



Office of
Emergency
Services

Warren County

Unmanned Aerial Systems Policy

DRAFT

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THIS DISASTER MANUAL REPRESENTS GENERAL GUIDELINES, WHICH CAN BE MODIFIED BY EMERGENCY PERSONNEL AS APPROPRIATE. THIS PLAN DOES NOT CREATE ANY RIGHT OR DUTY THAT IS ENFORCEABLE IN A COURT OF LAW.

Revisions

Date	Changes	Name
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I. Purpose and Scope

The purpose of this policy is to set guidelines for approved uses, trainings and care for Unmanned Aerial System (UAS) owned by the Warren County Office of Emergency Services. This policy further provides guidance regarding the take-off, operation, and landing of UAS. The Warren County Office of Emergency Services UAS program is developed to provide specialized support to public safety operations in a safe, responsible, and transparent manner, UAS's provide the ability for aerial, overhead support and observations that otherwise may not occur, balancing the safety of the public as well as the privacy interests of the community shall be a focus and concern for every use.

Due to advancements in technology and the changing needs of the Office of Emergency Services (OES), this policy will be reviewed on an annual basis to ensure the direction in the policy is current and compliant with any new legal requirements. This policy is for the purpose of guidance and is not intended to operate as law.

This policy shall be reviewed yearly alongside the production of the yearly UAS report.

II. Definitions

Beyond Visual Line of Sight (BVLOS):

As defined by the Federal Aviation Administration (FAA) - In a time of extreme emergencies to safeguard human life, first responders require the capability to operate a UAS beyond visual line of sight (BVLOS) to assess the operational environment such as at a large structure fire, to conduct an aerial search on a large roof area for a burglary in progress, or to fly over a heavily forested area to look for a missing person. BVLOS supports public UAS operators acting in an active first responder capacity, the FAA may approve "First Responder Tactical Beyond Visual Line of Sight" (TBVLOS) waivers to 14 CFR 91.113(b).

Certificate of Authority:

An authorization issued by the Air Traffic Organization Division of the FAA to a public Pilot in Command for a specific UAS activity. After a complete application is submitted, the FAA conducts a comprehensive operational and technical review. If necessary, provisions or limitations may be imposed as part of the approval to ensure the UAS can operate safely with other airspace users. In most cases, FAA will provide a formal response within 60 days from the time a completed application is submitted.

Federal Aviation Administration (FAA) Part 107:

Under FAA Part 107, an operator must hold a current remote pilot airman certificate with an UAS rating or be under the direct supervision of a person who holds such a certificate to operate the controls of an UAS.

Landing Area:

A place on land or water, including an airport or intermediate landing field, used, or intended to be used, for the takeoff and landing of aircraft, even when facilities are not provided for sheltering, servicing, or repairing aircraft, or for receiving or discharging passengers or cargo

Night Flight:

Flight of a UAS that occurs between the hours of one-half hour after sunset and one-half hour before sunrise. The time of sunset and sunrise are determined by the National Oceanic and Atmospheric Administration (NOAA).

Notice to Air Mission (NOTAM):

A NOTAM is a notice containing information essential to personnel concerned with flight operation. They have a unique language to make communication more efficient.

Pilot In Command (PIC):

The person who has final authority and responsibility for the operation and safety of flight, has been designated as pilot in command before or during the flight, and holds the appropriate category, class, and type rating, if appropriate, for the conduct of the flight. The Pilot In Command position may rotate duties as necessary with equally qualified pilots. The individual designated as pilot in command may change during flight. All pilots in command will be required to be certified by the Federal Aviation Administration (FAA) under 14 CFR Part 107 and possess a Remote Pilot Airman Certificate.

Uncontrolled Airspace:

All airspace classified as Class G airspace and further controlled by a NOTAM or Temporary Flight Restriction.

Unmanned Aerial System (UAS):

An Unmanned Aerial System (UAS) is defined as an unmanned aircraft of any type that is capable of sustaining direct flight, whether preprogrammed or remotely controlled, and all of the supporting or attached systems designed for gathering information through imaging, recording or other means.

Visual Observer (VO):

Visual Observers are personnel responsible for the visual observation of the UAS while in flight. The Visual Observer will alert the operator of any conditions (obstructions, terrain, structures, air traffic, weather, etc.) which may affect the safety of flight. The Visual Observer will be responsible for all aviation related communications required by the Federal Aviation Administration (FAA). To accomplish this, the Visual Observer will be in close proximity to the operator to ensure timely relaying of information. All operators should operate the UAS with the assistance of a Visual Observer if one is available and as soon as possible.

Visual Line-Of-Sight:

A method of control and collision avoidance that refers to the pilot in command or Visual Observer directly viewing the unmanned aircraft with human eyesight. Corrective lenses (spectacles or contact lenses) may be used by the pilot or Visual Observer.

Federal Aviation Administration (FAA) Part 107:

The Federal Aviation Administration's (FAA) Part 107, also known as the Small Unmanned Aircraft Systems (sUAS) Rule, is the primary regulation for flying drones that weigh less than 55 pounds. It allows drones to be flown for a variety of reasons, including work, recreation, education, and public safety. Under FAA Part 107, an operator must hold a current remote pilot airman certificate with an UAS rating or be under the direct supervision of a person who holds such a certificate to operate the controls of an UAS.

