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Comments on the Draft Environmental Impact Statement for the Capitol Lake – Deschutes Estuary Long-Term Management Project

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Executive Summary (pages 4 and 5)	The draft EIS Executive Summary states that "Due to historical declines, estuary habitat is scarce and valued in the region compared to freshwater ponds and lakes, which remain relatively abundant." And "Estuarine habitat in the South Sound has experienced severe reductions in both the quantity and quality of such key habitats for fish." and "Because of this, the transition in habitat type from freshwater lake to estuary would be highly valuable."	In the final EIS, please acknowledge that this makes the Estuary Alternative a unique and rare opportunity that would provide an important example of the State's commitment to restoring Puget Sound, and salmon and Southern Resident Orca populations.
Executive Summary (page 13)	Statements about future water quality improvements omits that water quality gains in Budd Inlet from the estuary/hybrid alternatives would likely not be realized in another alternative and likely not in any other suite of future actions that could be required via a TMDL.	This is important context to include as restoration of circulation, natural fresh /salt salinity gradients and estuarine nutrient transport and cycling cannot be realized in a managed lake alternative.
Executive Summary (page 13)	It seems speculative that water quality standards might be met in a reflecting pool.	It is also possible that they would not me met. Why only state one side of this range of possibilities? Where is the data that shows that "tidal water would be exchanged twice daily and that water would be cooler, with higher dissolved oxygen concentrations, and less algae than the estuarine water outside of the reflecting pool."?
Executive Summary (page 16)	The focus on aquatic plants seems a side issue to the larger impacts on ecology from the dam on Budd Inlet water quality, loss of rare and valuable estuarine and salt marsh habitat, natural sediment transport and salt/freshwater gradients.	Emphasis on the alterations to ecological function created by the dam seems more relevant to the overall selection of a preferred alternative than the concerns about aquatic plants in the lake.

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Executive Summary (page 24)	The draft EIS Executive Summary states that Under the Managed Lake Alternative, flooding from extreme river flood events would not be mitigated by the Olympia Sea Level Rise Response Plan.	The Olympia Sea Level Rise Response Plan acknowledged the potential for changes in Capitol Lake as a result of the EIS process and provided adaptation strategies that could be considered with all of the action alternatives. Regardless of the future of Capitol Lake, the eastern shoreline along Heritage Park will need to be modified in order to prevent both existing and future downtown flooding. Different alternatives could present subtle changes in how the shoreline is modified to address sea level rise. The plan also acknowledges that near-term (by 2024) strategies for elevating the landscape in low areas of Heritage Park should be implemented to reduce existing river-driven flooding.
Executive Summary (pages 26-27)	Figures ES.5 and ES.6 depict overviews for the Managed Lake and Estuary Alternatives.	In the final EIS, please revise Figures ES.5 and ES.6 to indicate that the landscape elevations within Heritage Park will need to be increased to prevent flooding in downtown Olympia. It is assumed that with the Hybrid Alternative, the reflecting pool barrier wall will fulfill this purpose.
Executive Summary (page 27)	Dam removal callout on Figure ES.6	Mention benefits to natural processes, salinity mixing zone and increase of aquatic habitat by 3.3 acres from Dam removal. Also applies to Figure ES.7.
Executive Summary (page 29)	Table ES.2 Hydrodynamics	Hydrodynamics – No mention of improved fresh/salt salinity gradient and potential benefits to larger Southern Budd Inlet circulation from Estuary Option. Water levels in flood scenarios are not contextualized with degree relative to flood elevations. Sediment transport to Budd Inlet is also a benefit to nearshore habitats supporting resiliency to sea level rise and a more natural distribution and release of sediment and freshwater.
Executive Summary (page 30)	Table ES.2 Water Quality	Uncertainty in water quality improvements from a yet to be developed adaptive lake management plan are not mentioned in Managed Lake alternative, but uncertainty is highlighted in potential water quality improvements to Budd Inlet in Estuary Alternative.

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Executive Summary (page 31)	Table ES.2 Fish and Wildlife	In estuary alternative highlight the beneficial effects on shorebirds, wading birds, shellfish, diving and dabbling ducks as described in the fish and wildlife discipline report as moderate to substantial (Fish and Wildlife page 5-49 and DEIS 4-71 table 4.5.2) Also increase of deepwater habitat by 3.2 acres from dam removal as moderate beneficial effect (Fish and Wildlife 5-30)
Executive Summary (page 31)	Table ES.2 Wetlands – benefit of restoring 3.3 acres of waters of the US via dam removal is not listed as a beneficial effect.	Mention restoration of 3.3 acres of deepwater estuary habitat of 3.3 acres from Dam removal should be mentioned in wetlands under estuary and hybrid alternatives. (from page 4-81)
Executive Summary (page 31)	The Fish & Wildlife Discipline Report page 5-36 states "The Estuary Alternative would enhance the salmon production of the basin by providing additional refuge habitat for juvenile salmon and would increase the estuarine benthic organism prey for salmon. Overall, this would have a corresponding minor beneficial effect for orcas that may occasionally visit Budd Inlet." This statement is also substantially captured in Section 4.5.5 of the EIS.	In the final EIS Executive Summary, please acknowledge the Estuary Alternative's minor beneficial effect for orcas in Table ES.2.
Executive Summary (page 32)	In Table ES.2 for the Land Use, Shorelines, & Recreation discipline, the Managed Lake Alternative proposes coordination with the Olympia Sea Level Rise Response Plan on design parameters for the flood protection design of the Heritage Park berm to account for extreme river flooding.	In the final EIS, please revise Table ES.2 under the Estuary and Hybrid Alternatives to also propose coordination with the Olympia Sea Level Rise Response Plan on design parameters for the flood protection design of the Heritage Park berm to account for extreme river flooding.
Executive Summary (page 32)	The summary of key findings from the Air Quality and Odor discipline states that the long-term impacts and benefits, including opportunities for carbon sequestration and methane emissions, are the same for the Estuary and Hybrid Alternatives.	In the final EIS, please revise the summary of Air Quality and Odor impacts in Table ES.2 to acknowledge these differences in greenhouse gas emissions and potential for carbon sequestration between the Estuary and Hybrid alternatives.

