



CAPITOL LAKE — DESCHUTES ESTUARY

Long-Term Management Project Environmental Impact Statement

Has Enterprise Services identified a preferred alternative for the project?

In March 2022, Enterprise Services identified the Estuary Alternative as the likely preferred alternative.

Why did Enterprise Services identify a likely preferred alternative now?

A top theme from Draft EIS comments is that a funding and governance approach for long-term maintenance must be identified. This is the primary objective of the [Funding and Governance Work Group \(FGWG\)](#). The FGWG agreed to reconvene to advance a final shared long-term funding and governance approach only after a preferred alternative is identified.

Identifying a likely preferred alternative now allows the FGWG to reconvene and advance this important work, understanding that funding and governance is critical to the long-term durability of the preferred alternative.

After the FGWG confirms and memorializes the approach to long-term funding and governance, those findings can be incorporated into the EIS and relevant analyses. The findings will become part of the Final EIS (with other updates and responses to comments on the Draft EIS).

The legislation authorizing the environmental impact statement (EIS) process requires that the Final EIS include a preferred alternative.

How can Enterprise Services identify a likely preferred alternative before the technical analysis is complete?

It is important to note that identifying a likely preferred alternative is not a final decision. Designation of a likely preferred alternative prior to issuance of the Final EIS does not restrict final decisions. It is expected that the likely preferred alternative will be confirmed as the preferred alternative in the Final EIS.

Enterprise Services identified the likely preferred alternative with the following information:

- The **Draft EIS**, published in summer 2021, which is the body of technical work that discloses potential impacts and benefits of the project
- **Comments on the Draft EIS**, which informed the range of additional technical work needed in the Final EIS and whether findings from the Draft EIS would need to change
- **Input from engaged stakeholders** on which alternative(s) could achieve long-term stakeholder support (referred to as Decision Durability¹)

With this information, Enterprise Services conducted an evaluation of the alternatives with technical experts from the EIS Project Team. This process was outlined in [Section 1.12](#) of the Draft EIS to inform stakeholders of the intended decision-making approach² and to provide an opportunity for feedback before Enterprise Services continued with this process. Feedback during the Draft EIS comment period did not result in the need for major changes to the decision-making process as outlined.

¹ Decision Durability is defined as the ability of an alternative to achieve long-term support from local tribes, stakeholders, and communities.

² This approach is consistent with the State Environmental Policy Act (SEPA), which provides the lead agency with wide discretion around how and when to identify a preferred alternative.

Is the likely preferred alternative subject to change?

Designation of a preferred alternative prior to issuance of the Final EIS in no way restricts final decisions, and the Final EIS will include updated analyses in response to public comments on the Draft EIS. However, although some findings may be revised, Enterprise Services has concluded that these changes are unlikely to be significant enough across the range of technical analyses to change the likely preferred alternative.

How did Enterprise Services obtain Decision Durability feedback on the likely preferred alternative?

In December 2021, Enterprise Services solicited input on Decision Durability from the Executive Work Group (EWG) and Community Sounding Board (CSB). The EWG and CSB have been meaningfully engaged in the EIS process over several years. Each of the members provided a numerical score for the alternatives to suggest the level of long-term support they forecast for the alternative. This numerical score was supplemented with a narrative response that described the factors that increased or decreased their support.

This feedback was shared with the EWG and FGWG during a March 16, 2022, joint EWG/FGWG meeting (please refer to the meeting [presentation](#), slide 12 and [video](#) for additional details).

Decision Durability is one of six decision-making criteria, as described in Draft EIS Section 1.12. Because it is a criterion to evaluate the ability of the alternatives to achieve long-term support from local tribes, stakeholders, and communities, the scoring is provided by engaged representatives from the local tribes, stakeholders, and community. At this time, Decision Durability is the only criteria with final scoring.³

What happens next?

Enterprise Services and the EIS Project Team will be developing the Final EIS, which is expected to be issued in fall 2022. This work includes the following primary activities:

- Update and refine technical analysis, and revise discipline reports and Final EIS as needed
- Prepare responses to Draft EIS comments and a comment response summary for the Final EIS
- Facilitate a series of FGWG meetings and work toward a Memorandum of Agreement (or similar) for long-term shared funding and governance of the Estuary Alternative
- Engage relevant agencies to confirm selected assumptions that were included in the Draft EIS

Enterprise Services will continue to provide periodic project updates with e-newsletters.

What will be the primary focus of the Final EIS?

The EIS Project Team will be working over the coming months to update the technical analyses as needed in response to comments received on the Draft EIS. The primary focus areas of this work are summarized on the next page. This list is subject to change as work advances and does not reflect all Final EIS work that may occur.

