☐ EXPEDITE
■ No Hearing Set
☐ Hearing is set
Date:
Time:
Judge:

Calendar:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF THURSTON

SAVE THE DAVIS-MEEKER GARRY OAK, Plaintiff, vs. DEBBIE SULLIVAN, in her capacity of Mayor of Tumwater Respondent.	Case No. 24-2-01895-34 DECLARATION OF MICHELLE PETERSON

I, MICHELLE PETERSON, make the following declaration:

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

2. I have a degree in environmental science from Western Washington University. I am a member of the group Save the Davis-Meeker Garry Oak. See https://www.davis-meeker-oak.org/.

3. On May 25, 2024, I was at the Davis Meeker Garry Oak next to the Olympia Airport in Tumwater and watched as an American kestrel entered a nest cavity in the tree. I immediately laid down on the ground and began filming, never taking my phone's camera off the tree. Forty-five minutes later, while I was still recording, I saw the kestrel emerge from the hole soon after another kestrel, obviously its mate, began calling to it. The kestrel pair flew around and called to each other multiple times after that.

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4. I later took another video of the kestrel perched across the street on the top of a Douglas fir tree. I gave the footage to Ronda Larson Kramer, who put my videos of the kestrels up on our website here: https://www.davis-meeker-oak.org/media-releases.

5. I first learned to identify birds in Washington state from my father when I was a child. I also use the Merlin Bird ID sound recording app to identify birds by sound. As a result, I am able to identify kestrels from not only their shape, coloring and flight pattern, but also from their calls. The life history of kestrels is such that they do not use nest cavities unless they are nesting.

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

EXECUTED this 27th day of May, 2024, at Tumwater, Washington.

Michel M Peterson

MICHELLE PETERSON

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