



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Glenwood Springs Field Office
2300 River Frontage Road
Silt, Colorado 81652
www.co.blm.gov

CATEGORICAL EXCLUSION DOI-BLM-CO-N040-2009-0103-CX

A. Background

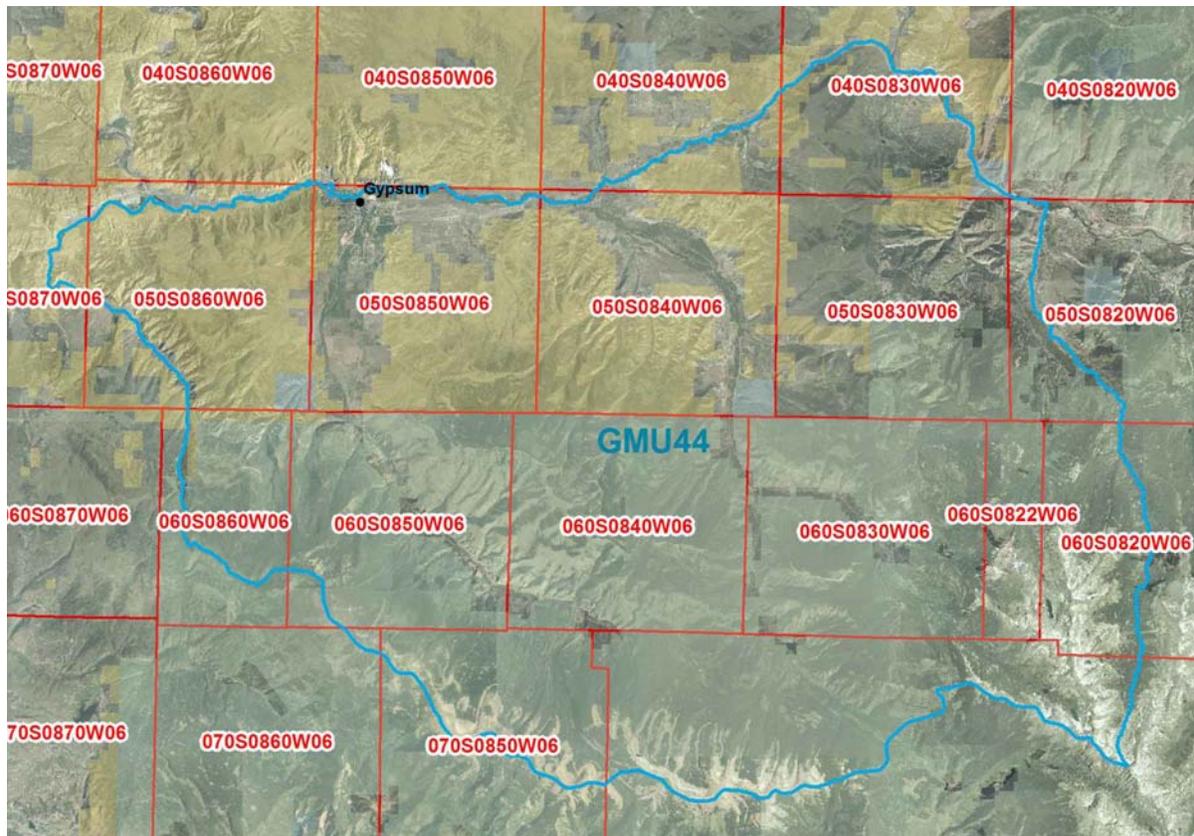
BLM Office: Glenwood Springs Field Office

Lease/Serial/Case File No:
COC-073958 / 292009

Proposed Action Title/Type: Commercial filming / Land Use Permit

Location of Proposed Action: Game Management Unit 44,
Sixth Principal Meridian, Eagle County, Colorado.

Description of Proposed Action: The applicant, Adam Bronson of Carter's Hunter Services has applied for a land use permit to produce a DVD of hunting mule deer between November 11-15, 2009 in Game Management Unit 44, on public lands.



The majority of the hunt would occur on private land, but the applicant would like to include public lands if it became necessary to film the hunt for the mule deer. Garth Carter would be the licensed hunter, and would be accompanied by one cameraman during the filming. It is anticipated that a promotion DVD would be the final product for Carter’s Hunter Services.

