

DETERMINATION OF NON-SIGNIFICANCE

Description: **Multi-Use Trail Policy** – Seattle Parks and Recreation is proposing to adopt a new Multi-Use Trail Policy to create a clear and consistent set of expectations and regulations for the use of the segments of the multi-use recreational trails owned and managed by Seattle Parks and Recreation. Currently there are seven such trails: Burke-Gilman Trail, Elliott Bay Trail, Duwamish Trail, Alki Trail, Melrose Connector Trail, Mountains to Sound Trail, and the Ship Canal Trail that are subject to this new policy. The policy creates consistency with other owners of portions of the same trails that currently allow Class 1 and Class 2 electric-assisted bicycles by establishing upper motor power and electric-assist limits to personal mobility devices. In addition, the policy sets a 15-mph speed limit for all users and clarifies roles and responsibilities for managing these recreational trails. The existing Bicycle Use Policy will be updated to reference the new Multi-Use Trail Policy and also adds a 15-mph speed limit to create consistency across trails. The proposed adoption of the policy by the Superintendent of Seattle Parks and Recreation is a non-project action.

Proponent: **Seattle Parks and Recreation**

Location: **The proposed Multi-Use Trail Policy is a programmatic action that will be applied to areas throughout the City of Seattle**

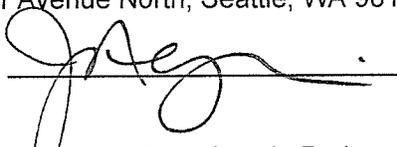
Lead agency: **Seattle Parks and Recreation**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for this DNS.

This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of publication (December 9, 2019).
Written comments must be submitted by December 23, 2019.

Responsible official: Jesús Aguirre
Position/title: Superintendent, Seattle Parks and Recreation
Phone: 206-684-8022
Address: 100 Dexter Avenue North, Seattle, WA 98109

Date: 11/29/19 Signature: 

Please contact: David Graves, Strategic Advisor, Seattle Parks and Recreation if you have questions or comments about this determination. **Phone:** (206) 684-7048; **Fax:** (206) 233-3949; or, **e-mail:** david.graves@seattle.gov. You may appeal this determination to **Office of the Hearing Examiner** at **PO Box 94729, Seattle, WA 98124-4729** or 700 Fifth Avenue, Suite 4000, Seattle, WA 98104 no later than **5:00 pm** on January 2, 2020 by **Appeal Letter** and **\$85.00** fee. You should be prepared to make specific factual objection. Contact the Seattle Examiner to read or ask about the procedures for SEPA appeals

City of Seattle

ANALYSIS AND DECISION OF THE SUPERINTENDENT OF SEATTLE PARKS AND RECREATION

Proposal Name: **Multi-Use Trail Policy**

Location of proposal: **The proposed Multi-Use Trail Policy is a programmatic action that will be applied to areas throughout the City of Seattle**

SUMMARY OF PROPOSED ACTION

Seattle Parks and Recreation is proposing to adopt a new Multi-Use Trail Policy to create a clear and consistent set of expectations and regulations for the use of the segments of the multi-use recreational trails owned and managed by Seattle Parks and Recreation. Currently there are seven such trails: Burke-Gilman Trail, Elliott Bay Trail, Duwamish Trail, Alki Trail, Melrose Connector Trail, Mountains to Sound Trail, and the Ship Canal Trail that are subject to this new policy. The policy creates consistency with other owners of portions of the same trails that currently allow Class 1 and Class 2 electric-assisted bicycles by establishing upper motor power and electric-assist limits to personal mobility devices. In addition, the policy sets a 15-mph speed limit for all users and clarifies roles and responsibilities for managing these recreational trails. The existing Bicycle Use Policy will be updated to reference the new Multi-Use Trail Policy and also adds a 15-mph speed limit to create consistency across trails. The proposed adoption of the policy by the Superintendent of Seattle Parks and Recreation is a non-project action.

SEPA DETERMINATION: Determination of Non-Significance (DNS)

BACKGROUND DATA

Seattle Parks and Recreation (SPR) is responsible for over 6,400 acres of parkland and operates a park system that includes 480+ parks, a conservatory, community centers, teen life centers, four environmental education centers, a cultural arts center, an indoor tennis center, eight indoor swimming pools, two outdoor swimming pools, nine life-guarded swimming beaches, two small craft centers, seven boat ramps, an outdoor camp, four golf courses, tennis courts, sportsfields, P-Patch gardens, 24 miles of shoreline, paved and soft surface multi and single use trails and many other facilities. There are facilities in the park system for active recreation as well as both large expanses and small pockets of natural open space for passive enjoyment.

The Washington State Legislature recently passed Senate Bill 6434, which defined and classified electric-assisted bicycles, permitted the use of Class 1 and 2 e-bikes on multi-use trails (if no local regulations existed), and required regulatory consistency along a trail. As co-owner of many of Seattle's multi-use trails, SPR has been working with its partner trail managers, the Seattle Department of Transportation (SDOT) and the University of Washington (UW), to align regulations with a goal of clarity and safety for all people throughout the trail system. Seattle's multi-use trails had no speed limit and inconsistent regulations across multiple jurisdictions. SPR received complaints of speeding cyclists and distracted pedestrians leading to trail conflicts. SPR first undertook a yearlong pilot project that instituted a 15-mph speed limit, allows Class 1 and Class 2 electric-assisted bicycles, and conducted an education and outreach

campaign on trail use and etiquette on five multi-use trails (Burke-Gilman Trail, Elliott Bay Trail, Mountains to Sound Trail, Melrose Connector Trail, and Duwamish Trail). The pilot project concluded on July 31, 2019. The outcome of the pilot is the new Multi-use Trail policy that is the subject of this SEPA analysis and Threshold Determination.

