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CLIPA Capitol Lake Improvement and Protection Association

"Save the Lake - Preserve the Past, Improve the Future"

Community Discussion Questions; Responses By CLIPA

August 2014

TO CITIZENS OF THE STATE OF WASHINGTON AND RESIDENTS OF THURSTON COUNTY --WHAT SHOULD THE FUTURE OF CAPITOL LAKE LOOK LIKE?

The Capitol Lake Improvement and Protection Association (CLIPA) initiated a Community Discussion on the future of Capitol Lake and proposed that the Community form an Urban Watershed Management District. The intent is to involve the Public and Private Leaders of our Community in a "convened discussion" that will lead to a shared plan for the area from Pioneer Park to Priest Point Park.

In the initial two discussions held on June 25 and July 9, over 300 members of the community and representatives of our state and local governments were given a chance to ask questions and to elevate the discussion from the "staff level to the Executive Level" of the responsible agencies and governments.

Below are the questions raised during these two public forums, with a response by CLIPA, based on the almost \$3.5 million in studies funded by the State and CLIPA. The science, the costs, and the alternative approaches are well documented. What is missing is the "community approved plan" for their Urban Watershed and Waterfront.

We encourage you to review the attached Question & Answers to the issues raised by the Community. Additional information is available on the CLIPA website, www.SaveCapitolLake.org. CLIPA is asking the Thurston County Chamber to help keep this issue on the agenda of the entire community, and ask the question to every elected official or potential elected official in this fall's election about their recommendations on the next step.

This is a Community issue that could cost the taxpayers \$258 million that would only serve one agenda--remove the 5th Ave Dam, or it could be the start of a truly integrated plan by all of the local governments, private businesses, and the community that will become the show case known as "The Deschutes Urban Watershed District" from Pioneer Park to Priest Point Park.

Read the attached and send us your questions. Then call your elected officials and find out what their role will be in making this happen. It is time to develop and implement a plan based on the already completed studies.

The State Capitol Committee is the lead agency and are now being asked to Convene the Executive Level Public Private Committee this fall to guide the development of the plan.

CLIPA Capitol Lake Improvement and Protection Association

606 Columbia Street NW #100-C
Olympia, Washington 98501

www.SaveCapitolLake.org
Friends@SaveCapitolLake.org

CLIPA is a non-profit, 501(c)(4) organization. Consult your tax advisor regarding the deductibility of contributions.

Capitol Lake - A Community Discussion on The Future Of The Lake
Public Question & CLIPA Answers Public Meetings - June 25 & July 9, 2014

Additional to this information, the CLIPA website has letters, reports, and analysis of most of the community issues related to the future of Capitol Lake: www.SaveCapitolLake.org

1) What is (will be) the difference in the health of the salmon runs between the estuary and managed lake options?

Answer: Regarding the local hatchery Chinook run, respected sources at WDFW suggest that an intertidal mudflat would create a more natural environment and therefore provide a higher likelihood of greater numbers of juvenile survival and adult escapement. It should be noted that others disagree, but CLIPA feels that it is pointless to argue with so many unknown variables at play. Other factors to consider are as follows:

1. First and foremost, the current system of a “shared strategy” is working quite well. This Lake/artificial fish run system balances the needs of a very healthy hatchery Chinook run with the other priorities of our community and still could enhance the water quality in Puget Sound.
2. Compatibility of the fish and lake is further verified with the proposal by the Squaxin Tribe and others to spend approximately \$20 million for a new Chinook hatchery on the Deschutes River with the Lake in place.
3. All parties acknowledge that dredging Capitol Lake (long neglected) will improve water quality in the Lake.
4. All parties recognize that restoration of the Deschutes River Watershed will also improve water quality in Capitol Lake.

Removing the 5th Avenue Dam will result in an expenditure of \$258 million. (This equates to over \$1 million per acre of lake converted to mudflat.) Additionally, economic damage to the downtown and local area will likely be tens of millions of dollars per year. Responsible leadership must recognize that this cost/benefit is unreasonable.

2) Capitol Lake does have an anaerobic area in its deep North Basin. There is a drain that flushes this area out beyond the 5th Ave Dam. Where is the County monitoring the lake bottom for dissolved oxygen?

Answer: There is a deep local pocket near the dam that sometimes runs out of oxygen. The reason is that salt water, having entered the Lake, settles in this pocket and the fresh-water flush from the Deschutes River is not dense enough to go underneath the salt water and lift it out. Wherever there are deep pockets on the Lake that end up with salt water in them, the bottom DO declines for the same reason. The source of the problem is the intrusion of salt water.

