

**OTHER CASE TRANSMITTAL SHEET – ADJUDICATION, ARBITRATION, or
MEDIATION pursuant to I.C. § 67-5280(2)(b)**

State of Idaho - Office of Administrative Hearings

TO: **OFFICE OF ADMINISTRATIVE HEARINGS** (email: Bryan.Nickels@oah.idaho.gov)

DATE: September 17, 2024

FROM: Idaho Department of Lands (Referring Agency/Board)

AGENCY CASE/PROCEEDING NO.: PH-2024-NAV-22-002

***Please attach a copy of:**

- **Petition/order/notice giving rise to the proceeding**
- **Order assigning this matter to the OAH (if applicable)**

AGENCY REQUEST:



Adjudication

If adjudication, order requested: ☒ Preliminary ☐ Recommended



Arbitration



Mediation



Other (Please explain below)

PARTY/ATTORNEY:

Name: Idaho Department of Lands

Address: 300 N. 6th Street, Suite 103

Email: mmensinger@idl.idaho.gov

Phone Number: (208) 334-0200

PARTY/ATTORNEY:

Name: Scott Hislop; Nelson Erickson

Firm: Rivelle LLC, dba StanCraft Companies

Address: 2936 W. Dakota Ave, Hayden, ID 83835

Email: scott.h@stancraft.com; nelson@stancraft.com

Phone Number: (208) 457-8000; (208) 818-6584

SHORT STATEMENT OF THE NATURE OF THIS CASE (e.g., "Suspension of license based on following grounds: ..."):

Scott Hislop, representing Rivelle LLC, dba StanCraft Companies, made application for a work dock, a year-round work area, a shed structure on their work dock, bank stabilization, dredging/excavation and a boat launch ramp in Cougar Bay, Lake Coeur d'Alene. Per IDL's statutory discretion, IDL is requesting a public hearing.

ARE THERE SPECIFIC STATUTORY/REGULATORY RULES ON THE TIME FOR HEARING OR DECISION?

YES: ☒ NO: ☐

[OAH typically sets hearings based on parties' availability and agreement, with written decision no later than the end of the month following the month the hearing was held]

If yes:

Deadline for hearing: November 17, 2024

Deadline for decision: 30 Days after the hearing

Statute(s)/Rule(s) citation: Idaho Code 58-1306 and IDAPA 20.03.04.030

DO ANY HEARING PROCEDURAL RULES, OTHER THAN THE IDAHO RULES OF ADMINISTRATIVE PROCEDURE OF THE ATTORNEY GENERAL, APPLY TO THIS PROCEEDING?

YES: ☒ NO: ☐

If yes, statute(s)/rule(s) citation: Idaho Code 58-1306 and IDAPA 20.03.04.030

- OAH will confirm that the agency has a current MOU in place for the requested service(s); if not, OAH will contact the agency to set up the needed MOU.
- Unlike contested case proceedings arising from the appeal of an agency order, OAH's provision of mediation, arbitration, and adjudication services are subject to acceptance by OAH. If OAH is unable to accept a request for mediation, arbitration, or arbitration services in a matter, OAH will still endeavor to assist the agency in identifying an alternative service provider.

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.**

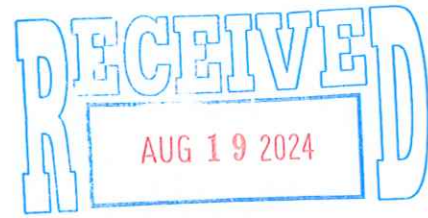
See Instruction Guide for assistance with Application. Accurate submission of requested information can prevent delays in reviewing and permitting your application. Drawings including vicinity maps, plan-view and section-view drawings must be submitted on 8-1/2 x 11 papers.

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 NWW-		Date Received:		<input type="checkbox"/> Incomplete Application Returned		Date Returned:			
Idaho Department of Water Resources No.		Date Received:		<input type="checkbox"/> Fee Received DATE:		Receipt No.: AUG 19 2024			
Idaho Department of Lands No. L9586105A		Date Received: 8/19/24		<input checked="" type="checkbox"/> Fee Received DATE: 7/26/24		Receipt No.: \$4,700.00			
INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED									
1. CONTACT INFORMATION - APPLICANT Required:					2. CONTACT INFORMATION - AGENT:				
Name: Scott Hislop					Name: Nelson Erickson				
Company: Rivelle LLC					Company: StanCraft Companies				
Mailing Address: 2936 W Dakota Ave					Mailing Address: 2936 W Dakota Ave				
City: Hayden		State: ID	Zip Code: 83835		City: Hayden		State: ID	Zip Code: 83835	
Phone Number (include area code): 208-457-8000		E-mail: scott.h@stancraft.com			Phone Number (include area code): 208-818-6584		E-mail: Nelson@stancraft.com		
3. PROJECT NAME or TITLE: Blackwell Workzone					4. PROJECT STREET ADDRESS: 1742 W Blackwell Mill Rd.				
5. PROJECT COUNTY: Kootenai		6. PROJECT CITY: Coeur d'Alene			7. PROJECT ZIP CODE: 83814		8. NEAREST WATERWAY/WATERBODY: Lake Coeur d'Alene		
9. TAX PARCEL ID#: AIN 130748 50N04W157675		10. LATITUDE: 47°40'36"N LONGITUDE: 116°48'30"W			11a. 1/4: SE4 15	11b. 1/4: SW4 14	11c. SECTION: 15	11d. TOWNSHIP: 50N	11e. RANGE: 04W
12a. ESTIMATED START DATE: 8/19/24		12b. ESTIMATED END DATE:			13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? <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. Head south on S Highway 95 from intersection of Northwest Blvd and Highway 95. Take left onto W blackwell Mill Rd. 3rd driveway on the left.									
15. PURPOSE and NEED: <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Public <input type="checkbox"/> Private <input type="checkbox"/> Other 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. See Narrative Attached									

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.:

See Narrative Attached



By: _____

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.

See Narrative Attached

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.

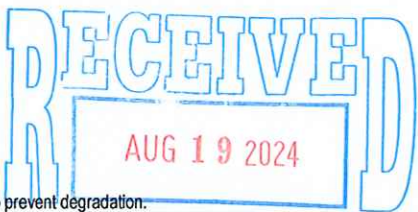
Attached is noxious weed mitigation plan.
Will abide by Federal, State, and County regulations.

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:	<u>48</u>	cubic yards
Concrete:	<u>59</u>	cubic yards
Other (describe): _____ :	_____	cubic yards
Other (describe): _____ :	_____	cubic yards
TOTAL:	<u>107</u>	cubic yards

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

Filling:	_____	acres	_____	sq ft.	<u>330</u>	cubic yards
Backfill & Bedding:	_____	acres	_____	sq ft.	_____	cubic yards
Land Clearing:	_____	acres	_____	sq ft.	_____	cubic yards
Dredging:	_____	acres	_____	sq ft.	<u>805</u>	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.	<u>1135</u>	cubic yards

21. HAVE ANY WORK ACTIVITIES STARTED ON THIS PROJECT? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES If yes, describe ALL work that has occurred including dates.				
22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS: L95S6105				
23. <input type="checkbox"/> 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? <input type="checkbox"/> NO <input type="checkbox"/> 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. <i>See Instruction Guide for further clarification and all contact information.</i>				
The following information is requested by IDEQ and/or EPA concerning the proposed impacts to water quality and anti-degradation: <input type="checkbox"/> NO <input type="checkbox"/> YES Is applicant willing to assume that the affected waterbody is high quality? <input type="checkbox"/> NO <input type="checkbox"/> YES Does applicant have water quality data relevant to determining whether the affected waterbody is high quality or not? <input type="checkbox"/> NO <input type="checkbox"/> 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				
				
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 Perennial	By: Description of Impact and Dimensions	Impact Length Linear Feet
TOTAL STREAM IMPACTS (Linear Feet):				
28. LIST EACH WETLAND IMPACT include mechanized clearing, fill excavation, flood, drainage, etc. Attach site map with each impact location.				
Activity	Wetland Type: Emergent, Forested, Scrub/Shrub	Distance to Water Body (linear ft)	Description of Impact Purpose: road crossing, compound, culvert, etc.	Impact Length (acres, square ft linear ft)
TOTAL WETLAND IMPACTS (Square Feet):				

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

Name: <u>Jessick Maack Family Trust</u> Mailing Address: <u>1750 W Blackwell Mill Rd</u> City: <u>Coeur d'Alene</u> State: <u>ID</u> Zip Code: <u>83814</u> Phone Number (include area code): _____ E-mail: _____	Name: <u>Murphy Fred</u> Mailing Address: <u>1678 W Blackwell Mill Rd</u> City: <u>Coeur d'Alene</u> State: <u>ID</u> Zip Code: <u>83814</u> Phone Number (include area code): _____ E-mail: _____
Name: _____ Mailing Address: _____ City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____	Name: _____ Mailing Address: _____ City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____
Name: _____ Mailing Address: _____ City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____	Name: _____ Mailing Address: _____ City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____
Name: _____ Mailing Address: _____ City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____	Name: _____ Mailing Address: _____ City: _____ State: _____ Zip Code: _____ Phone Number (include area code): _____ E-mail: _____

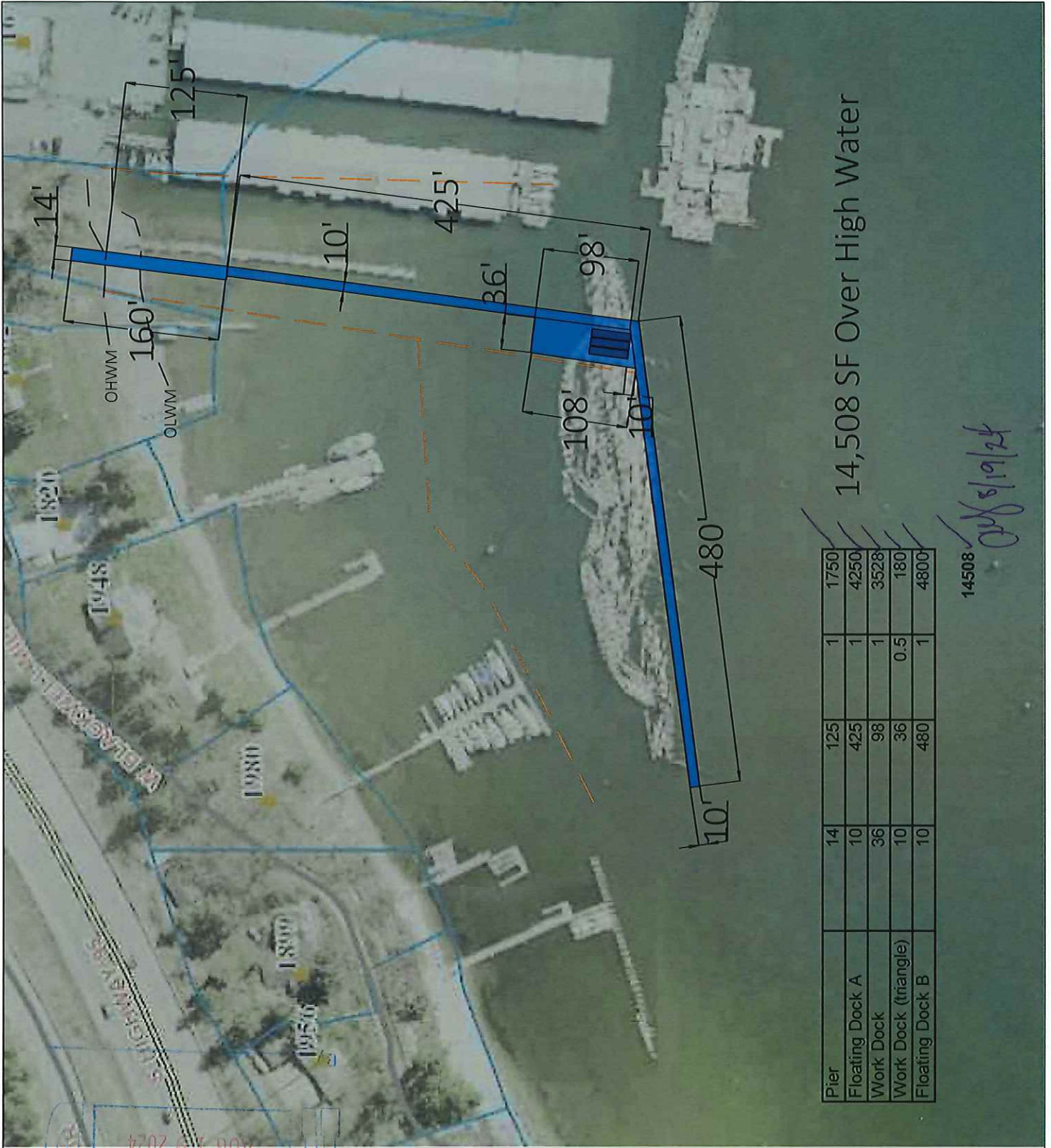
30. SIGNATURES: STATEMENT OF AUTHORIZATION / CERTIFICATION OF AGENT / ACCESS By: _____

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: [Signature] Date: Feb 29, 2024

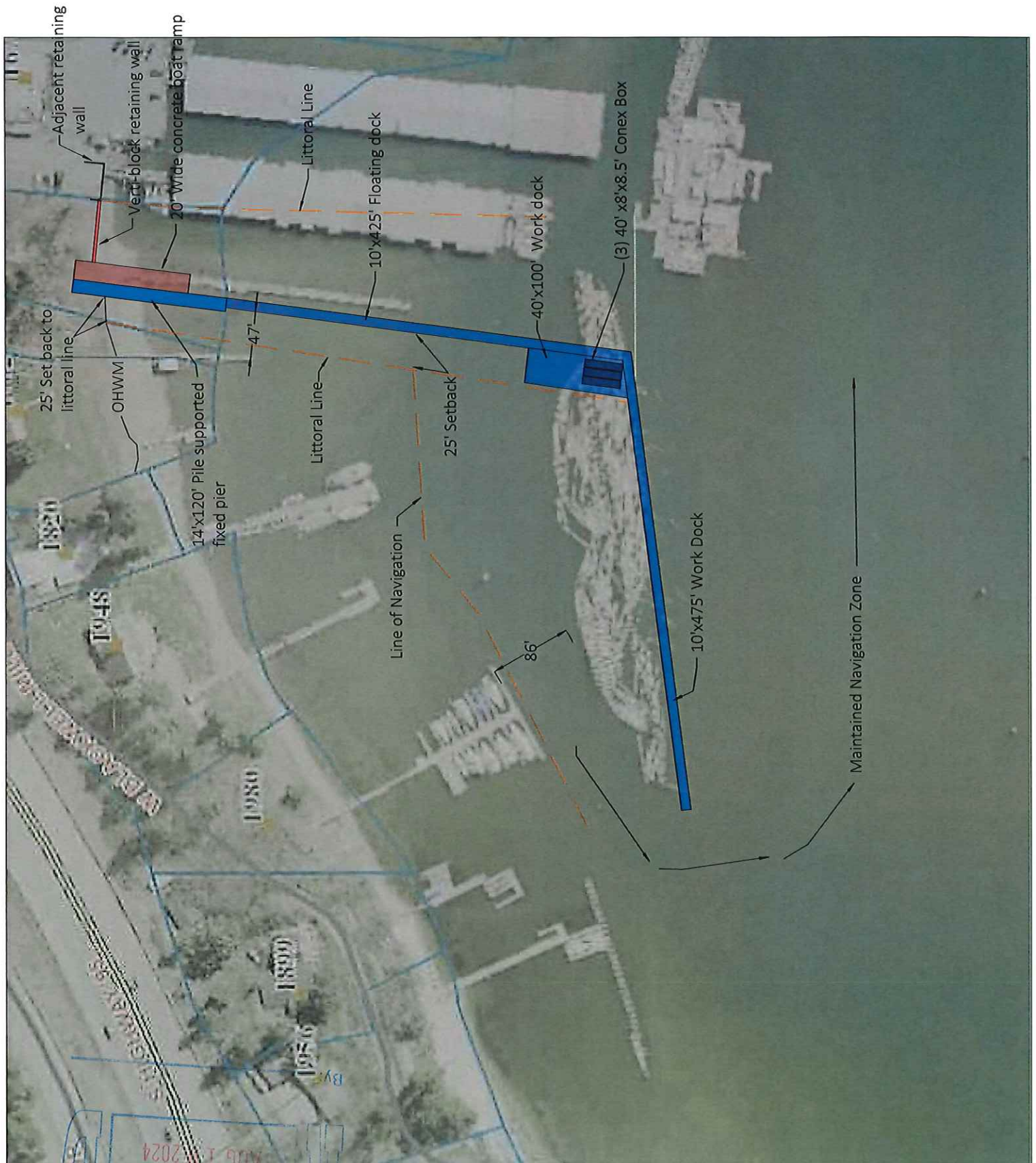
Signature of Agent: [Signature] Date: 2/29/24

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".



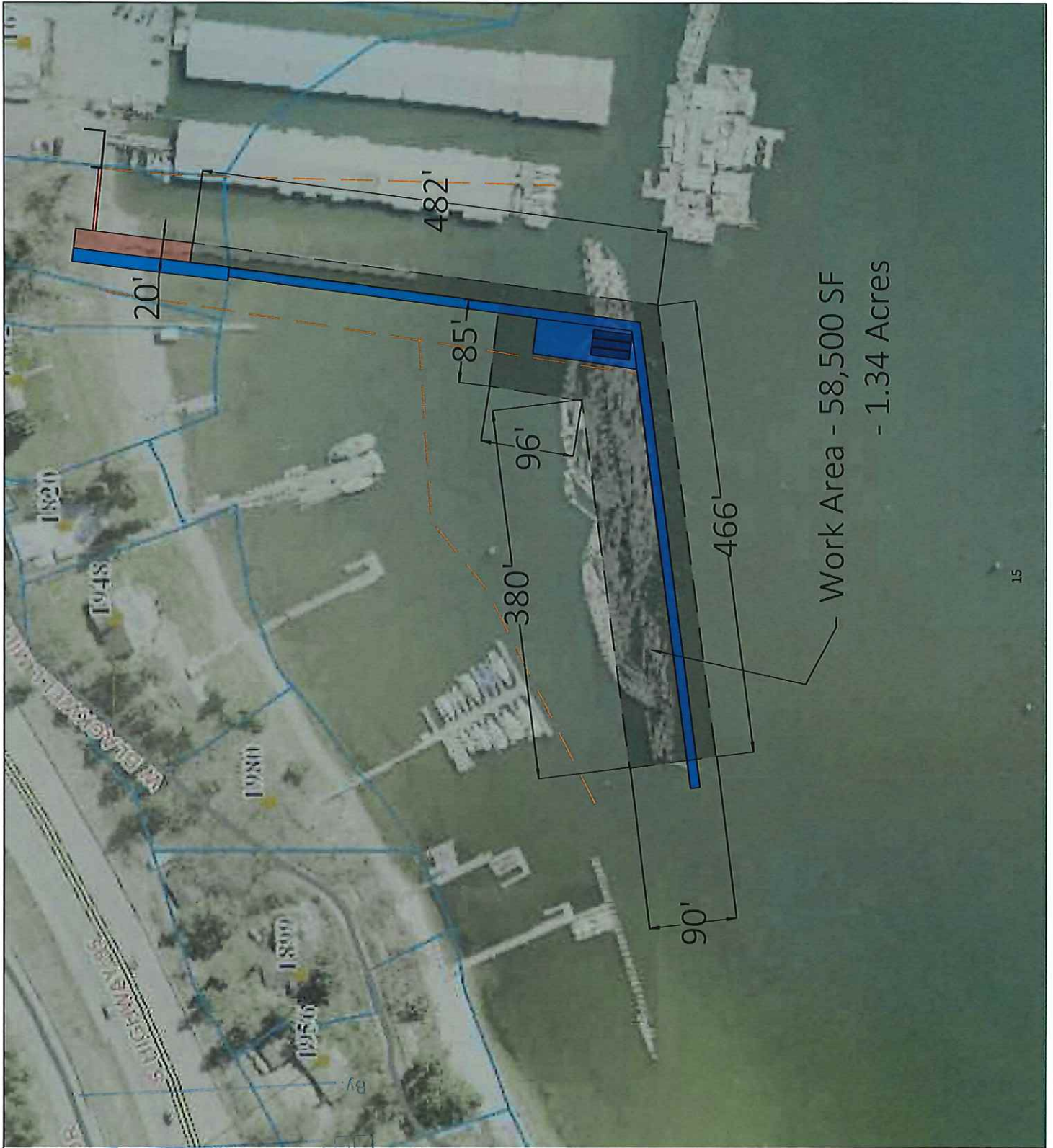
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AUG 19 2024



IDL-002





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AUG 19 2024



NO.	DATE	REVISION
1	08-12-2024	ADDITIONAL QUANTITIES SHEET 5
2	08-06-2024	ADDITIONAL QUANTITIES SHEET 5

James A. Sewell and Associates, LLC
1319 NORTH DIVISION AVENUE
SANDPOINT, IDAHO 83864
(208) 263-4160



