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## AGENDA COVER MEMO

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**DATE:** October 24, 2005

**TO:** Lane County Board of Commissioners

**DEPARTMENT:** Public Works

**PRESENTED BY:** Ollie Snowden, Public Works Director

**TITLE:** WORK SESSION REGARDING LEGAL IMPLICATIONS ASSOCIATED WITH POLICIES CONCERNING REGULATION OF LOCAL ACCESS ROADS.

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### I. MOTION

Discussion only.

### II. ISSUE

What are the Legal implications and questions associated with expending or not expending County Road funds on issues related to Local Access Roads? Specifically, what obligation does the County have to investigate potential hazards or to warn users of potential or real hazards? Does the expenditure of staff time to investigate these issues constitute an improper use of funds if staff has not been specifically directed to do so by the Board? Lastly, does Lane County's past history with claims and lawsuits related to Local Access Roads justify any changes in the way Local Access Road complaints and Inquiries are currently handled?

### III. DISCUSSION

#### A. Background

At the September 13, 2005, meeting of the Board, Public Works staff was given direction to prepare a Work Session regarding the obligations of Lane County with regard to Local Access Roads (LARs) so that the Board may be informed as to what procedure is currently followed by Public Works staff in responding to citizen complaints and inquiries, and so that the Board may give direction to staff if changes are necessary or desirable in order to serve the public interest and/or limit the liability of the County.

A Local Access Road is defined pursuant to ORS 368.001(3), as "A Public Road that is not a County road, state highway or federal road". Subsection (5) of the same section defines Public road as a "road over which the public has a right of use that is a matter of public record". Lane Code 15.010(35) further defines

"public road" by adding "For the purposes of this chapter, a public road is a road that has been dedicated for use by the public for road purposes either by good and sufficient deed presented to and accepted by the Board, or by a partition map and plat or a subdivision plat presented to and accepted by the Board".

In Lane County, then, the class of roads known as Local Access Roads would include only those that have been dedicated for public use as described above *and* accepted as a public road by the Board.

According to the 2002 Maintenance Road Book published by Lane County Department of Public Works, there are 517 roads and/or road segments in Lane County that are classified as LARs. Most of these are 0.25 miles or less in length, but the longest is 3.14 miles in length. The total mileage shown is 129.238 miles. The Road Book also shows that there are 5 bridges located on LARs.

The 2002 Oregon Mileage Report published by the Oregon Department of Transportation shows a total Local Access Road Mileage of 145 miles, however, the discrepancy between the two figures may be due to the more specific Lane Code definition of "Local Access Road", which specifies the method of dedication and requires specific acceptance as a public road by the Board. The Mileage report gives a breakdown as to the type of surfacing found on the ORS-defined LARs, and according to the Report, the vast majority of the mileage (114.0) is gravel-surfaced, although it also shows that there are 18 miles of oil mat (chip seal) and 3 miles of asphalt concrete surface. An additional 10 miles are shown as dirt roads.

## B. Analysis

### **Legal Liability:**

The issue of the nature and extent of the County's liability previously arose in connection with the proposal to cease issuance of Facility Permits for activities and construction conducted within the right of way of Local Access Roads. Issuance of Facility Permits on Local Access Roads was discontinued concurrent with the adoption of the Transportation System Plan and Lane Code Amendments in June, 2004. Prior to that action, Legal Counsel prepared an analysis dated July 12, 2000, of the County's risk of liability for regulation or non-regulation of non-County public roads. A copy of the analysis is included and marked as attachment 1.

Based on a review of state statutes, the Lane Code and existing case law, Legal Counsel concluded that while the County has the ability to exercise jurisdiction over Local Access Roads per ORS 369.031, it has no duty to improve LARs or to keep them in repair. It was further concluded that the County may have a duty to at least consider a known danger over which it may exercise its jurisdiction and that if the County knows of a danger and takes no action, there may be some risk of liability.

