

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

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**Determination of NEPA Adequacy  
DOI-BLM-UT-Y020-2016-0018-DNA**

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**MARCH, 2016**

**Osprey Packs Catalog Photo/Film Shoot**

***Location:***

San Juan County, Utah  
Fish Creek and Owl Canyons

Salt Lake Meridian, Utah  
T.38S., R.19E.,  
T.38S., R.19E.

***Applicant/Address:***

Osprey Packs  
115 Progress Circle  
Cortez, CO 81328

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Bureau of Land Management  
Monticello Field Office  
P.O. Box 7  
Monticello, UT 84535  
OFFICE 435-587-1500  
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## Worksheet

### Determination of NEPA Adequacy

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

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The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

OFFICE: Monticello Field Office, Utah

TRACKING NUMBER:

CASEFILE/PROJECT NUMBER: UTU-91581

PROPOSED ACTION TITLE/TYPE: Film Permit

LOCATION/LEGAL DESCRIPTION: Fish Creek and Owl Canyons

APPLICANT (if any): Osprey Packs

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

Osprey packs submitted application for a film permit on February 13, 2016 pursuant to Section 302(b) of the Federal Land Management and Policy Act (FLPMA). Osprey proposed filming activities for marketing and catalog purposes. They proposed that filming activities will take place during a three day backpacking trip on the Fish Creek and Owl Canyon loop. The following details were included in the permit application:

- Proposed dates of use: 3/18 – 20/2016
- Filming and photographs will be taken with 2 handheld cameras.
- 12 people will be part of the filming activities.
- 3 vehicles will be used for transportation and will be parked at the trailhead.

The following conditions of approval will be added to the permit:

1. The permittee's group must not hike one-half hour before or after sunrise or sunset during the wildlife nesting season (March 1-August 31).
2. The permittee must obtain overnight permits for its entire group from the Kane Gulch Ranger Station for backpacking in Fish Creek and Owl Canyons. The overnight permit must be obtained in addition to a film permit, issued pursuant to regulations at 43 CFR 2920.
3. The permittee must follow all stipulations of the overnight backpacking permit.

4. Filming with any Unmanned Aircraft System (a.k.a. Drone) is prohibited under this permit.
5. Permittee must limit filming equipment to hand-held cameras or cameras with tripods.

## **B. Land Use Plan (LUP) Conformance**

Land Use Plan Name: Monticello Field Office RMP, Approved November 2008

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

LAR-6

Filming permit authorizations are subject to Public Law 106-206. Applications for filming permits in the Monticello PA will be limited to existing highways, roads, and pullouts and previously disturbed or cleared areas throughout the Field Office (including Valley of the Gods, Moki Dugway, Highway 211, Newspaper Rock, and Highway 95) and will have to meet ..... criteria of minimal impact to be approved without any NEPA analysis. Filming projects that don not meet these criteria will be subject to site-specific NEPA analysis prior to permit approval or use of programmatic NEPA documents including EAs, on BLM-managed lands in Utah within WSA's (EA USO-06-004), or other programmatic NEPA documents that may be develop on a local, state or bureau basis.

## **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 Grand Staircase Escalante National Monument.

**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, the referenced EA notes that, "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." The EA requires screening of the proposal by resource specialists to assure the proposal meets strict "no-impact" criteria. BLM MFO resource specialists completed the screening and determined there would be little or no impacts to resources or resource uses within the proposed filming location. Stipulations issued as part of the permit are based on the resource specialists review.

**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 and no new information or circumstances have been identified by BLM staff, interested parties, or the public. The proposed action is an activity that has been directly addressed in the Programmatic EA.

**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, this proposed action meets the no-impact criteria that formed the basis for impacts analysis in the EA listed in section C above. Further the proposed activity would be considered casual use if it were not commercial in nature. The BLM MFO currently limits the quantity of people entering the proposed area regardless of the use being commercial or casual in nature. The permittee will be required to obtain the appropriate amount of the allotted daily entry permits prior to conducting the proposed action so there would be no additional impacts beyond what already exist in the proposed area.

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

Yes, the proposed action was posted on BLM's ePlanning website on March 10, 2016 to notify the public. The programmatic EA UT-USO-06-004 was posted the Utah ENBB for public comment between May 8, 2006 and June 7, 2006.

