

ADIRONDACK COUNCIL
ADIRONDACK WILD: FRIENDS OF THE FOREST PRESERVE
ADIRONDACK WILDERNESS ADVOCATES
PROTECT THE ADIRONDACKS! INC.

Via Email

April 24, 2026

Mark Hall, Chair
Adirondack Park Agency
P.O. Box 99
Ray Brook, New York 12977

Re: DEC Draft Policy on Other Power-Driven Mobility Devices

Dear Chairman Hall:

The undersigned Adirondack Park advocacy organizations respectfully request that the Adirondack Park Agency (“APA”) initiate a formal review of the draft policy recently issued by the Department of Environmental Conservation (“DEC”) governing the use of other power-driven mobility devices (“OPDMDs”) on State-owned lands, including Forest Preserve lands in the Adirondack Park.

We appreciate DEC’s commendable effort to establish a statewide framework for OPDMD use and to expand meaningful recreational access to State lands for persons with disabilities, and we fully support those efforts. However, several provisions of the draft policy appear to be inconsistent with the Adirondack Park State Land Master Plan (“Master Plan”) and existing Unit Management Plans (“UMPs”). Given APA’s statutory role in ensuring that DEC management actions for the Forest Preserve are consistent with the Master Plan, we believe APA review is necessary and warranted.

For example, the draft policy does not address whether the OPDMD proposals, particularly those permitting motor vehicle use in Wilderness, Primitive and Canoe areas and expanded use in Wild Forest areas, constitute a “fundamental alteration of the program” under the Americans With Disabilities Act (“ADA”) and applicable U.S. Department of Justice regulations. This analysis is critical, because the ADA does not require an existing program to be modified if doing so would constitute a fundamental alteration of the program.

Other provisions in the draft policy that require APA review are those that would allow:

- Category 1 OPDMDs, which meet the Master Plan’s definition of “motor vehicle,” to be used in Wilderness, Primitive and Canoe areas, contrary to the Master Plan;
- All categories of OPDMDs, including ATVs, UTVs, jeeps, and trucks, to be used in Wild Forest areas, also in conflict with the Master Plan;

- Category 3 and 3-A OPDMDs to be used on the Newcomb Lake Road, in violation of the Camp Santanoni Historic Area UMP; and
- Category 4 and 4-A OPDMDs to be used on the Adirondack Rail Trail, in violation of the applicable UMP.

We note that the nearly three million-acre Adirondack Forest Preserve constitutes a substantial portion of the State lands covered by the draft policy. Because these proposals would directly affect and significantly alter DEC's management of Forest Preserve lands within the Adirondack Park, we respectfully urge APA to consult with DEC, review the draft policy for consistency with the Master Plan and applicable UMPs, and provide an opportunity for public comment on these issues.

We believe such consultation and review is required by the Master Plan and by the Memorandum of Understanding between APA and DEC concerning implementation of the Master Plan. *See Memorandum of Understanding Between the Adirondack Park Agency and Department of Environmental Conservation Concerning Implementation of the State Land Master Plan for the Adirondack Park (Rev. 2010) § I(b)(1)* (specifying that "any policy or guidance developed by [DEC] which impacts [the APA] . . . shall be effective only if developed cooperatively and agreed to by both agencies.").

We appreciate your attention to this matter and stand ready to provide any additional information that may assist APA in its review.

Sincerely,

Raul J. Aquirre, Executive Director, Adirondack Council

David Gibson, Managing Partner, Adirondack Wild: Friends of the Forest Preserve

Pete Nelson, Chair, Adirondack Wilderness Advocates

Claudia Braymer, Executive Director, Protect the Adirondacks! Inc.

cc: Adirondack Park Agency Board Members
Amanda Lefton, DEC Commissioner
Barbara Rice, APA Executive Director
Megan Phillips, APA Deputy Director for Planning