

**36 CFR PART 5, 43 CFR PART 5, 50 CFR PART 27
REGULATION**

**Benefit-Cost/Unfunded Mandates Act Analysis
Small Business and Regulatory Flexibility Act Analysis**

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Table of Contents

I.	Benefit-Cost Analysis	2
I.1	Introduction.....	2
I.2	Justification of Proposed Regulation	2
I.3	Alternatives to Proposed Regulation	3
I.4	Description of Proposed Regulation.....	3
I.5	Description of Baseline.....	5
I.5.1	Background.....	5
I.5.2	Financial Responsibility of Permitting	6
I.5.3	Current Procedures for Cost Recovery, Insurance and Bonding	6
I.6	Benefit-Cost Analysis for Proposed Regulation.....	7
I.6.1	Introduction.....	7
I.6.2	Proposed Location Fee Schedule	7
I.6.3	Direct Effects of Proposed Regulation	10
I.6.4	Indirect Effects of Proposed Regulation.....	10
I.7	Conclusions.....	13
II.	Small Business and Regulatory Flexibility Act Analysis.....	15
II.1	Introduction.....	15
II.2	Justification of Proposed Regulation	15
II.3	Alternatives to Proposed Regulation	16
II.4	Objectives of Proposed Regulation.....	16
II.5	Description of Impact on Small Entities.....	16
II.5.1	Proposed Location Fee Schedule	16
II.5.2	Description of Entities Impacted	17
II.5.3	Historical Permit Data	19
II.5.3.1	Motion Picture Filming.....	19
II.5.3.2	Still Photography	20
II.5.4	Impact Analysis	23
II.5.4.1	Significant Impact Thresholds	23
II.5.4.2	Hypothetical Location Fees: Still Photography Permit	24
II.5.4.3	Hypothetical Location Fees: Motion Picture Filming Permit.....	25
II.5.4.4	Small Scale Operators.....	26
II.6	Projected Requirements of Proposed Regulation	27
II.7	Federal Rules Related to Proposed Regulation.....	27
II.8	Conclusion	27
II.9	References.....	28
II.10	Appendix – NPS Permit Application For Filming/Photography	29

I. BENEFIT-COST ANALYSIS

I.1 INTRODUCTION

This analysis concerns proposed changes to the Department of the Interior’s regulations for filming activities or similar projects, including still photography, on lands under the Secretary’s jurisdiction, in order to implement Public Law 106-206. The intent of this benefit-cost analysis is to satisfy the requirements of E.O. 12866 and the Unfunded Mandates Reform Act (UMRA).

E.O. 12866 and UMRA require agencies to undertake benefit-cost analysis for regulatory actions. The material presented below analyzes the benefits and costs of the proposed regulatory action, and considers potential effects on state, local, and tribal governments. The benefits and costs are evaluated in comparison to conditions reasonably expected to exist absent this rulemaking. As the proposed regulation does not mandate any actions by non-federal governmental entities, for the purpose of satisfying the analytic requirements of UMRA no additional analysis is required.¹ The indication of this analysis is that the proposed regulation is not significant, as it is estimated to have economic impacts substantially below \$100 million per year.

I.2 JUSTIFICATION OF PROPOSED REGULATION

Public Law 106-206 (codified at 16 U.S.C. 460l-6d) directs the Secretaries of the Interior and Agriculture to establish a reasonable system of fees (“location fees”) for commercial filming and still photography activities on lands under the Secretaries’ jurisdiction. For the purposes of this document, a location fee is defined as a land- or facility-use fee similar to rent. This fee is intended to provide a fair return to the United States for the use of Federal lands or facilities in commercial filming activities or similar projects, and for still photography activities where a permit is required. Compliance with this law requires that the Department of the Interior (DOI) amend existing regulations at 43 CFR Part 5.1(b)(1) prohibiting the National Park Service (NPS) and the Fish and Wildlife Service (FWS) from collecting fees for commercial film production.

The proposed regulation is intended to increase economic efficiency by addressing a market failure. In providing and maintaining access to Federal lands, DOI in effect produces certain attractive settings for film-makers. To the extent that film-makers are able to use these settings free of charge, DOI’s production exhibits positive externalities for the motion picture industry. It is typically the case that activities exhibiting uncompensated positive externalities are produced below the socially optimal level. In this case, sub-optimal production could take the form of site administrators being less willing to provide access for film crews. Correcting this

¹ UMRA also requires consultation with state, local, and tribal governments and the selection of the “least burdensome” option that meets the rule’s objectives.

market failure requires that motion picture producers pay a “resource rent” to compensate DOI for providing site access. This resource rent is the fee referred to in P.L. 106-206.

The proposed regulation will standardize the collection of location fees by DOI agencies. Although NPS and FWS are currently prohibited from assessing fees, the Bureau of Land Management (BLM) does collect and retain location fees for the use of their lands, as per 43 CFR 2920.8. Under the proposed regulation, DOI agencies (including NPS and FWS) will be empowered to collect a location fee, of which at least eighty percent is to be retained and used on-site, as per DOI’s Recreational Fee Demonstration Program (P.L. 104-134, Title III, Section 315).

The key elements of the proposed regulatory changes are to:

1. Include BLM, FWS and NPS under regulation
2. Ensure consistent application of P.L. 106-206 by BLM, FWS, and NPS
3. Make administrative corrections to BIA regulations
4. Apply regulation to commercial filming and certain still photography activities
5. Incorporate still photography permit requirements from P.L. 106-206, as in existing DOI policy
6. Specify criteria for denying permits, as per P.L. 106-206
7. Specify requirements for insurance and bonding
8. Specify requirements for restoration measures should area resources be injured
9. Implement the cost recovery provision of P.L. 106-206
10. Implement the location fee provision of P.L. 106-206

I.3 ALTERNATIVES TO PROPOSED REGULATION

No non-regulatory alternative was considered, as compliance with P.L. 106-206 requires replacing earlier regulations at 43 CFR Part 5.1(b)(1). Rescinding existing regulations that forbid fee collection would be insufficient for compliance with P.L. 106-206.

I.4 DESCRIPTION OF PROPOSED REGULATION

Section 5.1 This section contains the regulations for issuing permits for commercial filming and still photography in units of the NPS, FWS and BLM in the DOI. Additional agencies may adopt this regulation should those agencies decide to begin collecting fees, as authorized by P.L. 106-206. This change would be accommodated by modifying the definition of “agency.”

Section 5.2 This section contains the definitions for terms used in the regulation, including “agency”, “commercial filming”, “cost recovery”, “location fee”, and ‘still photography.’