Non-commercial no-impact filming, such as videos or photographs taken by hikers, campers, hunters, river runners, etc., does not require a permit since the use meets the definition of casual use under 43 CFR 2920.0-5(k). It is only the commercial nature of this filming that makes a permit necessary under the 2920 regulations.

Land Use Plan Conformance: The Proposed Action is subject to and has been reviewed for and is in conformance with (43 CFR §1610.5 and § 2800, BLM 1617.3) the following plan:

Name of Plan: Record of Decision and Glenwood Springs Resource Management Plan.

Date Approved: January, 1984; revised in 1988; amended in November 1991 - Oil and Gas Leasing and Development - Final Supplemental Environmental Impact Statement; amended Nov. 1996 - Colorado Standards and Guidelines; amended in August 1997 - Castle Peak Travel Management Plan; amended in March 1999 - Oil and Gas Leasing & Development Final Supplemental Environmental Impact Statement; amended in November 1999 - Red Hill Plan Amendment; and amended in September 2002 – Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance; amended in August 2006 - Roan Plateau Planning Area Including Naval Oil Shale Reserves Numbers 1 & 3 Resource Management Plan Amendment & Environmental Impact Statement.

Decision Number/Page: Page 5, Administrative Actions

Decision Language: Various types of administrative action will require special attention beyond the scope of this plan. They include issuance of permits for fuelwood, including issuance of grants, leases, permits, and resolution of trespass...”

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. Realty Numbers:

- (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 apply.

EXCLUSIONS	YES	NO
1. Have significant impacts on public health or safety.		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.		X

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		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.		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.		X
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		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).		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).		X

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Cheryl Harrison	Archaeologist	Cultural and Native American Concerns
Kay Hopkins	Outdoor Recreation Planner	ACEC, VRM, WSR, Wilderness
Carla DeYoung	Ecologist	T/E/S Plants, Vegetation
Brian Hopkins	Wildlife Biologist	Wildlife, T/E/S Wildlife, Migratory Birds
Jeff O'Connell	Hydrologist	Soil, Air, Water
Mike Kinser	Rangeland Mgt Spec.	Wetlands and Riparian Zones, Range Management
Dereck Wilson	Rangeland Mgt Spec.	Invasive, Non-Native Species

REMARKS/MITIGATION (the following mitigations will be carried forward within the permit under Special Conditions:

1. Cultural Resource/Native American Concerns:

The National Historic Preservation Act (NHPA) requires that if newly discovered cultural resources are identified during project implementation, work in that area must stop and the agency Authorized Officer notified immediately (36 CFR 800.13). The Native American Graves Protection and Repatriation Act (NAGPRA), requires that if inadvertent discovery of Native American Remains or Objects occurs, activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)). Further actions also require compliance under the provisions of NHPA and the Archaeological Resource Protection Act.

2. All vehicles will stay on designated roads shown on the Hardscabble Interim Route Map .
3. The company will provide the BLM Glenwood Springs Field Office with a current schedule for filming on public lands. The BLM contact person is Carole Huey 970.876.9023.
4. The company will have a copy of the BLM film permit and associated motorized route map at all times when filming in the BLM location.
5. The final filming product will have written and/or verbal acknowledgment of the filming location on public lands managed by the Bureau of Land Management, Glenwood Springs Field Office, Colorado, if feasible.

I considered this action and determined that it may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

B. Signature

Authorizing Official:  Date: 10/7/2009
Karl R. Mendonca, Associate Field Manager

Contact Person

For additional information concerning this CX review, contact Carole Huey, Realty Specialist, Glenwood Springs Field Office, 2300 River Frontage Road, Silt, CO 81652, 970-876-9023.

PERMIT

Permit Number

COC-73958

Permission is hereby granted to : **Carter's Hunting Services**

of : **PO Box 250, Cedar City, Utah 84721**

to use the following described lands: **Game Management Unit 44 of the Glenwood Springs Resource Area / Sixth Principal Meridian, Eagle County, Colorado.**

for the purpose of : 5 DAYS OF FILMING MULE DEER HUNT, and subject to the following conditions:)

