

# ASDO NEPA DOCUMENT ROUTING SHEET

NEPA Document Number: **DOI-BLM-AZ-A020-2013-0002-CX**

Project Title: **Fuji Television Network Filming Permit AZA-36096**

Project Lead: **Laurie Ford**

Date that any scoping meeting was conducted: N/A

Date that concurrent, electronic distribution for review was initiated: October 29, 2012

Deadline for receipt of responses: **Wednesday, November 7, 2012 [Please note the shortened review time to accommodate photography scheduled for 11/15/2012.]**

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

Gloria Benson, Tribal Liaison  
Diana Hawks, Recreation/Wilderness/VRM  
Laurie Ford, Lands/Realty/Minerals – Preparer  
Jeff Young, Wildlife/T&E Animals  
John Herron, Cultural Resources  
Jacquilyn Roaque, Special Status Plants  
Ray Klein, GCPNM Supervisory Ranger  
Whit Bunting, Range/Vegetation/Weeds/S&G  
Richard Spotts, Environmental Coordinator  
John Sims, Supervisory Law Enforcement  
Lorraine Christian, ASFO Field Manager

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

Andi Rogers (E-mail address: arogers@azgfd.gov)  
Sarah Reif (E-mail address: sreif@azgfd.gov)  
LeAnn Skrzynski (E-mail address: lskrzynski@kaibabpaiute-nsn.gov)  
Peter Bungart (E-mail address: pbungart@circaculture.com )  
Dawn Hubbs (E-mail address: dawn.hubbs101@gmail.com )

*(Ms. Rogers and Ms. Reif are Arizona Game and Fish Department (AGFD) habitat specialists. Ms. Skrzynski is Environmental Program Director for the Kaibab Paiute Tribe (KPT). Mr. Bungart and Ms. Hubbs are cultural staff for the Hualapai Tribe. 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 Jeff Young as the ASDO Wildlife Team Lead. Mr. Young will then recommend how these comments should be addressed. If a Project Lead receives comments from any KPT or Hualapai Tribe employee, they should include them in the complete set/administrative record and share them with Gloria Benson as the ASDO Tribal Liaison. Ms. Benson will then recommend how these comments should be addressed.)*

Discretionary Reviewers:

Kevin Wright, VCNM Manager

# Fuji Television Network Filming Permit

NEPA Document Number: DOI-BLM-AZ-A020-2013-0002-CX

*Categorical Exclusion Documentation*

## A. Background

BLM Office: Vermilion Cliffs National Monument

Case File No.: AZA-36096

Proposed Action Title/Type: Fuji Television Network Filming Permit

Location of Proposed Action: Proposed filming activities would be in the White Pocket area of Vermilion Cliffs National Monument within the following described area and as shown on the attached map (Attachment 1):

### Gila and Salt River Meridian, Arizona

T. 41 N., R. 4 E.,  
sec. 13, E1/2;

T. 41 N., R. 5 E.,

sec. 18, lots 1, 2, 3, and 4, S1/2NE1/4NE1/4, W1/2NE1/4, SE1/4NE1/4, E1/2W1/2, and SE1/4.

containing 937.520 acres, more or less

Description of Proposed Action: Fuji Television Network, Inc., Tokyo, Japan, proposes to film the scenery at White Pocket for a project called "Top of the World" for the "Good Morning, Saturday" program which is equivalent to the "Today" show in the United States. Each Saturday morning about eight million viewers tune in for this show that introduces places or buildings, etc., which are the best, tallest, most advanced, newest, etc. as part of the segment. A total of five personnel would be on location at White Pocket. Equipment would consist of one camera with tripod. One four-wheel drive vehicle (SUV) would be used to transport all personnel to and from White Pocket. Proposed filming would take place on one day between the dates of Wednesday, November 14, 2012, and Monday, November 19, 2012, to allow some flexibility for weather.

