone Number (include area code): E-mail:                                                          |



30. SIGNATURES: STATEMENT OF AUTHORIZATION / CERTIFICATION OF AGENT / ACCESS

*Application is hereby made for permit, or permits, to authorize the work described in this application and all supporting documentation. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein; or am acting as the duly authorized agent of the applicant (Block 2). I hereby grant the agencies to which this application is made, the right to access/come upon the above-described location(s) to inspect the proposed and completed work/activities.*

Signature of Applicant:  Date: 5/21/2025

Signature of Agent:  Date: 5/19/2025

This application must be signed by the person who desires to undertake the proposed activity AND signed by a duly authorized agent (see Block 1, 2, 30). Further, 18 USC Section 1001 provides that: "Whoever, in any manner within the jurisdiction of any department of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both".



Idaho Department of Lands

## Single and Two Family Lot Encroachment Permit Application

Application Number: \_\_\_\_\_

\$625.00 ± 1185

07/29/2026

MP22 0096

This application and required documents must be completed when submitting an encroachment permit application. Incomplete applications will be returned without processing.

*This form is three (3) pages, please read and complete all sections.*

### Encroachment Type(s) (Check all that apply):

- ☒ Single Family Dock
- ☐ Two Family Dock
- ☐ Mooring buoy
- ☐ Waterline
- ☐ Bank stabilization or Rip Rap
- ☐ Other – describe: \_\_\_\_\_

### Applicant's Littoral Rights Are:

- ☒ Owned, fee simple title holder
- ☐ Leased
- ☐ Signature of littoral rights owner is obtained if Applicant is not the owner of the riparian/littoral rights
- ☐ Other – describe: \_\_\_\_\_

### Provide a Copy of Each Required Document on 8½"x14" or Smaller Paper:

- ☐ County plat map showing both neighboring littoral lots.
- ☐ Tax record identifying the owner of the upland parcel(s).
- ☐ Lakebed profile with encroachment and water levels of winter and summer.
- ☒ General vicinity map that allows Department to find the encroachment.
- ☐ Scaled air photo or map showing lengths of nearby encroachments, distances to adjacent encroachments, and location and orientation of the proposed encroachment.



**Are Existing Docks or Other Encroachment(s) Permitted On This Parcel(s)?**

☐ No

☒ Yes. Please attach a current photograph and a "to scale" drawing (see Document Requirements Above)

Permit # Grandfathered / Jim Brady

Date of Construction: 1945-1965

What will happen to the existing dock or encroachment if this permit application is approved?

☒ Remain unchanged

☐ Complete removal

☐ Modification

☐ Other: \_\_\_\_\_

(Please note that old dock materials must be removed from the lake. Discarding these materials creates serious boating safety issues and offenders will be subject to prosecution and penalties.)

**How Many Feet Does the Proposed Encroachment Extend Beyond the Ordinary (or Artificial) High Water Mark? \_\_\_\_\_ feet**

**The Proposed Dock Length Is:**

☒ The same or shorter than the two adjacent docks

☐ Longer than the two adjacent docks

☐ Longer than the two adjacent docks, but within the line of navigability established by the majority of existing docks in the area.

☐ \_\_\_\_\_ feet and not located near any other docks or encroachments.

**Does the Proposed Dock Exceed the Maximum Square Footage of 700 ft<sup>2</sup> for Single-Family Docks or 1,100 ft<sup>2</sup> for Two-Family Docks?**

☐ No Total square footage: \_\_\_\_\_ ft<sup>2</sup>

☒ Yes 1480 ft<sup>2</sup>

**Does the Property Have at Least 25 Feet of Littoral Frontage?**

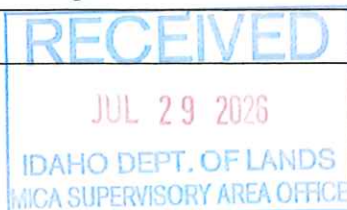
☐ No

☒ Yes Total front footage: 141 feet

**Will the Proposed Encroachment Exceed the Maximum Width of 10 Feet?**

☐ No

☒ Yes If yes, explain why: Because it was grandfathered and validated from old  
aerials.



**Will the Proposed Encroachment (besides riprap) Be Located Closer Than 10 Feet to the Riparian/Littoral Right Lines Established with Your Neighbors?**

☒ No

☐ Yes If yes, what are the proposed distances?

Encroachment Type: \_\_\_\_\_ feet

Encroachment Type: \_\_\_\_\_ feet

Encroachment Type: \_\_\_\_\_ feet

☐ Consent of affected neighbor was attained

**Determining Riparian/Littoral Right Lines**

Littoral right lines are not simple extensions of the upland property lines. Littoral right lines are generally perpendicular, or at right angles, to the shoreline. Curved shorelines or unusual circumstances may require Department Staff, or other professionals, to closely examine littoral right lines and assess the potential for infringement on adjacent littoral property owners.

I hereby certify that I am the applicant or authorized representative of the applicant, and that the information contained in this application is true and correct to the best of my knowledge and further acknowledge that falsification or misrepresentation of any information contained herein or provided herewith will be grounds for denial of the application.



Applicant Signature

Greg Schneider

Applicant Print Name

7/28/26

Date

Co-Owner (Husband)

Applicant Title (if applicable)

**Second Applicant (If applicable)**



Applicant Signature

Sheree DiBiase

Applicant Print Name

7/28/26

Date

Co-Owner (Wife)

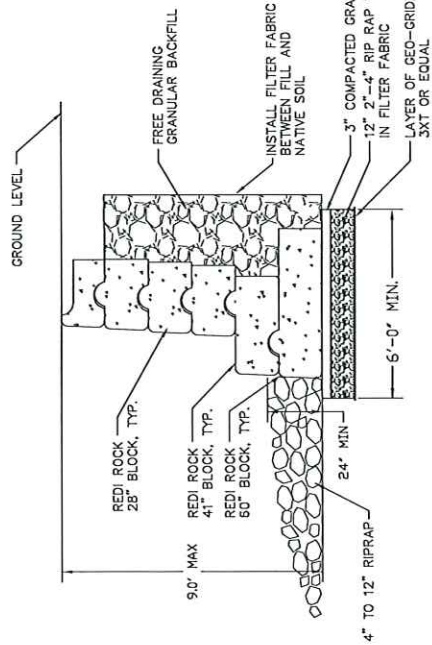
Applicant Title (if applicable)





