

Forest Service worried about public using drones

By Erica Hupp

Before heading to the woods to fly a recreational drone, U.S. Forest Service officials ask pilots to comply with all Federal Aviation Administration regulations.

The FAA has regulatory authority over all airspace, including recreational use of airspace by drones. Information is available **online**.

When flying recreational unmanned aircraft systems (UAS) on National Forest System lands, there are some restrictions that pilots should be aware of. Since UAS are considered to be both “motorized equipment” and “mechanical transport,” they cannot take off from, land in, or be operated from congressionally designated wilderness areas.

“Designated wilderness provides opportunities for primitive types of recreation, which is a much needed contrast from our increasingly developed and mechanized world,” said Jamie Fields, recreation and Wilderness program manager. “Pilots should also refrain from flying recreational UAS in popular recreation areas for public safety and to allow others to enjoy their recreational experience.”

Additionally, UAS should not be flown over or near wildlife as this can create stress that may cause significant harm and even death. Disturbance, pursuit, or harassment of animals during breeding, nesting, rearing of young, or other critical life history functions is not allowed, and may be in violation of a number of laws including the Endangered Species Act, the Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act.

“If forest users want to use their UAS to search for or detect wildlife and fish, they need to follow state wildlife and fish agency regulations regarding the use of aircraft,” said Kris Boatner, wildlife program manager.

Recreational UAS must also abide by temporary flight restrictions (TFRs) in place by the FAA over disasters such as wildfires. In 2016, there were more than 40 documented instances of members of the public and others flying UAS without authorization over or near wildfires in 12 states (Arizona, California, Colorado, Idaho, Minnesota, Montana, Nevada, New Mexico, North Carolina, Utah, Washington, and Wyoming). This resulted in aerial firefighting operations being temporarily shut down on more than 20 occasions, which may have caused wildfires to grow larger and unduly threaten lives, property, and valuable natural and cultural resources.

Aerial firefighting aircraft, such as air tankers and helicopters, fly at very low altitudes, typically just a couple of hundred feet above the ground and in the same airspace as UAS flown by the public. That proximity creates the potential for a mid-air collision that could seriously injure or kill aerial and/or ground firefighters.

TFRs typically put in place during wildfires require manned or unmanned aircraft not involved in wildfire suppression operations to obtain permission from fire managers to enter specified airspace. The FAA, the U.S. Forest Service, the U.S. Department of the Interior, and other wildland fire management agencies consider UAS, including those used by the public for hobby and recreation purposes, to be aircraft and therefore subject to TFRs.

People should not fly UAS over or near wildfires even if a TFR is not in place because of the potential for accidents and disruption of suppression operations. Individuals who have been determined to have interfered with wildfire suppression efforts may be subject to civil penalties of up to \$25,000 and

potential criminal prosecution.

To keep UAS pilots aware of flight restrictions, the FAA has developed an easy-to-use smartphone app called B4UFLY. The app helps unmanned aircraft operators determine whether there are any restrictions or requirements in effect at the location where they want to fly. B4UFLY is available for free download.

Tips for responsible hobby or recreational use of UAS on NFS lands:

- UAS must be flown below 400 feet and remain clear of surrounding obstacles.
- Do not fly any aircraft weighing more than 55 pounds (total weight, including payload and fuel source).
- Launch the UAS more than 328 feet from wildlife. Do not approach animals or birds vertically with the UAS.
- Keep your UAS within your visual line of sight at all times.
- Take lessons and learn to operate your UAS safely.
- Remain well clear of and do not interfere with manned aircraft operations.
- Fly your UAS at least five miles from an airport or backcountry airstrip.
- Keep your UAS away from populated and noise-sensitive areas, such as campgrounds, trailheads, and visitor centers.
- Obey all privacy laws.

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