- Section 5.3 This section clarifies the permit requirements for commercial filming and still photography, and establishes limitations for filming activities. Non-commercial filming and still photography activities by visitors generally do not require a permit, whereas all commercial filming activities do. This section also lists instances when a permit is required. Specific criteria that trigger the need for a still photography permit include use of models, sets or props, and requesting access to an area not open to the general public at the time. News coverage does not require a permit, subject to time, place and manner restrictions to maintain order and ensure the safety of the public and the media, and to protect site resources.
- Section 5.4 This section contains criteria for agencies issuing and revoking permits. The regulation states that the agency will issue a permit only if there is little likelihood that the activity will damage site resources, cause unreasonable disruption, conflict with the public's use and enjoyment of the site, or pose risks to public health or safety. Permits may be revoked if the holder fails to adhere to permit conditions.
- Section 5.5 This section stipulates that permit conditions mitigate any possible damage to site resources and guarantee restoration of Federal lands, if necessary.
- Section 5.6 This section requires permit holders to be appropriately insured against property and personal and public liability, and to provide a bond or other instrument to ensure restoration and repair of the area used. Permit holders must also indemnify the United States from any damage or injury incurred in connection with permitted activities.
- Section 5.7 This section specifies that permit fees shall consist of two parts: a location fee (payment for the use of the land) and cost recovery, reimbursing the agency for all costs incurred in processing the permit and monitoring permitted activity. NPS location fees will be published and periodically revised in the Federal Register, where they are available for public comment. Cost recovery will be charged even in cases where the permit is denied.
- Section 5.8 This section requires Federal agencies to establish a process to ensure that permit applications are processed in a timely manner, consistent across all agencies. Agencies will develop a written checklist and timeline for the application and review process.

I.5 DESCRIPTION OF BASELINE

I.5.1 BACKGROUND

The definition of the baseline is an important step in evaluating the economic effects of a proposed regulation. The baseline is taken to be the regulations currently in place. In the following paragraphs, the term “filming” is taken to include video and still photography, as well as sound recording associated with motion picture production. The term “filmmakers” is taken to include any participant in the motion picture industry engaged in filming activities.

According to Congressional testimony presented to the Subcommittee on National Parks and Public Lands, permit policy prior to 1945 was controlled by Secretarial Orders, which allowed NPS to charge as much as \$500 per day (over \$5,000 per day in 2006 dollars) for filming. In 1945 a new Secretarial Order allowed NPS to negotiate fees at higher levels for large-scale productions, resulting in fees that were more than twice the amount allowed for the General Land Office (BLM’s predecessor agency). In spite of higher fees, permits were still issued for such films as “Sea of Grass,” filmed in Canyon de Chelly National Monument in 1946, and “Yellow Sky,” filmed in Death Valley National Monument in 1948. In late 1948, a regulation was issued prohibiting NPS from charging filming fees. FWS was likewise excluded in 1957. It is unknown why these regulations were enacted.

A baseline assumption is that under the status quo, commercial filming activity on federal lands would continue at least at current levels. This may be inferred from Congressional testimony by Jack Valenti, President and CEO of the Motion Picture Association of America: “Film producers want to film in the National Parks. They want to pay fees which are reasonable, sensible, certain – and expeditiously determined.”

Mr. Valenti also states that returns to federal lands in addition to cost recovery are expected to “enliven park administrators’ interest in being hospitable to film producers.” According to Mr. Valenti’s prepared statement, indifference or hostility toward filming projects on the part of park administrators, combined with the costs of complying with non-uniform standards and requirements are a disincentive for producers interested in filming on public lands. Thus it is possible that in spite of increasing the nominal (dollar) price of a filming permit, establishing a uniform fee system could lower the total cost of such permits. A reduction in the total cost of permits would be likely to result in an increase in filming activity on public lands.

I.5.2 FINANCIAL RESPONSIBILITY OF PERMITTING

Financial responsibilities associated with the permitting process include the requirement that the permit applicant reimburse the issuing agency for all costs incurred by the agency in processing the request. These costs are collected whether the request is approved or denied, as the agency incurs the expenses in either case.

Should the request be approved and a permit issued, the permittee is responsible for reimbursing the agency for all expenses incurred in managing the permitted activity, including any necessary rehabilitation to the site after the activity is concluded. Thus, recovered costs are collected by the agency in addition to the location fee.

As a condition of the permit, the permittee may be required to obtain liability, personal injury and/or property insurance in an amount sufficient to protect the United States from liability claims or other claims relating to permitted activities. In addition, permittees may be required to post a bond in an amount specified by the agency. The bond ensures the payment of all cost recovery, and reimbursement of costs for all permit area restoration, reclamation or rehabilitation required as a result of the permitted activity.

I.5.3 CURRENT PROCEDURES FOR COST RECOVERY, INSURANCE AND BONDING

16 U.S.C. §3a, the NPS authority to collect cost recovery, states that “Notwithstanding any other provision of law, the National Park Service may, on and after November 11, 1993, recover all costs of providing necessary services associated with special use permits, such reimbursements to be credited to the appropriation current at that time.” The NPS has interpreted this as allowing Park Superintendents to exempt certain filming and photography activities from cost recovery under certain circumstances. OMB Circular A-25 outlines instances where waiving cost recovery may be appropriate, such as when the cost of collecting the charges is an unduly large part of the receipts, or when the permittee is a state, local, or Federal agency, or a tribal or foreign government.

The NPS also allows Superintendents to waive cost recovery when the activity will promote the mission of the NPS or promote public health, safety or welfare. The proposed regulation has no capacity for this type of exemption.

General Commercial Liability Insurance is required for most permitted activities, in an amount commensurate with the risk involved. The insurance is intended to protect the issuing agency from judgments commented with injury or damages resulting form the actions or inaction’s of the permittee or their agents, contractors or employees. If the permitted activity is judged to involve a low level of risk, administrators may waive the insurance requirement, or require a lower value on the policy.

A bond is required to ensure that Federal lands are left in as good a condition as they were prior to the permitted activity, and to cover restoration costs if necessary. The amount of the bond is set based on the estimated cost to the issuing agency for clean-up and/or restoration that would be necessary if the permittee fails to meet permit conditions.

I.6 BENEFIT-COST ANALYSIS FOR PROPOSED REGULATION

I.6.1 INTRODUCTION

This section discusses the benefits and costs of the proposed regulation. The analysis, which is largely qualitative, specifically addresses items 1, 2, and 7 through 10 of the list of proposed changes given in Section I.2. These changes concern assessing a uniform location fee for filming activity on Federal lands managed by BLM, FWS or NPS. Items 3 through 6 in Section I.2 are administrative changes, being largely a codifying of current practices. As such, these items are not considered in this analysis.

Total benefits accruing to the consumer of a good (or service) are usually determined as the consumer's willingness to pay for the good in question. The "fair market value" of the good (the price actually paid in a market) represents a lower bound on this willingness to pay: there are some consumers who willingly pay this price, and they would possibly pay more than this price.

In the case of using public lands for filming, calculation of a fair market value would be a difficult task. In the first place, there may be no comparable market for the goods and services under consideration. For example, State Park filming locations may seem comparable to National Park filming locations. However the State Park locations may not provide an appropriate comparison, based on several market distortions: states often offer sites for free, or for very low fees, if the fee-setting agency considers filming access to be part of a bundle of services offered to visitors, along with food service, lodging, local labor, etc. Also, localities benefit not only from the payments to these visitor services, but also from the exposure the area may receive from the "free advertising" of motion pictures. Ultimately, State Parks may be a poor comparison to National Parks, given the uniqueness of many of the sites chosen for filming.