1. This permit is issued for the period specified below. It is revocable at the discretion of the BLM at any time upon notice. This permit is subject to valid adverse claims heretofore or hereafter acquired.
2. This permit is subject to all applicable provisions of the regulations (43 CFR 2920) which are made a part hereof.
3. This permit may not be assigned without prior approval of the BLM.
4. Permittee must not enclose roads or trails commonly in public use.
5. Authorized representatives of the Department of the Interior, other Federal agencies, and State and local law officials will at all times have the right to enter the premises on official business.
6. Permittee must pay the United States for any damage to its property resulting from the use.
7. Permittee must notify the BLM of address change immediately.
8. Permittee must observe all Federal, State, and local laws and regulations applicable to the premises and to erection or maintenance of signs or advertising displays including the regulations for the protection of game birds and game animals, and must keep the premises in a neat, orderly, and sanitary condition.
9. Permittee must pay the BLM, in advance, the lump sum of **\$250.00** for the period of use authorized by this permit, and a CAT 1 PROCESSING AND MONITORING FEE OF \$109 (each).
10. Use or occupancy of land under this permit will commence within **1 MONTH** from date hereof ~~and must be exercised at least **NA** each year.~~
11. Permittee must take all reasonable precautions to prevent and suppress forest, brush, and grass fires and prevent pollution of waters on or in the vicinity of the lands.
12. Permittee must not cut any timber on the lands or remove other resources from the land without prior written permission from the BLM. Such permission may be conditioned by a requirement to pay fair market value for the timber or other resources.
13. ~~Permittee agrees to have the serial number of this permit marked or painted on each advertising display or other facility erected or maintained under the authority of such permit.~~
14. This permit is subject to the provision of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the Equal Opportunity clauses. A copy of this order may be obtained from the BLM.
15. Permittee acknowledges, by signing below, that he/she knows, understands and accepts the terms and conditions under which this permit is issued.
- 16. Special conditions and maps (attached).**

16. Special Conditions

Federal Land policy and Management Act of 1976
(90 Stat. 2743, 2762; 43 U.S.C. 1732)

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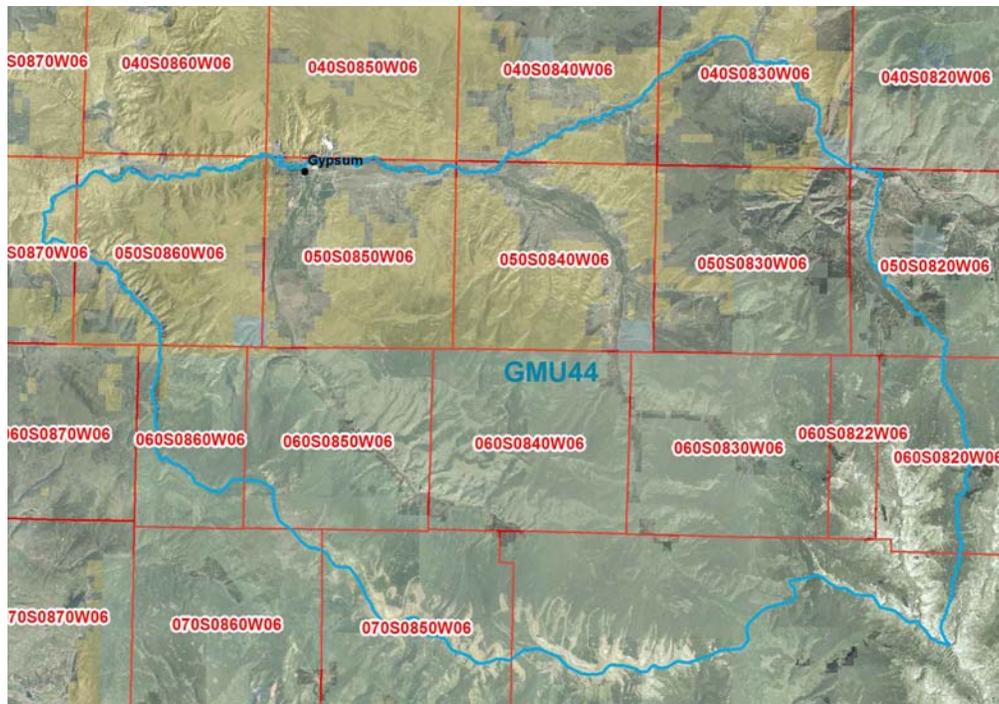
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Map:



Game Management Unit 44, Sixth Principal Meridian, Eagle County, Colorado.

Permit issued for period:

From: _____

(Permittee)

To: _____

Associate Field Manager

(Title) **(Date)**