

# Americans With Disabilities Act (ADA) Self-Evaluation and Transition Plan



Everett, WA

June 2021  
(revised April 2024)

Prepared by Transportation Solutions, Inc  
and design2 LAST, Inc.



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**The Americans with Disabilities Act Notice:**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Port of Everett will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

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**Appendix E** - Updated Administrative Policies and Procedures Documentation

**Appendix F** - [Building Facilities ADA Assessments](#)

**Appendix G** - [Public Comment on Draft Revised ADA Transition Plan \(2024\)](#)

## List of Abbreviations

**ABA** - Architectural Barriers Act

**ADA** - American with Disabilities Act

**ADA/504** - Americans With Disabilities Act/Section 504 of the Rehabilitation Act of 1973

**APS** - Accessible Pedestrian System

**CFR** - Code of Federal Regulations (United States)

**COVID-19** - Coronavirus Disease of 2019

**DOJ** - Department of Justice (United States)

**DSI** - Driveway/Sidewalk Interface

**DWS** - Detectable Warning System

**GIS** - Geographic Information System

**LAG** - Local Agency Guidelines (published by Washington State Department of Transportation)

**NCHRP** - National Cooperative Highways Research Program

**POE** - Port of Everett

**POE\_ID** - Identification Number for Inventoried Transportation Network Facilities

**PROWAG** - Public Right of Way Accessibility Guidelines

**SR** - State Route

**USDOT** - United States Department of Transportation

**WSDOT** - Washington State Department of Transportation

**VDOT** - Virginia Department of Transportation

## A. Introduction & Legal Requirements

The Port of Everett is committed to removing barriers to accessibility in its facilities, services, programs, and activities. To achieve this end, the Port has completed an Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan.

This introduction summarizes the legal precedent for and the required components of an ADA Self-Evaluation and Transition Plan. It also provides an overview of the scope and organization of the Port's ADA Self-Evaluation and Transition Plan with respect to these requirements.

### A.1 Legal Precedent

The following federal laws and local Washington State guidelines informed the content and scope of this ADA Self-Evaluation and Transition Plan. See also Washington State Department of Transportation (WSDOT) Local Agency Guidelines Chapter 29 (June 2020).

#### A.1.1 Section 504 of the Rehabilitation Act (1973)

Section 504 of the Rehabilitation Act of 1973 states that no person with a disability shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity that receives Federal funding. This includes both transportation and non-transportation funding.

Section 504 extends to the entire operations of a recipient or subrecipient, regardless of the specific funding source of a particular operation. Section 504 Regulations (49 CFR Part 27.5) define a recipient as any public entity that receives Federal financial assistance from the United States Department of Transportation (USDOT) or its operating administrations either directly or through another recipient. An example of a recipient is WSDOT. An example of a subrecipient is a local agency receiving USDOT funds through WSDOT, for projects/programs/activities administered by the local agency.

#### A.1.2 American with Disabilities Act

The *Americans with Disabilities Act* of 1990 is a civil rights statute that prohibits discrimination against people who have disabilities. There are five separate Titles, or sections, of the Act that cover different aspects of potential discrimination. These include:

- Title I – Employment
- Title II – Public Services and Transportation
- Title III – Public Accommodations
- Title IV – Telecommunications, and
- Title V – Miscellaneous

Title II of the Act specifically addresses the subject of making public services and public transportation accessible to those with disabilities. Designing and constructing facilities for public use that are not accessible by people with disabilities constitutes discrimination.

The ADA is mirrored after Section 504 but extends the reach of Federal accessibility laws to include those agencies that are not recipients or subrecipients of Federal funding. Title II (28 CFR Part 35) of the ADA specifically pertains to state and local governments, which includes Port Districts.

The ADA applies to all facilities, including both facilities built before and after 1990. State and local government and public entities or agencies are required to perform self-evaluations of their current facilities relative to the accessibility requirements of the current ADA accessibility standards. The requirements of the ADA apply to all public entities or agencies, no matter the size. The transition plan formal procedures as outlined in 28 C.F.R. section 35.150 only governs those public entities with more than 50 employees.

### A.2 Scope of ADA Transition Plan

The Federal requirements for preparing and implementing an ADA Transition Plan are outlined in specific code sections. Certain code sections also identify accessibility requirements for existing facilities, new construction and alterations of existing facilities. In addition, WSDOT provides local agency guidelines on ADA Transition Plan content. These codes and guidelines utilized in preparing the Port’s ADA Self-Evaluation and Transition Plan as well as the steps undertaken to engage the public in the process are included for reference in **Appendix A**.

The Port is undertaking this Plan in phases.

Phase I of the Port’s ADA Self-Evaluation and Transition Plan included transportation network facilities within the Port’s destination waterfront from 10<sup>th</sup> to 18<sup>th</sup> Streets, west of West Marine View Drive (completed June 2021). Phase II included marina restroom, shower and laundry facilities as well as public areas and tenant entries in Waterfront Center (completed March 2024). Other facilities and infrastructure will be evaluated and added to the Plan in subsequent years.

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#### A.2.1 Federal ADA Transition Plan Requirements

Under Title II of the ADA, Section 28 CFR Part 35.150 (d) - Transition Plan outlines four requirements of an ADA Transition Plan. For full code text, see **Appendix A**.

- Identify physical obstacles in the public entity’s facilities that limit the accessibility of its programs or activities to individuals with disabilities;
- Describe in detail the methods that will be used to make the facilities accessible;
- Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one (1) year, identify steps that will be taken during each year of the transition period; and
- Indicate the official responsible for implementation of the plan.

**A.2.2 Federal Accessibility Requirements for Existing Facilities**

Section 28 § 35.150 of Title II of the ADA identifies the accessibility requirements for existing facilities. For full code text, see **Appendix A**.

**A.2.3 Federal Accessibility Requirements for New Construction or Alterations**

Section 28 § 35.151 of Title II of the ADA identifies the accessibility requirements for new construction or alterations to existing facilities. For full code text, see **Appendix A**.

**A.2.4 Washington State Department of Transportation (WSDOT) Local Agency Guidelines**

WSDOT’s Local Agency Guidelines (LAG) Chapter 29 includes additional ADA Transition Plan items per Section 504 listed below. For full local agency guidelines text, see **Appendix A**.

- Designate an ADA/504 Coordinator
- Adopt and publish Complaint/Grievance procedure
- Adopt an Accessible Pedestrian System (APS) Policy

**A.3 Organization of Document**

The National Cooperative Highway Research Program (NCHRP) No. 20-7 (232) ADA Transition Plans: *A Guide to Best Practices* (May 2009) report demonstrates how the federal ADA Transition Plan requirements give agencies flexibility on how to format their Transition Plans.

The Port of Everett is preparing its ADA Self-Evaluation and Transition Plan in phases across multiple budget years. This current Plan addresses these components:

- Self-Evaluation and Compliance Activities to Date
- Barrier Prioritization & Removal Schedule Recommendations

The document addresses each of these barrier types:

- Transportation Network
- Recreational Facilities
- Administrative Policies and Procedures
- Building Facilities (added in 2024)

The remaining sections address:

- Public Outreach
- Future Actions to Maintain and Achieve Compliance
- Accessibility Guidelines, Standards, and Resources
- Appendices

Cost estimating and barrier removal implementation scheduling are not addressed in **Phases I or II**. They will be addressed in a future update to the Plan.

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## B. Self-Evaluation and Compliance Activities to Date

This chapter describes the Port’s efforts to self-assess facilities within the Port for ADA barriers.

During Phase I (2020-2021), select transportation and recreational facilities were evaluated for ADA barriers. An audit of select administrative policies and procedures also occurred. Recent efforts to remove barriers and/or increase accessibility across the Port’s facilities and services were identified. In general, facilities constructed five (5) years or more ago demonstrate more barriers than those constructed more recently. Several barriers are related to ongoing settlement or upheaval and are not a function of inadequate design. Large parking lots at the Port also lack continuous accessible routes across them.

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During Phase II (2023-2024), select building facilities were evaluated for ADA barriers, including restroom, shower, and laundry facilities in the North and South Marina areas as well as public areas and tenant entries of the Waterfront Center.

### B.1 Transportation Network

In early 2021, Transportation Solutions, Inc., conducted a Geographic Information System (GIS)-based ADA assessment inventory of the Port of Everett’s curb ramps, sidewalk barriers, and driveway/sidewalk interface locations. The self-evaluation findings provided here address the transportation network facilities identified in **Table B-1** and **Figure B-1** below. For Transportation Network ADA Inventory Documentation, see **Appendix B**.

**Table B-1. Transportation Network Facilities Assessed for ADA Compliance in January 2021**

Transportation Network Facility Location and Description	Map Marking
10 <sup>th</sup> Street	Yellow Line
Craftsman Way	
11 <sup>th</sup> Street	
Port Gardner Way/13 <sup>th</sup> Street	
18 <sup>th</sup> Street to South Marina Parking Lot Driveway	
South Marina Parking Lot and Sidewalks	Green Line



**Figure B-1. Transportation Network Facilities Assessed for ADA Compliance - Phase I**



**FIGURE KEY:**  
 Green outline: Parking infrastructure  
 Yellow outline: Transportation infrastructure  
 Blue outline: New construction, not assessed

**B.1.1 Curb Ramps**

A GIS inventory assessment of Port curb ramps within the transportation corridors identified in yellow in **Figure B-1** was conducted in January 2021. Curb ramps within the new-construction area identified in blue were not included in Phase I (a windshield review of curb ramps within this area appear to be compliant). Curb ramps along SR 529 on the eastern side of the Port are not under Port jurisdiction and were not included. The inventory includes the following data fields and attributes collected for evaluation. The inventory was focused on field conditions; date of construction is not included in this inventory. See **Table B-2**.

**Table B-2. Curb Ramp Inventory Data Fields and Attributes Collected January 2021**

No	Field	Attribute
1	Condition	Fair or Better
		Poor
		Very Poor
		Missing (Needed but does not Exist)
2	Width (unobstructed and excluding flares)	48" or greater
		36" to > 48"
		Less than 36"
3	DWS (Detectable Warning Surface)	Compliant (Truncated Domes with contrasting color)
		Old Standard (Diamond/Exposed Aggregate)
		No DWS (Non-Compliant)
4	Ramp Type	Perpendicular (triangular wings)
		Parallel
		Combination
		Single-Direction Parallel
		Diagonally-Oriented Parallel
		Blended Transition
5	Running slope	Up to or equal to 8.3%
		More than 8.3%
6	Cross slope	Up to or equal to 2%
		More than 2%
7	Landing	4 x 4 feet or greater
		Less than 4 x 4 feet
8	Photos	Attached as .jpg
9	Notes	
10	Grade	A
		B
		C
		D
		N/A

The "Grade" field was assigned after reviewing the other collected field data and was based on a system developed by the Virginia Department of Transportation (VDOT), which has been amended for the Port of Everett as shown in the curb ramp assessment table provided in **Table B-3**. This assigned curb ramp grade was based on the lowest graded attribute (i.e. if a ramp were 48" or greater in width but had no detectable warning surface, it would receive a "C" grade because the lack of DWS makes it non-compliant). To be assigned a particular grade, the ramp had to meet each of the criteria list in **Table B-3**. Some ramps identified as "N/A" are provided with photos to show why a curb ramp is NOT needed at the location.

**Table B-3. Curb Ramp Grading System (VDOT) Amended for Port of Everett**

Grade	Material Condition	Ramp Width	DWS (Detectable Warning Surface)	Slopes (Cross and Running)
A GREEN	<u>Fair or Better Condition</u> Limited or tight cracking, faulting (<1/4"), isolated spalling	48" or greater	Truncated Dome	Cross Slope ≤ 2% and Running Slope ≤ 8.3%
B YELLOW	<u>Poor Condition</u> Moderate cracking, faulting (1/4"-3/4"), moderate spalling	36" to < 48"	Exposed Aggregate Surface or Diamond Shape Stamp	Either Cross Slope > 2% or Running Slope > 8.3%
C ORANGE	<u>Very Poor Condition</u> Severe cracking, faulting (>3/4"), extensive spalling	Less than 36"	No Detectable Warning Surface	Both Cross Slope > 2% and Running Slope > 8.3%
D RED	A curb ramp is needed but does not exist at the location to access an existing sidewalk where it crosses a curb.			
N/A GREY	A curb ramp is NOT needed at the location (typically because either a sidewalk does not exist or there is no curb at this location. See notes in inventory for further explanation).			

In general and as shown in **Figures B-2 and B-3**, fair or better condition ramps tended to be found nearest the Central Marina docks and Waterfront Place facilities. This is consistent with the Port’s recent and current construction activities. Poor or very poor ramps predominated in the northern Port area along 11<sup>th</sup> Street and Craftsman Way and in the southern Port area and parking lot adjacent to 18<sup>th</sup> Street. The Port’s curb ramp inventory according to the “Grade” field is shown in **Table B-4**.

The “Compliance” category shown in **Table B-4** has been added to show that only curb ramps with a grade of “A” met the technical requirements for compliance. A curb ramp need only fail one technical compliance requirement to be considered non-compliant; the Grade can therefore serve as a way to prioritize which non-compliant curb ramps will be addressed before others.

