



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

## Application for Use of State-owned Aquatic Lands

**Applicant Name:** City of Everett  
**County:** Snohomish County  
**Water Body:** Snohomish River  
**Type of Authorization- Use:** Right of Entry-Sediment Borings  
**Authorization Number:** 23-087622  
**Term:** 1 year

**Description:** This agreement will allow the use of State-owned aquatic lands for the sole purpose of conducting geotechnical sediment borings in support of the Everett Riverfront Public Amenities Project. It is located in the Snohomish River, in Snohomish County, Washington.

23-087622

**Posted August 8, 2011**



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**Natural Resources**  
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**APPLICATION FOR AUTHORIZATION TO  
 USE STATE-OWNED AQUATIC LANDS**

The Applicant may not begin work on the project area until the State Department of Natural Resources (DNR) grants a Use Authorization.

**I. SUBMISSION OF APPLICATION**

DNR will review your application and post it on the DNR Leasing and Land Transactions website as public information. Instructions:

- Fill out the application by computer or by hand in blue or black ink.
- Send the completed form to the appropriate district office in the table below.
- Enclose a \$25.00 non-refundable application processing fee with the application. This fee is not required for local, state, and other government agencies.
- DNR will notify applicants in writing if the application is accepted for further review, and may reject the application at any time prior to the signed execution of a use authorization.
- Your project may require regulatory permits. Please do not apply for regulatory permits until you have discussed your proposal with your designated land manager.

For additional information, contact the office that serves your county:

Aquatic Lands Office	Counties Served
Rivers District 601 Bond Road PO Box 280 Castle Rock, WA 98611-0280 360 577-2025	All of Eastern Washington, Grays Harbor, and Pacific counties Thurston (fresh water only), Lewis, Wahkiakum, Cowlitz, Clark, and Skamania counties
Orca Straits District 919 N Township Street Sedro Woolley, WA 98284-9384 (360) 856-3500	Island, Skagit, Snohomish, San Juan, and Whatcom counties
Orca Straits District 5310 Eaglemount Rd Chimacum, WA 98325-9720 360 732-0934	Jefferson and Clallam counties
Shoreline District 950 Farman Avenue N Enumclaw, WA 98022-9282 360 825-1631	King, Pierce, Kitsap, Thurston (marine waters), and Mason counties

FOR OFFICIAL USE ONLY Support staff: Application Fee Received <input checked="" type="checkbox"/>	N/A	Date: 7/19/11
Land Manager: <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal Application	Land Manager Initials: Dr BP 1053 912	
Land Manager: Type: (20, 21, 22, 51)	Nature Use Code: 2124 ARIE	
Land Records: New Application Number _____ : Trust _____ ; County _____	(Sediment borings)	AQR Plate No. _____

<b>II. APPLICANT INFORMATION</b> Person or entity responsible for the project			
Date of Application: May 31, 2011			
Name of the person or entity that the Use Authorization should be issued to: City of Everett; ATTN: Paul Crane			
Applicant's Address: 3200 Cedar Street	City: Everett	State: WA	Zip Code: 98201
Telephone: (425) 257-8949	Fax:	E-mail: pcrane@ci.everett.wa.us	
Department of Revenue Tax Registration Number (Unified Business Identifier) <b>Required:</b> #916001248			
Which of the following applies to Applicant? Check one and attach the written authority- bylaws, power of attorney, etc.			
Corporation <input type="radio"/> State of Registration:	Limited Partnership <input type="radio"/> State of Registration:	General Partnership <input type="radio"/> State of Registration:	
Sole Proprietorship <input type="radio"/>	Marital Community <input type="radio"/> Spouse:	Government Agency <input type="checkbox"/>	
Other <input type="checkbox"/> (Please Explain)			
Has DNR previously authorized this site or is it currently under an agreement with DNR? Yes <input type="checkbox"/> Agreement Number: No <input type="checkbox"/> Don't Know <input type="checkbox"/>			
<b>III. AGENT INFORMATION</b> Person authorized to represent the applicant about the project, if applicable			
Agent's Name and Organization:			
Agent's Relationship to Applicant:			
Address:	City:	State:	Zip Code:
Telephone:	Fax:	E-Mail:	
Department of Revenue Tax Registration Number (Unified Business Identifier) is <b>Required:</b>			
Which of the following applies to Agent? Check one and attach written authority to sign -bylaws, power of attorney, etc.			
Corporation <input type="checkbox"/> State of Registration:	Limited Partnership <input type="checkbox"/> State of Registration:	General Partnership <input type="checkbox"/> State of Registration:	
Sole Proprietorship <input type="checkbox"/>	Marital Community <input type="checkbox"/> Spouse:	Government Agency <input type="checkbox"/>	
Other <input type="checkbox"/> (Please Explain)			

