



# CAPITOL LAKE — DESCHUTES ESTUARY

Long-Term Management Project Environmental Impact Statement

## Meeting Notes Summary

**Date:** April 16, 2019

**Time:** 9 to 11 a.m.

**Location:** Jefferson Building

**Topic:** Technical Work Group Meeting

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### Meeting Participants

#### *Work Group Members*

- Matthew Bennett, US Army Corps of Engineers (USACE)
- Holly Borth, Department of Archaeology and Historic Preservation (DAHP)
- Eric Christensen, City of Olympia
- Brandon Clinton, US Army Corps of Engineers (USACE)
- Lisa Dennis-Perez, LOTT Clean Water Alliance
- Brad Murphy, Thurston County
- Joy Polston-Barnes, Washington Department of Natural Resources (WDNR)
- Dan Smith, City of Tumwater
- Scott Steltzner, Squaxin Island Tribe
- Leanne Weiss, Department of Ecology (Ecology)

#### *Department of Enterprise Services*

- Kevin Dragon
- Carrie Martin

#### *EIS Consultants/Facilitators*

- Tessa Gardner-Brown, Floyd|Snider
- Jessi Massingale, Floyd|Snider
- Joy Michaud, Herrera
- Ray Outlaw, EnviroIssues

#### *Observers*

- John DeMeyer, CLIPA/Olympia Yacht Club
- Bob Wubbena, CLIPA
- Ali Johnson, DERT

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- Steve Shanewise, DELI

## Meeting Notes Summary

### *Welcome and Introductions*

Jessi Massingale welcomed the group to the April 16, 2019 Technical Work Group (TWG) meeting and briefly introduced new attendees.

Since the last meeting in January 2019, the Port of Olympia has a new executive director who assigned Rachael Jamison as their TWG representative. She was unable to attend today. USACE representatives, Brandon Clinton and Matthew Bennett, attended to participate in the discussion related to the regulatory feasibility element of the Measurable Evaluation Process.

Joy Michaud, Herrera, participated as the water quality analysis methodology lead.

### *Community Sounding Board Update*

Ray Outlaw provided a brief update on the Community Sounding Board (CSB) recruitment process and recapped the first meeting. In total, there were 69 CSB applicants. Most reside in Olympia proper but there was good geographic diversity across Thurston County including Tumwater, Lacey and unincorporated parts of the county. Many expressed interests in water quality, natural environment, and bird and wildlife habitat, but the process successfully identified applicants with primary interests in each key category.

The selection process was completed primarily by the CSB's neutral, third-party facilitator as follows:

- Step 1: Sorted applicants by organization or individual. Those representing the interests of organizations engaged to date were identified as potential candidates.
- Step 2: Sorted applicants by primary interest.
- Step 3: Reviewed "Why are you interested in participating in this CSB?"

Each of these steps focused on achieving the greatest diversity of interests and the largest representation from the community in general, rather than on an applicant's technical background.

As a result of the review of organizational representatives and applicant's narratives and their primary interests, a "short list" of candidates was identified.

- Step 4: Considered residence.

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- Step 5: Considered gender as inferred by name.
- Step 6: Additional review and refinement to improve the diversity of secondary interests.
- Step 7: Enterprise Services further refined the list to ensure a balance of interests and approved a final list (25 participants).

All candidates were notified of selection or not and the [roster](#) is available on the project website.

Ray then described the CSB charter, which establishes Enterprise Services as the convener, clarifies expectations and authority, and sets standards for group conduct. The charter clarifies that “areas of agreement will be identified should they emerge, though there will be no requirement to reach consensus.” It also establishes operational protocols including no quorum requirement and permitting one alternate for organizational representatives.

The first CSB meeting occurred on April 8, 2019 with 22 of 25 members in attendance. It included a brief project overview to ensure all participants have similar baseline knowledge, review of the charter and discussion of the Measurable Evaluation Process (MEP).

All participating generally agreed to function under the draft charter, with minor revisions forthcoming. A final charter will be posted to the project website when available.

Tessa provided a detailed explanation of the MEP and the facilitator led a round-robin exercise to solicit feedback.

No public comments were provided orally or submitted in writing.

Jessi explained that related to scheduling, the goal is to try to hold the CSB meetings just prior to other Work Group meetings.

