

CFEE Case Study One



First Photo from Drone Flight, by Darrin Johnson, Saint Paul Winter Carnival 2016

Getting approval to fly a drone over a Festival Crowd

Drone Protocols

Two Cities with different processes

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Drone permitting overview

The integration of modern technology into a world steeped in tradition is bound to have its share of legal complications: a fact we quickly discovered as we attempted to gain the various benefits of flying drones over the 3 largest Twin Cities' festival attractions.

The 130-year-old Saint Paul Winter Carnival, Cinco de Mayo West Side with its 40 years of celebration and the 40-year tradition of the Twin Cities Pride Festival are all recognized by their Cities' governments as well-organized and valuable contributors to their communities.

Yet, each festival functions under different city protocols, as varied as their audiences.

To date, only the two aforementioned Saint Paul events have legally acquired the rights to fly drones over a large scale audience. Pioneering new programs, like the drone flyover, require approvals from different Inspection departments in the two Cities. In Saint Paul, the process went through the police department and parks. But in Minneapolis, the approval process starts with zoning and licensing.

The drone practical journey began two years ago when a Winter Carnival photographer failed to get approval for the proper permits for his flights, ironically, because no such permits actually existed in Saint Paul. A profound barrier to say the least.

The information in this case study describes the process that was established to accomplish the flyover in Saint Paul. It will also discuss the progress made towards the hopeful creation of a

similar permitting process for drone flyovers of Minneapolis events, including the Pride Festival, and what education and development remains to be done to attain that goal.

The Interview/Research Process

The first step was to have a conversation with the gentleman that wanted to fly his drone over Winter Carnival events. Which agencies did he approach and what were their responses? He started with the FAA and a small Saint Paul Airport near our Event properties. They stated that as there were no protocols established from the Federal government, they could not approve the flyovers. He talked with a variety of pilots to see if they could offer a solution. He then spoke with Hot Air Balloonists that were part of the event and still he could not make any headway. After the same frustrating conversations for two years without results, he came to me with his idea. I thought about it for a few weeks to decide out if there was a need to go through the FAA or do I go directly to City departments instead. I had a couple of casual discussions with various City departments to get a feel for what response they might have to a drone flying over an event. The overwhelming response was that there were no protocols developed yet for an approval process.

I decided to pursue the idea of getting a process developed by talking with Police Community Services. This organization within the Police department managed all special event permits for the City of Saint Paul. The Sergeant in charge was someone I knew well. We had a long conversation on the concept of flying over the major events and parades of the Winter Carnival. We figured out which additional agencies would be required to sign off on this flyover. He was fully supportive of the program. The next step was a discussion with the Parks Board. This first conversation resulted in a flat out, NO. I took a step back to determine if it should pursue a

higher rung on the Parks ladder or do I plan more discussions with the police department? I started with one of the Senior Commanders that managed the off duty officers. She was fully on board once the process was defined for her. I requested that both of them send me an email stating their approval for moving forward. I contacted the director of operations for Saint Paul Parks. I explained the processes and the support received from the police department. He reiterated that there was no permit designed yet for this new concept. However, he was very intrigued by the concept. We discussed our concept with their permits person and it was determined that the City already had a permit in place for film companies to do drone shoots. This was the beginning of creating a permit in the City of Saint Paul to fly drones over an Event.

Steps in developing an approved permit

The director of operations for parks asked me to write protocols, and for the drone operator to be a part of the permit process. In order to do this, I had to have a clearer understanding of the operations of a drone. So, I went back to the photographer/drone operator for this information needed to create the drone criteria.¹

The normal flight timeframe was 15 minutes for a drone. So this was a good starting point. He observed that after 75 hours of operating the drone, he had a very good handle on how to maneuver and manage safety issues.

He had a little over 100 hours of operating time at 15 minutes a flight. That added up to over 400 flights, so 100 hours of flight time was developed in the criteria. The drone weight was also a factor. Drones to be permitted outside of FAA flight plan regulations had to weigh less than

three pounds, but still had to be registered with the FAA. These were three key points to develop the process of getting a permit.

Parks converted their film permit to an Event permitⁱⁱ

The final piece of the permit process was the insurance. Since our photographer was a Volunteer we needed to insure against any liabilities. We discussed this with our insurance agent to determine what could be done to cover this new program. He had to pay \$1.00 to the Carnival to get the insurance coverage extendedⁱⁱⁱ

Event protocols

We received the permit from the City of Saint Paul to operate the Drone during the event^{iv}. We also created the day of show protocols for this and any new festival that wanted to do a drone flight.

We decided the best method of communication while setting up the flights was text messaging. The photographer would text me a five minute “warning” call, stating ready for flight. I would, in turn, call our off duty commander and if in a park system, contact that park supervisor. Each contact would have a copy of the permit and what protocols were approved. This system worked well. We had no issues utilizing this system.

