

**United States Department of the Interior
Bureau of Land Management**

Determination of NEPA Adequacy

DOI-BLM-UT-0300-2016-0034-DNA

**Clay E. Croft
DBA Expedition Overland**

Location: Grand Staircase-Escalante National Monument

Applicant/Address: Clay E. Croft
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Grand Staircase-Escalante National Monument
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Worksheet

Determination of NEPA Adequacy

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

OFFICE: Grand Staircase-Escalante National Monument (GSENM)

TRACKING NUMBER: DOI-BLM-UT-0300-2016-0034-DNA

PROPOSED ACTION TITLE/TYPE: Clay E. Croft, Expedition Overland

LOCATION/LEGAL DESCRIPTION: Grand Staircase-Escalante National Monument located in Garfield County, Utah

APPLICANT (if any): Clay E. Croft

A. Description of the Proposed Action and Any Applicable Mitigation Measures

The BLM is proposing to authorize a film permit to Clay E. Croft to conduct two days of filming on Grand Staircase-Escalante National Monument. The applicant would film in the Monument from July 18th to July 25th 2016. The applicant has submitted maps identifying requested filming locations. The maps are not attached to this document due to size.

Locations and length of use were provided in the Detailed Description Form which states: Drive on established roads, both dirt roads and highways. We would film our passenger vehicles as we drive on Highway 89 to the Cottonwood Canyon road then onto State Route 12 then to the Burr Trail Road. Camping will occur in Kodachrome State Park on the evening of the 18th and the 24th. The day and evening of the 24th Expedition Overland will travel in the opposite direction: from the Burr Trail road back to State Route 12 then onto the Cottonwood Canyon Road and then back onto Highway 89. Camping will occur in the same location.

Additional information:

1. Number of Cameras = two (2)
2. Total number of people on location = fourteen (14)
3. Number of vehicles = six (6)
4. Drones are not proposed for this film application.

Authorization to film "Clay E. Croft" would begin on July 18, 2016 and would be completed on July 25th, 2016. This is a one-time permit. Based on the detailed description this operator would create approximately 24 visitor days.

Clay E. Croft will operate in accordance with established GSENM and BLM stipulations. A copy of the stipulations is attached to this document.

B. Land Use Plan (LUP) Conformance

LUP Name: GSENM Monument Management Plan (MMP)
2000

Date Approved: February

The proposed action is in conformance with the Monument Management Plan because it is specifically provided for in the following LUP decisions:

FILM-1 (page 36): Filming may be approved in all zones if the activity complies with the zone requirements and Plan provisions. Permits for commercial filming will be required and the preparation of a project-level NEPA document (BLM Manual 2920) may be required.

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

Environmental Assessment UT-USO-06-004 - No-Impact Commercial Filming on BLM-Managed Lands in Utah within Wilderness Study Areas and the Grand Staircase-Escalante National Monument (September 2006).

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, this proposed action is essentially similar to and within the same analysis area of the existing NEPA document listed above. The above referenced EA was written specifically to address these types of filming projects. As it states, "this type of commercial filming is distinctly different from commercial filming for major motion pictures. There is no surface disturbance with no-impact commercial filming. The intent is to film in a completely natural setting with only a few people involved using hand-held cameras or cameras with tripods." This proposed action matches the conditions and scope of the referenced EA, which was written specifically for filming within Wilderness Study Areas and GSENM.

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

Yes, Environmental Assessment UT-USO-06-004 analyzed one action alternative and a no action alternative. The referenced EA established the criteria for No-Impact Commercial Filming activities occur on GSENM. If it were not for the commercial nature of the filming, this activity would be considered casual under 43 CFR 2920.0-5(k) and would not require a permit.

Stipulations issued as part of the permit are based on the resource specialists input as well as the

terms of the EA and mitigate any environmental concerns that may arise from the proposed action.

3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list 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, the existing analysis is still valid. The proposed action is an activity that has been directly addressed in the Programmatic EA. No new information or circumstances have been identified and existing analysis is adequate.

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 proposed action is a minimal impact, short-term activity. Except for the commercial nature of the filming, this would be considered casual use and no permit would be required. As such, there is no expectation of direct, indirect, or cumulative effects that would result from implementation of the proposed action.

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

Yes, existing public involvement efforts are adequate for the proposed action. This project was posted on E-Planning on March 24, 2016. Public comment was provided for during the preparation of the EA.

E. Persons/Agencies/BLM Staff Consulted

Name

Title

Jabe Beal, Outdoor Recreation Planner – Recreation, Natural Areas, and Project lead.

Amber Hughes, Botanist & (Acting P&EC) – Review environmental compliance.

CONCLUSION

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation adequately considers the impacts of issuing a Film Permit to Garfield County and constitute BLM's compliance with the requirements of the NEPA.

Signature of Project Lead

Signature of NEPA Coordinator

Signature of the Responsible Official

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 or appeal under 43 CFR Part 4 and the program-specific regulations.