Permit would be subject to all provisions of 43 CFR 2920 including the terms and conditions identified in 43 CFR 2920.7 and rental payments as provided by 43 CFR 2920.8. In addition, the special conditions listed in Attachment 2, would apply.

## B. Land Use Plan Conformance

Land Use Plan (LUP) Name: Vermilion Cliffs National Monument Resource Management Plan

Date Approved: January 29, 2008

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

A "minimum impact permit" is defined as one which authorizes activities that "will not cause appreciable damage or disturbance to the public lands, their resources or improvements" (43 CFR 2920.2-2). All travel to and from the filming location would occur on designated roads. Filming would be done with a handheld camera, using a tripod as necessary. No set construction, use of heavy equipment, or use of explosives/pyrotechnics would occur. No impacts to Monument objects or values are therefore anticipated and the activity is considered "minimum impact". In addition, the proposed action does not conflict with other decisions in the LUP.

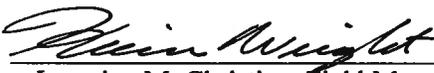
**C: Compliance with NEPA:**

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E(19), which provides for the 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 43 CFR 46.215 apply (Attachment 3).

I considered the short duration and low/minimum impacting nature of the proposal along with the additional special conditions identified in Attachment 2 which would not cause appreciable damage or disturbance to the public lands, their resources (including Monument objects), or improvements in accordance with 43 CFR 2920.2-2.

**D: Signature**

Authorizing Official:  Date: 11/8/12  
*Kevin Wright*  
*acting for* Lorraine M. Christian, Field Manager

