



City and Borough of Juneau
City & Borough Manager's Office
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TO: Deputy Mayor and the Assembly Committee of the Whole
FROM: Rorie Watt, City Manager *R. Watt*
SUBJECT: iRide Alaska Lease Request
DATE: March 2, 2023

In November, the Lands Office received a request for a commercial use permit on city property in the location of the West Douglas Pioneer Road (WDPR) from iRide Alaska LLC. After discussion with the applicant it was determined that this use conforms best to city code 53.09.260 as a non-exclusive lease of city property but the Assembly could determine to authorize this use by use permit or agreement. The applicants have an existing agreement with Eaglecrest and an agreement with Parks & Rec for commercial use of the Rainforest Trail.

In 2012, the Assembly appropriated \$2.97 million dollars for the development of the West Douglas Highway Extension with the funding source being the Alaska Department of Commerce, Community and Economic Development. The WDPR was completed in 2018 as a future development access corridor to City property.

The WDPR is a primitive pioneer corridor with no guardrails, frequent tree falls and an almost seasonal washout of a culvert. Allowing a commercial use, such as this application, would provide some funding that could be used for maintenance of the WNPR and the parking lot. Eaglecrest and the Nordic Ski Club also help with maintenance.

Commercial tour activity on the WDPR generally conforms with CBJ's adopted plans. Community Development staff conducted a review of the Comprehensive Plan, the 1997 West Douglas Conceptual Plan, and the 2015 Juneau Economic Development Plan. Generally speaking the Plans support seasonal and short-term uses of infrastructure until permanent uses are identified. The JEDP specifically identifies supporting new economic activities, including e-bike businesses. It should be noted, that while the Plans overall generally support the proposal, the Plans also acknowledge safety concerns with pedestrians and bicycles on North Douglas Highway. Attachment A lists the relevant policies from these adopted plans.

The WDPR is not platted road or right-of-way, it is not a trail or part of the designated parks system and currently this exists as City property. Because this is City property, it is up to the Assembly to determine if this proposal should be considered.

The Assembly expressed interest in information on current and historical commercial trail use to help inform its decision. As tourism on trails increased in the 1990's, the community began to plan for trail use and impacts by creating the 1993 Trails Plan, and then performed an extensive survey of trail use including commercial impacts in 1995-1996. With this information, in the early 2000's, a working group convened to evaluate and make recommendations on commercial use of trails. This group was comprised of an Assembly member, public members, business owners, and staff from CBJ Parks and Recreation, Eaglecrest, Alaska State Parks and the USFS. After a survey, public meetings, and evaluation of existing trails and use impacts, the group made detailed recommendations for group volumes, frequency, dates and times for commercial use on CBJ, State and USFS trails. These recommendations were implemented on CBJ trails in 2005 and continue to guide permit decisions on Parks and Recreation managed trails. These recommendations can be found here: <https://juneau.org/parks-recreation/commercial-use>.

There has also been some confusion on whether e-bikes are considered motorized vehicles for land management purposes. The State of Alaska does not currently define e-bikes, however there is a bill working its way through the legislature that defines electric assisted bicycles as non-motorized, this is consistent with other states that legally define e-bikes. The full bill can be found at <https://www.akleg.gov/PDF/33/Bills/HB0008A.PDF>. A graphic produced by the State of California describing the differences between class 1, 2, and 3 e-bikes is included herein as Attachment B.

Community discourse around appropriate areas for shore excursions further complicates the Assembly's decision. The Visitor Industry Task Force recommended that CBJ "plan and analyze tourism activities in areas outside of downtown development". In the 2022 Community Tourism Survey, residents were evenly split on a question about whether to spread visitors throughout the borough or concentrate visitors in areas developed for tourism. CBJ staff's current message to the visitor industry is that visitor growth is outpacing shore excursion capacity, which may lead to more resident tensions over the coming season. It can be argued that limited tours on the Pioneer Road may help ease these tensions by adding to Juneau's shore excursion capacity or that adding commercial use has the potential to create a negative experience for residents using the area. From a tourism management perspective, this is less a discussion about which individual trails and other areas should be available for commercial use, and more about CBJ's policy on dispersing or concentrating visitor industry activity.

