

POLICY: Drone Usage in Monhegan Associates' Wildlands

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The intent of this policy is to follow the Monhegan Associates' Bylaws, the governing document for all Monhegan Associates activities. After this policy is adopted by the Trustees it will supersede all prior policies or statements specifically related to drone usage on Monhegan Associates' property.

Objective

The aim of the Monhegan Associates Inc. is to preserve the natural state of Monhegan's wildlands while limiting the impacts of human intervention whenever possible. In keeping with that aim, in 2018 the Monhegan Associates trustees voted to prohibit the flying of drones on Monhegan Associates owned lands.

Definitions

- **Drone** - : an unmanned aircraft or ship guided by remote control or onboard computers
- **MAI** - Monhegan Associates, Incorporated

Policy Statement

It is the policy of the Monhegan Associates to disallow the piloting of *drones*, or launching drones from or flying *drones* over the wildlands that belong to the Monhegan Associates on Monhegan Island, Maine.

Rationale

To meet the objective of the Associates with regards to drones over *MAI* land, the *MAI* trustees approved a "no-drone" policy at the 2018 Annual trustees meeting.

The land that the Monhegan Associates manages is privately owned the organization thereby has the legal right to prohibit the flying of *drones* in the Monhegan wildlands.

This decision was made out of concern for the safety and privacy of visitors enjoying the peace and solitude of the wildlands as well as out of concern about noise and its impact on birds and other wildlife.

While enforcement of this policy may prove a challenge, we are relying on the respect and goodwill of our visitors to comply.

Understanding the Law

Laws concerning *drones* piloting over land in the United States are lagging behind the explosive use of these devices, but below is a synopsis as we understand it regarding this policy at the time of its writing:

- 1) The air space over private land extends to 475 feet above the land surface.
- 2) Private *drones* are prohibited by federal law from flying above 500 feet in commercial airspace with many other restrictions around airports and secure governmental facilities.
- 3) A *drone* pilot must register the drone with the FAA and must carry evidence of this on their person while piloting drones.
- 4) If a private land parcel is posted restricting *drone* flight the owner cannot prevent a *drone* from being flown in this airspace, but the following requirements exist.
 - a) The *drone* must be within line of sight of the pilot at all times
 - b) If the *drone* lands on the private land it can be considered trespassing
 - c) If the pilot is standing or launches the *drone* from private land it is considered trespassing.
- 5) Exceptions are made for military and law enforcement use of *drones* over posted private land.
- 6) If a land owner of posted land gives permission for an individual or organization permission, then *drones* may be flown over the land.

Monhegan Associates land is posted for no *drones*. While we may give permission under certain circumstances (such as surveying land, or aiding in search and rescue operations) in general, recreational use of *drones* will be prohibited.

This simply means that recreational *drones* users may not pilot a *drone* while standing on MAI land nor launch or allow the *drone* to land on MAI land. In addition, the *drone* must be in line of sight of the pilot at all times and the pilot must carry evidence of FAA registration of the *drone*.

While we legally cannot prevent drone flights if the above requirements are met, we rely on the goodwill and cooperation of drone pilots to respect the will of the land owners (MAI) and not intrude on this private property with drone flights.

Appendix

Internal References

These internal references are among the Monhegan Associates' documents that have been consulted when writing this policy:

Monhegan Associates 2018 Annual Meeting Minutes:

<https://drive.google.com/file/d/18xUActctdfNExpguCrRigVyU0d3UXW4rQ/view?ts=5eea0784>

Certificate of Organization, Monhegan Associates Bylaws:

<http://monheganassociates.org/wp-content/uploads/2016/10/bylaws2008-complete.pdf>

External References

These external references were among other documents that were considered when writing this policy:

Drone Law for the State of Maine:

<https://uavcoach.com/drone-laws-maine/>

Drone Law for Maine State Parks:

<https://www.maine.gov/dacf/parks/docs/Drone-UAS-%20Policy.pdf>