



## DEPARTMENT OF THE INTERIOR

### National Park Service

#### 36 CFR Part 7

[NPS-WHIS-NPS0041005; NPS-2024-0008; PX.P0234207B.00.1-PPPWWHISM0-PFE00FEPR.YP0000]

RIN 1024-AE52

Whiskeytown Unit, Whiskeytown-Shasta-Trinity National Recreation Area;

#### Bicycling

**AGENCY:** National Park Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** The National Park Service amends the special regulations for Whiskeytown National Recreation Area to allow bicycle use on approximately 79.8 miles of multi-use trails. National Park Service regulations require promulgation of a special regulation to allow bicycles on new trails outside of developed areas and for existing trails that require construction or significant modification to accommodate bicycles.

**DATES:** This rule is effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** The comments received on the proposed rule are available on [www.regulations.gov](http://www.regulations.gov) in Docket No. NPS-2024-0008.

**FOR FURTHER INFORMATION CONTACT:** Laura Shaskey, Division Manager, Resources and Interpretation, Whiskeytown National Recreation Area; phone: 530-242-3457; email: [Laura\\_Shaskey@nps.gov](mailto:Laura_Shaskey@nps.gov). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the

United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

## **SUPPLEMENTARY INFORMATION:**

### **Background.**

#### *Purpose and Management Authority for the Recreation Area.*

Congress established the Whiskeytown-Shasta-Trinity National Recreation Area in 1965 for public outdoor recreation, use and enjoyment. 16 U.S.C. 460q. Congress directed the Secretary of the Interior to administer the Whiskeytown unit and directed the Secretary of Agriculture to administer the Shasta and Trinity units. The National Park Service (NPS) administers the Whiskeytown unit, on the behalf of the Secretary of the Interior, as the Whiskeytown National Recreation Area (referred to in this document as the “recreation area”). The U.S. Forest Service manages the Shasta and Trinity units, on behalf of the Secretary of Agriculture, as the Shasta-Trinity National Recreation Area. Each bureau is required to administer their units in a manner that will best provide for public outdoor recreation benefits and conserve the scenic, scientific, historic, and other values that contribute to public enjoyment. 16 U.S.C. 460q-3. In addition to the enabling legislation described above, the NPS manages the recreation area pursuant to the NPS Organic Act of 1916, which gives the NPS broad authority to regulate the use of the lands and waters that it administers as part of the National Park System. See 54 U.S.C. 100101; 100751(a).

#### *Significance and Visitor Use of the Recreation Area.*

The recreation area encompasses 42,497 acres in Shasta County, nestled within the Klamath Mountains in Northern California. The recreation area has diverse ecosystems ranging from oak scrubland to dense coniferous forests, with elevations ranging from 800 feet in lower Clear Creek to more than 6,200 feet atop Shasta Bally. This dynamic landscape, range in elevation, rugged topography, and numerous soil types

contribute to a rich biodiversity. These habitats provide shelter and sustenance to an abundant and diverse wildlife community, including numerous species of concern and other rare species. High-elevation forests have been profoundly influenced by wildland fire. Fire management continues to play a key role in the preservation and restoration of natural communities in the recreation area.

The recreation area includes significant cultural resources. For thousands of years before the arrival of European Americans, the Wintu People and their ancestors lived in villages along Clear Creek and its tributaries. Archeological remains document their extensive habitation and use of the land, and traditional ties to the recreational area remain among contemporary Wintu. In the early part of the 19th century, European explorers and trappers began visiting the upper Sacramento Valley and Wintu homelands. They were soon followed by parties of settlers on their way to central California and Oregon, and in 1848 gold was discovered on Clear Creek just south of the recreation area. During the 100-year gold rush, lands within the recreation area were subject to intensive mining exploration and development. This history of mining is evident throughout the recreation area.

