CONVENE: 8:00 a.m.

PRESENT: Chair Eileen Swarthout and Councilmembers Michael Althauser and Angela Jefferson.

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Assistant City Attorney Davis Abbott, Finance Director Troy Niemeyer, Water Resources and Sustainability Director Dan Smith, Transportation and Engineering Director Brandon Hicks, Assistant Transportation and Engineering Director Mary Heather Ames, Engineering Services Manager Bill Lindauer, Water Resources & Sustainability Program Manager Patrick Soderberg, Transportation Engineer I Bernie Gertje, and Administrative Assistant Bonnie Hale.

Others: Meridith Greer, Greer Environmental Consulting and Stephen Lukas, EPA Region 10.

APPROVAL OF MINUTES: PUBLIC WORKS COMMITTEE, APRIL 18, 2024:

MOTION: **Councilmember Althauser moved, seconded by Councilmember Jefferson, to approve the minutes of April 18, 2024, as published. A voice vote approved the motion.**

RESOLUTION NO. R2024-004 SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM (:

Assistant Director Ames briefed the committee on the annual process for updating the City's Six-Year Transportation Improvement Program (TIP). The process serves as the foundation for transportation funding within the State of Washington. Each city/jurisdiction prepares a list of transportation projects for the next six years to serve as the local TIP. The lists are submitted through local planning organizations. For the Thurston region, Thurston Regional Planning Council (TRPC) serves as the local planning organization. The deadline to complete the submittal process is the end of June 2024 for submittal to the state. TRPC submits local TIPs to the state to form the State Transportation Improvement Program (STIP). Although the TIP is comprehensive, not all projects listed in the TIP are achievable as the TIP includes as many projects as possible to ensure the City is positioned to apply for different types of funding.

Changes to the TIP are grouped into three main categories of removals, modifications, and additions. Projects underway and anticipated for completion this year include the I-5/Trosper project, Israel-Linderson Way Bicycle and Pedestrian Improvements, and the Linwood Avenue Sidewalk. Those projects have been removed from the TIP.

A new project is the Somerset Hill Fish Passage Barrier Removal project that was amended into the 2024 TIP/STIP earlier in the year and is carried forward to the

2025 TIP.

Assistant Director Ames reviewed the status of several projects.

The Old Highway 99 Roundabout at 79th Avenue project amount has been reduced to an anticipated amount the City plans to expend this year.

The City continues the Pavement Maintenance Program funded primarily by the Transportation Benefit District. The project improves the quality of life for users of the street network in the City.

The Linwood Avenue Sidewalk project will be removed with another project continuing for the Second Avenue Pedestrian and Bicycle Improvements project at the intersection of Linwood for bicycle lanes, sidewalks, and pavement funded by a grant for pedestrian and bicycle improvements with the pavement portion of the project funded as a match through the TBD.

The Somerset Hill Fish Passage Removal project has secured funding.

Nearly $47 million is planned in grant funding with over $50 million in local funds totaling over $97 million. The process of the TIP is not financially constrained. Staff will continue efforts to ensure completion of the project list.

Assistant Director Ames shared a map of project locations.

Staff requests the committee's concurrence of the proposed list for a public hearing during the May 21, 2024 Council meeting.

Councilmember Althauser asked for additional information on the process staff uses to determine projects to include in the plan. Assistant Director Ames explained the two ways staff considers projects. The first is through the typical planning process based on the Transportation Element within the Comprehensive Plan. The Transportation Element will be updated as part of the Comprehensive Plan Periodic Update process. Staff has relied on the previous plan, which is nearing the end of its planning horizon. Long range planning often serves as the basis for identifying projects. As the update of the Transportation Element is a full-scale analysis of the entire City, staff anticipates capturing all areas in most need of an improvement. Secondly, if constituents contact the City about a transportation concern, staff addresses the requests through a Traffic Team process, which evaluates lower cost alternatives or options that could be completed by staff rather than through contracting. Police and fire are represented on the team and offer input as well. Following a review of all options through the team, the proposal is moved to a possible project for additional planning.

