



# CAPITOL LAKE – DESCHUTES ESTUARY

Long-Term Management Project Environmental Impact Statement

## Meeting Summary

Date: December 15, 2021

Time: 6:00 – 7:30 p.m.

Location: Zoom

Topic: Community Sounding Board Meeting

---

### Meeting Participants

#### *Community Sounding Board Members in Attendance*

- Alanna Matteson
- Allen Miller
- Bob Wubbena
- Bruce York
- Chris McCabe
- Clara Hard
- Drew Phillips
- Gretchen Nicholas
- Jack Mongin
- Jeanette Laffoon
- Jenny Wilson
- Kathi Rafferty
- Nancy Zabel
- Steve Shanewise
- Stuart Reed

#### *Community Sounding Board Members not in Attendance*

- Alicia Rose
- Cory Miller
- David Nicandri
- Doug Mah
- Joel Hansen
- Nancy Stevenson
- Robyn Wagoner
- Sue Patnude

#### *Department of Enterprise Services*

- Ann Larson
- Bill Frare
- Carrie Martin
- Tara Smith

#### *EIS Project Team*

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

#### *Facilitation Team*

- Susan Hayman, Ross Strategic
- Tori Bahe, Ross Strategic

# Meeting Notes Summary

Date: Dec. 15, 2021

Time: 6:00 – 7:30 p.m.

Location: Zoom

Topic: Community Sounding Board Meeting

---

## Meeting Notes Summary

### *Welcome and Introductions*

Carrie Martin, Washington State Department of Enterprise Services (Enterprise Services) welcomed and thanked the Community Sounding Board (CSB) members for their attendance and participation thus far. She then introduced Bill Frare, Ann Larson, and Tara Smith. Tara Smith, Director of Enterprise Services, thanked the CSB members and noted that this is a critical time in the project. She noted there are several important items in development including the Final EIS and long-term funding approach. She expressed her appreciation of the CSB and their engagement over the last two years.

Susan Hayman, facilitator, reviewed the meeting agenda which included a recap of the preferred alternative identification process, review and reflections on the CSB's feedback on Decision Durability, next steps, and an opportunity for public comment. Susan also provided reminders on virtual meeting conduct.

The presentation, with slide numbers referenced throughout this summary, is [available on the project website](#).

### *Preferred Alternative Identification Process*

Tessa Gardner-Brown, EIS Project Team, reviewed the graphic describing the process Enterprise Services will use to identify a preferred alternative (see [presentation slide 5](#)). This graphic was first presented to the CSB during the May 2021 meeting, and it was included in the Draft EIS for public comment. Enterprise Services did not receive many comments on the process during the Draft EIS comment period. As a result, Enterprise Services will continue to follow this approach for identifying the preferred alternative as previously described.

The concept behind this approach is to ensure that the preferred alternative is identified based on the technical analysis in the Draft EIS, Tribes and stakeholder input, and other important factors (e.g., cost). The selection criteria help to ensure these elements are considered as the alternatives are evaluated. Each alternative will be scored numerically as to its performance against these criteria.

The preferred alternative selection criteria are as follows:

- Performance Against Project Goals
- Other Environmental Disciplines
- Environmental Sustainability
- Economic Sustainability
- Construction Impacts
- Decision Durability

# Meeting Notes Summary

Date: Dec. 15, 2021

Time: 6:00 – 7:30 p.m.