The County Health Department has been monitoring water quality in Capitol Lake for many years and at many locations. Go to the County website for specific locations and the history of the water quality monitoring results for dissolved oxygen, fecal coliform and other parameters.

3) The estuary feasibility study really does not favor the lake or estuary for flood control. Sea level rise from climate change will be a game changer for either option and will require extensive study that goes far beyond saving the Lake. What does CLIPA base their opinion on that the lake mitigates flooding?

Answer: When potential flooding conditions develop, due to the combination of high tides in Budd Inlet and high storm water levels in the Deschutes watershed, the Capitol Lake Dam can be operated to provide

storage capacity for the storm water, which, in all but the most extreme cases, mitigates downtown flooding. The Washington State Department of Enterprise Services (DES) has recognized this feature of the dam, and has developed procedures to monitor storm and tide events so that the lake level can be lowered to provide this mitigation. (DES used this flood risk reduction operation in the spring of 2014). Alternatively, without the dam in place, there is no potential for storage capacity, and the North Capitol Campus Heritage Park and the downtown area would be immediately and completely at the mercy of the tide.

The author of this question is correct that future sea level rise may significantly impact flooding regardless of the Capitol Lake/tidal mudflat outcome, and future study will be required. However, the differential advantage of the Lake versus the mudflat will continue into the future, and we should continue to take advantage of this while we begin the process of dealing with the longer term sea level rise issue along with all other low-lying communities.

4) Should we remove the dam to help our hatchery salmon run?

Answer: See response to Question #1

5) What did CLAMP's report say about this so-called Bellingham Port Economic Analysis?

Answer: CLAMP did not consider the economic impact on the marine waterfront in its report so did not comment on the report done by BST Associates in 2006.

6) Why would State agencies on CLAMP pay consultants for information/studies available for free from an environmentally aware State College (Evergreen)? Did the State agency seek input from the Evergreen Professors during the CLAMP study process?

Answer: CLIPA is not aware of the State or CLAMP requesting independent assistance from any of the State's Universities or Research groups, or from Evergreen's Environmental programs.

7) Please explain the poster titled "Important Facts Regarding Our Healthy Hatchery etc-- Almost none of the returning Chinook spawn naturally. The run is not sustainable without human assistance".

Answer: The return of adult Chinook in this run is possible only due to man-made fish ladders and collecting pens. These adult fish are sacrificed and have their eggs harvested by humans. The eggs are transported off-site, incubated, and hatched under the control of humans. The juveniles are transported back to the Deschutes by humans.

Only a very tiny fraction of adults are "passed upstream" to spawn as the system is basically incapable of significant spawning support.

8) Why do you suggest that dredging is so much less expensive with the Lake Option?

Answer: CLIPA has seen a wide range of cost estimates for dredging, both in Capitol Lake and Lower Budd Inlet. A "white paper" was prepared on the CLAMP Study on this subject and can be found on the CLIPA web site (www.savecapitollake.org). This paper highlights the confusing, contradictory and in some cases, erroneous, estimates of dredging costs. Rather than rehashing the details of the various scenarios, most of which are by now out of date, we have used some basic facts and common sense to guide us to reasonable conclusions on the relative cost of dredging.

CLIPA used CLAMP Reports and cost estimates to update the estimates to current day and then estimate the costs for the next 20 years. To complete CLAMP recommended plan will cost \$258 million over the next 20 years. To complete the plan recommended by CLIPA and to manage and maintain the Lake over

the next 20 years will cost about \$40 million. Following is a summary of why the management of the sediment costs plus the new infrastructure costs associated with the removal of the dam is so different.

First, the North Basin of Capitol Lake provides an ideal sediment trap, which is easily accessed for hydraulic dredging equipment. The open area of the North basin allows free movement to the areas needing sediment removal. Without the dam, sediment removal would be required throughout the area of Percival Landing, the Yacht basins and Port areas. Accessibility would be much more limited, smaller and less efficient equipment would be required, and dredging time would be extended. These issues all point to lower costs with the Lake option.

