



United States
Department
of Agriculture



Forest
Service

**Pacific
Northwest
Region**

Pacific Northwest Region Filming Guidebook



2002

About This Book

April 2002

The Pacific Northwest (Region 6) has compiled this guidebook as a working tool to improve the ability of the Forest Service to provide service to the film and video industry. The partnership, relationship and communications between land management agencies and the film and video industry is important for both sides.

The film industry has contributed to the partnership by lobbying for filming fee retention and administrative cost recovery, which was passed in recent legislation. We now have the opportunity to retain and utilize these funds to improve our customer service.

The mandates for environmentally sound projects that can be produced in a timely manner are always challenging. Agencies need to be able to separate those issues that can't be mitigated and will be "show stoppers", with those issues that can be resolved with pre-planning, specialist input, clear communication, and expertise.

The investment in time that we are making today will be the foundation to promote a better understanding and familiarity between the agency and the film industry. Positive relationship building will allow for supportive and knowledgeable collaboration for many decades to come.

May this guidebook be a helpful tool in facilitating successful relationships and communications in your work!

April 23, 2002

Dear friends:

We are very pleased to be working in partnership with the US Forest Service and the Bureau of Land Management to improve understanding of the Film and Video Industry, and to streamline the permitting process for film use of federal lands. The Film and Video Industry is a clean, non-polluting industry that can bring significant direct spending and jobs to local economies throughout the Northwest.

Our partnership with the federal lands agencies is an extremely important one—our area is known and indeed sought out for our outstanding natural beauty and diversity of natural looks. The success of our industry depends largely on its ability to work on publicly owned lands at the federal, state and local levels.

We acknowledge that our industry can sometimes be last-minute and demanding—that is, unfortunately, the nature of the beast, and our industry professionals come to you struggling under those same constraints. We appreciate your interest in working with us, and in finding ways that we can work together to make both of our jobs easier. This handbook should prove a very useful tool toward that end.

Again, thank you for taking the time to learn more about this area. We look forward to working with you!

Best regards,



Veronica Rinard
Executive Director

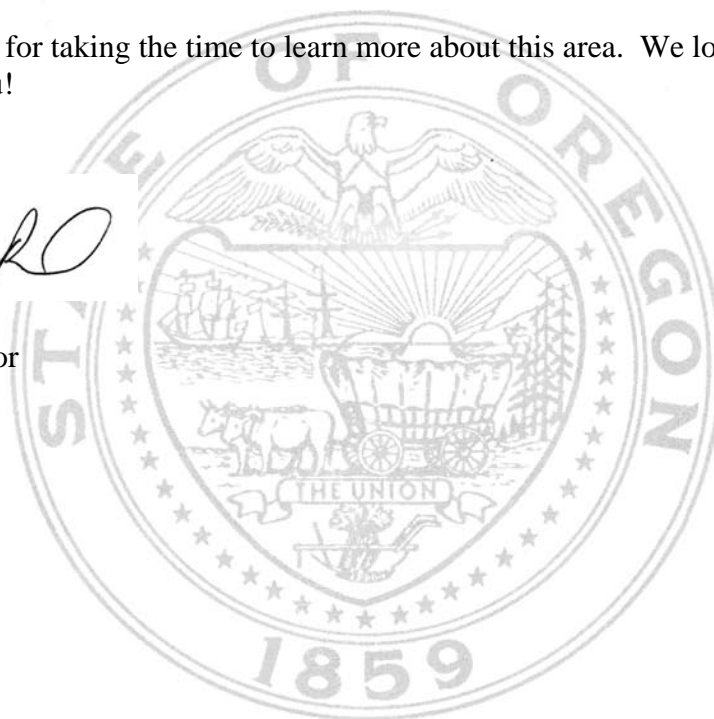


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Filming Industry



Pepsi Commercial, Oneonta Gorge

Filming Industry

Northwest Film Offices

Most states, many countries and many cities/counties have film commissions to promote their area as a filming destination. In Washington and Oregon, our film offices (film commissions) market the states as a filming location, provide production and location information and assistance, serve as a liaison between communities and productions, and serve as a central information source about the industry for the public.

Productions generally call the Film Office first when looking for locations – especially large productions like feature films and television movies. The Film Office may then call public lands agencies to seek help in identifying potential locations. Smaller productions or local productions may call you directly seeking location information.

Oregon Film & Video Office

Veronica Rinard, Executive Director
Liza McQuade, Sr. Project Manager
Bob Schmalling, Project Manager
Susan Tong, Administrative and Marketing Manager
One World Trade Center
121 SW Salmon St., Suite 1205
Portland, OR 97204
503-229-5832
Fax: 503-229-6869
Email: Shoot@Oregonfilm.org
www.Oregonfilm.org

Washington State Film Office

Suzy Kellett, Director
Cathy Sander, Commercial Program Manager/Project Coordinator
Kirstina Erickson, Project Coordinator
2001 6th Avenue, Suite 2600
Seattle, WA 98121
206-956-3200
Fax: 206-956-3205
Email: wafilm@cted.wa.gov
www.wafilm.wa.gov

Types of Production

Features

A feature project is typically two hours in length with a cast and crew size of generally 85 to 100 people. Preparation time can begin up to 60 days in advance of the start of principal photography. During that time, budgets are set and locations are chosen. The average shooting schedule for on-location photography is three months.

Made-for-Television Movies (MOWs)

While crew sizes are similar to those of a feature length film, budgets for MOWs are much smaller, generally around \$3 million. While this seems like a lot of money, it can get spent pretty quickly by the time you budget for crew salaries and costs associated with location filming, such as rental of property, parking, etc.

Episodic Television

These are usually one-hour dramatic series, although occasionally some 30-minute situation comedies will also shoot on-location. Cast and crew sizes for television shows are slightly smaller than for features. Episodic television typically will film an episode in seven working days, with three to four days per episode shot on location.

Commercials

Commercials have a very short turnaround time, sometimes one day. They can be filmed and edited one week, and aired the next. Commercial producers are retained by an advertising agency and the advertising executive sometimes make final decisions on location filming.

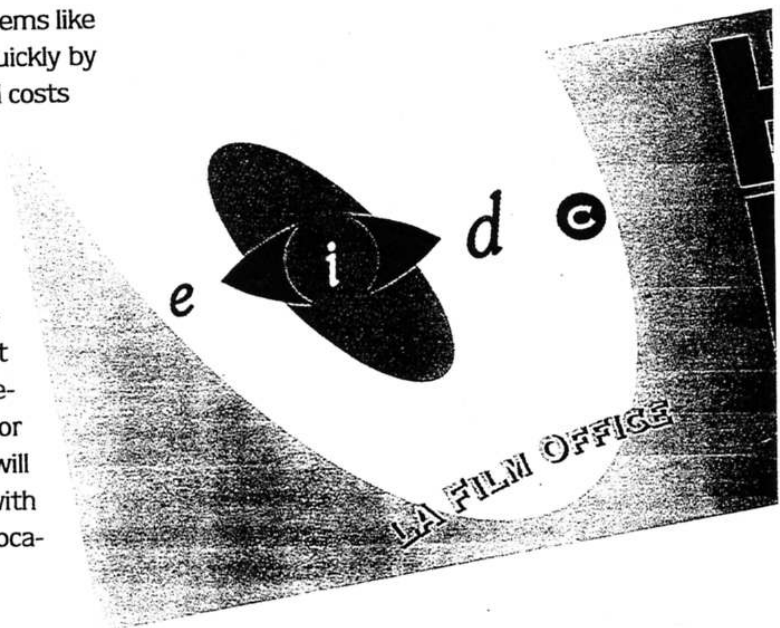
The Cast of Characters

Location Manager/Scout

This is the person responsible for finding, selecting and finalizing the locations needed for the script. As a rule the location manager is the first person to make contact and arrangements with a potential location.

Unit Production Manager

This is the executive in charge of all production arrangements, such as location contracts, negotiations and shooting schedules. The location manager reports to the Unit Production Manager.



First Assistant Director

The primary job of the first assistant director (AD) is to assist with the cast and work as an intermediary between the director and the cast and crew. The first AD is in charge of the set and everything that happens on it.

Points To Remember When Working With Filmmakers

1. Ask how many days and what hours the company will be on your property.
2. Find out what is being filmed. Have them describe the scenes completely. Get a copy of the script.
3. Will there be an advance group coming in to prepare the site for the film crew?
4. How many people can you expect to be involved with the productions?
5. Is an assembly or staging area required for equipment or personnel?
6. Where will the production vehicles park?
7. Will an external power source be used for lighting, or will access be required to an internal source?
8. Will there be alterations to the property?
9. How soon will things be restored if need be? It is a good idea to do a walk through before filming and take photos of how property looks before changes are made.
10. Make sure the film company returns the property to its original condition.
11. Will any areas be closed to the public?
12. Where will the cast and crew be fed their meals?
13. What is the best point of access for the filmmakers and their equipment?
14. It is always easier if there is only one contact person at the location and with the company
15. Regarding insurance: get proof by getting a copy of the certificate of insurance, third party property damage, personal injury/liability, hold harmless agreement and comprehensive general liability.
16. Location agreement: you can put riders on the contract. Be prepared that it may take additional approval time. The agreement allows for a company to come back if necessary at a mutually agreeable time.
17. Let the company know of any restrictions at the initial meeting
18. Try to be flexible with the production companies and realize that schedule changes are not uncommon.
19. Stay in contact with your film commission should any questions or problems arise.

The Film Industry in the Northwest - Benefits and Advantages

■ Direct Benefits

Revenue

Over the past 10 years film production has left direct spending in Northwest communities in the hundreds of millions of dollars. The revenue brought in from film and television production benefits a wide swath of both large and small businesses throughout our communities. Hotels, restaurants, antique stores, cellular phone companies, dry cleaners, car rental agencies, lumber yards, paint stores, and a large array of other NW businesses derive revenue from production.

Great Jobs

The Film & Video Industry provides above average wage jobs for NW industry workers. These include jobs ranging from producers and directors to carpenters, electricians, actors, seamstresses, drivers, and many other skilled and entry-level positions. Feature films, television movies and television commercials create hundreds of jobs for local NW film and video professionals. Production companies may also provide jobs for non-industry local citizens by using local goods and services.

■ Clean Industry

The film and video industry is a clean, non-polluting enterprise. Natural resources are photographed, not harvested.

■ Indirect

Free Promotion

A successful film provides exposure no State could afford to buy, bringing both tourism dollars and business relocations. People travel to see where films are made (Sleepless in Seattle, Northern Exposure, Bandits, Goonies) many years and even decades after the films are released. They stay in the community, eat at restaurants and visit local stores. Film production also fosters community pride-local citizens like to watch movies being made, industry members often speak at local schools and civic events, and citizens can share the pride of seeing their home area on the silver screen.

■ Northwest Advantages

The rest of the world has caught on to the benefits of the film industry and competition to lure production has intensified globally. However, the Northwest has many advantages production seek:

Diversity of Locations

From the ocean to mountains, rain forest to the desert, urban areas to small towns the Northwest offers a vast array of looks, often within 30-60 minutes of a central base.

Proximity

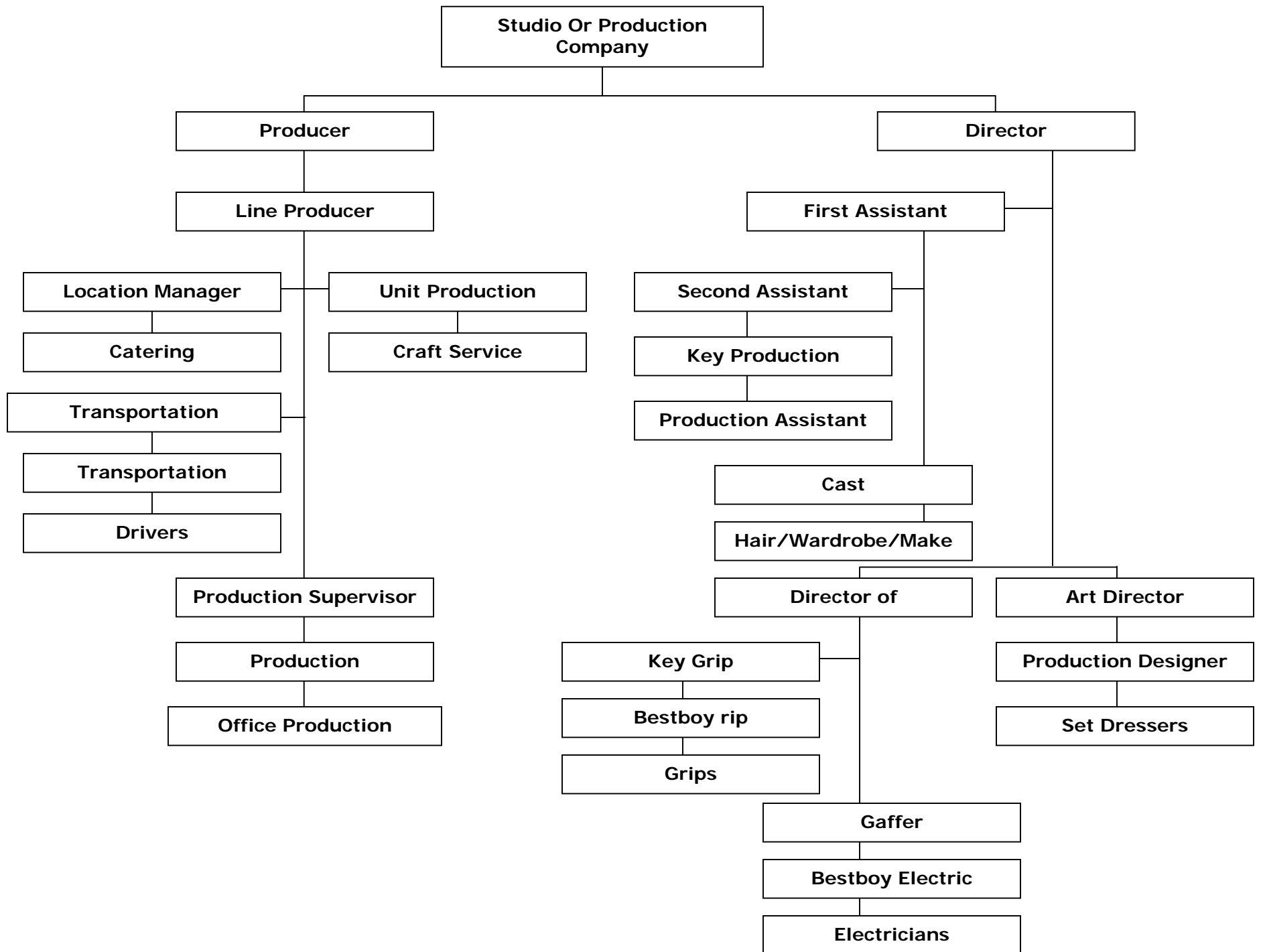
Being a quick and easy flight away, and in the same time zone as Los Angeles makes the Northwest a convenient location.

Great Crew and Local Actors

Northwest crews earn high praise from producers-they are very skilled, hard working, and work with a level of camaraderie not seen in other markets. And the northwest boasts a deep talent pool providing experienced and gifted local actors. Productions save money by not having to bring crew and actors from L.A.

■ Strong, Experienced Film Offices

Both Oregon and Washington have film office staffs with many years of experience, providing quick and knowledgeable responses to production inquiries. Both offices have local liaison networks offering film contacts in all corners of the Northwest.



Filming on National Forest System Lands



"The Hunted", Mt. Hood Meadows

Filming on National Forest System Lands

United States
Department of
Agriculture

Forest
Service

Washington Office

14th & Independence SW
PO Box 96090
Washington, DC 20090-6090

File Code: 2720

Date: November 17, 2000

Route To: 6500

Subject: Implementing New Authority for Commercial
Filming on National Forest System (NFS) Lands

To: Regional Forester

On May 26, 2000, the President signed Public Law 106-206, authorizing land management agencies in the Departments of the Interior and Agriculture to regulate commercial filming activities on Federal lands. The legislation gives the National Park Service and the U.S. Fish and Wildlife Service new authority to require permits for commercial filming activities on the Federal lands they manage. The Forest Service and the Bureau of Land Management already had authority to do so, via the Organic Administration Act of 1897 and the Federal Land Policy and Management Act of 1976, respectively.

This Act, however, supersedes those previous statutes for authorizing commercial filming activities. In doing so, it establishes certain limitations on the type of commercial filming that will require a special use permit, and the conditions under which a permit will be needed. It provides authority for the recovery of administrative costs for permitting and monitoring filming activities, and provides that all land use rental fees collected for these types of uses be made available for expenditure by the Agency, without further appropriation by Congress.

Following is the strategy we have developed for implementing this Act.

Regulating Commercial Filming Activities (Generally)

The Department of the Interior will be promulgating regulations to enact the authority granted by this legislation. Because the Forest Service already has the statutory authority and regulations in place governing commercial filming uses on National Forest System lands, we believe we can implement the provisions of this Act without the need to promulgate new regulations.

After the USDI promulgates new regulations, we will propose and adopt changes to our existing policy (Manual and Handbook direction) for commercial filming activities. Our goal is to establish, in policy, as much interagency consistency as is possible with the USDI's regulations for defining what constitutes a commercial filming activity, what activity will and will not require a permit, etc.

Cost Recovery Provisions of the Act

We are in the process of finalizing cost recovery regulations for all special uses activities. In doing so, we will now incorporate into those regulations a citation of this Act, as one of the many federal statutes that authorize us to assess and collect administrative (cost recovery) fees. Our cost recovery regulations will, therefore, implement that part of P.L. 106-206.

Rental Fees

The Act authorizes the Secretaries of the Interior and Agriculture to establish a reasonable fee for commercial filming activities on lands under their respective jurisdictions. The National Park Service has elected to take the lead in drafting, for public notice and comment, a proposed commercial filming fee schedule for lands they administer, pursuant to this provision of the Act.

We have been working with the Park Service and the other Federal Land Management agencies in developing the rental fee schedule that the Park Service is proposing to publish. After they do so, and address the public's comment to the proposed rental fee schedule, they will then develop, publish, and adopt a final rental fee schedule/policy. Our strategy is to include, as part of the aforementioned revisions to our filming policy, a commercial filming rental fee policy and schedule(s) that mimics the rental fee policies/rates of the Park Service and the other 2 agencies. Our goal is an inter-agency filming rental fee schedule(s) for Federal lands managed by all 4 agencies.

Retention and Expenditure of Rental Fees

The Act authorizes the Secretaries of the Interior and Agriculture to collect and expend, without further appropriation, land use rental fees for commercial filming uses, and to do so in accordance with the formula and purposes established in the Recreation Fee Demonstration Program (Public Law 104-134). Again, we do not believe that regulations need to be promulgated to implement this provision of the Act. Some Forest Service units have already collected and deposited into special accounts land use rental fees for commercial filming since the May 26, 2000, enactment of this legislation. However, there has been no national direction concerning the expenditure of those rental fees.

Revisions to our Manual/Handbook for filming will include Agency direction concerning the expenditure of rental fees collected from commercial filming permits on NFS lands. In the interim, be aware that as a result of the cost recovery and rental fee retention/expenditure authorities provided in this Act, our commercial filming customers will have a high expectation of service from the Agency in responding to these types of proposed uses and occupancies of NFS lands.

IMMEDIATE ACTIONS

Before we fully implement these strategies, the following more immediate actions should be taken to assure compliance with specific provisions of this Act:

A. Stop Requiring Permits for Certain Still Photography Activities

The Act specifically directs that we can regulate commercial still photography 1) when it includes the use of models or props which are not a part of a site's natural or cultural resources or administrative facilities, 2) if such photography takes place at locations where members of the

public are generally not allowed, or 3) if it occurs where additional administrative costs are likely. Unless one or more of those conditions exist, a permit for still photography cannot be required. In advance of us eventually making revisions to our filming policy under the strategies outlined above, units should no longer require permits for commercial still photography unless it meets these provisions of the Act.

