Addendum No. 3
Natural Resource Damage Assessment
Funding and Participation Agreement

Port Angeles Harbor Natural Resources Trustees
And Rayonier A. M. Properties, LLC

In accordance with Paragraph 3.2 of the Funding and Participation Agreement of May 30, 2013, between the Port Angeles Harbor Natural Resources Trustees (“Trustees”) and Rayonier A. M. Properties, LLC (“Rayonier A. M.”), the Parties hereby approve the attached budget for Phase 4 of their cooperative assessment process, in the amount of $368,663.25, under which the Trustees will complete Tasks 9 through 11 as described therein. This Addendum No. 3 covers all work necessary to be performed to finalize the Damage Assessment and Restoration Plan (DARP) and obtain final agency approval thereof; to develop final natural resources damages (NRD) settlement documents, consisting of a Consent Decree and restoration project description (Appendix A); and to obtain judicial approval of the settlement documents. This Addendum No. 3 also provides for standard ongoing Trustee costs associated with these Tasks for a period of twelve months, but does not provide any additional funds to complete tasks funded under Addendum No. 2. The Parties will make every effort to complete the Tasks in fewer than twelve months.

Rayonier A. M. may pay the above amount in two installments: the first in the amount of $184,330.00 as promptly as possible after execution of this Addendum, and the second in the amount of $184,333.25 after the beginning of calendar year 2016 upon reasonable written request of the Trustees and in no case later than February 15, 2016. No costs related to work conducted under this Addendum shall be incurred in the absence of advance funding; in the event the Trustees exhaust the funds from the first installment, they shall stop work until receipt of the second installment.

In the event that unforeseen events require the Trustees to perform tasks in addition to Tasks 9 through 11 in order to complete the DARP or finalize and obtain judicial approval of the NRD settlement documents, or require the Trustees to incur more than twelve months of ongoing Trustee costs, the Parties shall engage in good-faith negotiations for an Addendum to provide the Trustees with funding for such additional tasks or costs.

This Addendum No. 3 may be executed in counterparts. Signatures are on subsequent pages.
EXECUTED by the Parties on the dates indicated below.

For: National Oceanic and Atmospheric Administration
By: Nicholas Hawk M. Haidt
   Its: on behalf of Craig O'Connor, Special Counsel
   Date: 11/3/2015

For: United States Fish and Wildlife Service
By: ____________________________
   Its: ____________________________
   Date: ___________________________

For: Washington Department of Ecology
By: ____________________________
   Its: ____________________________
   Date: ___________________________

For: Lower Elwha Klallam Tribe
By: ____________________________
   Its: ____________________________
   Date: ___________________________

For: Port Gamble S'Klallam Tribe
By: ____________________________
   Its: ____________________________
   Date: ___________________________

For: Jamestown S'Klallam Tribe
By: ____________________________
   Its: ____________________________
   Date: ___________________________

For: Rayonier A. M. Properties, LLC
By: ____________________________
   Its: ____________________________
   Date: 9.29.18

Addendum No. 3 – Funding and Participation Agreement
Page 2 of 2
EXECUTED by the Parties on the dates indicated below.

For: National Oceanic and Atmospheric Administration
By: ____________________________
Its: ____________________________
Date: ____________________________

For: United States Fish and Wildlife Service
By: ____________________________
Its: ____________________________
Date: ____________________________

For: Washington Department of Ecology
By: ____________________________
Its: ____________________________
Date: ____________________________

For: Lower Elwha Klallam Tribe
By: ____________________________
Its: ____________________________
Date: ____________________________

For: Port Gamble S'Klallam Tribe
By: ____________________________
Its: ____________________________
Date: ____________________________

For: Jamestown S'Klallam Tribe
By: ____________________________
Its: ____________________________
Date: ____________________________

For: Rayonier A. M. Properties, I.I.C
By: ____________________________
Its: ____________________________
Date: ____________________________

Addendum No. 3 – Funding and Participation Agreement
Page 2 of 2
EXECUTED by the Parties on the dates indicated below.

For: National Oceanic and Atmospheric Administration
By: ___________________________ Date: ______________
Its: ____________________________

For: United States Fish and Wildlife Service
By: ___________________________ Date: ______________
Its: ____________________________

For: Washington Department of Ecology
By: Rebecca S. Lauser Date: 10/8/15
Its: Regional Manager - Ecology

For: Lower Elwha Klallam Tribe
By: ___________________________ Date: ______________
Its: ____________________________

For: Port Gamble S'Klallam Tribe
By: ___________________________ Date: ______________
Its: ____________________________

For: Jamestown S'Klallam Tribe
By: ___________________________ Date: 10/10/2015
Its: ____________________________

For: Rayonier A. M. Properties, LLC
By: ___________________________ Date: _________
Its: ____________________________
EXECUTED by the Parties on the dates indicated below.

For: National Oceanic and Atmospheric Administration
By: 
Its: 
Date: 

For: United States Fish and Wildlife Service
By: 
Its: 
Date: 

For: Washington Department of Ecology
By: 
Its: 
Date: 

For: Lower Elwha Klallam Tribe
By: 
Its: 
Date: 10/2/15

For: Port Gamble S'Klallam Tribe
By: 
Its: 
Date: 

For: Jamestown S'Klallam Tribe
By: 
Its: 
Date: 

For: Rayonier A. M/Properties, LLC
By: 
Its: 
Date: 9/29/15

Addendum No. 3 – Funding and Participation Agreement
Page 2 of 2
EXECUTED by the Parties on the dates indicated below.

