

BEFORE THE STATE BOARD OF LAND COMMISSIONERS
STATE OF IDAHO

In the Matter of Encroachment Permit Application No.)	Case No. PH-2022-NAV-20-002
L-96-S-1083B,)	
)	FINAL ORDER
Valorie Wood,)	
)	
Applicant.)	
_____)	

I. NATURE OF PROCEEDINGS

The Idaho Department of Lands (“IDL”), through the State Board of Land Commissioners, “shall regulate, control and may permit encroachments in aid of navigation or not in aid of navigation on, in or above the beds or waters of navigable lakes” as provided in the Lake Protection Act, title 58, chapter 13, Idaho Code. Idaho Code § 58-1303. The corresponding administrative rules promulgated by the State Board of Land Commissioners are IDAPA 20.03.04, “Rules for the Regulation of Beds, Waters, and Airspace over Navigable Lakes in the State of Idaho.”

On or around February 7, 2022, IDL received an updated encroachment permit application filed by Valorie Wood. A public hearing was held on April 19, 2022. Eric Wilson served as duly appointed hearing coordinator. On May 13, 2022, the hearing coordinator issued his Preliminary Order, which contains Background, Findings of Fact, and Analysis and Conclusion of Law sections.

As Director of IDL, my responsibility is to render a decision pursuant to Idaho Code § 58-1306 and IDAPA 20.03.04.030 on behalf of the State Board of Land Commissioners and based on the record, which I have reviewed in the context of my personal expertise gained

through education, training, and experience. I relied on the record for this matter, including examining the hearing coordinator's Preliminary Order in light of the entire record.

II. FINDINGS OF FACT

I adopt the Preliminary Order's Background and Findings of Fact as my Findings of Fact.

III. CONCLUSIONS OF LAW

I adopt the Preliminary Order's Analysis and Conclusions of Law section as my Conclusions of Law.

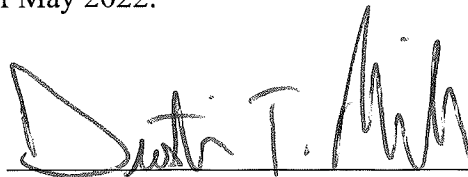
IV. ORDER

I conclude that the hearing coordinator's Preliminary Order is based on substantial evidence in the record, and I adopt the Preliminary Order's Findings of Fact and Conclusions of Law. I have enclosed and served the Preliminary Order along with this Final Order.

Based on the adopted Findings of Fact and Conclusions of Law, I HEREBY ORDER that Encroachment Permit Application L-96-S-1083B is DENIED.

This is a final order of the agency. Pursuant to Idaho Code § 58-1306(c) and IDAPA 20.03.04.30.09, the Applicant or any aggrieved party who appeared at the public hearing has a right to have the proceedings and Final Order reviewed by the district court in the county where the encroachment is proposed by filing a notice of appeal within thirty (30) days from the date of the final decision. The Applicant does not need to post a bond with the district court for an appeal. The filing of the petition for review to the district court does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

Dated this 18th day of May 2022.



DUSTIN T. MILLER
Director, Idaho Department of Lands

CERTIFICATE OF MAILING

I hereby certify that on this 19th day of May 2022, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Valorie Wood
PO Box 93
Hope, ID 83836
Applicant

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: lori@Kendrickmercer.com

Angela Schaer Kaufmann
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010
Counsel for IDL

- Statehouse Mail
- Hand Delivery
- Email: angela.kaufmann@ag.idaho.gov

Kourtney Romine *on behalf of*
Eric Wilson, Hearing Coordinator

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: kromine@idl.idaho.gov



Kourtney Romine, Workflow Coordinator

Copy sent via email and/or regular U.S. Mail, postage prepaid to Those Who Have Provided Comments.

Stacy Simkins
Idaho Transportation Department
600 W. Prairie Ave.
Coeur d’Alene, ID 83815
Stacy.simkins@itd.idaho.gov

Michael Silverman
1612 Warren Ave
Seattle, WA 98109

Merritt Horsmon
Idaho Department of Fish and Game
2885 W. Kathleen Ave.
Coeur d’Alene, ID 83815
merritt.horsmon@idfg.idaho.gov

Chantilly Higbee
Idaho Department of Environmental Quality
2110 Ironwood Parkway,
Coeur d’Alene, ID 83814
Chantilly.Higbee@deq.idaho.gov

Charlie Kramer
Cekramer3@me.com

BEFORE THE STATE BOARD OF LAND COMMISSIONERS
STATE OF IDAHO

In the Matter of:)	Case No. PH-2022-NAV-20-002
)	
Encroachment Permit Application)	PRELIMINARY ORDER
No. L-96-S-1083B)	
)	
Valorie Wood, Applicant.)	
_____)	

I. BACKGROUND

On February 7, 2022, Valorie Wood, (“Applicant”) submitted an encroachment permit application number L-96-S-1083B (“Application”), to the Idaho Department of Lands (“IDL”) requesting approval to permit a previously constructed high dive platform and fixed canopy on their existing, permitted single family dock in Lake Pend Oreille. AR Doc 1¹.

