

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

Categorical Exclusion Not Established By Statute

DOI-BLM-

February 2015

**Film Permit OR-68342
Leupold Optics**

Locations:

Whychus Canyon Preserve Trails Area

Walk into the BLM Land from the Kiosk Located at:

Willamette Meridian

T. 14 S., R. 11 E.,

sec. 21, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

approximately 200 Yards.

Walking Within a Square Mile Area as Shown on

Exhibit A - Map

Utilize the Area Between the Hours of 7:00 a.m. to 3:00 p.m.

Applicant/Address:

Rockhouse Motion LLC

2330 Highway 4

Geneseo, KS 67444

Prineville Oregon District Office
3050 N.E. 3rd Street
Prineville, OR 97754
541-416-6700



B. Land Use Plan Conformance

Land Use Plan Name: Upper Deschutes Resource Management Plan, Approved September 2005

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

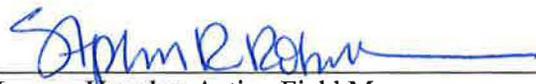
Page 10-11: "The RMP supports scientific approaches to ecosystem management and management of hazardous fuels in the urban interface, provides for multiple uses while protecting resources and the interests of adjacent landowners, establishes and expands special management areas, manages motorized and non-motorized recreation, integrates recreation and wildlife management objectives throughout the planning area, manages firearm use to protect public health and safety, establishes an interim road system and guidelines for rights-of-way designed to provide necessary access and protect resources, establishes visual resource management classifications appropriate to the location and conditions of the land, establishes land tenure classifications, and establishes a proactive framework for managing at-risk significant archeological resources."

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 11.9 (E)19. This reference states "issuance of short-term (3 years or less) rights-of-way or land use authorization 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 applies.

D: Signature



Lenore Heppler, Acting Field Manager
Deschutes Resource Area

Date: 2/25/15

Contact Person

For additional information concerning this CX review, contact:

Denise Ohler
 Prineville District Office
 3050 NE 3rd Street
 Prineville, OR 97754
 541-416-6783

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

Name	Title	Critical Element(s)
Jimmy Eisner	Fishery Biologist	Air Quality, Water Quality, Floodplains, Wetlands/Riparian Zones
Jim Beaupre	Consultant, Outdoor Rec. Planner, US Forest Service	Areas of Critical Environmental Concern, Wild & Scenic Rivers
Jim Beaupre	Consultant, Outdoor Rec. Planner, US Forest Service	Wilderness, Environmental Justice
Monte Kuk	Wildlife Biologist	Threatened, Endangered, or Candidate Animal Species, Migratory Birds
Sarah Canham	Natural Resource Specialist	Invasive Non-native Species
Ryan Griffin	Archaeologist	Cultural Resources, Native American Religious Concerns
Denise Ohler	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>	(a) Yes	(b) No
1. Have significant adverse effects on public health or safety?		X
Rationale: 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 obtain, maintain and abide by all relevant Federal, state and local government requirements and mitigation stipulations.		
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		X

monuments; and other ecologically significant or critical areas?		
Rationale: Conformance with the Land Use Plan and the Categorical Exclusion Review Record for 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
Rationale: As described, the proposed action is categorically excluded under 516 DM 11.9 (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
Rationale: The proposed filming project 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
Rationale: 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
Rationale: Filming in the requested locations would not have a direct relationship to other actions that would create cumulatively significant environmental effects.		
7. Have adverse effects on properties listed, or eligible for listing, in the National Register of Historic Places?		X
Rationale: 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
Rationale: The filming project would not have impacts of this kind. All filming activity would be conducted from and within existing described recreation areas, hiking areas, and highway rights-of-way. All vehicles would stay on designated routes, turnouts, parking areas and park at trailheads.		
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
Rationale: The applicant would be required to maintain and abide by all relevant Federal, state and local laws throughout the term of the permit. BLM monitor will be on site during filming.		
10. Have the potential for a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		X
Rationale: 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
Rationale: There are no known Indian ceremonial or sacred sites within the proposed areas.		
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
Rationale: The proposed filming project should not result in introduction or spread of noxious weeds.		