Note on “Type” attribute: In some older locations, pavement overlays are often constructed to intersect at grade with sidewalks so the pavement/sidewalk interface is flush (i.e. Blended Transition). While these roadway/sidewalk interfaces may not present a barrier to mobility if in good condition, they are considered non-compliant due to lack of a detectable warning surface that indicates a street crossing to pedestrians, particularly those who are blind or who have poor vision.

**Table B-4. Curb Ramp Condition and Compliance Inventory**

Grade	Description	Compliance	Number	Percentage (Grade)	Percentage (Compliance)
A	Fair or Better	Compliant	40	30%	30%
B	Poor	Non-Compliant	11	8%	70%
C	Very Poor		71	54%	
D	Missing		1	1%	
NA	Not Needed	N/A	9	7%	Not included
Total	-	-	132	100%	100%

In summary, approximately 30% of the Port’s curb ramp inventory is compliant and 70% is non-compliant. For maps of the Port’s curb ramp compliance inventory by grade, see **Figures B-2 and B-3**. Note: Map label numbers represent the individual curb ramp identification number (POE\_ID field) provided in the inventory data spreadsheets in **Appendix B**.



Figure B-2. Curb Ramp ADA Compliance Status Map (North/Central) - January 2021

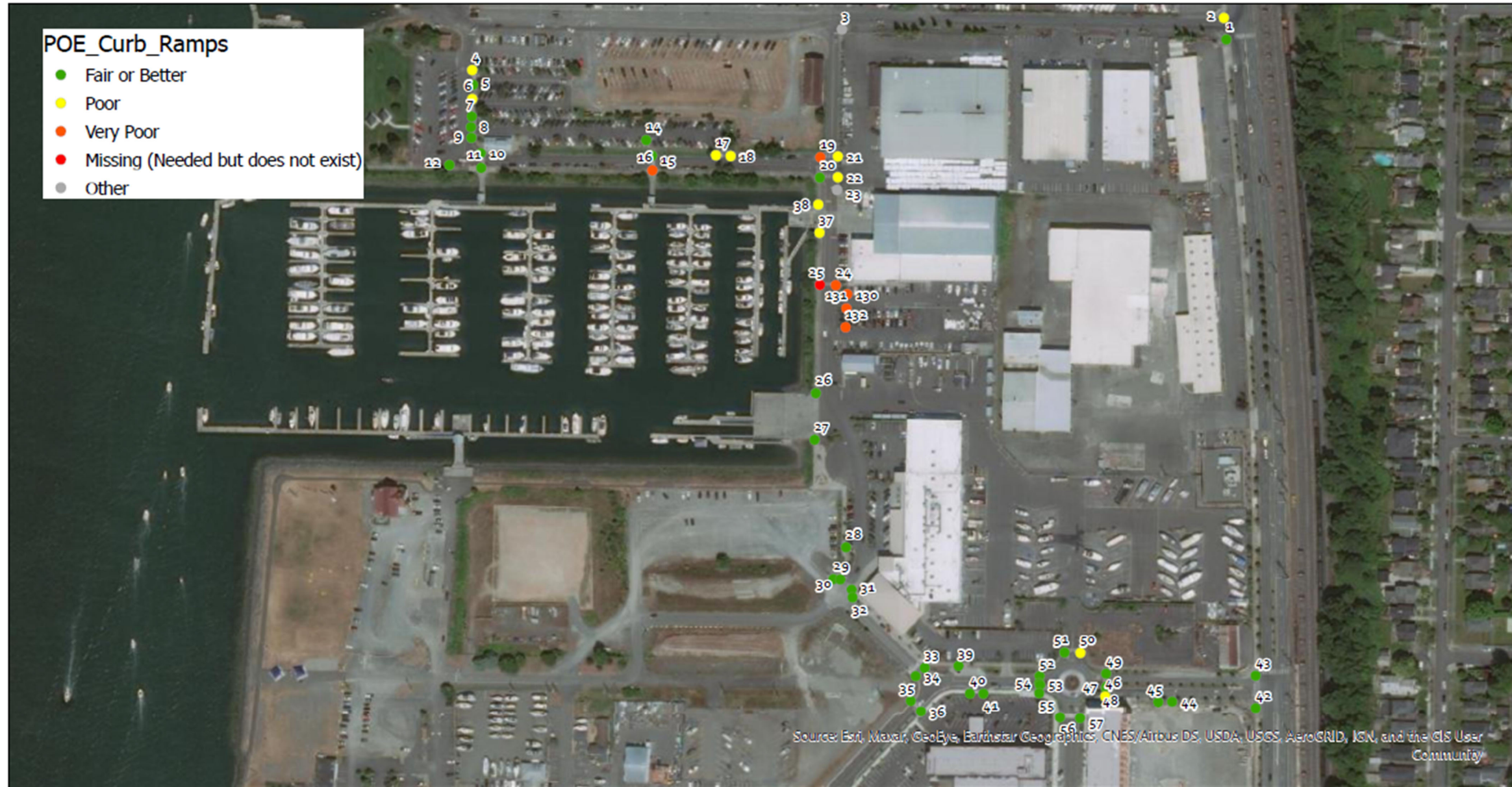




Figure B-3. Curb Ramp ADA Compliance Status Map (South) - January 2021



**B.1.2 Sidewalks**

Data was collected for existing sidewalk ADA barriers in the Port’s sidewalk network within the areas identified in yellow in **Figure B-1**. The data points collected represent barriers, not a full inventory of the presence or lack of sidewalks. Note: Absence of sidewalks is not in and of itself an ADA barrier. However, safety is a legitimate concern for roadways without dedicated pedestrian facilities or with narrow/absent shoulders.

The identified ADA sidewalk barriers are often related to sidewalk upheaval, cracks, fixed objects blocking the path of travel and overgrown vegetation. Note: Snow/ice and water from flooding should be mentioned as they can also present temporary barriers. For the data collected at sidewalk barrier locations, see **Tables B-5** and **B-6**.

**Table B-5. Sidewalk Barrier Inventory Data Fields and Attributes Collected January 2021**

No	Field	Attribute
1	Condition	Fair or Better
		Poor
		Very Poor
		Missing (Needed but does not Exist)
2	Width	60" or greater
		48" to > 60"
		36" to > 48"
		Less than 36"
3	Cross Slope	Up to or equal to 2%
		More than 2%
4	Running Slope	Up to or equal to 5%
		5% to equal to 8.3%
		More than 8.3%
5	Obstacle	Utility Pole/Box
		Sign
		Upheaval or Cracks
		Vegetation
		Other
6	Notes	
7	Photos	Attached as .jpg

**Table B-6. Sidewalk Barrier Inventory (Non-Compliant Features)**

Obstacle	Number	Percentage (Obstacle)
Upheaval/Cracks	9	52%
Utility Pole/Box	1	6%
Vegetation	3	17%
Sign	1	6%
Other	3	17%
Total	17	100%

In summary, the most common sidewalk barrier is upheaval or cracks. For a map of the Port’s sidewalk barrier inventory by obstacle type see **Figure B-4**. Note: Map label numbers represent the individual sidewalk barrier identification number (POE\_ID field) provided in the inventory data spreadsheets in **Appendix B**.



Figure B-4. Sidewalk ADA Barriers Map - January 2021



**B.1.3 Driveway Sidewalk Interface (DSI)**

Data inventory was collected for existing driveway sidewalk interfaces (DSI) in the Port’s transportation network within the areas identified in yellow in **Figure B-1**. The data points collected represent an inventory including compliant and non-complaint features.

The DSI location west of Bayside Marine has utility covers and sidewalk settlement that create tripping hazards. The DSI location at the east end of 13<sup>th</sup> Street has steep cross slopes for the sidewalk route. The DSI location south of West Marine on 18<sup>th</sup> Street has fixed object barriers in the path of travel and steep cross and running slopes. DSI locations along 10<sup>th</sup> street and in the vicinity of Waterfront Place are compliant.

For the data collected at sidewalk barrier locations, see **Tables B-7 and B-8**.

**Table B-7. DSI Inventory Data Fields and Attributes Collected January 2021**

No	Field	Attribute
1	Condition	Fair or Better
		Poor
		Very Poor
		Missing (Needed but does not Exist)
2	Width	48" or greater
		36" to > 48"
		Less than 36"
3	Cross Slope	Up to or equal to 2%
		More than 2%
4	Running Slope	Up to or equal to 5%
		5% to equal to 8.3%
		More than 8.3%
5	Driveway (Dwy) Type	Option A - Set Back
		Option B - Integrated
		Option C - Diagonal Set Back
		Option D - Parallel
6	Notes	
7	Photos	Attached as .jpg

**Table B-8. DSI Condition and Compliance Inventory**

Condition	Compliance	Number	Percentage (Condition)	Percentage (Compliance)
Fair or Better	Compliant	8	73%	73%
Poor	Non-Compliant	1	9%	27%
Very Poor		2	18%	
Missing		0	0%	
<b>Total</b>	-	<b>11</b>	<b>100%</b>	<b>100%</b>

In summary, 73% of DSI locations are compliant and 27% are non-compliant. For a map of the Port’s DSI Condition and Compliance inventory by obstacle type see **Figure B-5**. Note: Map label numbers represent the individual DSI location identification number (POE\_ID field) provided in the inventory data spreadsheets in **Appendix B**.

Figure B-5. Driveway/Sidewalk Interface (DSI) Map - January 2021



#### B.1.4 Accessible Parking

In August 2020, consultant firm Walker Parking conducted a study of the Port's accessible parking stalls to identify ADA non-compliance features of stall design. The Port's ADA Self-Evaluation and Transition Plan consultant team reviewed the Walker Parking study and found that it provides accurate recommendations for removing accessibility barriers and achieving compliance for individual accessible parking spaces through design corrections. It does not include documentation that the parking meets the ratios for accessible parking compared to other parking within individual facilities as prescribed in the 2010 ADA Standards or 2011 PROWAG guidelines.

The [2010 ADA Standards](#) require a minimum number of accessible parking spaces, including van-accessible spaces, based upon a ratio of available parking spaces at individual agency-owned facilities. See Table 208.2 of the 2010 ADA Standards and the [ADA National Network Fact Sheet on Accessible Parking](#) for a summary. The [2011 PROWAG Guidelines](#) include additional guidance for accessible on-street parking spaces based upon a ratio of available marked or metered parking spaces on block perimeters. See Table R214 of 2011 PROWAG for details. Note: While recommended as best practices, the 2011 PROWAG is currently not enforceable.

The recreational facility evaluations that were conducted by design2 LAST checked that parking facilities meet the ratios prescribed in the 2010 ADA Standards; they did not address on-street accessible parking ratios prescribed in the 2011 PROWAG.

#### B.1.5 Accessible Pedestrian Signals

The Port does not currently own nor maintain any signalized intersections and is establishing an APS policy through the process of adoption of this Transition Plan. The future signalized intersections along SR 529 adjacent to the Port will be owned and maintained by City of Everett or WSDOT. See **Appendix E**.

#### B.1.6 Recent Compliance Activities

The Port has completed the following actions to increase accessibility and remove barriers within the Port's public right-of-way:

- The Port has constructed ADA compliant ramp upgrades through recent capital improvement projects.
- The Port requires all new ramps to be ADA compliant to WSDOT Design Manual standards.



**B.2 Recreational Facilities**

In early 2021, architectural firm design2 LAST, Inc., conducted ADA assessments of select recreational facilities at the Port of Everett. The self-evaluation findings provided here address the facilities identified in **Table B-9** and **Figure B-6** below.

**Table B-9. Recreational Facilities Assessed for ADA Compliance in January 2021**

Recreational Facility Location and Description	Map Marking
South Marina Parking Lot and Sidewalks	Solid Green Outline
Waterfront Center Parking Lots and Access	
Jetty Landing (10 <sup>th</sup> Street) Boat Launch	Red Oval Area 1
Jetty Landing Park and Jetty Island Ferry Dock	
South Guest Dock 2 (Accessible Dock)	Red Oval Area 2
Marina, Waterfront Trail System	Pink Dashed Line
Boxcar Park: Parking Lot and Access, and Kite Shelters (excludes temporary restroom trailer)	Red Oval Area 3

**Figure B-6. Recreational Facilities Assessed for ADA Compliance in January 2021**



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Solid Green Outline: Parking infrastructure      Red Oval Area 3: Boxcar Park  
 Red Oval Area 1: Jetty Landing Park and Boat Launch      Yellow Outline: Transportation infrastructure  
 Red Oval Area 2: South Guest Dock 2 (Accessible Dock)      Blue Outline: New construction, not assessed  
 Pink Dashed Line: Waterfront Trail System

### B.2.1 Compliance Requirements Defined

The recreational facility assessments are based on both ADA Title II and Title III regulations, the 2010 Department of Justice (DOJ) ADA Standards, and the 2014 Architectural Barriers Act (ABA) Accessibility Standards for Outdoor Developed Areas. Links to these are provided below:

- [ADA Title II Regulations \(28 CFR Part 35\)](#)
- [ADA Title III Regulations \(28 CFR Part 36\)](#)
- [2010 Department of Justice \(DOJ\) ADA Standards](#)
- [ABA Accessibility Standards](#)
- [2014 ABA Accessibility Standards for Outdoor Developed Areas](#)

### B.2.2 Assessment Format Notes

Each evaluation checklist contains an overall plan of the Port showing where the evaluated area is located and enlarged plans of each evaluated area. If site feature names or numbers are not indicated on those plans, fictional site feature names and numbers were given to spaces to correlate them to the evaluation checklists. These are intended to be used for the purpose of locating which features pertain to which portion of the checklist and may or may not represent the actual site feature numbers and names at the facility. For the Recreational Facilities ADA Assessment documentation and instructions for how to read the assessment checklist spreadsheets, see **Appendix C**.