<b>IV. LOCATION</b>			
On what body of water is the state property? Snohomish River	County Snohomish		Government Lot:
	Section: 29		Township: 29 North
	Range: 5 East W.M.		East <b>D</b> or West
<p><b>Note:</b> DNR requires a legal property survey before they approve a use authorization. You do not need to furnish a survey now. The DNR survey requirements are included on this form.</p>			
<p>Physical description of Project Area (For example, marsh, tideflat adjacent to the Chehalis River, etc.): The geotechnical investigations will be conducted in the Snohomish River. The Snohomish River borders the Everett Riverfront District on the west from north of RM 5 to RM 7. At the proposed boring sites, the river consists of steeply sloped and diked banks, with areas of riprap revetment and occasional pilings. The extensive man-made earthen dikes have been in place since the mid-1930s and confine the limits and influence of the river. The water surface elevation of the river within the project area rises and lowers with the flow and ebb of the tides.</p>			
<p>Name of owner(s) of uplands, shorelands, and/or tidelands shoreward and adjacent to the Property:</p> <p>Oliver McMillan Development Inc; 733 8th Ave, San Diego, CA 92101</p> <p>Oliver McMillan Everett, LLC; 2907 Hewitt Ave, Everett WA 98201</p> <p>BNSF Railway- NW Division; 2454 Occidental Ave S, Ste 2d Seattle, WA 98134</p> <p>Washington Department Of Transportation; PO Box 330310 Seattle, WA 98133</p>			
Address: see above		City:   State:	Zip Code:
Phone Number:		Fax Number	E-mail:
<p>Note: DNR may require proof of ownership, or authorization to use the adjacent tideland, shoreland, or upland property, except for established Harbor Areas.</p>			
<p>Attach a copy of the deed if you own the adjacent upland property. County parcel numbers for adjacent upland, and/or tideland properties: 576001500002, 29052900400300, 439901100000, 576000100001, 576000100002, 576000200002</p>			
<b>V. USE OF PROPERTY</b>			
<p>Describe the proposed use of the Property in detail: The City of Everett, Department of Engineering and Public Services is proposing to complete geotechnical investigations (borings) within the Snohomish River to approximately 50 feet below the mudline. The borings will be drilled in two locations within the Snohomish River between river mile (RM) 5 and RM 7: 1) offshore of Waterfront Park- aligned with 36'h Street, approximately 0.25 mile east of 1-5 (North Boring Location); 2) offshore of Bigelow Creek outfall - aligned with 49th Street SE, approximately 0.5 mile east of 1-5 (South Boring Location). See Exhibit A, Locator Map.</p>			

Drill equipment will be placed on a barge at an offsite location (likely the tug company's dock) and the barge will be towed to the boring location by a tugboat. The barge will be moved into position for the drilling operation and held in place by spuds and/or anchors.