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	This is not consistent with the Air Quality and Odor Discipline Report which states: - "Of the three action alternatives, the hybrid alternative would generate the highest levels of GHG emissions during construction (Attachment 11, page 5-14)" and - "The hybrid alternative would have slightly less net carbon sequestration when compared to the Estuary Alternative because of the decreased area of saline marsh in the North Basin (Attachment 11, page 5-16)."	Please also acknowledge that the Estuary and Hybrid alternatives are better aligned with local climate adaptation and mitigation goals than the Managed Lake Alternative.
Executive Summary (page 35)	The draft EIS Executive Summary states that "Reintroducing tidal hydrology to the Capitol Lake Basin would benefit many of the species of importance to local area tribes, including salmon and shellfish, and potentially other fish and wildlife, as well as plants."	Please acknowledge that these benefits to the natural environment are also of importance to the community and region as a whole.
Executive Summary (page 40)	The Draft EIS suggests that under the Estuary and Hybrid Alternatives the 5th Avenue Bridge would be closed for approximately 4-5 years for replacement.	This has a very large impact on access to downtown and overall mobility in the Olympia. Please describe how this impact is anticipated to be mitigated. It is important to note that without an alternate east-west route (such as the 4th Avenue bridge), loss of the 5th Avenue Bridge would cripple transportation and emergency vehicle access in the City. Has a temporary bridge, similar to what was implemented with the 4th Avenue bridge replacement following the Nisqually earthquake, been given consideration? If not, could the proposed 5th Avenue pedestrian bridge be redesigned to allow its use as a temporary vehicular bridge during construction?

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1-5	The draft EIS states that the aquatic lands of Capitol Lake are managed by Enterprise Services under long-term lease agreement from the Washington State Department of Natural Resources (DNR). The current lease agreement was established in 1998, for a term of 30 years (through 2028), with the option for one 20-year extension (through 2048). Based on the scope of this project, it is assumed that a new governing body may be formed for long-term management of the Capitol Lake – Deschutes Estuary before the lease term expires, and management authority would be transferred from Enterprise Services.	Given this: 1. Although the Washington State legislature has tasked DES with doing so, given that DNR is the landlord and DES is the tenant, is it appropriate for DES to be the decision maker for the Preferred Alternative? 2. In the final EIS, please provide greater detail of what the governing body for long-term management of the Capitol Lake – Deschutes Estuary is envisioned to be. 3. The terms of the lease (Section 7.3) require that "prior to any construction, alteration, replacement, removal or major repair of any improvements (whether Landlord-Owned or Tenant-Owned), Tenant shall submit to Landlord plans and specifications which describe the proposed activity. Construction shall not commence until Landlord has approved those plans and specifications in writing." Given this, it appears that DNR has the final approval of the Preferred Alternative. Please address this in the final EIS. 4. The terms of the lease (Section 7.4) indicate "Tenant-Owned Improvements shall be removed by Tenant by the Termination Date unless Landlord notifies Tenant that the Tenant-Owned Improvements may remain. If the Landlord elects for the Tenant-Owned Improvements to remain on the Property after the Termination Date, they shall become the property of Landlord without payment by Landlord." Section 7.1 of the lease indicates the 5th Avenue dam is a tenant-owned existing improvement. Given this, it appears that DNR has the authority to request the removal of the dam by the termination of the lease. Please address this in the final EIS.
1-19	The draft EIS provides selection criteria for the Preferred Alternative.	To promote fairness and equity across the many aspects of the community, please include social justice and equity as a selection criterion.

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1-19	The selection criteria for the Preferred Alternative include Environmental and Economic Sustainability.	There does not appear to be an evaluation or mention of Environmental and Economic "*Sustainability*" in the draft EIS (particularly Chapters 3 or 4).
1-20	The draft EIS provides a prioritization of the selection criteria for the Preferred Alternative.	Thus far the process for prioritization of the criteria does not appear to have been rigorous and was not informed by the findings of the draft EIS. Performance of a more rigorous process for prioritizing and weighting the selection criteria, with input from the Work Groups and Community Sounding Board, is necessary before a Preferred Alternative can be selected.
Chapter 2	Deschutes reconfiguration	With the reconfiguration, please add an evaluation of vehicle LOS at 4th and Simmons and the lower roundabout (top of 4th Ave bridge).
2-30	Boardwalk design/construction	Boardwalks at Billy Frank Jr Nisqually NWR were constructed on prior disturbed areas (levees and service roads) with subsurface geotechnical investigation to support diamond pier/pin pile system. This design may not be feasible in unconsolidated/placed sediments in the lake/estuary scenario.
2-30 to 2-32	Section 2.3.4 on Community Use, and throughout report	Makes no mention of the Tribes' uses and value of the estuary for educational and spiritual purposes. The report should consider our contemporary Tribes as part of the broad community of the project area and include their traditional, current and future envisioned uses and values here and in other sections that enumerate the community uses and benefits of each alternative. See text in section 4.14.3.4 re importance to Tribes of water quality, habitat, aesthetics, cultural, heritage, spiritual & educational value of "ecosystem services" of the estuary. That language should appear in benefits lists and community use sections.
2-31	The draft EIS states Outside of the Project Area, a decontamination station may also be installed in West Bay.	Consider changing West Bay to Budd Inlet. The Swantown Marina boat launch located in East Bay is a primary access point for boaters in Budd Inlet.