III. Policy Statement

A UAS may be utilized to enhance the Warren County Office of Emergency Services resources and response to operations. Any use of a UAS will be in strict accordance with constitutional and privacy rights as well as Federal Aviation Administration (FAA) regulations.

IV. Privacy Considerations

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure) (I.C. § 35-33-5-9). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

V. UAS Program Coordinator

The UAS Program Coordinator will be responsible for the management of the UAS program. The UAS Program Coordinator and their designee shall be appointed by the OES Director. The UAS Program Coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and OES approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- Implementing a system for public notification of UAS deployment, if the need arises.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of Visual Observers, establishment of lost link procedures and secure communication with air traffic control facilities.

- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring.

VI. Use of UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS. UAS operations should only be conducted during daylight hours. A UAS should not be flown over populated areas except for persons directly participating in UAS operations without FAA approval.

Documentation of Use

After each use of the UAS, a log should be properly kept of its condition before and after flight, where it was used and what it was used for. This log shall be kept in the OES Office and reviewed as necessary for a period of no less than 180 days unless retention of the information is determined to be necessary for a longer period by any applicable law or reasonable request.

VII. Prohibited Use

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- The UAS shall not be weaponized.
- Shall not be integrated with facial recognition or biometrics technology
- Shall not conduct personal business of any type; including for profit i.e. marketing or tourism

VIII. Pilot in Command Procedures

Pilots In Command of any Warren County OES UAS shall adhere to the following:

- The UAS shall be operated solely by members assigned to the UAS Team by Warren County OES.
- Shall obtain authorization for UAS deployment from the UAS Program Coordinator.
- The PIC shall be authorized to fly pursuant to the airspace designation.
- For emergencies where the airspace restricts UAS deployments, contact the FAA Special Government Interest Office (SGI) at 202-267-8276 and request authorization.
- If SGI is contacted and authorization is granted, the PIC shall notify the UAS Program Coordinator.
- Upon conclusion of the UAS deployment, the PIC shall complete the FAA Emergency Request Form and forward copies of it to both the SGI Office and UAS Program Coordinator.

- g) Ensure the UAS can be deployed in a safe manner. This includes checking the weather using an appropriate application such as ALOFT AIR CONTROL.
- h) Inspect and test the UAS prior to each deployment to verify proper functionality and airworthiness.
- i) Operate a UAS in accordance with an issued COA, BVLOS waiver, Part 107 remote pilot certificate, or any other waiver issued by the FAA.

IX. Deployment and Use

The use of any Warren County OES UAS shall adhere to the following:

- a) All deployments of UAS will be authorized by the UAS Program Coordinator prior to deployment and conform to a Certificate of Authorization (COA) issued to Warren County and/ or a remote pilot airman certificate Part 107 with a small UAS rating.
- b) A UAS must be used in a manner that is in accordance with federal, state and local laws.
- c) A UAS will be operated solely by members of the Warren County OES UAS Team, unless otherwise deemed necessary or approved by the Warren County Program Coordinator.
- d) The PIC will inspect and test the UAS prior to each deployment to verify proper functionality and general airworthiness.
- e) Upon completion of the deployment, the PIC will log the deployment in the appropriate logging system.
- f) All Warren County OES UAS unit pilots will only operate a UAS in accordance with an issued COA, BVLOS waiver, Part 107 remote pilot certificate, or any other waiver issued by the FAA.
- g) UAS pilots will only operate by visual line of sight unless BVLOS is authorized by a COA or waiver.
- h) The PIC and any VO shall review the intended flight pattern of the UAS for hazards prior to each deployment and during deployment, including weather.
- i) The PIC shall not exceed an altitude of 400 feet above ground level (AGL) unless otherwise authorized in a COA or to avoid a collision with another aircraft or object.
- j) In Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport, the operator must obtain prior authorization by contacting Air Traffic Control or a COA.
- k) The PIC will ensure the deployment of a UAS is within the UAS guidelines for the current weather including wind velocity. Wind velocity can be obtained by using mobile applications like ALOFT AIR CONTROL.
- l) The UAS Program Coordinator will coordinate maintenance, repairs and updates of all UAS, unless otherwise directed elsewhere.
- m) The Pilot in Command and Visual Observer will be in direct voice contact at all times. In the event a VO is being utilized during a UAS deployment and direct communication is lost the with that the person, the PIC will return the aircraft to the home point and reestablish communication with the VO by any means available.
- n) All requests for mutual aid deployments of a UAS must be directed to the UAS Program Coordinator for authorization to ensure the request is consistent with this policy.
- o) Any complaints made by the public regarding the use of a UAS by members of the Warren County OESUAS Team shall be handled by the Director of Warren County OES.

*Note: The PIC may terminate any operation, or decline the operation at any time if they believe it is unsafe, outside the capabilities of the aircraft, in violation of any State or Federal law, or violates the privacy of a citizen without due cause.

