**JOINT**
**STATE CAPITOL COMMITTEE**
**&**
**CAPITOL CAMPUS DESIGN ADVISORY COMMITTEE MEETING**
**Remote Access Meeting**

**July 13, 2021**
**1:00 p.m.**

**NOTE**: These Draft Meeting Minutes are subject to change upon approval by SCC and CCDAC at their next regularly scheduled meetings.

# Draft Minutes

**SCC MEMBERS PRESENT:**

Lieutenant Governor Denny Heck (Chair)
Kim Wyman, Secretary of State (Vice Chair)
Kelly Wicker, Governor Inslee's Designee
Katy Taylor (for Commissioner of Public Lands Hilary Franz)

**CCDAC MEMBERS PRESENT:**

Alex Roll[illegible], Chair, Architect 1
Dan M[illegible], Vice Chair, Architect 2
Sen[illegible] Sam Hunt
S[illegible]or Phil Fortu[illegible]to
R[illegible]esentative [illegible]ie Dolan
Rep[illegible]ntati[illegible]bel McEntire
Kim [illegible] Secretary of State
Marc Jon[illegible]Urban Planner
Chris Jones, [illegible]dscape Architect

**OTHERS PRESENT:**

Kevin Dragon, Department of Enterprise Servi[illegible]
Bill Frare, Department of Enterprise Services
Tessa Gardner-Brown, Floyd|Sni[illegible]
Jim Honeyford, Senator, W[illegible]tate Senate
Ann Larson, Departmen[illegible] Enterpris[illegible]ervices
Car[illegible] Department of Enterprise Services
K[illegible]en Mart[illegible] Environmental Sciences Associates
[illegible]nette Meyer, Department of Enterprise Services
Ray Outlaw, Floyd|Snider

**Call Meeting to C[illegible]er; Introducti[illegible]s & Announce[illegible]nts - *Action***

Lieutenant Governo[illegible]d Chair D[illegible] the joint State Capitol Committee (SCC) and Capital Campus Design Advis[illegible]Co[illegible]ttee (CCDAC) [illegible]eting to order at 1:00 p.m.

Lieuten[illegible]or Heck [illegible]omed new CCDAC members Senator Phil Fortunato and Representative Lau[illegible]olan.

[illegible]embers and staff pro[illegible]d self-intr[illegible]duction.

L[illegible]nant Governor Hec[illegible]ecognized the attendance of Senator Jim Honeyford, ranking member of the Sena[illegible]pitol Committ[illegible]

Lieutenan[illegible]verno[illegible]eck acknowledged DES staff for their efforts in reaching this point of completing the Draft Env[illegible]ntal Impact Statement (EIS) on the Capitol Lake-Deschutes Estuary.

The agenda was approved as published.

Lieutenant Governor Heck advised that the joint meeting serves as an informational briefing for both committees on the Draft EIS. No public comment period will be provided during the meeting. For those community members interested in providing comments on the Draft EIS, DES welcomes all comments in a form that enables comments to be included within the official record. Specific instructions on how

to submit comments are available at the project website at www.capitollakedeschutesestuaryeis.org. Additional comments can be offered during an online public hearing scheduled on July 27, 2021.

**Capitol Lake-Deschutes Estuary, Draft Environmental Impact Statement (EIS) – *Informational***
Lieutenant Governor Heck recognized Carrie Martin, Environmental Planner and Project Manager for the Capitol Lake-Deschutes Estuary EIS.

Manager Martin introduced three members of the consultant team. Tessa Gardner-Brown is a Senior Environmental Planner and the Project Manager for the EIS Team with Floyd|Snider. Ray Outlaw with Floyd|Snider is a Senior Engagement and Environmental Planner and serves as the Deputy Project Manager and the Outreach and Engagement Lead for the project. Karmen Martin is a Senior Environmental Planner with Environmental Science Associates.

Ms. Gardner-Brown thanked members for their willingness to attend the joint meeting to receive the key findings of the Draft EIS. The body of work will support decision-making to implement a long-term solution for management of the Capitol Lake system. The presentation will cover information on the key findings of the Draft EIS including work that was conducted by the interdisciplinary project team. Ms. Gardner-Brown outlined the presentation agenda and introduced Ray Outlaw.

*Katy Taylor joined the meeting.*

Mr. Outlaw described the project area as the 260-acre Capitol Lake managed by DES under a long-term lease with the Department of Natural Resources that will expire in 2028. The project area extends to the northern point of West Bay and Budd Inlet. West Bay is not managed by DES; however, project actions may occur in West Bay and, as a result, was included in the project area. Parks and public spaces adjacent to Capitol Lake are included in the project area, as well as the Capitol Lake basin extending from the south end of Tumwater Falls in the City of Tumwater to the north end of 5th Avenue in the City of Olympia. The project area does not extend upstream of Tumwater Falls and into the Deschutes River; however, the Draft EIS recognizes changes upstream in the watershed could affect conditions in the project area because of the interconnectiveness of the system.

DES has been working on the Draft EIS project since 2018 during Phase 2. Phase 1 long-term planning began in 2016 and resulted in the establishment of shared goals. The goals were identified by all stakeholders. The goals are common across all alternatives to enable an unbiased evaluation of very different alternatives. Additionally, stakeholders agreed the Preferred Alternative must demonstrate economic and environmental sustainability.

Many elements are common to all the action alternatives. Action alternatives refer collectively to the Managed Lake, Estuary, and Hybrid Alternatives. A No Action Alternative was included to serve as a baseline comparison. Initial dredging would be required for construction of all the action alternatives. Initial dredge materials would be beneficially reused in other areas of the lake basin to construct habitat. The reuse of dredge materials represents a considerable cost savings compared to disposal. All action alternatives also require maintenance dredging and those activities would vary by location and frequency.