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2-41	At-grade pedestrian path (under 5th Avenue bridge?)	Further explain this at-grade path. A path on the ground should described more fully including who is serves and what it connects to. Will it connect to the planned West Bay Trail?
2-42	5th Avenue pedestrian bridge	Consider referring to this as a "pedestrian/bicycle" bridge. It is described as intending to serve bicyclists, and multimodal. It would be clearer to put bicycle in the title. This bridge will significantly improve bicycle access in the area.
2- 42	5th Avenue pedestrian bridge	Width of bridge is 14ft. Because bidirectional travel by bicyclists and pedestrians is expected, consider a wider design, 16 ft is recommended. A multiuse trail is 12 feet. Shy distance should be added for the railings. Unlike an at grade trail, people using the bridge will shy from the railing, narrowing the effective travel space.
2-42	5th Avenue pedestrian bridge	It is assumed that this pedestrian and bicycle bridge will be built to remain permanently; this should be stated. The function and aesthetics of this bridge should be developed with the City of Olympia and community involvement.
2-46, 2-47	At-grade pathway connection between 5th Avenue Pedestrian Bridge and Deschutes Parkway.	Continue to maintain the at-grade pathway connection under both the 4th and 5th Avenue bridges regardless of the chosen Alternative. The at-grade pathway connection is critical to providing safe pedestrian and bicycle connectivity and for future connection with Olympia's waterfront trail.
2-47	Deschutes reconfiguration	The design of this connection should consider be integrated with the design of the future planned West Bay Trail.
2-47	Deschutes reconfiguration	The design of this connection should assume wide sidewalks and enhanced bike lanes. The number of lanes, the bicycle and pedestrian access, intersection treatment, and the aesthetics should be developed with the City of Olympia and community involvement.

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2-47	Deschutes Parkway reconfiguration	See chapter 5 comment below. The impacts of closing the 5th Avenue bridge are significant and not fully mitigated by the Deschutes Parkway reconfiguration.
2-48	New 5th Avenue bridge	The final EIS should state the design of this bridge should be developed with the City of Olympia and community involvement. Specifically, the number of lanes, the bicycle and pedestrian features, and bridge aesthetics. The use of guardrail should be removed from the description at this stage.
2-49	Deschutes reconfiguration	The final EIS should state function and aesthetics of this connection should be developed with the City of Olympia and community involvement.
3-15	The draft EIS states that "For the EIS water quality analysis, the study area includes Capitol Lake and its major inflow sources of the Deschutes River and Percival Creek, as well as West Bay and East Bay of Budd Inlet." This does not agree with the study area boundary depicted in Exhibit 3.27.	If the water quality analysis study area includes the Deschutes River and Percival Creek, as well as West Bay and East Bay of Budd Inlet, please revise the study area boundary depicted in Exhibit 3.27.
3-91	Section 3.9, Cultural Resources – Methodology	The cultural resources study scope includes the project area +.25 mi buffer. However, the resulting recommendation includes designation of a historic district area narrowly related to creation of Capitol Lake to be called "Des Chutes Project Historic District." This proposed district may be useful for isolating the historic elements that would see significant adverse impact (demolition, loss) from a preferred option that removes the dam. But that is its only, speculative, marginal utility. Structures (including the Lake) that are believed eligible for listing and which will be impacted by a preferred alternative should be thoroughly documented as a mitigation measure – regardless of which alternative is chosen. For this reason, the recommendation for a narrowly drawn historic district comes across as a tone-deaf to the array of cultural resources in and along the waterway, that continues to discount and defer consideration of the cultural, pre-contact, and historic

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		resources that were adversely impacted by the creation of the Lake in the first place. Those lost or impacted resources disproportionately reflected the presence of marginalized populations (Little Hollywood, Olympia's Chinese Community, and our Tribal Community's presence throughout the waterways of Budd Inlet). They also include the commercial industries of the South basin and residential properties and neighborhoods impacted by dredge spoils and redirected transportation routes over water, bridges, and land. A more progressive and unifying approach would be to pursue a Cultural Landscape designation for the project area from the Falls to North Port that acknowledges and documents without bias the many, cumulative human uses over time, creates a Treatment Plan to guide future decisions regarding conservation, protection, and preservation, and develops an Interpretive Plan to share those many stories. The recent creation of Washington's National Maritime Heritage Area could provide support and momentum for a Deschutes Estuary Cultural Landscape designation within the NMHA. The work could be funded as a mitigation measure and possibly with grant support.
3-119	Street map	Union Avenue is an arterial; map shows it as a major Collector
3-120	Transit routes	Transit routes on 4th and 5th Avenue are mentioned. Two Intercity Transit routes, 12 and 42, use Deschutes Parkway and should also be mentioned.
3-120	Transit routes and ridership pre-pandemic	Add more discussion of transit routes, including a map of the routes in the affected area. Also, provide transit ridership numbers (possibly boardings/ disembarkments on these routes at the Olympic Transit Center). There are a significant number of people who ride buses and will be impacted by a future project.

