

STATE OF IDAHO
DEPARTMENT OF LANDS
ATTACHMENT FOR ENCROACHMENT

COMMUNITY DOCK REQUIREMENTS AND SETBACKS

General requirements are as follows:

- 1) No part of the structure waterward of the natural or ordinary high-water mark or artificial high-water mark shall exceed ten (10) feet in width except breakwaters when justified by site specific conditions and approved by the department.
- 2) A community dock shall not have less than fifty (50) feet combined shoreline frontage. Moorage facilities will be limited in size as a function of the length of shoreline dedicated to the community dock. The surface decking area of the community dock shall be limited to the product of the length of shoreline multiplied by seven (7) square feet per lineal feet or a minimum of seven hundred (700) square feet. However, the Department, at its discretion, may limit the ultimate size when evaluating the proposal and public trust values.
- 3) If a breakwater will be incorporated into the structure of a dock, and a need for the breakwater can be demonstrated, the department may allow the surface decking area to exceed the size limitations.
- 4) Length of Community Docks and Commercial Navigational Encroachments. Docks, piers, or other works may extend to a length that will provide access to a water depth that will afford sufficient draft for watercraft customarily in use on the particular body of water, except that no structure may extend beyond the normal accepted line of navigability established through use unless additional length is authorized by permit or order of the director. If a normally accepted line of navigability has not been established through use, the director may from time to time as he deems necessary, designate a line of navigability for the purpose of effective administration of these rules.
- 5) 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 shall be subject to the above presumptions of adverse effects.

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 2/11/2026

Name Justin Yancey + Descendant's Trust

Address 4696 E Maplewood Ave City Post Falls, ID State 83854 Zip

Phone Number (509) 989-0335 Email Address yancey@yanceyfarm.com



OK# 496
Pd 2/12/26
\$75.00

February 11th, 2026

VIA HAND DELIVERY

Idaho Department of Lands

Attn: Ms. Amidy Fuson and Mr. Mike Ahmer
Navigable Waters
3258 Industrial Loop
Coeur d'Alene, ID 83815

Re: Encroachment Permit Application L95S6193 Community Dock

Dear Amidy and Mike,

This letter is written on behalf of Justin Yancey and Descendant's Trust (the Trust), the owner of the parcel adjacent to the western portion of Community Dock Permit Request L95S6193 (Olinger, Hamill, Vedadi, BWHQ). The applicant seeks approval of a community dock. The Trust hereby objects to the proposed application and requests a public hearing. Enclosed is a check in the amount of \$75 made payable to the Idaho Department of Lands.

The application does not qualify under existing administrative regulations outlined in the *Idaho Lake Protection Act – Community Docks* for the issuance of a permit for a community dock:

- The littoral line designated between Olinger's lot and the Trust's lot does not provide enough specificity to measure.
- The littoral line represented in the application is not set correctly.
- The littoral line does not protrude at a right angle from the shoreline.
- Since these fundamental regulations are not adhered to on this project application depiction, the dock starting and ending points encroach over the littoral line, dishonoring the 25-foot set back from the adjacent littoral right line.
- The plan depicts two boat lifts for the Olinger lot dock, while only one is allowed per moorage.



Given the inability of this application to satisfy these application requirements, this application should be denied.

Sincerely,



Justin Yancey

Trustee

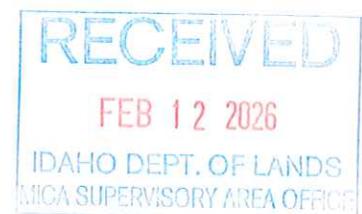
Justin Yancey and Descendants Trust

6696 E Maplewood Avenue

Post Falls, ID 83854

(509) 989-0335

yancey@yanceyfarm.com





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, Idaho Code § 58-1303. 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

- Littoral property must have at least 50 feet of shoreline.
- No part of the dock may exceed 10 feet in width.
- Total decking square footage may not exceed the product of the length of the shoreline in lineal feet multiplied by seven. (e.g. 100' shoreline x 7 = 700 total square feet).

However, IDL may limit the size at its discretion.

- 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 notice of the application to adjacent landowners and other agencies seeking input as to the likely effect of the encroachment upon navigation, habitat, aquatic life, recreation, aesthetic beauty, or water quality. IDL will hold a public hearing, if requested. The purpose of the hearing is to gather the facts concerning the proposed encroachment and public testimony in support of, or in opposition to, the encroachment.

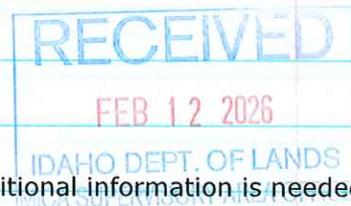
4. Issue Permit. If the proposed dock meets all relevant standards, IDL issues a permit.

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.

