

Authorization ID: SKY129 Contact ID: CLP STEVENS PASS,LLC Use Code: 161	FS-2700-23 (v. 10/09) OMB No. 0596-0082
<b>U.S. DEPARTMENT OF AGRICULTURE</b> <b>FOREST SERVICE</b> <b>AMENDMENT</b> <b>FOR A SPECIAL USE AUTHORIZATION</b>	
<p style="text-align: right;"><b>Amendment#: 1</b></p> <p>This amendment is attached to and made a part of the TERM special use authorization for a WINTER SPORTS RESORT issued to CLP Stevens Pass, LLC on 11/18/2011 which is hereby amended as follows:</p> <p>Amend the Permit Authorization ID SKY129 to include institutional controls to address the petroleum contamination remaining at the Stevens Pass Ski Area after a cleanup in 2011.</p> <p>Background: CLP Stevens Pass, LLC purchased the ski area in 2011. Prior to that, petroleum contamination was identified at 2 locations inside the permit area. The prior permit holder New Stevens LLC conducted a remediation in 2011 and then sold the ski area to CLP Stevens Pass, LLC. This amendment is necessary to document the fact that some petroleum remains due to obstruction from existing facilities. This amendment will ensure that the remaining petroleum is accounted for during replacement or removal of those facilities or at permit expiration or termination.</p> <p>This Amendment is accepted subject to the conditions set forth herein, and to conditions 1 to 8 and Exhibits 5 to 8 attached hereto and made a part of this Amendment.</p> <ol style="list-style-type: none"> <li>1. In 2011the New Stevens, LLC (prior permit holder) conducted a response action under the Washington Model Toxics Control Act (MCTA) to clean up petroleum contamination in 2 areas within the permit area. One area of contamination was in the vicinity of the Fleet Maintenance Building, which is Base Area Building H shown on Exhibit 2 of the permit. A second area of contamination was in the vicinity of the Parking Operations Building, which is Base Area Building G shown on Exhibit 2 of the permit. U.S. Highway 2 is also in the vicinity of this second area of contamination.</li> <li>2. Permit Exhibit 5 shows the northern part of the Fleet Maintenance Building Facility and the area of removed contamination and remaining contamination along the northern end of the building. Permit Exhibit 5 is attached to this amendment and is incorporated into the permit by this reference.</li> <li>3. Permit Exhibits 6 and 7 show the former Mini Mart Excavation Areas near the Parking Operations Building and the areas of removed contamination and remaining contamination in the vicinity of that building and along the west side of U.S. Highway 2. Permit Exhibits 6 and 7 are attached to this amendment and are incorporated into the permit by this reference. Exhibit 8 shows the area of petroleum hydrocarbon contamination that has tested above MTCA Method "A" groundwater cleanup levels.</li> <li>4. For this amendment "remaining contamination" includes the area of contamination denoted on Exhibits</li> </ol>	

5, 6, 7 and 8 including any portions of the plume outside the denoted areas.


5. The purpose of this amendment is a) to provide a record of the remaining contamination; and b) to provide for the holder's evaluation and cleanup, as necessary, of the remaining contamination upon the removal of any building, surface cap, roadway, or other improvement, in the vicinity of the remaining contamination, or the termination of the permit, whichever occurs first.

6. The holder shall not conduct ground disturbing activities in the areas of remaining contamination, develop drinking water wells, or take any other action that might cause the contamination to migrate, without obtaining written authorization from the Forest Service.


7. If the holder proposes to conduct any ground disturbing activity including, but not limited to, removal of any building, surface cap, roadway, or other improvement located above remaining contamination, the holder will provide the Forest Service with an analysis of whether the remaining contamination in the area of the proposed activity meets then current cleanup standards. If cleanup standards are not met, the holder will propose, for the Forest Service's approval and/or modification, an appropriate cleanup. The holder will implement the cleanup, as approved or modified by the Forest Service. This clause also applies when holder is required to remove improvements upon termination or revocation of the permit, as provided by Clause X.A. of the permit.

