

**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
PALM SPRINGS-SOUTH COAST FIELD OFFICE**

**ENVIRONMENTAL ASSESSMENT
EA Number CA-660-05-56**

DATE: May 11, 2005

TITLE / PROJECT TYPE: 2920 Film Permit

CASE FILE / PROJECT NO: CA-47175

FUNDING CODE: **PROGRAM ELEMENT:** 1430

BLM OFFICE: Palm Springs-South Coast Field Office
690 W. Garnet Avenue, P.O. Box 581260
North Palm Springs, CA 92258-1260

APPLICANT / PROPONENT: Believe Media
1040 N. Las Palmas Avenue, #10
Los Angeles, California 90038

LOCATION OF PROPOSED ACTION: Township 6 South., Range 10 East.,
Section 24: Portions
Section 26: Portions
Section 35: Portions
Township 7 South., Range 10 East.,
Section 2: Portions
Section 3: Portions
Section 4: Portions
Section 5: Portions
Section 6: Portions
Section 7: Portions
Section 8: Portions
Section 9: Portions
Section 10: Portions
SBBM, Riverside County, California

PROJECT ACREAGE: **BLM** 1.00
Other Federal _____
State _____
Private _____
Other (specify) _____

USGS TOPOGRAPHIC MAP: Mortmar 7.5 minute Quadrangle

LAND USE PLAN CONFORMANCE and Other Regulatory Compliance:

In accordance with Section 202 of the Federal Land Policy and Management Act of 1976 (FLPMA), the BLM is mandated to develop land use plans, with public input, that designate and allocate use of the public lands. Title 43, Code of Federal Regulations, Part 1610.5-3 requires that all subsequent management actions conform to the approved land use plans. In accordance with Title 43 Code of Federal Regulations 1610.5-3, the proposed action and alternatives are in conformance with the following approved BLM land use plan for the public lands involving this project is the California Desert Conservation Area (CDCA) Management Plan; 1980 as amended.

The film permit occurs on lands designated as **CLASS M (Moderate use)**. Moderate use, provides for a wide variety of present and future uses, while conservation of the desert resources and mitigation measures toward permitted uses are implemented.

NEED FOR THE PROPOSED ACTION

Believe Media, is proposing to film scenes along Box Canyon Road, May 20, 2005 for one (1) day.

DESCRIPTION OF THE PROPOSED ACTION and ALTERNATIVES

1. Proposed Action

Believe Media, is proposing exterior filming of a Greyhound Bus drive by, drive aways, with IFC, camera & equipment on road shoulder.

The filming crew consists of no more than twenty-five (25) people, along with one self contained port-a potty and one motor home.

Furthermore, the plan is to rely on available light, so the impact would be even more minimal as they would have no lighting equipment to set up, except for extremely light-weight, collapsible reflector cards.

In addition, it will be necessary to set up three (3) 10' x 10' canopy tent's for protection of the cast and crew. The canopy tents are lightweight and would have minimal impact.

California Highway Patrol will be available for traffic control and safety.

2. No Action Alternative

The Proposed Action would not be undertaken. Existing management and use of the site would continue subject to applicable statutes, regulations, policy and land use plans.

AFFECTED ENVIRONMENT

1. Area Description

See attached EA, CA-066-94-55.

2. Land Status

See attached EA, CA-066-94-55.

ENVIRONMENTAL CONSEQUENCES

A. Critical Elements

See attached EA, CA-066-94-55.

B. Discussion of Impacts

1. **Proposed Action:**

As a condition common to all alternatives in the programmatic EA #CA-066-94-55 (attached), vehicles and equipment are not allowed to block road access. Recreationists frequent Box Canyon to access hiking trails with the Sheep Hole Trailhead being the most used trailhead.

Closing Box Canyon Road would prevent access to the Sheep Hole Trailhead and deny recreationists the opportunity to hike into the Hidden Springs Canyon portion of the Mecca Hills Wilderness.

In case of an emergency where the shortest route would be through Box Canyon, the road could affect a life or death situation.

2. No Action Alternative:

See attached EA, CA-066-94-55.

C. Mitigation Measures

1. **Mecca Hills Wilderness** is on both sides of Box Canyon Road. Filming activities are permitted within 200 feet from centerline of Box Canyon Road or up to the canyon walls if less than 200 feet. Activity must stay within pre-existing surface disturbance areas, no new surface disturbance or off road vehicle travel will be permitted. Use of canyon walls and hills is excluded.
2. Vehicular high speed chases are permitted on the paved road within safe speed limits with the Highway Patrol directing traffic. The filming industry is responsible for setting safe speed limits. Under no circumstances are high speed chases authorized off the paved area.
3. Still photography is permitted within 200 feet of the paved road.
4. No more than 20 vehicles including personal vehicles, filming equipment vehicles, motor homes, and catering vehicles are permitted on location.
5. Vehicles shall only park in previously disturbed areas devoid of vegetation.
6. Permittee shall provide BLM with certificate of public liability insurance in the amount of \$1,000,000.00 and naming the Bureau of Land Management as additionally insured.
7. Vegetation shall not be removed, cleared or destroyed within the area.
8. Vehicles and/or equipment will not be allowed to block road access and will stay within road right-of-way and disturbed turnouts of the roads. (The Highway Patrol and County of Riverside should be notified for required permits).
9. Permittee is authorized to locate their vehicles within disturbed areas large enough to accommodate them without disturbing or destroying vegetation.
10. All trash or prop material associated with the project must be removed from the site at conclusion of filming.
11. Areas of sand/soil moved and recontoured by permittee shall be replaced and returned to as close to original state as possible to the satisfaction of the designated authorized officer of the Bureau of Land Management.
12. Permittee shall be held responsible for stipulations compliance by all parties associated with the permit.
13. Pyrotechnics are not authorized with this permit.
14. The permittee is required to keep a copy of this permit on site at all times for review by BLM personnel upon request.