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3-121	Bicycle facility definitions.	Use the term "Bike Corridor" instead of "Bike Street."
3-121	Bicycle facility definitions.	Remove the sentence that states: "These designations are consistent with…" It is not needed and is inaccurate (Bike Corridors are not Class III bike facilities.)
3-122	Docks as trails	Docks are shown as trails and this is mentioned in the text. Many of these docks are locked and not open to the public. Suggest not showing docks as trails.
3-123	Map of bike facilities	The Bike Corridor on 7th goes to Washington; shown on map as going to Capitol.
Chapter 4	Section 4.3 recommends monitoring water quality, invasive species and aquatic plants to evaluate whether the objectives are being met.	It is recommended that a collaborative partnership, like the Deschutes Watershed Council, be established or consulted to monitor implementation of the Preferred Alternative's long-term management. This would be consistent with the WRIA 13 Committee recommendations.
Section 4.1	Beneficial effects of restoring sediment transport to Budd Inlet for habitat, marine food webs and SLR adaptation is not mentioned in this section.	Sediment is not only a problem to be resolved. There are many beneficial effects of restoring natural sediment transport to lower Budd Inlet. Please include benefits to existing habitat in southern Budd Inlet of restored natural sediment transport processes in addition of impacts.
4-3	The draft EIS states the modeled +100-year river flood event will cause high water levels of up to 17.4 feet (5.3 meters) NAVD 88 in the North Basin, 17.7 feet (5.4 meters) NAVD 88 in the Middle Basin, and 21.0 feet (6.4 meters) NAVD 88 in the South Basin.	These elevations appear to take into account 2 feet of RSLR. Please indicate it in the narrative. The narrative does not appear to mention this.
4-3	The draft EIS states water levels in Budd Inlet will reach 16.1 feet (5.0 meters) NAVD 88 during the 100-year tide	These elevations appear to take into account 2 feet of RSLR. Please indicate that in the narrative. The narrative does not appear to mention this.
4-3 and 4-5	The draft EIS states during extreme high tides (i.e., the 100-year tide), elevated water levels in Budd	This is not quite accurate. Regardless of the season, at even moderate high tides, marine water often enters the lake through

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	Inlet are prevented from entering Capitol Lake by the 5th Avenue Dam.	the fish ladder. It is suggested that the narrative be changed to say "during extreme high tides, marine water from Budd Inlet is limited/reduced from entering Capitol Lake by the 5th Avenue Dam.
4-6	The text box in the right-hand column of the page appears to be blank.	The text box in the right-hand column of the page appears to be blank.
4-8, 4-9, 4-10 and 4-11	The draft EIS states "numerical model results for maximum water levels at specific locations throughout the study area graphically illustrated in Figures 4.1.1 (for extreme river flood event) and 4.1.2 (for extreme tidal flood event), both with 2 feet (0.61 meters) of RSLR, are listed in Tables 4.1.1 and 4.1.2."	Please add a note in the titles or footnotes in both figures and tables acknowledging that they represent conditions with 2 feet of RSLR. Should the paragraph end "both with 2 feet (0.61 meters) of RSLR, *and* are listed in Tables 4.1.1 and 4.1.2."
4-8, 4-9 and 4-10	The draft EIS states numerical model results for maximum water levels at specific locations throughout the study area graphically illustrated in Figures 4.1.1 (for extreme river flood event) and 4.1.2 (for extreme tidal flood event), both with 2 feet (0.61 meters) of RSLR, are listed in Tables 4.1.1 and 4.1.2.	Please provide similar figures and tables for existing conditions without sea level rise.
4-9 and 4-10	Maximum water levels are not depicted within the reflecting pool for the hybrid alternative in Figures 4.1.1 and 4.1.2.	Is this because water levels within the reflecting pool were not modeled? If so, please explain that in the narrative.
4-11	Maximum water levels for an extreme tidal flood event with 2 feet of RSLR are listed in Table 4.1.2.	The water level elevations on the north side of the 5th Avenue Dam are higher for the No Action and Managed Lake Alternatives than they are for the Estuary and Hybrid Alternatives. This is not intuitive. It would seem that with no or little flow from the lake, water levels outside the dam would not be higher. Does this have to do with the total volume of water within the hydrodynamic study area?
4-11	Maximum water levels for an extreme tidal flood event with 2 feet of RSLR are listed in Table 4.1.2.	The top elevations of the radial gates and fish gate are not provided. Does the hydrodynamic model take into account the top