Film producers often choose sites based some unique geologic or cultural feature, like Statue of Liberty National Monument.

I.6.2 PROPOSED LOCATION FEE SCHEDULE

The previous section described the unique nature of many filming locations in National Parks, and outlined the difficulty of determining a "fair market value" for these sites. With these aspects of the issue in mind, a location fee schedule has been developed with the intention of

generating a “fair return to the government” for the use of Federal property, as per P.L. 106-206.

The location fee is additional to the cost recovery charge, which is based on the actual amount expended by the government in processing the application, monitoring the permitted activity and any restoration or rehabilitation required for the area used. The location fee is added together with a cost recovery estimate to obtain the total permit fee. The cost recovery figure is calculated upon completion of the filming activity. If actual cost recovery exceeds the estimate paid at the time of application, a bill for the balance is issued to the permittee. If actual cost recovery is less than the estimate, a refund is issued for the amount overpaid.

The proposed location fee schedule was developed in consideration of current location fee/rental schedules from both the U.S. Forest Service (USFS) and BLM, as well as from several privately run historic sites, including Mount Vernon, Monticello and Historic Williamsburg. State and local film commissioners also contributed their expertise; including Crystal Palmer from the District of Columbia, and Leah von der Resch, filming commissioner for the state of Utah.

The proposed location fee is based on the following factors:

1. number of days of filming activity on Federal land
2. size of the film crew present on Federal land
3. quantity and type of equipment used
4. locations used during filming

Notice of the draft location fee schedule was posted in the Federal Register on December 14, 2000, whereby the National Park Service requested public comment on the proposed changes. The Federal Register version of the draft location fees for commercial filming and still photography are presented in Table 1 and Table 2 below.

Table 1 - Daily Location Fees for Commercial Filming

Number of Persons in Site Crew	Daily Location Fee
1-5 persons (hand-carried equipment only)	\$150 (any number of locations)
1-5 persons (any equipment)	\$200 (any number of locations)
6-10 persons	\$300 (per location)
11-20 persons	\$500 (per location)
21-40 persons	\$800 (per location)
41-60 persons	\$1,200 (per location)
More than 60 persons	\$25 per person (per location)

Table 2 - Daily Location Fees for Still Photography

Number of Persons in Site Crew	Location Fee per Day (or fraction of a day)
1-5 persons (hand-carried equipment only)	\$150 (any number of locations)
1-5 persons (any equipment)	\$200 (any number of locations)
6-10 persons	\$300 (per location)
11-20 persons	\$400 (per location)
More than 20 persons	\$20 per person (per location)

The NPS received 34 external comments and 6 internal comments on the proposed location fee schedule by the time the extended public comment period closed, on March 3, 2001. These comments were taken into account by an interagency task force, working on both the new regulation and the revised location fee schedule. The task force consisted of personnel from BLM, FWS, NPS, and the Department of Interior Solicitor's Office, as well as the USFS in the Department of Agriculture. Private sector individuals and tribal governments were also consulted during this process.

The interagency taskforce used this guidance and the public comments to revise the draft location fee schedules. The revised schedules differ from the versions published in the December 14, 2005 Federal Register by having wider group-size thresholds, and reduced fees at those thresholds. The revised fees are typically about half the size of the fees in the previous draft schedules. Furthermore, no consideration is given to the number of locations used for filming, or the kind of equipment used by the site crew. The draft revised schedules are provided in Table 3 and Table 4 below. Note that these schedules may be subject to further public comment and revision.

Table 3 - Daily Location Fees for Commercial Filming (revised with public comments)

Number of Persons in Site Crew	Location Fee per Day (or fraction of a day)
1-5 persons	\$75
6-10 persons	\$150
11-30 persons	\$350
31-50 persons	\$650
51-70 persons	\$1,000
More than 70 persons	\$1,500

Table 4 - Daily Location Fees for Still Photography (revised with public comments)

Number of Persons in Site Crew	Location Fee per Day (or fraction of a day)
1-5 persons	\$50
6-10 persons	\$100
11-20 persons	\$200
21-30 persons	\$300
More than 30 persons	\$450

I.6.3 DIRECT EFFECTS OF PROPOSED REGULATION

The proposed increase in filming fees will likely have direct effects on the motion picture industry as well as on DOI. A report by the General Accountability Office from May 2005 (GAO-05-410) found that NPS would have collected about \$1.6 million in 2003, if P.L. 106-206 had been implemented. Thus, as a rough estimate, the proposed regulation may result in payments to DOI from motion picture producers of \$1.6 million per year. If this level of filming activity can be expected to continue in the near future, over the next ten years this would result in a total of \$16 million (ignoring inflation). Assuming a 7% annual discount rate, this amount is equivalent to approximately \$12 million in present value terms (2006 dollars). A lower discount rate of 3% would imply a present value total of approximately \$14 million.

Of the \$1.6 million in receipts estimated by the GAO, the amount retained by the parks (eighty percent, or \$1.28 million) could have been used to fund improved public facilities, resulting in a benefit to park users. No estimates are available to quantify these or other benefits of the proposed regulation. Furthermore, no estimates are available for compliance and enforcement costs associated with the proposed regulation. Nevertheless, establishing a uniform fee schedule and a single permitting procedure for all public lands may reduce the administrative costs associated with permitting, at least on a per-permit basis. Testimony by members of the motion picture industry indicates that reducing these costs would provide substantial benefits to the industry.

This analysis does not consider an increase in the transfer of funds from the motion picture industry to DOI to be either a benefit or a cost. However, the effective price change of filming in National Parks may have indirect effects that must be considered.

I.6.4 INDIRECT EFFECTS OF PROPOSED REGULATION

The expected response to a fall in a good's price is an increase in the quantity demanded of that good. Thus, if the net effect of the proposed regulation is to lower a filmmaker's full cost of obtaining a permit, it would be reasonable to predict an increase in permit applications. This

increase in permit applications will mean additional work for DOI staff responsible for processing the applications. If cost recovery measures are appropriately scaled, this cost should be offset by increased permit revenues.

Any resulting increase in use of Federal sites by film crews could result in more crowded conditions for other visitors. P.L. 106-206 addresses this possibility, stipulating that no permit shall be issued if there would be an “unreasonable disruption of the public’s use and enjoyment of the site.” Thus, any crowding due to increased filming is assumed to be minimal.

It also seems reasonable to suppose that increased portrayal of Federal sites in motion pictures would produce a benefit in terms of increased public enjoyment of those Federal lands, albeit from a distance. Related to this benefit, is the notion expressed by Jack Valenti, President of the Motion Picture Association of America, that the increased portrayal of Federal lands in motion pictures could serve as a form of “advertising,” encouraging increased visits to National Parks. Benefits of this increased visitation include increased public use and enjoyment of Federal lands, while costs to consider are increased site administration and potential crowding of visitors.