# GENERAL NOTES

1. ALL MATERIALS, WORKMANSHIP, AND CONSTRUCTION OF SITE SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS, LATEST EDITION, AS ADOPTED BY THE BOARD OF PUBLIC WORKS, IDAHO DEPT. OF LANDS, DIVISION OF LANDS, AND ALL PUBLIC IMPROVEMENTS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO THE START OF ANY EARTH DISTURBING ACTIVITY OR CONSTRUCTION ON ANY AND ALL PUBLIC IMPROVEMENTS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ADJUSTMENTS OF EXISTING UTILITIES DURING CONSTRUCTION AND TO MAINTAIN ADEQUATE ACCESS TO ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AFFECTED BY ANY CONSTRUCTION OF ANY UTILITY SERVICE.
4. THE CONTRACTOR SHALL HAVE ONE (1) SIGNED COPY OF THE APPROVED PLANS, ONE (1) COPY OF THE APPROPRIATE STANDARDS AND SPECIFICATIONS, AND A COPY OF ANY PERMITS AND APPROVALS ON SITE AT ALL TIMES DURING CONSTRUCTION.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASPECTS OF SAFETY INCLUDING, BUT NOT LIMITED TO, EXCAVATION, TRENCHING, SHORING, TRAFFIC CONTROL, AND SECURITY.
6. IF, DURING THE CONSTRUCTION PROCESS, CONDITIONS ARE ENCOUNTERED THAT WOULD REQUIRE A CHANGE IN THE DESIGN OR CONSTRUCTION OF ANY PART OF THE PROJECT, THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD IMMEDIATELY.
7. ALL REFERENCES TO ANY PUBLISHED STANDARDS SHALL REFER TO THE LATEST EDITION OF SAID STANDARD, UNLESS SPECIFICALLY STATED OTHERWISE.
8. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL LABOR AND MATERIALS NECESSARY FOR THE CONSTRUCTION OF THE PROJECT. IMPROVEMENTS SHOWN ON THESE DRAWINGS OR SPECIFICATIONS TO BE SPECIFICALLY NOTED OTHERWISE.
9. PER AGENCY STANDARDS THE CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING ROADWAYS FREE AND CLEAR OF ALL CONSTRUCTION DEBRIS AND DIRT TRACKED FROM THE SITE.
10. DIMENSIONS FOR LAYOUT AND CONSTRUCTION ARE NOT TO BE SCALE DIMENSIONS FOR CLARIFICATION AND NOTE ON THE RECORD DRAWINGS.
11. ALL DESIGN AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE IDAHO DEPT. OF LANDS, DIVISION OF LANDS, STANDARD SPECIFICATIONS FOR PUBLIC WORKS, LATEST EDITION, AS ADOPTED BY THE BOARD OF PUBLIC WORKS, IDAHO DEPT. OF LANDS, DIVISION OF LANDS, AND ALL PUBLIC IMPROVEMENTS.



RETAINING WALL DETAIL

N.T.S.

