The request for vacation has been reviewed by County staff from the standpoint of public roadway necessity and believe that the roadway best serves the public strictly as a park road, and does not provide any access to private properties, other than those which are within the boundaries of the State Park. State Law cites restrictions on County vacations of public roads abutting water or running lateral to the waters edge; although generally the county and public agencies are restricted from vacation of roads, they are allowed to vacate roads if they are used for park, viewpoint, recreational or educational purposes.

Written comments in response to the proposed vacation of this area have not been received, but it is anticipated that verbal testimony will be provided today. One specific concern which Mr. Kwarsick is aware of involves the boat launching sites which occur within the State Parks ownership - that ownership running along the Section line southerly of their dock and boat floats. There has been expressed concern from local users of the launch facilities that the State may begin to manage the hours of use of the facilities which are now open to recreational and sports users without regard to any specific operational hours or seasonal hours. If vacation occurs at the State Parks boundary line that the State would assert some control over use of these facilities as well as the entire stretch of the road. In this regard, Mr. Kwarsick noted that the County could consider vacation action at some point northeasterly of the boat launches and allow State control then over that remote section of roadway, and the County maintain the County roadway to that point. He cautioned to keep in mind, however, that if that is done, the State can still manage the boat launch without regard to whether or not it is a County road that provides access.

Rob Harbour, Island County Planning Department, reported that the proposal for vacation had been reviewed by the Planning Department for consistency with provisions of State law. R.C.W. 36.87.130 does exempt this kind of situation dealing with a recreational entity. From that point of view, the Planning Department has no objection to the vacation as recommended. There are other concerns of the Planning Department, however, which include:

1) The fact that the road is a recreation resource in and of itself, and that road should be open as much as possible to the public for its enjoyment. If the Board does take action to vacate the road, it is recommended that provisions be made to ensure that the road is maintained in an open state consistent with operating hours of the State Park. It is recognized that such things as fire danger and security should be kept in mind, but any type of permanent closure should be discouraged.

2) Access to the boat ramp should be provided for without over management.

Roy Allen addressed the matter from an economic standpoint on the basis of County maintenance of the road -- noting that it is not burdensome to any great extent. The Road Department in its road network, concentrates on the prime arterials, secondary arterials and collectors. The County is strapped financially at this time with regard to having sufficient funds to maintain all of the roads to the standards deemed appropriate.

William Overbee, Park Manager, Deception Pass State Park, was present to represent the Operations Division, Washington State Department of Parks and Recreation, regarding the road closure. Mr. Overbee expressed his recognition of State Parks responsibility for the latitude allowing the recreational public the use of the lands around Hoypus Point. As far as control over the road or installation of any type of a gate or closure, Mr. Overbee indicated that same would be consistent with the set hours which the State operates by. At this time, however, Mr. Overbee does not foresee installation of a gate for that type control. State Parks has been apprised of the right by Native Americans for fishing access on that land, and Mr. Overbee pointed out that State Parks would never restrict that use; that access will be available. It is also recognized that there are primary hiking trails which are a unique recreational resource for visitors to the area, and State Parks is more than willing to allow recreational access there during the set hours. Relating specifically to the road, he has

witnessed one period of time when slippage did occur -- the public seeming to come to the State Park office for responsibility of repair of the road.

Mr. Overbee confirmed that he did not see as a plan the intention of State Parks to abandon any portion of the road in the future. The road is patrolled on a daily basis during the day as well as night; State Parks is interested only in being able to restrict activities in the evening to those of valid recreational pursuits. Normal park hours are from 6:30 a.m. until dusk. If there were to be a gate, it would be placed within the extreme northern portion, which would allow for continued access to the boat launch and not interfere with that use whatsoever.

Ed Rodgers, Cornet Bay resident since 1921, reported to the Board that during the past fifty years the road had been used by the public every hour of the day, and was not aware of anything that could be considered a big problem because of the road. Many people like to dig clams at night here. Mr. Rodgers does not understand how the County could go along with vacation, in view of the fact that in the past previous County Commissioners (Jack Meter, John Vanderzicht) did not agree with such vacation and same was denied during their terms of office. He called attention to the fact that County Parks Department is always in support of gaining more access to beaches -- to replace this access would be difficult and cost much. He noted that maintenance did not cost the County much since the only real expense involved a few loads of gravel once in awhile.

Mr. Rodgers reviewed with the Board the original patent (license from the military as referenced earlier by Mr. Kwarsick) dedicating the property for public use park purposes, and if not used for that purpose would revert back to the U. S. Government. It is therefore Mr. Rodgers' belief that should the County vacate the road, the patent would become null and void and revert back to the U. S. Government.

Joe Malsom, Oak Harbor, endorsed the comments made by Mr. Rodgers, agreeing that the road should be kept open to the public.

Mr. Overbee clarified that at this point, it is not his intent to place a gate at that location, recognizing the clamming beaches and recreational activities -- activities he endorses.

Commissioner Kemp moved that Cornet Bay Road (Hoypus Point Road) within the boundaries of Deception Pass State Park under consideration not be vacated. Motion, seconded by Commissioner Bostrom, carried unanimously.

HEARING HELD: ORDINANCE NO. R-32-85 - SPEED LIMIT REDUCTIONS GRIMM, JACOBS AND WILDES ROADS

A Hearing was held at 10:30 a.m. as scheduled, for the purpose of considering Ordinance No. R-32-85 reducing speed limit on Grimm Road to 35 mph; Jacobs Road to 35 mph; and Wildes Road to 25 mph.

Mike Lutzen, Island County Engineering Department, provided the Board with background data used to base recommendation for reduction of speed limit for the roads involved:

Grimm Road - local access dead-end road, .23 mile in length. Minor road and serves only a few houses and the speed should be reduced from 50 to 35 mph since 50 mph is more in line with major/minor county arterials.

Jacobs Road - local access dead-end road, .75 mile long, serving several five acre tracts. Speed limit of 50 again is in line with major/minor arterials and Jacobs Road should be reduced to 35 mph.

Wildes Road - local access dead-end road, .59 mile in length. There are a number of limited sight distance problems, narrow in width. This road should be reduced to 25 mph.

Commissioner Bostrom moved that Ordinance Number R-32-85 regarding speed limit reductions on Grimm, Jacobs and Wildes Roads be approved.