### **Use of County Funds to Investigate Citizen Complaints and Inquiries Concerning Potential Hazards on Local Access Roads:**

The Department of Public Works frequently receives complaints and inquiries from citizens regarding hazards or lack of maintenance on Local Access Roads. Costs incurred by the Department in connection with LARs for the period 7/01/04 through 6/30/2005 amounted to \$99,563, including direct labor, operational overhead and equipment charges. All but about \$7,000 of this was incurred by Surveyor's office personnel in connection with researching survey records to answer citizen inquiries, processing vacations, renaming, and other activities. It is estimated that an additional 20 man hours per month is incurred by Engineering Division employees which is not reflected in the cost accounting system due to numerous short-duration activities which may not be accurately accounted for on employee time cards.

Several recent examples of LAR activities and complaints that were addressed by Engineering Staff

- Installation of a "speed hump" alleged to be of sufficient size to prevent passage along the road.
- Dumping of a load of gravel or bark in a manner that blocked access.
- The very poor condition of a bridge as reported to Public Works by ODOT as part of the NBIS bridge inspection program.

The first two instances, upon further investigation, turned out to be greatly exaggerated and no further action was taken. In the case of the bridge, staff offered assistance to the neighborhood residents for making and installing the appropriate load limit signs on a reimbursement basis, but a neighborhood representative chose instead to make and install the signs himself.

Existing protocol for responding to these issues is as follows:

1. If the complaint or inquiry relates to maintenance concerns or to a situation which clearly is not a threat to public safety, the issue is addressed by informing the citizen of the status of the road and that maintenance on the road, if any, is done by others. No further action would be taken, unless the citizen(s) elect to hire County forces to perform the desired work on a reimbursement basis.
2. If the citizen reports an issue that may involve a safety hazard, staff will attempt to determine through contact with the complainant whether the hazard might rise to the level of an imminent threat to public safety or whether it is more in the realm of a nuisance.
3. If it appears that the condition may be an "imminent" threat, Public Works staff will perform a "drive-by" to assess the situation. If the condition is a large sinkhole, a cable gate across the road, a landslide or washed-out bridge, or similar hazard, barricades and warning signs are erected to protect the public. If local property owners or residents wish, they may petition the Board for financial or other assistance to abate the hazard in accordance with ORS 371.075 and Lane Code 15.620.

4. If in the judgment of Public Works staff and the County Engineer, the threat was less than imminent, but still a potential safety hazard, (for instance brush, rock or other materials piled in the road) the issue could be addressed pursuant to ORS 368.261 through 368.281 (Road Hazard Abatement) or by the Failure to Comply process as provided in LC 15.210(11) (removal by the "owner" upon notice, or removal by County forces, with the cost billed to the owner).

5. If the situation is judged to not constitute a threat and is more in the nuisance category, no action is taken.

Any actions that might be taken are on the basis of constructive notice to the County, as County forces do not patrol LARs looking for hazards, and will therefore have no knowledge of a hazard unless it is reported to us.

A strict interpretation of ORS 368.031 would preclude any action other than 1. above, because all others would require the expenditure of county funds. In carrying out what appears to be the intent of ORS 368.031, it is necessary to expend County funds to either a) "determine that the work is an emergency" or b) that the County road official recommends the expenditures, the public use of the road justifies the expenditure proposed and for the County governing body to enact an order or resolution authorizing the work and designating the work to be either a single project or a continuing program. This less strict interpretation is consistent with current practice, to the extent that funds are expended in order to assess the situation and to determine if further action is necessary.

### **Past Claims and Litigation History:**

Legal Counsel can recall only one instance in recent history where the County has been named in a suit filed in connection with an LAR. The lawsuit concerned an accident involving a cable gate across a non-County maintained road. The action against the County was ultimately dismissed when it was shown that the road was not a county-maintained road.

Office of Legal Counsel also handles third-party claims, the vast majority of which involve damage to personal property, mainly motor vehicles (rocks damaging windshields, pothole damage to undercarriage etc.) When these involve private vehicles on LARs, the claim, if one is filed, is routinely denied. The vast majority of LAR-related claims do not ultimately result in a filed claim once the damaged party is informed that the road is not maintained by Lane County.

