

**STATE CAPITOL COMMITTEE**  
**Remote Access Meeting**

**December 15, 2022**  
**10:00 a.m.**

**Final Minutes**

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**SCC MEMBERS PRESENT:**

Kelly Wicker, Chair & Governor Inslee's Designee  
Lieutenant Governor Denny Heck  
Randy Bolerjack (Designee for Secretary of State  
Steve Hobbs)

**SCC MEMBERS EXCUSED:**

Katy Taylor, Vice Chair (Designee for Commissioner of  
Public Lands Hilary Franz

**OTHERS PRESENT:**

Brent Chapman, Department of Enterprise Services  
Clarissa Easton, Department of Enterprise Services  
Bill Frare, Department of Enterprise Services  
Chris Ferguson, Department of Enterprise Services  
Valerie Gow, Puget Sound Meeting Services

Ann Larson, Department of Enterprise Services  
John Lyons, Department of Enterprise Services  
Michael Petty, Department of Enterprise Services  
Tara Smith, Department of Enterprise Services  
Tessa Gardner-Brown, Floyd Snider

**Call Meeting to Order - Action**

Chair Kelly Wicker called the State Capitol Committee (SCC) remote meeting to order at 10:09 a.m.

Chair Wicker welcomed members, staff, and guests to the meeting.

Members and staff provided self-introduction.

Chair Wicker reviewed the agenda. The agenda includes approval of October 20, 2022 minutes, appointment of 2023 Chair and Vice Chair; approval of the 2023 SCC Meeting Calendar, Point of Interest: DES Building & Grounds (B&G) Green Star Award; update on the Arboretum Feasibility Study, Parking update, update on the Legislative Campus Modernization (LCM) Project; and an update on the Capitol Lake/Deschutes Estuary Final Environmental Impact Statement.

**Approval of Minutes of October 20, 2022 Meeting – Action**

*Randy Bolerjack moved, seconded by Lieutenant Governor Heck, to approve the October 2022 meeting minutes as published. A voice vote unanimously approved the motion.*

**Appoint SCC Chair and Vice Chair for 2023 – Action**

Chair Wicker opened nominations for 2023 Chair and Vice Chair.

*Chair Wicker nominated Steve Hobbs to serve as 2023 Chair. Lieutenant Governor Heck seconded the nomination.*

No other nominations for Chair were offered.

*Lieutenant Governor Heck nominated Kelly Wicker to serve as 2023 Vice Chair. Randy Bolerjack seconded the nomination.*

*No other nominations for Vice Chair were offered.*

***By unanimous approval, Steve Hobbs was appointed to serve as 2023 Chair and Kelly Wicker was appointed to serve as 2023 Vice Chair.***

**Establish the 2023 SCC Regular Meeting Calendar – Action**

Chair Wicker reviewed the proposed 2023 SCC regular meeting dates:

- March 16, 2023 10 AM (First Quarter)
- June 15, 2023 10 AM (Second Quarter)
- September 21, 2023 10 AM (Third Quarter)
- December 7, 2023 10 AM (Fourth Quarter)

***Lieutenant Governor Heck moved, seconded by Jack Bolerjack, to approve the 2023 SCC regular meeting schedule as presented. A voice vote approved the motion unanimously.***

Chair Wicker added that SCC meetings and work sessions may be called by the SCC Chair outside of the established dates according to the business needs of the committee, Capitol Campus Design Advisory Committee (CCDAC), or the Department of Enterprise Services (DES). Any additional meetings or work sessions would be properly noticed in advance and publicly posted on the SCC website in accordance with Washington State’s Open Public Meetings Act (RCW 42.30.075).

**Public Comment**

DES Government Relations Coordinator Chris Ferguson described the process for attendees to sign up to provide public comment. Public testimony is limited to two minutes.

Mr. Ferguson acknowledged that no individuals signed up to provide testimony. The public was invited to submit comments via email to DES by 4 p.m. on Tuesday, December 13, 2022. DES received four public comments, which were forwarded to the committee, as well as to the CCDAC Chair and Vice Chair and legislative members on CCDAC. The four public comments focused on the Capitol Lake-Deschutes Estuary project.

