

UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
WASHINGTON, DC

Regulatory Docket No. \_\_\_\_\_

**IN THE MATTER OF THE PETITION FOR EXEMPTION OF:  
WOOLPERT, INC.  
FOR AN EXEMPTION SEEKING RELIEF FROM THE REQUIREMENTS OF  
TITLE 14 OF THE CODE OF FEDERAL REGULATION  
SECTIONS 61.113(a) & (b), 91.7(a), 91.121, 91.151(b), 91.405(a), 91.407(a)(1), 91.409(a)(1)  
& (a)(2), AND 91.417(a) & (b) CONCERNING COMMERCIAL OPERATION OF THE  
SKYCATCH UNMANNED AIRCRAFT SYSTEM  
PURSUANT TO SECTION 333 OF  
THE FAA MODERNIZATION AND REFORM ACT OF 2012 (PUBLIC LAW 112-95)**

Submitted on January 8, 2015

GREGORY S. WINTON, ESQ.  
JARED M. ALLEN, ESQ.  
THE AVIATION LAW FIRM  
1997 Annapolis Exchange Parkway  
Suite 300  
Annapolis, Maryland 21401  
Tel: (301) 294-8550  
Fax: (866) 568-9886  
*Attorneys for Petitioner*

**TABLE OF CONTENTS**

	Page
GLOSSARY OF ABBREVIATIONS .....	3
SUMMARY .....	4
INTRODUCTION AND INTERESTS OF PETITIONER .....	4
BACKGROUND .....	5
BASIS FOR PETITION .....	5
NAME AND ADDRESS OF PETITIONER.....	7
THE SPECIFIC SECTIONS OF 14 C.F.R. FROM WHICH WOOLPERT, INC. SEEKS EXEMPTION .....	7
THE EXTENT OF RELIEF WOOLPERT, INC. SEEKS AND THE REASON WOOLPERT, INC. SEEKS THE RELIEF .....	11
THE REASONS WHY GRANTING WOOLPERT, INC.'S REQUEST WOULD BE IN THE PUBLIC INTEREST .....	13
THE REASONS WHY GRANTING THE EXEMPTION WOULD NOT ADVERSELY AFFECT SAFETY .....	17
SUMMARY THAT CAN BE PUBLISHED IN THE FEDERAL REGISTER.....	31
ANY ADDITIONAL INFORMATION, VIEWS, OR ARGUMENTS AVAILABLE TO SUPPORT WOOLPERT, INC.'S REQUEST .....	31
CONCLUSION.....	32

## **GLOSSARY OF ABBREVIATIONS**

AGL	Above Ground Level
AOI	Area of Interest
ATC	Air Traffic Control
ATO	Air Traffic Organization
AV	Aerial Vehicle
C.F.R.	Code of Federal Regulations
COA	Certificate of Authorization
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulation
GCS	Ground Control Station
GPS	Global Positioning System
LOL	Loss of Link
NAS	National Airspace System
NOTAM	Notice to Airman
PIC	Pilot In Command
Section 333	FAA Modernization and Reform Act of 2012 (FMRA) Section 333
SOP	Standard Operating Procedures
UA	Unmanned Aircraft
UAS	Unmanned Aircraft System
VFR	Visual Flight Rules
VLOS	Visual Line of Site
VMC	Visual Meteorological Conditions
VO	Visual Observer
VTOL	Vertical Takeoff and Landing

## **SUMMARY**

Woolpert, Inc. seeks exemption from the requirements of 14 C.F.R §§ 61.113(a) & (b), 91.7(a), 91.121, 91.151(b), 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), and 91.417(a) & (b), to operate an Unmanned Aircraft System pursuant to Section 333 of the FAA Modernization and Reform Act of 2012 (FMRA). This exemption will permit Woolpert, Inc. to operate an Unmanned Aircraft System (UAS) for the commercial purpose of conducting aerial acquisitions and research over certain rural areas of the United States.

## **INTRODUCTION AND INTERESTS OF THE PETITIONER**

Woolpert, Inc. (hereinafter referred to as “Woolpert”) is a 103 year-old design, geospatial and infrastructure management firm with a long and well-recognized history in mapping and surveying. Woolpert excels in the collection of aerial imagery from manned, fixed-wing aircraft for the purpose of making highly accurate aerial maps for a range of clients and various applications. In addition to operating a fleet of conventional fixed-wing aircraft, Woolpert has recently acquired a Skycatch unmanned aircraft system (hereinafter “Skycatch UAS”). As set forth in this Petition, Woolpert seeks to commercially operate its Skycatch UAS over certain rural areas of the United States for the purpose of conducting aerial acquisitions and research, continuing an established legacy that has always sought the highest standards of operations and safety.

Woolpert has previously received two Grants of Exemption (Exemption Nos. 11111 and 11114) from the FAA concerning operation of Unmanned Aircraft Systems in the National Airspace System (NAS).

## **BACKGROUND**

### **Unmanned Aircraft System: Skycatch UAS**

Woolpert seeks an exemption to operate the Woolpert Skycatch UAS for compensation or hire within the NAS. The Skycatch UAS is comprised of a vertical takeoff and landing (VTOL) Unmanned Aircraft (UA) and a transportable Ground Control Station (GCS). The Skycatch UA has a maximum gross weight of approximately 6.6 pounds, while having a diameter of 30 inches, height of 20 inches, and maximum speed of 50 mph (43.4 knots). The Skycatch UA is equipped with four propellers, each being driven by a Lithium Polymer battery powered electric motor.

The Skycatch UA that will be operated by Woolpert will be registered in accordance with 49 U.S.C. 44103, *Registration of Aircraft*, as well as 14 C.F.R Part 47, *Aircraft Registration*, and marked in accordance with 14 C.F.R. Part 45, *Identification and Registration Marking*.

## **BASIS FOR PETITION**

Petitioner, Woolpert, Inc., by and through undersigned counsel, pursuant to the provisions of the Federal Aviation Regulations (14 C.F.R. § 11.61) and the FAA Modernization and Reform Act of 2012, Section 333, *Special Rules for Certain Unmanned Aircraft Systems*, hereby petitions the Administrator to operate the Skycatch UAS in the National Airspace System (NAS), and for an exemption from the requirements of 14 C.F.R §§ 61.113(a) & (b), 91.7(a), 91.121, 91.151(b), 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), and 91.417(a) & (b).

In consideration of the size, weight, speed, and limited operating area associated with the unmanned aircraft and its operation, Woolpert's operation of the Skycatch UAS meets the conditions of Section 333 and therefore, will not require an airworthiness certificate in accordance with 14 C.F.R. Part 21, Subpart H.

