

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

FLOYD | SNIDER
strategy ▪ science ▪ engineering



 Washington State Department of
Enterprise Services





December 13, 2016

Washington State Legislature
Washington State Department of Enterprise Services

Re: Support for Capitol Lake/Lower Deschutes Watershed Environmental Impact Statement as Long-Term Management Planning Phase 2

Dear Members of the Washington State Legislature and Director Liu,

We are writing jointly, as collaborative partners in the Capitol Lake/Lower Deschutes Watershed long-term management planning effort, to express support for funding the proposed Phase 2 to complete a project-specific Environmental Impact Statement (EIS). The Department of Enterprise Services (DES) included this project in its capital budget request for the 2017-19 biennium. The EIS is a necessary step to identify an environmentally and economically sustainable long-term management plan that improves water quality, manages existing sediment accumulation and future deposition, enhances impaired ecological functions, and restores community use of this resource.

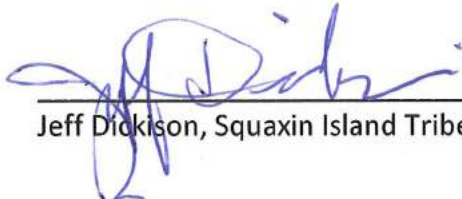
As government partners, we recommend fully funding an EIS as Phase 2. State law requires an EIS before any long-term management approach can be implemented. The EIS work will complete technical analyses, including evaluation of sediment transport and deposition. All stakeholders identified a sediment management strategy as a critical component of any future alternative. We are committed to working collaboratively with DES throughout Phase 2 to provide policy-level and technical support, continue efforts to identify options for long-term shared funding and governance to support a chosen alternative, and share information through community outreach. We have generated great momentum through the Phase 1 process -- the Capitol Lake/Lower Deschutes Watershed Report initiated by proviso in the 2015-17 Capital Budget -- which we will use to propel us forward to a solution.

In recognition of the continued work that must be done, we provide this letter as formal support for fully funding the request for the Phase 2 project-specific EIS proposed by DES. We echo broad agreement among the community and coordinating agencies on the need to implement a long-term management plan for Capitol Lake/Lower Deschutes Watershed.

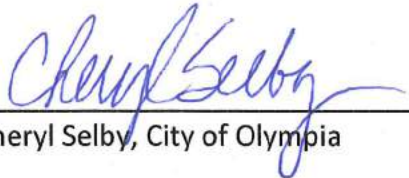
Washington State Legislature
Washington State Department of Enterprise Services
December 13, 2016
Page Two

Please contact any of us if you have questions or need additional information.

Sincerely,



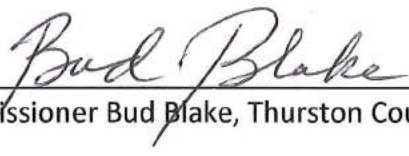
Jeff Dickison, Squaxin Island Tribe



Mayor Cheryl Selby, City of Olympia



Mayor Pete Kmet, City of Tumwater



Commissioner Bud Blake, Thurston County



Commissioner Bill McGregor, Port of Olympia



Peter Goldmark
Washington State
Commissioner of Public Lands

December 7, 2016

Washington State Legislature

Subject: Support for Capitol Lake/Lower Deschutes Watershed EIS

Dear Members of the Washington State Legislature:

I am writing to expressly support funding for the proposed Phase 2 of the Capitol Lake/Lower Deschutes Watershed long-term management planning effort. The Department of Enterprise Services (DES) included this project in its capital budget request for the 2017-19 biennium. The Proposed Phase 2, development of an Environmental Impact Statement (EIS), is critical to a long-term solution to what has been a challenging issue. The EIS will help to identify a sustainable approach that improves water quality, addresses sediment accumulation and enhances impaired ecological functions.

The Department of Natural Resources is committed to working collaboratively with the Department of Enterprise Services (DES) throughout Phase 2. A significant amount of momentum has been generated through Phase 1 of the process and we need to continue to build upon that momentum to achieve a long-term solution.

In recognition of the continued work that must be done, I formally support fully funding the request for Phase 2 proposed by DES.

Please feel free to contact Megan Duffy, Deputy Supervisor for Aquatics, at 360-902-1034 should you have any questions. Thank you.

Sincerely,

Peter Goldmark
Commissioner of Public Lands

c: Chris Liu, Director, Department of Enterprise Services



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: 600 Capitol Way N, Olympia, WA 98501-1091 • (360) 902-2200 • TDD (360) 902-2207
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

December 12, 2016

The Honorable Jim Honeyford
Washington State Senator
107 Irv Newhouse Building
Post Office Box 40415
Olympia, WA 98504

The Honorable Steve Tharinger
Washington State Representative
314 John L. O'Brien Building
Post Office Box 40600
Olympia, WA 98504

Dear Senator Honeyford and Representative Tharinger:

The Washington Department of Fish and Wildlife (Department) would like to express support for the Department of Enterprise Services (DES) proposed Phase 2 Environmental Impact Statement (EIS) related to long-term management of Capitol Lake/Lower Deschutes Watershed.

The EIS is necessary to bring together all of the previous investments made in identifying options for long-term management, analyze them in detail, and choose the preferred alternative for implementation. The Department is hopeful the preferred alternative will lead to action providing a sustainable long-term management plan that improves water quality, manages existing sediment accumulation and future deposition, enhances impaired ecological functions, and restores community use of this resource.

The Department is committed to working collaboratively with DES and partners during Phase 2 to provide policy-level and technical support in assessing impacts to native and non-native species and habitat. We urge your support for this request.

Thank you for your time and consideration. Please don't hesitate to contact me if we can provide any further information.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Unsworth".

James Unsworth, Ph.D.
Director



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

December 21, 2016

The Honorable John Braun
The State Senate
PO Box 40420
Olympia, WA 98504

The Honorable Beth Doglio
House of Representatives
PO Box 40600
Olympia, WA 98504

The Honorable Jim Honeyford
The State Senate
PO Box 40415
Olympia, WA 98504

The Honorable Steve Tharinger
House of Representatives
PO Box 40600
Olympia, WA 98504

RE: Long Term Management Plan for Capitol Lake and the Lower Deschutes River Watershed

Dear Senators Braun and Honeyford, and Representatives Doglio and Tharinger:

I am writing in support of continuation of Department of Enterprise Services' (DES) collaborative process that is geared to identify a long-term management plan for Capitol Lake and the Lower Deschutes River Watershed. DES is proposing a "Phase 2" effort that would build on progress made in "Phase 1." The Department of Ecology (Ecology) supports moving forward on this critical effort.

In 2016, DES brought together and actively engaged, local elected officials, the Squaxin Island Tribe, the Port of Olympia, community groups, interested individuals, and local and state government agencies to identify goals, interests, and visions for the future of Capitol Lake. This "Phase 1" process led to consensus that the impacts and benefits of multiple scenarios must be analyzed and that the assessment should be done through an Environmental Impact Statement.

An Environmental Impact Statement would follow the established standards of the State Environmental Policy Act. As the lead agency, DES would take advantage of the large body of available technical information as well as update and collect necessary additional data. Various alternatives would be evaluated and compared on their impacts to the environment, aesthetics, cultural resources, recreation, transportation (including the marine terminal), community infrastructure, and the local economy. A scoping period, as well as a review period, for the draft Environmental Impact Statement, would provide opportunity for community input and transparency. Because an Environmental Impact Statement will be needed for whatever option is selected, doing the study now will save time in the long run.



Members of Washington State Senate and House of Representatives


December 22, 2016

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The Department of Ecology's role is that of a scientific and regulatory resource for DES and other partners in the process. Ecology staff offered technical input during the Phase 1 process and we are committed to continuing to provide DES with timely input and review. I encourage your support for "Phase 2."

Thank you for your consideration. If we can provide further information, please don't hesitate to contact Sally Toteff, Southwest Regional Director, at 360-407-6307.

Sincerely,

A handwritten signature in cursive script that reads "Maia Bellon by Amy Zehm".

Maia D. Bellon
Director

cc: Chris Liu, Director, Department of Enterprise Services

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

FLOYD | SNIDER



FINAL
December 30, 2016

LIMITATIONS

This report has been prepared for the exclusive use of the Washington State Department of Enterprise Services and Washington State Legislature. It has been prepared based on information available at the time of the work. The information and conclusions contained in this report are largely based on stakeholder input, and also reflect previous technical analyses and other relevant reports. Floyd|Snider cannot assure the accuracy of this information.

Executive Summary

What is the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning Project?

The Washington State Department of Enterprise Services (DES) is responsible for the stewardship, preservation, operation, and maintenance of the Lower Deschutes Watershed, commonly known as Capitol Lake. As part of the Capitol Campus in Olympia, Washington, this expansive resource is considered one of “the most important public facilities in the state” ([Revised Code of Washington Chapter 79.24.700](#)). However, Capitol Lake/Lower Deschutes Watershed is currently in violation of state and federal water quality standards, and is closed to active public use.

DES recently completed Phase 1 of a long-term management planning effort, which was conducted in response to a proviso within the capital budget for the 2015–17 biennium to “make tangible progress on reaching broad agreement on a long-term plan” for the Capitol Lake/Lower Deschutes Watershed. The work occurred in collaboration with the community, governmental representatives, and coordinating agencies, including the Squaxin Island Tribe, City of Olympia, City of Tumwater, Thurston County, Port of Olympia, Washington State Department of Natural Resources, Washington State Department of Ecology, and the Washington Department of Fish and Wildlife. Representatives from these entities comprised the Executive Work Group, Technical Committee, and Funding and Governance Committee. These stakeholders and the Community actively participated in the Phase 1 process.

How does Phase 1 support future selection of a Long-Term Management Plan?

A key outcome of Phase 1 was the collaborative establishment of the purpose and goals for long-term management of Capitol Lake/Lower Deschutes Watershed. The purpose of the Capitol Lake/Lower Deschutes Watershed Long-Term Management Project is to identify and implement an environmentally and economically sustainable watershed approach that improves water quality, and manages existing sediment accumulation and future deposition. The project is also needed to improve the impaired ecological functions within the existing Capitol Lake basin and adjacent watershed. These efforts would also aim to restore and enhance community use of the resource.

The long-term management options reviewed or identified as part of Phase 1 include a Managed Lake, a Restored Estuary, and Hybrid Options. An option is considered a “hybrid” when it restores tidal flow and estuary conditions within the basin, and also maintains a portion of the historic reflecting pool in the North Basin. Variations to these options, or “sub-options,” that were proposed by community members were also reviewed. This range of options for long-term management will move into the next project phase, if funded, and will then be narrowed and evaluated to determine the level at which each option is consistent with or achieves the project purpose and goals.

The Phase 1 process also identified the range of public support for or concerns about each option, and identified the best available science concerning water quality and habitat as they relate to conceptual options of retaining or removing the dam.

When could a long-term management plan be selected?

There is broad agreement among the community and coordinating agencies on the need to implement a long-term management plan. However, a long-term management plan (including actions such as initial dredging) cannot be selected for implementation until a project-specific Environmental Impact Statement (EIS) is complete, as required by the State Environmental Policy Act. The EIS and associated technical analyses would inform decision-makers on the potential benefits and impacts of the project. That work would occur as part of Phase 2, for which DES is currently pursuing funding. The EIS would draw upon the hundreds of studies and reports that have been completed within the last 30 years, and documentation from the Capitol Lake Adaptive Management Plan (CLAMP) process that began nearly 20 years ago. Phase 2 will also build upon the Phase 1 process, which is described in further detail in this Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning (“Phase 1 Report” or “Proviso Report”). Once funding is received, the EIS is expected to take up to 3 years to complete. Design, permitting, and construction of the long-term management plan would occur in Phase 3.

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List of Acronyms and Abbreviations

| Acronym/ Abbreviation | Definition |
|----------------------------------|--|
| CLAMP | Capitol Lake Adaptive Management Plan |
| CLIPA | Capitol Lake Improvement and Protection Association |
| DELI | Dual Estuary/Lake Idea |
| DES | Washington State Department of Enterprise Services |
| DMMP | Dredged Material Management Program |
| EIS | Environmental Impact Statement |
| ESA | Endangered Species Act |
| RPB | Rotating Photo Bioreactor |
| RCW | Revised Code of Washington |
| WQIR/IP | Water Quality Improvement Report and Implementation Plan |

1.0 Introduction

The Washington State Department of Enterprise Services (DES) is responsible for the stewardship, preservation, operation, and maintenance of the Lower Deschutes Watershed, commonly known as Capitol Lake. As part of the Capitol Campus in Olympia, Washington, this expansive resource is considered one of “the most important public facilities in the state” (Revised Code of Washington [RCW] 79.24.700-710), and is under lease to DES from the Washington State Department of Natural Resources. However, Capitol Lake/Lower Deschutes Watershed is in violation of state and federal water quality standards, and is closed to active public use.

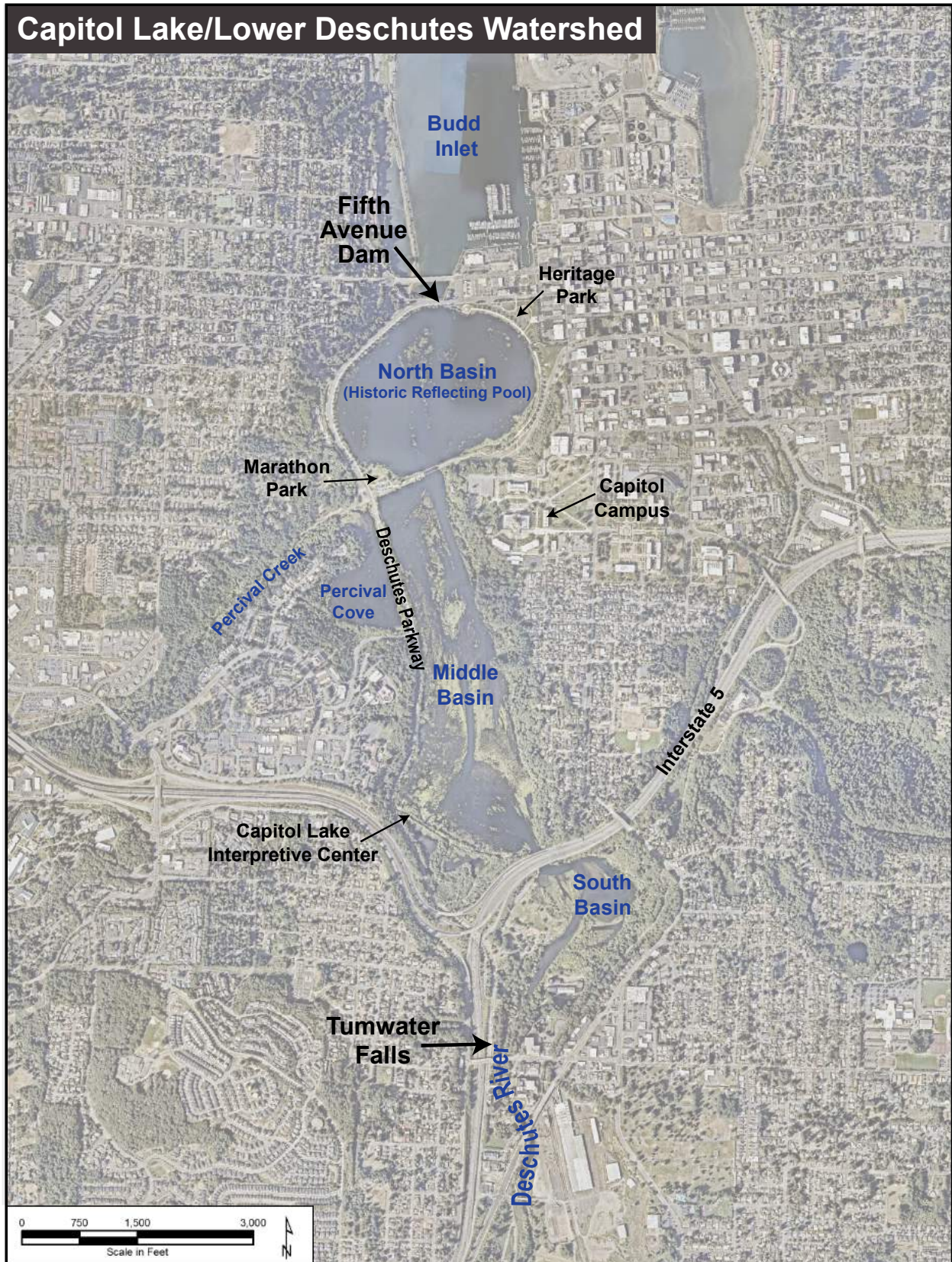
For more than 30 years, the community and coordinating agencies have been meeting to discuss conditions in the existing Capitol Lake/Lower Deschutes Watershed Basin. Throughout this time, hundreds of studies and reports have been completed to document the impaired ecological functions and evaluate the potential management approaches that could improve the health of the waterbody and restore active community use.

In 2016, DES engaged in a planning effort that established the foundation needed to select and implement an environmentally and economically sustainable management approach in later project phases. The work has been conducted with active participation from the community, governmental representatives, and coordinating agencies, including the Squaxin Island Tribe, Washington State Department of Natural Resources, Washington State Department of Ecology, Washington Department of Fish and Wildlife, City of Olympia, City of Tumwater, Thurston County, and Port of Olympia. Representatives of these entities also served as part of the formerly convened Capitol Lake Adaptive Management Plan (CLAMP) Steering Committee (1997 through 2009), with a similar goal of selecting a long-term management option for this resource.

1.1 LEGISLATIVE PROVISIO AND PHASE 1

The 2016 planning effort began in response to a proviso within the capital budget for the 2015–2017 biennium (Appendix A). The proviso directed DES to “make tangible progress on reaching broad agreement on a long-term plan” for the Capitol Lake/Lower Deschutes Watershed. The aerial image provided on the following page represents the geographic range for the term “Capitol Lake/Lower Deschutes Watershed,” which is defined as the area extending from the south end at Tumwater Falls in the City of Tumwater to the north end at the Fifth Avenue Dam in the City of Olympia. This area is also referred to as the Capitol Lake Basin. The Capitol Lake Basin is part of a larger watershed, extending from the headwaters of the Deschutes River to the Puget Sound, and covering a 186-square-mile area in western Washington. While the limits of this project are defined by the area over which DES has jurisdiction, it is recognized that the interconnectedness of the system requires coordinated agency efforts and watershed-wide restoration efforts. As such, DES continues to engage with coordinating agencies; this collaborative approach is described further throughout the Phase 1 report.

Graphic 1. Geographic Range of the Capitol Lake/Lower Deschutes Watershed



The proviso included additional tasks to support the overarching goal of reaching broad agreement, such as identifying and summarizing best available science related to water quality and habitat; identifying hybrid options and the range of public support for the options; providing general cost estimates for construction and maintenance; and evaluating the potential for shared funding and governance.

During the early months of 2016, DES considered the opportunity to conduct this process as the initial phase of a more comprehensive planning effort. As a result of these internal agency discussions and the interest of DES to pursue a long-term management approach, a three-phased process was developed.

- Phase 1 was designed to meet the proviso elements (or “directives”) and to serve the dual-purpose of assembling information to support a future project-specific environmental impact statement (EIS).
- Phase 2 consists of the EIS and technical analyses required to select a long-term management option, and required by the State Environmental Policy Act (SEPA).
- Phase 3 consists of the design, permitting, and construction of the selected long-term management option.

DES implemented Phase 1 between March 2016 and November 2016. The *Phase 1 Implementation Plan* is provided in Appendix A (Floyd|Snider 2016). Phase 1 included active participation from the community and coordinating agencies, which culminated with a year-in-review meeting in December 2016. This Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning (or, “Phase 1 Report” or “Proviso Report”) documents work completed in Phase 1, and is submitted at year-end in accordance with the proviso.

1.2 PHASE 1 TRANSITION INTO PHASE 2

Phase 1 was conducted in a manner similar to an expanded scoping process that can be implemented as the first step of an EIS to promote interagency coordination and public participation, and to streamline the EIS process. Several techniques from regulatory guidance on expanded scoping were used throughout Phase 1, such as using questionnaires and information packets to solicit feedback, convening meetings and facilitated discussions, and developing cooperative consultation and information exchange among coordinating agencies.

Phase 2 will utilize several of the materials prepared in Phase 1. For example, early meetings with the community and coordinating agencies focused on updating and refining common goals and objectives for the long-term management of Capitol Lake/Lower Deschutes Watershed. The list of goals and objectives was then transformed into a purpose and need statement, which is a fundamental and required tool used in the EIS. It is intended to “briefly specify the underlying purpose and need to which an agency is responding by proposing the alternatives” and the project (National Environmental Policy Act, [Section 1502.13 Purpose and Need](#)). The Draft Final Purpose and Need Statement developed in Phase 1 will serve as the basis for which to evaluate and screen the proposed long-term management options in Phase 2. A purpose and need

statement or problem statement for Capitol Lake/Lower Deschutes Watershed has not existed prior to this Phase 1 process.

In September 2016, with Phase 1 concluding, DES submitted a budget request to the Washington State Office of Financial Management for the full cost of Phase 2, including all technical analyses anticipated to be required (described further in Section 6.2).¹ If funding is received as part of the capital budget for the 2017–19 biennium, Phase 2 could begin in early 2018. The work completed as part of Phase 1 is expected to streamline that process. The Phase 1 transition into Phase 2 is described in more detail in Appendix B.

In Phase 1, information to determine the proposed action and identify potential long-term management options was collected and will be reviewed during the formal EIS scoping effort in Phase 2. The long-term management options identified in Phase 1 will then be screened to determine reasonable alternatives for further technical review. Technical analyses will be completed to evaluate the potential effects of the reasonable alternatives, and will include a number of discipline-specific studies ranging from water quality and geology (soils and sediment management) to land use and visual quality. The Draft EIS and its discipline reports will describe the potential environmental impacts and benefits, and will provide an opportunity for additional participation by the community and coordinating agencies. The work in Phase 1 to solicit input is likely to reduce the potential for unanticipated feedback at this stage in the EIS process. The Final EIS will identify the preferred long-term management option that was selected by the decision-makers based on information provided in the Draft EIS and other related processes, such as the work conducted under Phase 1.

¹ Because state-funding is being pursued, and federal funding for Phase 2 is not anticipated at this time, the EIS process would be conducted in compliance with the State Environmental Policy Act. However, the EIS could be prepared as a joint document that satisfies the State Environmental Policy Act and the National Environmental Policy Act if federal funding is received or a federal co-lead agency is identified.

2.0 Phase 1 Implementation and Stakeholder Participation

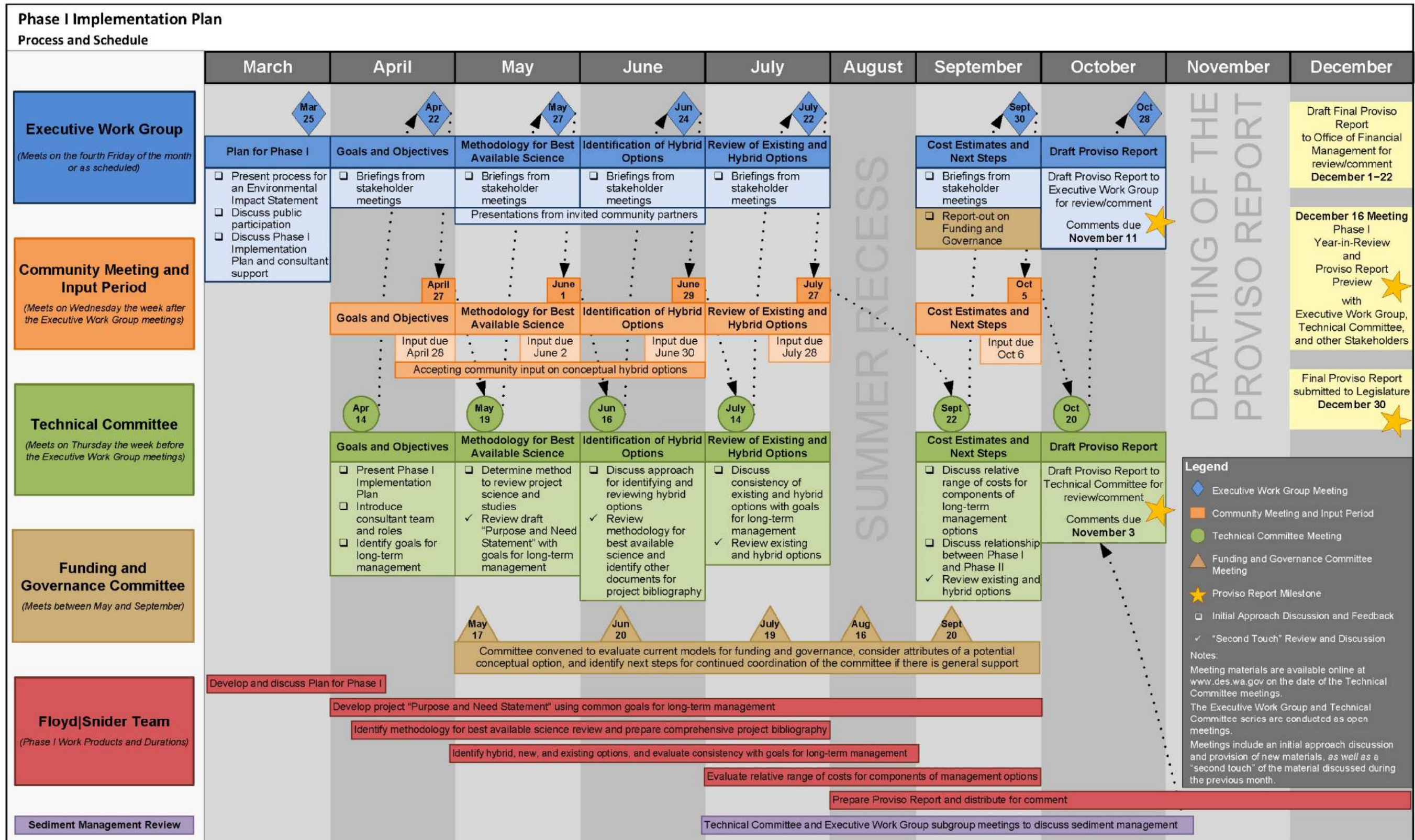
Phase 1 was a collaborative process led by DES with consultant support from Floyd|Snider, an environmental consulting firm. An Executive Work Group, a Technical Committee, and the Community provided ongoing feedback throughout Phase 1. DES also convened a Funding and Governance Committee. These groups are collectively described as “the stakeholders,” and represent the wide range of perspectives within this planning process. The stakeholders reviewed all the monthly material packages prepared as part of Phase 1 and represented a range of interests for long-term management options for Capitol Lake/Lower Deschutes Watershed. Assembly of these entities and the proactive engagement fulfills Proviso Elements 1 and 2 (Appendix A).

2.1 PHASE 1 IMPLEMENTATION

Topics for monthly meetings focused on specific proviso elements and also served as a foundation for an EIS process. Each month, DES, along with its consultant, issued a packet of material to support the meetings and associated discussions. The materials were presented to the Technical Committee, the Executive Work Group, and the Community, over the series of three individual meetings as a “first touch” opportunity. Following the initial round of discussions, and at the closure of a 2-week comment period where input could be submitted through multiple methods (an online forum, through written comments at the Community meetings, or to DES via email), the materials were revised to reflect stakeholder feedback. The revised materials were presented the following month as a “second touch” opportunity, along with a new packet of materials related to the next topic of discussion. All written input received during the monthly comment periods is provided in Appendix C. A graphical representation of this process, including changes since Phase 1 implementation in March 2016, is provided on the Phase 1 Implementation Plan Process and Schedule (on the following page).

Revisions to materials between the initial review opportunity and the “second touch” were often based on specific requests or changes to increase clarity of content or messaging. In the cases where stakeholder requests were conflicting, changes were made to reflect the majority feedback. All requests were considered of equal value and were considered, regardless of whether the comment was provided by a member of the Technical Committee, Executive Work Group, or the Community. The “second touch” was accompanied by a briefing to describe the feedback received from the stakeholder groups and provided a chance for final input before materials were finalized with the Executive Work Group for inclusion into this Phase 1 Report. The revised materials and on-going discussions built upon each other as work progressed under Phase 1.

Graphic 2. Phase 1 Implementation Plan: Process and Schedule



This is an adaptive process and has changed from the April 2016 plan as a result of stakeholder feedback, community engagement, and other conditions.

2.2 STAKEHOLDER PARTICIPATION

The Executive Work Group, Technical Committee, and the Community served as the primary stakeholder groups throughout the Phase 1 process. Feedback was also provided by a separately functioning Funding and Governance Committee. The stakeholder roles and responsibilities are outlined below. Documentation from meetings with these stakeholders is provided in Appendix C.

2.2.1 Executive Work Group

The Executive Work Group served the role of a steering committee throughout the Phase 1 process, providing policy-level feedback on the monthly meeting materials and representing the interest of their constituents. Throughout the seven-meeting series, extending from March through October 2016, the Executive Work Group considered input from the Technical Committee and the Community and remained amendable to this feedback on the working items. Members were tasked with providing a comprehensive view of the issues, considering policy, community, and technical aspects, throughout the discussion. In addition, the Executive Work Group had the responsibility of coordinating with their representatives on the Funding and Governance Committee. The Executive Work Group included representation from governmental partners, specifically including the Assistant Director of Natural Resources for the Squaxin Island Tribe, the City of Olympia's Mayor and a Council member, City of Tumwater's Mayor and Mayor Pro Tem, a Thurston County Commissioner, a Port of Olympia Commissioner, and the Director of DES.

2.2.2 Technical Committee

The Technical Committee included representatives from the Squaxin Island Tribe, Washington State Department of Ecology, Washington State Department of Natural Resources, Washington Department of Fish and Wildlife, City of Olympia, City of Tumwater, Port of Olympia, and Thurston County. Engagement of this Technical Committee allowed the materials to undergo technical review from representatives with expertise on natural resource issues related to long-term management of Capitol Lake/Lower Deschutes Watershed, and with experience in the development of information for an environmental review, such as the EIS that will occur in Phase 2. The Technical Committee provided the first round of input on the materials developed for Phase 1. Committee members' input was relayed at the Executive Work Group and Community meetings that followed. The Technical Committee met for seven working sessions as part of Phase 1, beginning in March and concluding after its review of the draft Phase 1 Report in October 2016.

2.2.3 Community and Interest Groups

The public was invited to participate in this planning effort and to provide input on the materials generated as part of Phase 1. DES committed to working collaboratively with the community, as community input represents that of the primary user group for this resource. As such, DES commenced monthly meetings to obtain input and engage in facilitated discussions. Notices of

the monthly Community meetings were sent to more than 1,000 email addresses, and were provided online at the DES website and the websites of some of the coordinating agencies. A local daily newspaper, The Olympian, occasionally and independently published notices of the meetings as well. Attendance at the monthly meetings varied throughout the process, but always included a mix of private citizens, local school groups, and members of interest groups such as the Deschutes Estuary Restoration Team (DERT) and the Capitol Lake Improvement and Protection Association (CLIPA).

In order to provide time for stakeholder review, materials were posted online approximately 2 weeks prior to the Community meetings (on the date of the Technical Committee meetings). The posting of these materials also opened the 2-week input period, in which the Community could provide written feedback through an online forum. The input period closed the day following the Community meeting. Comments were then reviewed by DES and its consultant and were considered as feedback that influenced revisions to be made in the “second touch” cycle. The written input received throughout the Phase 1 process is provided in Appendix C. Information provided by the Community during these input periods was published online by DES and remains accessible to the public (<http://des.wa.gov/about/projects-initiatives/capitol-lake/stakeholder-provided-information-relevant-capitol-lake> and <http://des.wa.gov/about/projects-initiatives/capitol-lake/community-submitted-options-long-term-management>).

In addition to the briefings provided each month to the Executive Work Group and Technical Committee on the input received, invited members of the Community had the opportunity to present to the Executive Work Group at meetings in May and June. This provided an additional avenue for sharing comments and ideas for long-term management options, and providing information or perspectives to be considered in the process. The topics of these presentations ranged from the architectural history of the Olmsted Brothers Plan for Capitol Lake and the Capitol Campus, to a hybrid idea, and discussion of dam removal and estuary restoration. DES published Community presentations online for continued viewing (<http://des.wa.gov/SiteCollectionDocuments/About/CapitolLake/2016MeetingDocs/May-CommunityPresentationsAgenda.pdf> and <http://des.wa.gov/SiteCollectionDocuments/About/CapitolLake/2016MeetingDocs/June-CommunityPresentationsAgenda.pdf>).

Five community meetings were held on Wednesday evenings the week following the Executive Work Group Meetings, between April and October 2016. The meeting dates and durations for community input on materials associated with each proviso element are shown on the Phase 1 Implementation Plan Process and Schedule. The Community was also invited to observe all Executive Work Group meetings. Technical Committee meetings were opened to observation beginning in May 2016, upon request from the Community.

2.2.4 Funding and Governance Committee

DES convened a Funding and Governance Committee to fulfill the proviso elements regarding identification of a conceptual option for shared funding and governance, and to gauge the degree of general support with governmental partners. The Funding and Governance Committee focused on topics of shared funding and shared governance. The Committee did not review the

same materials as those of the Executive Work Group, Technical Committee, and Community, which focused on the other proviso elements (outlined in Section 3.0). The process and output of the Funding and Governance Committee are described in further detail in Section 5.0. Although the role and responsibility of the Funding and Governance Committee was different than that of the other stakeholder groups, its work remained integral to this process and provided foundational work for proposed future Capitol Lake/Lower Deschutes Watershed Long-Term Management phases (Phase 2 and Phase 3).

2.3 RELATED DISCUSSIONS WITHIN PHASE 1: SEDIMENT MANAGEMENT

Sediment management within Capitol Lake/Lower Deschutes Watershed is a high priority to all stakeholder groups. For that reason, DES considered incorporating a separate panel into the Phase 1 process to review existing sediment deposition and transport conditions within the basin, even though it would extend beyond the scope of the proviso. Ultimately, as a result of related discussions, DES and coordinating agencies determined that it would be most efficient to coordinate additional work related to sediment transport and management with Phase 2. Convening the work in Phase 2 would ensure that design is developed to a level that supports modeling of potential future conditions associated with various options, and would avoid the need to duplicate modeling efforts in the future when additional design and technical analyses on the potential long-term management options has been conducted.

Section 4.0 describes the existing information regarding sediment within the Capitol Lake/Lower Deschutes Watershed, with specific discussion of two key studies, and a table of the remaining reports. Section 4.0 also provides an overview of the work that is expected to occur during Phase 2 as part of the project-specific EIS technical analyses to evaluate sediment deposition and transport associated with future conditions, to identify mitigation measures, and to fill existing data gaps.

3.0 Proviso Elements

Several specific directives were included in the proviso with the intent to “make tangible progress on reaching broad agreement on a long-term plan.” Proviso elements provided focus for the monthly discussions and were sequenced to build upon each other as Phase 1 progressed. Proviso elements satisfied by the series of stakeholder meeting included the following:

- 1(a) Identify and summarize the findings of the best available science concerning water quality and habitat as they related to conceptual options of retaining or removing the dam;
- 1(b) Identify multiple hybrid options for future management of Capitol Lake, which options must include substantial improvement in fish and wildlife habitat and ecosystem functions, maintaining a historic reflecting pool at the north end of the lake/estuary, and adaptive management strategies;
- 1(c) Identify general cost estimates for construction and maintenance of each conceptual option, in consultation with the office of financial management; and
- 1(d) Identify the range of public support for or concerns about each option.

To prepare materials for each of the monthly meeting series, DES and its consultant began with a review of prior related reports, including a review of recommendations from the recent *Situation Assessment for Capitol Lake Management* (Ruckelshaus Center 2014). Written feedback from the stakeholder groups was also evaluated. Information or input pertinent to the proviso elements and general recommendations that would inform the Phase 1 or Phase 2 processes were incorporated. Meeting materials served the purpose of supporting discussions related to the proviso elements, as well as advancing and streamlining the EIS to be completed in Phase 2. Figures were often used to convey the information to the stakeholder groups, in place of dense or text-heavy reports. This eased stakeholder reviews and generated discussions at meetings.

Meeting materials and supporting details for the figures are described in the following sections, along with the primary feedback resulting in changes for the “second touch” version. Sections are organized to introduce the intent of meeting materials, demonstrate how the materials fulfill the proviso elements, and demonstrate how the materials support Phase 2.

3.1 GOALS AND OBJECTIVES

Following initial outreach in March 2016, the first official meeting series of the Phase 1 process occurred throughout April with a focus on Goals and Objectives. Although the proviso did not specifically include a directive to identify goals and objectives related to long-term planning for Capitol Lake/Lower Deschutes Watershed, the intent of the initial meetings was to identify common goals, defined and agreed upon by the stakeholder groups. The definition and discussion of common goals served a variety of purposes, by helping to define the project action and areas of shared priority, identifying relative priority of the common goals among stakeholder

groups, providing a foundation for later development of long-term management options, and contributing to future environmental reviews.

Over the course of these discussions, it became apparent that while the relative priority of goals have changed over time, the primary goals and objectives for the long-term management of Capitol Lake/Lower Deschutes Watershed have largely remained constant. Many of the goals are interrelated, whereby improvement to one would result in a beneficial effect to another (for example, improving water quality would result in a beneficial effect to ecological functions within the basin). This work satisfies Proviso Element 1(g), of engaging in other related activities that would contribute to reaching broad agreement on the long-term management plan.

3.1.1 Materials Developed for the Phase 1 Report

The April meeting materials included three key items: a timeline of events related to Capitol Lake/Lower Deschutes Watershed, three figures presenting goals for long-term management provided by community input, and a summary of goals for long-term management of Capitol Lake/Lower Deschutes Watershed.

3.1.1.1 Timeline of Events Related to Capitol Lake/Lower Deschutes Watershed

The “Timeline of Events Related to Capitol Lake and Evolution of Goals and Objectives” figure (Figure 1) was prepared to document notable events, extending from construction of Capitol Lake in 1951 to the Phase 1 process in 2016. This information was used during April meetings in discussing the evolution of goals and objectives along with the relationship to changed conditions within Capitol Lake/Lower Deschutes Watershed. For example, in viewing the figure, the increasing priority and urgency of sediment management becomes apparent as more time passes since the last dredge event in Capitol Lake, which occurred in 1986, 30 years ago. Therefore, it is reasonable to see sediment management as a recurring goal in key documents related to long-term management.

The timeline covers activities and events within the geographic area defined as the “Capitol Lake/Lower Deschutes Watershed.” The first event on the timeline is construction of Capitol Lake between 1949 and 1951. The concept of constructing a dam on the Deschutes River predated construction of Capitol Lake by more than 50 years, and was originally proposed to support regional commerce. In the early 20th century, the concept for a lake reappeared in the larger campus plan that was prepared for the proposed capitol building, and was a suggestion for growth within the surrounding community. This campus plan, called the Wilder and White Plan, was influenced by the City Beautiful movement and was based on a grouping of buildings on the bluff overlooking the City of Olympia and Puget Sound (DES 2016). The lake included as part of the larger Wilder and White Plan was later reviewed by the Olmstead Brothers firm, which proposed a smaller saltwater reflecting pool, and its design continued to be discussed and revised by state capitol committees, local area politicians, and the public until its funding and construction in the mid-20th century. Since its inception, and continuing through present day, the aesthetics of the capitol campus have remained of high value.

The timeline concludes with the 2016 Phase 1 process, completed in response to the proviso issued by the Washington State Legislature. Since original publication of the timeline in April 2016, it has been revised to reflect stakeholder input, with an additional event and one collaborative management process added to this “second touch” version. The notable event added in response to stakeholder feedback highlights the repeated lake drawdown and marine saltwater backflushing to control algal blooms and freshwater plant growth. The permitting effort that led to formation of the CLAMP Steering Committee was also included on the revised timeline. Several other relevant items were suggested for inclusion but were not added to the timeline because they were outside of the defined focus area. One proposed item for inclusion was the 1994 upgrade to the wastewater treatment plant serving the Cities of Lacey, Olympia, and Tumwater, as well as Thurston County, which resulted in reduced nitrogen loading in adjacent Budd Inlet. The other item, considered a “key document,” is similarly related to Capitol Lake/Lower Deschutes Watershed, but falls outside of the geographic area. The key document suggested for inclusion was the recently issued *Deschutes River, Percival Creek, and Budd Inlet Tributaries Water Quality Improvement Report and Implementation Plan* (Ecology 2015a).

3.1.1.2 Goals for Long-Term Management Provided by Community Input

To initiate the Phase 1 discussion around common goals and objectives for Capitol Lake/Lower Deschutes Watershed, graphics summarizing the community input on goals from previous planning processes were prepared. These graphics are provided as Figures 2a and 2b. The information summarized within the graphics was extracted from the 1999 *Capitol Lake Adaptive Management Plan Final Environmental Impact Statement* (Washington Department of General Administration et al. 1999) and the 2009 *Capitol Lake Alternatives Analysis – Final Report* (Herrera 2009) to capture goals and objectives from earlier processes and serve as a starting point for this process. The top five goals from community feedback in 1999 included: recreational opportunities; aesthetics; habitat restoration; economics; and water quality. In 2009, sediment management increased in priority, and was one of the top six goals, alongside those listed above.

The information also provided insight into the public preference for long-term management options at the time of the 1999 Final Programmatic EIS and the 2009 CLAMP process. Public input was closely divided between the Managed Lake and Restored Estuary in 1999, with preference for the Restored Estuary apparently growing by a large margin by the 2009 survey.

During the monthly meeting series and the associated 2-week period for input in Phase 1, stakeholders were asked to identify key goals for the long-term management of Capitol Lake/Lower Deschutes Watershed, and the relative priority of these goals. DES received more than 400 survey responses, which was a level of involvement similar to the CLAMP process in 2009. Of the goals identified during this process, the top six were the same as those identified in the earlier processes, described above, although the order of relative priority had changed. The result of Phase 1 community input is provided as Figure 3. In comparison to Figures 2a and 2b, Figure 3 demonstrates that overall goals for long-term management of this resource have remained relatively unchanged over time. Statements provided by the community in support of the identified project goals are also included on Figure 3. Community input for a long-term

management option is not included on the figure, and was not expressly asked as part of the survey because a long-term management option cannot be selected until the EIS in Phase 2 is completed.

3.1.1.3 Summary of Goals for Long-Term Management of Capitol Lake/Lower Deschutes Watershed

The key documents included on Figure 1 were reviewed for previously reported and recurring goals, and were compiled to serve as the basis of discussion for potential current common goals of the Capitol Lake/Lower Deschutes Watershed. The intent of the exercise was to identify goals for the project that were common across stakeholders, regardless of preferred long-term management option. Through these discussions, goals were added to the initial listing, and economics or “economy” emerged as one of the key considerations, in addition to the environment, infrastructure, and community. Stakeholders also defined that conditions should not only be “improved,” but should then be “maintained.” This clarification was included with added text in the “second touch” version. The “second touch” version also included an indication as to whether the identified goals were consistent with directives of the legislative proviso, and other state or federal initiatives. The revised Goals for Long-Term Management of Capitol Lake/Lower Deschutes Watershed are included as Figure 4.

The overarching result of the meeting series discussions was alignment over common goals, which were agreed upon by the stakeholders, with only a few exceptions. The goals also provide a foundation from which to build upon, with materials such as the Draft Final Purpose and Need Statement.

3.1.2 Materials for Environmental Impact Statement in Phase 2: Purpose and Need

When a project is being evaluated for implementation or permitting by a state agency, an environmental review is required by the State Environmental Policy Act to document potential project effects from construction and operation. The environmental review includes the results of technical analyses, design, and public participation. It also includes a purpose and need statement, which is used to define the proposed action and to serve as the primary screening criteria for potential project alternatives (or “long-term management options”). A purpose and need statement incorporates goals of the proposed project and then serves as the screening criteria against which reasonable alternatives for the project are evaluated.

Because the April meeting discussions revealed broad stakeholder agreement on project goals, and because Phase 1 is intended to build a foundation for Phase 2, a draft purpose and need statement was prepared. Previous environmental reviews (e.g., the 1999 Final Programmatic EIS) and earlier technical documents did not include a purpose and need statement. Therefore, these prior reviews lacked a clear definition of goals and primary purpose of implementing a long-term management option for Capitol Lake/Lower Deschutes Watershed. The Draft Final Purpose and Need Statement developed for the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning project captures common goals that have been identified as those that

must be satisfied by the project, regardless of the long-term management option selected.² Therefore, the Draft Final Purpose and Need Statement is not biased toward any one long-term management option.³

The Draft Final Purpose and Need Statement was recommended for inclusion in this Phase 1 Report by the Executive Work Group, Technical Committee, and Community to serve as the basis for the EIS in Phase 2. The Draft Final Purpose and Need statement received three distinct reviews or “touches” by the stakeholders, with increasing support after each monthly meeting. The Technical Committee provided expertise as permitting or regulatory agencies familiar with the scope and content of environmental reviews. The Executive Work Group provided a policy-based and comprehensive review. The Community articulated key values and goals for this resource. For example, during the July meeting series, the Community asked that the distinction be made between active and passive use of Capitol Lake/Lower Deschutes Watershed because the resource still supports passive uses and other recreational activities even though active use of the waterbody is restricted. This revision was made and was presented during the final review. As part of the July 2016 survey regarding the Draft Purpose and Need Statement, more than 80 percent of the survey participants responded that the statement accurately captures the project goals.

The statement is four brief but descriptive paragraphs, reflecting the project goals identified by the stakeholders throughout this process. The first paragraph describes the purpose of the project (based on these project goals), which is to “identify and implement an environmentally and economically sustainable watershed approach that improves water quality, and manages existing sediment accumulation and future deposition. The project is also needed to improve the impaired ecological functions within the existing Capitol Lake Basin and adjacent watershed.” The statement notes that these efforts would restore and enhance community use of the resource, which is also a key project goal. Following these leading statements, the second paragraph provides context of the pre- and post-construction use of the resource and its ongoing significance. A description of the existing problem is presented in the third paragraph, followed by a concluding paragraph that explains and supports why action is needed now.

² In addition to the goals defined through stakeholder meetings in April, and summarized within the Draft Final Purpose and Need Statement, the project is expected to comply with watershed-wide restoration and improvement plans, which includes the future Water Quality Improvement Report/Implementation Plan for Budd Inlet and Capitol Lake. This effort is led by the Washington State Department of Ecology, and is intended to address low dissolved oxygen and high levels of total phosphorus in Budd Inlet and Capitol Lake, respectively. These future actions are required by state and federal law; therefore, the long-term management option for the Capitol Lake/Lower Deschutes Watershed must be compatible with the implementation actions that are determined to be necessary to meet Washington State water quality standards.

³ Although a number of common goals were identified by the stakeholders, and the Draft Final Purpose and Need Statement objectively presents these goals, it is understood that the goals have different interpretations or applications across long-term management options. For example, aesthetics was shown to be a high priority goal in each of the surveys reviewed; however, aesthetic values differ between stakeholders. Those in preference of the Managed Lake place high aesthetic value on the historic reflecting pool, which was constructed, in part, for the aesthetic value. Alternatively, those in support of the Restored Estuary have provided the opinion that natural estuaries are more aesthetically pleasing (refer to Figure 3 with example goal survey responses).

The Draft Final Purpose and Need Statement is presented below and is also provided in Appendix B as a stand-alone document.

Draft Final Purpose and Need Statement

Capitol Lake/Lower Deschutes Watershed Long-Term Management Project

The purpose of the Capitol Lake/Lower Deschutes Watershed Long-Term Management Project is to identify and implement an environmentally and economically sustainable watershed approach that improves water quality, and manages existing sediment accumulation and future deposition. The project is also needed to improve the impaired ecological functions within the existing Capitol Lake basin and adjacent watershed. These efforts would restore and enhance community use of the resource.

The Deschutes estuary has long-standing history with active use and significance to the Squaxin Island Tribe. The Deschutes watershed continues to be used for ceremonial, subsistence, and commercial harvesting of natural resources, and is a place of strong cultural and spiritual value. The area use and conditions changed after construction of Capitol Lake in 1951. The Capitol Lake area now supports community events such as the annual Capital Lakefair, organized athletic events, and various other gatherings. The trail system and nearby parks provide continued passive recreational opportunities that maintain the lake's edge as an important recreational center and valued amenity in the south Puget Sound area. With its central location, the area holds historical and personal value for many people.

Although the shoreline remains vibrant, active use of the waterbody has been restricted for more than 30 years due to the degraded water quality and ecological functions. An estimated 35,000 cubic yards of sediment accumulates annually within the lake basin, resulting in increasingly shallow conditions. Capitol Lake was closed to swimming in 1985 due to high bacteria levels. Water draw-down and back-flushing to control algal blooms and freshwater plant growth, due to excessive nutrient loads, continued annually until 1999 and caused temporary impacts to other recreational uses, such as boating and fishing. The presence of invasive species resulted in official closure to all public uses in 2009. Active use of the waterbody continues to be restricted today.

Water quality must be improved to meet federal law and state water quality standards, and to restore aquatic life and recreational uses, which are protected under these regulations. Restoring ecosystem functions would be supported by improved water quality, enhanced fish and wildlife habitat, and management or eradication of invasive species. The project would also include elements to manage sediment within the Capitol Lake/Lower Deschutes Watershed and in adjacent Budd Inlet. These collaborative efforts between the Washington State Department of Enterprise Services and other stakeholders would be compatible with other watershed-wide restoration and improvement plans, and would be consistent with the on-going state-led initiative to restore the Puget Sound. Once completed, the project will have a beneficial effect on the ecosystem service value, economic value and community value of the resource.

3.2 METHODOLOGY FOR BEST AVAILABLE SCIENCE

For more than 30 years, community and coordinating agencies have been meeting to discuss the increasingly impaired conditions within Capitol Lake/Lower Deschutes Watershed. Throughout this time, hundreds of studies and reports have been completed on the waterbody conditions, especially those related to water quality, habitat, and sediment accumulation. Stakeholder meetings conducted throughout May 2016 included a discussion of potential methods for identifying best available science, and selecting a methodology for later review of an extensive list of compiled technical documents and studies. The compiled document list included studies issued as early as 1975, focusing on hydraulic and water quality research studies of Capitol Lake sediment (WSU 1975), and through the most recent publication, in 2015, of the *Deschutes River, Percival Creek, and Budd Inlet Tributaries Water Quality Improvement Report and Implementation Plan* (Ecology 2015a).

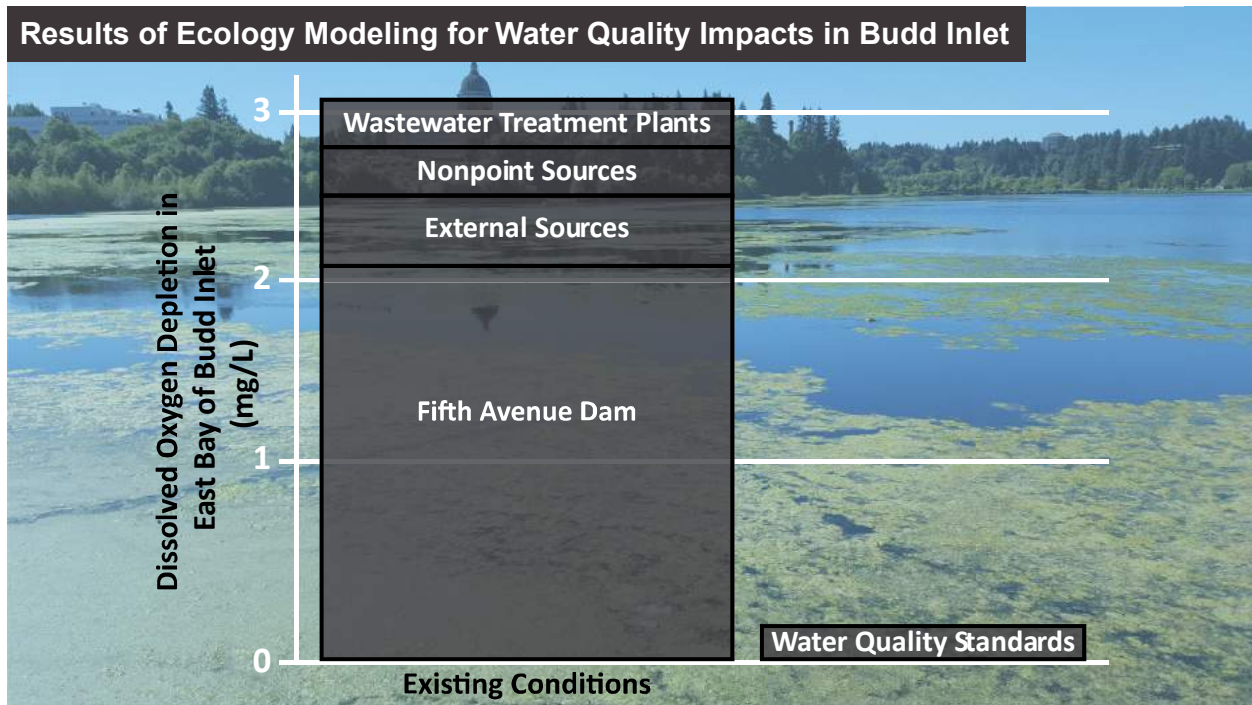
This work was built upon throughout the Phase 1 process, with review of technical documents related to water quality and habitat, the focus areas specifically identified in the proviso, to determine best available science, and compilation of a comprehensive project bibliography that extends beyond the disciplines of water quality and habitat. This work satisfies Proviso Element 1(a).

3.2.1 Existing Conditions for Water Quality and Habitat

In compliance with federal and state laws, the Washington State Department of Ecology (or, “Ecology”) is charged with the protection and restoration of waters within Washington State to support beneficial uses ranging from recreational opportunities to supplies of clean drinking water. Ecology has been working to study and resolve the water quality impairments in Capitol Lake/Lower Deschutes Watershed, part of the Water Resources Inventory Area 13, for approximately 40 years. In a 1978 study on the water quality in Capitol Lake, Ecology reported that “Capitol Lake has experienced chronic algal turbidity, coliform, and sedimentation problems ever since it was formed in 1951. The lake’s water quality was studied from January through December 1977 to determine the source of these problems and identify possible solutions” (Ecology 1978).

Through these ongoing efforts, Ecology has determined that Capitol Lake is currently violating water quality standards for total phosphorus. Increased levels of phosphorus often cause algae blooms, which can deplete oxygen resources in other parts of a waterbody. Budd Inlet, separated from Capitol Lake by the Fifth Avenue Dam, is violating water quality standards for dissolved oxygen. Results of computer modeling work performed by Ecology have shown that the Fifth Avenue Dam is the largest contributor to reduced dissolved oxygen levels in Budd Inlet (Ecology 2015a). The graphic on the following page depicts this impact of the Fifth Avenue Dam on water quality in Budd Inlet. Importantly, portions of the larger watershed are also in violation of water quality standards, including fecal coliform bacteria, fine sediments, pH, temperature, and dissolved oxygen (Ecology 2015b).

Graphic 3. Effects of Capitol Lake on Water Quality in Budd Inlet



Source: Adapted from Doenges & Ahmed 2016 and Ecology 2016.

In response to the continued water quality impairments in Capitol Lake/Lower Deschutes Watershed, Ecology is working to prepare a Water Quality Improvement Report and Implementation Plan (WQIR/IP). This WQIR/IP will describe a number of actions needed throughout the watershed to improve water quality and will assign responsibilities to various coordinating agencies. Ecology and DES will remain in close coordination throughout this process, as the future long-term management plan will have direct influence on this work. It is anticipated that the WQIR/IP would be completed in 2019.

This collection of work is considered best available science related to water quality and has undergone various levels of peer review to substantiate the findings and characterization as best available science.⁴

The Fifth Avenue Dam within Capitol Lake also has significant effects on the viability of habitat for anadromous fish, such as salmon, due to the restriction of fish passage, elimination of estuarine conditions, increased levels of fine sediment, and impairments to water quality. Habitat within the Capitol Lake/Lower Deschutes Watershed is also impacted due to the presence of

⁴ The work conducted by Ecology is widely accepted as best available science and is cited by a variety of coordinating agencies in their associated work. However, a report prepared by Dr. David Milne provides an opposing assessment of the Ecology modeling effort, and presents a different conclusion regarding the relationship between Capitol Lake and water quality in Budd Inlet. The report prepared by Dr. Milne is included in the Project Bibliography (Table 2), where the Ecology documents are also referenced.

several invasive and nuisance species, including the New Zealand Mudsail and purple loosestrife seed, as well as Eurasian milfoil and Canada geese.

3.2.2 Materials Developed for the Phase 1 Report

Included in the May meeting materials were the following items: example checklists and screening criteria from the state, federal, and international levels that could serve as the methodology for reviewing best available science, and a technical document list summarizing technical studies, agency reports, and evaluations related to water quality and habitat for Capitol Lake/Lower Deschutes Watershed.

3.2.2.1 Methodologies from State, Federal, and International Levels for Identifying and Reviewing Best Available Science

Prior to the stakeholder meeting series, an array of available methodologies for evaluating best available science were reviewed, including those at the state, federal, and international levels. The process to select representative state, federal, and international methodologies most appropriate to assist in the identification of best available sciences related to water quality and habitat included: (1) reviewing methods that were widely accepted and used, (2) focusing on methods that were suitable for review of environmental data such as water quality or habitat, (3) confirming that the methodologies were commonly used and reflected current best practice, and (4) determining whether the methodologies were also reflected in formal guidance or codified in law.

The review methodology from the state level is sourced from the Washington Growth Management Act and provided in the Washington Administrative Code, [Chapter 365-195-905](#). This statute provides criteria and characteristics of a valid scientific process. It is utilized by Washington cities and counties as best available science is incorporated into newly adopted policies and regulations for the protection of critical areas, and is also used by the Washington State Department of Ecology and the Washington Department of Fish and Wildlife for the synthesis and summary of literature relevant to the science and management of wetlands and environmentally critical areas in the state of Washington (Ecology and WDFW 2005a and 2005b). This checklist is provided in Figure 5.

The federal-level method for best available science review is outlined within U.S. Environmental Protection Agency formal guidance (USEPA 2012) and is considered relevant to any scientific and technical information used to support agency decision-making. Five general assessment factors are used for collecting and assessing existing scientific and technical information. The guidance also establishes minimum review and documentation requirements for assessing and accepting data from other organizations.

A number of international methods were reviewed, and an evaluation method was selected by stakeholders that is widely referenced within the international peer-reviewed research community, specifically research related to toxicology. This internationally recognized method provides a scoring system with different reliability categories, including standardized criteria for

characterizing and differentiating the quality of data. The method was intended to harmonize data evaluation internationally, is frequently used in risk assessments to evaluate whether data are complete and valid, and is used to confirm that the data were derived using current standards.

Upon review of these potential methods to evaluate best available science, the Executive Work Group agreed that the Washington State criteria should be used for review of the technical documents related to water quality and habitat. The state-provided criteria was selected because it was the most objective process, with a tabular system to check that all characteristics required to be considered scientifically valid and reliable information are present. In contrast, methods from the federal and international levels introduced a degree of subjectivity through their screening processes of answering questions and providing written justifications. The final selection of the Washington State criteria was consistent with the recommendation of the Technical Committee, which drew upon the collective experience of many members that had used the criteria. There was broad stakeholder agreement for use of the Washington State Criteria, with only minor exception from some members of the Community.

3.2.2.2 *Technical Document List Summarizing Studies and Evaluations Related to Water Quality and Habitat*

The process described above was completed in accordance with Proviso Element 1(a) and to identify best available science for Capitol Lake/Lower Deschutes Watershed. A comprehensive list of technical documents related to water quality and habitat was prepared and circulated for stakeholder review and document additions. Technical studies related to water quality included those from the entire watershed, to capture waterbodies affecting or affected by Capitol Lake/Lower Deschutes Watershed, and also included factors affecting water quality such as quantity of water or sediment characterization. Habitat documents were those inclusive of habitat for fish, wildlife, and other aquatic organisms, as well as documents that included other information relevant to habitat, such as habitat restoration plans or science regarding invasive species. However, consistent with the scope of Phase 1 and in coordination with the Technical Committee, the compiled list of documents only includes studies from within the Capitol Lake/Lower Deschutes Watershed.

During the discussions at the May meeting, the Technical Committee offered to conduct a review of the technical document list. This work drew upon relevant experience of the members. The Technical Committee was composed of agency representatives with experience in natural resources issues related to Capitol Lake/Lower Deschutes Watershed and with experience in identifying best available science. Many of these representatives have specific experience using the Washington State criteria to review documents and identify best available science.

The list of technical documents reviewed by the Technical Committee for potential best available science is included as Table 1. Table 1 includes the document name, a brief summary of the document, as well as the results of the Technical Committee review. Three categories (yes, no, and uncertain) were used to indicate whether the document meets the Washington State criteria for best available science, and whether the document had been peer reviewed. The “uncertain”

category was used when there was not a unanimous decision among the reviewers; the other categories demonstrate full agreement. The list is treated as a “living document.” The findings may be updated at a future time, and new documents may be identified as best available science during later reviews.

3.2.3 Materials for Environmental Impact Statement in Phase 2: Project Bibliography for Capitol Lake/Lower Deschutes Watershed Long-Term Management Project

Documents identified as best available science will support the discipline-specific analyses for water quality and habitat during the EIS in Phase 2.

Throughout the effort to compile technical documents to be reviewed as potential best available science, a number of documents unrelated to the proviso element topics of water quality and habitat were also collected. These additional documents provide information that is important to retain and consider during a holistic review of the resource. As such, DES and its consultant prepared a comprehensive project bibliography, which includes almost 200 documents related to or relevant to the conditions of the Capitol Lake/Lower Deschutes Watershed. The project bibliography was further supplemented with documents provided by the stakeholders during their initial review of the technical document list. The project bibliography is included as Table 2, and is consistent with state-provided regulations related to preparing a bibliography or citation list prior to taking significant agency action ([RCW 34.05.271-272](#)).

3.3 IDENTIFICATION AND REVIEW OF EXISTING AND ALTERNATE OPTIONS, AND NEW CONCEPTS

The proviso included the identification of hybrid options for future long-term management of Capitol Lake/Lower Deschutes Watershed, with particular attention to those that would substantially improve fish and wildlife habitat and ecosystem functions, and that would maintain a historic reflecting pool at the north end of the basin. In concept, an option is considered a “hybrid” when it (1) restores tidal flow and estuarine conditions within the basin, and (2) maintains a portion of the historic reflecting pool.

An extended opportunity to submit concept options that satisfy these elements began in April and continued through June 2016. During the June and July meetings, stakeholders reviewed the proposed hybrid options for long-term management and also discussed the existing options that were evaluated as part of the CLAMP Alternatives Analysis (Herrera 2009). Incorporating existing options provides context on the range of potential long-term management options and is consistent with the proviso element to build upon previous recommendations, to ensure a comprehensive approach. The earlier work of establishing goals for long-term management of Capitol Lake/Lower Deschutes Watershed was referenced throughout the review of existing and alternate options. These working sessions satisfy Proviso Elements 1(b) and 1(d).

Discussion around potential long-term management options led to questions of whether the existing and alternate options would satisfy the identified project goals, and if they would undergo design and feasibility review as part of the Phase 1 process. Consistent with the proviso,

which directs DES to “identify” options for future management, it was discussed as part of multiple stakeholder meetings that additional design and technical analyses would occur for a reasonable range of alternatives as part of the EIS in Phase 2. Standard best practice is to advance to conceptual or preliminary design once the EIS process begins. Until then and as part of this Phase 1 process, concept options were reviewed at a high-level, commensurate with the current level of detail, which ranges from hand-drawn sketches for some of the alternate options and new concepts, to a conceptual design level for the existing long-term management options resulting from the CLAMP process. Judgements regarding feasibility, practicality, and cost effectiveness have been withheld; therefore, all options have been preliminarily included in the discussions.

3.3.1 Review of Existing Options

Almost 20 years prior to the Phase 1 process, a similar group of stakeholders in coordination with the former Washington Department of General Administration (now part of DES), completed an alternatives analysis as part of the CLAMP process to review potential options for long-term management of Capitol Lake/Lower Deschutes Watershed. The *Capitol Lake Alternatives Analysis – Final Report* included three options, which are considered the “existing options” within the Phase 1 process (Herrera 2009). These options include a Managed Lake, a Dual Basin Hybrid Option, and a Restored Estuary. This section summarizes these three options. More complete descriptions based on preliminary design and feasibility reviews are provided in the Alternative Analysis.

- **Managed Lake.** The Managed Lake option is similar to existing conditions, with additional strategies to manage sediment accumulation and future deposition, including maintenance dredging within the North and Middle Basins and selective dredging within the South Basin. The Managed Lake option retains the existing Fifth Avenue Dam and tide gate in its existing configuration in order to maintain the historic reflecting pool and the Capitol Lake Basin. Water quality and fish and wildlife habitat would not substantially change compared to existing conditions.
- **Hybrid Option: Dual Basin.** The Dual Basin Hybrid Option allows management of the basin by establishing a tidal estuary in the western portion of the North Basin, and throughout the Middle and South Basins. Tidal flow would be established through the construction of a 500-foot opening at the current Fifth Avenue Dam. A sheet pile retaining wall would also be constructed, at approximately the centerline of the North Basin, to develop a 39-acre saltwater reflecting pool adjacent to Heritage Park in the North Basin. Construction and maintenance of the smaller reflecting pool, in addition to restored estuarine conditions in part of the basin, gives this option its classification as a hybrid. Sediment would be managed under the Dual Basin option through initial dredging in Capitol Lake, and recurring maintenance dredging in Budd Inlet. Once completed, water quality, fish and wildlife habitat and ecosystem functions would be improved within the basin through the establishment of tidal flow and estuary marsh plants, and creation of intertidal habitat along Deschutes Parkway. Water quality in lower Budd Inlet would also be expected to improve.

- **Restored Estuary.** The Restored Estuary is similar to the Dual Basin Hybrid Option, but full tidal hydrology is restored throughout the entire basin and a reflecting pool is not included. Construction of a 500-foot opening at the current Fifth Avenue Dam would allow tidal exchange within newly formed mudflats, and would also inundate the North Basin with saltwater during approximately 75 percent of tidal elevations, resulting in a natural reflecting pool (Moffatt & Nichol et al. 2007, George et al. 2012). The Restored Estuary would improve water quality, fish and wildlife habitat through the establishment of tidal flow and estuary marsh plants, and would improve ecological functions that support native invertebrate, bird, and fish populations throughout the basin. Water quality in lower Budd Inlet would also be expected to improve.

3.3.2 Identification of Alternate Options and New Concepts

One primary alternate option was put forward by a member of the community during the Phase 1 process. Several additional concepts were submitted during the extended opportunity for input on this topic, from April through June 2016. The effort to identify multiple hybrid concepts was completed to comply with Proviso Element 1(b).

- **Hybrid Option: Dual Estuary/Lake Idea.** The alternate hybrid option put forward by a community member is called the Dual Estuary/Lake Idea (DELI; Community Member 2016). The DELI Hybrid Option is similar to the existing Dual Basin Hybrid Option, in that it would establish a tidal estuary in the western portion of the North Basin, and throughout the Middle and South Basins by constructing a 500-foot opening beneath a reconstructed Fifth Avenue. It differs from the existing Dual Basin option primarily in the approach used to maintain the historic reflecting pool. The DELI Hybrid Option proposes construction of a rock containment wall (instead of a sheet pile containment wall) to maintain a 48-acre freshwater reflecting pool near Heritage Park. The historic reflecting pool under the DELI Hybrid Option is slightly larger than that in the Dual Basin Hybrid Option, and instead of saltwater, is proposed as a freshwater lake fed by wells along the east and south shores. Additionally, DELI includes the installation of a sediment trap with a pumping station to manage sediment, along with annual maintenance dredging. Under this alternate option, the proponent states that fish and wildlife habitat and ecosystem functions would be restored through natural reestablishment of saltwater plants within the estuary, and management of invasive species.

This DELI Hybrid Option is proposed for long-term management by a community member, with considerable support from the larger Community. Preliminary technical analysis, design, and/or feasibility review have not been completed on the DELI Hybrid Option. Similarly, reported environmental benefits of this option have not been verified by the regulatory agencies. Therefore, data gaps exist and some option components are included on assumption and would likely be modified or removed altogether as design develops and feasibility reviews are conducted. In contrast, the existing options have previously undergone a preliminary design review as part of the CLAMP process.

In addition to the DELI Hybrid Option, several concepts were submitted for consideration. These submittals are considered “new concepts” and are similar to the existing options, with proposed design variations. Visual representations of these concepts are provided in Appendix C.

New concepts similar to the Managed Lake are considered Managed Lake Sub-Options, and include:

- **Managed North Basin Lake/Wetland.** The Managed North Basin Lake/Wetland concept has some similarities to the Managed Lake, with the existing Fifth Avenue Dam retained to maintain the historic reflecting pool. The primary difference between the Managed Lake, originating from the CLAMP process, and the Managed North Basin Lake/Wetland is reduced dredging quantities and shallower lake conditions with a different geometry. The current Managed North Basin Lake/Wetland initial dredging quantities would be comparable to the Restored Estuary, with the initial dredging focused in the North Basin. Routine maintenance dredging would continue in the North Basin, and would be conducted from a permanently installed dredge system. Periodic dredging would be focused in the Middle Basin and in Budd Inlet. Dredging in the Middle Basin would occur in the river channel to allow wetlands to naturally form along the shorelines. Dredging in Budd Inlet would be completed to reduce potential impacts to recreational and operational uses in that area. The current Managed North Basin Lake/Wetland was proposed by CLIPA and is similar to the concept proposed by this group in 2010 (CLIPA 2010). It should be noted that the initial proposal put forward by CLIPA as part of this Phase 1 process, entitled Percival Creek Rechanneling and Salmon Habitat Rehabilitation Plan, has been removed from further consideration to accommodate a request from CLIPA, in October 2016, and was substituted at that time, with the option described here.
- **Nutrient Harvesting.** This is a new concept from a community member that would serve as a sub-option to the existing Managed Lake. The Nutrient Harvesting concept would implement mechanized removal of soluble phosphorus and dissolved nitrogen from surface waters by way of three to four Rotating Photo Bioreactors (RPBs) installed in the Middle Basin. Collectively, the RPBs could improve water quality and ecological functions within the watershed by removing phosphorous and nitrogen through the growth and harvesting of cyanobacteria grown on partially submerged rotating plates. Sediment would be managed through its removal at the entrance to Capitol Lake, and sold as nutrient rich topsoil (Burke 2016, Environmental Energy & Engineering Co ND). Importantly, it should be noted that the technology associated with this Nutrient Harvesting concept is experimental, and the pilot phase was conducted in an indoor environment with a smaller pilot RPB.
- **Expanded Park Space.** This is a sub-option to the Managed Lake that proposes to fill a significant portion of the North Basin to provide expanded park space (Community Member 2016).

A new hybrid concept was proposed by a Technical Committee member and a member of the community and was entitled “Seasonal Hybrid” or “Capitol Lagoon.” This concept was not

reviewed alongside the DELI Hybrid Option because it was not developed during the stakeholder review period for the other long-term management options. However, additional information has been provided by the proponents, and is described in more detail below.

- **Seasonal Hybrid.** The Seasonal Hybrid would establish a tidal estuary through lowering of a reconstructed Fifth Avenue Dam during the fall and winter seasons. Dredging would be completed from specified areas with reasonable access, targeting certain locations throughout the basins for sediment accumulation and later removal. The dredged sediment would be used to create shoreline enhancements along Deschutes Parkway. During times of peak recreational activity, typically occurring during the spring and summer seasons, the dam would be raised to allow for the formation and retention of a reflecting pool. The dam could also be lowered more frequently during those months, such as nightly, to ensure adequate mixing of freshwater and saltwater (Community Member 2016). Throughout the seasons, boardwalks and overlooks would be available for community use and viewing of the water below.

A sub-option to the Restored Estuary was also proposed by a community member:

- **Expanded Freshwater Wetlands.** This concept proposes to protect the existing freshwater wetlands within the South Basin by limiting the mixture of marine water to this freshwater habitat, potentially through construction of a retaining wall, while the North and Middle Basins are restored to a tidally influenced estuary (Community Member 2016).

Collectively, these new concepts represent a range of interests from the community, and satisfy Proviso Element 1(b) to “identify multiple hybrid options for future management of Capitol Lake.” Similar to the existing long-term management options, the new concepts would be carried forward for review in the Phase 2 process, when a range of reasonable options can be selected for further review during the initial steps of the EIS.

3.3.3 Materials Developed for the Phase 1 Report

The June and July meetings were considered a two-part series. The materials to support these meetings included: an overview of existing long-term management options and an overview of new long-term management options. These overviews included figures to describe the reported consistency with identified project goals, and a table to document potential additional components of conceptual long-term management options.

3.3.3.1 *Overview of Long-Term Management Options, and Reported Consistency with Identified Project Goals*

Figures were prepared that included a visual representation and brief written summary for each of the existing long-term management options (Figure 6a) and for the alternate option

(Figure 7a)⁵. This format allowed easy review by the stakeholders and other interested parties. The overview figures were each supplemented with a figure describing the reported consistency with project goals (Figures 6b and 7b). These tables provide a more detailed understanding of how the long-term management options propose to achieve the project goals identified by the stakeholders. Figures 6b and 7b do not compare the options to the other proposals for long-term management because the level of design and technical analyses vary so significantly between the existing and alternate options, and because that process of ranking options will occur in Phase 2, as part of the EIS process.

Figures 6a and 6b provide the overview and reported consistency for the existing options, which have been previously evaluated as part of the CLAMP process. Figures 7a and 7b provide the overview and reported consistency for the DELI Hybrid Option, which has not undergone further design and technical review. These figures did not substantively change between the initial review and the “second touch,” with the exception of repackaging to present the existing options together, and also including clear labeling to reflect the associated level of preliminary design and technical analysis conducted as part of the CLAMP process, and the proponent’s opinions regarding the DELI Hybrid Option.

Overview figures have also been developed by the consultant team to provide visual representations of the new concepts that were submitted in only narrative form. The overview figures are the best interpretation of the new concepts, based on the information provided and are included within Appendix C. This work is consistent with the proviso, which directs DES to include visual representations of proposals to aid the public and decision-makers to understand and evaluate them.

3.3.3.2 Potential Additional Components of Long-Term Management Options

As part of the work to identify potential new long-term management options, DES also compiled potential additional components that could be included within the long-term management options to increase consistency with project goals. This exercise encouraged participation from all stakeholders, including those of the Technical Committee, Executive Work Group, and the Community; feedback was received from all groups after the initial review. In working to identify new hybrid options, this process also highlighted the desire to refine or enhance long-term management options through the addition of potential new components. For example, the Technical Committee suggested that all long-term management options include efforts to eradicate the New Zealand Mudsail, an aquatic invasive species present in the lake. Although

⁵ Figure 7a formerly included the Percival Creek Rechanneling and Salmon Habitat Rehabilitation Plan, and later, an option entitled the Managed Lake CLIPA Sub-Option. At the request of CLIPA in October 2016, the Percival Creek Rechanneling and Salmon Habitat Rehabilitation Plan was removed from further consideration. At the request of the Executive Work Group, the Managed Lake CLIPA Sub-Option (now called the Managed North Basin Lake/Wetland) was removed from Figure 7a and was included with the visual representations provided in Appendix C. This change reflected the late submission of the Managed Lake CLIPA Sub-Option and Managed North Basin Lake/Wetland concept, submitted in October and November 2016, respectively, after stakeholder review of the other long-term management options had been completed.

this would be implemented differently across the range of options, it would increase the options consistency with project goals, and result in an overall beneficial effect.

A Matrix of Potential Additional Components of Conceptual Long-Term Management Options is presented on the following page. The matrix serves as a mechanism to track and compile potential design components for future consideration. It is recognized that the design components included on the matrix are highly conceptual in nature and would require additional technical review before incorporation into a long-term management option and are not inclusive of all potential components that could be added to various long-term management options.

Matrix of Potential Additional Components of Long-Term Management Options

| POTENTIAL COMPONENT FOR CONSIDERATION | POTENTIAL BENEFIT OF INCORPORATION |
|--|---|
| Improve And Support Ecosystem Functions | |
| Fish access management ^T | Ensuring that fish have access and/or passage to upstream habitat would improve ecosystem functions and enhance cultural values, and would also meet regulatory requirements |
| Riparian plantings along shoreline ^X | Plantings and other riparian enhancements along the watershed would enhance river shading and could reduce temperatures within Capitol Lake/Lower Deschutes Watershed |
| Control Invasive Species | |
| Efforts to eradicate New Zealand mudsnail ^T | Eradicating the New Zealand Mudsnail would improve fish and wildlife habitat and ecological functions, and could also result in restored opportunities for aquatic recreation |
| Control of the resident Canada goose population ^T | Controlling the resident Canada geese to a population of no more than 100 would improve ecological functions and may also improve water quality |
| Control of the purple loosestrife seed and Eurasian watermilfoil ^X | Controlling the purple loosestrife seed and Eurasian watermilfoil through chemical treatment, saltwater exposure, or hand pulling would be consistent with efforts to control nuisance and invasive species within the watershed |
| Reflect a Sustainable Watershed Approach | |
| Natural woody debris management plan ^T | Implementing a woody debris management plan, at any scale, would reflect a sustainable watershed approach by minimizing human-induced disturbances within the system |
| Improve and Support Sediment Management | |
| Initial dredging of existing sediment deposition within the lake as a construction component implemented as part of any long-term management option ^X | Dredging of existing sediment accumulation, associated with the selected long-term management option, could be the initial phase of a sediment management strategy and would minimize initial sediment transport into Budd Inlet if the Fifth Avenue dam is removed |
| Installation of a sediment control structure for sediment management in the South Basin ^E | Installing a sediment control structure at the north end of the South Basin could minimize the current rate of downstream sediment accumulation and could be coupled with the installation of infrastructure in Budd Inlet to avoid sediment deposition near marine facilities and navigational channels |
| Installation of a sediment control structure for sediment management in lower Budd Inlet ^E | Installing a sediment control structure in lower Budd Inlet could minimize sediment deposition near marine facilities and navigational channels |
| Installation of a constructed sediment trap ^X | Constructing and installing a sediment trap at strategic locations throughout the basin could minimize the rate of downstream accumulation and focus the area of sediment deposition, while maintaining water flow |
| Natural woody debris placement ^X | Placing natural woody debris along the shoreline of the watershed could stabilize the river channel and minimize erosion and sediment transport downstream |
| Manage Flood Risk | |
| Improvement of stormwater conveyance system ^X | Improving the stormwater conveyance system would minimize potential flood risks by more effectively conveying stormwater within the watershed; this could also include the installation of backflow preventers on stormwater outlets to prevent water backing up into the system during high tide or flood events |
| Enhancing the Heritage Park berm ^X | Enhancing the height of the berm in Heritage Park would minimize potential flood risks and other impacts associated with sea level rise |

Matrix of Potential Additional Components of Long-Term Management Options

| POTENTIAL COMPONENT FOR CONSIDERATION | POTENTIAL BENEFIT OF INCORPORATION |
|---|---|
| Support and Maintain Historical and Cultural Resources | |
| Installing interpretative signage at the shoreline ^X | Installing interpretative signage along the shoreline would provide educational opportunities about the past and present use of the resource, and could reflect the related cultural and historical values |
| Improve shoreline access ^E | Add a boardwalk or trail to enable access to the east side of the middle basin |
| Improve and Support Water Quality | |
| Nutrient harvesting from surface waters ^C | Implementing mechanized (Rotating Photo Bioreactor) removal of aquatic plants to reduce soluble phosphorus and dissolved nitrogen from surface waters in an effort to improve water quality and ecological functions within the watershed |
| <i>Separate and Complimentary Agency Actions (in coordination with, but not led by, the Department of Enterprise Services)</i> | |
| Ecology implementation of the Deschutes River, Percival Creek, and Budd Inlet Tributaries Water Quality Improvement Plan ^E | Actions proposed in this report would improve water quality in the Deschutes River and Percival Creek, ultimately reducing nutrient and sediment loading into Capitol Lake/Lower Deschutes Watershed and lower Budd Inlet |
| Nutrient and sediment source controls within the watershed ^X | Washington State Department of Ecology has identified a number of implementation actions, including nutrient and sediment source controls within the Capitol Lake/Lower Deschutes Watershed, to improve water quality and meet Washington State water quality standards |
| Limitations on wastewater discharges ^X | LOTT Clean Water Alliance may elect to enhance existing treatment of wastewater or increase discharge limitations to improve water quality in lower Budd Inlet |
| Complete Olympia Woodland Trail/Deschutes River Trail connection ^E | The City of Olympia Parks, Arts and Recreation Department may elect to complete the Olympia Woodland Trail/Deschutes River Trail connection to enhance and improve passive recreational opportunities within the watershed |
| Enhance salmonid use of the watershed ^E | Washington Department of Fish and Wildlife may consider construction of fish passage enhancements or a new fish capture facility to support healthy salmon runs within the watershed |

Notes:

- 1 The information included in the matrix is based on stakeholder feedback or is sourced from earlier project documents, and has not undergone additional technical or feasibility review. Depending on future technical and feasibility reviews, and general support from DES and other regulatory agencies, these potential components could be added to any of the potential long-term management options to increase consistency with project goals, or eliminated from consideration altogether.
- 2 Without design and/or additional technical evaluation, the Department of Enterprise Services cannot confirm the accuracy, feasibility, and validity of this information and the conclusions.
- 3 This matrix is a product of discussions with the stakeholders (members of the Technical Committee, Executive Work Group, and the Community), whereby potential components that could increase consistency of a long-term management option with project goals were identified.

Abbreviations:

- C Community component
- E Executive Work Group component
- T Technical Committee component
- X Existing component

3.3.4 Materials for Environmental Impact Statement Phase 2: Long-Term Management Options for Review

Consistent with guidance for review under the State Environmental Policy Act, the long-term management options will be “one of the basic building blocks of the EIS;” therefore, the materials described above will also support the work in Phase 2. The overview figures will present the identified long-term management options, from which a range of reasonable options can be selected for further review during the initial steps of the EIS. Reasonable options will be identified using screening criteria provided in the Draft Final Purpose and Need Statement, and will draw upon the reported consistency with project goals.

As design progresses throughout Phase 2, the potential additional components will be reviewed, refined, and incorporated into the long-term management options to ensure that the project goals and screening criteria are satisfied. These materials will inform and support that future process.

3.4 COST ESTIMATES

Conceptual costs, or order of magnitude costs, were provided in a previous design-related process for the existing options, based on assumptions associated with the conceptual design, as represented in the *Capitol Lake Alternatives Analysis* and *Dredge and Disposal Analysis* (Moffatt & Nichol 2009 and Herrera 2009). Conceptual costs are typically advanced further as design is developed between 30 and 60 percent, and are used to inform an array of agency decisions, including: development of design components, sustainability of the options or opportunity to incorporate sustainable design components, preference between options, construction approach, and many other items. In the case of Capitol Lake/Lower Deschutes Watershed, cost estimates will also be used to support further discussions of shared funding, and the potential for shared governance (as discussed in Section 5.0).

The proviso includes an element to identify general cost estimates for construction and maintenance of each conceptual option. As described above, the three existing options that resulted from the CLAMP process (Managed Lake, Dual Basin Hybrid, and Restored Estuary) and the alternate option(s) from the community (the DELI Hybrid Option) were initially assessed relative to project goals⁶. The DELI Hybrid Option does not have preliminary design to support initial cost estimating efforts. However, the DELI Hybrid Option is similar to the Dual Basin Hybrid Option, with a few exceptions. For these reasons, the earlier cost estimates developed in the CLAMP process served as the basis for relative cost comparison, with updates to several key

⁶ This initial assessment also included an assessment of the Percival Creek Rechanneling and Salmon Habitat Rehabilitation Plan. Following this review, in October 2016, CLIPA, the proponent of that option, requested that the option be removed from further consideration and substituted with a Managed Lake CLIPA Sub-Option. This change was made and reflected in the “second touch” version of the relative cost comparison. However, at the request of the majority of Executive Work Group members, the Managed Lake CLIPA Sub-Option was removed from the relative cost comparison. This change was made because the option was not reviewed during stakeholder review of the other long-term management options, and because of additionally changed components that are now reflected in the current Managed North Lake Basin/Wetland concept.

assumptions. A number of conditions have changed since the CLAMP Alternatives Analysis that result in substantial changes in the previous cost estimates. Therefore, an approach to present a relative order of magnitude comparison of the total option costs was used to satisfy Proviso Element 1(c).

3.4.1 Materials Developed for the Phase 1 Report

A figure depicting the relative cost comparison for long-term management options was prepared for the September meeting series. It is explained in additional detail below. The figure was also reviewed in coordination with the Washington State Office of Financial Management, with a discussion highlighting the approach to focus on a relative comparison of total costs between the long-term management options, and the relative order of magnitude for costs of key construction and maintenance factors. It is most appropriate to develop detailed cost estimates when detailed designs are available and existing data gaps are filled by technical analyses, typically during an EIS process and not sooner. Therefore, the relative comparison of option costs serves as a snapshot in time, for interested stakeholders.

3.4.1.1 Relative Cost Comparison for Long-Term Management Options

Previously reported cost estimates for the existing long-term management options were reviewed as the initial step to identify general cost estimates for construction and maintenance. These cost estimates reflect a preliminary level of design, and the previous range of costs for the construction and maintenance components informed the relative cost comparison completed in Phase 1. The assumptions for these existing cost estimates were then reviewed and updated to reflect current conditions, which have changed in recent years. The updated relative cost comparison is presented in Figure 8.

The process to update assumptions to reflect current conditions resulted in an upward adjustment to the most significant cost factors: sediment management during construction and maintenance. The 2009 Capitol Lake Alternatives Analysis assumed that sediment removed during initial dredging of the lake basin for these existing options could be beneficially reused for open-water habitat creation, or disposed within an open-water disposal site, both approaches managed and permitted by the Dredged Material Management Program (DMMP)⁷. The presence of the New Zealand Mudsnail is a changed condition that would alter this approach and results in an associated increase to cost. As indicated in correspondence with the DMMP (DMMP communication 2012), due to the presence of invasive New Zealand Mudsnail, this initial dredge sediment would not be accepted for open-water disposal or in-water beneficial reuse. Therefore, the dredged sediment from construction would be required to go upland for landfill disposal or upland reuse, if regulatory agencies approve transport and placement controls that prevent the further spread of this invasive species. Upland disposal is significantly more expensive than open-

⁷ The DMMP is an interagency approach to the management of dredged material in Washington State. Two federal and two state agencies with inherent roles in the oversight of dredging and disposal coordinate to streamline dredged material evaluation and regulation. The Seattle District of the U.S. Army Corps of Engineers acts as the lead agency. The other coordinating agencies include Region 10 of the U.S. Environmental Protection Agency, Washington State Department of Ecology, and Washington State Department of Natural Resources.

water disposal, and the cost discrepancy is magnified when applied to the estimated quantities of sediment that would have to be removed. This represents the largest adjustment to the previously reported cost estimates.

The costs associated with initial construction dredging for the Restored Estuary and Hybrid Options were not adjusted significantly from the previously reported cost estimates. Although the New Zealand Mudsnail remains a consideration across all options, the sediment from construction-related dredging for these options would be used within the existing system, where the snail is already present, as slope stabilization and habitat rehabilitation along the Deschutes Parkway.

After maintenance dredging events, the sediment is assumed to go upland, either to a reclamation site or to a landfill, and would not be disposed of in-water. This assumption is applicable to all long-term management options, due to the presence of the New Zealand Mudsnail. Upland reuse or upland disposal of sediments from maintenance dredging is the conservative approach given that the method to control this invasive species, such as through application of a molluscicide, is unknown at this time (WDFW communication 2016).

Also noted during the review of former assumptions, was the absence of costs related to mitigation for construction or maintenance impacts. It is expected that impacts to the natural and built environment would have to be mitigated. Therefore, mitigation costs have been applied across the options, with the understanding that completing sediment removal in Budd Inlet, with access through nearby working port facilities, would result in less impact than dredging within the lake basin. Mitigation for construction and maintenance impacts for the Managed Lake are shown to be slightly higher due to impacts from construction access that would affect upland habitat or park space, as well as impacts to the lake basin. This assumption is supported by agency discussions that occurred during the work to complete the 2013 Permitting Recommendations Report (Floyd|Snider 2013). The Restored Estuary is expected to be self-mitigating due to the net environmental benefit from the project, which counteracts the temporary impacts from construction or maintenance dredging. This is supported by the professional experience of the current consultant team, and is also indicated in previous reports, which state that the Restored Estuary or Dual Basin Hybrid Option “would have an overall positive effect on the environment by bringing the area back into its more natural and historic condition. This suggests that the regulatory agencies will generally be supportive of the project, and that separate mitigation (beyond the use of Best Management Practices) will not be required” (WDFW 2007).

The remaining cost factors are similar to those included in the original cost estimate, adjusted where needed for the existing options, and scaled appropriately for the alternate options. The costs provided in Figure 8 are relative order of magnitude and have not been escalated to reflect an anticipated construction date, or dates for future maintenance activities. For example, the costs associated with the 50-year maintenance duration have not been escalated to reflect potential future costs of that action, which may be affected over time due to inflation or other factors.

Cost factors not included in this exercise are either (1) costs that would be incurred prior to construction and maintenance, such as costs for the EIS in Phase 2 or other design and permitting services; or (2) are too preliminary in the design phase and cannot reasonably be estimated, and therefore would otherwise be shown as equal across the options. This would pertain to cost factors such as the control of invasive species or construction of stormwater infrastructure, which would be applied regardless of long-term management options, but cannot be estimated at this time (Herrera 2009). There are other factors that result in direct or indirect costs associated with ecosystem service values, economic drivers, and community values of Capitol Lake/Lower Deschutes Watershed that are also not reflected in this figure, and could be evaluated in Phase 2. However, the construction and maintenance cost factors included in this exercise represent those that are most significant to all options, with sediment management constituting the overall highest cost component.

3.4.2 Materials for Environmental Impact Statement in Phase 2

The relative cost comparison for long-term management options gives a rough order of magnitude for potential construction and maintenance costs, on the order of hundreds of millions of dollars over 50 years. This information will inform initial discussions in Phase 2, including those of the Funding and Governance Committee, and the estimates will be updated as design advances. More detailed costs for each option and its components are expected to be included in the EIS in Phase 2.

4.0 Sediment Management and Analysis in Phase 2

Sediment management is an integral component of the long-term management planning for Capitol Lake/Lower Deschutes Watershed, and there continues to be agreement across stakeholder groups regarding its high priority. DES recognizes that sediment management must be a key component of any long-term management option, as it is one of the primary issues affecting the resource, and operational and recreational navigability in lower Budd Inlet remain important to all stakeholders. It is also the largest cost component associated with future construction and maintenance. Consequently, as part of the EIS in Phase 2, sediment management will be evaluated and conceptual design components will be considered to reduce potential effects of sediment transport and deposition. In addition, DES will conduct targeted outreach to potentially impacted stakeholders.

Although sediment management was not included as a specific element within the proviso, DES met with a subgroup of the Technical Committee and Executive Work Group for further discussions about sediment management. Members of this subgroup compiled a summary of the studies related to sediment management within Capitol Lake/Lower Deschutes Watershed and recommended review of these studies by a geomorphologist with relevant experience conducting sediment transport modeling and related technical analyses. The summary is provided as Table 3. The result of that independent review, relative to future sediment management analysis, is provided in the following sections.

The subgroup also discussed the appropriate timing for additional work related to sediment management. The group concluded that additional technical analyses and sediment transport modeling should occur during the EIS in Phase 2. This allows the work to continue within a process where design of the long-term management options is advanced. It also avoids beginning the work before the other technical analyses and design efforts that would also occur in Phase 2 are conducted, and thereby avoids proceeding with data gaps still present. A summary of the work that would occur in Phase 2, specifically related to sediment management, is provided in Section 4.2.

4.1 REVIEW FOR PHASE 1 REPORT

Considerable work has been done to understand the existing sediment loads and sediment deposition within Capitol Lake/Lower Deschutes Watershed. This has included more than a dozen studies dating back to the 1970s, and as current as 2012. A list of these studies and a summary of the data provided within them is included as Table 3. This collective volume of work has established a base understanding of sediment transport to Capitol Lake/Lower Deschutes Watershed. Although there is significant variation from year to year, as occurs in any river system, the average annual rate of deposition within Capitol Lake/Lower Deschutes Watershed is approximately 35,000 cubic yards (CLAMP 2002) with a typical variance between 10,000 and 100,000 cubic yards a year. Previous dredging, associated reporting, and project observations provide a basis for these sediment volume estimates, and therefore are expected to be more accurate than modeling.

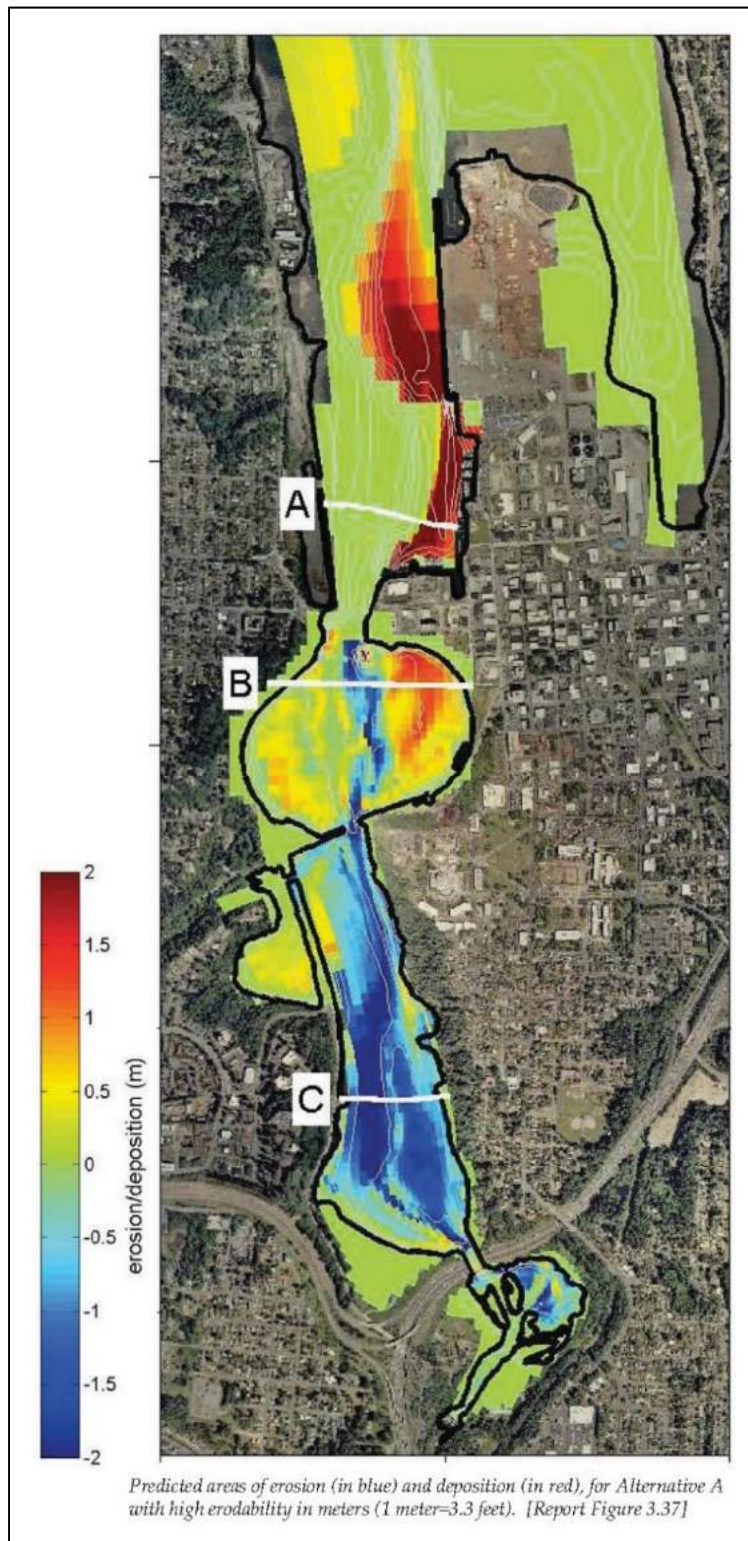
Conditions following initial construction of an “open system,” if the existing Fifth Avenue Dam was removed through construction of a Restored Estuary or Hybrid Option, have also been well examined. Approximately 12 years ago, the United States Geologic Survey undertook a major modeling effort to understand the geomorphic results of removing the dam. The primary result was provided in the document published in the *Deschutes Estuary Feasibility Study: Hydrodynamics and Sediment Transport Modeling* (the 2006 modeling report; George et al. 2006). For this study, a state-of-the-art sediment transport model (Delft3D) was used to estimate the potential effects from sediment transport under a Restored Estuary. The model extended from just downstream of Tumwater Falls to north of Gull Harbor in northern Budd Inlet, and predicted areas of erosion and deposition in this reach following construction of an “open system.” The results of this model can be shown graphically, as provided on the following page.

Delft3D had been in use for 20 years when the study was performed, and has further emerged to become the most commonly used sediment transport model in the world, particularly of those models used in estuarine and marine environments. Later modeling also included a study to characterize empirical coefficients required to accurately simulate the erosion of the fine-grained sediments found in Capitol Lake/Lower Deschutes Watershed (Stevens et al. 2008), which was the largest source of uncertainty in the 2006 modeling report. The 2008 study was needed because much of the North and Middle Basin would be eroded if the existing Capitol Lake was opened to tidal motion, and erosion is a notoriously difficult parameter to estimate.

It was concluded in the 2006 modeling report that, regardless of the final configuration of an open system within the North Basin (i.e., Restored Estuary or Hybrid Option, and potential widening at the BNSF Railway trestle, etc.), the area would return to pre-dam geomorphic function after about 10 years. Further the report indicated Budd Inlet is an effective trap for sediment, particularly West Bay, such that very little sediment, even after 10 years, is transported beyond the northern end of Budd Inlet.

It is important to mention that the model was used for basic planning purposes only. The grid resolution was variable, but generally ranged between 30 and 100 feet in areas where geomorphic change was likely. Certain infrastructure within Budd Inlet, such as floating docks, was also not included. These limitations mean that additional information on the details of sediment deposition would be needed to evaluate impacts and potential mitigation measures for effected stakeholders and infrastructure. Fortunately, Delft3D has powerful capabilities with regard to including more highly resolved models within a larger model, such as the one already developed. Therefore, even though this is not what the original model was designed for, it can be adapted for these purposes, as more refined data input and modeling work will be required.

Graphic 4. Predicted Areas of Erosion and Deposition in an Open System



Source: "Capitol Lake Adaptive Management Plan Fact Sheet #4," produced by the Washington State Department of General Administration, 2006.

4.2 REVIEW DURING THE ENVIRONMENTAL IMPACT STATEMENT IN PHASE 2

The EIS process in Phase 2 will evaluate specific options for long-term management. Two of the options for potential future evaluation in Phase 2 are similar to the design configurations that were modeled in the 2006 modeling report, including the Restored Estuary and Dual Basin, but could vary slightly in the final shoreline configuration and/or sediment management components that could be added to the options. Although the designs used to support the EIS would be at a conceptual level, they would have more detail than the concepts used in work to date. The previous model clearly identified that the limits of sediment transport will be confined to within the Capitol Lake/Lower Deschutes Watershed and Budd Inlet, but the specific details of deposition will likely vary from the patterns predicted by the 2006 modeling, when improved dam removal details or other design components are advanced. An updated model in the EIS would evaluate the location of sediment deposition within lower Budd Inlet under the different long-term management options based on an “open system” concept, and would identify potential mitigation measures or design components that would reduce the potential impacts of this sediment deposition.

Remobilization of sediment may adversely affect water-dependent infrastructure such as port berths, marinas, and stormwater outfalls due to reduced water depth, or can have adverse ecological impacts from increased turbidity. Remobilization of sediment can also have positive impacts through replenishment of habitat, natural capping of contaminated sediment, and sequestration of carbon. Restoration of natural geomorphic processes at the river mouth and sediment deposition could impact stakeholders within Budd Inlet, if unmitigated. However, the EIS would evaluate potential impacts from sediment transport and deposition as a result of the long-term management options, and would identify mitigation measures to minimize or avoid potential adverse effects.

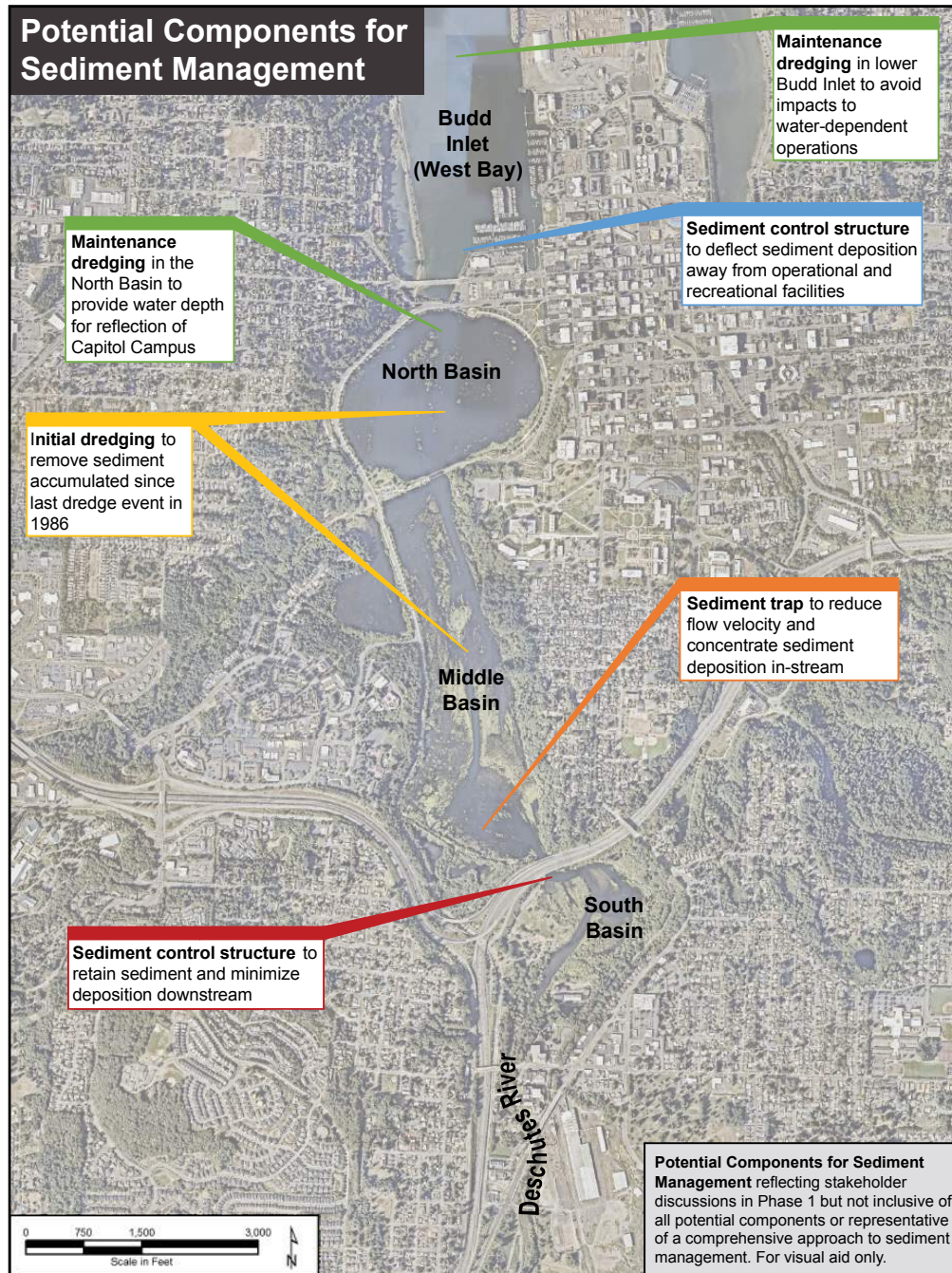
The EIS process would also include outreach to stakeholders within areas of identified sediment deposition, anticipated to be those areas shown in Graphic 4, and expanded to include other stakeholders identified through the future modeling work, to better understand impacts of the additional sediment transported to Budd Inlet. The volumes of sediment predicted to be transported into the inlet (George et al. 2006) would be evaluated to better determine if these volumes would result in significant impacts to the adjacent operational and recreational facilities, or could be mitigated to a non-significant level.

The technical analyses conducted during the EIS would also examine potential ecological impacts of the additional sediment loading to determine if it would be significant to aquatic species that are protected under the Endangered Species Act (ESA), or any other species of interest, particularly over longer periods. Mitigation measures to reduce these potential environmental impacts will be evaluated, such as controlled release of fine sediment over time, especially during the first year or two following removal. However, uncertainties in ultimate estuarine configuration mean that only ranges of future behavior can be evaluated. These will remain relative uncertainties even with potential future modeling efforts. It should be noted that the EIS would also evaluate the potential ecological benefits to ESA-listed species and other aquatic

species from restoring natural fluvial sediment transport between the lower Deschutes River and Budd Inlet.

Regardless of an “open system” design, additional sediment deposition in Capitol Lake/Lower Deschutes Watershed and adjacent Budd Inlet may require engineering infrastructure or maintenance dredging to control discharge and reduce related impacts from an open system design. These engineering controls, or mitigation measures, would range in type, location, and complexity. A sediment management program would likely begin with dredging as an early phase of construction for any of the long-term management options. For an open system, such as a Restored Estuary or a Hybrid Option, other engineered controls would be evaluated and could include design components such as a constructed sediment trap. Constructed sediment traps can range from a prescribed hole that is repeatedly excavated to sophisticated structures that retain particular sizes of sediment, while maintaining flow and excluding wildlife. The constructed sediment traps and other sediment control structures, along with construction, and maintenance has significant considerations and challenges, particularly when Endangered Species Act-listed fish species are present, as is the case here. The design of sediment control structures and possibly development of a future dredging program would require design-specific sediment transport modeling that could be completed as part of the EIS technical analysis. The variety of potential engineered controls or sediment management structures proposed by the stakeholders as part of Phase 1, which could be evaluated during the EIS in Phase 2, are provided on the aerial image shown on the following page.

Graphic 5. Potential Components for Sediment Management



The existing sediment transport model, the Delft3D platform, could serve as a solid technical basis for this process and would likely be utilized in Phase 2 for the evaluation of sediment transport and deposition. At the time the model was performed, computational performance was much less than is currently available. As a result, the computational grid was much coarser than is typically found in current applications. As described above, the EIS process will identify the key sediment-related issues and these concerns will be used to more highly resolve sediment deposition and transport in those areas. This may include incorporation of information such as

more highly refined bathymetry, as-built drawings of marine infrastructure, and a more realistic sediment rating curve for the Deschutes River. In addition, refined design for the long-term management options and any sediment management components would be added to increase efficacy of the model. Different climactic scenarios following construction could also be investigated to provide the full range of expected future conditions for each long-term management option.

4.2.1 Data Gap to be Evaluated in Phase 2: Restoration of Natural Geomorphic Processes

The existing sediment transport model, Delft3D, would likely be updated as part of the EIS process in Phase 2 to introduce conditions that have changed since it was built a decade ago. For example, it may be necessary to include updated bathymetry from within the existing Capitol Lake/Lower Deschutes Watershed. Site-specific nested models are likely to be needed for particular areas of interest, particularly near the restored Deschutes River mouth where sediment deposition is expected to be greatest. Nesting of models is a common practice, and involves the development of a more highly resolved model of a specific area within the model domain of a larger model. This approach leverages the calibration and context of a larger model, while providing high-resolution detail of particular areas, all within a single model. These new nested model components will require new and more highly resolved bathymetry, as well as details about other infrastructure that may affect hydraulics and sediment transport, such as floating docks. Fortunately all of these model updates can be easily implemented into the existing model, allowing the community to leverage the existing tool built earlier in the feasibility process.

An additional item that has not been addressed is the natural change that will occur within Capitol Lake/Lower Deschutes Watershed and Budd Inlet if the Fifth Avenue Dam is removed. The focus of the 2006 modeling report, as with most sediment management plans for dam removal projects (e.g., the *Elwha River Restoration Sediment Management Plan* [Randle and Bountry 2012]), is the length of time before the system restores itself to pre-dam geomorphic function. The resumption of natural geomorphic function typically occurs once most of the sequestered sediments are transported from within the former reservoir. However, currently nearly all of the sediment that enters Capitol Lake/Lower Deschutes Watershed is trapped there.

If the Fifth Avenue Dam is removed, some of this sediment will be initially dredged and some will pass into Budd Inlet. The actual amount of sediment accumulation in Budd Inlet will be affected by the amount of initial sediment removal in the North Basin. The incremental change over time from this naturally derived sediment from the North Basin will eventually bring changes to the shoreline of Budd Inlet. This could include the formation of a fine-grained bench throughout West Bay; however, the largest impact will likely be on the frequency of dredging required to maintain the navigation channel. This impact, unlike the fine sediments transported immediately following the removal of the dam, could be more or less permanent and should be studied in Phase 2. The Phase 2 study could determine how much sediment is actually being transported into Budd Inlet and the necessary dredging quantities and frequencies.

For this reason, engineering controls and sediment control structures may be integral to this discussion and future evaluation. Turbidity of the water and geomorphic changes will also change

the appearance and character of waters within Budd Inlet. Obtaining a better understanding of these future conditions, through additional modeling, will allow potential impacts to water-dependent operations in lower Budd Inlet to be evaluated. It will also allow development of design components that would minimize the related impacts to the natural and built environment. Additionally, it will allow assessment of restoring estuarine processes and functions.

It is possible to model the above-described changes in a similar manner to what has already been done. However, these models would only provide a general forecast for expected behavior, due to variability in actual geomorphic change from influencing factors such as the timing of storm events, the fundamentally unpredictable geomorphic changes from wood loading, and recruitment and reestablishment of riparian vegetation. A qualitative geomorphic analysis, looking at anticipated conditions from similar dam removal projects, would be particularly helpful for this effort.

4.2.2 Data Gap to be Evaluated in Phase 2: Climate Change

Climate change has not been discussed in detail with respect to sediment and geomorphology of Capitol Lake/Lower Deschutes Watershed to date, but needs to be considered in evaluating the alternatives and in setting forth expectations of expected changes to the stakeholders. Sea level rise will be greater in Olympia than elsewhere in the Pacific Northwest due to reported local subsidence (City of Olympia 2016).

The extent of flooding caused by extreme marine high water events is not affected by dam removal as marine backwater could overtop through the City of Olympia, through the storm system or over berms, and connect to Capitol Lake/Lower Deschutes Watershed regardless of the presence of the Fifth Avenue Dam. This has previously been described from a hydraulics perspective by Moffatt & Nichol (Moffatt & Nichol 2008); however, removal of the dam would impact the distribution of sediment and the geomorphic trajectory of the estuary and the nearshore surrounding the mouth of the restored river. This type of analysis was not described or discussed in the 2006 modeling report and would need further analysis. These changes are more relevant now than in 2006 because current projections of project completion do not achieve restored conditions until at least 2030.

It is anticipated that the frequency of large storm events would increase as a result of climate change. If the dam remains, this will require more attention to monitor river flows and tides, and to manage lake levels to minimize lake-related flooding.

Additionally, if a large storm occurs immediately following construction of an open system, much of the sediment could be flushed into lower Budd Inlet in that single event. Conversely, if no large storms occur following construction, sediment loading can be metered out for years until a sufficiently large event resets the landscape (Draut and Ritchie 2015).

5.0 Funding and Governance

This section of the Phase 1 Report includes a summary of previous work about funding and governance related to Capitol Lake/Lower Deschutes Watershed, existing statutory requirements and framework influencing related future work, and summary of work completed in 2016 by a Funding and Governance Committee formed to address requirements of a budget proviso.

A proviso in the capital budget for the 2015–17 biennium included two proviso elements regarding funding and governance:

- 1(e) Identify conceptual options and degree of general support for shared funding by state, local, and federal governments and potentially other entities;
- 1(f) Identify one or more conceptual options for long-term shared governance of a future management plan, including consideration of an option similar to state lake management districts, chapter 36.61 RCW or shellfish protection districts, chapter 90.72 RCW.

To address subsections of the proviso on funding and governance, DES convened a Funding and Governance Committee starting in May 2016. The Executive Work Group appointed committee members including administrators and financial officers from the Cities of Olympia and Tumwater, Thurston County, and the Port of Olympia, as well as representatives from the Squaxin Island Tribe, Washington State Department of Natural Resources, and DES.

5.1 FUNDING AND GOVERNANCE COMMITTEE

The Phase 1 Implementation Plan recommended a Funding and Governance Committee focus on shared financing, funding models, and governance options for Capitol Lake/Lower Deschutes Watershed. Responsibilities undertaken by the committee included:

- Incorporating work of the committee into the Phase 1 Report.
- Representing governmental and agency interests, including those of constituents, and communicating this information throughout the Phase 1 process to such constituents, as needed.
- Providing consistent and informed feedback on issues related to shared funding and governance.

The Funding and Governance Committee met five times between May and September 2016.

5.2 PREVIOUS WORK AND RECOMMENDATIONS

The proviso included intent to build on recommendations of previous work and reports. This section summarizes recommendations for funding and governance of the Capitol Lake Basin

developed by the CLAMP Steering Committee in 2009 and a situation assessment for Capitol Lake management prepared by the William D. Ruckelshaus Center in 2014.

5.2.1 Recommendations for Funding and Governance from the Capital Lake Adaptive Management Plan Steering Committee

In 2009, the CLAMP Steering Committee transmitted its recommendation for long-term management of the Capitol Lake Basin (Herrera 2009). The CLAMP Steering Committee recognized the criticality of collaboratively developing funding and governance strategies. The following are excerpts from the CLAMP recommendation:

“The CLAMP Steering Committee acknowledges that there will be considerable planning, funding and construction actions required before implementation...These include developing a sediment management strategy, structured cost sharing, funding opportunities, and coordination with other water quality improvements in the watershed required by the federal Clean Water Act.”

“A new governing structure will be required to address Deschutes watershed and Budd Inlet recovery actions... The composition of this body may be similar to that of the Budd Inlet Restoration Partners. This group contains a number of the CLAMP entities, but to remain effective, it will need to involve all affected parties, governments, and stakeholders. GA will need to coordinate and collaborate with the new governing body regarding a comprehensive Budd Inlet sediment management strategy, structured cost sharing for dredging, and funding opportunities.”

“The CLAMP Plan and process provided essential technical information for an informed decision. To implement this recommendation many of the CLAMP entities will need to (1) work together within a different governmental structure, (2) agree on a common restoration threshold, and (3) craft an equitable cost-sharing package.”

5.2.2 Recommendations for Funding and Governance from the Situation Assessment for Capitol Lake Management

In 2014, the William D. Ruckelshaus Center conducted a situation assessment as directed by proviso in the capital budget for the 2013–2015 biennium (Ruckelshaus Center 2014). The assessment report included background information, description of the assessment process, common themes from assessment interviews, and findings and recommendations. The following are excerpts from the Ruckelshaus situation assessment:

Begin “conversations among the CLAMP entities and any other appropriate public service agencies within the Deschutes Basin (e.g. LOTT Clean Water Alliance, potentially one or more upstream local government agencies or major landowners) about a cost-sharing strategy and funding mechanism for long-term management of sediment, water quality, infrastructure, and other anticipated

areas of capital expenditure. This could take the form of what one respondent proposed as a 'Deschutes River Basin Management District'."

On the topic of a local funding mechanism, "...a suggestion emerged during the interviews to address the financing of long-term management via a new 'Watershed Management District' with taxing authority, charged with managing the whole of the Deschutes River Basin. Agencies charged with providing public services related to the health and management of the watershed could come together and form such a district to generate funds from taxes or ratepayer fees that would provide the resources needed to manage a healthy watershed."

5.3 EXISTING STATUTORY REQUIREMENTS AND FRAMEWORK

DES maintains the 260-acre Capitol Lake Basin as part of the Capitol Campus in Olympia. Authority for stewardship, preservation, operation, and maintenance of these public facilities is provided through Chapter 79.24 RCW.

The Capitol Lake Basin comprises more than half the Capitol Campus. DES works with the State Capitol Committee and the Capitol Campus Design Advisory Committee for direction on policy, planning, and design of campus facilities and grounds. However, the Capitol Lake Basin is leased from the Washington State Department of Natural Resources, which manages state-owned aquatic lands on behalf of the people of the state per Chapter 79.105 RCW. The current lease agreement expires in 2028.

The Washington State Department of Natural Resources is charged with managing state-owned aquatic lands to provide for a balance of public benefits for all citizens of the state. These public benefits include:

- Encouraging direct public use and access
- Fostering water-dependent uses
- Ensuring environmental protection
- Utilizing renewable resources

In addition, the Washington State Department of Natural Resources generates revenue from management of these lands, so long as it is accomplished in a manner consistent with the public benefits listed above.

Collectively, this framework serves as the existing governance model. In the context of long-term management of Capitol Lake/Lower Deschutes Watershed, ownership and governance are not synonymous. Long-term management assumes a role for the state through the Washington State Department of Natural Resources, along with a lease between Washington State Department of Natural Resources and some entity or entities. Models for future governance must consider legal parameters of existing authority and jurisdiction.

The Washington State Department of Natural Resources cannot abdicate its authority or legal responsibility to manage state-owned aquatic lands to a new governance structure; rather, the Washington State Department of Natural Resources can work with a governing partnership using existing authorities to authorize actions through its leasing authority per [Chapter 79.105 RCW](#).

Funding for the operation and maintenance of Capitol Lake is provided through the State Operating and Capital Budgets, which have been the funding sources since construction of the lake in 1951.

This existing framework, including the associated statutory requirements that guide these entities, will be considered as work continues during Phase 2 to generate ideas on potential funding and governance models.

5.4 WORK FOR THE PHASE 1 REPORT

The Funding and Governance Committee identified two primary goals for the work occurring as part of the Phase 1 process, including (1) to establish ongoing communication and coordination around the topics of shared funding and governance of Capitol Lake/Lower Deschutes Watershed, and (2) to identify shared goals or attributes of a potential funding and governance model. The shared goals or attributes of a potential funding and governance model serves as the committee's primary work product for this Phase 1 Report.

In order to identify goals and attributes, the Funding and Governance Committee considered various district and other models and developed a table that outlines and compares elements of these funding and governance models, which have been implemented successfully elsewhere. This table is included in Appendix B, and includes funding and governance models such as the lake management district per [Chapter 35.21.403 RCW](#) and [Chapter 36.61 RCW](#), shellfish protection district per [Chapter 90.72 RCW](#), flood control district per [Chapter 86.09 RCW](#), flood control zone district per [Chapter 86.15 RCW](#), and other special purpose districts per [Chapter 85.38 RCW](#), LOTT Clean Water Alliance through an intergovernmental agreement, and public development authority per [RCW 35.21.730 through RCW 35.21.755](#).

Upon review, the Funding and Governance Committee concluded that in most cases the models were created to suit specific needs. A similar approach should be taken for Capitol Lake/Lower Deschutes Watershed to properly accommodate its unique requirements, as well as the funding and governance opportunities and limitations, and to take into account the existing framework.

After reviewing and discussing existing models that have been successfully implemented, the Funding and Governance Committee developed a list of high-level attributes for funding and governance of the Capitol Lake/Lower Deschutes Watershed. These attributes could be applied to any long-term management option, and would be built upon and further refined as the discussion regarding funding and governance continues throughout Phase 2. The attributes identified to serve as the foundation for a future funding and governance model is presented on the following page.

Capitol Lake/Lower Deschutes Watershed Long-Term Management Project

The proposed foundation for a potential future funding and governance model

1. Dedicated and secure funding sources. The chosen model needs to include adequate funding to do the job (cover capital and maintenance and operations costs) initially and in the long-term.
2. Those who contribute to the problem should participate in funding or paying for the solution (and possibly participate in governance).
3. Those who benefit from the solution should participate in funding or paying for the solution (and possibly participate in governance).
4. Shared distribution of costs.
5. It is understood that the State will participate in both funding and governance.
6. Watershed-wide in scale; include the entire Deschutes Watershed (extending upstream of the Capitol Lake/Lower Deschutes Watershed area).
7. Manageable governance structure that is sustainable and not too unwieldy. The complexity of the structure and approvals must be reasonable.
8. Commitment by the parties to a long-term collaborative process that will continue to address each member's interests.
9. Adequately resourced administration for the governing body.
10. Funding and governance models should support the goals and objectives of the long-term Capitol Lake/Lower Deschutes Watershed management plan, as well as goals for the future of the overall watershed.

It is recognized that any effort to identify a funding and governance model involves a great deal of complexity given the existing statutory requirements and framework, and is further complicated by the range of options for long-term management of Capitol Lake/Lower Deschutes Watershed. As part of the work in Phase 2, DES will evaluate the range of options to determine the potential benefits and impacts, and general costs associated with construction and operation. This information will inform the ongoing discussions of the Funding and Governance Committee, and ultimately, once a preferred long-term management option is selected, the specific model for governance and the sources of funding may be determined. Regardless, the agreed upon attributes could be applied to any of the long-term management options for Capitol Lake/Lower Deschutes Watershed, and would not limit or restrict the selection process.

5.5 DEGREE OF GENERAL SUPPORT

As part of the Phase 1 process, the Funding and Governance Committee has established ongoing communication and coordination around the topics of shared funding and governance for the Capitol Lake/Lower Deschutes Watershed. There is a high degree of support for ongoing conversations and continued work related to these topics, as evidenced through the participation throughout Phase 1, and the commitment from the coordinating entities to continue this work throughout Phase 2. There is also strong support for the development of a model for shared

funding and governance that incorporates the attributes identified by the Funding and Governance Committee, as listed in Section 5.4.

5.6 WORK TO OCCUR IN PHASE 2

The Funding and Governance Committee completed a phase of the preliminary planning work required to identify one or more conceptual options for long-term shared funding and governance by researching and considering existing models, and by identifying attributes that could be implemented as part of a future model for Capitol Lake/Lower Deschutes Watershed. This work will continue as part of Phase 2. Information such as cost and characteristics of a long-term management option are integral to a decision regarding funding and governance; therefore, the technical work in Phase 2 will inform a concurrent effort of the Funding and Governance Committee.

Consistent with the findings of the other stakeholders, the Funding and Governance Committee has identified sediment management as a critical component of any long-term management solution, and particularly, that the costs associated with sediment management will significantly influence the potential future finance options. The technical analysis of Phase 2 will inform this cost component, as well as the overall development of the funding and governance structures.

The Funding and Governance Committee is committed to participating in an effort concurrent to and informed by Phase 2, so that at the completion of Phase 2, a formal recommendation could be made for one or more conceptual options for shared funding and governance.

6.0 Next Steps

The submittal of this Phase 1 Report to the Washington State Legislature marks the conclusion of Phase 1. Phase 2 would begin once funding is secured, and would continue through completion of the EIS. Afterward, a long-term management option could be implemented, if funded. Design, permitting, and construction of the selected long-term management option would occur in Phase 3. The timeline included in Section 6.2 shows the anticipated duration of the remaining project phases.

6.1 2016 YEAR-IN-REVIEW

In culmination of this process, DES hosted a Year-In-Review meeting to gather the stakeholders and other interested parties, and to review the body of work completed throughout Phase 1. At this December meeting, DES reviewed the primary goals for the Phase 1 process, specifically related to collaboration between state, local, and tribal governments; engagement with the Community to understand the range of public support around goals and options; initiation of discussions regarding shared funding and governance; and building a foundation for Phase 2. The accomplishments of Phase 1 were also discussed, including a description of the tangible work products that were developed in support of the proviso, and also in support of Phase 2 (refer to Section 3.0). DES recognized that the success of Phase 1 was in large part due to the efforts of the various stakeholder groups, and recognized those stakeholders in attendance at the meeting.

The Year-In-Review also provided an opportunity for the Executive Work Group to express final feedback related to this process and next steps, and to show support for moving into Phase 2, where a long-term management option would be identified and selected. At the conclusion of the Year-In-Review meeting, the Executive Work Group presented DES with a letter of support for Phase 2. Signed by all members, the letter begins, “we are writing jointly, as collaborative partners in the Capitol Lake/Lower Deschutes Watershed long-term management planning effort, to express support for funding the proposed Phase 2 to complete a project-specific [EIS].” The letter goes on to note that “as government partners, we recommend fully funding an EIS as Phase 2.” The comments made by the Executive Work Group members at the meeting echoed this sentiment, and also highlighted the commitment to ongoing collaboration.

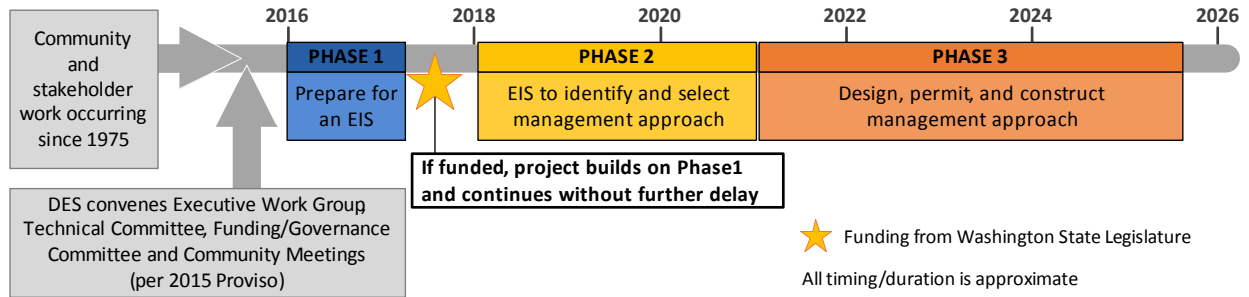
This Phase 1 Report serves as the formal body of work for Phase 1. As described above, it provides the materials that were developed in support of the proviso and identifies items that will be particularly meaningful for Phase 2. The Phase 1 Report has been reviewed by the Executive Work Group, Technical Committee, and Funding and Governance Committee, and has been available to the Community in draft form.

6.2 WORK PLANNED FOR 2017

During Phase 1, DES submitted a budget request for the full cost of Phase 2 to the Washington State Office of Financial Management. The Phase 2 process to complete a project-specific EIS, including all of its associated technical analyses, agency project management, and stakeholder engagement, was initially estimated at approximately \$5.5 million. If funding is received as part

of the 2017–19 biennial budget, Phase 2 could begin in early 2018 after a standard public bidding and consultant contracting process. More than 80 percent of stakeholders who participated in Phase 1 support the transition into a Phase 2 process.

Graphic 6. Anticipated Timeline for Phase 2 and Phase 3



7.0 Environmental Impact Statement in Phase 2

Considerable work has been completed throughout Phase 1 to prepare for Phase 2, to engage stakeholders in a meaningful way, and to prepare materials that will serve as the foundation for an EIS. An EIS is required by the State Environmental Policy Act. It will serve as the environmental review and technical analysis to inform decision-makers of the potential benefits and impacts of the project. It must be completed before a long-term management option can be selected for implementation in Phase 3.

The project goals identified by stakeholders in April, and later captured in the purpose and need statement, will serve as the primary screening criteria within the EIS. The list of technical documents compiled in May, and the associated review for best available science, will support various discipline-specific analyses to evaluate potential project effects. The long-term management options identified in Phase 1 will be screened to identify reasonable alternatives and determine a range of options for review throughout Phase 2.

The process to complete an EIS in Phase 2 is expected to last approximately 3 years, and is supported by a majority of the stakeholders involved in Phase 1. A more detailed description of the primary steps for a project-specific EIS is outlined in this section.

7.1 PROCESS OF AN ENVIRONMENTAL IMPACT STATEMENT

A project-specific EIS is the environmental review format that will be used for the Capitol Lake/Lower Deschutes Watershed Long-Term Management Project. This format is typically used for individual projects, where an action that results in physical changes to the natural or built environment would be taken. In contrast, a programmatic EIS is generally used to support policy decisions, for conceptual-level reviews on a broad scale, with later completion of smaller and more detailed project-specific environmental reviews.

The primary steps of a project-specific EIS include: project scoping, detailed technical evaluation, issuance of a Draft EIS, and the Final EIS. Once completed, information from the EIS will be used in decision-making, and particularly, to select a long-term management option for Capitol Lake/Lower Deschutes Watershed.

Project scoping will formally initiate the EIS process, and is used to engage the community, stakeholders and other coordinating agencies about the proposed project and its potential impacts. Throughout scoping, areas of potential significant adverse impacts from project construction and operation will be identified, along with reasonable alternatives that represent a range of options for more detailed technical review. This process will eliminate areas of environmental review that are not likely to be impacted from further consideration. It is expected that the material prepared in Phase 1 will be reviewed during the scoping process, as Phase 1 was conducted in a manner similar to expanded scoping. Phase 1 promoted interagency coordination and public participation through information gathering efforts and cooperative consultation, in the effort to streamline the EIS process.

After scoping, a range of alternatives will be moved forward for detailed technical review. The range of alternatives will include a no action alternative and other reasonable alternatives, likely chosen from the long-term management options reviewed or identified in Phase 1. Detailed technical review will be conducted to evaluate and describe potential impacts to the built and natural environment from construction and maintenance of the alternatives. These discipline-specific studies will draw upon best available science as applicable, and may include: water resources, geology and soils/sediment (including sediment transport modeling), biological resources, visual quality, land use, cultural and historical resources, cumulative effects, and other areas of probable significant impact. Mitigation measures will also be considered to avoid or reduce potential effects. Mitigation measures can range from revised design components to off-site mitigation, and other measures.

The Draft EIS will include the results of these technical analyses, highlighting the significant adverse environmental impacts and benefits of each alternative, along with the proposed mitigation measures. A description of the current conditions within the Capitol Lake/Lower Deschutes Watershed will also be included. The Draft EIS will be distributed to the community, coordinating agencies and tribes, and other interested parties. These groups will have the opportunity for review and comment on the document, in addition to other opportunities for engagement, such as public meetings.

The input received on the Draft EIS will be considered as the Final EIS is prepared, and may result in modifications to the technical analyses or design of the alternatives. The Final EIS will also include responses to all comments received in the Draft EIS review process. The Final EIS will identify a preferred alternative. It serves as a record of environmental review and identifies substantive mitigation measures that would need to be incorporated into subsequent permits, allowing action to be taken on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Project.

8.0 Conclusion

As a result of the work completed during Phase 1, and drawing upon the decades of previous work, DES proposes proceeding with the long-term management planning effort for Capitol Lake/Lower Deschutes Watershed through Phases 2 and 3. If action is not taken, stakeholders recognize that conditions within this resource will continue to deteriorate and it is likely that another decade would pass before active public use is restored. During that time, more than 35,000 cubic yards of sediment will accumulate within the basin each year. Water quality will continue to violate state and federal water quality standards, and other ecological functions will be affected. Collectively, these conditions will continue to impact the community, and remain in conflict with stakeholder goals for this resource. While the shoreline is an important recreational center and valued amenity in the south Puget Sound area, local and state citizens along with visitors from all over the world are prohibited from actively using the resource. A long-term management plan is urgently needed to change these conditions.

Transitioning from Phase 1 into Phase 2 is consistent with the majority interest of the Community, Squaxin Island Tribe, City of Olympia, City of Tumwater, Thurston County, Port of Olympia, Washington State Department of Ecology, Washington Department of Fish and Wildlife, and Washington State Department of Natural Resources. These stakeholders actively participated in the Phase 1 process, and continue to work in support of moving into an EIS, where a long-term management plan can be identified and selected. This is evidenced through the support letters provided by the governmental representatives and coordinating agencies, provided at the beginning of this Phase 1 Report.

Based on the tangible progress made during Phase 1 and broad agreement on the approach for long-term management, the future selected option is expected to be an environmentally and economically sustainable management approach that would improve water quality, enhance ecological functions, manage sediment, and restore community use to the expansive aquatic resource located in the Olympia and Tumwater areas.

The Capitol Lake/Lower Deschutes Watershed is a resource celebrated by the local community, but is also a resource of all state citizens and visitors. Completing Phase 2 and Phase 3 would allow DES to manage this state capitol public facility with “beauty and pride” in a manner that is consistent with it being a part of the State Capitol Campus, one of the most important public resources in the state. To do this successfully, if funding is received, DES will continue to engage with the stakeholders, and will complete the technical analyses and feasibility studies that will allow an informed decision to be made about a long-term management plan that best represents the interests of the community, coordination agencies, and all state citizens alike. This Phase 1 Report is submitted to the Washington State Legislature consistent with the proviso and with a message that action related to a long-term management option cannot occur without completion of an EIS to review and understand potential environmental impacts and benefits of the project.

