

PUBLIC HEALTH & SAFETY COMMITTEE MEETING AGENDA

Online via Zoom and In Person at Tumwater City Hall, Council Conference Room, 555 Israel Rd. SW, Tumwater, WA 98501

> Tuesday, August 09, 2022 8:00 AM

- 1. Call to Order
- 2. Roll Call
- 3. Approval of Minutes: Public Health and Safety Committee, May 10, 2022, June 14, 2022 & July 12, 2022
- 4. Ordinance No. O2022-018, Habitat Conservation Prescribed Burning (Brian Hurley)
- 5. Additional Items
- 6. Adjourn

Meeting Information

All committee members will be attending remotely. The public are welcome to attend in person, by telephone or online via Zoom.

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Public Comment

The public may submit comments by sending an email to council@ci.tumwater.wa.us, no later than 5:00 p.m. the day before the meeting. Comments are submitted directly to the Committee members and will not be read individually into the record of the meeting.

Post Meeting

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CONVENE: 8:00 a.m.

PRESENT: Chair Leatta Dahlhoff and Councilmembers Peter Agabi and Angela

Jefferson.

Staff: Police Chief Jon Weiks, Assistant Fire Chief Shawn Crimmins, and

Police Administrative Services Manager Laura Wohl.

CHANGES TO AGENDA:

There were no changes to the agenda.

APPROVAL OF MINUTES: PUBLIC HEALTH & SAFETY COMMITTEE, APRIL 12, 2022:

MOTION: Councilmember Jefferson moved, seconded by Councilmember Agabi,

to approve the minutes of April 12, 2022 as published. A voice vote

approved the motion unanimously.

VETERAN POST-TRAUMATIC STRESS DISORDER BRIEFING:

Police Chief Weiks introduced Kim Nedrow, President of Balanced Being Inc., and founder of the Association for Integrated Healing, serving military, veterans, first responders, and their families dealing with trauma. Ms. Nedrow's briefing focused on Post Traumatic Stress (PTS) and Post Traumatic Stress Disorder (PTSD) and how affected individuals are supported.

Ms. Nedrow said the organizations are based in Thurston County and serve most of Western Washington. Trauma is an experience everyone deals with differently. PTS is different from PTSD. Most individuals deal with PTS throughout their life in some form or another. PTSD is a designated disorder and depending on the situation there are many ramifications for having to classify that as a disorder that can create varying degrees of impact to people in terms of the disability percentage for some situations or acknowledgement and ownership of the disability by the individual. Everyone deals with the disorder differently and it is possible to experience healing. The work of the organization is not focused on the mental health arena but rather a mind, body, and spirit process as our bodies when experiencing trauma protect themselves with some individuals able to compartmentalize situations. However, at some point, bodies begin to suffer and require a relief valve. Lacking an avenue to release trauma, the symptoms of post traumatic stress and trauma can overwhelm an individual Some symptoms of PTS and PTSD include being easily startled or frightened, always on guard for danger, self-destructive behavior, such as drinking too much or driving too fast, trouble sleeping, trouble

concentrating, irritability, angry outbursts or aggressive behavior, or overwhelming guilt or shame.

While talk therapy can be beneficial for some people, it often does not help individuals who have stored traumas. CranioSacral therapy is a gentle manual therapy that uses light touch to relieve pain, stress, and discomfort by therapists using careful placement of their hands to locate restrictions in the CranioSacral system and assisting the body in releasing those blockages, encouraging the body's natural ability to repair injury and heal physical and emotional trauma.

Ms. Nedrow described her professional and working experience with the University of Washington Brain Injury Alliance, Washington State Brain Injury Council and Lewis Mason Thurston Area Agency on Aging with Alzheimer patients and their families. First responders and veterans can experience a one-incident trauma or cumulative trauma. Families are also impacted. Often family members are invited to experience a treatment dependent upon the situation. She explained that the treatment process does not push individuals to share information about their trauma but rather it is a process over time of learning to trust which often helps individuals share information about their trauma through a therapy process that connects an individual's brain and emotions with their body resulting in an alignment enabling the healing and release of trauma from the body.

Councilmember Jefferson shared that the issue is important personally to her as May is Mental Health Month. It is appropriate for the committee to receive the information as the nation has lived through a traumatic event. She has been diagnosed with PTSD and her intent was removing the stigma to encourage conversations as a community because City employees, police officers, and firefighters are also affected by day-to-day trauma. It helps to have trauma defined so that many in the community understand and becoming more willing to discuss how it affects people.

Ms. Nedrow shared a five-minute video of four veterans participating in treatments and how the treatments have contributed to their physical and emotional healing.

Chair Dahlhoff thanked Ms. Nedrow for attending and sharing the information. Ms. Nedrow invited the committee to participate in a treatment to understand and benefit from the experience. She encouraged members to contact her for an appointment.

Councilmember Jefferson asked about the next steps as she believes the issue is appropriate to pursue more discussions at this time. Chair Dahlhoff offered that the conversations should be in support of the Council's strategic goals and priorities, which include elements that speak to PTSD and trauma. She added that she prefers actionable items rather than ongoing discussions,

such as considering the topic during Tumwater University or the Police Citizens Academy, or during community conversations.

Councilmember Agabi supported moving in the direction of actionable items as well. He acknowledged that although he works in an office environment, he often experiences stress. He asked whether the City's health benefit structure is conducive for employees to receive treatment.

Chair Dahlhoff suggested deferring the question to the City's HR Department to determine if first responders have access to multiple types of therapies.

DISTRICT COURT UPDATE:

Police Chief Weiks introduced Frankie Peters, Thurston County District Court Executive Officer. Mr. Peters provided an overview of court services available to community members, to include Criminal and Infraction, Civil related cases for Civil Protection Orders, Probation Supervision, and Mental Health and Veterans Court. The City moved its district court services to Thurston County District Court in 2013.

Mr. Peters explained that Thurston County District Court is a limited court of jurisdiction and only handles misdemeanors, gross misdemeanors, infractions, civil matters that include DUIs, thefts, trespassing, assault 4's, speeding tickets, civil small claims, and civil protection orders. Known as the People's Court, the Court administers approximately 89% of all court filings within the court system of the entire state. Thurston County District Court handles the majority of all court cases in the county. The court receives approximately 600 misdemeanor filings from the City and approximately 200 infractions each year. The court processes 4,000 misdemeanors and 18,000 infractions each year in the entire county.

