



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Glennallen Field Office  
P.O. Box 147  
Glennallen, Alaska 99588  
<http://www.blm.gov/ak>

## **Off Road Warriors** DOI-BLM-AK-A020-2014-0019-DNA

Applicant: Original Productions Case File:AA093824

### **DECISION RECORD**

#### **Background**

The BLM received an application from Original Productions LLC for a land use permit to film a show for television production entitled *Off Road Warriors*. An Environmental Analysis (EA) (DOI-BLM-AK-A020-2014-0016-EA) was completed in June 2014. Prior to filming, Original Productions modified their application as a result of alternative filming methods necessitated by on-the-ground conditions. Proposed dates of filming run from July 7 through July 18, 2014. Up to fifteen (15) 4x4 vehicles, six ATV/UTV/OHV's, and a crew of up to 45 people would be authorized to film and travel on Coal Mine Road. Filming and associated activities could occur for up to 4 days. A Basecamp at the trailhead may be utilized to accommodate up to 45 personnel. Filming activities would utilize five Go-pro digital cameras and four Sony digital cameras. If permitted a 2920 Land Use Authorization would be granted to Original Productions for commercial filming on public lands.

#### **Decision**

It is my decision to authorize Original Production to use Coal Mine Road for filming on Public Lands. This decision is based on specific analysis found within the *Off Road Warriors Determination of NEPA Adequacy* (DOI-BLM-AK-A020-2014-0019-DNA). This decision is further supported by management decisions contained in the Record of Decision for the East Alaska Resource Management Plan (RMP/ROD; BLM 2007).

Specifically, it is my decision to authorize:

- Filming and associated activities on Coal Mine Road.
- Travel upon the trails for up to fifteen 4x4 vehicles, six ATV/UTV/OHV's, and a crew of up to 45 people.
- Up to 4 days of filming on the Coal Mine Road.
- A Basecamp at this trailhead to accommodate 45 personnel.

Impacts will be minimized with the incorporation of the Best Management Practices and Design Features identified in the June 2014 EA and carried forward as stipulations. To mitigate impacts further, it is my decision to implement the following mitigation measures;

- A BLM employee must be present at all times that filming is occurring on BLM managed lands. Operations shall cease if the BLM employee determines that the activity is causing damage to the trail to such a degree that the trail is impassable to the average user. The Authorized Officer will make a determination whether or not to allow filming to continue and if additional bonding is required if filming is allowed to proceed.

The Finding of No Significant Impact (FONSI) indicates that the selected alternative has been analyzed in an Environmental Assessment (EA) and has been found to have no significant environmental effects. Therefore, an Environmental Impact Statement is not required and will not be prepared.

### **Rationale for the Decision**

The rationale for this decision is based on the analysis done in the Off Road Warriors Environmental Analysis in June 2014. This analysis determined that this road is in good condition and can handle additional traffic. This analysis limited the number of vehicles on the road at one time, but did not limit the number trips or passes on the road. The BLM's rationale is that with the larger number of vehicles and people allowed on the trail at one time, there will be fewer trips overall during the same time period. The changes that are being requested have passed a review by the specialists and a Determination of NEPA Adequacy (DOI-BLM-AK-A020-2014-0019-DNA) has determined that the changes are not significant from the original analysis.

### **Laws, Authorities, and Land Use Plan Conformance**

The July 2014 DNA and supporting documentation have been prepared consistent with the requirements of various statutes and regulations, including but not limited to:

- National Historic Preservation Act as Amended 1992
- North America Wetlands Conservation Act of 1989 (as amended 1990 and 1994)
- Executive Order 11987 of May 1977 (Exotic Organisms)
- Executive Order 11990 of May 1977 (Protection of Wetlands)
- Executive Order 11644 of February 1972
- Executive Order 11989 of May 1977
- Migratory Bird Treaty Act of 1918 (as amended 1936, 1960, 1969, 1974, 1978, 1986, and 1989)

The East Alaska Resource Management Plan and Record of Decision (RMP/ROD) provides the overall long-term management direction for lands encompassed by the proposed project (BLM 2007). The Proposed Action and alternatives are consistent with the RMP/ROD.

### **Public Involvement, Consultation, and Coordination**

A summary of the proposed project was posted to the BLM's national NEPA register website, ePlanning on April 21, 2014 for the June 2014 EA. A scoping notice was placed in the Copper River Record, Delta Wind, and Valdez Star the week of May 5, 2014. Notice of the Proposed

Action and solicitation of comments were published on the What's Up Alaska list server, and mailed to Ahtna, Incorporated, and the village of Chickaloon on May 1, 2014. A radio announcement was placed on the regional radio station KCHU.

Comment deadline was Friday May 16, 2014 for the June 2014 EA. Twenty four comments were received. Two comments were received that raised new issues not identified by the interdisciplinary review team. These issues consisted of addressing the safety of trail users during filming activities and the social perceptions that permitting the proposed activity might depict about allowed uses of public lands. Two comments were received past the comment deadline date of May 16. These two comments did not reveal any new issues or provide any new information not already identified by previous comments.

### **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 § 4. To appeal you must file a notice of appeal at the BLM Glennallen Field Office, P.O. Box 147, Milepost 186.5 Glenn Highway, Glennallen, Alaska 99588, within 30 days from receipt of this decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Glennallen Field Office as noted above. *The BLM does not accept appeals by facsimile, email, or other electronic means.* The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR § 4.21 (58 FR 4939, January 19, 1993) 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. Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant's success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

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 (see 43 CFR § 4.413); Office of the Regional Solicitor, Alaska Region, U.S. Department of the Interior, 4230 University Drive, Suite 300, Anchorage, Alaska 99508; 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.

*/s/ Dennis C. Teitzel*

*July 7, 2014*

---

Dennis C. Teitzel  
Glennallen Field Manager

---

Date

### **References**

BLM. 2007. East Alaska Resource Management Plan and Record of Decision. September, 2007.

### **Attachments**

Finding of No Significant Impact (FONSI) for DOI-BLM-AK-A020-2014-0019-DNA  
*Off Road Warriors Determination of NEPA Adequacy, DOI-BLM-AK-A020-2014-0019-DNA*