**Point of Interest: DES B&G Green Star Award – Informational**

Chair Wicker invited Brent Chapman Ph.D., Horticulturalist/Grounds Property Manager, DES, to brief the committee on the recent award received by DES Building and Grounds.

Dr. Chapman reported Professional Grounds Management Society (PGMS), a national organization, has recognized excellence in the maintenance and care of public landscapes for over 50 years. In honor of the 200<sup>th</sup> birthday of Frederick Law Olmsted Sr., who designed Central Park and the nation’s Capitol and hundreds of other projects, the Olmsted Award was created. As the West Campus of the Washington State Capitol Campus is an Olmsted legacy project, the Department submitted an application for consideration of the national award. The State of Washington was selected to receive an Honor Award as previously received by the U.S. Capitol. The grounds team with Buildings and Grounds has cared and maintained the Olmsted legacy landscaping for over 90 years. The work was recognized at the national level. DES Grounds Operations Specialist Dan Kirschner accepted the Olmsted Honor Award during the PGMS Green Star Award Ceremony on behalf of the DES B&G team at the annual conference in Louisville, Kentucky in October.

Chair Wicker thanked Dr. Chapman and congratulated the entire B&G team for receiving the award.

**Arboretum Feasibility Study – Informational**

Chair Wicker recognized Dr. Chapman, who provided an update on the Arboretum Feasibility Study.

Dr. Chapman reported on a request to designate Capitol Campus as an arboretum as a way to recognize historic trees on the campus. The campus is home to many special trees; however, one tree is a national champion, or the largest of its species in the country. The tree, an English oak is planted on the corner of Capitol Way and 11<sup>th</sup> Avenue near the World War II Memorial.

Lieutenant Governor Heck inquired as to the age of the tree. Manager Chapman said the exact age of the tree is uncertain. However, following some research, the state archivist estimates the tree to be approximately 110 years old. Oak trees can live 300 to 500 years.

Dr. Chapman explained that an arboretum is an area devoted to specimen plantings of trees and shrubs. Distinct from a forest, nursery, or park, it is in a sense an outdoor museum of trees. It is a place where many varieties of trees are grown for research, educational and ornamental purposes; where trees and shrubs are cultivated for exhibition. The proposal focuses on the educational and ornamental aspects of an arboretum.

The most famous arboretum in the state is located on the campus of University of Washington in Seattle, which has achieved a higher level of accreditation.

The national organization of ARBNET is managed by the Morton Arboretum near Chicago, Illinois. The organization certifies arboreta throughout the world with four levels of certifications. The study proposes seeking certification at Level 1. The campus currently meets all criteria for achieving Level 1 certification.

The three objectives to achieve the designation include:

- Increase educational opportunities to further enhance visitors' knowledge, understanding and appreciation of the campus horticultural collection developed over the last 90 years
- Increase visitors' knowledge of the ecosystem services that plants provide to benefit human well-being
- Increase awareness of the Capitol Campus as a destination for visiting, learning, and enjoyment

Agencies and organizations providing input on the proposal included:

- DES Facility Steering Committee
- DES Project Planning and Delivery
- DES Historic & Cultural Resource Planner
- DES Buildings & Grounds Property Management
- DES Building & Grounds – Grounds Services
- DES Campus Security & Visitor Services
- DES Communications DES Finance

No fees are required to receive accreditation.

Stakeholder outreach and collaboration included the following entities:

- DES Government Relations
- Local Tribes
- South Capitol Neighborhood Association
- Washington State Department of Natural Resources – Urban & Community Forestry Program
- Local Chambers of Commerce
- Cities of Olympia and Tumwater
- Capitol Campus Design Advisory Committee

- State Capitol Committee
- LCM Landscape Peer Review Committee

The proposed name for the arboretum is the Washington State Capitol Arboretum. If approved, the next step is submittal of the application to ARBNET for accreditation in early 2023. DES will create an Arboretum Advisory Committee in spring 2023 and collaborate with DES Communications Department for rollout of the accreditation to the campus and to the community in spring 2023.

