

DNR Commercial Film and Photography Application and Agreement Instructions

Part of State Form 56490 (R/08-25)

We invite production companies and commercial photographers to consider Indiana Department of Natural Resources properties for film shoots. However, our primary concern is managing and conserving the natural and cultural resources at our properties, which may or may not be compatible with filming requests.

Definitions

- **Motion Picture or Audio Production** means a: (1) feature length film, (2) video, (3) television series, (4) commercial, (5) music video or an audio recording; or , (6) corporate production for any combination of theatrical, television, or other media viewing or as a television pilot. The term does not include a motion picture that is obscene (as described in IC 35-49-2-1) or television coverage of news or athletic events.
- **Commercial Photography** is defined as the process of creating a still picture by recording an image on photographic film or electronic sensor for the purposes of wholesale, retail or professional use and for which the photographer is paid, either for the subject of the photography or for the photograph itself.

Who Should Apply for a Permit

- Any individual or company interested in using Indiana's state parks, state forests, reservoirs, fish and wildlife areas or historic sites for the filming of a **motion picture or audio production**.
- Any individual or company interested in using Indiana's state parks, state forests, reservoirs, fish and wildlife areas or historic sites for commercial photography that (1) takes place at the location(s) where or when members of the public are generally not allowed, (2) uses human subjects, models, sets, props or locations that are not a part of the location's natural or cultural resources or administrative facilities, or that may restrict public access for any period of time, (3) involves artifacts that are accessioned into property or division collections, (4) is photographing natural or cultural resources under contract to produce a specific image or images (work for hire) or (5) where the property would incur additional administrative costs for monitoring the photo shoot.
- Any company or any individual working on behalf of a company interested in using a **drone as a part of a motion picture, audio production or commercial photography** at Indiana's state parks, state forests, reservoirs, fish and wildlife areas or historic sites.

Who May Not Need to Apply for a Permit

Permits are generally not required for the types of photography listed below; however, photographers must still communicate with property managers to confirm their status:

- Professional journalists working on pieces designed to inform the public regarding natural or cultural resources or agency activities and initiatives. This includes journalists working on assignments for media outlets, or gathering information, images or footage with the intent to sell them to a media outlet. It may include but is not limited to breaking news, b-roll film, feature news, news documentaries, long-form pieces, background, blogs and any other output that would be considered related to the constitutionally protected activities of news gathering or reporting. (Note - A permit **may** be required for news gathering activities if it is necessary to protect natural and cultural resources, to avoid visitor use conflicts, to ensure public safety or authorize entrance into a closed area. However, obtaining a permit

will not interfere with the ability to gather the news or with other constitutionally protected activities of journalists.)

- Photographers working directly in conjunction with DNR and local tourism organizations to develop approved promotional materials for DNR or individual properties unless they request to use a drone.
- Photographers of paid events such as weddings and conferences scheduled at Indiana State Park Inns, as long as photographs are only of activities directly associated with those paid events.
- Casual and amateur nature photographers who shoot images for pleasure and to share with others with no specific intent to sell their work. (Individuals who are NOT conducting work for hire.)

Use of Drones

Drones are generally prohibited on DNR properties to protect the privacy and safety of our guests and to protect the facilities and natural and cultural resources we conserve.

These following exceptions may apply, however permit application review and approval is still required, including providing a copy of the drone operator's FAA license and proof of insurance:

- Drones may be used on DNR properties by **professional journalists** working on pieces designed to inform the public regarding natural or cultural resources or agency activities and initiatives as noted in the "Who May Not Need to Apply for a Permit" section of our guidelines for filming and commercial photography. News agencies should contact the property manager at the site prior to the use of a drone so that the usage may be evaluated. A copy of the drone operator's FAA license must be provided in advance, but no commercial filming application is likely to be required. (Depends on location and future uses.)
- Drones requested for **scientific purposes** by a researcher from a university who has obtained a research permit and/or license as required from the appropriate divisions, and the research legitimately warrants drone use as an element of the project's design. A copy of the drone operator's FAA license and proof of insurance must be provided in advance. Approval can be incorporated into the research permit as a special condition.
- Drones requested for use in the filming of a **relevant documentary** whose sole purpose is to convey information regarding the natural resources, cultural resources, staff or facilities managed by DNR, not as a for-profit venture. Filming must be by a legitimate production company in association with a news agency or non-profit organization. A copy of the drone operator's FAA license must and proof of insurance must be provided in advance. A commercial filming application is also required.
- Drones requested by a **state, regional or county tourism agency** or their partner for use in the production of film, video or still photography that promotes the facilities and natural and cultural features of a property or region. A copy of the drone operator's FAA license and proof of insurance must be provided in advance, and a commercial filming application is required.

