

NO. 3-8c

SOP: FILM PRODUCTION ON PROJECT LANDS AND WATERS

DATE: 03/01/2016

- I. **PURPOSE:** To better manage the limited resources at Lake Sidney Lanier, the US Army Corps of Engineers (USACE) has established a “Standard Operating Procedure (SOP) for Film Production on Project Lands and Waters at Lake Sidney Lanier”. Film Production means any and all motion picture production, television production, commercial photography, video or web video (meaning video production for distribution on the Internet).

- II. **AREA OF CONSIDERATION:** Constructed in 1956, Lake Sidney Lanier is a multi-purpose USACE project located in North Georgia at the headwaters of the Chattahoochee and Chestatee River. Lake Sidney Lanier contains approximately 692 miles of shoreline and at 1071msl encompasses 39,039 surface acres. The lake is formed by Buford Dam, which impounds waters of the Chattahoochee and Chestatee River to provide flood control, hydropower, navigation, water storage and quality, recreation, and fish and wildlife habitat. Nationally, Lake Sidney Lanier is one of the most popular recreational resources managed by the USACE, attracting an estimated 7.5 million visitors annually. There are 34 Corps-operated day use parks located around the Lake, providing facilities for boating, picnicking, swimming and related activities. In addition to these areas are seven fee campgrounds with campground sites. The Lake offers 80 boat ramps and 10 full-service marinas. State and County parks, non-profit organizations and commercial enterprises also operate recreational facilities on Lake Sidney Lanier fee lands.

- III. **MANAGING PUBLIC RESOURCES AT LAKE SIDNEY LANIER:** It was considered in the development of this SOP, that the State of Georgia has recently increased efforts in attracting television and movie productions and commercial photography that will benefit both local and state economies. It was also noted, that each of the five counties that surround the lake has been provided out granted/leased areas by the USACE. Given this, each county government has the ability to allow filming and photographing (with the appropriate sublease/license agreements) in locations that they have under their control, (thus receiving economic benefits).

Project lands and waters are open and available for use by the general public. Therefore, only in extreme cases will project lands and waters be restricted from public access or use.

- IV. **UP FRONT ADMINISTRATIVE FEES:** A non-refundable check for \$500 made payable to F&A Officer, Mobile District is required prior to any Corps-related meeting regarding Film Production on USACE property at the Lake Sidney Lanier Project and/or for the review of any permit on USACE leased property. If filming or photographing does occur, the \$500 will be deducted from the final fee.

- V. **PERMISSION PROCESS:** Film Production or any other for profit purpose is considered a commercial operation and is initially directed to outgranted areas. Upon request, those requesting to photograph or film on public property shall be provided a list of lessee contact information. If a lessee determines that they would approve the request, a sublease or other type agreement will be necessary between the parties. This sublease or agreement is subject to review and concurrence by USACE. An official commercial Film Production request, including all pertinent information such as location, filming dates, equipment/ props, crew size, and an overall explanation of what activity will be taking place must be submitted at a minimum of thirty (30) days prior to the start of Film Production and/or on-site use days to the Lake Sidney Lanier Project Management Office.

USACE must make a fair return from commercial activities such as filming or photographing to recover the cost associated with management and administration of the program. The base cost for Film Production is \$2,500. Further involvement of the Lake Sidney Lanier's staff for scouting, safety, site monitoring, securing the area, administrative work, etc., will be the sole responsibility of the grantee to cover the costs. (See Appendix A for cost analysis.) The grantee must carry a minimum of \$2,000,000 of insurance.

Factors considered in the review process for all filming or photographing requests will be: restriction of public use of resources, government time and equipment needed to support the activity, purpose (does the activity support our mission, support project purposes, does the activity support/promote water safety, wise use of resources, etc.), public safety (has a security/emergency plan been developed for the activity), does the timing/length of activity impose negative impacts on visitors and/or resources, will the activity be conducted in accordance with Title 36 requirements, will the activity have a negative impact on our partners/advocates, etc.

- VI. **HOLD HARMLESS AGREEMENTS:** The applicant's acceptance of the permit shall constitute a hold harmless agreement, holding USACE and its employees from all damages, suits, actions or liabilities, including attorney's fees, arising out of or resulting from the film production activity, or from the acts of the filming company or its agents during the filming activity or occurring as a result of the use of filming locations by the filming company.
- VII. **OTHER LOCAL PERMITS:** It is the responsibility of production companies to acquire the necessary permits from the county, state, etc. In addition, other third parties may require permits for unusual activities. (fire permit from local counties, etc.)

Final approval for photographing or filming will not be granted until all approved permits from county, state, etc., have been submitted to USACE. Approved permits from the county, state, etc., must be received by USACE ten (10) days prior to film production.

VIII. GENERAL PRELIMINARY INFORMATION: The information in this document is advisory and provided to aid in the permit application process. The information is subject to change without prior notice. The U.S. Army Corps of Engineers (USACE) has final authority on the interpretation and enforcement of information provided in this document.

A. Location:

- USACE will not recommend photography or film location. Please contact a location company or Georgia Department of Economic Development.
- Different procedures exist depending on whether USACE manages the property directly or the property is under a lease agreement from the USACE for management purposes.
- Please see the sections below for more information specified to your location. If you are unsure what party manages the land for your film location, please contact the Lake Sidney Lanier Operations Project Management Office (LPMO).