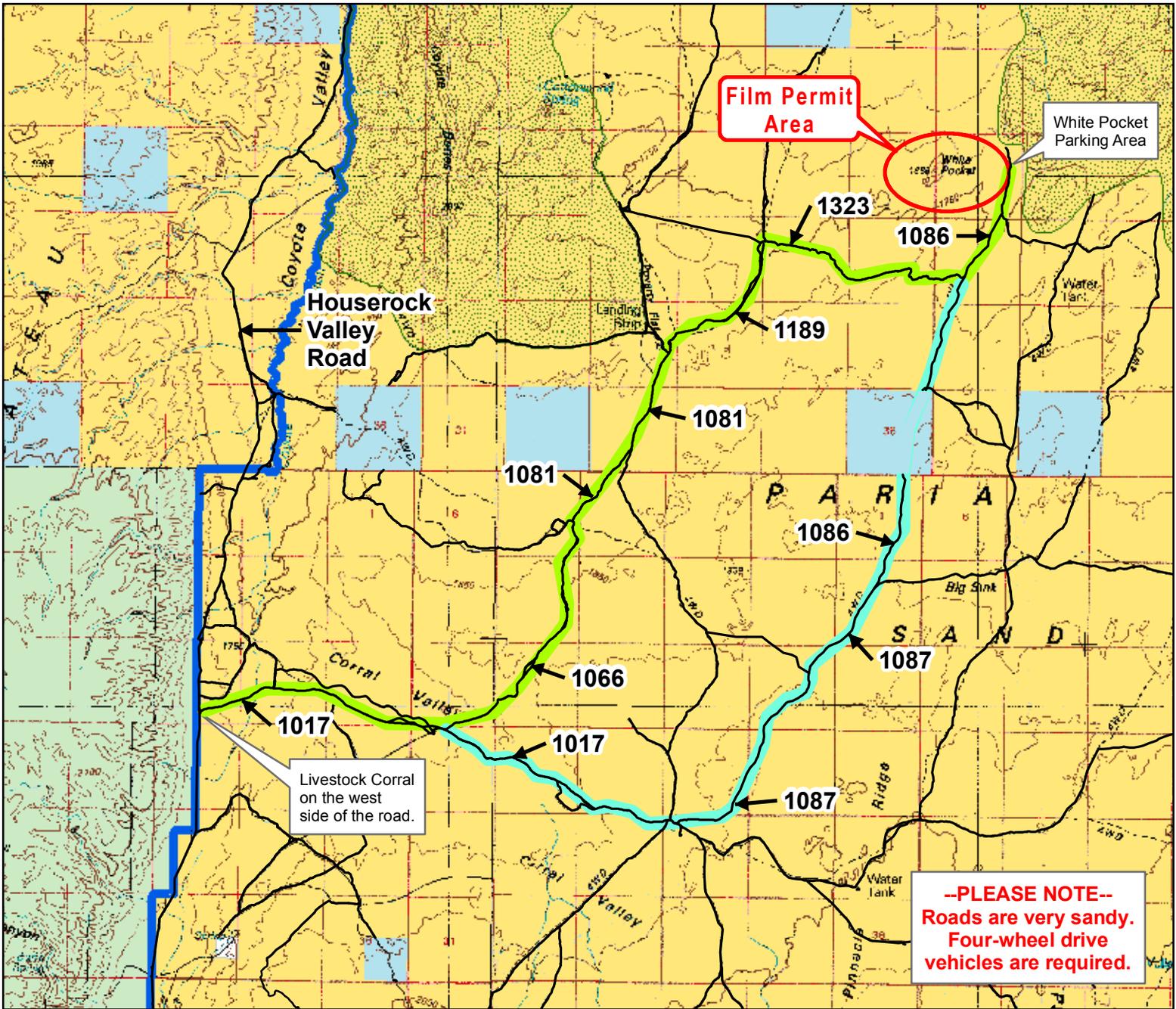
**Contact Person**

For additional information concerning this CX review, contact Laurie Ford, Team Lead, Lands and Geological Sciences, BLM, Arizona Strip Field Office, 345 East Riverside Drive, St. George, Utah 84790; phone (435) 688-3271.

# **Attachment 1**

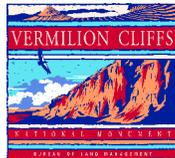
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**Location Map  
Fuji Television Network Filming Permit AZA-36096**

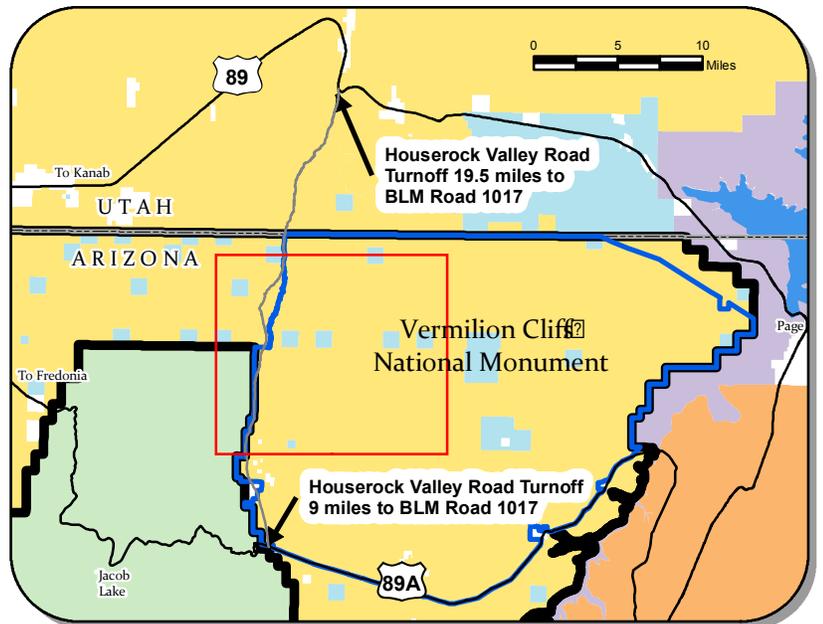
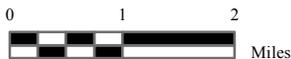


## White Pocket Filming Permit

- Popular Route
- Alternate Route
- Arizona Strip Routes
- Monument Boundary
- Designated Wilderness
- Bureau of Land Management
- Indian Reservation
- National Park Service
- Private
- State
- US Forest Service



Scale = 1:107,560



This product may not meet BLM standards for accuracy and content. Different data sources and input scales may cause some misalignment of data layers. No warranty is made by the BLM for the use of the data for purposes not intended by the BLM.