PROJECT
STANRAFT MARINE
1742 BLACKWELL MILL ROAD
KOOTENAI COUNTY, IDAHO

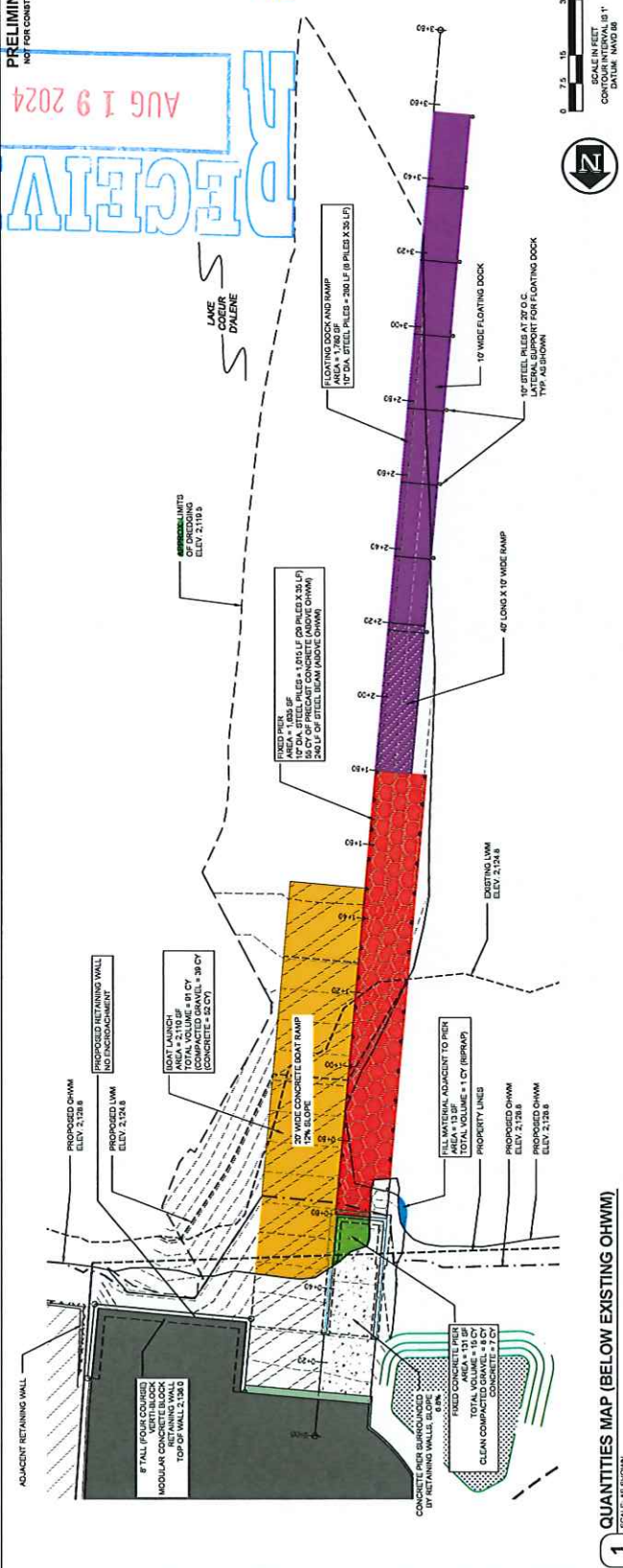
QUANTITIES

SHEET	03-19-2024
DATE	03-19-2024
BY	JJS
CHECKED	JJS
APPROVED	JJS
PROJECT NO.	18000-24-001
PROJECT NAME	STANRAFT MARINE
PROJECT LOCATION	1742 BLACKWELL MILL ROAD, KOOTENAI COUNTY, IDAHO
SHEET NO.	5 OF 5

PRELIMINARY
NOT FOR CONSTRUCTION

AUG 19 2024

By:



PRELIMINARY
NOT FOR CONSTRUCTION

Digitally Signed by: Jeff Jensen, P.E.
Contact Info: jjensen@jaswell.com
Date: 08/06/2024 2:21:09 PM



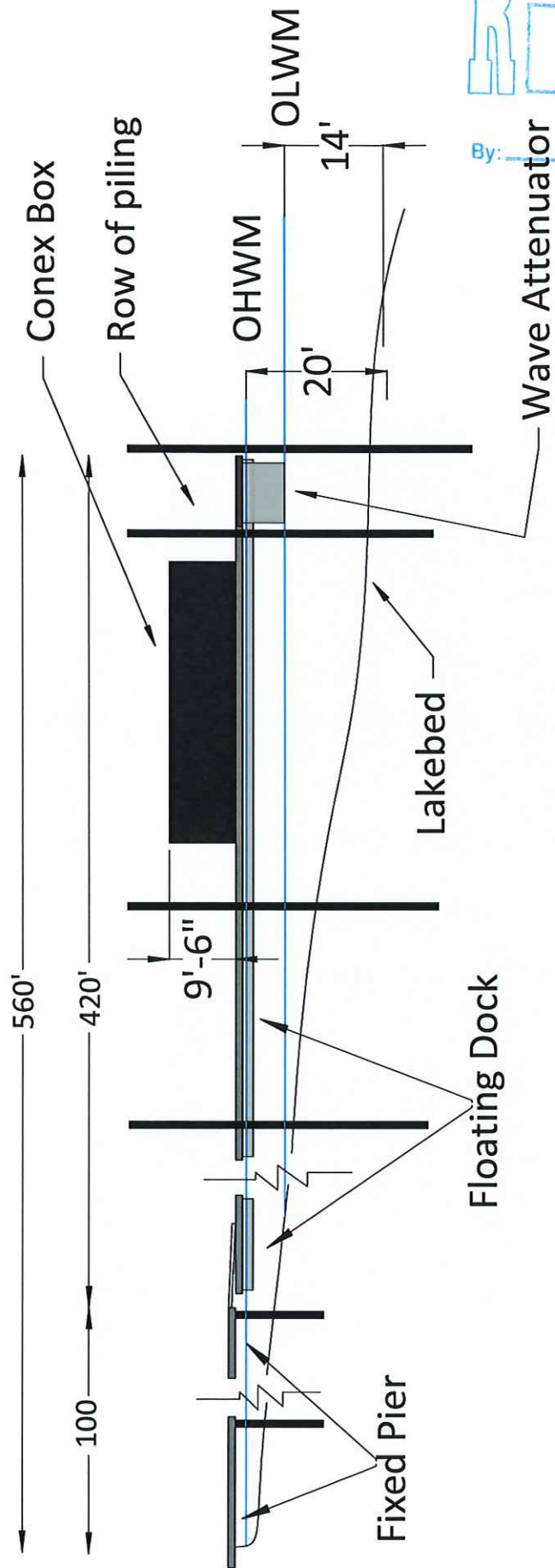
**Bonner Boundary One Call
811**

SHORELAND IMPROVEMENTS SITE PLAN

Notes

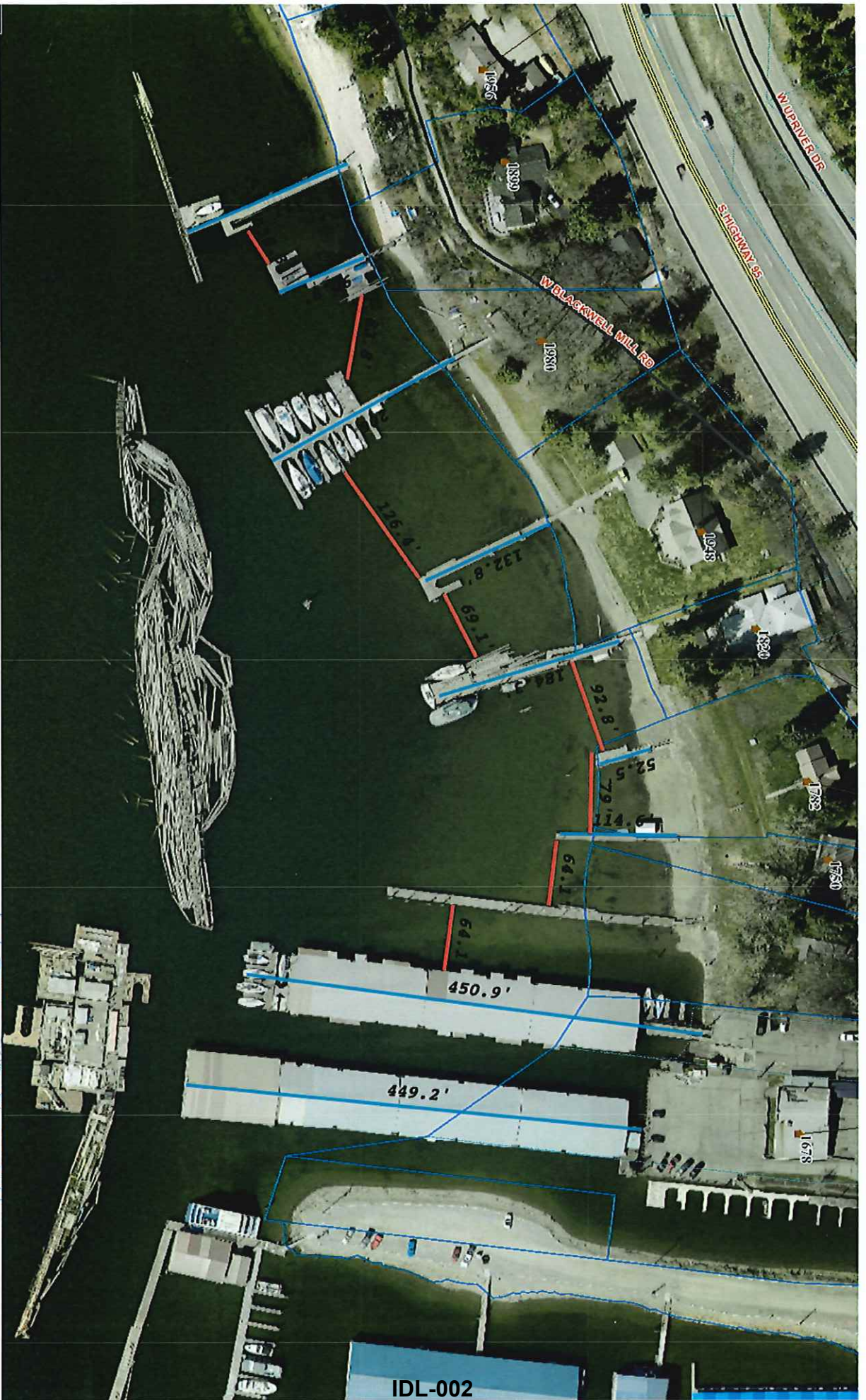
IDL-002

Lakebed Profile



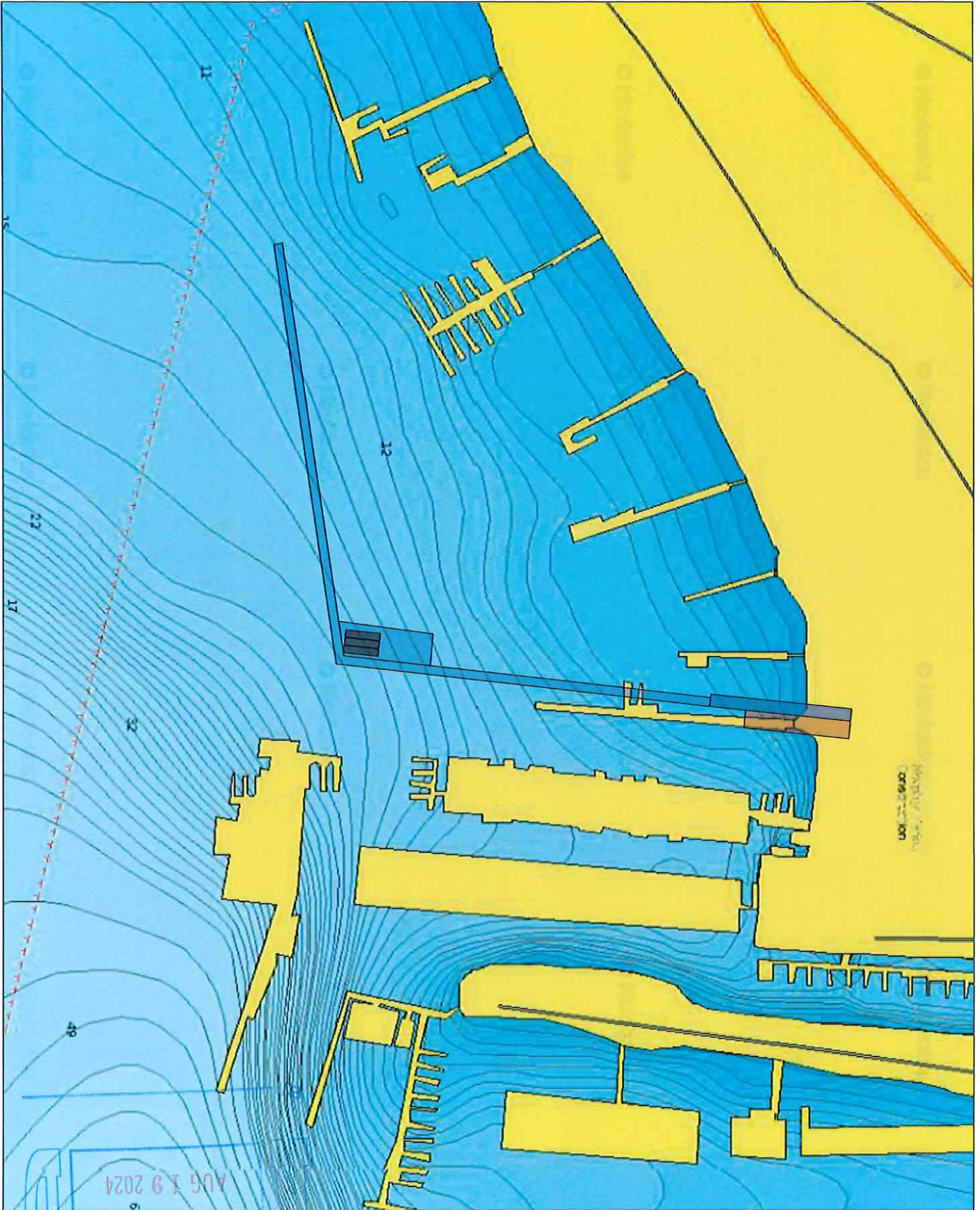
RECEIVED
AUG 19 2024

By: _____



AUG 19 2024

By: _____



IDL-002

RECEIVED

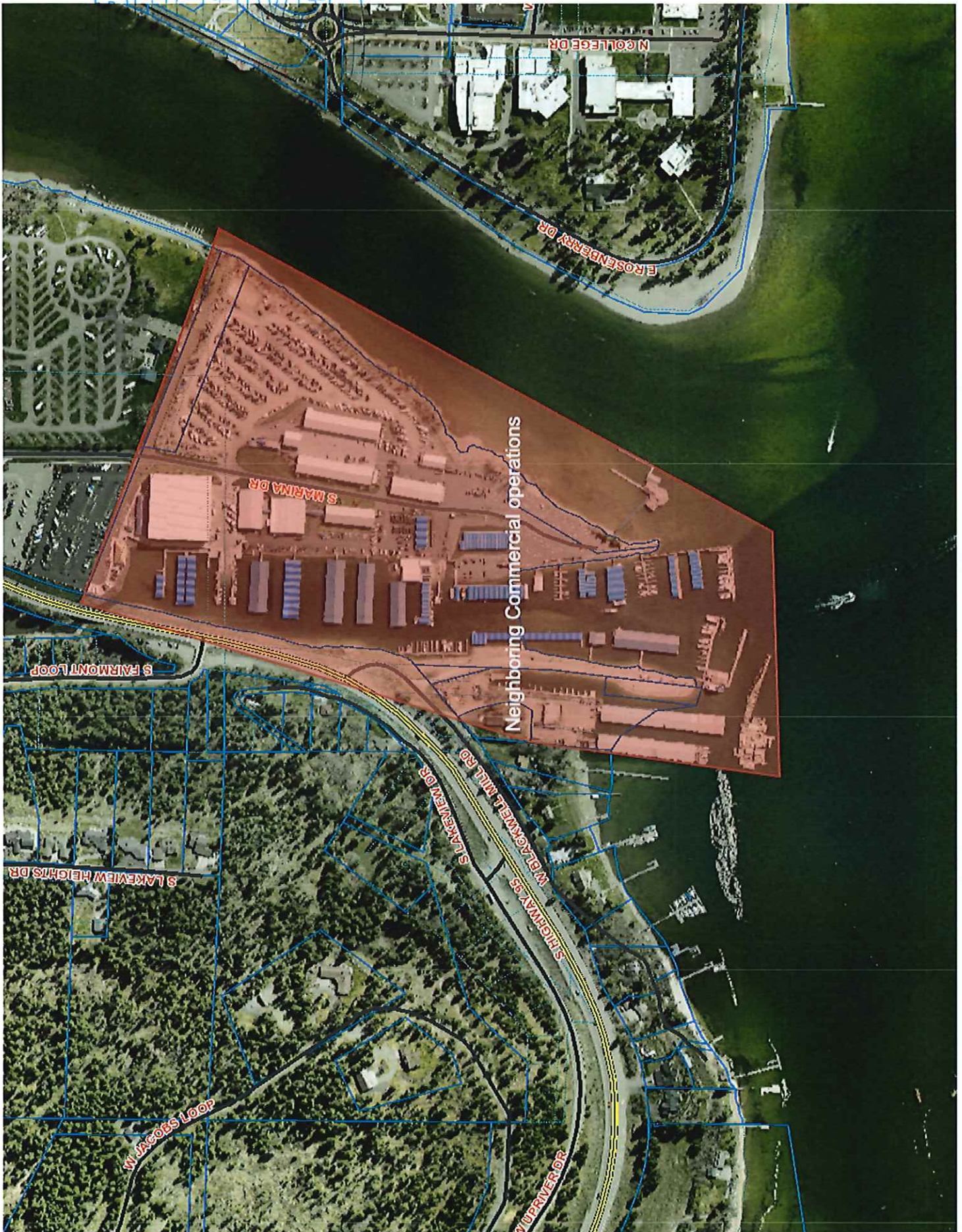
AUG 19 2024

By: _____



IDL-002

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Blackwell Mill Road Dock and Work Zone Improvement Project Summary

Rivelle, LLC has submitted the foregoing JOINT APPLICATION FOR PERMITS for approval by the Idaho Department of Lands and U.S. Army Corps of Engineers for renovation and expansion of 1742 Blackwell Mill Road located adjacent to Murphy's Landing. This Summary is provided as a general road map to the proposed work. Reference should be made to the application and exhibits provided.

Applicant:

The Applicant is Rivelle, LLC (Rivelle). Rivelle is the fee title holder to all of the subject lands above the ordinary high-water mark. Rivelle acts by and through its Manager, Robert Bloem. Scott Hislop is an authorized signor, for Rivelle.

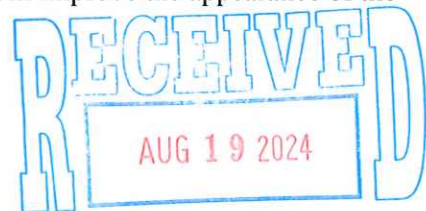
History:

The location, 1742 E Blackwell Mill Rd., has been used commercially since the early 1970's when the upland property was owned by Knapton Launch Company. Knapton Launch Company was a commercial tugboat operation in Cougar Bay and the surrounding areas. The images provided in this packet (see pages 30 through 40 of the Joint Application Packet) include historical images depicting the clear usage of the area for log storage.

The proposed location is adjacent to an existing commercial facility Murphy's Landing and its permitted work zone. There is an existing non-conforming encroachment log pile being used as a wave break for the residents along the shore that provides protection for their dock and beach, but due to its dilapidated state, is unsafe for navigation.

Purpose and Need:

Today, the purpose of this project is to create a safe work environment in the form of a work zone for StanCraft Marine Construction. The proposed location is adjacent to an existing commercial facility, Murphy's Landing and its permitted work zone. The length and location of the proposed work dock is intended to blend and tie into the Applicants' existing commercial dock and continue to provide protection for residential neighbors and their boats. As an additional benefit to the public, in the creation of the work zone the Applicant will remove dilapidated and non-conforming log pile encroachment. This will improve the appearance of the area as well as safety the safety of boaters.



Description of Overall Project:

For decades, a non-compliant commercial encroachment, known as a "log raft" or "breakwater", has occupied this location (see pages 30 through 40 of the Joint Application Packet). Our work will restore this non-compliant commercial site by removing both floating and non-floating deadheads, along with existing debris. Additionally, we will preserve wave attenuation through the work zone design, ensuring a safe boating environment for water enthusiasts within our designated responsibility zone. Our objective is to replace this non-compliant commercial encroachment with a dock and wave attenuator that adheres to regulations, benefiting both community residents and providing a secure work environment for StanCraft Marine Construction.

The use of the Blackwell Mill property for StanCraft Marine Construction decreases commercial traffic at public boat launches and docks while fostering competition among marine contractors by providing an additional marine contractor on Lake Coeur d'Alene. StanCraft Marine Construction currently holds the existing submerged land lease in Cougar Bay, located near the Blackwell Mill site; and will reduce the need to transport docks across the lake to other work zones.

The work-zone/community protection dock will replace the existing non-compliant commercial encroachment of roughly 500ft and will consist of fixed piling, work platform, and wave attenuators. Idaho Department of Lands has affirmed that removing the existing non-compliant encroachment is a public benefit.