The most common type of commercial still photography for which we have been requiring permits under our current policy are those where the holder is taking still photos of customers engaged in recreational activities being provided by an outfitter and guide service (such as river rafting, skiing, or trail rides), and subsequently making such photos available for sale off of NFS lands. Under the provisions of this Act, a permit for that particular type of activity can no longer be required, unless the conditions cited above exist (i.e., the photography occurs in areas otherwise closed to the public, it results in additional administrative costs to the agency, or it includes the use of props or models). Of course, if the sale of photographs takes place on NFS lands, a permit would be required. This activity would also need to be permitted (via either a separate permit to the photographer, or included as an authorized use under the provisions of the outfitting/guiding permit) if it were being conducted by an employee or agent of the outfitting and guiding operator, including any party who had entered into a contractual relationship to do so with the holder of the outfitting and guiding special use permit. These types of commercial still photography activities are also often included with other authorized uses such as, resorts, ski areas, marinas and so forth. When associated with one of these types of authorized uses, the same principles described in the aforementioned discussion would apply.

Another still photography activity that we have commonly been permitting and which, in accordance with the Act, no longer requires a permit are still photos of National Forest landscapes and scenes. For example, when still photos are being taken for a commercial venture, such as a magazine publishing company, unless the still photography includes the use of models or props, or takes place at a location where members of the public are generally not allowed, or occurs where additional administrative costs are likely, we should no longer be requiring a permit for that type of still photography.

B. Implement Cost Recovery Only After Promulgation of the Cost Recovery Regulations

Do not require the assessment and collection of processing or monitoring fees (“cost recovery fees”) until the Forest Service promulgates and implements its cost recovery regulations for special uses generally.

In the interim, we can continue to ask applicants and holders to voluntarily enter into cost collection agreements to recover the agency’s administrative expenses associated with the processing of applications and the monitoring of commercial filming activities.

C. Rental Fee Assessments

Until the agency adopts a national land use rental fee policy and rental fee schedule for Regional commercial filming and still photography, continue to assess land use rental fees for these types of activities using current Regional and Forest rental fee schedule rates and policies.

D. Depositing Rental Fees into Special Accounts

Units should establish special accounts into which land use rental fees for commercial filming and still photography permits may be deposited, and made available for expenditure, in accordance with the authority provided in this Act.

E. Expenditure of Rental Fees

To be responsive to the expectations of commercial filming and still photography customers as a result of this Act, managers may want to consider spending land use rental fees from these types of activities in a manner that emphasizes improved customer service, and streamlines the permitting process for commercial filming activities. Concepts that are being considered on some units in that regard include:

1. Conducting pre-activity environmental analyses at popular film locations, and keeping an inventory of such locations.
2. Establishing an on-line photo library, complete with location information and use restrictions.
3. Developing filming guidelines.
4. Establishing film board liaisons.
5. Training personnel to promote industry understanding and familiarity.
6. Developing on-line permit services and information.
7. Raising agency expertise by creating Forest or Zone filming permit specialists.

Please forward this to all of your units, with direction to promptly implement Items A thru E (above). We will keep you informed of additional agency direction for implementing this Act, as we work towards developing it in conjunction with the Department of the Interior.

If you have any questions or concerns about the provisions in this memo, please contact Randy Karstaedt, Special Uses Program Leader, at this office, (202) 205-1256.

/s/ for
Gregory Smith

JACK L. CRAVEN
Director of Lands

The Act (H.R. 154)

Bill 7 of 7

Final version (Enrolled Bill) as passed by both Houses. There are 6 other versions of this bill.

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. (Enrolled Bill (Sent to President))

H. R. 154

ONE HUNDRED SIXTH CONGRESS OF THE UNITED STATES OF AMERICA AT THE SECOND SESSION

Begun and held at the City of Washington on Monday, the twenty-fourth day of January, two thousand.

An Act

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMMERCIAL FILMING.

- (a) **COMMERCIAL FILMING FEE-** The Secretary of the Interior and the Secretary of Agriculture (hereafter individually referred to as the 'Secretary' with respect to lands under their respective jurisdiction) shall require a permit and shall establish a reasonable fee for commercial filming activities or similar projects on Federal lands administered by the Secretary. Such fee shall provide a fair return to the United States and shall be based upon the following criteria:

(1) The number of days the filming activity or similar project takes place on Federal land under the Secretary's jurisdiction.

(2) The size of the film crew present on Federal land under the Secretary's jurisdiction.

(3) The amount and type of equipment present.

The Secretary may include other factors in determining an appropriate fee as the Secretary deems necessary.

- (b) **RECOVERY OF COSTS-** The Secretary shall also collect any costs incurred as a result of filming activities or similar project, including but not limited to administrative and personnel costs. All costs recovered shall be in addition to the fee assessed in subsection (a).

(c) STILL PHOTOGRAPHY-

- (1) Except as provided in paragraph (2), the Secretary shall not require a permit nor assess a fee for still photography on lands administered by the Secretary if such photography takes place where members of the public are generally allowed. The Secretary may require a permit, fee, or both, if such photography takes place at other locations where members of the public are generally not allowed, or where additional administrative costs are likely.
- (2) The Secretary shall require and shall establish a reasonable fee for still photography that uses models or props which are not a part of the site's natural or cultural resources or administrative facilities.

(d) PROTECTION OF RESOURCES- The Secretary shall not permit any filming, **still** photography or other related activity if the Secretary determines--

- (1) there is a likelihood of resource damage;
- (2) there would be an unreasonable disruption of the public's use and enjoyment of the site; or
- (3) that the activity poses health or safety risks to the public.

(e) USE OF PROCEEDS-

- (1) All fees collected under this Act shall be available for expenditure by the Secretary, without further appropriation, in accordance with the formula and purposes established for the Recreational Fee Demonstration Program (Public Law 104-134). All fees collected shall remain available until expended.
- (2) All costs recovered under this Act shall be available for expenditure by the Secretary, without further appropriation, at the site where collected. All costs recovered shall remain available until expended.

Questions & Answers - Administering Commercial Filming and Photography Uses on National Forest System Lands

Q. Under what authority should we be authorizing commercial filming and still photography?

Public Law 106-206 (P.L. 106-206), signed on May 26, 2000, supersedes other authorities under which these types of uses were previously authorized. When issuing an authorization for these uses, use either the FS-2700-25 or FS-2700-4 and cite the above authority. This authority is now included in the Special Uses Database System.

Q. Is there a difference between “commercial filming” and “still photography”?

P.L. 106-206 uses the terms “commercial filming” and “still photography”, and provides direction for managing each type of use. The Act, however, does not provide a specific definition for each of these terms. Defining them is the responsibility of the Secretaries of Agriculture and Interior, through the promulgation of regulations and agency policies.

Q. Have the Secretaries promulgated regulations and agency policies defining what constitutes commercial filming and still photography?

No, not yet. The Department of Interior will be promulgating regulations to implement the statutory authority of P.L. 106-206, in which commercial filming and still photography will be further defined.

The Forest Service plans to adopt those definitions once the Department of Interior’s regulations are promulgated and implemented. The definitions will be formally adopted by the Forest Service in revisions to the agency’s manual and handbook direction for commercial filming.

Q. In the interim (i.e. prior to these terms being defined by the Secretary of Interior’s proposed regulations) how will the Forest Service define “commercial filming” and “still photograph”?

Commercial Filming:

As used in P.L. 106-206, commercial filming consists of the following array of activities:

Using actors, models, sets or props to capture on film, videotape, sound recording, or in digital format MOVING and/or STILL IMAGES for either:

- ✓ *The advertisement of a product or service; or*
- ✓ *The purposes of creating a product (such as an image, a photograph, videotape, television broadcast, movie, documentary, etc.) for commercial sale.*

*Commercial filming also includes capturing on film, videotape, sound recording or in digital format **MOVING** and/or **STILL IMAGES** of participants in a commercial sporting or recreation event for the purpose of creating a product (such as an image, a photograph, videotape, television broadcast, movie, documentary, etc.) for commercial sale.*

COMMERCIAL FILMING does not include any filming associated with or used to:

- ✓ *Collect and report news stories; or*
- ✓ *Develop a segment for a news magazine broadcast; or*
- ✓ *Create a news documentary; or*
- ✓ *Create any other type of documentary not requiring the use of actors, models, sets, or props.*

Still Photography:

As used in P.L. 106-206, still photography will be considered a form of commercial filming when it involves the use of actors, models, sets, or props, to capture still images in photographs or digital format for the purpose of:

- ✓ *The advertisement of a product or service; or*
- ✓ *Creating the image itself for commercial sale.*

Q. When is a permit required for still photography?

National Forest visitors and recreational photographers do not need a permit to take still photos. Generally, professional and amateur still photographers will not need a permit, UNLESS, the still photography will:

- ✓ *Use models, actors, sets, or props that are not part of the site's natural or cultural resources or administrative facilities or;*
- ✓ *Take place where members of the public are generally not allowed or;*
- ✓ *Take place where additional administrative costs are likely.*

Q. What is considered a prop?

As a general rule, a prop is any moveable item or device, other than a handheld camera or tripod, whose primary purpose is to facilitate the still photography or filming activity. Examples include: lighting fixtures or reflective shields, microphone booms, or backdrops. Props may also include items that are being utilized to stage a scene, i.e. vehicles, animals, camping equipment, where such equipment is used for the purposes of staging a particular scene.

Props may also be equipment that is used to assist the photographer or film person in conducting the activity, such as, trolleys for transporting film across a river for purposes of development, lean-to shelters to protect individuals and equipment from the weather, or boats used to shuttle photographers or film crews back and forth from a location.

Q. What is meant by “additional administrative costs”?

In rare circumstances and when there is a justifiable cause, the Forest Service may require a permit for still photography based upon the premise that the activity will create additional administrative costs. Such a rare circumstance might be a situation where there is a highly competitive interest in a particular photo site, that without regulation, (i.e. without requiring a permit for commercial use) user conflict might occur.

Example: *There is a particular site that is popular for taking photos of whitewater rafter’s going through a set of rapids. However, the site is small, and can only physically accommodate one to two individuals at any given time. In this situation, the Forest Service may require a permit to regulate the use of the site, rather than incur additional administrative costs associated with the competition to use the site by many photographers.*

Q. Can you describe a circumstance(s) where a permit would be required because a still photographer wants to take pictures in an area where the public is generally not allowed?

In certain circumstances, NFS lands may be closed to the public to accommodate a specific resource management objective or public health and safety concern. Closures are generally issued through a special order. Following are examples of such locations where a permit would be required:

- ✓ *An area is closed to all public entry to protect winter range for wildlife or,*
- ✓ *A trail is temporarily closed to the public due to the presence of a carcass on the trail, resulting in the presence of a grizzly bear(s).*

Q. What types of filming activities can be conducted without a special use permit?

Filming activities that involve the gathering of information for a news program, news-related story or, news documentary, and the filming of any documentary that does not involve the use of models, actors, props or sets are not considered commercial filming activities, and can, therefore, be conducted without a special use permit.

Q. Can you give some examples of what types of “news” programs would not require a permit? If these programs use models, actors, sets or props, do they need a permit?

Some of these more common types of “news” programs that do not require a permit may include:

- ✓ *Regularly scheduled national and local news broadcasts such as, NBC, ABC, CBS and FOX networks or;*
- ✓ *News-related stories or news documentaries such as those produced by, 20/20, Dateline, Primetime Live, Inside Edition, 60 Minutes, A & E Investigative Reports, America’s Most Wanted etc.*

*News programs rarely include the use of models, actors, sets or props (other than some simple lighting or sound equipment) **on NFS lands**. However, in the rare instance where a news-related story or news documentary involves the use of models, actors, sets or props **on NFS lands** (i.e. for purposes of reenactment of an event that can only be accommodated on NFS lands) that activity would **still not** require a permit.*

Q. Can you provide examples of documentary programs (non-news related) that would not require a permit?

When the filming of a documentary on NFS lands does not include use of actors, models, sets, or props, the use does not require a permit. Some of the more common types of programming may include documentaries produced by: National Geographic, Animal Planet, Discovery Channel and NOVA.

Q. What is the basis of this policy, i.e. to not require a permit for filming news, news-related stories, and news documentaries?

These types of activities are, for the most part, associated with freedom of the press, one of the rights granted by the First Amendment of the U.S. Constitution.

Q. Why does the policy also not require a permit for filming a non-news related documentary that does not use actors, models, sets, or props?

There can often be a dispute about what is or isn't a "news documentary" as opposed to other "non-news" documentaries. It is an almost impossible task to establish criteria or definitions that clearly and equitably distinguish what is or isn't "news". To avoid such disputes and potential allegations of infringement on any entity's right to exercise their freedom of the press, the agency has instead established the standard that a permit will be required for any non-news documentary when it involves the use of actors, models, sets, or props. In all but a few rare circumstances, when a filming activity involves the use of actors, models, sets, or props, it is considered as being entertainment more so than "news", or news-related.

Q. Can you describe when a non-news related documentary would require a permit?

When the documentary is going to include a reenactment of an event or occurrence on NFS lands and would use: actors or models; trained animals; props, such as, lighting and sound fixtures, vehicles or other inanimate objects; or sets, such as, a facility or background setting that are constructed for the purposes of filming, then a permit would be required.

Q. P.L. 106-206 and the interim direction provided by the FS, says a commercial filming activity can be rejected if: 1) there is a likelihood of resource damage, 2) there would be an unreasonable disruption of the public use and enjoyment of the site, or 3) the activity would pose a health or safety risk to the public. Based on this criteria, would a news entity that does not require a permit, be required to obtain a permit, if one or more of these concerns was present?

No. If one or more of these concerns exist, then the news entity should be informed that filming of their news program or news documentary should not occur in area(s) on NFS lands with such concerns.

HOWEVER, as a practical matter any filming of late breaking news could create a disruption of the public use and enjoyment of NFS lands, simply because of the event or incident being reported as news. Nevertheless, filming of breaking news events does not require a special use permit. Any resource damage, health and safety risks, or disruption of the public's use and enjoyment of NFS lands associated with the filming of late breaking news events should be mitigated (to the extent feasible) on-site, through open communication between the "on-the-scene" Forest Officer, and the news organization(s) filming the incident. Communications should include the need for adequate "post-event" clean up and restoration of the site.

For more organized and planned news-related filming activities, such as news documentaries and filming for news programs, the Forest Officer should, whenever possible, communicate with the entity conducting such filming, and advise them of those areas on NFS lands where filming activities should not be conducted (i.e., those areas where filming would cause resource damage, unreasonable disruption to public use and enjoyment, or pose a health and safety risk to the public).

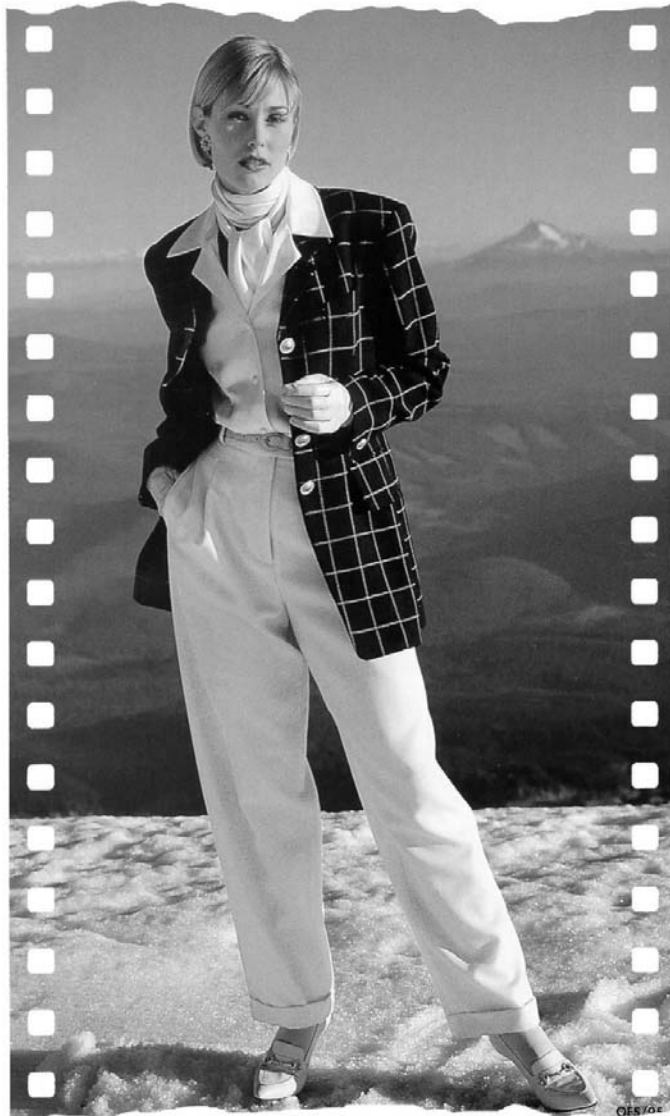
Q. Would a permit be required for the filming of an outdoor sporting activity, for example, a regularly scheduled fishing, hunting or boating television show?

Yes. These are entertainment broadcasts for the most part and are not considered to be documentaries (news related or otherwise). They are designed to produce a product (the television show), which is marketed and "sold" to sponsors and advertisers. Often times, these types of broadcasts also take on the appearance of an advertisement, when they indirectly and directly promote the use of, and/or prominently display during the broadcast, the brand names of products, equipment, clothing, gear or services.

Q. Is a permit required for filming sporting events on NFS lands?

It depends! For example, a permit would be required for a planned, regularly scheduled sporting event being filmed for television broadcasts. However, a permit would not be required if, for example, the local television station filmed just a short segment of the event as a news item on their local nightly news or sports broadcast.

Application and Permit Process



Neiman Marcus Catalog, Mt. Hood

Question & Answer - To Permit or Not To Permit . . . That is the Question

The following questions are posed to provide, as examples, scenarios in which a special use permit for still photography or commercial filming would or would not be required. Answers and explanations are provided on the following page.

Q-1.

A commercial photographer is hired by a couple to take pictures and video of their wedding ceremony and reception, to take place on NFS lands. The photographs and video will be taken on NFS lands that are open to the public, and the photography and filming will not create additional administrative costs to the Forest Service. Does the photographer need a permit for his/her service?

Q-2.

Arts & Entertainment Investigative Reports is filming a program on drug enforcement activities on public lands. They have contacted the FS Law Enforcement Program (LE & I) about filming FS officers performing these duties on several forests, in different regions. LE&I does not foresee a problem with this activity, since A&E agrees that they want to accompany the officers and are willing to abide by any safety precautions that LE&I may impose. Do they need a permit?

Q-3.

The International Intermountain Stage Stop Sled Dog Race is an annual authorized recreation event. The race typically attracts both local and regional news coverage, but race sponsors have also agreed to let an independent company film and photograph the event, with the intent of selling photos and film to newscasters and producing a video. Does the independent company need a permit, or is their filming/photography considered “news”?

Q-4.

A photographer wants to take still pictures of the public snowmobiling on a guided tour on NFS lands. There are no additional administrative costs associated with the activity and occurs in an area that is open to the public. The photographer will be selling these photographs at his/her shop in town (not on NFS lands). Does the photographer need a permit?

Q-5.

The Forest Supervisor has issued a closure order (to all public entry without a permit), closing the Barely There trail on the Big Bear Ranger District, due to a bear mauling that occurred and there are public safety concerns. A news reporter has relayed that they do not need a permit to enter the area, as this would be an infringement upon their right under freedom of the press, and the Forest Service expressly states in policy that these news related activities do not need a permit. Is this true?

Q-6.

The forest public affairs officer is in contact with Primetime Live (PL). PL is doing a segment on “youth at risk”. They want to film an outfitter and guide operation that provides outdoor experiences to underprivileged youth, in the Big Space Wilderness Area. Primetime Live intends to pay the outfitter for taking them along on a regularly scheduled outing. There are no additional administrative costs involved with the filming activity, nor are they using any actors, models, sets or props (other than what is provided by the outfitter as part of the outing). The program is scheduled to broadcast several months away. Does Primetime Live need a permit?

Q-7.

RE&I wants to photograph individuals wearing a new line of outdoor clothing in a winter setting on the Bridger-Teton NF. They plan on hiring local individuals to wear the clothing, so no professional models are being used. Do they need a permit?

Q-8.

