



United States Department of the Interior



National Park Service
Chattahoochee River
National Recreation Area
1978 Island Ford Parkway
Sandy Springs, GA 30350

IN REPLY REFER TO:

FY2015 FILMING/PHOTOGRAPHY PERMIT INSTRUCTIONS

Enclosed is your application for a Filming/Photography Permit.

"The service...shall promote and regulate the use of ... national parks ... [its] purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." (16 U.S.C. 1)

36 CFR § 5.5 Commercial Photography states:

"Before any motion picture may be filmed or any television production or sound track may be made, which involves the use of professional casts, settings, or crews, by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent...."

"The taking of photographs of any vehicle, or other articles of commerce or models for the purpose of commercial advertising without a written permit from the Superintendent is prohibited."

On April 13, 2006 Public Law 106-206 authorized Federal land management agencies, including the Department of the Interior, to collect a "fair return to the United States" for the use of lands for commercial filming and still photography. The National Park Service published a final rule in the Federal Register that allows the NPS to implement Public Law 106-206 (P.L. 106-206), codified at 16 U.S.C. 4601-6d and amends the commercial filming and still photography regulation found at 43 CFR subpart A.

The Superintendent of Chattahoochee River NRA establishes the following guidelines as they relate to filming and photographic activities within the park.

It is the policy of Chattahoochee River NRA to accommodate filming and photography when and where possible, while adhering

to this mandate. Under the filming and photography regulations, a written Application for a Filming/Photography Permit will be accepted no earlier than 120 days and no later than four business days prior to the desired date.

Who needs a Filming/Photography Permit?

All commercial filming requires a permit. Commercial filming is defined as digital or film recording of a visual image or sound recording by a person, business, or other entity for a market audience, such as for a documentary, television or feature film, advertisement, or similar project. Most still photography, audio recording and news gathering activities do NOT require a permit.

Still Photography activities require a permit only when:

- 1) The activity takes place at locations where or when members of the public are generally not allowed;
- 2) The activity uses models, sets, or props that are not a part of the location's natural or cultural resources or administrative facilities;
- 3) The park would incur additional administrative costs to monitor the activity; or
- 4) The park needs to provide management and oversight to:
 - A) Avoid impairment or incompatible use of the resources and values of the park,
 - B) Limit resource damage,
 - C) Minimize health or safety risks to the visiting public.

When a permit is issued for still photography, cost recovery charges and a location fee based on the location fee schedule for that activity must be collected.

Audio Recording activities require a permit only when:

- 1) The activity takes place at locations where or when members of the public are generally not allowed;
- 2) It uses equipment that requires mechanical transport;
- 3) It uses equipment that requires an external power source other than a battery pack;
- 4) The park would incur additional administrative costs to monitor the activity; or
- 5) The park needs to provide management and oversight to:
 - A) Avoid impairment or incompatible use of the resources and values of the park,
 - B) Limit resource damage,
 - C) Minimize health or safety risks to the visiting public.

When a permit is issued for audio recording, cost recovery charges and a location fee based on the location fee schedule for still photography must be collected.

News Gathering activities may require a permit when:

- 1) The activities are of such size and scope that a permit would help manage the activity to minimize possible damage to park resources and visitor use conflicts or authorize entrance into a closed area.
- 2) Even when the above circumstances are present, permits will be required only if there is sufficient time to issue the permit without impeding the crew's ability to gather the news. If there not sufficient time to issue a permit, visitor and resource protection will be managed verbally in the field.
- 3) There are no cost recovery charges or location fees for permits issued for news gathering activities.

Permits are generally not required for:

- 1) Film, video or still photography done pursuant to a cooperative agreement or contract with the National Park Service (NPS) or Department of the Interior.

A request for filming or photography permit will be denied if, in the superintendent's opinion, the proposed activity will:

- 1) There is the likelihood that resource damage would occur that cannot be mitigated or restored under the terms and conditions of a permit; or
- 2) There is the likelihood of unreasonable disruption of or conflict with the public's use and enjoyment of the site; or
- 3) There is the likelihood that the activity poses health or safety risks to the public; or
- 4) There is the likelihood that the activity would result in the impairment of park resources or values; or
- 5) The requested activity will violate any other applicable Federal, state, or local law or regulation; or
- 6) The oversight requirements for the proposed project will place unreasonable burdens on staff capacity, irrespective of the permittee's willingness to pay any costs.

