

■ Save Our Baby Beach Park Space ■

A rare, free green oasis beside a safe, sheltered beach — for everyone.



Baby Beach is one of the most loved places in Dana Point. Families, kids, seniors, and visitors from all over Orange County come here to picnic, play, launch paddle boards, celebrate birthdays, or simply relax on the grass. It's safe, free, welcoming, and truly unique along our coast.

But all of this is now at risk. The City is considering a **5,600 sq. ft. fenced storage compound** on the grassy park.

This would:

- Take away space used daily by hundreds of families and visitors, reserving it for the private use of a select few — turning something inclusive into an area for only a select few.
- Remove a true community resource where everyone can freely gather — BBQs, ball games, church events, paddle prep, quiet reflection, or a run with the dog.
- Obstruct access from the largest parking areas to the park and water and lose the only alternative gathering space when the tide shrinks the beach.
- Diminish the natural beauty of an open, green space, replacing it with sheds, fencing, and turf.

This isn't just grass — it's memory-making space, a beloved resource, and one of the only places where everyone is welcome, free of charge. To give it up for storage would be a lasting loss to the community.

■ Please Act Now ■

A Planning Commission hearing was held on August 25th; the approval decision was delayed. Act now before another hearing moves forward to approve the permit.

Contact **Kurth** at the Dana Point Planning Office to express your concern:

Phone: (949) 248-3572

Email: knelson@danapoint.org

■ This is everyone's park, beach, and community. Let's not lose it. ■

OC Parks Commission Meeting

October 2, 2025

Remarks by Chris Murphy

- I reiterate my previous request, noted in the Commission's August 7th Minutes, for an update on the status of OC Parks discussions with regulatory agencies regarding the potential allowance of Class I mountain bicycles on natural surface trails in OC Parks.
- In addition, for the Commission's record on the Class 1 mountain bicycle issue, I have recently discovered several important pieces of information addressing the concerns we have heard that allowing Class 1 mountain bicycles in OC Parks would (i) "open the floodgates" to all ebikes; and (ii) it would "require changes to the OC NCCP/HCP Preserve documents."
- First, on the "open the floodgates" to all ebikes concerns, I have found a very recent study from the East Bay Regional Park District (January 8, 2025) titled, *E-Bike Data Report on 2023 Update to Ordinance 38*, (<https://www.ebparks.org/sites/default/files/e-bike-Memo-Jan2025.pdf>)
 - Key findings: "While visitation trends vary somewhat by park, in general park visitation increased in some parks during the pandemic in 2020 but has returned to pre-pandemic levels since. According to STRAVA data, e-bike use has been increasing over the last 5 years as a percentage of overall visitation on bikes. The change in ordinance does not seem to have influenced the percentage of e-bikes, as the general trend from before the ordinance change seems to be continuing at a similar rate."
- We believe that the data for OC Parks will show the same trends and that changing the Class 1 policy will not "open the floodgates" but trends will likely continue as they currently are. In any event, the Staff has access to this data and will in the future allowing close monitoring of the situation.
- Second, on it "requires changes to the NCCP/HCP" concern we discovered that San Diego County used adaptive management, under its 1998 habitat-plan "equivalent" to the OC NCCP/HCP called the Multiple Species Conservation Program (MSCP). We believe that this can serve as a model for adaptive management for Class 1 mountain bicycles within the existing the OC NCCP/HCP framework.
- Finally, there is a just-released U.S. Dept. of Interior, BLM, Environmental Assessment report titled *Authorization of Class 1 E-bikes on Designated Mountain Bike Trails* (DOI-BLM-UT-Y010-2024-0051-EA) (Sept. 2025) (<https://www.blm.gov/announcement/blm-opens-200-miles-trails-class-1-e-bikes>). It addresses many of these issues here.
- Thank you and I will submit my remarks and the referenced documents for posting on the Commission's website.



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MEMORANDUM

DATE: 1/8/25

TO: Brian Holt, Division Planning Lead and Max Korten, Deputy General Manager

FROM: Rourke Healey

SUBJECT: E-Bike Data Report on 2023 Update to Ordinance 38

PAGES: 14

This memo provides park visitation data and Public Safety data as they relate to electric bicycles (e-bikes) policy changes made by the East Bay Regional Park District (Park District). On September 5, 2023, per Board Resolution 2023-09-196, the Park District Board of Directors authorized an amendment to Ordinance 38 to allow use of Class I electric bicycles on Park District trails that allow use of conventional bicycles (bikes), and use of Class II e-bikes on all District operated paved regional trails. Prior to this Ordinance change, in March 2019 Ordinance 38 was amended to allow the use of Class I e-bikes on only a select list of paved regional trails: Alameda Creek Trail (paved side only), Big Break Trail, Contra Costa Canal Trail, Delta De Anza Trail, George Miller Trail, Iron Horse Trail, Lafayette Moraga Trail, and Marsh Creek Trail.

This memo includes charts derived from Placer AI, STRAVA, Eco-Counter, Park District Public Safety, and a summary of current e-bike policy statewide. These methods were chosen to highlight longitudinal changes in park visitation and document how changes to the Park District policy may have impacted use. The primary observation in the visitation data is that e-bike use has steadily increased over the past five years across the east bay, but that it hasn't led to an overall increase in park visitation and that the change in ordinance has not had a major effect on visitation. While visitation trends vary somewhat by park, in general park visitation increased in some parks during the pandemic in 2020 but has returned to pre-pandemic levels since. According to STRAVA data, e-bike use has been increasing over the last 5 years as a percentage of overall visitation on bikes. The change in ordinance does not seem to have influenced the percentage of e-bikes, as the general trend from before the ordinance change seems to be continuing at a similar rate. Public Safety data illustrates an increase in both bike and e-bike public safety reports over the past year. Accident data shows that bike accidents peaked in 2020 during the pandemic and have since returned to a similar level that was experienced pre-pandemic. As e-bikes have become more popular, the state has taken the lead in developing legislation focused on safety. A Summary of California Laws pertaining to e-bikes provides insight into the ongoing changes that are taking place across California to address e-bikes. The Park District will continue to monitor e-bike legislation, as well as the results of some of the ongoing pilot programs throughout the state and stay up to date on best management practices related to e-bikes.

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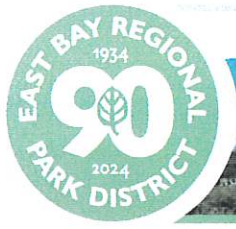
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Placer AI

The following charts display visitation at parks that have significant of bike usage in the Park District. Placer AI data is derived from cellphone applications and does not differentiate between bikers, hikers or horse riders. The data show a pattern of increased visitation following the start of the COVID-19 pandemic. The data do not show a significant abnormal increase following the e-bike policy change in 2019 or 2023.

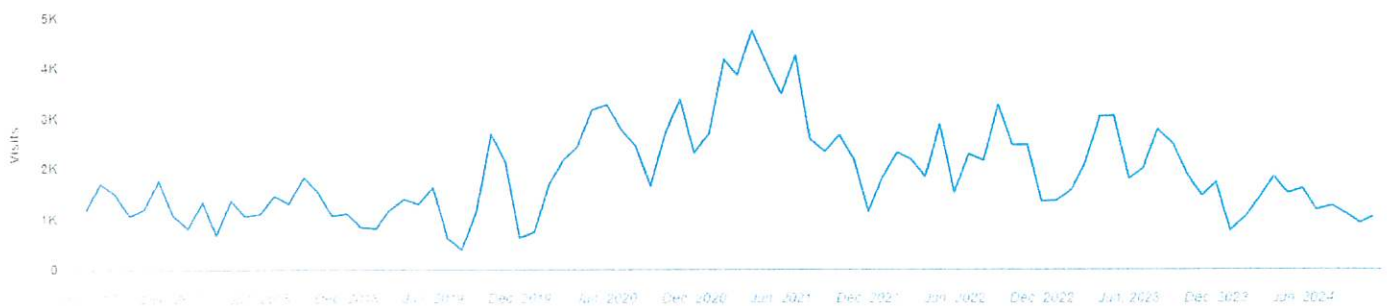
Anthony Chabot Visitation 2017 – 2024



Briones Visitation 2017 – 2024

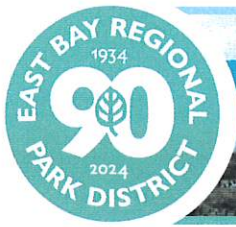


Crockett Hills Visitation 2017 – 2024



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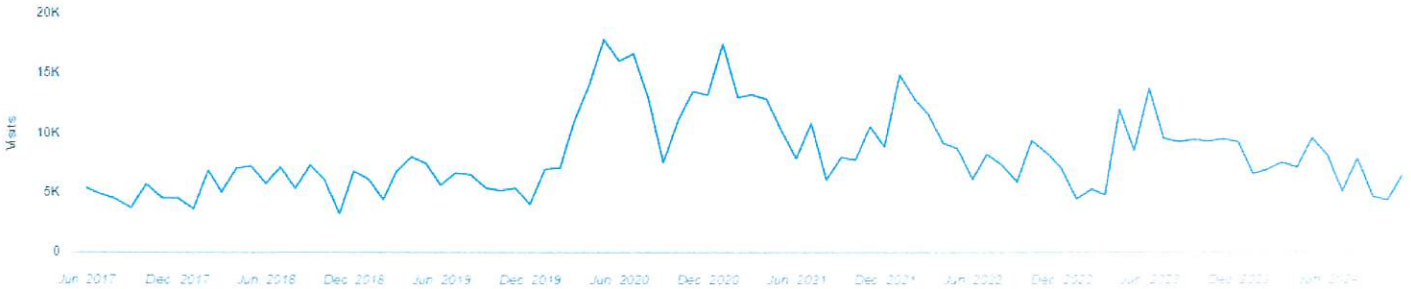