Second, Lower Budd Inlet has a legacy of contaminated sediments, which are more restricted in how they can be disposed, leading to higher costs. By removing the dam and allowing the current and future sediment load to come in with the existing sediments in Lower Budd Inlet, more of the dredged sediments are likely to incur higher disposal costs. By comparison, with the dam, the sediments deposited in the North Basin are relatively clean, and have more disposal options, both on site and off; and may have characteristics that allow beneficial reuse with minimal cost.

The least cost benefit with the lake option concerns the timing of dredging. With the lake option, the sediments can be allowed to accumulate until the economics are most favorable for dredging operations, such as the time of year, the amount of sediment, availability of equipment, and preparation of permits. Without the dam in place, the pulse of sediment during storm events will dictate when the material must be removed to avoid loss of use of boating and Port facilities, and fouling of the park areas. Loss of control of the timing of sediment removal most certainly will result in higher overall costs.

To remove the dam as recommended by CLAMP, there will be an upfront cost of new infrastructure of about \$180 million to which the cost of dredging must be added. The total cost for the CLAMP dam removal project is \$258 million if they start in 2017.

9) How much of the Nutrient Nitrogen in Budd Inlet come from the North part of Puget Sound i.e. Tacoma area and North vs. from the Deschutes River?

Answer: WDOE has provided an answer to this question in their TMDL Technical Report, from June 2012 (Publication No. 12-03-008). In Table 35, on Page 202, for Scenario 3 (which is based on current point and nonpoint sources set to existing conditions) the nitrogen from the open Northern boundary is 8348 KgN/day compared to the total nitrogen from all sources of 8985 KgN/day. Therefore, about 93% of the nitrogen loading in Budd Inlet is from the North part of Puget Sound.

10) What problems exist with removing sediment that contains invasive species e.g. New Zealand Mud Snails?

Answer: The New Zealand Mud Snail is ubiquitous and is found in over 25 locations in Western Washington, including several tributaries to Lake Washington in the University of Washington and City of Bellevue areas. They are found throughout the Western USA and are treated as a nuisance and normally not controlled in a natural setting such as Capitol Lake. They are treated for control in hatcheries. They must be managed under any lake option, but in no other location are they used to prohibit public access. They should not be a reason to restrict the dredging of the Lake.

11) How will keeping pollutants in Capitol Lake help open the area to public access?

Answer: Preventing pollutants from being discharged into the waterways of the Deschutes Watershed and Capitol Lake is the goal of most people. Until such discharges are eliminated, capturing the contaminated sediments in the Lake and then properly disposing of them is the last opportunity the State

has to prevent further pollutant discharges from the Deschutes Watershed into Puget Sound. CLIPA believes the capturing of the remaining pollutants in Capitol Lake will have no effect on public access.

12) If Capitol Lake is "basically healthy" why have people become ill when they swam in it (reportedly giardia caused illness)?

Answer: CLIPA understands that prior to the “elimination of many failing septic tanks and direct stormwater discharges into the Deschutes River tributaries, numerous species of infectious organisms flowed into the lake during and after rainstorms. Reportedly these problems have been corrected.

It should be remembered that mammals (including humans) swimming in and ingesting water from pristine lakes and streams of the Cascade Mountains and Olympic Mountains may cause illness from organisms in the remote streams, such as giardiasis or “beaver fever”. Those waters are “basically healthy” in an ecologic sense yet their surroundings may be inhabited by vector animals (such as beaver) that spread the infectious organisms harmful to humans and other mammals. We don’t believe that “basically healthy” means the same thing as “pathogen free”.

13) What happened to the carbon released when all of these lake plants and algae die? Wouldn't the carbon reduce dissolved oxygen?

Answer. Carbon released when the lake plants and algae die and decay would use up oxygen. (In fact, the carbon would use up exactly as much oxygen as the plants added to the water when they photosynthesized the carbon into organic form earlier in the season.) Since the plants would likely die after the growing season, the oxygen that their carbon would consume would come from cold winter salt- or fresh-water. During the winter season, the cold water contains more oxygen than during the summer and the organisms need less. The impact on the Inlet or Lake at that time would therefore be much less than during the summer, and would almost certainly not cause critical oxygen shortages in the water. The plants give us the option of removal by harvesting; in which case the oxygen that their decaying stems uses up would come from the air, not the waters.

14) Is carbon loading not the true cause of depressed dissolved oxygen in Budd Inlet (NO3 being the first in line of causal effects)?