### **C. Summary**

Based on an analysis of Statutes and Case Law in Oregon, Legal Counsel has concluded that while having jurisdiction over Local Access Roads does not require the County to do anything, there will always be some risk of liability if an injured party makes a negligence claim. The decision to exercise jurisdiction or to not exercise jurisdiction over local access roads should be based on specific analysis, considerations and direction by the Board, because, as pointed out in Legal Counsel's analysis, some case law suggests that "If there is a legal duty to

protect the public by warning of a danger or by taking a preventive measure, or both, the choice of a means may be discretionary, but the decision whether or not to do so at all is, by definition, not discretionary”

Current protocol for handling inquiries and/or complaints is based on past practices, general guidance from Legal Counsel and an interpretation of state statutes. Past incidents of the County being named as a defendant in a lawsuit arising from occurrences on LARs is scant, however, specific direction from the Board as to its preference for handling issues on LAR's, and as to whether it is in the public interest to continue to expend funds in this manner, will benefit staff and mitigate risk of future liability.

**D. Recommendation**

1. Direct staff as to any desired modifications to current procedures and whether changes to Lane Manual are appropriate or desirable.

**IV. IMPLEMENTATION/FOLLOW-UP**

If directed, staff will process appropriate Agenda materials for Board Consideration

**ATTACHMENTS**

Attachment 1- Memorandum from Marc Kardell, Dated 12 July 2000.

## MEMORANDUM

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**DATE:** 12 July 2000  
**TO:** Ollie Snowden, Don Maddox, Thom Lanfear, Ron Rager, Tom Stinchfield, Lloyd Holtcamp, Tom Dreschler  
**CC:** Steve Vorhes  
**PRESENTED BY:** Marc Kardell, Assistant County Counsel  
**ITEM TITLE:** Local Access Roads

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### I. QUESTION PRESENTED

What is the risk of liability for County regulation of non-County public roads?

### II. ANALYSIS

**1. Current Code Language.** To define the proper parameters, we must first examine relevant state law definitions. ORS 368.001(5) defines public road as follows:

“Public road” means a road over which the public has a right of use that is a matter of public record.

One type of public road is a local access road, defined at ORS 368.001(3):

“Local access road” means a public road that is not a county road, state highway or federal road.

County jurisdiction over local access roads is governed by ORS 368.031.

**368.031 County jurisdiction over local access roads.** A local access road that is outside a city is subject to the exercise of jurisdiction by a county governing body in the same manner as a county road except as follows:

(1) A county and its officers, employees or agents are not liable for failure to improve the local access road or keep it in repair.

(2) A county governing body shall spend county moneys on the local access road only if it determines that the work is an emergency or it:

(a) The county road official recommends the expenditures;

(b) The public use of the road justifies the expenditure proposed; and

(c) The county governing body enacts an order or resolution authorizing the work and designating the work to be either a single project or a continuing program. (Emphasis added.)

Thus, state law gives the County jurisdiction over local access roads, though there is no statutory requirement that the County perform any act as a result of having this jurisdiction. It does not appear that any action is necessary for the County to acquire this jurisdiction. If the road is one where the public has a right of use that is of public record, outside of a city but not a county road, state highway or federal road, that road is subject to County jurisdiction. Furthermore, ORS 368.011 requires that "(a) county shall not enact an ordinance to supersede any" of the above referenced statutes.

A review of Lane Code is also appropriate. Lane Code 15.010(3)(j), which says that a public road is one that has been "accepted by the Board of County Commissioners . . ." It goes on to state that "(a) public road is not normally maintained by the county, but the county can regulate its use." This definition may be seen as an exercise of the jurisdiction in ORS 368.031, above, or may be interpreted as a way of giving meaning to the "matter of public record" criteria under ORS 368.011(5) above, for a public road.

With this background, we can begin to examine the potential liability Lane County may incur for local access roads under current code provisions. Arguably, because the code does not regulate public roads which have not been accepted by the Board of Commissioners, nothing is required to be done, or spent, on these roads and so the county has no liability for conditions on roads that don't meet the code definition of "public roads."