Chair Swarthout pointed out that the list of projects is not prioritized. Assistant Director Ames affirmed the order of projects is not prioritized but numbered to

correspond with projects on the map and for the online program for submittal of the TIP to the state.

Chair Swarthout reviewed the proposed action requested by the committee.

MOTION: **Councilmember Jefferson moved, seconded by Councilmember Althauser, to move Resolution No. R2024-004, adopting the City's Six-Year Transportation Improvement Program for 2025-2030 to a public hearing at the City Council meeting on Tuesday, May 21, 2024. A voice vote approved the motion unanimously.**

RESOLUTION NO. R2024-003 PERCIVAL CREEK FISH PASSAGE BARRIER REMOVAL #22-1161:

Director Smith reported the request is approval of grant funding. He introduced Meridith Greer with Greer Environmental Consulting to provide an overview of the proposal.

Ms. Greer said the project site is located on Percival Creek as it runs under Sapp Road in Tumwater. Percival Creek is located within the City of Tumwater. Fish are only able to access one-third of the creek because of fish passage barriers. Once the project is completed, the entire creek along Sapp Road will be accessible to fish.

Councilmember Jefferson inquired as to the definition of "anadromous fish." Ms. Greer advised that anadromous fish are born in fresh water, migrate to saltwater, and return to freshwater to spawn. Fish passages serve an important role to ensure fish returning can pass through barriers and roads.

Ms. Greer displayed a photograph of the existing culvert at Sapp Road. The barrier is caused by a slope within the culvert making it difficult for fish to pass through the culvert. The area above the culvert is considered a significant reach with good habitat for fish to thrive. In total, the number and type of fish found in Percival Creek include Chum, Chinook, Coho, Steelhead, Sea run cutthroat, and resident trout.

Councilmember Althauser asked whether a significant reach is considered a legal term. Ms. Greer explained that significant reach is generally a habitat term and applies to areas of streams with good gravel, food sources, habitat, and tree cover. Upstream of Sapp Road is Trosper Lake and a number of wetlands, which serve as good habitat for fish to live and thrive.

Ms. Greer said the project replaces the small round culvert with a 19-foot four-sided box culvert to enable the stream to move freely with fish able to pass through easily and access the upper area of the stream. The project includes some re-meandering of the stream to enable the stream to flow in a snake pattern rather than forced into a culvert, as well as the placement of large wood structures. The project also benefits as a transportation improvement project as work above the stream on the road expands the travel lanes on each side and includes bike lanes and sidewalks.

The City was the recipient of the first round of PROTECT funding from the Washington State Department of Transportation (WSDOT) of approximately $2.1 million. The proposed request is to secure another $257,000 from the Salmon Recovery Funding Board. The total cost of the project is approximately $2.3 million with the cost funded by grants with no match required by the City.

Currently, staff is working on right-of-way acquisition and is nearing completion by early summer. Construction bid packages are scheduled for release by late summer/early fall with a goal to initiate construction next summer. The Transportation and Engineering Department is reviewing plans prior to forwarding to WSDOT for its review. Staff continues to work through the right-of-way process involving a construction easement and a permanent easement required to accommodate expansion of the road.

Chair Swarthout asked about the location of the sidewalks. Ms. Greer advised that the design includes sidewalks on both sides of the road.

Chair Swarthout inquired as to the status of the right-of-way acquisition. Ms. Greer said the process is proceeding well with staff working with a right-of-way company to ensure the process is completed properly. Offer letters have been presented to landowners with staff working through some last steps, such as staking to ensure landowners are aware of the property required for the temporary construction easement and the permanent easement. Staff anticipates completing the process within the next several months.