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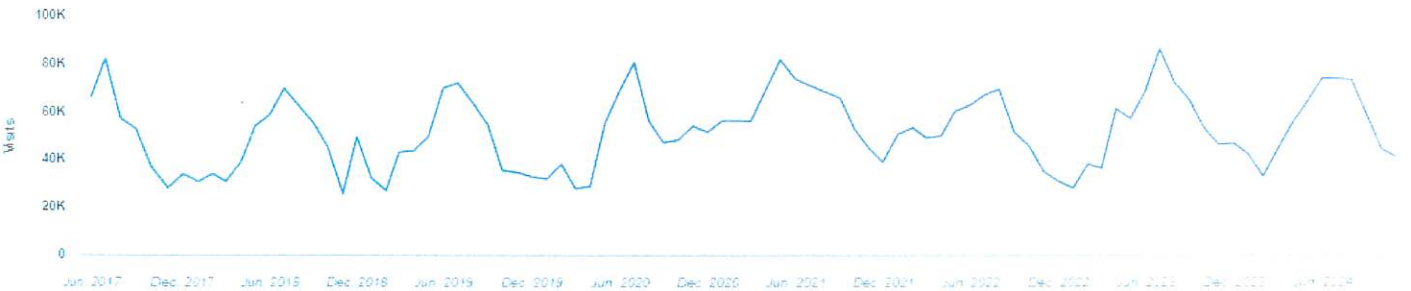
Del Valle Visitation 2017 – 2024



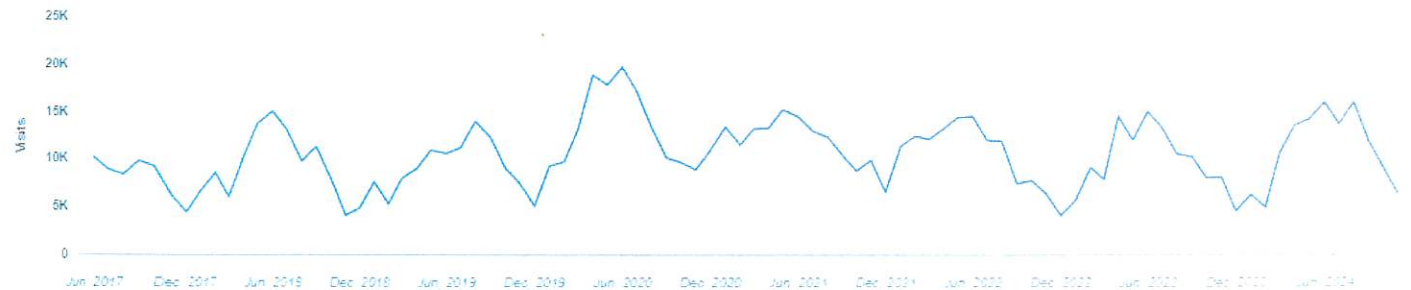
Pleasanton Visitation 2017 – 2024



Tilden Visitation 2017 – 2024



Wildcat Visitation 2017 – 2024



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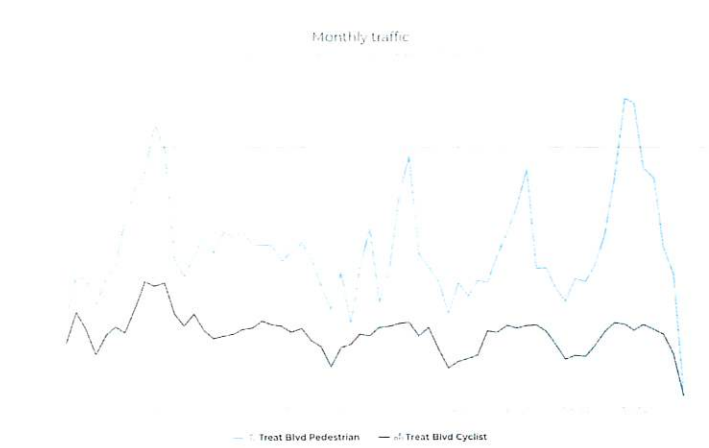


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Eco Counter

The following charts display trail counts from Eco-Counter devices on the Iron Horse Trail from 2020-2024. The blue line represents pedestrians. The black line represents cyclists. e-bikes are included in the cyclist data. Spikes or gaps in data are due to counter battery issues, sensor blockages or other technical issues. The data do not show a significant abnormal increase in use following the e-bike policy change in 2019 or 2023. A map of the counter locations is provided on the following page.

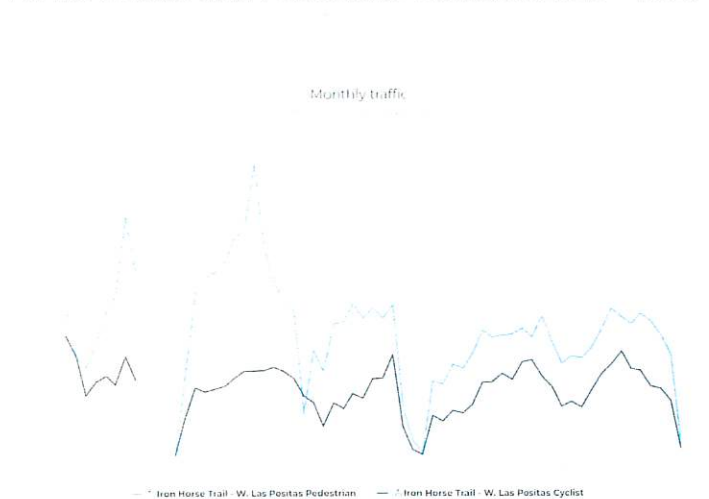
Treat Blvd Ped & Bike Visitation 2020 – 2024



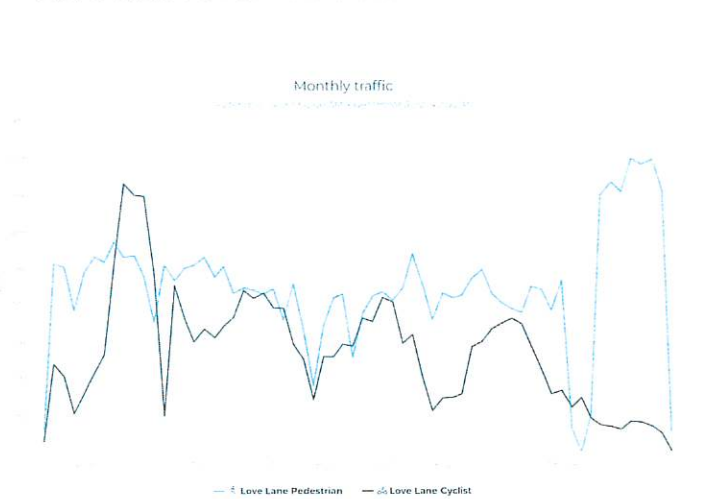
Owens Drive Ped & Bike Visitation 2020 – 2024



