

**Minutes of Meeting  
Osprey Association-Cougar Bay  
September 9, 2013  
4:00 p.m.**

The Kootenai County Board of Commissioners: Chairman Todd Tondee, Commissioner Dan Green and Commissioner Jai Nelson met to discuss the following agenda items. Also present were Cougar Bay Osprey Protection Association Secretary Sue Flammia, Nature Conservancy of Idaho Board member Dianne Borjessan, Chamber of Commerce Osprey Cruise representative Sandy Emerson, Kootenai Environmental Alliance representative Adrienne Cronebaugh, Bureau of Land Management representatives Janna Paronto and Kurt Pavlat, Civil Deputy Prosecuting Attorney John Cafferty, and Deputy Clerk Patti Marland-Stevens.

- A. Call to Order:** Chairman Todd Tondee called the meeting to order at 4:06 p.m.
- B. Introductions:** Chairman Tondee called for self-introductions.
- C. Changes to the Agenda:** There were no changes to the agenda.
- D. Old Business:** There was no old business discussed.

**E. New Business**

**Discussion with Osprey Association regarding Cougar Bay**

Cougar Bay Osprey Protection Association Secretary Sue Flammia requested the Board's consideration of a Department of Lands application for erecting of pilings in Cougar Bay. Through a Memorandum of Understanding (MOU) between Kootenai County and the Cougar Bay Osprey Protection Association, there is an agreement to act in protection of the ospreys. The population of the nesting ospreys in Cougar Bay has diminished due to twenty-two (22) nesting pilings, which were in poor condition. The residents of Cougar Bay had erected forty-four (44) pilings. Twenty-two (22) of these are new, single pilings that will act as roosts for the male ospreys. The additional twenty-two (22) pilings were erected to fortify the existing pilings and provide a specific nesting area for the female ospreys. The Idaho Department of Lands (IDL) had issued a cease and desist order on the further progress of piling placements. The Osprey Protection Association had been informed by Mr. James Brady of the IDL that there could be consideration for non-navigational encroachment being permitted for reason of wildlife habitat; however an after-the-fact application submission would be required. The application must be submitted by a municipality, county, state or federal agency.

The Osprey Protection Association shall pay any fees required and shall maintain the nesting sites.

Chairman Tondee stressed that the application must clearly state that there were forty-four (44) total pilings erected, stipulating that twenty-two (22) were erected to stabilize the pre-existing, failing pilings for nest boxes, with the additional twenty-two (22) pilings added to specifically create nesting sites.

Civil Deputy Prosecuting Attorney John Cafferty recommended making it clear that the Osprey Association works through the County per the MOU and must pre-authorize any activities through the Board for the proper permit process.

**F. Staff Reports:** There were no staff reports.

**G. Public Comment:**

The meeting was adjourned at 4:04 p.m.

Respectfully submitted,

CLIFFORD T. HAYES, CLERK

BY: \_\_\_\_\_  
Patti Marland-Stevens, Deputy Clerk