PROPOSAL DESCRIPTION

SPR is proposing to adopt and implement a new Multi-Use Trail Policy related to the use of electric personal mobility devices on SPR owned and managed multi-use trails. The new policy, attached to the SEPA Checklist, creates a clear and consistent set of expectations and regulations for the use of the segments of the multi-use recreational trails owned and managed by SPR. Currently there are seven such trails: Burke-Gilman Trail, Elliott Bay Trail, Duwamish Trail, Alki Trail, Melrose Connector Trail, Mountains to Sound Trail, and the Ship Canal Trail. The policy creates consistency with the SDOT and UW owned portions of the same trails that currently allow Class 1 and Class 2 electric-assisted bicycles by establishing upper motor power and electric-assist limits to personal mobility devices. In addition, the policy sets a 15-mph speed limit for all users and clarifies roles and responsibilities for managing these recreational trails. Finally, the existing Bicycle Use Policy is will be updated to reference the new Multi-Use Trail Policy and also adds a 15-mph speed limit to create consistency across trails.

ANALYSIS – SEPA

Initial disclosure of potential impacts from this project was made in the applicant's Environmental Checklist, dated November 5, 2019. The basis for this analysis and decision is formed from information in the Checklist and the lead agency's experience with review of similar projects.

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposed policy. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the proposal. The City codes and requirements, including the Stormwater, Grading & Drainage Control Code, Land Use Code, Environmentally Critical Areas Ordinance, the Shoreline Master Program, Building Code and other construction codes are expected to mitigate potential environmental impacts, to the extent that they apply to the adoption and implementation of a new policy.

The SEPA Overview Policy (SMC 23.05.665) discusses the relationship between the City's code/policies and environmental review. The Overview Policy states, in part, "[w]here City regulations have been adopted to address an environmental impact; it shall be presumed that such regulations are adequate to achieve sufficient mitigation". The Policies also discuss in SMC 23.05.665 D1-7, that in certain circumstances it may be appropriate to deny or mitigate a project based on adverse environmental impacts. This may be specified otherwise in the policies for specific elements of the environment found in SMC 25.05.675.

Short Term Impacts

Electric personal mobility devices have quickly become a fixture and the City is continually attempting to incorporate them into our transportation and recreation infrastructure. The proposed policy is the result of a yearlong pilot undertaken to assess the potential impacts of these new uses and users on existing uses. Adoption of the proposed policy is a non-project action and no significant short-term environmental impacts are anticipated as a result of the implementation of the policy.

Long Term Impacts

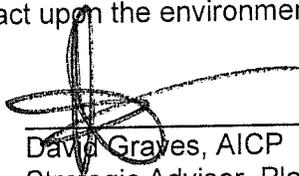
The proposal is a non-project action and no long-term impacts are anticipated upon adoption and implementation of the proposed Multi-Use Trail Policy. The proposed policy is the result of a yearlong pilot undertaken to assess the potential impacts of these new uses and users on existing uses.

DECISION

This decision was made after the responsible official, on behalf of the lead agency, reviewed a completed environmental checklist, the 2017 Plan and other information on file with the responsible department. This constitutes the Threshold Determination and final decision on application of SEPA's substantive authority and mitigation provisions. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

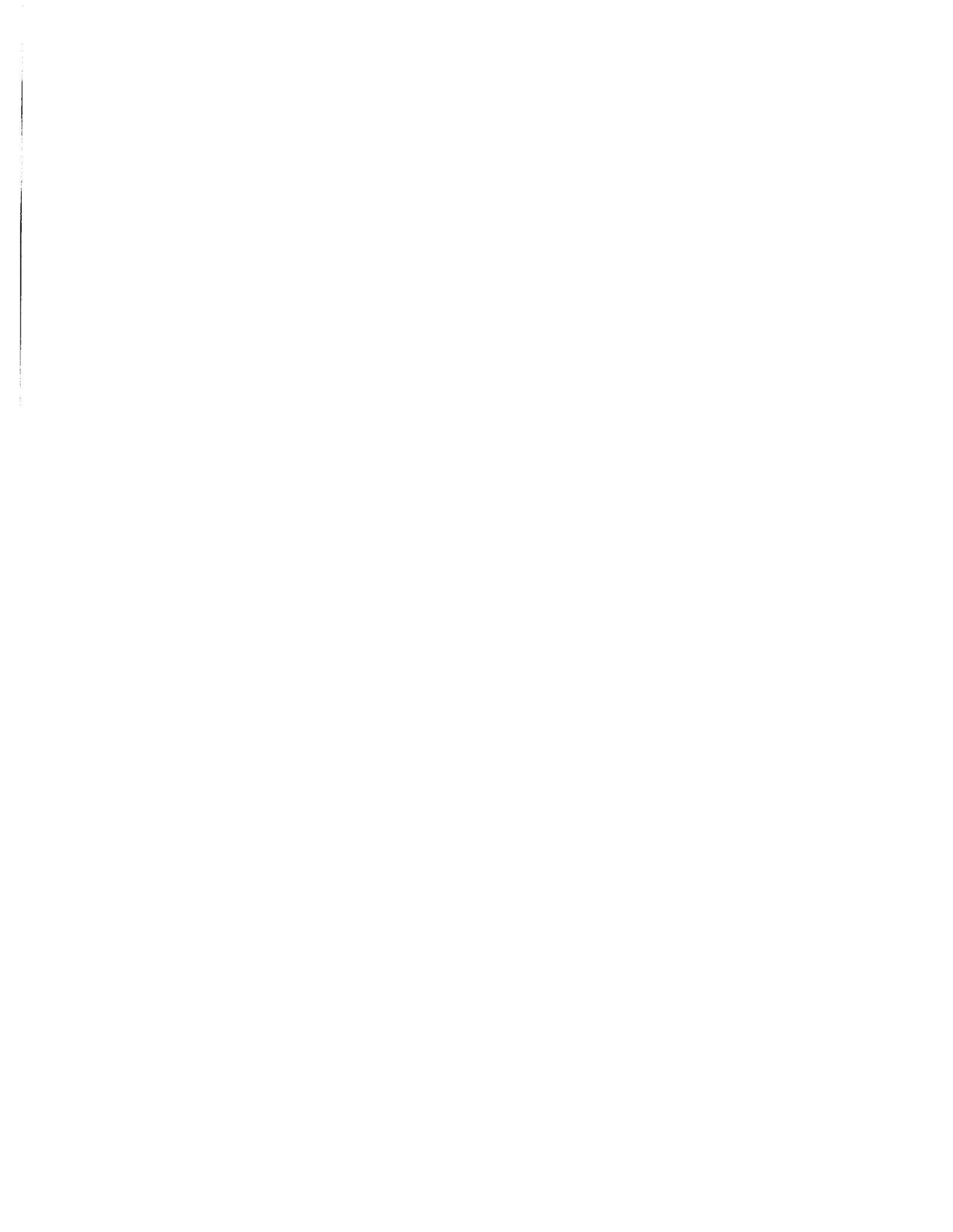
- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. AN EIS is required under RCW 43.21C.030(2)(C).