It is conceivable that a uniform permitting procedure for all Federal lands would make Federal sites more attractive filming locations than similar State sites. Any switching from State to Federal lands would be beneficial for reducing crowding at State sites; this could also entail increased crowding at Federal sites. This effect may not be significant: as explored in the discussion of comparable markets in Section I.6.1, National Parks are frequently chosen as filming locations based on unique properties of the site. This uniqueness makes State Parks a poor substitute for many National Parks, so no great degree of switching filming from State to Federal lands is anticipated as a result of the proposed regulation.

A final consideration is the effect of increased permitting costs on small businesses. A portion of the commercial filming that takes place in National Parks is undertaken by small-scale contractors, producing film footage for organizations such as the Discovery Channel, the History Channel, or the Arts & Entertainment Network. These contractors typically operate fairly close to their bottom line. Changes in the cost of permitting or location fees constitute a business expense that would ultimately be passed on to a small producer’s client. In the short-run however, these costs would likely be borne by the small producers themselves.

In addition, depending on the size of the production crew, and the nature of the filming project, small producers may currently be able to operate on Federal lands under the same guidelines that apply to regular (non-commercial) visitors. The proposed regulation requires permits for *all* producers. This implies that for those small-scale producers unable to pass on increased permit costs in the short run, an increase in the cost of filming in National Parks would result in shifting filming operations elsewhere. If small-scale producers find that they must shift their operations away from National Parks, they would incur the costs associated with making these changes. The benefit of such a shift would be any resulting decrease in crowding at National Parks,

though this is likely to be negligible. The issue of small-scale contractors is dealt with in more detail in the Small Business and Regulatory Analysis attached to this document.

The direct and indirect effects of the proposed regulation are summarized below in Table 5 and Table 6.

Table 5 - Direct Effects of Proposed Regulation

<i>Effect of Regulation</i>	<i>Benefits</i>	<i>Costs</i>
Increase in filming fees	Fees can be used to fund improved facilities on public lands	n.a.
Increase in predictability of permitting procedure, including fee schedule	Reduced administrative cost of permitting	n.a.

Table 6 - Indirect Effects of Proposed regulation

<i>Effect of Regulation</i>	<i>Benefits</i>	<i>Costs</i>
Easing administrative burden of obtaining a permit could lead to increased filming on Federal lands	Increased public enjoyment of Federal sites via motion pictures	More work for DOI staff, processing increased permit applications and monitoring filming crews (would be offset by appropriate cost recovery) Crowding of visitors (the law requires parks to minimize this when granting permits)
“Advertising” the amenities of public lands through films may lead to increased public visitation	Increased public use and enjoyment of federal lands	Crowding may reduce visitors’ enjoyment
Easing administrative burden for filming on Federal lands could cause filmmakers to substitute away from similar State lands	Reduced crowding for other visitors using the State lands (may be a negligible effect)	Loss of filming revenue for some State sites
Increased costs of permitting could force small businesses to avoid filming on Federal Lands in the short run	Reduced crowding for other visitors using the Federal sites (likely to be a negligible effect)	Costs incurred in shifting operations Reduced scope of activity for small businesses

I.7 CONCLUSIONS

This analysis has considered the impact of a proposed regulation allowing the collection of fees for motion picture filming and related activities on public lands, in accordance with P.L. 106-206. Based on testimony presented to the Subcommittee on National Parks and Public Lands, and estimates provided by the GAO, the benefits of the proposed regulation are likely to be substantial. Benefits are expected to take the form of improved facilities for visitors to Federal sites, and an increased enjoyment of public lands, both directly, through increased visitation, and indirectly through motion picture images.

The costs associated with the proposed regulation appear to be less significant. In most cases, costs such as increased crowding at federal sites, or increased work load for DOI staff responsible for processing permit applications, are avoidable through proper implementation of the permitting process. As an exception, the proposed permitting scheme may have adverse

short-term effects on small businesses in the motion picture industry, with higher short-term costs forcing these businesses to shift their operations away from Federal lands.

II. SMALL BUSINESS AND REGULATORY FLEXIBILITY ACT ANALYSIS

II.1 INTRODUCTION

This analysis concerns proposed changes to the Department of the Interior’s regulations for filming activities or similar projects, including still photography, on lands under the Secretary’s jurisdiction, in order to implement Public Law 106-206. The intent of this analysis is to satisfy the requirements of the Small Business and Regulatory Flexibility Act (SBRFA).

SBRFA requires agencies to analyze the impact of regulatory actions on small entities, and to prepare and publish an Initial Regulatory Flexibility Analysis (IRFA) when proposing a regulation. In addition, when a final rule is to be issued, SBRFA requires a final analysis for each rule that will have a significant economic impact on a substantial number of small entities.² The purpose of the Initial Regulatory Flexibility Analysis is to estimate the number of entities potentially impacted and the magnitude of the impacts, to summarize the significant issues raised in public comment on the proposed rule, and to identify the steps the agency has taken to minimize the significant economic impact on small entities, consistent with the stated objectives of the applicable statutes.

II.2 JUSTIFICATION OF PROPOSED REGULATION

Public Law 106-206 (codified at 16 U.S.C. 460l-6d) directs the Secretaries of the Interior and Agriculture to establish a reasonable system of fees (“location fees”) for commercial filming and still photography activities on lands under the Secretaries’ jurisdiction. For the purposes of this document, a location fee is defined as a land- or facility-use fee, similar to rent. This fee is intended to provide a fair return to the United States for the use of Federal lands or facilities in commercial filming activities or similar projects, and for still photography activities where a permit is required. Compliance with this law requires that the Department of the Interior (DOI) amend existing regulations at 43 CFR Part 5.1(b)(1) prohibiting the National Park Service (NPS) and the Fish and Wildlife Service (FWS) from collecting fees for commercial film production.

The proposed regulation will standardize the collection of location fees by DOI agencies. Although NPS and FWS are currently prohibited from assessing fees, the Bureau of Land Management (BLM) does collect and retain location fees for the use of their lands, as per 43 CFR 2920.8. Under the proposed regulation, DOI agencies (including NPS and FWS) will be empowered to collect a location fee, of which at least eighty percent is to be retained and used on-site, as per DOI’s Recreational Fee Demonstration Program (P.L. 104-134).

² Preparing an Initial RFA for a proposed rule does not legally foreclose certifying that the final rule will have no significant impact on a substantial number of small entities. Furthermore, certifying that the proposed rule will have no significant economic impact on a substantial number of small entities does not legally foreclose preparing a Final RFA.