Mr. Peters shared information on the office structure supporting the Court based on different misdemeanors and civil matters. The Court is experiencing an increase in civil matters caused in part by the pandemic involving housing landlord/tenant issues, small claims, and petitions for anti-harassment orders.

The Mental Health and Veterans Courts typically serve 10 to 12 participants from the City of Tumwater each year. The program was initially focused on medium risk and medium needs of individuals. Over time, services were expanded to high risk and high needs to meet the change in needs from the community. The program has been offered throughout the pandemic. To continue the services, the Court considered the assessment process for participating in Mental Health and Veterans Courts based on national and state standards. Based on success rates, moving a person to a program within five to six months generally results in the person successfully completing the program and moving forward. However, the timing was not sufficient to address the needs of individuals as most need resources

immediately. The Court re-evaluated the assessment process and considered ways to expedite the process while providing the resources for services. The assessment process involves the participant, attorneys, and prosecutors.

Councilmember Jefferson asked about the difference between a medium risk and high risk veteran. Mr. Peters explained that it generally is defined by the mental health needs of the veteran and the extent of the need. The three-month assessment process was reduced to one week. Following identification of an eligible participant, the individual meets with a licensed program manager to complete the assessment with participants who are either in custody or not in custody. Following initial discussions, the program manager contacts resources to enroll individuals within program(s) within a week. The office provides wraparound services and assigns each individual a care coordinator who works with the individual on the applicable resources of need to ensure the success of the individual.

Chair Dahlhoff asked whether there is any overlap with the Law Enforcement Assisted Diversion Program. Mr. Peters said there is no overlap with the program as those individuals are in a pre-charge status and are working through the diversionary services prior to entering the Court system. The special courts handle individuals who have been charged through either Superior Court or District Court. At some point, he is hopeful there would be a transition in the future to identify participants sooner rather than after being charged.

With the changes in the assessment and wraparound services, the Court is able to focus attention on high risk and high needs and evaluate how the Court can continue to provide the resources. Prior to the pandemic, the programs emphasized quantity over quality. That approach is not effective for the community and the focus is now on quality within the service provided to participants even after they graduate from the program to prevent recidivism. The Court is working with the Washington State Center for Court Research to conduct data analysis of court activities, specifically for probation and the Mental Health Court to track graduations and recidivism rates. Today, the Mental Health and Veterans Courts are twoyear programs. Many participants have indicated that two years is too long for them to dedicate in lieu of a plea deal with probation of only one year. However, those individuals are no longer receiving mental health services. The goal is to bridge the gap by providing the mental health resources to all participants while increasing the attractiveness of the program. The Court is considering a one-year program for lesser offenses to ensure participants The services also serve the Probation Department. receive services. Probation counselors meet regularly with individuals and direct them to resources, such as job search assistance and housing. It has been recognized that there is a disconnect between pre- and post-deposition and the intent is to continue services if some of the individuals did not take

advantage or were not enrolled in Mental Health and Veterans Courts. As a result, a mental health probation position was created within the Courts dedicated to providing resources focused on the needs of the individuals to create success.

Pre-trial services in the county have been expanded with the creation of the Pre-Trial Unit serving District Court. The service provides monitoring and some diversion services and assistance to community members to ensure they are successful.

The District Court received approval for hiring an interpreter coordinator, a certified court interpreter for District Court, Superior Court, and Family Juvenile Court to ensure those services are provided immediately in the most effective manner to all those entering the Court system.

Additionally, the Court over the last several years has attempted to establish a Substance Abuse Monitoring Program of individuals who are assigned orders by the court to provide weekly UAs or wearing a blood-alcohol monitoring device (ankle device). The cost of weekly UAs and daily monitoring and maintenance of the blood-alcohol monitoring device is typically more than participants can afford. Often, because of the cost and the inability of participants paying for the service, the Court assesses whether they pose a risk to the public and whether placement into custody is necessary, which is not the desired route if the Court wants to ensure success by enabling participants to maintain their jobs and housing. The county has approved a funding source for all defendants who cannot afford to pay for those services effective June 1, 2022.

Chair Dahlhoff inquired as to the source of information identifying graduation dates of the Mental Health and Veterans Courts. Mr. Peters advised that the graduation dates are not published on the website but the court dockets on the website include a link to the zoom channel broadcasting graduation ceremonies. He offered to forward graduation dates to the committee.

Chair Dahlhoff commented on the importance of tracking data for the last several years to identify potential trends in Tumwater that might link with calls to the Fire and Police Departments that might influence the Council to consider developing policies or assessing whether the City has created barriers or obstacles to community members. Mr. Peters said his intent is to analyze trends at any moment in time to ascertain recent trends. The Washington State Center for Court Research is developing a process for providing access immediately. The Court currently has immediate access to data on racial disparities and charge disposition and sentencing. The Court is expanding the ability to access data immediately for Mental Health and Veterans Courts. He has had conversations with a new data analyst at the Center for Court Research for expansion of data access to a variety of

different processes spanning public counsel, prosecutors, law enforcement agencies, and other data that resides outside the Courts.

Councilmember Agabi asked whether it is possible to track the number of individuals who were jailed because they were unable to afford the cost of the monitoring program. Mr. Peters said the data is difficult to track as it is essentially a "what if" scenario. However, in 2019, approximately 450 people were assigned a blood alcohol-monitoring device who were indigent and lacked the ability to pay court costs.

Chair Dahlhoff thanked Mr. Peters for the update and invited him to provide periodic updates to the committee.

NARCAN DISTRIBUTION UPDATE:

Assistant Fire Chief Shawn Crimmins reported the Fire Department at this time has been unable to provide Narcan distribution because of the department works under the direction of the Medical Program Director's license. The program is undergoing some changes.

During 2021, Narcan was administered by bystanders 29 times prior to ALS arrival. Law enforcement administered Narcan 13 times prior to EMS arrival. Data on basic life support calls were not included as the search criteria are based off medication administration.