9.0 References

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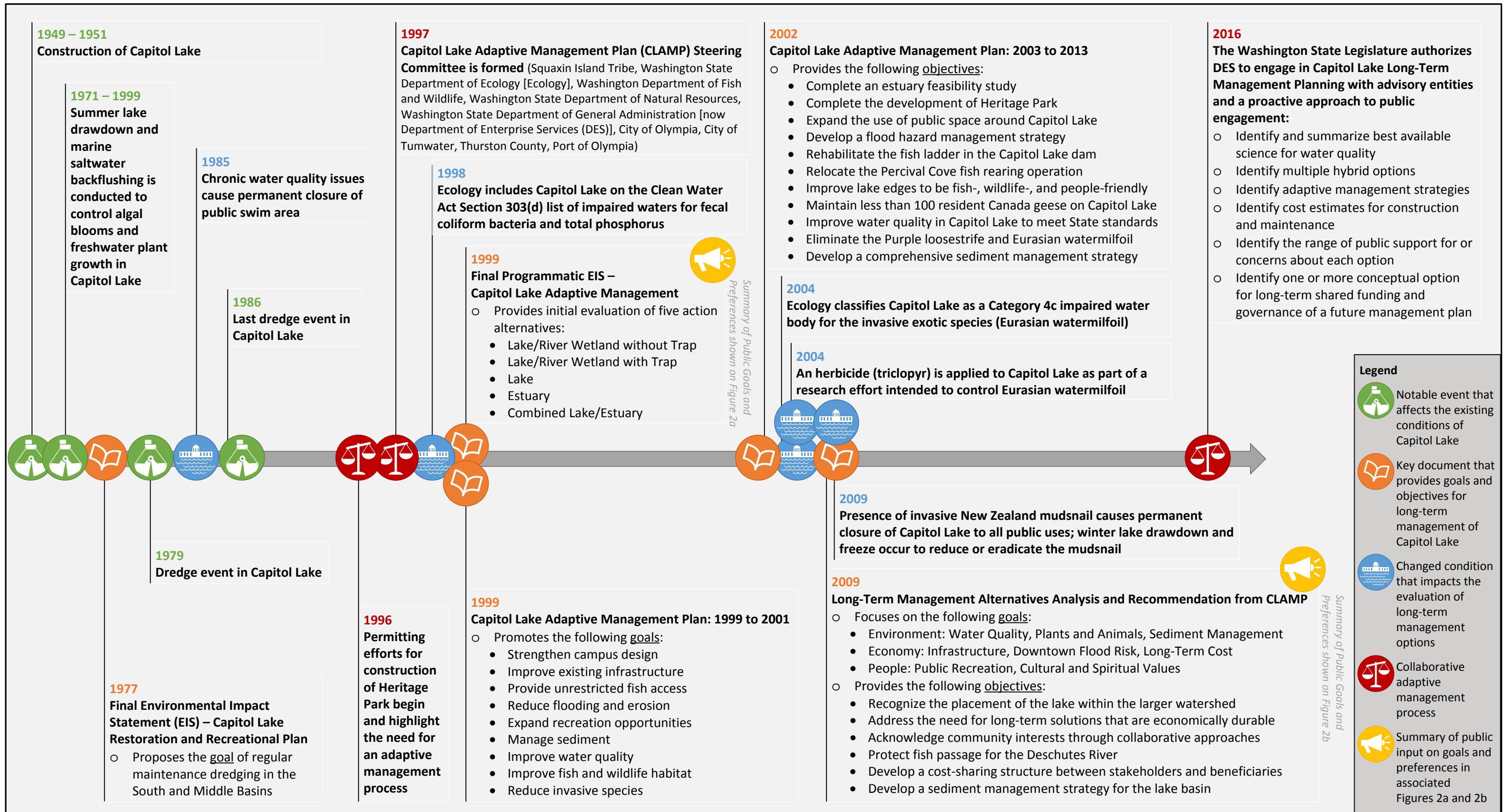
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Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

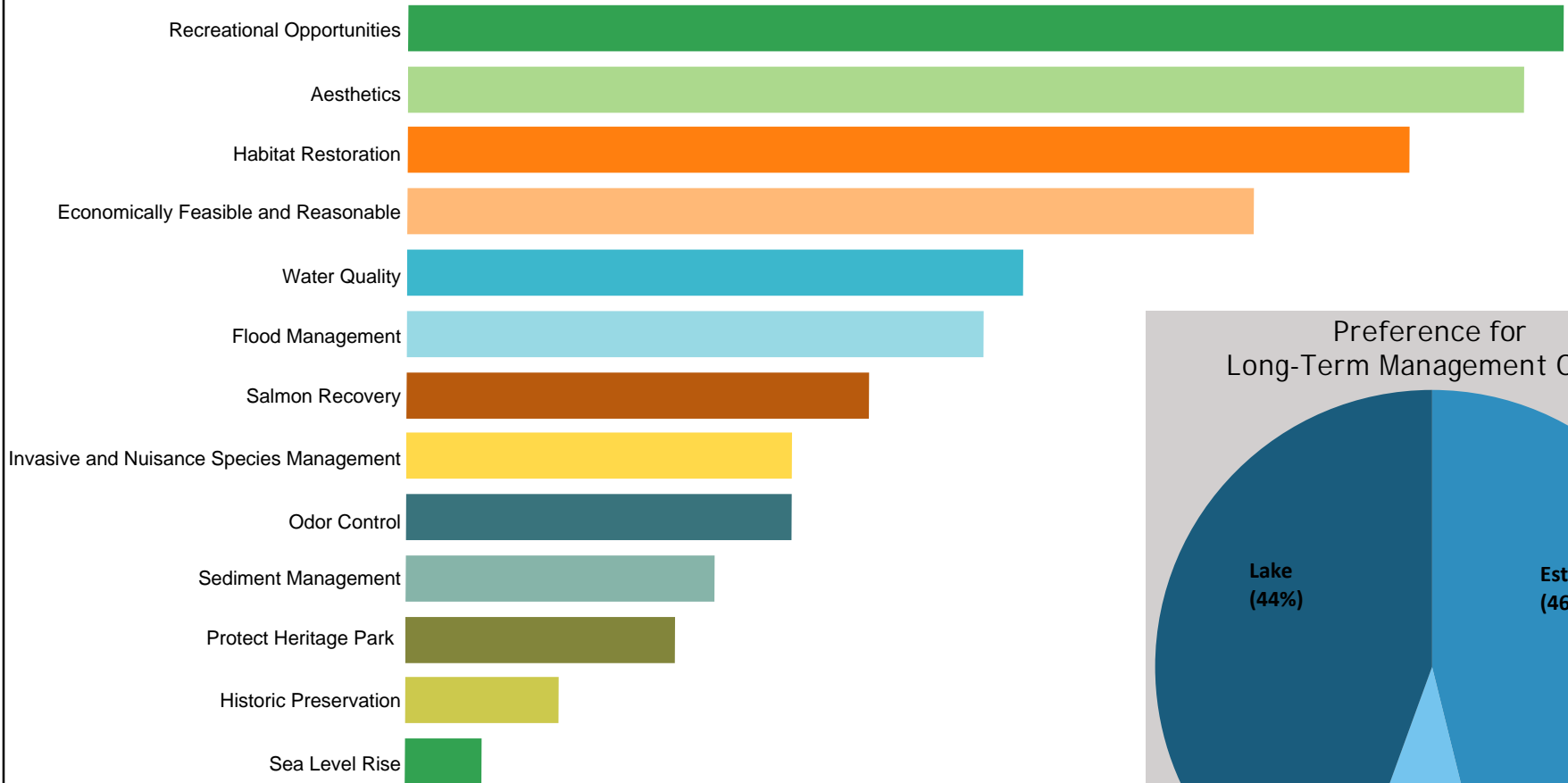
Figures

FINAL

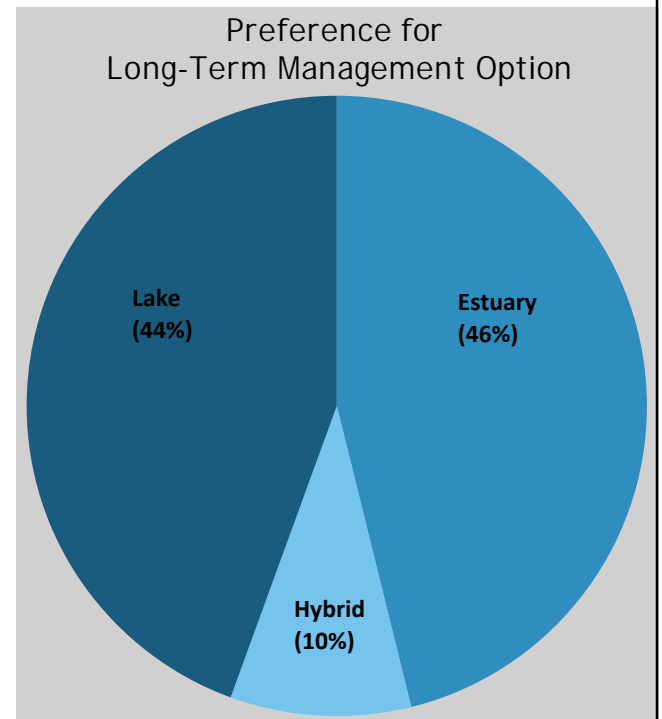


Community Input from 146 Comment Letters and Testimony

Preference and Order of Magnitude for Long-Term Management Goals

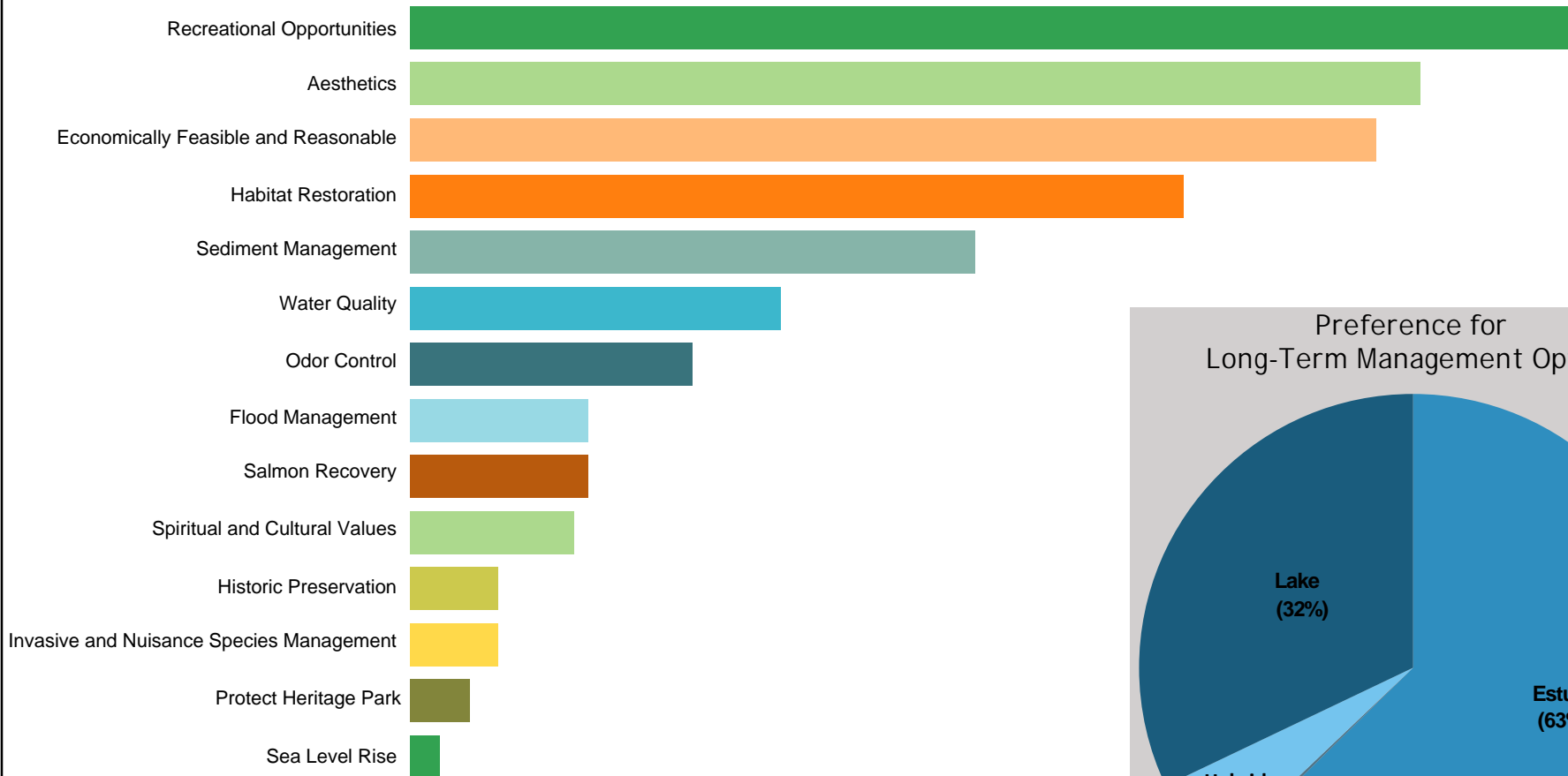


Comments from the 1999 Final Programmatic Environmental Impact Statement provide a baseline for evaluating goals and preferences from the most recent documentation prepared under the State Environmental Policy Act. These will serve as the basis for the development of current long-term management goals under existing site conditions and will be updated to reflect input received throughout the Phase I process.

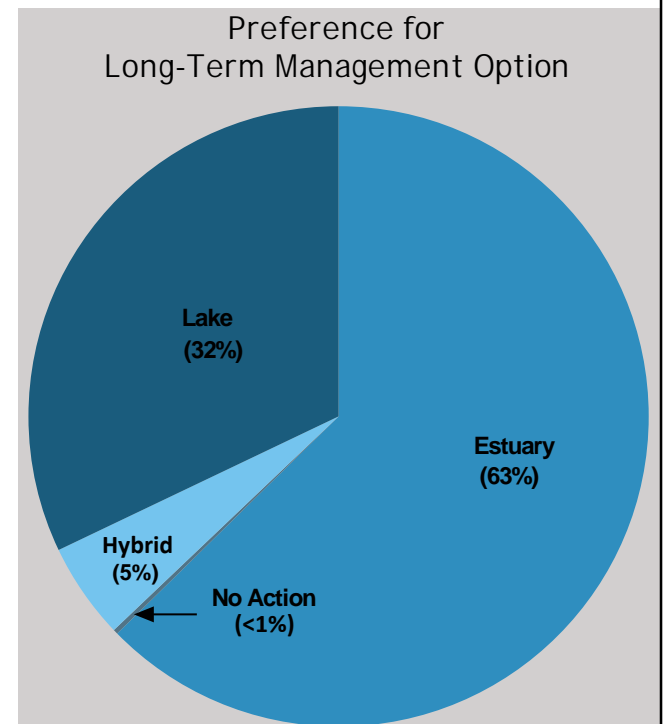


Community Input from 451 Comment Letters and Testimony

Preference and Order of Magnitude for Long-Term Management Goals

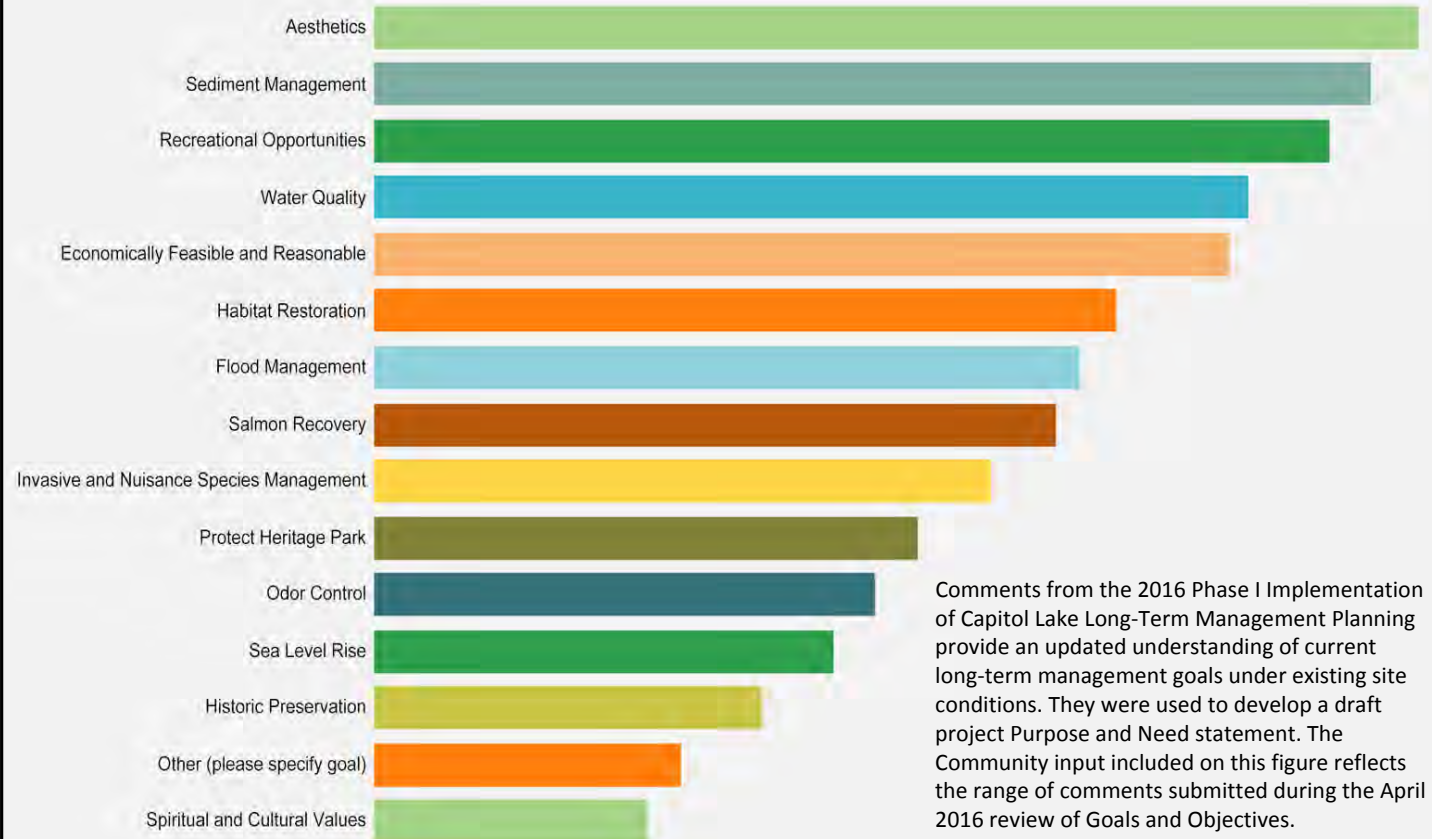


Comments from the 2009 Capitol Lake Adaptive Management Plan Alternatives Analysis for the Capitol Lake Basin provide additional information for the evaluation of goals and preferences. These will serve as the basis for the development of current long-term management goals under existing site conditions and will be updated to reflect input received throughout the Phase I process.



Community Input from 421 Survey Responses

Preference and Order of Magnitude for Long-Term Management Goals



Aesthetics

- “The lake has been a beautiful asset and icon of our City, we should do everything possible to preserve it!”
- “When I select Aesthetics, please note that I find a natural estuary to be aesthetically pleasing.”

Sediment Management

- “Capitol Lake has been getting worse and worse for over 30 years now. And sediment management will continue to become more difficult and costly with the addition of the zebra snail (the contaminated sediment can't go just anywhere!! We don't want to spread the problem).”
- “Lower Budd Inlet would be ruined if the dam/bridge were to be removed. Currently it allows for great boating and other recreational water uses, and is a terrific stage for all of our local events at Percival Landing.”

Recreational Opportunities

- “Maintain as existing and develop to allow more community use. Row boats, kayaks, small sailing vessels, paddle boards etc., with the required shoreline infrastructure are part of my vision with the NYC Central Park lake, Green Lake (Seattle), and others as models.”
- “A combination of restoration of habitat and estuary with preservation of public use, walking trails, park, etc.”

Water Quality

- “The importance of the estuary for improved water quality, as explained by the Department of Ecology, should be a priority for the on-going discussions.”
- “I cannot stress how important proper dredging is (to early 1900's datum), and how that will enhance water quality...”

Economically Feasible and Reasonable

- “Sustainable long-term in terms of maintenance. This specifically relates to economically reasonable.”
- “I believe creating a mud flat will decrease, not increase, the number of visitors to the downtown area.”
- “I would love to see Olympia follow in Vancouver, Canada's footsteps, and make a living estuary part of the draw to our town, incorporating good ecological management, beauty, and recreational opportunities into a tourist draw that will bring money and acclaim to our community.”

Habitat Restoration

- “Habitat restoration = functional estuary. Return the estuary to its original, natural state (or as close as possible) so that it can perform all the other roles on the list.”
- “There are hundreds, if not thousands of these trees in the north basin, the middle basin at the Capitol Lake Interpretive Center, and especially the south basin, which is dominated by alder forests standing in fresh water. The best wildlife habitat at Tumwater Historical Park is freshwater-inundated forest at the north end of the park. These habitats come alive every spring with nesting neo-tropical migrant bird species hunting, catching, and eating freshwater aquatic insects that hatch out of the lake, and feeding them to their young.”

Flood Management

- “Please remember what Capitol Lake was built for – flood control – and as a reflective pond for the State Capitol.”
- “I would like to further support the estuary option, this is our only option for habitat restoration and flood prevention.”

Salmon Recovery

- “The importance of estuarine rearing habitat for non-natal salmonids from other Puget Sound rivers using the estuary. The importance of rearing habitat for natal salmonids (Percival Creek and Deschutes naturalized/hatchery populations) using the estuary.”
- “One must remember there was no natural Salmon run in the Deschutes river because of the Falls.”

Invasive and Nuisance Species Management

- “Restoration of the estuary with natural daily tidal exchanges will remove or eliminate the invasive species.”

Protect Heritage Park

- “Maintain Capitol Lake and Heritage Park as attractive places for people to exercise and enjoy being outside right in downtown Olympia.”
- “I would like to see the idea of expanding the park around the downtown Olympian estuary.”

Odor Control

- “Capitol Lake smells. Capitol Lake is a waste dump. It is awful. We need salt water influx every day to keep it clean.”
- “The DES goals need to include the long-term management of this beautiful Capitol Lake and not allow it to become a smelly mudflat that no one could enjoy.”

Sea Level Rise

- “The regulating dam has been used by DES many times to prevent flooding when there are ‘king tides’ and heavy run off conditions. Without the regulating dam, the two would meet and inundate downtown. This will only get worse with sea level rise.”

Historic Preservation

- “Our capital and the grounds that surround it are unique and very special. The dome is the 4th highest masonic dome in the world. The surrounding grounds were designed by the leading landscape designer of all time. The lake was specifically included in the landscape design much like the ponds and lakes found in the landscape design at our Nation's capital.”

Spiritual and Cultural Values

- “We as a society need to return to our roots as it concerns our lands, waters, and air, for without them we are a doomed species and so are many other species! It's not our right to let precious ecosystems, such as Capitol Lake and the connected area's she flows through to become non-usable due to Man's interference and non-caring attitudes for profit and other worldly endeavors that put our ecosystems at risk!”

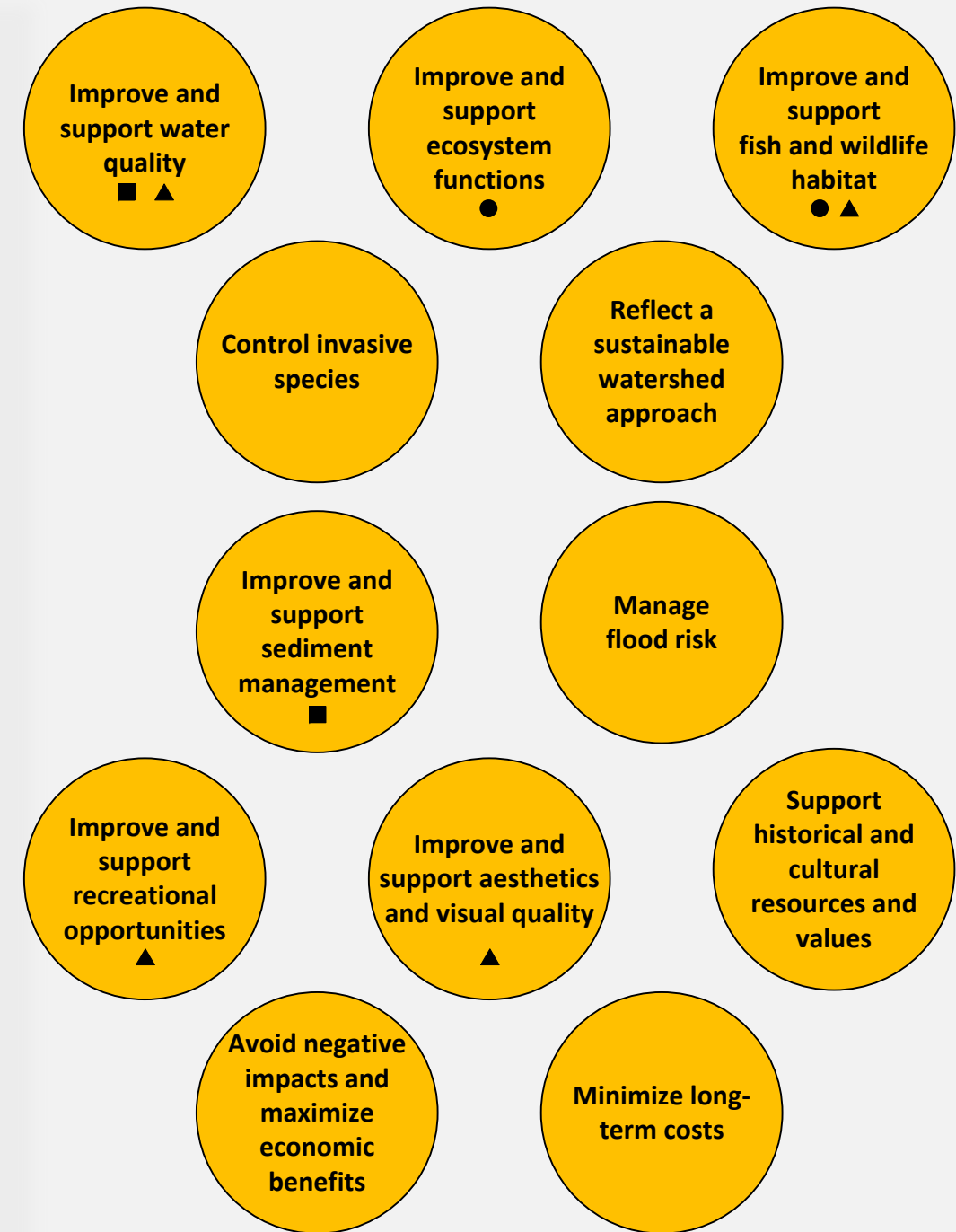
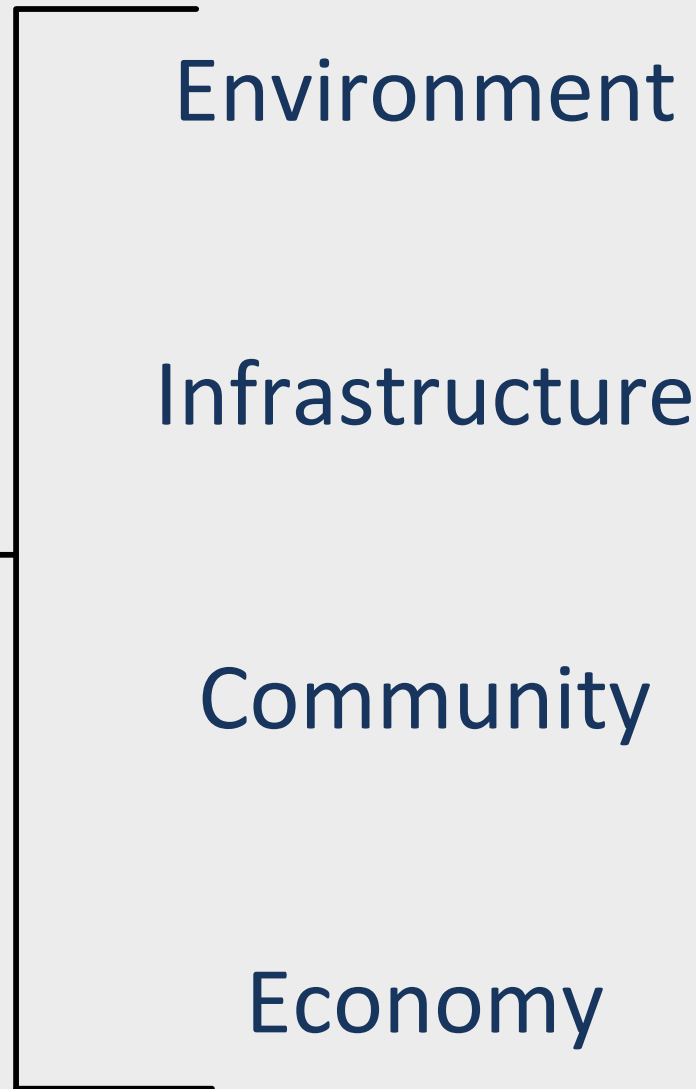
Goals from Existing Project Documentation

1999 EIS, 2009 CLAMP Alternatives Analysis, and 2015 Proviso

Primary Themes

Goals for Long-Term Management

Reflecting Stakeholder Input




Legend

● Consistent with a directive from the 2015 Proviso

■ Consistent with an Ecosystem Recovery Target from the Puget Sound Partnership

The Puget Sound Partnership is the state agency leading the effort to restore and protect Puget Sound, which includes the entire watershed and fresh waterbodies, such as Capitol Lake and the Deschutes River

▲ Consistent with the beneficial uses protected by the Federal Clean Water Act and Washington State Water Quality Standards

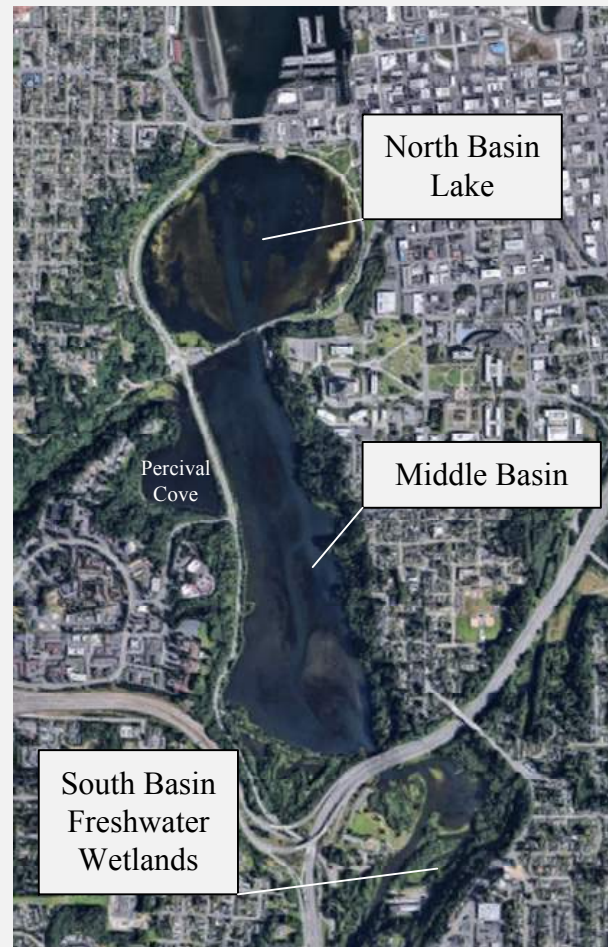
| Sources of Scientific Information Evaluated | Characteristics | Peer Review | Methods | Logical Conclusions & Reasonable Inferences | Quantitative Analysis | Context | References |
|--|---|---|---------|---|--|---------|------------|
| A. Research: Research data collected and analyzed as part of a controlled experiment (or other appropriate methodology) to test a specific hypothesis. | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| B. Monitoring: Monitoring data collected periodically over time to determine a resource trend or evaluate a management program. | | | ✓ | ✓ | + | ✓ | ✓ |
| C. Inventory: Inventory data collected from an entire population or population segment (e.g., individuals in a plant or animal species) or an entire ecosystem or ecosystem segment (e.g., the species in a particular wetland). | | | ✓ | ✓ | + | ✓ | ✓ |
| D. Survey: Survey data collected from a statistical sample from a population or ecosystem. | | | ✓ | ✓ | + | ✓ | ✓ |
| E. Modeling: Mathematical or symbolic simulation or representation of a natural system. Models generally are used to understand and explain occurrences that cannot be directly observed. | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ |
| F. Assessment: Inspection and evaluation of site-specific information by a qualified scientific expert. An assessment may or may not involve collection of new data. | | | ✓ | ✓ | | ✓ | ✓ |
| G. Synthesis: A comprehensive review and explanation of pertinent literature and other relevant existing knowledge by a qualified scientific expert. | ✓ | | ✓ | ✓ | | ✓ | ✓ |
| H. Expert Opinion: Statement of a qualified scientific expert based on his or her best professional judgment and experience in the pertinent scientific discipline. The opinion may or may not be based on site-specific information. | | | | ✓ | | ✓ | ✓ |
| | | <p>Legend</p> <ul style="list-style-type: none"> ✓ Characteristic must be present for information derived to be considered scientifically valid and reliable ✚ Presence of characteristic strengthens scientific validity and reliability of information derived, but is not essential to ensure scientific validity and reliability <p>Source: Washington State Legislature. 2003. Washington Administrative Code 365-195-905, Criteria for determining which information is the "best available science." http://apps.leg.wa.gov/wac/default.aspx?cite=365-195-905. Accessed May 9, 2016.</p> | | | | | |
|  <p>Washington State Department of Enterprise Services FLOYD SNIDER strategy ■ science ■ engineering</p> | <p>Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning Department of Enterprise Services Olympia, Washington</p> | | | | <p>Figure 5 Washington State Criteria for Ensuring Best Available Science is Used in Policy</p> | | |

Managed Lake

Similar to existing conditions, with additional management strategies for sediment accumulation. Maintains the historic reflecting pool and the Capitol Lake Basin. Fish and wildlife habitat would not substantially change compared to existing conditions, but a freshwater wetland habitat would develop in the South Basin.

Additional components:

- Retains existing Fifth Avenue dam and tide gate in its existing configuration
- Maintenance dredging within the North and Middle Basins, and selective dredging within the South Basin
- Maintains existing recreational opportunities and potentially restores a boat harbor



Existing Option: CLAMP 2009

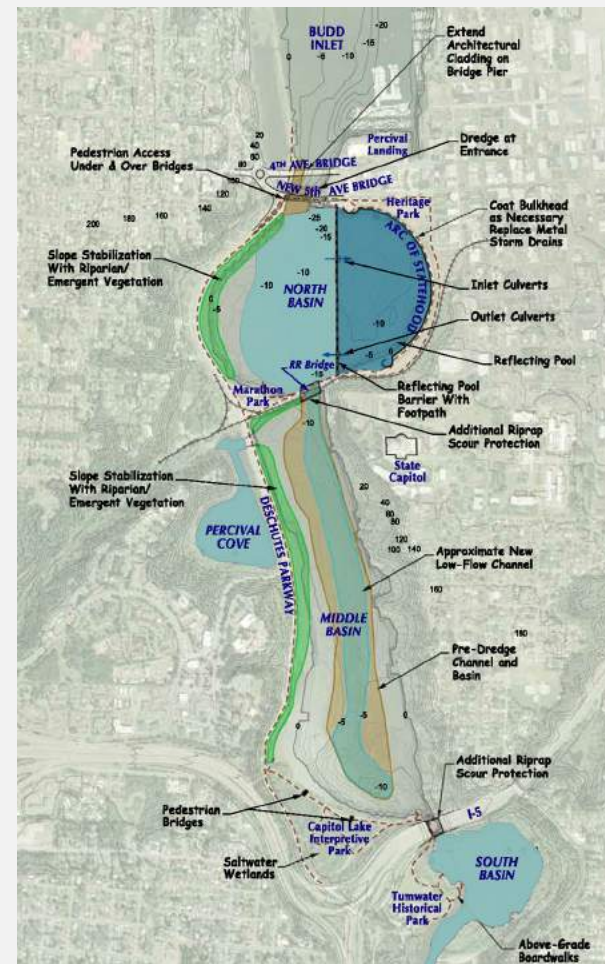
Image: Entranco, Inc., et al. 1999

Hybrid Option: Dual Basin

Adaptively Manages the basin by establishing a tidal estuary in the western portion of the north basin, and throughout the middle and south basins. Maintains a 39-acre saltwater Reflecting Pool at the north end of the basin through construction of a sheet pile retaining wall. Improves Fish and Wildlife Habitat and Ecosystem Functions by establishing estuary marsh plants throughout the basin and creating intertidal habitat along Deschutes Parkway.

Additional components:

- Construction of a 500-foot opening at the current Fifth Avenue dam
- Initial dredging in Capitol Lake and maintenance dredging in Budd Inlet
- Installation of elevated boardwalks within estuary and on top of retaining wall



Note:
Extent of surface water shown is based on the conclusion from technical studies completed during the Deschutes Estuary Feasibility Study.

Existing Option: Deschutes Estuary Feasibility Study 2008

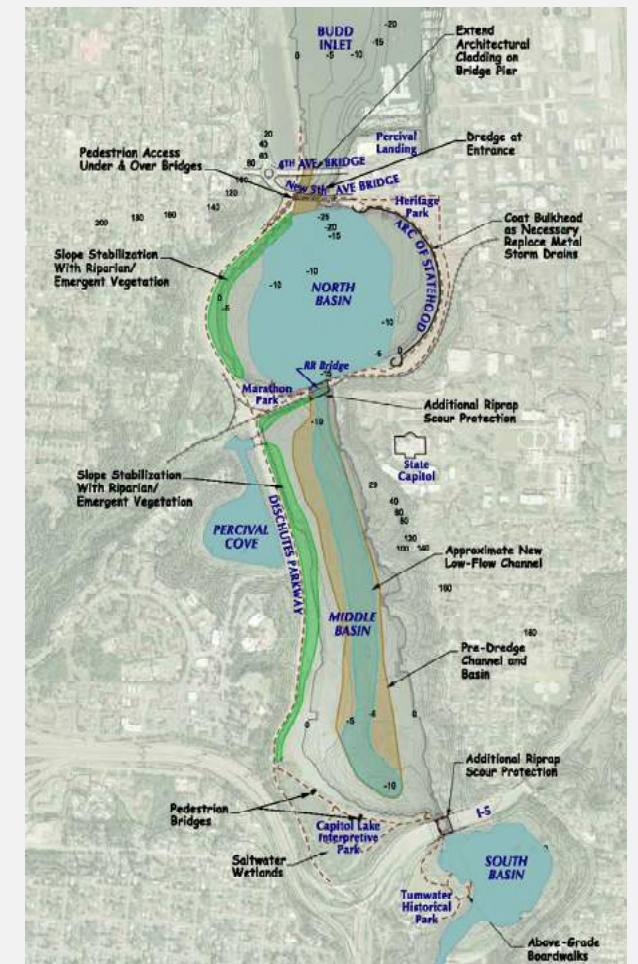
Image: Moffatt & Nichol 2007

Restored Estuary

Restores full tidal hydrology throughout the existing Capitol Lake Basin to restore estuarine conditions, and allows saltwater exchange within the newly formed intertidal mudflats of the North and Middle Basins. Removes the existing reflecting pool, but natural reflection of the Capitol would occur at 75 percent of tidal elevations. Restores fish and wildlife habitat through the establishment of estuary marsh plants and improves ecological functions that would support native invertebrate, bird, and fish populations.

Additional components:

- Construction of a 500-ft opening at the current Fifth Avenue dam
- Initial dredging in Capitol Lake before estuary is restored
- Installation of elevated boardwalks within estuary



Note:
Extent of surface water shown is based on the conclusion from technical studies completed during the Deschutes Estuary Feasibility Study.

Existing Option: Deschutes Estuary Feasibility Study 2008

Image: Moffatt & Nichol 2007

Notes:

1. These three options and the information included on this figure are a result of the Capitol Lake Adaptive Management Plan (CLAMP) process and have been through preliminary technical analysis and review from CLAMP participants and the consultant team. While some of the CLAMP information may represent conditions or findings that have changed, it serves as the initial design and feasibility review and still represents a basis of work that could be built upon.
2. All long-term management options will require additional design and technical evaluation. That work will be completed as part of a future Environmental Impact Statement in Phase II for the options that are selected for review in that process.


Please review figure notes for relevant information.

| Stakeholder-Identified Goals for Long-Term Management | Managed Lake Source: CLAMP Alternatives Analysis 2009 | Hybrid Option: Dual Basin Source: Deschutes Estuary Feasibility Study 2008 | Restored Estuary Source: Deschutes Estuary Feasibility Study 2008 (and DERT 2016) |
|---|--|--|--|
| Improve and Support Water Quality | No measureable improvements in water quality are predicted | Includes engineered saltwater exchange to the reflecting pool, reducing the residence time and, therefore, increasing water quality; tidal exchange throughout the remaining portion of the basin; supports improvement in dissolved oxygen conditions in Budd Inlet | Supports goals of achieving water quality standards, now marine standards under an estuary system; improves dissolved oxygen conditions in Budd Inlet |
| Improve and Support Sustainable Ecosystem Functions | Eventually develops freshwater wetland habitat in the South Basin; retains existing nearshore wetlands (previously created to mitigate impacts of park construction) | Includes restoration of hydraulic connectivity would reestablish biological connectivity across the river-estuary-marine boundary and result in natural recruitment of estuarine plants and animals | Restores 100% of the Capitol Lake Basin to tidal estuary; restores plants and animals that thrive in marine, estuarine waters; restores native organisms in sediments that serve as the basis of the marine food chain |
| Improve and Support Fish and Wildlife Habitat | Maintains habitat for freshwater-dependent species; continues removal of noxious weeds along the shoreline and milfoil from the lake | Establishes an estuary marsh plants throughout the basin; creates an intertidal habitat along Deschutes Parkway through placement of dredged material for slope stability and establishment of intertidal, riparian vegetation | Restores 260 acres of intertidal nursery areas for juvenile salmon; reestablishes 6.5 miles of marine shorelines; increases salt marsh habitat (WRIA 13 habitat limiting factors) |
| Control Invasive Species | Includes efforts to eradicate New Zealand Mudsnail | Includes efforts to eradicate New Zealand Mudsnail | Includes efforts to eradicate New Zealand Mudsnail; reduces or eliminates freshwater invasive species due to introduction of tidal flows |
| Improve and Support Sediment Management | Includes maintenance dredging in the North and Middle Basins (not within 100 feet of the shoreline), and selective dredging in the South Basin | Includes initial dredging of Capitol Lake prior to estuary restoration and future maintenance dredging of areas in Budd Inlet | Proposes sediment management upstream in the watershed, with mechanism to capture sediment in the estuary and deflected westward below the current dam and bridges |
| Manage Flood Risk | Includes an improved stormwater conveyance system and enhancement of the Heritage Park berm, and manual lowering of water levels at the Fifth Avenue dam prior to major storm events | Includes an improved stormwater conveyance system and enhancement of the Heritage Park berm; construction of retaining wall at an elevation that would accommodate future flood risks | Improves stormwater conveyance system and enhancement of the Heritage Park berm; promotes management through restoration of natural system; eliminates required management of the existing Fifth Avenue dam during major storm events |
| Improve and Support Recreational Opportunities | Maintains existing recreational activities; constructs a pedestrian bypass around the Fifth Avenue dam; restores boat launch in the South Basin | Protects Heritage Park; provides 39-acre reflecting pool; includes riverine recreation in South and Middle Basins; includes a pedestrian path on the center line retaining wall; replaces many of the existing trails with elevated boardwalks | Maintains passive activities that exist above the tideline (walking, bird watching, bicycling, picnicking, etc.); enhances water-related activities (kayaking, swimming, etc.) by eliminating invasive species; restores natural beaches (beach combing, etc.) |
| Improve and Support Aesthetics and Visual Quality | Maintains existing views and reflection of the Capitol within the Capitol Lake Basin | The Capitol would be reflected 75% of the time with restored tidal flow; provides enhanced intertidal habitat around edge of estuary, which may provide enhanced aesthetics | The Capitol would be reflected 75% of the time with restored tidal flow; enhances aesthetics by eliminating algal mats that currently form during the summer months; introduces dynamic visual change with estuary conditions |
| Support and Maintain Historical and Cultural Resources | Maintains civic pride in the Capitol area and historical use of the last half-century; does not support Tribal and pre-lake construction historical values | Supports salmon habitat; restores historical Tribal values; could provide restored shellfish habitat that could be used similar to historical and cultural harvesting | Restores historic Deschutes Estuary; supports salmon habitat; restores historical Tribal values; supports treaty rights; could provide restored shellfish habitat that could be used similar to historical and cultural harvesting; restores water access to brewery |
| Avoid Negative Impacts and Maximize Economic Benefits | <i>Identified data gap</i> | Separates estuary from Heritage Park; maintains green space and open water area; enhances an outdoor recreational site for public use and potential increased tourism | Implements the long-term management plan that was determined to be the lowest cost by CLAMP; enhances an outdoor recreational site for public use and potential increased tourism; increases potential for federal matching grant funds |
| Minimize Long-Term Costs | <i>Identified data gap</i> | Includes annual maintenance dredging in Budd Inlet with lower costs than maintenance dredging throughout lake basins | Off-sets the initial construction cost by reducing on-going costs in later years for dam maintenance and continued maintenance dredging; designs with nature to reduce costs |

Notes:

1. These three options and the information included on this figure are a result of the Capitol Lake Adaptive Management Plan (CLAMP) process and have been through preliminary technical analysis and review from CLAMP participants and the consultant team. While some of the CLAMP information may represent conditions or findings that have changed, it serves as the initial design and feasibility review and still represents a basis of work that could be built upon.
2. Identified data gaps will be evaluated as part of the future Environmental Impact Statement in Phase II, and do not preclude the long-term management option from consideration or discussion as part of Phase I. In fact, data gaps exist for all long-term management options due to the lack of preliminary or advanced design.
3. Long-term costs will be discussed in a forthcoming effort as part of Phase I, and further analyzed, along with potential economic impacts and benefits from the long-term management options, as part of a future Environmental Impact State in Phase II.

Abbreviations:
 CLAMP = Capitol Lake Adaptive Management Plan; CLIPA = Capitol Lake Improvement and Protection Association; DERT = Deschutes Estuary Restoration Team; WRIA = Water Resource Inventory Areas

| | | |
|--|--|--|
|  <p>Washington State Department of Enterprise Services FLOYD SNIDER strategy ■ science ■ engineering</p> | <p>Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning Department of Enterprise Services Olympia, Washington</p> | <p>Figure 6b <u>Existing Options</u> for Long-Term Management <i>Reported Consistency with Goals, Based on Technical Analyses from the CLAMP Process</i></p> |
|--|--|--|

Hybrid Option: Dual Estuary/Lake Idea (DELI)

Adaptively Manages the basin by establishing a tidal estuary in the western portion of the north basin, and throughout the middle and south basins. Maintains a 48-acre freshwater Reflecting Pool at the north end of the basin through construction of a rock containment wall. Improves Fish and Wildlife Habitat and Ecosystem Functions through natural reestablishment of saltwater plants within the estuary and management of invasive species.

Additional components:

- Construction of a 500-foot opening beneath a reconstructed Fifth Avenue
- Installation of sediment trap with pumping station and annual maintenance dredging
- Construction of new public swimming area and pedestrian walkway on top of containment wall

Note:
The primary difference between DELI Hybrid Option and the Dual Basin Option is related to the reflecting pool. The reflecting pool in the DELI Hybrid Option is approximately 9 acres larger and freshwater input is proposed instead of saltwater.



Alternate Option: Community Member 2016

Image: Community Member 2016

Notes:

1. This option and the information included on this figure represents a concept from a Community Member. The Department of Enterprise Services cannot confirm its accuracy, feasibility, or validity because these proposed long-term management options have not been through preliminary technical analysis, design, or feasibility review.
2. All long-term management options will require additional design and technical evaluation. That work will be completed as part of a future Environmental Impact Statement in Phase II for the options that are selected for review in that process.
3. Several variations to the DELI hybrid option have also been proposed, including design variations such as maintaining the existing Fifth Avenue Dam to avoid infrastructure costs, increasing the size of the reflecting pool, or constructing additional pedestrian walkways in the north basin.
4. Several additional new concepts were proposed by the Community during Phase 1; these new concepts are described in Section 3.3.2 and are included as part of Appendix C to this Phase 1 Report.

Stakeholder-Identified Goals for Long-Term Management

Hybrid Option: Dual Estuary/Lake Idea (DELI)
Source: Community Member 2016

| | |
|---|--|
| Improve and Support Water Quality | Tidal exchange throughout a majority of the Capitol Lake Basin; supports improvement in dissolved oxygen conditions in Budd Inlet; introduction of artesian groundwater flows to freshwater lake and from lake to restored estuary |
| Improve and Support Sustainable Ecosystem Functions | Restoration of 80% of the Capitol Lake Basin to historic tidal estuary; creates clean freshwater lake for use by water birds |
| Improve and Support Fish and Wildlife Habitat | Prefers natural reestablishment of saltwater plants with back-up engineered plantings if necessary |
| Control Invasive Species | Includes efforts to eradicate New Zealand Mudsail; back-flushing of the new lake with saltwater prior to introduction of artesian flows to control invasive species |
| Improve and Support Sediment Management | Initial dredging of Capitol Lake prior to estuary restoration; annual maintenance dredging from sediment trap in south end of the Middle Basin |
| Manage Flood Risk | Includes an improved stormwater conveyance system and enhancement of the Heritage Park berm; construction of retaining wall at an elevation that would accommodate future flood risks |
| Improve and Support Recreational Opportunities | Protects Heritage Park; provides 48-acre reflecting pool with sandy lake bottom and public swimming area; includes riverine recreation in South and Middle basins; includes a pedestrian path on the center line retaining wall |
| Improve and Support Aesthetics and Visual Quality | Cleaner surface waters of the freshwater pool would be excellent for reflecting the Capitol dome; restored estuary would not be visible from Heritage Park |
| Support and Maintain Historical and Cultural Resources | Supports salmon habitat and population growth; restoration of historical Tribal values; could provide restored shellfish habitat that could be used similar to historic and cultural harvesting |
| Avoid Negative Impacts and Maximize Economic Benefits | Separates estuary from Heritage Park; maintains green space and open water area; enhances an outdoor recreational site for public use and potential increased tourism |
| Minimize Long-Term Costs | Small-sized, annual dredging operation in south end of Middle Basin, will maximize minimization of sediment control costs |

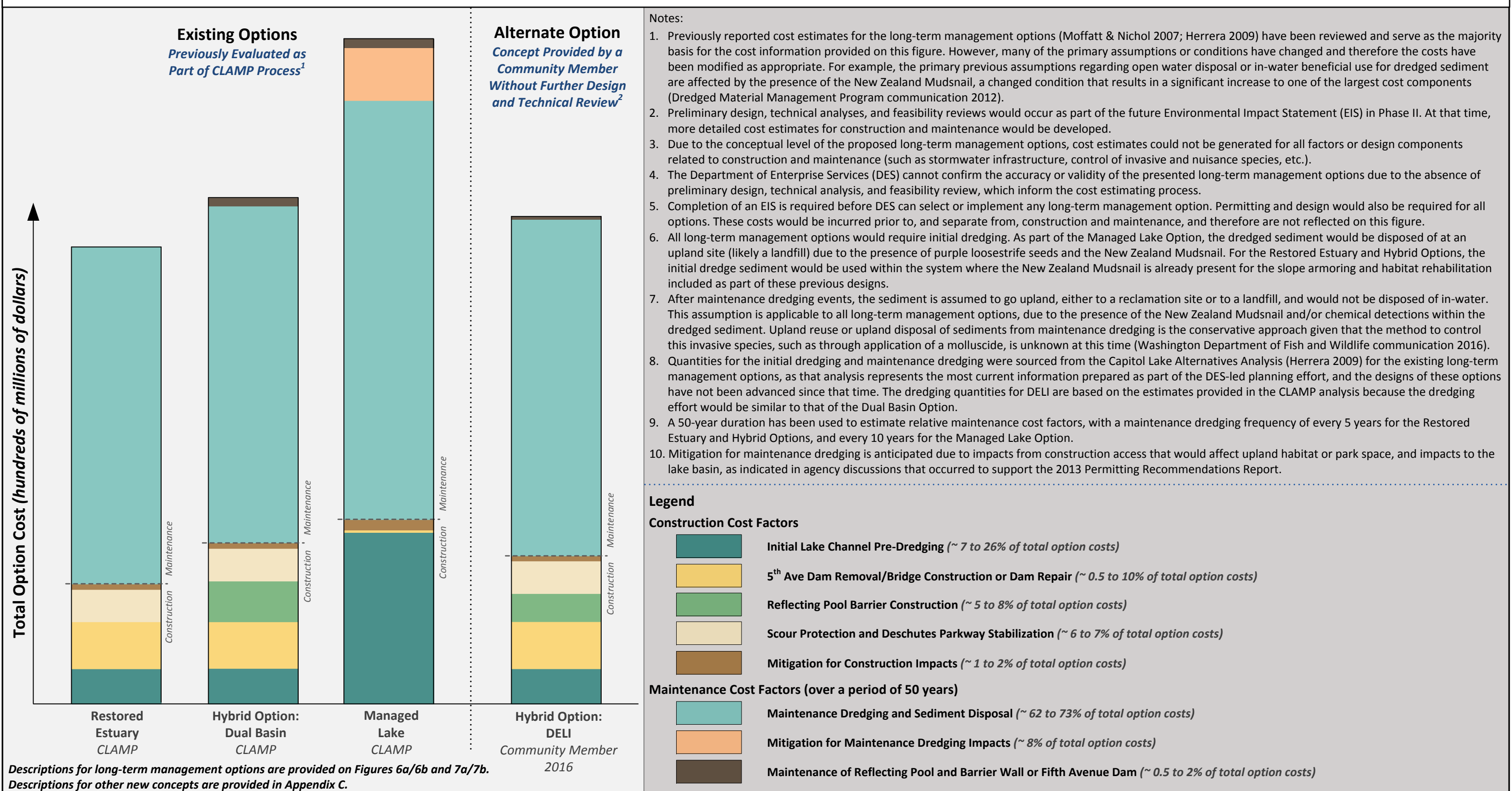
Notes:
 1. This option and the information included on this figure represents a concept from a Community Member. The Department of Enterprise Services cannot confirm its accuracy, feasibility, or validity because these proposed long-term management options have not been through preliminary technical analysis, design, or feasibility review.
 2. Identified data gaps will be evaluated as part of the future Environmental Impact Statement in Phase II, and do not preclude the long-term management option from consideration or discussion as part of Phase I. In fact, data gaps exist for all long-term management options due to the lack of preliminary or advanced design.
 3. Long-term costs will be discussed in a forthcoming effort as part of Phase I, and further analyzed, along with potential economic impacts and benefits from the long-term management options, as part of a future Environmental Impact State in Phase II.



Capitol Lake/Lower Deschutes Watershed
 Long-Term Management Planning
 Department of Enterprise Services
 Olympia, Washington

Figure 7b
Alternate Option for Long-Term Management
*Reported Consistency with Goals,
 Based on Opinion of the Proponent and
 Not Based on Technical Analyses*

In total, the highest cost option is approximately 32% more than the lowest cost option. It is anticipated that the construction and maintenance costs for the other long-term management options or concepts would fall within this range.



Descriptions for long-term management options are provided on Figures 6a/6b and 7a/7b. Descriptions for other new concepts are provided in Appendix C.

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

Tables

FINAL

These documents provide science related to **water quality** and **habitat** and would be relevant to the evaluation of long-term management options and the impacts of retaining or removing the dam. These documents would be reviewed during a future EIS process as part of Phase II.

Technical studies regarding **Water Quality** include those from the entire watershed to capture waterbodies affecting or affected by Capitol Lake, and also include factors affecting water quality such as water quantity or sediment characterization. **Habitat** is inclusive of habitat for fish, wildlife, and other aquatic organisms, and includes other information relevant to habitat, such as habitat restoration plans or science regarding invasive species.

Table 1
Technical Documents Related to Water Quality and Habitat in the Capitol Lake Basin

| DOCUMENT | BRIEF SUMMARY | MEETS WAC CRITERIA FOR BAS | PEER REVIEW |
|---|---|----------------------------|-------------|
| Deschutes River, Percival Creek, and Budd Inlet Tributaries Temperature, Fecal Coliform Bacteria, Dissolved Oxygen, pH, and Fine Sediment Total Maximum Daily Load: Water Quality Improvement Report and Implementation Plan - Final Washington State Department of Ecology, December 2015 Publication No. 15-10-012 | Builds upon the 2012 study involving data collection that characterized the sources and processes relevant to the existing impairments, and developed analytical tools to simulate the potential benefits of various management strategies. Provides an approach to controlling pollution in the Deschutes River, Percival Creek, and Budd Inlet, and includes detailed steps to meet those goals. | Yes | Yes |
| Deschutes River, Capitol Lake, and Budd Inlet Total Maximum Daily Load Study: Supplemental Modeling Scenarios Washington State Department of Ecology, September 2015 Publication No. 15-03-002 | Summarizes supplemental modeling analyses for Capitol Lake and Budd Inlet. States that the Capitol Lake dam causes the largest negative impact on dissolved oxygen of any activity evaluated due to the dam’s combined effects of changing circulation as well as nitrogen and carbon loads. Concludes that adding advanced nitrogen removal treatment to three small wastewater treatment plants discharging to Budd Inlet, shifting the LOTT outfall north, and reducing recreational or marina boat discharges would not improve oxygen conditions significantly. Concludes that reducing Deschutes River temperature, conducting alum treatments in the lake, eliminating stormwater sources, and dredging the lake to a nominal 13 feet average depth would not improve water quality in Capitol Lake significantly. | Yes | Yes |
| Deschutes River Coho Salmon Biological Recovery Plan Prepared by Confluence Environmental for the Squaxin Island Tribe Natural Resources Department, September 2015 | The Plan provides a synthesis of available information on the basin, an analysis and recommendations for the priority reaches in the watershed for habitat restoration and protection projects, priority types of actions to implement, and estimate of costs associated with implementation of the recommended restoration work. | Yes | Uncertain |
| Thurston County Water Resources Annual Report 2014 Thurston County, August 2015 | The 2014 annual report providing water quality data collected within the Capitol Lake basin, conducted as part of an ambient surface water monitoring program, funded by the local storm and surface water utilities of Thurston County and the Cities of Lacey, Olympia, and Tumwater. The report discusses issues with water quality, reports water quantity and tracks trends in stream flow and water quality over time. A number of summary tables and comparisons of water quality data to water quality standards are included. | Yes | Yes |
| Capitol Lake: The Healthiest Lake in Thurston County. David H. Milne, PhD, June 2015 | A report discussing water quality within Capitol Lake, as compared to existing state and federal standards, and in comparison to other lakes within the same management area. The report also includes a discussion of aquatic life associated with the existing Capitol Lake basin. | No | No |
| 2015 Survey for <i>Potamopyrgus Antipodarum</i> (New Zealand Mudsail) within a Five-Mile Radius of Capitol Lake, Thurston County, Washington Edward J. Johannes, Deixis Consultants, June 2015 | Updates previously reported findings and concludes that the mudsnail is still present throughout the north and middle basin. The mudsnail has also been found at one site along the Deschutes River; however, no significant spread within a 5-mile radius of Capitol Lake was reported. | Uncertain | Uncertain |
| Thurston County Water Resources Annual Report 2013 Thurston County, August 2014 | The 2013 annual report providing water quality data collected within the Capitol Lake basin, conducted as part of an ambient surface water monitoring program, funded by the local storm and surface water utilities of Thurston County and the Cities of Lacey, Olympia, and Tumwater. The report discusses issues with water quality, reports water quantity and tracks trends in stream flow and water quality over time. A number of summary tables and comparisons of water quality data to water quality standards are included. | Yes | Yes |

Table 1
Technical Documents Related to Water Quality and Habitat in the Capitol Lake Basin

| DOCUMENT | BRIEF SUMMARY | MEETS WAC CRITERIA FOR BAS | PEER REVIEW |
|---|---|----------------------------|-------------|
| Anthropogenic Dissolved Oxygen Impacts in Budd Inlet: Comparing Influences from a Lake or Estuary Washington State Department of Ecology (prepared by A. Ahmed, et al.), 2014 Publication No. 14-03-021 | Provides initial findings from the Budd Inlet, Capitol Lake, and Deschutes River Total Maximum Daily Load Study, particularly focusing on the differences between influences to Budd Inlet from a Lake or Estuary management option. | Yes | Yes |
| Thurston County Water Resources Annual Report 2012 Thurston County, August 2013 | The 2012 annual report providing water quality data collected within the Capitol Lake basin, conducted as part of an ambient surface water monitoring program, funded by the local storm and surface water utilities of Thurston County and the Cities of Lacey, Olympia and Tumwater. The report discusses issues with water quality, reports water quantity and tracks trends in stream flow and water quality over time. A number of summary tables and comparisons of water quality data to water quality standards are included. | Yes | Yes |
| 2013 Survey for <i>Potamopyrgus Antipodarum</i> (New Zealand Mudsail) within a Five-Mile Radius of Capitol Lake, Thurston County, Washington Edward J. Johannes, Deixis Consultants, June 2013 | Confirms that the mudsnail is spreading throughout the Capitol Lake basin. | Uncertain | Uncertain |
| Modeling the Hydrodynamic and Morphologic Response of an Estuary Restoration Douglas A. George, et al., July 2012 | A study investigating estuary evolution using the hydrodynamic and sediment transport model, Delft3D to study the response of a dammed tidal basin to restored tidal processes. The model was developed to predict the changes in physical habitat in the Capitol Lake basin resulting from restoration to an estuary. | Uncertain | Uncertain |
| Thurston County Water Resources Annual Report: Water Resources Monitoring Report, 2009-2010 Water Year, 2010-2011 Water Year Prepared by Thurston County Public Health and Social Services Department, Environmental Health Division and Thurston County Resource Stewardship Department, Water Resources Division, August 2012 | The 2011 annual report providing water quality data collected within the Capitol Lake basin, conducted as part of an ambient surface water monitoring program, funded by the local storm and surface water utilities of Thurston County and the Cities of Lacey, Olympia, and Tumwater. The report discusses issues with water quality, reports water quantity, and tracks trends in stream flow and water quality over time. A number of summary tables and comparisons of water quality data to water quality standards are included. | Yes | Yes |
| Deschutes River, Capitol Lake, and Budd Inlet Temperature, Fecal Coliform Bacteria, Dissolved Oxygen, pH, and Fine Sediment Total Maximum Daily Load Technical Report: Water Quality Study Findings Washington State Department of Ecology, June 2012 Publication No. 12-03-008 | This Ecology report summarizes the technical basis for a water cleanup plan (Total Maximum Daily Load study), which was conducted to determine the targets that enable water bodies to meet standards. However, water quality improvement targets are not quantified for Capitol Lake and Budd Inlet; the report defers to later work that will be performed by Ecology. | Yes | Yes |
| Distribution Survey for <i>Potamopyrgus Antipodarum</i> (New Zealand Mudsail) in the North and Middle Basins of Capitol Lake, Thurston County, Washington Edward J. Johannes, Deixis Consultants, July 2011 | Establishes through a series of samples collected from Capitol Lake that the New Zealand Mudsail is present throughout the north basin, and within a majority of the middle basin. | Uncertain | Uncertain |
| Effect of Stocking in the East Mitigation Pond (Capitol Lake), Olympia, Washington Michelle Marko, et al., Concordia College, March 2011 | The study demonstrates the ability of the milfoil weevil (<i>Euhrychiopsis lecontei</i>) to survive stocking, and to overwinter successfully. It is expected that the milfoil weevil could grow to populations that would control Eurasian watermilfoil in small water bodies. | Uncertain | No |
| Capitol Lake Alternatives Analysis – Final Report Herrera Environmental Consultants, July 2009 | Provides a summary of potential effects to fish and wildlife habitat based on the findings of the WDFW report, "Implications of Capitol Lake Management for Fish and Wildlife." Summarizes findings from Ecology's "Water Quality Study Findings," and other similar reports to describe potential impacts to water quality. | Yes | Uncertain |
| Implications of Capitol Lake Management for Fish and Wildlife The Washington Department of Fish and Wildlife, September 2008 | Reports that estuarine restoration (Estuary and Dual Basin Options) are anticipated to favor more special designation species than the lake options and support fewer exotic species than the lake options. | Yes | Uncertain |
| Sediment Characterization Study, Budd Inlet, Olympia, WA, Final Data Report Prepared by SAIC for Ecology, March 2008 | A study conducted for Ecology to determine the nature and extent of dioxins/furans in Budd Inlet sediments, evaluate potential sources, and measure the uptake of dioxins/furans in ecological receptors by analyzing fish and benthic organism tissue. | Yes | Uncertain |

Table 1
Technical Documents Related to Water Quality and Habitat in the Capitol Lake Basin

| DOCUMENT | BRIEF SUMMARY | MEETS WAC CRITERIA FOR BAS | PEER REVIEW |
|---|---|----------------------------|-------------|
| Final Deschutes River Watershed Recovery Plan: Effects of Watershed Habitat Conditions on Coho Salmon Production Prepared by Anchor Environmental for the Squaxin Island Tribe Natural Resources Department, January 2008 | The investigation focused on the effects of freshwater habitat conditions on the production of coho, using a habitat-based population simulation model. The model applies information on habitat features influencing the productivity and capacity of the river to estimate the number of coho surviving each life stages. The model allows the user to input watershed data on habitat conditions, coho population distributions, and the functional relationships between habitat and coho production. | Uncertain | Uncertain |
| Generalized Surficial Geologic Units and Approximate Extent of Vashon Puget Lobe Ice, Plate 1 Washington State Department of Ecology (prepared by K.A. Sinclair and D.B. Bilhimer), 2007 Publication No. 07-03-002 | Geologic map providing generalized surficial geological units to support the hydrogeologic investigation. | Yes | Uncertain |
| Study Well Locations, In-Stream Piezometer Thermographs, and Stream Seepage Results for the Deschutes River and Percival Creek Watersheds, Plate 2 Washington State Department of Ecology (prepared by K.A. Sinclair and D.B. Bilhimer), 2007 Publication No. 07-03-002 | Graphical data from the hydrogeologic investigation. | Yes | Yes |
| Assessments of Surface Water/Groundwater Interactions and Associated Nutrient Fluxes in the Deschutes River and Percival Creek Watersheds, Thurston County Washington State Department of Ecology, January 2007 | This report describes the results of a hydrogeologic investigation that was undertaken to support a Total Maximum Daily Load evaluation of the Deschutes River and Percival Creek watersheds. Field techniques were employed to evaluate the direction, volume, and timing of surface water and groundwater interactions, and to estimate the potential loading of phosphorus- and nitrogen-based nutrients in groundwater that contributes to reaches of the Deschutes River and Percival Creek. | Yes | Uncertain |
| Interim Results from the Budd Inlet, Capitol Lake, and Deschutes River Dissolved Oxygen and Nutrient Study Washington State Department of Ecology (prepared by Mindy Roberts and Greg Pelletier), 2007 | Provides interim results from samples collected along the length of the Deschutes River and Capitol Lake as well as tributaries that were analyzed for nutrient content, and for oxygen, pH, temperature, and conductivity. | Yes | Uncertain |
| Addendum to the Deschutes River Estuary Restoration Study: Analysis and Summary of Benthic Invertebrates from Selected Benthic Cores Ralph J. Garono et al., Earth Design Consultants, January 2007 | An addendum to the existing Biological Conditions Report to provide additional detail regarding the type of organisms that may inhabit mud and sand flats of a restored Deschutes Estuary, and what the ecological roles of those organisms may be. Concludes that if the estuarine habitat develops as predicted, then the restored Deschutes Estuary should support a diverse and productive benthic community. | Yes | Uncertain |
| Deschutes River Estuary Restoration Study Biological Conditions Report Ralph J. Garono et al., Earth Design Consultants, September 2006 | Combines field data with results of the USGS hydrodynamic and sediment transport model to describe the biological communities that would likely develop in a restored estuary. The USGS model results and literature review indicate that a restored Deschutes Estuary will harbor organisms mainly associated with mud and sand flats, and that areas dominated by vegetated salt marsh communities will be rare. | Yes | Uncertain |
| Mainstem Deschutes River Bank Erosion: 1991 to 2003 Prepared by Northwest Indian Fisheries Commission for the Squaxin Island Tribe Natural Resources Department, December 2005 | Supporting documentation for the development of a Total Maximum Daily Load for fine sediment/bank erosion along the mainstem Deschutes River for the time period from 1991 to 2003, and compared with bank erosion estimates for the previous time period of 1981 to 1991. Estimates of fine sediment from bank erosion are also compared with estimates from erosion from unpaved roads. | Uncertain | Uncertain |
| Capitol Lake, Washington, 2004 Data Summary Jodi Eshleman, Peter Ruggiero, Etienne Kingsley, Guy Gelfenbaum, and Doug George, U.S. Geological Survey, 2005 | A collection and presentation of bathymetry data in Capitol Lake for the calculation of sediment infilling rates and development of bottom boundary conditions for numerical models of water quality, sediment transport, and morphological change. The data were collected in 2004, and were supplemented with data from sediment samples collected in 2005. | Uncertain | Uncertain |

Table 1
Technical Documents Related to Water Quality and Habitat in the Capitol Lake Basin

| DOCUMENT | BRIEF SUMMARY | MEETS WAC CRITERIA FOR BAS | PEER REVIEW |
|--|--|----------------------------|-------------|
| Capitol Lake Vertebrate and Invertebrate Inventory Herrera Environmental Consultants, September 2004 | Agency report providing an inventory of fish, wildlife, and invertebrates that live in Capitol Lake and its shorelines. | Yes | Uncertain |
| Salmon Habitat Protection and Restoration Plan for Water Resource Inventory Area 13, Deschutes Thurston Conservation District Lead Entity, July 2004 | Thurston County plan to present a multi-species approach for developing habitat project lists that lead to restoring and protecting salmon habitat through voluntary projects. | Uncertain | Uncertain |
| Heritage Park Water and Sediment Quality Assessment Thurston County Environmental Division, January 2003 | A report describing the results of the Heritage Park water and sediment quality assessment. Also included in this report is additional sampling data obtained by the City of Olympia during the lake drawdown in July and August 2002. | Uncertain | Uncertain |
| Capitol Lake Adaptive Management Plan Results for Budd Inlet-Capitol Lake Simulations Final Report Brown and Caldwell, October 2000 | The study concludes that eliminating the Capitol Lake drawdown would improve water quality in the West Bay of Budd Inlet, and that substantial water quality improvements to Budd Inlet could be realized through a restored Deschutes Estuary. The study relies on the <i>Budd Inlet Scientific Study, Final Report, Brown and Caldwell et al., August 1998</i> and the <i>LOTT NPDES Permit Modifications Modeling, Revised Interim Report, Brown and Caldwell et al., November 1999</i> . | Uncertain | Uncertain |
| Deschutes River Off-Channel Habitat Inventory (Maps 1 thru 18) Thurston Regional Council for Squaxin Island Tribe Natural Resources, 1999 | Series of maps (18 total) showing habitat within WRIA 13. | Uncertain | Uncertain |
| Net Water Movement in Budd Inlet: Measurements and Conceptual Model, Proceedings of the Puget Sound Research Conference, 12–13 March 1998, Ebbesmeyer, C.C., C.A. Coomes, V.S. Kolluru, and J.E. Edinger, Seattle, Washington. Puget Sound Water Quality Action Team, March 1998 | A year-long field program assessing the effect on water movement of permitting additional effluent into Budd Inlet from the Lacey-Olympia-Tumwater-Thurston County wastewater treatment plant. The results suggest that tidal pumping maintains a vigorous circulation year-round in Budd Inlet, secondarily controlled by discharge from Capitol Lake. | Uncertain | Uncertain |
| Budd Inlet Scientific Study Final Report Aura Nova Consultants, Inc., Brown and Caldwell, Evans-Hamilton, J.E. Edinger and Associates, Washington State Department of Ecology, and the University of Washington Department of Oceanography, 1998 | A scientific study designed to model circulation in Budd Inlet, to evaluate potential impacts of the Lacey, Olympia, Tumwater and Thurston County (LOTT) wastewater treatment plan on Budd Inlet and its nutrient levels and to better understand the contributors to low dissolved oxygen levels and fecal coliform bacteria in Budd Inlet. The potential effects to water quality in Budd Inlet from Capitol Lake were also evaluated. | Yes | Yes |
| 1997 Capitol Lake Drawdown Monitoring Results Entrance, November 1997 | A memorandum describing results of the monitoring program for the 1997 Capitol Lake drawdown, including monitoring results related to shoreline habitat and water quality. | Uncertain | Uncertain |
| Budd Inlet Focused Monitoring Report for 1992, 1993, and 1994 Washington State Department of Ecology, July 1997 Publication No. 97-327 | A study to assess whether a reduction in nutrient loading to the inlet would result in immediate changes in nutrient, phytoplankton, and dissolved oxygen concentrations in the water column. The study covered 2 years prior and 1 year following nitrogen removal. | Yes | Yes |
| A Study of Rates and Factors Influencing Channel Erosion along the Deschutes River, Washington, with Application to Watershed Management Planning Brian Collins, April 1994 | Study regarding erosion along the Deschutes River, between its inflow to Capitol Lake at RM 2 and Deschutes Falls at RM 41. The report is intended to support planning objectives including: reducing flooding, reducing loss of land to bank erosion, improving aquatic habitat, and slowing the delivery of sediment to Capitol Lake. | Uncertain | Uncertain |
| Budd Inlet/Deschutes River Watershed Characterization, Part II, Water Quality Study Thurston County/Washington State Department of Ecology, April 1993 | Report prepared by Thurston County, in collaboration with Ecology, and providing results from water quality monitoring along the Deschutes River and tributaries, as well as Budd Inlet and Capitol Lake. | Uncertain | Uncertain |
| Budd Inlet/Deschutes River Watershed Characterization, Part I, Watershed Description Thurston County/Washington State Department of Ecology, March 1993 | Predecessor to the Part II report, describing existing conditions of the natural environment, human environment, and activities throughout the watershed. | Uncertain | Uncertain |
| Capitol Lake Wetland Development Feasibility Analysis Entranco Engineers, November 1990 | A feasibility study of three alternative wetland development concepts for the south and middle basins that would improve water quality in the north basin, defer maintenance dredging, and enhance fish and wildlife habitat. | Uncertain | Uncertain |

Table 1
Technical Documents Related to Water Quality and Habitat in the Capitol Lake Basin

| DOCUMENT | BRIEF SUMMARY | MEETS WAC CRITERIA FOR BAS | PEER REVIEW |
|--|--|----------------------------|-------------|
| Capitol Lake North Basin Shoreline Erosion Control Study Entranco Engineering, November 1990 | Summarizes the present shoreline erosion conditions of the north basin of Capitol Lake and recommends conceptual repair actions and preliminary costs for planning purposes. The project included a condition survey of the entire north basin shoreline. | Uncertain | Uncertain |
| Deschutes River/Budd Inlet Watersheds Puget Sound Cooperative River Basin Team, June 1990 | A USDA report that discusses forest, rural, and agricultural portions of the watersheds and their impacts on water quality. The report also includes a summary of findings with conclusions and recommendations for the improvement of water quality. | Uncertain | Uncertain |
| Budd Inlet Action Plan: Initial Data Summaries and Problem Identification U.S. Environmental Protection Agency (TetraTech), April 1988 | The report provides information describing the geographic extent and severity of environmental degradation in Budd Inlet. Summaries of existing data are provided for the following indicators of environmental degradation: contaminant sources, eutrophication, microbial contamination, and chemical contamination of sediment and biota. Data that were collected from 1982 to 1987 are presented. | Uncertain | Uncertain |
| A Plan to Make Capitol Lake Swimming Beach Useable The ORB Organization, 1987 | A report describing results from ambient water quality monitoring; intensive stream sampling; marina sampling; sediment sampling; and other special studies to provide a better understanding of water quality throughout the watershed. | Uncertain | Uncertain |
| Comprehensive circulation and water quality study of Budd Inlet, Southern Puget Sound water quality assessment study, Final report Prepared by URS Corporation for the Washington State Department of Ecology, July 1986 | A study to identify the cause of low dissolved oxygen concentrations that occur in Budd Inlet in the late summer and early fall and contributed to fish kills and water quality violations. A number of surveys were conducted: (1) point source surveys to measure the contribution of algal nutrients, benthic oxygen demand, dissolved oxygen, and fecal coliform; (2) non-point source bacteriological surveys; (3) synoptic water quality and current meter studies; (4) a sediment oxygen demand and benthic nutrient flux study; (5) nutrient and dissolved oxygen budgets using a box model; and (6) development of a circulation and water quality model. | Uncertain | Uncertain |
| Relationships Between Water Quality and Phosphorus Concentrations for Puget Sound Region Lakes Robert J. Gilliom, June 1984 | The purpose of the study is to formulate predictive relationships between mean summer total phosphorus concentration and mean summer chlorophyll concentration and Secchi disc transparency for use in the management of Puget Sound region lakes. The predictive relationships developed in the study complement previously developed methods for estimating background and nonpoint source pollution loading for lakes in the region. | Uncertain | Uncertain |
| Capitol Lake Restoration Analysis Washington State Department of General Administration (prepared by Entranco Engineers), January 1984 | A study addressing the prevention of fish kill, the current rate of sediment deposition, the current extent of water quality problems, and the performance of the swim beach restoration. | Uncertain | Uncertain |
| Deschutes River/Capitol Lake Water Quality Assessment Lynn R. Singleton/Washington State Department of Ecology, September 1982 | A literature review that focuses on water quality issues in the watershed. | Uncertain | Uncertain |
| Water Quality in Capitol Lake Olympia, Washington Ecology (prepared by CH2M HILL), June 1978 Publication No. 78-e07 | Concludes that Capitol Lake has experienced chronic algal, turbidity, coliform, and sedimentation problems since it was constructed in 1951. Studies show that the water quality in Capitol Lake is affected by natural and manmade causes. The major detriments to water quality in the watershed are predominantly nonpoint sources of pollution along the Deschutes River, but some point sources exist within the lake. | Uncertain | Uncertain |
| Hydraulic and Water Quality Research Studies of Capitol Lake Sediment and Restoration Problems College of Engineering, Washington State University, September 1975 | A database and recommendation related to sedimentation, water quantity, and water quality, prepared to inform planning, design, and management decisions for dredging, maintenance, and improved utilization of Capitol Lake. Includes a sediment study and water quality study. | Uncertain | Uncertain |

Notes:
 Additional documents related to the Capitol Lake Basin, or providing science from comparable projects, have been retained as part of the project bibliography, but are not included here if they are outside of the scope of this document review, which focuses on science related to water quality and habitat in the Capitol Lake Basin.
 Table 1 includes the document name, a brief summary of the document, as well as the results of the Technical Committee review. Three categories (yes, no, and uncertain) were used to indicate whether the document meets the Washington State Criteria for best available science, and whether the document had been peer reviewed. The “uncertain” category was used when there was not a unanimous decision among the reviewers; and the other categories demonstrate full agreement. It should be noted that the list is treated as a “living document.”

Table 2
Project Bibliography for the Capitol Lake/Lower Deschutes Watershed
Long-Term Management Project

| DOCUMENT TITLE, AUTHOR, AND DATE OF PUBLICATION |
|---|
| History of Marine Transportation (Chronology) Author Unknown, Date Unknown |
| Nutria Control at Capitol Lake: Frequently Asked Questions Washington State Department of Enterprise Services (not dated) |
| Budd Inlet Cleanup Sites (Informational Handout) Toxics Cleanup Program/Southwest Regional Office, July 2016 |
| Significant Findings since the CLAMP Recommendation of 2009 Capitol Lake Improvement and Protection Association, March 2016 |
| Capital Lake Weed Management Services, 2015 Annual Report Northwest Aquatic Management, March 2016 |
| Capitol Lake and Puget Sound: An Analysis of the Use and Misuse of the Budd Inlet Model David H. Milne, PhD, February 2016 |
| Capitol Lake and Puget Sound. An Analysis of the Use and Misuse of the Budd Inlet Model. David H. Milne, PhD. February 2016 |
| Aquatic Invasive Species: Fact Sheet for Potamopyrgus antipodarum (New Zealand mudsnail) Washington State Department of Fish & Wildlife, 2016 |
| Deschutes River, Percival Creek, and Budd Inlet Tributaries Temperature, Fecal Coliform Bacteria, Dissolved Oxygen, pH, and Fine Sediment Total Maximum Daily Load: Water Quality Improvement Report and Implementation Plan - Final Washington State Department of Ecology, December 2015 Publication No. 15-10-012 |
| Focus on Scientific Process: Understanding the scientific process used for the Budd Inlet, Cpitaol Lake, and Deschutes River water cleanup plan Washington State Department of Ecology, September 2015 |
| Deschutes River, Capitol Lake, and Budd Inlet Total Maximum Daily Load Study: Supplemental Modeling Scenarios Washington State Department of Ecology, September 2015 Publication No. 15-03-002 |
| Deschutes River Coho Salmon Biological Recovery Plan Confluence Environmental (for the Squaxin Island Tribe Natural Resources Department), September 2015 |
| Thurston County Water Resources Annual Report 2014 Thurston County, August 2015 |
| Capitol Lake: The Healthiest Lake in Thurston County. David H. Milne, PhD, June 2015 |
| 2015 Survey for <i>Potamopyrgus Antipodarum</i> (New Zealand Mudsnail) within a Five-Mile Radius of Capitol Lake, Thurston County, Washington Edward J. Johannes, Deixis Consultants, June 2015 |
| Thurston County Water Resources Annual Report 2013 Thurston County, August 2014 |

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Project Bibliography for the Capitol Lake/Lower Deschutes Watershed
Long-Term Management Project

| DOCUMENT TITLE, AUTHOR, AND DATE OF PUBLICATION |
|---|
| Questions and Answers about Deschutes River, Capitol Lake and Budd Inlet Washington State Department of Ecology, July 2014 |
| South Puget Sound Dissolved Oxygen Study Water Quality Calibration and Scenarios Washington State Department of Ecology, March 2014 Publication No. 14-03-004 |
| Anthropogenic Dissolved Oxygen Impacts in Budd Inlet: Comparing Influences from a Lake or Estuary Washington State Department of Ecology (prepared by A. Ahmed, et al.), 2014 Publication No. 14-03-021 |
| Thurston County Water Resources Annual Report 2012 Thurston County, August 2013 |
| 2013 Survey for <i>Potamopyrgus Antipodarum</i> (New Zealand Mudsail) within a Five-Mile Radius of Capitol Lake, Thurston County, Washington Edward J. Johannes, Deixis Consultants, June 2013 |
| Modeling the Hydrodynamic and Morphologic Response of an Estuary Restoration Douglas A. George, et al., July 2012 |
| Thurston County Water Resources Annual Report: Water Resources Monitoring Report, 2009-2010 Water Year, 2010-2011 Water Year Prepared by Thurston County Public Health and Social Services Department, Environmental Health Division and Thurston County Resource Stewardship Department, Water Resources Division, August 2012 |
| Deschutes River, Capitol Lake, and Budd Inlet Temperature, Fecal Coliform Bacteria, Dissolved Oxygen, pH, and Fine Sediment Total Maximum Daily Load Technical Report: Water Quality Study Findings Washington State Department of Ecology, June 2012 Publication No. 12-03-008 |
| The Construction and Maintenance Costs of Turning Capitol Lake into Tidal Mud Flats Denis Curry, March 2012 |
| Using Biological and Habitat Metrics to determine the effectiveness of TMDLs: A Case Study Washington State Department of Ecology (Prepared by S. Collyard, et al.), 2012 |
| Potential Restoration and Protection Projects Puget Sound Nearshore Restoration Project, 2012 |
| A Q-methodology Study: Stakeholder perspectives on the future management of Capitol Lake, Olympia Washington Melanie Kincaid, September 2011 |
| Review of Economic Impacts Associated with Capitol Lake Denis Curry September 2011 |
| Review of Estuary Infrastructure Costs Charles Gloyd, August 2011 |

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Project Bibliography for the Capitol Lake/Lower Deschutes Watershed
Long-Term Management Project

| DOCUMENT TITLE, AUTHOR, AND DATE OF PUBLICATION |
|---|
| Dredging and Sediment Cost Review Don Melnick and Bob Holman, July 2011 |
| Survey for Potamopyrgus Antipodarum (New Zealand Mudsail) in Southern Budd Inlet, Thurston County, Washington Deixis Consultants, July 2011 |
| Toxicity of Chemicals to New Zealand Mudsails: Potential choices for eradication and disinfection Nautilus Environmental, July 2011 |
| Distribution Survey for Potamopyrgus Antipodarum (New Zealand Mudsail) in the North and Middle Basins of Capitol Lake, Thurston County, Washington Edward J. Johannes, Deixis Consultants, July 2011 |
| Deschutes River Continuous Nitrate Monitoring Washington State Department of Ecology, June 2011 Publication No. 11-03-030 |
| CLIPA Dredging Plan Capitol Lake Improvement and Protection Association, April 2011 |
| CLIPA Plan for Capitol Lake and the Deschutes Watershed Capitol Lake Improvement and Protection Association, March 2011 |
| Impact on Fisheries and the Environment Wayne Dayley, March 2011 |
| Effect of Stocking in the East Mitigation Pond (Capitol Lake), Olympia, Washington Michelle Marko, et al., Concordia College, March 2011 |
| Bi-Monthly articles related to Capitol Lake/Deschutes Estuary/CLAMP South Sound Green Page, 2009-2011 |
| Conceptual Approach to Prioritization for Restoration and Conservation of Budd Inlet, South Puget Sound, WA Prepared by Squaxin Island Tribe Natural Resources Department and Kyle Brakensiek, October 2010 |
| CLIPA White Paper Capitol Lake Improvement and Protection Association, July 2010 |
| Mud snails withstand salt water bath John Dodge for The Olympian, March 2010 |
| Capitol Lake New Sealnd Mudsail Partial Drawdown Control Study WDFW Pleus, December 2009 |
| Quality Assurance Project Plan for the Deschutes River Continuous Nitrate Monitoring Washington State Department of Ecology, October 2009 Publication No. 09-03-130 |
| Long-Term Management Recommendation for the Capitol Lake Basin Capitol Lake Adaptive Management Plan (CLAMP) Steering Committee, September 2009 |
| Capitol Lake Adaptive Management Plan (CLAMP) Alternative Analysis for the Capitol Lake Basin: Public Involvement Summary Washington State Department of General Administration, August 2009 |
| Capitol Lake Alternatives Analysis – Final Report Herrera Environmental Consultants, July 2009 |

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Long-Term Management Project

| DOCUMENT TITLE, AUTHOR, AND DATE OF PUBLICATION |
|---|
| Report, Sediment Characterization, Perceival Cove, Olympia, Washington GeoEngineers, 2009 |
| Community Economic Values for the Capitol Lake Basin Washington State Department of General Administration, Facilities Division, May 2009 |
| Sediment Characterization Study, Budd Inlet, Olympia, WA, Final Data Report Prepared by SAIC for Ecology, March 2009 |
| Potential Water Quality Conditions Associated with a Dredged Lake Alternative Washington State Department of Ecology, February 2009 |
| Study of Cultural and Spiritual Values Associated with Future Alternatives for Capitol Lake Basin AHBL, Inc., January 2009 |
| Budd Inlet Restoration Partnership Phase I Report Linda Hoffman Consulting and Ross & Associates Environmental Consulting, December 2008 |
| Capitol Lake Alternatives Analysis Hydraulic Modeling Moffat & Nichol, November 2008 |
| Capitol Lake Alternatives Analysis Low-Lying Infrastructure Moffat & Nichol, November 2008 |
| Capitol Lake Dam Condition Assessment and Life Expectancy Moffat & Nichol, October 2008 |
| Implications of Capitol Lake Management for Fish and Wildlife The Washington Department of Fish and Wildlife, September 2008 |
| Capitol Lake Alternatives Analysis Dredging and Disposal Moffat & Nichol, August 2008 |
| Deschutes Estuary Feasibility Study Final Report Philip Williams & Associates, Ltd. with ECONorthwest and AMEC Earth & Environmental, Inc., June 2008 |
| Capitol Lake Alternatives Analysis Dredging and Disposal Addendum Moffat & Nichol, March 2008 |
| Sediment Characterization Study, Budd Inlet, Olympia, WA – Final Data Report March 2008 |
| USGS Incorporation of Fine-Grained Sediment Erodibility Measurements into Sediment Transport Modeling, Capitol Lake, Washington U.S. Department of the Interior and U.S. Geological Survey, 2008 |
| Final Deschutes River Watershed Recovery Plan: Effects of Watershed Habitat Conditions on Coho Salmon Production Prepared by Anchor Environmental for the Squaxin Island Tribe Natural Resources Department, January 2008 |
| Thurston County Storm & Surface Water Program http://www.co.thurston.wa.us/www/stream/onthego.htm . Thurston County, 2007 |
| Deschutes Estuary Feasibility Study, Independent Technical Review Philip Williams & Associates, Ltd., with ECONorthwest and Steward & Associates, October 2007 |

Table 2
Project Bibliography for the Capitol Lake/Lower Deschutes Watershed
Long-Term Management Project

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Table 2
Project Bibliography for the Capitol Lake/Lower Deschutes Watershed
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Table 3
Sediment Studies for the Capitol Lake/Lower Deschutes Watershed

| NAME OF STUDY | DATE OF STUDY | COORDINATING ENTITY/ CONSULTANT | DESCRIPTION OF STUDY | CONCLUSIONS | GAPS IDENTIFIED |
|---|------------------|--|--|--|---|
| Capitol Lake Dredge Permitting Analysis and Bathymetric Survey Report | 2013 - June | Floyd Snider (Bathymetric Report by Terra Sond) | Development of an accurate and realistic project permitting road map and a conceptual level scope of a maintenance dredge event within the lake. An updated bathymetric survey was performed throughout Capitol Lake. | Based on the data, it was assumed that, within the conceptual scope, the dredged sediment removed from the Middle and North Basins would likely be placed alongside the western shoreline on the North Basin or within Percival Cove, rather than the western shoreline of the Middle Basin. Beneficial reuse of the dredged sediments within the lake increases the shallow water habitat, and does not preclude future management alternatives. Following maintenance dredging, water quality within Capitol Lake is anticipated to be similar to existing conditions. | Characterization of the sediment within the conceptual dredged areas to assist in the evaluation of beneficial reuse or disposal options. Additional information is required to fill data gaps regarding the New Zealand mudsnail, including an updated survey of the mudsnail coverage within Capitol Lake and its connected freshwaters, and possibly a control study to determine what treatment of the dredged material may be necessary if transport off-site is required. Dredge elutriate testing may be necessary to determine if the dredged material will likely have an adverse effect on the lake's water quality. |
| Modeling the Hydrodynamic and Morphologic Response of an Estuary Restoration | 2012 - September | Douglas A. George, Guy Gelfenbaum, Andrew W. Stevens | A process-based hydrodynamic and sediment transport model was used to investigate decadal estuary evolution in a severely perturbed environment. Some of the metrics used included circulation patterns, wetting and drying, salinity regime, sediment transport, and morphological change that would occur with the restoration of tidal processes to an estuary. The model was developed to predict the changes in physical habitat in the Deschutes Estuary under two restoration alternatives and to explore the sensitivity to bed sediment characterization. Dominant processes to be modeled included river flows, tides, and wind-driven waves, and potentially salinity-driven stratification. The numerical model also required multiple sediment grain sizes. | Results showed the estuary transitioning through multiple phases and approaching dynamic equilibrium within a decade. The evolved estuary showed many bathymetric similarities with the predam estuary, allowing speculation that a functional estuary would develop should tidal forces be restored. Using these findings as a guide, a conceptual model of the three stages of estuary evolution for a perturbed system was proposed. The conceptual model is useful in setting expectations for how a restored environment will evolve through time rather than remain a static ecosystem. | Limitations of the model include model imperfection, design and operation, and unknown initial conditions, including use of a potentially obsolete sediment rating curve for the Deschutes River. Urbanization, irrigation and other anthropogenic activities have affected the river sediment load in unknown ways. A new rating curve based on modern flow and sediment discharge events would provide a better estimate of the present sediment load to the lake and possible future estuary. |
| Deschutes River, Capitol Lake, and Budd Inlet Temperature, Fecal Coliform Bacteria, Dissolved Oxygen, pH, and Fine Sediment Total Maximum Daily Load Technical Report, Water Quality Study Findings | 2012 - June | Washington State Department of Ecology | Water Cleanup Plan for the Watershed. The federal Clean Water Act requires that a TMDL be developed for each water body on the 303(d) list. TMDL studies identify pollution sources and specify how much pollution must be reduced to achieve clean water. With regard to sediment, the goal of the study was to develop the loading capacity for fine sediment and recommend loading reduction targets to meet water quality standards. This report constitutes the Technical Report. | Fine sediment targets for the Deschutes River were based on reductions needed to meet healthy habitat levels to protect salmonid spawning. Because the reductions were equal to or greater than the anthropogenic contributions to sediment levels, the natural condition may be higher than the healthy habitat levels in some areas. Improved fine sediment levels would produce the greatest increase in coho production of the various restoration components evaluated in the Deschutes system. Facilities covered under general permits may not increase sediment contributions over natural conditions. Anthropogenic sources of fine sediment include unpaved roads and landslides associated with roads, and continued adaptive management is recommended. In addition, other anthropogenic sources, such as off-road vehicle use, domestic animals, and facilities covered under general permits, should be identified and reduced. | The fine sediment TMDL does not include a specific reserve capacity for future growth. Because the fine sediment source area is primarily the headwaters for both human and other sources, any future development in this area must eliminate existing human sources of fine sediment and cannot produce any accumulation of fine sediments outside of the range defined as good habitat by the Washington Forest Practices Board. Future monitoring programs should quantify both the effect of growth since the study was conducted as well as the beneficial effect of ongoing management practices. Sites surveyed by Konovsky and Puhn (2005) should be reoccupied and data collected according to the protocols in Konovsky (2004). Effectiveness monitoring could be conducted at 5-year intervals. |

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| Capitol Lake Alternatives Analysis, Dredging and Disposal Addendum | 2009 - March | Moffatt and Nichol | <p>Moffatt and Nichol was asked to revisit three of the assumptions made in the 2008 "Dredging and Disposal Analysis".</p> <ul style="list-style-type: none"> • It was assumed that materials dredged from Capitol Lake could not be placed in Budd Inlet, because of the presence of purple loosestrife in the lake. Within the context of GA's ongoing management of purple loosestrife in the Lake, it now appears that the materials dredged from Capitol Lake may be available for beneficial reuse in lower Budd Inlet. • It was assumed that materials dredged from the Port of Olympia's deep draft berth and from the marinas in lower Budd Inlet would not be contaminated by dioxins, furans, and other contaminants, and thus that open-water disposal would be feasible. This was based on the assumption that existing contaminated sediments in those areas would be removed before any estuary restoration is constructed. This may not take place. • It was assumed that all material pre-dredged under the Estuary Alternatives would be placed along the western shoreline of Capitol Lake. If some of the material were placed off-site then less material would eventually settle in Lower Budd Inlet. The cost-effectiveness of moving dredged material off-site depends on the cost of doing so versus the cost of later maintenance dredging in lower Budd Inlet. Under the previous assumptions, it was most cost-effective to keep the material within Lower Budd Inlet. This may no longer be the case. This addendum reviews and modifies these assumptions and updates the range of costs. | <p>The addendum reviews and modified the stated assumptions. Based on those modifications, the addendum updates the ranges of costs for dredging under the Lake Alternative and the Estuary Alternatives. The consequences for dredging costs and feasibility of relaxing the previous assumptions are investigated and overall dredging costs--including initial and maintenance dredging are updated.</p> | |
| Incorporation of Fine-Grained Sediment Erodibility Measurements into Sediment Transport Modeling, Capitol Lake, Washington | 2008 | U.S. Department of the Interior, U.S. Geological Survey (Andrew W. Stevens, Guy Gelfenbaum, Edwin Elias, and Craig Jones) | <p>Results of the characterization of fine-grained sediment erodibility within Capitol Lake. The erodibility data were incorporated into the previously developed model (2006). Model simulations using the measured erodibility parameters were conducted to provide more robust estimates of the overall magnitudes and spatial patterns of sediment transport resulting from restoration of the Deschutes Estuary.</p> | <p>Data collected in the field as a part of this study helped constrain the uncertainty associated with the erodibility of sediments in Capitol Lake.</p> | <p>Several other sources of uncertainty remain both in the model design and operation, as well as in the random nature of the forcing (for example, sediment delivery from the Deschutes River) that prevent certainty in the predictions presented in the report.</p> |

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| Capitol Lake Alternatives Analysis, Hydraulic Modeling | 2008 - November | Moffatt and Nichol | This report describes hydraulic model predictions of the flood risk associated with the different future management alternatives. A numerical model was developed to simulate flooding in Capitol Lake. | <ul style="list-style-type: none"> The different lake and dam management scenarios--dredging and further lowering the lake in advance of storm events--have relatively little effect on peak flood elevations. The critical aspect of dam management is that, during a storm event, the radial gates are opened to lower the lake as soon as possible after each high tide recedes. The results suggest that the existing dam management is close to optimal. The results also suggest that, from a flood management perspective, there is no immediate urgency in dredging Capitol Lake. Under the Estuary Alternatives, the peak flood elevations are dominated by the tidal elevations and are up to half a foot higher than under the Lake Alternative. However, at present sea levels, the peak flood elevations are no higher than the existing 100-year FEMA floodplain elevation. The potential for future sea level rise does not change these results. | |
| Capitol Lake Alternatives Analysis, Dredging and Disposal | 2008 - August | Moffatt and Nichol | This report describes the costs, methods, and schedules associated with the dredging elements of the different possible future management alternatives: continued management of the lake as a lake, and restoration of the Deschutes Estuary with or without a separate reflecting pool. | The disposal sites have the most significant impacts to project costs. Disposal sites also affect construction methods. Dredging costs are evaluated based on the most likely dredging quantities, and with the range of possible unit costs considered. Future costs are evaluated based on a 50-year project lifetime. Low, medium and high cost estimates are provided, along with a worst-case cost. The assumptions give initial and maintenance dredging costs. Estuary restoration costs do not include effects on the marina and port operations. They assume the most likely sedimentation rate for maintenance dredging. | Chemical, biological, and physical testing (including the drainage characteristics of the sediment) will be needed to establish the available disposal sites and costs. |
| Sediment Characterization Study, Budd Inlet, Olympia, WA, Final Data Report | 2008 - March | Prepared for Washington State Department of Ecology by Science Applications International Corporation (SAIC) | Summarizes the results of an investigation conducted to determine the nature, extent, and possible sources of dioxins/furans in sediments in Budd Inlet, Olympia, Washington. | Dioxin/furan contaminated sediments are dispersed throughout Budd Inlet with TEQ concentrations ranging from 2.9 to 60.3 picograms per gram (pg/g) and averaging 19.1 pg/g in surface (0-10 cm) sediments. The highest concentrations were found in areas with high TOC and percent fines (near Hardel Mutual Plywood and beneath the pier at the Port of Olympia marine terminal facility) and the lowest concentrations were found in areas of high sand content (offshore of Priest Point Park.) Concentrations for the two samples collected in Capitol Lake were 2.0 and 3.9 pg/g TEQ. | <ul style="list-style-type: none"> The spatial distribution of dioxin/furan contamination in Budd Inlet surface sediments was not bounded in the northern portion of the inlet. Additional dioxin/furan testing in the North Inlet would be required to determine this boundary. Sediment cores collected under the pier of the Port of Olympia marine terminal facility identified a localized accumulation of dioxin/furan contamination. Additional evaluation is needed to better delineate the vertical and spatial extent of this contamination. Additional evaluation is needed at the Hardel Mutual Plywood site and the Moxlie Creek discharge. |

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| Deschutes Estuary Feasibility Study, Hydrodynamics and Sediment Transport Modeling | 2006 - October | U.S. Geological Survey (Douglas A. George, Guy Gelfenbaum, Giles Lesser and Andrew W. Stevens) | As part of the Deschutes Estuary Feasibility Study, USGS was tasked to model how tidal and storm processes will influence the river, lake and lower Budd Inlet should estuary restoration occur. Goals include: <ul style="list-style-type: none"> • Increase understanding of the estuary alternative to the same level as managing the lake environment. • Determine the potential to create a viable, self-sustaining estuary at Capitol Lake, given the physical constraints and urban setting. • Create a net-benefit matrix which will allow a fair evaluation of overall benefits and costs of various alternative scenarios. | The modeling study found that after dam removal, tidal and estuarine processes are immediately restored, with marine water from Budd Inlet carried into North and Middle Basin on each rising tide and mud flats being exposed with each falling tide. Within the first year after dam removal, tidal processes, along with occasional river floods, act to modify the estuary bed by redistributing sediment through erosion and deposition. The morphological response of the bed is rapid during the first couple of years, then slows as a dynamic equilibrium is reached within three to five years. By ten years after dam removal, the overall hydrodynamic and morphologic behavior of the estuary is similar to the pre-dam estuary, with the exception of South Basin, which has been permanently modified by human activities. Quantitative results are expressed in terms of ranges of possible outcomes. | Three specific topics warrant additional consideration: <ul style="list-style-type: none"> • Determine the erodibility of the bed. • Gather sediment grain size information in deficient regions. • Develop a modern sediment rating curve for the Deschutes River. • Each of these would have a noticeable impact on reducing uncertainty in the study results. |
| The Deschutes Estuary Restoration Feasibility Study: Development of a Process-Based Morphological Model | 2005 | D. George, et al. | USGS is modeling how tidal and storm processes will influence the river, lake and lower Budd Inlet should estuary restoration occur. A process-based sediment transport model, Delft3D, is being used to simulate conditions prior to dam construction and the accumulation of sediment subsequent to dam construction. Potential changes in hydrodynamics and sediment transport after dam removal will also be modeled. Key components include tidal currents, density-driven circulations, cohesive and non-cohesive sediment transport and bathymetric change. Model results will be compared to historical and recent field data. A critical aspect of the study is to anticipate how the lake/estuary environs would change under different restoration scenarios. | Preliminary results are presented, although the Predam and Lake models were still being evaluated. In the Predam model, circulation was dominated by tidal forcing through the opening to Budd Inlet. Two constrictions to flow are the opening to the inlet and the railroad trestle. The difference in how the flood and ebb tides behave may have an impact on restoration strategies. In the Lake model, alterations to the shoreline and sedimentation have added a third constriction to the flow under the I-5 bridges. The flow is complicated further by three islands in the South Basin. | Before models specific to restoration scenarios can be constructed, vital details need to be addressed: <ul style="list-style-type: none"> • The grain size distribution on the lake bed will be quantified from 73 surficial grab samples collected in February 2005. A sediment map will be produced that can guide modeling of appropriate sediment size classes. • Wind and waves will be included as forcings in the Lake model to investigate impacts on resuspension and distribution of sediment, particularly fine grain size. • Three dimensional modeling to incorporate vertical mixing and stratification will also be examined. |
| Mainstem Deschutes River Bank Erosion: 1991 to 2003 | 2005 - December | Northwest Indian Fisheries Commission for the Squaxin Island Tribe Natural Resources Department | This report focuses specifically on updating and integrating previous work on mainstem Deschutes River bank erosion, with a more focused application specific to understanding sources of fine sediment to support development of the fine sediment portion of a TMDL for the Deschutes River. The report also includes a comparison of fine sediment from bank erosion sources to estimates of fine sediment from unpaved roads. | More than three times as much sediment is estimated from glacial terrace sources during the 1981 to 1991 period than from 1991 to 2003, during which time bank erosion predominantly involved floodplain deposits. The estimated fine sediment fraction from all bank erosion sources between the two periods was similar 84 and 81 percent, respectively. Although more sediment was generated from bank erosion in the earlier period, the later period involved a greater number of sites and more area. For both time periods, bank erosion in general is concentrated in the upper and lower reaches of the mainstem and along reaches immediately upstream of natural and man-made channel constrictions. Results from a modeling exercise indicated sediment from unpaved roads could equal net fine sediment influx sources during some time periods. | The report states that volume estimates of sediment from a historic landslide inventory from 1965 to 1997 in the upper watershed being conducted by the Weyerhaeuser Corporation would be available in the near future. Also that LiDAR comparisons should provide better estimates of bank erosion and channel adjustments over time than the current and past methods. Three-dimensional comparison of sequential ground-penetrating LiDAR images should reveal patterns and yield volumes of erosion and depositional area along the mainstem channel. The installation of permanent cross-sections could provide important reference controls for whatever methods are used to update this work in the future. |

Table 3
Sediment Studies for the Capitol Lake/Lower Deschutes Watershed

| NAME OF STUDY | DATE OF STUDY | COORDINATING ENTITY/ CONSULTANT | DESCRIPTION OF STUDY | CONCLUSIONS | GAPS IDENTIFIED |
|---|---------------|--|---|--|--|
| Capitol Lake, Washington, 2004 Data Summary | 2004 | U.S. Dept. of the Interior, U.S. Geological Survey (Jodi Eshleman, Peter Ruggiero, Etienne Kingsley, Guy Gelfenbaum, and Doug George) | At the request of Washington Department of Ecology, the USGS collected bathymetry data in Capitol Lake, Olympia, Washington on September 21, 2004. The data were to be used to calculate sediment infilling rates within the lake as well as for developing the bottom boundary conditions for numerical models of water quality, sediment transport, and morphological changes. In addition, the USGS collected sediment samples in Capitol Lake in February, 2005, to help characterize bottom sediment for numerical model calculations and substrate assessment. | Seventy-three surficial sediment samples were collected with a clamshell grab by outboard motorboat in February 2005. 30 samples from the north basin, 31 from middle basin and 13 from south basin. Positions were identified by a hand-held Garmin GPS and depth was recorded from an onboard echo sounder. Some additional bathymetric data was collected using the CPS in southern Budd Inlet. Percival and South Basin proved too shallow for the CPS, so Department of Ecology collected bathymetric/topography data in both areas using the RTK GPS system mounted on a pole. Data under the I-5 bridge was collected by WDFW using an aluminum boat and Topcon total station. A major concern was the presence of aquatic weeds within the water column, which was handled by applying several smoothing techniques to the data. | |
| Capitol Lake Adaptive Management Plan Phase One Task 11 - Sediment Management: Answers to Technical Questions | 2000 - July | Prepared by Entranco, Inc. (in association with Herrera Environmental Consultants, Inc. and Ogden Beeman & Associates, Inc.) for the Washington State Department of General Administration | The primary question to be answered in this report is: "Based upon new data contained in the hydraulic scour, flood analysis, and the sediment sampling, do these findings suggest a long-term course of action for managing sediment within Capitol Lake?" This report assumes that the Middle Basin sediment trap was the most environmentally acceptable location for dredging in Capitol Lake. The report attempts to answer: <ul style="list-style-type: none"> • How to dredge and how much to dredge in the lake? • When to dredge? • How to handle dredged material in the immediate vicinity of the lake? • Where to dispose the dredged material? | <ul style="list-style-type: none"> • How to dredge and how much to dredge in the lake? Since the wetland mitigation area established for the Heritage Park project replaced the former Middle Basin dredged material disposal area, the study team focused on a clam-shell dredge operation that would produce dredged material with a much lower water content, resulting in an operation with lower space requirements. This was more expensive than hydraulic dredging, so the team also revisits a new technology to dewater hydraulically dredged material using a "mechanical" dewatering approach. Since the Middle Basin captures only a portion of the sediment load, other areas will continue to experience sediment deposition. • When to dredge? The dredging construction window is estimated from December 1 to March 15 (900 work hours) due to regulatory constraints focused on salmon and salmon habitat protection. • How to handle dredged material in the immediate vicinity of the lake? Clam-shell operation: dewatering on the barge overnight, transferred to trucks for transport to upland disposal site. Use area between the north side of I-5 and the wetland mitigation site for off-loading operation. The site for hydraulically dredged material, with a mechanical dewatering component was an 11-acre site owned by GA on the west shore of Capitol Lake. • Where to dispose the dredged material? Marine disposal was eliminated due to regulatory concerns over the spread of purple loosestrife seeds. Upland disposal would likely be acceptable. | The mechanical de-watering, associated with the hydraulic dredging is an experimental technique and has more uncertainty in both the de-watering technique and the water quality treatment of return water. A small pilot was done, but uncertainty remained on how well it would work under a full-scale operation. |

Table 3
Sediment Studies for the Capitol Lake/Lower Deschutes Watershed

| NAME OF STUDY | DATE OF STUDY | COORDINATING ENTITY/ CONSULTANT | DESCRIPTION OF STUDY | CONCLUSIONS | GAPS IDENTIFIED |
|---|---------------|--|--|---|---|
| Capitol Lake Survey (1991-1996) and Sediment Volume Calculations | 1997 | David Morency (Entranco Engineers) to Department of General Administration | Updated calculations of net sediment accumulation (fill minus erosion volume) have been completed for the 1991-1996 period for comparison with similar calculations previously performed for the 1983-1991 period. | <p>The lake-wide sediment fill rate was 17 percent lower in the 1991-1996 period due primarily to reduced rates of sediment delivery from the Deschutes River. Increased filling in the south basin may be attributed to increased channel meander and reductions in flow velocity. With reduction in flow velocity, more sediment would settle out in the south basin rather than being carried into the middle basin trap.</p> <p>For 1991-1996, 20 percent of sediment accumulated in the south basin, 14 percent in the middle basin sediment trap and the remaining 66 percent in the middle basin outside the trap and in the north basin. Thus sediment removal from the trap alone will not be sufficient to maintain the lake.</p> | <p>Since they did not compute sediment volume changes for south basin areas still under water at the time of drawdown, there may have been erosion that was not accounted.</p> <p>Additional transects could be performed for the north and south basins and in the channel areas in the middle basin to improve the net sediment volume estimates and to establish a better base topographic map to be used for future measurements of sediment volume changes.</p> <p>Modifications to mapping boundaries could be made to eliminate lake edge calculation anomalies.</p> |
| Geotechnical Engineering Services Capitol Lake Sediment Control Project | 1994 - July | Prepared for Entranco by Hong West and Associates | Geotechnical engineering services regarding construction of a possible new dewatering basin for dredge spoil and characterization of soil materials within the existing dewatering facility located at the southwest end of the middle basin of Capitol Lake. The proposed plan would include (1) a new dewatering basin within the dewatering facility (2) dredging sediment from the middle basin (approximately 35,000 cubic yards per year) and pumping the material into the newly constructed dewatering basin, (3) dewatering the sediment within the basin, (4) excavating materials from the dewatering basin after the determined time period and disposing the materials at an off-site location, and (5) repeating the process on an annual basis. The study included general subsurface soil conditions, depth to groundwater, characterization and evaluation of subsurface soils, potential beneficial uses of excavated materials, settlement and stability of containment berms, allowable dewatering basin side slopes, earthwork and materials, general groundwater conditions. Also, laboratory testing of lakebed sediment samples and general geology of the remote disposal site located west of Marathon Park. | Based on the results of field exploration, laboratory testing and engineering analyses performed, the excavation and berms required for construction of the new dewatering basin are feasible from a geotechnical perspective, provided the recommendations presented are incorporated into the design and construction. Recommendations are provided for potential beneficial uses of excavated materials, design and construction of the containment berms, allowable basin side slopes, earthwork and materials, groundwater considerations and general excavation characteristics. | Evaluation of site-specific slope stability as not included in this scope of services. Any site improvements planned on or adjacent to the steep slope areas should be evaluated with respect to potential slope stability impacts. |

Table 3
Sediment Studies for the Capitol Lake/Lower Deschutes Watershed

| NAME OF STUDY | DATE OF STUDY | COORDINATING ENTITY/ CONSULTANT | DESCRIPTION OF STUDY | CONCLUSIONS | GAPS IDENTIFIED |
|---|----------------|--|---|---|---|
| A Study of Rates and Factors Influencing Channel Erosion along the Deschutes River, Washington, with Application to Watershed Management Planning | 1994 - April | Prepared for Squaxin Island Tribe by Brian Collins | <p>The study has specific objectives which focus on understanding the natural and human influences on the channel's geomorphology and sediment transport, and applying that understanding to river and watershed management planning in order to:</p> <ul style="list-style-type: none"> • Reduce flooding caused by channel aggradation, • Reduce loss of land to bank erosion, • Improve aquatic habitat, • Slow the delivery of sediment to Capitol Lake. | <p>The report provides: how sediment and floodwater generated in the forested headwaters affects the mainstem, recent and historical rates and locations of mainstem bank erosion, causes of mainstem bank erosion, information on channel-bed aggradation between 1977 and 1993 in two sample reaches. Finally, the report focuses objectives or indicates approaches for further focusing objectives in light of the information developed, outlines possible strategies for achieving objectives and identifies information needed to develop detailed strategies.</p> <p>The dominant causes of channel erosion along the Deschutes River are geologic and topographic. The extent of natural landscape and ecosystem function remaining along the Deschutes River is unusual among regional rivers. It represents an important resource to protect and restore. An ecologically conservative target might be to restore rates and patterns or erosion to that which would occur "naturally" or in the absence of land use effects.</p> | <p>Current understanding of the potential effects of forestry activities on floods in the Deschutes River is imperfect and bears further analysis.</p> <p>It is necessary to gather more information on where and by how much the river bed may be aggrading, and to what extent this might affect flooding.</p> <p>Lacking is information on how the locations or relative amounts of bank-erosion-control might affect the river channel morphology or aquatic habitat.</p> <p>Lack of detailed information from the Deschutes River on the existing and historic aquatic habitat and its interaction with river-channel geomorphology. More information is needed on the location, condition, and importance of specific habitats.</p> |
| Capitol Lake Restoration Analysis | 1984 - January | Washington State Department of General Administration (prepared by Entranco Engineers) | <p>The study was conducted to:</p> <ul style="list-style-type: none"> • Prevent the fish kill mechanism associated with the north basin depression. • Address the current rate of sediment deposition. • Address the current extent, cause and potential mitigation of the water quality problems (high bacteria counts and nutrient enrichment) that have historically plagued the lake. • Address the performance of the Capitol Lake swim beach restoration completed in 1982. <p>A monitoring program was conducted from March through August 1983.</p> | <p>A matrix summarizes the best estimates of cost and benefit based on historical and recently collected data. The total implementation cost for the first three years of operation, assuming that all recommendations are implemented, is estimated at \$1,908,000. Long-term operational and maintenance dredging is estimated at \$600,000 per year. The intent is to preserve the uses provided by Capitol Lake: fish rearing, flood control, recreation, tourism, aesthetics and wildlife habitat. It is recognized that certain restoration elements have the potential to produce adverse environmental impacts. There appears to be consensus that the no-action alternative would not adequately protect or preserve the beneficial uses of the lake.</p> | <p>It is recognized that many significant engineering issues remain to be resolved prior to implementation. The recommended dredging program is conceptual and requires additional information.</p> |

Table 3
Sediment Studies for the Capitol Lake/Lower Deschutes Watershed

| NAME OF STUDY | DATE OF STUDY | COORDINATING ENTITY/ CONSULTANT | DESCRIPTION OF STUDY | CONCLUSIONS | GAPS IDENTIFIED |
|--|---------------|---|--|--|---|
| Deschutes River Basin Suspended Sediment Transport Study | 1979 - July | Washington State Department of Ecology (by Allen Moore and Darrel Anderson) | It became apparent during the planning for Capitol Lake dredging that insufficient information was available concerning the sources of the sediments that are reaching the lake. Department of Ecology conducted sediment monitoring during spring 1977 through January 1978 at selected locations in the Deschutes watershed. There were two objectives (1) identify sources of sediments transported by the Deschutes River; and (2) determine the quantity and significance of sediments contributed by each of the sources identified. | <p>An estimated 25% of suspended sediment originating from the upper Deschutes basin during November and December 1977 came from the tributaries monitored. The stream banks and channel appeared to account for 75%. Nearly all of the sediment added from the lower Deschutes came from the mainstem. These results indicate that the majority (67%) of suspended sediments transported to Capitol Lake by the Deschutes River during the two months originated from the streambed and banks along the mainstem itself. At least 12 large actively eroding banks are known to exist along the river. Eleven are in the upper basin. The effects of forest practices did not appear to have a large impact upon the river's suspended sediments if the tributaries are considered to be the source of logging originated sediments.</p> <p>The dominant erosional force appears to be natural erosion of the mainstem banks and channel. These processes could be controlled to a certain extent. The Federal Soil Conservation Service proposes that rock riprap could reduce suspended sediments by 25 to 30 percent.</p> | <p>As logging continues such tools as slope and soil stability studies and other protective measures should be employed to avoid excessive sediment production.</p> <p>The tributaries in the upper Deschutes have quite different flow and suspended sediment production characteristics that make direct comparison of the causes of suspended sediment output extremely difficult.</p> |
| Supplemental Flow and Sediment Tests of Capitol Lake Hydraulic Model | 1976 | Washington State Department of General Administration (by Walter C. Mih, Albrook Hydraulics Laboratory, WSU, Pullman, WA) | The three basins act as a sediment trap. The upper basin has rapidly approached its limit. A study of the sediment problem produced the recommendation as one alternative to restore the lake, that the existing islands in the upper basin be combined into one, and a new sedimentation trap dredged behind it. With these changes, the secondary channel tends to fill with sediment early in flood periods. River flow will then be diverted through the trap area behind the new island to deposit most of the coarser material. To increase accessibility of the lake and size of the recreational areas along the shore, it was proposed to fill certain shoreline areas. To improve circulation in the swimming area, a new island in the lower basin was proposed. This report is for additional hydraulic model tests to determine the effects of these proposals. | <p>Upper basin: With the new larger groin and combined island, the secondary channel along the west side tends to fill with sediment in flood periods. River flow will then be diverted through the sediment trap behind the combined island. With the new groin in the upper basin, the rate of sediment deposition in the secondary channel is slower than with the smaller original groin.</p> <p>Middle and Lower basins: To eliminate the stagnant area in the middle basin and to improve circulation in the swimming area in the lower basin, the new fills and new island should be changed to the configuration shown in the report.</p> | |

**Phase 1 Report on the
Capitol Lake/Lower Deschutes Watershed
Long-Term Management Planning**

**Appendix A
Documents for Phase 1**

FINAL

**Phase 1 Report on the
Capitol Lake/Lower Deschutes Watershed
Long-Term Management Planning**

**Appendix A
Documents for Phase 1**

Legislative Proviso

FINAL

1 against the other projects in the department of enterprise services'
2 minor works project list.

3 Appropriation:

| | | |
|---|--|-------------|
| 4 | Enterprise Services Account—State. | \$150,000 |
| 5 | Prior Biennia (Expenditures). | \$0 |
| 6 | Future Biennia (Projected Costs). | \$1,220,000 |
| 7 | TOTAL. | \$1,370,000 |

8 NEW SECTION. **Sec. 1095. FOR THE DEPARTMENT OF ENTERPRISE**
9 **SERVICES**

10 Capitol Lake Long-term Management Planning (30000740)

11 The appropriation in this section is subject to the following
12 conditions and limitations:

13 (1) The appropriation is provided solely to make tangible
14 progress on reaching broad agreement on a long-term plan for the
15 management of Capitol Lake/Deschutes Estuary/Lower Budd Inlet/
16 Deschutes River watershed, building on the recommendations of the
17 2014 situation assessment for Capitol Lake management prepared by the
18 Ruckleshaus center and prior related reports.

19 The department shall:

20 (a) Identify and summarize the findings of the best available
21 science concerning water quality and habitat as they relate to
22 conceptual options of retaining or removing the dam;

23 (b) Identify multiple hybrid options for future management of
24 Capitol Lake, which options must include substantial improvement in
25 fish and wildlife habitat and ecosystem functions, maintaining a
26 historic reflecting pool at the north end of the lake/estuary, and
27 adaptive management strategies;

28 (c) Identify general cost estimates for construction and
29 maintenance of each conceptual option, in consultation with the
30 office of financial management;

31 (d) Identify the range of public support for or concerns about
32 each option;

33 (e) Identify conceptual options and degree of general support for
34 shared funding by state, local, and federal governments and
35 potentially other entities;

36 (f) Identify one or more conceptual options for long-term shared
37 governance of a future management plan, including consideration of an

1 option similar to state lake management districts, chapter 36.61 RCW
2 or shellfish protection districts, chapter 90.72 RCW.

3 (g) Engage in other related activities which would contribute to
4 reaching broad agreement on the long-term management plan.

5 The department shall conduct its information gathering and report
6 preparation with a pro-active approach to public engagement, and may
7 create such advisory entities as it determines would be helpful.

8 (2) The department may contract for facilitation, research, or
9 other services to assist in the preparation of this report.

10 (3) The department shall make periodic reports to the state
11 capitol committee, the office of financial management, and fiscal
12 committees of the legislature, with a final report to be submitted no
13 later than January 1, 2017. The reports must include visual
14 representations of proposals to aid the public and decision-makers to
15 understand and evaluate them.

16 Appropriation:

| | | |
|----|--|-----------|
| 17 | Enterprise Services Account—State. | \$250,000 |
| 18 | Prior Biennia (Expenditures). | \$0 |
| 19 | Future Biennia (Projected Costs). | \$0 |
| 20 | TOTAL. | \$250,000 |

21 NEW SECTION. **Sec. 1096.** **FOR THE DEPARTMENT OF ENTERPRISE**
22 **SERVICES**

23 Engineering and Architectural Services: Staffing (30000762)

24 The appropriations in this section are subject to the following
25 conditions and limitations:

26 (1) The appropriations in this section are provided solely for
27 architectural and engineering services to manage public works
28 contracting for all state facilities pursuant to RCW 43.19.450. The
29 service charge is increased from 2.15 percent to 2.27 percent of
30 total project costs to reduce the number of projects assigned to each
31 manager. The intended results of the increased fee are improved
32 accountability, reduced project delays, and reduced the number and
33 cost of change orders. At the end of each fiscal year, the department
34 must report to the office of financial management and the fiscal
35 committees of the legislature on performance improvements resulting
36 from the increased management fee, including the following:

37 (a) The number of projects managed by each manager compared to
38 previous biennia;

**Phase 1 Report on the
Capitol Lake/Lower Deschutes Watershed
Long-Term Management Planning**

**Appendix A
Documents for Phase 1**

Phase 1 Implementation Plan

FINAL

Capitol Lake Long-Term Management Planning

Phase 1 Implementation Plan

FLOYD | SNIDER
strategy ▪ science ▪ engineering



 Washington State Department of
Enterprise Services



April 14, 2016

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List of Acronyms and Abbreviations

| Acronym/ Abbreviation | Definition |
|----------------------------------|--|
| DES | Washington State Department of Enterprise Services |
| EIS | Environmental Impact Statement |
| OFM | Office of Financial Management |

1.0 Introduction

This Phase I Implementation Plan has been prepared in response to the Proviso (30000740) included in the Washington State Legislature’s 2015 Capital Budget as an appropriation for Long-Term Management Planning of Capitol Lake. Specifically, the Proviso seeks to “make tangible progress on reaching broad agreement on a long-term plan for the management of Capitol Lake/Deschutes Estuary/Lower Budd Inlet/Deschutes River watershed, building on the recommendations of the 2014 situation assessment for Capitol Lake management, prepared by the Ruckelshaus Center and prior related reports.”

As such, the Phase I Implementation Plan builds upon the prior related reports and work completed by tribal authorities, state agencies, local municipalities, and public interest groups over the past 2 decades. The Washington State Department of Enterprise Services (DES) will gather and compile feedback from various entities, and further refine the existing goals and objectives for long-term management of Capitol Lake.¹ This work will also serve the dual-purpose of assembling information to support and serve as the basis of a future Environmental Impact Statement (EIS). Completion of a project EIS is dependent on project funding, and, if funded, an EIS process would occur as the next phase of project planning, or “Phase II.” An EIS process must be completed before an action can be taken at Capitol Lake.

1.1 PURPOSE

This Phase I Implementation Plan provides the information necessary to prepare and submit a Proviso Report to the Legislature no later than January 1, 2017. Work with the Executive Work Group, the Funding and Governance Committee, the Technical Committee, the Sediment Management Panel, and the public (or “stakeholders”) will inform materials included in the final Proviso Report, and will demonstrate to the Legislature that tangible progress is being made toward long-term management of Capitol Lake. The roles and responsibilities, meeting topics (or “Proviso Elements”), review process and information flow, and schedule of meetings required to complete the work are described herein. These items are also shown on a graphic representation of the Phase I Implementation Plan, attached as Figure 1.

¹ As used throughout this document, “Capitol Lake” refers to the larger system encompassing Capitol Lake, the Deschutes Estuary, Lower Budd Inlet, and the Deschutes River watershed.

2.0 Roles and Responsibilities

The work described in this Phase I Implementation Plan will be a collaborative process led by DES, with support from the Floyd|Snider consultant team, and will incorporate on-going feedback from the Executive Work Group, the Funding and Governance Committee, the Technical Committee, and the public. The roles and responsibilities of each group are further defined in this section, and highlight that a variety of perspectives, representing a range of options for long-term management of Capitol Lake, will influence this planning effort. Assembly of these entities and the proactive approach to public engagement fulfills Proviso Conditions 1 and 2.

2.1 WASHINGTON STATE DEPARTMENT OF ENTERPRISE SERVICES

As the resource and contract manager for Capitol Lake, and guided by conditions of the Proviso (30000740), DES will serve as the lead entity for Phase I. DES will provide final direction on issues that arise during this effort, and will attend the meetings included in the Phase I process. DES may engage the services of a Project Manager, who would act on behalf of DES to work toward a broad agreement on the Proviso Elements. Additional responsibilities for DES include:

- Allocating funding to Phase I
- Scheduling meetings and associated logistical coordination for each meeting series
- Preparing meeting summaries for meetings of the Executive Work Group, Funding and Governance Committee, Technical Committee, and community meetings
- Coordinating with Executive Work Group members for additional input into the process
- Collecting and distributing community input obtained through this process
- Preparing materials, as necessary, for the community meetings
- Providing executive leadership to the Executive Work Group
- Reviewing and considering the cumulative input from Phase I and providing the final review and decision on the contents of the Proviso Report
- Providing review for project documents, including: meeting agendas, meeting handouts, comments on DES-prepared meeting documentation, work products supporting each Proviso Element to be evaluated, community input, the Draft Proviso Report and Draft Final Proviso Report, and any other materials prepared by the Floyd|Snider Team

2.2 THE FLOYD|SNIDER TEAM

The Floyd|Snider Team (including Jacobs Engineering) has been engaged by DES to develop this Phase I Implementation Plan and execute the work required to fulfill conditions of the Proviso (30000740), including submittal of a Proviso Report to DES on December 30, 2016. The Floyd|Snider Team will serve as the primary consultant support for Phase I and will prepare work

products associated with this process. The Floyd|Snider Team will function independently of the stakeholders and as a neutral party to DES. Additional responsibilities include:

- Facilitating meetings of the Technical Committee and Funding and Governance Committee
- Providing technical support throughout the meeting series
- Providing strategic and technical guidance to DES in support of Phase I
- Preparing agendas for the Technical Committee meetings and the Funding and Governance Committee meetings, and providing meeting topics for Executive Committee meetings and community meetings
- Producing meeting materials, including handouts and other work products supporting the Proviso Elements to be evaluated
- Documenting and summarizing community input received throughout Phase I to be included in the Proviso Report and communicated at various process meetings
- Reviewing existing project-related materials to build off of previous work conducted for Capitol Lake in support of Phase I
- Preparing work products included as part of Phase I and revising as needed to reflect feedback obtained through review by the Technical Committee, the Executive Work Group, and the public
- Presenting work products at Executive Work Group and Technical Committee meetings, and engaging in facilitated discussions at the community meetings
- Providing review for project documents, including: DES-prepared meeting documentation, DES comments on work products, stakeholder review comments on the Draft Proviso Report and Draft Final Proviso Report, and community input

2.3 TECHNICAL COMMITTEE

The Technical Committee will provide the first round of input on the Proviso Element materials developed for Phase I. The Technical Committee comprises governmental and agency representatives that have been engaged to provide technical expertise on natural resource issues related to long-term management of Capitol Lake. Members of the Technical Committee will include agency and governmental representatives from Washington State Department of Ecology, Washington State Department of Natural Resources, Washington State Department of Fish and Wildlife, City of Olympia, City of Tumwater, Thurston County, as well as representation from the Squaxin Island Tribe and the Port of Olympia.

The members of this Committee will review and provide input on work products prepared by the Floyd|Snider Team. Feedback from the Technical Committee may help to refine the content of each Proviso Element, and the final work products that are included as part of the Proviso Report. Additional responsibilities include:

- Representing the interest of Technical Committee members' agencies and constituents and communicating this information throughout the Phase I process to such constituents as needed

- Providing consistent and informed feedback on issues related to natural resources within Capitol Lake
- Remaining amenable to feedback from the Executive Work Group and the public, which may modify, supplement, or refine the initial feedback from the Technical Committee
- Providing review for project documents, including: work products supporting each Proviso Element, as requested, and the Draft Proviso Report

The Technical Committee meetings will be facilitated by the Floyd | Snider Team. The Floyd | Snider Team will focus meeting discussions on the Proviso Elements related to natural resources, providing technical guidance related to an EIS process, and the work products that would support the next phase. Meetings will occur on Thursdays of the week prior to the Executive Work Group meetings, every month between April and October 2016.

2.4 FUNDING AND GOVERNANCE COMMITTEE

The Funding and Governance Committee will focus on items related to shared financing, funding models, and governance for Capitol Lake, and will not necessarily participate in the other meetings series to discuss the broader Proviso Elements. However, the Funding and Governance Committee will remain engaged in the Phase I process through monthly report-outs. Members of the Funding and Governance Committee will be appointed by the Executive Work Group, and may include administrators, attorneys, financial officers, or similar.

The members of this Committee will generate summary materials in support of the shared funding and governance conditions of the Proviso. The work produced by the Funding and Governance Committee will be shared at the monthly Executive Work Group meetings and the community meetings, and will be incorporated into the draft Proviso Report. Additional responsibilities include:

- Representing governmental and agency interests, including those of their constituents, and communicating this information throughout the Phase I process to such constituents as needed
- Providing consistent and informed feedback on issues related to shared funding and governance
- Remaining amenable to feedback from the Executive Work Group and the community, which may modify, supplement, or refine the initial feedback from the Funding and Governance Committee
- Producing and submitting a final Funding and Governance Recommendations Memorandum in September that describes potential next steps and options for shared funding and governance that will be included as an appendix to the Final Proviso Report, and preparing any other materials that may be needed to support this effort

The Funding and Governance Committee meetings will be facilitated by the Floyd|Snider Team. The Floyd|Snider Team will focus meeting discussions on the Proviso Elements related to shared funding and governance. The Funding and Governance Committee is tasked with producing a final Funding and Governance Recommendations Memorandum; in addition, the Floyd|Snider Team will prepare monthly briefings and will consolidate and summarize other materials produced by the Funding and Governance Committee for inclusion in the Proviso Report. Meetings will occur after the Technical Committee meetings, but prior to the Executive Work Group meetings, every month between April and August 2016.

2.5 EXECUTIVE WORK GROUP

The Executive Work Group will serve the role of a steering committee throughout the Phase I process, providing feedback on input from the Technical Committee, Funding and Governance Committee, Sediment Management Panel and community meetings. The Executive Work Group will include representation from the Squaxin Island Tribe, City of Olympia, City of Tumwater, Thurston County, and Port of Olympia. The Executive Work Group comprises governmental, Port, and Tribal representatives who will provide a more comprehensive perspective on project issues, expanded from the technical purview of the Technical Committee and the Funding and Governance Committee. As such, the Executive Work Group would provide policy-level expertise on natural resource issues and other items, such as funding opportunities and models for governance. Additional responsibilities include:

- Representing the interest of Executive Work Group members' constituents and communicating this information throughout the Phase I process to such constituents as needed
- Maintaining a comprehensive view of the issues (global and technical) and providing this feedback for each of the Proviso Elements
- Remaining amenable to feedback from the community and technical considerations of the Technical Committee, the Funding and Governance Committee, and the Sediment Management Panel
- Providing review for project documents, including: work products supporting each Provision Element, as requested, and the Draft and Draft Final Proviso Report

The Executive Work Group meetings will be facilitated by PDZ Consulting. The Floyd|Snider Team will also be present at these meetings to present Proviso Element work products, share input gained from technical team meetings, communicate report-outs from the Funding and Governance Committee and the Sediment Management Panel as needed, and provide technical guidance related to an EIS process. Executive Work Group meetings will be held on the fourth Friday of every month between March and October 2016, or as otherwise scheduled.

2.6 COMMUNITY AND INTEREST GROUPS

All members of the public are invited to participate in this planning effort and provide input on the Proviso Elements identified in this Phase I Implementation Plan. DES is committed to working

collaboratively with the community and, therefore, will commence monthly meetings to obtain input and to engage in facilitated discussions on the Proviso Element materials. The public is encouraged to attend these meetings, as community input will influence the Phase I work products and the ultimate option for long-term management of Capitol Lake. Additionally, the community will have access to meeting materials and final work products through an online forum (at www.des.wa.gov), which will be an additional venue for community input. Materials will become available on the date of the Technical Committee meetings, with an input period lasting for 2 weeks. Community meetings will occur on Wednesdays of the week following the Executive Work Group Meetings, between April and October 2016. The meeting dates and durations for community input on materials associated with each Proviso Element are shown in Figure 1.

2.7 SEDIMENT MANAGEMENT PANEL

A Sediment Management Panel will be convened to review the existing sediment deposition and transport conditions and studies related to Capitol Lake, and to identify the type and scope of a model or study to evaluate potential future conditions as a result of long-term management options. The Sediment Management Panel will include subject matter experts, including a mix of agency representatives or officials, professional scientists with demonstrated expertise in the field of sediment transport, and potentially a neutral consultant that will provide further expertise to the study of sediment management. At the culmination of this process, a report-out to the Technical Committee, Executive Working Group and the public will be made. The Sediment Management Panel will prepare a memorandum regarding findings from four primary objectives:

1. Identify and summarize existing information and studies on sediment deposition and transport under current conditions in Capitol Lake
2. Evaluate the sediments in the areas of erosion and deposition to better understand the characterization of these sediments and whether the characterization would affect long-term management options
3. Collaborate with USGS to understand previous sediment hydrodynamic work and receive potential input on existing conditions or future conditions
4. Develop the scope for a sediment hydrodynamic modeling and/or other technical evaluation that would be conducted as part of an EIS process to assess sediment deposition and transport associated with future conditions of the long-term management options

The Sediment Management Panel will conduct their work somewhat independently of the other entities included as part of Phase I, with the exception of the scheduled September report-out and preview of the memorandum, and other scheduled progress reports to DES. The Sediment Management Panel will meet at the frequency determined necessary by the panel experts to achieve these objectives, between May and September 2016.

3.0 Proviso Elements

In order to review and assemble the significant amount of material and information for the Proviso Report, and for an EIS process, each monthly meeting will have a specific Proviso Element to be discussed. The Proviso Elements have been identified and structured to satisfy the Proviso conditions and assist in serving as the basis of a future project-EIS in Phase II. The monthly meeting agendas will be centered on topics relevant to the Proviso Elements, and materials and discussions will build upon each other as work progresses under Phase I. Each Proviso Element will be presented to the Technical Committee, the Executive Work Group, and the public, and are described further in the following sections.

The Funding and Governance Committee will *address Proviso Conditions 1(e) and 1(f)*. With its unique structure, the Funding and Governance Committee will not utilize the Floyd|Snider Team for background research and material consolidation, presentation of technical topics and analyses, or preparation of a final report; therefore, the schedule and content of their meetings are not included in this section. However, the Floyd|Snider Team would prepare briefings to capture the work of the Funding and Governance Committee and update the Executive Work Group and community at the subsequent meeting series. An overview of meeting topics for the Funding and Governance Committee is included in Figure 1.

3.1 GOALS AND OBJECTIVES

Addresses Proviso Condition 1(g)

Meetings to discuss Goals and Objectives are scheduled to occur in April 2016. These meetings will lay the groundwork for future meetings through the definition and discussion related to long-term management goals for Capitol Lake. These discussions will ensure that the work conducted as part of Phase I, and future work as part of an EIS process, is consistent with the goals and objectives identified by the Technical Committee, the Executive Work Group, and the public. A portion of the discussion will also focus on measures of success and determining whether there is a common definition of success for Capitol Lake.

To prepare for these meetings, the Floyd|Snider Team will review and assemble the goals and objectives that have been previously stated in existing project documents. The materials will draw upon input formerly received from stakeholders, will evaluate the applicability of previously identified goals and objectives, and will review whether these project components have evolved as existing conditions have changed. To focus discussions throughout Phase I, and in support of a clear objective for the long-term planning of Capitol Lake, and to simultaneously support the future analysis within Phase II, the Floyd|Snider Team will develop a project “problem statement” or “purpose and need” that is consistent with feedback received throughout these meetings. This information will be presented to the stakeholders and the materials will subsequently be prepared to reflect the discussions.

3.2 METHODOLOGY TO CATEGORIZE AND SUMMARIZE BEST AVAILABLE SCIENCE

Addresses Proviso Condition 1(a)

Meetings to discuss the methodology for the Methodology to Categorize and Summarize Best Available Science are scheduled to occur in May 2016. Existing technical studies, agency technical reports and evaluations, and science related to Capitol Lake, as well as those materials that have been available since the 2009 Capitol Lake Adaptive Management Panel (CLAMP) *Capitol Lake Alternatives Analysis—Final Report*, prepared by Herrera Environmental Consultants, will be reviewed throughout this effort to satisfy conditions of the Proviso (30000740), and also to ensure that the best available science concerning water quality, habitat, and related technical topics are compiled and categorized during the development of options for long-term management of Capitol Lake. This work will also aid in the identification of data gaps, and will result in efficiencies in an EIS process. The stakeholders will be asked to participate in reviewing the methodology that will be used to categorize existing and future science and studies, as using the best available science will support the evaluation of the benefits and impacts of long-term management alternatives during a project-EIS in Phase II. Additionally, it is anticipated that the Executive Work Group will invite key community partners to present on the topic of best available science.

To prepare for these meetings, the Floyd|Snider Team will document industry standards for categorizing and summarizing best available science. Concurrently, the Floyd|Snider Team will compile existing technical studies and documents for the Capitol Lake project, to ensure timely review once the methodology for evaluation has been discussed with the Technical Committee, the Executive Work Group, and the public.

In addition to the focused discussions on Best Available Science, the Floyd|Snider Team will present the materials revised from the Goals and Objectives meetings, for final feedback. The objective is for the materials from the previous cycle of meetings to include draft “Problem Statements” for the project, along with defined goals for long-term management of Capitol Lake and refined measures of success, all of which reflect input received during the Goals and Objectives meetings.

3.3 IDENTIFICATION OF HYBRID OPTIONS

Addresses Proviso Condition 1(b)

Meetings to discuss the Identification of Hybrid Options are scheduled to occur in June 2016. These discussions will ultimately support the Proviso condition that calls for identification of multiple hybrid options. However, it is imperative that this process also establishes a structure and method for review before additional hybrid options can be identified and qualitatively compared. This work will draw upon the Goals and Objectives, established earlier in the meeting series.

To prepare for these meetings, the Floyd|Snider Team will compile a variety of evaluation criteria, designed to reflect the goals for long-term management of Capitol Lake and the measures of success, as well as those identified in the Proviso and the Capitol Lake Draft Work Plan (improve fish and wildlife habitat, improve ecosystem functions, and maintain a historic reflecting pool) and additional input from stakeholders. These criteria and the overall approach for review of hybrid options will be discussed with the Technical Committee, the Executive Work Group, and the public, and revised based on the collective input received.

