



CAPITOL LAKE — DESCHUTES ESTUARY

Long-Term Management Project Environmental Impact Statement

Meeting Notes Summary

Date: Nov. 22, 2019

Time: 1 to 3 p.m.

Location: Jefferson Building

Topic: Technical Work Group Meeting

Meeting Participants

Work Group Members

- Holly Borth, Washington Department of Archaeology and Historic Preservation (DAHP)
- Eric Christensen, City of Olympia
- Lisa Dennis-Perez, LOTT Clean Water Alliance
- Rachel Jamison, Port of Olympia
- David Kloempken, Washington Department of Fish and Wildlife (WDFW)
- Brad Murphy, Thurston County
- David Palazzi, Washington Department of Natural Resources (WDNR)
- Allen Pleus, Washington Department of Fish and Wildlife (WDFW)
- Dan Smith, City of Tumwater
- Scott Steltzner, Squaxin Island Tribe
- Leanne Weiss, Washington Department of Ecology (Ecology)

Department of Enterprise Services

- Kevin Dragon
- Carrie Martin

EIS Consultants/Facilitators

- Tessa Gardner-Brown, Floyd|Snider
- Steven Gray, Moffatt & Nichol
- Jessi Massingale, Floyd|Snider
- Ray Outlaw, EnviroIssues
- Karmen Martin, ESA

Observers

- Steve Shanewise
- Bob Wubbena

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Welcome and Introductions

Jessi Massingale welcomed attendees to the Nov. 22, 2019 Technical Work Group (TWG) meeting and led a round of introductions. New representatives from WDFW and WDNR joined the work group meeting.

EIS Schedule Update

Jessi began the meeting referencing the [updated process map](#), which shows a schedule adjustment since it was last presented to the work groups. The schedule now targets issuance of the draft EIS in mid-2021. The original target was December 2020. The final EIS is now expected in 2022. The delay is due to the [Olympia Brewery oil spill](#), which resulted in a delay in the ability to complete the updated bathymetric survey that was originally planned for April 2019.

Between April and when the Environmental Impact Statement (EIS) project team was able to access the site in July, vegetation bloomed and prevented survey work. The survey data are very important for many analyses, therefore several key EIS analyses, such as the sediment transport and hydrodynamic modeling cannot begin until after the bathymetric survey is complete. The bathymetric survey contractor did reconnaissance last week to assess vegetation; conditions have improved but it is still an issue for data quality. The survey is targeted for the end of 2019 or early 2020.

Other project elements remain on track, funding and governance is moving forward in parallel to develop a framework that will be included in the draft EIS. In the final EIS that framework would be tailored to the preferred alternative. The team is also continuing engagement with decision-making bodies and the Community Sounding Board (CSB) as previously planned. The updated schedule will be posted on the project website soon.

EIS Technical Analyses - Methodology Review and Discussion

Jessi explained how the TWG has been introduced to methodologies in phases and noted the Transportation methodology will be shared at the next meeting.

Karmen Martin said if there were unanswered questions after the review of the EIS technical methodologies today, we will follow up with the technical expert and circle back to the group. Karmen then described the following methodologies ([see presentation for more details](#)).

Aquatic Invasive Species

The proposed study area extends approximately 100 feet from the water's edge from Boston Harbor to Tumwater Falls. It also includes Percival Creek up to US 101. This is the primary study

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area, but the team will consider the possibilities for transport for some species outside these boundaries.

Analysis of existing conditions relies on existing data to prepare an existing conditions map using site specific data and species-specific literature.

Analysis of impacts will be focused on aquatic ecosystem and recreation impacts and benefits. Potential impacts and benefits will be described based on:

- Estimated change in abundance and aerial coverage for each species
- Relative potential for transport and establishment within and outside study area
- Control priority, eradication potential, and potential management options for each species
- Relative effectiveness and non-target species impacts of control measures
- Potential for short- and long-term recreational use restrictions

Analysis will be informed by:

- Hydrologic and sediment transport modeling
- Specific design components associated with each alternative
- Habitat and control zone maps

Historic and Cultural Resources

Karmen described the types of resources to be considered.

