

1  EXPEDITE  
2  No Hearing Set  
3  Hearing is set  
4 Date:  
5 Time:  
6 Judge:  
7  
8 Calendar:

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

8  
9 SAVE THE DAVIS-MEEKER GARRY OAK,

Case No. 24-2-01895-34

10 Plaintiff,

11 vs.

DECLARATION OF  
STEVE LAYMAN

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

14 Respondent.

15 I, STEVE LAYMAN, make the following declaration:

16 1. I have knowledge of the facts stated herein and am competent to testify.

17 2. I live on Whidbey Island. I'm a raptor biologist with a kestrel interest. I've been  
18 involved in raptor conservation my whole life. I have a zoology degree from Central Washington  
19 University. I've been paid to do field work on goshawks and spotted owls in California and other  
20 places over the years.

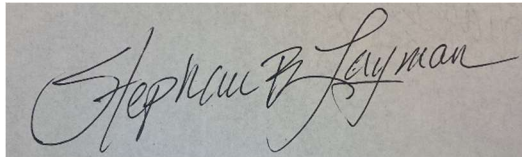
21  
22 3. I viewed a video taken on May 25, 2024, by Michelle Peterson, of a kestrel flying  
23 out of a nest cavity taking off at the Meeker oak tree. It appears to be leucistic, although not  
24 albino. The gene for leucism causes a bird to have dark eyes but to lack normal pigment. It is not  
25 a gene that is selected for. It's a liability because it causes the bird to not blend into its  
surroundings. This video is absolutely fascinating. Leucism is not common but not unusual.

1           4.       I was informed that the kestrel in the video had been filmed coming out of the nest  
2 cavity after being in it for 45 minutes. This indicates to me that it is a female that is sitting on  
3 eggs. She's got her act together. With a liability like that—her light color—it is not easy to make  
4 it into adulthood. She is likely more than one year old. It takes a couple years before they reach  
5 sexual maturity usually, although if a male is feeding her well, it could enable the female to breed  
6 at a younger age.  
7

8           5.       The tree itself is an iconic tree. As a biologist, I see that tree as a potential teaching  
9 tool. The future of all wildlife is in proximity to people. The tree is a reason to celebrate.  
10 Schoolchildren could be brought there and taught about ecology and could take its acorns and  
11 plant them in their yards and in parks.

12           I declare under the penalty of perjury of the laws of the State of Washington that the  
13 foregoing is true and correct to the best of my knowledge.  
14

15           EXECUTED this 27th day of May, 2024, at Tumwater, Washington.  
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18 A rectangular area containing a handwritten signature in cursive script that reads "Stephen B. Layman".

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STEVE LAYMAN