

ASDO NEPA DOCUMENT ROUTING SHEET

NEPA Document Number: CX-AZ-120-2008-048

Project Title: Green Umbrella Ltd. Filming Permit

Project Lead: Laurie Ford

Date that any scoping meeting was conducted:

Date that concurrent, electronic distribution for review was initiated:

Deadline for receipt of responses: **August 6, 2008 NOTE SHORTEN REVIEW TIME**

ID Team/Required Reviewers will be determined at scoping meeting or as a default the following:

Gloria Benson, Native American Coordinator
Diana Hawks, Recreation/Wilderness/VRM
Laurie Ford, Lands/Realty/Minerals
Kitti Jensen, Wildlife/T&E
John Herron, Cultural
Lee Hughes, Special Status Plants
Ray Klein, GCPNM Supervisory Ranger
Linda Price, S&G
Bill Wall, Acting Range/Vegetation
Richard Spotts, Environmental Coordinator
Ron Wadsworth, Supervisory Law Enforcement
LD Walker, Weed Coordinator
Lorraine Christian, ASFO Manager

Required Recipients of electronic distribution E-mails only (not reminders):

Andi Rogers (E-mail address: arogers@azgfd.gov)
Rick Miller (E-mail address: rmiller@azgfd.gov)
LeAnn Skrzynski (E-mail address: lskrzynski@kaibabpaiute-nsn.gov)

(Ms. Rogers and Mr. Miller are Arizona Game and Fish Department (AGFD) habitat specialists. Ms. Skrzynski is Environmental Program Director for the Kaibab Paiute Tribe (KPT). They may review and/or forward on ASDO NEPA documents to other employees. If a Project Lead receives comments from any AGFD employee on their draft NEPA document, they should include them in the complete set/administrative record and share them with Kitti Jensen as the ASDO Wildlife Team Lead. Ms. Jensen will then recommend how these comments should be addressed. If a Project Lead receives comments from any KPT employee, they should include them in the complete set/administrative record and share them with Gloria Benson as the ASDO Native American Coordinator. Ms. Benson will then recommend how these comments should be addressed.)

Discretionary Reviewers:

Judy Culver, Recreation/Wilderness

NEPA Document Number: CX-AZ-120-2008-048

A. Background

BLM Office: Arizona Strip Field Office Lease/Serial/Case File No.: AZA-34764

Proposed Action Title/Type: Green Umbrella Ltd. Filming Permit

Location of Proposed Action: White Pockets, T. 41 N., R. 4 E., sec. 13, all; T. 41 N., R. 5 E., sec. 18, W1/2, W1/2E1/2, S1/2NE1/4NE1/4, SE1/4NE1/4, E1/2SE1/4 (see attached map).

Description of Proposed Action: Green Umbrella Ltd. is proposing to film a nature documentary on the history of the universe. The shoot would take place on two days between the dates of August 7, 8, and 9, 2008. There would be up to 5 crew, 1 – 12 ft. truck and 1 – Ford Explorer vehicle. Hand held equipment would consist of 1 camera, 1 tripod, and 1 jib arm. Vehicles would park on the existing access road. The locations manager, representing the holder, would be on site to monitor all photography activities. A BLM permitted guide would provide conveyance to White Pockets. Filming may be conducted while enroute to White Pockets along the existing access roads. No filming within the Paria Canyon-Vermilion Cliffs Wilderness would be authorized. No surface disturbance is proposed, so no site rehabilitation would be necessary. No off-road vehicle travel would be authorized. All activities connected with this action would be conducted in accordance with the special conditions in Attachment 1.

B. Land Use Plan Conformance

Land Use Plan Name: Vermilion Cliffs National Monument Management Plan

Approved/Amended: January 29, 2008

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): Decision MA-LR-07– Minimum impact permits within the Monument will be evaluated and authorized on a case-by-case basis where site-specific NEPA analysis determines that impacts to the objects or values for which the Monument was designated would be negligible. This proposed filming activity has been determined to be a “minimum Impact” activity, as provided by 43 CFR §2920.2-2(a). The proposed activity would not create any surface disturbance, only hand held filming equipment would be used, and access would only be on existing roads, therefore, the filming as proposed, would not cause appreciable damage or disturbance to the public lands, their resources or improvements.