In addition to establishing an approach for identifying and evaluating hybrid options, the Floyd|Snider Team will present the revised methodology used to categorize the best available science for Capitol Lake, and the findings of that review or a summary of technical studies and science.

3.4 REVIEW OF EXISTING AND HYBRID OPTIONS

Addresses Proviso Conditions 1(b) and 1(d)

Meetings for Review of Existing and Hybrid Options are scheduled to occur in July 2016. These discussions will follow the work of the previous month to establish an approach for identifying and evaluating options. At this meeting, the stakeholders will discuss existing options and identify new options that would also improve fish and wildlife habitat, improve ecosystem functions, and maintain a historic reflecting pool, as prescribed through the Proviso and the Capitol Lake Draft Work Plan. The review of existing and hybrid options will take into account the goals for long-term management of Capitol Lake, measures of success, best available science, and additional stakeholder input as determined at earlier meetings in the series. Data gaps for each of the existing and new hybrid options will be identified and recorded for further review as part of an EIS process. Data gaps that have previously been of particular relevance to the community and were identified in the Capitol Lake Draft Work Plan prepared by DES include sediment management and Olympia flood risk and lake storage. The potential benefit or impact of various options to the potential flood risk and sediment management will be identified as a data gap as part of this Phase I process, but will be evaluated in earnest in a project-EIS in Phase II, where the configurations of various long-term alternatives, and the impact of climate change, including rising sea level, will specifically be evaluated. Additionally, the Executive Work Group is expected to invite key community partners to present on the topic of additional hybrid options.

To prepare for these meetings, the Floyd|Snider Team will gather and summarize the information available for each of the existing options as well as build the structure in which the benefits and impacts (or pros and cons) and ability of the options to meet the evaluation criteria will be qualitatively documented. Additionally, the Floyd|Snider Team will circulate materials from previous meetings to ensure that the discussion remains consistent with goals for long-term management of Capitol Lake, measures of success, and best available science.

Throughout these meetings, the Floyd|Snider Team will review the approach for identifying and evaluating options, as determined by the earlier stakeholder discussions.

3.5 COST ESTIMATES

Addresses Proviso Condition 1(c)

Meetings to discuss Cost Estimates for components of the existing and hybrid options are scheduled to occur in August 2016. The Proviso (30000740) tasks DES with identifying general cost estimates for construction and maintenance for each conceptual option. These meetings will support this condition, and will develop conceptual level cost estimates for components common to each option, while recognizing that significant data gaps exist for most options and the process to inform elements of design, construction, and mitigation, is not yet underway.

To prepare for these meetings, the Floyd|Snider Team will develop a template that will be used for the cost estimate for each option, based on standard industry practices and can support additional cost development in Phase II for a focused range of options or alternatives once data gaps are filled and conceptual level designs are available.

At the end of these meetings, the Floyd|Snider Team will discuss the options that will move through the cost estimating exercise, identified during the Review of Existing and Hybrid Options.

3.6 NEXT STEPS

Meetings to discuss the Next Steps included as part of Phase I, and as part of an EIS process in Phase II, are scheduled to occur in September 2016. A detailed preview of the Proviso Report outline will be provided, and will demonstrate that the document is informed by the work conducted by the Technical Committee, the Funding and Governance Committee, the Executive Work Group, and the public. Additionally, DES and the Floyd|Snider Team will describe how the Phase I work supports an EIS process, and will provide an anticipated timeline and approach for moving from Phase I to Phase II.

To further address next steps, the Sediment Management Panel will present on their findings regarding existing conditions of sediment deposition and transport, and the next steps to complete a modeling effort in Phase II that would predict sediment transport under future conditions of the long-term management options.

To prepare for these meetings, the Floyd|Snider Team will develop an annotated outline of the Proviso Report, highlighting the components from each previous meeting. Together with DES, the Floyd|Snider Team will also prepare a conceptual plan and schedule for Phase II.

Results of the cost estimating exercise for the existing and hybrid options will also be shared.

3.7 DRAFT PROVISO REPORT

Addresses Proviso Condition 3

The Floyd|Snider Team will organize the materials resulting from the above steps, and will incorporate this information into the Draft Proviso Report. The Draft Proviso report will reflect the work of each Proviso Element as well as the collective input received on each element, and

will describe how this work addresses the Proviso conditions. It is anticipated that the Draft Proviso Report will include the following appendices: the Sediment Management Panel findings memorandum, the Funding and Governance Committee recommendations memorandum, and a summary of community input received on the Proviso Elements. Additionally, a Draft Determination of Significance and Scoping Notice will also be included in the Draft Proviso Report, which could be issued to initiate a project-EIS, upon funding.

Meetings to discuss the Draft Proviso Report are scheduled to occur in October 2016. At these meetings, the Floyd|Snider Team will present any additional detailed information that was not reviewed during the Next Steps meeting, but would assist in the review of the Draft Proviso Report. Following these discussions, the Technical Committee and the Executive Work Group will receive the Draft Proviso Report for review and comment.

The Draft Proviso Report meetings in October will culminate the monthly meeting schedule, and the Draft Proviso Report will move through review cycles during November and December 2016.

4.0 Meeting Schedule

Active participation from the stakeholders is a key component of the Phase I Implementation Plan work. Four meetings will be held each month to make tangible progress on the Proviso Elements, and to ensure on-going discussion and feedback from the Technical Committee, the Funding and Governance Committee, the Executive Work Group, and the public. Meeting frequencies are discussed below:

- **Technical Committee:** Meetings occur each month on the Thursday of the week prior to the Executive Work Group meeting, beginning in April and adjourning in October.
- **Funding and Governance Committee:** Meetings occur after the Technical Committee meetings and prior to the Executive Work Group meetings, beginning in April and adjourning in August.
- **Executive Work Group:** Meetings occur on the fourth Friday of each month, or as otherwise scheduled, beginning in March and adjourning in October. These meetings are open to the public, and the community and other interest groups are encouraged to attend.
- **Community Meetings and Material Availability:** Meetings and facilitated discussions occur on the Wednesday evening following the Executive Work Group Friday meetings. The public will also have an online forum (www.des.wa.gov) that is updated on the date of the Technical Committee meetings with material supporting the upcoming Proviso Element to be discussed. A 2-week input period will begin when materials are posted, closing the day after the community meeting.
- **Sediment Management Panel:** Meetings will occur as needed, beginning in May and adjourning in September.

A meeting schedule overview is provided in Table 1 and is shown graphically in Figure 1.

Table 1
Phase I Implementation Schedule Overview

| Technical Committee | Funding and Governance Committee ¹ | Executive Work Group ² | Community Meeting | End of Monthly Input Period ³ |
|---------------------|---|-----------------------------------|-------------------|--|
| -- | -- | March 25 | -- | -- |
| April 14 | April 15–21 | April 22 | April 27 | April 28 |
| May 19 | May 20–26 | May 27 | June 1 | June 2 |
| June 16 | June 17–23 | June 24 | June 29 | June 30 |
| July 14 | July 15–21 | July 22 | July 27 | July 28 |
| August 11 | August 12–18 | August 19 | August 24 | August 25 |
| September 22 | -- | September 30 | October 5 | October 6 |
| October 20 | -- | October 28 | -- | -- |

Notes:

- 1 Meeting dates for the Funding and Governance Committee have not yet been scheduled, but will be scheduled within the range of dates provided.
- 2 Executive Work Group meetings are open to the public, and the community and other interest groups are encouraged to attend.
- 3 The community input period begins on the date of the Technical Committee meeting and closes 2 weeks later, which ensures that meeting materials are provided in advance of the community meetings and provides 1 day after the community meetings for final comments.

5.0 Review Process and Information Flow

In advance of these meetings, the Floyd|Snider Team will prepare materials and other work products to support the Proviso Elements discussions, and to make progress toward the Final Proviso Report. Throughout the year, the materials will range from data review to technical studies, and from development of long-term management goals to review of existing and hybrid options. The materials prepared prior to the meeting cycle, described above, will be considered draft and will change as a result of feedback from the Technical Committee, the Executive Work Group, and the public.

The Funding and Governance Committee will largely produce their own materials and are not anticipated to be involved in the review of work products to support other Proviso Elements. Similarly, the Sediment Management Panel will be tasked with preparing and issuing a memorandum that describes the findings from the three primary objectives, but will not otherwise be included in the review of other work products produced by the Floyd|Snider team in support of Phase I.

The majority of materials and background information will be prepared and presented by the Floyd|Snider Team at the meeting series, and each of the aforementioned stakeholders will have two opportunities to comment.

The formal review process will begin with the presentation of materials to the Technical Committee, whereby, the discussion will largely focus on natural resource issues. After this meeting, the Floyd|Snider Team will make appropriate revisions to the material and work products to reflect feedback. The materials will also be available for review and community input, via the online forum at this time.

The feedback received during the Technical Committee meeting will be summarized by the Floyd|Snider Team and presented along with the supporting materials at the Executive Work Group meetings. A summary of the discussions from the Funding and Governance Committee will be presented at this meeting as well. This meeting will serve as the opportunity for policy and overall review by the Executive Work Group.

As described above, the week following the Executive Work Group meeting, DES will hold a community meeting and facilitated discussion to provide an opportunity for the public to engage on each Proviso Element, and to understand the progress from the other meetings in the series. In response to results from the March 2016 public engagement survey, these meetings will be structured as an open house, with the incorporation of facilitated discussions and opportunity for input. The community meetings will occur at the end of the 2-week community input period, with 1 day after the meetings to submit final feedback.

Prior to the next Technical Committee meeting, and considering feedback from all parties (including the Technical Committee, the Executive Work Group, and the public), the materials will be updated to draft final form. As part of the next meeting cycle, the stakeholders will see how the materials have evolved and will have a final opportunity to comment, after which the materials will be finalized and incorporated into the Proviso Report.

This process and information flow allows both Technical Committee and Executive Work Group members as well as stakeholders the opportunity to comment twice, and ensures that feedback from the Technical Committee, the Executive Work Group, and the public influences the material.

5.1 PROVISO REPORT REVIEW

The Final Proviso Report will be submitted to the State Capitol Committee, the Capitol Campus Design Advisory Committee, the Office of Financial Management (OFM), and fiscal committees of the Legislature no later than January 1, 2017.

Draft Proviso Report review by the Technical Committee, Executive Work Group, and DES will overlap, with 2-week review and comment periods beginning after the Draft Proviso Report meetings in October. After receiving written feedback, the Floyd|Snider Team will address comments and revise the document accordingly. Subsequently, the Draft Final Proviso Report will be submitted to OFM for a 3-week review period. The Technical Committee and the Executive Work Group will also receive a revised copy of the report at that time.

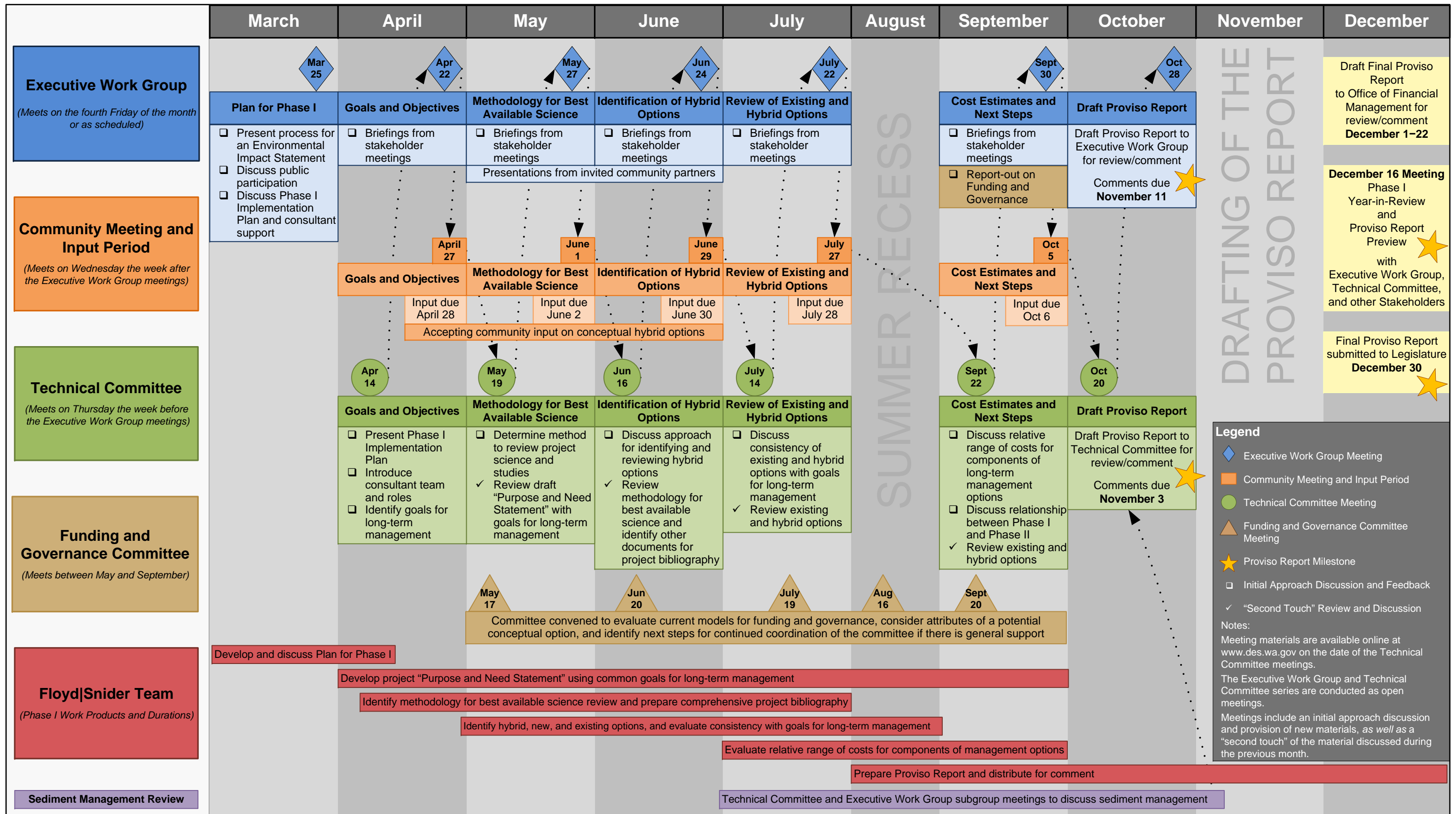
The Draft Final Proviso Report will be presented to the public at a Year-in-Review meeting, scheduled for December 16, 2016. This meeting will also serve as the formal opportunity for adoption of the Proviso Report.

The process and dates are summarized below.

- **Technical Committee:** The Technical Committee will receive the Draft Proviso Report on Thursday, October 20, during the last Technical Committee meeting scheduled as part of Phase I. At this meeting, a detailed preview of the report will be provided by the Floyd|Snider Team. Comments are due from the Technical Committee members 2 weeks later, on Friday, November 3.
- **Executive Work Group:** The Floyd|Snider Team will also present a detailed preview of the report at the October occurrence of the Executive Work Group meeting. The Executive Work Group will receive the Draft Proviso Report on Friday, October 28, and comments are due 2 weeks later, on Friday, November 11.
- **Community and other Stakeholders:** The Floyd|Snider Team will present the Draft Final Proviso Report to the community and other stakeholders during the Year-in-Review meeting, scheduled for December 16, 2016. The Final Proviso Report will also be available to the community upon formal submittal to the Legislature, and input from the community is due 2 weeks later, on Friday, January 13, 2017.
- **Office of Financial Management:** The Draft Final Proviso Report, revised to address comments on the draft document from the Technical Committee, the Executive Work Group, and DES, will be submitted to OFM on Thursday, December 1. OFM will have a 3-week review period, with comments due to the Floyd|Snider Team on Thursday, December 22.

The Floyd|Snider Team will provide the Final Proviso Report to DES on Friday, December 30, 2016, for formal submittal to the Legislature no later than January 1, 2017.

Figure



Legend

- Executive Work Group Meeting
- Community Meeting and Input Period
- Technical Committee Meeting
- Funding and Governance Committee Meeting
- Proviso Report Milestone
- Initial Approach Discussion and Feedback
- "Second Touch" Review and Discussion

Notes:
Meeting materials are available online at www.des.wa.gov on the date of the Technical Committee meetings.
The Executive Work Group and Technical Committee series are conducted as open meetings.
Meetings include an initial approach discussion and provision of new materials, as well as a "second touch" of the material discussed during the previous month.

SUMMER RECESS

DRAFTING OF THE PROVISO REPORT



Capitol Lake Long-Term Management Planning
Department of Enterprise Services
Olympia, Washington

Figure 1
Phase 1 Implementation Plan
Process and Schedule

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

Appendix B Documents for Phase 2

FINAL

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

Appendix B Documents for Phase 2

**Next Steps for Capitol Lake/Lower Deschutes Watershed
Long-Term Management Planning, Phase 1 Transition into
Phase 2**

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Next Steps for Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

PHASE I TRANSITION INTO PHASE II

Why was Phase I completed and what was the intent of this process?

Phase I was completed in response to a Proviso in the Capital Budget for the 2015–2017 biennium, which directed the Washington State Department of Enterprise Services (DES) to make tangible progress on reaching broad agreement on a long-term plan for the management of Capitol Lake and the Lower Deschutes Watershed. DES has conducted this work in a meaningful way; not only to satisfy the directives within the Proviso, but also to prepare for an Environmental Impact Statement (EIS) that would be completed in Phase II. The EIS process would allow selection of a long-term management option that would then be implemented in Phase III.

How does Phase I support the Phase II process?

Phase I was conducted in a manner similar to an expanded scoping process that agencies can choose to implement as the first step of an EIS. “Expanded scoping is intended to promote interagency coordination, public participation, and innovative ways to streamline the SEPA process” (Washington Administrative Code §197-11-410: Expanded Scoping). Some methods and techniques from the formal guidance on expanded scoping include:

- Using questionnaires or information packets, and meetings or workshops.
- Using a coordinator or team from inside or outside the agency.
- Developing cooperative consultation and exchange of information among agencies before the EIS is prepared, rather than awaiting submission of comments on a completed document.

Additionally, the materials prepared as part of Phase I will be used within the EIS, including:

- The identified project goals, which are captured in the purpose and need statement, and will serve as the primary screening criteria for potential long-term management options.
- The compiled list of technical documents and associated review of best available science, which will support various discipline-specific analyses that will occur as part of an EIS.
- The hybrid, new, and existing long-term management options, which will be screened to determine reasonable alternatives and to identify a narrowed range of options for review.
- The relative range of costs for components of the long-term management options, which will be built upon to provide comprehensive cost estimates for future comparison. This may also assist in the evaluation of long-term management options against the goal of minimizing long-term costs and ensuring an economically sustainable management approach.

A number of long-term management options were identified in Phase I. Would all of them be evaluated in an EIS in Phase II?

No, only reasonable alternatives would be evaluated as part of an EIS process. Reasonable alternatives would be identified from the long-term management options using screening criteria, such as the following:

1. Would the option feasibly attain the goals or objectives of the Capitol Lake/Lower Deschutes Watershed Long-Term Management Project?
2. Does the option achieve the project goals or objectives with decreased environmental impacts, and would it increase the anticipated project benefits?

What are the primary steps of an EIS process, and when would the long-term management options be screened?

The primary steps of a project-specific EIS, which would be conducted during Phase II, include:

Project Scoping: to determine the range of proposed actions, reasonable alternatives, and impacts to be discussed in an EIS. The work completed as part of Phase I will streamline the scoping process to determine the proposed action and to identify reasonable alternatives. During project scoping the long-term management options will be screened against the purpose and need statement, and the reasonable alternatives will be carried forward for further review.

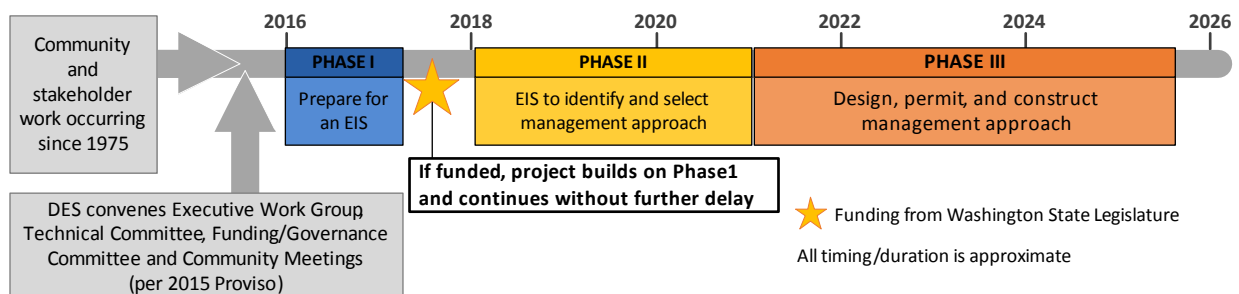
Detailed Technical Evaluation: to conduct technical studies and consider probable impacts to the built and natural environment from construction and operation of the reasonable alternatives. Potential short-term and long-term effects from each alternative will be analyzed, and the alternatives will be further refined to reduce significant impacts, or will be eliminated if they fail to meet the initial screening criteria.

Draft EIS: to describe the potential significant environmental impacts and benefits from the reasonable alternatives. This document will provide an opportunity for public participation, and will also be distributed to interested agencies and other stakeholders. The work completed in Phase I may reduce the potential for unanticipated feedback on the Draft EIS, which could slow the Phase II process if comments resulted in changes to the proposed actions and alternatives.

Final EIS: to consider and respond to comments on the Draft EIS, and select the alternative for implementation. The Final EIS will also identify mitigation for potential environmental impacts of the selected long-term management option. It serves as a decision document and allows DES to take action on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Project.

When would Phase II occur, and what is the overall duration for the remaining planning process?

DES is currently pursuing funding from the Washington State Legislature for the Phase II process (a project-specific EIS), and submitted a budget request for the full cost of an EIS to the Office of Financial Management in September 2016. If funding is received as part of the upcoming biennial budget, which will be signed in spring 2017, Phase II could begin in early 2018 after selection of a consultant team. The timeline below shows the anticipated duration of the remaining project phases.



**Phase 1 Report on the
Capitol Lake/Lower Deschutes Watershed
Long-Term Management Planning**

**Appendix B
Documents for Phase 2**

Draft Final Purpose and Need Statement

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Below is the proposed draft final Purpose and Need Statement, which continues to be updated to incorporate feedback from the stakeholders of this Phase I process. Reaching broad agreement on a Purpose and Need Statement could provide the foundation for a future Environmental Impact Statement (Phase II), the process used to compare and select a long-term management option.

Capitol Lake/Lower Deschutes Watershed Long-Term Management Project: Draft Final Purpose and Need Statement

The purpose of the Capitol Lake/Lower Deschutes Watershed Long-Term Management Project is to identify and implement an environmentally and economically sustainable watershed approach that improves water quality, and manages existing sediment accumulation and future deposition. The project is also needed to improve the impaired ecological functions within the existing Capitol Lake basin and adjacent watershed. These efforts would restore and enhance community use of the resource.

The Deschutes estuary has long-standing history with active use and significance to the Squaxin Island Tribe. The Deschutes watershed continues to be used for ceremonial, subsistence, and commercial harvesting of natural resources, and is a place of strong cultural and spiritual value. The area use and conditions changed after construction of Capitol Lake in 1951. The Capitol Lake area now supports community events such as the annual Capital Lakefair, organized athletic events, and various other gatherings. The trail system and nearby parks provide continued passive recreational opportunities that maintain the lake's edge as an important recreational center and valued amenity in the south Puget Sound area. With its central location, the area holds historical and personal value for many people.

Although the shoreline remains vibrant, active use of the waterbody has been restricted for more than 30 years due to the degraded water quality and ecological functions. An estimated 35,000 cubic yards of sediment accumulates annually within the lake basin, resulting in increasingly shallow conditions. Capitol Lake was closed to swimming in 1985 due to high bacteria levels. Water draw-down and back-flushing to control algal blooms and freshwater plant growth, due to excessive nutrient loads, continued annually until 1999 and caused temporary impacts to other recreational uses, such as boating and fishing. The presence of invasive species resulted in official closure to all public uses in 2009. Active use of the waterbody continues to be restricted today.

Water quality must be improved to meet federal law and state water quality standards, and to restore aquatic life and recreational uses, which are protected under these regulations. Restoring ecosystem functions would be supported by improved water quality, enhanced fish and wildlife habitat, and management or eradication of invasive species. The project would also include elements to manage sediment within the Capitol Lake/Lower Deschutes Watershed and in adjacent Budd Inlet. These collaborative efforts between the Washington State Department of Enterprise Services and other stakeholders would be compatible with other watershed-wide restoration and improvement plans, and would be consistent with the on-going state-led initiative to restore the Puget Sound. Once completed, the project would have a beneficial effect on the ecosystem service value, economic value and community value of the resource.

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

Appendix B Documents for Phase 2

**Comparison table of district and other models for funding
and governance**

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Washington State Department of Enterprise Services
Funding and Governance Committee Related to the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning
Comparison of Various District and Other Models

| MODEL NAME | AUTHORITY | DESCRIPTION OF MODEL | ESTABLISHMENT | USE | FUNDING AND/OR GOVERNANCE MODEL | GENERATION OF REVENUE | EXAMPLE | NOTES |
|-----------------------------|-----------------------------------|--|--|--|---|---|---|---|
| Flood Control District | Chapter 86.09 RCW | May include all or part of territory of any county and may combine territory in two or more counties. | Established in 1937 through RCW 86.09.001 for purpose of protection of life and property, preservation of public health, and conservation and development of natural resources. Powers of district to provide for control of stream system or for protection against tidal bodies of water per RCW 86.09.004 . | District may be organized or maintained for (1) investigation, planning, construction, improvement, replacement, repair or acquisition of dams, dikes, levees, ditches, channels, canals, banks, revetments and other works, appliances, machinery and equipment and property and rights to control floods and lessen danger and damages, and (2) cooperation with any agency or agencies of the U.S. or WA State in investigating and controlling floods. As of April 2016, flood control districts and flood control zone districts exist in 17 counties per Municipal Research and Services Center web site. | Funding model and Governance model. Local legislative authorities involved. District managed by board of directors consisting of three members per RCW 86.09.259 . Directors appointed and elected per Chapter 85.38 RCW . Some jurisdictions set up advisory committees. | District has authority to issue and sell special assessment bonds or notes per RCW 86.09.157 . | WA flood districts and flood control zone districts by county from Municipal Research and Services Center of WA's web site. | State granted school or other state public lands may be included in district per RCW 86.09.013 . In addition to powers of Chapter 86.09 RCW and Chapter 85.38 RCW , districts may engage in activities authorized under RCW 36.61.020 for lake or beach management districts. |
| Flood Control Zone District | Chapter 86.15 RCW | County legislative authority may initiate creation of zone or additional zones within county for purpose of undertaking, operating, or maintaining flood control projects, storm water control projects, or groups of projects of special benefit to specified areas per RCW 86.15.020 . | Established in 1961. | County legislative authority may establish countywide district incorporating boundaries of any and all watersheds within county per RCW 86.15.025 . District may participate in and expand revenue on cooperative watershed management arrangements and actions for purposes of water supply, water quality, water resource, and habitat protection and management per RCW 86.15.035 . | Funding model and Governance model. County commissioners ex officio supervisors of zones. Option for election of supervisors other than county commissioners in zone with more than 2000 residents per RCW 86.15.050 . County may appoint countywide advisory committee. | Supervisors may authorize (1) annual excess tax levy when authorized by voters, (2) property assessment, including state property, benefitted by flood control or storm water control improvements, (3) annual property tax levy with limitations, and (4) charge for services to those who benefit per RCW 86.15.160 . | WA flood districts and flood control zone districts by county from Municipal Research and Services Center of WA's web site. | Supervisors may authorize issuance of general obligation bonds to finance flood control or storm water control improvement and provide for retirement of bonds with property tax levies per RCW 86.15.170 . |

Washington State Department of Enterprise Services
Funding and Governance Committee Related to the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning
Comparison of Various District and Other Models

| MODEL NAME | AUTHORITY | DESCRIPTION OF MODEL | ESTABLISHMENT | USE | FUNDING AND/OR GOVERNANCE MODEL | GENERATION OF REVENUE | EXAMPLE | NOTES |
|-------------------------------|--|---|---|---|---|---|---|--|
| Lake Management District | RCW 35.21.403 Chapter 36.61 RCW | Any city or town may establish lake and beach management districts. Any county may create a lake or beach management district to finance (1) improvement and maintenance of lakes or beaches in county and (2) acquisition of real property or property rights in or outside a district including conservation easements and to promote conservation and stewardship of shorelines and upland properties per RCW 36.61.020 . | Established in 1985 for lake improvements through RCW 36.61.010 . Provisions amended in 2008 to include beach management districts. Lake or beach management district may be initiated upon resolution by county legislative authority or filing of petition by 10 landowners or owners of at least 20% of acreage in proposed district, whichever is greater. District may be created for any needed period of time to improve ability of county to finance long-term lake or beach management objectives. | District can finance broad range of activities, including aquatic vegetation control, water quality improvement, lake water-quality studies to pinpoint problems and identify solutions, ditch or stream maintenance, and measures to maintain lake levels. | Funding model. County and/or city legislative authority governs. District operates under authority of county or city with lake property owner involvement crucial to successful program. Some jurisdictions set up advisory committees per Municipal Research and Services Center of WA . | Special assessments or rates and charges may be imposed annually upon property within district for duration of district without issuance of district bonds or revenue bonds per RCW 36.61.020 . County may issue district revenue bonds to obtain money sufficient to cover portion of special assessments not paid within 30 day period per RCW 36.61.260 . | Districts have been formed for durations ranging from two to five years on Long Lake, Lake Lawrence, Summit Lake, and Pattison Lake in Thurston County. The Long Lake and Lake Lawrence districts are still in effect. Projects funded by districts included aquatic plant control, comprehensive lake studies, development of long-term management plans, and watershed controls to protect drinking water supplies per Thurston County web site . | Public property, including state property, is considered same as private property, except liens for special assessments and liens for rates and charges do not extend to public property per RCW 36.61.010 . |
| Shellfish Protection District | Chapter 90.72 RCW | County with shellfish tidelands is authorized to establish a shellfish protection district to include areas in which nonpoint pollution threatens water quality impacting shellfish per RCW 90.72.030 . WA Department of Health routinely samples water around commercial and recreational shellfish growing areas to meet health standards. If water quality fails to meet standards and shellfish growing area is downgraded by WA Health, county authority must create a shellfish protection district and implement a program to find and correct pollution source(s) causing declining water quality. | Established in 1985 through RCW 90.72.030 . County legislative authority with shellfish tidelands in its boundaries is authorized to establish a district. Legislative authority shall constitute the governing body of district and may appoint a local advisory council. County legislative authority has full jurisdiction and authority to manage, regulate, and control programs along with fees, charges, or rates. | As of May 2014, there are 14 active and 5 inactive shellfish protection districts per WA Health web site. Information about 11 districts included in WA Health's Shellfish Protection District Library Titles synonymous with Shellfish Protection District are Clean Water District and Surface Water Management District. | Funding model and Governance model. Each district is unique in both membership and strategy per WA Health. | County legislative authority establishing district may finance protection program through (1) county tax revenues, (2) inspection fees and similar fees for services provided, (3) charges or rates specified in its protection program, or (4) federal, state, or private grants per RCW 90.72.070 . | Henderson Inlet and Nisqually Reach Shellfish Protection District information from WA Health web site Henderson-Nisqually Shellfish Protection District information from Thurston County web site. | |

Washington State Department of Enterprise Services
Funding and Governance Committee Related to the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning
Comparison of Various District and Other Models

| MODEL NAME | AUTHORITY | DESCRIPTION OF MODEL | ESTABLISHMENT | USE | FUNDING AND/OR GOVERNANCE MODEL | GENERATION OF REVENUE | EXAMPLE | NOTES |
|--------------------------|---|---|---|--|--|--|---------|---|
| Special Purpose District | Chapter 85.38 RCW | Washington Special Purpose Districts Overview (December 2012) from Municipal Research and Services Center of WA | | List of WA Special Purpose Districts by Type and Purpose from Municipal Research and Services Center of WA | | | | Special Purpose Districts manual from Municipal Research and Services Center of WA. |
| Chesapeake Bay Model | Section 117 of the Clean Water Act as amended in 2000, provides authority for the Chesapeake Bay Program and directs the EPA to maintain a program office, coordinate many of the activities of the program, and authorizes funding to be used for protecting the Chesapeake Bay. | The collective partnership, representing the signatories of the Chesapeake Bay Watershed Agreement (the State of Maryland, the Commonwealth of Virginia, the District of Columbia, the State of Delaware, the Commonwealth of Pennsylvania, the State of West Virginia, the State of New York, the Chesapeake Bay Commission, and the Environmental Protection Agency for the federal government) as well as a broad range of stakeholders (local governments, businesses, watershed organizations and other non-governmental organizations) work together for an environmentally and economically sustainable watershed. Overview of the Chesapeake Bay Watershed Agreement. | An initial study was funded in the 1970s and published in the early 1980s. The original Chesapeake Bay Agreement was signed in 1983, with a follow-up in 1987 setting numeric goals to reduce pollution and restore the Bay ecosystem. In 2000, Bay Program partners signed Chesapeake 2000, a comprehensive agreement setting a clear vision and strategy. In 2010, the EPA established the Chesapeake Bay TMDL and in June 2014, representatives signed the Chesapeake Bay Watershed Agreement. | “The Chesapeake Bay Program partners envision an environmentally and economically sustainable Chesapeake Bay watershed with clean water, abundant life, conserved lands and access to the water, a vibrant cultural heritage and a diversity of engaged citizens and stakeholders.” Partners collaborate to achieve the Goals and Outcomes of the Agreement, maintaining a coordinated watershed-wide monitoring and research program to support decision-making and track progress. Adaptive management is used to foster continuous improvement. | Governance and Management Framework for the Chesapeake Bay Program Partnership (July 14, 2015) | Chesapeake Bay Program Funding and Financing | | |

Washington State Department of Enterprise Services
Funding and Governance Committee Related to the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning
Comparison of Various District and Other Models

| MODEL NAME | AUTHORITY | DESCRIPTION OF MODEL | ESTABLISHMENT | USE | FUNDING AND/OR GOVERNANCE MODEL | GENERATION OF REVENUE | EXAMPLE | NOTES |
|--|---|--|--|---|---|---|---|---|
| <p>LOTT Clean Water Alliance (LOTT stands for its four government partners – Lacey, Olympia, Tumwater, and Thurston County.)</p> | <p>Interlocal Agreement – Partnership on paper signed in 1976 between three cities of Lacey, Olympia, Tumwater, and Thurston County. New Intergovernmental Agreement – Approved by four partners in 2000 to restructure LOTT and implement wastewater resource management plan. Incorporation as non-profit organization in 2000.</p> | <p>As of 2000, LOTT Clean Water Alliance is a non-profit organization responsible for wastewater management services for urban area of north Thurston County. Mission is to preserve and protect public health and environment by cleaning and restoring water resources for communities.</p> | <p>Originally established in 1976 through Interlocal Agreement. LOTT did not exist as an entity. City of Olympia was legal owner of all LOTT facilities and operated them on behalf of all four partners. Olympia also held all financial responsibility and contract authority for partnership. In April 2000, new LOTT Wastewater Alliance incorporated as non-profit organization. Transitional period followed with legal documents prepared for transition of LOTT assets, financial authority, and outstanding agreements from Olympia to new non-profit organization. In July 2001, LOTT became stand-alone entity with transfers completed. Initially, operation and maintenance of LOTT facilities stayed with Olympia. In January 2005, LOTT assumed full responsibility for those services.</p> | <p>Services to urban area of north Thurston County include wastewater treatment, reclaimed water production, and long-range planning. Joint facilities include large centralized treatment plant, satellite treatment plant, three major pump stations, major sewer interceptor pipelines, and reclaimed water distribution pipelines.</p> | <p>Funding model and Governance model. LOTT Alliance is governed by board of directors. Four elected officials (one from each of the partner governments) are appointed at beginning of each year to represent jurisdictions on board. Operates under authority of intergovernmental agreement. Board provides policy oversight for planning, construction, financing, and operations of LOTT programs, joint facilities, and plans for future facilities.</p> | <p>Wastewater rates consist of monthly service rates and connection fees. Each of these fees consists of two parts – city fees and LOTT fees because parts of wastewater system are owned and maintained by LOTT while other parts are owned by three cities. Budget and rate information from LOTT web site.</p> | | <p>LOTT Clean Water Alliance web site. LOTT Library from LOTT web site. Agreements, including Wastewater Management Agreement (November 1999), from LOTT web site. Plans and planning information from LOTT web site.</p> |
| <p>Public Development Authority</p> | <p>RCW 35.21.730 through RCW 35.21.755</p> | <p>Cities, towns, and counties can establish public corporations, commissions, or authorities per RCW 35.21.730.</p> | <p>Established in 1974 per RCW 35.21.730. Provision initially enacted to authorize cities, towns, and counties to participate in and implement federally assisted programs, including revenue sharing per RCW 35.21.735.</p> | <p>Purpose for creation of public corporation is to improve administration of authorized federal grants or programs, improve governmental efficiency and services, or improve general living conditions in urban areas of state per RCW 35.21.730.</p> | <p>Funding model and Governance model.</p> | <p>Public Corporations/Public Development Authorities from Municipal Research and Services Center of WA</p> | <p>Public Corporations/Public Development Authorities from Municipal Research and Services Center of WA</p> | |

**Phase 1 Report on the
Capitol Lake/Lower Deschutes Watershed
Long-Term Management Planning**

**Appendix C
Stakeholder Input from Phase 1**

FINAL

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

Appendix C Stakeholder Input from Phase 1

**Comments submitted during the established monthly
input periods**

FINAL

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

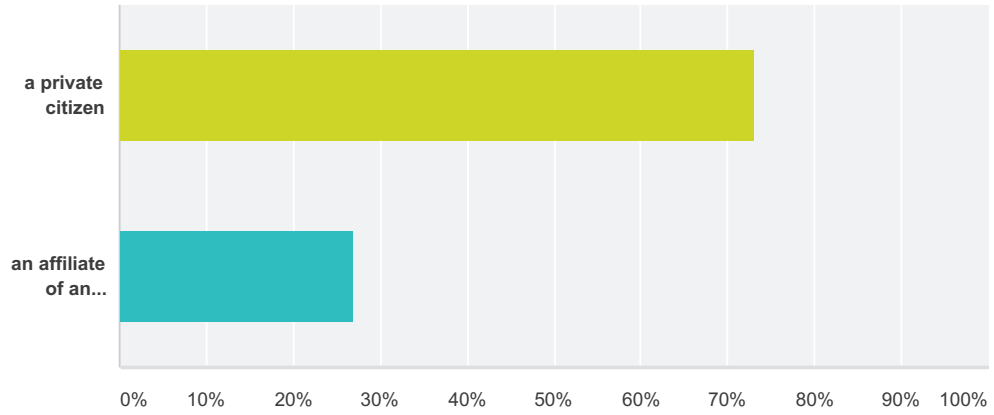
Community Input on Proviso Element: Plan for Phase 1

**Input period extending from
March 4 to March 18, 2016**

FINAL

Q2 Are you attending as:

Answered: 63 Skipped: 0



| Answer Choices | Responses | |
|---------------------------------|-----------|-----------|
| a private citizen | 73.02% | 46 |
| an affiliate of an organization | 26.98% | 17 |
| Total | | 63 |

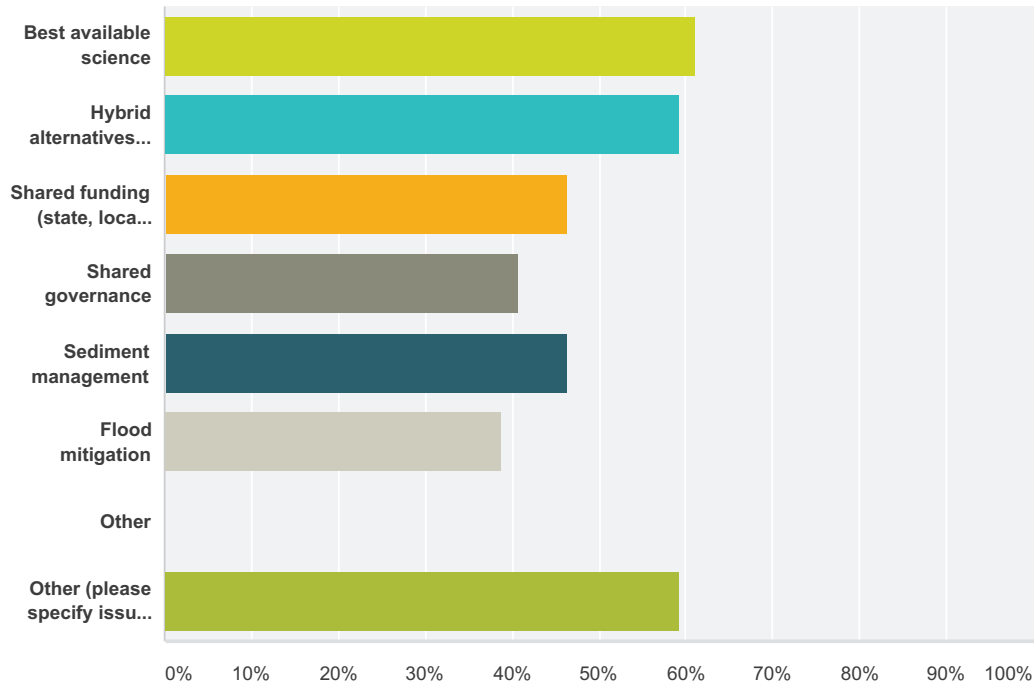
Q3 What organization are you affiliated with?

Answered: 17 Skipped: 46

| # | Responses | Date |
|----|--|--------------------|
| 1 | North Capitol Campus Heritage Park Development Association | 3/18/2016 5:57 PM |
| 2 | CLIPA, Olympia Yacht Club, SSSS, TMDL | 3/18/2016 5:52 PM |
| 3 | CLIPA | 3/18/2016 5:44 PM |
| 4 | DERT | 3/18/2016 5:41 PM |
| 5 | DERT | 3/18/2016 4:43 PM |
| 6 | Former Friends of Waterfront; Friends of the Lake | 3/18/2016 4:38 PM |
| 7 | DERT | 3/18/2016 4:23 PM |
| 8 | Black Hill Audubon Society | 3/18/2016 3:48 PM |
| 9 | SSFF | 3/18/2016 10:52 AM |
| 10 | DERT | 3/18/2016 10:32 AM |
| 11 | Burbank/Elliot Neighborhood Assoc. | 3/12/2016 11:04 AM |
| 12 | DERT | 3/10/2016 11:49 AM |
| 13 | South Puget Environmental Education Clearinghouse (SPEECH) | 3/10/2016 10:51 AM |
| 14 | CLIPA | 3/8/2016 1:12 PM |
| 15 | DERT | 3/7/2016 1:26 PM |
| 16 | North Capitol Campus Heritage Park Development Association | 3/7/2016 10:57 AM |
| 17 | CLIPA | 3/6/2016 2:23 PM |

Q4 Different parts of the work plan will receive focus at different times. Please indicate which parts of the work plan you would like to provide input on

Answered: 54 Skipped: 9



| Answer Choices | Responses |
|---|-----------|
| Best available science | 61.11% 33 |
| Hybrid alternatives (something other than strictly "Lake or Estuary") | 59.26% 32 |
| Shared funding (state, local, federal, & other entities) | 46.30% 25 |
| Shared governance | 40.74% 22 |
| Sediment management | 46.30% 25 |
| Flood mitigation | 38.89% 21 |
| Other | 0.00% 0 |
| Other (please specify issue and suggested method) | 59.26% 32 |
| Total Respondents: 54 | |

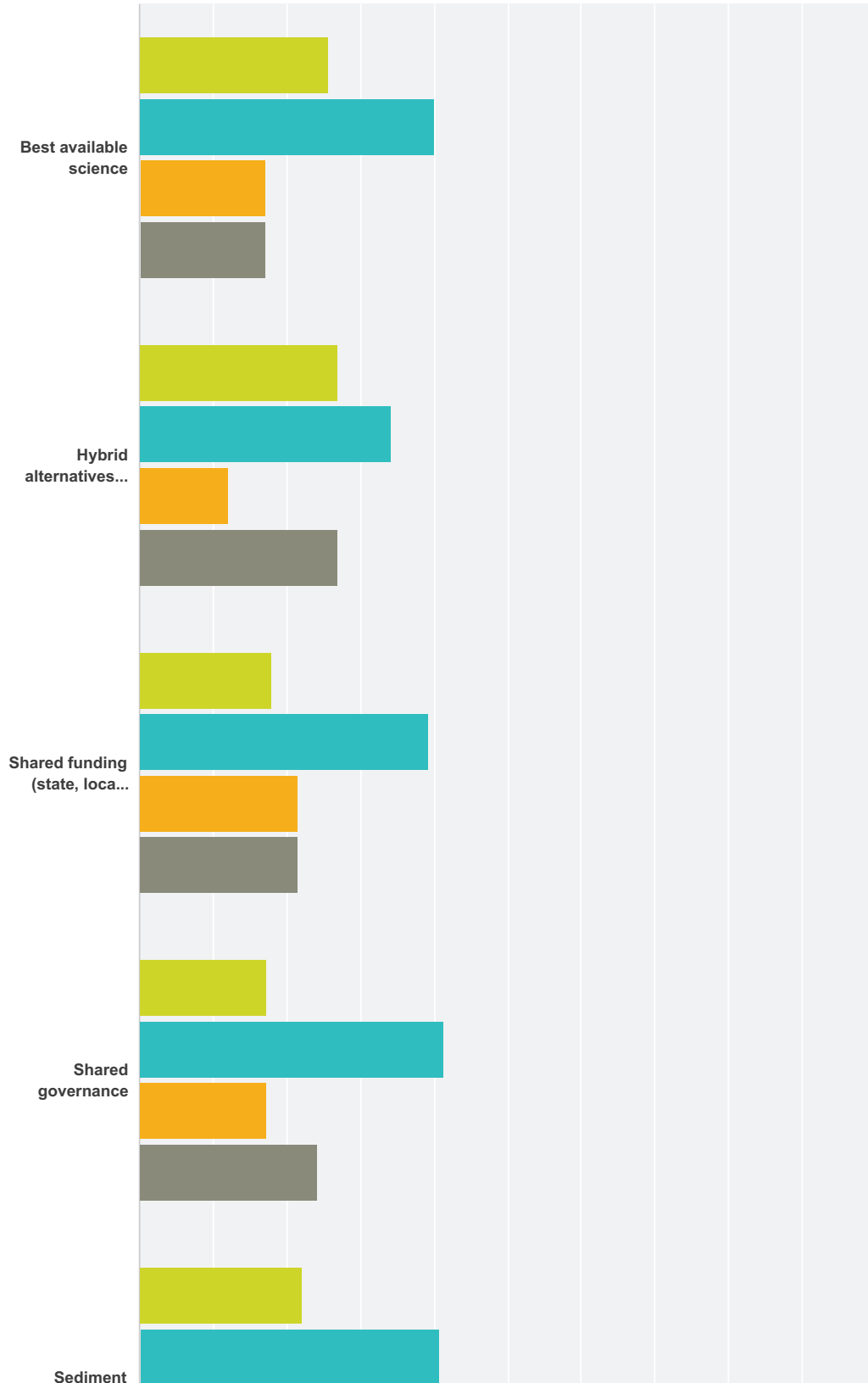
| # | Other (please specify issue and suggested method) | Date |
|---|--|-------------------|
| 1 | I like Proviso 1. | 3/18/2016 5:55 PM |
| 2 | *Sediment management > where to put dredged material. *Other - SLR | 3/18/2016 5:41 PM |
| 3 | Comments on draft work plan: I can't site specific sections, but I support the conversion the "Lake" into an estuary. This will benefit wildlife habitat and also the aesthetics of this area. It will be MORE interesting than a shallow polluted "lake". | 3/18/2016 5:35 PM |

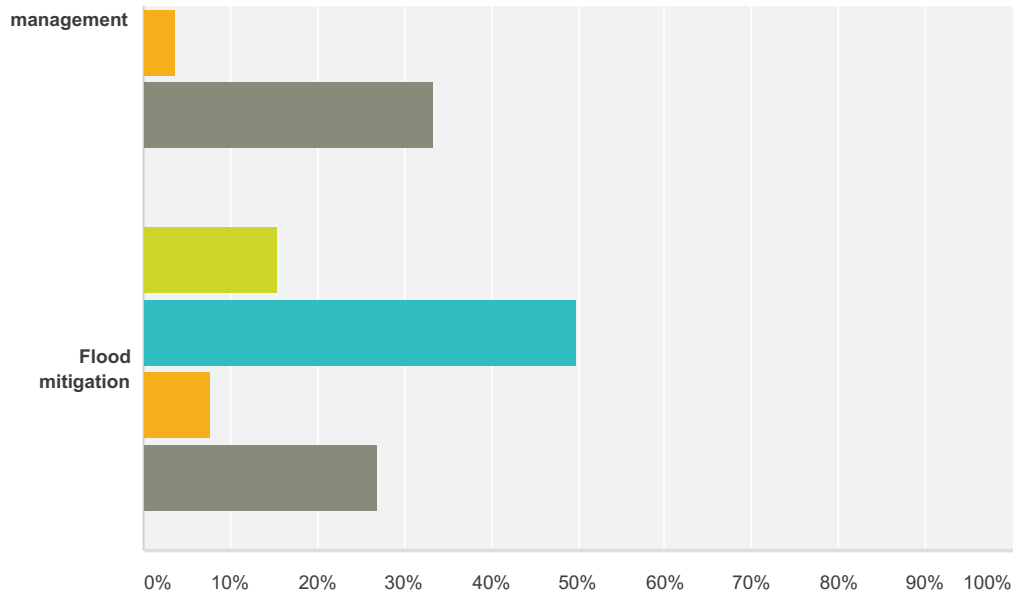
| | | |
|----|---|--------------------|
| 4 | I am frustrated that this work plan seems to simply be a duplication of work that's already been done. This money and time being spent is doing work that's already been done. Why stall an action? Why spend more money needlessly? | 3/18/2016 5:28 PM |
| 5 | Clean up trash in lake. Comments on draft work plan: Please remove dam | 3/18/2016 5:25 PM |
| 6 | Other: Public observer in meetings. Would like to be kept informed. Comments on draft work plan: Is the scientific info to include Milne's work: I do not think that the "reflecting pool" is "historic". History is what was there for thousands of years before the dam. Future management plan - restore Estuary and have it managed by U.S. Fish & Wildlife. Nisqually management would easily include it with their Grays Harbor estuary. Must be shared cost between Port, marinas, state, cities and county for sediment management. | 3/18/2016 5:21 PM |
| 7 | Best available science: Don't let this get dragged beyond reasonable standards to a degree where it becomes an obstacle to progress; DO use the best science. There is a lot of it already done, and the conclusions are clear. Estuary is best. | 3/18/2016 4:56 PM |
| 8 | Why are we doing yet another study at tax payers expense? Especially without real public comments that will even influence the design. Their plan is already set - public comment can't really change it at this point. *The hybrid alternative is a horrid idea!! *Share Governance - DES is not the proper agency to be handling this issue. This is a natural system, not a building! Ecology and DNR should be the sole agencies involved. | 3/18/2016 4:51 PM |
| 9 | Appears to be a logical approach to the budget proviso. However, the Exec. Committee members are waffling on providing resources to the Technical committee. *Losses of habitat that have already occurred due to all in past. *Other: GIS scoping, sea level rise, economic, public and community benefits, state interest under coastal Zone Management Act and State Shoreline Management Act. | 3/18/2016 4:47 PM |
| 10 | Affiliated with: Former "Friends of the Waterfront" per the Trivo isthmus project. Now a new group on "Friends of the Lake". | 3/18/2016 4:39 PM |
| 11 | When you get to the point of considering restoration a Hernative designs find an appropriate reference site, e.g. Mud Bay. There is a lot of misrepresentation in the media of what a restored estuary would look like. | 3/18/2016 4:34 PM |
| 12 | The plan lacks a section addressing legal constraints regarding the various options. Chief among these, in addition to the State Environmental policy Act. Are: the Shoreline Management Act, the Coastal Zone Management Act, the Water Pollution Control Act, and the Rivers and Harbor Act of 1899. | 3/18/2016 4:24 PM |
| 13 | What are the value, goals and mission which will inform the choice among the options (and their design)? #2 mention some, it a comprehensive list? How are these values and goals identified arrival at? When in the process will these be one option selected and agreed upon? | 3/18/2016 4:21 PM |
| 14 | I am a retired professional in EIA/SIA and could help and/or advise in this area. | 3/18/2016 4:15 PM |
| 15 | I appreciate this process of examining the best available science in addition to the other parts of the work plan. This increases the likelihood of choosing a path ahead that makes the most sense. Thank you! | 3/18/2016 4:13 PM |
| 16 | Sea-level rise impacts; social implications; public access; future generations | 3/18/2016 4:09 PM |
| 17 | Please take a look at Steve Shanewise's Deli option - A compromise is needed which can appease everyone. | 3/18/2016 3:48 PM |
| 18 | Comments on Draft Work Plan: Save just the lake & make the Port of Oly pay to dredge it -- most cost effective | 3/18/2016 3:46 PM |
| 19 | Work plan comments: Timing on Proviso 5 is too short. Proviso 1 should finalize prior to proviso 2 is finished. | 3/18/2016 11:10 AM |
| 20 | Other: Outdoor recreation for economic development. Comments on Proviso 5: "engage in other related activities which would contribute to reaching broad agreement on the long-term management plan." | 3/18/2016 10:57 AM |
| 21 | Sediment management on the Deschutes first! | 3/18/2016 10:52 AM |
| 22 | Sea-level rise | 3/18/2016 10:43 AM |
| 23 | RE: Lake/Estuary.....I would like to see a hybrid of the two with a public/private management structure to ensure profit sharing enables sufficient/appropriate maintenance, flood mitigation/sediment management and a place that would draw day-tourism as an adjunct to the state capital (which is in dire need of maintenance but I'll talk about that another day). | 3/17/2016 1:57 PM |
| 24 | Neighborhood input/ comments from our neighborhood meetings on this issue. | 3/12/2016 11:06 AM |
| 25 | Combine Lake with Estuary, Estuary should be treated like Nisqually Wildlife Park including board walk. | 3/9/2016 6:13 PM |
| 26 | citizen involvement | 3/9/2016 8:39 AM |
| 27 | Economics of Outdoor Recreation and Tourism | 3/8/2016 9:34 PM |
| 28 | Costs and Public Opinion | 3/8/2016 1:14 PM |
| 29 | Zebra snails | 3/7/2016 1:01 PM |

| | | |
|----|--|------------------|
| 30 | Forget the studies, just take the dam out. | 3/7/2016 9:34 AM |
| 31 | Schedule of Actions by each level of government and phased implementation. | 3/6/2016 2:26 PM |
| 32 | Public support | 3/5/2016 2:06 PM |

Q5 Please select the option you think is the best way for DES to engage the public on these issues.

Answered: 42 Skipped: 21





■ An open house
 ■ A facilitated discussion
 ■ A stakeholder presentation
 ■ A design charrette (a collaborative meeting where a diverse group of stakeholders come tog...

| | An open house | A facilitated discussion | A stakeholder presentation | A design charrette (a collaborative meeting where a diverse group of stakeholders come together) | Total |
|---|---------------|--------------------------|----------------------------|--|-------|
| Best available science | 25.71% 9 | 40.00% 14 | 17.14% 6 | 17.14% 6 | 35 |
| Hybrid alternatives (something other than strictly "Lake or Estuary") | 26.83% 11 | 34.15% 14 | 12.20% 5 | 26.83% 11 | 41 |
| Shared funding (state, local, federal and other entities) | 17.86% 5 | 39.29% 11 | 21.43% 6 | 21.43% 6 | 28 |
| Shared governance | 17.24% 5 | 41.38% 12 | 17.24% 5 | 24.14% 7 | 29 |
| Sediment management | 22.22% 6 | 40.74% 11 | 3.70% 1 | 33.33% 9 | 27 |
| Flood mitigation | 15.38% 4 | 50.00% 13 | 7.69% 2 | 26.92% 7 | 26 |

| # | Other (please specify) | Date |
|---|--|-------------------|
| 1 | Just getting "comments" from private citizens doesn't get the process to making a resolution of the issue. CLIPA has provided a great deal of "new" scientific data that has not been provided/recognized by the DES website. | 3/18/2016 5:54 PM |
| 2 | *Open house for presentation of "vetted & viable options & alternatives. *A facilitated discussion for all science used to vet alternatives. *A stakeholder presentation after alternatives are vetted and defined. *A design charrette to "refine public access to sit of vetted alternatives." | 3/18/2016 5:47 PM |
| 3 | A design charette for gathering public preferences giving all a change to reflect upon alternatives. | 3/18/2016 5:42 PM |
| 4 | 3 options - Lake, Estuary, Dual | 3/18/2016 5:38 PM |
| 5 | All of the above. | 3/18/2016 5:36 PM |
| 6 | More in depth info for public. | 3/18/2016 5:33 PM |
| 7 | *a facilitated discussion. *A stakeholder presentation giving equal time to community members to present science, plans, findings, ideas. | 3/18/2016 5:30 PM |

| | | |
|----|---|--------------------|
| 8 | All of the above. | 3/18/2016 5:26 PM |
| 9 | * An open house, not in this building but where there is parking. * A facilitated discussion for Public Meeting with Q&A, not just posters. *Review of the estuary feasibility study process in a PowerPoint presentation to include the CLAMP recommendations to restore. | 3/18/2016 5:22 PM |
| 10 | Other: Public Hearing. Let people express principles and values eg. love of wildlife or desire for expanded transportation opportunities, trails, access to waterfront, etc. DNR & Ecology should play their role more forcefully. State has always taken input from local business interests; but is should recognize changing contours of community, values of recreation (not marinas) and concern for wildlife. Sea Level impact not a big concern if there's flood mitigation. The above engagement options all happened with CLAMP already. People are cynical about endless process. | 3/18/2016 5:01 PM |
| 11 | *A stakeholder presentation (use for - already decided with plan as presented. *Other - Public Hearing - let people express principles and values - pro/anti lake | 3/18/2016 4:52 PM |
| 12 | *An open house (use for general information and focus topic) *A facilitated discussion (use for generating alternatives, concerns, data gaps, etc. *A stakeholder presentation (use for describing specific proposed by side and science issues. *A design charrette (use for developing consensus on alternatives) *Other Technical Committee meetings should be open to public *(use for need presentation by Ecology on these technical studies and models | 3/18/2016 4:47 PM |
| 13 | Design charette use for stakeholders, citizens and public comment | 3/18/2016 4:41 PM |
| 14 | Open house, facilitated discussion and design charrette can all be useful. Too soon to decide use; Need 1-2 open meeting like the one today. | 3/18/2016 4:40 PM |
| 15 | *A design charrette (use for construction alternatives) | 3/18/2016 4:35 PM |
| 16 | Public Meetings | 3/18/2016 4:24 PM |
| 17 | A design charette used for determining public preferences and distributing unbiased information. | 3/18/2016 4:19 PM |
| 18 | Meet with neighborhood organizations (near and far) to share scientific information and assess local values. | 3/18/2016 4:17 PM |
| 19 | stakeholder presentation is only useful depending on the format. | 3/18/2016 4:12 PM |
| 20 | Facilitated discussion used for evaluation of Best Science; Stakeholder presentation used for presentation of proposed options; Design charette used for refinement of options. | 3/18/2016 3:52 PM |
| 21 | all communication methods apply for discussion with the public | 3/18/2016 3:47 PM |
| 22 | An Open House for Proviso 2, A facilitated discussion for Proviso 3 & 4, A stakeholder presentation for Proviso 1, and a Design charette for Proviso 2. | 3/18/2016 11:12 AM |
| 23 | Other: Outdoor recreation for economic development. Open House used for discussion, understanding, transparency Stakeholder presentation used for video record for public dissemination. | 3/18/2016 11:00 AM |
| 24 | In my experience, what works best is a subject-matter presentation to all.....then breaking into specialized groups charged with reaching consensus and reporting back to larger group. | 3/17/2016 2:01 PM |
| 25 | The design charrette needs to include public comment. | 3/10/2016 10:59 AM |
| 26 | open house with option to provide comments via web for those unable to attend | 3/9/2016 10:19 AM |
| 27 | Public outreach and education beyond the City of Olympia | 3/9/2016 8:40 AM |
| 28 | Costs and Public Opinion | 3/8/2016 1:15 PM |
| 29 | Just take the dam out as cheaply as possible. | 3/7/2016 9:36 AM |
| 30 | Information provided electronically (email) with request to reply on preferences. | 3/5/2016 2:13 PM |

Q6 Please provide any other feedback/comments you have in the box below. To submit additional materials, or request further information, please email DESCapitolLake@des.wa.gov.

Answered: 49 Skipped: 14

| # | Responses | Date |
|----|---|-------------------|
| 1 | The draft plan needs to acknowledge that Capitol Lake is protected by Federal law under the National Historic Preservation Act as the historic reflecting lake as part of the City Beautiful Movement design of the State Capitol Campus by Wilder and White. The tide lock is protected as a part of that historic plan. The draft plan needs to include an analysis of the rechannelization of Percival Creek to restore the only Salmon run that existed in the Deschutes River Basin. The draft plan needs to show the benefit of the tide lock for flood control. The draft plan needs to include the water quality data compiled by Drs. Milne Soule, Ladd, and others at the Evergreen State College that show the water quality benefit provided by Capitol Lake to Budd Inlet. The draft plan needs to include a Capitol Lake Management District made up of the State, Olympia, Tumwater, the Port, and the Squaxin for shared maintenance and financing. (transcribed by TR) | 3/18/2016 5:59 PM |
| 2 | (transcribed by TR) | 3/18/2016 5:56 PM |
| 3 | Hybrid options ARE NOT necessary. Pursuing them is a waste of resources as DES now has the responsibility to maintain the lake. (transcribed by TR) | 3/18/2016 5:55 PM |
| 4 | Until the alternatives are defined & this design is sufficiently outlined to create a planning level description, the planning level function of the alternatives is not possible. The then alternative should have the supporting science, cost, long term impacts identified from both the State/CLAMP Reports and the CLIPA Reports that have been available to the public and DES for at least a year. When a professional/science report is used, the authors and the reference should be included, along with reviews of the data by other scientists and professionals. Criteria used to select "listed reports" should be written. Rejection of any reports should be based on that criteria and the names of the professional that "rejected" the report along with their professional qualifications. (transcribed by TR) | 3/18/2016 5:50 PM |
| 5 | (transcribed by TR) | 3/18/2016 5:43 PM |
| 6 | (transcribed by TR) | 3/18/2016 5:42 PM |
| 7 | Additional contact information [REDACTED] | 3/18/2016 5:39 PM |
| 8 | (transcribed by TR) | 3/18/2016 5:36 PM |
| 9 | (transcribed by TR) | 3/18/2016 5:33 PM |
| 10 | Accept the findings of the survey done by the public utilities that shared 70% of resident's support doing what is best for the health of the environment, stop stalling, and make a plan to restore water quality. Address sediment build up in the lake that leads to flood risk. Restore migratory bird paths, and support the outdoor recreation that is abundant in Olympia which would contribute CONSIDERABLY to our local economy. (transcribed by TR) | 3/18/2016 5:31 PM |
| 11 | (transcribed by TR) | 3/18/2016 5:26 PM |
| 12 | I'm glad that sea level rise is being addressed with this project. CLAMP Partners: Squaxin, Port, City (& state?) were meeting about sediment mitigation. It was not formally addressed as the state closed down CLAMP. (transcribed by TR) | 3/18/2016 5:24 PM |
| 13 | Hybrid alternatives: No. This is a dumb way to try to find compromise. As a historian who has submitted substantial info to the Capitol Committee, I completely reject any claims of an "historic" basis for this. When the diagram was made that was used in the Capitol Committee report, it was about an attempt to build a rode across the waterway (N-South). Don't imagine there was an aesthetic idea behind it. It won't work in terms of circulation anyway. Expensive. Loss of habitat. Shared Funding: Please give far more attention to the construction of a new 5th Avenue bridge. This could become a major and positive part of the project: better bikeway, safer for pedestrians, underpasses allowing connections to trails. SEEK FEDERAL FUNDS CONNECTED TO ESTUARY RESTORATION! Sediment: Certain interests have been subsidized for years - they must now pay their fair share for dredging. SEDIMENT IS GOOD IF DESIGN IS GOOD. (transcribed by TR) | 3/18/2016 5:13 PM |
| 14 | (transcribed by TR) | 3/18/2016 4:52 PM |

| | | |
|----|---|--------------------|
| 15 | (transcribed by TR) | 3/18/2016 4:47 PM |
| 16 | Other Southlake - Create a bermed walking path from 4th Street to the interpretative center between the SouthLake and middle Lake Fresh Lake on the east side of SouthLake Berm. Estuary on the west side of the SouthLake Berm (transcribed by TR) | 3/18/2016 4:42 PM |
| 17 | (transcribed by TR) | 3/18/2016 4:40 PM |
| 18 | (transcribed by TR) | 3/18/2016 4:36 PM |
| 19 | (transcribed by TR) | 3/18/2016 4:25 PM |
| 20 | (transcribed by TR) | 3/18/2016 4:21 PM |
| 21 | (transcribed by TR) | 3/18/2016 4:19 PM |
| 22 | (transcribed by TR) | 3/18/2016 4:17 PM |
| 23 | (transcribed by TR) | 3/18/2016 4:13 PM |
| 24 | (transcribed by TR) | 3/18/2016 4:12 PM |
| 25 | 1. Interested in the dual concept. Need more info. 2. You can dredge the Lake or dredge the Port. Sediment has to go somewhere. 3. Think about this. Dredge the lake, deeper water means colder water=cleaner water=no mill flower or scum growing on the warm water. Also colder water is good for fish. 4. Can the Port of Oly help with the costs. Lake dredging will keep the sediment from the port area. (transcribed by TR) | 3/18/2016 4:06 PM |
| 26 | (transcribed by TR) | 3/18/2016 4:01 PM |
| 27 | (Transcribed by TR) | 3/18/2016 3:52 PM |
| 28 | (transcribed by TR) | 3/18/2016 3:49 PM |
| 29 | (transcribed by TR) | 3/18/2016 3:47 PM |
| 30 | (transcribed by TR) | 3/18/2016 3:32 PM |
| 31 | (transcribed by TR) | 3/18/2016 11:13 AM |
| 32 | I believe an economic analysis of outdoor recreation on multiple scales: state, county and city, will help to contribute toward reaching broad agreement. This economic information is significant. 1. The city of Olympia has one of the worst performing tourism economies in the Pacific NW despite location, amenities and aesthetics. 2. In Thurston County, outdoor recreation generates more employment, 2x economic contribution, and 3x the tax revenue of the Port of Olympia. 3. Washington State has one of the weakest per capita recreation economies in the region. It is 1 of 2 state with NO tourism promotion budget. 4. Thurston County employment has significant representation in sectors that would benefit from increased tourism. 5. An elegant and functional design would increase tourist visitation (see Nisqually, Elwah). Please contact me for sources or more information! (transcribed by TR) | 3/18/2016 11:05 AM |
| 33 | Budd Inlet is the 4th most impaired waterway in the U.S in terms of reduced and dissolved oxygen. The single greatest contributor to reduced oxygen levels is the 5th Avenue Dam. Restore the estuary and let the natural processes re-establish. This is the best option environmentally and economically. An estuary also provides the best option for the ability to adapt to sea level rise. (transcribed by TR) | 3/18/2016 10:44 AM |
| 34 | After years and years of discussion on this issue of a Capitol Lake v.s. the estuary, many in the community are weary. The community discussion, the state money spent on Capitol Lake, in Olympia, is huge. Many in the local neighborhoods are weary of this process, or lack of process. Many in the community are disgusted by the ugly, smelly swamp; that is called "a lake". Many are tired of the lack of leadership on this issue from DES. Many are tired of paying for the Olympia " Yacht Club" dredging costs. Most of us in the nearby neighborhoods do not have a boat. Most of us are tired of the discussion from the Yacht Club, after 30 years of living in Olympia. Many neighbors support the estuary, it is the natural way to clean the area of the New Zealand mud snail (that can infect our pristine mountain lakes). We want the salt water to clean the area. We want the salmon to swim up stream naturally. We want an estuary. | 3/12/2016 11:14 AM |
| 35 | Add online opportunities to collect input on phases of the studies and plans. Establish a hard date by which enough science has been collected and decision-making begins. This is being over-studied. | 3/11/2016 4:52 PM |
| 36 | There are a number of reasons that basically make the estuary approach the only option that makes sense. These issues include sea level rise (the dam will be topped by high tides), the age of the dam (it will have to be replaced and a permit to do so will be impossible), and the environmental value of a restored estuary system. | 3/10/2016 11:03 AM |
| 37 | Combine Lake with Estuary. Estuary should be treated like Nisqually Wildlife Park, a home for wildlife. Include discreet viewing platforms and board walk. | 3/9/2016 6:14 PM |

| | | |
|----|---|-------------------|
| 38 | Step 1 of the draft Work Plan is to "identify and summarize the best available science concerning water quality and habitat as a result of either retaining or removing the dam." Capitol Lake is in clear violation of federal clean water standards. This violation can only be resolved with the removal of the dam followed by basin-wide estuary restoration. Thank you. M [REDACTED] County Stream Team volunteer. | 3/9/2016 12:25 PM |
| 39 | I believe that summaries of the science, identification of options with estimated costs and impacts, and discussions around this has been done many times over the last several years. So I wonder why it is being done again; and how this group plans to get to an agreement this time. Or will we all just be back in another 5 years to analyze the new science and options again? I noticed on the plan component #2 that the options are to include a list of things; one being to maintain a historic reflecting pool. Does this mean that the plan of this group is to evaluate options that include a reflection pond only? Or is a full estuary restoration option going to be considered and evaluated? | 3/9/2016 10:30 AM |
| 40 | DES needs to move this discussion outside the walls of the City of Olympia since all WA State taxpayers fund the project and will pay to try to maintain the Capitol Lake along with the 5th Ave. Dam. | 3/9/2016 8:41 AM |
| 41 | http://www.slideshare.net/gregschundler/restoring-the-deschutes-river-estuary-olympia-wa | 3/8/2016 9:35 PM |
| 42 | I could not access the revised workplan on this hotel computer. However, from the format it seems you have continued to bury relative costs of alternatives and methods of gathering public opinion as separate tasks as was laid out in the proviso. They deserve separate visibility. On "Best Science" it is imperative that you provide ALL scientific reports and not just state agency materials. It is also important to includes the CLIPA plan for a Capitol Lake/Percival Estuary as one of the alternatives. | 3/8/2016 1:21 PM |
| 43 | How will the infestation of zebra snails impact the proposed estuary, and has anyone one considered stocking the lake with sturgeon to help eradicate the snail. Being that sturgeon eat snails . | 3/7/2016 1:08 PM |
| 44 | The recent scientific work on water quality in Capitol Lake by Dr. David Milne of The Evergreen State College needs to be included in the materials. In addition the proposal to establish a Percival Creek channel directly to Budd Inlet along the Deschutes Parkway needs to be included as an alternative to tide lock removal. | 3/7/2016 11:03 AM |
| 45 | Take the dam out. let the lake return to it's natural state. | 3/7/2016 9:36 AM |
| 46 | Let's stop wasting time and money on hybrid options. The damage needs to come out. An estuary will serve our community and environment to improve water quality and increase biodiversity that is key to a healthy and vibrant ecosystem. | 3/7/2016 9:35 AM |
| 47 | At what point in the process will a decision be made? It seems a bit misleading to continue down a road of evaluating alternatives, knowing that there are other factors that influence the ultimate outcome (Clean Water Act, tribal interests, etc.). Hasn't the Department of Ecology already determined that the "new" science that has emerged to be invalid? Seems like we're running around in more circles, and without a decision on the horizon and mention of other factors that will ultimately influence the decision, it's difficult to trust that this process will results in forward momentum to resolve this issue. | 3/7/2016 8:59 AM |
| 48 | CLIPA has provide copies of key reports to DES Staff and have made our Website/Library of specific studies available to the DES staff on several occasions. The CLIPA studies and third part analysis from respected professionals and scientists in the community were provided to DES. Do we need to submit them again in a formal manner. They were submitted to Director Chris Liu and Carrie Martin. Please confirm in writing it a full set o the formal reports must again be submitted. | 3/6/2016 2:31 PM |
| 49 | Will habitat discussion include in and out of the water habitat review? When soliciting public support, please consider contacting neighborhood associations that are nearby and around Budd Bay, providing information at the Olympia library, and posting web addresses by the Lake itself to inform people who live, work and play by the Lake/bay that this process is happening. In the statement on share funding, could you add non-profit and private to the menu of options? Item 3(a) does not make sense to me, it is trying to say something like: 'Identify criteria for including funding options in a future funding model' 4(i) Would this include Puget Sound Partnership? (not sure exactly what they do) | 3/5/2016 2:19 PM |

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

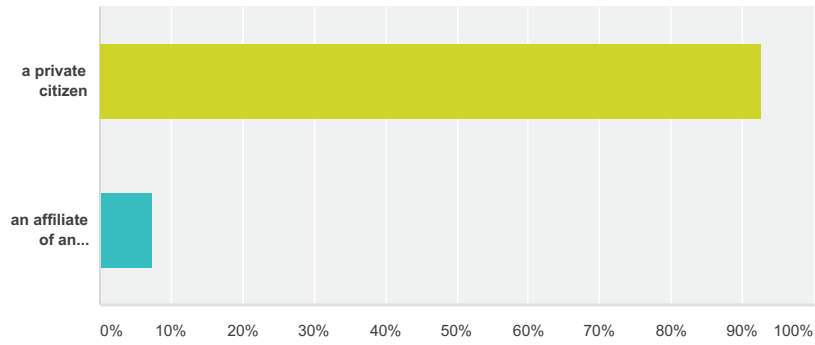
Community Input on Proviso Element: Goals and Objectives

**Input period extending from
April 14 to April 28, 2016**

FINAL

Q2 Are you attending as:

Answered: 436 Skipped: 5



| Answer Choices | Responses |
|---------------------------------|------------|
| a private citizen | 92.66% 404 |
| an affiliate of an organization | 7.34% 32 |
| Total | 436 |

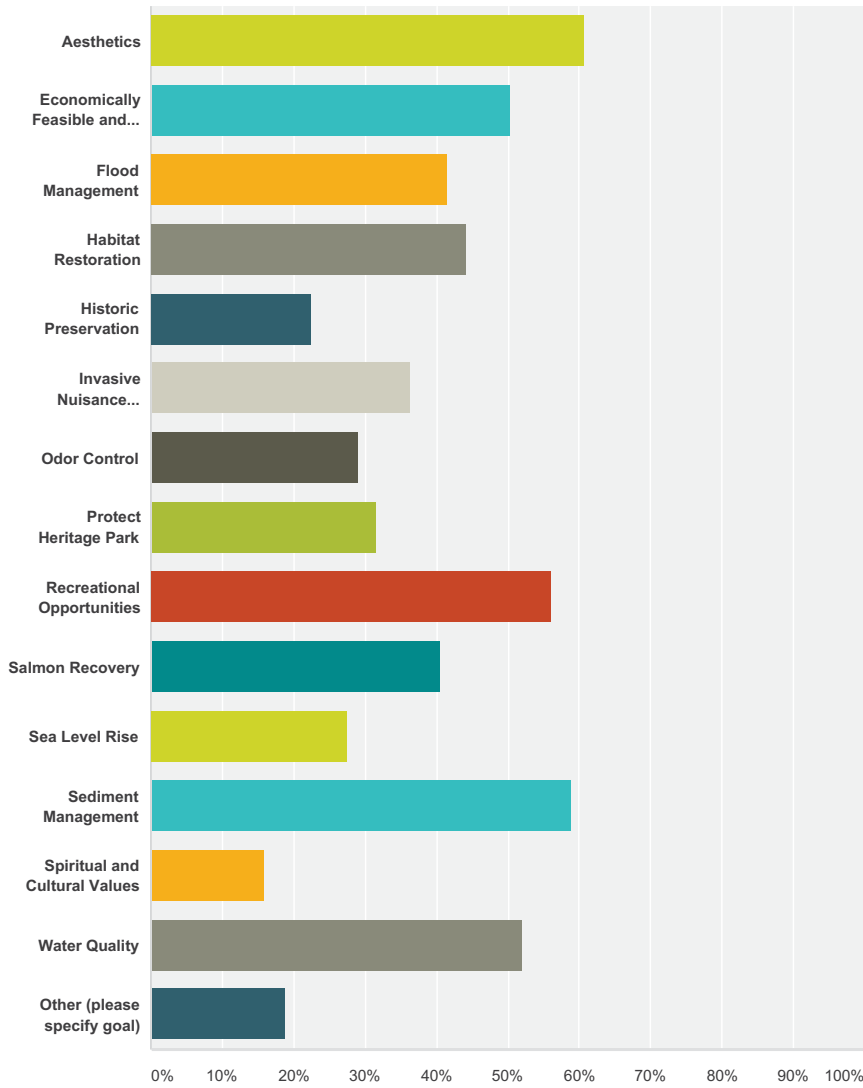
Q3 What organization are you affiliated with?

Answered: 33 Skipped: 408

| # | Responses | Date |
|----|--|--------------------|
| 1 | DERT | 5/2/2016 3:57 PM |
| 2 | DERT | 5/2/2016 3:38 PM |
| 3 | N/A | 5/2/2016 3:30 PM |
| 4 | Thurston County Resource Stewardship | 4/28/2016 6:47 PM |
| 5 | Deschutes WRIA 13 Salmon Habitat Recovery Lead Entity | 4/28/2016 10:14 AM |
| 6 | none | 4/28/2016 8:16 AM |
| 7 | Wild Game Fish Conservation International | 4/27/2016 6:37 PM |
| 8 | Olympia yacht club | 4/27/2016 4:23 PM |
| 9 | M.G. Burgher & Associates | 4/27/2016 3:14 PM |
| 10 | CLIPA | 4/27/2016 1:09 PM |
| 11 | Martin Marina | 4/27/2016 9:47 AM |
| 12 | Deschutes Estuary Restoration Team And Tribal Affiliation (Parent of Tribal Members) | 4/27/2016 12:36 AM |
| 13 | Olympia Yacht Club | 4/26/2016 7:15 PM |
| 14 | Olympia Yacht Club | 4/26/2016 2:42 PM |
| 15 | CLIPA & OYC | 4/26/2016 9:31 AM |
| 16 | OYC | 4/26/2016 8:10 AM |
| 17 | Olympia Yacht Club | 4/26/2016 7:51 AM |
| 18 | none, Olympia native | 4/26/2016 7:46 AM |
| 19 | Results Washington | 4/26/2016 7:44 AM |
| 20 | Olympia yacht club | 4/26/2016 5:26 AM |
| 21 | OYC | 4/25/2016 9:17 PM |
| 22 | Olympia Yacht Club | 4/25/2016 3:28 PM |
| 23 | Turbo Mechanical Inc. | 4/25/2016 3:13 PM |
| 24 | Olympia Yacht club & South Sound Sailing Society | 4/25/2016 1:31 PM |
| 25 | CLIPA | 4/22/2016 4:16 PM |
| 26 | CLIPA | 4/22/2016 3:43 PM |
| 27 | clipa | 4/22/2016 2:20 PM |
| 28 | CLIPA | 4/22/2016 11:26 AM |
| 29 | Olympia Yacht club | 4/21/2016 4:42 PM |
| 30 | Governor Hotel Olympia | 4/21/2016 4:05 PM |
| 31 | CLIPA | 4/21/2016 11:40 AM |
| 32 | Olympia City Council | 4/21/2016 10:43 AM |
| 33 | DoubleTree by Hilton / VCB Board of Dir. | 4/21/2016 9:59 AM |

**Q4 Which of the following goals do you consider to be key for the long-term management of the Capitol Lake Basin?
(listed in alphabetical order)**

Answered: 427 Skipped: 14



| Answer Choices | Responses |
|--------------------------------------|------------|
| Aesthetics | 60.66% 259 |
| Economically Feasible and Reasonable | 50.35% 215 |
| Flood Management | 41.45% 177 |
| Habitat Restoration | 44.26% 189 |
| Historic Preservation | 22.48% 96 |
| Invasive Nuisance Species Management | 36.30% 155 |
| Odor Control | 29.04% 124 |
| Protect Heritage Park | 31.62% 135 |
| Recreational Opportunities | 56.21% 240 |
| Salmon Recovery | 40.52% 173 |

| | | |
|-------------------------------|--------|-----|
| Sea Level Rise | 27.63% | 118 |
| Sediment Management | 58.78% | 251 |
| Spiritual and Cultural Values | 15.93% | 68 |
| Water Quality | 51.99% | 222 |
| Other (please specify goal) | 18.74% | 80 |
| Total Respondents: 427 | | |

| # | Other (please specify goal) | Date |
|----|--|--------------------|
| 1 | Invasive Nuisance Species Management - See Comment #3 Other - Remove the dam (or open gates fully 24/7) | 5/2/2016 3:58 PM |
| 2 | Contribute to restoration of Puget Sound ecosystem. | 5/2/2016 3:39 PM |
| 3 | Economically Feasible and Reasonable - including business owners affected. Other - economic impact of removing dam; yacht club, waterfront business owners, boat owners, port operations -Transcribed by LA | 5/2/2016 3:31 PM |
| 4 | What do you mean by Historic Preservation; Recreational Opportunities; Spiritual and Cultural Values? -transcribed by LA | 5/2/2016 3:25 PM |
| 5 | All of the above fall into Capitol Lakes future as they should but doing only some and let others go only becomes another problem down the road! When I was a kid growing up here my friends and I could go to Capitol lake which at that time had a floating raft with a spring board and we could swim all day long without being worried about getting sit or dying! I find it hard to fathom that today there are still no swimmers where there should be and saddened by the fact that Capitol Lake has been polluted for many years and still is a threat to the safety of anyone who would dare to jump into her waters! Perhaps the ecology dept should do something to turn this travesty into a special clean and healthy place for all to use once again! | 4/28/2016 9:37 PM |
| 6 | Education | 4/28/2016 9:27 PM |
| 7 | All the goals are important but I believe they fall into three main "overarching" areas: 1) Sustainability (which includes the habitat, functions and water quality goals) 2) Cultural and Aesthetics (which includes recreation and public values) 3) Economics (which includes short and long-term costs and on-going management) Should look at which goals encompass the largest number of possible objectives . In other words, what are the goals which give us the biggest bang for the buck over a suite of different objectives. | 4/28/2016 6:59 PM |
| 8 | Here the question is "what is the relevance"? How can the plan address flood management? Does the habitat need to be restored? What historic attributes need to be preserved? Are there any odor issues? Is Heritage Park endangered? How can the plan impact salmon recovery? Or, have any impact on sea level rise? What are the spiritual and cultural values that will be impacted? They are all nice words. Everybody wants to achieve what is described by the nice words. But, what is the relevance to the task at hand? | 4/28/2016 4:19 PM |
| 9 | Retained as a properly and periodically cared for lake, the basin provides many more opportunities for walking, socializing and other community activities than an estuary would provide. Considering its proximity to downtown and Olympia's tourism, the lake on my opinion is the only option that supports living and recreating in a vibrant downtown. | 4/28/2016 2:13 PM |
| 10 | The original State Committee stated that the best solution is to return the Estuary to its natural setting. Cost was considered along with Water Quality. | 4/28/2016 8:57 AM |
| 11 | All of the above. | 4/28/2016 8:26 AM |
| 12 | I selected what I feel are the most important...and are the foundation for the other goals. I believe strongly that the lake must be dredged to depths similar to the early 1900's. With that, most of the other goals would "naturally" fall into place. Habitat, Spiritual and Cultural, Historic, Sediment, and Recreational goals would all be enhanced. The odor and invasive species issues would be minimal. I am a long time resident of Olympia and property owner on the lake and feel invested in it. | 4/28/2016 8:07 AM |
| 13 | Free uncommercial access | 4/28/2016 3:43 AM |
| 14 | Operation of naturally functioning ecosystem - i.e. dam removal (before that is done by SLR) | 4/27/2016 7:08 PM |
| 15 | Ecology education opportunities at all levels in local community | 4/27/2016 6:39 PM |
| 16 | MAINTAINANCE COSTS... | 4/27/2016 4:57 PM |
| 17 | Recreation -- I miss being able to access the lake via kayak or canoe. Access for low impact recreation helps to ensure community buy-in and involvement. | 4/27/2016 4:49 PM |
| 18 | Goal: to have a lake that enhances the view of the capital and provides recreational activities for all citizens of Thurston County and visitors to the area. Quit putting off cleaning out the basin. I believe creating a mud flat will decrease, not increase, the number of visitors to the downtown area. | 4/27/2016 12:27 PM |
| 19 | To return the Deschutes river to its natural condition. The lake is a cesspool and a poor reflection on our State Capitol. | 4/27/2016 10:53 AM |
| 20 | They promised to preserve the lake and set aside money to do so. Now they have spent the money on other stuff and not preserved the lake. That has caused new problems. How can we trust anything the government promises when they blatantly ignore their past promises. We approved saving the lake because it was beautiful, useful/recreational and we liked it. Clean up the lake and restore the park. | 4/27/2016 10:20 AM |

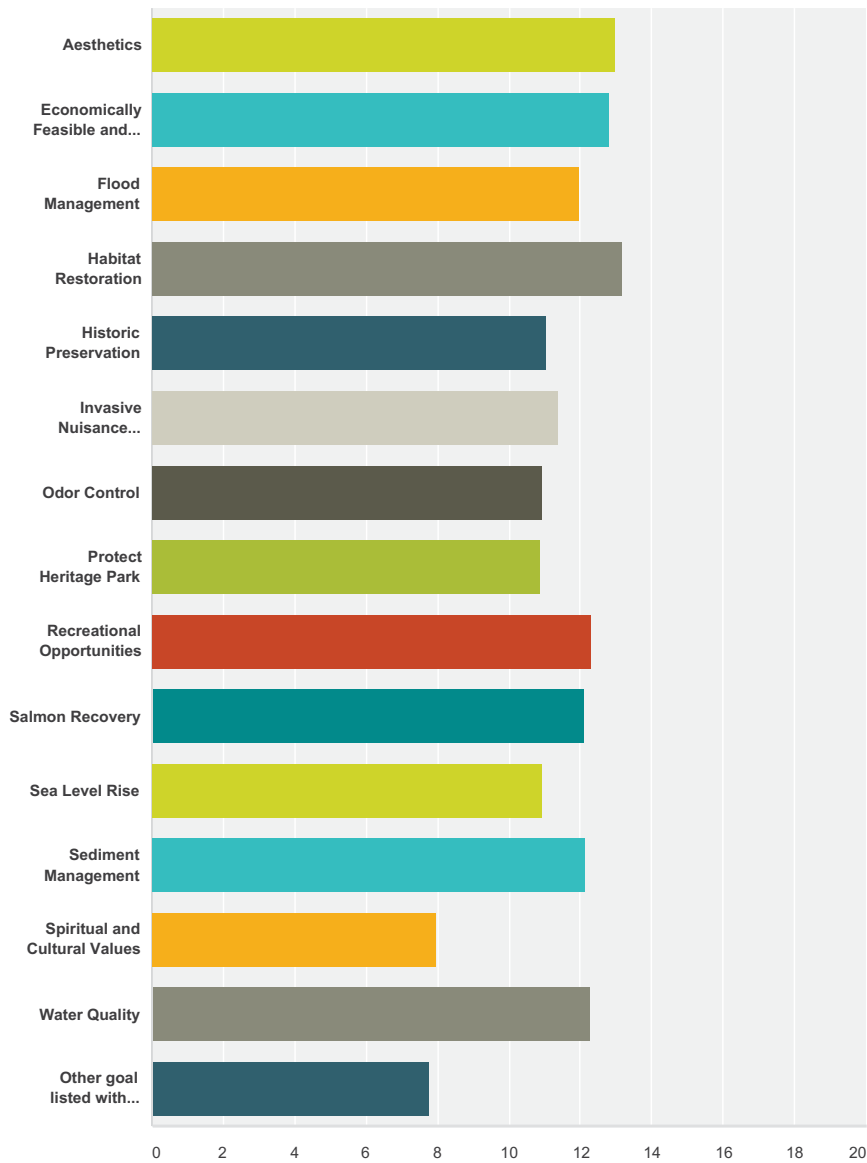
| | | |
|----|---|--------------------|
| 21 | I strongly believe that salmon recovery, habitat restoration, historic preservation,cultural values is critical, but I think each proposed restoration project has to be evaluated for cost benefit value. With a limited amount of funding for restoration projects it is important that tax payer funds are spent judiciously and that each project should have a high probability for success. I do not believe that this is the case with Capitol Lake estuary proposal (so different than the Nisqually delta project). The cost/benefit does not seem to pan out for this project. Unfortunately I see any alternative as very costly. With so much controversy I predict us forever at loggerheads no matter which direction is ultimately decided on. The opposition will fight and we will not move forward. | 4/27/2016 8:50 AM |
| 22 | We must honor the Medicine Creek Treaty, the Boldt Decision, and the gov-to-gov compact. | 4/27/2016 12:38 AM |
| 23 | I think serious consideration should be given to split basin solution with an impounded fresh water reflecting basin on eastside and restored estuary on westside. This solution could unify both the "lake" and "estuary" points of view. Doing nothing will result in an unusable fresh water marsh.. | 4/26/2016 8:41 PM |
| 24 | Take out the damn and excavate the contaminated silt. | 4/26/2016 8:36 PM |
| 25 | Maintenance of viable shipping lanes in Budd Inlet | 4/26/2016 8:20 PM |
| 26 | Maintain Capitol Lake as-is | 4/26/2016 8:10 PM |
| 27 | Capitol Lake is the Gem of the Capitol City and a tourist attraction. It could provide a lake for many activities for the citizens. | 4/26/2016 7:59 PM |
| 28 | Is is ugly and smelly when the lake does not have water. Our beautiful city would have mud flats in the middle of town Instead of a beautiful serene lake with the view of the capitol. Who would want to look at that and smell it. I can;t imagine any reason to want to look at mud flats. Downtown has enough problems without mud flats. I can;t think of one waterfront city with mud flats in the middle of town. | 4/26/2016 6:50 PM |
| 29 | Keep the dam, do you really want our states capital and Olympia to look and smell like mud bay? Seriously? | 4/26/2016 6:45 PM |
| 30 | When I select Aesthetics, please note that I find a natural estuary to be aesthetically pleasing. | 4/26/2016 5:06 PM |
| 31 | Living in the Puget Sounds means we have to manage our waters well, and with an eye towards the future. As I see it, maintaining a lake is no longer practical or desirable. Further, it's not the option that will best serve residents over the long term. I would love to see Olympia follow in Vancouver, Canada's footsteps, and make a living estuary part of the draw to our town, incorporating good ecological management, beauty and recreational opportunities into a tourist draw that will bring money and acclaim to our community. | 4/26/2016 3:42 PM |
| 32 | The lake has been a beautiful asset and Icon of our City, we should everthing possible persurve it! Taking the Dam would destroy the Beautiful city, its what makes Olympia!!! | 4/26/2016 10:47 AM |
| 33 | They are all real goals for everyone. I don't like how this question is worded, maintaining water quality and sediment management is on the top of my list, as if the lake goes away, all the sediment will flood the end of bud inlet virtually eliminating Olympia Yacht Club and even Percival docks if put back to an estuary. they are all important, but those are my first two. | 4/26/2016 10:46 AM |
| 34 | This land that the State is on is Tribal Lands. The Tribes have an amazing plan in place to protect our waterways. Look at the Delta and how if not for the Tribes we would not have this amazing place for now and for the next 7 generations to come. In the Spirit of Billy Frank Jr. | 4/26/2016 9:31 AM |
| 35 | Capitol Lake is one of our cities precious jewels. Maintain as existing and develop to allow more community use. Row boats, kayaks, small sailing vessels, paddle boards etc with the required shoreline infrastructure are part of my vision with the NYC Central Park lake, Green Lake (Seattle) and others as models. Get people using the lake just as they use the waterfront walk. City and capitol views from the lake are stunning and the on-the water experience totally refreshing | 4/26/2016 8:01 AM |
| 36 | I can't imagine the city of Olympia without Capitol Lake. It is the center piece of the city. It reflects the Capitol Building of the state of Washington. What would Capitol Lake Fair be called without the lake? Capitol Mud Fair? Capitol Creek Fair? Come on everyone. Lets get serious. | 4/26/2016 6:35 AM |
| 37 | A lifelong resident - 65 years - the lake, both sides need to be preserved, and returned to their former glory! That being a destination and a tribute to the city, and state Capitol. | 4/25/2016 9:11 PM |
| 38 | Recreational opportunities such as swimming small watercraft. | 4/25/2016 8:41 PM |
| 39 | All of the above are important. I have lived in the area since 1965 and remember the times when Lakefair would have the boat races and everyone would sit along the banks and enjoy the activities. I believe that with proper and timely scheduled maintenance of the sediments Olympia and the area could enjoy an asset that is second to none! It is very important to keep the silts contained where they can be managed. The upper portion of the lake is a great area for some estuary management. | 4/25/2016 8:28 PM |
| 40 | I think that downtown Olympia is best served by a fresh water lake and a sediment free Budd Bay. | 4/25/2016 8:15 PM |
| 41 | With the beautiful asset within our community, we have the opportunity to promote recreational activities while allowing for environmental science and educational opportunities. I don't believe the goals are contradictory, but by dealing with the sediment and creating a functional lake the nitrogen levels will balance between the inflow and Budd Inlet. The cost seems to rise as our community waits. I'm thankful to see some progress with the use of the survey and informative packets. | 4/25/2016 6:57 PM |
| 42 | Keeping capitol lake as is is of more use to the community than any conceivable option. If you drain the lake where are all the walkers going to go? The lake it beutiful and should remain for the enjoyment of the public. | 4/25/2016 6:13 PM |
| 43 | The cost to convert the lake to a floodplain/marsh is money we don't need to spend right now. Also it will destroy the boating community in Olympia. | 4/25/2016 5:52 PM |

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|----|--|--------------------|
| 44 | The current closing of Capital Lake due to the 'invasive' New Zealand snail must be challenged: many lakes in Washington state, including Lake Washington and the Great Lakes back east are 'infested' by the snail. There has NEVER been any indication of the actual damage being caused by these snails. And if we're to be concerned about 'invasive' species, mustn't we be concerned about the 'invasion' of human beings in this area as well? | 4/25/2016 3:42 PM |
| 45 | Sediment management is a very important topic that is usually neglected in these discussions. Important because the neglect of sediment management has caused Capitol Lake to silt up making it less attractive. And if the dam is removed to make an estuary then all that sediment will be deposited in lower Budd Inlet causing it to silt up and become unusable without a semi constant dredge cycle. | 4/25/2016 3:13 PM |
| 46 | Lower Budd Inlet would be ruined if the dam/bridge were to be removed. Currently it allows for great boating and other recreational water uses, and is a terrific stage for all of our local events at Percival Landing. Mud flats would be smelly and unattractive as the view toward and away from the Capitol Campus. I believe there has been discussion about the possibility of using the dam to control water during high (king) tides as well... | 4/25/2016 1:43 PM |
| 47 | The lake is a beautiful asset in front of the capital. Many citizens enjoy the park like area by walking and biking around it. Many a summer day, I have seen folks enjoying the park like area. | 4/25/2016 12:43 PM |
| 48 | Avoid a smelly mud flat and mosquito breeding area that dam removal would create. | 4/25/2016 12:42 PM |
| 49 | I would hate to see the damn removed, as a long time boater in the South Puget Sound, I would hate to see this happen as it would mean an end to the marinas, and boating traffic in Budd Inlet. | 4/25/2016 12:37 PM |
| 50 | Capitol Lake is a great park for our community. We need to manage so it continues to be a draw for the residents of Thurston County. It should remain a lake and be restored so people can use it for swimming and other recreational purposes. It has long been a lake and to make it any thing different would be detrimental to our community. It is used by many of us and we would like to see it being used even more and not turned into a mudflat. Please listen to the science that clearly shows of the benefit of it remaining a lake and also for the argument of dredging it so as to be of more use for our residents. | 4/25/2016 9:12 AM |
| 51 | Deschutes River health | 4/24/2016 6:35 PM |
| 52 | Capitol Lake smells. Capitol Lake is a waste dump. It is awful. We need salt water influx everyday, to keep it clean. We need one fix, that will last forever, to keep it clean; the salt water. | 4/23/2016 10:33 AM |
| 53 | Establish a long term maintenance plan that includes periodic dredging of sediment and allow public access to a beautiful fresh water lake. | 4/23/2016 7:49 AM |
| 54 | The reflection pond on the north end of the lake is most important to me since it preserves concept of the capital and its link to the lake set out in Wilder & White's original vision. | 4/22/2016 5:20 PM |
| 55 | A solution that serves the businesses and marina's of Budd Inlet positively | 4/22/2016 4:19 PM |
| 56 | Habitat preservation/enhancement | 4/22/2016 2:22 PM |
| 57 | Let Nature take its course and turn the lake into a marsh, which may improve water quality before it flows into Puget Sound. | 4/22/2016 12:30 PM |
| 58 | Salmon recovery is very important to me, but I have not checked it as such. Spending massive amounts of dollars (and other economic and social assets) removing the dam will remove those dollars for salmon rehabilitation elsewhere. e.g. Dam removal costs will likely be \$200 million more than Lake maintenance over the next 20 years. If the average salmon restoration project costs \$500 thousand, the opportunity costs of estuary restoration is about 400 more effective salmon restoration projects. Since restoration project money is quite dear, this scenario is extremely relevant to salmon restoration. | 4/22/2016 11:40 AM |
| 59 | sustainable long-term in terms of maintenance. This specifically relates to economically reasonable. | 4/22/2016 11:01 AM |
| 60 | The lake should become, as it use to be, an estuary. | 4/22/2016 9:07 AM |
| 61 | Economic impact and importance of the Capitol Lake for downtown businesses | 4/21/2016 4:06 PM |
| 62 | I think there should be business development around the lake. I imagine cute push carts selling shave ice, renting water things like kayaks and other appropriate businesses. All of this controlled through a city permit process. | 4/21/2016 3:09 PM |
| 63 | I would like to see the estuary restored. I'd go as far as removing much of the isthmus and installing a bridge from the westside to downtown. | 4/21/2016 1:33 PM |
| 64 | The legal framework that this decision must be made within: Clean Water Act and Tribal treaty rights | 4/21/2016 12:16 PM |
| 65 | 1)Function as an Urban Watershed for 400,000 people to enjoy. 2)A Plan of Management that is developed in phases to complement the realities of cost and changing people priorities. | 4/21/2016 12:04 PM |
| 66 | Restore the lake for recreation. | 4/21/2016 11:24 AM |
| 67 | Use real science to guide decisions. | 4/21/2016 10:57 AM |
| 68 | Dam removal and estuary restoration | 4/21/2016 10:28 AM |
| 69 | Impacts to the "as built" environment. Impacts to the Port's Marine Terminal, international shipping, Percival Landing, the existing yacht club, the cost of future dredging requirements to maintain a shipping channel. | 4/21/2016 9:55 AM |
| 70 | Get rid of the dam!!!! | 4/21/2016 9:43 AM |
| 71 | Don't take lake away | 4/21/2016 9:41 AM |
| 72 | That the decision be based on sound and verifiable science, technology and cost data | 4/20/2016 9:35 PM |
| 73 | insure continued existence of the Olympia harbor | 4/20/2016 4:48 PM |

| | | |
|----|---|--------------------|
| 74 | I know I checked all of the above, however all of these factors must be considered for Capital Lake to continue to function as a focal point for Olympia. I would like to see a revisit of the historical impact of the lake, I would like to see Christmas Island returned, swimming and maintaining events like Lake fair, fireworks and I would like to see new events involving the community maybe a swim, bike and run event ending at the capitol in front of the fountain and have the colored lights that used to illuminate the fountain returned.... | 4/20/2016 4:18 PM |
| 75 | Protecting the revolutionary City Beautiful Movement design of the State Capitol Campus with the reflecting lake. | 4/20/2016 3:26 PM |
| 76 | To protect the waterfront commerce in our downtown, and to invite high quality development on 5th Ave. Both are critical for the City's tax revenues. | 4/20/2016 10:50 AM |
| 77 | Ability for the public to be able to use the waterway again. | 4/19/2016 12:09 PM |
| 78 | If goals of natural restoration are achieved, aesthetics, odor control, recreation will also be achieved. | 4/17/2016 1:44 PM |
| 79 | We need to give emphasis to the capital campus buildings/grounds as they are sorely in need of proper repair and maintenance. The lake, as it's currently constituted, will never be a proper lake and will always be a catch basin for sediment, contaminants and a barrier for returning native fish, water fowl and associated "critters". It will also remain as a giant funnel for money that could be better utilized elsewhere. If properly and naturally landscaped it could be a gorgeous natural area with limited landscaped enhancements on the order of Butchart Gardens in Victoria, but not to the degree requiring continuous maintenance as found at Butchart Gardens. | 4/15/2016 1:52 PM |
| 80 | By Recreational Opportunities I mean preserving the trails, adding swimming opportunities, and encouraging active transportation options to and from the lake/estuary area. | 4/15/2016 11:56 AM |

Q5 Which of the following would you consider your top five long term goals for the Capitol Lake Basin? Please rank your top five in order of importance.

Answered: 413 Skipped: 28



| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | Total | Score |
|--------------------------------------|--------------|--------------|--------------|--------------|--------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------|-------|
| Aesthetics | 28.81% 70 | 19.75% 48 | 13.99% 34 | 16.87% 41 | 15.64% 38 | 0.41% 1 | 1.23% 3 | 0.82% 2 | 0.41% 1 | 0.82% 2 | 0.00% 0 | 0.00% 0 | 0.82% 2 | 0.00% 0 | 0.41% 1 | 243 | 12.98 |
| Economically Feasible and Reasonable | 25.12% 51 | 27.09% 55 | 14.29% 29 | 11.33% 23 | 13.79% 28 | 0.99% 2 | 0.49% 1 | 1.48% 3 | 1.97% 4 | 0.99% 2 | 0.49% 1 | 0.49% 1 | 0.00% 0 | 0.49% 1 | 0.99% 2 | 203 | 12.82 |
| Flood Management | 7.05% 11 | 11.54% 18 | 18.59% 29 | 23.08% 36 | 32.69% 51 | 1.92% 3 | 1.28% 2 | 0.00% 0 | 2.56% 4 | 0.64% 1 | 0.00% 0 | 0.00% 0 | 0.64% 1 | 0.00% 0 | 0.00% 0 | 156 | 12.00 |
| Habitat Restoration | 43.01% 83 | 18.13% 35 | 12.44% 24 | 6.74% 13 | 9.84% 19 | 3.11% 6 | 0.52% 1 | 1.55% 3 | 1.04% 2 | 0.00% 0 | 1.04% 2 | 1.04% 2 | 0.52% 1 | 0.52% 1 | 0.52% 1 | 193 | 13.18 |
| Historic Preservation | 10.87% 10 | 14.13% 13 | 18.48% 17 | 13.04% 12 | 15.22% 14 | 4.35% 4 | 3.26% 3 | 5.43% 5 | 1.09% 1 | 4.35% 4 | 0.00% 0 | 3.26% 3 | 4.35% 4 | 2.17% 2 | 0.00% 0 | 92 | 11.05 |

| | | | | | | | | | | | | | | | | | | |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|-------------------|-------------------|-------------------|-------------------|--------------------|-------------------|--------------------|---------------------|---------------------|-------------------|---------------------|-------|------|
| Invasive Nuisance Species Management | 4.07% 5 | 15.45% 19 | 13.82% 17 | 25.20% 31 | 17.89% 22 | 6.50% 8 | 5.69% 7 | 1.63% 2 | 3.25% 4 | 2.44% 3 | 1.63% 2 | 0.81% 1 | 0.81% 1 | 0.81% 1 | 0.00% 0 | 123 | 11.38 | |
| Odor Control | 3.67% 4 | 14.68% 16 | 19.27% 21 | 19.27% 21 | 14.68% 16 | 4.59% 5 | 4.59% 5 | 3.67% 4 | 4.59% 5 | 1.83% 2 | 3.67% 4 | 0.00% 0 | 3.67% 4 | 1.83% 2 | 0.00% 0 | 109 | 10.96 | |
| Protect Heritage Park | 10.85% 14 | 11.63% 15 | 6.98% 9 | 24.81% 32 | 17.83% 23 | 3.10% 4 | 2.33% 3 | 6.20% 8 | 3.88% 5 | 3.88% 5 | 1.55% 2 | 3.10% 4 | 1.55% 2 | 2.33% 3 | 0.00% 0 | 129 | 10.91 | |
| Recreational Opportunities | 17.47% 40 | 11.79% 27 | 25.33% 58 | 18.34% 42 | 15.72% 36 | 2.62% 6 | 1.75% 4 | 1.31% 3 | 1.75% 4 | 0.87% 2 | 0.87% 2 | 1.31% 3 | 0.44% 1 | 0.44% 1 | 0.00% 0 | 229 | 12.31 | |
| Salmon Recovery | 5.45% 9 | 26.67% 44 | 30.91% 51 | 15.15% 25 | 6.06% 10 | 2.42% 4 | 1.82% 3 | 1.21% 2 | 0.61% 1 | 6.06% 10 | 2.42% 4 | 0.61% 1 | 0.00% 0 | 0.00% 0 | 0.61% 1 | 165 | 12.12 | |
| Sea Level Rise | 8.33% 10 | 15.00% 18 | 15.00% 18 | 20.00% 24 | 15.83% 19 | 2.50% 3 | 2.50% 3 | 2.50% 3 | 0.83% 1 | 2.50% 3 | 7.50% 9 | 3.33% 4 | 1.67% 2 | 1.67% 2 | 0.83% 1 | 120 | 10.93 | |
| Sediment Management | 18.14% 41 | 19.91% 45 | 17.70% 40 | 18.14% 41 | 13.27% 30 | 0.44% 1 | 2.21% 5 | 0.44% 1 | 0.44% 1 | 2.21% 5 | 0.88% 2 | 4.42% 10 | 1.33% 3 | 0.00% 0 | 0.44% 1 | 226 | 12.15 | |
| Spiritual and Cultural Values | 1.22% 1 | 4.88% 4 | 7.32% 6 | 18.29% 15 | 24.39% 20 | 0.00% 0 | 0.00% 0 | 0.00% 0 | 1.22% 1 | 2.44% 2 | 4.88% 4 | 2.44% 2 | 12.20% 10 | 14.63% 12 | 6.10% 5 | 82 | 7.99 | |
| Water Quality | 18.88% 44 | 19.31% 45 | 18.88% 44 | 13.30% 31 | 18.88% 44 | 2.58% 6 | 0.86% 2 | 1.29% 3 | 0.86% 2 | 0.00% 0 | 0.00% 0 | 0.00% 0 | 0.43% 1 | 3.43% 8 | 1.29% 3 | 233 | 12.26 | |
| Other goal listed with previous question | 28.30% 15 | 0.00% 0 | 7.55% 4 | 3.77% 2 | 9.43% 5 | 5.66% 3 | 0.00% 0 | 0.00% 0 | 0.00% 0 | 0.00% 0 | 0.00% 0 | 0.00% 0 | 0.00% 0 | 0.00% 0 | 3.77% 2 | 41.51% 22 | 53 | 7.77 |

Q6 Are there any additional measures of success that should be represented in the materials?

Answered: 156 Skipped: 285

| # | Responses | Date |
|----|--|--------------------|
| 1 | N/A | 5/2/2016 3:58 PM |
| 2 | Habitat Restoration - estuarine habitat The Puget Sound Partnerships (state agency) has adopted an ecosystem restoration plan for Puget Sound. It includes 20+ 'vital signs' (goals) with targets for recovery. These include estuaries, salmon, shellfish, water quality and others. DES should actively support the attainment of these goals with this project, with specific targets and commitments. -Transcribed by LA | 5/2/2016 3:43 PM |
| 3 | The positive economic impact of tourism and outdoor recreation from increased attraction of tourism from outside Olympia that would contribute to the local economy and specifically the residents of Olympia in the service industry. - Transcribed by LA | 5/2/2016 3:38 PM |
| 4 | Costs associated with a potential measure. -Transcribed by LA | 5/2/2016 3:34 PM |
| 5 | N/A | 5/2/2016 3:32 PM |
| 6 | N/A | 5/2/2016 3:26 PM |
| 7 | In order for mankind to continue our earth travels it is vitally important that we become less blinded by Profit Margin and/or development in any form and find our way back to being a part of our environment rather than just a controlling species as we have become! This country was once old growth forest unspoiled by man's insistence on being in control of our environment rather than being a part of the balance that has taken place for untold millions of years without man to achieve a balance that was nothing short of amazing, for then All Life was guaranteed the gifts of mother nature through health and cleanliness that was life friendly and user friendly which was truly the gift of success concerning man's introduction into this world! We as a society need to return to our roots as it concerns our lands, waters and air for without them we are a doomed species and so are many many other species! It's not our right to let precious ecosystems, such as Capitol Lake and the connected area's she flows through to become non-usable due to man's interference and non caring attitudes for profit and other worldly endeavors that puts our ecosystems at risk! Having Capitol Lake stay polluted as long as it has is NOT the kind of testimony that we as supposedly caretakers should have ever gotten too and given that I think it our worldly duty to ourselves to our coming generations and to the Mother Earth herself that we take stock of our world and right what has been wronged for far to long! | 4/28/2016 10:11 PM |
| 8 | Trail systems for walking could also support educational opportunities for students, visitors, the public. | 4/28/2016 9:30 PM |
| 9 | You should address only the relevant issues. Forget the "candy" words - that everyone wants. You should consider Sustainability, Public Health (cyanobacteria toxins etc.) GHG emissions (yes there are some from benthic organisms and biomass decay and N2O emissions through nitrogen fixation and decay etc.) | 4/28/2016 4:20 PM |
| 10 | The community should continue to be broadly engaged with the discussions and with the final decision | 4/28/2016 10:17 AM |
| 11 | The value of a healthy thriving estuary and all that means for our local environment. | 4/28/2016 9:00 AM |
| 12 | A natural estuary will be an overall improvement. | 4/28/2016 8:59 AM |
| 13 | Flexibility | 4/28/2016 8:51 AM |
| 14 | Mo | 4/28/2016 8:32 AM |
| 15 | Incremental steps toward physical advancement; acquiring funding, engineering and permits to remove the dam and widen opening to the bay, dredging...that would be success. | 4/28/2016 8:27 AM |
| 16 | Making sure that this project, be it a lake or an estuary, ties in with any future park extensions along West Bay Drive. | 4/28/2016 8:26 AM |
| 17 | Protecting the natural environment - ie the less artificial 'engineering' the better! | 4/28/2016 8:11 AM |
| 18 | Clean It Up ! | 4/28/2016 7:57 AM |
| 19 | Dam removal = success! | 4/28/2016 7:43 AM |
| 20 | Support of Puget Sound area tribes and the Northwest Indian Fisheries Commission. | 4/28/2016 5:42 AM |
| 21 | None | 4/27/2016 11:49 PM |
| 22 | I think all of the items on the list must be considered for any plan to work. | 4/27/2016 10:58 PM |
| 23 | Community consensus that we have arrived at the best sustainable plan. | 4/27/2016 10:24 PM |
| 24 | This is a volatile issue and some compromise is needed. I like the dual concept of a lake along Heritage park and tidal basin on the west side with a submerged dike separating the two. | 4/27/2016 9:24 PM |
| 25 | The Capital needs capital lake | 4/27/2016 8:55 PM |
| 26 | Returning the lake itself to a body in which the community can go swimming, boating and fishing. | 4/27/2016 7:54 PM |
| 27 | Would like to see both sides get together with a plan for a split lake/estuary and removal of the dam. | 4/27/2016 7:19 PM |
| 28 | Additional to what ? I did not find these listed in the two attachments. Success would be a naturally functioning ecosystem with a minimum of human intervention. Specifically, an estuary that flushes sediment and does not require expensive dredging, trucking, and disposal. | 4/27/2016 7:09 PM |

| | | |
|----|---|--------------------|
| 29 | Don't allow building in the present and future flood plains. | 4/27/2016 6:41 PM |
| 30 | The water should not be toxic. | 4/27/2016 6:41 PM |
| 31 | What ever steps are taken, there should be community involvement through volunteer work parties or other means so that our community will have all the more connection and reason to keep our lands clean and safe. | 4/27/2016 6:14 PM |
| 32 | Not really | 4/27/2016 5:42 PM |
| 33 | FEES-COSTS-COMMON SENSE MANAGEMENT- | 4/27/2016 5:03 PM |
| 34 | Consider a hybrid solution if it might be feasible financially, aesthetically and in terms of habitat restoration for salmon. | 4/27/2016 5:03 PM |
| 35 | A healthy wetland is top priority for me. | 4/27/2016 5:03 PM |
| 36 | It is important to me that we get some of the information correct on any of the criteria you mentioned. It seems like a big difference between the advocates. Once we decide what is best for the community, the next question is, how much does it cost. I would rather invest salmon restoration funds more efficiently elsewhere, considering some of the cost estimates I have heard for estuary restoration. | 4/27/2016 4:31 PM |
| 37 | Please keep the lake intact as a beautiful body of water. | 4/27/2016 3:28 PM |
| 38 | Wouldn't it be great if we could swim in the lake again? | 4/27/2016 2:14 PM |
| 39 | Enjoyment of the entire area by the public and enhancement of the livability of our downtown. | 4/27/2016 12:55 PM |
| 40 | Positive support from the majority of people in the county. | 4/27/2016 12:44 PM |
| 41 | Adopt a plan that gets, or can get, a majority of the people in Thurston County to support it. Base support on a vote of the people at a general election, not on the number of narrowly focused special interest groups that support it. | 4/27/2016 12:35 PM |
| 42 | save lake | 4/27/2016 12:23 PM |
| 43 | I would like to see a public swimming area at the lake, as there used to be. | 4/27/2016 12:04 PM |
| 44 | dont destroy the beauty if thinking about turning into swamp | 4/27/2016 11:34 AM |
| 45 | Perhaps native vegetation should be included as a measure of success. And hopefully that will be estuarine vegetation. Also bird use should be considered as a measure of success, keeping in mind that the community will shift with the restoring estuary (ie. more shorebirds over time). There should also be measurements of benthic invertebrates to show the replacement of zebra snails with native bugs. And very importantly, not only should monitoring expenses be included in the cost/funding analysis, but there should be pre construction monitoring (couple/few years is best) in order to conduct a BACI (before after change impact) study (http://www.tidalmarshmonitoring.org/monitoring-design-before-after-control-impact.php). | 4/27/2016 11:29 AM |
| 46 | Revitalize downtown. Make it user friendly...a place strangers would want to visit as well as locals. A swamp attracts nothing but mosquitoes and bats. | 4/27/2016 10:23 AM |
| 47 | Return of other anadromous species, other than salmon. Also, a measure of the populations of microinvertebrates as a measure of water quality and habitat liveability. | 4/27/2016 9:18 AM |
| 48 | if you can do all that, it'd be great. | 4/27/2016 8:27 AM |
| 49 | no | 4/27/2016 7:08 AM |
| 50 | I would like to see the idea of expanding the park around the downtown Olympian estuary below the Capitol I'm combination with removal of the 4th Avenue dam and restoration of the estuary. There are no children's play areas, basketball or other courts/fields, and a wading pool would be a huge attraction during the summer months. | 4/27/2016 6:53 AM |
| 51 | Consistency with overall Puget Sound restoration goals. | 4/27/2016 6:43 AM |
| 52 | Flushing of the impoundment (existing lake) could be hastened by providing additional ingress and egress, like punching right through the "isthmus" next to the Oyster House restaurant, and other economically feasible sites. Maybe the tip of East Bay that is eroding its natural bank in an attempt to restore its estuary. The City should stop building on land that is fill and actually part of the estuary. | 4/27/2016 1:02 AM |
| 53 | Our children, future generations, should be proud of our city, community, and Capitol. A restored, bio diverse estuary can achieve that. | 4/27/2016 12:44 AM |
| 54 | Reducing the pollutants coming down the river from upstream into the lake and Budd Inlet. Preserving the waterfront heritage of our community. Maintaining a place for recreational use to include maintaining the marinas and the depth of their waters. | 4/26/2016 11:15 PM |
| 55 | Preservation of Capitol Lake | 4/26/2016 10:41 PM |
| 56 | A mutually agreeable consensus by government agencies and public interest groups to move ahead on one or more of the goal statements. | 4/26/2016 9:50 PM |
| 57 | Remove the damn dam. It is a no-brainer. It is being done elsewhere, and only unscientific rhetoric and ignorant arguments stand in the way of reason. | 4/26/2016 8:39 PM |
| 58 | The lake is essential for the city of Olympia as the State Capitol. The great value to the whole area as a place to walk gather view the Capitol etc is special. Few people want to spend time at mud bay which is what we would have. Heritage park would not need to be with the estuary. The views of mud and the smell would chase people away. The silt would flow out to the bay and make it unusable. | 4/26/2016 8:27 PM |
| 59 | Yes. Why is there no clear option to keep Capitol Lake just as it is? Seems like this process is being driven by a bunch of fanatics that want downtown Olympia to look (and smell) like the Nisqually mud flats. Why? We already have this at Nisqually. This is the heart of downtown Olympia. Leave it be as it is. | 4/26/2016 8:17 PM |
| 60 | ecological goods and services assessment, stormwater management, integrated watershed management | 4/26/2016 6:58 PM |

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| 61 | There needs to be a vision of what Capitol Lake can become. Lake Merritt in Oakland CA can provide that vision! | 4/26/2016 6:48 PM |
| 62 | Continuing to have the events at the water front park in a beautiful non stinking mud hole. | 4/26/2016 6:47 PM |
| 63 | reality that the park is in an urban environment and a center piece | 4/26/2016 6:40 PM |
| 64 | Overall economic impact of recovering an estuary should be considered. | 4/26/2016 5:07 PM |
| 65 | none as far as I know. | 4/26/2016 4:57 PM |
| 66 | for two decades study and study has been done. We do not need more studies except on how to budget returning the basin into an estuary. There is no funding for dredging or alternative proposals. Now is the time to quit making excuses for not finding a means to fund the proposals that have been determined by: Dept of Ecology, Dept of Natural Resources, Tribal interests. Those with the knowledge and foresight know what must be done. | 4/26/2016 4:46 PM |
| 67 | Long-term viability of any actions (how long will that last, is it a temporary measure). | 4/26/2016 3:49 PM |
| 68 | The mental and physical health and well-being of the community. The area is used extensively by people for activities conducive to individual and community health and well-being. It is a wonderful gathering point for people to experience and be inspired by physical and mental health promoting behaviors. It is a location that helps to strongly promote a sense of community among local residents. This area is a core part of what makes Olympia, WA unique, special, and a source of community pride. | 4/26/2016 1:39 PM |
| 69 | A way of connecting cost of any proposal to the group who is promoting the change vs. status quo. If they had to pay, would they be promoting the changes considered, in spite of reasons. So one measure of success is that the cost burden would fall to the initiators of action and not the general taxpayer. | 4/26/2016 12:31 PM |
| 70 | I want a much more robust opportunity for public input than a silly survey. My feelings about the lake are much deeper and more nuanced than can be covered in a few multiple choice questions, and I can't make it to the meetings. It is imperative to give the public a true visual representation of what the lake/estuary would look like under all scenarios, especially the shoreline. For example, the current lake has been a freshwater ecosystem for 65 years and has taken on most of the attributes of a high-quality wetland. What will happen to the many, many alder trees and willows that currently have their roots in freshwater if the dam is pulled out and the lake is returned to a salt water environment? Will they die? There are hundreds, if not thousands of these trees in the north basin, the middle basin at the Capitol Lake Interpretive Center, and especially the south basin, which is dominated by alder forests standing in fresh water. The best wildlife habitat at Tumwater Historical Park is freshwater-inundated forest at the north end of the park. These habitats come alive every spring with nesting neo-tropical migrant bird species hunting, catching and eating freshwater aquatic insects that hatch out of the lake, and feeding them to their young. I believe that this is one of the primary reasons that the Capitol Lake Interpretive Center rivals the Nisqually Refuge for wildlife activity. Based on evidence from other freshwater to saltwater restorations that have happened around Puget Sound, what can we realistically expect to happen to the CLIC and the lake's other riparian habitat if the dam is pulled? | 4/26/2016 11:17 AM |
| 71 | success would be having a lake that one could if one had the incline to go swimming in the lake like I used to do as a kid with out the risk of getting a skin rash! | 4/26/2016 10:56 AM |
| 72 | I think the area should continue to be managed as the urban city park that it is and not try to return it to "nature" | 4/26/2016 9:16 AM |
| 73 | Capitol Lake is a magnet for people. Additional managed development at the north lake to encourage more actual use of the lake and vicinity will bring Olympia huge benefits and increase the "people friendliness" of our city. The lake must stay a reflecting pool to achieve these benefits. Any estuary restoration activities should occur at the southern lakes and near Tumwater Falls. What if the railroad bridge was the divideing line between reflecting pool (lake) and estuary with big changes south of the railroad bridge to reestablish a more natural flowing river, estuary and transition zone? Best of both worlds | 4/26/2016 8:19 AM |
| 74 | Cost to the tax payer | 4/26/2016 8:14 AM |
| 75 | Return the lake to the intent that was established from years past. Deferred maintenance of such a great attribute to the city should not dictate an easy solution, such as an estuary. | 4/25/2016 9:17 PM |
| 76 | Capitol Lake is beautiful and a part of the community; let's keep it and use resources to maintain it's beauty. | 4/25/2016 8:52 PM |
| 77 | Aesthetics should have some definitions or distinction's as it is in the eye of the beholder and should not be left open to interpretation. | 4/25/2016 8:41 PM |
| 78 | Like many other issues in our society today we tend to look at changing what has been in place for many years because of small outside influences, or because it has been left to get so bad that it seems that changing it is the answer. I would like to see us go back to maintaining what we have and make it a great asset to the community, with a beautiful lake that we can count on using for years to come. But it will never work if maintenance is not given top priority to stay ahead of the problems instead of putting it off and then having to spend more to catch up. | 4/25/2016 8:38 PM |
| 79 | Let's create an economically vibrant downtown with a beautiful waterfront and sustainable business opportunities. | 4/25/2016 8:17 PM |
| 80 | JUST KEEP THE DAMN LAKE | 4/25/2016 6:15 PM |
| 81 | The lake has been an important Beauty feature to the city for a long Time. No lake. No lake fair | 4/25/2016 6:08 PM |
| 82 | If the dam is gone, so will be the boating and water recreational use of the land. The smell will be terrible. | 4/25/2016 5:56 PM |
| 83 | Minimize expensive dredging in Budd Inlet by dredging sediment from the lake before it gets to the Sound. | 4/25/2016 5:31 PM |
| 84 | I love the waterfront and the lake as it is. I do not think there is any value or potential benefit to the environment or Olympia in removing the dam. the resulting economic loss to Olympia would be horrible not to mention the stench of having a mud flat instead of the beautiful lake we have now. the waterfront is an amazing place for boating, kayaking, sailing, sightseeing and connecting with nature. To remove the dam would risk sacrificing all that for minimal (if any) benefit. I'm generally in favor of removing dams but in this case it would not be of any value and I think it would harm the environment. | 4/25/2016 5:05 PM |
| 85 | Let's make a decision and stick with it. The money that has been spent bickering could have solved some other problems. | 4/25/2016 5:01 PM |

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| 86 | Juvenile forage fish production | 4/25/2016 4:44 PM |
| 87 | Cost savings | 4/25/2016 3:53 PM |
| 88 | What do both the people of Olympia and the citizens of the state want done with Capital Lake? Why do we only allow a small highly partisan group to speak for all? Where is the democracy in this? | 4/25/2016 3:44 PM |
| 89 | Educational opportunity | 4/25/2016 3:26 PM |
| 90 | While I prefer to keep the lake and spend some money dredging it in order to keep it attractive the bigger issue that HAS never been articulated in the dam removal scenarios is what happens to lower Budd Inlet and Olympia's working and recreational waterfront. The excessively narrow focus on Lake/Estuary misses the point that it's the whole Deschutes urban watershed from the river clear out to Priest Point Park that the committee needs to address in whatever solution is recommended. Thanks for reading. | 4/25/2016 3:23 PM |
| 91 | Expanded recreational use, such as resuming sailing lessons, making with access points, ???swimming! | 4/25/2016 2:45 PM |
| 92 | HOW THE GENERAL PUBLIC USES THE LAKE AND BUDD INLET | 4/25/2016 2:37 PM |
| 93 | The importance of estuarine rearing habitat for non-natal salmonids from other Puget Sound rivers using the estuary. The importance of rearing habitat for natal salmonids (Percival Creek and Deschutes naturalized/hatchery populations) using the estuary. The importance of having mixed recreational opportunities in the river and restored estuary and how those can revitalize the economy and enjoyment of the area. | 4/25/2016 2:25 PM |
| 94 | The economic future of Olympia needs the lake to remain in place and catch the majority of the sediment coming down the local streams/river. | 4/25/2016 1:54 PM |
| 95 | The viability of each considered option. I don't consider keeping the Lake option as viable. While we continue to hold meetings and create studies, nothing is happening, except that the Lake is filling up with sediment. A Lake only option, based mostly on aesthetics, will not be funded by the Legislature, and even if it was, could not get through an environmental review process or other possible legal challenges. In 10 more years of public option gathering, the Lake will become worse than it already is. | 4/25/2016 1:45 PM |
| 96 | Recreational boating and beauty of the state capital and waterfront | 4/25/2016 1:32 PM |
| 97 | Please remember what Capital Lake was built for - Flood control and - - as a reflective pond for the State Capital. | 4/25/2016 1:04 PM |
| 98 | What would happen to Lakefair if there was no lake? So many people from the state visit the capital and enjoy the lake setting. In addition to damage to view, park activities, there could be monetary damage to vendors of the many events held at the lake. Please don't mess with something special and please leave the lake in front of the capital! | 4/25/2016 12:48 PM |
| 99 | Preservation of the current waterfront quality including freedom from massive sediment outflow into navigable waterways and morrages. | 4/25/2016 12:45 PM |
| 100 | not screwing up existing non-capitol lake environment--Dechutes river, port access, boating use of budd inlet | 4/25/2016 12:45 PM |
| 101 | Preservation of working waterfronts. Preservation of small marine business and community marine organizations. | 4/25/2016 12:29 PM |
| 102 | Habitat restoration = functional estuary; returning the estuary to its original, natural state (or as close as possible), so that it can perform all the other roles you have on the list, even if that means that Heritage Park isn't exactly the same shape or size, or that "historic preservation" means preserving the historical function of the estuary instead of retaining a man-made structure of some sort. | 4/25/2016 9:54 AM |
| 103 | Please make sure you are looking at all the data and not just the emotional side of this topic. There is much science to support it remaining a lake. | 4/25/2016 9:16 AM |
| 104 | Maintain, improving the current ecosystem. | 4/24/2016 9:37 PM |
| 105 | Community agreement, as far as possible. | 4/24/2016 6:39 PM |
| 106 | keep Capitol Lake in its present form | 4/24/2016 10:02 AM |
| 107 | We need oxygen in the water. We need to stop the N. Zealand snails. We need the salt water. | 4/23/2016 10:34 AM |
| 108 | A long term funding plan that eliminates the current stalemate of not being able to act in order to save the lake. | 4/23/2016 7:52 AM |
| 109 | General public support | 4/23/2016 6:57 AM |
| 110 | The impact on the economic viability of the Olympia waterfront businesses and the Port of Olympia. | 4/22/2016 6:40 PM |
| 111 | It seems to me that we need to define which "lake" were talking about before we can talk about success. Aesthetic and recreational goals for the reflection pond and environmental and habitat restoration for the upper and middle basin make more sense to me. | 4/22/2016 5:23 PM |
| 112 | Economic Viability of the surrounding businesses and preserving the Ismus | 4/22/2016 4:25 PM |
| 113 | Financial impact on downtown businesses and tourism | 4/22/2016 3:03 PM |
| 114 | Economic health of downtown Olympia and the waterfront | 4/22/2016 2:25 PM |
| 115 | None to suggest. | 4/22/2016 12:33 PM |
| 116 | None that you haven't already covered... | 4/22/2016 12:25 PM |
| 117 | Setting a schedule for actually implementing a "plan." Tie that to specific funding sources to complete the job. | 4/22/2016 11:05 AM |
| 118 | cost containment | 4/22/2016 8:45 AM |
| 119 | Dredge lake to capture toxic sediments before you remove the dam. | 4/21/2016 5:25 PM |

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| 120 | Follow the science/Breach the dam/ Restore the river and its ecosystem | 4/21/2016 5:22 PM |
| 121 | A clean and appealing appearance to residents and visitors. Currently has the look of a waste collection pond. | 4/21/2016 5:19 PM |
| 122 | So many people walk the lake including myself. Do not anticipate as much use when it is an estuary. Serious concern about the sediment filling up the Basin and forcing Oyc to move due to the cost of frequent dredging as well as affecting the entire waterfront. Lakefair will be a bust. The economic impact of tourism should be considered | 4/21/2016 4:51 PM |
| 123 | A. True Measurement of Success would be the reopening of swimming beach. B. Water Quality -- Revised classification as an impounded river rather than the urban std of .02 mg/l for all human activity. I note that DOE staff have indicated this in actuality can't be measured. C. Recognition that the "model" being used by DOE for "Water Quality Study Findings" for Capitol Lake is based on a circulation study performed for LOTT in 1996(or 98?). D. The fence around the lake be removed. No other lake in the state has attempted to control NZ mules in ths fashion. And the image does DES no service. D. "The Lake" is managed by a consortium of community governments. | 4/21/2016 2:13 PM |
| 124 | Ecosystem function and health | 4/21/2016 1:57 PM |
| 125 | Ability of our community to come together on such a contentious issue. | 4/21/2016 1:35 PM |
| 126 | Yes: results and current process for Ecology's TMDL; information on flooding potential that will clear up confusion as to whether or not the dam and reduce volume of the basin contribute to flooding. | 4/21/2016 12:25 PM |
| 127 | Phase 1, maintenance dredging should begin in 2017 as a recognized need for all alternatives and then DES needs to provide for routine maintenance on an annual basis. | 4/21/2016 12:08 PM |
| 128 | A combination of restoration of habitat and estuary with preservation of public use, walking trails, park etc. The grow-in of the lake is too expensive, dredging a relatively dead body of water makes no sense. Seek out the VERY BEST consultants for how to achieve the most public access with the best habitat restoration. The money here will be well-spent if we get cutting-edge technology and wisdom involved for our city's long-term well-being. | 4/21/2016 11:49 AM |
| 129 | Contribution to the overall health of the Puget Sound; | 4/21/2016 10:45 AM |
| 130 | Use of current science evaluated by a group of qualified independent scientists and not by the Govt agencies such as DOE, DNR , etc | 4/21/2016 10:29 AM |
| 131 | Dam removal | 4/21/2016 10:29 AM |
| 132 | when the boat races and water ski race come back. | 4/21/2016 10:14 AM |
| 133 | The ability to safely get in that lake again would be a huge success. I can remember the lifeguard and docks with diving board when I was a kid. It was a great place to swim and have fun. | 4/21/2016 10:05 AM |
| 134 | The ability to maintain a working waterfront and international sea port. | 4/21/2016 9:57 AM |
| 135 | Cost | 4/21/2016 9:55 AM |
| 136 | Leave it a lake and clean it up so we can use it! | 4/21/2016 9:53 AM |
| 137 | Native plant restoration goes hand in hand with water quality and habitat restoration. | 4/21/2016 9:49 AM |
| 138 | Get rid of the dam | 4/21/2016 9:44 AM |
| 139 | Create a self-sustaining community amenity that brings business and tourism to Downtown Olympia and properly represents our State's Capitol while being true to the environmental concerns stated in all of the past studies, evaluations, comments, etc. | 4/21/2016 6:40 AM |
| 140 | I would ask assistance of DES for data regarding historical recreational use and events on the Capitol Lake, when it had recreational access. I want to quantify the opportunity cost of its closure. An update on mudsnail management/feasibility should be consolidated. http://www.slideshare.net/gregschundler/the-restoration-of-the-deschutes-estuary-in-olympia-wa-an-economic-development-lens http://www.slideshare.net/gregschundler/port-of-olympia-from-extraction-economy-to-sustainable-growth | 4/20/2016 11:58 PM |
| 141 | That the public remained fully informed on decisions made and the reasons therefore | 4/20/2016 9:40 PM |
| 142 | An accessible and useable lake would be a huge draw to downtown and is important to its economic success | 4/20/2016 8:25 PM |
| 143 | IT's time to move foreword Right now with clamp's plan | 4/20/2016 7:47 PM |
| 144 | Generational (7 generations) approach to sustainable solution that uses taxpayers funds wisely. | 4/20/2016 7:04 PM |
| 145 | Preserve and create a history that will be cherished by us and ours | 4/20/2016 5:43 PM |
| 146 | Any alternative that removes the dam should have very demonstrative environmental and economic benefits and overwhelming public support. | 4/20/2016 4:57 PM |
| 147 | yes a timeline of historic information and future possibilities | 4/20/2016 4:20 PM |
| 148 | A dredged and swimmable Capitol Lake. | 4/20/2016 3:27 PM |
| 149 | Fulfilling the State's implied promise to maintain its property. | 4/20/2016 10:54 AM |
| 150 | Restore capital lake to an estuary. | 4/19/2016 8:00 PM |
| 151 | Input from younger generations that will be most impacted by the decisions made. | 4/19/2016 7:55 PM |
| 152 | Anchor for downtown businesses | 4/19/2016 7:00 PM |
| 153 | Health of Budd Bay. | 4/19/2016 11:31 AM |
| 154 | Try to retain the current manicured park area adjacent to downtown for families/children to enjoy picnics and recreating. | 4/15/2016 1:57 PM |

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| 155 | This is first and foremost a public park for the citizens and the city of Olympia. How much and how well will the new plan serve the public?? | 4/15/2016 1:04 PM |
| 156 | The project should combine with plans for the isthmus to create a cohesive plan for a beautiful vibrant Downtown Olympia. This area defines Downtown Olympia and I believe that the capital investment in doing this project right will be realized many times over by local businesses and residents. | 4/15/2016 11:59 AM |

**Q7 Please provide any other
feedback/comments you have on the Goals
and Objectives materials in the box below.
To submit additional materials, or request
further information, please email
DESCapitolLake@des.wa.gov.**

