



CAPITOL LAKE – DESCHUTES ESTUARY

Long-Term Management Project Environmental Impact Statement

Meeting Summary

Date: Nov. 14, 2019

Time: 6:00 – 9:00 p.m.

Location: 1500 Jefferson St., Olympia, WA

Topic: Community Sounding Board Meeting

Meeting Participants

Community Sounding Board Members in Attendance

- John DeMeyer
- Clara Hard
- Bob Holman (alternate)
- Ali Johnson
- Jeanette Lafoon
- Doug Mah
- Alanna Matteson
- Allen Miller
- Jack Mongin
- David Nicandri
- Drew Phillips
- Kathi Rafferty
- Stuart Reed
- Alicia Rose
- Steve Shanewise
- Nancy Stevenson
- Richard Wadley
- Bruce York
- Nancy Zabel

Community Sounding Board Members not in Attendance

- Sandy Cashman
- Joel Hansen
- Cory Miller
- Gretchen Nicholas
- Robyn Wagoner
- Jenny Wilson

Department of Enterprise Services

- Carrie Martin
- Bill Frare

EIS Project Team Consultants

- Tessa Gardner-Brown, Floyd|Snider
- Steven Gray, Moffat & Nichol
- Ray Outlaw, EnviroIssues

Facilitator

- Susan Hayman, EnviroIssues

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Observers

- Jack Havens
- Genny Matteson
- Sam Fox
- Bob Wubbena (CSB member, deferred to Bob Holman at the table for this meeting)

Meeting Summary

Opening Comments and Review of Agenda

Bill Frare, Assistant Director for Facility Professional Services and the State Environmental Policy Act (SEPA) Responsible Official, welcomed the participants to the Community Sounding Board (CSB) meeting. He thanked members for taking time out of their day and noted it is very important to him personally and the state to identify a preferred alternative that will solve the problems with Capitol Lake. Enterprise Services is working to be very transparent and avoid surprises and needs the CSB to help achieve that goal.

Susan Hayman, facilitator, welcomed the CSB members, expressed gratitude to everyone in attendance, and reviewed the meeting agenda. Susan reminded observers how to participate and introduced the newest members of the CSB (Stuart Reed and Richard Wadley) and Environmental Impacts Statement (EIS) project team (team) in attendance. Both Stuart and Richard provided brief additional remarks by way of introduction.

Carrie Martin, Project Manager, thanked the group for attending.

EIS Project Schedule Update

Tessa Gardner-Brown began the discussion with the updated [EIS Process Map](#). Tessa described the typical EIS process, which begins with scoping, as indicated in the map. The process map is intended to convey how the EIS project team is reaching out to various stakeholder groups and what the topics are when those conversations occur.

The revised process map shows a schedule adjustment since it was last presented to the CSB. The schedule now targets issuance of the draft EIS in mid-2021. The original target was late-2020. The final EIS is now expected in 2022. The delay is due to the Olympia Brewery oil spill, which required the team to wait to conduct the bathymetric survey originally planned for April. Between April and when the EIS Project Team was able to access the site in July, vegetation bloomed and prevented survey work. Those data are very important for many analyses, so much of the EIS work cannot begin until after the bathymetric survey is complete. The EIS Project Team is tracking conditions very closely and will conduct the survey as soon as site conditions allow.

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In addition to the adjusted draft and final EIS dates, milestones were added for the draft and final Funding and Governance Framework. The Funding and Governance Work Group (FGWG) is working to identify a framework to fund and manage the preferred alternative.

An additional round of stakeholder meetings was added in 2020 to discuss technical elements of the EIS and legislative briefings. This leads the project team into a phase where it will be focused on analysis and writing the draft EIS.

Following Tessa's presentation, Susan invited clarifying questions from the CSB:

Question: Are you looking at one CSB meeting in 2020?

Response: That is a topic for discussion tonight.

Question: Who is involved in Council and Commission briefings?

