



# January 28, 2025 Regular Meeting of the McKinleyville Community Forest Trails, Infrastructure, Clean-Ups and Security (TICS) Subcommittee

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Time: 5:00 p.m.

Location: MCSD Conference Room, 1656 Sutter Road, McKinleyville, California

Or

Teleconference via ZOOM or Telephone

Use ZOOM MEETING ID: 823 7786 4085 (<https://us02web.zoom.us/j/82377864085>)

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## **Agenda**

### **1 Call To Order & Roll Call**

### **2 Pledge of Allegiance**

### **3 Additions or Changes to the Agenda**

*Items may be added to the Agenda in accordance with Section 54954.2(b)(2) of the Government Code (Brown Act), upon a determination by two-thirds vote of the members of the legislative body present at the time of the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the McKinleyville Community Services District after the Agenda was posted.*

**4 Approval of the Agenda**

**5 Public Comment and Written Communications**

*Any person may address the Subcommittee at this time upon any subject not identified on this Agenda but within the jurisdiction of the Subcommittee; however, any matter that requires action will be referred to staff for a report of action at a subsequent Subcommittee meeting. As to matters on the Agenda, an opportunity will be given to address the Subcommittee when the matter is considered. Comments are limited to 3 minutes. Letters should be used for complex issues.*

Attachment 1 – Letter from Kevin Creed (Pg. 5)

**6 Consider Approval of Minutes of the Regular Meeting of the TICS Subcommittee on November 26, 2024**

Attachment 1 – Draft Minutes from November 26, 2024 (Pg. 11)

**7 Discuss Draft Infrastructure Projects and Project Ranking (Pg. 15)**

Attachment 1 – Draft Infrastructure Project List Ranked (Pg. 17)

**8 Change TICS Meeting Start Time (Pg. 19)**

**9 Consider Potential Partnership with Humboldt Trails Council (Pg. 21)**

**10 Discuss Rule 47.02 of MCSD Rules & Regulations Concerning Use of Electric Bicycles in Community Forest (Pg. 23)**

Attachment 1 – Email From Kevin Creed with Suggested Language for Rule 47.02 (Pg. 27)

**10 Committee Member Announcements and Future Agenda Items**

**11 Adjournment (Estimated 6:00 p.m.)**

**Posted 5:00 p.m. on January 24, 2025**

*Pursuant to California Government Code Section 54957.5. this agenda and complete packet are available for public inspection upon request at the MCSD office, 1656 Sutter Road, McKinleyville. If you would like to receive the complete packet via email, free of charge, contact the Board Secretary at (707)839-3251 to be added to the mailing list.*

*McKinleyville Community Services District will, on request, make agendas available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability-related modification or accommodation in order to participate in the meeting should contact the Board Secretary at (707) 839-3251. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements for accommodations.*

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## Joey Blaine

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**From:** Kevin Creed  
**Sent:** Friday, November 29, 2024 4:52 PM  
**To:** Jens Andersen; James Henry; Joey Blaine  
**Subject:** [EXTERNAL] Class 2 E-bikes; ADA and electric bikes  
**Attachments:** Class 2 E-bikes info 24\_11\_29.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Jens, James (please forward this also to Charlie Caldwell) ,

Some additional information for the committee as they consider the proposal for allowing electric bicycles. (attached)

Some class 2 bike information I extracted from the web. The only difference between class 1 and class 2 is the throttle on the class 2; top end speed for motor drive is 20 mph .. beyond that it is up to the rider to pedal faster. I have sent out an inquiry to one source as to how fast can a class 2 bike accelerate from 0 - 20 mph.

And ... I included some reference information related to the American Disabilities Act and Power-driven Mobility Devices, which I think is an important and relevant consideration.

Thanks, Kevin

## Class 2 electric bikes:

### Class 2 E-Bikes

Many confuse Class 2 e-bikes for being faster and more powerful than Class 1 e-bikes. But in fact, the main difference between Class 1 and Class 2 e-bikes is that Class 2 e-bikes have a throttle.

A throttle allows you to use the electric bicycle motor without pedaling. That means that Class 2 e-bikes can feel like a moped when you're zipping around town without even pedaling.

