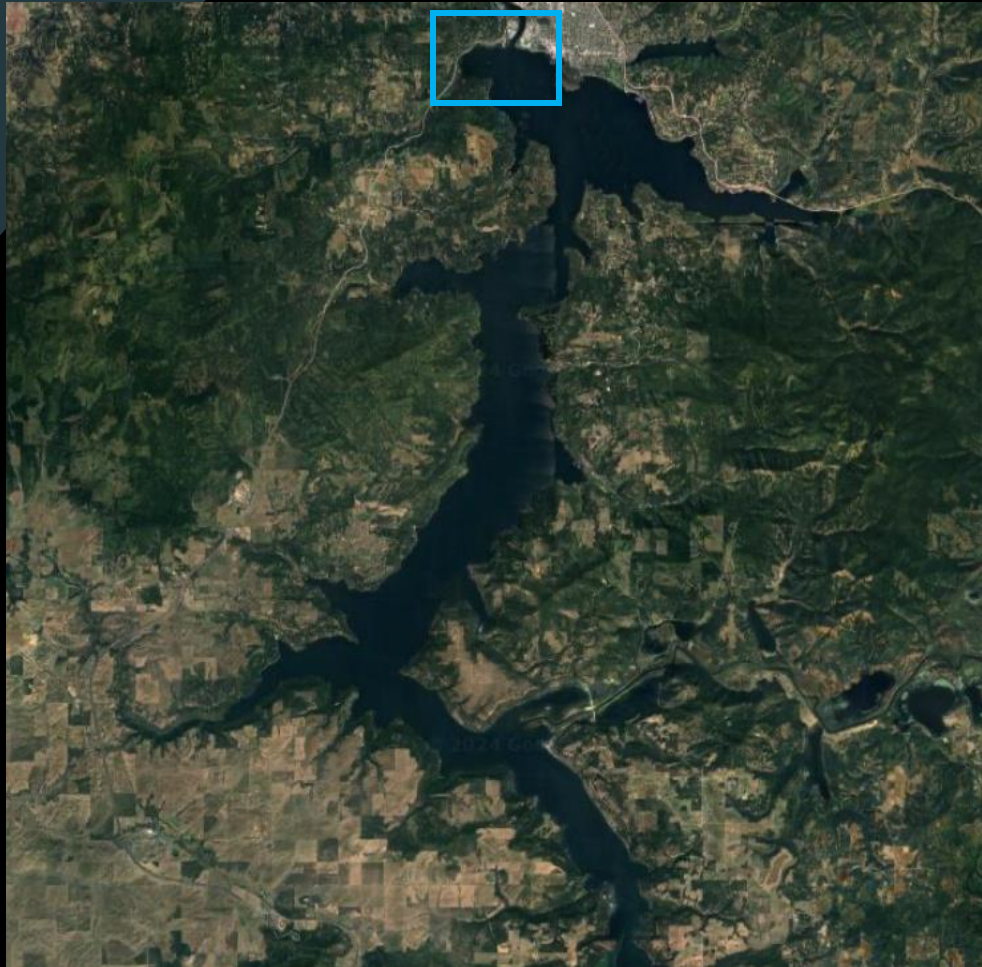


1742 W BLACKWELL MILL ROAD

IDAHO DEPARTMENT OF LANDS
ENCROACHMENT APPLICATION

Lake Coeur d'Alene



Site Location

SITE HISTORY

Located 1742 W Blackwell Mill Rd. in Cougar bay in Kootenai County.

Cougar Bay has been known both past and present for its commercial use.

The site was formerly owned by the Knapton Launch company a commercial tugboat operator.