Accordingly, Woolpert requests relief from Sections 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), and 91.417(a) & (b), as these sections set forth requirements for maintenance that only apply to aircraft with an airworthiness certificate.

Woolpert submits that the requested relief is proper since an equivalent level of safety will be ensured. Woolpert will use its authorized technicians to perform maintenance, alterations, or preventive maintenance on the UAS using the methods, techniques, and practices prescribed in the manufacturer's maintenance manual. Furthermore, Woolpert will document and maintain all maintenance records for the Skycatch UAS.

Relief from certain requirements of Section 61.113(a) and (b), entitled *Private pilot privileges and limitations: Pilot in command*, is requested by Woolpert to the extent necessary to allow a Pilot in Command (PIC) holding a private pilot certificate and a third-class airman medical certificate, and who has completed the Skycatch UAS training and currency requirements, to conduct the proposed UAS flight operations. Woolpert submits that the conditions and limitations set forth herein will ensure the safety of the NAS, as well as the safety of persons or property on the ground.

Woolpert seeks relief from Section 91.7(a), entitled *Civil aircraft airworthiness*, because the Skycatch UAS does not require an airworthiness certificate in accordance with 14 C.F.R. Part 21, Subpart H. As such, Woolpert submits that it will ensure that the Skycatch UAS is in an airworthy condition, prior to every flight, by determining that the UAS is in compliance with the Skycatch Flight Manual, and that the aircraft is in a condition for safe flight.

Woolpert also seeks an exemption from the requirements of Section 91.121, entitled *Altimeter Settings*, as the Skycatch UA will not have a typical barometric altimeter onboard. However, altitude information of the Skycatch UA will be provided to the PIC via Global

Positioning System (GPS) equipment and a radio communications telemetry data link, which downlinks from the UA to the GCS for active monitoring of the flight path. This altitude information, combined with Woolpert's operation of the Skycatch UA within visual line of sight, at or below 400 feet AGL, will ensure a level of safety equivalent to Section 91.121.

Additionally, Woolpert seeks an exemption from the requirements of Section 91.151(b), entitled *Fuel requirements for flight in VFR conditions*. Woolpert submits that safety will not be affected by terminating flights of the battery powered Skycatch UA after 30 minutes of continuous flight, which would allow for five minutes of battery power remaining.

In accordance with 14 C.F.R. § 11.81, Woolpert provides the following information in support of its petition for exemption:

**A. Name And Address Of The Petitioner.**

The name and address of the Petitioner is:

Woolpert, Inc.  
4454 Idea Center Blvd.  
Dayton, Ohio 45430

The point of contact for this Petition and specific contact information is as follows:

Gregory S. Winton, Esq.  
The Aviation Law Firm  
1997 Annapolis Exchange Parkway, Suite 300  
Annapolis, Maryland 21401  
Tel: (301) 294-8550 | Fax: (866) 568-9886  
Email: Greg@aviationlawexperts.com

**B. The Specific Sections Of 14 C.F.R. From Which Woolpert Seeks Exemption.**

**1. Woolpert Seeks Exemption From The Requirements Of Section 61.113(a) And (b).**

Section 61.113, entitled *Private pilot privileges and limitations: Pilot in command*, subsections (a) and (b) prescribe the following, in relevant part:

(a) No person who holds a private pilot certificate may act as a pilot in command (PIC) of an aircraft that is carrying passengers or property for compensation or hire; nor may that person, for compensation or hire, act as PIC of an aircraft.

(b) A private pilot may, for compensation or hire, act as PIC of an aircraft in connection with any business or employment if—

(1) The flight is only incidental to that business or employment; and

(2) The aircraft does not carry passengers or property for compensation or hire.

**2. Woolpert Seeks Exemption From The Requirements Of Section 91.7(a).**

Section 91.7, entitled *Civil aircraft airworthiness*, subsection (a), states the following:

(a) No person may operate a civil aircraft unless it is in an airworthy condition.

**3. Woolpert Seeks Exemption From The Requirements Of Section 91.121.**

Section 91.121, entitled *Altimeter settings*, subsection (a), states the following, in part:

(a) Each person operating an aircraft shall maintain the cruising altitude or flight level of that aircraft, as the case may be, by reference to an altimeter that is set, when operating--

(1) Below 18,000 feet MSL, to--

(i) The current reported altimeter setting of a station along the route and within 100 nautical miles of the aircraft;

(ii) If there is no station within the area prescribed in paragraph (a)(1)(i) of this section, the current reported altimeter setting of an appropriate available station; or

(iii) In the case of an aircraft not equipped with a radio, the elevation of the departure airport or an appropriate altimeter setting available before departure;

**4. Woolpert Seeks Exemption From The Requirements Of Section 91.151(b).**

Section 91.151, entitled *Fuel requirements for flight in VFR conditions*, subsection (b), states the following:

(b) No person may begin a flight in a rotorcraft under VFR conditions unless (considering wind and forecast weather conditions) there is enough fuel to fly to the first point of intended landing and, assuming normal cruising speed, to fly after that for at least 20 minutes.

**5. Woolpert Seeks Exemption From The Requirement Of Section 91.405(a).**

Section 91.405, entitled *Maintenance required*, subsection (a), states the following:

Each owner or operator of an aircraft—

(a) Shall have that aircraft inspected as prescribed in subpart E of this part and shall between required inspections, except as provided in paragraph (c) of this section, have discrepancies repaired as prescribed in part 43 of this chapter[.]

**6. Woolpert Seeks Exemption From The Requirements Of Section 91.407(a)(1).**

Section 91.407, entitled *Operation after maintenance, preventive maintenance, rebuilding, or alteration*, subsection (a)(1), states the following:

(a) No person may operate any aircraft that has undergone maintenance, preventive maintenance, rebuilding, or alteration unless--

(1) It has been approved for return to service by a person authorized under § 43.7 of this chapter[.]

**7. Woolpert Seeks Exemption From The Requirements Of Sections 91.409(a)(1) And 91.409(a)(2).**

Section 91.409, entitled *Inspections*, subsection (a), states the following:

(a) Except as provided in paragraph (c) of this section, no person may operate an aircraft unless, within the preceding 12 calendar months, it has had --

(1) An annual inspection in accordance with part 43 of this chapter and has been approved for return to service by a person authorized by § 43.7 of this chapter; or

(2) An inspection for the issuance of an airworthiness certificate in accordance with part 21 of this chapter.

