

**Worksheet**

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**Determination of NEPA Adequacy (DNA)**

U.S. Department of the Interior

Bureau of Land Management

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**OFFICE:** Lake Havasu Field Office (LHFO), AZ-C030

**TRACKING NUMBER:** DOI-BLM-AZ-C030-2013-0019-DNA

**CASE FILE NUMBER:** AZA 36076

**PROPOSED ACTION TITLE/TYPE:**

Lucas Oil filming of the Parker 425 Race on February 2, 2013. Filming will consist of 9 crew members. 2 of these crew members will be in a helicopter. The crews will be set up prior to the race and subject to all rules and regulations of the race:

Total Crew Count: 9

On-Course Cameras: 5

Start Camera: 1

Finish Camera: 1

Helicopter: 2 people

Total Cameras including Helicopter: 9

Fees are based on number of personnel.

**LOCATION/LEGAL DESCRIPTION:**

The proposed activity will occur primarily on public land east of Parker, Arizona, in La Paz County. The proposed activity would utilize existing routes to set up cameras. The cameras will be manned at all times.

The best access to the course is from Shea Road, (turn east near mm 142 off of AZ Highway 95, east of Parker) an 18 mile, paved La Paz County Maintained Road. Elevations range from 600 to 1250 feet ASL. Due to the length of the course (over 130 miles) it can be accessed from Wenden Road to the east, Hwy 72 (through Bouse) to the south, McVay Road to the south east. The entire course/route occurs on BLM, State Trust Land, and Colorado River Indian Tribes managed land.

**APPLICANT (if any):**

Lucas Oil located in Corona, California

**A. Description of the Proposed Action and any applicable mitigation measures:**

Filming of the Parker 425 Race in Parker, Arizona on February 2, 2013.

Filming will take place on the day of the race. Video crews will be set up on ground as well as in a helicopter prior to the start of the race. Fees will be collected prior to the event according to Exhibit B.

## **B. Land Use Plan (LUP) Conformance**

The proposed action is in conformance with the *Lake Havasu Field Office Resource Management Plan* (RMP), approved on May 10, 2007. The proposed action is in conformance with the applicable RMP because it is specifically provided for in the following RMP decision(s):

RR-51. The Parker 400 Course will continue as a competitive, commercial-use off highway race course. The season of use will continue to run from December 1 through February 28. The race will only be authorized on designated routes. The specific course alignment will be determined through a NEPA process. The Parker 400 Course will be limited to two competitive-use events per year.

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

Lands and Realty Program states (page 37):

Lake Havasu Field Office may allow the use of the public lands or interests in lands through issuance of ROWs, leases, and permits. The types of uses that would be authorized by a ROW issued pursuant to Title 5 FLPMA would include access roads, power lines, telephone lines, fiber optic systems, communications facilities, and so forth. Examples of uses authorized pursuant to the Mineral Leasing Act include crude oil pipelines and oil and gas pipelines. Typical uses authorized by permits would include filming and establishing and maintaining apiary sites.

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

Environmental Assessment #DOI-BLM-AZ-C030-2009-0045-EA  
Parker 400 Course as a Competitive, Commercial-Use Off-Highway Race Course

## **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 EA was prepared for racing; the new proposed action, filming, has the same features and uses the same area as in the EA.

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

Yes, the filming will be done at the same time at the same location as what the EA analyzed.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, 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?**

Yes. There is no new information or circumstances that would substantially alter the analysis, and the existing analysis is sufficient.

**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?**

Yes, the direct, indirect, and cumulative effects are similar to those analyzed in the EA. The cumulative impacts of the filming will have less impact than analyzed in the EA.

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

Yes, by filming this event it will inform the public of the use of the public lands. The public review was adequate for the current proposed action since it is essentially the same.