UNDERGROUND SERVICE ALERT  
 ONE-CALL NUMBER  
 811  
 CALL 24 HOURS AHEAD  
 BEFORE YOU DIG



JM ENGINEERING

2706 N. BLUE RIVER LANE  
 COOK, IDAHO 83414-9224  
 (208) 533-9171

SNYDER RESIDENCE  
 1503 E HAYDEN LAKE ROAD  
 IDAHO

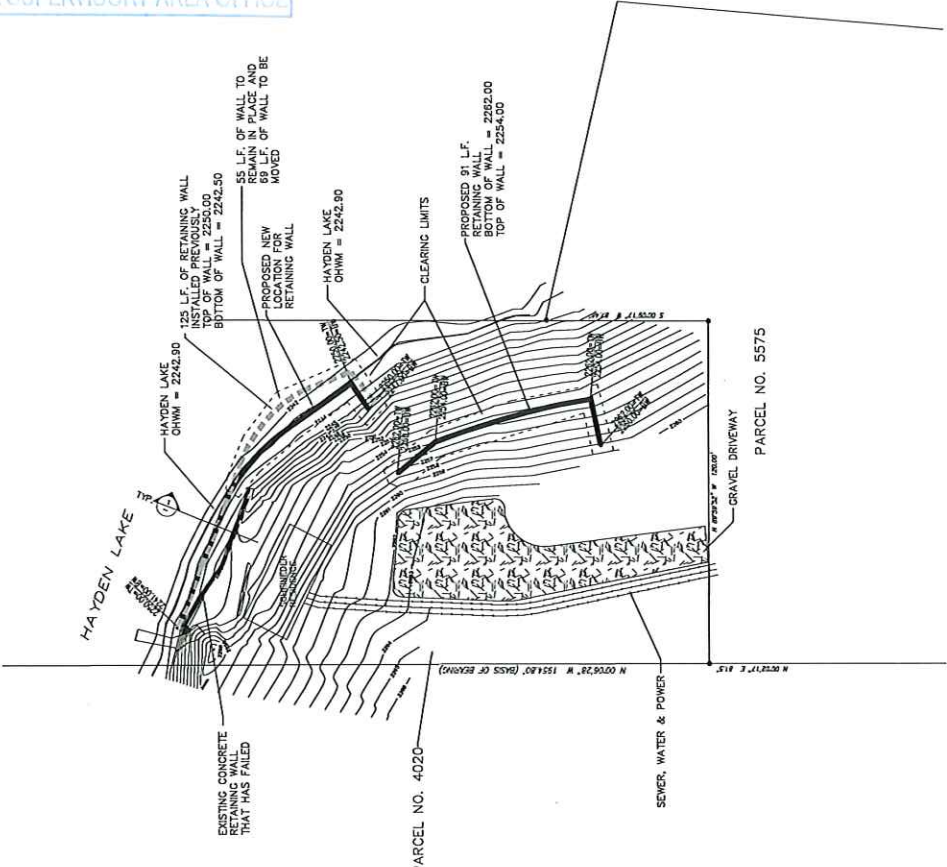
SITE PLAN

3001 112



DATE: JULY 2006  
 DRAWN BY: JCS  
 CHECKED BY: JCS  
 JOB NO.: 20-177  
 SHEET NO.: C2

| REV. | DATE | BY | DESCRIPTION |
|------|------|----|-------------|
|      |      |    |             |
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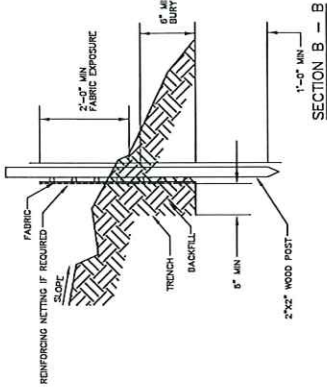
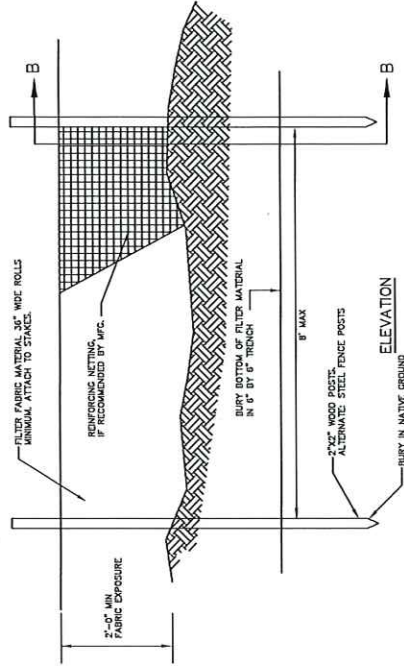


OVERALL SITE PLAN

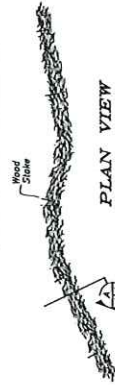


|            |           |
|------------|-----------|
| DATE       | JULY 2020 |
| DRAWN BY   | JCM       |
| CHECKED BY | JCM       |
| JOB NO.    | 20-277    |
| SHEET NO.  | C3        |

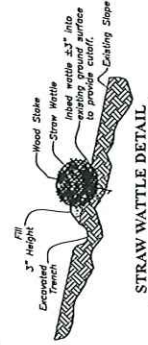
- NOTES:
1. INSTALLATION SHALL FOLLOW THE MANUFACTURER'S RECOMMENDATIONS.
  2. POSTS SHALL BE INSTALLED SO THAT THE FABRIC IS TIGHT AND ABOVE THE GROUND WITH A MIN. OF 2'-0" EXPOSURE.
  3. FILTER FABRIC SHALL BE PURCHASED IN A CONTINUOUS ROLL TO AVOID JOINTS.
  4. SPUR JOINTS AT SUPPORT POSTS ONLY WITH A MIN. 6" OVERLAP.
  5. AFTER 2' MIN. THICKNESS OF ROCK THE LOWER EDGE OF THE SILT FENCE WILL BE WEIGHTED DOWN AND STABILIZED WITH NAT. BAILER.



SILT FENCE DETAIL



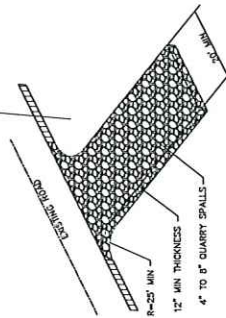
PLAN VIEW



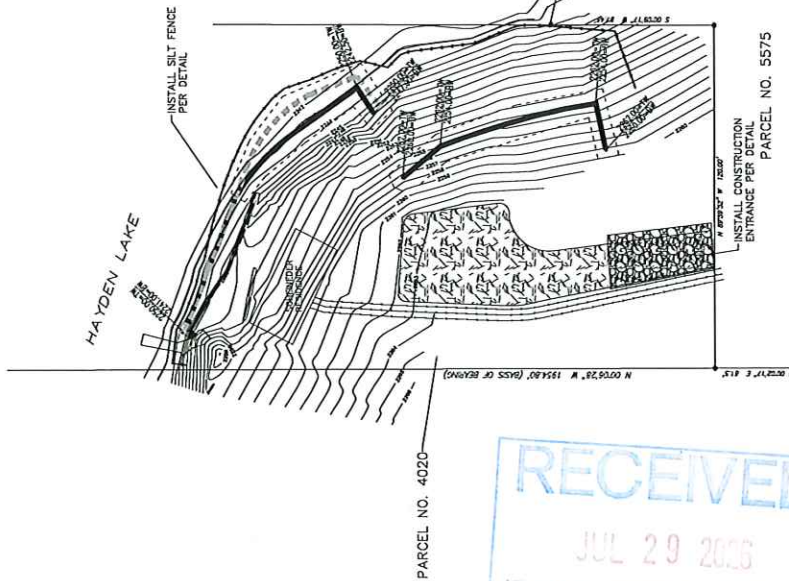
STRAW WATTLE DETAIL



CONSTRUCTION ENTRANCE



EROSION AND SEDIMENT CONTROL PLAN



# JM Engineering

## Site Disturbance Plan Narrative

of

### Schneider Residence

15053 E Hayden Lake Road  
Hayden, ID

For

### Greg Schneider

15053 E Hayden Lake Road  
Hayden, ID 83835



7/26/2026



## **SITE DISTURBANCE PLAN NARRATIVE**

### **Overview**

This project has a retaining wall constructed in 2024, part of which is located into the lake. 69 l.f. of the existing wall needs to be relocated behind the OHWM. This project also has a new segmental block retaining walls at a residential lot located at 15053 E Hayden Lake Drive in Hayden, Idaho.

### **Construction Details**

The construction process will be as follows:

1. Move equipment in, construct the erosion control measures.
2. Move equipment in to de-construct the existing retaining wall.
3. Move materials in for re-construction of the existing wall and construction of the new wall.  
(Blocks, washed rock, gravel, perforated pipe and filter fabric)
4. Excavate a trench at the location of the new wall and construct the new wall in accordance with the plans.
5. Finish grade the backfill at the top of the wall and remove any lasting debris.
6. Hydroseed or sod the disturbed soils at the top of the wall.
7. Replace any vegetation that is disturbed below the wall.
8. Remove the temporary erosion control measures.