X. Authorized Uses of UAS

Any use of UAS's shall be in strict accordance with all federal, state and local laws, and Federal Aviation Administration (FAA) regulations. UAS operations should be conducted in accordance with FAA approval. The following is a list of authorized uses of UAS's:

- a) Natural disaster response and management;
- b) Missing or lost persons location operations;
- c) Search and Rescue (SAR) operations;
- d) Marine Rescue operations;
- e) Grass and brush, wildland fire operations;
- f) Hazardous materials operations;
- g) Fire investigations;
- h) 3D mapping of critical infrastructures or locations used for large scale public events;
- i) Anytime a UAS would enhance public safety, improve operational safety, incident stabilization or incident mitigation and its use would improve the likelihood that an incident would be resolved without the use of deadly force or other force options as determined by the authorizing person;
- j) Reconnaissance for high-risk or tactical operations that does not infringe upon the reasonable expectation of privacy such as high angle rescues or mountain rescues;
- k) Training missions to meet Federal Aviation Administration (FAA) and departmental regulations/certification standards;
- l) Departmental images and videos (recruitment, public relations, etc.); and
- m) In support of other public safety agencies or fire departments when the underlying mission meets the uses outlined in this policy.

XI. Mutual Aid Procedures

Use of Warren County OES UAS in conjunction with an outside agency UAS and/or Aviation unit is authorized if all of the following conditions are met:

- a) A request has been made by an outside agency -or- the outside agency is notified of a Warren County UAS deployment and is in agreement with said deployment.
- b) A mechanism to communicate with either a command post or the PIC of another agency (radio, phone) has been established.
- c) The joint operation can be executed in a safe manner.

XII. UAS Lost Link Emergency Procedures

The return to home (RTH) point should be set prior to deployment. RTH should activate and return the aircraft to the home point. In the event that there is a lost link between the UAS and the remote controller and/or RTH fails, the following procedures shall be followed:

- a) Maintain VLOS. If operating BVLOS pursuant to a waiver manipulate the aircraft in an attempt to establish VLOS.
- b) Restart the controller which will initiate the pairing process with the aircraft. If the remote fails to pair with the aircraft see below.
- c) Attempt to fly the aircraft home manually. If the aircraft cannot be returned home, follow the procedures in d, e, f, and g, below.
- d) Record the drones last location, altitude and heading.
- e) Land the aircraft in a secondary location if safe to do so or land the aircraft at a predetermined secondary landing sight.
- f) Notify GFL (Floyd Bennet Memorial Airport) if you have a lost link and you are unable to fly the aircraft home manually even if you are not in controlled you are in controlled airspace.
- g) If the aircraft crashes contact the UAS Program Coordinator who will organize a search effort to locate the aircraft and notify the FAA.

XIII. In-Flight Emergency Procedures

Emergencies are considered, but not limited to the following:

- Any operation to avoid a collision with a person, object, or another aircraft.
 - A lost link or fly away is considered an emergency if the PIC does not immediately gain control of the aircraft or land the aircraft safely. Refer to the lost link procedures for further instructions.
- a) PIC must give way to all other aircraft during deployment.
 - b) During an emergency the PIC may deviate from the rules outlined in Part 107 or an issued COA to avoid a collision with another aircraft, object, or person.
 - c) Pursuant to the lost link procedures the ATC may need to be contacted.
 - d) In the event an emergency occurs during operation the PIC will contact the UAS Program Coordinator and report the incident as soon as possible.

XIV. Warren County OES UAS Team

The Warren County OES UAS Team shall be composed of interested Warren County OES Staff and volunteers who serve in a public safety agency and wish to be pilots and/or observers.

Volunteers

Anyone who wishes to volunteer with Warren County OES must apply through the Warren County OES Office. Volunteer membership will be reviewed and determined by the Director and their counterparts. Final approval will be based on the county leadership. UAS Team membership will be reviewed and determined by the Director and UAS Program Coordinator.

Pilots

All team pilots must adhere to the FAA Part 107 requirement and be certified for small UAS aircraft.

Observers

All team observers must have a general knowledge UAS and FAA Part 107. They can be pilots awaiting certification but must have the general understating of UAS flight.

Initial Training

All members shall be familiar with the following rules and practices:

- 14 CFR 91.111 - Operating Near Other Aircraft
- 14 CFR 91.113 - Right of Way Rules
- 14 CFR 91.155 - Basic Visual Flight Rules (VFR) Weather Minimums
- Knowledge of air traffic and radio communications, including the use of approved ATC/pilot terminology; and knowledge of appropriate sections of the Aeronautical Information Manual.

Proficiency Training

UAS Team Training Requirements

- To maintain a level of proficiency, operators shall be required to attend regular training. Training will be coordinated through the Program Coordinator.
- All operators shall maintain proficiency in their pilot/observer abilities. Operators who do not have any documented training or flight time within a span of six (6) months will need to demonstrate proficiency before being a pilot during a deployment or exercise.
- Recurrent training is not limited to actual piloting skills but includes knowledge of all pertinent UAS/aviation matters.
- Failure to demonstrate proficiency or follow department policies can result in removal from the UAS program. UAS core competencies are perishable. All operators shall participate in documented training to maintain individual and team core competencies as determined by the type of missions and operations performed. These recurrent trainings shall be documented in a training report with documentation of the training with a log. The training report should include a roster of participants, topics covered, and lessons learned in UAS.

