§ 2921.8 Appeals.

- (a) Minimum impact permits. All minimum impact permit decisions of the authorized officer will be effective immediately upon signature by the authorized officer and will remain effective during the pendency of an appeal unless the Interior Board of Land Appeals (IBLA) or the authorized officer determines that the decision should be stayed as provided in this paragraph. The provisions of $\S 4.21(a)$ of this title do not apply to any decision or approval of the authorized officer on a minimum impact permit under this part, except that a party who may properly maintain an appeal under 43 ČFR 4.21(a) of this title may file a petition for a stay together with a timely notice of appeal. A petition for a stay of a decision or approval of the authorized officer must be filed with IBLA showing sufficient justification under the standards set forth in § 4.21(b) of this title. Nothing in this paragraph diminishes the discretionary authority of the authorized officer to stay a decision subject to appeal upon a request by an adversely affected party or on the authorized officer's own initiative.
- (b) Full permits and leases. All decisions of the authorized officer approving or denying a full permit and all decisions approving or denying a lease will be subject to the appeal provisions in part 4 of this title.
- 10. Section 2921.9 is added to the proposed rule to read as follows:

§ 2921.9 Outdoor advertising.

Permits or leases for the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to Interstate Highways will be issued pursuant to the requirements of 23 U.S.C. 131 and the regulations at 23 CFR part 750.

10a. Section 2922.2–2 of the original proposed rule is redesignated as § 2922.2–3.

11. Section 2922.2–1 of the original proposed rule is redesignated as section 2922.2–2, and new section 2922.2–1 is added to the original proposed rule to read as follows:

§ 2922.2–1 Applications not conforming with land use plans.

An application for a permit or lease will be rejected if the proposed use does not conform with Bureau of Land Management land use plans, as provided in § 1610.5–3(a) of this title. If the proposed use does not conform with Bureau of Land Management land use plans, the authorized officer will reject the application and explain in writing why the proposal will not be approved.

Rejected applications are subject to appeal pursuant to part 4 of this title.

12. Newly redesignated section 2922.2–3 is amended by revising paragraph (a), redesignating paragraphs (b) through (e) as paragraphs (c) through (f), respectively, and adding paragraph (b), to read as follows:

§ 2922.2-3 Application content.

(a) General. Applications for a permit or lease must include sufficient detail to enable the authorized officer to evaluate the feasibility of the proposed land use and determine whether the proposed use is in accordance with Bureau of Land Management plans, programs, and policies for the affected public lands. Applicants must disclose whether hazardous materials are to be used, stored, transported, or generated on the subject lands.

(b) Commercial filming/photography permits. Persons wishing to obtain a permit for motion picture filming or commercial still or video photography on public lands must submit an application containing the name, address, and telephone number of the applicant, the name of the applicant's agent, if any, and the following information:

(1) *Type of use.* (i) The application must state whether the use of the public lands will be for a commercial production, a nonprofit production, a community service production, or an educational production.

(ii) The application must state whether the use of the public lands will be for a feature film, an advertisement, a documentary, a still photograph, a video, or for some other purpose.

(2) Duration of use. The application must state the number of days that filming and related activities will continue on the land that is the subject of the permit.

(3) Number of people. The application must state the number of personnel to be involved in the filming activity subject to the permit.

(4) Number and type of vehicles. The application must state the number and type of vehicles to be used in the filming activity subject to the permit.

(5) Staging areas. The application must state the number and location of staging areas on public lands subject to the permit.

(6) Other activities. The application must state whether other activities are involved, including but not limited to:

(i) Temporary road closures;

(ii) Special effects or pyrotechnics;

(iii) Construction of sets;

(iv) Use of animals;

(v) Use of aircraft; or

(vi) Catering.

* * * * *

13. Section 2922.3 in the proposed rule is redesignated as section 2922.2–4 and further amended by adding paragraph (m) to read as follows:

§ 2922.2–4 Application processing.

(m) The authorized officer may allow the use, storage, and generation of hazardous materials in connection with the lessee's or permittee's use or occupancy of the public lands pursuant to this part only if consistent with applicable Federal, State, and local laws and regulations.

13. Section 2924.1–2 of the proposed rule is revised to read as follows:

§ 2924.1–2 Rental and fee schedule for film and photography permits.

(a) Motion picture and video filming.
(1) Upon being issued either a minimum impact or full permit for commercial motion picture or video filming under § 2921.7, the permittee must pay a rental according to the following schedule:

MOTION PICTURE AND VIDEO FILMING RENTAL SCHEDULE

Number of people	Daily rate for each location	Daily rate for each staging area
1–10 11–30 31–60 61–100 101+	\$150	\$75 125 225 300 300 (or as determined by ap- praisal).

Note: The number of people includes actors, models, and filming and support crew. If the number of people exceeds 100, the authorized officer may order an appraisal to determine fair market value. Absent such an appraisal, the maximum daily rental is \$600 for each location and \$300 for each staging area for numbers of people exceeding 100.

- (i) Total rent is calculated by adding the rate for each day authorized. The rent may vary from day to day depending on the number of people who are present and the number of locations and staging areas used. Permit applications must include a daily estimate of the number of people planned to be on location.
- (ii) The permittee must pay rental for days in excess of 20 days at a rate of 85 percent of the daily rent per day, plus any additions required under paragraph (a)(2) of this section.
- (2) In addition to the rental requirements of paragraph (a)(1) of this section, the permittee must pay daily fees, based on the type and amount of special treatment required, area used, or