

**Public Comments Supporting the City's Request**

I fully support this proposed measure.

I am an employee at the farmers market and I have been cleaning up messes left behind by careless vagrants for years. I clean up at least 5 to 10 of these 24 oz. High gravity beverages a week. I also clean up the associated messes caused by drunken behavior, including numerous urine stains and puddles.

Although I am not speaking on behalf of the entire market, I am speaking on behalf of myself, who is the guy that cleans up all the messes.

Thank you for your consideration.

Sincerely,  
Bryce Dazell

I have owned a small business in downtown Olympia for over four years. Frankly, it's a disgusting place to do business. The people hanging out on the streets, drinking, drugging, and asking for money often far outnumber the customers. And it is because THAT element has scared the customers away. It's simply not fair to business owners to let this continue. Our livelihoods, our careers, and our life savings are on the line. There is no good reason to continue to allow the sale of these high-octane beverages. Beyond the scourge on commerce, consider the scourge on public health and to our community at large. It's in your hands to make a change that will have a significant positive impact on a business district that is hurting and will die/disappear without an intervention. Please do the right thing.

Sincerely,

Jo Gallaugher  
Matter! Gallery  
[www.mattergallery.com](http://www.mattergallery.com)

422 Washington St SE  
Olympia WA 98501  
360-943-1760

I'm writing you requesting that you enforce the alcohol impact area in downtown Olympia. We are one of the businesses that have left downtown because of that very reason. We were next door to the Capitol Lake Grocery on Capitol Way and saw firsthand how bad it has been downtown. We recently located to Rainier, Wa to get away from this element as it was chasing customers away. You have to help Olympia before there is no business left.

Regards,  
Laura Cattuti, owner  
Ginger Street  
101 W Binghampton St se  
Rainier, WA 98576  
360-446-3100

Thank you for the opportunity to comment on the proposed Alcohol Impact Area for downtown Olympia. As a 12-year business owner in downtown Olympia, I continue to see the damage caused by cheap, easily accessible alcohol. Chronic inebriates make our downtown less hospitable to families, increase the perception of crime, increase the frequency of public intoxication and increase litter. I am strongly in favor of imposing an AIA in downtown Olympia.

Thank you for your consideration,

Ken Adney  
Furniture Works  
member, Parking and Business Improvement Area board

Hi,

I am a downtown business owner and long-time downtown resident. I think our downtown is suffering from a lot of problems around chronic drug and alcohol addiction.

As the City of Olympia has proven with the extensive data collected and shared with the WSLCB, the primary drug of choice used by people who are publicly intoxicated are single-serve beverages with high alcohol content. These are the beverages of choice for people who want to get really drunk, really fast, and really cheap. These products create an unsafe atmosphere for both the inebriate and the downtown user. I have witnessed the slow decline in acceptable social behavior on our streets as a result of public intoxication: spitting, littering, harassment, vomiting, urination, and violence. I have heard countless stories by women who were physically accosted and/or sexually harassed by intoxicated men. I am interested in the safety of all our citizens and I find these beverages and the consequences of their use unconscionable.

The effect of public intoxication on the downtown economy is self-evident. People report feeling unsafe and have stopped coming downtown. We need to use every tool at our disposal to create a safer, more welcoming downtown and the AIA is clearly one.

I urge you to do the right thing on behalf of our struggling downtown economy and implement this ban full stop.

Sarah Adams  
Psychic Sister  
Olympia, WA

As a parent, a small merchant and longtime lover of our vibrant downtown, I am deeply saddened to see the effects that easy acquisition of cheap malt liquor/tall boys/beer etc. is having in the downtown core area.

I hope you will consider the banning and sale of such items in keeping with other Washington cities that embraced the same idea. It seems to work, and I for one would really like my downtown back. This is a great first step.

Matter Gallery carries my work and I have two 'shops' at the Finders Keepers antique mall in downtown, right on the edge of the worst affected area so I am not just a bystander. My work life is vested and making a safe downtown for visitors.