Response: Representatives for each entity (listed below) participate in the FGWG – these people more broadly engage the full councils and commissions represented on the FGWG. FGWG organizations include:

- City of Olympia
- City of Tumwater
- Lacey, Olympia, Thurston, Tumwater (LOTT) Clean Water Alliance
- Port of Olympia
- Squaxin Island Tribe
- Thurston County
- Washington State Department of Enterprise Services
- Washington State Department of Natural Resources

CSB Meeting(s) in 2020

Susan asked attendees to share ideas for how to keep the CSB engaged and maintain momentum and interest in 2020, while the EIS project team is focused on conducting the analyses. She reminded participants that CSB members are welcome to attend work group meetings.

Susan invited attendees to share general feedback including any feedback on how the September online meeting worked.

Comment: The technology worked well, but it was better to meet in person.

Comment: I was out of town, so it was nice to be able to participate.

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Comment: The ground rules and instructions were very helpful.

Comment: The technology wasn't very adaptable to older computers.

Susan reminded the group that a computer connection was not required, participants could join by phone independently. She also observed that the group could use a variety of ways to engage.

Comment: We spent a lot of time trying to get organized. It seemed to be very one-way communication, so an email update may have been enough.

Comment: In terms of updates and one-way information it is somewhat of an inconvenience. One of the goals of the CSB is to create opportunities for conversation. When we meet we should create opportunities to dialogue with each other.

Comment: Quarterly meetings with two in-person and two via phone/online would be good.

Comment: Given the importance of this project, I'm surprised we haven't met more often. Getting into some small groups would be very helpful.

Susan asked if one-month notice is enough time to plan a meeting and attendees largely agreed. She then summarized key takeaways:

- CSB would be interested in a quarterly meeting frequency
- Small groups and discussion are preferred over presentations with simple questions and answer
- Participants would like more conversation amongst/between themselves
- Use diverse technology so members can participate in different ways

Question: Why are you suggesting we meet less frequently?

Response: When the team gets into the detailed work of the analysis there is less opportunity for input. So future meetings may be more about updates than collecting feedback.

Question: Will we be given some review of that information?

Response: If there is a genuine interest by this group for more technical information, the team would consider how to do that. At a previous meeting the group was generally split between those that wanted more technical details and those that did not.

Comment: If we are going to meet less often and there are project updates it would be nice to have emails sent out.

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Comment: The alternatives maps are great information. We will have some comments on these. It's important that we not go 3-6 months to find out how you responded to CSB comments.

Comment: We will probably have other new members. I would have preferred a direct one-on-one orientation in person or at least offered this option.

Question: Is there a central location for information on other meetings that are open to the public?

Response: Yes. All meetings are posted on the [project website](#).

Primary Components of the Optimized Alternatives

Tessa introduced Steven Gray, Design Lead, and explained that they collaborated with the full EIS project team to develop the [optimized alternatives as presented](#).

Tessa reminded attendees about the Measurable Evaluation Process used to develop the optimized alternatives, which was discussed at the [June CSB meeting](#). She explained how the team looked at all components proposed to date and evaluated them against technical and regulatory feasibility, and economic and environmental sustainability. The environmental sustainability review included their ability to meet the four pillars of the project purpose and need (improving water quality, managing sediment, enhancing ecological functions, restoring community use), with the goal of selecting components that best meet those goals.

Tessa highlighted that these alternatives may evolve as the analysis moves forward and noted the icons indicate which components support specific project goals. She explained that not all elements are represented on the maps, just those that relate to project goals.

