

## **(UAS) Small Unmanned Aircraft Systems Policy #25-005**

### **POLICY**

Only trained and authorized agency personnel may deploy a UAS when such use is appropriate in the performance of their official duties, and where deployment and use, and the collection and use of any audio / video recordings or other data originating from or generated by the UAS comply with the policy provisions provided herein and applicable law.

### **PROCEDURES**

#### **I. DEFINITIONS:**

- A. Small Unmanned Aircraft (UA):** A UA weighing less than 55 pounds, including everything that is onboard or otherwise attached to the aircraft, and can be flown without the possibility of direct human intervention from within or on the aircraft.
- B. Small Unmanned Aircraft System (UAS):** A small UA and its associated elements (including communication links and the components that control the small UA) that are required for the safe and efficient operation of the small UA in the NAS.
- C. Remote Pilot-in-Command (Remote PIC):** A person who holds a remote pilot certificate with a UAS rating and has final authority and responsibility for the operation and safety of an UAS operation conducted under 14 CFR 107.
- D. Visual Observer (VO):** A person acting as a flight crew member who assists the small UA Remote PIC to see and avoid other air traffic or objects aloft or on the ground.
- E. Remote Pilot Certificate:** A person acting as a Remote PIC of an UAS under 14 CFR 107 must receive remote pilot training from an authorized Estacada Fire District representative prior to UAS operation.
- F. Certificate of Waiver or Authorization (COA):** COA is an authorization issued by the Air Traffic Organization to a public operator for a specific UA 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.

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## II. ADMINISTRATION:

All deployments of an UAS must be specifically authorized by the Fire Chief or his designee. Estacada Fire District has adopted the use of UAS to provide an aerial visual perspective in responding to emergency situations and exigent circumstances.

Information collected via UAS shall be consistent with and relevant to the following authorized purposes:

- A. **Situational Awareness:** To assist decision makers (e.g., incident command staff; first responders; city, county, and state officials) in understanding the nature, scale, and scope of an incident—and for planning and coordinating an effective response.
- B. **Search and Rescue:** To assist missing person investigations and search and rescue missions.
- C. **Tactical Deployment:** To support the tactical deployment of personnel and equipment in emergency situations (e.g., wildland fire incidents, support for large-scale tactical operations, and other temporary perimeter security situations).
- D. **Visual Perspective:** To provide an aerial visual perspective to assist incident command in providing direction at events/incidents where public safety is at risk, traffic incident management, fire suppression, hazardous conditions assessments (i.e. hazardous materials incidents).
- E. **Scene Documentation:** To document a large or major incident scene (e.g., disaster management or incident response.)
- F. **Non-Emergency/Routine Use:** Conduct fire prevention, code enforcement, and inspection of solar and energy storage systems, progress of construction projects that require compliance. Use of data gathered for internal training (i.e. post incident analysis), educational, and public relations purposes.
- G. **Training:** Pilots are expected to routinely train and fly to keep current with departmental equipment & technology. Training flights around the Fire District or from other town-owned property may occur during the day and nighttime depending on needs.

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### III. USE OF UAS

- A. Estacada Fire District must obtain applicable authorizations, permits, or certificates required by the Federal Aviation Administration (FAA) prior to deploying or operating the UAS, and these authorizations, permits, and certificates shall be maintained and current.
  - B. Oregon Department of Aviation (ODA) Registration and Reporting
    - 1. State Registration:

All Unmanned Aircraft Systems (UAS) operated by the Estacada Fire District shall be registered annually with the Oregon Department of Aviation, as required by ORS 837.360.
    - 2. Annual Usage Reporting:

The Estacada Fire District shall submit an annual report to the Oregon Department of Aviation detailing the use of UAS, including the number of flights, purposes, and any incidents, in accordance with ORS 837.360.
    - 3. Compliance:

The Fire Chief or designee shall ensure that all UAS operations comply with applicable state and local laws, including registration, reporting, and any additional requirements established by the Oregon Department of Aviation.
  - C. The UAS will be operated only by personnel who have been designated a Remote PIC.
  - D. The Department will ensure that all UAS are registered with the FAA as required by 14 CFR 107. Only UAS owned by and registered to the Department shall be authorized for use by members of the Department and/or for Department use.
  - E. The UAS mission requests shall be authorized by the on-duty officer or authorized supervisory personnel. The Chief of Fire, or authorized supervisory personnel, shall:
  - F. Assign a Remote PIC to the mission once the mission is approved; and
    - 1. When possible, assign a Visual Observer (VO) to the mission; and
    - 2. Ensure all missions are flown in accordance with FAA regulations including, but not limited, to 14 CFR 107.
  - G. All UAS missions will be flown in strict compliance with all FAA Regulations including but not limited to 14 CFR 107. The Remote PIC has final authority and responsibility for the operation and safety of an UAS operation conducted under 14 CFR 107.
  - H. All missions will be flown with a Remote PIC and whenever possible, at least one (1) Visual Observer (VO).
  - I. The Remote PIC assigned to the mission shall inspect and test the UAS equipment prior to each deployment to verify the proper functioning of all equipment and the airworthiness of the device.
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- J. The UAS equipment is the responsibility of Remote PIC operating the UAS and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the Fire Chief or his/her designee as soon as possible so that an appropriate repair can be made or a replacement unit can be procured.
  - K. When engaged in UAS operations, missions, and/or training, the command and control concerning deployment and operational tactics utilized shall be determined by the Fire Chief, or his/her designee.
  - L. The UAS equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Estacada Fire District.
  - M. All flights will be documented on a form or database designed for that purpose, and all flight time shall be accurately recorded. In addition, each deployment of the UAS shall include information regarding the reason for the flight; the time, date, and location of the flight; the name of the supervisor approving the deployment and the staff assigned; and a summary of the activities covered, actions taken, and outcomes from the deployment. The CCOM CAD incident number associated with the flight shall also be documented in the log.
  - N. Except for those instances where officer safety or investigation could be jeopardized—and where reasonably possible and practical, the Department should consider notifying the public of the deployment.
  - O. Mutual Aid Requests - Requests for UAS assistance in support of Federal, State, local, tribal, or territorial government operations shall be evaluated by the Fire Chief or his designee. Requests shall be relevant to authorized purposes as defined previously. Should the request involve an immediate threat to life or property, the UAS operator is authorized to accept or decline the request. Proper policy and procedure, as well as FAA regulations shall be followed when accepting mutual aid support for the UAS. Upon completion of the mission, the agency that requested support must request mission data in writing. This data will be released according to applicable laws, regulations, and department policies.

#### **IV RESTRICTIONS ON USE OF UAS**

- A. The UAS shall be deployed and used only to support official fire, law enforcement, and public safety missions.
  - B. The UAS shall not be operated in an unsafe manner or in violation of FAA rules.
  - C. The UAS shall not be equipped with weapons or dispersal payloads of any kind.
  - D. 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
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grievances (i.e. protests, demonstrations).

- E. Collection, use, dissemination, or retention of UAS-recorded data should not be based solely on individual characteristics (i.e. race, ethnicity, national origin, sexual orientation, gender identity, religion, age or gender), which is a violation of the law.

## **V. TRAINING**

- A. Department members selected to be Remote PICs shall:
  - 1. Be properly trained as required by 14 CFR 107.
  - 2. Satisfy and maintain all conditions issued by the FAA, if applicable.
  - 3. Have a working knowledge of the airspace intended for operations and Air Traffic Control communication requirements; and
  - 4. Have the ability to obtain and interpret weather information.
- B. Department Members selected to be Visual Observers (VO) shall:
  - 1. Be properly trained in the requirements of 14 CFR 107, and such other current FAA regulatory requirements, if any; and
  - 2. Satisfy and maintain all the conditions issued by the FAA, if applicable.
- C. All UAS supervisory personnel shall be trained in the local and federal laws and regulations, as well as the policies and procedures governing the deployment and use of UAS.

## **VI. ACCIDENT NOTIFICATION, INVESTIGATION, & COMPLAINTS**

In the event of a crash/incident involving fatalities, injuries, property damage, damage to the UAS or UAS fly-away, the Remote PIC shall:

- A. Report the crash/incident immediately to the officer's supervisor.
- B. When applicable, notify the FAA in compliance with 14 CFR 107; and
- C. Complete and submit an incident report to the Fire Chief, or his/her designee, within forty-eight (48) hours.

In the event of a complaint or concern received from the public regarding UAS, department

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members will follow existing policy. (ERFD SOP 24-05)

## **VII. DIGITAL DATA PRESERVATION**

- A. All digital data including, but not limited, to photographs, video, flight logs, including GIS data, shall be processed and maintained according to existing department policies.
  - B. All digital data shall be securely downloaded at the completion of each mission and attached to the CCOM CAD incident number within the department's electronic record management system (ESO). The Remote PIC will record information for each file that shall include the date, time, location, and incident numbers or other mission identifiers, and identify the UAS personnel involved in the mission as part of the log.
  - C. Retention – Information collected using UAS shall not be retained for more than 180 days unless retention of the information is determined to be necessary to an authorized mission and or future training of the Estacada Fire District and must be maintained in a system of records covered by the Privacy Act (ESO), or is required to be maintained for a longer period by any other applicable law or regulation.
  - D. Members shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute UAS digital data without prior authorization and approval of the Fire Chief, or his/her designee. UAS collected information that is not maintained in a system of records covered by the Privacy Act shall not be disseminated outside of the fire district unless dissemination is required by law or fulfills an authorized purpose and compiles with Estacada Fire District requirements.
  - E. All access to UAS digital data must be specifically authorized by the Fire Chief, or his/her designee, and all access is to be audited regularly to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
  - F. The Estacada Fire District will regularly review data-sharing agreements or policies, data use policies, and record management policies applicable to UAS to ensure they conform to applicable laws, regulations, and policies.
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