MOTION: **Councilmember Jefferson moved, seconded by Councilmember Althauser, to place Resolution No. R2024-003 Percival Creek Fish Passage Barrier Removal #22-1161, on the May 21, 2024, City Council consent calendar with a recommendation to adopt the Resolution. A voice vote approved the motion unanimously.**

FLOODPLAINS BY DESIGN APPLICATION UPDATE: Director Smith reported the City is positioned to apply for a substantial watershed-wide grant with a number of partners. Ms. Greer has worked to create a collaboration of partners to consider some improvement projects throughout the Deschutes watershed.

Ms. Greer reported the Deschutes Watershed Recovery Phase 1 project is a result of several years of collaboration within the watershed to restore processes. Much of the work surrounds floodplains. Floodplains are areas rivers naturally expand into during big storm events. Generally, floodplains move freely with slow flows and assist in flood control and erosion and often treat water and recharge groundwater beneficial for fish and wildlife habitat.

In the Deschutes watershed, floodplains in Tumwater are mostly built out with a number of buildings and other uses surrounding floodplain areas and reducing many of the benefits a floodplain provides to the environment. To achieve some

floodplain benefits, efforts, process, and many partners are required. For a number of decades, partners surrounding the area have worked on projects. Approximately one year ago, partners working together (Capitol Land Trust, Deschutes Estuary Restoration Team, South Puget Sound Salmon Enhancement Group, Squaxin Island Tribe, Thurston Conservation District, and Thurston Regional Planning Council) considered ways to improve the health of the watershed. The group identified many options. Priorities for the watershed include reducing flooding, protecting salmon, protecting riparian areas, improving water quality, providing opportunities for recreational uses, and supporting economic uses. The priorities are many for one river requiring a comprehensive plan to identify ways to fund the projects.

The Floodplain by Design Program is sponsored by the Department of Ecology providing a unique funding source through a public/private partnership with a goal to improve multi-beneficial aspects of projects. The program requires one application per watershed for a number of projects that provide benefits, such as flood reduction, agriculture uses, and improved water quality, etc. The program offers substantially sized grants up to $10 million for watersheds as many of the projects in the watershed can cost upwards of hundreds of thousands of dollars. Project partners have been meeting and developed a ten-year plan encompassing different methods of landowner outreach, community engagement, pre-design with alternatives analysis and feasibility studies, final design and permitting work to ensure shovel-ready projects for construction, and acquisition of land for conservation and restoration. The project application is for approximately $50 million. To ensure scalability of the application, the Department of Ecology requested phasing the project. The proposal pertains to Phase 1 focused on the lower watershed near Henderson Boulevard and Pioneer Park. The area experiences flooding during storm events creating water quality issues. Within the mid-area of the watershed, many landowners are working within their lands and the intent is to improve riparian areas and installation of large woody debris. Within the upper watershed, timber harvesting is dominant with more intact buffer zones.

The partners identified 11 projects for the first round of funding. The projects extend along the entire watershed and will provide different types of benefits. The application request is for $12.5 million from the Department of Ecology with $2.5 million of match funding required for the application. Over $6 million of the funding would be for construction and restoration.

For the City of Tumwater, the proposal would benefit five projects. The City of Tumwater is the lead entity and submitted the application to the Department of Ecology. Staff working to establish a memorandum of understanding with other project partners for budgeting, scope of work, and formalization of the structure to enable partners to work together. Tumwater will be responsible of submitting quarterly payment requests and project reports.

The first main Tumwater project is the old Olympia Brewery property with most

of the efforts building off the draft feasibility report currently in progress by the City to explore alternatives for redevelopment options of the properties. The ultimate goal of Phase 1 is to complete an alternatives analysis with future phases of funding targeting design and construction from the same funding source.

A second project is E Street wetland restoration with a goal to complete design and required permitting to restore the wetland.

Another project is the implementation of the Tumwater Valley Regional Stormwater Facility. The project is a constructed wetland located at the M Street outfall, which drains approximately two hundred acres of stormwater and discharged directly into Deschutes River untreated. The project has completed 90% design and funding would enable an update of the design, permitting, and construction. The project has been included in the Capital Facilities Plan for several years.