The geotechnical investigations are in support of the Everett Riverfront Public Amenities project, which is a public/private partnership to increase public access to the Snohomish River and its shoreline. The purpose of the borings is to obtain information for the design of the Waterfront Park new floating dock and debris collector, and habitat restoration associated with the South Wetland Complex. The floating dock will provide access to the water for fishing, car-top boat launching, wildlife viewing, and other water-dependant recreational activities. The South Wetland Complex work includes habitat enhancements, water quality enhancements, and excavation to reestablish hydrologic connectivity and tidal influence within the South Wetland Complex. Any future development (e.g., the floating dock and debris deflector) would be the subject of a separate aquatic use authorization request from DNR.

Do you plan to sublease the Property? Yes  No  If yes, submit a copy of the sublease.

Do you know the current and past uses of the site? Please describe them here.

The Snohomish River is a navigable water of the U.S.

The Riverfront District is a 211-acre amalgamation of existing wetlands, railroad, post-industrial, and former landfill properties on the banks of the Snohomish River. Historically, the Snohomish River in the project area was used for industry, primarily transportation and handling facilities related to logging operations and three large wood-products mills. The mills had generally ceased operation by the 1960s.

Do you know of any toxic or hazardous substances on the site or past situations that could have caused contamination? Yes  No  If yes, please explain:

Since the early 1900s, Port Gardner and the lower Snohomish River have been used for commercial and industrial purposes, often related to timber and maritime industries (saw mills, paper production, and boat building). In the last 25 years, several sediment investigations have detected metals, semivolatile organic compounds, pesticides, and polychlorinated biphenyls (PCBs) at levels exceeding the Sediment Management Standards (SMS) at numerous locations within Port Gardner and the lower Snohomish River.

**VI. IMPROVEMENTS**

Additions within, on, or attached to the land, or anything considered a fixture (RCW 79.105.060(6)). Examples include: pilings, dolphins, piers, wharves, buildings, pipelines and cables, and structures for bridges

What improvements currently exist on the site? DNR may require photos.

Some elements of the previous industrial development along the river still occur on the site. These include an abandoned log crane in the Waterfront Park, remains of bulkheads, wharfs, piers, and old railroad trestles along the waterfront. There are also areas where buried foundations from early industrial development remain on the site.

No in- or over-water structures will be modified or affected by the proposed geotechnical investigations.

If there are improvements currently on the site, describe their condition.

See above

Will you remove or remodel any of the existing improvements? Yes  No

Do you plan to construct any improvements? If yes, please describe:

Not as part of this request.

Is there any fill material on the site? Yes  No  If yes, please describe:

Not Applicable

Describe any habitat mitigation any permitting agency requires of you and where on this project it will occur:

All drilling, decontamination, and abandonment will be completed in accordance with WAC 173-160.

No long-term impacts to fish and wildlife would result from the proposed short-term, temporary geotechnical investigation activities. Drill holes will be sealed with Quickgrout, a bentonite clay suspension, as approved by the Washington Department of Ecology. The boring would not change the character of the river substrate. In addition, the borings will be subject to the conditions of a Hydraulic Project Approval (HPA) and Section 404 permit.

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

Applicant name (please print):

PAUL B. CRAIG

Applicant Signature:

Title:

NSA ARCHITECT

Date: 6/14/2011

Authorized Agent name (please print):