Lieutenant Governor Heck asked about the role of the Arboretum Advisory Committee. Dr. Chapman advised that the committee is intended to ensure the campus continues to meet the criteria for accreditation. One criterion is sponsoring at least one public event on the campus. The committee would also provide guidance on public outreach, consideration of ways to promote horticultural collections on campus, and interfacing with the public.

Lieutenant Governor Heck conveyed congratulations and gratitude to DES personnel who are responsible for keeping the campus in good condition. He is hopeful that staff has considered the relationship between yet another entity that has, as part of its mission, the task of providing input on the status of Capitol Campus. Several years ago SCC attempted to pursue an effort to simplify and streamline that process. The proposal to create an advisory committee appears not to benefit those efforts to define stewardship oversight. It appears another committee would add yet another layer. He is hopeful staff is considering that aspect in terms of the initial objective of simplifying a process, as DES has a myriad of ways in which DES must navigate all issues pertaining to the campus. The proposal is reflective of taking a step backwards rather than moving forward.

Ann Larson, Assistant Director of Policy and Government Relations, acknowledged the concern and assured members the issue is a priority. Staff plans to address the issue by presenting some proposals during the 2024 session. Lieutenant Governor Heck acknowledged the response but noted the proposed action has been in process for the last three years with no action to date.

DES Director Tara Smith requested additional information on the role of the advisory committee. Dr. Chapman explained that the proposal at this time, a concept requiring additional development and details to meet the requirements of ARBNET's accreditation. ARBNET does not provide any specific guidelines on the role and responsibilities of an advisory committee other than the organization defers to each entity to define the role and responsibilities. During the process, staff has the opportunity to consider the feedback and develop a proposal to meet the requirements of the accreditation without complicating stewardship and decision-making processes on the care of the campus.

Chair Wicker thanked Director Smith and Dr. Chapman for the update and feedback on the proposal.

### **Parking Update – Informational**

Chair Wicker invited Parking Services Manager Michael Petty to provide an update on Capitol Campus parking.

Mr. Petty briefed members on activities by DES Parking Services to improve accessibility to the campus. Recent activities include installation of new wayfinding signage for visitors to the campus. The goal was to complete the project prior to the 2023 legislative session. Improved signage will enable visitors to access the campus easily and readily locate parking.

Other efforts include expansion of existing visitor parking availability, reducing parking overflow impacts to the South Capitol Neighborhood, ongoing efforts with the City of Olympia and Washington State Patrol to

coordinate strategic enforcement efforts, and submittal of legislative requests to provide cohesive parking enforcement with the City of Olympia. Over the long term, efforts are underway to increase collaboration with Intercity Transit to identify additional points for Commute Trip Reduction (CTR) to ensure access to the campus while reducing environmental impacts.

Chair Wicker thanked Mr. Petty for the update.

Assistant Director Larson updated members on the status of several budget submittals related to parking. One request is for the demolition of the General Administration Building. Another budget request is for funding the development of the Comprehensive Plan for the campus. Both proposals contribute to the availability of parking on campus.

**Legislative Campus Modernization (LCM) Project Update - Informational**

Chair Wicker invited LCM Project Director Clarissa Easton and Assistant Director Bill Frare to provide the update.

Ms. Easton reported on accomplishments to date on the three separate projects under the umbrella of the Legislative Campus Modernization (LCM) project.

Staff relocation to the modular building was initiated on December 5, 2022 with some furniture moved to the modular building. In December, the project team anticipates receiving a conditional use permit issued by the City of Olympia for the Legislative Modular Building. The modular building is a temporary location to house senators and staff displaced by the Newhouse Building Replacement project.

The Landscape Peer Review Panel continues to provide oversight and input on the LCM project and meets monthly.

