



WASHINGTON STATE DEPARTMENT OF
Natural Resources
Peter Goldmark - Commissioner of Public Lands

Application for Use of State-owned Aquatic Lands

Applicant Name: USA - National Park Service
County: Clallam County
Water Body: Strait of Juan de Fuca
Type of Authorization - Use: ROE – temporary use of staging area for authorized outfall
Authorization Number: 23-086862
Term: 4 years
Description: This agreement will allow the use of State-owned Aquatic Lands for the sole purpose of additional staging area during construction of Nippon Paper Industries outfall #2. It is located in the Strait of Juan de Fuca, in Clallam County, Washington.

Date of Public Notice: 1/24/2011



WASHINGTON STATE DEPARTMENT OF
Natural Resources
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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 state Department of Natural Resources

I. SUBMISSION OF APPLICATION

This application form will be reviewed by the state Department of Natural Resources upon receipt at the address given below, and also posted on the DNR website as public information. 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:

Washington State Department of Natural Resources
Olympic Region
 411 Tillicum Ln
 Forks, WA 98331-9797

Enclose a \$25.00 non-refundable application processing fee with the application. (This fee is not required for local, state, and other government agencies).

II. APPLICANT INFORMATION

Date of Application: 12/15/10

Authorization to be Issued To (how name is to appear in the lease document): The United States of America acting through the National Park Service

Applicant's Representative: Brian Winter

Relationship to Applicant: Elwha River Restoration Project Manager

Address: 826 E. Front St.	City: Port Angeles	State: WA	Zip Code: 98362
Telephone: (360) 565-1323	Fax: (360) 565-1325	E-Mail: Brian_Winter@nps.gov	

FOR OFFICIAL USE ONLY Support staff: Application Fee Received IARPA Received Date: 1/10/11

Land Manager: New Application Renewal Application Land Manager Initials: BWK

Land Manager Type: (20 21 22 23 31 51) NaturE Use Code

J.B. ROE

II. APPLICANT INFORMATION cont'

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

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

Corporation
State of Registration:

Limited Partnership
State of Registration:

General Partnership
State of Registration:

Sole Proprietorship

Marital Community
Spouse:

Government Agency X

Other (Please Explain:)

Has the site use been authorized before or is it currently under lease? Yes X Lease Number: 51084555

No Don't Know

III. LOCATION

The Body of Water on which the state property is located:
Strait of Juan de Fuca

County in which the state property is located: Clallam

Government Lot:

Section: See attached drawing

Township:

Range:

E or W

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.):
Tidelands adjacent to the Strait of Juan de Fuca

Name of Owner(s) of Uplands, Shorelands, and/or Tidelands shoreward and adjacent to the Property: Nippon Paper Industries

Address: 1902 Marine Dr.

City: Port Angeles

State: WA

Zip Code: 98362

Phone Number: (360) 457-4474

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: 063000 014600

IV. USE OF PROPERTY

Describe, in detail, the proposed use of the Property:

Temporary construction area for completion of a new deepwater water treatment plant outfall. Long term aquatic easement for outfall pipeline is in place, This request is for temporary use of a wider area as shown on attached record of survey. The temporary use areas consist of a 20' x 50' area east of easement and a 20' x 160' area west of easement.

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? Shoreline water treatment plant outfall and rock revetment protecting shoreline.

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: Riprap for a revetment

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.) Shoreline water treatment plant outfall and rock revetment.

If there are physical improvements currently on the site, who owns them? Nippon Paper Industries

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

Which, if any, of the existing physical improvements will be removed, remodeled, or reconstructed? Shoreline water treatment plant outfall. Will require removal and replacement of revetment above pipeline.

Describe any physical improvements that the applicant is proposing to construct on the site: The 200 ft of pipeline to complete construction of the new deepwater water treatment plant outfall.

Has any fill material been placed on the site? Yes No
If Yes, please describe: Riprap for the existing revetment previously constructed by others.

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 required.)

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.