Training Records

- All operators will have a training file on record that details training history. This training file will be maintained by the UAS Program Coordinator and made available for inspection upon request. All operator certifications will be included in the individual's training file.
- All deployments or exercises shall be documented in a flight log.
- It is the operators' responsibility to verify their training file and training logs contain all pertinent documentation.

XV. Aircraft

Registration

Every UAS operated by the Department shall have a FAA certificate or N-number. The Program Coordinator is responsible for obtaining and verifying the validity of said FAA certificate or N-number.

Maintenance

The Program Coordinator shall be responsible for UAS maintenance. All maintenance shall conform to manufacturer recommendations. If non-routine maintenance is performed, a test flight shall be conducted and documented. The PIC shall notify the Program Coordinator of any defects, damage, or maintenance issues with the UAS.

Storage

All Department-owned UAS shall be stored at the Department or an approved offsite location, and shall be stored in accordance with manufacturer recommendations

XVI. Privacy Protection, Data Retention, and FOIL

UAS Team personnel must comply with any applicable statewide Privacy Protection Policies.

UAS-recorded data will not be collected, disseminated or retained solely for the purpose of monitoring activities protected by the U.S. Constitution, such as the First Amendment's protections of religion, speech, press, assembly, and redress of grievances (e.g., protests, demonstrations)

Collection, use, dissemination, or retention of UAS-recorded data should not be based solely on individual characteristics (e.g., race, ethnicity, national origin, sexual orientation, gender identity, religion, age, or gender), or any other protected category.

Videos, pictures, data or any other information generated by, or gathered from, a UAS is considered an OES record and must be managed appropriately.

Request for Department records should be made pursuant to a Freedom of Information Law (FOIL) request.

Appendix A: Acronyms

AGL	Above Ground Level
AO	Area of Operation/Aircraft Operator
ATC	Air Traffic Controller
BVLOS	Beyond Visual Line of Sight
FAA	Federal Aviation Agency
GPS	Global Position System
LOS	Line of Sight
METAR	Meteorological Aerodome Report
NOTAM	Notice to Air Mission
PIC	Pilot in Charge
RFID	Radio Frequency Identification
RTH	Return to Home
UAS	Unmanned Aircraft System
VFR	Visual Flight Rules
VLOS	Visual Line of Sight

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Class D Airspace Class D airspace is generally airspace from the surface to 2,500 feet above the airport elevation (charted in MSL) surrounding those airports that have an operational control tower. The configuration of each Class D airspace area is individually tailored and, when instrument procedures are published, the airspace is normally designed to contain the procedures. Arrival extensions for instrument approach procedures (IAPs) may be Class D or Class E airspace. Unless otherwise authorized, each aircraft must establish two-way radio communications with the ATC facility providing air traffic services prior to entering the airspace and thereafter maintain those communications while in the airspace.

Class E Airspace Class E airspace is the controlled airspace not classified as Class A, B, C, or D airspace. A large amount of the airspace over the United States is designated as Class E airspace.

This provides sufficient airspace for the safe control and separation of aircraft during IFR operations. Chapter 3 of the Aeronautical Information Manual (AIM) explains the various types of Class E airspace.

Sectional and other charts depict all locations of Class E airspace with bases below 14,500 feet MSL. In areas where charts do not depict a class E base, class E begins at 14,500 feet MSL.

In most areas, the Class E airspace base is 1,200 feet AGL. In many other areas, the Class E airspace base is either the surface or 700 feet AGL. Some Class E airspace begins at an MSL altitude depicted on the charts, instead of an AGL altitude.

Class E airspace typically extends up to, but not including, 18,000 feet MSL (the lower limit of Class A airspace). All airspace above FL 600 is Class E airspace.

Uncontrolled Airspace

Class G Airspace Uncontrolled airspace or Class G airspace is the portion of the airspace that has not been designated as Class A, B, C, D, or E. It is therefore designated uncontrolled airspace. Class G airspace extends from the surface to the base of the overlying Class E airspace. Although ATC has no authority or responsibility to control air traffic, pilots should remember there are visual flight rules (VFR) minimums that apply to Class G airspace.

Special Use Airspace

Prohibited Areas Prohibited areas contain airspace of defined dimensions within which the flight of aircraft is prohibited. Such areas are established for security or other reasons associated with the national welfare. These areas are published in the Federal Register and are depicted on aeronautical charts. Examples of prohibited areas include Camp David and the National Mall in Washington, D.C., where the White House and the Congressional buildings are located.

Restricted Areas Restricted areas are areas where operations are hazardous to nonparticipating aircraft and contain airspace within which the flight of aircraft, while not wholly

prohibited, is subject to restrictions. Activities within these areas must be confined because of their nature, or limitations may be imposed upon aircraft operations that are not a part of those activities, or both. Restricted areas denote the existence of unusual, often invisible, hazards to aircraft (e.g., artillery firing, aerial gunnery, or guided missiles).

