

MICA
SUPERVISORY AREA
3258 W. Industrial Loop
Coeur d'Alene, ID 83815
Phone (208) 769-1577



STATE BOARD OF LAND COMMISSIONERS
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June 24, 2025

Kidd Island Bay Homeowners Cooperative Assoc., INC.
Atten Tim Moss
4323 Vanilla Ct
Coeur d'Alene ID 83814

CERTIFIED LETTER

Re: Courtesy Notification of Application for Encroachment **L95S0446C**

To Whom it Concerns:

This letter serves as formal notice that **Walter Nevin**, a co-owner of your shared community waterfront parcel on **Lake Coeur d'Alene**, has applied to the Idaho Department of Lands (IDL) **to rebuild an existing permitted boat garage** located on the shared property.

Enclosed you will find the submitted application materials, including site diagrams that show the proposed location, structure dimensions, and distances in relation to the shared riparian boundary.

Because the project is located on jointly owned land per the Miller et al. v. Kidd Island Bay Dev. Co. et al. 1987 Decision (attached), all co-owners (represented by Kidd Island Bay Homeowners Cooperative Association, INC.) **are required to respond by completing and returning the attached form.**

If you do not object to the proposed project after reviewing the materials, please complete the form by **signing Box 1** and return it to our office as soon as possible.

If you **object** to the proposed project and wish to request a public or contested case hearing, please complete the form by **signing Box 2** and submit it along with a **\$75 fee** to cover the cost of publishing notice of the hearing. Pursuant to IDAPA 20.03.04.030.04, both the written objection and the fee must be received by the Department no later than **July 28, 2025**, which is 30 days from the first date of public notice in the local newspaper.

Should you choose to submit an objection, it is helpful to include comments specifically on how the proposed project may affect the site in terms of navigation, environmental impacts, recreation, water quality, aesthetics, or property use. Please include your phone number and email address so we can follow up with you if necessary.

If you have questions about the application or the response process, please feel free to contact me directly.

Sincerely,

Amidy Fuson
Lands Resource Specialist-Navigable Waters
afuson@idl.idaho.gov
Enclosures

**STATE OF IDAHO DEPARTMENT OF LANDS
ADJACENT NEIGHBOR ATTACHMENT FOR ENCROACHMENT**

NON-NAVIGATIONAL REQUIREMENTS AND SETBACKS

1. Boat Garage. A structure with one (1) or more slips that is completely enclosed with walls, roof, and doors, but no temporary or permanent residential area.
2. Boat garages are considered nonnavigational encroachments.
3. Applications for permits to construct new boat garages, expand the total square footage of the existing footprint, or raise the height will not be accepted unless the application is to support local emergency services.
4. Presumed Adverse Effect. It will be presumed, subject to rebuttal, that single-family and two-family navigational encroachments will have an adverse effect upon adjacent littoral rights if located closer than ten (10) feet from adjacent littoral right lines, and that commercial navigational encroachments, community docks or nonnavigational encroachments will have a like adverse effect upon adjacent littoral rights if located closer than twenty-five (25) feet to adjacent littoral right lines. Written consent of the adjacent littoral owner or owners will automatically rebut the presumption. All boat lifts and other structures attached to the encroachments are subject to the above presumptions of adverse affects.

Please check one and initial:

- ☐ I have reviewed the application, including the scope and location of the proposed encroachment as depicted. **I consent** to the application and do not wish to participate in a public hearing.
_____ (initial)
- ☐ I have reviewed the application, including the scope and location of the proposed encroachment as depicted. **I object to the application and request a Public Hearing** in which I will be named as an objecting party. I have attached a summary of my objection to this form on a separate page **and a \$75 publication fee**. I UNDERSTAND THAT I AM REQUIRED TO SUBMIT MY CONTACT INFORMATION (NAME, PHONE NUMBER, EMAIL ADDRESS) IN ORDER TO SET A HEARING DATE. _____ (initial)

*IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT AMIDY FUSON AFUSON@IDL.IDAHO.GOV AS SOON AS POSSIBLE.

Date

Name

Address City State Zip

Phone Number Email Address