Signature:



David Graves, AICP
Strategic Advisor, Planning & Development Division
Seattle Parks and Recreation

Date: November 20, 2019



SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the Supplemental Sheet for Nonproject Actions (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements—that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[help\]](#)

1. Name of proposed project/proposal, if applicable:

Seattle Parks and Recreation Department Multi-Use Trail Policy

2. Name of applicant/proponent:

Seattle Parks and Recreation

3. Address and phone number of applicant/proponent and contact person:

Todd Burley
100 Dexter Ave N, Seattle, WA 98109
(206) 256-5615

4. Date checklist prepared:

November 5, 2019

5. Agency requesting checklist:

Seattle Parks and Recreation

6. Proposed timing or schedule (including phasing, if applicable):

The Multi-Use Trail Policy staff recommendation was presented to the Board of Park Commissioners on November 14, 2019, following the year-long pilot program and multiple presentations to the Board in the previous year. On December 12, the Board is expected to hold a public hearing and provide a recommendation to the Superintendent. The intent is to finalize the Policy for implementation on January 1, 2020.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

We recognize that updating the regulations for multi-use trails managed by Seattle Parks and Recreation only addresses use on certain shared use paths, and we may need to look into the impacts of new personal mobility device technology on other park paths and infrastructure. No plans are currently underway.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Seattle Parks and Recreation conducted a year-long pilot on five multi-use trails from August 1, 2018 to July 31, 2019 to create consistency with other trail owners and collect data on speed, use, and users to inform the proposal. A summary of the findings from this pilot are included in Attachment A.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

This is a non-project action and we do not expect any direct physical changes to the infrastructure of the existing multi-use trails as part of this proposal. Improvement projects to these multi-use trails are proposed in the Trails Upgrade Plan, conducted by the Seattle Department of Transportation, and Seattle Parks and Recreation is currently improving sections of pavement along the Burke-Gilman Trail. Capital improvement projects are/will be subject to project level environmental review under SEPA.

10. List any government approvals or permits that will be needed for your proposal, if known.

The Seattle Parks and Recreation Superintendent has authority to implement policy changes for multi-use trails. The Board of Park Commissioners will be presented the proposal and provide a recommendation to the Superintendent on whether to approve and implement the new policy or not.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The new Multi-Use Trail Policy (attached) creates a clear and consistent set of expectations and regulations for the use of the segments of the multi-use recreational trails owned and managed by Seattle Parks and Recreation. Currently there are seven such trails: Burke-Gilman Trail, Elliott Bay Trail, Duwamish Trail, Alki Trail, Melrose Connector Trail, Mountains to Sound Trail, and the Ship Canal Trail. In particular, the policy creates consistency with other owners of portions of the same trails that currently allow Class 1 and Class 2 electric-assisted bicycles by establishing upper motor power and electric-assist limits to personal mobility devices. In addition the policy sets a 15 mph speed limit for all users, and clarifies roles and responsibilities for managing these recreational trails. In addition, the existing Bicycle Use Policy is proposed to be updated to reference the new Multi-Use Trail Policy and also add a 15 mph speed limit to create consistency across trails.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposal would impact portions of seven multi-use trails where Seattle Parks and Recreation (SPR) has ownership responsibilities, as described above and in Attachment A. More specifically, it is relevant for the areas of SPR property that are paved trails. Changes to the use of these recreational trails would not impact the adjacent landscaping or other elements of the environment.

B. Environmental Elements [\[help\]](#)

Note: This is a city-wide policy action in the City of Seattle. The Multi-Use Trail Policy does not include any physical changes to the environment.

1. *Earth* [\[help\]](#)

a. General description of the site:

(circle one): **Flat, rolling**, hilly, steep slopes, mountainous, other _____

The topography of Seattle encompasses all of those listed above except for 'mountainous,' but the multi-use trails affected by this policy are along flat to rolling terrain. The majority of the area impacted is along old railway or transmission corridors through the city of Seattle and thus has a very minimal grade on the trail itself. Adjacent land near the trail may include areas of steep slope due to the nature of Seattle's landscape.

b. What is the steepest slope on the site (approximate percent slope)?

