



Parks &
Open Space

Unmanned Aircraft
Systems (UAS) Policy
and
Process for Review
of Requests to use
UAS on County Open Space

Approved by Parks & Open Space Advisory Committee on January 28, 2016
Approved by the Board of County Commissioners on April 12, 2016

Summary

This policy provides direction for the use and regulation of unmanned aircraft systems (UAS) on Boulder County's open space properties. It guides Boulder County Parks and Open Space (BCPOS) to allow and permit this use for specific purposes, while protecting resources and visitor experiences. It also describes a framework for managing this use in an appropriate and publically acceptable manner and for determining its ongoing use in the future. Use of UAS on open space will only be allowed for activities that contribute to the understanding or management of BCPOS properties or resources and in situations in which UAS provide a better or more cost effective alternative for gathering remotely sensed information. This includes uses such as natural resource monitoring and research, resource management activities, agricultural operations, and for leased activity uses at the Fairgrounds. The operation of UAS for all other unpermitted uses (including recreational or hobby uses) will remain prohibited on BCPOS properties.

This Policy shall be periodically reviewed and revised, as needed, in response to scientific and technological developments, new agricultural methods and techniques, new regulatory or legal guidance, environmental changes, and the evolution of community goals for county open space.

Goals and Objectives

1. Safety

UAS use must not jeopardize the health, safety, and welfare of either county open space visitors or resources.

- A. UAS operators on BCPOS properties must comply with this policy, the department's Rules and Regulations, the department's UAS regulations, and all local, state, and federal laws, including Federal Aviation Administration (FAA) regulations.
- B. UAS operators must immediately cease operation on county open space when requested to do so by authorized personnel of BCPOS or the Boulder County Sheriff's Office.
- C. UAS operators assume all the risks associated with use on county open space and must meet Boulder County insurance requirements. Operators of UAS on county lands will be financially responsible for damage or injuries to persons, structures, vehicles and resources caused by negligent actions.

2. Acceptable Uses

UAS will only be permitted for activities that contribute to the understanding or management of BCPOS properties or resources. This includes scientific uses such as natural resource monitoring and research, resource management activities, agricultural

operations, and for leased activity uses at the Fairgrounds. In addition, proposed UAS operations will be evaluated to determine their need, value, efficiency, and cost-benefit in the acquisition of high-resolution information.

- A. An interdisciplinary team of BCPOS staff will review each request to use UAS on open space properties. This team will evaluate each request (including internal BCPOS requests) to determine its necessity and suitability as well as its conformance with BCPOS policies and the department's mission. BCPOS will have final discretion to approve or deny any and all UAS operation on open space properties. Approved UAS operations must be permitted by BCPOS.
- B. For the Boulder County Fairgrounds specifically, UAS use can be permitted for other uses in facility lease contracts but only after the BCPOS interdisciplinary team has reviewed the proposed use and determines it will not have significant resource or visitor impacts.
- C. Authorized emergency operation of UAS is considered an acceptable use.

3. Protection of Resources and Recreation

Since the protection of cultural and natural resources and providing recreational opportunities are components of the primary mission of BCPOS, the Department will only approve and permit UAS operations which do not diminish these values or their enjoyment by the visiting public.

- A. An interdisciplinary team of BCPOS staff will review each UAS request to assess the proposed operation's impacts to natural resources and visitor use.
- B. Following the review and evaluation by the BCPOS interdisciplinary team and the department's management staff, only those UAS operations which have no unacceptable impacts to sensitive sites, cultural and environmental resources, popular locations and trails, and visitor use will be approved and permitted. Decisions will be based on current research and will continuously incorporate new research.
- C. BCPOS approval and permission for UAS operation only applies to Boulder County Open Space. BCPOS cannot permit or authorize use on adjacent private property or other public lands.
- D. UAS operations will be allowed on fee-owned lands and, when proposed by the underlying landowners, on properties with conservation easements.
- E. BCPOS will designate a staff person to be a liaison to the UAS operator. The department's liaison will make periodic field inspections of the permitted UAS operations and as needed, provide direction and guidance. The liaison will also act as the Department's contact for public and staff inquiries.

