



Meeting Notes Summary

Date: January 10, 2019

Time: 1 to 3 pm

Location: Jefferson Building

Topic: CLLDW EIS: Funding and Governance
Work Group Meeting

Meeting Participants

Work Group Members

- Jeff Gadman, Thurston County
- Rich Hoey, City of Olympia
- Justin Long, LOTT Clean Water Alliance
- Ray Peters, Squaxin Island Tribe
- Kristin Swenddal, Washington Department of Natural Resources (WDNR)

Department of Enterprise Services

- Debra Delzell
- Ann Larson
- Lynne McGuire

EIS Consultants/Facilitators

- Tessa Gardner-Brown, Floyd|Snider
- Jessi Massingale, Floyd|Snider
- Karmen Martin, ESA
- Ray Outlaw, EnviroIssues

Others

- John DeMeyer, CLIPA/Olympia Yacht Club
- Sue Patnude, DERT
- Steve Shanewise, DELI

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Jessi Massingale welcomed the group, introduced Justin Long, LOTT Clean Water Alliance as a new work group member, and led a round of introductions.

Scoping Comments and Initial EIS Scope

Jessi reviewed the agenda and explained the project team would present major scoping comment themes and content (see presentation) that will be reflected in the upcoming scoping report, with a focus on elements that have nexus with the economic analysis and/or funding and governance.

Moving forward, this format is how the project team will approach sharing information and soliciting feedback. The team does not anticipate providing draft documents and asking for redlines. The project team will use these discussions to generate discussion and input and incorporate that feedback into documents as appropriate.

The project team is working to assess and identify the work that needs to be done to complete a legally defensible EIS, while being mindful of budget constraints and SEPA requirements.

Jessi began the presentation by identifying the list of primary technical disciplines and teaming partners leading those disciplines, noting there are other supporting partners not on this list.

Tessa Gardner-Brown and Karmen Martin, the project team's EIS lead, began summarizing primary scoping comment themes. Tessa noted it will be helpful for everyone to understand the foundation for how the EIS will move forward, understanding the FGWG is focused on funding and governance.

Karmen provided a general overview of scoping. The project team received approximately 250 submissions from individuals, agencies, organizations, and the Squaxin Island Tribe. They reviewed and categorized these submissions into over 900 individual comments.

Karmen reviewed comment themes in each of the following categories (see presentation) and Tessa summarized how those comments likely affect the scope of the EIS.

NOTE TO READER: The anticipated approach to the EIS analyses reflected herein and discussed with the Work Groups reflects the assumption for the scope of the EIS as of January 2019 and is subject to change. The information was provided to each of the work groups as an opportunity to provide input, for team consideration before the EIS scope is finalized.

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Water Resources

The analysis will begin by reviewing existing and available data. The project team anticipates the collection of water samples but is considering what that might look like. The project team may look at issues in the upper watershed if they contribute to the impact analysis for water quality.

Sediment Transport & Geomorphology

This is an important issue and area of technical focus. The starting point is existing and available data. Existing bathymetry data collected over different time periods will allow the project team to better understand bathymetric trends. The project team plans to develop a numerical model to evaluate hydrodynamics and sediment transport for each alternative, which will inform plans to manage sediment.

Aquatic Invasive Species

The analysis will start with existing reports to understand existing conditions and then look at how that changes under each alternative. The analysis will also look at potential control methods for each alternative.

FGWG question: Who commissioned Kelly Stockton-Fiti report referenced in the comments?

Karmen noted the team does not have this information currently and that the presentation summarizes feedback received during scoping, as submitted by the commenter. This summary presents themes without judgement or assessment of accuracy.

Fish & Wildlife / Wetlands & Vegetation

Analysis will begin with existing conditions/reports. The project team plans to prepare habitat maps and conduct spatial analysis and then look at how habitat changes for each alternative and the potential impacts and benefits to various species.

Sea Level Rise & Climate Change

Coordination with the City of Olympia is ongoing. The project team plans to complete numerical modelling to understand water levels and resiliency of each alternative at different water elevations. WSDOT sea level rise standards are expected to be used as a guide.

Rich Hoey noted the Sea Level Rise Response Plan is a joint effort between Olympia, LOTT and Port of Olympia and is currently [available for public review](#).

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Air Quality & Odor

The analysis will begin by documenting historic conditions; it is important to understand how conditions that contributed to odor before the lake was constructed have changed. The project team will then look at existing conditions and how conditions change under each alternative. The EIS will also consider construction-related emissions.

Recreation & Land Use

The analysis will begin with a high-level consistency analysis to understand the compatibility of the long-term management alternatives with local area plans. The EIS will document existing recreational opportunities in the project area and evaluate how the recreational opportunities change under each alternative. For example, trails will likely look different under the various alternatives, and the project team will evaluate whether the opportunity to walk or run around the waterbody is maintained across the alternatives.

