

Determination of NEPA Adequacy (DNA)

DNA for a Film Permit Activity

U.S. Department of Interior
Bureau of Land Management

OFFICE: Las Vegas FO, NVS00100

TRACKING NUMBER: DOI-BLM-NV-S010-0056-DNA

CASEFILE/PROJECT NUMBER:

PROPOSED ACTION TITLE/TYPE: FILM PERMIT FOR COMMERCIAL FILMING AT JEAN DRY LAKE, JEAN, NEVADA. DNA is tiered off of Environmental Assessment NV-056-2008-478, for Warner Brothers.

LOCATION/LEGAL DESCRIPTION:BLM Lands, Jean Dry Lake Bed, Jean, Nevada

Mount Diablo Meridian, Nevada, T. 25 S., R. 60 E., sec. 3,4,8-10,16,17.

APPLICANT (if any):

Nadiadwala Grandson Entertainment, c/o Curbside Films

A. Description of Proposed Action and any application mitigation measures

Film Permit for commercial filming at Jean Dry Lake, Nevada. The proposed action is for a video filming activity and will not disturb the landscape or impact the environment. The filming will take place on Sunday, January 31, 2010, and again on Sunday, February 7, 2010 or Monday, February 8, 2010. The crew will consist of 35 people, fifteen vehicles and four buses. The crew will film a car driving down the road to the dry lake bed (paved RS-2477 road on the south side of dry lake) and then film on the dry lake bed itself. The crew will park their vehicles and buses on the dry lake bed. The proposed action will be in the same location, legal description, and same activity that has already been analyzed in EA number NV-056-2008-478 for Warner Bros. They will not have exclusive use of the area, but will share the area with other recreationists. The proposed action will not disturb the landscape nor impact the environment. A minimum impact film permit under 43 CFR Part 2920 will be in full force and effect and will remain in effect during the period of the permit. The proposed action is a DNA tiered off of EA number NV-056-2008-478.

Stipulations will be attached to the film permit that include conservation and protection of the natural resources, cultural resources, T&E Species, and the environment.

B. Land Use Plan Conformance

LUP Name* Las Vegas Resource Management Plan and Final Environmental Impact Statement Date October 1998 Approved:

**List Applicable LUPs (for example, resource management plans; activity, project, management, or program plans; or applicable amendments thereto*

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

Lands Management Objective, Land Use Authorizations, LD-2: All public lands within the planning area, unless otherwise classified, segregated or withdrawn and with the exception of Areas of Critical Environmental Concern and Wilderness Study Areas, are available at the discretion of the agency for land use leases and permits under section 302 of the Federal Land Policy and Management Act...

Management Direction, LD-2-a: Land use lease or permit application and airport lease applications will be addressed on a case-by-case basis, where consistent with other resource management objectives and local land uses. Special terms and conditions regarding use of the public lands involved will be developed as applicable.

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action

Las Vegas RMP EIS, ROD signed October 5, 1998. 43 CFR 2920-2-2(a)(b), and BLM Manual, Sections 2920, and 2930 for permits. The proposed action will DNA off of Environmental Assessment NV-056-2008-478 for Warner Brothers filming at Jean Dry Lake in 2008.

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

The Proposed action of commercial filming is within the same analysis area, and the geographic and resource conditions are sufficiently similar to those analyzed in Environmental Assessment NV-056-2008-478 for Warner Brothers. The Warner Brothers filmed scenes on the dry lake bed with actors and props. They filmed a scene of a car speeding down the road. This EA, Decision and Fonsi was approved in 2008.

This proposed action is to video film a segment for their upcoming movie with actors and props on the dry lake bed. They will also film a car driving down the road (same RS-2477 Road on the south side of the lake bed). The action, the geographic location, and the resource conditions are the same. The event is the same action, same geographic and resource conditions. the only difference is this is a different company doing the event.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, give current environmental concerns, interests, and resource values?

The proposed activity of filming and still photography will not change or add to the activity that has already been analyzed under the EA number NV-056–2008–478. The EA was analyzed in 2008, and the resource conditions, environmental concerns, interests, and resource values have not changed in that short period of time. The proposed action will be of no impact to the environment, and will not cause any damage or disturbance to the public lands, their resources, or improvements, therefore, there are no new environmental concerns, or new environmental impacts which need to be analyzed. The range of alternatives analyzed in the existing EA are sufficient and remain the same since the activity is the same. No new impacts to the resources or environment will occur.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessments, recent endangered species listings, updated lists of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Since the proposed action will be of no new impact to the environmental or to the natural resources, or to the T&E Species in the area, therefore, the existing analysis is still valid. No new information or circumstances will be affected by the proposed action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

No impacts to the environment or to the natural resources in the area will occur, therefore, there will be no cumulative effects that will result from implementation of the new proposed action.

5. Are there public involvement and interagency reviews associated with existing NEPA document(s) adequate for the current proposed action?

The proposed action of filming has already been evaluated in NV-056–2008–478, therefore, a new review and evaluation is not necessary. Since it is low to no impact, a public review is not necessary per 43 CFR 2920.2–2.

E. Persons/Agencies/BLM Staff Consulted

Note

Refer to EA number NV-056–20080–478 for a complete list of the team members and public who participated in the preparation of the environmental analysis or planning documents. This EA was reviewed and analyzed by the BLM Las Vegas Field Office Resource Specialists shown below.

Name	Title	Resource/Agency Represented
Amelia Savage	BLM Wildlife Biologist	BLM, Las Vegas Field Office
Mark Boatwright	BLM Archaeologist	BLM, Las Vegas Field Office
George Varhalmi	BLM Geologist	BLM, Las Vegas Field Office
Sarah Peterson	BLM Hydrologist	BLM, Las Vegas Field Office
Lisa T. Christianson	BLM Environmental Specialist	BLM, Las Vegas Field Office
Fred Edwards	BLM Botanist	BLM, Las Vegas Field Office
Dorothy J. Dickey	BLM Realty Specialist	BLM, Las Vegas Field Office

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitute BLM's compliance with the requirements of the NEPA.

Project Lead: Dorothy Jean Dickey, Realty Specialist

Beth Ransel, Assistant Field Manager, Division of Lands

Date

Note:

The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.