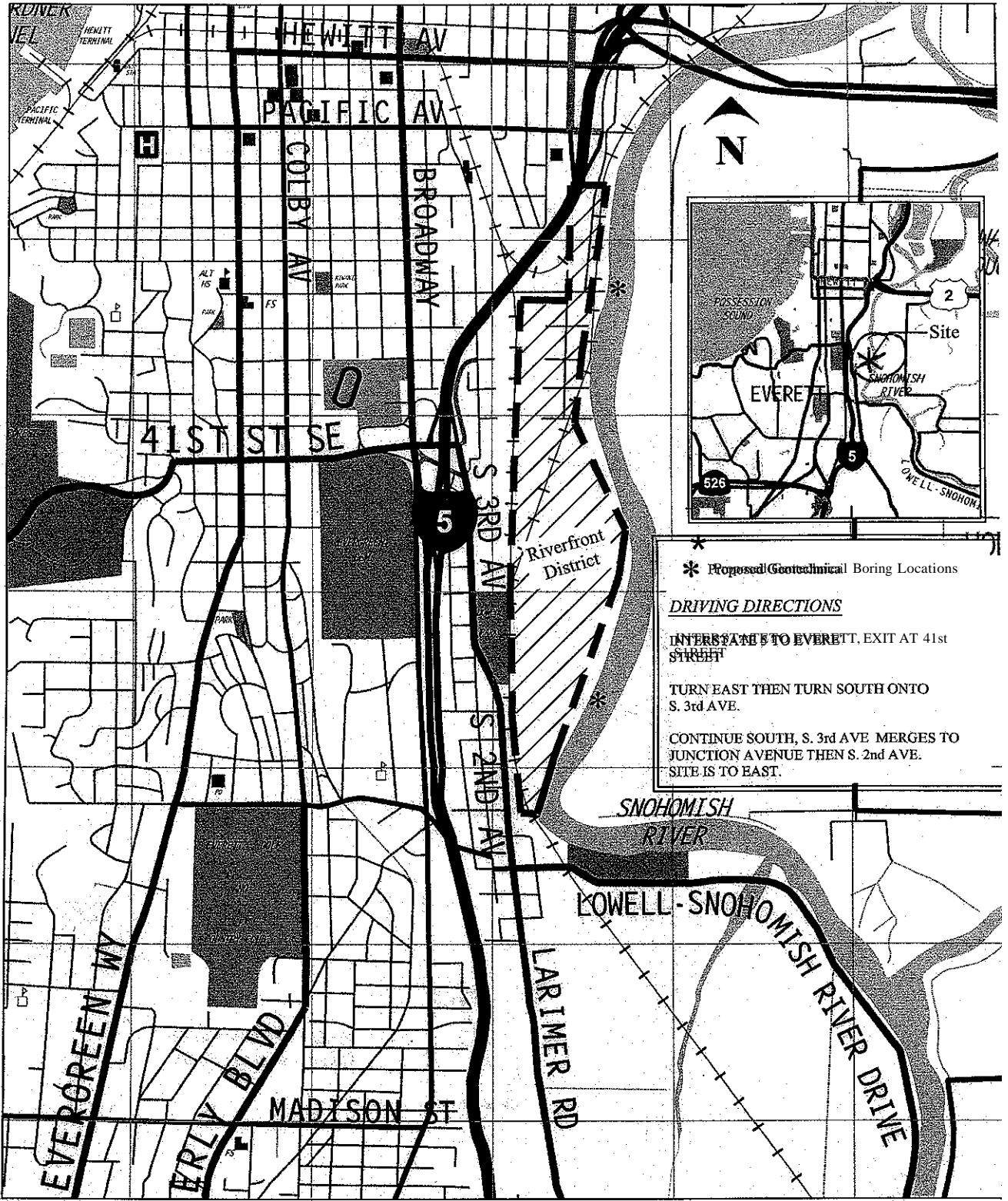
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Title:

\_\_\_\_\_  
| Authorized Agent signature:

\_\_\_\_\_  
| Date:

*For the Applicant's convenience, the following pages 5 through 8 contain some information on potential permit and survey requirements.*



\* Proposed Geotechnical Boring Locations

**DRIVING DIRECTIONS**

INTERSTATE 5 TO EVERETT, EXIT AT 41st STREET

TURN EAST THEN TURN SOUTH ONTO S. 3rd AVE.

