



# CITY OF YORBA LINDA

P.O. BOX 87014

CALIFORNIA 92885-8714

---

August 23, 2016

The Honorable Charles Margines  
Presiding Judge of the Superior Court  
700 Civic Center Drive West  
Santa Ana, CA 92701

**Re: Response to 2015-2016 Orange County Grand Jury Report "Drones: Know Before You Fly"**

Dear Honorable Judge Margines:

Thank you for the opportunity to comment on the Grand Jury's report on drone regulations for Orange County. The City of Yorba Linda's responses are as follows:

***Finding F.1: Recreational drones have greatly increased in number since December 2015 and it is probable their unregulated use will pose significant threats to public safety and privacy in Orange County cities and unincorporated areas.***

Somewhat agree.

While there have been cases where public safety has been compromised by drone use (i.e., during emergency operations such as brush fire fighting), the City of Yorba Linda cannot fully agree regarding the significance of future threat, however, as it doesn't believe it has sufficient information in this regard. Moreover, on page 16 of the report, it is noted that "except for a small smattering of incidents, there have been no major problems reported" by airport authorities, law enforcement or fire departments.

***Finding F.2: With the exception of recent Federal Aviation Administration registration rule, recreational drone owners are largely self-policed, which leads to a wide range of behavior.***

Agree.

***Finding F.3: Most of the cities and unincorporated areas of the County of Orange do not have a drone ordinance, nor do they have immediate plans to enact an ordinance in the near future.***

Agree.

***Finding F.4: Most of the cities provide no educational programs for public awareness of the safety issues connected to recreational drones.***

Agree.

***Finding F.5: Some Orange County cities, despite recognizing potential issues with drones, are awaiting drone-related legislative action or other guidance by the State of California or FAA before enacting local ordinances.***

Somewhat agree.

Although, anecdotally, this sort of assumption can be made, it is uncertain without data whether cities that have expressed concerns but not adopted local ordinances are waiting for federal or state legislative action before enacting ordinances themselves.

***Finding F.6: The FAA-required registration of recreational drones provides a useful tool for local enforcement of drone ordinances.***

Somewhat agree.

Investigating a drone-related incident may be assisted by the FAA registration requirement for those incidents involving a drone between 8.8 ounces and 55 lbs. It doesn't apply to drones that are lighter than 8.8 ounces, which includes a large number of recreational type drones. Moreover, even when a drone suspected of being involved in an incident is registered, it is difficult to connect a drone by visual sighting of registration numbers to a particular registered owner.

***Finding F.7: Orange County cities have not established a procedure for reporting drone incidents, which results in under-reporting of drone safety and privacy events.***

Somewhat agree.

The City only partially agrees with this contention as correlation does not equal causation. It may be that there just are not a significant number of incidents that warrant reporting. Despite the potential confusion over *who* to report incidents to, if there were a significant number of incidents occurring, it seems certain that city officials would become aware of such, and, to date, there just haven't been a significant number of complaints by residents or others in the community to support the notion that under-reporting is occurring due to a lack of established reporting protocol.

***Recommendation R.1: Each City Council should direct its City Attorney to provide a report to the city's police department and City Council on existing laws that can be applied to the use of recreational drones in the city's jurisdiction by December 30, 2016.***

The recommendation will not be implemented.

The City of Yorba Linda will not implement this recommendation because it is not warranted. The City contracts with the Orange County Sheriff's Department (OCSD) for law enforcement services; we are confident that OCSD is aware of all existing laws that can be applied to the use of drones in the City. Further, County Counsel, not the City of Yorba Linda City Attorney's office, advises OCSD on such matters.

***Recommendation R.2: Each city should adopt a recreation drone ownership and operation ordinance, with regulations similar to those found in Los Angeles City ordinance #183912, by March 31, 2017, to the extent not preempted or superseded by Federal law or Federal regulations.***

The recommendation will not be implemented.

The City of Yorba Linda will not implement this recommendation because it is not warranted. The City of Yorba Linda believes that proposed state or additional federal regulations will provide a more uniform set of rules as compared to a patchwork of local ordinances. Additionally, the Los Angeles regulations recommended by the Grand Jury report do not address all of the potential concerns of the City of Yorba Linda such as safety and privacy. Furthermore, OCSD has adopted current best practices in the enforcement of existing laws that can be applied to the use of recreational drones in the City's jurisdiction.

***Recommendation R.3: Each city should inform its citizens about laws and ordinances that apply to recreational drone operators through print media, city-related web sites, social media sites and/or public forums by March 31, 2017.***

The recommendation will be implemented.

The City of Yorba Linda will implement this recommendation and provide notice at least once on its website and/or through other public communications/media before December 30, 2016, recommending that drone owners and operators review the recommendations posted by the FAA on [www.knowbeforeyoufly.org](http://www.knowbeforeyoufly.org).

***Recommendation R.4: Each city should establish and publish on its website a point of contact for drone-related citizen complaints by December 30, 2016.***

The recommendation will be implemented.

The City of Yorba Linda will implement this recommendation and provide notice on its website to contact OCSD, the City's law enforcement contractor, as the single point of contact for drone complaints. OCSD has assembled and trained a group of deputies capable of responding in the field to handle Unmanned Aerial Vehicle ("UAV" or "drone") complaints. This group has been established as a specific UAV Unit. Accordingly, the City of Yorba Linda has established the OCSD as the single point of contact for drone incidents. OCSD's UAV Unit contact information will be made available on the City's website by December 30, 2016.

***Recommendation R.5: Each city should post FAA drone ownership and operation education links on city-related websites, newsletter, and flyers by December 30, 2016.***

The recommendation will be implemented.

The City of Yorba Linda will implement this recommendation and provide notice at least once on its website and/or through other public communications/media before December 30, 2016, recommending that drone owners and operators review the recommendations posted by the FAA on [www.knowbeforeyoufly.org](http://www.knowbeforeyoufly.org).

***Recommendation R.9: The County and each city should formally gather data on recreational drone incidents within their jurisdictions and review these data annually and***

**report the results publicly. The analysis and publication should occur within 1 year of the publication of this report.**

The recommendation has been partially implemented.

The City of Yorba Linda has partially implemented this recommendation. As noted in response to R.4 above, the City's law enforcement contractor, OCSD, has assembled and trained a group of deputies capable of responding in the field to handle Unmanned Aerial Vehicle ("UAV") Unit. The UAV Unit collects and analyzes data regarding recreational drone incidents. The City of Yorba Linda will not implement the portion of this recommendation that requires us to review and report the results annually. However, should the OCSD collect, analyze, and/or publish the data, the City would support such efforts.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Lindsey', written over a horizontal line.

Tom Lindsey  
Mayor

Cc: Orange County Grand Jury  
Yorba Linda City Council  
Mark Pulone, City Manager  
Todd Litfin, City Attorney