



# CAPITOL LAKE – DESCHUTES ESTUARY

Long-Term Management Project Environmental Impact Statement

## Meeting Summary

**Date:** April 8, 2019

**Time:** 6:00 – 8:30 p.m.

**Location:** 1500 Jefferson St., Olympia, WA

**Topic:** Community Sounding Board Meeting

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### Meeting Participants

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

- Sandy Cashman
- John DeMeyer
- Joel Hansen
- Clara Hard
- Ali Johnson
- Jeanette Lafoon
- Doug Mah
- Alanna Matteson
- Cory Miller
- David Nicandri
- Drew Phillips
- Kathi Rafferty
- Tamalyn Ramsey
- Alicia Rose
- Steve Shanewise
- Nancy Stevenson
- Robyn Wagoner
- Jenny Wilson
- Bob Wubbena
- Bill Yake
- Bruce York
- Nancy Zabel

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

- Allen Miller
- Jack Mongin
- Emmett O'Connell

#### *Department of Enterprise Services*

- Carrie Martin
- Bill Frare

#### *EIS Project Team Consultants*

- Tessa Garner-Brown, Floyd|Snider
- Ray Outlaw, EnviroIssues

#### *Facilitators*

- Susan Hayman, EnviroIssues

#### *Others/Members of the Public*

- Stewart Gloyd
- Jack Havens
- Jim Hengenfelder

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### *Opening Comments and Review of Agenda*

Bill Frare, Assistant Director for Facility Professional Services and the SEPA Responsible Official welcomed the Community Sounding Board (CSB) members to the first meeting and provided a brief introduction. He explained Enterprise Services is very excited about the project, particularly with recent progress that has created more momentum than ever before. He expressed gratitude for participating in the CSB, noting one of the key challenges in the past was the diversity of opinions.

Bill explained that Phase 1 brought stakeholders together and they coalesced around the need for an environmental impact statement (EIS). He added that the agency plans to use the EIS analysis to determine a preferred alternative for long-term management. The scoping process informed the necessary technical analysis and the work that needs to be done. The CSB is a way to continue to engage the community and avoid surprises as the EIS is developed.

Carrie Martin, Project Manager, thanked the group for committing their time and providing feedback.

Susan Hayman, third-party neutral facilitator, explained her mission is to ensure the CSB has productive conversations and that the EIS project team gets as much feedback as possible. Susan will work to maintain constructive conversations even when there is disagreement.

Susan briefly reviewed the agenda, shared some facility details (table tents, restrooms, snacks, etc.) and led a round of introductions.

Each participant introduced themselves and provided a brief summary of what they cherish about Capitol Lake and/or the Deschutes Estuary. Some also mentioned their interest in participating in the CSB.

In total, 22 of 25 CSB members attended. Three individuals attended as observers.

Susan introduced group conduct expectations as described in the draft charter and posted on the wall.

*CSB participants are accountable to:*

- *Listen to and appreciate a diversity of views and opinions*
- *Actively participate in the group*
- *Behave constructively and respectfully towards all participants*

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- *Attend all meetings in a timely manner*
- *Respect the role of the facilitator to guide the group process*
- *Silence all electronic devices (note: added at the meeting)*

*Disagreement and differences of opinion are acknowledged, explored, understood and appreciated. Should conflict arise, it will be addressed with the guidance of the facilitator. Recurring inappropriate individual behavior may result in an individual being respectfully excused from the CSB.*

## ***Project Overview***

Tessa Gardner-Brown, EIS Project Team Manager, thanked the group for their participation and explained how this group helps make the project unique and has direct benefits to the EIS project team and Enterprise Services. Most EIS projects do not have opportunities like this.

Tessa provided a brief project overview to ensure all participants have a similar foundational understanding of the project.

## **Project context**

Enterprise Services maintains Capitol Lake under a long-term lease agreement with Department of Natural Resources (DNR). The lake is generally defined as the area from Tumwater Falls (South Basin) to the 5<sup>th</sup> Avenue Dam (North Basin). The North Basin is also referred to as the reflecting pool.