W. Las Positas Blvd Ped & Bike Visitation 2020 – 2024



Love Lane Ped & Bike Visitation 2020 – 2024

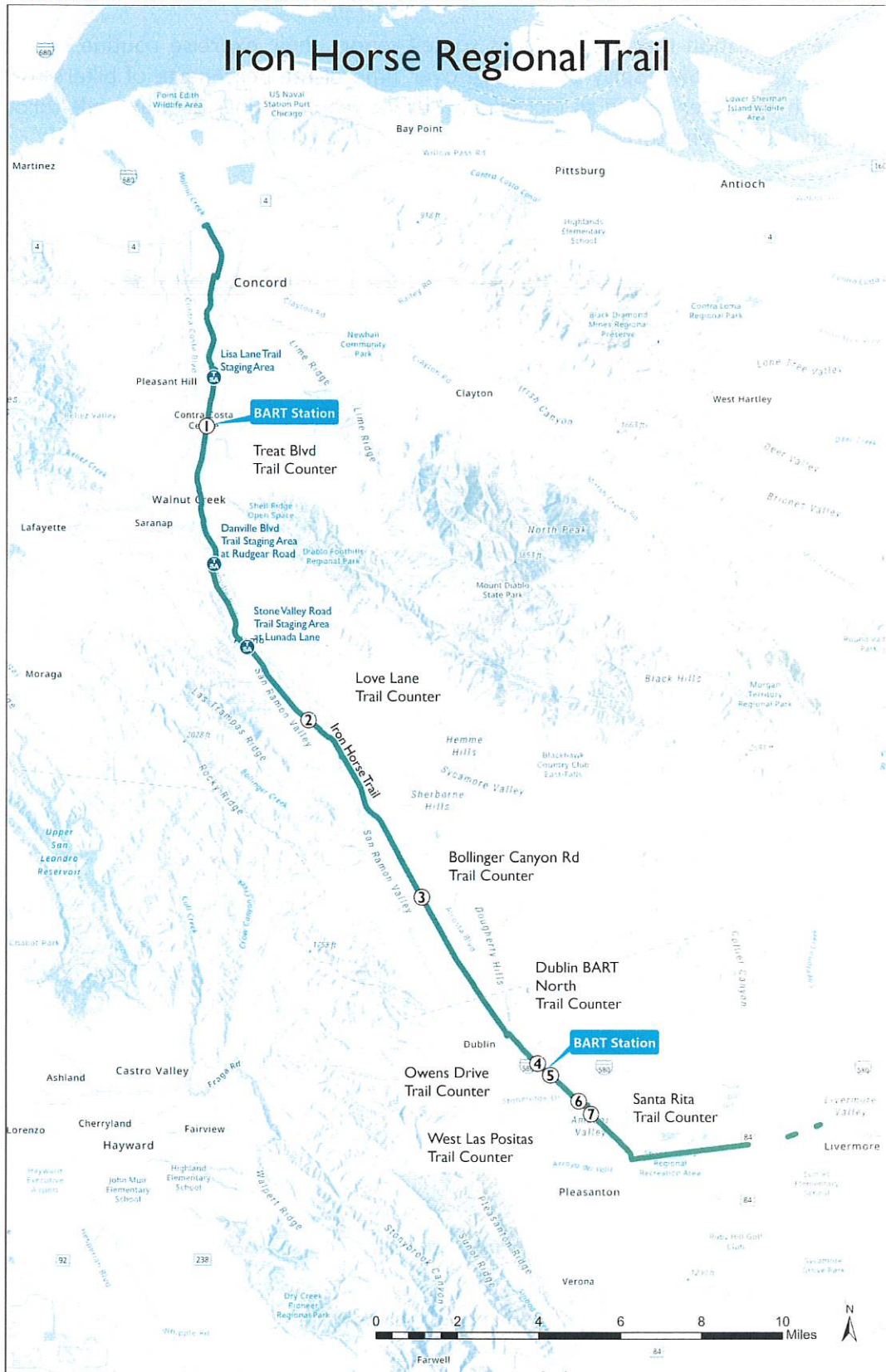


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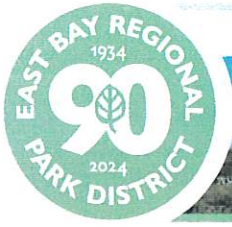
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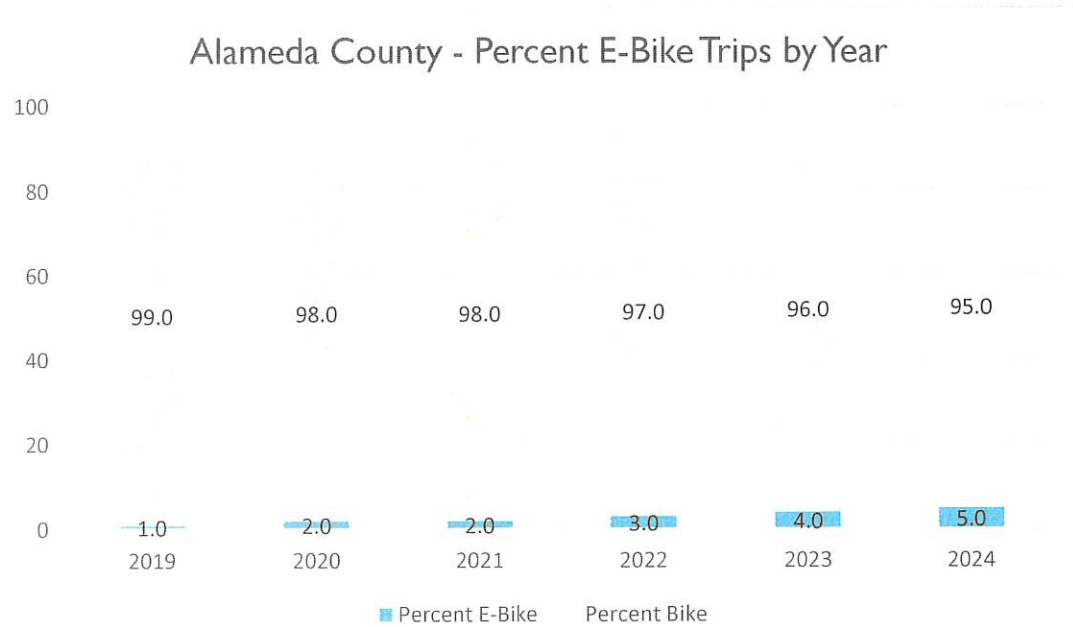
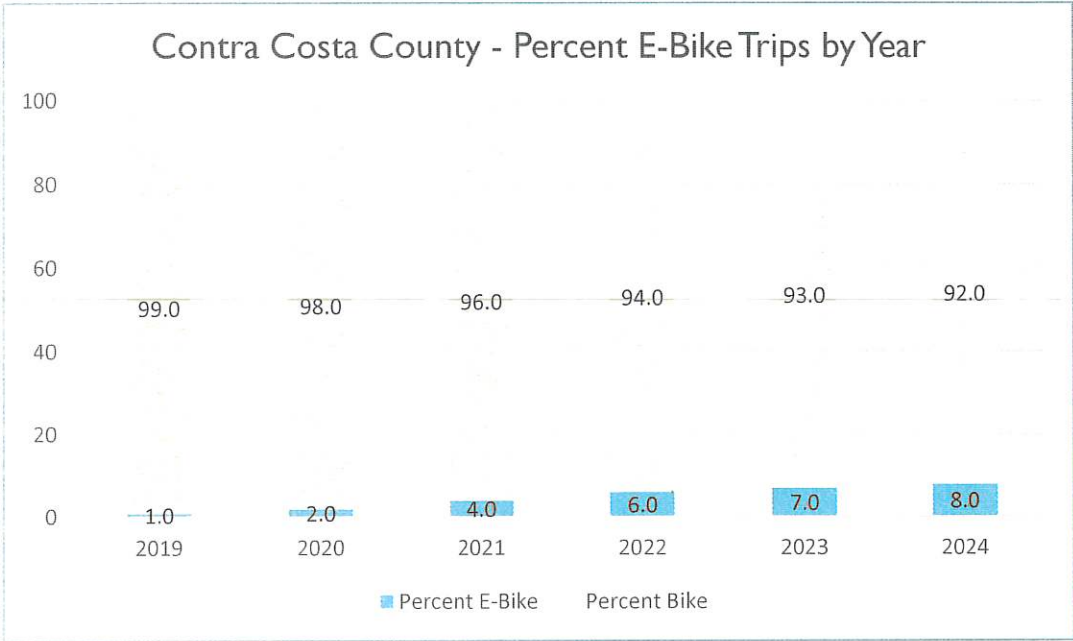
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STRAVA

STRAVA is a phone application that allows users to self-report their exercise routine, including method of transportation. The graphs below display the change over time of the percentage of bikers using conventional bikes and e-bikes, with the latter seeing an increase in recent years. County data extends through 2024, while park and trail specific data extend through 2023.

