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## MEMORANDUM

### NATURAL RESOURCES ADVISORY BOARD

**DATE:** January 17, 2019  
**TO:** Mayor and City Council Members  
**FROM:** Nancy DuTeau, Chair, Natural Resources Advisory Board  
**SUBJECT:** Pilot Program for E-bikes on Trails

Dear Mayor and Council Members,

The Natural Resources Advisory Board (hereafter NRAB) is strongly supportive of the pilot project to allow the use of both Class 1 and Class 2 electric-assist bicycles on the Fort Collins paved trail system. We believe that this will have myriad benefits to a broad range of people in our community. Allowing electric-assist bicycles on trails for all users (current law allows only people with disabilities to use these bikes on our paved trails) will increase accessibility for transportation and recreation activities for a wider range of ages and physical ability. Our paved trail system is a vital component of our multi-modal transportation infrastructure that provides safe, efficient means to travel around the city for recreational, commuting, or other purposes. Allowing electric-assist bicycles on our paved trails is a piece of the puzzle to help meet City goals such as the Climate Action Plan by reducing motor vehicle use, continuing to encourage a healthy community through more physical outdoor activity, and increasing accessibility to our trail amenities for seniors and less physically-capable citizens.

The NRAB is embracing electric-assist bicycles and hopes they will further incentivize bicycle commuting, thereby reducing emissions and traffic congestion. This objective will become more important as the city grows and more people that work here are forced into neighboring communities due to increases in cost of living. Allowing electric-assist bicycles on our paved trails will help reduce barriers to cycling such as distance, age, ability, and the increase in housing prices that pushes people further away from their jobs, city amenities, services, and the larger community. Electric-assist bikes are emissions-free, low impact, and silent. We believe allowing them on our paved trails will encourage more people to cycle and enjoy our city's amenities while reducing the environmental impacts associated with travel. Electric-assist bicycles could play an important role in the City's development of sustainable transport systems.

As our city and the surrounding region grow in density there are increased demands on our public amenities such as the paved trail network. We are starting to experience capacity-related issues especially on our older and narrower paved trails. The narrower trails create safety concerns given the diversity of users and the high popularity. We see value in updating our existing trail system and would like to see a sustained funding mechanism in place for future improvements to this public amenity. The safety concerns regarding the use of electric-assist bicycles on our paved trails are valid and it is thus essential that robust educational outreach be



designed and implemented that stresses common courtesy to other trail users during this pilot program. Given our region's growth, Fort Collins is increasingly connecting our paved trails with other municipalities' trails making it more important to manage the trails consistently across jurisdictions to minimize user confusion while maximizing consistent behavior and expectations. Both Loveland and Larimer County allow Class 1 and Class 2 electric-assist bicycles on their paved trails, as do many other municipalities across Colorado, and the NRAB agrees Fort Collins should move forward with a trial period to assess suitability for our community.

Respectfully submitted,

Nancy DuTeau, Chair

cc: Darin Atteberry, Katy McLaren

# MINUTES

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## NATURAL RESOURCES ADVISORY BOARD

### REGULAR MEETING

OCTOBER 17, 2018 – 6:00 PM

222 LAPORTE AVENUE, FORT COLLINS – COLORADO ROOM

#### 1. CALL TO ORDER

At 6:00 PM the meeting was called to order by Luke Caldwell.

##### ROLL CALL

- Board Members Present:
  - Luke Caldwell – Co-Chair, 2018
  - Drew Derderian
  - Elizabeth Hudetz
  - Jay Adams
  - Barry Noon
  - Danielle Buttke
  - Ling Wang (Depart 8:00PM)
  - Bob Mann
- Board Members Absent
  - Nancy DuTeau – Chair, 2018
- Staff Members:
  - Katy McLaren, Staff Liaison, Climate Program Manager
  - Cassie Archuleta, Air Quality Program Planner
  - Tessa Greigor, Fort Collins Bikes Manager
  - Russ Hovland, Department Head Building Services
  - Daylan Figgs, Sr Environmental Planner
  - Jason Graham, Water Reclamation and Bio-solids Manager
- Guests:
  - Mark Houdashelt, Air Quality Advisory Board
  - David Tweedle, Land Conversation Stewardship Board
  - Alan Braslau, Energy Board
  - Erin Bibeau, Logan Simpson

#### 2. AGENDA REVIEW

Luke Caldwell reviewed the Agenda with the Natural Resources Advisory Board (“NRAB”). The NRAB members modified the Agenda to include a presentation by Russ Hovland, Department Head Building Services. The presentation concerned 2018 updates to the 2015 Building Code.