Last year, EMS resuscitations with Narcan totaled 61 incidents. Narcan can be administered safely in those situations where the patient did not overdose on drugs, which speaks to the high number of resuscitations. There were 31 attempted resuscitations with "suspected" or "confirmed" narcotic overdose and 11 Code 9 incidents (suspected or confirmed narcotic overdose). There has been a 40% increase in overdose cardiac arrest between 2020 and 2021, which is significant. First responders are experiencing an increase in fentanyl overdoses in Tumwater.

Assistant Fire Chief Crimmins reviewed current goals for Thurston County Medic One, Fire, and EMS to reduce overdose. The goal is to initiate a Narcan "Leave Behind" program utilizing EMS responders who have contact with patients who have overdosed on narcotics. At this time, the Department is tied to current protocols and what the Medical Program Director allows. The county is exploring the development of a Narcan Kit to include educational resources for opiate users on how to avoid overdose and what to do if someone has overdosed. Other efforts include continuation of crafting and modifying Thurston County Protocols to include a "Narcan Leave Behind" program through the Thurston County Protocol Committee, agency support, and Medical Program Director support. The protocols require adjustment through a process over the course of the next year that requires approval by the Washington State Department of Health followed by training of first responders. It is likely the program will be initiated by paramedic units first followed by BLS

responders and EMTs.

Councilmember Jefferson asked about the availability of Narcan today. Assistant Fire Chief Crimmins advised that Narcan is available through public pharmacies and through the Thurston County Public Health Department.

Chair Dahlhoff added that she participated in the training to administer Narcan. Thurston County is providing training to administer the nasal form of Narcan. It is also possible to obtain a Narcan kit. The county is also providing training to businesses and hotels in Tumwater. She recommended scheduling a Council worksession for the Council to receive Narcan training. Police Chief Weiks confirmed he would follow up with City Administrator Doan to schedule training for the Council.

FIRST AMENDMENT TO NISQUALLY JAIL SERVICE AGREEMENT: Police Chief Weiks reported the 2017-2022 Nisqually Jail Service Agreement expired on January 1, 2022. Because neither entity realized the contract had expired, both parties worked on drafting a First Amendment to Nisqually Jail Service Agreement to provide both entities time to enter into a new contract by the end of 2022. The request is authorization to move the First Amendment to Nisqually Jail Service Agreement forward to the City Council for consideration and approval.

Chair Dahlhoff asked for clarification as to whether the long-term plan is to transition to the Lewis County Jail. Police Chief Weiks responded that prior to the pandemic the Courts discussed whether municipalities can legally house inmates in tribal jails. Because of the pandemic, the issue has lessened. The Nisqually Jail has always been a good partner with the Police Department. However, because of uncertainties in terms of space, it was necessary for the City to seek alternative jails, which prompted conversations to use the Lewis County Jail. The issue could resurface as the Courts begin opening. At this time, the department intends to maintain both contracts. Nisqually Jail provides medical and mental health services to inmates.

MOTION:

Commissioner Jefferson moved, seconded by Councilmember Agabi, to forward the First Amendment to Nisqually Jail Service Agreement to the City Council for consideration and approval. A voice vote approved the motion unanimously.

ADJOURNMENT: With there being no further business, Chair Dahlhoff adjourned the meeting at 9:12 a.m.

Prepared by Valerie L. Gow, Recording Secretary/President Puget Sound Meeting Services, psmsoly@earthlink.net

CONVENE: 8:00 a.m.

PRESENT: Chair Leatta Dahlhoff and Councilmembers Peter Agabi and

Angela Jefferson.

Staff: City Administrator John Doan, Police Chief Jon Weiks, Fire Chief Brian Hurley, Police Commander Jay Mason, Assistant Fire Chief Shawn Crimmins, Police Lieutenant Carlos Quiles Jr., Management Analyst Oliver Bowers, and Police

Administrative Services Manager Laura Wohl.

CHANGES TO AGENDA: There were no changes to the agenda.

APPROVAL OF MINUTES: PUBLIC HEALTH & SAFETY COMMITTEE, APRIL 12, 2022:

MOTION: Councilmember Jefferson moved, seconded by

Councilmember Agabi, to approve the minutes of April 12, 2022 as published. A voice vote approved the motion

unanimously.

BLS TRANSPORT AND FD CARES:

Fire Chief Hurley introduced Olympia Fire Department (OFD) Deputy Chief Todd Carson and Assistant Fire Chief Mike Buchanan to provide information on the status of OFD's proposed Basic Life Support (BLS) Transport and FD CARES programs. Over the last several years, the region has struggled to provide BLS transport because of the lack of available ambulances creating a need to examine how BLS transport is delivered in Thurston County. Additionally, the country is experiencing more requests to provide alternative ways to respond to 911 emergencies in response to frequent callers or incidents involving mental health or behavioral health issues that could be handled more efficiently than by an emergency response with a fire engine.

Deputy Chief Carson described recent efforts to develop the proposal. Through discussions by the Regional Fire Authority (RFA) Planning Committee, Tumwater Fire Department could also become a beneficiary of the new innovative programs moving forward.

Assistant Fire Chief Buchanan described the components of the BLS Transport Program, CARES Program, and the financial analysis prepared by a consultant documenting program costs and the ability to fund the programs utilizing GEMT (Ground

Emergency Medical Transport) and private medical insurance funding.

Assistant Fire Chief Buchanan explained how 911 medical calls are categorized as either (BLS) or advanced life support (ALS) calls. Typically, transports for ALS calls are handled by the Thurston County Medic One system with private ambulances handling BLS calls. The region has experienced a decreased level of response from private ambulance services creating issues in providing a timely response.

Data from April 2021 to April 2022 from Olympia's private ambulance provider, AMR, documents information on the percentage of calls, call delay, or lack of response. Of the average monthly BLS transports per month, nearly one-third were delayed or AMR was unavailable to provide service. The Olympia Fire Department has met with AMR to review concerns. AMR acknowledged the issues and implemented some steps for improving the level of response. However, success has been limited. Over the last year, the company was unable to reverse results resulting in an ongoing problem. The problem is not specific to the City of Olympia and has been encountered by the other cities as well.

In response to questions regarding weather affecting response levels, Assistant Fire Chief Buchanan acknowledged environmental factors can influence response; however the data period reflects no severe weather conditions experienced in the region.