The key elements of the proposed regulatory changes are to:

1. Include BLM, FWS and NPS under regulation
2. Ensure consistent application of P.L. 106-206 by BLM, FWS, and NPS
3. Make administrative corrections to BIA regulations
4. Apply regulation to commercial filming and certain still photography activities
5. Incorporate still photography permit requirements from P.L. 106-206, as in existing DOI policy
6. Specify criteria for denying permits, as per P.L. 106-206
7. Specify requirements for insurance and bonding
8. Specify requirements for restoration measures should area resources be injured
9. Implement the cost recovery provision of P.L. 106-206
10. Implement the location fee provision of P.L. 106-206

II.3 ALTERNATIVES TO PROPOSED REGULATION

No non-regulatory alternatives were considered, as compliance with P.L. 106-206 requires replacing earlier regulations at 43 CFR Part 5.1(b)(1). Rescinding existing regulations that forbid fee collection would be insufficient for compliance with P.L. 106-206.

II.4 OBJECTIVES OF PROPOSED REGULATION

The proposed regulation is intended to allow the U.S. Department of the Interior to comply with P.L. 106-206 by collecting fees for the commercial production of motion pictures and still photography on Federal land. The proposed regulation will standardize the collection of location fees by DOI agencies for lands under their management.

II.5 DESCRIPTION OF IMPACT ON SMALL ENTITIES

II.5.1 PROPOSED LOCATION FEE SCHEDULE

Notice of the draft location fee schedule was posted in the Federal Register on December 14, 2000, whereby the National Park Service requested public comment on the proposed changes. The NPS received 34 external comments and 6 internal comments on the proposed location fee schedule by the time the extended public comment period closed, on March 3, 2001. These comments were taken into account by an interagency task force, working on both the new regulation and the revised location fee schedule. The task force consisted of personnel from BLM, FWS, NPS, and the Department of Interior Solicitor's Office, as well as the USFS in the Department of Agriculture. Private sector individuals and tribal governments were also consulted during this process.

The interagency taskforce used this guidance and the public comments to revise the draft location fee schedules. The draft schedules as revised are provided in Table 7 and Table 8 below. Note that these schedules may be subject to further public comment and revision.

Table 7 - Daily Location Fees for Commercial Filming (revised with public comments)

Number of Persons in Site Crew	Location Fee per Day (or fraction of a day)
1-5 persons	\$75
6-10 persons	\$150
11-30 persons	\$350
31-50 persons	\$650
51-70 persons	\$1,000
More than 70 persons	\$1,500

Table 8 - Daily Location Fees for Still Photography (revised with public comments)

Number of Persons in Site Crew	Location Fee per Day (or fraction of a day)
1-5 persons	\$50
6-10 persons	\$100
11-20 persons	\$200
21-30 persons	\$300
More than 30 persons	\$450

II.5.2 DESCRIPTION OF ENTITIES IMPACTED

Small Business Administration standards³ for the motion picture industry identify as “small” those entities having annual receipts of:

1. \$27 million or less for a motion picture and video production establishment (NAICS Code 512110)
2. \$6 million or less for a sound recording studio (NAICS Code 512240)
3. \$6.5 million or less for an independent motion picture producer (NAICS Code 711510)
4. \$6.5 million or less for commercial photography (NAICS Code 541922)

These “annual receipts” size standards represent a small increase over the previous levels, though this analysis is unaffected by the change. Based on these size standards, data in the U.S. Economic Census of 2002 indicate that small firms make up the majority of the outfits

³ These standards are effective as of January 4, 2006.

characterized by the North American Industry Classification System (NAICS) codes above. A summary of the information from the census is presented in Table 9.

Table 9 - Size and Annual Receipts Data for the Motion Picture Industry

(shading indicates “non-small” businesses, with average annual receipts above the SBA threshold)

NAICS Code Firm Description (SBA Threshold)	Fewer than 100 Employees		100 to 499 Employees		More than 500 Employees	
	Firms	Average Annual Receipts	Firms	Average Annual Receipts	Firms	Average Annual Receipts
512110 Motion Picture Production (\$27 million)	10,455	\$974,000	58	\$18,383,000	50	\$671,632,000
512240 Recording Studios (\$6 million)	952	\$380,000	n/a	n/a	n/a	n/a
541922 Commercial Photographers (\$6.5 million)	4,024	\$404,000	8	\$4,226,000	10	\$8,402,000
711510 Independent Producers (\$6.5 million)	15,785	\$582,000	29	\$7,619,000	12	\$7,100,000

As indicated in Table 9, all but fifty of the large motion picture production firms in the survey (0.12% of the industry sampled) fall into size groupings with average annual receipts below the small business threshold. Likewise, all but ten of the commercial photography firms (0.06%), and all but forty-one (0.07%) of the independent producers may be classified as small, based on average annual receipts for firms of similar payroll size. Data on recording studios were not available for all categories.

II.5.3 HISTORICAL PERMIT DATA

This study considered data on permits for activity related to both motion picture filming and still photography. The data were collected by the General Accountability Office (GAO), in a survey of permits issued by NPS units for permitted activity during fiscal year 2003 (October 1, 2002 through September 30, 2003). The survey included permits that were issued prior to FY 2003 if the permitted activity took place during FY 2003. The dataset contains reporting from thirty classifications of NPS sites, including National Battlefields, Historical Sites, Lakeshores, Memorials, Monuments, Parks, Parkways, Preserves, Recreation Areas, Rivers, Seashores, and Trails. Data for the motion picture filming permits and the still photography permits are treated separately in the following two sub-sections.

II.5.3.1 COMMERCIAL MOTION PICTURE FILMING

Of the 378 units reporting, 150 units issued at least one permit for filming during the sample period, while 228 units issued no permits for filming-related activity. In total, 1,345 filming permit numbers were reported for the sample period. Table 10 lists the ten NPS units issuing the most permits; together these ten units account for more than thirty percent of all filming permits issued.

**Table 10 - Top Ten Permit-Issuing NPS Units for Commercial Filming
(10/1/2002 – 9/30/2003)**

Unit Name	Unit Type	Filming Permits
Golden Gate	Recreation Area	89
Yellow Stone	Park	88
Independence	Historical Park	61
Hawai'i Volcanoes	Park	36
Grand Canyon	Park	33
Yosemite	Park	23
Joshua Tree	Park	23
Arches	Park	20
Lake Mead	Recreation Area	19
San Antonio Missions	Historical Park	17

The location fee depends in part on the size of the crew at the site. In the NPS data for filming permits, crew sizes ranged from a single person up to 412 persons. In total, NPS issued 68 permits for one-person crews and 22 permits for crews larger than 100 persons. The average crew size was 11 persons, with a standard deviation of 25.2 persons. Eighty percent of all permits were issued for crews of ten or fewer persons. The distribution of permits by crew size is reported in Table 11 below.

Table 11 - Distribution of Commercial Filming Permits by Crew Size⁴

Number of Persons in Site Crew	Motion Picture Filming Permits Issued	Percentage of All Filming Permits
1-5 persons	737	55.6%
6-10 persons	325	24.5%
11-30 persons	185	14.0%
31-50 persons	41	3.1%
51-70 persons	9	0.7%
More than 70 persons	29	2.2%

The location fee depends on the number of persons in the filming crew, and also on the number of days spent at the site. In the NPS data for filming permits, the length of permit ranged from one day to over a year. In total, NPS issued 800 one-day permits, and six permits greater than one year in length. The average permit length was 12 days, with a standard deviation of 111.3 days. Over ninety percent of all permits were issued for less than one week of permitted activity. The distribution of permits by permit length is reported in Table 12 below.