Managed Lake Alternative (see map)

- Initial and maintenance dredging in North Basin only
- Adaptive Management Plan to improve water quality
- Restoration of boating and fishing
- Transition to freshwater wetlands in South and Middle Basins
- Boardwalk adjacent to ecological improvements in the Middle Basin
- Adaptive Management Plan to maintain ecological functions

Estuary Alternative (see map)

- Maintenance dredging to remove accumulated sediment

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- Removal of the Fifth Avenue Dam (tide lock)
- Initial dredging in the Middle and North Basin channels
- Restoration of boating and fishing in Middle and North Basins
- Establish shoreline habitat within the Middle and North Basins
- Boardwalk adjacent to ecological improvement in the South and Middle Basins
- Adaptive Management Plan(s) to maintain ecological functions

Hybrid Alternative (see map)

- Maintenance dredging to remove accumulated sediment
- Removal of the Fifth Avenue Dam (tide lock)
- Initial dredging in the Middle and North Basin channels
- Adaptive Management Plan to improve water quality in the reflecting pool
- Multi-modal trail on the retaining wall at the reflecting pool
- Restoration of boating and fishing in Middle and North Basins
- Boardwalk adjacent to ecological improvement in South and Middle Basins
- Establish shoreline habitat within the Middle and North Basins
- Adaptive Management Plan(s) to maintain ecological functions

Summary of clarifying questions and comments

Question: How long is the multi-modal trail in the hybrid alternative?

Response: One mile around the reflecting pool.

Question: On the estuary/hybrid alternatives, when you take the dam out there is no impact illustrated below the dam. Do maps show the features of the alternatives but not the effects?

Response: Correct, the modelling will indicate what the effects might be. That information will be included in the EIS.

Comment: It's hard to understand the water depths because you are using different data types. It would be helpful to use the same legends/colors throughout.

Question: Why is dredging proposed at the outlet rather than the inlet?

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Response: We will determine the location of dredging based on the model results and potential areas of impact. In the managed lake alternative, dredging is presumed throughout the North Basin.

Question: Why do you want the basins to fill in rather than maintain it at a steady state?

Response: We will see what the modelling shows; it will give us an idea of when and what a steady state might look like.

Comment: I have concerns about making these islands out of dredged material, as the material won't be stable.

Question: It looks like you are intending to dredge a channel in the open systems. Rather than model where the river wants to be, why not let the river tell you where it would be?

Response: The idea is to use the model to anticipate where the river will go. We would dredge the channel in those areas to capture sediment during construction to avoid impacts downstream. There isn't a continued manipulation of those channels over time though.

Question: In the managed lake scenario is there a reason why the South Basin doesn't reflect the North Basin components? Do the Middle and South Basins have to be a package deal?

Response: It would be more expensive to dredge the south basin compared to the current approach, but no, they are not necessarily packaged together.

Question: In the open scenarios, there would be a 500-foot opening?

Response: It would be approximately 500 feet at the dam location. This opening size is reached by removing the tide gate, which is about 80 feet, and the earthen dam.

Question: For the open systems the point of the estuary is not requiring maintenance dredging. Is there a reason that the description says it would have maintenance dredging?

Response: The intention is to let the estuary establish. Maintenance dredging is intended to avoid operational impacts downstream, for example at the Port. Maintenance dredging in the open system is envisioned downstream and would occur as needed.

Comment: I'm pleased adaptive management is incorporated but one of the advantages of it is that you can adjust if something is not working. I would maintain that is the exact opposite of taking the dam out. If you take the dam out, you are committed to not having a basin.

Comment: The open systems do not accurately depict mudflats with the use of greens in the images, which seems to imply vegetation.

Response: The shoreline habitat would be constructed at an elevation above where you would see mudflats, so plants could be present.

Question: Are all the goals weighted equally? Does one provide more benefit than another?

Response: The intent of the EIS is to evaluate those impacts; we are not there yet.

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Question: The railroad right of way creates a chokepoint; has there been any consideration for addressing this?

Response: It has been discussed and thought about a lot. We looked at previous work that indicates scour would not be an issue. We will verify that assumption with the model results.

Question: What are the performance goals for habitat referenced in the Managed Lake?

Response: Those would be defined in the permitting process, after the final EIS. For example, the agencies might require 90 percent first year survival rate for the habitat areas that established.

Question: Are these the alternatives to be evaluated in the EIS? Is it prohibitively expensive to dredge the other basins?