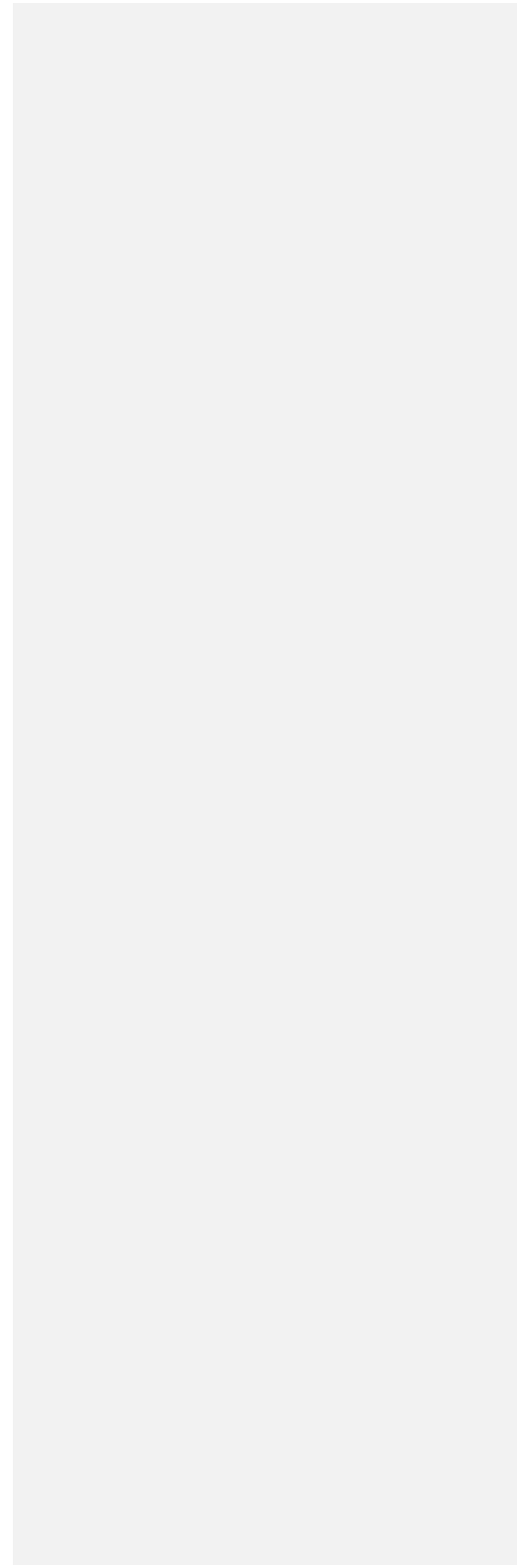
### B.2.3 Recreational Facility Narrative Summaries

This section includes narrative summaries of each recreational facility and its ADA-compliance condition, general recommendations for barrier removal, and a proposed overall facility priority rating of low, medium or high provided by design2 LAST, Inc. See **Table B-10** for an overview of the facility priority levels. Note: Prior to evaluation, each facility was given a preliminary Inspection Priority (1a, 1b or 2a) by Port staff that represents the priority order in which inspections should be performed based predominantly on level of use by the public. These are provided as a comparison to the facility Repair Priority level provided by the architect who conducted the on-site evaluations which is based more on the severity of the issue to be resolved or combined with the level of use by the public.

**Table B-10. Recreational Facilities by Overall ADA Barrier Priority Level**

Facility Location and Description	Inspection Priority	Repair Priority
South Marina Parking Lot and Sidewalks	(1a)	High
Waterfront Center Parking Lots and Access	(1a)	High
Jetty Landing (10 <sup>th</sup> Street) Boat Launch	(1a)	High
Jetty Landing Park and Jetty Island Ferry Dock	(1a)	High
South Guest Dock 2 (Accessible Dock)	(1b)	Medium
Marina Waterfront Trail System	(1b)	High
Boxcar Park: Parking Lot and Access, and Kite Shelters (excludes temporary restroom trailer)	(2a)	Medium

Reference maps are provided for each facility in the respective assessment checklist in **Appendix C**. For select facilities, reference maps are reproduced below.





### *South Marina Parking Lot and Sidewalks - HIGH (1a)*

For the purposes of this evaluation and due to its size, the South Marina Parking Lot has been split into 4 sections: West (SM-1), West-Center (SM-2), East-Center, (SM-3) and East (SM-4). The areas associated with this evaluation are highlighted in green on the plan sheets in **Appendix C**. See **Figure B-7**. Notes: Three (3) sets of accessible parking spaces and 1 related curb ramp were measured for this evaluation, and are identified on the plans and on the spreadsheets as SM PKG (#). Some of the accessible parking spaces and their curb ramps associated with the Marina Waterfront Trail System are included in that evaluation file. Those are identified as PKG (#).

**Figure B-7. South Marina Marking Lot Sections**



The South Marina Parking Lot contains approximately 1037 parking spaces, with 31 spaces signed as accessible. Each lot identifies the correct ratio of accessible spaces to total number of parking spaces. However, within the accessible spaces, there are not enough van accessible spaces. Not all identified spaces (shown on the evaluation plan sheets) have compliant identification markings. Curb cuts from the accessible spaces near the center of the lots need to be reconstructed as they are not accessible in their current configuration.

The West lot (SM-1) is adjacent to several buildings (including Anthony's Homeport) and has several accessible spaces dispersed throughout the lot. This is compliant with locating the accessible spaces closest to the building entries.

The West-Center lot (SM-2) also has one building in the NE corner that features marina restrooms, showers, laundry and a leased space. For the purposes of this evaluation, the spaces around that building are not included, as they will be evaluated with that building in a future evaluation phase.

The East-Center lot (SM-3) has the most parking spaces, with the fewest number of marked accessible spaces. One additional space should be added to make this lot compliant.

Only the north end of the East lot (SM-4) is included in this evaluation. The spaces surrounding the buildings in this area will be evaluated with the buildings in a future evaluation phase. The East lot is closest to the Port's ADA accessible dock (South Guest Dock 2). The accessible spaces are not, however, the closet spaces to the dock's gangway. These should be relocated.

In general, all the accessible parking spaces in the south lot need to be re-striped and marked with compliant signage. Some will also need to be re-paved for compliant slopes (<2% in all directions). Van accessible spaces need to be added to achieve compliant numbers.

#### *Waterfront Center Parking Lots and Access - HIGH (1a)*

Waterfront Center is located near the center of the marina facilities, with direct access to the Marina Waterfront Trail System. The parking lot and access to the building was reviewed for this evaluation. The building will be evaluated in a future evaluation phase.

There are three (3) marked accessible parking spaces on the west side of the building; two (2) near the building entry, and one (1) on the west side closer to the trail. The lack of van accessible spaces is the biggest issue in this location. Accessible parking spaces should be reconfigured to include a minimum of one (1) compliant van accessible space.

#### *Jetty Landing (10<sup>th</sup> Street) Boat Launch - HIGH (1a)*

The northern most portion of the Marina facilities contains the large public boat launch docks. There are 279 boat trailer parking spaces and eight (8) appear to be accessible spaces, although they are not identified with compliant signage.

There are 13 lanes, numbered from south to north, with the northernmost, Lane 13, being identified as accessible. With the large wood docks located on the north side of this lane, the pier width is compliant. There is no identified direct accessible route from the accessible parking to the piers. This should be added and identified. An accessible load/unload area east of Lane 13 is denoted with striping, however clear signage should be installed.

The comfort station (restroom) adjacent to the south end of this area within Jetty Landing Park is slated to be replaced in 2021 and the new building will be evaluated in a future evaluation phase.

#### *Jetty Landing Park and Jetty Island Ferry Dock - HIGH (1a)*

The Jetty Landing Park and Jetty Island Ferry Dock (also known as North Guest Dock 8) are located just south of the Jetty Landing (10<sup>th</sup> Street) Boat Launch. There is a small, adjacent parking lot containing accessible spaces nearest the ferry dock access. This evaluation covers the parking lot, the route from the parking lot to the ferry dock, the gangway and the ferry dock. As noted earlier, the comfort station on the north edge of the parking lot is slated to be replaced in 2021 and the new building will be evaluated in a future evaluation phase.

The signs at the accessible spaces need to be raised. A minimum of one (1) van accessible space should be provided.

There is no identified direct accessible route from the single accessible parking stall east of the comfort station to the comfort station, Marina Waterfront Trail System or the boat launch. This should be added and identified.

The one major issue to be addressed is at the fishing pier. There are no accessible fishing spaces provided on the pier, and the ramp between the trail and the pier is too steep. The rails of the fishing pier need to be removed and rebuilt to comply.

Some changes to the ramp at the gangway of the ferry dock need to be made for full compliance to that loading area.

The concrete pads within and around the picnic (kite) shelters appear new and are compliant, although they do not connect to an accessible route in the related parking lots.

#### *South Guest Dock 2 (Accessible Dock) - MEDIUM (1b)*

The South Guest Dock 2 is located in the South Marina along the Marina Waterfront Trail System. The access consists of five sloped gangways leading down to the float. The landings between the gangways are all compliant, as are the gangways.

The curbs on the float were found to be non-compliant. This means none of the launch points are accessible. The grip strut grating also has openings greater than 1/2" in the direction of travel, although the width of the openings are perpendicular to the direction of travel.

Replacing the curbs is a simple and inexpensive correction to bring this facility into compliance.

#### *Marina Waterfront Trail System - HIGH (1b)*

Due to the linear nature of this facility and its extensive length, this evaluation section is presented differently than the typical evaluations.

The Port's entire Marina Waterfront Trail System is approximately 3.5 miles long. As part of the first phase of this Plan, all 3.5 miles of Trail was evaluated. To make this checklist easier to follow, the trail is divided into seven areas, numbered from north to south. To facilitate easier identification, some of these areas are further divided up into sections such as east or west. For example, Area 6 is divided up into four sections: northwest, northeast, southwest and southeast. For a map of the seven areas and their subdivided sections, see **Figures B-8 and B-9** and individual evaluation in **Appendix C**.

Each area contains some Priority 1 and Priority 2 items. Under the ADA Title III regulations, certain aspects of accessibility for public accommodations are assigned a priority level. See section D.3.1 for explanation of these priority levels. Parking (PKG) and Curb Ramps (CR) are Priority 1 items, all others (such as the route, benches, picnic tables, etc.) are Priority 2 (access to services). The plans for each of the areas identify the items found in each with notes and may have an abbreviation and a number. Similar type items may have the same number (i.e. Bench 3 is the same in each condition where it occurs) unless different dimensions were found.

