



**United States Department of the Interior
BUREAU OF LAND MANAGEMENT**

Bishop Field Office
351 Pacu Lane Suite 100
Bishop, California 93514
www.blm.gov/ca/bishop



Decision Record

Film Permit CACA 056707
Filming at Happy Boulders & Lower Rock Creek Trail
(DOI-BLM-CA-C070-2016-0018-CX)

Introduction and Background

The Bureau of Land Management (BLM) Bishop Field Office intends to issue a five-day motion photography film permit (CACA 056707) to Teton Gravity Research, LLC. The permit would allow Teton Gravity Research, LLC to film a local athlete and her coach while they are climbing in the Happy Boulders and bike riding on the Lower Rock Creek Trail in Inyo County, California. Filming would take place on public lands at the Happy Boulders, located on the Volcanic Tablelands and on the Lower Rock Creek Trail, located just above Paradise Camp. Filming would take place between May 16 and May 20, 2016 and last approximately 4 hours per location depending on weather conditions. There would be 10 crew members including the film subject, a local athlete, and her coach. The crew would be supported by 4 vehicles and an equipment van. No props would be required. No animals would be on location. All crew setup and filming would occur within previously disturbed areas. Standard film permit stipulations would be attached to the permit.

The purpose and need for action is to respond to Teton Gravity Research, LLC's application for a permit to conduct filming on public lands administered by the Bishop Field Office in Inyo County, California.

Decision and Rationale

Based on the information provided in the Categorical Exclusion Documentation DOI-BLM-CA-C070-2016-0018-CX and the required Review of Extraordinary Circumstances, I have determined: 1) that this action is categorically excluded from further environmental analysis and documentation under the National Environmental Policy Act (NEPA) of 1969, as amended; and 2) that implementation of this project as designed would not result in any significant adverse environmental impacts.

I have also determined that this action conforms to, and is consistent with, the overall guidance and management direction provided by the *Bishop Resource Management Plan* (RMP), approved March 25, 1993 (USDI BLM, 1993), as amended. The proposed action has been reviewed and found to conform to the land use plan terms and conditions as defined at 43 CFR 1601.0-5(b and c) and as required by 43 CFR 1610.5-3(a).

The proposed action does not violate any policies, decisions, or other terms or conditions prescribed by the Bishop RMP, as amended. In addition, the proposed action would occur in previously disturbed areas, would result in minimal surface disturbance, and would require no rehabilitation.

The proposed action would have no effect on any cultural properties, including those currently listed in, or eligible for listing in, the National Register of Historic Places.

The proposed action would have no effect on any species listed, or proposed for listing, as either threatened or endangered under the Endangered Species Act of 1973 (ESA), as amended; nor would it have any effect on any proposed or designated critical habitat for any such species.

In accordance with Section 302(b) of the Federal Land Policy and Management Act of 1976 (FLPMA), as amended and the regulations at 43 CFR 2920.2-2, the BLM may issue minimum impact film permits such as the one considered herein.

Therefore, it is my decision to issue a five-day motion photography film permit (CACA 056707) to Teton Gravity Research, LLC to film a local athlete and her coach while they are climbing in the Happy Boulders and bike riding on the Lower Rock Creek Trail in Inyo County, California. The permit will be valid between May 16 and May 20, 2016. Standard film permit stipulations will be attached to the permit.

Permit Information

For more information about this decision and the associated film permit, please contact Dione Perkins, Surface Reclamation and Compliance Technician, via phone at 760-872-5056 or email at DLPerkins@blm.gov.

Administrative Remedies

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of the Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. The appellant has the burden of showing that the decision being appealed is in error.

Notices of appeal must be filed with the Field Manager, Bureau of Land Management, Bishop Field Office, 351 Pacu Lane, Suite 100, Bishop, California, 93514 within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Pacific Southwest Region, U.S. Department of the Interior, 2800 Cottage Way, E-1712, Sacramento, California, 95825-1890. Please consult the regulations (43 CFR Part 4) for further appeal requirements.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 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 the Board and the Regional Solicitor identified above (*see* 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 regulation, 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.

Authorized Officer

This decision to issue a minimum impact permit is issued pursuant to 43 CFR 2920.2-2. Thus, this decision and the associated film permit issued under this decision are effective immediately upon signature and will remain in effect until stayed by the Interior Board of Land Appeals.

/s/ Steven Nelson

Steven Nelson
Bishop Field Manager

05/05/2016

Date: _____