Normalizing Unmanned Aircraft Systems Beyond Visual Line of Sight Operations

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Thank you for the opportunity to submit this comment regarding the FAA's Notice of Proposed Rulemaking (NPRM) titled "**Normalizing Unmanned Aircraft Systems Beyond Visual Line of Sight Operations**" (Docket ID: FAA-2025-1908). The Aviation-Impacted Communities Alliance (AICA) is a coalition of more than 90 local and national organizations advocating on a bipartisan basis for aviation policy that reflects the lived experience of affected communities, reduces harmful noise and health impacts, and promotes safe management of the National Airspace System (NAS).

While BVLOS operations may offer benefits for industry and the public, they also pose new risks and impacts. Communities will experience increased exposure to low-altitude flights, corridors and new sources of noise, while aviation users face unresolved safety and accountability challenges. In addition to community concerns, industry groups have also highlighted risks. The Experimental Aircraft Association, for example, noted that granting drones right of way under 400 feet AGL raises "significant issues with the practical day-to-day application of Right of Way rules" for ultralights, seaplanes, helicopters, balloons, and other low-altitude operators [1]. In this environment, adherence to minimum safe altitudes under FAR 91.119 by manned aircraft, together with clear rules for drone operators, will be critical for public safety in light of the added complexity.

Recent events underscore these risks. In January 2025, a DJI drone collided with a Super Scooper firefighting aircraft during the Palisades Fire in Los Angeles, puncturing the wing and forcing the plane out of service [2]. During flood rescue efforts in Kerr County, Texas, a private drone struck a rescue helicopter, grounding critical equipment and disrupting emergency operations [3]. The FAA's Aeronautical Information Manual (AIM) further notes that "a high percentage of near midair collisions occur below 8,000 feet AGL and within 30 miles of an airport. This is where there is a high volume of traffic and where many see-and-avoid limitations are at their greatest" [4]. Unlike most manned aircraft, unmanned aircraft often lack communication with ATC and are visually harder to detect, which could further increase the risks AIM identifies.

Together, these examples highlight the importance of ensuring that the BVLOS framework is workable in practice and does not create new risks for safety or accountability. As one Federal Register commenter observed, "**The NPRM appears rushed, vague, and legally inconsistent. Key industry groups were not effectively consulted**" [5]. In addition, many implementation details across surveillance, right-of-way, and safety procedures remain undefined [6], and community representatives were not meaningfully included in the process.

To ensure safety and public confidence, the rule should be strengthened in four critical areas:

- **Safety:** FAA must ensure that rules governing Advanced Air Mobility (AAM), including drones and other new vehicle types, can be effectively implemented and enforced in operations with existing low-altitude aircraft. Although the FAA has proposed right-of-way requirements, industry analysis shows that many practical issues remain unresolved [1]. Questions remain about whether electronic conspicuity (EC) systems are viable and whether the expectations for low-altitude users are realistic in practice. Safety concerns extend beyond aviation conflicts to risks on the ground, where crashes or debris could threaten people and property. **Equally important, there is currently no clear or consistent mechanism for the public to know who to contact when unsafe or unlawful operations occur across AAM, including drones and other low-altitude aircraft, and accountability is insufficient as current rules leave much to interpretation**.

- **Airspace Management: Airspace is not unlimited.** FAA itself has acknowledged capacity constraints, stating that "because of aging equipment, staffing shortages, runway construction and severe congestion, schedule modifications are necessary" [7], and the Government Accountability Office (GAO) has warned that congestion and complexity will continue to grow, noting that "FAA expects to manage an increasingly congested and complex airspace in the future" [8]. Capacity is constrained by staffing, technology, operational complexity, and human limits. **Overlooking these limits puts safety at risk.**

  FAA must therefore ensure that low-altitude drone operations are integrated into the NAS under a structure that is safe, accountable, and adequately resourced. The proposed framework introduces a new UAS Traffic Management (UTM) system that relies heavily on third-party providers. This raises two concerns: whether third-party providers will be adequately staffed to manage corridors effectively, and whether FAA, already facing staffing shortfalls, will have the capacity to provide strong oversight. **Given these capacity constraints, governance mechanisms are needed to resolve competing operator demands fairly, with clear limits on capacity established through objective thresholds that can flag rising safety risks and ensure timely oversight actions. FAA has also proposed new data reporting requirements for drones. This data should be leveraged within a proactive NAS Capacity and Safety System to identify triggers, ensure accountability, and make sure timely corrective actions are taken.**

- **Environmental Impacts:** FAA should require environmental review that reflects how communities actually experience noise from AAM, including drones. Current noise policy is still based on metrics designed for commercial airline operations. These metrics do not count the number of events, and they do not adequately reflect the unique acoustic signatures of drones, including future AAM. As these aircraft produce tonal noise (a distinctive buzzing sound), applying thresholds like DNL 65 is inadequate. In one FAA environmental review, the analysis showed the same DNL 65 whether there was one drone flight or 499 drone flights, illustrating how the current framework can obscure real-world impacts [9].

  In College Station, Texas, residents described the sound of Amazon's Prime Air drones as like "**a hundred swarms of bees**" [10]. The city urged FAA to delay approval of Amazon's expansion

plans until additional noise-mitigation measures were implemented, citing resident concerns about take-off, landing, and delivery noise as well as potential zoning conflicts [11]. Yet FAA's environmental review of the original project concluded with a Finding of No Significant Impact (FONSI) because modeled exposure did not exceed the DNL 65 dB threshold [12]. **FAA should modernize its noise policy to incorporate drones using metrics that count the number of events and reflect their acoustic signatures, including tonal qualities that affect annoyance.**

- **Community Engagement:** Secretary of Transportation Sean Duffy stated that "**communities have to have a say in, 'Do they want drone use in their communities**,'" [13]. Provide early notice of proposed corridors or routes to local governments and community organizations before decisions are finalized. Community representatives should be included in advisory processes and technical working groups, alongside industry and FAA staff, so that impacts on health, quality of life, and local land use are considered. Respect for local and state governance is also critical, since zoning, privacy, nuisance, and safety laws often fall within local authority. **Transparent reporting must both accurately reflect the lived experience of community impacts and document when and how communities were consulted and how their input influenced outcomes, as this is essential to building public trust.**

Call to Action: We urge the FAA to strengthen the rule in the areas above before adoption.

Thank you for the opportunity to contribute this perspective. With stronger safeguards and transparent engagement, FAA can support innovation while maintaining public confidence. AICA and its members remain committed to working with FAA, industry, and other stakeholders to ensure the safety of the NAS while protecting the communities beneath it.

Respectfully submitted,
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CC:
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