



U.S. Department
of Transportation
**Federal Aviation
Administration**

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

September 3, 2015

Exemption No. 12734
Regulatory Docket No. FAA-2015-1964

Mr. Brian D. Fiske III
32238 Renoir Road
Winchester, CA 92596

Dear Mr. Fiske:

This letter is to inform you that we have granted your request for exemption. It transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption, including the date it ends.

By letter dated May 18, 2015, you petitioned the Federal Aviation Administration (FAA) for an exemption. You requested to operate an unmanned aircraft system (UAS) to conduct sUAS flight training, agriculture, education, real estate and property insurance documentation photography, and videography, film and movie production, and demonstration flights.

See Appendix A for the petition submitted to the FAA describing the proposed operations and the regulations that the petitioner seeks an exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the petitioner.

Airworthiness Certification

The UAS proposed by the petitioner are the DJI Inspire 1 and the DJI Phantom 3 Professional.

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.

The Basis for Our Decision

You have requested to use a UAS for aerial data collection¹. The FAA has issued grants of exemption in circumstances similar in all material respects to those presented in your petition. In Grants of Exemption Nos. 11062 to Astraeus Aerial (*see* Docket No. FAA–2014–0352), 11109 to Clayco, Inc. (*see* Docket No. FAA–2014–0507), 11112 to VDOS Global, LLC (*see* Docket No. FAA–2014–0382), and 11213 to Aeryon Labs, Inc. (*see* Docket No. FAA–2014–0642), the FAA found that the enhanced safety achieved using an unmanned aircraft (UA) with the specifications described by the petitioner and carrying no passengers or crew, rather than a manned aircraft of significantly greater proportions, carrying crew in addition to flammable fuel, gives the FAA good cause to find that the UAS operation enabled by this exemption is in the public interest.

Having reviewed your reasons for requesting an exemption, I find that—

- They are similar in all material respects to relief previously requested in Grant of Exemption Nos. 11062, 11109, 11112, and 11213;
- The reasons stated by the FAA for granting Exemption Nos. 11062, 11109, 11112, and 11213 also apply to the situation you present; and
- A grant of exemption is in the public interest.

Our Decision

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. 106(f), 40113, and 44701, delegated to me by the Administrator, Mr. Brian D. Fiske III is granted an exemption from 14 CFR §§ 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), to the extent necessary to allow the petitioner to operate a UAS to perform aerial data collection. This exemption is subject to the conditions and limitations listed below.

Conditions and Limitations

In this grant of exemption, Mr. Brian D. Fiske III is hereafter referred to as the operator.

¹ Aerial data collection includes any remote sensing and measuring by an instrument(s) aboard the UA. Examples include imagery (photography, video, infrared, etc.), electronic measurement (precision surveying, RF analysis, etc.), chemical measurement (particulate measurement, etc.), or any other gathering of data by instruments aboard the UA.

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 the DJI Inspire 1 and a DJI Phantom 3 Professional 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.
2. Operations for the purpose of closed-set motion picture and television filming are not permitted.
3. The UA may not be operated at a speed exceeding 87 knots (100 miles per hour). The exemption holder may use either groundspeed or calibrated airspeed to determine compliance with the 87 knot speed restriction. In no case will the UA be operated at airspeeds greater than the maximum UA operating airspeed recommended by the aircraft manufacturer.
4. The UA must be operated at an altitude of no more than 400 feet above ground level (AGL). Altitude must be reported in feet AGL.
5. The UA must be operated within visual line of sight (VLOS) of the PIC at all times. This requires the PIC to be able to use human vision unaided by any device other than corrective lenses, as specified on the PIC's FAA-issued airman medical certificate or U.S. driver's license.
6. All operations must utilize a visual observer (VO). The UA must be operated within the visual line of sight (VLOS) of the PIC and VO at all times. The VO may be used to satisfy the VLOS requirement as long as the PIC always maintains VLOS capability. The VO and PIC must be able to communicate verbally at all times; electronic messaging or texting is not permitted during flight operations. The PIC must be designated before the flight and cannot transfer his or her designation for the duration of the flight. The PIC must ensure that the VO can perform the duties required of the VO.
7. This exemption and all documents needed to operate the UAS and conduct its operations in accordance with the conditions and limitations stated in this grant of exemption, are hereinafter referred to as the operating documents. The operating documents must be accessible during UAS operations and made available to the Administrator upon request. If a discrepancy exists between the conditions and limitations in this exemption and the procedures outlined in the operating documents, the conditions and limitations herein take precedence and must be followed. Otherwise, the operator must follow the procedures as outlined in its operating documents. The operator may update or revise its operating documents. It is the operator's responsibility to track such revisions and present updated and revised

