



FSH 2709.11 - SPECIAL USES HANDBOOK

CHAPTER 30 - FEE DETERMINATION

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Approved: CHARLES MYERS
Associate Deputy Chief, NFS

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Posting Instructions: Amendments are numbered consecutively by handbook number and calendar year. Post by document; remove the entire document and replace it with this amendment. Retain this transmittal as the first page(s) of this document. The last amendment to this handbook was 2709.11-2007-1 to chapter 40.

New Document	2709.11_30	91 Pages
Superseded Document(s) by Issuance Number and Effective Date	2709.11_30 (Amendment 2709.11-2006-2, 12/06/2006)	92 Pages

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36.7 - Commercial Filming and Still Photography Fees

For direction pertaining to the permitting and administration of commercial filming and still photography, see FSM 2720 and sections 45.5 through 45.52c of this handbook.

36.71 - Determining Commercial Filming and Still Photography Fees

Calculate land use fees for commercial filming and still photography using the Regional and Forest fee schedules established for these uses.

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36.72 - Accounting of Commercial Photography and Still Photography Fees

Special use administrators responsible for assessing and collecting land use fees for commercial filming and still photography shall contact their respective Fiscal Management Staff for guidance on the appropriate collection and accounting procedures for tracking and expending fee receipts received from commercial filming and still photography activities.

36.73 - Expenditure of Commercial Filming and Still Photography Fees

The Act of May 26, 2000 (16 U.S.C. 4601-6d(e)), requires the Forest Service to use land use fees collected from commercial filming and still photography in the same manner as fees collected for the Recreational Fee Demonstration Program (Pub. L. 104-134, sec. 315). The Act of May 26, 2000, also requires the Forest Service to spend these fees in a manner that improves customer service for commercial filming and still photography activities (sec. 30.1).

The following paragraphs 1 through 3 provide direction for the distribution of land use fees to improve customer service in the permitting and administration of commercial filming and still photography activities on National Forest System lands. The distribution of these receipts may be adjusted to improve the delivery of programs directly associated with the permitting and administration of commercial filming and still photography activities when approved in advance by the Director of Lands, Washington Office.

1. Land Use Fees Retained on National Forest Units.

a. Program Support. Each Forest shall retain 80 percent of all land use fees collected on that Forest from commercial filming and still photography. These funds shall be used to support and enhance the Forest's ability to respond to commercial filming and still photography requests, such as:

(1) A programmatic environmental analysis at popular commercial filming and still photography sites;

(2) A Forest on-line library of photography and other information pertaining to commercial filming and still photography, including a listing of sites where these activities may occur and applicable use restrictions;

(3) Personnel training to promote understanding of and familiarity with the film and photography industry; and

(4) On-line commercial filming and still photography permit issuing services.

b. Program Administration. Each Forest shall retain an additional 10 percent of all land use fees collected on that Forest from commercial filming and still photography. These funds shall be used to cover the Forest's administrative costs directly related to collecting, tracking, and expending the fees collected.

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(1) Appropriate use of land use fees for program administration. The following paragraphs (a) through (e) provide examples of costs of personnel and infrastructure directly related to collecting, tracking, and expending the fees collected; this list is not all-inclusive but covers typical examples of appropriate uses of fee receipts from commercial filming and still photography activities to cover administrative costs:

- (a) Purchase of supplies necessary to track and collect land use fees.
- (b) Payment of utilities, communications services, computer software, and related costs needed for operation and maintenance of the fee system for commercial filming and still photography.
- (c) Salaries, benefits, vehicle use, travel, training, uniforms, and related costs of collection officers, compliance monitoring, and other activities involved in fee collection for commercial filming and still photography, such as preparing and processing bills for collection and auditing fee calculations.
- (d) Physical security, safekeeping facilities, bank contracts, or other costs related to protection and handling of the land use fees.
- (e) Audit of collection officers' activities, program expenditures, and follow-up.

(2) Inappropriate use of land use fees for program administration. The following are examples of costs of personnel and infrastructure not directly related to administrative costs of collecting, tracking, and expending the land use fees for commercial filming and still photography, and therefore constitute inappropriate uses of those land use fees:

- (a) General administration and program management, planning, and supervision.
- (b) Printing and distribution of permits and brochures.

2. Land Use Fees Retained at the Regional Office. The Regional Office shall retain 5 percent of all land use fees collected within the Region from commercial filming and still photography activities. These receipts shall be used to develop and implement activities supporting agency policies for commercial filming and still photography. Examples of these activities include:

- a. Establishing a Regional on-line library of photography and other information pertaining to commercial filming and still photography, including a listing of sites where these activities may occur and applicable use restrictions.
- b. Developing Regional commercial filming and still photography guidelines.
- c. Establishing Forest or Regional film board liaisons.

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- d. Creating Forest or zone commercial filming and still photography permit specialists.
3. Land Use Fees Retained at Washington Office. The Washington Office, Lands Staff, shall retain 5 percent of all land use fees collected by units throughout the agency for commercial filming and still photography. These receipts shall be used to develop and implement interagency direction on commercial filming and still photography, including the development of similar fees, permit forms, and policies for Federal agencies that authorize and administer commercial filming and still photography activities on lands they manage.

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