8. The Forest Service will consider waiving its right to require removal of an improvement located above remaining contamination if a new owner of those improvements agrees to the obligations contained in this amendment. Whether or not to waive the removal requirement shall be in the sole discretion of the Forest Service.

**ACCEPTED:**

 9/12/12  
HOLDER NAME AND SIGNATURE                      DATE

Kay Redlich, Senior Vice President CLP Stevens Pass, LLC

 9/10/12  
AUTHORIZED OFFICER                              DATE

Jennifer Eberlein, Forest Supervisor, Mt. Baker-Snoqualmie National Forest

AGREED TO BY THE HOLDER'S LESSEE, STEVENS PASS MOUNTAIN RESORT, LLC, FOR THE LIMITED PURPOSE OF OBLIGATING STEVENS PASS MOUNTAIN RESORT, LLC TO OPERATE THE PERMITTED IMPROVEMENTS IN COMPLIANCE WITH SECTIONS III, IV, V, VI AND CLAUSES VIII.A.1, VIII.A.2, VIII.B., AND VIII.D. OF THIS PERMIT AND CLAUSES 1 TO 8 OF THIS PERMIT AMENDMENT #1 AND ENABLING THE FOREST SERVICE TO DIRECTLY ENFORCE THAT OBLIGATION AGAINST STEVENS PASS MOUNTAIN RESORT, LLC.

