

**From:** Matthew Burris <matthew\_burris@hotmail.com>  
**Sent on:** Thursday, December 26, 2024 10:39:01 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** 1000005400.jpg (3.05 MB), 1000005399.jpg (2.27 MB)

**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.**

414 PF Hospitality, LLC  
IDL Case No. PH-2024-NAV-22-004/  
OAH Case No. 24-320-09  
Encroachment Permit Application No. L95S3036N

Madame Hearing Officer and Idaho Department of Lands:

We are requesting an extension for a new hearing for the following reasons:

1. New information disclosed at the public hearing:

During the hearing on December 19, 2024, the log boom area was being disputed. The developers' attorney, Scott Hislop, stated that they are staying within their current footprint, and you correctly inquired as to whether the water from the end of the current slips/walkway out to the log boom and including the log boom, was indeed part of the original permit. It was then disclosed by an Idaho Department of Lands representative that the log boom area is NOT and never has been a part of the originally permitted area for the marina. (See attached Exhibit A from the IDL website for this case; different photos were used by Mr. Hislop at the hearing). Mr. Hislop's exact words in his Applicant Pre-Trial Hearing Statement 3.1.1 states "The reconfigured commercial marina with some private moorage will fit within the 'overall footprint' of the existing commercial marina." This does not appear to be accurate- it should be the existing "permitted" commercial marina. The developers have submitted plans for their marina expansion to **include the navigable waterway** between the current marina dock footprint, to the log boom(south). Accordingly, this would not be staying within their current **permitted** footprint; the log boom has been in place prior to any marina and was used for logging purposes. Additionally, the developers are encroaching on the east and west sides as well (see Exhibit B from IDL website for this case), which is another example of them not maintaining their existing (permitted) footprint as they claim.

2. Lack of notice to the community:

1. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.
2. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

Please consider the above as reasonable and fair; particularly #1, as this confirmation of the log boom NOT being part of the original footprint was exactly what we believed to be the case.

**PC-00033**



The developers engulfing this amount of navigable water and recreation space will NOT benefit of the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

Name: Matthew Burris

City: 5650 E Shoreline Dr.- POST FALLS, ID



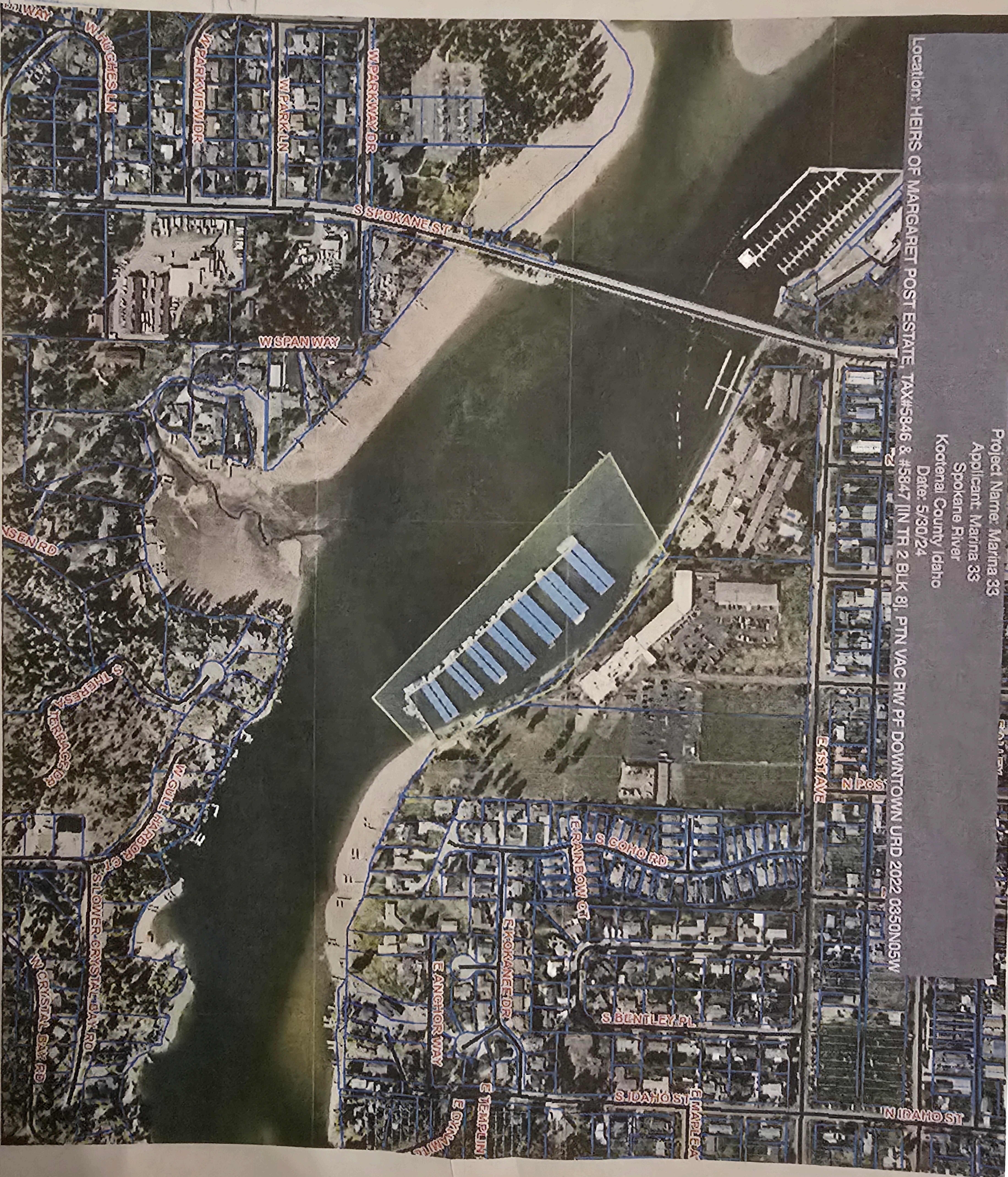
A





Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 IIN TR 2 BLK 8, PTN VAC RW PF DOWNTOWN UPD 2022 0350N05W



B



**From:** Bill <tyla42@gmail.com>  
**Sent on:** Thursday, December 26, 2024 7:19:43 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** 1000005400.jpg (3.05 MB), 1000005399.jpg (2.27 MB)

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414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

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2. Lack of notice to the community:

**PC-00034**



- a. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.
  - b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.
3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

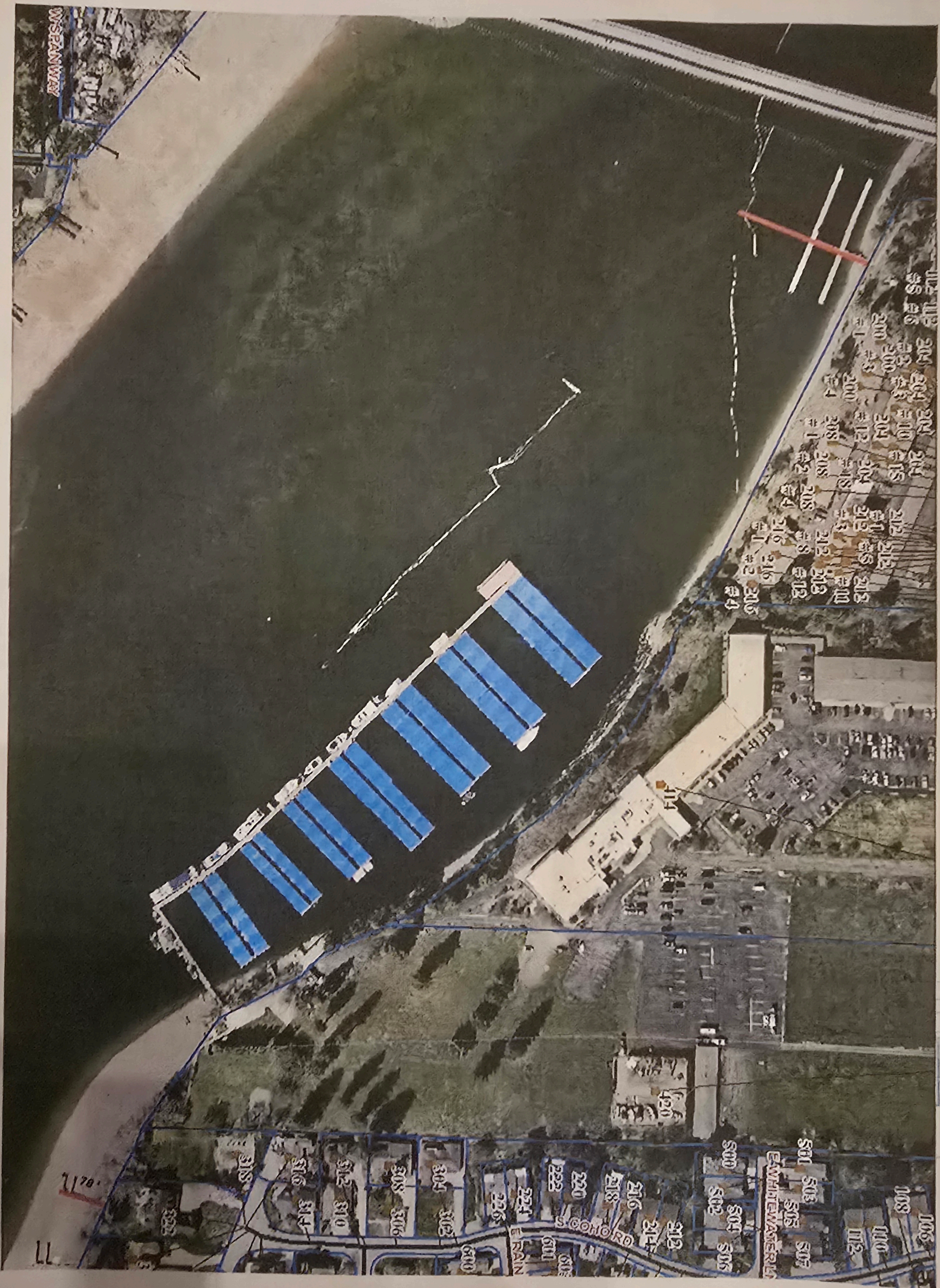
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The developers engulfing this amount of navigable water and recreation space will NOT benefit the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

Bill Nienau

Post Falls, Idaho







Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 IIN TR 2 BLK 8, PTN VAC RW PF DOWNTOWN UPD 2022 0350N05W



B



**From:** ATT& Mail <catbedford@att.net>  
**Sent on:** Monday, December 23, 2024 11:45:16 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** Letter to Idaho Dept Land .docx (16.16 KB)

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Please be advised that as a resident of Greenview Condominium Association, I am strongly against having any type of expanded docking in the vicinity of our homes.  
I was unable to attend the meeting as we were not properly noticed. The owners of homes in Greenview, the property directly next to this "proposed expansion" oppose this project for the many reasons outlined in my letter attached below.  
Thank you for your consideration in this matter. Please do not approve this,  
Sincerely,  
Catherine Bedford



December 21, 2024

To: navigablewaters@idl.idaho.gov  
Idaho Department of Lands

Re: DL Case No. PH-2024-NAV-22-004 / OAH Case No. 24-320-09  
414 PF Hospitality, LLC

From:  
Catherine Bedford  
204 1<sup>st</sup> St. E-10  
Post Falls, ID 83854

Objections and Comments:

1. We are very disappointed that we were NOT notified, nor was Greenview HOA. By happenstance, we found out 8 days ago. This is INEXCUSABLE since our property is right next door. The documents show that “our” notice was sent to ASI – and returned undeliverable. ASI was the management company used by the HOA over 5 years ago. Why was nothing done to get this to us? Where do we file to get our correspondents? Funny – IDL has the correct address to send us our waterway lease bill AND StarCraft – a sister company to 414 PF Hospitality – can bill us correctly for our dock repairs.
2. In our opinion, this lack of notice, became inexcusable – when almost every comment speaker at the Public Hearing – said they also did not receive notice. The 414 representing attorney and IDL stated that – to date, they haven’t heard from adjacent property owners. Those adjacent property owners were not properly notified
3. We do NOT believe that the Break Water – referenced multiple times – sets the boundary lines. This was NOT part of the original development by Bob Templin – it was a break water used for river logging that never got removed. Regardless of how long it’s been there, it should NOT set a boundary line. NO ENTITY – private or commercial – should be allowed to put water structures IN FRONT OF other people’s shorelines. The proposed new configuration puts the additional dock structure in front of our shoreline – specifically Buildings D and C. IDL would not allow a private party to put their dock structure in front of ANY other property owners – and it should not happen to us. While we don’t support the addition of more boat slips – IF more are added – they should be added to the EAST side of the Templin’s property, where they HAVE additional shoreline. Please do not let this application allow more marina to be added to Greenview’s shoreline.
4. Much was said at the Public Hearing about the congestion of boat traffic in our small ¼ mile area that is already established. This is true. We, like many others here at Greenview, do not use our boat on the weekends, because of boat traffic congestion – yes, even in the no wake zone. Please consider that in addition to testimony last night, Q’emiln Park, next to Spokane Street Bridge, has a public boat launch. We are unsure how many boats/trailers the park holds, but there is a CONSTANT stream of traffic coming



and going from there every day and very heavy traffic on the weekends. It's simply dangerous to have that many boats moored and launched in such a small footprint.

5. 414 suggests that they will improve safety on the water. How can this statement be a fact when our waterway is already overpopulated and dangerous. Adding more slips is going to improve safety.

Please do not approve this request. At the very least, do not allow any docks, structures, or otherwise to be put off the shoreline of Greenview's waterfront feet shoreline.

Respectfully,

Catherine Bedford



**From:** Jennifer Noel <hnl2bali@yahoo.com>  
**Sent on:** Thursday, December 26, 2024 7:18:04 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
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- b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

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Jennifer Noel

:

Hayden



A





Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE, TAX#5846 & #5847 1/4 TR 2 BLK 8J, PTN VAC RW PF DOWNTOWN URD 2022 0350N05W



AUG 27 2024

B



**From:** Krbjerome <krbjerome@aol.com>

**Sent on:** Monday, December 23, 2024 10:19:50 PM

**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>

**Subject:** 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST

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414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

Encroachment Permit Application No. L95S3036N

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**PC-00037**



3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

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Kathleen Gary  
Post Falls, ID

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A





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Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE, TAX#5846 & #5847 1/4 TR 2 BLK 8J, PTN VAC RW PF DOWNTOWN URD 2022 0350N05W



AUG 27 2024

B



**From:** Maggie Carli <maggiocarli6@gmail.com>

**Sent on:** Friday, December 27, 2024 5:14:45 AM

**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>

**Subject:** 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST

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414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

Encroachment Permit Application No. L95S3036N

Madame Hearing Officer and Idaho Department of Lands:

We live by Kiwanis Park in Post Falls and enjoy the river frequently. We see how the wake from the boats already traveling up and down the Spokane River affect the shore and swimming areas. I cannot imagine what the river will be like with over 100 new slips being built. I believe it is time to protect the river banks from the constant waves pounding them by the wake boats that run up and down the river. Adding 100+ boats making their way to the lake will cause more erosion. Please consider this and be thoughtful in your assessment of the permitting issue.