We committed to collaborate with the Sheriff's department to provide emergency response services, as outlined in the attached Memorandum of Understanding (see page 23 of the Joint Application Packet), which will further enhance public safety. This site will serve as a central location for our emergency response commitment to Kootenai County, as outlined in the attached Memorandum of Understanding.

All work conducted to improve the property will follow DEQ guidelines for dredging and disposal of possibly contaminated sediments. Possible hot material will be removed with conventional excavation equipment placed into a sealed dump truck and disposed of at Graham Road Recycling and Disposal that is qualified to accept such material. Dredging will occur in low water to mitigate silt contamination. For the small portion of the project that will be under water a silt curtain will be used to contain stirred up contaminants.

Activity at the site will include dock repair and assembly, commercial marine activities, boat launching and emergency response equipment.



IDL-002

By: _____

Navigation Improvements:

The public greatly benefits from the removal of the existing non-compliant encroachment log pile and our commitment to maintaining safe navigability in the future. Currently, there are numerous deadheads and unconfined floating debris in the immediate vicinity, posing a significant risk to boaters' safety.

Due to the nature of the marine construction business, the Applicant suggests restricting public access to the commercial boat launch. The frequent presence of heavy equipment and materials onsite creates an unsafe environment for the public, making it necessary to limit accessibility.

Alternatives Considered:

The proposed uses of dock repair, assembly, and commercial marine activity are ideally suited for this location and has the least overall impact on the lake and the people who use it. This location, with its long history of commercial use (see pages 30 through 40 of the Joint Application Packet), is consistent with the proposed use. Furthermore, the proximity of the location to the existing commercial dock, and submerged land lease, minimizes transient boat traffic. Finally, utilizing this site as requested in this application, a commercial marine construction company, minimizes the negative impact on the lake.

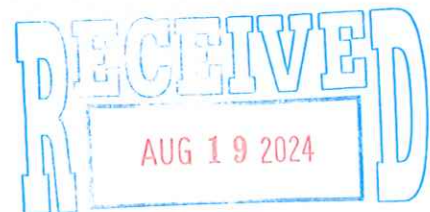
The original design featured a dock extended straight out without an attached wave attenuation section. However, after consultations with neighbors, it became evident that protecting the shore from waves and debris was of paramount importance to the community. The revised design incorporates the expense of removing the non-compliant encroachment and replacing it with a new, conforming encroachment and wave attenuators, addressing the community's concerns and ensuring a harmonious coexistence with the surrounding environment.

Dock Dimensions:

Dock dimensions and square footage can be found in the Application's attached drawing (see page 14 of the Joint Application Packet).

Excavation and Fill Quantities:

Excavation and fill quantities are calculated and included on the attached drawing generated by James A. Sewell and Associates.



By: _____

2/22/24, 9:31 AM

about:blank

Return

New Search

Valuation

Print

Account Information

PIN: 50N04W157675

Owner: RIVELLE LLC

Property Address:
1742 W Blackwell Mill Rd Coeur D Alene Id

AIN: 130748

TAG: 019000

Mailing Address:
2936 W Dakota Ave Hayden Id 83835

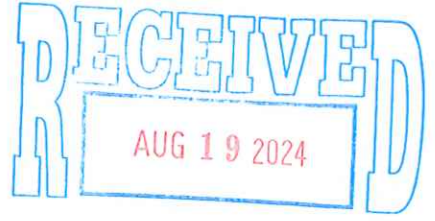
Tax Rolli: Real Property

Lender: None.

Legal Descr.:
TAX #11589 [IN SE4 SEC 15 & SW4 SEC 14]

Last updated: 2/22/2024 01:53:06 AM

By: _____





ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

RECEIVED
AUG 19 2024
FILED EFFECTIVE

By: _____
2024.08.20 PM 1:18

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

RIVELLE, LLC

2. The street address of the initial registered office is:

5036 East River Pl, Post Falls, ID 83854

and the name of the initial registered agent at the above address is:

Robert A. Bloem

3. The mailing address for future correspondence is:

5036 East River Pl, Post Falls, ID 83854

4. Management of the limited liability company will be vested in:

Manager(s) ☐ or Member(s) ☒ (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

Name

Address

Robert A. Bloem

5036 East River Pl, Post Falls, ID 83854

Amy D. Bloem

5036 East River Pl, Post Falls, ID 83854

6. Signature of at least one person responsible for forming the limited liability company:

Signature: [Signature]

Typed Name: Robert A. Bloem

Capacity: Member

Signature: [Signature]

Typed Name: Amy D. Bloem

Capacity: Member

Secretary of State use only

IDAHO SECRETARY OF STATE
03/20/2008 05:00
CK: 1139 CT: 133466 BH: 941453
1 @ 100.00 = 100.00 ORGAN LLC # 2

W 48745

Ben Ysursa
Secretary of State

700 West Jefferson
PO Box 83720
Boise, ID 83720-0080

Telephone: (208) 334-2300
Fax: (208) 334-2282

sosinfo@sos.idaho.gov
www.sos.idaho.gov



STATE OF IDAHO
SECRETARY OF STATE



Business Entity
(208) 334-2301

Fax: (208) 334-2080

Uniform Commercial Code

(208) 334-3191

Fax: (208) 334-2847

Trademarks/Notaries

(208) 334-2300

Elections

(208) 334-2852

Fiscal

(208) 334-5355

Computer Services

(208) 334-5354

Dear Customer:

The enclosed document has been filed. The purpose of this letter is to inform you of the following annual requirements:

Each corporation, limited liability company and each limited liability partnership authorized to transact business in this state must deliver to the secretary of state for filing an annual report on a form provided by this office.

If an annual report is not received on or before the due date, the following will occur:

- 1) Domestic corporations and limited liability companies will be subject to administrative dissolution;
- 2) Foreign corporations will be subject to revocation of its authority to do business in Idaho;
- 3) Foreign limited liability companies will be subject to administrative cancellation;
- 4) Limited liability partnerships will lose their limited liability status and revert to general partnerships;

The form must be executed by a person authorized by the company, indicating such capacity, setting forth the name of the company, the state or country under whose law it is incorporated/organized, along with the names and addresses of its current registered agent and officers.

The first, and all subsequent annual reports shall be delivered to the secretary of state each year before the end of the month during which a corporation or limited liability company was initially authorized to transact business. (Please note: the first annual report is not due until 1 year after the initial filing date.)

A pre-printed report form will be mailed to the corporation prior to its due date. There is no filing fee if the corporation's annual report is received in this office by the date it is due. (A post mark date will not be accepted.)

A sample of the annual report you will receive is included on the back of this letter.

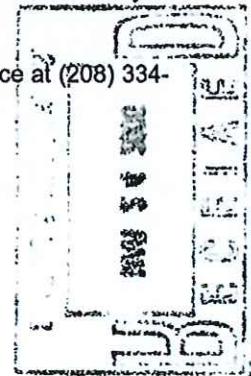
Effective May 5, 2005, those entities required to file annual reports may do so electronically via our website: www.sos.idaho.gov. Please follow the instructions carefully when entering the data. The electronic form will only be available for filing 60 days from the first day of the month of the anniversary month of filing.

If you have any questions or need further assistance, please do not hesitate to contact this office at (208) 334-2301.

Very truly yours,

COMMERCIAL DIVISION
IDAHO SECRETARY OF STATE'S OFFICE

Enclosures: cited



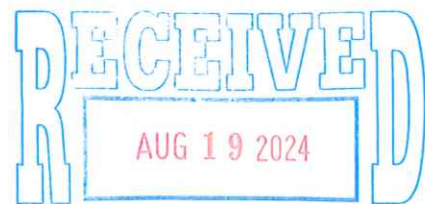


Re: ERL95S1378C

Subject: Eurasian Milfoil Mitigation Plan

5 Step Mitigation plan

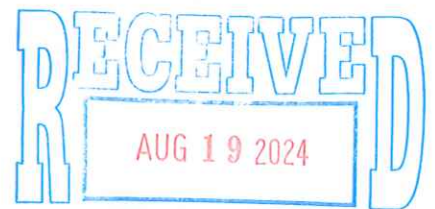
1. Educate
 - a. Hold a staff and crew meeting with Restoration Biologist Robert Stephens where he can educate crew on the cause and effects of Eurasian Milfoil.
2. Identify
 - a. Give employees laminated card with images and information on how to identify Eurasian Milfoil.
 - b. Check boats and trailers for vegetation.
3. Report
 - a. If identified, take pictures, collect sample, and contact restoration biologist.
4. Avoid
 - a. If identified, map out area that has the milfoil present. Avoid traveling through the area.
5. Treat
 - a. We have already done 1 round of treatment with Clean Lakes. Avista and the Idaho state Department of Agriculture have scheduled another round of treatment to be performed in Summer of 2023. This treatment is going to be done with the herbicide ProcellaCOR. This herbicide has shown to eliminate and mitigate growth for periods of up to 3 years.
 - i. StanCraft Marine Construction plans to contribute to this treatment.



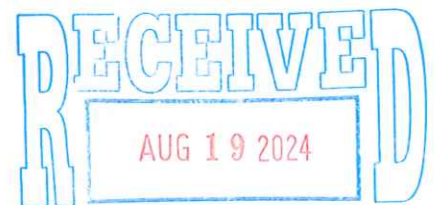
By: _____

Why this project makes sense

- Located in a traditionally commercial area
- Removes commercial activity from community launch ramps
- StanCraft has a 90-year proven track record for well-kept facilities and beautiful products
- StanCraft has local roots and great relationships with the county, city, and state
- StanCraft provides 300+ local jobs
- Provides emergency response support and location for local first responders (See attached MOU)
- This project is supported by Parks and Waterways, Kootenai County Sheriff's office, and adjacent property owners (See letters of support)
- Identifies, removes and maintains navigational obstructions. Cleans up a non-conforming log pile that is unsafe for boaters
- Provides commercial and residential support to over 3000 waterfront property owners
- Proposed encroachment is consistent with other commercial construction operations on the lake



- Design provides historical protection for adjacent property owners while removing existing hazardous non-conforming encroachment (log raft)
- Complies with government environmental regulations
- Provides recreational support across greater Kootenai county (Post Falls, Coeur d'Alene, Hayden Lake.
- Decreases marine construction transportation by tug/barge due to its central location



By: _____



Application Number

AUG 19 2024

**COMMERCIAL/COMMUNITY/NON-NAVIGATIONAL
ENCROACHMENT PERMIT APPLICATION**

This information sheet and checklist must be completed when submitting an encroachment permit application. Incomplete applications will be returned without processing.

ENCROACHMENT TYPE:

(Check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> - Community dock | <input type="checkbox"/> - Float home |
| <input checked="" type="checkbox"/> - Commercial marina | <input type="checkbox"/> - Boat garage |
| <input type="checkbox"/> - Bank stabilization | <input type="checkbox"/> - Mooring buoy(s) |
| <input checked="" type="checkbox"/> - Other - describe: <u>Work zone</u> | |

Applicant's Littoral Rights Are:

☐ - Signature of littoral rights owner is obtained if applicant is not the owner of the riparian/littoral rights

- ☒ - Owned, fee simple title holder
☐ - Leased
☐ - Other - describe: _____

Provide a Black/White 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 # L9556105Date of Construction: 1970's

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? 0 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.
☒ 380' feet and not located near any other docks or other encroachments.

For Community Docks, Does the Proposed Dock Exceed the Maximum Square Footage of 7 ft² per Littoral Front Foot?

- ☐ - No
☐ - Yes

Total square footage: _____ ft²

For Community Docks, Does the Property Have at Least 50 Feet of Littoral Frontage?

- ☐ - Yes
☐ - No

Total front footage: _____ feet

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

- ☐ - No
☒ - Yes

If yes, explain why: Commercial Use

Will the Proposed Encroachment Be Located Closer Than 25 Feet to the Riparian/Littoral Right Lines Established With Your Neighbors?

- ☐ - No
☒ - Yes

Unknown due to distance from shore

If yes, what are the proposed distances? _____ feet

☐ - Consent of affected neighbor was obtained

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.

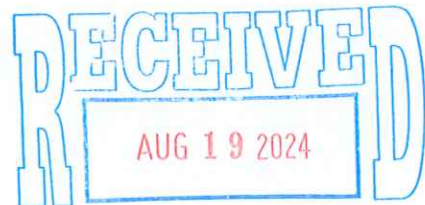
Nelson Erickson

Printed Name

2/29/24

Date

[Signature]
Signature of Applicant or Agent



By: _____



SHERIFF KOOTENAI COUNTY



SHERIFF ROBERT B. NORRIS

UNDERSHERIFF BRETT A. NELSON

March 2, 2024

Nelson Erickson
Stancraft Marine Construction
1705 Northwest Blvd
Coeur d'Alene, Idaho 83814

Re: Stancraft Marine Site Development Project-Cougar Bay

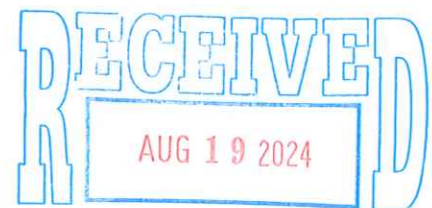
Mr. Erickson,

With regards to your request for Kootenai County Sheriff's Office support for the proposed site development in Cougar Bay, on Lake Coeur d'Alene, we are happy to offer it. With the influx of residents and growth in Kootenai County, it is necessary to have marine contractors with direct access to the waterways.

Not all marine projects are able to be planned so a rapid response may be needed. Since Lake Coeur d'Alene is the busiest lake within Kootenai County, it only makes sense for a marine contractor to have adequate and immediate access to the lake. During much of the boating season, there are events such as triathlons and parades which block lake access and cause significant traffic delays. Marine contractors such as Stancraft would be able to reduce their travel time which would allow for more time spent on the project, especially during such events where time is not a luxury.

Kootenai County Sheriff's Office supports the project on Cougar Bay which will aid in the development and maintenance of the marine environment within this county.

Robert B. Norris, Sheriff



By: _____

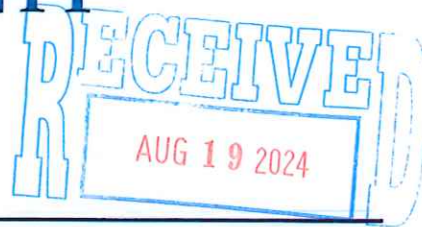
5500 N. Government Way • P.O. Box 9000 • Coeur d'Alene, Idaho 83816-9000
Sheriff Phone: 208-446-1300 • Fax: 208-446-1307 • Jail Phone: 208-446-1400 • Fax: 208-446-1407
Website: www.kcsheriff.com E-mail: kcso@kcgov.us

IDL-002



KOOTENAI COUNTY

PARKS & WATERWAYS
NOXIOUS WEED CONTROL
SNOWGROOMER



By: _____

February 28, 2024

Nelson Erickson
Stancraft Marine Construction
1705 Northwest Blvd
Coeur d'Alene, ID 83814

RE: STANCRAFT MARINE SITE DEVELOPMENT PROJECT - COUGAR BAY

Mr. Erickson,

Thank you for taking time to meet with me to discuss the proposed site development project located in Cougar Bay. I was pleased to see that one of our local marine contractors was able to secure access to Lake Coeur d'Alene, which is critical in order to provide marine construction services to our agency, as well as many other government agencies that depend on your services.

Marine contractors are critical in order for Kootenai County to provide safe and accessible recreation facilities to our area waterways. Notably, marine contractors are uniquely equipped to provide specialized marine services during local emergencies. As one example, North Idaho Maritime, now Stancraft Marine, was called on to retrieve two aircraft and those killed in the unfortunate double plane crash in Lake Coeur d'Alene in 2020.

Kootenai County Parks and Waterways supports the success of all of our local businesses, particularly those that provide critical services that support our mission to provide the best marine facilities in the state of Idaho.

Sincerely,

A handwritten signature in blue ink that appears to read "Nick Snyder".

Nick Snyder
Director, Kootenai County Parks and Waterways

10905 N Ramsey Road • Hayden, ID 83835
Parks 208-446-1275, Noxious Weeds 208-446-1290, Snowgroomer 208-446-1289

Memorandum of Understanding

StanCraft Marine Construction, Emergency Services

This **MEMORANDUM OF UNDERSTANDING** (hereinafter referred to as the "MOU") is hereby entered into by and between KOOTENAI COUNTY (hereinafter referred to as "the County"), and STANCRAFT MARINE CONSTRUCTION (hereinafter referred to as "SCMC").

THE PARTIES AGREE AS FOLLOWS:

I. PURPOSE.

The purpose of this MOU is to:

- a) provide waterborne transportation services for the general public, special populations, volunteers and support personnel who are providing emergency services to designated populations affected by an emergency, disaster or public health emergency; and
- b) provide debris-removal services to minimize risk to watercraft, enhance safety, and prevent damage to property and waterfront infrastructure.

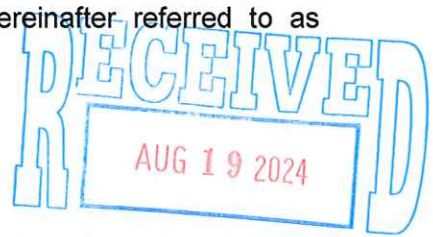
II. **STATEMENT OF BACKGROUND INFORMATION.** Continued growth in Kootenai County requires ongoing contingency planning for the transportation of citizens and emergency personnel along regional waterways in the event of a natural disaster or terrorist event, as well as the need for planning to remove debris from County waterways in an effort to enhance water safety and to prevent property damage.

III. **STATEMENT OF MUTUAL BENEFIT AND INTEREST.** The County and SCMC hereby agree to work together to provide planned waterborne transportation for citizens of Kootenai County and emergency personnel and in the removal of hazardous debris from County waterways affected by natural or human-caused emergencies or disasters as follows:

IV. KOOTENAI COUNTY SHALL

- a) Notify the emergency contact at SCMC when use of SCMC waterborne transportation capabilities and watercraft are needed during an emergency.
- b) Provide SCMC with required directions, routes, and frequencies of transports to pre-designated locations upon notification that a disaster or emergency has been declared.
- c) Provide SCMC with directions identifying areas requiring debris-removal services.

MOU with StanCraft Marine Construction 1



By: _____



Memorandum of Understanding

StanCraft Marine Construction, Emergency Services

By: _____

- d) Provide SCMC with a designated drop-off location where removed debris is to be deposited.
- e) Be responsible for disposal of materials and land transportation of debris once SCMC has deposited debris at the location designated by the County.
- f) Reimburse SCMC for the cost of actual fuel used during emergency transportation and/or debris-removal operations.
- g) Reimburse SCMC for the actual amount of gross salary paid to operators and crew employed during emergency transportation and/or debris-removal operations; gross salary is to include the employer portion of FICA, FUT A, and retirement benefits.

V. SCMC SHALL:

- a) Provide waterborne transportation services, qualified boat operators and crew, seaworthy watercraft with all appropriate safety equipment, including life jackets for each person on board and support functions as necessary and available, within 24 hours of notification from Kootenai County.
- b) Provide debris-removal services to the extent that SCMC's equipment will safely allow. Debris-removal will consist of working within areas designated by the County where debris poses a threat to water safety and/or may cause property or infrastructure damage. Debris will be deposited in a pre-designated area for disposal by the County.
- c) Be solely responsible for the supervision of their employees, as well as the operations, maintenance, and insurance liability of the requested transportation equipment.

VI. REIMBURSEMENT: Where SCMC's waterborne transportation and/or debris-removal services are provided pursuant to declaration of a local disaster emergency by the County, compensation to SCMC shall be in accordance with Title 46, Chapter 10, Idaho Code. Pursuant to Idaho Code §67-2808, upon making the declaration of emergency, any sum required to reimburse SCMC may be expended without compliance with formal bidding procedures. The County will assist SCMC by coordinating requests for compensation.

VII. AVAILABILITY: It is understood by all parties to this MOU that these services will be requested only when a major disaster or emergency exists in which emergency waterborne transportation and/or debris removal services are necessary.

MOU with StanCraft Marine Construction 2

Memorandum of Understanding

StanCraft Marine Construction, Emergency Services



VIII. PRINCIPAL CONTACTS:

By: _____

	KOOTENAI COUNTY	NORTH IDAHO MARITIME
KEY CONTACT:	Tiffany Westbrook, Director	Zach Johnson General Manager
AGENCY NAME:	Kootenai County Office of Emergency Management	Stancraft Marine Construction
STREET ADDRESS:	1662 W. Wyoming Ave.	2936 W. Dakota Ave.
CITY/STATE:	Hayden, ID 83835	Hayden, ID 83835
PHONE NUMBER:	208-446-1775	208-457-8000 x 178
ALTERNATE NUMBER:	208-661-0640	208-755-7540
FAX NUMBER:	208-446-1780	
EMAIL ADDRESS:	twestbrook@kcgov.us	zach@stancraftboats.com

- IX. **COMMENCEMENT/EXPIRATION DATE.** This MOU shall be deemed executed as of the date of last signature below, and shall be effective for five (5) years thereafter, at which time it shall expire unless extended by mutual written agreement.
- X. **EARLY TERMINATION.** Either party may terminate this MOU with thirty (30) days' written notice to the other party.
- XI. **MODIFICATION.** Modifications of this MOU shall be made by mutual consent of the parties by the issuance of a written modification, signed and dated by both parties.
- XII. **INDEMNIFICATION.** Each Party to this MOU shall indemnify, hold harmless, and defend the other from and against any damage, cost or liability, including reasonable attorney's fees, due to any or all injuries to persons or property or claims for money damages arising from negligent and/or willful acts or omissions of its employees, agents, elected officials or assigns.
- XIII. **PARTICIPATION IN SIMILAR ACTIVITIES.** This MOU shall in no way restrict either party from participating in similar activities with other public or private agencies, organizations, and/or individuals.