### **Current Site Conditions**

The site is currently partially treed with weeds and grasses. There is one retaining wall that was constructed in 2024. 69 l.f. of that wall must be re-located. The second retaining wall will provide additional flat area.

### **Soil Conditions**

In the area of the proposed project there is one main soil type identified by the USDA. 2nq4 –Vassar ashy silt loam. This soil consists of ashy silt loam near the surface and coarse sandy loam below 22". The observed soil conditions on-site matched the above description.

### **Proposed Erosion Control and Stormwater Measures**

Temporary erosion control measures proposed for this project consist of silt fencing and a construction entrance. Once the retaining wall is completed, the beach areas in front of the walls will be restored to existing condition. The disturbed areas above the wall will be hydroseeded or sodded.

### **Permanent Storm Water Control**

This project will add a minimal amount of impervious surface and permanent storm water control is not required.

### **Methods for Handling Anticipated Groundwater**

Because the proposed walls will be built well above the water elevation, groundwater is not anticipated.

### **Cut and Fill Slope Considerations**

There will be no cut fill slopes associated with the retaining wall.

### **Amount of Area to be Disturbed**

For this project I expect that we will disturb approximately 1,900 square feet of area.

### **Shoreline Management**

There is a retaining wall constructed in 2024 that was constructed inside the 25 foot setback from the ordinary high water mark (OHWM) to replace an existing failing concrete wall. A portion of the wall was constructed beyond the OHWM and must be relocated behind the OHWM. Construction of the retaining wall will require equipment to operate within the buffer zone. According to Section 8.7.109 of the Kootenai County Site Disturbance Ordinance, ground disturbance within the 25 foot buffer zone except when the work is necessary for the safety of the lake or the residence. Installation of the proposed retaining wall is critical to the protection of the lake due to the failing concrete wall. Erosion and sediment control measures will be installed and the work will be conducted while the water level is low. The proposed work cannot be completed by hand as the retaining blocks required for this project are in excess of 1500 pounds each.

The second wall will be installed outside the 25 foot buffer zone.

### **Winterization Requirements**

The proposed construction will take place when weather permits. If required, the site will be stabilized for the winter.

### **Inspection Schedule**

An inspection will be required at the beginning of the project to ensure that the ESC measures have been installed. Depending on the timing of construction, a second inspection may be required to ensure that the site is stabilized for the winter. A final inspection is required at the end to ensure that the project has been constructed in accordance with the plans.

### **Construction Schedule**

This project will commence immediately upon receipt of a permit and the weather permits. The work to be completed under this permit is expected to be completed by September 30<sup>th</sup>, 2026.

### **Cost Estimate**

The erosion and sediment control work to be completed under this permit is expected to cost approximately \$2,050, re-locating the installed wall is expected to cost \$6,900 and the new retaining wall is expected to cost \$45,500. A complete cost estimate is included.

### **Operation and Maintenance**

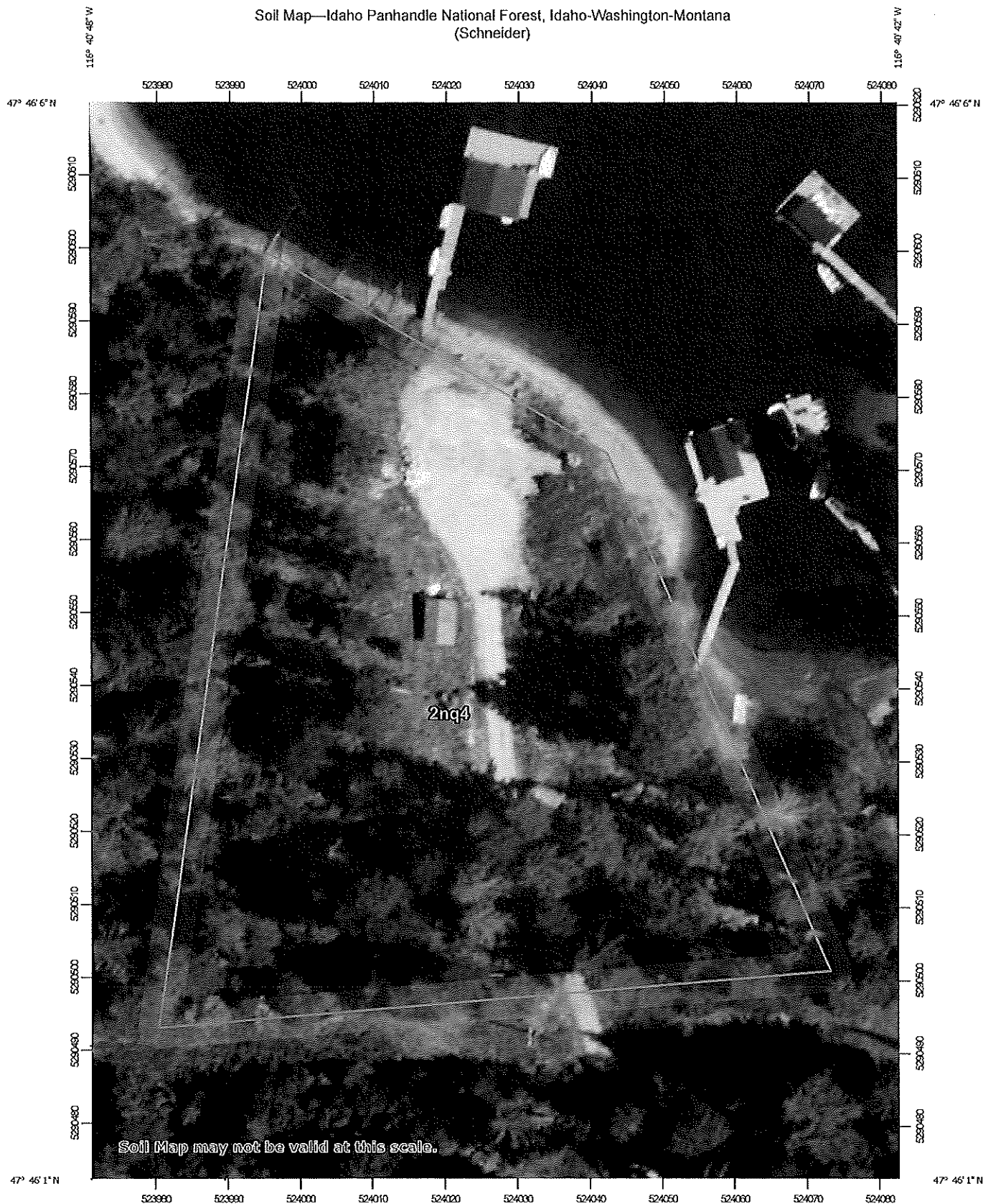
The operation and maintenance requirements for this project consist of maintenance of the erosion and sediment control measures. The erosion and sediment control measures requiring maintenance consists of silt fencing. These facilities shall be inspected once a week and after each major storm event. Any damage to these facilities shall be repaired immediately.