- F. UAS operators must immediately cease operation on county open space when any authorized member of BCPOS informs the UAS operator that its use is posing a threat to a natural resource.

4. Privacy, Data Management, and Program Monitoring

UAS operations that are permitted by BCPOS are only authorized to collect information for approved uses on approved properties. UAS operations must comply with all federal, state, and local laws, including data management. BCPOS will collect public feedback about permitted UAS operations and monitor and document impacts on county open space, such as visitor experiences and wildlife responses to UAS operations. This information will be saved and used to monitor the program and continually assess its impacts and benefits.

- A. The Department will designate a staff liaison to monitor UAS uses, activities and impacts.
- B. Permitted UAS operations may only collect information related to the permitted activity. Collection, use, dissemination, and retention of UAS-recorded data will be limited to data legally acquired and relevant to the approved operation.
- C. UAS-collected information will not be disseminated outside of BCPOS unless it is required by law or fulfills an authorized purpose and complies with both this policy and the permitted use.
- D. BCPOS will provide notice to the public concerning where and when UAS are authorized to operate on county open space.
- E. BCPOS will annually inform the public about the number, location, and types of UAS operations permitted each year.

5. County UAS Program

If Boulder County in the future decides to adopt a countywide UAS program and/or policies, this policy shall be interpreted to be consistent with the county's policies. To the extent of any conflict between the BCPOS policy and a countywide policy, until such time as the BCPOS policy is amended to be consistent, the countywide policy shall control.

Procedure

Every request to use UAS on Boulder County Open Space will require a representative from the operating organization to complete an "Application for UAS Authorization". The completed form will explain the purpose of the proposed mission, type of equipment, etc.

Most UAS operations will also require a Research Permit to perform work on county open space.

Each UAS application must be reviewed by an interdisciplinary team of BCPOS staff specifically designated for such purpose—the UAS Advisory Team. Following the review and evaluation of the application and proposed mission, the team will make a recommendation to the department director who will, at their discretion, either issue the permit, request changes to the mission, or deny the application within 30 days. The Advisory Team’s review of the proposed UAS operation will consider all of the goals and objectives in the policy including impacts on natural resources, adjacent properties, and visitors. An approved mission will include a range of dates and times and locations that are acceptable for the proposed use. Approved missions will also include an agreement on how information collected with UAS is managed and stored.

The Federal Aviation Administration (FAA) governs the use of public and civilian UAS operations. UAS missions permitted by BCPOS may be flown by public or civilian operators that have received FAA authority to operate.

Procedural requirements:

- Applicants must submit the proper forms and request all of the appropriate permits for a mission.
- BCPOS will notify the public of all approved missions.
- Operating times and locations for each mission will be reviewed as part of the application process. Applicants may be requested to amend mission times and locations due to resource and public safety concerns.
- BCPOS will designate a staff person to be a liaison to the requesting organization. The department’s liaison will make periodic field inspections of the permitted UAS operations and as needed, provide direction and guidance. The liaison will also act as the department’s contact for public and staff inquiries. The staff liaison has the authority to immediately stop missions if in their opinion the operators are not in compliance with the approved permit and its conditions.
- All missions will adhere to the FAA conditions of the approved operation, in addition to any restrictions or limitations stipulated by BCPOS.

Terms of Reference:

1. Boulder County Parks and Open Space (BCPOS):

2. **Unmanned Aircraft System (UAS):** an unmanned aircraft and associated elements, including communication links and the components that control the unmanned aircraft, which are required for the pilot to operate safely and efficiently in the airspace.
3. **Certificate of Waiver or Authorization (COA):** an authorization issued by the Air Traffic Organization to an operator for a specific unmanned aircraft activity.
4. **Federal Aviation Administration (FAA):** the national aviation authority of the United States. An agency of the United States Department of Transportation, it has authority to regulate and oversee all aspects of American civil aviation.