The Pritchard Rehabilitation/Expansion project is underway with meetings on schematic design scheduled in January. The schematic design package should be completed by the end of February for both the Pritchard and O'Brien projects.

A presentation to House members earlier in the week was on the conceptual design of the exterior of the Pritchard Building project. The project rehabilitates and expands the existing building totaling approximately 75,000 square feet. The O'Brien Building project is underway concurrently because of the importance of reconfiguring the third and fourth floors to improve accessibility and less crowding for tenants and visitors to the building. Schematic design was initiated for the O'Brien Building project. The schedule calls for design following completion of schematic design and then creation of construction documents to initiate the public bidding process for each project.

Ms. Easton reviewed existing and new floor plans for the O'Brien Building project. The new plans include member suites with a member office and legislative assistance spaces. The new floor plan provides office space consistency and efficiency on the upper floors of the building with 13 member offices on level three and 16 member offices on level 4. Accommodations for the remaining offices will be included in the Pritchard Building project.

The conceptual design for the Pritchard Building incorporated the existing basement housing the Washington Room, which will remain intact because of too many logistics required to remove the Kenneth Callahan murals. Cultural, historic preservation and financial impacts would be best served by retaining the murals in their

current location and changing public access from level 1 to the historic room. The remaining areas of the basement are assigned for space for the Code Reviser and Leg Tech.

The first floor has been expanded to the east. The public entry will remain in its current location to retain visual access to the Legislative Building to the north. The first floor will house a large hearing room, public seating, and food service. The building includes secure entries and exits with public access from the north elevation facing the Legislative Building.

Level two of the Pritchard Building includes member and legislative suites for 19 House members and staff. The top floor houses similar offices for another 19 House members and staff.

The design team hosted visitors to the Pritchard Building from the Washington Trust for Historic Preservation, Department of Archeology and Historic Preservation, and several representatives from Docomomo US-WEWA in Seattle who are concerned about the continued stewardship of the historic Pritchard Building.

The Newhouse Building Replacement project is on pace to achieve substantial completion by November 2024. On December 23, 2022, construction documents will be submitted to the City of Olympia for review to issue a building permit by early 2023. The team is anticipating the release of bid packages for demolition, civil work, and foundation work by early next year.

Ms. Easton shared the design of the exterior elevation incorporating precast concrete simulating the texture and sculpture of other historic columns on campus. The design includes bronze-like metal closing the entries and the fourth floor containing caucus office space and conference areas. The intent is to construct an elegant replacement of the Newhouse Building on the historic campus.

Ms. Easton credited the efforts of legislative partners, design team members, and the GC/CM spending many hours considering basic building forms. The team has studied the proportions of other campus buildings to ensure the replacement building is in alignment. She shared another image of the entry screen comprised of a bronze-like metal to frame the fenestration to provide a screened entry over the front door. The bronze-like material is closely related to historic metalwork existing on other historic buildings. The top plane capping the building along the fourth floor housing the caucus offices is set back from the edge of the precast panel. The west wall of the stairway will feature salvaged old growth framing from the attic space from the Carlyon Building.

Chair Wicker requested clarification of the timeline for demolition of the existing Newhouse Building. Ms. Easton explained that the schedule calls for demolition on the Newhouse site beginning in late February/early March; however, many questions have been raised, as the City of Olympia is responsible for permitting the activity. The team will negotiate with the City during a meeting scheduled on December 23, 2022. The permit is critical to demonstrate good progress on the project. Chair Wicker advised that because of the legislative session, she is concerned about any potential impacts to the campus. Ms. Easton advised of considerable parking impacts because of demolition activities. Mr. Petty is involved in identifying and coordinating parking impacts along addressing public safety concerns for employees, visitors, legislators, and construction personnel. Hoffman Construction has targeted completion of isolating the site by February to ensure safety parameters are in place prior to demolition activities.

Chair Wicker thanked Ms. Easton for the update.

Assistant Director Larson introduced Tessa Gardner-Brown with Floyd | Snider to provide the update.

