Application for Use of State-owned Aquatic Lands

Applicant Name: Washington State Department of Fish and Wildlife
County: Pacific County
Water Body: Willapa Spits
Type of Authorization - Use: Lease – Commercial Razor Clam
Authorization Number: 20-083698
Term:

Description: This agreement will allow Washington State Department of Fish and Wildlife to authorize commercial razor clam fishery at the Willapa Spits. Season will last approximately six (6) weeks.
Washington State Department of Fish and Wildlife
Legal Description

Willapa Bay in Pacific County, Washington Township 14 North, Range 11 West, W.M.
STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
DOUG SUTHERLAND, Commissioner of Public Lands

APPLICATION FOR AUTHORIZATION TO USE STATE-OWNED AQUATIC LANDS

NO WORK CAN BE STARTED ON THE PROJECT AREA UNTIL A USE AUTHORIZATION HAS BEEN GRANTED BY THE DEPARTMENT OF NATURAL RESOURCES

I. SUBMISSION OF APPLICATION

Enclose a $25.00 non-refundable application processing fee with the application. (This fee is not required for local, state, and other government agencies). This application form will be reviewed by the Department of Natural Resources upon receipt at the address given below. Applicants will be notified in writing if the application will be accepted for further review. However, this application may be rejected at any time before signed execution of a use authorization.

APPLICATION MUST BE FILLED OUT IN BLUE OR BLACK PEN

Please send the completed application form to your region land manager at:

Department of Natural Resources
Pacific Cascade Region
P.O. Box 280
601 Bond Rd
Castle Rock, WA 98611-0280

II. APPLICANT INFORMATION

Date of Application: 09/10/2008

Authorization to be Issued To (how name is to appear in the lease document): Washington Department of Fish and Wildlife

Applicant's Representative: Jennifer Quan

Relationship to Applicant: Acting Lands Division Manager

Address: 600 Capitol Way North
City: Olympia
State: WA
Zip Code: 98501

Telephone: 902-8150
Fax: 902-8140
E-Mail:

FOR OFFICIAL USE ONLY

Support: Application Fee Received □ N/A Date:

Land Manager: □ New Application; □ Renewal Application;
Land Records: New Application Number 20-083698 Trust Z1; County 25; AQR Plate No. Note 40

Form Date: June, 2005
II. APPLICANT INFORMATION cont'

Department of Revenue Tax *Registration Number (Unified Business Identifier) is Required: 91-1632572

Which of the following applies to Applicant (Check One and Attach written authority to sign - bylaws, power of attorney, etc):

<table>
<thead>
<tr>
<th>Corporation</th>
<th>Limited Partnership</th>
<th>General Partnership</th>
</tr>
</thead>
<tbody>
<tr>
<td>State of Registration:</td>
<td>State of Registration:</td>
<td>State of Registration:</td>
</tr>
<tr>
<td>Sole Proprietorship</td>
<td>Marital Community Spouse:</td>
<td>Government Agency ☒</td>
</tr>
</tbody>
</table>

Other ☐ (Please Explain:)

Has the site use been authorized before or is it currently under lease? Yes ☐ Lease Number:
No ☐ Don’t Know ☐

III. LOCATION

The Body of Water on which the state property is located: Willapa Bay

<table>
<thead>
<tr>
<th>County in which the state property is located:</th>
<th>Government Lot:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pacific</td>
<td>Government Lot:</td>
</tr>
<tr>
<td>Section:</td>
<td>Township: 14N</td>
</tr>
<tr>
<td>Range: 11W</td>
<td>E ☐ or W ☐</td>
</tr>
</tbody>
</table>

Note: A legal property survey including the legal description and other information about the property is required to obtain a use authorization. WA DNR survey requirements are attached to this form. The survey plat will be attached to the lease/easement as Exhibit A. **DO NOT HAVE THIS SURVEY CONDUCTED UNTIL YOU HAVE BEEN NOTIFIED IN WRITING THAT THE APPLICATION HAS BEEN ACCEPTED FOR PROCESSING.**

Physical description of Project Area (For example, Marsh, Tideflat adjacent to the Chehalis River, etc.): Detached sand spits at mouth of Willapa Bay.

Name of Owner(s) of Uplands, Shorelands, and/or Tidelands shoreward and adjacent to the Property: Washington State, Department of Fish and Wildlife

Address: 600 Capitol Way North

<table>
<thead>
<tr>
<th>City: Olympia</th>
<th>State: WA</th>
<th>Zip Code: 98501</th>
</tr>
</thead>
</table>

Phone Number: 360-902-8150

Fax Number 360-902-8140

E-mail:

Note: Except for property located within established Harbor Areas, proof of ownership, or authorization to use the adjacent tideland, shoreland, or upland property may be required. If the applicant is the owner of the adjacent land, attach a copy of the deed.