## ***Measurable Evaluation Process***

Tessa began explaining the MEP, noting this draft, three-step process will help the EIS project team develop the range of alternatives to be evaluated in the EIS and ultimately determine a preferred alternative.

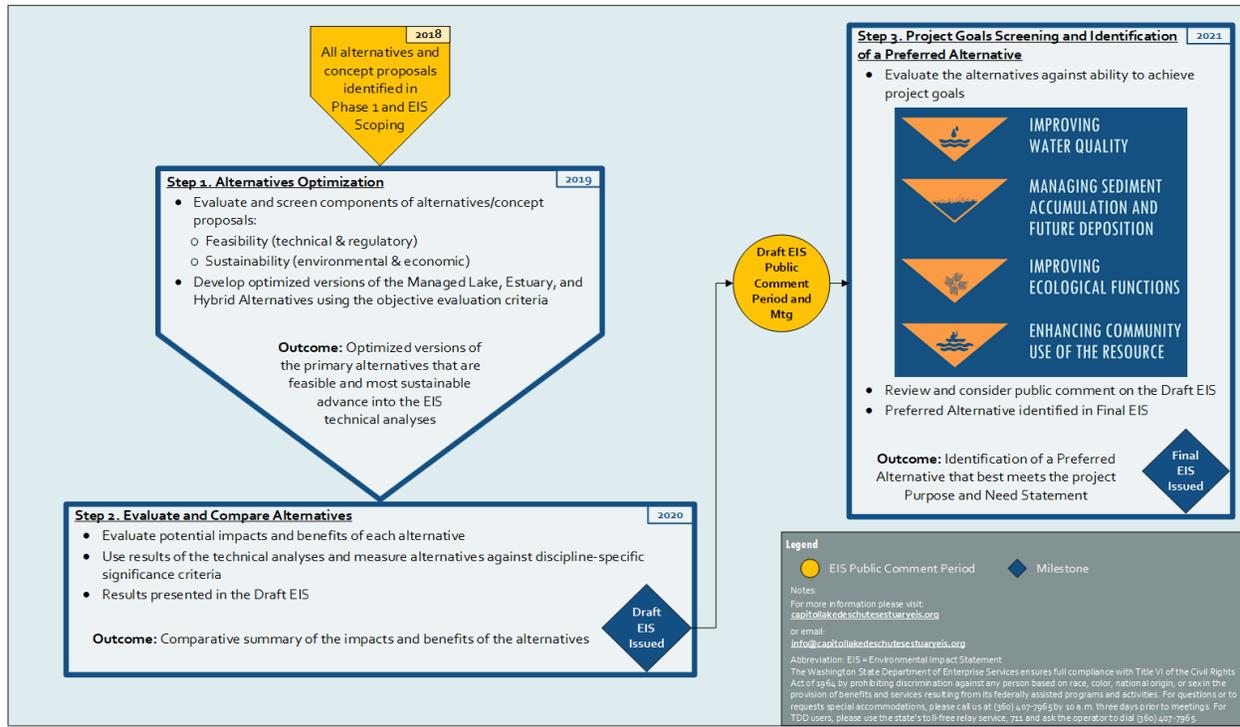
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She explained how the chart above describes the process to transition from all the alternatives and concept proposals proposed thus far to 1) develop the optimized alternatives that will move forward into the EIS, 2) compare alternatives following technical analyses; and 3) identify a preferred alternative in the Final EIS.

All alternatives and concept proposals received to date would be filtered into Step 1, which would evaluate components of all alternatives to develop optimized versions of the Managed Lake, Estuary and Hybrid alternatives.

Step 1 assesses how well a component meets the project goals through application of the following four evaluation criteria: technical feasibility, regulatory feasibility, environmental sustainability, and economic sustainability.

Key benefits of this approach include:

- Avoids the potential for eliminating an alternative because one component doesn't work
- Screens out components that don't work or are not environmentally or economically sustainable
- Compares components to construct the best version of each alternative type (estuary, hybrid, managed lake)

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- Ensures responsible expenditure of project funds by limiting alternatives analyzed in the EIS.

