

OFFICE MEMORANDUM

Date: March 24, 2015

COORDINATION — ROUTING

Div.	Name	Initial	Date
Legal	Ann Bright		

To: Carter Smith
From: Brent Leisure *Brent Leisure*
Subject: Unmanned Aircraft *3-25-15*
Re: Unauthorized Operation Within State Parks

Remarks:

Return To: Brent Leisure

The use of unmanned aircraft for recreational purposes has been managed within state parks for many years, primarily with regard to remote controlled model aircraft. TPWD has established designated launch sites and use areas within parks to accommodate and facilitate this activity while still ensuring visitor safety and resource protection.

However, recent advances in technology have expanded the capabilities of unmanned aircraft, including videography, vertical takeoff, hovering, and even autonomous operation. These technological advances, along with increased use by the general public and negative incidents in public parks across the country, have led to concerns about potential harassment of wildlife and visitor safety, along with disruption of visitor peace and privacy.

Pursuant to Title 31, Texas Administrative Code, §59.132(a), the Executive Director may impose restriction on public activity and conduct and may limit the use of any area or facility in a state park or a portion thereof upon finding a need for public safety or welfare, or preservation of park resources. It is the position of the State Parks Division that the unmanaged operation of unmanned aircraft within state parks poses a threat to wildlife resources, and visitor safety and privacy. Therefore, the State Parks Division requests a determination that unmanned aircraft may not be launched, landed or operated from or on a state park, except as permitted by the park superintendent or other designated staff.

Some examples of when unmanned aircraft may be permitted in a State Park:

- Natural and/or Cultural Resources assessment and monitoring;
- Facility assessment and monitoring;
- Filming for promotional or commercial purposes;
- Law Enforcement surveillance;
- Search and rescue;
- Recreational use when confined to an approved and designated area.

Unauthorized launches, landings, or operation shall be considered an offense under 31 TAC §59.132(a).

For purposes of this policy, TPWD will define the term "unmanned aircraft" as it is defined by the National Park Service in Policy Memorandum 14-05: "any device that is used or intended to be used for flight in the air without the possibility of direct human intervention from, within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links)."

Approved for implementation Disapproved

Carter Smith
 Carter Smith, Executive Director

26 March 2015
 Date