



DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, CORPS OF ENGINEERS
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BALTIMORE MD 21201-5000

CENAB-OPF (100)

SUBJECT: Policy for Operations of Unmanned Aircraft Systems (UAS) at Corps Operations Division Project Lands of the Baltimore District

1. PURPOSE. This Operations Policy Letter establishes the U.S. Army Corps of Engineers (USACE), Baltimore District (District), policy and responsibilities regarding operation of unmanned aircraft systems (UAS) within District project lands.
2. APPLICABILITY. This policy is applicable District wide for all Operations employees, contractors, partners, volunteers, and visitors utilizing UAS on and over Civil Works Operations facilities and projects within District, including Flood Risk Management and Navigation Branches.
3. REFERENCES.
 - a. FAA Order 8900.1, Volume 16, Unmanned Aircraft Systems, 26 September 2018
 - b. Code of Federal Regulations (CFR), Title 36, Parks, Forest and Public Property, Chapter III, Part 327.4 *Aircraft, Rules and Regulations Governing Public Use of Water Resource Development Projects*, 9 July 2020
 - c. U.S. Army Corps of Engineers, Operational Protection Message, SUBJECT: Overflights of USACE Projects by Unmanned Drone Type Aircraft, 18 September 2014
 - d. Engineer Circular 1110-1-109, Acquisition and Operation of UAS Technology, 31 August 2018
 - e. FRAGORD4 TO OPORD 2015-28 (USACE Commander's Critical Information Requirements, CCIR) 13 August 2018
 - f. FAA Order 8040.6, Unmanned Aircraft Systems, Safety Risk Management Policy, 4 October 2019. The operation of nighttime UAS flights must comply with FAA Unmanned Aircraft Systems Safety Risk Management Policy- FAA Order 8040.6
 - g. Aviation Policy Letter 19-08, USACE Aviation SUAS Policies and Procedures

- h. Aviation Policy Letter 20-06, Small Unmanned Aircraft Contractor and Third Party Flights on USACE Projects and Lands
- i. FAA Part 107 Waivers. The request to operate UAS during nighttime conditions requires the operator to submit a request to the FAA under § 107.29 – Daylight Operations, and have approval to operate UAS during nighttime hours.

4. DEFINITIONS.

- a. An “Unmanned Aircraft” (UA) An aircraft that is operated without the possibility of direct human intervention from within or on the aircraft. [FAA Order 8900.1, Volume 16, unmanned Aircraft Systems, 26 September 2018].
- b. An “Unmanned Aircraft System” (UAS) A UA and its associated elements (including communication links and the components that control the small UA) that are required for the safe and efficient operation of the small UA in the NAS. [FAA Order 8900.1, Volume 16, Unmanned Aircraft Systems, 26 September 2018].

5. BACKGROUND.

- a. The Operational Protection Division (OPD) office coordinated with the HQ Operations and HQ Office of Counsel who agree that UAS are covered under 36 C.F.R. § 327.4. Drone type aircrafts are prohibited from flying over USACE projects, except over project lands designated by the District Commander. See 36 C.F. R. § 327.4(b).
- b. UAS can be as large as an airliner or smaller than a model airplane. They also have multiple applications. They can be used for hobby and recreation, public safety and emergency operations as well as many commercial uses. Regardless of the size or application, UAS pose a potential risk to USACE personnel, safety, infrastructure, equipment, and mission conduct.
- c. The use of UAS at District projects could potentially lead to breaches of security in and around critical infrastructure (dams, power plants, etc.) and lead to user conflicts at designated recreation areas.
- d. District Commanders may delegate the authority through the District Chief of Operations for General District Policy Guidance to the Operations Division, Flood Risk Management Operations Project Managers to determine the specific locations and/or specific conditions on or above a

USACE water resources development project where the public can safely operate UAS. Specific conditions shall be posted pursuant to 36 CFR 327.12, Restrictions. A special use permit, in accordance with EC 1130-2-550, Chapter 9, and 36 CFR, Chapter III, Part 327.18, will be issued for commercial operation.