However, one could also argue that, because Lane Code defines a public road as one that has been accepted by the Board, and state law defines a public road as one where the public has a right of use that is a matter of "public record," the County may have enacted a different definition than that contained in ORS.

The term "Public Record" is not defined in the ORS chapter dealing with county roads, and one should be cautious about applying a definition from elsewhere in the ORS. In the "Inspection of Public Records" section, ORS 192.410(4) defines that term:

"Public record" includes any writing containing information relating to the conduct of the public's business, including but not limited to court records, mortgages, and deed records, prepared, owned, used or retained by a public body regardless of physical form or characteristics.

This definition, if applicable, would certainly allow for many more public roads than under the Lane Code definition. A second definition of this phrase is found in *State v. Brantley*, 271 P.2d 668, 201 Or 637 (1954):

"A public record, strictly speaking, is one made by a public officer in pursuance to a duty, the immediate purpose of which is to disseminate information the public, or to serve as a memorial of official transactions for public reference." *State ex. rel. Romsa v. Grace*, 43 Wyo. 454, 5P.2d 301, 303; and to the same effect see

also *Robison v. Fishback*, 175 Ind. 132, 93 N.E. 666, L.R.A.1917B, 1179, *People v. Purcell*, 22 Cal. App.2d 126, 70 P.2d 706.

Finally, Black's Law Dictionary defines it as:

Public record. A record, memorial of some act or transaction, written evidence of something done, or document, considered as either concerning or interesting the public, affording notice of information to the public, or open to public inspection. *Keefe v. Donnell*, 92 Me. 151, 42 A. 345; *Colnon v. Orr*, 71 Cal. 43, 11 P. 814.

Because even under the state definition of public roads there appears to be no duty to regulate these roads, unless and until they are accepted by the Board as county roads, the differences between the statute and code definitions may be unimportant. On the other hand, one might contend by not utilizing the ORS definition of public roads, no decision is being made as to whether or not to regulate a public road as allowed by ORS 368.031, *supra*, and that therefore the tort defense of discretionary immunity cannot apply.

This defense of discretionary immunity is based upon certain actions being defined as discretionary governmental functions, and this defense is codified at ORS 30.265(2), (3):

(2) Every public body is immune from liability for any claim for injury to or death of any person or injury to property resulting from an act or omission of an officer, employee or agent of a public body when such officer, employee or agent is immune from liability.

(3) Every public body and its officers, employees and agents acting within the scope of their employment or duties, or while operating a motor vehicle in a ridesharing arrangement authorized under ORS 276.598, are immune from liability for

\* \* \* \*

(c) Any claim based upon the performance of or the failure to exercise or perform a discretionary function or duty, whether or not the discretion is abused. (emphasis added.)

While there is ample case precedent attempting to delineate the boundaries of this discretionary immunity defense, there is still significant room for debate as to what decisions are the types of discretionary policy choices likely to be protected. Having recognized that, there is a line of cases where the Courts hold that some action, deliberation, or findings must be evident before the defense of discretionary immunity may defeat a claim for damages. A review of several of these cases is found in *Mosley v. Portland School Dist. No. 1J*, 843 P.2d 415, 315 Or 85, 91-92 (1992):

*Stevenson v. State of Oregon*, 290 Or. 3, 619 P.2d 247 (1980), involved an allegation that highway division employees

were negligent in failing to provide shields or make other changes near an intersection to correct a condition misleading to motorists. The state argued that it was immune, because the decisions at issue involved engineering judgment. This court conceded that this might be so, but held that the state had failed to provide any evidence that the responsible employees had "made any policy decision of the kind we have described as the exercise of governmental discretion." Id. at 16, 619 P.2d 247.

