

Attachments: [Shoreline Considerations Applicable to Capitol Lake Dam.docx](#)

From: Robert Jensen [mailto:rvmijensen@]
Sent: Wednesday, June 29, 2016 12:34 PM
To: Martin, Carrie R. (DES) <carrie.martin@des.wa.gov>
Subject: FW: Purpose and Need Statement

Dear Carrie,

Please confirm you received the below email message and the two attachments.

Respectfully yours,
Bob Jensen

From: rvmijensen@
To: descapitollake@des.wa.gov
Subject: RE: Purpose and Need Statement
Date: Tue, 28 Jun 2016 18:16:51 -0700

Dear Carrie,

I have attached a copy of my written statement for tomorrow's meeting. It consists of a one-page statement and a one-page appendix.

Respectfully,
Bob Jensen

From: DESCapitolLake@des.wa.gov
To: rvmijensen@
Subject: RE: Purpose and Need Statement
Date: Tue, 28 Jun 2016 22:12:46 +0000

Mr. Jensen,

Here is a link to the draft purpose and need statement:

<http://des.wa.gov/SiteCollectionDocuments/About/CapitolLake/2016MeetingDocs/June-ID-OfHybridOptionsMeetingMaterials.pdf>

It's on the fifth page of the document titled "Identification of Hybrid Options (First Touch)"

I hope this helps. If you still can't find it, let me know and I'll send it as an attachment.

Carrie Martin

Carrie R. Martin
Asset Manager
Washington State Department of Enterprise Services
Asset Management
P.O. Box 41480, Olympia, WA 98504 (360) 407-9323
carrie.martin@des.wa.gov

From: Robert Jensen [<mailto:rvmijensen@>]
Sent: Monday, June 27, 2016 10:20 PM
To: DES Capitol Lake <DESCapitolLake@des.wa.gov>
Subject: Purpose and Need Statement

Dear Representative,

Thank you for sending me a copy describing the Community Input Meeting scheduled for Wednesday. Where can I obtain a copy of the draft Purpose and Need Statement?

Respectfully,
Bob Jensen

Sent from [Mail](#) for Windows 10

My name is Robert Jensen. I reside in Lacey. I served as the Assistant Attorney General for the Department of Ecology, defending the Shoreline Management Act (SMA), from 1971 to 1981. During that time, I defended this law numerous times in the state appellate courts, including the State Supreme Court. In 1992, I was appointed by Governor Booth Gardner to the State of Washington Shorelines and Pollution Control Hearings Boards. My service on those boards continued until I retired in 2004.

The SMA was passed by the people as a state-wide initiative in 1971. The Capitol Lake Dam was constructed in 1951.

In June 2015, I wrote a letter to The Olympian, which called for removal of the Capitol Lake Dam on the basis of the policies of the Shoreline Management Act. It was published on June 28. I have attached a copy of that letter as Appendix A. The letter concludes:

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 SMA are broad. They are to be liberally construed to give full effect to the objectives and purposes for which the SMA was enacted. RCW 90.58.900.

These guiding policies are set forth in RCW 90.58.020. They begin as follows: "The legislature finds that the shorelines of the state are among the most valuable and fragile of its natural resources and that there is great concern throughout the state relating to their utilization, protection, restoration, and preservation."

These policies apply to all development on the shorelines of the state. RCW 90.58.140(1). The SMA defines development to include:

. . . a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to this chapter at any state of water level. RCW 90.58.030(3) (a).

I doubt the dam at Capitol Lake, would have been constructed had the SMA been in effect in 1951. Now the question becomes: should Capitol Lake be restored and retrofitted to meet the stringent requirements of the SMA? Given what we understand about the importance of river estuaries today, and the SMA's policies favoring their restoration, the answer is no.

APPENDIX A

Deschutes estuary option in harmony with state law

The time has come to remove the dam at the entrance to Capitol Lake and to restore the Deschutes estuary.

Shorelines are among the most valuable and fragile of the natural resources of our state.

Consequently, there is great concern relating to their utilization, restoration and protection. These are policy statements from Washington's Shoreline Management Act.

The Shoreline Management Act was an initiative to the people, passed by the voters in 1971. The Deschutes River (Capitol Lake) Dam, which was constructed in 1951, predates the act. The city of Olympia, the state departments of Ecology, Enterprise Services, and

Fish and Wildlife are all subject to the policies, and regulations of the act.

The U.S. Army Corps of Engineers is subject to the act by virtue of its having been approved in 1976, pursuant to the federal Coastal Zone Management Act of 1972. Specific federal agency actions, including dredging by the Corps of Engineers, or permits issued by it under the Rivers and Harbors Act of 1899, must be consistent, to the maximum extent practicable, with the policies of the Shoreline Management Act.