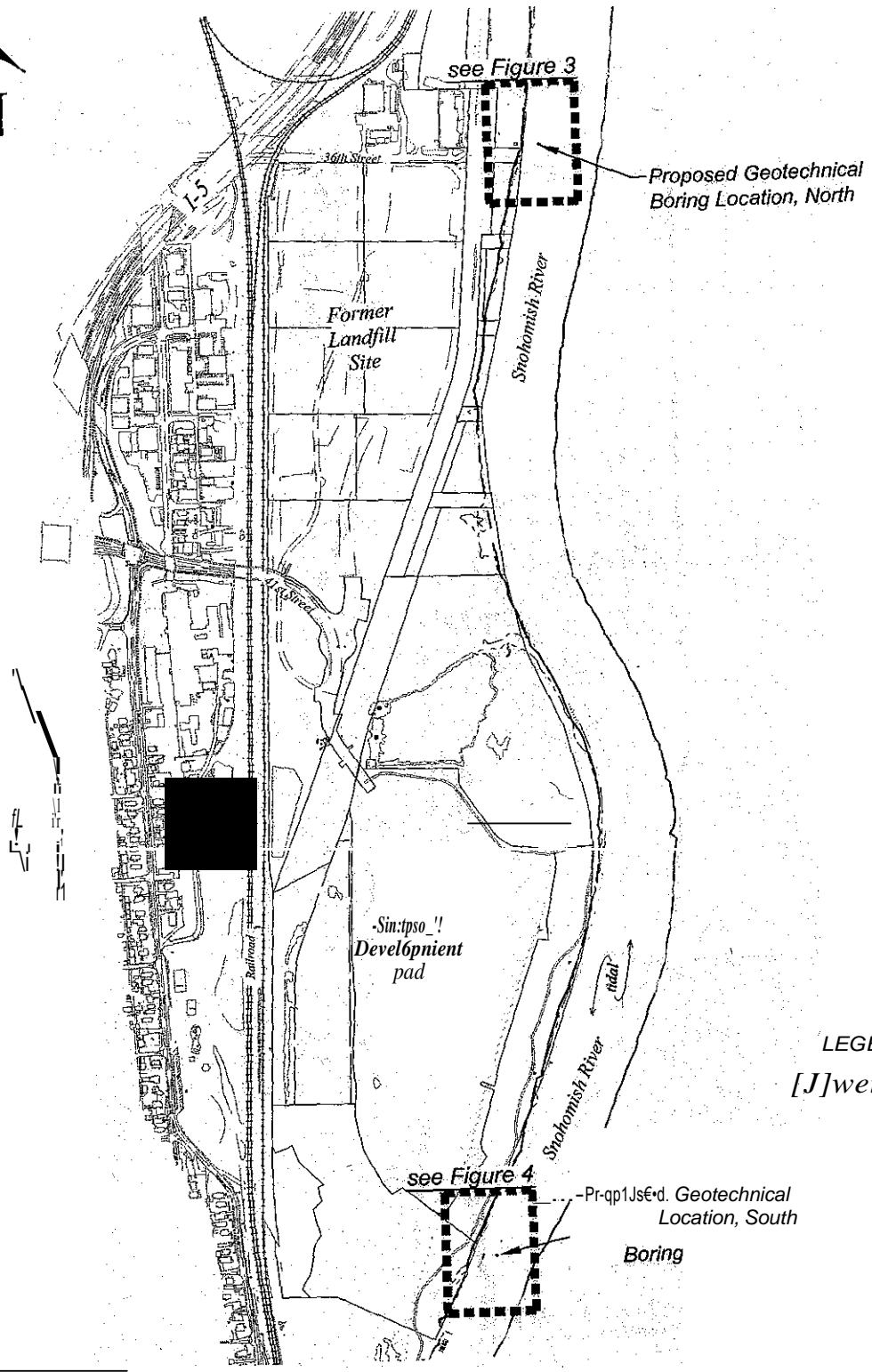
CONTINUE SOUTH, S. 3rd AVE MERGES TO JUNCTION AVENUE THEN S. 2nd AVE. SITE IS TO EAST.

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Riverfront-Development. 0207255.15

Figure 1  
Project Vicinity  
Everett, WA





LEGEND  
[J]wetland

Created by: BCB

SCALE: 1"=900'

Riverfront Development  
Figure 2

Proposed Geotechnical Boring Locations  
Everett, WA