Location: Zoom

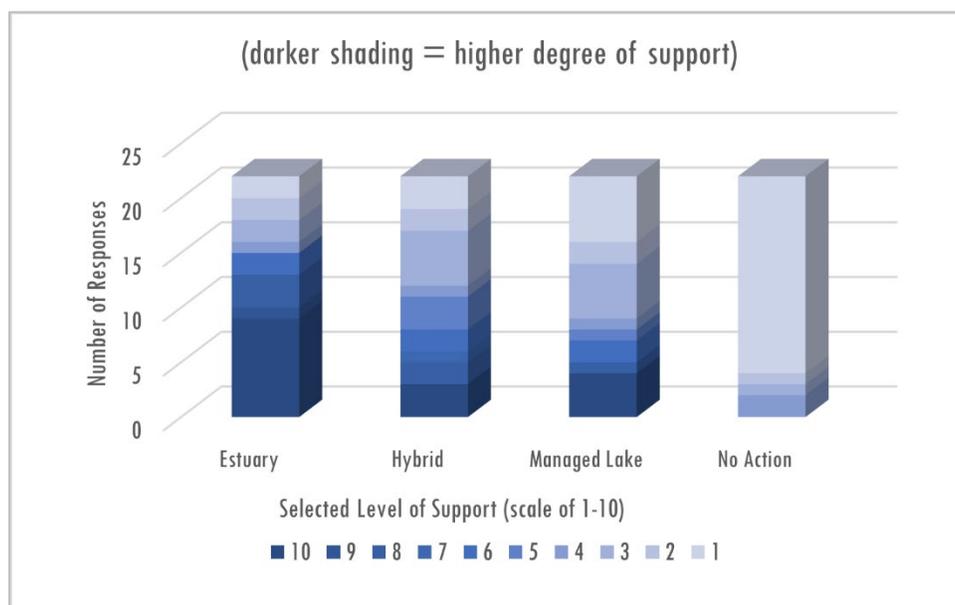
Topic: Community Sounding Board Meeting

Tessa said both the CSB and Executive Work Group (EWG) were asked to provide input on the Decision Durability criteria. The EIS Project Team reviewed the CSB feedback and is still collecting feedback from the EWG. The Decision Durability scores will be input directly into the process as Enterprise Services evaluates the alternatives.

## *Review the Community Sounding Board's feedback on Decision Durability*

Susan thanked the CSB members for their time and effort spent on the Decision Durability questionnaire. She noted that the EIS Project Team received 22 responses out of the 23 total CSB members. Susan presented four graphs that displayed the individual numerical levels of support for the four alternatives.

The following graph showed the “Overall Level of Support”. Susan noted that the darker colors represented higher ratings or higher levels of support, and the lighter colors represented lower ratings or lower levels of support. Based on that color coding, Susan noted that the Estuary alternative received an overall higher degree of support than the other alternatives.



The next graph showed “Percentage of Responses with Ratings Greater Than or Equal to 6”. Susan noted that the EIS Project Team used 6 because it was reasonable that this level of support indicated that individuals could “live” with this outcome. Based on ratings, 68% of CSB members rated the Estuary alternative with a 6 or above, 36% of members rated the Hybrid alternative 6 or above, and 32% of members rated the Managed Lake alternatives with a 6 or above. CSB members did not give a rating of 6 or above for the No Action alternative.

