



Idaho Lake Protection Act

Community Docks

A **community dock** is a structure that provides private moorage for more than two (2) adjacent littoral owners (lake front property owners or their lessees/grantees), or other littoral owners possessing a littoral common area such as a homeowner's association. No public access is required for a community dock.

An **encroachment permit** from the Idaho Department of Lands is required for community docks located on navigable lakes (including reservoirs not exclusively managed by the federal government) under the Lake Protection Act (Title 58, Chapter 13, Idaho Code). Community dock standards are found in IDAPA 20.03.04.

In addition, a **state submerged land lease** is required for community docks located on navigable waterways. Annual rent per moorage is 5% of the average moorage rate charged at nearby marinas. Additional rent may be required for other encroachments. Lessees are required to carry \$1 million general liability insurance. If the lessee is a business, registration with the Idaho Secretary of State is required.

Community Dock Requirements

- Property must have at least 50 feet of shoreline.
- No part of the dock may exceed 10 feet in width.
- Total decking area may not exceed the greater of:
 - 700 square feet
 - feet of shoreline x 7

However, IDL may limit the size when evaluating the proposal and public trust values.

- Docks should protrude at a right angle to the general shoreline.
- Docks may not be located closer than 25 feet from adjacent littoral right lines, unless written consent from the adjacent littoral owner is obtained.
- Docks must be designed and installed to withstand normally anticipated weather conditions.
- Beaded foam is discouraged, but if used, must be completely encased and resistant to the entry of rodents.



Covered Slip Requirements

- May not have a temporary or permanent residential area.
- Colors should blend with the natural surroundings.
- May not be supported by extra piling.
- May not be constructed with a hard roof.
- Eaves may not extend beyond underlying dock.
- Fabric canopies with sides are discouraged, but if sides are to be installed, then:
 - Two feet of open space must be left between the bottom of the cover and the dock surface.
 - Canopy fabric must transmit at least 75% of natural light.



Boat and Jet Ski Requirements

- Community docks are allowed one boat lift or two jet ski lifts per moorage. Additional lifts will require that fifty percent (50%) of the footprint of the largest lifts be deducted from the allowable surface area.
- Boat lifts placed outside of a slip shall be oriented with the long axis parallel to the dock structure.

Conversion to a Commercial Marina

A permit is required to convert a community dock to a commercial marina and to convert a commercial marina to a community dock. Please contact IDL prior to submitting an application to discuss the plans.

The difference between a community dock and a commercial marina is who uses the moorages. Facilities with at least 50% of moorages available to the public (for free or rent) may qualify as a commercial marina. Facilities with less than 50% of moorages available to the public are considered community docks.

Please see the Idaho Lake Protection Act Commercial Marina brochure for permitting requirements for commercial marinas.

Application Process

Permits are typically issued 2-4 months after an application is received.

1. **Apply.** Applicant submits:

- ☐ Joint Application Form (The Joint Application Form is used by both IDL and the [United States Army Corp of Engineers](https://www.usace.army.mil/) (<https://www.usace.army.mil/>) (USACE). Depending on the nature of the work, a permit may be required from the USACE under the Rivers and Harbors Act or the Clean Water Act.)
- ☐ IDL Application Form
- ☐ Supporting documents (drawings, maps, etc.)
- ☐ \$2,075 application & newspaper publication fee

2. **Review.** IDL reviews application and notifies applicant if additional information is needed.

3. **Comments.** IDL publishes a notice of the application in the local paper and provides a notice of the application to adjacent land owners and other agencies. If an interested party objects, and an agreement cannot be reached, IDL will hold a public hearing. The purpose of the hearing is to gather the facts concerning the proposed encroachment and potential impact to the lake in order to determine if it meets relevant standards.

4. **Issue Permit.** If the proposed dock meets all relevant standards, IDL issues a permit.

5. **Record Permit.** Permittee records the permit with the county recorder's office.

6. **Construction.** Permittee constructs the dock.

7. **File Report.** Once the dock is built, the permittee submits a work completion report with IDL.

8. **Inspection.** IDL inspects the dock to verify compliance with the permit terms and standards.

Contact us

For more information, visit the [IDL Encroachments webpage](https://www.idl.idaho.gov/lakes-rivers/encroachments/). (<https://www.idl.idaho.gov/lakes-rivers/encroachments/>) Or scan the QR code.