The multi-use trails owned in part by Seattle Parks and Recreation are generally flat or at minimal slopes. Areas near the trails may have steep slopes. For example, areas of the Burke-Gilman Trail owned by Seattle Parks and Recreation contain Steep Slope Environmentally Critical Areas (40% or more grade), although the trail itself is flat.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The soils of the City of Seattle include: Vashon glacial till, Vashon recessional outwash deposits, peat, Esperance Sand, Lawton Clay, tide flat deposits, artificial fill, Pre-Olympia deposits, uplifted beach deposits, Kitsap Formation and Blakely formation. This list is not meant to be exhaustive.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Some of the trails may be located on or near unstable soils, as they are commonly found in many areas of Seattle and within Seattle parks; for example, Myrtle Edwards Park is in a liquefaction-prone area and portions of Judkins Park are built on top of old landfill sites. Any projects proposed to the trail infrastructure separate from this policy proposal would be subject to its own SEPA analysis.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

No filling, excavation or grading will occur related to the adoption or implementation of the multi-use trail policy.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Soil erosion associated with a storm water event is always a possibility, however, no erosion is expected as a result of the adoption and implementation of this policy.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Adoption of the Multi-Use Trail Policy is a programmatic action related to existing impervious surfaces. 100% of the trails impacted by this policy are currently paved per the definition of a "multi-use trail" in the policy itself. No additional impervious surfaces are proposed as part of the adoption and implementation of this policy.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

This policy is limited to regulating use on existing trails and no erosion is expected as part of the proposal. Along the route of some trails impacted by this policy, there may be measures in place to manage erosion as part of existing plans or future projects. Depending on soil composition, slope, vegetation, etc., various measures may be appropriate to control/reduce erosion during any construction including use of straw bale barriers, silt curtains, sediment ponds, plastic coverings, etc. All appropriate best management practices (BMPs) will be employed on a project-by-project basis.

2. Air [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project/proposal is completed? If any, generally describe and give approximate quantities if known.

No emissions will occur as a result of the adoption and implementation of this policy. The proposed policy prohibits the use of combustion engines on multi-use trails. It is possible that by allowing the use of certain electric-assisted personal mobility devices on routes away from cars that there maybe fewer emissions through trip reduction.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None are known.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

The proposal does not create any emissions, so no measures have been identified to reduce them.

3. Water [\[help\]](#)

- a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

This is a citywide plan, and as such encompasses the entire City of Seattle. There are many surface water bodies within the City of Seattle. Water bodies in the vicinity of multi-use trails include: Puget Sound and Elliott Bay, Duwamish Waterway, Salmon Bay, Shilshole Bay, Lake Union, Portage Bay, Lake Washington, and others.

- 2) Will the project/proposal require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Adoption and implementation of the multi-use trail policy will not involve any work over, in, or adjacent to the described waters.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

This is a non-project proposal and no materials will be placed or removed.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

This is a non-project proposal and no surface water will be withdrawn or diverted.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Portions of the Elliott Bay Trail in Myrtle Edwards Park are within the 100-year floodplain.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No. This is a non-project proposal and does not involve any discharge of waste materials into water.

b. Ground Water: [\[help\]](#)

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No. This is a non-project proposal and does not involve any withdrawal of groundwater.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None. This is a non-project proposal and does not involve any discharge of any waste material.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

None. This is a non-project proposal that does not change any runoff sources on multi-use trails. In the majority of cases, these paved recreational trails have dirt shoulders with vegetation on the borders.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No. This is a non-project action that will not involve any waste materials.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No. This is a non-project proposal and will not affect any drainage patterns.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

This is a non-project proposal and no changes to water runoff or drainage will occur as part of the adoption and implementation of this policy.

4. *Plants* [\[help\]](#)

a. Check the types of vegetation found on the site:

- _deciduous tree: alder, maple, aspen, other
_evergreen tree: fir, cedar, pine, other
_shrubs
_grass
_pasture
_crop or grain
_Orchards, vineyards or other permanent crops.
_wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
_water plants: water lily, eelgrass, milfoil, other
_other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

No vegetation will be removed due to this non-project proposal.

c. List threatened and endangered species known to be on or near the site.

The USFWS identifies the golden paintbrush (*Castilleja levisecta*) as a historical listed species to occur within King County, but Seattle does not contain the appropriate habitat (USFWS 2012).

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

No plantings are planned as part of this non-project action.

- e. List all noxious weeds and invasive species known to be on or near the site.

Noxious weeds in the region include: Poison hemlock, Tansy Ragwort, Giant Hogweed, Himalayan Blackberry, Knotweed, Garlic mustard, English ivy, Scotch Broom, and Spurge Laurel.

Invasive tree species in this region include: English Laurel, English Holly, European Hawthorn, European Mountain Ash.

5. *Animals* [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

Birds and animals vary with particular sites. Usually there are no large mammals in most urban park and recreation and open space where the multi-use trail policy would apply, although coyotes are becoming more prevalent within the city. Bird life varies widely, sometimes including hawks, herons, and eagles. Shoreline or riparian sites may involve shellfish, salmon and other marine/aquatic species.

- b. List any threatened and endangered species known to be on or near the site.

Seattle's parks are home to a variety of state and federally protected species. For any projects proposed on multi-use trails, the Washington State Fish & Wildlife database will be consulted to determine the potential for impacts to protected wildlife, if any, and appropriate mitigation determined in cooperation with Fish & Wildlife.

While the bald eagle has been removed from the federal threatened and endangered species list, nesting areas are found in many of Seattle's parks, waterways and some residential neighborhoods. The Puget Sound chinook salmon, was listed as threatened under the Endangered Species Act on May 24, 1999, and occurs near park areas adjacent to Elliott Bay.

Bull trout, listed as threatened under the Endangered Species Act on November 1, 1999, could occur in its anadromous form near park areas adjacent to Elliott Bay; however, Washington Department of Fish and Wildlife (WDFW) does not monitor the bull trout in the Green/Duwamish system because, per its records, bull trout do

not spawn in this system.

The Cedar River - Lake Washington Watershed is the land area in which rainwater drains to Lake Washington and out through the Hiram Chittenden Locks. The Cedar River - Lake Washington watershed includes the Cedar River and its tributaries, May Creek, Coal Creek, Mercer Island, Mercer Slough, Kelsey Creek, Juanita Creek, Forbes Creek, Lyon Creek, McAleer Creek, Thornton Creek, Pipers Creek, and Ravenna Creek. This watershed supports a diversity of salmon, including Chinook, Coho, Sockeye and Steelhead.

c. Is the site part of a migration route? If so, explain.