Answer: Yes. The decay by bacteria of organic (carbon-bearing) molecules and their metabolic consumption by oxygen-breathing animals (fish, crustaceans etc) are the causes of almost all (natural) oxygen depletion in natural waters. But ultimately the volumes of organic carbon available to consume oxygen traces back to the volume of nutrients taken up by plants. Whether that uptake is by large plants in fresh water or microscopic ones in salt water, the volume of organic carbon produced is the same. Put the same daily load of nutrients into a lake or into an estuary and, sooner or later the total uptake of oxygen by organic carbon will be the same.

15) Isn't the "natural capitol" of downtown an estuary" The Lake is not natural.

Answer: Yes, the Lake is not truly natural capital in the purist sense. It’s more semi-natural capital. The fish ladders, holding pens, proposed fish hatchery, Deschutes Parkway, and massive water run-off from west Olympia are certainly not natural and seem counter to the idea of a “natural estuary”. The natural estuary of the 1900’s would remove most of the Isthmus and the Downtown North of State Street as well as any salmon fishery above the Deschutes Falls.

The fascinating characteristics of the semi-natural Lake are its enormous contributions to better water quality in Puget Sound, reduction of sprawl, reduction of commuter’s fossil fuel use, a more thriving downtown economy, reduction in blight, stronger social cohesion, esthetic sensation of beauty, diversity of wildlife, and a savings of about a quarter billion dollars for infrastructure.

Our question has been, is it prudent to void all these benefits on the notion that the lake is semi-natural and not natural?

One could ask the same thing of all of the buildings and infrastructure in the City of Olympia. Capitol Lake is a critical part of the 1911 City Beautiful Movement design of the State Capitol Campus by architects Wilder and White who won a nationwide competition for the honor. The design was revolutionary and Capitol Lake serves as the reflecting pool for the grand Capitol Group of buildings on the bluff. Another City Beautiful Movement design is our National Mall in Washington, DC. Capitol Lake serves the same City Beautiful Movement purpose as the Tidal Basin and various reflecting pools on the National Mall. The State Capitol Campus is a National Historic Landmark and the tide gate, fish ladders, holding pens, hatchery salmon run, Deschutes Parkway, and the North Campus parks are all human enhancements of the lower Deschutes River.

16) "Appreciation of Beauty" is in the eye of the beholder--No?

Answer: The City Beautiful Movement was a reform philosophy of North American architecture and urban planning that flourished during the Progressive Era of the 1890s and early 1900s with the intent of introducing beautification and monumental grandeur in cities. The movement promoted beauty not only for its own sake, but also to create moral and civic virtue among urban populations. Advocates of the philosophy believed that such beautification could thus promote a harmonious social order that would increase the quality of life. As a National Historic Landmark our State Capitol Campus is recognized as the most beautiful in the nation.

17) What circumstances led to the diminution of fecal coliform counts in Capitol Lake?

Answer: The County Health Department has a long term program to either eliminate or improve on site waste disposal/septic tank systems that were discharging effluents with high fecal coliform levels into ground waters, or failed drain fields that traveled to tributaries of the Deschutes River and into Capitol Lake. The problem is still occurring in the Moxley Creek basin.

18) Where is the Milne Report? Promised for many months without action/it would be nice to see the science not just summaries!

Answer: We agree. We assumed Dr. Milne's Report had been circulated to all who were interested. It is now on our website www.SaveCapitolLake.org, and we apologize for this oversight.

19) What does your (CLIPA) plan do to address toxic run-off the #1 problem in Puget Sound?

Answer: In addition to the answer given for Question #11, CLIPA believes that the implemented community plan should address the water quality issues in the entire Deschutes Watershed, with a priority focus on the Urban Watershed from Pioneer Park to Priest Point Park. All sources of toxic discharges should be systematically addressed and eliminated where possible. Most toxics end up in the River and Inlet sediments, which makes the use of Capitol Lake as a "Managed Sediment Trap" one of the best approaches to reducing the amount of toxic run-off from the Deschutes watershed that reach Budd Inlet—short of actually eliminating the discharges to a water way.

20) Deschutes was an estuary before white folks dammed it. What will you do with silt in the Lake? The Lake will fill in otherwise?

Answer: The reality the community is faced with is that the Deschutes River carries significant amounts of sediment into the Capitol Lake/Budd Inlet Basin with each storm event. The annual amount is estimated at 35,000 cubic yards. This sediment must be dealt with whether Capitol Lake exists, or is replaced with tidal mudflats. We can remove the sediment by dredging, either in Capitol Lake or in Lower Budd Inlet, or we can let it accumulate, in Capitol Lake and in Lower Budd Inlet. State

engineering studies estimate that allowing the sediment to accumulate in Lower Budd Inlet will result in a rise in sediment level of six and one-half feet every ten years.