## Attachment 2

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### Special Conditions Fuji Television Network Filming Permit AZA-36096

1. This permit would authorize filming/photography ONLY at the location(s) specified in the permit. NO filming/photography in wilderness would be authorized. Filming/photography at Coyote Buttes North or Coyote Buttes South would NOT be authorized.
2. This permit would be issued subject to the permittee's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2920.
3. The permittee would conduct all activities associated with the operation and termination of the permit within the authorized limits of the permit.
4. Disclosure of all aspects of the proposed activity would be completely described in the application. Any changes to the proposed activity would be approved in advance by the authorized officer.
5. This permit would apply only to those lands administered by the Bureau of Land Management and does not apply to National Park Service, U.S. Forest Service, or Tribal land jurisdictions. The permittee would be responsible to contact any other governmental entity that may have jurisdiction, including the Arizona Department of Transportation and local government, and to obtain any authorizations that those entities determine necessary.
6. This permit would not give permission to cross over or use private land. The permittee would be fully responsible for all trespass on and/or damages to private land which may result from the permittee's activity.
7. Use areas would be maintained in a sanitary condition at all times; waste materials at those areas would 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. "Waste" also includes the creation of micro-trash such as bottle caps, pull tabs, broken glass, cigarette butts, small plastic, food materials, bullets, bullet casings, etc. No micro-trash would be left at use areas and trash receptacles used at use areas would be wildlife proof.
8. The Bureau of Land Management would reserve the right to take photographs of any aspect of filming/photography operations for official case file records.
9. No staging areas or off-road vehicle use would be authorized.
10. Permittee would be responsible for the supervision of all persons associated with the activity, and would be responsible for public safety on-site.
11. Permittee would 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 permittee for Federal, state, or private interests in suppression and rehabilitation expenses.
12. Where California condors visit the area while activities are underway, the permittee would notify the Bureau of Land Management wildlife team lead at (435) 688-3373. Permittee would be instructed to avoid interaction with condors. Authorized activities would be modified, relocated, or delayed if those activities have adverse effects on condors. Authorized activities would cease until the bird leaves on its own or until techniques are employed by permitted personnel that result in the individual condor leaving the area.

13. Any surface or subsurface archaeological, historical, or paleontological remains not covered in the Cultural Resource Project Record discovered during use would be left intact, all work in the area would stop immediately, and the Field Manager notified immediately at (435) 688-3323. Resumption of use would be allowed upon clearance by the Field Manager in consultation with the archaeologist.
14. If in connection with use 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 permittee would stop use in the immediate area of the discovery and immediately notify the authorized officer.