# Schneider Residence

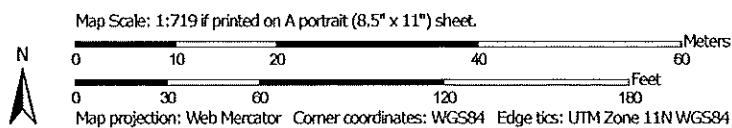
## SITE DISTURBANCE COST ESTIMATE

| ITEM                    | Quantity | Unit Cost  | Total Cost      | Bond Amount     |
|-------------------------|----------|------------|-----------------|-----------------|
| Silt Fence              | 205 lf   | \$10 / lf  | \$2,050         | \$3,075         |
| New Retaining Wall      | 91 lf    | \$500 / lf | \$45,500        | \$68,250        |
| Relocate Retaining Wall | 69 lf    | \$100 / lf | \$6,900         | \$10,350        |
| <b>TOTAL</b>            |          |            | <b>\$54,450</b> |                 |
| <b>150% of TOTAL</b>    |          |            |                 | <b>\$81,675</b> |

Soil Map—Idaho Panhandle National Forest, Idaho-Washington-Montana  
(Schneider)



Soil Map may not be valid at this scale.



Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

9/20/2023  
Page 1 of 3

## MAP LEGEND

|                                                                                                            |                                                                                                           |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
|  Area of Interest (AOI) |  Soil Area             |
|  Soil Map Unit Polygons |  Stony Spot            |
|  Soil Map Unit Lines    |  Very Stony Spot       |
|  Soil Map Unit Points   |  Wet Spot              |
|  Special Point Features |  Other                 |
|  Blowout                |  Special Line Features |
|  Borrow Pit             |  Water Features        |
|  Clay Spot              |  Streams and Canals    |
|  Closed Depression      |  Transportation        |
|  Gravel Pit             |  Ralls                 |
|  Gravelly Spot          |  Interstate Highways   |
|  Landfill             |  US Routes           |
|  Lava Flow            |  Major Roads         |
|  Marsh or swamp       |  Local Roads         |
|  Mine or Quarry       |  Background          |
|  Miscellaneous Water  |  Aerial Photography  |
|  Perennial Water      |                                                                                                           |
|  Rock Outcrop         |                                                                                                           |
|  Saline Spot          |                                                                                                           |
|  Sandy Spot           |                                                                                                           |
|  Severely Eroded Spot |                                                                                                           |
|  Sinkhole             |                                                                                                           |
|  Slide or Slip        |                                                                                                           |
|  Sodic Spot           |                                                                                                           |

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Idaho Panhandle National Forest, Idaho-Washington-Montana  
Survey Area Data: Version 9, Sep 2, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 1, 2021—Oct 1, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Map Unit Legend

| Map Unit Symbol             | Map Unit Name                                 | Acres in AOI | Percent of AOI |
|-----------------------------|-----------------------------------------------|--------------|----------------|
| 2nq4                        | Vassar ashy silt loam, 5 to 30 percent slopes | 1.5          | 100.0%         |
| Totals for Area of Interest |                                               | 1.5          | 100.0%         |



## Idaho Panhandle National Forest, Idaho-Washington-Montana

### 2nq4—Vassar ashy silt loam, 5 to 30 percent slopes



#### Map Unit Setting

*National map unit symbol:* 2nq4  
*Elevation:* 2,130 to 4,530 feet  
*Mean annual precipitation:* 23 to 45 inches  
*Mean annual air temperature:* 43 to 45 degrees F  
*Frost-free period:* 95 to 120 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Vassar and similar soils:* 75 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Vassar

##### Setting

*Landform:* Mountain slopes  
*Landform position (three-dimensional):* Mountainflank  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Parent material:* Volcanic ash over residuum weathered from granite and/or gneiss and/or schist

##### Typical profile

*Oi - 0 to 1 inches:* slightly decomposed plant material  
*Oe - 1 to 2 inches:* moderately decomposed plant material  
*Bw - 2 to 22 inches:* ashy silt loam  
*2C - 22 to 62 inches:* coarse sandy loam

##### Properties and qualities

*Slope:* 5 to 30 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.57 to 2.00 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* Moderate (about 9.0 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 4e  
*Hydrologic Soil Group:* B

*Ecological site:* F043AY574ID - Warm-Frigid, Udic, Unglaciaded,  
Loamy, Hills and Mountains, Ashy surface (western redcedar)  
Western Redcedar / Bride's Bonnet - Wild Ginger  
*Other vegetative classification:* western redcedar/queencup  
beadlily (CN530)  
*Hydric soil rating:* No

