

CATEGORICAL EXCLUSION

Project Name/ Applicant: James Reed Commercial Film Permit

Project/Case File Number: IDI-37397

Project Lead: Becky Lazdauskas

CE Number: DOI-BLM-ID-I010-2012-0082-CX

Date of Preparation: August 28, 2012

PROPOSED ACTION:

On August 10, 2012, James Reed submitted an application (Form 2920-1) requesting a film permit to allow for commercial filming on public lands within the Upper Snake Field Office area. Mr. Reed, of Safari Classics Productions, would like to film his moose hunt along the South Fork of the Snake River. The film would then be aired on the television program Sports Afield.

The filming would occur along the public lands from the vicinity of Lorenzo to the Menan area and to Deer Parks, within Idaho's Fish and Game Hunting Unit 63A. The area is generally within T. 5 N., Rs. 37, 38 and 39 E., B.M., Jefferson County, Idaho. They would access the islands with a 16 foot boat. The only equipment to be used, other than the hunting gear, is a handheld camera. The filming would be allowed during the moose season from October 1-31, 2012.

There would be no surface disturbing activities authorized with this action; therefore, no rehabilitation or bonding would be required.

CONSULTATION AND COORDINATION:

A description of the proposed action was posted to the online NEPA register. This is available to members of the public through the USFO webpage. No comments were received and no issues/conflicts have been identified for this project.

FINDING AND RECOMMENDATION:

The proposed action is categorically excluded as outlined in 516 DM 11.9, Appendix 5.4 E (19) and none of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply. This exclusion states that one-time issuances 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 original condition may be excluded from further environmental review.

I recommend that film permit, IDI-37397, be issued to allow for commercial filming on public lands located in Jefferson County as generally described above (see Exhibit A). The permit

would be issued from October 1, 2012 through October 31, 2012, with the intent that filming would occur several days during that time period. The authorization would be approved subject to the attached current terms and conditions (Exhibit B). The permit would be granted under the authority of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761) and current Bureau regulations found at 43 CFR 2920.

Cost recovery would be required in accordance with 43 CFR 2920.6. I recommend that rent should be charged according to the Alternative Commercial Filming Schedule found in Instruction Memorandum No. UT 2010-043. This schedule was developed administratively for use with certain types of minimal to no-impact commercial filming that generally take place over extended periods of time over large geographic areas, and do not encumber public lands. The applicant filled out Alternative Rent Schedule Checklist and meets the criteria. The rent is based per month, as this permit would be issued for a month period the rent is determined to \$250.

DECISION AND RATIONALE FOR THE DECISION:

It is my decision to issue film permit, IDI-37397, allowing commercial filming on public land along the South Fork of the Snake River as described in the proposed action. The permit would be issued from October 1, 2012 through October 31, 2012, subject to the attached current terms and conditions (Exhibit B). Cost Recovery would be collected as outlined in 43 CFR 2920.6 and rent would collected as outlined in Instruction Memorandum No. UT 2010-043.

Issuance of the permit would cause no significant environmental disturbance. The subject action qualifies as a Categorical Exclusion and meets the criteria contained in 516 DM 11.9, Appendix 5.4 E (1). None of the exceptions found in 516 DM 2, Appendix 2 apply.

LAND USE PLAN CONFORMANCE:

The proposed action is in conformance with the Medicine Lodge Resource Management Plan (1985).

APPEALS INFORMATION:

43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2801.10

/s/Becky Lazdauskas
Becky Lazdauskas
Realty Specialist

August 28, 2012
Date

/s/ Jeremy Casterson
Jeremy Casterson
Field Manager

September 4, 2012
Date

Extraordinary Circumstances Requiring Preparation of an EA or EIS

(516 DM 2, Appendix 2)

The action described in categorical exclusion ID-I010-2012-0082-CX (IDI-37397) has been reviewed to determine that none of the extraordinary circumstances listed below pertain to the proposed action.

DM# Extraordinary Circumstance

- 2.1 Have significant impacts on public health or safety
- 2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
- 2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].
- 2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
- 2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
- 2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
- 2.7 Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.
- 2.8 Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species.
- 2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
- 2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
- 2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).
- 2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Exhibit B
IDI-37397
James Reed Film Permit
Stipulations – August 28, 2012

1. The holder will have a copy of this permit at all times when filming on the BLM location.
2. All vehicular traffic shall be confined to the right-of-way or designated access routes, roads, or trails.
3. There are no surface disturbance activities authorized with this action.
4. Filming locations shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. 'Waste' means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
5. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
6. The final filming product will have written and/or verbal acknowledgement of filming location on public lands managed by the Bureau of the Land Management, Upper Snake Field Office, if feasible.
7. The holder shall contact Becky Lazdauskas, Realty Specialist, at the Upper Snake Field Office upon completion of filming to report the location and the date of filming and any other pertinent information.