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.

BOB JENSEN

Lacey

The Olympian
6/28/15

Martin, Carrie R. (DES)

From: Ty Karney <tyvideo@ >
Sent: Saturday, June 25, 2016 3:54 PM
To: DES Capitol Lake
Cc: Ty Karney
Subject: Capitol Lake options/ solutions ideas see attached

Ty Karney

Olympia, WA

6/25/16

Subject: Capitol Lake Management Options and Solutions

For your consideration:

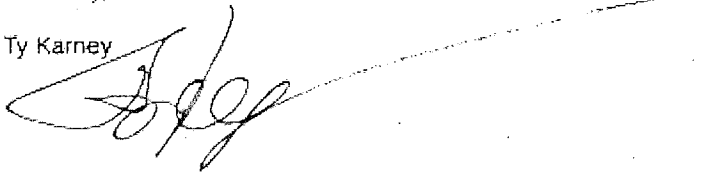
Reviewing all the research/options and proposals presented so far this arrangement popped into my head. (see attached) I think people get hung up on the word estuary thinking that it must mean salt water. A fresh water estuary is a real and viable option for the South Lake while keeping the North Lake / Dam a managed freshwater basin.

1. Kill the snails now. Please restore boating activities in the next three years.
- either dredge them up and bury them deep or drain the lake and send crews with propane weed burners to cook them where they lie. I'll be the first to volunteer.
2. Creating new parks along the West shoreline just like the West Bay DR park is a perfect use for the sediment. Cap it with however many feet of clean topsoil you need and size it to make full use of the Western shoreline. Heritage Park is packed on sunny days and a real boat launch would be great to have.
3. Return the hydroplane races to Lakeland. Downtown needs some excitement.

As a native of Olympia (53 years) I can speak for many when I say we gave up on the South Lake a long time ago but treasure the North Basin for all the reason you've documented in the surveys. I respect the process and hope you will act to remove the snails ASAP and restore boating activities now for present use while the debate and decision making process continues until resolved