## Data Source Information

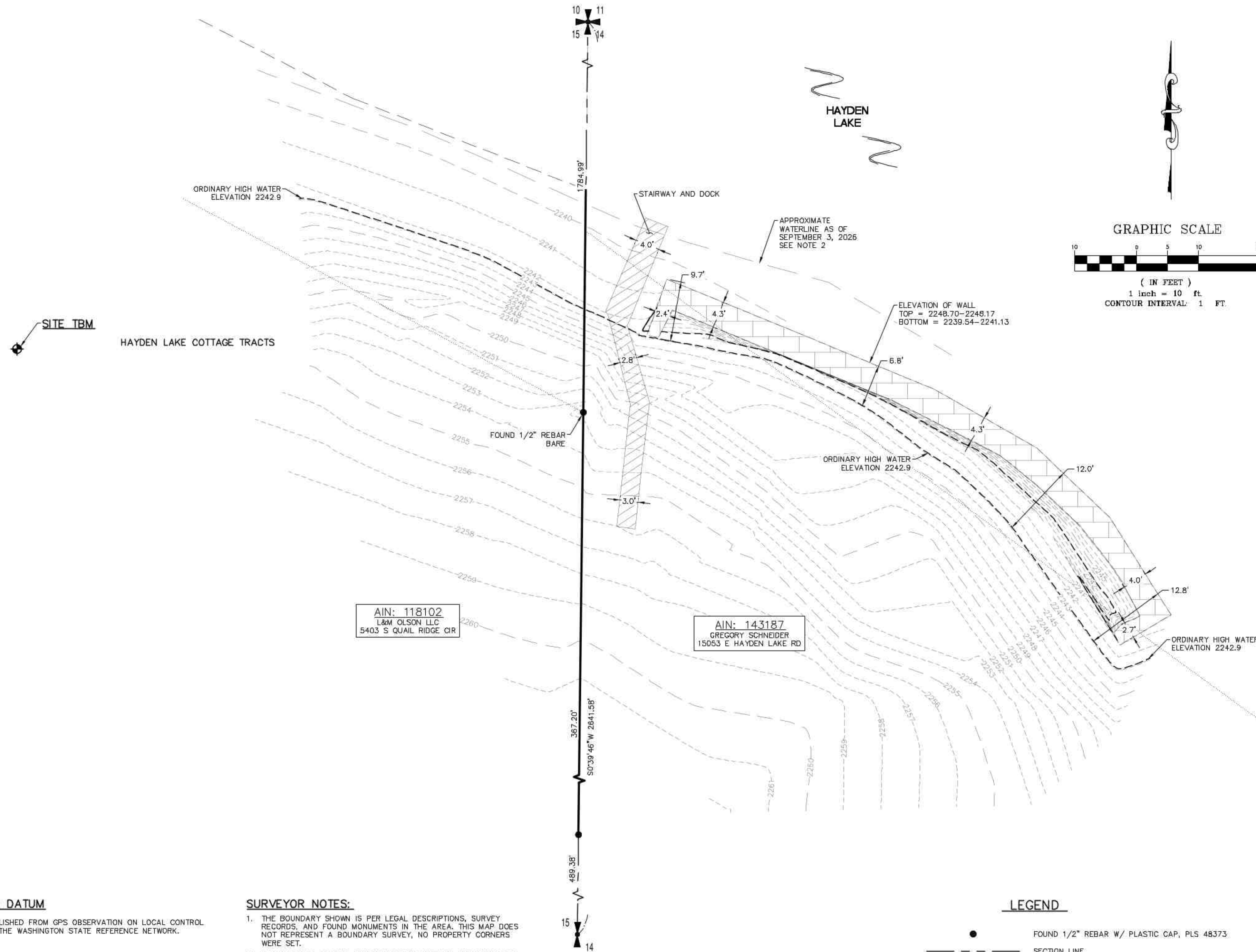
Soil Survey Area: Idaho Panhandle National Forest, Idaho-Washington-  
Montana  
Survey Area Data: Version 9, Sep 2, 2022

# TOPOGRAPHIC EXHIBIT

A PORTION OF THE NORTHWEST QUARTER, SECTION 15,  
AND THE NORTHEAST QUARTER, SECTION 14,  
TOWNSHIP 51 NORTH, RANGE 3 EAST, B.M.,  
KOOTENAI COUNTY, IDAHO

## TITLE INFORMATION:

NO TITLE REPORT HAS BEEN PROVIDED TO OR REVIEWED BY THE SURVEYOR IN CONJUNCTION WITH THIS SURVEY. IT IS HIGHLY RECOMMENDED THAT A TITLE REPORT BE OBTAINED AND REVIEWED TO ENSURE ANY AND ALL MAPPABLE ENCUMBRANCES ARE IDENTIFIED.



### SURVEYOR NOTES:

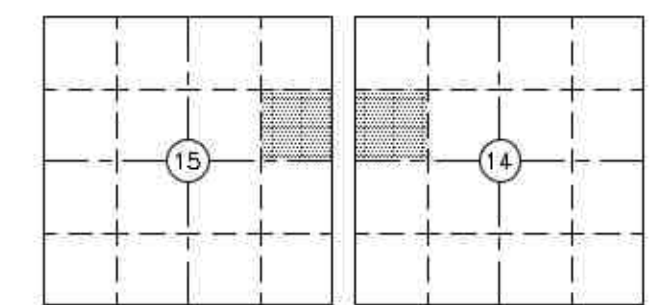
1. THE BOUNDARY SHOWN IS PER LEGAL DESCRIPTIONS, SURVEY RECORDS, AND FOUND MONUMENTS IN THE AREA. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY, NO PROPERTY CORNERS WERE SET.
2. THE PURPOSE OF THIS EXHIBIT IS TO ILLUSTRATE THE ORDINARY HIGH WATER ELEVATION PER KOOTENAI COUNTY CODE 8.7.111, DOCK, RETAINING WALL AND OTHER FEATURES NEAR THE NORTH PROPERTY CORNERS OF SUBJECT PARCEL.
3. PROPERTY LINES EXTEND TO THE ORDINARY HIGH WATER LINE.
4. THIS DRAWING DOES NOT ATTEMPT TO SHOW ALL EASEMENT OF RECORD, PRESCRIPTIVE EASEMENTS, OR PHYSICAL FEATURES OF THE PROPERTY.