The 5<sup>th</sup> Avenue Dam was constructed between 1949 and 1951. After which, the lake provided swimming, sailing and other recreational opportunities. Historically, the Deschutes Estuary was used by local tribes for subsistence and ceremonial purposes. In recent times, the lake has been closed to active use.

## **Shared project goals**

In 2016, Enterprise Services engaged the community and stakeholders in Phase 1 of Long-Term Management Planning. At this time, they reconvened stakeholders and revisited project goals; this work resulted in four shared project goals.

- Improving water quality
- Managing sediment
- Improving ecological functions
- Enhancing community use

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These goals are included in the project purpose and need statement. The EIS process will consider a range of alternatives and their ability to meet these project goals.

## Long-Term Management Alternatives

As a result of Phase 1, four primary alternatives to manage the waterbody have emerged.

- No Action – the existing status of the waterbody would be unchanged and represents the most likely future for the project area if the project is not implemented
- Managed Lake – similar to today, but would include actions to address project goals
- Estuary – would remove the 5<sup>th</sup> Avenue Dam and restore tidal flow
- Hybrid – would remove the dam, restore tidal flow to much of the basin while retaining a smaller reflecting pool.

A number of variations of the alternatives have also been proposed (concept proposals) and are included in the alternatives memo. When the range of alternatives to be evaluated in the EIS is identified, the EIS project team will review the impacts of each alternative and document the differences. The goal of the EIS process is to identify a preferred environmentally and economically sustainable long-term management option for the resource.

## EIS Process

Tessa presented a chart summarizing the EIS process. She explained that Phase 2 formally began in September 2018 with scoping. The scoping period extended through mid-November 2018 and represented the first formal step in the EIS process. Next is the technical analysis, which the EIS project team is beginning now. Some of the analysis will include more detailed studies into technical disciplines (e.g. water quality, sediment transport).

Technical analyses will continue for about a year, then the EIS Project Team will prepare the Draft EIS and Enterprise Services will issue the Draft EIS that summarizes the technical analyses. At that time there will be a public comment period on the Draft EIS. The EIS project team will review public comments to determine any necessary changes to the document, then issue a Final EIS with responses to comments and a preferred alternative.

Phase 3 will move the preferred alternative into design, permitting and ultimately construction (should an action alternative be preferred).

## Process Map

Tessa then described the [EIS process map](#). She explained that most projects generally follow a four-step process (Scoping → Draft EIS → Final EIS → Decision), with opportunities for public comment during scoping and after the release of the Draft EIS. This project is using a more

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complex approach that leverages and works with stakeholders by bringing them deeper into the process.

## *Questions*

*CSB question: The lake was formerly described as over 300 acres, what is the difference?*

Percival Cove was part of the larger number, but it is not within ES jurisdiction.<sup>1</sup>

*CSB question: When was the most recent estimate of the lake volume?*

The lake volume has not been estimated recently. However, one could conceivably estimate the lake volume by understanding the historic target depth for the basin, and evaluating the sediment accumulation since that time. The last survey of sediment accumulation (bathymetric survey) was completed in 2013 and is available in the Enterprise Services [document archive](#).

*CSB question: Is this PPT available for CSB members to review later?*

It will be posted with the meeting summary on the project website.

*CSB question: When final decisions are made will all funding come from the state legislature?*

That answer is unknown and part of the reason for the Funding and Governance Work Group. They are beginning to talk about what funding might look like. Their recommendations may include a combination of local taxing district and state legislature funding.

*CSB question: Are all 260 acres of DNR assets leased to state government with Enterprise Services as the caretaker?*

Yes

*CSB question: What does removing the dam mean? We need a clear understanding of the alternatives.*

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<sup>1</sup> This response corrects the record from dialogue at this Community Sounding Board. Prior to construction of the middle and south basin wetlands, Capitol Lake (including Percival Cove, which is also maintained by Enterprise Services) was closer to 300 acres, as the CSB participant suggested. The most recent survey of Capitol Lake, including Percival Cove, provides a total area of approximately 260 acres. The survey was conducted in 2013, many years after construction of the middle and south basin wetlands.