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**PC-00038**



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Name: Margaret and Tom Carli

City: Post Falls, ID

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A





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Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE, TAX#5846 & #5847 1/4 TR 2 BLK 8J, PTN VAC RW PF DOWNTOWN URD 2022 0350N05W



AUG 27 2024

B



**From:** Debbie Kerns <debkerns@msn.com>  
**Sent on:** Tuesday, December 24, 2024 4:50:33 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** Greenview B.jpg (3.05 MB), Greenview A.jpg (2.27 MB)

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Ross and Debbie Kerns  
Greenview Condominiums  
Post Falls, ID



A









**From:** Stephanie Hedman <stephhedman@gmail.com>  
**Sent on:** Wednesday, December 25, 2024 1:55:22 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST

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**PC-00040**



January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

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Name: Stephanie Hedman  
City: Rathdrum

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A





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Applicant: Marina 33  
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Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 LIN TR 2 BLK 8, PTN VAC RW PF DOWNTOWN URD 2022 0350N05W



AUG 27 2024

B



**From:** Tom Higgins <tom\_glenda@yahoo.com>  
**Sent on:** Thursday, December 26, 2024 8:52:46 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
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414 PF Hospitality, LLC  
IDL Case No. PH-2024-NAV-22-004/OAH Case No. 24-320-09  
Encroachment Permit Application No. L95S3036N

Madame Hearing Officer and Idaho Department of Lands:

We are requesting an extension for a new hearing for the following reasons:

1. New information disclosed at the public hearing:

During the hearing on December 19, 2024, the log boom area was being disputed. The developers' attorney, Scott Hislop, stated that they are staying within their current footprint, and you correctly inquired as to whether the water from the end of the current slips/walkway out to the log boom and including the log boom, was indeed part of the original permit. It was then disclosed by an Idaho Department of Lands representative that the log boom area is NOT and never has been a part of the originally permitted area for the marina. (See attached Exhibit A from the IDL website for this case; different photos were used by Mr. Hislop at the hearing). Mr. Hislop's exact words in his Applicant Pre-Trial Hearing Statement 3.1.1 states "The reconfigured commercial marina with some private moorage will fit within the 'overall footprint' of the existing commercial marina." This does not appear to be accurate- it should be the existing "permitted" commercial marina. The developers have submitted plans for their marina expansion to include the navigable waterway between the current marina dock footprint, to the log boom(south). Accordingly, this would not be staying within their current permitted footprint; the log boom has been in place prior to any marina and was used for logging purposes. Additionally, the developers are encroaching on the east and west sides as well (see Exhibit B from IDL website for this case), which is another example of them not maintaining their existing (permitted) footprint as they claim.

2. Lack of notice to the community:

- a. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.
- b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

Please consider the above as reasonable and fair; particularly #1, as this confirmation of the log boom NOT being part of the original footprint was exactly what we believed to be the case.

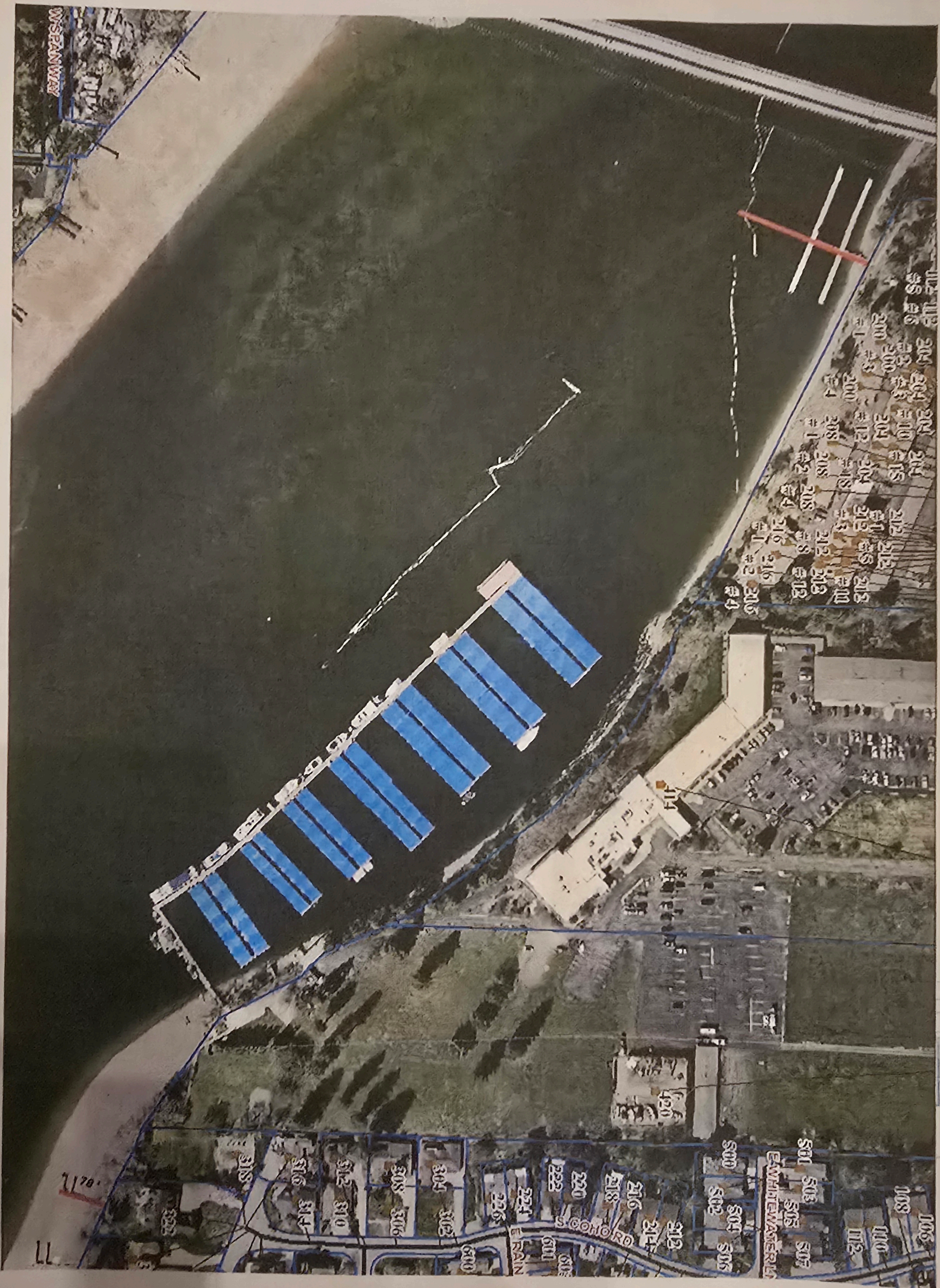


The developers engulfing this amount of navigable water and recreation space will NOT benefit of the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

Name: Thomas and Glenda Higgins  
200 E 1st Ave Apt 2  
Post Falls, ID 83854

City: Post Falls, Idaho

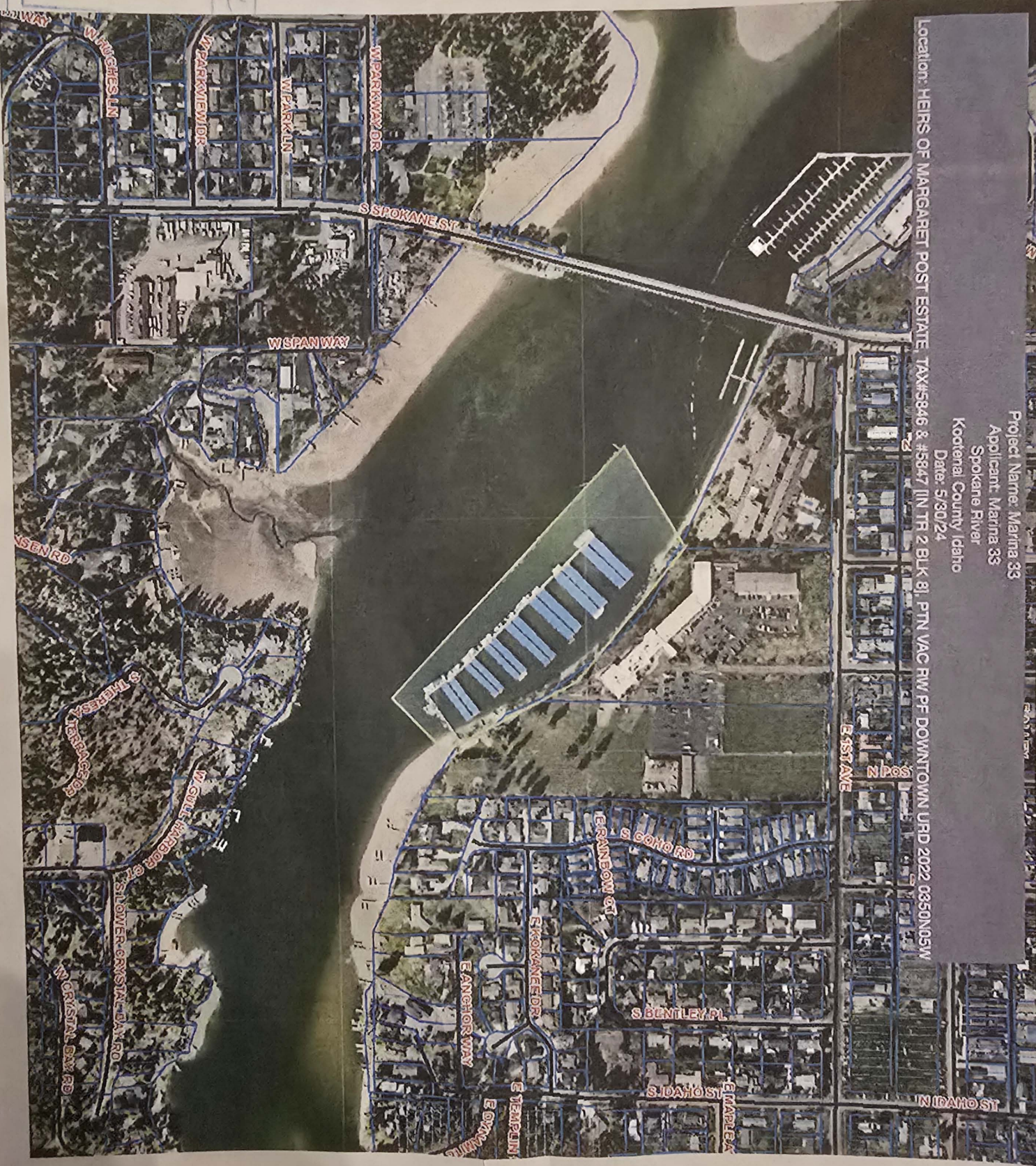






Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 IN TR 2 BLK 81 PTN VAC R/W P.F. DOWNTOWN URD 2022 0350N05W



AUG 27 2024

B



**From:** WILLIAM Brizee <bbrizee001@gmail.com>

**Sent on:** Thursday, December 26, 2024 7:18:13 PM

**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>

**Subject:** 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST

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Madame Hearing Officer and Idaho Department of Lands:

We are requesting an extension for a new hearing for the following reasons:

1. New information disclosed at the public hearing:

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This is does not appear to be accurate- it should be the existing "permitted" commercial marina. The developers have submitted plans for their marina expansion to **include the navigable waterway** between the current marina dock footprint, to the log boom(south). Accordingly, this would not be staying within their current **permitted** footprint; the log boom has been in place prior to any marina and was used for logging purposes. Additionally, the developers are encroaching on the east and west sides as well (see Exhibit B from IDL website for this case), which is another example of them not maintaining their existing (permitted) footprint as they claim.

2. Lack of notice to the community:

- a. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.
- b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

Please consider the above as reasonable and fair; particularly #1, as this confirmation of the log boom NOT being part of the original footprint was exactly what we believed to be the case.



The developers engulfing this amount of navigable water and recreation space will NOT benefit the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

William A Brizee

:

Hayden



A



WISPAWAY

WISPAWAY

COMO RD

RAIN

7170

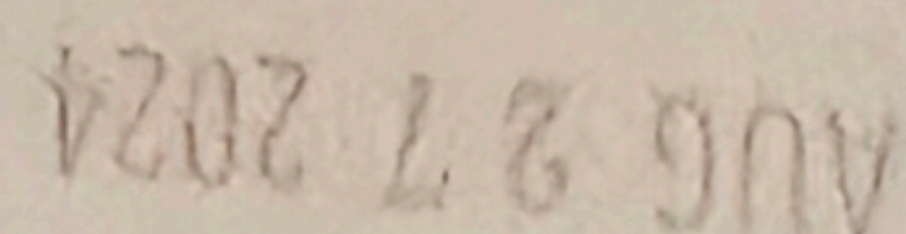
11



Kootenai County Idaho

Date: 5/30/24

55





**From:** Tracie Davis <tracie.davis80@yahoo.com>  
**Sent on:** Friday, December 27, 2024 4:19:13 AM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** application # L-95-S-3036N

**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.

This email is to address concerns regarding the request by Stancraft (414 PF Hospitality, LLC) to apply to expand the old Templins Marina. **IDL CASE NO. PH-2024-NAV-22-004 / OAH CASE NO. 24-320-09.**

My husband and I attended two hours of the public meeting held on December 19 at CDA High School. I have to question the timing of this meeting and the deadline to write letters....during Christmas when people are crazy busy and many are not home. Kind of makes me wonder if Stancraft is truly concerned about the citizens who live along the river.

In a nutshell, it sounds like the powers to be have already made up their mind to allow this expansion, but myself and others I've spoken to hope this is not the case. It was stated the river is a public waterway whose purpose is for our citizens to enjoy boating, swimming, fishing, and other recreational activities. While this **SHOULD** be what the river is used for, most of these activities are impossible with the extensive boat and jet ski traffic on the river. Enjoying the river while boating on a motorized boat, yes. But kayaking, no. Swimming, definitely not. Other recreational activities, no. Even fishing is debateable. One point the gentleman from the Idaho Land and Water agency addressed is the citizens' concern of increased traffic on the river. According to what he stated, this isn't a legitimate concern because there's no evidence supporting this. This is a ludicrous statement and I can tell you this received an overwhelming grumble of disapproval from those present. One reason for this "lack of evidence" is because the Marine Sheriff Department doesn't do its job in patrolling the waterways on the river and ticketing people who are not following the rules. I invite any of you to come and spend a weekend on our dock and you will see the excessive traffic already jamming our river. More boat slips will be detrimental to those who live along the river as we will not be able to enjoy the river as previously mentioned...for boating, swimming, fishing, and other recreational activities.

People from the public started speaking after the meeting had gone on for 2 hours and that is around the time we had to leave. I was number 15 to speak and I couldn't wait around for another 2 hours. We were only able to listen to 2 of the audience speakers. From my understanding, a great majority (if not all) of the people who spoke that night were seriously opposed to this expansion. Some concerns I have are:

Stancraft (414 PF Hospitality, LLC) is stating they will sell 99 slips which would privatize public land and waterways.

