

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
CERTIFICATE OF WAIVER

ISSUED TO

The University of Texas at El Paso - Bird Group
Responsible Person: John Bird
Waiver Number: 107W-2025-00789

ADDRESS—

500 W University
Engineering Building A-126
El Paso, TX 79968

This certificate is issued for the operations specifically described hereinafter. No person shall conduct any operation pursuant to the authority of this certificate except in accordance with the provisions contained in this certificate.

OPERATIONS AUTHORIZED

sUAS operations higher than 400 feet above ground level, when not within a 400 foot radius of a structure.

LIST OF WAIVED REGULATIONS BY SECTION AND TITLE

14 CFR § 107.51(b)—Operating limitations for small unmanned aircraft - Altitude

STANDARD PROVISIONS

1. A copy of the application made for this certificate shall be attached to and become a part hereof.
2. This certificate shall be presented for inspection upon the request of any authorized representative of the Administrator of the Federal Aviation Administration, or of any State or municipal official charged with the duty of enforcing local laws or regulations.
3. The holder of this certificate shall be responsible for the strict observance of the terms and provisions contained herein.
4. This certificate is nontransferable.

NOTE—This certificate constitutes a waiver of those Federal rules or regulations specifically referred to above. It does not constitute a waiver of any State law or local ordinance.

SPECIAL PROVISIONS

Special Provisions Nos. 1 to 17, inclusive, are set forth on the attached pages.

This Certificate of Waiver is effective from **May 6, 2025, to May 5, 2027**, and is subject to cancellation at any time upon notice by the Administrator or an authorized representative.

BY DIRECTION OF THE ADMINISTRATOR

FAA, Central Service Area
(Region)

Dallas W. Lantz
(Signature)

Tactical Operations Team Manager (A) (AJV-C23)
(Title)

SPECIAL PROVISIONS ISSUED TO
The University of Texas at El Paso - Bird Group

General.

The FAA's Flight Standards Service has reviewed your application to ensure compliance with the requirements of 14 CFR § 107.200 and § 107.205. Pursuant to these authorities, the Administrator finds that the proposed small unmanned aircraft (sUA) operation can be conducted safely under the provisions of this Certificate of Waiver (Waiver) as listed below because you have established adequate mitigations for risks involved with operating your sUA in the manner you described. Adherence to the provisions of this Waiver establishes the required level of safety within the national airspace system.

The Administrator may cancel this Waiver at any time. As a general rule, this Waiver may be canceled when it is no longer required, there is an abuse of its provisions, or when unforeseen safety factors develop. Failure to comply with any provision listed below is a violation of the terms of this Waiver and will serve as justification for cancellation.

List of Regulations Waived by Section and Title. The following regulations are waived:

14 CFR § 107.51(b), Operating limitations for small unmanned aircraft - Altitude, is waived to allow sUAS operations higher than 400 feet above ground level (AGL), not to exceed 6100 feet AGL.

No part of this waiver will function as an airspace authorization under 14 CFR § 107.41. The FAA's Air Traffic Organization responds directly to requests for such authorizations.

Common Special Provisions. The Responsible Person is directly responsible for safety of operations conducted under this Waiver and will ensure the Remote Pilot in Command (remote PIC), manipulator of the controls, and visual observer(s) (VO)¹ comply with all provisions of this Waiver.

1. The Responsible Person listed on the Waiver is responsible to the FAA for the safe conduct of the operations. Prior to conducting operations that are the subject of this Waiver, the Responsible Person:
 - a. Must ensure the remote PIC, manipulators of the controls, and VO(s) are informed of the terms and provisions of this Waiver and strictly observe the terms and provisions herein;
 - b. Must ensure the remote PIC, manipulators of the controls, and VO(s) are informed and familiar with part 107 regulations; and
 - c. Evidence of the above (a and b) must be documented and must be presented for inspection upon request from the Administrator or an authorized representative;
2. This Waiver may not be combined with any other waiver(s), authorizations(s), or exemption(s) without specific authorization from the FAA;
3. The FAA has the authority to cancel or delay any or all flight operations if the safety of persons or property on the ground or in the air are in jeopardy or there is a violation of the terms of this Waiver;

¹ Title 14 CFR § 107.3 defines the term "visual observer." Any VO participating in operations conducted under this Waiver must meet the requirements listed in § 107.33 throughout the duration of flight operations.