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Appendix 4, **E(19)** which provides for issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply (see Attachment 2).

I considered that no surface disturbance is proposed and access would be on existing roads and vehicles would be parked in an established parking area. No filming in wilderness is proposed.

D: Signature

Authorizing Official: _____ Date: _____

Name: Lorraine M. Christian

Title: Field Manager

Contact Person: For additional information concerning this CX review, contact Laurie Ford, Realty Specialist, AZ Strip Field Office, 345 E. Riverside, St. George, UT 84790, 688-3271.

Attachment 2

EXTRAORDINARY CIRCUMSTANCES REVIEW AND CHECKLIST

IMPORTANT: Appropriate staff should review the circumstances listed below, and comment for concurrence. Rationale supporting the concurrence should be included where appropriate.

| EXTRAORDINARY CIRCUMSTANCES Does the proposed action... | YES/NO & RATIONALE (If Appropriate) | STAFF |
|---|---|--------------------------------|
| 1. Have significant impacts on public health and safety? | NO | LFord |
| 2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas? | NO | DHawks/ KJensen/ LHughes |
| 3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]? | NO | LFord |
| 4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? | NO | LFord |
| 5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects? | NO | LFord |
| 6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects? | NO | LFord |
| 7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office? | NO | JHerron |
| 8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species? | NO | LHughes/ KJensen |
| 9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment? | NO | GBenson |
| 10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)? | NO | LFord |
| 11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)? | NO | GBenson |
| 12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)? | NO | LDWalker |

ATTACHMENT 1
SPECIAL CONDITIONS PERMIT AZA-34764

1. **No staging areas or off-road vehicle use are authorized.**
2. **This permit does NOT authorize filming in wilderness.**
3. **The holder shall leave gates as they are found, either open or closed.**
4. The holder shall conduct all activities associated with the operation and termination of the permit within the authorized limits of the permit.
5. This permit applies only to those lands administered by the BLM and does not apply to National Park Service, US Forest Service, or Tribal land jurisdictions. The holder is responsible to contact any other governmental entities that may have jurisdiction, including ADOT and local government, and to obtain any authorizations that those entities determine are necessary.
6. Use areas shall be maintained in a sanitary condition at all times; waste materials at those areas shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
7. The BLM reserves the right to take photographs of any aspect of filming operations for official case file records.
8. The use of pyrotechnical equipment or effects must be proposed in advance, specifically authorized, and requires that a BLM representative be present during such activity.
9. Holder shall be responsible for the supervision of all participants, spectators, and other persons associated with the activity, and will be responsible for public safety on-site.
10. This permit does not give permission to cross over or use any private land. The holder will be fully responsible for all trespass on and/or damages to private land which results from the holder's activity.
11. Disclosure of all aspects of the proposed activity must be completely described in the application. Any changes to the proposed activity must be approved in advance by the Field Office Manager.
12. Holder will do everything reasonable, both independently and/or upon request of the authorized officer to prevent and suppress fires caused by their activity on or near lands utilized. Compensation may be required of the holder for Federal, state, or private interests in suppression and rehabilitation expenses.
13. Any surface, or sub-surface archaeological, historical, or paleontological remains not covered in the CRPR discovered during use shall be left intact; all work in the area shall stop immediately and the Field Office Manager for the Arizona Strip (435)688-3323 shall be notified immediately. Recommencement of work shall be allowed upon clearance by the Field Office Manager in consultation with the Archaeologist.
14. If in connection with operations any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P. L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, the holder shall stop use in the immediate area of the discovery, protect the remains and objects, and immediately notify the Field Office Manager. The holder shall continue to protect the immediate area of the discovery until notified by the Field Office Manager that use may resume.
15. BLM will request that holders notify the BLM wildlife team lead or condor biologist if California condors visit the worksite while authorized activities are underway. BLM may encourage holders to modify, relocate, or delay project activities where adverse effects to condors may result.
16. The holder shall clean up all foodstuffs and waste to prevent the negative attraction of ravens. Ravens are known to be attracted to areas where humans leave waste and congregate at unnatural numbers. They are also known to predate on native wildlife, including the federally listed desert tortoise, in which they are a known threat to the survival of the species.

