



# **Rulemaking: Take-Off and Landing of Drones in State Parks**

**Public comments received**

**April 8, 11:25 am through April 15, 2022, 5:00 pm**



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

General comment or question

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Brian Evans

**Commenter email (if provided):**

bpe541@gmail.com

**Public comment:**

I like the idea of drones being used for educational purposes but we do need to look for for wildlife. However, if there were avenues or areas for take off and landing like boat slips that would streamline traffic and be safer.

Drones could be pivotal for education and law enforcement, but too many may not be safe.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Jim Jackson

**Commenter email (if provided):**

jim4klahaya@yahoo.com

**Public comment:**

Thank for accepting comment on your proposed rule.

First I would like to state that I'm not a resident of your great state but of your neighboring state of Washington.

For over 50 years I've been visiting and enjoying your wonderful parks, and beaches.

I have experience with both quad-copters and drones (which are indeed quite different, more on that later on). Personally, I use them as a hobby. Though I've also well aware of their use in search and rescue, fire fighting, and law enforcement. My direct experience is over 4 years.

In my experience, neither in your state, nor in mine, have I seen people intentionally, or activity harassing wildlife. Please allow to point out that these craft are fragile, and a collision with any object can easily amount to total loss or costly damage. Therefore most pilots avoid anything that could potentially cause an accident. Also, in certain locales I understand that birds of prey are being trained to capture/destroy these type of aircraft.

I do hope in your rule making and decision making, that you differentiate between quad-copters and drones. Drones, truly are at least semi-automatous, meaning that they can maintain and sustain a flight path without human intervention. They are higher on the food chain than most of what I've ever witnessed in your, or our parks, and the highest end of these are typically only employed by milarites.

On the other hand quad-copters are much more basic and rely solely upon human input to maintain any course. These devises are quite prevalent, as some retail for under \$50.

The differences are well beyond the cost, the latter are typically smaller, and must operate far closer to their pilot, and typically in full line of site, while the later can range much further. In the case of smaller ones, it's just a few feet to a 75 feet or so. While the drones may operate miles from their pilot.

Noise pollution can come in many forms. Certain devices can emit a noise that can be heard further away than others. This holds true for these machines as well. I have ones that you don't notice within 5 feet, and ones that you can still hear 50 feet away. Thus I believe that if this is a concern,

above say all the other noises present that you should set a threshold of what is acceptable. Perhaps a distance at which it can't be heard.

These devices allow so many of us to see what we've never been able to see before. Allowing a new perspective that previously was only obtainable in airplane. Allowing us to truly enjoy your beautiful state so much more.

People have complained about privacy for a long time, and indeed I believe that there are interests who wish to stir that up. But what privacy are we granted or do we expect in a public place? should cameras and cells phones also be restricted?

These devices aren't spy craft. Indeed the low end ones you can only guess what your taking a photo of in the first place and only through experience do you get the shot that you might of wished. The higher end ones, with the camera's feeding live images make enough noise that if they can see anything you can hear them coming.

My state's restricted their use in state parks, something I find very disappointing. Leaving me very few places (mostly my home) to enjoy this great hobby. I do hope that you don't do the same.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Jennifer Hill

**Commenter email (if provided):**

jenhill5395@gmail.com

**Public comment:**

Hi,  
Below are my comments I submitted about drone use in Oregon State Parks and on the Oregon Coast. I could not present at the meeting Wednesday because I did not have a password to get into the Zoom meeting. I watched the meeting in its entirety via YouTube. My friend, Naseem Rakha, encouraged me to send the following comments to you and let you know if the technical issue. Thanks!

Hello my name is Jennifer Hill and I am an Oregonian, an avid outdoor enthusiast, have worked in the Outdoor Industry as an Outdoor school instructor with REI and currently work with a company committed to preserving outdoor spaces and Saving our Home Planet, Patagonia. I have spent most of my life seeking and exploring wild spaces and have had the privilege to spend some of my career teaching others about how to prepare and experience nature. I want wild places to remain wild, unpredictable and provide escape and for those reasons I am against drones being allowed to invade the space in Oregon's beautiful state parks.

It is important that we make a concentrated effort to preserve the undisturbed landscape of parks particularly in a world where technology and social media make it possible to never leave your couch to see remote spaces. This includes preserving the quiet you experience when walking a trail, it includes preserving the wide open sky and it includes preventing anything from changing the behavior or stressing any of the animal life that exists in our parks any more than they already are.

Myself and over fifty million daytime visitors a year value the opportunity to experience our State Parks in such a way that immerses us in the beauty of the natural environment apart from the stimulus of our 2022 lifestyle. The fresh air and open environment provides a convenient escape from the noise of raging car engines, loud music, sirens, boisterous humans and barking dogs. Especially during the last few years during Covid, our state and national parks became sanctuaries for healing our mental and physical health. This benefit to humans as well as the health of the animal species that live in park habitats are equally threatened by allowing flying, mechanical cameras to peruse the sky. A drone is not natural and is very noticeable—it is a distraction to humans and some animals actually perceive them instinctively as a threat.

Many birds, for example, see drones as a predator competing for food. Other animals react to the foreign stimuli of a strange flying object in their environment by exhibiting frantic behavior that can have a direct effect on feeding, quality of life, mating rituals, etc. In one article I read about

Colorado's ban on drones they stated that drones increase stress and even can cause death to wildlife. They talked specifically about how they had observed hunters harassing animals with drones,—harassment is defined as any activity that causes a change in behavior to wildlife—This means that just by simply following animals to take photos drones can cause extreme distress. But to be clear, having a drone in hand while visiting a state park does not reflect MOST park visitors. State Parks and recreation rules need to protect the values of the majority.

Over the last 5 years, the Outdoor Industry has been engaged in a strong effort to make the outdoors accessible to everyone through free parks days, outdoor school, and skills classes. I myself planned events in cooperation with state parks to encourage all outside. This effort to allow drones to fly is not inclusive. It is to benefit those privileged enough to afford and own a drone. It is an exclusive few. And at the cost of the experience of how many others? Many more Oregonians have never seen a place like Silver Falls, and to taint that experience in nature with a drone flying over is a wrong. It is our right to have an undisturbed experience in the park unique to each of us without the possibility of being bothered by unnatural flying machines.

I recognize that drones are a useful tool to certain industries such as military surveillance, fire analysis, research and search and rescue. I understand their benefits to photographers and the media. But currently drone use is not easily controlled or monitored. Conservation ethics need to come into play when people are using drones- how do you leave no trace when you have invaded someone's personal space? Our state parks do not have the resources to have someone watching the sky to monitor closely designated fly zones. The national Parks were classified as no drone zones in 2014 and you have to have a special use permit in order to fly there. State Parks should employ the same rules.

But simply put, there are 113,000 acres of State Park in the state of Oregon. The entire state has a total of 98,466 square miles of land, meaning that the state parks are a total of 0.2 percent of what Oregon has to offer. There is plenty of other area in our beautiful state to fly, this small portion of land that we have spent the time and energy to set aside for visitors and Oregonians to experience is important to preserve in the sky and on the ground for generations to come.

Thank you for your consideration of my comments,

Jennifer Hill



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Keir Bryerton

**Commenter email (if provided):**

quacpdx@protonmail.com

**Public comment:**

I am an Oregonian and I oppose expanded access for drones in Oregon state parks and beaches. Our state parks and beaches are wild places that serve as refuges for both wildlife and humans from technology and development.

How is it fair to subject the general public and resident wildlife to the noise and privacy concerns that will accompany expanded access for hobby drones?

If Oregon state parks and beaches become accepted drone parks, how will Oregon State Parks ensure that drone hobbyists keep out of restricted areas such as nesting sites and campgrounds? More drone traffic will inevitably lead to more drone flying violations.

Drone hobbyists claim that cameras on their drones are fundamentally no different than the cameras carried by many other park visitors.

I would call a flying camera capable of travelling hundreds of feet to miles away from the operator fundamentally different than a handheld camera. There is no expectation of privacy if you are in the presence of a person. A drone expands one person's presence while that person remains unseen. Drone hobbyists often claim that the noise from drones is unobtrusive.

This is simply not true, and writing a law based on the claim that drones will get quieter just doesn't make sense.

Oregon state parks and beaches should not become unregulated drone parks.

No to expanded access for drones in Oregon state parks.

No to expanded launch and landing of drones in Oregon state parks.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Bob Berman

**Commenter email (if provided):**

BirderBob@gmail.com

**Public comment:**

The very idea of allow any use of drones is contrary to the purpose of have State parks as a refuge from noises and disruptions of daily life. Please do not allow any drone activity in the parks so we can all enjoy the natural beauty and peaceful experiences without annoying distractions.



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Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Ciye Norgang

**Commenter email (if provided):**

zygerot@gmail.com

**Public comment:**

To whom it may concern

As a long time visitor of many Oregon State Parks I appose the proposed rule change for the take off and landing of "drones" in the Oregon State parks.

I think the proposed rules if passed could be easily implemented in an overly strict manner as none of these proposed take of and landing areas have been designated or how many of them there will be.

Also I believe it is to large of a reverse in policy from the current policy. like Chris Havel(associate director of the Oregon Parks and Recreation Department) said in his interview with OPB " Well there are rules - both federal rules and state park rules - that do speak to harassing wildlife. So that's not a drone specific rule. But just as you can't, on foot, harass wildlife, you also can't do it with any equipment that you might be operating." the same can be said for any other concern the st parks have for drones. The State parks already can ban flights in areas for the safety of visitor or wildlife making much of the new proposed rule unneeded.

I understand the ban on take off and landing in campgrounds however I believe the restriction should be lifted if the camp ground is closed to overnight camping seasonally. If the campground is not open to overnight camping it would be make sense to give operators of UAS the opportunity to fly.

I understand user conflict and personally I avoid flying high use areas but also believe that as a cautious park goer you can find times off season, mid week or holidays when some parks a virtually empty. With some basic guidelines, signage and public out reach about what park etiquette is, user conflict could be limited. I think it is unfair fair to so drastically limit our park access without first attempting to solve any users conflicts through establishing communication between user groups and staff.

Like mountain bikes that where initially very controversial, I believe solutions similar to the Bikers yield to Hikers yield to Horses signage could be implemented remind park goers to be courteous of one an-other's park experience and allow all user groups fair safe park access.

Not all "drones" have the same capabilities nor are they used for the same purpose, the best location to transmit a control link to your device and receive a video link from the device are not the same for every operators. I would like to remind those considering these rule changes that Kenji Sugahara has worked for DJI and much of these proposed rules cater to the abilities and features of the companies he has worked for in the past I think that some one with less personal vested

interest in the rule changes should be the one advising on this matter.

I also believe that recreational "drones" under 250 grams should see less restriction than larger "drones" similar to FAA regulations.

Don't take the sky from me  
Ciye Norgang



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Chris Wold

**Commenter email (if provided):**

cwold4255@gmail.com

**Public comment:**

Oregon Parks and Recreation Department  
c/o Katie Gauthier, Legislative Coordinator

Please find my comments concerning the landing and taking off of drones on OPRD-managed properties attached. If you have any questions, please do not hesitate to contact me.

Best regards,  
Chris Wold

Oregon Parks and Recreation Department  
c/o Katie Gauthier, Legislative Coordinator  
725 Summer St NE, Suite C  
Salem, OR 97301

April 15, 2022

**RE: Comments on OPRD draft rules on taking off and landing of drones in state parks and ocean shore**

Dear Ms. Gauthier,

Thank you for the opportunity to provide comments on the proposed rules regarding drone take-off and landing in State Parks and coastal areas managed by the Oregon Parks and Recreation Department (OPRD). While I have provided oral testimony to both OPRD and the Oregon State Parks and Recreation Commission (Commission), I wanted to make some additional comments in light of statements made at the Commission meeting on April 13, 2022.

Section I of these comments embellishes the oral testimony I provided to OPRD and the Commission concerning the OPRD's failure to make a good faith effort to include all relevant interests on the rules advisory committee (RAC) in violation of Oregon law. Section II describes how the flawed composition of the RAC led to a flawed proposal. Section III argues in favor of a presumption against landing and taking off of drones from OPRD-managed properties, particularly the Oregon shore. Section IV provides information on what the state park systems of other states are doing, showing that significant precedent exists to prohibit drone use except in designated areas or subject to permits. It provides text of regulatory language as well as permit requirements that OPRD may find useful in developing its own rules. Section V briefly summarizes federal drone laws, as requested by some commissioners.

**I. OPRD's Flawed RAC Composition**

As I stated in my oral testimony, the RAC process has been deeply flawed and likely violates Oregon administrative law. Oregon law states: "If the agency appoints an advisory committee, the agency shall make a good faith effort to ensure that the committee's members represent the interests of persons likely to be affected by the rule."<sup>1</sup> In light of the known impacts to wildlife summarized in Section III below, it should have been clear to OPRD that conservation interests should be included on the RAC. Indeed, testimony in support of SB 109 from Katie Gauthier, OPRD Legislative Coordinator, delivered on behalf of Chris Havel, Associate Director, OPRD, stated that the RAC would specifically include "conservation advocates."<sup>2</sup>

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<sup>1</sup> [OAR 137-001-007\(2\)](#).

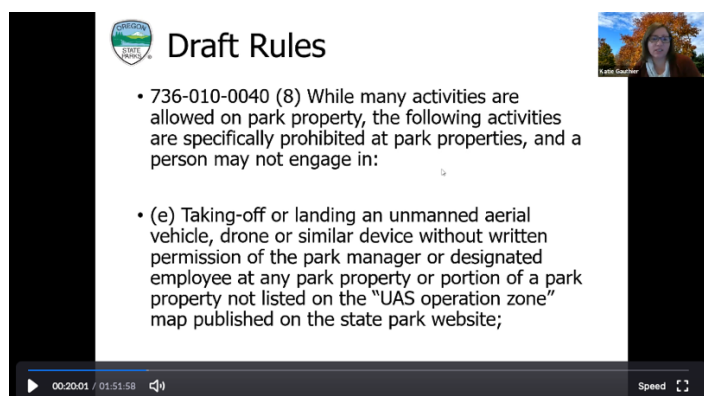
<sup>2</sup> In that testimony, Associate Director Havel states that the public conversation and rulemaking over drone take-offs and landings "would start by bringing together commercial drone pilots, recreational hobbyists *and conservation advocates* to help craft a rule that provides clarity to drone operators while protecting the natural, cultural and scenic resources within state parks." Chris Havel, OPRD Associate Director, Testimony in support of SB 109, Jan. 27, 2021 (emphasis added), <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/PublicTestimonyDocument/141>.

Relevant conservation advocates are easy to find. Portland Audubon has been engaged in bird conservation for more than 100 years and its coastal marine habitats program is prominently displayed on its website.<sup>3</sup> Various “Friends” groups along the coast have been engaged in education and advocacy relating to protection of the Oregon coast and its wildlife. Friends of Haystack Rock is well-known for its advocacy of tufted puffins.<sup>4</sup> Other organizations, such as Oregon Wild, Oregon Natural Desert Association, Surfrider Foundation, Oregon Shores Conservation Coalition, and many other groups have well-known activities to protect state parks, whether at the coast or inland. The simplest of online searches would have found any number of relevant advocates whose interests are affected by this rulemaking. Even without an online search, one would have thought that OPRD staff could easily identify relevant conservation advocates. Moreover, the U.S. Fish and Wildlife Service (USFWS) manages more than 1,850 rocks, islands, and other lands that are adjacent to OPRD-managed lands. When OPRD staff were asked directly about this, they did say they attempted to invite one environmental group, the Wild Salmon Center, before the first RAC meeting. Reaching out to one group whose interests in fish are highly unlikely to be affected by drones when many wildlife conservation organizations are so easily found does not constitute “good faith effort.”

Yet, inexplicably, the initial RAC did not include representatives from Oregon conservation organizations, recreational user groups (other than drone users), or Tribal nations, all who have interests likely to be affected by the rule. In addition, the RAC did not include any representatives from the U.S. Fish and Wildlife Service (USFWS) or any other federal agency that manages wildlife in Oregon with the potential to be impacted by drone use. The failure to find and include easily identifiable conservation advocates constitutes a failure to make a good faith effort to include those interests likely to be affected by the rule in violation of Oregon law.

## II. A RAC without Balanced Representation Leads to a Flawed Proposal

This exclusion of conservation advocates was not a minor flaw or inconsequential oversight, because OPRD made important decisions based on discussions at that first meeting. OPRD began the first RAC meeting by proposing a ban on the landing and taking off of drones on OPRD-managed lands unless permitted.<sup>5</sup>



<sup>3</sup> Portland Audubon, Coastal Marine Habitats, <https://audubonportland.org/our-work/protect/habitat-and-wildlife/coastal-marine/>.

<sup>4</sup> Friends of Haystack Rock, Protect Our Puffins, <http://friendsofhaystackrock.org/protect-our-puffins/>.

<sup>5</sup> See OPRD, [Video Recording of the First UAS RAC Meeting](#) (Nov. 10, 2021) (passcode: =G?F5N^B), .

With no conservation interests to support the rule, RAC members representing drone users dominated the discussion while arguing to reverse the presumption. In fact, during an eight-minute stretch, just two members spoke, both representing drone users and both advocating for a shift in the presumption.<sup>6</sup> While references were made to barring drone use in high visitation areas, like Multnomah Falls, no mention was made of birds or other wildlife, including from OPRD staff.

Clearly influenced by the biased discussion at the first RAC meeting, OPRD began the second RAC now proposing the rule as presented by drone user interests: a presumption of use unless prohibited. Moreover, a newly-appointed conservation advocate suggested reversing the presumption to prohibit drone use unless permitted. Despite the initial proposal, significant discussion of the presumption at the first RAC meeting, and the presence of at least four members at the second meeting that did not participate in the first meeting, OPRD staff never mentioned that the initial draft rule started with a presumption against use. Instead, OPRD advanced the following argument to support a presumption in favor of drone use, stating that

“[p]art of the reason that we put it this way was an agreement with legislators who were supportive of the concept that the intent isn’t to ban drone use. It’s really to regulate where it causes a problem and stop it in those areas, but not to overall prohibit drone use. So it was more about ensuring that what we told legislators is accurate . . .”<sup>7</sup>

For five reasons, this statement cannot be accepted. First, nothing in the legislative history supports this view; neither OPRD or any other representative suggested in legislative testimony that the goal was to allow landing and taking off of drones subject to some exclusion zones. To the contrary, as Senator Golden testified at the April 13, 2022 meeting of the Commission, his understanding from OPRD’s testimony was the very opposite.<sup>8</sup>

Second, Senate Bill 109, which authorizes the establishment of the RAC, does not support OPRD’s statement. To the contrary, it suggests a presumption *against* use by indicating in paragraph 2 that the rules adopted *may allow* use in certain circumstances. SB 109 reads in relevant part as follows:

SECTION 2. (1) The State Parks and Recreation Commission shall adopt rules managing the use of unmanned aircraft systems by people in state parks to protect natural, cultural, scenic and recreational resources in a park property or adjacent

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<sup>6</sup> *Id.* at minutes 30:00 to 38:00.

<sup>7</sup> OPRD, [Video Recording of the Second UAS RAC Meeting \(Jan. 24\)](#), at minute 105:00.

<sup>8</sup> In reaching his conclusion, he quoted the following from the legislative testimony of Chris Havel:

There are places within Oregon State Parks where drone operations can be managed as any other recreational use. There are places that with a special use permit, drone operations may be appropriate. Finally, there are places that for the protection of natural, cultural or scenic resources drones are not appropriate some or all of the time.

Havel Testimony, *supra* note 2.

areas while providing for enjoyment of recreational use of unmanned aircraft systems.

(2) Subject to ORS 837.300 to 837.390, rules adopted under this section *may allow*:

- (a) The State Parks and Recreation Department and the department's agents and contractors to use unmanned aircraft systems in carrying out the duties of the department.
- (b) The use of unmanned aircraft systems for the purpose of resource management, emergency operations or protection of property.<sup>9</sup>

In addition, the use of the word “managing” in paragraph 1 does not suggest a presumption of use. Rather, the structure of the legislative mandate focuses on protection of Oregon’s resources, while also allowing use.

Third, the statement is completely at odds with OPRD’s proposal presented at the first RAC meeting. If OPRD truly believed in its statement, why would it first support a presumption against landing and taking off of drones? Despite oral testimony on this matter, OPRD still has not attempted to provide a reasoned decision for changing the proposed rule. As such, and fourth, the statement can be nothing more than a *post hoc* rationalization for adopting the presumption favored by drone users.

Fifth, a presumption against use is not a ban on drone use, contrary to OPRD’s statement quoted above and contrary to the portrayal of the conservationists’ position made by Kenji Sugahara during the Commission meeting. It merely requires OPRD to engage in a process to identify those places that will not harm wildlife or the interests of other park and shore users.

Further to this point, I note that the drone uses described by Mr. Sugahara during the second meeting — movies, promotion of tourism, education, and public safety — can be easily handled through a permit process or by inclusion of exceptions. As noted in Section IV of these comments, this is exactly what many state park agencies have done.

In summary, the failure to include conservation interests on the RAC has led to consequential proposals that are antithetical to those interests and who were not given an opportunity, due to their absence at the first RAC, to prevent momentum from shifting. Moreover, they were not informed at the second meeting of the initial proposed rule that reflected their interests.

### **III. The Landing and Taking off of Unmanned Aircraft Systems Should Prohibited Unless Permitted**

Due to the known impacts to wildlife, particularly birds, the landing and taking off of drones from OPRD-managed properties should be prohibited unless such use is shown not to harm wildlife and the experiences of other park users. I support this presumption particularly for the Oregon shore.

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<sup>9</sup> OR Senate Bill 109 (emphasis added), at <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/SB109/Enrolled>.

I support this rule for all the reasons mentioned in the letter from Portland Audubon and others.<sup>10</sup> It better protects wildlife; it is consistent with OPRD rules that require special use permits for activities that *could disturb* natural resources, including wildlife; it is consistent with OPRD management of other activities; and it is consistent with the rules of the USFWS; it is easier to enforce than the opposite presumption. As an aside, it would be truly remarkable if use of metal detectors, paint guns, and slingshots requires a permit but landing and taking off of drones does not.

For context to support the previous paragraph, I repeat what others have said: drone use is rapidly increasing,<sup>11</sup> including in Oregon State Parks and on its beaches and rocky headlands.<sup>12</sup> That drone use is leading to increases in disturbances<sup>13</sup> to nesting seabirds/shorebirds/waterbirds,<sup>14</sup> marine mammals,<sup>15</sup> and other wildlife. The Portland Audubon in its written testimony on behalf of many groups documented disturbances to rare black oystercatchers, documentation that supports other research demonstrated adverse impacts from disturbance to reproductive success.<sup>16</sup> Many individuals testified to OPRD and the Commission that some drone users chase and otherwise disturb wildlife and, in particular, birds. The iconic tufted puffin, for example, is “extremely sensitive to disturbance,”<sup>17</sup> and both the tufted puffin and black oystercatcher, along with other birds found on the Oregon coast, are designated as birds of “conservation concern.”<sup>18</sup> The manager of Smith Rocks State Park, during the second RAC meeting, commented that drones can and do make it unsafe to recreate in that park.

Even if these disturbances result from a lack of awareness, they are nonetheless disturbances that adversely affect wildlife and the experiences of park users. Even if there are relatively few “bad” drone users, that does not diminish the number of disturbances from those who lack awareness. By the time such drone users are informed, the damage has been done. In the

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<sup>10</sup> Letter from Portland Audubon et al. to OPRD (Apr. 11, 2022).

<sup>11</sup> FAA, *FAA Aerospace Forecast Fiscal Years 2021–2041*, [https://www.faa.gov/data\\_research/aviation/aerospace\\_forecasts/media/Unmanned\\_Aircraft\\_Systems.pdf](https://www.faa.gov/data_research/aviation/aerospace_forecasts/media/Unmanned_Aircraft_Systems.pdf). *Drone Market Outlook in 2022: Industry Growth Trends, Market Stats and Forecast*, INSIDER INTELLIGENCE (Feb. 2, 2022) (“total global shipments to reach 2.4 million in 2023 – increasing at a 66.8% compound annual growth rate”), <https://www.businessinsider.com/drone-industry-analysis-market-trends-growth-forecasts>.

<sup>12</sup> Zach Urness, *To Save Birds, Oregon Plans New Drone Rules for the Coast, State Parks*, OREGONIAN, (July 2, 2021), <https://www.oregonlive.com/environment/2021/07/to-save-birds-oregon-plans-new-drone-rules-for-the-coast-state-parks.html>.

<sup>13</sup> Wildlife disturbance can be defined as a disruption of normal behavior in response to external stimuli.

<sup>14</sup> Weimerskirch, H., Prudor, A., & Schull, Q., *Flights of Drones over Sub-Antarctic Seabirds Show Species- and Status-specific Behavioural and Physiological Responses*, 41 POLAR BIOLOGY 259–266, (2018), <https://doi.org/10.1007/s00300-017-2187-z>; Carney KM, Sydeman WJ, *A review of human disturbance effects on nesting colonial waterbirds*, 22 WATERBIRDS 68–79 (1999); Rebolo-Ifrán N, Graña Grilli M, and Lambertucci SA (2019). *Drones as a Threat to Wildlife: YouTube Complements Science in Providing Evidence about Their Effect*, 46 ENVIRONMENTAL CONSERVATION 205–210 (2019), doi: [10.1017/S0376892919000080](https://doi.org/10.1017/S0376892919000080).

<sup>15</sup> Pomeroy, P., O’Connor, L., and Davies, P., *Assessing use of and reaction to unmanned aerial systems in gray and harbor seals during breeding and molt in the UK*, 3 J. UNMANNED VEHICLE SYSTEMS 102–113 (2015).

<sup>16</sup> Letter from Portland Audubon et al., *supra* note 10, at 1.

<sup>17</sup> Petition to List the Contiguous U.S. Distinct Population Segment of Tufted Puffins (*Fratercula cirrhata*) under the Endangered Species Act 22, at 4 (Feb. 12, 2014).

<sup>18</sup> U.S. Fish & Wildlife Service, *Birds of Conservation Concern 2021* (2021), <https://www.fws.gov/sites/default/files/documents/birds-of-conservation-concern-2021.pdf>.

context of fighting forest fires, for example, the Bureau of Land Management has noted the “perpetual safety issue” caused by “incursions” of private and media drones; in 2019, it reported at least 21 incursions during wildfire operations, “resulting in aerial firefighting efforts being suspended 10 times.”<sup>19</sup>

To minimize these and other impacts, OPRD should propose, and the Commission adopt, precautionary rules that prohibit the taking off and landing of drones in areas managed by OPRD particularly the Oregon shore, unless specifically found to be safe for wildlife and the experiences of other park users. Not only will this rule protect existing wildlife and their habitats, it may help increase populations. As Phillip Johnson testified to the Commission on April 13, 2022, the goal cannot be to maintain snowy plovers at their endangered status, or black oystercatchers and tufted puffins as declining species. OPRD and all of us must seek to increase their populations.

Importantly, this presumption does not harm drone users in a significant manner. OPRD manages a park system that encompasses 113,142 acres, the Willamette River Greenway 3,838 OPRD-managed acres, and 362 miles of Oregon shore.<sup>20</sup> The Oregon Department of Fish and Wildlife manages close Oregon Department of Fish and Wildlife owns or manages nearly 200,000 acres of land for wildlife use and public recreation,<sup>21</sup> lands on which drones are prohibited.<sup>22</sup> Collectively, this is an extraordinarily small area relative to the total size of Oregon at 61.8 *million* acres.<sup>23</sup> While some of this land is managed by the National Park Service and USFWS already subject to a prohibition against landing and taking off of drones, the conservationists’ proposal would establish a presumption against use on just a tiny fraction of Oregon—around 1%.<sup>24</sup>

Most of the remainder of Oregon’s 61.8 million acres would be available for the landing and taking off of drones without permits or permission, including its beautiful forests, high deserts, and other natural areas. Lands managed by the Bureau of Land Management and the U.S. Forest Service, which cover more than half of Oregon,<sup>25</sup> are typically available for landing and taking off of drone, although some sites, such as Yaquina Head Flying bar drones (and kites and model airplanes) because they are “disruptive to wildlife.”<sup>26</sup> Other areas may be off limits, such as designated wilderness and other areas designated as sensitive or off limits for security or other

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<sup>19</sup> Bureau of Land Management, Statement for the Record, House Natural Resources Subcommittee on National Parks, Forests and Public Lands, H.R. 5040, Aerial Incursion Repercussion Safety Act (June 18, 2020), [https://www.blm.gov/sites/blm.gov/files/congressional\\_testimony\\_documents/congressional\\_20200618\\_HR%205040%20AIR%20Act.pdf](https://www.blm.gov/sites/blm.gov/files/congressional_testimony_documents/congressional_20200618_HR%205040%20AIR%20Act.pdf).

<sup>20</sup> Oregon Legislative & Policy Research Office, State Parks and Recreation, Background Brief, at 2 (2018), <https://www.oregonlegislature.gov/lpro/Publications/Background-Brief-State-Parks-and-Recreation-2018.pdf>.

<sup>21</sup> ODFW, The ODFW Visitors’ Guide, <https://www.dfw.state.or.us/resources/visitors/wildlife.asp>.

<sup>22</sup> See *infra* Section V.

<sup>23</sup> Legislative Committee Services, Background Brief on Agricultural and Forestlands, at page 2, Table 1 (2012).

<sup>24</sup> The known acreage of state lands on which drone landings and take offs are prohibited is 316,980 (200,000 + 3,838 + 113,142). One square mile equals 640 acres. Thus, even assuming that OPRD manages 362 square miles of Oregon shore, which must be a gross exaggeration because the Oregon shore only extends to the vegetation line, not one mile inland, that additional acreage is 231,680 for a total of 548,660 acres, or 0.88 percent of Oregon’s land base.

<sup>25</sup> Federal lands compose 52.3% of the State of Oregon. See Carol Hardy Vincent et al., *Federal Land Ownership: Overview and Data*, Congressional Research Service, at page 8, Table 1 (Updated Feb. 21, 2020), <https://sgp.fas.org/crs/misc/R42346.pdf>.

<sup>26</sup> BLM, Yaquina Head Safety and Access, <https://www.blm.gov/learn/interpretive-centers/yaquina/safety-and-access>.

reasons. In addition, the Oregon Department of Forestry manages approximately 745,000 acres of forestlands across Oregon,<sup>27</sup> lands where the landing and taking off of recreational drones is permissible without permits and permissible by commercial drone operators subject to a permit.<sup>28</sup>

As such, the impact on drone users from a presumption against use is minimal compared to the impacts to wildlife and park users from OPRD's current proposed rule. Drone users will clearly *not* be relegated to a "forgotten corner" of the state, as drone users disingenuously assert.<sup>29</sup>

#### IV. Other State Park Systems Are Banning the Landing and Taking off of Drones

From north to south, east to west, and places in the middle, states have prohibited the landing and taking off of drones without a permit due to the adverse impacts of drones on wildlife and the experiences of other park users. Oregon should adopt the same approach.

**California.** California regulations prohibit the use of a drone within State Park wilderness areas, cultural preserves, and nature preserves.<sup>30</sup>

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<sup>27</sup> Oregon Department of Forestry, State Forests, <https://www.oregon.gov/ODF/Working/Pages/StateForests.aspx>.

<sup>28</sup> See *infra* Section V of these comments.

<sup>29</sup> Kenji Sugahara, Letter to the Editor, *Oregonian* (Apr. 15, 2022), <https://www.oregonlive.com/opinion/2022/04/readers-respond-reasonable-drone-regulations-will-spur-compliance.html>.

<sup>30</sup> Those regulations provide, in relevant part, the following:

(a) Except where it is necessary in an emergency within the wilderness area, cultural preserves, and natural preserves, there shall be no use of motorized vehicles, motorized equipment, or motorboats, no other form of mechanical transport (not withstanding Section 4360(a)), and no permanent structure or installation within any state wilderness, cultural preserve, or natural preserve, no landing or hovering of aircraft, no flying of aircraft lower than 2,000 feet above the ground in wilderness, except to the extent the Director of the Department of Parks and Recreation, or his/her designee makes the following findings in writing ("Findings"):

(1) the use of motorized vehicles, motorized equipment, or motorboats, the landing or hovering of aircraft, or flying of aircraft lower than 2,000 feet above the ground in wilderness, the use of any other form of mechanical transport (not withstanding Section 4360(a)), or the placement of a temporary or permanent structure or installation must meet a minimum management requirement. A minimum management requirement is defined as the minimum management actions that are necessary to administer the area for the purposes of this Chapter as defined in PRC Sections 5093.36, 5019.71 and 5019.74.

(2) the approach proposed to perform the minimum management requirement will make use of the "minimum tool" to best preserve the wilderness, cultural or natural values under the given circumstances. The "minimum tool" is defined as "the least intrusive tool, equipment, device, regulation, action, or practice that will achieve the minimum management requirements."

(3) the result of the work will be a condition as near as natural as possible and shall leave no permanent trace or permanent installation or structure except those necessary to protect the cultural and natural resources. Temporary structures including but not limited to signage and fencing are not considered permanent structures.

Cal. Code Regs. tit. 14, § 4351,

<https://govt.westlaw.com/calregs/Document/IAE70F5F0AF5F11E4A82EB3E3E0C3F7DB?contextData=%28sc.Default%29&transitionType=Default>.

**Colorado.** Colorado restricts taking off or landing of drones in any of Colorado Parks and Wildlife's more than 350 state wildlife areas; drone use in state parks is limited to those parks with a designated area for drone use.<sup>31</sup> The agency cites wildlife concerns as the reason:

Many animals are preyed upon by the air and can be distressed by drones flying above them. Wild animals are always hyper-aware of their surroundings because of their survival instincts. If there is a mother with young, there will likely be even more heightened reaction to the presence of drones. Additionally, many birds of prey see drones as a predator competing for food.<sup>32</sup>

**Indiana.** Motor-driven airborne devices (including drones) and other airborne human transportation devices may not be operated at properties managed by the Department of Natural Resources *except at sites designated for that purpose*. Licenses to launch and film may occasionally be granted by the department or by specific departmental divisions.<sup>33</sup> An FAA license and proof of insurance may be required.

**Kentucky.** During the Commission meeting, Mr. Sugahara suggested that the drone ban in Kentucky was so severe that drones were allowed only in very uninteresting places. That is not true. The Kentucky Department of Parks does require a drone operator to submit a permit application.<sup>34</sup> Significantly, the permit requires the drone operator to agree not to fly over people or to film people without their permission, among other things:

(8) The undersigned certifies, accepts, and will comply with the following conditions:

- (i) I will comply with FAA Rule 101 or Rule 107 for flight operations.
- (ii) I will NOT fly over people.
- (iii) I will use FAA's B4UFLY app prior to flight and will comply with any restrictions on flight.
- (iv) I understand that flight over land or water owned by the United States Army Corps of Engineers or the Tennessee Valley Authority (which includes some state parks) requires the approval of the USACE or TVA.

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<sup>31</sup> See Colorado Parks & Wildlife, Press Release, Colorado Parks and Wildlife urges public to avoid harassing wildlife when using drones (Aug. 24, 2021), <https://cpw.state.co.us/aboutus/Pages/News-Release-Details.aspx?NewsID=7911>.

<sup>32</sup> *Id.*

<sup>33</sup> The Indiana Administrative Code provides as follows:

- (i) A person must not:
  - (1) land, taxi, take off, park, or moor an airborne human transportation device; or
  - (2) knowingly land, taxi, take off, park, or moor on DNR property an unmanned motor-driven airborne device.

Indiana Administrative Code 312 8-2-8 (i), [http://iac.iga.in.gov/iac/iac\\_title?iact=312&iaca=8](http://iac.iga.in.gov/iac/iac_title?iact=312&iaca=8).

<sup>34</sup> Kentucky Department of Parks, Location Contract for Use at State Parks: Unmanned Aerial Vehicle, Unmanned Aerial System, or Drone (Version October 21, 2020), <https://parks.ky.gov/sites/default/files/Media/Drone%20Permit%202020.10.21%20UPDATED.pdf>.

- (v) Utmost care will be exercised to see that no natural, historical or cultural features are injured, and after completion of the work the area will, as required by the official in charge, either be cleaned up and restored to its prior condition or left after clean-up, in a condition satisfactory to the official in charge.
- (vi) The operator of the UAV is responsible for all state, local, and federal permitting requirements.
- (vii) No persons, including park visitors and staff, may be filmed without their written permission.
- (viii) Photographing or filming of resident wildlife and/or livestock will be permitted only when such animals will not be molested, harmed, or disturbed.
- (ix) Any special instructions received from the official in charge of the area will be complied with.<sup>35</sup>

However, nothing in the Kentucky rules or in the media suggests there is a ban or that implementation of the permit regime is so onerous as to limit drone users in a significant way. In fact, one website shows a number of interesting places, including parks, to fly drones without any permission at all.<sup>36</sup>

**Minnesota.** Minnesota prohibits the landing of aircraft, defined to include drones,<sup>37</sup> in scientific and natural areas,<sup>38</sup> including lands or water totally within the boundaries of any state park, state recreation area, or state wayside. The Minnesota Division of Natural Resources has reported that “operating unmanned aircraft in these areas is not practical” and that it “is also concerned about the impact of unmanned aircraft to natural resources (especially wildlife), to division buildings and infrastructure, and to other visitors’ safety, privacy, and quality of experience.”<sup>39</sup>

**Ohio.** In Ohio, drones are prohibited in the state’s 140 nature preserves, except upon issuance of a permit for special activities and research. In addition, drones are not permitted within the parks and forests without special permission from the park managers.<sup>40</sup>

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<sup>35</sup> *Id.*

<sup>36</sup> UAV Coach, The 5 Best Places to Fly a Drone in Louisville (2022), <https://uavcoach.com/where-to-fly-drone/louisville/>.

<sup>37</sup> Minnesota law defines “aircraft” to mean “any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air, but excluding parachutes.” Minnesota Statutes) § 360.013, <https://law.justia.com/codes/minnesota/2021/chapters-360-362/chapter-360/section-360-013/>.

<sup>38</sup> Minnesota regulations provide as follows:

The following activities are prohibited in scientific and natural areas unless specifically authorized by written permit under subpart 5 or commissioner's designation order under subpart 6 . . . (H) landing aircraft.

Minn. R. 6136.0550, part 1, <https://www.law.cornell.edu/regulations/minnesota/Minn-R-6136-0550>.

<sup>39</sup> Minnesota Department of Natural Resources, Minnesota State Park Rules, [https://www.dnr.state.mn.us/state\\_parks/rules.html](https://www.dnr.state.mn.us/state_parks/rules.html).

<sup>40</sup> See Doral Chenowith, *Flying Your Drone in Greater Columbus? Here’s Where It’s OK to Fly, and Where It’s Not*, COLUMBUS DISPATCH (Mar. 13, 2022), <https://www.dispatch.com/story/lifestyle/hobby/2022/03/13/drones-rules-flying-near-columbus-airports-parks-ohio-state/6236503001/>.

**Texas.** Anywhere in Texas, the use of drones to hunt, drive, capture, take, count *or photograph* any wildlife is unlawful, except with permits issued by Texas Parks & Wildlife Department (emphasis added).<sup>41</sup> In addition, drones are prohibited in all state parks except in two very limited circumstances: (1) San Angelo and Martin Dies, Jr. state parks have designated areas for drones and (2) permits may be obtained for filming purposes at other state parks.<sup>42</sup>

**Virginia.** Virginia prohibits drone operations in all Virginia State Parks or property owned by the Department of Conservation and Recreation unless the pilot has a Special Use Permit issued by the Department.<sup>43</sup> Only two categories of drone operators can apply for Special Use Permits, i.e., research-based activities and commercial. To receive a special use permit, the pilot must provide copies of the following to the Department:

- a. Federal Aviation Administration (FAA) Remote Pilot Certificate for the remote pilot-in-command during the operation of the UAS
- b. FAA UAS registration for all UAS vehicles that will be used in the operation
- c. Pre-flight checklist
- d. Emergency response plan
- e. Proof of liability insurance in the amount of \$1M
- f. Purpose of flight
- g. Flight plan with maps
- h. A copy of the research permit if the use of the UAS is for research purposes.<sup>44</sup>

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<sup>41</sup> Texas Rule § 59.134. See also Texas Administrative Code § 65.152(d) (2005):

A person (which includes a pilot, applicant, gunner, observer, or Subagent) commits an offense if:

(1) the person counts, photographs, relocates, captures, hunts, or takes or attempts to count, photograph, relocate, capture, hunt, or take from an aircraft any wildlife or exotic animals other than wildlife or exotic animals authorized by the AMP and LOA.

Drones are included in the definition of “aircraft,” which means “[a] mechanical or other device used for flight in the air.” *Id.* at § 65.151(2).

<sup>42</sup> A Texas Parks and Wildlife FAQ provides the following:

Can I fly a drone or other remote control aircraft in a state park?

Two parks offer zones for flying remote controlled aircraft (including drones): [San Angelo](#) and [Martin Dies, Jr.](#) You can request a filming permit for your craft at any park by contacting that park. Allow several weeks for us to review your request.

Texas Parks and Wildlife, State Park FAQs, <https://tpwd.texas.gov/state-parks/park-information/frequently-asked-questions>.

<sup>43</sup> The regulations provide as follows:

No person shall voluntarily land or unlawfully operate within or upon any park, any airplane, remote control model aircraft, helicopter, unmanned aerial system, drone, balloon, parachute, or other apparatus for aviation. “Voluntarily” in this connection shall mean anything other than a forced landing. Rescue and evacuation aircraft are exempt for emergencies and approved training exercises.

Virginia Administrative Code, 4VAC5-30-400,  
<https://law.lis.virginia.gov/admincode/title4/agency5/chapter30/section400/>.

<sup>44</sup> Virginia, Unmanned Aircraft, <https://www.dcr.virginia.gov/state-parks/document/rules-drones.pdf>.

In sum, significant precedent exists to prohibit drone use except in designated areas or subject to permits. Given the known impacts to wildlife, OPRD, too, should prohibit drone use unless it is shown based on the best scientific information available not to be harmful to wildlife or to the experiences of other park users. As these numerous examples from other state park systems demonstrate, there is nothing controversial about such a rule. Such a rule is, in fact, commonplace.

## V. Regulation of Drones

Some members of the Commission indicated that they wanted additional information concerning the regulation of drones. This section provides a short summary of federal and Oregon law.

The Federal Aviation Administration (FAA) of the Department of Transportation has authority over all airspace and, consequently, exclusively regulates airspace over all federal, state, municipal, and private lands.<sup>45</sup> The FAA has also imposed a number of rules concerning drone qualifications<sup>46</sup> and use of remote ID,<sup>47</sup> among other things. Because the FAA regulates the airspace, other federal and state agencies can only regulate landing and taking off of drones.

Because drones and other flying unmanned aircraft systems can create stress for wildlife, including nesting birds, the USFWS prohibits the operation of drones while a person is on *national wildlife refuge lands*, including the rocks, islands and other habitat composing the Oregon Islands National Wildlife Refuge. Similarly, drones cannot launch from, land in, or be operated from designated wilderness areas, like the Oregon Islands Wilderness Area.<sup>48</sup> In other words, the Wilderness Act prohibits the landing of aircraft in a wilderness area but not necessarily flying over the wilderness area.

In addition, if a drone operator is *outside* the national wildlife refuge or wilderness area, *but flies the drone over the refuge*, the operator may be fined if the drone is observed disturbing wildlife, e.g. flushing nesting birds from an offshore island. Moreover, pursuit, harassment, or an intentional disturbance of animals during breeding, nesting, rearing of young, or other critical life history functions is prohibited.

USFWS requests aircraft pilots to maintain a minimum altitude of 2,000 feet above ground level (AGL) or maintain a one-half nautical mile lateral distance from all coastal rocks and islands. Overflights lower than 2,000 feet AGL or closer than one-quarter to one-half mile have a high potential for disturbing seabird nesting grounds as well as pinniped breeding and resting sites.

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<sup>45</sup> See FAA, Airspace 101—Rules of the Sky (last modified Aug. 30, 2021), [https://www.faa.gov/uas/recreational\\_fliers/where\\_can\\_i\\_fly/airspace\\_101/](https://www.faa.gov/uas/recreational_fliers/where_can_i_fly/airspace_101/).

<sup>46</sup> See FAA, Small Unmanned Aircraft Systems (UAS) Regulations (Part 107) (October 6, 2020), <https://www.faa.gov/newsroom/small-unmanned-aircraft-systems-uas-regulations-part-107>.

<sup>47</sup> See FAA, Press Release, U.S. Department of Transportation Issues Two Much-Anticipated Drone Rules to Advance Safety and Innovation in the United States, (Dec. 28, 2020) <https://www.faa.gov/newsroom/us-department-transportation-issues-two-much-anticipated-drone-rules-advance-safety-and?newsId=25541>.

<sup>48</sup> See *id.*

In addition, most national parks have prohibited the landing and taking off of drones from national parks<sup>49</sup> “due to serious concerns about the negative impact that flying unmanned aircraft can have for safety of visitors, staff, and wildlife.”<sup>50</sup> A violation of these rules constitutes a misdemeanor and carries a maximum penalty of six months in jail and a \$5,000 fine.

As noted earlier, the Bureau of Land Management and the U.S. Forest Service typically allow the landing and taking off of drones, except where safety, wildlife protection, or other reasons require otherwise.

Oregon State agencies have also considered how to regulate drones. Like many other states, Oregon prohibits the use of drones for hunting, fishing, and trapping, and for locating wildlife for such purposes.<sup>51</sup> The rules of the *Oregon Department of Fish and Wildlife* provide that “Drones/UAV’s may not be flown within the boundary of any ODFW owned, managed, or controlled area except for administrative use.”<sup>52</sup> Nonetheless, permits may be issued as an exceptions to this prohibition “for uses or activities compatible with the purpose of each area, and consistent with the goals and objectives of the respective management plan where applicable.”<sup>53</sup>

The rules are more permissive on lands managed by the *Oregon Department of Forestry* (ODF). OAR 629-025-0011 grants ODF general authority to issue permits for use non-forest of forest lands, “including, but not limited to” commercial use.<sup>54</sup> These permits “typically include Special Conditions which, in the case of drones, will cover insurance, licensing proof, and *may* specify launch and recovery sites and some operational limitations such as flights near communication tower sites, yarding operations, etc. that could pose a safety hazard or conflict with forest operations.”<sup>55</sup> ODF has also reported that further regulates drone use as follows:

Under these authorities, we issue Special Use Permits at this time for commercial and scientific drone use or drone use incident to other activities for which we issue Special Use Permits. We have not issued or required permits for launch and recovery of FAA-compliant recreational use of UAS systems.

For commercial use, in addition to insurance requirements and proof of commercial operator licensing and proof of drone registration pursuant to FAA Part 107 rules or other FAA-compliant licensing, we from time to time specify as part of the special conditions in permit for commercial operations the general areas of operation and the launch and recovery sites, depending on impact on other uses in the forest by the commercial drone use. This is typically operationally/locationally

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<sup>49</sup> Each park superintendent has discretion to ban certain activities. 36 CFR § 1.5. In June of 2014, the director of the National Park Service issued Policy Memorandum 14-05. This directed each park superintendent to exercise authority under the Code of Federal Regulations (CFR) to prohibit the launching, landing, or operation of drones. Policy Memorandum 14-05 from Director Jonathan B. Jarvis to Regional Directors, Superintendents, “Unmanned Aircraft: Interim Policy,” (June 19, 2014) [https://www.nps.gov/policy/PolMemos/PM\\_14-05.htm](https://www.nps.gov/policy/PolMemos/PM_14-05.htm).

<sup>50</sup> NPS, Unmanned Aircraft in the National Parks, <https://www.nps.gov/articles/unmanned-aircraft-in-the-national-parks.htm>.

<sup>51</sup> ORS 498.128, [https://oregon.public.law/statutes/ors\\_498.128](https://oregon.public.law/statutes/ors_498.128).

<sup>52</sup> Rule 635-008-0050(11), [https://oregon.public.law/rules/oar\\_635-008-0050](https://oregon.public.law/rules/oar_635-008-0050).

<sup>53</sup> Rule 635-008-0050(16), [https://oregon.public.law/rules/oar\\_635-008-0050](https://oregon.public.law/rules/oar_635-008-0050).

<sup>54</sup> OAR 629-025-0011(1), [https://oregon.public.law/rules/oar\\_629-025-0011](https://oregon.public.law/rules/oar_629-025-0011).