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		elevations of the radial gates and fish gate? With 2 feet of RSLR, will tidal elevations be higher than the top of any or all of the gates? If so, the water elevations in the North Basin for the No Action and Managed Lake Alternatives do not appear to support this.
4-62	Chemical control of invasive plants and New Zealand mud snail.	Do not support chemical controls for mollusks or plants as a long-term management option for these species. Reintroduction of natural salinity regime and containment seems a more viable approach. Continued chemical control has off target effects and negative impacts on water quality and dissolved oxygen as plant materials decompose.
4-82	Table 4.6.2 beneficial effect of restoring 3.3 acres of aquatic habitat is not listed. This is a net gain impact not less than significant.	Included dam removal restoration of 3.3 acres of waters of the us as a benefit in table 4.6.2 first row/impact finding, as listed on page 4-81.
4-84	Pin pile viability uncertain – at least using same system as used at Billy Frank Jr Nisqually NWR.	Boardwalks at Billy Frank Jr Nisqually NWR were constructed on prior disturbed areas (levees and service roads) with subsurface geotechnical investigation to support diamond pier/pin pile system. This design may not be feasible in unconsolidated/placed sediments in the lake/estuary scenario.
4-86	Under the key findings for carbon sequestration, the draft EIS describes the vegetated marshes established under the Estuary and Hybrid alternatives as more consistent with the goals of the Thurston Climate Adaptation Plan, but does not reference the Thurston Climate Mitigation Plan.	Please revise this statement to clarify that the Estuary and Hybrid alternatives are also consistent with the carbon sequestration goals of the Thurston Climate Mitigation Plan.
4-91	The draft EIS states that the Managed Lake Alternative "would not promote consistency with the Guiding Principles in the 2017 Thurston Climate Adaptation Plan, capturing and storing GHG emissions", but does not reference the Thurston Climate Mitigation Plan. The Managed Lake alternative is also inconsistent with the TCMP	Please revise this statement the clarify that the Managed Lake alternative would also not promote consistency with the carbon sequestration goals of the Thurston Climate Mitigation Plan.

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	strategy to sequester carbon through habitat restoration.	
4-94	Statement that Estuary alternative is less consistent than other alternatives in long term GHG emissions seems inconsistent with table below and table 4.7.2 if in water disposal is an option.	Include text to acknowledge the estuary alternative has the least greenhouse gas emissions associated with construction and operation compared to other action alternatives if in water disposal is viable as shown in Table 4.7.4 when compared to Table 4.7.2 on page 4-90.
4-94	The draft EIS states: "Within the context of regional GHG emission goals described in the 2020 Thurston Climate Mitigation Plan, [the Estuary Alternative] is less consistent than the Managed Lake or No Action Alternative in terms of reducing long-term GHG emissions associated with construction and operation activities. However, the Estuary alternative promotes the greatest levels of consistency with Guiding Principles in the 2017 Thurston Climate Adaptation Plan."	This statement is misleading as currently written and could be interpreted to suggest that the Estuary alternative is inconsistent with the Thurston Climate Mitigation Plan (TCMP). However, creating opportunities for carbon sequestration through ecosystem preservation and restoration is an important strategy identified in the TCMP to achieve regional greenhouse gas reduction targets, and as such the Estuary Alternative is entirely consistent with the climate mitigation goals and strategies of the TCMP. In the final EIS, please revise this statement to clarify that the Estuary Alternative is consistent with the carbon sequestration goals and strategies described in the 2020 Thurston Climate Mitigation Plan.
4-96	The draft EIS states: "Within the context of regional GHG emissions goals described in the Thurston Climate Mitigation Plan to reduce GHG emissions 45% below 2015 levels by 2030 and 85% below 2015 levels by 2050, [the Hybrid Alternative] is less consistent in terms of reducing long-term GHG emissions associated with construction and operation activities. However, the Hybrid Alternative provides more consistency than the Managed Lake Alternative with Guiding Principles in the 2017 Thurston Climate Adaptation Plan by improving the	This statement is misleading as currently written and could be interpreted to suggest that the Hybrid alternative is inconsistent with the Thurston Climate Mitigation Plan (TCMP). However, creating opportunities for carbon sequestration through ecosystem preservation and restoration is an important strategy identified in the TCMP to achieve regional emission reduction targets, and as such the Hybrid Alternative is consistent with the climate mitigation goals and strategies of the TCMP. In the final EIS, please revise this statement to clarify that the Hybrid Alternative is consistent with the carbon sequestration goals

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	ability to reduce, capture, and store GHG emissions, but less than the Estuary Alternative."	and strategies described in the 2020 Thurston Climate Mitigation Plan.
4-101	Statement that all action alternatives are supported by the Olympia SMP seems inconsistent with DEIS findings that estuary and hybrid alternatives offer higher gains in ecological function, restored estuarine habitats and intertidal influence	It does not seem that all action alternatives are equally supported by the Olympia SMP. Please revise to state that the estuary and hybrid alternatives are more consistent with the SMP. Current working seems inaccurate or at least misleading. As stated on page 4-104 "Managed Lake Alternative would not directly support the priorities of the Olympia SMP Restoration Plan for restoration of the Budd Inlet Estuary."
4-107	Discussion of flooding seems to understate the change in river flood elevations in the estuary alternative compared to numbers presented in Table 4.1.1 on page 4-11	River flood information for both estuary and hybrid alternatives for river flooding is over 2 feet lower than in alternative that maintain the lake based on Table 4.1.1
4-113	Section 4.9, Cultural Resources: Long Term Impacts and Benefits	See comments on Section 3.9 regarding creation of a "Des Chutes Project Historic District." The approach to the Cultural Resources Discipline within the draft EIS is to separately addresses "cultural resources" i.e., the pre-contact Tribal and archaeological interests, and "historic (built environment) resources" i.e., primarily post-contact history. While practical, this approach significantly reduces the emphasis on cultural resources due to the lack of traditional documentation; *especially* in this instance, where so much of that pre-contact evidence of human habitation was lost or obscured with the creation of Capitol Lake and its chain of irretrievable alterations to the estuary ecosystem. Segmenting history into pre- and post-contact periods is especially unhelpful however in considering long-term impacts and benefits of the proposed alternatives, since those impacts (good and bad) accrue to the *entire community* inclusive of the Tribes. Similarly, mitigation measures to be determined within a NEPA process should not be compartmentalized, nor limited to the loss of the Lake and its structural accessories, but considered in terms of the