Sincerely,

Ty Karney



Managed North Lake/Keep Dam

Create Extended
shoreline park
with boat ramp/parking

Deep Dredge Middle
as deep as funding allows

shallow dredge

shallow dredge

Arc of statehood type wall

sandy sloped launching
paddleboard/kayak

Swimming NO Wading MAYBE



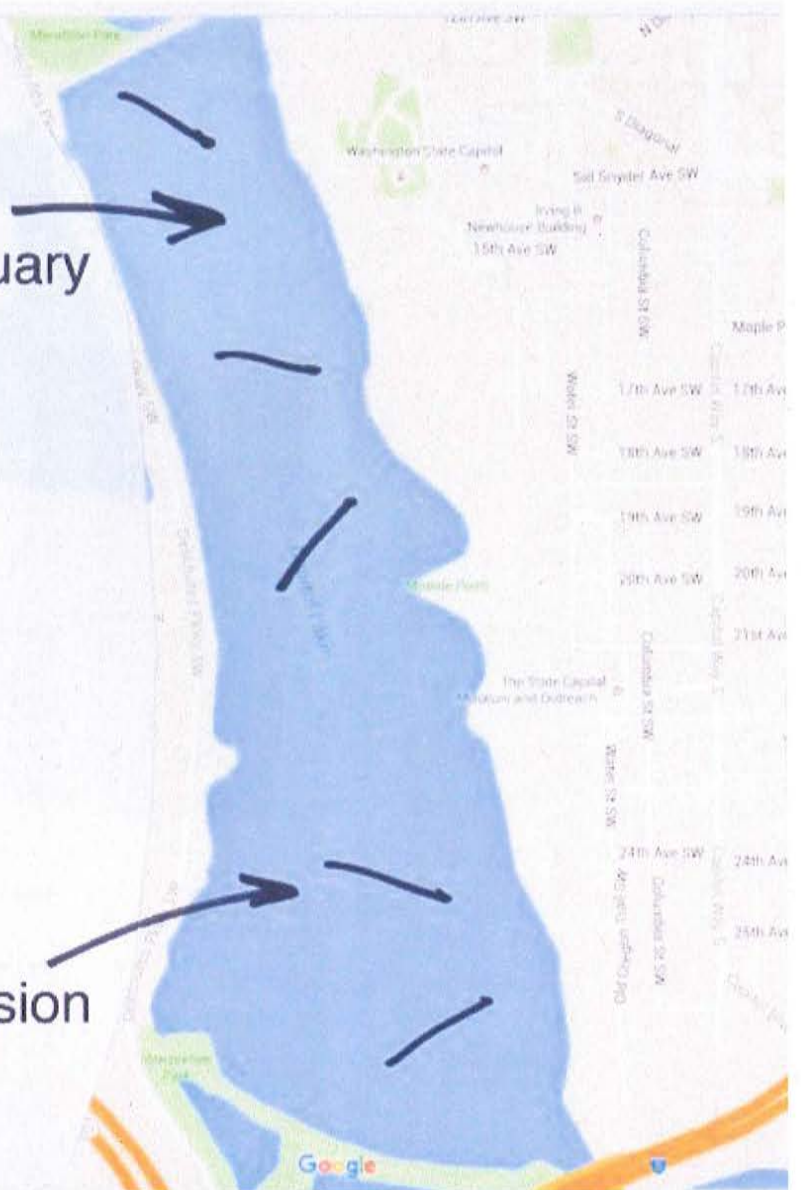
South Lake Freshwater Estuary

allow to fill
with sediment

then build trails

Dredging limited to
snail removal and
diversion walls

Engineered
Sediment Diversion



Martin, Carrie R. (DES)

From: Dominick Reale <elaermod@>
Sent: Thursday, June 23, 2016 9:36 PM
To: DES Capitol Lake
Cc: pres@blackhills-audubon.org; Dominick Reale; Diana Reale; Marty Werner; smor461@ecy.wa.gov
Subject: Capitol Lake (Duck) Comments

Hello Jim Erskine and DES, and the rest of the Capitol Lake team. My name is Dominick (Dom) Reale, and these are my comments regarding the Capitol Lake / Restoration project. My attorney and I hope that you will take appropriate actions in light of these comments and information.

Background - I am a long time birder, and member of the Audubon Society, although I do not claim to represent that organization. I am a retired Environmental Engineer who worked for 30 years with the Department of Ecology cleaning up toxic dump sites. In the winter of 2014/2015 myself, my wife Diana and another retired Ecology Environmental Engineer, Martin Werner, made a count of the ducks found on Capitol Lake.

Findings/Comments - The duck species and numbers we counted on November 25, 2014 are as follows:

- Bufflehead - 772
- Ring-necked Duck - 1404
- Gadwall - 17
- American Wigeon- 1282
- Mallard - 191
- Canvass-back Duck - 9
- Double-crested Merganser - 3
- Hooded Merganser - 1
- American Coot - 104
- Pied-billed Grebe - 2
- Ruddy Duck - 1
- Total number of ducks and water fowl = 3769

Similar numbers of ducks were found on Capitol Lake in the winter of 2015 /2016. These ducks were not just resting at the lake. Both weed-eating and fish/shellfish-eating ducks were observed to be actively feeding at the lake.

With the completed "restoration" of the Nisqually National Wildlife Refuge, Capitol Lake appears to be THE main wintering ground for ducks and other water fowl in Thurston County and within a 50 mile radius of Olympia. The environmentally unfortunate aspect of the Nisqually restoration is that little of the estuary contains water at lower tides, and is a very large mud flat. The same will be true of Capitol Lake if it too is "restored".

It seems that virtually all "environmentalists" assume that returning any ecosystem back to its pre-civilization state is always a positive change. I contend that any proposed change, including the Capitol Lake project, needs to FULLY evaluate the existing environmental conditions prior to designing any such change. The SEPA

process should demand that it does. I will follow up on that count. I have observed that Capitol Lake's shallow freshwater ecosystem is very well used and needed by many ducks and other creatures. It provides edible vegetation (yuk - weeds!), fish, frogs, crawfish, insect larvae, and (yuk) mud-snails. Such a shallow freshwater lake adjacent to Puget Sound is very likely a more rare and needed refuge for ducks and other wildlife than another mudflat. Someone should calculate the acreage of south Puget Sound that is already a tidal mudflat, versus that which would be added by a post-Capitol Lake "restoration" mudflat.

Post Scripts

- I agree with Dr. David Milne that if we wanted to rectify the particulate loading, nitrates and phosphates found by the Department of Ecology to flow down the Deschutes River we might pay a consultant a lot of tax money to design and build a big retention pond for aeration, particulate settling, chemical and biological decomposition of pollutants, offering a chance for vegetation and silt removal. Or we could just keep Capitol Lake, which seems to accomplish all of these things!
- Finally; the lake is a beautiful reflecting pool for our state Capitol. People love to walk, jog, picnic and yes even bird watch around it. I suspect a mudflat will be not nearly as aesthetically pleasing, and in summer will have a foul aroma. People should count too.

