

Tumwater Brewery Planned Action DEIS Comment Letters

Letter Number	Date of Comment	Author: Resident, Property Owner, or Agency Name
1	10/26/2015	Bob Jacobs, Tumwater Property Owner
2	10/29/2015	Cari Hornbein, City of Olympia
3	10/30/2015	Greg Griffith, Washington State Dept. of Archaeology and Historic Preservation
4	10/30/2015	Alex Callendar, Dept. of Ecology
5	10/27/2015	George Heidgerken, Property Owner
6	10/30/2015	Nancy Partlow, Resident
7	10/29/2015	Pat Rasmussen, Resident
8	10/30/2015	Rob Kirkwood, Resident
9	10/30/2015	South Puget Environmental Education Clearinghouse
10	10/26/2015	Stephanie Neil, Archaeologist, Squaxin Island Tribe
11	11/19/2015	Jackie Wall, THPO, Nisqually Indian Tribe

Tumwater Brewery Planned Action Responses to Comment Letters

Comment Number	Response
Letter 1: Bob Jacobs, Tumwater property Owner	
1-1	Relocating Brewhouse: While removing the Old Brewhouse from the floodplain might solve one problem, it would create several other problems, including eliminating the historical context of the building -- which was water-dependent and directly associated with the shoreline of the Deschutes River. This would eliminate most current funding opportunities, which are associated with its historic status, tied to its location. The existing location provides public access to the shoreline as well as opportunities for wildlife and landscape viewing within the context of the original Brewhouse location. Trails and viewing areas connecting the shoreline to other existing trail systems nearby are proposed. Enhancement and rehabilitation of the shoreline and both Slope and Riverine wetlands associated with development of the site are required under current regulations, and floodplain development regulations must be met as well.
Letter 2: Cari Hornbein, City of Olympia	
2-1	Street Impact Analysis: Thank you for your comments. We have updated the EIS to include project site traffic distribution and assignment into the City of Olympia road network for their review. The City of Olympia will have the opportunity to revisit the potential traffic impacts on their system as individual development proposal are submitted to the City of Tumwater.

2-2	<p>Mitigation Fees: We have added a mitigation requirement to the EIS that future development may be required to pay City of Olympia transportation mitigation fees incrementally as the site is built-out. The City of Olympia collects the fees based on a “per PM peak hour trip” basis. The actual fees would be calculated by the City of Olympia individually for each building project within the development. The Planned Action Ordinance is expected to have a similar threshold.</p>
<p>Letter 3: Greg Griffith, DAHP</p>	
3-1	<p>Other Agency Involvement: All proposals will be reviewed by the Tumwater Historic Preservation Commission to ensure historic integrity of the site is maintained, DAHP will be added to the Tumwater Historic Preservation Commission distribution list. If the owner decided to take advantage of historic preservation tax incentives, the owner shall consult with DAHP.</p>
3-2	<p>Archaeological Significance: The parking structure will require movement and grading of soil on the hillside to the south, work that may possibly encounter buried infrastructure from the original brewhouse complex. Although there was no diagnostic artifacts identified during the 2015 survey, as indicated in Chapter 3.7 of the Draft EIS, there will be an archaeologist onsite throughout the excavation and grading processes, and any discovered materials will be catalogued and managed as required for any inadvertent archaeological discoveries and will be preserved and donated to an appropriate museum or comparable facility.</p> <p>Discovery of Native American artifacts is not anticipated, but if discovered during construction they would also be treated as required for any inadvertent archaeological discoveries.</p> <p>For future construction or development proposals, Section 106 will require review and will need a Memorandum of Agreed with DAHP. The City will continue to work with DAHP, Tribes, and the Tumwater Historic Preservation Commission on these important and high priority issues. The City will ensure these concerns are appropriately addressed as indicated in Section 3.7 of the DEIS.</p>
<p>Letter 4: Alex Callendar, Dept. of Ecology</p>	
4-1	<p>Wetland fill and grade: The property owner will follow through on cleanup and mitigation obligations before receiving a permit from the City.</p>
4-2	<p>Water lines: Any detailed development proposal will provide all necessary and required hydrological analyses, and will follow requirements of the City’s Stormwater Management regulations for quality and quantity controls.</p>
4-3	<p>Shoreline Management Act Consistency: City agrees that the commercial development must be consistent with the Shoreline Management act and local Shoreline Master Program.</p>
4-4	<p>Soil/Groundwater Contamination: Regulations regarding the response to inadvertent discovery of contaminated sediments or groundwater will be followed.</p>

Letter 5: George Heidgerken's, Property Owner

5-1	<p>Inclusion of Residences On-Site: Comment noted. The Land Use Chapter of the Draft EIS at 3.4 does include a discussion of the residential units proposes for the site, with a walkable and economically vibrant neighborhood center with a mixture of housing and neighborhood serving businesses.</p>
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Letter 6: Nancy Partlow, Resident

