

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

**Anchorage Field Office
4700 BLM Road
Anchorage, AK 99507
Phone: (907)267-1246
Fax: (907)267-1267**

DECISION RECORD

**Temporary Land Use Permit, Film Permit
Applicant: Bongo LLC
Case File Number: AA-093271
DOI-BLM-AK-A010-2012-0016-CX**

1. Decision:

It is my decision to authorize a permit to Bongo LLC to conduct commercial filming for four days between April 5 and June 1, 2012. Stipulations are attached.

2. Proposed Action:

The proposed action is to authorize a permit to conduct commercial filming for four days over a period from April 5-June 1, 2012. The application was filed under the authority of Title III of the Federal Land Policy Management Act of October 21, 1976, as amended (90 Stat. 2762;43 U.S.C. 1732).

3. Rationale for the Decision:

The rationale for the decision is based on the limited environmental impacts associated with the permit. The commercial filming activity also depicts usage on public lands which highlights the scenic and recreational opportunities of the public lands in the area.

The proposed action is in conformance with Southwest Management Framework Plan and the Unalakleet River Management Plan. The proposed action will not significantly restrict Federal subsistence uses, decrease the abundance of Federal subsistence resources, alter the distribution of Federal subsistence resources, or limit Federal subsistence user access from currently existing conditions. No further analysis is necessary at this time.

4. ANILCA Section 810 Compliance:

The proposed action will not significantly restrict subsistence uses. No reasonably foreseeable and significant decrease in the abundance of harvestable resources or in the distribution of harvestable resources, nor reasonably foreseeable limitations on harvester

access will result from the proposed action.

5. Adverse Energy Impact Compliance:

This action has been analyzed as required by Washington Office Instruction Memorandum 2002-053 to determine if it will cause an adverse impact on energy development. The action will not have an adverse direct or indirect impact on energy development, production or distribution. The preparation of a Statement of Adverse Energy Impact is not required.

6. Lands with Wilderness Characteristics:

The project area has been reviewed for the following Wilderness Characteristics and found to contain one or more of the characteristics:

- 1) Size-roadless areas of over 5,000 acres of contiguous BLM lands.
- 2) Naturalness-affected primarily by the forces of nature, with the works of humans substantially unnoticeable to the average visitor.
- 3) Outstanding opportunities for solitude or a primitive and unconfined type of recreation.
- 4) Supplemental values-if size, naturalness, and solitude/outstanding opportunities are met, then consider if the area contains ecological, geological, or other features of scientific, educational, scenic, or historical value. Supplemental values are not required to be present in order to classify an area as Lands with Wilderness Characteristics.

Two sites are located along the Ungalik River and off the Unalakleet River and a large block of BLM encompassing more than 5,000 contiguous acres surrounds the area of the proposed activity. The area is largely untouched by man and offers outstanding opportunities for primitive outdoor recreation.

7. Consultation and Coordination:

Internal scoping was conducted by AFO staff and included threatened and endangered species, cultural clearances and ANILCA 810 analysis. The CX will be posted for one week on the BLM NEPA web site prior to issuance of the Decision.

8. Compliance and Monitoring Plan:

Compliance and monitoring of this authorization will be conducted by the BLM Anchorage Field Office.

/s/

May 23, 2012

James M. Fincher
Anchorage Field Manager

Date

Case File No: AA-093271
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Attachments: Stipulations



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

Anchorage Field Office
4700 BLM Road
Anchorage, Alaska 99507
(907) 267-1246

<http://www.blm.gov/ak/st/en/fo/ado.html>

Categorical Exclusion Bongo, LLC Film Permit

Applicant: Bongo, LLC
Case File Number: AA-093271
DOI-BLM-AK-A010-2012-0016-CX



Location:

Section 13, T. 8 S., R. 1 E., and Section 15, T. 17 S., R. 6 W., Kateel River Meridian, Alaska

Prepared By:

Anchorage Field Office
April 2012

CATEGORICAL EXCLUSION

A. Background

BLM Office: **Anchorage Field Office** Lease/Serial/Case File No: **AA-093271**
Environmental Document No: **DOI-BLM-AK-A010-2012-0016-CX**

Proposed Action:

The Bureau of Land Management (BLM) would authorize a film permit to conduct commercial filming of season three (3) of the television series Flying Wild Alaska in documenting the life of Jim Tweeto and his family as they operate ERA Alaska. Filming would be conducted by a film crew of four to five persons and would occur from April 5 through June 1, 2012, on BLM managed lands within Section 13, Township 8 South, Range 1 East, and within Section 15, Township 17 South, Range 6 West, Kateel River Meridian, Alaska. The application was filed under the authority of Title III of the Federal Land Policy Management Act of October 21, 1976, as amended (90 Stat. 2762; 43 U.S.C. 1732).