The action alternatives include boardwalks in the Middle and South Basins, a boat launch at Marathon Park for hand-carried watercraft, upgrading of the Interpretive Center dock, a pedestrian bridge along 5th Avenue to support multimodal access, and decontamination stations to prevent the spread of invasive species. Swimming facilities are not included as they do not align with the mission of DES; however, swimming facilities could be added to the agency's mission in the future. A former swimming facility in

Capitol Lake was operated from 1964 to 1986 by the City of Olympia. The project does not preclude a local parks department from negotiating a lease to operate swimming facilities in Capitol Lake should water quality conditions be suitable following an environmental review.

The Managed Lake Alternative retains the 5th Avenue Dam and its existing configuration but would be overhauled significantly to extend its serviceable life. The reflecting pool within the North Basin would be maintained and active recreational use would be restored in the area. Sediment would be managed during an initial construction dredging with recurring maintenance dredging in the North Basin only. Sediment from construction dredging would be used to create habitat areas in the Middle Basin to support and improve ecological functions and habitat complexity and diversity. Sediment would continue to accumulate and over time would promote a transition to freshwater wetlands in the South and Middle Basins. The alternative includes boardwalks, a pedestrian bridge, and a dock and boat launch for community use.

The Estuary Alternative removes the 5th Avenue Bridge to create a 500-foot wide opening to reintroduce better hydrology to the basin and return the area to estuarine conditions where saltwater from Budd Inlet would meet freshwater from the Deschutes River. Sediment would be managed through initial construction dredging in the basin with maintenance dredging in West Bay. Dredge materials from the construction dredging would be used to create habitat areas in the Middle and North Basins to promote ecological diversity. Tide flats would be the predominant habitat site. The alternative includes boardwalks, a pedestrian bridge, and a dock and boat launch for community use. The alternative includes stabilization along the entire length of Deschutes Parkway to avoid undercutting or destabilization from tidal flow. The alternative includes upgrading existing utilities and other infrastructure.

The Hybrid Alternative is similar in many ways to the Estuary Alternative and would remove the 5th Avenue Dam to create a 500-foot wide opening. The alternative includes boardwalks, a pedestrian bridge, dock and boat launch for community use, stabilization of Deschutes Parkway, and upgrades to utilities. Better hydrology would be restored to the western portion of the North, Middle, and South Basins. Within the North Basin, a 2,600 foot length barrier wall would be constructed with a walkway on top to create a 45-acre saltwater reflecting pool adjacent to Heritage Park. A freshwater reflecting pool was also evaluated and is documented in the Draft EIS. Construction and maintenance of the smaller reflecting pool combined with the restored estuarine conditions creates the Hybrid Alternative. Sediment would be managed through initial construction dredging in the basin with recurring maintenance dredging in West Bay.

Tidal conditions within the Estuary and Hybrid Alternatives are similar to Budd Inlet. To determine the amount of time the North Basin would be filled with water, the project team developed an innovation curve to identify the amount of time the North Basin would be covered by water. The analysis revealed North Basin would be covered by water at varying depths approximately 80% of the time. Other information in the form of charts illustrate tide fluctuations by season with representative winter, summer, and fall days. Based on the analysis, the largest periods of low tide and exposed tide flats would occur during the day in summer and during the night in winter.

Marc Daily asked how the beneficial use of dredge materials was considered with respect to the presence of invasive New Zealand mudsnails. Ms. Gardner-Brown explained that the beneficial use is essentially reusing dredged sediments. According to guidance from regulatory agencies, as long as sediment is reused within the basin, it would entail an allowable beneficial reuse as it would not be spreading the material to another water body but retaining the material within the existing water body, as well as diverting the material from an upland landfill where transport could serve as a vector for spreading invasive species. Additionally, cost benefits are associated with beneficial reuse.

Senator Fortunato commented that either the Estuary or the Hybrid Alternatives would provide the potential of mudsnails traveling to Budd Inlet, and although the species would proliferate less in a saltwater environment, the possibility of releasing invasive species into the inlet exists, which is a major concern to him. He asked whether any data exists on the potential wildlife enhancements and the type of wildlife that might increase, such as attracting more ducks to provide resting areas to enhance duck hunting in the Puget Sound area. Ms. Gardner-Brown reported the analysis considered potential benefits and impacts to fish and wildlife, which will be reviewed by Karmen Martin. The analysis also notes the potential spread of invasive mudsnails to Budd Inlet by removal of the dam, as well as information on some invasive species, including the snail, could pass through the dam during large storm events with debris carried through 5th Avenue. Those existing conditions are described in Chapter 4. Relative to other potential measures, the analysis recommends DES coordinate and review potential opportunities for chemical treatment and possibly obtain experimental authorization for certain chemical treatments from the Department of Fish and Wildlife during design and permitting.

Secretary Wyman asked whether all three alternatives would convert the middle section of the lake to an estuary regardless of the specific alternative. Ms. Gardner-Brown advised that the Middle Basin under the Managed Lake Alternative would be transitioned to freshwater wetlands with dredged sediment added to construct freshwater wetlands. Within the Estuary Alternative, tidal flow would be restored with estuarine conditions with tide flats exposed during low tide.

Senator Honeyford asked about plans by the Department of Natural Resources to reduce the sediment flow from Deschutes River. Ms. Gardner-Brown said sediment flow from the river was not evaluated in the Draft EIS as only existing conditions were evaluated. Today, sediment flow to the basin has totaled 35,000 cubic yards annually. Any reductions to sediment would reduce settling in the basin under the long-term management alternatives.