Martin, Carrie R. (DES)

From: PJ <peggyblegen@ >
Sent: Tuesday, June 21, 2016 11:27 AM
To: DES Capitol Lake
Subject: Dual Estuary/Lake

I was born in Olympia 72 years ago and have lived here my entire life. As a child, we swam in Capitol Lake as did my four children. For 20+ years, i have seen it get scummier and more polluted. It is an Embarrasment! for the capital city! When the economy is down, the answer is we don't have the money to fix it. When the economy is better and even peaks, we spend tax money elsewhere and the lake becomes more of an eyesore each year.

For years we have talked about dredging the lake, or helping it become an estuary, and now we have a dual proposal. This is an idea to make the lake beautiful once again while allowing the cleansing ability of an estuary to thrive.

Yes it will cost millions, but imagine the benefits to Olympia, its citizens, its shopkeepers, its reputation as the capital city. We can have a lake with paddle boats and canoes to rent, a place to swim, maybe a carousel and concessions. We can beautify Olympia with this plan.

Please vote for this to happen! As representatives for the people, you owe us this. Do not let another decade pass of endless discussions.

Peggy Blegen

Olympia Wa

Sent from my iPad

Martin, Carrie R. (DES)

From: Stacy M <stacy.munson@ >
Sent: Monday, June 20, 2016 4:40 PM
To: DES Capitol Lake
Subject: DELI idea

I've been introduced to the Dual Estuary/Lake Idea and would like to see this idea receive more attention from the DES. Please elevate this idea to the preferred alternative during upcoming environmental impact studies.

I am an Olympia resident who lives in the downtown neighborhoods, and this truly seems to be a win/win/win for all involved.

Stacy Munson
stacy.munson@

--

Thanks,
Stacy Munson
stacy.munson@

Martin, Carrie R. (DES)

From: James Anest <jpanest@ >
Sent: Monday, June 20, 2016 2:06 PM
To: DES Capitol Lake
Subject: Public comment on the future of Capitol Lake I support DELI

Dear DES,

After watching several years of stalemate about the future of Capitol Lake, I was pleased to see the DELI proposal. I think it is an excellent direction and would meet many needs AND provide a long-term solution.

Thanks you for hearing my voice.

Jim Anest

--
"When it noticed the sober watcher was no longer holding its leg, it flew." -- Rumi

Martin, Carrie R. (DES)

From: hwbranch@
Sent: Monday, June 20, 2016 8:36 AM
To: DES Capitol Lake; Erskine, Jim A. (DES)
Subject: Capitol Lake

State of Washington Department of Enterprise Services

For a study of any area to have validity, it must by definition cover the scope, extent, range and span of the area.

If we're talking about the estuary of the Deschutes Estuary, we must do so according to accepted definitions, that is, "a partially enclosed coastal body of brackish water with one or more rivers or streams". We cannot leave out the streams. For the Puyallup River, this would include Hylebos Creek. For the Nisqually this would include McAllister Creek.

For the Deschutes River, this would include Moxlie, Ellis and Schneider Creeks.

A marine chart from the 1850s shows the historic estuary of the Deschutes River. What is now Capitol Lake was smaller in area and largely confined between higher ground. The broader tide flats extended well north into Budd Inlet, the structure being largely shaped by the estuaries of Moxlie, Ellis and Schneider Creeks.

The larger area of tide flats were outside and to the north of the current dam. Vast areas of salt marsh, sea grasses, beaches covered with macro algae, habitat for benthic organisms, nektonic fishes and birds proliferated around the combined estuaries of Moxlie, Ellis and Schneider Creeks. The greater area and opportunity for improvement lie outside the current dam in these areas.

How can we use terms like "best available science" when we're not following proper definitions according to the most basic parameters?

Removing the dam would not equate to a restoration of the estuary. There's a mile of riprap along Deschutes Parkway that would probably have to be further reinforced along with the supports for both I-5 and 101 and the 4th and 5th Ave bridges and the railroad.

Meanwhile, the City, the Port, and a developer are planning on building on top of the historic estuary of Moxlie Creek. The potential benefits are comparatively insignificant. We're talking about "restoring" area "A" while allowing the permanent destruction of area "B"?

How does this not make a mockery of this entire process?

Harry Branch

Olympia WA

Martin, Carrie R. (DES)

From: Donna and Jack Rice <djhric@ >
Sent: Thursday, June 16, 2016 12:10 PM
To: DES Capitol Lake
Subject: DELI proposal

Greetings:

I have read the DELI plan to fix Capitol Lake--April 2016. This seems very promising and I support it or something similar.

Thank you,

Jack Rice

Martin, Carrie R. (DES)

From: Steve Albrecht <alberndts@ >
Sent: Tuesday, June 14, 2016 10:55 AM
To: DES Capitol Lake
Subject: Dual Estuary and Lake option

The DELI option for Capitol Lake as is being distributed by Steve Shanewise seems logical, practical and economically and scientifically sound.