Warning Areas Warning areas are similar in nature to restricted areas; however, the United States government does not have sole jurisdiction over the airspace. A warning area is airspace of defined dimensions, extending from 3 NM outward from the coast of the United States, containing activity that may be hazardous to nonparticipating aircraft. The purpose of such areas is to warn nonparticipating pilots of the potential danger. A warning area may be located over domestic or international waters or both. The airspace is designated with a “W” followed by a number (e.g., W-237).

Military Operation Areas (MOAs) MOAs consist of airspace with defined vertical and lateral limits established for the purpose of separating certain military training activities from IFR traffic. Whenever an MOA is being used, nonparticipating IFR traffic may be cleared through an MOA if IFR separation can be provided by ATC. Otherwise, ATC reroutes or restricts nonparticipating IFR traffic. MOAs are depicted on sectional, VFR terminal area, and en route low altitude charts and are not numbered (e.g., “Camden Ridge MOA”). However, the MOA is also further defined on the back of the sectional charts with times of operation, altitudes affected, and the controlling agency.

Taken from the “Pilot’s Handbook of Aeronautical Knowledge” (2016):

https://www.faa.gov/sites/faa.gov/files/uas/recreational_fliers/where_can_i_fly/airspace_101/pilot_handbook.pdf

Appendix C: Drone Usage in the Adirondack Park Region

According to the New York State Department of Environmental Conservation, UAS use is prohibited in wilderness, primitive, canoe and primitive bicycle corridors of the Adirondack Park Region, unless permitted by DEC. The following is from DEC Policy “CP-71 / Acquisition and Use of Unmanned Aircraft”:

E. GUIDANCE FOR DEC PERSONNEL TO MANAGE PUBLIC'S NON-ADMINISTRATIVE USE OF UAS ON STATE LANDS

FOREST PRESERVE

The regulations of the Department of Environmental Conservation (6 NYCRR §196.8), the Adirondack Park State Land Master Plan, and the Catskill Park State Land Master Plan prohibit the recreational use of motorized equipment on lands classified as wilderness, primitive and canoe in the Adirondack Park, and lands classified as wilderness or primitive bicycle corridor in the Catskill Park, except at times and locations and for the purposes authorized by the Department or in the performance of activities authorized by an easement or use reservation on lands subject to such easement or use reservation. As noted above, motorized equipment is defined by both the regulations as well as the ASLMP and the CSLMP as “machines not designed for transporting people, supplies or material, or for earth moving but incorporating a motor, engine or other nonliving power source to accomplish a task, such as, but not limited to, chain saws, brush saws, rotary or other mowers, rock drills, cement mixers, and generators.” 6 NYCRR §190.0(b)(9).

As defined in this policy, UAS meet the definition of “motorized equipment.” Therefore, such public use of UAS shall be prohibited in wilderness, primitive, canoe and primitive bicycle corridors, except as permitted for administrative and/or emergency use by the Department.

DEPARTMENT CONSERVATION EASEMENTS

Any member of the public requesting non-administrative commercial use, non-administrative recreational use, or non-administrative research and/or game management use, on lands encumbered by a Department-held conservation easement, will be required to contact the appropriate DEC regional office to determine if the proposed use is in accordance with the terms set forth in the conservation easement. The regional office staff will, in consultation with the landowner, determine if such use is prohibited by the terms of the easement or whether the use of UAS conflicts with the existing use(s) of the land.

STATE LANDS GENERALLY

The Department has the authority to manage the various lands of the State under its jurisdiction and other natural resources of the State pursuant to Environmental Conservation Law §03-0301(1)(b)². For example, the Regulations of the Department of Environmental Conservation Part 190 set forth acceptable uses of certain State lands under the jurisdiction of the Division of Lands and Forests and the Division of Operations. Specifically, 6 NYCRR 190.8 provides that individuals seeking to conduct certain activities on such State lands must obtain a permit from the Department. As more fully set out below, and in accordance with 190.8(ac), 190.8(ad) and 190.8(ae), individuals seeking to sponsor,

² Environmental Conservation Law §03-0301(1) “It shall be the responsibility of the department, in accordance with such existing provisions and limitations as may be elsewhere set forth in law, by and through the commissioner to carry out the environmental policy of the state set forth in section 1-0101 of this chapter. In so doing, the commissioner shall have power to: (b) Promote and coordinate management of water, land, fish, wildlife and air resources to assure their protection, enhancement, provision, allocation, and balanced utilization consistent with the environmental policy of the state and take into account the cumulative impact upon all of such resources in making any determination in connection with any license, order, permit, certification or other similar action or promulgating any rule or regulation, standard or criterion.”

conduct or participate in an event of more than 20 people on state lands; individuals seeking to sponsor, conduct or participate in a research project on State lands; individuals seeking to sponsor, conduct or participate in: advertising, weddings, commercial film making activities or film making activities that exclude other public use of the area, and other similar events, must receive authorization from the Department.