The gentleman from Stancraft kept saying this is going to benefit the people of Post Falls. However, from all evidence that was given to us, the only one who is going to gain anything from this is the Stancraft Corporation, which will see a return in revenue to the

**PC-00043**



millions of dollars by expanding this marina. This is privatizing our public waterway. To break it down, there are currently approximately 512 docks on the river. Currently, Stancraft Marina 33 (formerly Templins) has 21% of the docks. With this proposed increase, they will own approximately 30% of the docks on the river. But as we all know, this traffic won't affect the hotel or marina as it's a 5 MPH wake in front of the hotel and marina. The rest of us will feel the effects of this increase in traffic.

The new configuration of the marina would expand out into the river into what is considered an encroachment beyond the line of navigation. Again, their response is it's a 5 MPH No Wake Zone so that wouldn't really matter. However, they failed to address the fact that the majority of the river is NOT a no wake zone and those of us along the river are already dealing with way too much traffic. There's only so much traffic our narrow river can handle. The second homeowner who spoke did state (he was being sarcastic) the only way to make this work would be to widen the river. We know that is impossible.

The gentleman from the Idaho Waterways agency did state the line of navigation on our waterways is 150 feet from docks. In case you've not actually been on a dock in the river where there is not a 5 mph No Wake Zone, people on boats and jet skis often come within 30-50 feet of our docks at high speeds because there's too much traffic to safely pass. Again, I invite you to come and spend a couple of days on our dock. And that's exactly where you'd have to be because the water isn't a safe place anymore due to the extensive traffic and unsafe conditions. One of the widest parts of the river is in front of our community where we live. If all boaters and jet skiers followed the law, the most watercraft that could safely and legally pass one another in front of our community would be 4. However, there are often over 4 boats and multiple jet skiers that pass one another all the time. I have counted 6 jetskiers at one time riding and weaving in and out of up to 6 boats...all trying to navigate at high speeds. What makes it even more frightening is the number of times this has occurred with boaters towing young kids on rafts or wake surf boats with young kids following behind. Add in to the mix when the wake surfers or kids on the rafts fall and it's a disaster waiting to happen. And when it does, it's going to be tragic. Again, maybe if the Sheriff Dept did their job, this would subside. But adding more boat traffic is definitely not the answer. At other parts of the river, there is only room for 1-2 watercraft to pass at speeds over 5 mph if they are following the law of 150 feet from docks. My fear is until someone dies, nothing will happen. If this does happen, will the Sheriff Dept and Stancraft take responsibility? I doubt it.

If this increase in traffic is going to continue, Stancraft should pay to have buoys installed up and down the river to help boats travel outside the line of navigation. This will provide safety for those who want to enjoy the river as it was meant to be enjoyed. Additionally, since they are going to enjoy a large increase in revenue by privatizing our public waterways, they should also pay for additional sheriffs to patrol the river to make sure boats and jet skiers are following the laws.

One huge concern I have is the same as so many others and that is at no time did either the gentleman from Stancraft or the Idaho Waterways address concerns about the health of the river, the destruction of wildlife habitat such as the beaver dam that used to be next to our community, the erosion of the shoreline, the churning up of the sediments and minerals in the soil which is harmful to fish, humans, and other wildlife, or the



deterioration of docks and seawalls up and down the river due to the increased wakes caused by an increase traffic. The first homeowner who spoke did address this issue and the cost environmentally as well as financially this increase in boat traffic is costing homeowners. He also brought up the fact that Stancraft will be making millions of dollars yearly with this expansion while local homeowners are enduring prohibitive expenditures in the tens of thousands of dollars to repair property destroyed by the escalation in traffic that has taken place from boats and their wakes. Our community has to repair our community seawall due to the erosion caused by excessive wakes. The estimate for repair is \$35,000. Another one of our community areas needs to have work done. This will cost over \$10,000 to make proper repairs. Additionally, there are multiple homeowners in our community who in the past 5 years have had to spend tens of thousands of dollars to repair sea walls and docks. All this is due to increase in traffic and damage from the wakes this excessive traffic has caused. And this is just one community along the river. Adding more boat slips that will further increase traffic is adding fuel to the fire to those who have to endure continued cost to repair and rebuild docks and seawalls. The damage to the shoreline has no price tag. The health of our river and its shoreline is invaluable.

This expansion benefits no one except a corporation seeking to make money off of public waterways and land. Stop this application from moving forward now before more destruction to our river and increased unsafe conditions take place.

Sincerely,

Tracie Davis

Resident at 6372 W Harbor Dr

CDA



**From:** craig shedden <craigshedden@gmail.com>  
**Sent on:** Friday, December 27, 2024 9:02:30 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**CC:** craig shedden <craigshedden@gmail.com>  
**Subject:** Application: # L-95-S-3036N

**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.

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I am a resident right on the Spokane River between Post Falls and Lake Coeur D'Alene. I understand the mentioned application is to add over 100 new boat slips in the Post Falls marina.

Is there any consideration of expanding the No Wake Zone from the Hwy 95 bridge to the Post Falls marina?

With so many new marine vessels occupying the Spokane River from Post Falls to Lake Couer D'Alene; safety is a major concern of mine and other residents in our area.

Do you have any insight on this?

Craig Shedden

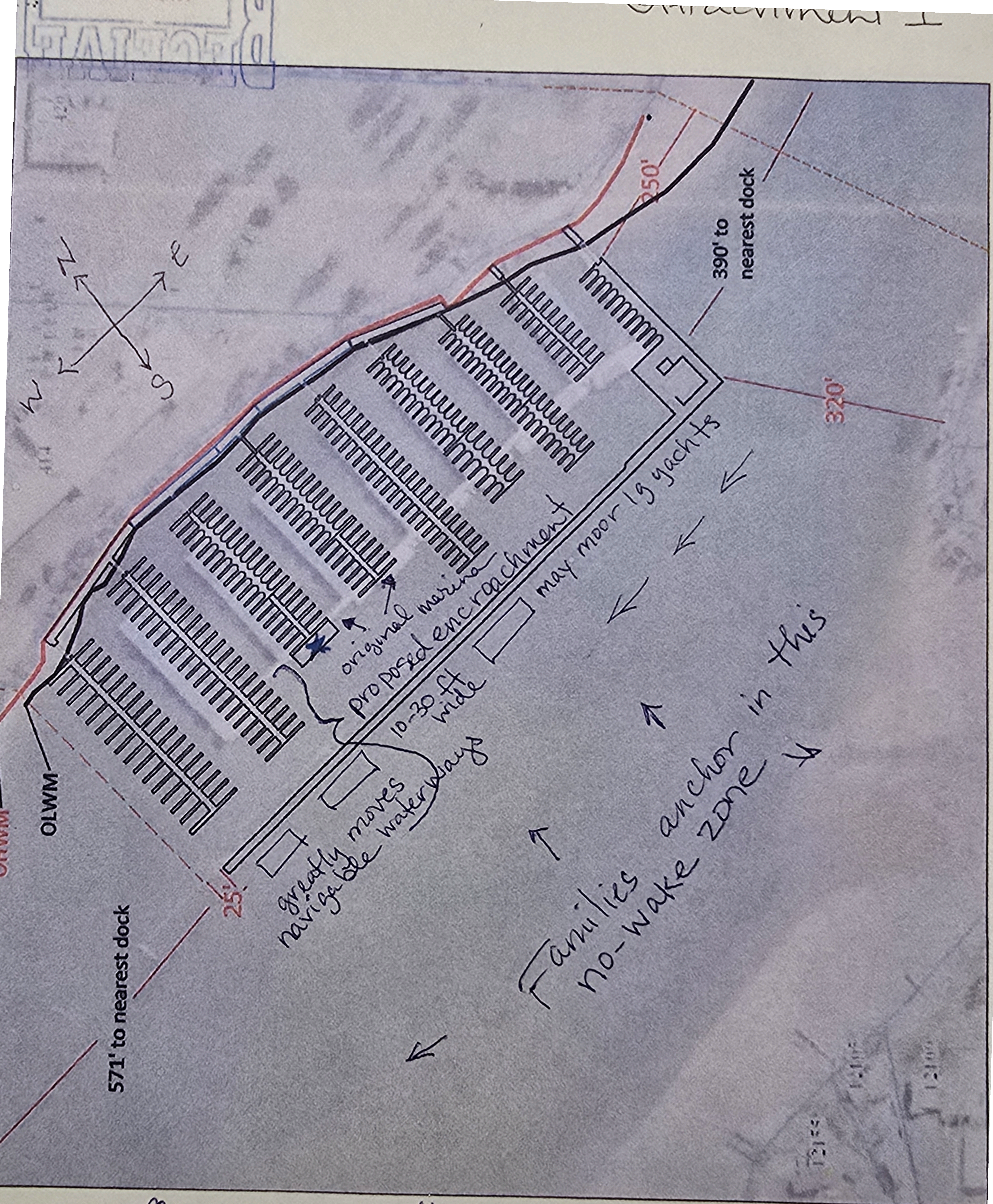


**From:** Karen Chuday <kzchuday@gmail.com>  
**Sent on:** Monday, December 23, 2024 8:16:40 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** Comments re Application #L-95-S-3036N  
**Attachments:** attachment 1.pdf (10.55 MB)

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.

> Hello,  
> Please read attached comments regarding 414 PF Hospitality LLC marina expansion application and let us know if you have any questions. Also please reply to this email address confirming you received this email.  
>  
> Thank you -  
>  
> John and Karen Chuday  
>  
>  
>  
>  
>





\* Sheriff garage re-location



**From:** Thomas Vinyard <trvinyard@gmail.com>  
**Sent on:** Friday, December 27, 2024 3:59:34 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** Encroachment

**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.**

414 PF Hospitality, LLC  
IDL Case No. PH-2024-NAV-22-004/  
OAH Case No. [24-320-09](#)  
Encroachment Permit Application No. L95S3036N

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1. New information disclosed at the public hearing:

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2. Lack of notice to the community:

- a. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.
- b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

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**PC-00046**



The developers engulfing this amount of navigable water and recreation space will NOT benefit of the citizens of Idaho, and we would argue that it violates IDAPA [20.03.04.012](#). Policy. (01.)

Name: Thomas Vinyard

City: Post Falls

image0.jpeg image1.jpeg



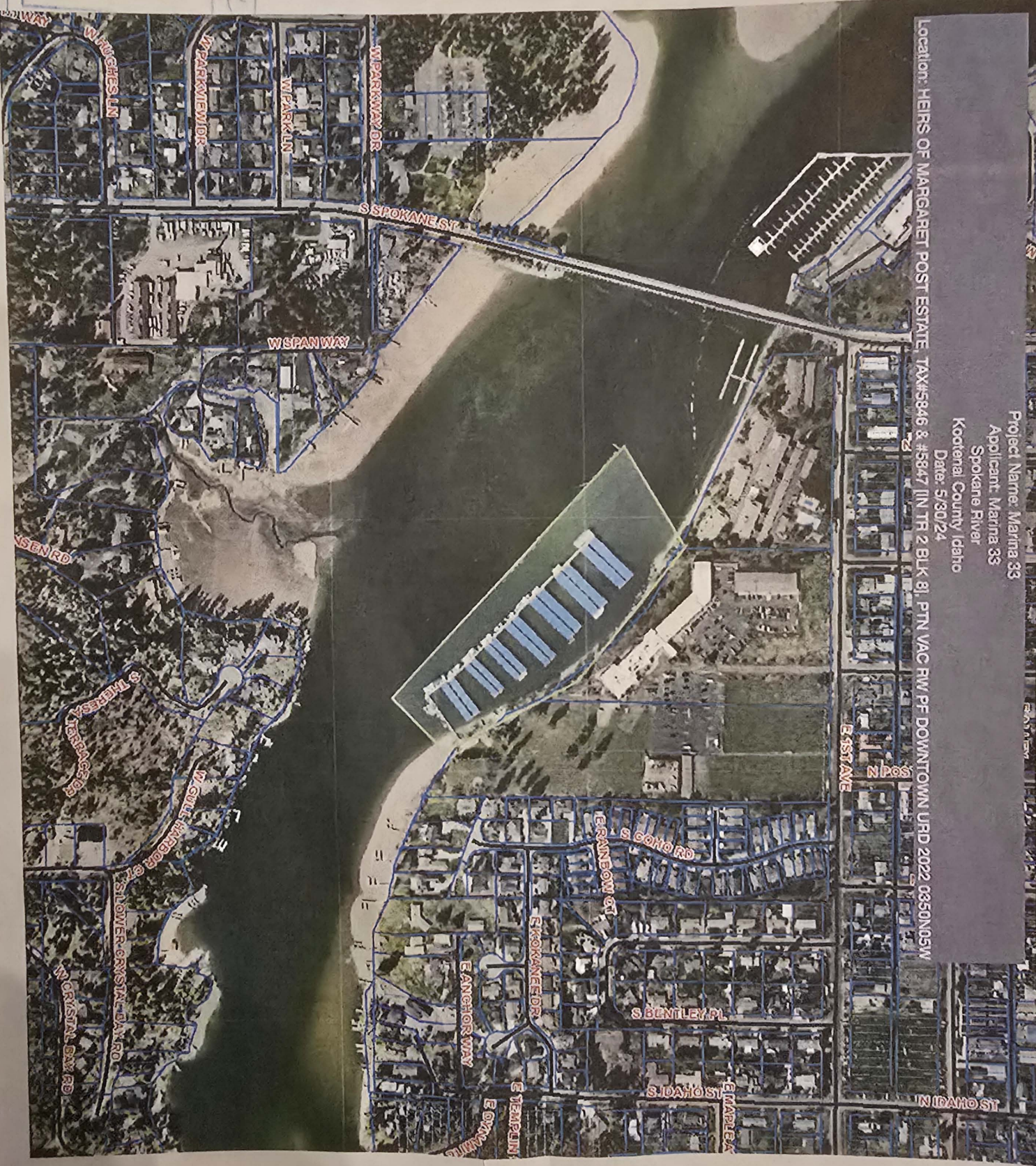
A





Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 IN TR 2 BLK 81 PTN VAC R/W PF DOWNTOWN URD 2022 0350N05W



AUG 27 2024

B



**From:** Liz WILSON <lwilson1597@gmail.com>  
**Sent on:** Thursday, December 26, 2024 7:33:21 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** IDL Case No. PH-2024-NAV-22-004/  
**Attachments:** Letter to Idaho Dept Land and Waterways.docx (16.3 KB), Photo 1.jpg (3.05 MB), Photo 2.jpg (2.27 MB)

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Please see the attached letter regarding concerns and objections for the above case. I ask that you really take the letter to heart.

