



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Glennallen Field Office  
P.O. Box 147  
Glennallen, Alaska 99588  
<http://www.blm.gov/ak>

## **Commercial Filming Permit, Alaska Filming LLC** Categorical Exclusion, DOI-BLM-AK-A020-2012-0024-CX

Case File, AA093307

### **DECISION RECORD**

#### **Decision**

It is my decision to implement the proposed action as described in the attached Categorical Exclusion documentation, DOI-BLM-AK-A010-2012-0024-CX.

The proposed action has been reviewed by Glennallen Field Office staff and appropriate stipulations, as specified, will be incorporated during project implementation. Based on the attached Categorical Exclusion review, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required.

#### **Appeal Opportunities**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR § 4. To appeal you must file a notice of appeal at the BLM Glennallen Field Office, P.O. Box 147, Milepost 186.5 Glenn Highway, Glennallen, Alaska 99588, within 30 days from receipt of this decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Glennallen Field Office as noted above. *The BLM does not accept appeals by facsimile or email.* The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR § 4.21 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant's success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (see

43 CFR § 4.413); Office of the Regional Solicitor, Alaska Region, U.S. Department of the Interior, 4230 University Drive, Suite 300, Anchorage, Alaska 99508; at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

/S/ Beth Maclean  
Beth Maclean  
Glennallen Field Manager

8/06/2012  
Date

**Attachments**

Categorical Exclusion, DOI-BLM-AK-A020-2012-0024-CX  
Commercial Filming Permit stipulations



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## CATEGORICAL EXCLUSION

### A. BACKGROUND

**Project Name / Type:** Issuance of Commercial Filming Permit, 43 CFR § 2920

**NEPA Register Number:** DOI-BLM-AK-A020-2012-0024-CX

**Case File Number:** AA-93307

**Location:** Denali Highway, road-based commercial film production

**Applicant (if any):** Joseph Stephans, Alaska Filming, LLC

**Description of Proposed Action:** The BLM is proposing to authorize a commercial filming permit to Alaska Filming, LLC for filming of the independent movie, "Wild-like." The filming is scheduled over the course of a three-day period, August 17-19, 2012. The production includes various scenes and dialogue along the Denali Highway between Cantwell and Mile Post 55.5 (Susitna River Bridge). All filming will occur within 100 yards of the road and will adhere to minimum impact "Leave No Trace" principles. The permitted activity would be subject to the attached stipulations.

### B. LAND USE PLAN CONFORMANCE

**Applicable Land Use Plan:** East Alaska Resource Management Plan (EARMP) and Record of Decision (ROD), September 2007

The proposed action is in conformance with the plan even though it is not specifically provided for because it is clearly consistent with the following planning decisions (EARMP ROD, p. 19):

#### I. LANDS AND REALTY

##### *I-1: Goals*

- Provide a balance between land use (rights-of-way, land use permits, leases and sales) and resource protection that best serves the public at large.

### C. CATEGORICAL EXCLUSION

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 the Interior Manual, Part 516, Chapter 11, which provides:

**E. Realty**

19. Issuance of short-term (3 years or less) rights-of-ways 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 proposed action must be screened against the Extraordinary Circumstances found in 43 CFR § 46.215 (listed below). Any “yes” finding requires that an Environmental Assessment or Environmental Impact Statement be prepared for the Proposed Action.

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

## **E. SIGNATURE**

The proposed action is in conformance with the applicable land use plan and is an action that can be categorically excluded. The Proposed Action does not trigger any of the Extraordinary Circumstances found in 516 FM Chapter 2, Appendix 2. I recommend that the Proposed Action be allowed and that no further environmental analysis is required.