**Figure B-8. Marina Waterfront Trail System Map (North)**

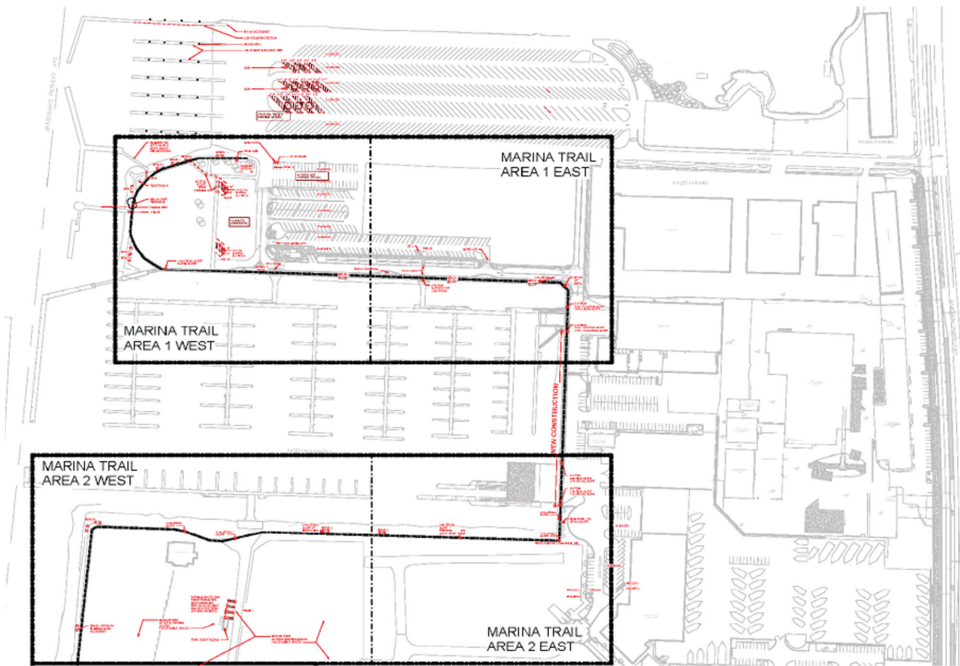
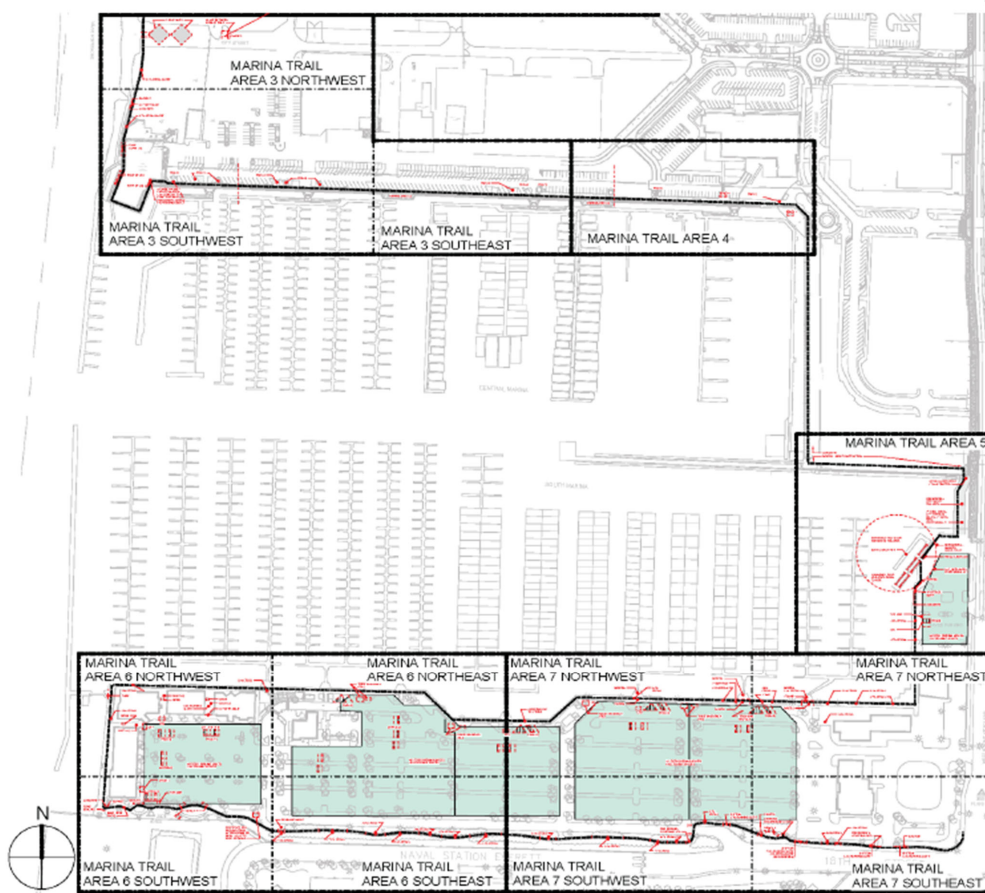


Figure B-9. Marina Waterfront Trail System Map (South/Central)



The majority of the trail has compliant slopes for accessibility. Some exceptions that should be addressed follow.

1. The self-assessment inventory plans identify many locations where non-compliant running and cross slopes were measured.
2. Benches Type 1 at the northern end of the trail are typically placed in the grass off the path without an adjacent wheelchair space.
3. The asphalt trail at the south side of the North Marina (Area 2) has a higher amount of non-compliant cross slopes.
4. All three ramps leading around the former Yacht Club building (currently vacated and slated for future redevelopment) located at the Northwest corner of the Central Marina (Area 3) need to be reconstructed to bring them into compliance.
5. The trail is mostly new construction at Area 4 and is compliant.
6. In Area 5, between the new Seiner Wharf and the accessible South Guest Dock 2, there is large section of wharf where the boards are very weathered and worn. There are non-compliant gaps, protruding nails, and vertical bumps greater than 1" high. These boards should be replaced or refinished.
7. The trail along the north side of the South Marina (the north sections of Areas 6 and 7) is concrete and has mostly compliant slopes. There are non-compliant gaps and bumps in locations where the trail joins the entry to the marina access gates. Typically, this is where flat concrete meets pavers and the pavers meet boards. The map indicates the locations where these were found.
8. The four (4) picnic tables provided along the trail at Areas 6 and 7 do not have a wheelchair compliant space. At least two of the four (4) tables should be replaced.
9. In Area 6, at the western end where there are four buildings surrounding a parking lot, the "alleys" created between the buildings have non-compliant slopes to go from the parking lot to the trail. At a minimum, a 36" wide level concrete path should be added to navigate these areas from the parking lot.
10. The curb ramps from the parking lot to the sidewalk near the buildings in Area 6 also need to be demolished and rebuilt with compliant slopes.
11. The curvy, asphalt portion of the trail at the far south end of the marina (the south sections of Areas 6 and 7), adjacent to the Navy facility, has many sections with non-compliant cross slopes. These slope back and forth from north to south and back again along the entire pathway. The plan shows some of the non-compliant areas. Typically, the steepest slope in a section was indicated on the plan.
12. The drinking fountain near Bench 9 should be replaced with a compliant outdoor HiLo® fountain.

13. The approximately 20 foot section of trail leading east from the drinking fountain should be replaced with a concrete ramp that includes handrails due to the steep slope.
14. In Area 7, where the trail crosses the driveway to the buildings at the SE corner of the marina complex, the running slopes are very steep. These sections of trail should either be outfitted with handrails or rebuilt to compliant slopes (<5% running and <2% cross).

#### *Boxcar Park: Parking Lot and Access, and Kite Shelters - MEDIUM (2a)*

Boxcar Park is a large, flat primarily grassy area, with two (2) adjacent picnic “kite” shelter facilities on the south end, and a large gravel parking area to the east. A portion of the parking area has been paved and three (3) accessible parking spaces added adjacent to the temporary, portable comfort station building. There is no accessible walking path connecting these parking spaces to the picnic facilities or to the Marina Waterfront Trail System.

While the parking spaces were reviewed, the temporary portable comfort station and the ramp up to the entry door was not reviewed as part of this evaluation due to their temporary nature. The parking spaces are mostly compliant, with minor slope corrections needed. A minimum of one (1) van accessible space should also be added.

The two (2) picnic shelters have compliant slopes, but no compliant picnic table. Accessible compliant picnic tables designed for wheelchair forward approach should be added to each shelter.

There is a parking space near the picnic shelters that is painted with the international accessibility symbol but is not fully compliant. Adding a painted access aisle, compliant signage, and an identified accessible route, would bring this into compliance and provide access to the picnic shelters.

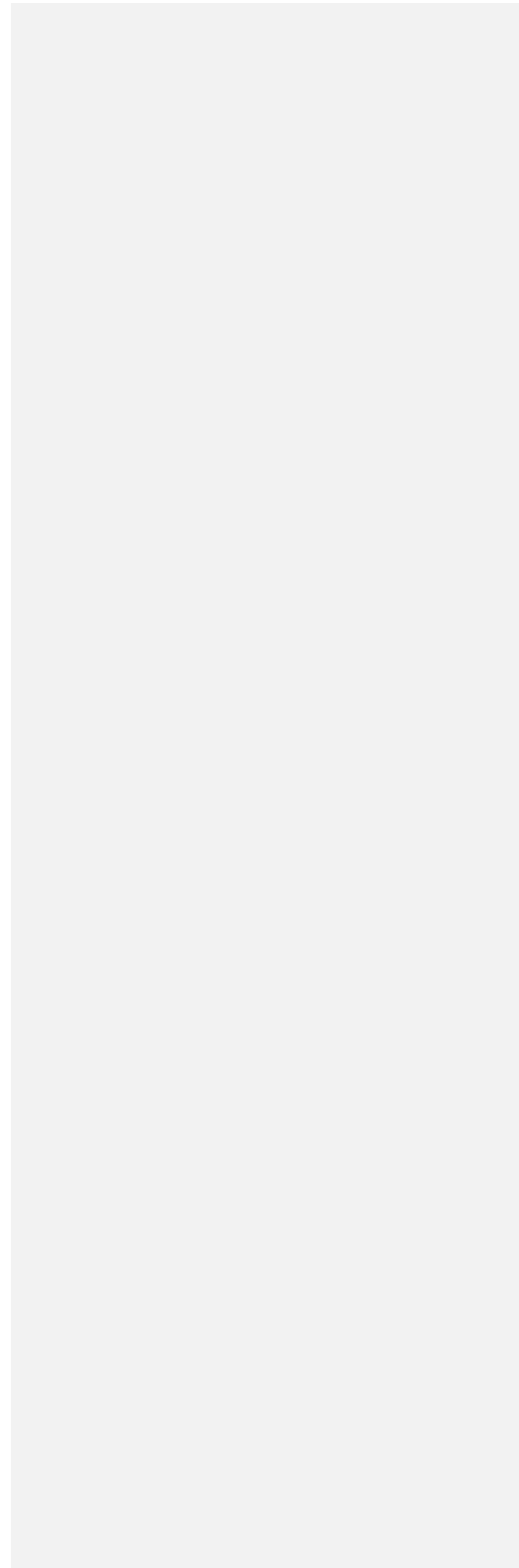
#### **B.2.4 Implications for Walker Parking Study**

The 2020 Walker Study identifies ADA non-compliant features of stall design and is useful for addressing design barriers. Additionally, the individual facility evaluations provided in this ADA Transition Plan also evaluated parking stall access aisle slopes and cross slopes, as well as whether the ratios for accessible parking compared to other parking within individual facilities meet the 2010 ADA Standards. Implementation of the actions identified in the Walker Parking study will address many of the items identified in this Transition Plan.

#### **B.2.5 Recent Compliance Activities**

The Port has completed the following actions to increase accessibility and remove barriers within the Port’s recreational facilities identified within the Phase 1 scope of the Port’s Self-Evaluation and Transition Plan through recent redevelopment projects that include new and upgraded recreational facilities:

- Seiner Wharf was reconstructed in 2018 to include new surface boards that are compliant.
- Pacific Rim Plaza near the new apartments and hotel in Fisherman's Harbor includes accessible benches, accessible frontage improvements and accessible parking.
- Accessible routes within and around the Kite Shelters (Picnic Units in evaluation checklist) at Jetty Landing Park and Boxcar Park have been added.





### B.3 Administrative Policies & Procedures

In December 2020, Transportation Solutions, Inc., conducted an inventory of existing ADA-related administrative policies and procedures identified in the WSDOT LAG Manual Chapter 29 Checklist (see **Appendix A**).

#### B.3.1 ADA/504 Coordinator

At the time of self-evaluation, the Port did not have an employee specified as the ADA/504 Coordinator. The Port has designated an ADA/504 Coordinator as part of this ADA Self-Evaluation and Transition Plan.

#### B.3.2 Official Responsible to Implement the ADA Transition Plan

At the time of self-evaluation, the Port did not have an employee specified as the official responsible for the ADA Self-Evaluation and Transition Plan. The Port has designated an official responsible to implement this Plan as part of this ADA Self-Evaluation and Transition Plan.

#### B.3.3 Public Notice of ADA Provisions

The notice requirement applies to all state and local governments covered by Title II, even localities fewer than 50 employees. The target audience for public notice includes anyone who may potentially interact with the agency and must be accessible to all. An effective notice states the basis of what the ADA requires of the public agency in clear, concise language and should include the name and contact information of the ADA Coordinator. It addresses the public agency's commitment to non-discrimination on the basis of disability and addresses the agency's associated policies regarding employment, effective communication, modifications to policies and procedures, provision of auxiliary aids, scope of the ADA, complaints, and provision of aid/services at no additional cost. The U.S. Department of Justice's ADA Best Practices Tool Kit for Local and State Governments provides a [template ADA Notice](#) for use by public agencies.

At the time of self-evaluation, the Port did not have a Public Notice under the ADA Provisions posted on its website. The Port will publicly post a Port Public Notice of ADA Provisions as part of this ADA Self-Evaluation and Transition Plan.

#### B.3.4 ADA Grievance Procedure/ADA Discrimination Complaint Record

In the last five years, the Port has received and responded to five reports of incidents involving ADA barriers; two of which where the person involved contacted the Port directly. In all cases, the Port observed there was a problem and fixed the issue. The Port has not received formal complaints related to ADA barriers within the last five (5) years.

At the time of self-evaluation, the Port did not have a formal ADA Grievance Procedure posted on its website. The Port will publicly post an ADA Grievance Procedure and establish an ADA Complaint Record as part of this ADA Transition Plan.

**B.3.5 Accessible Pedestrian Signal (APS) Policy**

At the time of self-evaluation, the Port did not have an Accessible Pedestrian Signal (APS) Policy because the Port does not currently own or maintain any signalized intersections. The future signalized intersections along SR 529 adjacent to the Port are owned and maintained by City of Everett or WSDOT. The Port is establishing an APS Policy through the process of adoption of this ADA Self-Evaluation and Transition Plan.

