



U.S. Department
of Transportation
**Federal Aviation
Administration**

Aviation Safety
Flight Standards Service

800 Independence Ave., S.W.
Washington, D.C. 20591

August 2, 2023

Mr. Andrew D. Moore
Chief Executive Officer
National Agricultural Aviation Association
1440 Duke Street
Alexandria, VA 22314

Dear Mr. Moore:

Acting Administrator Trottenberg has asked us to respond to your July 18, 2023, letter wherein your organization expresses concern with the new Part 137 Unmanned Aircraft Systems (UAS) Certification Process (Notice 8900.659) that was recently published by the Federal Aviation Administration (FAA). Specifically, your organization has significant concerns with the streamlined certification process for Part 137 UAS operators, wherein the FAA's Flight Standards District Office (FSDO) will not be involved and the lack of surveillance these operators will receive.

First, we want to express our sincerest appreciation to your organization for its dedication to aviation safety, as it is always our primary objective. In issuing the FAA Notice 8900.659, the FAA's Flight Standards Service organization thoroughly considered the safety elements addressed in your letter. FAA's Flight Standards Service utilizes safety risk management principles to assure that the appropriate Inspector resources are dedicated to higher risk operations as mandated by 49 United States Code (USC).

UAS operators have displayed significant interest since the publication of Title 14 Code of Federal Regulation Part 107 in conducting agricultural operations. The interest has created an extensive backlog of Part 137 UAS (only) applicants awaiting certification. Accordingly, to effectively service the public, the FAA's Flight Standards Service considered the possible risks to determine the most effective use of Inspector resources. Some of the areas that have been contemplated are as follows:

- At this time, the Part 137 UAS (only) operations will continue to be conducted using Visual Line of Sight (VLOS) and are required to yield the right of way to all crewed aircraft operations.
- Part 137 UAS operations are limited in altitude, restricted to appropriate airspace, and required to file Notices to Air Missions.
- The FAA's Flight Standards Service embracing these certification efficiencies reduces the completion time needed for certification of certain segments of the public thereby enhancing compliance with safety regulations.

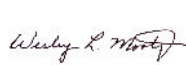
- All the Part 137 UAS (only) operator information is entered into the FAA's Enhanced Flight Standards Automation System, which enables the local FSDOs' engagement if surveillance is required.
- Surveillance requirements have not changed and are still based on risk.

The FAA will always monitor the on-going risk and incidents involving these Part 137 UAS (only) operations and will adjust if circumstances warrant it.

As of this letter, the FAA has certificated nearly 160 Part 137 UAS (only) operators utilizing the process outlined in Notice 8900.659. The FAA has not received any reports of incidents or safety issues with these operations.

Again, we greatly appreciate the information you have provided us in the interest of aviation safety. We hope that your organization will always continue collaborating with us in the interest of safety. If you would like to discuss this further, we encourage you to contact Mr. Mathew Porter, Manager, Authorized and Certificated Operations Section, AFS-830 at (202) 267-1100.

Sincerely,



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For

Lawrence Fields
Acting Executive Director, Flight Standards Service