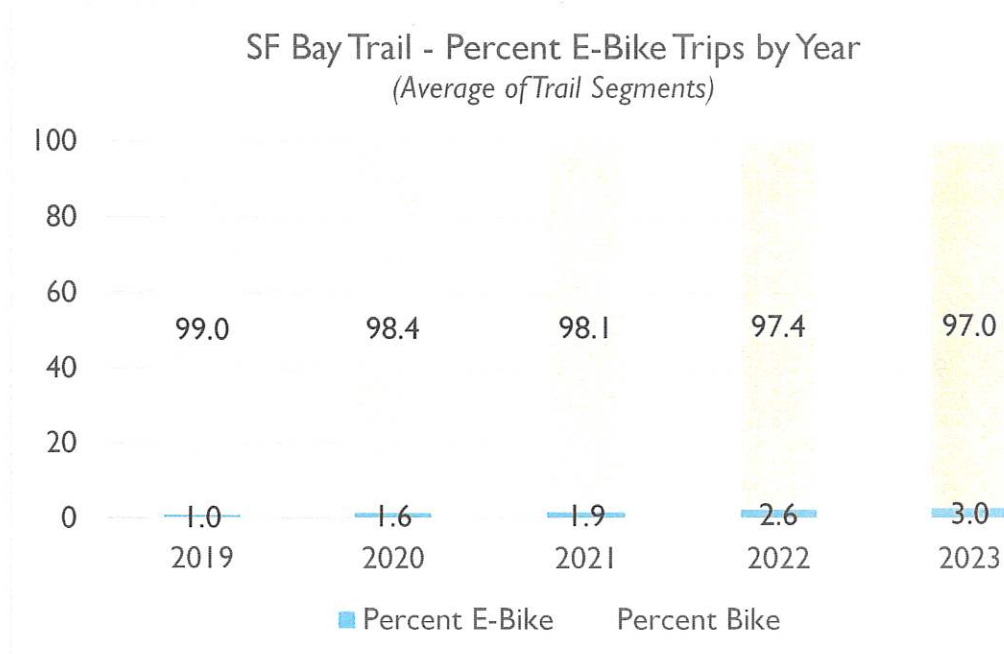
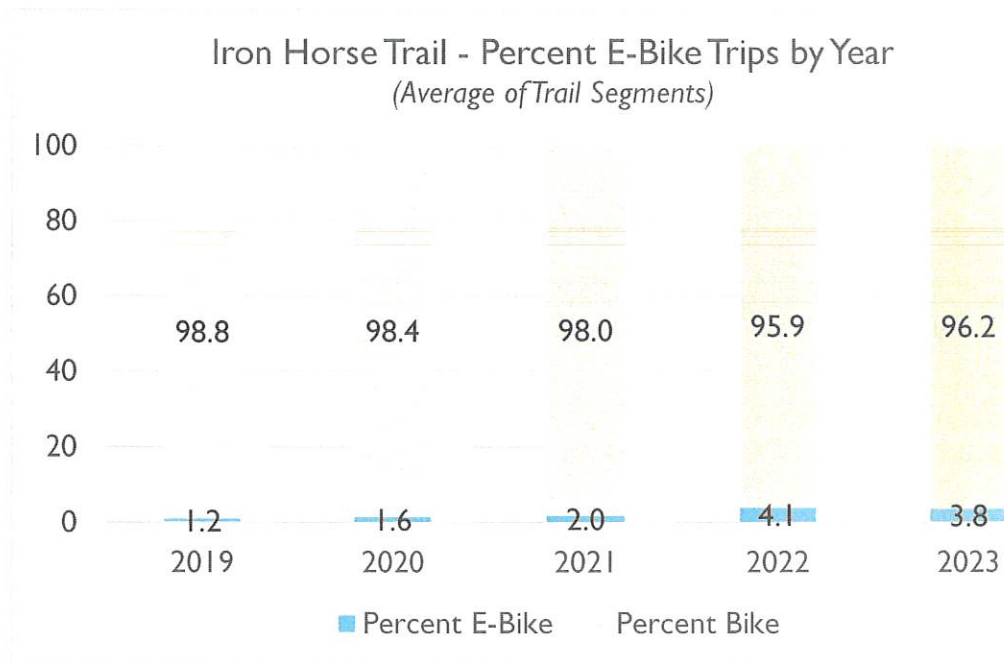


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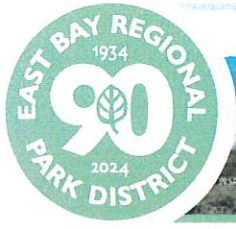
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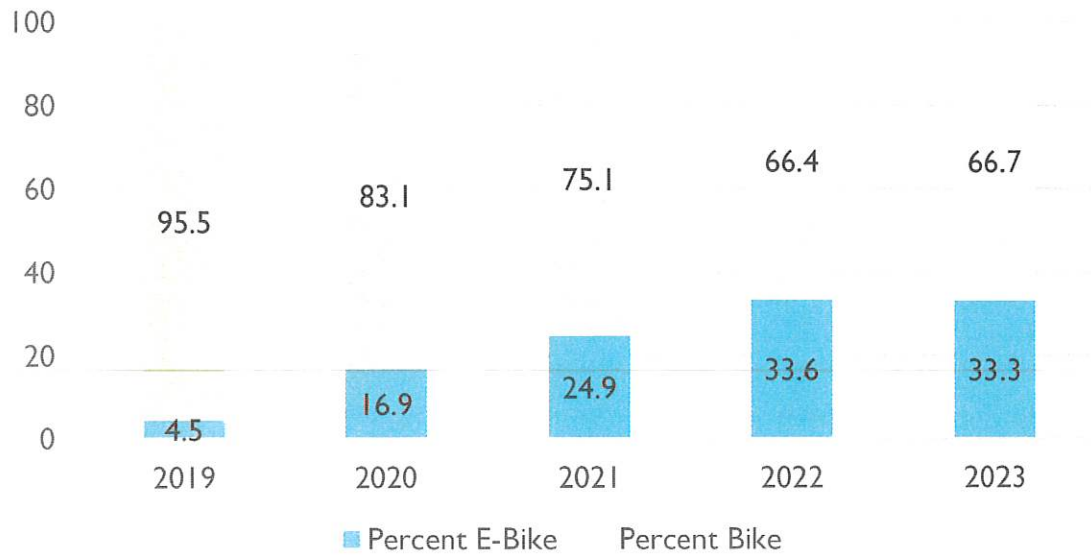
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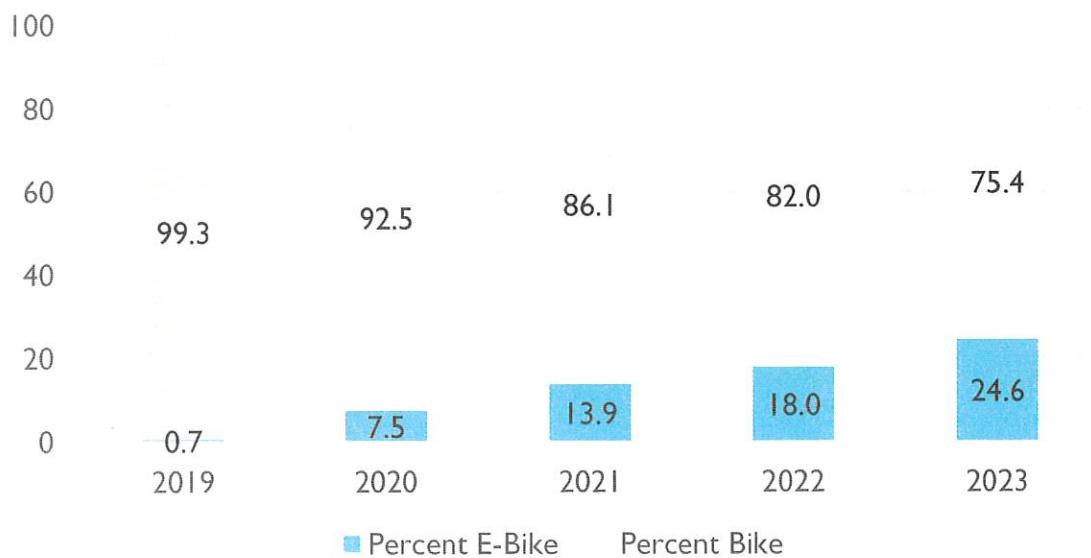
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Briones - Percent E-Bike Trips by Year (Average of Trail Segments)



Crockett Hills - Percent E-Bike Trips by Year (Average of Trail Segments)