Assistant Fire Chief Buchanan reviewed information on the impacts caused by the delay in response. In 2017, the fire department responded to 90% of all calls in 9.25 minutes or less. Each year, response time has increased to today's response time of 10.37 minutes. The national standard for response is 6 minutes or less.

In 2000, the City of Olympia experienced a volume of 6,400 calls a year. In 2019, prior to the pandemic, the City experienced a call volume of 14,000 calls. In 2021, call volume decreased to 13,000 with 2022 calls continuing to increase based on demand for emergency services through 911.

The proposed response model includes two BLS units based at Station 1 in downtown Olympia and at Station 2 in west Olympia. The units would serve as the primary response for BLS calls providing more capacity in the system, relieving runs from the

engine company to increase capacity for fire calls and second level medical calls, strengthen the overall system, increase capacity, and reduce response times. Additionally, the units would provide mutual aid to all mutual aid partners.

Assistant Fire Chief Buchanan explained that CARES is the acronym for Citizen Advocate for Referral and Education Services. CARES is an alternative to 911 for low-acuity calls and focuses on the vulnerable population who repeatedly use 911 for either social or daily life services. Following identification of a patient with needs for additional support and resources, a referral is prepared and the individual becomes a client for completion of an assessment to determine needs for connecting to existing social services and programs. Currently, the OFD has one .25 FTE CARES specialist working 10 hours a week. Once contact occurs with a client, the impact reduces calls to the 911 system by approximately 76% by that client. The CARES coordinator is able to work with 300 clients each year.

Benefits of the CARES program include reduced 911 calls, reduction in EMS encounters, reduced transports to hospitals, and fewer hospital admissions.

Assistant Fire Chief Buchanan reviewed the financial analysis presented to the Olympia City Council documenting the financial feasibility and the benefits of a two-unit program. The financial analysis identifies revenue sources and anticipated service requirements during the first five years of the program. By 2033, revenue sources would be sufficient to cover the annual program and contribute to the payment of the initial investment of approximately \$4 million to launch the program.

Chair Dahlhoff asked whether the financial information for future service would be included within the RFA Plan. Deputy Fire Chief Carson affirmed the information would be included in the RFA's financial model.

Fire Chief Hurley added that Tumwater has contracted with the same consultant to collect data for the department to determine program costs for Transport and FD CARES programs as a standalone program and as part of the RFA. Tumwater's primary ambulance provider is Olympic Ambulance. The fire department's circumstances are different than Olympia's; however, the intent is to complete a similar analysis to examine potential future service in Tumwater.

Assistant Fire Chief Buchanan reported the Thurston County

Medic One Operations Group conveyed support for moving forward with the proposal recognizing the value of the programs to the overall EMS system.

Fire Chief Hurley noted the proposal is included on the Thurston County EMS Council's agenda as well.

THURSTON COUNTY YOUTH MARIJUANA PREVENTION EDUCATION PROGRAM UPDATE: Janine Koffel, Tumwater HOPES Coalition Coordinator, Thurston County Public Health & Social Services, updated members on the status of efforts on the Secure Your Cannabis promotion launched with Tumwater HOPES, the Thurston County Youth Marijuana Prevention Education Program, and Tumwater cannabis retailers to reduce access to marijuana by children and teens. Following recent conversations with a local cannabis retailer that recently experienced a robbery, it points to the importance of a community with a lower crime rate during a time when the state is experiencing an increase in armed robberies of cannabis retailers and the death of an employee. She cited recent efforts by the City of Seattle and King County to form a team to begin examining measures law enforcement and cannabis retailers could pursue to increase safety for both customers and employees.

Chair Dahlhoff inquired as to the connection between security of cannabis retailers with educational efforts to prevent the use of marijuana by children and teens. Ms. Koffel explained that the security of cannabis retailers is an important part of youth prevention of substance use. When an area experiences a higher rate of criminal activity, there tends to be other kinds of criminal activity, i.e., vandalism, shoplifting, drug use, and drug sales, etc. The goal is to prevent criminal activities as quickly as possible while supporting legal and legitimate businesses that are stakeholders in the community's health and well-being. Cannabis retailers support the promotion of the Secure Your Cannabis campaign to protect youth, as well learning about potential solutions for securing the safety of adults who work at their retail locations and for customers who might be present during a robbery. She expressed interest in learning whether the City's increase in law enforcement presence by patrolling would contribute to some of the solutions.

Police Commander Mason offered to pursue a conversation offline as it speaks to other businesses in the City facing similar risks. Ms. Koffel accepted the offer.

Ms. Koffel reported Tumwater HOPES Coalition is scheduled to review and discuss results of the Healthy Youth Survey. Of

interest to the committee are the results of data from students who have never participated in the survey. Typically, the survey is conducted every even year. Survey results reflect a significant decrease in reported substance use for all grade levels. Unfortunately, in Thurston County, survey results reflect an increase in declining mental health underscoring the importance of creating post-social opportunities for families and youth to reconnect with the community. Efforts moving forward include seeking opportunities in a variety of partnerships to draw the community together and reestablish relational bonds and reinforce expectations on how a vibrant community is an active and engaged community. She invited the committee to consider City events that might not represent an obvious opportunity for participation by the coalition and consider the coalition as a resource for marketing and engaging youth and families.

Chair Dahlhoff asked whether the coalition would be represented at an upcoming Tumwater Principals' Emergency Fund event. Councilmember Swarthout is one of the organizers of the event.

City Administrator Doan shared information on the event hosted by the Tumwater Education Foundation. The event, *Tumwater Supports Students Spring Reception* is scheduled on Wednesday, June 15, 2022 at Heritage Distilling Co. in Tumwater from 5 p.m. to 6:30 p.m. Ms. Koffel advised that she would follow-up with Councilmember Swarthout as they are scheduled to meet for coffee.

Chair Dahlhoff asked about the status of recruitment efforts to expand representation within the coalition. Ms. Koffel explained that a membership event was sponsored in May attracting three teen members who are actively engaged and who attended the Youth Retreat on June 1, 2022. Fourteen youths participated in the retreat at Camp Solomon Schechter in Tumwater. Expanding adult membership has been more difficult. The coalition is currently in the process of reorganizing and reworking its strategic action plan with a review of all data resources available for 2021 and 2022 to help identify needs and opportunities. The coalition currently lacks representation by businesses, faith organizations, media, parents, and youth.

