



DIRECTOR'S ORDER REGARDING

FEES FOR NON-COMPETITIVE COMMERCIAL USE PERMITS

Order Number 344

Approved: *Ricky Gease*
Ricky Gease, Director

Date: November 14, 2023

This order takes January 1, 2024, and supersedes the commercial use permit fees established in Director's Order #328 dated March 9, 2021.

- Permittee must pay the permit and application fees and any unpaid per-client fees for prior years before issuance of the permit.
 - Late fees apply for failure to make payment by December 31st of the permitted year.
- Permittee must abide by all stipulations attached to permit.
- All permits are revocable at will by the state at any time.
- All permits are issued by the Director's office or designee.
- Per-client fees for any park use that occurred prior to January 1, 2023, remain at the amounts specified in Director's Order #328.

Authority

This order applies to all non-competitive commercial use permits issued under 11 AAC 18.030. This order sets fees pursuant to 11 AAC 05.170 and 11 AAC 05.270. Permit requirements and related regulations are found in 11 AAC 12, 11 AAC 18, 11 AAC 20, and 11 AAC 21.

Procedures & Conditions

- For guided sport fishing in the Kenai River Special Management Area (KRSMA), permits are issued to individual guides who meet the requirements of 11 AAC 18, 11 AAC 20.885 and other relevant requirements, and who pay the fees described below.
- For all other commercial services in state parks, including activities in the KRSMA other than guided sport fishing, and all activities in other state parks, permits are issued to businesses (individuals, sole proprietors, corporations, or other business entities) who meet the requirements of 11 AAC 18 and other relevant requirements and pay the fees listed below. Each independent business providing services in parks must obtain a separate permit and pay all relevant fees.
 - Employees of the business may provide commercial services under the permit if they are included on the permit application or an updated permit.
 - Contractors may not provide services under a different businesses' commercial use permit. Contractors must obtain a separate permit, except for commercial filming (see below).

- Commercial filming permits may authorize services provided by contractors and employees of the permittee if the contractors and employees are listed on the permit application or an updated permit.
- All non-competitive commercial use permits expire on December 31 of the year in which they are issued. The issued and expiration dates will appear on the permit.
- Application and permit fees are annual and must be paid prior to permit issuance.
- All per-client fees from the prior year must be paid before a new permit is issued.

Application fees for all non-competitive commercial use permits are as follows:

- \$100 application processing fee.
- \$200 expedited fee (in addition to the application fee) if the completed application is received within five business days of the start of the proposed activity. The availability of expedited processing is at the discretion of the designated permitting officer. Non-competitive commercial use permits are processed in the order received and may take up to 30 days to be issued. Longer processing times will apply to requests that require a written director's determination prior to issuance of the permit.
- \$50 amendment fee for permits with significant changes (does not include permittees providing updates to employee information or vehicle information). Amendment fee may apply for adding additional park units and/or facilities and adding additional activities to the permit.

Annual Permit fees

Permit fees are in addition to the application fees and per-client fees listed elsewhere in this order for non-competitive commercial use permits. Fees if a permit is issued are as follows:

- \$350 permit fee unless otherwise specified.
- \$1000 permit fee for guided sport fishing in the Kenai River Special Management Area (KRSMA).
 - \$650 when upgrading from standard CUP to Kenai River Guide Permit.

Boat rental companies providing boats for rent in the Kenai River Special Management Area (KRSMA) pay the application and permit fees described above plus:

- \$200 per rental for motorized/non-motorized vessel over 16ft in length
- \$100 per rental for motorized/non-motorized vessel under 16ft in length
- \$10 per rental for non-motorized paddle craft such as kayaks and standup paddle boards.

Use Fees (Per-client, Vehicle, Rental)

Use based fees for permitted non-competitive commercial activities in state parks are set at the following levels. If multiple commercial permittees (businesses) provide services to a single client, each permittee is responsible for payment of the use fees for the services they provide. Commercial permittees providing multiple services to a client on the same day will only be charged one fee per day per client. In this situation, the fee for the service with the highest fee would apply. Exceptions to the per-client fees are below:

- Per-client fees do not apply to guided sport fishing or rental boats in the KRSMA.

- Per-client fees do not apply to commercial use of tractor launches at Deep Creek and Anchor River state recreational areas, to commercial use of Kasilof River state parks for boat launching and landing, or to commercial use of private docks by the upland property owners in Lake Aleknagik State Recreation Site.
- Per-client fees do not apply to commercial use of navigable waters within state parks that make only ancillary use of state park uplands. Per-client fees apply if the group uses state park facilities such as boat launches and docks, state park trails, or that make non-ancillary use of state park uplands.
- Per-client fees do not apply to commercial filming and photography permits; per-client fees apply for guided commercial filming and photography businesses.