Response: These are the alternatives we are proposing to evaluate in the EIS. The extent of dredging was affected by costs and what best meets the project goals.

Question: Would the current trail in the South Basin be maintained in these options?

Response: Yes.

Question: If the dam is removed, how will that affect access?

Response: During construction access would be interrupted and that would be evaluated in the EIS. During operation the assumption is the bridge is restored.

Question: At what point will you factor in sea-level rise (SLR)?

Response: We will be modeling SLR scenarios and will include an analysis in the EIS for all alternatives.

Question: If there is some way to manage New Zealand mudsnail why hasn't that been done already? How are we going to eliminate the snail and restore use to the lake?

Response: We will be discussing options with the Technical Work Group. We will look at potential control options and learn what could be permitted. If we can't eradicate, the EIS will look at how to keep mudsnails from spreading outside this waterbody. For example, using decontamination sites.

Question: Would you explain modeling, what that looks like?

Response: We will model how this system will look over time in terms of water level and sediment movement. The model was discussed in detail during the June 6, 2019 Executive Work Group meeting. That meeting was video recorded so [watching that portion](#) of the meeting could be helpful.

Comment: A lot of us have been looking at mudsnails. There are ways to mitigate it, but the real question is how serious is the problem? There is no place else that is quarantined like this. With the lake they are at least contained; with the dam removed you could introduce them into Budd Inlet.

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Response: The EIS will help us answer this question; it will evaluate survivability of mudsnails in a saline environment and water quality.

Comment: I'm not convinced opening the system improves water quality; it could bring in toxic materials.

After a short break, Susan provided an opportunity for each CSB member to provide a response to one of the following sounding board framing questions regarding the optimized alternatives.

Round-robin sounding board (framing questions below)

Are the proposed figures/descriptions an effective way to communicate information about the alternatives to the public?

CSB participants generally responded favorably to the figures, saying they were helpful for communicating key features of the alternatives and improving participants' understanding of them. The following suggestions were offered by the CSB for how the figures/descriptions might be improved.

- Add a blue line showing where water will be at high and low tide
- Add high/low tide levels, especially if these levels are expected to change over time
- Include the costs of each alternative and where that funding comes from
- Add a scale that indicates the ecological benefits from least to most, both short and long term
- Change the symbol for ecological benefits, as it is underemphasized
- Indicate the location of stormwater drains and how will they be managed
- Include current and expected water quality
- Show how the views will change throughout the day, like during high, medium and low tides
- Add estimated time to achieve goals
- Refine explanatory language to avoid counting/weighting goals achieved (misleading for comparing alternatives)
- Label the dam, boardwalk, other features and widths
- Standardize the keys/legends
- Show how these will look at high and low tide, and with SLR?

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- Adjust the images: in the open systems the green color gives the impression that it is all land
- Add “preserve Wilder and White historic plan for State Capitol Campus and provide flood control” as a goal for the managed lake alternative
- Depict what lower Budd Inlet will look like under the alternatives
- Add photos of some of the features to illustrate what it would look like across different times
- Include more information about the types of plants and foliage that would be added.
- Convey some estimation of the degree of advancement of goals-- that would be helpful as the maps are somewhat simplistic
- Show impacts of SLR and tidal changes; add definition of maintenance dredging and the project area and add a compass
- Show the project area
- Add indication of low and high tide; colors should match the same elevation numbers on each map
- Use the term “recreation” when describing the alternatives. “Boating and fishing” describe very limited uses.
- Show anticipated vegetation heights so that people who may have safety concerns can understand the degree of screening vegetation would create for trails and other public areas

What key piece of feedback regarding the optimized alternatives would you like to communicate to the EIS Project Team?