In evaluation of exceptions, the review will include an assessment of the site requested in terms of human and wildlife use and will consider any other drone usage permit requests for the same site or time frame to prevent conflicts with guests or drone operators. Additional review and approvals will be required on U.S. Army Corps of Engineers properties through the Project Manager's office or at the District level as well.

In any situation where drone usage is approved, DNR reserves the right to require the presence of a DNR staff member during filming.

Fees and Charges

- A commercial photography permit is \$100/calendar year and is accompanied by an annual pass that provides access to all DNR properties. If the individual has already purchased an annual pass for that calendar year and can provide the receipt or the pass, the permit cost is \$50. One permit will be issued that can be presented at any property throughout the year, but restrictions may still apply for specific locations, types of photography and seasons. Therefore, it is important to contact the property manager

at the site where you wish to shoot prior to arrival to review the elements you anticipate for the shoot and obtain approval. A new permit (and accompanying annual pass) must be obtained annually.

- Filming on state lands is free of charge (per IC 4-13-1-4(17)) but costs may be recouped for any DNR staff involvement that is required. Donations are also welcome. A written permit must be obtained for each shoot.

Process for Application – Motion Picture/Video and Audio Productions

1. At least 90 days prior to the beginning of your production schedule, contact the property manager at the location(s) you want to use to discuss your request and establish dates for scouting if needed. (*Note – we will make every effort to work with you if it is less than 90 days, but we cannot guarantee processing with less than two weeks' notice.*) Contact information for DNR properties is available in the Indiana Recreation Guide, posted online at www.in.gov/dnr/. You may also send your initial request by email to DNRCommercialPhotography@dnr.IN.gov. Be prepared to provide a brief overview of your project including the settings required, the number of people and amount of equipment planned for use, the general content of the scenes, and the end use(s) of the film. (*Note – in some situations you may be referred to department administrators.*) All gate and other fees apply during scouting trips.
2. Review, complete and sign the DNR Commercial Film and Photography Agreement as provided by the property manager or accessed on the web at <https://www.in.gov/dnr/communications/photos/> or <https://www.in.gov/dnr/state-parks/property-rules-and-regulations/>. **Your signature indicates that you have read and will abide by all rules and conditions in the document if given permission to film.**
3. Return the agreement to the property manager for review. The property manager may ask you for additional specific information prior to finalizing a decision. Completion of the use agreement does not guarantee approval of the requested site for your project. Impact on natural and cultural resources, other property users, staff and public perception are all considered in the decision. The property manager may also add additional special conditions based on your agreement application.

Process for Application – Commercial Still Photography

1. At the beginning of the calendar year or least 90 days prior to the beginning of your first commercial photography shoot, contact the property manager at the location(s) you want to use. (*Note – we will make every effort to work with you if it is less than 90 days, but we cannot guarantee processing with less than two weeks' notice.*) Contact information for DNR properties is available in the Indiana Recreation Guide, posted online at www.in.gov/dnr/. You may also send your initial request by email to DNRCommercialPhotography@dnr.IN.gov. Be prepared to provide a brief overview of your commercial photography business, including the settings required, the typical number of people and amount of equipment planned for use, the general content of the photographs, and the end use(s) of the photographs. (*Note – in some situations you may be referred to department administrators.*)
2. Review, complete and sign the DNR Commercial Film and Photography Agreement as provided by the property manager or accessed on the web at <https://www.in.gov/dnr/communications/photos/> or <https://www.in.gov/dnr/state-parks/property-rules-and-regulations/>. **Your signature indicates that you have read and will abide by all rules and conditions in the document if given permission to complete commercial photography shoots on DNR properties.**
3. Return the agreement to the property manager for review. The property manager may ask you for additional specific information prior to finalizing a decision. Completion of the use agreement does not guarantee approval of the requested site for your project. Impact on natural and cultural resources, other property users, staff and public perception are all considered in the decision. The property manager may also add additional special conditions based on your agreement application.
4. If approved, you will receive an annual pass, which must be presented at property entrance gates along with your permit for commercial photography shoots throughout the calendar year at any Indiana DNR property. Please contact the property manager at the site where you wish to shoot prior to arrival to review the elements you anticipate for the shoot and ensure that the location and activity comply with

property rules. Any special restrictions or guidelines will be provided to you by email and can be attached to your permit.

Who to Contact with Questions

Indiana State Parks, Reservoirs, State Recreation Areas, and Off-Road State Riding Areas:

Outreach Coordinator; 317-233-3864

State Forests:

Assistant State Forester, 317-232-4101

State Fish & Wildlife Areas and State Dedicated Nature Preserves:

Assistant Director for Public Lands, 317-232-8059

Image Rights Permission Requests

Image Rights Permission requests (an entity wishing to use an image belonging to the state) are handled directly through the DNR Division of Communications. Visit <https://www.in.gov/dnr/communications/photos/> or email photos@dnr.in.gov.