Respectfully,  
Liz Wilson  
Owner at Greenview



December 23, 2024

To: navigablewaterways@idl.idaho.gov  
Idaho Department of Lands

Re: DL Case No. PH-2024-NAV-22-004 / OAH Case No. 24-320-09  
414 PF Hospitality, LLC

From: Liz Wilson  
112 E 1<sup>st</sup> Ave #5  
Post Falls, Idaho 83854  
208-659-4208

Objections and Comments:

1. We are very disappointed that we were NOT notified, nor was Greenview HOA. By happenstance, we found out 8 days ago. This is INEXCUSABLE since our property is right next door. The documents show that “our” notice was sent to ASI – and returned undeliverable. ASI was the management company used by the HOA over 5 years ago. Why was nothing done to get this to us? Where do we file to get our correspondents? Funny – IDL has the correct address to send us our waterway lease bill AND StarCraft – a sister company to 414 PF Hospitality – can bill us correctly for our dock repairs.
2. In our opinion, this lack of notice, became inexcusable – when almost every comment speaker at the Public Hearing – said they also did not receive notice. The 414 representing attorney and IDL stated that – to date, they haven’t heard from adjacent property owners. Those adjacent property owners were not properly notified
3. We do NOT believe that the Break Water – referenced multiple times – sets the boundary lines. This was NOT part of the original development by Bob Templin – it was a break water used for river logging that never got removed. Regardless of how long it’s been there, it should NOT set a boundary line. NO ENTITY – private or commercial – should be allowed to put water structures IN FRONT OF other people’s shorelines. The proposed new configuration puts the additional dock structure in front of our shoreline – specifically Buildings D and C. IDL would not allow a private party to put their dock structure in front of ANY other property owners – and it should not happen to us. While we don’t support the addition of more boat slips – IF more are added – they should be added to the EAST side of the Templin’s property, where they HAVE additional shoreline. Please do not let this application allow more marina to be added to Greenview’s shoreline.
4. Much was said at the Public Hearing about the congestion of boat traffic in our small ¼ mile area that is already established. This is true. We, like many others here at Greenview, do not use our boat on the weekends, because of boat traffic congestion – yes, even in the no wake zone. Please consider that in



addition to testimony last night, Q'emiln Park, next to Spokane Street Bridge, has a public boat launch. We are unsure how many boats/trailers the park holds, but there is a CONSTANT stream of traffic coming and going from there every day and very heavy traffic on the weekends. It's simply dangerous to have that many boats moored and launched in such a small footprint.

5. 414 suggests that they will improve safety on the water. How can this statement be a fact when our waterway is already overpopulated and dangerous. Adding more slips is going to improve safety how?

Please do not approve this request. At the very least, do not allow any docks, structures, or otherwise to be put off the shoreline of Greenview's waterfront feet shoreline.

Respectfully,

Liz Wilson



A





Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 LIN TR 2 BLK 81 PTN VAC RW PF DOWNTOWN URD 2022 0350N05W

Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24



B



**From:** Sharla Arledge <sarledge@idl.idaho.gov> on behalf of Comments  
**Sent on:** Monday, December 23, 2024 8:24:29 PM  
**To:** Kourtney Romine <kromine@idl.idaho.gov>; Mike Ahmer <mahmer@idl.idaho.gov>; Marde Mensinger <MMensinger@idl.idaho.gov>; JJ Winters <JWinters@idl.idaho.gov>  
**Subject:** FW: Comment Submitted

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**From:** Department of Lands <no-reply@idl.idaho.gov>  
**Sent:** Monday, December 23, 2024 11:59 AM  
**To:** Comments <comments@idl.idaho.gov>  
**Subject:** Comment Submitted

From: Laura Somerton at [wlsomerton@outlook.com](mailto:wlsomerton@outlook.com)  
Phone: 2088189096  
Address: 601 S Shoreline Court  
City: Post Falls  
State: Idaho  
Zip Code: 83854

Comment:  
Please accept these comments regarding Marina 33's Spokane River project.

Personal safety issues observed include but are not limited to, small children be knocked over by the large and constant boat waves coming ashore in the buoyed swim areas. Older children swimming in the buoyed areas have a hard time staying above the relentless incoming and outgoing waves. We kayak and have to be off the river by 9 am due to the heavy boat traffic causing excessive waves plus a lot of boaters are not watching for small watercraft. We stay near the shore and boat docks as we have had close calls with negligent boaters when on the river which makes it very hard to have a pleasant time. We've seen many close calls with non-powered and small craft being tossed about by boat waves. We cannot get the number off of the boat to turn them in because the boat has already passed before the large wave attacks us. There are many boaters who are responsible but there are many that are not. Speed limits and 100-foot wake zone are not being respected.

There are some boaters who believe everyone wants to hear their loud music. Although we are music lovers, we do not enjoy the sound (some times bad language) that emits from their speakers. Having the music blaring makes it hard to hear oncoming boats when kayaking. We agree that everyone should enjoy the river but we do not believe that that use should encroach on the pleasure of others.

Adding an additional 100 boat slips is not only bad for the river environment but for the recreational safety and enjoyment of all.



**From:** Sharla Arledge <sarledge@idl.idaho.gov> on behalf of Comments  
**Sent on:** Monday, December 23, 2024 6:55:54 PM  
**To:** Kourtney Romine <kromine@idl.idaho.gov>; Mike Ahmer <mahmer@idl.idaho.gov>; Marde Mensinger <MMensinger@idl.idaho.gov>; JJ Winters <JWinters@idl.idaho.gov>  
**Subject:** FW: Comment Submitted

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**From:** Department of Lands <no-reply@idl.idaho.gov>  
**Sent:** Monday, December 23, 2024 11:49 AM  
**To:** Comments <comments@idl.idaho.gov>  
**Subject:** Comment Submitted

From: Wesley Somerton at [wlsomerton@outlook.com](mailto:wlsomerton@outlook.com)  
Phone: 2086614547  
Address: 601 S Shoreline Court  
City: Post Falls  
State: Idaho  
Zip Code: 83854

Comment:  
Please accept these comments regarding Marina 33's Spokane River project.

We strongly object to the river having an additional 100 boat slips at this location or any other location for that matter. The additional size and density of the proposed marina expansion will only compound the problems of the current level of boat traffic and impacts on the river. The shorelines along the river are currently subject to significant wave action causing tremendous amounts of erosion. Adding an additional 100 boats will only exasperate this negative impact to private and public shorelines. This is evident by the soil loss and destruction of retaining walls at Kiwanis Park in Post Falls. Twenty years ago, the bank trees had soil covering their roots. Today they are barely hanging onto the little bit of soil left on the bank. We live in Riverside Harbor and have watched the current boat levels impact our HOA maintained riverfront park including destroying our continued attempts to riprap our shoreline. Impacts are observed at Black Bay Park, numerous private property areas and wetland/marsh areas along the river. We know a number of riverfront property owners that have to replace pilings due to increased wear caused by the heavy boat traffic on the river. Some property owners are unable to enjoy their docks during the summer months because of the nonstop boat wakes cause the docks to be swamped and constantly moving.


Adding an additional 100 boat slips is not only bad for the river environment but for the recreational enjoyment of all.



**From:** Melissa Meyer <lavenderhillranch@hotmail.com>  
**Sent on:** Thursday, December 26, 2024 5:40:52 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** DL Case No. PH-2024-NAV-22-004 / OAH Case No. 24-320-09 414 PF Hospitality, LLC

**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.**

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December 26, 2024 

To: navigablewaterways@idl.idaho.gov

Idaho Department of Lands

Re: DL Case No. PH-2024-NAV-22-004 / OAH Case No. 24-320-09

414 PF Hospitality, LLC

From: Melissa Meyer

216 E 1st Ave D3

Post Falls, Idaho 83854

208-771-3213

Objections and Comments:

1. We are very disappointed that we were NOT notified, nor was Greenview HOA. By happenstance, we found out 8 days ago. This is INEXCUSABLE since our property is right next door. The documents show that “our” notice was sent to ASI – and returned undeliverable. ASI was the management company used by the HOA over 5 years ago. Why was nothing done to get this to us? Where do we file to get our correspondents? Funny – IDL has the correct address to send us our waterway lease bill AND StarCraft – a sister company to 414 PF Hospitality – can bill us correctly for our dock repairs.
2. In our opinion, this lack of notice, became inexcusable – when almost every comment speaker at the Public Hearing – said they also did not receive notice. The 414 representing attorney and IDL

**PC-00050**



stated that – to date, they haven't heard from adjacent property owners. Those adjacent property owners were not properly notified

3. We do NOT believe that the Break Water – referenced multiple times – sets the boundary lines.

This was NOT part of the original development by Bob Templin – it was a break water used for river logging that never got removed. Regardless of how long it's been there, it should NOT set a boundary line. NO ENTITY – private or commercial – should be allowed to put water structures IN FRONT OF other people's shorelines. The proposed new configuration puts the additional dock structure in front of our shoreline – specifically Buildings D and C. IDL would not allow a private party to put their dock structure in front of ANY other property owners – and it should not happen to us. While we don't support the addition of more boat slips – IF more are added – they should be added to the EAST side of the Templin's property, where they HAVE additional shoreline. Please do not let this application allow more marina to be added to Greenview's shoreline.

4. Much was said at the Public Hearing about the congestion of boat traffic in our small ¼ mile area

that is already established. This is true. We, like many others here at Greenview, do not use our boat on the weekends, because of boat traffic congestion – yes, even in the no wake zone. Please consider that in

addition to testimony last night, Q'emiln Park, next to Spokane Street Bridge, has a public boat launch. We are unsure how many boats/trailers the park holds, but there is a CONSTANT stream of traffic coming and going from there every day and very heavy traffic on the weekends. It's simply dangerous to have that many boats moored and launched in such a small footprint.

5. 414 suggests that they will improve safety on the water. How can this statement be a fact when our waterway is already overpopulated and dangerous. Adding more slips is going to improve safety how?

Please do not approve this request. At the very least, do not allow any docks, structures, or otherwise to be put off the shoreline of Greenview's waterfront feet shoreline.

Respectfully,

Melissa Meyer



**From:** Tom Higgins <tom\_glenda@yahoo.com>  
**Sent on:** Thursday, December 26, 2024 8:41:35 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** DL Case No. PH-2024-NAV-22-004 / OAH Case No. 24-320-09 414 PF Hospitality, LLC

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December 26, 2024

To: navigablewaterways@idl.idaho.gov  
Idaho Department of Lands

Re: DL Case No. PH-2024-NAV-22-004 / OAH Case No. 24-320-09  
414 PF Hospitality, LLC

From: Thomas and Glenda Higgins  
200 E 1st Ave Apt 2  
Post Falls, Idaho 83854  
509-953-2080  
509-993-4070

As owners of 200 E 1st Ave Apt 2, a condominium in Greenview Condominiums, we would like to register the following objections and comments:

1. We were not notified of the public hearing, nor was Greenview HOA. The documents show that notice was sent to ASI – and returned undeliverable. ASI was the management company used by the Greenview HOA over 5 years ago. IDL does have the correct address available – it has been used to send to the HOA our waterway lease bill.
2. We do not believe that the Break Water – referenced multiple times – sets the boundary lines. This was not part of the original development by Bob Templin – it was a break water used for river logging that never got removed. Regardless of how long it's been there, it should not set a boundary line. No entity – private or commercial – should be allowed to put water structures in front of other people's shorelines. The proposed new configuration puts the additional dock structure in front of our shoreline – specifically Buildings D and C of Greenview Condominiums.

Please do not approve this request. Please do not let this application allow a marina extension to be added in front of Greenview's shoreline.

Respectfully,

Thomas and Glenda Higgins



**From:** Patrick Smyly <psmyly@roadrunner.com>  
**Sent on:** Thursday, December 26, 2024 6:57:32 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**CC:** Paula Smyly <paulajeansmyly@gmail.com>  
**Subject:** DL Case No. PH-2024-NAV-22-004 / OAH Case No. 24-320-09  
**Attachments:** Letter to IDL cmmplete.docx (20.31 KB)

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December 26, 2024

To: [navigablewaterways@idl.idaho.gov](mailto:navigablewaterways@idl.idaho.gov)

Idaho Department of Lands

Re: DL Case No. PH-2024-NAV-22-004 / OAH Case No. 24-320-09

414 PF Hospitality, LLC

Madame Hearing Officer and Idaho Department of Lands:

We are requesting an extension for a new hearing for the following reasons:

1. New information disclosed at the public hearing:

During the hearing on December 19, 2024, the log boom area was being disputed. The developers' attorney, Scott Hislop, stated that they are staying within their current footprint, and you correctly inquired as to whether the water from the end of the current slips/walkway out to the log boom and including the log boom, was indeed part of the original permit. It was then disclosed by an Idaho Department of Lands representative that the log boom area is NOT and never has been a part of the originally permitted area for the marina. (See attached Exhibit A from the IDL website for this case; different photos were used by Mr. Hislop at the hearing). Mr. Hislop's exact words in his Applicant Pre-Trial Hearing Statement 3.1.1 states "The reconfigured commercial marina with some private moorage will fit within the 'overall footprint' of the existing commercial marina." This does not appear to be accurate- it should be the existing "permitted" commercial marina. The developers have submitted plans for their marina expansion to **include the navigable waterway** between the current marina dock footprint, to the log boom (south). Accordingly, this would not be staying within their current **permitted** footprint; the log boom has been in place prior to any marina and was used for logging purposes. Additionally, the developers are encroaching on the east and west sides as well (see Exhibit B from IDL website for this case), which is another example of them not maintaining their existing (permitted) footprint as they claim.

2. Lack of notice to the community:

- a. The notice which was determined necessary for the Greenview Condominiums to the west of the project was returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.

**PC-00052**



b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

Please consider the above as reasonable and fair; particularly #1, as this confirmation of the log boom NOT being part of the original footprint was exactly what we believed to be the case.

The developers engulfing this amount of navigable water and recreation space will NOT benefit of the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy (01)

Patrick and Paula Smyly

208 E 1<sup>st</sup> Ave. #C4

Post Falls, Idaho 83854





December 20, 2024

To: [navigablewaters@idl.idaho.gov](mailto:navigablewaters@idl.idaho.gov)  
Idaho Department of Lands

Re: DL Case No. PH-2024-NAV-22-004 / OAH Case No. 24-320-09  
414 PF Hospitality, LLC

From: Paula and Patrick Smyly  
Greenview Condominiums  
208 E. 1<sup>st</sup> Avenue, C4  
Post Falls, Idaho. 83854  
208.660.5743 and 208.661.9049



Objections and Comments:

1. Patrick and I attended the Public Hearing last night at the Coeur d'Alene High School.
2. We are very disappointed that we were NOT notified, nor was the Greenview HOA. By happenstance, we found out 8 days ago. This is INEXCUSABLE since our property is right next door. The documents show that "our" notice was sent to ASI – and returned undeliverable. ASI was the management company used by the HOA several years ago. Why was nothing done to get this to us? Where to we file to get our correct notification center? Funny – IDL has the correct address to send us our waterway lease information AND Stancraft – a sister company to 414 PF Hospitality – can bill us correctly for our dock repairs.
3. In our opinion, this lack of notice, became inexcusable – when almost every comment speaker last night – said they also did not receive notice. The 414 representing attorney and IDL stated that – to date, they haven't heard from adjacent property owners. Those adjacent property owners were not property noticed.
4. We do NOT believe that the Break Water – referenced multiple times – sets the boundary lines. This was NOT part of the original development by Bob Templin – it was a break water used for river logging that never got removed. Regardless of how long it's been there, it should NOT set a boundary line. NO ENTITY – private or commercial – should be allowed to put water structures IN FRONT OF other people's shorelines. The proposed new configuration puts the additional dock structure in front of our shoreline – specifically Buildings D and C. IDL would not allow a private party to put their dock structure in front of ANY other property owners – and it should happen to us. While we don't support the addition of more boat slips – IF more are added – they should be added to the EAST side of the Templin's property, where they HAVE additional shoreline. Please do not let this application allow more marina to be added to Greenview's shoreline.
5. Much was said last night about the congestion of boat traffic in our small ¼ mile area that is already established. This is true. We, like many others, do not use our boat on the weekends, because of boat traffic congestion – yes, even in the no wake zone. Please consider that in addition to testimony last night, Q'emiln Park, next to Spokane Street Bridge, has a public boat launch. I am unsure of how many boats/trailers the park holds, but there is a CONSTANT stream of traffic coming and going from there every day. And very heavy traffic on the weekends. It's simply dangerous to have this many boats moored and launched in such a small footprint.
6. 414 suggests that they will improve safety on the water. How can this statement be a fact when our waterway is already overpopulated and dangerous. Adding more slips is going to improve safety how?