The committee encouraged Ms. Koffel to contact other community organizations following the completion of the coalition's strategic planning process. Ms. Koffel thanked members for their feedback and shared that the current reorganizing efforts provide an opportunity for the community to reshape the organization to meet future needs as the existing

action plan was developed for a community that does not currently exist because it was based on a pre-pandemic environment.

2021 POLICE USE OF FORCE:

Councilmember Agabi requested scheduling a briefing on the Police Department's response and planning efforts to prevent school shootings.

Police Chief Weiks reported the briefing is a follow-up on a request to review the department's annual use of force incidents.

Police Commander Mason reported in 2016, the Tumwater Police Department embarked on efforts to examine and understand data surrounding use of force incidents. Each instance of use of force is documented and reviewed by the Police Commander. Use of force is considered for Level 1 incidents (hands on – moving or guiding) to deadly force. The department also captures information on any deployment of firearms. Level 1 incidents and firearms deployed at low ready are administratively reviewed by him with appropriate action as necessary. Level 2 incidents involving strikes, hits, kicks, and less lethal tools are referred to the Use of Force Board. He chairs the Board comprised of other members. The Board reviews incidents and policy procedures and renders a determination that is forwarded to the Police Chief. Each incident is individually reviewed.

In 2016, the department contracted with Police Strategies. The department currently has eight years of data. This year, the department hired Dr. Oliver Bowers, the department's Management Analyst. Dr. Bowers graduated last year from Washington State University with a PhD in criminal justice and criminology.

Dr. Bowers reported he is an empirical researcher specializing in data collection with a focus on mixed methodological research and advanced methodologies. He serves as the Management Analyst for the Police Department and has been researching existing data to identify emerging trends and patterns. His specialty is the intersection of police and technology, as well as criminology theory. The current data system documenting use of force incidents balances the force used with existing legal standards of objective reasonableness to enable analysis. The data realistically documents whether force was necessary or excessive based on reasonable standards. There are many complexities and intricacies in the massive data system enabling analysis of eight years of data to document short- and long-term trends and changes. The system enables exploration, such as the

nature of events, suspects, locations, types of force used, level of resistance, and other elements of an incident documented within police reports. Data are drawn from use of force police reports and incident reports containing officer narratives, which is considered qualitative data. Data are quantified through the system through the application of up to 150 data points identifying individual factors to enable the quantification of data to review objectively. The extraction of information is an enormous process but enables the creation of interactive dashboards with information on all details associated with an incident to enable further analysis of the data to identify trends and consider necessary training and to explore commonalities, etc.

Police Commander Mason displayed the dashboard with individual datasets. He invited members to visit him individually to review specific details of information contained within the dashboard. He described the major components of data comprising the dashboard. Over the years, the number of use of force incidents were consistent with 2021 incidents dropping significantly reflecting only 13 incidents involving use of force.

Police Commander Mason shared and described several 2021 use of force incidents. In early 2021, the Blake decision decriminalized the possession of narcotics, which affected the department. The July 2021 police legislation on procedures and police actions affected responses by officers.

Chair Dahlhoff asked whether the system could enable querying data to determine whether the CARES Program would have resulted in fewer use of force incidents as those incidents would have been referred to a case specialist rather than to the police. Police Commander Mason replied that it likely would be possible but that it would be much more complex. He cited an example of a use of force incident involving the involuntary committal of an individual experiencing a mental health crisis who was at risk. The officers spent considerable time with the individual and notified medics and medical personnel to assist. As a group, police and medical personnel determined the best option was ensuring the individual was transported to the hospital for an involuntary committal. The officers used low-level force to place the individual on the gurney while medical personnel secured the individual. Eliminating the presence of police from that scenario would have entailed a subjective decision. It may have been possible to convince the individual of the need to seek medical assistance at some point, but in that instance, the officers spent considerable time trying to convince the individual to seek help.

In those situations, it was necessary for police to be on scene to assist in making the transport. Mental health is also a significant component in many contacts with people and in use of force incidents. Any improvements in the mental health system and response would also reduce the number of use of force incidents.

Chair Dahlhoff asked whether the use of force reports enable documentation, such as substance use disorder or mental health issues to correlate the need with police response in order to provide services. Police Commander Mason said it is possible to track information if incidents are specifically related to mental health or if a substance abuse incident is occurring at that moment. Additionally, there could be historical information pertaining to the individual. Police officers include that type of information based on knowledge during the event.

Councilmember Jefferson inquired as to whether police engagement with the community has changed since passage of police reform legislation. Police Commander Mason described the situation as a "yes" and "no" response as officers continue to work within the community with recognition of the pandemic and recent changes in laws. In many jurisdictions, law enforcement refuse to make contact with individuals with outstanding arrest warrants. Unless it is possible to make a physical arrest, many officers elect not to make contact with those individuals. In those situations, there may be less contact with the public.

Police Commander Mason explained how the system quantifies use of force by converting incidents to numbers to enable graphing of data to highlight trends and other pertinent data. He noted that not all law enforcement agencies have historically reported the use of force at the same level. The state recognized those challenges and passed legislation in 2021 mandating all departments to implement use of force reporting levels. The Attorney General's Office is developing a dashboard of information for communities.

Police Commander Mason reviewed 2021 use of force incidents reflecting no lethal tools deployed or lethal force incidents last year.

Dr. Bowers responded to a question about trends occurring in 2021 explaining that approximately 15% of the subjects were from Tumwater with the other 85% of subjects not from Tumwater. Many of the contacts included a significant component of mental illness. Councilmember Jefferson requested inclusion of that type of information within the police

report to the community and for the committee.

Police Chief Weiks acknowledged that the department has recognized that the amount of data can be overwhelming. The department is working on improving clarity of data.

Police Commander Mason described the details of four low level use of force incidents.

Chair Dahlhoff encouraged members to forward any comments or questions directly to staff.

FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT RECORDS MANAGEMENT SYSTEM (LERMS):

Police Chief Weiks reported the proposal is the first amendment to the Intergovernmental Agreement for Law Enforcement Records Management System (LERMS) to enable the inclusion of the Thurston County Sheriff's Office within LERMS. In 2009, all cities in Thurston County created a consortium to maintain one records management system in the law enforcement community in Thurston County. At that time, the Sheriff's Office was unable to secure funding to participate. The records management system is due for replacement and the Sheriff's Office has secured funding to participate. The proposal amendment is to the current LERMS consortium contract to add Thurston County Sheriff's Office for the new system. By adding Thurston County, all cities benefit as it reduces the cost by nearly 50% reducing the City's cost share from 17.21% to approximately 8.7%. He asked the committee to authorize staff to move the First Amendment to the LERMS Agreement to the City Council for approval.

MOTION:

Councilmember Agabi moved, seconded by Councilmember Jefferson, to move the First Amendment to the LERMS Agreement to the City Council for approval. A voice vote approved the motion unanimously.

NEXT MEETING:

The next meeting is scheduled on July 12, 2022 at 8 a.m. Members discussed the request to schedule a briefing on the Police Department's preparedness and planning in the event of a school shooting. Members asked to include the briefing on the July meeting agenda.

ADJOURNMENT:

With there being no further business, Chair Dahlhoff adjourned the meeting at 9:29 a.m.

Prepared by Valerie L. Gow, Recording Secretary/President Puget Sound Meeting Services, psmsoly@earthlink.net

CONVENE: 8:00 a.m.

PRESENT: Chair Leatta Dahlhoff and Councilmember Angela Jefferson.

Excused: Councilmember Peter Agabi.

Staff: City Administrator John Doan, Police Chief Jon Weiks, Police Commander Jay Mason, Police Lieutenant Ken Driver, and Police Administrative Services Manager Laura Wohl.

ORDINANCE NO.
O2022-016,
REPEALING TMC
2.40 - POLICE
RESERVES:

Police Chief Weiks reported the proposed ordinance would repeal TMC 2.40 – Police Reserves enacted in 1970 and last updated in 1996. The provisions enable the Police Department to have up to 20 volunteer police reserve officers. The department has not had an active reserve program in over 15 years. With the changing landscape in law enforcement, statewide reserve programs in the last 10 years have ended because of training requirements and risk management. To ensure the TMC is updated and current, the proposal is for authorization to move the proposed ordinance forward to the City Council for consideration to approve the repeal of TMC 2.40 in its entity.

MOTION:

Councilmember Jefferson moved, seconded by Chair Dahlhoff, to recommend the Council approved Ordinance No. O2022-016, Repealing TMC 2.40 – Police Reserves. A voice vote approved the motion.

ACTIVE VIOLENCE RESPONSE:

Police Commander Mason and Lieutenant Driver briefed the committee on the City's response to active violence events.

Police Commander Mason advised that active violence also includes active shooting events, which are some of the most violent incidents the country has experienced. All active violence incidents have evolved over the last 20 years. The Tumwater Police Department expends considerable resources in planning and training in response to active violence incidents. However, there is no perfect response to the issues of violence as they are all complex and challenging. The City of Tumwater has responded to several active violence events in the City.

Incidents involving children at schools and at other places requires no margin of error as there are other types of incidents that occur with police response the community will afford some leeway; however, incidents involving children are not afforded any leeway or margin of error. Consequently, police officers take the duty very seriously and train extensively.

Police Lieutenant Driver reviewed the department's active shooter response, policies, training, and steps the department pursues to ensure police officers

are ready and prepared to respond to any critical incidents.

Current department policies call for planning for rapid response to crisis situations. Officers coordinate crisis response with the Fire Department and other local agencies that might be targets of critical incidents, such as active violence. The first response to a person involved in active violence where serious bodily harm is occurring and immediate response to the threat. Officers are trained in two basic principles consistent with national standards. The first is stopping the violence and the second is rendering aid to victims in need. Training by the department includes 10 hours each year for active shooter. Training is conducted to national standards and best practices for active shooter responses primarily through the National Tactical Officer Association (NTOA) and ALERT (Advanced Law Enforcement Rapid Response) training. The ALERT program completed studies and post action reports on recent active shooter incidents. Department officers train to those best standards. Part of the training each year involves training at different schools to afford an opportunity to learn about different school layouts. Participants walk through the schools and identify different Knox box locations (secure and mounted devices containing keys, access cards, and full size binders of information for use by a fire department during afterhours emergency calls) entry points, and Each school has a number of Knox boxes in lockdown procedures. different locations.

School Resource Officers (SROs) receive training on lockdown procedures at all schools and review with schools the department's response for a critical incident.

A component of the training is in collaboration with the Tumwater Fire Department of fire personnel participating in some parts of the training as fire personnel enter schools and provide aid when needed.

Police officers receive training in first aid and basic trauma care. Basic trauma care includes the application of tourniquets, chest seals, and wound packing until fire department personnel can respond. Personnel receive training in rifle and pistol applications under high stress scenarios using the firearms.

External training examples include investment in supervisors and police officers attending NTOA Active Shooter Instructor training, NTOA Incident Command Training, and Advance Shooter Incident Management Course. One officer has attended the Combat First Aid Instructor course with focus on trauma care, and four members of the SWAT are scheduled to participate in advanced training in Active Shooter Response.

In terms of equipment provided to officers, each officer is issued a rifle, has access to multiple breaching tools and shields, and the department has

invested in providing supervisors with all routine equipment and shields that are stored in the department's equipment room. Each officer is issued a mask casualty bag with medical equipment to treat multiple people during mass casualty incidents.

Preventive measures include SROs providing instruction to schools on the department's response. SROs train officers on the school's response and lockdown procedures. Instructors provide training to other agencies desiring training in active shooter response.

Councilmember Jefferson asked whether the department has completed any after action review of the Uvalde, Texas school shooting to ensure a similar situation does not occur at local schools through the absence of communication and leadership.