The two-story high dive platform was constructed on the outer portion of the L-shaped dock. The structure is 16 feet high and contains a middle platform that does not extend over the water, and an upper platform which extends approximately 6 feet over the water. The fixed canopy has a peaked roofline with shake shingles, and was built over a 10’ x 10’ square area in the middle of the 6’ wide ramp. AR, Doc 1.

IDL processed the Application pursuant to Idaho Code § 58-1306 as well as IDAPA 20.03.04.030. Following is the timeline of events and documents that make up the administrative record in this matter:

1. In a letter dated February 28, 2022, IDL provided notice of the Application to the appropriate government agencies and non-governmental organizations. AR Docs 2 and 3.
2. In a letter dated February 28, 2022, IDL provided notice of the Application to adjacent neighbors Michael Silverman and Jeff and Julia Korte. A Doc 4.
3. IDL caused a Notice of Application to be published in the *Bonner County Daily Bee* on March 2 and 9, 2022. AR Docs 5 and 6.
4. The Idaho Transportation Department replied in an email dated February 28, 2022 that they had no comment. AR Doc 7.
5. In accordance with Idaho Code § 58-1306(c) and IDAPA 20.03.04.030, IDL initiated a public hearing process for the nonnavigational encroachments. On March 3, 2022, a Notice of Appointment of Hearing Coordinator and Hearing was sent to the Applicant. Exhibits and testimony were requested to be delivered to IDL by 5:00 p.m. on April 12, 2022. The public hearing was

¹ The citation “AR” refers to the agency record, “Doc” refers to the document number.

scheduled for April 19, 2022, at 6:00 p.m. through video conference or in-person at the IDL office located at 3258 W. Industrial Loop, Coeur d'Alene, ID, 83815. AR Doc 8.

6. IDL caused a Notice of Public Hearing to be published in the *Bonner County Daily Bee* on March 5 and 12, 2022. AR Doc 9.

7. On March 31, 2022, IDL submitted a 32-page email with attachments that include historical correspondence related to Applicant's encroachment from 1995 through 2009. AR, Doc 10.

8. On March 31, 2022, IDL submitted a 43-page email with attachments that include historical correspondence related to two of Applicant's encroachments and permits. Application and Encroachment Permit L-96-S-1083A dated May 7, 2019 for an extended dock is included on pages 19 to 36, and permit L-96-S-1083 dated March 25, 1996 for water intake systems and a 841 square-foot single-family dock is included on pages 37 to 43. AR Doc 11.

9. On March 31, 2022, IDL submitted an 18-page email with attachments that include historical correspondence related to permit L-96-S-716C issued on March 15, 1993 for water intake lines associated with a heat pump. AR Doc 12.

10. On March 14, 2022, neighbor Michael Silverman submitted a neighbor consent form for the Application. AR Doc 13.

11. On March 17, 2022, The Idaho Department of Fish and Game submitted an email that they had no comment. AR Doc 14.

12. On March 29, 2022, The Idaho Department of Environmental Quality submitted an email that they had no comment. AR Doc 15.

13. On April 12, 2022, the Idaho Department of Lands submitted a 58-page Hearing Statement. AR Doc 16. The Hearing Statement noted the following information:

- a. Application background information and timeline.
- b. Legal provisions in portions of Title 58, Chapter 13, Idaho Code, and IDAPA 20.03.04 applicable to the current Application.
- c. Analysis of the facts and issues.
- d. Conclusion.

The Hearing Statement contained the following additional exhibits:

- a. Inspection report from a 4/10/2020 inspection. AR Doc 16, pp. 8-12;
- b. Notice of Noncompliance to Applicant dated 4/20/2020. Id. pp. 13-38;
- c. Letter to Applicant dated 12/17/2021. Id. pp. 39-58.