For: National Oceanic and Atmospheric Administration
By: ___________________________ Date: ______________________
Its: ___________________________  

For: United States Fish and Wildlife Service
By: ___________________________ Date: ______________________
Its: ___________________________  

For: Washington Department of Ecology
By: ___________________________ Date: ______________________
Its: ___________________________  

For: Lower Elwha Klallam Tribe
By: ___________________________ Date: ______________________
Its: ___________________________  

For: Port Gamble S'Klallam Tribe
By: ___________________________ Date: ______________________
Its: ___________________________  

For: Jamestown S'Klallam Tribe
By: ___________________________ Date: ______________________
Its: ___________________________  

For: Rayonier A M Properties, LLC
By: ___________________________ Date: 9.29.15
Its: ___________________________  

Addendum No. 3 – Funding and Participation Agreement
Page 2 of 2
### Trustee Cost Estimate - Phase 4

<table>
<thead>
<tr>
<th>Task</th>
<th>Total Hours</th>
<th>NOAA</th>
<th>NOAA Hours</th>
<th>USFWS</th>
<th>USFWS Hours</th>
<th>ECY</th>
<th>ECY Hours</th>
<th>LEKT</th>
<th>LEKT Hours</th>
<th>JSKT</th>
<th>JSKT Hours</th>
<th>PGST</th>
<th>PGST Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>9: Complete DARP/EA</td>
<td>$71,952.74</td>
<td>552</td>
<td>$29,765.50</td>
<td>190</td>
<td>$10,175.00</td>
<td>80</td>
<td>$14,024.76</td>
<td>126</td>
<td>$9,545.28</td>
<td>96</td>
<td>$5,957.00</td>
<td>32</td>
<td>$2,485.20</td>
</tr>
<tr>
<td>(1) Consult with agency NEPA/SIPE staff. (2) Review</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>and adapt draft from windward for public review. (3) Negotiate</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>roles between Trustees and Rayonier for stakeholder outreach. (4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meeting with city and other local partners as part of DARP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>development. (5) Conduct public review. (6) Respond to public</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>comments. (7) Finalize DARP/EA. (8) Obtain final agency review</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>approval.</td>
<td>$109,480.89</td>
<td>787</td>
<td>$32,024.25</td>
<td>205</td>
<td>$10,005.00</td>
<td>78</td>
<td>$11,997.48</td>
<td>96</td>
<td>$23,586.16</td>
<td>234</td>
<td>$27,095.00</td>
<td>122</td>
<td>$4,773.00</td>
</tr>
<tr>
<td>10: Develop Consent Decree/Project Description</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Determine trustee negotiating protocols. (2) Review/initial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>project description and consent decree</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>and identify trustee issues. (3) Negotiate revision with Rayonier</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>including surplus credit issues, dock and jetty issues, and</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>upstream restoration issues. (4) Coordinate with DOJ, and</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>conduct internal discussions necessary to approve a final consent</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>decree.</td>
<td>$25,576.30</td>
<td>189</td>
<td>$7,865.00</td>
<td>50</td>
<td>$2,975.00</td>
<td>23</td>
<td>$3,824.70</td>
<td>30</td>
<td>$3,932.40</td>
<td>40</td>
<td>$5,138.00</td>
<td>26</td>
<td>$1,841.20</td>
</tr>
<tr>
<td>11: Submission to Court and Approval</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Draft complaint and other documents necessary to file with court</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>and complete procedures necessary for court approved settlement.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ongoing Trustee Council Costs*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Monthly Trustee Meetings (2) Monthly Technical Team</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>meetings (3) Monthly Legal meetings (4) Monthly Legal/Technical</td>
<td>$161,653.32</td>
<td>1344</td>
<td>$28,110.24</td>
<td>180</td>
<td>$23,580.00</td>
<td>180</td>
<td>$34,546.44</td>
<td>276</td>
<td>$19,430.88</td>
<td>228</td>
<td>$27,828.00</td>
<td>144</td>
<td>$28,157.76</td>
</tr>
<tr>
<td>Coordination</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$368,663.25</td>
<td>2872</td>
<td>$97,764.99</td>
<td>625</td>
<td>$46,735.00</td>
<td>361</td>
<td>$64,393.38</td>
<td>528</td>
<td>$56,494.72</td>
<td>598</td>
<td>$66,018.00</td>
<td>324</td>
<td>$37,257.16</td>
</tr>
</tbody>
</table>

*Number of months estimated

---

### Costs by Trustee

- **NOAA**: $37,257
- **USFWS**: $97,765
- **ECY**: $56,495
- **LEKT**: $46,735
- **JSKT**: $64,393
- **PGST**: $56,018

### Hours by Trustee

- **NOAA Hours**: 324
- **USFWS Hours**: 625
- **ECY Hours**: 598
- **LEKT Hours**: 528
- **JSKT Hours**: 361
- **PGST Hours**: 324