



**MARIN
WATER**

E-bike Recommendations

December 15, 2020



Outline

- Recommendation
- District Codes and Regulations
- State Law
- E-Bike Review Process
- E-Bike Access Assessment
- Public Outreach
- Review of Recommendations
- Discussion



Recommendation

- 1. Approve Resolution No. 8607 to establish an interim Special Use Permit for a period up to three years**
- 2. Direct staff to include in preliminary FY 22/23 budget funding for additional Ranger positions**
- 3. Direct staff to include in preliminary FY 22/23 budget funds to support a Watershed Recreation Management Plan**

Recreational Regulations

The Marin Municipal Water District Law of 1911, under the State Water Code, authorizes the district to enact rules, regulations and ordinances, including the decisions that allow for public recreation and to govern use of its facilities.

- Board Policy 7 Mt. Tamalpais Watershed Management Policy-authorizes recreational activities.
- Title 9 Regulation for Use of MMWD Lands-controls type of use and identifies E-Bikes as motorized vehicles which are prohibited.

October 2015- AB 1096

AB 1096, codified as Section 21207.5 of the California Vehicle Code

- E-Bikes (Classes 1 & 2) are classified as a “bicycle”
- A public agency may adopt rules or regulations to restrict, or specify the conditions for, the use of bicycles, motorized bicycles, electric bicycles, skateboards, and roller skates on public property under the jurisdiction of that agency
- As a local public agency, Marin Water can decide how to regulate E-Bikes

E-Bike Review Process

December
2018

- E-Bike Public Workshop

Sept. 2019-
April 2020

- E-Bike Community Advisory Committee
- E-Bike CAC Summary Report

July 2020

- E-Bike Access Assessment
- MMWD Board Review

Sept. 2020

- E-Bike Public Outreach
19 individual stakeholder meetings



E-Bike Access Assessment

Recommendations developed through the E-Bike engagement process and currently being advanced.

Education campaign to influence recreational behavior

- **Outreach:** Expand Watershed Ambassador Program to a Watershed Greeter/Trail Ambassador Program.
- **Partnerships:** Increase support for “Slow and Say Hello” campaign.

Signage to raise awareness of trail etiquette and watershed regulations

- **Etiquette Signage:** Expands watershed signage with trail etiquette messaging to foster tolerance, understanding, and respect between user groups.
- **Slow Zones:** Increase Slows zones in high use areas and at downhill road intersections.

Natural Resource Stewardship

- **Project Restore:** Restore natural areas and habitat by closing non-system trails.
- **Conservation Areas:** Evaluate ecologically significant areas in the watershed and consider designating conservation zones to protect critical habitats and biodiversity.

Enforcement

- **Slow Zone Ordinance:** Establish new ordinance for reduced speeds in slow zones.
- **Fee Schedule:** Evaluate options for increasing fees for bikes/E-bikes on trails and in closed areas.
- **Closed Zones:** Evaluate closures for project restore sites and future conservation areas.



Trail Etiquette

- Don't block the trail
- Keep pets on leash
- Travel at a safe speed
- Communicate while passing
- Bicyclist must pass at 5 MPH
- Yield to horses
- Stay on marked trails or fire roads
- Pack out your trash



Inclusive Outdoors

Welcome to the
Mt. Tamalpais Watershed

Everyone is welcome.

Please respect
the land and water.

Please respect
other visitors.



Public Outreach Summary

Conservation Organizations: Supported current regulations prohibiting E-Bikes and advocated for a focus on natural resources stewardship, protection of water quality, and stronger enforcement.

Equestrian Organizations: Supported continuing with current regulations, viewed permits/registration program as an option for ensuring accountability, and supported education, outreach and enforcement.

Bicycling Organizations: Supported Class I E-Bikes and an interim process for access. Concerned that conditions could be confusing, and supported outreach over enforcement. While some also felt enforcement was necessary to stewards natural resources, ensure responsible use and protect other visitors recreational goals.

Land Management Agencies: Currently at different stages in their review process.

Recommendations

Interim E-Bike Special Use Permit

9.01.11 Exemptions

The district, at its sole discretion, may grant written exemptions to all or any portion of these land use regulations by special use permit, contract, or lease; however, written exemptions shall be limited to uses consistent with the purpose of these regulations and shall not violate any provision of federal, state or county law or regulations.

E-Bike Special Use Permit

- Up to a three year period
- Class I E-Bikes only
- Restricted on Red-Flag Days
- After market E-Bike kits prohibited
- Commercial E-Bike operators not permitted under Special Use Permit
- Class II and III prohibited

Watershed Ranger Staff

Increased Ranger staffing

- Include in preliminary FY 2022/23 budget funds to add additional Ranger staff



Watershed Recreation Plan

A Watershed Recreation Plan goes beyond the narrow issue of E-Bikes access and acknowledges that watershed use needs to be managed in a holistic and integrated manner. The Plan would evaluate current watershed use patterns and watershed facility improvements necessary to support safe inclusive use that protects biodiversity, water quality and the district's watershed lands.

Preliminary Outline

- Define Sustainable Recreational for Watershed Lands
- Framework for Monitoring Watershed Recreation
- Evaluate Watershed Facilities
- Protection of Watersheds Natural Resources and Assets
- Community Partnerships and Engagement
- Management Actions to Achieve Desired Conditions

Summary

E-Bike Review Process

➤ E-Bike Public Work Shop

- E-Bike Public Workshop Written Comments

➤ E-Bike Community Advisory Committee

- Seven Public Meetings

➤ Stakeholder Outreach

- Nineteen Meetings with Community Organizations & Land Management Agencies

Recommendations

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