- Traditional Cultural Properties: properties eligible for inclusion in the National Register of Historic Places based on associations with the cultural practices, traditions, beliefs, lifeways, arts, crafts, or social institutions of a living community
- Archaeological resources: encompass features and deposits located on or below the ground surface that are evidence of prior human occupation or use in a particular area can be precontact or historic
- Historic: elements of the built environment, such as buildings, structures, or human made objects or landscapes).

Primary information sources typically include (meetings with Tribes, DAHP, and other stakeholders), desktop (existing data), and fieldwork (includes a windshield survey and walkthrough).

The analysis of impacts will include: Traditional Cultural Properties (TCPs), archaeological resources and historic resources.

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Jessi added that the team has met with DAHP and the Squaxin Island Tribe to review the approach for historic and cultural analyses. Those meetings have been helpful in understanding perspectives, past documentation and findings, and available data and information. Engagement with TWG representatives around each respective methodology within their purview is a similar approach used for other methodologies. Jessi explained that consistent with most EIS's, there will be no field investigations/soil disturbance work or exploratory borings conducted for the EIS. It is anticipated this type of work would occur after the EIS during the design phase.

EIS Technical Analyses – Overview of Optimized Alternatives

Jessi explained that the optimized alternatives have been presented to the Funding and Governance Work Group (FGWG) and Executive Work Group (EWG), both of which were asked specific questions about the clarity of alternatives. She emphasized that the team has not completed the analysis and much of the feedback from those groups will be addressed in the EIS.

Tessa reminded attendees about the Measurable Evaluation Process used to develop the optimized alternatives described below. 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 specific project goals. She explained that not all elements, nor impacts, are represented on the maps, just those components 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

Jessi explained that the team has reached back out to the Dredge Material Management Program (DMMP) to understand if the Agency position from 2012, which was that Capitol Lake dredged material would not be suitable/or allowed to be disposed of at an open water disposal site due to the presence of invasive species, has changed.

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The DMMP confirmed there has been no new or different information that would result in a change in their previous determination. Therefore, the EIS will include the assumption that dredged material from the Capitol Lake Basins cannot go to open water disposal and would have to either be disposed of at an uplands landfill with significant costs or beneficially reused within the lake basins. It is more environmentally and economically sustainable to reuse the sediment within the basins to build out the habitat islands associated with all the optimized alternatives (described below).

Question: If you were to do that, how would you deal with the invasive species?

The sediment would stay within the footprint of where invasive species already exist today.

Estuary Alternative ([see map](#))

- Maintenance dredging to remove accumulated sediment
- Removal of the Fifth Avenue Dam
- 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

Tessa noted the inset to illustrate the alternative at high tide; visual simulations will help convey tidal fluctuations in the draft EIS.

Question: What is the 500 ft. opening based on?

Karmen said this opening size was considered in earlier Capitol Lake Adaptive Management Plan (CLAMP) and Puget Sound Nearshore Ecosystem Restoration Project (PSNERP) work. Tessa noted the team looked at what had been used in previous work and 500 feet was the largest opening that had been used. Subsequent technical analysis could indicate the need for a larger or smaller opening.

Hybrid Alternative ([see map](#))

- Maintenance dredging to remove accumulated sediment
- Removal of the Fifth Avenue Dam
- Initial dredging in the Middle and North Basin channels

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- 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

Tessa explained the Hybrid Alternative is similar to the Estuary Alternative, except for two key components. The multi-modal trail at the retaining wall would create a path for pedestrians and bicyclists and an Adaptive Management Plan would be required to manage water quality within the reflecting pool.

Question: Regarding the retaining wall, what is the height?

About 20 feet tall, consistent with 5th Avenue. The pool is influenced by tides, but it is constrained between extreme high and low tides.

Question: At high tide would there still be separation?

Yes, there would always be separation; the estuary water levels are higher or lower than the reflecting pool.

Question: Is there any widening of the rail opening?

Not at this time, but the analysis could indicate a need for that.

Question: Is the adaptive management plan the 'owner's manual' after the project is constructed? Do you have a framework? Who is involved?