In the early 1900s, the United States Government began establishing the Central Valley Project to manage the water of the Sacramento River and provide for its use in the Central Valley of California. The construction of Whiskeytown Dam in 1962 created Whiskeytown Lake. With 36 miles of shoreline, the crystal-clear water of Whiskeytown Lake is perhaps the most recognized feature of the recreation area. Due to its forested, mountain setting and consistent water level, the lake provides high-quality recreational opportunities throughout the primary recreation season. Visitors enjoy swimming, beaches, lakeside camping, boating, sport fishing, and picnicking. Beyond the shoreline of the lake, the rugged canyons, forests, streams, and waterfalls within the recreation area provide visitors with outstanding recreational opportunities. An extensive trail system

allows visitors to experience a variety of forested terrain for birdwatching, camping, picnicking, wildlife viewing, hiking, horseback riding, and bicycling. Trails are located primarily upon historic logging and mining infrastructure south, east, and west of Whiskeytown Lake. In total, more than 800,000 visitors come to enjoy the recreation area each year, including casual sightseers, experienced adventurers and everyone in between.

#### *Bicycle Use in the Recreation Area.*

Bicycle use has occurred in the recreation areas for several decades. Today, bicycles are used on roads that are open to public motor vehicle use, on 42.2 miles of administrative roads that are closed to motor vehicle use by the public but open to motor vehicle use by the NPS for administrative purposes, and on the majority of trails in the existing trail system. Public roads, administrative roads, and trails that are open to traditional bicycles are also open to Class 1 electric bicycles, which are defined in NPS regulations as an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. Class 2 and 3 electric bicycles are not allowed on trails or administrative roads within the recreation area; however, they are allowed on roads that are open to public motor vehicle use. The trails identified below are closed to bicycle use:

- All portions of the Shasta Divide Nature Trail between Kennedy Memorial Drive and Whiskeytown Lake.
- All portions of the Davis Gulch Trail between the trailheads at Kennedy Memorial Drive and the Brandy Creek Day Use Area.
- All portions of the Crystal Creek Water Ditch Trail.
- James K. Carr Memorial Trail to Whiskeytown Falls (from Mill Creek Trail junction to the falls).
- Boulder Creek Falls Trail.

- The portion of Brandy Creek Falls Trail beyond the intersection with Rich Gulch Trail.

Other trails in the network are reserved for use by the Whiskeytown Environmental School (WES) and are not open to the public. These WES-only trails are the Ladybug Lane Trail, Martha's Ditch Trail and the Ridge Trail.

*Trails Management Plan Environmental Assessment.*

With the growth of the city of Redding eight miles to the east, the recreation area has transitioned from a wildland setting to an urban location that offers recreation opportunities for the largest metropolitan area in the northern Sacramento Valley. Facilities and infrastructure within the recreation areas were primarily constructed in the 1960s and were not designed to accommodate current levels of visitation. To address emerging management challenges and accommodate current levels of visitation, the NPS initiated a comprehensive trail management project to help guide, plan, and manage trail use and maintenance within the recreation area. In 2017, the NPS sought public input on the existing trail system. The NPS used this input to develop preliminary alternatives for a trails management plan. In 2018, the Carr Fire burned approximately 39,000 of 42,000 acres within the recreation area. To date, this is the most destructive fire in the history of the National Park System. The entire recreation area was closed and NPS resources were diverted to the rebuilding effort. NPS staff, partners, and contractors have made significant headway in rebuilding lost infrastructure and reopening much of the recreation area. As of April 2025, approximately 12% of the trails remain closed because of the fire. The NPS will continue to reopen trails provided there are no safety or resource issues associated with using the trails after the fire.

In 2020, the NPS restarted the trail planning process, with revised alternatives that reflect the changed landscape and address the need for long term solutions to poorly designed and unsustainable trails. On June 8, 2021, the NPS published the Trails

Management Plan and Environmental Assessment and accepted public comments for 30 days. In February 2022, the NPS issued a revised Trails Management Plan and Environmental Assessment (EA) to reflect updated trail mileages and additional best management practices. The EA describes one action alternative (the preferred alternative) and the no-action alternative. The no-action alternative would continue the existing management of the trail system into the future. The action alternative would involve trail construction, including building new trails, rerouting some existing trails, and restoring other existing trails to natural condition. The EA evaluates the suitability of each trail surface and soil conditions for accommodating bicycle use; and life cycle maintenance costs, safety considerations, methods to prevent or minimize user conflict, and methods to protect natural and cultural resources and mitigate impacts associated with bicycle use on each trail. The EA contains a full description of the purpose and need for taking action, the alternatives considered, a map of the affected area, and the environmental impacts associated with the project.