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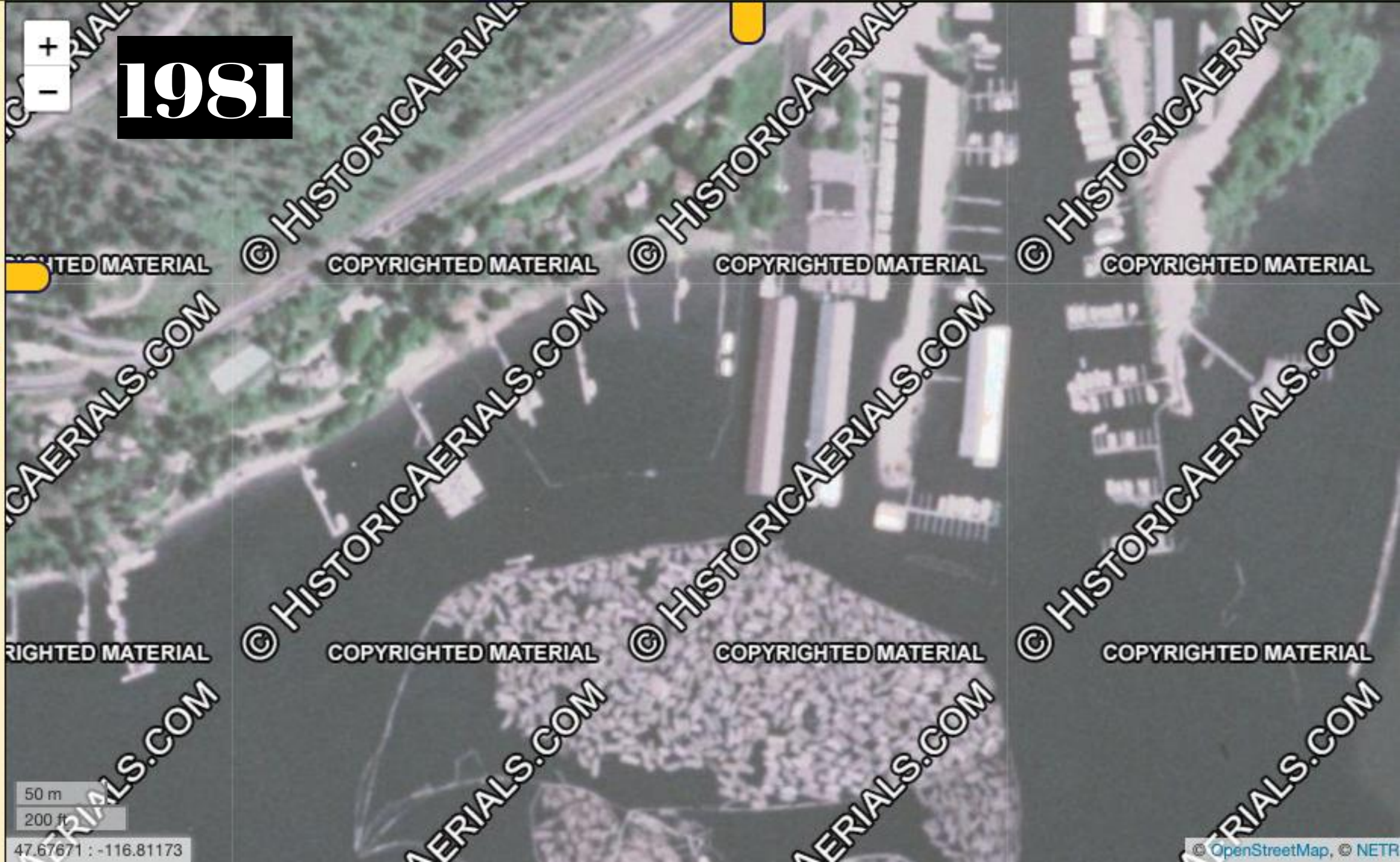
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© OpenStreetMap, © NETR

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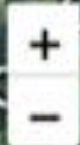
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UNPERMITTED
LOG RAFT

APPLICANT
PARCEL

MURPHY CONSTRUCTION
WORK ZONE

MURPHY YACHT CLUB

MARINA YACHT CLUB

CEDARS
RESTAURANT

SPOKANE RIVER

NIC

LAKE COEUR D'ALENE

























UNPERMITTED
LOG RAFT

APPLICANT
PARCEL

MURPHY CONSTRUCTION
WORK ZONE

MURPHY YACHT CLUB

MARINA YACHT CLUB

CEDARS
RESTAURANT

LAKE COEUR D'ALENE

Adjacent Commercial Areas: Murphy's Landing

- Murphy's Landing Encroachment Permit #L-95-S-2470E
- A commercial marina and marine construction company with a work zone, 129 boat slips, 2 launch ramps and a seawall