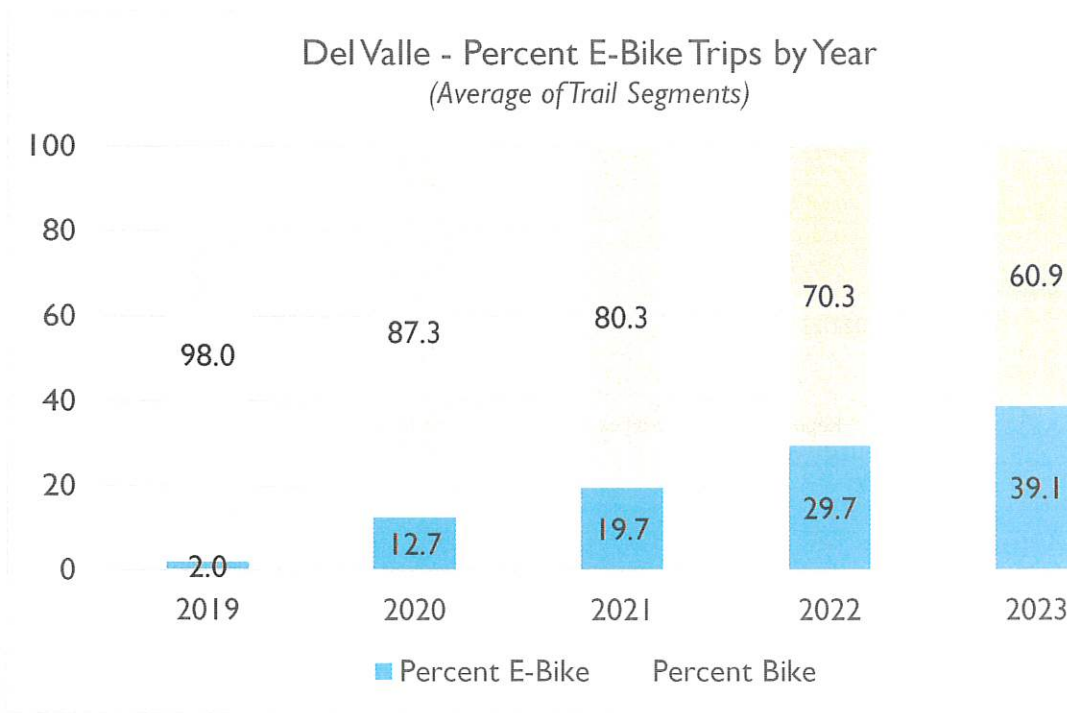
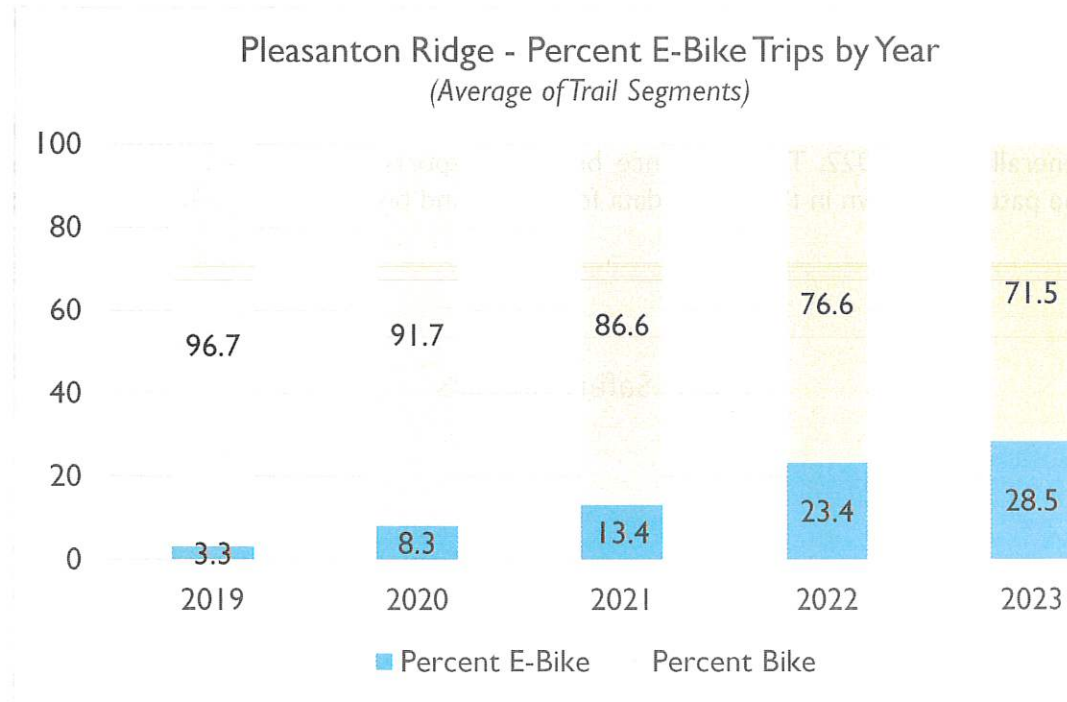


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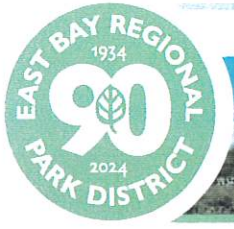
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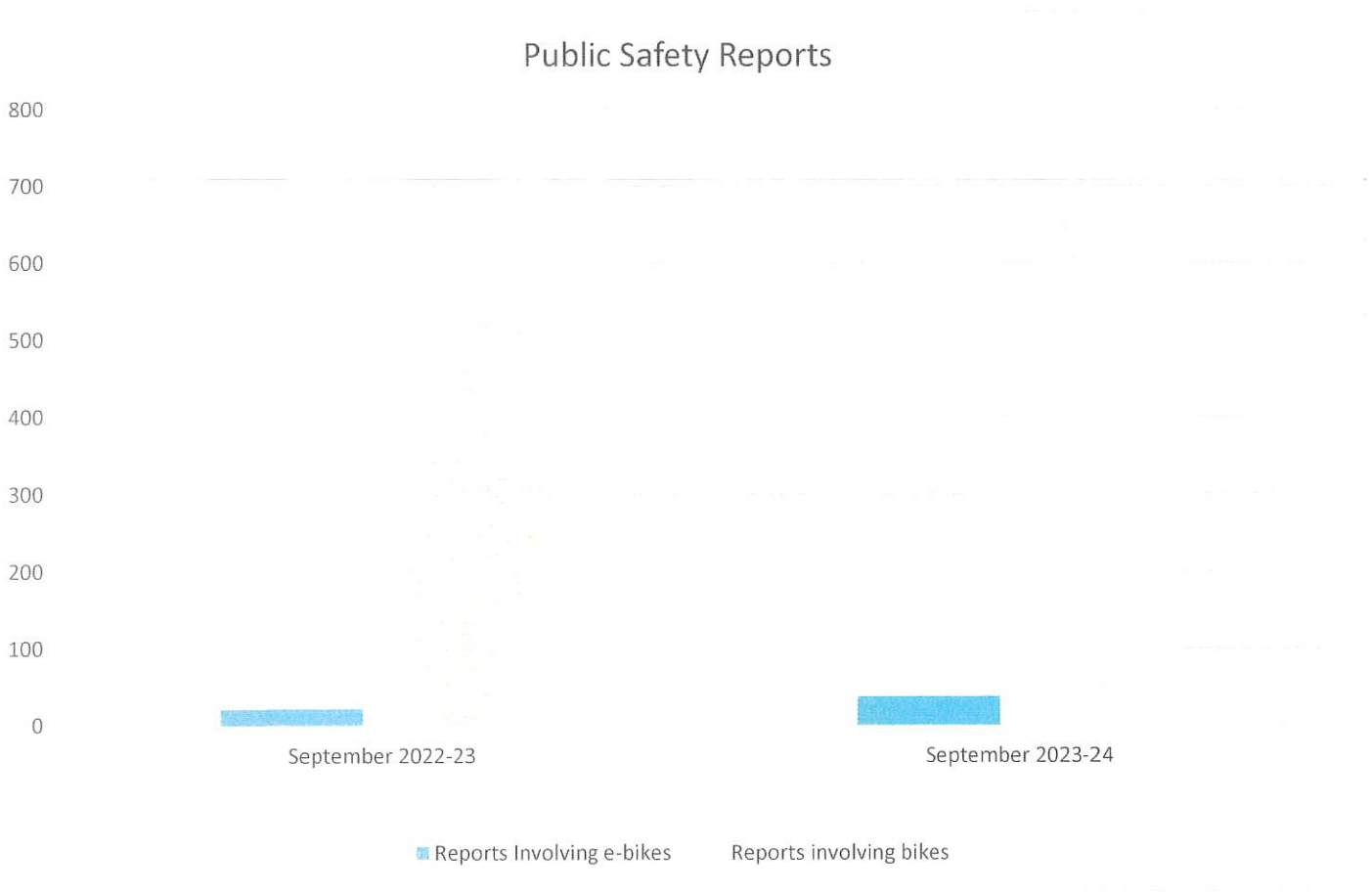


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Public Safety Data

The following charts show public safety records from September 2022-23 and September 2023-24, to provide a 'before' and 'after' of how bike and e-bike reports related to the e-bike Ordinance 38 change.

The data reveal that there has been a small increase in reports involving e-bikes and a larger increase in reports involving bikes generally since 2022. The difference between reports regarding e-bikes and bikes is roughly consistent with the patterns shown in the Strava data for e-bike and bike counts in 2024 county-wide.