Thank you so much,  
Roxanna Groves Davis

Please support downtown Olympia's application for an AIA designation. We have owned a business in downtown Olympia for 19 years. We invested in the purchase of our building about 7 years ago. We love downtown Olympia and would like to see the Washington State Liquor Control Board support our community in this choice. The perception and potential reality that downtown Olympia is unsightly, dangerous and unpleasant due to the high number of overly intoxicated individuals directly impacts our bottom line. People choose to avoid downtown Olympia and have told me they don't bring their families downtown 'because of all the drunk people.' It seems many other Washington State municipalities have taken these steps and seen measured success. I grew up in the alcohol industry, this is not a responsible practice to have this crap readily available and cheap. Step up and show some responsibility, WSLCB!

Connie Phegley

To: Washington State Liquor Control Board  
From: David Rauh, General Mgr./Co-Owner of KXXO-fm (a business in downtown Olympia)  
Re: establishment of an Alcohol Impact Area (AIA) in downtown Olympia

Please make Olympia the next city in Washington to establish an Alcohol Impact Area.

I am writing in support of the proposed Alcohol Impact Area ("AIA") for downtown Olympia. The availability and ubiquity of low-cost, high-alcohol content beverages in our downtown and the chronic public inebriation exhibited by some of its consumers is having a significant negative impact on our downtown and its shoppers, workers visitors and retailers.

The city of Olympia has thoroughly documented the need for establishment of the AIA. There is strong public support for it. The potential for public benefit from an AIA far outweighs any impact the AIA may have on the small number of individual businesses that might be affected.

AIAs have been implemented in several other cities in Washington with significant positive results. Olympia needs an opportunity to implement this type of program in its downtown so that it can work here.

I strongly encourage the Liquor Control Board to establish an AIA in Olympia's downtown.

-->David Rauh  
President / Gen. Mgr.  
KXXO-fm Mixx 96.1  
office: 360-943-9937  
mobile: 360-561-5182

Dear Sir or Madam,

I'm writing to ask you to please ban the sale of these beverages downtown Olympia. The only reason for these beverages to exist is to help people get really drunk really quickly. Drunken people hanging out on the streets create a downtown that feels uncomfortable and even threatening. It discourages people from coming downtown. I've seen this with my 13 year old daughter and her friends, who don't want to go to downtown restaurants in the evening because of fear of people we encounter who yell and threaten. This ban is a step in the right direction.

I support downtown. I shop downtown, go to theater and films downtown, patronize restaurants downtown and work out downtown. A vital downtown is important to Olympia's economy and to its future. I'm asking you to support downtown as well by banning these beverages.

Thank you for your time.

Warmly,

Molly

Molly Gilmore

writer • Soul Motion™ teacher

[intthedance@gmail.com](mailto:intthedance@gmail.com)

360.789.2583

#### **Alcohol Impact Area Comment**

Batdorf & Bronson Coffee Roasters

200 Market St. NE

Olympia, WA 98501

In light of the upcoming meeting regarding the AIA, we here at Batdorf & Bronson Coffee Roasters wanted to make a comment on how this issue directly affects our downtown businesses.

Our downtown businesses are directly affected by the people who purchase alcohol at the Capitol Grocery solely for the purposes of getting inebriated. Very often these individuals subsequently cause disturbances and make our customers uncomfortable by their actions and/or behavior. This has the potential to affect our future business by making downtown Olympia an undesirable place to be, thus costing us both regular and future customers.

Unfortunately, our employees are also directly affected by this issue due to the fact that they often end up having to clean up discarded cans and bottles that are left around our building and in the hallway leading to our trash cans.

We at Batdorf & Bronson Coffee Roasters are supportive of a healthy and constructive Downtown District. To that end, we highly encourage the continued ban on fortified alcoholic beverages.