Developing a different process for another City

After successfully establishing the drone permit in the City of Saint Paul for both Saint Paul Winter Carnival and Cinco de Mayo Westside, I attempted to start the process with the City of Minneapolis. I started with Licensing to determine what the process might be in filming the

Pride Festival. We exchanged a few emails about what we did in the City of Saint Paul to see if this process would work through Licensing. After a month of conversations, it was moved to the Zoning Board. It came to a dead halt. After leaving several messages, there was no response from that group. By now, it was a too late to work on the process. This will be the project for 2017. Working with Minneapolis will take about a year to actually get through the process before working on a permit protocol.

Conclusion

We were very successful in creating this program in the City of Saint Paul. Knowing all the key decision makers in that City was very important to move this program along. Changing Ordinances and policies always takes time. When you don't know all the key players in a city like Minneapolis, the process comes to a halt. Knowing this from past experiences, this program in Minneapolis will eventually happen. Minneapolis has always taken a year to three years to move a process to an Ordinance. I have worked on many new policies in both cities over the years and successfully moved them to an Ordinance. Patience and knowing the right people always helps. Keeping on task to get it accomplished is also a key factor in making it happen.

First Drone shot of Cinco de Mayo Westside, by Darrin Johnson



ⁱ Appendix – A



The Coolest Celebration on Earth

Processes and protocols for Drone use at Saint Paul Winter Carnival

January 28, 2016

The purpose for the use of the drone is to provide marketing values for promoting the City of Saint Paul.

Saint Paul Winter Carnival, Saint Paul Festival and Heritage Foundation, is a Civic Organization that Promotes living, working, and experiencing the City of Saint Paul.

There will be three particular days/dates for drone photography:

Thursday, January 28, 2016, Moon Glow, filming over Rice Park and procession on 5th Street to Market. Sgt. Tony Nikula will be our contact when the drone goes up and down. A text or phone call from Randy Dewitz to Sgt. Nikula on each flight time will be communicated. The time frame will vary based on best timing for shots. Est. time: 5 pm to 7 pm - average flight time 15 minutes maximum, up to 2 flights.

Saturday, January 30, 2016, Grand Day Parade, filming over W. 7th Street near Rice Park and in Rice Park. The drone will be filming the parade and the Ice palace, called the 4 Winds during the first part of the day and filming Rice park in the evening as well. On Saturday, Commander McNamera will be contacted via Randy Dewitz either by text or phone call on each flight time. The time frame will vary based on best timing for shots. Est. time: 2:00 pm, 3:00 pm, and between 5 pm and 7 pm in Rice Park, maximum of 3 flights.

Saturday, February 6, 2016, Torchlight parade, filming over 5th Street near Rice Park and in Rice Park. The drone will be filming the parade and the DeThroning. On Saturday, Commander McNamera will be contacted via Randy Dewitz either by text or phone call on each flight time. The time frame will vary based on best timing for shots. Est. time: 5:30 pm until 7 pm, a maximum of 2 flights.

Darrin Johnson's FAA Certificate of Registration is: FA3FCRKEXE, issued 12/21/2015.

He has been flying for the past 3 years with around 100 flight hours at 15 minute intervals.

Drone weight with battery and camera is 2.82 lbs. Size: 23.5 inches Wide

Drone type: DJI Phantom Drone

Submitted by Randy Dewitz, Operations Manager, SPWC.

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DEPARTMENT OF PARKS AND RECREATION
OPERATIONS



CITY OF SAINT PAUL
Mayor Christopher B. Coleman

PARK PERMITS: 651-632-5111
FACSIMILE: 651-632-5115

1100 Hamline Avenue North
Saint Paul, Minnesota 55108

TTY: 651-266-6378
www.ci.stpaul.mn.us/depts/parks

2016 PHOTO/FILM PERMIT APPLICATION



Date of Application: _____

Production Company:	
Contact Name:	Phone:
Street:	Email:
City, State, Zip:	Website:

Location of Shoot:	
Type of Organization:	<input type="checkbox"/> Profit <input type="checkbox"/> Non-profit <input type="checkbox"/> Gov't <input type="checkbox"/> Public TV
Type of Filming:	<input type="checkbox"/> Commercial <input type="checkbox"/> Still Shoot <input type="checkbox"/> Movie
<input type="checkbox"/> Still (Photo Shoot) <input type="checkbox"/> (Live) Film Shoot	Type of Impact: <input type="checkbox"/> Low <input type="checkbox"/> Med <input type="checkbox"/> High
<i>Description of Photo Shoot and if any sound/amplification will be used and what hours sound will be used:</i>	

Filming Date:	Filming Time: From _____ a.m./p.m. To _____ a.m./p.m.
Number of: Crew _____ Actors _____ Extras _____ Spectators _____	Total: _____
➤ Permit Fee: \$ _____ (Payment of all fees must be paid prior to your event.)	

- Use of park areas and/or facilities requires a facility use permit.
- Go to www.stpaul.gov/DocumentView.aspx?DID=18857 to obtain the fee schedule.
- Liability Insurance required, listing the City of St. Paul as an additional insured (\$1,500,000/occurrence, \$3,000,000 in aggregate).
- If you have questions, you can call the City of St. Paul Parks and Recreation permits office at 651-632-5111.