**8. Woolpert Seeks Exemption From The Requirements Of Sections 91.417(a) And 91.417(b).**

Section 91.417, entitled *Maintenance records*, subsections (a) and (b), state the following:

(a) Except for work performed in accordance with §§ 91.411 and 91.413, each registered owner or operator shall keep the following records for the periods specified in paragraph (b) of this section:

(1) Records of the maintenance, preventive maintenance, and alteration and records of the 100-hour, annual, progressive, and other required or approved inspections, as appropriate, for each aircraft (including the airframe) and each engine, propeller, rotor, and appliance of an aircraft. The records must include--

(i) A description (or reference to data acceptable to the Administrator) of the work performed; and

(ii) The date of completion of the work performed; and

(iii) The signature, and certificate number of the person approving the aircraft for return to service.

(2) Records containing the following information:

(i) The total time in service of the airframe, each engine, each propeller, and each rotor.

(ii) The current status of life-limited parts of each airframe, engine, propeller, rotor, and appliance.

(iii) The time since last overhaul of all items installed on the aircraft which are required to be overhauled on a specified time basis.

(iv) The current inspection status of the aircraft, including the time since the last inspection required by the inspection program under which the aircraft and its appliances are maintained.

(v) The current status of applicable airworthiness directives (AD) and safety directives including, for each, the method of compliance, the AD or safety directive number and revision date. If the AD or safety directive involves recurring action, the time and date when the next action is required.

(vi) Copies of the forms prescribed by § 43.9(d) of this chapter for each major alteration to the airframe and currently installed engines, rotors, propellers, and appliances.

(b) The owner or operator shall retain the following records for the periods prescribed:

(1) The records specified in paragraph (a)(1) of this section shall be retained until the work is repeated or superseded by other work or for 1 year after the work is performed.

(2) The records specified in paragraph (a)(2) of this section shall be retained and transferred with the aircraft at the time the aircraft is sold.

(3) A list of defects furnished to a registered owner or operator under § 43.11 of this chapter shall be retained until the defects are repaired and the aircraft is approved for return to service.

**C. The Extent Of Relief Woolpert Seeks And The Reason Woolpert Seeks The Relief.**

**1. Extent of Relief Woolpert Seeks And The Reason Woolpert Seeks Relief From Section 61.113(a) And (b).**

Relief from Section 61.113(a) and (b) entitled *Private pilot privileges and limitations: Pilot in command*, is requested to the extent necessary to allow a PIC holding a private pilot certificate and a third-class airman medical certificate, and who has completed the Skycatch UAS training and currency requirements, to conduct the proposed UAS flight operations for compensation.

This relief is requested since the limitations set forth in Section 61.113(a) and (b) state that a private pilot may, for compensation or hire, act as PIC of an aircraft in connection with any business or employment if - (1) The flight is only incidental to that business or employment; and (2) The aircraft does not carry passengers or property for compensation or hire.

As set forth more fully below, Woolpert submits that an equivalent level of safety will be maintained because no PIC will be allowed to operate the Skycatch UAS unless that PIC has demonstrated, through the Skycatch UAS training and currency requirements, that the PIC is able to safely operate the Skycatch UAS in a manner consistent with the operations specifications as described in this exemption, including evasive and emergency maneuvers, as well as maintaining appropriate distances from people, vessels, vehicles and structures.

Further, Woolpert submits that all flights of the Skycatch UAS, conducted by the PIC pursuant to the grant of this Petition - (1) will be incidental to Woolpert's business; and (2) will not carry passengers or property for compensation or hire.

**2. Extent of Relief Woolpert Seeks And The Reason Woolpert Seeks Relief From Section 91.7(a).**

Relief from Section 91.7(a) entitled *Civil aircraft airworthiness*, is requested to the extent required to allow Woolpert to determine that the Skycatch UAS is in an airworthy condition prior to every flight by ensuring that the UAS is in compliance with the Skycatch Flight Manual, and that the aircraft is in a condition for safe flight.

Woolpert seeks the requested relief because the Skycatch UAS does not require an airworthiness certificate in accordance with 14 C.F.R. Part 21, Subpart H. Therefore, Woolpert will ensure that the Skycatch UAS is in an airworthy condition based upon its compliance with the operating documents (i.e., the Skycatch Flight Manual) prior to every flight, and as stated in the conditions and limitations below.

**3. Extent of Relief Woolpert Seeks And The Reason Woolpert Seeks Relief From Section 91.121.**

Relief from Section 91.121 entitled *Altimeter settings*, may be required to allow flight operations of the Skycatch UAS, which utilizes GPS equipment and a radio communications telemetry data link to downlink altitude information to the PIC from the UA to the GCS. As more fully set forth below, safety will be maintained as a result of the Skycatch UA's altitude readout via GPS equipment, and Woolpert's operation of the Skycatch UA within visual line of sight, at or below 400 feet AGL.

**4. Extent Of Relief Woolpert Seeks And The Reason Woolpert Seeks Relief From Section 91.151(b).**

Relief from Section 91.151(b) entitled *Fuel requirements for flight in VFR conditions*, is requested to the extent required to allow flights of the battery powered Skycatch UA during daylight hours in visual meteorological conditions (VMC), under visual flight rules (VFR) conditions, to continue for a total duration of 30 minutes, which will ensure that the UA will land

with five minutes of battery power remaining. Woolpert seeks the requested relief because without an exemption from Section 91.151(b), the flight time duration of the battery powered Skycatch UA will severely constrain the practicality of any aerial acquisition and research flight operations that Woolpert proposes to conduct pursuant to this Petition.

Significantly, as set forth below, the technical specifications of the Skycatch UAS, the Skycatch Flight Manual, and Woolpert's proposed operating limitations, ensure that Woolpert will safely operate the battery powered Skycatch UA during daylight hours in VFR conditions, for a total flight duration of 30 minutes, landing with five minutes of battery power remaining.

**5. Extent Of Relief Woolpert Seeks And The Reason Woolpert Seeks Relief From Sections 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), And 91.417(a) & (b).**

Since Sections 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), and 91.417(a) & (b) only apply to aircraft with an airworthiness certificate, Woolpert requests relief from these Sections because the Skycatch UAS does not require an airworthiness certificate. As set forth more fully below, the Skycatch UAS meets the conditions of Section 333 of the FMRA for operation without an airworthiness certificate. Accordingly, Woolpert will use authorized technicians to perform maintenance, alterations, or preventive maintenance on the UAS using the methods, techniques, and practices prescribed in the manufacturer's maintenance manual. Furthermore, Woolpert will document and maintain all maintenance records for the Skycatch UAS.