Ms. Gardner-Brown referred to the 14 environmental disciplines evaluated in the Draft EIS. The full analysis of the 14 disciplines are included in the Draft EIS. The first discipline is the hydrodynamics and sediment transport analysis. A numerical model was developed to compare the project alternatives quantitatively to evaluate maximum water levels and flow velocities and the extent of potential upland flooding and sediment transport patterns within the study area. The work utilized a state-of-the-art modeling system. The model simulated conditions for each alternative for two types of storm events of a river flood and a tidal flood. Those conditions were evaluated with and without relative sea level rise. The methodology and the findings were reviewed by independent third party experts. Under the No Action and Managed Lake Alternatives, both alternatives had the highest maximum water levels overall and experienced the greatest extent of flooding during river flood events. For the Estuary and Hybrid Alternatives, the model revealed that during tidal flood events, water levels would be higher than the No Action and Managed Lake Alternatives. The numerical model revealed that under the Estuary Alternative, sediment disposition in West Bay would be approximately three times greater than the No Action and Managed Lake Alternatives and approximately four times greater than the Hybrid Alternative.

Ms. Gardner-Brown reviewed annual deposition and erosion patterns for each alternative. Under the No Action and Managed Lake Alternatives, sediment deposition largely occurs in the Capitol Lake basin with some movement of suspended sediment through the 5th Avenue Dam. Under the Estuary and Hybrid Alternatives, some deposition does occur in the Capitol Lake basin but more sediment is moved into West Bay with sediment deposits on the eastern shoreline. Modeling of potential mitigation measures is described in the Draft EIS. The recommended approach to managing sediment is to incorporate maintenance dredging within each of the alternatives and for the Estuary and Hybrid Alternatives, monitor sediment annually to ensure dredging is responsive to actual environmental conditions.

Ms. Gardner-Brown reviewed comparison of maximum water levels for an extreme river flood event. The graphic of the modeling depicts a good way of demonstrating the difference in the water levels across all the alternatives and the difference in overland flooding, which is most significant under the No Action and Managed Lake Alternatives. Similar modeling was completed to compare maximum water levels for an extreme tidal flood event for each of the alternatives. The Estuary and Hybrid Alternatives have higher water levels than the other alternatives but not as high as the Managed Lake Alternative from a river flood. Under a tidal flood event, the extent of overland flooding in downtown Olympia and the Port area are similar across the alternatives.

Navigation analysis included a range of data to establish baseline conditions. One key item is the work with the U.S Army Corps of Engineers, Port of Olympia, and the marinas to learn about the frequency of maintenance dredging under existing conditions to identify when maintenance dredging should occur under future conditions to maintain navigation consistent with today's environment. Based on the numerical modeling, the amount of sediment may be deposited in the different areas of West Bay under each alternative. A table in the Draft EIS is reflective of the projected annual rate of sediment disposition for each of the resource areas in West Bay. Based on the information combined with an understanding of existing dredging needs, an estimate was determined as to how often dredging would need to occur in the future to maintain navigation in West Bay. The modeling revealed that maintenance dredging at a frequency of approximately six years under the Estuary Alternative and approximately five years under the Hybrid Alternative would maintain navigation ability in West Bay. Maintenance dredging when it occurs would be in specific areas as the dredging is responsive to shallow locations.

There would be significant impacts to navigation in West Bay under the Estuary and Hybrid alternatives but those impacts could be mitigated to less than significant levels with the ongoing maintenance dredging combined with the annual sediment monitoring to ensure the dredging program is responsive and adaptive.

Ms. Gardner-Brown reviewed the results of water quality analysis. The project team examined over a decade of water quality data. Thurston County had collected data in Capitol Lake from 2004 to 2014. The data was provided to the project team. The project team collected data in 2019, as well as in 2021. The purpose of current data collection was to verify trends that were observed in the 2004-2014 dataset. Using the dataset, a trend analysis was performed with water quality conditions considered with respect to state water quality standards and in comparison to other lakes in the region. A similar effort was conducted for Budd Inlet. Water quality in Capitol Lake is relatively good based on the decades of data reviewed. Only occasional violations of state water quality standards occur and those violations are primarily because of summertime violations of temperature and dissolved oxygen standards. The Department of Ecology also has standards for aesthetics. The lake's dense community of aquatic vegetation does violate aesthetic standards. Under a Managed Lake Alternative, aquatic vegetation would need to be managed. Water quality data identified low concentrations of dissolved oxygen, which violates water quality standards seasonally; however, low dissolved oxygen concentrations are typically experienced by all inlets throughout Puget Sound.

Water quality for all the alternatives is expected to improve but with seasonal and occasional violations of water quality standards under all the long-term management alternatives. For the Managed Lake Alternative, seasonal violations of dissolved oxygen and temperature would occur, as well as violations of pH and aquatic vegetation with no change in impact to Budd Inlet dissolved oxygen. If the Managed Lake Alternative was selected as the Preferred Alternative, DES could evaluate whether the nature of the discharge through the 5th Avenue Dam could minimize the impact on dissolved oxygen concentrations in Budd Inlet.

For the Estuary and Hybrid Alternatives, an improvement is expected in dissolved oxygen concentrations in Budd Let relative to existing conditions. The analysis predicts that the improvement would be minor to moderate. The State Environmental Act (SEPA) requires the lead agency to consider a worse case scenario when there are data gaps or uncertainties. The analysis anticipates that the scale of water quality improvement would be smaller than what has been previously modeled by the Department of Ecology consistent with that requirement under SEPA. The project team anticipates receiving comments. The analysis for other water quality parameters describes continual seasonal violations of water quality standards for dissolved oxygen in Budd Inlet and in the restored area of the estuary, although the estuary could be interpreted as meeting narrative water quality standards but not numeric targets. Water quality analysis considered a saltwater and a freshwater reflecting pool as well. The water quality methodology and findings were reviewed by an independent third party expert.

Analysis of aquatic invasive species identified 15 invasive species in Capitol Lake to include the New Zealand Mudsnail that closed Capitol Lake to all public use in 2009. To establish baseline conditions, the project team reviewed previous surveys, management plans, and conducted an extensive literature review. The analysis reflects that the mudsnail would not be eradicated under any of the alternatives. In order to meet the goal of restoring recreation on the water body, measures must be in place to avoid the spread of invasive species. Under all action alternatives, decontamination stations would be installed at the entry and exit points to the water body. Adaptive management measures would be implemented to avoid and minimize the spread of invasive species.