On March 11, 2022, the Regional Director for DOI Unified Regions 8, 9, 10 and 12 signed a Finding of No Significant Impact (FONSI) that identified the preferred alternative in the EA as the selected alternative.<sup>1</sup> Trail work will occur on approximately 32.8 miles of trails and will include minor improvements to existing trails, the construction of new multiuse trails, the rerouting of some existing trails, and trail closures and restoration to natural conditions. The longest new trail, the proposed lakefront trail, will be approximately 8 miles in length and improve access to the lake. The NPS will establish a new trail along the Shasta Divide at the east side of the recreation area,

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<sup>1</sup>During the NEPA process, the NPS evaluated the impacts of bicycle use on all of the trails identified in this rule for bicycle use. The NPS acknowledges minor trail mileage discrepancies between the FONSI and this rule. Small discrepancies in GIS estimates are reasonable and expected. The differing mileage estimates between documents are a result of minor addition and rounding errors as well as improved data quality and increased accuracy in GIS layers.

offering views of Mount Shasta and the Lassen Peak. The NPS will formalize three social trails by merging them into one mile of new trail. All of the new trails will connect to existing trails to create more trail loops. The new trails will generate opportunities for new and diverse visitor experiences in different locations in the recreation area.

The NPS will reroute seven multiuse trails because the existing routes have become unsustainable due to erosive soils or soil compaction, steep alignment, and undesirable visitor experiences. The new routes will have a more sustainable alignment and capacity for use. Other trails totaling 5.1 miles will be closed and not rerouted, which will allow those areas to return to their natural condition. In total, the selected alternative will expand the trail network and result in approximately 79.8 miles of trails open to bicycle use within the recreation area.

#### *NPS Management of Bicycle Use.*

From 1966 until 1987, NPS regulations allowed bicycles on trails in recreation areas unless they were restricted by posted signs or markings on a map. See 31 FR 16650 (December 29, 1966) and 39 FR 11882 (April 1, 1974). In 1987, the NPS replaced what had been an “open unless closed” management framework for bicycle use in recreation areas with a framework that required the NPS to promulgate a special regulation in order to allow bicycles in any System unit on routes outside of developed areas and special use zones. Further, routes could only be designated for bicycle use upon a determination that such use was consistent with the protection of a park area’s natural scenic and aesthetic values, safety considerations and management objectives and would not disturb wildlife or park resources. See 52 FR 10685 (April 2, 1987).

In 2012, the NPS amended its regulations for bicycle use again. These amended regulations are in place today and are codified at 36 CFR 4.30. These regulations focus on planning and environmental compliance under the National Environmental Policy Act (NEPA). Bicycles are allowed by default on park roads and parking areas open to public

motor vehicle use. Bicycles may be allowed on administrative roads that are closed to motor vehicle use by the public but open to motor vehicle use by the NPS for administrative purposes, but only after the Superintendent makes the same determination that has been required since 1987 (see above). The use of bicycles on trails is subject to a thorough review and approval process. The NPS must complete a planning process that evaluates bicycle use on each specific trail, including impacts to trail surface and soil conditions, maintenance costs, safety considerations, potential user conflicts, and methods to protect resources and mitigate impacts. The NPS also must complete either an environmental assessment or environmental impact statement that concludes that bicycle use in the park and on each specific trail will have no significant impacts on the environment. If an environmental assessment is prepared, the public must be notified and provided 30 days to review and comment. In addition to the planning and NEPA compliance documents (which are typically the same document), the Superintendent must prepare and the regional director must approve the same written determination about bicycle use that is required for administrative roads. For existing trails or new trails within developed areas, the NPS must publish the written determination in the *Federal Register* for a 30-day public comment period. For all trails, including new trails outside of developed areas, the Regional Director must approve the written determination. For new trails outside of developed areas, the NPS must publish a special regulation designating the trails for bicycle use, which is subject to a separate notice-and-comment period under the Administrative Procedure Act, 5 U.S.C. 553(b). New trails, whether they are in developed areas or not, must be developed and constructed in accordance with appropriate sustainable trail design principles and guidelines. Existing trails that require construction or significant modification to accommodate bicycles are considered new trails for purposes of the regulations.

**Final Rule.**

*Compliance with NPS Regulations.*

This rule authorizes the Superintendent to allow bicycles, by designation in the Superintendent's Compendium, on all of the bicycle trails identified in the selected alternative. This includes existing trails that are not being rerouted, existing trails that are being rerouted, and new trails that will be constructed. Although NPS regulations do not require special regulations to allow bicycles on existing trails that do not require any construction or significant modification to accommodate bicycle use, the NPS includes those trails in this rule so that all of the trails that may be designated for bicycle use are identified in one place. The NPS expects this approach to increase compliance with the regulations by making it easier for visitors to understand where bicycles are allowed.