# Meeting Notes Summary

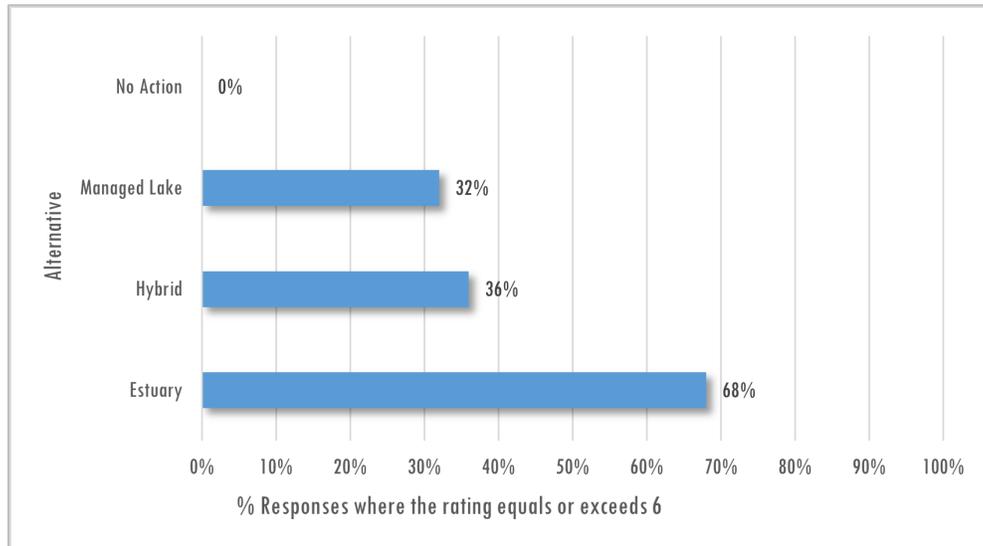
Date: Dec. 15, 2021

Time: 6:00 – 7:30 p.m.

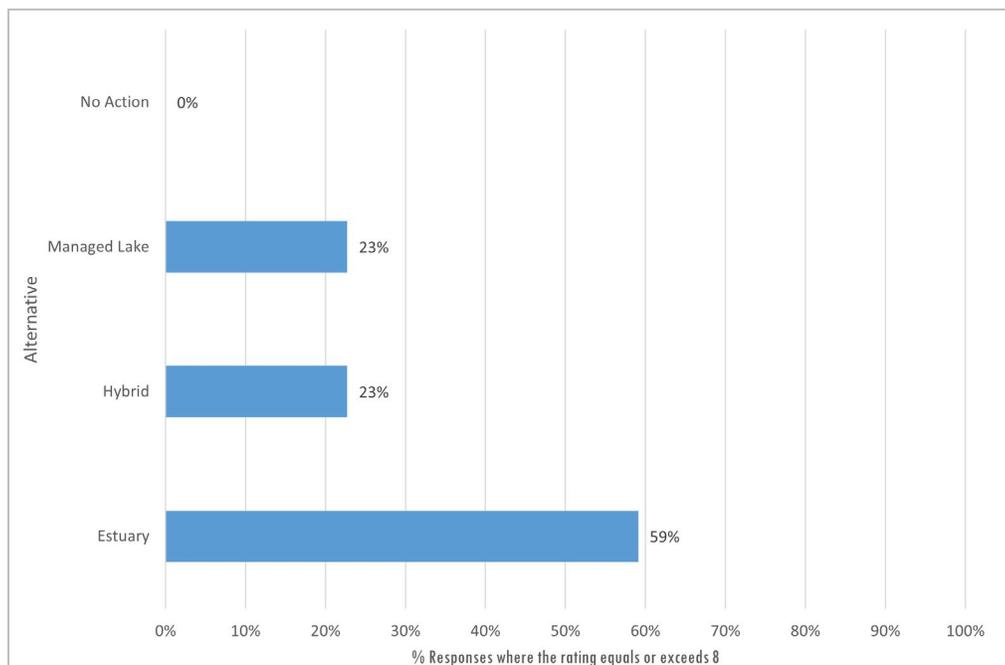
Location: Zoom

Topic: Community Sounding Board Meeting

---



The third graph depicted “Percentage that Mostly or Fully Support (8, 9, or 10)”. In this graph, Susan noted that there was greater differentiation between the three action alternatives, and that 59% of CSB members mostly or fully supported the Estuary alternative.