## Attachment 3

### Extraordinary Circumstances Review and Checklist Fuji Television Network Filming Permit AZA-36096

IMPORTANT: Appropriate staff should review the circumstances listed below, and comment for concurrence. Rationale supporting the concurrence should be included where appropriate.		
<b>EXTRAORDINARY CIRCUMSTANCES</b> Does the proposed action...	<b>YES/NO &amp; RATIONALE</b> <b>(If Appropriate)</b>	<b>STAFF</b>
1. Have significant impacts on public health and safety?	No significant impacts on public health and safety would result because of the short term and minimal surface disturbance.	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 significant impacts would result from the proposed action because of the short term and minimal surface disturbance. See DHawks email 10/31/2012; JHerron email 10/30/2012; JYoung email 11/5/2012.	DHawks JHerron JYoung
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?	No controversial environmental effects or unresolved conflicts would be involved because of the short term and minimal surface disturbance.	LFord
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No significant environmental effects or unique circumstances are expected because of the short term and minimal surface disturbance.	LFord
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?	Proposed action is similar to other authorized minimal impact filming/photography permits and does not represent a decision in principle about future actions with potentially significant environmental effects.	LFord
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	No cumulative effects because of proposed action's short term and minimal surface disturbance.	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 impacts are expected because of the short term and minimal surface disturbance. See JHerron email 10/30/2012.	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 impacts are expected because of the short term and minimal surface disturbance. See JRoaque email 11/6/2012; JYoung email 11/5/2012.	JYoung JRoaque
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?	The action, as proposed, would not violate any laws. See JYoung email 11/5/2012.	JYoung GBenson
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?	No effect on low income or minority populations because of the short term and remote location.	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 access would be limited by the proposed action.	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 significant impacts regarding noxious weeds or non-native species would result from the proposed action. See WBunting email 10/30/2012.	WBunting

# Decision Memorandum

**Fuji Television Network Filming Permit AZA-36096**  
**DOI-BLM-AZ-A020-2013-0002-CX**  
U.S. Department of the Interior  
Bureau of Land Management  
Vermilion Cliffs National Monument

## Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and resource staff recommendations, I have determined that the project is in conformance with the Vermilion Cliffs National Monument Resource Management Plan (approved January 29, 2008) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed with the special conditions identified in Attachment 2 of the CX.

## Administrative Review or Appeal Opportunities

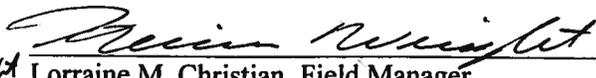
This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Arizona Strip Field Office, 345 East Riverside Drive, 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 regulations at 43 CFR 2920.2-2 for a stay 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 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 in 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.

  
\_\_\_\_\_  
Lorraine M. Christian, Field Manager

11/8/12  
\_\_\_\_\_  
Date

Attachment: Form 1842-1

*Kendra Wright  
acting for*

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

**INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS**

**DO NOT APPEAL UNLESS**

1. This decision is adverse to you,  
AND
2. You believe it is incorrect

**IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED**

- 
- 1. NOTICE OF APPEAL.....** A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the *Notice of Appeal* in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a *Notice of Appeal* in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).
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- 2. WHERE TO FILE** Field Manager, Arizona Strip Field Office  
Bureau of Land Management  
345 East Riverside Drive  
St. George, Utah 84790
- NOTICE OF APPEAL.....**
- WITH COPY TO SOLICITOR...** Office of the Field Solicitor  
Sandra Day O'Connor US Courthouse, Suite 404  
401 West Washington Street, SPC-44  
Phoenix, Arizona 85003-2151
- 
- 3. STATEMENT OF REASONS** Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).
- WITH COPY TO SOLICITOR.....** Office of the Field Solicitor  
Sandra Day O'Connor US Courthouse, Suite 404  
401 West Washington Street, SPC-44  
Phoenix, Arizona 85003-2151
- AND COPY TO.....** Field Manager, Arizona Strip Field Office  
Bureau of Land Management  
345 East Riverside Drive  
St. George, Utah 84790
- 
- 4. ADVERSE PARTIES.....** Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).
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- 5. PROOF OF SERVICE.....** Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).
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- 6. REQUEST FOR STAY.....** Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). 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 Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). 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 (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.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that **all** communications are identified by serial number of the case being appealed.

**NOTE:** A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

#### 43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

##### STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska  
Arizona State Office ----- Arizona  
California State Office ----- California  
Colorado State Office ----- Colorado  
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri  
and, all States east of the Mississippi River  
Idaho State Office ----- Idaho  
Montana State Office ----- Montana, North Dakota and South Dakota  
Nevada State Office ----- Nevada  
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas  
Oregon State Office ----- Oregon and Washington  
Utah State Office ----- Utah  
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

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(Form 1842-1, September 2006)