The EA constitutes the planning document and evaluates the criteria required by the regulations at 36 CFR 4.30. The no action alternative evaluates continued bicycle use on existing trails that will not be rerouted; and the action alternative evaluates the rerouting of existing trails and construction of new trails, plus the impact of bicycle use on those trails. The FONSI concludes that the development and use of the new trail system would not significantly affect the quality of the human environment.

The Superintendent of the recreation area has signed a written determination that bicycle use on all of the trails where bicycles would be allowed under the selected alternative is consistent with the protection of the park's natural, scenic, and aesthetic values; safety considerations; management objectives; and will not disturb wildlife or park resources. The NPS made the written determination available on the recreation area's planning website and accepted comments on the written determination during the public comment period for the proposed rule. The Regional Director approved the written determination on May 7, 2025. This written determination is available at <https://parkplanning.nps.gov/whis> by clicking the link titled "Whiskeytown NRA Trails Management Plan," and then clicking the link titled "Document List." The written

determination also determines that continued bicycle use on administrative roads within the recreation area is consistent with the protection of the park's natural, scenic, and aesthetic values; safety considerations; management objectives; and will not disturb wildlife or park resources.

*Content of the Final Rule.*

This rule adds a new paragraph (e) to 36 CFR 7.91, which contains the special regulations for the recreation area. The rule authorizes the Superintendent to designate 79.8 miles of trails within the recreation area for bicycle use. The rule requires the Superintendent to notify the public of any designated trails through one or more of the methods identified in 36 CFR 1.7, including publication in the Superintendent's Compendium (or written compilation) of discretionary actions referred to in § 1.7(b). The rule requires the Superintendent to identify the designated trails on maps available at the visitor center and on the recreation area's website (<https://www.nps.gov/whis>). Pursuant to 36 CFR 4.30(i), the Superintendent may allow electric bicycles on any trails that are open to traditional bicycles and will notify the public pursuant to 36 CFR 1.7 if electric bicycles are so allowed.

**Summary of Public Comments.**

The NPS published a proposed rule in the Federal Register on December 30, 2024 (89 FR 106393). The NPS accepted public comments on the proposed rule for 60 days via the mail, hand delivery, and the Federal eRulemaking Portal at <https://www.regulations.gov>. Comments were accepted through February 28, 2025. The NPS received ten comments on the proposed rule. Comments were generally focused on balancing increased recreational opportunities with desired resource conditions. Some comments raised concerns about impacts to wildlife, vegetation, trail conditions, ecosystem health, and visitor use conflicts that the NPS considered and evaluated in the EA. Most of these comments are not addressed in this final rule. The NPS evaluated the

environmental impacts of two alternatives in the EA and explained why it selected the preferred alternative in the FONSI. Upon completion of trail construction and authorization of bicycle use on the new trails, the NPS will monitor the trail network and implement mitigation measures as appropriate to improve sustainability, protect resources, and improve the visitor experience. After considering public comments and after additional review, the NPS has made two changes to the final rule. The first change adds a reference to a requirement in 36 CFR 1.7(b) that designations made under discretionary authority must be published in a written compilation referred to as the Superintendent's Compendium. The second change removes a provision referring to the superintendent's authority to limit, restrict, or impose conditions on bicycle use, or to close any trail to bicycle use, or terminate such actions in accordance with 36 CFR 4.30. This provision is unnecessary and redundant with existing authorities provided to superintendents in paragraphs (f) and (i)(7) of § 4.30 to take management actions with respect to bicycle use in park areas. A summary of the pertinent issues raised in the comments and NPS responses is provided below:

*1. Comment:* One commenter suggested that the NPS establish a communication framework that allows visitors to easily report trail conditions to recreation area staff, encouraging prompt notification of issues like trail damage, needed repairs, and preventative maintenance opportunities.