# Meeting Notes Summary

Date: Dec. 15, 2021

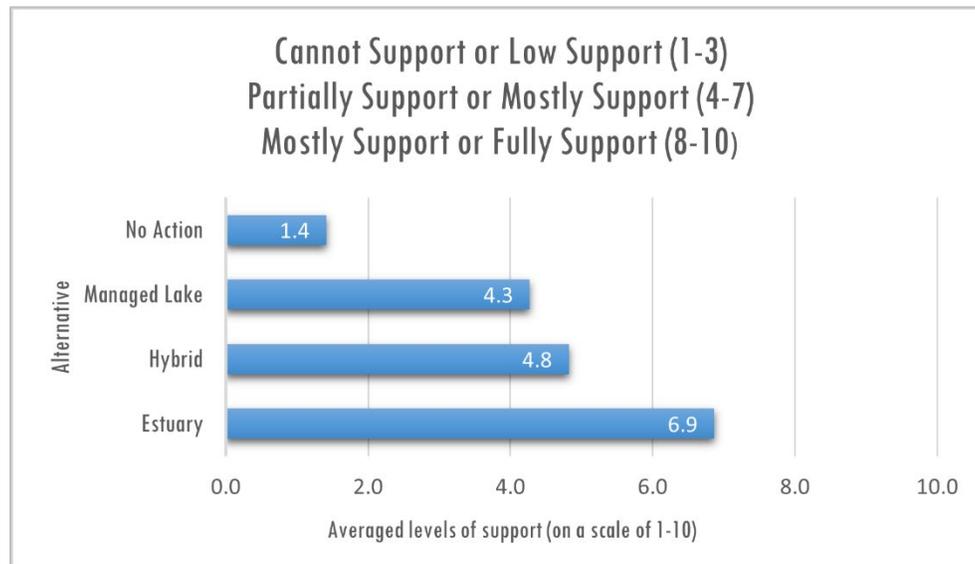
Time: 6:00 – 7:30 p.m.

Location: Zoom

Topic: Community Sounding Board Meeting

---

The last graph depicted the average ratings of each alternative based on the 22 responses. Susan noted there was less differentiation between the alternatives when ratings were averaged. Susan also observed that while the Estuary alternative had the highest average rating, none of the alternatives had an average that was in the “Mostly Support or Fully Support (8-10)” range.



Susan asked for any CSB member reflections on the graphs.

*Comment: I think there are a lot of errors in the cost estimates within the Draft EIS. For those on the CSB that are using the Draft EIS as a valid summary of the cost estimates, they are using flawed data in their responses. Therefore, I consider the ratings in these graphs to be flawed.*

*Comment: I agree with the previous CSB member's comments. The Draft EIS notes that the Managed Lake is the most expensive alternative and that is not true. We need to do this exercise again after the Final EIS has been submitted and the cost estimates are corrected. I agree that this is a flawed analysis.*

After reviewing the graphs, Susan pivoted to the individual narratives that accompanied these numerical levels of support. Susan reminded members that these narratives reflect individual CSB member comments and may not reflect the findings disclosed in the Draft EIS. Susan emphasized that it is important for Enterprise Services to get perspectives from everyone. Lastly, Susan also noted that the talking points on the slide were synthesized, and the full verbatim list of comments was sent to CSB members before the meeting.

Susan reviewed each alternative and the points that CSB members felt increased and decreased their support for each alternative.

# Meeting Notes Summary

Date: Dec. 15, 2021

Time: 6:00 – 7:30 p.m.

Location: Zoom

Topic: Community Sounding Board Meeting

---

## Estuary Alternative

CSB members noted that the following factors increased their support of this alternative:

- Restored environment and improved ecological function
- Improved water quality
- Improved recreational opportunities
- Lowest costs in the long run
- Diverse funding opportunities
- Recognizes cultural significance and historic Tribal presence
- Supported by Tribes and state regulatory agencies

CSB members noted that the following decreased their support of this alternative:

- Permanence of decision – “no second chance”
- Uncertainty about long-term water quality improvements
- Recreation limitations and safety hazards at low tide
- Potential economic impacts on downtown businesses and marinas
- Uncertainty of adequate, sustained funding and dredging plan
- Impacts to historic resources
- Visual and odor impacts at low tide

## Hybrid Alternative

CSB members noted that the following factors increased their support of this alternative:

- “Best of both worlds”
- Partially restored environment and ecological function with freshwater and saltwater habitat
- Improved fresh and salt water recreational opportunities
- Retention of smaller reflecting pool
- Diverse funding opportunities
- Less impact to historic properties

CSB members noted that the following factors decreased their support of this alternative:

- Visual impacts at low tide and from the retaining wall
- Odor impacts at low tide
- Recreation limitations and safety hazards at low tide
- Unnecessarily complex without corresponding benefits
- Most expensive option
- Potential economic impacts on downtown businesses and marinas

# Meeting Notes Summary

Date: Dec. 15, 2021

Time: 6:00 – 7:30 p.m.