documents to the Administrator or any law enforcement official upon request. The operator must also present updated and revised documents if it petitions for extension or amendment to this grant of exemption. If the operator determines that any update or revision would affect the basis upon which the FAA granted this exemption, then the operator must petition for an amendment to its grant of exemption. The FAA's UAS Integration Office (AFS-80) may be contacted if questions arise regarding updates or revisions to the operating documents.

8. Any UAS that has undergone maintenance or alterations that affect the UAS operation or flight characteristics, e.g., replacement of a flight critical component, must undergo a functional test flight prior to conducting further operations under this exemption. Functional test flights may only be conducted by a PIC with a VO and must remain at least 500 feet from other people. The functional test flight must be conducted in such a manner so as to not pose an undue hazard to persons and property.
9. The operator is responsible for maintaining and inspecting the UAS to ensure that it is in a condition for safe operation.
10. Prior to each flight, the PIC must conduct a pre-flight inspection and determine the UAS is in a condition for safe flight. The pre-flight inspection must account for all potential discrepancies, e.g., inoperable components, items, or equipment. If the inspection reveals a condition that affects the safe operation of the UAS, the aircraft is prohibited from operating until the necessary maintenance has been performed and the UAS is found to be in a condition for safe flight.
11. The operator must follow the UAS manufacturer's maintenance, overhaul, replacement, inspection, and life limit requirements for the aircraft and aircraft components.
12. Each UAS operated under this exemption must comply with all manufacturer safety bulletins.
13. Under this grant of exemption, a PIC must hold either an airline transport, commercial, private, recreational, or sport pilot certificate. The PIC must also hold a current FAA airman medical certificate or a valid U.S. driver's license issued by a state, the District of Columbia, Puerto Rico, a territory, a possession, or the Federal government. The PIC must also meet the flight review requirements specified in 14 CFR § 61.56 in an aircraft in which the PIC is rated on his or her pilot certificate.
14. The operator may not permit any PIC to operate unless the PIC demonstrates the ability to safely operate the UAS in a manner consistent with how the UAS will be operated under this exemption, including evasive and emergency maneuvers and maintaining appropriate distances from persons, vessels, vehicles and structures. PIC qualification flight hours and currency must be logged in a manner consistent with

14 CFR § 61.51(b). Flights for the purposes of training the operator's PICs and VOs (training, proficiency, and experience-building) and determining the PIC's ability to safely operate the UAS in a manner consistent with how the UAS will be operated under this exemption are permitted under the terms of this exemption. However, training operations may only be conducted during dedicated training sessions. During training, proficiency, and experience-building flights, all persons not essential for flight operations are considered nonparticipants, and the PIC must operate the UA with appropriate distance from nonparticipants in accordance with 14 CFR § 91.119.

15. UAS operations may not be conducted during night, as defined in 14 CFR § 1.1. All operations must be conducted under visual meteorological conditions (VMC). Flights under special visual flight rules (SVFR) are not authorized.
16. The UA may not operate within 5 nautical miles of an airport reference point (ARP) as denoted in the current FAA Airport/Facility Directory (AFD) or for airports not denoted with an ARP, the center of the airport symbol as denoted on the current FAA-published aeronautical chart, unless a letter of agreement with that airport's management is obtained or otherwise permitted by a COA issued to the exemption holder. The letter of agreement with the airport management must be made available to the Administrator or any law enforcement official upon request.
17. The UA may not be operated less than 500 feet below or less than 2,000 feet horizontally from a cloud or when visibility is less than 3 statute miles from the PIC.
18. If the UAS loses communications or loses its GPS signal, the UA must return to a pre-determined location within the private or controlled-access property.
19. The PIC must abort the flight in the event of unpredicted obstacles or emergencies.
20. The PIC is prohibited from beginning a flight unless (considering wind and forecast weather conditions) there is enough available power for the UA to conduct the intended operation and to operate after that for at least five minutes or with the reserve power recommended by the manufacturer if greater.
21. Air Traffic Organization (ATO) Certificate of Waiver or Authorization (COA). All operations shall be conducted in accordance with an ATO-issued COA. The exemption holder may apply for a new or amended COA if it intends to conduct operations that cannot be conducted under the terms of the attached COA.
22. All aircraft operated in accordance with this exemption must be identified by serial number, registered in accordance with 14 CFR part 47, and have identification (N-Number) markings in accordance with 14 CFR part 45, Subpart C. Markings must be as large as practicable.