Respectfully,

David J. Wasson

VP/COO TANYA SIGLER,

Executive Assistant to VP/COO email: [tanya.sigler@batdorf.com](mailto:tanya.sigler@batdorf.com) | phone: (360) 753-3391 x109

To Wa State Liquor Board Members

I strongly urge your board to support the city of Olympia and its citizens by authorizing an Alcohol Impact Area in downtown Olympia.

I have owned and managed the Popinjay Inc on Capitol Way since 1987 and have been in the present location since 1990.

In the past few years the behavior of chronically inebriated people gathering in the alleys and streets by my building has adversely affected my business. I have dealt with urine and feces at my back door on a very regular basis. The alley constantly reeks of urine. Our customers and staff have to deal with drunk people at all times of the day.

I believe that the high volume alcohol contributes to this unhealthy behavior.

We pick up discarded beer cans regularly and they are 99% high alcohol 24oz type.

Please , for the health and safety of all, allow the passage of the AIA.

Thank you

Janis Dean

The Popinjay Inc

414 S Capitol Way

Olympia WA 98501

**From:** Janis Dean <[popinjay.inc@comcast.net](mailto:popinjay.inc@comcast.net)>

**Date:** December 3, 2013 at 9:41:14 PM PST

**To:** "[aia@liq.wa.gov](mailto:aia@liq.wa.gov)" <[aia@liq.wa.gov](mailto:aia@liq.wa.gov)>

**Subject: Alcohol Impact Area Olympia Wa**

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We pick up discarded beer cans regularly and they are 99% high alcohol 24oz type.

Please , for the health and safety of all, allow the passage of the AIA.

Thank you

Janis Dean

The Popinjay Inc

414 S Capitol Way

Olympia WA 98501

I say "NO" to high octane malt liquors and such!!!!!!

*Lori Woodland*

Co-Owner

Abbey Capitol Floors & Interiors

1217 Cooper Pt Rd SW

Olympia Wa. 98502

360-357-5559

360-357-6067 Fax

[Lori@abbeycapitolfloors.com](mailto:Lori@abbeycapitolfloors.com)

Please follow the wise path of other cities taking care of their downtown businesses and patrons.

Thank you.

Gail Ramsey, Lacey, Wa

Hey there,

I was raised in the Olympia area, went to Timberline High School, Worked at Olympic Outfitters for a couple years. I love Olympia!

There is quite a growing population of transient who struggle with substance abuse in the downtown area. I hate to say it but I always feel the need to carry a concealed firearm (I have a Concealed Pistol License) whenever I go downtown due to intoxicated persons.

I would like to see a ban placed on the sale of high octane, low cost, single serve beverages in the City of Olympia. It won't fix everything but I do believe it will help us with one of the issues in the downtown area that desperately needs immediate attention.

Thanks for reading what I have to say!

Ryan Heiser



## City of Olympia | Capital of Washington State

P.O. Box 1967, Olympia, WA 98507-1967

November 26, 2013

Dear Washington State Liquor Control Board:

As the elected body for the City of Olympia, it is our responsibility to address the needs of our constituents and make decisions for the betterment of our community. For several years, the citizens of Olympia have expressed an interest in the City allocating more resources toward a variety of issues affecting downtown Olympia. Creating a safe and welcome environment for all downtown users is a Council priority.

Our focus on downtown led to the creation of the Downtown Project, a multi-directional approach toward accomplishing our downtown goal. The individual programs within the Downtown Project focus on four main categories: Clean, Safe, Economic Development, and Placemaking. A few of our previous accomplishments include the creation of our Downtown Ambassador Program, bringing back the Police Walking Patrol, creating multiple public spaces designed for positive behavior, and the establishment of Best Management Practices for Bars/Taverns.