Rolling Hills Productions wants to film a Volkswagon commercial on State Highway 32 between mileposts 20 and 25. This segment of highway runs through NFS lands. All filming activities for running shots and car-to-car shots would be on the paved road. Staging would occur in the existing interpretive view area opposite milepost 21. Traffic control will be conducted by local law enforcement during the 2 days filming is planned.

The company was told by the County Travel Council that they only need a permit from the State Dept. of Transportation (DOT), but the company decided to contact the FS just in case a permit is required. They called DOT, but the encroachment officer was out for the day. Is a Forest Service permit required?

To Permit or Not To Permit . . . and the Answer Is . . .

Answer Q-1:

No. While the photographer may be taking photos in a commercial capacity on NFS lands, the couple and their wedding party are not considered models, nor is the wedding event (a noncommercial group use) considered props and settings. In addition, there are no additional administrative costs associated with the event and the area is open to the general public, hence a permit is not required.

Answer Q-2:

No. The program being produced by A&E Investigative Reports would be considered a news-related program or documentary. The filming activity is not employing the use of actors, models, sets or props, and would not involve any additional administrative costs as agreed upon between A&E and the LE&I program.

Answer Q-3:

Yes. The independent film company is not considered a “news” affiliated entity and the filming activity is for the purpose of creating a product for commercial sale (the videotape), thus they need a permit. The permitting process in this instance could be handled in one of two ways. The filming activity could be authorized independent of the authorized recreation event; or could be authorized as part of the special use permit for the recreation event.

NOTE: Any filming of the event by the local or regional news broadcaster(s) (for airing as a segment on a local news station, as part of that evening’s sports segment, but NOT as a stand alone sports event) would be considered “news” and would not require a permit.

Answer Q-4:

No. Pursuant to 106-206 the photography of the public engaged in recreational activities, where there are no additional administrative costs and is in an area open to the public would not require a permit, so long as the photos ARE NOT being sold on NFS lands.

Answer Q-5:

No. P.L. 106-206 does not give photographers authority to enter into areas or to conduct activities otherwise closed to the public or prohibited by a Forest order or regulation. In this example, any commercial filming activities (including news related filming projects) in the area closed to use by the order could only be conducted pursuant to the issuance of a permit to enter the area, and then only if the order provides for permitted entry.

The permit that would be issued in this case is not related to authorizing the filming activity, but rather entry into a closed area. The decision on what type of permit or permission, that may or may not be required, is usually cited in the special order, and discretion whether or not to authorize entry with a permit ultimately resides with the authorized officer that issued the order.

Answer Q-6:

No. Primetime Live is considered a news entity, filming a news-related story. Neither the student participants or the outfitter and guides' operation are considered as actors, models, sets, or props, nor is this a commercial sporting or recreation event. Therefore, this activity is not included within the definition of commercial filming, and would not require a special use permit.

However, since this activity is proposed to occur within a designated wilderness, the Forest Officer may want to advise the filming entity of regulations and orders applicable to those visiting the wilderness, wilderness ethics, and other wilderness management objectives concerning the proposed filming activity.

IF this were a commercial filming activity, the authorized officer would need to make a determination as to whether it was consistent with the provisions of the Wilderness Act of 1964. That determination would take into consideration the following sections of the Act:

Section 4(c):

"Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purposes of this Act. . ."

Section 4(d)(5):

"Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas."

Answer Q-7:

Yes. The activity is considered to be a commercial filming activity, since the photographer will be using actors, models, props or sets for the purpose of advertising a product. Just because RE&I will be using local talent vs. professional talent, they are still considered models employed by RE&I, and the activity involves the filming of images for the advertisement of a product(s).

Answer Q-8:

*Yes, IF the highway right-of-way is not owned in fee title by the State or County, but is instead authorized under the terms and conditions of a permit or easement. Where the underlying fee title to the land is still NFS land, then the authorization for the right-of-way has typically been issued (by either the Forest Service, or the Department of Transportation) **for highway purposes**. Special Use Permits, or USDA or USDOT easements, do not authorize non-highway-related activities within the right-of-way. This is a commercial filming activity, and when commercial filming occurs on a permit or easement area for a road right-of-way, a permit from the Forest Service would be required for this non-highway use within that right-of-way. Issue such a permit only after consulting with the State transportation department to assure that the filming can be and will be conducted in a manner that will not materially interfere with the use of the right-of-way for highway purposes.*

Do you have other scenario questions to share? Send your example to: mhearst@fs.fed.us

Application and Permit Process

Obtaining a Filming Permit

The following guidelines list a few key items that should help facilitate an understanding of the needs and requirements to obtain a filming permit and to expedite the process for the film/photo industry as well as the Forest Service:

Initial Contact

At least 10 days to 3 weeks prior to the proposed filming date or photo shoot, the production company and/or location scout should contact the Forest Service office to describing the type of location desired for filming and the activity or effect to be captured on film or print. The Special Use Administrator may suggest areas which have the “look” desired which could help save the company hours and perhaps days of scouting. If the proposed activities are incompatible with the area resources or Forest policy (such as, inappropriate use of off-highway vehicles), an explanation will be given as to why the proposal is unacceptable and possible alternatives will be discussed.

Request Form

A Special Use Request Form should be filed. (See attached Photography & Filming Request Form). On the form, list the number of people to be involved on-location, a schedule of times, dates and locations of operations, and a list of all equipment, chemicals, and other materials that will be transported through the Forest and be available on-location. A script or story board and a thorough, written description of the project should be included with the request.

Insurance

Written proof of insurance must be provided along with your request 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).

Checklist

The checklist is also a good tool to provide with the request form so that the applicant can be sure they have included all of the requirements. This is also a very helpful tool for the special use administrator to use to process quickly and obtain approval from the Authorized Officer (See attached checklist).



PHOTOGRAPHY & FILMING REQUEST

Mt. Hood National Forest

Date:	Project Title:
Company:	Production Date(s) (Include alternative dates):
Authorized Company Representative:	Primary Contact/Title:
Address:	Phone:
Phone:	Backup Contact/Title:
Fax:	Phone:

I. Production Information:

TYPE:

- ☐ Still Photography ☐ Commercial ☐ TV Movie ☐ TV Episodic ☐ Feature Film
☐ Music Video ☐ Corporate Video ☐ Documentary ☐ Other _____

PROPOSED LOCATION(S) (Including size of area to be used, legal description):

Total number of people on location:
(include actors, crew members, etc.)

Set Up (date, length of time, time of day)

Production (start/stop):

Breakdown and restoration (start/stop)

STUNTS/SPECIAL EFFECTS PROPOSED:

- ☐ Pyrotechnics ☐ Hazardous Materials ☐ Riparian Area ☐ Aerial Stunts
☐ Domestic or Wild Animals ☐ Developed Recreation Site ☐ Other

Special Request information:

- ☐ Wilderness ☐ Use of aircraft (type, time of day, flight pattern)
☐ Weather ☐ Other

II. Description of Activity:

(Include map of area, proposed ground disturbing activities, attach narratives and story boards of action in full description needed).

Include Parking plan (vehicles, equipment, aircraft)

Include Staging plan (dressing rooms, catering, portable restrooms, etc.):

III. Description of Equipment:

EQUIPMENT DETAIL(numbers):

_____ GENERATORS _____ CARS _____ TRUCKS _____ RVS _____ OTHER

Action involving vehicles and/or equipment:

Props proposed:

Traffic and safety control/special closures measures needed: (have you obtained permission to use improvements not owned by/under the jurisdiction of the United States Government, i.e. structures, roadways, etc.)?

Applicants Signature: _____

Date: _____

To be completed by the Forest Service:

Fees

Photography/Filming Land Use Fee: _____

Permit Preparation/Monitoring Cost: _____

(See attached financial plan)

Total Amount: _____

Certification of Insurance Received: ☐ Yes ☐ No

Bonding:

Required: ☐ Yes ☐ No Amount: _____

Received: ☐ Yes ☐ No

Concessionaire/Permittee Coordination Required:

☐ Yes ☐ No

Other Landowner/Agency Coordination Required:

☐ Yes ☐ No

Last Update 10/17/2001

Land Use Fee Schedule

Minimum Special Use Fee is
\$80.00

Still Photography

1-10 persons \$57/day

11-30 persons \$170/day

30+ persons \$283/day

Other Filming

1-10 persons \$170/day

11-30 persons \$283/day

31-60 persons \$565/day

60+ persons \$678/day

Certificate of Insurance Required

See attached insurance requirements

Checklist for Photo and Filming Request

This checklist will help to insure your request form will be complete and detailed.

- ❑ Make preliminary phone contact with the Forest Service as early as possible to obtain information and coordinate with appropriate contact.
- ❑ Describe the needs and type of location desired for filming.
- ❑ Submit a Photography & Filming Request Form, at least 5 to 10 days prior to desired shoot date. (Shorter timeline request will be done on a case by case basis).
- ❑ List the number of people to be involved on location in the request for, as this pertains to the land use fee calculation.
- ❑ Provide a time schedule including dates and locations of operations, set-up and take down.
- ❑ List all vehicles, equipment, chemicals, and other materials that will be used or transported.
- ❑ Script or storyboard and a thorough, written description of the film project should be included with the filming request form.
- ❑ Certificate of Insurance (Insurance instructions are included with the filming request form).
- ❑ Documents showing coordination between other parties, such as Location Agreements, Permits necessary from County, Department of Transportation, private landowners, other permittees.
- ❑ Performance Bond or other acceptable methods of surety if deemed required.
- ❑ All fees are due and payable, preferably by cashier's check or money order, prior to filming (usually when permit is signed). Fee payments should be made payable to "USDA Forest Service".
- ❑ The permit, and the Financial Plan or Collection Agreement, must be signed by an authorized production company representative. Proof of authorization to execute documents by a location manager on behalf of the company must be provided.

USDA Forest Service Insurance Requirements

The following insurance guidelines are provided to show why insurance requirements are necessary and how the Certificate of Insurance needs to be prepared to meet the agency direction.

The Special Use Permit requires the Permittee to indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest System Lands. The Permit requires the Permittee to have the insurance company name the *United States Government* (Forest Service) as an additionally insured party. Also, the Certificate of Insurance and the insurance policy shall contain a specific provision to the effect that the policy shall not be cancelled or the provisions changed or deleted before thirty (30) days written notification by the insurance company to the *U.S. Government, c/o USDA Forest Service*.

A Certificate of Insurance must be presented to the Forest Service before a Special Use Permit will be issued. For long-term or high risk projects the Authorized Officer may require that a copy of the actual insurance policy be furnished before the permit is issued.

The following acceptable additional insured clause shall be shown in verbatim on the face of the Certificate of Insurance or Binder and, as a clause or an endorsement in the insurance policy:

“It is understood and agreed that the United States Government is additional insured solely as respects liability arising from operations of the named insured.”

In addition, the following 30 day clause is also mandatory and shall be shown in verbatim on the Certificate of Insurance as well as in the insurance policy:

“It is understood and agreed that the coverage under this policy will not be changed or its provisions changed or deleted before thirty (30) days written notice to the United States Government, U.S. Department of Agriculture, Forest Supervisor, Mt. Hood National Forest, 16400 Champion Way, Sandy, OR 97055.”

United States Government, c/o USDA Forest Service, Mt. Hood National Forest shall be listed in the certificate holder box.

If these clauses are not on the Certificate of Insurance in verbatim, and are not in the insurance policy or on an endorsement as stated above, a Special Use Permit will NOT be issued.

The amount of insurance required will depend on the degree of risk involved. The Forest Representative administering the special use permit will inform the prospective permittee of the required liability coverage necessary, such as: (coverages shown minimums)

- (1) \$ 10,000 Property Damage
- (2) \$100,000 Death or injury to One Individual, and
- (3) \$300,000 Death or injury to more than One Individual
- (4) \$300,000 Combined Single Limit (CSL)

Commercial Filming Fees

Minimum Fee is \$80.00*. All fees, including administration fees, monitoring and land use fees, are due and payable, preferably by cashier's check or money order, prior to filming (usually when permit is signed). Fees should be payable to "USDA Forest Service".

Land Use Fee

The land use permit fee is based on the number of production employees and number of days required to complete the filming.

Commercial Still Photography basic fee per day rate when permit is require is as follows:

1 - 3 persons	\$ 58.14/day
4 - 15 persons	\$174.44/day
16 or more	\$290.74/day

Motion Picture and Uses and Television Production basic fee per day rate is:

1 - 10 persons	\$174.44/day
11 - 30 persons	\$232.59/day
31 - 60 persons	\$581.48/day
61 - or more	\$697.78/day

***NOTE: This is the 2002 fee. Adjustments to this fee are made annually, per the CPI-U index.**

Administrative Fee

Financial Plan or Collection Agreement, NEPA

Monitoring Fee

The production company may be required to pay for a Forest Service Film Monitor during filming. The film monitor will be the Authorized Officer's representative in approving or disapproving proposals which occur during filming and will also have the authority to terminate the permit for noncompliance. If a Forest Service Film Monitor is to be provided, a financial plan or a collection agreement between the Forest Service and the production company will be provided to cover the salary and mileage of the Film Monitor may be required.

Performance Bond

A bond or other acceptable method of surety may be required if the proposal has a potential of resource damage or would require a major clean-up effort, such as removal of constructed set, use of special effects, vegetation rehabilitation, etc. The Forest Service will determine if a bond is required on a case-by-case basis.

Use of Forest Service (FS) Insignia (Shield)

What are our responsibilities in filming permit situations when the Forest Service is being depicted in any manner? For commercial filming permits (i.e. movies or T.V. productions, commercials, etc.) there are some special items that we need to know. In 36 CFR Chapter 11 the FS Shield has been established as the official Forest Service insignia. The 18 US Code 701 states that “it’s a violation of federal law to use the Forest Service shield without permission.” We need to be assured that the Forest Service insignia is depicted legally and correctly and that no product promotion is implied.

This means that anytime the Forest Service shield is used or replicated, the user needs to get permission from the Forest Service. When a film/video company wants to portray Forest Service employees or show the shield, (such as on vehicle, sign, uniform, etc.) the Regional Office, Public Affairs should be consulted.

1. They must review the script and approve it or negotiate changes.
2. They will provide written permission for use of the Forest Service insignia.
3. The Forest Service monitor will be present on the set when the Forest Service or the shield is portrayed in the filming to ensure proper portrayal is met.

If the production company wants to use the Forest Service insignia, or portray Forest Service employees they will need to address this when filling out the Photography and Filming Request.

Who Can Sign

An Authorized Production Company Representative may sign the permit, the financial plan or collection agreement if required. Proof of authorization to execute documents on behalf of the company must be provided. If the president of the company is unavailable to sign, a letter of authorization must accompany the location scout or the individual who is represented to sign the document(s).

Minimum Impact Filming Checklist

Filming Company: _____

Project: _____

	Yes*	No
I. A. Will impact sensitive habitat or species		
B. Will impact Native American Sacred site		
C. Involves major use of pyrotechnics		
D. Involves more than minimum impact to land, air or water		
E. Involves use of explosives		
F. Involves use of exotic species with danger of introduction into the area		
G. Involves adverse impact to sensitive surface resource values including:		
1. Historical, cultural or paleontological site		
2. Sensitive soils		
3. Relict environments		
4. Wetland or riparian areas		
5. Areas of Critical Environmental Concern		
H. Involves use of Heavy Equipment		

* If "Yes" was marked in any category, the action is not minimally-impacting.

If "Yes" was not marked, go to part II

	Yes	No*
II. A. 1. Location in Wilderness		
2. Location in Wild & Scenic River Corridor		
3. Location in LSR		
4. Location in National Register Site		

* If "No" was marked for all 4 categories, the action is minimally-impacting.

If "Yes" was marked for any category, go on to Part II B.

	Yes*	No
II. B. 1. Involves set construction		
2. Involves significant restriction of public access		
3. Involves significant use of domestic livestock		
4. Involves aircraft (helicopter, fixed-wing, or hot air balloon), landing or flying less than 1000 feet above ground level (agl)		
5. Involves 15 or more production vehicles		
6. Involves 75 or more people		
7. The activity will continue in excess of 10 days		

* If "Yes" was marked in any one category, the action is not minimally-impacting.

FOR INTERNAL AGENCY USE ONLY

Checklist for Screening Proposals to Use National Forest System Land

Does not apply to Noncommercial Group Use

Pre-Application Discussion and Required Information to Begin Process (FSH 2709.11, Section 12)

☐ **Step 1 - Where to File Proposals.**

1. Proposals for projects on lands under the jurisdiction of two or more administrative units of the Forest Service may be filed at the most convenient Forest Service office having jurisdiction over part of the project, and the proponent will be notified where to direct subsequent communications.
2. Proposals for oil and gas pipeline R/W crossing Federal lands under the jurisdiction of two or more Federal agencies must be filed with the State Office, Bureau of Land Management, 43 CFR 2882.
3. All other proposals for special uses must be filed in writing with or presented orally to the District Ranger or Forest Supervisor having jurisdiction over the affected land.

☐ **Step 2 – Initial Discussion with Proponent, either in person or by phone**

Document name, date, in person or by phone: _____

☐ **Step 3 – Submission of proposal, either in writing or orally. Document proposals on this sheet.**

Step 4 – Check for or Acquire All Required Information:

- ☐ 1. Proponent Name or Identity _____

- ☐ 2. Nature of Proponent – Individual, Partnership, Corporation, Gov. Agency (Circle one)
- ☐ 3. Technical and Financial Capability _____

- ☐ 4. Project Description (type of use, location, when, term, facilities, etc.) _____

- ☐ 5. Additional information (For requests for access see 36 CFR 251.112) _____

Additional discussion items:

1. Preference in processing applications and issuing authorizations is given to uses that are nondiscretionary (access) and offer public services and/or benefits over private uses.
2. Special application procedures, including a competitive interest determination and/or Forest Service solicitation, may be necessary if the proposal is for a commercial use.
3. Furnish the proponent with a copy of a sample authorization applicable to the use requested and discuss the terms and conditions.

With Complete Information, Go To Step 5 – Initial Screening Process

Initial Screen & Results

Step 5 – Initial Screen Criteria (FSH 2709.11, Section 12.2)

Pass Fail

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <p>1. Use is consistent with laws, regulations, orders, policies of NFS lands, other federal laws and applicable with state and local health and sanitation laws.
Documentation: _____</p> |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>2. Use consistent or can be consistent with FLMRP (Consistency may be achieved by changing location, time or mitigation measures)
Documentation: _____</p> |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>3. Use does not pose serious or substantial risk to public health and safety. (Examples could include: activities in a flood plain, cliffs or other dangerous terrain, mixing motorized with pedestrian activities, hunting seasons, etc.)</p> |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>4. Use does not create an exclusive or perpetual right of use or occupancy. (Examples: cemeteries, major capital improvement by municipalities)
Documentation: _____</p> |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>5. Use does not unreasonably conflict or interfere with administrative use, other scheduled or existing authorized uses or adjacent non-NFS lands. (Examples: Timber Sales, Ongoing Construction, Closed areas)
Documentation: _____</p> |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>6. Proponent does not have a delinquent debt owed to Forest Service.
Documentation: _____</p> |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>7. Use does not involve gambling or provision of sexually oriented commercial services.
Documentation: _____</p> |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>8. Use does not involve military or paramilitary training/exercises by private organizations or individuals, unless such training is federally funded. (Paint ball games are a recreation activity)
Documentation: _____</p> |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>9. Use does not involve disposal of solid waste, radioactive waste, or other hazardous substances.
Documentation: _____</p> |

Step 6 – Results of Initial Screening

- ☐ Pass – Proposal meeting the initial screening criteria may proceed to the second level screening. For commercial activities (organization camps, resorts, communication sites, etc.) determine competitive interest and follow FSH 209.11, Section 13, before continuing screening process.
- ☐ Fail – Proposal does not meet criteria. Stop further consideration/processing. Advise proponent and return proposal. If the proposal was submitted orally, the authorized officer may respond orally. A proposal denied in the initial screening process is not subject to NEPA. Failing to meet the initial screening criteria are not appealable.