CLIPA has concluded that the only viable alternative is to periodically dredge these sediments so that they don't overwhelm the City and State infrastructure, the Port, the yacht basins and the many parks that surround the lake and inlet. Dredging has been periodically done in Olympia since the late 1800's, and is a standard practice in similar cities and port areas around the world. Dredging, sediment dewatering and disposal are well established operations, and can be completed with little disruption. Both the Port of Olympia and the Olympia Yacht Club completed dredging operations this year. CLIPA has also concluded that sediment disposal will be most easily and economically completed by dredging in the North basin of Capitol Lake where the sediments are relatively clean compared to those in Lower Budd Inlet (see answer to question 8).

21) Olympia Yacht Club/Port of Olympia are against dam removal. They are extravagant resource users and do not pay their fair share?

Answer: CLIPA has surveyed the owners and agencies using lower Budd Inlet for boating and commercial trade, including the Port of Olympia. The Port Commissioners and the major marinas and Yacht Club have provided written confirmation that they will support an equitable Public- Private Cost sharing plan. CLIPA believes it is in the entire Community interest to maintain Capitol Lake as a sediment trap and to support a long term program to maintain the Urban Water front for all beneficiaries, including the projected 500,000 residents of urban Thurston County.

22) Are all the plants growing in the Lake good--or are some a sign of poor conditions related to lack of maintenance and dredging?

Answer: All of the plants growing in the Lake are "good" in the sense that all of them participate in removing nutrient nitrogen from the water (or lake sediments) and in the sense that that is something that we human beings value. Some of them--a Myriophyllum species comes to mind--can also be "bad" in the sense that they can sometimes take over the lake ecosystem and convert it to a plant monoculture. (In our human view, that is not as "good" as having a diverse plant community; nature doesn't care.) The large plants can be "good" from our point of view in that they oxygenate the water, provide cover for fish and zooplankton, produce attractive flowers, provide food for herbivores, and perform other ecosystem roles that sustain ducks, bats, and other creatures. Many of them can also be "bad" features--unsightly rafts, monoculture takeovers, for example ---and dredging might help encourage some species and inhibit others (on top of its value for improving lake flushing and other non-biological aims)

23) Wouldn't freshwater/estuarine habitats continue to exist w/out the dam?

Answer: Certainly. Only the fresh water area with the dam removed would be a small fraction of its current area. This would likely significantly reduce our renowned waterfowl, aquatic insect, river otter, and bat populations found in the Lake and therefore the impact on their future needs to be a consideration of the cost of the selected future management program.

24) Would CLIPA advocate damming other estuaries in order to improve water quality in Puget Sound?

Answer: CLIPA's position is limited to Capitol Lake; however, there are some tributaries with high current contaminant and nutrient loads that discharge into Puget Sound, such as Moxley Creek. An expanded weir system in Watershed Park (damming with a series of small weirs) similar to how many storm water swale systems and polishing ponds are now designed, could improve water quality in East Bay. The fresh water marsh would serve the same function as the South Basin of Capitol Lake. Each

ecosystem is unique and each must be designed or modified and evaluated as such in a manner that we are evaluating the best design for Capitol Lake and West Bay.

25) When can we swim in Capitol Lake again?

Answer: When Black Lake (a swimming lake) is compared to the Capitol Lake water quality over the last five years, the two lakes have similar water quality for the parameters that the County Health Department monitors for. With a Lake Management Program and routine dredging of Capitol Lake, reconstruction of the swimming beach in Capitol Lake is a reasonable expectation for the community, along with reintroduction of other water sports in the Lake.

26) What can my wife and I do to encourage the Lake option?

Answer: Write emails to the Governor, Lieutenant Governor, Secretary of State, Public Lands Commissioner, your legislators, the Olympia and Tumwater Mayors and City Councils to indicate your support for dredging the Lake. You can also let the Ruckelshaus Center know that you would like to be a part of the public input on the issue.

27) What are the initial dredging costs vs. ongoing maintenance costs?