Yes, the plan would apply to the entire lake basin. Through the EIS, the initial step is identifying the potential management options. The next step, through design and permitting, would be to advance the framework and develop the full adaptive management plan.

Question: Will there be a budget and timeframe to fund the Adaptive Management Plan?

We will be providing a planning level cost. It's unlikely the EIS will have line-item costs, but the EIS will make assumptions about costs.

Comment: Be cautious not to underestimate the costs of executing an adaptive management plan.

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Thank you, plans would be developed during design of the preferred alternative and we realize it is a lot of work and will require significant resources.

Comment: If you have a strong adaptive management program, you may be able to be more flexible at the beginning because you can make course corrections later.

Question: Can you speak to the role that water quality played in defining these alternatives? Are you considering water quality in Budd Inlet?

The team recognizes there is a connection between Budd Inlet and the project. The Managed Lake Alternative assumes there needs to be active management to improve water quality. The EIS will evaluate ways to do that and impacts to the system. In an open system, the need for active water quality management is expected to be eliminated. The figures show the components of alternatives going into the EIS. The benefits and impacts of alternatives will be documented in the EIS. Water quality is threaded throughout all the alternatives.

Question: Will questions related to how impacts will play out with the federal navigation channel be addressed? Is the US Army Corps of Engineers (Corps) at the table?

It is similar to water quality, the EIS will evaluate the impact of changes. The Corps has been with us at previous meetings. We want to make sure you understand the components without presupposing the results of the technical work. Potential impacts to marine navigation will be evaluated.

Question: Are there impacts assessed outside the project area indicated on the map?

Yes, the project area is not the same as the study area, which may be larger, for specific resources.

Question: How do other resource study areas compare?

Many of them extend beyond the project area identified in the alternative maps. There are variations depending on the resource.

Question: All of these have a goal of restoring boating and fishing, are you thinking you are allowing boaters to access the basins from Budd Inlet? What are your containment options for invasive species?

For the closed system, one of the approaches we will look at is the potential for decontamination stations. For the open system, we haven't used the term "no go zone" but we will look at the relative ability for transport outside the system. That ties into the analysis of potential control or eradication options.

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Question: Is there a study for historic and cultural resources?

Yes, it is being developed now.

Question: If the Corps is involved, have they defined the permit area?

It's premature for that since this is not a NEPA process and there is not a preferred alternative.

Question: Is there any conversation about coordination between the State Environmental Policy Act (SEPA) and [Governor's Executive Order 05-05](#)? If there is capital funding, there are additional 05-05 elements to consider.

We have not evaluated or discussed that at this time as we are just getting into the analysis, but this feedback is helpful, and a follow-up discussion may be necessary.

Questions for the TWG and Group Discussion

The project team asked a series of specific questions/discussion topics relevant to the alternatives.

Extended in-water work window

The team would propose to use the longer in-water work window permitted for Budd Inlet instead of the standard window for fresh water. This would include initial construction and the ability to establish habit and maintenance dredging under the managed lake.

Comment: From a hydraulic standpoint we do have flexibility because you have a lot of ability to control impacts. David Kloempken will follow-up with WDFW staff about this.

Herbicides to control invasive species

Herbicides were once used to control invasive species and there was a commitment to coordinate with stakeholders if considered again. Is there any reason that we should assume herbicides cannot be used in that capacity under the managed lake?

Question: I assume it is herbicides for freshwater plants, if you open the system wouldn't the saltwater alleviate the need for herbicides?

It may, but that is yet to be determined.

Leanne Weiss will confirm who processes permits for herbicides.

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Comment: It's important to consider the scale of use. In some cases, you can use a turbidity curtain to contain the herbicide or pesticide in a location.

Would the project be permitted to use molluscicide for initial treatment of New Zealand mud snail (NZMS)?

Comment: There are not products on the market that are labeled for open water use. That doesn't mean it can't happen, but it is a challenge. For NZMS you are talking about a basin-wide application. Permits would be required.

Comment: There is a statewide list of approved chemicals and Thurston County has approved a lower-risk subset.