Location: Zoom

Topic: Community Sounding Board Meeting

---

- Uncertainty of outcomes

## Managed Lake Alternative

CSB members noted that the following factors increased their support of this alternative:

- Retains historic tide lock, 5<sup>th</sup> Avenue Dam and Capitol Lake
- Improved recreation opportunities
- Retains habitat for freshwater species
- Incorporates adaptive management
- Improves water quality
- Historical and aesthetic aspect of the lake and reflecting pool
- Improves sediment management and minimizes downstream impacts

CSB members noted that the following factors decreased their support of this alternative:

- Impacts to Tribes and Tribal resources
- Least effective at managing invasive species
- Minimal ecological and environmental restoration
- Lack of habitat and wildlife diversity
- Fails to meet water quality standards
- Greatest long-term cost
- History of inconsistent funding for dredging

## No Action Alternative

CSB members noted that the following factors increased their support of this alternative:

- Natural restoration would occur over time
- Known management and outcomes
- Retains recreational opportunities
- Lowest economic investment

CSB members noted that the following factors decreased their support of this alternative:

- Not feasible
- Action is required to achieve project goals
- Poor water quality in project area
- Reduced recreation/public use
- Impacts to fish and wildlife
- Impacts of sedimentation
- Potential economic impacts to Downtown Olympia and marinas

# Meeting Notes Summary

Date: Dec. 15, 2021

Time: 6:00 – 7:30 p.m.

Location: Zoom

Topic: Community Sounding Board Meeting

---

- Impacts to tribes and tribal resources

## *Reflections on the CSB Feedback Received*

After presenting the synthesized narrative responses, Susan asked members to reflect on the exercise and the feedback that was received for the alternatives.

*Comment: It would be interesting to revisit this list once the inaccuracies in the Draft EIS have been changed.*

*Comment: I am happy to see such strong support for the Estuary alternative and agree with the points for increased support. My support for the Estuary option is based on a solid read of the data and evidence. I do not agree that my responses were tainted by incorrect data.*

*Comment: It was not on my list but taking out the tide lock would take away flood control and protection against sea level rise in the North Capitol Campus. I am interested in how the Final EIS will address our comments. In addition, I support the Managed Lake alternative and think we can use some of the extra money for other work such as salmon recovery.*

*Comment: When we are talking about public support, we are thinking about the long run. It is about long-term durability not short-term popularity. If there are unforeseen issues, public support could decrease quickly. We should trust the process. Part of this EIS process is bringing up points that were not brought up in the Draft EIS. Enterprise Services should review the public comments thoroughly and find ways to address these issues and questions as we move forward. Money is long term durability and stakeholders who are able to provide funding are providing funding not only due to popularity but because they want to continue to support the project.*

*Question: In response to the visual aesthetics of the wall, why was the sheet pile wall chosen over the rock wall? Also, for the tidal opening, why was a 500-foot opening chosen instead of the existing 82-foot opening?*

*Response: The findings regarding the type of wall and tidal opening is documented in [Attachment 19 - Measurable Evaluation Process - Summary of Concept Screening](#) to the Draft EIS. The sheet pile wall was the recommended option due to its increased structural support. The 500-foot opening was used because it is consistent with modeling performed by the Washington State Department of Ecology and is what is advocated for by Tribes and permitting agencies. In addition, the larger opening best supports project goals.*

*Question: Were the narrative responses presented solely from the CSB?*

*Response: Yes, the responses noted on the slides were solely from CSB members.*

*Question: Did the other groups do a similar Decision Durability questionnaire?*

# Meeting Notes Summary

Date: Dec. 15, 2021

Time: 6:00 – 7:30 p.m.

