



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.