The persons executing this MOU on behalf of their respective entities hereby represent and warrant that they have the right, power, and legal capacity, and appropriate authority to enter into this MOU on behalf of the entity for which they sign.

MOU with StanCraft Marine Construction 3

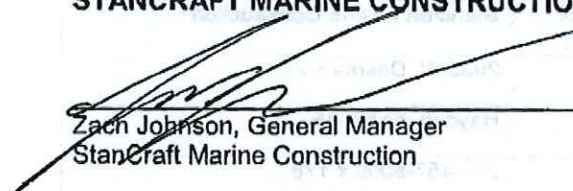
Memorandum of Understanding

StanCraft Marine Construction, Emergency Services

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding as of the last date written below.

DATED this 2/22 day of _____, 2023

STANRAFT MARINE CONSTRUCTION

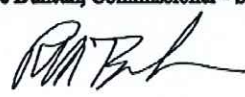

Zach Johnson, General Manager
StanCraft Marine Construction

DATED this 10th day of January, 2023

**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**



Leslie Duncan, Commissioner - Signed 1/11/2023



Bill Brooks, Commissioner - Signed 1/11/2023

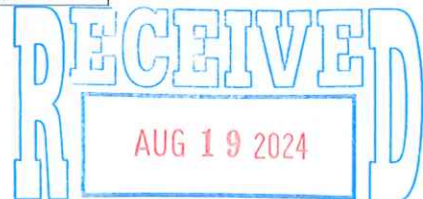


Bruce B. Mattare, Commissioner - Signed 1/10/2023

ATTEST:
JIM BRANNON, CLERK

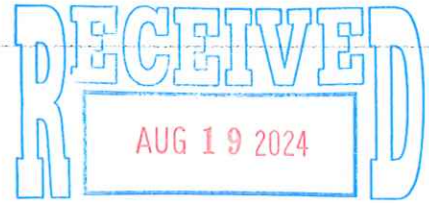


Teri Johnston, Deputy Clerk - Signed 1/11/2023



MOU with StanCraft Marine Construction 4

By: _____



COUGAR BAY SAILING AND CHOWDER SOCIETY, LLC

By: _____

Memorandum of Understanding

June 4, 2024

Nelson Erickson, Project Manager
StanCraft Marine Construction
1705 Northwest Blvd.
Coeur d'Alene, ID 83814

Mr. Erickson:

During the Annual Meeting of Cougar Bay Sailing held on May 16, 2024, we discussed the recent meeting between representatives of Cougar Bay Sailing and Chowder Society (Cougar Bay Sailing) and yourself regarding StanCraft Marine Construction's facility expansion in Cougar Bay, Lake Coeur d'Alene, Idaho. We also reviewed the drawings of StanCraft's proposed breakwater construction and promise of maintaining ingress and egress to our Marina property.

Your proposed project will require significant changes in how we access our marina. There was a lengthy discussion regarding StanCraft's promise to remove the floating logs and multiple deadheads in the Responsibility Zone and entrance area outlined herein and on the provided maps, as well as construct a new breakwater, which will be designed to maintain safe ingress and egress to our Marina, and how that would be of mutual benefit. Part of your proposal would include closing off the current accessway just North of Skip Murphy's construction dock structure, requiring access via a new corridor to the Southwest of our Marina at the West end of the proposed breakwater. Of primary import was log removal and continuing corridor maintenance to keep the access area clear, recognizing that storms blow in logs from the lake, and old submerged logs decay and rise to the surface, obstructing safe passage to us and to your company. This proposed new access is not available presently due to a proliferation of deadheads and partially submerged logs in that area from past logging operations, making safe transit impossible.

Based on our telephone conversation on May 16th, it was agreed that StanCraft will, consistent with an approved permit from Idaho Department of Lands, clean the area south of the log boom. The area south of the log boom and future work zone is part of the open body of water and normal lake debris will be in the water. StanCraft will maintain at commercially reasonable levels, this area consistent with its business and the IDL permit. Maintenance and clearing of the accessway and breakwater to this standard would be at StanCraft's sole expense.



StanCraft Marine Construction
Page 2

By: _____

StanCraft has offered the construction and future maintenance of the StanCraft Work Zone and access to and from the StanCraft Work Zone at no cost to our organization; a generous and appreciated commitment by StanCraft Marine Construction. In exchange, StanCraft has asked for our support for the approval of this project and foregoing any objection (as a group and as individual members personally or by solicitation) to StanCrafts requests for its permits or modification to its allowed commercial work in Cougar Bay and its property on Blackwell Mill Rd.

If the above is consistent with your understanding of our agreement, we ask that you sign below and return a signed copy to myself for our files. I have included two (2) originals to allow you to maintain a signed copy as well.

The project as explained was received with unanimous approval at our meeting. We welcome StanCraft Marine Construction to Cougar Bay. We look forward to working cooperatively with you on this project.

Please let us know how we can support StanCraft and this project to fruition.

Sincerely,

Thomas Burns
Business Manager
COUGAR BAY SAILING & CHOWDER SOCIETY, LLC
dba Cougar Bay Sailing

Approved:
Wood Boat Builders, LLC ABN StanCraft Construction Group,
Marine Construction