Comment: This is essentially a salmon river, is there any difference in the application of this? There are some lakes that have anadromous access, so the application period is restricted.

Comment: There are some treatments developed for mussels, but they are very specific to that type of shellfish. NZMS are very salt tolerant - they adapt and develop higher tolerance very quickly.

Water quality

The team intends to have a discussion at the next TWG meeting about lake management objectives. Are there any initial thoughts pertaining to water quality in advance of that discussion?

Comment: We should discuss water quality standards both within the lake and Budd Inlet and as it ties into the total maximum daily load (TMDL).

Comment: At a previous meeting when we discussed water quality it seemed like the discussion focused on who benefits and the only entity identified was LOTT because water quality is related to so many objectives. It's not just beneficial to stakeholder entities. I hope there is some way to capture that and not have who benefits be focused on entities.

Excavated material

Could material excavated from the earthen dam, if it is good quality, be used along Deschutes Parkway?

Comment: That would be a good discussion to have with the Ecology shorelines group (Zack Myer or Perry Lund).

Tide gates

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For the hybrid tide gates, are there any configurations that would impact fish entrainment? The gates are anticipated to be open box gates with a hinge point and a float. The pool would have water levels between high and low tides and the gates can be adjusted to manage in and out velocities. What should we be trying to do or what would be the concerns?

Question: Would there be a downside to allowing fish to enter? Could fish be trapped?

David Kloempken will discuss this with others at WDFW and follow up.

Comment: We may want to exclude fish to avoid entrapment potential.

Scott Steltzner will provide point of contact.

Comment: Consider the safety of people who will be on the water, for example with paddle boards.

Ecological restoration

The design along the shoreline in the North Basin assumes mudflat and marsh transitional zones. Do you have any input on the zones as they are shown?

There was no response and Jessi noted feedback can be sent later and will be routed to the appropriate technical leads.

Community Sounding Board Update

Tessa shared an update on the Nov. 14 CSB meeting. The team provided a schedule update and discussed meeting frequency, then reviewed the optimized alternatives and potential locations for visualizations of the alternatives. The alternatives were well received. There was good discussion with a number of clarifying questions. The CSB confirmed the figures were a good way to present the alternatives to the public with some revisions, such as adding the project area. The substantive comments/questions were primarily around impacts that will be documented in the EIS.

The CSB participated in an exercise to help identify potential locations for visualizations to indicate what changes might look like under each alternative. The EIS will include 3-4 locations, using this feedback to help make those decisions.

Next TWG Meeting – Timing and Content

Jessi said the team expects to convene the work groups and CSB again in April 2020. The team is launching into the technical analysis work in earnest and needs some time to focus on those efforts. She asked for any periods of time in April where there are known conflicts. Jessi will share the meeting summary and a Doodle poll to schedule the next meeting.

Comment: The 2020 Salish Sea Ecosystem Conference is April 19-22, so we should avoid that week.

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Jessi noted that although meetings may be less frequent the team will be reaching out as needed.

Round-Table Feedback

None

Public Comment

Comment: Most of my comments are about dredging. It appears as though the plan is to dredge material from the downstream and redeposit it upstream. I don't understand why you think it won't just come back.

You talk about building islands with the dredge material. These soils will not mound, they flatten out. You may be thinking of the islands at the south end but that is different composition.

How do you get dredge material from the north to south given the railroad barrier?

The idea of dredging a channel for the river to go into. The river knows where it wants to go and already has a channel, you just need to improve it.

The idea of making areas to eventually vegetate, natural processes will do this itself. I believe parts of the middle basin would naturally convert to salt marsh, not mudflats.

The 500 ft wide opening I fail to see the benefit if you still have the constriction at Marathon Park.

The saltwater pool has problems. It's not a natural ecosystem and presents lots of problems. If you are going to go to the extent of building the wall for a saltwater pool, it's a waste. Fill it with fresh water from artesian wells that already exist.

Adjourn

Jessi thanked the participants and noted we will be posting the alternative maps with the meeting summary. Carrie thanked attendees and adjourned the meeting at 2:44 p.m.