HOLDER'S LESSEE

DATE

9/13/12

Karl Kapuscinski, President Stevens Pass Mountain Resort, LLC

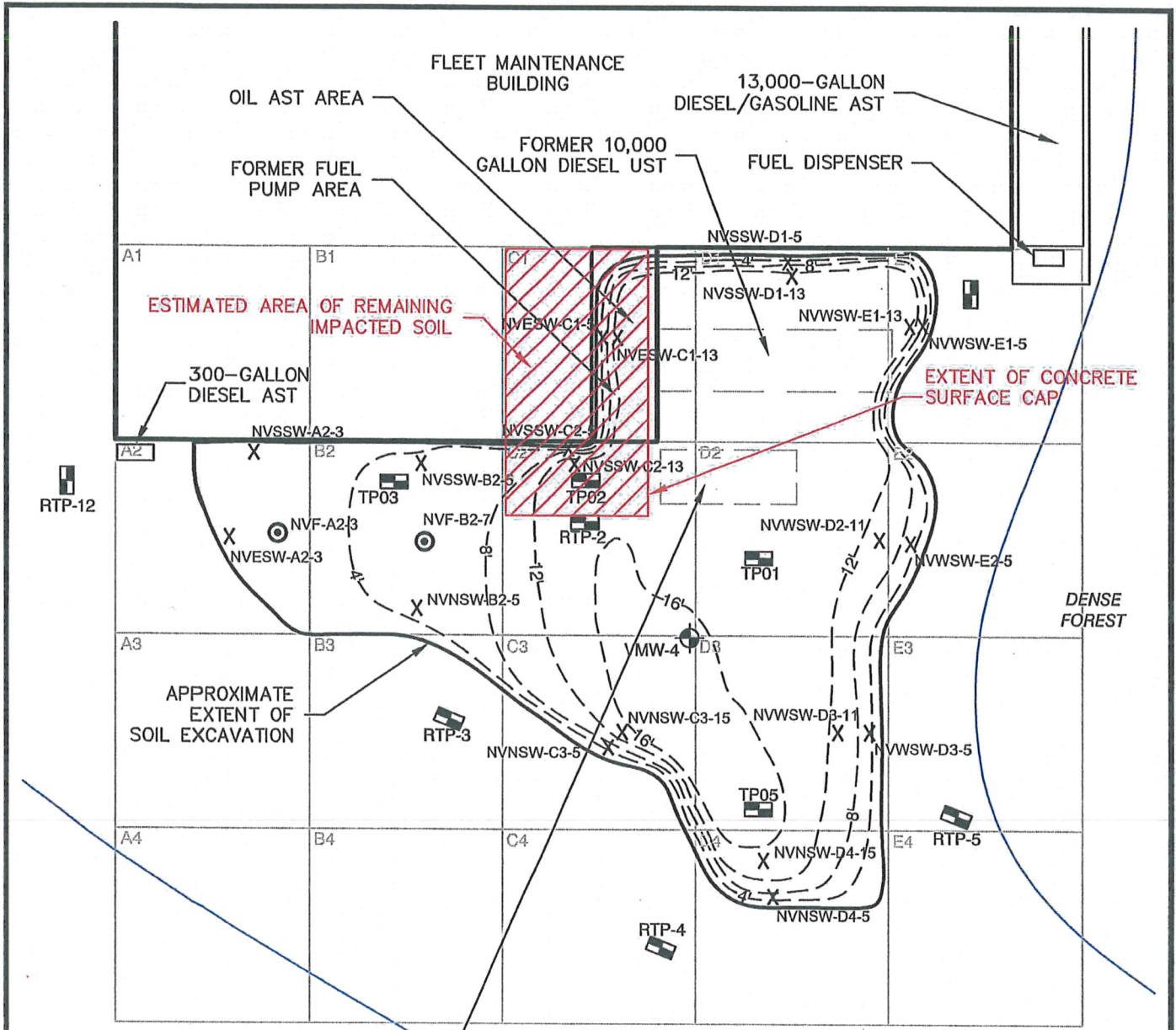


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The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

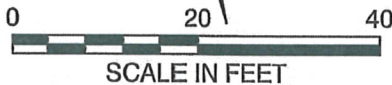


FORMER 4,000 GALLON GASOLINE UST

DENSE FOREST

**LEGEND**

- A1 SAMPLE GRID CELL LOCATION AND DESIGNATION
- TP06 PREVIOUS TEST PIT LOCATION
- VMW-2 GROUNDWATER MONITORING WELL LOCATION
- APPROXIMATE EXTENT OF SOIL EXCAVATION
- DEPTH OF SOIL EXCAVATION CONTOUR LINE (IN FEET BELOW GROUND SURFACE)
- NVF-A2-3 FINAL EXCAVATION FLOOR SAMPLE LOCATION AND DESIGNATION
- NVSW-A2-3 X FINAL EXCAVATION SIDEWALL SAMPLE LOCATION AND DESIGNATION