7. As a side note – my family is 6 generations in North Idaho. I am generation 4. We are not the typical, let us come, let us take over and close the door folks. I want my property to be safe for our parents, kids and grandkids. Right now, the only reason they can recreate at our own dock is we have a log boom that protects our little swimmers.

Please do not approve this request. At the very least, do not allow any docks, structures, or otherwise to be put off the shoreline of Greenvew's waterfront feet shoreline.

Respectfully,  
Paula and Patrick Smyly





**From:** diana sullivan <dianasullivan@sbcglobal.net>  
**Sent on:** Friday, December 27, 2024 6:05:17 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** Fw: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** 1000005400.jpg (3.05 MB), 1000005399.jpg (2.27 MB)

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**From Diana Sullivan**

**207 S. Riverside Harbor Dr, Post Falls, Id 83854**

**Subject:** FW: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQU

414 PF Hospitality, LLC  
IDL Case No. PH-2024-NAV-22-004/  
OAH Case No. 24-320-09  
Encroachment Permit Application No. L95S3036N

Madame Hearing Officer and Idaho Department of Lands:

We are requesting an extension for a new hearing for the following reasons:

1. New information disclosed at the public hearing:

During the hearing on December 19, 2024, the log boom area was being disputed. The developers' attorney, Scott Hislop, stated that they are staying within their current footprint, and you correctly inquired as to whether the water from the end of the current slips/walkway out to the log boom and including the log boom, was indeed part of the original permit. It was then disclosed by an Idaho Department of Lands representative that the log boom area is NOT and never has been a part of the originally permitted area for the marina. (See attached Exhibit A from the IDL website for this case; different photos were used by Mr. Hislop at the hearing). Mr. Hislop's exact words in his Applicant Pre-Trial Hearing Statement 3.1.1 states "The reconfigured commercial marina with some private moorage will fit within the 'overall footprint' of the existing commercial marina." This is does not appear to be accurate- it should be the existing "permitted" commercial marina. The developers have submitted plans for their marina expansion to **include the navigable waterway** between the current marina dock footprint, to the log boom(south). Accordingly, this would not be staying within their current **permitted** footprint; the log boom has been in place prior to any marina and was used for logging purposes. Additionally, the developers are encroaching on the east and west sides as well (see Exhibit B from IDL website for this case), which is another example of them not maintaining their existing (permitted) footprint as they claim.

2. Lack of notice to the community:

1. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.

2. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people

**PC-00053**



could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

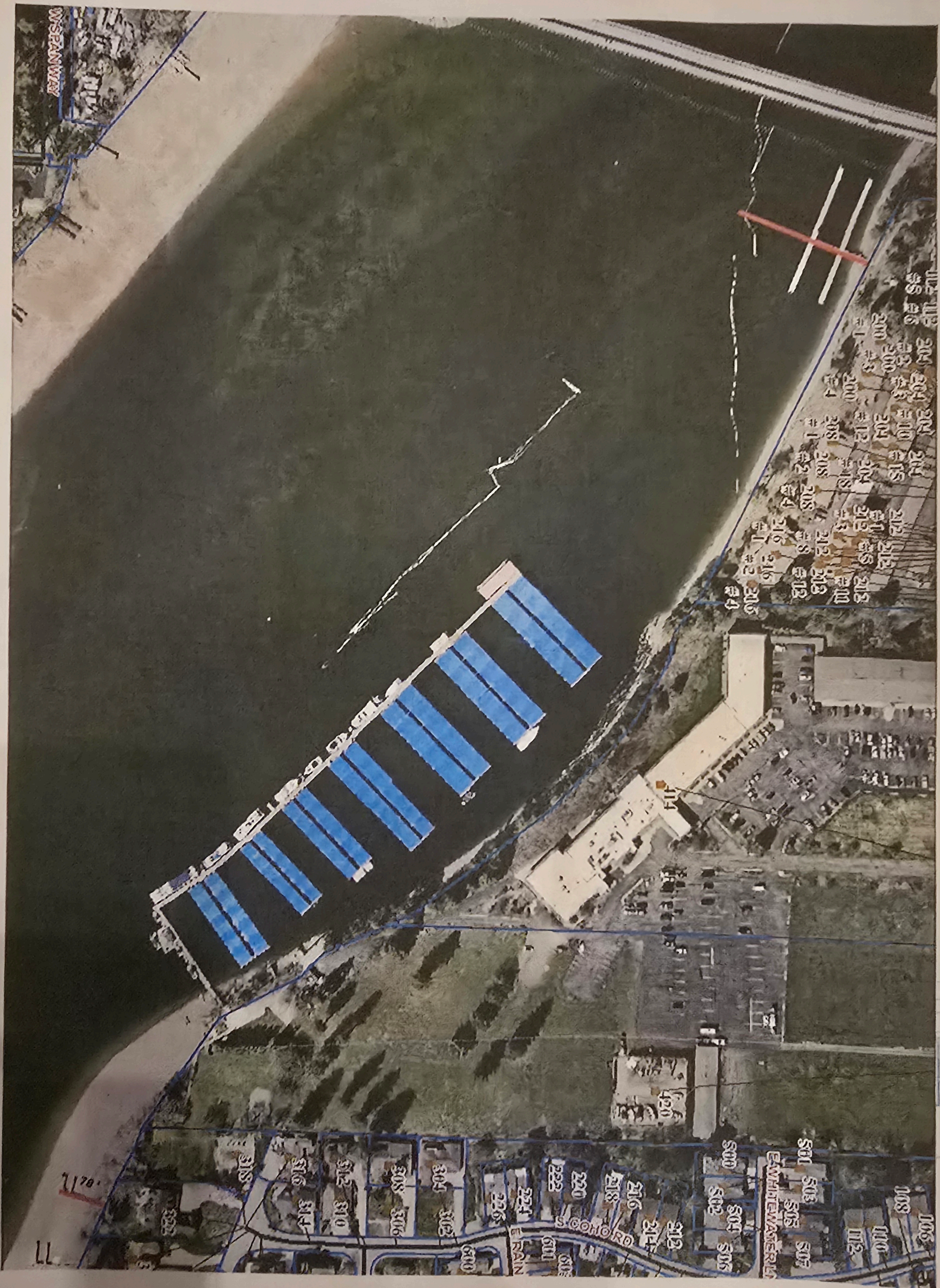
Please consider the above as reasonable and fair; particularly #1, as this confirmation of the log boom NOT being part of the original footprint was exactly what we believed to be the case.

The developers engulfing this amount of navigable water and recreation space will NOT benefit of the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

Name: Diana Sullivan

City: Post Falls, Id 83854







Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 1/4 TR 2 BLK 8, PTN VAC RW PF DOWNTOWN UPD 2022 0350N05W



AUG 27 2024

B



**From:** Dick Teich <rtyke1200@gmail.com>  
**Sent on:** Monday, December 23, 2024 10:45:39 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**CC:** Richard Teich <rtyke1200@gmail.com>  
**Subject:** Fw: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** 1000005400.jpg (3.05 MB), 1000005399.jpg (2.27 MB)

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414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

Encroachment Permit Application No. L95S3036N

Madame Hearing Officer and Idaho Department of Lands:

We are requesting an extension for a new hearing for the following reasons:

1. New information disclosed at the public hearing:

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This does not appear to be accurate- it should be the existing "permitted" commercial marina. The developers have submitted plans for their marina expansion to **include the navigable waterway** between the current marina dock footprint, to the log boom(south). Accordingly, this would not be staying within their current **permitted** footprint; the log boom has been in place prior to any marina and was used for logging purposes. Additionally, the developers are encroaching on the east and west sides as well (see Exhibit B from IDL website for this case), which is another example of them not maintaining their existing (permitted) footprint as they claim.

2. Lack of notice to the community:

**PC-00054**



- a. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.
  - b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.
3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

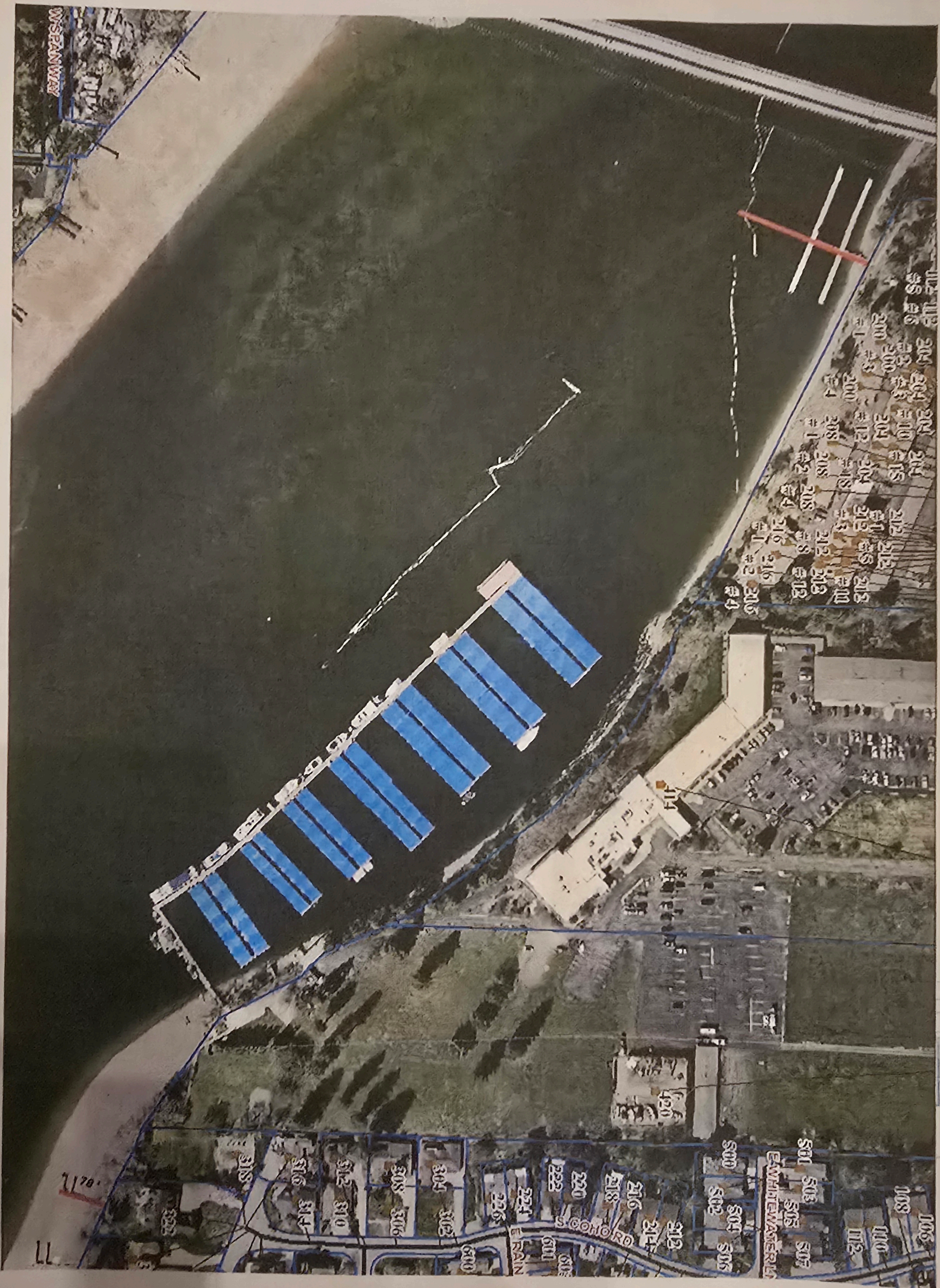
Please consider the above as reasonable and fair; particularly #1, as this confirmation of the log boom NOT being part of the original footprint was exactly what we believed to be the case.

The developers engulfing this amount of navigable water and recreation space will NOT benefit of the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

Name:Dick Teich

City:Post Falls,ID







Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 IIN TR 2 BLK 8, PTN VAC RW PF DOWNTOWN UPD 2022 0350N05W



AUG 27 2024

B



**From:** Scott Scofield <Scott.Scofield@inxintl.com>  
**Sent on:** Monday, December 23, 2024 4:00:00 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** FW: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** 1000005400.jpg (3.05 MB), 1000005399.jpg (2.27 MB)

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414 PF Hospitality, LLC  
IDL Case No. PH-2024-NAV-22-004/  
OAH Case No. 24-320-09  
Encroachment Permit Application No. L95S3036N

Madame Hearing Officer and Idaho Department of Lands:

We are requesting an extension for a new hearing for the following reasons:

1. New information disclosed at the public hearing:

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2. Lack of notice to the community:

- a. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.
- b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

