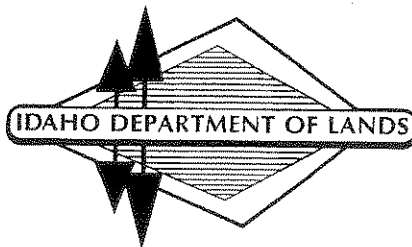


MICA SUPERVISORY AREA  
3706 Industrial Ave South  
Coeur d'Alene ID 83815  
Phone (208) 769-1577  
Fax (208) 769-1597



GEORGE BACON, DIRECTOR  
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS  
C.L. "Butch" Otter, Governor  
Ben Ysursa, Secretary of State  
Lawrence G. Wasden, Attorney General  
Donna M. Jones, State Controller  
Tom Luna, Sup't of Public Instruction

April 24, 2009

The Coeur d'Alene Press  
P.O. Box 7000  
Coeur d'Alene, ID 83816

Re: CORRECTION of Legal Notice of Application L-95-S-3212

This morning, April 24, 2009, a notice of application was faxed to your legal advertisement department. This notice of application listed an **incorrect date** for the hearing. The correct date for the hearing is **June 4, 2009**. The corrected notice of application is included with this fax. **Please publish this notice and disregard the original.**

**Enclosed is a notice of application. Please publish this as a legal advertisement for two consecutive weeks on April 28, 2009 and May 5, 2009.**

Upon completion, please provide a tear sheet for the April 28, 2009 publication, an affidavit of publication, and statement of cost.

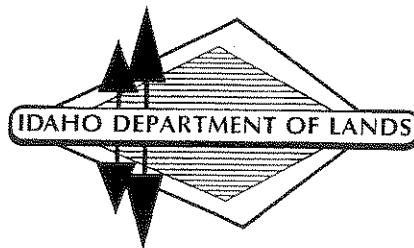
Thank you. Your help in this matter is greatly appreciated.

Sincerely,

Brittany Baeumel  
Administrative Assistant

Enclosures

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## MEMORANDUM

TO: Idaho Department of Fish and Game & Department of Environmental Quality  
Idaho Department of Water Resources & US Army Corps of Engineers-CDA  
Panhandle Health District 1 & Kootenai County Parks, Recreation/Waterways  
Kootenai County Marine Division & Kootenai County Building & Planning & Zoning  
Kootenai Environmental Alliance & Lakes Commission  
City of Coeur d'Alene & Hauser Lake Fire Department, Attn. Larry Simms

### ADJACENT PROPERTY OWNERS

North Idaho Maritime, LLC  
1682 W. Blackwell Mill Rd.  
Coeur d'Alene, ID 83814

Blackwell Island R.V. Park  
800 S. Marina Dr.  
Coeur d'Alene, ID 83814

FROM: Carl Washburn, Specialist  
Navigable Waters/Submerged Lands Leasing

DATE: April 27, 2009

SUBJECT: CORRECTION TO NOTICE OF APPLICATION L-95-S-3212 & Marina Yacht Club, LLC

Last week, Idaho Department of Lands sent out a notice of application for L-95-S-3212 and Marina Yacht Club, LLC. In addition, this announcement served as **Notice of Public Hearing** for this project. This announcement listed an **incorrect date** for the public hearing of June 3, 2009. The **correct date** for that public hearing is **June 4, 2009**. Please make note of this date change.

This Public Hearing will be a joint Public Hearing conducted by the Idaho Department of Lands and the U. S. Army Corps of Engineers. A **PUBLIC HEARING** in the matter will be held **June 4, 2009, at 6:00 p.m. in the Sundance Room at the Idaho Department of Lands office located at 3780 Industrial Avenue South, Coeur d'Alene, Idaho 83815**. The hearing will be conducted as prescribed in title 67, chapter 52, Idaho Code. Specific information regarding this application may be obtained from Carl Washburn Specialist, Navigable Waters/Submerged Lands Leasing at the above address or by calling (208) 769-1577. The Department of Lands will take written comments until the close of the hearing.

The Department apologizes for any confusion or inconvenience caused by the incorrect date being listed in the original notice of application.