Class 2 e-bikes have a motor that can operate independently (with the throttle) or dependently (using pedal assist). However, Class 2 e-bikes have a top speed of 20 mph, the same top speed as Class 1 e-bikes.

*Class 2 e-bikes are best for people who want the most relaxing ride without the pressure of always pedaling. These bikes are great for cyclists with limited mobility or those who are recovering from injury.*

Of the three electric bicycle classes, Class 2 e-bikes are the only class that **always** comes with a throttle.

However, Class 2 e-bikes are best for experienced cyclists. Using a throttle gives you a completely different sensation than simply pedaling a bicycle. In many states and countries, Class 2 e-bikes are treated as scooters or mopeds under the law.

- **Read more: [E-Bike Modes Explained: Throttle vs. Pedal-Assist](#)**

Class 2 e-bikes can tackle more terrain than Class 1 e-bikes, though they cannot go as fast as Class 3 e-bikes.

### E-Bike Modes Explained: Throttle vs. Pedal-Assist E-Bikes

[Share on Facebook](#)[Share on Twitter](#)

Unless you've been living under a rock for the past few years, you'll have seen e-bikes zipping around your city or town or one you've visited.

At their core, electric bikes are just traditional bicycles with a motor to assist you. However, this additional power opens up new opportunities for riders and makes cycling more accessible.

*With an e-bike, you can commute sweat-free, pull heavy cargo, conquer mountainous terrain, and ride longer distances without worrying about fitness, hence their increasing popularity.*

All true electric bikes have a pedal assistance system (PAS), which delivers power when you pedal. However, many models also incorporate an ebike throttle, which works independently of pedaling.

This article outlines the differences between PAS and throttle mode, their pros and cons, and how each impacts the rider experience to help you decide if an [electric bike with a throttle](#) is the right choice.

### **Throttle vs. Pedal Assist: What's the Difference?**

Electric bike systems include a motor, battery, controller (the brain), and sensors. A network of cabling that runs through and along the frame connects these components. As mentioned, the throttle is an additional component on some pedal electric bikes.

### **What Are Pedal Assist E-Bikes?**

A pedal assistance system engages the motor to provide **additional power when you pedal**. You turn the e-bike on and select the desired PAS level using the plus and minus buttons on the handlebars. The higher the level, the more power is delivered, and higher assistance levels drain the battery faster.

Then, using sensors that monitor how fast you pedal (cadence), how hard you pedal (torque), or a combination of both, the motor activates and responds with assistance.

- **Related post:** [What Is an Ebike?](#)

Cadence sensors are the more primitive of the two types, acting like an on-off switch, so the power doesn't fluctuate unless you change the PAS mode. In contrast, torque sensors monitor the force pushed through the pedals and respond with a proportionate amount of assistance that fluctuates dynamically. To learn more about this, read our [full guide on torque vs cadence sensors](#).

## **American Disabilities Act**

### **Power-Driven Mobility Devices**

State and local governments (Title II) and businesses (Title III places of public accommodations) must allow persons with mobility disabilities to use other power-driven mobility devices in their facilities unless a particular device cannot be accommodated because of legitimate safety requirements. The ADA National Network Fact Sheet on [Wheelchairs and Other Power-Driven Mobility Devices](#) provides information on:

## **Power-Driven Mobility Devices**

State and local governments (Title II) and businesses (Title III places of public accommodations) must allow persons with mobility disabilities to use other power-driven mobility devices in their facilities unless a particular device cannot be accommodated because of legitimate safety requirements. The ADA National Network Fact Sheet on [Wheelchairs and Other Power-Driven Mobility Devices](#) provides information on:

- Definitions of wheelchairs and other power-driven mobility devices
- Assessment factors to be used to determine if a particular device can be accommodated
- Type of “credible assurance” a covered entity may require from someone requesting to use an other power-driven mobility device

Sections of the U.S. Department of Justice ADA regulations applying to wheelchairs and other power-driven mobility devices include:

## **Nondiscrimination on the Basis of Disability in State and Local Government Services**

### [35.104 Definitions.\(link is external\)](#)

*"Other power-driven mobility device means any mobility device powered by batteries, fuel, or other engines—whether or not designed primarily for use by individuals with mobility disabilities—that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of this section. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in section 508(c)(2) of the ADA, 42 U.S.C. 12207(c)(2)."*

### [35.137 Mobility devices.\(link is external\)](#)

*"Use of other power-driven mobility devices. A public entity shall make reasonable modifications in its policies, practices, or procedures to permit the use of other power-driven mobility devices by individuals with mobility disabilities, unless the public entity can demonstrate that the class of other power-driven mobility devices cannot be operated in*



accordance with legitimate safety requirements that the public entity has adopted pursuant to § 35.130(h)."