Under the Managed Lake Alternative, the analysis found that the population and density of aquatic invasive species overall would be similar to existing conditions. Relative to the New Zealand mudsnail, the density of the mudsnail would be the greatest under the Managed Lake Alternative because the mudsnail thrives in freshwater. Under the Estuary and Hybrid Alternatives, distribution of the mudsnail could be wider as the mudsnail could be established in Budd Inlet. However, the establishment of the mudsnail in West Bay would not have a significant impact on native aquatic species. The density overall would be low given the saline environment. The introduction of tidal flow into the basin would eradicate a majority of the aquatic invasive species.

Senator Fortunato asked whether the accumulation of sediment in the Managed Lake Alternative is due to sediment from Budd Inlet because of the removal of the dam. Ms. Gardner-Brown said sediment transport was modeled and the results did not reflect an upstream movement of sediment from West Bay into the Capitol Lake basin. Senator Fortunato asked why the sediment levels were so much higher in the Managed Lake Alternative than in the other alternatives. It appears there is no required dredging for the Managed Lake Alternative while the Estuary and Hybrid Alternatives require dredging. Ms. Gardner-Brown explained that long-term maintenance dredging is anticipated under all the management alternatives. The frequency would be approximately 20 years in the North Basin for the Managed Lake Alternative to maintain sufficient depth for recreation. Maintenance dredging is anticipated every five to six years in West Bay to ensure navigational depth under the Estuary and Hybrid Alternatives.

Senator Fortunato asked whether increasing the depth of lake would improve oxygen levels with a reduction in aquatic vegetation as shallower water increase temperatures leading to more plant growth. Increasing the depth of the lake should improve both temperature and dissolved oxygen. Ms. Gardner-Brown advised that the analysis considered potential changes in plant production under the Managed Lake Alternative. The largest contributor was phosphorus contributed from the Deschutes River. She would need to review the analysis to identify what is contributing to the increase in plant growth.

Senator Fortunato responded that phosphorus would lead to an increase in algae but not necessarily contribute to the growth of aquatic plants if the water level was deeper.

Secretary Wyman asked about significance of dissolved oxygen levels in terms of the Preferred Alternative. Ms. Gardner-Brown replied that dissolved oxygen is important for coldwater fish species (salmon & other aquatic life). The Department of Ecology has established standards for dissolved oxygen concentrations. The concentration of dissolved oxygen should be sufficient to support aquatic life. The Estuary and Hybrid Alternatives would improve dissolved oxygen in West Bay; however, the level of improvement would be minor to moderate and would still incur violations in water quality standards during summer months.

Senator Hunt asked whether any of the alternatives impact the South Basin and the old brewery, identification of the entity responsible for funding the dredge in West Bay, and the date of the last dredging. Ms. Gardner-Brown said the most recent dredge in the lake was in 1986 and since then the lake has accumulated 13 feet of sediment in locations throughout the Capitol Lake Basin. West Bay dredging would only occur under the Estuary and Hybrid Alternatives. The project team is working with the Funding and Governance Workgroup to identify responsible entities to fund the long-term costs of maintenance dredging. One recommendation from the partners (cities, Thurston County, Squaxin Island Tribe, Port of Olympia, LOTT, & state agencies) is an interest in shared funding and governance. The workgroup will reconvene after the Preferred Alternative is identified. Potential impacts to the brewery and the South Basin were analyzed after the brewery discharge ceased in 2003.

Ramen Martin presented the results of the analysis of fish and wildlife. The analysis considered the potential for adverse impacts and beneficial affects based on expected changes in ecological functions within the study area. Data used for the analysis included peer reviewed literature and documents identified as best available science during the Phase 1 planning process. The analysis focused on fish species, wildlife indicator species with special consideration to listed species, and species of cultural and tribal value (Chinook and other salmon). As described within the Draft EIS, no natural native producing populations of Chinook, Steelhead, and Bull Trout occur in the Deschutes River as Tumwater Falls serves as a natural fish barrier. Non-hatchery origin salmon may enter the basin but the majority of the salmon in the basin are of hatchery origin. The Draft EIS identified that the continued configuration of the lake under the No Action and Managed Lake Alternatives would limit the ability of habitat to provide the full suite of ecological functions required to sustain populations of salmon. Conversely, the alternatives would maintain the freshwater lake, which is an important feeding area for local bats. Under the Estuary and Hybrid Alternatives, the conversion of the freshwater lake to an estuary would reestablish a natural gradient of freshwater to saltwater. The Draft EIS describes that it would improve the fitness of out-migrating juvenile salmon and would benefit many of the species of importance to local area tribes. The analysis recognizes that due to historic declines, estuary habitat is a scarcely and valued habitat in the region as compared to deepwater freshwater habitats.

Active management under the Managed Lake Alternative would have some minor benefits to fish and other aquatic species although fish use would remain similar to existing conditions. Under the Hybrid and Estuary Alternatives, the conversion of the freshwater lake to a tidal influenced estuary would substantially benefit salmon and other species by improving migration conditions and providing more productive and better rearing habitat. Benefits would be somewhat muted under the Hybrid Alternative but still substantial. The loss of freshwater habitat under the Estuary and Hybrid Alternatives would have a significant impact on freshwater fish and on bats that use Capitol Lake for foraging. Those would be unavoidable impacts for which no feasible mitigation was identified.