## NOTICE OF APPLICATION/NOTICE OF PUBLIC HEARING

Pursuant to Section 58-104(g) and 58-1301, et seq., Idaho Code (The Lake Protection Act) and rules of the State Board of Land Commissioners, notice is hereby given that Marina Yacht Club, LLC of P.O. Box 6200 Coeur d'Alene, ID 83816 has made application to: discharge approximately 5,100 cubic yards of gravel and rock riprap and 3,400 cubic yards of dredged alluvium; temporarily discharge lakebed sands, silts, and gravels during dredging operations; place 374 cubic yards of poured-in-place concrete walls and concrete slabs; and discharge approximately 3,000 cubic yards of imported clay material to provide a clay liner on the basin bottom. The proposed work areas will be isolated from the lake utilizing potable coffer dams and pumping water from the work area. Upon completing the dewatering, dredging would be accomplished using conventional excavation equipment. Rock riprap would be discharged to stabilize the shoreline in the marina. Dredge alluvium would be placed into the existing man-made boat basin. Poured-in-place seawall and boat ramps would serve commercial facilities built on the adjacent uplands. Applicant proposes to deepen lakebed to an elevation of 2112 feet NGVD. An estimation of 121,000 cubic yards of silt, sands and gravels would be removed from below the OHWM. The applicant has completed an approved sampling and analysis plan per the Northwest Regional Sediment Evaluation Framework. Results of the plan identified areas of sediment in the marina basin which have elevated concentrations of contaminants of concern (COC) within project area. Applicant has designed two separate confined disposal facilities (CDF) for disposal of contaminants. Dredged materials from Dredged Material Management Units (DMMU) that have high levels of lead and arsenic will be excavated and placed in a lined and asphalt capped (CDF known as CDF-1). Other DMMU with moderate elevated levels of the (COC) will be excavated and placed in an unlined and capped (CDF known as CDF-2). All other dredged material DMMU will be placed as cap material of general fill used as structural fill to cover and raise the elevation of the upland areas of Blackwell Island above flood levels for future development. Deeper alluvial soils dredged from within the marina basin would be used to cover the sediments. Measures have been taken for erosion control and free water treatment and disposal. Additional information on the DMMU locations, volumes and disposal in the CDF-1 and CDF-2 is available upon request.

Secondary silt fence is planned with the basin to isolate the construction zone and control turbidity. Sampling of the turbidity levels is proposed during construction of the project.

Some soils to be dredged contain total metal concentrations in excess of limits allowed for fish, wildlife and aquatic habitat. These materials cannot be placed in direct contact with the aquatic environment if possible. The applicant proposes to cap this material with a 12-inch minimum permeable layer of clean material. Approximately 3,400 cubic yards of the deeper dredged alluvium material would be used to fill the existing boat basin on site. This is a man-made boat basin constructed many years ago.

Applicant proposes to stabilize the entire shoreline within the marina area with revetment of rock riprap. This would consist of a 3 foot deep toe trench, a 60-inch layer of aggregated for a filter, and an 18-inch layer of 6"-12" angular basalt riprap. The riprap shoreline protection would be at approximately a 1:1 slope.

At the north end of the marina basin, the applicant proposes to construct a 545-foot long seawall and a boat launch ramp; 485 feet of the seawall would be below the OHWM. This area would serve marina boats sales and services which would be located on the immediate uplands at this

location. The launch ramp would be used exclusively for the boat sales operation. The applicant proposes to construct the seawall and boat ramp before dredging work as only a portion of the ramp construction would occur below the current OHWM. The remainder of the ramp and the entire seawall would be built in what are currently uplands and no permit is required for this work. The OHWM would reach both the ramp and seawall when dredging activity is completed.

The project will include plantings of a variety of native shrub and tree species, including willow, cottonwood, dogwood, spirea, alder and hawthorn. The planting protocol calls for 5-gallon or larger nursery stock, spaced on five-foot centers. A goal for the plan is to establish 80% survival of the plants after three years. Additional information on the mitigation is available upon request.

Applicant's geotechnical/hydrologic consultant, Coeur d'Alene Lake and the Spokane River in the project area are perched above the Rathdrum Prairie Aquifer, which is about 80 feet below the surface water level. The lake and river recharge the aquifer slowly. The consultants investigated the subsurface conditions to ascertain what effect, if any, the dredging would have on seepage, breach of the lakebed seal, or leakage as well as water levels in the area. Results of the investigation concluded the proposed project is not likely to significantly increase seepage, breach a seal, or cause rapid leakage, also concluded it is unlikely the project would impact water levels. The study was reviewed by the Idaho Department of Environmental Quality and provided two alternatives; long term monitoring or replace the sediment "seal" to reduce the initial seepage to current seepage or less. Additional information on this study is available upon request.

None of the dredging will be in the old landfill. If any landfill material is encountered during dredging, the material would be removed to an appropriate landfill for the type of waste encountered.

Located on Coeur d'Alene Lake adjacent to: Tax Number 4116, 4090 and 19855; Government Lot 8, Section 14, Township 50 North, Range 4 West; Boise Meridian; Kootenai County.

The Idaho Department of Lands will accept written comments regarding this matter until **May 27, 2009, at 5:00 PM** and must be on file with the Director, Department of Lands. Written comments in this matter must be on file with the Idaho Department of Lands, 3706 Industrial Avenue South-Coeur d'Alene, Idaho 83815 within thirty (30) days after the first appearance of this notice.

In addition, this announcement will serve as **Notice of Public Hearing** for this project. This Public Hearing will be a joint Public Hearing conducted by the Idaho Department of Lands and the U. S. Army Corps of Engineers. **A PUBLIC HEARING** in the matter will be held **June 4, 2009, at 6:00 p.m. in the Sundance Room at the Idaho Department of Lands office located at 3780 Industrial Avenue South, Coeur d'Alene, Idaho 83815.** The hearing will be conducted as prescribed in title 67, chapter 52, Idaho Code. Specific information regarding this application may be obtained from Carl Washburn Specialist, Navigable Waters/Submerged Lands Leasing at the above address or by calling (208) 769-1577. The Department of Lands will take written comments until the close of the hearing.

/s/

MICHAEL R. DENNEY, Area Supervisor  
Idaho Department of Lands