Application for Use of State-owned Aquatic Lands

Applicant Name: Washington State Department of Transportation
County: Grays Harbor County
Water Body: Grays Harbor Bay
Type of Authorization - Use: Lease – Open Water Floating Bridge Pontoon Moorage
Authorization Number: 20-085643
Term: Undetermined

Description: This agreement will allow the use of State-owned aquatic lands for the sole purpose of developing and maintaining an open water floating bridge pontoon moorage area. It is located in Grays Harbor Bay, in Grays Harbor County, Washington.
Vicinity Map

Every attempt was made to use the most accurate and current geographic data available. However, due to multiple sources, scales, and the currency of the data used to develop this map Washington Department of Natural Resources cannot accept responsibility for errors and omissions in the data. Furthermore, this data is not survey grade information and cannot be substituted for an official survey. Therefore, there are no warranties that accompany this material.

Legal Description

Lat: 46.92466N, Long: 124.03524W
Section 3, 4, 9, Township 16, Range 11W W.M.

Prepared By: RH Date: 10/01/2010
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:

[Address]

II. APPLICANT INFORMATION

Date of Application: February 12, 2010

Authorization to be Issued To (how name is to appear in the lease document): Washington State Department of Transportation

Applicant's Representative: Allison Hanson

Relationship to Applicant: Director of Environmental Services

Address: 999 3rd Ave, Suite 2424
City: Seattle
State: WA
Zip Code: 98104

Telephone: (206) 716-1136
Fax:

E-Mail: HansonA@wsdot.wa.gov
II. APPLICANT INFORMATION cont'

Department of Revenue Tax Registration Number (Unified Business Identifier) is Required: N/A

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>
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<tbody>
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<td>State of Registration: □</td>
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<tr>
<th>Sole Proprietorship</th>
<th>Marital Community Spouse</th>
<th>Government Agency</th>
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Other □ (Please Explain:)

Has the site use been authorized before or is it currently under lease? Yes ☑ Lease Number: ROE 23-084734
No □ Don’t Know □

III. LOCATION

The Body of Water on which the state property is located:
Grays Harbor

County in which the state property is located: Grays Harbor

<table>
<thead>
<tr>
<th>Government Lot:</th>
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<tbody>
<tr>
<td>Section:</td>
<td>3,4,9</td>
</tr>
<tr>
<td>Township:</td>
<td>16</td>
</tr>
<tr>
<td>Range:</td>
<td>11</td>
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Aberdeen Logyard Site: Section 17, T17N, R9W.
Moorage Site: T17N, R11W (open water).

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/lease 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.):
Aberdeen Logyard Site: Tidal and Sub-tidal areas of Grays Harbor
Moorage Site: Open water of Grays Harbor

Aberdeen Log Yard Site
Name of Owner(s) of Uplands, Shorelands, and/or Tidelands shoreward and adjacent to the Property: Weyerhaeuser Co

Address: PO Box 9777  |  City: Federal Way  |  State: WA  |  Zip Code: 98063
Phone Number: |  Fax Number |  E-mail:
Moorage Site
Name of Owner(s) of Uplands, Shorelands, and/or Tidelands shoreward and adjacent to the Property: Open water approximately one mile from uplands.

Address: N/A  City:  State:  Zip Code:
Phone Number:  Fax Number  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: Aberdeen Logyard Site, 029902000101, 029901800406 and 029901800401;

IV. USE OF PROPERTY

Describe, in detail, the proposed use of the Property:
The Washington State Department of Transportation (WSDOT) proposes to develop a casting basin at a site in Aberdeen for the construction of floating bridge pontoons. The site, known as the Aberdeen Logyard site, is near the confluence of the Chehalis River with Grays Harbor. The upland areas of the site will contain the casting basin as well as staging areas and other site elements. The tidelands adjacent to the site are within an established Harbor Area. In order to transport completed pontoons from the casting basin to the Grays Harbor Navigational Channel, WSDOT is proposing the excavation of a launch channel across the tidelands and harbor area. The launch channel would be approximately 300 feet wide with armored side slopes and excavated to a depth of -13 feet. In order to reach the existing navigation channel, the launch channel would need to be excavated approximately 150 feet beyond the existing outer harbor line. Additionally several piling dolphins would be installed in the launch channel to facilitate pontoon movement.

In addition to the casting basin facility and associated launch channel, WSDOT is proposing the development of a pontoon moorage area in the open water area of Grays Harbor. The proposed moorage area is 84 acres and is immediately adjacent to the main navigation channel. Up to 32 pontoons, including 21 large pontoons and 12 smaller pontoons, may be moored in the area at one time. Pontoons would be anchored using a toggle anchor system. Toggle anchors involve the driving of plates that are attached to anchor chains on one side of the plate. Once the plate has been driven to the desired depth, upward pressure is applied to the chain causing the plate to rotate toward a horizontal alignment providing significant uplift resistance. In total 36 toggle anchors would be installed in the moorage area.

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? Log storage yard. A mill used to be present at the Aberdeen Logyard site.

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.) A concrete slab is present on the upland portion of the Aberdeen Logyard site where the mill used to be located. No improvements exist on the shoreline or tideland portion of the site.