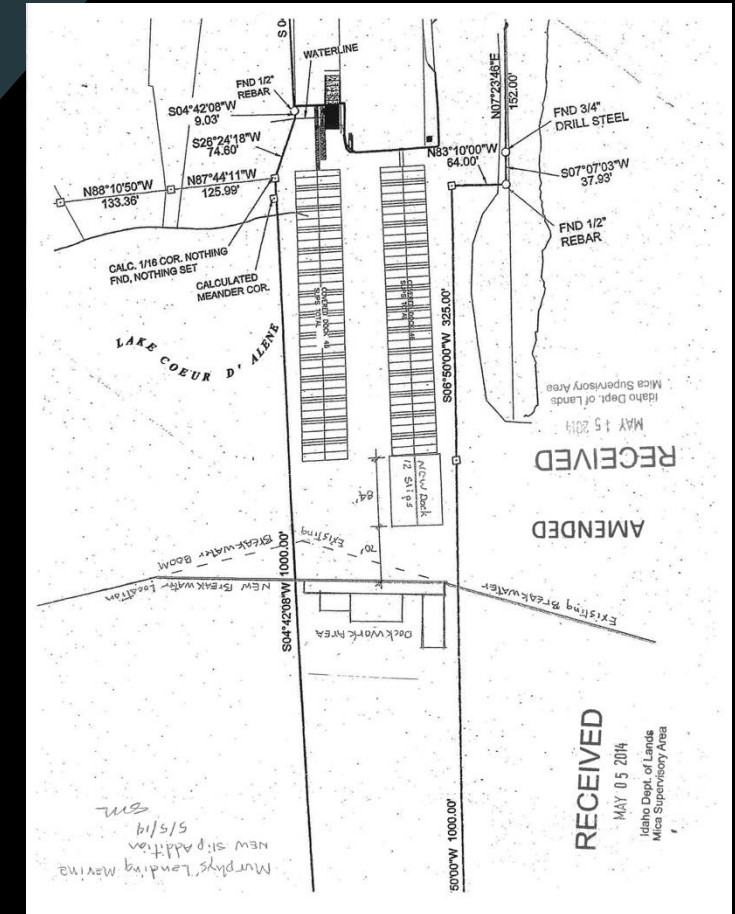
**MICA SUPERVISORY
AREA**
3258 West Industrial Loop
Coeur d'Alene ID 83815
Phone (208) 769-1577
Fax (208) 769-1597



STATE BOARD OF LAND COMMISSIONERS
C.L. "Butch" Otter, Governor
Lawrence E. Denney, Secretary of State
Lawrence G. Wasden, Attorney General
Brandon Woolf, State Controller
Sherri Ybarra, Sup't of Public Instruction