#### 3. CITIZEN PARTICIPATION

Guests to the NRAB meeting (listed above) introduced themselves.

Alan Braslau from the Energy Board shared some information with the NRAB members about electric rates and the budget process. A one-time electric rates increase (5%) proposal to fund additional energy efficiency programs to meet 2020 energy goals.

#### 4. APPROVAL OF MINUTES

With modifications, Bob Mann motioned to approve the September 2018 meeting minutes as amended. Barry Noon seconded. The Vote passed unanimously. (8-0).

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#### 5. NEW BUSINESS

##### **a. Updates to 2015 Building Ordinance**

Russ Hovland, Department Head Building Services met with the NRAB to secure support for the 2018 updates to the Building Code. He explained that updates to the code occur every 3 years. The particular updates to highlight for this evening's discussion concern waste recycling, electric vehicles, and emergency repair permits in disaster. These changes, he points out, are minimal.

Specifically, the change regarding recyclable materials requires multi-story, multi-family buildings to have an additional disposal option for recyclable materials in addition to regular waste receptacles. He points out that many builders already do this, thus, the impact is minimal. Also proposed for the buildings are 10% EV Ready conduits for future Electric Vehicle charging stations. Similar ordinances already exist for single family homes. There is an upgrade as well from ½" to ¾" conduits because electric vehicles require the upgrade.

Speaking for the NRAB, Luke Caldwell told Russ that the members feel the ordinance changes are appropriate and want to record their support therefore.

##### **b. Outdoor Burning Ordinance**

Cassie Archuleta, Air Quality Program Manager, updated the NRAB on the public engagement process concerning outdoor residential burning. Cassie's report summarized public sentiment for the NRAB members to analyze, discuss and, thus, recommend direction in developing policies re same. Underlying the effort is recognition that smoke is a recognized public health concern affecting sensitive groups such as COPD/asthma sufferers and the elderly. The objective is to recommend a course that is healthy for all residents and reduces nuisance. This will be presented to City council next Tuesday, October 23.

Cassie provided the NRAB members with an overview of the data analysis and methodology. Health, safety and education were consistent topics throughout the process. She pointed out some differences in regional efforts to address the issue.

Public outreach efforts through several mediums extracted three potential options.

- Option 1 is to refrain from developing regulations and concentrate instead on public outreach and education.
- Option 2 is to develop regulations that apply only when a nuisance or issue occurs between neighbors.
- Option 3 is a full ban on outdoors residential, recreational fire pit burning.

After an explanation of the methodology utilized for analysis, Cassie presented the NRAB with the ultimate question: Does the NRAB recommend that City Council further explore one of these options?

Danielle Buttke began the discussion by stating that Option 2 might be difficult to enforce.

Cassie Archuleta replied that Steamboat Springs enacted a Permit System that, after initial reluctance, became operable and acceptable in the community. It requires a fee and inspection. Danielle followed up by suggesting a limit to the numbers of fires allowed per year.

Jay Adams explored the use of alternative fuels that produce less smoke. Cassie answered that gas use was not favored by some, and there was some push back relating to the experience of a wood burning fire. Jay suggested BioChar use.

Jay recounted that a neighbor had used their fire pit to burn a great deal of scrap wood. He

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wondered what would happen should he call (on a non-emergency number) an enforcement agency to address the issue. Cassie replied that, in a non-emergency, response would be outreach and educational efforts. She added that 3 ft. by 5 ft. (3' x 5') is the current safety limit.

Elizabeth Huddetz is leaning toward Option 2. She felt that this was reasonable given the practical implications for people with respiratory health issues. She is especially concerned about the elderly and youth populations.

Cassie noted that the AQAB (Air Quality Advisory Board) recommends some regulations, as they do not think the current structure address health issues adequately.

Luke Caldwell felt that enforcement and education might be difficult. He inquired to the possible communicative schemes to disseminate information. There was some discussion that people building fires do not review regulations since the activity is typically impromptu.

Jay Adams added that education and marketing could include a message for example that says, "before you build a fire, call this telephone number." The message would give information on fire restrictions.