**D. The Reasons Why Granting Woolpert's Request Would Be In The Public Interest; That Is, How It Would Benefit The Public As A Whole.**

Granting the present Petition will further the public interest by allowing Woolpert to safely, efficiently, and economically perform aerial acquisitions and research over rural areas of the United States, commercially, in support of government entities, agriculture, scientific studies, wildlife monitoring, forestry operations, and the oil and gas industries. Additionally, use of the

Skycatch UAS will decrease congestion of the NAS, reduce pollution, and provide significant benefits to the economy. Notably, the benefits of Woolpert's proposed operation of the Skycatch UAS will be realized without implicating any privacy issues.

**1. The Public Will Benefit From The Aerial Acquisition And Research Performed.**

Woolpert submits this Petition to commercially operate the Skycatch UAS and perform aerial acquisition and research throughout rural areas of the United States, in support of government entities, agriculture, scientific studies, wildlife monitoring, forestry operations, mining, and the oil and gas industries. The Skycatch UAS will provide safe, efficient, and economical aerial acquisition and research operations to further each of these fields, all of which are critical to the well-being of the general public.

The specific operations that Woolpert will perform with the Skycatch UAS demonstrate how the requested exemption will directly benefit the above-referenced industries and the public. In agriculture, the aerial acquisition performed by the Skycatch UAS will be used to predict and increase crop yields, as well as for the research and prevention of crop disease. In the oil and gas industry, the Skycatch UAS will be used to aid in facility inspections, survey and plan new worksites, conduct volumetric analysis, and perform right of way analysis. The Skycatch UAS will also further environmental management by researching invasive species, mapping deforestation, and surveying point source pollution.

**2. The Public Will Benefit From Decreased Congestion Of The NAS.**

The Skycatch UA is battery powered and serves as a safe, efficient, and economical alternative to the manned aircraft traditionally utilized to obtain aerial imagery. By reducing the amount of manned aircraft needed to perform aerial acquisitions, an exemption allowing the use

of a Skycatch UAS would reduce the amount of manned aircraft in the NAS, reduce noise and air pollution, as well as increase the safety of life and property in the air and on the ground.

Furthermore, by reducing the number of manned aircraft operating in the NAS, congestion around airports caused by arriving and departing aircraft will be reduced. The Skycatch UA does not require an airport to takeoff or land. Likewise, a reduction of manned aircraft conducting aerial survey missions would result in fewer aircraft that must be handled by air traffic control during the ground, takeoff, departure, arrival, and landing phases of flight operations.

### **3. The Public Will Benefit From The Safety And Efficiency Of The Skycatch UAS.**

Conducting aerial acquisitions with the Skycatch UAS, instead of manned aircraft, will greatly benefit the public by drastically reducing the levels of air and noise pollution generated during traditional aerial survey flight operations. By using battery power and electric motors, the Skycatch UAS produces no air pollution, and is the most viable environmentally conscious alternative to the cabin class, six cylinder internal combustion twin engine aircraft that are typically utilized for aerial acquisitions, while burning approximately 20-30 gallons per hour of leaded aviation fuel. The Skycatch UA, while reducing the carbon footprint of aerial acquisitions, also eliminates noise pollution, as the UA is propelled by battery powered electric motors, rather than an internal combustion engine.

By using the Skycatch UAS to perform aerial acquisitions, the substantial risk to life and property in the air and on the ground, which is usually associated with traditional manned aircraft flight operations, will be substantially reduced or completely eliminated. Aside from the lack of flightcrew members located onboard the aircraft, the Skycatch UA (weighing approximately 6.6 pounds at its maximum gross weight with a diameter of 30 inches, and with no fuel on board), has

less physical potential for collateral damage to life and property on the ground, and in the air, compared to the manned aircraft that typically conduct aerial acquisitions (weighing approximately 6,500 pounds with a wingspan of approximately 40 feet, a length of 34 feet, and a fuel capacity of 180 gallons).

#### **4. Performing Aerial Acquisition Operations With The Skycatch UAS Will Benefit The Economy.**

In addition to being safe and efficient, the Skycatch UAS is also an economical alternative to using manned aircraft to conduct aerial acquisitions. As such, operation of the Skycatch UAS will allow United States based companies, like Woolpert, to remain competitive and contribute to growth of the U.S. economy. Specifically, with the rising cost of aviation fuel and the Environmental Protection Agency (“EPA”) regulatory actions phasing out leaded aviation fuels, U.S. owned and operated companies must adopt new and alternative technology in order to remain competitive. Operating the battery powered Skycatch UAS is one such technology that not only allows companies greater operational flexibility compared to manned aircraft, but provides such flexibility without the high operational cost of a traditional manned aircraft.

By operating the Skycatch UAS, companies such as Woolpert can remain competitive and profitable, and therefore, provide greater job stability to employees and contractors, which will ultimately contribute to growth of the U.S. economy. Improved financial performance of U.S. companies, through commercial use of the Skycatch UAS, provides a stable workforce that increases consumer spending; improves local, state, and federal tax revenues; and allows companies to invest in research and development in order to remain competitive both in the United States and abroad.

**5. There Are No Privacy Issues.**

Similar to the manned aerial acquisition flight operations that have been conducted for decades, Woolpert's proposed operation of the Skycatch UAS will not implicate any privacy issues. Specifically, the Skycatch UAS will be operated only in rural areas, and in accordance with all Federal Aviation Regulations, including the minimum altitude requirements of 14 C.F.R. § 91.119. Most significantly, the Skycatch UA will not be operated closer than 500 feet to any person, vessel, vehicle, or structure, which is not directly involved in the operation.

**E. The Reasons Why Granting The Exemption Would Not Adversely Affect Safety, Or How The Exemption Would Provide A Level Of Safety At Least Equal To That Provided By The Rule From Which Woolpert Seeks Exemption.**

**1. Reasons Why The Skycatch UAS Meets The Conditions Of The FAA Modernization and Reform Act of 2012 (FMRA) Section 333.**

In consideration of the size, weight, speed, and limited operating area associated with the unmanned aircraft and its operation, Woolpert's operation of the Skycatch UAS meets the conditions of FMRA Section 333, and will not require an airworthiness certificate in accordance with 14 C.F.R. Part 21, Subpart H.