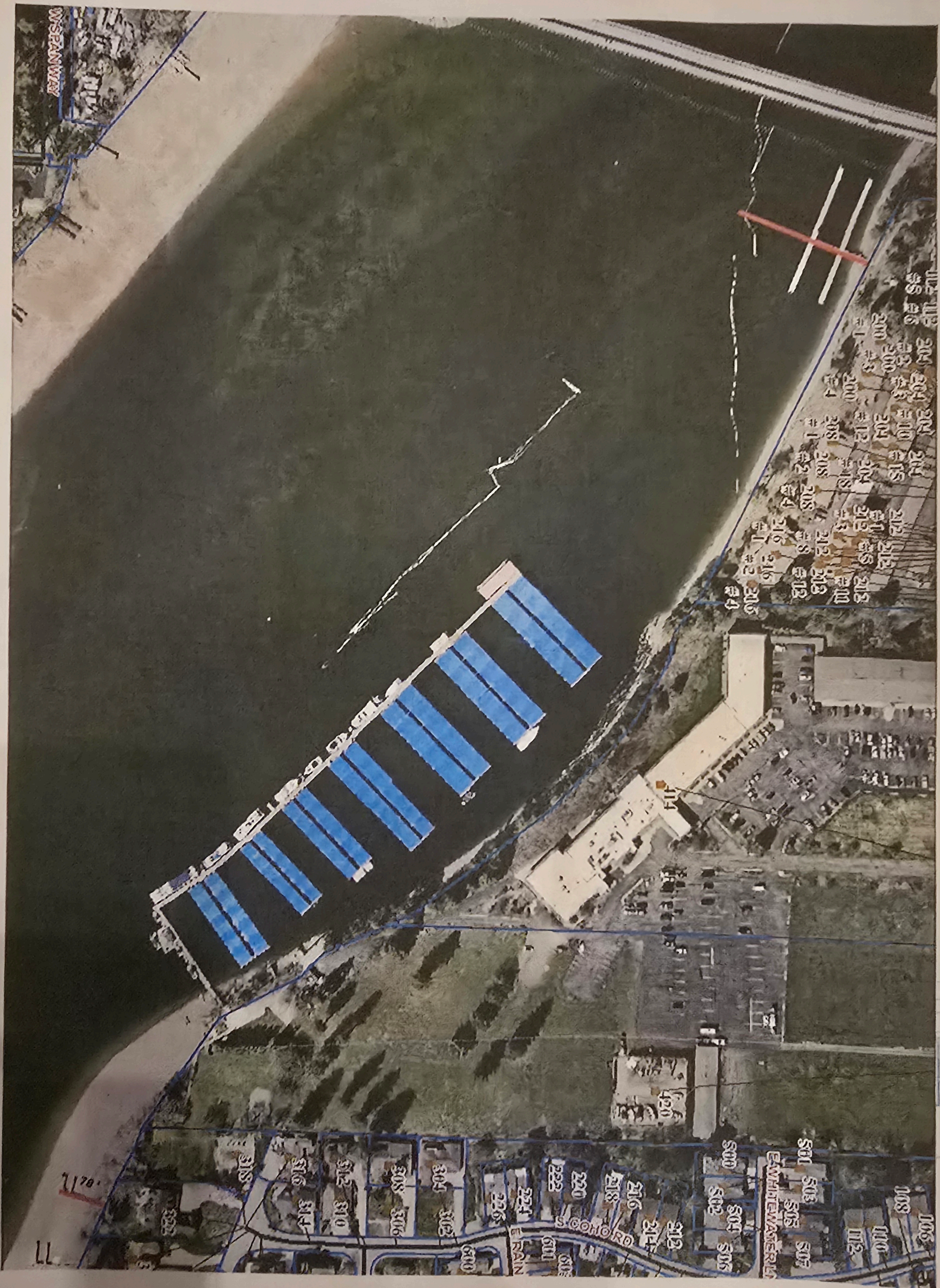
3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

Please consider the above as reasonable and fair; particularly #1, as this confirmation of the log boom NOT being part of the original footprint was exactly what we believed to be the case.

The developers engulfing this amount of navigable water and recreation space will NOT benefit the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

**PC-00055**







Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 1/4 TR 2 BLK 8, PTN VAC RW PF DOWNTOWN UPD 2022 0350N05W



AUG 27 2024

B



Please hear our voice against the idea of a new permit of building up to 100 additional boat slips to the Templin's boat dock expansion as there are already 189 pre-existing slips today.

Our parents live on the Spokane river in Post Falls and we use Crystal Bay as a recreational SAFE place for our families. We are very concerned about the additional boat slips at Templins causing several issues to fish and wildlife habitat, water quality, lake beds, swimmers, property owners and boaters passing through.

Thank you,  
Sydnee O'Husky  
Rathdrum  
December 2024



Please hear our voice against the idea of a new permit of building up to 100 additional boat slips to the Templin's boat dock expansion as there are already 189 pre-existing slips today.

We live in Crystal Bay and have had for several years see boats cause several issues to fish and wildlife habitat, water quality, lake beds, swimmers, property owners and boaters passing through.

We currently approach a maximum carrying capacity on the Spokane River, so how could an additional 100 boat slips get passed unless they are not looking out for people's safety as well as property and wildlife?

We take this matter seriously and hope that you do too and not make a decision based on greed.

Delina Basore  
281 S Simonsen Rd  
Post Falls  
December 2024



414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

Encroachment Permit Application No. L95S3036N

**Dear Madame Hearing Officer and Idaho Department of Lands:**

**OBJECT TO APPROVAL of the Encroachment Permit Application No. L95S3036N; 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004/ OAH Case No. 24-320-09 based on the following:**

1. Applicant failed to demonstrate evidence that there is a "PUBLIC NEED" for expansion of the current commercial marina encroachment permit footprint and number of marina boat slips from 198 to adding 100 more slips.
  - a. Templins Resort currently has 167 rooms; on any given day it is estimated that the Marina currently has 140 slips for public access.
  - b. In addition, the Applicant failed to demonstrate that the proposed expansion is in the "PUBLIC INTEREST".
    - i. Applicant's original application (date received 9/13/24) includes materially false and misleading information as to the "Purpose and Need" .....that scope of the project *does not* 'stay within the original encroachment permit boundaries'.

15. PURPOSE and NEED: ☒ Commercial ☐ Industrial ☐ Public ☐ Private ☐ 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.

Update and replace existing docks that have exceeded their useful life. We will be replacing old decrepid docks and rearranging the marina to provide more moorage to the community. The scope of the project stays within the original enroachment permit boundaries. Swim area to the east and logboom/piling southwest of the marina. This will be a mix of public and private slips as shown in the diagram attached.

NWW Form 1145-1/IDWR 3804-B

Page 1 of 4

APP-001-01

- a) In fact, the proposed expansion increases the marina, substantially in both size and scope and would represent a navigational hazard to the safety of the public.
    - i) During peak Summer months, the majority of the boat slips are vacant and currently NOT UTILIZED.
    - ii) The vast majority of docks do not appear to be "old and decrepid".
- ii. At the December 19, 2024 public hearing, Scott Hilsop, attorney for 414 PF Hospitality, LLC, knowingly made several material misstatements of fact.
  - a) Repeatedly stating that the log boom was currently within the marina's historically established encroachment permit (see Applicant Exhibit (slide 10), pasted below)



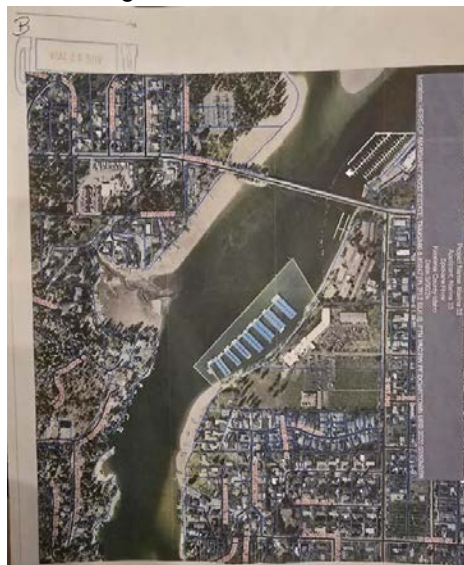
- b) Upon questioning, Mike Ahmer, Idaho Department of Lands representative, communicated that the log boom area is NOT and never has been a part of the originally permitted area for the marina. (See attached Exhibit A from the IDL website for this case; different photos were used by Mr. Hislop at the hearing.)

**PC-00058**





- c) The developers have submitted plans for their marina expansion to **include the navigable waterway** between the current marina dock footprint, to the log boom(south).
- i) Accordingly, this would not be staying within their current **permitted** footprint; the log boom has been in place prior to any marina and was used for logging purposes until the log mill ceased operations. The log boom that currently remains, was man-made, and can be removed at anytime.
  - ii) Additionally, the developers are encroaching on the east and west sides as well (see Exhibit B from IDL website for this case), which is another example of them not maintaining their existing (permitted) footprint as they claim.
    - i. The developer's proposed 96 foot expansion of the marina's Ship's Store/Fueling area and 798 foot continuous walkway/barrier will represent a significant barrier to navigability and safety hazard for waterway users and to residents of Greenview Condominiums.
      - 1. Again, Developers have not demonstrated a "public need" or that the 2 acre expansion of the marina is in the "public interest"; which any public or private entity would need to prove to declare "eminent domain", removing this important area of the waterway from navigable access, to forever possess it solely for commercial gain.



- 2. Approval of the Applicant's Encroachment Permit for the Expansion of the Marina is **INCONSISTENT** with **Idaho Administrative Code**, specifically **IDAPA 20.03.04.012**.



- a. This policy emphasizes the importance of regulating encroachments on navigable lakes to protect public health, safety, property, navigation, fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, and water quality. It also highlights the responsibility of the State Board of Land Commissioners to regulate and control the use or disposition of state-owned lake beds so as to provide for their commercial, navigational, recreational or other public use.
  - i. Though these key criteria are clearly stated in Idaho Law the Idaho Department of Lands has not conducted any studies or specifically assessed whether the proposed expansion of the marina's encroachment permit does not adversely affect the protection of the public health, safety and welfare; navigation; Fish and Wildlife habitat, recreation, water quality aesthetic beauty, water quality or whether there is a clear economic necessity.
    - a) Instead, the IDL defers their responsibility to other State Agencies which offer "No Comment" as to offer an opinion, in the absence of any study, would merely result in a civil suit.
      - i) We submit, if there is NO STUDY and/or the State Agency (e.g. Dept of Fish and Wildlife or Environmental Quality) chooses to respond with "No Comment" this does not offer any legal evidence that will support whether the Marina expansion does or does not meet IDL's key criteria. IDL must conduct these assessments or studies prior to approval.
      - ii) In the absence of studies, eye witness accounts and concerns about safety presented during public testimony must be given due consideration.
- b. Kootenai County Boating Rules and Regulations state the following:
  - i. No Wake Zone (five miles per hour) on Lakes: Within 200 feet of shoreline, dock, pier, breakwater or person in the water.
  - ii. No Wake Zone on Rivers: 100 feet
    - a) An exception to the "No Wake Zone" on rivers has already been granted by the Kootenai County of Commissioners.....this does not make the river safer; it makes the river more dangerous and susceptible to human failure(s) increasing risk to public safety.
      - i) Approval of the Applicant's marina 96 foot expansion, into the river, will result in a 320 foot chokepoint which will make navigation more difficult and more dangerous.
        - i. The Applicant's attorney, Scott Hilsop, admitted in his public hearing testimony that 'currently boaters do not adhere to the "no wake zone" and routinely speed past the Marina. Mr. Hilsop testified that 'an expansion of the encroachment boundary with an expansion of the Ship's Store and Fueling Station will present a physical barrier that will encourage boaters to slow down'.....there is no study to support this supposition and this statement is inconsistent with common sense. Unfortunately, boaters drink alcohol and many do not follow boating rules and regulations so creating a chokepoint at the river increases the probability and possibility of human error.
    - ii) An expanded marina, will create a narrower chokepoint, which will further increase congestion of boats seeking refuge from the busy river/excessive waves.....this additional congestion, no doubt, will increase the risk of injury/harm as it adversely impacts navigability in these congested waters.
      - i. We are surprised/appalled that no FMEA (Failure Mode and Effects Analysis) was used to assess safety.
      - ii. Safety must be considered, proactively, not reactively. Scott Hislop admitted that numerous boats routinely violate the law in a narrow river with "no wake zones" that have already been ARBITRARILY reduced from 200 ft in Idaho Law for other Lakes/Rivers to 100 ft for the Spokane River.



1. With an expansion of the Marina to a 320 foot chokepoint and large yachts/house boats routinely moored on the river, on the outside, this reduces the chokepoint to 290 feet or less.
  - a. Idaho's Safe Boating Act requires boaters to maintain a 100 foot separation between boats when operating at a speed greater than "no wake" or "5 miles per hour" .....it is simply impossible to maintain a safe environment with exception upon exception.
  - b. FMEA is routinely used by industries to identify potential failures and implement corrective actions and/or systems that account for and reduce the influence of "human factors" to mitigate/reduce operational risks (e.g. routine speeding, routine alcohol use, routine towing, in an already congested area).
    - i. Expansion of the Marina would increase the probability of failure.
    - ii. A FMEA proactively determines the frequency of occurrences, criticality, and reporting/detection of failures and/or near misses.....the IDL did not conduct any safety analysis, though this is required by Idaho State Law.

TITLE 67  
STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 70  
IDAHO SAFE BOATING ACT

67-7077. OPERATION OF VESSELS. It shall be unlawful for any person to operate any vessel on the water of this state:

(a) In a negligent manner as prescribed in section 67-7017, Idaho Code, while within one hundred (100) feet of another vessel; or

(b) At a speed greater than no wake or five (5) miles per hour while within one hundred (100) feet of a dock, swimmer or other person in the water, except when safely pulling a water skier from a dock, or when safely dropping off a water skier at or near a dock, or when the swimmer or other person in the water is the vessel's water skier. Except when dropping off a skier at or near a dock all efforts shall be made to reasonably minimize the time and distance the vessel shall travel inside the one hundred (100) foot zone while operating at speeds greater than no wake or five (5) miles per hour.

History:

- c. The Marina is located upstream of the Post Falls Dam, the dam represents a "dead end" ....in fact, prior to July 1st, the Spokane River bridge is the end of navigability, so boats routinely avoid entering the "No Wake Zone" by using the waters immediately upstream of Templin's Marina and Ship store to turn around to head back upstream.
  - i. We would argue strongly that the Ship Store, in this context, is a "Navigational encroachment". In this congested interface of vessels that are simultaneously seeking refuge, refueling, newly exiting the "No wake zone" from Q'emiln Park's boating access, AND those turning around to head back up river this ***creates a complicated, high risk, environment for safety failures that does not exist anywhere else in the river except at the up-river boundary or encroachment border of Templin's Marina.***
    - a) Instead of expansion, I propose the Marina should be scaled back, recognizing the complexity of this congested area of the waterway.
3. Property damage and ecological damage is a real problem.
  - a. Testimony was offered by long-time residents that stated that the waterway is very different NOW than when Templin's Marina's original encroachment permit was granted.
    - i. The difference being caused by the number of boats, the size of the boats (huge house boats to ocean-going yachts, the size of the wakes caused by wake boats with 6,000 lbs of water-ballast, and the frequency of boats due to the large increase in number.
  - b. Our property is located about 7 to 8 houses (~5-6 blocks) upstream from Templin's Marina. Since we purchased the home in 2018, we have had to protect the shoreline to mitigate the erosion with 6 feet of rip-rap along 178 feet of shore; replace our pilings; replace our floating dock with a fixed dock; and now we will



have to fix our deck that sits adjacent to the water due to huge 4-5 foot waves that have physically lifted the heavy deck repeatedly off its support structure (the latter happening just this last Summer).