DECISION MEMORANDUM

CX-AZ-120-2008-048

Green Umbrella Ltd. Filming Permit
U.S. Department of the Interior
Bureau of Land Management
Arizona Strip Field Office
Vermilion Cliffs National Monument

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and field office staff recommendations, I have determined that the project is in conformance with the Vermilion Cliffs National Monument Management Plan (approved 2008) and is categorically excluded from further environmental analysis. This proposed filming activity has been determined to be a "minimum Impact" activity, as provided by 43 CFR §2920.2-2(a). The proposed activity would not create any surface disturbance, only hand held filming equipment would be used, and access would only be on existing roads, therefore, the filming as proposed, would not cause appreciable damage or disturbance to the public lands, their resources or improvements. It is my decision to approve the action as proposed with the following stipulations/mitigation measures:

1. No staging areas or off-road vehicle use are authorized.
2. This permit does NOT authorize filming in wilderness.
3. The holder shall leave gates as they are found, either open or closed.
4. The holder shall conduct all activities associated with the operation and termination of the permit within the authorized limits of the permit.
5. This permit applies only to those lands administered by the BLM and does not apply to National Park Service, US Forest Service, or Tribal land jurisdictions. The holder is responsible to contact any other governmental entities that may have jurisdiction, including ADOT and local government, and to obtain any authorizations that those entities determine are necessary.
6. Use areas shall be maintained in a sanitary condition at all times; waste materials at those areas shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
7. The BLM reserves the right to take photographs of any aspect of filming operations for official case file records.
8. The use of pyrotechnical equipment or effects must be proposed in advance, specifically authorized, and requires that a BLM representative be present during such activity.
9. Holder shall be responsible for the supervision of all participants, spectators, and other persons associated with the activity, and will be responsible for public safety on-site.
10. This permit does not give permission to cross over or use any private land. The holder will be fully responsible for all trespass on and/or damages to private land which results from the holder's activity.
11. Disclosure of all aspects of the proposed activity must be completely described in the application. Any changes to the proposed activity must be approved in advance by the Field Office Manager.
12. Holder will do everything reasonable, both independently and/or upon request of the authorized officer to prevent and suppress fires caused by their activity on or near lands utilized. Compensation may be required of the holder for Federal, state, or private interests in suppression and rehabilitation expenses.

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Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed at the Arizona Strip Field Office, 345 East Riverside Drive, St. George, Utah 84790, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

In accordance with 43 CFR 2920.2-2(b), this decision remains in effect pending appeal unless a stay is granted. If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