Location: Zoom

Topic: Community Sounding Board Meeting

---

*Response: Yes, Enterprise Services asked the EWG to provide numerical and narrative support for each alternative. They are sending us their responses via written document instead of online form but both questionnaires had the same questions.*

## *Next Steps*

Tessa reviewed the next steps for the project. Tessa emphasized that the EIS Project Team is working in earnest to review all Draft EIS comments and to identify additional work needed for the Final EIS. She also reiterated that the team is making significant strides towards identifying a Preferred Alternative. Tessa explained that a “likely” Preferred Alternative will be identified before the Final EIS is released. Tessa assured members that they would share that information with the CSB once it is available.

Tessa also said Enterprise Services will reconvene the Funding and Governance Work Group (FGWG) to confirm long-term funding and governance for the Preferred Alternative. Tessa highlighted that long-term funding and governance was a critical issue raised in the Draft EIS comments.

*Question: When you pick the Preferred Alternative, will you have secured the funding or will you have a good idea that funding is secured? It worries me that if there is a Preferred Alternative, will it actually get funded. If there is not enough funding, will you look to stakeholders to provide funding? What is the overall funding approach?*

*Response: Based on the work that has been done up to this point with the FGWG, there are two different types of funding: initial upfront (construction) and long-term (operations and maintenance). These two types of funding are addressed differently and come from different sources. The FGWG has indicated that the state should be responsible for initial funding for construction, as the project owner and party responsible for today’s conditions. The FGWG has provided recommendations for each alternative regarding long-term funding. The FGWG sees some opportunities for shared funding under the Estuary alternative. For the Managed Lake alternative, the FGWG has consistently recommended long-term funding remain a state responsibility. The group currently does not have any specific recommendations for the Hybrid alternative.*

*Question: Would you secure funding before picking an alternative?*

*Response: No, although Enterprise Services is regularly updating legislators, the Office of Financial Management (OFM), and the Governor’s Office on the process and to prepare and engage them in preliminary funding discussions. This process is consistent with a State Environmental Policy Act (SEPA) review. Once a preferred alternative is identified, Enterprise Services can begin exploring all funding options (federal, state, local, etc.).*

## Meeting Notes Summary

**Date:** Dec. 15, 2021

**Time:** 6:00 – 7:30 p.m.

**Location:** Zoom

**Topic:** Community Sounding Board Meeting

---

*Question: We have differences with Enterprise Services regarding the cost estimates provided in the Draft EIS. Where in the process will the CSB or the general community see updated cost estimates of the alternatives? Also circling back to the previous CSB member's comment on financing. Will the legislature pay the bill? It doesn't seem fair to pass the bill onto the port, local marinas, and other businesses. Who will pay the capital construction and long-term costs?*

*Response: We did see your comments on cost, and we are reviewing those comments. The next opportunity to provide updates on cost is in the Final EIS.*

*Question: If we won't see the updates until the Final EIS, we will be unable to provide further input. Will the updates come out in an earlier preview to enable us to provide additional input?*

*Response: We hear your question and we have noted it. Consistent with the SEPA process, the updates will be provided in the Final EIS.*

*Question: What happens if the Legislature refuses to fund the Preferred Alternative? What will happen then?*

*Response: We have kept the Legislature well informed throughout this extended stakeholder process. While we have no guarantees of funding, the Governor's Office, OFM and legislators are partners and have been supportive throughout the process. In addition, we have been looking at other funding sources and processes.*

*Question: If the Legislature decides not to fund the Preferred Alternative, is the EIS process done? Can Enterprise Services present the Final EIS/Preferred Alternative at the next legislative session?*

*Response: In Washington State, the Legislature is responsible for coming up with a budget. We are completing the EIS process and will have recommendations on the Preferred Alternative and the funding strategies. If the Legislature decides to do something else, that is their decision, consistent with how a representative democracy works. We have engaged with them throughout the process so that the outcomes are not a surprise. Legislators have seen the cost estimate ranges for the alternatives. In addition, we have worked to ensure the Governor's Office has been informed along the way and have worked to keep you all informed as well. We may potentially get funding for an alternative through the federal infrastructure bill. There are a lot of unknowns at this stage. If the Legislature does not fund it, it can be presented in the next session. However, an EIS analysis does have a shelf life.*

*Comment: The federal infrastructure bill does not have money in it for removal of the tide lock, which is protected under the National Historic Preservation Act.*

# Meeting Notes Summary

Date: Dec. 15, 2021

Time: 6:00 – 7:30 p.m.