Visual Quality

The EIS will include visual simulations from a number of view points in the project area for each of the various alternatives. The project team received a number of comments regarding the visual connection between the Capitol Campus and Capitol Lake.

Economics

The project team is in the early stages of assessing how best to evaluate economics but anticipates including an analysis of direct downstream benefits/impacts, ecosystem services, and planning level costs. The project team is looking to this work group to provide input and guidance on the scope of the economic analysis.

FGWG question: How much does the use of herbicides and pesticides by Weyerhaeuser contribute to nutrient levels? Did that get incorporated?

There were numerous scoping comments about the sources of water quality issues. The project team will consider these comments to the extent they are relevant to the project.

Historic & Cultural Resources / Tribal Resources

The project team will identify built environment and archaeological resources in the area and the potential impacts to them. The EIS will also document the historical significance of Capitol Lake in the context of historical plans. Regarding tribal resources, the analysis will examine potential impacts to usual and accustomed areas and tribal treaty rights even though tribal treaty rights are not typically included in a SEPA EIS.

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Sediment Quality / Environmental Health

The project team is aware of the Ecology South Puget Sound Regional Background report with data for Budd Inlet, and is communicating with the Port of Olympia relative to the Port's existing Budd Inlet sediment data and potential cleanup plans. However, the sediment data for Capitol Lake is older (2007) so there is an opportunity to fill a data gap through a focused sampling effort in Capitol Lake, while being mindful of budget constraints. This will help improve understanding of how conditions have changed over time which may help identify trends.

Jessi noted that sediment quality has a significant cost implication related to disposal.

Rich Hoey noted the presence of the mud snail was driving the cost previously and that more current data would be helpful.

Jessi explained that Enterprise Services had a dialogue with the Corp's Dredged Material Management Program (DMMP) in 2012, prior to Phase 1, to understand their thoughts and perspectives. The project team will be reaching out again during the EIS technical analysis.

Transportation

The analysis will start by classifying existing transportation facilities and how they are used, then look at how those facilities may be impacted by construction of each alternative. The analysis will include construction traffic, dam removal and long-term changes to facilities either directly or indirectly.

Public Services & Utilities

The analysis will consider potential impacts on and benefits to public services and utilities for each of the alternatives.

Scoping Report

The project team is reviewing the draft scoping report now, which goes deeper into the comment themes and what those themes could mean for the analysis. The scoping report will also include a description of the three primary alternatives as well as those that were proposed through the scoping process. All comments are available in the project [library](#). The scoping report is on track to be issued in February. At the same time, the project team is working with Enterprise Services to develop the full EIS scope of work.

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Refinement of the Project Name and Logo

During scoping, Enterprise Services heard feedback regarding the project name and logo. Based on this feedback Enterprise Services determined a name refinement was needed to ensure the project name reflects the project area, both present and past.

The refined project name, Capitol Lake / Deschutes Estuary Long-Term Management Project Environmental Impact Statement, changes from Lower Deschutes Watershed. A Steelhead Trout was also added to the logo.

The name refinement does not indicate a change in scope for the EIS; the EIS will evaluate, at a minimum, the three primary alternatives previously identified.

Agency Coordination

Work Group Participation

Jessi explained some changes to work group participants. LOTT will participate in all three work groups going forward. Commissioner John Hutchings will be Thurston County's new representative on the EWG. The Port's new executive director arrives on Jan. 22 and will be making assignments after that date. The project team is ensuring Commissioner Zita and Interim Port Executive Director Rudy Rudolph are up to speed during this transition. Port participants are expected by the next round of work group meetings. DAHP will participate in the Technical Work Group (TWG) providing expertise around cultural resources and historic properties. The Corps is not routinely participating in the TWG due to resource limitations but will be a resource going forward through guidance and materials sharing.

Recent Agency Coordination Meetings

Over the past month the project team has had extremely productive meetings with entities represented on the TWG. These meetings helped identify agency programs and/or projects that may have a nexus or tie to the EIS. This helps to improve the project team's understanding of timelines and outcomes and will aid in leveraging available information and data.

Meetings have been completed with Ecology, Port of Olympia, LOTT, Olympia, WDFW, WDNR, US Army Corps of Engineers (Corps) and DAHP. Meetings with Tumwater and Thurston County are scheduled for the week of January 14.

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Community Sounding Board

Ray Outlaw provided a brief overview of the Community Sounding Board (CSB) formation and recruitment process. The board will be a diverse group of stakeholders engaged in focused discussions to help inform the EIS analysis. The group is separate from existing work groups and will be comprised of individuals with specific interests in the project (see presentation).

The group will meet on a schedule similar to the current work groups. The project team will work to form a diverse board through an application process that will begin after the release of the scoping report. The first meeting is expected in early spring.

Round Table Discussion

Jessi opened the round table discussion noting the project team would like to ask this group to help inform the scope of the economic analysis in addition to its primary role of developing a shared funding and governance model that can move this project to construction.

