

Categorical Exclusion Documentation

A. Background

BLM Office: Prineville District Office

NEPA Log #: DOI - BLM - OR – P040 - 2015 - 0018 - CX

Project/Lease/Serial/Case File #: OROR-68401

Proposed Action Title: Travel Oregon 7 Bikes 7 Wonders Film Permit

Location: Mitchell, Oregon, U.S. Highway 207, U.S. Highway 19, Service Creek Road, Rowe Creek Road and the Girds Creek Road.

Willamette Meridian

T. 10 S., R. 21 E.

sec. 14, W½NE¼, N½SE¼, SE¼SE¼.

Description of the Proposed Action: Heather Hanrahan on behalf of Oregon Tourism Commission, Tour Oregon 7 Bikes 7 Wonders Campaign filed an application for a filming permit (serialized as OR-68401) for a promotional video to film a bike maker who would begin a 57 mile roundtrip bike ride beginning and ending at Mitchell, Oregon. The ride is scheduled to occur on May 19, 2015.

Beginning at the town of Mitchell, Oregon, all filming would occur along and within the boundaries of U.S. Highway 207 to U.S. Highway 19, and continue to Rowe Creek Road. At that point, they would travel southwest along the Rowe Creek Road to North Twickenham Road to Girds Creek Road then on to a point along the Girds Creek Road in the southeast quarter of section 14 that is on land administered by the Bureau of Land Management (BLM). At this point, the filming crew would film the interviewing of the bike maker as he describes the "Oregon Wonder" and how it inspired the making of his bike.

Although the Sutton Mountain Wilderness Study Area (WSA) is on the west side of the Girds Creek Road, the filming crew would be required to avoid the WSA. Off road biking or motor vehicle travel would not be allowed or authorized.

A BLM staff person would be on site to monitor all filming activities proposed on BLM managed lands.

B. Land Use Plan Conformance

Land Use Plan Name: Two Rivers Resource Management Plan (RMP) approved (ROD): June 6, 1986

The proposed action is in conformance with the above plan, even though it is not specifically provided for, because it is clearly consistent with the following land use plan decisions, objectives, terms, or conditions:

p. 33, Public lands will continue to be available for local rights-of-way including multiple use and single use utility and transportation corridors following existing routes, communication sites, and roads. Applications will be reviewed on an individual basis for conformance with the Two Rivers RMP to minimize conflicts with other resources or users.

No filming will take place within the Sutton Mountain Wilderness Study Area.

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) Issuance 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 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 516 DM 2 or 43 CFR Part 46.215 applies.

D. Signature

I considered this bike route and filming location and have determined that there is no potential for significant impacts.

Authorizing official: *Rana K Smith*
 H.F. "Chip" Faver, Field Manager,
 Central Oregon Resource Area

5/19/15
 Date

For

Contact Person

For additional information concerning this review, contact: Pam Hart, Realty Specialist, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6783, prhart@blm.gov.

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)
Berry Phelps	Outdoor Recreation Planner	Areas of Critical Environmental Concern, WSA
Pam Hart	Realty Specialist	Lead Preparer

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION		YES	NO
The proposed action would:			
2.1	Have significant impacts 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.			
2.2	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.		x
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 he described locations and that significant impacts are not anticipated as a result of the proposed filming activity.			
2.3	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, there, fore would not create environmental effects that would generate controversy or involve unresolved conflicts concerning alternative uses of available resources. No controversial effects of conflicts have been identified with this filming project.			
2.4	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.			
2.5	Establish a precedent for future action or represent a decision in principle 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.			
2.6	Have a direct relationship 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.			
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.		x
Rationale: The nature of the proposed action is such that no impact can be expected on significant cultural resources. No filming will take place off of public roads.			
2.8	Have significant impacts on species listed, or proposed to be listed, on the		x

List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		
Rationale: Fauna-There will be no disturbance, there are no federally listed species or Critical Habitat present in the area. There are no Sage-grouse Preliminary Priority Habitat and there are no active leks within 3 miles of the project area. Roads used for the project are all either US highways, state highways or county roads and ways. Aquatic-All travel project involved filming will be on the roads. The project does not include any activities in or near any water ways.		
2.9 Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment.		x
Rationale: There are no documented Federal Threatened and/or Endangered plant species, BLM Special Status Plant Species nor designated Critical Habitat within the proposed project area.		
2.10 Have 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.		
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).		x
Rationale:		
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).		x
Rationale: Noxious weeds are known to be present in or in close proximity to this area. Treatments are on-going. The weeds are not currently present in sufficient quantity to be considered a significant impact along the route or at the location of the hidden bike.		