Answered: 126 Skipped: 315

| # | Responses | Date |
|----|--|--------------------|
| 1 | Restoration of the estuary with natural daily tidal exchanges will remove or eliminate the invasive species. I did not see an announcement for this meeting in the local newspaper. Did I miss it or was it overlooked? I think timely and accurate announcements are critical for this process and our local newspaper "Olympian" should be included. | 5/2/2016 4:00 PM |
| 2 | Additional thoughts - As a landowner/lease and a state agency, DES has special responsibilities for recovery of the Deschutes Estuary and Restoration of the Puget Sound ecosystem. This process seems to downplay DES' role and responsibilities by deferring to local government and the Tribe. DES should emphasize that the final decision/recommendation will be made by DES in light of local support, state and federal requirements and related obligations. Sea level rise - projections and rate of rise continue to increase. Latest projections are 2-4x higher than earlier projections of only 2 years ago. While alarming, these figures should be used as minimum projections for future impacts on Port, city, dam and lakes and for this project. -Transcribed by LA | 5/2/2016 3:56 PM |
| 3 | I want the goals & objectives of Dept of Ecology's Restoration of the Puget Sound to be adopted and included in this process. There's no need to re-invent the wheel, and we should take advantage of this work that's already been done. Each objective already has a detailed measurement for achievement that could be utilized in this project. | 5/2/2016 3:38 PM |
| 4 | N/A | 5/2/2016 3:34 PM |
| 5 | N/A | 5/2/2016 3:32 PM |
| 6 | N/A | 5/2/2016 3:26 PM |
| 7 | Let's get something done!!! This has gone on toooooo long! This once beautiful and usable lake is isolated from the community it was one of my favorite places to kayak. Now the snails and milfoil have taken over. | 4/29/2016 7:28 AM |
| 8 | Keep Capital lake as is,except it should be periodically dredged. | 4/28/2016 10:37 PM |
| 9 | Water quality is important to humans and critters both. | 4/28/2016 9:31 PM |
| 10 | Drop the estuary/ mud flat concept and preserve Capital Lake | 4/28/2016 6:44 PM |
| 11 | It would be really great to be able to kayak/canoe from the bay all the way up to meet Tumwater Falls. I think it would really add to the vibrancy of downtown, to have that recreational option. | 4/28/2016 6:43 PM |
| 12 | While reading this I am reminded of the conversation between Hamlet and Polonius in Shakespeare's play Hamlet. Polonius asks Hamlet "What are you reading and Hamlet responds words, words, words, a lot of words. And Polonius responds; what is the matter, what is the subject, between who? You should just focus on on what the alternative plans are likely to impact and how you intend to measure the beneficial and adverse impacts. Yes, I want to live in Shangri-La but I don't think that this project has much to do with that. | 4/28/2016 4:27 PM |
| 13 | The Deschutes Salmon Habitat Recovery Lead Entity supports the restoration of the Deschutes Estuary. The Lead Entity has funded sediment studies through the Salmon Recovery Funding Board process and supported the project through the PSNERP process, both striving for additional science upon which to base the best decision for the restoration of fish populations. | 4/28/2016 10:42 AM |
| 14 | Complete estuary creation. | 4/28/2016 8:59 AM |
| 15 | My family settled in Tumwater in 1867. I've seen old photos of what the Capitol Lake area use to look like before it was a lake. Black and white pictures don't oftentimes do justice, but comparing what we are seeing today with what it looked like before becoming a lake, my personal aesthetic preference is to keep it a lake. It will continue to allow the public to walk/bike/jog around and to enjoy lake views, and to observe water fowl, etc. If a return to an estuary becomes the way of the future, the plan may need to include boardwalks through the estuary similar to Nisqually Delta. However, it is vitally important to consider that the Nisqually estuary/delta is somewhat remote, meaning not directly adjacent to city streets and our local businesses and government offices. Imagine a large muddy--yet beautiful in its own right--estuary in the center of town. The city of Olympia has been designed around a lake. My gut tells me that turning the clocks back to an estuary in the middle of town (no matter how logical it sounds) may not work. It is too late? Let's continue to explore options. | 4/28/2016 8:37 AM |
| 16 | More seals | 4/28/2016 8:32 AM |
| 17 | I cannot stress how important proper dredging to early 1900's datum, and how that will enhance water quality, salmon and habitat, access for Spiritual/Cultural/Recreation activities, etc. | 4/28/2016 8:30 AM |
| 18 | There should be a way to restore the estuary and maintain a smaller version of the lower Capitol Lake. | 4/28/2016 8:06 AM |
| 19 | I would like to see it kept clean and managed well ! | 4/28/2016 7:58 AM |
| 20 | Maintain Capitol Lake and Heritage Park as attractive places for people to exercise and enjoy being outside right in downtown Olympia. | 4/28/2016 7:36 AM |

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| 21 | I feel that the lake should be retained even if it costs more than letting it go to an estuary. Estuaries have their place but not in an urban environment. | 4/28/2016 6:56 AM |
| 22 | Sorry, but with only one day's notice I don't have time to review the Goals & Objectives. | 4/28/2016 5:43 AM |
| 23 | please do NOT allow my name or address to be given to any other person or business for any reason. thank you. | 4/28/2016 4:58 AM |
| 24 | I support a scientific approach to choosing a management plan that best protects our water and wildlife while providing our community with ongoing appreciation for the natural beauty of our local environment. | 4/27/2016 10:31 PM |
| 25 | I am not sure how this survey is going to help move forward the process of restoring the Deschutes Estuary. This seems to be more of a values based survey...people that are conservative, have boats, climate change deniers, older white men, etc., against environmentally minded people. Just do the right thing and be brave. Our future generations will thank you. | 4/27/2016 8:12 PM |
| 26 | Salt water estuaries are rare and valuable as nature preserves. I remember the estuary from shopping trips to Olympia from Millersylvania State Park campground as a teenager. It wasn't pristine even then; there were some undesirable buildings in what should be a nature preserve. | 4/27/2016 6:47 PM |
| 27 | Capitol Lake is literally the heart of the city. The importance of its health, beauty, and point-of-contact with the natural world cannot be overstated. The wetlands, river, and Sound must be allowed to function as organs of the ecosystem if we are to avoid the expense and management issues Capitol Lake has had for so many years. | 4/27/2016 6:22 PM |
| 28 | Leave it as it is. Dredge if needed. Do not remove dam, provides food for bats. | 4/27/2016 6:02 PM |
| 29 | It Would be nice to have higher density zoning in the down town area but I think that is a city issue. | 4/27/2016 5:43 PM |
| 30 | IF MOTHER NATURE TAKES IT'S COURSE AND IT SHURLY WILL IN TIME...LETS EXCEPT IT.... | 4/27/2016 5:08 PM |
| 31 | I don't believe that the process, now or in the past, has done a very thorough job of really finding out what are the desires of the people of Thurston County and the people who visit Thurston County. Also, I don't believe that this project is high enough on the list of environmental priorities to warrant moving it up on the priority list for use of vital and limited financial resources. | 4/27/2016 5:08 PM |
| 32 | I would like to see a full examination of the multiple "hybrid" options that are floating around. I believe it may be possible to restore the Deschutes Estuary and also retain a smaller Capitol Lake. | 4/27/2016 4:48 PM |
| 33 | See my last comment on #5. | 4/27/2016 4:32 PM |
| 34 | The DES goals need to include the long term management of this beautiful Capitol Lake and not allow it to become a smelly mudflat that no one could enjoy. | 4/27/2016 3:30 PM |
| 35 | The lake was built by the state for good reason. Returning to a downtown tide flat would not be progress. Stop fooling around and do your job. Dredge the lake. | 4/27/2016 2:17 PM |
| 36 | Protect West Bay from becoming a mud flat. | 4/27/2016 2:13 PM |
| 37 | I request that full consideration be given to the dual-basin plan, if it is found to be necessary to allow part of the Deschutes to be free-flowing. A marshy, smelly mudflat is entirely unacceptable for the area, regardless of the environmental considerations. | 4/27/2016 12:58 PM |
| 38 | Adopt a plan that a majority of the people in Thurston County support, based on a vote of the people. | 4/27/2016 12:46 PM |
| 39 | It appears analysis paralysis will continue to be the primary output of the lake vs. estuary evaluation. Suggest the question of lake vs. mud flat (estuary) be presented to the people for a vote. If done, it should use words everyone will understand, and estuary isn't one of them. | 4/27/2016 12:39 PM |
| 40 | We must make every effort to save capital lake. Merely pushing sediment downstream, into the Bay is a very short-term, poorly analyzed plan. Filling Budd bay would require Federal approval to dredge. Removal of the dam will not lead to removal of dredging. | 4/27/2016 12:24 PM |
| 41 | Thank you for your efforts. It is very hard for the average citizen to sift through the different analyses being put forth--estuary versus dredging, etc. | 4/27/2016 12:06 PM |
| 42 | Capitol Lake has been getting worse and worse for over 30 years now. And sediment management will continue to become more difficult and costly with the addition of the zebra snail (the contaminated sediment can't go just anywhere!! we don't want to spread the problem). An estuary restoration will address the water quality, invasive species, and habitat as well as flood, fish, SLR, and sediment issues. We have spent too many years trying to fight nature in order to keep this "lake" when its natural state is an estuary and estuaries are beautiful! I have lived here all my life and believe that the return of the Deschutes estuary is the only option to maintaining a healthy "reflection" of our State Capitol. | 4/27/2016 11:36 AM |
| 43 | Our capital and the grounds that surround it are unique and very special. The dome is the 4th highest all masonic dome in the world. The surrounding grounds were designed by the leading landscape designer of all time. The lake was specifically included in the landscape design much like the ponds and lakes found in the landscape design at our nation's capital. Keep the lake!!!! | 4/27/2016 11:25 AM |
| 44 | DoNOT break the dam. Dredge this lake and everything else is too expensive and just plain stupid. I swam and water skied on this lake 50 years ago and see no reason why this cannot happen again. | 4/27/2016 10:41 AM |
| 45 | I would like to further support for the estuary option, as a graduate student in landscape ecology and as a government employee in environmental services, this is our only option for habitat restoration and flood prevention. Healthy estuary, healthy downtown. I do not think the lake option should even be considered at this point. | 4/27/2016 9:20 AM |
| 46 | The costs for removing the 5th ave dam are far more costly than just maintaining the existing lake. The value of maintaining the dam preserves the beauty of the lake and the lower Budd inlet for recreational opportunities. | 4/27/2016 8:12 AM |
| 47 | The lake needs to be dredged. Possibly build a bulkhead along the west shore near Deschutes parkway, put the dredged material behind the wall, and create a park. | 4/27/2016 8:01 AM |

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| 48 | Historic perspective is important, but just a beginning. Information developed in the last decade should be disseminated, evaluated, and discussed until there is a community understanding. For example "water quality" is not just a value, it's a legal obligation under the Clean Water Act. Both the legal ramifications and the benefits to the environment should be made clear. Another issue is the invasive species issues, which is challenging and cannot be ignored. Perhaps it would be better to prioritize issues to show which ones MUST be dealt with (sediment will always be an issue, WQ has legal requirements, invasive species are a reality) and which the public may desire but could be implemented at a variety of scales (aesthetics, recreation, etc.) In other words, make the sidebars of the problem clear. | 4/27/2016 6:50 AM |
| 49 | Goals and Objectives: as a daughter of early territorial pioneers, I ask that our state work together cooperatively with local tribes to enhance and improve our estuary. | 4/27/2016 12:47 AM |
| 50 | Interested in possible lake/estuary combination and also "activating" rumored artisan wells in Reflection Lake area. | 4/26/2016 10:33 PM |
| 51 | The "long-term" goals for either full lake restoration or estuary creation broadly encompass the key measures identified in previous planning efforts. Obviously, in order to gain sufficient funding to achieve one or more of the goals, more effort and time will be required to quantify their environmental, social and economic costs and benefits, obtain permits for large-scale construction/dredging, etc. I suggest DES consider addressing the issue with smaller, less extensive, lower cost and lower impact measures which could result in meaningful enhancements for all regional stakeholders within the near-term (no more than 5 years). | 4/26/2016 10:04 PM |
| 52 | Remove the dam, restore the estuary, watch the salmon return! | 4/26/2016 9:05 PM |
| 53 | Remove the dam. | 4/26/2016 8:39 PM |
| 54 | Can't believe how this process has been hijacked by a bunch of environmental fanatics. Leave the lake. We don't need more mudflats - we have that at Nisqually already. This is downtown Olympia - Capitol Lake was constructed to be and has served as an attraction to set off the Capitol. No one wants mud flats in town - that's why they were filled in in the first place. But go ahead and let a vocal but decidedly fringe element determine the fate of Capitol Lake, and watch downtown Olympia wither and die. I know I won't be going there - just like I don't go to the Nisqually mud flats. | 4/26/2016 8:26 PM |
| 55 | This has to be a balancing act. I would probably respond very differently if there was a significant, believable discussion of plans to manage sediment deposition across the entire Deschutes River watershed. I have seen no evidence of substantive planning for upstream management of sediment loading in the lower basin. | 4/26/2016 8:23 PM |
| 56 | How to find an acceptable facilitator for conflict resolution amongst the factions...someone with experience finding collaborative solutions to disparate opinions, perhaps from outside of the area, to reduce bias. | 4/26/2016 7:02 PM |
| 57 | http://www.lakemerritt.org/ | 4/26/2016 6:49 PM |
| 58 | Keep the lake as a recreational asset | 4/26/2016 6:42 PM |
| 59 | The science seems clear. An estuary is what we need. | 4/26/2016 5:08 PM |
| 60 | There is over a million cubic yards of polluted sediment in the Capital Lake basin. There is no feasible way to fund dredging or the disposition of the sediment. The process if dredged is forever ongoing, not feasible. Let the estuary heal itself. Remove the dam. Let the healing begin. Discussions with the Port of Olympia and marinas should be towards future remedies for sediment removal. The public should not carry the burden of keeping private business operating by paying dredging costs. Initial costs could be funded after dam removal after that would have to be part of normal operating expenses for affected businesses. The Army Corp of Engineers may be major part of any proposals. Immediate plans to protect shorelines of erosion from tides and to demolition buildings to widen estuary channel in preparation of dam removal. | 4/26/2016 4:56 PM |
| 61 | THank you for the chance to comment. I am not an expert on this subject. But man-made lakes that are detrimental to water quality, to habitat for native species, and serve only an esthetic purpose, need to be dismantled. Free the Elwha, a project that has benefitted the ecology, is a prime example. Time to prioritize something besides "the view" for a handful of privileged real estate owners. | 4/26/2016 4:54 PM |
| 62 | Water quality in both Capitol Lake and lower Budd Inlet has been decreasing over time. Ecology has clearly demonstrated that dissolved oxygen levels will improve in lower Budd Inlet if the lake is turned back into an estuary. As it stands now, we cannot boat, swim or have contact with the lake. We can't even organize a debris cleanup along the shores of the lake because of the New Zealand mud snail. The lake is filling up with sediment, supports invasive plant and animal species, and stinks in the summertime because of the eutrophic conditions. Please, please consider an option that maintains recreational opportunities while improving water quality. I believe returning the lake to an estuary will do just that. | 4/26/2016 4:34 PM |
| 63 | Recommend taking a sustainable approach - science for environmental effect, finance for the economic effects, and social research for the community side. A balanced blend of needs from this approach should provide a decent long range work plan. | 4/26/2016 3:50 PM |
| 64 | Keep the Lake. It is a wonderful spot for families and visitors to enjoy downtown Olympia. | 4/26/2016 2:55 PM |
| 65 | I like looking at the old shanty town pictures hanging around town that shows the Olympia basin in its original form.... we would not have a Olympia or a Seattle for that fact if it wasn't forward thinking ingenuity and engineering.... take the lake out ? I say no way, we have the ability and are now smart enough to be able to blend both development and our natural resources. Whats next, do we take out portions of 4th ave for the old salmon run in a stream that have been gone for what 150 years, just for the sake of going back to the way god created it and hope those salmon will return. Dont forget that 4th ave and all the buildings were built up on top of a thousands of years or so of sediment?? I think not. we can improve our environment, save the salmon and other little critters, and all with out sacrificing the lake, OYC and any other parts of downtown. how many millions of tax dollars have we spent doing study after study, let alone when the lake was originally built, then re-built 20 yrs ago or so. Stop wasting my tax dollars!! | 4/26/2016 11:08 AM |
| 66 | This is a pretty sketchy and incomplete survey. I would have expected a more professional and complete survey. | 4/26/2016 9:40 AM |

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| 67 | True costs of all infrastructure changes must be prioritized and actually resourced to consider moving past the preliminary planning stages. Future funding from the Feds, State or any other sources are questionable at best. Concepts that rely heavily on outside resourcing must be rethought and modified to make funding a very high priority to improve chances of implementation. While I know this is a State managed initiative, how about more of a city/state economic partnership, possibly with a local bond issue, to ensure more community involvement. Maybe something like declaring the lakes an "Economic Development Zone" or really more of a "people refreshment zone" with strictly managed changes improving the natural settings and encouraging people to walk, bike etc through these stunning and dramatic areas | 4/26/2016 8:44 AM |
| 68 | Capitol Lake should be dredged and made to look like the lake of the State of Washington should. | 4/26/2016 6:38 AM |
| 69 | Restoration of the natural flow of the river is critical to restoration of the health of the river and all that it encompasses. In the long run less interjection will be needed. With the natural flow restored fresh levels of sediment and backwaters will be created. A healthier cleaner river will result. | 4/26/2016 6:19 AM |
| 70 | Do the right thing...bring back the lake! The citizens of Olympia deserve a crown jewel as a center piece for the city to enjoy, and do not succumb to the ideas of a select few and form a mud estuary. | 4/25/2016 9:21 PM |
| 71 | This subject has been studied and discussed to death! The community is tired of spending money to study the same topics over and over again. It is time to take a position/stand and move forward. | 4/25/2016 8:40 PM |
| 72 | It's cheaper and better looking To keep the lake. Also, percival Landing would be a smelly mud Flat at low tide. Leave things as they are | 4/25/2016 6:10 PM |
| 73 | Thanks for this opportunity to comment. | 4/25/2016 5:32 PM |
| 74 | Deschutes Estuary restoration is the best option in terms of habitat restoration and lowest cost long term. | 4/25/2016 4:45 PM |
| 75 | Estuaries are an important part of the water cycle and by keeping the Deschutes river dammed up we are inhibiting its ability to naturally filter the water and provide important habitat for wildlife. Getting rid of the dam will improve the quality of the area and be a great opportunity for education. Nisqually is a great example of what can be done with an estuary. | 4/25/2016 3:30 PM |
| 76 | Ensure sediment management is addressed whatever path is selected. Look at the WHOLE urban watershed. And it looks pretty cheesy for the Technical sub committee to be meeting in closed sessions not open to the public. Has Dick Nixon come back to chair the technical sub-committee? Thanks | 4/25/2016 3:27 PM |
| 77 | One must remember there was no natural Salmon run in the Deschutes river because of the Falls | 4/25/2016 3:17 PM |
| 78 | Consider more than one goal rather than pitting goals against each other. The hybrid option of a reflecting pool and a tidal flat could satisfy multiple goals. | 4/25/2016 2:52 PM |
| 79 | Conservation means "wise use" to me. Wisdom would say that not every improvement made in good faith and for clear purpose should be overturned. Especially with other nearby restoration efforts, Capitol Lake should remain a lake with appropriate maintenance including dredging. | 4/25/2016 2:51 PM |
| 80 | There is a lack of discussion about how the restored estuary condition can ALSO provide aesthetic value and beauty. The discussion should make clear the historical tidal regimes of the basin which included a "lake-like" setting during high tide, which might be achievable again. Diverse vegetation and slat marsh areas that might come with the estuary condition may also bring aesthetic value. Consideration of tidal elevations and the need for dredging in order to achieve full tidal flushing should be in the discussion. The importance of the estuary for improved water quality, as explained by the Dept. of Ecology should be a priority for the on going discussions. | 4/25/2016 2:35 PM |
| 81 | Any alternative but Managed Lake will be horrendously expensive and irretrievably change the character and esthetics of Downtown Olympia! | 4/25/2016 2:20 PM |
| 82 | Without the dam/lake in place the Port of Olympia and all the marinas in the local area will be crushed financially by the amount of sediment that will be deposited into Budd Inlet annually. Dredging will be required frequently and that cost will cause many marinas to close their locations for long term customers let alone visitors from as far away as Canada. Capital Lake is critical to our local economy and centuries of boating community activities. We do not need another MUD BAY like we already have on the west side of Olympia; who wants to live near that type of environment 24/7. Look at the activities now continually taking place along/around the lake; on nice days there are hundreds of people enjoying the area. How many people do you find enjoying Mud Bay on those same days - zero. We have been "discussing" this situation for 15+ years; the majority of the community wants to keep the LAKE so it is time to roll over the FEW dissents and take care of the LAKE as it was stated in original policies. We need leadership with a backbone and the will to overcome political correctness! JUST DO IT and save everyone many \$. | 4/25/2016 2:14 PM |
| 83 | Resolving the Federal Clean Water Act violation should be the top Objective for a Goal of protecting and promoting the general welfare of the people by ensuring clean water (with correct oxidation and temperature), and ensuring the livelihood of fish and shellfish harvesters. A decision to correct this Clean Water Act violation cannot be based on public opinion and/or aesthetic only considerations. I think that an estuary can be as aesthetically pleasant much more than a man-made Lake (especially this environmental disaster). Sediment management should be considered, but that should be done with a meandering riverbed that maintains itself naturally. | 4/25/2016 1:46 PM |
| 84 | Please consider that removing the dam would cause large amounts of debris and silt to plug up the harbor. This would result in very high costs annually to maintain (dredge). There are many thousands of yards of silt in Capital Lake that could easily be transported by a 20 year flood event. I would think - if fish access is the issue - put in a fish ladder. The aroma of Capital lake being turned into a wetland would be more than the downtown businesses and the surrounding neighbors could bear. The lake is a beautiful place, in the middle of our city, if taken care of correctly. | 4/25/2016 1:15 PM |
| 85 | Keeping Capitol Lake as a lake is critical if Olympia is going to be a destination for boaters on Puget Sound | 4/25/2016 1:14 PM |
| 86 | I would like to see public access to Capitol Lake for swimming and recreation restored. | 4/25/2016 1:11 PM |
| 87 | couldn't get goals to come up | 4/25/2016 12:47 PM |
| 88 | I think removing the damn will destroy Budd Inlet as we know it today. | 4/25/2016 12:46 PM |

| | | |
|-----|--|--------------------|
| 89 | Based on the results of the public comments and testimony, I see that recreation is a major desire. However, in truth that will always be an outcome of almost any action you take, assuming there's a sidewalk or path along the edge. I think the fact that sea level rise is at the bottom of the list is tantamount to sticking your head in the sand, and that people are denying facts if they think Olympia won't be subject to sea level rise in a very meaningful way that needs remediation planning and action now, not later. Sometimes the government/State/City/County has to take action in the public's best interests, despite OPINION, because opinion won't keep the sea level from rising. Ditto for invasive species control. | 4/25/2016 10:04 AM |
| 90 | Thank you for this survey. | 4/24/2016 6:39 PM |
| 91 | What will happen to OYC?? | 4/22/2016 9:29 PM |
| 92 | The goals and Objectives should be evaluated using the most current scientific information available, and not just fall back on the outdated and incomplete information from the CLAMP report. This would include scientific data from CLIPA and DERT, both of whom have extensively studied the issue and have a knowledge base at least as extensive as the various state agencies involved. | 4/22/2016 6:51 PM |
| 93 | Part of the problem, it seems to me, is the polarization that has taken place. People are taking sides and deriding anyone who doesn't agree with them. We'd get farther if we accept that everyone has legitimate concerns and acknowledge them at the outset. Then turn to ways to solve the specific problems facing the lake that need to be addressed regardless. Not easy, I know, but would go a long way to healing the community. And that seems to me a bigger issue. | 4/22/2016 5:28 PM |
| 94 | Dredge the Lake. | 4/22/2016 3:50 PM |
| 95 | The comments stating that there would be reduced risk of flooding are incorrect. The regulating dam has been used by DES many times to prevent flooding when there are "king tides" and heavy run off conditions. Without the regulating dam, the two would meet and inundate downtown. This will only get worse with sea level rise. The concern about continuing appropriations is misguided. Does DNR support spending \$200 million to remove the dam and a continuing obligation to dredge Budd Inlet due to continuing sediment deposits. Dredging in the inlet is at least 3 times more expensive than in the lake. To effectively gather public opinion there needs to be a scientific survey of public opinion; not simply feedback by those close to the issue to reflect their opinions. | 4/22/2016 2:36 PM |
| 96 | None | 4/22/2016 12:33 PM |
| 97 | Let's make it an estuary! | 4/22/2016 11:22 AM |
| 98 | Let's delay no further. This is taking far too long. The lake is in terrible shape. | 4/22/2016 7:51 AM |
| 99 | Dredging the lake to increase depth, I would like this to be considered as an option for the Department's long term plans. | 4/21/2016 10:02 PM |
| 100 | This small pond could once again be a proud center piece and gathering place of the Olympia waterfront where people would go to relax and recreate. Other towns have improved their water features to draw people to them for paddling, fishing, water front services, on-the-water events, refreshments etc. Instead Capital Lake has been allowed to become a fenced off eye sore choked with weeds and floating debris. Really Olympia leadership, I think you can do a better job of rejuvenating and beautifying this lost asset. | 4/21/2016 5:27 PM |
| 101 | . | 4/21/2016 5:25 PM |
| 102 | As a downtown business owner, I cannot emphasize the importance of having vibrant and robust atmosphere to attract people to downtown Olympia. What is it that makes people want to come to Olympia and want to spend money locally? Successful revitalization of downtown will be a key factor for attracting more visitors and new businesses into Olympia. Turning this beautiful lake into an estuary instead of developing it into an attraction and recreation location will not be an encouraging factor for visitors and businesses. | 4/21/2016 4:27 PM |
| 103 | Please make the lake safe for recreational swimming. | 4/21/2016 3:12 PM |
| 104 | For disclosure purpose it is noted that I have been on the Deschutes TMDL Citizens Advisory Group, In all of the CLAMP documents and proposals about the Lake there is no discussion of the railroad bridge restriction and the Interpretive Park. These must be included in a discussion of a healthy lake. Percival Cove has not been cleaned up after it was used as a salmon rearing pond. It needs to be address by WA Dept. F&WL. Somewhere in all this water temperature temperature needs to be address. Letting the Lake fill up with sediment is only going to raise the water temperature in the summer months. | 4/21/2016 2:32 PM |
| 105 | This project should take the entire watershed into account. The lake / estuary is one part of a larger system that is also important to this and other communities. | 4/21/2016 1:37 PM |
| 106 | The presentation of the Objectives by the various CLAMP agencies from 2009, with a subscript date of 2016 is very misleading. The CLAMP Reports and summaries have been shown for the last five years to have some serious flaws and mis information in the Public data. Therefore the validity of the 2009 objectives are subject to question. Extensive additional local studies and reports have been completed, but not included in this first listing. Most of that work is listed in the Ecology TMDL public files and were submitted to DES prior to the January 1, 2016.for inclusion in this initial work, but so far has been ignored. With the CLAMP State agency objectives, one must ask the agency's commitment to their stated objectives when the State Agencies have done little to address the immediate problems they identified in the time frame from 2000 to 2009. | 4/21/2016 12:16 PM |
| 107 | Return the Lake to Estuary. Hire excellence in vision to achieve this, attempting to maximize the public's access to paths, waterfront, and recreation. | 4/21/2016 11:50 AM |
| 108 | I prefer the estuary or estuary/small reflecting pool proposal. I am not in favor of maintaining Capital Lake or the dam. | 4/21/2016 11:42 AM |
| 109 | The dam must come down and the Deschutes must be cleaned up to accomplish the long term goals. All of the current stakeholders must provide funds for the long term management (dredging etc) of Capitol Lake and Budd Inlet. | 4/21/2016 10:58 AM |

| | | |
|-----|---|--------------------|
| 110 | Move this conversation to action as soon as possible. The dam is coming out, the science demands it. How can we move ahead with estuary restoration while also accounting for the social and cultural significance of the lake...something like a reclaimed reflecting pool. Inaction is hurting the sound and our economy exponentially by the day, so the sooner we can move to action the better. | 4/21/2016 10:48 AM |
| 111 | The lake was created for good reasons and it should remain a lake. | 4/21/2016 10:15 AM |
| 112 | At this point in the lakes life I no longer have a preference as to what is done (river estuary or lake). I really just want to see something happen. Lets kiss the frog and move on. It has been a long time in limbo. | 4/21/2016 10:07 AM |
| 113 | Leave it a lake and clean it up so we can use it! | 4/21/2016 9:53 AM |
| 114 | Would actually like to use the lake for family activities as opposed to standing beside her. | 4/21/2016 9:45 AM |
| 115 | I would like to see a hybrid approach employed. Capitol Lake could become a reclaimed water pool/fountain. A fountain in the center of the pool could serve both aesthetic and functional purposes. This would offer the public amenity/recreation opportunities that some emphasize, while respecting the environmental issues that could be mitigated by allowing the river to return to its natural state. That portion of the lake which is designated as a reflecting pool must be isolated from the river channel, but the river would be allowed to run naturally to Budd Inlet. If the pool was not in use during the rainy months, it could be used for water storage/flood mitigation. Maintenance requirements could also be accomplished during the rainy season. The reclaimed water stream at East Bay Plaza has been well received and is often over-full on nice days. We do not have an outdoor public pool in our city and if we could build one that would take advantage of several existing resources that would be ideal in my opinion. The pool would need to be able to support itself or maybe be minimally supplemented by LOTT and the City, but it could return Capitol Lake to its originally intended purpose as well as preserve the river, fish and wildlife habitat, improve water quality, and still offer recreational opportunities such as fishing, boating, swimming, kayaking, etc. No matter which option is chosen, the lake and most likely Budd Inlet / West Bay will need to be dredged. The costs for all of these activities must be incorporated into any project generated from this evaluation. A long-term sustainability strategy is critical to its success. If this becomes the first budget line item that the legislature cuts whenever they get short on cash, don't bother building anything complicated to operate/maintain. But, if the community is willing to come together and financially support the chosen option - we can do almost anything! | 4/21/2016 7:01 AM |
| 116 | I am a retired civil engineer with heavy construction experience including dams and water resource projects. I have extensively reviewed the CLAMP studies and found them technically lacking. For this reason I believe that independent review of all prior work by highly experienced third party engineers and scientists should be done in much the same manner that the Federal Government requires be done for all hydroelectric projects as a condition of their licensure. This procedure is required by the FERC in order to ensure that they will be functional and safe and these are much the same issues Enterprise Services will face as the agency that is responsible for operating and maintaining the project or removing it if that is the ultimate decision. Contacting the FERC will enable ES to learn about these licensure Board of Consultant procedures as they are called. | 4/20/2016 9:57 PM |
| 117 | Homeless management. | 4/20/2016 8:53 PM |
| 118 | It is difficult to talk about the health of the lake / estuary without discussing the sustainable health of the whole watershed. We must get the Deschutes Watershed off the Clean Water Act Section 303(d) list as soon as possible. A concerted and proactive effort needs to be focused on getting this watershed within standards as quickly as possible. We need to establish and maintain riparian buffers and create maximum canopy coverage adjacent to the river to cool temperatures. We need to establish and maintain an understory that provides erosion control, slope stabilization, and reduces sediment loading. We need to add rain gardens and other filtering systems, re-establish wetlands, and improve storm water treatment facilities, and integrate them into the community. We need to keep domestic animals away from sensitive water bodies. We need to survey and repair or remove septic systems that are fouling the surface waters. There is a lot of work to do, but failure is not an option. What gets measured gets managed. We need to establish acceptable baseline measurement goals, and determine where we are at, and whether we are gaining or losing ground. | 4/20/2016 7:29 PM |
| 119 | I think it is important to remember that addressing the scientific needs for clean-up and reclamation of the lake for wildlife habitat and public use will ultimately lead to aesthetic improvement for the entire community. | 4/20/2016 4:06 PM |
| 120 | The best available science is the studies by Dr. Milne, Dr. Soule, Dr. Ladd, and the other scientists of The Evergreen State College. | 4/20/2016 3:28 PM |
| 121 | Returning Capitol Lake to an estuary will be better financially, aesthetically, and environmentally. The evidence is clear, we need to act responsibly and restore the estuary. | 4/20/2016 6:45 AM |
| 122 | Restore capital lake to an estuary. | 4/19/2016 8:00 PM |
| 123 | Olympia was built around an estuary. As the evergreen state we should be committed to natural hanitats for our native species and celebrate our environment, warts (and smell) included. | 4/19/2016 5:41 PM |
| 124 | Can we make it usable again? | 4/19/2016 12:12 PM |
| 125 | Goal of following current and best science of what would be the healthiest option for Olympia and the Bay. | 4/19/2016 11:32 AM |
| 126 | The DELI plan is the perfect compromise and the wisest plan. It will do the best job of serving all interests. Compromise is a beautiful thing and it WORKS!! | 4/15/2016 1:08 PM |

From:

Sent:

To:

Subject:

[REDACTED]
Sunday, April 17, 2016 11:57 AM

DES Capitol Lake

RESIDENT OF OLY; NO CAPITOL LAKE NEEDED...ESTUARY IS WANTED.

RESIDENT OF OLY; NO CAPITOL LAKE NEEDED...
ESTUARY IS WANTED.

We are tired of the ugly,
dirty Capitol "Lake", swamp.
It is awful,
thanks,

[REDACTED]
Oly, WA
98502

From: [REDACTED]
Sent: Wednesday, April 20, 2016 1:14 PM
To: DES Capitol Lake
Subject: Re: Capitol Lake input and April meeting notice

[REDACTED]
Sent: Tuesday, April 19, 2016 6:23 PM
To: EnterpriseServices@info.des.wa.gov ; [Deschutes Estuary](#)
Subject: Re: Capitol Lake input and April meeting notice

I believe the best long term solution is to open or remove the dam to allow the natural daily tidal exchange to flush out the artificial Capitol Lake and restore the natural Deschutes Estuary. I think the long term savings of the expenses that are currently associated with maintaining the current artificial lake will offset the initial cost of removing the structures that currently form the artificial lake. Although it may have been considered attractive in 1951, over a half century in the past, it is no longer appropriate to maintain an artificial lake on our state capitol campus. Restoring the conditions that will allow a natural estuary to flourish is more in line with the values and needs of the 21st century.

[REDACTED]
concerned local citizen
[REDACTED]

From: [REDACTED]
Sent: Monday, April 25, 2016 7:34 AM
To: DES Capitol Lake
Subject: Capitol lake

Why not put a wall between the lake and what will become the river. It could have inlets and outlets to let the water change daily. This will preserve the reflecting lake and still allow for an estuary.

Sent from my iPad

From: [REDACTED]
Sent: Thursday, April 28, 2016 9:04 AM
To: DES Capitol Lake
Subject: Comments on Goals

Dear DES personnel,

Here are some suggestions you asked for regarding process goals:

We as a community need to understand the economic and social costs of each alternative. Staff should review the Capitol Lake Alternatives analysis Supplemental Documents, particularly the comments made by Economics Northwest Consultants (I think that's the name).

Examples include:

1. Cost benefit regarding fish production in the watershed. (Dollars spent vs estimated fish increases)
2. Alternative uses of expenditures such as other, more productive, salmon restoration projects throughout Puget Sound.
3. Effects of revenue changes on the Olympia Downtown business climate.
4. Potential effects on urban sprawl with all its environmental ramifications.

This process should develop and submit to the legislature a list of recommended actions which most stakeholders already agree upon, including:

1. Opening the Lake to recreation with the understanding that Capitol Lake is the only basin in the country which has been closed due to the NZMS.
2. Dredging the Lake to help temperature, fish, aquatic plant control, and sediment control.
3. Riparian and instream restoration in the 52 miles upstream from the Lake.
4. Saving inlet businesses.

Thanks for your efforts,

[REDACTED]

From: [REDACTED]
Sent: Thursday, April 28, 2016 9:12 AM
To: DES Capitol Lake
Subject: April 28; Comments on Lake

Dear Capitol Lake Comments;

The 2015 WA Legislature included language in the capital budget for the 2015-17 biennium, directing WA Enterprise Services to make progress on reaching an agreement about the long-term management of Capitol Lake. This included building on the recommendations from the 2014 Ruckelshaus Center Situation Assessment report and other past work.

The proviso directs Enterprise Services to prepare a report to submit to the Legislature by Jan. 1, 2017. The report is expected to summarize efforts of the work group focusing on the following issues identified in the proviso:

- Identification of common goals for the future management of Capitol Lake.
- Identification of management alternatives, including hybrid approaches of a lake or estuary in which- freshwater from the Deschutes River would mix with the saltwater of Puget Sound.
- Best available science concerning water quality and habitat.
- A sustainable funding plan for future management alternatives.
- A shared governance structure to manage implementation of an immediate plan and oversee the water body over the long-term.
- Other related activities including sediment management and flood mitigation.

Enterprise Services manages the lake as part of the Capitol Campus. The Department of Natural Resources (DNR) owns the tidelands beneath the lake. Enterprise Services manages the day-to-day operations.

I support the estuary option. I have lived in Olympia, near the lake, for the past 30 years. The lake smells. The lake is a mess, full of New Zealand snails. I support salt water instead, take down the dam.

Thank You,

[REDACTED]
Oly., WA
98502
[REDACTED]

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

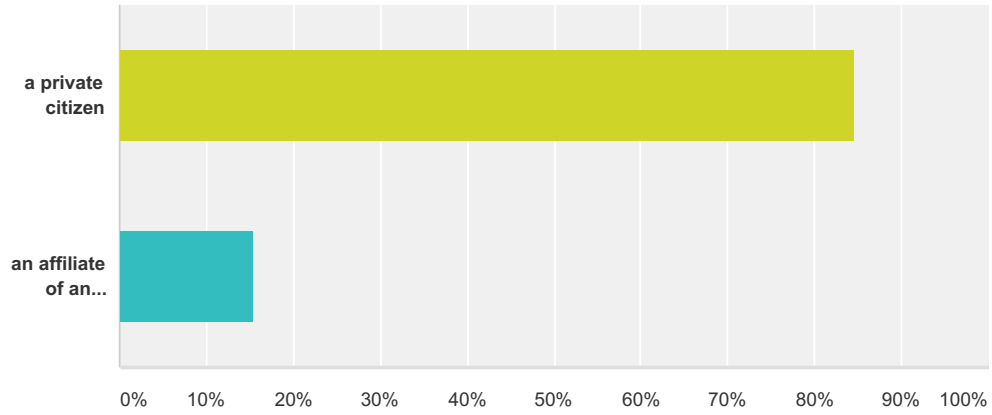
**Community Input on Proviso Element:
Methodology for Best Available Science**

**Input period extending from
May 19 to June 2, 2016**

FINAL

Q2 Are you attending as:

Answered: 39 Skipped: 1



| Answer Choices | Responses | |
|---------------------------------|-----------|-----------|
| a private citizen | 84.62% | 33 |
| an affiliate of an organization | 15.38% | 6 |
| Total | | 39 |

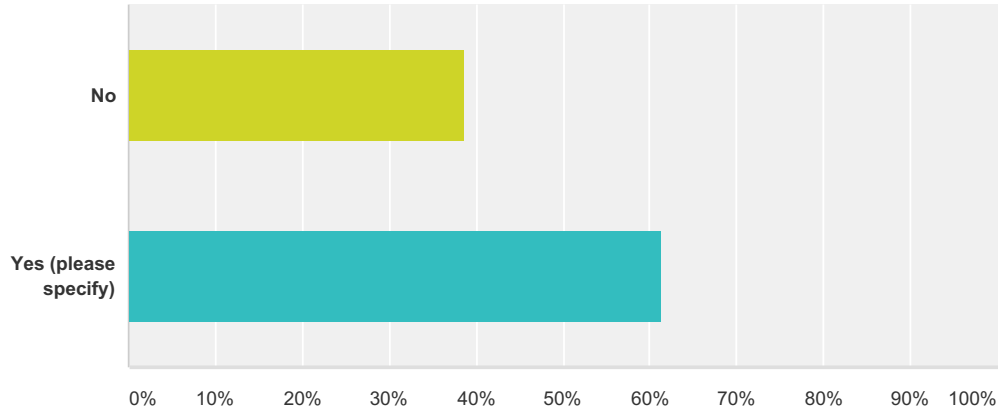
Q3 What organization are you affiliated with?

Answered: 7 Skipped: 33

| # | Responses | Date |
|---|--|--------------------|
| 1 | North Capitol Campus Heritage Park Development Association | 6/2/2016 2:17 PM |
| 2 | DERT | 6/2/2016 2:12 PM |
| 3 | CLIPA | 6/2/2016 2:08 PM |
| 4 | North Capitol Campus Heritage Park Development Association | 5/24/2016 2:50 PM |
| 5 | CLIPA | 5/24/2016 7:53 AM |
| 6 | WA Dept of Ecology | 5/20/2016 10:09 AM |
| 7 | 0 | 5/20/2016 9:28 AM |

Q4 Do you have any comments on the revised Goals and Objectives materials, Figure 1 and Figure 3?

Answered: 31 Skipped: 9



| Answer Choices | Responses | |
|----------------------|-----------|-----------|
| No | 38.71% | 12 |
| Yes (please specify) | 61.29% | 19 |
| Total | | 31 |

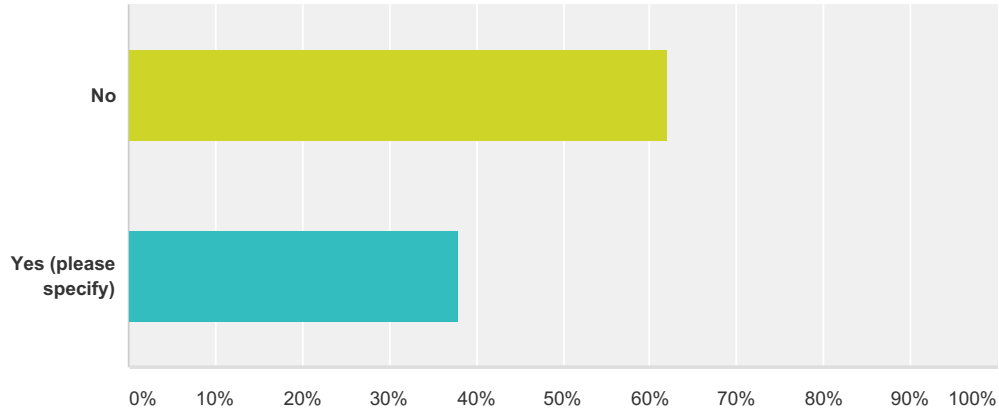
| # | Yes (please specify) | Date |
|---|---|--------------------|
| 1 | Be sure that the Best Available Science includes the evaluation and analysis conducted by Professor Emeritus David Milne on Capitol Lake and Budd Inlet water quality which has been peer reviewed by Professor Emeritus Oscar Soule, Professor KV Ladd and Professor Christian Thiessen. | 6/2/2016 2:21 PM |
| 2 | Need to address both short (5-10 years) and long term status and trends of goals & objectives (10-50 years). Some short term impacts at a restoration project may be negative in short term but positive in long terms or vice versa. | 6/2/2016 2:16 PM |
| 3 | Add: Initiate water quality monitoring program from Henderson Street Bridge to Priest Point Park for all parameters of concern. Continue monthly/quarterly from now until 2020. | 6/2/2016 2:10 PM |
| 4 | 1) you guys have a hard job. Without in depth knowledge, it seems to make sense to allow salt water to flush out the north basin of the lake several times per year. I personally like the lake. And I'm concerned about allowing sediment into Budd inlet affecting recreation activities. | 5/31/2016 11:40 AM |
| 5 | Pre-construction uses and events should be included in timeline. Recreational use openings and closures, such as fishing and boating, should be included in fig 1 timeline. | 5/31/2016 11:03 AM |
| 6 | Regarding "Best Available Science" it would seem to me you would want to cast as wide a net as possible so you don't run the risk of excluding meaningful information. | 5/29/2016 7:25 PM |

Capitol Lake/Deschutes Estuary Public Input Form - May 19 thru June 2, 2016

| | | |
|----|--|--------------------|
| 7 | <p>As a civil engineer with in excess of 30 years professional experience with design, permitting and construction of major dams and water resource projects who has personally reviewed a number of the previously completed studies intended to compare the alternatives of keeping Capitol Lake and removing same, I recommend that an independent panel of highly qualified experts be convened, much as would be done by any federal agency contemplating such a technically, scientifically, environmentally and culturally complex project as this one is. I recommend this for the same reasons that this approach is commonly used by others; namely that the consequences of failure in any of the above noted areas would be major both in terms of costs, environmental consequences and other factors. Though hydroelectric energy is obviously not at issue here probably the federal agency that deals most with the comparable situations is the Federal Energy Regulatory Commission (FERC) that routinely requires independent reviews of such projects (called by them Boards of Consultants) and makes independent board approval a condition of approval to proceed with the project. In addition to the obvious benefit a second set of eyes provides in my experience such reviews also provide a great deal of comfort for funding authorities be they government or private and in this instance significant funding will be necessary no matter which alternative is ultimately selected. In addition given that a great deal of factual complexity and emotional myth surrounds this project I believe such an independent look would aid greatly in educating and calming the concerned public. I recommend that a Congressional representative could assist with quickly putting you in touch with the FERC so they can assist you in contemplating in greater detail what convening a Board of Consultants would involve. If I can be of further assistance please do not hesitate to contact me. Thanks very much for the opportunity to comment.</p> | 5/24/2016 10:32 PM |
| 8 | <p>There was never a natural salmon run due to the falls. This criteria needs to be removed from the matrix. Who pays for what if the lake stays a lake or is made into an estuary needs to be clearly spelled out.</p> | 5/24/2016 3:01 PM |
| 9 | <p>The Wilder and White and Olmsted Brothers design of the State Capitol Campus is recognized by Professors Henry-Russell Hitchcock, William Seale, Norman Johnston and others as the greatest example of City Beautiful Movement architecture in the United States. The tide lock and Capitol Lake are protected under the National Register of Historic Places as parts of the Capitol Campus under section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800.</p> | 5/24/2016 2:57 PM |
| 10 | <p>We support returning Capital Lake to its original configuration, void of subsequent human influence.</p> | 5/24/2016 2:24 PM |
| 11 | <p>Figure 3 implies a connection between the three subjects, but doesn't really spell it out. It looks like a useful graphic for understanding and the structure implies it, but I'm not seeing how it helps my visual understanding better than, say a three column powerpoint or chart. Showing relationships between the ideas would help me understand it better (or more deeply). The squares and triangles on the right hand side, for instance, help me connect different pieces of information. More of features like that (perhaps showing the relationships between the project documentation and the long term goals and/or values?).</p> | 5/24/2016 1:59 PM |
| 12 | <p>We need to insure that we have an objective third party reviewing panel be used to identify and retain new information of importance to this issue.</p> | 5/24/2016 9:55 AM |
| 13 | <p>Up date water quality data based on actual field studies by Thurston County Health Department and select a third party "Board of Consultants" to review both past and current data, before reporting on "facts on the Lake". Too many of the listed findings have either been corrected by local government watershed/utility enhancements and other monitoring data presents findings that differ from that presented in the final CLAMP reports.</p> | 5/24/2016 8:08 AM |
| 14 | <p>it is a win win situation for both sides of the lake controversy.</p> | 5/23/2016 9:42 PM |
| 15 | <p>Return to the natrul estuary.</p> | 5/20/2016 12:59 PM |
| 16 | <p>Improve recreational opportunities should probably include public access too.</p> | 5/20/2016 12:27 PM |
| 17 | <p>The committee is stacked against the lake. Good luck with your smelly salt water marsh and controlling the flooding in the downtown during times of high tides and high river flows.</p> | 5/20/2016 7:44 AM |
| 18 | <p>Capitol Lake, in an urban area, was intended to serve as part of an overall plan for the capitol campus and its connection to Puget Sound. That should remain its primary role. It is not essential habitat requiring reversion to tidal flows. Maintaining the lake as a lake should be the responsibility of the state.</p> | 5/19/2016 10:00 PM |
| 19 | <p>It seems that one of the original primary goals or objectives when the lake was originally developed is getting little to no attention. Specifically, the aesthetic value to the stare and community of a reflecting pool that enhances the view of the capital and is nice appearing even when not looking at the capital. Economic analyses are fine, but concentration on the cost of developing and maintaining most of the world's major works of art would have resulted in them never being developed or, in the case of paintings, being painted over as that is much cheaper than maintaining or restoring them. Although water quality, habitat, technical studies of all things physical related to the lake, etc., have value, I don't believe they should be the driving factors when evaluating maintenance and restoration of a project originally proposed primarily for aesthetic reasons.</p> | 5/19/2016 9:10 PM |

Q5 In addition to the compiled list in the material packet, do you have any other technical studies, agency reports or evaluations related to water quality and habitat for the Capitol Lake basin?

Answered: 29 Skipped: 11



| Answer Choices | Responses | |
|----------------------|-----------|-----------|
| No | 62.07% | 18 |
| Yes (please specify) | 37.93% | 11 |
| Total | | 29 |

| # | Yes (please specify) | Date |
|---|--|--------------------|
| 1 | The habitat packet needs to include the restoration of the wild salmon run up Percival Creek study. The evaluations and analyses conducted by Professor Emeritus, David Milne of the Evergreen State College related to Capitol Lake and Budd Inlet. Also the peer reviews by Professor Emeritus Oscar Soule, Professor KV Ladd and Professor Christian Thiessen. | 6/2/2016 2:21 PM |
| 2 | 1) All of the CLAMP reports should be listed. 2) Also, see technical reports on South Puget Sound model and dissolved oxygen studies and Salish Sea model. Best Available Science - Dept of Ecology (EPA, USGS and others) have policies in place to ensure "credible data" is used in its work. Should be added to your screen and used for implementing B.A.S. Need to determine "process" to implement B.A.S. | 6/2/2016 2:16 PM |
| 3 | Thurston County Sampling data for Capitol Lake from 2000 to current for DO, Bacteriological & other items sampled -- continue sampling. | 6/2/2016 2:10 PM |
| 4 | 1) Need to know model calibration, model verification and model simulation conditions and data sets. 2) What flow was used for model runs Qy10 or Qy30? | 6/2/2016 9:55 AM |
| 5 | I don't have reports, but aren't there are reports associated with fish stocking available from WDFW? Are there other evaluations performed during the swim closure time? Are there justification studies for boat closures? | 5/31/2016 11:03 AM |
| 6 | 1. "Budd Inlet Scientific Study" (Aura Nova Consultants Inc et al., 1998 2."Technical Evaluation Report for the Discharge of Treated Wastewater from the Tumwater Brewery", CH@M Hill, 2001 3. An economic impact of the Port of Bremerton's recreation boat marina on the local economy. circa 2006? | 5/25/2016 9:55 AM |
| 7 | I am currently unable to transmit the following article which is relevant to Chinook salmon rearing habitat in Capitol Lake: "Diet and Bioenergetics of Lake-Rearing Juvenile Chinook Salmon in Lake Washington" Authors: Koehler, et. al. Published online by: Transactions of the American Fisheries Society 135:150,2006 | 5/24/2016 9:55 AM |

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| | | |
|----|--|-------------------|
| 8 | CLIPA's Web Site has an extensive bibliography of reports and "inter agency memos" that present a more detailed and current finding on water quality, sediment management, economic studies, and public input that was not included in the earlier DES listing of reports. Dr Milne has prepared three extensive "Research/Response Documents on Capitol Lake" that is an essential "review of the science of Capitol Lake and Peer Review of Ecology's public reports". CLIPA will provide a supplemental list of reports that are both current and professionally prepared on the Lake and are more current than the early 2000's work done by the State. | 5/24/2016 8:08 AM |
| 9 | Who would be responsible for testing for fecal coliforms? Cost of the fecal coliform tests? Lifeguards? | 5/23/2016 9:42 PM |
| 10 | I do not have technical studies, but as a private citizen I have written several blogs about the habitat and wildlife at the Capitol Lake Interpretive Center, and plan to write several more, with the next being about pollinators at the CLIC: Intro: http://olypollinators.blogspot.com/2016/01/a-wild-success-capitol-lake.html Plants: http://olypollinators.blogspot.com/2016/02/a-wild-success-capitol-lake.html Food: http://olypollinators.blogspot.com/2016/04/a-wild-success-food.html I have also filmed many videos of Capitol Lake's wildlife, include this one showing hundreds, if not thousands of freshwater mussel shells lining the bottom of Capitol Lake during a mid-winter drawdown: https://www.youtube.com/watch?v=VP3psqRpU4k | 5/20/2016 9:35 AM |
| 11 | I cannot name them, but surely the state can find qualified people or organizations to provide evaluations as to the aesthetic value (if any) of the various proposals that have been made. For this type of project, any environmental impact statement that doesn't include an evaluation of the aesthetical impact of the project should be considered incomplete. | 5/19/2016 9:10 PM |

INPUT ON METHODOLOGY FOR BEST AVAILABLE SCIENCE

ROBERT HOLMAN COMMENTS – JUNE 1, 2016

I encourage the Executive Committee to select the Federal (US EPA) guidelines for evaluation of Best Available Science. From the information DES and Floyd Snyder provided, it appears that the EPA approach is somewhat more subjective than the state or international methods, and provides a better opportunity for information to be considered from non-agency community members. This is important because the agency members on the Technical Committee, especially Ecology, have familiarity with the exclusionary rules of the more rigid State methodology and access to substantial resources that volunteer groups such as CLIPA and DERT cannot obtain. This process needs the checks and balances that the community input can provide. Compounding this is my observation that Ecology's technical staff has displayed a clear bias throughout the Deschutes Watershed TMDL process to identify Capitol Lake and the dam as the major source of water quality problems.

BACKGROUND

I have worked with Ecology staff for over forty years, first in the private sector in the local chemical industry, then in the public sector with the LOTT Alliance and currently as a member of the Deschutes Watershed TMDL Advisory Committee. My experiences with Ecology have mainly been positive and include working collaboratively in both permitting and regulations, with a highlight being the receipt of an Environmental Excellence Award from the Governor for our facility in Elma, Washington. However, I have become increasingly concerned with the direction of Ecology technical staff as I have participated in the Deschutes TMDL. In my comments last week to the Executive Committee as a CLIPA member, I described the efforts to create an estuary as "a solution, looking for a problem". This is particularly evident in Ecology's approach to the TMDL. Over the last several years, Ecology staff has presented the TMDL Advisory group with a series of problems associated with Capitol Lake that they claim could be solved with dam removal and creation of an estuary. Most of these problems have been shown to be non-existent, insignificant or are currently under question. The Executive Committee heard a few of these questions in Dr. David Milne's presentation last week.

It's not my intent to review here the litany of issues ~~I have~~ with Ecology, but it is important to recognize that the Ecology influence on the Technical Committee needs to be balanced with community input. And most important, when significant differences are found, an independent evaluation by outside experts should be undertaken by DES. This is exactly what the Ruckelshaus process recommended with respect to Ecology's model, on page 15, #1 of their report:

1. Resolve the dispute regarding the modeling of the dam's impact on water quality in Budd Inlet by selecting one (or both) of the following paths:
 - Obtain another independent scientific review of the Washington State Department of Ecology's computer model of this dynamic,
 - Request that those independent reviewer—and possibly a third party facilitator—participate.....".

I suggest one further litmus test that the Executive Committee can use to determine whether the selected methodology does not unfairly limit community input, for example, due to a "peer review" issue or not meeting some obscure regulation known only to Ecology. If Dr. Milne's reports are excluded from the Technical Committee analysis or third party reviews, this should be a clear signal that the process has failed.

From: David H. Milne

June 1, 2016

To: Executive Committee, DES Capitol Lake Work Group

Re: Best Available Science: Recommendations

Dear Committee Members:

With regard to identifying and obtaining the “Best Available Science” pertaining to the possible retention and future management of Capitol Lake, I suggest the following;

1) Conduct a year-long *field study* of the Lake’s capture of nutrient nitrogen, growth of Lake plants and phytoplankton, transfers of nutrient nitrogen and organic carbon between Capitol Lake and Budd Inlet, and consequent effects on dissolved oxygen in Budd Inlet;

The main studies recently reported mostly rely on the Department of Ecology’s Budd Inlet Model, which is structurally incapable of evaluating this critical Lake/Inlet connection.

2) Conduct a study (field observations and literature review) of the alleged ecological hazard posed by the New Zealand Mud Snail, to include comparison of any effects of the snails now present in Lake Washington and Blue Slough with those in Capitol Lake and any instances of damage caused by the snails elsewhere;

After closure of the Lake on account of the snail’s introduction, no follow-up studies were made of whether initial fears of the snail’s impact were justified. If it is really harmless, we need to know that and re-open the Lake to public access.

3) Conduct a study of the significance of Capitol Lake as habitat for several freshwater species of concern and interest, including the Olympic Mudminnow and a newly introduced freshwater mussel;

The CLAMP Wildlife assessment (Hayes et al, Sept. 2008) should be updated by considering native and introduced species that are now common in the Lake, having arrived after the CLAMP assessment was made. Several native species of special concern (Olympic Mudminnow, an indigenous fish whose habitat elsewhere is very restricted, and the signal crayfish, a predator with potential for controlling NZ Mudsnailed) that were dismissed from consideration by the CLAMP assessment need detailed re-examination. In particular the fact that the NZ Mudsnailed (introduced 2009) will almost certainly persist in an estuarine replacement for Capitol Lake needs to be emphasized.

4) Evaluate the role of the Lake in providing a food base (emergent freshwater insects) for the huge Woodard Bay bat population and roles of the bats (with swallows, purple martins, swifts, and dragonflies) in mosquito control in our community;

The roles of bats and aquatic emergent insects are now better understood, since the times of those early assessments. The flying predators may be key factors in mosquito control that would be lost if the Lake is replaced by an estuary.

5) Create an up-to-date census of the native and introduced plant and animal species now inhabiting the Lake and West Bay;

6) Complete a field study (to include coliform bacteria levels, water clarity, and blue-green algae abundance) of the Lake's suitability as a public swimming facility and for the purpose of removing the Lake from the 303d water quality listing;

7) Arrange for a review of the interpretations of the Budd Inlet Model calculations as reported by the Washington Dept. of Ecology by an independent agency with no ties to state agencies (say, by the Corps of Engineers).

Ecology's TMDL Tech Report, Poster, and Supplemental Modeling Report are poorly written, present unverifiable results, and appear to downplay or omit Model calculations that support retention of the Lake.

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

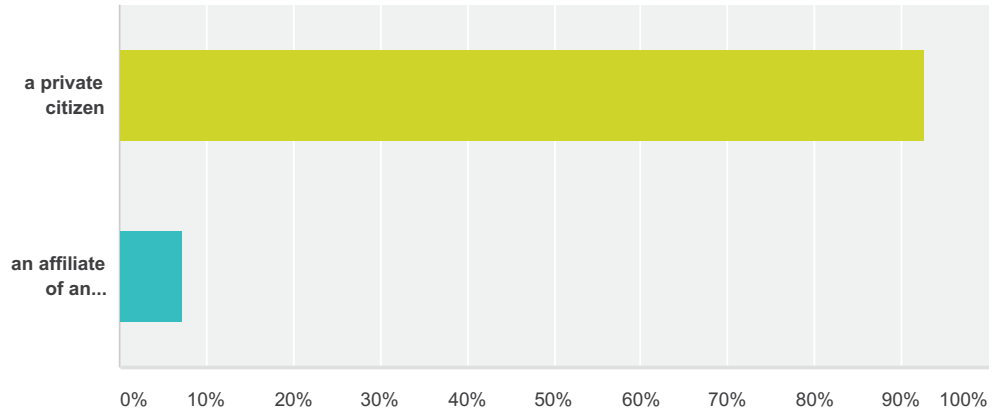
Community Input on Proviso Element: Identification of Hybrid Options

**Input period extending from
June 16 to June 30, 2016**

FINAL

Q2 Are you attending as:

Answered: 54 Skipped: 2



| Answer Choices | Responses |
|---------------------------------|-----------|
| a private citizen | 92.59% 50 |
| an affiliate of an organization | 7.41% 4 |
| Total | 54 |

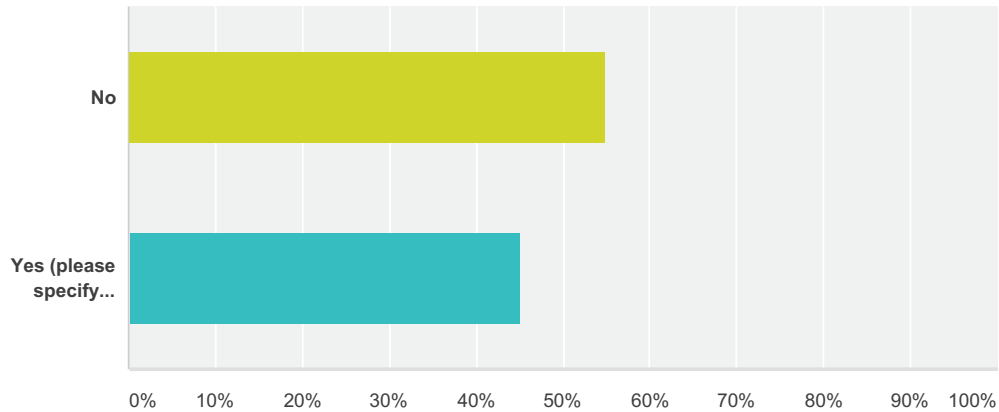
Q3 What organization are you affiliated with?

Answered: 6 Skipped: 50

| # | Responses | Date |
|---|--|-------------------|
| 1 | S.E.R.T. | 7/1/2016 9:13 AM |
| 2 | Olympia Yacht Club | 6/29/2016 8:28 PM |
| 3 | Deschutes Estuary Restoration Team | 6/27/2016 6:21 PM |
| 4 | North Capitol Campus Heritage Park Association | 6/27/2016 5:02 PM |
| 5 | DERT | 6/27/2016 4:31 PM |
| 6 | OYC/SSSS | 6/23/2016 8:42 AM |

Q4 Are you aware of additional hybrid options that should be included for consideration next month (in addition to the review of the Managed Lake and Estuary)?

Answered: 40 Skipped: 16



| Answer Choices | Responses |
|---|-----------|
| No | 55.00% 22 |
| Yes (please specify additional options) | 45.00% 18 |
| Total | 40 |

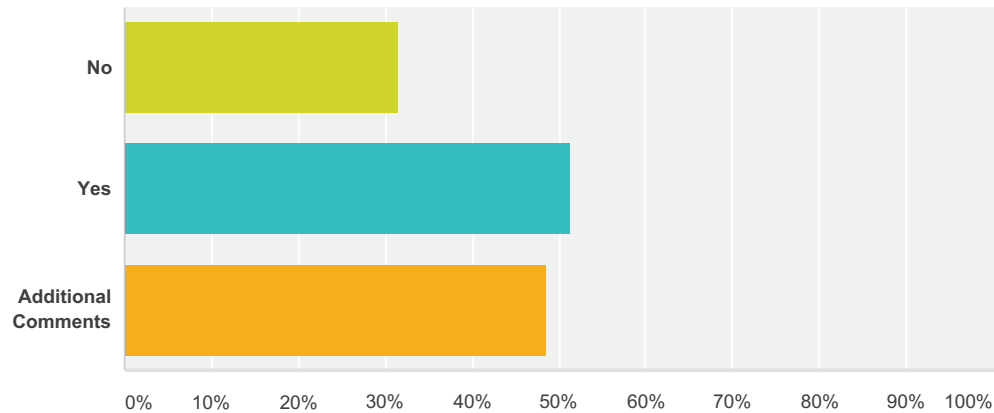
| # | Yes (please specify additional options) | Date |
|---|---|------------------|
| 1 | Hybrid options should not be considered. Hybrid options may be politically popular, but in general appear to either 1) not be feasible or practical, or 2) do not accomplish restoration objectives (especially the so-called Percival creek plan). The Percival Creek Plan is simply an extension of the old regime of "design and destroy" rather than "design with nature." The additional option presented verbally concerned sediments removal and nutrients harvest. While characterized by the proponent as easy and inexpensive to conduct, it would result in long term continuous management forever. In other words, it's still a managed lake- not a naturally functioning ecosystem such as would be achieved by estuary restoration. This option still does not recognize the ecosystem functions; it is a continuation of the old way of doing business. | 7/1/2016 9:38 AM |

| | | |
|----|--|--------------------|
| 2 | I have only recently learned that hybrid options are being submitted for the lake. I don't have any presentations or maps, but I do have a suggestion based on long time observations. The best wildlife habitat by far at Capitol Lake is at the Capitol Lake Interpretive Center, followed by the south basin and Percival Cove. These areas are alive with wildlife because the still, shallow fresh water is terrific habitat for many insect species that breed and hatch from the muddy bottom of the lake. These insects draw in multifarious species of swallows, warblers, flycatchers, and other birds that will no longer return to these areas to mate and nest once the lake is returned to a marine environment. The freshwater ponds at the CLIC and the backwaters of the south basin are also wonderful shelter for many species of dabbling ducks. To convert a large freshwater wetland ecosystem into a marine environment should not be considered a one to one swap. They are very different habitats. There are very few publicly accessible freshwater wetlands in Thurston County. Capitol Lake is by far the largest. In contrast, publicly accessible marine environments and beaches are quite common. To lose the entire Capitol Lake freshwater ecosystem would be a very great loss to local wildlife and to the many people who enjoy wetland wildlife observation, bird watching and nature photography there. The fact that Capitol Lake is Thurston County's largest freshwater wetland should be cause for requiring a massive mitigation for the loss of these habitat functions. One small part of that mitigation should be protecting and even expanding the Interpretive Center's excellent freshwater wetland habitat by keeping it separate from the marine environment on the other side of the dike. This could perhaps be achieved by blocking the culverts through the dike and diverting Deschutes River water into the ponds. When U.S. Fish and Wildlife decided to breach the dikes at Nisqually delta to let the sea water in, they made sure that many freshwater wetlands and ponds were retained on the Refuge so that it would retain a well-rounded wildlife profile. The same should be done at Capitol Lake. I would appreciate it if this hybrid proposal is considered alongside any others that have been submitted. | 6/30/2016 9:26 PM |
| 3 | I have attended most of the Capitol Lake Executive Committee and Public Meetings | 6/30/2016 11:03 AM |
| 4 | I believe the best possible option for the region would be filling in most of Capitol Lake near downtown (greatly expanding Heritage Park) in addition to filling in a large strip along Deschutes Parkway SW to create substantially more park space. The space created by expanding Heritage park could add a swimming/wading pool (much needed downtown), basketball courts, tennis courts, soccer field, and (greatly needed) a large kids play area. The space created by filling in land along Deschutes Parkway SW would create great space for lounging, picnics, bird watching, recreation, as well as possibly additional parking. An additional bridge could be added between the area filled in along Heritage park and the space created by filling in space along Deschutes Parkway SW. Downtown needs larger outdoor spaces as well as significantly better outdoor spaces. This plan would make this possible. Please consider this option. | 6/30/2016 9:30 AM |
| 5 | Have written an environmental article on a temporal-hybrid option, i.e., Capitol Lagoon. | 6/29/2016 12:50 AM |
| 6 | I am aware of two hybrid options. both with a reflecting pool lake and estuary. One with a subsurface dike to allow a some flushing and filling of the lake during low tide but not drain the lake. The other is a higher dike to separate the estuary and lake to keep the lake level more constant and refreshed with spring water no salt water. | 6/28/2016 7:00 PM |
| 7 | I strongly support the hybrid option. I grew up in Olympia area and learned to swim at the old swim area. I attended boat races on the lake including the old drag races as well as family outings in our boat. I also support an estuary at the south end to enhance habitat for birds and fish. Would like to see a return of the salmon rearing project for blackmouth supplementation in the sound. If you keep the north end reflecting pool please commit enough resources to it to keep it clean and fishable/swimmable. | 6/28/2016 12:49 PM |
| 8 | Consideration should be given into letting Capitol Lake turn into a swamp, which can provide many ecological functions, both for water and wildlife, assuming that the Deschutes River would have a channel through the swamp and continue to empty into Budd Inlet | 6/28/2016 8:06 AM |
| 9 | lake/reflecting pool for north lake, maintain existing Capitol Lake with the south lake area, south of the rail road bridge an estuary and natural filter for river sediment | 6/28/2016 7:05 AM |
| 10 | If not already in place, in some capacity, I recommend a re-circulating functionality as part of fresh water adjunct to city water for irrigation purposes at capital campus and lakeside park areas. | 6/27/2016 6:30 PM |
| 11 | Freshwater reflecting pool fed by an artesian well and saltwater marsh.The continued flow will keep the reflecting pool aired and clean. | 6/27/2016 5:49 PM |
| 12 | The best hybrid option would retain the tide lock and the historic City Beautiful Movement design of Capitol Lake and enhance Percival Creek to reestablish the only wild salmon run in the Deschutes watershed. | 6/27/2016 5:09 PM |
| 13 | If you are trying to come up with a solution (a 'hybrid') that will make everyone happy I think you out of luck. | 6/27/2016 4:48 PM |
| 14 | None! I am against any hybrid option due to long term maintenance/management costs for infrastructure. The State has already spent too many tax dollars on these on-going processes to determine management of a lake that is really an estuary. Remove the dam and restore the estuary. | 6/27/2016 4:35 PM |
| 15 | I choose not to comment! This is not a survey, it is leading people blindly down the path you want. Make a survey that is relevant to all parts of what is happening. | 6/23/2016 8:44 AM |

| | | |
|----|---|-------------------|
| 16 | Yes, the re-route Percival option sounds interesting. I want to keep the lake fresh water and allow paddle boards and kayaks access. Hydroplane racing should return to Lakefair. | 6/22/2016 3:47 PM |
| 17 | The estuary is the perfect solution. Let the river run free. | 6/16/2016 8:34 PM |
| 18 | Remove the dam and allow the full basin to return to an estuary. | 6/16/2016 7:53 PM |

Q5 Does the draft Purpose and Need statement capture the primary project goals?

Answered: 35 Skipped: 21



| Answer Choices | Responses |
|------------------------------|-----------|
| No | 31.43% 11 |
| Yes | 51.43% 18 |
| Additional Comments | 48.57% 17 |
| Total Respondents: 35 | |

| # | Additional Comments | Date |
|---|---|--------------------|
| 1 | Add 'restore and improve ecosystem functions' to 1st and 3rd paragraphs along with "community use". Add "Deschutes Watershed, Budd Inlet, and South Puget Sound" to "Capitol Lake Basin" (the ecosystem must be considered as a whole). "Sediment Management" - this is also a function of the entire watershed, not just Capitol Lake. Ecology and the tribe have identified numerous opportunities to reduce sediment load from upstream erosion. There are also options for managing sediments within the estuary that would reduce potential impacts on downstream users such as the Port and Marinas. Finally, these downstream entities should not expect the state to fund and manage all of the sediment management. No estuarine users have such a sweet heart deal in other estuaries in our state - not in Grays Harbor, Suwamish/Elliot Bay, Puyallup River/Commencement Bay, or any other. | 7/1/2016 9:38 AM |
| 2 | No hybrid options should be considered. The purpose of the project should be "to end violation of the clean water act by the best means possible; and to comply with shoreline management and other applicable laws and regulations. (stronger and more specific language than 'comply with...standards'.) | 7/1/2016 9:12 AM |
| 3 | Do not agree with the primary project | 6/30/2016 3:57 PM |
| 4 | While the Purpose and Need statement capture most of the project goals, the legislative proviso limits the study to a dual basin alternative. I feel that all the current dual basin alternatives are too costly and do not go far enough to address the limiting factors of the Deschutes Basin and Budd Inlet water quality. I would like to suggest an alternative - remove the 500' long dam and build a set of small bridges at the southern end of Percival Landing. This would allow for salt water/freshwater circulation at two points in Capitol Lake. The unfortunate side would be the need to relocate the water fountain and Traditions. However, most of the businesses in that area have already moved. | 6/30/2016 11:03 AM |
| 5 | I think the DELI option would be best. | 6/30/2016 9:43 AM |
| 6 | Where is the Purpose and Need statement? I could not find it. There should be a hyperlink with this question. | 6/28/2016 8:31 AM |
| 7 | The existing Capitol Lake reflecting pool must be maintained and improved in its existing state. A goal to improve water quality to the point where people can use the lake again for swimming(maybe?), sailing, and rowing non-motorized small boats should be included. My dream is for citizens to be get out on Capitol Lake and see/experience our city from that viewpoint. Think Central Park in NYC, Green Lake in Seattle etc | 6/28/2016 7:05 AM |

| | | |
|----|--|--------------------|
| 8 | With respect to the ecological considerations embodied in the hybrid approach, trying accomplish antithetical two objectives sounds like a good way to get nothing done. Let us choose one or the other, a deepened (and by that I mean dredged) Capitol Lake, or a natural Deschutes estuary. And remember, Confucius says "he who chases after two rabbits catches neither". | 6/28/2016 5:31 AM |
| 9 | I can't find this statement. | 6/27/2016 9:35 PM |
| 10 | Unsure | 6/27/2016 9:09 PM |
| 11 | Studies show the hybrid options are more costly and beneficial ecologically than dam removal and complete Deschutes Estuary restoration | 6/27/2016 7:41 PM |
| 12 | The State Capitol Campus is protected under the National Historic Preservation Act as a National Historic landmark and the Capitol Lake reflecting pool needs to be retained under section 106 of the statute. | 6/27/2016 5:09 PM |
| 13 | The lake needs to be dredged, fresh or salt if it isn't deeper it will get warm and the bacteria will happily grow wild. The lake is man made and will always need to be maintained. Wake up and build it into your budget. | 6/27/2016 4:48 PM |
| 14 | Capitol Lake does not have its own watershed. In fact the "lake" is a dammed river. The Watershed is the Deschutes River Watershed. Implying that the lake has a long and important history completely ignores the very fact that it is actually a dammed estuary. Please - let's get this right - I was amazed when I read that statement...it is so blatantly false. Please stop ignoring the inevitable. The EIS process must focus on estuary restoration. | 6/27/2016 4:35 PM |
| 15 | Need to remodel the bathrooms on Columbia to look like the ones on Percival Landing. Provide larger changing rooms for weddings and a roof overhang and small platform. | 6/22/2016 3:47 PM |
| 16 | If the hybrid options increase the overall cost of Deschutes Estuary restoration and, or if the hybrid options diminish the ecological benefit of the restoration as compared to restoring Deschutes Estuary without a hybrid option, then the hybrid options should be eliminated. | 6/21/2016 11:00 PM |
| 17 | Remind all that there are no federal funds for dredging as a lake | 6/16/2016 8:34 PM |

Martin, Carrie R. (DES)

From: [REDACTED]
Sent: Sunday, July 10, 2016 4:06 PM
To: DES Capitol Lake
Subject: DELI

I support DELI as solution to the problem of Capitol Lake. [REDACTED]
Olympia, Wa. 98502

Sent from my Verizon Wireless 4G LTE DROID

Martin, Carrie R. (DES)

From: [REDACTED]
Sent: Sunday, July 10, 2016 2:42 PM
To: DES Capitol Lake
Subject: DELI

I have read the proposal for DELI a solution for Capitol Lake and find it very interesting and creative, with a lot of good for all constituents, including the environment. I strongly support this option. Thank you. [REDACTED]

Martin, Carrie R. (DES)

From: [REDACTED]
Sent: Thursday, July 07, 2016 5:12 PM
To: DES Capitol Lake
Subject: Option # 3 DELI idea

Environmentally I know the estuary is a good idea but I love the lake and this may be a way to do both. It should be carefully investigated.

[REDACTED]
Olympia , WA 98506

Martin, Carrie R. (DES)

From: [REDACTED]
Sent: Thursday, July 07, 2016 4:10 PM
To: DES Capitol Lake
Subject: DELI my ideal

I am so old I remember kids swilling in Capitol Lake. I'd like that option back, and I'm jazzed that this solution kills the snails!

[REDACTED]
Olympia WA 98501

Martin, Carrie R. (DES)

From: [REDACTED]
Sent: Wednesday, July 06, 2016 2:42 PM
To: DES Capitol Lake
Subject: DELI
Attachments: pastedGraphic.pdf

I am a long time resident of Olympia. I own homes on the westside and have operated a business here for 18 years. I've seen lots of change over that time. A change I would very much like to see is resolution of the Capital Lake situation. The DELI - Dual Estuary Lake Idea - is the best option I have seen or heard in the years of the controversy. It seems the best of both worlds and the healthiest option for long term sustainability of the region. Having a lake with a swimming area right in downtown would be fantastic. As would having the bulk of the area restored to its natural estuarian environment.

Thanks for your willingness to listen to the residents and honor their views.



Martin, Carrie R. (DES)

From: [REDACTED]
Sent: Thursday, June 30, 2016 4:01 PM
To: DES Capitol Lake
Subject: June 30 Hybrid Estuary Comment

Greetings ~

I do not agree with the Proviso as it currently exists, as I believe it is in conflict with the Shoreline Management Act. In addition, it has previously been shown that the most effective route to satisfying the Clean Water Act would be to release the dam and allow for a full Estuary.

Thank you for all your hard work.

[REDACTED]

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

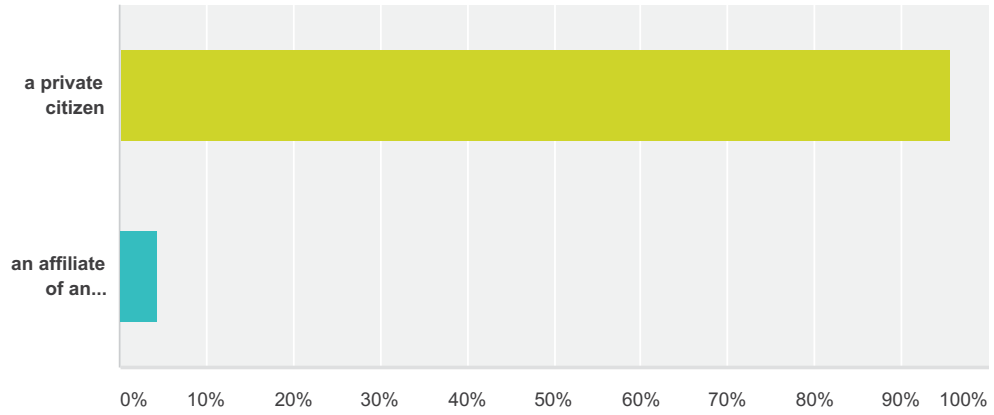
Community Input on Proviso Element: Review of Existing and Hybrid Options

**Input period extending from
July 14 to July 28, 2016**

FINAL

Q2 Are you attending as:

Answered: 45 Skipped: 2



| Answer Choices | Responses | |
|---------------------------------|-----------|-----------|
| a private citizen | 95.56% | 43 |
| an affiliate of an organization | 4.44% | 2 |
| Total | | 45 |

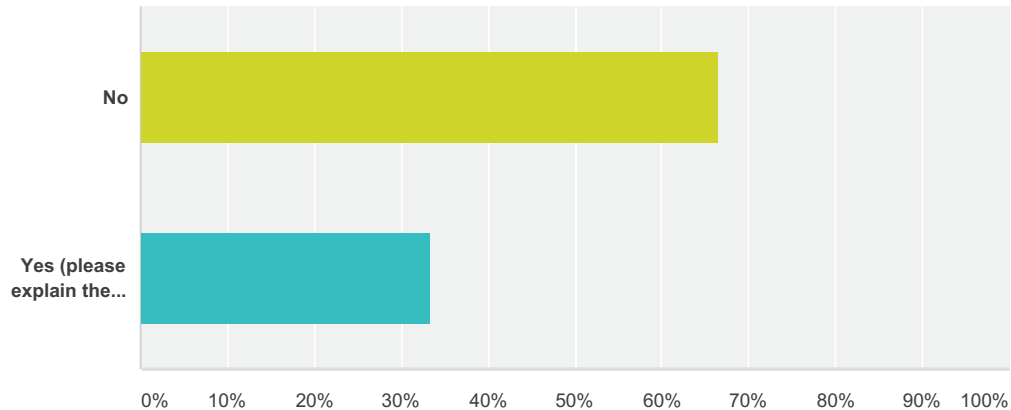
Q3 What organization are you affiliated with?

Answered: 2 Skipped: 45

| # | Responses | Date |
|---|--|-------------------|
| 1 | M.G.Burgher & Assoc. Inc., d/b/a Martin Marina | 7/28/2016 1:25 PM |
| 2 | CLIPA | 7/20/2016 7:46 PM |

Q4 Are you aware of additional components that should be considered for incorporation into the existing and/or hybrid long-term management options to increase consistency with project goals?

Answered: 30 Skipped: 17



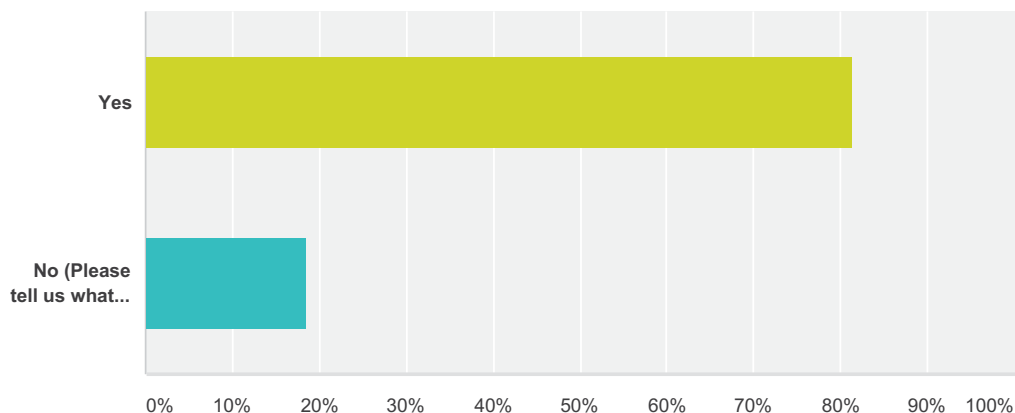
| Answer Choices | Responses |
|---|-----------|
| No | 66.67% 20 |
| Yes (please explain the component and how it ties to the project goals) | 33.33% 10 |
| Total | 30 |

| # | Yes (please explain the component and how it ties to the project goals) | Date |
|---|--|--------------------|
| 1 | In both the existing and hybrid options there will need to be a plan for management of the invasive rodent, Nutria. | 7/27/2016 12:28 PM |
| 2 | The dual estuary lake option turns about 80% of the existing lake into an estuary to address water quality and infestation problems. The spring-fed lake formed would address the goal of having a reflecting area for the Capitol, an accessible swimming area, and the general appealing aesthetics of such an amenity. It would undoubtedly contribute to greater downtown vitality. | 7/27/2016 12:27 PM |
| 3 | I don't know what was added but considering fish and wildlife habitat and recreation and community use are critical to the solution. I support the DELI option as I achieves both component goals as well as maintaining the reflection pond aspect of the lake. This aspect is important because it offers a unique visual graphic of our Capitol that candraws visitors and significant tourism revenue. | 7/27/2016 8:56 AM |
| 4 | What are we waiting for. How many thousands of dollars have been spent? The Elwha River was undammed. Within weeks, salmon biologists found evidence of native fish species coming back. Stop stalling. Do what's right. | 7/27/2016 12:48 AM |
| 5 | Create a hydrologically isolated freshwater lake with artesian flows from beneath Capitol Hill. I am absolutely 'pro' DELI concept. Seems that it is the most natural way. | 7/26/2016 4:19 PM |
| 6 | The hybrid options do not fully restore the Deschutes Estuary. | 7/25/2016 10:27 PM |
| 7 | I am a 45 yr resident of Olympia. I am appalled at the condition of Capitol Lake. I urgently recommend the adoption of the Dual Estuary Lake Idea, since it is a good compromise between the polarized forces of Lake vs Estuary. | 7/22/2016 7:32 PM |
| 8 | What are the anticipated environmental impacts on the areas CURRENTLY SURROUNDING the estuary/lake proposals (e.g. residential properties)? Specifically, what are the implications for present animal wildlife species (e.g. deer, coyotes, rodents, foxes), large birds (e.g. eagles) as well as pets, such as cats which often roam unattended? | 7/20/2016 2:55 PM |

| | | |
|----|---|-------------------|
| 9 | Repeated studies have not yet led to a final acceptable plan. The current 2 devisive plans (Clipta & Dert) have only caused a stalemate for several years, getting us nowhere. Dual Esturary / Lake Idea (DELI) offers both a natural salt water esturary along with a fresh water lake solution that gives both parties an acceptable compromise solution. | 7/18/2016 1:38 PM |
| 10 | DELI brings the Capital Lake back to what I remember from the 1950's. Actually swimming in the lake and entering from the East side. | 7/17/2016 9:53 AM |

Q5 Does the revised Purpose and Need statement capture the majority of stakeholder feedback, and continue to reflect project goals?

Answered: 27 Skipped: 20



| Answer Choices | Responses |
|---|-----------|
| Yes | 81.48% 22 |
| No (Please tell us what additional changes should be made.) | 18.52% 5 |
| Total | 27 |

| # | No (Please tell us what additional changes should be made.) | Date |
|---|---|--------------------|
| 1 | I feel that the revised "Purpose and need statement" does capture the feedback rather well, but the lake options do not capture the project goals. Now that I have answered the questions posed I have some further comments and feedback: First of all, this process has been ongoing since the first EIS in 1998. Almost 20 years later we are preparing to do it again. I don't quite see why it is being done a third time; but this shows that the existing conditions are not something that the community is okay with. Obviously we want change and business as usual does not reflect project goals. Estuary restoration is a huge success in the Puget Sound and the restoration of the Deschutes River natural hydrologic connectivity will have great benefit to the environment with little maintenance over the long term. The community has come to understand the ecological benefits of estuaries; even "stinky mudflats" have an abundance of benthic invertebrates that provide foraging for shorebirds as they migrate the Pacific Flyway. Estuaries are some of the most biologically productive and diverse landscapes and I strongly believe that full estuary restoration is the best alternative but even one of the two posed hybrid options is acceptable; but the two lake options are not. We need to stop the maintenance of an unnatural lake that provides poor habitat, poor recreation, and poor reflection on the Capitol of our "Evergreen State". I as a lifelong resident of Olympia am really looking forward to the first Capitol Estuary Fair! | 7/27/2016 12:28 PM |
| 2 | A reflecting pool for the Capitol, an accessible swimming area, and the general beautiful aesthetics of a lake are not as specifically addressed as local needs. This is part of an urban area. The thousands of people living here are now part of the fauna. The sustainability of this area can be achieved with a dual estuary/lake option. The sources of pollution in the Deschutes upstream should also be identified and mitigated. | 7/27/2016 12:27 PM |
| 3 | Please consider my comments as supportive of taking out the dam. Finish the edge to retain the sidewalk for recreation. Restore the natural beauty and health. Help Puget Sound. What's not to like? | 7/27/2016 12:48 AM |
| 4 | Unsure if all stakeholders and citizens of this area have been contacted. How do taxpayers in Eastern WA feel about the increased costs of a dual basin? Dredging costs should be born proportionally, not just by taxpayers. Those who benefit from sediment management should pay the higher % i.e. OYC and POO. | 7/21/2016 6:55 PM |
| 5 | To make the Capital Lake an all estuary would be a step back and rob the people of Olympia-Tumwater the opportunity to really enjoy the lake again without the smell of stench. | 7/17/2016 9:53 AM |

Martin, Carrie R. (DES)

From: DES Capitol Lake
Sent: Tuesday, July 26, 2016 10:28 AM
To: [REDACTED]
Cc: Martin, Carrie R. (DES)
Subject: RE: Capitol Lake

Thank you for sharing your thoughts on Capitol Lake long-term management. We appreciate your participation in this process. Your comments will be included with this month's community input survey responses. You can learn more about the current work through Enterprise Services' [Capitol Lake](#) web page.

North Loop

Administrative Assistant
Asset Management
PO Box 41480 – Olympia, WA 98504-1480
360-407-9256



[REDACTED]
Sent: Saturday, July 23, 2016 11:19 AM
To: DES Capitol Lake <DESCapitolLake@des.wa.gov>
Subject: Capitol Lake

I would like to see all the area South and West of Columbia Street SW and 4th Avenue up to and including the first round about across the bridge be included in the plan for an expanded Park (green) area and eliminate all the old crappy buildings there and add some parking along the east side entering off Columbia Street. Show this as part of the overall master plan which would restrict attempts to take advantage of this project by a few greedy developers and their unscrupulous city official buddies. There needs to be a buffer zone so this redeveloped park has decent access. The city, county, port, and state are all stakeholders in this plan and it needs their support. I recommend to widen the constituency list and open the discussion. Let's see if the citizens of Seattle would prefer cheap, crappy, no tax revenue generating, mid rise, apartments or more open green space in their capitol city adjacent to their historic and magnificent capitol building and campus.

Martin, Carrie R. (DES)

From: DES Capitol Lake
Sent: Tuesday, July 26, 2016 10:27 AM
To: [REDACTED]
Cc: Martin, Carrie R. (DES)
Subject: RE: Capitol Lake

Thank you for sharing your thoughts on Capitol Lake long-term management. We appreciate your participation in this process. Your comments will be included with this month's community input survey responses. You can learn more about the current work through Enterprise Services' [Capitol Lake](#) web page.

Newk Leap

Administrative Assistant
Asset Management
PO Box 41480 – Olympia, WA 98504-1480
360-407-9256



[REDACTED]
Sent: Friday, July 22, 2016 4:56 PM
To: DES Capitol Lake <DESCapitolLake@des.wa.gov>
Subject: Capitol Lake

Hi – I am interested in commenting on the Lake decision. I am in support of the Dual Estuary Lake Idea or DELI, which would turn about 80% of the lake back into an estuary and keep a lake on the north end where the promenade is. This would result in a huge gain in estuary ecological function, get rid of the snails, and give us a swimmable lake again. Going with either one – estuary – or the other – lake, would not meet our community's needs the way I think this option would. We have been unable to come to agreement on either "solution" because neither really provides enough of the answers. I believe DELI is a more holistic and sustainable solution. While it would be more expensive, in the long run it would provide so many benefits to our community I would be willing to support such an option with increased property taxes – or some other option such as state or federal funding for wetlands enhancement, etc..

Tanks so much,

[REDACTED]
Olympia, WA 98506
[REDACTED]

Martin, Carrie R. (DES)

From: DES Capitol Lake
Sent: Tuesday, July 26, 2016 10:29 AM
To: [REDACTED]
Cc: Martin, Carrie R. (DES)
Subject: RE: Capitol Lake Planning

Thank you for sharing your thoughts on Capitol Lake long-term management. We appreciate your participation in this process. Your comments will be included with this month's community input survey responses. You can learn more about the current work through Enterprise Services' [Capitol Lake](#) web page.

Nicole Lopez

Administrative Assistant
Asset Management
PO Box 41480 – Olympia, WA 98504-1480
360-407-9256



[REDACTED]
Sent: Saturday, July 23, 2016 3:18 PM
To: DES Capitol Lake <DESCapitolLake@des.wa.gov>
Subject: Capitol Lake Planning

I have read the document outlining a plan for Capitol Lake called DELI and am impressed with what sounds like a good compromise for those wanting a lake and those wanting to get rid of the existing lake and have an estuary. I would support this plan if it is as feasible as it sounds.

[REDACTED]

Martin, Carrie R. (DES)

From: [REDACTED]
Sent: Thursday, July 21, 2016 3:09 PM
To: DES Capitol Lake
Subject: Dual Estuary Lake Idea

Hello,

I'd like to put in my two cents worth in support of having both an estuary and a lake. In specific, I think the DELI idea put forth by Steve Shanewise sounds like it will work. I support you in taking a good unbiased look at the proposal to see if it's really workable and if it can be improved further. I'm a 37 year resident of Olympia and not affiliated with any groups.

Thank you.

[REDACTED]

PUBLIC COMMENT ON JULY 22, 2016 CAPITOL LAKE/DESCHUTES ESTUARY EXECUTIVE WORK GROUP MEETING

Feedback on the draft Purpose and Needs Statement:

I support Commissioner Wolfe's request to include the additional text from the June 16 statement in paragraph two regarding the Capitol Lake history of community events and recreational activities.

I support Commissioner Downing's request to include sediment management in the opening statement, rather than treating it as an afterthought in a second sentence as presented at the meeting. I understand that sediment management is not specifically called out in the proviso; however, this does not negate its critical importance as an element of this project. No option can be considered viable without a plan to deal with the volume of sediment that will continue to pulse into Capitol Lake basin/Budd Inlet for the foreseeable future.

Feedback on Hybrid Options:

The Tumwater and Squaxin members of the Executive Work Group suggested changes in the options presentation that would portray the DELI and Managed Lake Sub Option as inferior to the other three CLAMP based options because they are not as fully developed and detailed. I believe this is counter to the spirit of the Proviso which is seeking community input as a way to gain broader consensus for a solution. By their very nature as community based proposals, these options cannot be fully developed without the considerable resources that were used for the CLAMP studies. Commissioner Wolfe expressed this as not wanting to simply recreate the CLAMP process, and I concur. It should also be noted that the CLAMP Report was not accepted by DES and that the recommendations were rejected by Tumwater, the City of Olympia and the Port of Olympia.

Further, although the CLAMP options were developed in great detail and at considerable expense, several key elements were not included, mistaken assumptions were used either due to ignorance or bias, especially regarding dredging and sediment management, and new information and significant changes have occurred since the report was completed. Some of the new information and changes which should be considered when evaluating any of the options include:

- the eradication of milfoil and purple loosestrife as invasive species,
- acknowledgement by the Washington Department of Ecology that water quality in Capitol Lake will not be considered as a problem in the Deschutes Watershed TMDL study,
- Thurston County bacteria data showing Capitol Lake has met county swimming standards for the past 14 years,

- the 2012 analysis which resulted in the de-coupling of funding by WDFW and COE (PSNERP) of the Deschutes Estuary Restoration Project,
- research by UW and WDFW regarding salmon survivability in fresh versus salt water environments,
- Suggested remedies for low dissolved oxygen in Budd Inlet such as aquatic plant harvesting, mussel rafts, aeration devices and fountains,
- DNR development of management procedures to deal with the New Zealand Mud Snail in nearby public recreation sites without a quarantine, and
- Development of DES procedures to use the Fifth Avenue tide-lock to reduce the downtown Olympia flood potential.

One further consideration for this topic relates specifically to the CLIPA Managed Lake Sub-Option. The basis for this option is the original CLAMP Managed Lake proposal, updated with current information and with the added potential for salmon habitat improvement through rehabilitation of the Percival Creek corridor and rechanneling of the creek to lower Budd Inlet. As such, this option carries with it the same level of review as the original CLAMP managed lake alternative in many respects. What it adds is the "adaptive management" component as the community has gained additional insight in the years since the original CLAMP study was completed.

Thank you for your consideration of these comments.

Robert Holman

July 27, 2016

July 29, 2016

[REDACTED]
Olympia., Wa 98502
[REDACTED]

re: **Capitol Lake Long Term Management Planning**

To Whom It May Concern:

As private citizen residing in Olympia, I have a personal interest in the continued debates, assessments and healthy dialogues among and between the residents and stakeholders with a specific direct, or indirect interest a resolution of the Capitol Lake estuary restoration dynamic.

As a professional employed by the state of Washington, I am cognizant of the benefits associated with returning to a certain degree of habitat improvements associated with the removal of the impoundments and the restoration of tidal flows and a "more natural" state of dynamic equilibrium.

And as a realist in these times of fiscal challenges, political jurisdictions, multiple priorities, and limited resources, I recognize that frequently compromises may in fact achieve a certain degree of incremental improvement. The compromises may also serve to address the visions and voices (sometime unheard) where innovative partnerships and alliances may be formed.

I have witnessed and participated in the CLAMP process a number of years ago, and most recently the public meeting held Wednesday July 27 at DES. Echoing the opinion of an audience member earlier this week, there was certainly competition for the presentation from both the weather and our President speaking at the Democratic Convention. Perhaps out reach from DES to perhaps host this (or other) meetings specific to this issue closer to downtown, and the lake, could result in a greater attended event if better publicized to the surrounding community that is in close proximity. The Olympia Community Center was offered as a potential site, and if in fact utilized, it lends itself to a "walking tour" of the site itself. As a professional field ecologist who has had to contribute to natural resource decisions, field sites always provide the third dimension a report or a narrative cannot.

I do applaud the efforts of the facilitator on Wednesday. She appeared, knowledgeable, well-prepared, courteous, patient and respectful to all participants, while attempting objectivity.

Towards the end of the presentation on Wednesday July 27, I believe I heard the facilitator discuss the potential compromise or collaborative effort of both the Dual Estuary and DELI option that was not necessarily expressed in great detail either in oral or written form. In a later conversation with proponents of both DELI and the Deschutes Estuary Restoration Team, it appears as if additional efforts are being discussed to refine these proposals thus far developed.

I encourage DES and the consultants to continue to solicit such opinions and proposals. However, in light of the proviso offered by the legislature I recognize an aggressive schedule for needed fact-finding. But the value of a restored landscape, even partially, can serve multiple benefits such as: storm water retention, recreational utilization, increased habitat for salmon smoltification and osmoregulation, support of migratory shorebird and resident avian species, addressing/controlling invasive exotic species, et.al. Such a landscape may also perhaps have added value of additional ecological services, environmental learning potential in concert with our local educational institutions and non-profit organizations, as well as less operation and maintenance (O and M) costs.

It took a long time to get where we are, and complete return to the natural habitat that was once present is not a reality. Too many landscape changes have taken place since the Treaty of Medicine Creek, Washington State and the settlement of Thurston County and Olympia and a return to what once was, will not happen.

However, the opportunity for collective discussion, healthy discourse, and in this particular case the possibility of embarking on an Environmental Impact Statement (EIS) may be the most appropriate option. An EIS, while a lengthy and costly process, does investigate alternative options as well as no action at all, and can offer a multi cost-benefit analysis. With the variety of interests, including local, state, tribal and federal, this may be the most appropriate avenue to pursue. I believe there are opportunities that can help support such a venture due to the proximity of Budd Bay and lower Puget Sound, an Estuary of National Significance through EPA.

I wish you well in this pursuit and I thank you for your consideration.

Sincerely,

/s/


Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

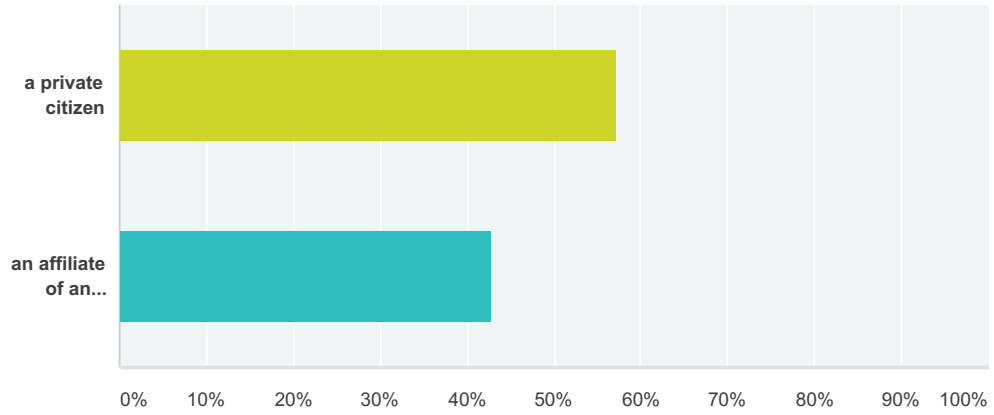
Community Input on Proviso Element: Cost Estimates and Next Steps

**Input period extending from
September 22 to October 6, 2016**

FINAL

Q2 Are you attending as:

Answered: 7 Skipped: 0



| Answer Choices | Responses | |
|---------------------------------|-----------|----------|
| a private citizen | 57.14% | 4 |
| an affiliate of an organization | 42.86% | 3 |
| Total | | 7 |

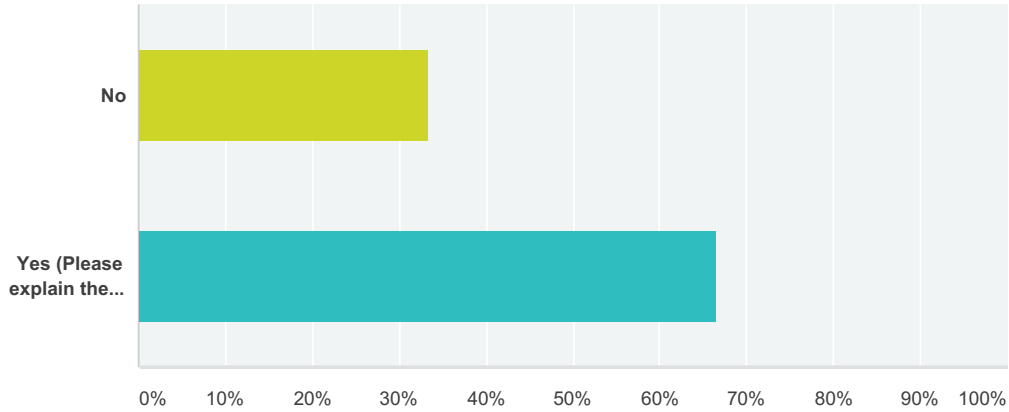
Q3 What organization are you affiliated with?

Answered: 3 Skipped: 4

| # | Responses | Date |
|---|------------------------------------|--------------------|
| 1 | Deschutes Estuary Restoration Team | 10/5/2016 12:27 PM |
| 2 | DERT | 10/4/2016 8:25 AM |
| 3 | DES | 9/26/2016 3:30 PM |

Q4 Would you like to see the relative range of costs for any additional components related to construction or maintenance of the long-term management options?

Answered: 6 Skipped: 1

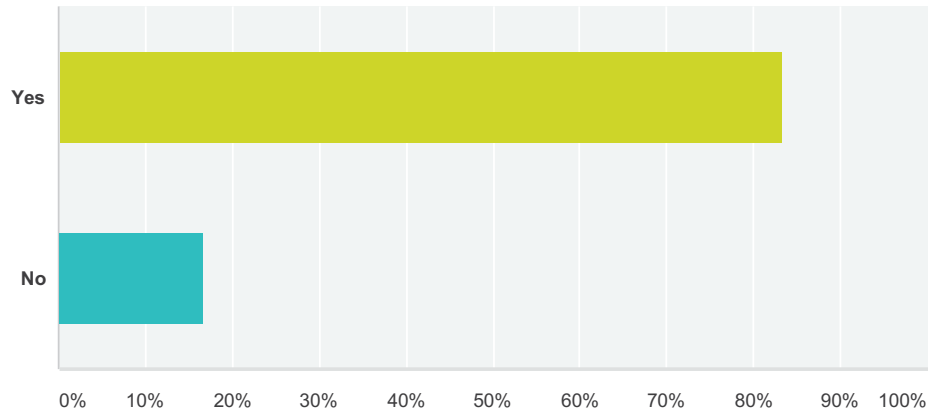


| Answer Choices | Responses |
|---|-----------|
| No | 33.33% 2 |
| Yes (Please explain the additional component(s) you are interested in.) | 66.67% 4 |
| Total | 6 |

| # | Yes (Please explain the additional component(s) you are interested in.) | Date |
|---|--|--------------------|
| 1 | Some dredging could occur in the middle and south basins as well as the north basin, especially if sediment control and retention structures are placed in those areas. Also, upstream erosion control activities such as riparian restoration are not only possible but already planned by the county and the tribe. While these are not strictly part of the "lake or estuary" proposal they could definitely have an impact on the amount and need for downstream dredging. | 10/5/2016 12:35 PM |
| 2 | Sediment management, construction costs, economic impact on local community | 10/4/2016 6:20 PM |
| 3 | Important would also be to understand the range of potential local, state, and federal funding burdens | 10/3/2016 2:36 PM |
| 4 | I would like more information about the 2012 CORPS study included in the discussion. | 9/30/2016 4:45 AM |

Q5 Do you support the next step of the long-term management planning process, which is to complete an Environmental Impact Statement (EIS) and select a long-term management option during Phase II?

Answered: 6 Skipped: 1



| Answer Choices | Responses |
|----------------|-----------|
| Yes | 83.33% 5 |
| No | 16.67% 1 |
| Total | 6 |

| # | Please share any additional comments with regard to next steps. | Date |
|---|---|--------------------|
| 1 | As was mentioned at the last Executive Committee work group meeting, there are ecosystem costs and benefits associated with each of the alternatives that are not included in the current cost comparison. Those should be addressed in the EIS. In addition, Ecology's "Capitol Lake & Budd Inlet TMDL" identifies actions that will be needed to meet water quality standards under the federal Clean Water Act and state Water Pollution Control Act. That study and water cleanup plan should also be addressed in the EIS. | 10/5/2016 12:35 PM |
| 2 | Information is not yet adequate | 10/4/2016 6:20 PM |
| 3 | An Environmental Impact Statement would best be performed for an estuary option as it may inform key design aspects of any alternative between a managed lake and the estuary. It is a purer data point. | 10/3/2016 2:36 PM |

Martin, Carrie R. (DES)

From: [REDACTED]
Sent: Thursday, August 04, 2016 12:22 PM
To: DES Capitol Lake
Subject: Capitol/Lake & Estuary

Greetings, I see I am too late to do the survey, but I wanted to give you my statement that, after looking over the available materials, I am very much in favor of the possibility offered by the dual plan to open up the estuary while also creating a smaller, but more alive and sustainable lake for public use. I will plan to attend your public comment meeting in October. Thank you for all of your efforts to clean up the lake and restore the estuary!

Sincerely,

[REDACTED]
Olympia, WA 98502

To see Void vast infinite
look out the window
into the blue sky

Allen Ginsberg

Martin, Carrie R. (DES)

From: [REDACTED]
Sent: Wednesday, August 10, 2016 7:30 PM
To: DES Capitol Lake
Subject: Vote for DELI

Hello, I am a registered voter in the City of Olympia. I want to to voice my support of the DELI proposal for Capitol Lake. It makes the best sense support those who want a lake, an estuary, and for everyone to feel heard and supported.

Thank you,

[REDACTED]

Olympia, WA, 98502

[REDACTED]

Martin, Carrie R. (DES)

From: [REDACTED]
Sent: Thursday, August 25, 2016 4:02 PM
To: Martin, Carrie R. (DES)
Cc: [REDACTED]
Subject: Suggestions for Capitol Lake Long Term Planning
Attachments: Reducing Phosphorus to Curb Lake Eutrophication is a Success.pdf; Total Value of Phosphorus Recovery.pdf; Burke Experience (3 page Sum).pdf

Dear Ms. Martin,

After reviewing the Capital Lake long term management planning presentations delivered over the past several months I believe it is important for you to consider the following suggestions for solving the water quality issues.

The Washington State Department of Ecology (DOE) established that the growth of phytoplankton in Capitol Lake was caused by nutrients that have accumulated in the Lake's sediments and discharged from the Deschutes River basin throughout the year. The subsequent death and decay of the phytoplankton produces low dissolved oxygen conditions in the lower Puget Sound. An analysis of the DOE reports supports the conclusion that nutrients, specifically phosphorous embodied in the phytoplankton, are the primary constituents responsible for degrading the water quality or DO standards of lower Puget Sound.

Attached is a recent paper entitled "*Reducing Phosphorus to Curb Lake Eutrophication is a Success*". The paper describes the roll of phosphorus in the growth of phytoplankton and the eutrophication of lakes. Although it is clear that excess nutrient are the primary reason for the violation of the water quality standards in Puget Sound and Capitol Lake, there is no mention of the word *nutrient, nutrients, phosphorous, or nitrogen*, in the "*Purpose and Needs Statement*". I suggest that you identify "**nutrients**" as the source of the Capitol Lake problem in the Purpose and Needs Statement. Resolution of the water quality problems would therefore require the reduction of nutrients delivered to Capitol Lake and Budd Inlet. I've also attached a paper on the benefits of recovering phosphorus which normally has a high cost. The title of that paper is "*Total Value of Phosphorus Recovery*".

In the hopes of identifying a significant hybrid option I previously presented several papers that identified a profitable, as opposed to expensive, option to solve the Capitol Lake problem while recovering the nutrients. That document "[*Opportunities Created by Engineered Solutions to the Capitol Lake/Budd Inlet 303 d Water Quality Dilemma*](#)" may be found under the Department of Enterprise Services Capital Lake web page "Community Submitted Options for Long-Term Management <http://des.wa.gov/SiteCollectionDocuments/About/CapitolLake/2016-> A separate paper "An Engineered Plan to Solve the Capitol Lake / Budd Inlet Water Quality Deficiencies" is also presented at the same location. Unfortunately the concept of nutrient harvesting has been relegated to a table entitled "Potential Components of Conceptual Long-Term Management Options" with the stated caveat "that the Department of Enterprise Services cannot confirm the accuracy, feasibility, and validity of this information and the conclusions without design and/or additional technical evaluation. The net effect is to completely negate nutrient harvesting as a solution to the problem thereby overlooking the fact that more information was presented in the nutrient harvesting proposal than was presented for most of the other plan options.

Over the past several months I have offered to present the nutrient harvesting plan to the Technical Committee and/or Executive Committee but was not afforded the opportunity. As a professional engineer with over 50 years of water and wastewater experience the detailed "nutrient harvesting" proposal previously presented should meet the selected "best available science" criteria. I previously sent a brief description of my professional experience. I have attached it again to this communication. I remain open to answer any questions regarding the potential benefits of nutrient harvesting such that the option will be considered *technically valid* and not shuffled out of sight. It is an economical solution to the Capitol Lake problems, the solution to toxic algae growth and proliferation, and the solution to nutrient enrichment throughout Puget Sound.

Thank you for your consideration,

[REDACTED]

Carrie Martin

Washington State Department of Enterprise Services

This letter is in response to your call for public comments on the presentation by Floyd Snider to the Capitol Lake/Deschutes Estuary Executive Work Group meeting of September 30, 2016.

First, I would like to express my full support for the proposal and comments that are also being submitted on this same topic by the Capitol Lake Improvement and Protection Association (CLIPA). CLIPA's proposal is based on the cumulative work of local scientists, engineers, financial analysts, water resource professionals and community leaders; and these ideas are supported by a majority of community members based on polling by several candidates for public office in the local area.

My comments address two major areas of concern with the current Floyd Snider/DES approach to evaluating the various alternatives for long-term management of the Capitol Lake Basin. My 40 years of experience in Chemical and Environmental Engineering, Project Management and my work in both the private and public sectors (LOTT Alliance) provide a basis for these comments.

My first concern relates to the 50 year timeline used to evaluate the relative costs of the various alternatives. Making predictions for even a few years is risky, but attempting to assign costs for 30 to 50 years in the future is almost certainly going to be in error. (As an aside, when I began my career 50 years ago, four function calculators were brand new, typewriters and carbon paper were the norm and phones had rotary dials and cords!) New and changing technology, population changes, environmental issues including sea level rise, are but a few of the factors that will dramatically change the landscape over these extended periods of time. I recognize that we must make an attempt to consider the longer term impacts of the various alternatives, but I would suggest that you look at the more immediate costs, say for the first 10 years, and then look at projections for the next ten years to provide a longer term look at the potential impacts.

It's important to remember that the CLAMP studies got their name from the Capitol Lake ADAPTIVE MANAGEMENT Plan. This adaptive management concept is key to understanding that changes will occur and we must and will adapt in ways that minimize costs and impacts in the future. As an example, your estimates include hundreds of millions of dollars for sediment dredging and disposal in the latter stages of the 50 year project. But, we will most certainly find adaptive ways to deal with sediment as a resource with beneficial value. Likewise, plant harvesting could also become a resource, while further improving water quality in Budd Inlet.

My second concern is the absence of any recognition of the time value of money in your analysis. This creates at least two major problems. First, using the ten year old CLAMP data without adjusting for inflation provides misleading absolute numbers for the various project alternatives. For example, using a common three and one-half percent annual increase understates the cost by over forty percent. Perhaps this error can be forgiven for the sake of simplicity if we're only doing a comparative analysis,

but it does provide a misleading picture at best and could be more significant if there are differential inflation factors for the various alternatives.

However, of even more significance is the lack of discounting future costs to reflect the time value of money. It is simply absurd to equate a dollar spent fifty years from now with a current dollar spent. This approach completely swamps the current costs, making the alternatives with high up-front infrastructure costs appear more favorable relative to the alternatives with higher latter costs.

Thus, combining my two concerns, we have an analysis that ignores this communities' ability to adapt to changing conditions with new technology to minimize costs, and overstates these long term inflated costs by at least a factor of 5 times by ignoring inflation.

Now, I understand the pressures on Floyd Snider and DES to meet the Proviso requirements, and I recognize that at this late date it may be difficult to make the adjustments I suggest. However, I would remind you that several months have been spent wordsmithing a one page Purpose and Needs Statement by Floyd Snider, the Executive Committee and the Technical Committee; and several additional months have been spent discussing the details of how to limit best available science by a technical group which has not allowed community input. These are perhaps worthy topics on which to spend your time and resources, but not at the expense of ignoring the common-sense issues of adaptive *management and time value of money in evaluating the alternatives.*

I urge you to consider adjusting your analysis for these issues, along with the incorporation of the CLIPA proposal mentioned earlier, as you move toward the final draft of the existing and new Long-Term Management Options and Relative Cost Comparison.

Thank you for your consideration of these comments.

Robert Holman

October 4, 2016



Robert Wubbena <rwubbena@gmail.com>

RE: Draft "Benefits Comparison: Estuary vs Community Managed Lake

Robert Wubbena <rwubbena@gmail.com>

Wed, Oct 5, 2016 at 3:46 PM

To: "Chris.liu@des.wa.gov" <Chris.liu@des.wa.gov>, "Carrie R. Martin" <carrie.martin@des.wa.gov>, Jessi Massingale

Director Chris Liu, Carrie Martin & Jessie Massingale

Your September 22, 2016 public information document provides a "Comparative Benefits" of your five Options. We have repeated your Estuary write up and added the Benefits for the Community Managed Lake Proposal. This should be used along with the revised Community Managed Lake Option in lieu of your "Managed Lake Sub Option" you presented for CLIPA's input. The following is the corrected information.

CONCEPTUAL LONG-TERM MANAGEMENT OPTION**A) Improve and Support Water Quality**

1) RESTORED ESTUARY: Supports goals of achieving water quality standards, now marine standards under an estuary system; improves dissolved oxygen conditions in Budd Inlet

2) COMMUNITY MANAGED LAKE; Supports goals of achieving water quality standards, both in Lake fresh water & marine waters by managing Lake as a "natural treatment system" for trapping contaminants flowing into the Lake from the upper watershed. This helps raise DO in Budd Inlet bottom waters. Retains Lake/Tumwater Falls super saturated dissolved oxygen levels for Lake ecosystem species.

B) Improve and Support Sustainable Ecosystem Function

1) ESTUARY; Restore 100% of the Capitol Lake basin to tidal estuary; restore plants and animals that thrive in marine, estuarine waters; restore native organisms in sediments that serve as the basis of the marine food chain.

2) COMMUNITY MANAGED LAKE; Maintains & expands fresh/marsh water habitat ecosystem and fisheries and food production for out migrating salmon from upper watershed commercial salmon production. Links natural urban ecosystem of people, freshwater aquatic species, and marine water life cycles for a healthy ecosystem, education and recreation program in the middle of 285,000 community members.

C) Improve and Support Fish and Wildlife Habitat.

1) ESTUARY; Restores 260 acres of inter-tidal nursery areas for juvenile salmon; reestablishes 6.5 miles of marine shoreline; increases salt marsh habitat (WRIA 13 habitat limiting factors).

2) COMMUNITY MANAGED LAKE; Retains & upgrades 260 acres of fresh water marsh and habitat to support existing large Brown Bat population, ducks, species of conservation concern (Olympic Mud minnow, freshwater mussels) and endangered fresh water fishery. Restores Percival Creek as the only productive natural salmon stream in Deschutes watershed. South and Middle Basins become wildlife reserves in an urban environment.

D) Control Invasive Species

1) ESTUARY; Includes efforts to eradicate NZMS, reduces or eliminates freshwater invasive species due to introduction of tidal flows.

2) COMMUNITY MANAGED LAKE; Prevents range extensions of marine invasive species. (Prevents introducing NZMS to Puget Sound) Includes sediment drying bed to minimize spread of NZMS by reuse of sediment for beneficial use. Continue elimination of invasive species as done in other parts of State.

E) Improve and Support Sediment Management

1) ESTUARY; Proposes sediment management upstream in the watershed, with mechanism to capture sediment in the estuary and deflected westward below the current dam and bridges.

2) COMMUNITY MANAGED LAKE. Same pre-dredge as Estuary and then optimize upper watershed sediment transport reduction. North basin managed for optimum sediment capture/fix hydraulic dredge to transport material to State drying area to the West, and then truck, rail or barge for reuse or disposal. Minimal post dredging required from contaminated marine water sediment buildup from Estuary program. Avoids high velocity (rip tides) twice per day through narrowed routes of proposed estuary design.

F) Manage Flood Risk

1) ESTUARY; Improve storm water conveyance system and enhancement of the Heritage Park berm; promotes management through restoration of natural systems; eliminates required management of the existing 5th Ave dam during major storm events.

2) COMMUNITY MANAGED LAKE; Improve storm water conveyance to retain more storm water in upper watershed. Retain Lake's present ability to react as a controllable flood management system during period when high tides, Deschutes Flood stage and sea water rise coincide. Retains flood waters in marine zone.

G) Improve and Support Recreational Opportunities

1) ESTUARY; Maintain passive activities that exist above the tide line (walking, bird watching, bicycling, picnicking, etc) enhance water-related activities (kayaking, swimming, etc) by eliminating invasive species; restore natural beaches (beach combing etc)

2) COMMUNITY MANAGED LAKE; Retains & enhances all in water and adjacent area fresh and marine water recreation from Tumwater Falls to Priest Point Park including kayaking through fresh water marshes, bird, duck & Brown Bat watching in Lake/marsh; return Lake swimming and small boat recreation in North Basin. Protects recreational and tourism boating in Budd Inlet.

H) Improve and Support Aesthetics and Visual Quality

1) ESTUARY. The Capitol would be reflected 75% of the time with restored tidal flow; enhances aesthetics by eliminating algal mats that currently form during the summer months; introduces dynamic visual change with estuary conditions.

2) COMMUNITY MANAGED LAKE. The Capitol will be reflected 100% of the time during days and nights. No floating plants/algal with proper maintenance. North basin pristine swimming lake at all times except when it is functioning to prevent flooding of downtown. Swimming beach & kids sailing in North Basin; wildlife habitat watching by boat and on shore in Mid and South Basin. Avoids exposed estuarine mud flats 78 % of daylight hours in summer..

I) Support and Maintain Historical and Cultural Resources

1) ESTUARY. Restores historical Deschutes Estuary; supports salmon habitat; restores historical Tribal values; supports treaty rights; could provide restored shellfish habitat that could be used similar to historical and cultural harvesting; restores water access to brewery.

2) COMMUNITY MANAGED LAKE. Retains historical water access to Brewery via boats even at low tides. Provides for six cultural and historical sites to develop for community education, use and spiritual purposes, if desired. Only natural salmon stream opened up for tribal treaty and cultural use. .

J) Avoid Negative Impacts and Maximize Economic Benefits

1) ESTUARY; Implements the long term management plan that was determined to be the lowest cost by CLAMP; enhances an outdoor recreation site for public use and potential increased tourism, Increases potential for federal matching grant funds

2) COMMUNITY MANAGED LAKE; Retains the lowest cost capital & operational plan for the urban watershed and the Capitol Lake Basin, less than 25% of the cost of the Estuary Option. The project can be constructed in phases, maximizing the use of State and Federal funds and local financing.. Protects and enhances the economic vitality of Downtown Olympia and over 100 years of waterfront investments.

K) Minimize Long Term Costs

1) ESTUARY; Off-sets the initial construction cost by reducing on-going costs in later years for dam maintenance and continued maintenance dredging; designs with nature to reduce costs.

2) COMMUNITY MANAGED LAKE; Avoids loss of 100 years of investment on Downtown Businesses with recent year's \$80 million in investments, lower initial costs and less annual dredging costs than Estuary, greater flood and sea water rise protection at a lower cost. Avoids costs of protecting Lake shoreline and bridges from twice a day tidal salt water flows on urban infrastructure.

POTENTIAL COMPONENTS OF CONCEPTUAL LOG-TERM MANAGEMENT OPTIONS--ADDITIONAL TO THE TEN LISTED IN DES Documents dated September 22, 2016 draft.

1) Percival Cove and Creek Extension to return area to natural salmon habitat use is available to all options. Route for salmon can be via extended creek or via shortcut through bridge in Deschutes Parkway.

- 2) Eliminate sources of contaminants in upper watershed (failing septic tanks, farm and forest run off, untreated storm water discharges) will reduce the impacts on Lake and Budd Inlet.
- 3) Aeration system in Swan Town area to improve water quality coming from Moxlie Creek drainage.
- 3) Ensure Fish Hatchery Proposed for Pioneer Park will have no contaminant discharges that create water quality problems downstream.
- 4) Manage the Deschutes Urban Watershed as an integrated ecosystem from Pioneer Park to Priest Point Park.





Robert Wubbena <rwubbena@gmail.com>

FW: Draft Response---Managed Lake/Community Proposal

Robert Wubbena <rwubbena@gmail.com>

Wed, Oct 5, 2016 at 4:09 PM

To: "Chris.liu@des.wa.gov" <Chris.liu@des.wa.gov>, "Carrie R. Martin" <carrie.martin@des.wa.gov>, Jessi Massingale



Director Chris Liu, Carrie Martin and Jessie Massingale

In our previous email to you we said that your draft documents miss represented the "Managed Lake Modifications Proposed by CLIPA" Our many reports and documents emailed to you in late May presented substantial recommendations that were not incorporated into your recent documents.

Prior to your September 22, 2016 Working Documents, we did not have the questions, formats or example approach to help format our information into your new analysis and summaries. We now have your draft documents to guide our response and more fully understand your specific needs for clarity of our information.

Also many other groups from the Community have begun to provide input into our reviews and recommendations for the Executive Work Group. Therefore, the following and future input on the Long Term Management Options will be referred to as the "MANAGED LAKE/COMMUNITY OPTION". The CLIPA reports and analysis will be integrated into the Community Option as a contrast to the CLAMP Managed Lake Option..

Also it appears that alternatives that are being seriously considered fall into two basic categories—LEAVE TIDE GATE & CONNECTED FISH LADDER as a part of the Long Term Management Plan and the other option being the REMOVAL OF THE TIDE GATE AND FISH LADDER/RESTORED ESTUARY. All hybrids presented in your working draft then becomes a sub option of one of these two primary plans.

REVIEW & RESPONSE TO DES/FLOYD SNIDER SEPTEMBER 22, 2016 WORKING DRAFT.

Please understand that our following response is directed only at the Restored Estuary and a comparative presentation for the Managed Lake/Community Proposal as prepared by CLIPA and other Community leaders. The two Hybrid Options and the CLAMP Managed Lake are not being addressed in this review.

The first challenge the Community has with your Working Document is that the Bar Charts have no documentation or criteria provided as a base of comparison. Only by the verbal reports at the Executive Work Group by Jessi and in conversations with Carrie, were we able to sort out the probable baseline to establish your Bar Charts. We have stated

what we now interpret as your "summary of CLAMP's 2006/2009 Report Data as the Base for the Restored Estuary" We specify what we have used based on your verbal reports. If these statements are incorrect, please provide a written revision to your Bar Charts with referenced data.

We also had to interpret your footnotes along with your verbal reports to establish some logic to your Baseline Bar Chart—which is the Restored Estuary Chart. We documented what we believe you mean by your summary. Please clarify if we miss understood your analysis.

The only fixed base cost that can be tracked with some credible sources of information is the CLAMP Cost estimate for the 5th Avenue Dam Removal/Bridge Construction Costs. According to CLAMP, This totals about \$40 million. We have used this as our "scale on the Bar Chart" to be able to interpret all of the other elements that are more subject to volume, timing and unit quantity variability. So for your Charts on a standard size copy, 5/16 of one inch equals about \$40 m or \$ 8 m for each 1/16 of an inch.. All other costs and colors are relative per the verbal presentation. Your actual scale would be appreciated.

Since this is 2006 and ten years old, the associated inflation and cost of money makes this all relative to current day costs. The cost can be 100% more or 50% less and the relationship stays essentially the same--until someone has to pay for it.

A)—RESTORED ESTUARY BAR CHART COLOR CODE BASELINE FROM CLAMP.

1) Initial Lake Channel Pre-dredge. We believe DES is saying that this option will only include a pre dredge of the Lake and it will cost about \$32 m. They are saying that even though the sediment that is being "flushed through the Lake since 2000 due to the lack of maintenance dredging, that this option will NOT include any clean up sediment building up in Budd Inlet".

2) Infrastructure Modifications due to 5th Ave Dam Removal/Bridge Construction will cost \$40 m. This does not include the change over of the stormwater systems designed for freshwater environment or Railroad Bridge changes. It will be a 500 foot opening plus wing walls.

3) Scour Protection for the I-5 Bridge, the shores to protect against the daily tidal changes and the flood stages of the Deschutes, plus the footings of the 4th Avenue Bridge. DES cost as estimated by CLAMP at about \$32 m.

4) Mitigation for Construction Impacts—2% of above (\$104 m) or \$2.08 m.

5) Maintenance Dredge (Post Dredge) over 50 years. Based on the verbal report, Floyd Snider assumed this to be about \$296 m with no time value of money considered.

6) Mitigation for Maintenance Dredging Impacts. Currently such impacts are imposed by regulatory agencies on projects in navigable waters. Therefore the 8 % that Floyd Snider placed on the other options should be placed on this option as well or \$32 m.

RESTORED ESTUARY BAR CHART BASELINE COSTS FOR ALL OPTIONS USING DES COST ESTIMATES = \$466. MILLION FOR THE ESTUARY, ASSUMING THE COST IS BASE ON CLAMP'S 2009 REPORT...

B)—MANAGED LAKE/COMMUNITY PROPOSAL BASED ON CLIPA AND OTHER COMMUNITY FINANCED STUDIES PUBLICLY AVAILABLE TO EVERYONE.

THE Community's proposal for a Managed Lake discarded the CLAMP Managed Lake summary presented by Floyd Snider five years ago. It is unrealistic and a poor design proposal by CLAMP. The primary problem with the CLAMP proposal is that they specified a minus 13 foot depth dredge for both the Mid and North Basin which creates operational and practical problems that add no value to the system yet add substantial costs. The Lake has never been this deep and there is no technical justification for such a design. The Community Rejects the CLAMP Managed Lake design.

The Community Managed Lake Option takes a very simple and pragmatic approach based on the extensive water quality, operational, and environmental analysis completed by the State, by Dr Milne, and by many other Community Professionals with extensive experience.

The Community Proposal is 1) Retain the Tide Gate and both fish ladders at the Tide Gate and adjacent to Turnwater Falls; 2) Complete the same pre dredging as proposed by the Estuary Restoration Option in the South, Mid, and North Basins of the Lake. If the Community does not require dredging and clean up in Budd Inlet, then neither option is assigned a clean up/pre-dredge in Budd Inlet; 3) Post Dredging in the North Basin is the primary sediment control program for the Urban Watershed. Strategic Clean up dredging will occur in the Mid Basin and in Budd Inlet to ensure that the recreational, commercial, and community uses for the open waters for boating will be available. However, only major Post Dredging will be done in the North Basin. A permanent dredging system would be set up for the North Basin to enable the movement of the "de watered sediment to existing State land west of the Lake. This system will enable on site drying to destroy NZMS. Hauling via rail, truck or barging is available, depending on the final program. This cost will now be in the "low unit cost bracket" and not the "high unit cost bracket" that the Post Dredging by the Estuary Option will be when the initial Budd Bay Dredging Clean up occurs every five years.

MANAGED LAKE/COMMUNITY BAR CHART REVISED USING DES/FLOYD SNIDER METHODOLOGY AND CRITERIA.

1) Initial Lake Channel Pre-dredge. Use the same cost DES estimated for the Estuary or \$32 m. Both options have the same objective. This is why the State should initiate a "Maintenance Dredge in 2017. Both Options are calling for the same Pre Dredge. There is no reason the Community should continue to suffer through the "neglected Lake maintenance by the State and the City" when both options are calling for the same sediment clean up out of the Lake.

2) Infrastructure Modification. The Community Managed Lake Option will require only about \$1 m in upgrades to the 5th Avenue Dam and no changes to the existing bridges and stormwater system except for the Cities and the State to eliminate their current untreated storm water discharges into the Lake. The Estuary Option should require this also. This \$1 m cost is in contrast to the Estuary Option cost of \$40 m in 2006 dollars.

3) Scour Protection. The Community Proposal for a Managed Lake does not require new or additional scour protection. The Estuary Cost for Scour Protection is \$65 m.

4) Construction Mitigation Cost at 2%. For the Community Proposal this is 2% time \$1 m or \$20,000. The Estuary cost for construction mitigation is \$2.08 m.

5) Post Maintenance Dredge for the Community Managed Lake Option is required only for the North Basin plus some spot dredging for the mid basin and Budd Inlet. This is a difficult amount to estimate, but we know it is most likely about 1/3 the amount estimated by CLAMP. This

would provide for a 50 year Post Dredge cost of about \$110 m for the Community Proposal, if the special fixed dredging and drying beds were not available. We have reduced the cost to about half or \$55 m over 50 years in contrast to the Estuary requiring upland disposal for their Budd Inlet Post Dredging that will be required if the Community wants to "retain a Boating Waterfront" for recreational, commercial and community/business use of the open waterfront benefits. This \$55 m Lake costs contrasts with the Estuary Post Dredge cost of \$296 m

6) Mitigation for Maintenance Impacts of 8% times \$90.m = \$7.2 m.

7) Percival Cove/Creek Salmon Enhancement. The Percival Cove with either the Percival Creek extension to Budd Inlet or the shortcut to the Lake via the bridge under the Deschutes Parkway would return the Percival Creek Natural Salmon Run to the Community under both options. So we did not add it to the Community Option until more information on how DES and the Executive Work Group is going to evaluate updated information for the project. Currently they are still using 2006/2009 data without incorporating new study data and findings presented via the many reports.

MANAGED LAKE OPTION AS PROPOSED BY THE COMMUNITY IS \$97.3 M USING THE DES APPROACH AS COMPARED TO THE ESTUARY OPTION USING THE DES/FLOYD SNIDER BAR CHART SUMMARY OF \$466. MILLION.

C) SEE ATTACHED BAR CHART PRESENTATION BY DES. PLEASE REPLACE THE MANAGED LAKE/COMMUNITY PROPOSAL DEVELOPED JOINTLY WITH CLIPA.

D) WE WILL ALSO SEND THE COMMUNITY'S PROPOSED EDITS OF THE "BENEFITS OF THE MANAGED LAKE/COMMUNITY PROPOSAL" IN THE SAME FORMAT THAT DES/FLOYD SNIDER PRESENTED THEIR FINDINGS FROM THE CLAMP STUDIES. WE UPDATED THE COMMUNITY PROPOSAL AND REPEATED THE ESTUARY INFORMATION TO MAKE IT EASY FOR THE PUBLIC TO COMPARE THE TWO PRIMARY OPTIONS—WITH THE TIDE GATE AND WITHOUT THE TIDE GATE.



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Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

**Community Input on Proviso Element:
Draft Phase 1 Report**

**Input period extending from
October 20 to November 3, 2016**

FINAL



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In Memoriam:
Justice Bob Utter

Chris Liu, Director
Department of Enterprise Services

RE: CLIPA –MANAGED NORTH BASIN LAKE/WETLAND- HYBRID
Preliminary Comments—Oct 21 Review Draft
Phase 1 Report on the Capitol Lake/Lower Deschutes
Watershed Long-Term Management Planning

Thank you for providing access to the subject Draft Report for our review and comment. Based on our review of your Draft Report and Floyd Snider's comments at the Executive Work Group Meeting on October 28, they continue to leave out or misrepresent the CLIPA Proposal that has been presented to DES for the last five years. The CLIPA Proposal is a "Managed North Basin Lake/Wetland Hybrid"—a cross between the two CLAMP proposals. Please clarify this long standing message in the Draft Report.

AN ADAPTIVE MANAGEMENT PLAN FOR THE COMMUNITY. CLIPA has been actively involved in the review and evaluation of State funded reports related to the current and planned management of the Deschutes River Urban Watershed, with a focus on Capitol Lake since 2009. For the last five years we have presented in writing, and in presentations to DES and the Community, a "hybrid cross" between the extremes of a Restored Estuary and the (CLAMP) Managed Lake option that CLAMP presented in 2009, which Floyd Snider continues to refer to. CLAMP also presented a "Dual Basin Hybrid".

CLIPA's proposal is a Combined Lake and fresh water wetland ecosystem in the Middle and South Basins, while retaining and improving most of the community's desired objectives for the Capitol Lake Basin that DES has listed in the Draft Report. The proposal is for a wetland in the mid basin (as an alternative to a salt water tidal mud flat) and retention of the North Basin as a Lake for swimming, small boat activity, and fishing. It also retains the North basin for a managed sediment trap and flood risk reduction for the Olympia Downtown and North Capitol Campus. Active and passive recreation throughout the three-basin lake is retained and enhanced.

CLIPA has been presenting this information to DES since early in 2009. Floyd Snider had focused on only one of our several sub-elements—the Percival Creek Extension as the differentiator to the CLAMP Managed Lake Proposal. The major difference between the CLAMP Managed Lake and the CLIPA proposal is the retention of the Lake as a community center of activity with a strong fresh water ecosystem program requiring much less pre-dredging;

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CLIPA is a non-profit, 501(c)(3) organization

this will cost less than 25% of the CLAMP proposed Restored Estuary cost and less than 15% of the CLAMP Managed Lake option cost as they were presented by Floyd Snider. These differentiators between the CLIPA Proposal versus the CLAMP proposals were either missed or ignored by Floyd Snider in the Draft Report.

COMMUNITY STAKEHOLDER INPUT INTO THE DRAFT REPORT. We understood that DES/Floyd Snider and the Executive Work Group were pursuing a “fact based” and middle of the road objective review between the two extremes that CLAMP presented in 2009. We believe those two extremes are represented by: 1) Managed Capitol Lake with the 5th Avenue tide lock in place, and 2) Remove the 5th Avenue tide lock and restore the Lake basin to a Tidal Mud Flat/Estuary. All other design considerations are modifications of these two primary alternatives and whose definition was requested by the Legislative Proviso.

Our most recent discussion with DES was related to, what we believed to be, a biased presentation that was not objective nor representative of the facts (the first touch by Floyd Snider). We have been assured that it is DES’s intent to present an objective and fact based report. The following comments are being presented for you to make the appropriate changes to your Draft for our “Second Touch confirmation” to ensure that the CLIPA Proposal will be accurately represented in the Draft Report.

FEDERAL, STATE AND LOCAL GOVERNMENT STUDIES—NOT NEW ENGINEERING ANALYSIS. The CLIPA Managed North Basin Lake/Wetlands proposal is based on: 1) The same State Consultant studies that were used by CLAMP and Floyd Snider, 2) The Corps of Engineers 2012 refinement and clarification of the CLAMP design elements that provides the most accurate cost estimates and unit volumes of sediment removal required for the CLAMP options, and 3) Several studies by the County Department of Health, DES, and others. Additionally available are government funded and volunteer scientist studies that provide key clarification of the fisheries’ benefits of the Lake, actual water quality results versus Ecology models, New Zealand Mud Snail control activity by the State, and the recent dredging results in Budd Inlet. These studies have been forwarded to DES/FS to take away some of the mystery to describing the real conditions with any of the options. All of this provides the Community, Floyd Snider, and the Executive Work Group documentable data to provide a more fact based report to the Legislature.

In the cover of the Draft Report you state, “The report has been prepared-----based on information available at the time of the work. The information and conclusions contained in this report are largely based on stakeholder input, and also reflect previous technical analysis and other relevant reports. Floyd Snider cannot assure the accuracy of this information.” (Note, presumably Floyd Snider can comment if they believe the data are not accurate or the information is incomplete to make a technical judgement or to properly reflect the issues in debate.)

Our CLIPA Science and Policy Panel is comprised of more than 20 professionals, each with an average of 35 years of experience in State Regulatory Agencies, Consulting, Water Quality and Resources Management, Academic Research, Environmental Law, Public Policy and Finance. We understand your challenge and the “gray area of the reporting process”.

However, we do not accept that when valid information is submitted and then ignored in favor of anecdotal comments by agency representatives without written documentation of sources, that such agency information should be used in the Draft Report's public messages.

We have summarized below some of those issues that remain "suspect on facts or lacking logic". This information is important to help the general public understand the issues and to provide "informed input to future DES Surveys". This should also be important to DES when you finalize this Report to the Legislature.

DRAFT REPORT CORRECTIONS BASED ON AVAILABLE FACTS AND PUBLIC MESSAGING. We are limiting our review comments to the items that we believe have a significant public information objective or if they are directly related to the misrepresentation of the CLIPA HYBRID proposal.

A specific note refers to the opposing claim that the CLIPA proposal has not been "vetted". In reality, the CLIPA proposal uses the same State studies used by CLAMP and has had a much more extensive review than the CLAMP alternatives. DERT and Ecology have repeatedly attempted to prove a conflicting finding about the Managed Lake benefits, only to be shown with documented third party evidence that CLIPA's conclusions are scientifically correct and professionally valid. CLIPA's alternative has withstood extensive Peer Review, regulatory staff challenges, and full attack by those who want a different answer from what is now a well-documented Managed North Basin Lake/Wetland Hybrid.

