

Unmanned Aircraft Systems (Drones) in State Parks

Drones are currently allowed in State Parks, State Beaches, State Historic Parks, State Recreational Areas, and State Vehicular Recreation Areas except where prohibited by a District Superintendent's posted order. Posted orders may prohibit drones for numerous reasons, including: protection of threatened species; threats to cultural and natural resources; high fire danger; public safety; recreational conflicts; impacts upon visitor experience privacy; and park unit classification. Therefore, drone users should always check with their local State Park District for any specific posted orders.

Drones in State Wilderness Areas, Natural Preserves, and Cultural Preserves:

State Park regulations prohibit the use of motorized equipment (including UASs) within wilderness areas, cultural preserves, and natural preserves (Cal. Code Regs. tit. 14, § 4351.) Therefore, drone users should always check the designation of the park unit before operating a drone.

Recreational Drones:

California State Parks recommends that recreational drone users check with their local State Park District before operating a UAS within a State Park. Each park unit may have its own posted orders. Even absent a posted order on drones, it is within the discretion of park staff to contact drone operators when drones threaten visitors, property, wildlife, or privacy. If a drone operator continues to fly in a dangerous or reckless manner, they may be asked to stop flying and remove the drone from park boundaries.

It is recommended that recreational drone operators consult the Federal Aviation Administration (FAA) rules and regulations on the proper use of recreational drones and use common sense when operating these devices around crowded public areas, wildlife, or historic resources.

DPR requires compliance with the FAA guidelines for recreational Unmanned Aircraft Systems (http://www.faa.gov/uas/model_aircraft/):

- Fly below 400 feet and remain clear of surrounding obstacles;
- Keep the aircraft within visual line of sight at all times;
- Remain well clear of and do not interfere with manned aircraft operations;
- Do not fly within 5 miles of an airport unless you contact the airport and control tower before flying;
- Do not fly near people or stadiums;
- Do not fly in adverse weather conditions such as in high winds or reduced visibility;
- Do not fly under the influence of alcohol or drugs;
- Do not fly an aircraft that weighs more than 55 lbs;

- Do not fly near or over sensitive infrastructure or property such as power stations, water treatment facilities, correctional facilities, heavily traveled roadways, etc.;
- Do not be careless or reckless with your unmanned aircraft – you could be fined for endangering people or other aircraft;
- Do not conduct surveillance or photograph persons in areas where there is an expectation of privacy without the individual's permission.

Commercial Drones:

The FAA requires commercial drone operators to receive special authorization; either a Section 333 Exemption or a Special Airworthiness Certificate. The FAA defines commercial drone use as, among other things: filming for hire; selling aerial photography or videography; inspections for hire; surveying for hire; or flying to further a business purpose. Operating a drone for commercial purposes within a state park also requires a permit. Commercial Drone users must submit a copy of their FAA authorization to the appropriate State Park District(s). Depending on the proposed use, the District Superintendent may require a Special Event permit, Right of Entry permit, or other approval. Further, commercial photography or filming within State Park also requires a permit from the California Film Commission. (Cal. Code Regs. tit. 14, § 4316.)

Research Drones:

Drones may prove a valuable tool for scientific research and surveys. Operation of a drone for research purposes requires approval from the FAA. Before operating a drone for research purposes within a state park, please submit a copy of your FAA authorization to the appropriate State Park District(s). California State Parks requires a scientific collection permit (DPR 65) for any scientific research and surveys within a State Park.

Public Agency Drones:

The FAA requires public entities to obtain a Certificate of Waiver or Authorization (COA) to operate public aircraft. Before operating a drone for governmental purposes within a state park, please submit a copy of your COA to the appropriate State Park District(s).