23. Documents used by the operator to ensure the safe operation and flight of the UAS and any documents required under 14 CFR §§ 91.9 and 91.203 must be available to the PIC at the Ground Control Station of the UAS any time the aircraft is operating. These documents must be made available to the Administrator or any law enforcement official upon request.
24. The UA must remain clear and give way to all manned aviation operations and activities at all times.
25. The UAS may not be operated by the PIC from any moving device or vehicle.
26. All Flight operations must be conducted at least 500 feet from all nonparticipating persons, vessels, vehicles, and structures unless:
 - a. Barriers or structures are present that sufficiently protect nonparticipating persons from the UA and/or debris in the event of an accident. The operator must ensure that nonparticipating persons remain under such protection. If a situation arises where nonparticipating persons leave such protection and are within 500 feet of the UA, flight operations must cease immediately in a manner ensuring the safety of nonparticipating persons; and
 - b. The owner/controller of any vessels, vehicles or structures has granted permission for operating closer to those objects and the PIC has made a safety assessment of the risk of operating closer to those objects and determined that it does not present an undue hazard.

The PIC, VO, operator trainees or essential persons are not considered nonparticipating persons under this exemption.

27. All operations shall be conducted over private or controlled-access property with permission from the property owner/controller or authorized representative. Permission from property owner/controller or authorized representative will be obtained for each flight to be conducted.
28. Any incident, accident, or flight operation that transgresses the lateral or vertical boundaries of the operational area as defined by the applicable COA must be reported to the FAA's UAS Integration Office (AFS-80) within 24 hours. Accidents must be reported to the National Transportation Safety Board (NTSB) per instructions contained on the NTSB Web site: www.nts.gov.

If this exemption permits operations for the purpose of closed-set motion picture and television filming and production, the following additional conditions and limitations apply.

29. The operator must have a motion picture and television operations manual (MPTOM) as documented in this grant of exemption.

30. At least 3 days before aerial filming, the operator of the UAS affected by this exemption must submit a written Plan of Activities to the local Flight Standards District Office (FSDO) with jurisdiction over the area of proposed filming. The 3-day notification may be waived with the concurrence of the FSDO. The plan of activities must include at least the following:
- a. Dates and times for all flights;
 - b. Name and phone number of the operator for the UAS aerial filming conducted under this grant of exemption;
 - c. Name and phone number of the person responsible for the on-scene operation of the UAS;
 - d. Make, model, and serial or N-Number of UAS to be used;
 - e. Name and certificate number of UAS PICs involved in the aerial filming;
 - f. A statement that the operator has obtained permission from property owners and/or local officials to conduct the filming production event; the list of those who gave permission must be made available to the inspector upon request;
 - g. Signature of exemption holder or representative; and
 - h. A description of the flight activity, including maps or diagrams of any area, city, town, county, and/or state over which filming will be conducted and the altitudes essential to accomplish the operation.
31. Flight operations may be conducted closer than 500 feet from participating persons consenting to be involved and necessary for the filming production, as specified in the exemption holder's MPTOM.

Unless otherwise specified in this grant of exemption, the UAS, the UAS PIC, and the UAS operations must comply with all applicable parts of 14 CFR including, but not limited to, parts 45, 47, 61, and 91.

This exemption terminates on September 30, 2017, unless sooner superseded or rescinded.

Sincerely,

/s/

John S. Duncan

Director, Flight Standards Service

Enclosures

Brian D. Fiske III
32238 Renoir Road
Winchester, CA 92596

May 18, 2015

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

Re: Exemption Request Section 333 of the FAA Reform Act of the Federal Aviation Regulations

Dear Sir or Madam,

Pursuant to Section 333 of the FAA Modernization and Reform Act of 2012 and 14 CFR Part 11, Brian D. Fiske III hereby petitions the Secretary of Transportation and Federal Aviation Administration for exemption to the above referenced and below more fully described Federal Aviation Regulations ("FARs"), that currently may or may not apply to the recreational/business operations of model aircraft including small unmanned aerial systems ("UASs). Pursuant to Section 333 of the FAA Modernization and Reform Act of 2012 and the procedures contained within 14 C.F.R. 11, Petition that I, Brian D. Fiske III, an owner and operator of small unmanned aircraft, be exempted from the Federal Aviation Regulations ("FARs") listed below so that I, Brian D. Fiske III, may operate small ultra-lightweight unmanned aircraft system ("UAS") commercially in airspace regulated by the Federal Aviation Administration ("FAA").