THE CLAMP RESTORED ESTUARY PROJECT SUMMARY

Complete a Pre-Dredge to remove almost 480,000 cubic yards of accumulated sediment in the Middle and North Basins of the Lake and in lower Budd Inlet prior to the removal of the 5th Avenue Dam (to avoid completely plugging up the Budd Inlet Harbor with mud); Remove 5th Avenue Dam and Railroad Bridge leaving a 500 foot river/harbor opening; Add new transition roadway to Deschutes Parkway. Install scouring protection on all shorelines, plus four bridges and their abutments to protect against "rip tide velocities two times per day and more during River flood stage". The rip tide velocities exceed the current speeds in the Tacoma Narrows and Deception Pass. The Estuary would eliminate all water contact boating and use in the entire Lake for 75% of the daylight summer hours. (The area will be a mud flat similar to those of East Bay and Mud Bay). Post Dredging of Budd Inlet every five years, or more often (sediment disposal varies from 10,000 to 100,000 cubic yards per year—see DRAFT REPORT section 4.0) to protect the Olympia Waterfront's boating and commercial programs. Install new King Tide and Seawater rise flood protection for Downtown and the North Capitol Campus after removal of protection provided by 5th Avenue tide lock.

CLAMP MANAGED LAKE. Complete the same Pre Dredge of 480,000 cubic yards, and then dredge additional sediment to a minus 13 feet tide level and remove the Railroad Bridge so that sail boats can sail to the I-5 Bridge on the Lake. Post Dredge every 10 to 25 years depending on sail boating objectives for Middle and North Basins.

CLIPA MANAGED NORTH BASIN LAKE/MIDDLE & SOUTH BASIN WETLAND HYBRID (cross between the above two CLAMP proposals). Complete a Pre-Dredge similar to

or less in volume than for the Restored Estuary. Volume dredged will be less in the Middle Basin since the North Basin Sediment Management System will more cost effectively manage small volume disposal. Retain the tide lock. No scour protection is needed. Modernize tide lock operation to continue to protect Downtown from flooding and sea level rise. Return swimming and small boat sailing to North Basin and kayaking to Middle and South Basins. Manage the Middle and South Basins as a fresh water wetland to optimize the area for wildlife, fish habitat, brown bat protection, and an urban laboratory for education on how the community can manage the area for people and the environment. Restore Percival Creek and Cove to an improved and unique natural salmon spawning stream in south Budd Inlet. Connect Percival Creek directly with salt water only if the fisheries managers advise it. Install and use existing State off-lake land for sediment dewatering and sediment reuse. Optimize the control of invasive species in the Lake in the same manner that WDFW and DNR use in other water bodies of the State. Post-Dredge the North Basin every 10 years. Spot dredge lower Budd Inlet and the Deschutes River channel to maintain intended functions about every ten to 20 years.

RELATIVE COST COMPARISONS---STARTING WITH A BASELINE THAT IS VALID. Careful comparison of the above three summaries will help clarify the differences and the comparative cost impacts between the Dam—No Dam Alternatives. The Relative Cost Comparison must be based on a plan that can be updated or modified as new information is provided. Transparency of information, findings, and conclusions are essential to resolve the confusion that now exists in the community and the Legislature. This process must present the true alternatives for the future of Capitol Lake.

At the start of the DES process, CLIPA was assured that we would serve on the Technical Team along with the regulatory, governmental, and consultant technical team. CLIPA is a broad based community organization that has taken input on Community views for over five years. When CLIPA was denied the opportunity to transfer their community (and technical) knowledge to Floyd Snider in a setting that encourage technical vetting of various studies, DES/FS effectively excluded the last five years of public input. As a result, the many disputed technical reports used by CLAMP for its interpretations of findings over the last seven years still remain. The Ruckelshaus recommendations were also ignored by the current process.

FOUR AREAS WHERE THE DRAFT REPORT MISSES FACTS OR KEY MESSAGES

- 1) **NO BASELINE DEFINITION OF THE ALTERNATIVES BEING COMPARED.** (See CLIPA's abbreviated summary above based on CLAMP reports.) There is no definition of the primary alternatives---Managed Lake with 5th Avenue Dam Retention versus Removal of 5th Avenue Dam returning the Lake Basin to a Tidal Mud Flat/Estuary. CLAMP representatives spent 10 years and over \$2.0 million on consultant studies and presumably know what the Alternative Definitions are/were. DES and Floyd Snider spent another \$250,000.00 each from a 2011 and 2013 legislative appropriation to set the stage for the EIS and development of the future of Capitol Lake. We still do not know what the basic definitions of the viable alternatives are. This is one reason why there is so much disagreement about the impacts, costs, and benefits. Everyone has a different definition in their mind about what each alternative is or how it will impact the

community and the surrounding environment. Here are some resulting confused or misleading messages from the Draft Report.

- 2) **RELATIVE COST COMPARISON BAR CHARTS WITH NO BASELINE**---The First and Second Touches of the DES/Floyd Snider presentation of the Relative Cost Bar Charts have no “defined baseline” and as a result, the Bar Charts “relative costs” for the CLIPA Managed Lake Option in the first draft were completely wrong. The second draft still has misleading conclusions. These Bar Charts have little real value but they may be interpreted by the general public as representing valid comparative costs. The following discussion of the factors affecting cost in the “second touch” bar chart between the CLAMP RESTORED ESTUARY Relative Cost” and the CLIPA MANAGED LAKE North Basin/Wetland Cost” identifies our point on the misleading conclusions that the Draft Report Bar Charts provide. (a) The ‘mitigation for construction impacts’ cost factor for the CLIPA sub option is presently shown as about twice the amount as for the Estuary option. If this factor is based on mitigation for dredging, which in the case of the Estuary, is a pre-dredge before dam removal, then it should be equal for both the CLIPA Managed Lake option and the Estuary, because the dredging for both options is exactly the same material, in the same amount, going to the same disposal site. If this factor is based on disruption due to construction activity, then it should only apply to the Estuary option. There is no significant construction associated with the CLIPA Managed Lake option. Construction for the Estuary option includes removal of large amounts of material to create the 500 foot opening at Fifth Avenue and the Railroad Bridge, construction of a new bridge and roundabouts for Fifth Avenue, placement of large volumes of rip-rap for armoring at these openings and the resultant detrimental impact on fish passage during these construction periods. For these reasons, the construction mitigation cost factor for the CLIPA option is less than or at least no more than for the Estuary option. For the same reasons above, the section of Note 5 that deletes permitting and design costs from inclusion in the bar graphs for all options should be added. These costs would clearly be more significant for the Estuary option with substantial construction required.

In a similar manner the ‘mitigation for maintenance dredging’ for the CLIPA option and Estuary option is not reflective of real life. Presently, this mitigation is only shown for the CLIPA option and is completely absent from the Estuary bar chart. This is a case of Floyd Snider making a technical determination for Phase 1 that should be deferred to Phase 2 if their stated intent on not making technical field judgements prior to the EIS is to be followed. The rationale for this position by Floyd Snider is contained in note 10 and in their comment that an estuary would be considered self-mitigating and would not require additional mitigation costs. At this stage (Phase 1), neither rationale has the certainty necessary to reach that conclusion. For example, note 10 describes impacts from construction access that would affect upland habitat or park space. CLIPA has proposed a fixed dredging operation in the North basin that could reasonably operate without those impacts described. For the Estuary option, over the fifty year life of the project, it is very likely that additional dredging will be required in the area that is now the North basin, and perhaps also in the Middle Basin of Capitol Lake. This could require significant mitigation. Probably even more important with an estuary will be the loss of

the freshwater ecosystems/wetlands that now occupy the Middle and South Basins of Capitol Lake. All vegetation and freshwater ecosystems presently in that area will die-off due to saltwater intrusion. This loss of freshwater wetland and habitat may require mitigation, especially if brown bats, Olympic Mudminnows, or other native species' habitats are lost. These are only a few examples that demonstrate that at this stage Floyd Snider should not be making technical decisions regarding mitigation that favors one option over another. We ask, as Floyd Snider did for the case of the uncertainty of dredge cost factors, that this mitigation for maintenance dredging impacts be kept equal for the two alternatives until the technical, environmental and engineering details can be examined in the Phase 2 EIS. Another questionable cost factor for the CLIPA option is related to the long-term maintenance cost factor for the reflecting pool, barrier wall or Fifth Avenue tide lock. We see this cost factor representing a place holder for repairs or upgrades that are likely during the later stages of this fifty-year project. We have no dispute with this concept. However, we have heard considerable comment at the Executive Committee meetings, about the need to deal with the impacts of sediment not only in the Capitol Lake Basin, but in Budd Inlet and the Port area if the tide lock is removed. We have heard comments about "diversion walls", "deflection barriers" and "weirs" near the I-5 Bridge. These could be costly additions to the Estuary option. Additionally, our technical experts have warned that the pulsing nature of sediments during major storm events could swamp Budd Inlet and the Port. The CLAMP study, referencing the Corps of Engineers, predicted over six feet of sediment would deposit in lower Budd Inlet and around Percival Landing every ten years following tide lock removal. As far as we can determine, none of these sediment management challenges associated with the Estuary option are factored into the DES/FS Relative Cost Comparisons.

- 3) **COMMUNITY INTERESTS –AESTHETICS, RECREATION AND ECONOMIC IMPACTS----**The 2009 CLAMP Recommendations focused on the removal of the 5th Avenue Dam with most findings presented to support that conclusion. Information on what the Community wanted between the Pioneer Park and Priest Point Park—Urban Watershed for their use and enjoyment was conspicuously ignored in the CLAMP Recommendations and is also largely in this Draft Report by DES/Floyd Snider. The Community input on Project Goals from the 2016 Phase 1 Process Figure 3 identified the top 7 objectives in this descending order---Aesthetics, Sediment Management, Recreational Opportunities, Water Quality, Economically Feasible & Reasonable, Habitat Restoration, and Flood Management. The Draft Report speaks to only a few of these Community Priorities in an informed manner. Section 4 in the Report provides a very thorough summary of the sediment management challenges. Mayor Kmet has asked that a section be inserted on water quality. This new section should also address the negative impacts that the proposed \$46 million new fish hatchery by Pioneer Park will have on lower watershed water quality. A similar section should be added on "Aesthetics and Recreational Opportunities" that are important to the general public. The 280,000 citizens of the City and County want access and use of the Capitol Lake Basin for both active and passive recreation, improved aesthetics for community and tourism objectives and to return the urban watershed to a place for families to have active water contact recreation. Since the early 1980's, due to a failed government maintenance program, the community

lost a Lake swimming beach, a lake for youth sailing and boating, and even kayak level access to the entire Lake basin. Aesthetics of the Lake which serve as a complement to the historic City Beautiful Movement design of the State Capitol Campus and the center of the City of Olympia's effort to have a vibrant downtown are not even addressed in the Draft Report.

- 4) **WHAT DOES THE RESTORED ESTUARY DO FOR RECREATIONAL OPPORTUNITIES IN THE LAKE BASIN---IT DOES NOT REPLACE THAT WHICH WAS LOST EXCEPT FOR A POSSIBLE RETURN TO SEASONAL KAYAKING.** During the five spring and summer months, only mud flat will be available in the Lake Basin during daylight hours for over 75% of the time. Water access and boating will be further reduced twice daily during the "rip tide" conditions during the four hours when the tidal flow velocity will exceed the current speeds in the Tacoma Narrows and Deception Pass. This will make kayaking for families and inexperienced boaters dangerous in the center of the City. **IN CONTRAST, THE CLIPA MANAGED LAKE OPTION** will return the North Basin to swimming, boating, paddle boarding, fishing, and many other family activities in a safe and clean environment in the middle of the City. Kayaking and water based nature trails will be available in both the Middle and South Basins and for academic studies in a natural middle of the City ecosystem.
- 5) **INTERIM STEPS PENDING LONG TERM PROGRAM.** DES last dredged Capitol Lake in 1986. The Community has continued to build waterfront assets along the Deschutes Urban Waterfront. The estimate of expenditures exceeds \$100 million and the entire downtown and Port of Olympia's future is linked to the future of the how Capitol Lake is managed. The DES Schedule provides for the earliest time to implement the management plan as 2025. Given the debate and approach, this is an early estimate. Yet the community has seen no interim plan to "bridge the lack of action with a community friendly interim plan---pending a yet to be defined long range plan". A Three Step program is available that would demonstrate that reasonable people can work together to meet current day needs. **STEP 1: Do an interim dredge of 25% of what is already identified as will be required under the Restored Estuary Alternatives.** This amount would not conflict with any of the other identified alternatives, including the CLIPA Managed Lake Hybrid. **STEP 2: Initiate a water quality sampling program to measure water quality from Pioneer Park to Priest Point Park on at least a monthly basis to continue objective and factual water quality data.** This would continue until the long term management plan is adopted. Most of the debate and the disagreements about the benefits and impacts of the Lake related to water quality would be resolved and go away if the County Health Department and LOTT oversaw the sampling program and the data were used to guide future design considerations for the Lake Management Plan. **STEP 3: Continue the DES Program to complete the EIS and develop the long term Management Plan.**

In the absence of this **THREE STEP INTERIM PLAN**, all projects related to fish enhancement, steam bed modification, or upper watershed fish hatcheries (at Pioneer Park and Falls Terrace Park) should be put on hold until the entire Deschutes Urban Watershed Plan is adopted by the entire community.

We look forward to seeing the edited version of both the write up on the CLIPA Managed Lake Hybrid and to see how you address the related issues and the Bar Chart relative cost comparison. We have the specific costs for the Restored Estuary that the COE prepared in 2012, using the 2006 CLAMP report to provide a more realistic "Relative Cost Comparison" and will make this available for reference in the future.

We also look forward to seeing your draft write up on water quality and on the aesthetic and recreational opportunities related to each alternative. This will be a key discussion for the public and the Legislature.

Please let us know if you would like to meet to review your working draft to avoid repeating the past mistaken understanding of the CLIPA Managed North Basin Lake/Wetlands Hybrid proposal.


CLIPA Board of Directors.



November 3, 2016

To: Carrie Martin, DES
From: Sue Patnude and Dave Peeler
Re: DERT Comments on Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

General Comments:

In general, DES staff and the consultant, Floyd:Snider, have performed admirably in conducting the Phase 1 process given the difficulty and complexity of the project. However as you shall see below, some limitations imposed on stakeholder involvement in the process have resulted in what we consider less than ideal outcomes. We are also greatly appreciative of the work to identify and summarize all of the technical, planning and management reports and studies that have occurred to date, to ensure that best available science (section 3.2) is used for this project, and to provide opportunities for stakeholder comments.

Study area:

The “Capitol Lake/Lower Deschutes Watershed” as defined by DES for this project (section 1.1) is too limiting in scope to encompass all of the project implementation and management actions that will be needed for a successful outcome. We recognize that DES as an entity has limited geographic authority. However, the State writ large (e.g, including DNR, Ecology, WDFW, Agriculture and other state agencies) has substantial authority throughout the entire watershed from its headwaters to all of Budd Inlet and Puget Sound. To attempt to treat the “Capitol Lake” issue as a stand alone element within this larger watershed makes no sense from either an ecosystem or governmental perspective.

For example, upstream actions taken in the watershed can positively or negatively effect water quality, fish and wildlife, erosion, sediment transport and deposition, stream flow, and other factors that will have an effect on the Capitol Lake/Lower Deschutes Watershed area, and

therefore on the implementation and results of whatever option is selected in Phase 2. Likewise, entities “downstream” of the study area can also have an effect on Budd Inlet (see Ecology’s TMDL technical reports).

Focusing on a smaller geographic area is needed in part to identify the available options, but it is also too limiting in that it will almost by design narrow the actions and activities that may be considered as part of the overall project to restore a healthy Deschutes Watershed and a healthy South Sound. For these reasons we recommend that a broader stakeholder group be formed and be asked to directly participate during Phase 2 that can represent these broader geographic areas and broader issues.

3.3.2 Identification of Alternate Options and New Concepts:

We submitted our comments on the proposed CLIPA Managed Lake Sub-Option separately today and will not repeat them here but incorporate them by reference.

4.0 Sediment Management and Analysis in Phase 2:

This section of new material provides a good summary of the previous studies and modeling conducted prior to Phase 1. We note that the “subgroup” of the Technical Committee that participated in this effort did not allow any community or stakeholder input, which we believe is a mistake and weakens the final product. However, in general the statements of this section appear to be accurate and we support the recommendations for future modeling and study of sediments transport and deposition under the various management options and sediment mitigation measures that might be employed, including measures proposed to implement the Deschutes River TMDL that would reduce upstream erosion and sediment transport, increase water quality, and provide better habitat for fish and wildlife.

4.2.2 Data Gap to be Evaluated in Phase 2: Climate Change:

We support the inclusion of this element in the future studies in Phase 2. We know that climate change and sea level rise are already occurring and the effects are likely to accelerate in the future. It is prudent to evaluate the effects of these changes on this project and on this watershed.

5.0 Funding and Governance:

The governance frameworks explored within section 5.4 are examples of existing special districts that are commonly used across Washington State for the governing of lakes, tidelands, management of flood zones, etc. While commonly used, these governing structures often have low levels of community engagement and participation. Regardless of which alternative is selected the resulting restored estuary, hybrid or lake will be a central part of our community and will need creative governing that is structured to ensure a high level of community engagement and participation. This could be achieved by establishing a governance structure that provides local community groups, non-profits and tribal governments an equal seat at the

table alongside local and state governments. This would likely result in creative, community centric governing that can handle the unique challenges associated with ensuring this project meets the needs of our local environment, economy and community.

To illustrate this point, the Funding and Governance Committee appointed by the Executive Work Group, which was composed of a few select staff from local governments, the Tribe, and two state agencies, met in closed meetings not open to the public, and no public comments or suggestions were ever sought nor considered. This small, closed group was in direct contrast to the CLAMP committee recommendation found at 5.2.1: *“A new governing structure will be required to address Deschutes watershed and Budd Inlet recovery action. The composition of this body may be similar to that of the Budd Inlet Restoration Partners. This group contains a number of the CLAMP entities, but to remain effective, it will need to involve all affected parties, governments, and stakeholders.”*

Nor did this structure follow the recommendations of the Ruckelshaus Center Situation Assessment summarized at 5.2.2: *“Begin “conversations among the CLAMP entities and any other appropriate public service agencies within the Deschutes Basin (e.g. LOTT Clean Water Alliance, potentially one or more upstream local government agencies or major landowners) about a cost-sharing strategy and funding mechanism for long-term management of sediment, water quality, infrastructure, and other anticipated areas of capital expenditure. This could take the form of what one respondent proposed as a ‘Deschutes River Basin Management District’.”*

As a result, while the findings and recommendations of this committee are generally positive as far as they go, they contain nothing new or creative that would lead one to believe that (1) it is actually possible to develop and agree on a proposed long term funding and governance structure; or (2) that such a proposed structure would be supported by the stakeholders who have been, and conceivably will continue to be, excluded from this process given this committee’s recommendations to continue the current committee structure into Phase 2 (section 5.6). This is very disappointing to stakeholders who envisioned a broader process that would truly involve their participation, and it does not bode well for the eventual success of this effort.

For example, the Budd Inlet & Capitol Lake TMDL study now in process at Ecology strongly suggests that reductions in pollution discharge by LOTT and other sewage treatment entities will be needed in order to meet water quality standards in Budd Inlet, and that the 5th Avenue Dam has by far the single largest negative impact on water quality in Budd Inlet. The outcome of the TMDL and the DES process are integrally linked and will have large ramifications for these entities. These issues (and entities) need to be brought into the Phase 2 discussion.

We recommend that a different, broader work group and committee structure be used for Phase 2 that allows for broader, active community and stakeholder participation, assuming that DES intends to utilize such a structure to advise it during Phase 2.

Thank you for considering our comments. Please contact us should you have any questions, need clarification or other follow-up.

From: [DES Capitol Lake](#)
To: [Jessi Massingale](#); [Tessa Gardner-Brown](#)
Subject: FW: Missing Documents
Date: Friday, November 04, 2016 8:44:42 AM

From: [REDACTED]
Sent: Thursday, November 03, 2016 10:46 PM
To: DES Capitol Lake <DESCapitolLake@des.wa.gov>
Subject: Missing Documents

Shouldn't references to the documents I presented describing "nutrient harvesting" be included in the report. I can find no reference in the report to the documents. They should be included. They can be found at:

http://des.wa.gov/sites/default/files/public/images/SiteCollectionImages/AboutDES/projects/Capitol_Lake/CapitolLakeHybridPlan-DennisBurke.pdf

[REDACTED]
Sent from my iPad

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

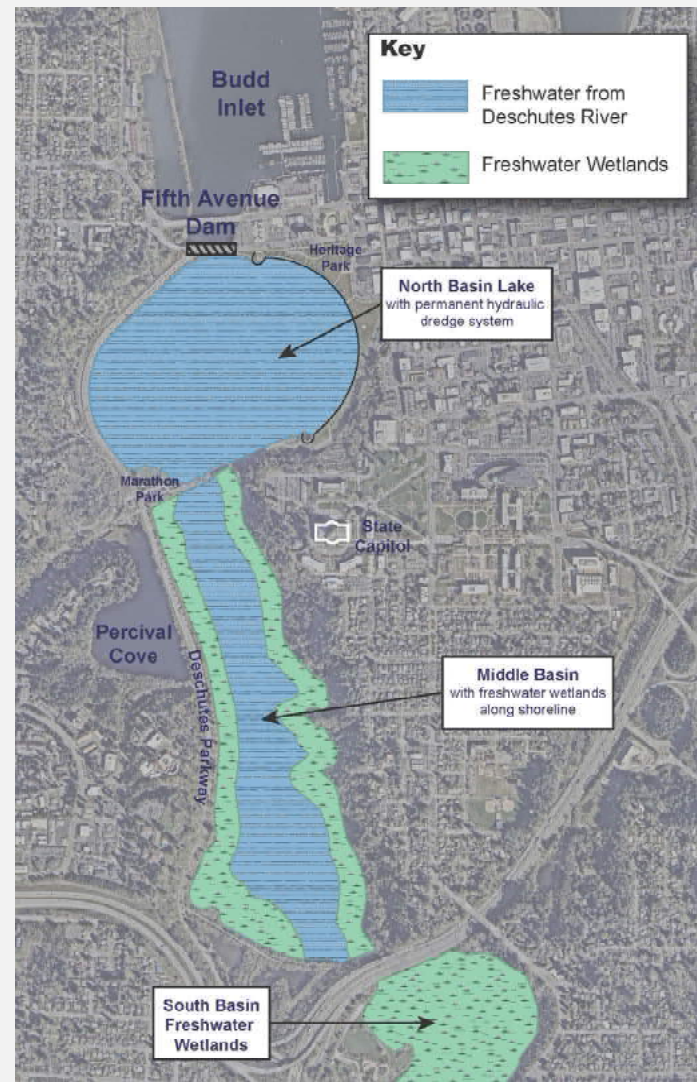
Appendix C Stakeholder Input from Phase 1

**Visual representations of new concepts for long-term
management proposed during Phase 1**

FINAL

Managed Lake Sub-Option: Managed North Basin Lake/Wetland

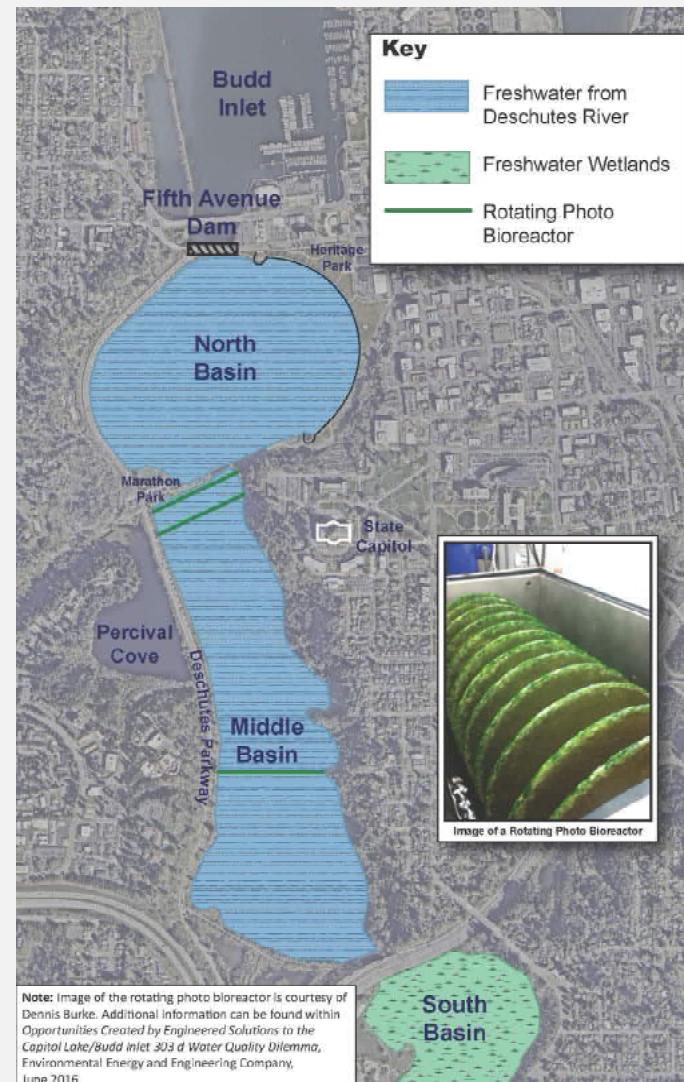
Similar to existing conditions but with additional management strategies for sediment accumulation that focus dredging in the North Basin, and provide dredging of the river channel in the Middle Basin, and in Budd Inlet. Maintains the historic reflecting pool and the North Basin Lake. Fish and Wildlife would not substantially change compared to existing conditions, but a freshwater emergent wetland would naturally develop in the South Basin and along the shoreline of the Middle Basin.



Source: CLIPA 2010 and 2016

Managed Lake Sub-Option: Nutrient Harvesting

Similar to existing conditions but with mechanized removal of soluble phosphorus and dissolved nitrogen by way of three or four Rotating Photo Bioreactors (RPBs) installed in the Middle Basin. Collectively, the RPBs are expected to improve water quality and ecological functions within the watershed by removal of phosphorus and nitrogen through the growth and harvesting of cyanobacteria grown on partially submerged rotating plates. Sediment would be managed through its removal at the entrance to Capitol Lake and its sale as nutrient-rich topsoil.

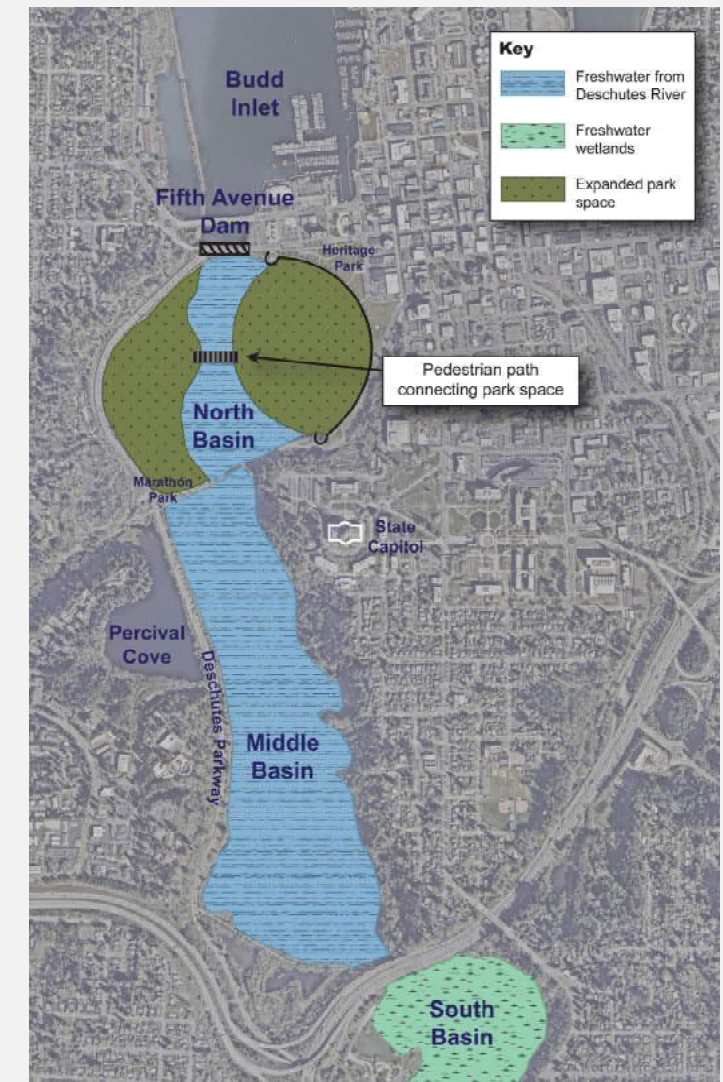


Note: Image of the rotating photo bioreactor is courtesy of Dennis Burke. Additional information can be found within Opportunities Created by Engineered Solutions to the Capitol Lake/Budd Inlet 303 d Water Quality Dilemma, Environmental Energy and Engineering Company, June 2016.

Source: Community Member 2016

Managed Lake Sub-Option: Expanded Park Space

Similar to existing conditions but with significantly expanded park space for additional recreational opportunities such as playgrounds and basketball or tennis courts. The historic reflecting pool would be substantially altered and the extent of fish and wildlife habitat would be reduced compared to existing conditions.



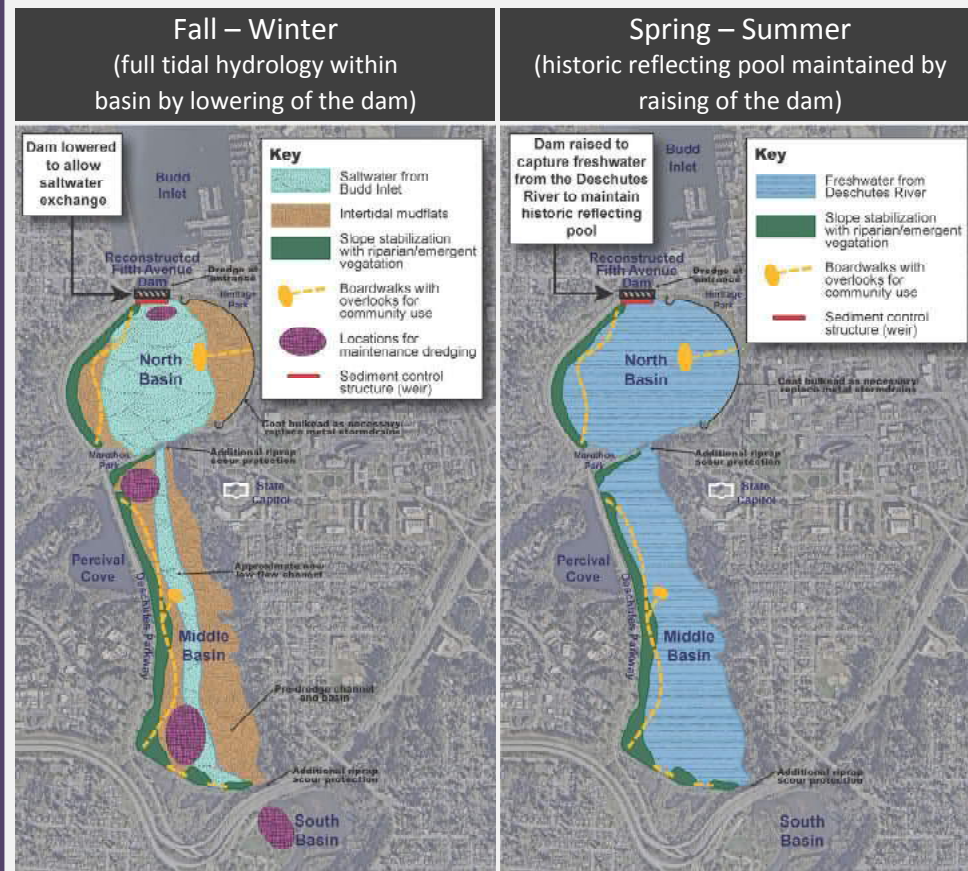
Source: Community Member 2016

Notes:

1. These options and the information included on this figure represent concepts from private citizens. The Department of Enterprise Services cannot confirm its accuracy, feasibility, or validity because these proposed long-term management options have not been through preliminary technical analysis, design, or feasibility review.
2. All long-term management options will require additional design and technical review. That work will be completed as part of a future Environmental Impact Statement in Phase II for the options that are selected for review in that process.
3. These graphics have been prepared by Floyd|Snider and are based on concepts provided by private citizens or other stakeholders. Due to the conceptual nature of these potential long-term management options, they have not been reviewed for initial consistency with project goals.

Hybrid Option: Seasonal Hybrid

Adaptively manages the basin by establishing a tidal estuary during the fall and winter seasons by lowering a reconstructed Fifth Avenue Dam. Maintains the historic Reflecting Pool during the peak recreational seasons of spring and summer by raising the dam. Improves Fish and Wildlife Habitat and Ecosystem Functions by allowing tidal exchange, by establishing estuary marsh plants throughout the basin, and by creating intertidal habitat along Deschutes Parkway.

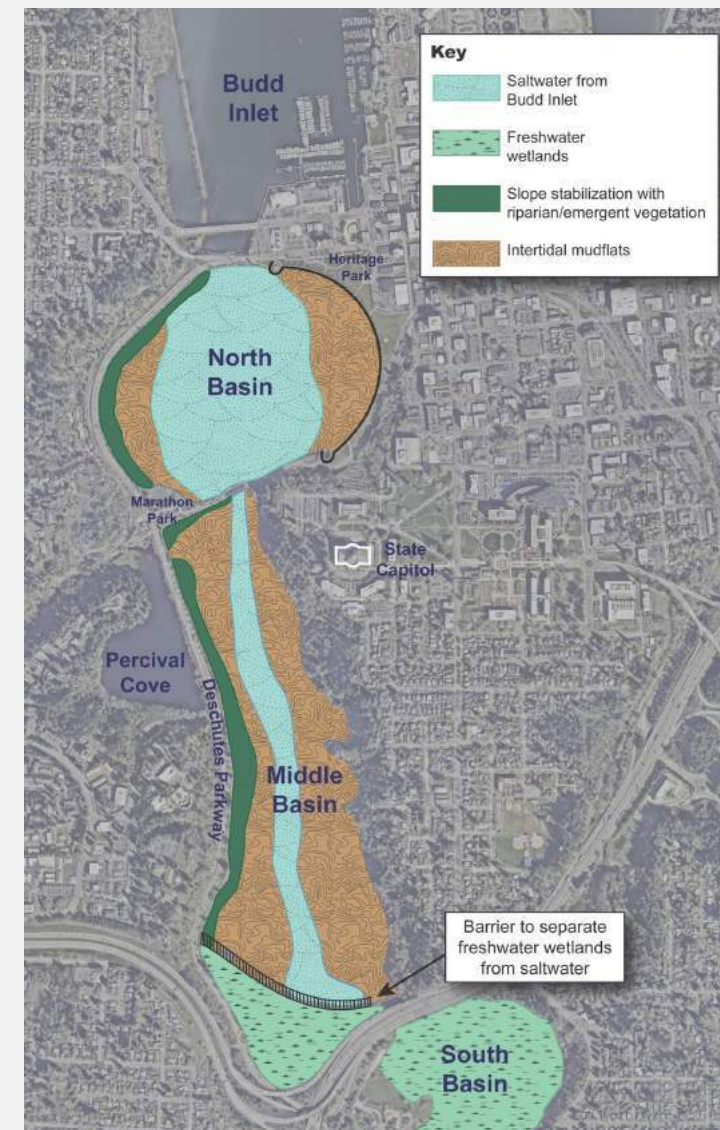


- Notes:
- This option is similar to a concept entitled "Capitol Lagoon."
 - During the spring and summer months, the predominant configuration of the dam could be in a raised position to allow for the formation and retention of the reflecting pool and potential associated recreational activities. Alternatively, the dam could be predominately in the lowered position to ensure adequate mixing of freshwater and saltwater, and raised for periods of peak usage.

Source: Technical Committee Member 2016

Restored Estuary Sub-Option: Expanded Freshwater Wetlands

Restores tidal hydrology throughout the existing Capitol Lake Basin, but retains freshwater wetlands in the South Basin and southern portion of the Middle Basin (potentially through construction of a retaining wall) to maintain some freshwater fish and wildlife habitat along the estuary. Removes the existing reflecting pool, but natural reflection of the Capitol would occur at 75 percent of tidal elevations.



Source: Community Member 2016

- Notes:
1. These options and the information included on this figure represent concepts from private citizens. The Department of Enterprise Services cannot confirm its accuracy, feasibility, or validity because these proposed long-term management options have not been through preliminary technical analysis, design, or feasibility review.
 2. All long-term management options will require additional design and technical review. That work will be completed as part of a future Environmental Impact Statement in Phase II for the options that are selected for review in that process.
 3. These graphics have been prepared by Floyd|Snider and are based on concepts provided by private citizens or other stakeholders. Due to the conceptual nature of these potential long-term management options, they have not been reviewed for initial consistency with project goals.

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

Appendix C Stakeholder Input from Phase 1

**Documentation from Technical Committee, Executive Work
Group, Community, and Funding and Governance
Committee meetings**

FINAL

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

**Documentation from Technical Committee meetings
to support Phase 1**

FINAL

Capitol Lake Technical Committee

Technical Committee Meeting Minutes
Location: 1500 Jefferson St SE, Olympia, WA
April 14, 9:00 – 11:00AM

Attendees: Rich Doenges (ECY), Alex Callender (ECY), Lydia Wagner (ECY), Joy Polston-Barnes (DNR), Andy Haub (City of Olympia), Dan Smith (City of Tumwater), Brad Murphy (Thurston County), Bill Helbig (Port of Olympia), Carrie Martin (DES), Ann Larson (DES), Ann Sweeney (DES), Gabrielle Stilwater (DES), Jessi Massingale (Floyd | Snider), Christina Martinez (Jacobs), Tessa Gardner-Brown (Floyd | Snider), Lindsey Aldridge (DES, note taker)

Minutes:

- Floyd | Snider team presented the meeting purpose, format, and ground rules.
- Members in attendance provided self-introduction.
- Overview of the Technical Committee role and material review cycle during the Phase I Implementation process was discussed.
- Process and schedule of Phase I Implementation Plan was presented by Floyd | Snider team. See *Capitol Lake Long-Term Management Planning: Phase 1 Implementation Plan*. (April 14, 2016)
- Feedback briefing from Executive Work Group was presented by DES representative.
- Reviewed goals and objectives from previous project documentation and stakeholder input. See *Summary of Materials and Request for Stakeholder and Community Input* document (April 14, 2016). The Technical Committee acknowledged the work that has occurred previously and did not advocate for the removal of any of the goals. The Technical Committee provided the following input regarding reframing some of the goals as we move forward:
 - Focus on Managing Flood Risk (rather than Reducing Flood Risk);
 - Focus on Restoring, Enhancing and Improving Recreational Opportunities (rather than simply maintaining them);
 - Reframe Gain community support and broad agreement as an objective;
- Continue Adaptive Management Approach is a goal from existing project documentation;
 - Add Economics (financing, maintaining/sustaining) to theme for Long-Term Management;
 - Add Sustainability as a separate goal;
 - Add Recreation and Aesthetics as a separate goal;
 - Keep in context of larger habitat, not just Capitol Lake, i.e. watershed and Puget Sound;
 - Consider how to define “Improve Ecosystem Functions,” since improvement to ecosystem functions would attain other listed goals such as improvements to fish and wildlife habitat, etc.
- The Technical Committee completed an exercise to discuss the goals that are most important to them. This exercise was used gauge the most important goals for long-term management from an agency perspective. Goals with the most apparent support included :
 - Improve ecosystem function; Sustainability; Consider long-term costs and economic impacts.

Questions and Answers:

- Can you clarify the Technical Committee role during the material review cycle?
 - Technical Committee is essentially the first to touch the document and has a second touch (or review) opportunity before the material is incorporated into the draft Proviso Report. The Technical Committee will be a key resource to provide feedback on the various components of the Proviso Report.
- How do the committees and public provide comments?

Capitol Lake Technical Committee

- Technical committee members are encouraged to utilize the scheduled meetings to share comments. Additional input may be sent to the Floyd | Snider team and DES representative, however, within two weeks of the Technical Committee meeting – this would allow the Technical Committee members to discuss meeting topics with other agency representatives or colleagues, or have time to follow-up on any particular items. At the high level, the Technical Committee may also use the online Survey Monkey to provide input; this tool has been developed to invite public input, but anyone can participate.
- Will Executive Work Group meeting minutes be available?
 - Yes, January and February are available. March meeting minutes will be available by Friday. Once adopted by the Executive Work Group, the meeting minutes are posted on the DES website.

Next Steps/Action Items:

- Create doodle poll to obtain best availability for May Technical Committee meeting. (DES)
 - After discussion, DES and the Technical Committee members determined that the next Technical Committee meeting would not be moved and would occur on the planned date of Thursday, May 19.
- Create SharePoint site or file-sharing system for Technical Committee to upload/download information. (Floyd | Snider)
- Create a distribution list for the Technical Committee. (DES)
- Send comments, questions, and resources to Floyd | Snider team. (All)
- Provide input on how each goal should be measured/metrics for each goal. (All)

Technical Committee
Capitol Lake Long-Term Management Planning
1500 Jefferson Street SE, Room 2330, Olympia, Washington 98504
9:00 a.m. to 11:00 a.m.
May 19, 2016

Final Meeting Notes

Participants

Alex Callender, Ecology
Mindy Roberts, Ecology
Sally Toteff, Ecology
Chris Conklin, Fish and Wildlife
Joy Polston-Barnes, Natural Resources
Andy Haub, City of Olympia
Bill Helbig, Port of Olympia
Scott Steltzner, Squaxin Island Tribe
Brad Murphy, Thurston County
Amy Georgeson, City of Tumwater

Enterprise Services

Lindsey Aldridge
Ann Larson
Carrie Martin
Ann Sweeney

Floyd | Snider Team

Tessa Gardner-Brown
Christina Martinez
Jessi Massingale, PE

Meeting Purpose

1. Discuss feedback provided by the Executive Work Group and Community on the April materials regarding Goals and Objectives, present the revised materials to provide an opportunity for “second touch” and additional feedback.
2. Determine the methodology for reviewing Best Available Science related to water quality and habitat for the Capitol Lake basin.
3. Review a compiled list of technical studies and agency reports that could be evaluated using the selected methodology.

Notes

1. Welcome and Review

- A. Participants introduced themselves.
- B. Floyd | Snider team reviewed the meeting purpose, agenda, and packet of materials.

2. Process Updates from DES

- A. Executive Work Group will have its “second touch” on Goals and Objectives and “first touch” on Best Available Science at the May 27, 2016 meeting.
- B. Funding and Governance Committee held its kick-off meeting on May 17, 2016.
- C. DES is continuing to discuss the idea of open meetings of the committees and anticipates a decision before the June Technical Committee meeting.

3. Feedback from Executive Work Group

- A. Members of the Executive Work Group requested information from regulatory agencies to help evaluate best available science as it pertains to water quality and habitat in the Capitol Lake basin. Committee members discussed the best way to present the information to the Executive Work Group. Information from the regulatory agencies regarding these disciplines is well documented and available online. Information could be presented to the Technical Committee and the Floyd|Snider team could provide an overview of the presentation to the Executive Work Group. Alternatively, agencies could present directly at Executive Work Group meetings. Agency staff will consider further.

4. Goals and Objectives – Second Touch

- A. Floyd|Snider reviewed Goals and Objectives with the committee for the “second touch” using the revised materials (Figure 3) to reflect input from the Technical Committee, Executive Work Group, and Community. The Technical Committee provided the following input regarding reframing some of the goals moving forward:
 - i. Modify economic impact goal to focus on overall economic impacts (negative and positive rather than negative impacts only).
 - ii. Focus on Supporting Healthy Salmon Runs (rather than recovery), or allowing Improving Fish and Wildlife Habitat to cover the goal of supporting healthy salmon runs.
 - iii. Focus on Supporting Aesthetics and Recreational Opportunities (rather than simply maintaining them).

5. Best Available Science Methodologies – First Touch

- A. Floyd/Snider reviewed potential methods for identification of Best Available Science related to water quality and habitat for the Capitol Lake basin.
 - i. Definition of Best Available Science from the federal government.
 - ii. Review of available methodologies for evaluation of Best Available Science.
 - iii. Summary of three methodologies: Washington State Criteria, U.S. Environmental Protection Agency Guidelines, and Internationally-Recognized Scoring System.
 - iv. Interest in ensuring the methodology does not add subjectivity and is not perceived as biased.
 - v. Consider defining peer review, including the experience and policy that the regulatory agencies have developed.
 - vi. Many of the members had experience with the Washington State criteria, noted the approach is specific in numerous areas, and thought it had good regional applicability.
 - vii. Question: Will the Washington state criteria be accepted by the federal permitting agencies? Response: Any of these criteria are a step beyond what is normally done in an EIS. Typically, the method for categorizing is not identified. This method would be more robust and would be acceptable.
 - viii. Preliminary consensus of the Technical Committee supported the Washington State Criteria with members wanting time to further review available methodologies and provide comments.

6. Best Available Science Document Review – First Touch

- A. The group reviewed the list of reports compiled by Floyd | Snider concerning water quality and habitat in Capitol Lake that could be evaluated using the selected methodology as part of an EIS.
 - i. Discussion about what reports were applicable to include in a document review: clean-up reports on work done in the watershed, sediment reports, toxics reports, and Thurston County and LOTT monitoring reports. All of these would be good to document in a project archive list. Other reports for local restorations that might be good case studies may be good to note in a separate category of “Key Similar Projects.” The information could be documented in “spheres of influence”, such as the Deschutes first, what is known about the next sphere, i.e. South Sound, etc.
 - ii. Members agreed to review the list and provide any technical reports not yet on the list.

7. Next Steps/Action Items

- A. Floyd | Snider: Send shared file system.
- B. All: Consider ways to best present technical information to Executive Work Group.
- C. Floyd | Snider: Consider formatting changes to Figure 2c to better balance responses.
- D. All: Send feedback on second touch of Goals and Objectives by June 2.
- E. All: Send feedback on first touch on Best Available Science by June 2.
- F. All: Provide technical studies, agency reports, evaluations, and other materials regarding Best Available Science by June 2.

Technical Committee
Capitol Lake Long-Term Management Planning
1500 Jefferson Street SE, Room 2330, Olympia, Washington 98504
9:00 a.m. to 11:00 a.m.
June 16, 2016

Notes

Participants

Anise Ahmed, Ecology
Rich Doenges, Ecology
Cristiana Figueroa-Kaminsky, Ecology
Sally Toteff, Ecology
Lydia Wagner, Ecology
Chris Conklin, Fish and Wildlife
Joy Polston-Barnes, Natural Resources
Swenddal, Kristin, Natural Resources
Andy Haub, City of Olympia
Bill Helbig, Port of Olympia
Scott Steltzner, Squaxin Island Tribe
Brad Murphy, Thurston County
Dan Smith, City of Tumwater

Enterprise Services

Lindsey Aldridge
Carrie Martin
Gabrielle Stilwater
Ann Sweeney

Floyd | Snider Team

Tessa Gardner-Brown
Christina Martinez
Jessi Massingale, PE

Public Observers

Dennis Burke
Robert Holman
Jack Havens

Meeting Purpose

1. Discuss feedback provided by the Executive Work Group and Community on the May materials regarding Best Available Science related to water quality and habitat, including methods for evaluation and list of technical reports; present the revised materials to provide an opportunity for “second touch” and additional feedback.
2. Review draft Purpose and Need Statement and example statements for context.
3. Discuss identified hybrid options for future management of Capitol Lake for substantial improvement in fish and wildlife habitat and ecosystem functions, maintaining a historic reflecting pool and adaptive management strategies, per the proviso.

Notes

1. Welcome and Agenda Review

- A. Participants and observers introduced themselves.
- B. Floyd | Snider team reviewed the meeting purpose, agenda, and packet of materials.

2. **Process Updates from DES and Review of Ground Rules for Observers**
 - A. Reviewed ground rules for community members choosing to observe Technical Committee meetings.
 - B. Executive Work Group will have its “second touch” on Best Available Science and “first touch” on Draft Purpose and Need Statement and Identification of Hybrid Options at the June 24, 2016 meeting.
 - C. Presentations from community members occurred in May and will occur in June in conjunction with Executive Work Group meetings.

3. **Feedback from Executive Work Group and the Community from First Touch of Best Available Science**
 - A. The Executive Work Group concurred with the Technical Committee on the preferred methodology to review best available science.
 - B. The Community had mixed comments. Some people preferred the objectivity of the WAC method, while others saw benefit of added latitude provided by the other two methods.
 - C. Community members may provide additional documents for consideration on a list or bibliography.

4. **Best Available Science – Second Touch**
 - A. The Technical Committee discussed its preference to be able to review the documents according to the state methodology as part of the Phase I process, yet recognized that DES is not funded to support a detailed review for Best Available Science using the method recommended.
 - B. The document list should be titled “List of Technical Documents” or something similar. It hasn’t been vetted as “Best Available Science” yet.
 - C. Members have been asked to provide feedback on the peer review policy briefing and provide any additional technical documents by June 30.

5. **Draft Purpose and Need Statement – First Touch**
 - A. Floyd | Snider team reviewed samples of Purpose and Need Statements used by other organizations.
 - B. The Technical Committee reviewed the draft Purpose and Need Statement.
 - i. Discussed the benefits of a condensed version of the draft Purpose and Need Statement. Consider removing the two middle paragraphs that are currently included for context and consider retaining only the opening and closing paragraphs that focus on the problem. Some members thought brief statements work better. The middle two paragraphs could be included as background information in another part of the Environmental Impact Statement.
 - ii. Rebalance the draft Purpose and Need statement so the primary focus is the environmental function of the Capitol Lake basin, and not as much on the community or recreational aspects of the area. This may reflect the proposed approach from a few committee members, where the goal would be to manage “an economically and environmentally sustainable resource.”
 - iii. Ensure that the watershed is reflected in the draft Purpose and Need statement, which could be remedied by expanding “Capitol Lake basin” to include Deschutes River/Budd Inlet, or by describing Capitol Lake in the larger context of its relationship with the Deschutes River/Budd Inlet. For example, this could take shape through discussion of

- the positive and negative impacts of Capitol Lake on Budd Inlet. The “Capitol Lake basin” cannot be in isolation from what happens up-stream and down-stream.
- iv. Reflect the cultural and historical importance of the area; specifically change the resource reference to “Deschutes River” in the sentence regarding importance predating construction of Capitol Lake.
 - v. Consider whether the existing project title (Capitol Lake Long-Term Management Project) correctly captures the intent of this work, and/or expand title to include Deschutes Estuary (Capitol Lake/Deschutes Estuary Long-Term Management Project). Perhaps the “Lower Deschutes River” would be a better description.
 - vi. Because the draft Purpose and Need statement describes the lake in its current state it implies that the future state is also a lake; therefore, need to re-balance the text to not imply the managed lake option.
 - vii. The historical use of the basin area pre-dates the existence of the lake only; there is long history of the Deschutes watershed that needs to be captured.
 - viii. It may end up being two different versions of the Purpose and Need statement.
 - ix. Keep in mind that the Purpose and Need Statement is used to narrow the options. If the statement is too broad, it will not be helpful.
 - x. Important to capture the problem that needs to be solved and the benefit the community seeks.
 - xi. One suggestion to use for the wording was “Determine an economically and environmentally preferred management method action to create a regional aquatic resource amenity which meets regulatory requirements and is also a useful and sustainable public resource.”

6. Identification of Hybrid Options – First Touch

- A. The Technical Committee reviewed the visual representation of existing hybrid options and the table of hybrid option components.
 - i. Introduced and discussed three hybrid options offered to date: Dual Basin, Dual Estuary/Lake Idea (DELI), and Percival Creek Rechanneling.
 - ii. The Key Option Components figure highlights what is different between the hybrid options.
 - iii. The components table could be set up differently to present a more balanced view of the options.
 - iv. In July the process will add the non-hybrid options, the managed lake and restored estuary.
 - v. Nutrient harvesting will be further explored in July as a possible component of other options.
 - vi. The state Department of Fish and Wildlife’s interest is to attempt to eradicate the New Zealand mud snail as part of any option and active management strategy.
 - vii. Certain items may be needed regardless of the option, i.e. eradication of New Zealand mud snail, meeting state and federal water quality standards, mitigating sea level rise, etc.
 - viii. The table is a mix of physical descriptions/components and how they link to goals, which is somewhat confusing. Members recommended adding descriptions to the graphics page rather than using the table now.

- ix. There should be a way to show the goals of the process and how each option meets the goals in order to see which best supports the proviso. The proponent of each hybrid could do a checklist.

7. Next Steps/Action Items

- A. Floyd | Snider: Work on a revised draft Purpose and Need Statement(s).
- B. All: Send feedback on second touch of Best Available Science by June 30.
- C. All: Send feedback on first touch on draft Purpose and Need Statement by June 30.
- D. All: Send feedback on first touch on Identification of Hybrid Options by June 30.
- E. Floyd | Snider: Revise the Hybrid Options graphics prior to Executive Work Group or Community meetings.
- F. Floyd | Snider: Send a summary of the Technical Committee feedback to committee members for review and concurrence prior to presentation of Executive Work Group on June 24.

Technical Committee
Capitol Lake Long-Term Management Planning
1500 Jefferson Street SE, Room 2330, Olympia, Washington 98504
9:00 a.m. to 11:00 a.m.
July 14, 2016

Meeting Notes

Participants

Sally Toteff, Ecology
Rich Doenges, Ecology
Lydia Wagner, Ecology
Cristiana Figeroa-Kaminsky, Ecology
Darric Lowery attending
for Chris Conklin, Fish and Wildlife
Kristin Swenddal, Natural Resources
Bill Helbig, Port of Olympia
Scott Steltzner, Squaxin Island Tribe
Brad Murphy, Thurston County
Dan Smith, City of Tumwater

Enterprise Services

Lindsey Aldridge
Carrie Martin
Gabrielle Stilwater
Ann Sweeney

Floyd|Snider Team

Tessa Gardner-Brown
Jessi Massingale, PE

Public Observers

Jack Havens, CLIPA

Meeting Purpose

1. Discuss stakeholder feedback on the draft Purpose and Need Statement and review the revised draft Purpose and Need Statement
2. Discuss stakeholder feedback on the June materials regarding Identification of Hybrid Options, and provide a “second touch” opportunity
3. Discuss consistency of existing and hybrid options with goals for long-term management of Capitol Lake
4. Identify potential components of and data gaps for existing and hybrid options

Notes

1. **Welcome and Agenda Review**
 - A. Participants introduced themselves.
 - B. Floyd|Snider team reviewed the meeting purpose, agenda, and packet of materials.
2. **Process Updates from DES and Review of Ground Rules for Observers**
 - A. Reviewed ground rules for community members choosing to observe Technical Committee meetings.

- B. Executive Work Group will have its “second touch” on the draft Purpose and Need Statement and “first touch” on Existing and Hybrid Options at the July 22, 2016 meeting.
- C. There will be no technical, executive or community meetings in August. Meeting topics will be combined with next steps for the September meeting.

3. Second Touch on Draft Purpose and Need Statement (with Feedback from Executive Work Group and Community)

- A. Floyd | Snider reviewed the revised draft Purpose and Need Statement that was shared with the Executive Workgroup and community in June 2016.
 - i. The key things heard from the executives and community were to place more focus on sediment management, ecological function and economics, and to expand the description to a watershed approach.
 - ii. The first paragraph focuses on the initial key topics through an environmentally and economically sustainable management approach. The context paragraph was removed. The second paragraph provides a single context sentence and then focuses on the primary issues. The third paragraph discusses the need and approach to resolve the problem, and is largely unchanged.
- B. The Technical Committee reviewed the revised draft Purpose and Need statement.
 - i. Suggestions included the term estuary in the first sentence of the second paragraph; possibly use ‘the Lower Deschutes Watershed’ or ‘Deschutes Estuary’ to create a watershed focus. Include a definition of “lower Deschutes Watershed” in the proviso report to explain the direct scope of this project.
 - ii. Discussed revising the second sentence of the first paragraph by flipping the two statements; ‘To address existing sediment accumulation and manage future sediment deposition, the work proposed as part of this project is also needed to restore and enhance community use of the resource.’
 - iii. Andy Haub was not able to attend the July 14 Technical Committee meeting, but sent in suggestions similar to a call to action. Floyd | Snider will consider using some of this language in the Proviso Report.
 - iv. The committee is encouraged to continue to send additional suggested changes.

4. Second Touch on Identification of Hybrid Options (with Feedback from Executive Work Group and Community)

- A. Floyd | Snider discussed minimal revisions to the identification of Hybrid Options document. Notes were added to address DELI modifications. The Percival Creek Extension was shifted from a Hybrid to a Managed Lake Sub option, with the concurrence of CLIPA.
- B. Conceptual proposals with less development were added to the notes sections, including nutrient harvesting, sediment management ideas such as construction of a weir at the north end of the south basin and/or a jetty in Budd Inlet, and an expansion of park areas at Heritage Park and along Deschutes Parkway.

5. First Touch on Review of Existing and Hybrid Options; Brainstorm options or potential components of options

- A. The Technical Committee expressed concern regarding the validity of information provided for the new hybrid options. How can the table be used without having the information validated technically?

- i. The benefit of the table is that it standardizes the review options and summarizes them in a consistent format.
 - ii. Suggested title change “statements of intended consistency with project goals”, to make sure readers are clear on level of validation.
 - iii. Also suggested combining the options that have undergone more formal technical review into one table and the new conceptual options into another. The table of new conceptual options should be heavily caveated to highlight that the information represents **opinions** of the proponent.
- B. Suggestions on the Components Table
- i. Instead of just Canada geese, include “invasive or nuisance species” to also include invasive plants.
 - ii. Suggested separating improving stormwater conveyance system and Heritage Park berm into two separate items.
 - iii. Add to header on “Benefit...” something to the effect that “approach and specifics would vary depending on the option.”
 - iv. Add caveat to this table similar to others, “Potential Components, not yet validated to determine feasibility.”
 - v. Suggestions for possible additions to the component table:
 - Temporal or Seasonal Hybrid: Adjustable dam at the expanded Fifth Avenue dam site, to keep the basin filled during summer months for swimming and other uses, and allow tidal action the rest of the year.
 - Large woody debris component. How large woody debris moves through the system from the upper watershed and is managed as it moves toward Budd Inlet.
 - Keep the South Basin mitigation wetlands in mind. If these were developed in perpetuity, the report should explain the commitments and manage future expectations.
- C. Committee is again encouraged to send in any other suggestions by July 28.

6. Status of Best Available Science Review. Rich and Scott will come up with a framework; Floyd|Snider will put documents into the shared site and send that link to the committee members. The expectation is that the agenda for the September 30 meeting of the Executive Work Group will include this topic.

7. Next Steps/Action Items

- A. Floyd|Snider: Resend link to shared site and include folder of technical documents for review.
- B. All: Send feedback on second touch of Identification of Hybrid Options by July 28.
- C. All: Send feedback on second touch on draft Purpose and Need Statement by July 28.
- D. All: Send feedback on first touch on Review of Existing and Hybrid Options by July 28.
- E. Darric: Send statement with information on large woody debris.
- F. Brad: Send ideas on temporal hybrid option.

Technical Committee
Capitol Lake Long-Term Management Planning
1500 Jefferson Street SE, Room 2330, Olympia, Washington 98504
9:00 a.m. to 11:00 a.m.
Sept 22nd, 2016

Meeting Notes

Participants

Rich Doenges, Ecology
Cristiana Figueroa-Kaminsky, Ecology
Chris Conklin, WDFW
Monica Shoemaker, DNR
Kristin Swenddal, DNR
Andy Haub, City of Olympia
Scott Steltzner, Squaxin Island Tribe
Brad Murphy, Thurston County
Dan Smith, City of Tumwater

Enterprise Services

Lindsey Aldridge
Carrie Martin
Ann Sweeney

Floyd|Snider Team

Tessa Gardner-Brown
Jessi Massingale, PE

Public Observers

Dave Peeler
Ilene LeVee

Meeting Purpose

1. Discuss the revised draft Purpose and Need Statement.
2. Discuss the revised July materials regarding Review of Existing and Hybrid Options, and provide a “second touch” opportunity.
3. Discuss the relative range of costs for components of the long-term management options.
4. Discuss the relationship between Phase 1 and Phase 2 and the transition from one into the next.

Notes

1. **Welcome and Agenda Review**
 - A. Participants introduced themselves.
 - B. Floyd|Snider team reviewed the meeting purpose, agenda, and packet of materials.
2. **Process Updates from DES and Review of Ground Rules for Observers**
 - A. Reviewed ground rules for community members choosing to observe Technical Committee meetings.
 - B. The last Technical Committee meeting will be October 20, 2016.

- C. Executive Work Group will have its “second touch” regarding Review of Existing and Hybrid Options, “first touch” on the Relative Comparison of Costs for Options and their final review of the Proposed Final Draft Purpose and Need Statement at the September 30, 2016 meeting.

3. Third Touch on Draft Purpose and Need Statement

- A. Floyd | Snider discussed specific changes to the Draft Purpose and Need Statement
 - Stressed the importance of sediment management.
 - Put back in some of the background/context information. Added sentences that describe use of the resource pre-construction, and how it is used presently.
 - Transition sentence added upfront in the third paragraph; clarified active and passive use.
 - Additional description of why actions are taking place now; additional sentence to reflect consistency and compatibly with initiatives.
 - Community recommended that the value of the resource would be maximized; specifically, ecosystem service value, economic value and community value.
 - Expressed consistency with watershed-wide efforts.
- B. Technical Committee suggested strengthening the last sentence by saying ‘it will have’ instead of ‘expected to have’.
- C. Technical Committee suggested including a link or consistency with the Ecology-led TMDL process and implementation actions.
- D. The Technical Committee recommended that this version be included in the Proviso Report, and accepted it as an accurate reflection of project goals

4. Second Touch on Review of Existing and Hybrid Options

- A. Floyd | Snider reviewed changes to existing and hybrid options document.
 - Added verbiage in title to reflect that all existing options were evaluated as part of the CLAMP process, and the alternate options had not undergone technical analyses or feasibility review.
 - The graphics for the dual-basin and restored estuary were edited to show water in the basin for a large portion of the time.
 - Added source that was used under option titles and additional text in blue to reflect that the options reported consistency with goals and based on technical analyses from the CLAMP process.
 - Some re-packaging, to show CLAMP options together and the newly proposed alternate options, but no change in the content.
- B. Floyd | Snider reviewed changes to potential components document.
 - Paired the potential component with goals that were identified for long-term management; added natural woody debris plan and fish access management.
- C. Technical Committee suggested adding in a column or numbering system that shows which component came from the community versus the committees. Add “see notes” in the graphics, as it’s important that they go together and that the graphic isn’t used out of context.

5. First Touch on Relative Comparison of Costs for Options

- A. Floyd | Snider team discussed the Relative Cost Comparison document, including a full read of the notes on the graphic and discussion of the approach used to generate the relative cost comparison.

- B. The Technical Committee considered separating the bar into two to show construction costs and maintenance costs separately; adding units of measures and/or a scale of relevant percentage.
- C. The suggestion was made to consider adding the cost of on-going maintenance for the reflecting pool wall into the two hybrid options.
- D. Floyd | Snider will incorporate the changes and bring a revised document to the Executive Work Group.

6. Discuss Next Steps and Phase 1 Transition into Phase 2

- A. Floyd | Snider shared the Next Steps document.
 - i. Document shows why Phase 1 was completed and the intent of this process, how does Phase 1 support Phase 2, and what an EIS looks like.
 - ii. There were no immediate comments. The group was asked to submit any feedback during the review period.

7. Update on Review of Best Available Science

- A. Rich Doenges and Scott Steltzner reviewed the best available science spreadsheet, and provided an update on the Technical Committee review of the technical document list. The completed review will be an appendix to the Proviso Report.

8. Review of Action Items

- B. Floyd | Snider: Work on a revised draft Relative Comparison of Costs Options to bring forward to Executive Work Group.
- C. All: Send feedback on second touch of review of existing and hybrid options by October 6.
- D. All: Send feedback on first touch on relative comparison of costs for options by October 6.



Technical Committee
Capitol Lake Long-Term Management Planning
1500 Jefferson Street SE, Room 2330, Olympia, Washington 98504
9:00 a.m. to 11:00 a.m.
October 20, 2016

Meeting Notes

Participants

Rich Doenges, Ecology
Cristiana Figueroa-Kaminsky, Ecology
Chris Conklin, WDFW
Monica Shoemaker, DNR (via WebEx)
Kristin Swenddal, DNR
Andy Haub, City of Olympia
Bill Helbig, Port of Olympia
Brad Murphy, Thurston County
Dan Smith, City of Tumwater

Enterprise Services

Lindsey Aldridge
Ann Larson
Carrie Martin
Gabrielle Stilwater

Floyd|Snider Team

Tessa Gardner-Brown
Jessi Massingale, PE

Public Observers

Dennis Burke
Jack Havens
Bob Holman
Dave Peeler

Meeting Purpose

1. Discuss the revised September materials regarding relative range of costs for components of the long-term management options, including feedback from the Executive Work Group and the Community.
2. Review and discuss the Draft Proviso Report.

Notes

1. **Welcome and Agenda Review**
 - A. Floyd|Snider team reviewed the meeting purpose, agenda, and packet of materials.
2. **Process Updates from DES and Review of Ground Rules for Observers**
 - A. Reviewed ground rules for community members choosing to observe Technical Committee meetings.
 - B. Executive Work Group will have its "second touch" regarding relative comparison of costs for options and will review the draft proviso report at their meeting on October 28.
 - C. Hold December 16, 2016 for the Year-In-Review meeting.

3. Second Touch on Relative Comparison of Costs for Options; Feedback from Executive Work Group and the Community

- A. Floyd|Snider discussed changes to the Relative Comparison of Costs for Options document.
 - The Managed Lake CLIPA Sub-Option was updated based on input from the option proponent. Dredging quantities were reduced to be comparable to the Restored Estuary Option, and is intended to produce shallower lake conditions than the Managed Lake Option. The Percival Creek Extension was also removed from the Managed Lake Sub-Option;
 - Based on the recommendation of OFM, the net present value of maintenance costs that was being considered at the suggestion of a community member was removed;
 - Notes were altered to include input from the Executive Work Group and the community to better clarify the cost comparisons.
- B. Because of the changes to the Managed Lake CLIPA Sub-Option, Figures 7a and 7b were also updated to reflect the new understanding of the option. Floyd|Snider reviewed the changes to the Overview of Alternate Options (7a) and the Reported Consistency with Goals (7b).
- C. Committee Members suggested that the revised Managed Lake CLIPA Sub-Option had not been through the same level of stakeholder review, with these newly proposed substantive changes, as the rest of the options.
- D. The figure needs further labeling to state that there is a high degree of uncertainty in the graphic until further design and technical analysis is completed.
- E. Is it documented that the two managed lake options describe very different kinds of lakes? Floyd|Snider reviewed the updated graphics in Figures 7a and 7b that describe the updated option. The Technical Committee recommended that a note is added to Figure 8, “See figures 7a and 7b for description of these options.”

4. Update on Review of Best Available Science

- A. Scott was not able to attend the meeting and provide a comprehensive update. Instead, the committee covered the Best Available Science as part of the overall look at the Draft Proviso Report, and described the approach to complete the review, where three categories were used: “yes,” “no,” and “uncertain.”

5. Review and Discuss the Draft Proviso Report; Review of Sediment Management Information and Report Section

- A. Floyd|Snider provided an orientation of the Draft Proviso Report and responded to comments and questions.
- B. The Purpose and Need Statement can be found in two places: in the monthly materials in Section 3, and in the appendix with materials for Phase 2.
- C. The Committee recommended that text is added to the Proviso Report to clearly document the change in the CLIPA option, as many of the earlier portions of the work and comments in Appendix C will still refer to the previous “Percival Creek Extension” option. This will be important to avoid confusion by readers.
- D. There was a discussion of how the options are categorized. “Existing” options are those from the CLAMP work and “Alternate” options include the DELI hybrid and the Managed Lake CLIPA Sub-option. Both of these categories are shown in the main body of the report, with associated graphics in the Figures section. The four “New Concepts”, which were not as fully developed are also documented in the report, with associated graphics in the Appendix.

- E. How does Herrera’s review of sediment reports connect with the cost graphic? Jeff Parsons reviewed the table of reports, and specifically assessed the USGS modeling report and its validity and applicability for future use. He did not do technical analysis or look at the changed dredge volumes, so there is not a connection between his work and the cost comparisons.
- F. Floyd |Snider reviewed the figures and tables, specifically updates to Table 3, with revisions suggested by the Executive Work Group, the Sediment Table, and Appendices, specifically Appendix C showing the visual representation of the “New Concepts.”
- G. Committee members were asked to provide comments by November 3. Tessa will resend the share file link.

6. Review of Action Items and Next Steps

- A. All: Proviso Report comments due Nov. 3, 2016
- B. All: Year-In-Review Meeting: Dec. 16, 2016, 9:30 a.m. at 1500 Jefferson Street

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

**Documentation from Executive Work Group meetings
to support Phase 1**

FINAL



CAPITOL LAKE EXECUTIVE WORK GROUP

*Jefferson Building
First Floor Presentation Room
1500 Jefferson Street
Olympia, Washington 98504*

Meeting Minutes January 29, 2016

(Approved: March 25, 2016)

GOVERNMENT MEMBERS PRESENT:

Cathy Wolfe, Thurston County
Pete Kmet, City of Tumwater
Cheryl Selby, City of Olympia
Jeff Dickison, Squaxin Island Tribe
Bill McGregor, Port of Olympia

DES STAFF MEMBERS PRESENT:

Chris Liu, Director
Bob Covington, Deputy Director
Carrie Martin, Asset Manager

OTHERS PRESENT:

Sally Toteff, Department of Ecology
Sue Patnude, DERT
Greg Schundler, Citizen
Denis Curry, CLIPA
Stewart Gloyd, Citizen
Myra Downing, Citizen
Tom Gow, Puget Sound Meeting Services
Holly Gadbow, Citizen
Jim Wilcox, Citizen
Bob Jacobs, Heritage Park Association
Jack Havens, Citizen
Michael Carra, Citizen
Ken Camp, Lt. Governor's Office
Gary Bahr, Department of Agriculture
Peter Heide, Citizen
Rich Doenges, Department of Ecology
Ben Heidgerken, Citizen
Jason Sweeney, U.S. Army Corps of Engineers
Bill Robinson, Citizen
Allen Pleus, Department of Fish & Wildlife
Martin McCallum, Citizen
Darrell Hoppe, Olympia Planning Commission
Robert Jensen, DERT

ABSENT:

Karen Fraser, Senate
Neil McClanahan, City of Tumwater

Robert Sands, Citizen
Nouk Leap, DES
Perry Lund, Department of Ecology
Carl Nelson, Citizen
Allen Miller, CLIPA
Kay Cooper, Citizen
Rose Hong, DES
Ben Dennis, Instream
Helen Wheatley, Citizen
E.J. Zita, Port of Olympia
Gary Larson, Citizen
Gary Cooper, Citizen
Jen Masterson, OFM
Marshall Oatman, Citizen
Alex Callender, Department of Ecology
Daniel Einstein, DERT
Ken Spiller, Citizen
Stuart Reed, Citizen
Dick Binns, Citizen
Colleen Cary, Citizen
Matt Miskovic, DES
Steve Trapp, DERT
Andy Hobbs, The Olympian

Michael Saunders, Citizen
Matt Barrett, USACE
Bob Holman, Citizen
Dave Peeler, DERT
Bob Barnes, SPSSEG
Roberta Woods, Citizen
J. Beekmann, Olympia Yacht Club
David Bremer, Congressman Denny Heck's Office
Steve Shanewise, Citizen
Kristin Swenddal, Department of Natural Resources
Joe Downing, Port of Olympia
Tim Young, Citizen
Andrea Smith, Representative Chris Reykdal's Office
John Rosenberg, DERT
Lydia Wagner, Department of Ecology
Derek Gourdriaan, Citizen
Howard Hegwer, Citizen
Jerilyn Wallay, South Puget Sound Salmon
Enhancement Group
Curt Hart, DES

Rosemary Gilman, Citizen
Kathleen Downey, Citizen
Zena Hartung, DERT
Bill Helbig, Port of Olympia
Chris Conklin, WDFW
Dick Stamey, Citizen
Lawrence Holt, Citizen
Bob VanSchoorl, Citizen
Dan Smith, City of Tumwater
Jeff Parsons, Puget Sound Partnership
Andy Haub, City of Olympia
Lisa Dennis-Perez, LOTT Clean Water Alliance
Bob Wubbena, CLIPA
Scott Steltzner, Squaxin Island Tribe
Rachel Newman, Citizen
Anne Van Sweringen, BHAS
Emmett O'Connell, Northwest Indian Fisheries
Commission
Paul Dziedzic, Meeting Facilitator

Welcome and Introductions

Chris Liu, Director, Department of Enterprise Services (DES), called the meeting to order at 9:37 a.m. He welcomed everyone and thanked everyone for participating in the initial kick-off meeting for the long-term management of Capitol Lake.

Members in attendance provided self-introduction.

Director Liu thanked state and federal representatives for attending the meeting. He recognized individuals representing the U.S. Army Corps of Engineers, Washington State Department of Ecology, Washington State Department of Fish and Wildlife, Washington Department of Natural Resources, the landowner of Capitol Lake, former City of Olympia Mayors Bob Jacobs and Holly Gadbow, Thurston County Commissioner Bud Blake, Port of Olympia Commissioners Joe Downing and E.J. Zita, and David Bremer representing Congressman Denny Heck's Office. Senator Karen Fraser was unable to attend because of activities in the Legislature.

Opening Remarks

Director Liu recognized Senator Karen Fraser for her efforts to pursue a successful budget proviso for initiating the planning process for Capitol Lake.

Explanation of Proviso, Process and Expectations

Director Liu reported DES is responsible for the long-term management and care of Capitol Campus to include Capitol Lake. Approximately 260 acres of the lake are included within the grounds of Capitol Campus. The lake is a popular destination for the local and regional community. Current issues surrounding the lake include poor water quality and the presence of invasive species.

In December 2014, the Ruckelshaus Center completed a situation assessment of Capitol Lake confirming the community was evenly divided on the long-term management of Capitol Lake, either as an estuary or

maintaining the basin as a lake. The assessment recommended a collaborative process to bring together local and tribal governments who all have a stake in how the lake is managed. DES also needs to know from governmental partners their respective interest in pursuing a solution. The Capitol Lake Adaptive Management Plan (CLAMP) process ended in 2009. That effort produced a substantial amount of data. This effort would build on the information CLAMP completed and identify gaps the previous process did not address.

Future work is outlined in the budget proviso adopted by the Legislature in 2015. The Ruckleshaus assessment recommended a collaborative process with executive leaders channeling public input. State lawmakers directed DES through the proviso to conduct a proactive approach through public engagement to evaluate options. The proviso included four major provisions:

1. Identify a shared governance structure for Capitol Lake management;
2. Identify a sustainable and politically feasible cost-share model that includes a mixture of private, local, state, and federal funds;
3. Develop a plan to manage existing sediment in the lake, as well as sediments carried downstream by the Deschutes River and deposited into the lake each year; and
4. Identification of feasible lake management alternatives, including hybrid approaches that might work.

Other provisions include summarizing the best available science, identifying the range of public support or concerns about each of the options that might be considered, and identify general cost estimates for each option.

A successful process considers available information and defines elements that were not previously analyzed. It could entail an Environmental Impact Statement (EIS) process, a review of each alternative measured against defined criteria, and a determination on the best way to move forward together. This process would not entail a vote on a decision, but it would include working together to develop the best outcome for the community.

Important to the success are several principles:

- Listen to each other around the table.
- Assume a positive intent for anything that is considered on the table.
- Work to meet each other's needs for this resource.

The first meeting is intended to launch the process to work together to achieve the objectives outlined in the proviso for the management of Capitol Lake. It's important to share and listen to thoughts on how to organize and operate for success. Moving forward, the group will consider the framework (copy provided) developed for a collaborative process.

DES is neutral regarding the long-term management decision for the lake. The legislative appropriation provided DES with funding for a facilitator and consultant assistance as needed. DES will provide regular updates on the status of the effort to the State Capitol Committee, Capitol Campus Design Advisory Committee, Office of Financial Management, and the Legislature. DES will also submit a report to state lawmakers by January 1, 2017 summarizing the efforts.

The work group will need to understand what's important to each government partner and respective constituencies. This is critical to work together in a cooperative and collaborative manner. It's also important to have an agreement on the work group's role in listening to each other, being open to all ideas, electing co-leads to assist with meeting organization, and providing direction to the technical work groups. There may be gaps that the technical work groups may not have time or resources to address. It will be important to identify those gaps. For areas that require completion, it's important to ensure that sufficient work has been completed to lay the groundwork and to provide an understanding on what's needed in the future to conclude the effort.

Commissioner Cathy Wolfe arrived at the meeting.

Comments from Government Leaders

Director Liu introduced Paul Dziedzic, meeting facilitator.

Mr. Dziedzic invited questions on the proposed process and comments on the importance of the resource to each member and their respective constituents. He asked members to confirm their willingness to participate in the process for the next year, outlined several options for moving forward, and invited comments.

Port Commissioner McGregor requested the identification of some acronyms for several stakeholder organizations. Manager Martin identified several of the acronyms:

- DAHP = Department of Archeology and Historic Preservation
- PSP = Puget Sound Partnership
- RCO = Recreation and Conservation Office
- AG = Department of Agriculture
- LOTT = LOTT Clean Water Alliance
- CLIPA = Capitol Lake Improvement and Protection Association
- DERT = Deschutes Estuary Restoration Team

Director Liu noted there might be other stakeholder groups not currently listed. Those groups are not excluded and are welcome to join the process.

Mayor Selby asked whether the proceedings are being filmed. Manager Martin said the filming is to provide a live feed to another meeting room in the event an overflow area would be required. The group will discuss whether meetings should be filmed moving forward.

Commissioner McGregor noted the majority of the population resides in Lacey, Olympia, and Tumwater. He questioned why the City of Lacey was not included as a member of the work group. Director Liu replied that the City of Lacey was not purposely excluded. If members concur, the City of Lacey could be included.

Mayor Kmet agreed the City of Lacey should be included as the City is a member of LOTT Clean Water Alliance (LOTT).

Commissioner Wolfe agreed because the effort is a regional approach and the City of Lacey should be included. Mayor Selby concurred.

Mr. Dickson indicated he had no comments.

Mr. Dziejdzic queried members on whether there's consensus to include the City of Lacey as a participant.

Mr. Dickson noted that the characterization of that decision could have an effect on other jurisdictions and it could be interpreted widely to extend beyond the City of Lacey. The issue is where membership should end.

Mayor Selby questioned whether the City of Lacey would be assessed if a funding determination includes local jurisdictions. Mr. Dickson said the reference to the LOTT is an acknowledgment that LOTT is a participant and Lacey could be as well.

Commissioner Wolfe said her comments reflected only the boundary of Thurston County and not beyond the jurisdiction of Thurston County.

Mayor Kmet supported the inclusion of Lacey as the three jurisdictions in north Thurston County work jointly with Thurston County and the Port. Additionally, the three jurisdictions and Thurston County comprise the LOTT Board of Directors and LOTT is the major discharger into Budd Inlet. South county jurisdictions are not as closely affiliated with lower Budd Inlet.

Commissioner Wolfe offered another consideration of including Joint Base Lewis McChord because of recent efforts to integrate the base within the community. Many military retirees will live in Thurston County.

Commissioner McGregor agreed The City of Lacey should be included because of the population base, as well as being a member of LOTT.

Mr. Dziejdzic said it appears there is a sentiment to include the City of Lacey.

Director Liu urged members to consider the effectiveness of the process. Establishing too large of a group creates difficulties in scheduling meetings. It is however, important to have the right representatives at the table.

Several members preferred forwarding an invitation to JBLM to join as one of the interested stakeholder organizations.

Mr. Dziejdzic asked Mr. Dickson for feedback on the distinction of including the City of Lacey. Mr. Dickson declined to comment.

Mr. Dziejdzic said it appears there is agreement and no objection to invite the City of Lacey to participate while extending an invitation to JBLM to join other organizations identified as interested stakeholders.

Mr. Dziejdzic referred to the choices for articulating success. One way of viewing success is the DES report based on the work completed by the work group. Another choice is to consider the process as a way to set the stage for preparation of an EIS that moves to a decision and action. That would build on

previous work completed and it would evaluate issues and ideas. It would also assist DES in moving forward on a decision and action as opposed to a report to the Legislature.

Director Liu added that the technical work is the issue to address in moving forward. The proviso outlines all the work that should be completed; however, it might be beneficial to step back and consider the concept of what the outcome of the process is attempting to achieve. This could be viewed as a problem or an opportunity that needs to be solved. Capitol Lake is a resource located within the middle of the community. The issue is how best to utilize the resource regardless of the management decision. The question is what the best decision is for the community. There has been much conjecture that the state should make a decision and move forward. However, that concept deserves some pushback as the group is at the behest of the community and should be doing what the community wants. Each member represents the community. It's important to move forward knowing what the community interests are. DES and the state are not set on any particular direction but want to ensure the process is a cooperative solution that satisfies the needs of the community while serving the community in the future as well. It's important for participants to search for cooperative methods of resolution. It's also important to recognize that some decisions will not solve everyone's concerns. However, it's possible to cover many concerns. There is no pre-ordained outcome. DES is ready and willing to listen to the community and to the participants as it works to develop a solution that fits the community now and in the future.

Mr. Dziejdzic invited comments from participants.

Commissioner McGregor commented that it's important for him to represent the three-member Commission. The cities and county are also in the same position, and any decision would need to be reviewed by the member's respective agency for discussion. Any decision he renders would be a consolidated decision by the entire Port Commission and not as a single Commissioner.

Mr. Dziejdzic noted that there might be instances during the process when members might be asked to provide feedback on different options that might be viable for shared funding or governance. The process might not entail specific decisions.

Manager Martin described the EIS process. When projects are initiated, an EIS is one of the permitting and regulatory requirements, which includes identifying options that are measured against different criteria, such as economic impact, fish habitat, recreational use, or environmental impacts to the water body. A decision on long-term management, managed lake, hybrid or restored estuary, would require an EIS. The EIS is the formal requirement to assess impacts of any proposed action.

Sally, Toteff, Regional Director, SW Region, Department of Ecology, explained that an EIS for this process would follow the State Environmental Policy Act (SEPA). SEPA includes clear rules on how impacts are evaluated for any local or state proposed project. Not all decisions are related to an EIS but are often related to a streamlined process of a Determination of Non-significance (DNS) whereby project impacts have been determined to be non-significant. SEPA was adopted in 1970 by the Washington State Legislature establishing the first step prior to a project receiving permits. The process assesses impacts to the natural and built environment, emphasizes community involvement, and provides an opportunity for the community to provide feedback to the agency that is overseeing the process of evaluation.

Mayor Kmet commented on the numerous prior studies and committees for Capitol Lake and should the group move a project forward, the process would have to complete an EIS regardless of the decision. He

questioned whether the effort should feed into an EIS process. It's an issue the technical work groups should explore in terms of how to utilize this process to help position the state and stakeholders for some kind of EIS process. Otherwise, it could only entail completion of just one more study. He suggested natural resource agencies should provide some guidance as to how the work group's efforts could feed into an EIS process. He indicated a desire for a better understanding of the group's options.

Mr. Dziedzic reviewed the suggestion as to how the group's work might move toward an EIS process, as well as identifying the resources required to complete an EIS and available resources from DES.

Mr. Dziedzic asked for input from members on the importance of Capitol Lake to constituencies and what the process represents in terms of future actions for future management of the lake.

Mayor Kmet remarked that the Deschutes River, Capitol Lake, and lower Budd Inlet are an important part of the Tumwater community. A large part of Tumwater drains into the watershed through the river or Percival Creek. He is concerned about continuing violations of water quality that are occurring in the lake and Budd Inlet and what those economic consequences are to the communities. It is hoped that the group could agree on a solution that addresses those issues. Tumwater also has a fish capture facility scheduled for an upgrade by the Department of Fish and Wildlife (WDFW) in conjunction with the Squaxin Island Tribe. It's important the facility provides the ability to capture and raise fish to fulfill the state's fisheries obligations under its treaties. The solution should keep the hatchery a viable, long-term operation. There are many other issues surrounding recreational concerns and lack of access to the lake. Many people would like to kayak up to the brewery, as many have done so in the historic past. Those options are not available with the lake closed because of invasive species. A number of issues directly impact Tumwater. The discussion on the lake has occurred for many years and it's time to move forward.

Commissioner Wolfe said the County Board of Commissioners agree with Mayor Kmet's concerns surrounding water quality and restoration of habitat for wildlife and fish. However, the community is divided with half wanting to maintain a lake and the other half wanting to convert the lake to an estuary. There is no one solid position. She agreed action must occur from the work group, as she was a member of the previous committee. She supports focusing on hybrid alternatives rather than reinventing the wheel with the lake vs. estuary debate. Officially, the former interest by the majority of the Board of County Commissioners was to convert the lake to an estuary; however, she opposed that choice, as she preferred to maintain a lake. The current Commission has not had an opportunity to discuss the issue and she's unsure as to the county's position today. She also wants to avoid repeating prior work. She plans to participate in the process with the hope that some actions will lead to an outcome.

Mayor Selby acknowledged that the City supports the process. The current City Council has not studied or taken a position on the state's plan for Capitol Lake even though it has been discussed endlessly for many years by City policymakers and staff. In the past, some Councilmembers leaned toward certain principles that she believes are still valid today to include the City not wanting the lake to become a battle in the community that results in winners and losers. The City is anxious to participate in a process that allows all issues not only to be heard, but also addressed by whatever the decision the state makes. To do so, the state would create both the authority and the necessary funding to implement a dual basin, an estuary, or a dredged lake. Having a community slugfest over lake versus estuary is pointless unless there is a mechanism and money to move forward. The City believes that every idea of compromise and reconciliation should be explored to address concerns regarding sediment management, water quality, healthy fish and fish runs, aesthetics, recreational value, economic impacts, infrastructure costs, and

impacts construction would have on downtown businesses if the dam were removed. This could entail another situation where the east/west corridor was eliminated for sometime similar to the Nisqually Earthquake impacting downtown Olympia. It's also important for boating sustainability, Port of Olympia and Marine Terminal impacts, bat populations, and upper Deschutes nutrient-loading. While science is important to this work, no new science or technical studies would magically resolve the issue and convince everyone that a lake or an estuary is the right solution. Dueling science only divides public opinion rather than creating a basis for reasonable consensus. Every effort should be expended to ensure that the process does not become a brother against brother or sister against sister civil war. The City is hopeful all parties will come to the table in good faith with an interest in compromise and problem-solving to move this important issue forward. Mayor Selby added that she is not a scientist but she does have the technical consulting wisdom of Andy Haub with the City. She is a business owner and hopes to represent a voice that is not always present at the discussions at this level from the private sector. In terms of keeping boards and councils apprised, she supports filming the meetings, as well as staff support for check-in points during Council study sessions at certain leverage points.

Commissioner McGregor shared that during the Commission's discussion on sending a representative to represent the Port as a member of the work group, he was recommended as the Commissioner to attend because of his prior involvement in CLAMP. However, he reassured Commissioners that he would attend with an open mind as the decision must represent a win-win for everyone. Collaboration between the entities would likely result in a collective decision. The outcome could be a hybrid solution. The silting issue is of great importance not only to the Port, but also to marine businesses located on the north side of the dam. Filming the meetings is important for those individuals unable to attend. He agreed a work session of the Port Commission would be a good way to update the Commission on the directions and results of each monthly meeting. It's important for all citizens to have the ability to watch the meetings.

Mr. Dickison expressed appreciation for members attending on behalf of the Tribal Council as the Council is fully committed to the process. The Council views the process as another important step in government-to-government relations, which is important to the Council. In terms of decision-making, Mr. Dickison said he is not one of the decision-makers and would be providing regular updates to the Tribal Council, as he has done over the last 30 years. As a scientist, he hopes to contribute that experience to bear in the process. Some might ask how the tribe can participate in an open process committed to a fair outcome when its position is remarkably clear and well documented. While that aspect may be true, the values supported by nearly everyone such as recreation, water quality, economics are all issues of importance that the group will work on together to achieve an outcome. There are many specifics envisioned in the process that the group needs to work on and determine. Clearly, sedimentation is a process that is ongoing with the river always transporting sediments down the valley and into the estuary. It's important to develop the best means to manage sediments in a practical way in an urban environment. He asked members not to assume that the Tribe's position for restoration would automatically mean turning back the clock 150-200 years. Everyone lives in the present day and understands outcomes. The Tribe is committed to working within the process to try to achieve some genuine workable outcomes.

Director Liu thanked members for their comments as it demonstrates that everyone supports the effort and has concerns. It underlines the importance of addressing all issues in a cooperative manner. Looking to the future it's possible to work together on the issues. DES will help facilitate the conversation, is receptive in considering all the issues, and will provide resourcing as provided within the proviso. Satisfying the proviso would demonstrate to everyone that the participants are working

together on a forward path to address all concerns acknowledging that the history of past processes will not haunt this process in the future. The Governor and congressional delegations are very interested in the issue surrounding Capitol Lake. DES is committed to facilitating an open and fair process for all participants to include the community. Members represent the best outcome of today's meeting by making a commitment to participate.

Mr. Dziejdzic reviewed a few questions to receive guidance from members. Many are process questions and to help scope the group's work within the budget proviso. Basic questions surround the operation of the work group in terms of recording the meetings, posting minutes, forms for public input, meeting schedule, and assigning co-leads to assist in guiding the group and working on issues between meetings.

Commissioner Wolfe and Mayor Selby commented that the size of the group wouldn't necessarily warrant the need for co-leads. They recommended deferring the co-lead discussion.

How Do We Move Forward?

Mr. Dziejdzic outlined two options for moving forward:

- Option 1 – Scope out work on each of the proviso issues, give charge to Technical Committee, and discuss how the work group will address shared governance and cost-sharing.
- Option 2 – The Technical Committee meets prior to the next meeting to scope work related to the resource and use the next meeting in February to receive and react to the suggested plan and discuss the plan to address other issues (shared governance & cost-sharing).

Mayor Selby favored Option 2, as Option 1 would delay efforts until March.

Mayor Kmet recommended using the Technical Committee as a resource and guide for the work group to provide information and help position the group for meetings. At some point in the process, it would be helpful for staff or the Technical Committee to highlight the scope and outcome of the studies completed to date to afford a common foundation on all the completed studies.

Manager Martin advised that DES has all the studies compiled and summarization of the information is included as an item for the Technical Committee to pursue through an information review. A summarization of the studies is possible.

Mr. Dziejdzic said the addition would amend Option 2 in terms of sharing information on where the process has been and how the group will use the year to prepare for the potential of an EIS.

Mayor Selby asked about other studies completed by other scientists outside the state that could be included as well.

Director Liu recommended providing a clear delineation between previous studies and potential new information. It's likely a request to 20 scientists to weigh in on the issue would result in 20 different opinions. Some of those issues will be debated as the effort continues. He would prefer not presenting independent studies regardless of whether the studies have been vetted or not vetted. Past studies in possession by DES represent the history of culminated studies and could be clearly summarized. He recommended beginning at that point first.

Commissioner Wolfe supported the direction as proposed but cautioned that the process should not be staff-driven and that the work is completed by participants. She wants to avoid being locked into past positions. Even though, she has favored the lake option in the past, she is participating with an open mind.

Mr. Dickison supported the concepts in Option 2; although his opinion differs somewhat in that Option 1 appears to be too restrictive to the proviso issues. It's important that the group approach the work with a broad perspective that the proviso could be treated as a minimum standard, but that the group should be prepared to embrace other issues as the process proceeds, which might be more important than some of the elements contained in the proviso.

Commissioner McGregor said he's comfortable with Option 2. However, some elements in the proviso are technically driven, which may entail the Technical Committee working on those elements. He questioned the available resources for the Technical Committee. Mr. Dziedzic said the proposal doesn't entail the Technical Committee reporting on its work and rendering any recommendations about the substantive elements. Rather, the committee would present recommendations on its plan for the next year, such as identifying what should be addressed. The group would have the opportunity to review, react, and provide direction on the work plan for resource-based questions. The Technical Committee would not work on recommendations on the questions but rather how to be productive during the course of the year to position the group in front-loading or moving to an EIS.

Mayor Kmet pointed out that the technical resources would not be addressing governance or cost-sharing. Mr. Dziedzic agreed those are separate elements. Mayor Kmet said it is also likely legal support would be required for those elements. Mr. Dziedzic said the Technical Committee would focus on resource-related questions and not governance and cost-sharing. The suggestion is including some time at the February meeting for the first discussion on what it would entail to consider those questions and how should they be organized if the decision is to move forward with the Technical Committee. It would entail an entry-level process for sharing thoughts and then moving forward. It's important to frontload the resource discussion and identify a game plan for moving forward.

Director Liu pointed out that the work plan would be approved by the work group in terms of how the work group moves forward.

Mr. Dziedzic asked whether members are clear about the membership of the Technical Committee.

Commissioner Wolfe said she's unsure of the staff member assigned from the county. Mayor Kmet reported that the City assigned one staff member to the Technical Committee.

Mr. Dziedzic referred to the draft meeting schedule. He suggested scheduling a two-hour meeting in February to accommodate time to receive a report on the resource work plan. He asked members to provide feedback to Manager Martin on meeting dates and duration to review an adjusted meeting schedule at the February meeting.

Director Liu and Commissioner McGregor agreed a two-hour meeting in February is warranted.

Mr. Dziedzic said the work group previously requested deferring the identity of co-leads. Essentially, deferring that decision would entail communications to each member on some of the preparation meeting questions individually.

In terms of informing the public of the group's work, options include posting meeting notes, recording meetings, posting video of meetings on the website, or live streaming. Some members expressed a preference for the meetings to be filmed.

Commissioner McGregor supported some form of filming for the public to ensure the public is informed and to avoid any misconceptions. It's important for the meetings to be transparent. Mayor Kmet commented on the quality of the film and questioned whether the meeting venue would be conducive for filming.

Members agreed to film and post the video on the website rather than live streaming. Director Liu noted that DES IT staff would be consulted for technical guidance.

Discussion ensued on ensuring microphones or some other form of amplification is available so members of the public in attendance can hear the discussion.

Members supported preparation of meeting minutes with a detailed summary of conversations. Members agreed to be responsible for approving the minutes of the prior meeting at the beginning of each meeting.

Discussion ensued on the form of public input during meetings.

Commissioner McGregor asked for an example of a public input process used by another jurisdiction. Director Liu replied that at the end of each meeting, the agenda included an opportunity for public input. Mr. Dziejdzic described the process in the Skagit example, as the public comment period was substantial in many cases. Director Liu offered that constituents could also have the opportunity to provide feedback to their respective councils and boards during public comment opportunities.

Mr. Dziejdzic emphasized the importance of the group to be clear on its process and consider how to involve the public as opposed to receiving input separately. The work plan by the Technical Committee will outline the work plan providing the group with an opportunity to consider how to include public input. He offered to consult with members prior to the next meeting to establish a public input process while the group considers how it will complete its work over the next year.

Mayor Selby noted that the community is adept and engaged. The City is currently working with a consultant on the Downtown Strategy Plan. That planning effort affords different leverage points, when the process reaches out to the community affording opportunities for community feedback. She preferred deferring the public input process until the work group has reviewed its work plan and calendar to consider some leverage points to receive public comment.

Mr. Dziejdzic asked for feedback on whether to include a public comment period at the end of each meeting.

Mr. Dickison reiterated the Tribe's participation in the process to further government-to-government relations. The Tribe encourages all members to engage their respective constituents. However, the group's time would be better spent on its discussion.

Mayor Selby preferred to consider the issue when the work group has a calendar. Other members concurred with the approach.

Commissioner McGregor asked whether information would be provided to the public on how citizens could provide written communications. Director Liu affirmed that DES would coordinate and establish information for distribution and receipt of information.

DES Communications Director Curt Hart affirmed that staff would coordinate the filming, meeting room amplification, and public information process.

Commissioner Wolfe agreed with Mr. Dickison's comments in terms of the work group's limited time but also believes it's important to provide an opportunity for public comment. At some point, the work group needs to hear from the public.

Mr. Dziejdzic affirmed the focus at the February meeting would be on organizing the work plan and determining steps necessary to complete the work. The work group will identify points in the process for engaging feedback from the community. The February 26 meeting will be extended to two hours.

Adjournment

With there being no further business, the meeting was adjourned at 11:04 a.m.

Prepared by Valerie L. Gow, Recording Secretary/President
Puget Sound Meeting Services, psmsoly@earthlink.net



CAPITOL LAKE EXECUTIVE WORK GROUP

*Jefferson Building
First Floor Presentation Room
1500 Jefferson Street
Olympia, Washington 98504*

February 26, 2016
9:30 a.m.

(Approved: April 22, 2016)

JURISDICTIONAL MEMBERS PRESENT:

Cathy Wolfe, Thurston County
Pete Kmet, City of Tumwater
Cheryl Selby, City of Olympia
Jeff Dickison, Squaxin Island Tribe
Bill McGregor, Port of Olympia

DES STAFF MEMBERS PRESENT:

Chris Liu, Director
Bob Covington, Deputy Director
Carrie Martin, Asset Manager

OTHERS PRESENT:

Sally Toteff, Department of Ecology
Sue Patnude, DERT
Denis Curry, CLIPA
Valerie Gow, Puget Sound Meeting Services
Gary Bahr, Department of Agriculture
Peter Heide, Citizen
Bob Jacobs, Heritage Park Association
Martin McCallum, Citizen
Dave Peeler, DERT
Bob Barnes, SPSSEG
Steve Shanewise, Citizen
Lydia Wagner, Department of Ecology
Dan Smith, City of Tumwater
Robin Campbell, Thurston County
Dennis Burke, Citizen
Jerilyn Wallay, South Puget Sound Salmon
Enhancement Group

MEMBERS ABSENT:

Neil McClanahan, City of Tumwater

Paul Dziedzic, Meeting Facilitator

Doug Drees, Citizen
Nouk Leap, DES
Rose Hong, DES
E.J. Zita, Port of Olympia
Daniel Einstein, DERT
Steve Trapp, DERT
Bill Helbig, Port of Olympia
Chris Conklin, WDFW
Jeff Parsons, Puget Sound Partnership
Andy Haub, City of Olympia
Bob Wubbena, CLIPA
Scott Steltzner, Squaxin Island Tribe
Ann Sweeny, DES
John DeMeyer, CLIPA/Olympia Yacht Club
Maurice Perigo, Legislative Support Services
Lisa Dennis-Perez, LOTT Clean Water Alliance

Welcome and Introductions

Chris Liu, Director, Department of Enterprise Services (DES), called the meeting to order at 9:36 a.m. He welcomed everyone to the meeting.

Director Liu reviewed the meeting agenda. An open house is scheduled on March 9, from 4:30 p.m. to 6:30 p.m. to receive public comment on the proposed workplan for the year. At the March 25 meeting, the work group will receive a presentation on the Environmental Impact Statement (EIS) process and the permitting process.

Members in attendance provided self-introduction.

Paul Dziedzic, Facilitator, referred members to their workbook of materials requested at the last meeting on information and studies completed in prior planning processes. Staff will provide an overview of the materials.

Status of City of Lacey Participation

Director Liu reported on the outcome of the invitation to the City of Lacey to participate in the process. City of Lacey officials have advised that at this time, the City prefers to defer participation.

Approval of January 29, 2016 Meeting Minutes

Mr. Dziedzic recommended members submit any proposed changes to the meeting minutes of the January 29 meeting.

Approval of the minutes was deferred to the March meeting.

Overview of Background Information for Work Group

Carrie Martin, Asset Manager, reported the work group previously requested the Technical Advisory Committee (TAC) highlight previous studies to provide a common foundation for the workgroup's future work. Much of the previous Capitol Lake Adaptive Management Plan (CLAMP) Steering Committee's work included many summary facts sheets of various studies and reports completed during its process. Staff compiled the fact sheets, as well as other information supporting the provisions within the proviso.

Members of the TAC also provided some updates on new conditions and information relevant to management. She thanked TAC members and staff members from jurisdictions and agencies for assisting in the effort.

Ms. Martin reviewed the workbook contents:

- Table of Contents
- Fact sheets on work completed on plan reports completed by the CLAMP process:
 - Synopsis on the creation of the lake
 - CLAMP 10-Year Plan
 - Sheets summarizing the Deschutes Estuary Feasibility Study
 - Summary information from various reports
 - Three documents pertaining to the alternatives analysis fact sheets, as well as a description of the alternatives of the managed lake, estuary, dual basin, and Status Quo Lake.
- Hybrid Options
 - Analysis information for the dual basin to include information on the barrier for the reflecting pool
 - Engineering and Design Report includes more detail on the reflecting pool barrier
 - Several technical exhibits of the dual basin alternative

- Funding & Cost Sharing
 - 2013 Permitting Analysis – information on funding strategies and partnership opportunities (federal funds and grants, etc.)
- Sediment
 - CLAMP Report on Hydro-dynamics and Sediment Transport Modeling
 - Updated Bathymetric Survey Report June 2013
- Governance
- Flood Mitigation
 - City of Olympia letter on the City’s ongoing work evaluating flooding and impacts of sea level rise
 - CLAMP Alternative Analysis on downtown flood risk and how each alternative might impact the risk
- EIS/Permitting Section
 - Floyd|Snider permitting analysis – specific to a maintenance dredge
- New Information
 - High level summary of Puget Sound Nearshore Ecosystem Restoration Project for the Deschutes River Estuary, 2012
 - Floyd|Snider report on data gaps since completion of CLAMP reports, i.e. New Zealand Mud Snails and dredge material characterization
 - Department of Fish and Wildlife New Zealand Mud Snail Statewide Action Summary

Ms. Martin advised that staff would continue to add more information. Currently, the Department of Ecology is working on the Total Daily Maximum Load Study (TMDL), which will be new information, as well as more updated information on the status of Capitol Lake efforts to eradicate the New Zealand Mud Snail. Additionally, the Army Corps of Engineers offered to provide a presentation on its permitting authorities and how it might affect a future project.

Commissioner Wolfe asked about the status of other reports completed by independent parties, such as CLIPA and DERT. Ms. Martin replied that the information would be analyzed during the work group’s review of alternatives and hybrid options.

Mayor Kmet thanked staff for providing the consolidated information. It’s likely the work group would prefer to have some presentations on many of the reports to help members understand the analysis.

Members requested an additional copy of the workbook for their respective organizations.

Ms. Martin noted that all reports are also available on the DES website.

Discussion of Draft Work Plan

Director Liu presented two draft working plans for review. The first plan includes the work plan phases from 2016 through 2020. The second covers the phase from January through December 2016. Phase 1 includes approximately a 10-month period while Phases 2 and 3 are longer in duration. Staff also provided a legislative proviso outline of the five major sections of the proviso to assist members identify the linkage between the work plan and the budget proviso. For each section in the proviso, DES will schedule a public meeting and input session. The first public meeting on March 9 at the Jefferson Building will focus on soliciting comments from the public on how best to engage the public throughout the work group process.

Director Liu noted that the work plan is dynamic and will change as information is discovered, discussed, and validated. Technical teams, consultants, researchers, and others may make recommendations to assist in success during the first phase and set the pace for success in subsequent phases. The goal is to successfully complete Phase 1 and satisfy the requirements of the budget proviso to ready the process for Phase 2 of the plan (funding and EIS). Each portion of the work plan is intended to include public input. After receiving public feedback on the best way to receive public input, the work group will use the input to develop a robust public process moving forward. Director Liu noted that members would need to consider the best process that is the most inclusive while accommodating any changes to ensure the process engages the public. After conclusion of the open house, staff will collect and document all feedback.

The five sections of the work plan correspond to the five sections within the budget proviso. The first section is to identify and summarize the findings of the best available science concerning water quality and habitat as they relate to conceptual options of retaining or removing the dam. Since the CLAMP's last report in 2009, new scientific information became available from natural resource agencies on the subject. Additionally, many interested parties want other new information considered. There is a need to identify new scientific information and a process for vetting the information using a scientific process with emphasis on water quality and habitat. The following process is envisioned to accomplish these objectives:

- A. Identify and summarize the previously available science concerning water quality and habitat as a result of retaining or removing the dam.
- B. Identify new scientific information concerning water quality and habitat as a result of retaining or removing the dam since CLAMP's 2009 report.
- C. Provide an opportunity for developers of that information to present the information.
- D. Develop criteria and process for vetting new scientific information, which would involve identifying state and nationally accepted criteria and methods for evaluating scientific information and selecting appropriate criteria and methods to be accomplished.
- E. Organize current and new scientific information and identify gaps in the information that should be completed and the work needed to fill the gaps.

Mayor Selby asked about the commitment of the TAC, as members have other full-time commitments. Director Liu replied that after the Legislature approves the funding appropriation for the work group, DES would contract with a consultant to assist in organizing, obtaining, and categorizing the information available at this time. TAC will examine the reports and studies and provide guidance to the work group in terms of additional work and the mechanisms of the vetting process. TAC is not anticipated or expected to complete all the administrative work except the TAC will review the work completed to date that the work group will review.

Commissioner Wolfe commented that county staff resources are limited. Assignment of a staff member to the TAC without the administrative component would essentially equate to another full-time commitment. The county lacks the necessary resources for assignment of a staff member to the TAC.

Commissioner McGregor echoed similar concerns given the Port's list of capital projects. The problem is common to all agencies and jurisdictions as many are short-staffed and lack budgeting resources. Assigning resources from departments that currently lack resources will be problematic creating financial hardships to agencies and jurisdictions, as well as impacting the workloads of staff members. Director Liu acknowledged both the concerns and how the process is supported by limited resources.

Mayor Kmet added that another issue is the lack of a budget appropriation for funding the process. He asked about the current funding status. Director Liu advised that based on current information, an amendment was proposed to the Senate budget for funding of the original amount that was appropriated in the budget proviso. No companion amendment from the House has been offered at this time. DES is advocating to the Legislature the importance of the work to the community. If funding is not appropriated, the process would be unable to move forward; however, DES will continue with the planning until the session ends on March 10. The budget proviso provided for an appropriation to expend the money without actually providing the funding authority to DES, which occurs in another element of the budget process. A line item budget approval is necessary to provide DES with the authority to expend the appropriation. During the last legislative session, DES received authorization to spend the money; however, no funding was provided. DES believes there is work necessary to help prepare for the planning when funding approval is received. Delaying activity until March 10 would impact the year-end schedule.

Mayor Kmet recommended members should consider signing a joint letter to legislators asking for support and reinforcing the Senate's action. All jurisdictions are lacking in resources, and particularly for the technical elements, it's important to have the availability of a consultant to help consolidate the information.

Mayor Selby encouraged members of the public to consider sending a letter to the Legislature. She identified Ann Larson, Legislative Liaison, DES, as the contact person for citizens.

Commissioner McGregor agreed with the recommendation to ensure funding is received to move forward on the planning effort.

Mayor Kmet asked whether there is an expectation that the report to the Legislature would include a summary of the scientific information. Director Liu replied although the budget proviso doesn't request a decision, it does request the process to identify the science moving forward to the EIS process in terms of the different alternatives to consider in the EIS and that the information is provided and organized for each of the alternatives.

Mr. Dziejczak added that provisions C and D in the budget proviso could be interpreted as the vetting criteria and the information that should be included in the report as products. Mayor Kmet conceded that the proviso includes "identify and summarize" current and new scientific information, which includes identifying gaps.

Director Liu reviewed the second element in the proviso to identify multiple hybrid options. A variety of options could run from an estuary to lake and back. The proviso asks for identification and evaluation of hybrid options for substantially improving fish and wildlife habitat, ecosystem functions, maintaining a historic reflecting pool, and adaptive management strategies. The proviso also directs identifying a general estimate of the costs of construction, maintenance costs, and public support for the options. To meet the directive the following process is recommended:

- A. Identify the hybrid options.
- B. Identify the list of options consistent with the language of the budget proviso that would be evaluated in the EIS process.
- C. Identify data gaps to vet the options via the EIS process.

Commissioner Wolfe asked whether the options include the lake, an estuary, or just the hybrid options. Director Liu said the options at this time only include the hybrid options as the lake and estuary options would be fully vetted in the EIS process. The intent is vetting gaps that may have been missed.

Mayor Kmet said many members have been approached by many citizens with a variety of options. It appears one area of public engagement is to provide the public with an opportunity to offer suggestions. He encouraged the work group to consider affording that opportunity. Additionally, it appears a step to identify the criteria for identifying the options is lacking. Mr. Dziedzic noted language in the proviso speaks to identifying hybrid options that include substantial improvement in fish and wildlife habitat and ecosystem functions, maintaining a historic reflecting pool at the north end of the lake/estuary, and adaptive management strategies. Mayor Kmet replied that there are other community values that are beyond those identified in the proviso that should be considered as part of an EIS process.

Director Liu deferred to the fifth element in the proviso, which includes a broad category of 'other'. Items not considered in the other proviso elements would be captured within that fifth element. Additionally, the City of Olympia submitted information about the potential of flooding. The budget proviso did not address flooding while everyone recognizes that it's a prime consideration for the community. The fifth element is the primary vehicle to consider other community values not identified in the budget proviso.

Mayor Kmet recommended the public process should include criteria the public believes should be evaluated as part of the process. Mr. Dziedzic suggested the fifth element could include identifying other criteria that should be considered. Mayor Kmet said that although the EIS process will ultimately result in a decision by completing environmental review, one important piece is not only identifying viable options and narrowing the list, but also considering other criteria the community identified as important to ensure a list of manageable options to evaluate in an EIS process.

Mr. Dickison said the discussion appears to be confusing two different issues as one is relative to the criteria that would be used to evaluate options in an EIS while the second is a narrower characterization of the presumption within element #2 as it moves through provisions a and b to identify a complete list of options (a) and identifying a list that would be shorter (b). Developing a list of 50 options would not necessarily mean moving forward with 50 options in the EIS. The task of narrowing the list of hybrid options is narrower in scope compared to reviewing an EIS against all options and all criteria.

Mayor Selby pointed out that within proviso element #2, identification of the range of public support for or concerns about each option is included to receive input on the public's concerns, which would also entail all options and not necessarily only those included in the proviso.

Mayor Kmet said it's important to utilize the public process to identify all options, as well as any concerns, values, and criteria that should be considered beyond the narrow set included in the proviso. To some degree, the EIS scoping process would address those considerations. Since the proviso lacks an analysis in terms of how to engage public support, it will be important for the work group to identify how to accomplish that objective.

Director Liu reviewed the third element in the proviso to identify conceptual options and degree of general support for shared funding by state, local, and federal governments and potentially other entities.

Before beginning discussion much less draw conclusions, due diligence should include reviewing current models and understanding the pros and cons of each model. The first tasks should include:

- A. Identify criteria for consideration of what a future model could be.
- B. Identify and evaluate current funding models available.
- C. Identify the gaps between current funding model and criteria for a future model.
- D. Identify options to consider.
- E. Identify how to proceed on the subject of shared financing.

Mayor Kmet commented on the importance of clarifying what shared funding entails.

Director Liu reviewed the fourth element in the proviso to identify one or more conceptual options for long-term shared governance of a future management plan, including consideration of an option similar to state lake management districts, Chapter 36.61 RCW or shellfish protection districts, Chapter 90.72 RCW. Options to pursue include:

- A. Identify and evaluate the existing models:
 - 1. Existing entities
 - 2. Statutory options to create entities (RCW 36.61 & RCW 90.72)
 - 3. Other options that could be created locally (municipal corporations, interagency agreements, memorandums of understanding, etc.)
- B. Identify positives and negatives of each model.
- C. The degree of inclusiveness of each model.
- D. Identify if and how to proceed on the subject of shared governance when moving to Phase 2.

Mayor Selby commented on the importance of discussing the nexus between shared funding and long-term governance because of the overlap between the two.

Director Liu acknowledged that the issues are related; however, for the purpose of the work plan the two elements were separated to afford an opportunity to focus the discussion on each element.

Mr. Dickison suggested within the option A.2 to include statutory options that might not currently exist but could be proposed. One example is the Nisqually River Management Council, which received statutory authorization for that specific watershed. Mr. Dziedzic affirmed the request to include new statutory options as sub-item 4.

Director Liu reviewed the fifth element in the proviso to engage in other related activities, which would contribute to reaching broad agreement on the long-term management plan. He offered some examples:

- A. Sediment mitigation is an issue identified from the CLAMP Report that was not addressed.
- B. Flooding mitigation strategies.
- C. Processes linking activities towards an EIS and align Phase 1 to springboard into Phase 2.

Director Liu conceded that the examples are not the only activities to consider. It's important to consider community wants.

Mayor Selby suggested "B" should be revised to reflect "Sea level rise mitigation." Sea level rise is an ongoing issue versus a one-time flooding episode. Olympia staff recently provided a report to the City

Council on the importance of any issue surrounding the lake/estuary as a way to potentially help prevent the downtown from being under water in the next 50 years. Community benefit should also be identified as another activity.

Discussion of Draft Work Plan

Mayor Kmet commented that because of the tight deadline, he doesn't envision the process as sequential necessarily. While the TAC is working on the scientific, the work group should schedule public involvement process to identify options. Funding and governance, to some degree, depend on the outcome of the other elements. Director Liu affirmed that because of the short timeline, staff never envisioned any of the activities to occur sequentially. A number of processes should be initiated immediately.

Mr. Dickison suggested providing direction to the TAC and clarify its works. The starting point could entail the TAC's direct role in addressing best available science (Element #1) and sediment management in terms of more information and clarification for the work group.

Director Liu advised when DES receives funding for the project the next step is engaging with the consultant and developing a scope of work. Scientific information and sediment management are important pieces. The submission of the hybrid models (Element #2) could begin immediately. Some activities could be queued quickly to help clarify the work plan.

Commissioner Wolfe reminded the work group of the request to staff, as the request is broad with no attached funding. The request should be narrowed, as the broadness of the request would be problematic for Thurston County. Director Liu said DES is relying on the consultant to obtain and consolidate existing information. The TAC will be asked to review the work of the consultants to ensure due diligence of the work and seeking any potential gaps. The expectation at this time is directing the consultant to begin the work and engaging. Commissioner Wolfe asked about the time commitment of TAC members. Director Liu said the time commitment at this point is unknown. Commissioner Wolfe asked for verification of the time commitment prior to assigning staff.

Mr. Dickison commented that now is the opportunity to step up and address the issues. The Tribe is committed to the process and staff members have been assigned. He encouraged all jurisdictions to consider the opportunity through that mindset.

Commissioner McGregor confirmed the Port's commitment and the assignment of the Port's Director of Engineering as a member of the TAC. He asked whether a TAC work schedule has been established. He recommended posting the schedule on the website. Director Liu advised that a schedule would be established but meetings are pending dependent upon the consultant. Several suggestions by some of TAC members have been offered on division of the work between members.

Overview of Environmental Impact Statement Process, Department of Ecology

Mr. Dziedzic commented on the work plan and the importance of the first year to achieve success to proceed to the next year to ensure the outcome is a viable request to the Legislature to fund an EIS.

Director Liu reported that seeking funding from the Legislature to fund the EIS depends on the quality of work completed by the work group. Proving the ability of working together will be an important piece in securing financial support. Secondly, the timing of preparedness for moving to an EIS is also an important consideration in terms of fulfilling the requirements of the proviso to satisfy the Legislature.

Sally Toteff, Regional Director, SW Region, Department of Ecology, provided an overview of the EIS process.

In 1971, the Legislature adopted the State Environmental Policy Act (SEPA). SEPA is the first step in any project and is a prerequisite prior to receiving permit decisions. SEPA identifies potential significant impacts and ensures that environmental values defined in SEPA rules are considered, as well as providing an opportunity for the lead agency to investigate other parts of the project that might have community value to include in the EIS. An EIS provides information to the public and to agencies rendering permit decisions.

An EIS is necessary if the project is likely to result in significant adverse environmental impacts. An EIS is intended to be an impartial discussion to disclose information to afford an opportunity for the public to better understand the potential environmental impacts of a proposal and provide comments on the draft EIS.

The first step of an EIS is the scoping process. Scoping affords an opportunity for people to provide feedback and direction to the lead agency on what should be studied in the EIS. Data collection and analysis, lead to creating the Draft EIS. During the review of the Draft EIS process, opportunities are available to the public to provide feedback through public hearings or written comments. All comments are reviewed and considered by the lead agency, which considers whether additional analysis is warranted or whether there are data gaps to complete. The next step moves to issuance of the Final EIS. Only after the Final EIS is issued, can the project receive permits and move forward.

Mayor Selby referred to the work plan and schedule and indicated a willingness to meet more than once a month. Commissioner Wolfe agreed. Commissioner McGregor commented on commitment to meet more than once a month.

Mr. Dickison referred to the EIS process and prior discussions on the type of EIS the process might undertake. Some suggestions included pursuing a programmatic EIS. He suggested the EIS should be structured to render a decision. A programmatic EIS can effectively include many options without rendering a decision. During his conversations in the last year within all sectors of the community and supporters of different options, the underlying theme from everyone was that any process should render a decision. It will be important for the work group to consider the EIS and it's likely not productive to consider pursuing a programmatic EIS that doesn't render any conclusion.

Commissioner Wolfe and Mayor Selby agreed with the suggestion.

Next Steps

Director Liu reviewed the upcoming schedule for the March 9 open house to receive public input on the work plan. The March 25 meeting includes presentations on EIS and permitting processes. Staff will consider the request to consider an additional meeting and provide some direction.

Adjournment

With there being no further business, the meeting was adjourned at 11:06 a.m.



CAPITOL LAKE EXECUTIVE WORK GROUP

*Jefferson Building
First Floor Presentation Room
1500 Jefferson Street
Olympia, Washington 98504*

March 25, 2016
9:30 a.m.

(Approved: April 22, 2016)

JURISDICTIONAL MEMBERS PRESENT:

Cathy Wolfe, Thurston County
Pete Kmet, City of Tumwater
Cheryl Selby, City of Olympia
Jeff Dickison, Squaxin Island Tribe
Bill McGregor, Port of Olympia
Neil McClanahan, City of Tumwater

DES STAFF MEMBERS PRESENT:

Chris Liu, Director
Bob Covington, Deputy Director
Carrie Martin, Asset Manager

MEETING PRESENTERS:

Jessi Massingale, Floyd|Snider
Christina Martinez, Jacobs Engineering
Tessa Gardner-Brown, Floyd|Snider

OTHERS PRESENT:

Sally Toteff, Department of Ecology
Sue Patnude, DERT
Denis Curry, CLIPA
Tom Gow, Puget Sound Meeting Services
Gary Bahr, Department of Agriculture
Allen Pleus, WDFW
Martin McCallum, Citizen
Dave Peeler, DERT
Bob Barnes, SPSSEG
Steve Shanewise, Citizen
Lydia Wagner, Department of Ecology
Dan Smith, City of Tumwater
Lisa Herzog, House Legislative Office
Keith Dublanica, RCO
Jen Masterson, OFM
Caitlin Lopez, House Legislative Office
Dominick Regale, Citizen
Beverlee Boe, Alpine Sand & Gravel, Inc.

MEMBERS ABSENT:

Paul Dziedzic, Meeting Facilitator

Jack Havens, Citizen
Nouk Leap, DES
John Newman, Citizen
Jewel Goddard, Citizen
Daniel Einstein, DERT
Carl Nelson, Olympia Yacht Club
Bill Helbig, Port of Olympia
Chris Conklin, WDFW
Myra Downing, Olympia Yacht Club
Andy Haub, City of Olympia
Bob Wubbena, CLIPA
Ben Dennis, InStream Conservation
Brad Murphy, Thurston County
John DeMeyer, CLIPA/Olympia Yacht Club
Gary Larson, Citizen
Lisa Roen, Citizen
Kristin Swenddal, DNR
Gordon Boe, Alpine Sand & Gravel, Inc.

Welcome & Opening Comments – Updates – Status of Funding

Paul Dziedzic, Facilitator, called the meeting to order at 9:32 a.m. He welcomed everyone to the meeting.

Mr. Dziedzic reviewed progress to date. At the last meeting, members reviewed a draft work plan incorporating a three-phased approach. The first phase is completion of the budget proviso to set the stage for Phase II and completion of the Environmental Impact Statement (EIS) for moving the process forward on a decision for the long-term management of Capitol Lake. An open house was conducted on March 9 on the draft work plan and on public engagement. The March 25 meeting focused on the Implementation Plan for Phase I.

Director Chris Liu reported that because the Legislature is still in session, the status of funding is unknown at this time pending the passage of the budget.

Review of Agenda

Mr. Dziedzic reviewed the agenda, which includes a briefing on the EIS process, information from the March 9 public open house, and a briefing and discussion on the Implementation Plan.

Members of the Executive Work Group and the Meeting Presenters in attendance provided self-introduction.

Approval of January 29, 2016 & February 26, 2016 Meeting Minutes

By consensus, members approved the January 29, 2016 meeting minutes.

Approval of the February 26, 2016 minutes was deferred to the next meeting, scheduled for April 22, 2016.

Briefing on Environmental Impact Statement (EIS) Process

Christina Martinez Jacobs, Jacobs Engineering Group, clarified that the process at this point does not initiate an EIS. The EIS process is a component of Phase II. Phase I efforts implement the provisions of the legislative proviso. The briefing on the EIS will provide background information for members and the public and includes history on existing environmental documentation, general information on the EIS process, and possible expectations during Phase II. The work during Phase I is intended to support the later work of a future Phase II.

Tessa Gardner-Brown, Senior Environmental Planner, Floyd|Snider, reported that during the last month, efforts have been underway for determining the work that would be needed to complete an EIS and move forward with a potential management plan for Capitol Lake. It's important to understand where the process has been and what information will be provided moving forward into all three phases. Ms. Gardner-Brown provided history on completed environmental documentation for Capitol Lake.

Today, the work envisioned as part of Phase I and completion of a project-level EIS in Phase II builds from previous work completed as the Final Programmatic EIS identified many options and approaches that could be selected to manage the lake, as well as setting the stage for consideration of the alternatives as part of a project-level EIS moving forward.

Ms. Martinez provided an overview of the EIS process. An EIS is a type of environmental review and documentation under the State Environmental Policy Act (SEPA), which requires agencies and officials to evaluate the social, environmental, and economic impacts of a proposed action or decisions to be rendered. Actions could include issuing an environmental permit or approving a plan. The community, as a whole, evaluates the social, environmental, and economic impacts of a project. Environmental review includes several forms. Some actions that have less impact are categorically exempt from preparation of an EIS, while other actions might have significant environmental impacts requiring an EIS. An EIS is a document evaluating the impacts of the decision and identifies alternatives that are less impactful and ways to lessen them through mitigation actions. Through the process of developing an EIS, decision-makers engage the community to weigh in on the alternatives under consideration and resulting impacts. All comments received during the review process are included within the EIS. Procedurally, the EIS is prepared prior to the issuance of any permits. However, information generated during the EIS process is also used during the environmental permitting phase.

The EIS process essentially involves five major processes:

- Issuance of Determination of Significance and Scoping Notice involves a public notice advising the community of the intent to prepare an EIS and inviting public, agency, and tribal input on the types of impacts that should be evaluated within the EIS.
- The scoping effort identifies key issues to evaluate during the EIS, as well as those issues of less importance that require no additional investigation. Scoping provides information on the types of alternatives that should be evaluated in the EIS. A public comment period following the scoping is afforded for feedback from the public, agencies, and tribes. The input is analyzed to determine the issues to analyze and evaluate and the alternatives to consider in the EIS.
- Preparation of the EIS entails reviewing all pertinent issues, such as sediment, recreation, social, and economic concerns, etc., and comparing those concerns against the alternatives to identify what alternatives may generate more impacts and in what specific areas. The information is compiled and produced to create the EIS.
- The Draft EIS is published for feedback and comment. Additionally, public meetings are held to review the Draft EIS and the alternatives.
- Following all public comments, a Final EIS is prepared and released.

The schedule envisions preparation of the EIS as part of Phase II. Phase I is the current phase that would be initiated pending funding and entails preparation for a report responding to the legislative proviso by examining key issues prior to embarking on an EIS. The outcome of Phase I entails a review of issues and alternatives to assist in the preparation of the EIS during Phase II. Phase I is anticipated to end early next year with the expectation Phase II begins sometime in 2017 and concludes within the next three to five years.

Mayor Kmet asked for clarification as to whether the report to the Legislature is considered Phase I of the process. Director Liu said Phase I includes completion of a report to the Legislature. Ideally, this work would have been completed over a longer period, but due to funding availability, DES will be completing 20-22 months of work in a seven-month period.

Mr. Dickison suggested compressing the EIS schedule similar to the Phase I timeline, as it's possible to complete an EIS within a several year effort.

Jessi Massingale, Floyd|Snider, noted that the schedule for Phase II includes the successful receipt of funding. The goal of Phase I is to increase the efficiency of the EIS process during Phase II. If funding becomes available in early 2017, the goal is to complete the EIS within several years rather than a longer five-year period.

Mr. Dziejdzic asked how a decision on a preferred alternative would lead to implementation during Phase 3. The foreseeable goal is pursuing a project-specific EIS rather than a programmatic EIS (best used for policy decisions) because a project-EIS would result in a decision that could be executed as part of Phase 3. All the work completed in the past in the 1990s and 2000s would funnel into the project EIS.

Ms. Martinez added that when the team reviewed the information, the team agreed there were more benefits from a project EIS rather than a programmatic EIS. A project EIS is appropriate for this project while programmatic EIS's are well suited for non-project actions or a suite of projects. Programmatic EIS's also benefit planning decisions, are conceptual and strategic, and are used to analyze policies or programs. A project EIS supports the implementation of a specific project. Many times, a programmatic EIS serves as the first step or a predecessor to prepare a project-level EIS. This project EIS is expected to provide good information on water quality improvements expected from the various alternatives.

Carrie Martin, Asset Manager, DES, confirmed the presentation information would be posted on the agency's website.

Mayor Selby questioned how Phase I efforts by the work group relate to the EIS. Ms. Massingale said work during Phase I is in preparation for the EIS process that would occur as part of Phase II. Phase I includes identifying, categorizing, and comparing options without selecting specific options for consideration in the EIS. Some options could be filtered through the Phase I process; however, most of the options would be included in the project EIS to enable evaluation of all information and technical studies to help support a decision.

Commissioner Wolfe inquired about the point in time when the process moves to a selected project. Ms. Massingale said that when the Determination of Significance and Scoping Notice are released and when DES secures the necessary funding as the lead SEPA agency, the process proceeds to preparation of the EIS, which would work towards identifying a long-term management option, or selected project.

Mr. Dziejdzic clarified that the question pertained to the timing of project selection. After the Legislature approves funding for the EIS and prep work has been completed during Phase I, the effort could move to Phase II to complete a project EIS to include a range of potential alternatives with one alternative selected as the project.

Councilmember McClanahan asked about the budget for the EIS process. Ms. Massingale replied that the Phase II EIS process is budgeted at approximately \$2 million. Phase I is budgeted at \$250,000.

Mayor Kmet commented that the process should result in an identified alternative that would be analyzed in the Draft EIS and possibly identified as the preferred alternative in the Draft EIS. Ms. Martinez replied that the Draft EIS considers reasonable alternatives or a range of reasonable alternatives for long-term management of Capitol Lake. During the preparation of the Draft EIS, options are available to identify which alternative is preferred; however, a decision is not necessarily rendered on the selected alternative until the public engagement process is completed resulting in the issuance of the

Final EIS. The objective of the entire EIS process is ensuring no decisions are rendered prior to adequately examining and considering the impacts of that decision. Although DES could identify a preferred alternative in the Draft EIS, the final decision is normally not rendered until the Final EIS.

Ms. Massingale added that during this year, the work group identifies different alternatives with no decisions, as each alternative would likely have some level of data gaps necessitating additional data and analysis. Those alternatives would be included in the EIS process, analyzed, and vetted. The objective of the project EIS is identifying a preferred alternative after completion of all required public and environmental review and assessment of impacts and benefits.

Mayor Kmet said it appears the work group would identify a range of alternatives that would be analyzed in the Draft EIS. However, is it also conceivable that the work group might select a preferred alternative as the Draft EIS is initiated? Ms. Massingale confirmed that such a selection is allowed within the EIS process.

Ms. Massingale added that at the conclusion of collaborating with the work group and the public, a front-runner could be identified that would move forward for inclusion within the EIS as an option to evaluate.

Discussion of March 9, Public Open House

Ms. Martin reported on March 9, DES hosted an open house as the first opportunity for public engagement on Capitol Lake Long-Term Management Planning. Citizens were encouraged to provide feedback on the plan for Phase I and on how citizens would like to participate in the process. Online comments were submitted as well.

The open house was held at the Jefferson Building in the evening with poster boards displaying the elements of the proviso on best available science, hybrid alternatives, governance, and funding. Approximately 65 people attended with 33 providing written feed-back. Additionally, DES offered an online survey tool over the last several weeks generating another 29 responses. Approximately 73% of the participants identified themselves as citizens, 27% of the participants indicated affiliation with organized groups to include the Capitol Lake Improvement and Protection Association (CLIPA), the Deschutes Estuary Restoration Team (DERT), the North Capitol Campus Heritage Park Development Association, Black Hills Audubon, South Puget Environmental Educational Clearinghouse (SPEECH), Friends of the Lake, the Olympia Yacht Club, and the Burbank/Elliot Neighborhood Association.

All written and online comments have been posted on the website.

Many of the respondents expressed an interest in all of the stated issues of best available science, hybrid alternatives, shared funding, shared governance, sediment management, flood mitigation, and other. Of the topics, best available science, hybrid alternatives, and other issues garnered the most interest at 61%, 59%, and 59% respectively, followed by shared funding and sediment management at 46%. Other citizen comments ranged from voicing a preference for either an estuary, a managed lake, or some hybrid to frustration and community weariness over what was seen as “duplication of work that’s already been done.” DES was asked to consider a variety of issues surrounding sea level rise, economics, public and community benefits, public access, legal constraints, and the state’s interest under the Coastal Zone Management Act, the Shoreline Management Act, as well as the National Historic Preservation Act. DES was also asked to consider lessons from other areas (Nisqually, Grays Harbor, Mud Bay), future generations, outdoor recreation and tourism, citizen involvement and support, costs, age of the dam, invasive species, wildlife habitat, and migratory bird paths.

Ideas were offered for management, governance, and consideration of a Capitol Lake Management District. Some questions surrounded DES' management role and perhaps another agency such as the Washington State Department of Ecology or Department of Natural Resources would be more appropriate considering the lake is a natural system and not a building. One person recommended management by U.S. Fish and Wildlife Service. Another participant recommended considering non-profit and private entities as possible funding sources.

One participant suggested that for professional/science reports, the authors and references should be included along with reviews of the data by other scientists and professionals. Criteria used to select listed reports should be listed.

DES was asked to consider the value, goals, and mission, which will inform the choice, and to give people a chance to express their principles and values.

Feedback on preferred options for public engagement included the following suggestions and recommendations:

- Many of the participants expressed preference for focusing facilitated discussions as a means of providing input.
- More in-depth information should be available to the public.
- Afford an opportunity for the public to reflect upon all the alternatives.
- Interest in past work completed, such as the estuary feasibility study and the CLAMP recommendations.
- A presentation by Department of Ecology on its water quality study (TMDL) was recommended.
- Participants asked for distribution of unbiased information.
- Request for stakeholder presentations with time for the community to present ideas. The format should include an opportunity for questions and answers.
- The open house format and stakeholder presentations would be valuable for some topics. A design charrette might be useful for construction alternatives or refinement of options.
- Transparency of the process was encouraged by video recording of public meetings with public dissemination of information and providing an online opportunity to provide input for those unable to attend.
- Reach out to neighborhood associations nearby and surrounding Budd Bay, provide information at the Olympia Library, and post web addresses by Capitol Lake to inform people about the process underway.

This community input has been used during the development of the Phase I Implementation Plan.

Director Liu said the meeting was well attended. Mayor Kmet added that the weather did not cooperate and despite the rain, many people attended the meeting reflecting the level of interest by the community.

Briefing on Implementation Plan

Ms. Massingale briefed members on the process and 2016 schedule for the Phase I Implementation Plan. The graphic of the nearly year-long process provides an overview of the opportunities for public involvement and engagement, as well as participation by the Executive Work Group, a Technical Committee, a Funding and Governance Committee and a Sediment Management Panel. All materials

reviewed over the year will include a two-week public comment period to afford time for the community to provide input and help shape the final materials. The materials will be available immediately on the website, as well as during public meetings.

The work group will meet monthly. Monthly public meetings are also scheduled. Many participants at the open house expressed interest in having an opportunity to convey their respective knowledge and ideas on options for best available science. Work group members are encouraged to extend invitations to key community partners that have long-standing knowledge and a role in Capitol Lake to provide presentations to the work group affording a range of opportunities for the community to provide feedback.

Ms. Massingale reviewed the anticipated structure of public meetings while accommodating some flexibility based on the status of materials. Each public meeting includes opening remarks to present updates on the work followed by an open house format with the availability of materials or displays of story boards. The public meeting also includes a facilitated discussion followed by a question and answer session. When materials become publicly available, the community has approximately 10 days to review the materials, as well as an opportunity to attend a work group meeting and a public meeting to receive a brief recap on efforts to date. The objective of the public engagement process is to identify public support and concerns in a way that responds to feedback on public engagement provided by the community during the March 9 open house and through the March on-line survey.

The goal is to focus comments on specific topics to help inform how the work group works through and evolves the materials with the ultimate goal of integrating the information within the proviso report to the Legislature at the end of the year. This work will demonstrate to the Legislature that tangible progress is being made and will ideally leverage those efforts to secure more funding for completing the EIS.

Because of community interest in the hybrid option, the normal two-week public comment period would be extended for approximately three months.

Ms. Massingale reviewed the timeline from March through December 2016.

The Phase I Implementation Plan is premised on a two-touch idea, whereby each stakeholder group will see the materials and have the opportunity to comment on those materials twice. An example of one of the proviso elements vetted through the 'two touch' system is identifying the methodology or the way of identifying best available science. The initial presentation of draft materials on best available science includes the methodology and the basis of how various technical studies and best available science have been categorized. The 'two touch' process affords an opportunity for the Technical Committee, Executive Work Group, and the public to provide input, which could entail revision of the methodology and recategorization of best available science.

At the end of the second touch cycle and at the end of the public comment period, the team prepares information for the proviso report. At the end of Phase I, the work group has an opportunity to review the outline to the proviso report depicting the structure of the proviso report and how the collaborative amount of work is included within the report. The public would also have an opportunity to review the outline. At that point, the team drafts the proviso report and releases it for review. Following the final review, any changes are incorporated for finalization and forwarding of the report to the Office of Financial Management (OFM) for review in December. On December 16, a public meeting with the Executive Work Group and committees includes a year-in-review of Phase I and the proviso report

followed by adoption of the report. On December 30, or no later than January 1, 2017, the Final Proviso Report is submitted to the Legislature.

Additionally, an ‘Other’ category includes sediment management and flooding. Sediment management is important regardless of the lake management option. Modeling of sediment transport is included within an EIS process; however, the intent is to remain within the directive of the proviso while maximizing the value of the time to move forward to Phase II and the EIS. A Sediment Management Panel of three to five subject matter experts on sediment transport would be tasked to complete the following goals:

- Review existing information about sediment deposition, sediment management, and sediment transport under existing conditions.
- Because the US Geological Survey (USGS) has been part of the previous work, the panel would contact USGS for potential input and/or participation on the panel, as well as providing any recommendations on future work on sediment transport.
- Identify sediment movement in “future conditions” regardless of the lake management option.

Although the scope of Phase I and lack of funding limits modeling, efforts could include developing the scope and the ‘To Do’ list of the modeling and the technical study in Phase II. The Sediment Management Panel would complete the work in parallel with the work group and committees. In September, the work of the panel would be reported to the work group, committees, and the public to provide an understanding of the findings and the scope required to fill any data gaps. The results would be summarized in a memorandum report for inclusion in the proviso report.