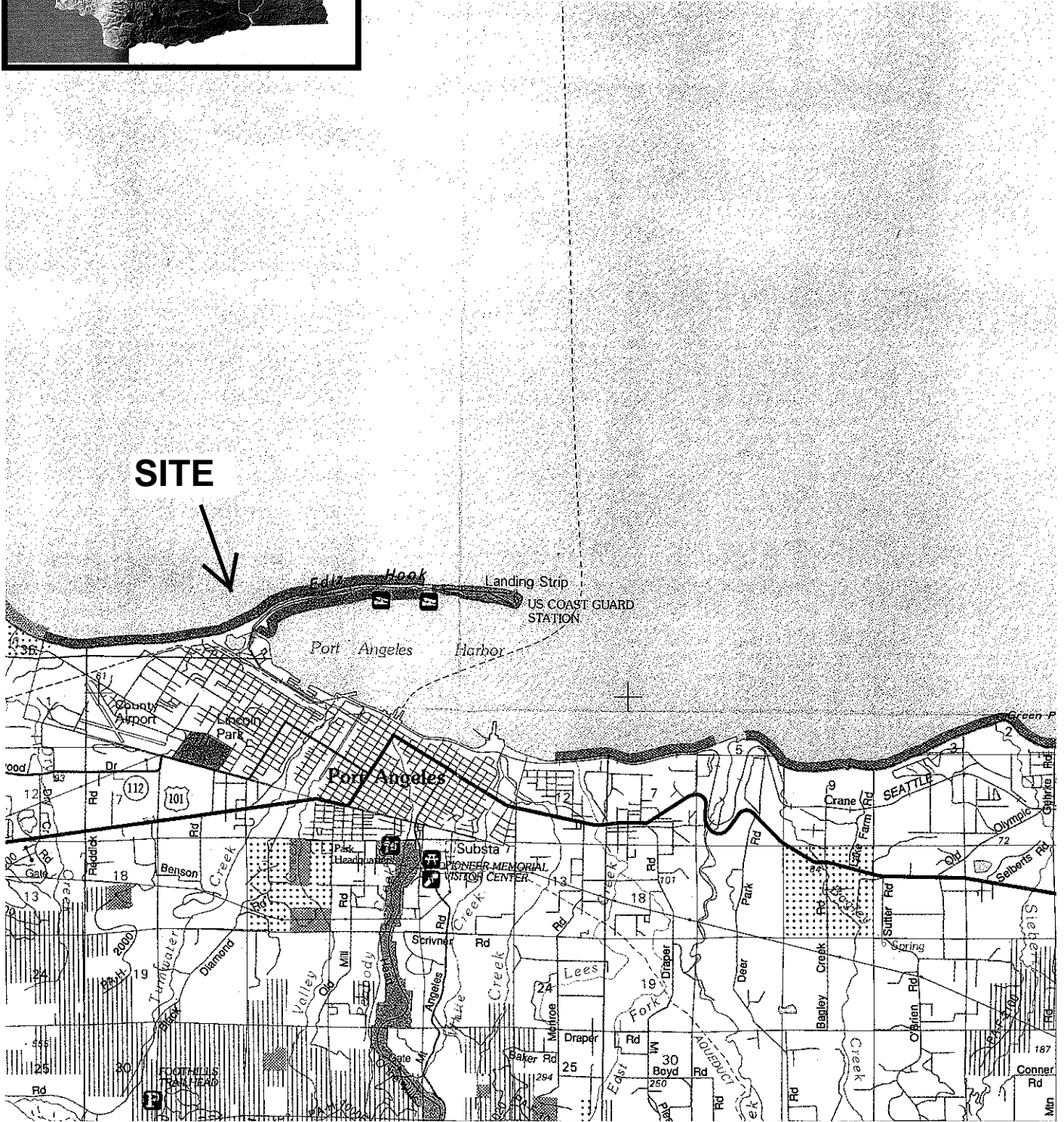
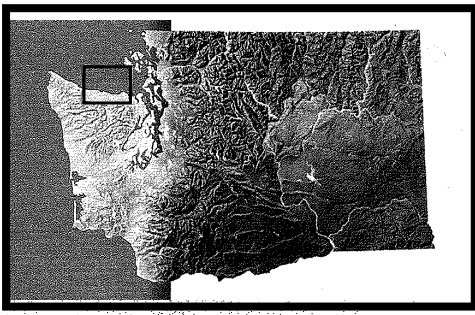
SEPA (State Environmental Policy Act) Checklist and Environmental Assessments - When you submit a permit application to any agency, if the project is not exempt, the lead agency will ask you to fill out an environmental checklist. Based on checklist answers and the reviewers knowledge of the project 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 Non-significance, 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: None