ENCROACHMENT PERMIT NUMBER L-95-S-2470E

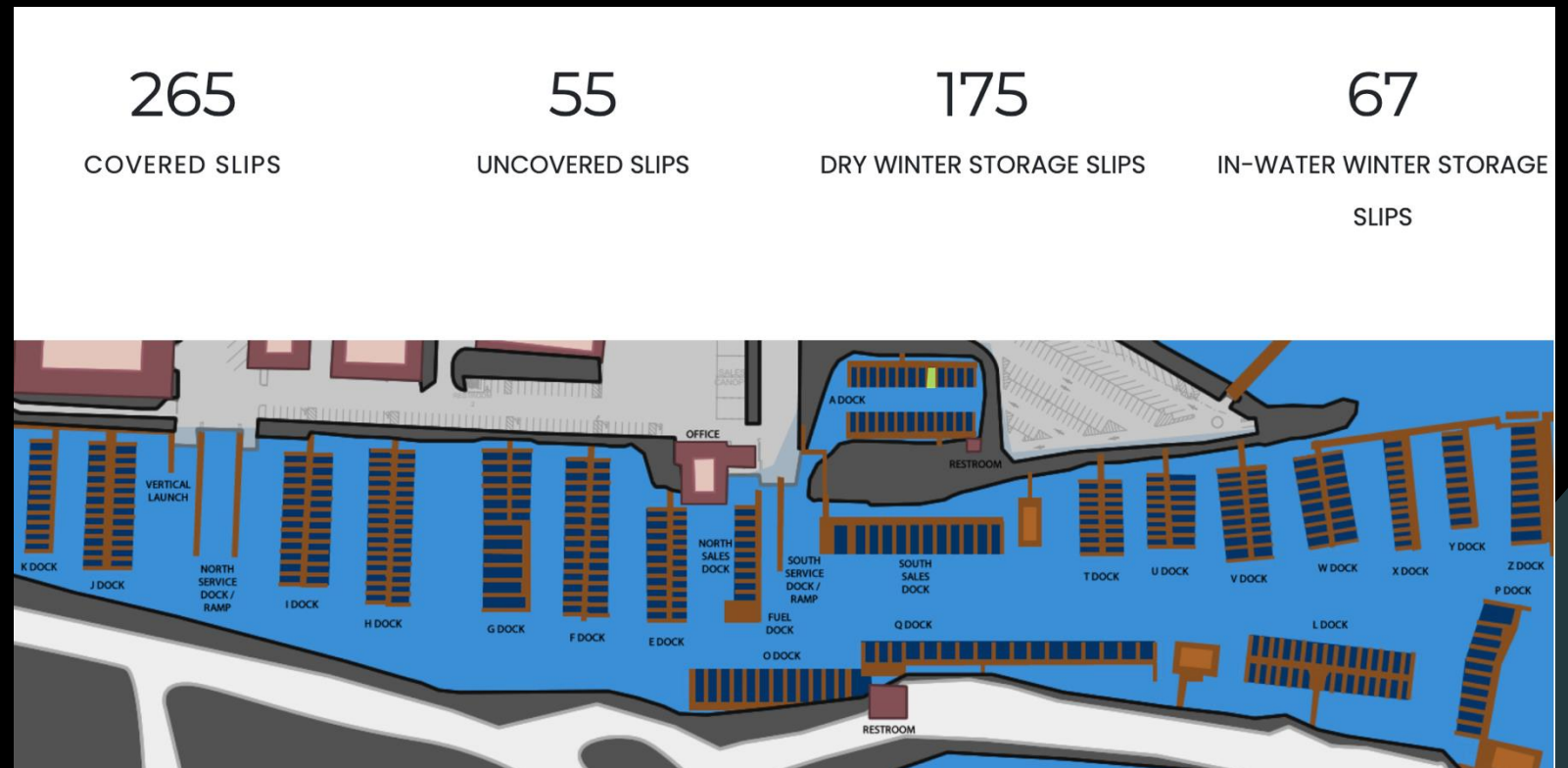
Permission is hereby granted to Fred R. and Susan L. Murphy - Murphy's Landing Marina of 1682 W. Blackwell Mill Rd., Coeur d'Alene, ID 83814 to install and maintain 2 docks with 104 covered slips, 15 open double slips & 5 jet ski ports. (see also L-95-S-0202). A 170' x 165' marine construction area which include work docks and shop. Located: Coeur d'Alene Lake, Tax AIN: 104067, Parcel 50N04W-14-5600, Section 14, Township 50 North, Range 04 West; Boise Meridian: Kootenai County.



2014

Adjacent Commercial areas: Blackwell Island Marina

2 boat launches
Seawall for quick launch



Proposed Permit Requested in Application

- Boat Launch
 - Riprap/seawall
 - Dredging/Excavation
 - Commercial work dock
 - Structure on top of commercial work dock
 - Year-Round work zone
-

Base Standard By Which To Approve Stancraft's Applications

- I.C.58-1301
 - IDAPA 20.03.04.012
 - Cited and quoted by IDL in Pre-Hearing Statement
 - Summary:

Balance public use of State's waterways so as to provide for their commercial, navigational, recreational or other public use. (IDL Pre-Hearing Statement at 6)
-

Boat Launch

- No specific standards in IDAPA 20.03.04 for boat ramps or launches
 - IDL has historically permitted and allowed boat launches for commercial facilities or county facilities.
 - Question to be answered: What public benefit is derived from granting StanCraft's application request for a commercial boat launch?
 - The public benefit that can be derived from our commercial use is:
 - Increase competition for marine construction companies on the lake (IDL-2002 at 21)
 - Decrease commercial traffic at public boat launches (IDL-002 at 21)
 - Decrease marine construction transportation of material across the lake (IDL-002 at 21)
 - Provide a rapid response site to deploy response services (IDL-002 at 31)
 - Fulfillment of MOU with Kootenai County to provide transportation and removal services (IDL-002 at 33)
-

