

September 15, 2023

Contra Costa County Clerk
555 Escobar Street
Martinez, CA 945537

Alameda County Clerk
1106 Madison Street
Oakland, CA 94607

NOTICE OF EXEMPTION

PROJECT TITLE: Electric Bicycle Policy Amendment of Ordinance 38

LEAD AGENCY/APPLICANT: East Bay Regional Park District
Attn: Brian Holt
2950 Peralta Oaks Court, Oakland, CA 94605
Telephone: 510-544-2623

PROJECT LOCATION: East Bay Regional Park District owned or operated lands and trails that currently allow conventional bicycle access within Contra Costa County and Alameda County.

PROJECT DESCRIPTION: The East Bay Regional Park District (Park District) proposes to adopt an amendment to its Ordinance 38 to allow use of Class I electric bicycles (e-bikes) on existing Park District trails that allow use of conventional bicycles, and to allow use of Class II electric bicycles on Park District paved regional trails.

Specifically, the Project includes the following changes to Ordinance 38:

- 1) *Modify the definition of “bicycle” to include Class I electric bicycles.*
- 2) *Modify the definition of “motor vehicle” to include Class II and Class III electric bicycles.*
- 3) *Clarify that Class II electric bicycles are allowed on all paved regional trails by exception, but otherwise Class II & Class III e-bikes are treated as motor vehicles and not allowed on unpaved trails.*

DETERMINATION: The Park District has reviewed the Project and determined it to be exempt from the California Environmental Quality Act (CEQA) requirements under *Article 19*, Categorical Exemptions, of the State CEQA Guidelines in the California Administrative Code:

Section 15301 – Existing Facilities. The Project meets the requirements of a Class I Categorical Exemption for Existing Facilities, which includes operation, permitting and minor alteration of existing public or private structures or facilities or topographical features involving negligible or no expansion of existing or former use. Implementing the Project to change the definition of “bicycle” and “motor vehicle” within Ordinance 38 would have a negligible impact on existing facilities, such as highways, streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities. The use of Class I e-bikes on existing trails where conventional bicycles are allowed and class 2 e-bikes on existing paved regional trails represents a negligible expansion of use of existing trails.

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Section 15304 – Minor Alterations to Land – The Project meets the requirements of a Class 4 Categorical Exemption for Minor Alterations to Land, which allows minor alterations to land which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. The Project would include the continued use of existing trails and would not involve removal of healthy, mature, scenic trees.

Section 15311 – Accessory Structures – The Project meets the requirements of a Class 11 Categorical Exemption for construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs. Implementation of the Project may include the installation of signage to educate and inform park users of the policy change.

Approved by  [Brian Holt \(Sep 15, 2023 10:56 PDT\)](#) Date Sep 15, 2023
Brian Holt, Chief
Planning, Trails, & GIS Department
East Bay Regional Park District
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