Second Level Screening

Step 7 – Proponent Give Guidance and Information on Requested Use (FSH 2709.11, Section 12.3)

- ☐ 1. Possible land use conflicts with FLRMP.
Documentation _____

- ☐ 2. Further processing procedures and probable time requirements.
Documentation _____

- ☐ 3. Proponent qualifications.
Documentation _____

- ☐ 4. Applicable permit form, tenure, fees, insurance, bonding, security requirements, O&M plan, plats, drawings/plans.
Documentation _____

- ☐ 5. Necessary associated clearances, permits, and licenses from other government agencies.
Documentation _____

- ☐ 6. Environmental and management considerations. Inform proponent they are responsible for providing environmental studies necessary to complete the NEPA process.
Documentation _____

- ☐ 7. Special Conditions.
Documentation _____

- ☐ 8. Identification of on-the-ground investigations which will require temporary use permits, such as environmental investigations and surveys.
Documentation _____

With All Required Information and At The Request To Continue, Go to The Second Level Screening Criteria.

Step 8 – Apply Second Level Screening (FSH 2709.11, Section 12.4)

Pass Fail

- ☐ ☐ 1. Use is consistent or compatible with purposes for which lands managed or with other uses. (Must demonstrate why National Forest necessary and why private land can't be used. Deny proposals for use of National Forest land that are based solely on affording the proponent with a lower cost and less restrictive location)
Documentation _____
- ☐ ☐ 2. Use is in the public interest. (Consider such things as general public use, rather than select group or private use; risk of liability issues to the government, both public liability and environmental contamination; etc.)
Documentation _____
- ☐ ☐ 3. Proponent is qualified. (Members of Congress cannot hold authorizations, persons who already hold Rec. Resident (RR) permits may not hold an additional RR permit, corporations may not hold RR permits)
Documentation _____
- ☐ ☐ 4. Proponent can demonstrate technical and economical feasibility for the proposed use or the technical and financial capability to undertake the use and to fully comply with the terms and conditions of the authorization. (The use must be both technically feasible and economically viable. Additionally, the proponent must be technically and financially capable or able to secure the expertise and resources to develop, operate, and maintain the proposed use)
Documentation _____

Step 9 – Results of Second Level Screening

- ☐ Fail – Return the proposal to proponent along with a copy of the screening documentation. The proposal may be reconsidered if the following deficiencies are corrected as described here: _____

Proposals failing the second level screening process are not appealable under Forest Service appeal regulations.

- ☐ Pass – Notify the proponent that the proposal has passed the screening process and that a written formal application will be accepted. Provide the proponent additional guidance and information, as necessary, to complete the application as discussed in Step 7.

When a formal written application is accepted, the proposal is considered a proposed action and must be elevated pursuant to agency NEPA procedures as the basis for deciding to approve or deny an application.

- ☐ **Step 10 – Apply NEPA procedures to the use proposed in the application. (Require applicants to furnish all information to complete the analysis, such as environment studies) FSH 209.11, Section 12.6.**
- ☐ **Step 11 – NEPA Decision to deny, approve as requested or approve with modifications.**

If approved, notify applicant and discuss issuance of authorization, appeal time frames, etc.

If denied, return application with a copy of the decision document; include applicant's appeal rights under 36 CFR 215.

Step 12 – Authorize use through the appropriate special use authorization. FSH2709.11, Section 14

The Permit



"Lords of Tanglewood", Lost Lake

SAMPLE PERMIT

Authorization ID: ZIG-6Film
Contact ID: CREATIVE WORKS

FS-2700-25 (02/99)
OMB NO. 0596-0082

U.S. DEPARTMENT OF AGRICULTURE
Forest Service
TEMPORARY SPECIAL – USE PERMIT
(FSH 2709.11, sec. 54.6)
AUTHORITY:
ORGANIC ADMINISTRATION ACT June 4, 1897
(6/19/2001)

The Creative Works, Russel Sasaki, hereinafter called the Holder, is hereby authorized to use, subject to the terms and conditions of this permit, National Forest System land; identified within the Zigzag Ranger District, Mt. Hood National Forest, and described as T.3S., R.81/2E., Section 24, W.M.. This authorization covers approximately 1 acres and/or n/a miles, and as further shown on the attached location map, **Exhibit A**.

The holder is authorized to conduct the following activities and/or install the following temporary improvements on the permitted area:

Two day still photography shoot , July 19/20 or July 20/21, 2001(permit valid for 2 days only) at Ski Bowl area.

TERMS AND CONDITIONS

1. Use under this permit shall begin on July 19, 2001 and end on July 21, 2001 (valid for only 2 days). The permit shall not be extended.
2. The fee for this use is \$217.00. It shall be paid in advance and is not refundable.
3. The holder shall conduct the authorized activities according to the attached approved plans and specifications, **Exhibit B**, Operating Plan and **Exhibit C**, Financial Plan.
4. The holder shall not install any improvements not specifically identified and approved above.
5. No soil, trees, or other vegetation may be destroyed or removed from National Forest System lands without specific prior written permission from the authorized officer.
6. The holder shall comply with all Federal, State, county, and municipal laws, ordinances, and regulations which are applicable to the area or operations covered by this permit.
7. The holder shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer. The holder shall fully repair and bear the expense for all damage, other than ordinary wear and tear, to National Forest System lands, roads and trails caused by the holder's activities.
8. The holder has the responsibility of inspecting the use area and adjoining areas for dangerous trees, hanging limbs and other evidence of hazardous conditions which would pose a risk of injury to individuals. After securing permission from the authorized officer, the holder shall remove such hazards.
9. The holder shall be liable for any damage suffered by the United States resulting from or related to use of this permit, including damages to National Forest resources and costs of fire suppression.
10. The holder shall hold harmless the United States from any liability from damage to life or property arising from the holder's occupancy or use of National Forest lands under this permit.
11. The holder agrees to permit the free and unrestricted access to and upon the premises at all times for all lawful and proper purposes not inconsistent with the intent of the permit or with the reasonable exercise and enjoyment by the holder of the privileges thereof.
12. This permit is subject to all valid existing rights and claims outstanding in third parties.
13. This permit may be revoked upon breach of any of the conditions herein or at the discretion of the authorized officer. Upon expiration or revocation of this permit, the holder shall immediately remove all improvements except those owned by the United States, and shall restore the site within 1 day (s), unless otherwise agreed upon in writing. If the holder fails to remove the improvements, they shall become the property of the United States, but that will not relieve the holder of liability for the cost of their removal and restoration of the site.
14. This permit is a license for the use of federally owned land. It does not grant any interest in real property. This permit is not transferable. The holder shall not enter into any agreements with third parties for occupancy of the authorized premises and improvements.
15. Appeal of any provisions of this permit or any requirements thereof shall be subject to the appeal regulations at 36 CFR, Subpart C, or revisions thereof.
16. This permit is accepted subject to the conditions set forth herein, condition (s) 1-18 and Exhibit (s) attached to and made a part of this permit.

17. The above clauses shall control if they conflict with additional clauses or provisions.
18. Liability Insurance: The holder shall have in force public liability insurance covering a combined single limit in the amount of \$500,000.00. The minimum amount and terms are subject to change at the sole discretion of the authorized officer at the five-year anniversary date of this authorization. The coverage shall extend to property damage, bodily injury, or death rising out of the holder's activities under the authorization including, but not limited to, occupancy or use of the land and the construction, maintenance, and operation of the structures, facilities, or equipment permitted by this authorization.

Such insurance shall also name the United States as additionally insured. The holder shall send an authenticated copy of its insurance policy to the Forest Service immediately upon issuance of the policy. The policy shall also contain a specific provision or rider to the effect that the policy shall not be cancelled or its provisions changed or deleted before thirty (30) days written notice to the authorized officer at: 16400 Champion Way, Sandy, OR 97055, by the insurance company.

NEPA: This action is categorically excluded from documentation in an EIS or EA per FSH 1909.15; 31.1b (8): approval, modification or continuation of minor, short-term special uses of National Forest System Lands. No extraordinary circumstances exist.

I have read and understand the terms and conditions and agree to abide by them.

HOLDER: The Creative Works

U.S. DEPARTMENT OF AGRICULTURE
Forest Service

By: _____
(Authorized Representative)

Name: _____

Address: 151 Kalmus Dr. Ste. E/20

Title: District Ranger
(Authorized Officer)

Phone No: 714-546-2088

Date: _____

Date: _____

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082.

This information is needed by the Forest Service to evaluate requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the Secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations. The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Public reporting burden for collection of information, if requested, is estimated to average 1 hour per response for annual financial information; average 1 hour per response to prepare or update operation and/or maintenance plan; average 1 hour per response for inspection reports; and an average of 1 hour for each request that may include such things as reports, logs, facility and user information, sublease information, and other similar miscellaneous information requests. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

<p style="text-align: center;">SAMPLE PROVISIONS FOR OPERATING PLAN</p>
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I. Film Monitors

A Forest Service employee may be assigned to monitor all aspects of filming. The monitor will act as the Authorized Officer's representative approving or disapproving requests that may occur during filming after the permit has been issued. The monitor also has the authority to suspend operations for noncompliance. (See Attachment C, Film Monitor's Duty Sheet)

II. Set Construction

- A. All construction must meet the following guidelines:
 - 1. Plans or drawings must be approved by the Officer preparing the permit.
 - 2. Sets may be constructed on highly disturbed areas (i.e. parking areas, road turnouts, overflow campgrounds, etc.). Undisturbed areas may be used provided all materials and equipment are hand carried to the site, no vehicles are used, and the area will be returned to its original condition following filming.
- B. LL structures will be self-supporting.
- C. Digging or construction of foundations may not be allowed.
- D. Guards may be required at permittee's expense any time film company personnel are not on the set.
- E. Public access to the set may be restricted during rehearsals and actual filming periods.

III. Time Constraints

- A. Filming may be restricted on weekends beginning 0700 hours on Friday to 0500 hours on Mondays.
- B. Filming may not be allowed on holidays.
- C. Night Filming
 - 1. Filming may be allowed from 2200 hours to 0800 hours if residents of the campground or nearby public residences will not be disturbed by noise, lights or any other related filming activity.
 - 2. Filming may be restricted to no more than two consecutive nights. At least a one-night break in the filming may required before filming resumes to allow wildlife to recover.

- D. Additional monitors may be assigned as required due to size of company, Location, special effects, fire conditions, multiple locations, complexity of shoot, etc.
- E. If a collection agreement is entered into, all expenses incurred by the Forest Service will be paid by the film company. This includes wages and vehicle use.

IV. Fires

- A. If a Fire Plan is attached to the Special Use Permit, the permittee (film company) must comply with all provisions of the Fire Plan during all phases of filming.
- B. All internal combustion engines will be equipped with Forest Service approved spark arresters and all vehicles must be equipped with mufflers.
- C. Prior to filming, written authorization must be obtained for the use of any fire-related activities, such as, campfire, use of welding or cutting equipment, use of all pyrotechnical devices, etc. and all the provisions must be complied with at all times.
- D. During periods of high fire danger, fire-related activities may be prohibited.
- E. Additional Forest Service monitors may be required during periods of high fire danger.
- F. The permittee may be required to provide, at their expense, a water truck in good operating condition and capable of transporting and pumping water during filming.
- G. Arc lights are not to be used in areas of combustible materials, such as grass, brush, inside buildings, or during periods of high fire danger.
- H. Water for fire equipment and water trucks is to be provided by the film company.

V. Smoking

- A. Smoking is restricted to enclosed vehicles or while stopped in an area cleared or barren of flammable vegetation for a distance of three (3) feet in diameter. At no time is smoking permitted while walking in grass, brush or timber.
- B. Smoking may be prohibited during periods of high fire danger.

VI. Special Effects and Pyrotechnics

- A. In order to protect against scaring wildlife, blank gun shots may only be fired singly or in short bursts. Multiple shots may not be allowed at night.
- B. Explosions may not be allowed.
- C. Flame emitting smoke machines may be prohibited.

- D. All special effects must be approved by the Area Manager or his/her designated representative prior to filming.

VII. Vehicle Operation

A. Roadways and Trails

1. All roadways are to be kept open to the public.
2. During periods of filming a road may not be closed for an extended period of time.
3. Emergency traffic is allowed through at all times.
4. Parking lots, large road turnouts and other large previously disturbed areas are to be used for parking all non-production vehicles and may be used as a staging area for all film activities. Shuttle vehicles are to be used to transport people from parking areas to the shooting location.
5. The number of vehicles allowed to park in areas other than the designated staging areas may be limited.
6. Vehicles are not allowed off the existing Forest development and legal roadways and trails (roads and trails not shown on Forest maps are illegal and cannot be used without the Area Manager's prior approval. Vehicles wider than 40 inches are not allowed on motorcycle trails.
7. Encroachment permits will be obtained from the appropriate county when filming is to occur on a roadway within the Scenic Area that is maintained by the county. A copy of the encroachment permit will be given to the Forest Officer preparing the special use permit and the permittee will comply with all it's provisions.

- B. Gates - If a film company needs to go beyond any road or seasonal closure locked gate on Scenic Area land, authorization may be given. The permittee may be required to have a guard posted at the gate to ensure that unauthorized vehicles do not enter.

- C. Overnight storage of vehicles and equipment may be authorized. The Forest Service assumes no responsibility.

VIII. Animals

- A. All animals must be tethered, leashed, or caged when not actually filming or rehearsing. Animals will not be tethered to trees at any time.

- B. Animals may be unleashed **only when** the following safety items have been met:

1. The trainer(s) will be in the immediate vicinity at all times.
2. The animal is under control to the satisfaction of the Forest Service production monitor.

3. Adequate safety measures have been taken to prevent escape (fencing, catching devices, increased number of trainers, etc.).
- C. Releasing animals - Under no circumstances will any mammals, fish, reptiles, or other animals be released into the natural environment during or after filming.

IX. Helicopters, Aircraft and Flight Operations

- A. Any area to be used for flight operation must be unoccupied by visitors. All spectators must be kept a minimum of 300 feet from all helicopter landing sites. No spectators will be allowed under any pre-planned flight route.
- B. Additional monitors may be required.
- C. Light operations and flight path must be approved in advance by the Area Manager. "N" number, make, model, color, frequency monitored, etc. will be provided to the Forest Service Communication Center. The pilot will notify the Communication Center daily and provide location, flight path, etc.
- D. Direct radio communications between aircraft and monitoring ranger will be provided by the company.
- E. All federal, state and county aircraft regulations apply.
- F. A 2,000 foot altitude above ground level will be maintained by aircraft flying over Wilderness and critical wildlife habitats.

X. Geological and Archaeological Resources

- A. Geological and archaeological resources must not be disturbed.
- B. No materials, adhesives, paints, etc. may be used on any of these resources on Forest Service lands.
- C. Any rocks needed of special color, texture, etc. must be brought onto the set and then removed after the shoot, by the permittee.
- D. No device may be driven into rocks, cliffs, etc. in sensitive areas.

XI. Vegetative Materials

- A. No plants will be disturbed or removed without prior approval by the Area Manager or his/her representative.
- B. All imported plant materials must be removed from the Scenic Area after filming and disposed of properly.
- C. Some plant materials may be restricted from being brought into the Scenic Area.

XII. Clean Up

- A. All shooting locations, storage areas, etc. are to be cleared of all equipment, props and trash and returned to their original condition to the satisfaction of the monitoring Forest Officer.
- B. All clean up will normally be completed within 2 hours of completion of filming. Major sets are to be struck within 24 hours of completion of filming.
- C. All garbage and debris must be removed from the National Forest and properly disposed of upon completion of each day's shooting.
- D. Film companies will utilize and furnish their own trash receptacles.
- E. It is the film company's responsibility to inform contracted companies, such as caterers, of these rules on clean-up.
- F. Upon completion of filming where animals have been used in or adjacent to developed sites or parking areas, all animal feces will be cleaned up, removed from the Scenic Area and disposed of properly.

XV. Damage to Forest Resources or Structures

- A. During filming or upon completion, if any damage has been found to have been caused by the film company, the company will be required to repair or replace damaged items to the Scenic Area's satisfaction.
- B. Replacement or repair will normally be accomplished within 7 working days after the damage has been reported.
- C. Monitors may be required, at the permittee's expense, to supervise damage repair.

XIII. Filming Inside Structures and Residences

- A. No filming will be allowed inside Forest Service structures or residences unless reviewed by a Heritage Resource Specialist in the case of a Historic structure and approval must be obtained by the Authorized Officer.
- B. Temporary modification of the interior and exterior may be made to the structure with the approval of the Area Manager. All modifications shall be non-destructive in nature. All material to be applied shall be approved by the Forest Service Engineering Officer during all set construction, filming, set strike and post filming construction activities.
- C. Forest Service monitor may be required on the premises during all set construction, filming, set strike and post filming construction activities.

- D. An approved water truck may be required to be on scene during interior lighting and filming at the expense of the film company.
- E. Any structures that are modified shall be returned to as good as original condition after completion of filming. All post-filming construction activities shall be done by a licensed contractor or Forest Service personnel under a collection agreement. All repair and restoration work shall be completed to the satisfaction of the Forest Service Engineering Officer and the Permit Administrator.

<p>SAMPLE OPERATING PLAN COMMERCIAL STILL PHOTOGRAPHY</p>
--

Creative Works, Russel Sasaki
ZIG-6Film

2002 Suzuki Quadrunner
Brochure Photoshoot

EXHIBIT B

**OPERATING PLAN
(Zigzag Ranger District, Mt. Hood National Forest)
7/19-21/2001**

GENERAL CONDITIONS

1. No pyrotechnics without advanced approval.
2. No ground disturbing/digging without advance approval.
3. Exceedingly loud noises (music, explosions, motors) must be disclosed and approved of in advance.
4. Interfering with general public use and movement may be done only to preclude public conflicts with filming, (i.e. to keep people out of view of a shot), and then only after obtaining Forest Service permission.
5. All props, signs etc. to be removed at end of shooting.
6. No public roads to be blocked by support vehicles.

SKI BOWL SKI AREA SPECIFIC CONDITIONS

1. All photos hoots will be coordinated through the ski areas. The photo shoot must not adversely impact ski area activities.
2. The Ski area may also charge an additional administrative fee above the Forest Service Land Use fee for their support to the photo shoot.
3. Use of mountain bike trails is prohibited for this photo shoot. All activities must take place on the access roads as approved by the ski area.
4. Support vehicles must remain on access roads during photos hoot.

SAMPLE OPERATING PLAN

Authorization ID CLA-3Film

EXHIBIT B

Operating Plan

1. Ground disturbance is not permitted.
2. This permit is not exclusive; that is, the Forest Service reserves the right to use or permit others to use any part of the permitted area for any purpose, provided such use does not interfere with the rights and privileges hereby authorized.
3. All vehicles associated with this use shall stay on developed roads, campground spur parking sites and/or designated parking areas at all times
4. No structures, props, and/or vehicles associated with this activity shall be parked or set up within the travel ways of any campground and/or forest roads. Travel ways shall be kept open at all times.
5. The Holder shall adhere to any possible fire or smoking restrictions/bans. The holder shall have a shovel, fire extinguisher and water bucket available at all times.

**SAMPLE OPERATION PLAN
FOR
MOVIE PRODUCTION**

UUUU“The Hunted” Movie Production Operating Plan

Hood River Ranger District, Mt. Hood National Forest

Approved film locations as authorized in the permit are adjacent to the Hood River Meadow Parking lot and/or the sewage treatment plant (STP) road across from the Annex Parking lot.

1. Forest Service authorized field representative for permit and location questions:
Doug Jones 541.352.6002, ext. 682 Cellular 503.708.3904

Back-up contacts are:
Pam Duncan 503.668.1429, or Christy Covington 503.668.1456
2. Paramount Pictures location contact is:
Don Baldwin 503.209.0640
3. Paramount will coordinate all location activities with Doug Jones and Mt. Hood Meadows (Meadows). Doug must give approval for any tree cutting, moving of natural resources, salt application, etc. He may be called if not on-site.
4. Paramount is responsible for restoring shooting locations & staging area per the instructions of Meadows and Doug Jones.
5. Paramount will provide traffic controllers for the Hood River Meadows (HRM) Access road, HRM Parking Lot and the Main Access Road and Annex Parking lot.
6. Meadows will provide (at an agreed upon cost directly with Meadows) equipment and personnel to assist Paramount with snow grooming, moving of material, etc.
7. Paramount will coordinate all changes of locations and schedules with Doug Jones. Should prep & construction work, filming and cleanup exceed the estimated amounts shown on the financial plan, the Forest Headquarters will need to be notified and will bill Paramount for the balance due.