Washington State is part of the Pacific Flyway, with many Seattle parks and reservoirs being used as a stopover for a variety of migratory waterfowl. Pacific Salmon migrate along Seattle shorelines, through the Duwamish River, and through the Ship Canal into Lake Union, Lake Washington and the Cedar River system.

d. Proposed measures to preserve or enhance wildlife, if any:

No measures are proposed as part of this non-project action.

e. List any invasive animal species known to be on or near the site.

Invasive animals in the Seattle area include: New Zealand mudsnail, Nutria, Brook trout, Zebra and quagga mussels, European Starling, House Sparrow, Eastern gray squirrel and fox squirrel.

6. *Energy and Natural Resources* [\[help\]](#)

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed proposal/project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The policy does not require energy use in and of itself. However, following the finalization of the policy, some energy will be used to install signs (vehicles for delivery, and energy for production of signs). In addition, energy will be used (most likely carbon-neutral electricity) to charge electric-assisted bicycles, which would be allowed for use on multi-use trails as part of this policy.

b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:

No energy conservation features are included in this non-project proposal.

7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

This is a non-project proposal and does not involve any environmental or health hazards. However, the adoption and implementation of the policy will allow the use of electric-assisted personal mobility devices that use rechargeable batteries to store power; generally these are lithium ion batteries. The potential increase in batteries used on multi-use trails is not expected to create significant risk of fire, explosion, spill, or hazardous waste.

- 1) Describe any known or possible contamination at the site from present or past uses.

Given the historic nature of many routes where multi-use trails exist in Seattle, there is some potential for contamination of soils below the paved surface of these trails. For example, some trails cross over former landfill sites or along former industrial areas (Gas Works Park).

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

This is a non-project proposal and will not be affected by any hazardous/chemical conditions and neither will any use that occurs under the new policy.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project/proposal.

This is a non-project proposal and does not involve the storage, use, or production of any toxic or hazardous chemicals and neither will any use that occurs pursuant to the policy.

- 4) Describe special emergency services that might be required.

No special emergency services will be needed as part of this non-project action. Any emergency services that are currently required on parks' multi-use trails will remain the same under the new policy.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

No additional measures are proposed.

b. Noise

- 1) What types of noise exist in the area which may affect your project/proposal (for example: traffic, equipment, operation, other)?

The types of noise near multi-use trails varies greatly. Where trails are located in areas where a lot of noise exists, such as near busy roads, below highways like Interstate 5, or near a

construction site, that noise can impact the ability of trail users to hear audible signals for safe passing, a problem that currently exists.

2) What types and levels of noise would be created by or associated with the project/proposal on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Class 1 and 2 electric-assisted bicycles produce a small amount of noise through the operation of their motors. Any noise produced is not expected or known to extend beyond the 75 feet distance that could trigger a noise complaint per the Seattle Police Department.

3) Proposed measures to reduce or control noise impacts, if any:

The policy proposal sets a speed limit of 15 miles per hour and a maximum motor size of 750 watts, which are expected to limit noise impacts.

8. Land and Shoreline Use [\[help\]](#)

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Currently the portions of multi-use trails owned by Seattle Parks and Recreation do not allow any motorized vehicles and there is no speed limit. Other adjacent trail owners in Seattle currently allow Class 1 and 2 electric-assisted bicycles, and King County has a 15 mph speed limit for the Burke-Gilman Trail once it leaves the City of Seattle. The proposal would create consistent regulations within Seattle applicable to allowed user types. The proposal would also set a process in motion for a consistent speed limit, as Seattle Department of Transportation has committed to pursuing a 15 mph speed limit on multi-use trails it owns.

b. Has the project/proposal site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or non-forest use?

No

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

c. Describe any structures on the site.

No structures are present on the multi-use trails.

d. Will any structures be demolished? If so, what?

No.

- e. What is the current zoning classification of the site?

Multi-Use trails pass through many zoning designations, including Single Family, Multifamily and Commercial/Mixed Use. All multi-use trails owned by Seattle Parks and Recreation are considered parks.

- f. What is the current comprehensive plan designation of the site?

Parks, including trails owned by Seattle Parks and Recreation, are designated as Public Open Space in Seattle's Comprehensive Plan.

- g. If applicable, what is the current shoreline master program designation of the site?

There are multiple shoreline designations within the City of Seattle. Alki Beach (CR), Myrtle Edwards Park (CM-DF & UH-DF) and Gasworks Park (CM) are located within one or more shoreline environments..

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Multi-Use trails in Seattle pass through many Environmentally Critical Areas in the city, including liquefaction prone areas, slide areas, steep slopes, historical landfill, wildlife habitat, riparian corridors, and wetlands.

- i. Approximately how many people would reside or work in the completed project/proposal?

None.

- j. Approximately how many people would the completed project/proposal displace?

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Land use designations would not change as part of this non-project proposal. Also, one purpose of the policy is to create consistency with adjacent uses.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None.

9. *Housing* [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

No housing is planned as part of this non-project action.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No housing would be eliminated as part of this non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:

No housing impacts have been identified as part of this non-project action, so no measures to reduce them are proposed.

10. *Aesthetics* [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The only structure proposed as part of this policy would be signs posted on poles along multi-use trails. Typical poles are five to eight feet tall and must be set back from the trail edge.

- b. What views in the immediate vicinity would be altered or obstructed?

No views are expected to be impacted due to this non-project action.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

No aesthetic impacts are expected, so no measures are proposed to reduce them.