6-1	<p>Wetlands: The development of the Old Brewhouse site created Wetland A and Wetland B - both of which are a result of damming by access roads or railroad grades; thus neither wetland reflects a natural condition and both are highly impacted. When the Brewery was operational, the seeps were entirely diverted around the building, and/or were buried below surface infrastructure. Wetland A developed as the original drains and related water control systems deteriorated, and until recent emergency maintenance was carried out about 5 years ago, the water from that failed system flowed through the building. Wetland A is mainly an artifact of historical site development and is formed from water captured in ditches along the existing site access road to protect the buildings. It has minimal water quality, water quantity storage or habitat value.</p> <p>The Old Brewhouse site can only be developed in any way that meets codes related to public safety with improvement of the site access road, and with provision of adequate parking. Both of these requirements would require a widened access road (even without a parking garage), and any widening effectively eliminates Wetland A. Therefore, under any permissible development scenario, eliminating Wetland A is an unavoidable requirement of site development. Wetland B will be protected and enhanced, and the shoreline ecosystem and wetland islands in the River will be improved by reduction of weedy plants and replacement with native trees and shrubs that will provide more valuable habitat benefits.</p>
6-2	<p>Capitol Lake: There is no current regional plan for conversion of Capital Lake into an estuary -- which will result in a brackish water system near the Old Brewhouse sit (the site is at the upper end of tidal influence). If such future conversion occurs this issue can be addressed as part of that conversion and related mitigation process.</p>
6-3	<p>Aesthetics: All structures would meet City regulations and review process in place at the time of application to limit height and other visual impacts, including historic commission review and City Council approval. When specific development is proposed there would be opportunities to comment on those future design details. Additionally the Tumwater Historic Preservation Commission will review proposals, ensuring the proposals comply with and maintain the historical integrity of the site.</p>
6-4	<p>Tree Removal: Any tree removal would be considered at the time of development and would meet City tree protection standards.</p>
6-5	<p>Site Plan: The proposals contained in the Draft EIS are not a final design phase project -- but rather, conceptual site design alternatives which will be detailed in the future at the time of project application, which will include a specific detailed site development plan, construction drawings, designs and phasing outlines. The development will be subject to</p>

	existing development standards at the time of review, and will go through standard public review process for those components.
6-6	Shuttle: This alternative is/was considered and may be useful as a secondary site access alternative, but it did not provide adequate access or parking availability from parcels owned by the applicant to meet City regulations -- particularly if there are residents onsite.
6-7	Site access: All site access alternatives that meet City regulatory requirements will be considered.
6-8	Road Design: Road design will be developed as part of the future site development plan; this stage is only conceptual, thus only conceptual plans are provided.
6-9	Habitat Area: While minor impacts to terrestrial habitat for song birds and other transient wildlife populations will occur with development, the impact is not greater than what is anticipated with the City's Comprehensive Plan. The riverine area to the north of the brewhouse will have opportunities for passive recreation and will provide a habitat area for local wildlife.
6-10	Intensity of development: Site specific development will be reviewed when it is proposed. This is conceptual only, which allows the applicant to consider alternate commercially viable development alternatives.

Letter 7: Pat Rasmussen, Resident

7-1	Archaeological Disturbances: Any work carried out would follow the appropriate and permitted protocols in relation to inadvertent discovery possibilities, as detailed in Chapter 3.7 of the Draft EIS.
7-2	Steh-chass People: The narrative and comments will be included in the record.
7-3	Artesian Wells: Some of the artesian springs in the Brewhouse vicinity were developed but others were not. There are historic (Tumwater Foundation) photographs of a fountain fed by flow from the artesian well, and there are descriptions of the developed artesian spring, but no specific documentation of the exact location of the fountain structure or developed artesian spring were found during our research. Most if not all of the visible existing piped infrastructure around the old brewhouse is severely decayed and not intact or continuous. However, as described in the AquaTerra report, any significant cultural and historical inadvertent discoveries made during site development will be addressed as required under DAHP rules and regulations.
7-4	Wetland Rating: The wetland review was conducted in accordance with applicable City of Tumwater and Washington Department of Ecology regulations in effect. On-site wetlands were rated by applying the 2004 Western Washington Wetland Rating System. Ecology adopted a new rating system on January 1, 2015. The new rating system could potentially result in different rating results (Category classifications) and different standard buffer widths, and would be checked with consistency of the thresholds established by the City in the Planned Action EIS Ordinance.

