

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

IN THE MATTER OF

Amended Petition of Pyka, Inc. for Exemption

Docket No. FAA-2019-0948

COMMENTS OF THE SMALL UAV COALITION

**Gregory S. Walden
Dentons US LLP
1900 K Street NW
Washington, DC 20006
*Counsel to the Small UAV Coalition***

November 2, 2020

Filed with www.regulations.gov

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

IN THE MATTER OF

Amended Petition of Pyka, Inc. for Exemption

Docket No. FAA-2019-0948

COMMENTS OF THE SMALL UAV COALITION

The Small UAV Coalition (“Coalition”)¹ is pleased to provide its comments in support of the amended petition by Pyka, Inc. (“Pyka”) for an exemption pursuant to 49 U.S.C. 44807 to allow Pyka to operate its Pyka Pelican, an unmanned aircraft weighing up to 1,214 lbs. (with payload) maximum takeoff weight, for aerial spraying operations in remote, rural areas. On February 3, 2020, the Coalition previously submitted comments in support of Pyka’s original petition, which proposed to operate the Pyka P-400b, which weighed 600 lbs., and for the same reasons stated in the Coalition’s initial comments, the Coalition supports the granting of this amended petition.

Unmanned aircraft systems (UAS) offer a safe and efficient means of conducting a variety of operations, including aerial spraying for agricultural purposes. 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 (BVLOS), with varying degrees of autonomy, for commercial and other civil purposes. This includes UAS weighing over 55 lbs. The Coalition believes that granting this petition will help advance this objective.

Pyka's fixed-wing Pelican UAS will operate around 300 feet Above Ground Level (“AGL”) at speeds up to 70 to 90 mile per hour, in rural, remote, and controlled operational environments. Using drones instead of humans or manned rotorcraft to conduct these aerial spraying operations will eliminate the risk to workers and allow the work to be completed efficiently, in a fraction of the time it would take human beings to do this work. When the UAS will pass over a road, Pyka will ensure there is no vehicle or person in the vicinity.

Pyka notes that the a LIDAR obstacle avoidance system. Pelican includes several improvements in safety and reliability, including. Pyka states that it will comply with the conditions and limitations in Exemption 17936 (DroneSeed) and Exemption 11448 (Yamaha), with several exceptions. The Coalition supported both petitions for exemption, and agrees that compliance

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

with the conditions and limitations set forth in these exemptions will achieve an equivalent level of safety. Pyka also cites its safety record in conducting more than 10,000 miles of authorized flights in New Zealand, and notes it is seeking a Special Airworthiness Certificate in the Experimental Category.

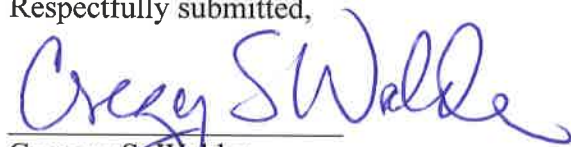
Pyka explains that in addition to the remote pilot, a different person will serve as ground control operator. In this respect, the ground control operator will replace the visual observer. As this may be an atypical division of responsibility, the Coalition supports the FAA granting an exemption on Pyka's demonstration of an equivalent level of safety.

Pyka seeks an exemption under both Parts 61 and 137 to use as pilot holding a remote pilot certificate with small UAS rating under Part 107 for these Part 91 operations. Pyka states that its pilots will comply with the knowledge and skills requirements in Part 137, and the UAS-specific pilot training requirements in its Training Program submitted confidentially to FAA. The Coalition believes that holding a remote pilot certificate under Part 107 should be sufficient for operations under section 44807. With the adoption of Part 107, in which a remote pilot certificate with small UAS rating is accepted in lieu of a Part 61 airman certificate, the FAA should similarly accept that certificate, with UAS-specific additional training requirements, for UAS over 55 lbs., as well as certain Part 137-related skills and knowledge requirement.

In section 361 of the FAA Reauthorization Act of 2018, Congress 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. To our knowledge, that report has not yet been submitted. Granting this and similar exemption petitions will enable the FAA to gather data from UAS operators for this required report.

In sum, the Small UAV Coalition supports Pyka's amended petition for exemption, in consideration of the many safety features detailed in its petition and the particular operational environment where UAS operations will avoid the risk to persons. Accordingly, the Coalition requests the FAA grant Pyka's petition for exemption.

Respectfully submitted,



Gregory S. Walden
Dentons US LLP
1900 K Street NW
Washington, DC 20006
202-496-7436

gregory.walden@dentons.com