/s/ Beth Maclean

8/06/12

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Beth Maclean  
Glennallen Field Manager

Date

### **Attachments**

Permit Stipulations

# Compliance with ANILCA §810

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**E.A No.:** DOI-BLM-AK-A020-2012-0024-CX

**Applicant(s):** Joseph Stephans dba Alaska Filming LLC

**Proposed Action:** The Bureau of Land Management (BLM) proposes to grant Alaska Filming LLC a 2920 Commercial Filming authorization on BLM managed lands within the Denali Highway corridor. Road based commercial filming will be scheduled over the course of a three day period August 17th-19th 2012 with a 30 member crew and staff including actors and 6 support vehicles. All filming will be within 100 yards of the road and will adhere to minimum impact “Leave No Trace” principles.

**Location:** BLM managed lands within the Denali Highway corridor between Cantwell and Mile Post 55.5 (Susitna River Bridge).

**Township/Range:** see CX

**Map:** Mt. Hayes A-6; Healy A-1 & 2, B-2, 3, & 4

**Evaluation by:** Sarah L. Bullock

**Discretionary Action?:** Yes

**Categorical Exclusion?:** Yes

**Type of Assessment / Sources:** Review of application materials, subsistence database, local knowledge, and interviews with staff knowledgeable of the area and the proposed action.

**Effect of the proposal on abundance of harvestable resources used for subsistence purposes:**

**Fisheries:** There are no regulated federal subsistence fisheries in the area. Therefore, the proposed action will not result in a significant restriction in subsistence fishery uses and needs.

**Wildlife:** The proposed action is to occur on state-selected lands along an existing Denali Highway. Big game such as moose and caribou may temporarily avoid the area for the short period when human activity is present. Small game and upland birds also occur in the area and may be temporarily displaced. There is no regulated subsistence hunting in the area. Therefore, the proposed action will not result in a significant restriction on subsistence uses and needs.

**Other resources (edible flora, house logs, fuel wood, drinking water, etc...):** The Denali highway corridor is found along a vegetation gradient of low shrubs and upland tundra. Activities associated with the collection of berries, willows, and spruce roots may occur in the surrounding

area at low intensities. Due to the very short duration of the commercial filming period, the proposed action will not result in a significant restriction subsistence uses and needs.

**Expected reduction, if any, in the availability of resources caused by an alteration in resource distribution, migration, or location:** The proposed action will not significantly alter resource distribution, migration, or location. Moose and caribou are highly mobile and can readily adapt to small-scale localized disturbance especially in a previously-disturbed area. Federal subsistence hunting and fishing are not allowed in the proposed action area. Low densities of small game and upland birds are also found locally. Localized avoidance when human activity is present is expected to be minimal and there is no expected reduction in other non-game resources within the area.

**Expected limitation, if any, in the access of subsistence users resulting from the proposal:** None. Access to subsistence resources will not result in a significant restriction in access of subsistence users resulting from the proposed action. The proposed action does not create a permanent obstruction to subsistence hunters. Stipulations also dictate that all operations will be conducted in such a manner as not impede rural residents from pursuing their traditional subsistence activities (ANILCA, PL 96-487).

**Availability of other lands, if any, for the purpose sought to be achieved:** Other lands are available. However, the applicant is working in close proximity to previously disturbed sites (i.e. Denali Hwy corridor), which is the most practical location for the least impact to wildlife and subsistence users; therefore, no other lands were considered for the purpose sought to achieve proposed action.

**Other alternatives, if any, which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes:** None. The only other alternative is not to approve the proposed action; however, the proposed action is entirely within state-selected lands where federally regulated subsistence hunting and fishing do not occur and disturbance is a max of three days, therefore, not other alternatives were considered to reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes.

**Finding:** This evaluation of Alaska Filming LLC's 2920 Commercial Filming authorization on BLM managed lands within the Denali Highway corridor concludes that the action will not result in a significant restriction in subsistence resources and uses. There is no reasonably foreseeable significant decrease in abundance in harvestable resources and in the distribution of harvestable resources due to the proposed action.