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

Applicant Name (please print): Karen Gustin	Title: Superintendent, Olympic National Park
Applicant or Authorized Signature: 	Date: 12/28/10

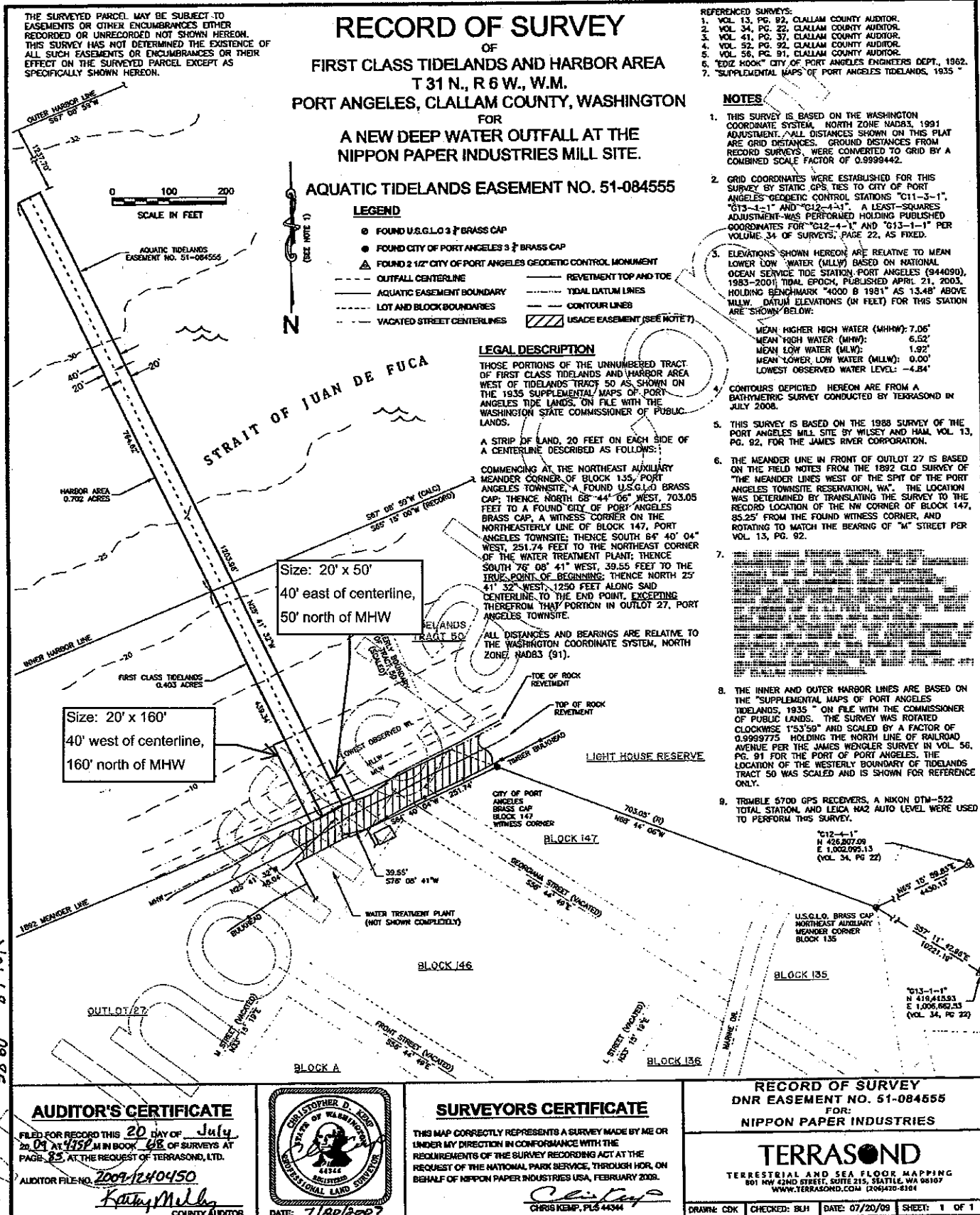
Vicinity Map
23-086862



Vicinity Map
23-086862
USA - NPS
Clallam County
Strait of Juan de Fuca

Survey

Exhibit A, Attachment 1



THE SURVEYED PARCEL MAY BE SUBJECT TO EASEMENTS OR OTHER ENCUMBRANCES EITHER RECORDED OR UNRECORDED NOT SHOWN HEREON. THIS SURVEY HAS NOT DETERMINED THE EXISTENCE OF ALL SUCH EASEMENTS OR ENCUMBRANCES OR THEIR EFFECT ON THE SURVEYED PARCEL EXCEPT AS SPECIFICALLY SHOWN HEREON.