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The project team is working to ensure we have a common understanding of the components that make up each alternative. We will discuss this in more detail this evening.

*CSB comment: Studies should start immediately with regular water quality monitoring and not rely on old data.*

The scope of study does include collecting additional data within Capitol Lake.

*CSB question: What is the geographic expanse of an estuary?*

Enterprise Services has jurisdiction of the 260 acres, so that generally defines the study area but some disciplines do extend beyond that study area for their analysis (e.g. sediment transport).

*CSB question: Is Percival Cove part of the analysis?*

It will be included in the analysis as necessary.

*CSB question: Is there going to be a mandate for funding or could the process stall after the EIS process?*

There is no mandate to provide funding after the process is complete. Our goal is to complete a thorough, defensible and community-supported process and to keep decision-making bodies engaged and informed throughout.”

### ***Draft CSB Charter***

Susan Hayman introduced the draft CSB Charter, explaining that Enterprise Services owns the charter and must feel confident in what it says and asks the group to do. Before finalizing, Enterprise Services would like feedback from the CSB. Susan invited CSB members to indicate content that is unclear or requires further discussion.

*CSB question: Doesn't an EIS typically evaluate a proposed action and then alternatives to that proposal?*

There is a proposed action, it is long-term management of the waterbody. And the alternatives are different ways to do that while addressing the four project goals.

*CSB question: Who is the decision maker?*

The EIS analysis will inform the decision. Enterprise Services will identify a preferred alternative. The Work Groups and CSB will be engaged throughout the process.

*CSB question: What do you mean by “group outcomes”? What group is this?*

The group is the CSB. It is not designed to be a consensus process. We will identify common themes, and areas where people agree and disagree.

*CSB comment: Voting could be a tool get a sense of where the CSB is on an issue.*

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We will update the document to ensure it does not preclude the use of sensing or other processes to gauge the group, if useful for outcomes.

*CSB question: Where can we find information about upcoming meetings?*

We will include a [link to the page](#) on the project website in the next CSB email.

*CSB question: What are “private or confidential conversations”?*

Sometimes a group member will call the facilitator with feedback or questions they wish to remain confidential. We will update the document to make this explicit to the facilitator and CSB member.

*CSB question: When might the media attend and take photographs? Is anyone recording now?*

There are some work groups that are video recorded and published online. This is to clarify that we do not intend to do this for the CSB. On occasion the media might show up and want to video the meeting – this is permitted because this meeting is public. We will update the document to reflect that CSB members would like to be notified when anything is being recorded.

Following the Q&A, Susan affirmed that the draft charter would be updated to reflect the discussion, and would then be considered final.

## ***Measurable Evaluation Process***

Susan described two framing questions for the CSB to consider during the next presentation, explaining that CSB members would be asked to choose and provide brief perspectives to one.

1. How do you feel about the Step 1: Optimization approach? Why?
2. Environmental and economic sustainability will be evaluated relative to the other proposed approaches. Should the technical and regulatory feasibility evaluation follow that approach or continue to be a focused evaluation of each approach? Why?

Tessa introduced the draft, three-step process to help the EIS project team develop the range of alternatives to be evaluated and ultimately determine a preferred alternative.

