



GREAT SMOKY MOUNTAINS NATIONAL PARK

Filming Guidelines, Requirements, and Fees

U.S. Department of the Interior
National Park Service

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It is the policy of Great Smoky Mountains National Park to allow commercial filming and photography when and where possible. National Park Service (NPS) policy requires that primary consideration be given to potential resource damage and to anticipated disruption of normal public use to insure that the activity is not in conflict with the agency mission.

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

To assure protection of the diverse cultural, historic, and natural resources, all commercial filming and still photography requests involving the use of NPS lands must be approved through a permitting process initiated through the Park Superintendent or his/her designated representative.

Commercial Filming

All commercial film production requires a permit. Commercial filming is defined as the use of motion picture, videotaping, sound recording, or other visual image or audio recording equipment by a person, business, or other entity for a market audience such as for a documentary, television feature or special, advertisement, or similar project.

Commercial Still Photography

Commercial still photography activities require a permit when one or more of the following applies:

1. Use of model(s), set(s), or prop(s) that are not a part of the location's natural or cultural resources or administrative facilities.
2. The activity takes place at location(s) where or when members of the public are generally not allowed.
3. The Park would incur additional administrative costs to monitor the activity.
4. The Park needs to provide management and oversight to:
 - a. avoid impairment or incompatible use of the resources and values of the park;
 - b. limit resource damage; and
 - c. minimize health or safety risks to the visiting public.

Generally, permits are not required for:

- Visitors using cameras and/or recording devices for their own personal use as well as professional or amateur photographers who are shooting in areas open to the public and who require no special services from Park personnel.
- Coverage of breaking news by bona-fide news crews. News coverage is subject to restrictions and conditions necessary to protect Park resources, public health and safety and to prevent impairment or derogation of Park resources, values, or purposes.

Permit Process

It is recommended that the filming director, production liaison or commercial photographer contact the Public Affairs Office to discuss the filming policy prior to submitting an application. This is the best way to determine if proposed plans are in line with national park filming policies.

An Application for Photography/Filming Permit must then be filled out and sent to the Office of Public Affairs at least 10 business days prior to filming in the park for basic requests. Requests that involve complex logistics and coordination with other NPS divisions or visitor activities may require a longer period to process.

A request for a filming or photography permit may be denied if:

- in the opinion of the superintendent of his/her designee, the filming activity requested represents a potential for harm or impact on the park's natural, cultural, wilderness or recreational resources, may create health or safety risks, or disrupt visitor use enjoyment;
- It is determined that supervisory requirements for the proposed project will place unreasonable burdens on park staff, regardless of the applicants willingness to pay supervisory costs;
- The permittee fails to obtain insurance bonding if required, or refuses to pay assessed cost recovery;
- The proposed filming or photography would conflict with the visitors' normal use of the park; or
- The request includes entry into areas closed to the general visiting public, or which would allow activities not permitted to the average visitor.

Basic Filming Conditions

The applicant and permittee are required to comply with ALL Park regulations. The following regulations may affect scenes proposed for filming/photographing in the Park:

- a) Dogs, cats and other pets must be leashed or physically controlled at all times. No pets are permitted beyond developed areas, parking lots, overlooks, pull-outs, etc.
- b) Wildlife captured elsewhere will not be allowed in any filming/photographing inside the Park regardless of whether or not the animals are trained.
- c) All traffic regulations must be obeyed. Parking or driving off of established roads or parking areas is prohibited.
- d) Public access to any area of the Park will not be denied during filming activity.
- e) Open ground fires are prohibited outside of established fire rings.
- f) Using firearms or other weapons is prohibited.
- g) Disturbance of wildlife and other natural resources or cultural resources (soils, vegetation, water, historic buildings, etc.) is prohibited.
- h) Helicopters and other aircraft are not permitted to land in the Park. Indicate any intent to fly over the Park in the application.
- i) The use of Unmanned Aircraft Systems (UAS) including remote controlled helicopters, airplanes, etc. is prohibited.
- j) Camping is permitted only in designated areas.
- k) There can be no actual or implied endorsement by the National Park Service of any commercial product.

Locations and Times

All filming/photographing locations must be pre-approved. Depending on the type of activity, a visit by the film director and a Park representative may be necessary prior to approval.

With more than 9 million visitors annually, Great Smoky Mountains National Park is the most heavily visited national park in the National Park System. Filming/photography activities are most likely to conflict with visitor use during peak visitor months and locations of filming may be restricted to minimize conflict with visitor use during high use times.

Areas to avoid include Cades Cove, Laurel Creek Road, Little River Road, Newfound Gap Road and all visitor centers during summer holidays, summer weekends, and in October, particularly the last two weeks

in October. Less congested areas that offer interesting and representative features are the Foothills Parkway, Cosby, Greenbrier, and Balsam Mountain.

A great portion of Great Smoky Mountains National Park is “recommended” or “proposed” wilderness and is thus managed as Wilderness. The Wilderness Act imposes additional use restrictions on filming locations on Federal lands that are managed as Wilderness.

