

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

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**Categorical Exclusion Not Established By Statute**

**DOI-BLM-UT-Y010-2015-0231-CX**

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**August 2015**

**Film Permit UTU-91388  
Still Photography – Marlboro Advertising**

***Locations:*** Onion Creek Campground  
Fossil Point

***Applicant/Address:*** ***White Falcon Studios, Inc.***  
***23902 Windward Lane***  
***Valencia, CA 91355***

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Moab Field Office  
82 East Dogwood  
Moab, Utah 84532  
435-259-2100  
435-259-2106



**CATEGORICAL EXCLUSION DOCUMENTATION FORMAT WHEN USING CATEGORICAL  
EXCLUSIONS NOT ESTABLISHED BY STATUTE**

**A. Background**

BLM Office: Moab Field Office                      Lease/Serial/Case File No: UTU-91388

Proposed Action Title/Type:                      Film Permit – Still Photography

Locations of Proposed Action:                      Onion Creek Campground  
Fossil Point

Description of Proposed Action:

On August 17, 2015, Larry Campbell, on behalf of White Falcon Studios, Inc., filed film permit application UTU-91388 for 2 days of still photography on August 25<sup>th</sup> to August 28<sup>th</sup>, 2015. The purpose of the photography would be for Marlboro advertising. The following describes the filming activities that would take place at each location:

Onion Creek Campground

Various camp scenes would be arranged focusing on the river view. A small propane controlled campfire would be set up with a fire pan.

Fossil Point

A Jeep would be parked on the point and several different scenes would be photographed around the Jeep and on the ground.

The company consists of 15 people and 10 cars and trucks. All access would be by designated routes. Photography would be done with a handheld camera and/or camera mounted on a tripod.

**Project Purpose and Need:** The project is commercial filming that requires a BLM permit.

**B. Land Use Plan Conformance**

Land Use Plan Name: Moab Field Office RMP, Approved October 2008

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

Page 65 of the Moab Field Office RMP reads as follows: "Meet public needs for use authorizations such as rights-of-way, alternative energy sources, and permits while minimizing adverse impacts to resource values."

**C. Compliance with NEPA**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2.3A (2) E (19). This reference

states "issuance of short-term (3 years or less) rights-of-way or land use authorizations... where the proposal includes rehabilitation to restore the land to its natural or original condition.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR Part 46.215 apply.

**D: Signature**

Authorizing Official:  Date: 8/21/15  
*Beth Ransel, Field Manager*

**Contact Person**

For additional information concerning this CX review, contact:

Jan Denney  
Realty Specialist  
Moab Field Office  
82 E. Dogwood  
Moab, Utah 84532  
435-259-2122

The following BLM Specialists have reviewed the proposed action and have determined that none of the 12 exceptions above apply to this project:

Name	Title	Critical Element(s)
Ann Marie Aubry	Hydrologist	Air quality, Water Quality, Floodplains, Wetlands/Riparian
Jordan Davis	Rangeland Management Specialist	Invasive Species/Noxious Weeds
David Williams	Rangeland Management Specialist	Threatened, Endangered, or Candidate Plant Species
Pam Riddle	Wildlife Biologist	Threatened, Endangered, or Candidate Animal Species
Bill Stevens	Recreation Planner	Wilderness, Environmental Justice
Katie Stevens	Recreation Planner	Areas of Environmental Concern, Farm Lands, Wild & Scenic Rivers
Jared Lundell	Archaeologist	Cultural Resources, Native American Religious Concerns
David Pals	Geologist	Wastes (hazardous or solid)
Jan Denney	Realty Specialist	Lead Preparer

**Exceptions to Categorical Exclusion Documentation**

The action has been reviewed to determine if any of the below listed exceptions to categorical exclusion documentation apply.