As described herein I, Brian D. Fiske III, am a licensed Commercial Pilot (Certificate # 3460856) and earned a Master of Aeronautical Science Degree from Embry-Riddle Aeronautical University specializing in Aviation/Aerospace Management. I am an experienced pilot and former Certified Flight Instructor in fixed wing aircraft and have flown small unmanned aerial systems for hobby and recreational purposes.

This exemption would permit commercial operation by Brian D. Fiske III, who would utilize both the DJI Inspire 1 and a DJI Phantom 3 Professional to conduct sUAS flight training, agriculture, education, real estate and property insurance documentation photography, and videography, film and movie production, and demonstration flights to enhance academic community awareness. I am currently a full-time faculty member for Embry-Riddle Aeronautical University (ERAU) teaching undergraduate and graduate courses in Aeronautical Science for ten years. As an Eagle Scout, the exemption would allow the opportunity to provide community awareness to young people involved with scouting as well as students, veterans and alumni of ERAU.

As described more fully below, the requested exemption would permit the operation of UAS under controlled conditions in airspace that is 1) limited; 2) predetermined in

areas away from general public, airports, heliports and vehicular traffic for community videos, and within property boundaries for individual homeowner and commercial real estate listing/property insurance documentation videos/photos; and 3) controlled as to access. The exemption would also provide safety enhancements to the already safe operations within the aerial photography, film and television industry presently using conventional aircraft and small, unmanned and relatively inexpensive UASs.

Currently, similar lightweight, remote controlled UAS's are legally operated by unmonitored amateur hobbyists with no safety plan or controls in place to prevent accidents. I will operate my UAS within all safety protocols and controls to avoid and prevent public hazard, as well as manned aircraft hazards or accidents.

Obtaining this request comports with the Secretary of Transportation's (FAA Administrator's) responsibilities and authority to not only integrate UAS's into the national airspace system, but to "...establish requirements for the safe operation of such aircraft systems [UAS's] in the national airspace system" under Section 333(c) of the Reform Act specific to the use of UAS's for commercial purposes. Further I will conduct operations in compliance with the protocols described herein or as otherwise established by the FAA.

For the reasons stated below, I respectfully request the grant of an exemption allowing me to operate ultra-lightweight, remote controlled UAS's for the purpose of providing academic community awareness and education, to benefit and stimulate agriculture and tourism within California, general aerial photography, and to enhance real estate listing and property insurance videos for homeowners and business organizations who cannot afford expensive manned aircraft for the same purpose, all of which will promote local economic growth through increased employment and increased tax base.

I. Contact Information:

Brian D. Fiske III
32238 Renoir Road
Winchester, CA 92596
Mobile: (949) 220-3019
Email: bfiske3@gmail.com

II. The specific sections of Title 14 of the Code of Federal Regulations from which Brian D. Fiske III requests exemption are:

1. 91.7(a)
2. 91.119(c)
3. 91.121
4. 91.151(a)
5. 91.405(a)
6. 91.407(a)(1)
7. 91.409(a)(1) and (2)

8. 91.417(a) and (b)

III. The Extent of relief Brian D. Fiske III seeks and the reason he seeks such relief:

I, Brian D. Fiske III, submit this application in accordance with the Reform Act, 112 P.L. 95 § 331-334, seeking relief from any currently applicable FARs operating to prevent me, Brian D. Fiske III, contemplated commercial cinematic, academic and other flight operations within the national airspace system. The Reform Act in Section 332 provides for such integration of civil unmanned aircraft systems into our national airspace system as it is in the public's interest to do so. My ultra-light weight UAS meets the definition of "small unmanned aircraft" as defined in Section 331 and therefore the integration of my ultra-lightweight UAS is expressly contemplated by the Reform Act. I would like to operate my ultra-lightweight UAS prior to the time period by which the Reform Act requires the FAA to promulgate rules governing such craft, thereby providing direct experience and valuable information for formal regulation that can be administered uniformly to all UAS aerial video and photography. The Reform Act guides the Secretary in determining the types of UASs that may operate safely in our national airspace system. Considerations include: The weight, size, speed and overall capabilities of the UAS's; whether the UAS will be operated near airports or heavily populated areas; and, whether the UAS will be operated by line of sight. 112 P.L. 95 § 333 (a). Each of these items reflect in favor of an exemption for me, Brian D Fiske III. Both the DJI Inspire 1 and Phantom 3 Professional UAS utilizes four (4) counter rotating propellers for balance, control and stability. Both UAS are equipped with GPS and auto return safety technology as well as weighing less than seven (7) pounds (far below the maximum 55 pound limit); including camera with gimbal.