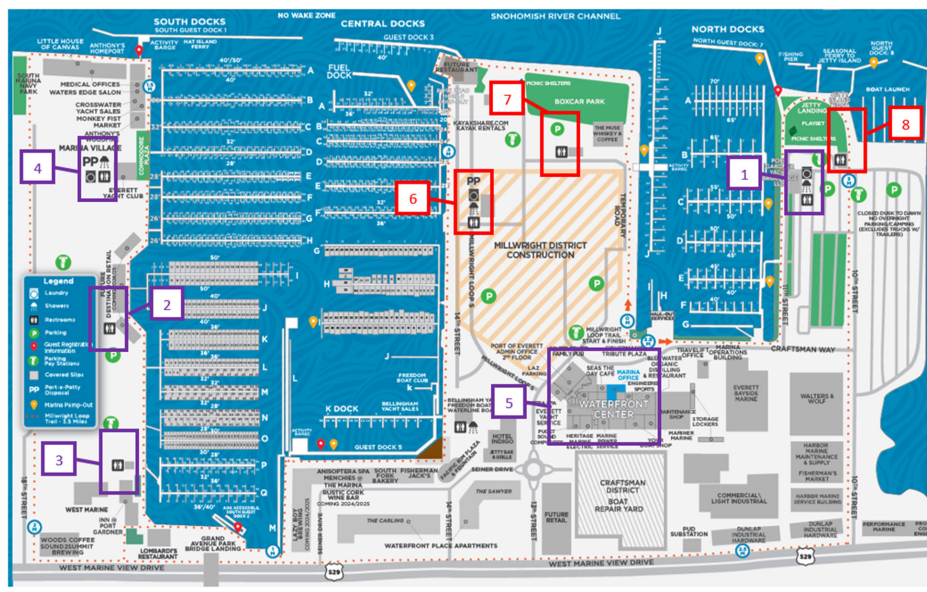
**B.4 Building Facilities**

In November 2023, architectural firm design2 LAST, Inc., conducted ADA assessments of select building facilities at the Port of Everett as part of Phase II. The self-evaluation findings provided here address the facilities identified in **Table B-11** and **Figure B-10** below.

**Table B-11. Building Facilities Assessed for ADA Compliance in November 2023**

<b><u>BUILDING FACILITY LOCATION AND DESCRIPTION</u></b>	<b><u>Figure B-10 MAP NUMBER</u></b>
<u>North Marina Restrooms&gt;Showers&gt;Laundry</u>	<u>1</u>
<u>South Marina Restrooms (Center)</u>	<u>2</u>
<u>South Marina Restrooms (East)</u>	<u>3</u>
<u>South Marina Restrooms&gt;Showers&gt;Laundry</u>	<u>4</u>
<u>Waterfront Center Public Areas and Tenant Entries</u>	<u>5</u>

**Figure B-10. Building Facilities Assessed for ADA Compliance in November 2023**



Purple: Building Facilities Evaluated in November 2023 (1 through 5)  
 Red: Not included in scope (6 – facility closed; 7 – temporary facility; 8 – new construction)

**B.4.1 Compliance Requirements Defined**

The building facility assessments are based on both ADA Title II and Title III regulations, the 2010 Department of Justice (DOJ) ADA Standards, and the Architectural Barriers Act (ABA). Links to these are provided below:

- [ADA Title II Regulations \(28 CFR Part 35\)](#)
- [ADA Title III Regulations \(28 CFR Part 36\)](#)
- [2010 Department of Justice \(DOJ\) ADA Standards](#)
- [ABA Accessibility Standards](#)

**B.4.2 Assessment Format Notes**

Each evaluation checklist contains an overall plan of the Port showing where the evaluated area is located and enlarged plans of each evaluated area. If site feature names or numbers are not indicated on those plans, site feature names and numbers were given to spaces to correlate them to the evaluation checklists. These are intended to be used for the purpose of locating

which features pertain to which portion of the checklist and may or may not represent the actual site feature numbers and names at the facility. For the Building Facilities ADA Assessment documentation and instructions for how to read the assessment checklist spreadsheets, see **Appendix F**.

**B.4.3 Building Facility Narrative Summaries**

This section includes narrative summaries of each building facility and its ADA-compliance condition, general recommendations for barrier removal, and a proposed overall facility priority rating of low, medium or high provided by design2 LAST, Inc. See **Table B-12** for an overview of the facility priority levels.

**Table B-12. Building Facilities by Overall ADA Barrier Priority Level**

<u>Facility Location and Description</u>	<u>Repair Priority</u>
<u>North Marina Restrooms/Showers/Laundry</u>	<u>MEDIUM</u>
<u>South Marina Restrooms (Center)</u>	<u>HIGH</u>
<u>South Marina Restrooms (East)</u>	<u>HIGH</u>
<u>South Marina Restrooms/Showers/Laundry</u>	<u>HIGH</u>
<u>Waterfront Center Public Areas and Tenant Entries</u>	<u>LOW</u>

Reference maps are provided for each facility in the respective assessment checklist in **Appendix F**.

*North Marina Restrooms/Showers/Laundry - MEDIUM*

This building contains an office area, five single user toilet rooms, three with showers, a laundry room, and a mechanical room.

Each room has its own, separate entrance. All entrance approaches are accessible.

The laundry room is accessible. The dryers are too close to the wall but are otherwise accessible. There is a folding table under the vending machine that blocks access to the vending machine. Recommend removing the table.

The toilet rooms are mostly compliant. The showers are not compliant despite being the right size and being provided with folding seats. One of the showers has a 2" step into it, which is non-compliant. Simply moving the seat and grab bars can bring the others into compliance. Only two of the three rooms are required to be accessible.

South Marina Restrooms (Center) - HIGH

This building consists of two multi-stall toilet rooms. The Women's room has two lavatories (sinks) and two stalls, one of which is set up as an accessible stall. The Men's room has one stall, one urinal, and two lavatories (sinks).

The entry doors to both rooms are set in an alcove, approximately 4'-0" from the face of the building, in narrow hallways. Neither door is accessible as is. The door to the Men's room has been fitted with an automatic door operator, with push buttons both inside and out. The inside button is broken and does not open the door. If maintained, this option makes the door accessible.

The Women's room does not have an automatic door operator, and is therefore not accessible. Adding an operator is necessary to make it compliant due to the layout of the doorway.

There are no Priority 2 items at this building.

There are issues in both toilet rooms that should be addressed to make them both fully compliant.

In the Women's room, the floor space around the stall door does not allow wheelchair access into the stall. The stall is not wide enough, so it needs to be reconfigured to provide 60" of clearance. The dispensers all need to be relocated to compliant heights.

In the Men's room, the urinal is mounted too high, the water closet flush valve is on the wrong side of the stall, and the stall is not 60" wide. This stall should also be reconfigured.

The dispensers all need to be relocated to compliant heights.

South Marina Restrooms (East) - HIGH

This building consists of two multi-stall toilet rooms. The Women's room has two lavatories and two stalls, one of which is set up as an accessible stall. The Men's room has one stall, one urinal, and two lavatories.

The entry doors to both rooms are flush on the exterior of the building, but are set in an alcove, approximately 6'-0" deep in a narrow hallway on the interior. Neither door is accessible as is.

Adding an operator is necessary to make both rooms compliant due to the layout of the doorway.

There are issues in both toilet rooms that should be addressed to make them both fully compliant. In the Women's room, the floor space around the stall door does not allow wheelchair access into the stall. The stall is not wide enough so it needs to be reconfigured to provide 60" of clearance. The dispensers all need to be relocated to compliant heights.

In the Men's room, the urinal is mounted too high, the water closet flush valve is on the wrong side of the stall, and the stall is not 60" wide. This stall should also be reconfigured.

The dispensers all need to be relocated to compliant heights.

South Marina Restrooms/Showers/Laundry - HIGH

This building has a large open lobby, with two multi-stall toilet rooms, and a laundry room opening on to the lobby. Both toilet rooms contain shower rooms.

The entry hallway is covered and the concrete floor slopes toward the center of the space in the long direction. This is creating a problem at the doors to the toilet rooms, of slopes steeper than 2% in all directions at doors.

The common area between the toilet rooms does not have compliant slopes. Recommend removing and replacing the concrete floor in this area to "level" the area with compliant slopes to the trench drain.

The laundry room entry door is non-compliant. The automatic deadbolt makes the door operable from the inside with only two hands. It is also mounted too high for code compliant reach ranges. The laundry room and machines are compliant.

With the exception of the entry doors, both toilet rooms are mostly compliant. Some adjustments to the dispensers and grab bars will make them fully compliant.

There are three shower stalls in each toilet room, and none of them are compliant. While one stall in each has been equipped with a small, rectangular fold-up bench and a hose mounted shower head, they are not in the right locations, nor are the stalls the right size. Recommend complete re-design of the room to add a compliant stall in each shower.

Waterfront Center Public Areas and Tenant Entries - LOW

This is a two story building that contains the Port offices as well as several tenant spaces. For the tenant space, only the public entry door to those spaces was evaluated. In the main two story portion of the building, there are actually three levels: the entry level from the parking lot is about 2' lower than the level containing the two restrooms and the brewery. This is the same level as the exterior tenant spaces, and there are also two additional tenant spaces inside the building at this level. The elevator is compliant and can be accessed from all the levels. There are men's and women's multi-stall toilet rooms on both main floors. There are two full story staircases from the upper level to the lower level, both with similar design and measurements. There are several other stairs to get from the entry level to the lower level.

This facility is mostly compliant, with a few minor issues that are easily corrected.

The exterior approach is mostly compliant, except there is no level area outside of one of the doors (Drs-2).

Most doors are compliant sizes and configurations, but almost all the closers need adjustments for closing speed and opening force. The elevator and all stairs are compliant.

Both upper and lower level toilet rooms are mostly compliant.

Most issues are minor including: door closer adjustments, accessory height adjustments, adding door pulls, and adjusting grab bar locations. The bigger issue may be the height of the sinks in the countertops. The rim of the sinks should be at 34" max, but it appears the countertops were installed at 34" with top mounted sinks adding 3/4" to the rim height. Making this change should be done carefully, since it will affect the 27" min clearance below the sinks.

Baby changing units need to be lowered.

Both drinking fountains are compliant, except that they both protrude into the circulation space. It is recommended to add a cane detection guard rail on the open side.

#### B.2.5 Recent Compliance Activities

The Port has completed the following actions to increase accessibility and remove barriers within the Port's building facilities through recent redevelopment projects that replaced previous non-compliant facilities:

- New Jetty Landing Boat Launch Restroom opened in 2022
- New Central Marina Restroom and Shower opened in 2023

## C. Public Outreach

### C.1 Public Outreach Strategy

The Port's public outreach strategy to inform interested members of the public of the undertaking of this Plan and to invite participation in the process, included digital and print mediums and stakeholder engagement with members of the local ADA community and general public. The Port's website hosted the project information webpage, links to the online surveys, and registration and access information for a virtual public workshop to seek feedback. The Port's communication staff issued a press release as well as published articles and ads to promote the project and feedback process. Other communication efforts were made via the Port's social media platforms and Port staff conducted direct engagement to existing contacts within the ADA community and various stakeholder groups who make use of Port facilities and programs. For documentation of public engagement, see **Appendix D**.

#### C.1.1 Project Webpage

The project webpage content was launched in January 2021. The project webpage included:

- Project description
- Schedule
- Public Involvement section:
  - Links to online surveys:
    - Map-enabled ArcGIS Survey123® version
    - Screen-reader friendly Survey Monkey® version
  - Virtual public workshop meeting information
- Port staff contacts and other ADA resources
- Documents section for posting the draft version for public comment
- Recent and annual accomplishments section for further tracking of ADA Transition Plan implementation progress

The ADA Transition Plan Project webpage is available at:

[www.portofeverett.com/adatransitionplan](http://www.portofeverett.com/adatransitionplan)

#### C.1.2 Print and Other Web-Based Publications/Outreach

The following print and web-based publications and outreach efforts promoted the project, online surveys, and virtual workshop in February 2021.

- Port Side (mailed to approx. 52,000 households in the Port District, and shared digitally)
- Included in a section of the Port Report full page print ad of the Herald Business Journal in February 2021
- Posted on social media (3 posts with 3 shares)



- Sent emails to key communicator lists (engaged community members), Marina slipholders, business tenants, port staff
- Created a webpage, posted a news item on our webpage
- Commission Meetings
- Port of Everett Website Calendar

### C.1.3 Direct Engagement with Local ADA Community Organizations

In February 2021, Port staff contacted the following organizations via direct e-mail to seek out interest in the online survey and virtual public workshop.

- Snohomish County Council of the Blind
- ARC of Snohomish County
- Northwest ADA Center
- Everett Station District Alliance
- Volunteers Of America
- Hopeworks Senior Services of Snohomish County
- Port Commission

### C.1.4 Online Surveys

In consultation with Port staff, a 5-minute survey was created on two (2) digital platforms. The screen-reader friendly Survey Monkey® version was built to accommodate persons with visual disabilities. The map-enabled ArcGIS Survey123® survey gave respondents the option to mark barrier locations on a map. Links to the online survey options were activated from January 22 through February 22, 2021.

### C.1.5 Virtual Public Workshop and Presentation

A virtual public workshop and presentation was hosted by the Port on the Zoom® platform on February 18, 2021, from 5:00-6:00pm. Workshop materials were provided in accessible formats with alternative text prior to the event. The presentation explained the reasons for and required content of an ADA Transition Plan and the Port's phased approach to self-evaluation and barrier removal implementation. An open comment opportunity followed the presentation.