<sup>55</sup> Email from Sarah Lathrop, ODF State Aviation Coordinator, to Chris Wold (Apr. 15, 2022) (on file with author).

dependent based on season, fire risks, other forest operation deconfliction, etc. See OAR 629-025-0011 generally regarding permits and indemnities, bonds, and insurance for commercial activities. While ODF may have inherent rights to restrict areas of launch and recovery of both commercial and recreational drones on State Forests, as a landowner and also as a public body (see, e.g., ORS 837.090), at this time we have not regulated in this area in State Forests as to recreational users, and have only regulated as to those uses for which we require a Special Use Permit, License, or similar requirement.<sup>56</sup>

\* \* \*

In conclusion, a presumption against the landing and taking off of drones will minimize wildlife disturbance while still allowing appropriate drone use in places that will not harm wildlife or the experiences of other park users. I repeat that this is not a ban on drone use. As many state and federal agencies have concluded, a permit regime helps protect wildlife and helps ensure drone users have sufficient experience. As stated in the Portland Audubon letter:

Drone users must simply use other lands until specific OPRD-managed properties establish dedicated places for drone use. In contrast, the opposite presumption puts bird and other wildlife at *continued risk* until that process is completed. More than mere annoyance or inconvenience, these risks are real and my result in losses to already depleted populations.<sup>57</sup>

Thank you for this opportunity. If you have any questions, please feel free to contact me.

Sincerely,



Chris Wold  
Professor of Law  
Lewis & Clark Law School

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<sup>56</sup> *Id.* (emphasis in original).

<sup>57</sup> Portland Audubon et al., *supra* note 10, at 9 (emphasis in original).



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Jon Raw

**Public comment:**

Oregon State Parks should allow responsible drone use and adopt existing FAA rules.

Comments regarding the take off and landing of drones in parks talk about disturbing of wildlife. This disturbance is real, but not limited to drones; People, dogs, horses, bicycles, kites etc. disturb wildlife. Should we restrict all activities in parks?

I think parks are for the enjoyment of nature's beauty and want to fly my drone in/over the parks to capture some of this beauty from the air. There are areas where a drone is safer and less intrusive than trying to access the area on foot to take pictures.

There will be people who abuse the rules and fly inappropriately. Those people will continue to fly their drones regardless of whether it is legal or not. Similarly those people will be the same ones who aren't staying on trails, disturb wildlife and leave their litter everywhere. We should not be punishing legally authorized people who are following the rules because there may be a few that won't. This applies to any activity allowed in the parks, including drone flying.

The FAA registered / licensed drone operators who follow the FAA prescribed rules will not be buzzing or bothering surfers, or attacking wildlife. Activities such as these are specifically prohibited in the FAA rules.

Drone flying in parks by responsible pilots should not be ruled out. Drones are a legitimate use of park space and as with many other uses of our parks there needs to be some accommodations for responsible drone operators to enjoy their hobby and profession.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Kellie Lombardi

**Commenter email (if provided):**

fplom@earthlink.net

**Public comment:**

I appreciate the extension for public comments on the issue of drones in Oregon State Parks. I heard about the proposed rules on the Think Out Loud radio broadcast last week. I believe that drones should not be allowed in Oregon State Park land. My main concern is fir wildlife, particularly birds. Wildlife face ever mounting pressures to survival. We have already greatly encroached upon their habitat, diminished their food sources, set up environmental hazards such as lights at night, glass windows, domestic cat predation, and wind turbines. Also the very reality of climate change with drought and wildfires. And now, to appease a small minority of people there ate proposed rules to allow drones to take off and land in our State Parks, a further insult to wildlife. The increased number of visitors is strain enough on our parks and the animals that live there, the last thing we need are for drones to be flying about to get video or audio recordings. Let people hike or bike with a camera. And that beings me to my second concern- the vast majority of people who visit Oregon State Parks to immerse themselves in the natural world. People that leave their homes in towns, cities and suburbs to specifically leave behind the din of human activity such as motorized devices. Drones automatically trigger a defense alert in people as well as domestic and wild animals. I also believe that when i am in a state park i should not be subject to someone with an arial device invade my personal space and my privacy, greet me on the path like everyone else. There is too much disembodied activity going on.

I believe, until much more study can be done, that a total ban of drones on state park lands. The temptation to violate rules is there, stretching the boundaries "because i won't get caught". They could possibly be used for potential poaching or theft advantage. There are other places in Oregon and beyond where people can operate their drones, please, please for-the tranquility of all, the rule should be No Drones. Please do not submit to questionable rules to appease a small special interest group. More impact study is needed. Thank you.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Patricia Anderson

**Commenter email (if provided):**

prh2oanderson@outlook.com

**Public comment:**

Dear Stewards of Oregon's State Parks,

As a Fishery Biologist for 45 years, I have witnessed the negative impacts of drones on fish and wildlife. The following issues need to be resolved before State Parks allows free flying in State Parks. If drones are allowed on such a large scale, there is no reeling them in. Drones are a very serious problem. The following issues need to be resolved before drones are allowed:

1. Stress and harassment of wildlife. It is a fact that drones harass wildlife, whether intentional or not. Drones are harassing the condors in Pinnacles and laser tagging the trees where birds are nesting. There is already too much stress on wildlife with loss of habitat, and climate change reactions destroying habitat. State Park habitat needs to be a Safe Refuge for the wildlife to thrive in the leftover habitat. Operators of drones either don't care, or are ignorant of consequences of stress on wild animals. The long term impacts are unpredictable and complicated. Worldwide, wildlife and fishery populations have plummeted below 50%. Public lands, such as State Parks, provide some of the last vital habitat.
2. Privacy. The cameras on drones are very intrusive to humans. I have had them following me on the beach and trails. I have watched them harass birds and deer. There was nothing I could do about it. People need quiet places without a camera shooting pictures. People need quiet places without whirring piece of machinery in their face and space.
3. Control of Drones. There is no way to control them. Can you shoot them out of the air? If you find the pilot, what is the penalty? Is the penalty strict enough to curtail harassment of people and wildlife by the perpetrator? One drone can ruin it for everyone in the State Park. The drone aircraft needs rules and regulations far more complex and broader than planes. These regulations do not exist, or are difficult to enforce. Most anyone can fly a drone and many are ignorant of the consequences, or don't care. Drones should be treated as an invasive species and prohibited. Drones can't even be controlled at the Nation's Capital where there is an enormous security force. Does State Parks have the funding to regulate and control the use of an ever expanding number of drones with their pilots?

Oregon has been a leader in Conservation. Please keep up the good work. Oregon will lose too much of its natural beauty, habitat, and wildlife, if drones are allowed.

Drones are a very complex issue that requires everything to be in place. Drones are also evolving. In Alaska drones can pull skiers. State Parks needs to be a Safe Haven for wildlife and humans. There are other places for drones to fly. There is a limited amount of State Park land, and use continues to increase.

Please prohibit the use of drones in State Parks. Keep this complex issue simple, or at least until the issues of wildlife harassment, privacy, and control of drones (and their pilots) is resolved. The necessary research and monitoring of this issue will cost too much when you can just say "PROHIBITED".

Hoping for the best in this time of climate change,

Patricia Anderson  
Newport Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Joe Liebezeit

**Commenter email (if provided):**

jliebezeit@audubonportland.org

**Public comment:**

Thank you for accepting this additional public comment.

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Joe Liebezeit  
Staff Scientist & Avian Conservation Manager  
Portland Audubon  
Cell: 503-329-6026

Additional public comment from Portland Audubon on draft drone rules:

Email to:

**Jennifer Allen**

Thu, Apr 14,  
2:16 PM (1  
day ago)

to me

Thanks, Joe - I'll pass this along as well.

Jennifer

On Thu, Apr 14, 2022, 2:10 PM Joe Liebezeit <[jliebezeit@audubonportland.org](mailto:jliebezeit@audubonportland.org)> wrote:  
Hi Jennifer,

Tim Palmer did some research and shared this comment letter he pulled together on the drone process I think you should see. It looks like the "even split" in public comment on the drone rules positions is actually being largely driven by an out-of-state campaign by drone advocates. It is clear they want to use potentially permissive rules on drone use in Oregon as a precedent for other states.

For us at Portland Audubon, we intentionally did not work with National Audubon or other out of state entities to solicit public comments outside of Oregon as this is an Oregon State Park issue based on a law passed in the Oregon legislature. This is just one more piece of information that makes me agree with a lot of your Commission members that maybe we need to start from scratch on this issue.

Thank you for your attention on this important issue.

-----

Joe Liebezeit  
Staff Scientist & Avian Conservation Manager  
[Portland Audubon](#)

**Jennifer Allen**

Wed, Apr 13,  
11:56 AM (2  
days ago)

to me

Thanks, Joe - I appreciate your testimony and engagement and I will also make sure your suggestions below are shared.

Thanks again,

Jennifer

On Wed, Apr 13, 2022, 11:46 AM Joe Liebezeit <[jliebezeit@audubonportland.org](mailto:jliebezeit@audubonportland.org)> wrote:

Hi Jennifer,

Thanks so much for allowing the extended public comments on drones today at the Commission meeting. The discussion at the end regarding developing maps of allowable areas was good. It was part of our testimony to have an independent technical committee to help identify those allowable areas. I think it would be important to nail down the rules first since it has a direct relevance to the geographies and what would be delineated on a map. So it seems like there might be a "cart before the horse" issue if maps were created first. So, in our view, we recommend adopting rules that permit drone take-off and landings only in allowable areas *based on the technical group using the best available science and expert opinion to delineate those allowable areas on a map*. We are open to other ideas and would be happy to discuss.

By the way, as I briefly touched on in my testimony, Portland Audubon works very closely and collaboratively with OPRD staff on our joint Plover Patrol program which gets community members to monitored the endangered snowy plover. Here's a link to our webpage on that project: <https://audubonportland.org/get-involved/community-science/snowy-plover-patrol/> This has been a great collaboration.

Thanks so much again for the Parks Commissions dedication and serious consideration on this important issue.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Barry McPherson

**Commenter email (if provided):**

bdmcperson@coho.net

**Public comment:**

OPRD,

Many of us feel blindsided by inadequate public notice for us to provide comment on use of drones in Oregon State Parks. But as a continuing user of State Parks and a volunteer for State Parks in many capacities over the years, including the Whale Watch Program and being a naturalist guide on State Park kayak tours, I would like to see tight restrictions on drone use to protect the freedom of park users to enjoy privacy, tranquility, and undisturbed wildlife viewing.

Drones are very important tools for planning and monitoring physical park conditions, vegetation, fish & wildlife, and related research. They are valuable to colleges/universities, natural resource agencies (such as ODFW, USFWS, NMFS, EPA, DEQ, and more) for research and monitoring. I can accept some disturbance of the silence, wildlife, and my visual field, and not feel spied upon, for these purpose.

The use of drones by people who just want to have fun with them in State Parks should not be allowed --- at all. For one thing, they create risks of collisions with the legitimate drones I just stated. The burden of proof is on them and OPRD to show such use has little or no negative impact on people, pets, or wildlife. Maybe OPRD has extensive studies, or documentation of such studies, that have been peer reviewed and prove little or no impact, but I have yet to see or read that this is the case. And we all know that some users, whether commercial, or not, are flying them for nefarious uses that infringe on the freedoms of the rest of park users for the "pilot's" perverse pleasures or profit without permission from those being photographed.

OPRD lays open the path for privacy lawsuits that will cost the agency, State, and park fee payers. Those filing privacy infringement lawsuits will have a difficult time learning who was flying the drone that was invading their privacy, but they can go after OPRD for having drone rules that allowed the invasion of their privacy. And their lawyers will surely go after the "deep pockets" of OPRD and the State as a likely bigger payoff than going after the private citizen or small company that flew a drone over them in a State Park.

OPRD has done a great job for many decades providing Oregonians and visitors from around the world a variety of opportunities to enjoy natural environments with their scenery, plants and animals while finding freedom from the increasing spread of anthropogenic noise, negative impact on fish & wildlife, and visual interference of scenic views by flying objects being used as toys. I cherish those freedoms and I try to exercise them responsibly. I must say that I see and hear too many drone

operators arguing they should have more freedom, but what they seem to seek is freedom for themselves to play and/or profit without responsibility for how their behavior impacts the freedom of the rest of us State Park users. And we pay OPRD for our freedoms that drone users negatively impact. OPRD must take its responsibility to continue providing the rest of us “paying customers” the freedoms we are entitled to. Drone enthusiasts need to develop their own venues for their enjoyment, much like people have developed such venues as golf courses, sports stadiums, dirt-bike race courses, and more. I can even envision myself paying to enjoy flying a drone at such a venue. They clearly represent a fun new technology if used responsibly.

Thank you for the opportunity to comment,

Barry McPherson  
Newport, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Pat Chewning

**Commenter email (if provided):**

pchewn@comcast.net

**Public comment:**

Attached is my final public comment for the OPRD "Drone" rules.

Pat Chewning

pchewn@comcast.net

# These are NOT "Drones"



- **Non-motorized** flying toys are not Drones
- Not problems, no cameras, make no noise

# Drone Definition Is Too Inclusive

- Referenced Definition:

*ORS 837.300(4) “Unmanned aircraft system” means an **unmanned flying** machine, commonly known as a drone, and its associated elements, including communication links and the components that control the machine.*

- **Unmanned** (kites, balloons, model gliders, frisbees are not manned)
- **Flying** (kites, balloons, model gliders, frisbees do fly)
- Neither the Parks Dept nor the Legislature intends to regulate these non-drone devices.
- These devices are not drones, are not problems

# Drone Definition Should Only Include



- Drones
  - **Motorized** (Noisy, ability to hover, ability for sustained long-distance flying, often flown out of sight of operator. Often includes camera)

# Proposed Drone Definition Language

## 736-010-0015 Definitions

(26) “Unmanned Aircraft System” means  
motorized device defined under ORS 837.300(4).

## 736-021-0015 Definitions

(26) “Unmanned Aircraft System” means  
motorized device defined under ORS 837.300(4).

Simple: Add the word "motorized" to definition.

# Consistent with Existing Park Rules Language

## Oregon Administrative Rules

### Rule Text Search Results

Your search for motorized (exact match) OR motor (exact match) returned 30 results.

[New Search](#) | [Modify Search](#)

Rows per page: 25   Page 2 of 2  

Rule Number	Rule Title	Chapter Name
<a href="#">736-010-0015</a>	Definitions	Parks and Recreation Department
<a href="#">736-015-0040</a>	Miscellaneous Rentals and Products	Parks and Recreation Department
<a href="#">736-040-0048</a>	Wallowa River Scenic Waterway	Parks and Recreation Department
<a href="#">736-015-0006</a>	Definitions	Parks and Recreation Department
<a href="#">736-015-0020</a>	Overnight Rentals	Parks and Recreation Department

- "Motorized" or "Motor" already appears 30 times in the OAR rules for State Parks

# Proposal Does not Impose an Undue Burden to Discern "Drone Technology"

- Park personnel can already distinguish between cars and bicycles, surfboards and motorboats, etc... (**motorized** and **non-motorized** vehicles and watercraft)
- Park personnel should be able to easily distinguish between **motorized** Drones, and **non-motorized** flying devices. (Noisy vs silent, propeller-driven vs no propellor, etc.)

# Summary

- The existing definition of a drone in the proposed rule language is too inclusive.
  - It would include non-motorized unmanned flying devices such as kites, frisbees, model gliders, balloons, etc.
- The correct definition of a drone adding the word "**motorized**" would exclude the devices that are not drones and not causing problems.
- The use of the word "**motorized**" is consistent with existing park rules and does not create a burden to distinguish drone technology.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Patrick Sherman

**Commenter email (if provided):**

lucidity@roswellflighttestcrew.com

**Public comment:**

Ladies and gentlemen,

Please find attached a .PDF file that includes the feedback of the Association for Uncrewed Vehicle Systems International (AUVSI) Cascade Chapter's feedback regarding OPRD's proposed rule regarding the take-off and landing of drones from park property.

Thank you for your time and attention.

Patrick Sherman  
Board Member  
AUVSI Cascade Chapter



April 15, 2022

Oregon Parks and Recreation Department,  
Attn.: Katie Gauthier,  
725 Summer St NE, Suite C, Salem OR 97301  
OPRD.publiccomment@oregon.gov  
AND via public comment portal

RE: Proposed Rules Regulating the Take off and Landing of Drones in and Around Oregon  
Parks, Wildlife Areas and the Ocean Shore

Dear Members of the Oregon Parks and Recreation Department Commission:

Thank you for this opportunity to comment. The Cascade Chapter of the Association for Uncrewed Vehicle Systems International (AUVSI) is the largest chapter of the international association that represents the uncrewed aircraft systems (UAS, otherwise known as “drones”) industry in the states of Oregon and Washington.

Our chapter, composed of more than 400 industry leaders, represents a total impact of \$3 billion and 10,000 full-time and part-time jobs in the region we represent, according to a quick estimate prepared by Dr. David Laning, principal engineer and solutions architect at Insitu. We would appreciate more time to consider the proposed rules and provide additional input to aid the commission.

Moving forward, we hope that OPRD and the AUVSI Cascade Chapter can establish meaningful communications for the future. In the short time we have had, we have conducted an initial review the proposed rules and have noted some serious concerns. We are eager to work constructively with you to improve this rule while allowing all the benefits of this industry. We look forward to working with your staff to improve the current draft.

**On the following pages, you will find our specific concerns and suggestions  
that have emerged from our initial review.**

## Proposed Rule Appears to be Beyond the Authority of OPRD

2021 SB 109 is the source of OPRD's authority for the proposed rules. However, that statute limits OPRD's rulemaking authority to recreational drone pilots:

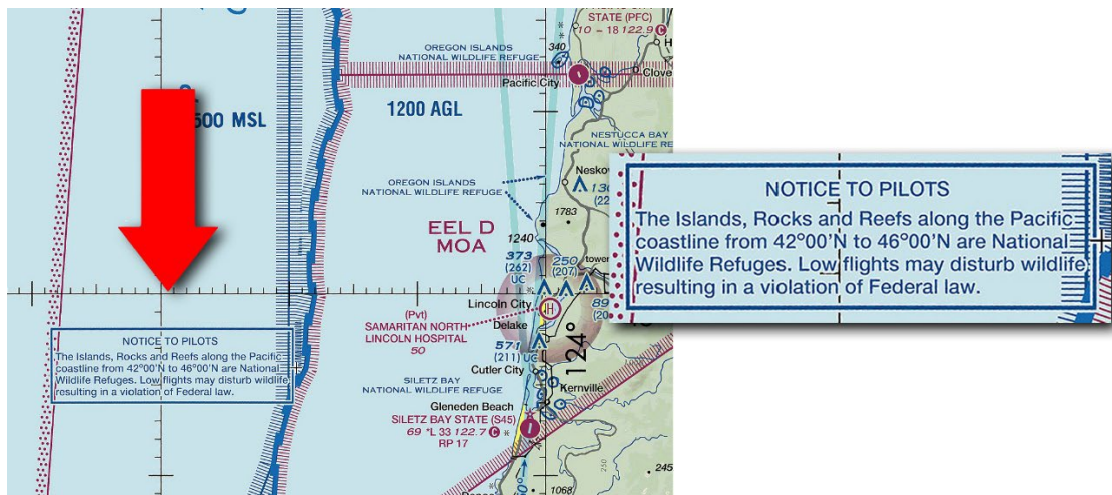
“The State Parks and Recreation Commission shall adopt rules managing the use of unmanned aircraft systems by people in state parks to protect natural, cultural, scenic and recreational resources in a park property or adjacent areas while providing for enjoyment of **recreational** use of unmanned aircraft systems.”  
(Emphasis supplied.)

The proposed rules mistakenly purport to regulate the conduct of 14 CFR Part 107 licensed *commercial* pilots. This is an important legal distinction recognized by the FAA between recreational and commercial (Part 107) pilots, as Board member, and Embry Riddle Worldwide Campus professor Patrick Sherman explained in his written testimony. ***The proposed rule should make clear that it regulates only the conduct of recreational drone pilot take offs and landings.***

## The Intent of the Proposed Rules to Protect Offshore Islands, Rocks and Reefs that are Habitat for Native Birds Duplicate Existing FAA Regulations

Based on much of the testimony the commission received at its April 13, 2022 hearing, it is clear that the offshore rocks and islands where many birds nest and rear their young are an area of particular concern for many of the witnesses who spoke. With this in mind, it is well worth noting that these areas are already protected under FAA regulations.

This fact is clearly demonstrated by the included sectional aeronautical chart excerpt. Notice the blue box highlighted with a red arrow, which reads, in part: “***The Islands, Rocks and Reefs along the Pacific coastline... are National Wildlife Refuges. Low flights may disturb wildlife resulting in a violation of federal law.***” These rules are fully applicable to drone operators, as they are to other types of pilots and their aircraft.



As this example clearly demonstrates, the education of drone pilots is an extremely important step which should be central to the formulation and enforcement of any regulation the OPRC chooses to develop. This is an immensely difficult undertaking because drone users vary from highly skilled aviation professionals who consult aeronautical charts to amateurs who have acquired a drone with no knowledge of the basic steps they are required to take in order to operate as hobbyists under Section 44809.

Therefore, we believe that – like the FAA itself – the OPRC should focus is regulatory efforts on an “education first” philosophy to help all drone pilots understand why certain locations are off-limits owing to the unique environments that they represent and the potential harm drone operations pose to wildlife and other park users.

### **Proposed Rules are Ambiguous Regarding Scope and Intended Effect**

There are words used in the rule that, without significant clarification regarding their intended scope and effect, expose drone operators to fines and penalties for conduct that they would otherwise legitimately believe to be lawful. A citation that led to conviction for unlawful take offs or landings would be especially devastating for Part 107 pilots who are licensed by the FAA, and who could lose that license or have it suspended for violating state law.

However, resisting such a citation is expensive and beyond the capacity of the many commercial drone pilots who are capable but small businesses. Drone pilots legitimately expect OPRD to adopt rules that are reasonably clear about the conduct that they penalize. As noted above, AUVSI Cascade requests that commercially licensed pilots be exempted from the scope of the proposed rule; but beyond this the conduct that the proposed rule makes unlawful, must be clear even for recreational flights.

### **There is no Clear Right to an Informal Written Approval to Take off And Land**

Proposed new OAR 736-010-0040(9)(d) says that "Take-off and landing an unmanned aircraft system in an 'Unmanned Aircraft System/drone take-off and landing prohibition' zone may only be conducted with a permit or written permission of the park manager or designated employee." But the idea of informal approval is inconsistent with OAR 736-010-0040(10), that says: "(10) A person must obtain a special use permit from [OPRD] for any activity or use as described in OAR 736-016-0005(1), including but not limited to an activity or use within a park property that: \*\*\* (c) Modifies or embellishes the park property, or places structures, such as tents, chairs, arches, and similar structures on the park property in a manner outside of normal recreational use, as determined by the park manager or enforcement officer; \*\*\* (f) Involves the sale of products or services; (g) Could disturb the natural, cultural, scenic and recreational resources in the park property or adjacent areas; (h) Could pose a safety or access concern for other park users or for those involved in the event or activity."(i) Involves the take-off and landing of unmanned aircraft system in “Unmanned Aircraft System/drone take-off and landing prohibition” zones as provided in section 736-010-0040(9). Any of these require a special use permit, which is inconsistent with the idea that informal written approval is permitted. The fact

that permission can be informally granted should be made clear and the requirement for a special use permit should be omitted.

### **When and where a Drone Operator Needs a Special Use Permit is Unclear**

As above, the proposed rules require drone take offs and landings in prohibited areas to first obtain a "special use permit" unless exempted. We propose that the law be made clear that Part 107 operators are exempted.

However, in any case, the activity that necessitates drone take offs and landings to obtain a special use permit must be clarified: under the proposed rules a pilot needs a "special use permit" to fly in certain "park property." But the "park property" subject to the new rules is very broad, the limits for which are not listed to our knowledge on navigation charts or other tools that drone pilots use to establish where they may take off and land. Before the proposed rules are adopted, the locations to which they apply must be made clear. OPRD should also publish in a format that ensures that they can be integrated into navigation charts and other common flight tools before any prohibitions take effect.

### **Prohibited Take offs and Landing locations in "OPRD Overnight Facilities" is Unclear**

Drone take-off and landing is proposed to be prohibited in "OPRD overnight facilities". "Overnight facilities" are broadly defined to mean "everything within the campground." There is no definition of "campgrounds" to which the rule applies. "Campground is defined in a different set of state rules that may or may not apply - OAR 918-650-0005(12)(a) and by an internal reference, (12) of that rule. But that says "Campground means a recreation park which provides facilities and space for tents, tent vehicles, or camping vehicles".

The definition of "OPRD overnight facilities" in the proposed rule is much broader and tautological, stating it: "means everything within the campground including showers, campsites, cabins, yurts, parking areas associated with camping and other facilities for use by overnight visitors." The problem is that overnight visitors use all manner of facilities to include trails to public parks, and public parks located adjacent to "campground" areas and private adjacent areas as well. It is unclear what "campground" is exactly, in this context. Uncertainty in rule is likely to confuse recreational pilots as well as small businesses and their drone operators.

### **Unacceptable Restrictions on Emergency Services Providers**

The proposed new rule exempts public safety agencies from the burden of special permitting. "(f) Public safety agencies may take off or land in emergencies without prior approval." This is smart because broadly, in an emergency - fire, flood, search and rescue operation, etc., - there is no time to go through a special use permitting process. Swift action is critical and therefore this part of the rule is important for OPRD to get right.

However, one likely and unintended effect of the proposed rules is that emergency service provider and public safety agency operations requiring take offs and landings in prohibited areas, including training will be all but foreclosed, depriving OPRD and the public of critical emergency support. The basic problem is that the proposed rule is unclear about what is intended to be exempted and is too narrow to allow emergency services providers to protect the public.

The proposed rules are unclear even about the point of beginning: exactly what is an "emergency"? Is it a Governor declared state of emergency? Something else? Who decides? And are private nonprofits that provide emergency services like Life Flight and various search and rescue organizations "Public Safety Agencies"? Nothing in the rule says. Important life saving reconnaissance, training, and other services that drones provide, start with take offs and landings where the mission is to occur.

Those important operations must be allowed, and the rule must be clarified. There can be no dispute that there are times when only a drone, which designed to take off and land reasonably close to its mission area, can provide the required emergency service. And sometimes the services are provided by a private nonprofit. And from time to time, the operators must engage in training take offs and landings to maximize their capability to do their work.

### **Rules About the "Ocean Shore" are Unclear**

The proposed rule about flights on the "ocean shore" are similarly ambiguous. The proposed new rules say you can fly, unless OPRD says you can't on its website: "A person may take off or land \*\*\* a drone, on the ocean shore unless otherwise restricted in an "Unmanned Aircraft System/drone take-off and landing prohibition" zone published on the state park website." This should be published in a format to easily translate into the software programs telling pilots where they can and cannot fly.

Moreover, it appears that most any drone take offs and landings can be prohibited under the new rules: "(g) 'Unmanned Aircraft System/drone take-off and landing prohibition' zones will be designated by the director or designee based on visitor safety, sensitive natural, scenic or cultural resources, or user conflict. Proposed zones will be posted on the department website for a minimum of 30 days prior to the effective date."

Another concern is that "ocean shore" is defined in an unintuitive and ambiguous way and the "ocean shore" point of beginning makes it difficult for pilots to understand what take-off and landing is allowed and those that are prohibited. In this regard, ORS 390.605(2) provides: "Ocean shore" means the land lying between extreme low tide of the Pacific Ocean and the statutory vegetation line as described by ORS 390.770 [which is a surveyed line that is knowable and could show up on nav charts] or the line of established upland shore vegetation, whichever is farther inland." What is the "line of established vegetation"? So far as we are advised, no one really knows.

## Conclusion

There needs to be a mechanism for industry trade groups such as the AUVSI Cascade Chapter – the primary trade organization representing Oregon and Washington in this space – and to be notified about proposed prohibition areas with sufficient advanced notice to interact meaningfully with OPRC to help ensure that proposed new restricted areas are not harmful to state interests.

AUVSI appreciates OPRC's interests in furthering the interests of sensitive wildlife and people who do not wish to be disturbed by drone take offs and landings. However, the proposed rule unnecessarily constrains important publicly beneficial uses of drones without corresponding public benefits. AUVSI Cascade requests the opportunity to work with you to make the rule clearer and more workable to serve the public interest. Thank you for your consideration.

Delivered for your consideration on behalf of the AUVSI Cascade Chapter Board of Directors.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Ratcliffe", with a stylized flourish at the end.

Jeff Ratcliffe  
President Emeritus



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Marybeth Hamilton

**Commenter email (if provided):**

marybethh@bendbroadband.com

**Public comment:**

I believe that there will be many negative impacts with drones operating in Oregon State Parks. Such as increased stress to wildlife that could discourage wildlife populations within park boundaries. Human visitors would be subject to noise and visual pollution. The reasons I visit Oregon State Parks are for the unobstructed views and serenity. Many of us seek to escape urban noise and to connect with nature for our mental health. I have personally been affected by drones invading my personal space on nature trails and ocean beaches. Drones emit a high-pitched noise that distract me from the reason I visit these places. If drones are allowed to invade our State Parks there is no guarantee that the drone pilots will be respectful to other park visitors.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Mike Vermeulen

**Commenter email (if provided):**

michaelevermeulen@gmail.com

**Public comment:**

Hello,

Please keep drones out of Oregon parks! As someone who has studied birds extensively, I am concerned with the ecological impacts of drones. Parks are a respite from many environmental stressors. Allowing drones into parks minimizes the positive benefits of green spaces. If drones are to be allowed into parks, please limit access and base decisions on environmental impact studies.

Thank you,  
Mike Vermeulen



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Patty Unfred

**Commenter email (if provided):**

pattyum@msn.com

**Public comment:**

Hello, please accept my comments asking that you NOT allow drones to take off and land in Oregon State Parks. This is not only a privacy issue for anyone wanting to enjoy the peace and solitude of Oregon's parks and wilderness areas but also has the grave potential to disturb wildlife, especially nesting birds. Drone advocates are looking to Oregon as your decision will set a standard likely to be followed in other states. Please uphold Oregon's commitment to our beautiful natural areas and don't succumb to demands from private industry and a small group of recreational drone enthusiasts.

Thank you,

Patty Unfred  
Portland, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Kat Caldera

**Commenter email (if provided):**

katbend@gmail.com

**Public comment:**

I am not in favor of drone operators being allowed to fly anywhere.

A drone that just flew by could be stalking for victims, looking for isolated hikers etc.

Drones are an effective tool for search and rescue, for wildlife counts by professionals who know how best not to harass wildlife, and they are a great tool for wildfire monitoring.

But to allow just anyone to fly just anywhere is a bad idea.

Drones, like bikes, and like horses, and like metal detection, and like fishing and swimming and clamming and driving and walking your dog, should be limited to certain areas, if allowed at all.

And if you can't limit where they fly then you HAVE to limit where they take off and land.

drones pose a threat to wildlife habitat. Mating rituals can be interrupted then abandoned due to drones.

Nature needs to be left alone to do it's harmonious dance.

Please keep nature sacred and peaceful.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Glenn Hamilton

**Commenter email (if provided):**

uncgeh@gmail.com

**Public comment:**

I am opposed to take-off, landings and flying of drones in state parks and public shore lines. It is not right for an individual to disrupt the peaceful setting that the public enjoys in these locations. Nobody likes seeing and/or hearing a drone flying while they are enjoying public open spaces. An individual should not be allowed to disrupt this peacefulness so they can selfishly derive limited entertainment. Their hour (or 2?) of entertainment ruins the day for other members of the public.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Kenji Sugahara

**Commenter email (if provided):**

kenji@dspalliance.org

**Public comment:**

Hi Katie!

Here is an additional comment that memorializes and clarifies the alternate proposal. I've also done an issue spot on potential impacts.

Thanks and great job at the commission meeting!

Kenji Sugahara  
President/CEO  
Drone Service Providers Alliance  
c.503-302-4935



April 15, 2022

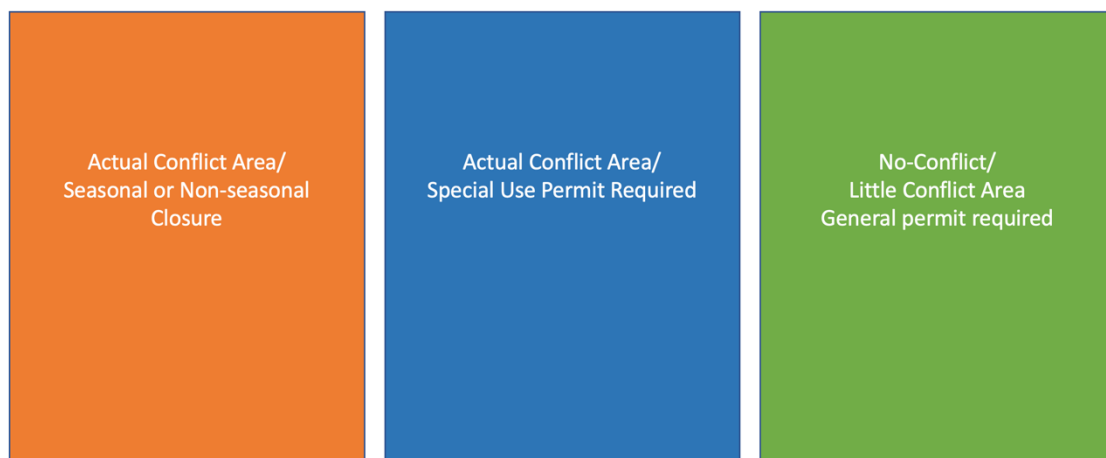
Oregon Parks and Recreation Commission  
Oregon Parks and Recreation Department  
725 Summer St. NE, Suite C  
Salem, OR 97301

Dear Chair Allen and Members of the Commission:

Thank you for allowing us to present at the last commission meeting. We would like to encourage you to consider the third option that we presented to the Commission. We had the opportunity to talk with the Audubon Society after the meeting and they were open to discussing the plan we brought forth.

Our recommendation would create three classes of areas for recreational drone operations. The first would be areas that require a general permit. People who would like to fly in these areas could obtain a permit in person or online. The second would be areas where there could be recreational operations with a special use permit. The final area would be area where there would be seasonal or standing closures.

## Alternate Proposal



The benefits include:

Permit fees can be used for signage, web development, and education. This would create a touch point where OPRD can educate users about conservation. This system would also create the ability to track data, as well as give park managers additional information as to whom and where people are taking off and landing. Combined with potential remote ID data, OPRD can determine compliance rates.



As commissioners noted, one size does not fit all and this type of framework provides the flexibility for each park asset while adding additional benefits. Instead of having a duality of the first two proposals, this approach may be the optimum path forward that accommodates both conservation and recreation. We do have to disagree with Senator Golden. This can be a model for the nation. This is why Kenji was one of the only people to testify in person in favor of SB109.

We cannot emphasize enough that we object to US Fish and Wildlife's proposal to completely close or seasonally close parts of the Oregon coast. While this rulemaking is limited to recreational operations, there could be potential impacts to commercial operations. The maps that have been circulated by USFW are too broad, not narrowly tailored, and implementation would result in direct conservative economic losses between \$5 and \$10 million with economic impacts in excess of \$40 million.<sup>1</sup> If OPRD were to engage in capturing commercial operations, it must undertake an economic effect analysis under ORS 183.335 and 336 and must modify the proposed rule to minimize the rule's adverse economic impact on small businesses as provided in ORS 183.540.

Finally, we wanted to inform the Commission about *National Press Photographers Association v. McCraw*, 504 F. Supp. 3d 568, Dist. Court, WD Texas, 2020. While only persuasive authority, the court ruled that the Texas provisions impermissibly favored a few to engage in comparatively unrestricted UAV photography, but forbid broadcasters and reporters from doing the same. In this instance, there is the implication that only scientists, park staff, and public safety can conduct UAV operations at the exclusion of others. The court cited the Fifth Circuit, "[t]he Fifth Circuit has noted that 'the First Amendment protects the act of making film, as 'there is no fixed First Amendment line between the act of creating speech and the speech itself.'" *Turner v. Lieutenant Driver*, 848 F.3d 678, 689 (5th Cir. 2017) (quoting *Am. C.L. Union of Illinois v. Alvarez*, 679 F.3d 583, 596 (7th Cir. 2012)). This ruling should also be taken in context with *Price v. Barr et al*, 514 F. Supp. 3d 171, 2021. We encourage the Commission to ask the Oregon Department of Justice to explore the 1<sup>st</sup> amendment implications of the rulemaking.

We appreciate the passion on all sides and we thank you for your consideration of our views.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenji Sugahara", written in a cursive style.

Kenji Sugahara  
President/CEO

---

<sup>1</sup> Closures will result in productions moving to other states as stated by location scouts in the Oregon film and television industry. Productions range from \$250,000 to \$1 million+. Using conservative numbers of a loss of ten productions and utilizing an economic impact multiplier of 8x, we arrive at a figure of \$40 million.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Gisela Ryter

**Commenter email (if provided):**

giselavest@icloud.com

**Public comment:**

Are you serious??? There are 34 million acres of public lands to hunt on in Oregon. Now we need the measly 2,300 acres where people camp and recreate, where people and animals seek safety during hunting season, where people hunt for mushrooms off of trails, to pursue our hunting endeavors? The park is bordered by houses, frequented by families with kids riding bicycles, kayakers enjoying the park's beauty and wildlife.

How will hunting impact this? Have you considered that a stray bullet might kill an unsuspecting person? Are you prepared to suffer the consequences of such an unwise idea? I hope you give this some serious consideration because it is a very very dangerous idea. The possibly deadly consequences of turning this beloved park into a hunting zone would be disastrous for all involved: the hunters who accidentally killed a person, the victims and the Parks Dept.

Gisela Ryter



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**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Karen Craven

**Commenter email (if provided):**

Kccravenconsulting@gmail.com

**Public comment:**

Drone use should not be allowed -in state parks. They are intrusive to other people and disturbing to the wildlife. There are plenty of other spaces for drones and they should not be in the parks.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Linna Zhou

**Commenter email (if provided):**

dc5468548@gmail.com

**Public comment:**

ORPD,

Drone photography captures the beauty of the parks for generations and is protected under the first amendment of the US constitution. Many units now are well controlled, quieter and weigh less than a pound. Far too much of this discussion has been dominated by activist groups like Audubon which face conflicts of interest and are not able to compare the impact of drones to all the other recreational activities already in your parks. Audubon, if one bird moves should humans now be banned? They will take you as far as you go and pretty soon we will all be stuck at home ... probably watching drone videos of the natural places we want to explore. Many peer reviewed science studies show the real impacts can be a mixed bag. To eliminate the worst parts it is certainly not necessary to ban all flights. Overly restrictive rules will result in folks piloting from far away, standing off site such that parks rules have no jurisdiction. Under these circumstances you will lose the opportunity to find common ground. Photography tools communicate free speech, they are not the same as frisbee golf or metal detectors. Drone photography deserves its place among all the other activities you allow in parks.

Thank you,  
Linna Zhou



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**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Sue and Jim Tarjan

**Commenter email (if provided):**

soozyt@comcast.net

**Public comment:**

State parks and other natural areas are set aside and protected in order to help wildlife and ecosystems thrive. Drones, like motorized bikes and other disruptive hazards and nuisances, intrude upon natural spaces to the detriment not just of wildlife but of humans as well. We all need safe, peaceful havens away from the "madding crowds" of modern times, and that includes the maddening buzzing of trespassing drones.

Oregon state parks and shorelines should not be allowed to be mini-airports for drone traffic. Please establish a qualified committee to determine where and whether drones should be allowed.

Sincerely,  
Sue and Jim Tarjan  
Portland, OR



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Oregon Parks and Recreation Department

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Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Scott Fife

**Commenter email (if provided):**

iconoclasmo.scott@gmail.com

**Public comment:**

Please, no drones should be flown in our state parks and beaches.

First, is the effect on the natural world, birds and animals in the area including nesting sites on the beach itself.

Secondly, I go to these areas, in part, to get away from technological devices.

Thanks for the opportunity to comment,

Scott Fife

341 W. 8th Ave. Apt. A

Eugene, OR.

97401



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Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Sara Schreiber

**Commenter email (if provided):**

joethecat43@gmail.com

**Public comment:**

I have been a Coast Watcher in Newport for years. I see NO logic in allowing drones along and over any beaches. All these "come to the beach and relax" promotions would be erased. I am sure at this point you have received a lot of verbiage regarding inserting permission for drones to become part of the Oregon beach scene. My answer is succinct: DO NOT EVEN CONSIDER IT.

Sara Schreiber  
South Beach



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**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

D'Anna Dorn

**Commenter email (if provided):**

dannadorn@gmail.com

**Public comment:**

My husband and I are owners of our forever home in South Beach, Oregon. Located on a bluff above South Beach State Park just north of Ona Beach. Out of the 8 homes on said bluff, only three are occupied by year round residents. All other homes here are STR's.

Besides the ignorance/disregard for other regulations like fireworks and parking, drones are a nuisance and a clear invasion of privacy. This behavior has been demonstrated on numerous occasions. Many times this behavior is displayed by the clients of the rentals. Experience tells us the renters who visit may not be educated on or even care about such regulations.

We have had drones fly outside our windows, stop, hover and view us during times which should remain private.

We are opposed to drones being flown on State Parks and Beaches.

Thank you for your times



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Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Melanie

**Commenter email (if provided):**

byersjonesmelanie@gmail.com

**Public comment:**

Please do not let drones fly over parks where people are camping. That is not relaxing at all. Very annoying.

Thank you,  
Melanie



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Peter Hodum

**Commenter email (if provided):**

peter@oikonos.org

**Public comment:**

To the Oregon Parks and Recreation Commission:

Attached please find a comment letter submitted on behalf of the Pacific Seabird Group.

Thank you very much for your consideration.

Yours sincerely,  
Peter Hodum  
Vice-Chair for Conservation  
Pacific Seabird Group



Oregon Parks and Recreation Department  
C/o Katie Gauthier, Legislative Coordinator  
725 Summer St NE, Suite C  
Salem, OR 97301

April 12, 2022

**RE: Public comment on draft rules to guide take-off and landings of drones in state parks and coastal areas**

Dear Ms. Gauthier,

The Pacific Seabird Group (PSG) urges the Oregon Parks and Recreation Department to substantively revise the draft rules regarding take-off and landings of unmanned aircraft systems (UAS), hereafter referred to as “drones”, in state parks and on coastal areas managed by Oregon Parks and Recreation Department (OPRD). We appreciate the opportunity to provide recommendations on these draft rules on drone use on OPRD-managed lands.

PSG is an international, non-profit organization that was founded in 1972 to promote the knowledge, study, and conservation of Pacific seabirds. It has a membership drawn from the entire Pacific basin. Among PSG's members are biologists and scientists who have research interests in Pacific seabirds, government officials who manage seabird refuges and populations, and individuals who are interested in marine conservation. PSG has served as an unbiased forum for government, university, and private sector biologists to discuss and resolve issues related to Marbled Murrelet conservation along the Pacific coast of North America.

With the continued increase in the use of drones nationwide, corresponding increases in disturbance to wildlife, including nesting seabirds, shorebirds and waterbirds as well as marine mammals, have been documented. In extreme cases, drones can significantly impact such fundamental demographic parameters as reproductive success, notably including the catastrophic failure of an entire Elegant Tern breeding colony in California due to a drone crash.

The coast of Oregon provides critical habitat for more than a million nesting and migratory birds, including 15 breeding species. Of the species that depend on Oregon coastal habitat, two are federally listed as Threatened under the Endangered Species Act (Western Snowy Plover, Marbled Murrelet), with three other species identified in the Oregon Conservation Strategy as species of conservation concern (Black Oystercatcher, Caspian Tern and Tufted Puffin).

Below, we provide recommendations for changes in the draft rules:

- PSG strongly supports the establishment of the drone Rules Advisory Committee, with assurance of representation by all relevant stakeholder groups, including conservation organizations.
- PSG recommends that OPRD maintain the original use of the precautionary principle in the rule language such that the default is that drone use is prohibited unless explicitly permitted. We advocate for clear language that indicates that drone use is prohibited unless explicitly indicated as being allowable and/or in designated take-off and landing areas. Impacts of drones on birds and other wildlife are widely documented. As such, the restriction of drone use to designated areas allows the state of Oregon to regulate and minimize wildlife disturbances. At least four other states, including Virginia, California, Texas and Colorado, have established rules that presume against the use of drones unless permitted.
- We encourage OPRD to consider establishing an independent technical work group/committee that would draw from expertise from academia, agencies and non-profits, with the goal of advising OPRD in developing criteria to identify allowable drone use areas and designated take-off and landing locations.
- PSG recommends that the language in the rules explicitly provide specific criteria for appropriate drone use within designated drone use areas. As currently written, "...in a manner that is reasonable and prudent relative to terrain, prevailing conditions..." the guidelines are difficult to interpret and would be impossible to enforce.
- PSG recommends an adaptive management approach to assessing the impacts and ongoing suitability of allowable drone use areas to mitigate potential impacts to wildlife.

We strongly encourage OPRD to revise the draft drone rules and consider the recommendations provided above. Thank you again for providing the opportunity to provide feedback as part of your process.

Please feel free to contact us if you need additional information.

Sincerely,

A handwritten signature in cursive script, reading "Peter J. Hodum".

Peter Hodum, Vice Chair for Conservation  
Pacific Seabird Group



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Alex Suarez

**Commenter email (if provided):**

alex@multigp.com

**Public comment:**

Dear Oregon State Parks,

Thank you for proposing reasonable rules for drone usage in your parks. At MultiGP we provide an avenue for safe and fun drone racing across the globe. MultiGP agrees with your current wording of the rule such that drones would be allowed unless the park managers deem otherwise. This allows for recreational drone pilots to continue to peacefully enjoy your state parts instead of being segregated and banned from state parks. Drones are an excellent way for sharing the beauty of your state parts and allowing a place for youth to safely learn about and practice flying their drones.

We are also pleased to see how you recognize the FAA for having sole authority over the airspace and only monitoring the take off and landing of drones. The wording of this rule is very important not just for the Oregon state parks, but for the state parks of all other states. Your wording can be used to show precedence of other drone rules for states to enact.

If the wording were changed to prohibit drones until park managers designated areas, this would lead to more pressure on the park managers. Drone operators would be constantly asking when park managers would designate areas. There will also be some pilots who would otherwise be legally flying, however would be breaking the rules because the park manager has not designated an area. If the wording were changed it would be eliminating a valid form of recreation in the state of Oregon for an unknown period of time.

Thank you,  
Alex Suarez  
Director of Government Affairs, MultiGP



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Terence Anderson

**Commenter email (if provided):**

surferino@icloud.com

**Public comment:**

As an Otter Rock resident living adjacent to the Devil's Punchbowl and near Beverly Beach State park, I object to the rule largely written by the Industry. The State Park's proposed rule, although far from perfect, better addresses the issue and should be given more weight than the industry's self-serving draft rule .

Terence Anderson  
Otter Rock, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Suzanne Ortiz

**Commenter email (if provided):**

ortizsv@gmail.com

**Public comment:**

Thank you for extending the time for public comments on the regulation of the use of drones in State Parks in Oregon.

I strongly recommend that all Oregon State Parks and beaches be closed to drone take-off and landings. Any exceptions to this should be determined by input from the scientific community and take into account the nesting habitats of wildlife or the need for the use of drones in emergency situations.

Note that the US National Park Service does not allow drone use in the National Parks, and that other states, such as Colorado prohibit their usage in most State Parks.

It is important to me that our State Parks should be places where people can experience the beauty of nature, through the enjoyment of the beauty & the wildlife without having to be worrying about a flying & buzzing nuisance.

I have been out in nature when a drone user stood on his resort balcony & operated a drone that buzzed over our group standing above the cliffs at Oregon Islands near Bandon, OR. They never stepped outside their rental & seemed to have no sense that they were disturbing the public or the birds that were perched on the rocky habitat. There have been reported instances of drones disturbing nesting birds that have abandoned their nests.

Please do not allow drone usage to be the norm. We need regulation to limit their use of drones.

Suzanne Ortiz  
Corvallis, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Friday, April 15, 2022

## Commenter name (if provided):

Ian Caldwell

## Commenter email (if provided):

iancaldwell@hotmail.com

## Public comment:

I am writing in favor in increased regulation of drones in State Parks, specifically Smith Rock State Park. I have been climbing at Smith Rock for the last 30 years. Since 2013, I have seen drones flying in the park and they have created a huge negative impact to many park users, especially climbers. Nearly every day I climb now I see a drone flying in the park

Climbing takes an incredible amount focus and the distraction of drones flying overhead is overwhelming. I have literally fallen off many routes when I got distracted by a drone flying overhead. Often the operators are a long distance away and as a climber, unable to communicate with the operator of the drone. One time I was climbing Monkey Face and a drone flew over the ridge and was filming me. I fell off the rock and was unable to continue climbing until it left, since the operator was on the other side of the hill I could not ask the operator to stop flying. Another time an operator in the parking lot flew his drone over the climbing area for 25 minutes until his battery ran out. I hiked a ½ mile to ask him to stop flying and he was reloading a new battery to fly again for another 25 minutes. He had no idea how annoying his drone was but all the climbers at the cliff were completely outraged by the situation and asked me to go and talk to the person.