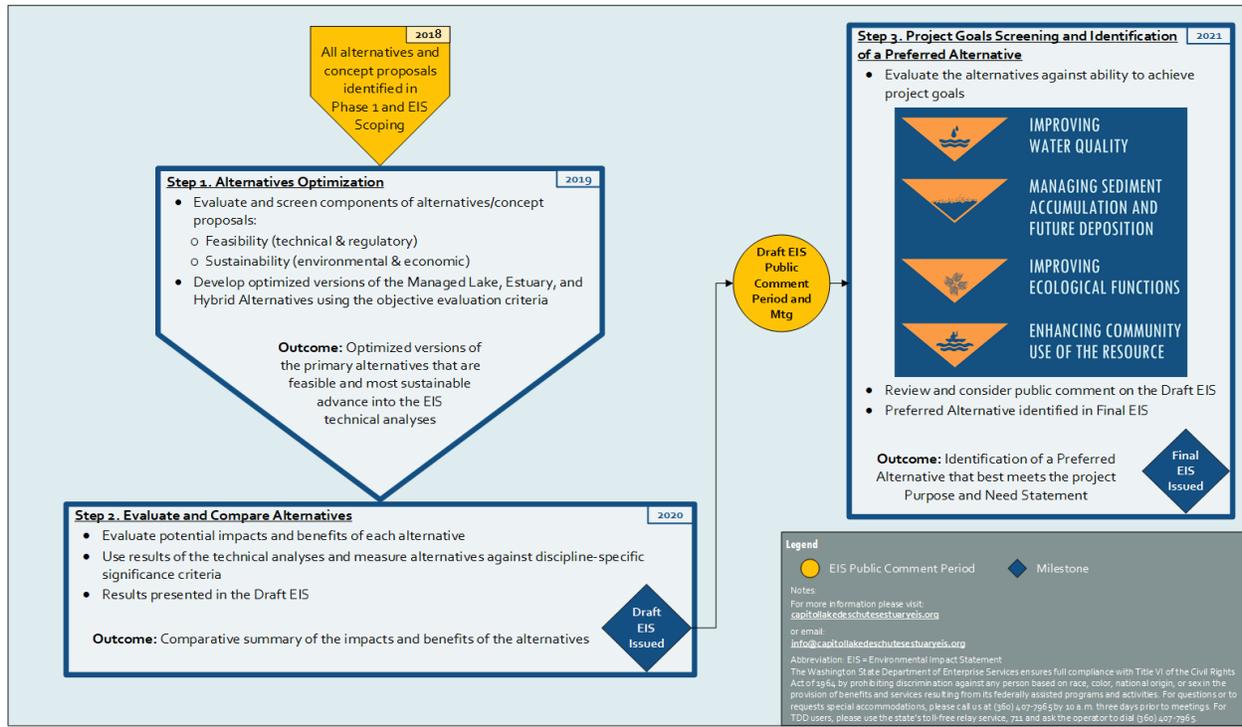
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She explained that all alternatives received to date would be filtered into Step 1, which would evaluate components of all alternatives to develop optimized versions of the Managed Lake, Estuary and Hybrid alternatives. This avoids potentially excluding an alternative because a single component is not feasible and helps the project work within a finite budget.

Step 1 assesses how well a component meets the project goals of water quality, sediment management, ecological functions and community use through application of the following four evaluation criteria: technical feasibility, regulatory feasibility, environmental sustainability, and economic sustainability.

Evaluation Criteria	Rating Scale	Notes
Technical Feasibility	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.
Regulatory Feasibility		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

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		land, or other similar restrictions that could affect the feasibility.
<b>Environmental Sustainability</b>	High	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.
	Medium	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.
<b>Economic Sustainability</b>	Low	
	Unknown	

Tessa explained that components would first be evaluated against the two feasibility criteria (technical and regulatory). Those determined to be feasible would then be evaluated against 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.

*CSB question: Regarding economics, can you verify that low relative to other proposed approaches is not the same thing as lower than other proposed approaches?*

It's not just what would cost the least now, it's the life-cycle cost over 30 years. Even within that context, is it relative to that or lower than that? <sup>2</sup>

*CSB question: Are you evaluating each proposed alternative solely through this process or the components?*

There would be a table for each alternative type (estuary, hybrid, managed lake) with all the ideas related to the project goals that have been submitted in past public processes.

*CSB question: Regarding climate change, has a determination been made regarding how alternatives vary under different climate change scenarios?*

<sup>2</sup> Clarification of this question and response will be provided at the June CSB meeting.

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We will be evaluating the alternatives with regard to climate change, that would generally occur in Step 2.