**E. Persons/Agencies/BLM Staff Consulted:**

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Casey Worth	Recreation Planner	Areas of Critical Environmental Concern; Wild & Scenic Rivers, Environmental Justice, Wilderness/WSA and Lands with Wilderness

		Characteristics
Jeff Brown	Natural Resource Specialist	Wastes (hazardous or solid)
Cameron Cox	Archaeologist	Cultural Resources
Don Simonis	Archaeologist	Native American Religious Concerns
Jed Carling	Range Specialist	Invasive Species/Noxious Weeds; Wetlands/Riparian Zones; Floodplains; Farmlands
Mandy Scott	Wildlife Biologist	Threatened, Endangered, or Candidate Animal Species; Threatened, Endangered, or Candidate Plant Species; Migratory Birds; Fish and Wildlife
Cliff Giffen	Natural Resource Specialist	Air Quality Greenhouse gas emissions; Soils
Ted McDougall	Geologist	Mineral Resources/Energy Production
Paul Plemons	Fuels Technician	Fuels/ Fire Management
Rebecca Hunt-Foster	Paleontologist	Paleontological Resources
Chris Ransel	Realty Specialist	Lands and Realty

**CONCLUSION**

Plan Conformance:

- This proposal conforms to the applicable land use plan.
- This proposal does not conform to the applicable land use plan

Determination of NEPA Adequacy

- Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.
- The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered.

/s/ Chris Ransel  
Signature of Project Lead

3/16/16  
Date

/s/ Brian Quigley  
Signature of NEPA Coordinator

3/17/16  
Date

/s/ Don Hoffheins  
Signature of the Responsible Official

3/17/16  
Date

**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:**

- 1. ID Team Checklist**

## INTERDISCIPLINARY TEAM CHECKLIST

**Project Title:** Osprey Packs Catalog Photo/Film Shoot

**NEPA Log Number:** DOI-BLM-UT-Y020-2016-0018-DNA

**File/Serial Number:** UTU-91851

**Project Leader:** Chris Ransel, Realty Specialist

**Description of the Proposed Action and Any Applicable Mitigation Measures:**

Osprey packs submitted application for a film permit on February 13, 2016 under regulations at 43 CFR 2920. Osprey proposed filming activities for marketing and catalog purposes. They proposed that filming activities will take place during a three day backpacking trip on the Fish Creek and Owl Canyon loop. The following details were included in the permit application:

- Proposed dates of use: 2 days within the range of 3/18 – 20/2016
- Filming and photographs will be taken with 2 handheld cameras.
- 12 people will be part of the filming activities.
- 3 vehicles will be used for transportation and will be parked at the trailhead.

**DETERMINATION OF STAFF:** *(Choose one of the following abbreviated options for the left column)*

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

Determination	Resource	Rationale for Determination*	Signature	Date
<b>RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)</b>				
NC	Air Quality Greenhouse Gas Emissions	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	CGiffen	3/14/16
NC	Floodplains	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Jed Carling	3/11/16
NC	Soils	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	CGiffen	3/14/19
NC	Water Resources/Quality (drinking/surface/grou nd)	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	M.Scott	3/10/16
NC	Wetlands/Riparian Zones	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Jed Carling	3/11/16

<b>Determi- nation</b>	<b>Resource</b>	<b>Rationale for Determination*</b>	<b>Signature</b>	<b>Date</b>
NC	Areas of Critical Environmental Concern	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Misti Haines	3/16/2016
NC	Recreation	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Misti Haines	3/16/2016
NC	Wild and Scenic Rivers	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Misti Haines	3/16/2016
NC	Visual Resources	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Misti Haines	3/16/2016
NC	BLM Natural Areas	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Misti Haines	3/16/2016
NC	Socio-Economics	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Chris Ransel	3/10/16
NC	Wilderness/WSA Lands with Wilderness Characteristics	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Misti Haines	3/16/2016
NC	Cultural Resources	No change from existing NEPA documents.	D. Simonis	3/16/16
NC	Native American Religious Concerns	No change from existing NEPA documents.	D. Simonis	3/16/16
NC	Environmental Justice	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Chris Ransel	3/11/16
NC	Wastes (hazardous or solid)	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Chris Ranse	3/11/16
NC	Threatened, Endangered or Candidate Animal Species	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	M. Scott	3/10/16
NC	Migratory Birds	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	M. Scott	3/10/16
NC	Utah BLM Sensitive Species	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	M. Scott	3/10/16
NC	Fish and Wildlife Excluding USFW Designated Species	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	M. Scott	3/10/16
NC	Invasive Species/Noxious Weeds	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Jed Carling	3/11/16
NC	Threatened, Endangered or Candidate Plant Species	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	M. Scott	3/10/16

Determination	Resource	Rationale for Determination*	Signature	Date
NC	Livestock Grazing	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Jed Carling	3/11/16
NC	Rangeland Health Standards	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Jed Carling	3/11/16
NC	Vegetation Excluding USFW Designated Species	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Jed Carling	3/11/16
NC	Woodland / Forestry	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	M. Scott	3/10/16
NC	Fuels/Fire Management	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	P.Plemons	3/15/16
NC	Mineral Resources/Energy Production	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	T.McDougall	3/16/16
NC	Lands/Access	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	Chris Ransel	3/11/16
NC	Paleontology	The proposal and resulting potential impacts are not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.	R. Hunt-Foster	3/16/2016

**FINAL REVIEW:**

Reviewer Title	Signature	Date	Comments
Environmental Coordinator		3/17/16	
Authorized Officer		3/17/16	