RECORD OF SURVEY OF FIRST CLASS TIDELANDS AND HARBOR AREA T 31 N., R 6 W., W.M. PORT ANGELES, CLALLAM COUNTY, WASHINGTON FOR A NEW DEEP WATER OUTFALL AT THE NIPPON PAPER INDUSTRIES MILL SITE.

AQUATIC TIDELANDS EASEMENT NO. 51-084555

LEGEND

- FOUND U.S.G.L.O. 3 BRASS CAP
- FOUND CITY OF PORT ANGELES 3 BRASS CAP
- ▲ FOUND 2 1/2" CITY OF PORT ANGELES GEODETIC CONTROL MONUMENT
- OUTFALL CENTERLINE
- AQUATIC EASEMENT BOUNDARY
- LOT AND BLOCK BOUNDARIES
- VACATED STREET CENTERLINES
- REVETMENT TOP AND TOE
- TIDAL DATUM LINES
- CONTOUR LINES
- ▨ USAGE EASEMENT (SEE NOTE 7)

LEGAL DESCRIPTION

THOSE PORTIONS OF THE UNNUMBERED TRACT OF FIRST CLASS TIDELANDS AND HARBOR AREA WEST OF TIDELANDS TRACT 50 AS SHOWN ON THE 1935 SUPPLEMENTAL MAPS OF PORT ANGELES TIDE LANDS, ON FILE WITH THE WASHINGTON STATE COMMISSIONER OF PUBLIC LANDS.

A STRIP OF LAND, 20 FEET ON EACH SIDE OF A CENTERLINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST AUXILIARY MEANDER CORNER OF BLOCK 135, PORT ANGELES TOWNSITE, A FOUND U.S.G.L.O. BRASS CAP, THENCE NORTH 68° 44' 06" WEST, 703.05 FEET TO A FOUND CITY OF PORT ANGELES BRASS CAP, A WITNESS CORNER ON THE NORTHEASTERLY LINE OF BLOCK 147, PORT ANGELES TOWNSITE; THENCE SOUTH 64° 40' 04" WEST, 251.74 FEET TO THE NORTHEAST CORNER OF THE WATER TREATMENT PLANT; THENCE SOUTH 78° 08' 41" WEST, 39.55 FEET TO THE IRREG. POINT OF BEGINNING; THENCE NORTH 25° 41' 32" WEST, 1250 FEET ALONG SAID CENTERLINE TO THE END POINT, EXCEPTING THEREFROM THAT PORTION IN OUTLOT 27, PORT ANGELES TOWNSITE.

ALL DISTANCES AND BEARINGS ARE RELATIVE TO THE WASHINGTON COORDINATE SYSTEM, NORTH ZONE, NAD83 (91).

- ##### REFERENCED SURVEYS:
1. VOL. 13, PG. 92, CLALLAM COUNTY AUDITOR.
 2. VOL. 34, PG. 22, CLALLAM COUNTY AUDITOR.
 3. VOL. 41, PG. 37, CLALLAM COUNTY AUDITOR.
 4. VOL. 52, PG. 92, CLALLAM COUNTY AUDITOR.
 5. VOL. 58, PG. 91, CLALLAM COUNTY AUDITOR.
 6. "EODZ HOOK" CITY OF PORT ANGELES ENGINEERS DEPT., 1962.
 7. "SUPPLEMENTAL MAPS OF PORT ANGELES TIDELANDS, 1935"