Section 333 provides authority for a UAS to operate without airworthiness certification and sets forth requirements for considering whether a UAS will create a hazard to users of the NAS or the public, or otherwise pose a threat to national security. Specifically, FMRA Section 333 states the following, in part:

*(a) In General.--Notwithstanding any other requirement of this subtitle, and not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall determine if certain unmanned aircraft systems may operate safely in the national airspace system before completion of the plan and rulemaking required by section 332 of this Act or the guidance required by section 334 of this Act.*

*(b) Assessment of Unmanned Aircraft Systems.--In making the determination under subsection (a), the Secretary shall determine, at a minimum--*

*(1) which types of unmanned aircraft systems, if any, as a result of their size, weight, speed, operational capability, proximity to airports and populated areas, and operation within visual line of sight do not create a hazard to users of the national airspace system or the public or pose a threat to national security; and*

*(2) whether a certificate of waiver, certificate of authorization, or airworthiness certification under section 44704 of title 49, United States Code, is required for the operation of unmanned aircraft systems identified under paragraph (1).*

*(c) Requirements for Safe Operation.--If the Secretary determines under this section that certain unmanned aircraft systems may operate safely in the national airspace system, the Secretary shall establish requirements for the safe operation of such aircraft systems in the national airspace system.*

In seeking this exemption, Woolpert submits that the Skycatch UAS can operate safely in the NAS pursuant to FMRA Section 333, as demonstrated by: (a) the characteristics of the Skycatch UAS; (b) the pilot certification requirement; and (c) the specific operating limitations.

**a. The Specifications Of The Skycatch UAS Demonstrate Its Safe Characteristics.**

The Skycatch UAS does not create a hazard to users of the NAS or the public, or otherwise pose a threat to national security considering its size, weight, speed, and operational capability.

**i. Technical Specifications Of The Skycatch UAS.**

The technical specifications of the Skycatch UAS are set forth in Appendix C of the “Flight Manual For The Skycatch Unmanned Aircraft System (UAS),” attached hereto as Exhibit A. Exhibit A contains proprietary information and is to be held in a separate file pursuant to 14 C.F.R. § 11.35(b)<sup>1</sup>.

---

<sup>1</sup> Exhibits to this Petition contain proprietary information, and in accordance with 14 C.F.R. § 11.35(b), are not to be included in the Federal Docket Management System (FDMS).

**ii. The Skycatch UAS Autonomous Flight And Navigation Modes Enable The UAS To Remain Within A Defined Operational Area.**

A complete description of the autonomous modes and methods of navigation of the Skycatch UAS is provided at pages 2, 4, 5, and 10 of the “Flight Manual For The Skycatch Unmanned Aircraft System (UAS),” attached hereto as Exhibit A. Exhibit A contains proprietary information and is to be held in a separate file pursuant to 14 C.F.R. § 11.35(b).

**iii. The Skycatch UAS Is Designed For Automatic Return To Launch In The Event Of Loss Of The Control Link Or Navigation.**

A complete description of the Skycatch UAS’s automatic return to launch function in the event of a break in communication or loss of telemetry data is set forth on pages 2, 9, and 10 of the “Flight Manual For The Skycatch Unmanned Aircraft System (UAS),” attached hereto as Exhibit A. Exhibit A contains proprietary information and is to be held in a separate file pursuant to 14 C.F.R. § 11.35(b).

**b. Flight Operations Of The Skycatch UAS Are Limited To The Line Of Sight Of A Certificated Pilot in Command With A Safety Observer.**

Woolpert will only utilize certificated pilots who possess a valid airman medical certificate to act as a pilot in command (PIC) of the Skycatch UAS. Additionally, a safety observer will assist all pilots. The PIC must complete the Skycatch UAS training and qualification, as set forth in the “Flight Manual For The Skycatch Unmanned Aircraft System (UAS),” attached hereto as Exhibit A. Exhibit A contains proprietary information and is to be held in a separate file pursuant to 14 C.F.R. § 11.35(b).

**c. Flights Of The Skycatch UAS Will Be Conducted Pursuant To Specific Operating Limitations.**

In seeking this exemption, Woolpert proposes to commercially operate the Skycatch UAS for the special purpose of conducting aerial acquisitions over rural areas of United States, pursuant to the following specific operating limitations:

- 1) Operations authorized by this grant of exemption are limited to the following aircraft described in the operator's manual which is a quad rotor aircraft weighing less than 10 pounds: Skycatch Unmanned Aircraft System. Proposed operations of any other aircraft will require a new petition or a petition to amend this grant.
- 2) The UA may not be flown at an indicated airspeed exceeding 43.4 knots.
- 3) The UA must be operated at an altitude of no more than 400 feet above ground level (AGL), as indicated by the procedures specified in the operator's manual. All altitudes reported to ATC must be in feet AGL.
- 4) 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.
- 5) All operations must utilize a visual observer (VO). 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.
- 6) The operator's manual and this grant of exemption must be maintained 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 operator's manual, the conditions and limitations herein take precedence and must be followed. Otherwise, the operator must follow the procedures as outlined in its operator's manual. The operator may update or revise its operator's manual. 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 it petitions for extension or amendment. 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 their exemption. The FAA's UAS Integration Office (AFS-80) may be contacted if questions arise regarding updates or revisions to the operator's manual.
- 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 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. 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 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 in accordance with the operator's manual. The PIC who conducts the functional test flight must make an entry in the UAS aircraft records of the flight. The requirements and procedures for a functional test flight and aircraft record entry must be added to the operator's manual.

9) The preflight inspection must account for all discrepancies, i.e. inoperable components, items, or equipment, not covered in the relevant preflight inspection sections of the operator's manual.

10) The operator must follow the manufacturer's UAS aircraft/component, maintenance, overhaul, replacement, inspection, and life limit requirements, with particular attention to flight critical components that may not be addressed in the manufacturer's manuals.

11) Woolpert must carry out their maintenance, inspections, and record keeping requirements in accordance with the operator's manual. Maintenance, inspection, and alterations must be noted in the aircraft logbook, including total flight hours, description of work accomplished, and the signature of the authorized UAS technician or PIC returning the UAS to service.

12) Woolpert UAS technicians must receive and document training referenced in the operator's manual.

13) Each UAS operated under this exemption must comply with all manufacturer System and Safety Bulletins.

14) Woolpert maintenance personnel must make a record entry in the UAS logbook or equivalent document of the corrective action taken against discrepancies discovered between inspections.

15) The PIC must possess at least a private pilot certificate and a third-class airman medical certificate. The PIC must also meet the flight review requirements specified in 14 C.F.R. § 61.56 in an aircraft in which the PIC is rated on his or her pilot certificate.

16) The operator may not permit any PIC to operate unless that PIC has demonstrated, through the training and currency requirements set forth in the operator's manual, that the PIC is able 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.