7-5	Wetlands: Wetlands regulations are separate from historic protection regulations and have a different purpose. If the artesian springs are found to be historically important, a different decision may be needed. But from a wetland regulatory standpoint, Wetland A is a low quality system, and mitigation can be used effectively to replace and improve upon its functions and values by improving other systems nearby.
7-6	Parking Garage: The Draft EIS alternatives include a parking garage below the Schmidt House, built into the slope south of the brewhouse. Other alternatives placing the garage on other locations on the site were not considered as part of the analysis.
7-7	Steep Slope: Any development or improvement of that site access road would be required to take potential impacts to the slope and salmonids into account.
7-8	Wildlife: In general, an EIS report is required to address documented wildlife data collected and recorded using standard protocols in federal and state databases, with a focus on listed species of concern. Habitat improvements proposed to Wetland B and the islands in the river should improve conditions for migratory and raptor bird use.
7-9	Floodplain: A Floodplain definition is site specific, and the maps are a guideline and not considered final. The floodplain analysis is important and will be carried out when there is a specific site development plan and building submittal. All regulations governing development in the floodplain will be followed.
7-10	Omission: This will be corrected in the Final EIS.
7-9	Site Access Road: Under any development alternative, the site access road must be improved to protect public safety.

Letter 8: Rob Kirkwood, Resident

8-1 Thank you for your comment.

Letter 9: South Puget Environmental Education Clearinghouse

9-1	Speech: This omission will be corrected and SPEECH will be listed as an interested party in the FEIS.
9-2	Estuary: If such future conversion occurs this issue can be addressed as part of that conversion and related mitigation process.
9-3	Groundwater: The proposed parking garage plan design must address these issues in order to meet public safety and design requirements. Several ideas which minimize the need for extensive grading and drainage are being considered, but there is no final design at this point.
9-4	Habitat: See response to comments 9-2.
9-5	Cumulative Impacts: The project is a planned action under the SEPA section of the Washington Administrative Code. When there is a federal nexus, such as in-water work or if the applicant applies for a federal grant, those specific project components will be

	subject to NEPA review. Anadromous fish cannot naturally navigate to the river above Tumwater Falls without the fish ladder, and the native coho run (not endangered) in Percival Creek is more than a mile downstream. Site development will not reduce water quality, because stormwater management BMP requirements will ensure that onsite water is treated prior to being released to the river.
9-6	Project Placement: There is no proposal for fill expansion, and all development must meet Critical Area and Shoreline requirements, including habitat restoration and water quality protection -- among other benefits associated with the proposed site redevelopment.
9-7	Historical Tribal Uses: Based on the Cultural Resources report and Section 3.7.1 of the planned action EIS, the area is traditional territory of the Squaxin Island and Nisqually Tribes. The Squaxin Island and the Nisqually tribes will be involved in site redevelopment, and any inadvertent discoveries will be addressed as required by DAHP and Tribal consultants.
9-8	Historical Building: Commercial redevelopment on the site is needed to allow the owner a funding stream to promote historic restoration of the building. Any commercial redevelopment or activity at the lower area of the property will also require safe site access.
9-9	Hazardous railroad shipments: Any property near a railway has this potential. UP will be consulted throughout this process, as an interested adjacent property owner, and the issue of potential hazardous shipments will be addressed.
9-10	Flood plain and sea level rise: Sea level rise impacts must and will be addressed during site design and planning stages.

Letter 10: Squaxin Island Tribe, Stephanie Neil, Archaeologist on behalf of Rhonda Foster THPO

10-1	UDP Plan Contacts: The Unanticipated Discovery Plan has been revised to show Rhonda Foster THPO as the Squaxin Island Tribe contact, 360-432-3850. Lance Wollwage remain listed as the DAHP contact.
10-2	UDP Plan Wording: The request to strike the sentence (Section 7 on page 5), "If federal agencies are involved, the agencies will make the final determinations about treatment and documentation" of the UDP has also been made.
10-3	UDP Plan Wording: Comment noted. Development proposals or building permits that are submitted to the City will be routed to the Department of Ecology as required by state law and Tumwater city code.
10-4	Appendix A Cultural Resources Report: The report has been revised to reflect initial consultation with the Squaxin Island Tribe on May 12, 2015.
10-5	Scoping Comments regarding Pat Rasmussen: Comment noted.

10-6	Consultation Meeting Requested with City of Tumwater: A consultation meeting was initially requested with the City but the request was later withdrawn by the tribe on October 27, 2015.
Letter 11: Jackie Wall, THPO, Nisqually Indian Tribe	
11-1	Inadvertent Discoveries: Archaeological Monitoring will be conducted as part of any ground disturbing activities. All work carried out on the site would follow the appropriate protocols in relation to inadvertent discovery possibilities, as detailed in Chapter 3.7 of the EIS.