4. A copy of this Waiver must be accessible and available to the remote PIC at the ground control station during sUA operations that are the subject of this Waiver;
5. The Responsible Person listed on this Waiver must maintain a current list of pilots by name and remote pilot certificate number used in operations under this Waiver. This list must be presented for inspection upon request from the Administrator or an authorized representative;
6. The Responsible Person listed on this Waiver must maintain a current list of sUA by registration number(s) used in operations under this Waiver. This list must be presented for inspection upon request from the Administrator or an authorized representative;
7. For the purposes of this Waiver, direct participants are the remote PICs, persons manipulating the controls, VOs, and any persons whose involvement is necessary for safety of the sUA operation. All other persons are considered non-participants;
8. If a discrepancy exists between the provisions in this Waiver and the waiver application, the Waiver takes precedence and must be followed;

Operations higher than 400 feet AGL Special Provisions sUAS operations may be conducted above 400 feet AGL, not to exceed 6100 feet AGL, provided:

9. Visual Observers: All operations conducted under this Waiver must use one or more VO as described in the waiver application;
10. Operations may not be conducted at night or during civil twilight, as defined in 14 CFR § 1.1 and § 107.29(c), respectively;
11. NOTAM: The Responsible Person must file a Notice to Airmen (NOTAM) no more than 72 hours and no less than 24 hours prior to operating under this waiver. A NOTAM can be filed by calling 1-877-487-6867 (1-877-4-US-NTMS). The Responsible Person must verify the NOTAM has been issued prior to conducting waived operations;
12. ADS-B out (1090/978 MHz) may not be transmitted from the sUAS when operating pursuant to this Waiver. An ADS-b in receiver must be on site and under observation during all operations conducted under this Waiver;
13. Ground Control Station, Control and Communications (C2) System:
 - a. Telemetry: The sUAS ground control station must display in real-time the sUA altitude, position, direction of flight, ground speed, C2 signal strength, GPS or navigation system signal condition, battery condition, and sUA distance from the control station as described in the Waiver application;
 - b. Alerting: The remote PIC must ensure the GCS is configured to audibly and/or visually alert the remote PIC of degraded system performance, geofence loss of containment, loss of Control link with the sUA, and intrusion alerts as described in the Waiver application;
 - c. Emergency Profiles: The remote PIC must ensure the GCS is configured for automated emergency actions (e.g. RTL/RTH, altitude descend, position hold etc.) as described in the Waiver application; and
 - d. Sensors: the remote PIC must ensure any installed collision/obstacle avoidance sensors are operational;

14. Anti-Collision Lighting: The sUA must be equipped and operated with anti-collision lighting to increase the conspicuity of the sUA to 1 statute mile for daytime operations;
15. All emitters used in sUAS must be compliant with all applicable FCC regulations provisions of the FCC authorization granted for the emitter. A FCC Experimental authorization may not be used for sUAS operations under this Waiver;
16. Environment:
 - a. Operations conducted under this Waiver are limited to the location as described in waiver application; and
 - b. The Responsible Person must ensure that the area of operation is sterile as described in the waiver application;

OPERATING AREA AND AIR TRAFFIC CONTROL REQUIREMENTS

17. Operations Area: Operations conducted under this Waiver are limited to Class E and G airspace in the vicinity of Fabens Airport (E35) under the jurisdiction of El Paso Terminal Radar Approach Control (TRACON) as defined and depicted in Attachments 1-2, at or below 6100 feet AGL.