Answer: Assuming the question refers to the Managed Lake Alternative that CLIPA recommends, the initial cost to dredge 170,000 cubic yards in Capitol Lake plus permitting, staging and reserves and contingencies totals \$6,020,000. Subsequent phased maintenance dredging over the next 18 years would total about \$33,700,000. This contrasts to the Dam Removal Alternative where the 20 year cost of infrastructure required along with the required dredging will cost \$258 million over the same 20 years. Both alternatives will require periodic dredging to retain a boating waterfront and viable Downtown.

28) Why should the public pay for dredging around marine businesses?

Answer: The four private marina's in Budd Inlet all paid for their own dredging in the mid 1980's when the State last dredged Capitol Lake. They each pay DNR annually significant tideland lease fees based on a continuation of their marina operations. The Yacht Club and the Port completed another dredge project this year. It is the failure by the State and the City to control the movement of the sediments through Capitol Lake and into Budd Inlet, and their failure to complete the planned dredging in 1996 and routinely thereafter, that is threatening to close Budd Inlet to future boating and a loss of a vibrant waterfront with Public use of the area. The marinas only have the authority to dredge their own lease holdings. A Public-Private sediment management program is recommended.

29) Why have we not dredged Capitol Lake (since 1986)?

Answer: The Legislature and Department of Enterprise Services (formerly General Administration) for over two decades have failed to make maintenance dredging a priority. Influential interests that were represented on CLAMP and AAHS have shown strong opposition to maintenance dredging with their narrow agenda limited to the near shore rehabilitation. No community decision process that factors in a more comprehensive environmental management of the Lake, social, recreation and the downtown economy has been factored into the State agency staff and AAHS cost benefit analysis. The City, DES and the State Capitol Committee have not yet provide the leadership necessary to broaden the AAHS agenda or to provide an alternative Community Discussion until the now scheduled Ruckelshaus Center Program on Capitol Lake.

It is important to understand that all studies indicate that dredging Capitol Lake would improve water quality, benefit fish and other wildlife, reduce sediment spillage into Budd Inlet, improve flood control, improve aesthetics, and reduce the **ever increasing costs** to the public. AAHS and the Puget Sound Partnership have failed to reveal reasons for their opposition to maintenance dredging and including other community priorities in their public presentations.

30) Why doesn't GA/DES maintain the Lake? Isn't it a State Park?

Answer: GA/DES has not received a Capital Budget appropriation to include maintenance dredging in the Lake since 1986. The State Capitol Committee which is made up of the Governor, Lieutenant Governor, Secretary of State, and Public Lands Commissioner is authorized to make policy decisions over the State Capitol Campus which includes Capitol Lake. The State Capitol Committee needs to direct DES to include a sediment management plan for the Lake and the Legislature would need to appropriate funds in the Capital Budget to pay for such maintenance.

Capitol Lake is not a State Park under the direction of the State Parks Commission. Capitol Lake and the State Capitol Campus are state-owned property that is managed by DES under the leadership of the State Capitol Committee.

31) Why do you say that the public overwhelming favors the Lake?

Answer: During the 2010 local legislative elections, CLIPA had initiated a community debate about the flaws in the CLAMP findings and recommendations. Most of the candidates for elective State and Local offices asked during their "door belling" "an estimated 10,000 contacts, of which they reported that over 80% of those asked favored retaining Capitol Lake. In another semi formal poll the County, Capitol Lake was voted the "#1 Jewel of Thurston County" as a part of our historic State Capitol Campus.

32) Why was the so called "Community Discussion on the Urban Watershed/Capitol Lake" not a true "pro/con debate by proponents of both sides"?

Answer: CLIPA designed the June 25 Community Discussion as a presentation of all of the documented study findings with both the pro and con results presented. It was not a "debate, but rather a comparison of study results" presentation. The Study Findings from CLAMP and many from Ecology are all presented on the CLIPA website. The public presentations by Ecology, CLAMP, and DERT" have been presented by Ecology in their staff led agenda on TMDL and AAHS presentations while ignoring explicit discussions about cost/timing, total sediment management, the community's interest as a whole community, and the prior limited community involvement in their decision processes.

CLIPA has been presenting their public statements and a counter point referencing both CLIPA's and Ecology's science and study findings. The Community needs to be given the whole story to start the discussion. With all of this information from both sides now available, the community will now be able to focus their pro-con discussion on all of the key factors that they will use to guide the plan and the decision process. This is not just an argument about the science of the lake and water quality---it is also about the people and what they want and who will decide and pay the bills.

