RECORD OF PLAN CONFORMANCE AND CATEGORICAL EXCLUSION (CX) DETERMINATION

CX Log #: *DOI-BLM-OR-V050-2014-84-CX*
CE Exemption category: *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.*

BLM Office: Baker Resource Area, P.O. Box 947, Baker City, OR 97814
Phone #: 541-523-1256

BACKGROUND
Project Name: *Land Use Permit for commercial filming OR-68242*
Applicant: *Miles Media*
Location of Proposed Action:
National Historic Oregon Trail Interpretive Center

Willamette Meridian
T. 9 S, R. 41 E., sec 5

DESCRIPTION OF THE PROPOSED ACTION: **Miles Media has applied for an authorization to conduct commercial filming at the National Historic Oregon Trail Interpretive Center (NHOTIC). Filming would take place inside and outside NHOTIC for one day on October 4, 2014. The crew will consist of three people using a small digital camera on a tripod.**

The permit would expire October 11, 2014 to allow for filming delays.

PLAN CONFORMANCE
All actions approved or authorized by the BLM must conform to the existing land use plan where one exists (43 CFR 1610.5-3, 516 DM 11.9). Although it is not a NEPA requirement, the BLM includes within all its NEPA documents a statement about the conformance of the proposed action and alternatives with the existing land use plan. The BLM's planning regulations state that the term "conformity" or "conformance" means that "… a resource management action shall be specifically provided for in the plan, or if not specifically mentioned, shall be clearly consistent with the terms, conditions, and decisions of the approved plan or amendment" (43 CFR 1601.0-5(b)).

The proposed action is in conformance with the program-specific direction for realty management of the Baker Resource Management Plan (RMP), cited on page 23 of the RMP. The permit is not within a designated exclusion/avoidance area. Exclusion areas are: wilderness areas and wild river segments. Avoidance areas are Wilderness study area, ACECs, and scenic and recreation river segments.

DOCUMENTATION OF CATEGORICAL EXCLUSIONS: EXTRAORDINARY CIRCUMSTANCES
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 circumstances described in 516 DM 2, Appendix 2, and listed below apply.

Yes	No	Extraordinary Circumstances	Reviewer (Specialist and/or FM Initials in each box)	Date
	X	1. Have significant impacts on public health or safety.	CB	10/2/14
	X	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.	CB	10/2/14
	X	3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	CB	10/2/14
	X	4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	CB	10/2/14
	X	5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	CB	10/2/14
	X	6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	CB	10/2/14
	X	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.	CB	10/2/14
	X	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.	CB	10/2/14
	X	9. Violate a Federal law, or a State, local, or Tribal law or requirement imposed for the protection of the environment.	CB	10/2/14
	X	10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	CB	10/2/14
	X	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).	CB	10/2/14
	X	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).	CB	10/2/14

DOCUMENTATION OF RECOMMENDED MITIGATION

For any item(s) above checked "Yes", proposed mitigating measures for those items are listed below. If the extraordinary circumstances cannot be mitigated, the criteria required for a CE are not met and BLM must prepare an EA or EIS.

Item No.	Can Be Mitigated	Cannot Be Mitigated	Mitigation Measures	Reviewer	Date

SUMMARY OF FINDINGS AND DETERMINATION

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the Departmental Manual Categorical Exclusions list, sections of which are cited and quoted above. The proposed action has also been reviewed in relation to the above listed 12 Extraordinary Circumstances in accordance with the Departmental Manual, and none of these circumstances apply.

Decision Record

Based on the enclosed Categorical Exclusion Documentation, DOI-BLM-OR-V050-2014-84-CX, I have determined that the proposed action to issue a land use permit (OR-68242) for commercial filming involves no significant impacts to the human environment and requires no further environmental analysis. It is my decision to authorize this action as proposed. For additional information concerning this project, contact Project Lead Courtney James, Vale District, Baker Resource Area, P.O. Box 947, Baker City, Oregon 97814. Phone (541) 523-1449.

Courtney R. Brose — Realty Specialist — 9/23/14
Prepared By: — Title — Date

ASST. FIELD MANAGER — 10/02/14
Reviewed By: — Title — Date

Field Manager — 10/2/14
Authorizing Official — Title — Date