*NPS Response:* The NPS appreciates this suggestion and recognizes the importance of facilitating clear and effective communication between recreation area staff and the public. The NPS is committed to maintaining the condition, safety and accessibility of trails. Members of the public can apply to be part of the Whiskeytown Trail Crew Volunteer Program, which provides crew members with the opportunity to assist the NPS in maintaining and preserving the recreation area's extensive trail system. Crew members rove assigned trails to provide an additional NPS presence and can report

trail conditions to recreation area staff in near real time. The NPS encourages the public to report trail conditions in person at the visitor center, by phone, or by email (see <https://www.nps.gov/whis/contacts.htm>). The NPS will continue to consider how to promote efficient reporting and communication of trail issues so that they can be addressed promptly.

2. *Comment:* One commenter suggested that the rule should list all trails within the recreation area and state which uses are allowed on each trail.

*NPS Response:* NPS regulations at 36 CFR 4.30 require promulgation of special regulations that identify new trails for bicycle use outside of developed areas, including existing trails that need construction or significant modifications to accommodate bicycle use. NPS regulations at 36 CFR 2.18 require promulgation of special regulations that designate routes and water surfaces open to snowmobile use. NPS regulations at 36 CFR 4.10 require promulgation of special regulations that designate routes and areas open to off-road vehicle use. The NPS is not otherwise required to identify routes or trails in special regulations. Hiking and horse-back riding on trails can be managed by the Superintendent using discretionary authorities found in 36 CFR 2.1(b) and 36 CFR 2.16(b), respectively, and are not required to be identified in the Code of Federal Regulations.

The NPS understands the desire for clarity about the use of trails within the recreation area. The NPS employs a variety of strategies to ensure that visitors are informed about what is allowed on specific trails. The NPS installs signs at trailheads and along the trails, which provide detailed information regarding authorized activities such as hiking, biking, or horseback riding, as well as any restrictions. The NPS publishes maps that indicate which activities are allowed on different trails, and makes them available at the visitor center, park entrances, and online to enable visitors to plan their activities in advance. The NPS maintains up-to-date information on trail conditions,

closures, and use restrictions on the recreation area website. NPS staff at the visitor center provide valuable information and answer questions about the status and conditions of trails and allowable uses. The NPS utilizes social media platforms and electronic newsletters to communicate important updates about the status and conditions of trails and allowable uses to a broader audience. Using a combination of methods, the NPS strives to keep visitors well-informed about trail use in the recreation area with the goal of promoting a safe and enjoyable experience.

*3. Comment:* One commenter emphasized the need for clear signage communicating allowed trail uses in the recreation area and suggested that the rule should be delayed if the NPS does not have the resources to effectively implement the new regulations.

*NPS Response:* Construction, appearance, and location of all trail signs will follow guidance issued by the Whiskeytown Sign Committee. Trail signs will not be installed unless they are approved by the Committee. The goal of sign and marker maintenance and repair is to provide visitors with appropriate directional information, maps, as well as safety and regulatory information. Repair and maintenance will be done on a periodic basis. For new trails, safety signs will be installed to inform visitors when entering multi-use trails to reduce user group conflicts and promote safe passing and shared use.

*4. Comment:* One commenter stated that mountain bikes should not be allowed on the James K. Carr Memorial Trail to Whiskeytown Falls (also known as the Whiskeytown Falls Trail) due to safety risks, particularly a significant drop-off that poses a danger to both pedestrians and bikers.

*NPS Response:* This rule allows bicycles only on the first 0.4 miles of the Whiskeytown Falls Trail from the trailhead to the Mill Creek Trail junction. A few locations along this segment of the trail have steep drop offs, however the trail tread is

generally maintained as a class III or 6-foot trail width allowing room for different users to freely pass. Should this segment become a safety hazard, the Superintendent has the authority to close all or a portion of the trail to bicycle use to protect the public.

5. *Comment:* Several commenters addressed the use of electric bicycles (e-bikes) on the trail system, raising concerns about resource impacts and conflicts with other trail users, such as hikers and horseback riders. One commenter asked the NPS to conduct a programmatic analysis under NEPA to address the implications of e-bike use before the Superintendent decides to allow them. The commenter stated that the NPS has a responsibility to analyze the potential impacts of e-bikes on both natural and cultural resources as well as the safety and enjoyment of non-motorized trail users before allowing them in the recreation area.

