



## Commercial Filming and Still Photography on National Forest System Lands

The following information is provided so that individuals and production companies wishing to conduct filming or still photography activities on National Forest System lands located in the Southern Region (Region 8) will better understand Forest Service requirements for obtaining authorization, thus minimizing the time needed for approval. It is hoped that this information will assist and successfully guide you through the process of obtaining an authorization to utilize National Forest System (NFS) lands for your filming needs.

The Forest Service recognizes that the public and/or natural resources may benefit from commercial filming on National Forest System lands, provided that land and resource values are protected. As with other uses of NFS land, commercial filming and still photography require prior authorization by the Forest Service. Generally, authorization is granted in the form of a Forest Service Special Use Permit issued by the appropriate Authorized Forest Service Officer.

**Commercial Filming:** A special use permit is required for all use of motion picture, videotaping, sound-recording, or any other type of moving image or audio recording equipment on National Forest System lands that involves the advertisement of a product or service, the creation of a product for sale, or the use of actors, models, sets, or props.

It does not include activities associated with broadcasting breaking news. For purposes of this definition, creation of a product for sale includes motion picture films, feature films, videotaping, television broadcasts, or documentary of historic events, wildlife, natural events, features, or subjects, broadcasting or filming participants in a sporting or recreation event, and so forth, when created for the purpose of generating income.

**Permits are not required for filming activities such as:**

- News and gathering of news related stories
- Other types of documentaries not requiring the use of actors, models, sets, or props

**Filming in Congressionally Designated Wilderness:** Commercial filming in Congressionally designated Wilderness is normally discouraged, but may be allowed if the activity or storyline contributes to the purposes for which Wilderness was established.

**Still Photography:** A special use permit is required for activities on National Forest System lands when the purpose is to: (1) Promote or advertise a product or service using actors, models, sets, or props that are not part of the site's natural or cultural resources or administrative facilities; or (2) Create an image for commercial sale by using sets or props. In addition, a permit may be required if no activities involving actors, models, sets, or props are proposed when: (1) The activity takes place in an area where the general public is not allowed; or (2) In situations in which the Forest Service would incur additional administrative costs to either permit or monitor the activity.

Commercial photographers should contact the Forest Service as early as possible and advise them of their proposed activity to determine whether or not a permit or fees are required.



## The Permitting Process

### **1. Begin by contacting the national forest that you are considering to utilize for your production.**

This initial contact should be made far in advance of your proposed production dates, since the special use permit application evaluation and processing phase can be quite lengthy, depending on the current application request workload at the time, and the complexity of your project. This is especially true with commercial filming. By contacting the local Forest Service unit early, they can inform you about areas or uses that might not be appropriate or compatible with the area's resources or Forest policy, such as inappropriate use of off-highway vehicles or Congressionally designated Wilderness. If this is the case, the forest can assist you in exploring acceptable alternatives for accomplishing your objectives. The forest can also advise you on locations that might meet your filming needs, and thereby save you valuable scouting time.

### **2. Submit a Special Use Permit Proposal.**

Form SF-299 is the Forest Service official special use permit application however, if you find the attached "Photography & Filming Request Form" more user friendly, you may choose to submit it instead. Your proposal should be submitted to the National Forest office having jurisdiction over the area for which you want to film. Within the Southern Region, generally, only one permit is required, even if you request to film on more than one forest. There will be a "lead forest" for a multi-forest permit that will coordinate with the other forests to incorporate those forest's concerns for addressing issues specific to those forests. If you are planning on filming in more than one region, the other region may require a permit for that region.

### **3. Your Proposal Should Include the Following Information:**

- a. Number of people involved on location
- b. Schedule of times, dates, and locations of operations
- c. List of equipment, chemicals, and other materials that will be transported to the location
- d. A thorough written description of the project, with storyboard or copy of script
- e. Staging plans to include parking areas, dressing rooms, catering, restrooms, etc.
- f. List types and kinds of models, props, proposed fabricated settings, and livestock
- g. Coordination with other agencies such as state fish and game, DOT, State Highway Patrol, local communities, etc.

### **4. Administrative Fees for Evaluating, Processing, and Monitoring the Special Use Permit.**

Once submitted, the Forest Service will determine if the proposal is accepted as an application. Once accepted as an application, the Forest Service will bill the applicant for its estimated costs for processing the application. These costs include any environmental surveys and analysis necessary to approve the process, including coordination with resource specialists, time for developing the permit, working with the applicant on operations plan, and site visits. Upon receipt of payment by the applicant, the Forest Service will begin processing.

Fees may also be assessed for monitoring the production, if necessary for health and safety or the protection of natural resources. These fees will be determined and billed separately from any processing fees. Payment for monitoring fees must be received prior to commencement of the project.



**5. Land Use (Rental) Fees.**

A land use fee is assessed for all commercial use of national forest system lands. This fee is based upon fair market value for what may be charged by the private sector for the same use. The fee is based upon the number of people involved in the production and is established as a fee schedule. Below is the Southern Region’s fee schedule for filming and still photography:

**Land Use Fees. Fees Determined by the Number of People on Location.**

No. of Persons	Commercial Filming	Still Photography
1 – 10 persons	\$150 per day	\$50 per day
11 – 30 persons	\$200 per day	\$150 per day
31 – 60 persons	\$500 per day	\$250 per day
Over 60 persons	\$600 per day	\$250 per day

The Cradle of Forestry, Blanchard Springs Cavern, and Brasstown Bald are unique attractions. Charge a \$200 per day surcharge in addition to fees by person category for commercial filming requests.

**6. Liability Insurance.**

Written proof of insurance must be provided, prior to beginning filming, in the form of a Certificate of Insurance (COI). The COI must name the United States and the Forest Service as additional insured and provide for thirty (30) days written notification of cancellation (see attached Insurance Requirements).

The amount of insurance required will depend on the degree of risk involved. The minimum amount of coverage the Forest Service in the Southern Region will accept is: \$30,000 property/\$300,000 Death or Injury to One Individual/\$300,000 Death or Injury to More Than One Individual (30/300/300).

**7. Application Checklist.**

The attached checklist offers a good tool to use as you develop your proposal. By following the checklist you will ensure that the proposal you submit is complete. By submitting a complete application, the Forest Service should not have to contact you for additional information, thus saving you time and money.

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