NOTES

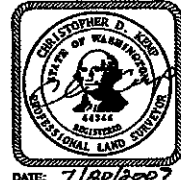
1. THIS SURVEY IS BASED ON THE WASHINGTON COORDINATE SYSTEM, NORTH ZONE, NAD83, 1991 ADJUSTMENT. ALL DISTANCES SHOWN ON THIS PLAN ARE GRID DISTANCES. GROUND DISTANCES FROM RECORD SURVEYS, WERE CONVERTED TO GRID BY A COMBINED SCALE FACTOR OF 0.9999442.
2. GRID COORDINATES WERE ESTABLISHED FOR THIS SURVEY BY STATIC GPS TIES TO CITY OF PORT ANGELES GEODETIC CONTROL STATIONS "C11-3-1", "G13-4-1" AND "C12-4-1". A LEAST-SQUARES ADJUSTMENT WAS PERFORMED HOLDING PUBLISHED COORDINATES FOR "C12-4-1" AND "G13-4-1" PER VOLUME 34 OF SURVEYS, PAGE 22, AS FIXED.
3. ELEVATIONS SHOWN HEREON ARE RELATIVE TO MEAN LOWER LOW WATER (MLLW) BASED ON NATIONAL OCEAN SERVICE TIDE STATION, PORT ANGELES (944090), 1983-2001 TIDAL EPICD, PUBLISHED APRIL 21, 2003, HOLDING BENCHMARK "4000 B 1981" AS 13.48' ABOVE MLLW. DATUM ELEVATIONS (IN FEET) FOR THIS STATION ARE SHOWN BELOW:
 - MEAN HIGHER HIGH WATER (MHHW): 7.06'
 - MEAN HIGH WATER (MHW): 6.52'
 - MEAN LOW WATER (MLW): 1.92'
 - MEAN LOWER LOW WATER (MLLW): 0.00'
 - LOWEST OBSERVED WATER LEVEL: -4.84'
4. CONTOURS DEPICTED HEREON ARE FROM A BATHYMETRIC SURVEY CONDUCTED BY TERRASON IN JULY 2008.
5. THIS SURVEY IS BASED ON THE 1988 SURVEY OF THE PORT ANGELES MILL SITE BY WILSEY AND HALL, VOL. 13, PG. 92, FOR THE JAMES RIVER CORPORATION.
6. THE MEANDER LINE IN FRONT OF OUTLOT 27 IS BASED ON THE FIELD NOTES FROM THE 1892 CLO SURVEY OF THE MEANDER LINES WEST OF THE SPIT OF THE PORT ANGELES TOWNSITE RESERVATION, WA. THE LOCATION WAS DETERMINED BY TRANSLATING THE SURVEY TO THE RECORD LOCATION OF THE NW CORNER OF BLOCK 147, 85.25' FROM THE FOUND WITNESS CORNER, AND ROTATING TO MATCH THE BEARING OF "M" STREET PER VOL. 13, PG. 92.
7. [Faded text]
8. THE INNER AND OUTER HARBOR LINES ARE BASED ON THE "SUPPLEMENTAL MAPS OF PORT ANGELES TIDELANDS, 1935" ON FILE WITH THE COMMISSIONER OF PUBLIC LANDS. THE SURVEY WAS ROTATED CLOCKWISE 1° 53' 59" AND SCALED BY A FACTOR OF 0.9999775 HOLDING THE NORTH LINE OF RAILROAD AVENUE PER THE JAMES MEANDER SURVEY IN VOL. 56, PG. 91 FOR THE PORT OF PORT ANGELES. THE LOCATION OF THE WESTERLY BOUNDARY OF TIDELANDS TRACT 50 WAS SCALED AND IS SHOWN FOR REFERENCE ONLY.
9. TRIMBLE 5700 GPS RECEIVERS, A NIKON DTM-522 TOTAL STATION AND LEICA NA2 AUTO LEVEL WERE USED TO PERFORM THIS SURVEY.

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 20 DAY OF July 20, 09 AT 4:52 P.M. IN BOOK 48 OF SURVEYS AT PAGE 83, AT THE REQUEST OF TERRASON, LTD.

AUDITOR FILE NO. 20091240450

Kathy Melby
COUNTY AUDITOR



SURVEYORS CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF THE NATIONAL PARK SERVICE, THROUGH HOR, ON BEHALF OF NIPPON PAPER INDUSTRIES USA, FEBRUARY 2008.

Chris Kemp
CHRIS KEMP, PLS 44394

RECORD OF SURVEY DNR EASEMENT NO. 51-084555 FOR: NIPPON PAPER INDUSTRIES

TERRASON

TERRESTRIAL AND SEA FLOOR MAPPING
801 NW 42ND STREET, SUITE 215, SEATTLE, WA 98107
WWW.TERRASON.COM (206) 426-8181

DRAWN: CDK CHECKED: BLH DATE: 07/20/09 SHEET: 1 OF 1