The last project is located within the golf course area for riparian buffer and wetland restoration. Staff has been developing a restoration plan for the golf course due to seasonal flooding. The funding source would fund implementation of the plan for tree plantings and wetland restoration to protect the golf course during severe storm events.

Of the $12.5 million request, the City of Tumwater would receive approximately $3.7 million in funding. The City's Stormwater Utility is providing some of the match requirement of approximately $175,000. The Department of Ecology is considering withdrawal of the match requirement for the project. Tumwater projects in combination with other partner projects will help restore 124 acres of floodplain with completion of project designs restoring another 450 acres of floodplains for future basins. Approximately 160 acres of land will be conserved by Capitol Land Trust to help reduce flooding downstream and over 200 acres of stormwater runoff will be treated from the Tumwater Valley Regional Stormwater Facility. Within the middle watershed, agricultural landowners will be engaged by the Thurston Conservation District with the ultimate goal of completing Phase 1 and providing a proof of concept to Department of Ecology and the project sponsors demonstrating that the group and planned projects are sustainable to complete during future phases. The funding program enables project sponsors to apply for funding every two years. The goal is to submit another grant application to continue moving projects forward.

Ms. Greer reviewed the timeline of the submission of the project application. Department of Ecology is scheduled to release a ranked funding list in August. Some of the funding is also reliant on legislative action, and if successful, projects would receive funding on July 1, 2025 enabling implementation of the City's projects from July 2025 through June 2029.

Councilmember Althauser inquired as to the funding nexus with the Legislature. Ms. Greer advised of a dedicated funding source for the program. The

Legislature's role is a formality of agreement to fund the program at a specific amount for the year. Additionally, a proposal has been submitted for the program to receive funding from the Climate Commitment Act to increase the total amount of funds available for project sponsors. The proposal is on the November ballot, which would depend on voter approval.

Ms. Greer responded to questions about the tie to the Deschutes Estuary Restoration project. The intent is combining the estuary project with sponsor projects through close coordination with the Deschutes Estuary Restoration project team at the Department of Enterprise Services to track timelines. The project team is seeking national funding sources because of the cost of the project. The focus of both efforts is holistic, as the upper watershed affects the Deschutes River estuary.

PALERMO SUPERFUND PROJECT UPDATE:

Director Smith reported the Palermo Wellfield was identified as a Superfund project in the 1990s when Tumwater initiated work on a wellhead protection program. Through that effort, the City identified contamination at the Palermo wellfield, the City's major producing wellfield at the time. The plan established the foundation for the City's protection of groundwater.

Recent efforts by the Environmental Protection Agency (EPA) included a public meeting to inform the community of changes and the status of efforts. He introduced Stephen Lukas, EPA Project Manager with EPA Region 10. Staff works closely with EPA, WSDOT, and the Department of Ecology.

The EPA is splitting the Superfund project into two units of Operable Unit 1 and Operable Unit 2. Operable Unit 2 addresses tetrachloroethylene (PCE). The source of the contamination was identified as Southgate Dry Cleaners.

In the 1990s the source of PCE was identified and investigations initiated to identify the extent of the contamination and plumb. Extensive testing was completed and remedies identified for implementation at the wellfield and at Southgate Mall. Responsibilities were defined for the EPA, Southgate Mall, and the City.

WSDOT was later identified as a source of contamination of trichloroethylene (TCE). Aeration systems were installed at the wellfield to protect groundwater and drinking water. A soil vapor extraction system was also installed at Southgate Mall as early mitigation efforts to address contamination.

Over the next 20 years, the City implemented wellhead protection area inspections of local businesses, updated codes and planning, and enforced non-conforming uses. Within the six-month and one-year time of travel zones, the City no longer allowed dry cleaners using PCE. As a non-conforming use, staff worked with the business to ensure the facilities were replaced with environmentally processes and PCE was no longer utilized on site.