## C.2 Public Engagement Findings

The virtual platform of online surveys and a virtual public workshop provided the public with an accessible and safe participation method in the midst of the COVID-19 pandemic. Online survey participation yielded an equal number of participants as the virtual public workshop. The public workshop provided a conversational space to further discuss topics and establish relationships with interested citizens with ADA expertise and personal experience. The survey findings are helpful in guiding Port staff in the selection and prioritization of barrier removal. For documentation, see **Appendix D**.

### C.2.1 Online Survey Responses

The online SurveyMonkey® and ArcGIS Survey123® surveys yielded a combined total of four (4) responses. See **Table C-1**.

**Table C-1. Survey Responses by Platform**

Survey Platform	Number of Responses
ArcGIS Survey123®	3 (only 2 provided rankings)
SurveyMonkey®	1
<b>Total</b>	<b>4</b>

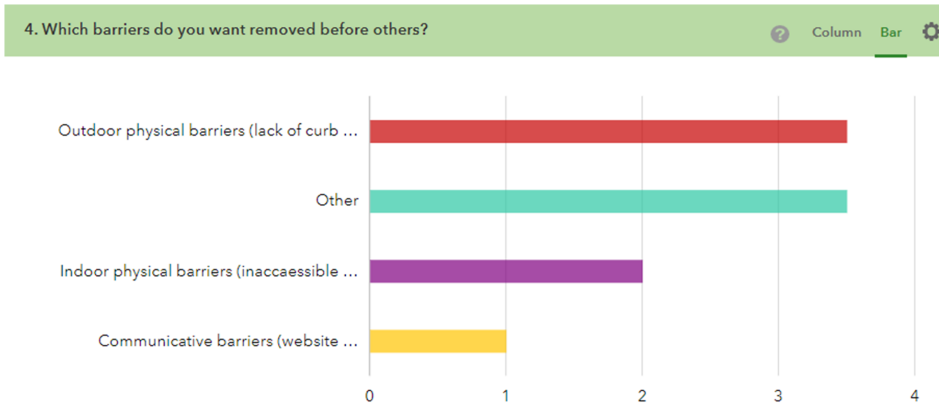
#### *ArcGIS Survey123® Findings*

Three respondents provided feedback on ArcGIS Survey123®. For documentation, see **Figures C-1 and C-2** and **Tables C-2 and C-3**. Survey respondents also offered comments not related to ADA concerns. Such non-ADA related comments are not included in this report.

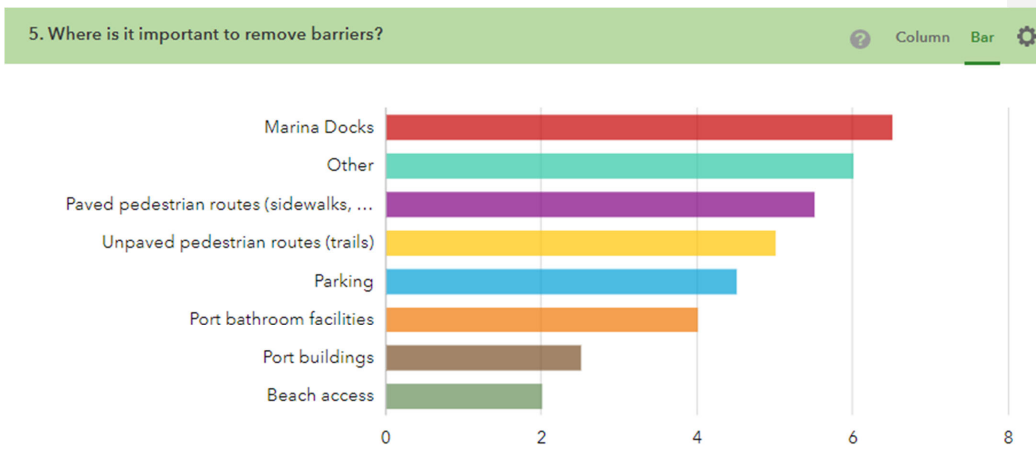
One (1) respondent requested long term ADA parking for a person with a disability who is a part time Hat Island resident. The respondent also shared that “ADA parking without fees must be provided for disabled Hat Island residents.”

Another respondent marked the 10<sup>th</sup> Street Boat Launch area, commenting “There needs to be an easier, dedicated location for people with kayaks, canoes, etc. to put in. It should be designed with people with disabilities in-mind, recognizing that most would have assistance in putting in. The distance from a parked car to the input point should be reduced (so watercraft doesn’t have to be carried as far), and there should be a boat ramp reserved exclusively for kayaks/canoes. In addition, lighting could be improved throughout the Port’s lands.” It should be noted that at this time, the Port does not have any designated launch areas for kayaks, canoes, etc. The person had heard of fixed-route transit issues including the long walk from the bus stop on West Marine View Drive. This person does not have physical disabilities but advocates for ADA accessibility for the Snohomish County Transportation Coalition. The respondent listed various ADA organizations that could be brought on-site for walking and rolling audits: Arc of Snohomish County, Homage Senior Services, Everett Senior Center, Disability Rights Washington, and Lighthouse for the Blind.

**Figure C-1. ArcGIS Survey123® Results for Most Wanted Barrier Types for Removal by Score**



**Figure C-2. ArcGIS Survey123® Results for Most Wanted Barrier Removal Locations by Score**



**Table C-2. ArcGIS Survey123® Ranked Results for Most Wanted Barrier Types for Removal**

Answer Options	1		2		3		4		Total*	Score
Outdoor physical barriers	50%	1	50%	1	0%	0	0%	0	2	3.5
Other	50%	1	50%	1	0%	0	0%	0	2	3.5
Indoor physical barriers	0%	0	0%	0	100%	2	0%	0	2	2.0
Communicative barriers	0%	0	0%	0	0%	0	100%	2	2	1.5

\*Answered: 2. Skipped: 1.

**Table C-3. ArcGIS Survey123® Ranked Results for Most Wanted Barrier Removal Locations**

Answer Options	1		2		3		4		5		6		7		8		Total**	Score
Marina Docks	50%	1	0%	0	0%	0	50%	1	0%	0	0%	0	0%	0	0%	0	2	6.5
Other	0%	0	0%	0	100%	2	0%	0	0%	0	0%	0	0%	0	0%	0	2	6.0
Paved pedestrian routes	0%	0	50%	1	0%	0	0%	0	50%	1	0%	0	0%	0	0%	0	2	5.5
Unpaved pedestrian routes	0%	0	50%	1	0%	0	0%	0	0%	0	50%	1	0%	0	0%	0	2	5.0
Parking	50%	1	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	50%	1	2	4.5
Port bathroom facilities	0%	0	0%	0	0%	0	50%	1	0%	0	50%	1	0%	0	0%	0	2	4.0
Port buildings	0%	0	0%	0	0%	0	0%	0	50%	1	0%	0	0%	0	50%	1	2	2.5
Beach Access	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	100%	2	0%	0	2	2.0

\*\*Answered: 2. Skipped: 1.

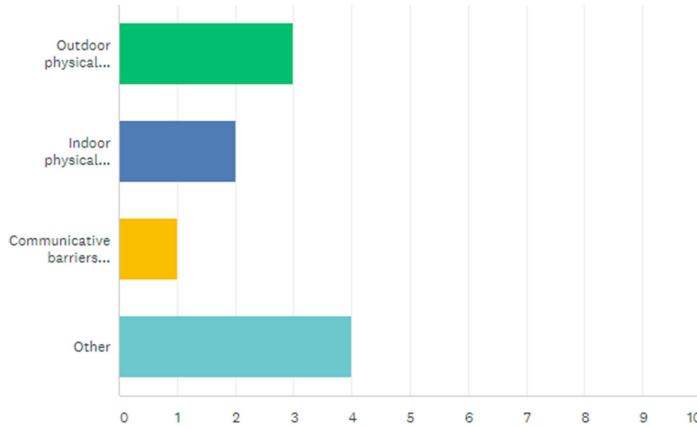
*Survey Monkey® Narrative Findings*

One (1) person submitted a survey on the Survey Monkey platform. For documentation, see **Figures C-3 and C-4 and Tables C-4 and C-5.**

The respondent reported “jetty access for people with mobility disabilities” as an accessibility barrier and that “there is no way for someone who uses mobility aids (e.g. wheelchair, scooter, walker) to visit the Jetty.” This person also participated in the Virtual Workshop. It should be noted that at this time, the Port does not provide any transportation to or from Jetty Island which is accessible only by watercraft. However, the City of Everett does run a summertime program called Jetty Island Days, which includes a foot ferry.

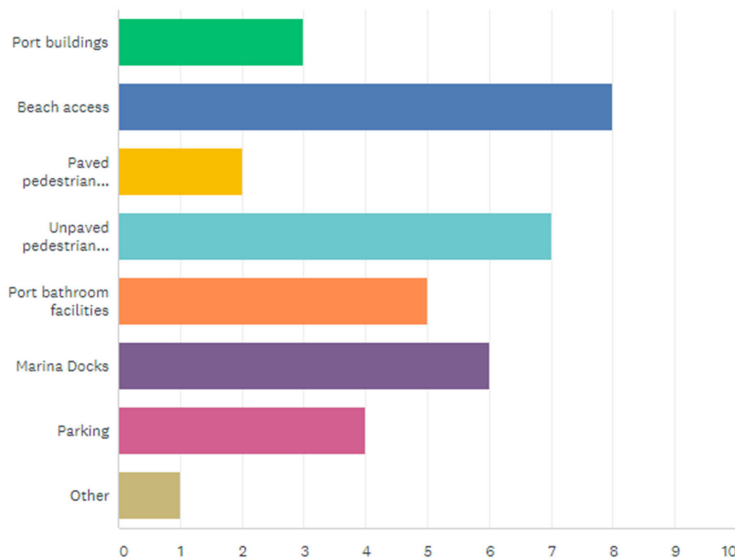
**Figure C-3. SurveyMonkey® Results for Most Wanted Barrier Types for Removal by Score**

Q2: Which barriers do you want removed before others? Please rank the following barriers in order of importance for barrier removal (1 = most important). Answered : 1; Skipped: 0.



**Figure C-4. SurveyMonkey® Results for Most Wanted Barrier Removal Locations by Score**

Q3: Where is it important to remove barriers? Please rank the following locations in order of importance for barrier removal (1 = most important). Answered : 1; Skipped: 0.



**Table C-4. SurveyMonkey® Ranked Results for Most Wanted Barrier Types for Removal**

Answer Options	1		2		3		4		Total	Score
Other	100%	1	0%	0	0%	0	0%	0	1	4.0
Outdoor physical barriers	0%	0	100%	1	0%	0	0%	0	1	3.0
Indoor physical barriers	0%	0	0%	0	100%	1	0%	0	1	2.0
Communicative barriers	0%	0	0%	0	0%	0	100%	1	1	1.0

**Table C-5. SurveyMonkey® Ranked Results for Most Wanted Barrier Removal Locations**

Answer Options	1		2		3		4		5		6		7		8		Total	Score
Beach Access	100%	1	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	1	8.0
Unpaved pedestrian routes	0%	0	100%	1	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	1	7.0
Marina Docks	0%	0	0%	0	100%	1	0%	0	0%	0	0%	0	0%	0	0%	0	1	6.0
Port bathroom facilities	0%	0	0%	0	0%	0	100%	1	0%	0	0%	0	0%	0	0%	0	1	5.0
Parking	0%	0	0%	0	0%	0	0%	0	100%	1	0%	0	0%	0	0%	0	1	4.0
Port buildings	0%	0	0%	0	0%	0	0%	0	0%	0	100%	1	0%	0	0%	0	1	3.0
Paved pedestrian routes	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	100%	1	0%	0	1	2.0
Other	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	100%	1	1	1.0

*Ranking Observations Across Both Surveys*

Three survey respondents completed the ranking questions. Outdoor physical barriers ranked higher for both survey cohorts for the most wanted barrier type for removal (see **Table C-6**). Marina Docks ranked highest as a top priority location for barrier removal (see **Table C-7**).

