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## Journalists slam Forest Service over wilderness permits

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When Idaho Public Television proposed shooting a documentary this year about the Wilderness Act, the Forest Service ordered its journalists to get permits.

Never mind that the nonprofit state-owned news outlet had filmed in wilderness for 32 years.

Never mind that the crew planned to walk through the pristine woods with cameras no bigger than those used by still photographers.

In fact, the sticking points in their months-long negotiations often hinged not on whether the video crew might harm the landscape, but rather on whether the government approved of their story.

"We had to convince them our stories would be in keeping with their interpretation of the values of wilderness," said Ron Pisaneschi, general manager of Idaho Public Television. "We got the permits, but now we're saying, 'Enough.' That's not right. Our role is not to be a PR office for the Forest Service. It's to cover stories how we see fit."

The head of the U.S. Forest Service last week said photographers, free-press advocates and politicians outraged about plans to regulate commercial photography and video in wilderness areas had misunderstood the intent.

But it turns out, so had many in the agency.

Chief Tom Tidwell said the policy wasn't intended to require permits for people shooting stills or video for news or documentary purposes on the nation's tens of millions of acres of wilderness.

"The U.S. Forest Service remains committed to the First Amendment," Tidwell said.

But Tidwell's remarks ignored an uncomfortable reality: Rangers and land managers around the West - including many in his employ - often interpret commercial media rules in exactly the opposite way.

In 2007, public-affairs officials in Yellowstone National Park told a radio reporter she had to spend \$200 to get a permit, wait two weeks for the application to get processed, and then buy liability insurance to interview a biologist about wolf reintroduction.

Oregon Public Broadcasting officials told The Associated Press they'd been ordered a dozen times to get permits to shoot wilderness footage.

Pisaneschi, too, has been ordered several times to do the same - once in an area not even designated as wilderness.

In 2010, Idaho Gov. Butch Otter complained to the Salmon-Challis National Forest after it made Pisaneschi apply for permits to follow a group of East Coast kids with primitive saws and axes as they fixed trails in the Frank Church River of No Return Wilderness. The Forest Service relented, but too late for the story.

Pisaneschi was also told he needed permits to interview a biologist about birds on the Caribou-Targhee National Forest.

And while Pisaneschi was shooting this year's film about the 50th anniversary of the Wilderness Act, government officials even urged him to just shoot footage in a different part of forest and mislead his viewers about where he was.

"They asked, 'Can't you shoot your wilderness footage outside of wilderness?'" he said. "They were implying that we should just sort of fake it."

Michael Kodas, photographer, author and associate director of the Center for Environmental Journalism at the University of Colorado, said overmanagement of media these days has grown illogical.

"That kind of outrageous behavior, where you're just leaving it to individual rangers to decide what they will allow and not allow, is very worrisome," he said. "Access to agency officials and news scenes on national forest and parklands already is the worst it's been my entire career. This is yet another reflection of that."

The issue started when the Forest Service recently announced it was finalizing rules governing how it oversees still and video photography shot in wilderness by moneymaking outfits.

The rules grew out of a 14-year-old debate about how to make sure large commercial filming projects, such as television commercials, don't damage or disrupt the nation's most remote wild lands. A provision of the Wilderness Act also attempts to discourage commercial activity in wilderness.

Some interpretations seemed to suggest that commercial still- and video-camera operators \_Hollywood film crews and solitary newspaper photographers alike - would have to apply for a permit costing up to \$1,500 each time they shot pictures in congressionally delegated wilderness.

Visitors taking personal photos were to be exempt, as were people engaged in "breaking news," which the agency defined as any event that "arises suddenly, evolves quickly, and rapidly ceases to be newsworthy."

Reaction was swift.

"The thought that I would be expected to tell them what story I'm working on and then ask their permission to do it is ludicrous," said Tony Overman, a photographer with The Olympian newspaper in Thurston County, Wash., and a former head of the National Press Photographers Association. "Asking permission implies they have the right to say no. That's ridiculous."

Overman often heads into the woods to take pictures \_sometimes of flowers, sometimes of elk, sometimes of hikers angered by closed trails.

But what if he were pursuing a reader's tip that federal land oversight was killing wildlife or wreaking havoc? Would the Forest Service expect a permit to cover that?

"Does the public really want the government to be deciding what it thinks is breaking news?" said Mickey Osterreicher, general counsel for the press photographers. "It just flies in the face of the First Amendment. What if they don't like the fact that someone is doing a story on something? Do we want the Forest Service deciding what can and can't be covered?"

Portland photographer Ben Moon said: "If you can be stopped and questioned by a ranger for carrying a camera, that's overreaching."

U.S. Sen. Mark Begich, D-Alaska, called the Forest Service's actions "ridiculous" and "absurd" and said they "defy common sense."

Photographer Alex Garcia said the line between news and commercial photography was already blurred, as shooters on one assignment may take commercial catalog or fine-art images, too. He wrote on Twitter: "I can see it now. The Forest Service leading Ansel Adams away in handcuffs with its new rule."

As far back as 2007, Overman testified before Congress that lumping the press with big-movie film crews on public lands set a dangerous precedent.

"If the true intent is to protect the wilderness, then the reason why you were there is irrelevant," he said. The issue should be whether visitors are destructive.

Some photographers laughingly pointed out that the agency was debating the dangers of still-camera crews, while cattle and sheep grazing that can destroy pristine streams is still permitted in most wilderness areas.

The problem, said Greg Leslie, with the Reporters Committee for Freedom of the Press, was that the rules, which have been in place in a temporary capacity for four years, are so convoluted it's not clear what they say. They sometimes appear to apply to newsgathering, in other places they appear not to.

"You just can't regulate journalists' activities when you're not doing the same for the general public," he said.

But as Idaho Public Television's experience shows, before Tidwell's late Thursday announcement, the rules were being enforced in wildly unequal ways.

"All I can say is perhaps there was not as broad a knowledge across the agency as to our true intent," said Forest Service spokesman Byron James. "That's what we're aiming to clarify at this time."

(Deputy managing editor Jim Simon contributed to this report.)

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