

**Greenway Technical Committee (GTC)**  
**10 AM - Tuesday, November 19, 2019**  
**Icon Sports Center, 1060 47th Ave South, Blue Line Club Meeting room**  
**Grand Forks, ND**  
**Meeting Notes**

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|---|---|
| <input checked="" type="checkbox"/> Bill Palmiscno, Chair                   | <input checked="" type="checkbox"/> Catherine Johnson, MN DNR RRSRA |
| <input checked="" type="checkbox"/> Stephanie Halford, GF Planning          | <input checked="" type="checkbox"/> Campground                      |
| <input checked="" type="checkbox"/> Reid Huttunen, EGF Parks & Rec          | <input checked="" type="checkbox"/> Kim Greendahl, City of GF       |
| <input checked="" type="checkbox"/> Dr. Laura Munski, Dakota Science Center | <input checked="" type="checkbox"/> Theresa Flitter, City of GF     |
| <input checked="" type="checkbox"/> Larry Hagen, Turtle River State Park    | <input checked="" type="checkbox"/> Joe Bowen, GF Herald            |
| <input checked="" type="checkbox"/> Jim Job, ND Game & Fish                 |   |

**I. Old Business**

**A. Wildlife Management in Greenway**

- i. The Greenway Technical Committee staff met with a local property owner on August 20, 2020, to discuss deer on his property. Staff from the US Department of Agriculture also attended the meeting.
  - A count of the deer population has not been done and there have only been a few reports of problems in residential areas. This could be because residents don't know who to call when they have a problem with deer or other wildlife.

**II. New Business**

**A. National Park Policy on eBikes – Informational only**

- The Department of the Interior (DOI) has adopted a policy for ebikes in national parks.
- This is a separate policy from the power-driven mobility device (OPDMD) policy adopted by the Department of Justice (DOJ) in 2012. The DOJ rule applies to mobility devices for people with medical mobility issues. The Greenway Technical Committee drafted an ADA mobility device policy in 2012 and it is available online.
- i. The DOI policy provides for the use and regulation of ebikes on the same basis as traditional bicycles without power assist capabilities on federal lands. eBikes are allowed on the Greenway trails because an ebike is defined as a bike where the power-assist does not engage unless the rider is pedaling. The motor cannot be used without human power.

**B. 2019 Year End Report** – A draft was sent via email prior to the meeting. Edits and additions can be sent to Kim for inclusion in the report. The report will be relatively short because of the numerous floods and summer storms. It was a wet and stormy year.

**C. Winter Preparations**

- **Park District- Forestry Dept:** The Forestry Department has trimmed approximately 4000 trees just in the residential areas. The trees were broken during the rain and snow storms the past two month. Clean up of the parks has started. Tree stumps will still need to be removed.

- **GF Park District:** The Park District has cleaned out the Riverside Pool building in preparation for next spring. This is typically done in April but the ground is already saturated and could be a problem during spring melt.
- **EGF Parks and Rec:** Parks and Rec is in the process of hiring more staff. Approximately 200 trees still need to be trimmed after the October 10 snow storm. Preparation for winter remains the same from last year with the exception of clean up from the flooding after the rainstorm in September.
- **City of GF:** HB Sound & Light was able to remove the floating dock from the river yesterday. Ice had started forming around the dock and a log was lodged between the dock and the ice. This may have helped keep the dock elevated out of the water while the ice was forming, which made removal a little easier. The pivot points between the dock and gangway were frozen and were damaged during the removal. These will be repaired before the installation in the spring

Ski Trails may need to be diverted this winter season due to standing water. The signage that is normally put up in mid-October has not been placed. Reflection ribbon on trees may be used to mark the ski trails. The Boathouse has been moved to higher ground in case of flooding in the spring.

III. **Bicycle, Pedestrian & Greenway, Advisory Group Update** – Back history of the group was discussed. A flood update was given.

IV. **Other**

- A. **Request for placement of historical plaques:** Plaques would be placed on the dry side of the levee next to the sidewalk. Kim is working with the Grand Forks Historic Preservation Committee and engineering staff to get the plaques approved for installation.