IV. Regulations Brian D. Fiske III is seeking relief from and reasons:

91.7(a) - It is my understanding that since no FAA regulatory standard exists for determining airworthiness of the UAS, the regulation is inapplicable.

91.119(c) - Operations will need to occur at altitudes under 300 feet and closer than 500 feet to persons or objects.

91.121 -The system have a barometric altimeter and GPS derived altitude capabilities while the FAA requires any altitude reported to ATC to be in feet AGL.

91.151(a) - The system does not have the capabilities to adhere to this regulation.

91.405(a) - This section doesn't pertain to a UAS.

91.407(a)(1) - This section doesn't pertain to a UAS.

91.409(a)(1) and (2)-This section doesn't pertain to a UAS.

91.417(a) and (b) - This section doesn't pertain to a UAS.

I, Brian D. Fiske III if granted a Section 333 exemption would comply the following conditions:

1. Operations authorized by this grant of exemption are limited to the following aircraft described in the operating documents which are quad-rotor aircraft both weighing less than 7 pounds: Phantom 3 Professional & Inspire 1 Unmanned Aircraft Systems (UAS). Proposed operations of any other aircraft will require a new petition or a petition to amend this grant.
2. The UAS may not be flown at an indicated airspeed exceeding 30 knots.
3. The UAS must be operated at an altitude of no more than 300 feet above ground level (AGL), as indicated by the procedures specified in the operating documents. All altitudes reported to ATC must be in feet AGL.
4. The UAS must be operated within visual line of sight (VLOS) of the Pilot in Command (PIC) at all times. This requires the PIC to be able to use human vision unaided by any device other than corrective lenses, as specified on the PIC's FAA-issued airman medical certificate.
5. All operations must utilize a visual observer (VO). The UA must be operated within the visual line of sight (VLOS) of the VO at all times. The VO may be used to satisfy the VLOS requirement as long as the PIC always maintains VLOS capability. The VO and PIC must be able to communicate verbally at all times. The PIC must be designated before the flight and cannot transfer his or her designation for the duration of the flight. The PIC must ensure that the VO can perform the functions prescribed in the operating documents.
6. The operating documents and this grant of exemption must be accessible during UAS operations and made available to the Administrator upon request. If a discrepancy exists between the conditions and limitations in this exemption and the procedures outlined in the operating documents, the conditions and limitations herein take precedence and must be followed. Otherwise, the operator must follow the procedures as outlined in its operating documents. The operator may update or revise its operating documents. It is the operator's responsibility to track such revisions and present updated and revised documents to the Administrator upon request. The operator must also present updated and revised documents if he petitions for extension or amendment to this grant of exemption. If the operator determines that any update or revision would affect the basis upon which the FAA granted this exemption, then the operator must petition for amendment to its grant of exemption.

The FAA's UAS Integration Office (AFS-80) may be contacted if questions arise regarding updates or revisions to the operating documents.

