June 8th, 2020

MARIN CONSERVATION LEAGUE
Protecting Marin Since 1934

John Calhoun
Chief, Division of Jurisdiction, Regulations, and Special Park Uses
National Park Service

Re: Electric Bicycles – Proposed Rule; Docket ID: NPS-2020-0001; RIN: 1024-AE61

Dear Mr. Calhoun,

Marin Conservation League ("MCL") is submitting this comment to express strong opposition to the proposed regulation RIN 1024-AE61, which would redefine the term "electric bicycle" and allow Class 1 e-bikes to be operated on the same national park roads and trails that are currently open to traditional bicycles.

Marin Conservation League's interest in the proposed regulation.

MCL was founded 86 years ago for the purpose of advocating for acquisition of the outstanding scenic lands in Marin County, California, for the public's enjoyment. In that capacity, the organization committed significant volunteer and financial resources to the acquisition of two national parks in Marin County: Point Reyes National Seashore (PRNS 1962), and Golden Gate National Recreation Area (GGNRA 1972). Both park units are recognized for their unique natural and cultural resources and biodiversity. They also are a magnet for recreation within a large metropolitan area. Along with nation-wide trends in outdoor recreation, they have experienced exponential growth in visitation. Millions of people come from around the world every year to enjoy nature and culture as well as to pursue varied recreational experiences offered by both of these parks.

Mountain biking (MTB), which became popular in the 1980s and, amidst considerable controversy, was formally permitted in the two parks, has grown accordingly. The increasing presence of MTBs on roads and trails in undeveloped areas of the parks, has not been without conflict, due in part to safety concerns over the speed differential between bikes and slower-moving hikers and equestrians, and in part to environmental damage to trails from the repetitive friction and volume of bike tires and off-trail bike travel into sensitive natural resources. In the past few years, electric MTBs (e-MTBs) have begun to appear with increasing frequency, despite their illegal status under existing regulations.

The Proposed Regulation fails to acknowledge environmental impacts of e-MTBs.

Out of concern over mounting recreational pressures on the parks' resources, MCL believes that the proposed regulation fails to identify the present and potential future environmental impacts that the addition of e-MTBs would have on the safety and trail experience of park visitors and on the sensitive resources. Further, MCL believes that the rule would be impossible to enforce, given the difficulty of distinguishing Class 1 from either conventional MTBs or from Class 2 or 3 e-MTBs prohibited under the regulation, and to the lack of sufficient ranger personnel to enforce trail use. Rather than identify potential impacts and attempt to mitigate them, the NPS simply claims a categorical exclusion and ignores the "extraordinary circumstances" that would require further analysis under NEPA.

1. Impacts on trail wear. The proposed regulation fails to acknowledge that the addition of e-bikes will exacerbate environmental impacts unique to two-wheeled travel, such as grooving and erosion on vulnerable trails. Although trail conditions will vary from one park unit to another and within park units, the greater weight of e-bikes over conventional MTBs can increase erosion due to braking and skidding downhill, and with motor assist in uphill acceleration, in greater torque over conventional MTBs.

2. Impact on safety of slower trail users. Theoretically restricted by speed regulations, mountain bikers often exceed maximum park speed limits of 15 mph, and rarely slow to 5 mph when passing others going downhill or approaching other users from around blind corners. E-bikes are capable of reaching 25 miles per hour downhill with minimal pedaling, and with the aid of a motor, generally pass at double or 3-times the speed of traditional bicycles as well as all other trail users on the uphill. These capabilities lead to potential conflicts on the trail. The addition of weight and motor assist to the speed of e-MTB increases the threat of collision and injury to visitor safety. The motor assist also enables cyclists with less ability and training than conventional mountain bikers to ride without the requisite control, resulting in more near-misses for slow-moving hikers, runners, and equestrians, and even conventional bikers.

3. Impacts of "farther and faster" capability. An impact of e-MTBs that is rarely acknowledged is the ability to ride "farther as well as faster." In fact, that is the favorite marketing slogan of the industry! E-MTB users can climb more elevation without resting, maintain higher overall average speed (between 2 and 4 mph greater than conventional bikes), carry more gear, and penetrate deeper into the backcountry, where wildlife seek refuge from human activities. Together, these capabilities result in a greater cumulative impact to trail condition, the surrounding natural environment, and to other users.

4. Impact on trail experience. Equestrians, backpackers, hikers, trail runners, and mountain bike riders deliberately seek non-motorized trails in the National Park System to avoid fast-moving motorized vehicles found outside of Parks and to enjoy a quiet, natural environment. The use of e-bikes on otherwise non-motorized trails impacts other Park visitors who seek these peaceful and safe surroundings.

5. Impacts on sensitive resources. It is well-known that *all* trail users can have an impact on sensitive resources in a national park if they leave the trail. The temptation to venture off-road is particularly attractive to mountain bikers for whom "single-track" is the desired trail experience. A significant sub-set of mountain bikers can be counted on in almost any public park to break the rules. It must be expected that a similar-subset of a new e-bike user-group will follow suit. The potential for impact on sensitive plant habitats, including endangered species, and native wildlife is significant and requires diligent monitoring and restorative actions by park personnel. These off road or trail encroachments into native habitats are also conduits for invasion by nonnative weeds.

6. Future impacts of technological development. The rapid advances in motor and battery technologies, not only in bicycles but other transport devices, cannot be ignored, as weight, agility, speed, and range of travel continue to evolve. The National Park Service is encumbered to anticipate and prepare for future impacts on park resources as new technologies reach the market.

In conclusion, the National Park Service has failed to examine the full implications and present and potential future impacts of permitting e-bikes on roads and trails currently open to conventional bikes. MCL's particular concern is with the impact of e-MTBs in undeveloped areas of our parks. We ask you to conduct a thorough NEPA analysis of potential impacts at a programmatic level that will assist each park unit in making better informed decisions through a tiered assessment before permitting e-bikes within their jurisdictions.

Sincerely,

Robert Miller
President

cc: Jared Huffman, California Congressman, 2nd District
Laura Joss, General Superintendent, Golden Gate National Recreation Area
Acting Superintendent, Pt. Reyes National Seashore