Table 12 - Distribution of Commercial Filming Permits by Permit Length⁵

Days of Permitted Activity	Motion Picture Filming Permits Issued
1-6 days	1,226
7-29 days	64
30-99 days	22
100 days or longer	24

II.5.3.2 STILL PHOTOGRAPHY

Of the 378 units reporting, 81 units issued at least one photography permit during the sample period, while 297 units issued no permits for still photography. In total, 891 permit numbers were reported for the sample period. Table 13 lists the ten units issuing the most permits in the sample, which together account for more than forty percent of all still photography permits issued.

⁴ The number of permits reported in the table does not the total of 1,345 reported above, due to reporting errors in the data.

⁵ The number of permits reported in the table does not the total of 1,345 reported above, due to reporting errors in the data.

Table 13 - Top Ten Permit-Issuing NPS Units for Still Photography (10/1/2002 – 9/30/2003)

Unit Name	Unit Type	Photography Permits
Independence	Historical Park	152
Golden Gate	Recreation Area	58
Valley Forge	Historical Park	35
White Sands	Monument	28
War In The Pacific	Historical Park	23
Joshua Tree	Park	23
Glen Canyon	Recreation Area	17
Castle Clinton	Monument	15
Grand Teton	Park	14
Santa Monica Mountains	Recreation Area	12

The location fee depends in part on the size of the crew at the site. In the NPS data for still photography, crew sizes range from a single person up to 500 persons. In total, NPS issued 47 permits for one-person crews and two permits for 500-person crews. The average crew size was 16 persons, with a standard deviation of 30.4 persons. Over half of the permits were issued for crews of ten or fewer persons. The distribution of permits by crew size is reported in Table 14 below.

Table 14 - Distribution of Still Photography Permits by Crew Size

Number of Persons in Site Crew	Photography Permits Issued	Percentage of All Photography Permits
1-5 persons	274	30.8%
6-10 persons	219	24.6%
11-20 persons	243	27.3%
21-30 persons	61	6.8%
More than 30 persons	94	10.5%

The location fee depends on the number of persons in the photography crew, and also on the number of days spent at the site. In the NPS data, permit lengths for still photography ranged from one day to one year. In total, NPS issued 674 one-day permits, and 5 one-year permits. The average permit length was 5 days, with a standard deviation of 29.6 days. Over ninety percent of all permits were issued for less than one week of permitted activity. The distribution of permits by permit length is reported in Table 15 below.

Table 15 - Distribution of Still Photography Permits by Permit Length⁶

Days of Permitted Activity	Photography Permits Issued
1-6 days	828
7-29 days	54
30-99 days	4
100 days or longer	7

⁶ The number of permits reported in the table does not the total of 1,345 reported above, due to reporting errors in the data.

II.5.4 IMPACT ANALYSIS

II.5.4.1 SIGNIFICANT IMPACT THRESHOLDS

For the purpose of this proposed regulation, an action is considered to have a “significant impact” on a business if the action results in a cost to the business of at least three percent of annual revenue⁷. Given the annual receipts information reported in Table 9, the low end of the significant range would be an impact of \$11,400 for the average recording studio with fewer than one hundred employees. The “significant impact” threshold is higher for the other types of operators considered, as given in Table 16. This table only considers firms with one hundred employees or fewer; larger firms would typically have higher “significant impact” levels.

Table 16 - Significant Impact Levels for Motion Picture Operators

Firm Description (NAICS Code)	3% of Annual Receipts (firms with at most 100 employees)
Motion Picture Production (512110)	\$29,220
Recording Studios (512240)	\$11,400
Commercial Photographers (541922)	\$12,120
Independent Producers (711510)	\$17,460

⁷ This is the level considered by the U.S. EPA when conducting a regulatory flexibility analysis.

II.5.4.2 HYPOTHETICAL LOCATION FEES: STILL PHOTOGRAPHY PERMIT

The proposed fee schedule given in Section II.5.1 can be applied to the historical NPS permitting data to determine the range of likely location fees that permittees will face. For example, the minimum location fee charged would be for a team of one to five still photographers shooting for one day. The location fee in this case would be \$50. At the high end, the NPS still photography permit data show one permit issued for a fifteen-person team shooting for one year. Under the proposed regulation, the daily location fee for this still photography permit would be \$200. The hypothetical total cost of the location fee for this permit would have been

$$365 \text{ days} \times \frac{\$200}{\text{day}} = \$73,000.$$

Based on the NPS data for still photography permitting, the average location fee would have been \$905, had the proposed fee schedule been in place. The standard deviation associated with this average is \$4,653.89. The high variability in hypothetical location fees is due to a small number of permits that would have required large payments under the proposed fee schedule. Nearly ninety percent of the still photography permits in the historical data would have had location fees below \$500. The distribution of these hypothetical location fees is reported in Table 17 below.

Table 17 - Distribution of Hypothetical Location Fees Based on Historical Permitting of Still Photography

Location Fee Range	Still Photography Permits	Percentage of All Still Photography Permits
\$20,000 or more	3	0.3%
\$10,000 - \$19,999	3	0.3%
\$5,000 - \$9,999	36	4.0%
\$1,000 - \$4,999	22	2.5%
\$500 - \$999	37	4.1%
\$250 - \$499	151	16.9%
\$100 - \$249	431	48.3%
\$99 or less	210	23.5%

II.5.4.3 HYPOTHETICAL LOCATION FEES: MOTION PICTURE FILMING PERMIT

For motion picture filming, the proposed minimum location fee is \$75, for a team of one to five people filming for a single day. At the high end, the NPS still motion picture filming data show one permit issued for an eleven-person team filming for 811 days in Yellowstone National Park.

Under the proposed regulation, the daily location fee for this motion picture filming permit would be \$350. The hypothetical total cost of the location fee for this permit would have been

$$811 \text{ days} \times \frac{\$350}{\text{day}} = \$283,850.$$

Based on the motion picture filming data, the average location fee would have been \$1,318.95, had the proposed fee schedule been in place is. The standard deviation associated with this average is \$11,264.52. As in the previous sub-section, the high variability in hypothetical location fees is due to a small number of permits that would have required large payments under the proposed fee schedule. Eighty percent of the permits in the historical data would have had location fees below \$500, and nearly ninety percent of the location fees would have been below \$1,000. The distribution of these hypothetical location fees is reported in Table 18 below.