By:
Robb Bloem, Manager



Proposed workzone area

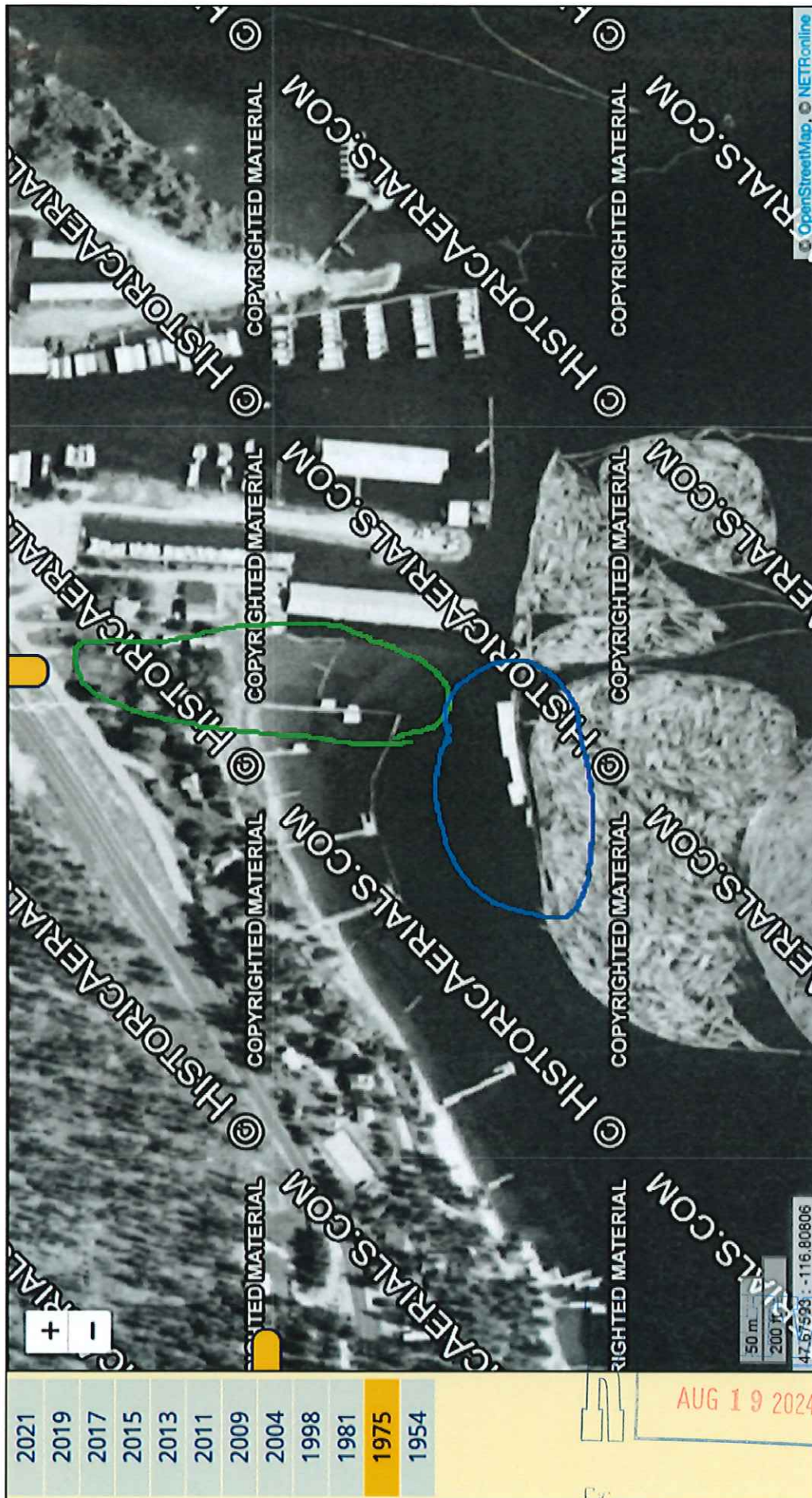


Upland Property



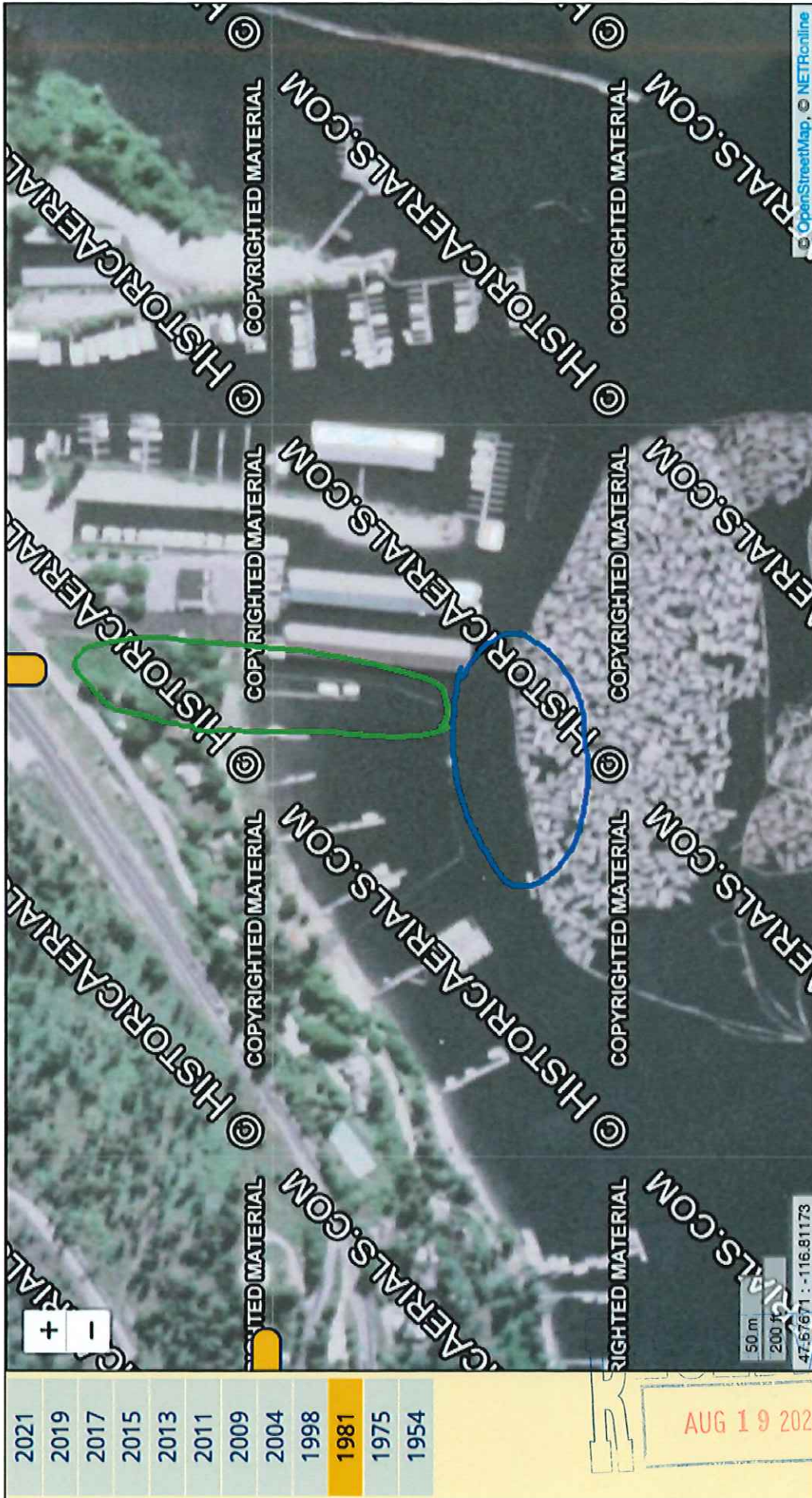
Proposed Workzone Area

Upland Property



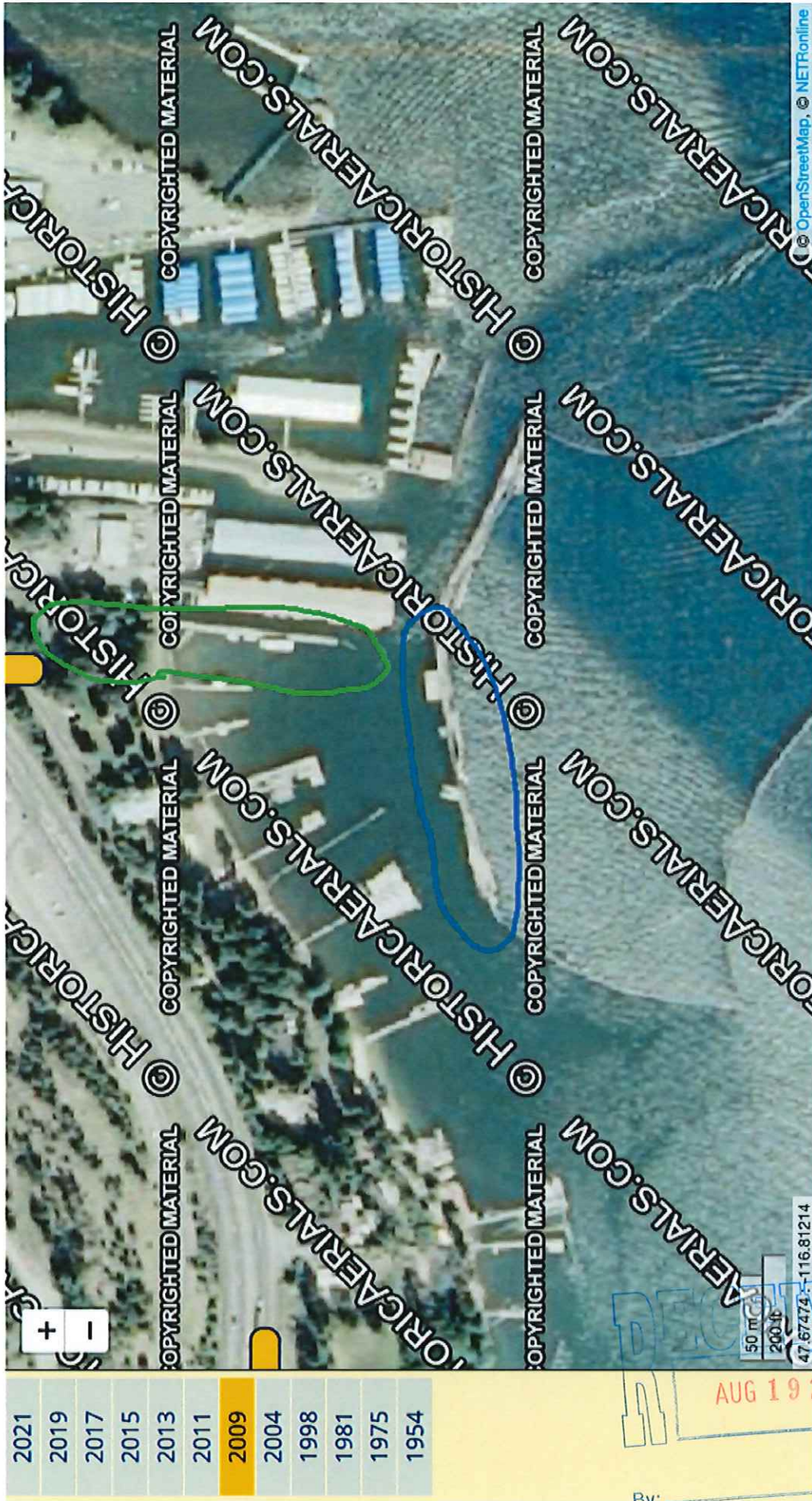
Proposed Workzone Area

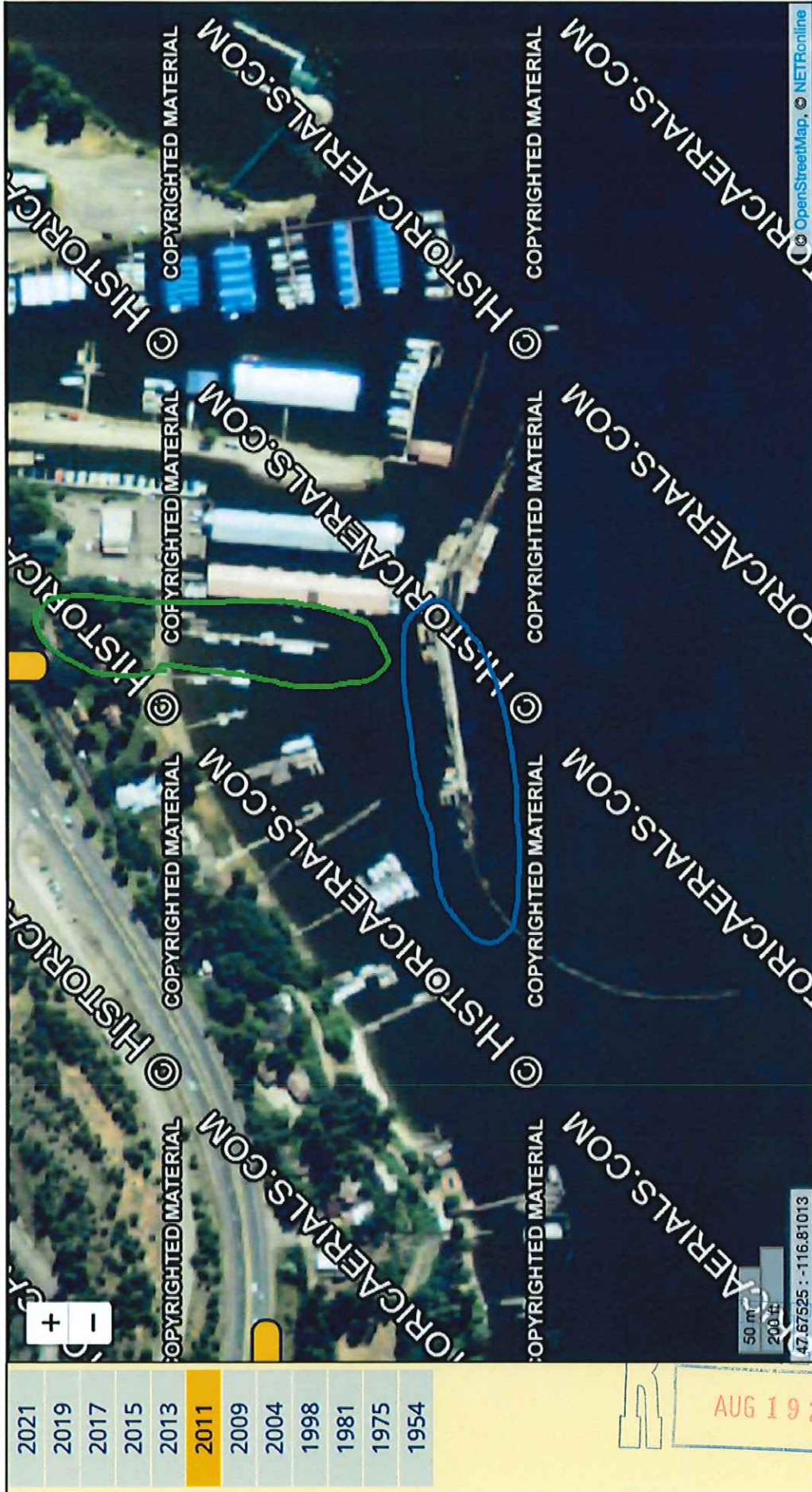
Upland Property



Proposed Workzone Area

Upland Property





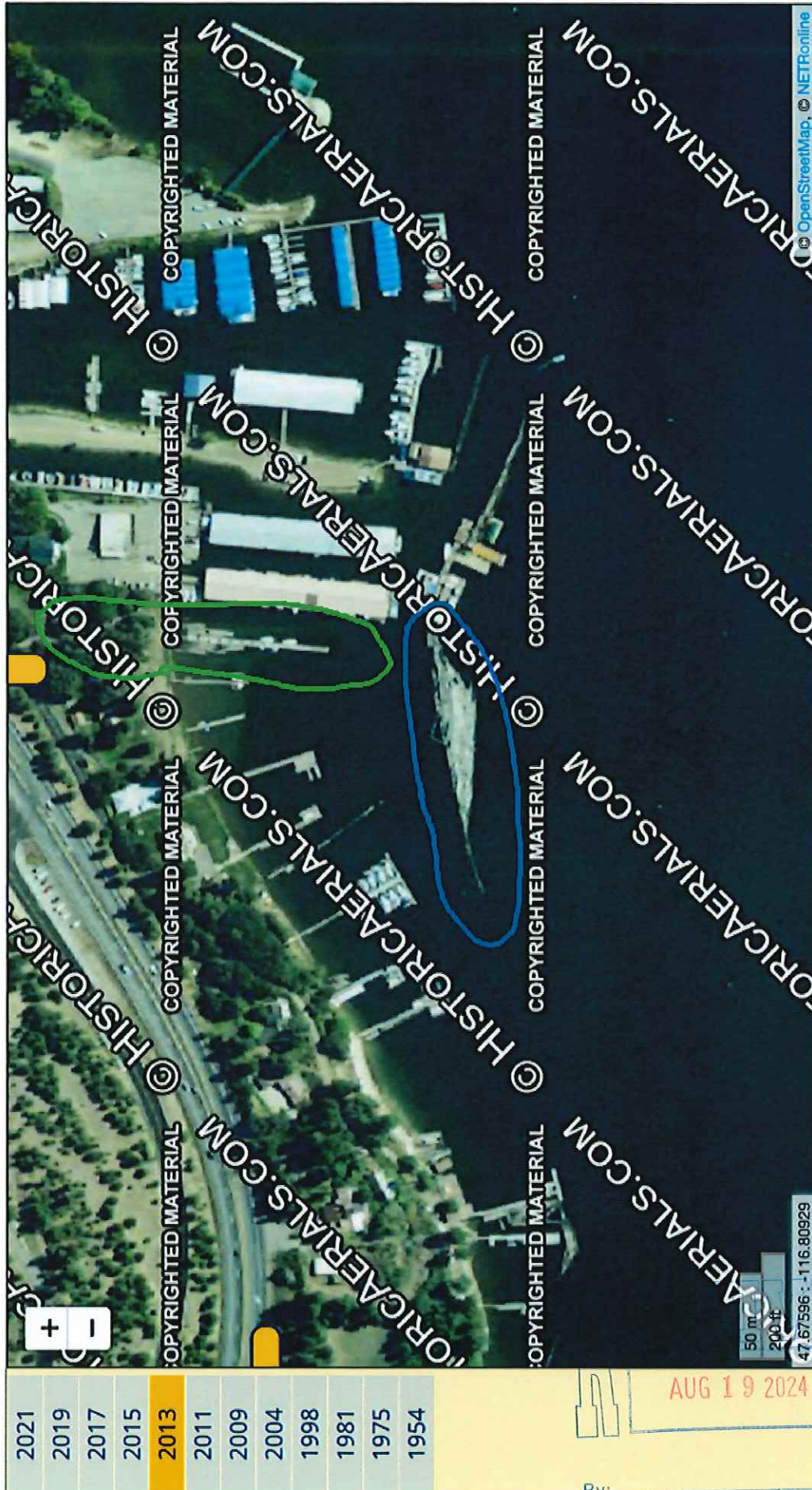
2021	2019	2017	2015	2013	2011	2009	2004	1998	1981	1975	1954
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Proposed Workzone Area

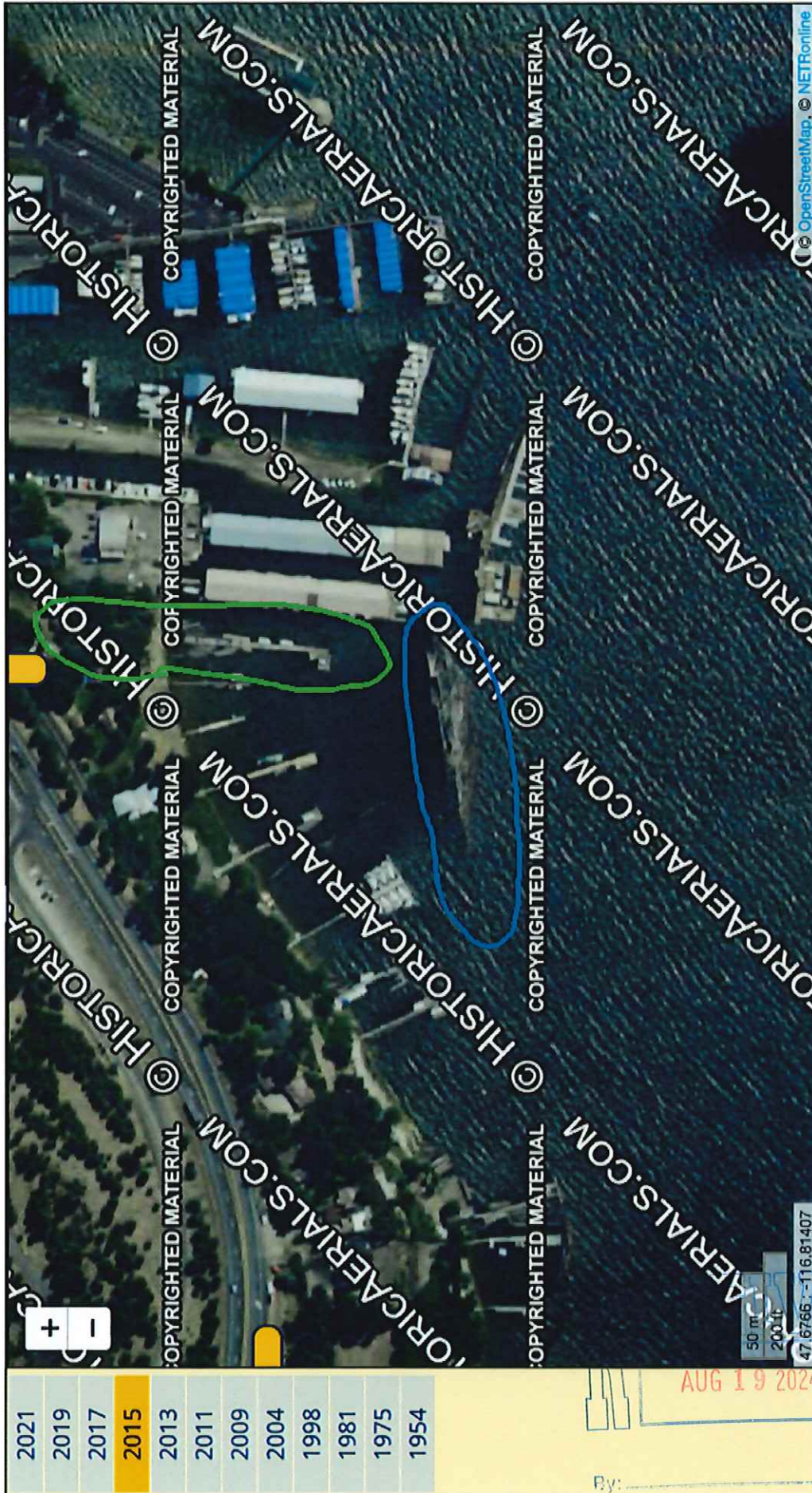


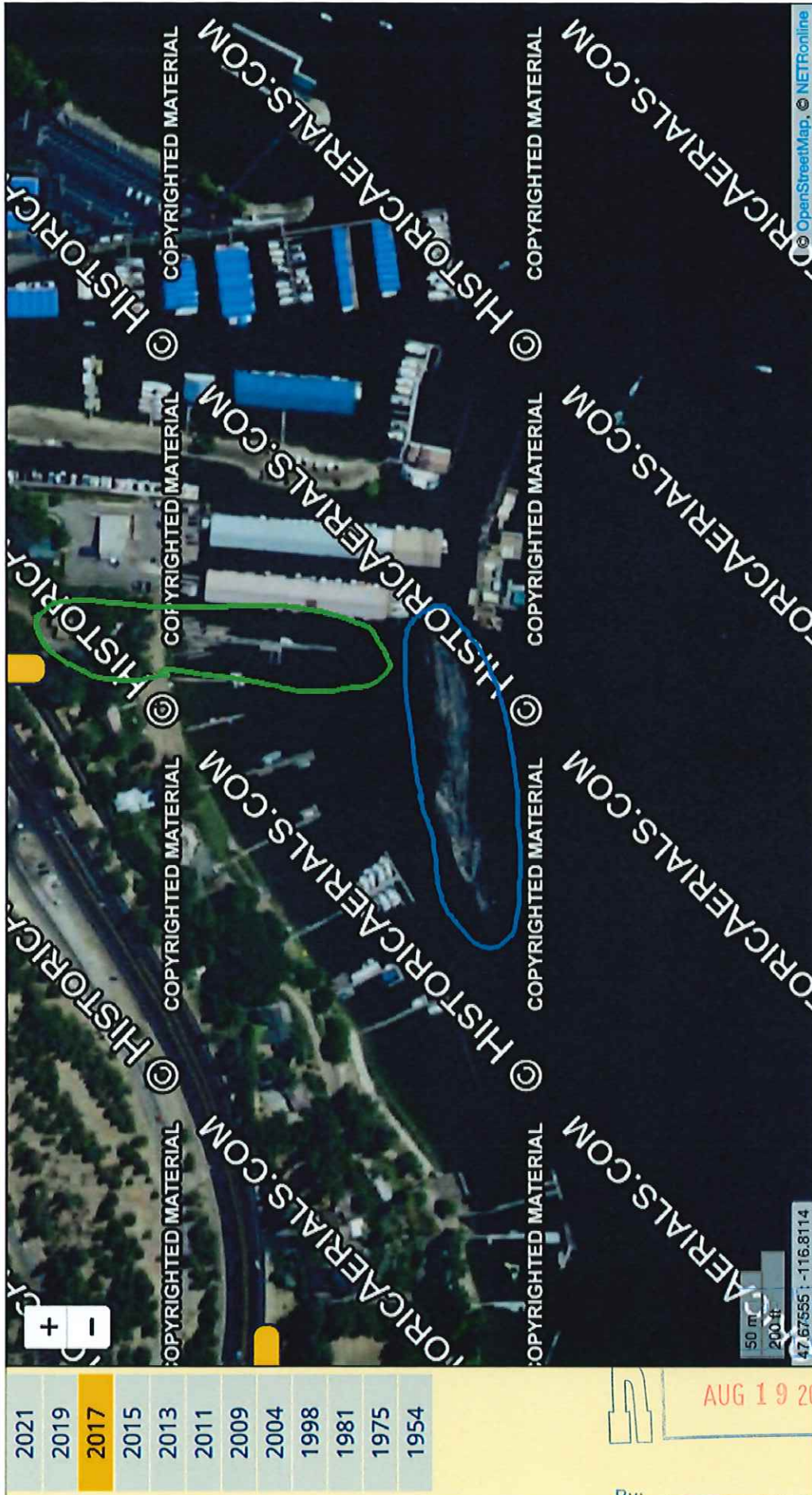
Upland Property



Proposed Workzone Area

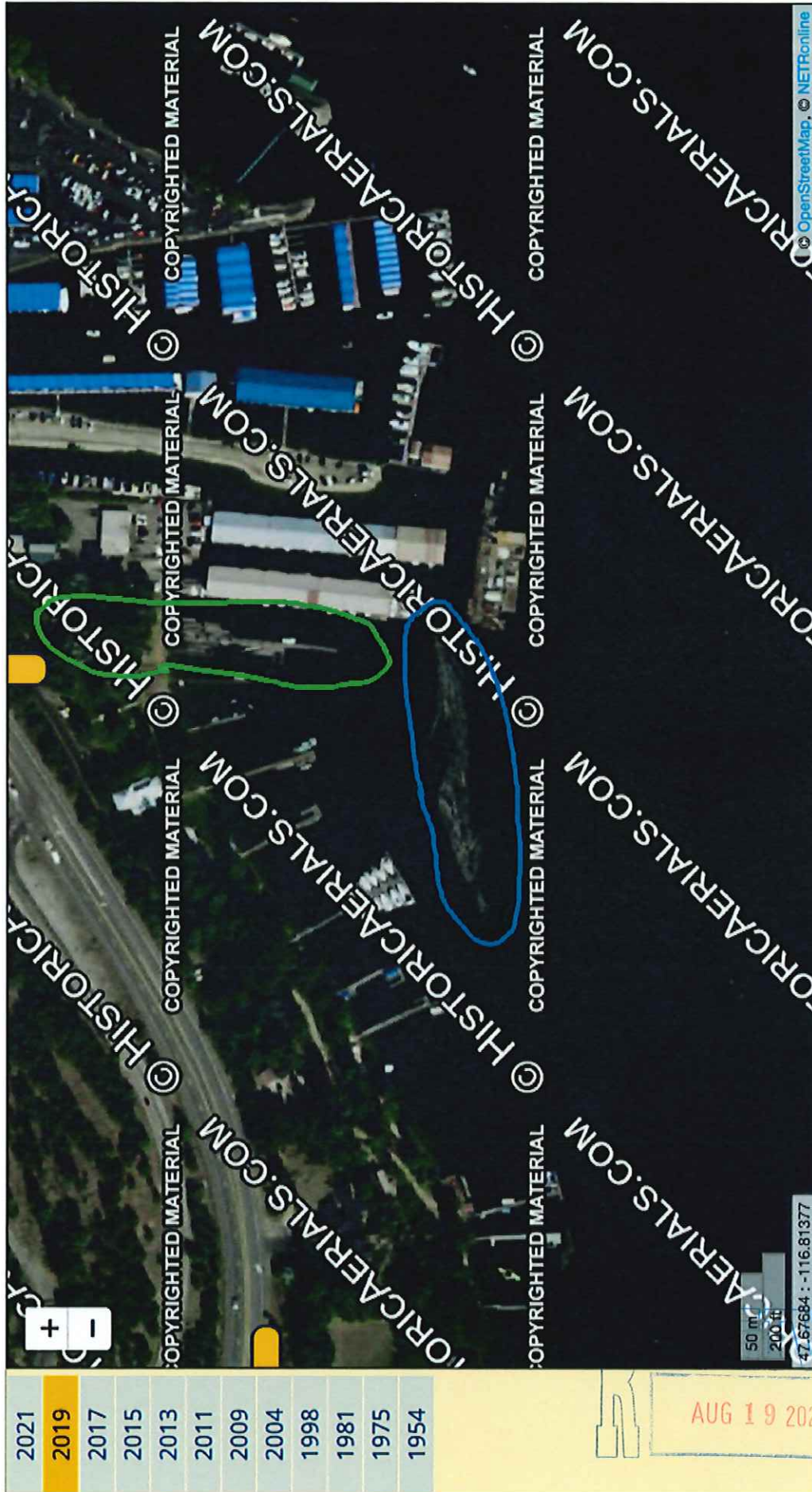
Upland Property



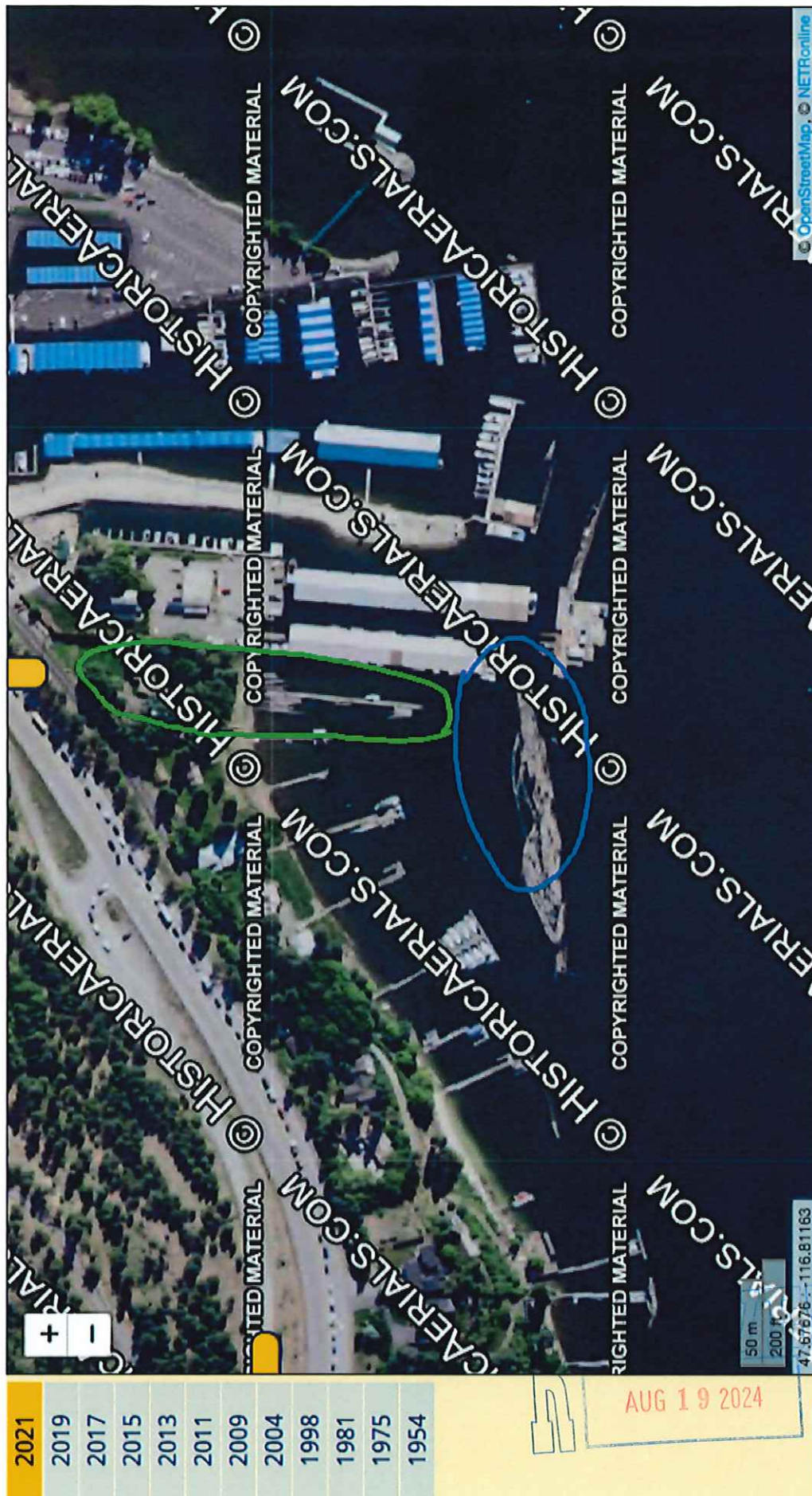


Proposed Workzone Area

Upland Property




Proposed Workzone Area
 Upland Property



From: [Mary Rehnborg](#)
To: [Amidy Fuson](#)
Subject: RE: Application and Hearing for Commercial Facility Expansion Cougar Bay, Lake Coeur d'Alene L95S6105A
Date: Tuesday, September 10, 2024 3:01:59 PM
Attachments: [image003.png](#)

Since this is outside of my administrative boundary, I do not have any official comments, however, I am pleased to see the plans to include measures to handle any contaminated sediments they may encounter.

Thank you Amidy!

 Public Health <small>Prevent. Promote. Protect.</small> Panhandle Health District	Mary Rehnborg Institutional Controls Program Manager 35 Wildcat Way Kellogg, ID 83837 P: 208-783-0707 C: 208-819-7481 W: Panhandlehealthdistrict.org
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IMPORTANT: The information contained in this email may be privileged, confidential or otherwise protected from disclosure. All persons are advised that they may face penalties under state and federal law for sharing this information with unauthorized individuals. If you received this email in error, please reply to the sender that you received this information in error. Also, please delete this email after replying to the sender.

From: Amidy Fuson <AFuson@idl.idaho.gov>
Sent: Tuesday, September 10, 2024 2:32 PM
To: Aaron Golart <Aaron.Golart@idwr.idaho.gov>; Adam Knight <aknight@kcgov.us>; Chace Bell <Chace.Bell@idwr.idaho.gov>; Chantilly Higbee <Chantilly.Higbee@deq.idaho.gov>; D1Permits <D1Permits@itd.idaho.gov>; Emily Barnes <Emily.Barnes@idwr.idaho.gov>; Eric <eric@lakeshighwaydistrict.com>; IDWR <northerninfo@idwr.idaho.gov>; Jason Brown <jbrown@cdatribe-nsn.gov>; Jason Kimberling <Jason.Kimberling@itd.idaho.gov>; Jason Peppin <JPeppin@phd1.idaho.gov>; Jeremey Varley <Jeremey.Varley@isda.idaho.gov>; Marvin Fenn <Marvin.Fenn@itd.idaho.gov>; Mary Rehnborg <MRehnborg@phd1.idaho.gov>; Merritt <merritt.horsmon@idfg.idaho.gov>; Nic Zurfluh <Nicholas.Zurfluh@ISDA.IDAHO.GOV>; Nick Snyder (nsnyder@kcgov.us) <nsnyder@kcgov.us>; Rebecca Stevens <rstevens@cdatribe-nsn.gov>; Sgt. Ryan Miller <rmiller@kcgov.us>; Shelley Austin <shelley@kealliance.org>; Stacy Simkins <Stacy.Simkins@itd.idaho.gov>; Symone Legg <Symone.Legg@itd.idaho.gov>; Tammy Alleman <Tammy.Alleman@idwr.idaho.gov>; USACE <CENWW-RD-CDA@usace.army.mil>
Subject: Application and Hearing for Commercial Facility Expansion Cougar Bay, Lake Coeur d'Alene L95S6105A

CAUTION: This message originated outside of Panhandle Health District. Do not click links or open attachments unless you recognize the sender, are expecting something from them, and know the content is safe. Please forward spam & phishing emails to IT Support.

