

# **UNMANNED AIRCRAFT SYSTEMS (UAS) IN FAIRFAX COUNTY PARKS**

PUBLIC COMMENT MEETING, DECEMBER 11, 2017  
OAK VIEW ELEMENTARY SCHOOL

---

A Public Comment Meeting was held on the evening of December 11, 2017 to present the Park Authority's UAS initiative to the community. The public was then invited to share their comments, both generally and on whether UAS should be introduced at Lake Fairfax and Popes Head Parks. The meeting was attended by Park Authority Board and staff members, the public, and the press.

## **INTRODUCTIONS AND OPENING REMARKS**

Judy Pedersen, the Park Authority's Public Information Officer, introduced the staff members present and provided an overview of the evening's agenda and proceedings.

## **STAFF PRESENTATION**

Ryan Stewart, project manager, spoke on the Park Authority's recent study of UAS within the parks, its findings, and recommendations.

Click [here](#) to view the presentation.

## **COMMENTS**

Judy Pedersen facilitated the public comment session.

### **Speaker 1**

#### **Representing Northern Virginia Radio Control (NVRC)**

- NVRC is an organization with 200+ members and hosts events such as racing and scout outings
- NVRC hosts its site at Poplar Ford Park
- The organization practices self-policing
- For safety, a recommendation is to always have a visual spotter and not rely on cameras
- Safety guidelines include not allowing flight over and maintaining a minimum 25' distance from people
- Crashes always occur so it is important to keep UAS in their designated zones
- It is important to establish buffer zones

- A check In/check out process ensures documentation of who is flying
- Safety is the organization's primary concern

## **Speaker 2**

### **Representing the DC Area Drone User Group**

- The DC Area Drone User Group is part of a larger national group
- The group has established safety guidelines, such as keeping distance from people, and following specific rules for operating at night
- Group members follow FAA regulations
- It is important that flights do not impact natural resources
- The group's mission includes promoting STEM education
- UAS are used for many applications, not just recreation
- It is important to have areas for practice and training

## **Speaker 3**

### **Personal Comments**

- A rules-based system is important
- All activities have risk
- Training is important for county and nation
- The United States is behind other countries in UAS experience

## **Speaker 4**

### **Representing the Friends of Lake Accotink Park**

- All new inventions require rules and adopters
- Bird/UAS conflicts are an issue; there is a need to establish rules for UAS use and birds
- Lake Accotink is not good area for UAS because there are too many birds
- UAS can impact animals and wildlife such as bears
- UAS are good for research, education and enforcement

## **Speaker 5**

### **Personal Comments**

- UAS crash and have about a 1 year life span
- It is important to fly within boundaries
- Rules must be followed and enforced
- User fees would help defer the Park Authority's overhead costs
- For safety, pilots should rely on line of sight, not the camera
- Limits should be placed on UAS sizes and quantity

*(The speaker also submitted written comments for the record.)*

## **Speaker 6**

### **Personal Comments**

- Kids go to parks to do what they want anyway, so they need a place with regulations
- Each magisterial district should have UAS areas (2 each)
- It is important to promote education and classes more, and less focus on enforcement

## **Speaker 7**

### **Representing the Audubon Society of Northern Virginia**

- UAS have a negative impact on bird habitats and breeding patterns
- Wildlife inventories should be part of the site selection process
- Regulations are currently in flux
- The Park Authority does not have resources to monitor UAS use

*(The Audubon Society of Northern Virginia also submitted written comments for the record.)*

## **Speaker 8**

### **Personal Comments**

- The speaker mentors others in UAS use and competes in robotics
- UAS help children prepare for future careers in technology
- The speaker stated that UAS were banned across several Fairfax Parks because of a few users not following the rules and that “this does not represent most of us.”

*(The speaker also submitted a written statement for the record.)*

## **Speaker 9**

### **Personal Comments**

- The speaker is a neighbor of Popes Head Park. There are 14 homes in his subdivision
- UAS are more suitable for research than recreation
- The park hosts young children who should not be near UAS
- Popes Head Park is close to Fairfax County Parkway and aircraft flights to/from Dulles
- The speaker advised that UAS users will not claim responsibility for damages or injuries

## **Speaker 10**

### **Personal Comments**

- The speaker is a neighbor of Lake Fairfax Park

- UAS should not be at Lake Fairfax Park. The speaker recently recovered a model rocket from her yard; this is a safety concern
- The speaker believes that there is a Bald eagle nest in the park
- Lake Fairfax Park is near the no-fly zone
- The open fields need more buffering between them and the residences
- The speaker supports equestrian uses at Lake Fairfax

### **Speaker 11**

#### **Personal Comments**

- The speaker is a neighbor of Popes Head Park
- UAS have flown over the speaker's home, a privacy issue
- There are concerns over how rules will be enforced
- UAS use impacts wildlife
- This park is not a suitable location

### **Speaker 12**

#### **Personal Comments**

- The speaker is a helicopter pilot
- Flights over private property are a separate issue from flights over public parks
- FAA regulations and existing laws safeguard invasion of privacy
- The speaker spoke of the benefits in using UAS for STEM education

### **Speaker 13**

#### **Personal Comments**

- The speaker is a neighbor of Popes Head Park
- UAS are a privacy concern
- UAS use creates noise issues
- Speaker recommends a minimum land area for UAS use, perhaps 100 acres
- There are other public lands from which to fly UAS other than parks

### **Speaker 14**

#### **Personal Comments**

- UAS usage near children should not be allowed
- There are many issues at Popes Head Park such as crime
- Police should be used to monitor UAS use
- UAS would be better suited to parks larger than Popes Head

## **Speaker 15**

### **Personal Comments**

- The speaker has seen UAS flying at night in the area of Popes Head Park
- There are privacy concerns and the use of buffers will be important

## **QUESTIONS AND COMMENTS FROM THE PUBLIC**

Judy Pederson and Ryan Stewart answered questions from the public.

### **Q: Can UAS cameras see private property from park land?**

FCPA Answer: *This is dependent on many factors, from technology to pilot behavior. FAA regulations prohibit pilots from operating in ways that encroach on privacy, and current state laws exist for the same purpose.*

Comment: The Park Authority will need to rely on operators to adhere to safe practices.

### **Q: Are there any laws prohibiting UAS usage currently?**

FCPA: *The FAA controls the nation's airspace and provides rules for UAS use; however, landowners such as the Park Authority may control take offs and landings on their land.*

Comment: UAS organizations have rules that govern safety and usage. It is recommended that users belong to an organization.

### **Q: What actual laws does Virginia have regarding UAS [as it relates to nuisance and privacy]?**

FCPA: *Any criminal actions of users should be referred to local law enforcement. In cases of privacy and nuisance, existing laws cover criminal issues such as "Peeping Toms."*

Comment: Under current law, localities in Virginia may not regulate UAS until 2019.

### **Q: Is it the plan that only UAS clubs will be able to operate in the parks?**

FCPA: *Our study recommended a "pilot program" where activities would be supervised by a qualified organization at certain sites vetted by the Park Authority. Access guidance is to be determined. In addition, the public will be able to sign up for classes and camps through Parktakes.*

**Q: Is UAS usage for education vs. recreation being evaluated?**

FCPA: *Education is a key goal of this initiative, as well as the mission of our partners.*

Comment: I own land near Popes Head Park and observe low-flying helicopters. Is this a concern?

Response (from public): *FAA guidance prohibits UAS flights around manned aircraft and above 400 feet above ground level.*