LOT PRODUCTIONS, INCORPORATED

MOTION PICTURE FILM PRODUCTION

OPERATION AND SAFETY PLAN

Mt. Hood National Forest
Hood River Ranger District

Prepared by:


(Permit Administrator)

Date:

7/10/95

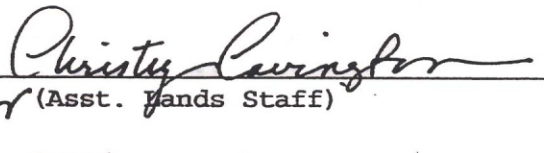
Reviewed by:

 (for Bruce Holmson)
(West Fork Lead Steward)

Date:

7/11/95

Reviewed by:


for (Asst. Lands Staff)

Date:

Reviewed by:

 Sanford Hampton - President
(Lot Productions Designated Representative)

Date:

7-31-95

Approved by:


(District Ranger)

Date:

7/31/95

SAMPLE SAFETY PLAN 1

Operation and Safety Plan.

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I. Authorized Officer and Designated Representatives.

Forest Service (FS) Authorized Officer:
MIKE ASH, Acting District Ranger

FS Permit Administrator: MIKE RICKETTS

Forest Officer (Monitor): JOHN KRZESZAK

FS Public Information Officer: MONICA BURKE

Film Production Company Representatives:
JAY CARROLL, Location Manager (primary contact on site)
AARON NORRIS, Film Director
SANFORD HAMPTON, Film Producer

The permit, as well as the collection agreement if required, must be signed by an authorized production company representative. Proof of authorization to execute documents on behalf of the company must be provided. If the president of the company is unavailable to sign, a letter of authorization must accompany the individual authorized to sign the document (s) .

II. Performance Bond.

A performance bond or other acceptable method of surety is required in the amount of \$10,000

III. Fees.

The permit fee is based on the number of production employees and days required to complete the filming. Initial fee payment is due and payable, preferably by cashier's check or money order, prior to set up and construction work beginning, July 10, 1995. Make check payable to "USDA Forest Service" .

Permittee (Lot Productions, Inc.) estimate 15 days construction and set up time with 6-8 people on site beginning July 10th. Film production time is estimated at 10 to 20 days with 50 to 60 people on site. Since the production time is estimated, the initial fee payment will be for the 15 days of construction and set up time and 10 days of filming. The second payment will be due by close of business on August 19, 1995. All payments must be made in advance of continued filming.

IV. Insurance Requirements

The Special Use Permit requires the Permittee to indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest System lands. The Permit requires the Permittee to have the insurance company name the "Forest Service as »m additionally insured party. Also, the Certificate of Insurance and the insurance policy shall contain a specific -provision to the effect that the policy shall not be cancelled or the provisions changed or deleted before thirty (30) days written notification by the insurance company to the Forest Service.

A Certificate of Insurance must be presented to the Forest Service before a Special Use Permit will be issued.

The following acceptable additional insured clause shall be shown in verbatim on the face of the Certificate of Insurance or Binder and, as a clause or an endorsement in the insurance policy:

"It is understood and agreed that the Mt. Hood National Forest, Forest Service, U.S. Department of Agriculture, is additionally insured solely as respects liability arising from operations of the named insured."

In addition, the following 30 day clause is also mandatory and shall be shown in verbatim on the Certificate of Insurance as well as in the insurance policy.

"It is understood and agreed that the coverage provided under this policy will not be changed or its provisions changed or deleted before thirty (30) days written notice to the Mt. Hood National Forest, Forest Service, U.S. Department of Agriculture, 2955 NW Division, Gresham, OR 97030.

V. Time Restrictions.

Filming may be restricted from 10:00 p.m. to 8:00 a.m. if residents of the campground or nearby concessionaire residence would be disturbed by noise, lights or any other related filming activity.

Filming may not be allowed on some weekends or holidays due to the traffic hazards created by the large numbers of people using the campground and day-use areas.

VI. Film Monitor/Collection Agreement.

A Forest Officer will be assigned to monitor all aspects of filming. The monitor will act as the District Ranger's representative approving or disapproving requests that may occur during filming after the permit has been issued. The monitor also has the authority to suspend operations for noncompliance. (see attachment A for list of duties)

A Collection Agreement will be entered into that covers all expenses incurred by the Forest Service Film Monitor to be paid by the film company. This includes wages and vehicle use. (see Collection Agreement Attachment B)

VTI. Fires.

All internal combustion engines will be equipped with Forest Service approved spark arresters and all vehicles must be equipped with mufflers.

Prior to filming, written authorization must be obtained for the use of any fire-related activities, such as, campfires outside designated sites, use of welding or cutting equipment, use of all pyrotechnical devices, etc. and all the provisions must be complied with at all times.

During periods of high fire danger, fire-related activities may be prohibited.

Additional Forest monitors may be required during periods of high fire danger.

The permittee may be required to provide, at their expense, a water truck in good operating condition and capable of transporting and pumping water during filming. All equipment must be inspected and approved by the Forest Service prior to use on the site.

Arc lights are not to be used in areas of combustible materials, such as grass, brush, inside buildings, or during periods of high fire danger.

Smoking may be prohibited during periods of high fire danger.

VIII. Special Effects and Pyrotechnics

All special effects must be approved by the District Ranger or his designated representative prior to filming.

IX. Vehicle Operation and Access.

VEHICLE SPEED LIMIT IS 15 MPH WITHIN THE CAMPGROUND.

All roadways are to be kept open to the public.

During periods of filming a road may not be closed for an extended period of time.

Emergency traffic is allowed through at all times.

Parking lots, large road turnouts and other large previously disturbed areas are to be used for parking all non-production vehicles and may be used as a staging area for all film activities. Shuttle vehicles are to be used to transport people from parking areas to the shooting location.

The number of vehicles allowed to park in areas other than the designated staging areas may be limited.

VEHICLES ARE NOT ALLOWED OFF THE EXISTING FOREST DEVELOPMENT AND LEGAL ROADWAYS AND TRAILS (ROADS AND TRAILS NOT SHOWN ON FOREST MAPS ARE ILLEGAL AND CANNOT BE USED) WITHOUT THE DISTRICT RANGER'S PRIOR APPROVAL. VEHICLES WIDER THAN 40 INCHES ARE NOT ALLOWED ON MOTORCYCLE TRAILS.

Encroachment permits will be obtained from the appropriate county when filming is to occur on a roadway within the National Forest that is maintained by the county. A copy of the encroachment permit will be given to the Forest Officer preparing the special use permit and the permittee will comply with all its provisions.

Gates. If a film company needs to go beyond any road or seasonal closure locked gate on the National Forest, authorization may be given. The permittee may be required to have a guard posted at the gate to ensure that unauthorized vehicles do not enter.

Overnight storage of vehicles and equipment is authorized in the Horse Camp Area at Lost Lake. The FS assumes no responsibility.

X. Animals

All animals must be tethered, leashed, or caged when not actually filming or rehearsing. Animals will not be tethered to trees at any time.

Animals may be unleashed only when the following safety items have been met:

1. The trainer (s) will be in the immediate vicinity at all times.
2. The animal is under control to the satisfaction of the Forest Service production monitor.
3. Adequate safety measures have been taken to prevent escape (fencing, catching devices, increased number of trainers, etc.).

Releasing animals - Under no circumstances will any mammals, fish, reptiles, or other animals be released into the natural environment during or after filming.

XI. Helicopters, Aircraft and Flight Operations

Any area to be used for flight operation must be unoccupied by visitors. All spectators must be kept a minimum of 300 feet from all helicopter landing sites. No spectators will be allowed under any pre-planned flight route.

Additional monitors may be required.

Flight operations and flight path must be approved in advance by the District Ranger. "N" number, make, model, color, frequency monitored, etc. will be provided to the Forest Service Communication Center. The pilot will notify the Communication Center daily and provide location, flight path etc.

Direct radio communications between aircraft and monitoring ranger will be provided by the company.

All federal, state and county aircraft regulations apply.

A 2,000 foot altitude above ground level will be maintained by aircraft flying over Wilderness and critical wildlife habitats.

XII. Set Construction

All construction must meet the following guidelines:

1. Plans or drawings must be approved by the Officer preparing the permit.
2. Sets may be constructed on highly disturbed areas (i.e. parking areas, road turnouts, overflow campgrounds, etc.). Undisturbed areas may be used provided all materials and equipment are hand carried to the site, no vehicles are used, and the area will be returned to its original condition following filming.

ALL structures will be self-supporting.

Digging or construction of permanent foundations will not be allowed. Post holes or buried temporary supports must be approved by the Officer preparing the permit.

Guards may be required at permittee's expense any time film company personnel are not on the set.

Public access to the set may be restricted during rehearsals and actual filming periods.

XIII. Geological and Archaeological Resources

Geological and archaeological resources must not be disturbed.

No materials, adhesives, paints, etc. may be used on any of these resources in the Forest.

Any rocks needed of special color, texture, etc. must be brought onto the set and then removed after the shoot, by the permittee.

No device may be driven into rocks, cliffs, etc. in sensitive areas.

XIV. Vegetation.

No plants will be disturbed or removed without prior approval by the District Ranger or his representative.

All imported plant materials must be removed from the National Forest after filming and disposed of properly.

Some plant materials may be restricted from being brought into the National Forest.

XV. Clean Up and Sanitation.

All shooting locations, storage areas, etc. are to be cleared of all equipment, props and trash and returned to their original condition to the satisfaction of the monitoring Forest Officer

All clean up will normally be completed within 2 hours of completion of filming. Major sets are to be struck within 24 hours of completion of filming.

All garbage and debris must be removed from the National Forest and properly disposed of upon completion of each day's shooting.

Film companies will utilize and furnish their own trash receptacles.

It is the film company's responsibility to inform contracted companies, such as caterers, of these rules on clean-up.

Use of existing toilet facilities may be authorized at the expense of the permittee for routine maintenance and vault pumping.

Upon completion of filming using animals in or adjacent to developed sites or parking areas, all animal feces will be cleaned up, removed from the National Forest and disposed of properly.

XVI. Damage to Forest Resources or Structures.

During filming or upon completion, if any damage has been found to have been caused by the film company, the company will be required to repair or replace damaged items to the Forest Service's satisfaction.

Replacement or repair will normally be accomplished within 7 working days after the damage has been reported.

Monitors may be required, at the permittee's expense, to supervise damage repair.

XVII. Filming Inside Structures and Residences.

No filming inside of Forest Service structures or residences may occur unless approved by the District Ranger and resident, if applicable.

Temporary modification of the interior and exterior may be made to the structure with the approval of the District Ranger. All modifications shall be non-destructive in nature. All material to be applied shall be approved by the District Engineering Officer during all set construction, filming, set strike and post filming construction activities.

A Forest Service monitor may be required on the premises during all set construction, filming, set strike and post filming construction activities.

An approved water truck may be required to be on scene during interior lighting and filming at the expense of the film company.

Modified structures shall be returned to as good as original condition after completion of filming. All post-filming construction activities shall be done by a licensed contractor or Forest Service personnel under a collection agreement. All repair and restoration work shall be completed to the satisfaction of the District Engineering Officer and the District Ranger.

<p style="text-align: center;">SAMPLE FINANCIAL PLAN FOR MAJOR PRODUCTION</p>
--

**USDA FS Financial Plan for “The Hunted” movie production
Filming at Mt. Hood Meadows Ski Resort
April 2001**

Administration/Permit Preparation

D.Jones	2 days @ \$240	=	\$480
L.Tate	1 day @ \$298	=	\$298
P.Duncan	.5 day @ \$180	=	\$ 90
C.Covington	.5 Day @ \$231	=	\$231

SUBTOTAL \$1099

Land Use Fees

4 days prep work w/ 10-15 people @ \$200/day	=	\$ 800
4 days filming @ \$600/day	=	\$2400

SUBTOTAL \$3200

Permit Monitoring

D.Jones	4 days @ \$240	SUBTOTAL \$ 960
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<u>TOTAL PERMIT COSTS</u>	\$5259
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SAMPLE OF COLLECTION AGREEMENT

COLLECTION AGREEMENT
NFS-!!!-!!-!!!!!!!-!!!
between
HARVEST ENTERTAINMENT
and
USDA FOREST SERVICE, Mt. Hood National Forest

This collection Agreement is made and entered into by and between the Harvest Entertainment, hereinafter referred to as the Holder, and the USDA Forest Service, Pacific Northwest Region, hereinafter referred to as the Forest Service, under the provisions of the Cooperative Funds Act of June 30, 1914 (16 U.S.C. 498).

I. PURPOSE:

The holder will be doing commercial filming, on the Clackamas River Ranger District, Hood River Ranger District, and Zigzag Ranger District of the Mt. Hood National Forest, as authorized by a special use permit. The Holder has requested the Forest Service to provide Forest Service Representatives to work towards the necessary requirements for authorizing use of the land in a short time frame. This includes location scouting, and an on-site film monitor to insure resource protection while filming under the provisions of said permit. The film monitor is designated as the authorized officer on site during filming.

It is mutually advantageous to the parties herein that the work required for the development and undertaking of said project shall be preformed by the Forest Service. However, the Forest Service indicates that current budget is not adequate to complete the work within the timeframe desired by the Holder. Therefore, the purpose of this Collection Agreement is to collect money from the Holder to cover the costs of accomplishing the desired work.

II. OBJECTIVE:

The objective of this agreement is to allow the billing prior to the commencement of work, deposit with the Forest Service Lockbox (address on bill) and estimated amount of \$1,250.00 As shown on the financial plan, this amount is estimated to cover the cost of wages of the designated Forest Service personnel and includes 20% overhead. This contract is being administered trough the Forest Service, with Christy Covington as contract representative.

III. HARVEST ENTERTAINMENT SHALL:

1. Pay the Forest Service for expenses related to the above purpose, minimum of \$1,250.00, without the issuance of a written modification, signed and dated by both parties. Payment shall be made upon receipt of a bill for collection sent to the following address:

Keith Webber
Harvest Entertainment
The Television Centre
Bath Road, BS43HG, England
011441179722560

2. Include copy of the Bill for Collection with remittance, payable per instructions included on the Bill.
3. Taxpayer Identification Number: Pursuant to the Debt Collection Improvement Act of 1996, as amended by Public Law 104-134 cooperators shall furnish their tax identification number upon execution of this agreement. The cooperator also agrees that notice of the Forest Service's intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such person's relationship with the Government, has hereby been give.

IV. THE FOREST SERVICE SHALL:

1. Administer the contract with Harvest Entertainment. Contract administration will be in accordance with Federal Acquisition Regulations and other applicable requirements.
2. Issue Bill for Collection to the address listed above in III 1.

V. IT IS MUTUALLY AGREED AND UNDERSTOOD BY AND BETWEEN THE PARTIES THAT:

It is mutually agreed and understood by and between parties that:

1. The Forest Service honors Holders' requests for services under section 5 of the Granger-Thye Act on a first come first server basis. Pursuant to the Act, public interest justifies the work paid for via this agreement because although the work is unfounded it is consistent with the Forest Service Mission. The Forest Service is responsible for authorizing use of National Forest lands through special use authorizations. This project has been reviewed and determined to be an appropriate use of National Forest land.
2. This agreement in no way guarantees nor implies any special treatment or waiving of any regulations which provide for resource protection.

3. Modification: Modifications, within the scope of the agreement, shall be made by mutual consent of the parties by the issuance of a written modification, signed and dated by both parties, prior to any changes being performed. The Forest Service is not obligated to fund any changes not properly approved in advance.
4. Participation in Similar Activities: This agreement in no way restricts the Forest Service or Holder from participating in similar activities with other public or private agencies, organizations, and individuals.
5. No part of this agreement shall entitle the Holder to any share or interest in the land, other than the right to use and enjoy the same under the existing regulations, including provisions of the special use permit, of the Forest Service.
6. The Holder hereby agrees to defend and hold harmless the USDA Forest Service, its representatives or employees, from any damage incident to the performance of the work resulting from, related to, or arising from this agreement (excluding any misconduct or negligence directly attributable to actions of Forest Service representatives or employees).
7. Pursuant to Section 22, Title 41, United States Code no Member of, or Delegate to, Congress shall be admitted to any share or part of this agreement, or any benefits that may arise therefrom.
8. Freedom of Information Act (FOIA): Any information furnished to the Forest Service under this agreement is subject to the Freedom of Information Act (5 U.S.C. 552).
9. Refunds: Contributions authorized for use by the Forest Service, which are not spent or obligated for the project approved under this agreement, will be refunded to the Holder or authorized for use for new projects by the Holder.
10. Legal Authority: Harvest Entertainment has the legal authority and financial capability to enter into this agreement and the institutional, managerial and financial capability.
11. Commencement/Expiration Date: This agreement is executed as the date of last signature and is effective through **March 30, 1997**, at which time it will expire unless extended.
12. Termination: Any of the parties, in writing, may terminate the agreement in whole, or in part, at any time before the date of expiration. The Forest Service shall not incur any new obligations for the terminated portion of the agreement after the effective date and shall cancel as many obligations as possible. Full credit shall be allowed for Forest Services expenses and all non-cancelable obligations properly incurred up to the effective date of termination.

13. Principle Contacts: The principal contacts for this agreement are:

Christy Covington
USDA Forest Service
16400 Champion Way
Sandy, OR 97055
503-668-1700
503-668-1456

Keith Webber
Harvest Entertainment
The Television Centre
Bath Road, BS43HG, England
011441179722560

14. Advance Billing: Bill the cooperator prior to commencement of work for deposits sufficient to cover the estimated costs for the specific payment period. Overhead will not be assessed.

Bills shall be sent to: Keith Webber
Harvest Entertainment
The Television Centre
Bath Road, BS43HG, England
011441179722560

15. Endorsement: Any Holder contributions made under this agreement do not be direct reference or implication convey Forest Service endorsement of the Holder's products or activities.

Harvest Entertainment

Date

Roberta A. Moltzen, Forest Supervisor
Mt Hood National Forest

Date

FILM MONITOR CHECKLIST

PRODUCTION COMPANY: _____

PRODUCTION TITLE: _____

DATE OF SHOOT: _____

MONITOR: _____

ON SET TODAY (NAMES): LOCATION MANAGER:

1ST AD: _____

CRAFT SERVICE: _____

SPEC. EFFECTS: _____

POLICE: _____

OTHER: _____

DRIVER CAPTAIN: _____

FIRST AID: _____

FIRE OFFICER: _____

TOTAL NO. CAST & CREW _____

TOTAL VEHICLE:

PRODUCTION _____

NON-PRODUCTION: _____

MONITOR

ARRIVAL TIME: _____

DEPARTURE TIME: _____

(✓)

_____ Review the location agreement with the location manager to ensure compliance with all provisions before allowing vehicles and production personnel into the facility.

_____ Ask to see the applicable municipal permit and confirm any requirements or restrictions (i.e. fire safety officer, number of police, etc.)

_____ Introduce yourself to the Transportation Captain and discuss any rules, regulations and agreements pertaining to vehicle operation within the facility or on the grounds. Be sure to address speed limits, vehicle staging area limits, and any other concerns.

_____ Assist in the placement of vehicles and equipment on property allowing for normal vehicle traffic by tenants and visitors.

_____ Make sure that vehicles and equipment are in safe, non-fire hazard areas. If you have any questions, consult with the fire safety officer if one is present.