- i. The ecological and property damage is occurring up and down the river. Adding more boats and bigger boats is not the answer.
    - a) For example, Black Bay Park is presently adding shoreline protection to mitigate erosion.
- 4. Lack of notice to the community:
  - a. The Applicant in their encroachment permit is responsible to provide the names and legal addresses of adjacent property owners per Idaho Dept of Lands Rules and Regulations.
    - i. The Greenview Condominiums residents, immediately west of the project, were not notified. Their notification letter was Returned to Sender, and accordingly these residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified by the Applicant (who must be certified as a responsible operator capable of running a commercial marina) nor the Idaho Dept of Lands. Greenview Condominiums residents's 50+ families will be immediately impacted by the 798 foot continuous Marina walkway expansion and marina's expanded activities and traffic (people and boats) onshore and on land.
  - b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit. A marina, expanding the number of boat slips by more than 50% in this small area and by more than 20% of all the boat slips on the river will have a significant impact to the river and those seeking to navigate the river safely.
  - c. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. It is unfortunate that the notification process and public hearing was orchestrated in such a way that seemed to minimize public awareness and public input which is essential for any encroachment permit that would seek to remove over 2 acres of waterway in such a congested, high-use, safety-challenged area of the river.
- 5. Idaho Resident and Social Benefit
  - a. The Applicant failed to demonstrate that the Marina expansion would benefit the typical "Idaho Resident" and certainly failed to demonstrate that the expansion would improve the quality of life/safety of its neighbors.
    - i. The daily or monthly rental rate was not disclosed but would likely well exceed the \$15 boating access fee charged at Q'emiln Park. The Marina's sale of a private boat slip also was not disclosed but would likely generate directly and indirectly considerable profit to the developers.
  - b. Moving the Sherriff's boat garage into an enclosed marina, without direct access to the waterway, will not improve access or response times.

**In summary, for the reasons stated above and those given during the public hearing, we oppose approval of the expansion of Templin's Marina encroachment permit .**

Name: Edward and Susan Kent

City: Post Falls, Idaho 83854



**From:** Jessica Scofield <jessicagreenviewcondos@gmail.com>  
**Sent on:** Monday, December 23, 2024 10:53:33 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** Fwd: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST

**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.**

414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

Encroachment Permit Application No. L95S3036N

Madame Hearing Officer and Idaho Department of Lands:

We are requesting an extension for a new hearing for the following reasons:

1. New information disclosed at the public hearing:

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2. Lack of notice to the community:

- a. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.
- b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.



Please consider the above as reasonable and fair; particularly #1, as this confirmation of the log boom NOT being part of the original footprint was exactly what we believed to be the case.

The developers engulfing this amount of navigable water and recreation space will NOT benefit of the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

Name: John & Jessica Scofield

City: Post Falls, Idaho



**From:** Jack Haley <jack.haleyjr@gmail.com>  
**Sent on:** Thursday, December 26, 2024 4:59:33 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** Fwd: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** A.jpg (2.27 MB), doks.jpg (3.05 MB)

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414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

Encroachment Permit Application No. L95S3036N

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2. Lack of notice to the community:

- a. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and

**PC-00060**



accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.

b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

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The developers engulfing this amount of navigable water and recreation space will NOT benefit of the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

Jack & Rosita Haley

East 112 First Ave A3

Post Falls Id 83854



A





Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE, TAX#5846 & #5847 1/4 TR 2 BLK 8J, PTN VAC RW PF DOWNTOWN URD 2022 0350N05W



AUG 27 2024

B



**From:** Kelly Yamaura <kelly.greenviewcondo@gmail.com>  
**Sent on:** Tuesday, December 24, 2024 1:06:48 AM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** Fwd: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST

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Sent from my iPhone

Begin forwarded message:

**From:** Jessica Scofield <jessicagreenviewcondos@gmail.com>  
**Date:** December 23, 2024 at 2:51:36 PM PST  
**To:** Jessica Scofield <jessicagreenviewcondos@gmail.com>  
**Subject:** Fwd: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST

Information to request an extension for a new hearing. Can all units please follow instructions below to send a request to extend for a new hearing regarding "Templins Marina Extension" 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004/ OAH Case No. 24-320-09 Encroachment Permit Application No. L95S3036N, this is in addition to writing a letter to the Idaho Dept of Land (email regarding this was sent earlier). Please remember this is all time sensitive and needs to be submitted no later than Thursday December 26th.

You must have both photo attached to your email (Exhibit A and B).

This needs to be submitted by the Thursday December 26<sup>th</sup>

1. Hit forward button.
2. Delete/erase my email to you.
3. Type your name and City(address optional) at the end of the statement.

4. Delete / Remove everything in yellow

1. Email the statement and pictures to the following email address

a. [navigablewaterways@idl.idaho.gov](mailto:navigablewaterways@idl.idaho.gov)

5. hit send

414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

**PC-00061**



Madame Hearing Officer and Idaho Department of Lands:

We are requesting an extension for a new hearing for the following reasons:

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2. Lack of notice to the community:

- a. The notice which was determined necessary for the Greenvue Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.
- b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

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The developers engulfing this amount of navigable water and recreation space will NOT benefit of the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

Name:

City:



A





Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE, TAX#5846 & #5847 1/4 TR 2 BLK 8J, PTN VAC RW PF DOWNTOWN URD 2022 0350N05W



AUG 27 2024

B



**From:** Liz WILSON <lwilson1597@gmail.com>  
**Sent on:** Thursday, December 26, 2024 7:16:33 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** Fwd: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** Photo 1.jpg (3.05 MB), Photo 2.jpg (2.27 MB)

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414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

Encroachment Permit Application No. L95S3036N

Madame Hearing Officer and Idaho Department of Lands:

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Liz Wilson

Post Falls, Idaho



A





Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 IIN TR 2 BLK 8, PTN VAC RW PF DOWNTOWN UPD 2022 0350N05W



AUG 27 2024

B



**From:** Skip Allert <skipallert@gmail.com>  
**Sent on:** Monday, December 23, 2024 5:33:34 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** Fwd: Fw: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** 1000005400.jpg (3.05 MB), 1000005399.jpg (2.27 MB)

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From: **Skip Allert** <[skipallert@gmail.com](mailto:skipallert@gmail.com)>  
Date: Mon, Dec 23, 2024 at 10:08 AM  
Subject: Fwd: Fw: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
To: <[navigablewaterways@idl.idaho.gov](mailto:navigablewaterways@idl.idaho.gov)>

----- Forwarded message -----

From: **Avis Stafford** <[draviscda@aol.com](mailto:draviscda@aol.com)>  
Date: Mon, Dec 23, 2024 at 9:47 AM  
Subject: Fw: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
To: [draviscda@aol.com](mailto:draviscda@aol.com) <[draviscda@aol.com](mailto:draviscda@aol.com)>, [js1215@aol.com](mailto:js1215@aol.com) <[js1215@aol.com](mailto:js1215@aol.com)>, Bob and Susan Stiger <[susanstiger@gmail.com](mailto:susanstiger@gmail.com)>, Scott Scofield <[scott.scofield@inxintl.com](mailto:scott.scofield@inxintl.com)>

----- Forwarded Message -----

From: [js1215@aol.com](mailto:js1215@aol.com) <[js1215@aol.com](mailto:js1215@aol.com)>  
To: Avis Stafford <[draviscda@aol.com](mailto:draviscda@aol.com)>  
Sent: Monday, December 23, 2024 at 08:36:31 AM PST  
Subject: Fw: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST

----- Forwarded Message -----

From: Scott Scofield <[scott.scofield@inxintl.com](mailto:scott.scofield@inxintl.com)>  
To: [js1215@aol.com](mailto:js1215@aol.com) <[js1215@aol.com](mailto:js1215@aol.com)>  
Sent: Sunday, December 22, 2024 at 02:17:33 PM PST  
Subject: FW: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004

1.

a. [navigablewaterways](mailto:navigablewaterways@idl.idaho.gov)

PC-00063



414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

Encroachment Permit Application No. L95S3036N

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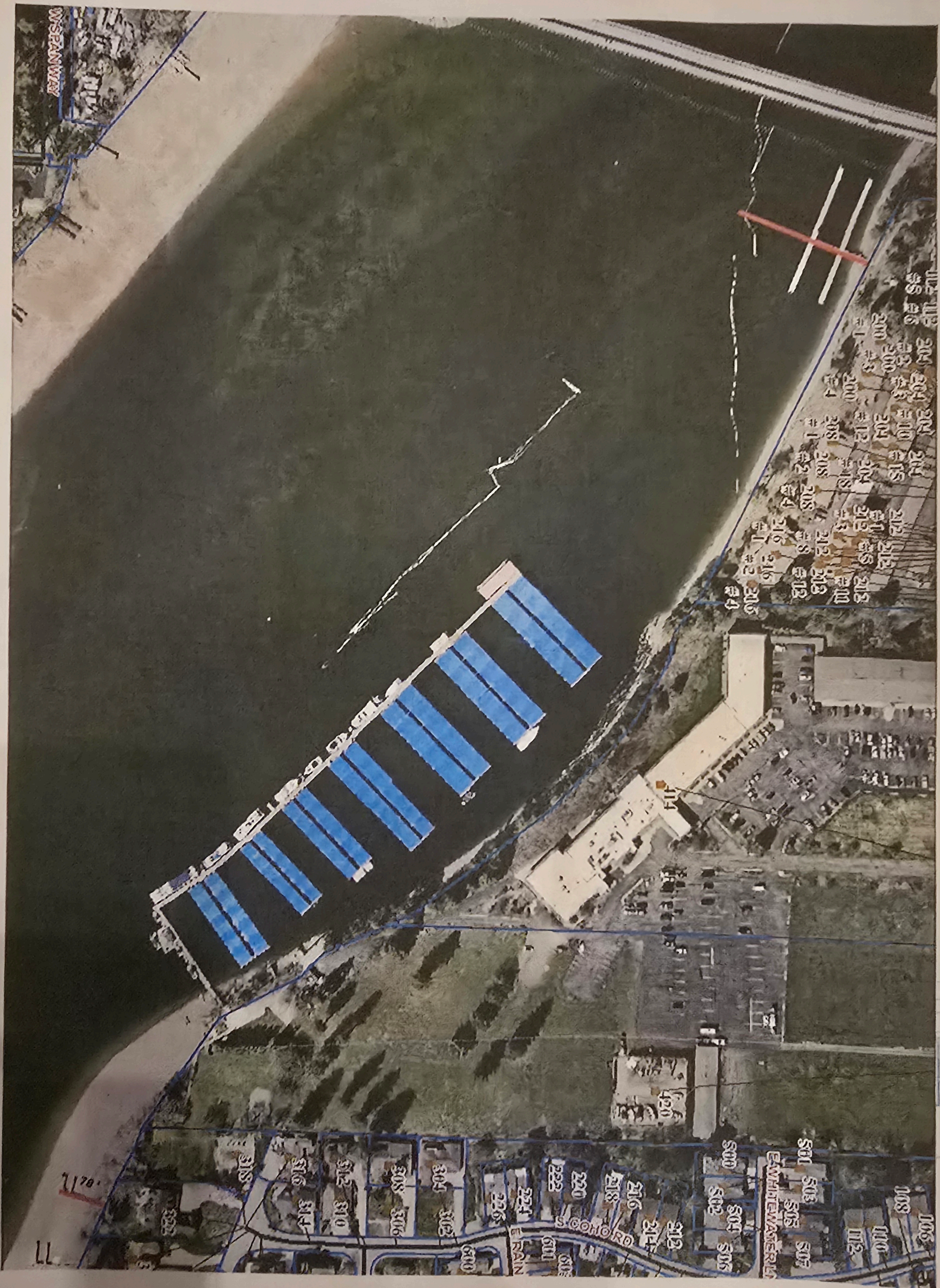
Please consider the above as reasonable and fair; particularly #1, as this confirmation of the log boom NOT being part of the original footprint was exactly what we believed to be the case.

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Name: Clinton Allert

City: corurdalene

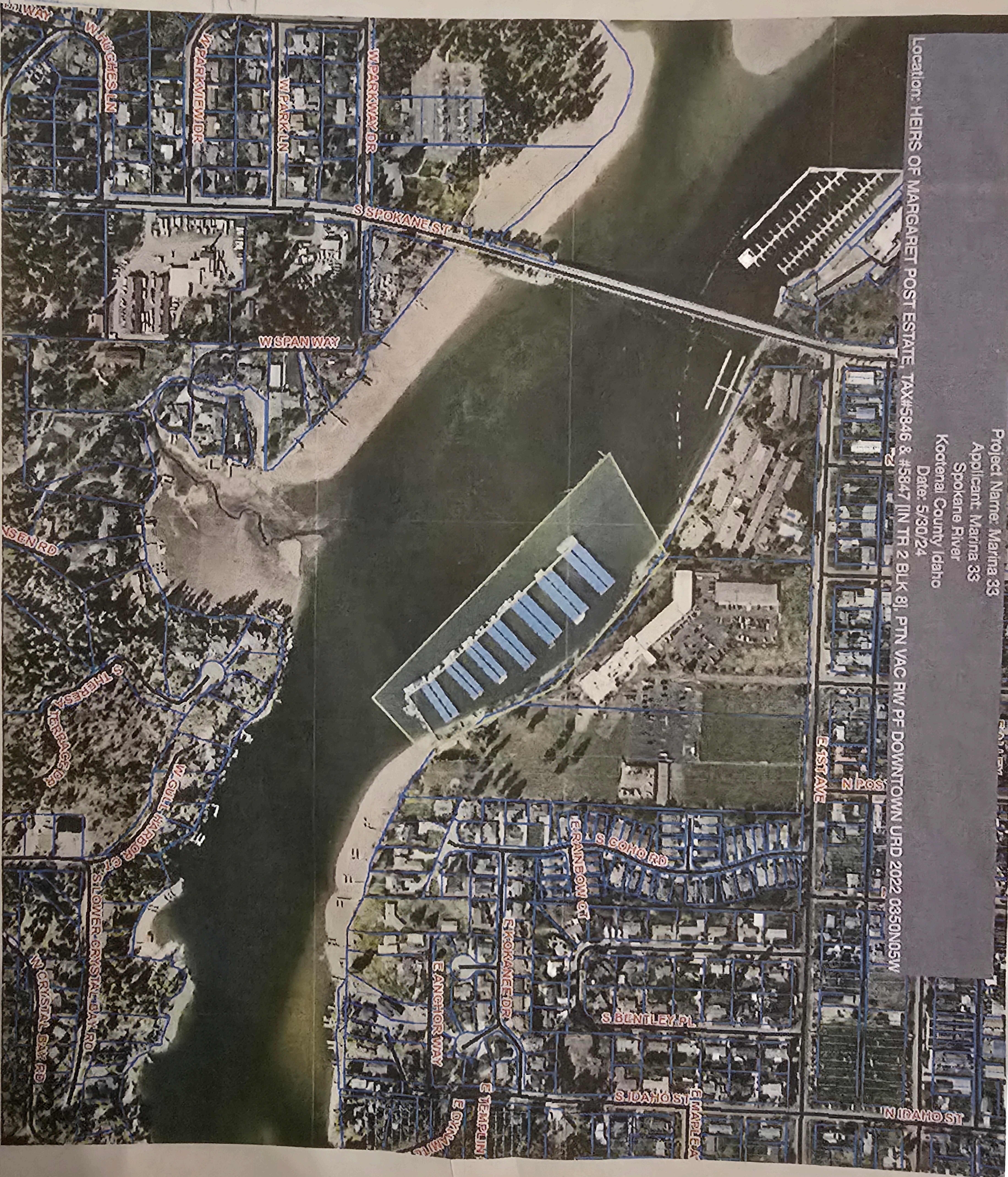






Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 IIN TR 2 BLK 8, PTN VAC RW PF DOWNTOWN UPD 2022 0350N05W



AUG 27 2024

B



**From:** Gary Maddock <gary@maddock.biz>  
**Sent on:** Thursday, December 26, 2024 10:22:12 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** Fwd: Fw: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** 1000005400.jpg (3.05 MB), 1000005399.jpg (2.27 MB)

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414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

Encroachment Permit Application No. L95S3036N

Madame Hearing Officer and Idaho Department of Lands:

We are requesting an extension for a new hearing for the following reasons:

1. New information disclosed at the public hearing:

During the hearing on December 19, 2024, the log boom area was being disputed. The developers' attorney, Scott Hislop, stated that they are staying within their current footprint, and you correctly inquired as to whether the water from the end of the current slips/walkway out to the log boom and including the log boom, was indeed part of the original permit. It was then disclosed by an Idaho Department of Lands representative that the log boom area is NOT and never has been a part of the originally permitted area for the marina. (See attached Exhibit A from the IDL website for this case; different photos were used by Mr. Hislop at the hearing). Mr. Hislop's exact words in his Applicant Pre-Trial Hearing Statement 3.1.1 states "The reconfigured commercial marina with some private moorage will fit within the 'overall footprint' of the existing commercial marina." This is does not appear to be accurate- it should be the existing "permitted" commercial marina. The developers have submitted plans for their marina expansion to **include the navigable waterway** between the current marina dock footprint, to the log boom(south). Accordingly, this would not be staying within their current **permitted** footprint; the log boom has been in place prior to any marina and was used for logging purposes. Additionally, the developers are encroaching on the east and west sides as well (see Exhibit B from IDL website for this case), which is another example of them not maintaining their existing (permitted) footprint as they claim.