**Table C-6. Combined Ranked Score for Most Wanted Barrier Type for Removal**

Answer Options	1		2		3		4		Total	Score
Other	67%	2	33%	1	0%	0	0%	0	3	<b>3.67</b>
Outdoor physical barriers	33%	1	67%	2	0%	0	0%	0	3	<b>3.33</b>
Indoor physical barriers	0%	0	0%	0	100%	3	0%	0	3	<b>2.00</b>
Communicative barriers	0%	0	0%	0	0%	0	100%	3	3	<b>1.00</b>

**Table C-7. Combined Ranked Score for Top Priority Location for Removal**

Answer Options	1		2		3		4		5		6		7		8		Total	Score
Marina Docks	33%	1	0%	0	33%	1	33%	1	0%	0	0%	0	0%	0	0%	0	3	<b>6.33</b>
Unpaved pedestrian routes	0%	0	67%	2	0%	0	0%	0	0%	0	33%	1	0%	0	0%	0	3	<b>5.66</b>
Port bathroom facilities	0%	0	0%	0	0%	0	67%	2	0%	0	33%	1	0%	0	0%	0	3	<b>4.33</b>
Parking	33%	1	0%	0	0%	0	0%	0	33%	1	0%	0	0%	0	33%	1	3	<b>4.33</b>
Paved pedestrian routes	0%	0	33%	1	0%	0	0%	0	33%	1	0%	0	33%	1	0%	0	3	<b>4.33</b>
Other	0%	0	0%	0	67%	2	0%	0	0%	0	0%	0	0%	0	33%	1	3	<b>4.33</b>
Beach Access	33%	1	0%	0	0%	0	0%	0	0%	0	0%	0	67%	2	0%	0	3	<b>4.00</b>
Port buildings	0%	0	0%	0	0%	0	0%	0	33%	1	33%	1	0%	0	33%	1	3	<b>3.00</b>



### C.2.2 Virtual Public Workshop Findings

Virtual Public Workshop feedback regarding barriers was provided by four (4) members of the public. One (1) participant was an interested City of Everett resident who uses a motorized scooter. Another participant was affiliated with the Northwest ADA Network. A third participant was affiliated with the Arc of Snohomish County and serves on local community transportation committees and boards. A fourth participant was a City of Everett Public Works Department employee working on the City of Everett ADA Transition Plan. The remaining participants consisted of the ADA Transition Plan project team: three (3) Port staff and two (2) Transportation Solutions, Inc. consultant team members. For minutes, see **Appendix D**. Workshop participants identified the following key themes:

- Accessible Parking: Suggested Port provide accessible parking beyond minimums and routes from parking to facilities.
- Visual Communication: Desire for an accessibility map of Port facilities and accessible wayfinding throughout the Port's facilities.
- Jetty Island Access: Desire for ADA access to, from and on Jetty Island.
- Explore Inter-Organizational Programming Opportunities: Port partnering with Imagine Children's, Arc in the Park, Holiday on the Bay, potential Arc sponsored movie nights.
- Inter-Organizational Opportunity for Information Sharing: share relevant information garnered through concurrent City of Everett and Port ADA Transition Plan processes.

### C.2.3 Draft ADA Transition Plan Public Comments

Two public comments were received on the Draft ADA Transition Plan from the public comment period of May 12 through May 26, 2021, as well as one during the Port Commission review process in early June. Public comments received involved seeking clarifications on specific matters and did not result in changes being made to the ADA Transition Plan. For more detailed information, see **Appendix D**.

### C.2.4 Draft Revised ADA Transition Plan (2024) Public Comments

# public comments were received on the Draft of this revised ADA Transition Plan (2024) from the public comment period of XX/XX/2024 through XX/XX/2024, as well as # during the Port Commission review process in Month 2024. For more detailed information, see **Appendix G**.

### C.3. Recommendations

It is recommended that the Port:

- Consider developing an accessibility map for existing facilities (in-house) as proactive step towards addressing communicative barriers.
- Consider prioritizing the high-ranking barrier type of outdoor and indoor physical barriers for removal before other types.

- Consider reaching out to survey respondents to better understand perceived marina dock barriers, then evaluating prioritization of marina dock barriers before other barrier locations.
- Consider establishing a dedicated annual budget reserve that may fund addressing barriers identified by the public. Such a fund will help the Port mitigate risk for potential grievances as well as respond to requests by persons with disabilities in the local community who are most affected by barriers to accessibility.
- Utilize the Port of Everett ADA Transition Plan project webpage as a tool for future public outreach efforts related to ADA Transition Plan barrier removal progress updates.

## D. Barrier Prioritization & Removal Schedule Recommendations

This Plan utilizes both generic and barrier-specific prioritization criteria. The first section describes the generic prioritization criteria applicable to all barrier types. The subsequent sections focus on prioritization criteria unique to individual barrier types with a recommended schedule for removal of barriers.

### D.1 Generic Prioritization Criteria

It is recommended the Port consider this generic schema as the guiding prioritization policy for all barrier types:

#### D.1.1 Higher Priority

- Barriers to accessibility identified in filed grievances/complaints (see Note below).
- Barriers to accessibility identified through public engagement efforts.
- Barriers to accessibility correlated to planned capital improvement project improvements or department upgrades.

#### D.1.2 Lower Priority

- Barriers for services not frequently used by the public.
- Barriers to accessibility in buildings or facilities slated for demolition or pending renovation.
- Barriers to accessibility where alternative locations or communication formats make programs, services, or activities accessible (i.e. situations wherein accommodations can be made to provide alternative equal access).

Note: It is assumed that formally filed grievances/complaints about barriers to accessibility be considered high priority for a response and resolution in accordance with the Port's adopted ADA Grievance Procedure and any other established relevant policies.

ADA Transition Plan best practices recommend that Plans be guided by the principle that the barriers identified or experienced by people within the ADA community are of higher priority for removal than other barriers. Public outreach efforts were therefore a critical component of the prioritization process. The criteria also take into consideration concurrent Port projects and planning efforts to maximize the efficiency of accessibility barrier removal.

## D.2 Transportation Network

### D.2.1 Curb Ramps

It is recommended the Port:

- Consider the role of public feedback to identify high priority curb ramp barriers, including addressing ADA barriers identified by public grievances as a higher priority than other barriers.
- Prioritize missing curb ramps before other curb ramp barriers.
- Identify curb ramp barriers that are likely to be removed through scheduled planned capital improvement projects.
- Prioritize curb ramps nearest to accessible parking stalls.
- Prioritize curb ramps that provide connections to other accessible facilities.
- Consider establishing a policy regarding installation of detectable warning surfaces at blended transition locations.
- Upon completion of current construction activities, complete a follow-up inventory of the curb ramps in the blue corridors of **Figure B-1** as part of a future Phase of the Port's ADA Self-Evaluation and Transition Plan.

Of note to the Port:

- Maintenance of curb ramps along SR 529 within the City of Everett's right-of-way are the responsibility of the City of Everett or WSDOT. See WSDOT's City Streets as Part of State Highways Guidelines (April 2013).
- For more information on blended transitions, see Section R305.2.3 of the 2011 PROWAG.

### D.2.2 Sidewalk Barriers

It is recommended that the Port:

- Consider public feedback to guide further identification and prioritization of sidewalk ADA barriers, including those identified through complaints or public grievances.
- Establish monthly or seasonal maintenance activities to address overgrown vegetation blocking ground and airspace within pedestrian paths of travel.
- Relocate the ADA parking stall sign on 11<sup>th</sup> Street to not block pedestrian access route
- Ensure construction fencing does not encroach into pedestrian path of travel.

### D.2.3 Driveway/Sidewalk Interface

It is recommended that the Port:

- Consider the role of public feedback to identify high priority DSI barriers, including addressing those barriers identified by public grievances.
- Consider as high priority for removal within short (2-6 year) period:
  - Bayside Marine - utilities and sidewalk settlement
  - 18<sup>th</sup> Street south of West Marine - Joint DSI/curb ramp barriers
- Consider as medium priority:
  - 13<sup>th</sup> Street driveway (unless slated for redevelopment)
- Identify DSI barriers that are likely to be removed through scheduled planned capital improvement projects.
- Upon completion of current construction activities, complete a follow-up inventory of the DSI locations in the blue corridors of **Figure B-1** as part of a future Phase of the Port's ADA Self-Evaluation and Transition Plan.

### D.2.4 Accessible Pedestrian Signals

The Port established an APS policy through the process of adoption of this Transition Plan. See APS Policy in **Appendix E**.

### D.2.5 Accessible Parking

It is recommended that the Port:

- Carry out the Walker Parking Study recommendations as well as supplemental recommendations provided by design2 LAST's recreational facilities evaluations.
- At a future Phase update to the Port's ADA Self-Evaluation and Transition Plan, consider creating a GIS inventory of the Port's parking and accessible parking, including on-street marked or metered parking stalls in accordance with 2010 ADA Standards and 2011 PROWAG Guidelines.

### D.3 Recreational Facilities

#### D.3.1 Recreational Facility Prioritization Matrix

A **Recreational Facility Prioritization Matrix** was developed to give the Port a flexible tool for prioritizing barrier removal projects. The matrix allows for three schemes of prioritization: federal guidelines, project team-developed public use/risk level, and a rating for the number/complexity of ADA barrier issues. Note: Cost estimates are not included in Phase I, but this matrix can be adjusted to replace the ratings with cost estimates. See **Figure D-1**.

On the x-axis, the criteria are categorized by the four (4) priorities listed in the Department of Justice ADA Title III regulations (28 CFR Part 36.304) and additional recreational features per the new sections added to Appendix A of Chapter 10 of the 2010 ADA standards.

Specific types of barriers are grouped under four (4) overarching priorities:

- **Priority 1** - Accessible approach and entrance (typically from the identified accessible parking spaces to the accessible activity, facility, field, shelter, etc.)
- **Priority 2** - Access to goods and services (play components, public and team seating, route between features, picnic table, fire grills, utility hook-ups, etc.)
- **Priority 3** - Access to public toilet rooms (multi stall and/or unisex toilets)
- **Priority 4** - Access to other items (amenities) such as water fountains and public telephones.

Further, the matrix includes a rating for each priority subgroup identifying the number or complexity of ADA barrier issues at that facility:

- “Not Applicable” means the subgroup feature does not exist at the facility.
- “No issues” means the feature exists at the facility but does not present an ADA barrier.
- “A few issues” means the feature has ADA barriers to be addressed.
- “Many issues” means the feature has a greater number or more complex ADA barriers to be addressed.

On the y-axis, recreational facilities are ranked in order of a “Public Use/Risk Level” subjectively determined by the consultant’s architect and refined through discussion with Port staff. This rank is based on a composite evaluation. First, the architect considered the frequency of use or likelihood of facility use by members of the ADA community (high = many users to low = fewer users). The architect also subjectively evaluated how compliant the facility is overall to determine a risk level (high = more deficiencies to low = fewer deficiencies).

At a meeting held February 18<sup>th</sup>, 2021, the architect presented the preliminary ADA evaluation findings and a suggested facility public use/risk level rank for each of the Port’s eight (8) assessed facilities. These initial high, medium and low rankings were discussed and refined with input from Port staff. The final facility level rankings are shown in **Figure D-1**.

Figure D-1. Port of Everett Recreational Facility ADA Barrier Prioritization Matrix

Risk Level - Frequency of Use and Likelihood of ADA User Type	Parks and Trails Facility	Priority 1 - Approach and Entrance (Exterior to Facility)				Priority 2 - Access (to/from Facilities and Constructed Features)							Priority 3 - Toilet Rooms, Comfort Stations (Future)		Priority 4 - Other Amenities & Emergency Services	
		Parking and Curb ramps	Route from Parking to Facilities	Exterior Ramps	Exterior Steps (Future)	Routes to Piers, Boat Launches, other	Trails	Bench Seating	Picnic Facilities, Tables, Trash bins	Boating Facilities	Fishing Piers and Platforms	Viewing Platforms	Single User Toilet Rooms	Multi-User Toilet Rooms	Drinking fountains	Fire Alarms (Future)
High	Marina Waterfront Trail System Area 1	○	◐	n/a		n/a	○	◐	n/a	○	○	n/a			n/a	
High	Marina Waterfront Trail System Area 2	n/a	n/a	n/a		n/a	◐	◐	n/a	n/a	n/a	n/a			n/a	
High	Marina Waterfront Trail System Area 3	●	◐	●		○	◐	◐	◐	○	n/a	◐			n/a	
High	Marina Waterfront Trail System Area 4	◐	○	n/a		n/a	○	○	○	n/a	n/a	◐			n/a	
High	Marina Waterfront Trail System Area 5	◐	○	n/a		◐	●	○	n/a	n/a	n/a	n/a			n/a	
High	Marina Waterfront Trail System Area 6	◐	◐	n/a		◐	●	◐	◐	n/a	n/a	n/a			n/a	
High	Marina Waterfront Trail System Area 7	◐	◐	n/a		◐	●	◐	◐	n/a	n/a	n/a			◐	
High	Jetty Landing (10th Street) Boat Launch	●	◐	n/a		●	○	n/a	n/a	●	n/a	n/a			n/a	
High	Jetty Landing Park and Jetty Island Ferry Dock	◐	◐	n/a		◐	○	◐	◐	◐	●	n/a			n/a	
Medium	South Marina Parking Lot and Sidewalks	●	●	n/a		n/a	n/a	n/a	n/a	n/a	n/a	n/a			n/a	
Low	Waterfront Center Ext Access	◐	○	n/a		n/a	n/a	n/a	n/a	n/a	n/a	n/a			n/a	
Low	Boxcar Park	◐	◐	n/a		n/a	◐	◐	◐	n/a	n/a	n/a			n/a	
Low	South Guest Dock 2 (Accessible Dock)	◐	◐	○		○	n/a	n/a	n/a	◐	n/a	n/a			n/a	
Total by Priority Subgroup		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total by Priority					\$0.00						\$0.00		\$0.00		\$0.00	

<b>Issues Ratings</b>	Not Applicable n/a	No Issues ○	A Few Issues ◐	Many Issues ●
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### D.3.2 Recommendations

It is recommended that the Port:

- Consider the role of public feedback in the final facility-level prioritization rankings.
- Utilize the flexibility of the Recreational Facility ADA Prioritization Matrix and individual facility assessments to:
  - Identify barriers that can be removed through in-house maintenance activities and across multiple facilities
  - Schedule barrier removal at a future phase of the Port's ADA Self-Evaluation and Transition Plan

### D.4 Administrative Policies & Procedures

The following personnel, policy and procedural updates have been established as of the adoption of this ADA Transition Plan. For documentation, see **Appendix E**.