F. GUIDANCE FOR DEC PERSONNEL TO MANAGE PUBLIC'S NON-ADMINISTRATIVE COMMERCIAL USE OF UAS ON STATE LANDS

In accordance with 6 NYCRR 190.8(ae), any member of the public requesting non-administrative commercial use of UAS on State Lands owned, managed or maintained by the Department,³ is required to apply for a Temporary Revocable Permit (TRP) before permission may be granted. All other non-administrative commercial use of UAS on State Lands owned, managed, or maintained by the Department is prohibited.

The Department issues TRPs in its sole discretion for the temporary use of State Lands only for activities that are in compliance with all constitutional, statutory and regulatory requirements; the Adirondack and Catskill State Land Master Plans; adopted Unit Management Plans and Recreation Management Plans; the Adirondack Park Agency/DEC MOU; Department policies; approved work plans and guidance documents; and that have negligible or no permanent impact on the environment. TRPs are subject to all other applicable state and federal requirements and subject to any required federal, state or local permit requirements.

1. Individuals seeking to conduct non-administrative commercial UAS use on State Lands must obtain a TRP in accordance with Environmental Conservation Law (ECL) Articles 3, 9, 11 and 51 and 6 NYCRR 190.8(ae)⁴. Such TRP application shall also include a UAS Mission Planning form. The UAS Mission Planning Form shall be submitted to the Aviation Coordinator for review and approval before a TRP can be issued.
2. The applicant must follow all Special Terms and Conditions for UAS operations on State Lands. Such Special Terms and Conditions shall include a UAS Mission Planning Form.

G. GUIDANCE FOR DEC PERSONNEL TO MANAGE PUBLIC'S NON-ADMINISTRATIVE RECREATIONAL USE OF UAS ON STATE LANDS

Any member of the public using UAS for recreational use on State Lands owned, managed or maintained by the Department must be in compliance with existing DEC statutes, regulations and policies and any other applicable Federal and/or State statutes. If required by existing statute, regulation or other legal requirement, the public will be required to obtain a TRP from the Department for the use of UAS on State Lands owned, managed, or maintained by the Department, unless otherwise prohibited.

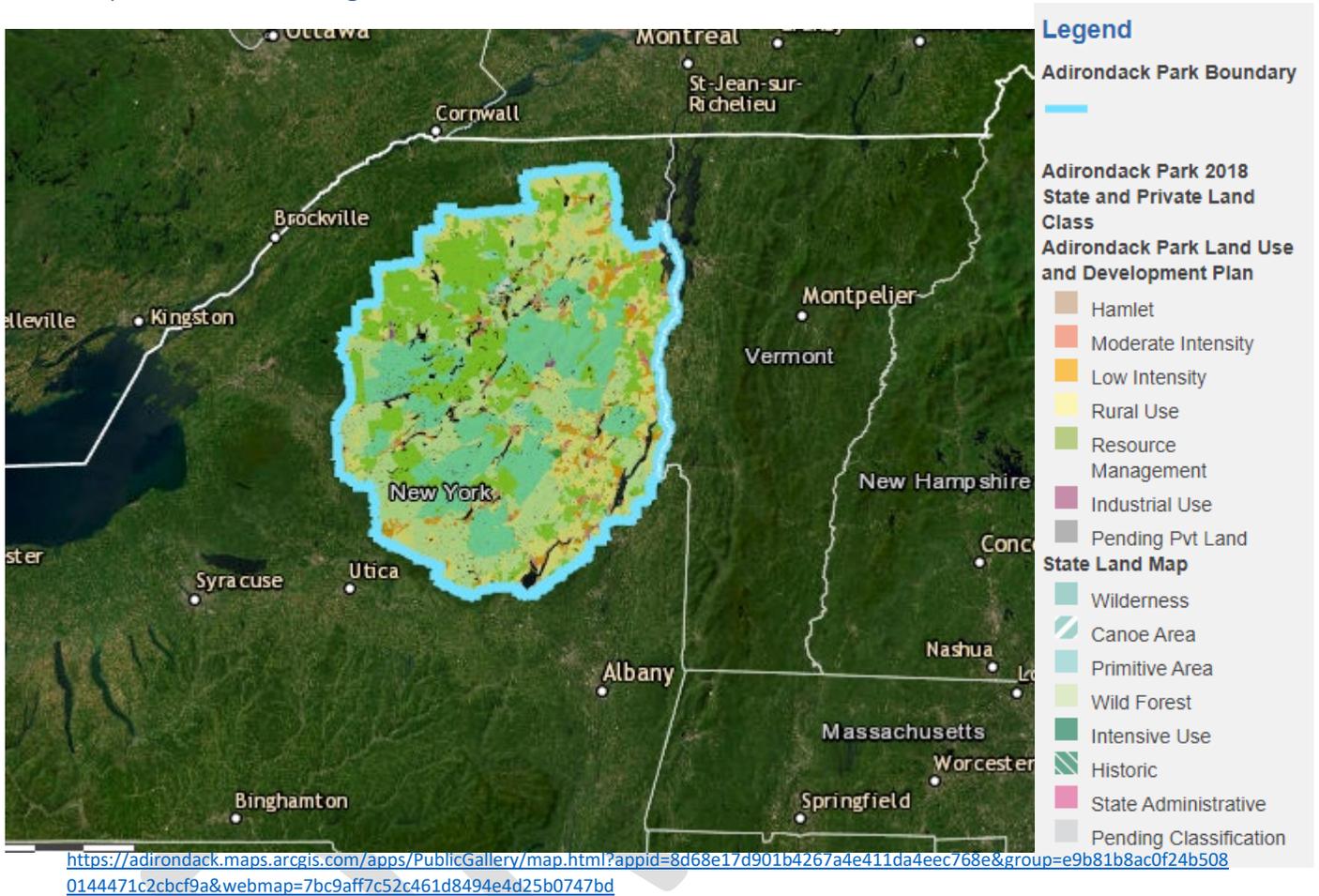
Any member of the public proposing to use UAS on such State lands should contact the local DEC regional office to determine if any legal requirements apply. The Department issues TRPs in its sole

