

Jefferson County
Board of Commissioners
Agenda Request

To: Board of Commissioners
Mark McCauley, County Administrator

From: Monte Reinders, Public Works Director 

Agenda Date: June 3, 2024

Subject: Closure of Sandy Shore Lake Road at Milepost 1.48
County Road #428509

Statement of Issue:

Closure of Sandy Shore Lake Road at Milepost 1.48 to vehicular traffic. Allow the Rayonier company (the property owner) to install a gate.

Analysis/Strategic Goals/Pro's & Con's:

In a letter dated April 15, 2024, Rayonier has requested that the County close Sandy Shore Lake Road at Milepost 1.48 and allow Rayonier to install a gate to prevent illegal activity around Sandy Shore Lake (letter attached). While this section of the road has been on the official County Road Log (designated as a Primitive Road) for decades, virtually no maintenance has been performed on the section of roadway in the last 25 years. Furthermore, a gate existed at this location until it fell into disrepair around 2017, and this gate was traditionally closed seasonally. The public has historically accessed Sandy Shore Lake via this road, although perhaps only seasonally (summer). The exact end point of the road is unknown although measuring the 1.76 miles listed in the Road Log would suggest it is near the lake shore. No deeded right of way exists for this section of the road, and therefore the county road would exist by virtue of "usage" right of way as per RCW 36.75.070 and RCW 36.75.080. The road is entirely surrounded by Rayonier property and accesses no property other than that owned by Rayonier. If the road is closed to motorized vehicles, it would still be possible for people to access the lake on foot or other non-motorized means, provided they remain on the road bed; access beyond the limits of the existing road without Rayonier's permission may be deemed trespass.

Fiscal Impact/Cost Benefit Analysis:

The County would expend no funds for road maintenance beyond Milepost 1.48. There would be a small expenditure for "Road Closed" signage. Rayonier would be responsible for the cost of installing and maintaining the gate.

Recommendation:

The issue will be discussed with the Board. At the conclusion of the discussion, the Board may choose to sign the attached Resolution closing Sandy Shore Lake Road to vehicles at Milepost 1.48 and allowing Rayonier to install a gate.

Department Contact: Monte Reinders, Public Works Director x242

Reviewed By:


Mark McCauley, County Administrator


Date

**COUNTY OF JEFFERSON
STATE OF WASHINGTON**

In the matter of }
Closure of Sandy Shore Lake Road }
Milepost 1.48 }
County Road No. 428509 }

RESOLUTION NO. _____

WHEREAS, Sandy Shore Lake Road is a county road that has been listed on the Official County Road Log for decades with a length of 1.76 miles, and

WHEREAS, the length of 1.76 miles places the end of the road in the vicinity of Sandy Shore Lake shoreline when measured from the intersection with State Route 104, and

WHEREAS, Sandy Shore Lake Road is a gravel surfaced roadway capable of carrying two-way traffic to approximately Milepost 1.48 and beyond that point is a narrow, single lane, unmaintained roadway, and

WHEREAS, over the last 25 years, very little maintenance has been performed by the County on the section of roadway beyond Milepost 1.48, and

WHEREAS, there is no deeded right of way for Sandy Shore Lake Road beyond Milepost 1.48 and therefore any right of way in this location would be considered “usage” by virtue of RCW 36.75.070 and RCW 36.75.080, and

WHEREAS, Sandy Shore Lake Road is entirely encompassed by land owned by the Rayonier timber company and does not serve to provide access to any other property except for Sandy Shore Lake, and

WHEREAS, Rayonier or its predecessor-in-interest historically maintained a gate at Milepost 1.48 which was sometimes closed seasonally (in winter), and reportedly this gate fell into disrepair and was removed around 2017, and

WHEREAS, the area around the lake has a documented and ongoing history of problematic behavior, including illegal tree cutting, trash dumping, vandalism, trespass, etc. (for example, article in Jefferson County Leader from April 5, 2000), and

WHEREAS, in a letter dated April 15, 2024, Rayonier has requested permission to reinstall the gate at Milepost 1.48 and to close the road to public vehicular traffic beyond this point, and

WHEREAS, Rayonier states that the reason for this request is due to vandalism, timber/tree theft, garbage dumping, and other illegal and undesirable behavior which occurs around the lake, and

WHEREAS, pedestrian or bicycle access would still be possible from the gate to the lake, a distance of less than 1,500 feet, and there is adequate parking available in the vicinity of the proposed gate location, and

WHEREAS, Jefferson County does not intend to expend public funds to upgrade or maintain the road beyond Milepost 1.48, and

WHEREAS, Chapter 47.48 RCW authorizes closure of roads,

NOW THEREFORE, IT IS HEREBY RESOLVED that Sandy Shore Lake Road shall be closed at Milepost 1.48 to vehicular traffic, other than that associated with Rayonier or government agency personnel acting in their official capacity, until such further notice of the Board of County Commissioners. Rayonier may install a gate at Milepost 1.48 at Rayonier's own expense. The County and Emergency Services providers shall have a means of installing their own lock(s) on this gate for the purposes of access should the need arise. The Public Works Department shall erect signage indicating that the road is closed at this location.

