



Right-of-way Application

I. Applicant Information

PART A: Applicant

(1) Name: _____ (2) Date: _____

Full Corporate Name or Individual Name

(3) Address: _____

Street Address

Apartment/Unit #

City

State

ZIP Code

(4) Phone 1: () - Phone 2: () - (5) E-mail: _____

(6) Is billing address the same as shown above? YES NO If no, please enter billing address: _____

Billing Address: _____

Street Address or PO Box

City

State

ZIP Code

(7) Legal Entity - Please check the applicable entity listed below:

Individual, Multiple Individuals, Spouses/Individual Married Couple..... Name: _____

Corporation..... State of Registration: _____

General Partnership

Limited Liability Company..... State of Registration: _____

Limited Partnership..... State of Registration: _____

Governmental Agency

Other..... Please describe: _____

(8) Relationship to Applicant: SELF REPRESENTATIVE If Applicant's Representative, please complete Part B.

PART B: Applicant's Representative

(a) Representative Name: _____

First Name

Last Name

Title

(b) Type of Representative (guardian, attorney, employee, etc.): _____

(c) Address: _____

Street Address

City

State

ZIP Code

(d) Phone: () (e) E-mail: _____

II. Right-of-way Proposal

PART A: Description

(9) What are you applying for? EASEMENT PERMIT/LICENSE

(10) Estimated Start Date of Proposal: _____

(11) Length of Time Requested for the Easement or Permit: YEARS: _____ **OR** MONTHS: _____

(12) Type of Use (*Check all that apply.*)

<input type="checkbox"/> Road	Purpose: <ul style="list-style-type: none"> <input type="checkbox"/> Resource Use (e.g., removal of timber, rocks, crops, or other valuable materials) <input type="checkbox"/> Administrative <input type="checkbox"/> Public Use (e.g., county roads, city streets, highways) <input type="checkbox"/> Any/All Purpose 	<input type="checkbox"/> New Construction:	Width (ft): Length (ft): Acres:
		<input type="checkbox"/> Existing:	Width (ft): Length (ft): Acres:
<input type="checkbox"/> Trail	Purpose: <ul style="list-style-type: none"> <input type="checkbox"/> Public Use <input type="checkbox"/> Personal 	<input type="checkbox"/> New Construction:	Width (ft): Length (ft): Acres:
		<input type="checkbox"/> Existing:	Width (ft): Length (ft): Acres:
Type (motorized (ORV), non-motorized, multi-use, hiking, etc.):			
<input type="checkbox"/> Communication Line	Type (<i>phone, fiber optic, etc.</i>):	<input type="checkbox"/> New Construction:	Width (ft): Length (ft): Acres:
	Location (<i>overhead, buried, etc.</i>):	<input type="checkbox"/> Existing:	Width (ft): Length (ft): Acres:
	Who will the line serve? (<i>i.e., residential, commercial</i>)	How many units will the line serve?	
<input type="checkbox"/> Railroad	Describe:	<input type="checkbox"/> New Construction:	Width (ft): Length (ft): Acres:
		<input type="checkbox"/> Existing:	Width (ft): Length (ft): Acres:
<input type="checkbox"/> Utility Line	Type (<i>sewer, power, domestic water, gas, etc.</i>):	<input type="checkbox"/> New Construction:	Width (ft): Length (ft): Acres:
	Location (<i>overhead, buried, etc.</i>):	<input type="checkbox"/> Existing:	Width (ft): Length (ft): Acres:
Describe Facility (<i>6" double wall pipe, 500 KV Transmission Line, etc.</i>):			
	Who will the line serve? (<i>i.e., residential, commercial</i>)	How many units will the line serve?	
<input type="checkbox"/> Well, Irrigation, Diking	Describe:	<input type="checkbox"/> New Construction:	Width (ft): Length (ft): Acres:
		<input type="checkbox"/> Existing:	Width (ft): Length (ft): Acres:
<input type="checkbox"/> Beam Path, View, Light, Air, Open Space	Describe:	Acres:	
<input type="checkbox"/> Overflow, Reservoir	Describe:	Acres:	