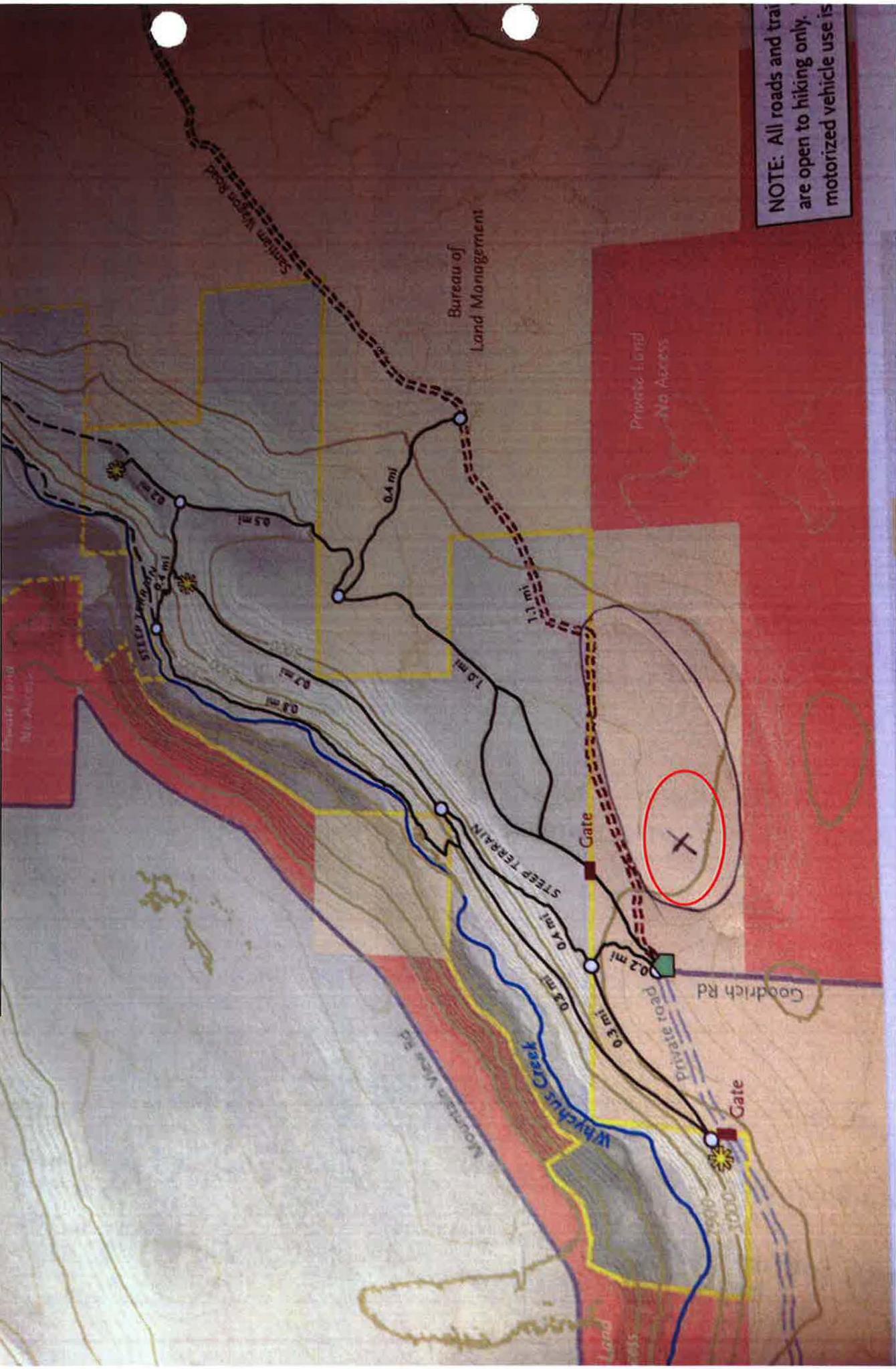
Lead Preparer: _____ Date: _____

Attachments

Exhibit A - Map

Exhibit B – Filming Boards

EXHIBIT A - MAP
February 25, 2015
Not to Scale
Willamette Meridian
T. 14 S., R. 11 E.,
sec. 21, SW¼SW¼.