### LEGEND

- FOUND 1/2" REBAR W/ PLASTIC CAP, PLS 48373
- SECTION LINE
- SUBJECT BOUNDARY
- EXISTING PROPERTY LINE
- SURVEY TIE LINE
- MAJOR CONTOUR
- MINOR CONTOUR
- ORDINARY HIGH WATER LINE (2242.9')
- RETAINING WALL
- STAIRWAY

### SURVEYOR'S CERTIFICATE

I, TROY A. CARLSON, PLS 15434, DO HEREBY CERTIFY THAT THIS TOPOGRAPHIC MAP WAS PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH GENERAL SURVEY PRACTICES.



SEC.15, T.51N, R.3E., W.M. SEC.14, T.51N, R.3E., B.M.

| No. | DESC. | DATE | BY |
|-----|-------|------|----|
|     |       |      |    |
|     |       |      |    |
|     |       |      |    |
|     |       |      |    |

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landscape architecture

510 east third avenue | spokane, wa | 99202  
509.242.1000 | www.storhauginc.com

## TOPOGRAPHIC EXHIBIT

SHEET TITLE

PROJECT TITLE

7885 E BURLEY CT/15053 E HAYDEN LAKE RD  
HAYDEN, IDAHO

SEAL

DATE 09/14/2026

DRAWN LEE

CHECKED TAC

PROJECT NUMBER 26-309

DRAWING NO.

1 OF 1

TOPO

**From:** [Mike Ahmer](#)  
**To:** [Aaron Golart](#); [Bob Steed](#); [Chace Bell](#); [Christopher Fresh](#); [D1Permits](#); [Emily Barnes](#); [Eric](#); [Eugene Ausher](#); [Garret Kenney](#); [General Army Corp](#); [Information](#); [Jason Brown](#); [Jason Kimberling](#); [Jason Peppin](#); [Jennifer Roman](#); [Jeremy Varley](#); [Kootenai Evironmental Alliance](#); [Marvin Fenn](#); [Mary Rehnborg](#); [Merritt](#); [Nic Zurfluh](#); [Nick Snyder \(nsnyder@kcgov.us\)](#); [Rebecca Stevens](#); [Stacy Simkins](#); [Symone Legg](#)  
**Subject:** Seawall Application Hayden Lake - NP220096  
**Date:** Friday, August 14, 2026 10:06:00 AM  
**Attachments:** [NP220096 Application.pdf](#)  
[image001.png](#)

---

Good Morning,

Please review the attached application for a seawall on Hayden Lake. The seawall was initially installed without a permit, and it was placed below the Ordinary High Water Mark and into the lake.

This application is for fixing the location of the wall to be placed at or above the OHWM. Some of the seawall will remain as-is, since it was placed correctly. The remaining portion of the wall will be removed and re-installed.

Please submit any comments you may have by September 14, 2026.

Thank you



**Mike Ahmer**  
**Resource Supervisor – Navigable Waters**  
Idaho Department of Lands  
3258 Industrial Loop, Coeur d’Alene, ID 83815  
Office: (208) 769-1577  
Email: [mahmer@idl.idaho.gov](mailto:mahmer@idl.idaho.gov)  
<https://www.idl.idaho.gov>

hp220096 \$75.00 Cash 09/11/2026

MICA  
SUPERVISORY AREA  
3258 W. Industrial Loop  
Coeur d'Alene, ID 83815  
Phone (208) 769-1577



DUSTIN T. MILLER, DIRECTOR  
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

Brad Little, Governor  
Phil McGrane, Secretary of State  
Raúl R. Labrador, Attorney General  
Brandon D Woolf, State Controller  
Debbie Critchfield, Sup't of Public Instruction

August 14, 2026

Douglas & Philana Mcinnis Family Trust  
15050 E Hayden Lake Rd  
Hayden, ID 83835

Re: Courtesy Notification of Application for Encroachment **NP220096**

To Whom it Concerns:

This letter is to inform you as a courtesy that your adjacent neighbor **GREGORY SCHNEIDER** has applied for a permit with Idaho Department of Lands to permit **a seawall** on **Hayden Lake**. The enclosed applications with site diagrams show the location and indicate dimensions and distances to your mutual property/riparian boundary.

If you **do not** have concerns about the proposed project after reviewing the application packet, and you **do not** wish to object to the application, please complete the attached form (sign box 1) and return it to our office as quickly as possible.

If you **object** to the proposed application and would like to **request a public hearing**, in which you will be named as the objecting party, please complete and return the attached form to IDL. State law IDAPA 20.03.04.030.04 requires you submit your written objection (specifically asking for a public hearing) and a **\$75 fee** to cover the cost of publishing notice of hearing **within thirty (30) days of the first date of publication** (the first date it appears in the local newspaper advertising the application). Please ensure the Department receives this information by **September 14, 2026**. Objections should be based on the standards for commercial, community, or nonnavigational encroachments, which can be found here: <https://adminrules.idaho.gov/rules/current/20/200304.pdf>. Failure to provide contact information may result in dismissal of the objection due to strict timelines for hearings.

Sincerely,

  
Mike Ahmer

Resource Supervisor-Navigable Waters  
[mahmer@idl.idaho.gov](mailto:mahmer@idl.idaho.gov)

Enclosures



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](mailto:AFUSON@IDL.IDAHO.GOV) AS SOON AS POSSIBLE.**

Date

Name

Address

City

State

Zip

Phone Number

Email Address

Phone Number



# Doug McInnis

15050 E Hayden Lake Road  
208-659-0128  
dpmcinnis@yahoo.com

August 22, 2026

Idaho Department of Lands  
Attn: Mike Ahmer

Re: Schneider Seawall Application NP220096

This document is submitted in support of my objection to the proposed Gregory Schneider seawall, application number NP220096. Though I am not a lawyer, I have perused the courtesy notification received from Mr. Ahmer and have reviewed the standards for commercial, community, and non-navigational encroachments found in the link enclosed in Mr. Ahmers letter.

To begin with, the application as written has a number of factual inaccuracies. On page one it states that the proposed project will replace an existing poured in place concrete RetainingWall. It states that the existing wall is failing and will end up falling into the lake, if not addressed. It states that in addition, the shoreline to the south east end of the concrete wall is eroding and rocks and debris are falling into the lake. Only on page 3 of the application does it briefly state that the existing wall has already been removed in its entirety, and the wall in question was constructed well below the ordinary high watermark in the absence of permitting, inspection, or proper Engineering.