- On the hybrid alternative, you are getting closer to the Dual Estuary/Lake Idea (DELI). Why do you have the reflecting pool as saltwater, rather than fresh water fed by artesian wells?
- In the updated DELI there is no need for the 500-foot opening, which would be very expensive and may not give you a lot of benefit.
- Be aware of public disappointment of how funding is spent if the EIS shows that it’s not worth it—neither the EIS process nor implementing the preferred alternative
- If you take the dam out, what is that area going to look like?
- None of the plans suitably address the South Basin; there is an iconic building in this area, and it has the best access for recreation. You should give serious consideration to improving the South Basin through more dredging.

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- Make certain that the public knows that computer models inform, but people make the decisions.
- Fifteen years ago, we didn't have these visuals; this is so much better for communicating the alternatives.
- The EIS should speak to the possibility of encouraging encampments with the added vegetation, and any associated safety impacts.
- There is no need to close the lake for mudsnails.
- Weigh the cost of dredging in the lake vs. Budd Inlet.
- Dredged sediment could be sold to offset the cost of dredging.
- An alternative to reestablish a natural salmon run by connecting Percival Creek directly to Budd Inlet through re-channelization should be explored.
- The impact on Budd Inlet is very important and we need to understand the impacts to the marinas and Port.

Tessa noted that some of the feedback can be incorporated very soon but many CSB comments speak to the potential impacts, and that will be addressed in the EIS.

Susan encouraged members to submit additional comments and questions if they felt they have more to say on this topic. The team will review them all and report back.

Future Visualizations of the Optimized Alternatives

Tessa said the team heard very clearly at the June CSB meeting that the EIS needs to go beyond figures to help the public understand what the alternatives will look like. The EIS will include a visual resources analysis and the team will develop visual simulations by taking panoramic images at designated locations and super-imposing simulated future conditions.

Tessa presented an example from a different project to illustrate what the visual simulations would look like ([see presentation](#)). The example was prepared by the EIS visual resources lead using tools to super impose features with precise location and scale.

The EIS will include three to four simulations from locations that best represent potential changes to the visual landscape from the alternatives. Simulations will show conditions under both high and low tide. The team has recommended a subset of viewpoints presented this evening, but is open to any feedback from the CSB.

Tessa reviewed the ten potential locations (see presentation): recommended (1, 2, 3, 7, 5) and not recommended (4, 6, 8, 9, 10). CSB participants asked clarifying questions and made some

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suggestions regarding locational adjustments to the viewpoints, as well as suggesting new viewpoints to consider.

Susan introduced a dot exercise for participants to indicate preferred locations for visual simulations around the lake. Participants were provided four dots that could be placed anywhere in the project area, including locations not previously identified for potential simulations. Susan asked participants to only place one dot per person at a given location. She explained the purpose of the dots is to indicate preferences and provide substantive guidance for visualization decisions as the project moves forward. [Attachment 1](#) contains an annotated photo of the dot exercise for reference.

Question: Why didn't you select the natural viewpoints already in existence, for example at Viewpoint 6?

Response: We are looking for areas that best convey changes from the project and would best show changes in elevation. We did use common viewpoints, like viewpoint 3, but are open to considering other viewpoints used by the community. We hope to get that feedback from this exercise.

The following is a summary of CSB comment regarding each viewpoint from both the discussion and the notes posted with the dots.

Viewpoint	# Dots	CSB Comments via posted notes (if any)
1	5	--
2	8	--
2A (see Figure 1)	1	--
3	13	--
3A (see Figure 1)	2	--
4	2	--
4A (see Figure 1)	3	--
4B (see Figure 1)	1	--
4C (see Figure 1)	1	--
4D (see Figure 1)	2	<ul style="list-style-type: none">• <i>View from Capitol Way west side bridge over I-5 looking back to the brewery and south basin.</i>• <i>Like #4 for view of South Basin, but don't include the bridge structure.</i>
5	4	--