V. **Agency updates**

- A. **City of EGF:** The application for the MN Fishing opener will be submitted in December. East Grand Forks will hear the results at the 2020 fish opener in May.
- B. **GF Park District:** The Park District is contracting with a Park Rapids company to remove diseased Elm trees. A high volume of tree removals has slowed GF crews down this year.
- C. **City of GF:** No report.
- D. **North Dakota DNR:** Deer season is in progress.
- E. **Minnesota DNR:** Workers for the beet harvest were forced to move to the Kmart parking lot in Grand Forks because of the flooding in the campground, The electrical pedestals have already been pulled because of concerns about spring flooding. The dock on the Red Lake River will be pulled today.
- F. **Dakota Science Museum:** The toppers on the NASA picture posts have been replaced.
- G. **Turtle River State Park:** The Park is continuing to work on downed trees and getting the ski trails ready for the season.

VI. **Next meeting date:** Greenway Technical Committee staff, 10AM Tuesday, January 21, 2020, Icon Sport Center, 1060 47th Ave South, Blue Line Club meeting room.

**Submitted by:** Kim Greendahl, Greenway Specialist

**Supporting documents:**

- National Parks Department eBike Policy
- 2019 Draft Year End Report



# United States Department of the Interior

NATIONAL PARK SERVICE  
1849 C Street, N.W.  
Washington, DC 20240

IN REPLY REFER TO:

AUG 30 2019

## Policy Memorandum 19-01

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

From: Deputy Director  
Exercising the Authority of the Director

Subject: Electric Bicycles

## **Purpose**

Electric bicycles (e-bikes) are appearing in national parks with greater frequency. This Policy Memorandum (Memorandum) addresses this emerging form of recreation so that the National Park Service (NPS) can exercise clear management authority over the use of e-bikes within the National Park System.

This Memorandum defines “e-bikes” consistent with Federal law and a majority of State laws and provides for their use and regulation on the same basis as bicycles without power assist capabilities (“traditional bicycles”).

## **Background**

### Definition of E-bikes

An e-bike is a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.) that provides propulsion assistance.

A Federal definition of “low speed electric bicycle” is included in the Consumer Product Safety Act.<sup>1</sup> Many States have adopted policies for regulating e-bikes consistent with this Federal definition, including in some cases a labeling requirement identifying an e-bike’s compliance with the following classifications:

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<sup>1</sup> [15 U.S.C. 2085](#) states: “For purposes of this section, the term ‘low-speed electric bicycle’ means a two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weighs 170 pounds, is less than 20 mph.”

“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.

“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 miles per hour.

“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 miles per hour.

Devices with electric motors of 750 watts (1 h.p.) or more of power and not included as Class 1, Class 2 or Class 3 in the classification system above should be managed as motor vehicles under [36 CFR part 4](#). Under [36 CFR 4.10](#), motor vehicles are allowed on park roads and on routes and areas designated for off-road motor vehicle use.

### Benefits of E-bikes

E-bikes advance *Healthy Parks Healthy People* goals to promote parks as a health resource by supporting a healthy park experience that is accessible, desirable, and relatable to people of all abilities, and by minimizing human impact through the expansion of active transportation options in parks. Specifically, e-bikes can:

- *Increase bicycle access to and within parks.* E-bikes make bicycle travel easier and more efficient, because they allow bicyclists to travel farther with less effort.
- *Expand the option of bicycling to more people.* E-bikes provide a new option for people who want to ride a bicycle but might not otherwise do so because of physical fitness, age, or convenience, especially at high altitude or in hilly or strenuous terrain.
- *Mitigate environmental impacts.* When used as an alternative to gasoline- or diesel-powered modes of transportation, e-bikes can reduce greenhouse gas emissions and fossil fuel consumption, improve air quality, and support active modes of transportation for park staff and visitors. Similar to traditional bicycles, e-bikes can decrease traffic congestion, reduce the demand for vehicle parking spaces, and increase the number and visibility of cyclists on the road.

### **Policy**

E-bikes are allowed where traditional bicycles are allowed. E-bikes are not allowed where traditional bicycles are prohibited, including wilderness areas. Except on park roads<sup>2</sup> and other

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<sup>2</sup> Park road means the main-traveled surface of a roadway open to motor vehicles that is owned, controlled or otherwise administered by the NPS. 36 CFR 1.4. Roads include bicycle infrastructure that is part of a road such as bike lanes and shoulders.

locations where use of motor vehicles by the public is allowed, operators may only use the power provided by the electric motor to assist pedal propulsion of an e-bike. The intent of this policy is to allow e-bikes to be used for transportation and recreation in a similar manner to traditional bicycles.

