

Data Submitted (UTC 11): 10/25/2020 4:28:27 PM

First name: Zach

Last name: Bermingham

Organization:

Title:

Comments: Thank you for the opportunity to submit comments to your proposed new rules 7700 & 7710. As a mountain biker, it's important to me that we are careful in how we manage electric-assist mountain bikes on trails to protect the user experience of those recreating on non-motorized USFS trails.

I'm extremely concerned about the current approach to classify e-bikes as motorized vehicles.

This solution will jeopardize funding sources to maintain traditionally non-motorized trails and, by not aligning with recent decisions made within the DOI agencies, will cause more confusion amongst e-mountain bikers on where they can and cannot ride. More importantly, this solution will pit mountain bikers against hikers and equestrians once a proposal is made to allow e-bikes on a previously non-motorized trail by changing it to a motorized designation. The current proposals are also cumbersome and require more resources within an already constrained Federal Agency.

I recommend the following simpler solutions:

Adopt Class 1 e-bikes as non-motorized transportation.

Adopt Class 2 and 3 e-bikes as motorized transportation.

Allow Class 1 on non-motorized trails upon completion of an environmental review and public comment process, driven by local forests and/or districts.

Prohibit Class 2 and 3 on non-motorized trails.

Encourage programmatic NEPA review of eMTB impact on non-motorized trails, at the District, Forest or Regional level, to ease the review burden on a trail by trail basis.

Approach eMTB access by using a "Closed Unless Signed Open" basis.

By allowing Class 1 on non-motorized trails on a case by case basis and upon completion of a review process, the USFS offers flexibility at the local level and preserves maintenance funding sources that can be pursued by hikers, equestrians, and mountain bikers to help maintain thousands of miles of trail throughout the United States. Class 1 e-bike technology is quickly becoming ubiquitous, so the above approach also makes enforcement easier and reduces consumer confusion.

It is my understanding that the above approach is also in line with the wishes of People for Bikes, the International Mountain Bicycling Association, multiple mountain bike manufacturers, as well as my own local mountain bike organization, the Evergreen Mountain Bike Alliance.

Thank you,

-Zach Bermingham