



U.S. Department  
of Transportation

**Federal Aviation  
Administration**

800 Independence Ave., S.W.  
Washington, D.C. 20591

July 10, 2015

Exemption No. 11558A  
Regulatory Docket No. FAA-2015-0381

Mr. Timothy Lerma  
Lewanui  
1629 Mona Loop  
Hilo, HI 96720

Dear Mr. Lerma:

This letter is to inform you that we have granted your petition for an amendment. It explains the basis for our decision, describes its effect, and lists any changes to the original conditions and limitations.

By letter dated May 16, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of Lewanui (hereinafter petitioner or operator) for an amendment to your current exemption. That exemption from §§ 61.23(a) and (c), 61.101(e)(4) and (5), 61.113(a), 61.315(a), 91.7(a), 91.119(c), 91.121, 91.151(a)(1), 91.405(a), 91.407(a)(1), 91.409(a)(1) and (2), and 91.417(a) and (b) of Title 14, Code of Federal Regulations (14 CFR) allows the petitioner to operate a UAS to perform aerial data collection. You requested an amendment to add the DJI Phantom 3.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested amendment to the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the petitioner. The unmanned aircraft(s) authorized in the original grant are comparable in type, size, weight, speed and operating capabilities to those in this petition.

### **Airworthiness Certification**

In accordance with the statutory criteria provided in Section 333 of Public Law 112–95 in reference to 49 U.S.C. § 44704, and in consideration of the size, weight, speed, and limited operating area associated with the aircraft and its operation, the Secretary of Transportation has determined that this aircraft meets the conditions of Section 333. Therefore, the FAA

finds that relief from 14 CFR part 21, *Certification procedures for products and parts, Subpart H—Airworthiness Certificates*, and any associated noise certification and testing requirements of part 36, is not necessary.

### **Our Decision**

The FAA has determined that the justification for the issuance of Exemption No. 11558 remains valid and is in the public interest. Therefore, under the authority contained in 49 U.S.C. 106(f), 40113, and 44701, delegated to me by the Administrator, the operator is granted an amendment to add new aircraft to its UAS operations.

The operator shall add this amendment to its original exemption.

### **Conditions and Limitations**

All conditions and limitations within Grant of Exemption No. 11558 remain in effect except as follows. Condition No. 1 has been updated to reflect the additional aircraft.

Failure to comply with any of the conditions and limitations of this grant of exemption will be grounds for the immediate suspension or rescission of this exemption.

1. Operations authorized by this grant of exemption are limited to DJI Phantom 2, DJI Inspire 1, DJI S1000, DJI S900, and DJI Phantom 3 when weighing less than 55 pounds including payload. Proposed operations of any other aircraft will require a new petition or a petition to amend this exemption.

This exemption terminates on May 31, 2017, unless sooner superseded or rescinded.

Sincerely,

John S. Duncan  
Director, Flight Standards Service

May 16, 2015

U. S. Department of Transportation Docket  
Management System  
1200 New Jersey Ave., SE  
Washington DC 20590

Re: Additional aircraft to be listed on Lewanui UAS exemption #11558

Dear Sir or Madam:

We'd like to add another version of a sUA already listed on our exemption. We were approved to operate the DJI Phantom 2 and Inspire 1 series, all of which are being registered with the Registration Branch per our exemption. We'd like to add the Phantom 3, in addition to our already pending requests for the S1000 and S900 aircraft.

The Phantom 3 we are requesting possesses the same operating specs and weight criteria but with upgrades to the electronics making this aircraft even safer to operate than its predecessor.

I've attached the operating manual in the docket in addition to the previous request and operating manual for the S1000.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Timothy Lerma', with a stylized flourish at the end.

Timothy Lerma  
Lewanui