



US Army Corps  
of Engineers  
Seattle District



WASHINGTON STATE  
DEPARTMENT OF  
E C O L O G Y

# Joint Public Notice

## Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

### US Army Corps of Engineers

Regulatory Branch  
Post Office Box 3755  
Seattle, WA 98124-3755  
Telephone: (206) 764-3482  
ATTN: Karen Urelius,  
Project Manager

### WA Department of Ecology

SEA Program  
Post Office Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6068  
ATTN: SEA Program,  
Federal Permit Coordinator

**Public Notice Date:** June 10, 2013

**Expiration Date:** July 10, 2013

**Reference No.:** NWS-2012-890

**Name:** Waggoner, Hank R.  
(Cable Tram Lift)

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Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings dated March 20, 2013.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

**APPLICANT:** Hank R. Waggoner  
P.O. Box 7016  
Issaquah, WA 98027

Telephone: (425) 313-2661

**AGENT:** Jan Hopenbeck  
jlh Building & Development Services  
1606 Taylor Street  
Port Townsend, WA 98368

Telephone: (360) 531-0794

**LOCATION:** In Dabob Bay, near Quilcene, Jefferson County, Washington

**WORK:** The applicant is proposing to install a cable tram on a private property from the top of a bluff overlooking Dabob Bay down to the beach. The cable would span 156 feet from the access structure on the top of the bluff to the beach. Two galvanized steel anchors would be buried under the beach surface approximately 25-30 feet beyond the toe of the slope. A total of two cubic yards of material would be excavated from a 6-foot long, by 2-foot wide, by 4-foot deep trench. The material would be excavated either by hand or with a mini-excavator brought in by a beach trail or a 30-foot landing craft. Two galvanized 1¼-inch steel bars would extend from the anchors and attach to the two 5/8-inch cables that are suspended from the landing deck up on the bluff. Excavated beach material would be returned to fill the trench after anchors are placed. In order to install the cable tram lift, the applicant

**NWS-2012-890, Waggoner, Hank R.**

would remove one alder tree on the bluff face and would trim the branches of vegetation to allow the cables and tram to pass over the densely vegetated bluff.

PURPOSE: Beach access from private residence.

MITIGATION: To mitigate for loss of riparian vegetation, the applicant is proposing to remove a population of *Geranium robertianum* (Herb Robert geranium) from the top of the bluff. Herb Robert geranium is an invasive species in Washington State. The plant would be removed by hand in the spring and summer over the course of five years, thus allowing the existing native ground cover to fill in.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The U.S. Army Corps of Engineers is evaluating the potential impacts to proposed and listed species and their designated critical habitat and will consult with NMFS and USFWS.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). If the Corps determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The Corps has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property. The Corps invites responses to this public notice from Native American Tribes or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns regarding historic properties and sites of religious and cultural significance at or near the project area. After receipt of comments from this public notice, the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Tribes in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

EVALUATION – CORPS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

**NWS-2012-890, Waggoner, Hank R.**

Comments are used in the preparation of an Environmental Assessment pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

EVALUATION – ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

ADDITIONAL EVALUATION: This proposal is the subject of Shorelines Substantial Development Permit No. MLA 12-242, being processed by Jefferson County.