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**MINUTES OF THE REGULAR MEETING OF THE MCKINLEYVILLE COMMUNITY FOREST TRAILS, INFRASTRUCTURE, SECURITY, AND CLEAN-UPS SUBCOMMITTEE HELD ON TUESDAY, November 26, 2024 at 5:00 P.M. IN PERSON AT THE MCSD OFFICE CONFERENCE ROOM – 1656 SUTTER ROAD, MCKINLEYVILLE, CALIFORNIA and TELECONFERENCE Via ZOOM & TELEPHONE: Use ZOOM MEETING ID: 859 8670 1374 (<https://us02web.zoom.us/j/85986701374>) or DIAL IN TOLL FREE: 1-669-444-9171 (No Password Required!)**

**AGENDA ITEM A. CALL TO ORDER:**

**I.a Call to Order:** The meeting was called to order at 5:03 p.m.

**I.b Roll Call:** The following members and staff in attendance in person at the MCSD Conference Room:

James Henry, MCSD Operations Director  
Jens Andersen, Recreation Coordinator  
Tyler Brown  
Nicole West  
Christopher Collier  
Kenneth Burton  
Phil Heidrick  
Justin Brown  
Shaun Fyfe  
Charlie Caldwell  
Nancy Morelli (Alternate)

The following members were absent:

Michele Stephens  
Desiree Early Dorvall

**1.c Flag Salute:** The Pledge of Allegiance was led by Jens Andersen.

**II. Approval of the Agenda**

**Motion:** It was moved to approve the agenda

**Motion by:** Justin Brown; **Second:** Phil Heidrick

There were no comments from the subcommittee or public.

**Roll Call:** Ayes: Henry, Andersen, T. Brown, West, Collier, Burton, Heidrick, J. Brown, Fyfe Nays: None Absent: Charlie Caldwell was absent during the first half of the meeting

**Motion Summary:** Motion passed.

**III. Approval of Minutes**

**Motion:** It was moved to approve the agenda

**Motion by:** Kenneth Burton; **Second:** Jens Andersen

There were no comments from the subcommittee or public.

**Roll Call:** Ayes: Henry, Andersen, T. Brown, West, Collier, Burton, Heidrick, J. Brown, Fyfe Nays: None Absent: Charlie Caldwell was absent during the first half of the meeting

**Motion Summary:** Motion passed.

#### **IV. Public Comment**

James Henry announced that Desiree Early Dorvall has notified the District that she needed to step down from the subcommittee at this time. Nicole West was then notified she was now moved from alternate to voting member.

No Public Comment

#### **V. Welcome to MCFC Public Members**

The item was presented by Recreation Coordinator Jens Andersen. They were informed that Joey Blaine will be putting together meeting binders for them.

This was an information only item. No action taken

#### **VI. Was moved towards the end of the meeting so Charlie could participate**

#### **VII. Discuss Draft Infrastructure Projects and Project Ranking**

The item was presented by Operations Director Henry. There was one comment from the public regarding getting construction companies to donate time and equipment and if there was a 501 3c option for tax write-off. There was also public comment to add a table on the map that showed the road detail, trail start and stop locations and stream crossings.

This was an information only item. No action taken.

#### **VIII. Discuss Rule 47.02 of MCSD Rules and Regulations Concerning Use of Electric Bicycles in Community Forest**

The item was presented by Operations Director Henry. There was one comment from the public. Kevin Creed discussed the difference between Class 1 & 2 bikes. Committee members decided it would be important to take the proposed rule 47.02 language home to consider changes and bring back to the next meeting for a group discussion.

This was an information only item. No action taken.

#### **VI. Discuss and Consider Selection of Subcommittee Chairperson, Vice-Chairperson, and Secretary.**

The item was presented by Operations Director Henry. Committee discussion ensued.