Jessi reviewed the key attributes of a potential future funding and governance model as identified in Phase 1 ([see page 5-5 of Phase 1 Report](#)) and asked the group to think about data needed to begin defining these attributes.

Described example: the FGWG will need to know the planning level costs and the time horizon for each alternative. Planning level costs are often calculated as 30 or 100-year costs; what is appropriate for the FGWG's work developing a shared funding and governance model?

Described example: What information is needed to identify who contributes to the shared funding (item #4)?

Jessi asked the work group to brainstorm information that might be needed to add definition around this list of attributes. This information will be helpful and timely as the project team defines the scope of the EIS.

Jessi also referenced the comparison of various district and other models from [Appendix B of Phase 1 Report](#)) that included approaches for taxing authorities/districts.

FGWG question: Has there been a decision made that there would be an actual body created to manage this?

The formation of a governing body and what it might look like is undefined.

FGWG Discussion Themes

The group discussed generally, a special purpose district or lake management district and allocating the spending/cost to who benefits, while recognizing it is hard to define who benefits.

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- Ensure that costs are spread among all those who benefit.
- Carefully define benefits.
- Review information about how work has been funded historically.
- Understand sediment management in detail (transport, composition, costs, quantity, upstream sediment contributions – applicable regardless of alternative).
- Understand the difference between existing sediment and new sediment after initial dredging is complete, these will likely have different disposal costs.
- Understand one-time and ongoing costs. Different funding structures may be needed for each.
- A management district likely makes sense for the long term maintenance and costs.
- Identify consistent elements regardless of alternatives, for example, initial dredging.
- The Preferred alternative may be needed for detailed funding and governance planning.

FGWG question: Will the Executive Work Group determine the final funding approach?

The EWG will be consulted, but the evaluation of a funding approach and proposed model is the work of this group, and depending on the model structure, there will likely be code or regulation changes needed and legislative assistance.

It would be helpful to research and see if there are other programs in the county with similar sediment management/maintenance scenarios and sediment management districts.

FGWG question: Are there elements that will be the same regardless of the alternatives?

In an open system (estuary or hybrid) the dam is removed and there is some element of sediment transport. In a lake scenario the impacted parties are different.

FGWG question: Is open water disposal possible? We have strong indication that salt water will kill mudsnails and this would lower disposal costs.

One of the key components of CLAMP was the assumption that dredged material under any alternative could go to an open water disposal site. Enterprise Services talked with the Dredged Material Management Program (DMMP) after the mudsnail came into the conversation. At that time the DMMP said open water disposal was not an option because of the presences of invasive species. **The project team will reach out to the DMMP again to further discuss this.** If open water disposal is not an option then upland disposal, which is more expensive, is the only option.

FGWG question: Has there been any discussion about placing sediment upland long enough to kill species then disposing in open water?

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That hasn't directly been discussed.

FGWG question: Is there an assumption water quality improvement will be the same regardless of alternatives; water quality improvements at different scales will have different levels of benefit?

No, that is not assumed. Water quality changes under the various alternatives will be an important part of the EIS.

Defining Benefit

The group discussed how to best define who benefits from the project and noted key questions and challenges.

- Defining "benefit" is critical as it determines the boundaries of who is responsible for funding.
- What does "benefit" mean in an estuary scenario?
- Jurisdictions can only assess properties where there is a direct benefit because of state law and court cases.
- A local improvement district (LID) has a defined cost and sunset date so it may not be applicable to the long term management of the preferred alternative.

Tessa noted the themes and suggested the work group initially focus on defining contributors and benefits based on an open vs. closed systems.

Next Meeting

The current plan is for work groups to meet quarterly (roughly) for 2019. The next series of meetings will be in mid-April. **Jessi will send a Doodle poll to identify a date.**

The next meeting will focus on measurable evaluation criteria, with a focus on funding elements. The agenda will also include a discussion about economic analysis approach.

Round Table Feedback

FGWG question: Will you share a copy of the presentation with the work group?

The project team will discuss this and respond as this is a preliminary view of content to be included in the scoping report.

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Public Comment

Steve Shanewise commented he did not hear anything about the availability of groundwater supplies or the ability to build a new dyke to confine the lake in the North Basin.

Jessi explained the slides are a summary of comments received. Comments about groundwater are captured in the scoping document.

FGWG question: Did any scoping comments mention studying the capped artesian wells in the lake?

There were some references to artesian wells but not specific to the lake.

Sue Patnude commented that the CSB should include younger participants and noted DERT is working with youth to develop leadership skills. She said the FGWG needs to really understand the source of funds available at the federal level and how those options function, such as funding matching or cost sharing. It is not clear if there is funding available for lake management and dam maintenance/replacement.

Jeff Gadman explained that federal funding possibilities change according to the definition of the project and the type of organization.