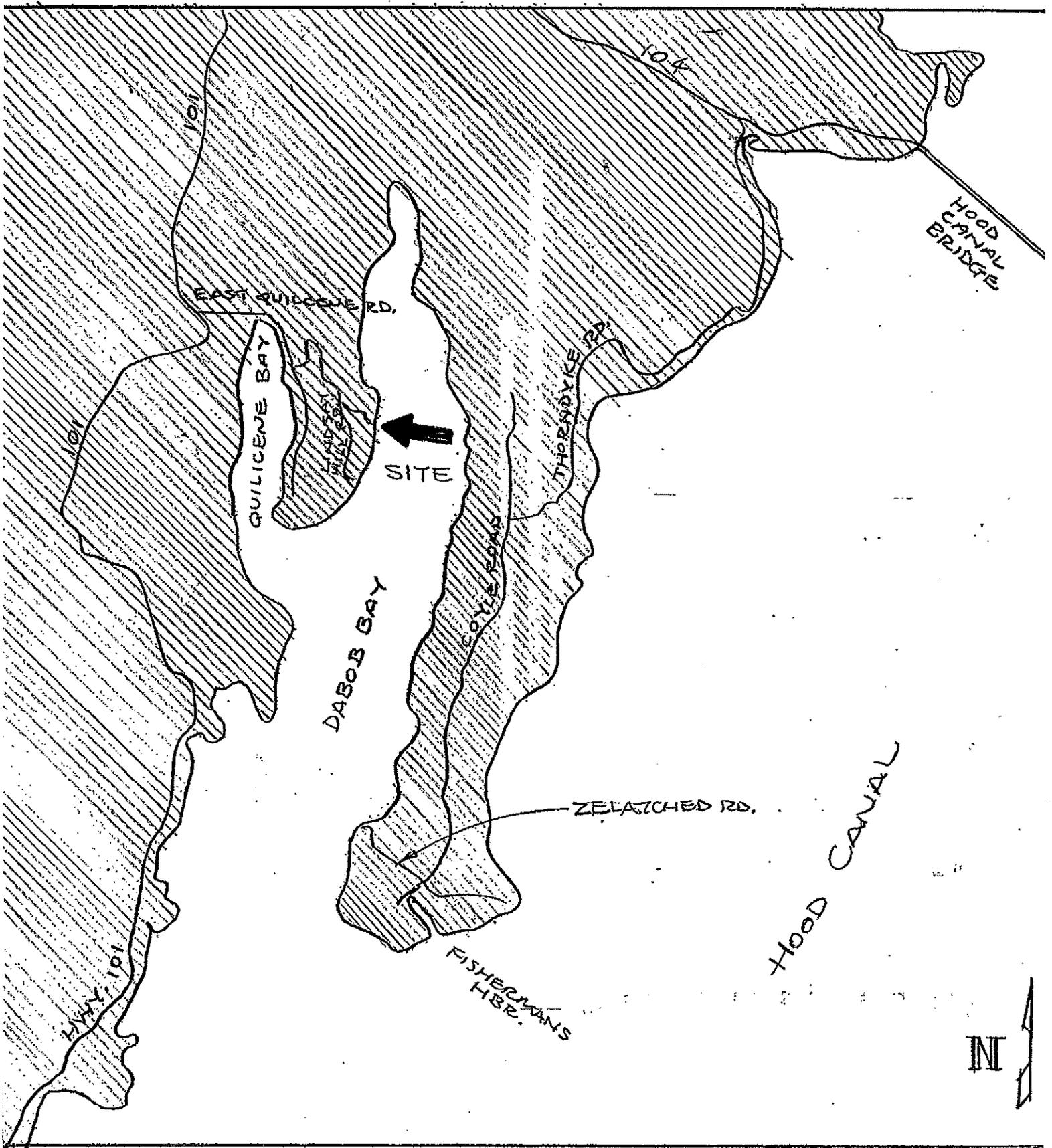
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentator's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

CORPS COMMENTS: All e-mail comments should be sent to karen.m.urelius@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Karen Urelius, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Waggoner, Hank R.; NWS-2012-890

Enclosures: Figures 1-4



**VICINITY MAP**

**CABLE LIFT BEACH ACCESS TRAM**

Prop. Owner: **HANK WAGGONER**

SITE: FLASH ROAD, QUILCENE, WA 98376

JEFFERSON COUNTY PARCEL #701282007

LAT 47 deg. 48' 15.5", LONG 122 deg. 49' 4.9"