Table 18 - Distribution of Hypothetical Location Fees Based on Historical Permitting of Motion Picture Filming⁸

Location Fee Range	Motion Picture Filming Permits	Percentage of All Motion Picture Filming Permits
\$100,000 or more	3	0.2%
\$50,000 - \$99,999	0	
\$25,000 - \$49,999	5	0.4%
\$10,000 - \$24,999	20	1.5%
\$5,000 - \$9,999	22	1.6%
\$2,500 - \$4,999	26	1.9%
\$1,000 - \$2,499	88	6.6%
\$500 - \$999	99	7.4%
\$100 - \$499	654	49.0%
\$99 or less	419	31.4%

Note that the location fee for a permit is additional to the total amount assessed for cost recovery, which in some cases could exceed the location fee. For the one-day permit examples considered

⁸ The number of permits reported in the table does not the total of 1,345 reported above, due to reporting errors in the data.

above, if an NPS employee required \$50 per hour to monitor the activity of the crew, cost recovery for this employee's time alone would total \$400. This amount far exceeds the \$50 location fee for a still photography permit, or the \$75 location fee for a motion picture filming permit.

Nevertheless, given the average cost of the hypothetical location fee (and the distribution of these costs, skewed toward the low end), it seems unlikely that a firm's permit fee expenditures under the proposed schedule would exceed three percent of their annual receipts, unless the firm applied for several permits within a given year. The location fees considered in this section appear to be well below the "significant impact" thresholds given in Table 16 above.

As an example, consider an average recording studio with no more than 100 employees, for which the significant impact threshold is \$11,400. The average location fee related to motion picture filming for an 11-person team working for 12 days, would cost \$350 per day, for a total location fee of \$4,200. Allowing for observation by one NPS employee at \$400 per day would increase the cost of the permit to \$9,000. The total cost for this hypothetical permit (location fee plus cost recovery) is \$2,400 below the threshold of significant impact for this average recording studio. Furthermore, considering the levels reported above in Table 16, the cost of this hypothetical example permit is \$8,460 below the threshold for an independent producer with no more than 100 employees, and \$20,220 below the threshold for the average motion picture producer of similar size.

II.5.4.4 SMALL SCALE OPERATORS

There is anecdotal evidence that a sizeable portion of the commercial film production undertaken in National Parks is performed by small-scale operators. These firms frequently act as contractors for larger media outlets, producing film footage for organizations such as the Discovery Channel, the History Channel, or the Arts & Entertainment Network. These small-scale contractors typically operate fairly close to their bottom line. Changes in the cost of permitting or location fees constitute a business expense that will ultimately be passed on to a small producer's client. In the short-run however, these costs are likely to be borne by the small producers themselves.

Operating costs for small-scale producers filming in a National Park may vary for reasons beyond the producer's control. For example, depending on the size of the production crew, and the nature of the filming project, small producers may currently be able to operate on Federal lands under the same guidelines that apply to regular (non-commercial) visitors. Furthermore, as explained in Section I.5.3 of the attached Benefit/Cost Analysis, Park administrators currently have some discretion in recovering costs associated with commercial filming projects on Park lands. In particular, cost recovery may be waived for small projects that are deemed to have minimal impact on Park resources. The proposed regulation has no capacity for this type of exemption.

The proposed regulation would require permits and cost recovery for *all* producers. Thus, small-scale producers unable to immediately pass on increased permit costs may react to an increase in the cost of filming on Federal lands by shifting their operations elsewhere, and incurring the costs associated with this move.

II.6 PROJECTED REQUIREMENTS OF PROPOSED REGULATION

Projected requirements of the proposed regulation include application for a permit and payment of permit fees. Information required for the application may include (see attached sample permit applications from NPS):

- Applicant's or Company's Name
- Social Security Number
- Address
- Telephone Number
- Project Name and Type
- Personnel: Location Manager, Producer, Photographer, Director
- Insurance Company
- Filming Schedule, including locations
- Site Plan: set construction, parking, sanitary facilities, crowd control, emergency medical plan, off-road activity, trail use, building use, site clean up
- Operational Information: personal vehicles, camera car, motor homes, dressing rooms, base camp location, catering company
- Special Activities: children, animals, aircraft, special effects, stunts
- Liaisons: Responsible party for ensuring adherence to permit conditions, coordinating with permit-issuing agency, billing and follow-up information

II.7 FEDERAL RULES RELATED TO PROPOSED REGULATION

The collection of fees for commercial filming projects is currently prohibited by the Code of Federal Regulations, Title 43, Part 5.1(b)(1)(1):

No fees will be charged for the making of motion pictures, television productions or sound tracks on areas administered by the U.S. Fish and Wildlife Service or the National Park Service.

The proposed regulation is intended to supersede this regulation by allowing the affected agencies to assess and collect reasonable fees for commercial filming permits.

II.8 CONCLUSION

This analysis has considered the small business impact of compliance by the US Department of the Interior with P.L. 106-206, requiring that the National Park Service (NPS) assess and collect fees for commercial motion picture or still photography on NPS lands. Applying the proposed

fee schedule to historical NPS permitting data indicates that firms are unlikely to experience a significant impact due to the cost of permit fees.

II.9 REFERENCES

16 U.S.C. §3a (*NPS cost recovery*)

Executive Order E.O. 12866 “Regulatory Planning and Review.” Federal Register vol. 58, no. 190: 51735-51744. October 4, 1993.

OMB Circular A-25

Public Law P.L. 104-4. “Unfunded Mandates Reform Act of 1995.” March 22, 1995.

Public Law P.L. 104-134 Title III – General Provisions, Section 315, as codified at 16 U.S.C. 460l-6a.. “Recreational Fee Demonstration Program.” April 26, 1996.

Public Law P.L. 106-206, as codified at 16 U.S.C. 460l-6d. “To allow the Secretary of the Interior and the Secretary of Agriculture to establish a fee system for commercial filming activities on Federal land, and for other purposes.” May 26, 2000.

U.S. Federal Register. Vol. 65, No. 241 (December 14, 2000).

U.S. Government Accountability Office. (2005) “National Park Service; Revenues Could Increase by Charging Allowed Fees for Some Special Uses Permits.” Report to Congressional Requesters, GAO-05-410.

U.S. Government Printing Office. (1999) United States Congress, House Committee on Resources. Committee Hearings, 106th Congress. Serial No. 106-2 -- Hearing on H.R. 15, H.R. 150, and H.R. 154, February 4, 1999. (*Testimony before the Subcommittee for National Parks and Public Lands*).

U.S. Government Printing Office. (2001) Code of Federal Regulations, Title 43, Volume 2, (43 CFR) §2920.8 “Fees.”

U.S. Government Printing Office. (2004) Code of Federal Regulations, Title 43, Volume 1, (43 CFR 5.1(b)) “Fees; bonds.”

II.10 APPENDIX – NPS PERMIT APPLICATION FOR FILMING/PHOTOGRAPHY

This appendix provides examples of forms available to applicants for permits for commercial filming or still photography. The long form (NPS Form 10-932) requests additional information on project type, beyond the information requested for the short form (NPS Form 10-931). The appropriate form for the applicant to use may be specified by the NPS site administrator.