*NPS Response:* The NPS agrees that resources must be protected and user conflicts minimized where e-bikes are allowed. This rule does not authorize the use of e-bikes on any trails within the recreation area. This rule authorizes the Superintendent to allow traditional bicycle use on approximately 79.8 miles of multi-use trails. Allowing e-bikes on any of those trails is subject to the discretion of the Superintendent under NPS regulations at 36 CFR 4.30(i). NPS Management Policies guide superintendents about visitor use of park areas. In exercising discretionary authority, superintendents will allow only uses that are (1) appropriate to the purpose for which the park was established, and (2) can be sustained without causing unacceptable impacts. NPS Management Policies 2006, Section 8.1.1.

Congress established the recreation area for several purposes, with a stated focus on public outdoor recreation and enjoyment. 16 U.S.C. 460q-3. E-bikes provide visitors with opportunities for recreation and access who may want to ride a traditional bicycle but might not be able to because of physical fitness, age, disability, or the nature of the environment. In this way, e-bikes provide new opportunities for public outdoor recreation

in the recreation area, which aligns with its purpose. In June 2023, the NPS published a Programmatic Environmental Assessment (PEA) that evaluated the use of e-bikes within the National Park System. On July 26, 2024, the NPS issued a Finding of No Significant Impact concluding that the implementation of NPS regulations in 36 CFR 4.30(i) that provides superintendents discretionary authority to allow the use of e-bikes, or classes of e-bikes, on a case-by-case basis, on park roads, parking areas, administrative roads, and trails that are otherwise open to traditional bicycle use, will not have a significant effect on the quality of the human environment.

As stated above, public roads, administrative roads, and trails that are open to traditional bicycles in the recreation area are open to Class 1 electric bicycles. The EA evaluates impacts to resources and visitors from bicycle use on the trails identified in this rule. Although the EA does not distinguish e-bikes from traditional bicycles in this analysis, the NPS expects that impacts to the environment from the use of Class-1 e-bikes on designated trails otherwise open to traditional bicycle use will be consistent with the impacts discussed in the PEA. If necessary, the superintendent may limit or restrict or impose conditions on e-bike use in the recreation area, or close trails to e-bike use after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives. 36 CFR 4.30(i)(7). Management actions addressing existing e-bike use will be informed by the EA, which identifies long-term strategies for managing and monitoring visitor use with the recreation area.

In addition to management actions that may be taken by the Superintendent, several NPS regulations establish conditions and restrictions on the use of e-bikes in park areas that promote the protection of resources and visitors. As examples, e-bikes may not be used abreast of another bicycle; and lights or reflectors are required during periods of low visibility, or while traveling through a tunnel, or between sunset and sunrise. As is

true for traditional bicycles, possessing an e-bike in a wilderness area established by Federal statute is prohibited.

*6. Comment:* One commenter suggested that the NPS collaborate with stakeholders to develop a more refined proposal for identifying a subset of trails that would be suitable for e-bike use.

*NPS Response:* The NPS understands that stakeholders have diverse perspectives about the use of e-bikes in the recreation area. The NPS is committed to creating an environment that accommodates a variety of recreational opportunities while ensuring that all visitors can enjoy their time in the recreation area. Visitor use management is an ongoing process that relies on continuous monitoring and informed decision-making. As the NPS implements the EA and monitors impacts from visitor use, including the use of e-bikes, information about monitoring, visitor use management actions, and adjustments to the indicators and thresholds for adaptive management will be made available to the public, along with opportunities for stakeholder engagement.

### **Compliance with Other Laws, Executive Orders and Department Policy.**

#### *Regulatory Planning and Review (Executive Orders 12866 and 14192)*

This rule has been determined to be not significant for purposes of Executive Order 12866. This rule is an E.O. 14192 deregulatory action.

#### *Regulatory Flexibility Act (5 U.S.C. 601 et seq.)*

This rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). This certification is based on information contained in the economic analyses found in the report titled “Cost-Benefit and Regulatory Flexibility Threshold Analyses: Proposed Special Regulations to Designate New and Existing Trails for Bicycle Use at

Whiskeytown National Recreation Area.”<sup>2</sup> The report may be viewed on the recreation area’s planning website at <https://parkplanning.nps.gov/whis> by clicking the link titled “Whiskeytown NRA Trails Management Plan,” and then clicking the link titled “Document List.” The certification in that report remains valid for the final rule due to the limited changes in this rule from the proposed rule.