- 17) UAS operations may not be conducted during night, as defined in 14 C.F.R. § 1.1. All operations must be conducted under visual meteorological conditions (VMC). Flights under special visual flight rules (SVFR) are not authorized.
- 18) The UA may not operate within 5 nautical miles of the airport reference point as denoted on a current FAA-published aeronautical chart. The UA may not operate within 3 nautical miles from any city or densely populated area.
- 19) 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.
- 20) 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 and land, or be recovered in accordance with the operator's manual.
- 21) The PIC must abort the flight in the event of unpredicted obstacles or emergencies in accordance with the operator's manual.
- 22) The PIC is prohibited from beginning a UAS flight unless (considering wind and forecast weather conditions and assuming normal cruising speed) there is enough power to fly to the first point of intended landing prior to utilizing battery reserve power.
- 23) 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 issuance of a Notice to Airman (NOTAM) not more than 72 hours in advance, but not less than 48 hours prior to the operation.
- 24) All aircraft operated in accordance with this exemption must be identified by serial number, registered in accordance with 14 C.F.R. Part 47, and have identification (N-Number) markings in accordance with 14 C.F.R. Part 45, Subpart C. Markings must be as large as practicable.
- 25) Before conducting operations, the radio frequency spectrum used for operation and control of the UA must comply with the Federal Communications Commission (FCC) or other appropriate government oversight agency requirements.
- 26) The documents required under 14 C.F.R. 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.
- 27) The UA must remain clear and yield the right of way to all other manned aviation operations and activities at all times.
- 28) The UAS may not be operated by the PIC from any moving device or vehicle.

29) The UA may not be operated over congested or densely populated areas. These areas include but are not limited to the yellow areas depicted on World Aeronautical Charts (WAC), Sectional Aeronautical Charts (Sectionals), or Terminal Area Charts (TAC). However, aeronautical charts may not reflect pertinent local information. Ultimately, it is the PIC's responsibility to maintain the minimum safe altitudes required by § 91.119.

30) Flight operations must be conducted at least 500 feet from all nonparticipating persons (persons other than the PIC or VO), vessels, vehicles, and structures unless:

- a. Barriers or structures are present that sufficiently protect nonparticipating persons from 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 land owner/controller has granted permission and the PIC has made a safety assessment of the risk of operating closer to those objects and;
- c. operations near the PIC or VO do not present an undue hazard to the PIC or VO, per § 91.119(a).

31) 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 prior to the beginning of every flight.

32) 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](http://www.nts.gov).

**2. Reasons Why An Exemption From The Requirements Of Section 61.113(a) And (b) Would Not Adversely Affect Safety.**

Woolpert submits that the equivalent level of safety established by Section 61.113(a) and (b) will be maintained because no PIC will be allowed to operate the Skycatch UAS unless that PIC has demonstrated, through the Skycatch UAS training and currency requirements, that the PIC is able to safely operate the Skycatch UAS in a manner consistent with this exemption, including evasive and emergency maneuvers and maintaining appropriate distances from people, vessels, vehicles and structures.

Considering Woolpert's proposed area of operations, and the operating limitations set forth-above; the parallel nature of private pilot aeronautical knowledge requirements to those of commercial pilot requirements (*See* Exemption No. 11062); and the airmanship skills necessary to safely operate the Skycatch UAS, Woolpert submits that the additional manned airmanship experience of a commercially certificated pilot would not correlate to the airmanship skills necessary for Woolpert's specific proposed flight operations.

The Skycatch UAS was the subject of a previous Grant of Exemption from Section 61.113(a) and (b). In Exemption No. 11109, the FAA granted relief from Section 61.113(a) and (b) concerning the operation of the Skycatch UAS by a PIC holding a private pilot certificate and third class airman medical certificate, based upon the following analysis:

The FAA has analyzed Clayco's proposed operation and has determined that it does not differ significantly from the situation described in Grant of Exemption No. 11062 (Astraeus Aerial). Clayco plans to operate over private property with controlled access in the NAS. Given: 1) the similar nature of Clayco's proposed operating environment to that of Astraeus', 2) the parallel nature of private pilot aeronautical knowledge requirements to those of commercial requirements [ref: Exemption No. 11062], and 3) the airmanship skills necessary to operate the UAS, the FAA finds that the additional manned airmanship experience of a commercially certificated pilot would not correlate to the airmanship skills necessary for Clayco's specific proposed operations. Therefore, the FAA finds that a PIC holding a private pilot certificate and a third-class airman medical certificate is appropriate for the proposed operations.

With regard to the airmanship skills necessary to operate the UAS (item #3 stated above), Clayco has proposed a 100 hour training program and 6 month currency requirements. The conditions and limitations below stipulate that Clayco may not permit any PIC to operate unless that PIC has demonstrated through Clayco's training and currency requirements that the PIC is able 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.

*See* Exemption No. 11109 at 12.

Additionally, the FAA has previously granted relief from Section 61.113(a) and (b) specific to UAS, in circumstances similar, in all material respects, to those presented herein (e.g.

Exemption Nos. 11062, 11063, 11064, 11065, 11066, 11067, 11080, 11109, 11110, 11112, 11136, 11138).

As in Exemption No. 11109, Woolpert will not allow any PIC to operate the Skycatch UAS unless that PIC has demonstrated through the Skycatch UAS training and currency requirements, that the PIC is able to safely operate the Skycatch UAS in a manner consistent with this exemption, including evasive and emergency maneuvers and maintaining appropriate distances from people, vessels, vehicles and structures.

A complete description of the Skycatch UAS Training and Qualification requirements is set forth at page 5 of the “Flight Manual For The Skycatch Unmanned Aircraft System (UAS),” attached hereto as Exhibit A. Exhibit A contains proprietary information and is to be held in a separate file pursuant to 14 C.F.R. § 11.35(b).

**3. Reasons Why An Exemption From The Requirements Of Section 91.7(a) Would Not Adversely Affect Safety.**

The equivalent level of safety established by Section 91.7(a) will be maintained because prior to every flight, Woolpert will ensure that the Skycatch UAS is in an airworthy condition based upon the Skycatch UAS’s compliance with its operating documents (i.e., the Skycatch Flight Manual), and as stated in the conditions and limitations herein.

The Skycatch UAS was the subject of a previous Grant of Exemption from Section 91.7(a) (Exemption No. 11109). Additionally, the FAA has previously granted relief from Section 91.7(a) specific to UAS, in circumstances similar, in all material respects, to those presented herein (e.g. Exemption Nos. 11062, 11063, 11064, 11065, 11066, 11067, 11080, 11109, 11110, 11112, 11136, 11138).