14. On April 19, 2022, IDL held a public hearing at 6:00 p.m. in IDL's office located at 3258 W. Industrial Loop, Coeur d'Alene, ID 83815. In physical attendance and providing testimony

were Mr. Mike Ahmer, IDL Resource Supervisor; and Ms. Angela Kauffman, Deputy Attorney General assisting IDL staff. Other IDL staff in attendance were Amidy Fuson, Loren Moore, and Jennifer Barker. Managing the virtual participation during the hearing was Mr. Chris Gozzo, IDL Information Specialist. Participating via Zoom and provided testimony were Valorie Wood and Charlie Kramer for Applicant, and Justin Eshelman for IDL. The Hearing Coordinator and his advisory counsel, Deputy Attorney General J.J. Winters, were also present. AR Doc 17. The public hearing was digitally recorded.² Testimony concluded at approximately 6:36 p.m.

15. Applicant provided 16 color photos of the encroachment at the hearing. AR Doc 18.

16. The next day after the hearing on April 20, 2022, Applicant submitted an email providing additional testimony regarding the fixed canopy and high dive platform. AR Doc 19.

17. The Hearing Officer forwarded Applicant's email to IDL and offered the agency an opportunity to respond to the additional testimony by April 25, 2022. AR Doc 20.

18. On April 25, 2022, IDL provided a response to Applicant's additional testimony via email. AR Doc 21.

II. FINDINGS OF FACT

1. Valorie Wood is the Applicant. AR Doc 1, and Rec 4:00.

2. Applicant owns littoral parcel RP0079900007A0A on Lake Pend Oreille. Applicant is a littoral owner, with littoral rights. AR Docs 1, and Rec 4:16.

3. The Application is for an existing high dive platform and fixed canopy constructed on a single-family dock. AR Doc 1. The permitted dock has a total of 1,296 square feet and extends 88 feet into Lake Pend Oreille. AR Doc 11, pp. 19, 30.

4. The two story, high dive platform is seven feet wide and the top platform extends approximately six feet past the end of the "L" pier over the water. AR Doc 1, pp. 8, 10; Rec 18:26. The platform adds approximately 42 additional square feet over the water beyond the end of the dock.

5. The high dive platform and fixed canopy are nonnavigational encroachments. AR Docs 1, 16, 19, and 21.

6. IDL conducted an inspection of the encroachments on April 10, 2020 after receiving a complaint from a member of the public. AR Doc 16, pp. 2, 8.

² The hearing was recorded pursuant to IDAPA 20.01.01.651. A hearing transcript has not been prepared. The agency or any party may have a transcript prepared at its own expense. All references to the hearing recording in this Preliminary Order will be described by reference to the hour(s), minute(s), and second(s) location on that recording. For example: Rec, hh:mm:ss.

7. IDL sent Applicant a Notice of Noncompliance dated April 20, 2020. AR Doc 16, pp. 13-38. The Notice requested Applicant to submit a plan by June 30, 2020 to remove a “diving tower, gazebo, and the swim platform”. Id.

8. IDL sent a second Notice of Noncompliance dated December 17, 2021 after no response was received from Applicant. AR doc 16, p. 14.

9. The Application was filed on February 18, 2022. AR Doc 16, p.3; Rec 23:17.

10. The Applicant stated the following:

a. Applicant and her husband built the house on the island 29 years ago and have lived in it year-round since it was completed. Rec 4:05.

b. Applicant’s husband needed wheelchair access on and off the dock. Rec 4:48.

c. The dock has always had a high dive platform for 29 years, and Applicant assumed it was fine. Rec 5:24.

d. Family and medical issues in 2020 delayed a response to the first Notice of Noncompliance sent April 20, 2020. Rec 7:40. Applicant’s husband passed away at the end of the year, shortly after receiving the second Notice of Noncompliance dated December 17, 2021. Rec 9:22.

e. The house and the stair tower that provides access down to the lake were constructed with a matching aesthetic desired by her husband. Rec 6:00. The high dive platform and fixed canopy were built to mirror this same aesthetic. Rec 7:02. Applicant built the fixed canopy with wood instead of canvas, because “canvas can rip.” Rec 6:54 and 16:36. Applicant wants to keep the diving platform and canopy in memory of her late husband and his aesthetic tastes. Rec 19:25.

f. The fixed canopy provides shelter all year from the sun and rain. Rec 6:23 and 17:12.

g. A 6’ x 6’ gray fabric canopy is present on one of the structures. Rec 16:27.

h. The high dive platform does extend past the end of the dock, and a rope swing is attached to the underside of the platform. Rec 17:47.