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		broad impacts of the undertaking and its effect on the entire estuary and its human community – reflective of the impacts of the Lake's creation. In addition, much more ink should be spent detailing what is known of Tribal activity in the area. The report notes that the area was once "an important regional hub of indigenous trade and transportation" (p. P 3-99, section 3.9.3.1) but there is no further mention and no citation for this info on Native commerce, social activity, and travel. Deeper research and documentation is merited. Data recovery and interpretation should be included among the list of possible mitigation measures both for construction and for long-term operational impacts, in relevant sections of the report.
4-118	The draft EIS states that the Estuary Alternative would beneficially affect tribal populations through the cultural, heritage, spiritual, and educational value that an estuarine environment provides.	Given the identified impacts to the Squaxin Island Tribe, and given the Squaxin Island Tribe's treaty rights under the Medicine Creek Treaty of 1854, and to address equity and social justice impacts, the Squaxin Island Tribe's input in the Decision Durability selection criterion should be weighted more heavily than other Work Groups and Community Sounding Board.
Section 4.11	Mud Minnow and freshwater mussels are not addressed in the draft EIS	Staff reports that Olympia mud minnow and freshwater mussels may occur in the lake
4-166	Dredging and moving of spoils. Importance of rail and barge.	There are three stated options for transporting dredging spoils: truck, rail, and barge. Greater emphasis should be placed on rail and barge for transfer of spoils as much as possible to reduce street and traffic impacts.
4-166	Dredging and moving of spoils. Use of rail.	While it is stated that traffic on streets with at grade trail crossing will be impacted with the transport of dredging materials by rail, this impact is likely far less significant than the impacts to traffic from truck transport. There likely to be significantly fewer at-grade

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		rail crossings and they tend to be further from the downtown when compared to the impacts of trucks on intersections.
4-166	Dredging and moving of spoils. Pavement repair.	Use of trucks to move spoils will impact traffic congestion, as stated. Use of trucks will also have a significant impact on the condition of the asphalt of these streets and should be stated and evaluated. Pavement restoration is mentioned in Chapter 5 page 78. A similar statement should be made about long term dredging and hauling operations.
4-174	The draft EIS states that "under the No Action and Managed Lake Alternatives, impacts would be significant if Ecology requires LOTT and other dischargers to implement more stringent actions for stormwater and wastewater discharges to improve water quality and meet regulatory standards in the basin."	This may require LOTT to discharge to infiltration basins (currently not permitted in Thurston County) or possibly relocate treatment plants. These costs have the potential to exceed the estimated costs for the CLDE action alternatives. Can the potential utility and ratepayer costs of this impact be quantified? In the final EIS, please acknowledge the potential significant impact to LOTT and other dischargers in Section 4.3 and Table ES.2.
4-181	Key finding box – Ecosystem services language seems to understate value of estuarine alternatives compared to managed lake.	The estuary alternative provide a larger suite of ecosystem services that are more fitting in this landscape context. Estuaries are rare on the landscape and can only exist at this type of location. It seems inappropriate to equate the ecosystem services provided by an estuary in this location with an artificial managed lake. A huge lost opportunity if the ecosystem services that could be provided by and estuary are not actualized at a site in this landscape position and ecological context.
5-2 Key Findings Box	Punctuation	Extra period in the last sentence.
5-7	BMPs	Throughout the chapter there are several references to BMPs. It would be helpful to describe/list some or provide a link to a list.
5-9	Typical permit requirements related to concrete and high pH concerns	Describe or provide reference to what typical permit requirements might be.
Chapter 5	Use of acronyms	Define acronyms used.

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5-14	Upland disposal sites	Further description of potential sites – how close to site. Could affect traffic control plans, etc.
5-16, Section 5.4.6	Mitigation measures implemented	Reference is to what DES would do. Wouldn't this work be done by a Contractor? If so, wouldn't it be prudent to incorporate permit requirements into Plan/Spec package?
5-16, Section 5.4.6.1	Second paragraph references WDFW approved BMP's.	Only place WDFW approved BMP's are referenced in the Chapter. Are these particular BMP's really unique to this body of work? Suggest a link to the WDFW BMPs.
5-18, Sections 5.5.2 and 5.4.2.2	Consistency	5.4.2.2 says animals would avoid construction activity. This is the only place that suggests this. Is this accurate?
5-33	Odor section	Odor due to decaying organic matter dredged up is not included. Does it need to be? Whether during construction or after, especially in the Estuary option?
5-43, Section 5.8.2	Walking distance impacts	Information does not clearly articulate that pedestrian routes will be extended, and that the route will not be flat, it will be the portion up/down the slope along Deschutes to 5th Ave to 4th Ave
5-43, Section 5.8.3	Temporary trail trestle	Provide a description of what this might look like/where installed. Is there a cost difference? – incorporate into cost section as applicable. Provide this option consistently in future sections. It shows up intermittently.
5-44 to 46, Sections 5.8.4 – 5.8.6.1	Recreationalists ability to use other portions of the trail around the lake	How realistic is this? With varying construction activities, parking, material deliveries, etc. will pedestrians safely and easily be able to navigate portions of the trail? How will homeless encampments either existing or as may pop up throughout construction be addressed? Including pedestrian/bicycle access/restrictions.