Murphy's Boat Launches

Adjacent Commercial
Property



Blackwell Marina Boat Launches

Adjacent Commercial
Property

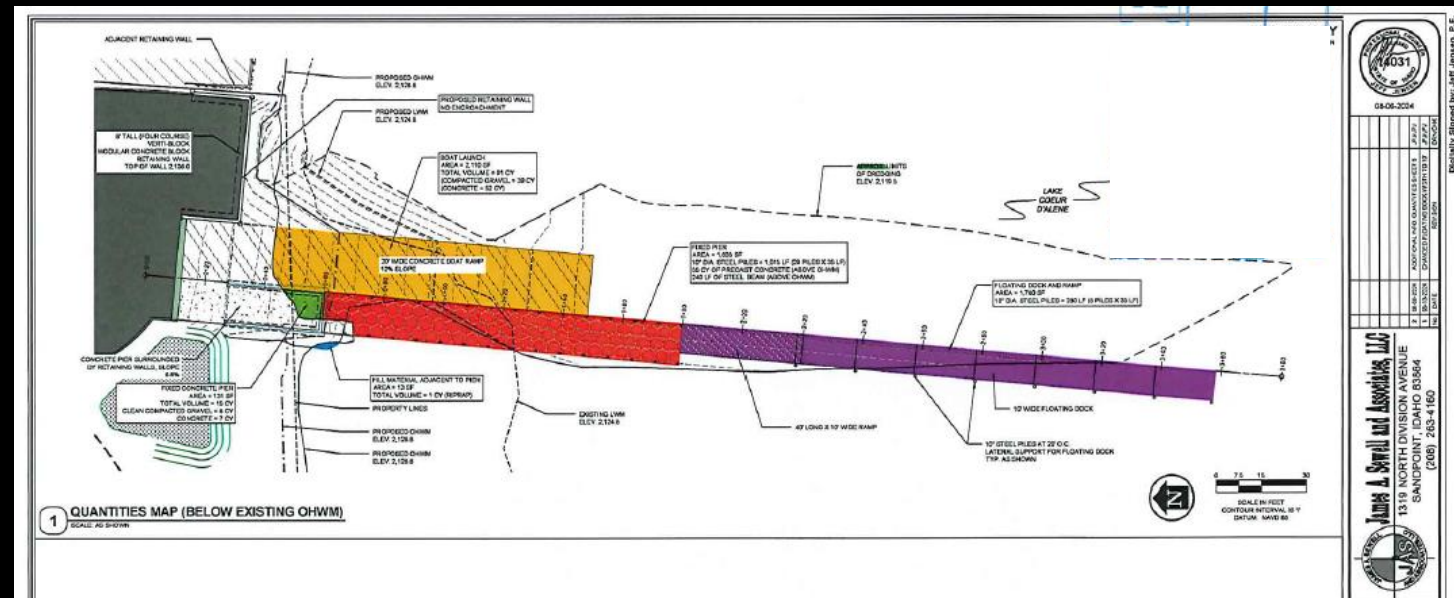


Riprap/Seawall

- Proposed use of 1 cy of riprap to stabilize the shoreline to the west of the commercial work dock
 - Proposed use of 39 cy of gravel, rock or stone proposed to stabilize and protect the boat launch (IDL-002 at 10)
 - Both of these requests are consistent with IDL Standards (Pre-Hearing Statement starting at 14)
 - Both are of the type of encroachment that have historically been approved in the past
 - 8 cy Standard, Approved if:
 1. Major environmental;
 2. Economic; *or*
 3. Social benefitTo the public
-

Riprap/Seawall Continued

- Needed for stable pier system dock transition to boat ramp (IDL-002 at 10)
- Vehicle traffic to boat ramp
- Transfer material to and from boats
- Reduce negative impact on water, environment, fish and wildlife



Riprap

Addressing IDL's comments (IDL Pre-Hearing Statement, 14) regarding the 8 cy of fill below the pier James A. Sewell engineer Jeff Jensen states the following:

There is fill inside of the concrete pier to support the slab on grad at the pier. That is the most common way to construct the pier based on the site conditions and ramp. There is only about 3' of elevation difference between the ramp elevation and existing ground and the water depth in that location is less than 18".

There is a way to install piers and float the sloped pier ramp above the water however, there will still need to be fill associated with the boat launch to support the boat launch so the lake bed area will be reduced in that area no matter what.

That existing fill area associated with the original dock will go away thought so the reduction in lake bed area will be minimal.