**Motion:** It was moved to approve the selection of Chairperson Charlie Caldwell, Vice-Chairperson Kenneth Burton, and Secretary Tyler Brown

**Motion by:** Fyfe **Second:** West

There were no comments from the subcommittee or public.

**Roll Call:** Ayes: Henry, Andersen, T. Brown, West, Collier, Burton, Heidrick, J. Brown, Fyfe, Caldwell

Nays: None Absent: Dorvall

**Motion Summary:** Motion passed

#### **IX. Discuss December's Subcommittee Meeting Date and Time**

The item was presented by Operations Director Henry. There were no comments from the public. The Committee decided to skip the December 24<sup>th</sup> meeting due to Christmas but wanted Henry to look into

possibly scheduling a field trip in December and if it would need to be a special meeting. The next scheduled meeting will be January 24, 2025.

This was an information only item. No action taken.

**X. Committee Announcements and Future Agenda Items**

The Item was presented by Operations Director Henry. Committee discussion ensued.

The following items were proposed as future agenda items:

Changing meeting start time from 5:00 pm to 5:15 pm.

Review Rule 47.02 language modification

Infrastructure Project Ranking Form.

**G. ADJOURNMENT:**

**Meeting Adjourned at 6:23 p.m.**

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James Henry, Operations Director

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**McKinleyville Community Services District**

**McKinleyville Community Forest Committee**

**TRAILS, INFRASTRUCTURE, CLEAN-UP AND SECURITY SUBCOMMITTEE**

January 28, 2025

TYPE OF ITEM: **INFORMATION**

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**ITEM: 7**                                  **Discuss Draft Infrastructure Projects and Project Ranking**  
**PRESENTED BY:**                      **Jens Andersen, Recreation Coordinator**  
**TYPE OF ACTION:**                  **Roll Call**

**Recommendation:**

Staff recommends that the Subcommittee review the information provided, discuss, take public comment, and consider recommending the infrastructure project list rankings to the McKinleyville Community Forest Committee.

**Discussion:**

At the November 26, 2024 meeting of the TICS Subcommittee, a draft list of infrastructure projects (Item 7 attachment 1) was presented to the Subcommittee. Subcommittee members were tasked with ranking the infrastructure projects in order of priority and adding an estimated cost to the project, if possible. Subcommittee members submitted their completed ranking forms to Board Secretary Joseph Blaine who compiled the individual ranking data into an overall ranking of infrastructure projects in order of priority.

**Alternatives:**

- Take no action

**Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments:**

Attachment 1 - Draft Infrastructure Project List Ranked

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<b>January 2025 TICS Committee Infrastructure Project Ranking</b>		
<b>RANK</b>	<b>PROJECT</b>	<b>COMMENTS/ESTIMATED COST</b>
1	Trail signs, locations, verbiage & numbering/naming	Donation
2	Rules and Regs Sign locations and verbiage	Donation
3	Murray Road parking lot – Phase 1 development	
4	Trail layout	Donation
5	Erosion control assessment/remediation	Donation
6	Homeless encampment/garbage cleanups	
7	Stream Crossing improvements	Donation
8	Murray Road parking lot – Phase 2 development	
9	Gravel for trails	Donation
10	Utility vehicle side x side and storage	
11	First Road access and parking lot	Will this be the only developed access point?,
12	Picnic Tables	4k
13	Fences or gates to block access at non-access points	Donation
14	Bear Garbage cans	
15	Benches	4k
16	Invasive species removal	
17	Porta potties	
18	Restrooms	No water
19	Trail abandonments	Donation
20	Dog bag dispensers	
21	Tree planting & other revegetation	Donation
22	Drinking Fountains/Water Bottle Filling Station	No water
23	Disc Golf Course?	25-30k
24	Install Cameras at various locations	
25	Group Picnic Area/Covered Picnic Area?	
26	Playground?	
27	Ropes Course?	

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**McKinleyville Community Services District**

**McKinleyville Community Forest Committee**

**TRAILS, INFRASTRUCTURE, CLEAN-UP AND SECURITY SUBCOMMITTEE**

January 28, 2025

TYPE OF ITEM: **ACTION**

**ITEM: 8**                              **Change TICS Meeting Start Time**

**PRESENTED BY:**                      **Jens Andersen, Recreation Coordinator**

**TYPE OF ACTION:**                      **Roll Call**

**Recommendation:**

Staff recommends that the Subcommittee review the information provided, discuss, take public comment, and consider recommending the TICS Subcommittee meeting start time be changed from 5:00pm to 5:15pm.

