



North
American
Nature
Photography
Association

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NANPA's Statement of Public Land Access

The North American Nature Photography Association's (NANPA) intent is to assist both photographers and resource managers in clarifying the often inconsistent issues regarding permits, access, and impact of photographing on public lands, whether Federal, state or local.

Increasing numbers of photographers, regardless of professional intent, are being approached by resource managers who contest the photographer's right to take pictures in public areas without proper permits, insurance, and prior authorization. Long lenses, video cameras, tripods, flashes, and comparable equipment are owned by amateurs and professionals alike. Simply having this equipment is not an indicator of the photographer's end use of the photos.

Anyone at any time in the course of his or her photographic pursuits might elect to license an image that was taken at a resource area. NANPA thus believes that any policy regarding "commercial visual depictions" should reflect the fairness and careful consideration of the following, which includes language from the National Park Service's policy on photography, recent bills proposed in the U. S. Congress, and several state legislative proposals:

-- Photographers, whether amateur or professional, should not be required to obtain a permit to go anywhere the public may go or do anything that the public is generally allowed to do in any Federal, state or local area. This is true regardless of the type of photographic equipment that is used.

-- A permit may be required for persons taking photographs of products, actors, or models for the purpose of commercial filmmaking or advertising.

-- Coverage of breaking news does not require a permit but is subject to restrictions and conditions necessary to protect park resources, public health and safety, and to prevent degradation of park values.

-- A permit may be required if the managing authority determines there is a likelihood of a photography project's harming the park's natural, cultural or recreational resources, or creating unacceptable health or safety risks, or disrupting visitor use and enjoyment.

-- Collection of Fees: Fees may be collected whenever the proposed filming, videotaping, sound recording, or still photography involves product or service advertisements, or the use of models, actors, sets, or props, or when such filming, videotaping, sound recording, or still photography could result in damage to resources or significant disruption of normal visitor uses. Filming, videotaping, sound recording or still photography, including bona fide newsreel or news television film gathering, which does not involve the activities or impacts identified above, should be permitted without fee or permit.