

# Clallam County Trails Advisory Committee July 17, 2019 Meeting Notes

## WELCOME/INTRODUCTIONS

The meeting was opened and those present introduced themselves.

*Members Present:* Andy Stevenson, Dave Burt, Jennifer Reandeau, Gary Gleason, Kat Sample, Chuck Preble and Bob Lake.

*County Staff:* Steve Gray, County Public Works-Roads

3 members of the public were also present.

## CONTINUED DISCUSSION AREA: E-BIKES on the ODT

Steve Gray provided an overview of the meeting packet materials that featured additional background on 2018 state e-bike legislative changes as they relate to the Olympic Discovery Trail (ODT) and ODT-Adventure Route and included:

1. Review of definition of the 3-classes of e-bikes now considered and defined as “bicycles” under state law (RCW 46.04.169 & RCW 46.04.071).
2. Why E-bikes:
  - a. State law expands the definition of bicycle to include 3-classes of e-bikes.
  - b. Significant electric-assisted bicycle use is already occurring on the ODT. Continued growth in people interested in using e-bikes on the ODT is expected.
  - c. From older riders, to those with longer commutes, to people dealing with health issues, e-bikes can provide increased riding opportunities.
  - d. Getting more and new people interested in regularly riding is good for everyone who rides and also the community through cleaner forms of transportation, healthier community members, and contributing to the local economy (e.g., tourism, bike sales and repairs).
  - e. Ebikes considered a bicycle under state law travel at bike-like speeds. Like other bikes, most people on e-bikes are not typically traveling at top speed at all times. This is the same for e-bikes.
    - Class 1 and 2 e-bikes have a motor that cuts off after the rider reaches speeds of 20 mph (some e-bikes in this class have lower assist maximum speeds). For e-bikes in this class, 20 mph is the top assisted speed. Like a regular bike, you can pedal the e-bike faster than 20 mph but the electric motor won't kick in beyond that speed.
    - Class 3 e-bikes have pedal assist speeds of up to 28 mph and due to these higher potential speeds state e-bike rules laws prohibit their operation on shared use paths, except where allowed by local authority or state agency with jurisdiction.

3. E-Bike Concerns on ODT:
  - a. Ability for more riders and more inexperienced riders to go at higher speeds that may increase incidents and collisions.
  - b. Higher potential speeds on the multi-directional, single-track ODT-Adventure Route also used by hikers and equestrians, especially along uphill sections and areas of limited sight distance.
4. Issues/Challenges Related to Bikes on Shared Use Trails:
  - a. Riding an e-bike is like riding a regular bike. If a rider does not follow the rules of the road or trail or not respect trail courtesy rules, you don't need an e-bike to do it.
  - b. Excessive speeds not consistent with trail rules or conditions can occur with regular bikes or e-bikes.
  - c. TAC identified need to prioritize signage along the trail corridor and not just at trail heads to inform and remind all users of trail rules/etiquette (e.g., stay right and pass left) and also posting of lower speed limits where warranted to improve safety, especially of need to slow down along high use/congested areas, limited sight lines and hill trail segments.

Discussion followed in regards to the above topic areas. Similar to prior meetings concerns were raised about bike speeds in general (not specific to e-bikes) on the ODT and need for signage improvements for trail rules/etiquette. Andy Stevenson noted that the classes of e-bikes considered bicycles by the state allows for up to 750 watts power, which is more power than most current e-bike users on the ODT. He also expressed concern about higher speeds and accommodating a new user class on the single-track, Adventure Route where signage and rules (e.g., speed limits) may help mitigate but not avoid conflicts with other uses on this multi-directional, shared use trail.

The following e-bike policy areas were discussed as summarized below:

1. **Class 1 and 2 E-bikes on ODT:** Under the 2018 state law changes, Class 1 and 2 e-bikes are allowed on public roads to the same extent as other bicycles; allowed on sidewalks (subject to local laws and restrictions); and allowed on shared-use paths such as the ODT designated for use by bicycles (RCW 46.61.710). Local or state agencies may restrict or otherwise limit the access of Class 1 and 2 e-bikes under their jurisdiction and control. Any such limits on shared use paths that crosses two or more local jurisdictions must be consistent for the entire shared use path to be enforceable (does not apply to local regulations in effect as of January 1, 2018).

**TAC Recommendation:** The TAC supports allowing Class 1 and 2 e-bikes on the ODT. The TAC supports improved trail signage along the trail route to both inform and remind users of trail rules/etiquette and speed limits. Improved signage and speed limits is recommended based on current and continued growth of all ODT users.