11. Charlie Kramer testified for the Applicant and stated that they had received no negative responses from the neighbors or anyone else regarding the high dive platform and fixed canopy. Rec 13:16.

12. IDL employee Justin Eshelman stated the following:

a. Applicant is a littoral owner with littoral rights. AR Doc 16, p. 6; Rec 23:37.

b. Application is for nonnavigational encroachments on a single-family dock. AR Doc 16, p. 6; Rec 24:12.

- c. Proposed encroachments appear to be within the line of navigability. AR Doc 16, p. 6.
- d. Proposed encroachments appear to be more than 25 feet from the adjacent littoral right lines. AR Doc 16, p. 7; Rec 24:52.
- e. Proposed encroachment does not provide any major environmental, economic, or social benefits to the general public and IDL cannot foresee any reasons why the diving platform and fixed canopy on a private single-family dock could benefit the general public. AR Doc 16, p. 7; Rec 25:35.
- f. IDL recommends denial of the encroachment permit. AR Doc 16, p. 7; Rec 26:17.
- g. Only a handful of gazebos similar to the fixed canopy are present on the lake. Rec 27:04.
- h. The ordinary high-water mark (OHWM) for Lake Pend Oreille is elevation 2051 feet at NGVD datum. Rec 27:30.
- i. The artificial high-water mark (AHWM) for Lake Pend Oreille is elevation 2062.5 feet at NGVD datum. Rec 27:50.
- j. The high dive platform extends over state-owned submerged lands below the OHWM. Rec 28:25.
- k. The L-shaped pier is approximately 240 feet from the southern littoral right line. Rec 30:30.
- l. The end of the L-shaped pier is approximately 70 feet from the northern littoral right line. Rec 32:00.

13. Applicant submitted a supplemental statement via email on April 21, 2022 after the close of the hearing. AR Doc 19. This material was not timely submitted, but IDL was allowed to respond by close of business on April 25, 2022. AR Doc 20.

14. Applicant's additional statement emphasized the aesthetic benefits provided by the high dive platform and fixed canopy. Applicant also stated that business clients use the single-family dock and high dive platform, and Applicant allows most boaters to use the high dive platform after they ask permission. AR Doc 19.

15. IDL's statement in response to the additional testimony was received on April 25, 2022. This statement emphasized that the proposed encroachments do not provide the general public with a major social, economic, or environmental benefit, and that aesthetics are very subjective. IDL also stated that no signage for public access is displayed. AR Doc 21.

16. A high dive platform appears to be present on the end of the L-dock before the 2019 permit with the wheelchair lift was approved. Doc 18, pp 15-16.

17. The applications for Encroachment Permit L-96-S-1083 and L-96-S-1083A do not depict a high dive platform on the end of the dock and do not mention it in any of those application materials or permits. AR Doc 11, pp. 19-43.

18. The Application drawing depicting the lakebed profile submitted in 2022 appears to be the same drawing submitted in 2019, however the 2019 drawing in the Application is missing the canopy and diving platform. AR Doc 11, p. 31; AR Doc 1, p. 9.

19. The approved single-family dock under L-96-S-1083A contains 1,296 square feet. AR Doc 16, p. 15. The variance granted for the single-family dock over 700 square feet was to provide island access at low water and to provide wheelchair access. AR Doc 16, p. 2.

20. The wheelchair lift is 6 feet square. AR Doc 1, p.8. It appears to have a fabric canopy on a metal tubular frame. AR Doc 16, pp. 10, 11; AR Doc 18, p. 6.

21. A second fabric canopy on a metal tubular frame appears to be on the shore just before the start of the dock approach. AR Doc 16, pp. 10, 11; AR Doc 18, p. 6.

III. ANALYSIS AND CONCLUSIONS OF LAW

1. The State Board of Land Commissioners (Board) is authorized in Idaho Code § 58-104(9) and § 58-1303 to regulate, control, and permit encroachments on, in, or above the beds of navigable lakes in the state of Idaho.

2. The Board exercises its authority through the instrumentality of IDL. *See* I.C. §§ 58-101 and -119. As a result, “the duty of administering the Lake Protection Act falls upon the IDL.” *Kaseburg v. State, Bd. of Land Comm’rs*, 154 Idaho 570, 578, 300 P.3d 1058, 1066 (2013).

3. Lake Pend Oreille is a navigable lake as defined by Idaho Code § 58-1302(a). *Id.*; *Gasman v. Wilcox*, 54 Idaho 700, 702, 35 P.2d 265, 266 (1934).