I strongly urge the DES to use this as the basis for a long term plan on Capitol Lake/Deschutes River tidal estuary
Steve Albrecht

Olympia, WA

Martin, Carrie R. (DES)

From: Elaine Dodd <redhedz95@ >
Sent: Sunday, June 12, 2016 4:21 PM
To: DES Capitol Lake
Subject: DELI

Having been a life long resident of Olympia and one of many who walk the "lake", I think this is an excellent plan. Its a shame its taken so long to fix a problem thats so visable and at times so stinking. My dog fell in the lake as I was walking and we were told by our vet to wash her 3 times because of the terrible pollution in that water. Most of the time it just looks like a toilet anyway.

Here we are surrounded by water and can't get near it. There is no place near the boardwalk you can access easily to play, our local lakes are surrounded by homes that don't want anyone not living in the neighborhood to use the lake or you have to get as permit to swim, this is just crazy. Our lakes and streams should be available to all. There should be access for all to use the lakes and beaches. I have been to other states that have made good use of the beautiful waterways in their area and there is no reason Olympia can't do it.

What a wonderful chance to return this land back into what it should have been long ago and to have a public swimming area with a lifeguard or two would be just so amazing. To be able to walk along the estuary down to the lake, how great would that be?!

What a shame we are all blocked to our natural beauty of the lakes and streams around here, shame on Olympia...DELI would be well worth the price for our future generations as well.
Elaine Dodd

Martin, Carrie R. (DES)

From: Gayle Newsom <gawben@ >
Sent: Monday, June 06, 2016 10:15 AM
To: DES Capitol Lake
Subject: DELI

To Whom It May Concern,

I have read the proposal DELI A plan to fix Capitol Lake. I think this is the best solution to the problem. Everyone would khaki a part of what they want the lake to be. I am hoping that the cost would not be out of reach. I would certainly be willing to contribute to any fund that would further this project. I feel we have debated long enough. The sides of "all my way or none" are firmly entrenched; we must come to a plan like this.

Lack of a swimming area is a huge issue. We have young people who would benefit in; many ways.

Recreational canoeing would also be wonderful.

Maintaining a mirror-like lake was the dream of the architects and landscapers who designed our capitol.

Removing the dam would allow the fish to return.

Removing the dam and forming a new road to Deschutes Parkway and Fourth would make the passage around the lake safer for walkers, bicyclists and young children.

Sincerely,
Gayle W Newsom

Olympia, WA

gawben@

Martin, Carrie R. (DES)

From: Don Schmidt <oldblinky@ >
Sent: Friday, June 03, 2016 4:07 PM
To: DES Capitol Lake
Subject: Capitol Lake
Attachments: DELI CAPITOL LAKE.docx

I spoke with a guy who asked me to give you my opinion.

I got wordier than intended so it is an attachment.

Thanks
Don Schmidt

I am an Olympia native (age 70) and I vaguely remember the publicity of the “new lake” created by the 5th avenue dam.

I remember how much we teenagers enjoyed the new swimming area in the 1960’s since Olympia had no municipal public swimming area. I spent many hours water skiing on both sections of the lake in the early ‘60’s. We knew at that time that the lake was getting shallower every year.

As years went by I saw the southwest area filled with dredged material and wondered how long it would take to fill up the whole lake.

I have watched the debate between lake and estuary with interest because I tend to favor the estuary option. I personally prefer a natural environment to a man made one. So there may be some mud and maybe some odor. So what, I remember when east bay came all the way to State Street and was filled with log rafts we survived.

I often joke (I hope) that the plan is to let the lake fill with silt until it can be paved for more campus parking.

I think the DELI option is a very reasonable and practical compromise.

You have a reflecting pool for the Capitol, safe fresh (cold) water for recreation and a method to reduce or eliminate downtown flooding,

You have a natural estuary of the river flowing to the sound as it was for a million years or so until man “improved” it.

I see also this as a good option for elected officials who are concerned about taking sides.

The lake people have their lake, the estuary people have their estuary and the politicians don’t have to make a decision.

The biggest problem I see is achieving the compromise. In my experience in similar situations people who have chosen a certain side are unwilling to consider any options. “I want the lake/estuary and will not consider anything else!”

As a rule I do not voice opinions on political issues but obviously I am willing to make an exception in this case.

Thank you for your consideration.

Don Schmidt

Martin, Carrie R. (DES)

From: Joanne Osband <joanneosband@ >
Sent: Wednesday, June 01, 2016 5:48 PM
To: DES Capitol Lake
Subject: Capitol Lake

Hi,

I support DELI. It is the best of both worlds.....save the lake and the estuary.
I hope this happens and not just talk.