2. **Class 3 E-bikes on ODT:** Under the 2018 state law changes, Class 3 e-bikes are allowed on public roads to the same extent as other bicycles (must be 16 years or older to operate). They are not allowed to operate on sidewalks unless there is no alternative. Class 3 e-bikes are also not allowed to operate on shared use paths such as the ODT, but a local jurisdiction may allow for their use (RCW 46.61.710(8)). Local allowance or regulation of Class 3 e-

bikes upon a shared use path must be consistent across all jurisdictional boundaries of the entire shared use path to be enforceable.

**TAC Recommendation:** The TAC does not support the operation of Class 3 e-bikes on the ODT shared use path segments consistent with state law under RCW 46.61.710 (8)). The main reason for not supporting a local exception for the ODT separated trail segments is the concern of the higher sustained operating speeds (maximum of 28 mph) of Class 3 e-bikes on the ODT's 8 to 10-foot wide path shared with other trail users.

3. **E-Bikes on the ODT – Adventure Route:** The 2018 legislative updates do not allow operation of e-bikes on a trail that is specifically designated as non-motorized and that has a natural surface tread that is made by clearing and grading the native soil with no added surfacing materials. Exceptions may be made by a local authority or state agency that has jurisdiction over a particular trail to allow the operation of electric-assisted bicycles on that trail. RCW 46.61.710(9). The ODT-Adventure Route is a single-track surface, but incorporates sections of this natural tread trail that have been hardened (e.g., added gravel, rock) to support bike and horse use and includes segments of former logging road. The County has a current agreement with the DNR to construct, maintain and operate the ODT-Adventure Route on state DNR lands. It was noted that DNR considers significant portions of the Adventure Route as hardened.

**TAC Recommendation:** It was noted that at prior TAC discussion there was majority support for Class 1 and 2 e-bikes on the ODT-Adventure Route similar to the main ODT, since the Adventure Route also provides an existing ODT western route link while the gaps in the ODT are being addressed. This support was not without concern related to potential overall speed increases related to e-bikes, especially on uphill and limited site distance segments. The TAC notes that that bike speeds in general are of increasing concerns on this multi-directional trail used also by hikers and equestrians.

At the July TAC meeting, most members present concurred with applying state law provisions that do not allow e-bikes on natural tread trails to the ODT-Adventure Route. However, it was noted that a number of members that supported e-bikes on the Adventure Route were not present and that further discussion should be had to obtain their input and to discuss issues further.

4. **ODT Speed Limits:** Consistent with past discussions the TAC noted that “bike speeds” continues to be a main concern regardless of whether an e-bike or traditional bike. Staff noted that the overall design speed of the ODT-paved separated trail was 20 mph. TAC members present supported ODT general speed limits as follows:
  - a. ODT (separated trail): 15 mph
  - b. ODT-Adventure Route: 10 mph
  - c. Other Speeds: Post lower speeds where necessary to improve safety and inform trails users of need to slow down in high use/congested areas (e.g., Railroad Bridge Park), hill/curve sections, bridges, and areas of limited site distances.
5. **Signage:** Consistent with past discussions the TAC sees improvements to ODT signage to address trail rules/etiquette along the trail route not just trailheads. This is identified as a recommended priority based on current and growing ODT usage associated with all user

types. Improvements to signage and related messaging is needed along the route to inform and remind users of trail rules/etiquette such as stay right and pass on left; bikes to yield to both pedestrians and equestrians; and lowering speeds along certain segments (e.g., high use/congested areas).

Steve noted that in 1998 that Clallam County adopted regulations (Ordinance 636) under County Code Chapter 23.03 CCC (General Park and Fairground Rules and Regulations) that included under CCC 23.03.170 (1) prohibiting the use of any type of motorized vehicle (except wheel chairs) on those portions of the ODT that do not use the shoulders of County roads or State Highways. This prohibition was written prior to current interest of e-bikes and the 2018 changes to state law that define what type of e-bikes are considered to be “bicycles” and the state rules that apply.

