**From:** Nelson, Eric <erinelson@pa.gov>
**Sent:** Wednesday, March 4, 2020 12:01 PM
**To:** ssaylor@pahousegop.com; Bradford, Matthew <MBradfor@pahouse.net>
**Cc:** ddonley@pahousegop.com; Jeanna Gettys <Jgettys@pahousegop.com>; abaloga@hacd.net; Lotze, Nate <nlotze@pa.gov>
**Subject:** FW: House Appropriations Budget Hearing Follow-Up Answers

Good Afternoon Chairman Saylor and Chairman Bradford:

Included below are the Department of Conservation and Natural Resources (DCNR) follow-up responses to questions asked during the House Appropriations Committee Budget Hearing on February 24, 2020.

If you have any questions, please let me know.



March 4, 2020

Honorable Stanley Saylor

Majority Chairman Appropriations Committee

House of Representatives

Commonwealth of Pennsylvania

245 Main Capitol Building

Honorable Matt Bradford

Minority Chairman Appropriations Committee

House of Representatives

Commonwealth of Pennsylvania

512E Main Capitol Building

Dear Chairman Saylor and Chairman Bradford:

The following information is being provided in response to questions raised at the recent hearing before the House Appropriations Committee regarding the budget of the Department of Conservation and Natural Resources. We have listed each question with our response immediately following each question.

**Representative Donna Bullock**

Rep. Bullock requested that we send the House Appropriations Committee DCNR’s guidance on E-Bikes in our State Parks and Forests.

**DCNR Response:**

The Pennsylvania Department of Conservation and Natural Resources (DCNR) has received requests from individuals regarding the legality of using electric-assist bicycles (e-bikes) on DCNR State Park and Forest lands. E-bikes are an emerging new category of vehicle that are based on the concept of augmenting, not replacing, human power with an electric motor to move from one place to another. This results in the e-bike rider having the capability of traveling with less physical effort.  Chapter 1: Section 102 of Pennsylvania's Vehicle Code (Title 75) defines e-bikes or "pedalcycles with electric assist" as, “*A vehicle weighing not more than 100 pounds with two or three wheels more than 11 inches in diameter, manufactured or assembled with an electric motor system rated at not more than 750 watts and equipped with operable pedals and capable of a speed not more than 20 miles per hour on a level surface when powered by the motor source only.”*

DCNR State Park and Forest policies and regulations do not specifically deny the usage of e-bikes on trails already open to traditional bicycle usage. However, it is DCNR’s guidance that only e-bikes with pedal-assisted functionality be treated equally to traditional bikes by department staff, provided they meet ALL of the following specifications that have been slightly modified from Pennsylvania’s Vehicle Code (Title 75) “pedalcycle with electric assist” definition:

1. Have a non-throttle assisted electric motor less than 750 watts
2. Have fully functional pedals
3. Have a weight not more than 100 pounds
4. Have a maximum speed <20 MPH
5. Does not have the capability of being self-propelled (i.e. must be pedaled in order to engage the electric motor)

DCNR’s leadership is having internal discussions with its bureau staff to further review additional classifications of e-bikes as this technology continues to evolve. The department will be developing an official agency-wide policy on this matter to clarify the use of all e-bikes on State Park and Forest trails, roads, and off-road areas.

**Representative Jeff Wheeland**

Rep. Wheeland requested information on the number of stream miles that run through DCNR land and how many miles of embankment are being repaired and improved by DCNR.

**DCNR Response:**

Total miles of streams through DCNR lands (State Forests + State Parks):  6,330 miles

State Parks and Forest Lands:

While stream corridors in State Parks and Forests are predominantly forested, scour and other degradation are still significant resource issues that need to be addressed. Increases in frequency and severity of high precipitation storm events will exacerbate and accelerate the deterioration in the future.

The Bureaus of State Parks and Forests adheres to comprehensive restoration protocols based in connecting the stream, flood plains, and groundwater to sustain functional riparian ecosystems when managing roads and other infrastructure.

The Bureau of State Parks has funded (or secured grant funding) to restore ~ 0.25 miles of stream bank in the past 5 years. An additional ~ 6 miles are in the process of being restored.  Additionally, on State Forest lands, when bridges and culverts are replaced, the accompanying streambanks are stabilized and improved.

Riparian Forest Buffer Establishment:

In addition to managing State Parks and Forests, DCNR works with many partners to restore riparian forest buffers across the commonwealth.  These forest buffers improve water quality and habitat for fish and other wildlife.  As the trees grow and evolve into a forest, the tree roots and other vegetation will help to improve and stabilize the streambanks.  DCNR funding from the past two fiscal years will help to plant approximately 670 acres of forest buffer, which translates into 161 miles of streambank restored.

I am hopeful that these responses satisfactorily address the House Appropriations Committee members concerns.

If you require additional information, please contact my Legislative Affairs Director, Eric Nelson, at (717) 772-4227 or erinelson@pa.gov

Sincerely,



Cindy Adams Dunn

Secretary

Office of the Secretary

Rachel Carson State Office Building | P.O. Box 8767 | Harrisburg, PA  17105-8767 | 717.772.9084 | **F** 717.772.9106 | [www.dcnr.pa.gov](http://www.dcnr.pa.gov)

**Eric Nelson**

Director of Legislative Affairs

Department of Conservation and Natural Resources

(717) 772-4227, erinelson@pa.gov