In *Fazzolari v. Portland School District No. 1J*, 303 Or. 1, 734 P.2d 1326 (1987), the plaintiff alleged that the school district was negligent in failing to provide security on school grounds at a time when the district knew that students would be on the grounds. Discretionary immunity under ORS 30.265(3) had not been argued to the Court of Appeals. Concerning the concept, this court nonetheless observed: "We think that a school principal's failure to take any precautions whatever, if that was unreasonable, is not an exercise of policy discretion, see *Miller v. Grants Pass Irrigation*, 297 Or. 312, 686 P.2d 324 (1984), though a school board's choice between expenditures on security personnel or other types of safeguards might be." Id., 303 Or. at 22 n. 20, 734 P.2d at 1339 n. 20 (emphasis supplied). (in text)

\* \* \* \*

From the foregoing cases, we derive the following set of principles that apply to the present case: A public body that owes a particular duty of care (such as that owed by a school district to its students who are required to be on school premises during school hours) has wide policy discretion in choosing the means by which to carry out that duty. *Little v. Wimmer*, supra, 303 Or. at 589, 739 P.2d 564; *Fazzolari v. Portland School District No. 1J*, supra, 303 Or. at 22 n. 20, 734 P.2d 1326; *Miller v. Grants Pass Irrigation*, supra, 297 Or. at 320, 686 P.2d 324. The range of permissible choices does not, however, include the choice of not exercising care. (underline emphasis added.)

An earlier discussion of this concept is also instructive. The Court in *Miller v. Grants Pass Irrigation*, 686 P.2d 324, 297 Or. 312, 320-21 (1984), said: "The concept of a 'discretionary function or duty' is notoriously obscure and difficult," and added:

If there is a legal duty to protect the public by warning of a danger or by taking preventing measures, or both, the choice of means may be discretionary, but the decision whether or not to do so at all is, by definition, not discretionary.

\* \* \* \*

Because ORS 30.265(3)(c) provides immunity for failure to exercise a discretionary function or duty but not for failure to undertake a nondiscretionary function or duty, it follows that the district would not be immune for wholly disregarding and declining to consider whatever duty it had under tort law. It would, however, be immune if upon weighing competing policy considerations it failed to reach a decision, to make a discretionary choice, before the injury occurred.

These cases lead to the conclusion that there is some risk involved in using a code definition of public road that does not assert jurisdiction over local access roads that have not been accepted by the Board as public roads. Were the County to assert jurisdiction over local access roads, a decision could then be made by the Board to not regulate these roads, or to regulate these roads to some lesser degree than county roads.

**2. Regulating Non-County Public Roads.** While simply having jurisdiction over local access roads does not require the county to do anything, there will always be some risk of liability if an injured party makes a negligence claim. Any decision to regulate or not to regulate a road is a decision that should be made by the Board in order to best be able to utilize a defense based upon discretionary immunity. Assuming such decision is made by the Board, there ought to be less risk for having made this decision than were no decision made, which is certainly one way of viewing our present code language. The Board could also delegate this decision, at least to the department director level, if not lower. To be the type of discretionary decision contemplated by the Courts, it would have to involve

“ . . . both the determination of facts and simple cause-and-effect relationships and also the assessment of costs and benefits, the evaluation of relative effectiveness and risks, and a choice among competing goals and priorities, an official has ‘discretion’ to the extent that he has been delegated responsibility for the latter kind of value judgment.” *McBride v. Magnuson*, 282 Or 433, 578 P.2d 1259 (1978). (emphasis added.)

Given that it may be difficult to discern what decisions will fall within the parameters of a “discretionary” decision, some risk remains that a given judgement will not be deemed to be within those boundaries. However, in that the state has already delineated a County’s responsibilities, or lack thereof, for local access roads, a Board decision finding no room in the budget to take these roads on should keep the County relatively free from liability. An injured party may still argue, whether or not we change Lane Code as discussed, that liability should exist for similar negligent action or inaction. As can be seen from the case law, there is no mantra which a decision-maker may recite to altogether eliminate any risk of liability.