7. Prior to each flight, the PIC must inspect the UAS to ensure it is in a condition for safe flight. If the inspection reveals a condition that affects the safe operation of the UAS, the UAS is prohibited from operating until the necessary maintenance has been performed and the UAS is found to be in a condition for safe flight. The Ground Control Station must be included in the preflight inspection. All maintenance and alterations must be properly documented in the aircraft records.
8. Any UAS maintenance or alterations that affect the UAS operation or flight characteristics, e.g. replacement of a flight critical component, must undergo a functional test flight. The PIC who conducts the functional test flight must make an entry in the aircraft records.
9. The pre-flight inspection section in the operating documents must account for all discrepancies, i.e. inoperable components, items, or equipment, not already covered in the relevant sections of the operating documents.
10. The operator must follow the UAS manufacturer's aircraft/component, maintenance, overhaul, replacement, inspection, and life limit requirements.
11. The operator must carry out its maintenance, inspections, and record keeping requirements, in accordance with the operating documents. Maintenance, inspection, and alterations must be noted in the aircraft records, including total flight hours, description of work accomplished, and the signature of the authorized person returning the UAS to service.
12. Each UAS operated under this exemption must comply with all manufacturer Safety Bulletins.
13. The authorized person must make an entry in the aircraft record of the corrective action taken against discrepancies discovered between inspections.
14. UAS operations must be conducted by a PIC possessing at least a private pilot certificate and at least a current third-class medical certificate. The PIC must also meet the flight review requirements specified in 14 CFR 61.56 in an aircraft in which the PIC is rated on his or her pilot certificate.
15. Prior to operations conducted for the purpose of sUAS flight training, agriculture, education, real estate and property insurance documentation photography, and videography, film and movie production (or similar operations) PIC must have accumulated and logged, in a manner consistent with 14 CFR 61.51(b), a minimum of 25 hours of total time as a UAS rotorcraft pilot including at least 10 hours logged as a

UAS pilot with a multi-rotor UAS. Prior documented flight experience that was obtained in compliance with applicable regulations may satisfy this requirement. Training, proficiency, and experience-building flights can also be conducted under this grant of exemption to accomplish the required flight time, however, said training operations may only be conducted during dedicated training sessions. During training, proficiency, and experience-building flights the PIC is required to operate the UA with appropriate distances in accordance with 14 CFR 91.119.

16. Prior to operations conducted for the purpose of sUAS flight training, agriculture, education, real estate and property insurance documentation photography, and videography, film and movie production (or similar operations), the PIC must have accumulated and logged, in a manner consistent with 14 CFR 61.51(b), a minimum of 5 hours as UAS pilot operating the make and model of the UAS to be used in operations under the exemption; 5 hours make and model time may be included in the 10 hours of multi-rotor time prescribed above. The PIC must accomplish 3 take-offs and landings in the preceding 90 days (for currency purposes). Training, proficiency, experience-building, and take-off and landing currency flights can be conducted under this grant of exemption to accomplish the required flight time and 90 day currency. However, said training operations may only be conducted during dedicated training sessions. During training, proficiency, and experience-building flights the PIC is required to operate the UA with appropriate distances in accordance with 14 CFR 91.119.
17. The operator may not permit the PIC to operate the UAS for the purpose of sUAS flight training, agriculture, education, real estate and property insurance documentation photography, and videography, film and movie production (or similar operations), unless the PIC has demonstrated and logged in a manner consistent with 14 CFR 61.51(b), the ability to safely operate the UAS in a manner consistent with how the UAS will be operated under this exemption, including evasive and emergency maneuvers and maintaining appropriate distances from people, vessels, vehicles and structures.
18. UAS operations may not be conducted during night, as defined in 14 CFR 1.1. All operations must be conducted under visual meteorological conditions (VMC).
19. The UA may not operate within 5 nautical miles of an airport reference point as denoted on a current FAA-published aeronautical chart.
20. The UA may not be operated less than 500 feet below or less than 2,000 feet horizontally from a cloud or when visibility is less than 3 statute miles from the PIC.
21. If the UA loses communications or loses its GPS signal, it must return to a pre-determined location within the planned operating area and land or be recovered in accordance with the operating documents.

22. The PIC must abort the flight in the event of unpredicted obstacles or emergencies in accordance with the operating documents.
23. The PIC is prohibited from beginning a flight unless (considering wind and forecast weather conditions) there is enough power to fly at normal cruising speed to the intended landing point and land the UA with 30% battery power remaining.
24. The operator must obtain an Air Traffic Organization (ATO) issued Certificate of Waiver or Authorization (COA) prior to conducting any operations under this grant of exemption. This COA will also require the operator to request a Notice to Airman (NOTAM) not more than 72 hours in advance, but not less than 48 hours prior to the operation.
25. All aircraft operated in accordance with this exemption must be identified by serial number, registered in accordance with 14 CFR part 47, and have identification (N-Number) markings in accordance with 14 CFR part 45, Subpart C. Markings must be as large as practicable.
26. Before conducting operations, the radio frequency spectrum used for operation and control of the UAS must comply with the Federal Communications Commission (FCC) or other appropriate government oversight agency requirements.
27. The documents required under 14 CFR 91.9 and 91.203 must be available to the PIC at the Ground Control Station of the UAS any time the UAS is operating. These documents must be made available to the Administrator or any law enforcement official upon request.
28. The UAS must remain clear and yield the right of way to all manned aviation operations and activities at all times.
29. The UAS may not be operated by the PIC from any moving device or vehicle.
30. The UA may not be operated over congested or densely populated areas.
31. Flight operations must be conducted at least 500 feet from all nonparticipating persons, vessels, vehicles, and structures unless:
 - a. Barriers or structures are present that sufficiently protect nonparticipating persons from the UAS and/or debris in the event of an accident. The operator must ensure that nonparticipating persons remain under such protection. If a situation arises where nonparticipating persons leave such protection and are within 500 feet of the UA, flight operations must cease immediately and/or;
 - b. The aircraft is operated near vessels, vehicles or structures where the owner/controller of such vessels, vehicles or structures has granted permission and the PIC has made a