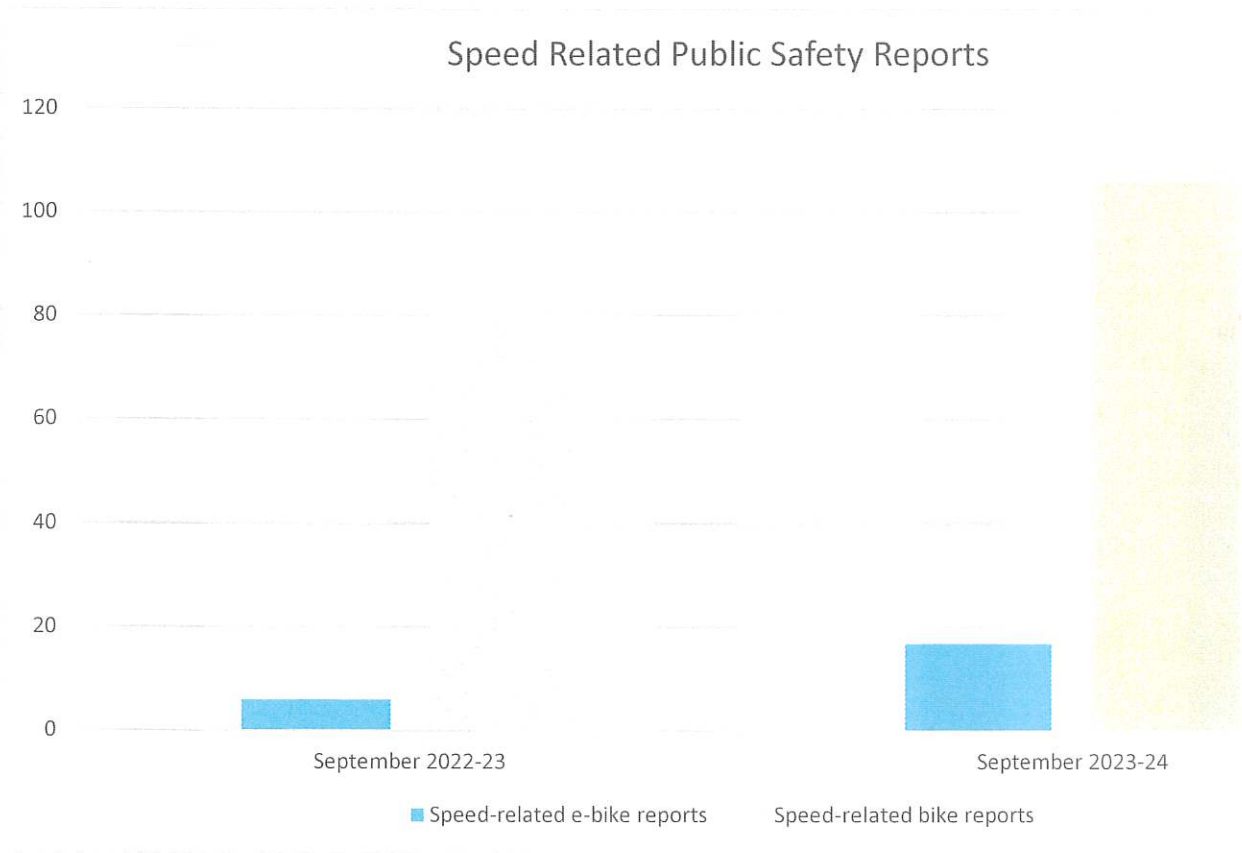
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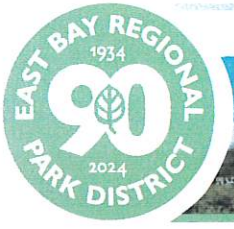
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Speed is the most frequently raised concern regarding e-bikes. Speed related reports are provided in the chart below. The data reveal that reports involving speeding increased across both e-bikes and bikes. There is approximately 10 times as many reports of conventional bikes speeding compared to those pertaining to e-bikes.



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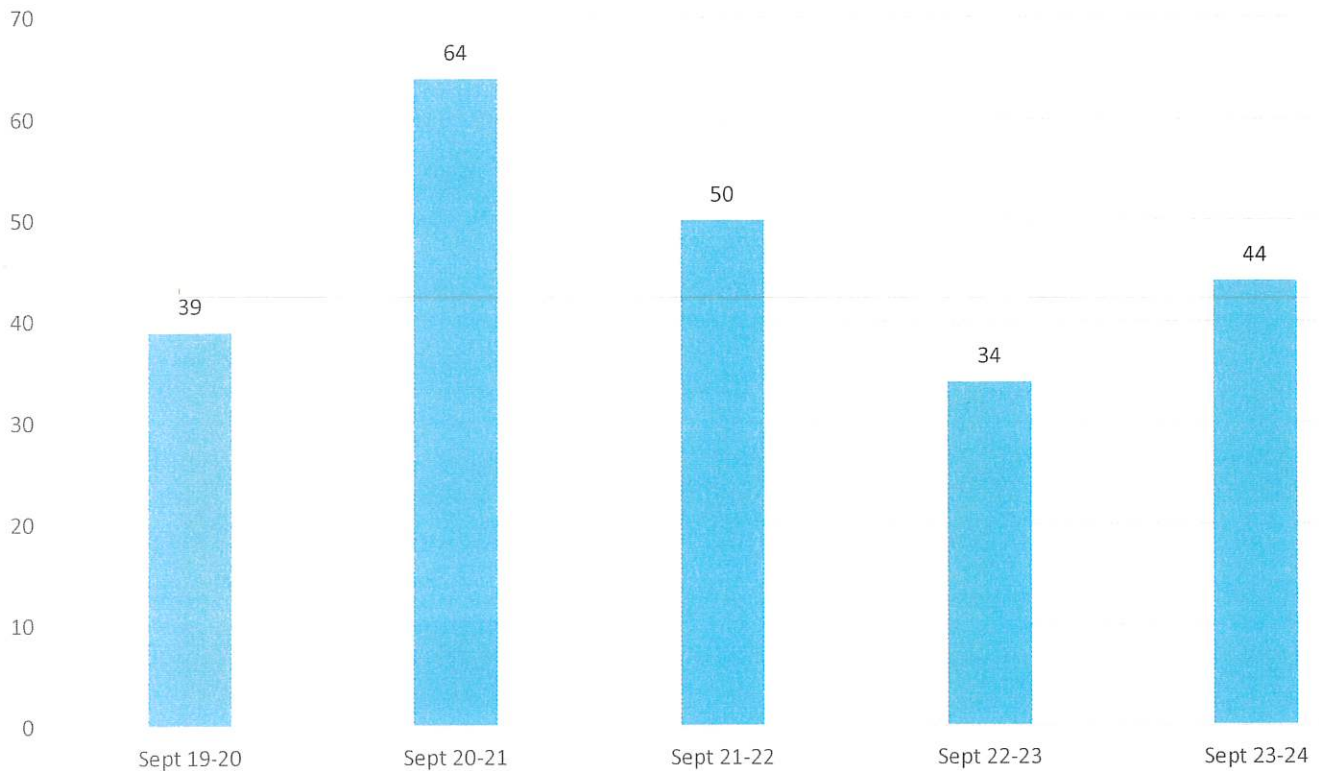
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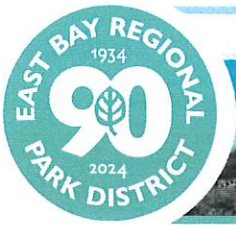
Below is a chart of district-wide bike accidents reported by Public Safety. E-bike accidents are not specified in the Public Safety data. Accidents over the last five years have not revealed a clear pattern, but have trended towards pre-pandemic levels since the spike that occurred in 2020.

Bicycle Accidents Reported by Public Safety



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Summary of California Laws Pertaining to E-Bikes

Responding to the growth in popularity of Electric Bicycles (e-bikes), the California Legislature has been active in the regulation of e-bikes over the past ten years. Beginning in 2015, with the adoption of AB 1069, California reclassified e-bikes into three separate classes. E-Bikes are no longer considered motor vehicles, but rather bicycles provided they have an electric motor of less than 750 watts and fall within one of the three statutory classes of e-bikes. The three classes are as follows:

- **Class 1 e-bike:** Has a pedal-assisted motor that provides power only when pedaling and quits assisting when the bike reaches 20 mph.
- **Class 2 e-bike:** Has a motor that can provide power with or without pedaling (by using a handlebar-mounted throttle), but stops assisting when the bike reaches 20 mph.
- **Class 3 e-bike:** Has a pedal-assisted boost up to 28 mph before it stops assisting.

Note that electric motorcycles are not e-bikes. If the e-bike does not have pedals, it is not an e-bike. AB 1096, which became effective in 2016, allowed Class 1 & 2 e-bike use on Bicycle Paths, Bike Ways, and Bicycle Lanes, unless restricted by a local jurisdiction. In contrast, Class 3 e-bikes are prohibited on Bicycle Paths, Bike Ways, and Bicycle Lanes, unless specifically allowed by a local jurisdiction.

Subsequently, in 2022, the California Vehicle Code was amended to explicitly state that an electric bicycle (as defined by AB 1096) is a bicycle and subject to all regulatory requirements of a bicycle, with a few exceptions. For example, there are some additional restrictions on Class 3 e-bikes, such that you must be age 16 or older to operate a Class 3 e-bike, wear a helmet regardless of age, and may not transport passengers.