Filming/Photography Permits:

Permits are issued for filming, photography and associated sound recording when necessary to ensure protection of resources; to prevent significant disruption of normal visitor uses; or involve product or service advertisement, models, set dressings, or equipment too large to be hand-carried. Permits are required for access to areas normally closed to the visiting public.

Allow sufficient time for evaluation by the park staff before the start date for your activity in the park. Your request will be evaluated on the basis of the information in your application; therefore you are encouraged to attach maps, diagrams, script pages or storyboards to assist the park staff in evaluating your request.

Most requests can be processed within four working days. Requests which involve multiple locations, complex logistics, or coordination with other visitor activities, will require additional days to process. All projects undergo environmental and/or cultural resource evaluation.

Commercial Activities:

Federal Law prohibits commercial activities within areas administered by the National Park Service (NPS) unless the business is operating under a Federal contract or permit. The sale of food or merchandise in the parks without a permit is prohibited by 36 CFR § 5.3. Most sales operations within parks are managed under concession contracts or agreements with cooperating associations. If you are interested in a commercial activity, please review the Commercial Use Authorization instructions available on our park website.

A permittee, while on park property, may not collect admission or any other money associated with a Filming/Photography Permit. All permittee monetary transactions must take place outside the park.

A permittee may hire a caterer or bring food and beverages purchased outside the park which are prepared and consumed by people from your group. Food and beverages may not be provided to the general public.

Advertisements:

Advertisement of commercial products is not allowed on NPS lands or waters. Commercial vehicles marked in a permanent manner, including magnetic markings, with company names or logos are not considered advertising so long as these vehicles are not left unattended.

Advertisements relating to the permitted event, including event applications and internet web pages, must be submitted to the park's permit coordinator and approved prior to distribution or posting. No event related materials may be posted or distributed on NPS lands or waters except as specified in the permit.

Sharing the Park:

Filming or photography permit does not allow the permittee to restrict park visitors from any location; therefore sites which attract a large number of visitors should be avoided. Normal visitor use patterns will not be interrupted unless specified in the approved permit. Visitors are allowed to watch filming activities.

Film/photography permit activities may not occur simultaneously with other permitted activities or unduly conflict with scheduled public activities. The park allows only one large permitted activity each month that requires park resources to oversee and manage.

For more complex permit activities, or for activities which require coordination with other visitor use, and for those which are perceived to have the potential to impact park resources without proper supervision and care, at least one NPS employee will be assigned to the film/photography crew. A simple film/photography permit requires the following minimum number of NPS staff to monitor and safeguard park resources:

NPS Monitoring Ranger Staff	
Film/Photo Participants	NPS Ranger Staff (minimum)
1 - 10 people	0
11 - 25 people	1
Over 25 people	2 or more

A film/photography permit that is more complex or has multiple locations and thus requires additional monitoring will have additional Ranger staff assigned.

Restrictions:

Conditions will be enumerated in the permit. The following activities are restricted and must be approved on a case by case basis:

- 1) Use of children under 18 years of age.
- 2) Use of animals.
- 3) Discharge of blank ammunition and all black powder weapons.
- 4) Mechanical or pyrotechnic special effects.
- 5) Stunts.
- 6) Amplified music or sound.
- 7) Placing of large set dressings.
- 8) Filming/photography inside interiors of government administrative work areas.
- 9) Film equipment or activities on roadways.
- 10) Access to areas closed to public use or access to areas during non-visitor use hours.

The permit will specify the number of people and the types of equipment allowed. The NPS monitor on duty will not allow activities not specified in the permit. Please note that the permit does not include authority to film or photograph individuals. Model releases are the responsibility of the permittee.