Police Commander Mason said the Uvalde after action reports have only begun to be released. One of the challenges of that incident is the information released by the media or information shared by others that is either inaccurate or partially true. It is important for the department to wait for a valid after action report and conduct an evaluation at that time. The department has received one valid after action report to date. The report highlighted the timeline of the event as much of the response is currently under evaluation. The department shares all after action reports of critical incidents and reviews and discusses within the leadership and across the department on key lessons learned with officers and partners as all incidents never involve a single response of law enforcement but a massive response of law enforcement, emergency medical, and other response agencies regardless of the setting. All supervisors are equipped with breaching tools within their patrol vehicles. The equipment is an expensive investment but the department believed it was critical for active violence response and other emergencies.

Chair Dahlhoff suggested the annual report to the community include a section on active violence response planning and training by the Tumwater Police Department. She and several other Councilmembers have been receiving questions from community members.

Police Chief Weiks agreed that sharing the information is a sensible step; however, he cautioned as to how the information could be framed as each situation is different. He asked about the specific report that is released to the community. Chair Dahlhoff advised that the report is released in June documenting all data and all efforts in progress. The report could include information on training by the department and efforts by the department to address active violence incidents and partnerships the department has formed in response to those types of incidents.

Chair Dahlhoff asked whether the department tracks training to local

businesses and state agencies and whether there could be an opportunity to showcase and highlight those efforts. Police Chief Weiks advised that the department has not tracked training to other entities and he would avoid highlighting those entities that have received or not received training.

Police Commander Mason noted that the department has provided training to all entities that have requested training. Extensive training has been provided to the schools, many local state agencies, and some retail organizations.

Councilmember Jefferson inquired as to how establishments are aware of the training opportunities by the Tumwater Police Department. Police Chief Weiks said information is shared with local entities through officer efforts to build relationships with local establishments. One of the main priorities for officers is engaging with the business community and conducting business checks. Most major retailers and state agencies contact the department directly.

Police Commander Mason shared that prior to COVID, the department engaged in outreach to small businesses through a local business owner who assisted the department develop and distribute a flyer to local businesses. No businesses took advantage of the offer for training.

City Administrator Doan added that the City conducts an annual meeting with major retailers in the City with police, transportation staff, and City administration. The meeting serves as an opportunity to discuss issues or concerns.

Chair Dahlhoff asked whether the police academy training includes any component of training on active violence response. Police Chief Weiks said he does not believe the academy offers specific active violence response training. Officers receive basic response training at the academy with other specific training provided by the department through the Field Training Program. Active violence response is also offered during the Citizen Police Academy dependent upon the level of interest.

REGIONAL FIRE AUTHORITY REMNANT FUNDING: City Administrator Doan reported the Regional Fire Authority Planning Committee is developing a proposal for the formation of a Regional Fire Authority (RFA) to provide fire and emergency medical services in Tumwater and Olympia. The current proposal funds the RFA with three primary revenue sources: a \$1.00/\$1,000 property tax, a Fire Benefit Charge, and the Medic One services contract. The assumption is that the City would lower its property tax by the corresponding \$1.00/\$1,000. With this change, the City's property tax rate for General Government would be approximately \$1.26/\$1,000 in 2022. The City currently spends approximately \$1.13 in general property tax revenue on the Fire Department excluding revenue from Medic One. Formation of the RFA would result in

an approximate \$0.13/\$1,000 "savings" to the City from the transfer of fire and emergency medical responsibilities to the RFA. The decision on how to invest these remnant funds is a decision of the City Council rather than the RFA. Options for consideration include:

- 1. Reduce the property tax by the 13 cents.
- 2. Bank some or all of the property tax.
- 3. Immediately utilize the 13 cents for any General Fund purpose.
- 4. Immediately utilize the 13 cents but limit the uses to public safety purposes.

Staff recommends Option 4 because it provides for remnant fire costs the City is obligated to pay (LEOFF, Emergency Management, and the Fire Engine) and it would invest additional funding in improvements to public safety through the Police Department.

The estimated revenue from \$.13 is approximately \$660,000 per year based on today's property valuation. Some of the remnant fire obligations (over 12 years) include \$3,185,000 for LEOFF retiree obligations, Police Radio Replacement of \$1,526,000, Fire Engine #2 Payments of \$408,000, and Emergency Management Staffing w/Olympia of \$412,000 (regardless of RFA outcome).

Remaining capacity from the \$.13 could fund the following items:

- Sustainable Police Vehicle Upgrades \$785,000
- Emergency Management Supplies/Training \$177,000
- Police Officer and Equipment \$3,365,000
- Additional Police Personnel (after 2031) \$1,313,000

Councilmember Jefferson and Chair Dahlhoff supported Option 4.

ADJOURNMENT: With there being no further business, Chair Dahlhoff adjourned the meeting at 8:37 a.m.

Prepared by Valerie L. Gow, Recording Secretary/President Puget Sound Meeting Services, psmsoly@earthlink.net

TO: Public Health & Safety Committee

FROM: Brian Hurley, Fire Chief

DATE: August 9, 2022

SUBJECT: Ordinance No. O2022-018, Habitat Conservation – Prescribed Burning

1) Recommended Action:

Recommend to the City Council adoption of Ordinance No. O2022-018 at the September 6, 2022 Council meeting.

2) <u>Background</u>:

The City was contacted by representatives of two property owners requesting permission to conduct prescribed burning on lands designated for habitat conservation. To meet the standards outlined in their Habitat Conservation Plans, one of the main things missing is the ability to do prescribed burning which would eliminate non-native plants and allow native seed to be planted in its place. The City is also in the process of working with the Port of Olympia to develop a Habitat Conservation Plan which may require prescribed burning as part of the plan. Ordinance No. O2022-018 is proposed to amend Chapter 8.16 of the Tumwater Municipal Code to establish a permit process for approving prescribed habitat burning.