Jeff Jensen, P.E. (Idaho)



James A. Sewell & Associates, LLC

ENGINEERING • SURVEYING • LAND USE PLANNING

1319 North Division Avenue

Sandpoint, Idaho 83864

Phone: (208) 263-4160

Fax: (208) 263-5229

www.jasewell.com

Seawall

- IDL Pre-hearing statement stated that the seawall is not within IDL's jurisdiction
 - “The applicant has proposed a seawall or retaining wall, however, it appears that the retaining wall will be placed on the upland portion of the parcel above the OHWM and thus outside of IDL's jurisdiction.”
(IDL Pre-Hearing Statement, 13)
-

Dredging/Excavation

- Standard: IDAPA 20.03.04.015.11.b states dredging “must have a clear environmental, economic, or social benefit to the people of the state, and must not result in any appreciable environmental degradation...”
 - A representative from Panhandle Health district commented on the project and noted “I am pleased to see the plans to include measures to handle any contaminated sedimented they may encounter” (IDL-003)
 - Benefits include:
 - The dredging area has been dredged in the past and with sediment build up needs to be addressed again.
 - The neighboring marina uses this channel to access slips (IDL-013 at 16 and IDL-013 at 18)
 - Dredging is necessary to use the seawall and boat launch. Both the seawall and boat launch provide both economic and public benefit to conduct a marine construction and marine services business (see slide 15)
 - We are committed to mitigating our environmental impact and have including plans for the dredged material following DEQ guidelines.
-

Dredging/Excavation in the Area

Dredging has been used for similar
purposed to ours in the past



2010



2024

Conex/Shed Structure on Commercial Work Dock

- IDAPA 20.03.04.030.02 requires justification for the structures if there is an environmental, economic, or social benefit to the general public to be approved
- IDAPA 20.04.04.010.016 classifies the structures on the work dock as non-navigational
- **Economic:** Competitor to the east has non-navigational encumbrances on its work zone dock, prohibiting Applicant from having storage on the work dock to protect equipment is a competitive disadvantage.
- **Environmental:** Tools and equipment will be stored inside providing a dry, contained, and secure location close to work zone to prevent interaction with the environment.
- **Social Benefit:** Valuable on-water storage space for emergency response equipment for both KC Parks and Waterways (IDL-002 at 31-36)



Neighboring Non-Navigational Aids

Updated Commercial Work Dock

- Site contains existing commercial encroachment #L95S6105
- The proposed L-shaped dock will replace the unpermitted log raft, with all the log debris being removed from the lake.
- **The removal of the unpermitted log raft would be a major public benefit** as the current unpermitted log raft poses an impediment to navigability and a hazard to general boating safety.
- The L-shaped work dock also would contain wave attenuation components that will help protect the shoreline to the west from storm waves as well as debris.