Lead Preparer: *Pam Hart* Date: *5/19/2015*

Attachment

- Exhibit A – Map
- Exhibit B - Stipulations

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 Two Rivers RMP, approved (ROD): June 6, 1986 and that no further environmental analysis is required.

It is my decision to issue film permit OR-68401 to Oregon Travel Commission pursuant to the authority of Section 302(b) of P.L. 579, October 21, 1976 (43 U.S.C. 1732). The permit will

authorized one day of filming on BLM National System of Public Lands described in the proposed action and shown on the attached map.

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 within 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.

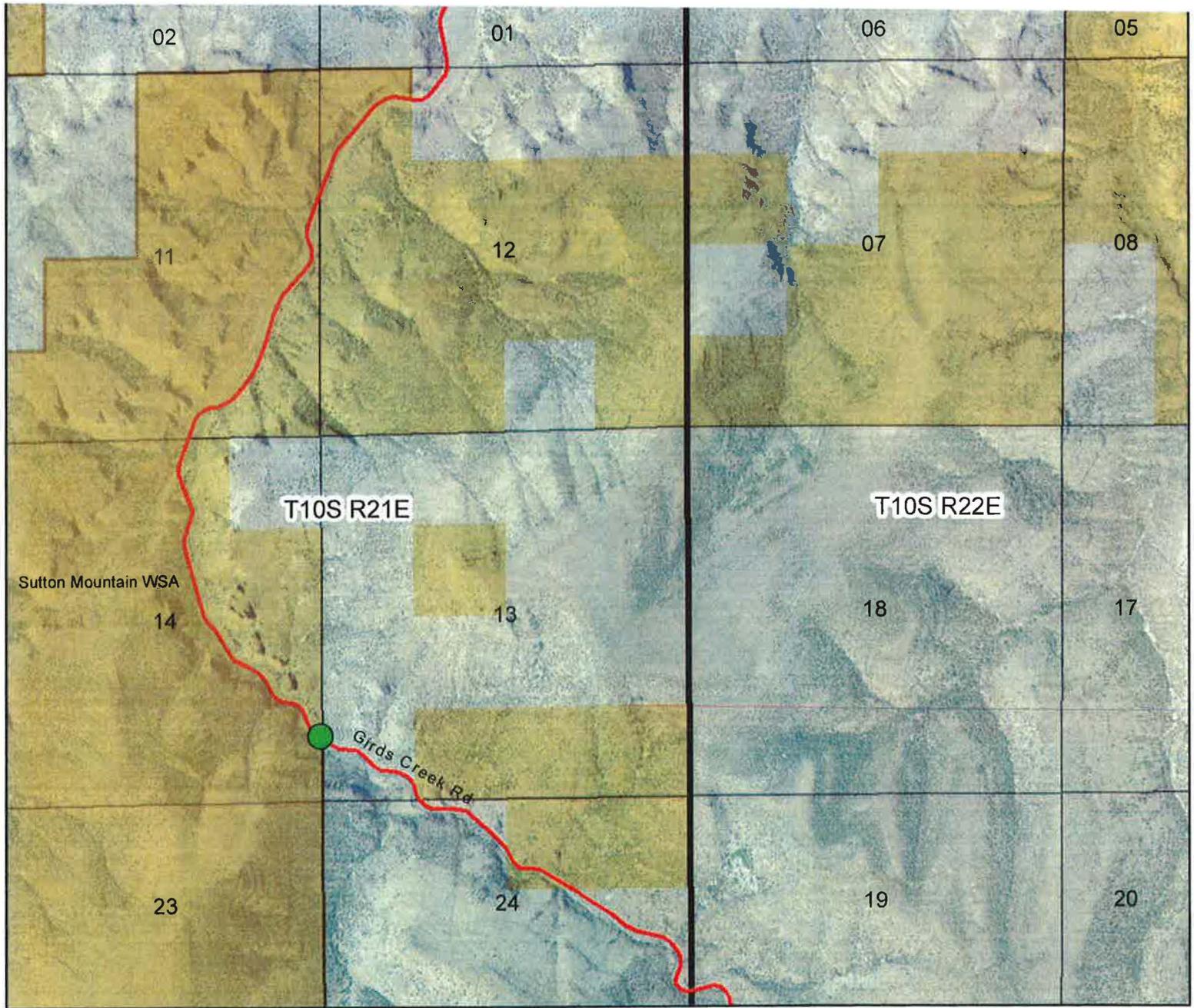
If a petition for a stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and the IBLA at the same time it is filed with the Authorized Officer.

