



# Idaho Lake Protection Act Boat Garages

An **encroachment permit** from Idaho Department of Lands (IDL) is required for boat garages located on navigable lakes and certain reservoirs (Idaho Code Title 58, Chapter 13).

## Requirements under IDAPA 20.03.04

- Boat garages are nonnavigational encroachments that are used to moor watercraft and must include one (1) or more boat slips.
- Applications to construct new boat garages will not be accepted unless they are to support local emergency services.
- A permit is needed to relocate or reconstruct an existing boat garage. A permit is not required to clean, maintain, or repair an existing permitted boat garage.
- The footprint (the total area the encroachment occupies, measured in square feet) of a boat garage must not be expanded, except to support local emergency services. To determine compliance with this requirement, IDL compares the existing and proposed:
  - **Boat Garage footprint:** Area enclosed by the walls and roof.
  - **Master Float footprint:** Area covered by the float(s) supporting the boat garage.
- The height of the boat garage must not increase.
- Boat garages must not have a temporary or permanent residential area.



## Other Conditions

- It is presumed (subject to rebuttal) that a boat garage situated less than twenty-five (25) feet from an adjacent littoral right line will have an adverse impact on the littoral rights of the adjacent property owner.
  - Signoff from the affected neighbor is required if the garage will be located closer than 25 feet to the shared littoral right line. IDL will notice the adjacent neighbor via certified mail about the proposed encroachment.
- Boat garages must be designed and built to meet local building standards and withstand the garage weight with snow loads, fluctuating water levels, wind, and waves. Boat garages may be **floating** or **fixed pier**.



# Application Process

**Apply.** Applicant submits:

- Joint Application Form (The Joint Application Form is used by both IDL and the United States Army Corp of Engineers (USACE)).
- IDL Application Form
- Supporting documents (drawings, maps, etc.). Applications must include detailed, scaled drawings of all features including walls, roof, windows, doors, and slip. The drawings must include an interior layout that depicts the dimensions of the slip cut out and location of any interior walls.
- Fee of \$1,000 for nonnavigational encroachments, plus a \$75 publication fee.

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

**Comments.** IDL notifies adjacent landowners, publishes notice of the application in the local newspaper, and notifies other agencies. If an objection is received, and an agreement cannot be reached, IDL will hold a public hearing.

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

**Record Permit.** Applicant, now Permittee, records the permit with the county recorder's office and submits proof of recordation to IDL.

**Construction.** Permittee constructs the encroachment following the approved plans.

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

**Inspection.** IDL inspects the encroachment 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.

