



North Cascades Audubon Society

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February 18, 2022

To: Whatcom County Council Members

Transmitted Via Email to: council@co.whatcom.wa.us

RE: Closure Of Gulf Road at the Cherry Point Aquatic Reserve access point

Dear Whatcom County Council,

The North Cascades Audubon Society ("NCAS") is writing to the Council to express our deep concerns and great disappointment with regard to the Council's recent decision on February 8, 2022 to "temporarily" close Gulf Road to vehicle traffic, which severely restricts public access to this important shoreline resource.

We are asking the Council to reopen the road and reconsider this entire matter so that the many interested parties will have a meaningful opportunity to provide the Council with all of the pertinent information. As we understand it, this vote was taken with extremely limited public notice. North Cascades Audubon Society, along with several other stakeholders who regularly access the beach at this location for ongoing scientific research and general use were caught unaware of the hearing until after it occurred and after the vote was taken. It looks as if only one person in the entire population of Whatcom County appeared at the hearing to support the closure which was requested by a private landowner of property along Gulf Road. This fact alone is strong evidence that suggests the public notice on this matter was simply insufficient under the circumstances.

We have significant concerns and questions with the limitations and unknown conditions that result from this closure. First, and perhaps most obvious is what does "temporary" actually mean in this situation? Is there any time frame attached to this decision at all? What changes or actions are necessary to restore full access to the shoreline?

Audubon members are key participants in a monthly marine bird survey that uses Gulf Road as one of its counting sites in the area. This survey has been ongoing for nearly a decade, and we know of several other important ongoing scientific studies that require access to the shoreline at Gulf Road. These monitoring projects rely on volunteers being able to drive to the site and not to have to carry heavy equipment any further than needed. This closure to Gulf Road will interfere with their ability to conduct this research and the prospect of having to change locations for these studies would be extremely disruptive and perhaps be devastating to the important scientific research being conducted from this precise location.

Gulf Road is also one of the few remaining public shoreline access areas in this part of the County. We know from our member's frequent birding visits that the area is used daily by the general public for walking, birding, kayaking, and boating as well as by families for picnics, and for fishing and crabbing. Restricting access to Gulf Road severely limits these activities, particularly for those with disabilities who simply are not able to walk the newly prescribed distance from the road closure point to the shoreline.

Our members also participate in regular beach cleanups at Gulf Road that are sponsored by various local organizations. Although we acknowledge that in the past trash and dumping and misuse of the area has occurred, and has been a problem, we know from our own experiences that the beach has shown very significant improvements due largely to the efforts of these concerned citizens.

For some time now, the beach has been comparatively clean, and it is not unlike the condition of much of the shoreline in this area where there is public access. The unfortunate truth is that the kind of misuse that more broadly occurred in the past few years at Gulf Road is not unlike a number of rural areas in Whatcom County (many very close to Gulf Road) where illegal dumping is a sad reality. Yet, we are not aware of closure of any of those roads to public vehicles.

We further contend that this "temporary" closure is inconsistent with many of the provisions of the recent proposed amendments to the Shoreline Management Act which encourages public access to the shoreline, nor is it consistent with the spirit and purpose of the Americans with Disabilities Act, or the goals of other local laws and management plans that encourage outdoor recreation.

For all of these reasons, NCAS respectfully requests that the Council reconsider its decision, reopen Gulf Road to vehicles, and if the Council deems it appropriate, to schedule new public hearings that will provide all parties with a legitimate and fair opportunity to present all of the pertinent information about Gulf Road access so that the Council can make a fully informed and appropriate determination about how best to address this important issue.

Thank you very much for your consideration.

Sincerely,

/s/

Jamie Huson
President, North Cascades Audubon Society