Good Afternoon,

Please review the attached application for a commercial facility expansion, construct a commercial year-round building area, build a boat launch, dredge, build a seawall with riprap, and have a nonnavigational building for storage on Lake Coeur d'Alene. The Department has called for a hearing, the date, time, and location of the Public hearing is yet to be determined. We ask that you submit your comments by October 15, 2024.

If you have question or would like updates on the hearing, please contact me.

Thanks,

|

IDL-003



Amidy Fuson
Lands Resource Specialist, Sr.
Navigable Waters

Monday – Thursday

Idaho Department of Lands
3258 Industrial Loop, Coeur d'Alene, ID 83815
Office: (208) 769-1577
Email: afuson@idl.idaho.gov
<https://www.idl.idaho.gov>

Order Confirmation

<u>Ad Order Number</u>	<u>Customer</u>	<u>Payor Customer</u>	<u>PO Number</u>
0000027810	IDAHO DEPARTMENT OF LANDS	IDAHO DEPARTMENT OF LANDS	
<u>Sales Rep</u>	<u>Customer Account</u>	<u>Payor Account</u>	<u>Ordered By</u>
kpacker+shohouse@ha...	22247	22247	rlindstrom@cdapress.com
<u>Order Taker</u>	<u>Customer Address</u>	<u>Payor Address</u>	<u>Customer Fax</u>
rlindstrom@cdapress.com	3284 W. INDUSTRIAL LOOP COEUR D ALENE, ID 83815	3284 W. INDUSTRIAL LOOP COEUR D ALENE, ID 83815	
<u>Order Source</u>	<u>Customer Phone</u>	<u>Payor Phone</u>	<u>Special Pricing</u>
	2086668612	2086668612	

<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>
0	0	1	0	0	0

Invoice Text

CDA#13161 Notice of Application

Ad Order Notes

Run dates September 13, 20 2024

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
84.32	\$0.00	84.32	Invoice	\$0.00	84.32

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>
0000027810	ID-Metro	1 x 6.074" (53 lines)

<u>Run Date</u>	<u>Product</u>	<u>Placement</u>	<u>Position</u>	<u>Rate</u>	<u>Cost</u>
09/13/2024	ID-COEUR D'ALENE PRE	LEGALS	Any	\$0.77	\$48.81
09/20/2024	ID-COEUR D'ALENE PRE	LEGALS	Any	\$0.67	\$35.51

NOTICE OF APPLICATION

Pursuant to Section 58-104(9) and 58-1301, et seq., Idaho Code (The Lake Protection Act) and rules of the State Board of Land Commissioners, notice is hereby given that Rivelle LLC made application to expand existing commercial facility, construct a commercial year-round building area, build a boat launch, dredge, build a seawall with riprap, and have a nonnavigational building for storage on Lake Coeur d'Alene. Located adjacent to Tax # 11589, Coeur d'Alene; Sections 15, Township 51 North, Range 03 West; B.M., in Kootenai County.

This announcement will serve as Notice that a Public Hearing will be held for this project. This Public Hearing will be conducted by the Office of Administrative Hearings to take testimony regarding the proposed project. The date, time and location of the Public Hearing is yet to be determined and will be advertised when finalized.

Written objections or comments regarding this matter must be directed to the Idaho Department of Lands, 3258 W. Industrial Loop, Coeur d'Alene, ID 83815. Specific information regarding this application may be obtained at the above address or by calling (208) 769-1577. Or visiting our website: <https://www.idl.idaho.gov/lakes-rivers/administrative-hearings/>

/S/Andrew Smyth, Area Manager of Mica

Idaho Department of Lands

Legal#13161

AD#27810

September 13, 20 2024

IDL-004

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



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

September 10, 2024

William Chapman
PO Box 1118
Coeur d'Alene ID 83816

Re: Courtesy Notification of Application for Encroachment L95S6105A

To Whom it Concerns:

This letter is to inform you as a courtesy that your adjacent neighbor Rivelle LLC has applied for a permit with Idaho Department of Lands to expand existing commercial facility, construct a commercial year-round building area, build a boat launch, dredge, build a seawall with riprap, and have a nonnavigational building for storage on Lake Coeur d'Alene. The enclosed applications with site diagrams show the location and indicate dimensions and distances to your mutual property/riparian boundary.

The Department has called for a hearing on this application. Please check our website <https://www.idl.idaho.gov/lakes-rivers/administrative-hearings/> in the near future to find the date, time and location of the hearing.

If you would like to object to the proposed application, please send a letter or email me with your objections. To ensure the Department receives this information within the required timeframe, please send your object by October 15, 2024. It would be helpful if your comments addressed effects on navigation, fish and wildlife habitat, aquatic life, recreation, water quality, aesthetic beauty, and/or protection of property. Please include your phone number and e-mail address with your correspondence so that I can respond to you in a timely manner.

Sincerely,

Amidy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov

Enclosures

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



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September 10, 2024

Cougar Bay Sailing & Chowder Socie
1522 E Rockwood Blvd
Spokane WA 99203

Re: Courtesy Notification of Application for Encroachment L95S6105A

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Sincerely,

Amidy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov

Enclosures

MICA
SUPERVISORY AREA
3258 W. Industrial Loop
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September 10, 2024

Honey Pot Trust
PO Box 3762
Coeur d'Alene ID 83816

Re: Courtesy Notification of Application for Encroachment L95S6105A

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Sincerely,

Amidy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov

Enclosures

MICA
SUPERVISORY AREA
3258 W. Industrial Loop
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September 10, 2024

David Jessick
10744 N Lakeview Dr
Hayden Lake ID 83835-9088

Re: Courtesy Notification of Application for Encroachment L95S6105A

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Sincerely,

Amidy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov

Enclosures

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3258 W. Industrial Loop
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September 10, 2024

Jessick Maack Family Trust
1750 W Blackwell Mill Rd
Coeur d'Alene ID 83814

Re: Courtesy Notification of Application for Encroachment L95S6105A

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Amidy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov

Enclosures

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September 10, 2024

Murphy Yacht Club Llc
PO Box 6200
Coeur d'Alene ID 83816

Re: Courtesy Notification of Application for Encroachment L95S6105A

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Amidy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov

Enclosures

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Coeur d'Alene, ID 83815
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Raúl R. Labrador, Attorney General
Brandon D Woolf, State Controller
Debbie Critchfield, Sup't of Public Instruction

September 10, 2024

David Yadon
PO Box 734
Coeur D'Alene ID 83816-0734

Re: Courtesy Notification of Application for Encroachment L95S6105A

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Sincerely,

Amy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov

Enclosures

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September 10, 2024

Cornwall Family Farm Enterprises LLC
PO Box 6452
Asheville NC 28816

Re: Courtesy Notification of Application for Encroachment L95S6105A

To Whom it Concerns:

This letter is to inform you as a courtesy that your adjacent neighbor Rivelle LLC has applied for a permit with Idaho Department of Lands to expand existing commercial facility, construct a commercial year-round building area, build a boat launch, dredge, build a seawall with riprap, and have a nonnavigational building for storage on Lake Coeur d'Alene. The enclosed applications with site diagrams show the location and indicate dimensions and distances to your mutual property/riparian boundary.

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Amidy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov

Enclosures

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

September 10, 2024

The Coeur d'Alene Press
Attention: Legals
P.O. Box 7000
Coeur d'Alene, ID 83816

Re: Legal Notice of Application – L95S6105A

Enclosed is a notice of application. Please publish this as a legal advertisement for two consecutive weeks as soon as possible.

Upon completion, please provide a tear sheet for the 2nd publication, an affidavit of publication, and statement of cost.

Thank you. Your help in this matter is greatly appreciated.

Sincerely,

Amidy Fuson, Lands Resource Specialist Sr.,
Navigable Waterways

Enclosure

NOTICE OF APPLICATION

Pursuant to Section 58-104(9) and 58-1301, et seq., Idaho Code (The Lake Protection Act) and rules of the State Board of Land Commissioners, notice is hereby given that Rivelle LLC made application to expand existing commercial facility, construct a commercial year-round building area, build a boat launch, dredge, build a seawall with riprap, and have a nonnavigational building for storage on Lake Coeur d'Alene. Located adjacent to Tax # 11589, Coeur d'Alene; Sections 15, Township 51 North, Range 03 West; B.M., in Kootenai County.

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/S/

Andrew Smyth, Area Manager of Mica
Idaho Department of Lands

**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
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MEMORANDUM

TO: Idaho Department of Fish and Game
Idaho Department of Environmental Quality
Idaho Department of Water Resources
Idaho Department of Transportation
US Army Corps of Engineers-CDA
Kootenai County Parks, Recreation/Waterways
Kootenai County Marine Division
Kootenai County Building & Planning & Zoning
Kootenai Environmental Alliance
Panhandle Health District 1-Kootenai County
Coeur d'Alene Tribe
Idaho Conservation League
Adjacent Neighbors

FROM: Amidy Fuson Resource Specialist Sr., Navigable Waters

DATE: **September 10, 2024**

SUBJECT: NOTICE OF APPLICATION PUBLIC HEARING L95S6105A – Rivelle LLC

Enclosed is an application requesting permission to **expand existing commercial facility, construct a commercial year-round building area, build a boat launch, dredge, build a seawall with riprap, and have a nonnavigational building for storage on Lake Coeur d'Alene.**

The Department has requested a hearing. The date, time and location of the Public hearing is yet to be determined and will be advertised when finalized.

Please submit your comments, recommendations, or objections to IDL by **October 15, 2024**, regarding the likely effect of the proposed encroachment upon adjacent property, lake, and streambed value factors of navigation, fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, or water quality. If you have concerns or are opposed to the project as proposed, please list your specific reasons for concern or opposition and any facts or documentation to support your position.

You should recommend alternate plans if they are economically feasible to accomplish the purpose of the proposed encroachment. You should also recommend any mitigation measures or special restrictions/provisions you would like included as part of the permit if one is issued.

If you do not submit a comment, IDL will assume you have no objections to the application. If you have questions concerning the application, we suggest you contact the applicant. If the applicant cannot answer your questions, please contact us.

Enclosures

From: [Nelson Erickson](#)
To: [Amidy Fuson](#); [Mike Ahmer](#)
Subject: Nice Meeting you! Blackwell- Agency Comments
Date: Monday, August 19, 2024 11:57:46 AM
Attachments: [image002.png](#)

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.

Hi Amidy/Mike,

Hope you guys had a good weekend!

Amidy- it was great to finally meet you today. Below is the Agency Comment email update that I mentioned in our meeting. We are very encouraged by the positive support we received. I wanted to check in with you guys and see if there are any items that need to be discuss in order to receive comments back on your end. We are pushing to get this in a hearing ASAP. Let me know how I can help. I am available if you would like to jump on a call.

Thank you,

Nelson Erickson
Cell: 208.818.6584
Nelson@StanCraft.com



From: Stephanie Blalack <sblalack@verdisnw.com>
Date: Friday, August 16, 2024 at 10:48 AM
To: Nelson Erickson <Nelson@stancraft.com>, Keaton Brown <keaton.b@stancraft.com>
Cc: Mike Paul <mpaul@verdisnw.com>
Subject: Agency Comments

Good morning,

I checked the Zone Change and Variance files this morning for the reviews and comments that have come back.

Zone Change:

Building Department – Approved
Worley Hwy District – Approved

Panhandle Health District – Approved
City of Coeur d’Alene - Approved

Kootenai County Fire and Rescue – **Pending**
Department of Lands – **Pending**

Variance:

Building Department – Approved
Worley Hwy District – Approved
Panhandle Health District – No Objection
City of Coeur d’Alene - Approved

Kootenai County Fire and Rescue – **Pending**
Department of Lands – **Pending**

Once these last remaining comments are submitted to the file the county will schedule the public hearing.

Thank you,

Stephanie Blalack
Planning Manager



3906 N. Schreiber Way
Coeur d’Alene, ID 83815
Office: (208) 667-1214
Cell: (208) 659-6559
Web: www.verdisnw.com

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of Application for Expansion	)	AGCY. CASE NO. PH-2024-NAV-22-002
of Existing Commercial Facility, etc.,)	
	)	OAH Case No. 24-320-06
Rivelle, LLC, dba StanCraft Companies,)	
	)	NOTICE OF APPOINTMENT OF
Applicant.	)	HEARING OFFICER
_____)	
)	

TO ALL PARTIES AND COUNSEL OF RECORD:

The Chief Administrative Hearing Officer of the Office of Administrative Hearings, pursuant to their authority under Idaho Code § 67-5282(1)(d), hereby appoints the following administrative law judge as the duly authorized Hearing Officer in this matter:

Merritt Dublin
Office of Administrative Hearings
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300
merritt.dublin@oah.idaho.gov

This administrative law judge is appointed to conduct a hearing in this matter in accord with all governing statutes and rules, and make appropriate findings of fact, conclusions of law, and preliminary or recommended orders (as may be requested or mandated) to the Director of the Idaho Department of Lands. The administrative law judge is required to comply with the Office of Administrative Hearings' Code of Conduct.

AUTHORITY AS HEARING OFFICER

As Hearing Officer, the administrative law judge has the authority to:

1. Schedule and conduct motion hearings and enter the appropriate orders disposing of all pre-hearing motions, such as motions for notices of proposed default orders, motions on the admissibility of evidence, and motions for continuances.

2. Schedule and conduct any pre-hearing conference and enter the appropriate orders for any purpose recognized by IDAPA 62.01.01.402.

3. Perform other duties assigned by the Board and as authorized by the Idaho Administrative Procedure Act, promulgated at Idaho Code §§ 67-5201 *et seq.*, the Idaho Rules of Administrative Procedure promulgated at IDAPA 62.01.01 *et seq.*, and such other statutes and rules as may govern the proceedings.

4. The Hearing Officer may not engage in *ex parte* communications concerning the substance of this matter, except as provided in Idaho Code § 67-5253 and IDAPA 62.01.01.255.

FILING OF DOCUMENTS

All documents filed in this matter must be filed by email with the Office of Administrative Hearings at the following email address: filings@oah.idaho.gov

Additionally, all documents filed in this matter must also be served by email upon the Hearing Officer and all other parties to the proceeding at the email addresses listed in the Certificate of Service attached hereto, which list may be updated from time to time by the Hearing Officer.

Original and/or paper documents do not need to be filed with the Office of Administrative Hearings, except upon request by the Hearing Officer. If you are requested to submit original and/or paper documents by the Hearing Officer, submit those documents to the Office of Administrative Hearings at the following address:

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Office of Administrative Hearings
General Government Division
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300

DATED September 19, 2024.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ Bryan A. Nickels
Bryan A. Nickels
Chief Administrative Hearing Officer

CERTIFICATE OF MAILING

I hereby certify that on this 19th day of September, 2024, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Scott Hislop
Nelson Erickson
Rivelle, LLC, dba StanCraft Companies
2936 W. Dakota Ave.
Hayden, ID 83835
Applicant

- ☐ U.S. Mail, postage prepaid
☒ Email: scott.h@stancraft.com
nelson@stancraft.com

Idaho Department of Lands
Alli Olson
300 N. 6th Street
Boise, ID 83720
Counsel for IDL

- ☐ U.S. Mail, postage prepaid
☒ Email: aolson@idl.idaho.gov

Marde Messinger
Lands Program Manager
Navigable Waterways
Idaho Department of Lands
300 N. 6th Street
Boise, ID 83720
(208) 334-0200

- ☐ U.S. Mail, postage prepaid
☒ Email: mmessinger@idl.idaho.gov

Kourtney Romine
Idaho Department of Lands
PO Box 83720
Boise ID 83720-0050
IDL Workflow Coordinator

- ☐ U.S. Mail, postage prepaid
☒ Email: kromine@idl.idaho.gov

Merritt Dublin
Office of Administrative Hearings
P.O. Box 83720
Boise, ID 83720-0104
(208) 605-4300
Hearing Officer

- ☐ U.S. Mail, postage prepaid
☒ Email: merritt.dublin@oah.idaho.gov

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OAH
General Government Division
P.O. Box 83720
Boise, ID 83720-0104
Located at: 350 N. 9th., Suite 300
(208) 605-4300

- ☐ U.S. Mail, postage prepaid
☒ Email: filings@oah.idaho.gov

/s/ Bryan A. Nickels
Bryan A. Nickels
Office of Administrative Hearings

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of Application for Expansion of Existing Commercial Facility, etc.,	)	AGCY. CASE NO. PH-2024-NAV-22-002
)	
Rivelle, LLC, dba StanCraft Companies,	)	OAH Case No. 24-320-06
)	
Applicant.	)	NOTICE OF SCHEDULING
	)	CONFERENCE
)	
)	

Please take notice that Administrative Law Judge (ALJ) Merritt Dublin, the designated Hearing Officer in the above-entitled action, will call this matter for a scheduling videoconference on **Wednesday, October 2, 2024, at 11:00 a.m. Mountain Time**, or as soon thereafter as the parties may be heard. The parties will be sent a Zoom link for this conference contemporaneously with this notice.

The scheduling conference will be informal, and the purpose of the conference will be to:

1. Identify or simplify the issues in the case;
2. Determine if there are any areas of agreement between the parties;
3. Discuss the number and type of documents and witnesses each party intends to use and/or call if a hearing needs to be held;
4. Discuss any other procedural or evidentiary matters relevant to this case which may tend to expedite or clarify this case; and
5. Determine a hearing date, if necessary.

Should any party or counsel require special accommodations pursuant to the Americans with Disabilities Act, they must notify the Hearing Officer of such request on or before September 10, 2024.

Please take notice that pursuant to Idaho Rule of Administrative Procedure 425 (IDAPA 62.01.01.425) and Section 67-5242(4), Idaho Code, **DEFAULT MAY BE ENTERED AS FOLLOWS:**

If a party fails to attend any stage of a contested case, the presiding officer may serve upon all parties notice of a proposed default order. The notice shall include a statement of the grounds for the proposed order. Within seven (7) days after service of the proposed order, the party against whom it was issued may file a written petition requesting the proposed order to be vacated. The petition shall state the grounds relied upon. The presiding officer shall either issue or vacate the default order promptly after the expiration of the time within which the party may file a petition. If the presiding officer issues a default order, the officer shall conduct any further proceedings necessary to complete the adjudication without the participation of the party in default and shall determine all issues in the adjudication, including those affecting the defaulting party.

DATED September 24, 2024.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ Merritt Dublin

Merritt Dublin

Administrative Law Judge

CERTIFICATE OF MAILING

I hereby certify that on this 24th day of September, 2024, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Scott Hislop
Nelson Erickson
Rivelle, LLC, dba StanCraft Companies
2936 W. Dakota Ave.
Hayden, ID 83835
Applicant

☐ U.S. Mail, postage prepaid
☒ Email: scott.h@stancraft.com
nelson@stancraft.com

Idaho Department of Lands
Alli Olson
300 N. 6th Street
Boise, ID 83720
Counsel for IDL

☐ U.S. Mail, postage prepaid
☒ Email: aolson@idl.idaho.gov

Marde Messinger
Lands Program Manager
Navigable Waterways
Idaho Department of Lands
300 N. 6th Street
Boise, ID 83720
(208) 334-0200

☐ U.S. Mail, postage prepaid
☒ Email: mmessinger@idl.idaho.gov

Kourtney Romine
Idaho Department of Lands
PO Box 83720
Boise ID 83720-0050
IDL Workflow Coordinator

☐ U.S. Mail, postage prepaid
☒ Email: kromine@idl.idaho.gov

OAH
General Government Division
P.O. Box 83720
Boise, ID 83720-0104
Located at: 350 N. 9th., Suite 300
(208) 605-4300

☐ U.S. Mail, postage prepaid
☒ Email: filings@oah.idaho.gov

/s/ Merritt Dublin
Merritt Dublin
Office of Administrative Hearings

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of Application for Expansion	)	AGCY. CASE NO. PH-2024-NAV-22-002
of Existing Commercial Facility, etc.,)	
	)	OAH Case No. 24-320-06
Rivelle, LLC, dba StanCraft Companies,)	
	)	SCHEDULING ORDER
Applicant.)	
)	

Hearing Officer Merritt Dublin conducted a scheduling videoconference on October 2, 2024. Appearances were made by Scott Hislop for Applicant StanCraft Companies (Applicant); Keaton Brown, agent for Applicant; Idaho Department of Lands (IDL) Counsel John Richards and Alli Olson; and IDL representatives Mike Ahmer and Marde Messinger. Based on the parties' agreements,

IT IS HEREBY ORDERED that the following deadlines and procedures will govern this matter going forward:

1. On or before **October 28, 2024**, IDL will file with the Hearing Officer and serve upon the opposing party:
 - a) A prehearing statement, the prehearing statement should summarize facts and law IDL intends to rely on at the hearing. IDL shall also state, if practicable, any pre-hearing requests for rulings on the evidence to be submitted or any other legal issue which will be heard at the Prehearing Conference.
 - b) A disclosure of witnesses, by name, address, and telephone number, who will testify at the final hearing in this matter, including expert witnesses, along with a summary of the anticipated testimony of each witness; and
 - c) An exhibit list of all documents, drawings, photographs, or other demonstrative evidence to be considered at the hearing; and
 - d) A copy of its proposed exhibits with IDL's exhibits numbered as follows: "IDL-01," "IDL-02," "IDL-03," etc.