ATTACHMENTS

Stipulations

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Grand Staircase-Escalante National Monument

669 South Hwy 89A

Kanab, UT 84741

<http://www.ut.blm.gov/monument>

GENERAL FILM PERMIT STIPULATIONS

GENERAL

1. Permittee is not authorized to disclose site specific locations on film or in writing unless authorized in the permit. Permittee may identify the location as Bureau of Land Management, Grand Staircase - Escalante National Monument.
2. All vehicles, including Jeeps, mountain bikes, and motorbikes, will remain on the designated roads and trails authorized by the BLM permits, and previously-existing road turnouts and parking areas. (Filming in conjunction with events authorized under a SRP Filming Permit.)
3. Motorized vehicles used in connection with the filming activities need to be power washed prior to entering the resource area to minimize the spread of invasive and noxious weeds.
4. The company will provide a portable toilet for use in the authorized remote locations.
5. A portable toilet is required for filming in locations for over 2 hours where a toilet is not readily available.
6. The company is required to have a monitor on location at all times when setting up and filming in the authorized BLM locations. BLM will either assign an in house monitor or contact BLM if you have a local monitor you have identified.
7. The company will provide the BLM Grand Staircase – Escalante National Monument with a current schedule for filming on the National System of Public Lands. The BLM contact person is Jabe Beal (435) 826-5601.
8. The company will have a copy of the BLM film permit at all times when filming in the BLM locations.
9. Prior to beginning filming activities, Permittee shall furnish filming crew members with a copy of the terms and conditions of this permit and explain the limitations imposed by such terms and conditions. A copy of the complete filming permit, including its relevant map(s) and attachments, shall be made available on location during all filming activities.

10. All terms and conditions applicable to this permit apply to Permittee, his employees, contractors, and clients. Permittee is responsible for all actions of his employees, contractors, and/or clients on both public and non-public lands.
11. The BLM reserves the right to alter the terms and conditions of this permit at any time for reasons such as policy changes, administrative procedures changes, stipulation changes, impacts to resource values, user conflicts, etc. BLM also reserves the right to cancel this permit as it applies to any lands which Congress may formally designate as a wilderness area.
12. If at any time hereafter Permittee wishes to change or modify his operations from what has been authorized in this filming permit, the prior written approval of the BLM authorized officer must be obtained.
13. The final filming product will have written and/or verbal acknowledgment of filming location on the National System of Public Lands managed by the Bureau of Land Management, Grand Staircase – Escalante National Monument, Utah, if feasible.

SPECIFIC

Cultural Sites

1. All known archaeological sites will be avoided for all filming activities. All people on the filming location must be reminded that collection of cultural materials is illegal.
2. If any previously unrecorded prehistoric or historic archaeological sites are encountered, they would be recorded and evaluated and proper treatment would be determined in compliance with 36 CFR Part 800.11.

Dust Control

1. The company will water dusty roads or trails, as needed during the day, and at the end of the filming day to control fugitive dust.

Fire Suppression

2. Fire suppression equipment will be on location at all times.

Helicopters

3. If authorized, helicopter landing zones must be in disturbed areas or existing roads and located away from parked vehicles and large enough to include a buffer from vehicles.
4. Helicopter refueling is not permitted on BLM lands. It is recommended that refueling take place at Canyonlands Field Airport or the Green River Airport.

Horses and Livestock

1. Horses (cows) will be fed non-germinating pellets or certified weed-free hay for two days prior to filming on the National System of Public Lands. During filming, horses (cows) will be fed certified weed-free hay or non-germinating pellets.
2. Horse manure will be collected and removed from the staging areas.
3. Horses that are not in use will not be picketed on public lands. Horses must be in trailers or tied to trailers and the vehicles must be parked on a road, in a parking area, or in a disturbed area.

Filming Petroglyphs

1. Petroglyphs are permanently damaged by touching, rubbing, and latex imprinting. This permit authorizes only the viewing of the panels. Filming of archeological sites is not authorized.
2. All crew members will adhere to general public regulations at cultural and sites.

Placement of Filming Equipment

1. The camera crew will set up the camera in locations that will not result in disturbance to soils or vegetation.
2. In each location where people will be off existing roads and trails, the company will establish one trail, between the vehicles and the camera or other equipment, to concentrate foot traffic.
3. A dolly track will be set up in such a way that disturbance to vegetation and soils is minimized in the set-up and in subsequent activities around the equipment. Preferred locations for the dolly track are on the edge of a road or trail, rock, or in previously-disturbed areas.
4. For the protection of soils and vegetation, no camera locations are authorized off the road unless these locations are on previously impacted soils, such as vehicle turnouts, or on rock outcrops (Onion Creek Road).

Traffic Control on Highways

1. Traffic control will be done by law enforcement officers unless other arrangements are identified in the application process. Traffic stops are limited to 15 minutes.
2. The company will obtain an encroachment permit from the Department of Transportation to film on state highways. Please contact Kane and/or Garfield Counties Engineering Department.

Wilderness Study Areas

1. Permittee is responsible for knowing where wilderness study areas (WSAs) and other special management areas (i.e., Areas of Critical Environmental Concern, Wild and Scenic Rivers, closed off-road vehicle areas, etc.) are located, and abiding by the specific use restrictions that apply to such areas.