Bob Mann favors Option 2. He feels that most neighbors will not complain, but also notes that many people do not interact with their neighbors.

Danielle Buttke favors Option 3. She noted that 25% of the community have respiratory issues. She continued by listing the many ill health effects from smoke on every population group from neonatal to the elderly. She discussed existing technologies that reduce smoke and described self-contained units.

Barry Noon is leaning toward Option 3. He discussed current regulations in this area. He made analogy to emissions restraints on vehicles. He followed his comments with proclamations about the obligation to be more sensitive to each other's needs as the commonwealth grows and population density increases.

*Bob Mann moved that the members of the NRAB could support the following statement: "The NRAB indicated they could support pursuing a recommendation along the lines of Option #2 (with some support for #3) if it came with adequate education and outreach, and resources to effectively enforce. Option #1 was not supported. They also suggested that device standards rather than prohibitions be considered to limit smoke emissions (such as a smokeless wood burning fire pit).*

*Danielle Buttke seconded. The vote was unanimous in favor. (8-0).*

#### **c. E Bikes on Trails**

Tessa Greigor, Fort Collins Bikes Manager presented the NRAB with the parameters of the proposed pilot program for the Class 1 and Class 2 E-bike program on Fort Collins multi-use trails. She is requesting a formal position from the NRAB members in support of a one-year pilot program to allow Class 1 and Class 2 E-bikes on Fort Collins paved trails. She provided the NRAB members with some documentation 1. Memorandum of Recommendation from the Bicycle Advisory Committee and, 2. An Overview of the Proposed Framework for the Pilot Program. The State of Colorado developed state level regulations in 2017 that included the three-level classification system.

The internal committee developed the proposed pilot program framework, which was based on initial feedback from Boards and Commissions as well as other pilot program examples. The

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Bicycle Advisory committee was instrumental to the effort. Components include education, evaluation, data analysis and reporting. The costs at \$7-10K include materials, surveys and signs.

The pilot program will give more opportunity to gather additional information and in depth study of the issue. Including all paved trails in the city will help the team evaluate data in depth citywide. It will also allow for development of education measures on items such as etiquette and safety.

She described three classes of E-bikes. Class 1 assists the rider up to 20 mph while pedaling. Class 2 assists the rider up to 20 mph without pedaling and includes a a throttle. Class 3 assists the rider up to 28 mph with pedaling. The pilot program framework is suggested to include only Class1 and Class 2 e-bikes.

The use of E-bikes is higher among people over 50 years of age. Increasingly, the younger population tends to use them as an alternative mode of transportation.

Findings show that traditional bicycle riders and E-bike users exhibit comparable safety behaviors.

A potential benefit is to provide consistency across jurisdictions.

Jay Adams asked about an approximate number of bikes for the pilot. Tessa replied that the pilot would open up to anyone to use e-bikes on trails if they chose to.

Barry Noon conducted an informal survey amongst his seven graduate students who were all regular bicycle users. He reported that none were opposed to E-bikes. All of the students were concerned about the speed of the bikes and the safety for riders, especially at the tunnel under Shields Street. Apparently, there have been “close calls” in that area and safety is an issue. He mentioned some concern about the expansion of these programs to include, for example, dirt trails.

A question was asked about providing e-bikes to law enforcement / rangers. Tessa Gregor mentioned that this has been discussed informally and believes e-bikes have been used in other locations for this purpose.

Elizabeth Huddetz is supportive of the pilot program, especially since E-bikes seem to be in use already.

Danielle Buttke feels that E-bikes are safe and most likely in current use. She approves the pilot program.

Luke Caldwell said the general comments from the Boards and Commissions converge on speed and safety concerns.

Ling Wang asked about a tie-in with the program to the Bicycle Friendly Driver Program. Tessa said that information regarding new laws and infrastructure is included in all educational programs.

Luke Caldwell volunteered to write the NRAB recommendation in favor.

*Elizabeth Hudetz moved to approve the Pilot E-Bike Program. Barry Noon seconded. The vote passed unanimously. (8-0).*

#### **d. Meadow Springs Ranch Easement**

Daylan Figgs, Sr Environmental Planner and Jason Graham, Water Reclamation and Bio-solids Manager were available for the discussion regarding the Meadow Springs Ranch Easement. The easement is part of the Roundhouse Renewable Energy Project. While they did not make a formal presentation, they were available to answer questions and add depth to the NRAB

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member discussion. The topic will be part of the City Council work session on November 27, 2018. NRAB could provide a letter of recommendation for this area as the easement is to facilitate the Renewable Energy Project.

