

Sent: Monday, August 16, 2021 9:29 AM

To: NPS Regional Directors <NPS_Regional_Directors@nps.gov>; NPS Associate and Assistant Directors <NPS_Associate_and_Assistant_Directors@nps.gov>; NPS All Superintendents <NPS_Superintendents@nps.gov>; Smith, Pamela A <Pamela_Smith@nps.gov>

Cc: NPS Deputy Regional Directors <NPS_DeputyRegionalDirectors@nps.gov>; NPS Deputy Associate and Assistant Directors <Deputy_Associate_and_Assistant_Directors@nps.gov>

Subject: FOR ACTION: Electric Bicycle Literature Review Completed

Please see the attached memo, also below. Please contact Jay Calhoun, NPS Chief, Division of Regulations, Jurisdiction and Special Park Uses (202-281-0723; john_calhoun@nps.gov) for questions on implementation, or Lindsay Gillham, NPS NEPA Technical Lead, Environmental Quality Division (303-990-2995; lindsay_gillham@nps.gov) for questions on NEPA compliance.

8/16/21

Memorandum

To: Regional Directors
Associate and Assistant Directors
Superintendents
Chief, United States Park Police

From: Deputy Director, Operations /s/ Shawn Bengé
Exercising the Delegated Authority of the Director

Subject: Electric Bicycle Literature Review

On June 30, 2021 I issued a memorandum to reiterate that the former Policy Memorandum 19-01 has been replaced by the electric bicycle (e-bike) regulations at 36 CFR 4.30(i) and direct superintendents of park units that allowed e-bikes on trails or administrative roads under the rescinded e-bike policy to reconsider that decision under the discretionary standard in the e-bike regulations. In that memo, I also stated that the NPS was developing a review of relevant e-bike studies and preparing a summary of key findings to assist superintendents with their decisions and support compliance with the National Environmental Policy Act (NEPA). That literature review is now complete, and is attached to this memorandum. With this literature review complete, it is now time for superintendents of park units that allowed e-bikes on trails or administrative roads to take the following actions if they have not yet complied with the direction in the June 30 memorandum:

- (1) Review the attached literature review, especially the Executive Summary.
- (2) Apply the relevant information in the literature review, along with any other relevant considerations such as the park's experience with e-bikes to date, to the specific conditions at the park to reconsider whether, where, and under what conditions e-bikes should be allowed on trails or administrative roads.
- (3) If you determine that the management of e-bikes on trails or administrative roads should change from what is currently being allowed, you must update the park's compendium with those changes, citing the authority of the e-bike regulations at 36 CFR 4.30(i) (and not the rescinded e-bike policy or 36 CFR 1.5), and provide public notice under 36 CFR 1.7. Although the June 30 memorandum directed

superintendents to use the procedures in 36 CFR 1.5 to make these changes, 36 CFR 4.30(i) is the appropriate authority for these actions.

(4) If you determine that the current management of e-bikes on trails or administrative roads is appropriate, you must re-certify that decision by re-signing and dating the park compendium that designates those trails and roads for e-bike use, citing the authority of the e-bike regulations at 36 CFR 4.30(i) (and not the rescinded e-bike policy or 36 CFR 1.5).

(5) If you have not taken any action regarding e-bikes since December 2, 2020 and e-bikes will continue to be allowed on trails or administrative roads, regardless of whether you are making a change to e-bike use at this time you must issue a new NEPA compliance document. As stated in the June 30 memorandum, decisions to change or maintain e-bike use on trails or administrative roads may fall within the categorical exclusion (CE) for minor changes in programs and regulations pertaining to visitor activities specified in section 3.3.D.3 of the NPS NEPA Handbook due to similarities between bicycle use and e-bike use, the careful resource and visitor impact analysis conducted before designating a trail for traditional bicycle use, and the speed limits enforced on most bike trails. NEPA compliance documents should reference and discuss the attached literature review, and should include information included in prior CE documentation along with any new information relevant to the decision taken under the June 30 memorandum. If a CE is used, the CE documentation should thoughtfully discuss potential impacts and how they will be minimized at the park, incorporating information gained from monitoring existing e-bike use.

(6) Once these actions are completed, superintendents must upload a link to the updated compendium language, the signed CE, or other NEPA compliance documentation, and any associated documentation to PEPC and provide a copy to their Regional Environmental Coordinator along with the PEPC ID.

Parks that currently only allow e-bike use on public roads and parking areas are not required to take any action under this Memorandum because motorized uses were already allowed in those areas before the e-bike policy was issued. Park units that have already reconsidered and re-certified e-bike use on trails or administrative roads and completed compliance documentation consistent with this memorandum and my June 30, 2021 memorandum, after the e-bike regulation became effective on December 2, 2020, also do not need to take any further action.

For all other parks, the actions in this memorandum must be completed by September 28, 2021. I understand this is the busy season for many parks but this is an important step to appropriately manage this emerging use in park units. Please contact Jay Calhoun, NPS Chief, Division of Regulations, Jurisdiction and Special Park Uses (202-281-0723; john_calhoun@nps.gov) for questions on implementation, or Lindsay Gillham, NPS NEPA Technical Lead, Environmental Quality Division (303-990-2995; lindsay_gillham@nps.gov) for questions on NEPA compliance.

Attachments.