Another situation I had a drone operator walk up to me told me he was going fly. We asked him not to fly near us. He demanded that it was his right to fly and proceed to fly his racing drone overhead. He flew 100mph over our heads and did multiple flips. He also flew over other hikers on the trail below. He informed us that someone was going to pay him for the footage, which would make it a commercial filming. FAA regulations prohibit flying overhead of other people in commercial operations. He also secretly recorded our conversation without our permission which is a Class A Misdemeanor Crime under ORS 165.540 (1)(c). Afterwards he posted the video on social media to harass and bully us and posted lies about the situation.

Almost every drone operator is filming their flight and if they get close to other people they are secretly recording conversations without consent

165.540 Obtaining contents of communications. (1) Except as otherwise provided in ORS 133.724 or 133.726 or subsections (2) to (7) of this section, a person may not:

(c) Obtain or attempt to obtain the whole or any part of a conversation by means of any device, contrivance, machine or apparatus, whether electrical, mechanical, manual or otherwise, if not all participants in the conversation are specifically informed that their conversation is being

obtained.

The remoteness and peacefulness of Smith Rock had been violated over the last 10 years by drone usage. Climbers hike a mile or two for a quiet day of climbing to have it ruined by a drone operator who takes 2 steps out of their car to launch a drone from the parking lot. They do not care that their actions impact other people. As climbers, we are too far away to ask the person to stop. I have had many days climbing at Smith Rock ruined by an inconsiderate drone operator.

Drone operators have proven over the last ten years that they cannot be trusted to operate in a manner that will not disturb other park users. I have seen drone operators harassing wildlife and terrify people's dogs.

Ian Caldwell



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Jill Coleman

**Commenter email (if provided):**

tmtrjc@yahoo.com

**Public comment:**

I want to express my opposition to unregulated launch points for drones in our state parks and at the coast. Our parks are set up so that people can enjoy the peace and quiet of nature. Who wants to get away from the bustle of a city only to be buzzed by machines taking photographs and generally disturbing the very peace I seek in the park?

If launch points are unregulated and the promise that "someday" there will be designated restricted zones, the drones will be everywhere. This is wrong, and unfair to the wildlife and the public both.

Please don't allow this to happen!

Sincerely,  
Jill Coleman



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Oregon Parks and Recreation Department

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**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Gaynelle O'Neil

**Commenter email (if provided):**

onmywy@yahoo.com

**Public comment:**

I am strongly opposed to unregulated drone flights in our parks and at the coast. As a person who loves the outdoors and the peace to be found there, I find it horrifying to consider that peace disturbed by drones invading the landscape and my privacy. I recently observed a "gentleman" who had his drone hovering over the women's restrooms at a rest area...creepy.

If drones are allowed to launch anywhere, they are able to buzz around anywhere, and I believe that is wrong, both for the sake of other users of the park and the wildlife who make their homes there. The needs of the many should outweigh the desires of the few. Please limit the launch points for drones. The promise to "someday" designate non-use areas is too vague and amounts to a carte blanche for drone users in our parks.

Sincerely,

Gaynelle O'Neil



# Submit a public comment on a rule

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**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Maria Sause

**Commenter email (if provided):**

mkrausster@gmail.com

**Public comment:**

Drones are invasive, no matter where they are used. People certainly do not visit nature, whether in populated areas or in the wilderness, to look at drones. But their invasiveness goes much farther than that. They were invented to make war without using soldiers, supposedly to kill only "terrorists" and other intended targets. We know now that only a small percentage of drone attacks kill only the intended targets, that they often miss those targets, and that most of the time they kill civilians who are in no way targets. Who is to know when a drone is being used for allowed purposes in a non-war context? Who is to know when it is used to spy on people? They are not toys and should not be used as such anywhere other than on private land by owners of the land, or with special written authorization with such owner. Drones are tools of control, and we do not need more of that in our society.

Maria Sause  
Newport, Oregon



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Oregon Parks and Recreation Department

**Proposed rule change:**

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**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Deborah Jaques

**Commenter email (if provided):**

djaques@pacificecologic.org

**Public comment:**

Greetings,

Thank you for the opportunity to comment on proposed rules for use of drones in Oregon State Parks. I am a wildlife biologist with a specialty in studies of coastal waterbirds. My professional work has included making recommendations to resource agencies to reduce human disturbance of birds. Over the past few decades, I have observed that human recreational activities are one of the most frequent sources of disturbance to communal roosting migratory species such as brown pelicans and shorebirds. Recreational use of drones may already represent, or may become, a serious growing stressor to such birds if disturbance becomes chronic and affects habitats that previously offered sanctuary.

We have used drones cautiously in research, flying at several hundred feet above bird groups. Each time I have seen a drone operated by a recreational user over such birds, the operators fly too close. I have documented disturbances and personally confronted some of these users. Most of them have no idea that they are causing harm. Impacts to non-breeding migratory birds can include displacement from preferred habitat that was previously inaccessible to the public, and increased energy usage due to flushing and relocating. For breeding birds, even one disturbance can result in total loss of breeding effort for the annual cycle. Thousands of birds may flush from large colonies and predators may swoop in quickly to take advantage of the temporary egg and chick abandonment.

Since drones are now fairly readily available to the public, the potential for measurable damage to breeding populations on offshore rocks and cliffs in the Oregon Coast National Wildlife Refuge Complex is of great concern. The most likely place for take-offs and landings are Oregon's public beaches. The ORPD can play a large role in helping safeguard the sensitive resources of marine environment with development of appropriate regulations, enforcement, and interpretive signage. I urge you to work with resource managers and conservation organizations to identify areas where drones can most likely be operated without threat of harm on the lands under your jurisdiction.

Thank you,  
Deborah Jaques  
Pacific Eco Logic  
Astoria, Oregon



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Oregon Parks and Recreation Department

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Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Marshall and Diane Sullivan

**Commenter email (if provided):**

ds3pines@budget.net

**Public comment:**

Please protect the birds from DRONES ! Birds are having enough trouble surviving because of Climate Change and chemical uses. Anything you can do to stop Drones from disrupting them will be supported and appreciated.

Marshall and Diane Sullivan



# Submit a public comment on a rule

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**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Anna Koch

**Commenter email (if provided):**

koch20a@gmail.com

**Public comment:**

I am not in favor of the State Park Rules. They threaten the one thing I go to the state parks for: peace of mind. I hike alone at our parks and I have never felt ill at ease. But if drone operators are allowed to fly basically anywhere I imagine that instead of feeling peace, I will worry that that drone that just flew by could be stalking for victims, looking for isolated hikers such as myself.

Public safety has to be a consideration. Drones are an effective tool for search and rescue, for wildlife counts by professionals who know how best not to harass wildlife, and they are a great tool for wildfire monitoring. But allow just anyone to fly just anywhere is a bad idea. Drones, like bikes, and like horses, and like metal detection, and like fishing and swimming and clamming and driving and walking your dog, should be limited to certain areas, if it has to be there at all. And if you can't limit where they fly then you HAVE to limit where they take off and land.

They may not like it, but that's though.



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Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Jackie Phillips

**Commenter email (if provided):**

jakkidbaling54@gmail.com

**Public comment:**

State parks are meant for the public's enjoyment of nature. The noise of drones is most intrusive. My greatest concern is the threat to nesting sea and shore birds on the coast. The noise from drones is also to be considered one more man-made disturbance to wildlife in all parks. We've created enough noise pollution. Let us listen to the waves on the shore and birds in nature's habitat.



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Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Jennifer Carley

**Commenter email (if provided):**

jennifer.carley@comcast.net

**Public comment:**

I am opposed to drones being allowed at all in Oregon State Parks. They are disruptive to wildlife, birds, and the outdoor experience. They also are an invasion of privacy for park visitors. My objection includes all coast areas Rules should be strict and well enforced.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

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Friday, April 15, 2022

**Commenter name (if provided):**

Lynn Hawley

**Commenter email (if provided):**

hawleylynn@gmail.com

**Public comment:**

I am living in Otter Rock and I am a past OPRD naturalist. I worked at the Alsea Bay Bridge Interpretive Center, South Beach State Park, Beach Side State Park, The 804 Trail and The Yaquina Bay Lighthouse. It occurs to me that including drones into our environment is not in keeping with the State Park Goals.

I have been part of and watched the work and expense and careful planning Oregon State Parks has continued to do. It is for sharing the uniqueness of the state in so many ways. The growth of our State is for the growth of the natural habitat, for people to be allowed and involved. It's not for drones.

The idea that the Parks is considering giving drones access to our beautiful beaches...have you tried watching a sunset while drones are cascading around the sky?

When traveling to California or Washington State the beaches aren't public, the beaches in Oregon are so appreciated because we can go to them and enjoy their uniqueness.

We celebrate our parks, please don't take it away by allowing drones to fly over us,

Lynn Hawley  
Otter Rock, Oregon



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Oregon Parks and Recreation Department

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Take-off and landing of drones

## Date comment received:

Friday, April 15, 2022

## Commenter name (if provided):

M. Renee Bellinger

## Commenter email (if provided):

reneebellinger@gmail.com

## Public comment:

Thank you for an opportunity to comment.

Oregon's beaches are a unique resource: a place to relax, enjoy the feel of the sand, the sound of the wind, the smell of the ocean, and admire the diverse wildlife that populates the shoreline and offshore rocks. The peace and serenity of natural spaces is important to our mental health.

As a former resident of South Beach for over a decade, I have deep appreciation for Coastal Oregon and State beach parks. Although I have moved out of state, the Oregon beach is still my go-to for rest and recreation, where I join the thousands of other tourists who flock to the Oregon coast for the beach experience.

As you consider the Draft Drone Take-Off and Landing Rules for Oregon State Parks please consider the following:

- Drones have tremendous potential to negatively impact the health and well-being of wildlife. Given the density of birds typical to nearshore and shoreline areas, and ESA listed species (birds and marine mammals), it is imperative that proposed drone use takes impacts to wildlife into account. These impacts should be measurable, routinely quantified, evaluated, and adjusted as necessary. Others have suggested a task force to determine impacts, which seems prudent given what is at stake. Therefore, State Parks should create an independent technical working group (including agency, academic, NGO, and tribal experts) to determine appropriate designated drone take-off and landing areas that minimize wildlife, cultural and recreational impacts.
- Oregon's beaches have traditionally been a place to relax in natural surroundings. The buzzing of drones is intrusive and disturbing (it reminds me of swarms of bees - total heebie-jeebies!), and the added noise and overhead cameras detracts from an enjoyable experience. Personally, I can't stand to be around them, and don't want them on the beaches at all, but I do understand that there should be recreational opportunities. How to manage those recreational opportunities is critical.
- While at the beach people need to keep their eye out for rip currents (if swimming), sneaker waves, and other hazards. Drones can be a distraction.
- If areas are designated for drone take-off and landing, those areas should be periodically reviewed for inclusion or removal based on the best available science, as wildlife usage and other factors can change over time.
- The areas where drones can fly overhead should be narrow in breadth (not just line-of-sight of the drone operator), so that people are able to flee from the human-caused drone disturbance without

having to walk a mile or two down the beach. The existing FAA rules are insufficient in scope to protect people from intrusive flying cameras.

- State Parks should include strong enforcement mechanisms in the final rules.
- State Parks should include final maps of designated drone take-off and landing locations on their website.
- Drone take-off and landing approval for an area should be discontinued if repeated wildlife disturbance events occur in the same location.
- The quality of the park experience must also be maintained.



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Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Elizabeth and Douglas Bateman

**Commenter email (if provided):**

douglibbat@gmail.com

**Public comment:**

Please consider strong restrictions on where drones can be launched or flown in our state parks.

We recently became aware of rule changes regarding the use of drones in Oregon's State Parks. We were definitely dismayed to learn that the process for writing the rules included meetings where the majority of the input was from drone user groups. We urge you to rethink opening up our beloved beaches and parks to drone use.

One of us has lived in Oregon all his life and the other one has lived here for almost 50 years. We often walk the beaches and hike in the forests. We are concerned about the interaction of drones with wildlife and with the serenity of these wild places. We believe our parks and beaches are our legacy and one of the defining values of our state.

We believe a vast majority of Oregonians would agree with us that drone use in our parks needs to be greatly restricted!

Thank you.

Elizabeth and Douglas Bateman  
Corvallis, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Friday, April 15, 2022

## Commenter name (if provided):

Edward Mitchell

## Commenter email (if provided):

edward.mitchell@gmail.com

## Public comment:

I am writing in support of the proposed rules on the Take-off and Landing of Drones in parks.

This proposal is a reasonable approach to address issues on a per park basis, by the people who are local to each park and understand their park's requirements the best.

I have flown a small quadcopter weighing less than 1 pound, in Cottonwood Canyon State Park. Prior to doing so, I contacted the park and spoke to a park ranger to ensure my 10 minute flight would not cause problems.

Some commentators have suggested quadcopters should be banned from all state parks citing allegations of noise or privacy.

These arguments make little sense. In most state parks with campgrounds, many campers operate AC generators for hours at a time in both the early morning and the evening. The noise impacts of generators are orders of magnitude greater than the sounds produced by most modern quadcopters.

I have dealt with loud music in campgrounds.

I have, on many occasions, encountered hikers blaring music as they hike.

I fly a quadcopter weighing approximately 8 ounces. It is difficult to hear it from 100 feet. Considering it is typically flown at that height or higher, in out of the way areas, it is effectively invisible to others.

Flights are typically short - on the order of 10 minutes or less.

Privacy is a red herring. If we are in public, we are visible in public. All of us are subject to appearing in other's photos and videos, for non-commercial purposes by virtue of being out and about. I have seen myself in others' Youtube videos of public events, for example,

Consequently, the argument that small quadcopters should be banned from all state parks, all the time, due to noise or privacy, makes little sense.

Many parks have numerous activities that have a noise impact orders of magnitude greater than small quadcopter use:

1. Generator use
2. Playing of music
3. Hunting - hunting is permitted, in season, in Cottonwood Canyon, for example.
4. Parties
5. Loud vehicle usage on roads

Privacy, as noted, is not a meaningful issue as any of us can and do appear in others' photos and videos taken by tourists and other activity participants - from the ground - typically at much closer range than from a quadcopter hundreds of feet away, with a wide angle lens.

Therefore, I support the current common sense proposal to enable local park management to identify take-off and landing zones or restrictions, as needed for safety and resource protection.

Edward Mitchell  
Redmond OR

#### Relevant Background

I am a model aviation hobbyist, an FAA Private Pilot Certificate holder (currently inactive), member of the Experimental Aircraft Association, member of the Academy of Model Aeronautics and the Field of Dreams RC Club

I have a B.S. in computer science (senior thesis on air traffic control automation), a Master of Science in Software Engineering (thesis on Android smartphone power management) and an M.B.A. degree. I hold two U.S. patents, one in aviation safety and one in wireless communications



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Eric Heline

**Commenter email (if provided):**

southcoastriverkeepers@gmail.com

**Public comment:**

Greetings

As a registered drone user for the past 5 years my writing is to share my experiences and offer support for stringent drone use regulations in Oregon's State Parks and along Ocean Shores. As a former wildland firefighter my use of a drone has been primarily for observational purposes to detect wildfire smoke and detecting sources of pollution in waterways.

A regular visitor to the ocean shore, my overwhelming observation is that the bulk of park and public access users are disturbed by the use of drones and that drone flight has a serious negative impact on wildlife, birds in particular but also seals.

The common reaction to drones on the beach is hostility towards the users who can have dismissive and arrogant attitudes towards the complaints. The justification from drone operators for the inconsiderate and invasive use of the drone is that "There are no rules, I can fly wherever I want to."

Two personal experiences in the first year of my drone ownership underscored that to the point where I no longer fly anywhere near public spaces, the potential for aggressive and even violent confrontation has increased exponentially in the past 5 years as a general scofflaw attitude has taken hold in society.

Registration of drones is relatively meaningless as there are no significant enforcement protocols. Anecdotal encounters I have had with drone users is that perhaps 50% actually register them, the others take the aforementioned arrogant and belligerent attitude of the scofflaw.

In conclusion I will state that the best solution for drone use in Oregon State Parks and Ocean Shores is to create designated use areas away from the general and greater population of park users and in particular away from areas of the Ocean Shores which are seabird and mammal habitat.

Understanding there may be a need to modify this approach, please consider that a far greater percentage of Oregon parks and ocean shore users, both local and visiting, are unsympathetic to drone use and find it an overwhelmingly disturbing experience to encounter them.

Stringent rules governing the use of drones are essential to maintain a natural environmental quality

for which Oregon State Parks and Ocean Shores were created.

Thank you for your consideration and for offering this process to provide input into the rule making process.

-signed-

Eric Heline  
Gold Beach, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Tim Palmer

**Commenter email (if provided):**

tim@timpalmer.org

**Public comment:**

Please include these comments in the record for OPRD's rulemaking process.

Tim Palmer  
Port Orford, OR

From: Tim Palmer

Re: Inappropriate out-of-state influence in drone rulemaking process

Date: April 15, 2022

In evaluating public comments to the Department of Parks and Recreation's proposed drone regulations, **it's essential to realize how significantly the pro-drone comments were influenced by out-of-state drone interests.** The Commission should be aware that an orchestrated, organized effort was made to flood the Department's comments file with out-of-state, pro-drone viewpoints. This was explicitly done in an effort to make Oregon a "model" of permissive rulemaking that could be applied to other state parks nationwide. In other words, if self-interested drone interests can influence our Oregon State Parks Department, the drone industry thinks it be able to do it everywhere.

The Drone Service Providers Alliance issued a "call to action" to its national list at the outset of the OPRD comment period on Feb. 17, specifically identifying the need to influence Oregon policy as a way to leverage similar decisions at state parks nationwide or, as a drone spokesman said, "We need to set the model for drones in state parks across the nation." See <https://dspalliance.org/call-to-action-oregon-state-parks/?fbclid=IwAR18ac-umKlpk7b4fNiP2mgOjtqhPjCj90UNWtrezPLQv8bAs6lhD4BTcOc>

As part of the same February alert, a YouTube broadcast by the Drone Service Providers Alliance, the FPV Freedom Coalition Freedom, and the AUVSI (an international organization of drone professionals based in Virginia), also appealed to drone users nationwide, calling for help to make Oregon's state park rules a model for parks throughout the U.S. A spokesman from FPV Freedom Coalition said the rule proposed by OPRD would be the "dream" of drone pilots. See: <https://www.youtube.com/watch?v=QQjDrVa2fls>

On March 1, the Academy of Model Aeronautics, an organization of model aircraft enthusiasts based in Muncie, Indiana, also put out an alert asking members to send comments to OPRD: "What happens in Oregon could set a precedent for other state parks and recreational areas throughout the country." <https://amablog.modelaircraft.org/amagov/2022/03/01/oregon-state-parks-propose-new-rules-for-drones-and-model-aircraft/>

See also the internet post on the website of MavicPilots (a drone business) on April 4 by an individual who identifies himself as the legislative affairs director for a drone advocacy group in Colorado (UAS Colorado): <https://mavicpilots.com/threads/oregon-drone-owners-we-need-your-help-pronto.124297/> His post also appeals to nationwide drone users, urging them to comment "even if you don't live in Oregon," stating, "Right now the anti-drone crowd leads the pro-drone crowd by 10 %. If we can get around 75 more pro-drone comments, we'll catch up.... "Again, please, please, comment. If we can get 100 people to comment positively for drones by 4/7/22, we can get this passed."

This accounting of national appeals to drone users in other states to influence our Oregon process is likely just a sampling, but it indicates a severe shortcoming in the Department's process, a fatal oversight in its decision-making, and a colossal betrayal of the public interest at the expense of a vast majority of Oregonians.

The value of the Department's public comment period was seriously deficient in not requesting respondents to indicate where they lived or, simply, if they were from Oregon or not. Should concern for this sound discriminatory, I'd ask if the State Legislature would be concerned if out-of-state interests dominated the perception of public opinion in respect to other pending laws, budgets, appointments, elections, or regulations.

It's the job of the Department of Parks and Recreation to represent Oregonians and not commercial or personal interests living elsewhere. Certainly, non-Oregonians use our parks, however, they are *Oregonians'* parks, and, if consideration is given to users from elsewhere, the list of people providing statements to the Commission or Department should, 1) identify who is from out-of-state, and, 2) be broadened to include non-Oregonians who are engaged in activities other than drone use, including those who enjoy our parks for their non-mechanized scenery, quiet, and wildlife. These, of course, are the vast majority of both our in-state and out-of-state users.

A great deal of effort has gone into the Department's solicitation of public opinion. The Department has recognized the results of the public email response being "about equal" in the numbers of people supporting drone use and those opposing it. However, that finding is not legitimate owing to out-of-state influence, spurred by commercial interests. The Department's "about equal" ruling is egregiously misinforming and deceptive.

Emails from people responding to the Department did not indicate where the sender was from, but a number of the commenters supporting drone use specifically stated that they were from out-of-state, Pennsylvania, Washington, and Hawaii included. Many also stated that they are commercial drone users. In contrast, no respondents against drones indicated they were from out-of-state, and no appeals for comments to out-of-state people are evident or known to have occurred.

The arrival of public comments clearly shows specific surges in drone support by date and time. This is likely a response to specific internet appeals from the drone industry groups. These grew dramatically on April 4 and 5. Earlier anti-drone sentiment with a wide margin of 60 percent opposing drones (itself, likely heavily influenced by the out-of-state, pro-drone campaign) shifted to 39 statements against drones and 144 in favor of them, reflecting the out-of-state email effort.

Consider details, below, of the public response, tabulated here by my reading of roughly 1,000 comments that were sent to the Department.

**Public comments posted by OPRD Feb. 16 to April 4 at 11 am:**

- Against drones (people who want more restrictions than are proposed): 354
- Favoring drones (favor recommendation as stated by the Department): 245

(Some comments appeared to be neutral, or directed only at specific aspects of the question without revealing pro-or anti-drone sentiment, and were not counted here.)

**Public comments posted by OPRD April 4 after 11 am and through April 8 at 11:25 am:**

- Against drones: 156
- Favoring drones: 245

**Total public comments posted by OPRD, February 16-April 8:**

- Against drones: 510
- Favoring drones: 493

Also worth noting here, the majority of the anti-drone sentiment appears to favor a *full ban* on drone use in the parks and on Oregon beaches. This was not recognized by the Department.

Consider also the actual live testimony at the Department's public hearing on March 30-31. Among people who actually appeared for this issue and testified, the anti-drone viewpoints overwhelmingly outnumbered those supporting the Department's pro-drone position, with the two-night hearing showing 22 statements against drones and 5 in favor of them.

And finally, consider that just four of the many groups opposing the Department's drone-permissive recommendation—Portland Audubon, Oregon Wild, Oregon Shores, and Kalmiopsis Audubon Society—represent at least 20,000 Oregonians.

The Feb. 16-April 8 public response to the Department included many interesting and revealing points of view, and much valuable information, but it should not be regarded as an indicator of public opinion among Oregonians or of any fair and equitable reading of opinion among the park system's 54 million users—very few of which use drones.

Allowing this inappropriate manipulation of the OPRD rulemaking process, without full disclosure, is an egregious violation of the public trust. For this reason, the Department should commence a reset and reconsideration of its proposed drone rules.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Emily Jennings

**Commenter email (if provided):**

ejjennings7@gmail.com

**Public comment:**

Dear OPRD,

I'm so saddened to read that drone use in our beautiful public spaces may be less restricted than ever! I ask you to please reconsider and develop clear, limited, drone take off zones in our parks and beaches.

Drones are proven to cause undue stress to wildlife. As we continue to see the many stressors on the great animals of our state increase due to climate change, I ask that you do not add more harm.

Drone use with education, limited take off zones, and clear regulations seems reasonable! Drones harass wildlife. A quick google search will show you the harm and disturbance they cause!

Thank you for your consideration. If nothing else, I ask that you take more time to learn from the conservation and naturalist communities of Oregon before you make this decision.

Thank you,  
Emily Jennings



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Cathy Boden

**Commenter email (if provided):**

cathyannboden@hotmail.com

**Public comment:**

Dear Oregon Parks & Recreation District,

Please don't let drones overrun our Oregon state parks and beaches!

I urge you to restrict drones and allow them only for limited purposes, such as science or rescues, or by special permit, and only in limited areas, where they will not disturb birds and wildlife and our cherished recreation experiences.

Oregon is home to breeding habitat for one-half the West Coast's seabirds. The Oregon Black Oystercatcher project has documented 3 drone disturbances per week to nesting birds, and there are many accounts of disruptions to other seabird colonies. OPRD needs to consult with experts at the US Fish and Wildlife Service, which manages the adjacent Oregon Islands National Wildlife Refuge as well as threatened species, such as western snowy plovers, for input to assure that drones won't harm birds and wildlife.

State parks and beaches are also places where I go to recreate – to enjoy natural beauty, to find peace and solitude, and to watch wildlife. Drones make intrusive and startling noises, invade privacy, can be unsafe, and disrupt birds and wildlife. I am concerned that increasing drone use is incompatible with and will detract from these ways that I and many other local residents and visitors use and enjoy parks and beaches.

With park visitation increasing, we need for OPRD to be proactive now about balancing responsible drone use with exceptional visitor experiences and minimizing wildlife disturbances into the future.

Please ban drones in state parks and beaches, except in limited areas to protect our wildlife and recreation experiences.

Cathy Boden  
Port Orford, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Judy Bowman

**Commenter email (if provided):**

rainsalot97367@gmail.com

**Public comment:**

Please do not permit the use of drones in our state parks. Many of our parks have nesting birds, endangered butterflies, and threatened species. Drone operators fly their equipment without regard to the harm they may do to the wildlife. Drones are loud and can feel threatening to humans, so I can only imagine how the wildlife reacts to them. Drones are not necessary and represent just another fun way to bother people and wildlife. We have personally seen drones intentionally swoop close to osprey and blue heron nests.

We have to speak for our wildlife that can't speak for itself. Ban the drones.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Ryan Smallwood

**Commenter email (if provided):**

rysmallsw@gmail.com

**Public comment:**

I have visited the Oregon coast since the days of my youth and as a young man took up an interest in surfing especially in Newport and the surrounding areas. Spending extended time in and around the ocean of my home state I was fortunate to see the many species of beautiful sea birds that migrate or nest along our Oregon Coast. As a birder with knowledge and firsthand experience of seeing how animals react when threatened by drones I strongly oppose the presence of drones in our state parks and especially along our shoreline and beaches.

As a man standing over 6ft tall even I feel threatened by the buzzing, loud ,ominous, flying foreign object with multiple propeller blades. If one of these drones was to get caught in a wind gust and crash into me, I would be severely injured and likely have open wounds . I cant imagine the fear a snowy plover feels when a drone flies nearby for they are only 5-7 inches tall. Birds and other coastal animals are likely to flee and hide when in the presence of a drone, and more often than not they will abandon their young if they feel that their life is being threatened. We should protect the things that have been here living in harmony with us like the ocean and the birds and the other pants and animals that make up our Earth. Tell me where is the harmony of a drone? It has no place in nature. Prohibit it from all beaches in Oregon.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

LD Smith

**Public comment:**

I encourage State Parks to make the flying of drones, including take off and landing, in these special natural public areas, our State parks and beaches, as restrictive as possible. I have experienced drones being flown in natural areas in the Cascades when I have been on lakes and hiking. They are very invasive, a total invasion of one's privacy and one's experience in natural areas. I don't go to these places to be disturbed by flying objects that are noisy and that are filming whatever the pilot feels like. I've had them swoop drones down close to me, right above me and then take off elsewhere. It is very unsettling, an awful noise in quiet places, and totally not in conjunction with the experience the majority of people seek in State Parks and beaches. For these reasons, I urge you to limit the use of drones as much as possible. If your bylaws don't allow you to prohibit them, then you need to go back and rewrite those by laws. In the meantime, the take off and landing areas should limit the number of drones allowed in a day and there should be zero tolerance, a ban from State Parks, for drone pilots who can't follow the rules and anyone who harasses people or animals in any way.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Karen Johnson

**Commenter email (if provided):**

ksjohnson210@gmail.com

**Public comment:**

I recently read an article in my local newspaper describing rule changes regarding the use of drones in Oregon's State Parks. First of all, I was surprised and dismayed to learn that the process for writing the rules included meetings where the majority of the input was from drone user groups. I urge you to take time to rethink opening up our beloved beaches and parks to drone use.

I have lived in Newport for 40 years and walk the beaches regularly. I am concerned about interaction of drones with wildlife and with the serenity of these wild places. I believe our parks and beaches are our legacy and one of the defining values of our state. I have already been adversely affected by drone users who seem unaware their "freedom" to enjoy their hobby is impacting my walk on a beach or my hike on a forest trail.

Please consider strong restrictions on where drones can be launched or flown in our state parks.

Karen Johnson  
Newport, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Lee Garrett

**Commenter email (if provided):**

leegarrett2@gmail.com

**Public comment:**

Please do not permit drones in parks except by state-authorized personnel. They are a hazard to all, particularly to avian life.

Thank you,  
Lee Garrett  
Portland



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Jim Tierney

**Commenter email (if provided):**

jtgrantspass@yahoo.com

**Public comment:**

Hello. I would like to submit my comments on the proposed regulations guiding takeoff and landing of UAS/drones in state parks and on the seashore.

I have been a longtime advocate of outdoor activities and thoroughly enjoy our state parks and seashore. I have a great deal of respect for nature and wildlife. I also enjoy the radio control vehicle hobby, including flying drones.

I am very conscientious of the effects flying my drone has on others and the environment and always take this into consideration when deciding when and where to fly. My preference would be to be permitted to make decisions on conducting my hobby without excessive restrictions. I really don't see much value in prohibiting takeoff and landing as is in the proposed regulations. This only creates more difficulty because one would have to find a spot outside of the restricted area to take off and land, or to first navigate to a website in an attempt to determine where it is permissible to do so.

So really these regulations don't do anything to improve or enhance the experience of anyone, be it guests of the park or hobby enthusiasts. It would probably be better if a set of suggestions were made to hobbyists on how to be respectful and sharing of the resources so all could enjoy. Maybe some more thought could go into how this might be accomplished without resorting to the creation of such difficult regulations to follow as is proposed.

Thank you for your consideration of my thoughts.

Jim Tierney  
Grants Pass, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Cameron La Follette

**Commenter email (if provided):**

cameron@oregoncoastalliance.org

**Public comment:**

Dear Ms. Gauthier,

Attached please find the comments of Oregon Coast Alliance in the matter of rulemaking for drone use in coastal state parks. Please enter these comments into the record.

Thank you,

Cameron

—

Cameron La Follette  
Executive Director  
Oregon Coast Alliance  
P.O. Box 857  
Astoria, OR 97103  
(503) 391-0210  
cameron@oregoncoastalliance.org  
www.oregoncoastalliance.org



April 14, 2022

Oregon Parks and Recreation Department  
C/o Katie Gauthier, Legislative Coordinator  
725 Summer St NE, Suite C  
Salem, OR 97301

Re: Public Comment on Draft Rules Regulating Use of Drones in State Parks and on the Ocean Shore

Dear Ms. Gauthier,

Oregon Coast Alliance is an Oregon nonprofit corporation whose mission is protection of costal natural resources and working with coastal residents to enhance community livability. We write to you concerning the proposed new rules for drone takeoff and landing in State Parks and on the ocean shore.

Drones have strong negative effects on wildlife, and especially nesting birds, as has been amply documented elsewhere. They are also deeply intrusive to visitors to the beaches and the coastal region, to which people flock for many reasons – solitude and the opportunity for immersion in natural beauty chief among them. ORCA does not support permitting drone use in the coastal State Parks; we believe they should be banned. Drones belong on private property; there is no need to invade the public lands with them, as drones are not only intrusive, but their users represent a tiny minority of park visitors. Yet their hobby would greatly impact all other users.

However, the principal argument against the current proposed rules – which would allow drones unless they are specifically banned from an area – is that the rulemaking process OPRD used was illegal from the outset. The initial rulemaking advisory committee consisted *only* of drone users: no members from recreation groups, conservation groups, wildlife biologists, tribes or the U.S. Fish and Wildlife Service, which manages the Oregon Coast National Wildlife Refuge Complex. The refuge units are adjacent to, contiguous with, and heavily used by, the same wildlife that frequents OPRD lands.

OAR 137-001-007(2), which governs public input prior to rulemaking, requires that if the agency appoints an advisory committee, the committee's members must represent the interests of persons likely to be affected by the rule. However, OPRD made no effort to appoint any members to the initial committee except drone users.

Thus, the OPRD process was flawed from the outset. To undertake a legal rulemaking process, the agency needs to start over: appoint a strong, well-balanced RAC, begin with a draft rule that fits in with current regulations, and engage in robust discussion among stakeholders.

At the first RAC meeting, the initial proposed rule specifically prohibited drone [unmanned aerial vehicle] or similar device, which is consistent with OPRD's current regulations on commercial and non-traditional activities, which require special use permits (736-021-0130). But the second RAC meeting, which included two conservation representatives after public outcry, began with a proposed rule having the opposite presumption. Why? Parks staff explained it was to honor an agreement with legislators concerning drone use! It should not need to be said that informal agreements with legislators are *not* grounds for policymaking on use of public lands. But additionally, OPRD shifted the presumption because at that first RAC, only drone users were present, and they argued zealously against the no-drone initial presumption.

Other states, including Texas, Colorado and Virginia, ban drones except under very narrow circumstances. Oregon can and must do the same, limiting drones to e.g., research use, and require a special use permit. The entire state is available to drone users. They do not need the coastal parks, which have the highest-volume visitor profile, and are among the most cherished facets of Oregon's natural legacy. We also note that new rules allowing drones in any other capacity than the most minimal will stretch OPRD's already very limited enforcement capacity: policing drone use on some 368 miles of coastline is, essentially, impossible.

Please, OPRD, restart the rulemaking advisory committee on drones so that it is constituted legally and acts legally. Begin with the presumption current in the law of banning drone use, and make drones available *only* for legitimate scientific and research purposes. Keep the parks as bulwarks of solitude and beauty not only for people, but for cormorants, snowy plovers, harbor seals, and all other species with whom we share the ocean shore.

Thank you,

*/s/ Cameron La Follette*

Cameron La Follette  
Executive Director



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Glenn Groseclos

**Commenter email (if provided):**

supra89dad@gmail.com

**Public comment:**

Otter Rock, Oregon  
April 14, 2022

Dear Oregon state employees;

I have lived in Otter Rock Oregon for nine years. During this time, I have enjoyed many peaceful days on the beaches and walking the roads and trails above the beaches.

Recently these peaceful experiences have changed with the presence of drones buzzing about the sky overhead. The drones can be heard from some distance away. In fact, I hear them long before I can see them.

The drones are a big distraction. I used to look up in the sky to watch bald eagles. The sounds of the beach were the breaking of the waves and the songs of the coastal sea birds.

If drones are allowed free access to the coastal beaches and state parks then much of the beauty of these places will be lost.

Please don't let this happen.

Glenn Groseclos  
Otter Rock, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Greg

**Commenter email (if provided):**

crawlindirt@gmail.com

**Public comment:**

Please do not allow these flying pieces of spyware to pollute our RECREATional areas for all the public to enjoy. They have a detrimental impact on the experience but also and more importantly can alter the earth given natural behavior of wildlife. I have seen no information that drones do not negatively impact wildlife behavior.

These contraptions really do not have a place on State or National Park land so please be prudent and do not allow these things to invade our experience or screw with the animals and birds.

Thanks and I may say more,

Greg

Bandon

P.S. We already have to deal with drones in our neighborhood on occasion and they are a definite intrusion on our privacy and peace. I am not a fan.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Ann McKinney

**Commenter email (if provided):**

annbmckinney@gmail.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Thank you,

Ann McKinney



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Lisa Christie

**Commenter email (if provided):**

lisachristieltc@gmail.com

**Public comment:**

Dear OPRD,

Please don't let drones overrun our Oregon state parks and beaches!

I urge you to restrict drones and allow them only for limited purposes, such as science or rescues, and only in limited areas, where they will not disturb birds and wildlife and our cherished recreation experiences.

Oregon is home to breeding habitat for one-half the West Coast's seabirds. The Oregon Black Oystercatcher project has documented 3 drone disturbances per week to nesting birds, and there are many accounts of disruptions to other seabird colonies. OPRD needs to consult with experts at the US F&W Service, which manages the adjacent Oregon Islands National Wildlife Refuge as well as threatened species, such as snowy plovers, for input to assure that drones won't harm birds and wildlife.

State parks and beaches are also places I go to recreate –to enjoy natural beauty, to find peace and solitude, and to watch wildlife. Drones make intrusive and startling noise, invade privacy, can be unsafe, and disrupt birds and wildlife. I am concerned that increasing drone use is incompatible with and will detract from these ways that I and many other local residents and visitors use and enjoy parks and beaches.

With park visitation increasing, we need for OPRD to be proactive now about balancing responsible drone use with exceptional visitor experiences and minimizing wildlife disturbances into the future.

Please ban drones in state parks and beaches, except in limited areas to protect our wildlife and recreation experiences.

Sincerely,  
-Lisa Christie



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Shannon Nottestad

**Commenter email (if provided):**

hazelnorway@gmail.com

**Public comment:**

I strongly oppose your proposed rules for recreational drone use in State parks and on state beaches. The use and enjoyment by most users of our natural spaces will be compromised by the desires of a much smaller group. Like most people, I go to a park or beach seeking a connection to nature and the benefits it confers.

More than the loss of privacy and enjoyment to me and other human visitors, the impact on wildlife is a more grave concern. These varied habitats throughout Oregon are their homes, and you are proposing to allow noisy, invasive and hard to track devices free access.

In short, this is a resounding NO to drone take-offs and landings in state parks and beaches. Restrict their use to developed recreational areas where wildlife will not be harmed and people will not lose the peace, privacy and quality time with self, friends and family that we seek in our forests and on our beaches.

NO to what amounts to a commercial use of these cherished publicly-owned lands, and NO to the compromised process that led to the proposed rules.

Shannon Nottestad  
Newport



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Dennis White

**Commenter email (if provided):**

friendsofotterrock@gmail.com

**Public comment:**

Greetings,

Thank you for the opportunity to submit comments on the proposed rules for drone take-off and landing in state parks and along the Oregon Shore. The comments of Friends of Otter Rock are contained in the attachment herein.

Thank you,

Dennis White, President  
Friends of Otter Rock



FriendsOfOtterRock@gmail.com

Oregon Parks and Recreation Department  
C/o Katie Gauthier, Legislative Coordinator  
725 Summer St NE, Suite C  
Salem, OR 97301

April 7, 2022

**RE: Public comment on draft rules to guide take-off and landings of drones in state parks and ocean shore**

Dear Ms. Gauthier,

On behalf of Friends of Otter Rock, we appreciate this opportunity to comment on and submit recommendations to improve the draft rules regarding take-off and landings of unmanned aircraft systems (UAS), in state parks and on coastal areas managed by the Oregon Parks and Recreation Department (OPRD).

The mission of our group is to protect and preserve the rocky shore intertidal life, nesting and migrating sea birds, and marine mammals in and around the Otter Rock Marine Reserve and the National Islands Wildlife Refuge. To that end, we are launching an interpretive program designed to inspire stewardship on the part of residents and visitors to the area. In recent years our group and others volunteering for various community science projects have witnessed many instances of nest disturbance due to the presence of drones. The frequency of these observed disturbances can be multiplied several times over since volunteers are not present every day or week and to date have not spent much time on each visit. I have personally witnessed a drone flight hovering over the Devil's Punchbowl causing an Oystercatcher pair (a species of concern) to leave their nest to ward off what they undoubtedly regarded as a predator. Their eggs were left vulnerable to actual predators and unfriendly weather conditions that threaten reproductive success. Those eggs never hatched due to this and other disturbances that compromised incubation. The pair were also at risk of injury from the drone blades. The Otter Rock Marine Gardens also provides critical pupping areas and haul-outs for Pacific harbor seals that are easily disturbed by the presence of humans and their motorized devices.

In addition to wildlife, the pleasure and safety of visitors need to be considered. Visitors come to the coast for many reasons as documented in OPRD and ODFW surveys (enjoy the beauty, experience nature, connect spiritually, etc.) most of which are compromised by the noisy, intrusive, and, to some, creepy nature of drones which often have cameras on board. A drone can completely spoil an activity and in some cases present dangerous conflict situations. Creating designated fly zones for all users to reduce these recreational conflicts is essential to reduce or eliminate the negative impacts on Oregon park users and wildlife.

Otter Rock is just one site, but we are one of many along the coast for which there are similar concerns. Every rocky habitat area and every other area with breeding wildlife, whether or not formally designated as a protected area, deserves to be free of drone disturbance.

We have the following observations and recommendations for rule changes,

### **The OPRD Drone Rules Process**

We appreciate that OPRD has established a Rules Advisory Committee (RAC) and provided this period of public comment. However, we have the following observations and concerns about the process thus far.

- As of the first, and most critical meeting, conservation advocates and Tribal representatives were not appointed and therefore absent. This seems contrary to agency policy that requires “good faith efforts” to include advisory committee members who represent the interests of those affected by the rule. There were many conservation representatives eager to be included in this process, so it is hard to argue that “good faith efforts” were made to “include parties affected by the rule”. The result of this was, in our view, a very inadequate set of rules which became the basis of possible edits at the second meeting.
- Without the benefit of early input, the suggestions of conservation representatives in the second RAC meeting assumed an adversarial posture while the committee members attending the first meeting assumed a posture defending the first draft of the Rule. One of the rejected key recommendations of the conservation representatives was that the rule state that drone launch is “prohibited unless permitted” rather than the draft Rule version that launch is “permitted unless prohibited”. “Prohibited unless permitted” is the structure common to both state and federal rules governing this sort of activity. The language of OAR 736-010 and OAR 136-020 prior to the addition of rules specific to drone launch clearly reflect the “prohibited unless permitted” posture by stating that permits are required for activities that
  - “Could disturb the natural, cultural, scenic and recreational resources in the ocean shore state recreation area or adjacent areas” or
  - “Could pose a safety or access concern for other ocean shore state recreation area users or for those involved in the event or activity”.

Drone use is clearly one of the activities known to disturb the natural resources (wildlife) and a safety concern since visitors are present, often at close quarters. The RAC members in the first meeting managed to reverse that posture in reference to drones. The posture of the federal rules pertaining to drone use on federal land is one of prohibition unless permitted, so the OPRD draft rules conflict with federal rules in coastal parkland that is sometimes adjacent to state parks, as it is in our area and Cape Perpetua. (The BLM/Yaquina Head Natural Area is adjacent to state beaches.)

- The US Fish and Wildlife Service (USFWS) has extensive experience in dealing with drones in and around coastal areas. While the federal government controls launch permission only on federal property, they also control the air space everywhere. USFWS representatives expressed an interest in helping advise the RAC and that offer was declined. It would seem in the state’s interest not only to take advantage of the rules and experience of USFWS, but also to attempt coordination with the airspace rules that affect the coastal wildlife that USFWS seeks to protect.
- We recommend that there be an opportunity for comment on the final rules presented to the Parks Commission at their meeting intended to gain approval for the final rule and that those comments be communicated to the Commission.

## **Recommendations for the implementation process and changes to the RAC draft Rules**

We feel that the Rules as drafted have serious flaws that can result in danger to wildlife and annoyance on the part of visitors. To correct these flaws, we respectfully suggest the following changes.

- The beginning of the rule should state that the use of UAS/drones is **prohibited unless in designated take-off and landing areas or otherwise indicated as allowable**. This will be more protective of wildlife and require a more deliberate consideration of areas where the prohibition should be lifted. This posture is also consistent with the current state and federal approach to the protection of wildlife and other natural resources.
- Although not stated in the draft rules, we presume that the “director” who specifies zones for take-off and landing is the head of OPRD. We highly recommend that the rules provide for the director to establish an advisory committee consisting of agency, USFWS, NGO, tribal experts, and academic representatives to determine where drone launch is permitted.
- Drone launch and landing should not be permitted any time of year in any zone of the coast **within drone range of** nesting birds or haul out and pupping areas. This includes all areas with rocky headlands and/or offshore rocks within a mile of shore and beach areas with plover nests or seal haulouts. There should be a buffer zone around those areas so that they are not within drone reach. This prohibition is especially critical during the nesting season of March 15 through September 15.
- In areas of approved drone use, include restrictions consistent with those for air space including 1) no take-off or flight within 100 meters of any observed birds, or seals and 2) discontinuation of approved drone use in areas where repeated wildlife disturbance occurs.
- Improve enforcement mechanisms and state those in the final rules. The State Police are currently charged with enforcing wildlife protections, but those resources are insufficient. It is often the case that the one or two officers assigned to this task are very far away and unable to respond to notifications of disturbance in time.
- We advise that OPRD implement simple registration systems for general use after drone acquisition and for launch anywhere on the coast. This would facilitate compliance and offset the costs of expensive additions for enforcement since registration requests for prohibited areas would result in notification ineligibility. Requests for permitted areas would provide a record of usage and a material way to stave off controversy at the site of launch.
- OPRD should consider requiring onboard GPS tracking capabilities for launches in the state. This would enable linking the drone to a registration number and/or verification of potential violations should an incident be reported. Given the low possibility of enforcement, the ability of an observer to find and record the drone’s identity and location would be a major deterrent to violations and would offset the need for more expensive enforcement personnel.

Thank you for your consideration of these recommendations.

Sincerely,

A handwritten signature in dark ink, appearing to read "D White", with a stylized, flowing script.

Dennis White, President  
Friends of Otter Rock



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Patricia Anderson

**Commenter email (if provided):**

ggitana84@gmail.com

**Public comment:**

As a resident of Otter Rock on the beautiful Oregon Coast, I adamantly oppose any permissions for drone operators to take off, fly over & land from within any State Park or over any residential area. The parks department has not well-publicized the (only) 2 hearings you held last year, and the one yesterday. Hearings should have been held in every county in the state to provide public access in person to the hearings.

Drones are loud and personally invasive. Our parks were established for the use of PEOPLE to experience the peace and quiet of nature. They were not established for the use of COMMERCIAL pilots who would disrupt carefully researched and established wildlife refuge areas (Oyster Catchers), disrupt the peace of a walk on the beach and the privacy of our own backyards. Devil's Punchbowl park is located in the middle of a residential community. Allowing even one drone to fly over our homes would be extremely disruptive noise wise, visually and privacy wise. This area is already seriously inundated with too much tourism that the Parks Dept has taken few measures to control.

I am steaming over Chris Havel's full support of the commercial drone interests-your decision will do nothing but INCREASE THE CONFLICTS BETWEEN DRONE USERS, THE PUBLIC, AND WILDLIFE. HOW COULD IT NOT? Parks Dept has a poor record of regulating such issues now and would leave drone enforcement to FAA. Since drones cannot now be tracked and identified, the practical effect is no regulation of drones.

Please save the coast from this impending disaster.

Patricia Anderson



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Michele Riley

**Commenter email (if provided):**

purseonality4@gmail.com

**Public comment:**

OPRD,

Please do not let drones be allowed in our state parks or along our Oregon Coastal beaches. I had a drone fly right in front of my face at a beach, I thought it was a bird until I saw it was a drone and it was eye level with me. This was very disturbing to me and if it disturbed me, imagine what it would do to nesting shorebirds!

Don't drones have to be licensed in Oregon? They should not be permitted to disturb people or wildlife and it should be easy to determine (if the drone is licensed) who owns the drone disturbing the wildlife. In Depoe Bay, where I live, we have already stopped our July 4th fireworks display because those caused great disruption to our nesting birds. If we can stop that, surely OPRD you can stop drones from harming our birds.

We already protect the habitats of some shorebirds like Snowy Plovers. Why not protect all of them by not allowing drones along their habitats? These rules could be for nesting seasons especially and for the busy summer season too. That way people would not be harmed by the drones either, especially children.

Drones are not just disruptive, they could cause birds to abandon their eggs or young chicks causing populations to decrease. Drones are supposed to be a fun way to see things when you cannot get to those sights or areas yourself. But it is not fun when the noise, sight or movement of these things cause harm to wildlife or humans. Please either ban them in certain areas completely or make rules that are clear and able to be enforced to restrict them.