<input type="checkbox"/> Other?	Describe:
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(13)(a) Describe the proposed use of the right-of-way on DNR-managed land and, if applicable, (b) the proposed use of the property which will benefit from the easement or permit: _____

(14) <i>Road Use Permits Only</i> - If you are applying for a road use permit, please estimate the volume of timber, rock, or agricultural products to be hauled and number of acres from which valuable materials will be removed:	
Mbf: _____	Cubic Yards: _____
Tons: _____	Acres from which valuable material will be removed: _____

(15) Will timber or other valuable materials need to be removed from state land as part of this proposal? NO YES: _____

Type of valuable material: _____
Volume to be removed: _____

(16) Does this proposal cross aquatic lands*? YES NO DON'T KNOW

*RCW 79.105.060 "Aquatic lands" means all tidelands, shorelands, harbor areas, and the beds of navigable waters. **If "Yes", please contact Aquatic Resources Division at 360-902-1100.**

Part B: Location

(17) Please enter the legal description(s) of the proposed easement or permit.

Subdivision (¼ or Lot #)	Section	Township	Range	County	Type of Use (As listed in Part II.A. above.)
			<input type="checkbox"/> W <input type="checkbox"/> E		
			<input type="checkbox"/> W <input type="checkbox"/> E		
			<input type="checkbox"/> W <input type="checkbox"/> E		
			<input type="checkbox"/> W <input type="checkbox"/> E		
			<input type="checkbox"/> W <input type="checkbox"/> E		
			<input type="checkbox"/> W <input type="checkbox"/> E		
			<input type="checkbox"/> W <input type="checkbox"/> E		
			<input type="checkbox"/> W <input type="checkbox"/> E		

Please attach an additional sheet if additional legal descriptions apply.

(18) **A map must be included with this application.** (At a minimum, the applicant is responsible for submitting a preliminary map for review by the Department prior to acceptance of this application.) Please refer to Application Instructions and contact the region office for a complete list of map requirements.

(19) Please enter the legal description(s) below **OR** attach a copy of the deed for each benefiting parcel (i.e., the property that the easement or permit accesses or where valuable materials will be removed).

Subdivision (¼¼ or Lot #)	Section	Township	RANGE	County
			<input type="checkbox"/> W <input type="checkbox"/> E	
			<input type="checkbox"/> W <input type="checkbox"/> E	
			<input type="checkbox"/> W <input type="checkbox"/> E	
			<input type="checkbox"/> W <input type="checkbox"/> E	
			<input type="checkbox"/> W <input type="checkbox"/> E	
			<input type="checkbox"/> W <input type="checkbox"/> E	
			<input type="checkbox"/> W <input type="checkbox"/> E	
			<input type="checkbox"/> W <input type="checkbox"/> E	

Please attach an additional sheet if additional legal descriptions apply.

III. Disclaimer and Signature

I certify that my answers are true and complete to the best of my knowledge. I understand that the submittal and acceptance of this application does not constitute the State's grant of any right, does not guarantee a grant of any right and any use of State land without permission will be considered a trespass.

This application will expire if the applicant does not contact in writing the Department for two years after the submittal date.

Applicant: _____
(Please Print)

Signature: _____ Date: _____

Title: _____
(Please Print)

INTERNAL USE ONLY			
Region			
Received by:			Date:
Reviewed By:			Date:
Region:			
Application Complete?	<input type="checkbox"/> YES <input type="checkbox"/> NO. List incomplete sections:		
Application Accepted?	<input type="checkbox"/> YES <input type="checkbox"/> NO. Reason for denial:		Date:
Submitted to Title and Records Office (TRO):	<input type="checkbox"/> YES <input type="checkbox"/> NO	TRO File Number Requested?	<input type="checkbox"/> YES <input type="checkbox"/> NO Date:
SEPA Required?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If "No", please list statutory (Chapter 43.21C RCW) or categorical (WAC 197-11-800 through 890) exemption:	
Title and Records Office			
Date Received:		Title Examiner:	
File Number:			



Rights-of-Way Public Disclosure/SEPA Notification

Please submit this form with a completed Right-of-Way Application.