15. BLM will conduct site monitoring before and after the filming takes place.
16. Permittee shall supply their own drinking water and sanitation facilities. Absolutely no dumping of sewage or garbage on the ground is permitted.
17. Permittee shall leave the area in a condition satisfactory to the authorized officer of the Bureau of Land Management.
18. If any desert tortoise are seen in the area, no removal, touching, or harassment is permitted. All production stops until tortoise leave the filming area.
19. Any changes of site shooting location on public lands must be approved by the authorized officer.
20. Permittee shall be responsible for obtaining any required State and/or County permits or licenses. The permit authorizes the use of public lands under the jurisdiction of the BLM only.

FREEDOM OF INFORMATION ACT CONSIDERATIONS:

Public comments submitted for this environmental assessment, including names and street addresses of respondents, will be available for public review at the Palm Springs-South Coast Field Office during regular business hours (7:45 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish to withhold your name or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your comments. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

PERSONS / AGENCIES CONSULTED:

U.S. Department of the Interior, Bureau of Land Management, Palm Springs Field Office
Diane Gomez, Realty Specialist
John Kalish, lands, Minerals and Recreation Supervisor
Wanda Raschkow, Cultural Resources Specialist
Jim Foote, Visual Coordinator/Recreation Specialist
Greg Hill, Environmental Coordinator

REVIEWED BY:

Environmental Coordinator

Date

**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
PALM SPRINGS-SOUTH COAST FIELD OFFICE**

**DECISION RECORD
CA-660-05-56**

NAME of PROJECT: Believe Media

DECISION: It is my decision to approve the proposed action as described in Environmental Assessment (EA) number CA-660-05-56. Compliance with the mitigation measures identified in the EA is hereby required. These measures are incorporated into this decision record as stipulations by reference. A copy of this Decision Record and attendant conditions of approval (stipulations) shall be in the possession of the on-site operator during all undertakings approved herein.

RATIONALE: The approved action is in conformance with applicable land use plans and will not cause unnecessary or undue degradation.

FINDING OF NO SIGNIFICANT IMPACT: Environmental impacts associated with the proposed action have been assessed. Based on the analysis provided in the attached EA, I conclude the approved action is not a major federal action and will result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. Preparation of an Environmental Impact Statement to further analyze possible impacts is not required pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969.

APPEALS: This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43 of the Code of Federal Regulations (CFR), Part 4, and the information provided in Form 1842-1 (enclosed). If an appeal is taken, your notice of appeal must be filed in the Palm Springs-South Coast Field Office, Bureau of Land Management, U.S. Department of the Interior, 690 West Garnet Avenue, P.O. Box 581260, North Palm Springs, California 92258, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, pursuant to Title 43 of the Code of Federal Regulations, Part 4, Subpart E, 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 appropriate Office of the Solicitor (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.

Standards for Obtaining a Stay

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

- (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.

An appeal from this decision may be taken to the State Director, California State Office, Bureau of Land Management in accordance with the provisions at Title 43 Code of Federal Regulations 3809. If an appeal is taken, the notice of appeal must be filed with the Palm Springs-South Coast Field Office, Bureau of Land Management, U.S. Department of the Interior, 690 West Garnet Avenue, P.O. Box 581260, North Palm Springs, California 92258 within thirty (30) days from receipt of this decision. Do not send the notice of appeal to the State Director. The appeal and the case history will be sent to the State Director by the

Field Office. The appeal to the State Director must contain: (1) the name and mailing address of the appellant; (2) where applicable, the name of the mining claim(s) and serial number(s) assigned to the mining claim(s) recorded pursuant to Part 3833 of this title which are subject to appeal; and (3) a statement of reasons for appeal and any arguments the appellant wishes to present which would justify reversal or modification of the decision. To avoid summary dismissal of the appeal, there must be strict compliance with the regulations.

During the appeal to the State Director, all decisions from which the appeal is taken shall be effective during the pendency of the appeal.

If no appeal is taken, this decision constitutes final administrative action of this Department as it affects the mining claim(s). No appeal, protest or petition for reconsideration will be entertained from this decision after the appeal period has expired.

APPROVED BY:

_____	_____
Field Manager	Date
Palm Springs-South Coast Field Office	
USDI Bureau of Land Management	
690 W. Garnet Avenue; P.O. Box 581260	
North Palm Springs, CA 92258-1260	