- e. For more information on UAS visit the FAA website at:
<http://www.faa.gov/uas/>

6. POLICY.

- a. Operation Project Managers at Jennings Randolph, Raystown, Susquehanna River and Tioga-Hammond and Cowanesque Lakes are delegated the authority to determine the specific locations and/or specific conditions on or above their USACE water resources development project where the public can safely operate UAS within the minimum conditions set forth by the District Commander for daytime use requests. Approval for nighttime UAS requests will remain with the District Commander.
- b. In accordance with Title 36 CFR, Parks, Forest and Public Property, Parts 327.4(b) and (c), UAS are prohibited from flying over any USACE projects, except over lands designated by the District Commander, or Operations Project Manager. Additionally, no person shall operate any aircraft while on or above project waters or project lands in a careless, negligent or reckless manner so as to endanger any person, property or environmental features, Title 36 CFR, Parks, Forest and Public Property, § 327.4 Aircraft.
- c. UAS shall not be operated within 500 feet of operational areas unless specifically approved by the District Commander, or Operations Project Manager. These areas are defined as land on which project operational structures are located (i.e. dams, hydropower plants, administrative and maintenance buildings, visitor centers, and associated support facilities). Larger restricted zones can be established where applicable. UAS shall not be operated within 500 feet of sensitive security locations (i.e. dams, hydropower plants, Survey/Debris Removal Field Office at Fort McHenry, Debris Removal Field Office at Washington D.C. and other traditional restricted public areas) unless for operational necessity.
- d. USACE owned and operated UAS, USACE contracted UAS activities and organizations operating an UAS under USACE authority or directly

supporting a USACE mission on and over Civil Works Operations facilities and projects within District shall adhere to all applicable Army regulations including but not limited to Aviation Policy Letter 19-08, and Aviation Policy Letter 20-06 .

- e. All partner, state/local or federal organizations operating a UAS under their own authority, supporting their own mission activities are not required to adhere to Army regulations. Those persons can operate UAS on and over Civil Works Operations facilities and projects within District if given approval by the District Commander, or his/her delegated authorities.
 - f. All private and public recreational/hobby and/or commercial use of UAS must satisfy all FAA requirements, applicable state and local laws, and USACE regulations.
 - g. Any project employee noticing the unauthorized operation of an UAS within prohibited areas identified in subsequent local policies, will notify their supervisory staff, who will then contact the District Operations Division Flood Risk Management Branch and District Security Office via email as soon as possible. The email shall consist of UAS was being operated, when the UAS was in operation on and over USACE lands, where the UAS was operated, and why was the UAS was being utilized.
 - h. The project supervisor will submit a Suspicious Activity Report for all unauthorized UAS overflights by the public on and over Civil Works Operations facilities and projects within District using the USACE ENLink home page, and if appropriate law enforcement suspicious activity reporting channels as soon as possible.
7. EXCEPTIONS.
- a. UAS engaged on official business of Federal, State or local Governments, or law enforcement agencies while responding as emergency rescue, or for other emergency operations when designated by the District Commander or Operations Division, Flood Risk Management Operations Project Managers, if delegated that authority.
 - b. UAS forced to land due to circumstances beyond the pilot's control.
 - c. UAS activities on and over Civil Works Operations facilities and projects within the District approved by the District Commander or his/her delegated authorities.
8. RESPONSIBILITIES.

- a. All supervisors will ensure their subordinates are made aware of, understand, and comply with this policy.
 - b. All District employees will report any violations of this policy to their supervisors.
9. EFFECTIVE. This policy is effective immediately upon signature.
10. The point of contact is the Operations Division, Flood Risk Management Branch, Recreation Business Line Manager available at 410-962-4370.

Enclosures

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