4. Pursuant to Idaho Code § 58-1301, lake encroachments must be regulated to protect property, and the public trust values of navigation, fish and wildlife habitat, aquatic life, recreation, aesthetic beauty and water quality. These values must be given due consideration and weighed against the navigational or economic necessity or justification for, or benefit to be derived from, the proposed encroachment.

5. No encroachments on, in, or above the waters of any navigable lake in Idaho shall be constructed until approval has been granted pursuant to the Idaho Lake Protection Act, at Idaho Code § 58-1301, *et seq.* (LPA).

6. Idaho Code § 58-1304 gives IDL authority to adopt such rules and regulations as are necessary to implement the LPA. IDL has exercised that authority and promulgated the Rules for

the Regulation of Beds, Waters and Airspace Over Navigable Lakes in the State of Idaho, IDAPA 20.03.04.000, *et seq.* (Rules).

7. “Littoral rights” are defined by IDAPA 20.03.04.010.32 as: “The rights of owners or lessees of land adjacent to navigable waters of the lake to maintain their adjacency to the lake and to make use of their rights as riparian or littoral owners or lessees in building or using aids to navigation but does not include any right to make any consumptive use of the waters of the lake.”

8. IDAPA 20.03.04.020.02 provides that: “Only persons who are riparian owners or lessees of a riparian owner shall be eligible to apply for encroachment permits.”

9. IDAPA 20.03.04.020.07.a.vi provides that encroachment plans shall include information at a scale sufficient to show: “Total square footage of proposed docks and other structures, excluding pilings, that cover the lake surface.”

10. IDAPA 20.03.04.015.13.e provides that: “It will be presumed, subject to rebuttal, that ... commercial navigational encroachments, community docks or nonnavigational encroachments will have [an] adverse effect upon adjacent littoral rights if located closer than twenty-five (25) feet to adjacent littoral right lines. Written consent of the adjacent littoral owner or owners will automatically rebut the presumption.”

11. IDAPA 20.03.04.010.15 defines Encroachments in Aid of Navigation: Includes docks, piers, jet ski and boat lifts, buoys, pilings, breakwaters, boat ramps, channels or basins, and other facilities used to support watercraft and moorage on, in, or above the beds or waters of a navigable lake. The term “encroachments in aid of navigation” is used interchangeably with the term “navigational encroachments.”

12. IDAPA 20.03.04.010.16 defines Encroachments Not in Aid of Navigation: Includes all other encroachments on, in, or above the beds or waters of a navigable lake, including landfills, bridges, utility and power lines, or other structures not constructed primarily for use in aid of navigation, such as float homes and boat garages. The term “encroachments not in aid of navigation” is used interchangeably with the term “nonnavigational encroachments.”

13. IDAPA 20.03.04.010.36 defines Single-Family Dock: A structure providing noncommercial moorage that serves one (1) waterfront owner whose waterfront footage is no less than twenty-five (25) feet.

14. IDAPA 20.03.04.030.02 provides that: “Encroachments not in aid of navigation in navigable lakes will normally not be approved by the Department and will be considered only in cases involving major environmental, economic, or social benefits to the general public. Approval under these circumstances is authorized only when consistent with the public trust doctrine and when there is no other feasible alternative with less impact on public trust values.”

15. IDAPA 20.03.04.030.10 provides that: “In recognition of continuing private property ownership of lands lying between the natural or ordinary high water mark and the artificial high water mark, if present, the Department will consider unreasonable adverse effect upon adjacent

property and undue interference with navigation the most important factors to be considered in granting or denying an application for either a nonnavigational encroachment or a commercial navigational encroachment not extending below the natural or ordinary high water mark. If no objections have been filed to the application and no public hearing has been requested or ordered by the Director, or, if upon reconsideration of a decision disallowing a permit, or following a public hearing, the Department determines that the benefits, whether public or private, to be derived from allowing such encroachment exceed its detrimental effects, the permit will be granted.”

16. IDL initiated processing of the Application pursuant to Idaho Code § 58-1306 and the related administrative Rules. A Notice of Application was published in the Bonner County Daily Bee on March 2 and March 9, 2022. AR Doc 6. A Notice of Appointment of hearing Coordinator and Public Hearing was published on March 5 and 12, 2022. AR Doc 9.

17. The diving tower and gazebo mentioned in the April 20, 2020 Notice of Noncompliance are the high dive platform and fixed canopy contained in the Application. AR Doc 16, pp. 13-38; AR 1. Page 10 of the Application includes a photo from the April 10, 2020 inspection report.

