

From: [Scott Scofield](#)
To: [Merritt Dublin](#); [Filings](#); navigablewaterways@idl.idaho.gov
Subject: FW: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST
Date: Friday, December 27, 2024 1:22:50 PM

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Dear Madam Hearing officer:

In a separate email we will provide you a copy of the letter and attachments that many area residents have submitted to the navigablewaterways@idl.idaho.gov email address. Residents are requesting an extension and a second hearing in the above referenced case of the expansion permit due to the non-permitted log boom area information that came out at the 12/19/24 hearing.

Please find enclosed our Opposition Points for the On Site Walk-Thru on 12/20/24, along with the three supporting attachments.

Opposition Points Observed on Site Walk-Thru 12/20/24 with Merritt Dublin, John Richards, Scott Hislop, Jose Jara, Scott Scofield and Sheryl Scofield

1. Encroachment into PUBLIC WATER – See Attachment #1 – The applicant will be encroaching on PUBLIC water on the East, South to the log boom and the West. These three sides have not been part of any permit and the water belongs to the people of Idaho.

South Encroachment – When Attorney Scott Hislop was asked by Jose Jara if the new owners planned to rent moorage on the proposed outside walkway/”breakwater”, Mr. Hislop answered by saying they did not know for sure at this time.

However, since it is currently being done and would be additional revenue, we believe it would be safe to assume that they would continue mooring houseboats and yachts on the new walkway/”breakwater” despite encroaching into the no-wake zone. This should be determined before any permit is issued, because it affects the encroachment on public water in this way: the width of the waterway out to the log boom (50-70 ft?), the width of yachts/houseboats (20-60 ft+/-), plus boats must navigate 50 ft from the moored boats, and finally the amount of navigable water boats would need to travel into and out of the marina and no-wake zone(minimum 150ft for two boats). This could be a 300+ foot encroachment of public water along the length of the proposed new marina

before local families would be able to anchor and recreate in THEIR water. This could take away somewhere around 2+ acres of navigable water and recreation space (conservative calculations) that should belong to the people of Idaho, and give it to private LLCs and investors that will profit greatly at the expense of Idaho residents.

Note: In the Applicant's Pre-Hearing Statement, in 5.1.5, the Applicant states "The log boom is a defined boundary of the existing encroachment permit". We know that in the 12/19/24 hearing an IDL employee admitted that there is currently no permit for the Applicant to encroach out to the log boom and there never has been such a permit for previous owners. This water belongs to the State of Idaho and its citizens.

The Applicant also states in that section that "The Public Trust Doctrine balance test is satisfied"; we disagree because the expansion is only at a great LOSS to the public.

2. Choke Point – See Attachment #1 – The applicant is planning to extend the current marina on the east and south sides which will create a 320 ft potential navigation choke point.

We pointed out on the site walk-thru how close the shoreline point of the private residence across the river, is from the CURRENT gas station/ship store. The plans to move the gas station/ship store east and south will drastically cut the entrance/exit between the river and no-wake zone to 320 feet for boats to navigate!