Per-client fees:

- \$300 per client per hunt for guided hunting and hunting outfitters as defined in Alaska Statutes (AS) 08.54 and related regulations.
- \$12 per client per day for all activities in Wood-Tikchik State Park except that hunting guiding and hunting outfitters pay the amount specified above.
- \$10 per client per day for snow cat activities.
- \$10 per client per day for aircraft and helicopter trips, except that hunting guiding and outfitters pay the amount specified above.
- \$6 per client per day for guided tours of a state historical park or state historical site.
- \$6 per client per for water taxis which make use of state park facilities or uplands.
- \$6 per client per day for watercraft tours which make use of state park facilities or uplands.
- \$2 per client per day for non-fishing guided trips in the KRSMA which make use of state park facilities or uplands.

Motor coach, taxi, transportation services permittees shall supply passenger capacities for all vehicles on the permit application, which will be used to determine the per-vehicle rate for motor coach or van tours, shuttle bus, and taxi service. All fees are per vehicle for each stop in a state park facility.

- \$80 per stop for large motor coaches with capacity of greater than 40 passengers.
- \$50 per stop for medium motor coaches with capacity of 21-40 passengers.
- \$2 per client per day for small motor coaches, vans, and taxis with a capacity of 20 or fewer passengers.
- \$2 per client per day for Mt. Robert's Tram; transport to DPOR management lands.

Use fees, unless specified above:

- \$4 per client per day for guiding, transportation, or another activity not specified above.

Late fees – failure to pay use fees by December 31st of the permitted calendar year

- Late fee from January 1st thru the end of February: \$100
- Late fee on/after March 1st : \$200

Commercial Filming* and Photography

Applicants for non-competitive commercial use permits for portrait photography, small businesses posting a video on social media and/or streaming platform (such as YouTube) shall pay the application fee listed above plus fees as follows:

- \$100 for up to 10 days of filming or photography per calendar year (consecutive days or throughout the year). Only allows for 1-2 paid staff.
 - \$100 additional fee for drone use
- \$200 for up to 25 days filming or photography per calendar year (consecutive days or throughout the year). Only allows for 1-2 paid staff.
 - \$200 additional fee for drone use
- \$300 for more than 25 days of filming or photography per calendar year (consecutive days or throughout the year). Only allows for 1-2 paid staff.
 - \$300 additional fee for drone use
- \$10 per each additional person involved.

Applicants for non-competitive commercial use permits for commercial filming (not listed above), photography, and/or commercials shall pay the application fee listed above plus location fees based on the number of people on site, including all cast and crew as follows:

- 1-8 paid staff \$250 per day
- 9-20 paid staff \$300 per day
- Over 20 paid staff \$400 per day

Drone Use: \$100 per day

Applicants for non-competitive commercial use permits for large scale productions, commercial TV, movie/episode, specialty productions, feature films shall pay the application fee listed above plus location fees based on the number of people on site, including all cast and crew as follows:

- 1-20 paid staff \$400 per day
- 21-30 paid staff \$600 per day
- Over 30 paid staff \$1000 per day

Drone Use \$100 per day

Annual Application Fees

These rates may be amended as needed as described in the Cost Recovery & Monitoring Fees section (below).

Photographers or videographers working alone on speculation (not under contract) or not currently selling their work to another party, do not require a film permit. News clips filmed in a park are not considered commercial if done as journalistic work for the press for routine reporting or news broadcasts.

*Commercial filming is any filming that involves the digital or film recording of a visual image or sound recording by a person, business, or other entity for a market audience. This includes recordings such as those used for a documentary, television or feature film, advertisement, or similar projects. This does not include filming intended to be used exclusively for a specific news story or item for broadcast or publication.

Boat/Vessel Storage associated with commercial activities

- Motorized vessel storage (vessels over 16ft in length): \$100 per vessel per year
- Motorized vessel storage (vessels under 16ft in length): \$50 per vessel per year
- Non-motorized vessels (kayaks, paddle boards, or other paddle craft): \$10 per vessel per year
- Storage containers associated with CUP activities up to 64 sq. feet: \$300 per year
- Storage containers associated with CUP activities up to 128 sq. feet: \$600 per year

Cost Recovery & Monitoring Fees

Any permit which creates unusual impacts, results in large amounts of waste, requires additional monitoring or enforcement, or creates other costs for the Division of Parks & Outdoor Recreation may be subject to additional fees. These additional fees shall be limited to the division's actual costs associated with the permit. The division will advise permittees before issuing permits that they may be subject to fees under this section. In certain situations, the permittee may be given the option of avoiding these fees by reducing the impact of their activity and the costs they impose on the division.

Examples of situations in which this section would apply include:

- Ranger time for traffic control, crowd control, event setup, resource oversight, field inspection, etc., at \$50/hr.; overtime billed as actual costs.
- Permitting staff time adjudicating authorizations that take more time due to the complexity of the requested activity at \$50/hr.
- Extra impact on trash and toilet facilities, such as motorcoach businesses using waysides.
- Other resource impact mitigation measures (actual costs).