Thank you,

Michele Riley, Depoe Bay



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Lori

**Commenter email (if provided):**

driftawake@gmail.com

**Public comment:**

Hello,

Drones are an invasion of privacy, and in my opinion, other than by the user, they are totally unwanted in state parks and other private lands on the coast. We live in Gearhart, and recently, we had a drone fly low over our house and crash into our tree. Luckily, when it fell, it didn't crush us or our 2.5 year old daughter. They are a nuisance to peaceful nature enjoyment for all, humans and wildlife alike. I strongly support more drone regulations, and usage limitations in places our family loves to enjoy: Oregon beaches, Short Sands & Tillamook Head, Astoria boardwalk, etc.

Thank you,  
Lori



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Janie Lent

**Commenter email (if provided):**

jllent@gmail.com

**Public comment:**

I am writing to ask Oregon State Parks to ban the use of drones in the state parks. Drones are a source of disruption and harassment to wildlife and birds. Drones are loud and low flying. They ruin a peaceful hike and have no place in the enjoyment of nature. As a horseback rider, drones are dangerous not only to the rider and horse but to the other people and pets on the trails and in the parks. A horse spooked by a drone could easily injure others in an attempt to get away from it. Please ban the use of drones in all state parks.

Thank you,

Janie Lent



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Consuelo Kammerer

**Commenter email (if provided):**

consuelokammerer@gmail.com

**Public comment:**

Drones are disruptive to animals and humans. Parks are for everyone to enjoy and drones are intrusive. Birds need to have nesting areas and drones scare birds which makes them abandon their nests. We need to protect our animals. No drones in parks.

Consuelo Kammerer

Otter Rock, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Jennifer Pittsley

**Commenter email (if provided):**

jpittsley1967@yahoo.com

**Public comment:**

To whom it may concern:

I urge Oregon State Parks to close drone use in State Parks and the ocean shore. My concerns are threefold; 1) drone use has a high probability of disturbing wildlife; 2) drone use has a high potential for creating a safety hazard for horses and riders. Drones (movement, noise, element of surprise, etc.) can spook horses hurting riders, horses, and others in close proximity; and 3) we need to have spaces where we can all enjoy nature in peace without listening to the drone of the drones! 4) when I am camping I find them dangerous to my horse and an invasion of my privacy.

Thank you for your consideration.

Jennifer Pittsley



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

John Shipp

**Commenter email (if provided):**

epshipp455@gmail.com

**Public comment:**

Thank you-all for your hard work;

My partner and I were sitting on a beach enjoying lunch and the other reasons

we went out into nature, solitude, to watch birds and animals, and to relax in a quiet place.

Then a drone flies up and pauses 20ft from us and "hangs out". Is it filming us? Then it flies away.

Wow, really, this is what it has come too; someone can fly into your private, quiet space,

film you and fly away? In our Public owned State Parks and Beaches? And, these drones do

affect wildlife; they disturb them. I am sure there are many studies, by qualified scientists and

the observant public, that will point out the Drones Impact on the many creatures that

rely on our pristine beaches, rivers and forests, it is their home!

Please Ban the Use of Drones on Our Public Lands.

Thank-you,

John Shipp

Port Orford, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Randy Bynum

**Commenter email (if provided):**

randybynum@gmail.com

**Public comment:**

Dear Persons In Charge

(Which, actually is us, the taxpayers who love our state and our parks and pay the state salaries):

Oregonians go to their state parks to get closer to nature, to breathe fresh unconditioned air, to bask in natural non-mechanical sounds, and to enjoy wild plants, animals, and vistas unmarred by advertising or other human constructions and manipulations.

They do not go to state parks to watch NASCAR or skeet shooting events, for example. For that they go to other venues, not to state parks. And no one feels that state parks should cater to the needs of the NASCAR or skeet-shooting communities in spite of their substantial commercial interests. In general, state parks need not accommodate every niche-interest that Oregonians have, especially when the noise and pollution conflict with the core mission of Oregon State Parks.

Likewise, there is no need to accommodate the noisy, visually-offensive, wildlife-harassing drone industry.

Please ban drones from state parks. Do not let them despoil our parks or harass our wildlife!! Even in the city and county park near our house, our dog---who was born or dumped in a garbage dump and then rescued from there, brought with him the never-cured baseline fear of loud trucks and gunshots and planes--and he is terrorized by the sound of the drones and the drone clubbers swoop-zooming around his head when he romps in the field.

This is just plain dumb. Drones are great for many things. But not in State Parks. Unless on a rescue. Keep the tech games at home or elsewhere, where they belong, and we won't bring lions and tigers and bears and hungry deer and bald eagles into your homes and offices,

Thank you.

Randy Bynum



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Rex Smith

**Commenter email (if provided):**

pelican7@peak.org

**Public comment:**

Regarding drones in our state parks, I am strongly opposed to the use of drones anytime anywhere in parks. Wildlife populations are declining, drones will make it worse. Personal privacy is at an all time low, let's not make it worse. Our state parks are suffering from erosion , flora and fauna habitat loss, and noise pollution. Please let us gaze at the heavens without seeing more human junk making things worse. rex smith



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Jennifer O'Donnell

**Commenter email (if provided):**

jenniferodonnell2@icloud.com

**Public comment:**

April 14, 2022

I appreciate the extended comment period on drones as I only just learned of the issue on a recent public radio program.

I live directly across from Portland Woman's Forum State Park Viewpoint (PWF) in the National Scenic Area of the Columbia River Gorge. It is well known that this area, the waterfall corridor, is beyond capacity for managing visitors in the area. Efforts are being made from a number of agencies to manage overuse. Oregon State Parks appears to be outside of this process on a number of fronts, including prohibiting the recreational use of drones.

My neighbors and I have been making efforts to be part of the conversation for a proposed new 96 space parking lot at PWF with no followup from OPRD for a requested public meeting made last January. Comment on that proposal was submitted to the Oregon State Parks Commission from surrounding property owners and community members earlier this week.

The issue of drones and an expanded parking lot are relational in encouraging more people into an area that is already unmanagable. Drones are currently flown from Portland Woman's Forum as well as at nearby Vista House on a regular basis, areas that support nesting birds, wildlife, and include private residences. Drones, along with racing automobiles, motorcycles, diesel tour buses and normal constant traffic bring constant noise to the scenic area. As long as private vehicles are accommodated and drones are allowed, overuse and noise will only continue to increase.

In twenty years of living in the Gorge and across from PWF, I have observed that rule bending and breaking is regular practice for many visitors. Flying drones in a closed state park at the beginning of the pandemic was observed. Drone pilots have frequently flown drones over my property. Someone recently entered my property, without permission, to try to locate a fallen drone. He returned in the following days to PWF, first with an extension ladder, and later with a metal detector to continue to try and locate the missing drone. Rules and regulations with provisions would likely be ignored by many. Prohibiting the operation of drones for recreational use is needed to protect and preserve a national treasure that belongs to all of us, for now and for the future.

Thank you.

Jennifer O'Donnell



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Katy Krider

**Commenter email (if provided):**

katy.krider@gmail.com

**Public comment:**

To whom it may concern,

I am an avid horse person and grateful for the fantastic systems of equestrians trails throughout Oregon. I have personally had the unfortunate encounter with a drone in a public park (Tryon Creek) while out riding with a group of other friends. Tryon Creek has single track trails - many with very steep drop offs and ravines.

On this day we we're coming around a corner headed down a steep, narrow trail when in front of us, down the hill were 2 teenagers flying their drone directly toward us! We reacted calmly - before our horses could react - and communicated to bring the drone down and turn it off until we could safely pass. We were lucky that day - it honestly could have been tragic!

I can tell you emphatically that horses and drones are NOT compatible! The sound and movement a drone makes would typically cause a horse to spin and bolt out of fear. If the first horse in a line of horses does that - they will instinctively all run since they are herd animals. As you can imagine - the result could be disastrous.

I've reached out to drone operators to try to start a conversation about this - most of them feel it is just as much their "right" to be using the park as mine - which I understand. Others welcomed the conversation and hadn't realized the situation could be so dangerous to humans and horses - but they couldn't offer a solution that might work for both equestrians and drone operators.

That is why I am writing - I am hoping that clear guidance can be set in place so that drones and horses are not using the same area of a State Park at the same time.

Regards, Katy Krider



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Julie Davie

**Commenter email (if provided):**

trails4jd@gmail.com

**Public comment:**

To whom it may concern:

I urge Oregon State Parks to not allow drone use in State Parks and on and around the ocean shore because: 1) there is a risk of disturbing wildlife; 2) such use has a high potential for creating a safety hazard for horses and riders and, others, should a horse spook; and 3) their use will disturb the tranquility of the outdoor experience.

Thank you for your consideration.

Julie Davie  
Silverton OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Josh Fogarty

**Commenter email (if provided):**

evansvalleyexposed@gmail.com

**Public comment:**

I live in Silverton Oregon, born and raised. I am an annual parks pass purchaser. I love the outdoors. Fishing. Hunting. Hiking. Boating. These things bring me great joy. Except when I have been followed by drones in the last two years at Detroir Lake, and Devils Lake. I am opposed to Parks, public lakes, rivers and areas covered by access from fees by recreational state issued passes to be invaded by drones. It is not only a privacy issue. Safety as well by distracting operators of water sport vehicles which I have personally experienced.

Josh Fogarty  
President  
Evans Valley Exposed LLC  
CCB#220181



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Mary Jo/Doug Oxrieder/Taibi

**Commenter email (if provided):**

livbold@whidbey.com

**Public comment:**

While we love the photos posted on social media from drones along the Oregon Coast, we don't love them so much that we want any fragile areas disturbed. And we got to parks to enjoy Nature in a good way, for the beauty, peace and wildness. I can't imagine camping at Mt Rainier and having a drone disturb the peace. Or walking our beaches. No, please, NO DRONES.

Since people can't seem to see to it that they're well informed about restrictions, then laws must be passed. And ways to enforce those laws identified. Those are the two components we see necessary. All too often there are laws but no one available (cut backs, low staff) to enforce them.

Bottom line: Please regulate drones.

Thank you,  
Mary Jo Oxrieder  
Doug Taibi  
Depoe Bay, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Susan Saul

**Commenter email (if provided):**

susan103saul@gmail.com

**Public comment:**

Thank you for the opportunity to comment on the proposed drone rules for Oregon State Parks.

I recently experienced disturbance and witnessed wildlife harassment by a park visitor using a drone. On March 7, 2022, I visited Cottonwood Canyon State Park. While hiking on the Pinnacles Trail with my friends, we spotted bighorn sheep on the ridge above us. We used binoculars to watch the sheep. Suddenly, we heard an electric motor above our heads. A drone flew a few feet above us and then we watched it approach the sheep we had been watching and cause them to flee in panic. We saw that the drone came from a male hiker on the other side of the John Day River on the Lost Corral Trail. We saw that he had a special backpack to carry the drone. We continued hiking down river to the Golden Eagle nesting area closure as our turnaround point. At that time, we saw the hiker with the drone across the river at the Lost Corral. He again launched the drone, flew it over our heads, and then flew it into the Golden Eagle nesting area closure. We watched him across the river through our binoculars as he packed the drone into his backpack and hiked back to the Lost Corral trailhead. I reported these incidents to the park manager.

I recommend that all state parks and beaches be closed to drone take-offs and landings except where they can be safely allowed and where drones cannot be used to disturb wildlife or other park visitors. State Parks should use the best available science to determine where to allow drone take-off and landing areas that minimize wildlife, cultural and recreational impacts.

State Parks should include maps of designated drone take-off and landing locations on its website and on signs at the parks. The signs also should prohibit flying drones in a manner that disturbs other park visitors, birds and wildlife.

All areas approved for drone take-off and landings should be periodically reviewed for removal based on the best available science as wildlife usage and other factors may change over time.

State Parks should include strong enforcement mechanisms in final rules.

Susan Saul  
Vancouver, WA



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Kristin Lensen

**Commenter email (if provided):**

klensen@pacifier.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore. My concerns are threefold; 1) drone use has a high probability of disturbing wildlife; 2) drone use has a high potential for creating a safety hazard for horses and riders. Drones (movement, noise, element of surprise, etc.) can spook horses hurting riders, horses, and others in close proximity; and 3) we need to have spaces where we can all enjoy nature in peace without listening to the drone of the drones!!!! Thank you for your consideration.

Kristin Lensen (she/her/hers)



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

CL Swatland

**Commenter email (if provided):**

cielle.swatland@gmail.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Sincerely,

- CL Swatland



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 15, 2022

**Commenter name (if provided):**

Camron Settlemier

**Commenter email (if provided):**

maps@highdeftrains.com

**Public comment:**

Dear Oregon Parks and Recreation Department,

The proposed takeoff and landing of drone rules in state parks are an infringement on personal liberty and any protections needed are already provided by law. Drone safety is already regulated by the FAA UAS rules, and wildlife protection is already provided by OAR 736-010-0055. So what is this trying to solve? I don't have an issue with proposed OAR 736-010-0040(9)(c) as I, and other drone users are not really interested in campgrounds, but rather photographing scenic areas. However OAR 736-010-0049(9)(f) is of concern. How can I provide feedback on proposed rules, when the proposed rule is based on the whim of the "director or designee" based on vague criteria? How is this different or needed from what is already provided by the FAA UAS rules and OAR 736-010-0055, that are not based on the whim of some undefined and potentially unqualified designee? Will these designations be compliant with the rights guaranteed in the constitution?

And I am not sure what the point of asking for public comment on drone take-off/landing on public beaches is, when it is dependent on a map that is not provided. What is the criteria for the map, and how restrictive will it be? Does it provide any merit, or is this just Oregon becoming another nanny state, when there are already rules protecting public safety and wildlife as mentioned above?

And finally, if there is all the sudden all this concern about drones (which keep getting smaller and quieter), why not equal regulation/enforcement for other disturbances on State public land like dogs. Never once have I been kept awake, or even bothered by drones in state parks or beaches from a drone, the same can not be said for dogs as an example. Regulate them first, otherwise, there is not equal protection under the law, but targeting a class of recreational photographers.

Rather than more regulation, a more prudent use of time and energy is public education, outreach, and enforcement of existing laws, such as the nesting season of migratory birds.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Andrea Davis

**Commenter email (if provided):**

redwoodoma@gmail.com

**Public comment:**

Please don't allow drones to take off or land in Oregon State Parks. Drones greatly reduce the privacy of the environment in which they are flown. They also create a sound nuisance to people that are attempting to enjoy the natural environment. I believe this sound pollution will also negatively impact wildlife.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Blanche Hill

**Commenter email (if provided):**

bthill946@comcast.net

**Public comment:**

I am opposed to drones being allowed in State Parks. The noise is disruptive to wildlife and to people enjoying the beauty and peace of our State Parks. Please do not allow the use of drones in our beautiful State Parks. Thank you.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Martha Winsor

**Commenter email (if provided):**

marhawinsor2@gmail.com

**Public comment:**

Please do not allow take-off and landing of drones in Oregon State Parks, especially along beaches. Drones are a hazard to birds, especially during breeding season and are intrusive to the enjoyment of park users. Parks are for enhancing human/nature enjoyment and drones have the opposite effect.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Chris Minson

**Public comment:**

I am writing to express my concern about drone use in Oregon State Parks. Too often my family and I have gone to Oregon State Parks for the quality experience of the natural environment including the quiet that it offers, only to have it disrupted by drone use (or other unmanned aerial vehicles). While this has happened at the beaches, it has also happened at lakes and forested areas. The high pitch sounds and the distances drones can fly make their use very disruptive to other users and likely to wildlife. There are few things more distracting and disquieting than drones, especially in parks where the sound can easily travel large distances. While I prefer to have all drone use banned from State Parks due to their long-distance disruptions, I understand this may be very difficult to pass (but easier to govern). An alternative would be to have limited drone use with specific take-off and landing zones, and hopefully limited fly zones (as this can be quite large). Hopefully this would require explicit approval from the State Park Rangers or other Oregon State Park employees.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Susan Elliker

**Commenter email (if provided):**

CEABEEFLY@NETZERO.COM

**Public comment:**

Taking-off and landing of drones should be very limited in parks and there should be only designated areas where this is allowed. Designated areas should only be allowed if there are no nearby areas of sensitive wildlife. Without limitations many areas with sensitive wildlife will be impacted in woodlands and beaches even though they may be supposedly protected otherwise. Drone users should always have their drone in their line of sight and should always know what areas have sensitive wildlife and be prohibited from flying anywhere near these areas. There are too many uneducated and uninformed careless drone users already and to loosen restrictions will only make a bad problem worse.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Francis Lombardi

**Commenter email (if provided):**

f.lombardi@earthlink.net

**Public comment:**

Please don't allow this drone thing to happen

I live near a couple of state parks, namely Beverly Beach and the Devil's Punchbowl, and it is clearly posted "no drones" and yet people still do. And when we point out the signs they get offensive.

I had to call the sheriff once because a drone pilot was flying 10 feet above the beach and harassing seals and shore birds.

Let them fly on private land or designated public lands where wildlife cannot be endangered.

Thank you

Francis Lombardi

Otter Rock, Oregon

"Pacific Wonderland"



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Kimberly Callahan

**Commenter email (if provided):**

kac044@yahoo.com

**Public comment:**

Drones should not have a regular place in Oregon's natural areas. People go to nature to get away from technology, not to listen to the buzz of drones. Nor should campers or bathers have to worry about a drone operator invading their privacy. Drones should be allowed for management and research purposes, with perhaps a limited number of commercial permits. If you allow drones in "certain areas", who is going to monitor this? How are you going to keep drones out of "restricted" areas? Operators already fly where they are not allowed, do not exacerbate the problem. It will have an adverse effect on wildlife and typical recreational usage. Keep our skies quiet and technology free! Further, commercial entities with permits to operate that day should post signs and there should be a notification on natural area's website.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Thursday, April 14, 2022

## Commenter name (if provided):

Tripp Mikich

## Commenter email (if provided):

trippdmnh@yahoo.com

## Public comment:

I am a resident of Lincoln City and a volunteer with the Oregon Coast Aquarium, The Nature Conservancy, Tillamook Estuaries Partnership, and many others.

I have had the opportunity to observe drone operation along the Oregon coastline, in particular along the Lincoln City area of shoreline, as well as at Rocky Creek and other areas between Lincoln City and Newport.

While I am not opposed to hobbyist or commercial use of drones, I am opposed to any flying of them that either directly (over nesting sites or similar, or actual harassment of birds or animals along the shoreline or elsewhere) or indirectly (flying in nearby areas where parenting birds - eagles, etc - may be hunting) impacts wild birds and animals.

Too often I have observed hobbyist or commercial users of drones "zooming in" on birds along the shoreline (eagles, plovers, etc) in order to get a closer shot. It doesn't take a genius to know that this type of activity can disrupt a bird's nesting or feeding patterns, especially if it has chicks in the area. I saw someone not long ago trying to "buzz" an eagle to "get a better shot," much to my horror.

Drones should be banned from State Park areas except with special permits for research, etc. There should be no flying within or from within any State Park boundaries. This at least preserves the needed "non-disturbance" in critical habitat areas along the coast, and preserves the use of the parks from the constant whining of the drones themselves, which in and of itself is an irritating and unneeded annoyance to enjoying the parks. Less human noise in general within our State Parks from mechanical or electrical devices would be a big plus to preserve what little space is left protected from our noisy and sometimes deadly interference. Thank you.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Jennifer Donohue

**Commenter email (if provided):**

jenniferdonohue@ymail.com

**Public comment:**

I am training to survey the Snowy Plover this spring and summer through the Audubon. This bird really has to work hard to raise it's family. They are in a sometimes harsh landscape with predators and people. I am learning the more they leave their nests when they are disturbed, the less chance their eggs have to survive. The drones would likely appear to be a predator. When seen the bird will leave the nest. Please consider designated areas for this activity. Just because you can do something, doesn't mean you should.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Oussama Shahat

**Commenter email (if provided):**

matthewshahat@gmail.com

**Public comment:**

I do not believe that Oregon State Parks should be implementing rules on drone landing and takeoff, as it is only attempting to circumvent the FFA rules that it has no jurisdiction in.

However should the parks department implement a takeoff and landing rule anyway, exceptions should be made for those with a commercial part 107 license. Those with a license have taken the time to properly operate drones even in areas that may be risky as well as assuming liability.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

David Green

**Commenter email (if provided):**

DavidSethGreen@gmail.com

**Public comment:**

Drones are a dangerous and annoying nuisance in nature. They violate the often heralded leave no trace principles (eg, noisy, destructive), and detract from the serenity and peace that we find in nature. I urge you to limit the use of drones and not allow them in the parks.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Ryan Schwartz

**Commenter email (if provided):**

losetheshoes@gmail.com

**Public comment:**

Hello,

I am an active user and supported of our state parks.

Drones have become a dangerous and annoying part of our natural areas and should be limited.

I have seen many people get in conflicts because of drone use - including physical fights.

They have detracted from the peace and serenity of parks.

I have seen drones crash into rocks on the coast and litter the sea with plastics and toxic waste.

Please prohibit drone use in our parks.

thank you,  
ryan



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Jessica Sall

**Commenter email (if provided):**

jessicasall@msn.com

**Public comment:**

I would like to vehemently opposed the proposed rule regarding the take-off and landing of drones in state parks.

I realize there must be some accommodation for drone operators in the parks, but it's clear that the drone operators association has had almost unfettered influence in the development of the proposed regulations.

Perhaps we could step back and consider a permit system that would limit the number of drones allowed in a parks and allow for the proper training of drone operators in how to operate with minimal disturbance to wildlife and other visitors.

Please, let's return to the drawing board and consider a broader range of proposals than the one suggested by a special interest group.

Thank you.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Katy Krider

**Commenter email (if provided):**

katy.krider@gmail.com

**Public comment:**

To whom it may concern,

I am an avid horse person and grateful for the fantastic systems of equestrian trails and campgrounds throughout Oregon. I have personally had the unfortunate encounter with a drone in a public park (Tryon Creek) while out riding with a group of friends. Tryon Creek, as many of the Oregon State Park trails do - have single track narrow trails - many with very steep drop offs and ravines.

On this day we we're coming around a corner, headed down a steep, narrow trail when we see a drone flying directly at my horses head! Down the hill, were 2 teenagers operating the drone! We reacted calmly - before our horses could react - and communicated to bring the drone down and turn it off until we could safely pass. We were very lucky that day - it honestly could have been tragic!

I can tell you emphatically that horses and drones are NOT compatible! The sound and movement a drone makes would typically cause a horse to spin and bolt out of fear. If the first horse in a line of horses does that - they will instinctively all run since they are herd animals. As you can imagine - the result could be disastrous.

I've reached out to drone operators to try to start a conversation about this - most of them feel it is just as much their "right" to be using the park as mine - which I understand. Others welcomed the conversation and hadn't realized the situation could be so dangerous to humans and horses - but they couldn't offer a solution that might work for both equestrians and drone operators.

That is why I am writing - I am hoping that clear guidance can be set in place so that drones and horses are not using the same area of a State Park at the same time.

Regards, Katy Krider



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Thursday, April 14, 2022

**Commenter name (if provided):**

Melissa Janicek

**Commenter email (if provided):**

mjanicekLC@gmail.com

**Public comment:**

The Oregon State Parks are one of Oregon's most valuable assets. People, including myself, go to Oregon State Parks to get away from noise and machinery to just enjoy nature. I have been at parks when people launch drones. The drones create a horrible noise and infringe on the enjoyment of the silence of nature. They are intrusive and take away my privacy because they are usually filming. Additionally, there is a huge impact on wildlife! I have seen drone users buzz sea bird colonies during nesting season, buzz harbor seal colonies causing them to flush out into the water leaving baby seals trampled in the process. I have even seen a drone user get WAY too close to a group of Gray Whales feeding off of Rocky Creek State Park, causing the whales to leave the area completely. Drones used by the public have NO place in our pristine State Parks. We need one place to go without human technology breathing down our necks and so do the wild animals of Oregon!



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Wednesday, April 13, 2022

## Commenter name (if provided):

Maxine Centala

## Commenter email (if provided):

mcentala@peak.org

## Public comment:

Thanks to State Parks for providing this opportunity to comment. I have seen people flying drones from beaches around Seal Rock and I am concerned that they could interfere with wildlife and with people's enjoyment of natural areas. State Parks allow people to visit nature and that is more important than people flying drones.

Please close all coastal areas be closed to drone take-off and landings except where they will not disturb wildlife or visitors.

To determine where drone launch is allowed, the State Parks Director should establish an advisory committee that includes conservation, tribal, and science representation

State Parks should include a final map(s) of designated drone take-off and landing locations on their website

All areas should be periodically reviewed for inclusion or removal as designated drone take-off and landing areas based on evidence of disturbance and changes in wildlife habitat

State Parks should include strong enforcement mechanisms in the final rules, the cost of which can be mitigated by requiring:

- drone registration/licensing for drones to be used in Oregon
- easily obtainable (online) permits for flights
- on-board tracking technology permitting observers to identify drone

Thank you.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Duncan McEwan

**Commenter email (if provided):**

dmce157@comcast.net

**Public comment:**

Shut them out completely! They are enough of a nuisance everywhere else.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Lynnae Rutledge

**Commenter email (if provided):**

lynnae.rutledge@icloud.com

**Public comment:**

Thank you for providing the opportunity for public comment related to the proposed rule-making on take-off and landing of drones.

As Oregonians, we are fortunate to be able to enjoy the outdoors nearly every day of the year. Our State Parks system offers a wide-range of venues from remote Cottonwood Canyon State Park to coastal Sitka Sedge State Natural Area.

I support the proposed rule as it has been presented - to keep take-off and landing open unless otherwise closed (for protection of bird habitat, over campgrounds, etc).

My background is in disability public policy. Our parks are a valuable resource for everyone, including people with disabilities. We all benefit when we take the time to learn about our varied topography, to better understand our unique relationship with tribal cultural resources, to experience the thrill of seeing soaring birds and spouting whales. Providing universal access (not special access or secondary access) is a key tenet of our disability rights. For many people with limited mobility, being able to pilot a drone from a State Park (not just at the coast) provides an even playing field and unparalleled experience.

I urge the OPRD staff, the Drone Advisory Committee and ultimately the Commission to assure greater access, not lesser access, through the adoption of balanced rules that start from the premise that take off and landing of drones is open unless otherwise not permitted.

Thank you for considering my input.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Robert Embley

**Public comment:**

I urge the state of Oregon to apply the same principle as to drone use as they have to other human-intensive activities such as motorized vehicles on beaches. They should only be launched and recovered in carefully considered designated areas in state parks and beaches. This will ensure that the state continues to hold some control on intrusions into ecosystems and the intrinsic value of walking through the woods or on a pristine beach.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Sonya Kazen

**Commenter email (if provided):**

sonyakazen@gmail.com

**Public comment:**

Please prohibit drones from all state parks with the exception described below! They are a noise, visual, safety, privacy nuisance and disruptive to wildlife.. If people want to operate them, they can operate on their own properties. Commercial drones esp. have no place in state parks as they do not serve a "public" service.

In some larger parks, small, not environmentally sensitive, areas could be set aside, such as those for dog use, for drones use only if it could be stipulated that the drones not be flown outside of the areas. Or better yet, restrict drones to the Oregon dunes(mostly federal lands) locations where ATVs can be used since these areas are already compromised by noise, environmental destruction, and a waste of energy resources.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Ryan Cruse

**Commenter email (if provided):**

rcruse@gmail.com

**Public comment:**

I do not think public/recreations use (takeoff and landing) of drones should be allowed in state parks or along the ocean shore at all. They are an outsized nuisance to other beachgoers, recreational users and wildlife.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Danita Pfliiger

**Commenter email (if provided):**

dpfliiger@yahoo.com

**Public comment:**

As an outdoor enthusiast and rock climber I am opposed to having unlimited access to State Parks and beaches for drones. Drone use invades natural space for wildlife and humans. I acknowledge most drone operators respect the space other forms of life take but, I have had too many experiences with drones buzzing me. This invades personal space and creates noise pollution.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Wednesday, April 13, 2022

## Commenter name (if provided):

David Jamieson

## Commenter email (if provided):

dhjamieson99@outlook.com

## Public comment:

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas.

State Parks should create an independent technical working group (including agency, academic, NGO, and tribal experts) to determine appropriate designated drone take-off and landing areas that minimize wildlife, cultural and recreational impacts.

While designated areas are being determined, status quo drone use would continue (i.e. this would not ban all drone use at any time during the process)

State Parks should include a final map(s) of designated drone take-off and landing locations on their website.

In areas that are approved for drone use, include in the rules:

- \* No drone take-offs or landing to occur within 100m of any observed birds and/or known nesting locations or from seal haul out and pupping areas.
- \* Drone take-off and landings should be discontinued if repeated wildlife disturbance events occur in the same location.
- \* All areas should be periodically reviewed for inclusion or removal as designated drone take-off and landing areas based on the best available science as wildlife usage and other factors can change over time.

State Parks should include strong enforcement mechanisms in the final rules.

Drone usage for scientific research conducted by professional pilots (on a permit basis) and search and rescue operations should be allowed to take off/land where needed.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Wednesday, April 13, 2022

## Commenter name (if provided):

Dr. Shameem Rakha

## Commenter email (if provided):

rakhash@gmail.com

## Public comment:

I am appalled by the mere consideration of this proposed rule. Allowing drone owners to take off or land within state parks and on public beaches goes against so much of what Oregon is about. Research has shown that drones have a detrimental impact on water fowl. They have been known to frighten animals. "Two major studies have revealed that flying drones around animals can result in behaviour changes and increased heart rates which may indicate stress induced by the sound and/or visual stimulus of the drone" (Vas E et al., 2015; Hodgson J & Koh L., 2016)

People go to state parks for peace. In this time of conflict and challenge, we do not need to have the possibility of being buzzed by a drone while seeking tranquility. The proposed rules will create more conflict and harm our natural resources. If conflict is to be limited, it seems like creating a permitting system for flying drones in state parks and on public beaches should be put in place and that this permitting system should designate specific take off and landing zones.

This is too important to let pass. Our natural resources are precious to the people of Oregon today and to our future.

## References:

Vas E et al (2015) Approaching birds with drones: first experiments and ethical guidelines. Biology Letters, vol. 11.

Hodgson J & Koh L (2016) Best Practice for minimising unmanned aerial vehicle disturbance to wildlife in biological field research. Current Biology, 26(10):404-405.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Wednesday, April 13, 2022

## Commenter name (if provided):

Ric

## Commenter email (if provided):

aerostephens@gmail.com

## Public comment:

Thank you for an informative Zoom meeting this morning.  
[I posted some links to resources that provided additional clarification.]

### Park Airspace

As noted by several commenters and Commissioners, the rule focuses on take-off and landing sites, not the airspace in question.

With FAA requirements for visual line of sight, most commercial drones can be flown up to 1,000' in distance.

Future FAA laws will allow "beyond visual line of sight" (BVLOS) operations which will mean drone flight distances will only be limited by battery capacity.

In short, the potential impacts to park visitors and wildlife will not be avoided by limitations on take-off and landing sites.

If OPRD prohibits all drone operations, it will likely have several unintended consequences including more "rogue" flights originating off-site.

When the Remote ID laws go into effect next year, hobbyist (non-certified) drone operators will be restricted to flying within certain FAA-designated areas.

These will not include State Parks unless agreed to by OPRD.

### Mapping

If the State designates various areas for restricted or prohibited access, please coordinate with the B4UFLY program to have these delineated.

This app is promoted by the FAA and shows drone pilots where they can fly.

<https://b4ufly aloft.ai/> Education

Regardless of the final Rule for park and coastal UAS operations, there must be a concurrent effort to educate the public on drone regulations, wildlife conservation, and social responsibility.

This could be accomplished with the following:

- OPRD website information on UAS operations, wildlife conservation, and social consideration
- Park signage with QR codes linked to the website information
- Activities and events that incorporate responsible UAS operations

An educational component is essential as many speakers have recognized the rapid changes in technology which cannot be accommodated by equally fast changes in public assimilation and legislation. This phenomenon--cultural lag--is specifically relevant to drone technology which has

far outpaced general public understanding and agency regulation.

Advanced Air Mobility

I have a website devoted to Advanced Air Mobility (including drones) at <https://aviationplanning.design.blog/advanced-air-mobility/> This website has a free dictionary, regulatory links, remote pilot resources, and many infographics.

Sincerely,  
Ric



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Kent Hall

**Public comment:**

Thank you for extending the comment period. I am a fulltime resident on the Oregon coast.

Because it's already illegal to harass migratory birds, and because drones are currently already harassing coastal marine birds, it is compulsory that the Department of Parks and Recreation exert control over drones through permits and by limiting where drones can takeoff and land on Oregon's beaches.

Requiring a permit and limiting takeoff and landing sites for drones encourages responsible use, better enforcement of existing laws, and minimizes conflicts on the beach with people who do not like drones.

These regulations can be re-examined when drones become quieter, easier to track, and less invasive to the privacy of non-drone users.

Do the right thing and minimize conflicts on Oregon's beaches. Let us not have beach rage mimicking road rage. Thank you.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Casey Felton

**Commenter email (if provided):**

masterlearnerfoo@hotmail.com

**Public comment:**

Dear Public comment,

My name is Casey Felton and I have been flying DJI drones since 2016. Ive been a part 107 holder since the first year you could hold a 107. I appreciate the opportunity to give my thoughts on flying in state parks.

It has been common practice for me to fly outside of state parks not in them. I appreciate the potential to fly in the parks but feel it undermines the purpose of going there in there first place. That being for Nature, Landscape, and tranquility. Not for Drones.

As pilots we are authorized to fly in class G airspace. There is so much class G in Oregon. If you want people to behave in areas where they are already allowed to fly then why not educate them. Anybody with a spare 300\$ can buy and fly a drone, but there is very little standing in there way from buying to flying. It wasn't until I became licensed to fly that I really understood the rules, dangers, and responsibility. This is why I feel you should not be able to fly unless you pass a test, not an easy one either.

We have to pass a test for driving a car and a car has a similar kind of responsibly in public as flying a drone does.

If you want there to be less issue with the public and drones the public needs to be made better aware of the rules as well.

So many people think they understand where a drone can and cannot fly and try to self enforce those mistaken rules on rule following drone pilots.

I do not recommend allowing drones in State Parks. Perhaps just outside the boundary's but not over them. No taking off inside them.

That's what I think.

Casey Felton



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Beverly Segner

**Commenter email (if provided):**

bsegner22@gmail.com

**Public comment:**

Oregon Parks and Recreation Department  
C/o Katie Gauthier, Legislative Coordinator  
Chris Havel, Associate Director  
725 Summer St NE, Suite C  
Salem, OR 97301  
April 13, 2022

RE: Public comment on draft rules to guide take-off and landings of drones in state parks and ocean shore

Dear Ms. Gauthier and Mr. Havel,

I appreciate this opportunity to comment on the draft rules for the take-off and landings of unmanned aircraft systems (UAS). As a private property owner with homes adjacent to two popular state recreational areas, one in North Bend on Saunders Lake and the other on Ocean View Road in Coos Bay (across from Bastendorf Beach) as well as an enthusiast for enjoying and preserving the magnificent natural landscape in Oregon, I am seriously concerned about the deleterious impacts on wildlife habitats from the use of unmanned aircraft systems (UAS) on state lands. Additionally, the preservation of the opportunity for people to enjoy the peace, quiet, and beauty of the natural world is also important to me.

As a resident on the South Coast of Oregon since 1980, I have witnessed the increasing use of our parks and recreational areas and been dismayed by the deleterious impacts of mechanized vehicles including standard motor vehicles of varying types, ATV's, radio-controlled airplanes and cars, and drones.

I have lived on Saunders Lake at various periods since the 1980's and was delighted to be able to purchase a property on the lake several years ago. When I first lived there in the 1990's, ATV use was relatively infrequent in the neighborhood and walking on the dunes was an activity I enjoyed and could access easily from my home without concern for my safety. Also, disruptions from the noise of these vehicles was also infrequent. Today, the ATV's are allowed to drive on the roads adjacent to the Lake, unmuffled. They roar up and down the dunes across the small roadway in large numbers (particularly at certain times of the year) with the noise echoing across the lake. Venturing onto the dunes adjacent to Saunders Lake on foot, is now, in my opinion, a foolhardy

enterprise.

The dunes obscure vehicles from one another and someone walking is not visible in most circumstances making accessing the area safely a vehicle-only activity.

I do recognize that not all human beings think about nor care how their activities impact others, including wildlife. This is why what you are doing is so vitally important. I understand that a compromise was made for ATV enthusiasts and that certain parts of the National Dunes Recreational Area were set aside for them. Regrettably, these areas are now basically unusable for people like me and the noise from these areas surrounds my home. People tend to say things to me like "Oh well, how bad can it be?" until they are present when an ATV is roaring up the dunes across the lake. If it weren't so sad, the looks of astonishment they give me would be comical, followed by comments like "Oh my God, I had no idea! That's terrible! How do you stand it? "

Those enamored by mechanized equipment and drone technology can be shortsighted about the short and longterm impacts of their hobby and/or professional use of this equipment on others and the environment. This is understandable as it is admittedly amazing to see things from the air. Drone technology is widely available and becoming even more so as prices drop further. This makes rules for strict regulations imperative. Your job to protect public areas, wildlife habitat, and the peace of natural surroundings is a vital one.

It has further come to my attention that key stakeholders have not been included in the decision-making process (RAC) since the beginning. It should be unnecessary to refer to OAR 137-001-007(2) and the requirement for inclusion of conservation, tribal, and a representation of various recreational users of the areas in question. I ask that these oversights be addressed going forward. Of special note is the value and importance of having testimony by biologists and staff from the USFWS as part of the decision-making process.

Please make sure that the rules regarding drone use are straightforward, easily enforced, and to err on the side of prohibitions versus permissions.

Thank you sincerely,

Beverly Segner  
Coos Bay OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Michael Harrington

**Commenter email (if provided):**

mike.har@charter.net

**Public comment:**

Drone use in state parks is a bad idea. The use of drones in state parks is in direct conflict with the reasons people go to parks. I live at the coast and enjoy the wildness and beauty of this natural treasure. Drones over head would ruin that experience. Drones would also disrupt the habitats of countless bird populations that live here. My guess is that the population of drone enthusiasts is very small compared to number of people who go to parks to enjoy nature. They shouldn't ruin it for everyone else.

Michael Harrington  
Newport, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

peter peterson

**Commenter email (if provided):**

peter@petersonclub.com

**Public comment:**

I believe a blanket restriction is too heavy handed. I believe having "no-fly" zones should be done on a case by case basis. This is a much more "friendly" way of implementing this legislature. The need to protect our parks and wildlife is definitely warranted but it does not need to overreach to achieve this.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Wednesday, April 13, 2022

## Commenter name (if provided):

Johnathon Smith

## Commenter email (if provided):

RemovedEmailFromPublicRecord@gmail.com

## Public comment:

I am an RC plane and drone pilot. I am all for preventing the take-off and landing of UAVs in specified areas, when there is reason for it.

I am against any sort of blanket ban of take-offs and landings in state parks and I am against limiting take-offs and landings to small areas in state parks.

Some comments talk about how drone pilots can disrupt nesting areas of birds. Many (most?) drone pilots do not want to fly near birds. People generally don't want to hurt the birds, but they also don't want to put their own equipment at risk. Flying near birds, especially aggressive ones that are protecting their nests or territory, can greatly increase the likelihood of a drone crashing. If a park wants to mark an area as off limits due to bird nesting, then most will listen. As one commenter pointed out, the pilots are ignorant of the birds. If you let us know, we will avoid it. However blanket bans on the entire park, without specified reasons, tend to cause people to ignore them or work around them. A person could take off outside the park grounds and then fly over the park without breaking the law. It prevents your rule from accomplishing the goal.

Some people talk about drones harassing wildlife. First, I would like to see some data on that, instead of a rather subjective claim. I will admit that it might happen, but it goes against what I have observed. Second, I would like to point out that it is a flawed argument for this rule. This regulation is related to the take-off and landing of UAVs. Drones do not harass much wildlife while on the ground. The FAA controls things that are in flight and already has regulations related to harassing wildlife. If the existing regulations do not do an adequate job, then a rule about the take-offs and landing might help mitigate the problem, if done carefully.

Finally I have seen several comments talk about privacy and noise. These seem to be the "go-to" arguments for most people that are ignorant of drone and their functionality. First drones have different designs and sizes. Yes, some can be loud, especially when doing acrobatic tricks. But many are not. People think that because they spotted one loud drone, that all are noisy. But I would ask those people how many drones went unnoticed? I have own multiple drones of different sizes and some of them are fairly quiet when close and seem completely silent after they move 25ft away from a person.

Using privacy as an argument against drones is a weak argument. I can guarantee that the camera on your phone is better at invading people's privacy. Drones often have cameras with fairly wide-

angle lenses. It creates an affect that is similar to looking through the wrong end of pair of binoculars. It lets you get a wide view of the landscape that looks beautiful in photos, but it makes specific objects look smaller and hard to see. Many (most?) drones do not have any zooming mechanism, especially one that is adjustable in flight. This means a drone would have to get very close to a person to get a close up shot and "invade their privacy". That would not go unnoticed. Anyone could do the same thing and go un-noticed when using their phone's camera. It is a weak argument.

So please, implement the rules that you need, but do so with caution. They should address an actual problem. Furthermore the justification of those should be communicated when possible. History has shown time and time again that when people don't like heavy-handed rules, they don't follow them. vb



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Dawn Vonderlin

**Commenter email (if provided):**

dawndoreen@hotmail.com

**Public comment:**

To Whom it May concern:

It seems so obvious that it is our responsibility to protect our native wildlife and personal privacy from the misuse of intrusive drones. I do understand they are a very useful tool in the right instances; however, we must offer areas with complete protection from the interference of drones. It is essential that any nesting birds, or marine mammals should be offered total preservation of their habitat and well-being. I walk the beach quite often to seek peace and listen and enjoy the beauty of nature. Drones are not a part of that meaningful experience. I strongly urge the Oregon Parks and Recreation District to act in a responsible manner to protect the privacy of all living creatures from the unnecessary intrusion of drones!

I thank you for your time and consideration of this most important issue.

Respectfully submitted,  
Dawn W. Vonderlin  
Bandon, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Jennifer Hill

**Commenter email (if provided):**

jenhill5395@gmail.com

**Public comment:**

Hello my name is Jennifer Hill and I am an Oregonian, an avid outdoor enthusiast, have worked in the Outdoor Industry as an Outdoor school instructor with REI and currently work with a company committed to preserving outdoor spaces and Saving our Home Planet, Patagonia. I have spent most of my life seeking and exploring wild spaces and have had the privilege to spend some of my career teaching others about how to prepare and experience nature. I want wild places to remain wild, unpredictable and provide escape and for those reasons I am against drones being allowed to invade the space in Oregon's beautiful state parks.

It is important that we make a concentrated effort to preserve the undisturbed landscape of parks particularly in a world where technology and social media make it possible to never leave your couch to see remote spaces. This includes preserving the quiet you experience when walking a trail, it includes preserving the wide open sky and it includes preventing anything from changing the behavior or stressing any of the animal life that exists in our parks any more than they already are.

Myself and over fifty million daytime visitors a year value the opportunity to experience our State Parks in such a way that immerses us in the beauty of the natural environment apart from the stimulus of our 2022 lifestyle. The fresh air and open environment provides a convenient escape from the noise of raging car engines, loud music, sirens, boisterous humans and barking dogs. Especially during the last few years during Covid, our state and national parks became sanctuaries for healing our mental and physical health. This benefit to humans as well as the health of the animal species that live in park habitats are equally threatened by allowing flying, mechanical cameras to peruse the sky. A drone is not natural and is very noticeable—it is a distraction to humans and a some animals actually perceive them instinctively as a threat.

Many birds, for example, see drones as a predator competing for food. Other animals react to the foreign stimuli of a strange flying object in their environment by exhibiting frantic behavior that can have a direct effect on feeding, quality of life, mating rituals, etc. In one article I read about Colorado's ban on drones they stated that drones increase stress and even can cause death to wildlife. They talked specifically about how they had observed hunters harassing animals with drones,—harassment is defined as any activity that causes a change in behavior to wildlife—This means that just by simply following animals to take photos drones can cause extreme distress. But to be clear, having a drone in hand while visiting a state park does not reflect MOST park visitors. State Parks and recreation rules need to protect the values of the majority.

Over the last 5 years, the Outdoor Industry has been engaged in a strong effort to make the outdoors accessible to everyone through free parks days, outdoor school, and skills classes. I myself planned events in cooperation with state parks to encourage all outside. This effort to allow drones to fly is not inclusive. It is to benefit those privileged enough to afford and own a drone. It is an exclusive few. And at the cost of the experience of how many others? Many more Oregonians have never seen a place like Silver Falls, and to taint that experience in nature with a drone flying over is a wrong. It is our right to have an undisturbed experience in the park unique to each of us without the possibility of being bothered by unnatural flying machines.

I recognize that drones are a useful tool to certain industries such as military surveillance, fire analysis, research and search and rescue. I understand their benefits to photographers and the media. But currently drone use is not easily controlled or monitored. Conservation ethics need to come into play when people are using drones- how do you leave no trace when you have invaded someone's personal space? Our state parks do not have the resources to have someone watching the sky to monitor closely designated fly zones. The national Parks were classified as no drone zones in 2014 and you have to have a special use permit in order to fly there. State Parks should employ the same rules.

But simply put, there are 113,000 acres of State Park in the state of Oregon. The entire state has a total of 98,466 square miles of land, meaning that the state parks are a total of 0.2 percent of what Oregon has to offer. There is plenty of other area in our beautiful state to fly, this small portion of land that we have spent the time and energy to set aside for visitors and Oregonians to experience is important to preserve in the sky and on the ground for generations to come.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Wednesday, April 13, 2022

## Commenter name (if provided):

Fran Recht

## Commenter email (if provided):

franrecht@gmail.com

## Public comment:

Public Comment 4-13-2022 (I had signed up for testimony at the Commission meeting but was not called on)

My name is Fran Recht and I'm a 34 year resident of the Oregon Coast

Though I know that you will not take final action at this meeting, I ask you to provide advice to staff to redo the flawed process and start with the presumption that drone use take off and landings should only be allowed by special use permit, for example for special events, education and research. The use permits would be able to specify appropriate provisions to avoid natural resource and visitor disruption. Such rules would greatly simplify natural resource enforcement which is already a problem for understaffed state park rangers.

Drone pilots have plenty of other places they can launch and retrieve their drones, without disrupting the millions of visitors who come to the parks for other reasons and the natural resources the parks protect. Unless there is a special reason that a drone is necessary to be launched and retrieved within a State Park, it simply shouldn't be. Other states and national parks have done the same.

This is 100th year of Oregon State Parks and they are some of the most used parks in the nation and they are becoming overwhelmed by visitors. OPRD's research showed 53.7 million visitors in parks throughout the state last year and 31.4 million visitors on the coast alone. In fact, concerned about the usage and impacts, the Oregonian reported on Feb 18th that OPRD was encouraging people to use other outdoor public spaces to reduce state park crowding!

Drone use would conflict with the existing quiet uses of State Parks that are indicated by your SCORP studies. About one in 5 people in the Willamette Valley cited bird or wildlife watching as why they came to parks. This would be higher on the coast due to seals, sealions, whales as well as birds.

OPRD's climate change strategy adopted in 2021 acknowledges that climate change is a "stress multiplier". It says that OPRD will: Support robust functioning of Oregon's terrestrial, aquatic, coastal, and marine ecosystems as the climate changes. We will not be able to maintain these systems and species they support with further disruptions of birds and other wildlife from drones.

Thank you  
Fran Recht



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Deborah Hofmann

**Commenter email (if provided):**

spiceweaselblast@gmail.com

**Public comment:**

To Whom It May Concern @ State Parks and Recreation,

I'm an Oregon taxpayer and purchaser of state parks permits and I appreciate the chance to comment on the issue of drones...I'm asking that you make recreational drones illegal by default on all public lands, except perhaps in some designated areas where their use will not interfere with wildlife or other humans.

We all need nature in our lives--nature experienced as free as possible from the interference of the machines of humans, whether they are causing noise, pollution or distraction by the sight of them. There don't seem to be any state lands that are better suited for our need for nature than the parks. Flying drones around is the definition of a special interest, a very unnatural one at that, and one which has great impact on the enjoyment and respite of other visitors.

Thank you,  
Deborah Hofmann  
Portland OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Gary Kish

**Commenter email (if provided):**

4salmon@gmail.com

**Public comment:**

Please add my comments to the official record.