Location: Zoom

Topic: Community Sounding Board Meeting

---

*Comment: Sadly, COVID has kept us from meeting together and sharing information that may have helped us make a more informed decision. We did a lot of information sharing in small groups at the beginning of the process and it was helpful.*

*Question: I appreciate Tessa's comments on what SEPA requires. I seem to recall from the state capitol budget that there was some proviso language to take a closer look at funding. Is that accurate?*

*Response: Yes, that is accurate. In this process, we have gone beyond the SEPA requirements and have looked at funding and completed an economic analysis of the project. This information can be found in [Attachment 18 - Economics Discipline Report](#) to the Draft EIS.*

*Comment: It's one thing if someone makes a decision that I support. However, it is another thing if someone makes a decision that I do not support but I am responsible for paying for a portion of the project—that is not equitable to me. Some people have lived here for decades and have a better understanding of the science, while others have not been here as long. If I have to pay for a part of a project, then I need to be part of the decision-making process.*

*Comment: Thank you all for your work. I appreciate the science and research and all of the other work that has gone into this project. Let's get it done!*

Susan thanked the members for their feedback.

## ***Public Comment***

Susan provided an opportunity for public comment. One public comment was offered.

*Comment: I agree with several of the CSB members who noted there are fallacies in the Draft EIS. Based on my former profession, I learned that to make decisions on incorrect information frequently led to disaster. In the Decision Durability synthesis, the toxins<sup>1</sup> in Budd Inlet were not discussed. When we take out the tide lock, the toxins will flow into the Capitol Lake basin. This will affect fish, wildlife, habitats, and recreational opportunities. As far as aesthetics, currently in*

---

<sup>1</sup> Following the meeting, the public commenter reached out to the EIS Project Team to clarify that his comment during the public comment segment had to do with aqueous toxics, not sediment toxics. He felt that subsequent response to the CSB member asking about the toxins was focused on sediment toxics and agreed that had been addressed in the Draft EIS. He requested further clarification of how the EIS Project Team did/plans to address aqueous toxics in the EIS.

## Meeting Notes Summary

Date: Dec. 15, 2021

Time: 6:00 – 7:30 p.m.

Location: Zoom

Topic: Community Sounding Board Meeting

---

*Budd Inlet there are many signs warning the public to stay out of the water. I anticipate that if we take out the tide lock, we would likely see those signs in the Capitol Lake basin. This issue has not been discussed.*

### *Closing Comments and Adjourn*

*Comment: I want to thank the public commenter for bringing up the toxins issue. Was this topic considered in the Draft EIS?*

*Response: Yes, the project team considered the toxins issue and addressed it in [Attachment 15 - Sediment Quality Discipline Report](#) to the Draft EIS. This comment will be addressed in the Final EIS.*

Susan thanked the CSB and acknowledged the challenging conversations that emerge when members have differing perspectives or information that does not align with other's opinions. She thanked and acknowledged everyone's engagement and participation during this meeting and throughout the process. Susan also emphasized that during this meeting the group did not make any decisions regarding the preferred alternative, and there was no intent to do so. She believes Enterprise Services gained valuable feedback as a result of the discussion.

Bill thanked the CSB for their sustained and ongoing commitment through this long process. He reviewed the work undertaken thus far and the importance of delivering a Final EIS with responses to Draft EIS comments, a preferred alternative, and funding approach. He reiterated his and the agency's gratitude for the CSB contributions and encouraged each member to remain committed through the remaining steps of the process. He also noted that Enterprise Services will keep the CSB informed of any status updates over the next few months.