11. *Light and Glare* [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The proposed policy requires those who are on human-powered personal mobility devices or micro-mobility devices on the multi-use trails at night to use lights, a practice that is already recommended for users on these trails. Lighting impacts are expected to remain primarily on the trails and impact the users of the trails only.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Lighting requirements in this policy are included for safety reasons and would improve safety rather than be a hazard. No views are expected to be impacted due to this policy.

c. What existing off-site sources of light or glare may affect your proposal?

None are known.

d. Proposed measures to reduce or control light and glare impacts, if any:

No negative impacts are expected from lights or glare, so no measures are proposed.

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

The multi-use trails are themselves recreational opportunities, used by pedestrians, cyclists, and other wheeled users of all ages and abilities. As linear parks, these trails intersect with many recreational opportunities throughout the city, including parks (Gasworks Park, Matthews Beach Park), other public open spaces (Centennial Park, University of Washington), and water access (Lake Union, Duwamish River, Elliott Bay).

b. Would the proposed project displace any existing recreational uses? If so, describe.

No recreational use displacement is expected as part of this non-project proposal. Current uses will continue to be allowed on these shared use paths.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project/proposal or applicant/proponent, if any:

The proposal formalized trail etiquette rules, sets a speed limit for all users, and other actions to support the shared use of these multi-use trails by all users. In addition, Seattle Parks and Recreation plans to work with community partners to educate trail users on proper trail etiquette to reduce the potential for conflicts on these trails.

13. Historic and cultural preservation [\[help\]](#)

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

The known landmarks near multi-use trails include: Gas Works Park, Central Waterfront District, Sand Point Naval Air Station Landmark District, and Alki Point and Duwamish Head.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

See 13.a. above.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Does not apply.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Does not apply.

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Multi-use trails cross many public streets throughout Seattle, and are integrated into maps created by Seattle Department of Transportation.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Multi-use trails are located throughout Seattle and are generally well served by public transit at multiple locations.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

None.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No major improvements to the multi-use trails or intersecting roads would be needed to implement this non-project proposal. Following the finalization of the Multi-Use Trail Policy, however, signs will be placed by SDOT posting the speed limit and alerting trail users to trail etiquette rules.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were

used to make these estimates?

No additional vehicular trips will be generated by the non-project proposal. If anything, the policy may reduce vehicular trips. However, the policy may encourage additional bicycle trips on multi-use trails.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

- h. Proposed measures to reduce or control transportation impacts, if any:

The non-project proposal would expand the use of multi-use trails to new users, namely to some electric-assisted personal mobility devices currently prohibited from use on these off-street trails. It is expected that more users will access these routes to avoid riding on the street, thus reducing congestion on bike lanes and streets.

15. Public Services [\[help\]](#)

- a. Would the project result in an increased need foal does not indicate such a need.
- b. Proposed measures to reduce or control direct impacts on public services, if any.

Seattle Parks and Recreation has worked with other City departments to ensure awareness, alignment, and agreement with this new policy. SDOT has agreed to place speed limit and educational signs along these routes, and SPD has agreed to respond to user conflicts similar to other non-emergency issues in the city. Establishing consistent regulations for users on these trails is expected to simplify education and enforcement efforts.

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

The City is served by all utilities customarily found in urban areas.

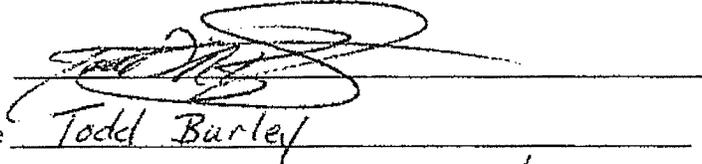
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

No utilities are planned as part of this non-project action.

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____



Name of signee _____

Todd Barley

Position and Agency/Organization _____

Strategic Advisor / Seattle Parks and Recreation

Date Submitted: _____

11/20/2019

D. Supplemental sheet for nonproject actions [\[help\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The non-project proposal will not increase discharge to water or emissions to air. The proposal does allow electric motors with rechargeable batteries. There is some noise associated with electric-assisted personal mobility devices, but is not known or expected to be heard beyond the 75 feet distance that may be considered a nuisance by the Seattle Police Department.

Proposed measures to avoid or reduce such increases are:

The measure proposed to reduce noise increases are primarily through placing an upper limit on the motor size (750 watts) consistently with Washington State law, and also limiting speed to 15 mph, consistent with King County code.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The Multi-Use Trail Policy is a non-project action that will not include any physical change. The adoption and implementation of the policy is not expected to negatively affect any vegetation, animals, fish or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

No measures are proposed for this non-project proposal.

3. How would the proposal be likely to deplete energy or natural resources?

The Multi-Use Trail Policy is a non-project action and would not deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

Not applicable.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

This non-project proposal changes the applicable rules for use of an existing infrastructure only, and is not expected to have any material impact on this infrastructure or nearby areas beyond typical use.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Not applicable.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

This non-project proposal would utilize existing paved surfaces and the personal mobility devices newly permitted on these trails are not expected to be different in the physical impact they would have on these trails. (i.e. electric-assisted bikes use tires, electric scooters are much like regular scooters, e-skateboards are similar to manual skateboards)

Proposed measures to avoid or reduce shoreline and land use impacts are:

The proposal continues to prohibit the use of internal combustion engines on multi-use trails.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal would increase access to multi-use trails, and thus demand, for populations seeking off-street routes. It is expected that some of these users will utilize these trails in lieu of driving at times, thus reducing impacts to other transportation infrastructure.

Proposed measures to reduce or respond to such demand(s) are:

Placing a speed limit and clear expectations on trail etiquette, while working with community partners to educate users on how to share the trail, is expected to create a safer and more enjoyable experience for all trail users.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The purpose of this proposal is to update SPR's policy related to human-powered personal mobility devices and micro-mobility devices on our multi-use trails and make it consistent with Washington State law and local SDOT regulation(s).