As a Tillamook County property owner, I support regulations to curb the use of drones. In my view, drones are simply another sort of motorized vehicle, albeit an un-manned vehicle and there use should be regulated as other motorized vehicles are. In a world that's become increasingly noisy, state parks and beaches are a sort of sanctuary where natural noises prevail. Drones definitely degrade this experience.

Sincerely,  
Gary Kish, Netarts Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Chris Berrie

**Commenter email (if provided):**

keeks54@gmail.com

**Public comment:**

Dear Ms. Gauthier and Mr. Havel,

Thank you for soliciting public comment regarding rules for drones in state parks and coastal areas managed by OPRD. Drone use is becoming prolific, creating significant disruptions to birds nesting in coastal areas, as well as marine mammals and other wildlife. Drone disturbances negatively impact behaviors critical to the survival of these species.

Drones also diminish the restful environment that is the reason so many residents and visitors chose the beach for escape from noise and tumult. Ultimately, drones make it unpleasant and unsafe for humans and wildlife alike.

Please ensure drone take-off and landing rules are guided by factual research, as submitted by a coalition of conservative groups representing the interest of the public. Please also consider the growing use of drones and their increasingly harmful and intrusive disruptions. Though the impacts of drones on wildlife and those questing tranquility may be most apparent, the potential conflict with other recreational users should also be considered in drafting the regulations.

High density of visitors along the coast increases the risk of hazards from drone deployments. Restricting take-off and landing zones to designated areas for all drone usage is requisite to reduce the impacts of this rapidly growing hobby on Oregon park users and wildlife.

I support the establishment of the drone Rules Advisory Committee (RAC) to provide representation for all interested parties to make recommendations on the draft rules. However, flaws in existing process of creating the RAC have been brought to light by the coalition of multiple conservation organizations.

Representatives from all pertinent Oregon conservation and recreational groups, Tribal nations, the U.S. Fish and Wildlife Service and other applicable federal agencies must be included in drafting the rules that affect all of these interests.

Please use your positions of trust to create comprehensive regulations that protect wildlife habitat and the majority of both residents and visitors over the minority of hobby drone enthusiasts.

Sincerely,

Chris Berrie  
Rockaway, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Matt Clark

**Commenter email (if provided):**

mattclark72@gmail.com

**Public comment:**

I strongly encourage that Oregon State Parks close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas.

This will help limit the disturbance to wildlife that drones can cause. It will also facilitate peaceful and safe experiences for me, my family, and the many thousands of people that visit our state parks and natural areas annually and deserve ample quiet spaces.

Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas.

Thank you,  
Matt Clark  
Portland OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Elizabeth Smith

**Commenter email (if provided):**

goodgreenhouse.ls@gmail.com

**Public comment:**

Greetings - this email is in response to the proposed regulations concerning drone launching and landing in Oregon State Parks - especially on the Pacific Coast.

I realize that this is a complicated, complex issue, but think first and foremost, protection of wildlife is of the utmost importance. Using the physicians' motto: "First, do no harm ..." is an appropriate beginning. We, as humans, do not have the right - or privilege - of disturbing those with whom we co-exist. Nesting birds, hauling out seal pup areas are critical environments that are endangered by drone interference. Although Oregon state cannot regulate flight, we can and must set strict regulations regarding take off and landing of drones.

Also, as a citizen of Oregon, I take great pride (and user responsibility) in our stunning coastal park system. I enjoy the natural raw beauty, treasure the privilege of being a part of it, and would hope that my right to solitude and privacy will be respected and protected.

In closing, thank you in advance for your time and consideration in regulating drone launching and landing in our stunning coastal park system. It is my hope the protections for peace and quiet for humans and animals alike will be respected and protected.

Sincerely, with kind regards -

Elizabeth A. Smith  
Klamath Falls, Oregon

PS: I often visit Bandon. Devil's Kitchen is my favorite spot. One visit, Father and son (in short term rental next door) launching and landing their drone in parking lot. They didn't care about others, ignored posted signage prohibiting that activity, and disregarded our legal right to enjoy the natural area. Please don't think people will do the right, respectful thing. Strong regulation and enforcement is now necessary for the protection we all deserve and should (must) have a right to.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Stacie Seedall

**Commenter email (if provided):**

srseedall85@gmail.com

**Public comment:**

I support laws limiting drone access in public parks. There is nothing worse than being out in nature and having the interruption of drones flying overhead. Thank you.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Teresa Wicks

**Commenter email (if provided):**

teresa.wicks@oregonstate.edu

**Public comment:**

The proposed rules regarding drone take-off and landing are currently not designed to protect wildlife or other non-drone recreation user experiences. It is well documented that drone users flying too close to nesting birds contribute to the harassment of wildlife, and could result in nest failure if the harassment continues. With increased drone use in Oregon, which would only increase under the proposed rules, nest failure is a likely outcome, particularly at nesting colonies on haystacks off of the Oregon coast.

Additionally, traditional recreational uses include the value of solitude and space away from technology. Increased drones access and use is not compatible with either of these recreational values. Indeed, drones are not allowed in Wilderness Areas, in part because of the conflict with other user experiences.

When making rules that affect all wildlife and recreational values in Oregon, including on State Parks lands and on the coast, it is important to consider the impacts on all wildlife and recreational users. Therefore, I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas.

Additionally, I urge you to set up a technical committee with representation from the conservation and scientific committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas. It will also create a policy based on science and not the interests of one subset of recreational users in Oregon's beautiful State Parks and coastline.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Connie Grenfell

**Commenter email (if provided):**

oregonizedart@hotmail.com

**Public comment:**

Drones are yet another invasion to our wildlife and human privacy. I wish heavier restrictions were applied from the onset. Our governing bodies should have known there would be people who could care less about nature and "other people".

Sincerely, Connie Grenfell Waldport



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Robin Jacobs

**Commenter email (if provided):**

grasmerecottage@aol.com

**Public comment:**

To OPRD:

Thank you for the opportunity to express concerns and opposition regarding take off and landings of drones in our public state parks and along our coastal beaches where wildlife flourish when left undisturbed, and where the public escapes to relish and enjoy nature and the natural environment.

The sight, sounds, and disturbances of drone take offs and landings should not be allowed to occur where sensitive wildlife exist and the public recreates. In addition to the noise and disturbances created by drones, safety concerns exist as well. Such drone activity should not be allowed to occur in our public spaces.

Thank you for consideration of these concerns.

Robin Jacobs  
Sandy, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Chris Henkel

**Public comment:**

Please do not allow these noisy and obtrusive machines to be flown in Oregon State Parks. In past encounters, drone operators have ignored any regulations in place and created disturbances for their own pleasure with blatant disregard for anyone else's enjoyment of the park system. If anything, there should be stricter regulation of drone usage and only permitted usage with strict penalties for anyone caught using a drone against any regulations in place.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Chris Dion

**Commenter email (if provided):**

chrsdion@gmail.com

**Public comment:**

Flying drones is a great hobby to get people outside and learn a lot. As a parks department the Office of Outdoor Recreation should be doing what then can to promote people getting out of the house and enjoying everything that the outdoors has to offer. The vast majority of drone pilots are aware of other people using the parks and share the outdoor environment with everyone.

We do need to protects certain areas of our environment and the animals and plants in them. Therefore I would support option 1 where certain areas are able to be protected from take off and landing.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Erin L

**Commenter email (if provided):**

erinmlarson@outlook.com

**Public comment:**

I am in support of limiting drone use on our Oregon beaches. If one can not find peace and solace at the beach then where ?



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Jacob Smith

**Commenter email (if provided):**

jacetheace2222@gmail.com

**Public comment:**

Horrible idea people have a right to enjoy them self in public as long as you don't case harm to a person or property witch is written in legal law so do proclaim a band on drone is a violation to the human rights of the conversation



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Mona Linstromberg

**Commenter email (if provided):**

lindym@peak.org

**Public comment:**

Although this is truly a statewide issue, no where is it more important than where the public beaches and coastal wildlife meet. Drones are certainly a nuisance to many of us who frequent the coast, but, to wildlife, drones can interfere with nesting activities even migration patterns. Just say "NO"! There are endless opportunities and lands available to those who want to operate drones...please do not tread on my enjoyment of public lands or wildlife's dwindling opportunities to thrive.

Mona Linstromberg  
Tidewater, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Wednesday, April 13, 2022

## Commenter name (if provided):

Pat Fowler

## Commenter email (if provided):

coastcottage101@gmail.com

## Public comment:

Drones Landing And Taking Off - In and over Oregon State Park and Recreational Areas:

We, the public go to our parks as a respite; a place to escape our daily lives into a sanctuary within nature. We have some of the most beautiful parks in the country, hands down.

Public tax dollars were and are used, as well as lands donated for the preservation of these natural places of wonder for all to enjoy.

Looking up to see what is flying above you to discover it's not a bird, but a drone with active video, likely active audio is an absolute invasion of privacy.

The violation to you, the right to enjoy the peace and quiet in the "sanctuary" of a State Park, with the expectation of peace, quiet, or privacy, is lost.

Especially, in State Parks that are quasi-public where a fee is required to enjoy the privileges of a stated protected natural environment.

Many people drive hours, fly in from other states, and other countries to rent park spaces, hotel rooms to experience the quiet peace in nature that our State Park(s) offer. Visitors spend hard earned dollars not only to get to these natural sanctuaries, but they support our local and state economies.

Our past Governor John Kitzhaber had said, "The tourism industry generates \$9.2 billion in economic impact in Oregon and supports more than 91,000 jobs." The agency was created by the Oregon Legislature in 2003, and is funded by a 1% statewide transient lodging tax.

It's one thing for visitors to take photos of "their experiences" in our beautiful parks. It's another thing, to become an unwilling extra or star in a YouTube online video(s), that social media platform(s) openly disseminate worldwide, without your knowledge or permission.

Imagine, if someone in a State Park you paid an access fee to enter randomly walked up and purposely intermingled into and with you or your family with a handheld audio video camera with wireless upload capabilities and indiscriminately disseminated everything you did and said worldwide without your permission; a violation of your privacy without a doubt.

You have paid a fee to enjoy the sanctuary of these State Park(s); you should have a right to privacy. Imagine a drone unbeknownst to you hovering above recording your every word and action likely to be used to rack up commercial views and likes online without you ever knowing. All private drones flown in and around State Parks should require permits with pre-agreed to restrictions with enforceable penalties.

We happen to have a cabin overlooking a State Park. On multiple occasions since the evolution of hobby drones, we have experienced drones hovering at, or near our windows. We spoke to the Lane County Staff a few years ago; only to find there was no way to enforce peeping drones. They acknowledged this is an unenforceable privacy issue. That left us with no other option than to keep our blinds down most of the time overlooking the beach. Our cabin is remote with its windows a little over 100' above the beach, and we still get drone voyeurs who legally should not fly within 400' of our home; it is obvious this is a residence, there is no legitimate reason to fly up and peer into our windows.

We recorded a drone hovering at our bathroom window via our home security camera creating a stressful situation especially for my wife.

Who, what, where is the operator of this drone and what is the intention(s) of the drone operator hovering and recording outside our bathroom window? I cannot think of any explainable acceptable or legal reason.

Unfortunately, the 400' drone stand-off from private property and homes in cities and towns are routinely ignored due to the inability of enforcement, identification, and or apprehension of the operators.

In remote rural areas there is NO enforcement to the "right" of privacy and the quiet enjoyment of a person's home; when it comes to drones.

Similarly, the State Park system is under budgeted, and under staffed which is no fault of their own. I recall there is one State Park Officer with enforcement authority that patrols tens of miles of State Beach; law enforcement staff are absolutely understaffed. There are no obstacles in place to inhibit, let alone prevent private or commercial voyeurism with the use of drones.

Once the drone operator realizes we see his drone, it takes off and is gone in the blink of an eye. We even put a sign up under our bathroom window only to see the drone hovering to read and ignore the posted state law with anonymous impunity. Another time my wife was sitting in a chair in her bath robe looking out the front windows down at the beach when something caught her eye. Slowly rising up between the trees was a drone with its camera pointed directly at her; horrified she screamed and ran to the back room. What do we do? We are 8-miles south of the nearest town which is located in the adjacent neighboring county; 15-miles to the nearest town in our county. Our area is like a no man zone where 911 calls have resulted in questioning which jurisdiction should respond.

The best we can do to protect the privacy of our State Park visitors and local residents is (1) outlaw personal drones to fly within or above State Park(s); and/or (2) require an approved State Permitting process with actionable restrictions before legally flying a drone within or over State Park(s) with substantial penalties.

Clearly, all drones are not malicious. With that said, some are malicious with guaranteed anonymity.

2 A no-fly zone with the "threat" of successful criminal, and/or civil legal action for violation of established State Park drone restrictions may be the best we can currently do. The point is we need to do something.

When you think about it, this problem is analogous with a drone following you or anyone else around making an audio video recording of what you do and say (phone?) in a quasi-public or private place unbeknownst to you, with the anonymous impunity to share or post online worldwide; an absolute violation of a person's personal right to privacy.

Unregulated drones surely must violate the intent of State Parks Charter. Clearly drones with audio/visual abilities quietly flying around indiscriminately with surveillance capabilities and the ability to upload onto the worldwide web was not even remotely considered when drafting our Parks legislation. Unfortunately, that is an established fact that must be countered.

Especially, now that access to many State Park locations requires a fee to enter; making access not public in the true sense of the word. Visitors pay a minimal fee for the "right and the privilege" to enter a protected natural sanctuary which has technically become quasi-public!

Think about it. If you don't pay the required fees, you are in violation of State Park access rules and are subject to being cited, fined and or evicted. These areas are governed by State Park rules, regulations put in place for their and your protection. It is reasonable that drone exploitation would be something paid visitors should be protected against. Private drone(s) should not be allowed to freely operate within State Park(s) with anonymous impunity. The Oregon Parks and Recreation Department has the stated purpose to protect our outstanding natural, scenic, cultural, historic and recreational sites; which no doubt includes the privacy and protections of visitors.

We need a people's task force to ensure personal freedoms and rights are protected and are not over ridden by the drone industry or its lobbyists.

Thank you for your time and consideration.

Pat Fowler



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Wednesday, April 13, 2022

## Commenter name (if provided):

Bryan Quan

## Commenter email (if provided):

oceeacee@gmail.com

## Public comment:

Dear OPRD: I would like to please add my comments to the use of drones on public beaches and in Tierra Del Mar, Tillamook County, where I live. Recently I was walking along the shoreline when a drone appeared from atop the dunes about 40 feet east of me. I could not see who the operator of the drone was as they were far enough back from my view. It looked like someone was not experienced in flying the drone as it was erratically moving from side to side, and up and down. There was a couple with their child nearby down on the sand, and that drone could have posed a safety hazard. Also the buzzing noise coming from the drone disturbed the peaceful atmosphere on the beach.

Drones are not like radio controlled cars operating on the ground. Because of their mechanics and whirring propellers, they can prove to be dangerous if not operated correctly. I do not believe that anyone should be able to operate a drone on any public beach or state park, unless there is a requirement that the operator have a permit identifying themselves and the drone model, and have been certified by the state or county they live in that they have taken a course on how to operate a drone safely and correctly with proper etiquette. Unfortunately the widespread use of drones by reckless users has impacted privacy concerns, disturbed peaceful areas where the public goes to relax, has threatened wildlife, and poses numerous safety hazards if not flown safely.

Thank you for your time and concern,

Bryan Quan



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Jeff Klein

**Commenter email (if provided):**

jeklein@hevanet.com

**Public comment:**

I cannot write with any authority about the danger to avian wildlife due to drones, however, wild bird populations are down in North America, the result of countless alterations to the natural environment. Between agriculture and urbanization, bird habitat has shrunk, hence the refuge they find in our parks is more important than ever. There is no refuge from drones. I do object to drones fluttering around whilst hiking—it makes one feel that one's privacy is ever in question. But fundamentally, 'wild nature' are the original inhabitants of Oregon, the Pacific Northwest, and the North American continent. Humans are the interlopers here. What law of nature provides humans the right to eradicate nature?

However, the central philosophical question becomes individual rights vs. the general welfare. I believe the preamble to the U.S. Constitution describes it best: "We the People...in order to form a more perfect Union...", that is, the United States is not a ramshackle cacophony of individuals, rather we are a collective union, "... establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare...", which are benefits to become shared by all. Accordingly, individual rights are not unlimited, rather individual rights become constrained by the 'general welfare.'

I believe drones become a threat to the ongoing health of our natural environment. I do not believe unlimited use of drones fits within the general welfare. I request the rules for the use of drones in Oregon parks becomes limited to protect our vulnerable natural environment and the wildlife within.

Thank you for your consideration.

Jeff Klein



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Guy Kyle

**Commenter email (if provided):**

masonmasonkyle@gmail.com

**Public comment:**

I've been visiting the Oregon coast all my life and plan to move to Cape Meares later this year live. I'm investing most of my life's savings to do this because I love our coast. Our states coastline is something all Oregonians should be proud of, let's not spoil it with recreational or private drones. I understand they can be helpful for research but they can also be extremely annoying and disruptive. A drone's presence in a public space such as our coastline negatively impacts an otherwise sublime and memorable experience for the vast majority of residents and visitors alike. I've seen drones flush groups of plovers and scare other birds as well. Please do not allow drone use in public spaces especially along the Oregon coast.

Guy Kyle



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Terry Morse

**Commenter email (if provided):**

tmorse@teleport.com

**Public comment:**

I have personally been buzzed by a drone at the Vietnam Memorial Walk park in Newport. The operator appeared to have limited control over the drone, and no concern for how it might impact other people. I say require a special use permit for drone operation on any land controlled by OPRD, and limit them to users with a legitimate public purpose. There are plenty of other places people can play with their intrusive toys.

Thank you,  
Terry Morse  
Newport, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Kathy Fowler

**Commenter email (if provided):**

kfmomo58@gmail.com

**Public comment:**

Drones have no place near any bird colonies. They're disruptive and noisy and intrusive. All for the sake of "recreation"?  
I think not.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Wendy Leach

**Commenter email (if provided):**

wleach64@gmail.com

**Public comment:**

None! Never! Drones should be prohibited. I watched the peregrine falcons and resident Gray whales harassed by a drone operator at Cape Foulweather the spring of 2018. So it starts, I thought at the time. Drones are a nuisance to people and a potential danger to wildlife. No drones, no exceptions.

Wendy Leach,  
Newport Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Mike Burmester

**Commenter email (if provided):**

mike.burmester625@gmail.com

**Public comment:**

I support the strong restrictions on drones in state parks and on the ocean shore. Drones are a serious threat to wildlife, and their presence spoils the experience of being in a natural area. Drones should only be permitted, if at all, in areas where it has been determined that there will be no impacts to wildlife and no degradation of the visitor experience for others.

Mike Burmester  
Happy Valley, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Marcie Wolf

**Commenter email (if provided):**

marciekay@gmail.com

**Public comment:**

Please, no more drones! This is disturbing the peace of natural areas as well as being invasive to the privacy of others. I can't think it's beneficial to wildlife either.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Ed Madej

**Commenter email (if provided):**

edwardmadej1@gmail.com

**Public comment:**

April 13, 2022

As an eight year veteran of volunteering in Oregon's State Parks, I believe that drones should be banned in state parks unless otherwise permitted by explicit signing for drone takeoffs and landings in strictly limited areas. As a volunteer at Carl Washburne State Park, I have watched drone operators harass nesting seabirds at the seastacks off of Heceta Head as well as flying around the lighthouse over the heads of dozens of visitors. Three summers ago, a drone violently crashed thirty feet in front of me on the campground road as I was telling the drone operator not to fly in the campground. Drones are a danger to visitors and seabirds alike, and need to be strictly limited to a few specific areas.

Thank You,

Ed Madej Camphost Volunteer



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Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Ian Golten

**Commenter email (if provided):**

igolten@gmail.com

**Public comment:**

I do support this law. Please make it so drones are banned in certain areas but allowed an all others. Thank you



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Vicki Baker

**Commenter email (if provided):**

vbak3g@yahoo.com

**Public comment:**

Do not adopt new proposed ruling re Take-off and Landing of drones in OR  
The state can't control where drones fly, the best thing it can do to protect sensitive areas and traditional recreational use is to control where they take off and land!



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Trevor

**Commenter email (if provided):**

bamboofiremister@gmail.com

**Public comment:**

It's important to find a positive solution so that everybody's liberties are protected. I think the public is pretty ignorant to the realities of their privacy and drones are an easy target to claim that people's privacy is being infringed.

Drones are a big industry and being a model for the rest of the country could bring in A LOT of revenue as well.

Soon they'll be integral to society

Drones for GOOD



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Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Matt L

**Commenter email (if provided):**

msl218@hotmail.com

**Public comment:**

State parks aren't currently swarming with drones. Putting a blanket ban on drones won't solve this imaginary problem. There already exist federal regulations prohibiting harassment of wildlife by drones. Drone pilots that are harassing wildlife, endangering people and flying recklessly are currently not following rules. This additional rule won't stop them from doing what they do, but it might stop all the licensed and registered pilots who fly responsibly. Blanket ban on drones is terrible and just leads to more confusion in the hobby. Other states have tried this and it doesn't work.



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Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Wednesday, April 13, 2022

**Commenter name (if provided):**

Julie Anderson

**Commenter email (if provided):**

jcaoac@yahoo.com

**Public comment:**

I am a native Oregonian. I, along with my spouse, have only ever lived in one state. I grew up with an appreciation for Oregon's unique natural beauty and have shared that appreciation and respect with my daughter and with my students, Drones are a part of our world, whether we like them or not. I have been buzzed by them numerous times, while at home or in nature. I find them (their operators, really) to be obnoxious, disrespectful, and oblivious. Please, please, please limit /prohibit their use in our precious parks!



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Michelle Ryan

**Commenter email (if provided):**

mickyryan@aol.com

**Public comment:**

Please do not allow drones in state parks. There is so much noise and traffic in our state these days, let the state parks be a place of quiet and peace. Drones interfere with people and wildlife.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Dave Brenza

**Commenter email (if provided):**

djbkom@outlook.com

**Public comment:**

I read an article on OPB (<https://www.opb.org/article/2022/04/05/new-rules-for-drones-in-oregon-state-parks-could-come-this-summer/>) which states that the current policy is that "Individual state parks can, however, restrict operating a drone in certain areas or at certain times of the year to protect public safety or wildlife, such as nesting bald eagles and western snowy plovers."

Those are the rules that I'd like to see remain in place. As well as making it known how to report violators of the rule so as to make the process as seamless as possible.

We all want to enjoy the outdoors, and we also have to share them. By allowing the state parks to set and enforce the rules we can do both of those things.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Kate Kirkham

**Commenter email (if provided):**

katekirkham@hearthsidehealing.com

**Public comment:**

We are very much opposed to drones in state and national parks as they present a threat to birds and other wildlife.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Tuesday, April 12, 2022

## Commenter name (if provided):

Paul Fornage

## Commenter email (if provided):

paul@fornage.net

## Public comment:

As far as I understand, there are two versions of this law. One where drones can take off and land wherever, unless specified otherwise, and one where drones are outright banned, unless/until the park service allocates a designated drone flying zone. I am writing to you in fear that the second version of this law will be passed. I am a 17-year-old high school student that has been building and flying drones since 12, and I want to preserve the learning opportunity for future generations, as well as to be able to continue flying myself. I believe that drones are a valuable tool for students and teens to get interested in avionics, firmware development, and mechanical engineering. As the founder of a local flying group, we are made up of dozens of people who build and fly these machines, learning about them and the broader topics that they depend on. Ranging from compression and information theory, to mechanical resonance studies and simulations. But although the journey to building, programming, and troubleshooting drones is fun, a large part of the experience is to take to the skies, and capture amazing footage of the great Oregonian outdoors. I worry that with the second version of the law (where drones are banned by default), locations where flight is feasible will decrease dramatically, all but ending the hobby for many of our members. While I understand the concern of drones intruding on fragile lands and ecosystems, I believe that the people who elect to follow the numerous pieces of legislation that already exist are responsible enough to use their judgement unless an area is deemed to be unsafe by a park official.



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Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Max Whalen

**Commenter email (if provided):**

whalenmx@gmail.com

**Public comment:**

I think that it should be legal to fly in any state park unless stated otherwise. I am a recreational drone pilot and know that people in my community would be greatly limited if legislation was passed that made it so we could not fly in state parks. I agree that if there is an area where a drone would hurt or endanger wildlife, it should be possible to ban flying in that area. Thank you for taking my point of view into account.

-Max



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Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Cindy Smith

**Commenter email (if provided):**

cindyjbreathe@gmail.com

**Public comment:**

Please restrict drones from taking off/landing in or near state parks. Drone traffic can seriously interfere with the enjoyment of other users (similar to off road vehicles their use areas really need to be segregated)



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Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Rohan Clegg

**Commenter email (if provided):**

cleggrohan@gmail.com

**Public comment:**

Hey,

I support the fact that all areas should be flyable with drones in state parks and parks should be able to make exceptions to ban drones from take off and landing based on their considerations.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Pat Fowler

**Commenter email (if provided):**

coastcottage101@gmail.com

**Public comment:**

DRONES TAKING OFF AND LANDING IN AND OVER OREGON STATE PARK AND RECREATIONAL AREAS:

We, the public go to our parks as a respite; a place to escape our daily lives into a sanctuary within nature. We have some of the most beautiful parks in the country, hands down.

Public tax dollars were and are used, as well as lands donated for the preservation of these natural places of wonder for all to enjoy.

Looking up to see what is flying above you to discover it's not a bird, but a drone with active video, likely active audio is an absolute invasion of privacy.

The violation to you, the right to enjoy the peace and quiet in the "sanctuary" of a State Park, with the expectation of peace, quiet, or privacy, is lost.

Especially, in State Parks that are quasi-public where a fee is required to enjoy the privileges of a stated protected natural environment.

Many people drive hours, fly in from other states, and other countries to rent park spaces, hotel rooms to experience the quiet peace in nature that our State Park(s) offer. Visitors spend hard earned dollars not only to get to these natural sanctuaries, but they support our local and state economies.

Our past Governor John Kitzhaber had said, "The tourism industry generates \$9.2 billion in economic impact in Oregon and supports more than 91,000 jobs." The agency was created by the Oregon Legislature in 2003, and is funded by a 1% statewide transient lodging tax.

It's one thing for visitors to take photos of "their experiences" in our beautiful parks. It's another thing, to become an unwilling extra or star in a YouTube online video(s), that social media platform(s) openly disseminate worldwide, without your knowledge or permission.

Imagine, if someone in a State Park you paid an access fee to enter randomly walked up and purposely intermingled into and with you or your family with a handheld audio video camera with wireless upload capabilities and indiscriminately disseminated everything you did and said

worldwide without your permission; a violation of your privacy without a doubt.

You have paid a fee to enjoy the sanctuary of these State Park(s); you should have a right to privacy. Imagine a drone unbeknownst to you hovering above recording your every word and action likely to be used to rack up commercial views and likes online without you ever knowing.

All private drones flown in and around State Parks should require permits with pre-agreed to restrictions with enforceable penalties.

We happen to have a cabin overlooking a State Park. On multiple occasions since the evolution of hobby drones, we have experienced drones hovering at, or near our windows. We spoke to the Lane County Staff a few years ago; only to find there was no way to enforce peeping drones. They acknowledged this is an unenforceable privacy issue. That left us with no other option than to keep our blinds down most of the time overlooking the beach. Our cabin is remote with its windows a little over 100' above the beach, and we still get drone voyeurs who legally should not fly within 400' of our home; it is obvious this is a residence, there is no legitimate reason to fly up and peer into our windows.

We recorded a drone hovering at our bathroom window via our home security camera creating a stressful situation especially for my wife.

Who, what, where is the operator of this drone and what is the intention(s) of the drone operator hovering and recording outside our bathroom window? I cannot think of any explainable acceptable or legal reason.

Unfortunately, the 400' drone stand-off from private property and homes in cities and towns are routinely ignored due to the inability of enforcement, identification, and or apprehension of the operators.

In remote rural areas there is NO enforcement to the "right" of privacy and the quiet enjoyment of a person's home; when it comes to drones.

Similarly, the State Park system is under budgeted, and under staffed which is no fault of their own. I recall there is one State Park Officer with enforcement authority that patrols tens of miles of State Beach; law enforcement staff are absolutely understaffed. There are no obstacles in place to inhibit, let alone prevent private or commercial voyeurism with the use of drones.

Once the drone operator realizes we see his drone, it takes off and is gone in the blink of an eye. We even put a sign up under our bathroom window only to see the drone hovering to read and ignore the posted state law with anonymous impunity. Another time my wife was sitting in a chair in her bath robe looking out the front windows down at the beach when something caught her eye. Slowly rising up between the trees was a drone with its camera pointed directly at her; horrified she screamed and ran to the back room. What do we do? We are 8-miles south of the nearest town which is located in the adjacent neighboring county; 15-miles to the nearest town in our county. Our area is like a no man zone where 911 calls have resulted in questioning which jurisdiction should respond.

The best we can do to protect the privacy of our State Park visitors and local residents is (1) outlaw personal drones to fly within or above State Park(s); and/or (2) require an approved State Permitting process with actionable restrictions before legally flying a drone within or over State Park(s) with substantial penalties.

2Clearly, all drones are not malicious. With that said, some are malicious with guaranteed anonymity.

A no-fly zone with the "threat" of successful criminal, and/or civil legal action for violation of

established State Park drone restrictions may be the best we can currently do. The point is we need to do something.

When you think about it, this problem is analogous with a drone following you or anyone else around making an audio video recording of what you do and say (phone?) in a quasi-public or private place unbeknownst to you, with the anonymous impunity to share or post online worldwide; an absolute violation of a person's personal right to privacy.

Unregulated drones surely must violate the intent of State Parks Charter. Clearly drones with audio/visual abilities quietly flying around indiscriminately with surveillance capabilities and the ability to upload onto the worldwide web was not even remotely considered when drafting our Parks legislation. Unfortunately, that is an established fact that must be countered.

Especially, now that access to many State Park locations requires a fee to enter; making access not public in the true sense of the word. Visitors pay a minimal fee for the "right and the privilege" to enter a protected natural sanctuary which has technically become quasi-public!

Think about it. If you don't pay the required fees, you are in violation of State Park access rules and are subject to being cited, fined and or evicted. These areas are governed by State Park rules, regulations put in place for their and your protection. It is reasonable that drone exploitation would be something paid visitors should be protected against. Private drone(s) should not be allowed to freely operate within State Park(s) with anonymous impunity. The Oregon Parks and Recreation Department has the stated purpose to protect our outstanding natural, scenic, cultural, historic and recreational sites; which no doubt includes the privacy and protections of visitors.

We need a people's task force to ensure personal freedoms and rights are protected and are not over ridden by the drone industry or its lobbyists.

Thank you for your time and consideration.  
Pat Fowler



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Cade Neilson

**Commenter email (if provided):**

iridium239@gmail.com

**Public comment:**

While I support no fly zones for environmental protection and other interests I would strongly suggest that a blanket no fly zone with an "opt-in" mentality for areas you are allowed to fly is horrible for the drone community. There will be many places that will prohibit flying because it is easy and they actually want a no fly zone. Getting a place to "opt-in" to allow us to fly is going to be an extra step that many places will simply not make an effort to do, even if they don't care if drones are flying or not. The inclusion of the extra step is strongly prohibitive.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Tuesday, April 12, 2022

## Commenter name (if provided):

Scott Rodgers

## Commenter email (if provided):

drodgo1c@outlook.com

## Public comment:

I am concerned about a number of aspects of drone use that don't seem to be addressed by the rules as proposed. First of all, there don't seem to be any restrictions on the use of drones near restroom/shower facilities. Many of these facilities are open either via skylight or openings near the roofline, some of which could allow a drone positioned properly to peer inside. Perhaps operation needs to be restricted in the area of such facilities.

I have similar concerns regarding camping areas, where drones could be used to gain visibility into RVs, tents, or campsites that would otherwise not be possible. Perhaps operation in those areas should also be restricted.

Also, I am concerned about how drones affect the general atmosphere of the park. For those who come to enjoy the natural sounds of an area (seashore, songbirds, other animal sounds, or just silence. The buzz of a drone interferes with those persons enjoyment of the natural beauty of the area. Should some of those areas be off limits so others can enjoy the natural sounds of the area.

Finally, I don't see provisions limiting the times where drones can be flown. Should there be drone-free hours that cover most if not all areas where drones can be flown?



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Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Andrew Power

**Commenter email (if provided):**

apower4402@outlook.com

**Public comment:**

If signs are posted not allowing take off/landing, but you have taken off 150 feet away, would you not cause the same disruption? As for the second part, If only special designated take off and landing zones are permitted, how exactly do I have my own back yard approved? You can control take off and landing zones but only the FAA can say where one can fly. How do you plan to keep already flying model aircraft/drones/etc from flying into space designated a "no take off zone" and what good would it come of it? It is easily plausible to take off, fly, and have too much altitude or speed to see any posted signs. There is simply zero purpose as the actual area can still be flown over legally. This is simply going to cause miscommunication and misunderstandings with local authorities and good willed citizens and eventually lawsuits such as the Race Day Quads vs FAA.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Tracy Harris

**Public comment:**

Thank you for addressing the issue of drone usage in the state parks. When technology changes the way a resource can be used, I believe it is important that a conservative approach be used and modified over time as our knowledge of the technology and its impacts become known.

I respectfully request that the Oregon State Parks protect the beaches and shores, preserving them as a peaceful refuge for visitors and protecting wildlife from the significant disturbances that drones can introduce. To do this effectively, I support those who are advocating for the use of the best available science and the establishment of an independent technical working group to inform the state park policy.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Jacob Hughes

**Commenter email (if provided):**

jhughes2286@gmail.com

**Public comment:**

I support allowing drones to take off and land. And the rule.

Since getting into the FPV/ Drone hobby I have been learning constantly for the 3 years I've been flying rc. I have learned how to solder, Improved my and building/mechanical skills, I learned software programming the quadcopter, troubleshooting, ect.

The vast amount of effort and troubleshooting required usually weeds out the less serious people who don't have the community and hobby as a whole in their best interest unlike almost all of the Fpv pilots I know who are heavily invested in flying in a responsible and safe manner.

This hobby has brought me out of some dark days. It really is my peace in life!



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Brandon Schmuckley

**Commenter email (if provided):**

brandon.schmuckley@gmail.com

**Public comment:**

Drones should be able to take off and land in state parks, with exceptions for sanctuaries. One of the greatest parts of drones is it allows some people normally experience flight and perspectives they normally cannot regardless of physical abilities. Oregon has one of the most scenic and beautiful states to explore. As the drone hobby grows, I could see Oregon being a westcoast hub for tourism. I agree with drone registration in these areas. Also think you are swinging too large a sword with these regulations and need to be more surgical, as there are smaller drones (i.e. tiny whoops) both in terms of size and engine that can impact factors including noise.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Steven Burnham

**Commenter email (if provided):**

sburnham3@gmail.com

**Public comment:**

The second ruling related to complete prohibition unless otherwise specified, is akin to restricting hiking to all of the park except the paved sidewalks. There are existing FAA rules about flying over people that will protect individuals in the area. Many drone users will seek times and locations to be decreate when others are not around. There are also many different drones and sizes, that are quiet and could have zero impact on others in the area. The first rule related to designating areas for restriction is a reasonable approach. Please don't write laws/rules in case it becomes a problem.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Mary King

**Commenter email (if provided):**

maryanddrew@comcast.net

**Public comment:**

I support the concept of rules regarding drones in park areas under the jurisdiction of the Oregon Parks and Recreation Department. However, I think the proposed rules are not restrictive enough.

I live in Hood River, where there are currently rules in place regarding drone use in the Columbia Gorge National Scenic Area. This is very important for preserving the scenic integrity of the Gorge (especially from noise), protecting wildlife, and ensuring the safety of the public.

I encourage the Oregon Parks and Recreation Commission to consider that many park users seek a quiet escape, and value an outdoor experience not interrupted by drones. The right to privacy from drone photography, whether incidental or deliberate, should be ensured. Permits should be required to control drone usage. Drones should be widely prohibited and/or restricted to specified areas so other users can avoid them.

I appreciate the importance of drones in support of search and rescue operations, spotting wildfires, and similar applications for the public good. However, drone racing and inexperienced or inconsiderate users are annoying and can be dangerous.

Thank you for considering this important topic.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Brandon Bentley

**Commenter email (if provided):**

brandon\_c\_bentley@yahoo.com

**Public comment:**

I am a hobby fpv drone operator that is deeply concerned with wildlife safety. As someone who loves hiking, exploring, and studying nature, I am always thinking about how to leave as little impact as possible with my drones and I stay away from wildlife. I think that the new rule should be "allowed by default, and only limited where we have restricted it" because if I am notified of areas with sensitive wildlife I would really want to stay away. I would actually be really grateful for that information!



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Seth Gordon

**Commenter email (if provided):**

thesx88@gmail.com

**Public comment:**

I believe that as long as drone pilots are respectful to nature and those around them, and follow FAA rules, they should be able to take off and land in Oregon State Parks.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Emily VanWyk

**Commenter email (if provided):**

Emily.J.VANWYK@odfw.oregon.gov

**Public comment:**

Good afternoon

Please find attached comments from ODFW biologists regarding the ongoing open rulemaking for the take off and landing of drones. Thank you for the opportunity to comment, and please reach out with any questions or requests for clarification.

Emily VanWyk

Emily VanWyk  
Conservation Strategy Coordinator (Acting)  
Oregon Department of Fish and Wildlife  
4034 Fairview Industrial Drive SE  
Salem, OR 97302  
(503) 947-6187



# Oregon

Kate Brown, Governor

## Department of Fish and Wildlife

Wildlife Division

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6300

FAX: (503) 947-6330

Internet: [www.dfw.state.or.us](http://www.dfw.state.or.us)



April 12, 2022

Oregon Parks and Recreation Department  
c/o Katie Gauthier, Legislative Coordinator  
725 Summer St NE, Suite C  
Salem, OR 97301

RE: Take-off and landing unmanned aircraft systems in state parks and on ocean shore.

Ms. Gauthier,

The Oregon Department of Fish and Wildlife (ODFW, Department) thanks Oregon Parks and Recreation Department (OPRD) for the opportunity to comment on the proposed Oregon Administrative Rules guiding take-off and landing of Unmanned Aircraft Systems (UAVs, drones) in state parks and along the ocean shore. We applaud OPRD's efforts to develop policy surrounding drone use and are supportive of measures included within the draft language that create a framework to protect wildlife resources. Comments and recommendations submitted here are to highlight the importance of continuing the consideration of impacts of drones to sensitive wildlife populations and to encourage OPRD to continue to consult with ODFW to identify areas where there may be conflict with wildlife resources and drone use.

ODFW manages the wildlife in the State of Oregon (Oregon Revised Statute [ORS] 496.012) and is authorized by statute (ORS 496.164) to advise, consult, and cooperate with other agencies of the state government in regard to fish and wildlife management and provide technical advice based on the best available scientific information. Drones have been documented to cause disturbances to a variety of wildlife species (e.g. shorebirds, colonial nesting waterbirds, seabirds, marine mammals), and repeated disturbances may be detrimental to the persistence of sensitive wildlife populations. Wildlife species of conservation concern in Oregon that may be vulnerable to negative impacts of drone operation from OPRD lands include state and federally listed species (i.e. Western Snowy Plover) and/or species identified within the Oregon Conservation Strategy (e.g. Black Oystercatcher, Peregrine Falcon, Caspian Tern, Tufted Puffin). Observed impacts to wildlife have included nest abandonment, delayed return to nests for incubation, mobbing or following drones that enter territories, and decreased success of nests. In

collaboration with other state, federal, tribal, and NGO partners with interest in the conservation of wildlife species, ODFW requests the opportunity to consult with OPRD to provide information that can inform needed closures and seasonal prohibitions that are protective of sensitive wildlife.

We are appreciative of the incorporation of certain components within the draft language of the proposed rule that will allow for the protection of wildlife, including considerations for Snowy Plovers, restriction of drone use within conservation areas designated by the Territorial Sea Plan, and allowing for the designation of prohibited areas based on sensitive natural resources. Please also consider restricting drone use in Marine Reserves and Marine Protected Areas. The draft language in the proposed amendment as written would permit UAV take off or landing in all areas except where otherwise prohibited. We ask that OPRD consider amending this to a prohibition of UAV take off or landing on OPRD lands except in designated areas. This modification would minimize confusion for UAV operators as to where they may launch drones, would allow for increased opportunities for needed education on impacts of drones to wildlife, and would enhance OPRD's ability to prevent conflicts with drones and wildlife. As policy is developed, we request that OPRD considers periodic review of the designation of areas identified for takeoff and landing of UAVs as new information becomes available to ensure that the best available science is used to guide designation of these areas.

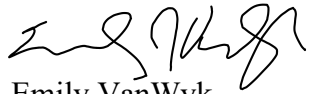
The draft language in the proposed amendment additionally includes language under 9(b) indicating that park visitors may not harass, disturb, pursue, or injure wildlife as provided in OAR 736-010-0055. We commend the inclusion of this regarding the operation of UAVs. However, draft language does not include guidelines or criteria describing how drone operators may minimize these prohibited actions. We recommend incorporating additional criteria into the rule to minimize impacts to wildlife, including 1) a requirement to maintain line-of-sight contact with UAVs at all times during operation, and 2) a requirement for operators to maintain a set-back distance from the UAV to observed wildlife that is at least 300 feet (100m) and is determined by best available science. Further, we recommend including guidelines on best operating procedures if an operator determines that their UAV is creating disturbance to wildlife. To ensure that potential impacts to wildlife are minimized, UAV operators on state park lands must have access to education and information describing impacts of drones to wildlife and best practices to minimize impacts to native species: to support the successful implementation of this rule, OPRD will need to engage in outreach to provide this needed information to drone operators.

We appreciate OPRD making allowances for permits or special permission to accommodate certain types of UAV use in prohibited areas. We anticipate that our staff and others could make requests for UAV flights for natural resource management purposes such as habitat characterization, wildlife surveys, HazMat surveys, emergency response, and other scientific applications. In such cases, UAV flights should require advance approval by OPRD, as allowed for in the draft rules.

We recognize that this is only the first step, and the identification of areas where drone usage may be permitted or prohibited will follow. The Department reiterates the need for OPRD to consult with local wildlife biologists from ODFW and other state, federal, tribal and NGO

stakeholders in the identification of locations where drone usage may be in conflict with the conservation of sensitive wildlife species and in drafting criteria and guidelines for operation that will allow operators to avoid impacts to wildlife. We look forward to working with OPRD as this process continues and would welcome any opportunity to participate in a technical advisory capacity.

Thank you,



Emily VanWyk  
Conservation Strategy Coordinator (Acting)  
Oregon Department of Fish and Wildlife  
[Emily.J.VanWyk@odfw.oregon.gov](mailto:Emily.J.VanWyk@odfw.oregon.gov)  
4034 Fairview Industrial Drive SE  
Salem, OR 97302  
(503) 947-6187



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Lindsey Wise

**Commenter email (if provided):**

[lindsey@wisepdx.net](mailto:lindsey@wisepdx.net)

**Public comment:**

Hello OPRD,

I write to provide comment on the draft OPRD drone take-off and landing rules posted at [https://www.oregon.gov/oprd/PRP/Documents/PRP\\_RUL\\_Draft\\_Rule\\_Revisions\\_DronesInStateParks\\_02-15-22.pdf](https://www.oregon.gov/oprd/PRP/Documents/PRP_RUL_Draft_Rule_Revisions_DronesInStateParks_02-15-22.pdf). Our Oregon parks are treasured resources for people seeking peace and quiet in the outdoors, wildlife watching, and recreation. While drone usage is a recreational use, their use is in conflict with the resources and experiences that are unique to our State Parks, due to drones' noise, invasion of privacy, and propensity for annoying or startling both people and wildlife.

In the current language, "(10) A person must obtain a special use permit from the department for any activity or use as described in OAR 736-016-0005(1), including but not limited to an activity or use within a park property that:" ... "(g) Could disturb the natural, cultural, scenic and recreational resources in the park property or adjacent areas". I believe that drone usage is an activity that disturbs these resources, and therefore any drone usage in our State Parks should require a special permit. Or, rather than defaulting to allowing drone usage at all Parks, designate specific areas such as mowed fields where drone usage would be allowed without a permit, while leaving all other areas subject to a special use permit.

While you have added wording that would prohibit drone users from disturbing or harassing wildlife, the probability is high that drone users would be disturbing wildlife without even knowing it. Several of our species on the Oregon coast, for example, are great at camouflaging against the sands and dunes, such as the western snowy plover, which people can walk right by without noticing. There have already been documented damages by drones to nesting birds, e.g. in California a drone crash caused a tern colony to abandon thousands of eggs (<https://www.seattletimes.com/nation-world/thousands-of-eggs-abandoned-after-a-drone-scares-off-nesting-birds/>). California Fish and Wildlife prohibits drones on its reserves. OPRD should follow suit.

Washington State Parks requires permits for drone usage in their state parks (<https://apps.leg.wa.gov/wac/default.aspx?cite=352-32-130>). OPRD should do the same.

Thank you,  
Lindsey Wise  
Tigard, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Gail Buteau

**Commenter email (if provided):**

fullmoonflight@gmail.com

**Public comment:**

To Whom it May Concern,

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Thank you,  
Gail Buteau  
Yachats, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Judy Steinberger

**Commenter email (if provided):**

jlasteinberger@gmail.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Our parks exist to sustain our natural world and to provide a respite from city life as we enjoy the experience of the natural world. This experience has been negatively impacted by the unwanted intrusion of drones, both because of their noise and visual presence, and the potential violation of visitor's privacy. I am not a scientist, but I think it is common sense to assume that unrestricted use of drones will impact any wildlife living within the park borders.

Thank you for reading this comment.  
Judy Steinberger



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Sunny Capper

**Commenter email (if provided):**

sunny.bourdon@gmail.com

**Public comment:**

Dr OPRD,

Please don't let drones overrun our Oregon state parks and beaches!

I urge you to restrict drones and allow them only for limited purposes, such as science or rescues, or by special permit, and only in limited areas, where they will not disturb birds and wildlife and our cherished recreation experiences.

Oregon is home to breeding habitat for one-half the West Coast's seabirds. The Oregon Black Oystercatcher project has documented 3 drone disturbances per week to nesting birds, and there are many accounts of disruptions to other seabird colonies. OPRD needs to consult with experts at the US Fish and Wildlife Service, which manages the adjacent Oregon Islands National Wildlife Refuge as well as threatened species, such as western snowy plovers, for input to assure that drones won't harm birds and wildlife.

State parks and beaches are also places where I go to recreate –to enjoy natural beauty, to find peace and solitude, and to watch wildlife. Drones make intrusive and startling noise, invade privacy, can be unsafe, and disrupt birds and wildlife. I am concerned that increasing drone use is incompatible with and will detract from these ways that I and many other local residents and visitors use and enjoy parks and beaches.

With park visitation increasing, we need for OPRD to be proactive now about balancing responsible drone use with exceptional visitor experiences and minimizing wildlife disturbances into the future.

Please ban drones in state parks and beaches, except in limited areas to protect our wildlife and recreation experiences.

Thank you,  
Sunny Capper  
Brookings, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Tom Lincoln

**Commenter email (if provided):**

thomas.k.lincoln@gmail.com

**Public comment:**

It's a public state park or beach, we should be able to fly there if we want. As long we not disturbing people.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Rochelle Koch

**Commenter email (if provided):**

kochfamily55@gmail.com

**Public comment:**

As someone who spends many hours in the wilderness I am not in favor of the State Park Rules. They threaten the one thing I go to the state parks for: peace of mind. I hike alone at our parks and I cannot image the sound of drones flying. I need the peace and quiet that the parks offer. It is a medicine for me. A time to reflect and refill my soul. But if drone operators are allowed to fly basically anywhere I imagine that instead of feeling peace, I will worry that that drone that just flew by could be stalking for victims, looking for isolated hikers such as myself.

Public safety has to be a consideration. Drones are an effective tool for search and rescue, for wildlife counts by professionals who know how best not to harass wildlife, and they are a great tool for wildfire monitoring. But allow just anyone to fly just anywhere is a bad idea. Drones, like bikes, and like horses, and like metal detection, and like fishing and swimming and clamming and driving and walking your dog, should be limited to certain areas, if it has to be there at all. And if you can't limit where they fly then you HAVE to limit where they take off and land.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Tuesday, April 12, 2022

## Commenter name (if provided):

richard seibel

## Commenter email (if provided):

dickseibel666@gmail.com

## Public comment:

I am appalled that you are even considering not regulating drone activity in the Oregon state parks. There should be regulations to protect wildlife from harm and minimize impact on enjoyment of the parks by the vast majority of visitors who are not flying drones. Abusing the many for the entertainment of a few is wrong.