California has continued to be active with regards to e-bike use and safety, and this legislative session resulted in four bills being signed into law by Governor Newsom.

E-Bike Battery Safety (SB 1271, Min)

This bill requires all electric bikes sold in California to meet certain minimum safety standards and be certified by an accredited testing laboratory. Battery safety is critical for e-bikes since people often park their bikes inside homes or garages and bring the batteries inside to charge. Poorly manufactured lithium-ion batteries can overheat during charging and start fires. This bill also clarifies the existing e-bike classification definitions and prohibit specified vehicles from being advertised, sold, offered for sale, or labeled as electric bicycles.

E-Bike Modification (AB 1774, Dixon)

This bill makes it illegal to tamper with an e-bike in order to make it give an electric boost faster than 28 mph, which is the top boosted e-bike speed allowed in California. If someone modifies an e-bike so it operates as a different class, the label must be changed to reflect the new classification. This bill is aimed at some vehicles sold as e-bikes in California that can be modified to get around speed limiters on the motor or have “off-road” modes that go faster than 28 mph.

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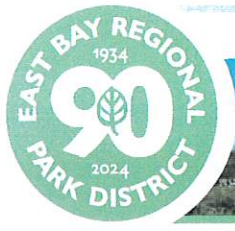
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Marin Pilot Program (AB 1778, Connolly)

This bill establishes the Marin Electric Bicycle Safety Pilot Program, which would allow local jurisdictions within Marin County to adopt an ordinance to extend the restrictions that currently apply to Class 3 e-bikes to Class 2 e-bikes, which include prohibiting people under age 16 from riding a Class 2 e-bike and require helmets for all Class 2 e-bike users. The pilot would continue through 2029 with a reporting requirement to assess its effect on safety.

San Diego Pilot Program (AB 2234, Boerner)

This bill establishes the San Diego Electric Bicycle Safety Pilot Program, which will allow local jurisdictions within San Diego County to prohibit people under 12 from operating Class 1 or Class 2 e-bikes. The pilot would continue through 2029 with a reporting requirement to assess its effect on safety.

Except for the e-bike Battery Safety Bill (SB 1271), which will become effective on January 1, 2026, the other three bills become effective on January 1, 2025.

Additionally, a bill that would have banned e-bikes on boardwalks (AB 1773, Dixon) was introduced, but never made it out of committee. The Park District will continue to monitor e-bike legislation, as well as the results of some of the ongoing pilot programs throughout the state.

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JASON HEMMENS
DIRECTOR

DEPARTMENT OF PARKS AND RECREATION
5510 OVERLAND AVENUE, SUITE 270, SAN DIEGO, CALIFORNIA 92123
(858) 565-3600
www.sdparks.org

Electric Bike Fact Sheet

General Information

The State of California passed Assembly Bill 1096 and 1909 which defines electric bicycles with electric motors of 750 watts or less, also known as e-bikes, as bicycles that have fully operative pedals by human power with an electric motor.

Electric bicycles have increased in popularity, often being used for commuting, general transportation, and recreational uses. E-bike can assist riders who may need additional assistance on uphill rides and increase access to the health benefits of cycling.

CLASS 1	Pedal Assist System (PAS)	Motor Powered Speed Limit (MPSL) 20 MPH
CLASS 2	PAS and Throttle Element	MPSL 20 MPH
CLASS 3	PAS	MPSL 28 MPH

The legislation prohibits the operation of Class 3 electric bicycles except on specified paths, lanes, or trails unless authorized by a local ordinance. The County of San Diego Department of Parks and Recreation (DPR) would need to approve the use of Class 3 electric bicycles in parks and preserves on a case-by-case basis, and only on trails designated by the approved authority.

Class 1 and 2 electric bicycles are permitted on all County of San Diego paved pathways and trails where bicycles are permitted unless specifically restricted by DPR for safety and maintenance concerns. All electric bicycles must have a classification number label permanently affixed, in a prominent location, on each electric bicycle as required by the State of California. Class 3 electric bicycles are not permitted on trails but are allowed on park roads and must follow all motorized vehicle regulations.

Class 3 electric bicycles are more powerful motorized electric bicycles that do not have wattage limits and are not defined by the same classifications. Class 3 electric bicycles are not permitted on County of San Diego trails.

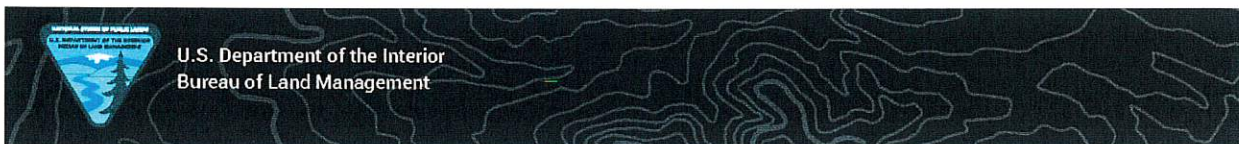
The DPR parks and trails listed below are closed to use by all classes of electric bicycles.

- Lindo Lake County Park Skate Park
- Jess Martin County Park Skate Park
- Ramona Grasslands Old Survey Road 97 Trail
- Sweetwater Bike Park
- Valley Center Community Park Skate Park



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September 2025
Authorization of Class 1 E-bikes on Designated Mountain Bike Trails

Environmental Assessment
DOI-BLM-UT-Y010-2024-0051-EA

I have considered the factors mandated by the National Environmental Policy Act (NEPA). This environmental assessment represents the Bureau of Land Management's (BLM's) good-faith effort to fulfill NEPA's requirements by prioritizing documentation of the most important relevant considerations within the statutorily mandated page limits and timeline. This prioritization reflects the BLM's expert judgment; and any considerations addressed briefly or left unaddressed are, in the BLM's judgment, comparatively non-substantive and would not meaningfully inform the BLM's consideration of environmental effects and the decision to be made. The EA is substantially complete, considers the factors mandated by NEPA, and, in my judgment, contains analysis adequate to inform the BLM's decision regarding the Proposed Action.

Digitally signed by DAVID PALS
Date: 2025.09.29 11:38:48 -06'00'

Responsible Official: _____

David Pals, Field Manager

U.S. Department of the Interior
Bureau of Land Management
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CHAPTER 1. INTRODUCTION

1.1. Background

The Bureau of Land Management (BLM) Moab Field Office (MFO) proposes to authorize class 1 electric bicycles (e-bikes) on 211.2 miles of designated mountain bike trails and trail systems (identified trails) on BLM-managed lands within the MFO, located in Grand County, Utah. The MFO would manage class 1 e-bikes in line with traditional mountain bikes. Traditional mountain bikes are bikes solely human powered with no electric or other motor assistance. Below shows the mountain bike trails and trail systems identified for the proposed authorization of class 1 e-bikes:¹

- Athena Mountain Bike Trail
- Horsethief Mountain Bike Trail System
- Navajo Rocks Mountain Bike Trail System
- Gemini Bridges Area Mountain Bike Trail System
- 7-Up Mountain Bike Trail
- Gold Bar Rim Mountain Bike Trail
- Portal Mountain Bike Trail
- Klondike Bluffs Mountain Bike Trail System
- Baby Steps Mountain Bike Trail
- Klonzo Mountain Bike Trail System
- Moab Brands Mountain Bike Trail System
- Amasa Back Mountain Bike Trail System
- Jackson Mountain Bike Trail
- Hunter Canyon Rim Mountain Bike Trail
- Pipe Dream Mountain Bike Trail
- Raptor Route Mountain Bike Trails: Hawks Glide, Falcon Flow, Kestrel Run
- Kokopelli Mountain Bike Trail – 1.7 mile of non-motorized singletrack trail

The 1.8-million-acre MFO is a popular mountain bike recreation destination both for residents and visitors. Currently, the MFO manages 230 miles of designated mountain bike trails within 12 mountain bike trail systems to the north, west, and east of the city of Moab. There are currently only 1.4 miles of mountain bike trail open to class 1 e-bikes in the MFO as part of the Lower Monitor and Merrimac Bike Trail loop in the Mill Canyon Area north of Moab. An additional 9.8 miles of mountain bike trail will be open to class 1 e-bikes once construction of the Mud Springs Mountain Bike Trail System, is completed in the fall of 2025 (DOI-BLM-UT-Y010-2023-0045-EA). E-bikes are also authorized on routes designated for motorized use, including the Slickrock National Recreation Trail.

¹ Fisher Mesa, Lower Porcupine Rim Singletrack and Eagle Eye portion of the Raptor Route would not be assessed due to portions of the trails being within National Forest System (NFS) Lands. Porcupine Rim Singletrack Trail and Hidden Valley would not be assessed as they are within a Wilderness Study Area.

The Intrepid Trail System at Dead Horse Point State Park, approximately 32 miles northwest of Moab, within the MFO planning area, authorizes e-bikes on the 16.6 miles of singletrack trail.

