

JOHN A. FINNEY  
FINNEY FINNEY & FINNEY, P.A.  
Attorneys at Law  
Old Power House Building  
120 East Lake Street, Suite 317  
Sandpoint, Idaho 83864  
Phone: 208-263-7712  
Fax: 208-263-8211  
Email: johnfinney@finneylaw.net  
ISB No. 5413

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of Marina	)	Agency Case No.
Expansion,	)	PH-2024-NAV-20-003
	)	
LONG BRIDGE LAND HOLDING	)	OAH Case No.
COMPANY, LLC, BENJAMIN	)	24-320-10
MILBRATH,	)	
	)	CLOSING STATEMENT
Applicant.	)	
	)	

---

COMES NOW the Applicant, by and through counsel JOHN A. FINNEY, and submits this closing statement following the March 6, 2025 hearing and March 7, 2025 site visit, as follows:

The Applicant has demonstrated compliance with and satisfaction of the encroachment standards applicable to the proposed marina expansion through the Applicant's application and the clarifying submittals and testimony in this proceeding. The concerns raised by the Idaho Department of Lands and by the Idaho Transportation Department that are within the jurisdiction of the Idaho Department of Lands have been appropriately addressed.

The nature of the marina as a public marina was clarified.

The length of the docks was clarified.

The parking calculation and spaces were clarified.

The highway right of way location and proximity waterward of the artificial high water mark were clarified. A condition prohibiting a side tie on the outside of the dock closest to the shore is appropriate to avoid moorage within the highway right of way.

The nature of the fiber internet cable was clarified and the method of work was identified. If a condition is necessary, an appropriate condition would require marking the cable with buoys and the use of a diver for the piling work in the immediate vicinity of the cable to avoid damage.

The concerns regarding traffic and pedestrians and any uplands issues involving the highway right of way are beyond the scope of the jurisdiction of the IDL and relevant statutes and rules regarding the marina expansion. The traffic concerns are anticipated to be addressed in the to follow Bonner County planning and zoning processes applicable to the marina expansion. Any asserted issues involving the location of fill on the uplands are anticipated to be addressed through surveying and any appropriate remediation work.

The marina expansion provides a public benefit through a substantial increase in the boat slips availability to the general public on the body of water. The approval of the marina

expansion in this proceeding is appropriate.

DATED this 21 day March, 2025.

  
JOHN A. FINNEY  
Attorney for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed and served through direct email, or as otherwise indicated below, this 21 day of March, 2025, and was addressed as follows:

Elaine Maneck  
Office of Administrative Hearings  
State of Idaho  
Boise, Idaho  
Via Email: elaine.maneck@oah.idaho.gov  
and: filings@oah.idaho.gov

Leslie M. Hayes  
Deputy Chief Administrative Hearing Officer  
Boise, Idaho  
Via Email: leslie.hayes@oah.idaho.gov

Benjamin Milbrath  
Long Bridge Land Holding Company LLC  
Spokane, Washington  
Via Email: lblhco@outlook.com

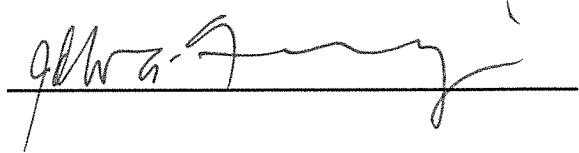
Laneco Marine  
Kootenai, Idaho  
Via Email: info@lanecomarine.com

John Richards  
General Counsel  
Idaho Department of Lands  
Boise, Idaho  
Via Email: jrichards@idl.idaho.gov

Marde Mensinger  
Program Manager for Navigable Waters  
Idaho Department of Lands  
Boise, Idaho  
Via Email: mmensinger@idl.idaho.gov

Robert Beachler  
Idaho Transportation Department  
Coeur d'Alene, Idaho  
Via Email: robert.beachler@itd.idaho.gov

Gary D. Luke  
Counsel  
Idaho Department of Transportation  
Boise, Idaho  
Via Email: gary.luke@itd.idaho.gov

A handwritten signature in black ink, appearing to read "Gary D. Luke", is written over a horizontal line.