**3. Endangered Species Act.** As we’ve discussed, and as stated in the Perkins Coie white paper, “a regulatory action or inaction by a state agency, or local government could ‘cause to be committed a take,’ but (that risk) is often overstated,” P.C., p.6. Of the two cases that have dealt with this subject, one dealt with the ability of the County to regulate lighting within certain cities, and found that where the law (the County charter in that case) gave the County that authority, the County then had “arguably a duty” to protect through regulation, *Loggerhead*

*Turtle v. Council of Volusia Cty, Fla*, 148 F.3d 1231, 1249 (11<sup>th</sup> Cir., 1998). So there is case precedent that it is not just the issuance of a permit which the courts may enjoin, but also the failure to regulate where that regulatory clearly authority exists. Thus, while it may be more likely as a practical matter that the County would be made a party to a lawsuit based upon the issuance of a permit alleged to have caused a take, failure to regulate can also be a basis for injunctive relief. neither theory has yet been the basis for a successful suit for money damages or fines. Instead, the few courts that have ruled against an agency under those theories have required that the agency change how it operates. Therefore, the increased risk attendant in issuing permits does not appear to lead to any increased financial risk as that relates to damage awards.

### **III. CONCLUSION**

There is risk inherent in action, however from a liability standpoint an important defense to a negligence claim can be the discretionary immunity defense. To best utilize that defense, some policy maker needs to make any decision weighing, at least, the "costs and benefits."

A related question, one which cannot be answered by this office, is what regulation of non-County public roads would be in the best interest of the public, given limited available resources. Utility permitting is one example which comes to mind. The potential of acting in this area raises further question of location, sufficiency of memorialization, etc., which then brings to the fore what other regulations might be reasonable if the above issues are satisfactorily resolved. These questions would appear to require a somewhat comprehensive departmental review. In other words, what are the costs and benefits of regulating non-County roads?

**Attachment 2**  
**Gates Within County Maintained Road Mileage**

Road No.:	Road Name:	LCR Maint.:	Gate Location:	Comments:	Facility Permit:
5143	Alexander Rd.	0.00 to 0.540	0.032		No
1897	Buford Pk. Rd.	0.00 to 0.824	0.527	LC Park	No
1897	Buford Pk. Rd.	0.00 to 0.824	0.817	LC Park	No
2178	Deberry Rd.	0.00 to 2.775	2.20		Yes
6079	Flat Head Rd.	0.00 to 0.316	0.096		No
1882	Frank Parrish Rd.	0.00 to 0.943	0.256	LC Park	Yes
1965	Hend. Br. Wayside Rd.	0.00 to 0.180	0.018	LC Park	No
3455	High Pass Road	0.00 to 17.224	12.88		No
3455	High Pass Rd.	0.00 to 17.224	14.55		No
6266	Jasper Pk. Rd.	0.00 to 0.825	0.152	LC Park	No
2188	Mill Road	0.00 to 0.417	0.355		No
4386	Richardson Upriver	0.00 to 5.350	3.348	gated after landslide-1999	BCC Order
4386	Richardson Upriver	0.00 to 5.350	5.145	gated after landslide-1999	BCC Order
4386	Richardson Upriver	0.00 to 5.350	3.265		Yes
2601	Territorial Ln.	0.00 to 0.699	0.129		No
2601	Territorial Ln.	0.00 to 0.699	0.237		No
2601	Territorial Ln.	0.00 to 0.699	0.328		No
2601	Territorial Ln.	0.00 to 0.699	0.495		No
2999	Baker Bay Pk. Rd.	0.00 to 0.319	0.108	LC Park	No
3993	Richardson Pk. Cmp. Rd.	0.00 to 0.454	0.008	LC Park	No
4302	Vista Drive	0.00 to 1.03	0.653	LC Park	No
6993	Winberry Cr. Pk. Rd.	0.00 to 0.453	0.024	LC park	No
3702	Kokkeler Rd.	0.00 to 0.861	0.714 & 0.216	barricades Eugene Airport	No
3635	Templeton Rd.	0.00 to 4.87	2.432		No
3635	Templeton Rd.	0.00 to 4.87	2.572		No
3635	Templeton Rd.	0.00 to 4.87	3.77		Yes
5261-50	Harbor Vista Rd.	0.00 to .251	0.00	LC Park	Yes