If there are physical improvements currently on the site, who owns them? N/A

If there are physical improvements currently on the site, describe their condition: N/A

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

Describe any physical improvements that the applicant is proposing to construct on the site: No improvements other than the excavation of the launch channel would occur on the DNR managed portion of the construction site. The toggle anchors will be added to the moorage 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:

JARPA (Joint Aquatic Resource Permit Application) - This one form is used to apply for all of the following individual permits:

1. Section 10 Permit (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.)
2. Shoreline Substantial Development, Conditional Use, Variance Permit or Exemption (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, filling, placement or alteration of structures or any activity which substantially interferes with normal public use of the waters.)
3. Hydraulic Project Approval (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.)
4. Section 404 Permit (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.)
5. Section 401 Water Quality Certification (Required by the Department of Ecology if a Section 404 permit is

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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:

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

<table>
<thead>
<tr>
<th>Applicant Name (please print):</th>
<th>Title:</th>
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<tbody>
<tr>
<td>Allison Hanson</td>
<td>Director of Environmental Services</td>
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<tr>
<th>Applicant or Authorized Signature:</th>
<th>Date:</th>
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<td>[Signature]</td>
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STATE OF WASHINGTON DEPARTMENT OF NATURAL RESOURCES
REQUIREMENTS FOR RECORDS OF SURVEY FOR LEASES AND EASEMENTS

Records of Survey are required for easements and leases granted by the department for:

- County roads
- Highways
- Easements across high value lands
- Easements across transition lands
- Utilities
- Upland leases
- Communication sites
- Drainage or irrigation easements
- Railroads
- Aquatic land uses: exemptions are provided for recreational docks and mooring buoys per RCW 79.105.430 and for those permits issued as a Right of Entry
- Other grants as determined by the department based upon site specific considerations

The applicant is responsible for:

- All costs and work associated with creating, submitting, revising and recording the Record of Survey
- Submitting a preliminary Record of Survey for review and approval by the department prior to approval of the agreement.
- Recording the final Record of Survey with the county auditor’s office.
- Submitting a digital copy in AutoCAD.DWG or DXF (drawing exchange format) of the final survey.

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Application for Authorization to Use SOAL
• Submitting two full size copies and one 8 1/2 X 11" copy and of the recorded survey including the auditor’s recording information to the department.

A Record of Survey must:

1. Be produced by a licensed surveyor.
2. Meet the requirements of Title 58 RCW and Chapter 332-130 WAC.
3. Include the name of the applicant, the purpose of the easement or lease and the DNR easement or lease number.
4. Clearly show easement or lease boundaries with distances and directions of all boundary lines.
5. Show the easement or lease area to an accuracy of (+) 0.5% of the total area or (+) 10 square feet, whichever is greater.
6. (Not required for aquatic lands lease across the bed of Puget Sound or the Pacific Ocean) Indicate the acreage encompassed by the lease or easement within each quarter-quarter section or government lot.
7. Show distances and directions from two or more controlling corners of a recorded subdivision, recorded survey or government survey (GLO) corners.
8. Be related by meridian and coordinate to the Washington Coordinate System NAD83 (1991) by closed ties to NGS Control monuments, or the extension thereof. The designation of the control stations used shall appear on the plat.
9. Include a narrative legal description describing the servient estate (grantor’s parcel) on the Record of Survey.
10. Show a detailed plan of improvements to be constructed or already existing on the easement or lease area. All improvements must be shown in sufficient detail to determine what they are used for and to ensure they are entirely within the easement area.
11. Show the location of any proposed utility.
12. (Linear lease or easement) Show the linear footage along the centerline.
13. (Linear lease or easement) Show the complete alignment information and width including any necessary curve data.

A Record of Survey must (cont.):

14. (Easements or leases crossing a section line or state ownership boundary, not required for aquatic lands lease across the bed of Puget Sound or the Pacific Ocean) Provide ties to the centerline of an easement along the section or subdivision line from the nearest appropriate Public Land Survey System (PLSS) section corner, quarter section or subdivision corner, where the easement enters and leaves the section or state ownership.
15. (Easements or leases falling entirely within one section and not crossing a section line or state ownership boundary) Provide ties from both end points of the linear easement to PLSS corners or other subdivision corners shall be provided.
16. (A lease which encroaches on a previously leased site) Show the boundary for the senior lease in the vicinity of the proposed lease shall also be shown, together with ties between the two leases sufficient to determine the full extent of the encroachments.

Additional Requirements for Communication Site Leases

17. Show ties to the corners of previously monumented communication sites adjacent to, or in the immediate vicinity of the proposed communication site.
18. Show access to the site.
19. Mark the corners of the communication site, as described and granted, with substantial permanent magnetically locatable monuments. The monuments shall be in place and obviously marked on the ground after the construction of installations and improvements.
20. Show the center of any communication site tower by Washington Plane Coordinates, NAD83 (1991), or latitude and longitude. NAD83 datum must be used to determine global location coordinates and must be in decimal
degrees. Coordinates must have at least five decimal places to the right of the decimal point and include a negative longitude.

21. On all communication sites where towers or beam paths are shown, an elevation is required at the base of the tower.

22. Show the tower height, and the height of the antenna or microwave dish and any beam path used shall have the diameter and tilt thereof shown.

23. The elevation shall be derived from an established benchmark in the vicinity of the site, or an elevation designated by the Department of Natural Resources.

Additional Requirements for Aquatic Land Uses

24. The lease of aquatic lands is often subject to preference rights. Applicants and surveyors should carefully determine the direction, and show details of the proration of coves and irregular shoreline.

25. (lease sites which contain existing or proposed structures and improvements that are classified as a non water-dependent or a water oriented use as described within RCW 79.105.060 and WAC 332-30-106) Provide the square footage of each structure and improvement.

26. Where applicable, the survey of aquatic lands must show the location of the following lines for:

   a. Tidal areas—Government meander line, the original and current locations of line of mean high tide, line of mean low tide, and line of extreme low tide. The survey must include the name of tidal bench mark(s) used or describe the alternate method employed for determining a Tidal Datum. Lease areas which contain tidelands and bedlands at a minimum must show the location of the line of extreme low tide crossing the lease area. Lease areas containing bedlands exclusively may be required to show the relationship to the line of extreme low tide and the -18 foot contour line only.