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5A (see Figure 1)	1	<i>Potential view site is from the historic brewhouse top level – view of South Basin</i>
6	9	<ul style="list-style-type: none"> • <i>New location #6: Put down on existing walkway around lake</i> • <i>Revise location to the Pier on the walking path</i> • <i>There is a lookout station just below this viewpoint.</i> • <i>It is from the freeway, but it's not always a fleeting view.</i> • <i>If this becomes an estuary, this would be the first visible saltwater from I-5 since central California. It's easy to dismiss a view from the freeway as unworkable but this view should not be easily dismissed because it a major gateway vista to the Salish Sea. The reverse view back to the brewery does not show the falls – which is critical to illustrate. The best way to get the view of the falls is on the bluff across the street from Vic's Pizza. It's elevated so you actually have a view.</i> • <i>The Brewery is under construction and there may be a great view from there.</i> • <i>Moving it down to the old fish dock would be really good.</i>
7	4	--
8	0	--
9	2	<ul style="list-style-type: none"> • <i>Move this up to the railroad crossing at Marathon Park.</i>
9A (see Figure 1)	2	<ul style="list-style-type: none"> • <i>I would like to see across the middle basin clearer with the simulations. Also consider cover photo as a viewpoint.</i> • <i>Percival Cove seems to be ignored often. A view from the Thurston County Courthouse would capture it, thru North Basin and Capitol Basin, quite well.</i>
9B (see Figure 1)	9	<ul style="list-style-type: none"> • <i>New location 9, looking south from mid-point of railroad track at Marathon Park</i>
10	0	--
Other	--	<ul style="list-style-type: none"> • <i>Is drone photography for an overall view an option?</i> • <i>View from water north of 4th Ave Bridge looking south. How would the Estuary alternative look if you were in a kayak on Budd Inlet looking through the bridge towards the Deschutes?</i> • <i>I would like to see what the view would look like between Viewpoint 9 and Marathon Park.</i> • <i>Tumwater Falls and the brewery should be included in the viewpoints.</i>

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Final comments and observations from CSB participants as this segment of the meeting wrapped up included the following:

Comment: Don't use anything (visualizations) with plant life in it. Make your visualization match the conditions expected—mudflats won't contain dense vegetation.

Comment: I agree with the previous comment. Viewpoint 4 of the South Basin is more like what this will look like.

Response: The example provided in the presentation was not intended to indicate what the alternatives might look like – they were just provided as a reference for how a visualization comes together and the method that will be used for the EIS.

Comment: There is still an ask to the legislature for additional funding for this project; please submit comments to your legislators to fund this project.

Question: Why do we assume that the rail line trestle will be there, or does it not make any difference if you eliminate the artificial narrowing? Why can't we assume it is removed as well?

Response: We will use the hydraulic model to tell us if we would need to remove it but at the moment, in considering costs and goals, it doesn't seem necessary.

Tessa thanked the group and noted this input is a major driver in determining the locations of the visual simulations.

Public Comment

Susan provided an opportunity for observers to provide public comment. Two attendees provided oral comments, and three written comment forms were submitted. Oral and written comments are provided to the EIS project team for consideration.

Bob Wubbena provided the following oral comments (summarized):

- Several technical realities need to better guide alternatives.
- Ecology's water quality models are based on a 650 ft (200 meters) dam opening, and if 500 ft is used then the Ecology model results could not be used by the team.
- Bob provided additional comments in writing.

Jack Havens provided the following oral comments (summarized):

- Capitol Lake currently contributes to juvenile chinook salmon survival in at least two ways.
 1. With Capitol Lake we have only one (1) compression point for marine predators. This is just before the tide gate.

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2. The tide lock prohibits the influx of several persistent toxins from Budd Inlet into Capitol Lake Basin. Juvenile Chinook rear in Capitol Lake for up to 4 months and ultimately become an important dietary source for Southern Resident Orcas.
 - What would infiltration of toxin laden water do to shellfish harvesting and recreation?

Written comments were also submitted by Bob Wubbena, Jack Havens and Sam Fox.

Closing Remarks

Carrie thanked the group for attending and the great discussion.

Adjournment

Susan adjourned the meeting at 9:00 p.m.

Attachment 1