Peace & Joy,
Joanne

"If you hear a voice within you say, 'you cannot paint,'
then by all means paint, and that voice will be silenced."

Vincent Van Gogh

Martin, Carrie R. (DES)

From: Debra Carpenter <dcarpenter3@ >
Sent: Tuesday, May 24, 2016 10:31 AM
To: DES Capitol Lake
Subject: Fix Capitol Lake

I wanted to email and let you know that I am for the Capitol Lake project. This really is exciting and I would approve the plan.

Debra Carpenter

Lacey, WA

Martin, Carrie R. (DES)

From: Dale Johnson <djohnson11@ >
Sent: Monday, May 23, 2016 2:51 PM
To: DES Capitol Lake
Subject: DELI

Hello Sirs and Madams.

I recently heard of an idea that would improve Capitol Lake and the Estuary I'm sure you already know about D.E.L.I. Dual Estuary/Lake Idea. I believe this is THE best plan I have ever seen to solve the problem with our downtown area. It will not only satisfy the people that want the Estuary returned but also make the lake usable again and help beautify downtown. Thanks Dale Johnson

Dale Johnson

Lacey, WA

djohnson11@

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Q1 Please provide your contact information:

Answered: 56 Skipped: 0

Answer Choices	Responses
Name:	100.00% 56
Email address:	100.00% 56
Phone number:	100.00% 56

#	Name:	Date
1	Dave Peeler	7/1/2016 9:12 AM
2	Helen Wheatley	7/1/2016 9:09 AM
3	Nancy Partlow	6/30/2016 7:28 PM
4	Kelly A Mills	6/30/2016 3:57 PM
5	Nancy Partlow	6/30/2016 2:42 PM
6	Nancy Partlow	6/30/2016 2:00 PM
7	Jerilyn Walley	6/30/2016 10:58 AM
8	John Parry	6/30/2016 9:42 AM
9	Nicholas Wooten	6/30/2016 9:24 AM
10	Mark Welpman	6/29/2016 8:28 PM
11	judy smith	6/29/2016 2:51 PM
12	Mark Dahlen	6/29/2016 2:33 PM
13	John O'Brien	6/29/2016 9:47 AM
14	Scott Bishop	6/29/2016 9:26 AM
15	Mike Reid	6/29/2016 9:14 AM
16	Chery Sullivan	6/29/2016 5:34 AM
17	Robert L. Vadas, Jr.	6/29/2016 12:49 AM
18	Judy Bardin	6/28/2016 9:42 PM
19	Bill Robinson	6/28/2016 6:56 PM
20	S Smith	6/28/2016 1:03 PM
21	Thomas Allen	6/28/2016 12:45 PM
22	John Parry	6/28/2016 10:48 AM
23	Marie Schneider	6/28/2016 10:40 AM
24	Janell Rodriguez	6/28/2016 9:05 AM
25	Susan Kibbey	6/28/2016 8:34 AM
26	Melanie Golob	6/28/2016 8:25 AM
27	Pam Kentner	6/28/2016 8:23 AM
28	robert barnoski	6/28/2016 8:17 AM
29	Clydia J Cuykendall	6/28/2016 8:05 AM
30	Jay Tavis	6/28/2016 8:04 AM
31	John Shaughnessy	6/28/2016 6:54 AM