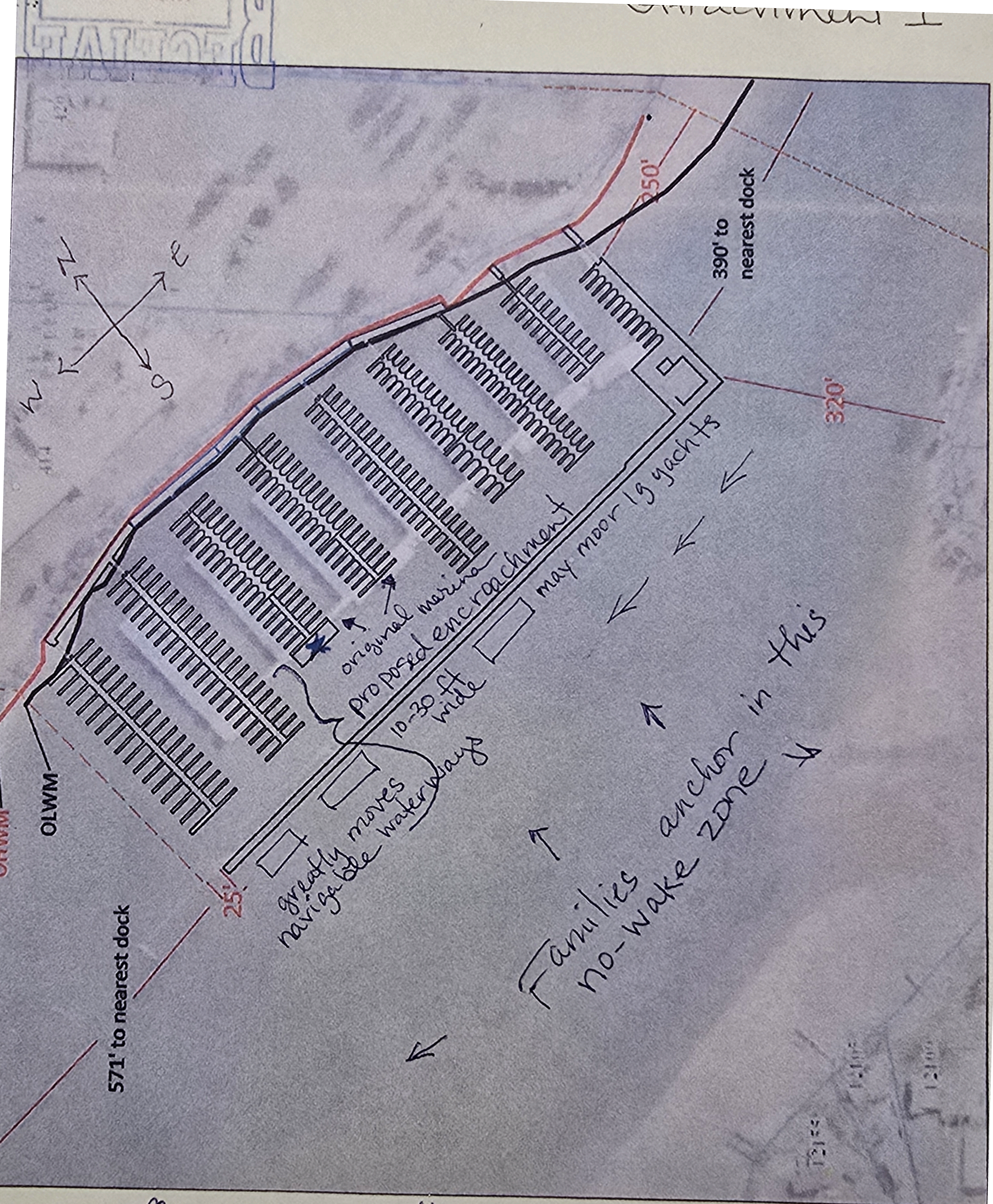
We also pointed out that with such a narrow passage, it will be even more of a choke point and congestion with boats ranging in size from 20' – 90' navigating and waiting in line to get fuel on the east side.

3. Swim area – See Attachment #2 – Attorney Scott Hislop showed the Hearing Officer the span of the Applicant's beach, but we pointed out that it will no longer be the size that he described. We clarified that they are planning to cut the swimming area to make a very small 80x80 foot swimming area, and the remaining part of the swimming area/beach area will be for boats to be pulling in/out for fuel.
4. Water pollution – See Attachment #3 – As we were viewing the site we noticed some murky buildup next to the ship store/gas station. Is the gas station leaking and affecting the environment and fish around the marina? A sample should be collected and studied since the Department of Environmental Quality and the Department of Fish and Game have both made NO COMMENT.
5. Sheriff garage relocation – See Attachment #1 – We pointed out that the Sheriff boat will now have to travel west before being able to exit the marina and then U-turn to head east and upriver, whereas previously, the sheriff boat could

immediately proceed east to head upriver to an emergency.