**Would the project:**

<i>Exceptions</i>	<b>(a) Yes</b>	<b>(b) No</b>
1. Have significant adverse effects on public health or safety?		X
<b>Rationale:</b> The proposed filming project is not likely to result in significant impacts to public health or safety. To keep impacts to a minimum and not impair public health or safety, the applicant would maintain and abide by all relevant Federal, state and local government requirements.		
2. Have adverse effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild and scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; and other ecologically significant or critical areas?		X
<b>Rationale:</b> Conformance with the Moab Field Office RMP and Categorical Exclusion Review Record has been completed indicating none of the above concerns are present in the described locations and that significant impacts are not anticipated as a result of the proposed filming activity.		
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102 (2)(E)]?		X
<b>Rationale:</b> The proposed project would not have impacts of this kind. As described, the proposed action is categorically excluded under 516 DM 2.3A (2) E (19). Categorically excluded actions generally have very predictable consequences well established as insignificant and, therefore, would not create environmental effects that would generate controversy or involve unresolved conflicts concerning alternative uses of available resources. No controversial effects or conflicts have been identified with this filming project.		
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		X
<b>Rationale:</b> The proposed filming activity would not result in uncertain or unknown environmental risks.		
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects?		X
<b>Rationale:</b> The proposed project is not connected to another action and would not set a precedent for future actions that would normally require environmental analysis.		
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?		X
<b>Rationale:</b> Issuing a film permit should not result in cumulatively significant environmental effects.		

7. Have adverse effects on properties listed, or eligible for listing, in the National Register of Historic Places?		X
<b>Rationale:</b> The nature of the proposed action is such that no impact can be expected on significant cultural resources.		
8. Have adverse effects on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
<b>Rationale:</b> The filming project would not have impacts of this kind.		
9. Have the potential to violate a Federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?		X
<b>Rationale:</b> No adverse environmental impacts are anticipated, therefore, no laws should be broken.		
10. Have the potential for a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		X
<b>Rationale:</b> The proposed filming project would not have an adverse effect on low income or minority populations.		
11. Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		X
<b>Rationale:</b> There should be no impacts of this kind.		
12. Significantly 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 Weeds Control Act and Executive Order 13112)?		X
<b>Rationale:</b> The proposed filming project should not result in introduction or spread of noxious weeds.		

Lead Preparer: Jan Demmay

Date: 8-21-15

**Attachments**

Categorical Exclusion Review Record  
Maps (2)