Location:

The film location would occur at Old Woman Cabin along the Unalakleet River which will be accessed by snowmobile and a remote airstrip (unimproved) located in the Nulato Hills which will be accessed by fixed wing aircraft. The proposed action would take place on the following described public lands:

Kateel River Meridian, Alaska:

Section 13, T. 8 S., R. 1 E., and Section 15, T. 17 S., R. 6 W.

Description:

The filming would be conducted by Bongo, LLC with assistance from approximately four to five crew members and two talents from April 5 through June 1, 2012, as part of season three (3) of the television series Flying Wild Alaska. One day of filming is anticipated at Old Woman Cabin and three days in the Nulato Hills (total of four days over the anticipated time frame of April 5-June 1-2012). The locations would be accessed by ERA Aviation Aircraft by landing on remote hill tops and river bars (Nulato Hills area) and by snowmobile on designated trails within the Unalakleet River (Old Woman site) on BLM managed lands. Fueling of the aircraft will be done at the Unalakleet Airport before transporting to filming site. The filming would take place with no vegetation or ground disturbance anticipated.

Applicant:

Bongo, LLC

B. Land Use Plan Conformance 43 CFR 1610.5-3(a)

1. Land Use Plan Name: Southwest Management Framework Plan, November 1981

1a. The proposed action is in conformance as L-2.1 & L-2.2 which address various FLPMA entries. L-2.1 Open lands in the Southwest Planning Area to various types of settlement entry. L-2.2 Assure that the existence and the erection of temporary or permanent structures shelters to be used in conjunction with hunting, trapping, and fishing are consistent with resource management principles.

2. Unalakleet River Management Plan, December 1983

2a. The transportation access contemplates snowmobile access, which is proposed for the filming at Old Woman Cabin.

C. NEPA Compliance

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with United States Department of the Interior 43 CFR §46.210 or United States Department of Interior Manual, Part 516, Chapter 11, and the BLM NEPA Handbook H-1790-1, Appendix 4 p. 151 which provides:

Realty E-19.

Issuance of short-term (three 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.

D. Extraordinary Circumstances

The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents must be prepared for actions which may:

1. Have significant adverse impacts on public health or safety.
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.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
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.
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.
9. Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
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).
12. Contribute to the introduction, continued existence, or spread of weeds or non-native invasive species known to occur in the area or 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).

This categorical exclusion is appropriate because there are no extraordinary circumstances that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances in 43 CFR §46.215 are pertinent.

E. Signature

The proposed action is in conformance with a management framework plan or a resource management plan, 43 C.F.R. § 1610.8(a)(3) (2006). The Department of the Interior has determined and found that the proposed action is within a category of actions that do not individually or cumulatively have a significant effect on the human environment and that neither an environmental assessment nor an environmental impact statement is required, 40 C.F.R. §1508.4 (2006).

This action has been analyzed as required by Washington Office Instruction Memorandum 2002-053 to determine if it will cause an adverse impact on energy development. The action will not have an adverse direct or indirect impact on energy development, production or distribution. The preparation of a Statement of Adverse Energy Impact is not required.

It is therefore my decision to implement the action, as described, with appropriate mitigation measures or stipulations (see attached).