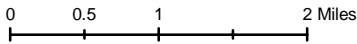
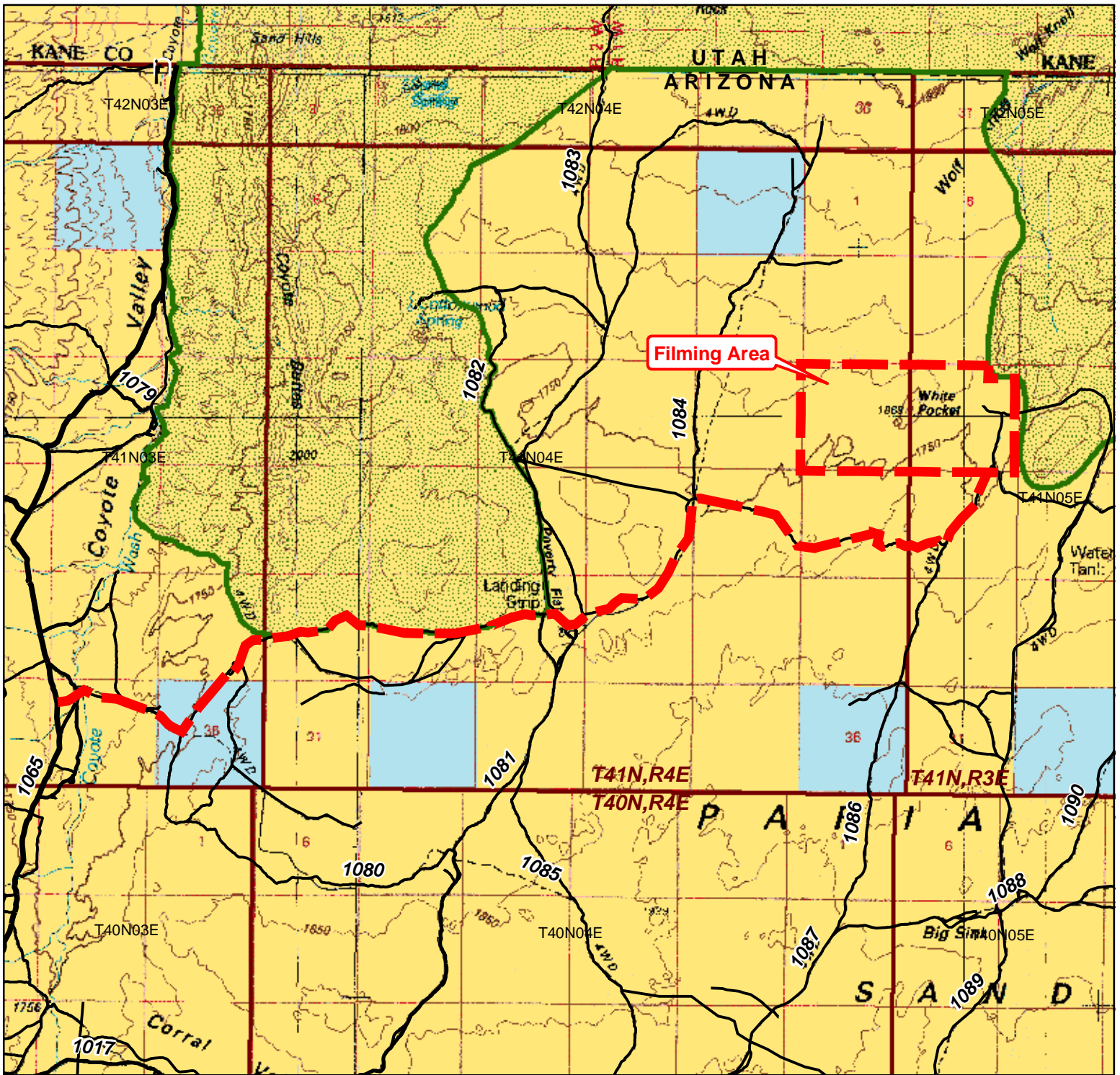
Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

Standards for Obtaining a Stay

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

Lorraine M. Christian, Field Manager

Date



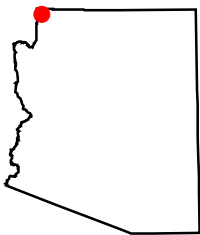
Green Umbrella Ltd.
Filming Permit AZA-34764



United States Department of the Interior
 Bureau of Land Management
 Arizona Strip Field Office

Legend

- Designated Wilderness
 - Bureau of Land Management
 - Private
 - State
- ASDO Routes**
arc:ROUTE_TYPE
- Primary Unpaved Roads
 - Secondary Unpaved Roads
 - Tertiary Unpaved Roads
 - Single Track Unpaved Roads



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CAUTION: Land ownership data is derived from less accurate data than the 1:24000 scale base map. Therefore, land ownership may not be shown for parcels smaller than 40 acres, and land ownership lines may have plotting errors due to source data.

No warranty is made by the Bureau of Land Management for the use of the data for purposes not intended by the BLM.

Map created on August 4, 2008