2. Lack of notice to the community:

- a. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.
- b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

3. The Public hearing was scheduled for December 19, 2024, 4-8pm, during one of the busiest seasons for people all year long. We requested to delay the hearing until January so people could be informed, but we were denied. Many people were unable to attend due to holiday plans and travel.

Please consider the above as reasonable and fair; particularly #1, as this confirmation of the log boom NOT being part of the original footprint was exactly what we believed to be the case.

The developers engulfing this amount of navigable water and recreation space will NOT benefit of the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

**PC-00064**



		Gary and Michele Maddock
		On the River at 5418 E Marina Ct
		Post Falls, ID 83854



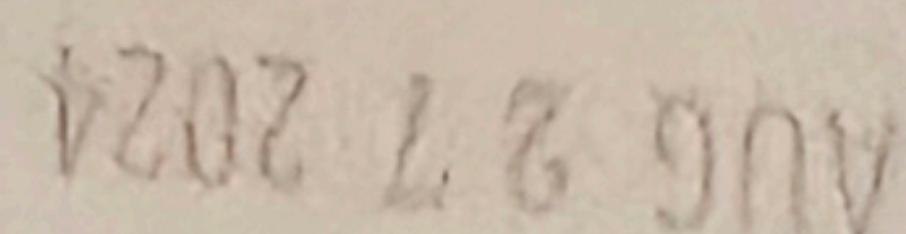
A





Date: 5/30/24

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**From:** Skip Allert <skipallert@gmail.com>  
**Sent on:** Monday, December 23, 2024 5:08:48 PM  
**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>  
**Subject:** Fwd: Fw: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Attachments:** 1000005400.jpg (3.05 MB), 1000005399.jpg (2.27 MB)

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----- Forwarded message -----

**From:** Avis Stafford <[draviscda@aol.com](mailto:draviscda@aol.com)>  
**Date:** Mon, Dec 23, 2024 at 9:47 AM  
**Subject:** Fw: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**To:** [draviscda@aol.com](mailto:draviscda@aol.com) <[draviscda@aol.com](mailto:draviscda@aol.com)>, [js1215@aol.com](mailto:js1215@aol.com) <[js1215@aol.com](mailto:js1215@aol.com)>, Bob and Susan Stiger <[susanstiger@gmail.com](mailto:susanstiger@gmail.com)>, Scott Scofield <[scott.scofield@inxintl.com](mailto:scott.scofield@inxintl.com)>

----- Forwarded Message -----

**From:** [js1215@aol.com](mailto:js1215@aol.com) <[js1215@aol.com](mailto:js1215@aol.com)>  
**To:** Avis Stafford <[draviscda@aol.com](mailto:draviscda@aol.com)>  
**Sent:** Monday, December 23, 2024 at 08:36:31 AM PST  
**Subject:** Fw: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST

----- Forwarded Message -----

**From:** Scott Scofield <[scott.scofield@inxintl.com](mailto:scott.scofield@inxintl.com)>  
**To:** [js1215@aol.com](mailto:js1215@aol.com) <[js1215@aol.com](mailto:js1215@aol.com)>  
**Sent:** Sunday, December 22, 2024 at 02:17:33 PM PST  
**Subject:** FW: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004

1.

a. [navigablewaterways](mailto:navigablewaterways@idl.idaho.gov)

414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

Encroachment Permit Application No. L95S3036N

**PC-00065**



Madame Hearing Officer and Idaho Department of Lands:

We are requesting an extension for a new hearing for the following reasons:

1. New information disclosed at the public hearing:

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2. Lack of notice to the community:

- a. The notice which was determined necessary for the Greenview Condominiums to the west of the project was Returned to Sender, and accordingly those residents did not receive proper notification. It appears that no additional effort was made to ensure residents were notified.
- b. Many houses upriver from the marina did not know about the magnitude of this expansion, for which the developers are seeking a permit.

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The developers engulfing this amount of navigable water and recreation space will NOT benefit of the citizens of Idaho, and we would argue that it violates IDAPA 20.03.04.012. Policy. (01.)

Name:Clinton Allert

City:corurdalene



Project Name: Marina 33  
Applicant: Marina 33  
Spokane River  
Kootenai County Idaho  
Date: 5/30/24

Location: HEIRS OF MARGARET POST ESTATE TAX#5846 & #5847 1/4 TR 2 BLK 8, PTN VAC RW PF DOWNTOWN UPD 2022 0350N05W



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**From:** Debbie Kerns <debkerns@msn.com>

**Sent on:** Thursday, December 26, 2024 9:02:42 PM

**To:** Navigable Waterways <navigablewaterways@idl.idaho.gov>

**Subject:** IDL Case No. PH-2024-NAV-22 / OAH Case No. 24-320-09 414 PF Hospitality, LLC

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To Whom It May Concern,

We are disappointed that 414 PF Hospitality did not notify the Greenview Condominium homeowners and the HOA of the public hearing regarding the 414 Marina extension. The HOA was made aware of the hearing only by happenstance a week before the hearing.

The Greenview Condominium property is directly adjacent to the west of the proposed 414 Marina extension and should have been notified of the marina extension plans.

Documents show that 414 Hospitality sent public hearing notices to ASI Management. The Post Office returned the public hearing notices as undeliverable as ASI Management has not represented the Greenview HOA for over five years.

There was no apparent attempt to confirm the correct Greenview HOA address. The IDL has the correct HOA address to send the waterway lease bill and StanCraft also has the correct address and has billed the HOA for dock repairs in the recent past.

The lack of a public hearing notice became obvious when nearly every speaker at the hearing said they did not receive a notice of the public hearing. The attorney representing 414 Hospitality and the IDL stated they did not hear from the adjacent property owners. 414 Hospitality did not properly notify the adjacent property owners in the Mill Run subdivision or the Greenview Condominiums and the property owners were unable to comment in a timely manner.

We do not believe the breakwater, as referenced multiple times during the hearing, establishes a legal boundary between the 414 Marina and the Greenview Condominium property. The breakwater was not a part of the original property development by Bob Templin. Logging operators built and used the breakwater for river logging operations and did not remove the breakwater when logging operations ended many years ago, long before the Templin's property was developed. Regardless of how long the breakwater has been in place, it should not be used to establish a legal boundary line.

The IDL should not allow private or commercial entities to build new slips, docks, or other structures that encroach on other property owner's shorelines. The proposed marina expansion configuration will locate additional slips and dock structures directly in front of Greenview Condominium shoreline, specifically Buildings C and D.

While 414 Hospitality has been a good neighbor, we do not support the addition of more slips, docks, or other structures that encroach on the Greenview Condominiums shoreline. 414 Hospitality has room on the east side of their property and could consider the marina extension in that direction where it does not encroach on other property owner's shoreline.



Much was said by the speakers at the public hearing regarding boat congestion and heavy traffic in the area. The river has reached the saturation point and many Greenview boat owners do not use the river on weekends because the congestion and overcrowding.

414 Hospitality suggest they will improve safety on the water in the area of the marina extension. There is very little presence by the Marine Sheriff on the river in general and in the no wake zone specifically, even though the Marine Sheriff has a boat garage on the 414 properties. On any summer weekend there are multiple violations of the no wake zone and speed limits in the area from the east side of the 414 Hospitality property all the way to the public launch at Q'emiln Park.

The no wake zone is used by swimmers, people floating on inner tubes, paddle boards, canoes, and kayaks. The number of boats in the area already endangers the people using the no wake zone. The potential for another 100 boats in the area coupled with minimal Marine Sheriff presence will not improve safety in the area.

Please do not approve this request as written. Please respect our shoreline and do not allow additional slips, docks, or other structures to encroach on the Greenview Condominium property owner's shoreline.

Respectfully,

Ross and Debbie Kerns  
Greenview Condominiums



**From:** [sheri scofield](#)  
**To:** [Filings](#)  
**Subject:** Re: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST  
**Date:** Friday, December 27, 2024 7:56:13 PM

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Hi Avis and Jim,  
It doesn't look like this email went out correctly to all the river people.  
It doesn't tell them to forward it to the hearing officer. It just looks like you're sending something for them to read.

There were instructions for your people to follow and send the letter in their name.  
I don't think we will get enough letters in.  
It probably should've said "urgent please send this letter... we have until midnight on the 27th"  
Thanks,  
Sheri

On Dec 27, 2024, at 11:12 AM, Filings <[filings@oah.idaho.gov](mailto:filings@oah.idaho.gov)> wrote:

Good afternoon,

Please see additional comments in the above-referenced matter. Also note that these comments will be posted on the IDL website.

Thank you.

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**From:** Scott Scofield <[Scott.Scofield@inxintl.com](mailto:Scott.Scofield@inxintl.com)>  
**Sent:** Thursday, December 26, 2024 10:45 PM  
**To:** Merritt Dublin <[Merritt.Dublin@oah.idaho.gov](mailto:Merritt.Dublin@oah.idaho.gov)>; Filings <[filings@oah.idaho.gov](mailto:filings@oah.idaho.gov)>  
**Subject:** FW: 414 PF Hospitality, LLC IDL Case No. PH-2024-NAV-22-004 EXTENSION REQUEST

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Madame Hearing Officer:

Below is the letter many residents have sent to the [navigablewaterways@idl.idaho.gov](mailto:navigablewaterways@idl.idaho.gov) email address to request an extension and another hearing.

We wanted to make sure you would get this.

Best regards

414 PF Hospitality, LLC

IDL Case No. PH-2024-NAV-22-004/

OAH Case No. 24-320-09

Encroachment Permit Application No. L95S3036N

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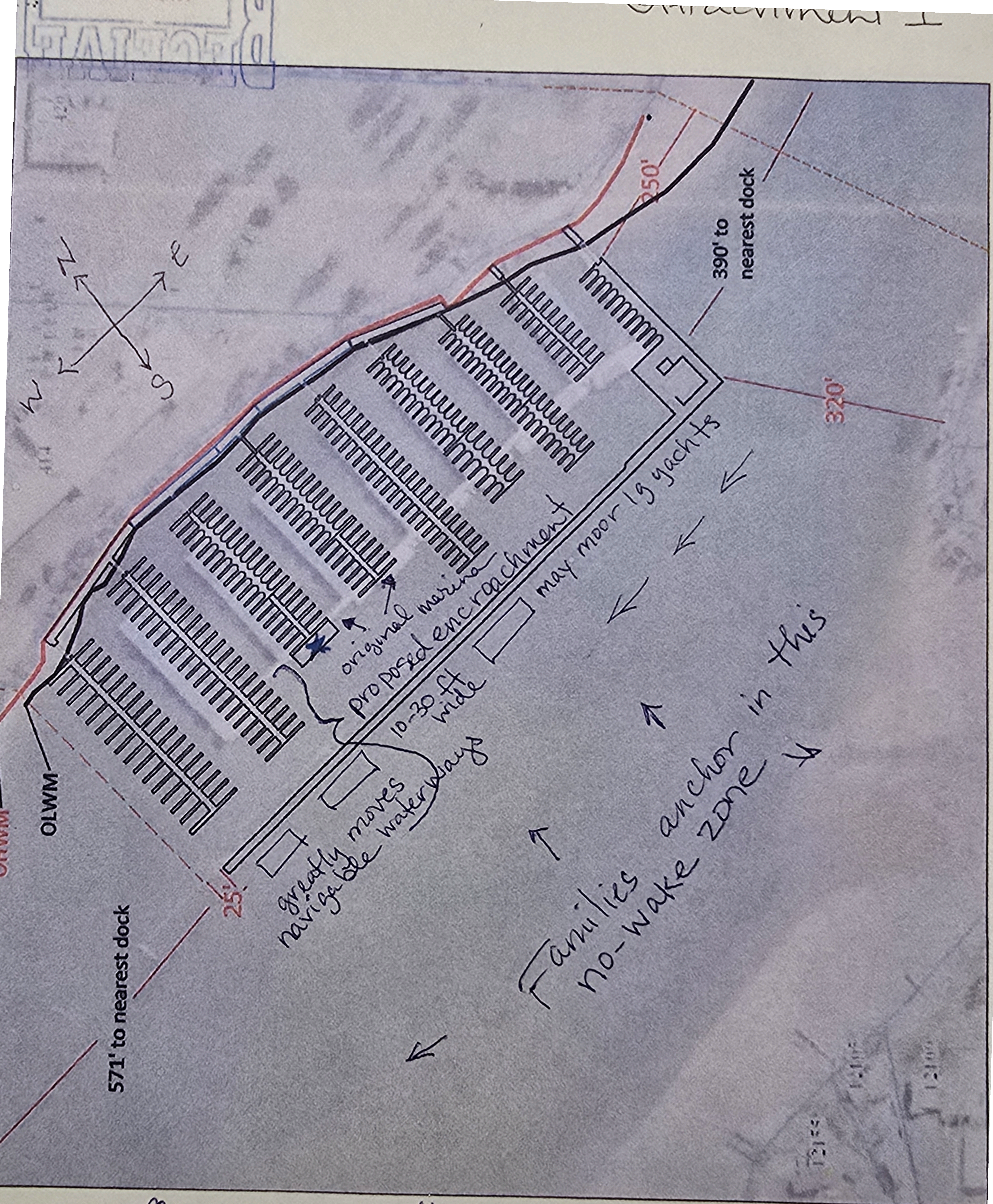
Name:

City:

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\* Sheriff garage re-location



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AUG 27 2024

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