

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 25, 2024

River Run Homeowners Association
1044 Northwest Blvd #B210
Coeur d'Alene ID 83814

Re: Courtesy Notification of Application for Encroachment L95S3036N

To Whom it Concerns:

This letter is to inform you as a courtesy that your adjacent neighbor **414 PF Hospitality LLC** has applied for a permit with Idaho Department of Lands to expand existing commercial marina adding some private moorage, reconfigure existing fuel lines with two dispensaries, and building a new ship store on Spokane River. The enclosed applications with site diagrams show the location and indicate dimensions and distances to your mutual property/riparian boundary.

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

If you object to the proposed application and would like to request a public hearing, in which you will be named as the objecting party, please complete and return the attached form to IDL. State law IDAPA 20.03.04.030.04 requires you submit your written objection (specifically asking for a public hearing) and a **\$75 fee** to cover the cost of publishing notice of hearing within thirty (30) days of the first date of publication (the first date it appears in the local newspaper advertising the application). Please ensure the Department receives this information by **October 28, 2024**. Objections should be based on the standards for commercial, community, or nonnavigational encroachments, which can be found here: <https://adminrules.idaho.gov/rules/current/20/200304.pdf>. Failure to provide contact information may result in dismissal of the objection due to strict timelines for hearings.

Sincerely,

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

Enclosures

STATE OF IDAHO
DEPARTMENT OF LANDS
ATTACHMENT FOR ENCROACHMENT

COMMUNITY DOCK REQUIREMENTS AND SETBACKS

General requirements are as follows:

- 1) No part of the structure waterward of the natural or ordinary high-water mark or artificial high-water mark shall exceed ten (10) feet in width except breakwaters when justified by site specific conditions and approved by the department.
- 2) A community dock shall not have less than fifty (50) feet combined shoreline frontage. Moorage facilities will be limited in size as a function of the length of shoreline dedicated to the community dock. The surface decking area of the community dock shall be limited to the product of the length of shoreline multiplied by seven (7) square feet per lineal feet or a minimum of seven hundred (700) square feet. However, the Department, at its discretion, may limit the ultimate size when evaluating the proposal and public trust values.
- 3) If a breakwater will be incorporated into the structure of a dock, and a need for the breakwater can be demonstrated, the department may allow the surface decking area to exceed the size limitations.
- 4) Length of Community Docks and Commercial Navigational Encroachments. Docks, piers, or other works may extend to a length that will provide access to a water depth that will afford sufficient draft for watercraft customarily in use on the particular body of water, except that no structure may extend beyond the normal accepted line of navigability established through use unless additional length is authorized by permit or order of the director. If a normally accepted line of navigability has not been established through use, the director may from time to time as he deems necessary, designate a line of navigability for the purpose of effective administration of these rules.
- 5) It will be presumed, subject to rebuttal, that single-family and two-family navigational encroachments will have an adverse effect upon adjacent littoral rights if located closer than ten (10) feet from adjacent littoral right lines, and that commercial navigational encroachments, community docks or nonnavigational encroachments will have a like adverse effect upon adjacent littoral rights if located closer than twenty-five (25) feet to adjacent littoral right lines. Written consent of the adjacent littoral owner or owners will automatically rebut the presumption. All boat lifts and other structures attached to the encroachments shall be subject to the above presumptions of adverse effects.

Please check one and initial:

☐

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

☐

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

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

_____ Date

_____ Name

_____ Address City State Zip

_____ Phone Number Email Address

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September 25, 2024

Greenview Condominium Owners Inc
Attn: Jan Gera
1110 W Park Place, Suite 101
Coeur d'Alene ID 83814

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Name

Address

City

State

Zip

Phone Number

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