I believe that a second objection will be filed by the other neighbor on the west side of the project. When asked if the proposed encroachment beside rip rap be located closer than 10 feet to the riparian/littoral right lines established with the neighbors, the application says no. The existing illegal wall built below the ordinary high watermark I believe will be shown to be well within 10 feet of the littoral right lines at the Schneider -Olson property Boundary.

Page 2/4 section 16 states that the proposed wall will be located in front of the existing failing concrete RetainingWall, which I have already stated has already been removed. It goes on to state that the existing concrete wall will remain, which is obviously not



true. I believe that historical photographic evidence will show that the original concrete Retaining Wall was built substantially above the ordinary high watermark. The illegal wall was built approximately 10 feet lateral and 2 feet below the ordinary high watermark. I have photographic evidence to prove this.

Though I believe that Mr. Schneider did have an original engineered plan for the wall that he illegally built, he built it by himself without necessarily following that plan. Because it was built illegally, and without a permit, there was never any silt fencing or erosion control measures. There was never any survey to establish the ordinary high watermark. There was never any inspection from the county. To my knowledge, there was never any ongoing input from the engineer after the illegal wall was initiated.

I am the adjoining neighbor to the southeast of the proposed project and it is not true that the shoreline adjacent to the wall was eroding prior to Schneider's destruction of the wall. It is true that the concrete wall was failing. Had Mr. Schneider applied for a permit and followed the regulations established by the state of Idaho we wouldn't be where we are today.

The proposed plan seems to call for retaining the westernmost 55 linear feet of wall. In the absence of a survey, I do not believe it has been established whether or not that section of wall falls above or below the ordinary high watermark.

Mr. Ahmer has previously told me and other neighbors that the existing illegal seawall is the most egregious violation of encroachment standards currently under review in the county. Because that wall was built by the land owner, mostly neglecting the engineered plan, without silt, fencing or erosion control, irreparable harm to navigation to my dock has already occurred. I have current photographs from today and historic photographs dating back since the wall was built, reflecting a vast plume of sediment and silt moving southeast towards my dock as a result of Schneider's illegal wall. In speaking with Mr. Ahmer, he has told me that he can see this silt plume on the aerial survey routinely performed by the IDAHO Department of lands.

Even if Mr. Schneider is required to remove the existing illegal wall and attempt to restore the damage done to the Lake bed to its original condition, the siltification of my dock has already irreparably occurred. Because of the natural contours of the Lake bed, my dock and that of my adjoining neighbor Mike Silvey normally lie in water quite shallow when compared with the adjacent Docks of the Olson family, the Schneider family, and the Heinrich family to the east. Historically, my family could leave the boat in the water as late as we wished and often didn't remove it until October. Last year, the first summer after Schneider completed the wall, we had to remove our boat in



August. This summer, I'm already having to dive beneath my boat on a weekly basis in order to measure the depth remaining between my boat and the lake bottom. This is a direct effect of the siltification caused by Schneider's illegal wall and the lack of appropriate silt fencing and erosion control. Though it's difficult to measure accurately, I would estimate that the change in currents and the large silt plume created by the existing illegal wall has decreased the depth of water under my dock by approximately 4 to 6 inches

I object to this project in its entirety. As it was constructed, it was a blatant and illegal attempt to create waterfront real estate. The wall as it stands is a blatant violation of the standards for encroachment established by the state of Idaho. Any attempt to bring the project in compliance will be patently incapable of undoing the damage already done. I have been informed by numerous officials at the Department of lands as well as Kootenai County that the government's goal is to bring the project into compliance and not necessarily to punish the illegal behavior that has already occurred. Though I understand this in principle, I find it frustrating that someone can be allowed to flout the law at the expense of others and not be held to account.

At a minimum, I would request that a proper survey be performed at Mr. Schneider's expense in order to properly demarcate the ordinary high watermark as well as properly delineate the property boundaries between the Schneider family and the Olson family as well as the property boundaries between Schneider and myself. Furthermore, I would propose that a variance be granted to both myself and Mike Silvey in order to extend our Docks further into the lake in order to access deeper water and maintain navigability to our Docks. Because Schneider's existing wall has impeded navigability to my dock, I believe that this remediation should be at Schneider's expense.

Sincerely yours,

Douglas P McInnis



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](mailto:AFUSON@IDL.IDAHO.GOV) AS SOON AS POSSIBLE.**

LANCE OLSON 13 SEP 26  
Date

Name  
5403 S. QUAIL RIDGE CIRCLE, SPOKANE, WA 99223  
Address City State Zip  
(509) 710 6693 lanceolson@msn.com  
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

Regarding the replacement of Sea Wall request by Gregory Schneider

DOL case number PH-2026-NAV-22-004

OAH case number 26-320-11

October 1, 2026

I have a home about 150 feet east of the Schneider property and I would like to submit the following comments and concerns for consideration by the hearing examiner.

1. I'm not opposed to the wall being built if it is in the correct location above the OHWM. If it has the required engineering, permits, and inspections to ensure that it will be an effective guard against erosion, and it will not fall into the lake at some future point do to unstable foundation in the lakebed or lack of proper compaction and inspections by Kootenai County.
2. Every year since the wall was built during the spring run off the lake water has been behind the entire length of the wall. I have had the ordinary high-water mark surveyed and recorded on my property, so I know when the OHWM has been reached in Hayden Lake. In the years since the wall was built the lake level has not risen above the OHWM, in some years it has not risen to the OHWM. If the west end of the wall was built behind the OHWM there would not be any water behind the wall. The county put a stop work order on the wall, so it was never backfilled, so it is easy to see that the entire length of the wall is beyond the OHWM.
3. I do not know the exact distance that the wall sits into the state's lakebed, I estimate that the west end of the wall is 3 to 4 feet beyond the OHWM, and the east end of the wall is probably more than 8 feet into the lakebed.
4. I believe that the IDOL made a mistake when they determined that the west end of the wall was built above the OHWM. I request that a survey be conducted to ensure that the wall is erected in the proper location above the OHWM.

Thank You for your consideration,

Mike Silvey