Department Policy & Procedure

Subject: Multi-Use Trail Policy		Number:
		Effective: January 1, 2020
		Supersedes: NA
Approved:	Department: Seattle Parks and Recreation	Page 1 of 4

1. PREFACE

This policy clarifies the regulations for multi-use trails owned and managed by Seattle Parks and Recreation (SPR) (see Attachment A). An increasing diversity of user types, coupled with disparate regulations among jurisdictional owners and managers of these trails, amplifies the need to create consistent regulations developed in coordination with other trail managers to bring clarity to all users and create a safer experience for all.

2. PURPOSE

- 2.1 To establish a policy for multi-use trails, specifying allowed user types, regulations for use, and coordination with other jurisdictional trail owners.

3. ORGANIZATIONS AFFECTED

- 3.1 **Seattle Parks and Recreation:** This policy applies to the portions of multi-use trails SPR owns and manages.
- 3.2 **Seattle Department of Transportation (SDOT):** It is the responsibility of SDOT to create, install and maintain speed limit signs and other educational signs on multi-use trails in Seattle.
- 3.3 **Seattle Police Department (SPD):** SPD is responsible for enforcement of this policy on multi-use trails.
- 3.4 **Other trail owners:** This policy affects other jurisdictions that own parts of the multi-use trails managed by SPR. These include Seattle Department of Transportation, the Port of Seattle, University of Washington, King County, and Washington Department of Transportation.

4. REFERENCES

- 4.1 **Bicycle Use Policy (060-P 7.11.1):** A policy for responsible bike use in the Seattle Parks and Recreation system.
- 4.2 **Revised Code of Washington (RCW 46.61.710):** General requirements and operation for mopeds, Electric Personal Assistive Mobility Devices (EPAMDs), motorized foot scooters, personal delivery devices, electric-assisted bicycles, class 1 electric-assisted bicycles, class 2 electric-assisted bicycles, and class 3 electric-assisted bicycles.
- 4.3 **Superintendent’s Authority (SMC 18.12.040):** A policy giving SPR’s Superintendent authority to restrict use and clarify rules for trails, parks, and other infrastructure managed by SPR.
- 4.4 **Authority to Enforce (SMC 18.30.24):** A policy stating SPR’s Superintendent may call upon the police, fire, health or other appropriate City departments or government agencies to assist in enforcement.

5. POLICY

- 5.1 Multi-use trails will be managed for the recreational use of all allowed users, with an emphasis on creating a safe and enjoyable experience for all.
- 5.2 All human-powered personal mobility devices, pedestrians, and leashed pets are allowed on multi-use trails under the following conditions:

- (a) personal mobility devices are less than or equal to 30-inches in width;
- (b) if ridden at night, devices have lights on the front and back; and
- (c) pets are on a leash that is six feet or less in length, under control at all times, and on the right side of the trail.

5.3 Micro-mobility devices are allowed on multi-use trails under the following considerations:

- (a) they have electric motors that are 750 watts or less and have a motor governor that limits electric assistance at or below 20 miles per hour;
- (b) they have braking mechanisms, a way to measure speed, and lights; and
- (c) their systems have not been modified to increase speed or remove restrictions.

5.4 No vehicles or devices powered by internal combustion engines are allowed on multi-use trails.

5.5 The Multi-Use Trail Code of Conduct is required of all users.

Multi-Use Trail Code of Conduct*

- Show courtesy to other trail users at all times.
- Use the right side of the trail except when otherwise designated.
- Always pass on the left and use bell or voice to signal before passing.
- Wheeled users yield to pedestrians.
- Wheeled users should ride at a safe speed and slow down and form a single file in congested conditions, reduced visibility and other hazardous conditions.

*Adapted from SDOT, "How to Use Multi-Use Trails" (<http://www.seattle.gov/transportation/projects-and-programs/programs/bike-program/how-to-use-multi-use-trails>)

5.6 All users will operate at a safe speed for the conditions and in a responsible manner. Travel at speeds in excess of 15 miles per hour, or any lower speed that may be posted, shall constitute in evidence a prima facie presumption that the person violated this section.

5.7 Pedestrians shall have the right-of-way at all times.

5.8 The Superintendent has the discretion to designate specific trails as either limited to pedestrian use only or allowed for pedestrian and bicycle use or allowed only for non-motorized devices. The Superintendent may also establish lower speed limits where appropriate to facilitate safe and enjoyable use of the trail, including in areas of congestion.

5.9 This policy is not intended to prohibit the use of wheelchairs, mobility aids, or Other Power-Driven Mobility Devices (OPDMDs) by persons with disabilities. For health and safety, OPDMDs may not be gas-powered and should be no wider than half the width of the multi-use trail.

6. DEFINITIONS

6.1 Multi-Use Trail: A recreational trail managed for the use of pedestrians, bicyclists, and other users in a shared space. Multi-use trails are at least 60-inches in width and may be either paved or gravel. For the purposes of this policy, multi-use trails are those that transcend jurisdictional boundaries.

6.2 Personal Mobility Device: Any wheeled, non-motorized device which is operator-propelled and transports the operator on land. Examples include, but are not limited to, bicycles, tricycles, quadcycles, scooters, and skateboards.

6.3 Micro-Mobility Device: As defined by SDOT, micro-mobility devices are personal vehicles meant to carry one or two passengers that have an electric motor. They may include electric-assisted bikes, motorized foot scooters, electric skateboards, and other relatively small and lightweight electric devices.