Steve noted the below draft amendments (underlined and in bold below) to CCC 23.03.170(1) that were presented previously to the TAC to propose County policy rules for e-bike use on the ODT related to the 2018 state e-bike legislation:

23.03.170 Traffic.

(1) It is unlawful to drive or park any vehicle on other than designated areas, roadways, camping areas or parking areas. Use of any type of motorized vehicle (except wheelchairs, **Class 1 and Class 2 electric assist bicycles/tricycles**) is strictly prohibited on those portions of the Olympic Discovery Trail that do not use the shoulders of County roads or State highways. This includes motorcycles, trail bikes, snowmobiles, ATVs, four-wheelers, **Class 3 electric assist bicycles**, and all other vehicles. **Class 1 electric assist bicycles are pedal assisted and limited to 20 MPH, Class 2 electric assist bicycles are throttle assist, limited to 20 MPH and have operable pedals, Class 3 electric assist bicycles are pedal assist and limited to 28 MPH.**

It was noted that the above draft amendments, same as the current regulation, consider the Adventure Route as part of the ODT. In addition, the proposed changes at this time only target ebike use on the ODT and ODT-Adventure Route and do not address other regulations such as speed limits or trail damage (e.g., creating jumps).

Steve will seek legal input on whether the County would need to update CCC 23.03.170(1) above regarding e-bike use on the ODT since the 2018 state e-bike law changes defined 3 classes of e-bikes as bicycles and allow Class 1 and 2 e-bikes on shared uses paths like the ODT.

## **PROJECT UPDATES**

- *ODT-Spruce Railroad (SRRT)-Final Phase.* The County was awarded in June 2019 a nearly 2 million dollar grant from state Recreation and Conservation Office (RCO). This award combined with other County and federal contributions will allow the final phase of the ODT-SRRT around the north shore of Lake Crescent to move forward. Anticipate bid opening and award in 2019, with construction to commence in early-2020. This project will restore the second tunnel (Daley-Rankin Tunnel), construct 2 miles trail between the first and second tunnels along the former railroad grade, and pave the entire eastern section of the SRRT approximately 4 miles to join the already paved western segments.

- *ODT Gosset Road to DNR Waterline Road:* Contract was awarded to construct the approximately 1.5 mile new ODT segment along the historic railroad grade from Gosset Road to the DNR Waterline Road. Construction to start this summer.
- *ODT Freshwater Bay to Thompson Road:* Construction underway for the ODT Freshwater Bay to Thompson Road new section along the Onella Road alignment. Much of this trail route segment will be a shared road with low volume local traffic.

### **ODT MAINTENANCE REPORTS/UPDATES**

Steve noted this is a new item he plans to add as a regular-agenda item to provide updates and reports on ODT significant maintenance accomplishments/progress and to identify and share information on maintenance needs. For example, it was noted that the County's ODT contracted Volunteer Coordinator and County trail volunteers re-constructed the switchback at mile post 6 adjacent to the bench overlook in the recently harvested area to improve safety.

ODT maintenance involves a number of local, state and federal jurisdictions along the trail corridor. It relies significantly on volunteer efforts of the Peninsula Trails Coalition, Washington Backcountry Horsemen, County volunteer trail crew, trail adopters and others.

Steve introduced the issue of trail "go-arounds" on motorcycle barriers on the Adventure Route that is resulting in undesirable trail widening to avoid access thru the barrier. As an example, he provided a handout showing recent work by the County ODT Volunteer Coordinator and County Volunteers to address a "go-around" that was removed within a week of placement.

Steve noted that the County will be meeting with Jamestown S' Klallam Tribe staff later in the week to discuss addressing the Dean Creek Bridge failure and also the ODT slide area below US 101. He will report back to the TAC at the August meeting.

### **PUBLIC COMMENTS**

Lorrie Mittman noted need for trail head and route identification signage updates for the ODT-Adventure Route. She is working with Peninsula Trails Coalition to pay for the signage with County approval. She recommends the signage be specific to the Adventure Route/Trail and requests the signs reference the trail as the Olympic Adventure Trail. She supports the name change because it is the common name referred to by many people. Signage with specific reference to Olympic Adventure Trail will also help avoid and lessen confusion between ODT paved route and the Adventure Route/Trail.

Lorrie also noted that she helped put in the current motorcycle barriers on the Adventure Route/Trail, and that in the early-years of the trail motorcycle access was an issue. She does not believe motorcycle access is a current issue. To allow for bike pass-thru the barriers, the approaches must be maintained at proper levels.

### **NEXT – MEETING TOPICS**

1. Continued discussion on e-bikes on ODT-Adventure Route.
2. Naming and Signage of the Adventure Route/Trail.
3. Adventure Route/Trail Access Barriers

The next regular-meeting of the TAC will be on August 21, 2019.