### Attachment 3

#### Gates Within Local Access Roads Mileage

Road No	Road Name	LCR Maint	Gate Location	Comments	Facility Permit
864900	Chapman Heights Rd	0.00 to .704	0.704	Local Access Road	No
870900	Chickadee Lane	0.00 to .160	0.16	Local Access Road	No
810100	Compton Street	0.00 to .080	0.08	Local Access Road	No
810400	Corn Silk Lane	0.00 to .240	0.24	Local Access Road	No
813400	Dorris Street	0.00 to 0262 & .262 to .3 NC	0.262	"NC" is not constructed	No
503700	Duncan Island Road	0.00 to 1.023 LCR & 1.023 to 2.293 LAR	1.195	Local Access Road	No
815500	Eric Todd Lane	0.00 to 1.20	1.2	Local Access Road	No
815600	Ewing Road	0.00 to .549	0.549	Local Access Road	No
199110	Fairgrounds Entrance	0.00 to .041	0.041		No
868000	Goodpasture Road	5.030 to 8.170	8.17	Local Access Road	No
866500	Izaak Walton Road	.513 to .823	0.823	Local Access Road	No
877800	Kizer Creek Road	0.00 to .961	0.961	Local Access Road	No
832800	McGowan View Ln	0.00 to .20	0.20	Local Access Road	No
836000	N. Brooklyn Street	0.00 to .038	0.038	Local Access Road	No
835800	N. Concord Street	0.00 to .164	0.164	Local Access Road	No
872300	North Delta Connect	0.00 to .229	0.116		No
836900	Old Central Road	0.00 to .177 0.177 to 0.22	0.014	"NC" is not constructed	No
871200	Osprey Lane	0.00 to .181	0.101	Local Access Road	No
839700	Pine Street	0.00 to 0140 0.140 to 0.170	0.087	"NC" is not constructed	No
125700	Ridgewood Drive	0.00 to 0.28	0.335	Local Access Road	No
843200	Ridiculous Road	0.00 to 0.243	0.243	Local Access Road	No

847300	Skyridge Drive	0.00 to 1.05	1.05	Local Access Road	No
849500	Stonehenge Lane	.171 to .220	0.085	Local Access Road	No
869300	Taylor Road	0.00 to .059	0.02	FP 95-09-057	021371 (canc)
842200	Unnamed Road	0.00 to .060	0.008	Near Mercer Lake Road	No
866400	Upper Maple Creek	3.681 to 3.799	3.799	Local Access Road	No

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1897	Buford Pk. Rd.	0.00 to 0.824	0.817	LC Park	No
2178	Deberry Rd.	0.00 to 2.775	2.20		Yes
6079	Flat Head Rd.	0.00 to 0.316	0.096		No
1882	Frank Parrish Rd.	0.00 to 0.943	0.256	LC Park	Yes
1965	Hend. Br. Wayside Rd.	0.00 to 0.180	0.018	LC Park	No
3455	High Pass Road	0.00 to 17.224	12.88		No
3455	High Pass Rd.	0.00 to 17.224	14.55		No
6266	Jasper Pk. Rd.	0.00 to 0.825	0.152	LC Park	No
2188	Mill Road	0.00 to 0.417	0.355		No
4386	Richardson Upriver	0.00 to 5.350	3.348	gated after landslide-1999	BCC Order
4386	Richardson Upriver	0.00 to 5.350	5.145	gated after landslide-1999	BCC Order
4386	Richardson Upriver	0.00 to 5.350	3.265		Yes
2601	Territorial Ln.	0.00 to 0.699	0.129		No
2601	Territorial Ln.	0.00 to 0.699	0.237		No
2601	Territorial Ln.	0.00 to 0.699	0.328		No
2601	Territorial Ln.	0.00 to 0.699	0.495		No
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4302	Vista Drive	0.00 to 1.03	0.653	LC Park	No
6993	Winberry Cr. Pk. Rd.	0.00 to 0.453	0.024	LC park	No
3702	Kokkeler Rd.	0.00 to 0.861	0.714 & 0.216	barricades Eugene Airport	No
3635	Templeton Rd.	0.00 to 4.87	2.432		No
3635	Templeton Rd.	0.00 to 4.87	2.572		No
3635	Templeton Rd.	0.00 to 4.87	3.77		Yes
5261-50	Harbor Vista Rd.	0.00 to .251	0.00	LC Park	Yes