Regulations for traditional bicycles in paragraphs (f), (g), and (h) of [36 CFR 4.30](#) relate to closures and other use restrictions, other requirements, and prohibited acts.

- Paragraph (f) allows superintendents to limit or restrict or impose conditions on bicycle use or close any park road, trail, or portion thereof to bicycle use after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives.
- Paragraph (g) states that bicycle use is subject to (1) certain NPS regulations that apply to motor vehicles;<sup>3</sup> and (2) State laws regarding bicycles that are not otherwise addressed by NPS regulations.<sup>4</sup>
- Paragraph (h) prohibits possessing a bicycle in wilderness and contains NPS safety regulations for the use of bicycles.<sup>5</sup>

This Memorandum requires that these provisions also govern the use of e-bikes so that the use of e-bikes and traditional bicycles are generally regulated in the same manner. Superintendents may limit or restrict or impose conditions on bicycle use, including specific limitations on e-bike use, or may close any park road, parking area, administrative road, trail, or portion thereof to such bicycle use and/or e-bike use, or terminate such condition, closure, limit or restriction after:

(1) Taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives; and

(2) Notifying the public through one or more methods listed in 36 CFR 1.7.

Any such bicycle or e-bike closures and restrictions should be included in the park compendium. Superintendents should understand State and local rules addressing e-bikes so that the use of e-bikes within a park area is not restricted more than in adjacent jurisdictions, to the extent possible.

NPS staff should gather and maintain information about the use of e-bikes within the park area, including information about impacts and visitor use patterns. This information may inform future decision making about the use of e-bikes within the National Park System.

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<sup>3</sup> Specifically, sections 4.12 (Traffic control devices), 4.13 (Obstructing traffic), 4.20 (Right of way), 4.21 (Speed limits), 4.22 (Unsafe operation), 4.23 (Operating under the influence of alcohol or drugs), and 4.30(f) (Closures and other use restrictions).

<sup>4</sup> State laws concerning the definition, safety operation, and licensing of e-bikes vary from State to State. A growing number of States use the three-class system to differentiate between the models and speeds of e-bikes.

<sup>5</sup> Specifically, paragraphs (h)(2)-(5) (relating to designated wilderness and operation during periods of low visibility, abreast of another bicycle, and with an open container of alcohol).

## Required Actions

Superintendents are directed to manage e-bikes consistent with this Memorandum under the authority in [36 CFR 1.5\(a\)\(2\)](#). This authority allows superintendents to designate areas for a specific use or activity, or impose conditions or restrictions on a use or activity.

Superintendents must take the following actions as soon as possible, but no later than 30 days after the issuance of this Memorandum or the introduction of e-bikes in the park area, whichever is later:

1. Insert the following language in the park compendium:

The term “e-bike” means a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.).

E-bikes are allowed in [insert name of park] where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited.

A person operating an e-bike is subject to the following sections of 36 CFR part 4 that apply to the use of traditional bicycles: sections 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(2)-(5).

Except as specified in this Compendium, the use of an e-bike within [insert name of park] is governed by State law, which is adopted and made a part of this Compendium. Any violation of State law adopted by this paragraph is prohibited.

2. Comply with the requirements in [36 CFR 1.5](#), including the requirement to provide adequate public notice in accordance with [36 CFR 1.7](#).
3. Comply with all applicable laws implicated by the compendium action, including the National Environmental Policy Act of 1969 (NEPA). The compendium action will ordinarily fall within the categorical exclusion specified in section 3.3.D.3 of the [National Park Service NEPA Handbook](#) for which documentation is required.<sup>6</sup>

## **No Third Party Enforceability**

This Memorandum is intended only to improve internal management of the NPS, and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

-----*End of Policy Memorandum*-----

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<sup>6</sup> “Minor changes in programs and regulations pertaining to visitor activities.” National Park Service NEPA Handbook (2015), section 3.3.D.3 (p. 36).

# Greenway GGF Annual Report 2019