In response to the rising problem of Chronic Public Inebriation (CPI), we recently petitioned the WSLCB for the establishment of a mandatory Alcohol Impact Area (AIA) in our downtown core. AIAs have proven to be an effective tool in Washington State cities, especially when coupled with programs similar to those in our Downtown Project. We feel City staff has collected a substantial amount of evidence that CPI is a problem in downtown Olympia and support the need for a mandatory AIA. We encourage the Board to vote yes on the City's petition.

Sincerely,

Stephen H. Buxbaum  
Mayor

Nathaniel Jones  
Mayor Pro Tem

Julie Hankins Jeannine Roe

Julie Hankins  
Councilmember  
Jeannine Roe  
Councilmember

Steve Langer  
Councilmember

Karen Rogers  
Councilmember

Jim Cooper  
Councilmember

olympiawa.gov

**MAYOR:** Stephen H. Buxbaum    **MAYOR PRO TEM:** Nathaniel Jones    **CITY MANAGER:** Steven R. Holl  
**COUNCILMEMBERS:** Jim Cooper, Julie Hankins, Steve Langer, Jeannine Roe, Karen Rogers



December 1, 2013

Washington State Liquor Control Board  
PO Box 43080  
Olympia, WA 98504

RE: Alcohol Impact Area

As members of the 22<sup>nd</sup> State Legislative District, we are deeply concerned about the state of Olympia's downtown area. The Olympia City Council's number one priority is "Championing Downtown." Downtown Olympia is a unique place that contains a highly concentrated amount of locally-owned retail stores, restaurants, and theaters. It acts as a county-wide downtown and is the heartbeat of Olympia's economy.

As with all urban hubs, downtown Olympia faces a series of challenges. One of those challenges is chronic public inebriation. We are pleased to see that the City of Olympia is petitioning the Liquor Control Board to recognize a mandatory Alcohol Impact Area (AIA) in the downtown core. AIs have proven to be an effective tool for other Washington State municipalities, including Seattle, Tacoma, and Spokane.

The City's petition is thorough and demonstrates, without a doubt, that low-cost high-alcohol content beverages are a problem in downtown Olympia. Therefore, we are writing to express our support for the City Council's efforts to create a State recognized AIA.

Sincerely,

Senator Karen Fraser

Representative Sam Hunt

Representative Chris Reykdal

Three handwritten signatures in black ink. From left to right: "Karen Fraser", "Sam Hunt", and "Chris P.S. Reykdal".

## **Public Comment in Opposition to the City's Request**

December 3, 2013

Honorable Sharon Foster  
Honorable Ruthann Kurose  
Honorable Chris Marr  
3000 Pacific Ave SE Olympia, WA 98501

Subject: City of Olympia's Request to Recognize a Proposed Downtown Alcohol Impact Area (AIA)

Dear Honorable Members of the Liquor Control Board:

The Washington Beer & Wine Distributors Association (WBWDA) was founded in 1934 as a trade association for the state's beer and wine distributors. Our members include approximately 17 companies, representing nearly 50 distributor licensees, and 3,424 jobs in our state. It is a distributor's responsibility to collect and remit state taxes and ensure that alcoholic beverages are delivered in an accountable and efficient manner from the breweries and wineries that produce them to the grocery stores, restaurants, convenience stores and other retail outlets that are properly licensed to sell them to the general public.

WBWDA appreciates the opportunity to comment on the City of Olympia's proposed Downtown alcohol impact area (AIA). Specifically, WBWDA believes the City of Olympia has proposed a list that is overly broad, unsupported by the information provided, and is not justified by the evidence provided in the city's supplemental submission.

WBWDA respectfully requests that the Liquor Control Board (LCB) limit the list of banned products. The association believes the information provided solely supports a ban of the sale of two products within the AIA:

**Steel Reserve**  
**Hurricane High Gravity**

### **Legal Basis for AIA Creation**

There is no express statutory authority for the creation of an AIA. Instead, the LCB relies on its general police powers to regulate the sale of alcohol beverages. However, the LCB has promulgated WAC 314-12-215 to set standards for the creation and management of an AIA.