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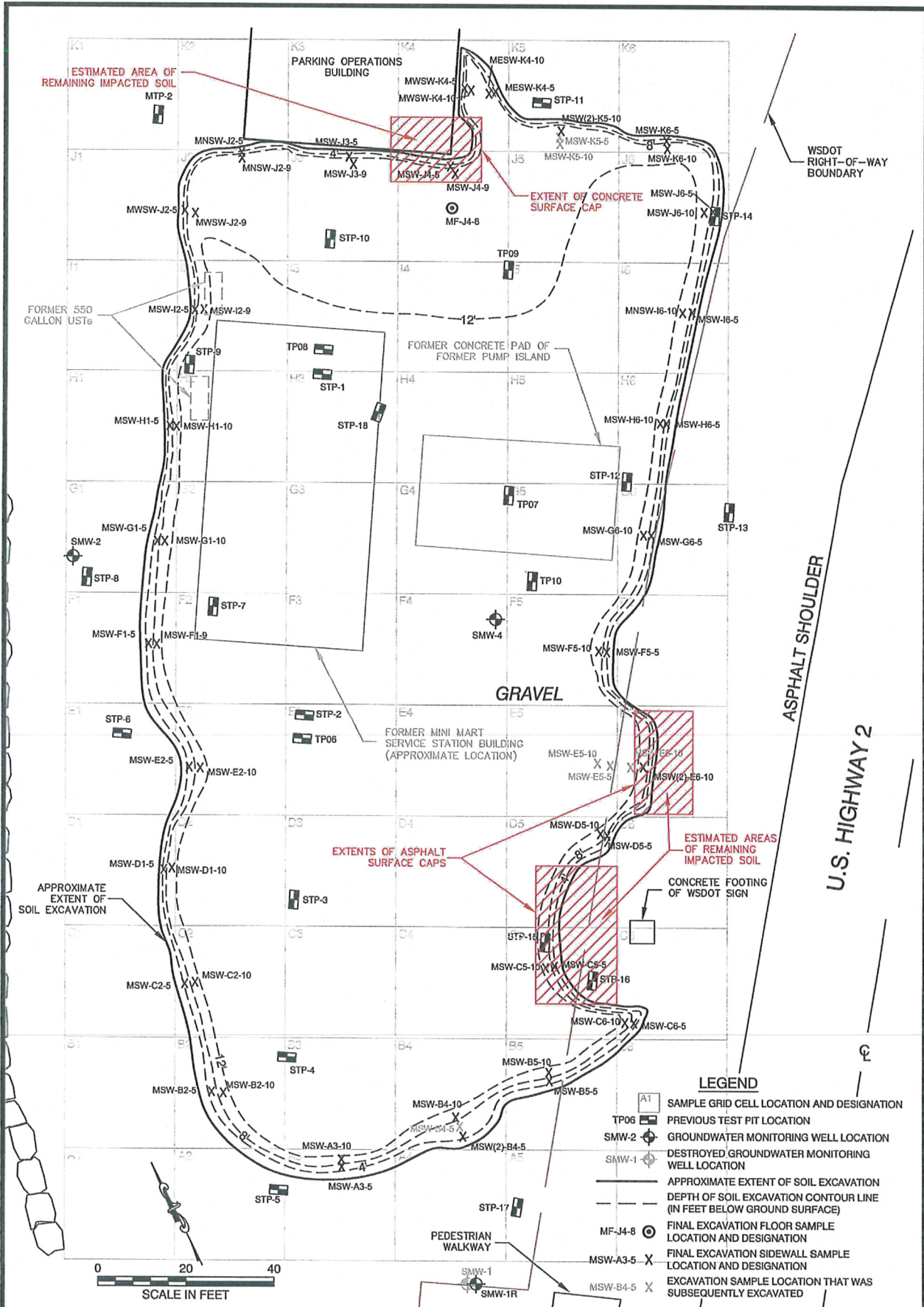
**SLR**

22118 20th AVE SE  
BLDG. G, SUITE 202  
BOTHELL, WA 98021

T: 425-402-8800  
F: 425-402-8488

DATE 3/12  
DWN. NMB  
APPR. \_\_\_\_\_  
REVIS. \_\_\_\_\_  
PROJECT NO. \_\_\_\_\_  
101.00418.00005

EXHIBIT 5  
STEVENS PASS SKI AREA  
SKYKOMISH, WASHINGTON  
**APPROXIMATE AREA OF  
NORTHERN SOIL EXCAVATION -  
FLEET MAINTENANCE BUILDING FACILITY**