SCHEDULING ORDER
AGCY. CASE NO.: PH-2024-NAV-22-002/OAH Case No. 24-320-06 - 1

2. On or before **October 28, 2024**, Applicant may file with the Hearing Officer and serve upon the opposing party:

- a) A prehearing statement, the prehearing statement should summarize facts and law Applicant intends to rely on at the hearing. Applicant shall also state, if practicable, any pre-hearing requests for rulings on the evidence to be submitted or any other legal issue which will be heard at the Prehearing Conference.
- b) A disclosure of witnesses, by name, address, and telephone number, who will testify at the final hearing in this matter, including expert witnesses, along with a summary of the anticipated testimony of each witness; and
- c) An exhibit list of all documents, drawings, photographs, or other demonstrative evidence to be considered at the hearing; and
- d) A copy of its proposed exhibits with Applicant's exhibits numbered as follows: "S-01," "S-02," "S-03," etc.

3. **Or Applicant may file on November 4, 2024**, a Prehearing Statement Response (and their Exhibits and List of Witnesses) limited to identifying the areas of information that IDL found lacking in the application as identified in the State's prehearing statement and exhibits.

4. **A remote Prehearing Conference will be held via Zoom on November 4, 2024, at 1:00 p.m. Mountain Time.** The purpose of this conference is to discuss all prehearing matters, including objections, stipulations, narrowing of issues, burden of proof, and any other preliminary matters that need to be addressed prior to the hearing. A Zoom hearing link will be sent contemporaneously with this order.

5. **A one-day, in-person evidentiary hearing is scheduled for November 8, 2024**, and will be held at North Idaho College. NIC is located at 1000 W. Garden Avenue, Coeur D'Alene, Idaho. Notice of the room location for the hearing will be provided at a later date. The evidentiary hearing will commence at 4:00 p.m. Pacific Time and conclude at 8:00 p.m. Pacific Time. A Zoom link will be available for remote viewing. The public may submit comment through

the close of business on Monday, November 11, 2024.

6. To “file” and “serve” their documents, the parties may email them to all other parties at the addresses listed in the attached Certificate of Service before any deadline, with a copy to merritt.dublin@oah.idaho.gov and filings@oah.idaho.gov.

7. The Hearing Officer will arrange for a court reporter. The cost of the court reporter appearance fee will be borne by the Idaho Department of Lands. If any party or participant requests a copy of the transcript, that party or participant will bear the cost of such transcript. If all parties request a copy of the transcript, the cost of a transcript will be borne equally by the parties. If the Hearing Officer requests a copy of the transcript, the cost of the transcript will be borne equally by the parties. In addition, the hearing will be recorded via Zoom or some other recording device.

8. Should any party or their counsel require special accommodations pursuant to the Americans with Disabilities Act, the Hearing Officer shall be notified of such request at or before the time of the prehearing conference.

NOTICE AND REMINDER: The Hearing Officer shall not be contacted by either party *ex parte*. To schedule a status conference to address any case matters, the parties are directed to first confer about agreed-to dates and times, and then to contact Merritt Dublin at merritt.dublin@oah.idaho.gov with a copy to filings@oah.idaho.gov to schedule a status conference.

DATED: October 7, 2024.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ Merritt Dublin

Merritt Dublin
Administrative Law Judge

SCHEDULING ORDER

AGCY. CASE NO.: PH-2024-NAV-22-002/OAH Case No. 24-320-06 - 3

IDL-011

CERTIFICATE OF MAILING

I hereby certify that on this 7th day of October, 2024, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Scott Hislop
Nelson Erickson
Rivelle, LLC, dba StanCraft Companies
2936 W. Dakota Ave.
Hayden, ID 83835
Applicant

☐ U.S. Mail, postage prepaid
☒ Email: scott.h@stancraft.com
nelson@stancraft.com

Idaho Department of Lands
Alli Olson
John Richards
300 N. 6th Street
Boise, ID 83720
Counsel for IDL

☐ U.S. Mail, postage prepaid
☒ Email: aolson@idl.idaho.gov
jrichards@idl.idahogov

Marde Messinger
Lands Program Manager
Navigable Waterways
Idaho Department of Lands
300 N. 6th Street
Boise, ID 83720
(208) 334-0200

☐ U.S. Mail, postage prepaid
☒ Email: mmessinger@idl.idaho.gov

Kourtney Romine
Idaho Department of Lands
PO Box 83720
Boise ID 83720-0050
IDL Workflow Coordinator

☐ U.S. Mail, postage prepaid
☒ Email: kromine@idl.idaho.gov

OAH
General Government Division
P.O. Box 83720
Boise, ID 83720-0104
Located at: 350 N. 9th., Suite 300
(208) 605-4300

☐ U.S. Mail, postage prepaid
☒ Email: filings@oah.idaho.gov

/s/ Merritt Dublin

Merritt Dublin
Office of Administrative Hearings

SCHEDULING ORDER

AGCY. CASE NO.: PH-2024-NAV-22-002/OAH Case No. 24-320-06 - 4

IDL-011



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
IDL-012

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

Amidy Fuson

October 11, 2024

Idaho Department of Lands, Mica Supervisory Area

3258 W Industrial Loop

Coeur d Alene, Idaho 83815

RE: Application for Encroachment L95S6105A

This letter is in opposition to the application for encroachment requested by Rivelle Stancraft Corp. I want to tell you that this summer we totally lost use of our swimming area and shore line for recreation due to Rivelle illegally using their recently acquired property like it was commercial.

Please don't consider their zone change because they proved their plan is not compatible with our family's and other neighbor's normal recreational use.

For the last 76 years we have used our property almost every summer weekend for family gatherings. We now have 5 generations that have been enjoying our property. This year we had paddleboards, kayaks, a paddle boat and small fishing boat we could not use from June on due to the masses of weeds. Traditionally I swim daily and watch over my kids, grandkids and great grands enjoying the lake front. This year swimming was very limited and the water was so full of weeds and goose poop we didn't want our young grandbabies in the water so we had them play on water activity tables in the yard filled with domestic water.



Lucille Jessick Bradshaw lucillebradshaw@yahoo.com

5823 16th, Dalton Gardens Idaho 83815

15 October 2024

Amidy Fuson

Lands Resource Specialist – Navigable Waters

Idaho Department of Lands

3258 W. Industrial Loop

Coeur d'Alene, Idaho 83815



CC: Director Dustin T. Miller

Governor Brad Little

Reference: Your notification of 10 September 2024 regarding Application for Encroachment L95S6105A

Dear Ms. Fuson:

Your cover letter highlights Rivelle LLC applying to “expand existing commercial facility” amongst other items. I have applied through the Idaho Department of Lands public records request for all encroachment permits for their parcel beginning in 1890 until the present time. Your department informs me that only a single encroachment permit has ever been issued for this parcel. That permit was issued by your department to Rivelle LLC on 15 November 2023 without any notice being given to adjacent land owners or public meetings to discuss the permit. This is confirmed by Mr. Ron Jessick who owns the property immediately to the west of the Rivelle LLC parcel.

Prior to the issuance of this permit, no prior encroachment permits have ever been issued to allow commercial operations from this site. Further, the upland portion of the parcel has always been documented as either rural or suburban/agricultural. Between 1972 until 1978, Knappton Launch Company of Portland, Oregon owned the property including the non-permitted encroachment but there is no documentation that gives legal authority for that company to use that parcel and its non-permitted encroachment for commercial operations. In fact, Knappton used the adjoining commercial property for their operations. Before and after ownership by Knappton, the parcel remained in the hands of individuals who never applied for or received legal authority to have commercial operations from the non-permitted encroachment.

Rivelle LLC represents Stancraft in this encroachment application. Rivelle/Stancraft purchased the commercial operations of North Idaho Maritime on Lake Coeur d'Alene. At the time of the purchase, North Idaho Maritime had a lease/permit authorizing commercial activity on the lake from their operations site in Wolf Lodge Bay. This lease/permit was available to Rivelle/Stancraft to continue their commercial activity on the lake. In addition, North Idaho Maritime also possessed a lease/permit to utilize a previous log storage area within Cougar Bay which is now currently utilized by Rivelle/Stancraft for commercial activity.

It should be noted that several areas in Cougar Bay were utilized by lumber mills and tug boat companies for log storage. Again, I have been unable to find any documentation as to legal permits for the log storage/breakwater/log raft mentioned in the encroachment application narrative. This area is seen in the attached aerial photograph taken in 1966. It shrunk to its smallest size around 2011 as seen on page 35 of the encroachment application. Since then this log storage area has been maintained by various individuals who are all lakefront property owners in the immediate vicinity as no other responsible party came forth to do so (including the Department of Lands). It has expanded to its current size because it was utilized as a storage area of free floating logs on the lake which represented an obvious hazard to marine navigation. This storage site was

not connected in any way to the current encroachment from the parcel in question at any time and its' history of commercial use is not related to the encroachment from the parcel.

Currently, there are no other locations on the north shore of Lake Coeur d'Alene where a rural, suburban/agricultural or residential parcel with lakeshore front footage has been subjected to having a commercial construction company placed directly in front of them. When Mr. Fred (Skip) Murphy purchased the existing marina next to the parcel in question, the commercial marina already existed before he built his home. And he readily agreed that any new construction area to be built would remain solely within the littoral confines of his property. This is not the case with this application. Their application, if granted, would result in the infringement of the littoral confines of adjacent landowners by way of their 480 ft. work dock.

The applicant's proposal to fix all of the problems in the immediate area is rife with false claims and misrepresentations. These include:

- The statement that the parcel has been used commercially since the early 1970's.
- The use of the parcel decreases commercial traffic at public boat launches (there are two commercial launches available within ½ mile from the property).
- Fostering competition among marine contractors. (there are already eight marine contractors doing business on the lake including R&R Northwest, Harrison Dock Builders, Hagadone Marine Group, Frey Dock and Barge Company, Aquatica Docks, Moonlight Marine, Jake on the Lake and previously including North Idaho Maritime which Reville/Stancraft purchased.)
- The revised design addresses the communities concerns (3 of the 6 parcels next to the parcel in question or directly in front of the proposed docks do not support this application).
- The general public who swim, fish or who use paddle boards, kayaks and other small water craft will need to proceed south of the docks and expose themselves to higher wave impacts which is not pleasant at best and potentially hazardous at worse.
- Utilizing this site minimizes the negative impact on the lake. (See notes below).

Notes: 1- the proposed L- shaped dock arrangement will further decrease any natural water flow out of Cougar Bay and into the Spokane River. This is already an existing problem.

2- It will lead to increasing sedimentation in the area.

3- It will trap surface debris and funnel it to the landward properties.

4- The daily use of large commercial watercraft will continue to disturb the heavily silted bottom area and negatively impact water quality in the area. Additionally, there will be continuous noise and air pollution from the industrial size marine equipment working there.

Why the Idaho Department of Lands has pushed this commercial operation upon us is unknown to me? In light of the prior existing commercial permits/leases in Wolf Lodge Bay and in Cougar Bay available to Reville/Stancraft, they had adequate opportunity to continue the operations that North Idaho Maritime had utilized.

Why did the Idaho Department of Lands issue the first encroachment permit for this parcel without proper regulatory input from the adjacent landowners and the general public is also unknown? This entire permitting process reveals each successive misrepresentation is built upon the one below.

It is my intent to share my concerns with the Director of the Idaho Department of Lands and with the Governor. Your department should be held accountable by your supervisors and by the public in general.

Sincerely,



CEI
JCT 45
10 DEPT. OF
SUPERVISORY AFF.

Dr. William Chapman
1948 W. Blackwell Mill Road
Coeur d'Alene, Idaho 83814
1-208-664-3866



PC-00004
IDL-013

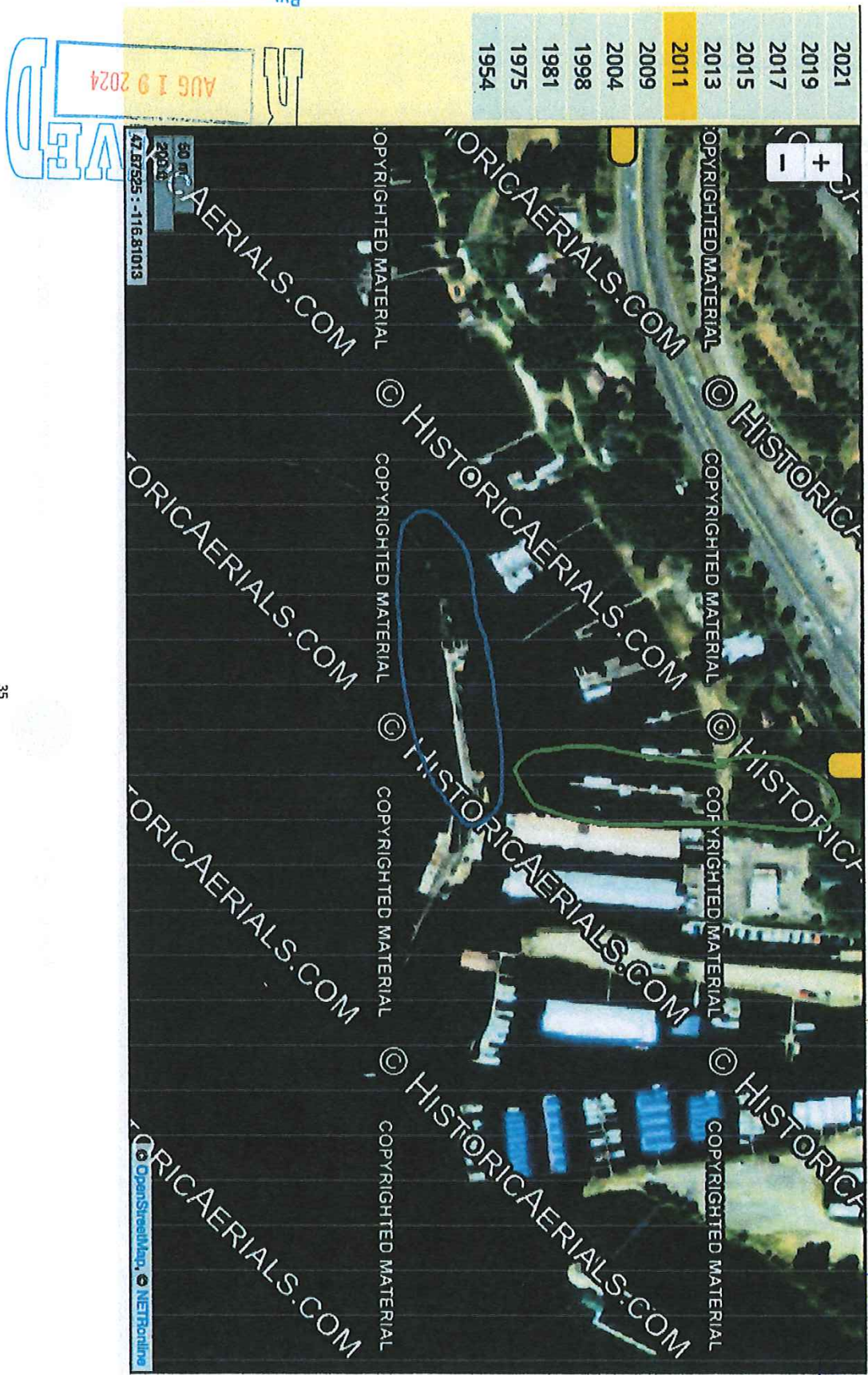


RECEIVED
OCT 15 2024
IDAHO DEPT. OF LANDS
MICA SUPERVISORY AREA OFFICE

PC-00005
IDL-013

Proposed Workzone Area

Upland Property



FCF
OCT 15 2024
IDAHO DEPT. OF LANDS
MICA SUPERVISORY AREA OFFICE

Amidy Fuson

Idaho Department of Lands, Mica Supervisory Area October 11, 2024

3258 W Industrial Loop

Coeur d' Alene, Idaho 83815

RE : Application for encroachment L95S6105A

This letter is in opposition to the application for encroachment requested by Rivelle Stancraft Corp.

By their illegal code violations starting early in 2024 I feel Stancraft has proven that the property they purchased is not suited for a marine commercial building area. Their plan shows a 14' by 120' fixed pier attached to a 10 by 425 foot dock extending out into the lake, then attached to a 10 by 475 foot work dock heading in a westerly direction. At the meeting point of the docks they have a 40 by 100 foot work dock. This dock would block the present navigational route out to the Spokane River. The plan also shows a new navigational route starting at their littoral line for both their access to their dock/work area and forcing lakeshore property owners to go west out to the main lake. This L shaped dock structure forms a trap that will hold in weeds, logs and other debris, and restrict natural water flow around the shoreline and out to the Spokane River.

I want to address water quality with you. Rivelle illegally used their property for commercial marine activities starting early spring 2024. We started getting large quantities of water weeds on our shoreline because they had tugboats pushing barges loaded with materials and equipment coming in from the west where it is very weedy. These tugs

tore weeds out by their roots and dropped them along the way to their dock.

In mid June I started to clean up our beach for the summer and found weeds accumulating on our shoreline and by late June I realized I had no way to clean the quantity of weeds because they were thick and heavy and filled the whole area between our dock and Ron Jessick's dock to the east of us and were being deposited daily by Stancraft. This area has always been used as our swimming area, and had solid weeds from the shoreline to the end of our dock which is six feet deep. The ripped up weeds were a major problem for all of our neighboring shoreline owners.

By July we had weeds from the lake bottom to the surface clogging the water all the way out to the end of our dock. Our neighbors on both sides used their tugboats to wash the weeds into the navigational path causing a huge mass of weeds extending from the end of the Haglund dock to the end of the Stancraft dock, completely blocking any navigation route out into the lake for us. Propellers would be wrapped in weeds immediately.

I made many attempts, phone calls and a personal visit, to get IDL to look at the problem and sent pictures requested by Mike Ahmer but he couldn't find time to address the issue, or acknowledge receipt of the pictures. The time he did come down to our lake property was at the request of Stancraft to have a meeting with me, David Jessick and Ron Jessick; when I refused the meeting unless Mike Ahmer also attended. He did look and said, "Yep, you have weeds!" and then I asked Mike if he had any suggestions to alleviate the problem if Stancraft's project was built and he said, "I'm not a hydrologist." I told him then that "It is obvious that you don't want to be here so I guess you may as well go".

Next the geese came in and landed in this mass of weeds, eating and pooping during the day and roosting on our docks at night, leaving them covered with goose poop. Eventually the weeds started to decay and sink, then drifted into our shoreline loaded with goose poop. We didn't feel it was safe or sanitary to swim in that filth.

Now the weeds have rotted and left us with a much thicker than normal deposit of slimy silt composed of decayed weeds and goose poop on our shoreline.

By their illegal actions I feel Stancraft has proven the property they purchased is unsuitable for this type of operation so I urge you not to approve their application for encroachment.

IDL for years has said that our neighboring docks are out of compliance. Haglund and NIM drove pilings without permits where the log breakwater is to reinforce it so more logs could be added. IDL has said they would allow a breakwater three logs wide. A good solution would be to enforce dock compliance and have the parties who tied the additional logs dispose of them and have Stancraft use the work area they have out in the bay where they are adjacent to open water. We would have more waves but also the wave action would bring in currents of clean water to keep our beaches clean.

As a side note I would like to tell you that on July 30 I filed a code enforcement violation with the County and Stancraft stopped using this property for commercial use. August 17 I checked with our neighbors and they said new weeds stopped coming in.



Frank Jessick frank.jessick@gmail.com 208-660-7042

703 N 20th St Coeur d Alene Idaho 83814

Amidy Fuson

Idaho Department of Lands

Mica Supervisory Area

3258 W Industrial Loop

Coeur d' Alene, ID 83815

RE: Application for Encroachment L95S6105A

This comment letter is in opposition to the Application for Encroachment requested by Rivelle, LLC "Stancraft Corporation". I am one of the owners of a residence one property removed from the property in question which was recently acquired by Rivelle. Our property has been owned by our family for over 80 years. We have enjoyed clean water, easy boat navigation, easy traffic free access and beautiful lake front views in this residential area for all those years.

Our property and the Rivelle property are currently zoned Agricultural Suburban and all the homes to the west of Rivelle's property are residences, not commercial properties. The Rivelle property has never been a commercial property despite Rivelle lying about this in their applications.