Prohibited Activities:

Activities having the potential to damage or significantly impact or alter park resources are prohibited. The following are also prohibited:

- 1) Altering, damaging or removing vegetation.
- 2) Vehicle use off established roads and parking areas.
- 3) Use of insecticides, herbicides and pesticides.
- 4) Loud noises (exceeding 60 decibels at 50 feet) between 10:00 p.m. and 6:00 a.m.
- 5) Smoking in buildings.
- 6) Use of fragile vegetation areas, except on trails or already disturbed areas (as determined by NPS).

- 7) Flying aircraft below FAA recommended minimum altitude (usually 2,000 feet) or landing of aircraft except at designated landing sites.
- 8) Unmanned aircraft and aerial systems, more commonly called drones.
- 9) Delivery or retrieval of a person or object by airborne means.
- 10) Writing on or discoloring any natural feature or manmade structure.
- 11) Harassment of wildlife.

Filming of wildlife is permitted as long as there is NO disturbance, feeding, teasing, or manipulation of resident or free-roaming animals. Wildlife captured elsewhere may NOT be used in any in-park filming, whether trained or not.

Closures:

Permit activities may be restricted based on weather, emergency or seasonal conditions (fire danger, standing water after rain, nesting season, etc.). Additional closures use limits and/or restricted activities are listed in the Superintendent's Compendium.

Termination of Permit:

All filming or photography permits issued by the NPS are "revocable" WITHOUT NOTICE if the terms of the permit are violated or as determined by the Superintendent for public safety.

Deliberate infractions of the terms of the filming permit or the deliberate making of false or misleading statements concerning intended actions in order to obtain a permit are causes for immediate termination of the permit and cause for possible prosecution.

Permits will be revoked if damage to resources or facilities is threatened, or if there is a clear danger to public health or safety. Additionally, when the Homeland Security National Terrorism Advisory System issues an elevated or imminent threat alert, permits will be further restricted or cancelled.

Application Procedures:

Complete a Filming/Photography Permit application including detailed answers and additional pages when necessary. Attaching

a site diagram depicting the area you are requesting showing the location of all uses, materials and equipment associated with the proposed event helps to speed to approval process.

In compliance with the requirements of the Debt Collection Improvement Act of 1996, the applicant must submit their social security number or Federal tax ID number when filling out the application for permit. Applications submitted without this information will not be processed.

The completed Filming/Photography Permit application must be accompanied by an application fee. Application and administrative charges are non-refundable. Applications submitted without this fee will not be processed.

Application Review:

The park's permit coordinator, Chief Park Ranger and Superintendent will review the application to ensure that the requested activity does not conflict with any law, regulation or policy. Further, the requested activity must avoid visitor use conflicts and not create any unacceptable impacts.

The park's permit coordinator will contact the applicant to schedule a meeting after the application has been received and reviewed. A visit to all potential filming sites in the park will often be arranged. By the end of the meeting, the permit coordinator should have enough information to prepare the permit once the project has been approved. The park's permit coordinator will also request that a credit card, check or money order be submitted to cover the expenses of the fees, bond and to receive an insurance document.

Fees, Bond and Insurance:

The permittee will be responsible for the following fees, bond and insurance:

1. **Administrative Fee** - The permittee is reimbursing the United States expenses of processing, reviewing, approving or denying the application. Payment of this fee by credit card, check or money order payable to the **National Park Service** must be received with the film application.

Application Fee (non-refundable)	\$175.00
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2. **Location Fee** - The permittee is reimbursing the United States for the fair market value of the NPS lands or facilities used. All commercial filming permits and still photography permits are subject to cost recovery and a location fee. No waivers are allowed. The location fee is calculated per day based on the following schedule and type of activity (commercial filming versus still photography) and the number of people on park lands associated with the permitted activity. Payment of this fee by credit card, check or money order payable to the **National Park Service** must be received with the film application.