# White Falcon Studios

X 231

## Categorical Exclusion Review Record

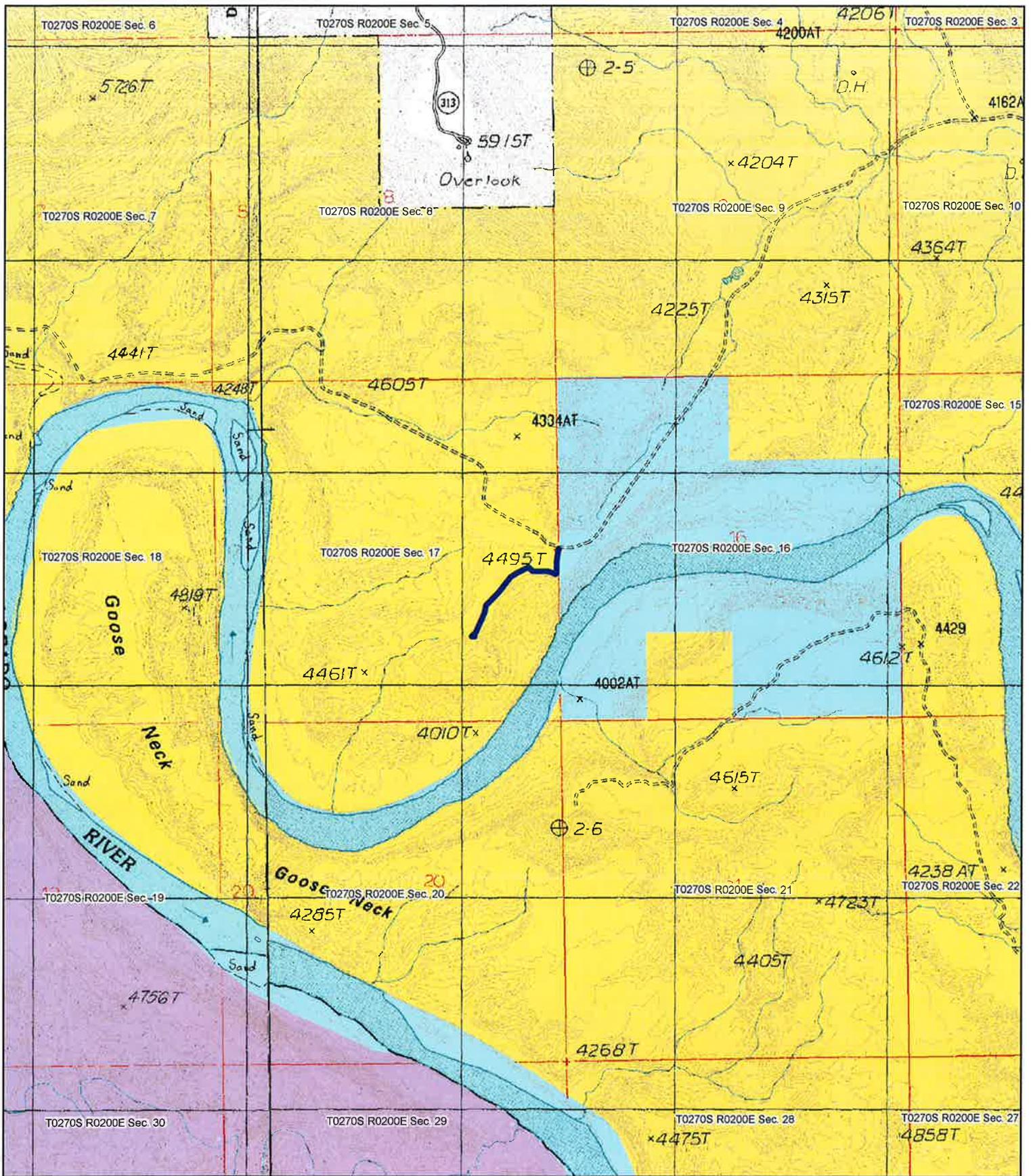
Resource	Yes/No*	Assigned Specialist Signature	Date
Air Quality	No	Am Arby	8/18/15
Areas of Critical Environmental Concern	No	K Stevens	8/18/15
Cultural Resources	No	[Signature]	8-20-15
Environmental Justice	No	[Signature]	8-18-15
Farm Lands (prime or unique)	No	K Stevens	8/18/15
Floodplains	No	Am Arby	8/18/15
Invasive Species/Noxious Weeds	No	[Signature]	8/18/15
Migratory Birds	No	[Signature]	8/18/15
Native American Religious Concerns	No	[Signature]	8-20-15
Threatened, Endangered, or Candidate Species	No	[Signature]	8/18/15
Wastes (hazardous or solid)	No	[Signature]	8/18/15
Water Quality (drinking or ground)	No	Am Arby	8/18/15
Wetlands / Riparian Zones	No	Am Arby	8/18/15
Wild and Scenic Rivers	No	K Stevens	8/18/15
Wilderness	No	[Signature]	8-18-15
Other:			

\*Extraordinary Circumstances apply.

Environmental Coordinator [Signature]

Date: 8/21/15





**Legend**

- █ Filming area
- █ B Roads (Maintained)
- - - D Roads (Unmaintained)



**Film Permit UTU-91388**  
**White Falcon Studios, Inc.**  
**Fossil Point**

## Approval and Decision

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the Moab Field Office RMP, approved October 2008 and that no further environmental analysis is required.

It is my decision to issue film permit UTU-91388 to White Falcon Studios, Inc. of Valencia, California pursuant to the authority of Section 302(b) of P.L. 579, October 21, 1976 (43 U.S.C. 1732). The permit will authorize 2 days of still photography in Grand and San Juan Counties, Utah.

Rationale: The proposal meets the criteria for minimum impact filming in WO Instruction Memorandum 96-148 and the guidelines in 43 CFR 2920.2-2 and is therefore, a full force and effect decision. The proposed action is not in a WSA or area requiring additional NEPA analysis. The proposed action would not result in unnecessary or undue environmental degradation.

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay. Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the Authorized Officer at *82 East Dogwood, Moab, Utah*. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer. If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and 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 irreparable harm to the appellant or resources if the stay is not granted, and
4. Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 South State Street, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

  
Beth Ransel, Field Manager

Date: 8/21/15