*Congressional Review Act (CRA)*

This rule is not a major rule under 5 U.S.C. 804(2). This rulemaking:

- (a) Does not have an annual effect on the economy of \$100 million or more.
- (b) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.
- (c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

*Unfunded Mandates Reform Act (2 U.S.C. 1501 et seq.)*

This rule does not impose an unfunded mandate on State, local, or Tribal governments or the private sector of more than \$100 million per year. The rule does not have a significant or unique effect on State, local or Tribal governments or the private sector. It addresses public use of lands administered by the NPS and imposes no requirements on other agencies or governments. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 et seq.) is not required.

*Takings (Executive Order 12630)*

This rulemaking does not affect a taking of private property or otherwise have takings implications under Executive Order 12630. A takings implication assessment is not required.

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<sup>2</sup> Revised version prepared in May 2025. All cost and benefit estimates in this report have been updated to 2024 dollars using the Bureau of Labor Statistics Consumer Price Index. The revised version also includes an estimate of total cost savings associated with this rule, consistent with Executive Order 14192.

*Federalism (Executive Order 13132)*

Under the criteria in section 1 of Executive Order 13132, the rulemaking does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. This rule only affects use of federally administered lands and waters. It has no direct effects on other areas. A federalism summary impact statement is not required.

*Civil Justice Reform (Executive Order 12988)*

This rulemaking complies with the requirements of Executive Order 12988. This rulemaking:

(a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and

(b) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

*Consultation with Indian Tribes (Executive Order 13175 and Department Policy)*

The Department of the Interior strives to strengthen its government-to-government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and Tribal sovereignty. The NPS evaluated this rule under the criteria in Executive Order 13175 and under the Department's Tribal consultation policy and determined that Tribal consultation is not required because the rule will have no substantial direct effect on federally recognized Indian Tribes. Nevertheless, in support of the Department of the Interior and NPS commitment for government-to-government consultation, during the EA process, the NPS worked with the Native American Heritage Commission (NAHC) to identify Tribal partners that may be interested in the trails management plan. The NPS shared information about the proposed action and copies of the draft EA with one federally recognized American Indian Tribe identified by the NAHC and five non-federally

recognized Tribal groups. These Tribes are the Shasta Nation, Nor-Rel-Muk Nation, Redding Rancheria, Winnemem Wintu Tribe, Wintu Tribe of Northern California, and Toyon-Wintu Center Wintu Educational and Cultural Council. The new trails and trail reroutes under the selected action alternative will not impact known ethnographic resources or impede tribes' ability to utilize the recreation area for traditional purposes. The trail construction activities and routes will be designed to avoid known ethnographic resources in consultation with tribes. The NPS informed Tribal partners that the trails management plan requires regular consultation for individual actions in accordance with section 106 of the National Historic Preservation Act under 36 CFR part 800. Additional details about Tribal consultation are available in chapter 4 of the EA.

*Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.)*

This rule does not contain information collection requirements, and a submission to the Office of Management and Budget under the Paperwork Reduction Act is not required. The NPS may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

*National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 et seq.)*

The NPS prepared the EA to determine whether this rule will have a significant impact on the quality of the human environment under the National Environmental Policy Act of 1969. This rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the NEPA is not required because of the FONSI. A copy of the EA and FONSI can be found online at <https://parkplanning.nps.gov/whis> by clicking the link titled "Whiskeytown NRA Trails Management Plan," then clicking the link titled "Document List," and then clicking the link titled "Whiskeytown National Recreation Area Trails Management Plan."

*Effects on the Energy Supply (Executive Order 13211)*

This rule is not a significant energy action under the definition in Executive Order

13211; the rule is not likely to have a significant adverse effect on the supply, distribution, or use of energy, and the rule has not otherwise been designated by the Administrator of OIRA as a significant energy action. A Statement of Energy Effects is not required.

**List of Subjects in 36 CFR Part 7**

National parks, Reporting and Recordkeeping requirements.

In consideration of the foregoing, the National Park Service amends 36 CFR part 7 as set forth below:

**PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM**

1. The authority citation for part 7 continues to read as follows:

**Authority:** 54 U.S.C. 100101, 100751, 320102; Sec. 7.96 also issued under D.C. Code 10-137 and D.C. Code 50-2201.07.

2. Amend § 7.91 by adding paragraph (e) to read as follows:

**§ 7.91 Whiskeytown Unit, Whiskeytown-Shasta-Trinity National Recreation Area.**

\* \* \* \* \*

(e) *Bicycle Use.* (1) The Superintendent may designate all or a portion of the following trails as open to bicycle use:

(i) Boulder Creek Trail (approximately 3.8 miles).

