

Evergreen Escapes
2960 4th Ave South #115
Seattle, WA 98134
03/11/2021

Washington Utilities & Transportation Commission
P.O. Box 47250
Olympia, WA 98504

RE: WUTC Penalty Assessment TE-210120 for Evergreen Escapes
Mitigation Request

Received
Records Management
03/16/21 14:16
State Of WASH.
UTIL. AND TRANSP.
COMMISSION

To Whom it may concern:

As of March 3rd, 2021, we received final notice of the penalties assessed as a result of our recent audit performed by Mr. Edward Steiner of the WUTC. Throughout the process of the audit, we found Mr. Steiner to be very thorough, fair, and educational. He provided numerous resources and answered dozens of our questions about our responsibilities in maintaining compliance with the WUTC. Based on the findings of Mr. Steiner, we have been assessed penalties of \$2,000.00. While we admit to the violations discovered during the audit, we would like to request mitigation of this penalty amount as these specific violations occurred during a time when Evergreen Escapes was forced to close all operations due to civil authority surrounding the COVID-19 pandemic.

As you can imagine, 2020 was an extremely difficult year for the Washington State travel industry, our business included. Our revenues dropped from \$1,734,561 in 2019 to \$176,512 last year, a loss of nearly 90% of our income in one year. The pandemic forced us to furlough our entire staff on March 15th, 2020 with no idea when or if we would be able to resume operations. During this time, we closely followed the constantly changing protocols established by the state and local authorities and maintained strict compliance to COVID-19 business restrictions—we continue to do so to this day. As the state officials loosened the rules to reopen businesses, small-group travel and tourism businesses like ours remained considerably limited due to group size restrictions. These limitations were exacerbated by the fact that many of our guests come from out of state and were concerned about the seriousness of the pandemic in Seattle and the civil unrest taking place in the city.

With this severe loss of income and the uncertainty of when we would be able to begin operating tours at a profitable group size, we were forced to get by at an operational level required to just survive the remainder of the year. We did not have the staff to follow our normal procedures and protocols as we struggled to find employees willing to work under the COVID-19 restrictions and maintained a skeleton crew to just get by last year.

Violations of 49 CFR § 391.15 (a), 49 CFR § 391.45 (a), and 49 CFR § 396.17 (a) each resulted due our having to furlough our staff for the majority of the 2020 calendar year. Since having these violations brought to our attention as a result of the safety investigation, each occurrence has been remedied as outlined in our detailed written response to the Investigation Closing Report. Throughout the duration

of the inspection process, we have demonstrated cooperation and responsiveness to each of the requests made of us by Mr. Steiner and have returned to our normal operations surrounding our compliance responsibilities or improved upon our current protocols when needed to ensure these violations are not repeated.

We thank you for your consideration of this written statement in request for penalty mitigation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd Starnes', with a long horizontal flourish extending to the right.

Todd Starnes
President
Evergreen Escapes

A handwritten signature in black ink, appearing to read 'Kenzi Lacey', with a long horizontal flourish extending to the right.

Kenzi Lacey
General Manager & Safety Compliance Manager
Evergreen Escapes