safety assessment of the risk of operating closer to those objects and determined that it does not present an undue hazard, and;

- c. Operations nearer to the PIC, VO, operator trainees or essential persons do not present an undue hazard to those persons per 91.119(a).
- 32. All operations shall be conducted over private or controlled-access property with permission from the land owner/controller or authorized representative. Permission from land owner/controller or authorized representative will be obtained for each flight to be conducted.
- 33. Any incident, accident, or flight operation that transgresses the lateral or vertical boundaries of the operational area as defined by the applicable COA must be reported to the FAA's UAS Integration Office (AFS-80) within 24 hours. Accidents must be reported to the National Transportation Safety Board (NTSB) per instructions contained on the NTSB Web site: www.nts.gov.

I have included the URL links below for the DJI Phantom 3 Professional & DJI Inspire 1 Quick Start Manuals, the Phantom 3 Professional and Inspire 1 User Manuals and the Phantom 3 Professional and Inspire 1 Safety Guideline that will be used for safe UAS operations to include preflight checklists.

DJI Phantom 3 Professional

Phantom 3 Professional Quick Start Guide

http://download.dji-innovations.com/downloads/phantom_3/en/Phantom_3_Professional_Quick_Start_Guide_en.pdf

Phantom 3 Professional User Manual

http://download.dji-innovations.com/downloads/phantom_3/en/Phantom_3_Professional_User_Manual_v1.0_en.pdf

Phantom 3 Professional Safety Guidelines

http://download.dji-innovations.com/downloads/phantom_3/en/Safety_Guidelines_Disclaimer_en.pdf

DJI Inspire 1

Inspire 1 Quick Start Guide

http://download.dji-innovations.com/downloads/inspire_1/en/Inspire_1_Quick_Start_Guide_en.pdf

Inspire 1 User Manual

http://download.dji-innovations.com/downloads/inspire_1/en/Inspire_1_User_Manual_v1.2_en.pdf

Inspire 1 Safety Guidelines

[http://download.dji-](http://download.dji-innovations.com/downloads/inspire_1/en/Inspire_1_Safety_Guidelines_en.pdf)

[innovations.com/downloads/inspire_1/en/Inspire_1_Safety_Guidelines_en.pdf](http://download.dji-innovations.com/downloads/inspire_1/en/Inspire_1_Safety_Guidelines_en.pdf)

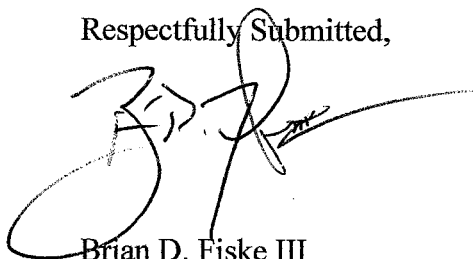
Inspire 1 Maintenance Manual

[http://download.dji-](http://download.dji-innovations.com/downloads/inspire_1/en/Inspire_1_Maintenance_ManualV1.0_en.pdf)

[innovations.com/downloads/inspire_1/en/Inspire_1_Maintenance_ManualV1.0_en.pdf](http://download.dji-innovations.com/downloads/inspire_1/en/Inspire_1_Maintenance_ManualV1.0_en.pdf)

If more information or documentation is needed to approve this exemption, please contact me at 949.220.3019 and I thank you for your consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'B. D. Fiske III', with a large, stylized flourish extending to the right.

Brian D. Fiske III
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Winchester, CA 92596