IT IS FURTHER RESOLVED that the Public Works Department shall cease maintenance and expenditures of public funds on this closed section of roadway, and

IT IS FINALLY RESOLVED that said closure of Sandy Shore Lake Road shall not limit the ability of the public to access the Sandy Shore Lake on foot or by other non-motorized means using historically present "usage" right of way along the existing roadway; however, this shall not suggest that the public has any right to access lands owned by the Rayonier company beyond the limits of the existing roadway.

PASSED AND ADOPTED THIS _____ **DAY OF** _____, 2024.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

SEAL:

Kate Dean, District 1 Commissioner, Chair

ATTEST:

Heidi Eisenhour, District 2 Commissioner

Carolyn Gallaway, CMC
Clerk of the Board

Greg Brotherton, District 3, Commissioner

CONTRACT REVIEW FORM

(INSTRUCTIONS ARE ON THE NEXT PAGE)

Clear Form

CONTRACT WITH: N/A

Contract No: PW 7024 ca

Contract For: Resolution - Close Sandy Shore Lake Road

Term: N/A

COUNTY DEPARTMENT: Public Works

Contact Person: Monte Reinders, "Head Rancher"

Contact Phone: 360-385-9242

Contact email: mreinders@co.jefferson.wa.us

AMOUNT: N/A

PROCESS:

- ☐ Exempt from Bid Process
- ☐ Cooperative Purchase
- ☐ Competitive Sealed Bid
- ☐ Small Works Roster
- ☐ Vendor List Bid
- ☐ RFP or RFQ
- ☒ Other: Resolution

Revenue: _____

Expenditure: _____

Matching Funds Required: _____

Sources(s) of Matching Funds: _____

Fund # _____

Munis Org/Obj _____

APPROVAL STEPS:

STEP 1: DEPARTMENT CERTIFIES COMPLIANCE WITH JCC 3.55.080 AND CHAPTER 42/23 RCW.

CERTIFIED: ☐ N/A: ☒

Signature

Date

STEP 2: DEPARTMENT CERTIFIES THE PERSON PROPOSED FOR CONTRACTING WITH THE COUNTY (CONTRACTOR) HAS NOT BEEN DEBARRED BY ANY FEDERAL, STATE, OR LOCAL AGENCY.

CERTIFIED: ☐ N/A: ☒

Signature

Date

STEP 3: RISK MANAGEMENT REVIEW (will be added electronically through Laserfiche):

This is a non-contract item that I am sending
Electronically approved by Risk Management on 4/26/2024. is a
Sounds reasonable to me. Resolution to close part of a county road to
vehicular traffic. Item will be reviewed in
Regular Agenda in May.

STEP 4: PROSECUTING ATTORNEY REVIEW (will be added electronically through Laserfiche):

Electronically approved as to form by PAO on 4/30/2024.
Not a contract for review using the contract review system. However, the
PAO agrees that the resolution makes sense.

STEP 5: DEPARTMENT MAKES REVISIONS & RESUBMITS TO RISK MANAGEMENT AND PROSECUTING ATTORNEY(IF REQUIRED).

STEP 6: CONTRACTOR SIGNS

STEP 7: SUBMIT TO BOCC FOR APPROVAL

April 15, 2024

Jefferson County Public Works
623 Sheridan Street
Port Townsend, WA 98368
Sent via email:

Dear Mr. Reinders,

I am writing as a follow up to our conversation regarding Sandy Shore Lake Road public access. Rayonier would like to formally request to reinstall a gate at approximately Mile Post 1.48 on Sandy Shore Lake Road. The previous gate was installed in the early 1990's by Pope Resources and fell into a state of disrepair in 2017 and was removed due to safety concerns. With the county's approval Rayonier would reinstall and maintain a steel tube stock gate with a 4 lever lock box. Currently and traditionally, the county has ended annual maintenance of the road at this proposed gate location.

Our request has become important to Rayonier/Pope as the Sandy Shore Lake area continues to be plagued with a high volume of vandalism, drug use, illegal camping, illegal dumping, ongoing tree theft of regulatory legacy leave trees for the lake, and illegal creation of off road vehicle trails creating sedimentation issues to the lake. In addition, in 2015 there was a drowning of a young boy at the lake and in 2022 a fatality shooting occurred over an illegal camping site.