- _____ Introduce yourself to the 1st and 2nd ADs and advise them that all provisions of the agreement will be adhered to and that any deviations from the agreement must be discussed and approved by you in advance.
- _____ Establish crew meal areas.
- _____ Introduce yourself to the craft services person to ensure they know that litter, cigarette butts, etc. are their responsibility and ARE AN ONGOING TASK rather than to be cleaned up when the production has wrapped.
- _____ Introduce yourself to the greens people (if applicable) to explain the policies on use of greens, disposal, and protection of existing plants and landscaping.
- _____ Establish smoking areas and ensure they are equipped with ash trays. Advise 1st AD that failure to comply with the smoking guidelines will result in termination of the smoking privilege.
- _____ Discuss emergency facilities, etc., with the first aid person assigned to the shoot, if they have one. If not, discuss this with the location manager or 1st AD.
- _____ Review all special effects with the fire safety officer and confirm they are to be done as previously agreed upon. Confirm that the permit agrees with the proposed activity.
- _____ Check all areas of activity, including parking lots and crew meal areas to ensure they are cleaned and returned to their original condition at completion of filming.
- _____ Inspect all areas for any damage and report to the 1st AD.
- _____ DAMAGE (describe) _____

Reported to (Title): _____

Action taken: _____

Comments: _____

Signed: _____

<p style="text-align: center;">SAMPLE FOR MAJOR PRODUCTION</p>

Film Monitor's Duties

The Forest Service Monitor should be at the filming location prior to the arrival of the first film company vehicle and shall be the last to depart. The Film Monitor's duties include but are not limited to the following:

1. Review the Permit, Operating Plan, and other requirements with the appropriate film company personnel, ensuring compliance with all regulations on the Permit and Operating Plan. Discuss Forest Service philosophy, rules and regulations, fire restrictions, closures, smoking requirements, clean up, and specifications pertaining to filming operations on the Forest, as well as specifics of the site. Be sure to address speed limits, vehicle staging area limits and off road vehicle operation prior to commencing rehearsals or filming.
2. Contact the First and/or the Second Assistant Directors (A.D.) and advise them that all specifications on the permit will be adhered to and that any deviations from the permit must be discussed and approved in advance. Any problems that you may encounter will be resolved with the First A.D. or his/her designated representative. As the Forest Service representative at the filming location, you may be in a position to make decisions regarding unplanned requests or proposed activities not approved prior to Special Use Permit issuance.
3. Assist in the coordination and implementation of the parking plan in terms of location of vehicles and equipment on National Forest System lands. Take care to allow for vehicle traffic by the public, visitors, and Forest Service where deemed appropriate. Provisions and requirements of any county road or state highway permits should also be considered. Be sure that vehicles and equipment are located in safe, non-fire hazard areas.
4. Monitor for smoking and fire-related activities, and insure that any special effects are in accordance with the Operating Plan.
5. If a water truck is required, ensure that it is properly equipped and is operational.
6. Discuss safety and emergency procedures, i.e. injuries, nearest emergency medical facilities, etc.
7. Ensure all areas are cleaned and returned to their original condition at completion of filming. This would include revegetation requirements, erosion control, tree planting, etc.
8. Double check the numbers of people and the numbers of days filming to assure that the proper fee was billed. If additional fees are due a bill should be prepared prior to crew departure.
9. Double check the numbers of people and the numbers of days filming to assure that the proper fee was billed. If additional fees are due a bill should be prepared prior to crew departure.

Collections/Accounting/Fees



"The Postman", Kevin Costner

Collections/Accounting/Fees

United States
Department of
Agriculture

Forest
Service

Pacific
Northwest
Region

Regional
Office

PO Box 3623
Portland, OR 97208-3623
333 SW First Ave
Portland, OR 97204

File Code: 6500/2720

Date: July 12, 2001

Route To:

Subject: Special Uses Commercial Filming Land Rent Accounting Procedures

To: Regional Foresters, Station Directors, Area Director, IITF Director

This letter distributes copies of the draft Interim Directives (IDs) for Special Use Commercial Filming Land Rent, and provides accounting instructions to move collections from Budget Clearing to the commercial filming program codes. The enclosed draft IDs to the FSH 6509.11g Appropriations and Funds Handbook, and the FSH 6509.11k Financial Management Handbook are in Washington Office Directives for formal processing and issuance. Monitor the Weekly Directives Issuance Announcement to obtain a copy that is not marked "Draft." The new accounting codes are established on the Foundation Financial Information System (FFIS) Tables for your immediate use.

Program direction regarding the implementation of the new authorities granted in Public Law 106-206 for commercial filming were described in a 2720 letter dated November 17, 2000, to the Regional Foresters, which is one of the three enclosures. The Interim Directive to the Special Uses Handbook, FSH 2709.11, Chapter 30 – Fee Determination is being developed.

Pursuant to Public Law 106-206, expenditure of commercial filming land use rent must occur in accordance with the formula and purposes established for the Recreation Fee Demonstration Program (Public Law 104-134). Commercial Filming has three new program codes that represent that prescribed formula:

1. The local administrative unit will have 80 percent of the commercial filming receipts available for expenditures. They shall record these expenditures in program code URFM.
2. URFA is the new program code for the amount available to Regional Offices and Washington Office for program-level activities. Although a maximum of 20 percent is allowable by law, 10 percent of the commercial filming receipts will be used for this purpose. The Regional Forester will use 50 percent of the URFA allocation, and the Washington Office Lands Director will use 50 percent of the URFA allocation for program needs related to commercial filming.
3. The local administrative unit will have 10 percent of the commercial filming receipts to cover the cost of collection. They shall record these expenditures in program code URFF. A maximum of 15 percent is allowable by law.

Individuals responsible for generating a bill for collection for the commercial filming land use rent should obtain one URFM job code from their respective business and finance staff as described in the interim directives and generate bills for collection using standard procedures in the Special Uses Database System (Infra-SUDS).

Administrative units will collect against one URFM job code. Spending authority will be allocated for program codes URFM and URFF based on the amount of actual receipts collected during the previous fiscal year. Spending authority for URFA will be allocated to the Regional Offices and the Washington Office.

For those units that have recorded commercial filming receipts temporarily in Budget Clearing, immediate steps must be taken to reclassify those receipts as follows: Process a Balanced Voucher collections adjustment in FFIS, using transaction code/transaction type BV/SU for the Budget Clearing side, leaving the revenue source code blank. Transaction code/transaction type BV/FI is required for the Commercial Filming side; use R in the Exp/Rev/GL/Bud field, and use revenue source code 0105.

Field units with questions should consult their Region, Station, Area or IITF (R/S/A) Financial Management contacts first. If the question cannot be answered, the R/S/A Field Coordinators can reach the Washington Office contacts: Gail McCrary, on (703) 605-4985 or (703) 764-9117 or email gmccrary@fs.fed.us; or Karen Day, on (410) 586-3622 or email karenday@fs.fed.us. Questions on the Special Use Program should be referred to your R/S/A Lands Staff. If they need assistance, the R/S/A Lands Staff will contact the Washington Office representative, Melissa Hearst, on (202) 205-1196 or email mhearst@fs.fed.us.

/s/ **Terry R. Cooper**
TERRY R. COOPER
Acting Director, Financial Management

/s/ Jack L. Craven/s/ **Jack L. Craven**
JACK L. CRAVEN
Director of Lands

Enclosures (3)

cc:

Lands: Melissa Hearst
Lands: Kathy Paris
BUDG: Karen Hanson
FMS: Faye Dalton
FIN: Karen L. Day
FIN: Gail McCrary

File Code: 6500
Route To: (2700)

Date: August 28, 2001

Subject: Revision to Special Uses Commercial Filming Accounting Procedures

To: Regional Foresters, Station Directors, Area Director, IITF Director

The accounting procedures provided in the 6500/2720 memo, dated 7/12/2001, and its FSH 6509.11k enclosure, have been revised. The revised draft interim directive (ID) to FSH 6509.11k Financial Management Handbook, Chapter 30 Collections, is enclosed.

Under the revised procedures, units will enter four job codes on the commercial filming billing document. The administrative unit will establish two of the job codes, the Regional Office will establish one of the job codes, and the Washington Office (WO) will establish one. Establish these job codes according to the direction in the enclosed ID. The WO job code for FY 2001 is 1301 FAOP2601. Units will calculate the amount to be recorded against each job code, using the percentages provided by the WO Lands Staff in the 7/12/2001 memo. The four job codes will also be used on accounting adjustment documents BV/FI, to reclassify commercial filming receipts from Budget Clearing (BCBC) to the commercial filming program codes.

For more information, please contact Gail McCrary, gmccrary@fs.fed.us or phone (703) 605-4985 or (703) 764-9117 or Karen Day, karenday@fs.fed.us, phone (410) 586-3622.

/s/ Terry R. Cooper
TERRY R. COOPER
Acting Director, Financial Management

Enclosure

United States
Department of
Agriculture

Forest
Service

**Pacific
Northwest
Region**

**Regional
Office**

**PO Box 3623
Portland, OR 97208-3623
333 SW First Ave
Portland, OR 97204**

File Code: 6500
Route To: (2700)

Date: September 5, 2001

Subject: Revision to Special Uses Commercial Filming Accounting Procedures

To: Forest Supervisors, RO Staff Directors, CRGNSA Manager

Enclosed is the WO letter dated August 28, 2001, that explains the latest revision. This revision now directs us to enter four job codes on the commercial filming billing document. As explained, the administrative unit will establish two of the job codes, the R6 Regional Office job code will be 0627 FAOP590 1, and the WO job code will be 1301 FAOP260 1.

The percentage breakdown that has been established by the WO for the four job codes is as follows:

1. Administrative Unit	URFM	80%
2. WO	URFA	5%
3. RO	URFA	5%
4. Administrative Unit	URFF	<u>10%</u>
Total Percentage		100%

If you have any questions, please contact Debbie Litchfield at dlitchfield@fs.fed.us or 503-808-2334.

/s/ *J. LENISE LAGO*

/s/ J. Lenise Lago for
DAN W. NICHOLS
Director, Budget and Financial Management

Enclosure (WO ltr. dated 8/28/01 w/FSH 6509.1 1K, 34.66 DRAFT)

cc:
Debbie Litchfield
Billie Hansen
Jan Hotchkiss
Kay High
Pat O'Day

SAMPLE BILL FOR COLLECTION

USDA Forest Service BILL FOR COLLECTION			1. BILL DATE: MARCH 7, 2002		
ENCLOSE A COPY OF THIS BILL WITH YOUR CHECK OR MONEY ORDER. DO NOT SEND CASH. PLEASE INCLUDE BILL NO. AND PAYER CODE NO. ON YOUR CHECK. MAKE CHECK PAYABLE TO: USDA FOREST SERVICE, C/O BOA			MAIL PAYMENT TO: USDA FOREST SERVICE FILE 71652 P.O. BOX 60000 SAN FRANCISCO, CA 94160-1652		
To: ALPHABET FILMING, INC ATTN: ARNOLD SCHWARTZIGENHAGEN 99999 FILMING AVE SANDY, OR 97055			PAYER INDICATE AMOUNT ENCLOSED: \$ _____ <hr/> 2. NET AMOUNT DUE: \$4,000.00 <hr/> 3. DUE DATE: APRIL 7, 2002 <hr/> 4. BILL NUMBER: BF 060606C0999 <hr/> 5. PAYER CODE: MISC C		
6. AGREEMENT NO: _____ CONTRACT NO: Duncan			7. DESCRIPTION: Special Use Filming VIDEO – Holder # _____ March, 2002		
8. REMARKS: RE: PAYER CODE: MISC C BILL NO.: BF 060606C0999			9. PRINCIPAL: \$4,000.00 10. INTEREST: 11. ADMINISTRATIVE COSTS: 12. PENALTY: - 13. AMOUNT DUE: \$4,000.00 14. AMOUNT CREDITED: 15. NET AMOUNT DUE: \$4,000.00		
NOTE: PLEASE SEND ALL CORRESPONDENCE, INQUIRIES, AND CHANGE OF ADDRESS TO: MT. HOOD NATIONAL FOREST ATTN: FINANCIAL MGT 16400 CHAMPION WAY SANDY, OR 97055 FAILURE TO MAKE PAYMENT BY THE DUE DATE WILL RESULT IN THE ASSESSMENT OF LATE PAYMENT CHARGES (INTEREST, ADMINISTRATIVE COST, AND/OR PENALTY CHARGES) IN ACCORDANCE WITH YOUR CONTRACT, PERMIT, OR THE DEBT COLLECTION ACT OF 1982, AS AMENDED. POSTMARKS ARE NOT HONORED.					

16. ORG	17. JOB	18. AMOUNT	16. ORG	17. JOB	18. AMOUNT	16. ORG	17. JOB	18. AMOUNT
0606	FMOP2002	\$3200.00	0606	FFOP2002	\$400.00	1324	FALA2602	\$200.00
0627	FAOP5902	\$ 200.00						

NEPA



"The Postman", Clackamas River

NEPA

NEPA in a Nutshell

- ✓ Review proposal with an interdisciplinary team (including conformance with land use plan)
- ✓ Analyze impacts (both adverse and beneficial)
- ✓ Identify mitigation measures to reduce impacts
- ✓ Identify possible alternatives
- ✓ Determine cumulative impacts
- ✓ Make a decision and issue film permit
- ✓ Monitor filming activities and document actual impacts
- ✓ Reevaluate analysis

NEPA Documents

- ✓ Environmental Impact Statement (EIS): Not generally required for filming
- ✓ Environmental Assessment (EA)
- ✓ Administrative Determination (AD) or Determination of NEPA Adequacy (DNA)
- ✓ Categorical Exclusion (CX)

Definition of Mitigation

- ✓ Avoid impact
- ✓ Limit degree of action
- ✓ Rehabilitate environment
- ✓ Reduce impact
- ✓ Compensation

Technical Scout

- ✓ Pre-dates production
- ✓ Director, producer, location manager, and other department heads are there
- ✓ Good opportunity to review stipulations with the company
- ✓ Visit all locations with company
- ✓ Examine boundaries of filming locations
- ✓ You have the company's attention
- ✓ Set boundaries of staging areas with head of transportation department
- ✓ Get 2-way radio assigned for your monitoring
- ✓ Involve your film commission

Compliance

- ✓ Are they in the right place?
- ✓ Is the company in compliance with resource protection stipulations?

Timeframes for BLM Film Permits (MOAB Field Office, Utah)

Location	Application Processing*	EA Comment Period**	State Office Review	Public Notification Period	Appeal Period
Wilderness Study Area (WSA) Minimum Impact Not Minimum Impact	2-3 days 3-10 days	No 30 days	No No	30 days 30 days	No 30 days
Wilderness Reinventory Unit <u>with</u> Wilderness Character Minimum Impact Not Minimum Impact	2-3 days 3-10 days	No 0-30 days	No 2 weeks	No No	No 30 days
UWC Wilderness Proposal Minimum Impact Not Minimum Impact	2-3 days 3-10 days	No 0-30 days	No 2 weeks	No No	No 30 days
All other BLM including wilderness reinventory <u>w/o</u> wilderness character Minimum Impact Not Minimum Impact	2-3 days 3-10 days	No 0-30 days	No No	No No	No 30 days

**Application processing time depends on complexity of proposal, necessity for additional information, and other applications on file. Preparation of a complex proposal may take a minimum of 2 to 3 weeks.*

***Requirement for and length of public comment period for the EA depends on complexity of filming proposal and level of controversy.*

Reclamation Plan Checklist

- ☐ Identify methods to be used to restore the surface
- ☐ Set a timeframe for restoration
- ☐ Set a timeframe for reseeding
- ☐ Determine a measure for successful reclamation

Filming Activities and Mitigation Measures

Filming Activities	Mitigation Measures/Stipulations
Set Construction	<ul style="list-style-type: none"> *locate in previously-disturbed area *locate where reclamation will improve area *construct a permanent set that can be adapted for other projects/uses *construct self-supporting set
Special Effects Pyrotechnics/Explosions Dangerous Stunts	<ul style="list-style-type: none"> *have fire suppression equipment on location *notify other agencies that would respond to emergency situations *be consistent with seasonal fire conditions/restrictions *use internal combustion engines with approved spark arrestors *have emergency medical personnel on location
Livestock/Trained Animals	<ul style="list-style-type: none"> *feed non-germinating weed-free feed 2 days prior to and during filming on public lands *properly contain animals to keep them from escaping or from contact with wildlife *set up temporary corral in previously-disturbed area when animals are not in use *provide sufficient food and water for the climate *picket livestock only in previously-disturbed areas or tie to horse trailer or truck <u>on</u> a road or trail *remove all manure in areas with high visitation *have an American Humane Society monitor on location *have a veterinarian on location for risky animal stunts
Helicopter Use	<ul style="list-style-type: none"> *designate landing zones and refueling areas *minimize impact to wildlife during critical periods *coordinate flights with appropriate airports or agencies
Climbing Sequences (anchor climbing ropes, camera platform)	<ul style="list-style-type: none"> *use standard rigging procedures that result in no damage to trees or rocks. All rigging gear to be removed. Any bolt or anchor holes drilled will be cleared and filled with cement that matches the color of the rock.
Vehicles on Location/Staging Area	<ul style="list-style-type: none"> *restrict vehicles to existing roads, trails, and turnouts *mark boundaries of permitted staging areas *establish vehicle turn-arounds to concentrate impacts
Pedestrian Traffic	<ul style="list-style-type: none"> *establish one walking trail between vehicles and camera or other equipment to concentrate foot traffic
Traffic Control	<ul style="list-style-type: none"> *use law enforcement officers if traffic needs to be stopped *limit traffic stops to 15 minutes *notify people/companies that use road regularly and could be impacted by traffic stops *coordinate with Department of Transportation if State or Federal highway
Filming Equipment Crane Mounted on Vehicle Dolly Track	<ul style="list-style-type: none"> *keep vehicle(s) on existing roads and trails *place in area where the track/crane and the associated filming activities will not result in disturbance to soils and vegetation
Timing of Project	<ul style="list-style-type: none"> *for locations with high visitation, time project during low visitation periods (time of year or time of day) *avoid critical times for wildlife species

SAMPLE NEPA DOCUMENTATION

United States
Department of
Agriculture

Forest
Service

**Mt. Hood
National Forest**

**Hood River Ranger District
6780 Highway 35
Mt. Hood/Parkdale, OR 97041
541-352-6002
Fax: 541-352-7365**

File Code: 2720
Route To: *

Date: April 4, 2001

Subject: Paramount Pictures Filming Permit

To: Files

I have decided to issue a special use permit to Paramount Pictures Corporation for motion picture filming at Mt. Hood Meadows Ski Resort and White River Canyon.

NEPA: This action is categorically excluded from documentation in an EIS or EA per FSH 1909.15; 31.1b(8): approval, modification or continuation of minor, short-term special uses of National Forest System Lands. No extraordinary circumstances exist.

KIM M.TITUS
District Ranger

Note: The above nepa clause was added to the special use permit, see sample permit.

Sample of Public Notice

Motion Picture Filming Mt. Hood National Forest, Hood River Ranger District

A major motion picture is currently being filmed in and around the Hood River Valley. The Forest and Hood River Ranger District have been taking an active role in working with the production company on location of scenes, and issuance of a special use permit with extensive operating plans. General filming dates will be from August 7 through September 16th.

The movie is titled “The Lords of Tanglewood”. Major actors include Chuck Norris, Loretta Swit, and Lee Keizer. This is a children’s adventure rated PG. The story line starts 120 years ago with a boy telling the story of wanting to protect the forest from timber companies. He is killed but his spirit lives on in the forest. This spirit, “The spirit of McKenna”, goes on protecting the forest into modern times, now threatened by timber tycoons.

The primary location for shooting of the movie is in a closed area of Lost Lake. The area lends itself well for the production companies needs, as well as minimizing resource and public impacts, since it is already closed to the public due to campground construction. Other sites include downtown Parkdale, upper Hanel Mill, Rockford Grange out of Hood River, and various private land locations in the upper valley.

The production of this film is estimated to put ½ million dollars in the local economy, employ approximately 100 local people to work as extras, as well as contribute over \$15,000 in fees to the Forest Service.

For further information concerning the permit and/or activities occurring while the film company is on location, contact John Krzeszak at Barlow Ranger District, 503-467-2271, Mike Ricketts at Hood River Ranger District, 503-352-6002, or Christy Covington at 503-695-3738.

Mt. Hood National Forest Proposed Aviation Activity

This form will be completed for all proposed aviation activities on the Mt. Hood National Forest as they relate to project work. The form will be completed and submitted to the Forest Aviation Officer at a minimum of 48 hours prior to the start of the activity.