B. Timing:

Please consider the following timing information when requesting film date(s):

- Lake Sidney Lanier is one of the most visited Corps lakes in the nation; therefore, photographing or filming will not be considered in USACE Operated Parks from **15 May to 15 September** due to the high volume of Lake Sidney Lanier's visitation during that timeframe. During this timeframe all inquiries will be directed to commercial or other out granted areas for their consideration of a sublease.
- All permit applications must be submitted at least thirty (30) days prior to the requested film date(s).
- Back-to-back filming permits are not allowed.
- The USACE will not be responsible for scheduling conflicts regarding leased property.

C. Emergencies:

In the event of an emergency (i.e. tornado, flooding, etc.), you must be ready to evacuate all people and equipment immediately if the Corps or others notify you to do so.

D. Unusual Activities:

Applications for film production utilizing unusual activities, ie, aircraft, stunts, live-stock, or explosives must be submitted as soon as reasonably possible, but no later than thirty (30) days to avoid delay in the application process. USACE reviews such requests on a case-by-case basis, and many unusual activities will not be permitted, due to safety concerns. When describing unusual activities in your application, please use plain English and provide specific details. Some film production projects may need additional USACE engineering and safety review, which may require additional time and fees. A USACE Safety Officer may be required to be onsite to monitor the filming. In addition, other third parties may require other permits for unusual activities, such as a Fire Permit from the County. **Note:** No film production activity involving the use of explosives,

pyrotechnics, smoke machines or fire shall be permitted without approval of the Fire Marshal. Please provide a copy of any such additional permits to the Corps within ten (10) days of filming.

IX. Information Specific to Filming at US Army Corps of Engineers-Owned Property at the Lake Sidney Lanier Project:

A. Dates - Holds:

The first film production company to provide the USACE its completed film application and initial deposit of **\$500** has first call for the date(s) listed on the application. USACE must receive the application and initial deposit at least thirty (30) days prior to the film date, or earlier if reports (ie. safety, engineering) are required. The USACE cannot waive or shorten this period.

B. Dates – Use Days:

The dates on your permit are your exclusive use days. Storing equipment/supplies on USACE land constitutes a use day, even if no filming occurs that day. You **MAY NOT** use a site (including leaving supplies, such as dumpsters) before or after your use day(s). Parties violating this rule will have future permits disapproved, and may be charged an additional fee. USACE Basins are needed for flood control and prompt removal of film-related items, including dumpsters and restrooms is mandatory.

C. Date Changes:

Contact the USACE to inquire about changing your use dates or times. The USACE needs sufficient notice to coordinate with staff members, and not all change requests can be honored. There is a \$100 charge for each date or time change.

D. Fees:

- Upon completion of the application and all required documentation, the USACE will provide an accounting of its costs and an invoice for final fees, which must be paid at least five (5) days prior to the selected film date(s).
- The initial non-refundable deposit fee of \$500 will be credited to your final fees.
- Additional fees, if any, must be paid via check, made payable to: Finance and Accounting Officer, Mobile no later than five (5) days prior to the selected use days.
- Please submit your completed application and check to: Lake Sidney Lanier, Attention: Special Events Coordinator, PO Box 567, Buford, Georgia 30515

E. Insurance:

The applicant must obtain a standard liability insurance policy in the amount of \$500,000 per person in any one claim and an aggregate limit of \$2,000,000. Property damage must cover at least \$100,000. The US Army Corps of Engineers, Lake Sidney Lanier Project Managers Office, 1050 Buford Dam Road,

Buford, Georgia 30518, must be named as the Certificate Holder. A copy of the bond and insurance policy or a Certificate of Insurance must be furnished to the Lake Sidney Lanier LPMO prior to issuance of a permit.

Any damage to Government-owned property, facilities or infrastructure, including roads and land, arising from or relating to the film production, shall be the responsibility of the permit holder who shall repair all such damage or pay the USACE the cost of repairs.

F. Monitors:

USACE monitors, are required for all USACE project sites. A USACE Monitor has the authority to shut down a filming project for safety and/or environmental reasons. Applicants pay for USACE film monitoring for activity hours listed on their permits.

G. Violations/Revocation of Permit:

Any action that threaten public safety or public property will result in an immediate revocation of the permit.

H. Production Companies:

USACE must be included in the credits of motion pictures filmed on Corps-owned property.

**APPENDIX A:
ESTIMATED FILMING FEES ON CORPS-OWNED PROPERTY**

REQUIRED FEES

Non-Refundable Application Fee	\$500	Will be credited to final filming fee
Site Rental: Prep or Strike Day	\$500/day	
Site Rental: Still Photography or Motion Picture/Video	\$1,700	\$500 for each additional day
Corps Monitor	\$100/Hour (\$200 for Federal Holidays and Easter)	Minimum of 8 hours
Administrative Fee	\$2,500	May increase if unusual activities or additional reviews anticipated

ADDITIONAL FEES

Date or Time Change	\$100/Change	
Adding Dates	\$100/Change	
Corps Safety Officer	\$300/Hour	If needed, due to unusual activities

Natural Resource Manager
US Army Corps of Engineers
Lake Sidney Lanier