Commercial Filming/Videos Location Fee		Still Photography Location Fee	
1 - 2 people, with camera & tripod only	\$0/day		
1 - 10 people	\$150/day	1 - 10 people	\$50/day
11 - 30 people	\$250/day	11 - 30 people	\$150/day
31 - 50 people	\$500/day	Over 30 people	\$250/day
Over 50 people	\$750/day		

3. **Management Fee** - The permittee is reimbursing the United States for those expenses it incurs resulting directly from the permitted activity. These expenses include but are not limited to: site preparation, monitoring, visitor and resource protection, traffic control, site cleaning, and refuse removal. The management fee varies and will be determined prior to the permit issuance. Payment of this fee by credit card, check or money order payable to the **National Park Service** for anticipated expenses must be received prior to issuance of the Filming/Photography Permit. Unanticipated expenses will be determined at the conclusion of the activity and must be paid within three business days.

Management Fee	
Each Park Ranger (1st 4-Hours)	\$300.00/4-Hours
Each Park Ranger (Additional Hours)	\$75.00/Hour

4. **Performance Bond** - Performance bonds or deposits are the permittee's guarantee of compliance with permit conditions and reimbursement to the park for damage to resources and/or facilities as a result of the permittee's activities. An amount adequate to cover the cost of

restoration, repair, rehabilitation and cleanup of the area may be required. Should resource damage beyond that envisioned by the original performance bond result from the permittee's use, the park may file suit against the permittee under the authority of 16 U.S.C. 19jj, Park System Resource Protection. Any expenses exceeding the performance bond will be billed to the permittee. These expenses include but are not limited to: monitoring, site cleaning, refuse removal, and repair of damage to lands, waters or facilities. If no unexpected expenses are incurred the bond is returned. The bond must be by certified check, cashier's check or money order payable to the **National Park Service** must be received prior to issuance of the Filming/Photography Permit.

5. **Liability Insurance** - The permittee is required to maintain liability insurance during the event. The amount of insurance shall be in an amount commensurate with the degree of risk and the scope and size of such activities authorized herein, but in any event not less than \$1,000,000 per person and \$2,000,000 per incident for bodily injury and not less than \$500,000 per occurrence for property damage. **The policy shall be underwritten by a United States company naming the United States of America (National Park Service, Chattahoochee River National Recreation Area, 1978 Island Ford Parkway, Atlanta, Georgia 30350) as additional insured and the NPS shall be identified as a certificate holder.** A copy of the certificate of insurance indicating that the required insurance is in effect must be received prior to issuance of the Filming/Photography Permit.

Permit Procedures:

1. The application and attached documents will be reviewed to ensure the protection of park resources and compliance with policy and regulation. All activities undergo environmental or cultural resource evaluation to comply with the National Environmental Policy Act.
2. When the application is ready for approval the permit will be prepared by the park's permit coordinator. The completed permit will detail the activities and locations to be authorized. Any activities not specified in the permit are not allowed.
3. The park's permit coordinator will contact the permittee. The permit, with conditions and other attachments, will be

available in person at Island Ford Visitor Center during regular office hours (Monday through Friday between 9:00 AM and 5:00 PM) or be sent as a Portable Document Format (PDF) file via email.

4. The permittee shall sign and date the permit after reviewing it for accuracy.
5. The permittee shall provide payment and the insurance document to the park's permit coordinator:
 - A. Location Fee - A credit card, check or money order payable to the **National Park Service**.
 - B. Management Fee - A credit card, check or money order payable to the **National Park Service**.
 - C. Performance Bond - A certified check, cashier's check or money order payable to the **National Park Service**.
 - D. Liability Insurance - A copy of the certificate of insurance indicating that the required insurance is in effect and **the United States is listed as indicated above**.
6. The permittee will be provided with a copy of the approved permit and is required to keep a copy with attachments at the assigned area during the duration of the filming.
Note: No activity on NPS property may begin until the permit has signed with fees paid and insurance in effect.

Post Event Follow Up:

1. At the conclusion of a permitted event, the assigned area will be inspected for cleanliness and damage. Any unanticipated management expenses or unbudgeted expenses will be billed to the permittee. Payment of this bill may be made by credit card, check or money order payable to the **National Park Service**.
2. Once any outstanding bills have been paid, the Performance Bond shall be returned to the permittee at Island Ford Visitor Center during regular office hours (Monday through Friday between 9:00 AM and 5:00 PM).
3. Should any outstanding bills remain unpaid beyond 30 days, the Performance Bond will be cashed and used to settle the debt.