The proviso report summarizes the work completed during Phase I that builds off past work and consolidates all the information to demonstrate how a collaborative process was established to determine funding, governance, and positioning technical information for leveraging forward to a Phase II.

Director Liu noted the timeline includes accepting public comments on conceptual hybrid options beginning in April through June. Ms. Massingale noted that from mid-April through June, public comments would be accepted on hybrid options. In May, the focus is on best available science, as the process wouldn’t be considering hybrid options at that time; however, the intent is extending the public comment period to ensure that during the review in June, the work group has all the input and that adequate time was afforded for review and discussion. The remaining schedule is based on a two-week cycle to ensure the process continues moving forward. Director Liu summarized that the schedule is indicative of collecting public comments on hybrid options and ideas beginning in April. He asked how the comments would be publicized. Ms. Martin said the intent is compiling the information and publishing the information on the DES website to share information on other ideas with the public. At that point, no editing of the ideas is planned other than compiling and posting the ideas on the website acknowledging that the ideas haven’t been vetted or reviewed, which occurs later in the process. The intent of the process is to queue up all information to share with others.

Mayor Selby stressed the importance of addressing and emphasizing sea level rise and its impact on downtown Olympia within the process. Sea level rise should be wedded to the process because the future disposition of the basin will impact downtown Olympia. She asked how sea level rise is addressed within the process. Ms. Massingale responded that sea level rise is identified in several areas to include sediment transport. Both flood management relative to any function of the lake, as well as sea level rise or change are threaded through the Technical Committee work.

Mayor Kmet remarked that it appears a step is missing in terms of identifying criteria for evaluating the hybrid options. Ms. Massingale replied that although criteria are not directly stated, criteria are components of the proviso elements. Part of the review of existing and hybrid options includes comparison of the options against criteria. Criteria have been defined in the proviso as the five elements. During the April meeting, the work group will discuss goals for the long-term management of the lake and measures of success, which inherently includes comparison against criteria as a way to identify success. The input will be translated to EIS terminology, which becomes the problem statement. The problem statement is an example of the goal to achieve during Phase I in addition to satisfying the proviso conditions within the context of a Phase II EIS.

Commissioner McGregor referred to the period for accepting public comments on conceptual hybrid options. Ms. Massingale advised that the dates for community presentations haven't been identified at this time but because review of hybrid options is scheduled in July with public comment closing at the end of the month, scheduling and logistics could include a key community or interest group presenting information in early July. The team could accommodate the input with the goal to generate input during the May, June, and early July timeline to adhere to the schedule.

Director Liu recommended including a statement or note advising of potential changes in the schedule prior to publishing the document.

Mr. Dziedzic advised that the timeline for community presentations is not intended as a substitute for participating in the public engagement process, but it could entail an opportunity for the work group to identify specific groups who could talk directly with members about how they perceive the world and how their input will feed into the process. Presentations were added to provide another opportunity for the work group to receive other perspectives.

Mr. Dziedzic added that additional or extended meetings for the work group might be required.

Mr. Dickison asked whether the information on the Sediment Management Panel inaccurately characterizes sediment deposition and transport in Capitol Lake rather than sediment management beyond the footprint of Capitol Lake. Ms. Massingale advised that the statement is limited because of space. In terms of existing conditions, the focus is on the lake; however, during future scoping of sediment transport future conditions outside the lake would be included.

Mr. Dickison asked whether the characterization of the task in July for the Funding and Governance Committee limits the identification of funding and governance models to only Capitol Lake. He asked whether limiting consideration to Capitol Lake is intentional or whether the intent is for a broader scale. Ms. Massingale responded that there was no intent to limit the geographic scope or agency connection. The group may identify a watershed or a more holistic approach other than only Capitol Lake.

Mayor Kmet commented on potential conflicts with the public meeting dates. Ms. Massingale encouraged members to provide feedback on public meeting dates. Director Liu offered an alternative of sending a representative to the public meetings. He recommended members review their respective calendars and provide feedback on preferred dates. Mayor Kmet recommended considering a Wednesday for the public meetings. Director Liu recommended revising the schedule to incorporate the suggested changes and public meeting dates.

Members approved the process and 2016 schedule as amended with the proposed changes.

Revised 2016 Meeting Schedule

Ms. Martin reviewed the revised meeting schedule reflecting some changes to accommodate member schedules. The meetings are scheduled from 9:30 a.m. to 11:30 a.m.

Mr. Dziedzic noted the possibility of adding or extending several meetings later to accommodate community presentations.

Next Steps

Ms. Massingale reported that funding for the process would be determined by the Legislature. DES is currently in a holding pattern in terms of the funding appropriation; however, DES is also moving forward to maintain the schedule. Next steps include revising the process and 2016 schedule based on feedback from members for publication on the website. The schedule will serve as a roadmap for identifying which meetings members might want to attend. The team will begin working on the materials the work group will be reviewing over the next several months.

Mr. Dziedzic added that members of the Funding and Governance Committee are designated by the work group. He encouraged members to identify their respective member assignment within the next several days.

Adjournment

With there being no further business, Mr. Dziedzic adjourned the meeting at 11:26 a.m.



CAPITOL LAKE EXECUTIVE WORK GROUP

*Jefferson Building
First Floor Presentation Room
1500 Jefferson Street
Olympia, Washington 98504*

April 22, 2016
9:30 a.m.

(Approved: May 27, 2016)

JURISDICTIONAL MEMBERS PRESENT:

Cathy Wolfe, Thurston County
Pete Kmet, City of Tumwater
Cheryl Selby, City of Olympia
Jeff Dickison, Squaxin Island Tribe
Bill McGregor, Port of Olympia
Neil McClanahan, City of Tumwater

DES STAFF MEMBERS PRESENT:

Bob Covington, Deputy Director
Carrie Martin, Asset Manager
Ann Sweeney, Special Asst. to the Director
Ann Larson, Government Relations Manager

Jim Erskine, Communications
Paul Dziedzic, Meeting Facilitator
Nouk Leap, Administrative Assistant

MEETING PRESENTERS:

Jessi Massingale, Floyd|Snider
Tessa Gardner-Brown, Floyd|Snider

OTHERS PRESENT:

Sally Toteff, Department of Ecology
Sue Patnude, DERT
Dick Binns, Citizen
Tom Gow, Puget Sound Meeting Services
Jack Havens, Citizen
Katelyn Hess, Thurston County
Allen Miller, N. Cap Campus Heritage Park
Amy Hatch-Wineka, Thurston County
Dave Peeler, DERT

Daniel Einstein, DERT
Keith Dublanica, RCO
Bill Helbig, Port of Olympia
Chris Conklin, WDFW
Myra Downing, Olympia Yacht Club
Andy Haub, City of Olympia
Bob Wubbena, CLIPA
John DeMeyer, CLIPA/Olympia Yacht Club
Bob Barnes, Citizen

Welcome & Opening Comments – Updates – Status of Funding

Paul Dziedzic, Facilitator, called the meeting to order at 9:30 a.m. He welcomed everyone to the meeting.

Members of the Executive Work Group and Meeting Presenters in attendance provided self-introduction.

Review of Agenda

Mr. Dziedzic reviewed the agenda, which includes approval of the February 26 and March 25, 2016 minutes, a review of the process and a status update on items, and the first review of the goals and objectives. Future agendas moving forward include “first touch” and “second touch” items.

Mayor Selby advised of her early departure from the meeting at 11:00 a.m. because of another commitment.

Approval of February 26, 2016 & March 25, 2016 Meeting Minutes

By consensus, members approved the February 26, 2016 meeting minutes as published.

A change was requested to the minutes of March 25, 2016 revising the third paragraph on page 5 to reflect the following, “Mayor Kmet said it appears the work group would identify a range of alternatives that would be analyzed in the Draft EIS. However, is it also conceivable that the work group might select a preferred alternative as the Draft EIS is initiated? Ms. Massingale confirmed that such a selection is allowed within the EIS process.”

By consensus, members approved the March 25, 2016 meeting minutes as amended.

Reminder of Process/Phase 1 Implementation Plan

Community Input Meeting, Wednesday, April 27, 2016

Survey Open April 14-28 (Goals & Objectives)

Jessi Massingale, Floyd|Snider, updated members on the process to date. The meeting cycle includes the Technical Committee, Executive Work Group, followed by a Community Input Meeting. The next community meeting is scheduled on Wednesday, April 27 at 5:30 p.m. Meeting materials presented to the Technical Committee will be presented to the Executive Work Group and at the Community Input Meeting. To augment the materials, a summary of input received to date will also be provided to the Executive Work Group affording a review of initial feedback offered by the Technical Committee during its last meeting. Meeting materials provided to the Technical Committee were published online for the public initiating a two-week public comment cycle. Technical Committee members provided initial feedback on the materials and have the opportunity to check-in with their respective agencies to provide additional follow-up information before the closure of the two-week public comment period ending on April 28.

At the April 27 Community Input Meeting, the materials will cover the April goals and objectives materials followed by a facilitated discussion to receive input from the community. A brief overview will be provided to the public in addition to a printed copy of the online survey.

At the end of the public comment period, the team modifies the materials to reflect or inform the feedback from the three sources (Technical Committee, Executive Work Group, and the community). In May, a summary of the input will be presented for additional input by the Executive Work Group. At the May meeting, the Executive Work Group initiates its May proviso element topic with the same review cycle repeating.

Status of Funding & Governance Committee and Sediment Management Panel

Carrie Martin, Asset Manager, DES, reported members for the Funding and Governance Committee have been identified. Staff anticipates scheduling a meeting within the next week. Several seats remained unfilled for the Sediment Management Panel.

Update on May/June Community Presentations

Ms. Martin reported that in May and June, community presentations would extend the work group meetings. However, the presentations are not intended to substitute for the monthly Community Input Meeting. Community presentations to the Executive Work Group provide a conduit to groups or

individuals who have had a long-term involvement in the issues surrounding the management and future of Capitol Lake. In May and in June, the Executive Work Group will meet from 9:30 a.m. 11:30 a.m. followed by a lunch break with presentations scheduled from noon to 2:00 p.m. Invitations with information will be sent to individuals and groups within the next week. After receiving submittals, staff will schedule the community presentations.

Questions Raised, Whether to Allow Observers at Committee Meetings

Deputy Director Bob Covington said there was a question raised about allowing observers at the Technical Committee meetings. Staff is following up with committee members to receive some feedback. The feedback will be presented to the Executive Work Group for a discussion followed by a determination within the next week. It's important to resolve the issue to provide adequate time for notification of meetings to the public.

Mayor Kmet asked whether the issue would also apply to the Funding & Governance Committee, as well as the Sediment Management Panel.

Mayor Kmet said the Funding and Governance Committee would likely include legal staff and likely would prefer an environment enabling a free and open discussion about legal implications. Those discussions are typically not held in a public forum.

Director Deputy Covington advised that the Executive Work Group could render different public attendance decisions for each committee.

Mayor Kmet asked whether the Technical Committee is developing original information or reviewing and commenting on information consolidated by Floyd|Snider. Ms. Massingale said the Technical Committee is reviewing information provided by Floyd|Snider. Technical Committee members have the expertise on EIS and permitting processes and are able to provide input and guidance on edits, forms of communication, and recommended direction. The last meeting entailed an open discussion and questions.

DES staff will contact technical committee members about the option of enabling public attendance at meetings. The committee's input will then be presented to the Executive Work Group. The same process would follow for the remaining two committees after both committees have an opportunity to discuss the request during initial organizing meetings. He asked for input from members.

Mayor Kmet asked whether Floyd|Snider attends the meetings and extracts and reports on the information to the Executive Work Group. Mr. Dziejcz confirmed that process.

Commissioner McGregor asked whether the Executive Work Group operates under the Open Public Meetings Act. Deputy Director Covington advised that the committee meetings are not governing bodies and not required to be open public meetings. However, the Executive Work Group is open to the public to ensure transparency. Commissioner McGregor offered that under the Open Public Meetings Act, committees could convene an executive session to discuss legal issues or potential litigation. He prefers enabling public attendance affording an opportunity for the community to hear the discussions.

Commissioner Wolfe agreed with Commissioner McGregor. Even though the committee meetings might not be subject to the Open Public Meetings Act, the business of the public should be open to the public. If the discussion involves legal discussions, the option of convening an executive session is available. She recommended committee meetings should be open to the public.

Mayor Kmet shared that he discussed the matter with Tumwater staff. He reminded members that the committees are staff-level discussions that frequently occur daily in each governing entity. Interjurisdictional staff members need an opportunity to discuss, examine, and provide the Executive Work Group with good technical, legal, and administrative advice without public observations that may misinterpret both the discussions and the information. Understanding that the committees are comprised of experienced staff members, everything of substance discussed during those meetings will ultimately result in recorded documents presented to the Executive Work Group. He advocated for enabling an opportunity for staff to complete its work without couching comments because of public observations, which might reinterpret the information. Enabling public attendance would stifle the committee process as there is much work to complete over a short period and nothing is hidden from the public. .

Mr. Dziedzic acknowledged and thanked members for the feedback.

Briefing on Previous Goals for Long-Term Management, 1999 and 2009

Ms. Massingale reviewed the summary of materials of the proviso element on goals and objectives presented to the Technical Committee at its April 14 meeting. She reiterated that the process provides an opportunity to present information from each committee in an open and comprehensive forum. One of the components within the Implementation Plan is for each committee to be receptive of input from all sources to arrive at a mutual consensus between all the groups. Additionally, Floyd|Snider updates the materials incorporating and reflecting the entire monthly meeting cycle. Currently, committees are not rendering decisions, but are striving to achieve a point where the information supports the Proviso Report and the future project Environmental Impact Statement (EIS).

Ms. Massingale reviewed a timeline graphic outlining Capitol Lake major events, such as creation of the lake, the last dredge event, the onset of major water quality issues, and adaptive management processes (CLAMP process – 1999 programmatic EIS). The information outlines the history from 1949 through present day to assist in understanding the goals of the CLAMP Steering Committee and the public in the past and helping to understand the goals within the context of the site conditions at any specific time.

Tessa Gardner-Brown, Floyd|Snider, added that the timeline essentially reflects activities that are most relevant to the conversation of goals and objectives and not necessarily inclusive of all events that have occurred since the lake was constructed in the 1950s.

Mayor Kmet expressed interest in receiving information about the periodic dam openings to restore tidal flow to kill vegetation, as it appears cessation of that action led to significant impacts to water quality in the lake and the growth of invasive species. It's an important checkpoint to include. Additionally, the listing of Lower Budd Inlet for water quality violations and the specific violations are important considerations. The Department of Ecology's Total Daily Maximum Load (TMDL) Study is an important benchmark as well because it affects the watershed that feeds the lake. He complimented the team for the timeline as it provides helpful information.

Ms. Massingale noted that the inclusion of the TMDL Study was considered. She agreed inclusion of the TMDL Study would be relevant to Capitol Lake. The team also received input on the importance of including the permitting and review of Heritage Park because it served as the origin of the CLAMP process. She questioned whether the opening of the dam was a management strategy to assist in eradicating mud snails.

Councilmember McClanahan replied that the opening of the dam was during the freeze to drain the lake with the goal of freezing and killing mud snails. Deputy Director Covington said DES continues that practice today. Ms. Martin added that the saltwater back flush was initiated once and wasn't deemed as effective as the freeze.

Jim Erskine, DES, said the back flush didn't achieve the salinity levels necessary to kill mud snails. The freezing strategy was employed to lower the lake during periods when the temperature was at or below freezing throughout the day. The past practice of opening the dam was discontinued as a way to control algae and other invasive plants as saltwater is toxic to other freshwater vegetation. The Department of Ecology, as well as others, encouraged the Department of General Administration (GA) to discontinue the practice because of the impacts to water quality.

Ms. Massingale referred to the 1999 programmatic EIS process. As a component of the Draft EIS, public comment was received by testimony and from letters and incorporated within the Final EIS. The same process was completed for the 2009 Alternatives Analysis, which generated public comments on the goals of Capitol Lake. The team is summarizing the comments to provide the context of how certain goals evolved or remained consistent over time. As part of the review, the graphics would be updated to reflect 2016 current goals and objectives of the community and groups based on current conditions.

Ms. Massingale provided an explanation of the individual documents. The first is a bar chart comprised of public input from 146 comment letters and testimony on preference and order of magnitude of the long-term management goals provided by public comment on the 1999 Final Programmatic EIS. All comments were reviewed by the team and grouped by categories that were not preferential to any one alternative or option. For example, comments pertaining to aesthetics could apply to the lake as a reflecting pool or as an estuary. Additionally, the same goals are included in the online survey with a request to the public to identify their top five goals.

Ms. Massingale reviewed the top five goals from the 1999 EIS:

- Recreation Opportunities
- Aesthetics
- Habitat Restoration
- Economically feasible and Reasonable
- Water Quality

The community also provided input on their preference for the long-term management of Capitol Lake. The results reflect a nearly equal interest in the lake and the estuary options with a smaller segment of the community supporting the hybrid option.

The next document is a similar graphic focused on the relevant order of magnitude from the public comprised of 451 comments and testimony received during the 2009 CLAMP Alternatives Analysis process. Results reflect that the top two goals are Recreational Opportunities and Aesthetics that continue to hold true regardless of the management alternative. Economically Feasible and Reasonable advanced by one step while Habitat Restoration remained important to the community. Sediment Management overtook Water Quality possibly because of the timeline and the goals in 1999, which speaks to sediment management as a lower priority because the lake was dredged in 1986. The sixth preference is Water Quality. A new objective included in the 2009 that wasn't communicated in 1999 is Spiritual and Cultural

Values. Both graphs are helpful in providing context and an understanding where the community had placed its priorities and issues of interest during those timeframes.

Of the 451 responses, approximately 63% expressed an interest in an estuary option while 32% preferred a lake alternative, with 5% interested in a hybrid option and less than 1% interested in a no action alternative.

The dual goal of this process is to meet the conditions of the proviso by documenting the work that has been collaboratively produced and included within the Proviso Report while also having the process serve as the basis for the future EIS.

Finally, after the May meeting following the “second touch,” several variations might be developed for a purpose and need statement; however, there also might be a consensus or approval of a purpose and need statement. The Executive Work Group will receive the materials as they evolve.

Ms. Massingale invited feedback on the materials and process. Several members offered their thanks for the information.

Mr. Dziedzic reminded members of the opportunity to identify their respective top five goals.

Ms. Massingale added that as input is received, it’s also possible to offer other goals/categories that might have been missed or overlooked.

Commissioner McGregor expressed appreciation for the two bar graphs as the explanation provided a good basis of what the information was trying to convey.

Ms. Massingale noted that in addition to the graphics provided to the Technical Committee, the information also includes a summary of comments received by the CLAMP Steering Committee. That information is also available on the website. It was important to document what each entity in 1999 and 2009 communicated as goals, major concerns, or as major points of consideration. That information also feeds into the process for developing the purpose and need statement.

Briefing on Feedback from Technical Committee

Ms. Gardner-Brown reported the Technical Committee received information on the Phase 1 Implementation Plan and provided good feedback to the team in addition to conveying overall support for the process. Members reviewed the two bar charts and comment summaries from the 1999 and 2009 processes. Members provided no initial substantive feedback on the timeline, public comment summaries, or the CLAMP summaries. However, members were invited to review the information with their colleagues and provide any feedback by the April 28 deadline.

The focus of the committee’s conversation was on the graphic illustration (Figure 3) summarizing themes for goals and objectives for the long-term management of Capitol Lake. The graphic crosswalks goals from existing project documentation to recurring goals for discussion reflecting today’s stakeholder input and the 2015 proviso. The main comments centered on ensuring goals and objectives are viewed at a watershed level. One example was sea level rise and the pressures from both the Deschutes River and well as Budd Inlet affecting the entire system overall. The watershed approach is reflected as the long-term management options are explored. The team explained how there are primary themes that are emerging as the goals are revisited, as well as through past processes. Technical Committee members

agreed the themes were well captured and recommended adding economics because of the importance to both the public and to the agencies.

Ms. Massingale noted that many members also recognized how many of the goals pertain to multiple categories. The goals identified from previous processes included economics within community. Members recommended separating economics because of the importance. The graphic illustration will be revised after all input is received by April 28.

Ms. Gardner-Brown said the Technical Committee focused on adaptive management and potentially supplementing the goal with an assurance that any long-term management strategy is sustainable. Sustainability was a topic of discussion and the team and members discussed representing sustainability within the approach of adaptive management but not necessarily captured within the illustration. Members were also appreciative of the preview of the public goals and objectives and the values of recreation and aesthetics and wanted to ensure that those values are represented throughout the process. The committee also questioned whether some of the goals are really objectives or the steps necessary to achieve some of the larger goals. Discussion centered on whether there was value in reframing some of the issues as objectives or alternatively inviting the Technical Committee, Executive Work Group, and the community to provide feedback on those objectives necessary to achieve the goals. One example is improving water quality and whether meeting state water quality standards is an objective to help in measuring whether the goal has been achieved.

The main themes highlighted included improvement of ecological functions while ensuring long-term management goals are sustainable, maintainable, and economically feasible. Members discussed how many of the goals are inter-related, especially in terms of how one can improve other goals. Improving ecosystems functions would have a positive effect on water quality

Ms. Gardner-Brown added that the goals within the bar charts were included without regard to any management option. Each management option could be tailored to achieve the goals fully. That same intent applies to the graphic illustration (Figure 3).

Mr. Dziejczak invited feedback from members.

Commissioner McGregor said he understands that the goals for discussion relate directly to the five elements of the proviso with some overlaps. Ms. Massingale said proviso conditions are inclusive within the recurring goals. Commissioner McGregor recommended including additional information in terms of the specific proviso element impacted by each goal.

Mayor Selby supported the inclusion of an economic theme.

Ms. Massingale advised that Andy Haub recommended that theme, "Reduce Flood Risk," should be changed to "Management of Flood Risk" because it also captures sea level rise. Mayor Kmet spoke to economic implications and suggested the goal is much broader than capital and long-term maintenance costs because it also includes economic implications of continued water quality violations and what that could mean in terms of the managed treatment level for wastewater and stormwater in the system. Additionally, the City has recently been focused on the old brewhouse. Several historic themes conveyed during the process focused on how historically, the falls essentially were the south end of Puget Sound and the zone between the falls and saltwater was an important cultural location based on shell middens discovered in the area. There is cultural significance attached to the zone that hasn't been captured in previous discussions. Additionally, the ability to bring barges to the brewery at

one time was important, which today is not realistically practical; however, the ability for a kayak center for launching kayaks is another important value of consideration. Finally, because the basin is a freshwater system, the mouth of the old brewery area has changed in terms of the overgrowth of vegetation. Historically, the area was valued as an open area with clear views to the water.

Deputy Director Covington noted that during the 1999 and 2009 processes, aesthetics were a highly rated goal. He questioned whether aesthetics fall within the recurring goal of, "Gain community support and broad agreement." Ms. Massingale advised that the Technical Committee recommended revising the goal to reflect recreational opportunities and aesthetics as it was initially categorized within the top two primary goals of recreational opportunities and aesthetics.

Deputy Director Covington commented that the shaded area reflecting existing conditions affecting goals for long-term management appear to be redundant. He suggested removing the section if members agree as would enable a better focus on the important aspects of the goals. Mayor Kmet agreed with the suggestion. Ms. Massingale affirmed that it also aligns with Commissioner McGregor's suggestion to identify the goals in alignment with the proviso elements.

Jeff Dickison commented that existing conditions might need to be expanded or treated differently as they represent an important component. Existing conditions will affect the ability to accomplish the goals. For example, reducing flood risk is a sensitive issue surrounding flood protection. In the past, some people considered flood risk by the river whereas today, the reality is the greater flood risk is from sea level rise. That would be a constraint on what could be accomplished. Although improving water quality is a goal, it's also a constraint. Adding the health of fish runs or protecting fish passage are good as goals; however, the health of fish runs is a constraint on actions that could be pursued. The constraints should be represented in a larger context recognizing the role they play on achieving any of the goals and objectives.

Ms. Massingale acknowledged that a constant reminder of existing constraints might be unnecessary as an ongoing reminder because the subsequent topic on best available science might provide a better avenue for considering existing conditions and constraints.

Councilmember McClanahan said the section on existing conditions is the only area within the graphic that speaks to invasive species. It was an important topic to CLAMP during the discussions on Purple Loosestrife and Milfoil infestations that required some control measures. Today, the main issue is the mud snail. Councilmember McClanahan recommended invasive species should be more of a focus than combined with another overarching goal.

Deputy Director Covington remarked that the retention of the shaded text box of existing conditions is not problematic as long as it provides value. The challenge is placement of the information within the table, which is only one piece of the documents that form the narrative.

Ms. Massingale acknowledged that any changes would not be incorporated until after the closure of the public comment period. She recommended including the subject as a separate component for the June/July discussions for a comprehensive overview of existing conditions and constraints that eventually would need to align with the ability to achieve the goals.

Mayor Selby left the meeting.

Mr. Dickison pointed out that not all existing conditions/constraints are equal. Improving water quality isn't just a good idea - it's required by law. Some existing conditions have more traction or more weight than others. As the process moves forward, members also should consider that aspect.

Mayor Kmet commented that at high tide, he believes the lake is higher than the high tide. He asked about the relative elevation of the water bodies and whether a very high tide would be higher than the lake level. Mr. Dickison replied that high tides are more frequent than king tides. The fish ladder is open to water moving in either direction. There have been many incidents of high tide when water flows back through the fish ladder and into the lake.

Deputy Director Covington noted there are different measurements on both sides of the dam. DES monitors high tides and river flows. Barometric pressure plays a strong role, which is closely monitored by DES. Lake levels are lowered when king tides and high river volume are anticipated to minimize the risk of flooding in Olympia. He offered to provide elevational levels to the Executive Work Group.

Ms. Gardner-Brown invited members to provide any input by April 28 to ensure inclusion within the materials for the next review.

Mr. Dziejdzic asked for feedback on the process.

Mayor Kmet commented on the excellent information and the work involved in distilling so much information into several graphics. Once the graphics are finalized, they will be important to share with each entity.

Mr. Dziejdzic asked about the "first touch" and reminders each month about the process.

Mr. Dickison recommended more substance and less process. Members agreed the team has adequately explained the process and that the next steps should focus on substance because of the short timeframe.

Next Steps

Ms. Massingale reported the Community Input Meeting is scheduled on Wednesday, April 27 at 5:30 p.m. Public comments will be accepted until April 28. The team is focusing on incorporating feedback in the materials.

Deputy Director Covington reported the survey is available online. Executive Work Group members have been asked to share the link to the website through respective distribution channels. The next meeting is scheduled on Friday, May 27.

Adjournment

With there being no further business, Mr. Dziejdzic adjourned the meeting at 11:02 a.m.



CAPITOL LAKE EXECUTIVE WORK GROUP

*Jefferson Building
First Floor Presentation Room
1500 Jefferson Street
Olympia, Washington 98504*

May 27, 2016
9:30 a.m.

(Approved: June 24, 2016)

EXECUTIVE WORK GROUP MEMBERS PRESENT:

Cheryl Selby, City of Olympia
Julie Hankins, City of Olympia
Bill McGregor, Port of Olympia
Jeff Dickison, Squaxin Island Tribe
Cathy Wolfe, Thurston County
Pete Kmet, City of Tumwater
Neil McClanahan, City of Tumwater

DES STAFF MEMBERS PRESENT:

Chris Liu, Director
Bob Covington, Deputy Director
Carrie Martin, Asset Manager
Ann Sweeney, Special Assistant to the Director

Nouk Leap, Administrative Assistant
Jon Pretty, Communications
Jim Erskine, Communications
Rose Hong, Asset Management Manager

PRESENTERS/FACILITATORS:

Paul Dziedzic, Meeting Facilitator
Jessi Massingale, Floyd|Snider
Christina Martinez, Jacobs

OTHERS PRESENT:

Dennis Burke, E³
Sandor Silagi, Citizen
Kristin Swenddal, Department of Natural Resources
Tom Gow, Puget Sound Meeting Services
Jack Havens, Citizen
Brad Murphy, Thurston County Resource Stewardship
Bud Blake, Thurston County
Chris Conklin, WDFW
Dave Peeler, DERT
Dan Smith, City of Tumwater
Bob Holman, CLIPA
Scott Steltzner, Squaxin Island Tribe

Daniel Einstein, DERT
Bill Helbig, Port of Olympia
Lydia Wagner, Department of Ecology
Cristina Figureva, Department of Ecology
Andy Haub, City of Olympia
David Milne, Citizen
Wendy Steffensen, LOTT Clean Water Alliance
Richard Wolf, Citizen
Phyllis Farrell, Citizen
Peter Heide, Citizen
Helen Wheatley, Citizen

Opening Comments and Review of Agenda

Paul Dziedzic, Facilitator, called the meeting to order at 9:31 a.m. He welcomed everyone to the meeting.

The committee will receive updates on the status of the Funding and Governance Committee, Sediment Management Panel, and the Technical Committee. Members will have an opportunity for a second touch review of Goals and Objectives, receive input from the community meeting, and engage in a first touch review of best available science and feedback from the Technical Committee.

Members of the Executive Work Group and meeting presenters in attendance provided self-introduction.

Approval of May 27, 2016 Minutes

By consensus, members approved the June 24, 2016 meeting minutes as published.

Second Touch on Goals and Objectives – Overview of Community Input

Jessi Massingale, Floyd Snider, referred to revised materials from the previous meeting. The materials evolved from input received from the Work Group, Technical Committee, and the community. A summary of the results of the online survey regarding the materials from last month will also be provided. The online survey was a two-week survey to solicit input on goals and objectives.

Ms. Massingale reviewed Figure 1, *Timeline of Events Related to Capitol Lake and Evolution of Goals and Objectives*. Feedback was received and incorporated and will be included within the Proviso Report. Three events were added to the graphic representing:

1. 1971-1999 – summer lake drawdown and marine saltwater backflushing is conducted to control algae blooms and freshwater plant growth in Capitol Lake.
2. 1996 – Permitting efforts for construction of Heritage Park begin and highlight the need for an adaptive management process.
3. 2004 – A herbicide (triclopyr) is applied to Capitol Lake as part of a research effort intended to control Eurasian watermilfoil.

Feedback was received concerning the value of documenting LOTT Clean Water Alliance's water quality treatments. The information will be included within the Proviso Report. The community recommended including the CLAMP Steering Committee recommendations. This information will also be included within the Proviso Report.

Figure 1 will be included in the Proviso Report because it provides context on the evolution and history of the lake.

Ms. Massingale referred to Figure 2c, *Community Input on the 2016 Capitol Lake Long-Term Management Planning*, showing results of the online survey conducted in April. Input was received from 421 survey respondents, with 346 written comments totaling over 50 pages. Similar to the review last month of the 1999 Environmental Impact Statement (EIS) process and the 2009 CLAMP results from public input, the graphic is a bar chart of relative order of magnitude of the survey responses. The top six goals in 2016 are consistent with those from 2009 and 1999, with some shifting in order. The top six include: aesthetics, sediment management, recreational opportunities, water quality, economically feasible and reasonable, and habitat restoration.

At the community meeting on April 27, many citizens requested additional clarification on the definition of some of the goals, such as aesthetics and salmon recovery. It's important to understand that the goals are not tied to specific options. Using aesthetics as an example, one respondent indicated that the lake has been a beautiful asset and icon for the City and that the respondent supports aesthetics as an important long-term goal as a proponent for maintaining a lake. Another respondent equated aesthetics to a natural estuary that is aesthetically pleasing. The Figure captures some of the comments to provide context.

The Technical Committee did not offer specific comments on Figure 1; however, for Figure 2C, Technical Committee members recommended that information should be presented to reduce any indication of a specific bias either for a lake or estuary alternative. Additionally, some goals reflect only one comment as only one comment was submitted in the survey.

Other themes generated from the survey included interest in restoring and enhancing recreational opportunities, comments on costs, and comments ranging from evaluating long-term maintenance costs to reducing potential economic impacts to the local community. Other recurring themes centered on sediment management regardless of the lake management alternative. The public is aware that all options should carefully consider sediment management as a key component. Other comments supported a scientific approach to choosing a management plan. A number of comments focused on garnering broad community engagement and continuing to engage the community throughout the process. Many comments spoke to the increased sense of urgency to act regardless of the long-term option and that the process should move forward to the next phase to pursue a final action. Many respondents cited frustration with how long the issue has been studied and discussed.

Jeff Dickison questioned the purpose of Figure 2c, as some of the comments are demonstrably false or inaccurate. His concern is that inaccurate information isn't conveyed as accurate because it's included within the Figure. Ms. Massingale acknowledged this, and shared a good example, a comment stating that a tidal exchange in an estuary would completely eliminate or remove invasive species. She acknowledged that there may be misconceptions as the comments presented on the Figure have not been modified from those submitted from the public as part of the on-line survey. In terms of each statement, it is important that perceptions or interpretations do not become the driving force moving forward. Best available science guides a credible process. Ultimately, the process will rely on valid and best available technical information.

Mr. Dickison acknowledged the explanation but questioned whether it's adequate in the context of his concern. He recommended including a disclaimer statement citing that the opinions may not represent scientific consensus or findings of fact. Commissioner Wolfe agreed that a disclaimer should be included.

Director Liu supported the recommendation, as the information entails unedited comments from the community.

Mayor Kmet supported the recommendation as well.

Ms. Massingale referred members to Figure 3, *Goals for Long-Term Management of Capitol Lake*. Much of the discussion generated around Figure 3 during the reviews focused on lumping or splitting different elements versus providing more details. Blue circles are goals from existing project documentation that transition to primary themes of Environment, Infrastructure, Community, and Economy to create goals for long-term management (yellow circles) reflecting stakeholder input and provisions in the 2015 Proviso.

The Technical Committee reviewed Figure 3 at its last meeting and offered additional feedback and minor changes to terminology, such as changing, “Recover healthy salmon runs” to, “Support healthy salmon runs.” Instead of, “Maintain aesthetics and visual quality,” committee members recommended, “Support aesthetics and visual quality” because it means different things to different people. Additional input included adding symbols, a circle, triangle, and square, to communicate the directives from the Proviso, requirements of federal or state law, and ecosystem recovery targets.

The information will form the basis for a draft Purpose and Need Statement (or problem statement under SEPA regulations.) A purpose and need statement identifies the reason for a project; what is the goal or purpose for doing the work? During the EIS process in Phase II, the purpose and need statement is compared against different long-term options to ensure the final outcome meets the goals outlined in the purpose and need statement. Additionally, as the process moves to secure permits in Phase III, the information forms the basis for the permit application(s). The consultant team has completed an initial draft and is finalizing it with DES for presentation to the Technical Committee, Executive Work Group, and the public in June. In June, the Work Group is scheduled to review a summary of identified hybrid options. The Purpose and Need Statement will be included within the Proviso Report and can serve as the foundation for the future EIS process.

Mayor Kmet requested a review of the Technical Committee’s suggested changes to the yellow circles. Ms. Massingale reviewed the proposed changes:

| <i>Current</i> | <i>Recommended Change</i> |
|--|---|
| Recover healthy salmon runs | Support healthy salmon runs |
| Maintain aesthetics and visual quality | Support aesthetics and visual quality |
| Maintain historical and cultural resources | Support historical and cultural resources |
| Avoid economic impacts | Avoid negative impacts and maximize economic benefits |

The materials are publicly available for a two-week public comment period. Members were encouraged to provide input within two weeks.

Mr. Dziedzic invited feedback from members.

Councilmember Hankins suggested all notations of “Improve” should be revised to reflect “Support” because once the improvements have occurred, it would be important to continue supporting those efforts.

Mayor Kmet suggested the intent is to improve conditions rather than support efforts to improve conditions. Councilmember Hankins said her recommendation pertained to both improving and ensuring a plan is in place to support efforts in the future.

Mr. Dziedzic said the suggestion pertaining to “improve” is at a specific point in time because the goal for a management plan is to attain a specific condition and long-term management goal beyond the existing point. It was pointed out that the goals are long-term goals. Ms. Massingale acknowledged that it could be “improve and support” as there are some elements that speak to improving recreational opportunities because regardless of the future status of the lake, most people want recreational opportunities improved.

Mayor Kmet said that the example for salmon would entail more than just support, as the idea is to improve the return. Support is not necessarily the correct context.

Commissioner Wolfe offered a suggestion of adding “Improve and support.” Mayor Kmet acknowledged the suggestion. Additionally, for sediment management, there is no sediment management today and improve might be appropriate. The same could apply to aesthetics, as current aesthetics are not that desirable. The descriptions depend on the context. For the most part, adding, “improve” would be beneficial.

Ms. Massingale asked for input on materials for the next meeting when the draft Purpose and Need Statement will be presented to the Work Group. The team can compile a range of examples of purpose and needs statements from other projects completing an EIS process, permitting, and construction. The intent would be to provide some context for those unfamiliar with purpose and need statements and provide a range of examples. She asked for input on reviewing examples of different purpose and need statements prior to presenting the draft Purpose and Need Statement for Capitol Lake.

Mayor Kmet commented on the difficulty of condensing information within the yellow circles into a succinct purpose and need statement. Ms. Massingale agreed, as the goal is to ensure the statement has sufficient depth while avoiding preclusion of options.

Director Liu supported a review of examples of purpose and need statements.

Mayor Selby excused herself from the meeting.

First Touch on Best Available Science and Overview of Feedback from Technical Committee

Ms. Massingale reported the Proviso includes best available science and the DES Work Plan includes components of work surrounding best available science. The Proviso directed the identification and summarization of best available science for water quality and habitat relative to conceptual options of retaining or removing the dam. The DES Work Plan includes developing criteria and a process to review the science and opportunities for each group to review the information. To meet the goals, research was completed on different criteria and methods to identify best available science.

Ms. Massingale referred members to information on *Methodologies to Review Best Available Science*. An example definition for best available science is the federal definition provided in the materials.

During recent research, the team identified three options for consideration after reviewing a number of state, federal, and international methods that are widely accepted and used. They focused on methods that are suitable for review of environmental data such as water quality or habitat, confirming that the methods are commonly used and reflect current best practice, and confirming that the methods were provided in formal guidance or codified in law or in peer review literature.

The Figure, *Methodologies to Review Best Available Science*, also includes a source notation of the detailed sources of the technical studies, information, and reports. The sources are included on the DES website.

Ms. Massingale reviewed state, federal, and international methods for identifying best available science, which are detailed in the meeting materials.

Essentially, Washington State’s methodology is a tabular format. The EPA’s guidelines entail a narrative with five assessment factors. The International System is a scoring or ranking system from 1 to 4.

Ms. Massingale referred members to the Figure, *Washington State Criteria for Ensuring Best Available Science is Used in Policy*. The information is from a table in the WAC Growth Management Act, which was enhanced to improve readability. The table represents a tabular format whereby the x-axis includes a list of sources of scientific information (data) to include: Research, Monitoring, Inventory, Survey, Modeling, Assessment, Surfaces, and Expert Opinion. The y-axis includes characteristics of Peer Review, Methods, Logical Conclusions and Reasonable Inferences, Quantitative Analysis, Context, and References. Check marks represent characteristics that are present for the information to be considered scientifically valid and reliable. An orange mark relative to Quantitative Analysis is indicative of positive validity of the information.

Ms. Massingale reported that the criteria for *Expert Opinion* includes guidance on determining if a person is qualified as a scientific expert and also acknowledges that there could be technical studies or data that do not necessarily meet the characteristics for validity or reliability under scientific evaluation but could be helpful as supplemental information. However, it cannot substitute or replace information identified as scientifically valid and credible.

Technical Committee input revealed that some Department of Ecology members were familiar with the methodology and have implemented and found the table to be objective when evaluating environmental data. The Department of Ecology is supporting the process and is sharing peer review categories. Overall, the Technical Committee provided initial support of the state's methodology.

Mayor Kmet pointed out that many of the goal statements pertaining to cost or history are not scientifically based. He questioned whether a definition of science has been identified. Ms. Massingale affirmed the WAC does not define best available science but infers a review of technical documents against the tabular format would deem credible science or no credible science. For those issues not scientifically-based, the alternatives analysis factors those goals acknowledging that best available science is not used in all approaches as the conceptual design in the EIS includes assignment of costs for each option.

Mr. Dziejczak noted that the Proviso provides direction on best available science and identifies it as findings of best available science concerning water quality and habitat as they relate to conceptual options of retaining or removing the dam. Mayor Kmet asked whether the intent of the criteria is to focus only on water quality and habitat. Ms. Massingale affirmed that the technical documents focused on water quality and habitat. Within the EIS process, identification would be required of the current state of water quality and impact on water quality under each of the options evaluated, as well as an assessment of climate change and sea level rise that are not addressed in the Proviso but reviewed and assessed during the EIS process. Mayor Kmet suggested including a statement identifying what would be evaluated by the methodology.

Jeff Dickison questioned whether the evaluation could be used on invasive species because limiting the assessment to water quality and habitat might be too restrictive in terms of the goals of evaluation on a scientific basis. Ms. Massingale advised that a review of the methods would include a review of the compiled document list. The Proviso stipulated water quality and habitat. The compiled technical document includes a definition of habitat as inclusive of habitat for fish, wildlife, and other aquatic organisms and it includes other information relevant to habitat, such as invasive species. An EIS process is not guided by a proviso directive. Any conflicting information on a topic could be subject to the evaluation method, as needed. Ms. Massingale said the language within the Figure would be improved and included within the Proviso Report reflecting that the compiled technical document list is focused on

water quality and habitat and that the methodology could be used for any review of scientific information in the EIS.

Members supported Ms. Massingale's recommendation.

Ms. Massingale reviewed the Figure on *USEPA Guidance for Evaluating the Quality of Scientific Information*. EPA's method of evaluation includes five general assessment factors of Soundness, Applicability and Utility, Clarity and Completeness, Uncertainty and Variability, and Evaluation and Review. Within each factor or category, a number of questions require answers. The team did not edit the text. The Technical Committee indicated that the method is somewhat challenging or includes potential weaknesses for the introduction of subjectivity in scoring and answering of questions as it entails some judgment when answering each question. The consensus by the Technical Committee indicated the WAC was more appropriate for the review of environmental data.

Ms. Massingale referred to the Figure, *Internationally Recognized Scoring System for Evaluating Data Quality*. This method is a different approach as the method is based on scoring or ranking. The reviewer reviews the scientific information or technical studies and assigns a justification code based on the information's credibility or robustness with 1 the better score and 4, the lower score. Different groups have expanded the framework by providing more guidance. The method is largely used for material on toxicology. The method was considered because it is used commonly and frequently in the review of environmental data. Overall, the Technical Committee did not have the experience with the international method and given that the method is a ranking system, the Technical Committee believed that since the WAC is used for environmental data by cities and counties, it would be the preferred method.

Ms. Massingale referred to the peer review journal article, which is available on the DES website as an original source document.

Ms. Massingale responded to questions about the differences between the international ranking method as opposed to the WAC and the EPA methods. The WAC method is applicable to a range of sources and provides guidance on defining a technical expert or an explanation of how to review information from different sources of information. The WAC methodology eliminates some of the subjectivity and provides information about how to evaluate expert opinions. The methodology also acknowledges that information not meeting the characteristics of scientifically reliable and valid, could still supplement the science.

Ms. Massingale encouraged input on the three methods because the intent is that after completing the second touch, the method will be included in the Proviso Report as the preferred method for use in an EIS process.

Mayor Kmet asked whether the WAC method includes a guidance document describing the application of the methodology. Ms. Massingale said no additional guidance is available as the method is described in the WAC Growth Management Act. The team was able to locate information online on how the City of Seattle and other cities have used it, as well as Ecology and WDFW. Various examples exist of other governmental entities or agencies that have used the method. Mayor Kmet asked that the Work Group receive a copy of the WAC. Ms. Massingale affirmed the WAC and the other sources are included on the DES website.

Mr. Dziejcz commented that the EPA methodology is less clear on whether the information is valid or invalid. Ms. Massingale agreed the methodology includes more subjectivity because many of the

questions are open-ended allowing the reviewer to consider or not consider sources whereas the tabular methodology is specific in terms of whether the source can or cannot be validated.

Ms. Massingale encouraged input from members by June 2. Information for inclusion within the Proviso Report will document the review for identifying criteria for best available science and the recommended method, as well as a description of the anticipated use in an EIS. These efforts are intended to streamline and shorten a future EIS process.

Ms. Massingale described the process for preparing the list of technical documents that would be reviewed for potential best available science for water quality and habitat. The table of documents reviewed to date is available on the website with a request to the community to provide additional reports or studies relative to water quality or habitat. The documents provide science related to water quality and habitat and would be relevant to the evaluation of long-term management options and the impacts of retaining or removing the dam.

The initial draft speaks to technical studies regarding water quality to include all water bodies affecting or affected by Capitol Lake. That enables the inclusion of reports or studies on Budd Inlet and the Deschutes Watershed. No firm geographical boundary has been identified at this time. For Habitat, the team deemed habitat as inclusive of habitat for fish, wildlife, and other aquatic organisms, and it includes other information relevant to habitat, such as invasive species.

Input from the Technical Committee was based on a definition of a geographic boundary when considering water quality because it encompasses the entire watershed. No geographic boundary was defined for habitat. The information will continue to be revised based on input and as additional sources of technical studies are identified for habitat and water quality.

Ms. Massingale requested input on whether water quality should also include water quantity. Preliminary information was received on water quantity. Other input included information on a Coho recovery plan, as well as habitat studies. City government officials representing Olympia, Tumwater, and Thurston County shared ideas on the work completed by the LOTT Clean Water Alliance and local government partners. The technical studies are listed chronologically with recent documents listed first. A larger list of sources in draft form was also prepared. Some stakeholder groups have also shared information that was included in the document. The document serves as a repository of source documents for the EIS process. DES has collected much material and published the information on the website. More studies, reports, and information are anticipated to be included within the list. The goal is to take advantage of this process to solicit and compile information. During the second touch on best available science, the team will report on results from input from the community and present a longer list.

Mr. Dickison asked whether the list would be screened using best available science methodology. Ms. Massingale affirmed that it would during Phase 2. The EIS process would include a compilation of all information and not just water quality and habitat. The information hasn't been screened against the method in part because of the limited timeframe to prepare the Proviso Report and because of the uncertainty of when Phase 2 would occur. If funding is delayed, the list could expand and any new information would be included in the screening. The intent is consolidating all information to facilitate an EIS process during Phase 2.

Mr. Dziejdzic commented that the title of the document might imply that the documents have been determined to be best available science. It might be more appropriate to re-title the document as a

document review on water quality and habitat for development or identification of best available science in an EIS.

Director Liu recommended clarifying that the sources of data have not been screened or filtered and that the filtering process would occur during the EIS process.

Ms. Massingale said the next meeting will include a larger list building from input from stakeholders, and a recommended or selected methodology based on input. Members will review the draft Purpose and Need Statement and complete a first touch review of hybrid options. The Proviso requires the identification of multiple hybrid options for future management of Capitol Lake. Options are to include substantial improvement in fish and wildlife habitat and ecosystem function, maintain an historic reflecting pool at the north end of the lake/estuary, and adaptive management strategies. At the June meeting, the Work Group will focus on the hybrid options identified from work completed from previous processes or suggested by the community. During the extended session at the June meeting, one of the presentations will feature a hybrid option. In July, the Work Group will review the full range of options, including a managed lake and a restored estuary.

Councilmember McClanahan expressed appreciation for receiving the historical data because it's important to acknowledge the time and efforts spent on Capitol Lake. The team has done a great job of encapsulating the information.

Mayor Kmet noted that the City of Tumwater has completed a variety of stormwater studies. It's likely other local jurisdictions have completed similar studies. Information also may be available on the ranking of streams in this area of Thurston County in terms of quality and habitat. It's also possible the Port of Olympia completed studies on sediment characterization, which isn't reflected in the list. Ms. Massingale encouraged the submission of all documents to increase the efficiency of Phase 2. Technical Committee members were provided with a shared file application for uploading reports, which can be shared with the Work Group as well.

Process Update from DES

Update on Open Technical Committee meeting.

Director Liu briefed members on the status of opening Technical Committee meetings to the public. DES is enabling the public to observe Technical Committee meetings. The meetings do not afford an opportunity for public comment. The Technical Committee is tasked to review a substantial amount of information. Because of the compressed timeframe, it's important the committee has the necessary time and resources to complete its work. It's also important that any public observation doesn't interfere with the work of the committee. Subsequently, DES is developing some rules for public attendance. DES also reserves the right to end public attendance if problems arise.

Mayor Kmet asked about the status of public attendance to the Funding and Governance Committee meetings. Director Liu said DES is still considering the option and no decision has been rendered at this time.

Commissioner McGregor thanked and acknowledged DES for inclusion of the public during the committee's meetings because it will benefit the process. It's important for the public to hear the discussions and have an opportunity to provide feedback at other venues.

Update on Funding and Governance Committee

Deputy Director Covington reported on the initial meeting of the Funding and Governance Committee on May 17. He encouraged executive members to regularly talk to their representatives on the Funding and

Governance Committee, so everyone stays informed throughout the process. The first meeting initiated the committee and outlined rules and responsibilities of each member. Information was shared on the process to date. Members initially identified different funding and governance models. Members reviewed directives in the Proviso. The Proviso directs the identification of conceptual options and degree of general support for shared funding by state, local, and federal governments, and potentially other entities, and identification of one or more conceptual options for long-term shared governance of a future management plan including consideration of an option similar to lake management districts or shellfish protection districts. All members were encouraged to think creatively. The process entails participation by each member. Members agreed to a template and an approach for gathering information and feedback. Some conceptual models could be different depending on the selected long-term management option.

DES is working on a draft of the initial information to disseminate to committee members. The second meeting will explore conceptual alternatives and consider the degree of support for specific models. Action items were identified for members to populate the matrix of models to aid future conversations. The next meeting is scheduled on June 21.

Mr. Covington queried members about any opportunities to connect with their respective members serving on the committee. Commissioner Wolfe said a meeting has been scheduled for the county's representative.

Next Steps

Mr. Dziejczak reviewed the presentations that are scheduled to occur after lunch, from community groups and individuals. The schedule includes a five-minute question and answer period following each presentation. Four presentations are scheduled between noon and 2 p.m.

Ms. Massingale reported the next Community Meeting is scheduled on Wednesday, June 1. She is unavailable to attend the meeting; however, other members of the Floyd|Snider team plan to attend. On Thursday, June 2, the two-week cycle for the online survey and request for additional studies and data ends. She invited comments on Figure 3 by Thursday, June 2. Materials will be transmitted by email for the June meeting. She encouraged members to review the draft Purpose and Need Statement prior to the meeting. June's meeting agenda includes a second touch on best available science, a summary of the results of the Community Meeting, a summary of additional technical studies received to date, and first touch review of hybrid options.

Mr. Dziejczak reviewed adjustments to the presentation schedule for the afternoon's meeting.

Director Liu reported on a suggestion received during the last Community Meeting for each member to publicize the meeting dates on their organization's website. DES staff will contact each organization to incorporate meeting information or provide a link for each organization's website.

Adjournment

With there being no further business, Mr. Dziejczak adjourned the meeting at 11:10 a.m.

Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net



CAPITOL LAKE EXECUTIVE WORK GROUP

Jefferson Building - First Floor Presentation Room

1500 Jefferson Street

Olympia, Washington 98504

June 24, 2016

9:30 a.m.

(Approved: July 22, 2016)

JURISDICTIONAL MEMBERS PRESENT:

Cathy Wolfe, Thurston County
Pete Kmet, City of Tumwater
Cheryl Selby, City of Olympia
Julie Hankins, City of Olympia
Jeff Dickison, Squaxin Island Tribe
Bill McGregor, Port of Olympia
Neil McClanahan, City of Tumwater

DES STAFF MEMBERS PRESENT:

Bob Covington, Department of Enterprise Services
Carrie Martin, Department of Enterprise Services
Ann Sweeney, Department of Enterprise Services
Curt Hart, Department of Enterprise Services
Gabrielle Stillwater, Department of Enterprise Services

Jon Pretty, Department of Enterprise Services
Jim Erskine, Department of Enterprise Services
Rose Hong, Department of Enterprise Services
Nouk Leap, Department of Enterprise Services

PRESENTERS/FACILITATORS::

Paul Dziedzic, Meeting Facilitator
Jessi Massingale, Floyd|Snider

Anise Ahmed, Department of Ecology
Rich Doenges, Department of Ecology

OTHERS PRESENT:

Dennis Burke, E³
Jerilyn Walley, SPSSEG
Kristin Swenddal, Department of Natural Resources
Tom Gow, Puget Sound Meeting Services
Jack Havens, Citizen
Joe Downing, Port of Olympia
Steve Finney, Recreational Boating Assn of WA
Clydia Cuykendall, Citizen
Stephanie Cushman, Citizen
Dan Smith, City of Tumwater
Judy Bartley WaTech
Bob Jensen, DERT
Chris Conklin, WDFW
Ed Crawford, Citizen
Brad Murphy, Thurston County
Zena Hartung, DERT
Bob Holman, CLIPA

Ben Dennis, InStream Conservation
Wayne Gilham, Recreational Boating Assn of WA
Bill Helbig, Port of Olympia
Lydia Wagner, Department of Ecology
Cristina Figureva, Department of Ecology
Andy Haub, City of Olympia
Mark Dahlen, Citizen
Wendy Steffensen, LOTT Clean Water Alliance
John DeMeyer, Citizen
Sue Patnude, DERT
Ruth Peterson, Office of Senator Braun
Helen Wheatley, Citizen
Gary Larson, Citizen
Bob Wubbena, CLIPA
Dave Peeler, DERT
Sally Toteff, Department of Ecology

Opening Comments and Review of Agenda

Paul Dziedzic, Facilitator, called the meeting to order at 9:34 a.m. He welcomed everyone to the meeting.

Members of the Executive Work Group and meeting presenters provided self-introduction.

The committee will receive a presentation from Department of Ecology representatives on the Deschutes Watershed Water Quality Study for background information, a second touch review of Best Available Science, a first touch review on Draft Purpose and Need Statement, a first touch review on Identification of Hybrid Options, and an update on the process from DES.

Approval of May 27, 2016 Minutes

By consensus, members approved the May 27, 2016 meeting minutes as published.

Department of Ecology Presentation – Information

Mr. Dziedzic introduced Rich Doenges, Manager, Southwest Region Water Quality, Department of Ecology, and Dr. Anise Ahmed, Lead Scientist, Department of Ecology. Mr. Dziedzic referred members to additional information supplementing the presentation.

Mr. Doenges reported the briefing would cover 20 years of technical and scientific studies completed by the Department of Ecology (ECY) to analyze water quality problems and implement solutions to improve water quality throughout Washington waters for over 40 years. Part of that effort is communicating the work completed. ECY anticipates and welcomes different opinions and perspectives on the work because the causes and solutions of water quality problems involve and affect the entire community.

The most challenging problem in Budd Inlet is the lack of dissolved oxygen. The lack of oxygen is not sufficient to meet water quality standards and without oxygen, aquatic life suffers. Dr. Ahmed cited the analogy of the lack of circulating water in an aquarium and the detrimental affect it has on fish.

The federal Clean Water Act serves as the foundation for much of the work completed by ECY, the Environmental Protection Agency (EPA), and local governments. In 1972, the federal government passed the Clean Water Act. In 1973, EPA designated ECY as the lead agency overseeing the Clean Water Act in Washington State. Of the critical work by ECY, one of the most important is water quality standards, which define the goals of the water body by designating beneficial uses, such as recreation, aquatic life, boating, and aesthetics and establishing criteria to protect those uses through provisions to protect water bodies from pollutants. The Clean Water Act is also the legal framework for regulatory provisions, such as NPDES permits allowing wastewater discharge at a specific level to ensure designated beneficial uses are not impacted. Examples include the LOTT Clean Water Alliance Wastewater Treatment Plant permit and municipal permits issued to Thurston County and cities. Another requirement of the Clean Water Act is monitoring water quality in streams, lakes, rivers, and marine waters. ECY has collected data since it was designated as the lead agency by EPA. When water bodies are not meeting water quality standards, those bodies are included on the 303(d) list.

Based on several years of field data and lab analysis, the Deschutes River and its tributaries of Capitol Lake and Budd Inlet were listed as unhealthy in the mid 1990s. Once listed, ECY is obligated under the Clean Water Act to take steps to improve water to meet water quality standards and remove the water bodies from the 303(d) list. That listing triggered the Deschutes Water Quality Improvement Plan, identifying pollution sources in the watershed and specifying how much pollution must be reduced to achieve clean water.

ECY's study focused on the watershed above Tumwater Falls and identified problems with low dissolved oxygen, high stream temperature, high pH, too much fecal coliform bacteria, and too much fine sediment. The draft report, "Deschutes River, Percival Creek, and Budd Inlet Tributaries Temperature, Fecal Coliform Bacteria, Dissolved Oxygen, pH, and Fine Sediment TMDL: Water Quality Improvement Report and Implementation Plan, was submitted to the EPA in December 2015 for approval. The plan identifies specific implementation plans to ensure water quality standards are achieved for freshwater. Some implementation measures include riparian restoration, maintaining stream corridors, removal of pet waste, improving stormwater management, and implementing low impact development standards.

The foundation of those efforts include two key technical studies to include the June 2012 study to determine the capacity of the Deschutes River to handle fecal coliform, temperature, dissolved oxygen, pH, and fine sediment and recommending reductions in the amount of pollutants to achieve water quality standards. The 2012 study also includes information on how the Budd Inlet and Capitol Lake model was developed, calibrated, and used to assess dissolved oxygen.

In 2015, a supplemental report included more modeling analyses for Budd Inlet and Capitol Lake. Some of the different scenarios were reviewed with the Deschutes Advisory Group during 2012-2013. The Deschutes Advisory Group continues its engagement in the process, which includes transitioning its focus to work on Capitol Lake and Budd Inlet.

Dr. Ahmed reviewed how water quality in Budd Inlet is connected to Capitol Lake. Human sources are contributing nitrate and phosphate to Budd Inlet through wastewater plants and through non-point sources, such as agriculture. Nitrates and phosphate are nutrients and together with sunlight and carbon dioxide produce algae blooms on the surface layer of Budd Inlet. During the day through photosynthesis, algae produces oxygen; however, at night, algae uses oxygen and releases carbon dioxide. Because summer days are longer, the net result is the production of oxygen in the upper surface layers. At the end of the lifecycle, algae die and settle to the bottom of the inlet and become organic matter. Organic matter decomposes through bacteria, which uses oxygen and depletes oxygen from the bottom layer of the water body. The result is high oxygen at the surface and low oxygen at the bottom.

A similar scenario is occurring in Capitol Lake. The only difference is the presence of freshwater algae. When freshwater algae contact marine water, freshwater algae die and become organic matter contributing to the depletion of oxygen. For every pound of nitrate consumed by algae leaving the lake, approximately seven pounds of organic matter is produced in Budd Inlet equating to 18.7 pounds of oxygen depletion.

Dr. Ahmed reviewed modeling results. The Budd Inlet/Capitol Lake water quality model was built using the GEMSS framework, which has been used nationwide for rivers, lakes, estuaries, and coastal waters. The model is a simulation of physics, chemistry, and biology of the system. Computer models are used for a variety of reasons. One example includes weather forecasters who use computer models to predict daily weather. One of the models used from the GEMSS framework was the hydrodynamic module covering the physics of the system (tidal action, flows from river and the lake, flows from wastewater plants, rainfall, and wind). Chemistry and biology are intertwined and were addressed in three modules within the GEMSS framework comprised of the water quality module, algae module, and the macrophytes module. Macrophytes simulate bottom plants in Capitol Lake. Because biology and chemistry are intertwined, it creates cycling of nutrients of carbon resulting in higher oxygen in the top layer and lower oxygen in the bottom layer.

The model was originally created by the LOTT Clean Water Alliance for its Budd Inlet Scientific Study completed in 1998. That model did not include Capitol Lake. ECY's study added Capitol Lake to the modeling.

Dr. Ahmed reviewed how ECY satisfied the intent of best available science. That effort included the collection of field data from a multitude of sources followed by calibration of the Capitol Lake model with data from 2004 and verification of the model with data from 2001. Additionally, the intent was satisfied through model evaluation, verification, and subsequent improvements through extensive peer reviews.

The first peer review was completed by Robert Ambrose, a former EPA employee with over 25 years experience in water quality modeling, as well as the developer of the water quality model, WASP, which is widely used. The review included two tasks. The first was a review of the GEMSS model codes. Based on Mr. Ambrose's review and recommendations, the developers of GEMSS modified some codes according to the recommendations. Additionally, verification tests were required to ensure code changes were applied correctly. Following completion of verification tests, Mr. Ambrose was satisfied the model was correctly modeling.

Independent peer review is considered the highest level of peer review because it's overseen by an independent third party. For the study, EPA was the third party reviewer. EPA selected Professor Scott Wells of Portland State University. He is the co-author of the water quality and hydrodynamic model, CE-QUAL-W2, used throughout the world for temperature and water quality modeling studies. He and Dr. Chris Berger, Research Assistant Professor, were the pioneers of the macrophytes module used in GEMSS. His two tasks included a review of all input files created by ECY, review of both sets of model calibration/confirmation results, and calibration and verification of the model. Dr. Wells' report is 169 pages. All recommendations and suggestions were addressed to his satisfaction. Dr. Wells also reviewed how GEMSS was wired for macrophytes. He was satisfied with the model.

The next independent review was completed by Jim Fitzpatrick who was recommended by EPA's Chesapeake Bay Program as an individual with the knowledge and experience to review models such as GEMSS. Mr. Fitzpatrick reviewed the work of Robert Ambrose and completed another verification test. His final report is only four pages. Mr. Fitzpatrick was satisfied with the accuracy of the model. Additionally, Mr. Fitzpatrick reviewed the research paper on the water quality model and its implementation within the GEMSS model to ensure accuracy in the codes. Overall, field data, calibration and verification, and extensive peer reviews met the intent of best available science according to statute.

Dr. Ahmed displayed a snapshot of the dissolved oxygen impact in Budd Inlet's East Bay. The slide reveals the proportion of the impact from difference sources on dissolved oxygen violations. He demonstrated the levels exceeding water quality standards. Four main sources of impact to oxygen are present in Budd Inlet. They include the impact from wastewater plants within Budd Inlet, impacts from non-point sources in Budd Inlet, impacts of sources external to Budd Inlet, and impacts from the Capitol Lake dam. Because many sources affect dissolved oxygen, all efforts are required to solve the problem.

Mr. Doenges added that all the sources impacting dissolved oxygen exceed water quality standards.

Dr. Ahmed displayed a slide of Budd Inlet and the Capitol Lake dam. The slide includes information on water quality conditions caused from all human sources, non-point sources, sources external to Budd Lake,

and the dam. Water quality conditions were graphed representing only three of the sources – direct, non-point, and external sources. With the dam in place, Budd Inlet experiences more water quality violations.

Mr. Dickison pointed out that the different graphs are not comparable in scale. Dr. Ahmed acknowledged the difference in scale between the different graphs.

Dr. Ahmed reviewed why Capitol Lake has such a huge impact on dissolved oxygen levels in East Bay. The primary reason is because the lake increases total organic carbon loads to Budd Inlet, as well as reducing mixing action in East Bay by increasing the time water remains in East Bay causing decomposition of organic matter.

Another graph demonstrated how more organic carbon matter travels to Budd Inlet because of the presence of the dam.

The project has completed a high level of peer review by scientists from across the country. ECY has confidence in the predictions and findings of the model, as well as the understanding of the lower Deschutes/Capitol Lake/ Budd Inlet system. Dr. Ahmed shared the address of the website containing the two reports and ECY contacts for additional information.

Mr. Dziejdzic invited questions and comments from members.

Mayor Selby asked about members of the Deschutes Advisory Group. Staff replied that members include representatives from the cities of Olympia and Tumwater, Thurston County, Squaxin Island Tribe, Thurston Conservation District, nonprofit organizations, Black Hills Audubon Society, Department of Fish and Wildlife, CLIPA, Department of Health, Department of Natural Resources, the EPA, and others. The group was formed in 2009.

Mr. Dickison thanked the presenters for the information. ECY has done an exceptional job over the years in developing the information and having it evaluated and tested. In terms of the Deschutes River and water quality standards that have been exceeded, additional water quality parameters are included on the 303(d) list that are not included within the TMDL. One additional parameter is the standard for large woody debris (LWD) found naturally throughout the system that often helps capture fine sediment and helps regulate temperature.

Mr. Dickison referred to the bar chart comparison of pollutant sources. One significant source is LOTT's wastewater discharge, which is regulated by ECY through its issuance of LOTT's discharge permit. When water quality standards are not being achieved, all polluting sources should be considered, and in particular, those areas where ECY has regulatory control. Non-point sources are more difficult to regulate; however, it's possible to regulate LOTT's discharge. Since the entire environment in Budd Inlet is affected, it's likely that in the next review cycle, LOTT would be required to meet water quality standards. External sources also play a role in terms of water circulating into and out of Budd Inlet from areas to the north, which also include a component of discharges from other sewer plants. The large Tacoma/Pierce County Plant at Chambers Bay, as well as plants in Seattle contribute sources. It speaks to the argument that ECY should further regulate the discharges from those plants to meet water quality standards in Budd Inlet. That action would represent a significant regulatory undertaking, but not without precedent. Finally, the Capitol Lake dam is a choice. It could be argued that it may be possible to select one of the sources to pursue as public policy

acknowledging that not all sources would likely be targeted to achieve water quality standards. Mr. Dickison asked all LOTT partners whether they would prefer a means to continue the present highly-treated LOTT discharge to Budd Inlet or whether they prefer retaining the lake. Essentially, the choice is one or the other.

Mayor Kmet questioned why the presentation did not address water quality in the main body of Budd Inlet or Capitol Lake as opposed to East Bay. Dr. Ahmed responded that the East Bay cell experienced the highest impact. Solving water quality issues in East Bay would solve water quality issues in Budd Inlet, as well as Capitol Lake. Mr. Doenges said the flows from Capitol Lake through Budd Inlet are captured in East Bay where the flow lingers and lacks flushing action. Dr. Ahmed added that organic matter released from Capitol Lake reaches East Bay. During modeling, dye was injected in Capitol Lake and tracked revealing that some dye reached East Bay revealing how water in East Bay is trapped.

Mayor Kmet said the information also didn't speak to Capitol Lake and whether it meets water quality standards. Dr. Ahmed said he understands Capitol Lake is included on the 303(d) list for phosphorous. If dissolved oxygen in Budd Inlet were resolved, some resolution of water quality issues in Capitol Lake would be resolved as well.

Councilmember Hankins commented that it appears improving water quality in Budd Inlet automatically improves water quality in Capitol Lake. Dr. Ahmed replied that resolving issues in Budd Inlet would also enable more focus on the lake.

Commissioner McGregor asked about date of the bar graph information. Dr. Ahmed advised that the bar graph was based on the Budd Inlet Scientific Study completed in 1998. Mr. Doenges added that a supplemental report includes a discussion on the allocation of the impacts.

Commissioner McGregor noted that in the late 1980s and early 1990s, the Port often placed large bay mixers off the end of East Bay piers to help circulate water because of inadequate flushing in the area. He's unsure whether that practice continues, as it may have been abandoned because it wasn't improving flushing activity. Additionally, because of water quality issues and lowering of permitted activities under the Port's NPDES permit for its industrial areas, the Port recently completed a new stormwater plant meeting most of the parameter benchmarks except for one parameter. The Port is working with ECY to improve that parameter to meet the standard. Although the Port is working to achieve the standards, it's likely not possible to achieve the required level.

Mr. Doenges said the Deschutes Advisory Group is working to identify solutions. One of the messages conveyed through the bar graph is that the pollution is not from one single source with many sources contributing to the problem. Mr. Ahmed added that every effort helps improve water quality.

Commissioner McGregor noted that the decay of freshwater algae is a cumulative impact. He questioned the timing of the decay process when oxygen is no longer consumed. Mr. Doenges said the lifecycle is quick; however, new algae replace decaying algae during the season. Dr. Ahmed said the amount of oxygen consumption is dependent upon the movement of the water.

Second Touch on Best Available Science and Overview of Community Input – Discussion

Jessi Massingale, Floyd|Snider, reported the second touch would cover best available science methodology and an overview of community input.

Ms. Massingale reviewed the summary of three potential methods to identify best available science. Revisions to information include the addition of text to clarify that the use of the information would be for the review of technical and scientific information as part of Phase 2 for the Environmental Impact Statement (EIS) process. Additionally, the technical document list includes technical documents, scientific studies, and other information that were initially identified based on various sources pertaining to the Capitol Lake basin and the Deschutes estuary. Since the last meeting, additional information was solicited from members, Technical Committee, and the community. The list was revised to include subheaders identifying the list of additional technical documents provided by the Technical Committee, Executive Work Group, and the community. Based on input and discussion by the Technical Committee, the list will be the primary focus on data, science, and documents relative to the Deschutes estuary and Budd Inlet. Additional documents that were not scientifically-based, relevant studies, or information about Puget Sound have been retained as part of the project bibliography in the Proviso Report as a tool for the future EIS.

Additionally, one of the questions before the Technical Committee, as well as to the Executive Work Group and the community was whether a methodology would be used to review the information on the list. Last month, the three groups identified the WAC methodology as the preferred method. The Technical Committee inquired as to whether the technical document list would be reviewed using the WAC methodology. The response to the committee indicated that because of lack of time and resources a review wouldn't occur as part of the process. Subsequently, some members of the Technical Committee offered to assume that task. A subcommittee of the Technical Committee plans to review the Technical Document list using the WAC methodology to identify best available science. The subcommittee will develop findings based on its WAC methodology review. Ms. Massingale asked for input on the step for moving best available science forward in the review of technical documents. There were no objections by members to the approach.

Mayor Selby asked whether it would be possible for the Technical Committee to remain on track in conjunction with the additional review. Ms. Massingale affirmed the schedule would be maintained. At the September meeting, an updated list produced from the subcommittee's review would be presented to members allowing for several months for the subcommittee's work.

Commissioner McGregor asked about the identity of members on the subcommittee. Ms. Massingale said membership is currently being determined. Scott Steltzner, Squaxin Island Tribe, and Rich Doenges, ECY, initially volunteered with several other members expressing interest.

Mr. Dzedzic added that members would receive an update on the work of the subcommittee.

Ms. Massingale reported that one other element was discussing with the Technical Committee the value in peer review and the importance of peer review. Peer review is a component of the WAC methodology. She referred members to information on a Peer Review Policy Brief. The intent is to recognize feedback from the Technical Committee and the component of peer review complimenting the goal of identifying best available science, as well as identifying the definition of peer review and how it's used in the evaluation of best available science. She asked members to review the brief and provide feedback. The information will be included within the Proviso Report.

Mayor Kmet asked whether any other suggested recommendations/adjustments in terms of the screening criteria were offered by the Technical Committee other than the additional technical studies. Ms. Massingale

advised that additional input would likely result from the additional review by the subcommittee. Any changes would be highlighted and reviewed by the Executive Work Group.

First Touch on Draft Purpose and Need State & Overview of Feedback from Technical Committee - Discussion

Ms. Massingale referred members to examples of Purpose and Need Statements used to establish the foundation of an EIS by providing a basis for the project and the criteria for which to compare identified alternatives. The statement is used as a governing structure for comparison of options to ensure both purpose and need are being achieved. The example Purpose and Need Statements are from projects that have been permitted and implemented or are currently under construction. Many different types of Purpose and Need Statements exist and most are customized for project complexities and objectives.

Ms. Massingale reviewed and compared the different examples:

- ***Straightforward-Development/Infrastructure Need.*** Projects have a defined need and outcome.
- ***Collaborative Redevelopment Project with Secondary Goals.*** Projects have a primary purpose while also meeting additional goals that need to be recognized within the project between the project partners.
- ***Primary Project Purpose Coupled with System-Wide Ecological Benefits.*** Describes primary purpose of addressing contamination with ECY regulatory oversight. The example involved lake remedial action by stakeholders and resource agencies engaged in the process that provided an opportunity to meet larger wetland ecosystem and floodplain goals that dovetailed into the primary purpose.
- ***South Bay Restoration Project.*** Project goals included maintaining or improving levels of flood protection, providing public access, and recreational opportunities. The project includes environmental objectives, as well as community resource and public use objectives.

Ms. Massingale encouraged members to review the example statements. Technical Committee members reviewed the examples.

One of the first questions by the consultant team during this process (and later echoed by a member of the Technical Committee) was whether a Purpose and Need Statement had been previously developed for Capitol Lake long-term management planning. Surprisingly, the previous EIS process and the work completed to date did not identify how the long-term management of Capitol Lake would solve a specific problem nor did it identify the purpose and need for a solution.

Ms. Massingale said it's likely all parties would view this process as a measure of success in working together to develop a revised Purpose and Need Statement similar to the approach for second touch that is reflective of community input, Executive Work Group input, and with a focus for input from the Technical Committee. The goal is to review a revised Purpose and Need Statement at the July meeting to achieve consensus on the statement identifying the goal for the future of Capitol Lake and the Deschutes estuary. The statement would be included in the Proviso Report and could serve as the foundation for a future EIS.

Ms. Massingale reviewed the first paragraph of the Capitol Lake Long-Term Management Project: Draft Purpose and Need Statement. The intent of the statement is tying and recognizing the value and importance of meeting water quality standards. Not all goals developed are weighted equally because of the difference in

state and federal laws. Part of the goal is managing invasive species to ensure a healthy sustainable ecosystem while also restoring community use. The second two paragraphs of the statement build on and provide context and history. The last paragraph speaks to additional information on the purpose and need to meet goals to include information about water quality, enhancing fish and wildlife and habitat, and the importance of managing sediment.

Ms. Massingale shared feedback on the statement from the Technical Committee. Major themes included consideration of a condensed version of the draft Purpose and Need Statement by removal of the two middle paragraphs (history and context) and retaining only the opening and closing paragraphs focusing on the problem. The recommendation was based on the ability of an EIS process to provide additional background and history avoiding the need to provide the information within the Purpose and Need statement.

Another recommendation was to ensure that throughout the document, the statement should be rebalanced to reflect that the primary focus is the environmental function of the basin and estuary and not as much on the community and recreational aspects of the area. The suggestion may reflect the proposed approach by several committee members whereby the goal is to manage an economically and environmentally sustainable resource. It also speaks to the first paragraph in the statement to improve water quality and manage invasive species, which would restore and enhance community use.

Another comment spoke to ensuring that the watershed is reflected in the draft Purpose and Need Statement, which could be remedied by expanding the Capitol Lake basin to include Deschutes River/Budd Inlet or by describing Capitol Lake in the larger context of its relationship with the Deschutes River and Budd Inlet.

Another recommendation pertained to language surrounding the cultural and historical importance of the area and specifically changing the resource reference to the “Deschutes River” in the sentence describing the importance predating construction of Capitol Lake. The recommendation was generated from several comments where the historical use of the area predates it as just the dam alone created in 1951. However, there is also historical use predating the dam as an estuary and tidal flat. Retaining the two middle paragraphs acknowledges those historical references.

Commissioner Wolfe requested receiving a copy of the written feedback from the Technical Committee.

Ms. Massingale said the last recommendation centers on the statement describing the lake in its current state, as well as implying the future state as a lake. The suggestion includes revising the language to avoid an inference of a managed lake option in the future.

Some feedback recommended modifying the middle two paragraphs providing history and context for supporting the goals while other feedback recommended streamlining the statement by stating the problem and the need. At the July meeting, two versions of the draft statement will be presented because of opposing feedback. Ms. Massingale noted that as the examples reflect, there isn't a one size fits all scenarios. She encouraged feedback from members before the closure of the two week review period on Thursday, June 30.

Councilmember Hankins expressed appreciation for receiving examples of statements, as they clearly stated a problem and what each project intended to accomplish. They provide a good model for this process because the intent of the process is to proceed to an EIS. It's important to be clear about the technical aspects. She appreciates the comments by the Technical Committee.

Mayor Selby concurred with the comments as well as assuming the project would involve the entire watershed because of the connectivity of the entire system. Ms. Massingale agreed and recommended revisions to the title to recognize the entire watershed because of the interconnectiveness of the river, lake, and Budd Inlet.

Deputy Director Covington inquired about the possibility of any negative aspects associated with the inclusion of the two middle paragraphs. Ms. Massingale replied that within the current process, the information would be helpful for the Legislature when it receives the Proviso Report because it provides important context to help legislators understand the purpose and goals of the project. It speaks to the importance of community use and recreation, as well as to the importance of water quality and invasive species. The second paragraph provides some background on the water quality issue. Inclusion of the two middle paragraphs would not be a downside for this particular process.

Mayor Kmet commented that the first paragraph should capture three elements surrounding the improvement of water quality and ecological functions, restoring and enhancing community use and recreational opportunities, as well as managing sediment (missing piece) because the goal is to maintain navigation in lower Budd Inlet. Those three elements should be included in the first paragraph.

Ms. Massingale acknowledged the input as the statement does recognize the importance of managing sediment in the last paragraph and it could, to some extent, become lost in the context of the entire statement. A Technical Committee member had offered a revision of the first paragraph to include the importance of sustainability. Detailed red line edits as well as suggestions in terms of the order of importance would be presented as part of the ongoing review.

Mayor Kmet noted that the primary concern surrounding sediment management is navigation. He is also concerned about the use of sustainability because of its overuse and different interpretations. He recommended including additional qualifying information surrounding sustainability because all the goals are elements of a sustainable system. Ms. Massingale replied that similar to sediment management, explanation of sustainability is lost within the statement. She acknowledged the collaborative process of review and the importance of the Technical Committee's review. Many of the elements are beginning to jell through the process and no major red flags have been identified. However, if concerns persist during the July reviews of both drafts, sufficient time is available to resolve concerns.

Commissioner McGregor acknowledged Mayor Kmet's recommendation to include sediment management and commerce.

First Touch on Identification Hybrid Options and Overview of Feedback from Technical Committee – Discussion

Ms. Massingale presented information on hybrid options. During Phase 1, the primary objective is meeting the directive of the Proviso Report. The effort is collectively proceeding to the next level as a way to facilitate the EIS process. The proviso specified identifying hybrid options with certain terms and identifying broad community support or concerns. This month, the focus is on hybrid options while next month, the process will consider a full range of options. She reminded members that from mid-April to June, the process has welcomed other ideas for hybrid options from the community. The information provided on the website included the three main hybrid options.

Ms. Massingale reviewed the three hybrid options:

- **Dual Basin.** The option was a result of the 1998 EIS through the CLAMP process and represents the most detail in conceptual design and technical analysis. It was also included in the Deschutes Estuary Feasibility Study.
- **Dual Estuary/Lake Idea (DELI).** The option was offered by a community member. Mr. Shanewise, the primary proponent of DELI, is scheduled to provide a presentation on the option during the second half of the meeting.
- **Percival Creek Rechanneling and Salmon Habitat Rehabilitation Plan.** The option was submitted by CLIPA.

Other options submitted include a hybrid similar to the dual basin with a freshwater reflecting pool, a Capitol lagoon options that includes brackish lake management modeled after a typical coastal lagoon with saltwater input during winter months when the dam is lowered enabling tidal action creating a brackish system, and an option for nutrient harvesting. The last option wasn't viewed as a hybrid option but a component that could be included with any option. During next month's review of expanded options, the option would be described in more detail.

The three main options are of focus this month for review. During the meeting with the Technical Committee, members received a similar graphic of the three hybrid options, as well as a table of key components for each option. Members recommended avoiding some confusion by eliminating the table of elements and focusing on the higher level of hybrid options. The committee recommended completing an initial comparison of the options with project goals. The work group's review of the three hybrid options includes more context to enable input and offer ideas for different components of hybrid options or other hybrid options. Additionally, a table was developed identifying the goals of any option that were established during the collective process for identifying how any particular option would comply with or compare with project goals. The intent is to provide the table to CLIPA and to the proponent of DELI to populate (narrative form) on how their option complies with the initial project goals. The consultant team plans to complete a similar exercise for the managed lake and estuary/dual basin recommendations generated by the CLAMP process. That process would occur in early July. Ms. Massingale pointed out that none of the options are at a design level or have had a technical evaluation to determine feasibility.

Mr. Dickison asked about the objective at this point in considering the multiple hybrid options. Ms. Massingale replied that the proviso directs the identification of concerns and support for various hybrid options. That entails the two-week comment period affording time for submittal of ideas in July to address concerns about any of the options and whether broad community support exists for any particular option. The final point for consideration of all options is determined by the Executive Work Group as a collective decision.

Mr. Dickison acknowledged the requirement for responsiveness to the proviso. However, in the long-term, the proviso is a just a distraction. He questioned the objective in terms of the EIS and whether the hybrid options are limited or unlimited. Ms. Massingale commented that if the process were limited only to the proviso, a number of hybrid options would be reviewed for concurrence or concerns. However, for the EIS process, the scoping process and initial engagement provides an opportunity for submittal of more ideas. The process depends on whether it results in a consensus surrounding an option or different options this month or next month.

Mr. Dziejdzic said it could entail multiple hybrid options as a framework for the EIS. Part of Phase 1 is providing the framework and advocating support for the EIS process to secure funding.

Mr. Dickison remarked that conceivably, the process could result in an untold number of options. It's important to determine the path forward.

Mr. Dziejdzic said that inherent within the Phase 1 process is readying and setting the stage for the Phase 2 EIS. The request to provide additional information by the proponents on the three hybrid options in terms of how the option addresses the goals. Part of the work during Phase 1 is identifying what is required to make some decisions moving forward to an EIS. Part of that determination by the work group is assisting in identifying which hybrid options should move forward.

Ms. Massingale added that during the next meeting, members are scheduled to review the initial comparison of goals and the purpose and need. Part of the challenge is that each option would need further design and technical analysis to determine feasibility of the option.

Deputy Director Covington said the proviso provides funds for specific tasks while the effort also entails much more value than the proviso provided. When the information is combined in the Proviso Report, it demonstrates how well all partners came together in establishing a stage of conceptual options for funding or a degree of general support for a set of alternatives. Part of the messaging is whether the entities are able to work together effectively as partners and provide the Legislature some sense of confidence when considering some difficult decisions during the next biennium and whether there is a willingness to fund the next effort.

Mr. Dziejdzic invited reactions to the conversation about next steps moving forward.

Mayor Kmet said there appears to be a process issue because earlier there was some discussion to schedule a design charrette or provide an opportunity for the community to offer ideas. He would like to ensure the process provides an opportunity for the community. Another element that appears to be missing in all the options is sediment management. An alternative for managing sediment is using the South Basin in the area south of Interstate 5 as the location to manage and contain sediment. The option could include installation of an adjustable weir on the south side of I-5 that remains in the lower position most of the year to afford saltwater interaction to reduce algae while enabling raising of the weir during major storm events to assist in slowing the flow in the South Basin to reduce the large volume of large sediment as a way to control sediment loading in the lake and lower Budd Inlet. That option doesn't necessarily address finer sediment. Another idea discussed with a local resident is adding a jetty to the outlet extending past the grocery store and Yacht Club to direct fine sediment further into the inlet to avoid sediment loading in the navigational channel. The South Basin alternative could exclude the weir control. At one point in the past, the plan was to create a pocket to slow flows and trap larger sediment in the South Basin.

Councilmember McClanahan confirmed that in the early 1980s, the South Basin included a sediment trap.

Mayor Kmet offered that the process is constrained by the dual basin hybrid options dictated in the proviso. If the process is preparation for an EIS, it's important to consider other ways to address some of the important issues. The options don't appear to capture any of those issues.

Ms. Massingale pointed out the next meeting includes a review of all options rather than focusing only on hybrid options. The community meeting next week includes an opportunity for a facilitated discussion and for participants to submit ideas. Using the Proviso Report as a tool to collect and condense all

information would help to aid the scoping and initiation of the EIS by identifying some options, as well as components of options that would benefit other long-term goals.

Mr. Dziejcz questioned the concerns surrounding insufficient options. Mayor Kmet said his concern is that the public meeting would only include three options and it wouldn't accomplish the goal to obtain more ideas on how to manage the system to achieve numerous goals. Ms. Massingale assured members that the efforts have included an online survey, as well as questions on other ideas. The intent is for the community meeting on June 29 to include a component of soliciting other ideas through an informal charrette. The community meeting is used as forum for ideas while the Technical Committee and the Executive Work Group meetings would also offer ideas. It appears that the channels are available for bringing forward ideas while the collaborative brainstorming effort might be lacking. Mayor Kmet said his goal is not restricting the effort only to hybrid approaches. The CLAMP report spoke to creating an artificial lake through high tides. It could entail re-examining that alternative or enhancing the feature without having to expend funds to create an artificial barrier. Other options could be reviewed other than those included in the proviso. His concern is the focus is only on those options in the proviso instead of considering all viable solutions.

Ms. Massingale noted that the Phase 1 process is not comprehensive in evaluation of options, design, or technical analysis to assess feasibility, benefits, and impact. The EIS would serve those functions.

Deputy Director Covington asked about the opportunity to expand on the Mayor's ideas at the next meeting. Ms. Massingale affirmed that the Technical Committee could be queried on option components that might be valuable. During the July meeting, a portion of the agenda could include a discussion on those components with the community meeting following a similar format.

Members agreed with Ms. Massingale's recommendation. She encouraged members to review the descriptions of each hybrid option.

Process Update from DES

Funding and Governance Committee

Deputy Director Covington reported the committee met earlier in the week. All participants are engaged with the discussion centered on the attributes of governance and funding models. Staff is summarizing the meeting results for dissemination to members. He encouraged members to engage with committee members to receive information on the attributes under consideration. The committee is also exploring other areas, such as long-term management and the boundary of the system, as well as identifying major capital or infrastructure improvements that might be required as part of the initial project, as well as different components or alternatives to pursue for funding.

Councilmember McClanahan asked about the funding available to advance to the EIS. Deputy Director Covington replied that the proviso included \$250,000 to complete the Phase 1 work (whereas the EIS is slated for the work as part of Phase II). Sediment management was not included in the proviso. From a funding perspective, DES is able to complete the work required by the proviso with no funds available to complete work on sediment management. DES examined all aspects of the project to complete requirements of the proviso. No funds exist for the inclusion of sediment management although there is a common interest to continue pursuing sediment management because there is agreement it is a critical element of the project. Part of that effort entails identifying how to fund that activity, such as exploring grants to support the effort.

Councilmember McClanahan referred to historical efforts to raise \$1.3 million for the first study of Capitol Lake. He asked whether DES is prepared to pursue funding pending the conclusion of the Proviso Report. Deputy Director Covington affirmed the agency's intent to move the process forward. Councilmember McClanahan pointed out how the prior process generated a recommendation and how nothing happened. His intent and willingness is to support the effort as long as the outcome is the final iteration. Deputy Director Covington affirmed his and Director's Liu's commitment to move the process forward.

Mr. Dickison pointed out that when all the partners involved in the CLAMP process met and discussed ways to move forward, there was consensus about two issues. The first was the need to do something and that continuing to spin the process wasn't acceptable. The second was unanswered questions about sediment management that needed to be addressed. Those discussions involved many of the members and occurred prior to the proviso. There was commitment at that time to move forward on that basis. As he indicated earlier, the proviso is just a distraction, and, if anything, it's a delaying tactic. All the focus is on things that have been previously completed with no focus, according to the assessment, on the issue that everyone agrees needs to be done to advance the discussion. Hence, a delaying tactic that is not acceptable from his perspective. The Tribe is evaluating the status of the process and is questioning whether it's worth the Tribe's trouble to keep playing this game of spinning around in circles and not advancing the issue.

Deputy Director Covington acknowledged the frustration in wanting to move forward; however, DES is committed to doing everything possible to move the process forward with the funds provided by the Legislature to complete the project based on the direction within the proviso. DES is following the direction and is open to partner with members to identify other means for working together to identify funding sources that could be used to address sediment management.

Mr. Dickison said his comments pertain to action rather than words. DES was a member and made a commitment and he would like action to occur.

Commissioner McGregor remarked that in support of the comments, one of the prime reasons the Port is concerned about what happens with the lake is the management of sediment as it flows into Budd Inlet and into the navigation channel. Those concerns were addressed by Mayor Kmet, Mr. Dickison, and Councilmember McClanahan. Although there are efforts by the Port to identify funds for sponsoring some of the work, much time has been spent discussing the issue. If the effort doesn't result in action, it reflects another frustrating scenario. Sediment management from the Port's perspective is a concern.

Councilmember McClanahan noted the Executive Work Group has been meeting for six months while he and other members spent seven years discussing the issue. He reiterated the importance of ensuring this process concludes.

Councilmember Hankins questioned the ability of the Funding and Governance Committee to develop funding estimates without the benefit of having information on sediment management.

Ms. Massingale replied that this process was the result of a legislative proviso. The proviso could be a tool to secure funding to render a final decision. The historical record reflects some starts, stops, and pieces of work with funding but no firm direction on the outcome. The next step is the EIS to follow the state process to determine the preferred solution. DES has discussed using the process as a tool to demonstrate consensus to obtain funds to move forward. Part of that effort is support of a method of funding and governance by the entities to demonstrate cooperation and a desire to move forward into Phase 2. The Sediment Management Panel envisioned as part of this process was to provide an updated summary

of all technical sediment work completed by the USGS sediment transport deposition study to help improve the efficiency of the EIS demonstrating to the Legislature that the process is ready to advance to implementation of a project. Historical starts and stops over the last 30 years were not because of the lack of interest but because of lack of funds, which speaks to the need for a Funding and Governance Committee and efforts to structure the committee outside the scope of the proviso directives.

Mr. Dickison said the Sediment Management Panel was essentially a compromise when DES first attempted to remove sediment management from the discussion. Looking back at the feasibility study, there was substantial work completed on sediment, as well as modeling information on sediment movement. USGS offered some recommendations about ways to improve sediment management. Many studies are available on sediment management. The intent to complete some screening to help prepare for the EIS is not sufficient, as more work is required. The process has entailed incremental chipping away at what was a commitment by DES. His request is that DES should live up to its commitment.

Mayor Kmet said part of the concern was the lack of a definition for the purpose of the Sediment Management Panel. With only four months remaining, it's not realistic to expect the USGS to model different scenarios. He suggested that if the effort entails summarizing previous work, brainstorming potential solutions, or re-examining the recommendations from USGS to scope a task to seek funding as part of the EIS, it might be a task the Technical Committee or a joint Technical/Executive Work Group could consider.

Deputy Director Covington replied that the purpose of the panel was identifying and evaluating all previous work completed to date.

Ms. Massingale pointed out that the framework for completing the tasks is the EIS. Sediment modeling in the EIS is necessary to further the design of sediment management components of a jetty, trap, or other options that have different configurations to evaluate the different options for identifying how sediment acts within those options both within the lake and in the inlet. That effort to assess the impacts and the costs directly links to governance and funding. In terms of scoping, DES was mindful of the limitation of budget and time for a thorough modeling exercise. However, it's necessary to identify sediment options to complete one-time modeling.

Mayor Kmet asked about the possibility of tasking the Technical Committee with assistance by Councilmember McClanahan and Mr. Dickison to scope the status and identify what's required without additional consultant expertise.

Deputy Director Covington affirmed willingness for staff and the consultant team to consider and follow up on the recommendation.

Other Business

Mr. Dickison shared information on the Tribe's website link to DES for the Capitol Lake process. Additionally, the Tribe's website includes information on a paper authored by Emmett O'Connell on the history and development of Capitol Lake and many myths surrounding the development of the lake, particularly the nature of Wilder and White campus design myths.

Next Steps

Mr. Dziejdzic reviewed the presentations following lunch from community groups and individuals.

Adjournment

With there being no further business, Mr. Dziezic adjourned the meeting at 11:45 a.m.

Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net



CAPITOL LAKE EXECUTIVE WORK GROUP

**Jefferson Building
Presentation Room 1213
1500 Jefferson Street
Olympia, Washington 98504
July 22, 2016
9:30 a.m.**

(Approved September 30, 2016)

JURISDICTIONAL MEMBERS PRESENT:

Cathy Wolfe, Thurston County
Pete Kmet, City of Tumwater
Cheryl Selby, City of Olympia
Julie Hankins, City of Olympia
Jeff Dickison, Squaxin Island Tribe
Joe Downing, Port of Olympia
Neil McClanahan, City of Tumwater

DES STAFF MEMBERS PRESENT:

Bob Covington, Department of Enterprise Services
Carrie Martin, Department of Enterprise Services
Ann Sweeney, Department of Enterprise Services
Nouk Leap, Department of Enterprise Services

PRESENTERS/FACILITATORS:

Paul Dziedzic, Meeting Facilitator
Tessa Gardner-Brown, Floyd|Snider

OTHERS PRESENT:

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|---------------------------------------|---|
| Steve Shanewise, DELI | Rachel Newmann, SCN |
| Jerilyn Walley, SPSSEG | Andy Haub, City of Olympia |
| Joli Sanchaz, Citizen | Wendy Steffensen, LOTT Clean Water Alliance |
| Tom Gow, Puget Sound Meeting Services | Sue Patnude, DERT |
| Bob Holman, CLIPA | Bob Wubbena, CLIPA |
| Myra Downing, Citizen | Dave Peeler, DERT |
| Jim Hotwedt, Citizen | Chris Conklin, WDFW |
| Ed Crawford, Citizen | Brad Murphy, Thurston County |

Opening Comments and Review of Agenda

Paul Dziedzic, Facilitator, called the meeting to order at 9:34 a.m. He welcomed everyone to the meeting.

Members of the Executive Work Group and meeting presenters provided self-introduction.

The agenda includes a review of a revised draft Purpose and Need Statement; a discussion on the feedback provided by the community on the June materials on Identification of Hybrid Options and revised materials for a second touch review; completion of a first touch review on consistency of existing and hybrid options with goals for long-term management of Capitol Lake; and identification of potential components of and data gaps for existing and hybrid options.

Approval of June 24, 2016 Minutes

By consensus, members approved the June 24, 2016 meeting minutes with several edits previously submitted by Mayor Kmet.

Second Touch on Review of Existing and Hybrid Options & Overview of Input Received – Group Discussion

Mr. Dziedzic introduced Tessa Gardner-Brown with Floyd|Snider.

Ms. Gardner-Brown reported the Purpose and Need Statement is an important accomplishment for the process to determine the approach for long-term management of Capitol Lake. The statement affords an opportunity to determine the set of goals and objectives, as well as demonstrate forward momentum for completion of a future Environmental Impact Statement (EIS).

Feedback on the initial draft Purpose and Need Statement was received from the Technical Committee, Executive Work Group, and the community last month. Based on that input, the draft was revised to reflect some suggested edits. Three primary edits included reflecting sediment management as one of the major goals, further highlighting the watershed approach in the statement, and that the statement should reflect the importance of an environmentally and economically sustainable approach.

Feedback from the Technical Committee was positive with some minor editorial comments surrounding the watershed approach in terms of the interface between freshwater and saltwater and that the context of the statement should reflect that the estuary is highlighted when describing the pre-construction era. The draft will be revised to reflect the feedback, as well as from the Executive Work Group. Ms. Gardner-Brown encouraged members to offer additional comments prior to July 28.

The initial draft of the Purpose and Need Statement was submitted in June with a primary focus on improving water quality and managing invasive species to improve community use. The draft was revised based on feedback with more emphasis on an environmentally and economically sustainable approach for improving water quality, ecological functions, and sediment management.

The second paragraph was originally included to describe the context, significance and use of the resource, and to recognize that it's an important part of the community and long-standing fixture in the area. Feedback suggested this focus was not necessarily as important and could be refined to just focus on the problem and proposed fix. Much of the context in the paragraph was replaced with new language while retaining one sentence that speaks to the long-standing history and the continued use of the resource.

Changes to the third paragraph focused on environmental goals, water quality, fish and wildlife, and sediment management.

Ms. Gardner-Brown read the revised Draft Purpose and Need Statement.

Mr. Dziedzic invited comments from members.

Commissioner Wolfe said she noticed the revised draft is thorough in describing sediment, environmental concerns, and benefits to the watershed, but doesn't address a managed lake or retaining the existing lake. The statement appears to eliminate the Managed Lake option. Ms. Gardner-Brown responded that the prior draft included a paragraph that spoke to the use of the lake since 1951 and recreational activities, such as marathons and Capital Lakefair to describe a picture of the resource. During prior reviews, feedback recommended not clouding the issue when the statement could focus more on the environmental problems

the lake is experiencing today regardless of a management scenario. Consequently, the paragraph was deleted with the first sentence in the second paragraph retained, which refers to the resource having significance. Commissioner Wolfe disagreed with the removal of the paragraph because it appears the statement doesn't mention a managed lake or continuing with its present status. She acknowledged other feedback is important while also preferring to retain rather than remove the paragraph.

Ms. Gardner-Brown added that when the team revised the statement, the intent was to remove any connotation to any one management option. Commissioner Wolfe suggested the draft doesn't reflect that intent because the draft now leans heavily towards removal of the dam and returning the lake to an estuary.

Commissioner Downing asked about the final decision-maker for the Propose and Need Statement.

Mr. Dziedzic said any feedback shared during this review would be shared with the Technical Committee and the community with a new draft developed incorporating suggestions and presented at the September meeting.

Ms. Gardner-Brown said the decision and direction for advancing the first version to the current draft was collectively from all stakeholders. Based on feedback repeated the most, the team revised the draft. That same approach would occur this month. The final draft and Purpose Need Statement included in the Proviso Report will be reflective of all input from the collective review of the Technical Committee, Executive Work Group, and the community. At that point, it would not be considered the final version for the EIS because it would likely be updated during Phase II. She encouraged members to provide additional written feedback.

Commissioner Downing acknowledged that the draft of the statement includes input from many stakeholders and that the Executive Work Group is not necessarily responsible for the final draft of the Purpose and Need Statement. Ms. Gardner-Brown explained that the stakeholders for this process include three defined groups comprised of the Technical Committee represented by members of state and local resource agencies, the Executive Work Group comprised of policymakers/elected officials, and community members with each group offering different perspectives. Feedback from each group is considered.

Mr. Dziedzic noted that the Executive Work Group is responsible to provide the final touch prior to inclusion of the statement within the Proviso Report. The Executive Work Group hasn't determined whether voting would be the preferred method for approvals, but rather the process would afford discussion with the work group attaining agreement.

Commissioner Wolfe said that although the information is useful, it did not answer whether the Executive Work Group could override and make the final decision on the draft statement.

Mayor Kmet noted that members have never addressed the issue of how decisions would be rendered by the group. Commissioner Wolfe agreed members have never discussed how they would achieve consensus; however, her question pertains to whether the Executive Work Group's decision trumps other stakeholders.

Deputy Director Covington answered that as it pertains to this process, it is critical to receive public feedback, as well as feedback from the Technical Committee whose members have the technical expertise. Feedback from those experts is shared with the Executive Work Group. DES looks to the Executive Work Group to develop a consensus opinion on the proposed body of work while not ignoring or dismissing input from the community or the Technical Committee.

Commissioner Wolfe acknowledged the importance of public input and her desire to receive input from all three groups; however, she also doesn't believe all three groups are equal and following review of all information, the Executive Work Group is the final decision-maker.

Councilmember Hankins pointed out that there is also the Funding and Governance Committee, which will also be an important contributor.

Deputy Director Covington replied that the Funding and Governance Committee is responsible for completing the body of work to present to the Executive Work Group. DES anticipates Executive Work Group members are engaged with their respective members on the committee on a regular basis to review options and provide feedback.

Mr. Dziedzic said the process updates from DES is to inform the Executive Work Group's reaction. His understanding at the onset was that the Executive Work Group was the responsible entity for final decisions.

Mayor Kmet referred to the last paragraph including a statement that presupposes a basin would remain. The sentence states, "The project would additionally include elements to manage sediment within the Capitol Lake basin and in adjacent Budd Inlet." The statement also ignores sediment management activities occurring in the upper watershed to stabilize some of the areas that are contributing sediment. He recommended substituting the following as the watershed includes the river: "...manage sediment within the upper watershed and the area currently occupied by Capitol Lake and adjacent Budd Inlet." Many significant areas of erosion are occurring along the river. Controlling sediment in those areas would significantly reduce the amount of sediment loading in the lower basin.

Ms. Gardner-Brown shared information on the dilemma the team faced while framing the language to capture the watershed approach while also ensuring that the scope is within the geographical area of the Capitol Lake basin. To assist in defining that area, the team "drew a line" at the southern portion of the project area, at Tumwater Falls, in respect to active sediment management. As a project containing active sediment management, upstream efforts would require coordination with other entities, such as the Department of Ecology. However, current feedback is recommending that the scope should be expanded to consider other disciplines on a wider scale. Mayor Kmet replied that the team should consider the watershed as a whole to manage water quality within the basin. It is unfortunate that the TMDL separated the two systems because both are so interrelated. For example, improved management of nutrients upstream creates less nutrient impacts to the lower system. The total package would have to include upper watershed elements that would need to be evaluated as part of the EIS.

Deputy Director Covington asked whether it is possible to address the issue by considering a defined scope within the existing governance or authorities acknowledging the importance of recognizing the impacts of other upstream areas. A tie might be possible in that approach; however, existing authorities and evaluation of that authority may not enable extension to include the upper watershed.

Mayor Kmet recommended an alternative of including a sentence acknowledging the separate process underway to manage nutrients and sediment upstream and within all tributaries to the Capitol Lake basin.

Ms. Gardner-Brown agreed and offered to revise the last paragraph with the inclusion of downstream and upstream efforts or the larger efforts, as well as addressing consistency with agency implemented actions. Mayor Kmet emphasized that the sentence that speaks to being managed within the Capitol Lake basin presumes Capitol Lake will exist. He recommended rephrasing the sentence to reflect the area currently occupied by Capitol Lake.

Commissioner Wolfe added that it is important the statements do not reflect any definite action, as the efforts are a work in progress.

Mayor Selby referred to previous discussions to narrow some choices for the EIS to be effective. She understood that the draft of the statement was the point of that process. Within the narrative defining a Purpose and Need Statement, one statement speaks to Phase II as used to compare and select a long-term management option. She asked whether this effort was intended to scope and narrow those options in the EIS. Ms. Gardner-Brown explained that the Purpose and Need Statement is used as a tool to consider options for long-term management. The statement will be part of a larger analysis and serves to encapsulate the intent of the project. The statement is weighed against EIS options as a representation of the goals a long-term management option should achieve. During the initiation of the EIS, the statement would be evaluated against the options identified during the EIS in Phase II.

Mr. Dzedzic added that the Purpose and Need Statement serves to compare a range of EIS options to gauge how those options would solve the problems as described in the Purpose and Need Statement.

Commissioner Wolfe cautioned against narrowing any range of options within the Purpose and Need Statement.

Mayor Selby referred to Mayor Kmet's comments regarding the Deschutes watershed and indicated the Funding and Governance Committee is including the upper Deschutes entities in terms of potential governance stakeholders. She cited language in a prior draft of the Purpose and Need Statement reflecting, "The trail system and nearby parks provide continued passive recreational opportunities that maintain the lake edges as an important recreational center and a valued amenity in the Olympia and Tumwater area." The section was removed and replaced with, "Capitol Lake continues to be an important regional and recreational resource." She prefers retaining language that speaks to passive enjoyment regardless of the long-term management outcome because it's an important estuary/urban watershed.

Commissioner Downing said he is aligned with Mayor Kmet's previous suggestion that the first paragraph should focus on three main themes of equal importance. He suggested revising the paragraph to reflect three bullets:

- Implement an environmentally and economical sustainable management approach that improves water quality and other ecological functions with the watershed.
- The work proposed as part of this project is also needed to address existing sediment accumulation and manage future sediment deposition.

Commissioner Downing said the last sentence of "restore and enhance community use of the resource" is indicative of restoration, which speaks to removal of the dam and returning the system to an estuary. Many people use the lake each day. He often drives by the lake and is amazed at the number of people who are recreating. No other park in the region has the same amount of density of people using pathways. He suggested eliminating "restore" and rephrasing the third bullet to reflect, "And to enhance the community use of the resource."

Commissioner Wolfe supported the suggestion.

Mr. Dickison offered that the consolidation of the second paragraph created an awkward grammatical structure that should be corrected because the language links tribal history and use of the area to something

that was subsequently constructed. The sentence should not link the pre-construction and post-construction use.

Mayor Selby commented on the proposal to eliminate “restore.” Her interpretation of the sentence is indicative of a resource that can’t be used in any capacity other than walking around the lake. Restoring speaks to the ability for accessing the water for uses.

Deputy Director Covington noted that much community feedback was offered regarding lake uses and “restore” appears to be the appropriate perspective of the intent.

Commissioner Wolfe agreed Mayor Selby has a point. She initially agreed, “restore” should be removed because during the recent past, “restore” has continually been associated with an estuary, which is why she reacted to the suggestion. Technically, restore could imply restoring the lake’s water quality enabling lake uses.

Second Touch on Identification of Hybrid Options and Overview of Community Input – Group Discussion

Ms. Gardner-Brown referred to several pages of graphics pertaining to hybrid options. The overview of hybrid options for Capitol Lake was revised since the first touch. A new graphic was developed adding a Managed Lake option, a Sub-option to the Managed Lake option, and a Restored Estuary option. When the team prepared the graphic, the intent was to provide an at-a-glance summary of the options. The basic structure and high level key to understand the options is provided in a brief summary paragraph and graphic describing each option. As part of the development of the materials and in response to the Proviso directing the Department to conduct its information gathering and report preparation with a pro-active approach to public engagement and identify multiple hybrid options for future management of Capitol Lake, the consultant team recognized the opportunity to engage stakeholders who have offered different long-term options. The consultant team invited interested stakeholders involved in the process to submit other hybrid proposals. The overview materials provide information on the additional hybrid options.

Last month, members reviewed the Dual Basin option generated from the Capitol Lake Adaptive Management Plan (CLAMP) process, the Dual Estuary/Lake Idea option and a Managed Lake Sub-Option Percival Creek Rechanneling and Salmon Habitat Rehabilitation Plan option. Through working with CLIPA, the primary entity proposing the Percival Creek Rechanneling option, it might be best represented as a sub-option to a managed lake by increasing fish and wildlife habitat to the managed lake scenario.

The consultant team continues outreach to the community to obtain more information on what other hybrid options might be revealed. New notes were added to the graphic (5 and 6) of conceptual high level ideas from the community. The first concept (5) is a hybrid option similar to the DELI option with the primary difference of retaining infrastructure at 5th Avenue avoiding some of the costs associated with reconstruction, and expanding the reflective pool by modifying the configuration of the berm to separate the freshwater reflecting pool and the restored estuary. The second concept (6) focuses on the protection and expansion of freshwater habitat near Capitol Lake Interpretive Center once tidal hydrology is restored throughout the basin. These additional concepts haven’t been graphically illustrated as the other options.

Ms. Gardner-Brown reviewed a revised table of existing long-term management options and sub-option to compare all long-term management options against the goals. The table includes additional notes (3 and 4). Note 3 refers to a conceptual variation to the restored estuary and includes active sediment management through installation of an adjustable weir at the north end of the South Basin. The intent of the weir is to

actively manage sediment to capture sediment loading as it travels downstream. It could be coupled with maintenance dredging or additional installation of infrastructure, such as a jetty to minimize sediment deposition near Port facilities.

Councilmember McClanahan asked about the difficulty associated with obtaining permits to dredge. The consultant team hasn't reviewed the permitting feasibility for any of the options. Councilmember McClanahan said permits are easier to obtain for a saltwater basin versus a river basin.

Ms. Gardner-Brown reviewed note 4, which reflects another sub-option to a managed lake by expanding park use of existing facilities by filling east and west portions of the lake and allowing expanded recreational use.

Commissioner Downing questioned whether the #4 option speaks to dredging Capitol Lake and moving the fill to create an expanded Heritage Park. Ms. Gardner-Brown said the option was submitted as a comment without expanded details or technical analysis and she is unable to verify that dredge spoils would be used as fill or whether fill would be exported. However, the team did not want to exclude the option because it was lacking details. Commissioner Downing recommended contacting the contributor for additional information because the costs could vary greatly if the dredge spoils must be trucked and disposed offsite rather than reused.

Mayor Kmet pointed out that another alternative for disposal of sediment is possible by using railroad cars to transport sediment rather than trucking sediment. Additionally, the graphic illustrations of the Restored Estuary and the Hybrid Option depict low tides. From pictures taken in the past when the dam was open at low tide, water remained for the most part in the northern basin and in a large area of the middle basin. The diagrams should reflect actual conditions. The narrative basically captures the condition by indicating that 75% of the time, a reflecting lake would be present. Mayor Kmet recommended developing illustrations of the options described within the notes even if they are highly conceptualized illustrations because the options are buried in the fine print of the notes making it difficult to visualize. For example, the option for expanding Heritage Park is unclear calling for a need for additional clarification. He offered to prepare a sketch of his suggested option involving the weir.

Ms. Gardner-Brown expressed appreciation for the feedback, as the two graphics do not necessarily reflect conditions that were consistent with the analysis in terms of the water level for most of a 24-hour period. The team researched the availability of other diagrams or planned views reflecting the condition of water in that area for 75% of the time. The team was only able to locate the conclusion of the analysis and photos of the drawdown reflecting those scenarios. Engineering designs and cost estimates were found in the Deschutes Estuary Feasibility Study of the results of the analysis and how the percentage of time the reflecting pool would be present from tidal elevation. When the consultant team reconsiders the visualizations, the team will consider the feedback. Mayor Kmet recommended selecting a picture from one of the drawdown events to illustrate his recommendation.

Mayor Selby said the Hybrid Option and the Restored Estuary illustrations would benefit from illustrating how the flows would be different by incorporating different colors where the flows would be different levels (50% or 75%). She asked whether the location of dredging for any of the options has been identified and how it might be reflected in the illustrations. She asked whether the CLAMP process documented the location of the channel after a dredging operation. Ms. Gardner-Brown said that based on her research of the CLAMP materials, the location was not defined other than in the North and Middle Basins. A dredge plan hasn't been developed and that analysis would be required. Some of the assumptions of the disposal locations for dredge materials are also not viable because of the presence of the New Zealand mudsnail.

Mayor Selby said it would be helpful as a visual to reflect how a restored estuary would look like with a dredge plan versus a dredge plan for the Managed Lake option.

Councilmember McClanahan said that during the CLAMP process, the committee agreed dredging would be required regardless of the long-term management option. In terms of the disposal of sediment today, the issue has become complicated because of the presence of the New Zealand mudsnail. One concept was to dredge and transport by barge to dispose of sediment in a Puget Sound basin. Today, that option is likely not possible.

Deputy Director Covington commented on presenting the material with so many unknowns with respect to the issue of dredging and where it might be located in any of the options. Consequently, it can become somewhat of a slippery slope to attempt to create graphics that represent conditions at certain points in time because so many answers are unknown for many of the questions creating a risk of unrealistic expectations.

Councilmember McClanahan pointed out that as the process progresses, dredging will be an issue that cannot be ignored and would be required regardless of the management scenario.

Mayor Selby replied that the dredging patterns would likely be different for each option.

Mr. Dickison affirmed the dredging patterns would be different.

Deputy Director Covington reminded members that the body of work would not be accomplished in Phase I and would occur during the EIS in Phase II.

Mr. Dickison disagreed. Deputy Director responded that he understands the difference in terms of the Proviso and scope of the work for the project. An agenda item is scheduled later in the meeting to discuss sediment management, which pertains to this conversation.

Mr. Dziedzic invited additional comment on the second touch of the second touch on Hybrid Options.

The consultant team is charged with consideration of identification of hybrid options as one task. The options are the Dual Basin Hybrid Option from CLAMP and the DELI proposal. It appears the intent is to reclassify one of the options. This part of the task is to evaluate the hybrid options. The material includes an overview of existing long-term management options; however, the Percival Creek Rechanneling Option is not an existing management option; rather, it is a new proposal. The existing management options include the original Dual Basin design proposal. The material is misrepresenting new and existing options, as well as mixing the hybrid with other management options.

Mayor Kmet cited another issue associated with value statements about improving water quality and habitat, which are often inconsistent in the scope of each statement for each option. It appears that if the intent of the graphic is to describe the options with positives and negatives described in an accompanying table, his recommendation is to revise the narrative to address the features of each particular design rather than describing what the option would accomplish. Additionally, the differences are not unique between the Dual Basin and the Estuary (DELI) options, as they appear to be the same. However, one option is a saltwater reflecting pool while the other option is a freshwater reflecting pool. He questioned the differences between the two options. Ms. Gardner-Brown said the DELI Option includes a larger reflecting pool and the sediment approach is different whereby a pumping station would be installed south of the Middle Basin and includes maintenance dredging while the Dual Basin has a 39 acre reflecting pool and

annual maintenance dredging. Mayor Kmet said he is unsure whether the CLAMP option was definitive in terms of the placement of the wall. Ms. Gardner-Brown said the intent was for a centerline wall down the middle. Mayor Kmet asked whether the CLAMP process analyzed a rock containment wall for stability. Ms. Gardner-Brown advised that the Deschutes Estuary Feasibility Study included a review of the difference between material for a retaining wall and for reasons excluded the rock and recommended sheet piling.

Mr. Dickison said the sheet pile was included in the final report of the feasibility study because of the analysis of what was feasible. Different materials were considered but selected sheet pile based on feasibility.

Mayor Kmet added that dependent on the softness of the mud, adding more weight would compromise the wall, as there is not sufficient strength in the sediment unless reinforced. It would be interesting to learn if there was some analysis completed. Ms. Gardner-Brown offered to follow up with information from the study. Mayor Kmet said it appears the real difference between the options is freshwater versus saltwater.

Commissioner Downing agreed that both options are quite similar except for the pumping station and the size of the lake. The largest difference is saltwater versus freshwater systems. Ultimately, the decision could depend on which option pencils out better, as the cost will be the determining factor. The information fails to mention community preferences in terms of freshwater versus saltwater. He suggested combining the two options for the EIS to address cost and benefit of saltwater versus freshwater.

Ms. Gardner-Brown agreed water systems are the primary difference between the options. The consultant team does not have the resources to complete a technical analysis on the feasibility of the various design components. The Proviso directs the process to identify multiple hybrid options and those options must include substantial improvement to fish and wildlife habitat and ecosystem functions, maintain an historic reflecting pool at the north end of the lake or estuary, and adaptive management strategies. If the materials are not helpful and key differences should be called out, the team will revise the materials to identify the key differences.

Mayor Kmet said it would be helpful to have the two options separately illustrated, as there are major differences between the two. Additionally, Steve Shanewise expended much effort in developing the DELI Option.

Mr. Dziejczak invited additional comments on the identification of hybrid options.

Commissioner Downing commented that under the Dual Basin Hybrid Option, the second bullet speaks to initial dredging in Capitol Lake and maintenance dredging in Budd Inlet. He asked whether the bullet should be changed to, "ongoing dredging" because the lack of dredging essentially created today's problem. Another alternative is changing "initial" to reflect "one-time." The same language is replicated in the Restored Estuary Option. He suggested revising the second bullet to reflect "Dredge Capitol Lake before estuary is restored" as Capitol Lake would be eliminated under the Restored Estuary Option. He questioned the need for ongoing dredging in Capitol Lake if it's a dual basin under the Hybrid Option of Dual Basin.

Mayor Kmet said when CLAMP evaluated the Lake and Estuary Options, one-time dredging was recommended of the lake and that future management of sediment would occur within the navigational channel in Budd Inlet, which speaks to the difference between the two options and Mr. Shanewise's proposal under the DELI Option as that option speaks to some sediment management within the lake.

Ms. Gardner-Brown said the CLAMP proposal speaks to removing all accumulated sediment in the lake prior to constructing the 500-foot opening as the first stage. After the opening is constructed and sediment moves through the system, the first two to three years would entail active dredging in Budd Inlet with continued maintenance dredging in Budd Inlet to reduce or avoid potential impact to Port facilities.

Mr. Dickison commented that the accumulated sediment in Capitol Lake would be removed is not an accurate depiction as the intent under the Estuary option or the dual Basin option recognized that within a tidal environment, channels would be created. The intent was to remove sediment initially in the process of channel creation to avoid removing the sediment load in Budd Bay. The goal was performing a dredge to help define a channel structure that would hopefully reduce subsequent maintenance dredging.

Mayor Kmet requested clarification as to whether the Percival Creek Rechanneling Option involves separating Percival Creek from Capitol Lake creating a mini estuary in the cove area. Ms. Gardner-Brown replied that there is input and connection between Percival Cove and the Middle Basin. She offered to follow up with additional information.

Commissioner Downing mentioned that Percival Creek is located near Black River and is not near the Deschutes River. Mayor Kmet replied that Percival Creek eventually joins the river; however, the illustration appears to reflect that the lake would remain at a consistent high level. Tidal action could influence fluctuations, which speaks to a separation at the Deschutes Parkway, which would need to be clarified.

First Touch on Review of Existing and Hybrid Option and Overview of Feedback from Technical Committee – Group Discussion

Ms. Gardner-Brown reported the intent of the tables was to compare hybrid options that have been proposed against or in alignment with the goals and objectives identified by stakeholders for the project. For example, the information examines what each option proposes to accomplish to improve water quality, which has been identified as a goal. The intent is not to compare the options to one another but rather the tables should be used as an initial review of what each option can do to satisfy the goals established for the project.

At the top of the tables, a red disclaimer was added stating, *“The information included within this table has been provided by the option proponents, or has been populated based on existing analyses completed as part of the CLAMP process (for the Dual Basin and Managed Lake options). The information provided by the option proponents has not been verified by DES, and has been included on this table without substantive change. Without design and additional technical evaluation, DES cannot confirm the accuracy, feasibility, and validity of this information and the conclusions, and recognizes that some information presented here conflicts with existing analyses.”*

Ms. Gardner-Brown said the intent is to work with the proponents of the new hybrid options and understand what those options entail and how the options would satisfy goals, which meets the intent of the directives in the Proviso to proactively engage stakeholders.

Feedback from the Technical Committee included caution around ideas or conclusions that may not have received a full analysis or preliminary analysis similar to those completed during the CLAMP process. The three options of the Dual Basin, Managed Lake, and Restored Estuary were generated from the CLAMP process. It is possible to include some language or caveat indicators on a revised set of graphics identifying those options, as they are based on the technical analyses while the other options of the DELI and Percival Creek would be annotated to reflect that they are based on the opinions of the proponents. The red

disclaimer alludes to a mix of opinions and ideas populated by the proponents and information generated through the CLAMP process.

Under the Dual Basin option, the table was populated based on information from the Deschutes Estuary Feasibility Study. All information is at a consistent level. The study is the source document for additional details. For the Dual Estuary/Lake option (DELI), the source is Steve Shanewise as the proponent. The consultant team worked with Mr. Shanewise to populate the table with information. Information in the table for the Managed Lake is from the CLAMP Alternatives Analysis. For the Managed Lake Sub-Option: Percival Creek Rechannelization, the team worked with CLIPA to populate the table. The team worked with DERT for the Restored Estuary option. The information provided by DERT was consistent with the analyses completed by CLAMP. Ms. Gardner-Brown acknowledged the table could be revised to reflect the CLAMP analyses as a source because the information is consistent. While DERT is the primary project proponent, the information was derived from the CLAMP analyses. She suggested some discussion around whether it's helpful to compare the information against the goals. The team believes that to understand each hybrid option, it's necessary to undertake that process.

Mr. Dickison referred to his earlier comments and said the table should be reorganized. He objected to the way the information was presented. The introduction seems to characterize a potential need to reorganize and re-label the table. The issue is an attempt to normalize all the options as if they are equal and have received an equal level of analysis, which is not true. The table needs to reflect the CLAMP feasibility options of the Dual Basin, Restored Estuary, and the Managed Lake based on the Feasibility Study. The CLAMP process expended hundreds of thousands of dollars on technical analysis of those options, which generated good information. In contrast, the two remaining proposals from the hybrid provision of the Proviso directive have not had similar analysis and should not be treated as equal or consistent with the three options studied under the CLAMP process. The table should be changed. It is also improper to characterize the Restored Estuary option as different from the CLAMP analysis because the characterization of DERT does not reveal the group was formed following the completion of the CLAMP Feasibility Study Analysis. Adding a red disclaimer does not offset what he believes is a gross mischaracterization of the options.

Mayor Selby agreed with Mr. Dickison's observations after reviewing the table with Andy Haub, who worked on the CLAMP process. The CLAMP reports were highly vetted than the other options and should be noted and held to a different standard.

Commissioner Wolfe reminded the group that the formation of the Executive Work Group was not intended to repeat the CLAMP process, but rather to generate new ideas. She would prefer not to entirely refer to CLAMP although she supports including information that speaks to CLAMP's vetting, she prefers a process that does not automatically defer to CLAMP.

Commissioner Downing commented that if the five options are to be included in the Proviso Report, then the table is valuable in terms of stakeholder feedback as the long-term management goals are important and the table attempts to identify how each option addresses those goals. The EIS can agree or disagree but at least the options were considered by the stakeholders.

Mr. Dzedzic pointed out that there are distinctions between the information based on CLAMP's analyses while other information is based on what proponents believe can be accomplished. Distinguishing those differences is the important principle so the reader understands and does not confuse the information as accepted and equal as it moves forward. The EIS will assess all options in greater depth. The table is not intended to equalize the options.

Commissioner Downing referred to the Restored Estuary option and asked whether the information is reflective of CLAMP or DERT input. Ms. Gardner-Brown said the team worked with DERT to populate the table. As part of that effort, the team cross-checked the information with the CLAMP information. The two are consistent although the language isn't reflective from the CLAMP report but provided by DERT. She agreed the table could be improved to reflect CLAMP, which would meet the request of Mr. Dickison.

Mayor Kmet expressed concerns surrounding some statements, particularly for the Managed Lake Sub-Option, because some of the information is simply not true. For instance, the option speaks to sustaining oxygen levels in Budd Inlet, which directly conflicts to the information the Executive Work Group received at the last meeting. He questioned why the consultant team didn't complete an independent analysis of the options. Ms. Gardner-Brown explained that since the consultant team was not tasked with analyzing or completing technical studies on any of the options through the directives of the Proviso, and that work would occur in Phase II, so in this effort, the team identified those areas where there is conflicting information. The configuration of the table prevented inclusion of all information, which speaks to the addition of notes. Note #2 corresponds to the Managed Lake option, which speaks to the CLAMP Alternative Analysis concluding that with a Managed Lake Alternative, there were no predictive changes in dissolved oxygen in current conditions and that there would be no measurable improvement in water quality associated with the dredging of sediments containing phosphorous as the majority of the phosphorous supply to the lake basins would still be generated by the Deschutes River/watershed source. The information provided to the team and included under the Managed Lake Sub-Option conflict. To call out that conflict, Note #3 was added. Dissolved oxygen in Budd Inlet conflicts with published findings by the Washington State Department of Ecology and the analyses performed as part of previous CLAMP processes (which are the basis of findings related to water quality for the Managed Lake Option); however, the stated conclusion is supported by findings from Dr. David Milne.

Mr. Dickison said the language pertaining to Dr. Milne should be changed to, "...however, the stated conclusion is supported by the opinion of Dr. David Milne" because Mr. Milne presented no findings.

Mayor Kmet expressed doubts because the information is buried in a footnote that would be taken out of context. Another example is the selective harvesting of aquatic plants to improve water quality and the lack of any analysis that would indicate the removal would improve water quality. Removal of aquatic plants might improve aesthetics, but the statement that it would improve water quality has not been proven. Language that speaks to the intervening berm for the hybrid options to prevent flood damage regardless of the existence or non-existence of the dam is also problematic as the flooding would be from sea level rise from the sea rather than from the lake. It is misleading to indicate that any of the options would provide protection from sea level rise. The options could offer protection from floods from the river. Other language speaking to minimizing public expenditures might be true for the initial capital expenditure, but at some point, the dam would need to be replaced or upgraded. None of the options address secondary impacts caused by eliminating the discharge from the LOTT Treatment Plant to offset water quality impacts. It appears that several statements are misleading at best and he's concerned with including the information in a report. The table should have an independent technical analysis to be useful; otherwise, it's only a statement of opinions.

Ms. Gardner-Brown replied it appears the concerns surround issues with the conclusions not substantiated or technically reviewed. She asked for feedback on potential revisions as the team strived to identify and footnote issues. She questioned whether the request is not including the information until technical analysis is completed, or if it was the way that the information was presented. She invited comments on how the

information should be captured. Mayor Kmet responded that he could offer no suggestions on how to convey the information other than pointing out his concerns.

Mr. Dziejdzic commented that the concerns raise a fundamental question on how the information not vetted through the CLAMP process is included.

Commissioner Wolfe said she perceives value in including all the information while acknowledging some of the information was not vetted, and there are some inaccuracies. She offered a suggestion to change the format of the table by including the notes as an addendum and highlighting and re-titling the vetted options and referring to the addendum for additional information. She agreed the notes are small and likely would be overlooked by readers.

Deputy Director Covington offered to have the team rework the information to provide a clear indication of the level of technical work or evaluation completed for each option. One comment spoke to the possibility of separating the options and placing them on different tables. They also could be represented as components or completely different reference points in the report with separate figures to describe the activities. The report could include language that speaks to and references those figures. Information could be included surrounding the concerns by the Executive Work Group as to the reliability and lack of technical detail to clearly separate the level of work of each option.

Commissioner Wolfe supported the recommendation but added that as previously conveyed, she would not want the process to only assume CLAMP is the only viable option, as she wants to consider all options while ensuring the information is clear as to what has or has not been vetted.

Councilmember Hankins asked about the intended audience for the tables or the intent of the document in terms of what the document is trying to accomplish. Knowing the audience or the intent of the document might help guide how the information is presented, as the present form is difficult to read. Most people do not read footnotes and it is important for the document to be clear so that people understand the information.

Mayor Kmet remarked that he is unsure of the answer but believes it would be a report to the Legislature ultimately.

Councilmember Hankins reiterated her question as to who will receive the information and what is the intent.

Mr. Dickison said when the information is delivered it will be delivered to a former Senator.

Deputy Director Covington responded that the information is a report required by the Proviso for the Legislature. This body of work is intended to be the launching point to secure funds to complete an EIS. The intent of the work is to support DES as it moves to the next process.

Mr. Dziejdzic suggested brainstorming options and/or components of conceptual long-term management options.

Ms. Gardner-Brown referred to a table to help brainstorm ideas based on the Executive Work Group's recommendation to provide some time for brainstorming. The table provides a forum for different components, such as sediment management and enables more discussion on other options, sub-options, or components for managing sediment. The information also reflects feedback received from WDFW for any option to include efforts to eradicate the New Zealand mudsnail. Those efforts would be different between

the management options. The table includes a mix of potential components that should be applied to all options and additional components that could be applied to an option to increase consistency with project goals, as well as serve as launching the group's discussion.

Councilmember McClanahan asked whether there are methods to eradicate the mudsnail, such as natural predators. Staff and members responded with uncertainty.

Commissioner Downing said he preferred the freezing option by draining down the lake during winter months. Councilmember McClanahan added that another option is saltwater to kill the snails. Ms. Gardner-Brown added that the previous efforts to eradicate the mudsnail from saltwater input was insufficient. Councilmember McClanahan noted the effort wasn't adequately sustained over a sufficient period.

Mayor Kmet offered some organizational suggestions for the table by revising the information and including the options for controlling invasive species, including the options for management of sediment, including options for improving water quality, and including elements of different components that have been identified to address the identified goals. He asked about the expectations of the Executive Work Group with respect to the table.

Ms. Gardner-Brown explained that the request is to mine more ideas or components, such as the suggestion for the installation of a weir for sediment accumulation. The report would include information on the goal of sediment management for example, and identify the components that could be appropriate. The intent is to generate more ideas.

Mayor Kmet suggested the table might be a good tool to generate ideas from the public and could serve as a better avenue for capturing concepts to analyze in more detail in the EIS process. The table could be the most useful way to solicit public input if reorganized appropriately.

Ms. Gardner-Brown encouraged members to forward any ideas or comment.

Process Update from DES – Information

Deputy Director Covington reported on the Funding and Governance Committee worksession. The committee continues to refine and develop attributes for conceptual options for funding and governance models. DES is refining the attributes based on the direction by the committee, as well as identifying a draft chapter that would be included in the Proviso Report for review by the committee prior to its next worksession. He anticipates that following the next worksession, a good product would be drafted for presentation to the Executive Work Group to receive feedback. He asked members to meet with their representatives of the Funding and Governance Committee to ensure alignment between the two meeting bodies as the process proceeds.

Mayor Selby commented on standing meetings between herself, Councilmember Hankins, and Olympia City Manager Steve Hall on Thursdays before the Friday meeting to receive an update prior to the Executive Work Group meeting.

Mayor Kmet said that during his follow-up with Tumwater City Administrator John Doan, the City's representative on the committee, he understands that other than identifying potential options, the committee cannot proceed because of the uncertainty of the funding need.

Deputy Director Covington affirmed it is similar to some of the objectives the Executive Work Group reviewed and approved for the project, as many of the attributes identified for funding and governance are

essentially attributes of a funding or governance model and could be applicable to any of the alternatives that could be selected. There is recognition that any recommendation would lead to legislation for creating the model. The effort is setting the stage for the EIS. As more information is developed from the EIS process, the committee will continue to work and refine the model and include more specifics.

The Sediment Management Panel is not an element of the Proviso. Consequently, DES is not funded to complete the work, which has created some disappointment and frustration. DES also recognizes how sediment management is a critical aspect of moving forward. The EIS will be an important piece, which DES supports. DES understands there is interest by some members of the Executive Work Group, specifically, interest by the Squaxin Island Tribe and the Port of Olympia to engage and discuss a parallel path and the potential to scope and identify a body of work that could occur.

Councilmember Hankins asked about existing sediment analysis from the CLAMP process. Deputy Director Covington replied that the analysis from CLAMP is high level. Councilmember Hankins inquired about the process to complete a gap analysis to determine missing information. Ms. Gardner-Brown affirmed it would be part of the Phase II process but is unsure whether previous efforts on sediment management had properly defined the next step.

Deputy Director Covington said the conversation with the Squaxin Island Tribe is about scoping and identifying those with the technical expertise to help shape the scope of a parallel path.

Mr. Dickson said the Tribe has not agreed that it is an acceptable path forward. The Tribe has had the conversation, and at this point, it is only a discussion and highly frustrating to the Tribe that all the parties to this process have met and committed to a path forward that included understanding further analysis of sediment management. Mr. Dickson thought DES committed to the analysis, which was before the Proviso existed. There was an expectation that some work would be completed on sediment management. As clearly pointed out, he questioned how the Funding and Governance Committee could complete its work if there are so many uncertainties surrounding sediment management. No resolution has been achieved for the issue and it is extremely problematic. The report to the Legislature will resemble very little progress on addressing the issue resulting in a process stymied in its existing position despite efforts to overcome a need that was identified to complete the work.

Next Steps – Information

Mr. Dziejdzic advised members to expect more follow-up on the Draft Purpose and Need Statement as well as on the identification of Hybrid Options. He encouraged members to submit comments.

Commissioner Downing asked about the remaining meetings. Mr. Dziejdzic said the next meetings are in September, October, and December.

Ms. Gardner-Brown added that the draft Proviso Report would be provided to the Executive Work Group in October, for review prior to submittal to the Legislature.

Mayor Kmet inquired about the topics scheduled for the next meeting. Ms. Gardner-Brown said the topics include cost estimates, an update on the Funding and Governance Committee, and a review of next steps. The draft Proviso Report will be presented to the Executive Work Group in October. The next meeting is on September 30, 2016.

Adjournment

With there being no further business, Mr. Dziejdzic adjourned the meeting at 11:34 a.m.

Capitol Lake Executive Work Group
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Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net



CAPITOL LAKE EXECUTIVE WORK GROUP

**Jefferson Building
Presentation Room 1213
1500 Jefferson Street
Olympia, Washington 98504
September 30, 2016
9:30 a.m.**

(Approved October 28, 2016)

JURISDICTIONAL MEMBERS PRESENT:

Cathy Wolfe, Thurston County
Pete Kmet, City of Tumwater
Julie Hankins, City of Olympia
Jeff Dickison, Squaxin Island Tribe
Bill McGregor, Port of Olympia
Neil McClanahan, City of Tumwater

JURISDICTIONAL MEMBERS ABSENT:

Cheryl Selby, City of Olympia

DES STAFF MEMBERS PRESENT:

Chris Liu, Department of Enterprise Services
Bob Covington, Department of Enterprise Services
Carrie Martin, Department of Enterprise Services
Ann Sweeney, Department of Enterprise Services

Nouk Leap, Department of Enterprise Services

PRESENTERS/FACILITATORS::

Paul Dziedzic, Meeting Facilitator
Jessi Massingale, Floyd|Snider

OTHERS PRESENT:

Dan Smith, City of Tumwater
Keith Dublanica, RCO
Brad Murphy, Thurston County
Tom Gow, Puget Sound Meeting Services
Bob Holman, CLIPA
Dennis Burke, Citizen
Kristin Swenddal, DNR

Jack Havens, CLIPA
Andy Haub, City of Olympia
Wendy Steffensen, LOTT Clean Water Alliance
Sue Patnude, DERT
Bob Wubbena, CLIPA
Dave Peeler, DERT
Jim Langenfelder, Citizen

Opening Comments and Review of Agenda

Paul Dziedzic, Facilitator, called the meeting to order at 9:32 a.m. He welcomed everyone to the meeting.

Members of the Executive Work Group and meeting presenters provided self-introduction.

The agenda includes a process update from DES on Funding and Governance and Sediment Management, a review of a proposed Final Draft Purpose and Need Statement, a second touch review on Existing and Hybrid Options and community input, a first touch on Relative Comparison of Costs for Options with a review of feedback from the Technical Committee, and a discussion on next steps and Phase I transition to Phase II.

Approval of July 22, 2016 Minutes - Action

By consensus, members approved the July 22, 2016 meeting minutes as presented.

Process Updates from DES – Information

Funding and Governance

Bob Covington, Deputy Director, DES, reported on the status of efforts by the Funding and Governance Committee. Members achieved agreement on attributes of shared funding models and continue refining the funding and governance section within the Proviso Report. Members agreed and expressed interest in moving forward on a path for a shared funding and shared governance model. One key message has been included in the section, which speaks to the need to identify a funding or governance model when the process has additional data and has reached a decision on the potential long-term management option. A draft of the Proviso Report will be forwarded to the Technical Committee on October 20, as well as the Executive Work Group. Committee members continue to maintain contact and provide regular updates with their respective Executive Work Group members.

Ms. Massingale added that the Department of Natural Resources (DNR) is also participating as an owner of state land. The DNR representative has provided input on DNR's role in the process.

Mr. Covington invited comments and feedback from members.

Mayor Kmet commented that the preliminary draft Funding and Governance section doesn't mention the Port of Olympia as a model for funding. However, the Port is a county-wide jurisdiction, and the Port could seek special legislative authority to increase property tax assessments as a source of funding. As the Port benefits the entire county, it should be one of the entities evaluated as a potential source of funding.

Mr. Covington agreed the Port is a critical partner. Port representatives attend Funding and Governance meetings. The report, as written, doesn't exclude the Port, and does not exclude any potential entities. Mayor Kmet agreed, as the report does mention several shared funding entities, but it doesn't specifically mention the Port as an entity.

Commissioner McGregor commented that in 2009, Port Commissioners adopted a resolution addressing the Port's concerns surrounding sediment management. At that time, the Commission considered the Port's potential involvement in a funding process because of concerns with sediment flow and its management in Budd Inlet.

Mr. Covington acknowledged the concern is a major element of the committee's discussion in terms of shared governance and funding for the management of sediment. Special emphasis will focus on that aspect within the report with a reference specifically to funding and governance.

Sediment Management

Mr. Covington reported all discussions acknowledge sediment as a critical component because it impacts alternatives and is the largest relative cost factor. The report includes a chapter specific to sediment and an inventory of previous work and sediment studies. The chapter emphasizes the critical importance of addressing sediment as part of any future model moving forward. Sediment management would be reviewed in an Environmental Impact Statement (EIS).

Ms. Massingale said the chapter within the Proviso Report would also speak to additional information needed to assess sediment transport and deposition and the available and appropriate modeling options, as well as a definition of the technical analysis in the EIS.

Ms. Massingale reported on prior communication to members on the Technical Committee's review of the technical document list focusing on existing studies and reports for water quality and habitat. The Technical Committee is nearly complete in its review of the list to identify best available science using the WAC methodology. In October, the Executive Work Group will receive an update on the status of that work. The Technical Committee's review of best available science is also included in the Proviso Report.