For context of my comments: I am a resident of Southern California. My two daughters' families have homes in the Willamette Valley. I also have a second home in the Willamette Valley where I visit part time. We visit state parks, mostly in the western part of Oregon, year around, and I particularly like the scenic Oregon coast. I am a lover of the mountains, too. A motive for visits to the parks is often the wildlife we encounter. A pastime of mine is photographing wildlife in their native habitat.

We have been personally quite annoyed by the sound of drones buzzing around otherwise peaceful areas. I know from personal experience that drones can have an adverse effect on birds. There is an eagles nest in woods not far from my place in Oregon. A couple years ago we knew that a pair of the eagles were brooding two young who had hatched. My son-in-law flew a small drone to within about 100 yards of the nest to observe and possibly photograph the birds. Both of the parents promptly circled around to inspect this unfamiliar intruder even though still at quite a distance from their nest. Michael quickly flew the drone away so the eagles would return to their youngsters.

I have heard first-hand accounts of smaller birds killed by even small drones, possibly due to attacking the drone to protect a nest, or just accidental collision like those between birds and windmills. Birds are the most vulnerable wildlife to harm by drones. They may be driven away from an area by the perceived threat or killed by contact. Even killing or displacing a few birds from time to time can have a serious impact on the whole ecosystem in the parks. I'm not a bird nerd specially concerned about birds, but they are uniquely important for all of the flora and fauna. Birds help control the population of all kinds of insects and plants by what they feed on. They spread plant seeds in their droppings. Water birds impact all the other fauna in our streams and coasts, from bacteria to the top of the food chain. They must be protected.

It would be absolutely best if drones were excluded from all the state parks. What might be considered is setting aside limited areas where drones would be permitted. Off road vehicles have a very obvious affect on the environment, so their use is strictly regulated. A limited area has been

set aside in the coastal dunes where driving is tolerated, and even there the use is regulated. Maybe an area can be found where drone use would have a limited impact on both the wildlife and the many visitors who go to the parks to enjoy the quiet as well as the environment.

Camping is another example of regulation that is acceptable and even desirable. Camping is not permitted at all in most of the state park area. The designated campsites are regulated. Hikers and bikers are regulated so they stay on trails to protect the rest of the area. Permits are sometimes available for back country camping and the users must follow prescribed regulations to minimize impact on the whole ecosystem. Limited numbers of permits might be made available for quite limited and carefully regulated use of drones to keep the parks near pristine and let the rest of the park visitors enjoy the solitude and observe natural environment. Of course, no drones would be the best regulation of all!

Richard D. Seibel  
Glendale, CA



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Jan Rising

**Commenter email (if provided):**

janrising36@gmail.com

**Public comment:**

I am urging OPRD to create a policy regarding drone use at Oregon state parks and beaches that prohibits use of drones unless they are being used in a specifically designated take off and landing area.

Drones are dangerous and intrusive to wildlife in their habitats and to humans who are respectfully visiting recreational areas.

Jan Rising  
Eugene, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

T.J. Taylor

**Commenter email (if provided):**

9139807909@vzwpix.com

**Public comment:**

Please step up to provide clear and simple regulations to affect drone use in Oregon State Parks and along State beaches within your jurisdiction. This will help to keep such areas safe for birdlife and their habitats, marine mammals and people. Thank you. T.J. Taylor, Tigard, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Laurie Friedman

**Commenter email (if provided):**

tokku129@gmail.com

**Public comment:**

Dear Folks at the Oregon State Parks,

I strongly urge you to BAN the use of drones along the Oregon Coastal park system.

I live in Bandon Oregon and am a frequent visitor to the Oregon Islands NWR at Coquille Point. I am well aware of the fragile nature of the ecosystem supporting the colonies of nesting seabirds on the sea stacks. Any disturbance will send them fleeing from their nests and baby chicks. Therefore, I believe that the Oregon State Parks should BAN ALL DRONE USE IN SUCH FRAGILE AREAS, and throughout the majority of the state park system, and should instead designate a few specific areas compatible with drones.

The seabird and wildlife populations are already struggling to survive and thrive due to climate change. It is the responsibility of the Oregon State Park system to protect these valuable members of our coastal community and preserve them for years to come.

Who will choose to visit the Oregon Coast if all the wildlife is gone? In addition, visitors to the coast should be able to enjoy the natural beauty of their surroundings, without the noise and intrusion of drones.

Thanks!

Laurie Friedman  
Bandon OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Christine Steele

**Commenter email (if provided):**

steelechr@gmail.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas.

Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

I love our Oregon State Parks and my family and I enjoy camping and hiking in them often. Please help to protect them!

Christine Steele  
Portland, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Scott Shtofman

**Commenter email (if provided):**

sshtofman@auvsi.org

**Public comment:**

Thank you very much for drafting drone rules that allow reasonable recreational drone use in Oregon State Parks. Drones provide a reasonable and safe way for people to enjoy the natural beauty of state parks from the air. If drones are restricted to only approved areas, that opportunity is gone. Designating non-drone areas, opens up much more space for operators to fly and take photos from. Drones should not be used in crowded areas and could have seasonal closing for nesting. But allowing drones to fly everywhere else, within FAA regulations of course, these rules are a very fair and equitable system for all to enjoy your parks.

While I am not a citizen of Oregon, I do represent the Association for Uncrewed Vehicle Systems International. We are the largest the world's largest nonprofit organization dedicated to the advancement of uncrewed systems and robotics, representing corporations and professionals from more than 60 countries involved in industry, government and academia. AUVSI members work in the defense, civil and commercial markets. We have chapters and members all around the country, including our Cascade Chapter in Oregon. The drone community truly appreciates your work in this.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Diane Larson

**Commenter email (if provided):**

mindtrvlrs@aol.com

**Public comment:**

Hello,

I appreciate the opportunity to comment on the issue of protecting wildlife by regulating drone use.

I would recommend that all state parks and beaches be closed to drone take-off and landings except where they can be safely allowed.

I also would urge that State Parks should include strong enforcement mechanisms in the final rules.

Thank you for considering my comments.

Diane Larson



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Adele Dawson

**Commenter email (if provided):**

adeledawson@gmx.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore. Nesting seabirds view drones as a threat and may flee leaving their eggs or young vulnerable to predators. Seabirds are struggling with many issues and don't need drones added to the list. Other wildlife may be affected similarly.

Drones have their place but it's not in Oregon State Parks or the ocean shore.

Sincerely,  
Adele Dawson  
Florence, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

John Nokes

**Commenter email (if provided):**

nwcid@yahoo.com

**Public comment:**

I support allowing drones to take off and land from anywhere in a state park or on the coast except for designated areas that have a specific, identified and verifiable negative impact. I understand there are many conflicting interests in this debate. Please to do not punishing responsible drone users but the actions of a few bad ones.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Sarah Weitzman

**Commenter email (if provided):**

sarahjkw@gmail.com

**Public comment:**

I oppose the use of drones in our parks and on our trails. They are obnoxious, scare wildlife and the noise ruins the hiking experience. Please consider not allowing this to move forward. Thank you.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Barbara Rippey

**Commenter email (if provided):**

bbusybees@yahoo.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Yes, the above is a recommendation from Audubon and I fully support it -- 100%. However, I believe it is not strong enough. I live on the coast and we have THOUSANDS of visitors yearly. What happens when EVERY ONE has their own little drone? Please enact a FULL BAN on drones (except for scientific research). Period. We have had drones hovering over our yard from the neighbor's short term rental -- just havin' a little fun. Can't tell you what was said ...

Barbara Rippey  
Manzanita, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Julie Stefanelli

**Commenter email (if provided):**

jasblu2016@gmail.com

**Public comment:**

Hi,

I would again like to state for the extended public comment on this matter that I do not think drones should be allowed in state parks.

All parks should be free of loud, invasive, dangerous drones! There really shouldn't even need to be a discussion of this issue. They are dangerous to wildlife and that should be reason enough to prohibit them.

Thank you!  
Julie Stefanelli  
Bandon, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Katy D'Andrea

**Commenter email (if provided):**

kbearnalven@icloud.com

**Public comment:**

As a resident of Newport, I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas.

I have had several experiences lately when surfing at Agate Beach or Otter Rock and having my personal space violated by inappropriate drone use from beach users. Additionally, drone use can negatively impact many of our coastal wildlife species. closing drone use will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. I encourage the state park system to develop a permit for those who are using drones for professional purposes.

Sincerely,

Katy D'Andrea



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Barbara Taylor

**Commenter email (if provided):**

bltaylor27@gmail.com

**Public comment:**

I am a native Oregonian who has lived in Coos County for 69 years. I enjoy peace and quiet when I visit my local State Parks. I am especially concerned about the effect of unregulated drone use on nesting seabirds and shorebirds. I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas.

I think it wise to set up a technical committee that can use the best available science to determine appropriate designated drone take-off and landing areas. This approach will help minimize wildlife disturbance impacts from drones and also allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Sincerely,  
Barbara L. Taylor  
NORTH BEND, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Commenter name (if provided):**

Andre Fortin

**Public comment:**

No drones in any state park or wild lands!

Andre Fortin  
Portland, OR

**Date comment received:**

Tuesday, April 12, 2022

**Commenter email (if provided):**

afortin85@gmail.com



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Karl Hofmann

**Commenter email (if provided):**

karlhofpdx@yahoo.com

**Public comment:**

Hello,

Please keep drones out of our state parks. They already have many other spaces to operate in both rural and urban environments. Let's try to keep our protected natural areas as natural as we can.

Karl Hofmann  
Portland OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Stephen Carroll

**Commenter email (if provided):**

barry.carroll@gmail.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Sincerely,  
Stephen B Carroll



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Deborah Crohn

**Commenter email (if provided):**

ddddddddd98104@yahoo.com

**Public comment:**

I live in Portland, and enjoy escaping the pressure of humans all around me, by going to Oregon parks where there is nature, and more peace. The last thing we need in Oregon parks are flying drones, making noise and digitally recording people when they are trying to relax.

I've had unpleasant experiences with a guy in a city park, which leads me to believe that drones should not be encouraged in state parks. I was working one day in my community garden and a very aggressive drone owner kept buzzing above me. I asked him to stop flying his buzzing aircraft above my head, watching me. He had a large park to fly in, but he kept flying over the area where I was working on my garden. He didn't understand the very normal need for a person to be left alone, and kept trying to assure me that it was ok that he fly his aircraft above my head and look at what I was doing because he was military or ex-military.

Drones are cool toys but like other machines they can be disruptive to people trying to relax and enjoy nature. Please keep them out of parks where folks are trying to relax and enjoy nature.

Thanks,  
Deborah Crohn  
Portland OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

William Aubrecht

**Commenter email (if provided):**

billaubrecht@gmail.com

**Public comment:**

To whom it may concern,

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriately designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

My family and I regularly use our state parks as a refuge away from our busy city lives. We rely on it as a place of peace and quiet where we can experience nature. As an avid bird watcher and nature lover, I know it is crucial that our parks protect the habitats of the many species facing threats from humans. Drones will further stress so many species, like the spotted owl, piping plover, and more. Please make the right decision to limit drone use.

Sincerely,

William Aubrecht  
Portland, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Griffin Aubrecht

**Commenter email (if provided):**

gaubrecht@icloud.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Susan Hawes

**Commenter email (if provided):**

susanhawes.nw@gmail.com

**Public comment:**

Hello,

Thank you very much for taking comments about whether or not drones should be allowed in our public parks. I strongly encourage you to ban, or at the very least, strongly discourage drone use in Oregon State Parks!

I work for Portland Parks & Recreation in the natural areas. We have a policy of no drones in our natural areas (so we don't disturb the wildlife--particularly raptors), and yet we still have people trying occasionally to use them in our parks! I give them the stink-eye and ask them to leave (first explaining why drones aren't allowed--not only because of wildlife, but for people's privacy reasons and enjoyment of the park, as well). I strongly believe that if you have a "free for all" drone policy, that you will surely have so many people using drones in the State Parks that the birds will be driven insane. OK, I admit I'm anthropomorphizing, but still, I can't imagine that won't be harmful to the reproductive health of the birds. Plus, I don't want to be feeling like I'm having a nice private walk in the woods or on the beach, and then get buzzed by someone's drone and then know that someone is watching me. It's creepy to say the least and annoying, at best.

Thanks for considering a ban.

Sincerely,  
Susan Hawes  
Portland, Oregon  
susanhawes.nw@gmail.com



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Daisy Franzini

**Commenter email (if provided):**

daf@hevanet.com

**Public comment:**

Dear ORPD,

Please don't let drones overrun Oregon State Parks and beaches! Please protect our wildlife and our recreational experience. I urge you restrict drones to limited areas and for specific purposes only.

Thank you,

Daisy Franzini

Port Orford, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Justin HK

**Commenter email (if provided):**

justinhuffmankerr@gmail.com

**Public comment:**

Please, please, consider the negative effects of drones on wildlife. People who visit the State Parks can also be impacted by their use.

Justin HK

Lincoln City, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Christina Cone

**Commenter email (if provided):**

christina.m.schull@gmail.com

**Public comment:**

To whom it may concern:

Oregon is known for its beautiful parks, and I have many fond memories of time spent with my family at places like Agate Beach, Beverly Beach, Tryon Creek, and many of the state parks in the Columbia Gorge. These places are part of our natural sanctuaries, where we go to immerse in nature and be our true selves. I imagine there are many Oregonians who feel the same way. We love our parks.

It has come to my attention that opening parks to more drone access is under consideration. I wholeheartedly disagree with the propositions made. Drones are obtrusive, infringe on privacy, and disturb park guests not-to-mention wildlife inhabitants. Drones can foul our close nature opportunities, perhaps a bird's song, or the soft ocean breeze awaking one's spirit. These invasive machines do not have a place in our parks any more than violence, fireworks, or other problematic behaviors. When I visit, I do not wish to wait and call a phone number to make a complaint. It is preferred that drones are not invited in the first place.

I am a taxpayer, parks visitor, former parks employee, and educator. Where will the children and the poets go for respite from our busy demanding lives, if we do not provide quiet places to be one with nature? Places free from intrusion of another's peering eyes on buzzing toys?

With respect and thanks,  
Christina Schull Cone, MST, MEd  
Mom, Teacher, Artist



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Laura Dorbuck

**Commenter email (if provided):**

ldorbuck@gmail.com

**Public comment:**

I strongly object to allowing any drones to be launched or flown at state parks and ocean beaches. There are few places in this world where a person can enjoy some solitude, one of those places is the beach. I do not want my peace and quiet or the wildlife that I'm viewing and enjoying disturbed by a noisy foreign object. Drones are invasive and do not mix well with the enjoyment of nature.

Laura Dorbuck  
Coos Bay, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Elizabeth Jacobi

**Commenter email (if provided):**

beth.a.jacobi@gmail.com

**Public comment:**

Dear OPRD,

Please don't allow drones within our Oregon state parks and beaches except in limited areas.

I urge you to restrict drones and allow them only for limited purposes, such as science or rescues, or by special permit, and only in limited areas, where they will not disturb birds and wildlife and our cherished recreation experiences.

Oregon is home to breeding habitat for one-half the West Coast's seabirds. The Oregon Black Oystercatcher project has documented 3 drone disturbances per week to nesting birds, and there are many accounts of disruptions to other seabird colonies. OPRD needs to consult with experts at the US Fish and Wildlife Service, which manages the adjacent Oregon Islands National Wildlife Refuge as well as threatened species, such as western snowy plovers, for input to assure that drones won't harm birds and wildlife.

State parks and beaches are also places where I go to recreate –to enjoy natural beauty, to find peace and solitude, and to watch wildlife. Drones make intrusive and startling noise, invade privacy, can be unsafe, and disrupt birds and wildlife. I am concerned that increasing drone use is incompatible with and will detract from these ways that I and many other local residents and visitors use and enjoy parks and beaches.

With park visitation increasing, we need for OPRD to be proactive now about balancing responsible drone use with exceptional visitor experiences and minimizing wildlife disturbances into the future.

Please ban drones in state parks and beaches, except in limited areas to protect our wildlife and recreation experiences.

Sincerely,  
Elizabeth Jacobi  
Bend, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Eric Nielsen

**Commenter email (if provided):**

emnielsen@gmail.com

**Public comment:**

Dear State Parks and Recreation,

As an Oregon taxpayer and purchaser of state parks permits, I ask that you make recreational drones illegal by default on all public lands, except perhaps in some designated areas where their use will not interfere with wildlife or other humans enjoying less invasive recreation.

Many of us need nature in our lives--nature experienced as free as possible from the busy-ness, interference and distraction of the machines of humans. There don't seem to be any state lands that are better suited for our need for nature than the parks. Flying drones around is the definition of a special interest, and one which has very great implications on the enjoyment and peace of other visitors, who are themselves being respectful of others.

I've heard these drone users talk about how they need sites of "interest" to make using their toys more fun, and that they're concerned that their designated areas might not be "interesting" enough. In that case I would suggest that they look into sites of interest they may find in developed areas that are already laced with human infrastructure, where sensitive wildlife do not reside, and where there is no reasonable expectation of any person to find peace.

Thanks for the chance to weigh in.

Eric Nielsen  
Portland, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Craig and Sue Jacobs

**Commenter email (if provided):**

blueheron343@gmail.com

**Public comment:**

We are against drones taking off from state beaches. They invade privacy, impact wildlife and are often flown without concern for us beach walkers. Craig and Sue Jacobs.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Mitch Williams

**Commenter email (if provided):**

boomerhollow@gmail.com

**Public comment:**

To whom is collecting comments,

I am grateful for the opportunity to comment on this topic and the attendant legislation. I am opposed to allowing unfettered access of drones in the public's open spaces within the OPRD lands. The general public is swarmed by cameras everywhere we go. There should be spaces particularly in natural areas where humans and wildlife can get some relief from intrusion. The noise alone should disqualify this consideration.

Sincerely,  
Mitch Williams  
Brightwood, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Noah Jenkins

**Commenter email (if provided):**

noahjrondeau@gmail.com

**Public comment:**

To Whom It May Concern:

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas. Thank you for your consideration.

Sincerely,  
Noah Jenkins



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Heike-Marie Eubanks

**Commenter email (if provided):**

heikemarieeubanks@gmail.com

**Public comment:**

Belatedly I found out that you have been working on rules for the use of these devices in public parks. Comments from fish and wildlife have so far no been solicited and conservation groups just now found out. Wildlife could be very much disturbed and lead to loss of offspring etc. Other users of the parks who are seeking a reprieve from technology would be deprived of a peaceful experience.

Other states, e.g. Florida and Colorado have already banned drones in their parks.

I am asking you to follow their lead and do the same for Oregon.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Joe Liebezeit

**Commenter email (if provided):**

jliebezeit@audubonportland.org

**Public comment:**

Hello Chris and Katie,

Thanks for the opportunity to provide public comment on the draft drone rules on State Park lands. Please see attached comment letter. Thank you for sharing this letter directly with Parks Commission members in advance of the Commission meeting this coming Wednesday (April 13).

Thank you,

-----

Joe Liebezeit  
Staff Scientist & Avian Conservation Manager  
Portland Audubon  
Cell: 503-329-6026

Oregon Parks and Recreation Department  
C/o Katie Gauthier, Legislative Coordinator  
Chris Havel, Associate Director  
725 Summer St NE, Suite C  
Salem, OR 97301

April 11, 2022

**RE: Public comment on draft rules to guide take-off and landings of drones in state parks and ocean shore**

Dear Ms. Gauthier and Mr. Havel,

On behalf of 10 Oregon Audubon Chapters and seven other organizations representing over 30,000 members statewide, we appreciate this opportunity to submit recommendations to improve the draft rules regarding take-off and landings of unmanned aircraft systems (UAS), hereafter referred to as “drones”, in state parks and on coastal areas managed by Oregon Parks and Recreation Department (OPRD). Senate Bill 109, passed during the 2021 legislative session, provided a timely opportunity to direct State Parks and the Recreation Commission to adopt rules managing the use of drones by people in OPRD administered lands.

Drone use is rapidly increasing nationwide,<sup>1</sup> including in Oregon State Parks and on its beaches and rocky headlands,<sup>2</sup> and has, in turn, led to increasing disturbances<sup>3</sup> to nesting seabirds/shorebirds/waterbirds,<sup>4</sup> marine mammals,<sup>5</sup> and other wildlife. For example, the Oregon Black Oystercatcher Project, coordinated by Portland Audubon, documented a weekly average of over 3 drone disturbances at active oystercatcher nests across the coast in 2021 (Portland Audubon unpublished data). Such disturbances have been documented to negatively impact demographic parameters such as reproductive success<sup>6</sup> which could have population level impacts. In one dramatic case in California last year, a drone crash caused an entire colony of 3,000 Elegant Terns

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<sup>1</sup> FAA, *FAA Aerospace Forecast Fiscal Years 2021–2041*,  
[https://www.faa.gov/data\\_research/aviation/aerospace\\_forecasts/media/Unmanned\\_Aircraft\\_Systems.pdf](https://www.faa.gov/data_research/aviation/aerospace_forecasts/media/Unmanned_Aircraft_Systems.pdf).

*Drone market outlook in 2022: industry growth trends, market stats and forecast*, INSIDER INTELLIGENCE (Feb. 2, 2022) (“total global shipments to reach 2.4 million in 2023 – increasing at a 66.8% compound annual growth rate”), <https://www.businessinsider.com/drone-industry-analysis-market-trends-growth-forecasts>.

<sup>2</sup> Zach Urness, *To save birds, Oregon plans new drone rules for the coast, state parks*, Oregonian, (July 2, 2021), <https://www.oregonlive.com/environment/2021/07/to-save-birds-oregon-plans-new-drone-rules-for-the-coast-state-parks.html>.

<sup>3</sup> Wildlife disturbance can be defined as a disruption of normal behavior in response to external stimuli.

<sup>4</sup> Weimerskirch, H., Prudor, A., & Schull, Q. (2018). Flights of drones over sub-Antarctic seabirds show species- and status-specific behavioural and physiological responses. *Polar Biology*, 41, 259–266,

<https://doi.org/10.1007/s00300-017-2187-z>; Carney KM, Sydeman WJ (1999) A review of human disturbance effects on nesting colonial waterbirds. *Waterbirds* 22:68–79.

Rebolo-Ifrán N, Graña Grilli M, and Lambertucci SA (2019). Drones as a Threat to Wildlife: YouTube Complements Science in Providing Evidence about Their Effect. *Environmental Conservation* 46: 205–210, doi: [10.1017/S0376892919000080](https://doi.org/10.1017/S0376892919000080).

<sup>5</sup> Pomeroy, P., O’Connor, L., and Davies, P. (2015). Assessing use of and reaction to unmanned aerial systems in gray and harbor seals during breeding and molt in the UK, *J. Unmanned Vehicle Systems* 3, 102–113.

<sup>6</sup> Weston, M. A. (2019). Human disturbance. In M. A. Colwell & S. M. Haig (Eds.), *The population ecology and conservation of charadrius plover* (Vol. 53, pp. 277–310). New York, NY: CRC Press.

to abandon 1,500 active nests.<sup>7</sup> In addition to wildlife impacts, drone usage can negatively impact the peaceful experiences many visitors to State Parks and the coast seek when exploring and enjoying Oregon's natural places. Finally, drones can make it unsafe to recreate (e.g. rock climbing, equestrian activities). To minimize such impacts we need to ensure drone take-off and landing rules are informed by the best science and take a precautionary approach given that recreational drone use is a relatively new phenomena and impacts are just beginning to be understood.

Oregon's beaches, rocky shores and state parks provide vital nesting grounds and migratory stopover habitats for millions of bird species. Oregon's coast, in particular, supports 1.3 million nesting seabirds of 15 species representing more than ½ of all colonial nesting seabirds on the West Coast<sup>8</sup>. The Oregon coast also provides critical pupping areas and haul outs for marine mammals<sup>9</sup>. Several species that are vulnerable to drone disturbances include species listed under the federal Endangered Species Act (i.e. Western Snowy Plover) and/or are recognized as species of conservation concern in the Oregon Conservation Strategy<sup>10</sup> (e.g. Black Oystercatcher, Caspian Tern, Tufted Puffin, Pacific harbor seal, etc.) and in other conservation planning documents.<sup>11</sup>

In addition to impacts on wildlife, the growth and use of drones has encroaching impacts on existing recreational users in parks. Broadly speaking and according to OPRD's own SCORP recreational [survey data](#), recreational users' priorities in Oregon are dominated by experiences in nature such as viewing wildlife and experiencing quiet and scenic moments within the natural world. And while the potential impacts of drones on wildlife viewers might be more directly obvious, the potential conflict with other existing recreational users should not be overlooked and must be included in the rulemaking process. For example, many high use areas may simply be too crowded creating unsafe situations for existing recreational users during take-off and landing of drones. This seasonal density in parks visitation and crowding is both significant and extensive within the Oregon Parks system and the drafted rules would likely further a piecemeal approach of seasonal closures confusing to users. Furthermore, the overwhelming majority of existing recreational users at parks do not go to these special places to experience drones or other motorized activities. On the contrary, they travel to these spaces for the natural world experiences they offer and most importantly, for their physical and mental health, another key finding within OPRD's SCORP recreational survey - thus for some recreational users, unmanned aircraft systems may be experienced and felt like a threat to one's own healthy activities. To a hiker, biker, paddler or many other recreational users in our park systems, a drone can completely spoil an activity and in some cases present dangerous conflict situations. Creating designated take-off and landing zones for all users to reduce these recreational conflicts is critical for this expanding hobby impacting Oregon park users and wildlife.

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<sup>7</sup> <https://www.audubon.org/news/a-drone-crash-caused-thousands-elegant-terns-abandon-their-nests>.

<sup>8</sup> Naughton, M., Pitkin, D., Lowe, R., So, K. (2007). Catalog of Oregon Seabird Colonies Biological Technical Publication (Report No. BTP-R1009-2007). Report by US Fish and Wildlife Service (USFWS).

<sup>9</sup> Fox, D., A. Merems, B. Miller, M. Long, J. McCrae, J. Mohler. 1994. Oregon Rocky Shores Natural Resources Inventory. Report prepared by Oregon Department of Fish and Wildlife, Newport, OR, 168 pp.,

<sup>10</sup> <https://www.oregonconservationstrategy.org/>.

<sup>11</sup> U.S. Fish and Wildlife Service. 2021. Birds of Conservation Concern 2021. United States Department of the Interior, U.S. Fish and Wildlife Service, Migratory Birds, Falls Church, Virginia, <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>.

Our recommendations for rule changes and other relevant overarching comments are provided below. We also provide specific recommended text edits in track-changes to the draft rules in an appendix:

### **Flaws in the OPRD Drone Rules Process**

We appreciate OPRD has provided the current 50-day public comment period and we also support the establishment of the drone Rules Advisory Committee (RAC) to bring in outside stakeholders to discuss and recommend amendments to the draft rules. However, there have been some serious shortcomings and improprieties with this process that may very well violate Oregon administrative rules, which we highlight here. We also offer recommendations to improve the process moving forward:

[OAR 137-001-007\(2\) \(Public Input Prior to Rulemaking\)](#) states: “If the agency appoints an advisory committee, the agency shall make a good faith effort to ensure that the committee’s members represent the interests of persons likely to be affected by the rule.” In light of the impacts to wildlife noted above, it should have been clear to OPRD that conservation interests should be included on the RAC. Indeed, testimony in support of SB 109 from Katie Gauthier, OPRD Legislative Coordinator, delivered on behalf of Chris Havel, Associate Director, OPRD, stated that the RAC would specifically include “conservation advocates.”<sup>12</sup>

Yet, inexplicably, the initial RAC did not include representatives from Oregon conservation organizations, recreational user groups (other than drone users), or Tribal nations, all who have interests likely to be affected by the rule. In addition, the RAC did not include any representatives from the U.S. Fish and Wildlife Service (USFWS) or any other federal agency representative that manages wildlife in Oregon with the potential to be impacted by drone use. Only after multiple members of the public and organizations expressed concern to OPRD about this lack of representation did OPRD add two conservation representatives to the RAC for the second meeting in January 2022.

Unfortunately, important decisions, discussed below, were made during the first meeting when the RAC was composed of a group that did not include important stakeholders. Given the impacts to conservation interests from drone use on OPRD-managed lands and OPRD’s own testimony that the RAC would include conservation interests, the failure at the RAC’s inception to include members that obviously represent persons affected by the rule violates this rule.

Moreover, although representatives from two conservation organizations were included on the RAC for the second meeting, even after suggestions from the public were made to include a USFWS biologist on the RAC in advance of the second meeting, OPRD did not follow through with this request. The Oregon Coast National Wildlife Refuge Complex hosts over 1 million

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<sup>12</sup> In that testimony, Associate Director Havel states that the public conversation and rulemaking over drone take-offs and landings “would start by bringing together commercial drone pilots, recreational hobbyists *and conservation advocates* to help craft a rule that provides clarity to drone operators while protecting the natural, cultural and scenic resources within state parks.” Chris Havel, OPRD Associate Director, Testimony in support of SB 109, Jan. 27, 2021 (emphasis added), <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/PublicTestimonyDocument/141>.

colonial nesting birds annually. The lands managed by the USFWS abut lands managed by OPRD, and USFWS has substantial experience managing drones and understanding the impacts of drones on wildlife. We recommend including USFWS representation on any subsequent RAC meetings and as part of a technical committee to determine designated drone take-off and landing areas (see comments below).

### **A RAC without Balanced Representation Leads to a Flawed Proposal**

The critical decision that appears to have been made at the first RAC meeting without conservation interests was to shift the presumption from one prohibiting use unless permitted to one permitting use unless prohibited.<sup>13</sup> During that meeting, Katie Gauthier started her presentation by displaying OPRD's draft rule which provided as follows:

#### **Draft Rules**

736-010-0040(8) While many activities are allowed on park property, the following activities are specifically prohibited at park properties, and a person may not engage in:

(e) Taking-off or landing an unmanned aerial vehicle, drone or similar device without written permission of the park manager or designated employee at any park property or portion of a park property not listed on the "UAS operation Zone" map published on the state park website."<sup>14</sup>

During discussion of the proposal, only one passing reference to wildlife was made and none to birds specifically. In fact, during the entire meeting, only a couple of passing references are made to wildlife, and none to birds. Those RAC members representing drone user interests made numerous interventions to shift the presumption to one of permitting use unless prohibited. In fact, for an eight-minute stretch, *only* two members representing drone interests spoke, both advocating for a shift in the presumption.<sup>15</sup> While references were made to barring drone use in high visitation areas, like Multnomah Falls, no mention was made of birds or other wildlife. That is unsurprising in the absence of representation by conservation organizations. When the RAC met for its second meeting in January 2022, OPRD began its presentation of the draft rules showing a slide with the opposite presumption as that proposed at the first RAC meeting.

The flawed RAC and accompanying process is indicated in other ways. During the second RAC meeting, a conservation representative proposed reversing the presumption to prohibit drone use unless permitted. Despite the initial proposal and significant discussion of the presumption at the first RAC meeting and the presence of at least four members at the second meeting that did not participate in the first meeting, never did the chair of the meeting, Katie Gauthier, note that the initial draft rule started with a presumption against use. To the contrary, she invested in a *post hoc* rationalization to support a presumption in favor of drone use, stating that

“[p]art of the reason that we put it this way was an agreement with legislators who were supportive of the concept that the intent isn't to ban drone use. It's really to

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<sup>13</sup> See OPRD, [Video Recording of the First UAS RAC Meeting](#) (Nov. 10, 2021) (passcode: =G?F5N^B), .

<sup>14</sup> *Id.* at around minute 20:00.

<sup>15</sup> *Id.* at minutes 30:00 to 38:00.

regulate where it causes a problem and stop it in those areas, but not to overall prohibit drone use. So it was more about ensuring that what we told legislators is accurate . . .”<sup>16</sup>

In light of OPRD’s initial proposal at the first RAC, this statement is nothing short of incredible. At no time did OPRD or any other state representative on the RAC suggest that a presumption of use was consistent with legislative testimony.

Moreover, the record does not support the assertion. SB 109, which authorizes the establishment of the RAC, does not indicate that OPRD establish a presumption of use. To the contrary, it suggests a presumption *against* use by indicating in paragraph 2 that the rules adopted *may allow* use in certain circumstances. SB 109 reads in relevant part as follows:

SECTION 2. (1) The State Parks and Recreation Commission shall adopt rules managing the use of unmanned aircraft systems by people in state parks to protect natural, cultural, scenic and recreational resources in a park property or adjacent areas while providing for enjoyment of recreational use of unmanned aircraft systems.

(2) Subject to ORS 837.300 to 837.390, rules adopted under this section may allow:

- (a) The State Parks and Recreation Department and the department’s agents and contractors to use unmanned aircraft systems in carrying out the duties of the department.
- (b) The use of unmanned aircraft systems for the purpose of resource management, emergency operations or protection of property.<sup>17</sup>

In addition, the use of the word “managing” in paragraph 1 does not suggest a presumption of use. Rather, the structure of the legislative mandate focuses on protection of Oregon’s resources, while also allowing use. Moreover, nothing in the legislative history or the testimony submitted by OPRD is consistent with the explanation provided at the second RAC meeting.

In summary, OPRD has improperly established the RAC by failing to “make a good faith effort to ensure that the committee’s members represent the interests of persons likely to be affected by the rule.” The failure to include conservation interests on the RAC has led to consequential proposals that are antithetical to those interests and who were not given an opportunity, due to their absence at the first RAC, to prevent momentum from shifting. Moreover, they were not informed at the second meeting of the initial proposed rule that reflected their interests.

### **The Rule on Unmanned Aircraft Systems Should Prohibit Use Unless Permitted**

To correct the obvious improprieties in the proposed rule as currently drafted, we propose that the rule be amended to state that the use of UAS/drones be **prohibited unless otherwise indicated as allowable in designated take-off and landing areas**. This presumption has many advantages to allowing use unless prohibited.

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<sup>16</sup> OPRD, [Video Recording of the Second UAS RAC Meeting \(Jan. 24\)](#), at minute 105:00.

<sup>17</sup> OR Senate Bill 109, at <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/SB109/Enrolled>.

First and foremost, it protects wildlife, including birds regardless of their location, unless drone use is permitted. Drones are already known to cause impacts to birds and other wildlife. Having designated allowable areas will better safeguard wildlife since it would improve the ability to minimize disturbances to wildlife by better limiting take-off and landing areas and thus how far and wide drones can move when in the air (which is FAA regulated).

Second, this presumption is consistent with OPRD's current regulations (736-021-0130) Commercial and Non-traditional Activities, which require special use permits in situations when such uses (such as drone use which is a non-traditional activity) "*could disturb natural, cultural, scenic, and recreational resources...*" (see 736-021-0130, subsection f) and/or "*could pose a safety concern...*" (see 736-021-0130, subsection g). We already know that drone use *does* disturb nesting birds. As such, the threshold of "*could disturb*" is met for birds during certain times of the year. We note that Smith Rock State Park already bans drone use for six months to prevent adverse impacts to raptors.<sup>18</sup> Telling, the Park Manager for the park said during the RAC's second meeting that "we're unsure how drones will affect raptors beyond the six month closure period."<sup>19</sup>

Third, it is consistent with OPRD practice in relation to other activities that may have conservation impacts. Hunting and fishing is prohibited unless permitted. Collecting or removing living or non-living natural products from the ocean shore is prohibited unless permitted or subject to an exception.<sup>20</sup> Within the ocean shore recreation area, the use of slingshots and paintball guns is prohibited except as authorized.<sup>21</sup>

Fourth, even the use of metal detectors is prohibited except in designated areas.<sup>22</sup> We note that the OPRD publishes a list of "Detecting Allowed" sites on its website, and that this is an excellent model for drone use. In fact, OPRD made this very same proposal at the first RAC meeting.<sup>23</sup> The well-organized drone community can help ensure OPRD's list of drone use areas is known to drone users.

Fifth, a presumption against drone use unless permitted is consistent with the rules of the USFWS, which manages 1,853 rocks, reefs, and islands spanning the entire Oregon coast as part of the Oregon Islands National Wildlife Refuge, as well as other properties adjacent to the Oregon Ocean Shore State Recreation Area. By creating consistent rules across adjacent properties, the public will more easily know where allowable/designated take-off/landing zones are rather than need to sort through a complex of different rules in different areas, all of which look the same or similar. In this regard, we note that one RAC member at the second meeting that the variety of jurisdictions

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<sup>18</sup> See Oregon State Parks, Smith Rock State Park, <https://stateparks.oregon.gov/index.cfm?do=park.profile&parkId=36>.

<sup>19</sup> Statement of Matt Davey, Smith Rock State Park Manager, Video Recording of Second UAS RAC Meeting, *supra* note 17, at minute 33:30.

<sup>20</sup> OAR 736-029-0040; OAR 736-021-0090(2), (13).

<sup>21</sup> OAR 736-021-0090(13)-(14).

<sup>22</sup> OAR 736-021-0090(11).

<sup>23</sup> Statement of Katie Gauthier, OPRD Legislative Coordinator, Video Recording of First UAS RAC Meeting, *supra* note 14, between minutes 20:00 and 30:00.

and different rules is confusing to drone users: “They don’t know where they are.”<sup>24</sup> A set of consistent rules across various state and federally owned lands would eliminate that confusion.

Sixth, from a law enforcement perspective, it would be easier to regulate drone use in designated allowable areas. Currently, OPRD rules prohibit activities that may disturb wildlife, but that standard is extremely difficult to enforce. By limiting drone use to designated areas based on criteria developed by an technical working group (see recommendation below), drone use can be presumed not to disturb wildlife; drone use anywhere else will be clearly illegal.

We note that other states have enacted similar presumptions against use unless permitted. In **Colorado**, for example, drones are restricted from taking-off or landing in any of Colorado Parks and Wildlife’s more than 350 state wildlife areas; drone use in state parks is limited to those parks with a designated area for drone use.<sup>25</sup> In **Texas**, drones are prohibited in all state parks except in two very limited circumstances: (1) two parks, San Angelo and Martin Dies, Jr. state parks have designated areas for drones; and (2) permits may be obtained for filming purposes at other state parks.<sup>26</sup> **California** regulations prohibit the use of a drone within State Park wilderness areas, cultural preserves, and nature preserves.<sup>27</sup> **Virginia** prohibits drone operations in all Virginia State Parks or DCR-owned property unless the pilot has a Special Use Permit issued by the Department of Conservation and Recreation. Only two categories of drone operators can apply for Special Use Permits, i.e., research-based activities and commercial.<sup>28</sup> As such, an Oregon rule for lands managed by OPRD that prohibits drone use unless permitted would not be unusual.

### **Proposed Additions to the Proposal**

We further recommend additions to the proposed regulation to account for activities that must occur once the regulation is adopted.

First, an **independent technical working group or committee** which includes agency, academic, and NGO experts should be established and advise OPRD on developing criteria for allowable/designated drone take-off and landing areas in OPRD administered lands (state parks and ocean shore). To ensure that OPRD has the legal authority to organize and take advice from this expert group, the rules should clearly state the group’s establishment. Current language should be updated to reflect that “Designated zones for unmanned Aircraft/drone take-off and landing should be recommended by an independent technical working group in advance of designation by the director or designee.”

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<sup>24</sup> Comment of Arica Sears, Deputy Director, Oregon Coast Visitor’s Association, Video Recording of Second UAS RAC Meeting, *supra* note 17, at minute 37:50.

<sup>25</sup> See Colorado Parks & Wildlife, Press Release, Colorado Parks and Wildlife urges public to avoid harassing wildlife when using drones (Aug. 24, 2021), <https://cpw.state.co.us/aboutus/Pages/News-Release-Details.aspx?NewsID=7911>.

<sup>26</sup> Texas Rule § 59.134. See also Texas Administrative Code § 65.152 (2005) (prohibiting the use of a drone to count, hunt, photograph, capture, relocate, or take wildlife and exotic animals).

<sup>27</sup> Cal. Code Regs. tit. 14, § 4351.

<sup>28</sup> Virginia Administrative Code, 4VAC5-30-400, <https://law.lis.virginia.gov/admincode/title4/agency5/chapter30/section400/>.

Second, the rules **need specific criteria** for drone use within designated allowable take-off and landing areas. Currently language for OAR 736-021-0100 section (a) says “Take-off and landing of an unmanned aircraft system must be done in a manner that is reasonable and prudent relative to terrain, prevailing conditions...”. This statement is too vague and unenforceable. We recommend the following rules based on the scientific literature and other existing drone use policies:

- No drone take-offs or landing within 100m (approximately 300 feet) of any observed birds and/or known nesting locations or from seal haul out and pupping areas<sup>29</sup>. Operators must keep drones viewable in line of sight.
- If a wildlife disturbance response is elicited, guide the drone at a slow shallow-angled decent away from the animal, land the vehicle, and cease drone use in area for at least 24hrs.<sup>30</sup>
- Drone take-off and landings should be discontinued if repeated wildlife disturbance events occur in the same location.
- If drone take-off and landings are allowed seasonally in an area to minimize nesting bird disturbance, seasonal allowance should only occur from 16 September to 14 March to avoid the bulk of nesting season for most birds nesting in Oregon State Parks and beaches. This recommendation coincides with existing closures to protect Western Snowy Plovers.

Third, all areas should be periodically reviewed for inclusion or removal as designated drone take-off and landing areas based on the best available science as wildlife and/or visitor usage and other factors can change over time. A provision to this effect should be included in the regulation.

Fourth, we agree with and support drones being prohibited from rocky habitat management areas (Marine Research Areas, Marine Garden/Education Areas, and Marine Conservation Areas) as well as Western Snowy Plover Management Areas (see OAR 736-021-0100, section c and d). **We additionally recommend prohibition of take-off and landings within 100m buffers of the boundaries from these sites and other sites specifically designated for conservation purposes, such as marine reserves and marine protected areas.**

Fifth, we recommend the rules include language that directs OPRD to commit to outreach, education, signage, and increasing awareness of the new policies with visitors.

We believe these recommendations will minimize wildlife disturbance while still allowing appropriate drone use. More generally, the state is becoming a very loud place. As many written comments to OPRD on this subject say,<sup>31</sup> there must be some places for quiet and solitude, places free of artificial noise. State parks and the Oregon shore provide those rare places. Moreover, a

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<sup>29</sup> Several studies and agency guidelines recommend 100m buffers. *See, e.g.*, Weston MA, O’Brien C, Kostoglou KN, Symonds MRE. 2020. Escape responses of terrestrial and aquatic birds to drones: Towards a code of practice to minimize disturbance. *J Appl Ecol.* 2020;00: 1–9, <https://doi.org/10.1111/1365-2664.13575>; Vas E, Lescroël A, Duriez O, Boguszewski G, Grémillet D. 2015 Approaching birds with drones: first experiments and ethical guidelines, *Biol. Lett.* 11: 20140754. <http://dx.doi.org/10.1098/rsbl.2014.0754>.

<sup>30</sup>Hodgson, J.C. and L.P. Koh. 2016. Best practice for minimizing unmanned aerial vehicle disturbance to wildlife in biological field research, *Current Biology* 26: 404-405. <https://doi.org/10.1016/j.cub.2016.04.001>.

<sup>31</sup> See Oregon State Parks, Proposed OPRD Rules, Take-off and Landing of Drones, Public Comments Received, <https://www.oregon.gov/oprd/PRP/pages/PRP-rulemaking.aspx>.

prohibition against use unless permitted does not create an insurmountable obstacle to drone use with no risk and only minor inconvenience. Drone users must simply use other lands until specific OPRD-managed properties establish dedicated places for drone use. In contrast, the opposite presumption puts recreationists, birds and other wildlife at *continued risk* until that process is completed. More than mere annoyance or inconvenience, these risks are real and may result in losses to already depleted populations.

Thank you for this opportunity and please don't hesitate to reach out.

Sincerely,

Joe Liebezeit, Staff Scientist & Avian Conservation Manager  
Portland Audubon

Ann Vileisis, President  
Kalmiopsis Audubon Society

Phillip Johnson, Executive Director  
Oregon Shores Conservation Coalition

Angela Benton, Board Chair  
Friends of Haystack Rock

Kelli Ennis, Director  
Haystack Rock Awareness Program, City of Cannon Beach

Mary Garrett, President  
Shoreline Education for Awareness

Lindsey Adrean, Northwest Program Officer  
American Bird Conservancy

Danielle Moser, Wildlife Program Coordinator  
Oregon Wild

Roy Anderson, Program Coordinator  
Dennis White, Board President  
Friends of Otter Rock

Dawn Villaescusa, President  
Audubon Society of Lincoln City

Harv Schubothe, President  
Cape Arago Audubon Society

Mary Shivell, President  
East Cascades Audubon Society

Debra Schlenoff, Conservation Chair  
Lane County Audubon Society

Jim Fairchild, Conservation Chair  
Audubon Society of Corvallis

David Harrison, Conservation Chair  
Salem Audubon Society

Stan Vejtasa, Conservation Chair  
Umqua Valley Audubon Society

Erin Ulrich, President  
Rogue Valley Audubon Society

## Appendix: Track-changes / comments on Proposed Park Area Rules

### DRAFT OPRD Drone Take-off and landing rules

*Text in red would be an addition to current rule. Blue text is an addition after the 2<sup>nd</sup> RAC Meeting. Black text is currently in rule.*

*Purple text recommended changes from Portland Audubon et al*

### Proposed Park Area Rules

#### 736-010-0015 Definitions

(13) “Non-motorized model aircraft” means an aircraft without a motor that is operated purely for recreational or hobby purposes without the possibility of direct human intervention from within or on the aircraft.

(14) “Overnight Facilities” means everything within the campground including showers, campsites, cabins, yurts, parking areas associated with camping and other facilities for use by overnight visitors.

(21) “Public safety agency” means agency defined under ORS 181A.335(15).

(24) “Unmanned Aircraft System” means device defined under ORS 837.300(4).

#### OAR 736-010-0040 Visitor Conduct

(9) A person may not take off or land an unmanned aircraft system, commonly known as a drone, on park property unless assigned as an “Unmanned Aircraft System/drone take-off and landing designated” zone published on the state park website.

(a) Take-off and landing of an unmanned aircraft system must be done in a manner that is reasonable and prudent relative to terrain, prevailing conditions, equipment, personal capabilities, personal safety and the safety of all other park users.

(b) As provided in OAR 736-010-0055, park visitors may not harass, disturb, pursue, or injure wildlife.

(c) Unmanned Aircraft System/drone take-off and landing are prohibited at OPRD overnight facilities

(d) Take-off and landing an unmanned aircraft system outside of an “Unmanned Aircraft System/drone take-off and landing designated” zone may only be conducted with a permit or permission of the park manager or designated employee.

(e) Public safety agencies may take off or land in emergencies without prior approval.

~~(f) Non-motorized model aircraft, such as gliders, are allowed unless otherwise restricted by OAR 736-021-0090(15)(b)(B).~~

(f) “Unmanned Aircraft/drone take-off and landing designated” zones will be designated by the director or designee based on recommendations of a technical committee in response to visitor safety, sensitive natural, scenic or cultural resources, wildlife disturbance, and/or user conflict. Proposed designated take-off and landing zones will be posted on the department website for a minimum of 30 days prior to the effective date.

(g) Take-off or landing of an unmanned aircraft system in an “Unmanned Aircraft/drone take-off and landing designated” zone without permission is a class A violation.

**Commented [u1]:** Instead of take-off and landings of UAS/drones on parks property be allowed unless otherwise restricted, we recommend all areas are closed unless otherwise indicated as designated take-off and landing areas

**Commented [u2]:** “Reasonable and prudent” is too vague. There needs to be specific criteria in the rules for drone operators to abide by. We recommend adding in this information:

- o No drone take-offs or landing within 100m (approximately 300 feet) of any observed birds and/or known nesting locations or from seal haul out and pupping areas. Operators must keep drones viewable in line of sight.
- o If a wildlife disturbance response is elicited, guide the drone at a slow shallow-angled decent away from the animal, land the vehicle, and cease drone use in area for at least 24hrs.
- o Drone take-off and landings should be discontinued if repeated wildlife disturbance events occur in the same location.
- o If drone take-off and landings are allowed seasonally in an area to minimize nesting bird disturbance, seasonal allowance should only occur from 16 September to 14 March to avoid the bulk of nesting season for most birds nesting in Oregon State Parks and beaches.

These recommendations are based on information in the scientific literature and recommendations made in other places in the U.S.