Other businesses subject to the non-conforming ordinance are primarily gas stations located with the six-month or one-year time of travel.

Every five years, EPA reviews the system and conducts monitoring to ascertain the effectiveness of the treatment systems and whether they continue to be effective in treating the water as expected. During the last inspection, EPA determined additional work was required because concentrations were not diminishing to a level sufficient to meet EPA goals. After completion of alternative analysis and more extensive research, EPA determined more efforts were required to continue to reduce the concentrations of contaminates within groundwater. Additional work identified alternatives and a proposed clean up plan.

Operable Unit 2 addresses TCE contamination with the source identified as the WSDOT Material Lab off Trosper Road.

Director Smith displayed a graphic depicting a cross section of the contamination from the dry cleaners floor drains which leached into the soil, contaminated the soil and soil vapor, and percolated to the groundwater as it flows to the wellfield. Early mitigation identified the dry cleaner as the source and installed a soil vapor extraction system that pumps soil vapor from the ground into a treatment system to enable the flow of cleaned air.

Last year, staff worked on the aeration lagoon to increase the depth and the treatment volume. Upstream, subdrains are located that are networked through the Palermo neighborhood to capture shallow groundwater as it moves to the treatment lagoon. Both systems are in place. The previous soil vapor extraction system was effective and disconnected in 2001. EPA determined that disconnecting the system occurred too soon. Data at that time suggested treatment was successful with concentrations reducing and stabilizing. However, the plume continued to travel to the subdrain water system because PCE is a shallow water contaminant. Once the contaminant reaches the subdrain system the system captures contamination and moves it to the aeration lagoon for final treatment. As EPA conducted its alternatives analysis to determine the best treatment system moving forward, the agency determined soil vapor extraction continues to work well but changed the position to a horizontal vapor extraction system to capture any remaining contaminate plume.

The second action is installation of an underground wall of carbon and iron through a series of injection wells with the materials injected into the groundwater system and remaining in place to bind with surrounding soils as groundwater flows through the soil. The system effectively captures PCE adhering the contaminant to carbon and iron and stabilizing the contaminant with no further release of the material from the curtain system.

Director Smith identified locations of the curtain barriers throughout the system.

The revised clean up process is undergoing a public comment period. Several days remain prior to the City finalizing the review and forwarding comments to the EPA. The City is confident of efforts by EPA and the technical approaches recommended for the wellfield. Later in the year, EPA will install the soil vapor system and pilot the work with Southgate Mall. Next year, the EPA will examine the totality of both operating systems for any final recommendations to update the Record of Decision completed in 1999. Beginning in 2026 and moving forward, EPA will enter into agreements as needed to continue operations and maintenance of the treatment system.

Councilmember Althauser inquired as to the funding sources for both operating systems as private business contributed to the contamination in addition to WSDOT. Director Smith explained that treatment is funded from the Superfund program and WSDOT as a responsible party. The City assumed the role of project manager as it is the City's system but the EPA funded the project. Collaboration continues between EPA and the responsible parties. Because the funding level is above the capacity of the dry cleaners, Superfund dollars assist the City to cover those costs.

Mr. Lukas added that since WSDOT is a state agency, cost recovery of the treatment for TCE is through the state. The dry cleaners settled with EPA in 2007 with some funding from the settlement and the remaining from federal Superfund dollars. EPA estimates the cost of the treatment of approximately $10 million for PCE clean up and a higher amount for TCE clean up, which is still in the feasibility study phase.

Director Smith noted that the alternatives under review are for the treatment process for PCE with TCE scheduled to be addressed later this year or next year.

ADJOURNMENT: **With there being no further business, Chair Swarthout adjourned the meeting at 9:06 a.m.**

Prepared by Valerie L. Gow, Recording Secretary/President
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