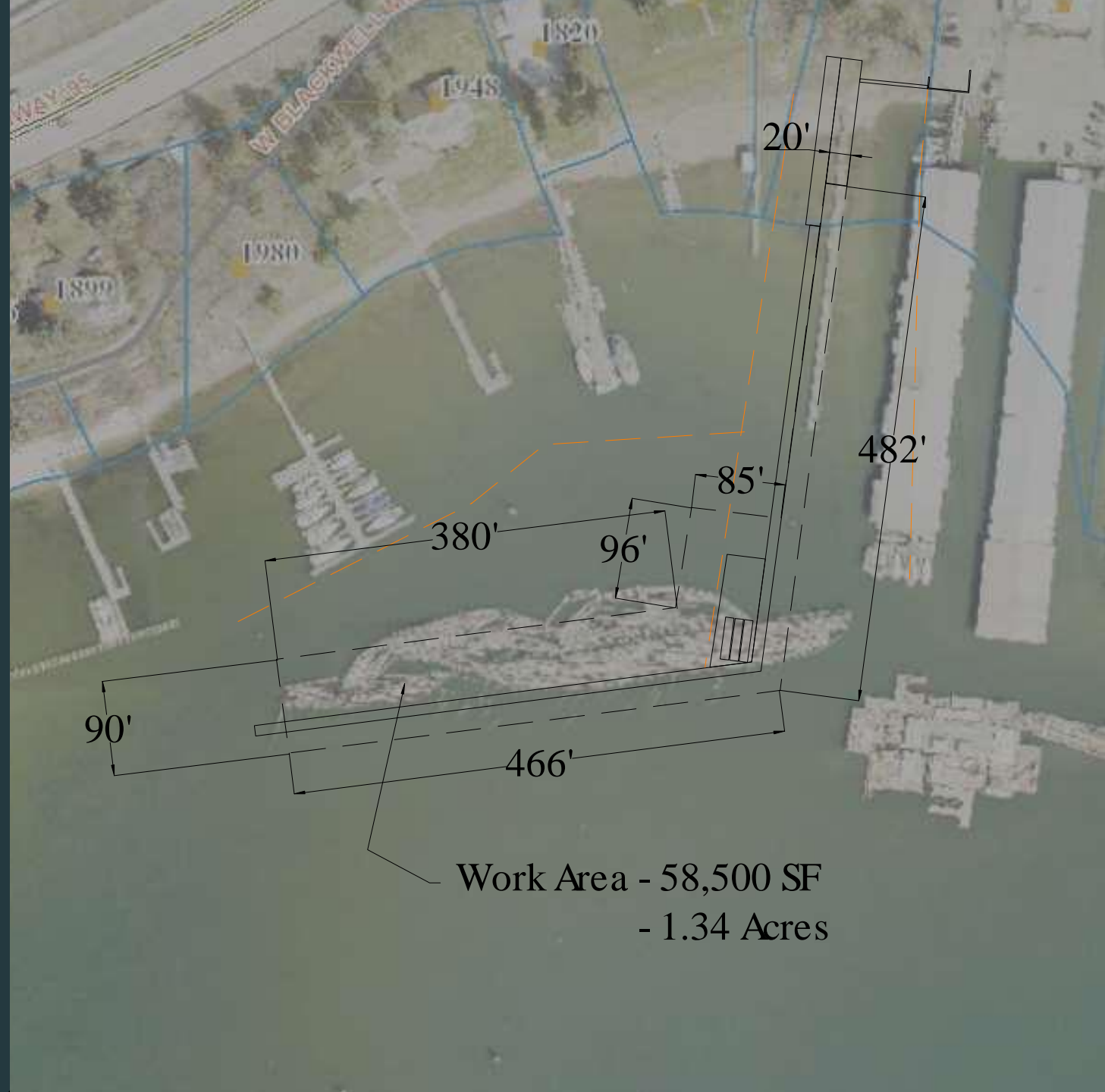
Updated Commercial Work Dock

- L-Shaped dock was created in collaboration with some of the neighboring properties (IDL-002 at 37-38)
- It was decided that a large L-shaped dock protecting the shore and creating a cove was the most beneficial.
- The L-Shaped portion of the work dock is outside (more than 25 feet) from the LON and does not interfere with littoral rights of neighbors
- Local residents will be able to depart around the end of the dock and have a log free, safe, navigable channel to use.



- Developed with input from the neighboring properties and provides:
 - Protection for the shoreline
 - Removes non-conforming log pile
 - Increases state submerged land lease revenue
 - Provides safe pathway for boat traffic

See Chowder Club Letter of Support



Year-Round Work Zone

- IDAPA 20.03.04.030.02, 20.03.04.015.13 does not outline specifics for year-round work zone
 - Year-round work area is greater than 25 feet from the adjacent littoral rights line – the presumption of adverse impact does not arise (IDAPA 20.03.04.015.13(e))
 - Due to non-navigational nature, benefits include:
 - **Environmental Benefit:** Eliminates commercial activity across the lake by having a central location near our winter dock storage lease in Cougar Bay. Lease #B220168
 - **Economic Benefit:** Provides more income to the state through a submerged land lease and allows for the economic activity to operate StanCraft Marine Construction
 - **Social Benefit:** Significantly reduces commercial dock transport across the lake and provides a clean, safe, and essential environment for marine construction activity to occur. Allows fulfillment of MOU with Kootenai County
 - Adjacent commercial marine construction property maintains a year-round work-zone for marine construction purposes.
-

An aerial photograph of a construction site. A large, rectangular structure is being built on a work dock. The structure is surrounded by water. In the foreground, there is a large, irregularly shaped structure, possibly a pile of debris or a large rock. The background shows other construction elements and a body of water.

ADJACENT WORK ZONE, WORK DOCK, AND STRUCTURE ON WORK DOCK



Summary

- The application is a proactive approach by Rivelle, LLC to operate in a clean, safe, environmentally conscious, and community-engaging way.
 - We have shown great public benefit for each of the categories in question:
 - Boat Launch, Riprap/seawall, Dredging/Excavation, Commercial work dock, Structure on top of commercial work dock, and Year-Round Work Zone.
 - We look forward to continuing to support the over 3500 waterfront homeowners on Lake Coeur d'Alene, commercial businesses and provide crucial emergency response support to KC parks and waterways and KC Sheriff's Office.
 - StanCraft, a 90-year-old company, has been a staple in the community for decades providing hundreds of local jobs.
-