3) Policy Support:

Strategic Priorities and Goals 2023 – 2024

- B. Be a Leader in Environmental Sustainability
- 9. Complete and Implement Habitat Conservation Plan

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□ N/A

5) Fiscal Notes:

None

6) <u>Attachments</u>:

- A. Draft Ordinance No. O2022-018
- B. Request letter, including maps of proposed burn areas

ORDINANCE NO. 02022-018

- **AN ORDINANCE** of the City Council of the City of Tumwater, Washington, related to amendments to Chapter 8.16, Fire Safety, of the Tumwater Municipal Code associated with burn restrictions as more particularly described herein.
- **WHEREAS**, the City is in the process of preparing a Habitat Conservation Plan in partnership with the Port of Olympia, which will include the conservation of native prairies; and
- **WHEREAS**, other property owners in the City have state or federally approved habitat conservation plans that include the conservation of native prairies; and
- WHEREAS, to mitigate actions taken under habitat conservation plans, the conservation of native prairies require controlled burns to maintain their conservation value; and
- WHEREAS, amendments to Chapter 8.16, Fire Safety, of the Tumwater Municipal Code are proposed to allow for controlled burns to maintain native prairie conservation lands; and
- WHEREAS, both City and the Washington State Department of Natural Resources (WDNR) burn permits would be required, so coordination is required between WDNR and the City Fire Department; and
- WHEREAS, the Attorney General Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property (September 2018) was reviewed and utilized by the City in objectively evaluating the proposed amendments; and
- WHEREAS, the Public Health and Safety Committee held a briefing on the proposed code amendments on August 9, 2022; and
- **WHEREAS**, the City Council discussed the proposed code amendments in a worksession on ______, 2022; and
- WHEREAS, the City Council considered the proposed code amendments , 2022; and
- **WHEREAS**, the City Council finds that the provisions of this Ordinance are in the best interest of and protect the health, safety, and welfare of the residents of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 8.16.010 of the Tumwater Municipal Code is hereby amended to read as follows:

8.16.010 Burning restricted.

Except as otherwise allowed by permit issued by the City pursuant to TMC 8.16.035, <u>t</u>The burning or disposal of refuse, sawdust, oil, fuel oil, or other material, in such a manner as to cause or permit ashes, sawdust, soot, cinders or other material to be cast upon the streets and/or alleys of the city, or to cause or permit the smoke, ashes, soot, gases or other materials arising from such burning to become annoying to any considerable number of persons or to damage the property of any considerable number of persons, or to injure or endanger the health, comfort or repose of such persons or to damage or injure the property of any person or persons, firm, company or corporation is declared to be a nuisance.

(Ord. O2011-007, Amended, 07/19/2011; Ord. 376, Added, 11/10/1958)

Section 2. A new Section 8.16.035, Permit process and authority, of the Tumwater Municipal Code is hereby created and is to read as follows:

8.16.035 Permit process and authority.

The fire chief, or their designee, shall have the authority to issue a controlled burn permit consistent with State law.

- A. An applicant shall apply for a permit through the fire department and shall concurrently apply for state burn permit through the Washington department of natural resources.
- B. An applicant shall be required to submit a communications plan regarding the proposed burn to notify area residents as part of the city controlled burn permit application. The fire chief or designee will work with the applicant to determine the required scope for the communications plan, but the implementation of the communications plan shall be the responsibility of the applicant.
- C. A city controlled burn permit may not be issued until the applicant has an approved state burn permit and communications plan. The fire chief shall retain the right to cancel, modify, or postpone the burn if conditions are deemed too hazardous to burn on a given day.
- <u>Section 3.</u> <u>Corrections.</u> The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.
- **Section 4. Ratification**. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

<u>Section 5.</u> <u>Severability</u>. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 6. Effective Date. This ordinance shall become effective thirty (30) days after passage, approval, and publication as provided by law.

ADOPTED this	day of	, 20
		CITY OF TUMWATER
ATTEST:		Debbie Sullivan, Mayor
Melody Valiant, City Cle		
Karen Kirkpatrick, City	Attorney	
Published:		
Effective Date:		<u></u>



ECOSTUDIES INSTITUTE

A nonprofit scientific organization P.O. Box 1614, Olympia, WA 98507 ph: 305-213-8829; em: ecostudies@ecoinst.org

Mayor Pete Kmet — <u>pkmet@ci.tumwater.wa.us</u>
City Administrator John Doan — <u>idoan@ci.tumwater.wa.us</u>
Fire Chief Brian Hurley — <u>bhurley@ci.tumwater.wa.us</u>

We are writing to request permission to conduct prescribed burning within Tumwater city limits to improve habitat quality for threatened and endangered species. Both Kaufman Entities and Puget Western have entered into Habitat Conservation Plan (HCP) agreements with the United States Fish and Wildlife Service to mitigate development. To meet the habitat quality standards outlined in the agreements, prescribed burning is desirable. Prescribed burning accomplishes multiple goals in restoration and is the historic disturbance regime that originally maintained our South Sound prairies. Prescribed burning kills the noxious weed Scotch broom, removes accumulated vegetation and provides conditions conducive for native seeding and prairie restoration, while improving conditions for and vigor of native fire-adapted species. Burning also reduces the need for other methods of invasive plant control such as herbicide use, which can be more costly over the long-term and threaten public safety and environmental health. Prescribed burning also reduces the threat of wildfire in these urban open spaces.

All burning is conducted under risk-mitigated conditions, with trained and experienced firefighters. Our prescribed burn program has completed more than 1000 burns in the South Sound and on Joint Base Lewis McChord over the past 15 years without incident. All burns would be reviewed and permitted by the appropriate jurisdictions. Burn operations are generally completed in an hour with minimal lingering smoke. Given the nature of prescribed burning, smoke is managed to cause the least nuisance, generally floating away from population centers with favorable winds. All boundaries are prepped with burn breaks to prevent escape. Burning is also conducted under mild conditions, temperature and winds, to minimize risk. Neighbors are notified early in the summer of the potential for a prescribed burn and anyone requesting notification is given day before notification by email. Additional notifications for the requested burns are expected.

The City of Tumwater and Thurston County are both currently engaged in HCP preparation. Developing a procedure to grant permission for ecological prescribed burning is also very likely to be necessary for achieving city and county HCP conservation goals.

Thank you for your time and consideration on this important issue. Please let us know if we can provide further information or engage in further discussion to help inform your decision on this matter. We are looking forward to hearing back from you soon!

Mason McKinley

Ecostudies Institute Fire Program Manager

Joel Molander

Puget Western Inc.

Sanders Freed

CNLM Restoration Manager

John Kaufman

Kaufman Inc

committed to ecological research and conservation



Deschutes Corridor Property (east) - 8410 Old Highway 99 SE- 98501 Tumwater West Property (west) - 3111 SW 93rd- 98502