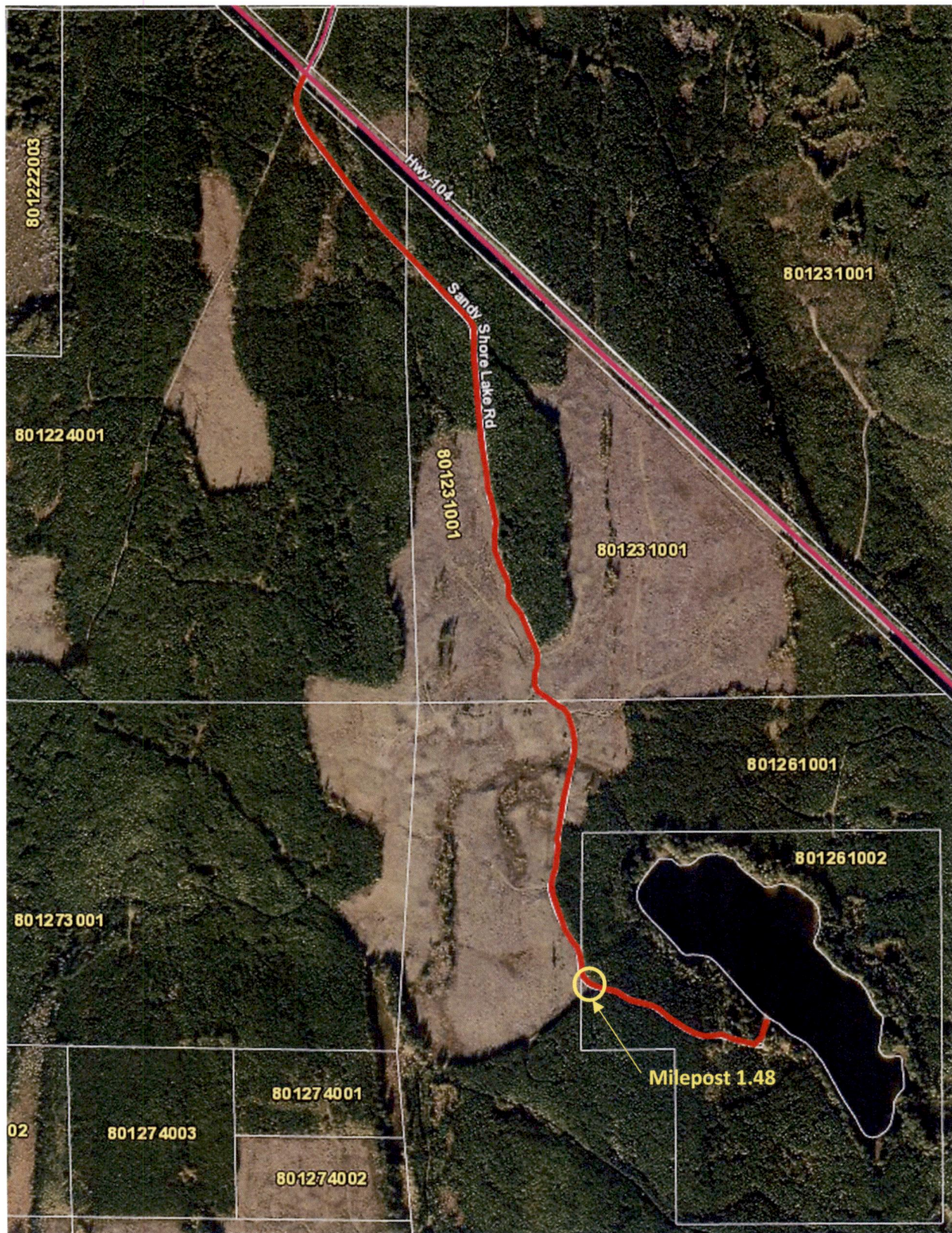
Thank you for your continued support of Rayonier/Pope's goal of good stewardship of the forests/lands in Jefferson county.

If you have any questions, please reach out to myself or Holli Johnson.

Sincerely,



Sean Greif
Forest Engineer III
Pacific Resource Unit, Hood Canal
19950 7th Ave NE, Suite 200
Poulsbo, Wa 98370
Office 360-394-0540





Sandy Shore Lake Road, section proposed to be gated



Sandy Shore Lake Road, section proposed to be gated



Maintained Section of Sandy Shore Lake Road (before proposed gate)



End of Maintained Section at Milepost 1.48. Note turnaround area