

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, D.C.**

IN THE MATTER OF

Petition of AgrowSoft, LLC d/b/a AgrowDrone for Exemption

Docket No. FAA-2019-0762

COMMENTS OF THE SMALL UAV COALITION

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The Small UAV Coalition¹ is pleased to provide its comments in support of the petition by AgrowSoft, LLC d/b/a AgrowDrone (“AgrowDrone”) for an exemption under section 44701(f) to operate the AgrowDrone UAS-eM5 and AgrowDrone UAS-eM10 unmanned aircraft systems (“UAS”) weighing 70 lbs. and 72 lbs., respectively, when fully loaded with 5 gallons of pesticide, for agriculture-spraying operations.² AgrowDrone also seeks exemption from several provisions of Part 137.

Members of the Small UAV Coalition share an interest in advancing regulatory and policy changes that will permit the operation of UAS in the near term within and beyond the line of sight, with varying degrees of autonomy, for commercial and other civil purposes. This includes operations of aircraft heavier than 55 lbs. used for agriculture spraying. The Coalition believes that granting this petition will help advance this objective.

AgrowDrone spraying flights will operate between two and 20 feet above ground level (“AGL”) over a customer’s farmland, for which access will be controlled by the property owner. Non-spraying missions, for aerial scouting and imaging, will be under 400 feet AGL. AgrowDrone will ensure that no spraying operation will be done within 200 feet of any person not involved in the operation. The FAA has recognized the patent environmental and safety benefits of operating a low altitude UAS instead of a manned helicopter or fixed wing aircraft in previous grants of exemption for operators of UAS over 55 lbs. These operations will be within the visual line of sight of the remote pilot, with the aid of a visual observer (spotter), and will be during daylight hours.

¹ Members of the Small UAV Coalition are listed at www.smalluavcoalition.org.

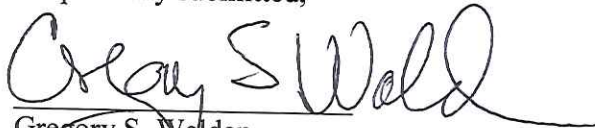
² Section 44701(f) permits the FAA Administrator to grant an exemption from any regulation if in the public interest. FAA may elect to consider this petition under section 44807, which authority the FAA has used for operations of UAS over 55 lbs. Under either provision, the Coalition supports the grant of an exemption.

The risk of death, personal injury, or disease is reduced considerably, at lower costs to all involved, and with reduced emissions as compared with manned helicopters and fixed wing aircraft. In recognition of these benefits, Congress, in section 361 of the FAA Reauthorization Act of 2018, directed the FAA to provide a report, by October 5, 2019, evaluating which provisions of Part 137 should apply to UAS operations for aerial spraying of chemicals for agricultural purposes. Granting this and similar exemption petitions will enable the FAA to gather data from UAS operators for this required report, or to supplement such a report.

AgrowDrone's petition notes that it will use pilots who hold a Part 107 remote pilot certificate. While the FAA, before publication of the Part 107 final rule, required section 333 exemption holders to use only pilots with an airman certificate, the Coalition believes a Part 61 airman certificate is not necessary, in light of the equivalent level of safety involved in the combination of Part 107 certification and training specific to the agriculture operations AgrowDrone pilots will conduct. The Coalition is pleased that the FAA previously adopted this position in Exemption No. 17936 to DroneSeed Co., FAA-2017-1157 (Aug. 13, 2018), and believes AgrowDrone should receive the same relief.

In sum, the Small UAV Coalition supports AgrowDrone's petition for exemption, in consideration of the many safety features detailed in its petition and the particular operational environment where UAS operations will eliminate the risk to persons who would otherwise be engaged in the agricultural operation on foot, ATV, or with manned aircraft. Accordingly, the Coalition requests the FAA grant AgrowDrone's petition for exemption.

Respectfully submitted,



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