**Discussion:**

At the November 26, 2024 meeting of the TICS Subcommittee, a discussion took place about changing the TICS Subcommittee meeting start time from 5:00 pm to 5:15 pm due to a couple of committee members needing more time to get to the meeting from work.

**Alternatives:**

- Take no action

**Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments:**

Not applicable

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## McKinleyville Community Services District

### McKinleyville Community Forest Committee

#### TRAILS, INFRASTRUCTURE, CLEAN-UP AND SECURITY SUBCOMMITTEE

January 28, 2025

TYPE OF ITEM: **ACTION**

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**ITEM: 9**                      **Consider Potential Partnership with Humboldt Trails Council**

**PRESENTED BY:**           **James Henry, Operations Director**

**TYPE OF ACTION:**        **Roll Call**

**Recommendation:**

Staff recommends that the Subcommittee review the information provided, discuss, take public comment, and consider directing staff to develop a memorandum of understanding (MOU) for review by TICS.

**Discussion:**

In January 2025, the Humboldt Trails Council met with representatives from the McKinleyville Community Services District (MCSD) and the Mountain Bike Tribal Trail Alliance (MBTTA). The Council aims to establish a partnership with MCSD to support the development and maintenance of trails in the McKinleyville Community Forest. To formalize this partnership, a Memorandum of Understanding (MOU) must be created and signed by both the Humboldt Trails Council and the District.

District staff will consult with the Trails and Infrastructure Committee (TICS) to gauge their interest in this partnership. If there is interest, staff will draft the MOU and present it at the next TICS meeting for review. TICS may then recommend the MOU for approval to the McKinleyville Community Forest Committee (MCF), which in turn may recommend it to the MCSD Board for final approval.

**Alternatives:**

- Take no action

**Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments:**

Not applicable

# McKinleyville Community Services District

## McKinleyville Community Forest Committee

### TRAILS, INFRASTRUCTURE, CLEAN-UP AND SECURITY SUBCOMMITTEE

January 28, 2025

TYPE OF ITEM: **ACTION**

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**ITEM: 10**                      **Discuss Rule 47.02 of MCSD Rules & Regulations Concerning Use of Electric Bicycles in Community Forest**

**PRESENTED BY:**            **James Henry, Operations Director**

**TYPE OF ACTION:**        **Roll Call**

**Recommendation:**

Staff recommends that the Subcommittee review the information provided, discuss, take public comment, and discuss edits to Rule 47.02 for potential recommendation the McKinleyville Community Forest Committee.

**Discussion:**

Rule 47.02 of the District's Rules & Regulations states:

*RULE 47.02. MOTORIZED AND ELECTRIC VEHICLE USE PROHIBITED- Public recreation use of the Community Forest Property does not include use or operation of any motorized or electric vehicle. Recreational use must be done via pedestrian use, non-motorized/non-electric bicycle or horseback. Operation of non-motorized vehicles within the community forest property must comply with existing Rule 41.04 of these Rules & Regulations.*

When the MCSD Board adopted this and the other Rules and Regulations establishing the Community Forest, it was made clear that this portion of the Rules and Regs would be taken back to the TICS and full MCFC for review and recommendations. The use of motorized vehicles in the Community Forest is prohibited by the grant and cannot be changed. The grant agreement states:

*Grant Funds are to be used for non-motorized recreational infrastructure development and enhancements that promote new or alternate access to parks, waterways, outdoor recreational pursuits, and forested or other natural environments to encourage health-related active transportation and opportunities for Californians to reconnect with nature as referenced in the Recreational Trails and Greenways Grant Program Application Guidelines and this Agreement.*

The Greenways Grant Guidelines state:

*Grantee is responsible for ensuring the project complies with all applicable local, state and federal laws and regulations, including, but not limited to: allowable uses of proposed trail including e-bike uses, CEQA/NEPA, legal requirements for construction, building codes, health and safety codes, state contractor's and other licenses, and disabled access laws.*

**Non-motorized Trail** – means a trail designated for recreational purposes such as walking/ hiking, bicycling, equestrian use and other non-motorized recreational uses.