Wetlands analysis considered the long-term or permanent loss for change in wetland and habitat functions. In order to compare existing wetland conditions against expected changes brought about by the alternatives, data source were used to estimate the presence, extent, and type of wetland in the study area. Wetlands were not delineated, rated, or surveyed as part of the Draft EIS. Wetland delineation would

occur later during final design and permitting of the selected alternative. The analysis considered three broad groups of vegetated wetlands, deepwater habitat, and tidal flats. Under the Managed Lake Alternative a transition would occur from deepwater habitat to vegetated freshwater wetlands providing a minor gain in wetland function. Under the Estuary and Hybrid Alternatives reestablishing tidal influence would convert the lake to an estuarine system. The Draft EIS describes an estuarine marsh and tide flats as highly valued. All action alternatives would establish habitat areas using dredge spoils to create greater habitat complexity.

Potential odor impacts were assessed in response to comments received during the Draft EIS scoping period concerning the creation of tide flats under the Estuary and Hybrid Alternatives. Odors produced by tide flats were not studied in depth in the literature and because there is little reliable quantitative data on tide flat odors, the analysis qualitatively described potential impacts in terms of odor characteristics commonly used in odor assessments, such as frequency, intensity, and duration. Potential air quality impacts were assessed by calculating total emissions of criteria air pollutants. The greenhouse gas calculation considered the entire lifetime of the project and includes construction and subsequent maintenance dredging. Additionally, the Draft EIS considered the qualitative differences in carbon sequestration potential for all alternatives.

Odor perception is highly variable, which makes an impact determination subjective; however, the Draft EIS did find indicators that there may be a tolerance for natural estuary odors. This was based on a lack of odor complaints during the most recent drawdown of the lake and a lack of odor complaints in nearby estuaries coupled with the presence of vibrant waterfront activities. In consideration of the variable frequency and duration, the Draft EIS found that odor impacts from the Estuary and Hybrid Alternatives would be less significant. At the same time, the Draft EIS acknowledged that odor influences people differently and for a certain portion of the population any change in odor would be considered objectionable. While the Estuary and Hybrid Alternatives would have the highest combined construction and operation-related greenhouse gas emissions, the vegetated marshes established under those alternatives are expected to sequester more soil carbon than would be expected in the open water habitats under the Managed Lake Alternative.

Land and shoreline use impacts were assessed by examining any direct changes to land use and compatibility of alternatives with adopted plans. In addition to data sources, the analysis considered input from the Community Sounding Board and workgroups, as well as an on-site park user survey completed in the summer of 2019 to obtain information about recreational uses and preferences.

Recreational survey results indicated users would use the area more if uses such as boating, fishing, swimming, and wading were restored. All alternatives would restore non-motorized boating through a rebuilt fishing dock and boat launch with some qualitative differences in how people would experience boating. Under the Managed Lake Alternative, boating would be possible during the day. Under the Estuary and Hybrid Alternatives, portions of the Capitol Lake Basin would become tide flats and would not be accessible by boats during low tides. While formal public swimming facilities are not included in any of the action alternatives, the Draft EIS recognized that swimming facilities could be established in the future.

For all action alternatives, increased opportunities for community use were found to result in substantial beneficial impacts. Increased flooding is expected under all alternatives and could impact adjacent land uses and low-lying parks. Those impacts could be potentially significant under the Managed Lake Alternative but could be mitigated with changes to the berm design and Heritage Park as included in the City of Olympia Sea Level Rise Response Plan. Under the Estuary and Hybrid Alternatives, some

acquisition of land would be required associated with two private parcels. DES would work with the affected property owners to provide compensation in accordance with applicable laws.

A number of methods were used to consider cultural resources in the study area including a review of previous studies and databases in coordination with local area tribes and the Olympia Chinese American community. Results of a field inventory were combined with information from previous historic resource investigations to create a comprehensive summary of the historic built environment of the study area. The Draft EIS considered listed historic resources, as well as historic resources that the project team evaluated for potential eligibility for listing on the National Register of Historic Places. Notably, the evaluation identified a potential new historic district, the Deschutes Basin Project, which encompasses Capitol Lake and several individual resources that are listed in the Draft EIS. The analysis found no documented traditional cultural properties within the project area and that tribal values would continue to be adversely impacted under the No Action and the Managed Lake Alternatives by the continued loss of connection to the natural environment and the destruction of natural ecosystems. The project would be subject to consultation under Section 106 of the National Historic Preservation Act. Mitigation for adverse affects on historic properties would be identified through that process in consultation with the federal lead agency, affected tribes, and the State Department of Archeology and Historic Preservation. Formal eligibility determinations would be part of that process.

The Draft EIS identified no impacts to archeological resources among the action alternatives. In terms of historic resources, some impacts could be greater under the Estuary and Hybrid Alternatives because of the number of potentially eligible historic resources that might be affected. If the potentially eligible Deschutes Basin Project was formally determined eligible by the state for listing, removing the 5th Avenue Dam and elimination of the reflecting pool would permanently diminish the integrity of the resources, which would be of significant impact. Conversely, it is recognized that removing the dam would reestablish the pre-Deschutes Basin Historic District project and estuary functions associated with earlier use patterns of the estuary. Under the Hybrid Alternative, the barrier wall for the reflecting pool would mitigate impacts on historic resources related to the 5th Avenue Dam removal.

Visual impacts were assessed for key factors commonly used in visual assessments. They include spatial dominance, scale and contrast, and compatibility. The analysis recognized that visual elements may change substantially as a result of the project but remain compatible with its surroundings. The analysis considered the landscape uniqueness and agency policies related to the visual landscape including the State Capitol Campus Master Plan and policies adopted by the cities of Olympia and Tumwater. Four key viewpoints were selected for preparing visual simulations of the basin under the alternatives. The locations were where the alternatives would be expected to have the highest potential for observable changes in the landscape and locations of interest to the Community Sounding Board. Visual simulations were developed using bathymetry and tidal elevation data to depict areas of open water and tide flats, as well as schematic design information.