A map showing the proposed easement tracts, which also depicted riparian, bird and other animal habitat areas facilitated the discussion.

Luke Caldwell began by sharing that he had visited the area and, after consideration, he prefers Route 2B for the easement location. He had performed a bird survey and with other analysis, he believes that this route minimizes the impact to the bird community. He noted that this area is not publicly accessible, which is different from the Soapstone area. This is a utilities-owned parcel. The land receives attentive rejuvenation efforts. Disbursement of bio-solids in the area is of concern to any plans for the area.

There was some discussion about a bike trail along the already disturbed area. The City of Cheyenne and the Overland Mountain Club are interested in expanding trails and this might be a consideration or some type of tie-in. Danielle Buttke talked about the Appalachian Trail that is not fenced. Luke Caldwell talked about a service road and combined bike trail notion.

Luke asked what other options are available in case City Council does not approve the easement. He noted that there might be a significant loss if this is the outcome. Jason Graham said building and tapping into the grid elsewhere is the alternative. He added that they want to be ready with permits and assessments by 2020. They anticipate the transmission line to be complete by late summer or autumn.

*Danielle Buttke moved to support the placement of the easement at location 2B as depicted on the map. Bob Mann seconded. The vote passed unanimously in favor. (8-0).*

#### **e. 2019 Work Plan**

Nancy DuTeau drafted the 2019 Work Plan.

Luke Caldwell is very pleased with the plan. He added a line item about West Nile Virus. Bob Mann's initial assessment was favorable. He is interested in the concept of enhanced collaboration between the various Boards and Commissions. He believes in a pro-active approach and hopes the various Boards and Commissions can become more effective in pushing forward new ideas. He advocates for meaningful involvement in the societal engineering process. Luke Caldwell feels that the City Council is responsive to the Boards and Commissions in contrast to neighboring communities. He agrees with the general sentiment that a reactionary position is less preferable to a more pro-active posture. Bob would like to add a paragraph to the 2019 Work Plan encouraging active collaboration with Boards and Commissions where interests overlay.

Barry Noon states that he would like to see a presentation and deep analysis of the city's water quality in 2019 including the measurement tools. He is disappointed about the lack of trend data regarding the NISP proposals. Barry mentioned that snow pack data for the Southern Rockies is not addressed in the FEIS. With the data available, we should be able to envision the future. He's very interested in heightened analysis of data but concedes that this might not be the best forum to take an in-depth look at the water issues.

Elizabeth Huddetz feels that air quality, pollutants and drivers therefore deserve attention in the new work plan.

Danielle Buttke said the Work Plan 2019 is general enough. She would like to know if the NRAB might request groups to make presentations. Elizabeth Huddetz notes that advocates have

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attended NRAB meetings. Luke Caldwell feels that it is a rare occurrence to do that. Danielle is also interested in leased space for solar panels, a fully paid City Council and women's representation on the council.

*Luke Caldwell made a motion to approve the 2019 Work Plan as amended. Barry Noon seconded. The vote was unanimous in favor. (7-0) NOTE: Ling Wang had already exited the meeting.*

### 6. OTHER BUSINESS

#### a. Board Member Reports

Jay Adams is involved in the City Plan Initiative. Details and updates can be found at [OurCity.fcgov.com](http://OurCity.fcgov.com). He provided the NRAB members with documentation and maps on the current plan and different scenarios. A short discussion re same ensued.

Luke Caldwell attended the Northern Colorado Leadership ride.

Elizabeth Huddetz reports that she recently met with Mayor Troxell and City Council member Bob Overbeck (not at the same time) to discuss climate issues. She reports that the City Council members voted to abstain from taking a stance on State Proposition 112 that proposes a 2,500-ft. setback on oil and gas regulations. She feels that local action is the most effective means to meet the environmental challenges in this area.

#### b. Additional Announcements

Nancy DuTeau is experiencing conflicting personal responsibilities and may not attend NRAB meetings through the end of the year.

### 7. ADJOURNMENT

Meeting Adjourned at 8:34 PM.