The June 25 CLIPA led discussion and the July 9 Thurston County Chamber Forum was the first time in over five years that the whole picture was presented and the first time that it was presented by members of the non agency community. The challenge is to keep the community informed and engaged until they help lead the discussion to a "plan for the future" that is then followed by everyone---or changed by an open public process.

33) What role does the Squaxin Tribe have in the study and decision process on the future of Capitol Lake?

Answer: The Squaxin Tribe has been an active participant in most of the watershed studies, including the development of the Proposed WRIA 13 (Deschutes) Watershed Plan (October 29, 2004) of which the final plan was not approved by the Tribe; the drafting of the Federal/Ecology Total Maximum Daily Load (TMDL) Study for the Deschutes River; the CLAMP studies and agency recommendations; and the Tribe serve in a leadership role on the AAHS and Puget Sound Partnership. Since 1996, when DES/GA had a

plan to continue with the routine dredging of Capitol Lake, little maintenance work on the lake has been done due in major part to the lack of consensus on what the future of Capitol Lake should be.

Beginning in 1996 and under the guidance of the CLAMP Committee with active participation by the Squaxin Tribe, the State funded about \$2 million in consultant water quality and lake management studies that the CLIPA studies discuss in detail. The three cities, the Tribe, and Ecology negotiated a sale of the brewery water rights to the cities for their future drinking water needs and to address many of the Tribes objections to the 2004 WRIA 13 Watershed Plan recommendations. Ecology has spent in excess of \$1million on additional water quality studies related to the TMDL. CLIPA has donated in excess of \$300,000 in additional professionally prepared analysis and studies. The Squaxin Tribe has been directly involved in most of these studies.

It is now time for all of the State, Tribal, and local governments along with other responsible parties to use the results of these studies to guide the community to a balanced and responsive plan for the Deschutes Urban Watershed.

The State Capitol Committee is the responsible entity to make the decision on how to proceed and to assist the Legislature and others to complete the plan and implement the associated long term management program for the Urban Watershed from Pioneer Park to Priest Point Park.

34) Who were the sponsors of the Community Discussion and what are the next steps?

Answer: The June 25 and July 9 Community Discussions were sponsored by the Olympia Downtown Association, the Thurston County Chamber of Commerce, the Port of Olympia, the Economic Development Council, the East Bay Neighborhood Association, CLIPA, the Friends of the Working Waterfront, and others. The Department of Enterprise Services (DES) made formal presentations at the June 25 forum. Representatives from Ecology, the City of Olympia, the City of Tumwater, and the Port of Olympia were in attendance and participated in informal discussions with the 300 people that attended the two Community Discussions.

CLIPA recommends that the Next Steps for the State Capitol Committee, DES, the local governments and the Community be to:

- a) Support the work of the William Ruckelshaus Center to provide a Community supported path to a future Urban Watershed and Capitol Lake Management Program;
- b) Convene and establish a Public-Private Executive Level Management Team to guide the design, financing, and implementation of the Plan;
- c) Request a \$10 million appropriation form the 2015-2016 Legislative Budget to fund the initial phase of maintenance dredging of Capitol Lake and some initial watershed improvements; and
- d) Enlist the Thurston County Chamber of Commerce and other groups and agencies to keep this issue as a “priority agenda item” for all local and State elected officials until a community plan is adopted, funded and implemented.

35) What is the Wm D Ruckelshaus Center assignment and who is leading the Community Discussion for them?

Answer. The DES with the support of the local legislative leaders has contracted with the Center to guide the next phase of the Community Discussion to seek an approach or pathway to a shared plan for Capitol Lake. Currently the City of Olympia considers the responsibility for the lake belongs to the State, but will participate in a convened process that is initiated by the State.

The Center is now under contract with their report due back to DES by December of this year. CLIPA is supportive of this process but recommends that the local and State government elected officials convene a

Public-Private team of Executive Level Leaders this fall, so that when the Center's Report is provided in December, the Executive Leaders are positioned to guide the next steps in addressing the needs of the lake.

36) How does the Puget Sound Partnership/ the PSNERP Process/ the AAHS and the TMDL relate to the Community Discussion on the Urban Watershed/Capitol Lake?

Answer: These various entities consist of some of the State, Tribal and local organizations and individuals concerned with water quality in Budd Inlet and Puget Sound. Much of the membership is overlapping with the same State Agency staff members wearing different hats. It cannot be said that these groups have included all of the critical factors that need to be addressed by the State Capitol Committee, Legislature and the Community to allow a true community discussion of alternatives before the long term management program is implemented. Ecology, the lead agency on most of the discussions, should have a public service role with these various groups and should be deferring to the State Capitol Committee for direction and guidance as the Lead Agency in the decision process.