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.

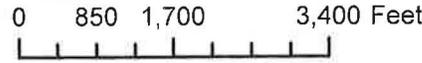
Anna K Smith

Date: *5/19/15*

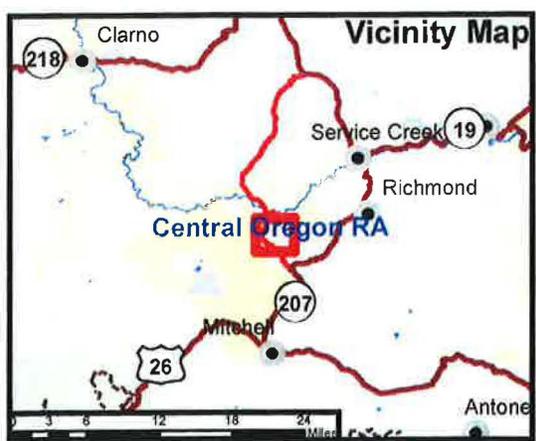
for H. F. "Chip" Faver, Field Manager
Central Oregon Resource Area



FILM PERMIT, OR-68401
DOI-BLM-OR-P040-2015-0018-CX
Exhibit A
Oregon Travel Commission
Travel Oregon 7 Bikes 7 Wonders
2009 Half Meter NAIP



- Girds Creek Rd Filming Location
- Wilderness Study Areas
- Bureau of Land Management
- U.S. Forest Service
- National Park Service
- U.S. Fish and Wildlife
- Bureau of Indian Affairs
- Other Federal
- State
- Local Government
- Private/Unknown
- Major Highways with shields DISTRICT
- Arterial Road
- Collector Road
- Local or Resource Road
- Trails



US DEPARTMENT OF THE INTERIOR
 Bureau of Land Management
 Prineville District, Oregon



Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources and may be updated without notification.

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STIPULATIONS FOR FILM PERMIT
Exhibit B, OR-68401
DOI-BLM-OR-2015-P040-0018-CX
Oregon Travel Commission
Travel Oregon 7 Bikes 7 Wonders
Agent, Wieden & Kennedy, Inc.
224 NW 13th Ave.
Portland, OR 97209

1. All vehicles will remain on designated roads, trails, and turnouts.
2. The Holder will not drive, ride, place bicycle, or film within the Sutton Mountain Wilderness Study Area (see Map-Exhibit A).
3. Cameras will be hand held.
4. The Holder shall perform all operation in a good workmanship manner so as to ensure protection of the environment and the health and safety of the public. Please keep in mind "Leave No Trace" principles while filming on public lands.
5. The Holder agrees to indemnify and hold harmless the United States for any and all liability; including injury to person or damage to property, which may result directly or indirectly from the use permitted.
6. The filming site will be maintained in a sanitary condition at all times: waste materials at the site will be disposed of promptly in an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to: human waste, trash, garbage, refuse, oil or petroleum products, ashes and equipment. The Holder shall provide for the proper disposal of human waste which means hauling the waste out to an acceptable waste dump. The Holder should dispose of human waste in an approved sanitation facility.
7. The Holder shall provide the BLM, Prineville District , with credits and acknowledgements for using public lands unless the Holder is not able to do so because it is legally (including contractually) or logistically not feasible. The BLM thanks you in advance for any and all acknowledgements.
8. The Holder shall restore the location to an equal or better condition after filming if any damages to the resources occur.
9. Any cultural resources (historic or prehistoric site or object) discovered by the Holder, or any person working on his behalf, on public land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until 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.
10. The actions grated herein may be reviewed at any time deemed necessary by the authorized.
11. Failure of the Holder to comply with applicable law or any provision of this permit shall constitute grounds for suspension or termination thereof.
12. No harassment of wildlife is permitted.
13. The areas will be accessed via two SUVs and one automobile traveling on the road.
14. The camera equipment will include a Cannon 5D (still) and a Cannon C500 (motion), no lights and no generator.