Determination of NEPA Adequacy
(DNA)

U.S. Department of the Interior
Bureau of Land Management

BLM Office: **El Centro Field Office**
1661 So. 4th Street
El Centro, CA 92243

Lease/Serial/Case File No: CACA-56505
Tracking Number: DOI-BLM-CA-D070-2016-0024
Tiered Off EA No.: CA-067-93-046

Proposed Action Title/Type: Land Use Permit **(Filming)**

Location of Proposed Action: Ogilby Road south of I8 at BLM Routes of Travel 739 & 750, Imperial Sand Dunes

Applicant (if any): Substance over Hype
C/o Daniel Cabrera

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

The applicant proposes to film two men dressed as bellhops. Filming will include the two men sharing one horse and riding ATVs riding through the sand dunes and along BLM routes of travel. The applicant will have up to two horses on site and is required to feed them weed-free feed and remove their waste.

No earth disturbing activities or pyrotechnics would occur.

The proposed action is for short-term use not entailing any significant environmental disturbance.

B. Land Use Plan Conformance:

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) and, if applicable, implementation plan decisions:

LUP Name: California Desert Conservation Area Date Approved: 1980

Other documents: Imperial Sand Dunes Recreation Area Management Plan Date Approved: 2013

The CDCA plan designated the lands as Class I. Class I is an intensive use class. Its purpose is to provide for concentrated use of lands and resources. Reasonable protection will be provided for sensitive natural and cultural values. Mitigation of impacts on resources and rehabilitation of impacted areas will occur insofar as possible. The proposed action is of the type and degree of activities allowed within this classification.

C. Identify applicable NEPA document(s) and other related documents that cover the proposed action.

NEPA Documents: EA for Low Impact Filming Projects Dates Approved: 09/03/1993

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?

Yes. The proposed action is a feature of, or essentially the same as, the alternative selected and analyzed in the existing document, 1993 Environmental Assessment for Low Impact Filming Projects within the Imperial Sand Dunes. The proposed action alternative encompassed the Imperial Sand Dunes Recreation Area in its entirety.

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. A reasonable range of alternatives was analyzed in the existing document which covers the current proposed action of filming within the Imperial Sand Dunes Recreation Area. The current environmental concerns, interests, resource values, and circumstances are within the range of the previously analyzed proposed alternative. The permit parameters will be followed as outlined in the 1993 Environmental Assessment for Low Impact Filming Projects within the Imperial Sand Dunes to ensure negligible impact to resources.

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

Yes. There has been no significant change in circumstances or significant new information germane to the proposed action as filming would occur in the same parameters as identified in the 1993 Environmental Assessment for Low Impact Filming Projects within the Imperial Sand Dunes. Previously analyzed resources include plant species: Wiggins croton (Croton wigginsii), giant Spanish-needle (Palafoxia arida var. gigantean), Algodones Dunes sunflower (Helianthis niveus ssp. Tephroides), Peirson's milkvetch (Astragalus magdalenae var. peirsonii), and Sandfood (Ammobroma sonorae); Wildlife: Flat-tailed horned lizard (Phrynosoma mcallii), Colorado Desert fringe-toed lizard (Uma notate notate), and Andrew's dune scarab beetle (Pseudocoptala andrewsi). The following critical elements would not be affected by filming activities: ACECs, Cultural Resources, Prime/Unique Farmlands, Floodplains, Native American Religious Concerns, Water Quality, Hazardous or Solid Wastes, Wetland/Riparian Zones, Wild and Scenic Rivers. Filming activities are limited to negligible impact actions.

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 and indirect impacts of the proposed action are not significantly different than those identified in the approved 1993 Environmental Assessment for Low Impact Filming Projects within the Imperial Sand Dunes as the filming would take place within the boundaries of the Imperial Sand Dunes with minimal surface disturbance and lasting from 1-10 days.

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

Yes. Public involvement in the previous analysis provides appropriate coverage for the proposed action as filming would follow the specified parameters as found within the 1993 Environmental Assessment for Low Impact Filming Projects within the Imperial Sand Dunes.

E. Persons/Agencies/BLM Staff Consulted

___//Signed//_____ __12/15/15___
BLM Staff, Planning & Environmental Coordinator Date

__//Signed//_____ _12/15/15_____
Carrie Simmons, Resources Branch Chief Date

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 NEPA.

___//Signed//_____
Victoria Hernandez, Project Lead

_____//Signed//_____ __12/16/15_____
Signature of Responsible Official: Date
Thomas F. Zale, Field Manager