*CSB question: How many alternatives or variations of alternative are being considered as part of Step 1? Will the CSB see the selected alternatives?*

The managed lake has 5 or 6 variations that have been put forward by the community, the estuary has one primary and a couple of variations and the hybrid has one potential variation. The results of step one (the optimized version of each alternative) will be shared with the CSB and the public.

*CSB question: If an alternative cannot be implemented without a change in regulations, would it be disqualified?*

Yes, it would preclude topics that are just not feasible. However, we would not preclude something like a sediment management district that will require regulatory changes.

*CSB question: If federal permits are required the Squaxin Island Tribe will have input. Does that factor into the feasibility considerations?*

This step will look at components only and will consider if a permit is possible, not whether it might fail. Every alternative will require state and federal permits.

*CSB question: If you start with three alternatives and multiple components, do components have to stay within the original bucket?*

No, we want to find the best ideas. If there is an idea from one alternative that is the best idea to satisfying the project goal, and it could be reasonably applied to another alternative, we could consider that “cross-pollination.”

*CSB question: Is sea level rise the only aspect of climate change you are considering in the ability of each alternative to meet ecological functions? Will you be looking at other elements such as carbon dioxide or methane?*

We are not aware of a component that directly addresses sea level rise. In this step we are looking at the component pieces, in the EIS we will look at the difference in resiliency between the three alternatives.

## Framing Questions

Susan led a round-robin where each CSB member shared feedback on one of the two framing questions. Responses are summarized below.

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## *How do you feel about the Step 1: Optimization approach? Why?*

Group feedback ranged from “comfortable” to “support” of the optimization approach, key themes are highlighted below.

- This process makes how you are making selections more transparent.
- The cross-pollination between the approaches seems like a good idea.
- There needs to be a method to help ensure ratings of high, medium, low are consistently determined.
- Keep the maximum number of options for the longest possible time.
- Encouraged by this approach which will help ensure good ideas are not lost.
- Plug “good ideas” into whichever alternative(s) makes sense.

## *Environmental and Economic Sustainability will be evaluated relative to other proposed approaches. Should the technical and regulatory feasibility follow that approach or continue to be focused evaluation of each approach? Why?*

While those speaking to this question were generally supportive of the optimization approach, there were differing views of whether the evaluation should be relative for all four criteria, or remain as proposed with the two feasibility criteria being “binary” and the two sustainability criteria being “relative.”

As proposed:

- Using two different measuring approaches (binary and relative) is good, and provides useful options to the evaluators.
- It makes sense to look at technical and regulatory feasibility as not relative—they are more “factual,” and determinations require analysis to support them.
- Comfortable with binary for technical and regulatory feasibility, as it avoids the risk of giving weight to an “easy” option.
- This process will take time, and the regulatory and technical landscape could change in that time. Potential components that may not be feasible now may become feasible in the near future.

Use relative evaluations for three of more criteria:

- Using a relative, comparative approach for both sets offers a more holistic view of the various options.
- It makes more sense to use a relative evaluation for regulatory feasibility.

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## General comments:

- Criteria evaluations should not be relative, as this may overweight technical and regulatory feasibility at the cost of environmental sustainability.
- Environmental sustainability will be more difficult to quantify than economic sustainability.

*CSB question: This body of water is part of a river system, there are a lot of things that play into this development, how far upstream will the analysis consider?*

The analysis will look upstream to the extent necessary to evaluate affects to Capitol Lake/Deschutes Estuary, however the focus is on the area DES has jurisdiction.

Tessa thanked the group for the feedback noting it will be shared with the project team. She also reminded the CSB that Executive and Technical Work Group Meetings are scheduled for April 15 and 16, respectively.

## ***Public Comment***

Susan provided an opportunity for observers to provide public comment. No attendees wished to provide public comment.

## ***Polling for Next Meeting Date***

Susan solicited feedback on the next meeting date, which is targeted for June 2019, and will follow-up at a later date.

## ***Closing Remarks***

Carrie thanked the group for attending.

## ***Adjournment***

Susan adjourned the meeting at 8:39 p.m.