

1 ■ EXPEDITE
□ No Hearing Set
2 ■ Hearing is set
Date: 5/31/2024
3 Time: 9:00 am
Judge: Egeler
4
5 Calendar: Civil

6 **IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON**
7 **IN AND FOR THE COUNTY OF THURSTON**

8 SAVE THE DAVIS-MEEKER GARRY OAK,

Case No. 24-2-01895-34

9 Plaintiff,

10 vs.

DECLARATION OF RONDA
LARSON KRAMER RE.
SUPPLEMENTAL RESPONSE TO
MOTION TO DISSOLVE TRO

11 DEBBIE SULLIVAN, in her capacity of Mayor of
12 Tumwater

13 Defendant.

14 I, RONDA LARSON KRAMER, make the following declaration:

15 1. I am the attorney of record for Save the Davis-Meeker Garry Oak (SDMGO). I
16 have knowledge of the facts stated herein and am competent to testify.

17 2. On May 30, 2024, I received via email a letter from the state archaeology
18 department indicating that under RCW 27.53.060, the mayor cannot cut down the Davis Meeker
19 oak tree without an Archeological Excavation and Removal Permit from the state archaeology
20 department. The mayor has not applied for the permit yet. Therefore, cutting down the tree would
21 violate ch. 27.53 RCW. Attached as **Exhibit A** is a true and correct copy of the letter.

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DECLARATION OF
RONDA LARSON KRAMER - 1

LARSON LAW, PLLC
P.O. Box 7337
OLYMPIA WA 98507-7337
360-768-0775

1 I declare under the penalty of perjury of the laws of the State of Washington that
2 the foregoing is true and correct to the best of my knowledge.

3 EXECUTED this 30th day of May, 2024, at Olympia, Washington.
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RONDA LARSON KRAMER

1 **CERTIFICATE OF SERVICE**

2
3 I certify that I served a copy of the foregoing document on all parties or their counsel of
4 record as follows:

- 5 E-mail
- 6 U.S. Mail
- 7 ABC/Legal Messenger
- 8 Hand delivered by Ronda Larson Kramer

9 TO:

10 Jeffrey S. Myers, WSBA No. 16390
 11 Jakub L. Kocztorz, WSBA No. 61393
 12 LAW, LYMAN, DANIEL,
 13 KAMERRER & BOGDANOVICH, P.S.
 14 P.O. BOX 11880
 15 OLYMPIA, WA 98508-1880

16 I certify under penalty of perjury that the foregoing is true and correct.

17 EXECUTED this 30th day of May, at Olympia, WA.

18 

19 RONDA LARSON KRAMER
 20 Attorney for SDMGO



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

May 30, 2024

RE: Davis-Meeker Oak: Archaeological Permit Requirements under RCW 27.53

To Whom it may concern,

Washington State Chapter 27.53 RCW and Chapter 25-48 WAC requires a permit, administered by the Department of Archaeology and Historic Preservation (DAHP), for the excavation, alteration, or removal of archaeological resources on public and private lands. This is a requirement for all pre-contact archaeological sites and any post-contact historic property that is eligible for the National Register of Historic Places.

The Davis Meeker Garry Oak Tree is a registered historic property on the City of Tumwater Historical Register, that based on published accounts is a historic feature associated with the Cowlitz Trail and subsequent Oregon Trail. Based on this association it is likely that this resource is eligible for the National Register of Historic Places. The address of the Davis-Meeker oak is 7525 Old Hwy 99, Tumwater, WA 98501.

Therefore, there are archaeological permit requirements, necessary prior to the removal or alteration of the Davis-Meeker Garry Oak Tree.

Specific information about Washington State Archaeological Excavation and Removal Permits can be found in RCW 27.53 and WAC 25-48. Knowing and willful failure to obtain this permit or comply with its requirements is a misdemeanor and may result in civil penalties of not more than five thousand dollars per violation, reasonable investigative costs, and site restoration costs.

Please let me know if you have any questions or concerns.

Sincerely,

James Macrae
Assistant State Archaeologist
James.macrae@dahp.wa.gov

EXHIBIT A