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	"Most of the recreation resources in the study area would remain open and continue to operate." Stated in many places in this section	Is this over simplifying? Is there an effective way to show graphically? Will there be signage warning pedestrians if they need to turn around well in advance of actual closure? Will ADA considerations be met during construction?
	Provide alternative access points to recreation sites and trail detours	How feasible is this? Given closed streets/construction activity/ only access from street side, not the lake? Better graphic detail of detour routes and phasing of construction activity
Section 5.9.4	Archeological concerns	There is no mention of the reconstruction activity along Deschutes Parkway related to post earthquake conditions.
Section 5.10.2	Viewer impacts/restrictions	Are there alternate locations, along 5th Avenue that could be enhanced to improve viewer/recreational activities?
5-61	Marathon Park closure	First bullet in 5.10.6.1 suggests access for visual access during periods of no construction, where feasible. What will the elements be that result in allowing access? Duration of opening/closings should be considered.
5-68	Traffic counts/commuter peak hours	Post COVID it is likely that employees will be able to continue to telecommute. How does this change affect stated levels of impact?
	Acronyms	Include definitions of acronyms
	Use of train	Some type of vehicle and/or equipment would be needed in order to remove/shuttle goods and materials from the train, if that option used. Not addressed.
5-68	Closure of 5th Ave bridge for 4-5 years	Closure of the 5th Avenue bridge is unacceptable. A temporary bridge is needed. With a closure, the only reasonable detour is 4th Avenue. The resulting congestion could result in significant safety, economic and quality of life impacts.

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5-68	Closure of 5th Ave bridge. Emergency vehicle access.	Relying on just one bridge (4th Avenue) for east/west access could inhibit emergency vehicle access.
5-68	Closure of 5th Ave bridge. Temporary bridge proposal and bike and pedestrian access.	A temporary 5th Avenue bridge should not be in lieu of a pedestrian/bicycle structure; it should be in addition to or integrated with that structure.
5-68	Closure of 5th Ave bridge. I-5 and SR 101 impacts	Without the 5th Avenue bridge, and increased congestion on 4th Avenue, there will be impacts to I-5 and SR 101 which should be described and evaluated.
5-71	Truck haul routes	Truck haul routes should use Deschutes Parkway and not 4th and State, to avoid the impacts of trucks on the downtown businesses and residents. Significantly fewer people would be impacted by exclusively using, or prioritizing the use of, Deschutes Parkway.
Table 5.12.1	Applying time of day restrictions Impact missing – Single east-west route via 4th Avenue Bridge Construction Worker Parking Street Capacity, Sidewalk, or Bike Lane Restrictions Railroad usage Impacts to Bus routes and emergency vehicle response	To what extent would this affect project cost. The table does not reflect the significant impact of only having the 4th Avenue bridge available for traffic for a very long time. Accidents/weather events/earthquake could severely impact capacity on 4th Avenue bridge. A temporary bridge should be incorporated into the mitigation options. Will this be restricted to specific locations with specific access to/from to minimize impacts to remaining street network? A more robust evaluation of alt routes and impacts, given COVID related changes to traffic patterns should be completed Would rail cars also be used for material storage? Address the impact of splitting routes/extending response times for buses and emergency response vehicles. Given the vulnerability of the 4th Avenue bridge in the event the 5th Avenue bridge is removed, will additional apparatus be needed on the West side?

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	Pavement Degradation Due to Construction Traffic	Pavement condition must be managed during construction with FINAL restoration being done once work is complete. This applies to entire detour routes, not only in proximity of the Lake.
5-77, Section 5.12.4	Significance of impacts	Current report suggests that "The remaining impacts on surface transportation from construction of the Estuary Alternative would be less than significant. This does not adequately consider the vulnerability of only on east-west route via the 4th Avenue Bridge.
5-78, Section 5.12.6.1	Measures Common to All Alternatives	Have all impacted parties been adequately considered; City (Public Works, Police, Fire, School District, Intercity Transit, State, Federal (USPS), commercial parties?
	Construction Traffic Management Plan (CTMP)	Routes and conditions should be resolved early in the process with City of Olympia, as the impacts have potential for being significant. COVID impacts on traffic pattern changes should be evaluated in order to better reflect conditions during the proposed construction window(s). The Thurston Regional Planning Council (TRPC) has adjusted the county-wide transportation model to account for COVID impacts moving forward. Consider ride share incentives/opportunities for construction employees.
	Measures identified to address the transportation impact of closure of the 5th Avenue Bridge during construction.	Construct a 2-lane temporary bridge with consideration for bike and ped traffic. Vulnerability of the City without a redundant E-W route must be further evaluated. The duration of proposed construction is simply too long to go without a temporary bridge.
5-79	Closure of 5th Avenue bridge. Transit impacts.	There is minimal discussion of the impact to transit service with the closure of the 5th Avenue bridge for 4-5 years. Not only will the routes on 5th be impacted, but the congestion on 4th will impact all