Staff requests that the Assembly consider whether or not commercial use on a temporary basis should be allowed on the Pioneer Road under a non-exclusive lease. In making this decision, the following items may be considered:

1. CBJ staff manage recreational use on city lands and can apply consistent conditions on the Pioneer Road to manage use if the Assembly desires.
2. E-bikes are not regulated as motorized use in the State or CBJ currently.
3. Dispersing tourism activity may benefit some residents and negatively impact others.
4. Allowing or prohibiting commercial use on the Pioneer Road can be a temporary action. This use can be reconsidered in a year as other related tourism management planning and commercial use trail planning will continue and may provide a clearer picture of impacts in the near future.

Staff requests that the COW provide the Manager with direction on whether to continue negotiations and introduce an ordinance which would authorize use of this property or to forward a motion to the full Assembly recommending that this application be rejected.

Attachment A: Relevant Policies from Adopted Plans

2013 Comprehensive Plan (adopted)

- West Douglas New Growth Area is classified as a Resource Development (RD) area.
- Permits low-intensity, low-impact development (Policy 3.3).
- Expected to be developed with short-term uses until infrastructure is provided (page 20).
- Supports recreational activities, including pedestrian and bicycle paths (Policy 3.4 - DG2).
- Promotes a diverse economy, providing opportunities for employment for all residents (Policy 5.1).
- Encourages unique outdoor recreation and visitor destinations (page 51).
- Any substantial increase in traffic to the area, including increased commercial recreational/tourism use of the area, should be accompanied by separated pedestrian and bicycle pathways on each side of the road (page 190).
- Designates non-motorized trail linkages throughout Douglas (Policy 8.8 - IA24).
- Promotes public access and non-motorized pathways (page 191).
- CBJ-owned land not scheduled for immediate disposal should be evaluated for interim uses (Policy 17.2-SOP5).
- Use of CBJ-owned land for commercial gain must occur under a permit from CBJ (Policy 17.2-SOP6).

1997 West Douglas Conceptual Plan (Chapter 6 & Plate 1, adopted)


- Enhancement of recreational values of CBJ-owned land is a high priority (page 6.3).
- Supports non-motorized transportation (page 6.3).
- Bikeways and pedestrian trails should be connected to the main West Douglas Highway (page 6.7).
- Discusses the importance of identifying land for expanded public recreation (page 6.9).
- Low-impact public access to recreational attractions should be provided (page 6.10).

2015 Economic Development Plan (adopted)

- Encourages new economic possibilities, including business using electric bikes (page 73).
- Promotes a variety of tours, excursions, and attractions in attracting visitors (page 76).

Attachment B: Graphic on State of California Electric Bicycle Classification Regulations

CALIFORNIA ELECTRIC BICYCLE POLICY



VEHICLE TYPE	VEHICLE		USER			BIKEWAY ACCESS				
	PEDAL OPERATED	MAXIMUM MOTOR-ASSISTED SPEED (MPH)	MINIMUM AGE (YEARS)	DRIVER'S LICENSE	LICENSE PLATE	HELMET	CLASS I BIKE PATH	CLASS II BIKE LANE	CLASS III BIKE ROUTE	CLASS IV PROTECTED LANE
BICYCLE	YES	N/A	N/A	NO	NO	17 AND UNDER	YES	YES	YES	YES
TYPE 1 E-BIKE*	YES	20	N/A	NO	NO	17 AND UNDER	YES	YES	YES	YES
TYPE 2 E-BIKE*	NO	20	N/A	NO	NO	17 AND UNDER	YES	YES	YES	YES
TYPE 3 E-BIKE*	YES	28	16	NO	NO	YES	YES	YES	YES	YES
MOPED	NO	N/A	16	YES	YES	YES	NO	YES	YES	NO

*PENNING 18-1095