Public Disclosure

Materials or information submitted with the Right-of-Way Application and/or during easement negotiation process shall become public records within the meaning of Chapter 42.56 RCW.

Any submitted materials or information that the applicant (right-of-way grants) or landowner (right-of-way acquisitions) claims as exempt from disclosure under the provisions of RCW 42.56.210 must be clearly designated. Each page of the document must be identified and the particular exemption from disclosure upon which the landowner or applicant is making the claim must be identified by RCW citation number.

The State will consider the applicant's or landowner's request for exemption from disclosure; however, the State will make an independent decision on the applicability of any claimed exemption consistent with applicable laws. Marking the entire submitted materials or information exempt from disclosure cannot be honored. If a public records request is made regarding materials that the landowner or applicant has requested as exempt, the affected landowner or applicant will be given notice of the request and allowed ten (10) business days to seek a court injunction against the requested disclosure prior to the State fulfilling the public records request.

I have read and understand the above.

Applicant Initial: _____ Date: _____

State Environmental Policy Act (SEPA) Checklist and Environmental Review Notification

The State Environmental Policy Act (SEPA) requires governmental agencies to evaluate their actions that affect the environment. SEPA rules require agencies to consider any potential negative environmental impacts before approving or denying a proposal. Prior to the acquisition or issuance of an easement or permit, the Department of Natural Resources (DNR) and the applicant are required to complete a State Environmental Policy Act (SEPA) Checklist for all non-exempt actions (exempt actions are listed in WAC 197-11-800 through 890). (For example, the grant of an easement over State land in which road construction is necessary is considered a non-exempt action.)

DNR is required to determine the Lead Agency within five (5) working days of receiving a non-exempt proposal (e.g., complete application). ("Lead agency" means the agency with the main responsibility for complying with SEPA's procedural requirements (WAC [197-11-050](#) and [197-11-922](#)). If DNR is having difficulty determining the Lead Agency, DNR can request to extend the 5-day time period from the applicant in writing.)

Please notify the Region if a local government permit is involved or if there are other priority Lead Agencies involved in the proposal. (If other government permits are required, please refer to [WACs 197-11-922 through 944](#) to determine the appropriate lead agency.)

If the applicant's proposal is non-exempt, DNR will work with the applicant to complete the SEPA Checklist. Prior to completing the SEPA process, both parties will have the opportunity to review the Checklist for accuracy and consistency with applicant's proposal.

By signing below, I have read the above and have been notified that if my application is complete, and if my proposal is a non-exempt action, and if the Department is willing to consider the grant of access rights across State land, a SEPA checklist will be completed and the Department of Natural Resources will serve as the Lead Agency unless otherwise noted:

_____.

Applicant: _____
(Please Print)

Signature: _____ Date: _____

Title: _____
(Please Print)

***Note to Federal Agencies applying for State easement or right-of-way:** [WAC 332-41-055\(2\)\(d\)](#) "A checklist is not needed if DNR and the proponent agree that an EIS will be required, SEPA has been completed, or a NEPA document was completed and found adequate for SEPA requirements." The Responsible Official must make a threshold determination to adopt completed SEPA/NEPA documents. NEPA does not replace SEPA; NEPA replaces the analysis if found adequate and a threshold determination must still be issued by the RO. However, if the NEPA proposal does not mention DNR's actions (issuance of an easement or permit for a non-exempt action), then the NEPA may not meet SEPA requirements necessary for DNR's grant of an easement or permit.