

Attachment D - Incompatible OPDMD Use Considerations

OPDMD Category	Outdoor Recreational Program	Incompatible Location(s)	Federal Assessment Factor
1-7	Equestrian	Equestrian trails on all lands under DEC jurisdiction	<p>Trails for which equestrian use is the designed or primary use are intended to be used primarily by people on horseback. Trails tend to be rough but wide enough to accommodate two-way horse traffic.</p> <p>Horses and OPDMDs inherently conflict. Horses are prey species and can easily confuse OPDMDs for predators, resulting in a spooked animal and an unsafe condition. With the added layer of the unpredictable nature of animals, it is not possible to create safety parameters to avoid the potential safety conflicts between horses and OPDMDs.</p> <p><i>See 28 CFR §35.137 (b)(1) and (b)(2)(iv).</i></p>
3-7	All	Environmental Educational Centers	<p>EECs are designed to provide educational experience to the public, and are heavily used by younger groups, school groups and summer camps, seven days a week. High visitor volume will impact the use of a device and the use of OPDMDs in categories 3-7 will impact visitors. <i>See 28 CFR § 35.137 (b)(2)(ii); 28 CFR §35.137 (b)(2)(iii)</i></p> <p>Due to the volume of pedestrian traffic, it is not possible to safely permit OPDMD categories 3-7, to be used alongside pedestrians because these devices are larger and can operate at higher speeds. <i>See 28 CFR §35.137 (b)(1) and (b)(2)(iv).</i></p> <p>Additionally, bicycling is not a recreational program offered at EECs.</p>

3-7	All	<p>Recreational trails on Forest Preserve lands within 500 feet of a public highway, and classified as:</p> <ul style="list-style-type: none"> • Wilderness • Canoe • Primitive, and with no provisions for bicycling or snowmobiling 	<p>Recreational trails in Wilderness, Canoe, and Primitive Areas are generally rugged and lower maintenance areas and typically do not have hardened trail treads.</p> <p>Within 500 feet of a public highway there is a higher level of pedestrian traffic, and it is not possible to safely permit OPDMD categories 3-7 to be used alongside pedestrians because these devices can operate at higher speeds. <i>28 CFR §35.137 (b)(2)(iv)</i>.</p> <p>Use of these devices would create a substantial risk of serious harm to the immediate environment by compacting soil and creating channels for water flow, leading to soil erosion. <i>28 CFR §35.137 (b)(2)(v)</i>.</p> <p>Additionally, bicycling is not a recreational program offered in wilderness, canoe, and primitive areas except where specifically allowed pursuant to Adirondack Park State Land Master Plan area descriptions and/or Unit Management Plans.</p>
2-7	All	<p>Recreational trails on Forest Preserve lands beyond 500 feet of a public highway, and classified as:</p> <ul style="list-style-type: none"> • Wilderness • Canoe • Primitive, and with no provisions for bicycling, snowmobiling, or private rights-of-way 	<p>Recreational trails in Wilderness, Canoe, and Primitive Areas are generally rugged and lower maintenance areas and typically do not have hardened trail treads.</p> <p>Use of these devices would create a substantial risk of serious harm to the immediate environment by compacting soil and creating channels for water flow, leading to soil erosion. <i>28 CFR §35.137 (b)(2)(v)</i>.</p> <p>Additionally, bicycling is not a recreational program offered in wilderness, canoe, and primitive areas except where specifically allowed pursuant to Adirondack Park State Land Master Plan area descriptions and/or Unit Management Plans.</p>

6, 7	All	Recreational trails on Forest Preserve lands classified as Wilderness, Canoe, and Primitive	<p>Recreational trails in Wilderness, Canoe, and Primitive Areas are generally rugged and lower maintenance areas and typically do not have hardened trail treads.</p> <p>Use of these devices would create a substantial risk of serious harm to the immediate environment by compacting soil and creating channels for water flow, leading to soil erosion. These devices would widen the trail leading to further damage. <i>28 CFR §35.137 (b)(2)(v).</i></p>
7	All	Recreational trails on all lands under DEC jurisdiction	<p>Use of these devices would create a substantial risk of serious harm to the immediate environment by compacting soil and creating channels for water flow, leading to soil erosion. These devices would also damage the vegetation outside of the established trail tread. <i>28 CFR §35.137 (b)(2)(v).</i></p>
6, 7	All	Recreational trails within Campgrounds and Day Use Areas	<p>Use of these devices would create a substantial risk of serious harm to the immediate environment by compacting soil and creating channels for water flow, leading to soil erosion. These devices would also damage the vegetation outside of the established trail tread. <i>28 CFR §35.137 (b)(2)(v).</i></p> <p>Within campgrounds there is a higher level of pedestrian traffic, and it is not possible to safely permit OPDMD categories 6-7, to be used alongside pedestrians because these devices are larger and can operate at higher speeds. <i>28 CFR §35.137 (b)(2)(iv)</i></p>
6,7	All	Areas with utility/administrative infrastructure such as but not limited to leach fields, utility line corridors, administrative and storage areas.	<p>Use of these devices would create a substantial risk of harm to the facility's design and operational characteristics. <i>28 CFR §35.137 (b)(2)(iii)</i></p>