**4. Reasons Why An Exemption From The Requirements Of Section 91.121 Would Not Adversely Affect Safety.**

The equivalent level of safety established by Section 91.121 will be maintained because the altitude information of the Skycatch UA will be provided to the PIC via GPS equipment and a radio communications telemetry data link, which downlinks from the UA to the GCS for active monitoring of the flight path. This altitude information, combined with Woolpert's operation of the Skycatch UA within visual line of sight, at or below 400 feet AGL, will ensure a level of safety equivalent to Section 91.121. The altitude information will be generated by GPS equipment installed onboard the aircraft. Prior to each flight, a zero altitude initiation point will be established and confirmed for accuracy by the UAS PIC. The Skycatch UAS was the subject of a previous Grant of Exemption from Section 91.121 (Exemption No. 11109). Additionally, the FAA has previously granted relief from Section 91.121 specific to UAS, in circumstances similar, in all material respects, to those presented herein (e.g. Exemption Nos. 11062, 11063, 11064, 11065, 11066, 11067, 11080, 11109, 11112, 11136, 11138).

**5. Reasons Why An Exemption From The Requirements Of Section 91.151(b) Would Not Adversely Affect Safety.**

A grant of this exemption would ensure an equivalent level of safety established by 14 C.F.R. Section 91.151(b) as a result of (1) the technical specifications of the Skycatch UAS; (2) the limitations on the proposed flight operations; and (3) the location of the proposed flight operations. Accordingly, Woolpert will ensure that it can safely operate the battery powered Skycatch UA during daylight hours, in VFR conditions, for a total flight duration of no more than 30 minutes, resulting in a landing with five minutes of battery power remaining.

In a previous Petition for Exemption, in which an operator was utilizing a Skycatch UAS identical in all material respects to the Skycatch UAS Woolpert proposes to use, the FAA granted an exemption from the requirements of Section 91.151, stating as follows:

In the event that the UAS should run out of power, it would simply land within the access controlled operating area. Given its weight and construction material, the risks are less than contemplated by the current regulation. Prior relief has been granted for manned aircraft to operate at less than the minimums prescribed in § 91.151 (a), including Exemption Nos. 2689, 5745, and 10650. In addition, similar UAS-specific relief has been granted an Exemption Nos. 8811, 10808, and 10673 for daytime, Visual Flight Rules (VFR) conditions. The Skycatch provides a battery failsafe that commands the UA's return to the launch point when critical minimum voltage is reached. The UAS batteries provide approximately 35 minutes of powered flight. The FAA agrees with Clayco's proposal to limit UAS flights to not more than 30 minutes, or enough battery reserve to ensure that the UAS lands at the ground station with at least 20% battery reserve power, whichever happens first. Given the limitations on its proposed operations and the location of those proposed operations, a reduced minimum power reserve for flight in daylight VFR conditions is reasonable.

*See* Exemption No. 11109 at 15.

Here, as in Exemption No. 11109, the technical specifications of the Skycatch UAS; the limitations on the proposed flight operations; and the location of the proposed operations, will ensure that Woolpert may safely operate the battery powered Skycatch UA during daylight hours in VFR conditions for a total duration of not more than 30 minutes, and landing with five minutes of battery power remaining.

Significantly, previous exemptions granted by the FAA concerning Section 91.151 establish that safety is not adversely affected when the technical characteristics and operating limitations of the UAS are considered. Relief has been granted for manned aircraft to operate at less than the minimums prescribed in Section 91.151, including Exemption Nos. 2689, 5745, and 10650. Moreover, the FAA has previously granted relief from Section 91.151 specific to UAS, in circumstances similar, in all material respects, to those presented herein (e.g. Exemption Nos.

8811, 10808, 10673, 11042, 11062, 11063, 11064, 11065, 11066, 11067, 11080, 11109, 11110, 11136, 11138).

**6. Reasons Why An Exemption From The Requirements Of Sections 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), And 91.417(a) & (b) Would Not Adversely Affect Safety.**

In seeking this exemption, Woolpert submits that the equivalent level of safety with regard to the regulatory maintenance and alteration requirements established by Sections 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), and 91.417(a) & (b) will be met because Woolpert will use its trained technicians to perform maintenance, alterations, or preventive maintenance on the unmanned aircraft system using the methods, techniques, and practices prescribed in the manufacturer's maintenance manual. Furthermore, Woolpert will document and maintain all maintenance records for the Skycatch UAS.

Since the Skycatch UAS will be inspected as prescribed by the manufacturer's maintenance manual, Woolpert will maintain the equivalent level of safety established by Sections 91.405(a), 91.409(a)(1), and 91.409(a)(2). The Flight Manual For The Skycatch UAS sets forth airworthiness requirements for the UA, including preflight and post flight inspections, as well as scheduled maintenance in four categories: daily, weekly, monthly, and yearly.

Likewise, the exemption sought will not adversely affect safety because Woolpert will perform maintenance, alterations or preventive maintenance on the UAS using the methods, techniques, and practices prescribed by the manufacturer's maintenance manual. The Flight Manual For The Skycatch UAS details procedures for each component of the UA, including the components of the propulsion system, avionics system, and payload system.

A complete description of the Skycatch UAS airworthiness and maintenance requirements is set forth at page 6 of the "Flight Manual For The Skycatch Unmanned Aircraft

System (UAS),” attached hereto as Exhibit A. Exhibit A contains proprietary information and is to be held in a separate file pursuant to 14 C.F.R. § 11.35(b).

Furthermore, the exemption sought would maintain an equivalent level of safety established by Sections 91.407, 91.417(a) and 91.417(b), because all maintenance of the Skycatch UAS will be performed by Woolpert trained technicians, who will document and maintain maintenance records for the Skycatch UAS.

Significantly, previous exemptions granted by the FAA concerning the Skycatch UAS and Sections 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), and 91.417(a) & (b) establish that safety is not adversely affected when the technical characteristics and operating limitations of the UAS are considered. In Exemption No. 11109, the FAA stated the following concerning the Skycatch UAS and the Skycatch Flight Manual:

Regarding the petitioner’s requested relief from 14 C.F.R 91.405 (a) *Maintenance required*, 91.407(a)(1) *Operation after maintenance, preventive maintenance, rebuilding, or alteration*, 91.409(a)(2) *Inspections*, and 91.417(a) and (b) *Maintenance records*, the FAA has determined that relief from § 91.409(a)(1) is also necessary because it is an alternate inspection requirement of § 91.409(a)(2). The FAA has carefully evaluated the petitioner’s request and determined that cause for granting the exemption is warranted. The FAA notes that the petitioner’s Skycatch UAS Flight Manual contain daily, preflight, monthly and yearly checks for the UAS. The FAA finds that adherence to the Skycatch Flight Manual, as required by the conditions and limitations below, is sufficient to ensure that safety is not adversely affected. In accordance with the petitioner’s UAS maintenance, inspection, and recordkeeping requirements, the FAA finds that exemption from 14 C.F.R. 91.405(a), 91.407(a)(1), 91.409(a)(1) and (2), and 91.417(a) and (b) is warranted subject to the conditions and limitations below.