/s/Sarah L. Bullock

Sarah L. Bullock  
Wildlife Biologist  
BLM, Glennallen Field Office

11 July 2012

Date

**Assessment of Undertakings Not Subject to Further Section 106 Review Glennallen Field Office**

**GDO Document No.** GFO-12-26

**BLM Serial No.** AA-093307 **Environmental Assessment No.** DOI-BLM-AK-A020-2012-024-CX

**Class of Inventory:** No Further Review

**Dates of Inspection:** 07/18/2012

**Inspector:** John Jangala

**Maps:** Healy (A-1)

**Applicant:** Alaska Film LLC., Joseph Stephans

**Location:** The project will occur along the Denali Highway between the Susitna River Bridge and Cantwell.

**Project Description:** The Bureau of Land Management proposes to grant to Alaska Film LLC a commercial film permit on BLM managed lands. Filming will occur along an existing highway and no ground disturbance is anticipated as part of this project.

**Acreage:** Unknown

**Recommendations:** According to the Protocol for Managing Cultural Resources on Lands administered by the Bureau of Land Management in Alaska, between the Bureau of Land Management and the State Historic Preservation Officer, signed April 17, 1998, this undertaking is not subject to further Section 106 review (Appendix 2: Category One). The project will involve less than one square meter of ground disturbance. As long as the applicant adheres to the attached stipulations, the applicant may proceed as proposed in the application. However, if heritage or paleontological resources are encountered during implementation of the project, the project will cease and the Glennallen Field Office, cultural resource staff, shall be notified.

The following stipulation should be attached to the permit: "There shall be no disturbance of any archaeological or historical sites, including graves and remains of cabins, and no collection of any artifacts whatsoever. Also, collection of vertebrate fossils, including mammoths and mastodon bones, tusks etc., is strictly prohibited. If historic resources are encountered then all artifacts will be respectfully left in place and the Glennallen Field Office's cultural resources staff will be notified immediately."

Signed:

John W. Jangala  
Glennallen Field Office Archaeologist (AKA-020)

Department of the Interior  
Bureau of Land Management  
**Glennallen Field Office**  
NEPA Interdisciplinary Review

Project Name: Alaska Filming LLC

Casefile Number: AA093307

NEPA Document Number: DOI-BLM-AKA-020- 2012-0024-CX

NEPA Preparer: Denton Hamby

Please return to preparer by: 7/20/2012

Staff Specialist	Resource Area	Comments Provided Yes / No or n/a	Date Reviewed
Brenda Becker	Lands and Realty	No	4/16/2012
Marcia Butorac	Recreation and Facilities	n/a	7/23/12 if no use of BR
Sarah Bullock	ANILCA, Section 810	Yes	7/11/2012
Sarah Bullock	T&E Animals	No	7/11/2012
Sarah Bullock	T&E Plants	No	7/11/2012
Sarah Bullock	Wildlife	No	7/11/2012
Heath Emmons	Wild and Scenic Rivers	No	7/10/12
Marnie Graham	Public Affairs	yes	4/20/12
Denton Hamby	Special Recreation Use	Preparer	7/12
Denton Hamby	Visual Resources	n/a	7/12
Brad Honerlaw	Law Enforcement		
Alysia White	Law Enforcement	no	7/10/12
John Jangala	Cultural Heritage	No	7/18/2012
John Jangala	Paleontology	No	7/18/2012
Cory Larson	Travel Management	no	7/10/12
James Whitlock	Minerals	n/a	
Ben Seifert	Fire Management	No	7/13/12
Ben Seifert	Forestry	No	7/13/12
Ben Seifert	Invasive Weeds	No	7/13/12
Mike Sondergaard	Soils	No	7/10/12
Mike Sondergaard	Air Quality	No	7/10/12
Tim Sundlov	Riparian & Wetlands	n/a	
Mike Sondergaard	Water Quality	No	7/10/12
Tim Sundlov	Fish Biology	n/a	
Joseph Hart	Hazardous Materials	n/a	
Elijah Waters	Branch Chief - resources	No	7/20/12
Molly Cobbs	ADO Planner	Yes	7/10/2012

Authorized Officer Review:       /s/ Elizabeth Maclean       Date:       8/6/2012