Evaluation Criteria	Rating Scale	Notes
<b>Technical Feasibility</b>	High Medium Low	A component is considered technically feasible (1) if there are no apparent technical or logistical obstacles that would prevent the component from being constructed and maintained and (2) if there is technical uncertainty, it is at an acceptable level based on current, standard engineering practices.
<b>Regulatory Feasibility</b>		A component is considered to have regulatory feasibility if (1) permits and approvals could be secured within project schedule and budget and (2) it is within Enterprise Services' jurisdiction to implement and there are no legal protections on land, or other similar restrictions that could affect the feasibility.
<b>Environmental Sustainability</b>	High Medium Low Unknown	A component will support an environmentally sustainable outcome if it would provide net environmental benefits over a 30-year horizon, considering relative contribution to project goals.
<b>Economic Sustainability</b>		A component will support an economically sustainable outcome if it would be cost-effective in meeting the project goal. A proposed approach is considered cost-effective if its present value life-cycle costs over a 30-year time horizon are low relative to other proposed approaches within the same project component.

Tessa explained that components would first be evaluated relative to the two feasibility criteria (technical and regulatory). Those determined to be feasible would then be evaluated relative to the two sustainability criteria (environmental and economic). In the current approach, feasibility would consider each component independently while sustainability would evaluate components relative to each other. She said the goal is to review all the components over the next few months to define the alternatives to be evaluated in the EIS.

Jessi said this approach was developed by working with the EIS project team technical staff to identify a customized, best path forward for this project, drawing from the team EIS experience and expertise.

Tessa noted the EIS project team may reach out to various members of the TWG as this process moves forward, particularly with regard to the regulatory criterion.

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Matthew Bennett (USACE) noted that the EIS should document factors that led to the three alternatives. He cautioned the regulatory component could approach being pre-decisional and recommended a consult with USACE before going through the evaluation process and noted it may help if regulatory was relative to other components. He also asked the EIS project team to consider if regulatory is necessary because the results of the other criteria may inform the regulatory component.

Jessi explained the EIS project team is looking for this criterion to help screen, at a macro scale, components like filling the waterbody that appear highly unlikely to be permitted.

Leanne Weiss noted you will need some level of detail to assess regulatory feasibility but that some thought should be given to “is this element potentially able to move forward or not”. Jessi acknowledged the comment and noted that design in the EIS would be at a conceptual level.

Matthew said that USACE could respond if they were asked “could this alternative get off the ground” from a permitting perspective and identify, from the USACE perspective, what regulatory/permitting challenges may be associated with the alternative component.

*TWG question: Are you grouping the criteria all together or are they reviewed separately and then re-evaluated?*

The rating scales are similar but there is no weighting schema.

*TWG comments: Multiple members noted the importance of including this early regulatory check in the process.*

It is important to note that the EIS process cannot make decisions outside of Enterprise Services’ jurisdiction and the area that they maintain.

Tessa then explained that Environmental and Economic Sustainability, unlike the previous feasibility criteria, would be considered relative to other components. She explained how the EIS project team established 30 years as the time horizon for both criteria because it allows time for establishment of restoration activities without being speculative and is within the common windows of time for engineering and design.

The EIS project team will run the components through the evaluation criteria and look at the outcomes to develop an optimized version of each alternative (estuary, hybrid, managed lake). It is important this process and the results are clear, transparent and digestible to a broad audience but also needs to be qualitative. The technical analyses during the EIS could identify new information that would require a change to an initial rating so the process includes a final step to go back as needed.

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Tessa shared a sample worksheet for scoring, which will be completed for each primary alternative.

*TWG question: What if the best score is yellow for a particular component?*

The EIS project team will look to see if there are there any adjustments that could be made to improve its rating. The CSB suggested and largely supported cross-pollination – taking good ideas from one alternative and applying them to others, so long as they are applicable to that alternative. The objective in this step is to select the component that best meets the project goals.

*TWG question: Could this could potentially result in a 4<sup>th</sup> alternative.*

The intent is to stick with three optimized alternatives.

*TWG question: Are you going to re-evaluate the alternatives once you define them? Do you start with a clean slate after step 1?*

Once step one is complete the outcome is three optimized alternatives. Those will move into the technical analyses. They all start from the same place and will be evaluated for all the technical disciplines. Optimization occurs before the technical analyses and step 2 includes technical analyses to measure the alternatives against discipline specific significance criteria.

The results of the analysis will be documented in the Draft EIS, which will be issued for public comment. Step 3 re-evaluates the alternatives against the shared project goals to identify the alternative that best meets the project goals and purpose and need statement.