In consideration of Woolpert’s proposed operating limitations, the most recent Skycatch Flight Manual, and the technical aspects of the Skycatch UAS, Woolpert submits that safety will not be adversely affected by granting exemption from 14 C.F.R. Sections 91.405(a), 91.407(a)(1) and (a)(2), 91.409(a)(2), and 91.417(a) and (b). The FAA has previously granted relief specific to UAS in circumstances similar, in all material respects, to those presented herein (e.g.

Exemption Nos. 11062, 11063, 11064, 11065, 11066, 11067, 11080, 11109, 11110, 11112, 11136, 11138).

**7. The FAA May Prescribe Any Other Conditions For Safe Operation.**

In accordance with Section 333 of the FAA Modernization and Reform Act of 2012 (FMRA) and 14 C.F.R. § 21.16 entitled *Special Conditions*, Woolpert requests that the FAA prescribe special conditions for the intended operation of the Skycatch UAS, which contain such safety standards that the Administrator finds necessary to establish a level of safety equivalent to that established by 14 C.F.R. Part 21, Subpart H, and 14 C.F.R §§ 61.113(a) & (b), 91.7 (a), 91.121, 91.151(b), 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), and 91.417(a) & (b). Such special conditions will permit safe operation of the UA for the limited purpose of conducting aerial acquisitions over certain rural areas of the United States. FMRA Section 333 sets forth the requirements for considering whether a UAS will create a hazard to users of the NAS or the public, or otherwise pose a threat to national security; and further, provides the authority for such UAS to operate without airworthiness certification in accordance with any requirements that must be established for the safe operation of the UAS in the NAS.

Likewise, the Administrator may prescribe special conditions pursuant to 14 C.F.R. § 21.16, for operation of the Skycatch UAS, since the airworthiness regulations of 14 C.F.R. Part 21 do not contain adequate or appropriate safety standards, due to the novel or unusual design features of the aircraft. Section 21.16, entitled *Special Conditions*, states the following:

If the FAA finds that the airworthiness regulations of this subchapter do not contain adequate or appropriate safety standards for an aircraft, aircraft engine, or propeller because of a novel or unusual design feature of the aircraft, aircraft engine or propeller, he prescribes special conditions and amendments thereto for the product. The special conditions are issued in accordance with Part 11 of this chapter and contain such safety standards for the aircraft, aircraft engine or propeller as the FAA finds necessary to establish a level of safety equivalent to that established in the regulations.

See 14 C.F.R. § 21.16.

Therefore, in accordance with FMRA Section 333 and 14 C.F.R. § 21.16, the FAA may prescribe special conditions for Woolpert's intended operation of the Skycatch UAS, which contain such safety standards that the Administrator finds necessary to establish a level of safety equivalent to that established by 14 C.F.R. Part 21, Subpart H, and 14 C.F.R Sections 61.113(a) & (b), 91.7(a), 91.121, 91.151(b), 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), and 91.417(a) & (b).

**F. A Summary That Can Be Published In The *Federal Register*, stating:  
The Rules From Which Woolpert Seeks Exemption:**

*Woolpert, Inc. seeks exemption from the requirements of 14 C.F.R Sections 61.113(a)&(b), 91.7(a), 91.121, 91.151(b), 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), and 91.417(a) & (b).*

**A Brief Description Of The Nature Of The Exemption Woolpert Seeks:**

*This exemption will permit Woolpert, Inc. to commercially operate an Unmanned Aircraft System (UAS) for the purpose of conducting aerial acquisitions and research over certain rural areas of the United States.*

**G. Any Additional Information, Views, Or Arguments Available To Support Woolpert's Request.**

This Petition is made pursuant to the FAA Modernization and Reform Act of 2012 (FMRA) Section 333, which directs the Secretary of Transportation to determine if certain UAS may operate safely in the NAS. As such, Woolpert's request for exemption may be granted pursuant to the authority of FMRA Section 333 and 14 C.F.R. Part 11, as set forth above.

FMRA Section 333 sets forth the requirements for considering whether a UAS will create a hazard to users of the NAS or the public, or otherwise pose a threat to national security; and further, provides the authority for such UAS to operate without airworthiness certification.

As discussed in detail above, Woolpert will operate the Skycatch UAS safely in the NAS, without creating a hazard to users of the NAS, or the public, or otherwise pose a threat to national security.

### **CONCLUSION**

As set forth herein, Woolpert seeks an exemption pursuant to 14 C.F.R. § 11.61 and Section 333 of the FAA Modernization and Reform Act of 2012 (FMRA), which will permit safe operation of the Skycatch UAS commercially, without an airworthiness certificate, for the limited purpose of conducting aerial acquisitions over certain rural areas of the United States. By granting this Petition, the FAA Administrator will be fulfilling the Congressional mandate of the FAA Modernization and Reform Act of 2012, while also advancing the interests of the public, by allowing Woolpert to safely, efficiently, and economically operate the Skycatch UAS commercially within the NAS.

**WHEREFORE**, in accordance with the Federal Aviation Regulations and the FAA Modernization and Reform Act of 2012, Section 333, Woolpert respectfully requests that the Administrator grant this Petition for an exemption from the requirements of 14 C.F.R Sections 61.113(a) & (b), 91.7(a), 91.121, 91.151(b), 91.405(a), 91.407(a)(1), 91.409(a)(1) & (a)(2), and 91.417(a) & (b), and permit Woolpert to operate the Skycatch UAS commercially for the purpose of conducting aerial acquisitions and research over certain rural areas of the United States.

Dated: January 8, 2015

Respectfully submitted,

**The Aviation Law Firm**

*/s/ Gregory S. Winton*

---

Gregory S. Winton, Esq.  
Jared M. Allen, Esq.  
1997 Annapolis Exchange Parkway  
Suite 300  
Annapolis, Maryland 21401  
Tel: (301) 294-8550  
Fax: (866) 568-9886  
*Attorneys for Petitioner*

cc: James H. Williams, AFS-80  
Robert Pappas  
Dean Griffith, Esq.