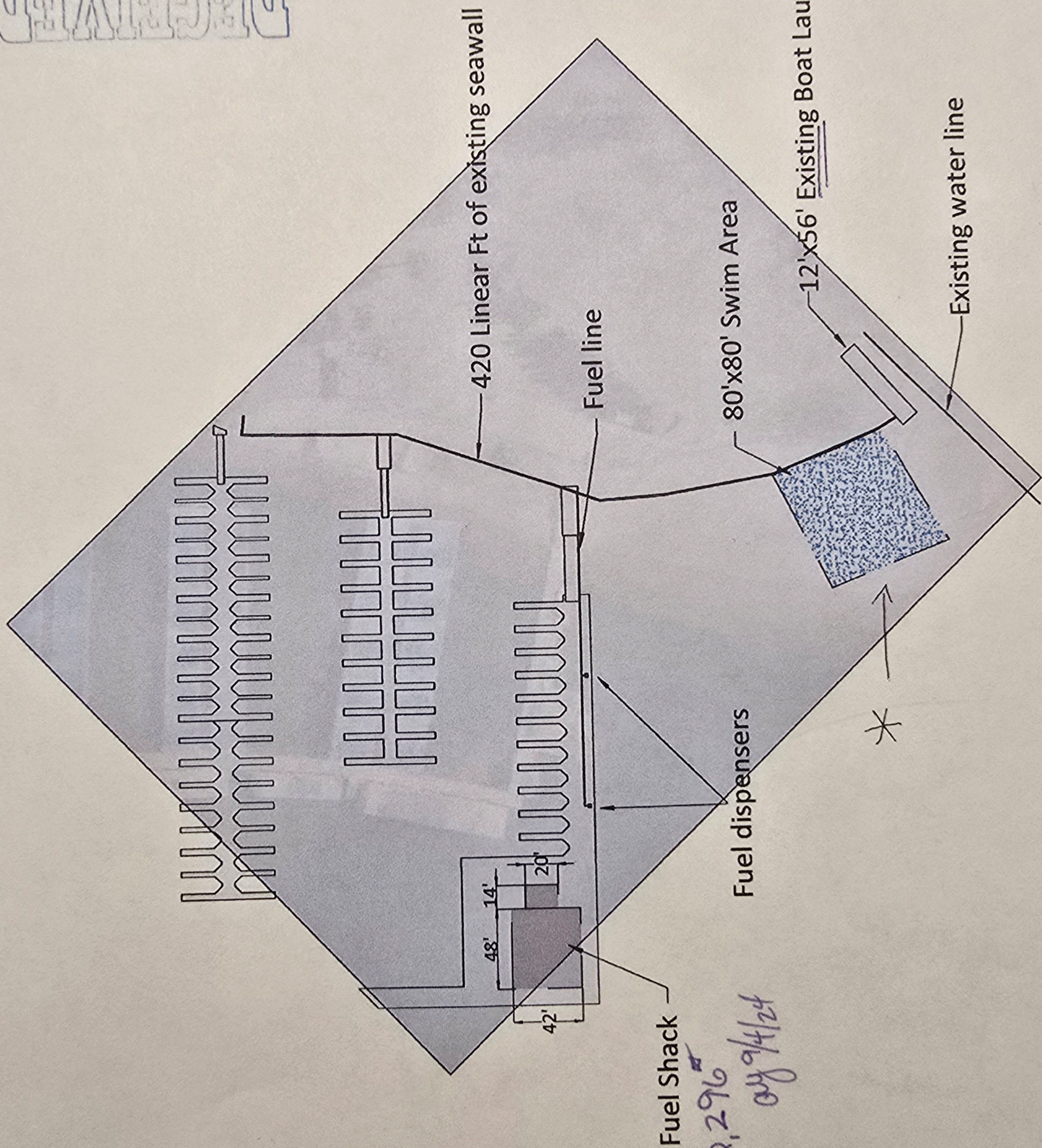
On what basis can the Applicant state in their Pre-Hearing Statement that there is a social benefit, when in fact they are relocating the Sheriff garage further into the marina and making a more cumbersome path?

The Applicant is requesting approval of their IDL encroachment permit, but the citizens who oppose this encroachment permit respectfully request that the permit be denied. This encroachment will negatively impact more people than even realize what is happening, because of the notification process as well as the timing being at Christmas. We respectfully request that the Applicant be grateful for the amount of water that they have, and that they do their improvements within the current permit that they purchased. If they do so, the people in the surrounding area will be happy to patronize their business and admire and enjoy all of their improvements.



* Sheriff garage re-location

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