FOR OFFICE USE ONLY: Cash\$ _____ Check# _____ /Amount \$ _____	Initials: _____
Credit Card Type: <input type="checkbox"/> V <input type="checkbox"/> M <input type="checkbox"/> D <input type="checkbox"/> AE Number: _____	Exp. Date: _____



AA-ADA-EEO Employer





The Coolest Celebration on Earth

DRONE SPECIAL EVENTS AGREEMENT

1. EXHIBIT A: TERM

This short-term Drone special events agreement is entered into between **Saint Paul Festival & Heritage Foundation** (hereinafter "SPFHF") and Darrin Johnson as follows

2. PAYMENT: 1 payment of \$1.00
For Drone photography services

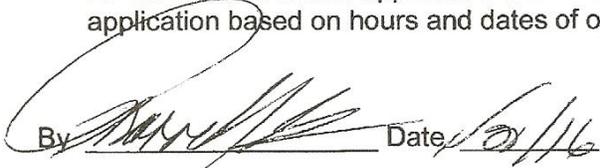
3. LIABILITY

Darrin Johnson, representing Winter Carnival, will fly a drone to take photos for the Saint Paul Winter Carnival. Saint Paul Winter Carnival will additionally insure Darrin Johnson during the dates listed; January 28 to February 7, 2016.

4. MISCELLANEOUS TERMS

(a) Darrin Johnson further agrees:

1. To insure that all Drone operators are at least 18 years of age;
2. To read the Drone application and adhere to the terms from the City of St. Paul permit application based on hours and dates of operation.

By  Date 1-28-16
CEO, Rosanne Bump

By  Date 1-28-16
Darrin Johnson

Permit Contract

Saint Paul Parks Permits
 1100 Hamline Ave. North
 Saint Paul, MN 55108
 Phone: (651) 632-5111
 FAX: (651) 632-5115
 Email: parkspermits@ci.stpaul.mn.us

Permit #28411, Approved
 Jan 29, 2016 8:43 AM



Company: Saint Paul Festival & Heritage Foundation
 75 5th St West
 Suite 429
 Saint Paul, MN 55102

Customer Type: General
 Prepared By: D'Marie Weddington

Agent: Randy Dewitz
 Email: randy.dewitz@fanfareattractions.com

Work: (612) 703-5828

Charges	Taxes	Discounts	Total Charges	Deposits	Deposit Taxes	Total Payments	Refunds	Balance
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

RESERVATIONS

Event	Resource	Center	Notes
Winter Carnival Filming Type: PERMITS: Photo Shoot/Film Attend/Qty: 1	Miscellaneous Parks	Misc Parks Misc Saint Paul, MN 55104	--
Days Requested	Event Begins	Duration	Event Ends
Thursday Jan 28, 2016	10:00 AM	11 hours	Jan 28, 2016 at 9:00 PM
Saturday Jan 30, 2016	10:00 AM	11 hours	Jan 30, 2016 at 9:00 PM
Saturday Feb 6, 2016	10:00 AM	11 hours	Feb 6, 2016 at 9:00 PM
Summary	Notes		
Total Number of Dates: 3 Total Time: 33 hours	*Drone Filming of Carnival over Rice, West 7th and 5th Street *Approved per GK, ET *Fee's waived per MH *Covered under Winter Carnival Insurance		

DISCLAIMERS

Please make sure to use the recyclable containers provided at all Saint Paul park sites. Thank you.

CUSTOM QUESTIONS

Question	Answer
How many people are you expecting to attend?	1

WAIVERS

Parks Permits - Waiver
 Due Date: Feb 5, 2016

Applicant understand that he/she will be responsible for all costs of all extraordinary costs of policing, cleaning and restoring park property used pursuant to the permit and by signing below agrees to indemnify and hold Saint Paul Parks and Recreation harmless from any liability to any person resulting from damage or injury as a result of applicant's use of property for the permitted event. Applicant agrees to abide by all terms of the permit, and understands that failure to abide by the terms of the permit or other applicable laws relating to the use of the property may result in revocation of the permit, retention of all or a portion of the damage deposit, all of the permit fee, fines or other appropriate remedies.

I have read the terms and conditions outlined in this document and Saint Paul Parks and Recreation policies and agree to abide by them.

Waiver Signed

Terms & Conditions: City of Saint Paul Department of Parks and Recreation reserves the right to assess any additional charges deemed necessary due to expanding use of venues, damages, and/or additional clean up costs. A copy of this permit must be retained during the entire time of the rental and shown upon request. Only the facilities as specified in this permit shall be used. Any adjustments of this Rental, after this permit is issued must be pre-approved in writing by the Site Supervisor prior to taking place. Violating any aspect of our Park Policies that are outlined in the linked document above will result in cancellation of this Permit. The applicant agrees to accept full responsibility for the conduct of the group and any damages to property caused by the group during the time the facility is being used under the agreement. No refunds will be issued less than 30 days prior to the permit. Permits under \$150.00 will not receive a refund. Permits over \$150.00 will receive 50% of the permit fee if the request is received 30 days prior to the event. There are no refunds for the fountains not being on, or for inclement weather. Saint Paul Parks & Recreation reserves the right to cancel this permit at any time.