Ms. Martin displayed viewpoints from the Capitol Campus overlook for the Estuary Alternative at high tide, mean tide, and a low tide. High tide occurs twice daily with full inundation with constructed habitat islands in view. As tides recede, tide flats would appear in places of open water. At low tide, water would be visible only in the river channel. A majority of the day, the North Basin would be partially inundated. A Managed Lake Alternative viewpoint is similar with today's conditions. The viewpoint for the Hybrid Alternative depicted both high and low tides. The 2,600 foot long barrier wall would be visible. At low tide, water level in the hybrid pool would drop to some degree exposing some tide flats near the shore.

Ms. Martin displayed and described viewpoints for each of the alternatives from Heritage Park at the Eastern Washington Butte with a view of the Capitol and a view from Marathon Park boardwalk to the northeast toward downtown Olympia. The hybrid barrier wall from the estuary side of the basin presents a more dramatic visual change. As tides recede, more of the barrier wall would be exposed and would extend approximately 18 to 25 feet in height above the tide flats blocking views of the reflecting pool from the westside of the basin.

For the Managed Lake Alternative, some loss of views would be experienced of open water from new habitat areas created in the Middle Basin; however, the nature of the change would be compatible with the setting and impacts were found to be less than significant. Under the Estuary and Hybrid Alternatives, views would change substantially because of tidal fluctuations and water levels that would expose tide flats. Despite those changes, the impacts from the Estuary Alternative were determined to be less significant given the landscape would remain visually unified and harmonious with its setting among parks and a scenic drive. However, under the Hybrid Alternative, the barrier wall would not be harmonious and/or contribute to unified landscape. The impacts on views could be reduced with mitigation but were found to remain significant.

Ms. Martin reviewed results of environmental health, which primarily involved sediment quality. Sediment quality data collected by the EIS project team in Capitol Lake was combined with data publicly available on West Bay and compared against regulatory criteria to determine if the sediment poses a risk to human health and the environment. The analysis found that sediment quality in Capitol Lake is generally good with the exception of high sulfides which may be toxic to benthic organisms. Under the Estuary and Hybrid Alternatives, minor to substantial beneficial effects on sediment quality are expected in some areas of West Bay as cleaner sediment moves down the system and deposits into the bay. Numerical modeling reflected no net upstream movement of sediment from Budd Inlet under the Estuary and Hybrid Alternatives. No significant change in sediment quality in the Capitol Lake basin would be expected following the removal of the dam.

Most impacts to transportation occur during construction with the primary operational impact from maintenance dredging.

For all action alternatives, the provision of a new 5th Avenue pedestrian bridge would support and improve pedestrian and bicycle travel and is considered a substantial transportation benefit. Under the Estuary and Hybrid Alternatives, replacement of the vehicular 5th Avenue Bridge is also considered to be a substantial transportation benefit because it would extend the design life of a major element of the City of Olympia's transportation network. For all action alternatives, the primary long-term impact would be from hauling dredged material associated with maintenance dredging. During the hauling of dredging materials, it is likely that some traffic at some intersections would degrade to Level of Service F. Opportunities might be available to transport some material by rail, which could reduce impacts to some degree. For the Estuary and Hybrid Alternatives, the impact is potentially avoidable if dredge material is transported from the site by barge.

Analysis for public services and utilities accounted for the potential of the alternatives to interrupt or create increased demand for utilities or service providers. Potential impacts from flooding and extreme tide impacts and sea level were considered. The analysis describes the potential impacts to LOTT and other dischargers under the alternatives because water quality in the Capitol Lake Basin has regulatory implications to utilities that discharge to Budd Inlet. Under the No Action and Managed Lake Alternatives, the predicted maximum flood levels could potentially affect stormwater and other utility infrastructure if not mitigated. Mitigation could be possible with changes to the berm design in Heritage Park. Both alternatives would retain Capitol Lake in its current configuration. Should the Department of

Ecology requires LOTT and other dischargers to implement additional measures to treat and improve water discharges, the most stringent targets would be expected under both alternatives, which would be a significant impact. Under the Estuary and Hybrid Alternatives, the long-term impacts are associated with restoring tidal hydrology to the basin. Design measures are included to replace existing metal outfalls that could be vulnerable to corrosion; however, other low-lying utilities would remain vulnerable to corrosion resulting in significant impacts. Mitigation is included to monitor and replace as needed.

The economic assessment considered the long-term economic impacts and potential benefits of four primary topics of downstream economic activity, downtown development, demand for and value of recreation, and demand and value of ecosystem services. Key informant interviews with planners, officials, developers, and real estate professionals were an important data source for identifying potential impacts. The methodology and the findings were reviewed by third party experts.

The Draft EIS found that all alternatives are likely to produce downtown development assuming development is implemented in a way that is attractive and accessible. The Managed Lake Alternative would represent the least amount of visual change and is unlikely to increase uncertainty among potential investors about future conditions. The Estuary Alternative would have the most visual and environmental changes in the downtown area and would have the potential to create uncertainty at least initially among investors, developers, and residents in downtown Olympia. One of the findings from key informant interviews determined that because the estuary design focuses on establishing an attractive and functional estuary, it would unlikely produce a negative impact on downtown development relative to the other alternatives.

Ecosystem services describe the capacity of the ecosystem to provide goods and services that people value. These services are largely determined by the type and quality of habitat. The Draft EIS found the No Action and Managed Lake Alternatives would adversely impact tribal values by the continued loss of connection to the natural environment. The Estuary Alternative would support tribal values, as with the Hybrid, but to a lesser extent given the water quality improvement predicted by Department of Ecology under the Estuary Alternative. The regulatory compliance costs by LOTT are not expected to be as significant as expected to occur under the No Action or the Managed Lake Alternatives. The ecosystem service benefit could be monetized as an avoidance cost to LOTT and its regional partners. Under all alternatives, the enhancements to trails, habitat areas, and restored water-based recreation would increase the value of recreation in the basin.