/s/

May 23, 2012

Authorized Official: _____ Date: _____

Stipulations for Land Use Permit- Filming AA-093271, Bongo LLC

- A. Non-Hazardous Solid Waste (trash/refuse) will be back hauled from the area and disposed in an approved waste disposal site;
- B. Fuel Handling and Storage: Fuel shall be stored at least 150 feet from surface waters. Fuel and other petroleum products and hazardous materials shall be stored in containers designed to hold that product, identified with the owner's name, the contents and date of purchase (e.g. Bongo LLC, Coleman Fuel, 2012). All fuel spills will be cleaned up immediately, taking precedence over all other matters, except the health and safety of personnel. Spills will be cleaned up utilizing absorbent pads or other Alaska State DEC approved methods. Fuel storage in excess of 55 gallons and/or fuel storage containers that are situated where a spill may reach a water body or watercourse requires secondary containment. Secondary containment is defined as a diked, impermeable impoundment capable of containing 110 percent of the volume of the largest independent container. As soon as possible, but not later than 24 hours, notice of any such discharge as defined in Alaska Statute Title 18, Chapter 75, Article 2, will be given to: The Authorized Officer at 1-800-478-1263. Such other Federal and State officials as are required by law to be given such notice including Alaska Department of Environmental Conservation at (907) 478-9300;
- C. All operations shall be conducted in such a manner as to avoid damage or disturbance to any prehistoric or historic sites or modern camp sites. The Archaeological Resource Protection Act prohibits the excavation, removal, damage, or disturbance of any archaeological resource located on public lands. Violation of this law could result in the imposition of both civil and criminal penalties of the violator. Should any historic or prehistoric site be located during the course of operations under this Right of Way Grant, the applicant shall immediately cease activities and notify the BLM authorized officer; If in connection with operations under this authorization, any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, Unicom shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the authorized officer. The Unicom shall continue to protect the immediate area of the discovery until notified by the authorized officer that operations may resume.
- D. In order to protect *Douglasia beringensis*, from any adverse impact, the filming activity will not take place if this species is found at the site;
- E. No hazardous materials will be used or stored at the filming site other than in-use fuel for powering vehicles used during the filming. Batteries used in vehicles will be removed from operation of the vehicles and will be properly disposed or recycled off-site. All spills of electrolyte will be reported to the Alaska Department of Environmental Conservation (ADEC) and cleaned-up in accordance with 18 AAC 75;

F. Non-Native Invasive Plant Prevention and Mitigation

- All vehicles, transport equipment used in access, construction, maintenance and operations of project must be thoroughly cleaned prior to moving equipment across or onto BLM managed lands. Washing and/or brushing equipment to remove material that can contain weed seeds or other propagates helps to insure equipment that is being transported across or onto BLM managed lands are weed and weed seed free. High pressure washing is recommended to treat the insides of bumpers, wheel wells, undercarriages, inside belly plates, excavating blades, buckets, tracks, rollers, drills, buckets, shovels, any digging tools, etc., to remove potential weeds, seeds, and soil carrying weed propagules, and vegetative material.
- Early detection, rapid response mitigates ecological damage from invasive species. Should a development or occupancy and use have invasive plant infestations prior to development or use, proponents must confer with the land administrator to develop an invasive plant treatment plan to eliminate and/or prevent the propagation of the species.
- Site reclamation must be implemented as soon as possible after construction using the original duff layer. This original duff layer is to be removed and set aside upon initial site disturbance, and replaced on disturbed areas in lieu of revegetation with non-local materials.
- Certified weed-free mulch, hay or straw is required in areas needing mulch. Sources for weed free mulch can be found by calling the Plant materials Center: 907-745-4469. Revegetation Guidance can be found at: http://www.dnr.state.ak/ag/pmcweb/PMC_reveg

Useful websites:

Homer Soil and Water Conservation District
<http://www.homerswcd.org/invasives/invasivepg.htm>

US Department of Agriculture & Alaska Natural Heritage Program
<http://akweeds.uaa.alaska.edu/>

USDA Natural Resources Conservation Service
<http://plants.usda.gov/java/noxiousDriver>

US Fish and Wildlife Service
<http://www.fws.gov/invasives/>

Alaska committee for Noxious and Invasive Plants Management
<http://www.uaf.edu/ces/cnipm/>

Thank you for helping prevent ecological damage caused by invasive species in Alaska.

BLM AFO Contact: Laurie Thorpe. 907-267-1208. lthorpe@blm.gov

G. The United States shall retain all rights stated in 43 CFR §2920.