³ The alternatives were evaluated by the EIS Project Team and Enterprise Services relative to the remaining technical criteria as outlined in Section 1.12 of the Draft EIS; collectively, this effort supported Enterprise Services in identifying the likely preferred alternative. However, the evaluation relative to the technical criteria will not be finalized until the technical analyses for the Final EIS are completed. The Final EIS will include additional detail regarding this evaluation and the completed decision-making process.

Primary focus areas include:

1. **Water Quality:** evaluate alternatives against water quality standards/total maximum daily load allocations
2. **5th Avenue Bridge:** evaluate options and costs to avoid extended bridge closure during construction
3. **Planning-Level Cost Estimates:** estimate in-water disposal of dredged material for all alternatives
4. **Fish and Wildlife:** in coordination with Washington Department of Fish and Wildlife, review any additional, relevant studies related to bat impacts and consider potential mitigation measures; review fish-related studies submitted by stakeholders and update analysis as appropriate
5. **Navigation:** describe potential impacts if funding lapses for maintenance dredging
6. **Cultural Resources:** incorporate determinations of eligibility received from the Department of Archaeology and Historic Preservation and supplement tribal history
7. **Draft EIS Comments:** respond to ~2,000 unique comments received on the Draft EIS
8. **Agency Coordination:** respond to comments received, confirm with the relevant agencies selected assumptions that were included in the Draft EIS

Will there be another public comment period?

In accordance with SEPA, the EIS process includes two public comment periods – one to support scoping of the environmental analysis (completed in fall 2018) and one following release of a Draft EIS (completed in summer 2021). There will not be another public comment period on the EIS.

Following issuance of the Final EIS and subject to funding availability, Enterprise Services will begin the process to design and permit the preferred alternative. Many of the permits that will be obtained during this project phase have formal public comment opportunities, including federal permits from the U.S. Army Corps of Engineers (USACE); state permits from the Washington State Department of Ecology; and local permits from the cities of Olympia and Tumwater. Refer to [Draft EIS Chapter 9](#) for more details on required permits and approvals.

Design and permitting are expected to take approximately 3 to 5 years after funding is received, and before project construction.

When and how will Enterprise Services engage the U.S. Army Corps of Engineers?

During the Draft EIS process, Enterprise Services engaged USACE as an ad-hoc member of the Technical Work Group to provide input on technical and regulatory feasibility of the alternatives. USACE submitted comments on the Draft EIS, and other Draft EIS comments suggested there should be continued coordination with USACE. Enterprise Services will engage USACE to confirm project assumptions regarding dredging and alternative design, and as needed to address other key topics in support of the Final EIS.

Enterprise Services will consult with USACE throughout the design and permitting process. As described in [Draft EIS Chapter 9](#), the USACE would need to issue federal permits for any of the alternatives.

Can I comment on the preferred alternative?

The EIS process does not include formal comment opportunities after the Draft EIS. As described above, both EIS comment periods have been completed; additional formal comment opportunities will occur during project design and permitting. Enterprise Services will consider opportunities to directly engage stakeholders as design advances in the next project phase.

What if I disagree with the findings in the Draft EIS or with the likely preferred alternative?

The purpose of the Draft EIS comment period was to provide an opportunity for the public to comment on the environmental analyses. It is the responsibility of Enterprise Services and the EIS Project Team to consider each of those comments and determine whether changes are necessary for the Final EIS. The EIS Project Team will review all supplemental information and studies that were submitted during the Draft EIS comment period to ensure that the Final EIS incorporates any additional best available science identified during this review.

The Final EIS will include revisions to technical analyses as needed as well as responses to substantive comments received on the Draft EIS.

The decision-making process described in the Draft EIS ensured that a range of technical information and stakeholder feedback was used by Enterprise Services to identify a likely preferred alternative. The approach recognizes that there will continue to be differing stakeholder opinions around a management approach, but that a preferred alternative can still be identified to achieve project goals and avoid a scenario where no action is taken. Given the broad scope of the evaluation conducted in this process, Enterprise Services has concluded that the Estuary Alternative is expected to best achieve project goals and represents the most durable decision amongst the other alternatives evaluated.

Why didn't Enterprise Services identify a likely preferred alternative earlier?

Enterprise Services did not identify a likely preferred alternative prior to or in the Draft EIS for several reasons:

- It allowed Enterprise Services to objectively convene and facilitate discussions with engaged stakeholders without preconceptions regarding the preferred alternative.
- It provided the public with an opportunity to give feedback on the process and criteria for identifying the preferred alternative through the Draft EIS comment period.
- It allowed Enterprise Services to use the technical analyses and comments on the Draft EIS to inform the likely preferred alternative.