Mr. Daily referred to several references concerning the potential cost to LOTT and the increased costs under the No Action and Managed Lake Alternatives. He asked whether those cost differences were quantified because of the substantial future financial impacts to ratepayers of LOTT and for stormwater permits for the City of Olympia and Port of Olympia. Ms. Martin said those costs were not quantified but based on a recent briefing to LOTT officials, some information will be provided on anticipated costs associated with the alternatives. That information will be included in the Final EIS.

Ms. Gardner-Brown reviewed planning level cost estimates for construction. Chapter 2 of the Draft EIS includes information on potential construction costs for each alternative as well as schedule projections for construction. Throughout construction, many of the larger elements for each alternative, such as dredging and creating habitat areas are activities occurring in water during the months of allowable in-water work. Large construction equipment would likely remain in the areas of the basins during the duration of construction. An upland staging area would be established at Marathon Park, which would be closed during the majority of construction spanning several years. Closure of the 5th Avenue Bridge under the Managed Lake Alternative could be up to seven weeks and under the Estuary and Hybrid Alternatives, the closure would be for approximately 4.5 years.

Many of the project elements are similar across the alternatives resulting in similar construction impacts. Chapter 5 of the Draft EIS focuses on potential impacts from construction. The analysis identified that significant impacts in large part could be avoided by implementing best management practices. However, five environmental disciplines would experience significant impacts during construction. One environmental discipline that would experience unavoidable impacts includes recreation in the project area because of the closure of Marathon Park and because of the noise and general disturbance from construction that could affect recreationalists. Visual resources would also be impacted by construction activities. One of the most significant impacts from construction is the temporary closure of the 5th Avenue Bridge, which was explored in the analysis. Impacts include detours related to the closure, as described in Chapter 5.12 of the Draft EIS.

Chapter 5 of the Draft EIS outlines the range of mitigation measures that could be implemented to reduce construction impacts. For example, for land use, shorelines, and recreation, the analysis recommended standard management best practices to reduce overall disturbance from construction, which could minimize impacts to recreation. The analysis suggests that DES could consider constructing the 5th Avenue Pedestrian Bridge before closure of the 5th Avenue Bridge to provide access around Heritage Park and the North Basin. For visual quality during construction, the footprint of construction in Marathon Park and the Middle and North Basins could be minimized when there are periods of no active construction. For areas disturbed following construction, the analysis recommends replanting those areas as soon as feasible to restore the area to preconstruction conditions.

The analysis described the development and implementation of a construction traffic management plan to include features such as detour routes, time of day restrictions, and other measures to minimize impacts to surface streets.

Secretary Wyman asked whether the completion of the preferred alternative would restore the 5th Avenue Bridge to vehicle access. Ms. Gardner-Brown advised that the 5th Avenue Bridge would continue to serve vehicles under any of the Alternatives. All the Alternatives include a pedestrian bridge as well to facilitate non-motorized traffic across the corridor. Secretary Wyman asked whether the planning period is in addition to the construction timeline. Ms. Gardner-Brown affirmed that after the selection of the Preferred Alternative, design and permitting is anticipated to last three to five years based on complexity of the project followed by the construction period.

Mr. Daily asked whether bicyclists would be prohibited on the pedestrian facility and whether there is a potential to allow bicyclists across that facility under the Estuary Alternative when the bridge is anticipated to be closed for approximately five years. Ms. Gardner-Brown advised that the pedestrian bridge would also accommodate bicyclists and other non-motorized forms of travel.

Ms. Gardner-Brown reviewed estimated costs, which is covered in Chapter 7. Information includes planning level cost estimates and assumptions. She recommended reviewing Chapter 7 as it provides the best working assumption of the planning level cost estimates and the assumptions. Planning level costs are included for design, permitting, and construction, as well as for sediment management over 30 years following completion of the Preferred Alternative. Construction costs are comprised of all the primary elements for each alternative (dredging, habitat area construction, boardwalks, and work on 5th Avenue). The cost for 30 years following completion of construction focuses only on sediment management because of the ability to model the quantity of sediment to be removed from the system. However, other costs for management requirements, such as adaptive management for water quality or management of habitat areas would be defined during the permitting process for the Preferred Alternative.
The planning level cost estimates are based on conceptual designs and reflect an accuracy variation of

-25% to +25% using prescriptive standards from the Association for the Advancement of Cost Engineering.

Chapter 7 and a Table include three important components. The first is initial recommendations from the Funding and Governance Workgroup on a potential allocation for construction and long-term management costs for each of the alternatives. The workgroup recommended the state of Washington should be responsible for construction with potential shared funding for long-term maintenance with specific interest on the Estuary and Hybrid Alternatives. The Table also describes potential impact if there is a funding lapse following construction. Other information captures other significant costs, such as the costs to LOTT that are not associated with construction and long-term maintenance.

Representative Dolan requested clarification as to the dredging costs for the Estuary or the Hybrid Alternatives as it appears funding would be accumulated by all the partners. She asked about the source of those funds. Ms. Gardner-Brown replied that for the Estuary and Hybrid Alternatives, the recommendation from the Funding and Governance Workgroup was the potential of cost sharing with each partner contributing to the dollar amount. Additionally, the state is a member of the Funding and Governance Workgroup and there could some level of contribution from the state in addition to the other six entities. Representative Dolan asked whether the estimate of $336 million for the Estuary Alternative would be provided by the pool of partners. Ms. Gardner-Brown affirmed that was correct based on initial recommendations.