Jessi noted that the documentation and logic around this process are very important, so it is clear and transparent why and how we defined the alternatives.

*TWG question: Is the purpose and need statement available?*

**The EIS project team will provide a copy with the meeting summary.** Jessi noted the purpose and need was considered by each of the work groups and the public during Phase 1. It represents one of the most significant Phase 1 milestones and remained unchanged following the EIS project team's review.

## *Third Party Review*

Carrie Martin explained that Enterprise Services has consistently heard that certain technical disciplines should be reviewed by independent third-party experts to ensure that the work is conducted using industry-recognized best practices and that it provides adequate analysis for the

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comparison of the alternatives. As a result, Enterprise Services requested recommendations for neutral, objective individuals without connections to the project or Thurston County in three disciplines (water quality, hydrodynamics and sediment transport modeling, and economics). Enterprise Services is currently soliciting applicants and will select two reviewers for each discipline.

Reviewers will conduct two separate reviews, first reviewing the methodology and later the draft discipline reports. They also may be called upon if questions arise during the analysis.

Carrie thanked the group for their recommendations. Water quality is moving quickly because field work needs to begin soon. Carrie also invited anyone interested in reviewing applications to reach out. Scott Steltzner offered to assist.

## *Context on EIS Level of Analysis*

Jessi explained that the level of EIS analysis required has two key components. The EIS analysis needs to be sufficiently detailed:

- To support a *comparative* evaluation of impacts between alternatives
- To support the conclusions about proposed mitigation measures

SEPA notes that EISs should be concise, readable documents:

- “...an EIS is not required to include all information conceivably relevant to a proposal...” WAC 197-11-402 (6).

EIS analysis helps support permit review but often additional information will be required and developed during the design and permitting phase (e.g., an EIS evaluation of water quality may not be at a level sufficient to meet all of the requirements for obtaining a CWA 401 Certification for the selected project alternative). Refer to meeting slides that presented this topic.

Jessi explained that the water quality evaluation will generally leverage the vast wealth of existing data. The analysis will describe existing conditions using:

- Existing reports, TMDL studies, other available studies
- Existing water quality monitoring data

The EIS project team will characterize conditions to understand comparative impacts/benefits of alternatives and perform a data gap analysis to determine if additional sampling or data collection is needed to establish existing conditions or to augment/update specific areas where data are outdated or unsuitable.

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EIS evaluations can include both qualitative and quantitative water quality assessments. Many EISs include a combination of both, and use well-established assessment tools that allow for robust, comparative evaluation without exorbitant costs. The purpose of the EIS evaluation is to compare the relative impacts of the alternatives in terms that are understandable to a broad audience.

For example, the Tualatin Basin Water Supply NEPA EIS captured technical details in a discipline report and then summarized it in the EIS; it used a qualitative and quantitative approach that included modeling.

## *Water Quality Analysis Methodology*

Joy Michaud described the proposed EIS Water Quality Methodology and that it relies heavily on existing data and previous analyses with updated analysis as appropriate. The methodology leverages established protocols, models and tools to efficiently use available funds and allow for informed decision-making within the project schedule. The EIS evaluation will focus on comparative impacts to the water quality parameters of key interest. Refer to meeting slides that presented this topic.

## Existing Conditions

- Compile Existing Hydrologic and Water Quality Data
  - Watershed
  - Capitol Lake
  - Budd Inlet
- Calculate Monthly/Annual Statistics
  - Capitol Lake - over 10 years (2005-2014)
  - Budd Inlet - over 14 years (2005-2018)
- Compare to Water Quality Standards/Other Criteria
- Evaluate Data
  - Long-Term Trends
  - Spatial Differences
  - Parameter Correlations

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## New Data Collection

- Monthly Water Quality Sampling
  - May-October 2019
  - Monitor at two historical stations in North and Mid basin (adding a bottom sample from the North basin)
  - Traditional/conventional parameters plus total organic carbon (TOC), total suspended solids (TSS), total volatile suspended solids (TVSS) (to supplement Ecology data and Budd Inlet impacts) and phytoplankton species biovolume
  - Blue-green algae toxin testing of up to 6 samples if scum observed
- Sediment Coring
  - October 2019
  - 17 sediment samples from 7 cores (4 in the North basin, 3 in the Middle)
  - Parameters include metals (total and toxicity characteristic leaching procedure (TCLP)), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), dioxins/furans, pesticides, hydrocarbons, and other organics, TOC, grain size and other conventionals
  - 4 sediment samples will be analyzed for sediment phosphorus fractions to support the development of the lake phosphorus budget