Application for Photography/Filming Permit

Please supply the information requested below. This information is required to evaluate your permit request. **Attach additional sheets, if necessary.** Allow at least four (4) business days for processing. A non-refundable processing fee may be required to accompany this application. There may be additional fees charged, including a location fee, and you **may** be required to provide proof of liability insurance.

Applicant:	Company:
Social Security #:	Tax ID #:
Street/Address:	Street/Address:
City/State/Zip Code:	City/State/Zip Code:
Telephone #:	Telephone #:
Cell phone #:	Cell phone #:
Fax #:	Fax #:
Email:	Email:

Project name:	Producer:
Type of project:	Photographer:
Location manager:	Director:
Telephone #:	Caterer:
Cell phone #:	Telephone # - set:

Summary of Activities and Scene(s): _____

SCHEDULE BY LOCATION(S) (Includes filming, parking and base camp):

Date	Location	Start Time	End Time	III. TYPE OF ACTIVITY (e.g., film, prep, or strike)	IV. NUMBER OF CAST & CREW

Maximum Number of Participants _____ (Please provide best estimate)

Description of Equipment/Props: _____

Attach list of vehicles including type and license plate number. _____

Use of Roads and/or Trails? (Y/N): ____ Describe: _____

I hereby state that the above information given is complete and correct and that no false or misleading information or false statements have been given. All estimates are reliable to the best of my knowledge and I

have the full authority to represent the applicant entity and the project described above.

Signature: _____ Print Name: _____ Date: _____

Title: _____ Company Name: _____

Information provided will be used to determine whether a permit will be issued. Completed application must be accompanied by an application fee in the form of a cashiers check or money order in the amount of \$____.00 made payable to **National Park Service**. Application and administrative charges are non-refundable. *This completed application should be mailed to Park address information.*

Note that this is an application only, and does not serve as permission to conduct a filming project or any other use of the park. If your request is approved, a permit containing applicable conditions and regulations will be sent to the person designated on the application. The permit must be signed and returned to the park prior to the event.

The above application form is provided with the understanding that parks will insert appropriate park names and addresses and the amount of the application fee as desired.

Paperwork Reduction Act Statement: This information is being collected to allow the park manager to make a value judgment on whether or not to allow the requested use. All the applicable parts of the form must be completed. A Federal agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Estimated Burden Statement: Public reporting burden for this form is estimated to average 30 minutes per response including the time it takes to read, gather and maintain data, review instructions and complete the form. Direct comments regarding this burden estimate or any aspects of this form to the National Park Service, Special Park Uses Program Manager, 1849 C Street NW (2460), Washington, D.C. 20240

Application for Photography/Filming Permit

Please supply the information requested below. This information is required to evaluate your permit request. **Attach additional sheets, if necessary.** Allow at least four (4) business days for processing. A non-refundable processing fee may be required to accompany this application. There may be additional fees charged, including a location fee, and you will be required to provide proof of liability insurance.

Applicant:	Company:
Social Security #:	Tax ID #:
Street/Address:	Street/Address:
City/State/Zip Code:	City/State/Zip Code:
Telephone #:	Telephone #:
Cell phone #:	Cell phone #:
Fax #:	Fax #:
Email:	Email:

Project name:	Producer:
Type of project:	Photographer:
Location manager:	Director:
Telephone #:	Insurance company:
Cell phone #:	

TYPE OF PROJECT:

- Stills, editorial
 Stills, advertising
 stills, other
 stock photo/video/film
 Feature Film /TV Movie
 TV Series/Pilot
 Documentary/Travelogue
 Commercial
 Music Video
 Public Service Announcement
 Infomercial
 Industrial
 Other, explain _____

Will there be sound recording Yes No Night work : No Yes, explain

SUMMARY OF SCENE(S):

SHOOTING SCHEDULE BY LOCATION:

DATE	LOCATION	Start Time	End Time	Interior or Exterior	FILM	PREP	STRIKE	# of cast & crew
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Set dressing or other structures proposed: No Yes, explain

ATTACH ADDITIONAL PAGES FOR INFORMATION NEEDED TO EVALUATE YOUR PERMIT

REQUEST INCLUDING: set construction, parking, sanitary facilities, crowd control, emergency medical plan, off-road activity, trail use, or use of any building and site clean up. Include a proposed Site Plan(s).

Electrical needs, explain _____ Generator: No Yes, size _____

Lighting: None Reflectors only Yes (explain)

Road: _____ Date/time: _____ Closure requested

Running shots Driving shots Drive-bys Tow shots Drive-ups & Away Wet down road

Camera/Equipment on Road Shoulder Camera/Equipment on median Other (explain)

OPERATIONAL INFORMATION:

Number of Personnel and Vehicles:

Total Cast & Crew _____ Personal Cars _____ Large Trucks _____ Other Trucks _____ Vans

Camera Car _____ Picture Cars _____ Motor homes _____ Dressing Rooms

Other Vehicles (explain)

Base Camp location:

Catering Co. Name _____ Phone # _____

SPECIAL ACTIVITIES:

Children: None Yes # of Children _____ Age Range _____

Animals: None Yes (explain)

Trainer Name: _____ Phone #: _____

Aircraft: No Yes (explain)

Special Effects: (identify)

Effects Technician Name: _____ Phone # _____

License # (if applicable) _____ Permit # (if applicable) _____

Stunts: (explain)

Coordinator _____ Phone # _____

Any other unusual or hazardous activities, explain

Person on location responsible for company's adherence to all terms & conditions of a Film Permit:

Name: _____ Title: _____ Phone: _____

Person on location responsible for coordinating activities with the NPS:

Name: _____ Title: _____ Phone: _____

Person at the company office to contact for follow up information and billing:

Name: _____ Title: _____ Phone: _____

I hereby state that the above information given is complete and correct, and that no false or misleading information or false statements have been given. All estimates are reliable to the best of my knowledge and I

have the full authority to represent the applicant/production company and the project described above.

Signature _____ **Title** _____ **Date** _____

Company Name _____

Information provided will be used to determine whether a permit will be issued. Completed application must be accompanied by an application fee in the form of a cashiers check or money order in the amount of \$____.00 made payable to **National Park Service**. Application and administrative charges are non-refundable. *This completed application should be mailed to Park address information.*

Note that this is an application only, and does not serve as permission to conduct a filming project or any other use of the park. If your request is approved, a permit containing applicable conditions and regulations will be sent to the person designated on the application. The permit must be signed and returned to the park prior to the event.

The above application form is provided with the understanding that parks will insert appropriate park names and addresses and the amount of the application fee as desired

Paperwork Reduction Act Statement: This information is being collected to allow the park manager to make a value judgment on whether or not to allow the requested use. All the applicable parts of the form must be completed. A Federal agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Estimated Burden Statement: Public reporting burden for this form is estimated to average 60 minutes per response including the time it takes to read, gather and maintain data, review instructions and complete the form. Direct comments regarding this burden estimate or any aspects of this form to the National Park Service, Special Park Uses Program Manager, 1849 C Street NW (org. code 2460), Washington, D.C.