Senator Fortunato questioned the higher cost of the Managed Lake Alternative when the option does not include the removal of the dam and sediment will be moved to create similar wetland habitats as in the other alternatives. He questioned why the Managed Lake Alternative was nearly double in cost than the Estuary and Hybrid Alternatives. Ms. Gardner-Brown explained that the Managed Lake Alternative is the least costly option to construct and but has the highest long-term maintenance cost because sediment in Capitol Lake would have high levels of New Zealand mudsnails and the potential of purple loosestrife. Based on information from regulatory agencies, disposal of sediment containing high densities of mudsnails and other aquatic invasive species would require disposal at an upland site. Those costs are reflected for dredging from the North Basin and disposal of the material to an upland facility. Within the Estuary and Hybrid Alternatives, material dredged would be fresh sediment from the Deschutes River depositing to deep areas in West Bay and not assumed to contain New Zealand mudsnails. That dredged material could be transported by a barge for disposed at a nearby water disposal site near Anderson Island at a much lower cost.

Senator Fortunato remarked that the estimate essentially reflects that over the next 30 years, control of the New Zealand mudsnail would not be possible and that the additional cost associated with the Managed Lake Alternative is because sediment must be trucked off site. Ms. Gardner-Brown advised that based on factors known today that is no effective treatment for removal of the New Zealand mudsnail. That scenario is reflected in the cost estimate. However, over the next 30 years, technology around the treatment or regulations of contaminated sediment could change. At this point, those conditions are speculative and SEPA stipulates avoidance of speculation within the analysis.

Senator Fortunato questioned why disposal of sediment by barge at a water disposal site under the Estuary and Hybrid Alternatives would not be an option for the Managed Lake Alternative if control of the mudsnail is by introducing the snails to a saltwater environment. Ms. Gardner-Brown advised that the dredging under the Estuary and Hybrid Alternatives would be of fresh sediment flushed down the Deschutes River that has settled in deep areas in West Bay. Based on science, the New Zealand mudsnail can survive in a saline environment along shallow shorelines. The analysis does not anticipate the presence of New Zealand mudsnails in deep water with freshly deposited sediment. Dredging from the

deep navigational water reflects a low likelihood of the presence of New Zealand mudsnail whereas under the Managed Lake Alternative within the freshwater environment with no known ability to eradicate or reduce the population of mudsnails, there would be a presence in the sediment to be dredged.

Senator Fortunato spoke to the possibility of placing toads from New Zealand that serve as a natural control for mudsnails. However, there were some concerns about introducing those species into the system because of the uncertainties of relocating a natural predator for the mudsnail from New Zealand. Ms. Gardner-Brown said she was not aware of that possibility but that the option could be further explored.

Manager Larson offered that the Senator is also questioning the difference in costs for the initial dredge.

Senator Fortunato said the initial dredge would be used to construct the islands which would suffocate some of the mudsnails; however, maintenance dredging of sediment with elevated levels of snail densities would be trucked at a much higher cost and it just seems that a better option could be available at a much lower cost. Ms. Gardner-Brown concurred that the point is fair; however, disposal of contaminated dredge materials continues to be an ongoing discussion with the regulatory agencies.

Mr. Outlaw reviewed the timeline for the Draft EIS process. The 45-day public comment period ends on August 13, 2021. Following the closure of the public comment period, the project team will initiate the Preferred Alternative selection process and complete the Final EIS. The Preferred Alternative will be indentified in the Final EIS targeted for release in summer 2022 pending the extent of public comments and any additional technical analyses required.

Mr. Outlaw invited all viewers to review the Draft EIS and take advantage of virtual and physical engagement opportunities. An online open house is available 24/7 and kiosk signage has been updated around the North Basin. Virtual office hours will be hosted on July 14 and July 15, 2021. Briefings continue to local cities, Thurston County, and other entities. Comments can be submitted through the online forum, email, mail, and at the virtual public hearing on July 27, 2021.

Secretary Wyman questioned the reason for such a long delay in the selection of the Preferred Alternative until next year. Lieutenant Governor Heck advised that the public comment period closes on August 13, 2021. The release of the Final EIS next year is necessary to afford time for the project team to review all comments that might result in some modifications. Mr. Outlaw added that the normal comment period is only 30 days; the comment period was extended by an additional 15 days. Within the SEPA process, it is typical for a significant amount time before the Final EIS is released because of the amount and type of public comments.

Senator Fortunato asked about the responsible entity for making the decision on the Preferred Alternative. Acting Director Meyer responded that DES, as the lead SEPA agency, would be responsible for rendering the decision on the Preferred Alternative. However, as earlier noted, the purpose of information sharing and solicitation of comments is to ensure all information is considered. Scoring criteria have been established to rank the alternatives.

Lieutenant Governor Heck pointed out that although DES will render the decision on the Preferred Alternative, the decision is subject to approval by the Governor, as well as subject to action by the Legislature for funding. Additionally, within statutory language, the final decision would require approval by the SCC.

Senator Honeyford added that the decision would be a fiscal issue with the Capital Budget Committee.

Lieutenant Governor Heck invited final comments from EIS Project Manager Carrie Martin.

Manager Martin thanked members for their comments and questions and encouraged submission of additional comments from members and the public by August 13, 2021.

Lieutenant Governor Heck acknowledged his gratitude to the consultant team of Ms. Gardner-Brown, Mr. Outlaw, and Ms. Martin. The consultant's work has been thorough and professional. He thanked them for their efforts and work. All comments are due by August 13, 2021. Comments can be submitted at www.capitollakedeschutesestuaryeis.org. The public hearing will be held on July 27, 2021.

Secretary Wyman expressed appreciation to the project team for their efforts. She is appreciative of DES leadership to move the issue forward.

Senator Fortunato thanked Manager Martin and Ms. Gardner-Brown for taking the time to brief him on the project.

Lieutenant Governor Heck thanked the team at DES for their efforts.

**Future Announcements and Adjournmnet of Meeing – *Action***
The next CCDAC meeting is scheduled on Thursday, September 16, 2021 at 10 a.m. The next SCC meeting is scheduled on Thursday, October, 7, 2021 at 10 a.m. He thanked members of both committees for participating in the meeting.

With no further business, Lieutenant Governor Heck adjourned the meeting at 2:45 p.m.

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