NOTE: All roads and trails are open to hiking only. motorized vehicle use is prohibited.

EXHIBIT B - FILMING BOARDS
February 25, 2015

"YOUR CUSTOM DIAL SYSTEM"

:30 CDS TV -- 1-18-15



1 VIDEO: Hunter preparing to entering the field/head to his treestand.

VO: **The Leupold Custom Dial System gives you absolute long-range accuracy...**

Music: Low and under.



2 VIDEO: Hunter carrying rifle - closeup on scope. Rifle could be custom rifle in 300 WSM.

VO: **Based on your specific ballistics...**



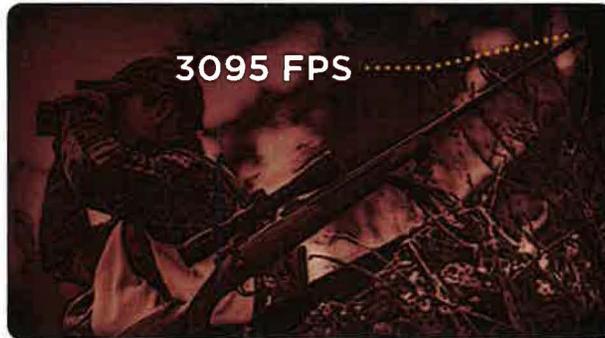
3 VIDEO: Hunter chambering round - caliber on headstamp could be highlighted. Technical type treatment with grid highlights caliber.

VO: **Caliber.**



4 VIDEO: Closeup of hunter chambering round - tight on bullet. Technical type treatment highlights bullet weight.

VO: **Bullet.**



5 VIDEO: Hunter stopping to glass; show profile of scoped rifle. Type treatment highlights muzzle velocity.

VO: **Velocity.**

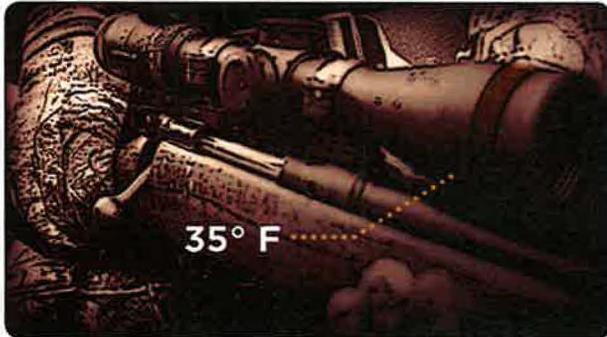


6 VIDEO: Hunter hiking at higher elevation/mountains. Type highlights elevation most hunted.

VO: **Elevation.**

"YOUR CUSTOM DIAL SYSTEM"

:30 CDS TV



7 VIDEO: Closeup of scope in environment - temperature appears from scope.

VO: And environmental conditions.



8 VIDEO: CDS dial is highlighted on scope as details "etch" into dial.

VO: It all goes into a custom, laser-etched elevation dial, made exclusively for you.



9 VIDEO: Hunter ranging with RX-1200. Range flies out of rangefinder.

VO: Just get your True Ballistic Range,



10 VIDEO: Hunter turning custom 300 WSM dial to a little less than 5 as 497 YDS is revealed.

VO: dial,



11 VIDEO: Cut to elk or mule deer in reticle. Type appears to come out of dead-on aim point.

VO: and hold dead on.



12 VIDEO: Flash to hunter as he fires - product hero shot highlighting CDS dial.

Type shoots on with SFX:
CUSTOM DIAL SYSTEM.

SFX: Take your accuracy to the next level with the Leupold Custom Dial System.

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 Upper Deschutes RMP, approved September 2005 and that no further environmental analysis is required.

It is my decision to issue film permit OR-68342 to Rockhouse Motion, LLC pursuant to the authority of Section 302(b) of P.L. 579, October 21, 1976 (43 U.S.C. 1732). The permit will authorize one day of filming on BLM National System of Public Lands described in the proposed action and shown on the attached maps.

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 3050 NE 3rd Street, Prineville, OR 97754. 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, Pacific Northwest Region, 805 SW Broadway, Suite 600, Portland, OR 97205, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.



Lenore Heppler, Acting Field Manager
Deschutes Resource Area

Date: 2/25/15