³ 6 NYCRR 190.8(ae) "On State lands, no person shall sponsor, conduct, or participate in: advertising, weddings, commercial film making activities or film making activities that exclude other public use of the area, and other similar events, except under permit from the Department."

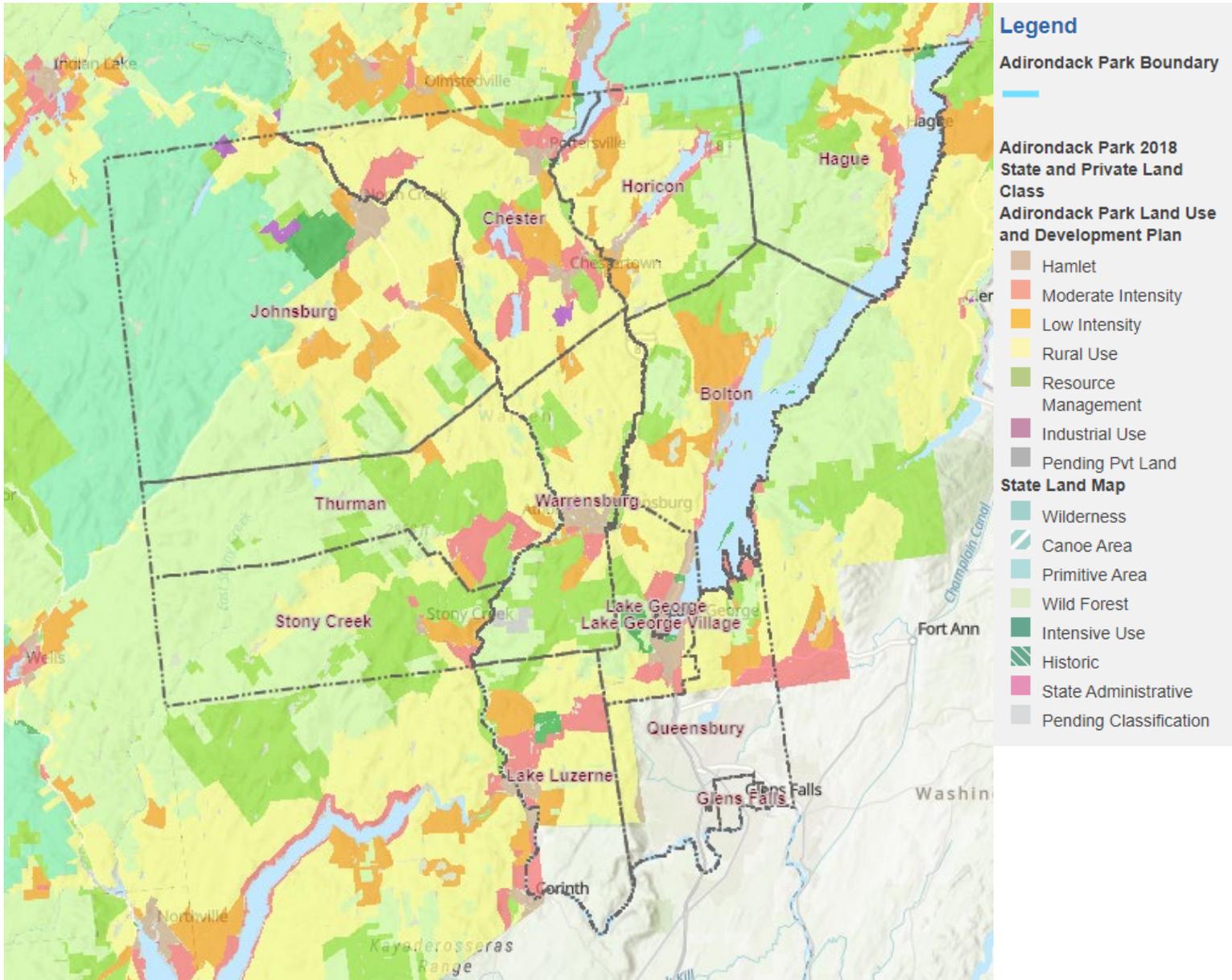
⁴ Please refer to DEC Program Policy ONR-3 for additional guidance on how to submit an application for a TRP.