Project Information

Project Name: Harvest Entertainment District: Hood River Ranger District

Project Type: Commercial Filming Project Coordinator: D. Keeley
(i.e. helitorch, seeding, spraying, etc.) (C. Covington)

Project Location: Legal Description: T-3S , R-9E , Sec-16 , Qtr Sec -
Latitude- 121 39 Longitude- 45 20

General Description: Special Use Permit issued for filming Discovery Document
With helicopter rescue scene at White River Sno Park

Project Start: Date: 2/28/97 Time: 1100 Project Stop: Date: 2/28/97 Time: 1630

Project Narrative: Reinactment of a rescue operation with the Air National Guard using the VHI H 205 Air National Guard's Helicopter (Huey 205), and a 206 Jet Ranger Helicopter owned by Hillsboro Aviation for purposes of filming the rescue. The location includes the White River Snowpark, primarily east side. However, west side will be utilized if necessary in best interest of safety. No Forest Service personnel will ride in helicopter or participate or direct any helicopter activities. Forest Service personnel will be present in the vicinity of the landing zone and permitted filming area only. Traffic control will be coordinated by the Forest Service with the set lock down by filming crew as well.

Aviation Management

Aircraft Type: Helicopter Tail No: NIZAT Contractor: Hillsboro

Helibase/Airport Location: Helispot White River Snowpark Lot

Aircraft Manager: _____ Others: _____

Communications: Air to Air Freq: _____
Air to Ground Freq: 170.525
Forest Freq: 169.925

Flight follow to and from project site to be done with: Ground Crew (Columbia)

Other Remarks: Project area is T.3E R.9E sec 16. This is a one day project. Service landing for fueling will be White River Snowpark West for fueling and staging and east for rescue reinactment and filming.

Prepared by: Dale Keeley Date: 1/15/97 Reviewed by: _____ Date: _____
(Project Manager) (Aviation Officer)

**Safety Plan
for Aviation Filming Project**

**White River Sno Parks
Commercial Filming, Harvest Entertainment
February 28,1997**

Harvest Entertainment under special use permit for commercial filming including helicopter landings at White River Sno Park.

The Film Co. is responsible for all precautions necessary to assure the safety of the public during all helicopter operations.

A briefing will be conducted on site with pilots, film company, and Forest Service. The briefing shall identify any area hazards, traffic control, radio communications, logistics, etc.

Helicopter Safety:

- ✓ Pre-plan flight routes with pilot and discuss known hazards such as steep terrain, blowing snow, power lines, snags, etc.
- ✓ Note local conditions for changing wind directions.
- ✓ Be in radio contact at all times.
- ✓ Stay away from tail rotor and see that others do likewise; "THE TAIL ROTAR IS A KILLER".
- ✓ Approach or leave the ship from the downhill side where the ground is lower than the ground where the ship is sitting.
- ✓ Approach helicopter only when the pilot gives the okay. Enter carefully, so as not to interfere with the controls, cables, or pilot.
- ✓ Before fueling, the helicopter engine must be shut off and rotors stopped.
- ✓ No operating of the helicopter is allowed within 100 feet of the fueling operation.
- ✓ No smoking or open flames within 100 feet of the refueling area.
- ✓ One 20 pound dry chemical fire extinguisher is available, manned and visible to all.

Telephone numbers for emergency use:

Oregon State Police (503) 731-3030
Hood River Ranger District (541) 352-6002
Mt. Hood Dispatch (503) 668-1760

Troutdale Air (503) 665-0108
Emanuel Life Flight 280-5433
Ambulance through 911

Warner Brothers Helicopter Use on the Mt. Hood National Forest

as it Pertains to Threatened and Endangered Species

The following guidelines and the attached map identify areas of concern and measures necessary to avoid effects to threatened and endangered species as pertains to Warner Brothers helicopter use on the Mt. Hood National Forest. We have 1 endangered species - peregrine falcon, and 2 threatened species - northern spotted owl and northern bald eagle. Use of the attached information by Warner Brothers is subject to the terms in the attached Cooperative Agreement. This information pertains to aerial use of helicopters in the Three Lynx filming area and potential helicopter landings at the Ripplebrook launch pad.

This information serves as guidelines **ONLY** and does not preclude the need to do site specific biological evaluations/assessments where applicable; nor does it preclude the need to involve district wildlife personnel.

Peregrine Falcon

There are 2 high potential cliff sites in the vicinity of Three Lynx, the proposed film site. Table 1 identifies all 26 potential cliff sites that should be avoided between January 1 and July 31 (breeding, nesting season) within the primary nesting zone. The primary nesting zone encompasses that area within a half mile of the potential nest site. The attached map identifies the 2 sites in the project vicinity. These sites are highlighted on Table 1. Please observe the following restriction between January 1 and July 31: Do not fly below 1500 feet (Clackamas Rivers Ranger District imposes a 2000 foot restriction). The aerial restriction around the 2 potential cliff sites may be waived if surveys conducted to protocol indicate that peregrines are not nesting at these sites. Restrictions at all other high potential sites are in place unless surveys are also conducted in those areas. NOTE: This information does NOT reflect data from the Columbia River Gorge National Scenic Area. There are at least 3 nest sites on the Oregon side of the Columbia River. Please coordinate with Richard Larson of the Scenic Area.

Helicopter landings may occur at a designated sight provided the above restrictions are met and district wildlife personnel have analyzed the effects of such an activity and the appropriate documentation is in place.

Northern Spotted Owl

If the following conditions are met, Warner Brothers should be able to engage in aerial helicopter use during the breeding/nesting season (March 1 - September 30) without risk of effects to spotted owls. If these conditions are not met, Warner Brothers needs to contact the Mt. Hood National Forest, Clackamas Rivers Ranger District wildlife personnel, for further analysis of effects to spotted owls. These conditions and restrictions apply across the Forest in the vicinity of suitable spotted owl habitat and/or owl activity centers and **do not pertain to helicopter use in the Three Lynx area:**

- ❑ Helicopter use is of short duration in any one location.
- ❑ Helicopter use is not within 500 feet of the canopy. If hovering, helicopter needs to be greater than 1000 feet above the canopy.

- Helicopter is a small to medium ship.

For helicopter use in the Three Lynx area: Warner Brothers must coordinate with Mt. Hood National Forest, Clackamas Rivers Ranger District wildlife personnel for helicopter use in the Three Lynx area. When the biological evaluation/assessment was prepared for this activity, the assumption was made that there would be no use of aircraft within the vicinity of the spotted owl activity center. As such, effects associated with aircraft use were not analyzed. If Warner Brothers proposes to use helicopters in the project area, they need to coordinate with district wildlife personnel to re-evaluate the effects of the proposed filming. Additional coordination with U.S. Fish and Wildlife Service may be necessary.

For helicopter landing at Ripplebrook launch pad: Effects of helicopter landing at Ripplebrook launch pad to spotted owls need to be evaluated by district wildlife personnel prior to any activity. Additional coordination with U.S. Fish and Wildlife Service may be necessary.

Northern Bald Eagle

There are no known nesting or roosting bald eagles on the Forest. At this time, there are no anticipated effects to bald eagles due to Warner Brothers helicopter use on the Forest. If new data indicate nesting or roosting bald eagles, Warner Brothers will be apprised of this along with measures necessary to avoid effects.

For additional information contact Denise Pengerth at (503)668-1606 (Forest Headquarters) or Robert Alvarado (503)630-6861 (Clackamas Rivers Ranger District).

KOIN TV Helicopter Use on the Mt. Hood National Forest as it Pertains to Threatened and Endangered Species

The following guidelines and the attached map identify areas of concern and measures necessary to avoid effects to threatened and endangered species as pertains to **KOIN TV** helicopter use on the Mt. Hood National Forest. We have 1 endangered species peregrine falcon, and 2 threatened species - northern spotted owl and northern bald eagle. Use of the attached map by **KOIN TV** is subject to the terms in the attached Cooperative Agreement. This information is based on aerial use only; it does not cover any helicopter landings.

Peregrine Falcon

Table 1 identifies 26 potential cliff sites that should be avoided between January 1 and July 31 (breeding, nesting season) within the primary nesting zone. The primary nesting zone encompasses that area within a half mile of the potential nest site. The attached map identifies these areas. Please observe the following restriction between January 1 and July 31: Do not fly below 1500 feet within a half mile of the potential cliff sites. NOTE: this information does NOT reflect data from the Columbia River Gorge National Scenic Area. There are at least 3 nest sites on the Oregon side of the Columbia River. Please coordinate with Richard Larson of the Scenic Area.

Northern Spotted Owl

If the following assumptions are accurate, KOIN TV should be able to engage in helicopter use during the breeding/nesting season (March 1 - September 30) without risk of effects to spotted owls. If these assumptions are not met, KOIN TV needs to contact the Mt. Hood National Forest for further analysis of effects to spotted owls:

- ✓ Helicopter use is of short duration in any one location.
- ✓ Helicopter use is not within 500 feet of the canopy. If hovering, helicopter needs to be greater than 1 000 feet above the canopy.
- ✓ Helicopter is a small to medium ship.

NOTE: If KOIN TV plans to obtain footage of the film 'The Postman' they must coordinate with a Mt. Hood National Forest wildlife biologist. When the biological evaluation was prepared for this activity, the assumption was that there would be no use of aircraft within the vicinity of the spotted owl activity center. If this condition is violated, effects may need to be reanalyzed.

Northern Bald Eagle

There are no known nesting or roosting bald eagles on the Forest. At this time, there are no anticipated effects to bald eagles due to KOIN TV helicopter use on the Forest. If new data indicate nesting or roosting bald eagles, KOIN TV will be apprised of this along with measures necessary to avoid effects.

If you have any questions, please contact Denise Pengeroth 503-668-1606

**Cooperative Agreement
Proposed, Endangered, Threatened, or Sensitive Species
(Pets)
Release of Information**

This agreement establishes a cooperative working relationship between the USDA Forest Service, Mt. Hood National Forest and Warner Brothers, hereinafter referred to as the cooperator.

The purpose of this agreement is to protect sensitive information regarding specific locations of PETS species while simultaneously allowing Warner Brothers to conduct aerial activities on the Forest. Forest Service information regarding site-specific locations of these species will be provided to the cooperator subject to the following conditions:

- 1) The cooperator will not disseminate Forest Service site-specific information to any other parties or individuals.
- 2) Specific northern spotted owl sites or peregrine falcon sites on the Mt. Hood National Forest will be avoided unless there is full coordination and participation by wildlife personnel on the Mt. Hood National Forest. Every effort shall be made to minimize contact with these sites.
- 3) Site-specific information will be limited to the areas in the vicinity of the Three Lynx film site and Ripplebrook Launch Pad.
- 4) The cooperator shall provide the Forest with any changes in project design in order to fully assess effects to threatened and endangered species.

Agreed to this _____ day of _____, 1997.

Cooperator's Authorized Representative

Title

Mt. Hood National Forest Supervisor

Forest Program of Work



"The Postman", Three Lynx Hydro Site

Forest Program of Work

Business Plan Template Recreation Fee Projects Pacific Northwest Region

Business Planning is an interactive process designed to help clarify ideas and develop a clear course of action.

I. Executive Summary

- What's the business?
- Who will buy it?
- How much does it cost?
- How much money will you make?
- What will you do with the money?
- How will you ensure that all visitors have access to the project?
- Timeline

II. The Business

- Describe in one sentence what it is you are offering.
- To whom are you offering this and how it will benefit them and the public?
- What are you trying to accomplish with this business?
- Project goals and objectives?

III. Preliminary or Current Public Feedback/Involvement

- Who have you shared this idea with?
- How have they reacted?
- Have you talked to local businesses, under-represented groups, interest groups, county commissioners and state representatives?
- What is the most significant concern expressed from those you've shared the idea with?
- Are there opportunities for interagency cooperation?

IV. Knowing Your Visitor

- Who will be "buying/using" this product or service?
- What do you know about them? Basic demographics and preferences?
- What is their willingness to pay a fee for this particular project? (summarize research)
- How do they get information?
- What groups do you want to reach to encourage them to use your service?

V. Similar Markets

- Impacts on concessionaires, outfitters, permittees?
- How will this project interface with other recreation fee projects?
- How might you support one another to improve public/visitor services?
- Will you be competing with private industry?
- FAIR Act?

VI. Pricing

- Should I charge a fee? What is the compelling reason for charging a fee?
- How did you determine price?

VII. Financials

- Assets and value (tie to INFRA and meaningful measures)
- Costs
- Revenue Projections
- Cash handling cycle
- Accounting
- Revenue Distribution
- What will you do with the money?

VIII. Risks and Assumptions

- What have you assumed?
- What are you most worried about?
- What would happen if you did not implement the project?

IX. Visitor Use Cycle and Delivery Plan

- List/mentally “walk through” the steps of how the visitor will hear about the project/fee, use the project, comply and provide feedback?

X. Implementation Schedule

- List the steps to implementation and timeframes. Think through what needs to be done to accomplish what you described under Use Cycle.

<u>Task</u>	Who	By When

XI. Safety and Compliance

- What is your strategy to ensure public and employee safety?
- What is your compliance strategy?

XII. Support Team

- Who are two or three key advocates who can help this project be successful?

XIII. Marketing and Communication

- What do you want the visitor to know about this project/service? First season, second season, fiver years from now.
- Key messages
- Audiences
- Tasks and responsibilities

Task	Audience	When	Who

XIV. Measurement, Feedback and Adjustment

How will you know you've met goals and objectives?

Goal	When	Baseline

XV. Equal access and opportunity (CRIA)

- What are you doing to ensure all visitors have equal access and opportunity to your project?

Business Plan Sample

Business Plan Mt. Hood National Forest

Implementing New Authority for Commercial Filming on National Forest System lands. (Public Law 106-206), and the expenditure of filming fees in accordance with the formula and purposes established in the Recreation Fee Demonstration Program (Public Law 104-134)

To be responsive to the expectations of the commercial filming and still photography customers as a result of the Act, rental fees collected from the filming on the Forest will be expended in a manner that provides emphasis on improved customer service, and streamlines the permitting process. Examples of the concepts and accomplishments on the forest include but are not limited to:

1. Create and maintain filming Website
2. Develop an internal process for meeting the needs of the industry by being able to say “Yes” rather than “No”.
3. Obtain training and knowledgeable staff to provide services such as creating permits, operating plans, NEPA, billings, and on the ground monitoring, etc.
4. Create a guidebook that organizes policy & direction and sets guidelines to help employees understand parameters.
5. Establish and track a special account for collecting & expending fees.
6. Create a photo library of facilities and features on the forest in accordance with State(s) Film and Video office.
7. Continue to build relationship and partnership opportunities with State Film Office.
8. Conduct field trips and/or meetings with multi -forest, inter- agency, and industry on an annual basis.
9. Coordinate with resource specialists to understand resource issues and areas of concern that may require additional consultation. Also find areas where there are no resource issues or concerns and filming would have minimal impact. (Red light, Green light and caution areas related to known resource issues.)

Pages 83 – 89 currently not available electronically.

File Code: 2720

Date: *

Route To: ALL Field Offices

Subject: Congressional Request for Special Use Filming Permit Information

To: Regional Foresters

DUE BY JANUARY 30, 1998

The U.S. House of Representatives Committee on Resources is conducting a review of the use of public lands managed by the Forest Service (FS) for the making of motion pictures, television productions, sound tracks [music videos] and commercial advertisements. The Committee originally requested extensive information of individual film permits issued over the last 7 Fiscal years (FY). After discussions with our Forest Service Legislative Affairs (Stana Federighi) representative, Committee staff agreed, for now, to focus the request on the last 3 years of permits with some information to be provided on those permits issued during FY's 1990 thru 1994.

To standardize and help in expediting this reporting request, this office has created the attached summary sheet. Please have one of these summary sheets completed for each Special Use permit that was issued in your respective Regions that meets both of the following criteria:

1. Issued during FY's 1995, 1996, or 1997 and
2. Authorized the filming of either a motion picture, television production, sound track, or commercial advertisement.

The attached summary sheet needs to be completed for each permit that meets both of these criteria. Note that the summary sheet also requires that you attach to it:

- A. A copy of the accounting records used to assess and collect fees for the reimbursement of the agency's cost to evaluate, process, issue, and administer each permit. These are fees not associated with the rental fee. These records should include copies of all documents we used to itemize and estimate these types of costs, and documents used to assess and collect these types of fees (Bills for Collection, etc.).
- B. A copy of the permit, and its terms and conditions (including operating plans).

Copies of the above documents should be stapled to each summary sheet.

In addition, the Committee has requested that the Forest Service provide the following information concerning Special Use permits that were issued during FY's 1990 thru 1994.

- For each permit issued during this period, for a motion picture, television production, sound track, or commercial advertisement, a copy of the accounting records that indicate the agency's receipt of fees used to reimburse those cost incurred by the agency to evaluate, process, issue and administer the Permit. (Again, not including land use or rental fees)

The Committee realize that most offices have archived permit records from FY 1990 thru 1994, and that the availability of non-archived accounting information in response to this part of their request might be limited. However, if Forest or District staffs can recall any particular filming activity of this type on their unit, for which the agency did collect cost recovery fees but which they have no longer have a record of, please have them document for us, in a few sentences;

- I. What type of filming production the use (or uses) was (or were)
- II. An estimated amount of cost recovery (not rental) fees that the Forest Service collected to reimbursement its processing and administration cost associated with that production.

We would be particularly interested in having information reported to us (from recollection) for any large or extraordinary production that may have been filmed, and for which the unit no longer has copies of documentation related to our assessment and collection of cost recovery fees.

Consolidated Regional responses to this request should be package and sent to:

ATTN: Stana Federighi, Lands Staff
USDA Forest Service
Auditors Building - 4 South
201 14th Street, SW
Washington, D.C. 20250

For those Regions who process and issue relatively few authorizations like this annually, we appreciate a response as soon as possible in January.

If you have any questions concerning this request for information, please call either Stana Federighi at (202) 205-1361 or (202) 205-1470, or A.L. Richard at (202) 205-1792.

XXXXXX

FS FILM PERMIT SUMMARY

STATE _____ PERMIT# _____

REGION _____ FOREST _____ DISTRICT OFFICE _____

NAME OF PRODUCTION (if available) _____

TYPE OF PRODUCTION: (please check one below)

MOTION PICTURE [] TELEVISION [] SOUND TRACK [] COMMERCIAL ADVERT. []

NAME OF PERMIT HOLDER _____ NAME OF CONTACT _____

TITLE _____ ORGANIZATION _____ PHONE# _____

FS AUTHORIZING OFFICER _____ TITLE _____

PHONE # _____

LENGTH OF TIME NFS LANDS WERE CLOSED TO PUBLIC USE FOR THE MAKING OF THE PRODUCTION _____ (including but not limited to set-up, rehearsal, filming/recording and breakdown)

SPECIAL USE RENTAL FEE PAID \$ _____

LIST OF ITEMIZED COSTS INCURRED BY THE FIELD OFFICE:

(including but not limited to the use of Forest Service personnel and equipment while assisting, before, after or at the time of the making of the production) (list by amount, and type- personnel, equipment, etc.)

(a) _____

(b) _____

(c) _____

Total Cost \$ _____

AMOUNT OF REIMBURSEMENT MADE TO THE FS FOR THE ITEMIZED COST LISTED ABOVE (APART FROM RENTAL FEES)

AMOUNT _____

Attach to this summary:

1. A copy of the accounting record(s) used to assess and collect the reimbursement above and
2. A copy of the permit and its terms and conditions

MT. HOOD NATIONAL FOREST

Commercial

Filming and Photography Information

The Mt. Hood National Forest has a variety of wonderful scenery for commercial filming and still photography locations.

Much of the Forest is easily accessible being located approximately 50 miles south east of Portland International Airport on US Highway 26.

The Forest environment ranges from very wet temperate rain-forest conditions to open park-like Ponderosa Pine stands

The west side of the forest includes a classic Cascade Range of a dense forest. The east side has a drier climate that is more open and has less undergrowth.

Lakes, streams, waterfalls, mountain peaks and alpine meadows serve as the main environmental attractions.

-  [When do I need a Film Permit?](#)
-  [Popular Filming and Still Photo Locations](#)
-  [Mt. Hood Loop Map](#)
-  [Contacts & Links](#)
-  **Photography and Filming Request Form**
Note: This is NOT an "on-line" form, it must be submitted in Hardcopy, via FAX, or as an email attachment.
 - [MS Word format](#)
 - [HTML format](#)
-  [Check List For Request Form](#)



Mt. Hood from Hickman Butte



Still Creek



Green Canyon Campground



Camp Creek Campground

When Do I Need a Film Permit?