**E. Persons/Agencies/BLM Staff Consulted**

<u>Name</u>	<u>Title</u>	<u>Resource/Agency Represented</u>
Jayson Barangan,	Assistant Field Manager - Recreation	
Dr. George Shannon Jr.,	Archaeologist	
David Daniels,	Planning & Environmental Coordinator	
Charles D. Adams,	Biologist	

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

**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.

Sheri Ahrens 1/29/13  
Realty Specialist, Sheri Ahrens Date  
Project Lead

\s\David Daniels Authenticated by Sheri Ahrens 2/4/13  
David Daniels Date  
Planning and Environmental Coordinator

\s\Amanda Dodson Authenticated by Sheri Ahrens 1/29/13  
Amanda Dodson Date  
Assistant Field Manager

\s\Kimber Liebhauser Authenticated by Sheri Ahrens 1/29/13  
Signature of the Responsible Official Date  
Kimber Liebhauser  
Field Manager  
Lake Havasu Field Office

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. However, the lease, permit, or other authorization based on this DNA is subject to protest and appeal under 43 CFR Part 4 and the program-specific regulations.

## DECISION RECORD

**Tracking Number:** DOI-BLM-AZ-C030-2013-0019-DNA

**Description of the Proposed Action:**

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**LUP Name:** *Lake Havasu Field Office Resource Management Plan*

Date approved: May 10, 2007

Based on the analysis of potential environmental impacts contained in the attached Determination of NEPA Adequacy and as analyzed in the previous environmental assessment (DOI-BLM-AZ-C030-2009-0045-EA), I have determined that the action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

It is my decision to approve the action as proposed, with the following stipulations (if applicable).

<u>\s\Kimber Liebhauser</u> Authenticated by Sheri Ahrens	1/29/13
Signature of the Responsible Official	Date
Kimber Liebhauser	
Field Manager	
Lake Havasu Field Office	

**Exhibits:**

- A. Stipulations
- B. Filming Fees
- C. Location Map

**Filming Stipulations**

1. Must adhere to safety policies of race.
2. Paints or other chemicals will not be applied to the ground or vegetation.
3. The site will be maintained in a sanitary condition at all times; waste materials will be disposed of promptly at an appropriate waste disposal site. "Waste" is defined as all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and any other object carried in by the permittee.
4. Permittee will provide trash containers during dates the permit is in effect. At the completion of filming, cleanup of all trash, materials, supplies and removal of any temporary facilities will be raked and returned to pre-filming conditions.
5. Permittee will provide "fire safe" cigarette containers for those who smoke. Cigarettes should not be discarded on the ground or in the brush. (Note: If/when fire restrictions are in effect - additional restrictions will be placed on smoking).
6. No fueling of aircraft will be done on public lands.
7. Aircraft will stay above 500 feet when traveling over wilderness areas.
8. All permits from the appropriate regulating agencies will be obtained and a copy submitted to the BLM, prior to preparation for filming.
9. The permittee agrees to indemnify and hold harmless the United States for any and all liability, including injury to persons or damage to property, which may result directly or indirectly from the use permitted. A Certificate of Insurance, co-insuring the USDI, Bureau of Land Management at 2610 Sweetwater Ave, Lake Havasu City, AZ 86406 will be issued in the amount of \$100,000.00 and be retained as part of this permit. The certificate shall be submitted to the BLM Lake Havasu Field Office prior to permit issuance.
10. If any species listed as threatened or endangered under Federal or State of Arizona regulations are encountered during any activities, work will immediately stop. Immediate telephone notification of the discovery shall be made to the BLM Wildlife Biologist at (928) 505-1200. The activity may resume only after the Authorized Officer has issued a continuance.