**ACCUMAR CORP.**

Tram builder, Installer

1180 NW Finn Hill Rd.

Poulsbo, WA 98370

360-779-7795

NWS-2012-890

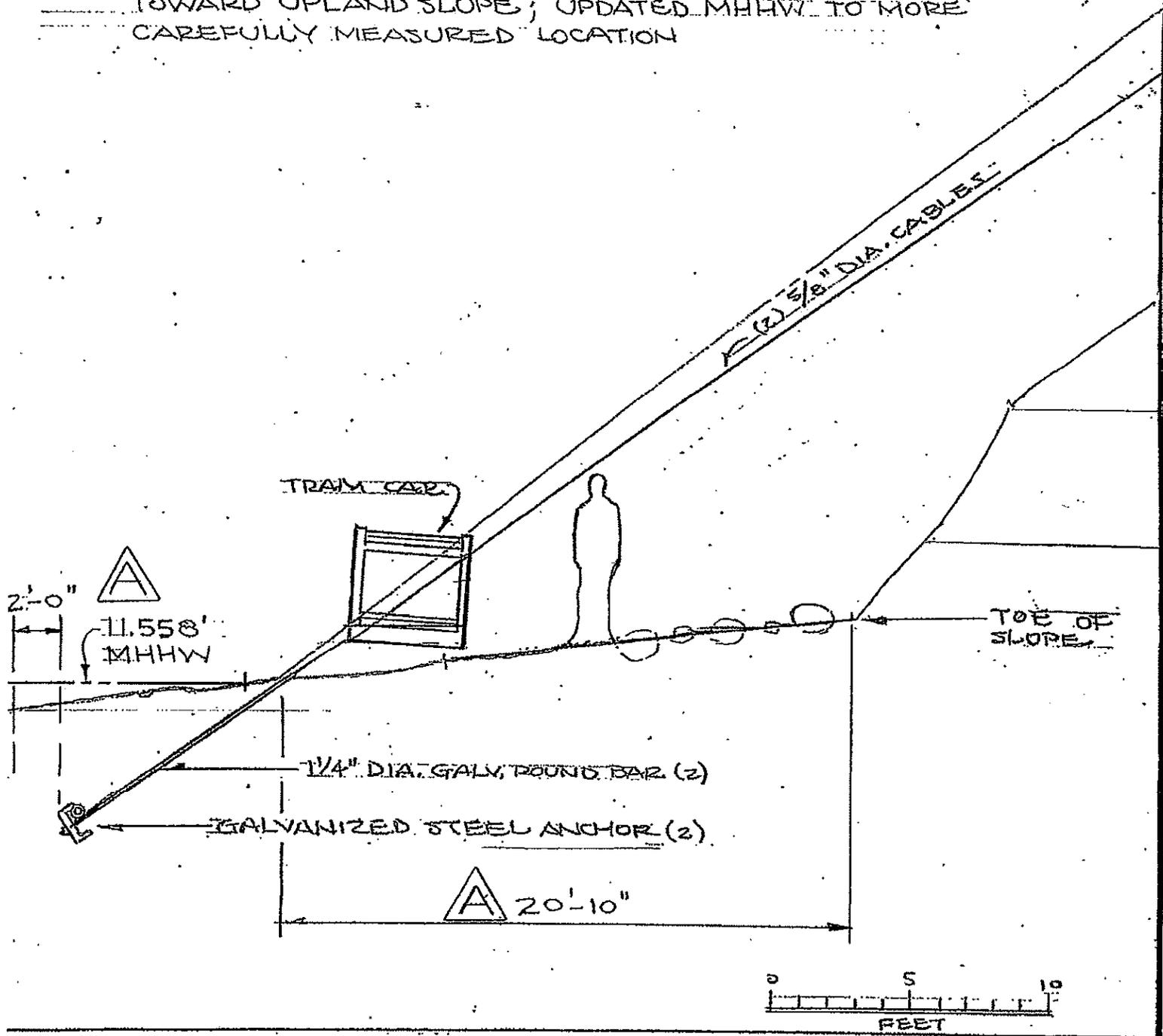
Sheet 1 of 4

3-20-2013



TIDE DATUM FROM 945246 WHITNEY POINT, WA NOS STATION

3/20/2013 REVISION: MOVED TRAM AT BEACH 2'-0" TOWARD UPLAND SLOPE; UPDATED MHHW TO MORE CAREFULLY MEASURED LOCATION



**ELEVATION of BEACH LANDING**

**CABLE LIFT BEACH ACCESS TRAM:**  
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 JEFFERSON COUNTY PARCEL #701282007  
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 Tram builder, Installer  
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 Sheet 3 of 4  
 3-20-2013



← DABOB BAY BEYOND

MHHW

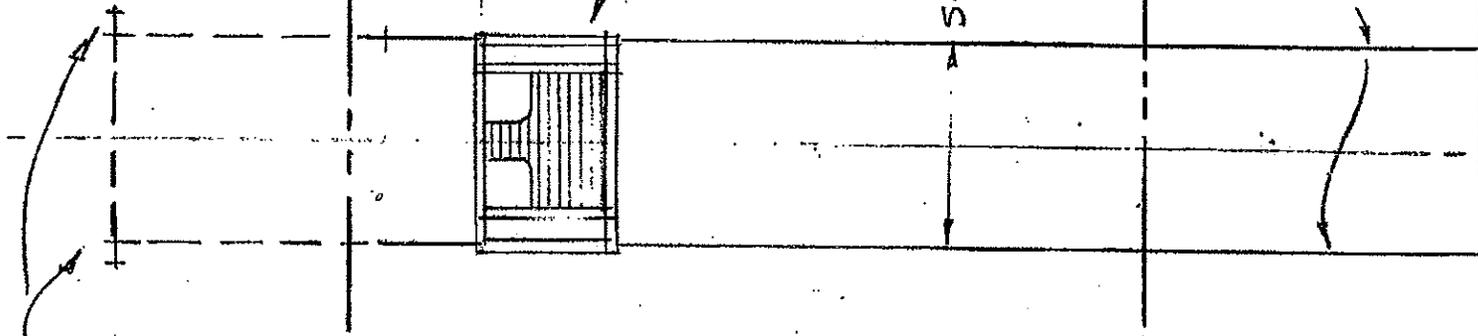
BEACH

TOE OF SLOPE

TRAM CAB

5'-9"

(2) 5/8" CABLES UP SLOPE



TWO GALVANIZED STEEL ANCHORS ARE BURIED APPROX. 48" INTO BEACH, AND THE HOLE IS THEN REFILLED WITH THE SAME BEACH MATERIAL. WORK IS DONE DURING ONE LOW TIDE. A 1.25" DIAMETER GALVANIZED TIE ROD EXTENDS TO SURFACE AND IS THEN ATTACHED TO THE 5/8" DIAMETER CABLE AT EACH CABLE. NO OTHER STRUCTURES ARE REQUIRED AT BEACH.

SLOPE UP



3/20/2013 REVISED: MOVED TRAM 2'-0" UP BEACH AND UPDATED TOE AND MHHW TO MEASURED LOCATION

**PLAN VIEW**

**CABLE LIFT BEACH ACCESS TRAM**

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