Ms. Gardner-Brown reported on the successful completion of the Final Environmental Impact Statement (FEIS) (unopposed), identification of a Preferred Alternative, and the signed and executed Memorandum of Understanding between local governments to provide shared funding for sediment management following construction of the project.

Assistant Director Larson added that DES was successful in securing funding for design and permitting for the project.

The FEIS was issued on October 31, 2022 and is available on the DES project website. The State Environmental Policy Act (SEPA) guided the process to prepare the Environmental Impact Statement (EIS) supplemented by robust stakeholder engagement. SEPA does not include a public comment period following the release of the FEIS. However, similar briefings were provided to the Executive and Funding and Governance Work Groups, Technical Work Group, and the Community Sounding Board.

The FEIS confirmed the Estuary Alternative as the preferred alternative for long-term management of the Capitol Lake Deschutes Estuary. The alternative includes construction of a new 5<sup>th</sup> Avenue Bridge with increased mobility and transit throughout the corridor with new bike lanes, new vehicle lanes, and new sidewalks. The construction method avoids long-term closure of 5<sup>th</sup> Avenue during construction. Approximately, 500,000 cubic yards of sediment in the basin will be dredged providing two key benefits of reducing the amount of sediment moving downstream and using the materials to create habitat islands along the shorelines of the middle and north basins to improve ecological and visual diversity. Up to 85 acres of new marsh habitat would be established and planted. A mile of new boardwalks will be constructed along the shorelines with a hand carried boat launch at Marathon Park for kayaking and paddle boarding. At the end of construction, the 5<sup>th</sup> Avenue Dam and Bridge will be removed to restore tidal hydrology to the basin. Approximately 80% of the time throughout the year, some level of standing water would remain in the basin. Following construction, maintenance dredging would be scheduled in West Bay.

The partners committed to maintenance dredging after construction to maintain the vibrant waterfront in downtown Olympia and for the marinas, recreational boating, and for the Port of Olympia for deep navigation. Dredging would be confined to West Bay within the deeper areas used for navigation. Maintenance dredging would be at a frequency to avoid significant impacts to the marinas and to the Port of Olympia. The partners agreed a significant impact would entail up to 10% of vessels unable to access the marina because of sediment and cargo vessel delays of more than four hours because of shallow conditions. The modeling recommends maintenance dredging every six years at the Olympia Yacht Club, every 12 years at other marinas and at the Port of Olympia, and every 18 years in the access area used for navigation for access to the marinas. Sediment accumulation varies significantly based on environmental conditions with high flow years resulting in more sediment deposits. Sediment would be monitored annually along the shoreline to ensure dredging is completed in response to actual environmental needs.

Ms. Gardner-Brown displayed an aerial photo from the early 1920s documenting how maintenance dredging occurred historically in the Deschutes Estuary. The picture includes the area encompassing the Port of Olympia established in 1922. The Olympia Yacht club was established in 1906. The Fifth Avenue Bridge and Dam were constructed in the 1950s. Through coordination with the U.S. Army Corps of Engineers, the Port dredged once every decade to support recreational boating and commercial navigation in the Deschutes Estuary. Because dredging is contingent upon working with the U.S. Army Corps of Engineers, the project has maintained close coordination and anticipates continuing close coordination during design and permitting of the project.

Ms. Gardner-Brown displayed visual simulations of the Estuary Alternative from the north overlook from Capitol Campus reflecting how the viewshed changes during the tides.

The selection of the Estuary Alternative was based on transparency and collaboration with all stakeholder groups. The project team developed a decision-making process with the stakeholders that relied on the science developed and refined through the FEIS and stakeholder input. The process used six decision-making criteria with five based on science and technical feasibility and the last one on decision durability or the ability of the long-term management alternatives to achieve support from the community.

Ms. Gardner-Brown reviewed a high-level table summarizing the scoring process for the alternatives. The table reflects a significant delta in the scoring between the estuary and all other long-term management alternatives. Prior to testing the information, the project team worked with the Executive Work Group, Technical Work Group, and the Community Sounding Board to develop an understanding as to whether the categories of scoring should be weighted. The results of the exercise identified a more significant delta between the Estuary Alternative and other long-term management alternatives.