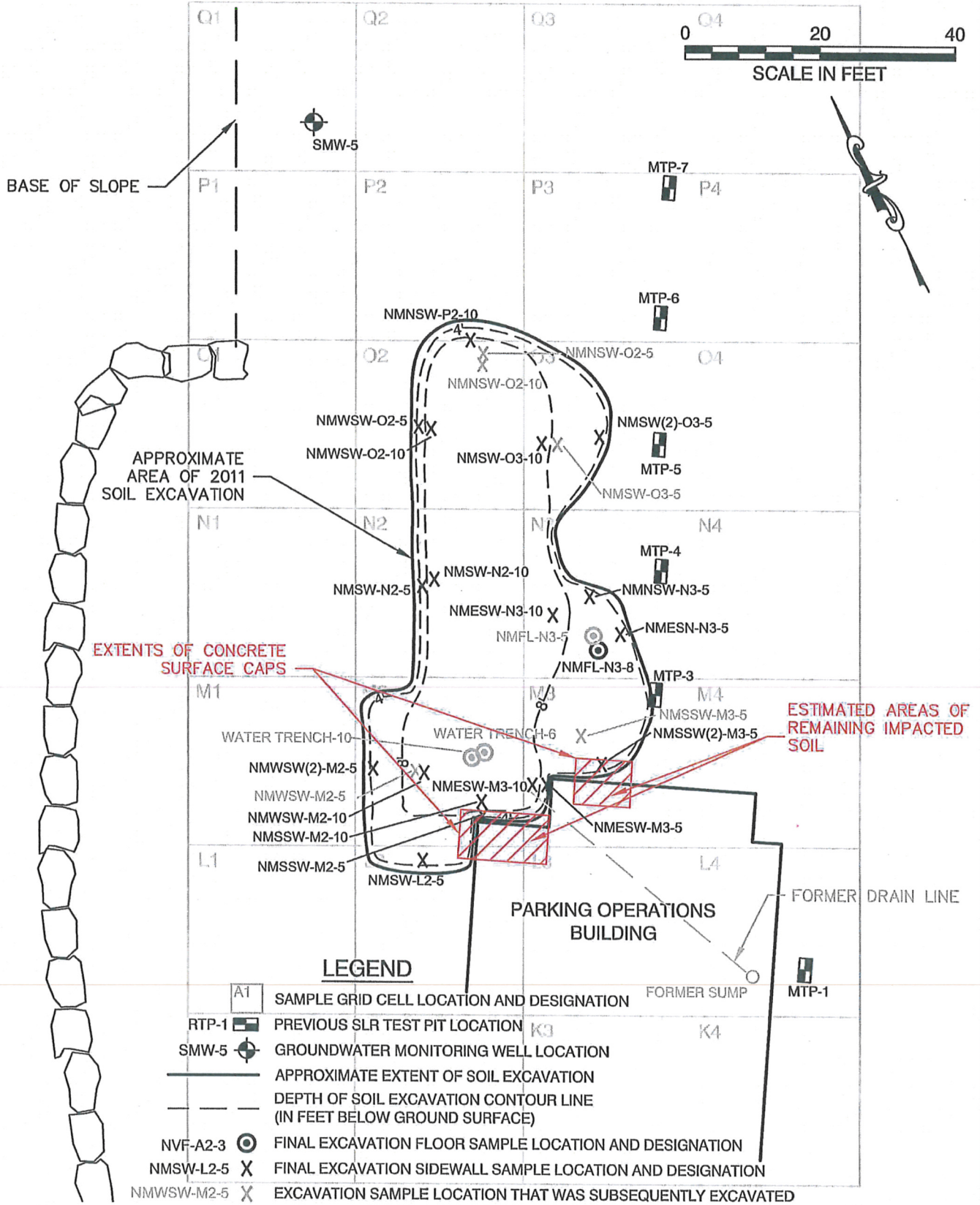
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**EXHIBIT 6**  
**STEVENS PASS SKI AREA**  
**SKYKOMISH, WASHINGTON**  
**APPROXIMATE AREA OF SOUTHERN**  
**MINI MART AREA EXCAVATION**

- LEGEND**
- A1 SAMPLE GRID CELL LOCATION AND DESIGNATION
  - PREVIOUS TEST PIT LOCATION
  - GROUNDWATER MONITORING WELL LOCATION
  - DESTROYED GROUNDWATER MONITORING WELL LOCATION
  - APPROXIMATE EXTENT OF SOIL EXCAVATION
  - DEPTH OF SOIL EXCAVATION CONTOUR LINE (IN FEET BELOW GROUND SURFACE)
  - X FINAL EXCAVATION FLOOR SAMPLE LOCATION AND DESIGNATION
  - X FINAL EXCAVATION SIDEWALL SAMPLE LOCATION AND DESIGNATION
  - X EXCAVATION SAMPLE LOCATION THAT WAS SUBSEQUENTLY EXCAVATED



