



October 15, 2024

Amidy Fuson
Idaho Department of Lands
Mica Supervisory Area
3706 Industrial Avenue South
Coeur d'Alene, ID 83815
Afuson@idl.idaho.gov

Subject: Re: Application and Hearing for Commercial Facility Expansion Cougar Bay, Lake Coeur d'Alene L95S6105A.

Dear Ms. Fuson:

The Idaho Department of Environmental Quality (DEQ) appreciates the opportunity to provide comments on the proposed project. As previously discussed with the applicant, a DEQ-issued \$401 Water Quality Certification will be required for the U.S. Army Corps of Engineers' permit for dredge and fill activities associated with this project, which has not yet been issued. The scope of DEQ's water quality certification pertains only to short-term, project-related construction activities and not the long-term operation of the facility. Accordingly, our comments regarding the Idaho Department of Lands (IDL) encroachment permit request focus on environmental concerns related to the facility's long-term operations, which are outside the scope of the water quality certification.

Given the importance of protecting water quality in Coeur d'Alene Lake, it is essential to address operational impacts. Below, we provide recommendations for permit conditions that aim to mitigate risks to water quality and preserve the beneficial uses of the lake.

1. Hazardous Materials

- a. Petroleum Products: The facility should implement a comprehensive spill prevention and response plan, regularly reviewed by all operators. No equipment, boat, barge, or other machinery should be permitted to create a petroleum product sheen on the water. Operators must be equipped with spill kits containing absorbent pads and trained on how to respond to any product release/notify local emergency responders. All spills must be reported to Idaho State Communications at 800-632-8000. Additionally, all spills over 25 gallons must be reported to the National Response Center at 800-424-8802.

Secondary containment should be required for any fuel handling or storage near or over water. Fuel storage facilities must be secured to prevent releases due to major weather events or unauthorized activities.

- b. Treated Wood: The facility should abide by the provisions of the "Guidance for the Use of Wood Preservatives and Preserved Wood Products in or Around Aquatic Environments". Where applicable, operators should use the Western Wood Preserver Institute's "Best

Management Practices for the Use of Treated Wood in Aquatic and Other Sensitive Environments.”

2. Sediment Disturbance

- a. Boat and Wake Management: Operators should be instructed to prevent sediment disturbance by propwash and excessive boat wakes, which can contribute to turbidity and sediment and metals resuspension.

3. Waste Management

- a. Construction and Demolition Debris: Sawdust and debris from dock construction, repair, or demolition must be contained and prevented from entering the lake. All debris should be disposed of in an upland location. Appropriate Best Management Practices (BMPs) should be used to prevent debris from falling into the water during these activities.

If any material, such as sawdust from composite or treated wood, enters the water or falls to the lakebed, immediate action must be taken to secure and recover the material. In the case of inert debris, a diver should be deployed to retrieve it, and it should not be dragged to shore to avoid further disturbance.

4. Aquatic Invasive Species

- a. Limiting Spread of Invasive Species: Travel and work areas must be restricted to prevent the spread of aquatic invasive plant species, such as Eurasian watermilfoil. The facility must limit the transport of equipment and materials to areas free from invasive species.
- b. Inspections: Where applicable, the facility should conduct inspections and decontamination consistent with applicable rules and regulations to ensure that facility operations do not introduce invasive species, such as quagga or zebra mussels into Coeur d’Alene Lake. This includes inspection of vessels and equipment that have been used in other water bodies, as well as building materials before deployment.

DEQ emphasizes the importance of long-term operational practices to minimize aquatic resource impacts to Coeur d’Alene Lake. The recommendations provided above are intended to ensure that the expanded facility operates in a manner that protects water quality and the lake’s beneficial uses. We encourage the Idaho Department of Lands to include these conditions in the facility’s permit and appreciate your consideration. Please feel free to reach out if you have any questions. I can be reached via email at Chantilly.Higbee@deq.idaho.gov or by phone at 208-666-4605.

/S/Chantilly Higbee

Environmental Programs and Regulatory Specialist
Idaho Department of Environmental Quality
Coeur d’Alene Regional Office

From: [Nick Snyder](#)
To: [William Chapman](#); [Mike Ahmer](#)
Subject: RE: Review of Rivelle, LLC encroachment application
Date: Thursday, October 10, 2024 12:02:29 PM

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good morning Dr. Chapman and Mr. Ahmer,

Thank you for the opportunity to discuss the proposed encroachment in Cougar Bay. After discussing the matter with each of you individually and reviewing the exhibits to better understand the potential impacts, I am unable to find that the proposed encroachment will adversely impact public access on the waterway, or negatively impact recreational opportunities within Cougar Bay. Please keep in mind that the scope of my opinion(s) is limited to whether the encroachment significantly impacts the public's access on the waterway or otherwise adversely impacts recreational opportunities for the public.

Dr. Chapman and I discussed his concerns for safety of boaters/paddlers, to which, I advised that he reach out to Recreation Safety Supervisor, Sgt. Ryan Miller, with the Kootenai County Sheriff Office for his thoughts. Again, thank you for the opportunity to provide comment on the proposed project.

Best Regards,

NICK SNYDER, CPRE



DIRECTOR, KOOTENAI COUNTY
PARKS AND WATERWAYS
NOXIOUS WEED CONTROL
SNOWGROOMER DEPARTMENT

10905 N. RAMSEY RD.
HAYDEN, ID. 83835
208-446-1275

From: William Chapman <tropdocspot1@hotmail.com>
Sent: Wednesday, October 9, 2024 7:39 PM
To: Nick Snyder <nsnyder@kcgov.us>
Subject: Review of Rivelle, LLC encroachment application

Dear Mr. Snyder:

To follow up on our telephone conversation of today, I am attaching three scanned

IDL00003

copies of part of the application.

The first page is a cover letter to identify the encroachment application project.

The second page shows their proposed dock arrangement.

The third page shows the current status of the dock and log storage area with my white line added.

I would like to point out (via the white line on the third page) the relevant path used by the majority of the public who engage in swimming, paddle boarding, kayaking, fishing and duck hunting in this area. Many people come from the North Idaho College beach front, others from along various departure points on the Spokane River, the city beach or locally from the residences immediately surrounding the proposed project.

They use this relevant path because it is protective and allows them to access the area landward of the log storage as well as being the safest route into Cougar Bay as a whole or to access the Hagadone Marina and its connections to the Spokane River via the Blackwell Island slough.

The proposed dock arrangement will force the members of the public to go south of the docks and into rough, unsafe and unprotected waters of the lake which is both a hazard and unpleasant for their recreational use.

I am therefore requesting your review and involvement in the proposed application.

Thank you for your consideration of the above information.

Sincerely,

Dr. William Chapman
1948 W. Blackwell Mill Road
Coeur d' Alene, Idaho
tropdocspot1@hotmail.com