(ii) Brandy Creek Falls Trail (approximately 1.1 miles between the trailhead and Rich Gulch Trail intersection).

(iii) Brandy Creek Picnic Trail (approximately 0.3 miles).

(iv) Brandy Creek RV Trail (approximately 0.2 miles).

(v) Brandy Creek Trail (approximately 2.0 miles).

(vi) Buck Hollow Trail (approximately 1.0 miles).

- (vii) Camden Water Ditch Trail (approximately 1.1 miles).
- (viii) Clear Creek Canal Trail (approximately 5.2 miles).
- (ix) Clear Creek Picnic Trail (approximately 0.3 miles).
- (x) Clear Creek Vista Trail (approximately 2.5 miles).
- (xi) Crystal Creek Falls Trail (approximately 0.5 miles).
- (xii) Crystal Creek Trail (approximately 2.3 miles).
- (xiii) East Boundary Vista Trail (approximately 1.4 miles).
- (xiv) Guardian Rock Equestrian Trail (approximately 1.3 miles).
- (xv) Horse Camp Trail (approximately 0.4 miles).
- (xvi) Hydraulic Mine Trail (approximately 0.5 miles).
- (xvii) James K. Carr Memorial Trail to Whiskeytown Falls (approximately 0.4 miles between the trailhead and Mill Creek Trail junction).
- (xviii) Kanaka Peak Trail (approximately 3.3 miles).
- (xix) Knobcone Trail (approximately 0.3 miles).
- (xx) Ladybug Lane Trail (approximately 0.3 miles, Whiskeytown Environmental School use only).
- (xxi) Logging Camp Trail (approximately 0.9 miles).
- (xxii) Martha's Ditch Trail (approximately 2.5 miles, Whiskeytown Environmental School use only).
- (xxiii) Mill Creek Trail (approximately 3.9 miles).
- (xxiv) Mount Shasta Mine Loop Trail (approximately 5.0 miles).
- (xxv) Mule Mountain Loop Trail (approximately 1.2 miles).
- (xxvi) Mule Mountain Pass Trail (approximately 1.3 miles).
- (xxvii) Oak Bottom Water Ditch Trail (approximately 2.8 miles).
- (xxviii) Orofino Trail (approximately 0.3 miles).
- (xxix) Papoose Connector Trail (approximately 0.2 miles).

(xxx) Papoose Pass Trail (approximately 5.2 miles).

(xxxii) Peltier Bridge Trail (approximately 0.6 miles).

(xxxiii) Peltier Trail (approximately 2.5 miles).

(xxxiv) Princess Ditch Trail (approximately 2.1 miles).

(xxxv) Prospect Trail (approximately 1.1 miles).

(xxxvi) Rich Gulch Trail (approximately 2.4 miles).

(xxxvii) Ridge Trail (approximately 1.8 miles, Whiskeytown Environmental School use only).

(xxxviii) Salt Gulch Trail (approximately 2.0 miles, connecting Peltier Trail to Rich Gulch Trail).

(xxxix) Shasta Divide Trail (approximately 7.0 miles, connecting the Visitor Center with the NPS and BLM trail system in the area of Mule Mountain).

(xl) Tower Grave Trail (approximately 0.2 miles).

(xli) WES Camp Emergency Access Road (approximately 0.6 miles).

(xlii) Whiskeytown Lake Trail (approximately 8.0 miles, connecting the Brandy Creek area with Carr Powerhouse area).

(2) The Superintendent may authorize bicycle use on administrative roads within the recreation area pursuant to § 4.30 of this chapter.

(3) A map showing trails and administrative roads open to bicycle use will be available at the recreation area visitor center and posted on the recreation area website. The Superintendent will provide notice of all trails and administrative roads designated for bicycle use in accordance with § 1.7 of this chapter including in the superintendent's compendium (or written compilation) of discretionary actions referred to in 36 CFR 1.7(b).

**Kevin J. Lilly**  
*Principal Deputy Assistant Secretary*

*Exercising the Delegated Authority of the Assistant Secretary for Fish and Wildlife and Parks*

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