Ms. Gardner-Brown reviewed key updates included in the FEIS:

*Modified Estuary and Hybrid Alternatives:*

- Revised 5<sup>th</sup> Avenue Bridge design
- Avoids long-term closure of 5<sup>th</sup> Avenue Hybrid Alternative
- Groundwater-fed reflecting pool
- Improved water quality over saltwater

*Top Five Key Discipline Specific Updates:*

Navigation: analysis regarding potential delays to maintenance dredging:

- Olympia Yacht Club: 50% impacted in 30 years
- Other Marinas: 25% impacted in 30 years

Water Quality: regulatory compliance section (new section):

- Estuary is the only alternative that can meet state water quality standards
- Except for Estuary, TMDL (Total Maximum Daily Load) allocations (treatment and discharge requirements) could shift responsibilities to LOTT Clean Water Alliance

Aquatic Invasive Species: shoreline survey of Budd Inlet:

- No New Zealand mud snails (NZMS) were found
- NZMS have been transported through 5th Avenue Dam since 2009

Cultural Resources: determinations of eligibility from Department of Archaeology and Historic Preservation:

- Capitol Lake is not a historic resource
- Additional indigenous context prior to colonization

Fish and Wildlife: coordination with Washington Department of Fish and Wildlife (WDFW) and local bat expert:

- New mitigation measure to coordinate with wildlife experts
- Annotated bibliography of other fish and wild

Ms. Gardner-Brown reviewed the 14 elements evaluated in the technical analyses and included in the FEIS.

The Funding & Governance Work Group (FGWG) convened in 2016 at the direction of the State Legislature (ESHB 2380) to identify conceptual options and the degree of general support for shared funding by state, local,

federal governments and potentially other entities, as well as identifying one or more conceptual options for long-term shared governance of a future management plan. Initial recommendations included:

- Construction funding is a state responsibility
- Shared responsibility for Estuary Alternative only
- FGWG-identified benefits for Estuary Alternative with long-term maintenance:
  - Protection of natural resources
  - Maintenance of a working waterfront
  - Maintenance of recreational boating
  - Revenue through DNR leases and tax
  - Provision of public amenities

Following construction of the 5<sup>th</sup> Avenue Bridge, the asset would be permanently conveyed to the City of Olympia. The boardwalks would be the responsibility of the City of Tumwater. Sediment management costs would be equally shared by each entity. Each entity signed an agreement to provide funding. The agreement is effective until 2050 in alignment with the lease terms of marinas in West Bay. The signed Memorandum of Understanding is a non-binding agreement with the entities committed to working on an interlocal agreement in 2023. The Funding and Governance Work Group committed to funding the removal of increased sediment because of the Estuary Alternative. The marinas agreed to fund sediment existing today and the U.S. Army Corps of Engineers is responsible for sediment in the navigation channel.

Next phases of the project include:

- Design and permitting - conceptual designs advanced to final design
- Federal, state, and local permits obtained
- Continued stakeholder involvement
- Estuary Restoration:
  - Construction funds from federal, state, and other sources
  - Construction duration up to 8 years
  - Removal of 5<sup>th</sup> Avenue Dam would not occur until Port-led remediation of contaminated sediment in West Bay

Ms. Gardner-Brown reviewed an implementation timeline for the Estuary Alternative and other planned actions in the project area.

Chair Wicker thanked Ms. Gardner-Brown for the update.

#### **Future Announcements and Adjournment of Meeting – Action**

Chair Wicker advised that information on future meetings for CCDAC and SCC is published on the DES website with meeting information, meeting dates, and meeting times. DES posts all meeting agendas, minutes, and meeting packets as they become available. The next SCC meeting is scheduled on Thursday February 16, 2023 at 10 a.m.

With there being no further business, Chair Wicker adjourned the meeting at 11:28 a.m.