You will need a Special Use Permit for most commercial still photography and filming locations such as motion pictures and television commercials.

Still Photography

A permit for still photography **is required** for activities on National Forest System lands, in situations that:

- ✓ 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
- ✓ Create an image for commercial sale by using sets or props.

A permit **may be required** for still photography activities not involving actors, models, sets, or props when:

- ✓ They take place in areas where the general public is not allowed, or
- ✓ 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.

Commercial Filming: Motion Pictures, Television Locations, Commercial Videos

A Special Use Permit **is required** for all motion pictures, feature films, television locations, and commercial videos and documentaries that use actors, models, sets or props, etc.

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.

A filming project or commercial still photography proposal or application **can be denied** when:

- ✓ There is a likelihood of unacceptable resource damage.
- ✓ There would be unreasonable disruption of the public use and enjoyment of the area impacted.
- ✓ The activity poses health or safety risks to the public.

In these situations the Forest Service will help to identify alternative locations or ways to modify the proposed activities in order to mitigate the reason(s) for denying the application.

An overview of other forests throughout the Region and United States can be obtained through www.fs.fed.us/intro/directory/index.html



PHOTOGRAPHY & FILMING REQUEST

Mt. Hood National Forest

Date:	Project Title:
Company:	Production Date(s) (Include alternative dates):
Authorized Company Representative:	Primary Contact/Title:
Address:	Phone:
Phone:	Backup Contact/Title:
Fax:	Phone:

1. Production Information:

TYPE:

- ☐ Still Photography ☐ Commercial ☐ TV Movie ☐ TV Episodic ☐ Feature Film
- ☐ Music Video ☐ Corporate Video ☐ Documentary ☐ Other _____

PROPOSED LOCATION(S) (Including size of area to be used, legal description):

Total number of people on location:
(include actors, crew members, etc.)

Set Up (date, length of time, time of day)

Production (start/stop):

Breakdown and restoration (start/stop)

STUNTS/SPECIAL EFFECTS PROPOSED:

- ☐ Pyrotechnics ☐ Hazardous Materials ☐ Riparian Area ☐ Aerial Stunts
- ☐ Domestic or Wild Animals ☐ Developed Recreation Site ☐ Other

Special Request information:

- ☐ Wilderness ☐ Use of aircraft (type, time of day, flight pattern)
- ☐ Weather ☐ Other

II. DESCRIPTION OF ACTIVITY:

(Include map of area, proposed ground disturbing activities, attach narratives and story boards of action in full description needed).

Include parking plan (vehicles, equipment, aircraft)

Include Staging plan (dressing rooms, catering, portable restrooms, etc.):

III. DESCRIPTION OF EQUIPMENT:

EQUIPMENT DETAIL (numbers):

_____ GENERATORS _____ CARS _____ TRUCKS _____ RVS _____ OTHER

Action involving vehicles and/or equipment:

Props proposed:

Traffic and safety control/special closures measures needed: (have you obtained permission to use improvements not owned by/under the jurisdiction of the United States Government, i.e. structures, roadways, etc.)?

Applicants Signature: _____		Date: _____
To be completed by the Forest Service:		Land Use Fee Schedule
Fees		Minimum Special Use Fee is \$80.00
Photography/Filming Land Use Fee: _____		
Permit Preparation/Monitoring Cost: _____ (See attached financial plan)		Still Photography
Total Amount: _____		1-3 persons \$58.14/day
		4-15 persons \$174.44/day
		16+ persons \$290.74/day
Certification of Insurance Received: <input type="checkbox"/> Yes <input type="checkbox"/> No		Other Filming
Bonding:		1-10 persons \$174.44/day
Required: <input type="checkbox"/> Yes <input type="checkbox"/> No Amount: _____		11-30 persons \$232.59/day
Received: <input type="checkbox"/> Yes <input type="checkbox"/> No		31-60 persons \$581.48/day
Concessionaire/Permittee Coordination Required:		61+ persons \$697.78/day
<input type="checkbox"/> Yes <input type="checkbox"/> No		Certificate of Insurance Required
Other Landowner/Agency Coordination Required:		See attached insurance requirements
<input type="checkbox"/> Yes <input type="checkbox"/> No		

USDA Forest Service Insurance Requirements

The following insurance guidelines are provided to show why insurance requirements are necessary and how the Certificate of Insurance needs to be prepared to meet the agency direction.

The Special Use Permit requires the Permittee to indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest System Lands. The Permit requires the Permittee to have the insurance company name the *United States Government* (Forest Service) as an additionally insured party. Also, the Certificate of Insurance and the insurance policy shall contain a specific provision to the effect that the policy shall not be cancelled or the provisions changed or deleted before thirty (30) days written notification by the insurance company to the *U.S. Government, c/o USDA Forest Service*.

A Certificate of Insurance must be presented to the Forest Service before a Special Use Permit will be issued. For long-term or high risk projects the Authorized Officer may require that a copy of the actual insurance policy be furnished before the permit is issued.

The following acceptable additional insured clause shall be shown in verbatim on the face of the Certificate of Insurance or Binder and, as a clause or an endorsement in the insurance policy:

“It is understood and agreed that the United States Government is additional insured solely as respects liability arising from operations of the named insured.”

In addition, the following 30 day clause is also mandatory and shall be shown in verbatim on the Certificate of Insurance as well as in the insurance policy:

“It is understood and agreed that the coverage under this policy will not be changed or its provisions changed or deleted before thirty (30) days written notice to the United States Government, U.S. Department of Agriculture, Forest Supervisor, Mt. Hood National Forest, 16400 Champion Way, Sandy, OR 97055.”

United States Government, c/o USDA Forest Service, Mt. Hood National Forest shall be listed in the certificate holder box.

If these clauses are not on the Certificate of Insurance in verbatim, and are not in the insurance policy or on an endorsement as stated above, a Special Use Permit will NOT be issued.

The amount of insurance required will depend on the degree of risk involved. The Forest Representative administering the special use permit will inform the prospective permittee of the required liability coverage necessary, such as: (coverages shown minimums)

- (1) \$ 10,000 Property Damage
- (2) \$100,000 Death or injury to One Individual, and
- (3) \$300,000 Death or injury to more than One Individual
- (4) \$300,000 Combined Single Limit (CSL)

Forest Service Contacts

Mt. Hood National Forest Headquarters

16400 Champion Way, Sandy, OR 97055

Phone 503-668-1700 Fax 503-668-1641

Christy Covington 503-668-1456, email: ccovington@fs.fed.us

Pam Duncan 503-668-1429, email: pduncan@fs.fed.us

Barlow Ranger District - Dufur Ranger Station

780 NE Court Street, Dufur, OR 97021

Phone 541-467-2291 Fax 541-467-2271

Dennis Beechler 541-467-5181, email: dbeechler@fs.fed.us

Clackamas River District - Estacada Ranger Station

595 NW Industrial Way, Estacada, OR 97023

Phone 503-630-6861

Hood River Ranger District

6780 Highway 35, Mt. Hood-Parkdale, OR 97041

Phone 541-352-6002 Fax 541-352-7365

Doug Jones email: djones@fs.fed.us

Zigzag Ranger District

70220 E. Hwy 26, Zigzag, OR 97049

Phone 503-622-3191, ext 668 Fax 503-622-5622

Paul Norman email: pnorman@fs.fed.us

Timber Lake Civilian Conservation Center

59868 HWY 224, Estacada, OR 97023

Phone 503-630-4291 Fax 503-834-2291

Columbia Gorge Scenic Area - web site <http://www.fs.fed.us/r6/columbia/>

902 Wasco Ave. Suite 200, Hood River, OR 97031

Phone 541-308-1712 Fax 541-386-1916

Charlotte Kiser email: ckiser@fs.fed.us

Gifford Pinchot & Mount St. Helens National Volcanic Monument

Web site <http://www.fs.fed.us/gpnf>

42218 N.E. Yale Bridge Rd., Amboy, Washington 98601

Phone 360-247-3900 Fax 360-247-3901

Betty Sneddon 360-247-3944 email: bsneddon@fs.fed.us

Other Contacts on Forest

Mt. Hood Information Center

65000 E. Highway 26, Welches, OR 97067

Phone 503-622-7674

Information and questions answered on recreation, climbing, weather, roads, & map sales.

infoctr@mthood.org

Timberline Lodge & Ski Area

Welches, OR 97067

Group Events events@timberlinelodge.com

Photo Shoot Coordinator *Lesli Skellenger* 503-522-0756

Email: lskellenger@timberlinelodge.com 503-622-0756

Thousand Trails Concession Campground Operations

Bud Kahn 253-946-5264, bkahn@1x.netcom.com

Lost Lake Resort

www.lostlake.com

Roy & Barbara Hillmick 503-386-6388

Olallie Lake Resort

www.olallielake.com

Doneal Thorton 541- 504-1 01 0

Campground Reservation System

www.ReserveUSA.com

1-877-444-6777 TDD 1-877-833-6777

Other Agency Contacts

Oregon State Film Office

www.oregonfilm.org

(503) 229-5832

BLM - Salem District Office

www.blm.gov/nhp/what/index.htm

Art Arroyo 503-375-5665

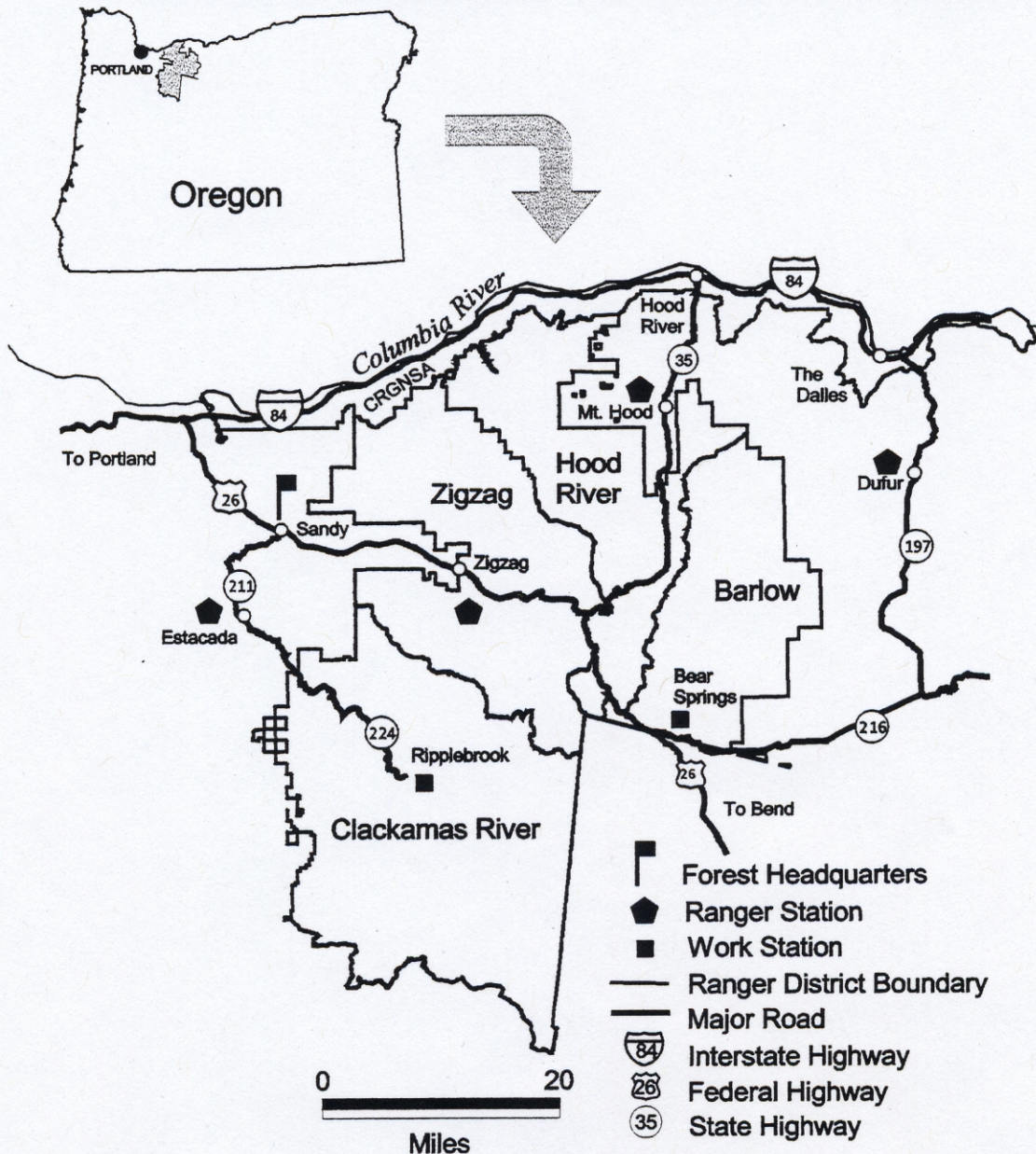
Oregon Department of Transportation (ODOT)

www.ODOT.com

Warm Springs Indian Reservation

www.warmsprings.com

Mt. Hood National Forest Vicinity Map



Mt. Hood National Forest

These popular film and photograph locations are available to the industry with the listed constraints.

Skyline Sno-Park

- ✓ Filming allowed 7 days per week non-snow season.
- ✓ Weekday use only in winter.
- ✓ No vehicles off the parking lot unless ATVs approved in advance or over snow vehicles in winter shots.
- ✓ Provide traffic control as needed.

Billy Bob Sno-Park

- ✓ Filming allowed 7 days per week non-snow season.
- ✓ Weekday use only in winter.

Clackamas River

- ✓ Limited river access, must be approved in advance, access is limited. Proposed activity within the river will need advanced approval.
- ✓ Forest Service will coordinate all campground and day-use area use with Thousand Trails concession. Additional fees required are paid directly to Thousand Trails concession.
- ✓ Other forest users shall not be denied use of any site.
- ✓ Provide traffic control as needed along Forest Road 46.
- ✓ Coordinate all traffic control along Highway 224 with Oregon Department of Transportation (ODOT). Vehicle parking/staging along Highway 224 and Forest Road 46 to be coordinated and jointly approved by the Forest Service and the Oregon Department of Transportation (ODOT). They may require an additional permit from them. (See contact list.)

Lost Lake

- ✓ No weekend use except pre-Memorial Day and post Labor Day.
- ✓ No exclusive use without permission from Lost Lake concession.

Lawrence Lake

- ✓ No weekend use except pre-Memorial Day and post Labor Day.
- ✓ All use must be coordinated thru the Lost Lake concessionaire in addition to USDA Forest Service (see contact list). Day use fees apply.
- ✓ No exclusive use without permission from Lost Lake concession.

Frog Lake

- ✓ Weekday shoots only except on shoulder seasons indicated above.
- ✓ All use coordinated with Thousand Trails concession. Day use fees will be required for vehicles.
- ✓ No exclusive use without permission from Thousand Trails during camping season.
- ✓ Provide traffic control as needed.
- ✓ Foam (snow) approved if 100 feet from lake.

White River West Sno-Park

- ✓ Filming allowed 7 days per week non-snow season.
- ✓ Weekday use only in winter.
- ✓ No vehicles off the parking lot unless ATVs approved in advance or over snow vehicles in winter shots.
- ✓ Foam use for artificial snow approved at least 100 feet away from the river.

Mt. Hood Meadows – Cooper Spur Ski Areas

- ✓ All winter sports-related filming is coordinated with the ski areas. Any associated fees are paid to the ski areas that report the fees as revenue.
- ✓ Non-skiing film shoots must be reviewed by the Forest Service, which retains the right to require a special use permit in addition to permission from the ski area.

Trillium Lake & Timothy Lake

- ✓ No weekend use except pre-Memorial Day and post Labor Day and then only after coordination with the District contact.
- ✓ All use must be coordinated with Thousand Trails concessionaire in addition to USDA Forest Service (see contact list). Day use fees will be required for vehicles during the time campground/day use area is in operation.
- ✓ No exclusive use of site. Other forest users will not be denied use.
- ✓ If dam area is used at either location, the dam area must not be blocked to through traffic.
- ✓ All vehicles must be parked in parking sites. No parking is allowed on the dam or on vegetation.

Timberline Lodge Ski Area

- ✓ All photo shoots will be coordinated through the ski area. Required land use fees are paid to the ski area. The ski area may also charge an additional administrative fee above the Forest Service fee.
- ✓ For permits which include both the ski area and areas elsewhere on the Forest, a permit must be obtained from the Forest Service.

Timberline Lodge Weather Conditions

www.kgw.com/livecams/kgwskycams.html

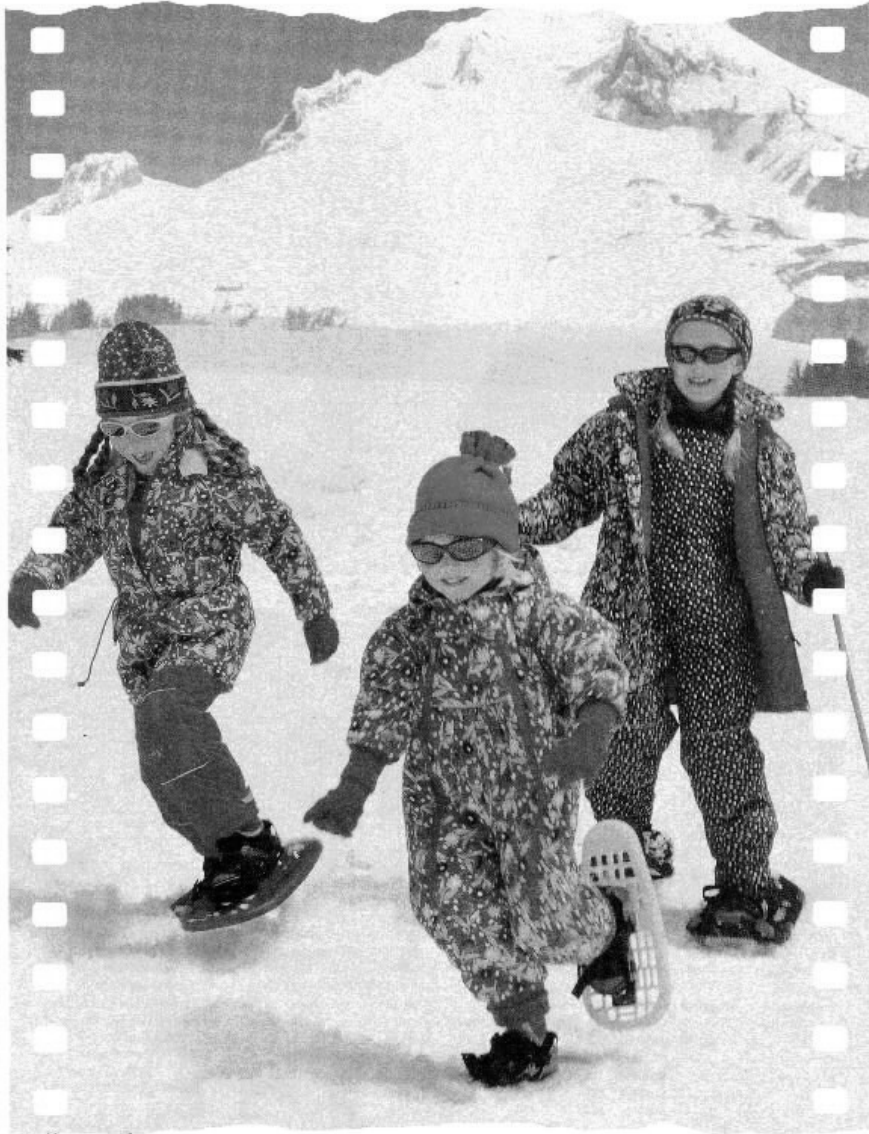
Special Uses Manual/Handbook



B.B.C., Discovery Channel, Bagby Hot Springs

Pages 113 - 151 not currently available electronically.

Exercises



Hanna Catalog, Mt. Hood

Pages 113 - 151 not currently available electronically.

Terminology/Notes



"Frozen Assets", Shelly Long, Corbin Bernsen, Oneonta Gorge

Pages 152 - 164 not currently available electronically.