37) What role does Ecology have in making the ultimate decision on the future of Capitol Lake?

Answer: The State Capitol Committee which is made up of the Governor, Lieutenant Governor, Secretary of State, and Public Lands Commissioner are the ultimate decision-makers on the future of Capitol Lake. The State Legislature would also need to appropriate funds to dredge the Lake or to remove the tide lock. The Governor appoints the director of the Department of Ecology with the assignment to conduct objective and science based studies in collaboration with other public and private groups. The Puget Sound Partnership along with Ecology are obligated to present the supporting documents that address the environmental, economic, social, and cost benefit data that will allow the State Capitol Committee and the Community guide the development and implementation of the long term plan for the Urban Watershed and Capitol Lake. Consequently, Ecology only has an advisory role to the State Capitol Committee and DES as the Lead Agency is the State Environmental Impact Statement, leading to the final plan.

38) What is the City of Olympia's Position on the Lake?

Olympia's current City Council has taken no public position on the Lake issue as of now. Their stated position is that Capitol Lake and its future is the responsibility of the State Capitol Committee. They are willing to participate in Public Private Executive Leadership Team if convened by the State.

The City has recently invested over \$10 million in a partial "redo" of the popular Percival Landing, and has plans for the remaining portions of the link to the boating waterfront. They have initiated steps to purchase the properties on the Isthmus to provide another public park on the waterfront for the community to access the recreation opportunities provided by the Lake and Budd Inlet. They have plans to make Downtown Olympia a "24 Hour City" to accommodate the growing Thurston County population. Currently their plan for their role in supporting the Deschutes Urban Watershed is confused.

39) What is Thurston County's Position on the Lake?

Answer: CLIPA does not know what the County Commission's position is. However, it is the County that is the lead agency in managing the forest practices, land use, County road run offs and to correct or upgrade of failing septic tanks that contribute the primary sources of pollutants to the tributaries of the Deschutes River. The County Health continues to monitor water quality throughout the County, including the monitoring data from Capitol Lake that shows the Lake being one of the "healthiest" lakes in Thurston County. Their data also shows that the water quality of Black Lake (a County approved swimming lake) is very similar to the current water quality in Capitol Lake.

40) What is the City of Tumwater's Position on the Lake?

Answer: The City voted against the original CLAMP recommendations, but has not made CLIPA aware of their current position. The City is pursuing a comprehensive “public use” of the Deschutes Urban Watershed. Their relatively new Pioneer Park continues to be expanded and is the “starting point” for the Urban Watershed District that could become the showplace of Thurston County and the State with the development of a “master plan that integrates urban living with a wide variety of environmental and water contact recreation from their Pioneer Park to Olympia Priest Point Park. Tumwater’s Brewery District is another great potential contribution to the community.

41) What is the DES/ SCC Recommendation to the Legislature on the future of the Lake?

Answer: DES received the original CLAMP Recommendations, but chose not to respond to the submittal. This has been the same response from the last three DES Directors (Bremer, Turner, and Liu). Director Liu has now contracted with the Ruckelshaus Center to provide guidance to DES. DES is staff to the State Capitol Committee. The SCC may choose to initiate a plan of its own origin and forward it to the Legislature for funding.

42) What are the EIS Alternatives being considered by those responsible for the decision?

Answer:

- a) Natural/Reconstructed Tidal Mud Flats
 - Remove all manmade structures between 4th Avenue Bridge and Pioneer Park on the Deschutes River, including the existing fish ladders.
- b) Managed Lake and Urban Watershed
 - Incorporate all of local government plans into a comprehensive Urban Watershed Plan and Management District. Pioneer Park to Priest Point Park
- c) Do Nothing
 - Allow Capitol Lake and lower Budd Inlet to fill in with sediment until the Olympia Waterfront becomes a fresh and salt water marsh with no recreation or economic support for the Downtown.

Please go to the CLIPA website at www.SaveCapitolLake.org for more information on most of the responses to the above questions from the public. If you have an additional question, contact CLIPA:

CLIPA - Capitol Lake Improvement and Protection Association
606 Columbia St NW-Suite 100-C
Olympia WA, 98501

SaveCapitolLake.org
Friends@SaveCapitolLake.org