WAC 314-12-215(3) describes the restrictions available within an AIA. These possible restrictions include the ban on off-premise sales of certain liquor products. In addition, WAC 314-12-215(3)(c) requires that there is a link between any restrictions, including a product ban, and chronic public inebriation or illegal activity. The subsection further describes the type of evidence needed to demonstrate this link, which includes police response statistics and litter pick up.

The City of Olympia provided a collection of additional information as part of its supplementary submission to justify an AIA. Specifically, the city offered a summary of citation information, which includes citations or responses that are associated with alcohol consumption. The city also provided copies of incident reports relating to these citations or responses. In addition, the city provided litter survey information describing the types of alcohol beverage containers it identified over a limited time period in the area of the proposed AIA.

Despite this additional information, WBWDA does not believe the information provided is sufficient to justify the ban on the sale of all products proposed on the list.

### **Police Response Information**

Information relating to police response statistics does mention the type, and often the brand, of alcohol associated with the citation. While Steel Reserve and Hurricane High Gravity were repeatedly mentioned in these reports, many of the products the city is proposing to ban for sale were not mentioned. Other products on the proposed ban list were mentioned in the police response information, but often only once or twice. In addition, a number of products that were not on the proposed product ban list were also mentioned, and in some cases were mentioned more frequently in the police response information submitted by the city than products the city has included on its revised proposed ban list. Because the police response information does not mention a number of products on the revised proposed ban list and infrequently mentions some additional products, WBWDA does not believe the LCB is justified, under WAC 314-12-215(3)(c), in approving a ban of the sale of many of the products on the list based on this police response information.

### **Litter Survey**

The city also provides extensive information on litter identified during its survey. While the city readily admits its survey was conducted over a relatively short period of time and only conducted once or twice each week, the information provided by the city is categorized in

a detailed manner. The city notes that two products, Steel Reserve and Hurricane High Gravity, accounted for over 60% of the total qualified litter categorized in the city's survey. In fact the city specifically noted that one product, Steel Reserve, accounted for more than half, by volume, of the total containers of products included on the product ban. Only one other product, Hurricane High Gravity, represented more than 10% of the litter volume in the survey of qualified products. Most of the other products were identified with a frequency in the low single digits.

It is also important to keep in mind that these reported statistics actually overstate the frequency of the product identification. The litter survey only included alcohol beverage containers, not other beverage containers or litter. In addition, the percentages are based solely on the total alcohol beverage containers that could be included in a product ban. Based on the city's description of their collection and reporting method, this is only 70% of the total alcohol beverage containers observed by city staff. In other words, even the reported percentages should be discounted by 70% to accurately reflect the share a particular product represents of the total alcohol beverage containers encountered by city staff during their surveys.

WBWDA does not believe the information provided by the city meets the standard identified by the LCB in WAC 314-12-215(3)(c). Except for the two products most frequently mentioned in police incident reports and identified in the litter survey, Steel Reserve and Hurricane High Gravity, the city has not shown products on the revised proposed ban list occur with sufficient frequency to be viewed as "reasonably linked" to the problems that justify the creation of an AIA. In effect, the city is asking for authority to ban legal products that are never specifically mentioned in police reports and represent only 1.5% of the total alcohol beverage containers catalogued during a short survey period.

## **Conclusion**

The sale of alcohol beverages warrants the added regulation provided by state law and overseen by the LCB. WBWDA is proud of its long history in working to promote responsible consumption. When a problem is demonstrated, we have a strong interest in working with the community to address the problem. However, WBWDA recognizes that alcohol beverages are legal products available for sale. Unless a problem has been identified and linked to a specific product, we do not believe a ban of that product is justified. We do not believe the information provided by the city justifies the inclusion of many of the products in a proposed ban. For this reason, we ask the LCB to limit the proposed list of banned products.

Scott Hazlegrove | **CIVIC** Group | 206.300.1232