Costs and Fees

The National Park Service is required by law to recover all costs for special use permits, such as filming permits. All costs incurred by the NPS in conjunction with the permitted filming activity will be reimbursed by the permittee. A cost estimate will be calculated and provided once the Filming Coordinator has received all applicable information.

The filming program fee schedule is as follows:

\$100 non-refundable Application/Permit Fee - A \$100 non-refundable application fee must accompany each filming application. This fee is based on an average of two hours to provide initial review of an application and process a permit to finalization. Since some project requests require more than two hours to process and others take less, the \$100 application fee is an average cost for the time involved in completing a permit from start to finish. The fee includes time spent answering initial inquiries, initial review of the application, basic technical consultation, and the processing of the finalized permit.

Hourly Management Fee- A \$50 per hour rate applies primarily under the following conditions:

- (1) **Monitoring-** Filming activities authorized by permit may require continuous, on-site supervision by the NPS to assure full compliance with all conditions of the permit. The scope and complexity of the filming activity will determine the level and type of supervision. Fees may include travel time for employees involved between filming location(s) and employee duty station(s).
- (2) **Interviews-** All interviews of park personnel will be assessed at the hourly rate. This will not apply to pre-approved filming or photographing of NPS staff members performing their regularly scheduled work activities.
- (3) **Scouting-** If a permittee requests a scouting trip with or by the Filming Permits Coordinator.
- (4) **Extended Administrative Time-** This fee covers additional administrative time needed beyond the maximum two hours covered by the \$100 Application/Permit Fee. This rate does not preclude any of the other fees and is applied per hour, per staff member. Any filming activity that is particularly complex is subject to the \$50 hourly fee.

Location Fees – Under Public Law 106-206, codified at 16 U.S.C. 460 1-6d, the Secretaries of the Interior and Agriculture are required to “establish a reasonable fee for commercial filming activities or similar projects on Federal lands...” On April 13, 2006 the NPS published a final rule in the Federal Register removing the prohibition against the NPS charging a fee “for the making of motion pictures, television productions or sound tracks...” This action requires the NPS to charge a location fee for all commercial filming and still photography permits. The location fee is in addition to cost recovery charges that are currently being collected.

The current NPS Location Fee Schedule is as follows:

COMMERCIAL FILMING/VIDEO		STILL PHOTOGRAPHY	
Number of People	Daily Charge	Number of People	Daily Charge
*1-2 (camera/tripod)	No charge		
1-10	\$150	1-10	\$50
11-30	\$250	11-30	\$150

31-49	\$500	Over 30	\$250
Over 50	\$750		

*No location fee will be charged for commercial videographers, cinematographers or sound recording crews of up to two people filming with minimal equipment, i.e., camera and tripod.

Insurance

General liability insurance naming the United States Government, National Park Service, Great Smoky Mountains National Park as an additional insured may be required depending on the scope of the filming project.

Short-term policies must show coverage on an "occurrence" basis. Required commercial liability for video or film productions companies is generally one million dollars (\$1,000,000), but would vary according to project scope, risk to park resources and other relevant circumstances. Additional amounts may be required for high-risk activities. All insurance certificates are required to be issued by an insurance company operating within the United States. The Filming Coordinator must receive the original insurance certificate no later than one week before the scheduled activity.

Bond

Depending on the degree of supervision required and the potential for damage to Park resources, the permittee may be required to post a bond in the amount determined by the Park. If no damages are incurred, the bond would be returned in full.

Cancellations

The applicant or permittee is required to notify the NPS of any delays or schedule changes at least 36 hours in advance, or as agreed to by the superintendent or his/her representative. Should the applicant or permittee fail to provide such advance notification, the applicant or permittee is responsible for paying all costs incurred by the NPS any time during the application, permitting, or operational process, including those due to cancellation, moving, or rescheduling of the project. Such payment will include but is not limited to a non-refundable charge for each staff person scheduled for the affected activity.

Such charge will, at a minimum, be the equivalent of two hours overtime for each employee assigned. These costs may be recovered through the posting of a bond at the time of application, or through a bill of collection presented at any point after initial contact.

Completed applications for filming within Great Smoky Mountains National Park can be mailed or faxed to:

Filming Permits Coordinator
Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN 37738

Fax: (865) 436-1204

For questions or additional information please contact the Great Smoky Mountains National Park Concessions Management Office at (865) 436-1209

The authority for the management of commercial filming activities can be found in 16 U.S.C.460I-69

Regulations are found at 36 CFR 5.5 and 43 CFR 5.1

National Park Service Management Policies 2001, Director's Order-53 and Reference Manual 53, Special Park Uses, and Guidance Memos Dated April 13, 2006 and May 8, 2006 provide policy guidance for management of commercial filming activities.

Use of wilderness areas in regards to commercial filming found in 16 U.S.C. 1133(c) and (d)