

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of Marina Expansion,)
) AGENCY Case No. PH-2024-NAV-20-003
Long Bridge Land Holding Company, LLC,)
Benjamin Milbrath,) OAH Case No. 24-320-10
)
Applicant.) **SECOND SCHEDULING ORDER**
)
)
_____)

A second scheduling videoconference was conducted on January 21, 2025. Appearances were made by Hearing Officer Leslie Hayes, Applicant Benjamin Milbrath and his counsel, John Finney, Scott Hanson and Lance Lane of Laneco Marine for Applicant, Idaho Department of Lands (IDL) counsel, John Richards, and Robert Beachler and Jerry Wilson for Objector Idaho Transportation Department (ITD).

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

1. On or before **February 21, 2025**, the parties will file the following with the Hearing Officer and serve on the opposing party:
 - a) 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
 - b) An exhibit list of all documents, drawings, photographs, or other demonstrative evidence to be considered at the hearing; and
 - c) The parties shall provide a copy of their proposed exhibits to one another and the Hearing Officer. All exhibits should be marked to reflect the party offering the exhibit and the exhibit number. Copies of all exhibits on the exhibit

list. All exhibits should be marked to reflect the party offering the exhibit. Applicant's exhibits shall begin with "LBM" (LBM-1, LBM-2, LBM-3, etc.); IDL's exhibits shall begin with "IDL" (IDL-1, IDL-2, IDL-3, etc.); and Objector ITD's exhibits shall begin with "ITD" (ITD-1, ITD-2, ITD-3, etc.).

2. On or before **February 21, 2025**, the parties will file with the Hearing Officer and serve each other their prehearing statement. Each party's prehearing statement should summarize the facts and law they intend to rely on at the hearing. Applicant may rely on the application as the prehearing statement and Objector may rely on the objection as the prehearing statement.

3. **An in-person, one-day evidentiary hearing is scheduled for March 6, 2025, beginning at 4:00 p.m. Pacific Time and going no later than 8:00 p.m. Pacific Time. The hearing will be at Sagle Elementary School in the school's gym. The address of the school is 550 Sagle Rd. Sagle, Idaho 83860.** An optional Zoom link will be available for remote viewing of the proceedings after the prehearing conference. Testimony/Public Comment will not be taken from remote participants. The hearing will be recorded and the ordering of transcripts, if any, will be discussed at the time of the hearing.

4. **A remote prehearing conference will be held via Zoom on February 27, 2025, at 2:00 p.m. Mountain Time.** A Zoom hearing link will be sent contemporaneously with this order.

5. 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 elaine.maneck@oah.idaho.gov and filings@oah.idaho.gov.

6. The Hearing Officer will arrange for a court reporter, if necessary. The cost of transcripts, if any, will be governed by IDAPA 62.01.01.601.

7. 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 Elaine Maneck at elaine.maneck@oah.idaho.gov to schedule a status conference.

DATED: January 23, 2025.

OFFICE OF ADMINISTRATIVE HEARINGS

/s/ Leslie M. Hayes
Leslie M. Hayes
Deputy Chief Administrative Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of January, 2025, I caused to be served a true and correct copy of the foregoing by the following method to:

Benjamin Milbrath
Long Bridge Land Holding Company
P.O. Box 1942
Spokane, WA 99210
(612) 245-9665
Applicant

U.S. Mail
 Email:
LBLHCO@outlook.com

John Finney
120 E. Lake Street, Ste. 217
Sandpoint, ID 83864
(208) 263-8211
Counsel for Applicant

U.S. Mail
 Email
johnfinney@finneylaw.net

Neva Lane
Laneco Marine
PO Box 541
Kootenai, ID 83840
(208)514-3900
Applicant's Agents

U.S. Mail
 Email:
info@lanecomarine.com

Idaho Transportation Department
Robert Beachler
600 W. Prairie Ave.
Coeur d'Alene, ID 83815
(208) 772-1216
Planning & Scoping Program Manager

U.S. Mail
 Email
robert.beachler@itd.idaho.gov

Leslie Hayes
Officer of Administrative Hearings
Hearing Officer

U.S. Mail
 Email
leslie.hayes@oah.idaho.gov

Idaho Department of Lands
John Richards
General Counsel
300 N. 6th Street, Ste. 103
Boise, ID 83702
(208) 334-0200
Counsel for IDL

U.S. Mail
 Email:
jrichards@idl.idaho.gov

Idaho Department of Lands
Marde Mensinger

U.S. Mail
 Email:

300 N. 6th Street
Boise, ID 83720
(208) 334-0248

IDL Program Manager for Navigable Waters

mmensinger@idl.idaho.gov

Kourtney Romine
Service Contact for IDL

U.S. Mail
 Email:

kromine@idl.idaho.gov

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

U.S. Mail
 Email:

filings@oah.idaho.gov

/s/ Leslie M. Hayes

Leslie M. Hayes
Office of Administrative Hearings