Capitol Lake/Deschutes Estuary Public Input Form - June 16 thru June 30, 2016

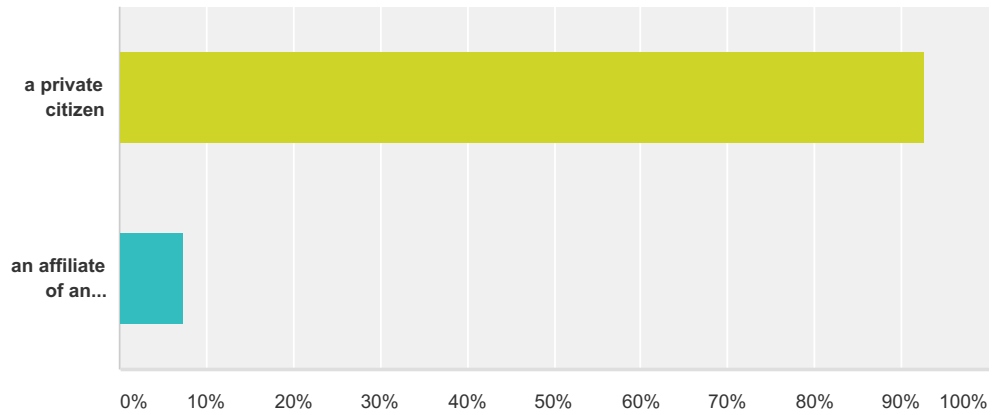
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34	Paul Pickett	6/27/2016 9:29 PM
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36	Gene Coakley	6/27/2016 8:58 PM
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38	Paul	6/27/2016 7:39 PM
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43	Gary Cooper	6/27/2016 5:11 PM
44	Allen Miller	6/27/2016 5:02 PM
45	Gerald Pumphrey	6/27/2016 5:00 PM
46	Joel Rett	6/27/2016 4:57 PM
47	Jon Kime	6/27/2016 4:39 PM
48	Sue Patnude	6/27/2016 4:31 PM
49	Glen Hunter	6/23/2016 8:41 AM
50	Ty Karney	6/22/2016 3:39 PM
51	carole richards	6/22/2016 7:55 AM
52	Paul Allen	6/21/2016 10:56 PM
53	zena	6/16/2016 8:33 PM
54	Martin McCallum	6/16/2016 7:51 PM
55	Jon Bennett	6/16/2016 6:43 PM
56	Jenna M Schroer	6/16/2016 4:55 PM
#	Email address:	Date
1	davepeeler@	7/1/2016 9:12 AM
2	hwheatley22@	7/1/2016 9:09 AM
3	nanpartlow@	6/30/2016 7:28 PM
4	kellannette@	6/30/2016 3:57 PM
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6	nanpartlow@	6/30/2016 2:00 PM
7	jeri.walley@	6/30/2016 10:58 AM
8	parryjd46@	6/30/2016 9:42 AM
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10	welpman@	6/29/2016 8:28 PM
11	inmygardenwithu@	6/29/2016 2:51 PM
12	mdahlen@	6/29/2016 2:33 PM
13	johnobrienpa@	6/29/2016 9:47 AM
14	sbishop@	6/29/2016 9:26 AM
15	michaelwreid@	6/29/2016 9:14 AM

Capitol Lake/Deschutes Estuary Public Input Form - June 16 thru June 30, 2016

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18	judybardin@	6/28/2016 9:42 PM
19	b6robinson@	6/28/2016 6:56 PM
20	frausteph@	6/28/2016 1:03 PM
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28	rpbarnoski@	6/28/2016 8:17 AM
29	cjcuyken@	6/28/2016 8:05 AM
30	jtavis@	6/28/2016 8:04 AM
31	kevanandernie@	6/28/2016 6:54 AM
32	j-brackett@	6/28/2016 5:20 AM
33	marciakwolf@	6/27/2016 11:18 PM
34	fraxinus@	6/27/2016 9:29 PM
35	Ppetrukitas@	6/27/2016 9:07 PM
36	tigergc@	6/27/2016 8:58 PM
37	hankins.martha@	6/27/2016 8:28 PM
38	Allen	6/27/2016 7:39 PM
39	leveeis@	6/27/2016 6:24 PM
40	rvmijensen@	6/27/2016 6:18 PM
41	chrishalsell@	6/27/2016 5:46 PM
42	ezrr1@	6/27/2016 5:18 PM
43	gary-cooper1@	6/27/2016 5:11 PM
44	allen@	6/27/2016 5:02 PM
45	gerald.pumphrey@	6/27/2016 5:00 PM
46	jrett55@	6/27/2016 4:57 PM
47	jekime@	6/27/2016 4:39 PM
48	suepatnude@	6/27/2016 4:31 PM
49	rangerbob_glen@	6/23/2016 8:41 AM
50	tyvideo@	6/22/2016 3:39 PM
51	rd.car.3888@	6/22/2016 7:55 AM
52	pauljallen@	6/21/2016 10:56 PM
53	zhartung@	6/16/2016 8:33 PM
54	martinandval@	6/16/2016 7:51 PM
55	bennettjon@	6/16/2016 6:43 PM
56	earthlovinmama@	6/16/2016 4:55 PM