11. The Permittee shall comply with all State and Federal laws relating to prehistoric or historic archaeological sites or artifacts. Actions other than those explicitly approved by the Bureau of Land Management which result in impacts upon archaeological resources, shall be subject to the judicial proceedings of the Archaeological Resources Protection Act of 1979, as amended, and the Federal Land Policy and Management Act of 1976. As property of the United States, no person may, without authorization, excavate, remove, damage, or otherwise alter or deface any historic or prehistoric site, artifact, or object of antiquity located on public lands.
12. Surface collection of artifacts (either historic or prehistoric) or fossils, by permittee or participants is prohibited. The definition of an artifact is anything that has been made, used or modified by a human. It is stipulated that any cultural (historic/prehistoric site or object) and/or paleontological resource (fossil remains of plants or animals) discovered during the Proposed Action shall immediately be reported to the BLM Field Manager or his designee. All operations in the immediate area of the discovery shall cease until a qualified archaeologist or paleontologist is on site to determine appropriate actions to prevent the loss of significant cultural or scientifically important paleontological values.
13. This permit does not authorize the taking, harassing, killing or collection of any type of wildlife.
14. This permit does not authorize any removal, pruning or alteration of any vegetation, shrubs or wildflower species, unless specifically approved in advance and written into the permit.
15. Filming operations shall be conducted in such a manner as to avoid creating safety hazards to other public land visitors and to the filming crews. The permittee shall use signs, flagging, or other appropriate safety devices for the safe conduct of the filming operation.
16. Permittee shall post signs and/or utilizes appropriate lighting or security personnel to reduce/eliminate public hazards during filming or while props or other equipment is deployed.
17. A minimum of one BLM monitor will be present during portions of the filming activity if necessary. Spot checks will occur throughout the length of the permit.
18. A post site evaluation will be completed by BLM Program specialist/monitor within 10 days of final removal of equipment to assess cleanliness and any resource damage or non-compliance. The permittee will be notified if non-compliance or damage occurred and will be required to rehabilitate the site(s) to BLM standards. This may include, but

not limited to; the purchase of seeds, cost of labor to rehab site, and/or monetary fines.

19. The Permittee shall conduct all activities associated with the operation and termination of the permit within the authorized limits of the permit.
20. This permit does not give permission to cross over to or use any private land. The permittee will be fully responsible for all trespass on and/or damages to private lands which results from the permittee's activity.
21. The BLM reserves the right to take photographs of any aspect of filming operations for official case file records.
22. The final filming product will have written acknowledgement of filming location on public lands managed by the BLM, Lake Havasu Field Office.
23. Permittee shall not damage, collect, or introduce plants or animals at any location authorized by this permit.
24. A copy of the permit and the stipulations shall be kept available on location at all times, for review for BLM personnel upon request. All persons (e.g., permittees, contractors, sub-contractors) working at the site will be familiar with the permit stipulations. Non-compliance with permit stipulations may result in cancellation of the permit, or other adverse actions against the permittee.
25. Fees will be assessed each year under the fee schedule set by the BLM for film permitting.
26. Within 30 days of the completion of the filming operation, the permittee shall provide to the BLM a representative copy of the footage filmed or of prints depicting the photography conducted on the public lands under this authorization, to include at a minimum: two 8 X 10 color photographs of the scene labeled and dated. This material will become the property of the BLM for use in developing a library to depict the types of filming activities occurring on public lands in the Lake Havasu Field Office. Material to be sent to:

Lake Havasu Field Office  
2610 Sweetwater Avenue  
Lake Havasu City, Arizona 86406

**Filming Fees**

Special permits to use the public lands for commercial film production are issued by the BLM under Section 302(b) of the Federal Land Policy and Management Act. Regulations governing filming on public lands are covered in 43 Code of Federal Regulations (CFR) part 2920, Leases, Permits, and Easements.

For more information on filming on public lands please refer to the following national website:

<http://www.blm.gov/wo/st/en/prog/more/lands/filming.html>

**Rental Schedule**

Motion Picture/Videos		Commercial Still Photography	
1-10 people	\$150/Day	1-10 people	\$50/Day
11-30 people	\$250/Day	11-30 people	\$150/Day
31-49 people	\$500/Day	31-49 people	\$250/Day
Over 50 people	\$750/Day		

**Location Map**