

DECISION MEMORANDUM
LCNCA Filming Permit
DOI-BLM-AZ-G020-2016-0019-CX

U.S. Department of the Interior
Bureau of Land Management
Tucson Field Office

Project Description

Issuance of a film permit to New Zealand Natural History TV who propose to film in the Las Cienegas National Conservation Area, around the prairie dog release site, to capture video of wildlife found in that area. Filming is proposed to take one day and occur at the end of May, 2016. Filming would be with hand-held or tripod-mounted cameras only, using a crew of two people. There would be no additional props, no use of generators, no explosives or pyrotechnics, and no aircraft used in the project. The film crew would use one vehicle and would travel only on designated roads to the site. The project location is:

Gila & Salt River Meridian, Arizona
T. 19 S. R.17 E.
sec. 20, NE¹/₄NE¹/₄.

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 (Appendix 4 E 19) 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.

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and field office staff recommendations, I have determined that the project is in conformance with the Las Cienegas Resource Management Plan (approved July 2003) Page 16: "BLM will continue to consider other new land use authorizations (rights-of-way, leases, permits, easements) including non-major lineal utilities on a case by case basis with stipulations attached to any permits or leases to ensure consistency with the plan's goals and objectives." and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed.

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 via fax, mail, or hand delivered to the Tucson Field Office, 3201 E Universal Way, Tucson AZ 85756 within 30 days from receipt of this decision. No appeals submitted through email or any other electronic method will be accepted. 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) (request) for a stay (suspension) 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 Office of the Solicitor (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 with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

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:

Standards for Obtaining a Stay

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.

/s/ Melissa Warren
Melissa D. Warren, Field Manager

May 25, 2016
Date

Attachment:
DOI-BLM-AZ-G020-2016-0019-CX Stipulations