Ms. Massingale provided a status update on the process. The agenda includes a second touch of the July materials, as well as a third touch of the Purpose and Need Statement. All materials were reviewed during a two-week public comment period. October is the last monthly meeting series for review of materials. At the October meeting, the agenda includes a second touch of the Relative Comparison of Costs of Options graphic. Any edits received from the community and the Technical Committee would be reflected within the October materials. At the October meeting, members will primarily focus on the Draft Proviso Report. The Draft Proviso Report is a culmination of the year-long process and the materials developed during the course of monthly reviews. Input received during the October process will result in a revised Draft Proviso Report. If an additional review is necessary for input or because of any conflicting information received during the October review cycle, the consultant team will contact members with the information to resolve outstanding issues. The consultant team is scheduled to spend November finalizing the Proviso Report. The process will end in mid-December during a year-in-review meeting currently scheduled on December 16.

Director Liu requested clarification on the process for executives to provide feedback. Ms. Massingale replied that feedback and comments pertaining to the Draft Proviso Report will occur between October 20 and November 11. Members are able to provide feedback and edits by email to DES and/or Floyd Snider.

Review of Proposed Final Draft Purpose and Need Statement – Discussion

Ms. Massingale reported the draft Purpose and Need Statement is critically important for the EIS process to help streamline initial efforts and to provide a collaborative narrative of project goals and the importance of implementing the project.

Ms. Massingale reviewed the statement. All input from the June and July review cycles is included in the draft.

The first paragraph is a succinct high level description of the goals, purpose, and need for the project. The language acknowledges the common ground of sediment management and sediment accumulation as of utmost importance and the importance of a watershed approach.

The second paragraph focuses on context and evolved through various review cycles. The paragraph describes the context of the value of the resource both before construction of the lake and in its current condition. Feedback in July spoke to the importance of retaining the context paragraph.

The third paragraph describes the problem and identifies the issues impacting both passive and active uses. Input from the community identified the importance of acknowledging the distinction between active uses of the water body currently restricted today.

The fourth paragraph describes the reason for action now. The information has evolved around ensuring the project is consistent with watershed restoration plans upstream and downstream. The last sentence was added from input from the community and vetted through the process stating, "Once completed, the project

is expected to have a beneficial effect on the ecosystem service value, economic value, and community value of the resource.”

Technical Committee members recommended the Purpose and Need Statement shouldn't focus on any one alternative, as well as how well the statement has evolved and improved through the review process. The committee recommended revising the last sentence in the fourth paragraph to strengthen the intent by reflecting, “Once completed, the project will have a beneficial effect on the ecosystem service value, economic value and community value of the resource.”

Commissioner McGregor pointed out how on page 5 of the minutes of July 22, 2016, Commissioner Downing recommended a revision to the first paragraph with three bullets, but the paragraph includes only two bullets reflecting:

- Implement an environmentally and economical sustainable management approach that improves water quality and other ecological functions with the watershed.
- The work proposed as part of this project is also needed to address existing sediment accumulation and manage future sediment deposition.

Mayor Kmet commented that another bullet might have included a reference to the watershed; however, the bullets appear to capture everything that should be captured. He supported the proposed change by the Technical Committee.

Mr. Dziedzic invited feedback on the final draft.

Director Liu and Commissioner Wolfe indicated the draft is acceptable. Mayor Kmet and Commissioner McGregor also supported the current draft.

Mr. Dickison commented that members had an opportunity to offer feedback and edits, which are reflected. Within the realm of his work, the characterization is more comprehensive than the draft statement. He referred to the second sentence in the second paragraph stating, “The Deschutes watershed continues to be used for subsistence harvesting of natural resources, and is a place of strong cultural and spiritual value.” Subsistence harvesting is one component of harvesting of resources that the Tribe pursues. Typically, the tribe refers to harvesting as ceremonial, subsistence, and commercial. For example, ceremonial speaks to the First Salmon Ceremony hosted by the Tribe each year. The first salmon is typically caught in Budd Inlet as part of the Deschutes run. Commercial fishing also occurs. Although he's not suggesting the need to broaden the paragraph, he asked members to share their respective interpretation of “subsistence harvesting.”

Mayor Pro Tem McClanahan said the language reflects the litmus of the health of fisheries and Budd Inlet. The Tribe has a history of harvest and knowledge of the health of the environment.

Director Liu said he wasn't aware of the other two points and wouldn't view the addition as a material change to the statement. He favors more inclusiveness rather than exclusiveness.

Mayor Kmet said the statement is accurate, as he understands that some members of the Tribe rely on the salmon from the Deschutes watershed.

Ms. Massingale noted that although the previous sentence identifies the Squaxin Island Tribe, the second sentence is tribal-related and the commercial aspect would apply to anyone commercially fishing in the watershed.

Director Liu suggested the goal is for more inclusiveness. The current draft doesn't necessarily speak to commercial.

Mr. Dziedzic asked for input on whether the sentence should be revised to reflect, "ceremonial subsistence, and commercial harvesting."

Mayor Kmet suggested revising the sentence to reflect "cultural subsistence and commercial harvesting."

Mr. Dickison explained the process of accounting requirements for fish harvesting in the state. Specific processes fall into different categories. Although the statement as drafted is not inaccurate, it's not inclusive.

Commissioner Wolfe agreed and offered including "ceremonial" as opposed to "cultural" because "cultural" is addressed in the sentence.

Following further discussion, members agreed to revise the second sentence in the second paragraph to state, "The Deschutes watershed continues to be used for ceremonial, subsistence, and commercial harvesting of natural resources and is a place of strong cultural and spiritual value."

Members approved the final draft of the Purpose and Need Statement as amended, to be included in the Proviso Report and move forward into Phase 2.

Second Touch on Review of Existing and Hybrid Options and Overview of Community Input – Discussion

Ms. Massingale reviewed changes to the materials since the last meeting.

In June, the Executive Work Group received graphics and descriptions for each option. The options were grouped by hybrids and non-hybrids. Unfortunately, the grouping compared CLAMP options that had some preliminary design and technical analysis with new community proposed options not vetted. Feedback from the Technical Committee and the Executive Work Group recommended revising the grouping to reflect existing and new options and revising the labels appropriately. The updated figure features the Managed Lake, Dual Basin, and Restored Estuary (three of the primary CLAMP options.) The title of the figure was revised to reflect, "Overview of Existing Long-Term Management Options *Previously Evaluated as Part of CLAMP Process*. Note 1 (bolded) includes more information on the three options from the CLAMP process with some preliminary technical analysis and review by CLAMP participants and the consultant team. Another change prompted from members spoke to the extent of water reflected in the graphic in the north basin when the narrative text describes a higher water level because of the tidal cycle 75% of the time. The team revised the graphic to reflect more water in the north basin under a restored estuary than reflected in the initial graphic.

The accompanying table was grouped by existing options. The title of the table was revised to reflect, "Existing Long-Term Management Options – Reported Consistency with Goals, Based on Technical Analyses from the CLAMP Process."

The same approach was carried forward to the new options of the Managed Lake Sub-Option: Percival Creek Rechanneling and Salmon Habitat Rehabilitation Plan and the Dual Estuary/Lake Idea (DELI). The figure was retitled to, "Overview of New Long-Term Management Options – *Concepts Provided by Private Citizens without Further Design and Technical Review.*" Note #1 provides additional details and speaks to the appropriateness of the concept ideas that haven't completed initial design or technical analysis.

The accompanying table identifies long-term management goals for the new options. The title of the table was changed to, "New Long-Term Management Options – *Reported Consistency with Goals, Based on Opinion of the Proponents and Not Based on Technical Analyses.*" Content within the table was not changed.

Ms. Massingale added that the Technical Committee offered no additional input at its last meeting.

Mr. Dziejdzic invited comments.

Commissioner McGregor asked whether the new options receive technical review during Phase II to provide an accurate comparison against the original options. Ms. Massingale advised that during the EIS, the design advances to a similar level and technical analysis is completed at a similar level for the options to assist in making informed decisions.

Mr. Dickison suggested clarification is required as all members have different perceptions of what would be accomplished during Phase I from a desire to identify a preferred option to deferring a decision. The answer was different than the question asked by Commissioner McGregor. While, it's accurate that the options would be forwarded to an EIS process, there are multiple stages of the EIS process where some options are no longer included. Commissioner McGregor's question was whether all options would receive the same level of review and analyses in the EIS. The answer wasn't an accurate reflection. Ms. Massingale responded that the first step in the EIS is a screening to determine if the alternative is reasonable. Presuming, each option moves forward after screening, all options are equal in terms of design and analysis. Some options could drop out earlier in the process.

Mr. Dziejdzic noted that notes #2-6 include other options not fully designed or evaluated serving as examples of what alternatives might survive the first review phase of the EIS.

Ms. Massingale said the two options featured in the graphic include more information than other options submitted by the community during the process, which are acknowledged in the notes. The Proviso Report would likely include an appendix of information on each of the options.

Ms. Massingale reviewed the table on "Potential Components of Conceptual Long-Term Management Options." The table includes several edits since the first review. The initial table lacked a middle column. Feedback from the July review recommended identifying consistency and/or support with the goals. Subsequently, a middle column, "Consistency with Goals for Long-Term Management" was added. Several new components recommended for inclusion by the Technical Committee include 'Fish access management' and 'Natural woody debris management plan'.

Recent feedback from the Technical Committee included a recommendation to identify the source (Technical Committee, Executive Work Group, Community) of each component by adding superscript number identifying each group to help understand the origin of the component.

Executive Work Group members supported the recommendation.

The second recommendation was some caution to avoid presenting too much certainty on information that hasn't been technically analyzed. The Technical Committee recommended bolding the statement and including it as a separate note.

Executive Work Group members supported the recommendation.

Mayor Kmet noted that some of the components address similar issues while others address separate issues. For example, the goal to control invasive species could include components 2 (Efforts to eradicate New Zealand mudsnail) and 3 (Control of the resident Canada goose population). He recommended grouping components by a general category specific to the goal(s) to achieve. Ms. Massingale offered to revise the layout of the table by adding a sub header under each component and including the options to achieve the goal.

Mayor Kmet added that the narrative includes references to sediment management and some associated components. Some components, such as creating a sediment trap in the south or middle basin or creating a deflection berm in Budd Inlet to help protect the Yacht Club area and the Port should be listed and identified as separate components of sediment management.

Ms. Massingale advised that the suggestions would be included and the table restructured for clarity. Members have an opportunity to review the revisions and offer any other recommended changes to the Draft Proviso Report. Mayor Kmet noted that reformatting the table could enable the elimination of the second column. Ms. Massingale agreed.

Mr. Dickison spoke to misconceptions surrounding sediment management. Within the CLAMP Report, strategy included dredging for each alternative. Dependent upon the alternative, initial dredging strategies were different for each option. His concern is with the characterization of generalizing sediment management equally for all options. Language in the table speaks to the benefit of dredging existing sediment accumulation suggestive of dredging the entire lake, whereas sediment strategy for an estuary conversion alternative would be different. Ms. Massingale offered to add clarifying language, such as, "in coordination with option implementation...initial dredging" or adding language, "...as a potential benefit of dredging of existing sediment accumulation associated with selected option" to acknowledge differences in sediment strategy for each option.

Executive Work Group members supported the suggestion.

First Touch on Relative Comparison of Costs for Options and Overview of Feedback from Technical Committee – Discussion

Ms. Massingale reported the graphic and transition piece are the last and newest materials to meet the requirements of the Proviso. The last Proviso element is direction to prepare cost estimates for construction and maintenance of a long-term management option. The figure titled 'Relative Cost Comparison for Long-Term Management Options' was prepared to meet the directive while acknowledging that there are critical considerations and challenges in preparing costs for options that are either preliminary design options produced from the 2007-2009 CLAMP process or concept ideas offered by the community. It's important the level of information and certainty conveyed in the materials is appropriate given the level of design or technical analyses performed on the options. Given that caveat, it's important to review all the notes within the figure to ensure all members have the same level of understanding for the basis of the graphic.

The materials have completed the same monthly review cycle by the Technical Committee, Executive Work Group, and the community in draft form as a first touch review. The materials are based on information provided to the consultant team through CLAMP documentation or information provided by project proponents offering new options. A recent email was forwarded to members providing new information on the Managed Lake Sub-Option. As a result, the materials may change based on the monthly review cycle.

The materials were reviewed with the Technical Committee. Input from members benefitted the clarity and the presentation of the figure. The figure includes edits, and has been posted for community review and comment. The Technical Committee understood and acknowledged the challenges of the directive to generate costs without design and detailed information. The EIS, when design is advanced for all options and technical analyses are conducted to a similar level, is the point when information is available to provide accurate and more detailed cost estimates. As in previous materials, a graphic is presented of dense information to help facilitate the discussion with the three stakeholder groups. Notes included on the graphic are particularly important. The Proviso Report will include additional narrative context supporting the approach to complete this relative cost comparison exercise.

The graphic includes bar charts representative of each option. The Y axis includes total option costs in hundreds of millions of dollars recognizing that once design and technical analyses advance, cost factors could change. The graphic represents a snapshot in time. The graphic includes five construction cost factors and three maintenance cost factors because the Proviso required a review of both construction and maintenance costs.

Ms. Massingale reviewed the notes:

- 1. Previously reported cost estimates for the long-term management options have been reviewed but do not serve as the complete basis for the cost information provided on this figure because many of the primary assumptions or existing conditions have changed. For example, the primary previous assumptions regarding open water disposal or in-water beneficial use for dredged sediment is affected by the presence of New Zealand mudsnail, a changed condition that results in a significant increase to one of the largest cost components (DMMP communication 2012).*

Ms. Massingale said that during the CLAMP era, the Alternatives Analysis, Dredging and Disposal Analysis, and the cost documents discussed some uncertainty surrounding the beneficial reuse of Capitol Lake dredge sediments to create habitat in Budd Inlet, in another water body, or open water disposal at DMMP sites. That uncertainty surrounded the unknowns associated with the permitting process and because of the presence of Purple Loosestrife seed and the spread of the invasive plant. After CLAMP's work was completed, the New Zealand mudsnail was confirmed to be present in sediment in Capitol Lake. In 2012 and 2013 when the work with DES assessed permitting as an option, DMMP was contacted. DMMP officials were aware of Capitol Lake and the work completed. DMMP was asked whether the presence of Purple Loosestrife and the New Zealand mudsnail would affect its decision to authorize open water disposal at one of its sites or for beneficial reuse. The response by DMMP was that open water disposal would not be authorized because of the risk of transporting invasive species to another water body, particularly to some of the local or closed wildlife refuge areas.

Mayor Pro Tem McClanahan asked whether that would preclude dredging and in-water disposal of sediment. Ms. Massingale affirmed that it would. Dredging and disposal is the largest cost component of any option. The Floyd|Snider team reviewed costs identified from the CLAMP

process. At that time, Moffat Nichol attributed dredging and disposal costs as low, medium, or high. Low cost is factored on reuse of sediment for habitat or for open water disposal. Higher cost was factored for upland disposal. Given the feedback from DMMP representing four different agencies, it was appropriate to recognize the changed condition. Subsequently, a higher cost range is included within the bar chart because dredge sediment from Capitol Lake can no longer use open water disposal. The preliminary design of the estuary and hybrid from the CLAMP process retained dredge sediment within the Capitol Lake basin to stabilize Deschutes Parkway and construct a habitat bench. CLAMP's Managed Lake Option considered sediment disposal in either Budd Inlet or a landfill. The graphic reflects a change from CLAMP because prior to the presence of the snail, CLAMP reflected the dual basin as the most expensive option because of optimism surrounding the possibility of low cost dredge disposal. A changed condition requires an increase in the cost of the Managed Lake Option, which is why the Managed Lake Option is higher than the Dual Basin Option.

Mayor Pro Tem McClanahan asked about disposal options if the concern is contamination to other streams and water bodies. There were also concerns about birds eating the snails with excrement dropped in other areas. Ms. Massingale advised that the regulatory agencies have indicated that if the sediment from Capitol Lake is transported to an upland location, it would have to be covered. However, other areas for reuse could be evaluated.

Mayor Kmet suggested defining DMMP, which is comprised of four regulatory agencies managing open water disposal sites. Ms. Massingale said the acronym stands for Dredge Material Management Program and is led by the U.S. Army Corps of Engineer under the Clean Water Act Section 404 with participation from the Environmental Protection Agency, Washington State Department of Ecology, and DNR as the state aquatic landowner of open water disposal sites. The four agencies each have one to two representatives and they render decisions on beneficial use or disposal.

Mayor Kmet said he understands that the light blue bar is shorter on the graph for the first three options because it's primarily a function of the volume of sediment. Ms. Massingale affirmed it is a function of volume, as well as the dredge location. For the Estuary and Hybrid Options, sediment associated with maintenance is dredged from lower Budd Inlet, which has easier access and increased ease for a dredging operation than from the Capitol Lake basin. It speaks to a difference in volume and a difference in costs for the area dredged.

Councilmember Hankins asked whether it could also impact the costs of disposal if the sediment is located within Budd Inlet. Ms. Massingale affirmed that it would.

Director Liu commented that the costs would vary greatly dependent upon how close or far the material is transported. Ms. Massingale said there are many cost factors ranging from trucking, rail, dewatering, and controls for the snail. Director Liu asked whether an EIS would explore the costs in more detail. Ms. Massingale affirmed the EIS process would explore the costs because the components factor heavily, which is why it wasn't appropriate to consider exceptions to unit costs. Additionally, the new options haven't had the benefit of completing technical analysis. It wasn't appropriate to focus on a few elements while others would be open-ended.

- 2. Due to the conceptual level of the proposed long-term management options, cost estimates could not be generated for all factors or design components related to construction and maintenance (such as stormwater infrastructure, control of invasive and nuisance species, etc.).*

The Technical Committee was consulted about control or eradication efforts for the snail (primarily because of the impact on dredging cost) in terms of management or eradication for a closed system versus an estuary or hybrid. Committee members said the efforts could vary in success in different scenarios and, at this point, it wouldn't be appropriate to estimate a cost for any one option. The estimation would be similar in terms of the order of magnitude for all options. Essentially, the information wouldn't be valuable if the level of cost is unknown, which is why eradication of the snail is not included as a factor.

3. *Preliminary design, technical analyses, and feasibility reviews would occur as part of the future Environmental Impact Statement (EIS) in Phase II. At that time, more detailed cost estimates for construction and maintenance would be developed.*
4. *The Department of Enterprise Services (DES) cannot confirm the accuracy or validity of the presented long-term management options due to the absence of preliminary design, technical analysis, and feasibility review, which inform the cost estimating process.*
5. *Completion of an EIS is required before DES can select or implement any long-term management option. Permitting and design would also be required for all options. These costs would be incurred prior to, and separate from, construction and maintenance, and therefore are not reflected on this figure.*

Regulatory agencies have indicated that if a dredge event were planned in Capitol Lake, the agencies would permit the dredge as long as a long-term management plan has been identified. Essentially, any action, including maintenance dredging, would require an EIS. An EIS is also necessary for completion of design, technical analyses, and a discipline report for selection of an option. The cost of the EIS or permitting is not reflected in the costs as the process starts with implementation/construction of the option.

6. *All long-term management options would require initial dredging. As part of the Managed Lake Option and Sub-Option, the dredged sediment would be disposed of at an upland site (likely a landfill) due to the presence of purple loosestrife seeds and the New Zealand mudsnail. For the Restored Estuary and Hybrid Options, the initial dredge sediment would be used for the slope armoring and habitat rehabilitation included as part of these previous designs.*

The information is based on CLAMP's information. The two new options include dredging as well. Factors could evolve as the design advances and technical analysis for volumes is identified. As part of the Managed Lake Option, dredge sediment would be disposed at an upland site because of the presence of the Purple Loosestrife seed and the snail. For the Restored Estuary and Hybrid Options, the initial dredge sediment would be used for slope armoring and habitat rehabilitation included as part of the previous designs.

7. *Quantities for the initial dredging were sourced from the Capitol Lake Alternatives Analysis (CLAMP 2009) for the existing long-term management options, as that analysis represents the most current information prepared as part of the DES-led planning effort, and the designs of these options have not been advanced since that time. The dredging quantities for the new long-term management options are based on the estimates provided in that analysis because the effort for dredging under the new Hybrid Option and Sub-Option would be similar to those of the Dual Basin Option and Managed Lake Option, respectively.*

To treat and represent each option objectively, and in lieu of having detailed information, the cost information from CLAMP was used that most closely matched the option. For example, the Dual Basin Option by CLAMP includes scour protection and Deschutes Parkway stabilization. The configuration in the DELI Option is very similar to the Dual Basin Option. The information includes an attempt to match options and minimize the application of judgment to ensure objectivity for each option. Additionally, DES and the consultant team are not in a position to augment or change proponent options. If a deficiency is obvious in an option, the team doesn't have the ability to change the option. Scour protection is one element that is similar and could fit within a number of options. The Managed Lake and the Managed Lake Sub-Option, as part of the process of populating the consistency with goals, was compared with the Percival Creek Rechanneling Option as a Managed Lake Sub-Option.

Information in a recent email speaks to a component needing additional review with the proponents because it appears to be different from the original version. There may be a change in the figure if the option has changed as part of the normal review process for soliciting input from the community.

8. *A 50-year duration has been used to estimate relative maintenance cost factors, with a maintenance dredging frequency of every 5 years for the Restored Estuary and Hybrid Options, and every 10 years for the Managed Lake Option and Sub-Option.*

The team applied the 50-year duration for consistency and to align with CLAMP's dredge frequency.

9. *Mitigation for maintenance dredging is anticipated due to impacts from construction access that would affect upland habitat or park space, and impacts to the lake basin, as indicated in agency discussions that occurred to support the 2013 Permitting Recommendations Report.*

Mitigation is an important cost factor that the consultant team added. Mitigation wasn't part of the CLAMP process in terms of cost, but was included as a narrative discussion. Within the discussion, the information indicated that based on agency communications at that time it was expected the Restored Estuary and Dual Basin Options would have an overall environmental benefit, with the likelihood that the project would be self-mitigating. Based on questions pertaining to mitigation from the Technical Committee, the team included mitigation. Mitigation is included for construction impacts. It's anticipated that mitigation would be minimal for the Estuary and Dual Basin Options because of the overall ecological environmental improvement, and more mitigation for the Managed Lake and Managed Lake Sub-Option, and less for the Percival Creek Rechanneling Option because of the ecological environmental benefit associated with rechanneling and salmon. No judgment was applied for feasibility, technical review, or regulatory agency decision-making. The information captures mitigation for maintenance dredging impacts. Maintenance and operation of the Reflecting Pool and Barrier Wall was added based on input from the Technical Committee. The team considered the reflecting pool/wall composition under the DELI and Dual Basin Options and consulted with a constructability specialist to determine the probable lifespan of sheet pile over 50 years. For maintenance, the information reflects the dual basin sheet pile wall exposed to marine water and tidal action with protection likely needed over time.

Ms. Massingale added that the information did not include the level of detail for projecting costs in the future. Instead, the dollar years are the same; however, the information wasn't projected forward.

Commissioner Wolfe said she understands that the Restored Estuary Option calls for 5-year dredging and the Managed Lake Option requires 10-year dredging. Ms. Massingale affirmed the information and added that 5-year dredging in Budd Inlet is included for the Restored Estuary Option. Commissioner Wolfe asked whether the differences in timing are reflected in the costs. Ms. Massingale affirmed the costs reflect those differences.

Commissioner McGregor requested clarification of Note #6 as it appears there is some conflict with the upland disposal of sediment between the options. Ms. Massingale responded that the construction sequence as presumed today would entail dredging before the system was opened resulting in movement of sediment within the lake basin with the mudsnail to another location within the same system, where the mudsnail is also present. At that point the eradication effort could be applied (chemical application) before the system was opened. It's assumed that the process would include dredging and moving the sediment to stabilize and construct the habitat bench with possible application of chemical treatment to eradicate the mudsnail and then open the system.

Mayor Kmet asked whether the CLAMP process of comparing the lake versus an estuary alternative included an estimate of increased fish return. Mr. Dickison replied that he doesn't believe there was any analysis as to specific numbers, but there was qualitative consideration relative to fish passage. Mayor Kmet pointed out that there is an ecosystem cost for maintaining a managed lake versus a restored system, and to some degree, it's likely reflected in mitigation, although it's a one-time mitigation. Ms. Massingale said mitigation was captured twice for the Managed Lake Option, which includes maintenance over time due to impacts from access needed to dredge within the lake basin. Mayor Kmet commented that there is also a potential cost of increased need for a higher level of treatment for the LOTT Plant to offset water quality impacts or fish impacts. It appears those would be ecosystem or mitigation costs created by not restoring the ecosystem that are not reflected in the material.

Mr. Dickison offered to review any analysis of habitat in the basin, any quantitative work on productivity, and the types of projects to pursue to improve conditions. He didn't recall whether the information included any variables specific to the lake.

Director Liu requested clarification of the questions in terms of attempting to understand the economic benefit or fish production. He asked whether those questions would be part of the EIS process during the economic benefit review.

Mayor Kmet responded that removal of the dam would improve water quality and it should improve fish runs. Fish have a value and choosing an option that doesn't improve fish runs has a cost in terms of the reduced number of returning fish providing economic value. It could be included as a cost or a benefit; however, in context to the figure, it would be represented as a cost that is not reflected (except in mitigation).

Mr. Dickison commented on the challenge of completing analysis on the numbers of fish because of the complexity of the analysis. However, in terms of economics, the Tribe generally avoids and opposes economic analysis because while it might be relatively easy to generate information based on commercial value, within the context of the Tribe and ceremonial interests, salmon have a spiritual value to the Tribe. The Tribe is not willing to engage in an analysis that attempts to place a value on spiritual interests. It would be difficult to determine a value that is relevant for that type of analysis.

Mayor Kmet acknowledged the information but also noted that some fish contribute to commercial value. Mr. Dickison said the commercial value is shared beyond the Tribe. It's also possible to complete analyses of sport fishing.

Ms. Massingale inquired as to whether the request to capture ecosystem costs by not restoring the system could be addressed in a narrative form. Mayor Kmet acknowledged the limitation of time, but noted there are ecosystem costs, such as nitrogen concerns in Budd Inlet. If the dam is not removed, one of the potential impacts could entail an increase in the LOTT Plant treatment or eliminating the discharge. Although the information is not quantified, those costs should be considered in the total analysis. Ms. Massingale offered to add language within the Proviso Report acknowledging those additional costs without quantifying the amount.

Ms. Massingale addressed additional questions from Mayor Kmet relative to correctly interpreting the bar chart.

Mr. Covington responded to the comments on potential economic impacts and costs. He acknowledged that the questions are valid although there are also concerns as those issues would be addressed and evaluated in the EIS. The concern is including some statements or narrative regarding specific components because others would want other components included. The process is lacking the time and resources necessary to address those issues. The intent is placing focus on why the EIS is important, as it would enable detailed analysis specific to those costs. Mayor Kmet offered an alternative of including a statement reflecting that other factors would need to be considered during the EIS process.

Councilmember Hankins requested clarification as to the location of the maintenance dredge for the first three CLAMP options. Ms. Massingale affirmed that the maintenance dredge following the initial dredge would occur in the bay for the Restored Estuary and the Dual Basin, and within the lake basin for the Managed Lake. The costs are based on upland disposal rather than open water. She offered to confirm the information and include a separate note as to where sediment could be reused.

Discussion of Next Steps and Phase I Transition into Phase II – Discussion

Ms. Massingale referred to a two-page document on Phase I Transition into Phase II. The information is not an analysis or an evaluation other than to ensure communication is consistent and clear and all stakeholders have a shared understanding on the closure of Phase I and moving forward to Phase II. She invited suggestions to improve clarity. She reviewed each section of the document.

Director Liu expressed appreciation for the work completed by Floyd|Snider in taking a leadership role to ensure all considerations were factored and soliciting input from all agencies and the community, as well as compiling understandable information for all stakeholders. The timeline is realistic at this time. He spoke to the optimism surrounding the budget request for Phase II funding.

Ms. Massingale reported the next meeting is scheduled on October 28. Comments on the Draft Proviso Report are tentatively due by November 11. The final submittal date will be confirmed at the October meeting. If comments generate additional questions, the team will contact members in November. December 16 is the final meeting.

Adjournment

With there being no further business, Mr. Dziedzic adjourned the meeting at 11:26 a.m.



**CAPITOL LAKE/LOWER DESCHUTES WATERSHED
EXECUTIVE WORK GROUP**

**Jefferson Building
Presentation Room 1213
1500 Jefferson Street
Olympia, Washington 98504
October 28, 2016
9:30 a.m.**

(Approved December 16, 2016)

JURISDICTIONAL MEMBERS PRESENT:

Cheryl Selby, City of Olympia
Pete Kmet, City of Tumwater
Julie Hankins, City of Olympia
Jeff Dickison, Squaxin Island Tribe
EJ Zita, Port of Olympia (Alternate attending for
Bill McGregor)

JURISDICTIONAL MEMBERS ABSENT:

Cathy Wolfe, Thurston County
Neil McClanahan, City of Tumwater

DES STAFF MEMBERS PRESENT:

Chris Liu, Department of Enterprise Services
Bob Covington, Department of Enterprise Services
Carrie Martin, Department of Enterprise Services
Ann Sweeney, Department of Enterprise Services

Nouk Leap, Department of Enterprise Services

PRESENTERS/FACILITATORS:

Paul Dziedzic, Meeting Facilitator
Jessi Massingale, Floyd|Snider

Tessa Gardner-Brown, Floyd|Snider

OTHERS PRESENT:

Gabrielle Stilwater, DES
Sally Toteff, Department of Ecology
Keith Dublanica, RCO
Tom Gow, Puget Sound Meeting Services
Bob Holman, CLIPA
Zena Hartung, DERT
Allen Miller, N. Cap. Campus Dev. Assn
Steve Masse, Legislative Staff
Jack Havens, CLIPA
Kristin Swenddal, Department of Natural Resources

Clydia Cuykendall, Citizen
Andy Haub, City of Olympia
Wendy Steffensen, LOTT Clean Water Alliance
Sue Patnude, DERT
Bob Wubbena, CLIPA
Dave Peeler, DERT
Martin McCallum, Citizen
Doug Mah, Citizen
Dick Burns, Citizen
Penny Black, Citizen

Opening Comments and Review of Agenda

Paul Dziedzic, Facilitator, called the meeting to order at 9:32 a.m. He welcomed everyone to the meeting.

Members of the Executive Work Group and meeting presenters provided self-introduction.

The agenda includes a process update from DES on Funding and Governance, a second touch review on Relative Comparison of Costs for Options and Overview of Community Input, a review of the Draft Proviso Report and Overview of Feedback from Technical Committee, and a review of Next Steps. A Year-In-Review meeting is scheduled on December 16.

Mr. Dziedzic reminded members that a two-week input period on the meeting materials follows the meeting.

Approval of September 30, 2016 Minutes - Action

The following correction was requested to the minutes of September 30, 2016:

- Correct the spelling of Mr. Dickison's name within the sixth paragraph on page 7.

Members by consensus approved the minutes as amended.

Process Updates from DES – Information

Funding and Governance

Bob Covington, Deputy Director, DES, reported on the status of efforts by the Funding and Governance Committee. Members have continued to meet to identify a model for shared governance and funding. Given the future identification of a long-term management option and the currently unknown implications of sediment and other factors, members agreed that a conclusion could not be achieved on a shared governance and funding model at this time. Members discussed attributes critical to shared governance and funding and agreed to continue working on shared governance and funding concurrent with the Environmental Impact Statement (EIS) process. A major point of the discussion was recognition of the issues surrounding sediment. Members want to ensure sediment is acknowledged and elevated within the Proviso Report, as well as included in the chapter within the overall report recognizing the implications sediment would have on governance and funding. The committee reviewed and supported the current draft of the chapter, which is currently posted on the DES website for review.

Mayor Kmet noted that the entire watershed is discussed within the Proviso Report even though a small portion extends into Lewis County. He asked whether the intent of the committee's recommendation is to include that portion of the watershed in Lewis County. Deputy Director Covington said the committee agreed to keep options open but not define specific entities for funding and governance involvement at this point. Should the process be successful in securing funding for an EIS, there could be other partners identified that could be part of the conversation, such as representatives from Lewis County, LOTT Clean Water Alliance, or the City of Lacey. Rather than addressing that specific issue now, the committee agreed to leave options open for potential inclusion later in the process.

Mr. Dickison said he was asked the same question earlier in the process. His response at that time was that he didn't believe it was necessary to include Lewis County because the portion of the watershed extending into the boundaries of Lewis County is mostly forest land managed, governed, and regulated by the Department of Natural Resources (DNR). Lewis County would likely not have a substantive role over that land area.

Director Chris Liu noted that a representative from DNR is also a member of the Funding and Governance Committee.

Second Touch on Relative Comparison of Costs for Options and Overview of Community Input – Discussion

Jessi Massingale, Floyd|Snider, reported that this is the last regular meeting of the Executive Work Group with final meetings by both the Technical and Funding and Governance Committees held last week. A Year-In-Review meeting is scheduled in December. The team is drafting the agenda for that.

The draft Proviso Report is posted on the DES website and includes three figures for the two-week review and comment period. The file is substantial because it includes an appendix summarizing all surveys and public input. Members of the Technical Committee and the Funding and Governance Committee were asked to provide comments and feedback on the report by November 3. The Executive Work Group is encouraged to submit comments and feedback by November 11. After receipt of all input, the consultant team will assess the feedback to determine any potential conflicts. The consultant team will consider contacting commenters to ascertain the intent of the comment and what makes the most sense for what might be revised or resolved within the report.

On December 1, DES will submit the final draft Phase 1 Report to the Office of Financial Management (OFM) followed by the December 16 Year-in-Review meeting. The report will be submitted to the Legislature at the end of December.

Mayor Kmet asked about any opportunities to consider comments that might be submitted during the last review cycle. Ms. Massingale advised that unless the Executive Work Group schedules an additional meeting or a conference call, the consultant team could share comments with members independently. Another option could be during the redline review of the final report by the consultant team.

Mr. Dziejcz noted that another option could entail scheduling a conference call to discuss any last minute issues that might arise.

Ms. Massingale reported the review of the Proviso Report later in the meeting is a final walk-through to help orient members to the material and structure of the report to help facilitate each member's review of the report, as well as identifying sections or content of particular interest to each member. The figures and information within the report have been reviewed each month by members. The narrative provides additional context and an opportunity to describe input and capture feedback that couldn't be conveyed within the graphics. Content not previously reviewed by the Executive Work Group will be reviewed as well.

Ms. Massingale began the review of the three figures. The three figures are currently in a two-week public comment period for a second touch review. September materials reviewed by members included the Relative Cost Comparison graphic and the Phase 1 to Phase 2 transition piece. The latter did not have any edits and has been incorporated within the Proviso Report.

The current version of Figure 7a, *Overview of Alternate Options for Long-Term Management*, includes a change to one of the options since the last review. After the last Executive Work Group and community meetings, an option was modified by the proponent. The Capitol Lake Improvement & Protection Association (CLIPA) changed its option, which resulted in changes to the *Relative Cost* figure, as well as to the figures used to present and describe the options.

Ms. Massingale presented revised Figures 7a and 7b for review. Figure 7a is an overview of alternate options for long-term management that were submitted by the community. The *DELI Option* did not change. However, the former *Percival Creek Rechanneling Option* was changed.

Previously, the option was titled, *Percival Creek Rechanneling*, and included a reconfiguration of Percival Creek. That component has been removed with no work proposed for Percival Creek, which makes the option a managed lake sub-option. The figure includes a new description and bulleted project components similar to the other options. The modified *Managed Lake CLIPA Sub-Option* retains the 5th Avenue Dam and the tide gate in its existing configuration, includes initial dredging in the north basin and river channel of the middle basin with maintenance dredging continuing in the middle basin over time, includes clean-up dredging in Budd Inlet to ensure recreational, commercial, and community uses, and retains the north basin as a managed lake for public swimming and other freshwater recreation. The terms described in the option are consistent with the message received from the proponent. The figure also includes a note to address how the option is different from the *CLAMP Managed Lake Option*. The note describes the primary difference as dredging quantities and transitioning the middle basin to a freshwater wetland. The revised *Managed Lake CLIPA Sub-Option* proposes significantly less initial dredging, with an amount comparable to the quantity estimated for the *Restored Estuary Option*. The revised option is essentially a managed lake but much shallower than the *CLAMP Managed Lake Option* with the presence of wetlands in the south and middle basins and a permanent, dedicated hydraulic dredge system in the north basin. The Percival Creek Rechanneling component is also removed.

Ms. Massingale referred to Figure 7b on *Reported Consistency with Goals, Based on Opinion of the Proponents and Not Based on Technical Analyses*. The figure was reviewed by CLIPA as the project proponent to ensure the figure accurately represents the revised option. The figure was updated similarly when the figure was initially populated with information from the other option proponents to ensure fairness for all options, as well as ensuring that all statements for consistency with goals focus on describing the particular option rather than on comparative statements to other options.

The three figures have advanced to the two-week public comment period to ensure the review process remains intact to enable everyone to communicate feedback on the options as one has changed.

Mayor Kmet recalled that the estuary dredging component involved some dredging. He asked whether the higher cost was attributed to repositioning sediment within the north basin. It appears that part of the lake would revert to a wetland because the area would be shallower. Ms. Massingale replied that the assumption would need to be confirmed with CLIPA. The cost graphic includes edits for CLIPA's option and assumes that the dredge materials would be added to the lake. Otherwise the materials would require upland disposal, increasing the cost.

Mayor Kmet added that the revised option appears to reflect that the middle basin would revert to a wetland. Ms. Massingale said the option proposes dredging only in the river channel so wetland would develop along the shorelines. The figure includes a discussion of the wetlands naturally forming from sediment accumulation.

Ms. Massingale described changes to Figure 8, *Relative Cost Comparison for Long-Term Management Options*, from the Funding and Governance Committee pertaining to messaging, as well as some considerations and concerns expressed by the Technical Committee. Figures 7a and 7b have been revised to reflect CLIPA's change to its option, which is also reflected in the Proviso Report. However, Figure 8 has not been revised in the Proviso Report, but has been modified to reflect input from the Funding and Governance Committee in terms of the messaging presented within the graphic rather than any specific changes to cost components.

Ms. Massingale described some edits to the notes primarily to provide clarity for the majority of the costs represented in the bar graphs and to clarify key assumptions around initial and maintenance dredging. The figure includes modifications to the notes to reflect those changes. Community input reflected that the initial yellow section in the bar graph for construction cost factors was titled as *5th Avenue Dam Removal/Bridge Construction or Dam Maintenance*. Community feedback recommended that dam maintenance should be reflected as a maintenance cost factor rather than as an initial repair and should be included within maintenance cost factors. The proposed change reduces the yellow section in the bar graph denoting construction cost factors for both Managed Lake Options (CLAMP and the CLIPA Sub-Option) to reflect that only the initial dam repair as part of initial construction is included, as well as including the CLAMP level of effort assumed for dam maintenance over time within the dark brown section of the bar graph denoting maintenance cost factors. The dark brown maintenance cost factor includes maintenance of the reflecting pool and barrier wall for the hybrid options or for the 5th Avenue Dam. Dark brown sections were added to both managed lake options to reflect dam maintenance over the maintenance period. The team received additional comments expressing concerns surrounding the timing of construction and the 50-year maintenance period and whether that leads to questions on the life of the dam at that point. However, at this level and because of the intent of the process is not to evaluate the options, technical feasibility/design was not assessed.

Mayor Kmet questioned the design life of the current structure. Deputy Director Covington offered to follow-up with additional information. Mayor Kmet noted the structure has periodically malfunctioned. Deputy Director Covington acknowledged that DES has encountered some challenges with the dam. He offered to follow up with staff to obtain accurate information about the dam. Mayor Kmet suggested the costs associated with mechanical components of the structure should be considered for the managed lake or lake sub-options. Ms. Massingale affirmed that a review and estimation would occur during the EIS process.

Ms. Massingale reported that as part of the dialogue with CLIPA regarding the changed option, clarity for the basis of the cost factors was important, as well as improving the notes to describe how the majority of the projected costs were generated from the CLAMP Alternatives Analysis, as well as from the dredge and disposal analysis. The team considered the upper end of those costs where conditions had changed that influenced dredging. However, feedback indicated the discussion versus the notes did a better job of communicating that information. Subsequently, more detail was added to the notes to address that feedback.

Since the last review, the consultant team and DES staff met with representatives from OFM to discuss the draft construction and maintenance costs per the Proviso directive. The team presented the cost graphic and described why the information is only a relative figure and doesn't include firm estimates because of too many data gaps and the lack of a decision for any option. Additionally, input from CLIPA stressed the importance of present value for the maintenance costs because they are projected over a 50-year period. Consequently, the discussion with OFM explained how the figures are present value. However, OFM viewed the information as a point of confusion to include within the graphic because the information is condensed and doesn't necessarily add value, as present values do not vary substantially between the options. Additionally, the information is not consistent with OFM's position in terms of how funds would either be saved, spent, or allocated for maintenance costs. Based on OFM's recommendation, the figure does not represent present value.

Ms. Massingale reviewed the revised *Managed Lake CLIPA Sub-Option*. The revised option includes a substantial reduction in dredge volumes. Previously, the amount was on par with the *CLAMP Managed Lake Option*. Under the new proposal, initial dredge volume would not be as large as the *CLAMP Managed*

Lake Option but would be comparable to the *Restored Estuary Option*, which is why the construction cost factor within the bar graph is significantly reduced. The yellow cost factor within the bar graph reflects initial dam repairs. The orange cost factor within the bar graph reflects mitigation for construction impacts (for maintenance dredging, displacement, and construction access and staging in the uplands). The light blue cost factor within the bar graph represents maintenance dredging and sediment disposal costs for the current version and is presented on par with the *Restored Estuary Option* or the *Dual Basin Option*. The consultant team received additional concerns by the Technical Committee for that specific cost factor. The lighter orange cost factor represents mitigation for maintenance dredging impacts and is similar to the mitigation for construction because it pertains to dredging and access covering a 50-year period. The dark brown cost factor, as previously described, pertains to the maintenance of the dam over time with acknowledgment from community input that mechanical components may be a factor. Other cost factors represented in the bar graph remain unchanged.

The Funding and Governance Committee commented on the importance of organizing and presenting the options consistent with previous figures (CLAMP options) that were evaluated as part of the CLAMP process because those options included some conceptual/preliminary design and technical analysis that informs initial costing, while the right side of the figure should include concept ideas that were offered by the community and lacking technical analysis. The figure was revised to reflect those recommendations.

Figure 8 was developed for relative cost comparison to meet the directive of the Proviso representing a point in time, as all options have data gaps and unknowns. Future design and feasibility review would provide information on each option. Unlike other materials, such as the Purpose and Need Statement, which will flow forward to the EIS process, Figure 8 would be superseded once the process moves forward to an EIS.

Ms. Massingale reviewed feedback from the Technical Committee. Concerns centered on whether the intent of a managed lake could be achieved if the revised sub-option has less dredging initially creating shallower lake conditions with naturally forming wetlands. Less dredging initially, combined with the continued deposition of 35,000 cubic yards of sediment annually entering the system, could lead to the expectation that more maintenance dredging, especially with the assumption of dredging in Budd Inlet, has resulted in feedback that more maintenance dredging or a higher frequency of dredging would be required as part of the *Managed Lake CLIPA Sub-option* than compared to a restored estuary option. Technical Committee members recommended that the light blue cost factor for maintenance dredging should be greater than reflected in the figure to reflect a more accurate representation.

Ms. Massingale added that the recommendation pertains to how the process has strived to acknowledge input, data gaps, and key questions while understanding that technical feasibility is not part of Phase 1. It's also important to understand that the process is not assessing the efficiency of any type of permanent dredge system the options might have proposed. The figure was not edited to reflect the committee's input, but rather the information is being shared with the Executive Work Group.

Ms. Massingale invited comments, questions, and feedback.

Director Liu commented that the original CLIPA submittal included Percival Creek Rechanneling for salmon restoration. Ms. Massingale affirmed that salmon restoration was included within the title of the original option. Director Liu asked whether CLIPA shared any reason as to why salmon restoration was eliminated from the revised option. Ms. Massingale replied that the information reflects only that the component was removed. According to the information, the language speaks to retaining freshwater habitat

to support existing salmon and brown bat populations. She added that she couldn't speak to CLIPA's intent or whether that issue was considered.

Director Liu said it appears the intent of the new proposal is unknown at this time. Councilmember Hankins noted that the two options from the community (CLIPA & DERT) include language provided by the proponents. She noted a reader could be misled about the benefits stated for each option because following further review some of the benefits might not be feasible. She recommended including clarifying language that speaks to the benefits as based on the opinion of the proponents. Ms. Massingale replied that additional language could be included clarifying that the long-term benefits as described are the opinion of the proponent. Councilmember Hankins recommended including the language at the top of the material prior to listing the goals.

Mayor Kmet added that he believes the revised title of a *Managed Lake CLIPA Sub-Option* is no longer reflective of a managed lake. Rather, it's a managed lake/wetlands system. The figure illustrating the freshwater basin today reveals a thicket of trees along the perimeter. Without saltwater within the middle basin, trees would continue to survive leading to the loss of the reflective component in the middle basin, as well as the west side of the north basin. The proposal is essentially antithetical to the original proposal. The revised option is no longer a hybrid option. It's clear that the option drives the cost down, but other desired objectives would be lost.

Director Liu inquired as to whether the proponent of the DELI option submitted any changes to the original proposal. Ms. Massingale said the proponent submitted minor changes within the period the team received and was reviewing hybrid options.

Mr. Dickison commented that although he doesn't want to dispute Ms. Massingale's characterization of remaining true to the process, the proposal clearly does not. Procedurally, staying true to the process is not represented by the last minute change to the CLIPA proposal. Substantially, he agrees with Mayor Kmet that the option is no longer a hybrid proposal. As much as the earlier proposal was a pipe dream, it certainly had some elements of accomplishing some of the goals and objectives of a hybrid option. This option no longer accomplishes those goals. This change so late in the process represents a complete change and doesn't attempt to meet the objectives. He believes the option no longer belongs in consideration with other options included in the Proviso Report. A subsequent stage in the process to consider all alternatives during the EIS would be a venue that the proponents are entitled to explore. Changing the option at the last minute apparently to drive down the cost speaks to an unknown value because the EIS is not constrained by selecting a least-cost option. The Funding and Governance Committee could likely share that the different options ultimately pursued would have different commitments for financing partnerships. Any version of a managed lake option would essentially have no long-term financing partners because of opposition to the option. He asked whether permitting costs were incorporated within any of the analyses. Ms. Massingale replied that no permitting costs were included. Mr. Dickison replied that since permitting costs were not included no legal costs were included as well, which could be a future factor. The Tribe is not supportive of continuing to placate this constituent with consideration of an option as represented in the figures and in the report. A section of the report (Appendix C) includes options that were submitted by the community that received no analysis or did not meet other tests for the hybrid options. That section of the report includes three alternative options. He recommended moving the CLIPA revised option to the same section of the report to total four alternative options.

Mr. Dzedzic invited additional comments on the materials and information provided in the presentation.

Mayor Kmet referred to the Technical Committee's recommendation for expanding the light blue cost factor for maintenance dredging. The expansion should be greater for the darker blue cost factor for initial lake channel pre-dredging because CLIPA refers to an initial dredging cost in lower Budd Inlet as part of the initial costs. Ms. Massingale responded that one member of the Technical Committee offered feedback on both initial and maintenance dredging in terms of the costs presented in the bar charts. Dredging in lower Budd Inlet hasn't been quantified. That's why the information includes no volume or geographical extent of any dredging activity. CLIPA's option description does not provide a purpose, location, or volume for the clean-up dredging in Budd Inlet. It likely would be a separate project from Capitol Lake because there is no justification for it if the dam is retained. Permitting would also be challenging.

Ms. Massingale spoke to Mr. Dickison's recommendation. During the process, other proposals were submitted by the community during a three-month period for seeking hybrid ideas. It was important to acknowledge those ideas and ensure they remained as part of the record. Additionally, any proposal could be resubmitted in the early phase of an EIS. However, the team with input from executives developed visual representations of those options and included them in Appendix C. The options include a Managed Lake Sub-Option centered on expanded park space, a Managed Lake Sub-Option with nutrient harvesting to improve water quality, a Seasonal Hybrid Option allowing water into the system retained during the summer and lowered later in the year and converting to an estuary system during the fall and winter, and a Restored Estuary Sub-Option with expanded freshwater wetlands. The options were written based on descriptions submitted by community members. The consultant team drafted to the best extent possible, graphical depictions of those options.

The Technical Committee stressed the importance of the text clarifying that the revised option represented a substantial change from the Percival Creek Rechanneling Option as the survey and the documentation previously included a reference to Percival Creek Rechanneling as an option.

Mayor Selby asked how the revised *Managed Lake CLIPA Sub-Option* was elevated to this stature at such a late date. Ms. Massingale said the question speaks to the issue. CLIPA advised of a change to its option. When the option was revised, it replaced the original option. The issue is whether the change is minor or substantial. The consultant team is attempting to remain true to the process of having the graphics reviewed during a two-week comment period acknowledging that the comments by Mr. Dickison are valid as the process circumvented the three-month review process of options. The Proviso directive required visual representations of the recommended options submitted during the process; however, there is also a shared understanding of the importance of moving forward to the EIS and that the change to such a large degree speaks to the point about how dynamic the options are. The next step of an EIS process is to advance design and address the questions.

Mr. Dziejdzic asked for final input.

Mr. Dickison suggested there is a need for the Executive Work Group to determine how it plans to address the issue.

Mayor Kmet asked about the potential of retaining the original Percival Creek Rechanneling Option as a hybrid option to include in the Proviso Report versus the revised option.

Mr. Dickison suggested the option would be problematic because there is no advocate for the original option. It's also important to clarify that the report includes options or alternatives and not constituencies, such as CLIPA or DERT.

Director Liu added that the advocate for the Percival Creek Re-channeling Option withdrew the original option. Ms. Massingale affirmed the proponent replaced the option with the current version. Any option can move forward during the scoping process in the EIS. If additional analysis is completed or the proponent elects to resubmit the option, those options could be submitted during the EIS. At this point, the next step is to consider whether the revised option remains or moves to Appendix C with other managed lake sub-options.

Mayor Kmet said he's inclined to agree with Mayor Selby and Mr. Dickison, as the revision no longer represents a hybrid option and should be moved to Appendix C as another managed lake option.

Mayor Selby said she understands the Proviso directed consideration for hybrid options. The revised option is no longer a hybrid option.

Tessa Gardner-Brown, Floyd|Snider, reiterated that because the process didn't want to limit the discussion to hybrids only, Appendix C puts forth options that haven't undertaken the three-month sounding board review based on the format of the input. The revised option fits within that definition whereby new concepts included in Appendix C were not vetted as thoroughly through the three-month process.

Ms. Massingale added that in fairness to the proponent of the nutrient harvesting proposal, that proposal was very detailed but is not technically considered a hybrid and is represented as a managed lake sub-option.

Commissioner Zita expressed similar sentiments and noted the Technical Committee expressed similar concerns with the revised option as it hasn't been completely evaluated and doesn't appear to be realistic. It should be included in Appendix C. She added that as the alternate representing the Port she is unable to voice an opinion without consulting her colleague.

Mr. Dziedzic recommended receiving input from Thurston County and additional input from the Port of Olympia and sharing the input with members. Members agreed with the recommendation.

Review of Draft Proviso Report and Overview of Feedback from Technical Committee – Discussion

Ms. Massingale introduced and led members through a review and discussion on the Draft Proviso Report.

The report includes an Executive Summary providing the Legislature with a sense of the project and how Phase 1 supports later phases.

Ms. Massingale reviewed the Table of Contents:

- 1.0 Introduction
- 2.0 Phase 1 Implementation and Stakeholder Participation – *Section describes the process, identifies stakeholder groups, meeting cycles, and communication and review.*
- 3.0 Proviso Elements
 - Goals and Objectives – *Materials developed for the Phase 1 Report*
 - Methodology for Best Available Science – *Identification and review of existing and alternate options and latest cost estimates. Materials were described that were developed for Phase 1 followed by materials for the EIS in Phase 2 to demonstrate how the work product was developed and how it will support Phase 2. The table within the Proviso Report describes the technical document list for water quality and habitat reports. The Technical Committee conducted best available science review of the reports using WAC criteria. Based on the*

directive from the Proviso, the Technical Committee considered only those reports that were identified as being related to water quality or habitat. The process retains a project bibliography of over 200 additional reports that will be relevant for technical analysis as part of the EIS.

- Identification and Review of Existing and Alternate Options, and New Concepts
- Cost Estimates
- 4.0 Sediment Management and Analysis in Phase 2 – *The section includes new text not previously reviewed by the Executive Work Group. The section is a review of an existing body of work in previous modeling around sediment management and the results of modeling, data gaps, and how the information feeds into the EIS during Phase 2. An element pertaining to how climate change might be factored within the modeling is also included. The section was prepared in coordination with a geomorphologist who routinely completes modeling for EIS processes for similar types of projects. Included within the section is a table summarizing existing sediment studies and reports.*
- 5.0 Funding and Governance
- 6.0 Next Steps
- 7.0 Environmental Impact Statement in Phase 2
 - *Process of an Environmental Impact Statement*

Ms. Massingale reviewed the List of Figures within the report:

Figure 1 Timeline of Events Related to Capitol Lake and Evolution of Goals and Objectives

Figure 2a Community Input on Project Goals from the 1999 Final EIS

Figure 2b Community Input on Project Goals from the 2009 CLAMP Alternatives Analysis

Figure 3 Community Input on Project Goals from the 2016 Phase 1 Process

Figure 4 Goals for Long-Term Management

Figure 5 Washington State Criteria for Ensuring Best Available Science is used in Policy

Figure 6a Overview of Existing Options for Long-Term Management, Previously Evaluated as part of CLAMP Process

Figure 7a Overview of Alternate Options for Long-Term Management, Concepts Provided by Private Citizens without Further Design and Technical Review

Figure 7b Alternative Options for Long-Term Management, Reported Consistency with Goals, Based on Opinion of the Proponents and Not Based on Technical Analyses

Figure 8 Relative Cost Comparison for Long-Term Management Options – *This figure was reviewed by the Executive Work Group during its September meeting and was revised to reflect CLIPA's new option. Dependent upon feedback from Commissioners Wolfe and McGregor, figures 7a and 7b could change*

Ms. Massingale reviewed the List of Tables:

Table 1 Technical Documents Related to Water Quality and Habitat in the Capitol Lake Basin – *Two new columns are included of, "Does it meet the WAC criteria for Best Available Science," and "Was there Peer Review?" The Technical Committee took time to review the documents. Specific documents for ecology or water quality were reviewed by Department of Ecology staff. DNR staff reviewed all habitat-related documents. The documents were reviewed by multiple reviewers. In those instances where "uncertain" is logged as the answer, it reflects that 1) not all reviewers could determine whether a peer review was completed, or 2) one of the reviewers had a different opinion and*

- therefore the decision was not unanimous. Table 2 Project Bibliography for the Capitol Lake/Lower Deschutes Watershed Long-Term Management Project
- Table 3 Potential Additional Components of Long-term Management Options – *The information was previously reviewed by the Executive Work Group with a second touch review in September. Mayor Kmet provided input on the organization and the listing of the goals and components supporting the goals. The information was changed to reflect that feedback since the second touch review. Additional content is also included for improving and supporting sediment management. Additionally, another category of potential components was added representing components that are separate and complimentary agency actions that would be in coordination but not necessarily led by DES.*
- Table 4 Sediment Studies for the Capitol Lake/Lower Deschutes Watershed – *The information was populated by the subset of Technical and Executive members in conjunction with DES. The geomorphologist reviewed the information as well.*

Ms. Massingale reviewed the List of Appendices:

- Appendix A Documents for Phase 1
- Legislative Proviso
 - Phase 1 Implementation Plan
- Appendix B Documents for Phase 2
- Next Steps for Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning, Phase 1 Transition into Phase 2
 - Draft Final Purpose and Need Statement
 - Comparison Chart of district and other models for funding and governance – *Ms. Gardner-Brown reported that as part of the charge for the Funding and Governance Committee, members were asked to review existing models for potential shared funding and governance. One of the two key areas of the work was a review of existing models. DES in collaboration with members developed the information to inform the process on existing options and how the process might draw on existing examples in the future for shared funding and governance. The information may be utilized in Phase 2. Mayor Kmet pointed out that some information missing from the discussion is whether the jurisdictions have independent authority to raise funds or must seek voter authorization. Deputy Director Covington said that during the review by the committee, the statute identified two specific examples that should be reviewed during the Phase 1 process. During that review, members also identified other types of options with members concluding that the environment is unique and in a unique location with existing partners. No existing model could be applied to this situation, as it would require unique development of a funding and governance model to be effective for this specific area.*
- Appendix C Stakeholder Input from Phase 1
- Comments submitted during the established monthly input periods
 - Visual representations of new concepts for long-term management proposed during Phase 1
 - Documentation from Technical Committee, Executive Work Group, and Funding and Governance Committee meetings - *Ms. Massingale added that*

Appendix C is substantial in terms of the number of pages to ensure inclusion of all community feedback and comments submitted during the two-week public comment periods, feedback from the Technical Committee, Executive Work Group, and survey responses.

Ms. Massingale described the layout of the Proviso Report. Some graphics have been imbedded within the text.

Mayor Kmet asked whether the figures would be numbered in the final report. Ms. Massingale said if the figures are embedded, the figures are not numbered separately. The figures members previously reviewed are numbered. Mayor Kmet suggested that all illustrations should be numbered. Ms. Massingale acknowledged the request.

Ms. Massingale said the report describes the Proviso elements and the monthly process, goals and objectives, and materials for Phase 1. The timeline of events included some edits from various stakeholder groups where events were added because they were relevant. Other events that were not as relevant were captured as part of the documentation. Ms. Massingale summarized each section of the report and how the information evolved through Phase 1.

During the process, participants identified the value of including visual representation of the sediment management components or control structures. The report includes a visual developed by the consultant team of some potential component descriptions and where they potentially could be located.

Data gaps to be evaluated in Phase 2 are based on input from the geomorphologist. Because climate change is now more prevalent, climate change was included for future evaluation and future conversations on sediment movement and hydrodynamic modeling.

Ms. Gardner-Brown reviewed information on the Funding and Governance section. The Funding and Governance Committee reviewed the existing statutes and legal framework. Members agreed an existing model was not available that could be overlaid as the Capitol Lake system is so unique. Instead, members concentrated on what a model should include, which led to questions about the selection of the final option and importance of understanding the design of a funding and governance model. Because the process at this point does not include the selection of an option, members discussed the attributes of a shared funding and governance model that could be used regardless of the outcome. During a series of meetings, the committee identified ten attributes they believed should be further developed. Two primary work products from the Funding and Governance Committee include the table (previously reviewed) of existing funding and governance models and a list of attributes that would be the focus and foundation for a future shared funding and governance model. However, the committee would need additional information on costs and the long-term management option to make an informed recommendation for shared funding and governance, as well as identifying affected parties. The committee committed to continue the discussions during the EIS process and to receive information from the Phase 2 process and work in a parallel and concurrent process. The section includes information on what work will occur in Phase 2 and it describes the commitment and the need for additional information to render any recommendation.

Mayor Kmet said it appears that the funding and governance model is not a component of the EIS process but would be pursued on a separate and parallel discussion track. Ms. Gardner-Brown said the discussion on shared funding and governance would be informed by the EIS process, but it would be a separate process. The EIS would likely document the cost estimates after preliminary design of the reasonable range of alternatives.

Review of Next Steps – Proviso Report Comments Due November 11, 2016, Year-In-Review Meeting December 16, 2016

Ms. Massingale reviewed next steps. The Year-in-Review meeting will include a review of the Phase 1 process, comments received, 2017 work plan, and the request for EIS funding. The meeting will also include an overview of the EIS process consisting of early scoping, identification of reasonable alternatives, a draft EIS of the technical analysis and discipline reports, and a final EIS. The agenda will include a review of the conclusion of the process and the importance of moving to Phase 2.

Mayor Kmet expressed appreciation for the work completed during the process. He noted that one missing element is a discussion on the water quality and the importance of that focus in terms of water quality violations in the lake and in lower Budd Inlet and what the modeling has revealed about the impact of the dam on water quality. He suggested adding a section in the report on water quality, which speaks to why the process was initiated.

Ms. Massingale referred to the Purpose and Need Statement as addressing the urgency surrounding water quality. With input from the Technical Committee, a footnote and discussion are included to ensure a connection to the TMDL process. The Purpose and Need Statement offers an opportunity to remove the footnote reference and include it as a subsection describing the goal that was identified for water quality and compliance with state and federal standards. Mayor Kmet agreed and noted that the figure provided by the Department of Ecology reflecting relative impacts from all sources on water quality is an important visual that could be included in the report as well.

Mayor Selby inquired about what the Executive Work Group could pursue as a body to advocate for funding Phase 2 from the Legislature. Director Liu responded that DES submitted Phase 2 funding as part of the capital budget, which is working through the review process. Given the status of the process, local governments will need to make individual decisions in terms of coordination between members of the Executive Work Group entities.

Councilmember Hankins pointed out that since the report is directed to the Legislature, she supports including more information on water quality within the introduction because it speaks to the urgency of the situation. Lack of action related to water quality could result in consequences.

Mr. Dickison asked about the status of the discussion from the Funding and Governance Committee regarding a joint cover letter accompanying the Proviso Report. Deputy Director Covington replied that the discussion included a recommendation by a member to identify in writing their strong support for an EIS to help move the process forward. However, members discussed whether it should be drafted by members of the Funding and Governance Committee or should be submitted by the Executive Work Group or both. Committee members are scheduled to discuss the issue with their respective Executive Work Group members and follow up with DES. The process is pending that feedback. He encouraged members to follow up with committee members to conclude the direction.

Ms. Massingale commented on the timing to receive joint or individual support letters within the next month to enable incorporation within the report. Any letters would be compelling as it conveys a commitment by local governments to participate in an EIS.

Commissioner Zita asked whether each organization should consider drafting a letter. Deputy Director Covington advised of the possibility of submitting letters individually or submitting one common letter

signed by the organizations. Either option would be effective. However, the final decision is up to each organization.

Director Liu acknowledged the Squaxin Island Tribe's tribal nation rights. A letter from the Tribe might not be appropriate.

Ms. Massingale suggested each member should follow up with their respective funding and governance representative to discuss support for a joint or individual letter.

Mr. Dziejdzic reminded members of the two-week public comment period for feedback and questions on the Proviso Report.

Director Liu added that a pending question still exists for Appendix C after receiving input from Commissioners Wolfe and McGregor regarding placement of CLIPA's revised option in Appendix C.

Members commented favorably on the support and responsiveness to Executive Work Group members throughout the entire process.

Adjournment

With there being no further business, Mr. Dziejdzic adjourned the meeting at 11:21 a.m.

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

**Documentation from Community meetings
to support Phase 1**

FINAL



CAPITOL LAKE/ESTUARY COMMUNITY MEETING

**Jefferson Building
Conference Room 1213
1500 Jefferson Street
Olympia, Washington 98504
April 27, 2016
5:30 p.m.**

Minutes

DES STAFF MEMBERS PRESENT:

Chris Liu, Director

Bob Covington, Deputy Director

Carrie Martin, Asset Manager

Ann Sweeny, Special Assistant

Jim Erskine, Communications

MEETING PRESENTERS:

Jessi Massingale, Floyd|Snider

Tessa Gardner-Brown, Floyd|Snider

OTHERS PRESENT:

Jim Lengenfelder, Citizen

Bill McGregor, Port of Olympia

Greg Schundler, Citizen

Tom Gow, Puget Sound Meeting Services

Peggy Murphy, Citizen

Steve Trapp, DERT

Brad Murphy, Thurston County Resource Stewardship

Brianna Murphy, Citizen

Ilene LeVee, Citizen

Wendy Eklund, Citizen

Clydia Cuykendall, Citizen

Dennis Burke, Citizen

Sue Patnude, DERT

Hatley Carpenter, Citizen

Heather Fink, Citizen

Ed Crawford, Citizen

Wendy Steffensen, LOTT Clean Water Alliance

Jack Havens, Citizen

Joe Downing, Port of Olympia

Rick Antles, Citizen

Kim Lund, Citizen

Zena Hartung, DERT

Bill Sloane, Citizen

Hayley Gamble, Resident

Myra Downing, Citizen

Bill Hutchinson, Citizen

Karina Champion, Resident

Susan Zuelke, Citizen

Deb Nickerson, Citizen

Debbie Dunn, Citizen

Robert Holman, CLIPA

Virginia Beekman, Citizen

Skylar Linden, Citizen

Sarah Bredeson, Citizen

Ed Crawford, Citizen

John Sherman, Citizen

Denis Curry, Citizen

Gabrielle Garipey, Citizen

Dave Peeler, DERT

John Newman, Citizen

Introductions, Meeting Purpose, Meeting Format, Ground Rules, and Community Role

Chris Liu, Director, Department of Enterprise Services (DES), convened the meeting at 5:42 p.m. and welcomed everyone to the second community meeting on Capitol Lake.

The community meeting provides a review of progress by the Capitol Lake Executive Work Group and an opportunity to receive information, learn about progress to date, and ask questions. The process is in the first phase of the long-term management of Capitol Lake. The first phase is scheduled to conclude in September with the development of a report by Floyd|Snider to the Legislature. Moving forward, the intent is to seek funding to complete an Environmental Impact Statement (EIS), which would encompass

the second phase estimated to take two to three years to complete. The EIS process includes extensive public input, and would identify the long-term management option for Capitol Lake. Following completion of the EIS, Phase 3 would implement the selected a long-term option for Capitol Lake.

Carrie Martin, Asset Manager, DES, introduced Bob Covington, Deputy Director, DES, and Consultants Jessi Massingale and Tessa Gardner-Brown with Floyd|Snider. The meeting's objective is to review the Phase 1 Implementation Plan, discuss the role of the community and material review cycle, review goals and objectives and stakeholder input from previous project documentation, and collaboratively identify goals for the long-term management of Capitol Lake through a facilitated discussion. The last community meeting was held in March to solicit input on public engagement throughout the process. Input from the March meeting indicated a desire by the community for facilitated discussions, presentations, and an opportunity to comment and discuss the information within a discussion/open house format. That feedback was incorporated within the overall process for community meetings.

Jessi Massingale and Tessa Gardner-Brown will share information on input received from the Capitol Lake Executive Work Group and the Technical Committee. Following a facilitated discussion, citizens are invited to complete a survey. The survey is also available online and can be accessed and completed by Friday, April 28 at the close of business.

Ms. Martin reviewed basic ground rules and acknowledged the importance of beginning the process with the community to enable a joint course of action as the process moves forward and information is released. Participants are encouraged to listen and be respectful of all opinions by others. Comments should be concise and remain on topic. To ensure adequate time to review all the topics and afford community participation, each monthly meeting will focus on a specific topic(s). Ms. Massingale will review specifics of the Phase 1 Implementation Plan. Because of the importance and value of community input, any information and feedback from the community will be shared with both the Technical Committee and the Capitol Lake Executive Work Group, comprised of governmental entities and the Squaxin Island Tribe. The three-group process (Technical Committee, Capitol Lake Executive Work Group, & Community Input) is critical to influence the final product for Phase I of the long-term management planning for Capitol Lake.

Ms. Massingale reported that many community members were able to attend previous Capitol Lake Executive Work Group meetings and are likely aware of the Phase 1 Implementation Plan. The Phase I Implementation Plan is intended to give a sense of the meeting cycle, flow of information, and provide a consistent opportunity to participate and provide feedback. As materials are released during the monthly cycle, the community and committees have a two-week period to provide feedback. Each community meeting includes a review of materials on the proviso element/monthly topic.

The process is designed to obtain information from the Technical Committee, Capitol Lake Executive Work Group, and the community to inform materials as they evolve to be incorporated within the Proviso Report. A parallel objective is increasing the efficiency of the EIS process by serving as the foundation for completion of the EIS. Each month a review of the materials will reflect how they have evolved and how they support Phase 2 efforts.

Ms. Massingale displayed and reviewed a flowchart outlining the project's Phase 1 timeline from March through December. The flowchart identifies all groups involved in the process. The Capitol Lake Executive Work Group includes elected officials from the Cities of Olympia and Tumwater, Thurston County, Port of Olympia, and a representative of the Squaxin Island Tribe. The work group reviews the

same materials presented during community meetings, enabling more than one opportunity for the community to hear the presentations.

The Funding and Governance Committee is comprised of members from each of the Capitol Lake Executive Work Group entities and includes subject matter experts such as city attorneys, city administrators, managers, or financial. Formation of the committee is currently in process. The committee is tasked to identify models for shared funding and governance of a long-term solution for Capitol Lake.

Members of the Technical Committee include agency and governmental representatives from Department of Ecology (ECY), Department of Natural Resources (DNR), Department of Fish and Wildlife (WDFW), DES, Port of Olympia, City of Olympia, City of Tumwater, Thurston County, and the Squaxin Island Tribe with experience and knowledge in natural resources, agency, or city management relative to Capitol Lake.

Floyd|Snider is the consultant firm responsible for facilitating the input process, generating the materials, and completing the documentation.

The Sediment Management Panel is under formation. Membership may include individuals who are subject matter experts who have an understanding of the dynamics of sediment and sedimentation around Capitol Lake and Budd Inlet, and how the dam is managed and could affect a long-term management plan. Tribal representatives will have technical knowledge of studies completed to date. A geomorphologist consultant specializing in sediment transport modeling may also serve on the panel. The panel is responsible for the following:

1. Preparing a memorandum summarizing existing conditions on sediment accumulation and transport within Capitol Lake and the greater basin under existing conditions.
2. Scoping or defining the necessary evaluation or modeling work for completion in the future, as part of the Phase 2 EIS to assess sediment deposition and transport associated with future conditions under a range of management alternatives.

The panel is scheduled to convene its first meeting after all members are identified.

For the Technical Committee, each month a topic or proviso element will be presented. During the April cycle, the materials were presented to the Technical Committee on April 14. Technical Committee members reviewed and provided feedback on the materials. On the date of the Technical Committee meeting, a community input period was initiated for the materials, which are posted on the DES website to enable the community time to review the materials prior to the Community Input meeting on April 27.

Following initial feedback from the Technical Committee, the same information was presented to the Capitol Lake Executive Work Group on April 22 in conjunction with a review of the designated proviso element for April's review.

The Community Input meeting is a review of the same materials to close the "first touch" of materials with the two-week comment period ending Friday, April 28. In May, the cycle repeats with a "second touch" of the materials. "Second touch" materials are then finalized, summarized, and incorporated within the Proviso Report. There will also be a new "first touch" subject at each meeting.

The "first touch" topic in May is best available science. May materials will be available to the community on May 19 for a two-week comment period. The next Community Input meeting is scheduled on June 1.

The process affords everyone an opportunity to review initial topic information and track the material's evolution throughout the month-long process.

The goal in September and October is developing a draft Proviso Report to the Legislature. The report documents the process and the evolution of the materials to form the basis for the EIS process for Phase 2. Deadline for submission of the Proviso Report to the Legislature is December 30, 2016. The goal is to achieve meaningful progress on participation, and traction towards the long-term management of Capitol Lake, which may help to secure funding for a Phase 2 project EIS.

Public Comment

Dennis Burke questioned how the process culminates into a plan because there are two options of removing the dam and one that retains the dam, as well as a myriad of other options. The question is how those other options are factored. He cited the community values of spiritual and cultural values and others and asked how those values are relevant to the various options.

Ms. Massingale advised that the intent is queuing up for the next process. In order to construct a hybrid option, an estuary, or any other alternative, it's necessary to complete the public environmental review process of an EIS. The process surrounding the goals (community values) include consideration of the survey results with this month's input and essentially developing a new bar graph, as well as drafting purpose and need statements to assist in forming the basis of the EIS and permitting. As part of Phase I, a specific alternative would not be selected. Instead, the process is focused on highlighting community goals for a long-term management option and providing other information that could be used to select an option in the next phase. Additionally, the process is open to receiving input and ideas on all options. During June and July, the process will begin identifying a range of options. At this point, the process is not at conceptual design because selection of an option is not planned. Phase 2 would include selection of an option.

Mr. Burke questioned how the process weighs all the values of aesthetics, economic feasibility, and habitat, etc. The issue started with Capitol Lake violating the federal requirements for clean water. The Department of Ecology determined the only way to meet the requirement was removal of the dam. He asked how the team would weigh and integrate the requirements of the Clean Water Act 303(d) into the bar graph of community values. He cited them as pieces on a chessboard. He asked how the team would handle the pieces.

Ms. Massingale advised that the lists of values or goals were from the 1999 programmatic EIS public process and the CLAMP 2009 public process. The bar graphs are in relative order of magnitude of what the community conveyed was important. The values provide a sense of what matters to people the most. Not all goals are equal and weighted the same.

Joe Downing reported that while he is a Port Commissioner, he is speaking now as a private citizen. He thanked Ms. Massingale for the review of the materials. He referred to the graphic's yellow circles indicating, "Maintain recreational opportunities" and "Gain community support and broad agreement." Other information is dated from 7 and 17 years ago and both include support for the estuary with 46% and 63%. Those percentages represent major support for an estuary. However, he submitted that the sample is somewhat skewed. He submitted that it's not a real survey. Several individuals asked him to comment on his doorbell experience last year. He sent them an email indicating that during the campaign, they doorbelled from May through October 2015 and distributed over 4,000 flyers, knocked on that many doors, and engaged in many conversations about a wide range of topics. Only one or two people really engaged

in talking about favoring an estuary or getting rid of Capitol Lake. He was often asked where he stood on the issue and his response favored a swimmable, boatable Capitol Lake. His doorbell turf roughly included Tumwater, Lacey, Yelm, Tenino, and southwest Olympia. From that doorbelling experience, he believes he has a good handle on the heartbeat of the county. The lake is not an issue on the minds of a great majority of county residents. It's one of those issues where we expect our government to take care of it. Mr. Downing thought that ninety percent of the people in the county either favor the lake or have no opinion. Mr. Downing said he understands the Legislature provided DES with \$250,000 to carry out the study and believes it wouldn't take but \$5,000 to \$10,000 to do a survey to help answer the questions of what are the recreational opportunities and how do we gain community support (what do people want) instead of using somewhat dated numbers from a somewhat questionable survey. He believes there are some good people in the county who could put together a good survey and find out what the county wants. That would be valuable input. Mr. Downing added that he's also appreciative of the science within the process.

Ms. Massingale recommended transitioning to a review of the input from the Technical Committee and Capitol Lake Executive Work Group and then following up on questions.

Greg Schundler said he prefers not delaying his question as it pertains to the Elway Research Incorporated Survey from May 14, 2009 that was sent to all Olympia ratepayers for water. Thurston County could be a different sample of population. To be clear, 70% support doing what is best for water quality, fish, and wildlife, 15% support keeping the cost to taxpayers as low as possible, and 11% support maintaining the look of the lake. Furthermore, he visited the State Archives in Washington State and found two big boxes of documents dating from 1965 to present day. There is abundant information and interestingly, a survey every decade in the 1960s and 1970s. He is unsure whether the committee has considered the data. He offered to share photographs of the data. The notion of public opinion has been tested through independently validated surveys and that should be taken into account. He agreed from a statistical standpoint with Mr. Downing's point that it may be invalid data, as he studied statistics at Princeton University and the University of Washington for a master's degree. Additionally, Mr. Downing's survey is invalid and is not an official publication as referenced in his email. It's important to know that public research has been invested in these kinds of public opinion surveys and there is overwhelming support for "what is doing best for water quality, fish, and wildlife" (70%) and 11% maintaining the look of the lake and 50% supporting the lowest cost possible. It's important to ensure that everyone knows data exists in 2009.

Bill Hutchinson pointed out that the data is from the City of Olympia. Mr. Schundler identified the data as being from the City of Olympia.

Myra Downing questioned whether the lake option is still on the table. Ms. Massingale affirmed the option is one of many alternatives. In June and July, the schedule calls for identification and review of hybrid options. The directive specific to "hybrid" is from the proviso condition directing the identification of hybrid options. However, to ensure a thorough process (similar to an EIS), a range of options would be discussed, from status quo, to different hybrid options, to a full estuary, or a lake with improvement (sediment trap). At this time, no options are eliminated from consideration.

It's important to clarify that in terms of aesthetics, that goal is represented in the bar graph in relative order of magnitude of communications from the community at that time (1999 & 2009). It was important then and the current goal is to establish what's important today. The message isn't meant to convey that the values from yesterday would establish the future direction. The value of aesthetics is not biased towards either a lake or an estuary as the comments at that time spoke to community values of aesthetics

surrounding the lake, as well as the natural habitat and restoration of an estuary. Both those viewpoints are within the value of aesthetics. The graphs assist in setting the stage for understanding the current goals of all entities, communities, and stakeholders, and to shape and develop the purpose and need statements as tangible pieces to help prompt the EIS. In June and July, new information will include a range of options for comparison and discussion. That might result in the identification of a top option or options. However, the process is currently at a conceptual level. The EIS process and design identifies what's feasible and the real costs of each option. The community over the years has indicated it's important that the option should be economically feasible and cost effective and that it must make sense in terms of cost. The Phase I process is somewhat constrained in that respect because the designs of alternatives are not developed and therefore all questions cannot be answered. The intent is for stakeholders to help advance the process to the next phase, where design is further developed.

Bill Hutchinson said the information lacks any mention of the financial impact that could happen to all boaters within the basin if one particular option is selected. He believes that all the boating within the basin would be nonexistent. The economics of that situation are not represented. Ms. Massingale agreed that much of the information refers to "economically feasible" and it's reasonable to imply that it applies to an actual option and not necessarily to impacts on the local economy or tourism. Mr. Hutchinson noted that individual ownership of businesses would be affected, as well as boat owners and the Port. Ms. Massingale encouraged Mr. Hutchinson to include those concerns when completing the survey.

Mr. Burke asked whether the process is open to considering public health concerns and bacteria in the lake. Many other values could be added to the list of importance if people were aware of the consequences. Additionally, the process needs some kind of definition for the terms used in the process. For example, the term of "spiritual and cultural" needs to be defined. Conducting a survey is dependent on how the question is framed and how people are informed. Having a clear definition also aids in weighting the responses.

Karina Champion said she thought the purpose of the meeting was to discuss the broad values of the survey that people believe are important, as well as a continued discussion on the overall larger goals as opposed to discussing which particular options would or would not be considered.

Ms. Massingale affirmed it's the purpose of the meeting; however, some of the questions center on concerns about where the process is headed. The intent of the meeting is focusing the comments and discussion on the proviso elements. The goals are large and encompass so much. That's why it's important to review the graphics and how that information was reviewed by the Technical Committee and the Capitol Lake Executive Work Group. The information is used as the building block for the description for the environmental process and the purpose and need statements.

Gabrielle Gariepy said she and her teammates are working on a school project. She asked about the identity of the groups that want to change Capitol Lake to an estuary or retain the lake. Ms. Massingale said the list of stakeholder groups for an estuary or a lake is extensive. She identified the Capitol Lake Improvement and Protection Association (CLIPA) as an organization with knowledge and energy around the lake option. The Deschutes Estuary Restoration Team (DERT) is an organization that supports an estuary. There are other groups falling between the two options, such as the Olympia Downtown Association, recreational boaters, and all types of people with different interests.

Director Liu identified many of the stakeholders in attendance represent CLIPA and DERT. Ms. Massingale suggested meeting with individuals after the meeting to learn more about each group. Most community members are interested in ensuring that all impacts of any option are considered.

Briefing on Feedback from the Technical Committee and Capitol Lake Executive Work Group

Tessa Gardner-Brown expressed appreciation to participants for attending and engaging in the process. Regardless of the outcome of public opinion, it's important to receive all feedback, as well as for DES and Floyd|Snider to hear what the public has to say, which is the intent of the meeting.

A major goal of the process is ensuring input. It's important that all stakeholders receive the information, as well as receiving information from previous meetings. There likely will be a consensus on some ideas in terms of the public's interests. The Technical Committee is evaluating the technical and detailed scientific studies. All those efforts are reviewed with all stakeholder groups as part of a transparent process.

The first conversation began at the Technical Committee meeting on April 14. The Phase 1 Implementation Plan was reviewed with members. Technical Committee members expressed support of the process and it's anticipated that future working sessions will be highly productive. The timeline was reviewed with the committee with no substantive initial feedback. However, committee members have the same opportunity to provide comments by April 28. The focus of the committee's discussion centered on the goals and objectives for the long-term management of Capitol Lake using Figure 3 as a starting point. Members were asked as official stewards of the resource what goals and objectives should be considered. The primary point of the discussion was ensuring the consultant team considers the resource from a watershed perspective because the system is connected. For example, when managing flood risks, there should be an acknowledgement of the flood risks from the Deschutes River and from sea level rise in Budd Inlet and its impact on the Capitol Lake system. Members discussed primary themes from the research to identify the goals for the long-term management of Capitol Lake. Members stressed that in addition to environment and infrastructure, economics should be included on the list, which reflects earlier comments by participants, as well as from the Capitol Lake Executive Work Group. Members wanted to ensure sustainability was also included on the list and that any option should be sustainable. Members stressed the importance of ensuring all public comments and feedback are well represented moving forward and recommended highlighting public feedback in Figure 3 by including aesthetics and expanding the scope of maintaining recreational opportunities. Members also considered that some of the goals listed within Figure 3 were objectives. Members discussed moving from highlighted goals and considered necessary steps to achieve the goals. One example was improving water quality and how to measure success. The committee suggested revisiting the goal at the next meeting to fill in the blanks and to identify how the goal could be measured. One form of measurement could entail checking the box when the body of water meets state water quality standards. The committee agreed that many of the goals are interrelated, such as improving ecosystem functions because it would have a positive effect on water quality.

The information from the Technical Committee meeting was shared with the Capitol Lake Executive Work Group on April 22. Those meetings are open to the public. The meetings are held in different rooms dependent upon the availability of meeting space. Information on meeting dates is posted at www.des.wa.gov under the Capitol Lake link.

Members of the Capitol Lake Executive Work Group engaged in a process-related discussion and reviewed meeting documentation from the previous meeting. The work group received a similar briefing on the outcome of the Technical Committee meeting. Members discussed the potential of opening all committee meetings to the public. DES and the work group are discussing the option and working through the details. Members also discussed the logistics for additional presentations to the Capitol Lake Executive Work Group from stakeholder groups involved in the process over time.

Members of the Capitol Lake Executive Work Group also provided comments on Figure 3 and reiterated the importance of including economics and that it should be a consideration for all long-term management options. The work group also agreed that the public's interest in maintaining or expanding recreational opportunities and the value of aesthetics should be included in Figure 3. Members also wanted to ensure the graphic accurately conveyed the goals that meet the directive of the proviso because a large part of the process is fulfilling that direction by providing a report to the Legislature describing the process and progress. Figure 3 also currently includes some existing conditions as a way to acknowledge them. Members discussed options for representing the information differently. Some of the goals are more heavily weighted because they are supported by current law, such as meeting state water quality standards.

Ms. Gardner-Brown invited participants to provide feedback at the Community Meeting since the input would be shared with the Technical Committee and the Capitol Lake Executive Work Group.

Previous Input on Goals for Long-Term Management

Ms. Massingale reviewed several graphics reviewed by the Technical Committee and Capitol Lake Executive Work Group. The information provided the foundation on what's been communicated from the community and stakeholders from the past. As part of the current process, the information will be updated to reflect current opinions and desires.

Ms. Massingale reviewed and described Figure 1 of a timeline of events related to Capitol Lake and evolution of goals and objectives. The graphic focuses on major events that impacted long-term goals, such as the closure of the lake to public swimming in 1985, listing of the lake on the 303(d) list, and identification of invasive species. The bar graphs represent what the public communicated in 1999 and 2009. The graphics provide a context of existing conditions that matches with that specific timeframe. For example, in 1999, sediment management was ranked lower because not as many people were communicating that sediment was an important long-term goal for the lake basin. It likely wasn't ranked as high because the last dredge in Capitol Lake was in 1986. By 2009, over 20 years after the last dredge, the community was more mindful of sediment accumulation and management and interest increased the ranking. One of the challenges as the phases move forward is recognition of the importance of considering existing conditions relative to various options and potential impacts. If one of the recreational opportunities is to have the ability to swim in the lake, sediment management may not be as important as improving water quality. Determining the option and how the option addresses those goals will be important.

Mr. Schundler remarked that he has been digging into the issue for the last several years and there is no good data about performance – not from DES because they were formed in 2011, as the lake was managed by the Department of General Administration as well as by State Parks for a time. There is no visitor data other than a few surveys from the 1970s about what people like to do in the lake. Swimming was among them, as well as boating. It's important to consider the relative importance of this process, but there is very little visitor data. He was a coauthor of an outdoor recreation study for the State of Washington that was completed at the request of the Governor with funding of \$90,000 from the Legislature with \$40,000 of the funds from State Parks. He stressed the importance of having visitor numbers. He has collected information from every state, federal, private, county, and municipal agency in the State of Washington for \$90,000 for 10 months. He doubts that the state agency could produce that quality of work. He completed the work because he cared and he stayed up during the night working on the study and calling people and trying to get visitor data from the entities. Some entities have gates and had visitor data. In other places, it was much more difficult. He asked whether there is a data collection system to gauge the current status. He asked about the opportunity costs of not having boat access to the lake. He commented on the years of delay in the process where consultants sit with their above average salaries while he and his friends remain unemployed working two to three jobs to stay afloat in this economy. He questioned

the timing of storefronts closing in downtown Olympia while waiting for a 260-acre water body in the middle of the state capitol of Washington to have boat access. It's possible to rent boats. There are completely viable solutions to allow recreational access to the water body. Enough is enough as it's been 50 years that the lake has had water quality issues and access issues. Not 50 years, but since 2009 and every passing year. It's another year that his generation has to deal with the economic liability and the climate change liability of the town flooding. He stressed the importance of acting now and not delaying a solution.

Ms. Massingale invited the speaker to provide the survey information to DES. The consultant team is seeking similar studies and the information would align well with next month's review.

Mr. Schundler offered to meet with Ms. Massingale to review the data. He offered to host a party at his house and invited everyone to view the data. He invited everyone to visit gregschunderslideshare.net to obtain more information. He's visited with CLIPA and others to obtain as much information about the issue because he cares. The community doesn't have 50 years to wait on the issue. Enough is enough! Look at the numbers, Capitol Lake is over. Restore the estuary period!

Facilitated Discussion of Goals for Long-Term Management

Mr. Burke said that one of the first questions of the EIS process would be the definition of the baselines. The process needs to define the baseline for each of the values. Economics, for example, doesn't cost anything other than DES completing some studies. Odor is another. He questioned whether there are any odor problems. Historic preservation is another. What is the status of historic preservation? Is habitat impacted adversely today in terms of habitat restoration? What's needed to enable people to understand the process or judge the process is establishment of the baselines. It would then be possible to identify the baseline and ask people for input on whether it's important to them to improve it.

Ms. Gardner-Brown said the EIS is an evaluation of impacts to the natural and built environment, which requires a baseline. The baseline enables evaluation of options for comparison. That process will be a part of the EIS. It was part of the earlier processes as well. The goals were derived from community input provided during previous processes because it was important to understand what the community was conveying at that time. It wouldn't be in the best interest to initiate this process with a blank slate. Presenting information about what's been said in the past and the expression of public interest at that time is important. The bar graphs are reflective of that information. That process will continue to be pursued throughout this effort through opportunities to provide information online and then through the legally required process of a project EIS in Phase 2.

Mr. Burke commented that if someone conducts a survey, it would be necessary to inform the people as to what the baseline is otherwise the answers are meaningless.

Ms. Downing agreed the ideas are excellent and she's appreciative of the passion. However, she asked for consideration for sharing of time to afford everyone an opportunity to speak.

Ms. Massingale pointed out that based on current understanding and input from the community, the shared interest in terms of the eventual outcome of the lake is that most people would like to see something happen because there have been many starts and stops. This process will be challenging, since the effort is somewhat constrained because it's not the EIS process. The EIS process includes the technical studies and establishes the baselines to compare design of options and answer the meaningful questions. The important aspect of the current process is receiving all input to construct the building blocks to form the basis of the EIS, which could also shorten the EIS process. Regardless of your desired outcome, the

objective is advancing to Phase 2 to complete an EIS to enable design, permitting, and construction. Each month, the team will present information in terms of how it can be used and what it may mean for Phase 2.

Debbie Dunn asked for a description of the physical boundaries of Capitol Lake and whether it includes Heritage Park and the area of Tumwater falls in the south basin. Ms. Massingale advised that the process involves several aspects. One is the management of long-term lake improvements. Many long term options overlap and encompass the entire watershed, such as improving water quality or controlling sediment. Today, absent a design of options, the physical boundary hasn't been defined. However, the goals and comparison of options will expand the boundary beyond the lake. It can be assumed that any future long-term option must consider a system-wide approach with a caveat that the outcome is dependent upon the design.

Sue Patnude shared that the original estuary prior to the construction of the dam included a 2,000 foot opening at the mouth of the river to Budd Inlet. That configuration was in place prior to the construction of Olympia. The Deschutes Estuary Feasibility Study in 2009 recommended restoring the estuary with an opening of 500 feet. Science is available on sediment hydraulics and transport. She mentioned an email sent earlier mentioning Dave Nicandri, formerly with the State Historic Museum, who cited during recent old brewhouse meetings that the Deschutes Estuary is the only estuary on Puget Sound where freshwater falls dump into a saltwater basin. It's a very unique and spiritual place for the tribes who lived and survived on the food provided by the area. Much of that historic information should be included during the process.

Ms. Massingale explained that the Sediment Management Panel's task is to review current information about sediment management and transport within the system and identify evaluation options. In the list the panel will review of existing data, it will be important to include the feasibility study and the technical basis for the physical boundary based on the hydro dynamics of the system.

Ms. Patnude noted the Deschutes Estuary Feasibility Study was published by the US Geological Survey's Journal of Science.

Karina Champion asked about specific information the team is seeking from the public. Ms. Massingale recommended providing comments on the graphics during the meeting as the graphics would be included within the Proviso Report for documentation. However, the current set of graphics only capture the past. The most important feedback is on the goals and objectives to assist the team in developing the purpose and need statement. For example, participants should identify what matters most to them, the goal, and how they would measure the goal by providing additional details they believe the process may be lacking. Next month, a purpose and need statement will be presented. The current process ultimately leads to the draft of the purpose and need statement to enable the team to help tee up the EIS.

Jim Lengenfelder pointed out major information lacking in Figure 3 as the items in blue transition to items in yellow. The information lacks goals on economic impacts.

Ms. Massingale described the evolution of Figure 3 as each stakeholder group reviews and provides feedback. The intent of the graphic is funneling all available information to afford discussion opportunities by all stakeholder groups. Figure 3 consolidates what the community has previously communicated as important. Those values were transitioned to major themes of environment, infrastructure, and community. Economics were grouped within the community theme and will be flushed out separately based on feedback. The yellow circles distill the information further to address the ultimate project goals. Figure 3 will be revised based on input from all stakeholder groups. Additionally, some reflect the

objective of the process rather than a goal. The yellow recurring goals will be reviewed as ways to measure success.

Mr. Lengenfelder commented that the blue goals of existing project documentation pertaining to aesthetics, historic preservation, and Heritage Park appear to disappear within the yellow recurring goals. Ms. Massingale said the intent of the graphic was distilling the information to a level to prompt discussion. She invited participants to submit comments, especially if the distilled elements appear to lack too much information and should be expanded.

Mr. Lengenfelder said he's already completed the survey. The material wasn't provided in time for him to provide additional comments before the April 28 deadline. Ms. Massingale advised that the material was posted on the website. However, if the direction isn't clear, the information will be revised to clarify that direction.

Mr. Schundler commented on the worst case scenario. The state logged and a made a bunch of money to place a bunch of marble on a hill. He questioned what it reflects in terms of everyone's culture, values, society, and the future. Could it be that the 1% members of the Yacht Club sit on the other side of the dam, and special interests and labor unions through the Port of Olympia sit on the other side of the dam and have been colluding for decades? Could that be the worst case scenario? He has data that he was hoping to present. He is very upset, as this is very real to him. He is unemployed and is very upset that the Olympia tourist economy is the worst in the Northwest, as well as data to reflect that Olympia has less in outdoor recreation and employment per capita in the state. He has all the data and he has presented it and emailed it and is waiting for it to be posted on the website. He questioned whether the entities have the wherewithal to manage the situation. That's the worst case scenario, but he could be wrong and he is hopeful that someone has the data to correct his assumptions, because if not, that would be terrible.

Mr. Hutchinson said he first learned about the meeting and the process two days ago when he received an email from a group. There are thousands of people who carry on daily life who have not heard anything about the process. There has been no outreach to them in any way, shape or form. There haven't been any postcards sent or information published in the newspaper. No work has been completed to outreach anybody except for a small group of people who have been involved in the process for a long time. Many people all over the county would be interested in the information.

Ms. Massingale described the outreach process DES and entities have utilized for public outreach. She encouraged participants to provide recommendations for improving public notification.

Claudia Cuykendall pointed out that the Port of Olympia was established in 1922 and existed for 29 years before Capitol Lake was established. She doesn't view the process as a conflict between an estuary and the Port or an estuary and a lake. What's required is finding common ground and ways to enable all the things Budd Inlet and the region need, to include the Port, fish passage, and habitat. She encouraged people not to make demands but identify some common ground. Sediment is increasing because there is more agriculture upstream than in 1922. She doesn't view the objectives as unsolvable problems or mutually exclusive options.

Ms. Massingale commented that it may be possible to balance interests by discovering ways for shared funding or governance. It may be possible to identify the transport of sediment and manage it to the extent it doesn't increase the maintenance regime needs of the community and Budd Inlet. There are potential solutions, which is why the conditions in the proviso focused on the hybrid options as it envisions a solution that could be a balancing point.

Ms. Gardner-Brown commented that the team wanted to ensure that the goals included in Figure 3 were not partial or preferential to any one specific option. The goal is seeking common ground in that everyone would want to see an improvement to water quality. Those are the conversations that will help develop the purpose and need statements, which will serve as the document for the later action.

Mr. Burke referred to the recurring goal of reducing flood risks as reflected in one of the yellow circles in Figure 3. One of the reports listed on the website was the model on climate change increases and sea level rise. The model reflected that there was no difference between a dam and no dam. He understands that the City of Olympia has released another study. He asked for inclusion of that study on the website. In terms of warmer climates and sea level rise, the impact will be felt in all areas of the state creating the need for working jointly to solve the problem. He doesn't believe that it's relevant to this process.

Ms. Massingale replied that Andy Haub with the City of Olympia provided similar input in that flood risks are not necessarily reduced by either option, but that managing flood risks from future sea level rise is the issue to be managed. The process is not necessarily grappling with the details of sea level rise; however, an EIS process could evaluate climate change and what it might mean for a future alternative. Mr. Haub recommended revising the goal to reflect the City's work and understanding of the flood risk.

Robert Holman expressed appreciation for the way the process has proceeded as his prior concerns initially pertained to the exclusion of CLIPA and DERT and other groups from the process. He now understands that the groups will be included and will be provided with some information from the Technical Committee in the next cycle. It's critical, as there is much new information available that wasn't available in the 1999 and 2009 processes. It's critical that the information is provided to the community because it's a dramatic change. Another parallel study is underway by the Department of Ecology on the entire Deschutes watershed. The department completed the study on the upper Deschutes and is now focusing on Capitol Lake and Budd Inlet. The department is examining some of the same issues that this process will consider. One decision by the department recently is not pursuing bacterial or dissolved oxygen levels in Capitol Lake, as the department doesn't believe they are significant issues. He suggests that water quality in Capitol Lake is fine and the lake is swimmable. Water quality in Capitol Lake is such that in the last 14 years by Thurston County standards, it's possible to swim in the lake despite the problems with invasive species and other issues. That decision changes ideas and the Department of Ecology is now recognizing dissolved oxygen is not an issue; however, it may be in Budd Inlet, and bacteria is certainly not an issue. That information should be provided to the Technical Committee.

Ms. Massingale said next month, the topic on best available science will include information on several different methodologies that are used to evaluate best available science. The process will identify which one makes the most sense for this particular effort and for Capitol Lake. However, other information will be presented on the compiled list of what is available for water quality and habitat. Participants will be asked to provide input on the method and whether other studies are available that haven't been identified.

Ms. Champion commented that her students who are attending the meeting, learned about the community meeting while reading an article in *The Olympian* newspaper. She suggested pursuing publication of the meetings in the newspaper, as well as the *Tacoma Tribune* because many residents living in the south county area subscribe to the Tacoma newspaper. She recommended utilizing a structure similar to local community meetings to effectively outreach to the community as opposed to sending a mail piece.

Dave Peeler remarked that he agrees with Mr. Holman to some degree in terms of the studies underway by the Department of Ecology. Each group emphasizes different aspects of the study results. In addition

to the Capitol Lake Executive Work Group receiving presentations from DERT and CLIPA, he recommended that the work group should receive a presentation from the Department to Ecology rather than through the Technical Committee. Additionally, another overlaying goal is the ecosystem and the Puget Sound Partnership, which has established goals and objectives and measurable targets for Puget Sound. The Partnership has established many goals at the ecosystem level likely in excess of 20 goals with each having a measurable target. Some of those goals include estuarine habitat restoration, salmon run restoration, shellfish restoration, and water quality restoration. He is mentioning the work because when considering what the state will do with Capitol Lake and the Deschutes estuary, part of that effort should help towards the recovery of those goals. One of the things that should be considered in the overarching larger picture is South Puget Sound. The process might be able to use some of the targets and sub-targets as part of the measurable milestones for this project.

Wendy Eklund affirmed there are many important and larger issues to be addressed during the summer. However, the listing of aesthetics, which speaks to two different goals, makes it difficult to grasp. In terms of the goal for historic preservation, she said she's uncertain what it means, as there is the old brewery and bridge or the original inhabitants. She asked what historic preservation means and whether online information is available describing historic preservation. Ms. Massingale said the value/goal hasn't been defined as it was extracted from previous processes.

Ms. Gardner-Brown acknowledged the comment as important because all the comments serving as the basis of Figure 3 blue buckets are available online based on public comments that were reviewed and extracted. There should be recognition of the old brewhouse, which is legally recognized as a landmark. As the process proceeds to the next step, it's possible to incorporate some of the comments reflecting the importance of historic preservation to provide context for the goal.

Ms. Eklund commented that historic preservation in terms of importance appears to be shrinking as other issues begin to increase in dominance. Although it's a minor issue, it's confusing when asked to rank unfamiliar values. Ms. Massingale acknowledged that the comment is important and deserves follow up.

Ms. Downing echoed similar concerns as she identified recreation in terms of boating only because as a boater, she didn't recognize the lake for swimmers. She is hopeful that the process considers values beyond the lake, as sediment management is a huge issue for boaters. She finds it personally offensive that she has been attacked because she has a boat. As a retired state worker, she is certainly not rich. When discussions speak to restoring the lake to its natural condition, she doesn't believe it's possible and questions using that as a point of reference. She moved to Olympia because of the lake. After driving through Olympia and viewing the lake, they decided to move to Olympia. The economic vitality of Olympia is tied to the lake.

Ms. Champion suggested focusing outreach to youth. Several youth groups are completing water quality testing within the Deschutes and Nisqually estuary for the last decade or more. South Sound Green is one group and has conducted testing of a site twice annually for the last 11 years. There are also area schools participating in all different areas, which would be a great resource.

Mr. Schundler said there is much complexity and confusion that he is hearing and he apologized for losing his temper. However, visiting the historical archives and realizing that the issue is where it was in 1965 is frustrating. A simple solution to this problem and to his problem is a permit to rent boats on Capitol Lake beginning in summer 2016, as he would be able to secure appropriate investors to pay for the proper Washington Department of Fish and Wildlife sanitation procedures that are completed in Oregon at the mouth of the Columbia River. In terms of mud snails, the snails are present across the country and they

have not prevented boating. It's an issue that transcends the outcome of an estuary or a lake hybrid. It is time because canoes and kayaks can be allowed and while the process is figured out in terms of goals and objectives, the community can move on and enjoy the summer in Olympia, Washington with unparalleled use in a unique outdoor recreational experience that is hard to find elsewhere in the world. The best comparable is Charleston, South Carolina with a tourism economy 14 times that of Olympia. The number one employment sector is food and beverage services and accommodations. The CFO of the Port didn't include that context in his analysis of the Port. Again, he has slides on the information. The direction must be changed dramatically for so many reasons, but it would be easy if he were afforded with a permit, as he would have a job.

Ms. Massingale thanked everyone for attending and encouraged everyone to fill out the survey and provide additional comments.

Adjournment

With there being no further business, Ms. Massingale adjourned the meeting at 7:20 p.m, allowing 10 minutes for an open house forum for participants to review the poster boards and submit written surveys.

Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net



CAPITOL LAKE/DESCHUTES ESTUARY COMMUNITY MEETING

**Jefferson Building
Conference Room 1213
1500 Jefferson Street
Olympia, Washington 98504
June 1, 2016
5:30 p.m.**

Minutes

DES STAFF MEMBERS PRESENT:

Chris Liu, Director

Bob Covington, Deputy Director

Carrie Martin, Asset Manager

Curt Hart, Communications

Jim Erskine, Communications

MEETING PRESENTERS:

Christina Martinez, Floyd|Snider

OTHERS PRESENT:

Jennifer Belcher, Citizen

John DeMeyer, Citizen

Allen Miller, Heritage Park Development Assoc.

Tom Gow, Puget Sound Meeting Services

Jewel Goddard, Citizen

Steve Trapp, DERT

Bob Wubbena, CLIPA

Dennis Burke, E³

Harley Carpenter, ORLA

Karina Champion, Citizen

Robert Holman, CLIPA

Skylar Linden, Citizen

Dave Peeler, DERT

Jack Havens, Citizen

Lydia Wagner, Department of Ecology

Sandor Silagi, Citizen

Open House, Review of Meeting Materials

Chris Liu, Director, Department of Enterprise Services (DES), convened the meeting at 5:30 p.m. and welcomed everyone to the open house to review materials.

Welcome and Introductions: Review of Meeting Ground Rules

Director Liu reviewed the meeting agenda on the second touch of goals and objectives and the first touch on the methodology for categorizing best available science. All information is posted on the DES website. As an additional update, the Technical Committee is now open to observation by the public. At the next Technical Committee meeting, ground rules for attendance will be shared with community.

Director Liu introduced Christina Martinez with Jacobs and the Floyd|Snider team.

Ms. Martinez reported the purpose of the process is to implement the provisions of a legislative proviso directing a review of best available science, consideration of hybrid options for the long-term management of Capitol Lake, and gauging community support for hybrid options. To implement the proviso and submit a report to the Legislature, the process also included review of methodologies for best available science and establishing goals and objectives to help inform later decisions during a future Environmental Impact Statement (EIS) process.

The process includes a first and second touch of information. The first touch entails receiving input from the public, Technical Committee, and Executive Work Group. The agenda includes a second touch review of goals and objectives for the management of Capitol Lake and a first touch on the methodology for determining best available science.

Second Touch on Goals and Objectives and Overview of Community Input

Ms. Martinez reported the Floyd|Snider team reviewed prior documentation for the long-term management of Capitol Lake including a previous EIS, technical studies, and the Ruckelshaus Report to identify previously stated goals and objectives for the project. A clear purpose or need statement has not been developed in the past. The team collated and organized the information surrounding several themes: environment, infrastructure, community, and economy. Other components related to those themes include water quality, control of invasive species, and improvement in recreational opportunities.

Over the last month, draft goals and objectives were presented to stakeholders for review and feedback. This second touch review is the last opportunity to provide additional feedback prior to inclusion within the Proviso Report to the Legislature.

The team received 421 responses from an online survey. Respondents were asked to provide input on the goals for the long-term management of Capitol Lake. A second question asked respondents to rank the top five goals. The top six goals in priority order include:

- Aesthetics
- Sediment Management
- Recreational Opportunities
- Water Quality
- Economically Feasible and Reasonable
- Habitat Restoration

These are the same top goals found in the 2009 Capitol Lake Adaptive Management Plan (CLAMP) process and the 1999 EIS. The order within the various documents has shifted but the goals are consistent. The input points to a clear path to the priorities for the long-term management of Capitol Lake. The purpose of the goals and priorities is to inform the ultimate decisions about the lake.

Community input on the goals showed they meant different things to different people. For example, some people indicated aesthetics meant seeing a lake environment and reflecting pool while others found an estuary to be aesthetically pleasing. Those differences in values for the top goals should be considered. The online survey tool generated 346 written comments. Some prevailing themes related directly to the goals of recreation, cost, and sediment management. Feedback spoke to restoring and enhancing recreational opportunities. Comments on costs ranged from evaluating the long-term maintenance costs of managing the lake to the upfront first-time costs for renovation or reconstruction. Several of the comments spoke to the importance of being good stewards of the public dollar and utilizing grant funding opportunities to ensure the good use of public funds. It is also important not only to consider the cost of construction and maintenance, but also the cost to the community because of economic impacts associated with long-term decisions.

Regardless of the management option, sediment management was important to many citizens. Most citizens want all options to carefully consider sediment management and avoid impacts from eventual sediment disposition downstream.

Three other important themes were noted. Some comments supported using a scientific approach to guide decisions and for choosing a management plan. Those comments will lead into the first touch on the methodology for categorizing best available science. A number of comments focused on garnering

broad community agreement and continuing to engage the community throughout the process. Other comments spoke to the increased sense of urgency to act because the effort has been ongoing for many years. Many community members are ready to move forward on scheduling and implementing action.

The Technical Committee's feedback on goals and objectives was minimal other than for some reordering and language revisions. The goal for aesthetics and visual quality was revised to reflect "Support and improve aesthetics and visual quality." Another suggested change revised the goal stating, "Avoid economic impacts" to reflect, "Avoid negative impacts and improve economic benefits." On a broader level, the Technical Committee recommended that the goal for improving ecosystem functions and improving fish and wildlife habitat should encapsulate the goals supporting healthy salmon runs.

The Executive Work Group recommended some refinements in the descriptions of the goals for long-term management, recommended adding "improve and support" language, to those goals that speak to "maintain, avoid, and improve." The Executive Work Group agreed with the recommendations from the Technical Committee. One example of a change was revising "Improve sediment management" to "Improve and support sediment management." June 2 is the input deadline for second touch materials.

Questions and Answers regarding Goals and Objectives

Ms. Martinez invited questions.

Dave Peeler asked whether the changes to the goals for long-term management (yellow circles) would be included in the next update of Figure 3, *Goals for Long-Term Management of Capitol Lake*. Ms. Martinez affirmed that the intent is to update the chart for inclusion within the Proviso Report.

Bob Holman recommended inclusion of the information from the community group presentations. Another set of community group presentations is scheduled in June. He questioned how those comments would be incorporated if the comment period ends on June 2.

Carrie Martin said the presentations in May included best available science and technical reports. The June presentations will include hybrid options. The presentations were aligned with the topics presented to the Executive Work Group. The only comment period ending at this time is the second touch on goals and objectives.

Mr. Holman responded that the basis of the presentation was to provide input on goals and objectives presented by Dr. Milne on the environment and water quality. That information should be incorporated within the materials.

Dennis Burke said one major obligation by government to protect public health is not included within the goals. Although water quality is included, water quality does not improve all aspects of public health. He stated that the Department of Ecology (Ecology) is studying water quality for the protection of fish and wildlife whereas the lake is receiving an immense volume of nutrients creating a tremendous amount of toxic algae. The state is measuring toxins produced in lake waters and most are associated with phosphorous levels above 0.02, which Capitol Lake greatly exceeds. However, Ecology never samples Capitol Lake for toxic algae or toxins, but may sample other lakes. Given recreation opportunities and the impact on public health, it is a goal that should be considered because it is a problem Ecology is not attempting to solve. With increasing temperatures, the issue would need to be resolved.

Ms. Martinez said she is unsure as to the extent of comments received on public health. Typically, health impact assessments include different areas of water quality, air quality, noise, and recreation. Those elements are typically examined holistically in terms of public health, which is why it might not have been included as a separate goal.

Karina Champion commented that when she completed the online survey, she assumed public health was an inherent requirement, which is why her comments did not address public health. However, if that assumption were incorrect, she would want to know and would include public health comments higher on her priority list.

Mr. Holman commented that regulations for Capitol Lake are established by Thurston County. The county's regulations cover public health. He shared information on why Ecology has not addressed public health. For the last 14 years, Capitol Lake has met county requirements because the lake is acceptable for swimming based on bacteria counts. Ecology has separated the Total Maximum Daily Load (TMDL) Study between Capitol Lake and Budd Inlet and dropped bacteria as an issue in Capitol Lake because the lake has been clean for some time. Toxic algae blooms occur in many lakes. However, Capitol Lake is not a lake but a fairly shallow river. Toxic algae blooms are difficult to develop in that environment and are likely why it hasn't been addressed.

Mr. Burke contended that the lake has never been sampled.

Jim Erskine, DES, said he was an employee of the former Department of General Administration and believes Thurston County Health monitors Capitol Lake and all other lakes in Thurston County for toxic algae. Capitol Lake is measured annually and repeatedly through summer months. He does not believe since his employment with the state beginning in 1999, that there has been a toxic blooming algae outbreak in Capitol Lake where there has been in other lakes in Thurston County. The lake is monitored but not by Ecology, which is likely why the agency is not including a sampling as part of the TMDL

Mr. Burke responded that King County and many other counties sample toxic blooming algae. The results are included on many databases in the state. One database focuses on toxins and toxic algae and it includes state monitoring that is funded by the federal government and county data. He challenged anyone to find any place in the record where Capitol Lake has been sampled for toxins. He recently reviewed current results for Black Lake, Orange Lake, and other lakes in Pierce County. Many lakes are toxic. However, Capitol Lake's environment is receptive to toxins. Capitol Lake has had blue green algae or bacteria blooms exceeding the values for toxicity. Neutral levels range from 0.04 of phosphorous. Capitol Lake exceeds those levels. It is not possible to find a sample result for Capitol Lake anywhere because he has spent hours trying to find the data. It does not exist.

Mr. Peeler ventured to guess that because the lake is closed to public recreation, the county is not expending resources to monitor for that purpose diverting resources to other lakes that are open for public recreation. He admitted to guessing as to that circumstance because if no public access is allowed, the county does not need to worry about public health. Should the lake open to access, then it would entail another course. He recommended checking the status of testing with Thurston County.

Ms. Martinez said the conversation speaks to the importance of water quality and public health.

Bob Wubbena commented that many of the findings are based on old data. He questioned why the county, DES, Ecology, and the cities are not conducting routine and ongoing monitoring for water quality parameters. Much of the data under consideration are outdated. It is important that as the

process proceeds, current data should be a requirement to avoid making decisions on outdated information. He acknowledged the efforts by cities to improve storm water.

Ms. Martinez encouraged citizens to submit additional feedback on goals and objectives by June 2.

First Touch on Methodology for Reviewing Best Available Science

Ms. Martinez reviewed the list of technical studies and provided an overview of the feedback from the Technical Committee and the Executive Work Group. The proviso directed the identification and summarization of best available science for water quality and habitat relative to conceptual options of retaining or removing the dam.

The Floyd|Snider team reviewed reports and studies on water quality, habitat, and lake management for the Deschutes Watershed. A list was compiled of available resources that were published and publicly available. A table document was drafted documenting the various studies, technical reports, and published information. The list is not inclusive of all available documentation, as some documents related to Capitol Lake are outside the scope of water quality and habitat.

The DES Work Plan directed a review of recognized methodologies to screen and determine best available science. As part of the EIS process, in a later Phase 2, all documents would be screened to determine what constitutes best available science.

Ms. Martinez reviewed state, federal, and international methods for screening documents to identify best available science:

- *Washington State Criteria (Chapter 365-195 WAC Growth Management Act)*
- *U.S. Environmental Protection Agency Guidelines*
- *Internationally-Recognized Scoring System*

Questions, Answers, and Input regarding Methodology for Categorizing Best Available Science

Ms. Martinez invited questions on the proposed methodologies.

Ms. Champion questioned how the methodologies would be applied. Ms. Martinez explained that a list of scientific sources would be screened by one of the methodologies as a part of Phase 2 to complete an EIS for the project. The consultant team with experience and background in science would screen the scientific sources using the selected methodology.

Jack Havens asked whether the Executive Work Group or the Technical Committee renders the final recommendations on best available science. Ms. Martinez said that typically, consultants evaluate the sources that identify best available science; however, through that process, the team receives comments from state agencies, scientists, the community, Executive Work Group, and the Technical Committee.

Director Liu added that the Executive Work Group is receiving all the information. Many of the members are not technical experts. Members of the Technical Committee are connected to the science community and are reviewing recommendations. The recommended methodology is scheduled for review by the Executive Work Group in consultation with technical experts. The Executive Work Group, in addition to the Technical Committee and Community, would render a recommendation on the methodology to be used.

Mr. Wubbena said that of equal importance are methodology criteria that might be selected for evaluating the documents. Many data sources and reports are old and have been superseded by current reports and data. The selection of data is important. He was an administrator for nine years with staff responsible for authoring similar reports. Those reports reflected opinions and were considered as best available science. However, other consultant studies are authored by professionals with the expertise and background. The challenges encountered throughout this process is the review of documentation and weighing those documents, because procedurally, some sources considered to be best available science could in fact no longer be considered good science because of time, history, and new information. That speaks to the question of how and who will sort through those issues. It appears that the process has not been defined. He suggested employing all three methodologies because the task encumbers sifting through all reports and the success would be based on how well the reviewers are applying the criteria to the reports. At this point, that process is unclear.

Ms. Martinez agreed that a process or procedure might need to be developed for decision-making over the science, especially if there is conflicting scientific information. It could entail reviewing how other projects addressed the issue.

Mr. Burke suggested the issue is a “mine field.” He agreed with the previous speaker’s comments because when conducting any type of analysis it involves reviewing assorted information that may have scientific validity. However, the outcome is how the information is consolidated and summarized. One example is developing an innovative way to solve the long-term management issue. The important aspect is that the process would rely on peer review. Ecology’s model speaks to contracting peer review. He asked whether the peer review would be open to the Technical Committee and community to provide comments. The issue is whether a consultant’s opinion constitutes peer review. The issue could be problematic and requires some detailed analysis.

Ms. Martinez replied that discussions with Ecology officials have indicated the agency believes reviews are independent. The agency has been asked to present to the Executive Work Group about review how data are peer reviewed.

Mr. Holman said that clearly the issue is an Ecology position and some opposing positions that are in conflict, which will need to be resolved. Ecology has conducted a peer review of its model; however, the model was peer reviewed prior to its application in the early stages. What Ecology has failed to do is peer review the results of the application of the model. The question is about purity and what it means. Clearly, Ecology has not peer reviewed in that sense. Additionally, one of the issues regarding Capitol Lake is the length of the process. It appears that this process is another attempt to “start over.” DES contracted with Ruckelshaus to complete an analysis. One of the report’s statements speaks to the dam’s effect on water quality in Budd Inlet. The report indicates that the dispute regarding water quality should be resolved by selecting one or both of the following options:

1. Obtain another independent scientific review of the Washington State Department of Ecology’s (Ecology) computer models of this dynamic,
2. Request that those independent reviewers--and possibly a third party facilitator—participate in one or more meetings between Ecology technical staff and the outside scientists who have questioned their computer model, to see if it is possible to refine the model such that these parties are in agreement about the validity of the findings.

At least six months ago, Ruckelshaus answered the question and recommended looking at the available science, and when it conflicts, a third party should review the science. One of the frustrations by the

public is that the wheel continues to be reinvented. It is important not to lose sight of what was gained by the Ruckelshaus Report. He asked why DES discontinued the Ruckelshaus process, as it appeared that some progress was occurring.

Director Liu acknowledged the question. However, the current work is to address what is directed by the proviso. The Ruckelshaus Report was a preliminary report to launch this process. The report was a recommendation. DES is not in the position of funding several concurrent processes. Some of the recommendations from Ruckelshaus have been considered. The proviso was developed on the basis of the Ruckelshaus Report. He is not able to speak to why it was or was not included in the proviso. Not one of the questions is an easy question with an easy answer. He agreed with Mr. Holman's comments that the process should consider many issues. However, the process may not consider everything in the Ruckelshaus Report because it's not included in the proviso. If an EIS process moves forward, many of the issues would be addressed. DES is moving forward with the directive by the proviso and within available funding limitations.

Mr. Wubbena said that regardless of the methodology that might be selected, the process should narrow the issues discussed, debated, and presented and move closer to the Ruckelshaus Report's first finding. There are likely half a dozen major issues that could be identified for further analysis to determine some key findings to produce information that is explicit, clear, and current. In those areas of polarization, the Ruckelshaus recommendation could come into play. The next step is the critical issue of debate.

Mr. Peeler added that the three different types of ensuring best available science are good. Each vary to some degree as the first two speak more about documenting, such as documenting how the study was completed and how evaluation occurred. The third option relies on scoring and determining a specific category (outcome). It is likely the process will use some kind of accommodation of all three methodologies to ensure good science is considered. Ecology has policies that speak to ensuring credible data. Those policies ensure that when data are obtained or created, the data are credible. There is no perfect scientific study as there are always questions remaining because of various kinds of limits and constraints of studies, resources, or the ability to obtain information. The results will always generate more questions. Many of the comments speak to those questions because when there are inconsistent findings, inconsistent data, or the lack of information in certain areas, it speaks to whether it rises to the level of needing more research through the EIS process to obtain the information to fill in the blanks or to determine what the right answer might be. Those issues are part of the entire process of continuous documentation, review, scoring, and evaluation to determine whether the information is consistent, expected, or whether there are gaps in information that might be important or critical.

Ms. Martinez reviewed the Technical Committee's feedback on the three methodologies for best available science. Members reviewed the strengths and weaknesses of the three methodologies. Most members were familiar with the state methodology and its applicability to environmental data. Members noted potential weaknesses in the federal methodology related to peer review and potential introduction of subjective scoring, such as more qualitative scoring versus quantitative scoring. Ecology plans to provide the agency's policy on peer review, which was developed to reduce vulnerabilities in the application of the federal guidance. No member on the committee had any experience with the international methodology but recognized that the model was a ranking system instead of an identification system. Members initially supported the state methodology to evaluate best available science for water quality and habitat and suggested habitat could be geographically defined similar to water quality, which could be slightly expanded and scoped to include water quantity or other related disciplines, such as sediment. The committee discussed the potential to expand the list of documents to include studies or reports on regional restoration projects and their effects on water quality and habitat

(other lakes that have water quality or habitat issues or other lakes influenced by the presence of a dam). Members believe the additional reports would help provide context around management decisions. The Technical Committee will review the list of technical documents and will forward information on additional studies and reports that should be included.

The Executive Work Group's first touch of the methodologies did not result in any significant feedback on the methods. Members requested more information on the input and comments from the Technical Committee as the experts, as well as input from the community. The Executive Work Group appreciated the compiled document list, which includes key historical documents. Members recommended changes to the table title clarifying that the document was only a list of technical documents that had not been reviewed using one of the best available science methodologies. Members plan to review the language on some of the figures and provide input by June 2.

Ms. Champion commented that from a perspective of a science teacher, the international and the federal methodologies have more room for subjectivity and bias because there is much more room for qualitative conclusions. Although qualitative information can be helpful, it makes sense that the state methodology was created because of the challenges associated with the subjective language in the federal methodology. Many of the reports were generated by Ecology. Ecology has its own requirements and is subject to auditing. She is pleased to see some of the documents included on the list as it lends itself to extra steps to be considered because more eyes will review the information. The recommendation to consider studies outside the region generated her interest in obtaining similar research on the Salish Sea because of similar habitats that might provide a wider perspective of areas that have encountered similar challenges.

Mr. Burke said he reviewed the 2012 and the 2015 reports and would like to request that Ecology provide critical information regarding final actions. Ecology uses a specific model. He asked about Ecology's dataset and the conditions surrounding the dataset that were used to calibrate the model. Secondly, he asked about the dataset and what information was used to verify the model. Dependent upon the data used to calibrate and verify, any number of results could be obtained. He asked about the flow conditions that were modeled. One of the conditions was a low flow over seven consecutive days and low flow conditions spanning 30 years, which is more stringent than the normal Q-710, a low flow occurring over seven days over a 10-year span. These are extremely important parameters and are lacking in those reports that he read. The information could be included in some appendices that he is unaware exists. However, Ecology should provide a brief paper on its modeling procedures.

Mr. Holman commented that it is important to recognize that Ecology exists because of the Environmental Protection Agency (EPA) as Ecology reports to the EPA. Ecology's TMDL must be approved by the EPA. It appears that in some respects, the process might benefit if the process utilizes the broader EPA methodology because EPA is the final decision authority. He personally has no opinion as to the specific methodology. However, using a broader-based methodology to determine what is included or excluded might benefit the process over a state system that is much more rigid and is in some ways grounded by Ecology because the agency is so well-versed in the methodology. It could disadvantage others who don't have the resources or the knowledge of the systems.

Ms. Martinez remarked that there appears to be a mix of preferences in terms of the methodologies from the Community.

Mr. Wubbena asked when the decision on the methodology would be presented to the community. He then could apply judgment on the factors that would be considered.

Ms. Martinez said the typical EIS process considers reliable resources for assessing impacts, benefits, and conclusions of alternatives considered in the EIS. Regardless of the alternatives in the EIS surrounding a lake, estuary, hybrid, or a new concept, the EIS is required to evaluate many different factors during the environmental process, such as water quality, air, noise, social and economic issues, and other issues. The proviso specifically directs examination of water quality and habitat because they appear to be the two main concerns surrounding water quality impacts or benefits associated with different alternatives. It is also important to ensure habitat is adequately addressed. The goal is identifying the tools, data sources, and technical information to consider to arrive at some conclusions on benefits and impacts of any particular management alternative. The EIS evaluations will occur during Phase 2. However, there appears to be some concerns about how the tools would be selected for assessing impacts and benefits.

Mr. Wubben said from his perspective as an individual with a background in environmental engineering, he envisioned the Technical Committee convening some work sessions whereby the consultant team would lead EIS evaluations of the different management options. There are many studies available with different data. As the summary response is developed to the proviso around those alternatives, the Technical Committee, in theory, would be assisting to ensure the process doesn't veer off-track and remains focused on the results of the studies. Essentially, the Technical Committee would assist in sorting data.

Ms. Martinez agreed that similar processes have been employed for other EIS processes. However, this process has not been fully vetted for Phase 2. She has worked on an EIS process that included a technical committee representing scientists from local agencies or state agencies to vet the methodology for evaluating impacts and benefits, as well as the conclusions about benefits and impacts from the various alternatives. There is definitely history in this region of those types of processes occurring whereby a technical committee is included throughout the process of developing an EIS. She is uncertain as to whether the structures have been established for the Capitol Lake EIS.

John DeMeyer said after reviewing the list of data sources, they appear to be the studies that would be considered in the future analysis as the project proceeds as it relates to water quality and habitat. He does not understand why Thurston County's annual water quality monitoring reports are not included on the list. Those reports span multiple years of an ongoing systematic approach for measuring water quality.

Ms. Martinez acknowledged that the suggestion is good input and the process is seeking additional sources of data. During the first touch review, the community is asked to provide input on the methodology that should be used, as well as any missing studies or reports. Thurston County intends to provide additional documents and data it believes should be included. She invited Mr. DeMeyer to include the request on a comment form for additional information to include on the list.

Mr. DeMeyer replied that the reports are critical because good science relies on good data. He also assumes that another list of studies would be developed as each of the other goals is addressed during the EIS, such as sediment management. Ms. Martinez replied that assessments occur on sediment management as part of the EIS, the process will identify data resources for determining best available science in addition to identifying the methodology for assessing sediment impacts and management issues. The proviso did not include best available science for sediment management.

Mr. DeMeyer asked whether economic studies would be included within the list. Ms. Martinez affirmed that economic studies would be included in an EIS to assess economic considerations. It is likely water quality and habitat were included in the proviso because those two issues are the most controversial topics. The proviso did not request a review of prior analysis regarding economics or other issues. Eventually, a methodology would need to be identified for assessing economic impacts and benefits of the different alternatives. The methodology may include assessing prior studies. It is uncertain at this point, whether a list of other types of studies would be necessary.

Mr. DeMeyer said he has been dealing with the Capitol Lake issue for several years and was hopeful that this process would resolve the issues. The ultimate solution needs to include broad economic studies. He wants to avoid another phase down the road that leads to nothing. Ms. Martinez affirmed the process is in Phase 1 to implement the provisions of the proviso. Phase 2 is a later phase and would focus on the preparation of the EIS to support a preferred alternative moving forward. The EIS requires analysis of social, economic, and environmental impacts and benefits.

Ms. Champion shared that her students have an oyster garden at Johnson Point. She asked whether there are data or research that could be included on the list addressing impacts on local oyster and clam farms. Ms. Martinez said she expects that a future EIS would study the effects of sediment movement. Potentially, should shellfish resources be identified they would be another consideration. Ms. Champion inquired about any historical data on shellfish.

Mr. Holman added that shellfish would normally apply to Budd Inlet, as Capitol Lake has no shellfish because of the lack of tidal action. He referred to information on funding and governance and questioned whether it would entail a parallel process in addition to the work of the Technical Committee. He asked whether that process would consider economics because to establish funding sources, the costs would need to be identified, as well as the economics of the area.

Director Liu explained that sediment management was not a component included in the proviso. The proviso also does not address economics. The members of the Executive Work Group recognize the need to address these issues.

Mr. Holman acknowledged that economic studies would be needed to determine how much funding would be required. Director Liu noted that no one would disagree with that observation.

Mr. Burke noted the extensive cost for removing the dam and the huge costs associated with damage to recreation. He asked how the process would resolve those issues, as he no longer knows what to believe or not to believe. Ms. Martinez acknowledged that the Phase 1 Work Plan includes developing cost estimates for construction and maintenance for each alternative. As a component of the proviso, hybrid options are to be identified along with general cost estimates for construction and maintenance of those options. The consultant team is currently exploring ways to develop the cost estimates because at this phase of the process only conceptual options are being explored, which lack sufficient detail to determine construction and maintenance costs. As the design process proceeds, better data would be available to ascertain costs. At this phase, only conceptual cost ranges would be available to satisfy proviso requirements.

Open House for Written Input and Material Review

Ms. Martinez invited the community to review the materials on display. Staff is also available to answer questions.

Capitol Lake/Deschutes Estuary Community Meeting

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Director Liu encouraged citizens to fill out a comment form. He encouraged filling out a separate comment form for each issue. The forms can be completed online. The comment period ends on June 2.

Mr. Wubbena asked whether the next step is establishing the framework to enable the community to provide feedback. Director Liu said the timing is uncertain at this point.

Mr. Wubbena remarked that unless the framework has been identified he would be unable to provide additional comments.

Adjournment

With there being no further business, the meeting was adjourned to an open house at 7:08 p.m.

Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net



CAPITOL LAKE/ DESCHUTES ESTUARY COMMUNITY MEETING

**Jefferson Building
Conference Room 1213
1500 Jefferson Street
Olympia, Washington 98504
June 29, 2016
5:30 p.m.**

Minutes

DES STAFF MEMBERS PRESENT:

Chris Liu, Dept. of Enterprise Services
Bob Covington, Dept. of Enterprise Services
Carrie Martin, Dept. of Enterprise Services

MEETING PRESENTER:

Tessa Gardner-Brown, Floyd|Snider

OTHERS PRESENT:

Helen Wheatley, Citizen
Jim Lengenfelder, Citizen
Tom Gow, Puget Sound Meeting Services
Steve Trapp, DERT
Bob Wubbena, CLIPA
Dennis Burke, Citizen
Greg Schundler, Citizen
Wendy Steffensen, LOTT Clean Water Alliance
Mary Ann Firman, Citizen
Skip McConkey, Citizen
Tom Stewart, Citizen

Bob Holman, CLIPA
Dave Peeler, DERT
Lydia Wagner, Department of Ecology
Bill McGregor, Port of Olympia
Bob Vadas, Jr., Citizen
Emily Rat, Citizen
Mark Dahlen, Citizen
Robert Jensen, DERT
Dayle Swift, Citizen
Kelly Annette Mills, Citizen

Open House, Review of Meeting Materials

Chris Liu, Director, Department of Enterprise Services (DES), convened the meeting at 5:40 p.m. and welcomed everyone to the open house to review materials.

Welcome and Introductions: Review of Meeting Ground Rules

Director Liu reviewed the meeting agenda on the second touch of best available science and overview of input received, a first touch review on the Draft Purpose and Need Statement with feedback from the Technical Committee and the Executive Work Group, and a first touch on identification of hybrid options and feedback from the Technical Committee and the Executive Work Group followed by an open house for written input and material review.

Asset Manager Carrie Martin reviewed the meeting ground rules.

Director Liu introduced Tessa Gardner-Brown with Floyd|Snider.

Ms. Gardner-Brown reported the meeting would accomplish two goals of reviewing input received on best available science materials reviewed by the Technical Committee, Executive Work Group, and the community in May and review of new materials on hybrid options for inclusion in the Proviso Report.

Second Touch on Best Available Science and Overview of Input Received.

Ms. Gardner-Brown referred to materials on best available science. Throughout the process, community members have had two opportunities to review each packet of materials. A second packet evolved from the initial discussion and identifies the methods to identify and review best available science. Feedback was received from the Technical Committee, Executive Work Group, and a number of citizens on the three options for reviewing and assessing best available science. The options are a state process, a federal process (USEPA), and an internationally recognized process. Most of the stakeholder input favored the State process/criteria as it's grounded in the Growth Management Act, which helps to guide all jurisdictions when reviewing best available science.

During the June Technical Committee meeting, members of the Technical Committee volunteered to review the technical document list and identify how the documents align with the selected State-criteria. Members plan to review the list of technical documents related to water quality and habitat for the Capitol Lake basin. The list was expanded to include a number of documents identified by the Technical Committee and the community. Technical Committee members will review these documents to determine whether the information constitutes best available science. Additionally, a number of comments suggested the importance of peer review. To ensure peer review is reflected in the review of the technical documents and to meet the requirements of state criteria, the team developed a briefing paper on what constitutes peer review, why and when it is used and who is the appropriate person for a peer review. In addition to the review of the technical document list, members of the Technical Committee will review whether the document has been peer reviewed. The Technical Committee is scheduled to review the documents during the next several months and bring their work to the Executive Work Group and the community in early fall. The Executive Work Group received a briefing on best available science and supported the steps for the review.

A number of other documents were submitted by the stakeholders and were related to Capitol Lake and the Capitol Lake basin. Some of the documents were outside the scope of water quality and habitat as specified by the legislative proviso. Because of the importance of the documents, the team continues to expand the technical document list, and thereby developing a project bibliography for those documents for future reference and as potential resources for future phases.

John Lengenfelder asked for information on the members of the Technical Committee and whether a list of members has been published. Ms. Martin noted that DES posts meeting notes from the Technical Committee meetings on the Capitol Lake web page. Committee members include representatives from City of Olympia, City of Tumwater, Thurston County, Port of Olympia, Squaxin Island Tribe, Department of Natural Resources, Department of Ecology, and the Department of Fish and Wildlife.

Dennis Burke commented that if he were to submit a proposal on a hybrid option, he would refer to many different technical articles published in a peer review publication similar to Department of Ecology's studies. He asked whether that is the type of information that would be reviewed in terms of substantiating peer review. Ms. Gardner-Brown replied that the question speaks to two issues. The first is the submittal of a hybrid option. The request to the public and stakeholders is to provide input on hybrids which maintain the historic reflecting pool but also include a component of a restored estuary. Proposals could be strengthened by inclusion of references to best available science; however, there is no

requirement to include best available science in any proposals submitted. The next step in a later analysis would include review of the science to support the proposal.

Dave Peeler, Deschutes Estuary Restoration Team (DERT), asked about the identity of the technical documents that are included on the secondary list (bibliography project list). Ms. Gardner-Brown replied that additional technical documents provided by the Technical Committee or the community have been included on the list since the list was first released in May. The project bibliography list would continue to be updated throughout the process and provided as part of the Proviso Report. Mr. Peeler referred to his comments at the last meeting and his recommendation to include a May 2012 report from PSNERP. Since the report is not included on the current list, he is unsure whether it was included on the bibliography project list. Ms. Gardner-Brown affirmed the document was included on the bibliography project list. She offered to follow up and review why the document wasn't included on the Technical Document List.

Bob Holman, CLIPA, said the group initially submitted comments with no concerns about any specific review method other than the information provided by many local community members lacks the necessary resources to complete elaborate designs or peer reviews and then may not be evaluated during the review. Information reflecting that the Technical Committee would complete the screening is concerning. However, as initial information indicated, screening would occur later and would be completed by Floyd Snider, which would be acceptable as the firm is a third-party and could fairly evaluate the information. A large number of the documents were generated by the ECY or the Squaxin Island Tribe. Those agencies are represented on the Technical Committee tasked with completing the screening. Essentially, it equates to the analogy of sending the fox to guard the chicken house. The process needs an independent group to evaluate what is screened. The process is going in the wrong direction by accepting the generous offer by some Technical Committee members to complete the screening. With respect to peer review, there are many methods of peer review. Last week, ECY representatives presented a detailed list of peer reviews it completed for its models for the TMDL Study. However, the peer reviews of the model as reflected on the Technical Document List is not just on the model but are conclusions drawn about the model, which hasn't been peer reviewed. For instance, if the model predicts a certain number of conditions in the middle of Budd Inlet or in East Bay and measurements are completed, he would maintain that all peer reviews don't really mean a whole lot if, at the end of the day, it can't pass the test. That is what CLIPA is finding when reviewing some peer reviewed documents that look at the internal parts of the model, which is fine, but they draw conclusions that aren't replicated in the real environment. It's important to be careful when conveying that only those documents that have been peer reviewed will be allowed because sometimes peer reviewed documents are not good. Others who have presented information that hasn't necessarily completed a peer review may be good information. He questioned whether the process is the end-all for the criteria for including or excluding documents.

Ms. Gardner-Brown noted that the WAC criteria is balanced because it's not solely weighted on whether a document has been peer reviewed. Five criteria are used in the screening to ensure there is a rounded review of the document. Peer review is one of the criteria. There are different levels of peer review and different types of peer review. Peer review is part of the process, but it's only one of five review criteria and not the primary criterion.

A request was received for additional information to help define and explain peer review and how it's used. Additional information that has been supplemented to the main packet helps to explain peer review, as well as additional explanation provided in the references that were included in the peer review briefing. The best resource is information from the Environmental Protection Agency (EPA) outlining

the different levels of peer review and the different types of peer review. Ms. Gardner-Brown said she believes that explanation answers the question about not making a determination based solely on peer review. In terms of the comment about caution for eliminating or fully reviewing studies, opinions, or documents that might not be science-based but reflect input that is knowledge-based from the community that could influence the process, she also agreed and cited the list of documents CLIPA provided that were reflected on the project bibliography. Although the documents might not reflect science, they are important and should be part of the record. A detailed email was sent to CLIPA about all the documents that were included within the project bibliography. Although the documents might not fit on the list of science that should be reviewed, the documents are included as part of the project record.

Mr. Peeler responded that his concerns spoke to science-based documents rather than documents on economics or other issues. Some of the documents were included on the list but others were not listed and perhaps more dialogue is warranted on those to ensure the process has all the documents that CLIPA considers as science-based documents.

Ms. Gardner-Brown welcomed additional comments. The community has the opportunity to provide comments on science until Thursday, June 30. The process has been responsive to all document requests that have been received.

Bob Holman said that during the last meeting on best available science and the three methodologies, his comment at that time was reflective that the combination of the three methodologies would likely be used because of the broad nature of this study. As Mr. Peeler indicated, it's a process of sorting through important resources. It's really a documentation because when CLIPA submits the reports and the documents are selected for placement in different categories, it helps CLIPA understand and it acknowledges that the reports were not eliminated but were listed in a different category. A critical part of the process in terms of the science and design, are the differences of opinion between different people which is why Ruckelshaus recommended an independent third-party review. In many cases, Floyd Snider might serve as the third party, but not necessarily during this process. The process shouldn't include either the proponents or the opponents of any concept but a true consultant-type of approach and only for those larger critical issues. CLIPA wants a solid program that the community as a whole can embrace. The list provided at the beginning of the meeting is two weeks old. Many of the documents were not included leaving the question of when the updated list is to be publicized to help everyone understand the status.