We know what the effects on us and other nearby property owners will be if Rivelle's applications are approved as Rivelle disregarded County zoning and broke existing laws by commencing their commercial operations this spring without the currently requested zone change and variance submitted by Rivelle to Kootenai County. They were ordered to cease and desist these operations only after my brother brought this illegal activity to the County's attention.

Rivelle's operations had many negative effects on surrounding properties including: 1) Noise-large trucks, barges, tugboats and cranes were loading various materials right at the lakeshore resulting in loud noises that greatly disrupted the enjoyment of our property. 2) Environmental-barges and tugboat traffic by Rivelle caused significant displacement of weeds and significant destruction of water quality from crystal clear to murky. Quality of swimming, boating, paddle boarding, etc. were diminished by weeds torn up by Rivelle which made the lake non navigable at times. 3) Beaches- adjoining beaches, including ours, were inundated with weeds that floated in from Rivelle's activities. This caused continuous weed cleanup and removal at owner's expense.

Rivelle's plans going forward would only increase these problems as it would only increase their commercial activities.

We understand Rivelle owns other lakeshore properties on lake Coeur d' Alene including a property on the south end of the Wolf Lodge area where there are no residences. Why would Rivelle not conduct their commercial business there where no residences would be harmed?

Please do not approve the requested Application for Encroachment.



PC-00010
IDL-013


David Jessick
1782 W Blackwell Mill Road. davidjessick@yahoo.com


By: 

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

September 10, 2024

David Jessick
10744 N Lakeview Dr
Hayden Lake ID 83835-9088

Re: Courtesy Notification of Application for Encroachment L95S6105A

To Whom it Concerns:

This letter is to inform you as a courtesy that your adjacent neighbor Rivelle LLC has applied for a permit with Idaho Department of Lands to expand existing commercial facility, construct a commercial year-round building area, build a boat launch, dredge, build a seawall with riprap, and have a nonnavigational building for storage on Lake Coeur d'Alene. The enclosed applications with site diagrams show the location and indicate dimensions and distances to your mutual property/riparian boundary.

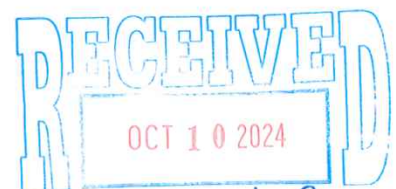
The Department has called for a hearing on this application. Please check our website <https://www.idl.idaho.gov/lakes-rivers/administrative-hearings/> in the near future to find the date, time and location of the hearing.

If you would like to object to the proposed application, please send a letter or email me with your objections. To ensure the Department receives this information within the required timeframe, please send your object by October 15, 2024. It would be helpful if your comments addressed effects on navigation, fish and wildlife habitat, aquatic life, recreation, water quality, aesthetic beauty, and/or protection of property. Please include your phone number and e-mail address with your correspondence so that I can respond to you in a timely manner.

Sincerely,

Amidy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov

Enclosures



By: _____



Frank Jessick <frank.jessick@gmail.com>

Rivelle Application for Permit

1 message

Frank Jessick <frank.jessick@gmail.com>
To: Amidy Fuson <afuson@idl.idaho.gov>
Cc: vfinkel@kcgov.us

Mon, Sep 23, 2024 at 12:29 PM

I would like to inform you of errors in the application for permit for Rivelle LLC IDL # L95S6105A. They claim they want to EXPAND an existing commercial facility which is not correct. The parcel is Agricultural Suburban Zoning on a parcel of less than two acres which does not allow commercial use as spelled out in Kootenai County land use code 8.2.305. Presently there is a cease and desist order on work Rivelle was doing on this parcel.

I would also like to point out on page 4 of this application package that IDL sent out to the adjacent property owners that Fred Murphy is one of the owners. That property has been sold to Hagadone Corporation.

There should be a new legal notice for ad# 27810 IDL legal 13161 sent out to the press to correct and clarify what Rivelle is actually proposing.



October 14, 2024



To whom this may concern,

This zoning problem started in the 1970's when Anderson Boat Works sold to ~~Lafferty Transportation~~. Lafferty then sold to Foss Tug and Barge. They brought in Ed Haglund as manager, who built all the boat storage sheds with no permits. Prior to the building of the boat storage sheds, we could see city beach, thus he destroyed our view. The property in question for Zone change was my Grandparents (my mother's parents). After the storage sheds were built they applied for a permit. After much pleading, county commissioners finally said the boat sheds could stay, but no one could advance the commercial zoning beyond one inch to the west. Mike Hallstrom inherited the summer home from his uncle, aunt and mother. Foss purchased the house that's on the property in question and traded Mike Hallstrom so they could tear down the house east of this property to make a parking lot. About 20 years ago Mr. Hallstrom sold his house to Mrs. Diane Haglund next to the Foss Tug property that had been purchased by John Stone. Mr. Haglund, manager for Foss, said that he didn't know Foss had it for sale. Mr. Haglund was no longer manager. Stone went out of business about 2008 or 2009. Mr. Haglund built another dock without a permit beyond the specified limits for a dock. When Mr. Haglund sold to Rivelle LLC, Stancraft, he said he had to straighten out a permit for the dock.

Foss sold to John Stone. At the same time the Cowles family purchased Stone's boat works and traded it to Skip Murphy for his place in Casco Bay. The Murphy place was located between Cowles and Hagadone property in Casco Bay. He put a lot of work into the business and built a new home which is not zoned commercial. The boat sheds are commercial and it cost him a lot to do that. Fall of 2023, Skip's wife Susan became very ill and Skip got an offer to sell from the Hagadone Group. As per a conversation with the Hagadon representatives, they do not want a Zone change.

Mr Jim Brady, Resource Supervisor/Navigatable waters told Frank Jessick and I that both Mr. Haglund's docks (his personal and the one on the property in question) was illegal but the State did not have the money to fight it. At that time, Mr Haglund denied owning the tug boats and running a business. He recently signed a statement that states he ran a dock building business and the tugs were his. The Florence Lee is now for sale on Facebook Marketplace by Sam, his assistant. Mr Haglund drove new 12 new pilings out front with no permits. He kept bringing in logs with his tug and tied them to the pilings and formed a breakwater. His pattern is obvious; do what you want, then ask for permission later. Mr. Ammers, Mr Brady's replacement has shown prejudice against us in a meeting with us here saying the deal is already done. He should be recused for potential conflict under current laws and if they want to dredge, should be denied. Our family moved here in 1913, and the small parcel is not able to be rezoned under current laws if they want to dredge. Where is the permit from the Army Corps of Engineering?

This summer, we never put our swim ladder on our dock because the weeds were so thick from the tugs dragging them in from the west side. We know they were being pulled in because the pink roots were still attached. There has been no fishing, no swimming all summer. They are sinking now and the horticulturist said they will probably root where they settle on bottom. It's impossible to bring a regular

boat in to the dock. Even the geese have moved on. I don't like looking at all the work equipment where there used to be sleek boats.

The increased traffic and speeding in and out is definitely not an improvement. They have brought too many strangers in.

Ron Jessick of Jessick/Maack Family Trust (509) 710-6328

1750 W Blackwell Mill Road

Coeur d Alene, Idaho 83814



By: _____

JOHN F. MAGNUSON
ATTORNEY AT LAW

ADMITTED IN IDAHO

TELEPHONE
208•667•0100

FAX
208•667•0500

P.O. Box 2350
1250 NORTHWOOD CENTER COURT
SUITE A
COEUR D'ALENE
IDAHO 83816

October 9, 2024

Idaho Department of Lands
Attn: Ms. Amidy Fuson
Lands Resource Specialist-Navigable Waters
3258 W. Industrial Loop
Coeur d'Alene, ID 83815

Re: Application for Encroachment L95S6105A (Applicant: Rivelle, LLC)

Dear Amidy:

Reference is made to the above-identified Encroachment Permit Application filed on behalf of Rivelle, LLC. I am writing on behalf of Murphy Yacht Club, LLC, which owns the property formerly owned by Fred and Diane Murphy lying east of and contiguous to the Rivelle property.

Enclosed is a copy of Kootenai County Instrument No. 797611, captioned "Grant of Littoral Rights." Under this instrument, Rivelle's predecessor-in-title granted Murphy Maritime's predecessor-in-title an easement for twenty-five (25) feet of the eastern littoral rights of the Rivelle parcel. This is for the purpose of "pleasure boat access in the ordinary course of [Murphy Maritime's] business as a commercial marina," with such boating access in a defined area which has been graphically illustrated by Welch Comer for your convenience.

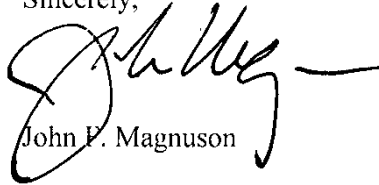
We have reviewed Rivelle's application and understand that Rivelle's proposed encroachment does not intend to interfere with Murphy Maritime's rights under the 1979 Grant of Littoral Rights. We have met with representatives of Rivelle and have requested that Rivelle, as part of the proposed uses associated with the encroachment, refrain from parking boat construction equipment, vessels, or barges on the Murphy Maritime side of Rivelle's dock that could possibly impede Murphy Maritime's rights under the aforementioned Grant of Littoral Rights. We understand that Rivelle is in agreement with this request.

October 9, 2024

Page 2

Subject to the foregoing, and the approval of the proposed encroachment in the location as depicted in the application, Murphy Maritime has no objection to Rivelle's requested encroachment. If you have any questions, or need any additional information, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "John P. Magnuson", with a long horizontal flourish extending to the right.

JFM/krm

Encls.

cc: Murphy Yacht Club, LLC
IDL-FUSON.LTR - Murphy.wpd

GRANT OF LITTORAL RIGHTS

MICHAEL E. HALLSTROM, a single man, of the City of Coeur d'Alene, County of Kootenai, State of Idaho, Grantor, for the sum of One Dollar (\$1.00) and other good and valuable consideration, does hereby grant and convey to KNAPPTON LAUNCH COMPANY, INC., an Oregon corporation, qualified to do business in the State of Idaho, Grantee, as appurtenant to the real property described on Exhibit "A" attached hereto and made a part hereof, the following rights and privileges in Lake Coeur d'Alene. For purposes of reference the relevant survey description is as follows:

Commencing at the Meander corner between Sections 14 and 15, T 50 N, R 4 W, B.M., Idaho; Thence N 0° 55' West, 24.4 feet to an iron pin in concrete which is the corner of the NE 1/4, Section 15, T 50 N, R 4 W; Thence N 4° 14' 20" West, 81.17 feet to an iron pin which is the Point-of-Beginning for this description;

Thence South 84° 47' 15" East, 40.50 feet to an iron pin (called East Point);

Thence South 7° 34' 35" West, 90 feet more-or-less to the true mean high water line of Coeur d'Alene Lake;

Thence Westerly, along said true high-water-line of Coeur d'Alene Lake, 40 feet more-or-less to a Point which is South 7° 34' 35" West of the Point-of-Beginning;

Thence North 7° 34' 35" East, 90 feet more-or-less to the Point-of-Beginning.

1. Grantee shall have the right to construct and maintain a log boom along the following described line:

A line which lies South 7° 34' 35" West from the Point-of-Beginning described above.

2. Grantee shall have the right and privilege of having pleasure boat access in the ordinary course of Grantee's business as a commercial marina to a dock to be erected to the east of the following described line:

A line which lies South 7° 34' 35" West from the East Point described above.

Such boating access is to be restricted to the channel determined by the following described lines:

A Line which lies South 7°34'35" West from the Point-of-Beginning described above; a line which lies South 7°34'35" West from the East Point described above; and a line connecting the Point-of-Beginning and the East Point.

The foregoing grant of rights and privileges is subject to the following conditions:

A. The channel described in paragraph (2) above must remain free of any encroachments, structures, or docks of any description or nature.

B. The use of the channel described in paragraph (2) is restricted to the passage of pleasure boats to be moored at Grantee's dock in the ordinary course of Grantee's business and to the passage of tugs and barges used by Grantee in the ordinary course of its business.

C. That the Grantee install and maintain the log boom along the line described in paragraph (1).

D. That Grantee shall not change the use of the land described above from that of a commercial marina.

If the Grantee abandons use of the foregoing littoral rights for a period of two (2) years or if the Grantee shall fail to comply with any of the foregoing conditions, the Grantor shall give notice thereof in writing to Grantee by first class mail addressed to its last known address, setting forth therein wherein the Grantee is in default and the Grantee shall have thirty (30) days from receipt of said notice to cure, correct and vacate such default.

If Grantee fails to cure, correct or vacate such default within said thirty (30) day period then Grantor may pursue any remedy available under Idaho law, at law or equity, to forfeit the granted littoral rights.

This agreement shall be binding on the heirs, representatives and assigns of the Grantor and Grantee.

DATED this 26 day of ^{Febr}December, 1978.

Michael E. Hallstrom
MICHAEL E. HALLSTROM

STATE OF IDAHO)
) ss.
 County of Kootenai)

On this 26th day of ^{February} December, in the year of ¹⁹⁷⁹ 1978, before me, the undersigned Notary Public, personally appeared MICHAEL E. HALLSTROM, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Helena A. Harbaugh
 Notary Public for Idaho
 Residing at Coeur d'Alene
 Comm. expires

Filed and recorded at the request of Knappton Launch Co. Inc.
 at 4:05 o'clock P. M., this FEB 28 day of 1979
 By: Nancy Thresh Deputy
 Fee \$ 4.00
 Carol Dehn
 Ex-Officio Auditor-Recorder
 Kootenai County, Idaho
 Return to PO Box 846, Cda, Ida

All that portion of Sections 14 and 15, Township 50 North, Range 4 W.B.M., Kootenai County, State of Idaho, described as follows:

Beginning at an iron pipe on the extended fence line North $0^{\circ}55'$ West, 90.3 feet and North $89^{\circ}07'$ West, 109.8 feet from the Meander corner common to said Sections 14 and 15 (the meander corner is marked by a stake in concrete and is under water), and which iron pipe is North $0^{\circ}55'$ West, 65.9 feet and North $89^{\circ}07'$ West, 109.8 feet from the SE corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said section 15 (the SE corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ is marked by an iron pin in concrete and is also under water);

Thence North $14^{\circ}31'$ East, 76.6 feet, along the fence line to the beginning of a private road right of way;

Thence North $14^{\circ}31'$ East, 236.03 feet to the SW corner of the parcel described in the deed to the State of Idaho, recorded July 14, 1967 as Instrument No. 514676, records of Kootenai County, Idaho;

Thence North $57^{\circ}42'36''$ East, along the South line of said State of Idaho parcel, 95.49 feet to the SW corner of the parcel described in the deed to the State of Idaho, recorded February 28, 1967 as Instrument No. 505943, records of Kootenai County, Idaho;

Thence N $49^{\circ}44'45''$ East, along the South line of said State Right of way, 24.49' to an iron pin; (NW Fence Point);

Thence S $5^{\circ}12'45''$ West, 360.17' to an iron pin;

Thence continuing S $5^{\circ}12'45''$ West, 112 feet more-or-less to the shore of Coeur d' Alene Lake;

Thence Westerly along the shore of Coeur d' Alene Lake, 161 feet more-or-less to a point which bears south $14^{\circ}31'$ West from the Point-of-Beginning;

Thence North $14^{\circ}31'$ East, 90 feet more-or-less to the Point-of-Beginning.

TOGETHER WITH a 1/12th interest in a spring designated as Spring No. 1, marked by a pipe 1 inch in diameter and 36 inches long, with a 4 inch copper band on which is stamped No. 1 spring, which said spring is located as follows: From a point 300 feet south of the quarter corner between said Section 14 and 15; thence South $71^{\circ}45'$ West a distance of 122 feet to said pipe, together with the right of ingress and egress to said spring, the water to be used for domestic purposes, all of which has been reserved in the deed to R. B. Mooney and wife, Book 119 of Deeds, Page 55.

EXHIBIT "A"

PC-00021

IDL-013

SKETCH DEPICTING LOCATION OF THE LINES AS DEFINIED IN THE GRANT OF LITTORAL RIGHTS - INSTRUMENT # 797611



APPROXIMATE
HIGH WATER LINE
FROM YACHT CLUB
OF CDA AND
LITTORAL RIGHTS

Preliminary

05/01/2024 1:37:13 PM

SCALE: 1"=30'

PC-00022
IDL-013

10/14/24

Amidy Fuson,

I would like to add my own objection of changing our neighbors property to commercial.

My first objection is that we share a gravel driveway. There have been times that I have had to ask the workers to slow down. Those of us that share the driveway have small children and pets outside regularly. There have been no concerns about the safety of children and pets.

Our beach is arc shaped with the deep end of the docks closer to each than on the land. Because Mr. Haglund extended his dock farther than permits allow he has made that distance even less. With their work boats on our side of their dock, it is difficult to squeeze a boat between their dock and the entrance to our boathouse.

The seaweeds that their work boats bring in have ruined the use of our dock for swimming, boating or fishing. Do you remember as a child fishing off the dock? The children were never able to use our peddle boat. The weeds hang from the surface of the water to the bottom wrapping around rudders, oars and human legs. We always enjoyed watching the people that fish from their boats. We have picked several lures from the side of our boathouse. There has been no fishing here all summer. Why don't you ask the charter fishing boats? I can usually sit on the dock and watch the fish below and the little muskrat that swam back and forth between the docks. None of that this year! The beach is a muddy mess without the current able to keep it washed.

Stancraft wants to cut off our access to the lake through the canal from our place past Murphy's slips. It forces us to go past the sailboat club, turn and navigate through the deadhead graveyard to get to the main body of lake. I see boat repairs on the horizon. For the first time this summer, I saw a blue heron trying to fish from our dock today. What a treat!

Our resident osprey has not been staying in her favorite tree because the fishing is impossible. We are seeing less and less wildlife here because of the traffic. The regular deer and moose that clean up the fallen apples and pears from our trees are not coming here anymore.

It is such an eyesore to have a dock with 8 work boats instead of a beautiful sailboat or a sleek pontoon boat. There was no laughter of children and adults enjoying the lake. How could they be heard above the sound of generators ?

With the increased traffic of strangers here we feel that we must utilize our security system every day because they drive here when before, nobody knew we were here.

Thank you for your attention to my concerns.

Sandra Maack Jessick (509) 710-4333



By: _____

From: [Scott Jessick](#)
To: [Amidy Fuson](#)
Subject: Application for Encroachment L95S6105A
Date: Monday, October 14, 2024 9:52:14 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.

Ms. Fuson,

I am writing to object to Application for Encroachment L95S6105A for the following reasons:

1. Applicants' activities in the bay this summer have demonstrated that they are not capable of conducting their operations without significant impact on water quality in the bay. The weeds and silt turned up by their actions made the water and shoreline undesirable and unsafe to use. Expanding their operation will only make matters worse.
2. Navigation to the lake and the Spokane River has traditionally been to the east through well established channels that do not affect water quality in the area. Forcing all local traffic to the east will result in even more weed and turbidity issues.
3. Recreational activities in the bay were profoundly affected by applicants actions. Swimming, paddleboarding, fishing, and boating were ruined for the 2024 season by the commercial traffic in the bay.
4. The boat ramp and sea wall that will be required to make this commercial encroachment viable will have detrimental and permanent impact to the shoreline. The boat ramp and sea wall the applicant intends to build in service of this encroachment will undoubtedly cause erosion to neighboring properties.
5. Currently we enjoy relatively unobstructed and pleasant lake views. The construction of a 500' wave break and a 40 x 100' work platform in front of our property will significantly degrade the natural beauty.
6. I am not qualified to comment on the potential impacts to fish and wildlife that this type of commercial development will cause, but I am concerned that the result would not be good.

For five plus generations my family has preserved and enjoyed the lake and shoreline on Blackwell Mill. I do not expect Rivelle LLC to stand the test of time, but the destruction of resources that they propose surely will. Please do not approve this application. Rivelle LLC have already demonstrated that they are not responsible stewards.

Respectfully,
Scott Jessick
1024 E Percival
Post Falls ID 83854
scott.jessick@rcworst.com

Madison (Jessick) Wilmotte

1782 W Blackwell Mill Road

Mail: 13056 Riverview Dr.

Post Falls, Idaho 83854

Email: MadisonJoWilmotte@gmail.com

4th September 2024

Andrew Smyth, Area Manager of Mica Idaho Department of Lands

Legal# I13161

AD# 27810

RE: Rivelle LLC Expansion located adjacent to Tax# 11589 CDA

My family has owned the property at Blackwell for almost 100 years. My children are the fifth generation of my family to learn to swim at our beach and the sixth generation to gather there to enjoy family time. Starting in June of this year, our beach was spoiled by weeds washing to shore and filling our swimming area. It became difficult to get there by boat in July. By August, it was no longer possible to enter the bay by boat and it was no longer safe for our children to swim. The mats of weed were the result of the non-permitted and illegal use of the neighboring property and waterway by Rivelle LLC operating as "Stancraft". They claim that they are occupying a commercial property, it is not! They are operating on a lot zoned Agricultural Suburban.

Please do not reward their illegal use of Suburban lands and shoreline with a commercial permit and expansion. Their proposed commercial use of this land will cause more damage to the shoreline and destroy our family's generational inheritance. I request that you deny this permit, zone change, or variance for commercialization of our limited shoreline. Stancraft has shown no regard for our laws and zoning. They have not demonstrated that they are willing to be good neighbors to the residents of our bay.

Sincerely,
Madison Wilmotte