**Commented [u3]:** We recommend using the best available science and expert input to develop a map of designated drone take-off and landing areas (with all other state park administered areas excluding drones). A technical committee of wildlife experts (including from federal agency - USFWS, academia, NGOs and others should advise Parks on this decision).

There also needs to be a section in the rules indicating that all areas should be periodically reviewed for inclusion or removal as designated drone take-off and landing areas based on the best available science as wildlife usage and other factors can change over time

(10) A person must obtain a special use permit from the department for any activity or use as described in OAR 736-016-0005(1), including but not limited to an activity or use within a park property that:

- (a) Is an organized group activity or event attended by over 50 people;
- (b) Uses a portion of a park property to the exclusion of other persons or the department;
- (c) Modifies or embellishes the park property, or places structures, such as tents, chairs, arches, and similar structures on the park property in a manner outside of normal recreational use, as determined by the park manager or enforcement officer;
- (d) Uses public-address, amplification or lighting systems, other than those designed for personal use;
- (e) Charges money for participation or admission;
- (f) Involves the sale of products or services;
- (g) Could disturb the natural, cultural, scenic and recreational resources in the park property or adjacent areas;
- (h) Could pose a safety or access concern for other park users or for those involved in the event or activity.

(i) Involves the take-off and landing of unmanned aircraft system in “Unmanned Aircraft System/drone take-off and landing designated” zones as provided in section 736-010-0040(9).

## Proposed Ocean Shore Rules

### 736-021-0030 Definitions

(15) “Non-motorized model aircraft” means an aircraft without a motor that is operated purely for recreational or hobby purposes without the possibility of direct human intervention from within or on the aircraft.

(25) “Public safety agency” means agency defined under ORS 181A.335(15).

(26) “Territorial Sea Plan” means plan defined under ORS 196.405(6).

(26) “Unmanned Aircraft System” means device defined under ORS 837.300(4).

### OAR 736-021-0100 Visitor Conduct

(5) A person may not take off or land an unmanned aircraft system, commonly known as a drone, on the ocean shore unless assigned as an “Unmanned Aircraft System/drone take-off and landing designated” zone published on the state park website.

(a) Take-off and landing of an unmanned aircraft system must be done in a manner that is reasonable and prudent relative to terrain, prevailing conditions, equipment, personal capabilities, personal safety and the safety of all other park users.

(b) As provided in OAR 736-021-0090, ocean shore visitors may not disturb, harass, injure or pursue wildlife.

(c) Unmanned Aircraft System/drone take-off and landing are prohibited in and within a 100m buffer of areas designated as Marine Research Area, Marine Garden/Marine Education Area, Marine Conservation Area in the Territorial Sea Plan, Chapter 3 (Rocky Habitat Management Strategy).

(d) Unmanned Aircraft System/drone take-off and landing are prohibited in and within a 100m buffer of Western Snowy Plover Management areas described in OAR 736-021-0090(15).

**Commented [u4]:** Include definition of “Non-traditional Activities” here and specify that drones/UAS fit into this definition

**Commented [u5]:** Reasonable and prudent” is too vague. There needs to be specific criteria in the rules for drone operators to abide by. We recommend adding in this information:

- No drone take-offs or landing within 100m of any observed birds and/or known nesting locations or from seal haul out and pupping areas. Operators must keep drones viewable in line of sight.
- If a wildlife disturbance response is elicited, guide the drone at a slow shallow-angled decent away from the animal, land the vehicle and cease drone use in area for at least 24hrs.
- Drone take-off and landings should be discontinued if repeated wildlife disturbance events occur in the same location.
- If drone take-off and landings are allowed seasonally in an area to minimize nesting bird disturbance, seasonal allowance should only occur from 1 October to 28 February to avoid the bulk of nesting season for most birds nesting in Oregon State Parks and beaches.

**Commented [u6]:** Recommend no take-off and landings within SPMA's and also within 100m buffer of the SPMA boundaries

(e) Take-off and landing an unmanned aircraft system outside of an “Unmanned Aircraft System/drone take-off and landing designated” zone may only be conducted with a permit or permission of the park manager or designated employee.

(f) Public safety agencies may take off or land in emergencies without prior approval.

~~(d) Non-motorized model aircraft, such as gliders, are allowed unless otherwise restricted by OAR 736-021-0090(15)(b)(B).~~

(g) “Unmanned Aircraft/drone take-off and landing designated” zones will be designated by the director or designee based on recommendations of a technical committee in response to visitor safety, sensitive natural, scenic or cultural resources, wildlife disturbance, and/or user conflict. . Proposed designated take-off and landing zones will be posted on the department website for a minimum of 30 days prior to the effective date.

(h) Take-off or landing of an unmanned aircraft system outside of the “Unmanned Aircraft/drone take-off and landing designated” zone without permission is a class A violation.

### **736-021-0130 Commercial Activities and Non-traditional Activities**

2) A person must obtain a special use permit from the department for any activity or use as described in OAR 736-016-0005(1), including but not limited to an activity or use within the ocean shore state recreation area that:

(a) Is an organized group activity or event attended by over 50 persons;

(b) Uses a portion of the ocean shore state recreation area to the exclusion of other persons or the department;

(c) Modifies or embellishes the natural ocean shore state recreation area, or places structures, such as tents, chairs, arches, etc. on the ocean shore state recreation area in a manner outside of normal recreational use, as determined by the department;

(d) Uses public-address, amplification or lighting systems, other than those designed for personal use;

(e) Charges money for participation or admission, or they sell products or services;

(f) Could disturb the natural, cultural, scenic and recreational resources in the ocean shore state recreation area or adjacent areas;

(g) Could pose a safety or access concern for other ocean shore state recreation area users or for those involved in the event or activity.

(h) Involves the take-off and landing of unmanned aircraft system outside of “Unmanned Aircraft System/drone take-off and landing designated” zones as provided in section 736-021-0100(5).

*For Reference: ORS 837.300(4) “Unmanned aircraft system” means an unmanned flying machine, commonly known as a drone, and its associated elements, including communication links and the components that control the machine.*

**Commented [u7]:** Change to “developed by an independent technical committee”

**Commented [u8]:** We recommend using the best available science and expert input to develop a map of designated/allowable drone take-off and landing areas (with all other state park administered areas excluding drones). A technical committee of wildlife experts (including from federal agency - USFWS, academia, NGOs and others should advise Parks on this decision).

**Commented [u9]:** Drone use is not traditional

*ORS 181A.355(15) "Public or private safety agency" means a unit of state or local government, a special purpose district or a private firm that provides, or has authority to provide, fire fighting, police, ambulance or emergency medical services.*  
*Non-motorized aircraft definition taken from OAR 738-080-0015.*



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Commenter name (if provided):**

BJay Roberts

**Public comment:**

Opposed. Privacy and noise issues.

**Date comment received:**

Tuesday, April 12, 2022

**Commenter email (if provided):**

b.jayroberts@comcast.net



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Richelle Duckwall

**Commenter email (if provided):**

ricki.duckwall@gmail.com

**Public comment:**

To Whom It May Concern,

I'm writing in regards to proposed changes that would allow drones to launch from Oregon beaches and the 250+ State Parks. At the beach, I respect signs that prohibit people from infringing on local wildlife populations, which is considered harassing wildlife. These signs have been directed toward on-the-ground foot traffic. Now there's a new kid on the block: Drones.

Opening up more and easy access points will mean increased drone activity. Once launched they can virtually fly anywhere. In secluded, cloistered areas normally impenetrable by foot or ATVs, drones can access areas wildlife depend upon to nest, raise their young, find food, and exist in relative privacy. A least stressful environment ensures their survival in the short and long term.

I think people's privacy also, needs to be considered. Many are out to enjoy a day of peace and quiet, exploring nature without distractions and intrusions. Oregon prides itself with much public lands but there must be a balance among the various users and not giving unrestricted access to this new space, this air space, (opening up a new can of worms), that is challenging to regulate.

Drones have a useful place for certain business, where surveillance is necessary, or say, in the marketing of real estate, or surveying lands, but the prying eye aspect is sometimes left to the hopefully wise discretion of the operator. Recreation use without safeguards or restrictions poses privacy issues, even in residential homes where peeping into windows has been reported.

So we must be cautious. Many groups and individuals need to be heard and represented in the decision-making process on whether or not to allow drones to launch from Oregon's coastline and State Parks. Some commenters will have degrees, statistics, and power-point presentations. And some will be your run of the mill, ordinary citizens, speaking up for what is in their hearts.

Thanks for reading considering my comments,

Sincerely,  
Richelle (Ricki) Duckwall  
Parkdale, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Joseph Janowicz

**Commenter email (if provided):**

joejanowicz123@aol.com

**Public comment:**

Peace, solitude, wildlife viewing, all these privileges and more soul restoring experiences are jeopardized by unrestricted or barely restricted drone use.

As a frequent parks user I implore you to ban these noisy unsafe, mechanical invaders from our state parks and beaches.

Would you like an invasive drone hovering over your backyard as you try to rest or sleep or raise offspring?

The answer of course is no!!!

Our birds, wildlife don't want them either. The birds and wildlife will leave in search of quieter surroundings thereby depriving us all of their presence.

Drones are nothing more than the latest mechanical fad. Drones have no place in our state parks and if they are allowed at all ,their presence should be severely restricted to specific areas.

Sincerely yours in conservation

Joseph Janowicz

Gold Beach, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Michael

**Commenter email (if provided):**

bow66tie@yahoo.com

**Public comment:**

Hello, I have been flying drones for 3 years and can tell you, from experience, that no other pilots I know harass people or wildlife. In fact we do everything we can to avoid both.

There is no comparison of flying drones to what the actual impact to wildlife and nature is when tourist, hikers, dogs, 4 wheelers, motorcycles, bikes, horses and tons of human garbage do to State Parks and the Coastline.

There are already restricted areas on drone flying for various reasons, and we honor them without question. I can't say the same for people and restricted areas! Of course there are stupid people that will continue to do stupid things, but as a good general rule, drone pilots are a great, respectful and honorable group of people.

I believe as a society, we appreciate the wonders of this beautiful state. But singling out drone pilots to be excluded from enjoying these wonders is a huge mistake! This is a wonderful hobby that is misunderstood and demonized.

The Amazing photography achieved with our mini drones is truly a sight to behold and I often carry extra goggles for folks to join me flying. It has always been a 100 % positive experience for the passengers!

Please don't take away our right to enjoy this amazing hobby!

Thank you for your time and consideration!

Michael



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Debby Patten

**Commenter email (if provided):**

debby.patten@gmail.com

**Public comment:**

Drones are bothersome to humans, but they bring fear and confusion to animals. Please ban them in State Parks and the ocean shore, unless science proves them harmless.

Thank you  
Debby Patten



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Larry Sipe

**Commenter email (if provided):**

ljsipe1984@msn.com

**Public comment:**

Dear Oregon Parks and Recreation Department:

Ban drone use in Oregon State Parks as they are in Colorado State Parks and national parks. Prohibit drones (unmanned aircraft systems) within all Oregon parkland boundaries as stated in the Code of Federal Regulations Thirty Six CFR 2.17(a)(3), which states: "...delivering or retrieving a person or object by parachute, helicopter, or other airborne means, except in emergencies involving public safety or serious property loss, or pursuant to the terms and conditions of a permit' is illegal. This applies to drones of all shapes and sizes."

Reasons for banning drones from Oregon State Parks include the following: unwarranted and intrusive filming of the public (e.g., hikers, bikers, climbers, etc.), aerial video above treetops, as well as aerial footage of Oregon parklands themselves. In addition, drones are extremely noisy, negatively impacting the natural soundscape and effecting one's park experience altogether. Drones create a disruptive environment that interfere with wilderness travel, distract emergency rescue procedures and participants, and negatively affect wildlife.

I respectfully urge you to make it illegal to fly drones anywhere within all Oregon parkland boundaries.

With gratitude,  
Larry Sipe



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Ann Vileisis

**Commenter email (if provided):**

annvil@earthlink.net

**Public comment:**

On behalf of Kalmiopsis Audubon, I'd like to submit these comments to OPRD regarding the rulemaking for drones.

Thank you!

Ann

Ann Vileisis  
President  
Kalmiopsis Audubon Society  
P.O. Box 1265  
Port Orford, OR 97465

541-332-0261  
[www.kalmiopsisaudubon.org](http://www.kalmiopsisaudubon.org)



## KALMIOPSIS AUDUBON SOCIETY

P.O. Box 1265 • Port Orford OR • 97465

April 11, 2022

Katie Gauthier  
Oregon Parks and Recreation Department  
725 Summer St. NE, Suite C  
Salem, OR 97301

Re: OPRD drone rulemaking  
Submitted via: [OPRD.publiccomment@opr Oregon.gov](mailto:OPRD.publiccomment@opr Oregon.gov)

Dear Ms. Gauthier:

I am writing on behalf of the Kalmiopsis Audubon Society—representing our more than 400 members on the South Coast who care about habitat for birds and wildlife and who cherish the opportunity to hike, enjoy, and peacefully observe the beautiful natural environments of our cherished coastal state parks and beaches.

Our concerns reflect those two perspectives. As Audubon president, I've heard concern from many members about drones and birds—including local reports of drones harassing osprey nests, and also of disturbing colonial nesting birds (troubling incidents observed in more populous California). Last year, the Oregon Black Oystercatcher Project, which many of our members participate in—documented a rate of over three drone disturbances *per week* at active nests. Listening to public comments at a recent hearing, I heard about far more drone disturbance of seabirds at other sites up and down the coast.

It's crucially important to note that Oregon hosts one-half of the West Coast's seabird breeding habitat, with 55% of that on our South Coast (U.S. Fish & Wildlife Service, Catalog of Oregon Seabird Colonies, BTP-R100902007). These include birds as iconic and fun to watch as Tufted puffins and bright, red-footed Pigeon Guillemots, plus murrelets, gulls, storm petrels, and cormorants. Many of our coastal seabirds nest on rocks not far offshore and could be highly vulnerable to drone disturbance. The federally-threatened beach-nesting Western Snowy Plovers are, of course, also highly vulnerable to drone disturbance.

I was very troubled to learn that the process by which these draft rules were developed did NOT include early consultation with the U.S. Fish and Wildlife Service—the agency that manages our nearshore seabirds in the Oregon Islands National Refuge Complex as well as our

threatened plovers, and that has specific expertise with birds and drones! While OPRD clearly has a staff person with drone expertise dedicated to developing this drone policy, it is not apparent that OPRD has any wildlife staff person with expertise contributing to this policy (or anyone from ODFW). Nor did State Parks engage with conservation groups early in the Rules Advisory Committee process. Instead, State Parks allowed drone users to set the proposed framework for limited regulation of drone use in the first meeting, before any other stakeholders were brought into the process.

I find this to be not only extremely disappointing but also outrageous—and so I strongly urge State Parks to re-consider the process and to take impacts to birds and wildlife into more serious consideration before proceeding. OPRD should determine where to allow drones based on the best available science.

I want to underscore that a big reason our members, local residents, and many other people love to visit our coastal parks is specifically to watch birds and wildlife. I regularly visit a local park and talk to visitors about the birds, whales, and seals hauled out on rocks that they are literally DELIGHTED to be seeing! Bird watching and wildlife viewing are extremely popular recreational activities that draw not only Oregonians but visitors from all over America to Oregon's coastal parks.

The most recent studies (US F&WS, 2016, *National Survey of Fishing, Hunting and Wildlife-Related Recreation*) related to the economic values of recreational watching wildlife determined that there are 46 million birders in America and an estimated 6.5 million birders made trips out-of-state to watch birds. Wildlife watching accounted for greater recreational expenditures than hunting and fishing, and in fact –almost accounted for as much as those two combined. Over the 2010 to 2015 time period, there was a 28% increase in wildlife watching expenditures. These figures may well be continuing to grow, especially in the wake of the pandemic when so many people turned to the outdoors for refreshment and solace. The most recent economic data specifically for recreational watching Oregon wildlife is a little older—a report commissioned by ODFW and Travel Oregon from 2009 (Dean Runyan Associates, *Fishing, Hunting, Wildlife Viewing, and Shellfishing in Oregon, 2008 State and County Expenditure Estimates*). At that time travel-generated expenditures for recreational wildlife viewing on Oregon's Coast accounted for \$165 million. State Parks has provided no estimates on numbers of drone users or the economic value they generate for communities surely this use provides only a fraction of the personal, economic, and wildlife values afforded by recreational wildlife watching.

This is all to underscore recreationalists who watch birds and wildlife are a hugely important constituency for Oregon State Parks that has not been sufficiently well represented in this rule making process. In fact, it sounds like the RAC process has *not* included any representation from non-drone using recreational users. This seems deeply unfair. Why have drone users received such preferential treatment in this rule making process?

Beyond impacts to wildlife, I have also had —and have heard from several of our members about—negative personal experiences with drones—buzzing loud and low over the heads of people otherwise enjoying moments of peace and serenity while beach walking or watching the sunset over the Pacific. It breaks my heart to think we will lose still more places to restore our spirits without the incursion of noisy technologies.

Many drone users in their comments have said it's not their intention to harass people or wildlife, or that such activities are already illegal. However, we have also read and heard in comments that *many* citizens have already experienced or witnessed harassing drone activity that has potential to damage wildlife and also to wreck other visitors' recreation experiences, including many of whom have commented on the creepy and intrusive nature of drones. If OPRD adopts a loose rule framework of allowing drones everywhere, we are concerned that these problems will only continue to mushroom as park visitation and drone use continues to grow.

We are particularly concerned about the difficulties of enforcement these rules. Having a patchwork of differential rules for different state parks, and parks adjacent to our offshore National Wildlife Refuges with different drone rules, will create confusion and make management infeasible, with the unfortunate likely result that wildlife will suffer and peaceful park visitors experience will be degraded.

The mission of the Oregon Parks and Recreation Department (OPRD) is “to provide and protect outstanding natural, scenic, cultural, historic and recreational sites for the enjoyment and education of present and future generations.” Thus far it seems that this process has prioritized the enjoyment of a small interest group—drone users—over the enjoyment of the great majority of park users.

Our beloved Oregon state parks are popular destinations, and with increasing visitation, we need for OPRD to be proactive now about protecting exceptional visitor experiences and minimizing wildlife disturbances into the future.

We are concerned that the currently proposed regulations—with their approach of generally allowing drone use everywhere except for some few places where they will be restricted—will put wildlife and the recreational experiences of the majority of park users at risk. It remains unclear how OPRD will make the determinations on where drone use would be limited. The process thus far has done nothing to build confidence that the determinations will be fair or science based, since drone users have been given such priority.

For this reason, we strongly urge you to re-consider and re-set your process —to take the impacts of birds and wildlife into more serious consideration before proceeding. We urge you to reverse the framework that presumes drones can be operated anywhere and recommend instead that all state parks and beaches be closed to drone take-off and landings except where they can be safely allowed and by special permit.

State Parks should convene an independent technical working group to determine appropriate designated drone take-off and landing areas that minimize wildlife, recreational, and cultural impacts.

In addition, we recommend that in all areas that are approved for drone use, users should need to follow rules *AT A MINIMUM* to protect wildlife:

- No drone take-offs or landing to occur within 100m of any observed birds and/or known nesting locations or from seal haul out and pupping areas.
- Drone take-off and landings should be discontinued if repeated wildlife disturbance events occur in the same location.

It will be crucially important for all areas to be periodically reviewed for inclusion or removal as designated drone take-off and landing areas based on the best available science as wildlife usage and other factors can change over time.

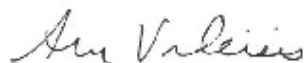
And finally, State Parks should be strategic and thoughtful about enforcement and include strong enforcement mechanisms in final rules.

Here at the 100<sup>th</sup> anniversary of State Parks, I ask you to think carefully about park users a century from now. I think we'd all hope that our grandchildren's generation will still be able to find beauty and solace and the thrill of seeing birds and wildlife in our parks and along Oregon's shores.

Drone use is still just emerging, and growing —and if Oregon doesn't start with more of a precautionary, science-based approach now, I am concerned that the parks and visitors' experience will end up being significantly degraded.

Thanks for considering our comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Vileisis".

Ann Vileisis, President  
Kalmiopsis Audubon Society



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Cathy Jones

**Commenter email (if provided):**

ccjonesred@yahoo.com

**Public comment:**

I think drones should be completely banned from county, state and federal parks. There is too little quiet, open space for us all. Let alone privacy. I use parks alot and really resent an intrusion in its use. Thank you, Cathy Jones.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Leslie Roberts

**Commenter email (if provided):**

leslieproberts@gmail.com

**Public comment:**

This is the first time I have commented on an Oregon state proposed ruling. State parks are a place to enjoy the peace, quiet and beauty of nature. A way to get away from the noise and technology of everyday life. There has already been big increase in crowds 7 days a week in the state parks due to the shift in work from home trends. I often hear people conducting their work business on cell phones while walking on the trails as if everyone else wants to hear their conversations on speaker. I find drones to be very disruptive and an invasion of privacy. The noise is unnerving with the buzzing. Not all drone pilots are capable or respectful of other peoples space, and they can photograph and publish anyone visiting the park without their knowledge. I am a hobby photographer and understand the desire of taking beautiful aerial photos. But not at the expense of others who want to experience the peace and beauty of nature. We have experienced the disruption of drones in some beautiful areas and it changed our experience and enjoyment of the beauty of the mountains and lake. This possible new ruling is very upsetting and disappointing. Yet another way to spoil the beauty of Oregon.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Ruth Shelly

**Commenter email (if provided):**

rgshelly@hotmail.com

**Public comment:**

Dear State Parks,

Thank you for opportunity to comment on use of drones in our state parks, particularly the coast. As a resident of Neotsu near Lincoln City, I go to the beach almost every day and take great pleasure in watching families enjoy this respite from city life. As a birder and wildlife photographer, I've witnessed how agitated coastal birds can get when threatened by drones--we lost a valuable clutch of Peregrine Falcons at Yaquina Head last year due to drone activity.

I recommend all coastal areas be closed to drone take-off and landings, except where they will not disturb wildlife or visitors. An advisory committee including conservation, tribal, and science representatives could determine where drone launch is allowed. State Parks should include a final map of designated drone take-off and landing locations on their website, and periodically monitor these sites to ensure that they're still appropriate.

There must be strong enforcement mechanisms in the final rules, and enforcement cost can be covered by requiring drone registration/licensure, easily obtainable online permits for flights, and on-board tracking technology permitting observers to identify drones.

Let's have Oregon pave the way for appropriate, non-invasive use of this technology!

With thanks for your consideration,

Ruth

Ruth G. Shelly  
OR 97364



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Terry DeJongh

**Commenter email (if provided):**

dejongherry@gmail.com

**Public comment:**

- Recommend all coastal areas be closed to drone take-off and landings except where they will not disturb wildlife or visitors
- To determine where drone launch is allowed, the State Parks Director should establish an advisory committee that includes conservation, tribal, and science representation
- State Parks should include a final map(s) of designated drone take-off and landing locations on their website
- All areas should be periodically reviewed for inclusion or removal as designated drone take-off and landing areas based on evidence of disturbance and changes in wildlife habitat
- State Parks should include strong enforcement mechanisms in the final rules, the cost of which can be mitigated by requiring:
  - o drone registration/licensure for drones to be used in Oregon
  - o easily obtainable (online) permits for flights
  - o on-board tracking technology permitting observers to identify drone

Thank you for this opportunity to offer comments.

Terry DeJongh  
Lincoln City, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Carolyn Hinds

**Commenter email (if provided):**

carolynannhinds@gmail.com

**Public comment:**

Please limit the use of drones to specific areas where it will not be a disturbance. It is a terrible annoyance to me to have to listen to the noise of drones when I come to the coast to enjoy the rhythms of nature.

More importantly the concern for birds and other wildlife should be the state parks top priority as it is their home. Humans only visit, but glean the joy of nature.

Please work to limit drone activity to certain spaces.

Thank you very much for your time and effort to work on this very important issue.

Carolyn Hinds  
Oregon resident



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Bernhard Masterson

**Commenter email (if provided):**

bernhard\_masterson@hotmail.com

**Public comment:**

Greetings,

As an annual pass holder and regular user of state parks, I urge you to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

As a coastal sea kayaker I am careful to give birds and wildlife a wide berth. As a hiker and mountain biker I do the same. I see myself as the guest in wild lands. State parks are no place for drones that cause acoustic and visual pollution and annoyance for park users. For birds and other animals drones can disturb nesting sites and cause a threat response.

sincerely,  
- Bernhard



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Lon Otterby

**Commenter email (if provided):**

ottercruz@aol.com

**Public comment:**

Dear OPDR,

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Over a million seabirds and shorebirds nest along Oregon's coastline every year including the endangered Western Snowy Plover and species of concern like the Tufted Puffin and Black Oystercatcher. This opportunity will also help preserve peaceful experiences for those who want to explore Oregon's natural places and to recreate safely.

Wildlife disturbances due to improper drone use are increasing on Oregon's iconic coast and state parks where thousands of visitors come every year. As visitation increases we need to be proactive to minimize wildlife disturbance balanced with appropriate drone use.

Thank you for your consideration,

Lon Otterby  
Marcola, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Jim Benton

**Commenter email (if provided):**

rainier2dc\_icloud@icloud.com

**Public comment:**

I urge Oregon State Parks to close drone use in Oregon State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Designated drone take-off and landing areas should be defined by a technical committee that uses the best available science to determine the appropriate take-off and landing sites, ensuring wildlife is not disturbed and the experience of park users is safe and also not disturbed.

Thank you for protecting Oregon's natural resources and the experience of park users.

Jim Benton  
Cannon Beach, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Jill Simmons

**Commenter email (if provided):**

jillrsimmons@comcast.net

**Public comment:**

I recently learned of this proposed rule in Oregon. Although I am from the east coast, I recognize that this could be a template for other states. It appears that your proposed rule is a valuable and well thought out proposition and as such I would support it and encourage the state of Oregon enact this rule. It is fundamentally fair to all parties and gives rights and responsibilities to those of us who fly drones, both commercially and recreationally and is within the bounds of FAA regulations.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Kirsten Wert

**Commenter email (if provided):**

kirsten.wert@gmail.com

**Public comment:**

We need to prioritize protection of sensitive wildlife. Species such as snowy plovers and marbled murrelets deal with enough threats already; habitat loss, destructive/illegal human activities, climate change, non-native/invasive predators. It seems obvious to me that loud drones with spinning blades whizzing through the air should not be added to the list of crap our wildlife has to deal with.

Excessive drone use would also destroy the peace and quiet that so many are seeking in natural areas.

Drones have their place and can be useful in specific, limited circumstances. There should be a strictly enforced permitting system for properly trained operators who are contributing to research, journalism or natural resource management efforts.

Thanks for gathering input from Oregonians!

Sincerely

Kirsten Wert



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

James Faulkner

**Commenter email (if provided):**

jfaulknerdvm@comcast.net

**Public comment:**

Drones are an invasion of privacy, a source of noise pollution and a significantly reduce the enjoyment of the state parks and public lands for everyone except the flier.

The wildlife impact can be significant. Wildlife acts as if drones are predators. I watched as an illegal drone put up 250,000 snow geese at a refuge. There is not much that will put these birds in the air, except eagles.

My suggestion is to allow drone use in the same areas that are designated for disturbance like those used for off road vehicles and dirt bikes.

James E Faulkner DVM, DACVS



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Tuesday, April 12, 2022

**Commenter name (if provided):**

Victor Sund

**Commenter email (if provided):**

victorsund@comcast.net

**Public comment:**

Please prohibit drone use on our coastal beaches especially during bird nesting season. The regulations need more teeth as do the regulations regarding poaching our natural resources. Give law enforcement more funding.

Thanks.

Victor K. Sund

Cascade Head, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Monday, April 11, 2022

## Public comment:

As someone who owns and flies a drone for personal enjoyment I appreciate the proposed rules. I would like to see the parks department defer to the FAA somewhere in the proposed rules about following those federal laws in regards to the taking off/landing of the aircraft. Depending on the mission type, the users are already agreeing to fly in a safe manner without needing to add: a) Take-off and landing of an unmanned aircraft system must be done in a manner that is reasonable and prudent relative to terrain, prevailing conditions, equipment, personal capabilities, personal safety and the safety of all other park users.

Is it also possible to add a section that allows a Parks employee to verify that the pilot has the proper license, whether recreational or Part 107 on request and that the parks employee can ask that individual to leave if proper verification isn't met?



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Christine Kell

**Commenter email (if provided):**

judandchris@gmail.com

**Public comment:**

Please Exempt First Responders from any rules you make. These heroes are more and more frequently "flying" personal flotation devices out to someone in trouble in the water. It keeps the person afloat until additional help arrives to rescue them.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Shashank Pandey

**Commenter email (if provided):**

sspandey1110@gmail.com

**Public comment:**

In my opinion, drone usage should be permit only and permit should be given only to wildlife filmmakers and experts of the field.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Pamela Beaverson

**Commenter email (if provided):**

pjbeav.info@gmail.com

**Public comment:**

Please keep drones out of our parks. I am not alone in seeking a quiet interaction with the natural world when I visit state parks. I am also greatly concerned by the potential for harm to fragile communities of nesting birds and other wildlife that lives in our parks. Activities, such as drone use, that disturb other users' experiences have no place in our natural areas. Thank you for listening.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Patty Hodgins

**Commenter email (if provided):**

phodg1@gmail.com

**Public comment:**

I strongly oppose allowing drones to take off and land within the boundaries of any state park. I am especially concerned about drones' disturbance of wildlife and birds. There is enough stress on them already, what with increasing numbers of people visiting the parks and the rising impacts of climate change. We don't need to add another element to that burden.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Susan Gibeaut

**Commenter email (if provided):**

SusanGibeautPetitions@gmail.com

**Public comment:**

You've got to be kidding me. Regulate to protect wildlife and charge for access to raise money for OUR parks. Crap like this, selfish, decadant crap, is exactly why our planet is dieing. Grow up already.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Wilton Roberts

**Commenter email (if provided):**

wilton.roberts@gmail.com

**Public comment:**

The restrictions proposed are reasonable except for requiring a permit.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Teddy Bozeman

**Commenter email (if provided):**

teddy@bozeman.me

**Public comment:**

Hello, thank you for considering my comments!

My name is Teddy, and I'm a hobbyist nature and wildlife photographer, and amateur videographer. I also fly a drone, primarily for taking landscape photographs and videos that I share in the hope of connecting people with the natural world, even if (like my elderly parents), they are unable to experience it first-hand. I am fully registered with the FAA, follow all rules and safety precautions, and follow a "nature-first" personal rule, always respecting the natural world and its inhabitants.

Drones are a touchy subject for many; there are a minority of fliers, just as in any group, that refuse to follow laws, respect wildlife/people, and are just outright rude, and they should certainly be looked down upon. However, I (like the majority of drone pilots), use our drones as a "flying tripods"; we want to document and share the amazing sights the natural world has to offer, while also respecting nature. We welcome rules to protect sensitive natural areas, while also having hope of finding a way for us to continue to photograph and film responsibly.

Thank you,

Teddy



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Nancy Hegg

**Commenter email (if provided):**

boomerhollow@gmail.com

**Public comment:**

Drones are threats to wild animals and birds. Drones are very noisy and would be terrible to put up with in places that should be focused on nature when people are enjoying a natural park. Please do not ruin our native parks with these devices.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

virginia&arthur Brown

**Commenter email (if provided):**

vbrwn10@gmail.com

**Public comment:**

We were shocked to learn of a proposed "rule" allowing drones to take off/land/fly over State parks and along the ocean shore. Our State (and Federal) Parks are among our national and state treasures - the chance to escape into nature and to enjoy all that is beautiful and PROTECTED in our state. Also our beaches in Oregon - all open to the public and places of rest, relaxation and overall enjoyment of this beautiful state. Drones would be a disturbance and possible hazard not only to humans, but also to wildlife and pets. The last thing we need is the intrusion of drones in these places. We propose a BAN on drones in State parks and along our ocean shores - not an acceptance of them! Thank you.

Virginia and Arthur Brown, Silverton, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Matt Plummer

**Commenter email (if provided):**

mplummer@bendcycling.org

**Public comment:**

I believe specifying where a drone can take-off and land is necessary for the wellbeing of wildlife and other park users. Regulation should apply to anything with a motor on it.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Trever Bruhn

**Commenter email (if provided):**

treverbruhn@yahoo.com

**Public comment:**

I am a part 107 commercial Unmanned Aircraft System (UAS) operator and a recreational model flyer. I strongly support the OPRD creating clarifying rules for the take off and landing of drones in state parks. As a drone pilot I appreciate clear rules. I am conscious of the other users in my vicinity, and I take reasonable measures to mitigate my impact on them. I am also concerned for the environment and wildlife and understand that there are places where I have an impact without knowing it. I appreciate being informed of where and when my actions cause undue harm. The current draft rules seem like a very reasonable approach that will allow ORPD to mitigate harm, balance user interests, and adapt to new and changing circumstances and technologies.

I strongly support the 'allowed unless specified' approach. This method gives the state the opportunity to assess the impact and apply reasonable restrictions to the benefit of all users, the ecosystem, and the environment as necessary. This is a model that allows the state to be responsive and evolve with the emerging needs. It is also the most reasonable option for the state to implement new rules. This would allow the state to use a triage method of identifying prohibited zones – identifying obvious areas now and then adding to the closure list over time as issues or problems arise.

I strongly oppose the inverse model of 'prohibited unless specified'. This approach would apply rules across the board without properly assessing the impact or necessity of those rules. This approach would instantaneously close many areas to drones that otherwise might be perfectly appropriate for their use. Drone operators would be in the position of constantly having to organize and advocate for areas to become permitted. This is the least reasonable option for the state to establish new rules. Under this model the state would have to conduct a complete and thorough assessment of every state park for where flight is and is not appropriate before they could issue such a blanket ban. Rules should be reasoned and justified and without such a thorough review these rules could be challenged as arbitrary and capricious. This approach could (and frankly should) require years of impact study thereby delaying the implementation of rules that can help clarify for everyone what is appropriate and help responsible pilots act in good faith.

The evolution in technology and availability of consumer drones that are little more than flying selfie cameras that require almost no flight skill or training has me nervous about all drones losing their privileges. While I imagine it would not be a popular option among drone enthusiasts, I would support an addition to the current rules that would require current FAA Part 107 certification of the pilot to take off and land in state parks. I am part 107 certified and I was surprised by how much I learned in becoming certified. I now know that I was almost completely ignorant of the FAA regulations and the "rules of the road". Had I owned a drone prior to becoming certified, I would have violated many regulations and customs out of simple ignorance. An addition to the rules that

helps ensure the people operating aircraft are Pilots and they are not unintentionally ignorant, could help all drone operators be better citizens in our state parks and perhaps avoid the need to close or restrict more areas.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Kourtney Linebaugh

**Commenter email (if provided):**

klinebaugh@protonmail.com

**Public comment:**

Hello,

I would like to comment that the taking-off or landing of drones should NOT be allowed in public parks or ocean shores. I understand state parks cannot currently ban drones, but allowing taking-off and landing would contribute to drone access in parks that also contributes to noise pollution and privacy concerns to those looking to find a peaceful refuge in state parks and on beaches. Please vote to not allow the presence of drones taking-off or landing in state parks. Thank you for your consideration.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Eloise Russell

**Commenter email (if provided):**

eloise\_kbr@hotmail.com

**Public comment:**

Please do not let drones in any of our parks any height any level anywhere. If this rule inevitably allows more drone usage please write it so there are no drones. One of my what was going to be one of my best experiences of my life (a solar eclipse) was completely ruined by a drone. I cannot imagine anything more annoying or selfish for somebody to do that. Thank you for doing the right thing and banning drones for good.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Denise Grover

**Commenter email (if provided):**

sabrinawellington02@hotmail.com

**Public comment:**

I strongly oppose drones being allowed to land and fly over state parks. We go to state parks to enjoy nature, camp and for peace and quiet. Drones create loud noise which ruins our visits to the parks, disrupts nesting birds, and frightens wildlife. Anyone who would fly drones in state parks are rude and inconsiderate.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Monday, April 11, 2022

## Commenter name (if provided):

Elane Graves

## Commenter email (if provided):

gravesdrone73@gmail.com

## Public comment:

Thank you for allowing public comment on this topic.

1. The rule ammendments to allow drone use in all areas unless otherwise prohibited sound fair and reasonable. I would encourage you to adopt them.
2. As opposed to several public comments, drone operators are not as interested in the people below them as assumed. Just because a drone is overhead, doesn't mean it is photographing or filming people on the ground. This is merely an assumption.
3. Limiting use to areas with sensitive wildlife is a good idea. As a drone pilot, I do not want to disturb such wildlife.
4. In terms of being a nuisance, I don't find drones to be any more of an annoyance or disturbance than loud music, vehicles, off-road vehicles, boats, etc. Most parks have areas that are designated to be off-limits to motorized vehicles to protect the environment, that could be extended to include drones.
5. I would encourage people to consider the positive aspects of drone usage just as much as the negative ones.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Chris Graamans

**Commenter email (if provided):**

chrisgraamans1@gmail.com

**Public comment:**

I am in favor of restricting the use of drones in or over state parks. They take away from the peaceful enjoyment of the parks by the majority of users.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Dena Turner

**Commenter email (if provided):**

denaturn62@gmail.com

**Public comment:**

Rules proposed to allow take-off and landing of drones anywhere in State Parks is not restrictive enough. Sensitive areas must be protected. Allowing unlimited take-off and landing does not provide enough protection for sensitive areas.

The state has provided restrictions for the habitat of Snowy Plovers, which are listed as endangered in Oregon. The habitat of the Snowy Plovers must be protected from drones. To the plovers, drones would appear to be predators, likely causing plovers to leave eggs or chicks unattended as the adults would flee from the drones. Leaving eggs or chicks unattended would make them vulnerable to other predators, or at risk to heat or cold, and thereby potential death. Humans in the area of plover nests would potentially trample plover eggs and also frighten adults off nests and make chicks and eggs vulnerable to predation and the weather.

In addition, since the state can't control where drones fly, the best thing we can do to protect sensitive areas and traditional recreational use is to control where drones take off and land. Limit that and you limit potential flyover of drones over snowy plover nests, including at risk and endangered adults, chicks and eggs.

State parks are large and there is plenty of area to fly drones. They must not be allowed to take-off or land, or flyover at risk and endangered snowy plovers.

I have discussed snowy plovers, but other sensitive areas that protect nesting or migrating species must be protected. Many species numbers are down and unlimited human access to sensitive areas does not make sense.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

J Lastname

**Commenter email (if provided):**

sample@gmail.com

**Public comment:**

I am very concerned about the impact of drones in public parks. Twice when walking at Mt Tabor park in Portland someone was flying a drone. The noise made it impossible for me to enjoy the place. One one occasion I told the man that it was illegal to fly drones here; he was polite and desisted. (Later I was told that as the owner of a drone he would have been well aware of the regulations.). On the second occasion I spoke the the man and he was very hostile. For this reason I'm not identifying myself. Even if he had cooperated, my experience would still have been unpleasant as, in both cases, it took quite some time for me to locate these people and then get to them.

Thank you very much for reading this.  
Best wished to you in your work.

J.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Shelby Knife

**Commenter email (if provided):**

sknife25@yahoo.com

**Public comment:**

As a 14 year resident of Lincoln County, I love going to the beach. It has become a place of solitude and relaxation. I cannot imagine having drones flying overhead as I am trying to enjoy with water and wildlife. It would be a shame to allow such a noisy nuisance into such a pristine area. I strongly urge the committee to reconsider allowing drones in such beautiful places.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Richard Taylor-Kenny

**Commenter email (if provided):**

USGolfers@gmail.com

**Public comment:**

After speaking with Katie it was brought to my attention that about 1000 Oregonians have responded to the drone issue. That's about .0003% of the population responding to an issue that will affect the entire population of Oregon not to mention the wildlife interruption.

I believe you have a serious communication issue in getting the issues out to the public for consideration. Since any public space issues affect the public there should be public service announcement broadcasts, with ample time to respond, over all of the local news stations, radio, internet and tv, to get the public involved and greater empower them with a greater participatory role to offer their feedback. While local news stations are not required to set aside a portion of their budget for public service announcements many will provide that service freely.

As it is now, because of a lack of information rules and regulations for all are being created by a very limited few.

For the record I request to restrict privatized drone access to all public lands, without exception.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Moina McMath Walton

**Commenter email (if provided):**

mcmathm@peak.org

**Public comment:**

There shouldn't be any recreational drones in public spaces at all. I will throw whatever is necessary to down one, if it gets near.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Warren Brainard

**Commenter email (if provided):**

brainardsbkgc@gmail.com

**Public comment:**

As the former chairperson for the Air Force Air Mobility Command Counter-Small Unmanned Aircraft Systems Working Group, I have significant awareness and experience of the risks to safety and security of small unmanned aircraft (drones). My group served to standardize my departments approach for mitigating risk from small unmanned aircraft threats to military property and assets. While Oregon's Parks may not be vital to national security, they are a scenic and natural treasure to all. Chair Golden states in 27 Jan 21, memo that: "Passage of SB 109, to create administrative rules, will provide the clarity needed for drone pilots, hobbyists and the general public to know where drone take-off and landing is allowed and prohibited within a state park launch of unmanned craft from anywhere in a state park that is not designated otherwise." I agree clarity is needed for drone pilots; however, the consideration of use doesn't go far enough to limit areas and restrict where drones are off-limits--nor addresses personal privacy, noise and environmental safety concerns of other park patrons. No training, no permit and no oversight is needed to purchase a drone. A drone is not a toy or harmless like a kite, it is classified as a commercial aircraft. Drone users can lose control, lose power or lose signal of their device which can result in uncontrolled flight or crashing. The lithium batteries and litter created by the debris of "lost" drones can and has impacted the environment. The safe use of these vehicles in an area known and excluded from others who wish no nuisance from these devices needs to be considered. Likewise, drone takeoff, airspace and landing should be limited to specific sites and areas so the public can be assured drones won't interfere with their right to enjoy and protect parks as a safe and secure place for recreation. I urge the Parks and Recreation Department to carefully consider these realities and drone use in light of their Mission Statement: Oregon Parks and Recreation Department is to provide and protect outstanding natural, scenic, cultural, historic and recreational sites for the enjoyment and education of present and future generations.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Monday, April 11, 2022

## Commenter name (if provided):

Becky Richardson

## Commenter email (if provided):

becky.richardson@gmail.com

## Public comment:

Drones should NOT be allowed to take-off and land in state parks. These parks are some of the only places where the public -- and wildlife -- can get away from rampant human development, noise, and technology. Drones have no place in such spaces -- they're noisy, they're disruptive to the peace for both humans and wildlife, and they're invasive of privacy. Part of what I've always loved about the Oregon wilderness, growing up fifth-generation in the region, is the peace, quiet, and privacy to enjoy the natural beauty of the state. In my experience, drone operators are entirely at odds with these values. I have seen drone operators, even where these are prohibited, using their drones to harass wildlife. Once, I saw a drone getting within a couple of feet of waterfowl on a lake. The ducks and geese were obviously frightened and alarmed, flapping, fleeing, and squawking. The drone operator only ceased when I approached them and reprimanded the behavior. Imagine the scale of such violations if drones were welcomed into public lands. There are also many devastating anecdotes about wildlife being severely impacted -- most infamously, the case of elegant terns who abandoned thousands of eggs because of one bad incident with a drone disturbing their nesting site. Drones have severe and outsized effects on our wildlife. We should not be welcoming them onto state park lands.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Kathleen Gordon-Brooks

**Commenter email (if provided):**

kittylou17@hotmail.com

**Public comment:**

I do not support the recreational use of drones in Oregon's state parks and forests. I prefer that the air space remains clear, wild and natural.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Zach Border

**Commenter email (if provided):**

borderzach@gmail.com

**Public comment:**

I oppose any increase in approved drone operations areas. In addition to the disruption drones impose on wildlife, their presence is noisily obnoxious as well as unsightly. Additionally, the drone flights proposed will most often occur from popular gathering spots and viewpoints. Drones are hazardous to onlookers hoping to see a whale or simply enjoy the serenity of our coastline, and not planning on catching a whirling blade in the eyeball. As an airplane pilot, I adhere to regulations requiring a minimum 2000' clearance from sensitive areas to include all coastal rocks. These are the areas that will be inundated with drone flights, harassing wildlife. Enforcement of any remaining restrictions will be essentially impossible. There are plenty places for drone operators to enjoy their hobby. Scenic and environmentally sensitive areas like our Oregon Coast should NOT be amongst them.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Diana LaSarge

**Commenter email (if provided):**

dlasarge@gmail.com

**Public comment:**

Oregon's State Parks were created to set aside public areas for recreation, to preserve natural areas, and preserve areas for migrating birds and Oregon's wildlife. Drones are a new invention that, when used without the proper thought or responsibility, can disrupt every one of the reasons the parks have been set aside. I have witnessed drones being used in wildlife areas where migrating birds are resting. A drone flew over my head while I was enjoying the peace and quiet of the garden at Shore Acres. A local drone owner posted videos his drone took on Facebook of a dam, the reservoir, and the wildlife area, which is against Federal laws. It has been documented that many drone owners do not follow regulations, and have harassed wildlife, campers and others who are trying to get away into nature and quiet.

I believe that drones have their place, when used by professionals or contractors for research, in assisting looking for lost hikers, or when needed to take data for park purposes. However, recreational use by non-professional reasons needs to be strictly regulated within the parks with penalties that match the offense.

Maybe the parks department should consider setting aside a few drone flying areas for recreation that do not hamper wildlife or the public who are there for peace and quiet.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Theresa Silver

**Commenter email (if provided):**

tsilver@alumni.reed.edu

**Public comment:**

No, no, no, no! People have plenty of developed places to play with their toys. Leave the wild spaces for the wild animals. People need to learn to occasionally do without if we're actually going to share the planet with wildlife. There is no actual need to fly drones in parks that in any way balances out the harm that doing so will cause.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Michael Medina

**Commenter email (if provided):**

802redwood@gmail.com

**Public comment:**

As a wildlife biologist and drone pilot I have a unique perspective on this. Most recreational drone pilots do not exercise good judgement when flying in almost every situation. They fly over people, harass wildlife, and would likely still ignore any of these proposed rules.

My recommendation is to make it as difficult as possible to fly drones in state parks. I believe take off areas should be limited to very specific non-populated, non-sensitive (wildlife or habitat) areas but should be spaced enough for a pilot to maintain VLOS. That may sound like two incompatible ideas, however I believe mostly unfettered airspace access to our parks is a good idea, I just believe it shouldn't be easy to get started. Once you get access, you should be able to fly most of the parks.

I believe there should be an education/registration program and as part of it, if legal. People who intend to fly UAS in state parks should register with state parks so there can be rule enforcement. This offers a great opportunity to educate UAS pilots on the rules, take off areas, and potential sensitive areas.

As we all know, we must set the most strict rules not for the people who follow them but for the people who tend not to follow them. There are certain types of people who believe rules don't apply to them and for some reason many recreational UAS pilots belong in this group.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Richard Stephens

**Commenter email (if provided):**

aerostephens@gmail.com

**Public comment:**

For specific aviation terms related to uncrewed aircraft systems, please refer to the Advanced Air Mobility Dictionary which can be downloaded here:

<https://aviationplanningdesign.files.wordpress.com/2022/03/advanced-air-mobility-dictionary-2.pdf> I will post specific comments related to this proposed rule in another response.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Wyatt Willis

**Commenter email (if provided):**

Wyattwillis15@yahoo.com

**Public comment:**

I myself am a Fixed Wing Private pilot and I believe drones and other UAV aircraft allow individuals that cannot afford traditional aviation to participate in the community and grow both the popularity of aviation and the tourism industry in Oregon through the videos and pictures that are produced in and around Oregon. Drones allow different perspectives in aviation that traditional aircraft cannot and do so in a much more affordable and friendly way. I think the FAA has done a great job at regulating drone usages and I don't believe that Oregon should regulate it beyond that. They quiet, small and when flow they can go almost completely unnoticed. Im sure there will still be a few people who complain about them because they can't stand the fact that there are people who are happy in this world that they can't control what they do; but we don't need additional rules for the sake of rule so let the people who own drone fly them and have fun.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Jeff Hildreth

**Commenter email (if provided):**

hildrejeff@aol.com

**Public comment:**

Drones should not be allowed to take off or land within range of nesting and areas where wildlife have their newborns. When people or noise from drones show up this disturbs the wildlife and can cause abandonment of the newborns. Protecting our wild life is far more important for the future of Oregon than the enjoyment of drone operators. Telephoto lenses work just fine. Drone operator need to develop technology that would protect wildlife not cause problems.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Catherine Rambo

**Commenter email (if provided):**

cazaboopdx@yahoo.com

**Public comment:**

Thank you for providing a space for public comment on this issue.