**e-bike** – a bicycle that can be run on electric power as well as by pedaling

The above suggest that e-bikes can be used in the Community Forest without violating the grant agreement.

The Arcata Community Forest, Forest Management Plan Standards state:

*2. (S) Motorized vehicles are prohibited in the forests except forest management, public safety or for research purposes approved by the City. The definition of motorized vehicles includes gas powered machines and electric bikes (E-bikes or pedal assist bikes) except for Class I bikes that are not capable of speeds greater than 20 MPG.*

The McKay Trail Plan Standards State:

Mountain Bikers have diverse interests based on age and skill level. Desired routes for biking will vary from gentle and easy to strenuous and challenging. Travel speeds will vary from less than two mph to over ten mph. Experienced bikers will seek more remote, less travelled trails with complexity and technical trail features. Trail designs for mountain bikers can range from “open and flowing,” with gentle slopes, gradual turns, and long sightlines, to “tight and technical,” with sharper turns, narrower tread, and natural obstacles (IMBA, 2004; IMBA/BLM, 2018). Proper transitions between trail sections with different types of flow are important.

A new development during the last five to ten years is the increased use of electric motor-assisted bicycles (also known as “e-bikes”). Electric mountain bikes are sometimes called “e-MTBs.” An e-bike operates at relatively low speeds with a low-power electric motor to assist in pedaling. Ebikes are considered consumer products rather than motor vehicles (such as mopeds and motorcycles). An e-bike has fully operable pedals and an electric motor less than 750 Watts. Three classes of e-bike have been designated in California based on motor speed and the level of electric assist. Class 1 e-bikes have motor assist only when the rider is pedaling, and assistance stops when the bike reaches 20 miles per hour. Class 2 e-bikes can be propelled by the motor alone without pedaling, up to a speed of 20 miles per hour. Class 3 e-bikes have motor assist



only when the rider is pedaling, and assistance stops when the bike reaches 28 miles per hour.

One of the benefits of e-bikes is they expand opportunities for biking especially for people who are older or have physical disabilities. Potential concerns about e-bikes include safety, trail impacts, and social impacts (noise and nuisance). In 2017, the International Mountain Bicycling Association (IMBA) released the following position statement:

*IMBA is supportive of Class 1 eMTB access to non-motorized trails when the responsible land management agency, in consultation with local mountain bikers, deem such eMTB access is appropriate and will not cause any loss of access to non-motorized bikes. IMBA recognizes that changes in design, technology and the numbers of eMTB users is evolving, and believes these bikes can be managed in a sustainable way for both the environment and other trail users.*

Attachment 1 is an email from Kevin Creed with his suggestions for edits to Rule 47.02.

**Alternatives:**

- Take no action

**Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments:**

Attachment 1 – Email from Kevin Creed with Suggested Language for Rule 47.02

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**Date:** (DRAFT, 10/16/24)

**To:** McKinleyville Community Forest Subcommittee  
Trails/Infrastructure/Security

**From:** Kevin Creed  
McKinleyville Resident

**Subject:** Proposal to Allow Electric Bikes in the McKinleyville Community Forest

I am submitting this proposal for your consideration in making it an agenda item for the subcommittee to discuss, modify, etc., and hopefully vote in favor of it. Likewise, the subcommittee would send it to the McKinleyville Forest Committee for potential approval and, subsequently, that committee would submit it to the MCSD Board of Directors for final approval.

**Issue**

MCSD Rule 47.02, as amended in Ordinance 2024-01, reads as follows:

‘RULE 47.02. MOTORIZED AND ELECTRIC VEHICLE USE PROHIBITED Public recreation use of the Community Forest Property does not include use or operation of any motorized or electric vehicle. Recreational use must be done via pedestrian use, non-motorized/non-electric bicycle or horseback. Operation of non-motorized vehicles within the community forest property must comply with existing Rule 41.04 of these Rules & Regulations.’

**Concerns**

Rule 47.02, as currently written, prohibits E-bikes and, consequently, excludes a growing number of bike riders that could otherwise be McKinleyville Community Forest (MCF) users. For some of these potential forest users an E-bike provides the only viable means to access and enjoy the MCF due to their limited mobility restrictions that cannot be overcome by other means.