Appendix D: Map of Adirondack Park Region

Map of Entire APA Region



Map of APA in Warren County



<https://adirondack.maps.arcgis.com/apps/PublicGallery/map.html?appid=8d68e17d901b4267a4e411da4eec768e&group=e9b81b8ac0f24b5080144471c2cbcf9a&webmap=7bc9aff7c52c461d8494e4d25b0747bd>

Appendix E: Forest Preserve Classifications

The following are the classifications of restricted areas in the APA according to NYS DEC and the Adirondack Park State Land Master Plan (APSLMP):

Wilderness:

A wilderness area, in contrast with those areas where man and his own works dominate the landscape, is an area where the earth and its community of life are untrammelled by man - where man himself is a visitor who does not remain. A wilderness area is further defined to mean an area of state land or water having a primeval character, without significant improvement or protected and managed so as to preserve, enhance and restore, where necessary, its natural conditions, and which

1. generally, appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
2. has outstanding opportunities for solitude or a primitive and unconfined type of recreation;
3. has at least ten thousand acres of contiguous land and water or is of sufficient size and character as to make practicable its preservation and use in an unimpaired condition; and
4. may also contain ecological, geological or other features of scientific, educational, scenic or historical value.

Wild Forest:

A wild forest area is an area where the resources permit a somewhat higher degree of human use than in wilderness, primitive or canoe areas, while retaining an essentially wild character. A wild forest area is further defined as an area that frequently lacks the sense of remoteness of wilderness, primitive or canoe areas and that permits a wide variety of outdoor recreation.

Canoe (Adirondacks only)

A canoe area is an area where the watercourses or the number and proximity of lakes and ponds make possible a remote and unconfined type of water-oriented recreation in an essentially wilderness setting. The terrain associated with parcels meeting the above definition is generally ideally suited to ski touring and snowshoeing in the winter months.

Primitive (Adirondacks only)

A primitive area of land or water that is either:

1. Essentially wilderness in character, but
 - a. contains structures, improvements, or uses that are inconsistent with wilderness, as defined, and whose removal, though a long-term objective, cannot be provided for by a fixed deadline; and/or
 - b. contains, or is contiguous to, private lands that are of a size and influence to prevent wilderness designation; or,
2. Of a size and character not meeting wilderness standards, but where the fragility of the resource or other factors require wilderness management.

<https://dec.ny.gov/nature/forests-trees/dec-land-stewardship/state-land-classifications>

Appendix F: Related Information

FAA Section 44807: Special Authority for Certain Unmanned Aircraft Systems

https://www.faa.gov/uas/advanced_operations/certification/section_44807

14 CFR Part 107 Small Unmanned Aircraft Systems

<https://www.ecfr.gov/current/title-14/chapter-I/subchapter-F/part-107>

Certificated Remote Pilots including Commercial Operators

https://www.faa.gov/uas/commercial_operators

DRAFT

Appendix G: Drone Pilot Pre-flight Checklist

The following shall be checked prior to any flight with a Warren County OES UAS:

Drone Pre-Flight Checklist

Location

Address:

Street Address: _____

City, State, Zip: _____

Weather: _____

Wind Speed: _____

- Within 5 miles of a major airport? Yes No
- If yes: Control tower permission? Yes No

Pre-Flight Checklist

- Weather: Is wind speed appropriate for flight? Yes No
- Weather: Is there rain on the way? Yes No
- Drone: Free of visible defects? Yes No
- Drone: Batteries fully charged? Yes No
- Drone: Propellers properly tightened? Yes No
- Drone: Camera mounted properly? Yes No
- Drone: SD card in camera? Yes No
- Drone: Gimbal Cover Removed? Yes No
- Drone: Battery Inserted? Yes No
- Interference: Clear of towers or objects? Yes No
- Zone: FAA approved drone zone? Yes No
- Zone: Ceiling height established? Yes No
- Launch: Flat surface at launch site? Yes No
- Launch: Safe launch and return site? Yes No
- Launch: Launch site clear of people and objects? Yes No

FLY

- Fly: Cleared for takeoff? Yes No

Operator Name: _____

Signature: _____

Date: ____/____/____

Time: _____ AM/PM

Appendix H: Drone Pilot Post-Flight Checklist

The following shall be checked prior to any flight with a Warren County OES UAS:

Drone Post-Flight Checklist

Location

Address:

Street Address: _____

City, State, Zip: _____

- Within 5 miles of a major airport? Yes No
- If yes: Control tower permission? Yes No

Post-Flight Checklist

- Landing: Is it safe to land? Yes No
- Landing: All people and objects are away from drone? Yes No
- Drone: Powered Down? Yes No
- Drone: Battery Removed? Yes No
- Drone: Controller turned off? Yes No
- Drone: Any damage or defects? Yes No
- Drone: Can the gimbal rotate freely? Yes No
- Drone: Is the drone and sensor clean? Yes No
- Drone: Is the drone dry? Yes No
- Drone: Is the Gimbal protector reinstalled? Yes No
- Storage: Is the drone placed in its storage case? Yes No
- Log: Has the flight log been completed? Yes No

Flight Incidents

- Fly: Were there any flight incidents or issues? Yes No
- Occurrence: _____

Operator Name: _____

Signature: _____

Date: ____/____/____

Time: _____ AM/PM