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		buses that use 4th and 5th Avenues. This should be highlighted as an impact that is in addition to the congestion for passenger vehicles.
5-79	Reference to trail trestle	Reference to a temporary trail trestle is made as an alternative to the 5th Avenue Pedestrian bridge. This needs further explanation. The construction of the 5th Avenue Pedestrian bridge should be a priority and constructed at the beginning as stated elsewhere in the draft EIS.
5-81 to 85	Key Findings and subsequent paragraphs.	Can you really ensure that emergency services will not be compromised? Seems like a bold statement. Have Olympia and private response companies been approached to truth these statements? In subsequent pages this message of minimal impact to emergency service providers is repeated. Have discussions occurred with Puget Sound Energy (PSE)? Again, are the statements supportable? Will PSE and other private utility providers being giving this are first priority? The City requests to be involved in the determination of methods related to relocation of utilities during the design phase. Disagree that impacts on public services and utilities from the hybrid Alternative would be less than significant. Please re-evaluate including consideration of the vulnerability of a single east-west route connecting Olympia.
5-86 to 92	Economic info/projections	Was the Thurston Regional Planning Council (TRPC) consulted for baseline data? The downtown area is changing as a result of new residential units. New businesses are starting up and could be vulnerable to proposed closures. Minor adverse impact??
7-11	The draft EIS states that "The Managed Lake Alternative would perpetuate historic inequities, particularly for tribal populations that have experienced ongoing adverse effects from changes	Again, to promote fairness and equity across the many aspects of the community, please include social justice and equity as a selection criterion.

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	to the ecosystem since non-Indigenous settlement of the region and continued loss of connection to the natural environment."	
Economics Discipline Report (pages 5-22)	The draft EIS Economics Discipline Report Section 5.5.1 discusses the cost for construction of the Estuary Alternative.	In the final EIS, please acknowledge that State and federal funding for habitat restoration may be available to offset the cost for construction of the Estuary Alternative.
Attachment 5 Hydrodynamics and Sediment Transport Discipline Report 4-17	Figure 4-16 indicates a typical spring tide was used for the extreme river flood event.	Extreme river flood events typically occur in the winter (November through January). Would it not be more accurate to use a typical winter tide when modeling the extreme river flood event? Winter tides are generally greater than spring tides.
Attachment 5 Hydrodynamics and Sediment Transport Discipline Report 4-17	The 5th Avenue dam operation representation section discusses the East and West gates of the dam, but does not discuss the fish ladder.	Was the fish ladder modeled with the 5th Avenue dam operation representation? The top of the fish gate is substantially lower than the radial gates.
Attachment 7 Water Quality Discipline Report	Prior Ecology TMDL studies indicate that the Capitol Lake Dam has the largest impact on dissolved oxygen levels in Budd Inlet overall, while the Draft EIS appears to reach some differing conclusions regarding water quality.	The draft EIS does not indicate whether the Department of Ecology reviewed the water quality analysis or whether Ecology concurs with the analysis. Please address this in the final EIS. If possible, please integrate the findings of the final TMDL for Budd Inlet in the final EIS.
Attachment 7 Water Quality Discipline Report Appendix A	The draft EIS indicates the Water Resources Methodology for Capitol Lake – Deschutes Estuary was reviewed by an independent third-party expert or experts.	In the final EIS, please identify the independent third-party expert or experts.

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Attachment 9 Fish and Wildlife	No mention of freshwater mussels in lake.	Staff reports that freshwater mussels are present on areas of Capitol Lake. Please investigate if present in the lake and include in mitigation discussion as a species to address and relocate if possible. Likely persist or recolonize in lower section of river/south basin.
Attachment 9 Fish and Wildlife (pages 4-27)	Waterfowl like American wigeon, green-winged teal, and pintail use estuarine tidal mudflats extensively at Nisqually National Wildlife Refuge this is not listed in Table 4.8	This is not listed in Table 4.8
Attachment 10 Wetlands (page ES-4)	Table ES2 does not list beneficial effect of 3 ac of fill removal in estuary and hybrid alternatives (per page ES-2)	Please make note of beneficial effect of fill removal from 3 acres of deep water and tidal mudflats in Table ES2. Per section 5.5.2.4 page 5-20 this is a beneficial effect that is not listed in this table
Attachment 10 Wetlands - page 3-6	First bullet in section 3.4.2 lists loss of wetlands from placement of fill lists as an e.g. "removal of 5th Avenue Dam" This is a benefit and expansion of waters of the US not a loss.	Remove dam removal from this list and state the beneficial increase of waters of the US of 3 acres from fill removed. Listed in section 5.5.2.4 page 5-20 as a substantial beneficial effect
Attachment 18 Economics Discipline Report, page 4-47	The Economics Discipline report indicates that regional work to develop a climate mitigation plan is currently in progress. However, the plan was completed in January 2021.	Please update this description to reference the completed plan. https://www.trpc.org/909/Thurston-Climate-Mitigation-Plan
Attachment 18 Economics Discipline Report	The Economics Discipline report describes the Estuary and Hybrid Alternatives as more consistent with local climate change adaptation policies than the Managed Lake Alternative, but does not acknowledge consistency with local climate change mitigation policies.	Please revise these descriptions throughout this report to acknowledge that the Estuary and Hybrid alternatives are also consistent with local climate mitigation plans.
Throughout	Draft EIS notes that interested Tribes include the Squaxin, Nisqually, and United Chehalis, but there is	City of Olympia's cultural resources code (Olympia Municipal Code 18.12.120, .130, .140) requires consultation with interested Tribes.

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	no indication of representation or consultation beyond the Squaxin Island Tribe.	