E-bikes (class 1 and class 2) are allowed everywhere non-motorized bikes are allowed in the jurisdictions listed below.

- City of Arcata; Arcata Community Forest
- Green Diamond Resource Company; Hatchery Ridge Trails, Blue Lake; McKay Tract, Eureka; other GDRC properties
- Bureau of Land Management; Lacks Creek Management Area
- City of Flagstaff, AZ;
- Maricopa County, AZ
- Boulder County, CO
- Santa Clara County Parks, CA
- California State Parks, per approval by individual park Superintendent;
- Henry Coe State Park, CA; E-bike full access (second largest park in California system)

The prohibition of E-bikes in the MCF is a significant inconsistency given how more broadly E-bikes are allowed. Wouldn't it be great if McKinleyville residents who own or otherwise depend on an E-bike could just ride from their home and into the MCF? Now they (and their money) must go to Arcata or Blue Lake to enjoy that experience.

Of the total number of upper end mountain bikes sold locally, the percentage of those that are electric mountain bikes on an annual basis ranges from roughly 25-80%. This is consistent with national trends in E-bike purchases, i.e., the relative amount of E-bike sales has increased compared to non-electric bikes. Consequently, the number of individuals who potentially have a desire to ride in the MCF is expectedly going to increase.

In my opinion, the assumed safety risk that electric bikes pose to other trail users, versus non-motorized bikes, is misplaced based on an incorrect understanding of safety risks and an incomplete understanding of electric bikes. The actual risks posed by all bikes to other trail users, not just E-bikes, originates with the individual bike rider behavior, not with the bike itself. It is hazardous rider behavior with disregard for the safety of other trail users that is the real risk. Therefore, prohibiting electric bikes is a misdirected restriction with no compelling or rational basis.

## **Opportunities**

MCSD has an amazing opportunity to evolve the MCF into a model community forest that attracts a wide diversity of users while operating with sustainable environmental protection and timber harvest practices. The wider the diversity of users to the forest, the wider the overall support for the community forest will be.

An amendment to Rule 47.02 can be the first logical step to attract this growing potential community forest user group. This proposal includes amended language for 47.02 as noted below. This proposal additionally suggests additional language to provide greater clarity.

### **'RULE 47.02. MOTORIZED AND ELECTRIC VEHICLE USE PROHIBITED**

Public recreation use of the Community Forest Property does not include use or operation of any motorized or electric vehicle. For the purpose of this rule, electric bicycles are not considered electric vehicles.

#### **RULE 47.02.1 ELECTRIC BIKES**

##### **DEFINITIONS**

Electric Bike: Bike with a battery-powered motor that provides some level of assistance to the rider. (AKA E-Bike)

##### **Classifications of E-Bikes\***

1) A "class 1 electric bicycle" is a bicycle equipped with a motor (max power 750W\*\*) 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.

2) A "class 2 electric bicycle" is a bicycle equipped with a motor (max power 750W) 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 miles per hour.

3) A “class 3 electric bicycle” is a bicycle equipped with a motor (max power 750W) that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour, and is equipped with a speedometer [ \*source is: PeopleForBikes, national bike advocate organization ]

4) E-Moto bikes: Are electric motorcycles with a power rating of 7,500 Watts and a top speed of 50 mph. (prohibited in the MCF)

RULE 47.02.2 RECREATIONAL USAGE

Recreational use must be done via pedestrian use, non-motorized or electric bikes (Class 1 or 2 only) ~~non-electric bicycle~~ or horseback.

Electric bikes Class 1 & 2 are allowed on all trails where non-electric bikes are allowed; and, Class 1 & 2 electric bikes are not allowed where non-electric bikes are prohibited.

Class 3 bikes, all other electric bikes with greater than 1 horsepower/750 watts and E-Moto bikes are prohibited in the McKinleyville Community Forest.

Trail Etiquette

Bicyclists (non-motorized and electric bikes) yield to hikers and horses

Hikers yield to horses



----- end of proposed rule amendment -----

Through the process of developing these proposed rule changes, an active constructive exchange of ideas can be catalyzed between different user groups such as cyclists, hikers and equestrians. And this networking can continue to prove productive in the long term evolution of the community forest.

Thank you for your time and consideration of this proposal.