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

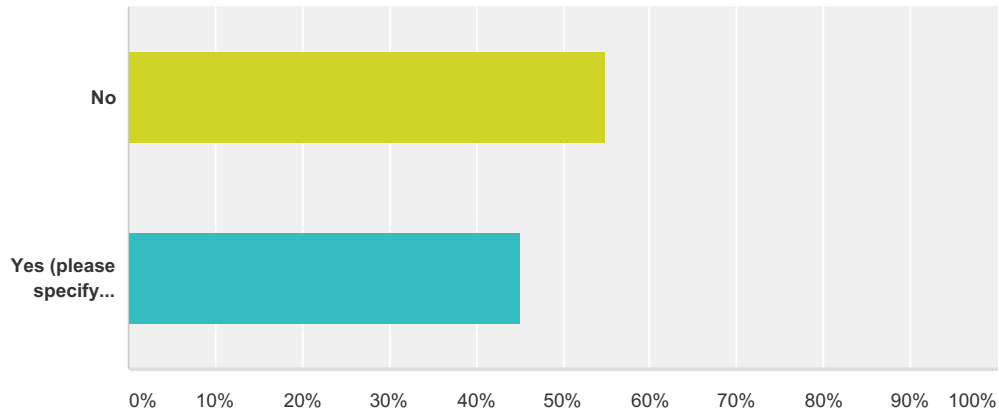
Q3 What organization are you affiliated with?

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

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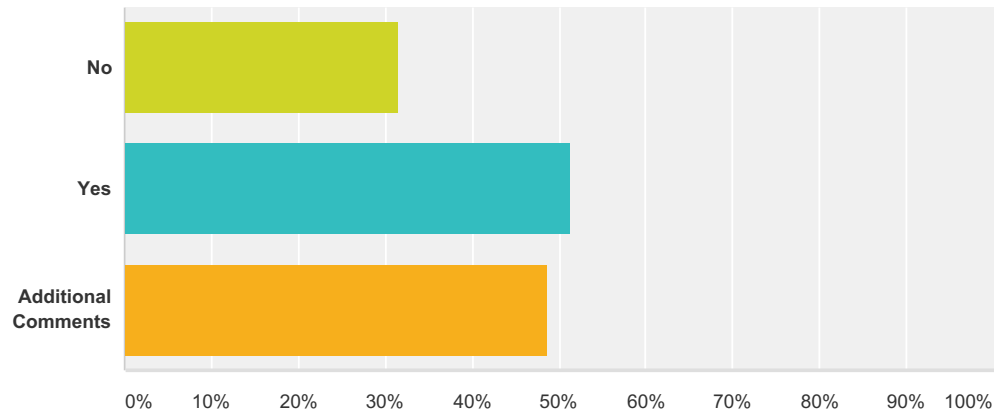
2	I have only recently learned that hybrid options are being submitted for the lake. I don't have any presentations or maps, but I do have a suggestion based on long time observations. The best wildlife habitat by far at Capitol Lake is at the Capitol Lake Interpretive Center, followed by the south basin 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 fresh-water 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 airrated 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

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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, Suquamish/Elliott 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

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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. If 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

From: Robert Jensen [<mailto:rvmijensen@>]
Sent: Wednesday, June 29, 2016 2:42 PM
To: Martin, Carrie R. (DES) <carrie.martin@des.wa.gov>
Subject: Deschutes Estuary/Capitol Lake Study

Dear Carrie,

I have attached the revised first page of my submission. The revision is at the conclusion. It does not change, but only clarifies the meaning. I apologize for this delay. Thank you kindly for your courteous consideration.

Respectfully yours,
Bob Jensen

My name is Robert Jensen. I reside in Lacey. I served as the Assistant Attorney General for the Department of Ecology, defending the Shoreline Management Act (SMA), from 1971 to 1981. During that time, I defended this law numerous times in the state appellate courts, including the State Supreme Court. In 1992, I was appointed by Governor Booth Gardner to the State of Washington Shorelines and Pollution Control Hearings Boards. My service on those boards continued until I retired in 2004.

The SMA was passed by the people as a state-wide initiative in 1971. The Capitol Lake Dam was constructed in 1951.

In June 2015, I wrote a letter to The Olympian, which called for removal of the Capitol Lake Dam on the basis of the policies of the Shoreline Management Act. It was published on June 28. I have attached a copy of that letter as Appendix A. The letter concludes:

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 SMA are broad. They are to be liberally construed to give full effect to the objectives and purposes for which the SMA was enacted. RCW 90.58.900.

These guiding policies are set forth in RCW 90.58.020. They begin as follows: "The legislature finds that the shorelines of the state are among the most valuable and fragile of its natural resources and that there is great concern throughout the state relating to their utilization, protection, restoration, and preservation."

These policies apply to all development on the shorelines of the state. RCW 90.58.140(1). The SMA defines development to include:

. . . a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to this chapter at any state of water level. RCW 90.58.030(3) (a).

I doubt the dam at Capitol Lake, would have been constructed had the SMA been in effect in 1951. Now the question becomes: can Capitol Lake be restored and retrofitted to meet the stringent requirements of the SMA? Given what we understand about the importance of river estuaries today, and the SMA's policies favoring their restoration, the lake and dam are artificial shorelines that cannot be restored; the estuary, however, is a natural shoreline, and must be.