## Lake Management Analysis

- Water and Phosphorus Budgets:
  - 10-Year Average Inputs/Outputs for Summer Months
  - Summer phosphorus loading limit to meet trophic state criteria
- Assess Effects of Management Efforts:
  - Watershed management
  - Sediment management
  - In-lake management

## Alternatives Impact Analysis

- **No Action** – based on current conditions and trends
- **Managed Lake** – defined based on achieving water quality (e.g., 20 ug/L Total Phosphorus goal to achieve mesotrophic conditions) and plant management goals

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- **Estuary** – based on an assessment of low and high tide periods
- **Hybrid** - based on managing the lake portion to meet criteria and hydrologic/geomorphic differences in estuary size

Joy explained the impacts analysis will be comparative and relative, for a given alternative the EIS would explain what is expected to occur relative to a specific goal (e.g. no change, improvement, deterioration). Jessi said that for water quality there are numerical standards and there are more qualitative items, like supporting beneficial use, where other items like algae blooms may come into play.

The EIS project team is preparing a methodology memo that will go to the third-party reviewers soon.

*TWG question: Will you do algae characterization?*

Yes

*TWG question: Does this analysis focus more on what is possible for each of these alternatives rather than specifically looking at which will meet a specific TMDL allocation?*

It will primarily look at what is possible in trying to achieve the project goals which may or may not meet the TMDL allocation requirement.

*TWG question: Do you have any updates on the recent oil spill?*

The EIS project team has been in close coordination with Ecology. It is shifting the timing of the bathymetric survey, which we hope to conduct by the end of May. **The EIS project team will also follow-up with Ecology to understand what or if chemicals are being used for the clean-up work.**

*TWG question: Have you thought about budgets for nutrients other than phosphorus?*

Joy explained that phosphorus is primarily used for lake restoration studies and therefore is why that is the mass budget focus and we will have TOC data and be looking at correlations between what existing data are available for nitrogen and carbon, however there is a data challenge or lack of data for other nutrients.

Leanne said it could be valuable to consider other nutrients when thinking about the potential impacts on the marine system. She asked if the technical memo could be made available to Ecology or this group for review.

**The EIS project team will discuss this and follow-up.**

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## *Upcoming Project Activities*

Jessi explained the EIS project team is developing multiple methodology memos that would be good for discussion with this group in June. Jessi thanked everyone for providing a wealth of information and data, which the EIS project team is continuing to review.

With regard to bathymetry, the last bathymetric survey was completed in 2013; the EIS project team is planning to conduct an updated bathymetric survey as soon as possible in 2019. This will further the understanding of sediment accumulation and help check 35,000 cubic yards per year volume that is often referred to. That information will feed directly into the sediment modeling and transport work.

## *Upcoming TWG Meeting*

The EIS project team is also brainstorming on how to best conduct recreational use surveys.

The next FGWG meeting is scheduled for June 7 in the AM. The TWG agreed to meet on June 7, 1-3 p.m.

## *Round-Table Feedback*

*TWG question: Do you typically have WDFW at these meetings?*

Yes, they had conflicts today.

Matthew Bennett explained that USACE is ad hoc members that participate as it relates to permitting. USACE expects to receive a permit application at the end of this process and there are also other business lines within USACE that have interest in the potential for any sediment release into navigation channels (e.g. navigation and Section 408).

Brandon Clinton is the Thurston County project manager for USACE. He noted there will be aspects the TWG discusses that are outside of USACE's federal role but if there are specific federal regulatory elements, they are happy to provide feedback.

## *Public Comment*

Steve Shanewise commented that water quality monitoring is proposed to extend through October. He suggested it be extended through November to capture a peak of water-fowl in the area.

John DeMeyer stated there has been quite a change immediately below the dam in terms of bathymetry. The intertidal has increased in size and migrated significantly since the original

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transport modeling was done. John asked if water quality sampling will include measurements of nitrogen.

The project team will be measuring nitrogen but will not complete a mass analysis.

### *Adjourn*

The meeting was adjourned at 10:52 a.m.