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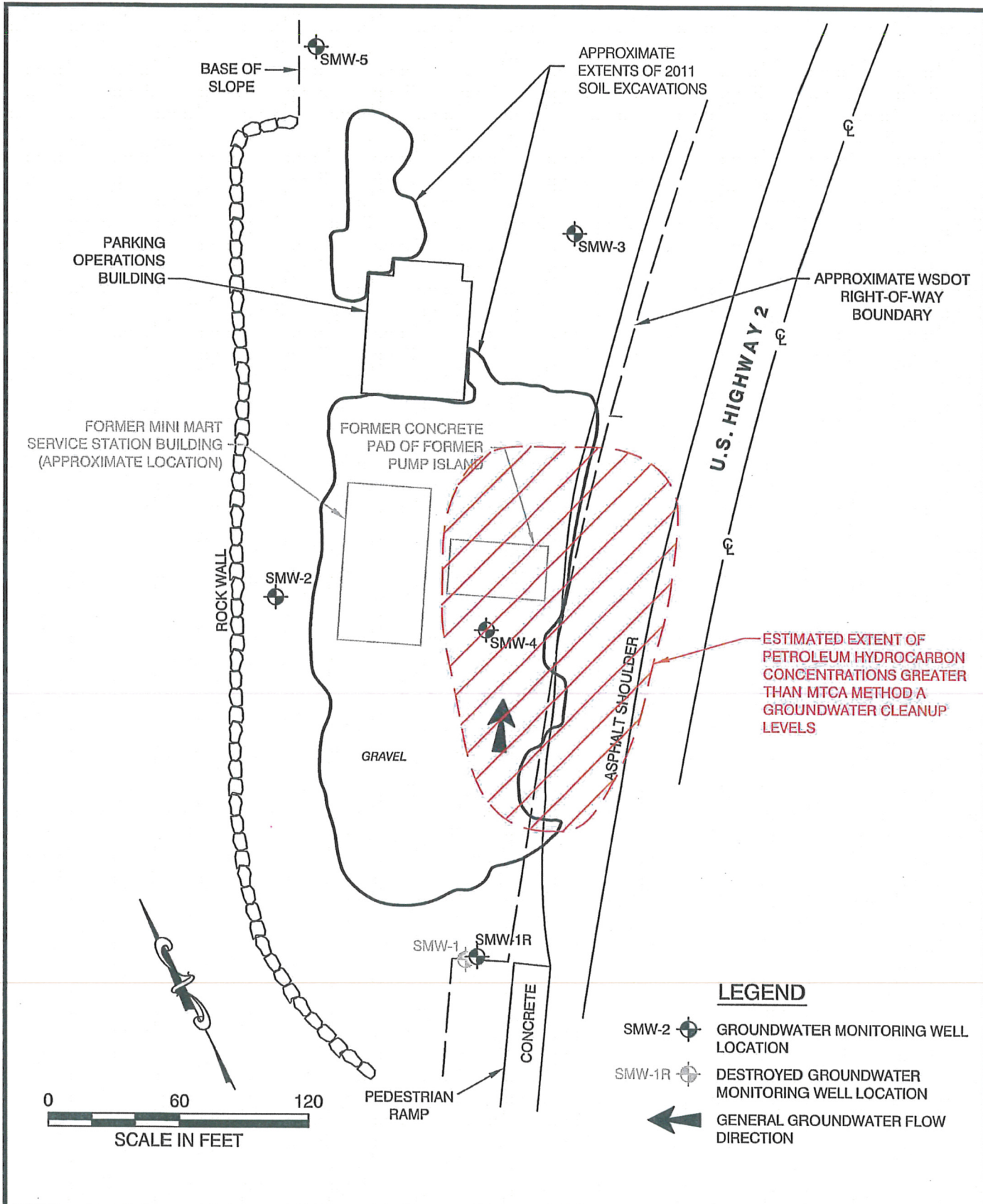
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**EXHIBIT 7  
STEVENS PASS SKI AREA  
SKYKOMISH, WASHINGTON  
APPROXIMATE AREA OF  
NORTHERN MINI MART AREA EXCAVATION**



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EXHIBIT 8  
STEVENS PASS SKI AREA  
SKYKOMISH, WASHINGTON  
REMAINING AREA OF HYDROCARBON-IMPACTED GROUNDWATER  
FORMER MINI MART STATION AREA