Drones should not be allowed in State parks when operated for recreational purposes. They are obnoxious, noisy, invade people's privacy, and are detrimental to wildlife. There is no place for them in State parks where people go for peace and to get away from noise. These toys can be used elsewhere.

For those who would argue that a drone is comparable to frisbees, kites, and balloons, note that those items are not motorized and noisy, and most likely are not able to take photographs.

For those who would argue that their "rights" are being infringed upon, note that their drone usage disturbs and angers others using the parks and disrupts wildlife, but that non-drone-using park-goers and wildlife do not disturb the drone operators.

An analogy would be smoking. You have a right to smoke, but not in my airspace in a workplace, bar, restaurant, or indoor business establishment; you need to go to a designated area. I have a right to not smoke, which does not affect your (the smoker) health and air quality.

Drone operators have other places to use their toy.

Drones used for search-and-rescue, scientific research, commercial filming, and the like, should be allowed in State parks only by highly-regulated special permit and the operator should have an appropriate FAA license.

I cannot stress enough how drones used for recreational are a menace: they destroy the public peace.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Nick Gelbard

**Commenter email (if provided):**

ncgelbard@gmail.com

**Public comment:**

I go to state parks for the natural beauty whether it's by the ocean, in the valley, or in the desert. I do not go there for man-made objects like drones flying around, possibly taking photos of me. I do not want drones in state parks. And, I don't think that Samuel Boardman ("father" of Oregon parks) would want them either.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Edward Gross

**Commenter email (if provided):**

okieed@gmail.com

**Public comment:**

Dear ORPD,

Please ban all drone use in state parks, much as in our National Parks. Drones will certainly alter/degrade/disturb entire state park ecosystems especially in critical wildlife beaches, shore bird nesting, campgrounds, trails and streams. Places and areas that visitors come for peaceful, relaxing, hiking experiences where users leave no trace and do not disturb nesting birds, wild critters and park visitors. I urge that drone use be prohibited in all state parks.

Sincerely yours,

Edward Gross  
Brookings, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

David Whitaker

**Commenter email (if provided):**

dkwhit@pacifier.com

**Public comment:**

To whom it may concern,

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Drone use has a high probability of disturbing wildlife and it also can spook horses which may cause unnecessary risks for people riding horses in State Parks. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize negative interactions with people riding horses and wildlife disturbance impacts, and allow for peaceful and safe experiences for the hundreds of thousands of people that visit our iconic state parks and natural areas.

David Whitaker  
Portland, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Emily Nuechterlein

**Commenter email (if provided):**

nemily17@yahoo.com

**Public comment:**

Dear OPRD,

Please stop drones from taking over our Oregon state parks and beaches! I recently was enjoying a peaceful walk on the beach and had a drone come hover over me. It got quite close and I couldn't see who was controlling it, which I found disconcerting. I myself have several drones and enjoy flying them, but I always try to ensure that they are not bothering wildlife or other people. I think it is important that drone users be responsible, and since some clearly are not concerned with bothering others, I believe it is necessary to limit where they can be flown.

I urge you to restrict drones and allow them only for limited purposes, such as science or rescues, or in certain areas, where they will not disturb birds, other wildlife, or our cherished recreation experiences.

Sincerely,

Emily Nuechterlein  
Port Orford, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Sara Wilkes

**Commenter email (if provided):**

slizwilkes@gmail.com

**Public comment:**

Oregon Parks and Recreation Department,

Thank you for extending public comment on proposed rules for take-off and landing of UAS/ drones in state parks and the ocean shore.

This is a golden opportunity to better protect nesting birds, marine mammals, and other wildlife from additional disturbances. Over a million seabirds and shorebirds nest along Oregon's coastline every year. At a time when climate change and loss of habitats have taken a huge toll on our wildlife, we must be diligent with any protections we can provide as new challenges arise.

I have observed the use of drones on our Oregon beaches and I have not witnessed consideration of shorebirds. When I've listened to casual conversations with those enjoying their drones, I find the operation itself demands all of their attention. Adding consideration of the impact on wildlife, as well as the specific knowledge of their presence, is a challenge. I believe the public would appreciate having designated places determined and communicated so they can safely and responsibly fly drones.

I recommend all coastal areas be closed to drone use except where it will not disturb wildlife. Establishing an advisory committee that includes conservation and science representation, as well as a plan for enforcement of any rules established, would be essential. Recreation and wildlife preservation can both exist with proper planning.

Thank you for your consideration.

Sincerely,  
Sara Wilkes  
Salem, OR resident



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Delores Porch

**Commenter email (if provided):**

verandafay@gmail.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Delores Porch  
Albany OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Maryann Sinkler

**Commenter email (if provided):**

mcsinkler@gmail.com

**Public comment:**

Greetings,

I hope it's not too late to include my comments in support of drone regulation, in particular within State Parks and along ocean shores.

Just within the last two weeks, I was walking the beach south of Haystack Rock when the familiar buzzing of a drone caught my attention. It was flying up and down the beach, back and forth from the water to the homes at the edge of the dunes. My dog was spooked each time it flew overhead.

As I came closer to Haystack Rock, I could see the drone was also darting in towards the rock and going up and down, then around it. The birds were unsettled, flying around and squawking. The operator evidently thought it was fun and no doubt ended up with interesting footage at the expense of the birds. I'm not sure how a drone operator can be sure there won't be a collision with a bird?

As a Realtor, my photographer uses a drone to capture amazing photographs of my listings, so I do appreciate the photographic advantage a drone can offer. I know he would never go down to the rock and fly it near the birds because he has the sensitivity to know better. Unfortunately, not everyone does.

I'm thankful to the Friends of Haystack Rock for alerting me to the opportunity to submit a comment.

Maryann



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Monday, April 11, 2022

## Commenter name (if provided):

Donna Andrews

## Commenter email (if provided):

dla@centurylink.net

## Public comment:

There is extensive information and studies on the internet on the impact of Drones on wildlife. Parks are about quiet and listening to the sounds of nature or the happiness of families and children. Do we want technology in our Parks. I don't think so, and would like to see more, not less regulation.

Numerous studies on the decline of Birds And I see this decline in my own rural backyard

Birds are indicator species, serving as acutely sensitive barometers of environmental health, and their mass declines signal that the earth's biological systems are in trouble. Unfortunately, this study is just the latest in a long line of such mounting evidence.

Drone Dangers and Birds - Golden Gate Audubon Society

- They disrupt nests: When drones are flown too close to ROOKERIES or BIRD NESTS, the noise and unfamiliar presence of a drone could drive adult birds away. This can lead to neglect or abandonment of vulnerable eggs and chicks, reducing the breeding success of sensitive bird populations.
- Drones provoke attacks: Some birds, particularly RAPTORS, are very territorial about their nesting areas, and if drones are perceived to be a threat, the birds may attack the remote vehicles. This diverts the parent birds from caring for their hatchlings, FORAGING or otherwise tending to their own survival needs. Birds that attack drones could also be injured by moving blades or other parts of the equipment.
- They scatter leks: Birds that congregate on LEKS (area where birds gather during the breeding season) for COURTSHIP DISPLAYS can be particularly sensitive to disturbances, and if a drone appears to be a flying predator, the birds may scatter prematurely. This can drastically impact their ability to find suitable mates, and if the lek is not revisited, it may take generations for birds to find and begin using another suitable site with the same success.
- They interrupt feeding: If a drone disturbs a foraging bird, the bird may abandon a good food source and be forced to seek less abundant or nutritious resources. This type of disruption can have a catastrophic impact on overall bird populations, as malnourished birds do not breed as successfully or raise as many healthy chicks.
- Drones cause midair collisions: It is possible that a drone could inadvertently fly into a flock of birds or otherwise collide with birds, causing severe injuries. While there have not yet been any

reported instances of accidental midair collisions — birds colliding with drones as they attack are a different type of impact — as drone use rises, this risk also increases.

What are the effects of drones on wildlife and domestic pets?

Two major studies have revealed that flying drones around animals can result in behavior changes and increased heart rates which may indicate stress induced by the sound and/or visual stimulus of the drone [2,3].

Sincerely,

Donna Andrews  
Grants Pass, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Michele Dodge

**Commenter email (if provided):**

micheledodge3@gmail.com

**Public comment:**

I live in CA, so this may not be relevant, but we have the same horrific drone issues here. I would like to see laws in place in every single state restricting drones to designated flying spaces only, UNLESS the flyer has a license for research (and those should be issued sparingly).

I do wildlife photography and wildlife rescue, and have seen several nesting areas deserted due to drone activity. And sadly, my observation of drone pilots is that they have zero ethics when it comes to protecting wildlife. To add to it, I have friends who work as first responders, and drones result in helicopters and small planes (used for fire suppression) to have to ground. So people trying to get "drama photos" of fires end up endangering the fire fighting efforts.

Michele Dodge



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Linda Rentfrow

**Commenter email (if provided):**

lrentfrow@msn.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Anne Millhollen

**Commenter email (if provided):**

hplam\_1998@yahoo.com

**Public comment:**

Please prohibit drones in the state parks and ocean shores except for areas where they are explicitly allowed in clearly marked areas. Drones frighten wildlife because they look like aerial predators. This disturbs nesting and may wipe out some species if we do not prohibit drone use. From a human standpoint I would add that drones also disturb the kind of peaceful environment that we humans seek when going to parks and the beach.

Thank you for your time.

Anne Millhollen

Eugene, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Jeanie Taylor

**Commenter email (if provided):**

gophers@fastmail.com

**Public comment:**

To: OPRD

Re: Rules for drone use in Park

Because the pressure from human use, development, habitat loss, and climate change are all causing declines in bird and other wildlife populations, I am writing to urge Oregon State Parks to close drone use in State Parks and the ocean shore, unless otherwise indicated as designated drone take-off and landing areas.

I enjoy visiting the coast to see many unusual and threatened species like tufted puffins and other nesting seabirds. Seeing snowy plover for the first time was a special experience. These species need protection from disturbance that drones create, and I would like to enjoy nature without drone interference as well.

This is a complex issue that deserves careful study to make the best choices. Please create a panel of advisors who are qualified and empowered to determine appropriate designated drone take-off and landing areas, based on sound wildlife science.

This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas. It will protect vulnerable species from further decline.

Respectfully,

Jeanie Taylor  
Yamhill County resident



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Audrey Bergsma

**Commenter email (if provided):**

audznd@yahoo.com

**Public comment:**

Dear Oregon state parks,

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Thank you,

Audrey Bergsma  
Portland, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Monday, April 11, 2022

## Commenter name (if provided):

Nancy White

## Commenter email (if provided):

nj\_white@icloud.com

## Public comment:

Good morning,

I am in favor of banning drones in any area where wildlife live, nest and raise their young. I am concerned that currently there is consideration to allow drones anywhere except for a few designated areas.

I listened to individuals express their concerns about drones during the March 30 and 31 meetings. I can see absolutely no reason to allow drones in areas where wildlife are living, resting, nesting, or raising their young. There is solid evidence to show the damage drones can effect on wildlife.

For the past five years, I have volunteered to monitor black oystercatcher nests. One season, I witnessed a drone operator fly his drone directly over a nest that was occupied by a black oystercatcher. The bird took off after the drone. The mate took chase as well. The nest was in an area where there are many predators and leaving the nest abandoned for several minutes can result in the destruction of eggs and/or abandonment of the nest. On other visits, I saw other drone operators in this area fly their drones in an area where there were three other nests. The drones bothered the birds in the area, as well as the individuals who came to the area to enjoy the scenery, the wildlife and peace.

Wildlife have enough to worry about to protect themselves from the many predators, let alone the distress of drones flying nearby. There are plenty of areas for drone operators to enjoy the use of drones. After hearing testimony of the damage drones have done to wildlife for years, I see absolutely no reason to allow drone operators to use these devices anywhere near areas where wildlife live and raise their young along the Oregon coast and elsewhere in Oregon.

Nancy White  
Depoe Bay, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Doug Calamar

**Commenter email (if provided):**

2manyfishtocatch@gmail.com

**Public comment:**

4-8-22

Re: Drones in Oregon State Parks

Please ban drones from all Oregon State Parks except for scientific purposes under very limited and controlled circumstances. The very idea of allowing recreational drones in our parks is absurd.

Drones can have a major negative impact on wildlife. Imagine the impact drones would have on birds, especially during nesting season. A drone flying around would probably look like some sort of bizarre aerial predator to most birds. Birds are in enough danger already without adding drones to the list of manmade problems they face. In addition to birds, I'm sure other types of wildlife would not benefit from recreational drones flying over their territory.

In addition to wildlife being bothered, I know for a fact that many campers would not like their privacy and quiet time interrupted by a drone flying above their campsite, or above any area of a state park a camper might be using.

Please, ban recreational drones entirely from all of our state parks. A complete ban is the right thing for people and for wildlife.

Sincerely,  
Doug Calamar  
Grants Pass, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Elizabeth Menetrey

**Commenter email (if provided):**

elizabethmenetrey@yahoo.com

**Public comment:**

As an Oregonian who lives by the coast and deeply appreciates our State Parks and the wildlife within, I strongly urge you to ban drone use in the areas where shorebirds are nesting. Drones have no place in such areas and disturb the birds as well as those of use who like to enjoy our parks without being disturbed by drones.

Thank you,  
Elizabeth Menetrey  
Astoria OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

John Fiedler

**Commenter email (if provided):**

johnfiedler60@gmail.com

**Public comment:**

Dear OPRD,

Please count me as another citizen against the use of drones in Oregon's crown jewels--the state parks. People who enjoy these machines are welcome to do so on private or federal lands.

The more compact areas of state parks should be havens of retreat from human noise and the sudden alarms created by the buzzing-in of drones. And the lives of wildlife and their offspring may depend on them not having their territories invaded by mechanized competitors.

Please consider carefully and ban these devices from the parks. Thank you.

John Fiedler  
Otis, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Linda Hartling

**Commenter email (if provided):**

lhartling@icloud.com

**Public comment:**

Dear Oregon State Parks Friends,

I am the great, great granddaughter of Oregon Trail Pioneers, and I join all others in doing everything possible to keep Oregon a "Pacific Wonderland" during these difficult times of climate change, fires, drought, and other threats to our very special state!

Today I am writing to urge you to close drone use in State Parks and on the ocean shores. Having walked the beaches and trails in Oregon State Parks throughout my lifetime, I have been recently mortified by encounters with individuals carelessly using drones in sensitive wildlife areas and on the beaches.

Because Oregon has become a "hot" visitation location, its beaches and parks are already being stretched by large increases in foot traffic. Now more of these areas have to be controlled to prevent excessive tourism. Sadly, a number of these visitors have little knowledge or awareness of their impact on wildlife and sensitive lands. My firsthand experience suggests that this is particularly true for drone users.

Please kindly close drone use in State Parks. These vehicles are an encroachment on the peaceful appreciation of nature and the quality of life of our remaining wildlife.

Our Oregon State Parks are treasures that deserve to be protected from intrusive, private entertainment technology.

With much appreciation for your kind consideration,  
Linda M. Hartling, PhD





# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Steve and Jean Montana Lawrence

**Commenter email (if provided):**

stevemontanamusic@icloud.com

**Public comment:**

Dear OPRD,  
Please don't let drones overrun our Oregon state parks and beaches!

We've lived in Port Orford for 28 years enjoying osprey, red tail hawks, the variety of seabirds, geese... that Right Now are being disturbed by flying drones.

Please ban drones in state parks and beaches, except in limited areas to protect our wildlife and recreation experiences.

I wish to protect our experience of a sacred communion with nature, not to be overrun by mindless technology and people oblivious to natural beauty.

I urge you to restrict drones and allow them only for limited purposes, such as science or rescues, or by special permit, and only in limited areas, where they will not disturb birds and wildlife and our cherished recreation experiences.

State parks and beaches are also places where I go to recreate –to enjoy natural beauty, to find peace and solitude, and to watch wildlife. Drones make intrusive and startling noise, invade privacy, can be unsafe, and disrupt birds and wildlife. I am concerned that increasing drone use is incompatible with and will detract from these ways that I and many other local residents and visitors use and enjoy parks and beaches.

With park visitation increasing, we need for OPRD to be proactive now about balancing responsible drone use with exceptional visitor experiences and minimizing wildlife disturbances into the future.

Thank You,  
Steve and Jean Montana Lawrence  
Port Orford residents



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Sheila Donley

**Commenter email (if provided):**

sforrette77@gmail.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Dan Spikes

**Commenter email (if provided):**

dspikes49@gmail.com

**Public comment:**

I am an avid photographer but do believe that drones are danger and a risk to wildlife and people in the parks, shores, and mountains of Oregon and other states. I would vote to ban them without hesitation.

Dan Spikes



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Sandra Siegner

**Commenter email (if provided):**

ssiegner3@gmail.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas. I am particularly concerned about their effects on bird life.

Thank you,

Sandra Siegner



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Hillary Tiefer

**Commenter email (if provided):**

hillarytiefer@hotmail.com

**Public comment:**

Dear Members of Oregon State Parks,

I am concerned that birds and other wildlife can be injured or killed by drones. I am in agreement with the following statement by Portland Audubon:

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Portland Audubon points out that

Over a million seabirds and shorebirds nest along Oregon's coastline every year including the endangered Western Snowy Plover and species of concern like the Tufted Puffin and Black Oystercatcher. This opportunity will also help preserve peaceful experiences for those who want to explore Oregon's natural places and to recreate safely.

Wildlife disturbances due to improper drone use are increasing on Oregon's iconic coast and state parks where thousands of visitors come every year. As visitation increases we need to be proactive to minimize wildlife disturbance balanced with appropriate drone use. There is no good reason to endanger wildlife by indiscriminate recreational use of drones.

Sincerely, Hillary Tiefer



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Susan Nolte

**Commenter email (if provided):**

s.nolte@frontier.com

**Public comment:**

To Whom It May Concern:

It was a beautiful sunny Spring Day at Willamette Mission State Park. We watched bald eagles near their nest high in the trees, tree swallows swooping over the meadow, a bluebird perched on a fence post, and a kestrel at the top of a young Douglas Fir. But what is that annoying whine and buzz circling our heads? A drone! What is it doing here?

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Thank you for your attention,  
Susan Nolte



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

George Sexton

**Commenter email (if provided):**

gs@kswild.org

**Public comment:**

Hello OPRD,

There are few things more annoying than being buzzed by a drone.

I got to state parks and beaches regularly with my family to hike, camp, birdwatch and picnic. Drones negatively significantly impact all of those activities.

There are plenty of places for people to fly drones. Please keep state parks and beaches family friendly and fun by prohibiting drone use in these special places.

Further, the impacts of drones on pelagic birds is well known and serious. Encouraging drone use in parks and beaches will harm Oregon's wild birds.

Thank you for considering my request,  
George Sexton  
Talent, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter email (if provided):**

exlabguy@gmail.com

**Public comment:**

Drones should be BANNED from public parks, they are not only a nuisance and threat to the safety of animals and birds but also to the people trying to enjoy the park. If they want to play with their toys do it at your own home and property. Public Park means PUBLIC! Not individuals who desire to play with their toys. At least the radio controlled cars are limited to the parking lot.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

John Hartman

**Commenter email (if provided):**

jh@swunderstanding.com

**Public comment:**

Hi Oregon State Parks,

Thank you for drone rulemaking process and extension.

I heard reasoned discussion with good Parks rule maker on public radio yesterday.

Personally, I find drones and other hobby RC model planes intrusive, noisy and out of place in natural settings such as state parks.

They do, however, have value for useful observations and photography, and give pleasure to a small number of hobbyists.

I would like restrictive rules, with hobby drones and other hobby RC model planes only in areas with developed, intensive recreational use, where they can be shown to be harmless..

---

Particularly, as a birder, I'm concerned with impact on birds and other wildlife.

This is especially a problem at the ocean shore, where there's open airspace, concentration of sensitive birds, and concentration of beach walkers and birders who want a natural, undisturbed environment.

Please close drone and other hobby RC model plane use in State Parks and the ocean shore except in designated shown to not impact birds and other wildlife.

Please create a scientific body to review and recommend where drones and other hobby RC can be used peacefully and safely - for people, birds, and other wildlife.

Thank You,

John Hartman, Ph.D.  
Eugene OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Christa Danielson

**Commenter email (if provided):**

chrdan@comcast.net

**Public comment:**

Drones are intrusive and detrimental to enjoyment of natural lands.

I have actually been walking enjoying the beautiful Oregon coast alone enjoying the natural world all to have it interrupted by a drone right above me.

All of a sudden confronted with the worse intrusive technology "spying" on me.

It completely distorted my sense of peacefulness.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Monday, April 11, 2022

**Commenter name (if provided):**

Daniel M. Potter

**Commenter email (if provided):**

danielmpotter77@gmail.com

**Public comment:**

Please strictly regulate the take-off and landing zones of drones in Oregon State Parks. Drones are a nuisance and hazard to both humans and wildlife. Park users don't need them buzzing around everywhere above their heads while enjoying the beauty of Oregon's parks. I would propose having no take-off and landing zones at all in any Oregon State Parks. Thank you.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Sunday, April 10, 2022

## Commenter name (if provided):

Michael Mann

## Commenter email (if provided):

Abovethenw@gmail.com

## Public comment:

We don't have a drone problem we have a people problem. For as long as I can remember it has been illegal to break into a vehicle in state parks. Signs are put up "Do Not Leave Valuables in Car" because the current rules are not enforceable. People are going to do what people do as long as they can get away with it. The current FAA rules governing sUAS in America are easy to access, easy to understand, and already address pretty much all the issues brought up during the committee's last meeting. Creating more rules will not change the behavior of non-rule followers or those folks choosing to stay uneducated. In the past I have confronted a handful of obvious unsafe sUAS operator's and they either act like they didn't know about rules and safety or they just don't care about others. Having many hours flying sUAS in State Parks around Oregon I can tell you 99.9% of the people have a positive attitude towards me respectfully capturing the beautiful landscape with a sUAS. It is possible to coexist in a respectable manner without extreme measures. As always awareness and education are the pathway to improve the behavior of a community like sUAS operators. Along with education, a means to enforce the current or proposed rules. The committee is probably aware Remote ID will be incrementally rolled out starting in September 2022. Soon Park staff and bystanders will be able to remotely identify the operator of a sUAS. Unfortunately, the likely secondary effect of these proposed rule changes will push the above mentioned under-educated or nonconforming sUAS operator's farther distances from the intended photo location and actually increase the danger to State Park goers. We don't need more rules, we need to educate sUAS operators and enforce the rules we already have!

Michael Mann

Part 107 sUAS Pilot

AboveTheNorthwest LLC



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Sunday, April 10, 2022

**Commenter name (if provided):**

Loretta Arthur

**Commenter email (if provided):**

lacpslo@yahoo.com

**Public comment:**

Please DO NOT allow drone use in coastal parks or any other parks



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Sunday, April 10, 2022

**Commenter name (if provided):**

Elizabeth Laver-Holencik

**Commenter email (if provided):**

eholencik@gmail.com

**Public comment:**

I am concerned about drones interfering with nesting and migrating birds. Shorebirds need these beaches to survive and they already face so many human imposed stressors. I read the recommendations the Audubon Society submitted and I believes it's a reasonable approach to managing drone use aside from completely banning them.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Sunday, April 10, 2022

**Commenter name (if provided):**

Rob Adams

**Commenter email (if provided):**

rj16477@comcast.net

**Public comment:**

As a native Oregonian and frequent visitor to our state parks, I urge you to severely restrict or ban entirely the operation of private drones in state parks. They are an unwelcome and unnecessary nuisance to the tranquility and natural experience of our parks. Thank you



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Sunday, April 10, 2022

## Public comment:

Hi,

I've reviewed the proposed rule changes and I wanted to provide my public comments for items I am interested in.

For item 9, I suggest publish in any case if there are or aren't launch/landing zones from each park website. Also, work with DJI to include this map dataset of unauthorized launch/land zones from their app.

For item 9 D, I suggest Oregon Parks provide an app to request authorization for take off / land exceptions (e.g. LAANC like) for immediate request responses. Another related suggestion is registering drones with Oregon parks to obtain permits for these exceptions.

For item 9 F, I suggest having the director's proposed the no launch/land zone to first be published as a draft for a public comment period prior to informing the public of a finalized 30-day notice of an effective change. Also, I suggest set for any no launch/land zones to have expiration dates (seasonal/annual) that can be renewed after a round of public comments per park annually.

For item 9 G, I suggest the park director to provide a recommended launch/land zone for each park. Also, do not give a class A violation on the first offense but a warning first without writing up the drone operator. If the drone operator performs a second offense, then provide the class A violation.

Add a new item stating park visitors may not harass, disturb, pursue or injure drones or drone operators.

The suggestions above also applies to the ocean shore proposed rules.

In closing, I just started to fly a drone a month or so ago with my "TRUST" document and have enjoyed it. Please also consider allowing drones in other parks such as Cannon Beach since the website states bird nesting but if even year round, there has to be clear exceptions to get permission to fly.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Sunday, April 10, 2022

**Commenter name (if provided):**

Julie Satterwhite

**Commenter email (if provided):**

juliesatt@comcast.net

**Public comment:**

Drones should NOT be allowed in parks. These are places where citizens go to enjoy nature. Drones are disruptive, intrusive and obnoxious. There is no need to take off, land, OR fly over a state park where tax paying citizens go to get out of the chaos and find respite in nature. I've been in parks in other states where people are flying drones - the only person who is enjoying it is the pilot - everyone else is furious. Don't do that to Oregon!!



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Sunday, April 10, 2022

**Commenter name (if provided):**

Truett Dupuis

**Commenter email (if provided):**

truettdupuis@gmail.com

**Public comment:**

I think this is a great step forward for the drone community and the state of Oregon. Thanks for making this legislation



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Sunday, April 10, 2022

**Commenter name (if provided):**

Ted Viramonte

**Commenter email (if provided):**

gr8fulted@mac.com

**Public comment:**

In reviewing the public comment given to date, it would appear that only the coast line of the state is actually Oregon. For those of us who live nowhere near the Oregon coast, having the coastal area determine statutes for the rest of the state is ineffectual and offensive.

As someone who lives in Central Oregon, is a drone pilot, who always considers wildlife and people when flying, and who has all appropriate certifications to fly, I can tell you the vast majority of certified drone pilots pay attention to all considerations.

I strongly believe that each area of the state should have its own determination with the assistance of the State regarding its parks. As an example, Smith Rock State Park explicitly prohibits drone flying during the nesting season, but does allow it during all other months. This is an intelligent way to regulate. Signage is also important if the State decides to go this route. Current signage regarding drones is inappropriate and hard to find in Smith Rock State Park. As a result, rangers and volunteers are quite respectful and kind when approaching drone pilots who didn't see the signage and/or didn't know the nesting season was still in effect. Their respect and kindness to pilots cannot be overstated.

This sort of interaction and impact not only helps wildlife, but also climbers and tourists. Pilots are required to have certification on them or at least nearby, and having state personnel respectfully request to see such certification would go far.

Please don't allow coastal Oregon to impact all the rest of the state.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Sunday, April 10, 2022

**Commenter name (if provided):**

Finn Ostervig

**Commenter email (if provided):**

finnostervig@gmail.com

**Public comment:**

Hi all

I think that trained and licensed dronepilots shouldn't be restricted in taking off and landing .  
As responsible dronepilot you are following the rules for using the drone and respecting the areas where it isn't allowed.

Finn



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Sunday, April 10, 2022

**Commenter name (if provided):**

LARRY DURLAO

**Commenter email (if provided):**

durlaol@hotmail.com

**Public comment:**

I wholeheartedly endorse the proposed rule. It is a common-sense compromise that allows for safe, and reasonable use of drones on OPRD property, and I thank the OPRD for its time and attention to this matter



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Sunday, April 10, 2022

**Commenter name (if provided):**

David Vodicka

**Commenter email (if provided):**

dxvodicka@gmail.com

**Public comment:**

I think we have to remember that we live in America. This is, or was the land of the free, but common sense has to be used in all aspects of every action. Simply flying a drone in a state park should not be illegal. Actions of a very few should not be used against the many that use common sense and fly politely. Please don't take away rights of people to enjoy flying in some of the most beautiful scenery and being able to capture images of the great state of Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

John Armstrong

**Commenter email (if provided):**

drew@utahrealestate.net

**Public comment:**

People love to see and experience our parks here in the USA in so many different ways. They love to hike and see them from different angles. Allowing for responsible drone use allows for those who are unable to get to these iconic locations... to still be able to experience them. I appreciate your consideration. Responsible drone use is super important. Using them irresponsible way screws up wildlife. But until we ban Harley's and loud cars and weed eaters etc... People can handle a 20 minute drone flight. I come every fall and visit and photograph the coast. I love it. I love Oregon. I love responsible rules. What I don't love is knee jerk over reactions to new tech. Please don't do that.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Nia Sopiwnik

**Commenter email (if provided):**

niatatum@yahoo.com

**Public comment:**

No drones in parks please. Let's leave it a peaceful quiet place for humans and animal habitat



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Teresa Moran

**Commenter email (if provided):**

pahrumptmoran@gmail.com

**Public comment:**

They are very distracting and noisy. Also I do not want to get hurt by someone who isn't a safe operator . My vote is no



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Donald Laird

**Commenter email (if provided):**

laird@donaldlaird.com

**Public comment:**

I appreciate your efforts to come up with a reasonable rule for unmanned aircraft use. I am concerned, however, that a situation similar to what California State Parks has done may happen here as well. In California, the district parks Superintendent determines whether unmanned aircraft are allowed to be used in any parks in their district. With very few exceptions, the Superintendents have banned unmanned aircraft in their parks. This rule, as with yours, does not seem to allow for any appeal process if this happens. I am afraid that section OAR 736-010-0040 9f would allow the director or designee to merely declare all park areas to be off limits. Perhaps declaring that all those holding a valid FAA Part 107 certificate are allowed additional flight areas, as we are properly trained, would be a compromise.

If Oregon parks are available for unmanned aircraft usage, it will definitely encourage me to travel there to take advantage of the opportunity.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Sam Boswell

**Commenter email (if provided):**

03-cloves-decided@icloud.com

**Public comment:**

I know everything becomes very divisive these days between pro and con groups. In my opinion drones should be allowed where it is safe to operate them - taking off, landing and flying. State parks, in the appropriate places seem like an appropriate place for this activity. I support these proposals.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Norman Streeter

**Commenter email (if provided):**

normswinter@yahoo.com

**Public comment:**

As a coastal resident I firmly oppose ANY recreational or commercial use of drones anywhere along the Oregon Coast. Not only are they a nuisance to the majority of residents but also of the majority of tourists who come to the Oregon Coastal parks for camping, or peaceful recreation. There is already far and away too much noise that we have to contend with without the added raucous little buzz of those things, and this doesn't even begin to speak of the privacy invasion issues that will arise.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Josh Montgomery

**Commenter email (if provided):**

joshuamontgomery0@gmail.com

**Public comment:**

I believe most people who fly drones are very respectful and love nature. Please allow us to fly responsibly and have a reason to travel to parks.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Kim Sheehan

**Commenter email (if provided):**

kbsoregon@gmail.com

**Public comment:**

I live in Pacific City and am against drones over the beach (and in our neighborhood as well). Drones are noisy and invasive, and ruin the peace and quiet that many seek the beach to find. They disturb wildlife like nesting birds and sea mammals. They take photographs of people without their permission, and if you have a house on the water or in a neighborhood close to the water, this is a violation of our privacy. Please do not allow drones on our beaches. Thank you.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Saturday, April 9, 2022

## Commenter name (if provided):

Robert Booth

## Commenter email (if provided):

rpbnote-wazoo@yahoo.com

## Public comment:

The proposed rule is reasonable and should be confirmed. There is usually only a very few people who abuse the privilege of flying their drones. The majority of drone operators welcome clarity in reasonable rules for use. Typically, technology like this changes so rapidly that the rules become obsolete within a short period of time. Drones that are quiet and safe continue to evolve. One can expect that improvements being made will allow peaceful and safe operation with minimal impact to wildlife and people alike.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Ariana Chriest-Beattie

**Commenter email (if provided):**

a.chriest@hotmail.com

**Public comment:**

Drones should not be allowed on the beach. They are noisy and invasive. It should be illegal to record people without their consent as well. Plus people are likely to use their drones on the sandstone cliff which is very dangerous and unstable and can lead to more unnecessary deaths. Drones are not wanted and the use of them should be banned in pacific city Oregon/tillamook if not everywhere in national parks.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Joseph Kowalewski

**Public comment:**

The proposed changes are reasonable for regulating responsible drone pilots. We are regulated by the FAA and any agency whose land we wish to take off from-and common sense legislation such as the proposed changes helps both pilots and regulating agencies maintain safety and accessibility.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Katy Kolker

**Commenter email (if provided):**

katykolker@gmail.com

**Public comment:**

Drone users make up a tiny percentage of park visitors, but impact everyone around them. Please continue to protect park visitors' privacy and nature experiences and do not allow drones in state parks.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Alan Lichty

**Commenter email (if provided):**

alan@lichty.org

**Public comment:**

I am an amateur photographer who flies a drone to photograph the Scenery along the Oregon coast. I am a strong advocate for the wildlife along the coast and consider it my duty to keep my distance for any and all nesting areas with my drone. I also go out of my way as much as possible to stay away from other people who are enjoying the scenery. I am working on getting my Part 107 license not for commercial work but to better understand the FAA rules and oversight for flight operations. I do not see merit to arbitrary restrictions on flights in and near parks beyond avoiding wildlife and staying away from other park visitors. In my opinion take-offs and landings should be done to minimize intrusions on park visitors as a matter of courtesy.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Tim Patrick

**Commenter email (if provided):**

skycam509@gmail.com

**Public comment:**

Hello, thank you for the opportunity to comment. I am a licensed drone pilot and have been flying responsibly ever since drones became popular. I really enjoy flying on the Oregon coastlines and have captured some fantastic photos and video there. I ranked in the 96th percentile for flight hours among DJI drone pilots worldwide in 2021.

As a licensed operator, I am very conscious of all the rules, especially those regarding wildlife. In my observation, most other drone pilots are, too. I have also noticed that in the rare instances where someone is not following the rules, it was usually because they were not aware of them, not because they were deliberately trying to do something illegal. I am always quick to engage with a drone pilot whom I see not complying with the rules. They are usually grateful for my help in explaining the rules. I have seen and heard of other pilots who have engaged in self-policing our fellow hobbyists, as well.

From the standpoint of the annoyance of other persons in the Parks, I don't think it is as prominent an issue as others who oppose drones are stating here. In all my outings I have only encountered other drones being flown in the area I was in a couple times. Aside from initial take off and landing, most people are not even aware of my drone because the ocean noise drowns it out.

I have made the same observation about wildlife. While I have never flown especially close to any wildlife, aside from an occasional curious seagull, I have never seen any animals, such as sea lions ever look up or seem aware of the drone.

I think the current rules are a healthy balance between allowing everyone access to the Oregon wilderness, and protecting wildlife. The only change I would recommend is more education opportunities and promoting awareness of the rules for drone pilots.

When I am planning a trip to a new area where I'm not sure of the rules, I always look online to see if I can find anything specific to that area. There have been times when I have had to dig deep to find any information on certain areas, and sometimes cannot find any at all. This is the area where I see room for improvement.

Thanks again for the opportunity to chime in regarding our hobby. For those who oppose us, just remember, the next set of rule and regulation changes might affect your hobbies.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Joel Hartman

**Commenter email (if provided):**

northstardroneimagery@gmail.com

**Public comment:**

I am writing to SUPPORT the proposed rule as currently drafted. Oregon is a beautiful state, with many natural features worthy of being photographed or video recorded--from the ground, and from above. Responsible drone pilots know the rules regarding protection of people, property, and wildlife. There is sufficient current legislation to prosecute anyone not adhering to those rules.

Opponents to the proposed drone take-off and landing rule would penalize the many in order to restrict the few.

In some court jurisdictions, drone photography and videography has been ruled to be a means of expression protected by the First Amendment. Creating a rule that widely prohibits or restricts it is likely to spur ongoing court challenges.

Finally, because a state cannot supersede the FAA in regard to airspace, restricting locations where drones can take off and land will lead some drone operators to take off from non-restricted locations, resulting in much longer flights and increased risk of crashes, drone loss, and violation of the FAA's "visual line of sight" rule.

Thank you for consideration of this comment.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Chris John

**Commenter email (if provided):**

cjohn@omysystems.com

**Public comment:**

Drones should not be allowed to fly in ANY Oregon State parks. They ruin the natural experience that all park visitors expect. Please do not allow a few to ruin the experience for many.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Commenter name (if provided):**

Del Riesenhuber

**Public comment:**

I have no objection to drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter email (if provided):**

delr@comcast.net



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Saturday, April 9, 2022

**Commenter name (if provided):**

Barbara Beattie

**Commenter email (if provided):**

beattieb55@gmail.com

**Public comment:**

I am strongly opposed to allowing drones within the parks and along the shore line. Drones threaten wildlife and especially birds by chasing them off their feeding, nesting and resting areas. The parks dept already has areas sanctioned off to the public during nesting times. Why would you allow drones into these places when you know human interaction is a negative factor in bird reproduction and feeding?

People come to the shore to escape the hectic city life of noise and machines. Allowing drones takes away from the experience. This proposed rule change is short sighted and a very bad idea.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Jessica Sturdivant

**Public comment:**

This will be terribly disruptive! Please do not allow drones at the coast.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Clara Sroufe

**Commenter email (if provided):**

clarasroufe@gmail.com

**Public comment:**

As someone who has grown up and still lives next to the beach I walk on the beach almost every day with my dogs and family. It is a beautiful, peaceful place, full of so much wildlife. Each summer there are many days when the peace is broken by drones buzzing around on the beach and in several occasions following people like myself around without our consent. They disturb our nesting birds and upset reactive dogs. Keep these obnoxious and invasive toys off our beaches!



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Christine Mayou

**Commenter email (if provided):**

chrismayou@gmail.com

**Public comment:**

There may be some state parks where drone use is acceptable, but this should be carefully researched. Drones can be noisy, intrusive, and generally irritants to people and wildlife. For instance, Silver Falls State Park should remain as natural as possible. Rooster Rock State Park, located adjacent to I-80, and with its extensive parking areas and a Frisbee golf course, might be an acceptable locale for drones.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Sharon Gregory

**Commenter email (if provided):**

sharongregory12@gmail.com

**Public comment:**

I am writing to register my opinion on drones in state parks. Please, please do not let intrusive drones be allowed in our treasured parks. Why? Parks are a break from our noisy busy lives and we need places to get away from the sounds and technology that bombard us all day every day. They are invasive, noisy, disturb birds, and take away privacy from others.

Thank you



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Ervin Liao

**Commenter email (if provided):**

ervinliaosd@gmail.com

**Public comment:**

I believe that this law is for the better. Drones are becoming increasingly popular among for hobbyists, and barring them from flying drones in the beautiful state parks will be a big blow. Furthermore, drones can also be an important tool for photography, and it shows a whole new perspective of the parks. Finally, drones are an important educational tool. By allowing drones to take-off and land freely in state parks, it will allow us tourists to explore the parks in a whole different perspective.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Michele Wollert

**Commenter email (if provided):**

michelewollert@gmail.com

**Public comment:**

My husband and I have owned a home in Arch Cape, OR for over 30 years. Please do not allow take-off and landing of drones on our coastal beaches in Oregon. National Parks prohibit this activity for good reason: drones disturb nesting birds and other vulnerable wildlife. There are plenty of places that drone users can go to enjoy this hobby. Please prohibit their use in our coastal areas.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Stacy Day

**Commenter email (if provided):**

stacyannday@gmail.com

**Public comment:**

I am writing today to voice opposition to opening public areas to usage of drones for general recreational use on public state parks. We have had the unfortunate experience of visiting parks in other states where this has been open. The noise, the distraction and obstruction of serene natural views and experience have on nearly a dozen occasions resulted in our party leaving our destination.

In a time where technology has invaded so many elements of our every day lives, I know I am not alone when I say that I believe many Oregonians as well as tourists to our beautiful state, are coming to enjoy the peace, solitude and beauty of our natural world, often to take respite from how technology has permeated almost every aspect of our existence in the modern world. So much so that there is an entire industry of recreation and travel where you willingly lock your technology away and so many have commented on the restorative properties of this.

Additionally, we cannot know if operators of these devices are recording, taking photos, etc without visitor consent or respect for privacy. I do not feel unmanned aircraft have a place in our parks except by way of application for special permits for events, etc where those parties are aware and accept the use of them.

Please keep Oregon public lands open to the general enjoyment of all. While all can enjoy a space without unmanned aircraft, not all can enjoy the space with them. Let's keep those to use on private property.

Thank you,



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Karen/Jonathan Boulton/Briggs

**Commenter email (if provided):**

karenboulton@earthlink.net

**Public comment:**

I would like to express my deep concerns about the use of drones in Oregon State Parks.

On public lands there are designated places set aside for many uses like skiing, hiking, snow mobileing, off road vehicle use, organized and dispersed camping, hang gliding, and other uses. I would like to see something similar for drone use.

Drones not only disturb essential critical areas for wildlife, but also disturb humans seeking adventure and serenity in our parks. Please set aside spaces and rules for drone use so all public land use can be enjoyed by all people and wildlife.

Thank you,

Karen Boulton & Jonathan Briggs



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Cristy Murray

**Commenter email (if provided):**

doglady8@gmail.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Sincerely,  
Cristy Murray  
Oregon City, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Taylor Frederick

**Commenter email (if provided):**

tayelaine22@gmail.com

**Public comment:**

Drones are convenient and environmentally friendly but I am worried about their ecological impact!

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

-Taylor Frederick  
(Portland, OR)



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Leigh Schelman

**Commenter email (if provided):**

newbike@teleport.com

**Public comment:**

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Thanks,

Leigh Schelman

Portland, OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

**Take-off and landing of drones**

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Steve Griffiths

**Commenter email (if provided):**

sgoregon@gmail.com

**Public comment:**

Date: April 8, 2022

To: Oregon Parks and Recreation Department

Re: Drone Regulations

From: Steve Griffiths, Lincoln City

Thank you for extending the public comment period for take-off and landing of UAS/drones in state parks and the ocean shore.

There are many things that appeal to all of us about the Oregon Coast – wide open beaches, forests, headlands, and rocky shorelines -- and especially the wildlife.

The coast provides significant habitat for large colonies of nesting seabirds – common murres at Cape Lookout, cormorants at Cape Foulweather, and a vibrant mix of species at Yaquina Head. The coast is also home to Western Snowy Plovers and Black Oystercatchers.

Thousands of visitors come to the Oregon coast each year to experience the beauty and wildness of our coastline and to observe migrating whales and nearshore seabirds.

As Oregonians, we have the responsibility to preserve our state's extraordinary natural resources. That means protecting our wildlife. We also have the responsibility to preserve the wild and natural character of the Oregon Coast for visitors who want "to get away from it all."

Meeting both these responsibilities means prohibiting drone use in state parks and all coastal areas except where they will not disturb wildlife or visitors.

Last year the Oregon Black Oystercatcher Project documented a rate of more than three drone disturbances per week at active Black Oystercatcher nests.

To determine where drone launch is allowed, the State Parks Director should establish an advisory committee that includes conservation, tribal, and science representation.

All areas should be periodically reviewed for inclusion or removal as designated drone take-off and landing areas based on evidence of disturbance and changes in wildlife habitat.

Lastly, strong and effective enforcement is needed. Strong enforcement mechanisms should be included in the final rules. The cost of doing so can be mitigated by requiring:

- 1) Drone registration/licensure for all drones to be used in Oregon;
- 2) Easily obtainable (online) permits for flights; and
- 3) On-board tracking technology permitting observers to identify drone.

Thank you again for extending the public comment period. I hope Oregon will follow the example of other states like Colorado and Texas and significantly limit drone use in state parks and along the coast.

Steve Griffiths



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Kathleen Koehnen

**Commenter email (if provided):**

kkoehnen@hotmail.com

**Public comment:**

I urge you to BLOCK drone use in state parks. Why should the birds and we people have to tolerate that noise and that intrusion in a place reserved for nature and peace?

Let people fly drones on their own land, if they so choose. Or let them arrange for such drone flying over small airports.

Thank you,  
Kathleen Koehnen  
Albany OR



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Anne Savery

**Commenter email (if provided):**

awsavery@msn.com

**Public comment:**

Drones can be quite disruptive to wildlife and nesting birds. The noise, the movements and the foot traffic involved in launching and using drones is impactful to animals that make their homes in the dunes, the beaches, shores, oceans and rivers that the State Park system was developed to protect and to provide people access to nature. It is vital that the State Park system err on the side of caution in order to protect the species that rely on the environments found in State Parks. It is essential that humans give space to animals to allow them to conduct every aspect of their life cycle unmolested and undeterred. Adding stresses, such as foot traffic, noise, hovering of drones and possible collisions with animals is not in the public interest. State Parks should establish a governing board and give observers a resource so they can report issues of harassment of animals and noise concerns.

Thank you

Anne Savery  
Portland, Oregon



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Melinda McCoy

**Commenter email (if provided):**

melindamccoy1@aol.com

**Public comment:**

Dear Oregon State Parks,

I urge Oregon State Parks to close drone use in State Parks and ocean shores unless otherwise indicated as designated drone take off and landing areas.

Please use the best available science to minimize wildlife disturbance. We must protect species such as the Snowy Plover.

We citizens come to the parks and beach to get away from noise and to recreate free from observation from the sky.

Thank you,

Melinda McCoy,  
Portland



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Dr. Mitch Stargrove

**Commenter email (if provided):**

drmitch@wellspringofhealth.com

**Public comment:**

Hello

I urge Oregon State Parks to close drone use in State Parks and the ocean shore unless otherwise indicated as designated drone take-off and landing areas. Please set up a technical committee to use the best available science to determine appropriate designated drone take-off and landing areas. This will help minimize wildlife disturbance impacts from drones and allow for peaceful and safe experiences for the many thousands of people that visit our iconic state parks and natural areas.

Sincerely,

Dr. Mitch Stargrove



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Proposed rule change:**

Take-off and landing of drones

**Date comment received:**

Friday, April 8, 2022

**Commenter name (if provided):**

Jennifer Childress

**Commenter email (if provided):**

goatherd@nehalem.tel.net

**Public comment:**

Please prohibit the take-off and landing of drones on public lands including beaches. Nesting birds are severely and negatively affected by this practice.  
Thank you.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

## Proposed rule change:

Take-off and landing of drones

## Date comment received:

Friday, April 1, 2022

## Commenter name (if provided):

Deb Whitcomb

## Commenter email (if provided):

1debwhit@gmail.com

## Public comment:

1st meeting of the UAS Rules Advisory Committee:

I watched the video of the 1st meeting of the UAS Rules Advisory Committee (RAC) and was dismayed to see that the RAC lacked any members representing stakeholders from these crucial areas:

- Wildlife Biology
- Conservation
- (non-drone) Recreational Users

The proposed Draft Rule as originally presented at this meeting was to PROHIBIT all take-offs or landings except in areas specifically designated for drone use.

A member of the committee who is a drone lobbyist suggested to "tweak" the language "a bit", but his suggestion was a complete 180-degree turn, which flipped it to PERMIT all take-offs or landings except in areas specifically prohibited for drone use. This was a huge language change, which undoubtedly would have met with immediate opposition if there had been committee members representing the missing stakeholders.

NOTE: There was no decision on language choice (Prohibited vs Permitted) by the end of this meeting.

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2nd meeting of the UAS Rules Advisory Committee:

Despite there having been no decision on Prohibited vs Permitted language at the 1st RAC meeting, at the beginning of 2nd RAC meeting, the drone lobbyist's permissive language had become the proposed language.

New members representing Wildlife Biology and Conservation interests had been added for this meeting and they supported flipping the language back to Prohibited except where expressly permitted.

In addition, two of the Oregon Parks employees on the committee made these statements:

- "So often drone use does cause a conflict."
- "There are more parks where drones are going to cause a conflict than not."

These statements from OR Parks professionals presuming that drones will be causing conflicts would seem to further support a default rule of Prohibiting except where expressly allowed.

Despite this disagreement not being resolved in the 2nd RAC meeting, the proposed language put up for public comment was the permissive version.

I will leave it to other Comments to argue the actual merits of the Prohibited language.

My question is WHY?

How (and by who) was this decision to switch to permissive language reached?

And can you make public any communications about this language change between RAC committee members, OPRD, and any other relevant parties during the time between the 1st and 2nd RAC meetings?

Thank you