Ms. Gardner-Brown advised that an updated list would be released in early fall. Additionally, the other request appears to be that after the review of documents and best available science, a third party review is recommended by an independent peer reviewer exclusive of any of the stakeholders.

Bob Wubbena, CLIPA, questioned whether best available science is good enough. There has much dialogue about the model and equations and how the model is used. Everyone lives with models each day through weather forecasts. The most famous forecast was Hurricane Sandy that hit New York. The Europeans spent billions of dollars on a model and warned New York about the storm. The United States ignored the caution and insisted it had a better model. The hurricane hit and caused much damage. The problem is that many models are not sufficient to render a decision. The decision surrounding the lake could equate to \$300 million or close to a billion dollars accounting for overruns in solving the problem. The question to ask is whether the models are good enough. The second question is the state-of-the-art model used by ECY. He spent the last two weeks reading all of ECY's reports and appendices. He knows that the reports were reviewed as well as the codes, as many of the codes were changed. However, there must be some way to provide input into those equations. For instance, light

extension, which isn't commonly used. There are many things not commonly used for water quality. His first ten years after school included working on a regional water quality models to include QUAL1 that was used in two studies for the entire East Coast of the United States. Washington State never participated in those studies and is a latecomer to the process. The issue is determining the proper choice for Capitol Lake. It's important to ascertain how well the model predicted what happened yesterday. Those are important factors that speak to credibility and best science, but appear not to be plugged in.

Ms. Gardner-Brown answered that the process is to compile technical documents that may be best available science related to Capitol Lake and then continue that review process, which might include incorporating a third-party review and determining best available science in an environmental impact statement process. That is the crux of an impact statement - to analyze what the baseline is and what the potential impacts would be from the alternatives identified. This process is meeting the goals of the proviso.

Greg Schundler said he was the co-author of two outdoor recreation reports for the State of Washington commissioned by the Governor and the Legislature. He also has a masters in GIS and an undergraduate degree from Princeton University. One of the important things at the onset is the role of social science. He understands that the proviso limits the scope of the best available science review, as well as understanding that the document is also trying to hone in on water quality and invasive species. However, carried on the back of what was just conveyed is a bit of an assumption in terms of whatever the science says would be implemented as a management strategy. Practically speaking, everyone knows that cost considerations have been a major issue in terms of who will pay for the outcome. It's important for social sciences to be considered in terms of what are the data trends for various funding sources and what sorts of outcomes do they support. That is of importance for this actually happening according to the proviso. The language in the proviso states, "restoring and enhance community use of the resource." If that is not quantified or understood, it's not possible to consider the design considerations in terms of transportation and access as the lake was created for non-scientific reasons. Capitol Lake was created for aesthetic reasons. Social sciences should be considered as best available science. Although it might be imperfect similar to any other deductive database science, it's possible to do the best job and those should be validated by the best possible sources.

Ms. Gardner-Brown replied that economics should be a part of the effort, and was incorporated as a primary consideration based on stakeholder input. DES recognized that importance and commissioned the Funding and Governance Committee, which is outlined in the process for Phase 1 implementation. The committee is charged with identifying potential funding sources and funding models and to review governance models for the resource spanning jurisdictional boundaries. The committee is working on those efforts for the next several months and the intent is to provide a summary of recommendations or a status update for inclusion within the Proviso Report, as well as continuing those efforts during Phase 2. Additionally, in terms of whether social sciences would be included as part of the analysis, in an environmental impact statement, when quantifying the level of recreational use on the lake, the environmental impact statement process would account for activity occurring on the lake, such as uses and peak usage hours to analyze potential benefits or impacts caused by each of the alternatives. That will be an important part of the process. That effort is limited in scope based on the direction of the proviso. The team believes that community use of the resource is of huge importance. The Purpose and Need Statement reflects that importance and carries that theme forward.

First Touch on Draft Purpose and Need Statement, Feedback from the Technical Committee and Executive Work Group

Ms. Gardner-Brown referred to the example Purpose and Need Statements. The intent of the examples is to show different levels and structures of a purpose and need statement. A purpose and need statement is reviewed by the resource agencies that would ultimately fund or permit the project to ensure the preferred alternative or the selected alternative is consistent. It also sets up the base of the project in an environmental review and assists in pursuing the goals and what should occur to fulfill the long-term management option.

Ms. Gardner-Brown read the Draft Purpose and Need Statement. The draft was prepared based on the April goals that were identified during previous stakeholder meetings.

Ms. Gardner-Brown reported that water quality issues have created access restrictions to the lake. Returning access to historic levels would entail improving water quality as a key issue to resolve. The draft Purpose and Need statement recognizes the current issues are community use and the importance the community places on Capitol Lake, as well as the importance of meeting ecological goals that are required by state and federal law. The Technical Committee and the Executive Work Group were asked for feedback on the draft. Both groups offered suggestions. The primary feedback from the Executive Work Group recommended including a statement on sediment management with a heavier weighting, as well as to reflect the economics of the project. The Technical Committee wanted to ensure that the watershed approach is reflected in the statement and that the focus is on water quality and fish and wildlife habitat.

Ms. Gardner-Brown invited comments. The goal is to receive input and combine the input with feedback from the Technical Committee and the Executive Work Group.

Mr. Holman remarked that he was glad the sediment issue was mentioned. Tumwater Mayor Pete Kmet addressed sediment during the Executive Work Group meeting and CLIPA agrees sediment should be moved forward at least equivalent to any of the other issues facing Capitol Lake. He questioned language in the statement about water quality and the degraded conditions in Capitol Lake.

Ms. Gardner-Brown asked whether that speaks to one of the group's contentious issues surrounding third party review. Mr. Holman said in this case, no; however, he is hopeful that Lydia Wagner (ECY) would support his comments. CLIPA representatives have met with ECY as the TMDL progressed. ECY separated Capitol Lake and lower Budd Inlet from the upper watershed and is now looking at dissolved oxygen problems in Budd Inlet and no longer is examining bacteria and dissolved oxygen in Capitol Lake, which are the two water quality issues that have been referenced. Dissolved oxygen and bacteria are literally no longer a problem because in terms of bacteria, the issue has been corrected through 15 years of work by the community that should be recognized. He feels the lake is swimmable today in terms of bacteria counts and it has been for the last 15 years. In terms of dissolved oxygen, the lake now contains the highest level of dissolved oxygen anywhere in the Deschutes watershed. The whole idea that efforts need to reverse the degradation in Capitol Lake is not an issue to the extent that it was because it has been resolved. Although Budd Inlet still has some issues that ECY is currently working on, CLIPA has some questions and believes a third party should be included to help resolve those issues. Within Capitol Lake, CLIPA believes that water quality is just fine. That needs to be reflected in the statement to avoid continuing the false premise that Capitol Lake is degraded.

Lydia Wagner, ECY, clarified that Capitol Lake is included on the 303(d) list for phosphorous and bacteria. While it's accurate that ECY is not addressing those issues in the current TMDL process, ECY continues to address dissolved oxygen in Capitol Lake and how it relates to dissolved oxygen problems

in Budd Inlet. While Capitol Lake is not listed on the 303(d) list for dissolved oxygen, it doesn't mean it doesn't impact Budd Inlet.

Ms. Gardner-Brown commented on the continued opposing views of water quality issues in Capitol Lake. ECY is the legal steward of water resources in the state and has published documents that are included on the best available science list. Moving forward, development of a purpose and need statement that stipulates that any option would need to result in improvements to water quality would be a statement of preferable goals. Retaining the language, which is reflective of what the state resource manager had indicated is important, doesn't preclude an option from being selected, but rather it puts forward that the community, the Technical Committee, and the Executive Work Group have all indicated that water quality is important.

Mr. Holman affirmed his understanding of the comments but noted that the two primary points in the purpose and need statement deal with water quality in Capitol Lake and invasive species. As Ms. Wagner indicated, water quality in Capitol Lake is not an issue. Granted, there are things about Capitol Lake that may influence water quality downstream and those issues need to be resolved. However, water quality in Capitol Lake is not an issue. Likewise, invasive species are really not an issue as evidenced by the Department of Natural Resources (DNR), which operates a canoe launch site in Grays Harbor County in the presence of New Zealand Mud Snails. Throughout the western United States and the Great Lakes, New Zealand Mud Snails are managed and not quarantined. Capitol Lake is the only place in the country where mud snails are quarantined. To include those two issues at the beginning of the statement and then indicate they could drop off the table if they were found to not be an issue is a disservice. Sediment needs to be front and center. Information from previous graphs conveyed the main drivers and the two that were selected from the 12 are not that significant. Other issues included on the list should be moved forward, such as recreational, sediment, and other issues of importance to others, such as fish habitat. He questioned why the statement focuses only on two issues that are not that important.

Ms. Gardner-Brown said it appears the feedback recommends the Purpose and Need Statement should include sediment management as the primary focus. Mr. Holman replied that sediment should be high on the list. While not the only issue, it's an important one and it's not addressed in the draft statement.

Mr. Schundler said that this is one issue where he agrees with CLIPA. He thanked the group for informing him about the New Zealand Mud Snail. The GIS layer from USGS is indicative that mud snails are located throughout the country. There are three water body closures with two in California and Capitol Lake. This notion that the management decision equilibrium is based on the New Zealand Mud Snail is not based on best practices or anything in the charter of DES for serving the public and taxpayers. It was possible to have had a boat rental business on the lake last week. That should be pursued, but it's another issue. As this process takes time, there are many in the low-income sector who are suffering from the lack of tourism downtown. Businesses are closing all the time and the community really can't deal with it. In terms of the bubble (circles) on an earlier graph, quality of life should be the largest bubble, it is why the lake was created – to improve the quality of life. But things have changed since 1951 both in what people look for and what people find to be quality of life because their values and perspectives changed. People have weighed in on the issue in the Olympia public survey and that's best available science. It's all about quality of life and the question is what option creates the best quality of life? Secondly, what attracts the most funding to provide a good quality of life? It's important to know what funders are looking for and tailoring the solution to that. From what he's seen, it's a high ecological system function with an estuary, but he agrees with shifting the priorities. Additionally, the conclusion for the current management equilibrium is not accurate.

Ms. Gardner-Brown asked Mr. Schundler to follow up with her to ensure she has the right information. It appears Mr. Schundler agrees invasive species should not be reflected as an issue to resolve and that quality of life and economics need to be high on the list of goals.

Mr. Schundler said the statement indicates the need to improve water quality, which would restore and enhance the community's use of the resources. It speaks to the need to manage the boats more than invasive species because boats never leaving the lake are essentially a viable management strategy for the invasive species according to over 10 fish and wildlife experts at the state level across the country and the federal USGS. He has the data to support his comments as he has the GIS layers. Maintaining the closure of the lake is a very unique and isolated management option. Additionally, the placards surrounding Capitol Lake have not changed since 2011 and still list the Department of General Administration. It's not being managed well and that is more of a problem than water quality. The management entity is failing to manage the water body well. He cited the attendance to the community meetings and whether it's an effective process.

Mr. Peeler offered a different opinion about water quality in the lake than Mr. Holman's comments because he lives near a lake, which is much cleaner than Capitol Lake. People swim in his community's lake as there are no algae mats or high temperatures in the lake unlike all the conditions that occur in Capitol Lake. At the last Executive Work Group meeting and as mentioned earlier in the meeting, the focus should be the Capitol Lake basin including the south, middle, and north basins. Capitol Lake exists as part of an ecosystem that includes the Deschutes watershed, Budd Inlet, and South Puget Sound. That linkage needs to be included in the Purpose and Need Statement, which is part of the concern because if the lake is considered as a separate entity, which the architects did when they designed the lake, there is no consideration in how it exists as part of an ecosystem. He noted that he has specific comments on recommended language for the statement, as well as ideas on ecological functions and enhancing community use of the resources. Additionally, the middle paragraphs speak to human uses since 1951 but lacks uses predating the lake by fishing groups, tribes, and others. Many of those uses are required by state law. Mr. Peeler offered to provide his written comments at the conclusion of the meeting.

Bob Vadas said he provided information on a Capitol Lagoon idea, which requires additional work. The basis for indicating there is no water quality degradation in Capitol Lake is based on considering the body as a lake when in reality it houses many exotic species, lacks flow and tidal action, and the salinity has changed. Anytime there is the presence of exotic species, it's not difficult to point to water quality degradation. The entire idea of a hybrid approach is to create an option that is better than the current situation and would be more conducive to native species.

Mr. Burke said his comment pertains to bacteria because there is no proposal by ECY or others to address the issue. It's also important to consider solving the invasive species that exist either in freshwater or saltwater. The information lacks any kind of option to solve that problem which speaks to why the draft was presented. The information speaks to the New Zealand Mud Snail that thrives on dead algae. The USGS samples of the floor reflect a layer of algae on the top of the sediment. The question speaks to whether removing the algae layer would have any impact on the snails. Other than that, unless there is an option that was going to address the issue, he questioned whether it should be included on the list. The third missing issue is economics. Telling people in downtown Olympia that something planned for the lake will change the attractiveness index or make the lake look more like a small harbor will lead to objections as it speaks to the economic impacts. Additionally, the Port's activities should be

considered. Somewhere all this information should be plugged in. Whatever occurs will impact everyone creating an uprising in the community.

Bill McGregor, Port of Olympia Commissioner, reported that in 2009, the Port Commission passed a resolution that spoke to CLAMP's pending decision and concerns about the lack of analysis on sediment management. That was the focal point of the Port's input because sediment management is an important part of everything that happens on the Budd Inlet side of the dam. In conjunction with that, it is now known that cleanup needs to occur in Budd Inlet. With sediment traveling down Budd Inlet it covers existing sediment creating a situation where all the sediment must be disposed at an authorized site because it doesn't meet the requirements for open water disposal. Sediment is a very big concern to the Port, as well as those businesses on the Budd Inlet side of the dam.

Mr. Peeler added that there are nine invasive species in the Capitol Lake basin and not just the New Zealand Mud Snail. There are plants that are invasive and other animal species that are invasive as well. Most are present because it was turned into a freshwater environment when it should be an estuarine saline environment. He mentioned some material that he was recently given by an audience member that speaks to reducing sediment load to save millions. It's a two-page document developed by In Stream Conservation Restoring Endangered Fish and Watershed. Bob Dennis was the name of the person who provided the information. The information cites other hydrologists and experts for reducing sediment loads in watersheds similar to this watershed. He's unsure if the individual submitted the information to DES.

Ms. Martin verified DES received a copy and posted the information on the website.

Mr. Peeler said he's not endorsing the information as he doesn't know about the particulars of the information.

Ms. Gardner-Brown said it appears from the comments, the process needs to reconsider the relative value of the goals and that if additional goals are incorporated, sediment management would be included and it needs to be a higher priority, which is consistent with the feedback received from the Executive Work Group. Additionally, economics is an important and key component of any long-term management options. The next step is determining the best way to represent community uses at the appropriate level. The consultant team will continue to work on language to fairly represent water quality. The feedback will be reflected in the notes and the team will convey the feedback to its best ability in the drafts moving forward. She encouraged participants to submit any other feedback as the comment period closes at the end of day on June 30.

First Touch on Identification of Hybrid Options, Feedback from the Technical Committee and the Executive Work Group

Ms. Gardner-Brown reported on the directive to identify hybrid options for the long-term management of Capitol Lake. The proviso focuses on hybrid option management. A loose interpretation is maintaining a reflecting pool, which has been an integral part of downtown and the community, as well as restoring an estuary within the basin to a certain degree. The community was asked to provide any options or ideas for meeting the directive from the legislative proviso. Three primary options were previously identified. The effort will continue to accept any additional ideas for hybrid options. The community is encouraged to share ideas that could be part of a successful hybrid approach. Monitoring of input received to date has been ongoing with much support for some of the options that will be reviewed.

Tom Stewart asked whether a comparative analysis was completed of the ecological services provided by an estuary alternative versus a hybrid model.

Ms. Gardner-Brown said that as part of the Deschutes Estuary Feasibility Study under the Capitol Lake Adaptive Management Plan (CLAMP) process, DES and the team of stakeholders looked at the feasibility of an estuary option. A subcomponent of that work explored whether a hybrid is feasible. The study identified the alternative as “D” and looked at an alternative of an estuary. The study didn’t necessarily compare one to the other but it considered the feasibility of having that component of retaining a reflecting pool. That option is the Dual Basin option. The study had a main focus of whether an estuary was feasible but also considered whether a hybrid option was feasible. However, they were not compared.

Mr. Stewart referred to the Capitol Lake Alternatives Analysis. It’s important to be mindful of the total cost for implementing a dual basin alternative which was assessed to be 70% higher than implementing an estuary alternative. It’s important to consider the source of funding. He personally doesn’t see the point of filling in another freshwater basin and doesn’t want to develop infrastructure that would only perpetuate problems.

Ms. Gardner-Brown summarized Mr. Stewart’s comments for the benefit of some participants who could not hear the remarks. The question was whether a comparative study was completed between an estuary and a hybrid. The response spoke to the completion of a study of the feasibility of those options but that there was no comparison between the two options. Mr. Stewart’s comment spoke to the need for DES to be mindful of the potential additional cost of implementing a hybrid option, which in the 2009 report indicated it could be upwards of 70% more expensive than restoration of an estuary. The effort should not be focusing state resources on a hybrid when it may be perpetuating an existing problem. Mr. Stewart added that the 70% may only reflect the minimum cost associated with a hybrid option.

Mr. Burke said he reviewed all the costs on the options. All sediment to be removed from the lake was added to the sediment that would be removed from Puget Sound, which is toxic sediment incurring huge costs for disposal of sediment while in fact, Capitol Lake and the Deschutes River delivers topsoil to Capitol Lake that is very valuable and full of nitrogen and phosphorous. Mixing saltwater with the sediment would result in a different story. Don’t mix other pollutants with it. That’s what CLAMP did by combining all sediment and calculating the cost. The costs are not very realistic.

Ms. Gardner-Brown reviewed the three hybrid options. She reviewed an initial document originally released and withdrawn because it was ineffective. She invited comments on the hybrid options and any additional ideas that could be added to any of the options.

The Dual Basin option is from the Deschutes Estuary Feasibility Study. Under the option, the 5th Avenue Bridge and dam is expanded by 500 feet to allow tidal influx into and out of the lake. Tidal action would restore the estuary on the western side of the basin. The key to the option is a sheet pile containment wall installed at the centerline of the existing reflecting pool separating the estuary from the reflecting pool. Before the basin is opened by 500 feet, dredging would occur in Capitol Lake with the sediment removed. The containment wall would also include a pedestrian walkway to continue the walking path around the lake.

The second option is the Dual Estuary/Lake Idea (DELI) and is similar to the Dual Basin option while incorporating a slightly larger reflecting pool. The biggest difference between the options is the reflecting pool would be constructed as a rock containment wall rather than sheet pile wall and it would

be a freshwater lake fed by groundwater instead of a saltwater-fed lake as proposed in the Dual Basin option. The option would address the opening of the tidal gate similarly and a pedestrian walkway would be constructed on the centerline containment with public use encouraged.

The final option is the Percival Creek Rechanneling and Salmon Habitat Rehabilitation Plan. The option is different than the first two options but does include a reflecting pool. The option improves habitat and rechannels an existing creek to increase salmon habitat in the Capitol Lake basin. The option removes existing fish barriers for fish migration and bypasses the existing dam to allow tidal flow. The primary approach for sediment management would include routine maintenance dredging of the middle and north basins. Capitol Lake would be open to public swimming and boating. The hybrid option retains the south, middle, and north basins and enhances salmon habitat by rechanneling an existing stream and allowing the stream to be unobstructed to Budd Inlet.

The community provided input on a Capitol Lagoon option. The lake would be lowered in the winter to allow saltwater influx to the lake. Additionally, another idea was submitted similar to the DELI option.

Mr. Vadas commented that the basic difference of the Capitol Lagoon option from the other hybrid approaches is that the option is not a spatial hybrid but rather it's based on the idea of having any estuary in winter and a brackish lake in the summer. The idea is to retain the lake when the bats use the lake. Brackish water is conducive to different species and the types of foods bats feed on. It's also based on the idea that across the Pacific Coast of the U.S. there are many streams closed up during the summer because of insufficient flow from saltwater and freshwater sources creating conditions that are more manageable. The option is different than previous saltwater flushing performed in the summer. The option is seasonally appropriate for saltwater flushing.

Director Liu inquired as to whether the option was submitted to DES. Mr. Vadas said he submitted the option as a newsletter article that was provided to Ms. Martin. He plans to expand on the option. Ms. Gardner-Brown added that the option is included in the meeting materials.

Mr. Burke reported on his submittal of a hybrid option approximately one week ago but believes it was misfiled. His option considers the Capitol Lake problem as a nutrient problem as nutrients travel down Deschutes River. Capitol Lake is similar to a 260-acre farm with an abundance of nutrients with sunlight and water producing tremendous crops. Unfortunately, crops are sucked into Budd Inlet leading to bacteria problems. Based on all the problems of fluctuating pHs and low dissolved oxygen in Capitol Lake and in Budd Inlet, it evolves around nutrients, which are attached to the sediment. Even ECY recognized that phosphorous, which is a limiting constituent, is closely associated with the solids. This proposal is basically two elements of removing sediment continuously from Capitol Lake that is coming down the Deschutes River. With permanent installation, it's possible to continuously pull out fine sediment that includes phosphorus. It would entail discharging to various kinds of devices to dewater the sediment to produce topsoil that could be sold. The second element is soluble nutrients. The proposal is nutrient harvesting by installing harvesting equipment on the lake adjacent to the railroad bridge. Models have been developed of the process. The process entails growing bacteria to consume the nutrients. Bacteria have an advantage over organisms living in the lake. Bacteria would grow on disks that are harvested continuously with the nutrients. The harvested nutrients are removed by vacuum collection, concentrated, and anaerobically digested to produce renewable energy or biofuel. The nitrogen and phosphorous are recovered as inorganic nutrients that could be sold to organic farmers who need the product because of the inability to get the necessary nitrogen they need. The cost is known as it would entail constructing a way of harvesting nutrients from the lake. The option is not a wild dream. The idea is to harvest organisms that are cultured and removing nutrients for some other productive purposes.

Ms. Gardner-Brown acknowledged that Mr. Burke recently submitted an update on the option. The consultant team interpreted the approach as a potential component of any of the options. She asked whether that would be an appropriate characterization of the proposal. Mr. Burke advised that the proposal is a stand-alone option or it could be part of the other options. The proposal represents the ability to economically remove soluble nutrients, which are the crux of the problem and to harvest those nutrients. The proposal speaks to competitive organisms. It also may involve dredging Capitol Lake. He added that the CLAMP proposal on dredging was way out of line.

Ms. Gardner-Brown asked whether the removal of soluble nutrients is a component of a managed lake option. Mr. Burke affirmed it is a component of a management lake option. The lake has a sediment problem and a soluble nutrient problem which leads to dissolved oxygen.

Robert Jensen said he resides in Lacey and served as the Assistant Attorney General for the Department of Ecology during the formative years of the Shoreline Management Act. He defended the Shoreline Management Act in court over a period of 10 years. He appeared in numerous appellate courts, and the State Supreme Court in defense of that Act. That Act has been sustained by the court in all cases he was involved in. In 1992, he was appointed by Governor Gardner to serve on the Pollution Control and Shorelines Hearings Board. Those boards hear environmental disputes in the state. With that background, he is presenting his issue. He believes there is only one solution based on law. The Shoreline Management Act was passed in 1971 as a statewide initiative – not a local ordinance or a regional county ordinance. It was a statewide initiative not passed by the Legislature. It went through the Legislature as two alternatives. The people voted on the Shoreline Management Act as it exists today. The Capitol Lake Dam was constructed in 1951, 20 years prior to the Shoreline Management Act. This is the problem. In June 2015, he wrote a letter to *The Olympian* calling for removal of the Capitol Lake Dam on the basis of the policies of the Shoreline Management Act. It was published on June 28. A copy of the letter is attached to his statement as Appendix A. He cited a conclusion within the letter. River estuaries are among the most productive natural habitats in the world. Restoration of the Deschutes Estuary including the confluence of Percival Creek and the Deschutes River is more consistent with the environmental policies of the Shoreline Management Act than continual dredging of the Deschutes River in order to maintain an artificial lake. The policies of the Shoreline Management Act are broad and are deliberately construed to give full effect of the objectives and purposes for which the Act was enacted. These guiding policies are set forth in RCW 90.58.020. The first section of the statute states, “The Legislature finds that the shorelines of the state are among the most valuable and fragile of its natural resources and that there are grave concerns throughout the state relating to their utilization, protection, restoration, and preservation.” It’s interesting to know that utilization was included as it was for a reason, as the public has the right to use the waters of the state, which is the basis of the Shoreline Management Act. Also note that protection, restoration, and preservation are the most important and they are not being followed today in trying to restore Capitol Lake, unfortunately. He swam in Capitol Lake at one time, but would never do it again not because it’s polluted, but because he no longer lives near the lake and wouldn’t probably go into the lake because he believes a bad decision was made originally, not intentionally, but unwittingly by people who were not subject to these policies that are now in effect and are state law. They are mandated, and unfortunately he sees no mention of the Shoreline Management Act in the Draft Purpose and Need Statement. That is a serious omission. If that had been included and if that was the mindset of people making those decisions, it might be easier to come to a decision because this case will not go forward unless the estuary is restored. The policies of the Act apply to all development on the shorelines of the state. The definition states, “A use consisting of a construction or exterior alteration of structures, dredging, drilling, dumping, filling, removal of any sand, gravel, or minerals, bulkhead, driving a piling, placing of obstructions, or any project of permanent or temporary

nature which interferes with the normal public use of the surfaces of the waters overlying lands subject to this chapter in any stated water level.” Most of those development terms apply to this project if Capitol Lake is restored. The dam is the obstruction and removal of it is the opposite and it would allow the materials that have been dredged in the past from the Deschutes River spoils and sediment to flush naturally into Puget Sound, which is what the people wanted when they passed the Shoreline Management Act. It’s not the citizens of Olympia who made that decision, it was the public in the State of Washington. When speaking about a community, it’s important to ask who is being served. He read the presentation on needs and all that and he read about the regional community. He questioned who the regional community is because it sounds like it’s the City of Olympia and people who use Capitol Lake. It doesn’t sound to him like it means the people in the county or in the state who would come to visit and utilize this valuable natural resource. Yet, everyone sits at the meeting going through plans trying to retrofit the lake to satisfy policies which don’t fit. He is reminded of the situation of the culverts and the dams. Recently, a decision was released from the 9th Court of Appeals affirming that the law in the state dictates the removal of culverts in streams that inhibit the passage of salmon to its natural habitat. That’s a costly proposition. Now, because of the court decision, action must occur. He questioned what would happen in this circumstance as the Deschutes River has already been dammed. The analogy is the removal of the dam as to whatever extent the salmon use the estuary, they are being deprived of it and the same logic applies as it applies to the culverts. He cited the Snake River dams as another analogy as they are in the process of losing utilities and the courts have ruled on the failed attempts to retrofit those dams to accommodate salmon, which are becoming extinct. The dams were built in 1970 and today its 2016. He questioned how long will it go on in Capitol Lake where we will continue fighting going upstream without a paddle and instead let go and let the waters flow. He doubts that Capitol Lake and the dam, if proposed today, would ever pass muster under the Shoreline Management Act. Conversely, he doesn’t think restoration of Capitol Lake would pass master if it was coming under the Shoreline Management Act as it’s impossible and can’t be done and it would cost a lot of money and eventually would be back to the same point again if we keep going down this trail. He feels that at some point in the process, he had to speak up because of his background. He invited questions.

Ms. Gardner-Brown acknowledged receiving a copy of the information, which has been entered into the record.

Skip McConkey reminded Mr. Jensen that there were no salmon in the Deschutes River. He was there and helped net the first one that was carried behind his farm on the Deschutes. He grew up along the Deschutes about one mile from the falls on 125 acres his grandmother purchased. When the Native Americans wanted their rights to fishing, there were no salmon in the river. The Fire Chief and the Chief of the Olympia Police Department belonged to the salmon club and put smolts in the river. He has done that on the Hood Canal and watched them return. He was down in the water with a net and caught big salmon at night. He used to dive for the Department of Fisheries when they drained the lake and washed out all the scrap bait. He’s knows a bit about the history and the WDFW put the fish ladder on Percival Creek. He also had the plans when he demolished the Mottman house and many other homes during the clearing of land for a canal. It would only be 35 miles from Black Lake to go through rather than over 300 miles to go around. A canal could have been constructed with water gates. He had the plans with a group of Olympians who worked on it but it didn’t go through. Additionally, they also had plans for a vacuum line or a suction line from Summit Lake. He knows about the area as his grandfather bought land near Capitol Lake and knows about the salmon run – there were none.

Mr. Holman said this is the first time he had heard about the Shoreline Management Act. He asked when the Act was approved. Mr. Jensen replied that it was approved in 1971. Mr. Holman said if the Act was approved in 1971 and the dam was constructed in 1951, the proposal suggests going back in time and

resurrecting previous conditions. However, the issue is not about restoring Capitol Lake as Capitol Lake already exists. It might be about restoring an estuary but not restoring Capitol Lake because it already exists. If it's appropriate to go back from 1972 to 1951 to correct past sins, he questioned going back further and tearing out LOTT because it is sitting on sediment that was dredged and placed in that area. He questioned whether the new City Hall should be torn down because it's in an area that was previously a part of Budd Inlet. It is built on fill. He questioned how far back the process should go to correct these past problems. Do we want to go back to 1850?

Mr. Jensen said that the suggestion in terms of today is that we are attempting to go back and reapprove Capitol Lake dam by cleaning up the lake and making it swimmable again and making it cleaner. It's all an attempt to replace or maintain an artificial lake where it is a natural estuary. The Shoreline Management Act prefers the natural estuary and the natural shoreline as opposed to an artificial lake. So any permit that is obtained, for instance if someone is going to apply for a permit to dredge that area, it probably wouldn't be issued. Why? Because to obtain the permit, it's necessary to receive approval under the Shoreline Management Act, Coastal Zone Management Act, and the Tribe has to approve it. It's not going to happen until we get to the point and say okay there is no use fighting it and wasting money and continuing this continual study to try and preserve an artificial resource where the people spoke in 1971 and said they want natural resources.

Helen Wheatley commented that the Clean Water Act was passed and the lake violates the Act. As ECY has shown, by far the best way to comply with the Clean Water Act is to remove the dam. ECY has illustrated that and therefore because the Clean Water Act was passed it's necessary to take actions to achieve compliance with the Act. She addressed the issue of the lake being an issue of concern to the entire state and not just locally. The Washington State Democrats at its convention passed a resolution calling for removal of the dam as part of its environmental platform. That was a pretty clear expression of the importance of the issue to the democrats in the State in the Washington.

Mr. Schundler said one more thing that has happened between the creation of Capitol Lake and today is the so-called fish wars or the Native American Tribal civil rights movement, which happened on the steps of Capitol Lake. Marlon Brandon was there. Olympia is the capital city for the state and the question is what values we have as a state going forward and what does the lake represent. It is a mirror to what? That building, if it was built today, would cost \$1 billion, which is three times the estimated cost of the Elwha River restoration. He questioned the values of the previous, current and future generations. This issue is what the capital city should represent with a decision. He questioned whether the process is looking backwards or looking forward, as well as understanding the historical context of the extraction economy of driving native people from their land, wholesale logging, and extracting every resource in sight to buy marble to build a building and then appropriate funds to build a mirror. It literally is a symbol of the unhealthiness of the entire society – the materialization, the vanity, the control of nature whether it's the Mississippi, Louisiana Delta, or the Hudson River. All over this country there is an era where we thought we could engineer the future. His generation is unable to pay for it because the price of steel, concrete, and every global commodity that is projected to go up in the future. We can't deal with that and we need to think about what will be the lowest cost in the long-run in terms of the Port of Olympia and all those things.

Dayle Smith said she lives near the capital and views the issue as a neighborhood issue and as a state issue because she is very aware that Olympia is the capital city. She supports having both the estuary and a swimming place downtown. It's already well structured to accommodate that, as water is present. It would entail examining the cost and identifying the entity responsible for maintaining the structure. She said the hybrid option is a great idea as the estuary has to be restored. Now is the time to do it.

For the benefit of the audience, Ms. Gardner-Brown described the comments offered by Ms. Smith.

Mr. Burke said that we live in an era of sustainability. Sustainability is the critical issue. Phosphorous is one the few minerals that is limited in the world. Going down the Deschutes River, there are massive quantities of phosphorous used for growing algae, which kills Budd Inlet or creates dissolved oxygen. That phosphorous keeps going down Puget Sound creating algae blooms along the entire West Coast. If anything, the efforts should be reclaiming that phosphorous. Someday, somebody will be here trying to derive the phosphorus from the sediments because there is a limited supply and costs are increasing. He questioned why the area should let phosphorous travel down and not remove it from the waste streams as well as upstream.

Another unidentified participant said the ocean needs phosphorous. Mr. Burke said the ocean needs phosphorus perhaps on the continental shelf, but in terms of existing phosphorous, there is too much phosphorus, which is why there are algae blooms.

Ms. Smith asked what phosphorus is. Mr. Burke said phosphorus is a chemical element and an essential element for food. The existence of mammals cannot exist without phosphorus because it's an essential element.

Ms. Wheatley said there is no real historical basis for the dual basin option. There have been pictures displayed of the Olmsted Brothers so-called plan for a dual basin, which was actually a way to run a road as it was not about building a pond. That is an important aspect to understand. The historical record doesn't speak to creating a reflecting pool. There was some discussion about creating a lake, but never a reflecting pool. Reflecting pools in the original plan for the capital were similar to the reflecting pool in Washington, D.C. This idea of a dual basin is an entirely new idea. It is not in any way historical.

Ms. Gardner-Brown agreed as the dual basin is a product of the CLAMP process in 2009.

Mr. McConkey commented on the benefits of learning about phosphorus because when the brewery began production of beer again he was first in line to receive brewery molt to feed his cows. After the feedings, he showed them all the phosphorus that ran out of the back of the barn and into the Deschutes River, which is where all farmers deposited their phosphorous.

Open House for Written Input and Material Review

Ms. Gardner-Brown thanked participants for attending. The next meeting on July 27 will include a review of revised materials for the hybrid options

Adjournment

With there being no further business, Ms. Gardner-Brown adjourned the meeting at 7:30 p.m.



CAPITOL LAKE/LOWER DESCHUTES WATERSHED COMMUNITY MEETING

**Jefferson Building
Conference Room 1213
1500 Jefferson Street
Olympia, Washington 98504
July 27, 2016
5:30 p.m.**

Meeting Minutes

DES STAFF MEMBERS PRESENT:

Bob Covington, Deputy Director
Carrie Martin, Asset Manager

Ann Sweeny, Special Assistant
Curt Hart, Communications Director

MEETING PRESENTERS:

Tessa Gardner-Brown, Floyd|Snider

OTHERS PRESENT:

Jewel Goddard, Citizen
Greg Schundler, Citizen
Valerie Gow, Puget Sound Meeting Services
Dennis Burke, Citizen
Rosemary Gilman, Citizen
Steve Shanewise, DELI
Mark Dahlen, Citizen
Keith Dublanica, GSRO/RCO

Sue Patnude, DERT
Robert Holman, CLIPA
Dave Peeler, DERT
Dominick Reale
Karuno Johnson, Citizen
Bob Wubbena, CLIPA
Roger Burgher, Martin Marina

Introductions, Meeting Purpose, Meeting Format, Ground Rules, and Community Role

Deputy Director Bob Covington, Department of Enterprise Services (DES), convened the meeting at 5:41 p.m. and welcomed everyone to the community meeting on Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning.

Deputy Director Covington reviewed the meeting agenda:

- Second Touch on Draft Purpose and Need Statement and Overview of Input Received
- Second Touch on Identification of Hybrid Options and Overview of Input Received
- First Touch on Review of Existing and Hybrid Options
 - Feedback from the Technical Committee and Executive Work Group
 - Discuss Consistency with Goals
 - Identification of Data Gaps
 - Brainstorm Components of Options

Deputy Director Covington advised that the next community meeting would be in October. No August meetings are planned.

Second Touch on Draft Purpose and Need Statement and Overview of Input Received

Tessa Gardner-Brown, Floyd|Snider, reviewed changes to the draft Purpose and Need Statement based on feedback from the Technical Committee and the Executive Work Group. The rationale for developing a

Purpose and Need Statement now is to take the goals and objectives developed during initial meetings and translate the information into a statement that can be ready to use during a future environmental review. The Executive Work Group reviewed the statement and recommended including more context, which had been previously included in an earlier draft, but removed based on feedback from the Technical Committee. Ms. Gardner-Brown reviewed the revised Draft Purpose and Need Statement.

Ms. Gardner-Brown added that the draft doesn't speak directly to the "Capitol Lake" but rather it reflects a watershed approach based on consistent comments that the system is interconnected.

Ms. Gardner-Brown invited comments on the draft statement.

Dennis Burke commented that "nutrients" are lacking in the statement, as nutrients are the crux of the problem. Although sediment carries nutrients, the key element is nutrients, which promote plant growth causing low dissolved oxygen. He asserted that "nutrients" should be included in the statement; otherwise, it doesn't acknowledge the problem.

Ms. Gardner-Brown explained that the approach for the Purpose and Need Statement is a high level statement to form the basis for the detailed environmental analysis. The statement speaks broadly to improving water quality in terms of nutrients and phosphorous but doesn't contain the finer details.

Mr. Burke replied that the statement is slanted because it speaks to sediment, which is extremely important but not the solution to the problem. Sediment management is a partial solution to the problem. It's important that the statement speak to the heart of the problem. Secondly, he would like to see language that speaks to maximizing the benefits of the resource. The resource is not defined and perhaps some descriptive language should be included to define the resource. Sediment is a resource; however, sediment must be factored in many different ways. Freshwater sediment near I-5 could be extracted and developed into good topsoil, which would have tremendous value, but it depreciates as it travels to the lake and accumulates toxic materials and loses value. When saltwater intermingles with sediment, the value is significantly comprised. The addition of Budd Inlet toxins creates sediment with a liability. There should be some language addressing the value of sediment. The goal should be maximizing the value of the resources, i.e., recreational or fixed assets (sediment). It could help to significantly lower costs. For example, the state wastes tons of paper each day, which is a tremendous disposal cost. It's impossible to generate renewable energy in terms of anaerobic digestion without nutrients. Blending the nutrients with other waste generated by the state could produce a tremendous economic stream. Language should be included about increasing the economic value of these resources and making choices based on those values. It's important to make choices that would maximize the economic benefit and significantly reduce costs.

Ms. Gardner-Brown said it appears the recommendation includes two issues of ensuring the statement reflects nutrients, as well as acknowledging that the resources can provide economic benefits, such as potential economic benefits of nutrient harvesting.

Mr. Burke noted there are many resources from nutrients, sediment, and recreation that could produce economic benefits to the community.

Dave Peeler, Deschutes Estuary Restoration Team (DERT), said he believes the three paragraphs within the Purpose and Need Statement are well written and flow nicely. However, there were some conflicting comments by the Executive Work Group at its last meeting with one member's comment to delete

“restore” while another member preferred retaining “restoration.” DERT supports retaining “restoration” because much restoration is needed. There are efforts by the state and local governments on a number of water quality concerns upstream, including sediment. He suggested the statement should reflect those other efforts and plans to help reduce sediment loading down the river from erosion. Additionally, it might be helpful to differentiate between passive and active recreation uses within the second paragraph of the statement. Many people often have difficulty understanding passive uses. Passive uses include walking around the lake and aesthetically viewing the resource but it doesn’t include actively engaging with the resource, such as fishing, sailing, and boating. Many people confuse active and passive uses of the resource, both of which can have economic value.

Ms. Gardner-Brown agreed that noting the difference between passive and active use is a good suggestion in terms of recreation from a public use and activity perspective, as well as water quality, which considers primary use and secondary use. The suggestion is consistent with the other additional goals.

Sue Patnude said the language in the second paragraph referencing water draw-down and back-flushing control lacks any mention to chemicals that were used in the early 2000s to control milfoil. Chemical use might be additional information to include in the statement. In terms of economic value, a strong ecosystem service value should be considered. Sediment may be difficult to address, but it’s also important for tidal and salt marsh formation and carbon sequestration. The statement should include language addressing ecosystem service values.

Ms. Gardner-Brown asked whether ecosystem service value could be represented regardless of the selected long-term management option. Ms. Patnude affirmed that it would be important to reflect regardless of the option.

Bob Holman remarked that Commissioner Downing also pointed out the importance of sediment and suggested it should be included within the first sentence. He agreed with that suggestion. In fact, the inclusion of sediment within the second sentence of the first paragraph tends to reflect more of an afterthought. One of the discussions pointed out how the Proviso doesn’t directly address sediment. However, sediment is a reality that must be addressed regardless of whether it was addressed by the Proviso. Sediment is first and foremost while invasive species relative to sediment management are lower on the list because of its impact on the system. Most of the invasive species have self-corrected and the New Zealand mud snails are not as serious as reported. Including sediment as one of the key elements is important. Secondly, Commissioner Wolfe spoke to reintroducing the original second paragraph to provide historical context with respect to what’s occurred on the lake. He supported that suggestion as well.

Ms. Gardner-Brown concurred about the importance of sediment management. The team can continue to review the first two sentences. Additionally, the connection between sediment and eradication of the invasive species speaks to the way language is structured in the second to last sentence in the statement, which can also be reviewed by the team.

Steve Shanewise pointed out that language at the end of the second paragraph is conflicting because it speaks to Capitol Lake continuing to be an important recreational resource while the presence of invasive species resulted in the official closure of all public uses in 2009. The use of the waterbody continues to be restricted today and conflicts with the second paragraph. He questioned how the lake could an important recreational resource if it’s completely closed for recreational access.

Ms. Gardner-Brown said the issue speaks to Mr. Peeler's suggestion that there are two different types of recreational uses with passive uses associated with walking around the lake, birding, and picnicking, which are still active, and primary uses that touch the water, such as boating or swimming, which are restricted. She offered to review the draft to clarify. Mr. Shanewise recommended revising the sentence to state, "Capitol Lake continues to be an important regional and passive recreational resource." The second to the last sentence in the second paragraph could also be revised to reflect, "The presence of invasive species resulted in official closure to all active recreational uses." Ms. Gardner-Brown agreed the suggestion was a good clarification.

Ms. Patnude noted Mr. Shanewise's comments are important as the statement leads to an Environmental Impact Statement (EIS) process. Only facts should be included in the Purpose and Need Statement. Any language that doctors the statement shouldn't be the focus. Passive and active recreational and invasive species are all important and should be addressed in the Purpose and Need Statement.

Ms. Gardner-Brown invited everyone to review the statement to ascertain whether all important issues are reflected and submit written suggestions by the close of business on July 28. The team reads all comments and strives to ensure the statement is reflective of a consensus.

Mr. Holman remarked that since the lake is closed today, it doesn't negate the lake as a resource. The lake has been a resource in the past and could be in the future for swimming, boating, and all in-water activities, as well as for passive activities. It wouldn't be inconsistent to indicate that the lake is a recreational resource. Invasive species will be present regardless of the management option selected. It's important to correct all species problems today, as those activities are not dependent upon the selection of a long-term option. He encouraged the team not to consider invasive species as the criteria for which option would be selected, but it should be included as criteria for improving the water body.

Mr. Burke echoed similar comments. The choice of words could weigh in favor of one option versus another. For instance, passive recreation could weigh heavily on the options of walking around the lake or estuary while active recreation could weigh towards maintaining the lake for boating and fishing. He suggested not including a selection and retaining only "recreation." The key is maximizing the benefit of recreational uses in terms of the economic value.

Ms. Gardner-Brown said the conversation surrounding passive versus active and the characterization of the recreation has been an interesting issue. Feedback from the Executive Work Group, as well as the input from this review will help the team when revising the document.

Second Touch on Identification of Hybrid Options and Overview of Input Received

Ms. Gardner-Brown reviewed the materials and changes since the first touch. A graphic of an overview of existing long-term management options for Capitol Lake as a product of the Capitol Lake Adaptive Management Plan (CLAMP) process or identified recently by the community was shared with attendees. The intent of the Proviso is to identify hybrid options. The graphic is an overview providing a high level snapshot of the various options. The options include:

- Dual Basin Option developed from the CLAMP process or Alternative D in the Deschutes Estuary Feasibility Study
- Dual Estuary/Lake Idea (DELI) proposed by a community member. The primary difference is the size and the structure around the reflecting pool. The reflecting pool is larger at approximately 48 acres compared to 39 acres in the Dual Basin Option. The separation between the pool and the estuary is different with a freshwater reflecting pool compared to a saltwater reflecting pool. The

approach for sediment management is different. The team received several other options that are similar to the DELI Option with variations. Those options may be reflected in a larger scale, in the second touch material package.

An additional sheet supplemental to the hybrid options reflects the existing options, as well as a managed lake sub-option. The Managed Lake and the Restored Estuary options were identified during the CLAMP process. The Restored Estuary option was developed by both the CLAMP process and the Deschutes Estuary Feasibility Study. The Managed Lake Sub-Option: Percival Creek Rechanneling and Salmon Habitat Rehabilitation Plan was categorized as a sub-option because it encapsulates the Managed Lake option but it adds an addition of a rechanneled Percival Creek and proposes a new streambed west of the relocated Deschutes Parkway.

A variation to the Restored Estuary and the Managed Lake option were submitted as high level comments and are included as Notes #3 and #4. Note #3 is a conceptual variation of the Restored Estuary option and includes active sediment management through installation of an adjustable weir at the north end of the South Basin. The weir would capture sediment upstream of Budd Inlet and could be coupled with downstream maintenance dredging and installation of infrastructure, such as a jetty, to minimize sediment deposition near Port facilities. The option was proposed by a member of the Executive Work Group.

Another concept is the Managed Lake Sub-option provided through public comments. The option fills part of the existing lake to create a greater park resource.

Many of the conceptual ideas included in the notes were from brief comments submitted by the public. The options have not been through technical analysis or examined for permitting feasibility.

Bob Wubbena, CLIPA, reported he attended the last Executive Work Group meeting. Several members attempted to put a level of evaluation and detail behind the various options. He complimented Ms. Gardner-Brown on how she handled the discussion. The CLIPA Capitol Lake Sub-Option uses all the same technical data that the CLAMP used during its process. CLIPA also had an extensive team of professionals who advanced the concept to the next level. There is no question about the level of detail that was analyzed during that process. He recognized that some of the other sub-options for hybrids are concepts that likely didn't have the same level of analysis. One way to assist everyone in understanding is by considering that only two viable options exist: either leaving the dam or removing the dam. All other comments associated with those options are essentially a design consideration for each option. The estuary option removes the dam with all other elements becoming sub-options. The state's studies completed by the CLAMP process speak to the same amount of background information. When CLAMP recommended the two concepts, a small group of people arrived at a recommended strategy for the Estuary and the Managed Lake option from the same studies that CLIPA used in its recommendation. The EIS would review all sub-elements to avoid environmental and economic impacts or enhance recreation. He suggested the consultant team should consider separating the two options of either retaining or removing the dam and the sub-elements of both. The CLAMP Managed Lake is a hybrid of the technical data produced by the CLAMP process. That's what creates confusion for many people. Consequently, some of the ideas included as notes may have been documented as part of the state-funded study, but never brought forward. The entire terminology of hybrid options creates a nomenclature that isn't defined. He suggested formatting the information by either retaining or removing the dam options, as the final documentation of cost between the two options is the huge cost of infrastructure necessary for either removing or retaining the dam, as many of the sub-options are essentially environmental considerations.

Ms. Gardner-Brown acknowledged the interesting point of representing the hybrid as a sub-option to a restored estuary. The comments appear to be consistent with the directive in the Proviso. The hybrid option in terms of how the executives perceive the alternative is the marrying or the combination of the reflecting pool and restoration of the pre-existing resource. She noted that the reference to the data and analysis addresses other points. During the Executive Work Group meeting, the same materials were reviewed with feedback on restructuring the presentation of the materials so that those options and conclusions preliminarily reviewed that received an extra level of analysis are presented together. That essentially would include the Managed Lake, Restored Estuary, and the Dual Basin options as one set of options that have been truth-checked and more information is available on the options than the options that were derived during the initial review of ideas incorporated within the other options. It's likely the consultant team will restructure the information, as it's important to identify that the conclusions by CLAMP are important to advance and shouldn't be ignored.

Mr. Wubbena said his comments have been misunderstood, as his intent was that the CLAMP options that were put forward were selected by a small group and were never approved by anyone other than the CLAMP Steering Committee. Those options should have no more standing than the CLIPA Managed Lake option because the CLIPA team completed as much or more analysis than the CLAMP process. The work by CLIPA is the same data that CLAMP used. Additionally, CLIPA utilized the Corps of Engineers work completed after the CLAMP process, which was a study completed in 2012. That information provided much more data, and from that standpoint, CLIPA data have more analysis than CLAMP data. Providing the CLAMP options with any more standing has no basis other than for a few people's opinions.

Ms. Gardner-Brown apologized for misunderstanding. Mr. Wubbena replied that CLIPA did not use CLAMP data but rather data from the state study because there is a difference.

Dominick Reale said there are many people interested in trying to restore Capitol Lake to the estuary that it once was. Many people who consider themselves environmentalists automatically assume that returning a resource to its pre-Columbus state would benefit the environment. However, he's seen evidence to the contrary in the form of ducks. When visiting Capitol Lake in the winter, he counted 3,000 or more ducks in Capitol Lake. The ducks are feeding, diving, and moving around within the system and are obviously finding what they need to eat whether its vegetation, fish, or mud snails. Whatever it is, the notion that returning it back to its original state is an environmental plus and everyone would be relieved of any responsibility to consider baseline conditions, is in error. The SEPA and NEPA process must consider baseline conditions. He would like to protect the ducks and would like the situation that exists with Capitol Lake as a shallow, freshwater lake next to a flyway as more important environmentally than many acres of mud flats. The idea of an estuary sounds good because many estuaries are good, but many estuaries in the South Sound tend to drain to nothing more than a channel and don't have holding water or provide much holding habitat for the creatures that everyone is hoping to save in the estuary. The result is a mud flat with nothing but algae. The snails are invasive and everyone wants to get rid of them, but it would be very difficult to do. Invasive species are difficult to eradicate. It likely could be proven that humans have done more damage than the snails and are likely harder to get rid of. Therefore, it's necessary to consider the draconian measures to take to try and eradicate snails and the toil it would take on the environment. Dr. Milne offered the idea that Capitol Lake is a treatment unit for many of the ailments flushing down the Deschutes River, such as sediments and solids and perhaps chemical and biological degradation of nitrates and phosphates. The Department of Ecology's study models dissolved oxygen that would be expected with or without the dam. The worst case scenario of a few numbers of a three-dimensional pixels model reflecting a higher dissolved oxygen limit speaks to a very weak case, as it doesn't reveal much and indicates that it isn't a strong phenomenon that's measured and doesn't amount to much. He questioned

whether the study really looked at the amount of sediment that would flush out if the dam was breached. However, it would lower dissolved oxygen considerably.

Ms. Gardner-Brown referred to written comments submitted on the wintering and feeding of ducks in Capitol Lake. The consultant team reviewed and considered those comments. The consultant team also agrees that the baseline should be considered. Ms. Gardner-Brown said her work history includes SEPA/NEPA environmental analysis. She worked on projects and understands the importance of considering a baseline. The baseline provides the method for analyzing conditions and changes, which would be completed as part of the SEPA analysis. The Proviso does not specifically call for an effort to study baseline conditions, but it would be completed in the future Phase 2 process as part of the EIS process. In terms of the estuary and holding water, the Deschutes Estuary Feasibility Study concluded that 75% of the time, the area currently occupied by the reflecting pool would maintain a reflecting pool through tidal action. The Deschutes Feasibility Study Cost and Design Estimate that provided this information was issued in 2007. The primary author is Moffatt & Nichol. The Technical Committee has discussed the eradication of the mud snail. The Department of Fish and Wildlife is a member of the Technical Committee. During the meetings, WDFW members have conveyed that any management option would include eradication of the mud snail. The information has been included in the graphics as a Note stating that there will be efforts to eradicate the New Zealand mud snail, as well as a footnote that clarifies the step is a key option to any of the management components by the coordinating official from WDFW.

Mr. Reale asserted that it might not be feasible. Ms. Gardner-Brown said she's uncertain as to the answer but the issue would be included as a work item.

Mr. Burke pointed out that there is no discussion of nutrient harvesting. He presented over 40 pages of detailed analysis and cost estimates and it appears to have disappeared. Ms. Gardner-Brown replied that the consultant team prepared another table of information. The intent of the table is to document other elements that could be applied to any or all of the options to increase consistency with project goals. Nutrient harvesting is listed as an option that could be considered for any of the alternatives. The note specifically identifies how nutrient harvesting would improve water quality and ecological functions within the watershed. The consultant team agreed the proposal should be further reviewed.

Jewel Goddard commented on the process of public comment and public input. He suggested the process would likely want to reflect involvement by the wider community. He encountered great difficulty in finding the location of the first meeting he attended. Most public meetings are held at the Olympia Community Center. He expressed appreciation for the work completed but wanted to comment on the process. He recommended advertising the meeting so the public is informed about the meeting and the location. He only learned about the meeting from another individual who is involved. Using public input or public comments for this particular process could be considered a sham. It's likely the effort would want to involve the public.

Ms. Gardner-Brown agreed public involvement is important. During the development of the process, key stakeholder groups were identified for equal standing. Those groups include the Executive Work Group, Technical Committee, and community stakeholders. The Executive Work Group is comprised of representatives from the City of Olympia, City of Tumwater, Thurston County, Port of Olympia, and the Squaxin Island Tribe. The Technical Committee additionally includes staff from the Department of Ecology, WDFW, and the Department of Natural Resources. All members were encouraged to post information on agency websites. Many of the agencies include links on their respective websites to help publicize the effort. Materials are also linked on the DES website.

Mr. Goddard said the efforts are nearly incidental. His plea is to conduct the meetings in downtown Olympia so that citizens are informed about the meeting. If wider public input is the desired goal, the effort will only attract those who are the most interested.

Ms. Gardner-Brown added that all public input through the formal community input submissions online would be included as an appendix to the Proviso Report.

Ms. Patnude stressed the importance of promoting the community meetings, as well as setting a realistic expectation because many people believe the process will solve the problems. The intent is to produce the Proviso Report. There are many unknowns associated with the next step of an EIS if the Legislature doesn't fund the effort.

Ms. Gardner-Brown said although the Proviso requires public participation, there is nothing in the Proviso that speaks to this process as usable for a future EIS. During the review of all documents, she did not find any reference to a Purpose and Need Statement. It's not possible to complete an EIS without a statement. The smaller and collective efforts of this process will springboard or provide a platform to reflect that the effort is prepared and should receive funding to pursue an EIS. The effort has been intentionally thoughtful about what has been released and whether all the work can be used for the EIS.

Ms. Patnude agreed everyone is doing a good job. However, it's important to convey to the public what the process means. Local meetings often afford opportunities for feedback and input more successfully while state processes are typically more challenged. Advertising the meetings can be a difficult process.

Mr. Peeler pointed out how the meeting is competing with speeches by the President and Vice President of the United States and how that competition impacts meeting attendance. Since the process is utilizing various diagrams from various sources, the diagrams should be standardized for equal characterization between the different options. He disagreed with a previous comment, as most people believe there are an estuary or lake, and that the middle hybrid options are a reflection of both. It makes sense to continue with that type of approach even though there may be significant differences. As previously indicated, some of the elements could be applied to different options. It would be useful to highlight those elements that could be interchangeably applied to other options. In terms of the comments with respect to baselines, invasive Europeans had created thousands of acres of freshwater habitat in Puget Sound lowlands, mountains, and in eastern Washington for water fowl while also destroying 85% of all estuarine acres in Puget Sound. In terms of baselines, he suggested going back approximately 150 years. It is tremendously difficult to restore estuaries once they have been destroyed. The state will be lucky if 30% of what's been lost is restored. This area is a large part of the estuary system that is possible to restore. The true baseline for the EIS would need to consider the comparatives in the broader Puget Sound or Puget Sound lowlands. Future sea level rise will be great with the increase forecasted to be over nine feet in the next 40 years. He cautioned against statements of enhancing the berm along Heritage Park to protect from flooding because of the unknowns at this time unless it pertains to flooding from the river.

Mr. Goddard said that by having a general public meeting, many opinions are offered versus what the effort has been striving to attain by seeking facts from data. He read Dr. Milne's report and subsequent reports. Dr. Milne must have devoted hundreds of hours of his time to develop the reports. He said he can respect scientists as their input is worth a lot. In the past, he owned a house on a lake and moved and purchased another home elsewhere. What attracted him to the area was the beautiful necklace around the lake. When he first arrived, he became involved in the CLAMP process. CLAMP's math on the cost to remove the dam was highly inaccurate. Since then, the figures have been revised upwards significantly.

During the CLAMP meetings, a representative attended from the Squaxin Island Tribe while other political members often rotated. The Tribal representative was very skilled in controlling the group and it was always towards his preferences, which may have accounted for the final determination.

Mr. Burke asked what could be done about the Washington State Department of Ecology studies on water quality parameters. The primary parameter was dissolved oxygen. The Department did not address all the other water quality issues. The Center for Disease Control has a website for toxic algae. The situation in Florida is now occurring in Puget Sound with the advent of toxic algae in Henderson Inlet that kills young salmon. It's a huge issue that is not addressed in the Department of Ecology's focus on dissolved oxygen and no focus on nutrient problems from Capitol Lake. Opening the flood gates would expose Puget Sound to the nutrients. Last year, the state experienced huge episodes of fish kills in the Pacific Ocean. He asked whether there could be some feedback, as the Department of Ecology is taking a narrow telescopic view and only looking at dissolved oxygen. He suggested looking at all water quality parameters. If the adoption occurred of what the Department wants today by removing the dam, he questioned the outcome in 10 years when other issues arise. It's been an historic trend with LOTT when it originally installed its wastewater plant and secondary wastewater treatment plant leading to fish kills when it first became operational. LOTT installed the nitrogen removal plant and discovered the issue was still present leading to the construction of satellite plants that take partially treated waste and discharge it to drinking water aquifers, which will lead to further problems because of assorted toxins. There has to be some kind of overview of water quality and bringing in all the elements.

Mr. Shanewise referred to the comments on water quality in Capitol Lake. The previous speaker is right as there are thousands of water fowl that use the lake. When back flushing of the lake was discontinued in 1999 that allowed submersed vegetation to remain and flourish, which is the food source for ducks. Most of the water fowl relocated from the Black River system when the feed in Capitol Lake became available. The visual fetch on Capitol Lake is much greater than on the Black River. There used to be thousands of ducks on the Black River, which have subsequently relocated to Capitol Lake. He is fairly certain that if Capitol Lake is removed, those birds would relocate to the Black River, which is now a refuge.

Ms. Patnude asked about the possibility of combining the DELI and Dual Lake options. Mr. Shanewise was the original proposer of the Dual Basin option during the CLAMP process. She suggested combining the two options.

Ms. Gardner-Brown agreed that there are many similarities between some of the options that are under review for the hybrid options, and the options could be combined in a future design process. She hadn't previously considered combining those two options.

Ms. Patnude said that when the eventual EIS occurs, she assumes the options would be programmatic and that all options would be studied.

Ms. Gardner-Brown said it speaks to determining which elements work more effectively between the two and ways to maximize the recommendations from both options. The team is considering a project-specific EIS. The programmatic EIS evaluated several options in 1999. The intent of this EIS is to select a management option.

Mr. Holman said his impression following the last Executive Work Group meeting was that there were some members who were trying to narrow the field to give CLAMP's three options preeminence over anything the community had proposed. That runs counter to the Proviso because it encourages a public

process for community ideas. By its nature, those ideas can't be vetted to the degree that the \$2 million CLAMP study was vetted. He encouraged the team not to give those ideas second class citizenship. Although not fully vetted, they are a sincere effort by the community to play a role. The team and DES is attempting to come up with a process that includes the community and a process that the community can accept. He also tends to agree with Mr. Wubbena that there really are only two options of a dam or no dam. The dual basins do not include a dam, but rather the amount of the North Basin would be preserved for a small reflecting pool. In essence, all dual basin options are a subset of an estuary because 80% of the volume would still be an estuary. It really is one or the other with some options. He encouraged the team to consider structuring the options in a way that not only shows the CLIPA proposal as a sub-option of a managed lake but that the dual options are sub-options of an estuary. Mr. Peeler is also right about sea level rise. It's possible to discuss whether the dam provides some flooding protection, which it does to some degree, but sooner or later, the City of Olympia will need to face the issue of sea level rise. The City has voted to save the City. There would need to be some kind of barrier or tide gate in the future if sea level rise occurs. The existing system provides some flood protection. In the future, it's possible a larger system would be needed to provide more flood protection, which leads to the question of why the system would be removed only to be replaced with a bigger system in the future. There also has been much discussion surrounding the vetting of the CLAMP studies. While it's true that much money was spent on studies, a number of things have changed and it's important to recognize that many of the assumptions by CLAMP have changed. The fact that water quality in Capitol Lake is good for swimming wasn't recognized by CLAMP. The intent is not re-creating CLAMP because it was essentially a failed system with three of the jurisdictions not supporting the recommendation that subsequently wasn't moved forward by DES for a variety of reasons. He cautioned against re-creating CLAMP but rather to seek community input on other options and take advantage of new information and not lose the new information that could change the entire picture.

First Touch on Review of Existing and Hybrid Options

- **Feedback from the Technical Committee and Executive Work Group**
- **Discuss Consistency with Goals**
- **Identification of Data Gaps**
- **Brainstorm Components of Options**

Ms. Gardner-Brown reviewed a table of intended consistency with project goals for all hybrid long-term management options. The intent of the table was taking goals and objectives that were formulated as part of the initial April meeting series and providing a narrative of how the various options would be consistent with those goals. The information reflects two approaches. Information from existing documents from the CLAMP process and the Deschutes Estuary Feasibility Study was used to populate the table. Additionally, the team reached out to community members for some key options and reflected that information; however the information was not verified by DES. A disclaimer in red type was added to the top of the table stipulating the information wasn't vetted. The team worked closely with the proponents of the other options. For the Restored Estuary option, the team worked with DERT, and also ensured that the narrative was consistent with the conclusions from the CLAMP process and the Deschutes Estuary Feasibility Study. DERT authored the language in the table, which is consistent with CLAMP and feasibility studies. The intent of the table is to compare the options to the goals rather than to the other options. Ms. Gardner-Brown encouraged attendees to submit additional comments no later than close of business on July 28.

The last table serves as a discussion piece to prompt more discourse on different approaches for elements of any long-term management option. Components within the long-term management options that should

be considered to increase consistency with project goals would be included within the table. Several elements included on the table were received throughout the process.

Mr. Burke commented that nutrient harvesting includes two components through the continuous removal of sediments at the south end of the lake and resold as top soil. He asked whether the elements could be revised to reflect a cohesive process and questioned how he might provide a presentation on the benefits of nutrient harvesting.

Ms. Gardner-Brown said the purpose of the table is to serve to further the conversation about nutrient harvesting and other elements before the Technical Committee. The Technical Committee discussed the option during a meeting. A year in review meeting is scheduled on December 16, which would include the Executive Work Group, Technical Committee, and the public to review all the work completed to date for preparation of the Proviso Report, as well as time for a facilitated discussion.

Greg Schundler asked whether public opinion is important to Floyd|Snider or the committee at this time. He cited the example of whether the public were to vote on the options and if those votes would be part of the process. Ms. Gardner-Brown said the process was established with three primary stakeholder groups, as described earlier. All feedback from the three stakeholder groups are reflected in the materials. The Technical Committee is providing resource agency background, the Executive Work Group serving as the high level policy group, while the community is the user of the resource. The process is a balance of the three groups.

Mr. Schundler said the last public survey of water ratepayers expressed overwhelming support for fish health. His concern is that despite his attempts to convince people who would like an estuary restored to attend, most of them don't attend. Consequently, their voices are silent. Even attending the meetings is an economic privilege and if the committee and Floyd|Snider is serious about gauging public opinion, he asked for additional review of the Elway Research Study from 2009, which was a questionnaire with overwhelming support for an estuary. The hybrid is a false compromise. He asked that the Executive Work Group pursue an independent professional process to gauge the community's perspective.

Ms. Gardner-Brown replied that the process is not to select an option or to vote on an option. Rather the direction is to engage the public and identify additional hybrid options and present the range of options with the intent to move forward to an EIS process to screen and select a preferred alternative. Stakeholders are the method that has been utilized to solicit the different options.

Mr. Peeler suggested that some of the language in the options speaking to "would minimize" or "would improve" should be changed to reflect "may minimize" or "may improve" as many of the options were not analyzed. He also recommended separating, "Improvement of stormwater conveyance system and Heritage Park berm" within the discussion table as they are two different unrelated elements that should be examined separately. Aside from the initial dredging of sediment, there have been comments about the options for considering sediment traps, weir, or jetties that could deflect or trap sediment creating a separate category of options for controlling sediment.

Ms. Gardner-Brown affirmed that the Technical Committee and the Executive Work Group raised similar issues. The technical committee requested separating stormwater conveyance and Heritage Park berm. Rather than considering the components, the Executive Work Group suggested that the goals should be aligned with the components to help achieve the goal.

Mr. Schundler asked about the public outreach efforts to publicize the opportunities for public comment by DES. He asked whether DES has utilized social media, radio, and newspapers.

Ms. Gardner-Brown recapped the information about public outreach. Members of the Technical Committee and Executive Work Group are either resource stewards or representatives from jurisdictions and agencies. Those members have been engaged to help disseminate the information about public input opportunities. For example, the Squaxin Island Tribe included a link on its website linking directly to the DES Capitol Lake page. Each member of the committee was asked to provide similar links. Each jurisdiction also have email distributions.

Mr. Schundler offered to distribute flyers in downtown Olympia. He commented on the decrease in attendance at each community meeting.

Mr. Shanewise asked why the Capitol Lake icon disappeared from the DES webpage. Curt Hart said he would follow up.

Mr. Schundler expressed interest in receiving information on web traffic to gauge the effectiveness of the process to solicit stakeholder feedback.

Mr. Peeler referred to the options table and suggested the goal that speaks to minimizing long-term costs really speaks to direct and indirect costs associated with most of the options. He cited several examples of direct and indirect costs.

Mr. Schundler recommended notating which options might not align with state and federal priorities for funding.

Ms. Gardner-Brown thanked everyone for their comments. The next community meeting is scheduled on October 5.

Adjournment

With there being no further business, Ms. Gardner-Brown adjourned the meeting at 7:33 p.m.



**CAPITOL LAKE/LOWER DESCHUTES WATERSHED
COMMUNITY MEETING**

**Jefferson Building
Conference Room 1213
1500 Jefferson Street
Olympia, Washington 98504
October 5, 2016
5:30 p.m.**

Meeting Minutes

DES STAFF MEMBERS PRESENT:

Bob Covington, Deputy Director
Carrie Martin, Asset Manager
Ann Sweeny, Special Assistant

Curt Hart, Communications

MEETING PRESENTERS:

Tessa Gardner-Brown, Floyd|Snider

OTHERS PRESENT:

Mark Dahlen, Citizen
Ed Crawford, Olympia Yacht Club
Dan Chevey, Citizen
Tom Gow, Puget Sound Meeting Services
Kathy Leitch, Citizen
Steve Trapp, DERT
Bob Wubbena, CLIPA
Dennis Burke, E³
Jim Lengenfelder, Citizen
Beth Doglio, Citizen
Peter Heidi, Citizen
Jane Sherman, Citizen
Brad Murphy, Citizen
Steve Masse, OFM

Greg Schundler, Citizen
Colin Stewart H20
Robert Holman, CLIPA
Penny Black, Citizen
Dave Peeler, DERT
Steve Shanewise, DELI
Stewart Gloyd, Citizen
Sue Patnude, DERT
Hewitt Lorie, Citizen
Jen Masterson, OFM
Rachel Newmann, SCNA
Les Purce, Citizen
Skip McConkey, Citizen

Open House, Review of Meeting Materials

Bob Covington, Deputy Director, Department of Enterprise Services (DES), convened the meeting at 5:42 p.m. and welcomed everyone.

Welcome and Introductions: Review of Meeting Ground Rules

Deputy Director Covington reviewed the meeting agenda to include a review of the proposed Final Draft Purpose and Need Statement, second touch on Review of Existing and Hybrid Options, a first touch review of Relative Range of Costs for Components of Long-Term-Management Options, a discussion on next steps for transitioning from Phase I to Phase II, and an open house to receive written input and to review materials.

Deputy Director Covington introduced Tessa Gardner-Brown, Floyd|Snider.

Ms. Gardner-Brown reported the meeting is the last organized community meeting of the Phase I series that began with community meetings in March, and continued in April, May, June, and July. A summer recess took the place of an August meeting, so the August topic was combined with the October 5 meeting. The next meeting is scheduled in December to provide a year-in-review and an opportunity for all stakeholders to review the final materials and the Proviso Report.

Phase I was prompted by a legislative proviso issued as part of the 2015-2017 Capital Budget. The proviso requires the submission of a report to the Washington State Legislature by December 31, 2016, summarizing the Phase I process. The December meeting will be held from 9:30 a.m. to 11:30 a.m. on Friday, December 16. Announcement of the meeting room will be posted on the website.

Proposed Final Draft Purpose and Need Statement and Overview of Input Received

Ms. Gardner-Brown reported the Purpose and Need Statement is a tool used during environmental reviews to assist in solidifying and congealing common project goals identified by stakeholders. Throughout the process, stakeholder comments have helped identify and understand community goals. Those comments served as the basis for development of a draft Purpose and Need Statement, which is vital to an Environmental Impact Statement (EIS) process and permitting documents prior to moving forward with implementation of a project. As part of the Phase I process and to position for Phase II, a draft Purpose and Need Statement was developed. The draft statement was reviewed by the community in June and July. Results from the last survey showed 80% of the respondents indicating the draft Purpose and Need Statement accurately captures the goals of the project.

Ms. Gardner-Brown outlined the review cycle process beginning with reviews by the Technical Committee, Executive Work Group, and the Community. The Technical Committee and the Executive Work Group reviewed and approved the proposed final draft Purpose and Need Statement for inclusion within the Proviso Report. When DES moves to Phase II, the statement can be updated or revised; however, at this point, the statement represents a good springboard to move forward to Phase II.

Ms. Gardner-Brown provided an overview of changes to the document since the June and July review cycles.

The first paragraph is a succinct high level description of the goals and the purpose and need for the project. The language acknowledges that sediment management and sediment accumulation are a high priority. A watershed approach must also be considered.

The second paragraph focuses on context and has evolved through the various review cycles. The paragraph describes the value of the resource both before construction of the lake and in its current condition. Feedback in July spoke to the importance of retaining the context paragraph.

The third paragraph describes the problem and identifies the issues. Input from the community spoke to the importance of acknowledging the distinction between active uses of the water body currently restricted today. The paragraph has not relevantly changed since the first draft except for improving the description of active and passive uses.

The fourth paragraph describes the reason for action now. The information has evolved around ensuring the project is consistent with other watershed restoration plans upstream and downstream. The last sentence was added from input from the community and vetted through the process reflecting the following, "Once completed, the project is expected to have a beneficial effect on the ecosystem service value, economic value, and community value of the resource."

Ms. Gardner-Brown read the proposed final draft Purpose and Need Statement.

Based on recent feedback from the Technical Committee and Executive Work Group, proposed changes include:

- Added “and adjacent watershed” at the end of the last sentence in the last paragraph.
- Revision of the second sentence in the second paragraph to state, “The Deschutes watershed continues to be used for ceremonial, subsistence, and commercial harvesting of natural resources and is a place of strong cultural and spiritual value.”
- Within the third paragraph, excessive nutrient loads will be cited that are causing algal blooms and freshwater plant growth.

Ms. Gardner-Brown invited feedback from the community.

Jim Lengenfelder said the inclusion of the second paragraph contributes nothing to the document and doesn't pertain to the EIS need statement. Further, it reflects an imbalance and insensitivity to what's really occurring in the community. The last sentence in the third paragraph speaks to historic and personal values for many people. He suggested that if the paragraph is included, the last sentence should be expanded to include the impact on the Chinese community that was historically on the lake and its commercial use. None of that is mentioned. As the first four sentences of the paragraph are directed to the Native American community, he doesn't believe that it really reflects a good balance.

Bob Holman pointed out that the dam construction in 1950 was to create a reflecting pool and to enhance the Capitol Campus. It's that feature of Capitol Lake that is foremost to the majority of people who reside in the area, as Capitol Lake is part and parcel of the Capitol Campus, which is an historical district. There is no mention in the statement other than it speaks to “personal value to many people.” Mr. Lengenfelder is right, as the document lacks discussion about the value of the resource aesthetically and historically with respect to the capital city. The lack of such inclusion is a real shortcoming in the document.

Dave Peeler, Deschutes Estuary Restoration Team (DERT), referred to a comment shared during the last Executive Work Group meeting to include additional language in the last paragraph referencing the TMDL under development by the Department of Ecology (ECY) and the goal to improve conditions to meet water quality standards.

Ms. Gardner-Brown said the comment was considered by the consultant team. However, because the purpose of the statement is a high level view, additional information was provided in the Proviso Report. The Proviso Report may also be a good place to describe the significance of the Capitol Campus as a historical district.

Dennis Burke commented that everyone is taking a very narrow view of the project and the need statement. For example, the essence of the problem is algae, as it dies in the lake and travels to Budd Inlet creating oxygen demand and leading to problems with low levels of dissolved oxygen. Algae grow from nutrients from the Deschutes River. The effects are not only present in the lake but also in Puget Sound. If not addressed in Puget Sound, all inlets will be affected, as well as the Pacific Ocean, all of which are suffering because of high nutrient load and excessive algae and low dissolved oxygen. If the project only focuses on Capitol Lake and doesn't consider all the consequences, it would be a big mistake. For example, none of the plans address nutrients or algae. Restoration of the estuary will only result in nutrients traveling through

the estuary adversely impacting Budd Inlet and then Puget Sound. It's important to consider a global view of the problem and how it affects other activities downstream.

Ms. Gardner-Brown acknowledged the impacts or the effects of Capitol Lake and potential issues affecting downstream environments. The first issue speaks to how far the agency with jurisdiction over the lake is able to extend its reach. The river and lake drains into the Sound and then the ocean, but DES has a limited reach that is generally bounded by the 260-acre waterbody. Earlier this week at another conference, discussions centered on ECY's guidance on greenhouse gas emissions. A question was posed regarding an environmental review for a coal terminal and where the agency's reach terminates for environmental review of emissions. The agency considers potential emissions entering the site as well as combustion generated on the site. However, the agency doesn't consider emissions generated in other locations. In terms of the extent of the reach, the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC) guides the department's jurisdiction over the Capitol Lake basin as the 260 acre waterbody. However, that doesn't ignore the interconnectedness of the system and how the process attempts to make connections to upstream and downstream projects in the Purpose and Need Statement. The process is cognizant of that fact and that all projects or potential long-term management options should be compatible with those upstream and downstream efforts because it's one system.

Ms. Gardner-Brown spoke to the question of why they are not looking into specific methods to address the goals identified in April. Water quality and ecological function are two of the 10 goals the community agreed were important. Essentially, the reason more detailed mechanisms to address these issues haven't been identified is because the process hasn't advanced to that stage yet. The intent is to complete that technical analysis as part of the Environmental Impact Statement in Phase 2. The current focus is for all stakeholders to discuss goals, consider long-term management options, and then move forward to those detailed conversations in Phase 2.

Stewart Gloyd said he's an interested community resident but has been unable to attend all the community meetings. He was struck by the fact that out of the entire page, the word "aesthetics" doesn't appear. He suggested "aesthetics" belongs in each paragraph because the purpose of the project should include some recognition that it's the aesthetics of the lake or the estuary that are important to the community and should be part of the purpose. As far as history, the previous speaker didn't indicate why the lake was created. It should be the first point in the statement if history is mentioned. Within the third paragraph, the sentence speaking to water drawdown and back flushing gives the appearance that the practice occurred frequently and then stopped. The language implies that the reason it was stopped was because it was an inconvenience to boaters. That's not the reason it was stopped.

Mr. Gloyd said his recollection was that the drawdowns were an effective technique and perhaps should be considered in the future under any of the scenarios.

Ms. Gardner-Brown pointed out that similar to her response to Mr. Burke's comments, the process has not entered the phase of identifying specific methods or mechanisms to address freshwater plant growth. It would be analyzed later in the process. Comments surrounding aesthetics and why the lake was created are important.

Colin Stewart suggested that if history is to be considered, it should begin with the Indian removal act because in the discussion surrounding aesthetics he questioned whether it speaks to the utility or something else in terms of the function. The first three paragraphs are balanced because they recognize how long the

other society was in the area compared to the tens of thousands of years First Nations occupied the area. When considering balance, it's important to consider where biases are factored within that balance.

Greg Schundler supported the mention of aesthetics and reflection. Aesthetics are definitely subjective and any objective data on aesthetics should be considered. In the last community survey in 2009 by Elway Research, as he presented in previous testimony, 11% of the local population rated "retaining the look of the lake" as their most important priority regarding the project. However, if there is belief that the survey should be updated, it ought to be determined what the studies are now as opposed to what they may have meant in 1951. Part of the awareness previously alluded to by Mr. Stewart would likely be included in the interpretation of reflections. For the current generation, a reflection could be the desire for a water body that reflects values as residents of Washington State, as millennials, and as global citizens of ecological function, history, distribution of wealth, and aesthetics. It might be beneficial to conduct a new survey. Existing data points and data from surveying by the National Parks Service and the National Fish and Wildlife Service document estuary restoration has increased visitation at the Nisqually (Refuge) and at Elwha 25% and 300%, respectively. People are voting with their feet and aesthetics and that restoration is indeed an aesthetic benefit.

Ms. Gardner-Brown commented that at this time, this discussion of aesthetics highlights how the process generates goals from different perspectives. The materials released in May considered community feedback on goals and objectives, and included comments submitted by the community that showed the variation in interpretation and meaning of the common goals. Some comments indicated the aesthetics of the historic reflecting pool couldn't be topped while other comments spoke to the natural system as the most beautiful. The material includes quotes reflecting how aesthetics can be important to both camps in support of a managed lake or restoration of an estuary. She encouraged community members to review the material, which would be included within the Proviso Report.

Second Touch on Review of Existing and Hybrid Options and Overview of Input Received

Ms. Gardner-Brown referred to revised materials from the July meeting of existing and new options. Since the initial review, changes in the material were made to titles, notes, and the graphic depiction of new and existing options. The Technical Committee and the Executive Work Group agreed the CLAMP options (existing options) of the Managed Lake, Hybrid Option (Dual Basin), and the Restored Estuary should be featured as one graphic because those options were analyzed during the CLAMP process. Newly identified hybrid options of the Managed Lake Sub-Option and the DELI Option are featured together as a second graphic. Additional notes are included on the graphic of the newly identified hybrid options to describe other concept ideas offered by the community, but that lacked the same level of detail as the proposals of the two new hybrid options. Those options are also described in the Proviso Report. It was important to ensure all visual representations were included within the Proviso Report because the proviso dictated the inclusion of visual representations of the proposals to aid the public in understanding and evaluating options.

Bob Wubbena remarked that several emails were forwarded regarding misrepresentation of the graphic referred to as the Managed Lake Sub-Option – Percival Creek Rechanneling and Salmon Habitat Restoration Plan. The proponents of the option were unable to review or respond to the new representation of data provided by the consultant team.

Ms. Gardner-Brown pointed out that the team worked closely with Jack Havens, CLIPA, on developing the document's language and graphic to ensure accurate representation of the option, just as they worked closely with the proponent of the other Hybrid Option – Dual Estuary/Lake Idea (DELI) to populate that

data. They worked hard to make sure that none of the option information was misrepresented, and used language provided by the option proponents.

Mr. Wubbena disagreed with the assessment. Although the graphic depiction of the lake from CLIPA is valid, the representation of the data in the table of comparisons is not correct. Information transferred to the cost comparison is also inaccurate. Until proponents were able to review the revised documents, proponents were unable to respond and clarify that the information was misunderstood.

Ms. Gardner-Brown offered to follow up with Mr. Wubbena with an email to verify how the information was cross-checked with Mr. Havens, and included a copy to Mr. Wubbena. Mr. Wubbena said he would continue to take exception with the presentation of the information in the accompanying tables.

Ms. Gardner-Brown invited feedback on how the graphics were revised and retitled. No other feedback was offered on the two graphics.

Ms. Gardner-Brown referred to the table on Potential Components of Conceptual Long-term Management Options. The first touch of the material was at the July meeting. The intent of the draft was to promote a brainstorming exercise acknowledging the many ideas for components that shouldn't be overlooked because they haven't been fully analyzed. One example is the eradication of the New Zealand mudsnail. While not an independent management option, it's an effort that could be included within any option to increase consistency with project goals. The table acknowledges many ideas and serves to solicit other ideas of importance to the project. Changes since the first review are the addition of two items resulting from conversations with the Technical Committee. The items include fish access management and natural woody debris management plan. An additional column was added (middle) to clarify how the component is consistent with the goals for long-term management. The Executive Work Group recommended excluding the third column and including sub headers. For example, the component of "Installation of an adjustable weir for sediment management" was moved under a sub header titled "Improve and support sediment management." Executive Work Group members also requested the inclusion of the sediment trap and installation of the deflection berm or jetty. None of the components were evaluated for technical feasibility and are not included as stand-alone options. The goal is to ensure all ideas are acknowledged during the process and captured.

Mr. Peeler said another comment offered by Executive Work Group members was prefacing the column, "Benefit of Incorporation" by including "Expected or Intended." Other activities are planned for upstream erosion control at various points along the Deschutes River, which would reduce the volume of sediment traveling through the river. Although the activities are outside of the 260-acre area of focus, those activities would help with the outcome of the project.

Ms. Gardner-Brown added that the Technical Committee and the Executive Work Group also recommended identifying which stakeholder group offered the suggested components in the figure by denoting the identity of each stakeholder group.

Mr. Holman commented that dissolved oxygen in Budd Inlet is an important element. Algae have been determined not to be an issue within the lake itself. There are several ways to improve dissolved oxygen, which should be included within the components.

Mr. Burke referred to the presentation and the inference of the need to dredge the lake. He contended that dredging is not necessary because dredging the lake would only accomplish removal of particulate phosphate that might be at the bottom of the lake that leads to the formation of algae. Removing lake

inputs continuously would eliminate the reason to dredge the lake, which should be considered in the economic analysis. The only reason to dredge the lake is to stabilize the level if the lake remains. However, removal of sediments entering the system would lead to the eventual consolidation of sediments. During high flows, much of that sediment would flush out to Budd Inlet. There is no real reason to dredge the lake.

Ms. Gardner-Brown replied that yes, opinions vary on the need for and extent of dredging.

Mr. Schundler said he understands that as the lake fills with sediment, there is less room for water from a volumetric perspective, which presents an eminent threat for flooding in downtown Olympia.

Ms. Gardner-Brown mentioned that all comments are also accepted during the current two-week comment period closing on October 6. Stakeholders with comments should submit them on the DES website.

First Touch on Relative Comparison of Costs for Options; Feedback from Technical Committee and Executive Work Group

Ms. Gardner-Brown reviewed the background and methodology for comparison of costs for the options. Comparison of costs is required by the proviso. Cost comparisons have generated many opinions. As the review is the first touch of the materials, input from stakeholders will be factored when the materials are revised and resubmitted during the review cycle.

The effort to estimate long-term management costs is required by the legislative proviso. The task has been interesting because of the level of design. Typically, design cost estimates associated with a project are completed when design has progressed to at least a 30- or 60-percent level. At this time, some of the option designs are even below the conceptual level. Additionally, the process includes two new options not vetted to the same degree for technical feasibility. However, the options are similar to existing options. The consultant team is considering a vast spectrum of information as they attempt to develop cost estimates fairly.

The cost estimates are graphically displayed using the best information available to the team. Most of the information was derived from the Capitol Lake Adaptive Management Plan (CLAMP) Final Report and the Alternatives Analysis.

The Y axis of the bar chart reflects total option costs in hundreds of millions of dollars by general order of magnitude. Each of the five bar charts include information on five construction cost factors and three maintenance cost factors.

Ms. Gardner-Brown reviewed the graph notes:

1. Previously reported cost estimates for the long-term management options have been reviewed but do not serve as the complete basis for the cost information provided on this figure because many of the primary assumptions or existing conditions have changed. For example, the primary previous assumptions regarding open water disposal or in-water beneficial use for dredged sediment is affected by the presence of New Zealand mudsnail, a changed condition that results in a significant increase to one of the largest cost components (DMMP communication 2012).

Ms. Gardner-Brown reported the original assumption included dredging of sediments prior to implementing any long-term management option, and the dredged sediment would be disposed of through open water disposal, for use either in targeted locations for habitat rehabilitation or open

water disposal. Open water disposal sites are regulated by the Dredge Material Management Program (DMMP). During conversations and coordination with DMMP representatives, information was conveyed that because of the presence of invasive species, disposal of dredge materials would be precluded from open water disposal as previously evaluated and reflected in earlier cost estimates. Because open water disposal is restricted, other disposal options include upland disposal either at a reclamation site for extra fill or at a landfill. Regardless, the cost for upland disposal is substantially more than the previously assumed in-water disposal.

2. Due to the conceptual level of the proposed long-term management options, cost estimates could not be generated for all factors or design components related to construction and maintenance (such as stormwater infrastructure, control of invasive and nuisance species, etc.).

Essentially, the information wouldn't be valuable if the level of cost is unknown, because this relative cost estimate represents a snap-shot in time, and would be immediately superseded once the EIS begins in Phase 2.

3. Preliminary design, technical analyses, and feasibility reviews would occur as part of the future Environmental Impact Statement (EIS) in Phase 2. At that time, more detailed cost estimates for construction and maintenance would be developed.

The EIS process is the typical time for identifying dollar values because design has progressed to a level enabling technical analyses. All options would include a level of equal design to afford an opportunity to assess costs evenly between the different options.

4. The Department of Enterprise Services (DES) cannot confirm the accuracy or validity of the presented long-term management options due to the absence of preliminary design, technical analysis, and feasibility review, which inform the cost estimating process.
5. Completion of an EIS is required before DES can select or implement any long-term management option. Permitting and design would also be required for all options. These costs would be incurred prior to, and separate from, construction and maintenance, and therefore are not reflected on this figure.
6. All long-term management options would require initial dredging. As part of the Managed Lake Option and Sub-Option, the dredged sediment would be disposed of at an upland site (likely a landfill) due to the presence of purple loosestrife seeds and the New Zealand mudsnail. For the Restored Estuary and Hybrid Options, the initial dredge sediment would be used for the slope armoring and habitat rehabilitation included as part of these previous designs.

For open management systems (Restored Estuary or Dual Basin), some initial dredging of sediment is removed and used to armor the Deschutes Parkway as an in-system placement of much of the material whereas the other options include an initial dredging of sediment that do not include slope armoring, and that additional material is disposed of upland, resulting in increased cost compared to on-site reuse.

7. Quantities for the initial dredging were sourced from the Capitol Lake Alternatives Analysis (CLAMP 2009) for the existing long-term management options, as that analysis represents the most current information prepared as part of the DES-led planning effort, and the designs of these options have not been advanced since that time. The dredging quantities for the new long-term

management options are based on the estimates provided in that analysis because the effort for dredging under the new Hybrid Option and Sub-Option would be similar to those of the Dual Basin Option and Managed Lake Option, respectively.

To treat and represent each option objectively and in lieu of having further technical analysis or design, the team wanted to acknowledge the components proposed by the proponents of the DELI and the Managed Lake Sub-Option Percival Creek Rechanneling options. In lieu of detailed information and because of similarities between the options, cost information was used from CLAMP that most closely matched the options, and was scaled accordingly.

8. A 50-year duration has been used to estimate relative maintenance cost factors, with a maintenance dredging frequency of every 5 years for the Restored Estuary and Hybrid Options, and every 10 years for the Managed Lake Option and Sub-Option.

These maintenance durations were derived from the CLAMP Alternatives Analysis.

9. Mitigation for maintenance dredging is anticipated due to impacts from construction access that would affect upland habitat or park space, and impacts to the lake basin, as indicated in agency discussions that occurred to support the 2013 Permitting Recommendations Report.

Mitigation is required when impacts are either temporary or permanent. Mitigation can be required for impacts onsite, such as those from access or dredging within the lake system, and mitigation activities would be required within the same watershed. Mitigation is not estimated for long-term maintenance of the Restored Estuary option because restoration of the estuary is viewed as an environmental benefit that would exceed baseline conditions.

One additional component to assess fairly was the DELI option for the cost of the reflecting pool barrier construction. As previously discussed, one of the key differences between the DELI and Dual Basin options is the nature of the reflecting wall. Within the Dual Basin option, a sheet pile wall is included while the DELI option reflects a rock wall. This difference in materials and construction technique resulted in the inability to provide an equal comparison because of different materials. The team consulted with a constructability specialist to identify the relative costs, which are reflected within the bar chart.

The order of magnitude for costs is consistent with a single dollar year.

Ms. Gardner-Brown invited comments and questions.

Mr. Burke said he was disturbed that the information was presented to the Executive Work Group, as it's impossible to un-ring a bell. He believes the economic analysis is terribly flawed and hopes that future analysis considers other factors. Three basic factors of focus are the volume of sediment, the type of dredging excavation, and the value factor of the material. It appears no one is considering the value of sediment management versus the amount of expenditure. The largest volume of sediment disposal would be in Budd Inlet and for the formation of the estuary. The lake wouldn't need to be excavated; however, if dredged, the volume could be considerably less. Additionally, the techniques of dredging the lake would be at much less cost. He referred to his submittal of technical articles to DES on techniques for excavation. One method is vacuum excavation of the bottom layers of sediment at less cost. In terms of the value of the material, sediment from the Deschutes River is valuable similar to sediment from the Nile River that made farms along the river profitable. The same circumstance is occurring in the Deschutes River. Sediment is valuable and could be sold at \$26 a yard. However, sediment moving into the lake begins to

accumulate pollutants from the snail and seeds from invasive plants. The value of the sediment should be established and should be added to the equation, as well as the amount of sediment for removal and the method of removal.

Ms. Gardner-Brown affirmed the three suggestions to consider dredge volume, dredge mechanisms, and the value of the dredged materials. In terms of volume, because the Phase I process is not advancing design, the process has not examined the volumes established in the CLAMP process. Regardless of the option, a dredging design would be needed for any option based on existing bathymetry, the location of the increased depth, and other factors, such as placement of a sediment trap. That level of effort requires an advancement of design not included in the Phase 1 process. Subsequently, the last technical analysis was used as the method to provide an estimated cost. Proponents of the two new options might want to provide different calculations, such as dredging less, but we do not have the ability in this process to analyze the feasibility and reasonability of those assumptions, so existing design information is used and scaled accordingly.

Ms. Gardner-Brown shared that she recently worked on a dredge operation involving hydraulic dredging, and it was very difficult to implement on that process. The type of dredging system would be analyzed in the EIS. The CLAMP process explored hydraulic dredging. In terms of the value of sediment, the team is including some information provided by Mr. Burke within the Proviso Report, to support his option proposal.

Mr. Wubbena commented that even with relative costs, a baseline must be established to judge whether the estimates are close. Costs for the Restored Estuary alternative were from the CLAMP study; however, recent costs by the Corps of Engineers were completed in 2012. He asked whether the figures are based on 2006 or 2012 data. Clarity needs to be provided because it doesn't provide the ability to understand the baseline. The source of the baseline is important. Additionally, Ms. Massingale, during the last Executive Work Group meeting, conveyed that the consultant team could not change the CLAMP options. The Managed Lake submitted by CLIPA is not accurately reflected leaving a quandary in terms of offering input to correct the errors. CLIPA has recently submitted some corrections based on best assumptions. However, baseline criteria in terms of various study dates are lacking. CLAMP's Managed Lake option includes a proposal to dredge to -13 feet to the freeway. That depth of dredge wouldn't require a post-dredge every 10 years, but rather every 30 to 40 years because a -13 foot dredge is deep. The Managed Lake option by CLIPA is completely different than depicted within the graphic. Although, the information is a first touch, insufficient information was lacking to provide the baseline. CLIPA's Managed Lake Sub-Option is 25% of the Restored Estuary. In terms of Ms. Massingale's comments, she indicated that Floyd|Snider must accept the options as submitted. He would be interested in how the team considers the feedback and revises the chart with better criteria on baseline information to enable clarity in the discussion of the managed lake community option.

Ms. Gardner-Brown apologized if there was lack of clarity in terms of the source of the cost information for the different components. The costs were from CLAMP 2009 documents. The information was applied to all options because the new options were comparable to existing options.

Mr. Holman said it appears that the team used CLAMP studies as the gold standard as the basis for the cost estimates. He views that as a serious flaw. An analysis by a civil engineer was completed five months ago on the dredge portion offsite. There were gross errors ranging from conversion errors in the tables to assumptions that were off-base. To use the studies as a standard for something that is occurring 10 years or more years later with more knowledge discredits where the process has been in the last 10 years and the amount of effort that has been contributed to the process by CLIPA, DERT and others. For example, the CLAMP study for the lake option called for dredging to -13 feet or 877,500 cubic yards of sediment. Three

reasons were cited in the study. The first was to remove a sufficient amount of material to provide flood control as originally envisioned by CLAMP. It's possible to attain the same amount of flood control by dropping the level of the lake by two feet before a storm event, which is practiced by DES today. DES regularly drops the level by several feet during a storm event to enable the volume to build up, which is equivalent to removal of 875,000 cubic yards of sediment at a cost of hundreds of thousands of dollars. That is one reason why the information is invalid. The second reason was to have proper depth to enable water skiing in the lake. DERT doesn't envision water skiing in the lake and doesn't view it as a reason to dredge 875,000 cubic yards of sediment. The reasons proposed for the massive dredge are not really valid. The DERT plan calls for lower dredging volumes. A smaller-volume dredge under any of the options could be easily placed on shore and those costs would be substantially less and equal between all five options. Additionally, the CLAMP process took seven years at a cost of \$7 million to complete the studies. The final report includes a table that examines the cost of dredging for the lake option. The table includes unit costs for various pieces of equipment and the volumes, and extends those costs. Within the table, there is a \$1 million error. After seven years, the report has errors and to establish the report as the gold standard is building a house of cards. Within the same area, the CLAMP analysis compared dredging sediment under the Estuary option and the Managed Lake option. The lake analysis was completed earlier prior to considering the Estuary option using a different year for unit costs. When the estuary was completed, a different methodology was factored. Different techniques were used between the two options. Consequently, there is a whole series of problems. The process would be much advised to use at least some of the basic information that has been presented and not fall back on flawed information and assumptions from the CLAMP study.

Ms. Gardner-Brown apologized if it appeared that the documents reflected CLAMP as the gold standard. The consultant team has not contended that the documentation is the gold standard, but it is a comprehensive report and the most recent design analysis. DES provided analyses on three options that could be considered. The information conveyed during the process encouraged sponsors of options to offer feedback on any information that they believed was misrepresented or that might change, such as less dredging in the middle basin as part of the Managed Lake Sub-Option. It is important that stakeholder perspectives pertaining to the design of the options are appropriately represented. However, the information must be fairly represented for all options, with a baseline source to anchor the approach.

Sue Patnude commented that she was under the impression the information as presented would move forward into an EIS process. The information, as presented, is what's available and would be included in the Proviso Report to the Legislature. The Legislature would then determine a source of funding for the EIS process. During the EIS process, all the details and independent studies would move to the next step.

Ms. Gardner-Brown agreed they have always maintained that design was not part of this process. It has always been conveyed that the environmental impact statement process is the point where technical analyses will examine sediment transport deposition, hydrodynamic modeling, water quality, biological resources, and aesthetic impacts. That work is part of Phase II.

Ms. Patnude asked whether the next phase includes the CLAMP options because the CLAMP process was an estuary feasibility study as part of the overall adaptive management plan with 10 different goals. Included in the plan was to consider the feasibility of an estuary. The plan wasn't an EIS or anything else that could result in a specific conclusion. However, at the end of the process, the CLAMP policy advisory body recommended restoration of the estuary. That recommendation was rendered in 2009. The recommendation was never pursued. The reason for that was because at that time, there was no cost effective or environmentally sound option. Today, new information is available with more details. Even if the estuary recommendation had been followed before, a full-grown EIS environmental review process

would have been followed. To the credit of DES and Floyd|Snider, other options are under consideration. Continually regurgitating what could have happened, what didn't happen, and what was flawed or good are no longer valid moving forward.

Mr. Stewart said he appreciates the skepticism of any study because any scientist would want to be as objective as possible and it's important to have all the facts straight. The Capitol Lake Alternatives Analysis in 2009 was during the time Capitol Lake was on the list of impaired surface waters for phosphorous, fecal coliform, and dissolved oxygen. On the CLIPA website, the report completed by CLIPA describes Capitol Lake as healthy, immediately invalidating any kind of non-biased response. The White Paper report claims that Capitol Lake is probably the healthiest lake in Thurston County. It's important to consider the source of details when considering scientific responsibility of data.

Mr. Peeler thanked the team for development of the graphic. For the Managed Lake and the Managed Lake Sub-Option, one of the components of the 5th Avenue Dam Removal/Bridge Construction or Dam Maintenance should likely be segregated and moved to the maintenance/operation grouping. Additionally, since the timeline is 50 years, dam maintenance might require more examination during the EIS process because he's unaware of any 100-year old bridge still standing without some level of rebuilding regardless of the type of bridge, i.e., concrete/steel, concrete, steel, or other type of construction. The issue was briefly reviewed in terms of ongoing maintenance by DES in the past; however, looking ahead another 50 years might entail a bigger question about whether there would need to be some significant reconstruction. He asked whether the bar chart for the Managed Lake Sub-Option includes the cost for creation of the Percival Creek channel as envisioned in the proposal.

Ms. Gardner-Brown affirmed the bar chart includes those costs. The proponent of the option included approximately \$7.5 million, which includes an accounting for the cost to create the channel. She offered to revise the bar chart to clarify the information. Initially, the chart included a note that spoke to the issue. Part of the cost is absorbed through initial channel dredging, as there would be a hydraulic connection between the systems allowing saltwater into Capitol Lake. She agreed with the recommendation to reflect dam maintenance and repairs as a maintenance cost.

Mr. Peeler spoke to previous comments surrounding the costs of dredging and different dredging techniques that might be employed. He suggested more review during the EIS of whether different techniques have been utilized for estuary systems versus a lake system because of the mechanics of the operation that might affect the cost.

Ms. Gardner-Brown agreed that the location of the dredging operation could impact cost. Within the Managed Lake or Managed Lake Sub-Option, dredging would occur in the lake basin whereas open system options have dredging occurring in marine waters (Budd Inlet) entailing different access, and less impacts. These factors result in reduced cost over the options implementing dredging within a lake system and requiring upland access from adjacent parks or parcels.

Mr. Schundler spoke in support of previous comments about the value of sediment. Some comparison of the alternatives is warranted. He would like to see a visualization summary of the work already completed. The value of sediment in terms of data for estuaries and food webs reflect how estuaries serve as a food web, which is why estuaries rank with tropical rain forests as some of the most productive ecosystems in the world. This area is a subsystem of the entire Pacific Ocean ecosystem and sediment is very valuable to Budd Inlet. Although shellfish cannot be harvested in Budd Inlet because of the LOTT Wastewater Treatment Plant, it doesn't preclude the basin's ecosystem benefitting from a Puget Sound-wide restoration for the entire food web of Budd Inlet, aquaculture, and fisheries in lower Puget Sound and beyond. As far

as terrestrial use of the nutrient matter, it's potentially problematic for freshwater ecosystems because of the New Zealand mudsnail and invasive plant species. However, sediment could be used to help fertilize existing shellfish beds and shellfish ecosystems in the South Sound to avoid upland disposal.

Mr. Holman said he doesn't intend to debate the previous conversation; however, the 50-year timeline seems excessively long, which creates concern because of the importance of recognizing changes occurring during a 50-year period. To essentially discount the ability to adaptively manage and to accept that the dredging scenarios would occur in 50 years is unrealistic. If the city, county, and the area are tasked for the money to dredge every five or 10 years, the area would find a way to avoid spending hundreds of millions of dollars in any case regardless of whether the system is a lake or an estuary. The unfair burden of all the options by using a straight-line assumption model assumes costs today would continue over the course of the next 50 years. Additionally, the charts convey dollars spent 50 years in the future are equivalent to today's dollars because the figures do not discount any of the costs that are 30, 40, or 50 years in the future. Even if the estimates factored 3.5% percent, the costs would be discounted at least five times. Essentially, a million dollars spent 50 years from now is really only several hundred thousand dollars. The chart distorts costs. Rather, displaying one option with costs loaded on the front-end and another option with costs projected at the back-end unfairly burden the option with costs incurred later. The time value and the 50-year life cycle are automatic when completing a true analysis.

Mr. Lengenfelder remarked that his comments speak to the issue of dollars and confusion associated with the bar chart. It also relates to information buried in the DES announcement for the public hearings regarding the reference to a survey. He assumed that a previous reference of 80% of people having responded and supporting an EIS is in reference to that survey. The survey tool is Monkey Survey. He attempted to complete the survey and realized mid-way that the questions were unclear. When he attempted to return to the beginning of the survey, the survey limited that option and automatically exited him from the program. He attempted a second time to complete the survey, when the same scenario occurred. The survey is not representative of a broad-base of the area's population. Specifically, participants attending the meetings who have paid attention throughout the process. The survey is problematic.

Ms. Gardner-Brown said the reference pertaining to 80% support was in reference to support of the Purpose and Need Statement, which is a tool used in Phase II. There were no specific questions regarding Phase II, but rather an assumption based on the attendance of interested stakeholders and interest in identifying and selecting a long-term management after technical analyses.

Mr. Lengenfelder suggested that the assumption is not accurate because of the frustration of the unknowns at this point, in terms of how all the options are flushing out because many assumptions were not included in the notes that might help to clarify the information. For those who pay attention or are analytical, they really can't sort the information and make a value judgment.

Discuss Next Steps and Phase 1 Transition into Phase 2

Ms. Gardner-Brown reviewed a two-page document on next steps and transitioning from Phase I to Phase II. The intent of the document is a description of the Phase I process moving to Phase II. The vast majority of stakeholders want to move to Phase II. DES is pursuing funding to move to Phase II. Phase II includes technical analyses and updating option designs.

Ms. Gardner-Brown provided an overview of the document.

Open House for Written Input and Material Review

Participants were invited to submit written comments and review materials. Ms. Gardner-Brown thanked everyone for attending.

Adjournment

With there being no further business, the meeting was adjourned to an open house at 7:29 p.m.

Phase 1 Report on the Capitol Lake/Lower Deschutes Watershed Long-Term Management Planning

**Documentation from Funding and Governance
Committee meetings to support Phase 1**

FINAL

Funding and Governance Committee
Capitol Lake Long-Term Management Planning
1500 Jefferson Street SE, Room 3229, Olympia, Washington 98504
9:00 a.m. to 11:00 a.m.
May 17, 2016

Final Meeting Notes

Participants

Stave Hall, City of Olympia
Rich Hoey, City of Olympia
Ed Galligan, Port of Olympia
Shawn Myers, Thurston County
John Doan, City of Tumwater

Enterprise Services

Kim Buccarelli
Bob Covington
Chris Liu
Carrie Martin
Ann Sweeney

Consultant Team

Tessa Gardner-Brown, Floyd | Snider,
via teleconference
Christina Martinez, Jacobs, facilitator

Meeting Purpose

1. Launch a committee to support the Executive Work Group on funding and governance objectives outlined in the proviso for Capitol Lake long-term management.
2. Present the Phase I Implementation Plan, with a discussion of process and schedule for work occurring in 2016, and the role of the Funding and Governance Committee.
3. Begin to identify current models for funding and governance.

Notes

1. Welcome and Review

- A. Participants introduced themselves.
- B. DES welcomed participants and noted the importance of this kick-off meeting of the Funding and Governance Committee.
 - i. Encouraged the group to think creatively and not to limit its thinking, but to use a variety of examples to help develop an ideal model for short and long-term solutions.
 - ii. Highlighted the P3 (public-private partnership) model and federal block money as potential areas to consider.
 - iii. Facilitator Martinez reviewed the meeting purpose, agenda, and proposed ground rules.

2. Review of Proviso and Implementation Plan

- A. Reviewed proviso elements 1(e) and 1(f) related to funding and governance.
 - i. Referred to information gathering and report preparation involving community engagement.
 - ii. Reviewed the Phase I Implementation Plan that identifies the committees, their roles, and timelines.

- a) Described a two touch process with two reviews built into the process for the Technical Committee, Executive Work Group, and Community.
- a) Draft Proviso Report to the state Office of Financial Management by early December 2016.
- b) Final Proviso Report to the Legislature by December 30, 2016.
- c) Funding and Governance Committee is on a separate track with updates to the Executive Work Group monthly. The schedule also includes a discussion of funding and governance at the fall meetings of the Executive Work Group and Community.
- ii. Suggested role to help identify governance and funding models.
 - a) Conceptual options and the degree of community support
 - b) One time cost for construction
 - c) Long-term cost for operational/maintenance (possibly 40 to 50 years)
 - d) Consider how options or recommendations for funding and governance will align with a potential environmental impact statement (EIS) process.

3. Current Management Model; Framework for Costs

- A. DES explained the current management model.
 - i. DES manages the current Capitol Lake through a 30 year lease with the state Department of Natural Resources, which owns the tidelands (1998 to 2028). DES owns some of the land around the lake including Heritage and Marathon Parks.
 - ii. As part of the Capitol Campus, Capitol Lake is under the jurisdiction of the State Capitol Committee.
 - iii. Capitol Campus Design Advisory Committee provides guidance and recommendations to the State Capitol Committee.
 - iv. The state Legislature is the current authorizing entity and approves funding.
- B. Capitol Lake Alternatives Analysis provided estimated cost ranges for a 50-year timespan (as of July 2009), to give the group a rough-order-of magnitude of costs.
 - i. The data will need to be updated to reflect current costs and conditions for whatever alternatives are considered under an EIS.
 - ii. Assumptions will need to be reviewed.
 - iii. Suggest considering total cost of ownership.
 - iv. The CLAMP Recommendations Report did not develop a sediment management plan or a funding and governance model.

4. Discussion of Proviso Elements for Funding and Governance

- A. DES reviewed the RCW's referenced in the proviso (RCW 36.61 Lake and Beach Management Districts and RCW 90.72 Shellfish Protection Districts)
 - i. Thurston County and the City of Tumwater collect revenue for districts like these (Henderson and Nisqually shellfish protection districts, Black Lake, Long Lake, Scott Lake)
 - ii. Suggestion to consider authorities that exist for counties and consider if there are county-wide benefits that would make a county-wide approach reasonable.
- B. Suggestion to look at the results of work underway for Chesapeake Bay – the company running that project has an operation in Seattle.
- C. Suggestion to take a watershed approach.
- D. Suggestion to identify “Our Story” to understand the purpose to help identify funding options.
 - i. History and design of the lake.
 - ii. History of funding or lack of funding

- iii. Understand current level of maintenance.
- E. DES will share links to specific information regarding history from the DES website.
- F. Funding Model Examples (Group Brainstorm)
 - i. Watershed Management District
 - a) Water Quality and Sediment Management
 - b) Combined model or separate models
 - ii. Conservation Futures Program Model (see RCW 84.34.200)
 - iii. Lake Management District Model
 - iv. County-wide Taxing Authority/LID. Consider payment versus benefits
 - v. Port-wide Taxing Authority
 - a) Example: Levy for Sediment Management
 - vi. Columbia River - Joint venture between Oregon and Washington Ports
 - vii. LOTT- Independent nonprofit organization controlled through an intergovernmental agreement between Lacey, Olympia, Tumwater, and Thurston County. LOTT provides the service and cities collect the revenue to pay LOTT. LOTT has no taxing authority.
 - viii. Thurston County Public Utility District has county-wide taxing authority and a water quality mission.
 - ix. Flood Management Model
 - x. Salmon Recovery Funding Board Funding Model
 - xi. U.S. Fish and Wildlife Services Coastal Program
 - xii. U.S. Fish and Wildlife Service Sport Fish Restoration Program
 - xiii. Pacific Coastal Salmon Recovery Fund
 - xiv. Washington Wildlife Recreation Program
 - xv. Estuary and Salmon Restoration Program
 - xvi. Aquifer Protection District (Spokane County Model)
 - xvii. Aquatic Lands Enhancement Account
 - xviii. See Floyd|Snider report for other funding sources.
- G. Question regarding if some other entity could manage Capitol Lake. DES noted the required involvement of the Department of Natural Resources as owner and Legislature as the authorizing environment. DES referenced state-owned property in Skagit County known as North Cascades Gateway Center as an example of a collaborative planning effort between the state, local government, tribal government, and the community with a shared vision to eventually transfer the property to local control. DES is open to options that may differ from status quo.
- H. Ideas to Consider Studying
 - i. Consider financial stacking. A variety of options may work together.
 - ii. Model should be self-sustaining.
- I. Suggestion to have the Chesapeake Bay project consultants attend an upcoming Funding and Governance Committee meeting.
- J. Discussion of whether the Technical Committee and Funding and Governance Committee meetings should be open to the public.

5. Next Steps/Action Items

- A. DES: Send email to the committee with links for history of Capitol Lake.
- B. Shawn: Research the models used by Thurston County to share at the next meeting.

- C. Steve: Look for draft legislation by Senator Karen Fraser for drainage maintenance district; (or DES will call Senator Fraser's office).
- D. DES: Create a matrix framework to organize funding and governance areas of interest to the committee.
- E. All: Fill in the matrix and return to DES/Carrie who will compile for review at the next committee meeting.
- F. DES: Consider Chesapeake Bay project for a future committee meeting (or a joint meeting with the Executive Work Group).

Funding and Governance Committee
Capitol Lake Long-Term Management Planning
Matrix
May 23, 2016

| | Name of Conceptual Model |
|--|--------------------------|
| Description of Conceptual Model | |
| Long-term management option this model pertains to: Lake, Hybrid and/or Estuary | |
| Objectives of Governance | |
| Objectives of Funding <ul style="list-style-type: none"> • For Capital Costs • For Operational and Maintenance Costs | |
| Who are the Participants and/or Significant Stakeholders in Governance? (Who should make up the Governing Body?) | |

| | |
|--|--|
| <p>Who are the Participants and/or Significant Stakeholders in Funding?</p> <ul style="list-style-type: none"> • For Capital Funding • For Operational and Maintenance Funding | |
| <p>What is the Authorizing Environment?</p> <ul style="list-style-type: none"> • Permitting • Ownership • Legislative • Other | |
| <p>How is Success Measured?</p> <ul style="list-style-type: none"> • Self-sustaining • Other | |
| <p>What is the Degree of Support?</p> <ul style="list-style-type: none"> • Community Support • Legislative Support • Other Support | |
| <p>Other</p> | |



**Funding and Governance Committee
Capitol Lake Long-Term Management Planning
1500 Jefferson Street SE, Room 2229, Olympia, Washington 98501
9:00 a.m. to 11:00 a.m.
June 21, 2016**

Meeting Notes

Participants

John Doan, City of Tumwater
Megan Duffy, Natural Resources
Ed Galligan, Port of Olympia
Steve Hall, City of Olympia
Rich Hoey, City of Olympia
Ray Peters, Squaxin Island Tribe

Enterprise Services

Bob Covington
Searetha Kelly
Chris Liu
Carrie Martin
Ann Sweeney

Consultant Team

Tessa Gardner-Brown, Floyd | Snider
via teleconference
Christina Martinez, Jacobs, Facilitator

Meeting Purpose

1. Review the conceptual models identified at the May 2016 meeting and group similar options.
2. Begin to evaluate potential models for funding and governance in light of the matrix developed in May 2016.

Notes

1. Welcome and Introductions

- A. Christina Martinez welcomed participants to the meeting.
- B. Participants introduced themselves.
- C. Welcome to Megan Duffy, who joined the committee as a representative of the Washington State Department of Natural Resources.

2. Review Meeting Purpose and Agenda

- A. Christina reviewed the meeting purpose, goals, agenda, and next steps/action items from the May 17, 2016 meeting.

3. Process Updates

- A. Bob Covington described a two-touch process for all materials with two reviews built in for the Technical Committee, Executive Work Group, and Community.

- B. Bob explained the Executive Work Group's extended sessions on May 27 and June 24 to provide time for presentations by community members.
- C. Proviso Discussion
 - i. Conceptual models for funding and governance (funding models and sources)
 - ii. Initial infrastructure (short-term); grants may help support initial improvements
 - iii. Provide examples of funding and governance options in the Proviso Report to the state Legislature.
 - iv. Purpose and need statement(s) are being drafted to incorporate the goals and objectives developed last month.
 - v. Need to demonstrate that government partners can work together with a path forward to move into an Environmental Impact Statement process as a proposed Phase 2.
 - vi. Need to be able to explain the story for the Proviso Report. Statements from each of the governments might be helpful to demonstrate all working toward a common goal.

4. Update on May 2016 Action Items

- A. Thurston County provided information on the Conservation Futures Fund, which is a land preservation program.
- B. DES sent information to Funding and Governance Committee members on the history of Capitol Lake and a draft matrix for conceptual governance options.
- C. City of Olympia will continue to look for draft legislation done previously on drainage maintenance districts.
- D. DES is exploring possibilities to learn more about the Chesapeake Bay project.
 - i. What was the problem to solve?
 - ii. What was the approach to solve the problem?
 - iii. What is the governing body for the Chesapeake Bay project?
 - iv. What is the funding model or financial structure to support the project?

5. Discussion of Identified Conceptual Options; Grouping of Similar Options

- A. Review models used by other entities
- B. Considerations
 - i. Applicability to Capitol Lake
 - ii. Gap analysis
 - iii. Similar options for consideration may be grouped together
 - iv. Initial funding source(s) to make improvements
 - v. Long-term revenue stream

6. Work Session: Completion of Matrix for Each Conceptual Option and Brainstorm on Other Approaches

- A. Long-term Funding and Governance Approaches
 - i. County-wide taxing through Thurston County
 - ii. Port taxing authority
 - iii. User fees similar to LOTT (Lacey, Olympia, Tumwater, and Thurston County)

- iv. Cross-county approach similar to flood management in Chehalis area or other district approach
- B. Capital – Primarily Short-Term Grant Resources
 - i. Estuary and Salmon Restoration Program
 - ii. Salmon Recovery Funding Board
 - iii. Washington Wildlife Recreation Program
 - iv. Aquatic Lands Enhancement Account
 - v. U.S. Fish and Wildlife Service Sport Fish Restoration Program
 - vi. U.S. Fish and Wildlife Service Coastal Program
- C. Items Applicable to both Capital and Maintenance and Operations
 - i. Conservation Futures Program Model (RCW 84.34.210 and .220)
 - ii. Lake Management District Model
 - iii. County-wide Taxing Authority/LID. Consider payment versus benefits.
 - iv. Port-wide Taxing Authority (Example: Levy for sediment management)
 - v. LOTT– Independent nonprofit organization controlled through an intergovernmental agreement between Lacey, Olympia, Tumwater, and Thurston County. LOTT provides the service and cities collect the revenue to pay LOTT. LOTT has no taxing authority.
 - vi. Thurston County Public Utility District has county-wide taxing authority and a water quality mission.
 - vii. Flood Management Model
 - viii. Aquifer Protection District (Spokane County Model)
- D. Parking Lot Items (Consider and discuss any recommendations at next meeting)
 - i. How to involve other stakeholders, i.e. Recreation and Conservation Office (RCO)
 - ii. Sediment management costs
 - iii. Overall costs
 - iv. Confirm size of the watershed with Technical Committee
 - v. Compare various district models
 - i. Flood Management District
 - ii. Lake Management District
 - iii. Shellfish Protection District
 - vi. Begin to define each district model
 - i. Authorizing statute
 - ii. Where is the model currently used?
 - iii. How was the model established?
 - iv. How does the model continue to operate?
 - v. Is the model for funding or governance or both?
 - vi. How does the model generate revenue?

7. Identify High-level Attributes for Long-term Funding and Governance

- i. Dedicated and secure funding source. The chosen model needs to include adequate funding to do the job (cover capital and maintenance and operations costs) initially and in the long-term.

- ii. All those who contribute to the problem should participate in funding or paying for the solution (and possibly participate in governance).
- iii. All those who benefit from the solution should participate in funding or paying (and possibly participate in governance).
- iv. Watershed-wide in scale; include the entire Deschutes Watershed.
- v. Manageable governance structure. Not too unwieldy. The complexity of the structure and approvals must be reasonable.
- vi. Collaborative process with no veto power for any individual or entity that is part of the governance structure.
- vii. Identify the State's role and participation with the governing body and funding.
- viii. Ensure no individual or entity is harmed or "left holding the bag" as decisions are made.
- ix. Equitable distribution of costs. Perceived equity in the model.
- x. Adequately resourced administration for the governing body. Fund and execute administrative support for the governing body.
- xi. Model should support the goals and objectives of the long-term management of the Deschutes Watershed.

8. Next Steps/Action Items

- A. Enterprise Services: Send email to Funding and Governance Committee with the Chesapeake Bay Governance Model and lists on the whiteboard from the work session.
- B. Enterprise Services: Contact the Chesapeake Bay project for possible teleconference at an upcoming meeting of the Funding and Governance Committee (and possibly Executive Work Group).
- C. Thurston County: Ask Shawn Myers if she can provide the total number of parcels in Thurston County and taxable valuation of the total parcels in Thurston County along with the total number of parcels in the Deschutes Watershed and taxable valuation of the total parcels in the Deschutes Watershed.
- D. City of Olympia: Steve Hall will check on draft legislation by Senator Karen Fraser for drainage maintenance district. (Enterprise Services is also trying to gather information.)
- E. Enterprise Services: Develop materials to draft a chart to compare district models.
- F. All: Provide additional details on Long-Term Funding and Governance Approaches (6A above).
- G. All: Committee members are encouraged to engage staff on the following items discussed during the work session and brainstorming.
 - i. Long-Term Funding and Governance Approaches (6A above)
 - ii. Capital (6B above)
 - iii. Items Applicable to both Capital and Maintenance and Operations (6C above)
 - iv. Parking Lot Items (6D above)

9. Next Meeting – July 19, 2016

- A. Review conceptual models and comparison of district models.
- B. Review attributes.
- C. Compare approaches to attributes.
- D. Discuss degree of support and options for proviso report.

10. Adjourn

The meeting was adjourned at 11:04 a.m.



**Funding and Governance Committee
Capitol Lake Long-Term Management Planning
1500 Jefferson Street SE, Room 2229, Olympia, Washington 98501
9:00 a.m. to 11:00 a.m.
July 19, 2016**

Meeting Notes

Participants

John Doan, City of Tumwater
Megan Duffy, Natural Resources
Ed Galligan, Port of Olympia
Steve Hall, City of Olympia
Rich Hoey, City of Olympia
Shawn Myers, Thurston County
Ray Peters, Squaxin Island Tribe

Enterprise Services

Bob Covington
Searetha Kelly
Carrie Martin
Ann Sweeney,
via teleconference

Consultant Team

Paul Dzedzic, Facilitator
Tessa Gardner-Brown, Floyd|Snider
via teleconference

Meeting Purpose

1. Review and discuss comparison of various district models.
2. Review and discuss attributes needed for the success of any model (developed at June meeting).
3. Compare approaches to attributes.
4. Discuss options for Proviso Report and how to convey each government's "degree of support."

Notes

1. Welcome and Introductions

- A. Paul Dzedzic welcomed participants to the meeting.
- B. Participants introduced themselves.

2. Review Meeting Purpose and Agenda

- A. Paul Dzedzic reviewed the Meeting Purpose, Goals, Agenda, and Next Steps/Action Items from the June 21, 2016 meeting.

3. Process Updates

- A. There will be no technical committee, executive work group or community meetings in August. The meeting topics will be combined with next steps for the September meeting series.

4. Update on Action Items from June Meeting

- A. DES sent out the information on the Chesapeake Bay Governance Model to all committee members.
- B. DES is trying to get someone from the Chesapeake Bay project to speak to the committee.
- C. Thurston County provided the following requested information (some at the meeting and some as a follow-up):
 - i. Number of billable parcels in Thurston County: 121,953
 - ii. Total assessed value in Thurston County: \$27.898 billion
 - iii. Number of billable parcels in the Deschutes Watershed: 30,162
 - iv. Total assessed value in the Deschutes Watershed: \$8.7 billion
 - v. Thurston County is currently levying .04 cents per \$1,000 in assessed value for the Conservation Futures Levy.
 - vi. Thurston County also collects a Conservation District assessment of \$5.00 per parcel, as authorized in RCW 89.08, which specifically includes “sediment damages” and harbors. The total Conservation District assessment for 2016 is \$537,000.
- D. City of Olympia does not have a copy of the draft legislation for drainage maintenance districts. DES will check with Senator Fraser’s office.
- E. DES drafted a chart comparing various district and other models to be discussed on today’s agenda.

5. Review and Discuss Comparison of District Models

- A. Ann Sweeney summarized the comparison chart and explained that in most cases different models were created for specific needs. There are many different models -- some models are for funding, some for governance, and some include both. The models presented in the table help to see the different aspects that may be possible. Pieces of various options could be combined into something that would work for Capitol Lake/Lower Deschutes Watershed.

6. Review and Discussion Attributes of a Successful Model

- A. The committee agreed to begin with the Attributes and see if these are the elements needed to support a workable model.
- B. The committee reviewed the Attributes by discussing each item in detail and asked questions and clarified thought processes.
- C. The committee needs to be comfortable with the Attributes so they can be used as elements of a future model.
- D. How are contributors to the problem defined?
 - i. What is the problem? Water quality, sedimentation, other?
 - ii. Contributors: All parcels in the watershed, the State of Washington (created the dam), stormwater customers of the cities.
 - iii. Much of the sediment coming down the river is naturally occurring, what percent?
- E. How do you define benefits of the project to understand the appropriation of cost, such as which entities would pay for sediment dredging, etc.?
- F. Conversation regarding those who benefit (list does not identify degree of benefit) – Port of Olympia and its customers, LOTT rate payers, Department of Fish and Wildlife, Department of Ecology (acting for the people of the state), Olympia Yacht Club and marinas, visitors to

- the Lake and Capitol Campus, tribal governments, and anyone who uses the Puget Sound. The committee agreed that it really depends on the long-term management option.
- G. Should costs be assigned differently between contributors and those that benefit? Should financing be shared? Equity includes having stakeholders at the table too. Equity should not always be tied to dollars (maintenance fees and taxes). Need shared distribution of costs. Shared funding is a concept within the Attributes.
 - H. A framework should be developed including beneficiaries, contributors, and the State's role. Recognize the existing framework of RCWs that impact Capitol Lake/Lower Deschutes Watershed.
 - I. Tessa Gardner-Brown explained that there are three requirements for funding:
 - i. Funding for the Environmental Impact Statement (EIS) – This process will review temporary and operational impacts and benefits of the project through the lens of the built and natural environment. It will look at ways to reduce the impacts while engaging coordinating agencies and the public. The EIS allows you to document the short and long-term impacts. Also helps you identify/reduce potential impacts. Usually there is not an analysis of funding and governance models in this process. It looks at baseline conditions and how they would improve or decline based on the option. The ultimate objective would be to have the least negative impact on the natural and built environment.
 - ii. Design, permitting and initial construction costs
 - iii. Long-term maintenance costs
 - J. The group discussed the Attributes list further and suggested revisions.

7. Compare Approaches to Attributes

- A. The models could be more clearly defined after the EIS has been completed and a management option determined.

8. Discuss Options for the Proviso Report and How to Convey Each Government's "Degree of Support"

- A. The committee discussed its thoughts on the meaning of "general support".
- B. Any proposed governance model needs to take into account its relationship to existing statutory requirements and be developed within the statutory framework. The state Department of Natural Resources has a responsibility for the state's tidelands that must be carefully considered. The State Capitol Committee has approval authority for changes on the Capitol Campus.
- C. The final option chosen, and thus the extent of the costs, will have a large influence on what a funding and governance model will look like.
- D. There is benefit to keeping recommendations at a high-level, consistent with where the technical and executive work groups are in their work with regard to what is unknown and what is still to be determined.
- E. There seems to be general support for the conceptual, high-level Attributes. This list can act as a starting point for a future model.

9. Discuss Next Steps/Action Items

- A. DES will make the suggested revisions to the Attributes list and distribute to members.
- B. DES will develop a draft Funding and Governance section for the Proviso Report, to be reviewed by the committee members prior to the August 16 meeting and discussed at that meeting.

10. Next Meeting – August 16, 2016

- A. Review and refine draft Attributes list. Come to agreement on conceptual model attributes.
- B. In light of existing statutory authority, roles, and responsibilities – how will a model be incorporated into existing structures?
- C. Discuss draft Proviso Report section on Funding and Governance.

11. Adjourn

The meeting was adjourned at 10:59 a.m.



**Funding and Governance Committee
Capitol Lake Long-Term Management Planning
1500 Jefferson Street SE, Room 2229, Olympia, Washington 98501
9:00 a.m. to 11:00 a.m.
August 16, 2016**

Meeting Notes

Participants

Ed Galligan, Port of Olympia
Shawn Myers, Thurston County
Ray Peters, Squaxin Island Tribe
Kristin Swenddal, Natural Resources

Enterprise Services

Bob Covington
Searetha Kelly
Carrie Martin
Ann Sweeney

Consultant Team

Tessa Gardner-Brown, Floyd|Snider
Paul Dziedzic, Dziedzic and Associates
via teleconference

Meeting Purpose

1. Agree on high-level conceptual model attributes.
2. Review and discuss how a model could be incorporated into existing structures.
3. Discuss the draft Funding and Governance section of the Proviso Report and how to convey support.

Notes

1. Welcome and Introductions

- A. Tessa Gardner-Brown welcomed participants to the meeting and introduced herself.
- B. Participants introduced themselves.

2. Review Meeting Purpose and Agenda

- A. Tessa Gardner-Brown reviewed the meeting goals and purpose.

3. Review and Discuss Revised High-Level Attributes List

Discuss How a Model Would Be Incorporated into Existing Structures

- A. Tessa reviewed the 10 items on the Attributes List and opened the floor for comments and suggestions.
- B. The committee reviewed and discussed the comments sent by John Doan, as he was unable to attend the meeting.
- C. A suggestion was made that the committee identify partners that are a necessary part of future funding and governance. Participants agreed that there may be value in adding partners, but it could also add to the model's complexity. Participants agreed to not rule

out future additional partners, to keep the door open for potential new partners in the future, but not to identify all potential future partners at this time.

- D. Does the committee agree on Conceptual Model Attributes? How would a model be incorporated into existing structures?
- i. Participants supported including the Attributes List within the Proviso Report. Those present voiced support for the Attributes as currently written.
 - ii. The group discussed how a model could be incorporated into existing structures and statutory requirements. Participants decided proposing a model was premature. A future funding and governance model is too dependent on the determination of a preferred management alternative and its immediate and long-term costs. It would be presumptive at this point to identify a model and would be better to leave the options open.
 - iii. The Attributes are a good foundation for funding and governance moving toward a future Environmental Impact Statement (EIS). The work on an EIS and work on funding and governance are interrelated processes. The EIS will include comparative costs, which will inform the funding and governance models. The EIS will guide toward a sediment management strategy and provide information regarding long-term management approach and cost that would inform the effort to develop a model for future funding and governance.

4. Discuss Draft Proviso Report Section on Funding and Governance

How can a section in the Proviso Report convey each government's "degree of support?"

- A. All of the identified state, local and tribal partners are at the table and actively participating, which demonstrates support for this on-going discussion. All are as supportive as possible without knowing future costs.
- B. All have shown general support to continue to be involved through future processes.
- C. The group wished to express its desire to look for a way to show a balance in the report that makes clear that they will all continue to work together to come to the best resolution while managing potential effects or commitments of shared funding.
- D. Strong support was voiced for continuing the work in a parallel effort to the EIS. This would allow a funding and governance group to research different options and components. As the EIS provides more definition for a long-term alternative, options for funding and governance models could also be narrowed.
- E. A suggestion was made to develop draft language for each proviso element – funding and governance.
 - i. Proviso element (e) shared funding: The Funding and Governance Committee voiced general support for continuing to stay engaged in this process and to continue working together on a concurrent effort to determine shared funding options as an EIS process moves along.
 - ii. Proviso element (f) shared governance: During the Phase 1 work, the Funding and Governance Committee looked at various existing models and structures for governance. The group will consider what comes from the EIS process and will develop a unique model to fit unique requirements in the Lower Deschutes Watershed. While there is not one model that can be identified now, participants

are committed to continuing to research components that could be combined to develop a workable shared governance structure to fit the future management alternative determined by the EIS work.

5. Discuss Next Steps

- A. Getting to the EIS. The Legislature would need to approve the funding request in order for the EIS process in Phase II to begin.
- B. Revised Funding and Governance section of the Proviso Report (Section 4) out to participants for review. DES will provide a red-lined draft version showing the changes.
- C. Sync on timeline/schedule.
- D. The committee will continue to work together.
- E. General support and commitment to move forward in a collaborative fashion.
- F. Chesapeake Bay Model can be shown in the list of suggested models, instead of discussed in the text, to focus text on on-going commitment and list of attributes.
- G. DES shared highlights of a meeting with Puget Sound Partnership. Puget Sound Partnership may be able to help with future resources for this effort depending on the chosen alternative; the Partnership's Action Agenda addresses restoration work.
- H. Members were reminded to brief Executive Work Group members to make sure there is concurrence with the Funding and Governance Committee's recommendations and an understanding of direction.
- I. The next meeting is scheduled for September 20 from 9:00 until 11:00 a.m. This will be the final meeting of the group prior to submission of the Proviso Report to the Legislature and the Office of Financial Management.

6. Discuss Action Items

- A. All – Agreed to reconvene at the September 20 meeting. (Ray Peters will join meeting via teleconference.)
- B. DES – Revise draft section for Proviso Report (incorporate conclusions from discussion and redistribute for review).
- C. DES – Follow up with state Department of Ecology on Lewis County's role within the Deschutes Watershed.
- D. DES—Discuss plan for briefing legislative members.
- E. Shawn – Look up Lewis County parcel count and value within watershed.
- F. All – Brief Executive Work Group members.

7. Next Meeting – September 20, 2016

- A. Confirm all members' agreement on the Attributes list.
- B. Discuss and refine draft Funding and Governance section for the Proviso Report.
- C. Develop plan for continuing Funding and Governance work in parallel to an EIS process.

8. Adjourn

The meeting was adjourned at 10:46 a.m.



**Funding and Governance Committee
Capitol Lake Long-Term Management Planning
1500 Jefferson Street SE, Room 2330, Olympia, Washington 98501
9:00 a.m. to 11:00 a.m.
September 20, 2016**

Meeting Notes

Participants

John Doan, City of Tumwater
Megan Duffy, Natural Resources
Steve Hall, City of Olympia
Rich Hoey, City of Olympia
Ray Peters, Squaxin Island Tribe
via teleconference

Enterprise Services

Bob Covington
Searetha Kelly
Carrie Martin
Ann Sweeney via
teleconference

Consultant Team

Tessa Gardner-Brown, Floyd|Snider

Meeting Purpose

1. Confirm all members' agreement on the Attributes List.
2. Discuss the revised draft Funding and Governance section of the Proviso Report.
3. Discuss next steps, including a plan to continue funding and governance work in parallel to an Environmental Impact Statement (EIS) process.

Notes

1. Welcome and Introductions

- A. Tessa Gardner-Brown welcomed participants to the meeting and introduced herself.
- B. Participants introduced themselves.

2. Review Meeting Purpose and Agenda

- A. Tessa Gardner-Brown reviewed the meeting goals and purpose.

3. Process Updates

- A. There were no changes to the August 16 meeting notes.

4. Action Items Follow Up

- A. Carrie Martin reported that she had talked to Department of Ecology and that Lewis County has not been involved in the Total Maximum Daily Load (TMDL) process.
- B. Tessa Gardner-Brown suggested that other organizations can add value and at this point, suggested not excluding anyone, consistent with the recommendation of the committee during the previous meeting. In previous meetings, Lewis County was suggested as a potential participant, and would not be excluded from potential future discussions. The committee does not necessarily have to pull in the County right now.
- C. Bob Covington suggested we leave the question of participation open for now, in order to potentially discuss participation from entities such as LOTT, Lewis County and others later on.
- D. Shawn Myer contacted Lewis County and received a list of Lewis County parcels that are within the Deschutes Watershed. The information provided includes the value of the parcels, the total size per parcel and the portion of the parcels within the watershed boundaries. This information was provided to committee members.

5. Confirm agreement by all members of the Attributes List

- A. After looking over the list again, the committee agreed to take out the word “all” from Attributes 2 and 3.
- B. Department of Natural Resources final vetting will be completed by September 28.
- C. Tessa Gardner-Brown confirmed final agreement on the Attributes List with the committee. This list will be included in the Proviso Report as the foundation for future funding and governance models.

6. Discuss revised draft Proviso Report section on funding and governance

- A. Comments on Section 4 are due by Wednesday, September 28.
- B. Review of the full draft report will be in late October/early November, and upon request of the Funding and Governance committee, will be provided to the members for review.
- C. Tessa Gardner-Brown read three sections out loud with the committee:
 - a. The last paragraph of Section 4.4
 - b. Section 4.5, Degree of General Support
 - c. Section 4.6, Work to Occur in Phase II
- D. Natural Resources language was vetted by DNR staff and some text was added to Section 4.3 regarding ownership/management of the resource and DNR’s statutory responsibility.
- E. The Attributes List is included in Section 4.4.
- F. Collectively the committee agreed to not put forth specific recommended funding and governance options, but they wish to communicate strong support of the process going forward into an Environmental Impact Statement (EIS).

- G. The committee agreed that stronger language is needed for Section 4.5, which would be incorporated and circulated to the members after the meeting
- H. . There was also agreement that:
 - a. Ongoing conversations will be needed throughout future processes.
 - b. Continued work will need to be done related to funding and governance concurrently with the EIS.
 - c. There is strong support for this committee to develop a funding and governance model by the time the EIS is complete. Committee members voiced their support for participating in a model that incorporates the stated attributes.
 - d. The committee also discussed the critical nature of sediment management. They suggested adding wording to paragraph 4.6, such as “The Funding and Governance Committee believes that sediment management is a critical cost component that will need further study in order for a funding and governance structure to be developed.”
 - e. The group suggested strong statements be included in the report’s Executive Summary about the importance of sediment management.

7. Discuss next steps, including plan to continue Funding and Governance work

- A. A funding request for Capitol Lake was included in DES’ ten-year capital plan that was submitted to the Office of Financial Management.
- B. The group agreed that each member organization of the Funding and Governance Committee (FGC) has their own path for legislative activity, but that it would be helpful to stay in communication, so that no one is surprised as we move through the session.
- C. One member suggested developing a joint letter of support to the Legislature that all members of the Executive Work Group (EWG) could sign. If all members are comfortable with this approach, it would send a strong message. A draft of the joint letter of support could be circulated for review prior to the October meeting.
- D. The draft Proviso Report will be reviewed by the EWG, Technical Committee and FGC between October 20 and November 3.
- E. The committee agreed that a FGC meeting will be scheduled for the afternoon of October 20, to review the draft Proviso report and discuss strategy for discussing Phase 2 with legislators.
- F. A suggestion was made that it would be helpful for legislative liaisons from the various committee member organizations to be informed on this issue and to be invited to the October 20 meeting.

8. Review of Action Items

- A. Tessa Gardner-Brown and Carrie Martin will add one sentence to the end of Section 4.5 and email out to the committee. This sentence strengthens the section.

- B. All members will send in their comments on Section 4 of the Proviso Report by September 28.
- C. DES will schedule a FGC meeting for the afternoon of October 20, 2016.

9. Adjourn

The meeting was adjourned at 9:58 a.m.

FLOYD | SNIDER
strategy ▪ science ▪ engineering

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