18. The proposed encroachments are located more than 25 feet from the adjacent littoral right lines and are within the line of navigability.

19. Although high dive platforms may have existed on the dock in the past, they are not referenced in any prior applications or permits.

20. The current high dive platform extends approximately six feet beyond the end of the dock but is not depicted on the current application. The extension increases the total square footage over the lake beyond the already oversized 1,296 square feet.

21. Two fabric and tubular steel canopies are present on the permitted dock and upland approach.

22. The nonnavigational encroachments proposed in the Application are located on a single-family dock, which is defined as noncommercial moorage. Commercial use of the moorage is not mentioned in the two prior permits issued for the dock and is not mentioned in the Application. Any commercial use, or benefit from that use, is incidental to the primary purpose of providing lake access to the Applicant’s property.

23. I find that the Application for the nonnavigational fixed canopy does not provide major environmental, economic, or social benefits to the general public. Hard roofs are not allowed for slipcovers and should not be allowed for coverings on any other part of the waterward structure.

24. I find that the Application for the nonnavigational high dive platform does not provide major environmental, economic, or social benefits to the general public. Although Applicant testified that some boaters are allowed to use the high dive platform, it is a private encroachment and members of the public may be excluded at any time.

25. The Application is also inaccurate because it does not show the platform hanging over the end of the dock above the lake.

26. Lastly, the high dive platform is over the state-owned lakebed, so the provisions of IDAPA 20.03.04.030.10 do not apply.

IV. PRELIMINARY ORDER

Based on the foregoing findings of fact and conclusions of law, IT IS HEREBY ORDERED that Encroachment Permit Application No. L-96-S-1083B is denied, subject to any conditions imposed by the Director of the Idaho Department of Lands.

This order issued herein is a Preliminary Order, pursuant to Idaho Code §§ 58-1306(c), 67-5270 and 67-5272, and the Notice of Appointment of Hearing Coordinator and Public Hearing, issued on March 3, 2022, which states as follows:

In accordance with Idaho Code § 67-5245, the Hearing Coordinator shall submit a preliminary order to the Director of IDL, who shall issue a Final Order no more than thirty (30) days after the conclusion of the hearing.

The Preliminary Order can and will become final without further action of the agency if the Director does not issue a Final Order within thirty (30) days of the close of the hearing.

If this Preliminary Order becomes final, or if the Director issues a Final Order, pursuant to Idaho Code § 58-1306(c), the Applicant or other aggrieved party has the right to have this decision reviewed by the district court in the county where the encroachment is proposed by filing notice of appeal within thirty (30) days from the date of the final decision. Idaho Code § 58-1306(c). The filing of an appeal to the district court does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

DATED this 13th day of May, 2022



ERIC WILSON
IDL Resource Protection and Assistance Bureau Chief

Table of Contents

Agency Record

In the Matter of Encroachment Permit Application L-96-S-1083B

Valorie Wood,
Docket No. PH-2022-NAV-20-002

Date	Document Name	Doc #
02/09/2022	Application	1
02/28/2022	Email of Notice of Application to Agencies	2
02/28/2022	Notice of Application to Agencies	3
02/28/2022	Notice of Application to Neighbors	4
02/28/2022	Email Request to Bonner County Daily Bee for Notice of Application Legal Notice	5
02/28/2022	Bonner County Daily Bee Affidavit of Publication - Notice of Application	6
02/28/2022	Comment from Idaho Transportation Department	7
03/03/2022	Notice of Appointment of Hearing Coordinator and Hearing	8
03/03/2022	Bonner County Daily Bee Affidavit of Publication - Notice of Public Hearing	9
03/31/2022	Additional Information from IDL 1 of 3	10
03/31/2022	Additional Information from IDL 2 of 3	11
03/31/2022	Additional Information from IDL 3 of 3	12
04/07/2022	Neighbor consent form from Michael Silverman	13
04/07/2022	Comment from Idaho Department of Fish and Game	14
04/07/2022	Comment from Idaho Department of Environmental Quality	15
04/12/2022	IDL Hearing Statement and Exhibits	16
04/19/2022	Sign in Sheet from Public Hearing	17
04/19/2022	Applicant Photos submitted at Public Hearing	18
04/21/2022	Applicant email with additional information	19
04/22/2022	Email correspondence allowing IDL response to 4/21/2022 email	20
04/22/2022	IDL response to 4/21/2022 email	21