

Protocols to Respond to

News Media and Video and Film Company Requests

to fly Unmanned Aircraft Systems (UAS)

on National Forest System Lands

\*Inform the Forest aviation staff, Forest Supervisor, and District Ranger of the request and secure their commitment to developing a collaborative response to it. Engage the Forest/District special uses staff in case a special use authorization is required consistent with 36 Code of Federal Regulations (CFR) 251.50, Forest Service Manual (FSM) 2700, and Forest Service Handbook (FSH) 2709.11 and .14 direction. All UAS operations, activities, concerns, or requests shall be coordinated through the Regional Aviation Officer (RAO), so ensure they are engaged as well (see list of RAOs at the end of this document).

\*Ask news media and video and film production companies if they are requesting to fly a UAS under the Small UAS rule (Part 107) or under a Section 333 grant of exemption. If they are requesting to fly a UAS under the Small UAS rule (Part 107), request proof that they meet all of the requirements outlined at <http://www.faa.gov/uas/getting_started/fly_for_work_business/> and <http://www.faa.gov/uas/media/Part_107_Summary.pdf>

This includes the UAS being registered; the pilot holding a remote pilot airman certificate with a small UAS rating or being under the direct supervision of a person who holds a remote pilot certificate; and a waiver if they are requesting to fly over people. If they are requesting to fly a UAS under a Section 333 grant of exemption, request a copy and ensure that all requirements are met.

Note: The FAA has determined that news media, as well as video and film production companies, cannot fly UAS under guidelines to fly for fun or recreation. Additional information is available at <http://www.faa.gov/uas/faqs/#fwb>

News media representatives that want to discuss this further should contact the FAA Public Affairs office in Washington, DC at (202) 267-3883.

\*If the news media outlet or video or film production company does not meet all of the requirements to fly under either the Small UAS rule (Part 107) or a Section 333 grant of exemption, inform them that the U.S. Forest Service cannot consider their request.

\*If you confirm that a news media outlet or video or film production company meets the Small UAS rule (Part 107) or Section 333 grant of exemption requirements, Forest aviation staff should contact the RAO to engage the FAA and/or ensure that all additional FAA requirements are met and/or permissions are obtained. If all of the additional FAA requirements cannot be met and/or permissions cannot be obtained, inform the news media outlet or video or film production company that the U.S. Forest Service cannot consider their request. If all of the FAA requirements are met and/or permissions are obtained, news media outlets or video or film production companies that seek to launch, operate, and/or land UAS on National Forest System land must request a special use authorization from the U.S. Forest Service, which will be evaluated in accordance with agency and FAA requirements to determine if use will be approved. If use is approved, work with the Forest and Regional Office aviation staff, Forest Supervisor, District Ranger, and news media outlet or video or film production company to identify any needed measures to ensure that the UAS is flown safely. If a special use authorization is required, safety measures should be incorporated into the operating plan. Note that UAS are considered to be both “motorized equipment” and “mechanical transport” as such they cannot take off from, land in, or be operated from congressionally designated Wilderness Areas.

\*Typically, a Temporary Flight Restriction (TFR) is put in place over wildfires that restricts certain aircraft from operating within a defined area on a temporary basis. Under FAA regulations (14 CFR part 91, Section 91.137 <https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC91-63C.pdf> ), video and film production companies are not permitted to fly manned aircraft or UAS within a TFR as they are not considered to be “participating aircraft.” However, under these regulations, properly accredited news representatives may be permitted to fly UAS within TFRs as long as they meet certain requirements. These requirements are outlined in FAA Advisory Circular 91-63C Appendix 1, Section 91.137 – Temporary Flight Restrictions in the Vicinity of Disaster/Hazard Areas 5(5) <https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC91-63C.pdf> These requirements, which were written for manned aircraft and apply to UAS, are that “The aircraft is carrying properly accredited news representatives, and before entering the area, a flight plan is filed with the ATC/FSS facility specified in the NOTAM, and the operation is conducted above the altitude used by the disaster relief aircraft, unless otherwise authorized by the official in charge of on-scene emergency response activities.”

U.S. Forest Service RAOs

Northern Region (R1)

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