#### D.4.1 ADA/504 Coordinator

The Port intends to have one (1) employee serve as the ADA/504 Coordinator responsible for responding to grievances, complaints and other alleged ADA discrimination concerns. Another administrative employee will serve as the person responsible for providing auxiliary aids and responding to requests for accommodation.

For questions related to grievances, complaints and other alleged ADA discrimination concerns, or about the content of this report, please contact the Port's ADA/504 Coordinator, Laura Gurley at:

Phone: (425) 388-0720  
WA Relay Service/TTY: 7-1-1  
E-mail: [laurag@portofeverett.com](mailto:laurag@portofeverett.com)  
Mail: P.O. Box 538, Everett, WA 98206

To request an alternative format or accommodation, please contact administrative employee, Emily Hammer at:

Phone: (425) 388-0625  
WA Relay Service/TTY: 7-1-1  
E-mail: [emilyh@portofeverett.com](mailto:emilyh@portofeverett.com)  
Mail: P.O. Box 538, Everett, WA 98206



It is recommended that the Port:

- Notify all Port staff of the roles and responsibilities of the ADA/504 Coordinator and employee responsible for providing auxiliary aids and responding to requests for accommodation.
- Consider having the ADA/504 Coordinator and supporting employee complete the ADA National Network's [ADA Title II Tutorial](#).

#### D.4.2 Official Responsible to Implement the ADA Transition Plan

The Port has identified Laura Gurley as the official responsible to implement the ADA Transition Plan. Laura will work in cooperation with other relevant Port staff.

It is recommended that the Port:

- Notify all Port staff of the role and responsibilities of the official responsible for ADA Transition Plan implementation.

#### D.4.3 Public Notice of ADA Provisions

The Port has posted the Public Notice of ADA Provisions as recommended by the Department of Justice to the Port's [ADA webpage](#).

It is recommended that the Port:

- Train department staff on the significance of the Public Notice Under the ADA as a policy and procedure reference document. Helpful guidance is available from the DOJ's [ADA Best Practices Tool Kit for State and Local Governments](#) website.
- Coordinate with all departments to make them aware of the Public Notice Under the ADA, how to access it, and how to provide it in alternative formats.

#### D.4.4 ADA Grievance Procedure/ADA Discrimination Complaint Record

The Port has updated its ADA Grievance Procedure as recommended by the Department of Justice and posted it to the Port's [ADA webpage](#).

It is recommended the Port:

- Train department staff on the significance of the ADA Grievance Procedure. Helpful guidance is available from the DOJ's [ADA Best Practices Tool Kit for State and Local Governments](#) website.
- Coordinate with all departments to make them aware of the Port's ADA Grievance Procedure, how to access it, and how to provide it in alternative formats.
- Keep a record of grievances. See **Appendix E** for Grievance Record Template.

#### D.4.5 Accessible Pedestrian Signal (APS) Policy

The Port will establish an APS policy through the process of adoption of this Transition Plan. See **Appendix E**.

#### D.4.6 Additional Programmatic Barrier Self-Evaluation and Prioritization

An agency should have staff who are knowledgeable about ADA compliance requirements and have appropriate tools to serve members of the public who have disabilities. An internal self-assessment can help identify gaps in knowledge regarding ADA compliance requirements, educate public-facing staff about the variety of potential barriers people with disabilities could face, and inform staff of a variety of potential solutions to remove barriers to accessibility.

It is recommended that the Port:

- Conduct an internal ADA self-assessment of Port staff/department representatives who interact with the public to determine level of knowledge regarding ADA compliance. An example questionnaire is provided in **Appendix E**. Provide additional training if necessary.

### D.5 Building Facilities

#### D.5.1 Building Facility Prioritization Matrix

A **Building Facility Prioritization Matrix** was developed to give the Port a flexible tool for prioritizing barrier removal projects. The matrix allows for three schemes of prioritization: federal guidelines, project team-developed public use/risk level, and a rating for the number/complexity of ADA barrier issues. Note: Cost estimates are not included in Phase I, but this matrix can be adjusted to replace the ratings with cost estimates. See **Figure D-2**.

On the x-axis, the criteria are categorized by the four (4) priorities listed in the Department of Justice ADA Title III regulations (28 CFR Part 36.304) and additional building features per the Architectural Barriers Act (ABA).

Specific types of barriers are grouped under four (4) overarching priorities:

- **Priority 1** - Accessible approach and entrance (typically from the identified accessible parking spaces to the accessible building structure, etc.)
- **Priority 2** - Access to goods and services (rooms and controls, laundry facilities, signage, elevator, stairs, etc.)
- **Priority 3** - Access to public toilet rooms and showers (multi stall and/or unisex toilets)
- **Priority 4** - Access to other items (amenities) such as water fountains and public telephones.

Further, the matrix includes a rating for each priority subgroup identifying the number or complexity of ADA barrier issues at that facility:

- “Not Applicable” means the subgroup feature does not exist at the facility.
- “No issues” means the feature exists at the facility but does not present an ADA barrier.
- “A few issues” means the feature has ADA barriers to be addressed.
- “Many issues” means the feature has a greater number or more complex ADA barriers to be addressed.

On the y-axis, building facilities are ranked in order of a “Public Use/Risk Level” subjectively determined by the consultant’s architect and refined through discussion with Port staff. This rank is based on a composite evaluation. First, the architect considered the frequency of use or likelihood of facility use by members of the ADA community (high = many users, to low = fewer users). The architect also subjectively evaluated how compliant the facility is overall to determine a risk level (high = more deficiencies, to low = fewer deficiencies).

At a meeting held January 24, 2024, the architect presented the preliminary ADA evaluation findings and a suggested facility public use/risk level rank for each of the Port’s six (6) assessed building facilities. These initial high, medium and low rankings were discussed and refined with input from Port staff. The final facility level rankings are shown in **Figure D-2**.

**Figure D-2. Port of Everett Building Facility ADA Barrier Prioritization Matrix**

Risk Level - Frequency of Use and Likelihood of ADA User Type	Building Facility	Priority 1 - Approach and Entrance (Exterior to Facility)	Priority 2 - Access (to/from Facilities and Constructed Features)							Priority 3 - Toilet Rooms, Comfort Stations (Future)			Priority 4 - Other Amenities & Emergency Services
		Exterior Route	Interior Route	Doors	Rooms And Controls	Laundry Facilities	Signage	Elevator	Stairs	Single User Toilet Rooms	Multi- User Toilet Rooms	Showers	Drinking fountains
Medium	North Marina Restrooms/Showers/Laundry	○	n/a	◐	○	◐	○	n/a	n/a	◐	n/a	◐	n/a
High	South Marina Restrooms (Center)	○	n/a	n/a	n/a	n/a	○	n/a	n/a	n/a	●	n/a	n/a
High	South Marina Restrooms (East)	○	n/a	n/a	n/a	n/a	○	n/a	n/a	n/a	●	n/a	n/a
High	South Marina Restrooms/Showers/Laundry	○	●	◐	◐	◐	○	n/a	n/a	n/a	●	◐	n/a
Low	Waterfront Center Public Areas and Tenant Entries	○	n/a	◐	n/a	n/a	◐	○	○	n/a	◐	n/a	◐
Total by Priority Subgroup		\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00
Total by Priority		\$0.00							\$0.00		\$0.00	\$0.00	\$0.00
Issues Ratings		Not Applicable	n/a		No Issues	○		A Few Issues	◐		Many Issues	●	

## E. Future Actions to Maintain and Achieve Compliance

### E.1 Future Actions Needed

The Port is pursuing a phased approach to its ADA Self-Evaluation and Transition Plan. This first phase focused on self-evaluation, barrier prioritization, and initial barrier removal scheduling for transportation network and recreational facilities frequently visited by the public surrounding the Port of Everett Marina facilities and destination waterfront between 10<sup>th</sup> and 18<sup>th</sup> Streets and West Marine View Drive. The Port of Everett owns other recreational and building facilities that were not part of the first phase of self-evaluation and will be evaluated for ADA barriers at a future update to the Plan. These facilities include but are not limited to:

- Port-owned buildings with publicly accessible areas (this revised 2024 Plan includes progress made on evaluating and prioritizing barriers at six (6) building facilities identified in Sections B.4, D.5 and Appendix F)
- Pigeon Creek public access trail and viewpoint
- Union Slough Saltmarsh Restoration Site public access
- Jetty Island
- Port of Everett-owned Mukilteo Public Access Dock/Fishing Pier

**Deleted:** <#>Port of Everett Seaport and satellite shipping facility Mount Baker Terminal ¶

The Port of Everett also provides programs, services and activities at its facilities. The Port addressed the policy and procedure requirements identified in Section D.3 as part of this initial phase. The Port will conduct an internal self-assessment and barrier prioritization for programmatic barriers at a future update to the Plan. Cost estimates for barrier removal and a refined schedule for barrier removal will be included in a future update to the Plan.

### E.2 Annual Report of Barriers Removed

To ensure implementation of this ADA Transition Plan, it is recommended that the Port incorporate an annual review/update process to track ADA self-evaluation and barrier removal progress across all of its transportation network, recreational, and building facilities as well as its programs, services, and activities. It is recommended that the official responsible for implementation of the ADA Transition Plan coordinate this effort in cooperation with relevant Port staff from other departments who are involved with projects that remove ADA barriers.

### E.3 Five-Year ADA Transition Plan Update Schedule

This Plan is intended to undergo a comprehensive update at five year intervals. During a comprehensive update, an updated barrier removal schedule will be identified and the matrix tables will be revised. With each five-year Plan update, an official public comment period is recommended to continue public engagement. The inventories and cost estimates will be re-analyzed at each five-year Plan update to determine patterns of need as it relates to the complete facility inventory and barrier removal prioritization rankings.

**Deleted:** be reviewed and updated

**Deleted:** As the Plan is

**Deleted:** updated

#### E.4 2024 Progress Report

This revised 2024 ADA Transition Plan reflects progress made since 2021 including ADA-evaluations and ADA barrier prioritization for six (6) Port building facilities as part of **Phase II**.

Other barrier removal activities that have taken place since adoption of the 2021 Plan are documented below and will be integrated into the above plan sections when the Port performs its comprehensive five-year Plan update:

- Restriped parking and access ways in South marina parking lots per Walker Study (2021).
- Trimmed back vegetation from encroaching on sidewalks throughout Port property (2022).
- Widened the sidewalk accessing the Central Marina restroom (2023).
- Widened the paved public access trail on the north side of Waterfront Place (2023).
- Installed ADA compliant marina gatehouse doors with openers in eight locations (2023).
- Paved sidewalk segment adjacent to Scuttlebutt's that was previously gravel (2023).
- Completed concrete grinding to remove trip hazards in Marina Village (2023).
- Rebuilt accessible boat launch lane 13 (2023).
- Repaved and widened section of Marina Waterfront Trail System Area 2 (2023)
- Corrected ADA parking spaces to the south of the new restroom at Jetty Landing Park with a new ramp to access the sidewalk to the restroom (corrections included raising signs and providing a minimum of one (1) van accessible parking space)

The Port intends to focus on Pigeon Creek Trail, Union Slough, and/or Jetty Island in **Phase III** pending availability of funding in the 2025-2026 time frame.

## F. Accessibility Regulations, Standards & Guidelines Resources

This ADA Transition Plan is based on the most recent federal and state ADA regulations, standards, and guidelines. The resources are divided into general and barrier specific groups with links to websites. For the WSDOT Local Agency Guidelines Chapter 29 ADA Title II Checklist of requirements for ADA transition plans, see **Appendix A**.

### F.1 General Resources

#### Federal ADA Regulations

- [ADA Title II Regulations \(28 CFR Part 35\)](#)
- [ADA Title III Regulations \(28 CFR Part 36\)](#)

#### U.S. Access Board Standards

- [U.S. Access Board DOJ ADA Accessibility Standards \(2010\)](#)

#### U.S. Department of Justice Guidelines

- [U.S. DOJ ADA Best Practices Tool Kit for State and Local Governments](#)

#### WSDOT Local Agency Guidelines

- [Local Agency Guidelines: Chapter 29 Section 504 of the Americans with Disabilities Act](#)

### F.2 Barrier-Specific Resources

#### Transportation Network:

- [ADA Title II Technical Assistance Manual](#)
- [U.S. DOJ ADA Best Practices Tool Kit for State and Local Governments](#)
- [WSDOT Field Guide for Accessible Pedestrian Facilities \(2012\)](#)

#### Recreational Facilities

- [ABA \(Architectural Barriers Act\) Chapters 2 and 10 Amendments \(2013\)](#)
- [ADA Title III Technical Assistance Manual](#)
- [US Access Board Federal Outdoor Developed Areas Accessibility Standards \(May 2014\)](#)

#### Programmatic (Services, Programs and Activities):

- [National ADA Network Title II Tutorial](#)
- [U.S. DOJ ADA Best Practices Tool Kit for State and Local Governments](#)