County Parcel No(s). for adjacent properties, upland, and/or adjacent tideland properties:
IV. USE OF PROPERTY

Describe, in detail, the proposed use of the Property:
The WDFW intends to authorize a commercial razor clam fishery at the Willapa Spits. The season varies annually, but generally lasts six-weeks, beginning in May and ending in June. About 100 licensed diggers participate in the fishery. Commercial digging is not permitted on ocean beaches.

| Is or will the Property be subleased to another party? Yes ☐ No ☒ |
|------------------------|-----------------|
| If yes, submit a copy of the sublease agreement. |

| What are the current and past uses of the site? The site has been used for over 25 years for the commercial harvest of razor clams. |

| Do you have any knowledge of contamination of the site by toxic or hazardous substances, or of past uses or practices that might have lead to contamination by such substances? Yes ☐ No ☒ |
|------------------------|-----------------|
| If so, please explain: |

| Do you know if any fill material has been placed on the property in question? Yes ☐ No ☒ |
|------------------------|-----------------|
| If yes, please explain: |

V. IMPROVEMENTS

Physical improvements are structures placed on the land that cannot be removed without damage to the land. Examples of such structures include: pilings, dolphins, piers, wharves, piling-supported buildings, structures built on fill or concrete foundations, buried pipelines and cables, and support structures for bridges.

| What physical improvements currently exist on the site? (Photos may be required.) None |

| If there are physical improvements currently on the site, who owns them? |

| If there are physical improvements currently on the site, describe their condition: |

| Which, if any, of the existing physical improvements will be removed, remodeled, or reconstructed? |

| Describe any physical improvements that the applicant is proposing to construct on the site: |

| Has any fill material been placed on the site? Yes ☐ No ☒ |
|------------------------|-----------------|
| If Yes, please describe: |
VI. **LOCAL, STATE, AND FEDERAL REGULATORY PERMITS** Copies of all Government Regulatory Permits, or Permit Waivers Are Required Before Issuance of a DNR Use Authorization. Your project may require all or some of the following.

Please include the following permit applications, permits, or waivers with the application:

<table>
<thead>
<tr>
<th>JARPA (Joint Aquatic Resource Permit Application)</th>
<th>- This one form is used to apply for all of the following individual permits:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <strong>Section 10 Permit</strong></td>
<td>(Required by the US Army Corps of Engineers for any work in or affecting navigable waters, e.g., floats, docks, piers, dredging, pilings, bridges, overhead power lines.)</td>
</tr>
<tr>
<td>2. <strong>Shoreline Substantial Development, Conditional Use, Variance Permit or Exemption</strong></td>
<td>(Issued by Local Government, and is required for work or activity in the 100 year flood plain, or within 200 feet of the Ordinary High Water mark of certain waters; and which included any one of the following: dumping, drilling, dredging, filing, placement or alteration of structures or any activity which substantially interferes with normal public use of the waters.)</td>
</tr>
<tr>
<td>3. <strong>Hydraulic Project Approval</strong></td>
<td>(Required by the Department of Fish and Wildlife if the project includes work that will use, divert, obstruct, or change the natural flow or bed of any fresh or salt water of the state.)</td>
</tr>
<tr>
<td>4. <strong>Section 404 Permit</strong></td>
<td>(Required by the US Army Corps of Engineers if your project will discharge or excavate any dredged or fill material waterward of the Ordinary High Water mark or the Mean Higher High Tide Line in tidal areas.)</td>
</tr>
<tr>
<td>5. <strong>Section 401 Water Quality Certification</strong></td>
<td>(Required by the Department of Ecology if a Section 404 permit is required.)</td>
</tr>
</tbody>
</table>

**NPDES (National Pollutant Discharge Elimination System Permit)** - Required by the Department of Ecology under delegated authority from the Federal Environmental Protection Agency for projects that include the discharge of fluid on or into surface water.

**SEPA (State Environmental Policy Act) Checklist and Environmental Assessments** - When you submit a permit application to any agency, if the project is not exempt, the lead agency will ask you to fill out an environmental checklist. Based on checklist answers and the reviewers knowledge of the project site, agency personnel will determine the types of impacts the project may have on the environment. The agency assessments may be the following forms: Determination of Nonsignificance, Determination of Significance, scoping documents, draft or final Environmental Impact Statements (EIS) or others prepared for the purpose of compliance.

*Describe any habitat mitigation required* by any of the permitting agencies identified above and identify where such mitigation is proposed to occur:

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All answers and statements are true and correct to the best of my knowledge.

<table>
<thead>
<tr>
<th>Applicant Name (please print):</th>
<th>Jennifer Maze</th>
<th>Title:</th>
<th>Property Management Coordinator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant or Authorized Signature:</td>
<td><img src="signature.png" alt="Signature" /></td>
<td>Date:</td>
<td>9/10/08</td>
</tr>
</tbody>
</table>
For additional information contact one of the following region offices:

**Southeast Region**
713 Bowers Rd
Ellensburg, WA 98926-9341
509-925-8510
TTY: 509-925-8527

**Olympic Region**
411 Tillicum Ln
Forks, WA 98331-9797
360-374-6131
TTY: 360-374-2819

**Northwest Region**
919 N Township St
Sedro-Woolley, WA 98284-9333
360-856-3500
TTY: 360-856-1371

**Northeast Region**
P.O. Box 190
225 S Silke Rd
Colville, WA 99114-0190
360-684-7474
TTY: 509-684-7474

**Pacific Cascade Region**
P.O. Box 280
601 Bond Rd
Castle Rock, WA 98611-0280
360-577-2025
TTY: 360-577-2025

**South Puget Sound Region**
950 Farman Ave N
Enumclaw, WA 98022
360-825-1631
TTY: 360-825-6381