(a) Electric-assisted bicycle: As defined by the Seattle Municipal Code [SMC 11.14.055] and Washington State [RCW 46.04.169], an electric-assisted bicycle is a bicycle with two or three wheels, a saddle, fully operative pedals for human propulsion, and an electric motor. The electric-assisted bicycle's electric motor must have a power output of no more than 750 watts. The electric-assisted bicycle must meet the requirements of one of the following three classifications:

- (i) "Class 1 electric-assisted bicycle"** means an electric-assisted bicycle in which the motor provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the

speed of 20 miles per hour;

(ii) "**Class 2 electric-assisted bicycle**" means an electric-assisted bicycle in which the motor may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour; or

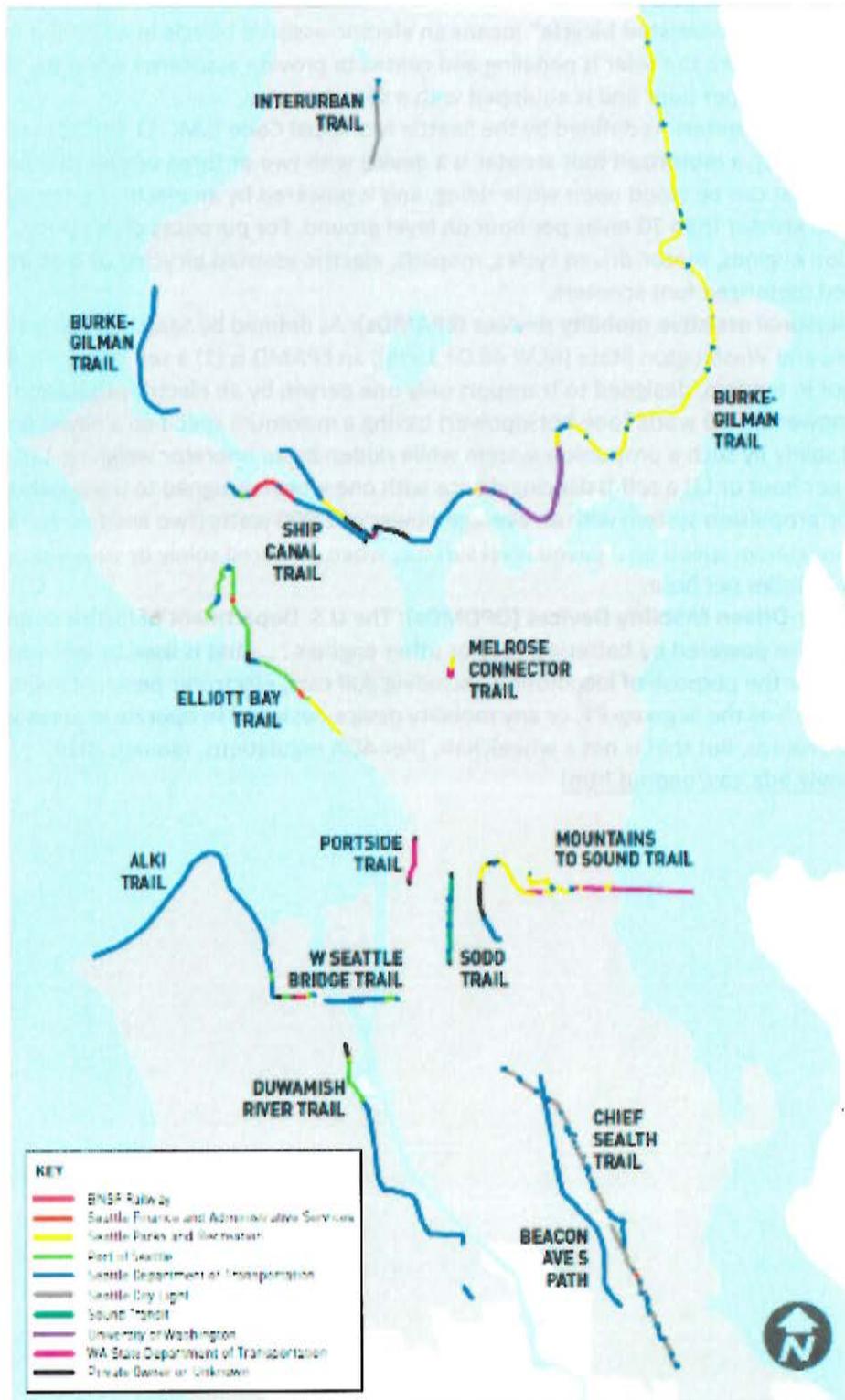
(iii) "**Class 3 electric-assisted bicycle**" means an electric-assisted bicycle in which the motor provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour and is equipped with a speedometer.

(b) **Motorized foot scooter:** As defined by the Seattle Municipal Code [SMC 11.14.333] and Washington State [RCW 46.04.336], a motorized foot scooter is a device with two or three wheels that has handlebars, a floorboard that can be stood upon while riding, and is powered by an electric motor that has a maximum speed of no greater than 20 miles per hour on level ground. For purposes of this policy, internal combustion engines, motor-driven cycles, mopeds, electric-assisted bicycles, or motorcycles are not considered motorized foot scooters.

(c) **Electric personal assistive mobility devices (EPAMDs):** As defined by Seattle Municipal Code [SMC 11.14.186] and Washington State [RCW 46.04.1695], an EPAMD is (1) a self-balancing device with two wheels not in tandem, designed to transport only one person by an electric propulsion system with an average power of 750 watts (one horsepower) having a maximum speed on a paved level surface, when powered solely by such a propulsion system while ridden by an operator weighing 170 pounds, of less than 20 miles per hour or (2) a self-balancing device with one wheel designed to transport only one person by an electric propulsion system with an average power of 2,000 watts (two and two-thirds horsepower) having a maximum speed on a paved level surface, when powered solely by such a propulsion system, of less than 20 miles per hour.

(d) **Other Power-Driven Mobility Devices (OPDMDs):** The U.S. Department of Justice defines OPDMDs as any mobility device powered by batteries, fuel, or other engines . . . that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices ... such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair. [Per ADA regulations, January 2014, <https://www.ada.gov/opdmd.htm>]

Appendix A: Ownership of Multi-Use Trails in Seattle



Trail Parcel Ownership Map*

*Ownership and names are approximate