In April 2022, the BLM Grand Junction Field Office authorized the use of class 1 e-bikes on 29 miles of trails within the North Fruita Desert SRMA (DOI-BLM-CO-G010-2021-0016-EA), which is approximately 105 miles northeast of Moab.

The popularity of e-bike use as a means of transportation and recreation is growing rapidly in the United States and around the world. An e-bike is a bicycle with operable pedals and a small electric motor of no more than 750 watts (one horsepower) which assists in the operation of the bicycle and reduces the physical exertion demands on the rider. Typically, an e-bike weighs about 38-70 pounds, depending on the type, battery and motor sizes, and materials used. A typical traditional mountain bike weighs between 25 and 35 pounds.

There are two main types of e-bikes: pedal-assisted and throttle-assisted. A rider must actively pedal a pedal-assisted bicycle to engage the electric motor, whereas a rider uses a handlebar-mounted throttle to engage the electric motor of a throttle-assisted bicycle.

The Federal Highway Administration (FHWA) e-bike definition and three tier classification is codified at 23 U.S. Code § 217(j)(2), which is considered the industry standard and has been adopted by other federal agencies, including the BLM, and over 39 State.

The BLM definition of e-bikes found at 43 CFR § 8340.0-5(j) is:

(j) Electric bicycle (also known as an e-bike) means a two- or three-wheeled cycle with fully operable pedals and an electric motor of not more than 750 watts (1 horsepower) that meets the requirements of one of the following three classes:

- (1) Class 1 electric bicycle shall mean an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour (mph).
- (2) Class 2 electric bicycle shall mean an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 mph.
- (3) Class 3 electric bicycle shall mean an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 mph.

BLM E-Bike Policy. In 2019, the Department of the Interior (DOI) issued new guidance regarding the management of e-bikes on DOI administered public lands. On August 29, 2019, the Secretary of the Interior issued Secretary's Order (SO) 3376 for the purpose of increasing recreational opportunities through the use of e-bikes. SO 3376 directed the BLM and all other DOI agencies to expand access on public lands to e-bike users and amend existing regulations to address e-bikes. SO 3376 specifically directed the BLM to revise its off-road vehicle or off-highway vehicle (OHV) regulations at 43 CFR part 8340.

A BLM final e-bike rule was published in the Federal Register on November 2, 2020. The rule amends 43 CFR 8340.0-5 to define e-bikes, which are limited to class 1, 2, and 3 e-bikes as defined above. This guidance can be found on BLM's national e-bike webpage, <https://www.blm.gov/programs/recreation/e-bikes>. The revised regulation provides that authorized officers may authorize, through subsequent land-use planning or implementation-level decisions, the use of class 1 e-bikes on trails open to traditional mountain bikes. While the BLM intends for the rule to increase access and recreational opportunities on public lands, e-bikes would not be given special access beyond what traditional, non-motorized bikes are allowed.

Research and guidelines on the use and management of e-bikes on trails is continually expanding. In November 2022, the FHWA published *The Future of E-bikes on Public Lands: How to Effectively Manage a Growing Trend*. This report, funded by FHWA, is the first national-scale effort to develop a comprehensive framework for the opportunities and challenges related to e-bike use on public lands and focuses on four research areas: (1) Ecological, Cultural, and Historical Resources; (2) Safety factors; (3) Social factors; and (4) Processes for E-Bike Management. The FHWA is continuing initiatives and research relevant to understanding e-bikes, including case studies, with more information available at https://www.fhwa.dot.gov/environment/bicycle_pedestrian/resources/e-bikes/.

1.2. Purpose and Need

The purpose of the Proposed Action is to expand recreational opportunities and experiences for class 1 e-bike users within the MFO.

The need for the action is established by the BLM's responsibility under the Federal Land Policy and Management Act of 1976 (FLPMA), which establishes the BLM's responsibility to provide outdoor recreation opportunities on public lands.

1.3. Decision to be Made

The decision to be made by the BLM is whether or not to authorize class 1 e-bikes on the identified trails and trail systems within the MFO.

The MFO Authorized Officer may decide to select an individual alternative, or a combination of alternatives comprised of analyzed components.

1.4. Conformance with the Land Use Plan

The Proposed Action and alternatives are in conformance with the following Land Use Plan (LUP):

Moab Field Office Record of Decision and Approved Resource Management Plan, as amended (2008 RMP)

Date Approved: October 2008

The Proposed Action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

Recreation (REC):

REC-5 Recreational OHV and mechanized travel will be consistent with area and route designations described in the travel management plan. BLM will work with agency and government officials and permit holders to develop procedures, protocols, permits or other types of authorization, as appropriate, to provide reasonable access for non-recreational use of OHVs for military, search and rescue, emergency, administrative, and permitted uses (p. 81).

Travel (TRV):

TRV-14 Limit mechanized (mountain bike) travel to designated trails and managed routes for resource protection purposes. Routes that are no longer available for motorized travel may be converted to bike routes upon application of site-specific NEPA analysis (p. 128).

TRV-15 Manage approximately 11.2 miles of routes on the following trails for non-motorized use only: Jackson Trail, "Baby Steps," Hunter Canyon Rim, Portal Trail, Hidden Valley, and Porcupine Rim single-track section (Hidden Valley and Porcupine Rim Trails are subject to IMP) (p. 128).

1.5. Relationship to Statutes and Regulations

The following laws, regulations, policies, and orders are directly related to the Proposed Action and alternatives:

- SO 3376, Increasing Recreational Opportunities through the use of Electric Bikes, 2019 – increases opportunities for e-bike users, especially those with physical limitations, by simplifying and unifying regulation of e-bikes on Federal lands managed by the Department of the Interior.
- 43 CFR § 8340.0-5(a)(5) – allows an authorized officer to exclude e-bikes from the definition of an off-road vehicle when determined through a land-use planning or implementation level decision and when they are used on roads and trails upon which mechanized, non-motorized use is allowed, and when a motor is not exclusively propelling the e-bike for an extended period of time.
- FLMPA: Section 102 (8) requires that public lands be managed in a manner that will protect the quality of various resource values; and that will preserve and protect certain public lands in their natural condition, and that will provide for outdoor recreation and human occupancy use.

1.6. Scoping and Issues

The project proposal was presented to the MFO Interdisciplinary Team (IDT) on March 4, 2024 to initiate internal scoping. The project was listed on the BLM National NEPA Register on

October 1, 2024. A public scoping period occurred from October 1, 2024, to November 1, 2024. On October 11, 2024 the public scoping period was extended to November 9, 2024.

The following issues were identified through internal and external scoping as requiring further analysis in the Environmental Assessment (EA). Issues that were considered but not analyzed in detail are provided in Appendix A.

- **Issue 1:** How would the proposed authorization of class 1 e-bikes on the identified mountain bike trails affect recreation-setting characteristics and recreation opportunities in the MFO?
- **Issue 2:** How would the proposed authorization of class 1 e-bikes on the identified mountain bike trails affect socioeconomic resources in the MFO?

CHAPTER 2. ALTERNATIVES

This chapter describes the alternatives that will be analyzed in Chapter 3.

2.1. Alternative A – No Action Alternative

Under the No Action Alternative, the BLM would not authorize class 1 e-bikes on any of the identified mountain bike trails within the MFO. The following mountain bike trails and trail systems would remain open only to traditional mountain bikes without electric power assistance and all other non-motorized uses: Athena Trail, Horsethief Trail System, Navajo Rocks Mountain Bike Trail System, Gemini Bridges Area Trail System, 7-Up Trail, Gold Bar Rim Trail, Portal Trail, Klondike Bluffs Mountain Bike Trail System, Baby Steps Trail, Klonzo Trail System, Moab Brands Mountain Bike Trail System, Amasa Back Mountain Bike Trail System, Jackson Trail, Hunter Canyon Rim, Pipe Dream Trail, Raptor Route Trails: Hawks Glide, Falcon Flow, Kestrel Run, and the 1.7 miles of non-motorized singletrack on the Kokopelli Trail. Class 1 e-bikes would continue to be authorized on the 1.4 miles of mountain bike trail in the MFO. E-bikes would continue to be authorized under the Rehabilitation Act of 1973 for people with disabilities.

2.2. Alternative B – Proposed Action (Experience Outcome Focused)

Under the Proposed Action, the BLM would authorize class 1 e-bikes on 114 miles of identified mountain bike trails within the MFO, using a two-phase approach (see Table 1 below). These trails and trail systems would provide a spectrum of experience outcomes for recreationists. Some mountain bike trails and trail systems would remain closed to e-bikes to preserve traditional mountain bike only experiences.

Trail difficulty level ratings would be used to provide the following experience outcomes:

- Enjoying time in an outdoor setting alone or with family and friends – trails rated as easy or less difficult
- Development of skills and abilities – trails rated as easy to intermediate
- Enjoying a challenge and testing skills – trails rated as advanced or more difficult