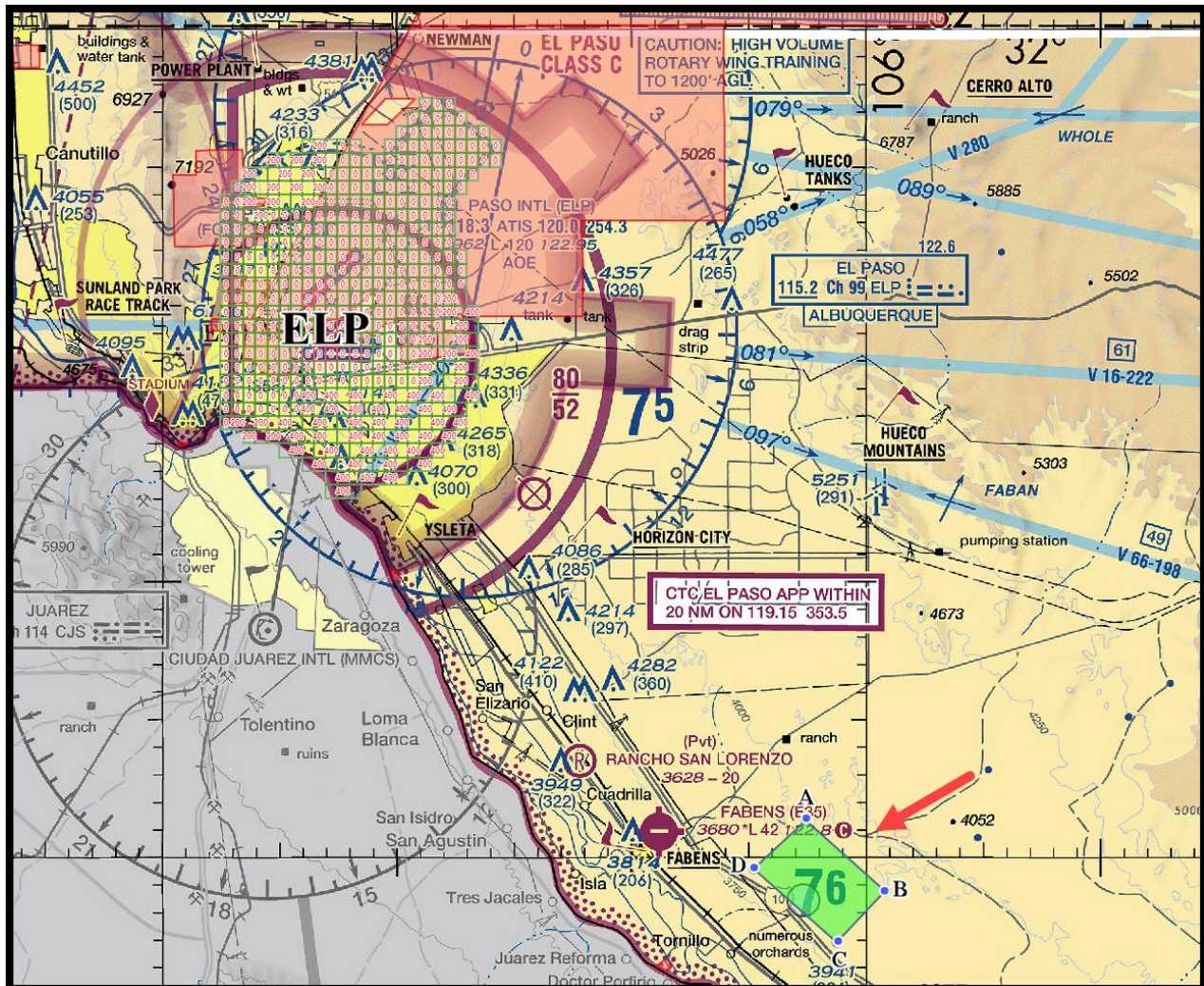
Attachment 1

Operating Area: Class E and G airspace in the vicinity of Fabens Airport within the GREEN shaded polygon as depicted and defined below:

Location: **A)** 31° 31' 20.08" N, 106° 02' 32.59" W **B)** 31° 28' 45.70" N, 105° 59' 09.38" W
 C) 31° 26' 54.34" N, 106° 01' 13.32" W **D)** 31° 29' 34.82" N, 106° 04' 44.48" W

Operating Altitude: At or Below: 6100 feet Above Ground Level (AGL)

RED SHADED AREAS - NATIONAL SECURITY UAS FLIGHT RESTRICTED (SSI)



Attachment 2

Operating Area: Class E and G airspace in the vicinity of Fabens Airport within the GREEN shaded polygon as depicted and defined below:

Location: **A)** 31° 31' 20.08" N, 106° 02' 32.59" W **B)** 31° 28' 45.70" N, 105° 59' 09.38" W
 C) 31° 26' 54.34" N, 106° 01' 13.32" W **D)** 31° 29' 34.82" N, 106° 04' 44.48" W

Operating Altitude: At or Below: 6100 feet Above Ground Level (AGL)

RED SHADED AREAS - NATIONAL SECURITY UAS FLIGHT RESTRICTED (SSI)

