United States Department of the Interior

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

CATEGORICAL EXCLUSION

DOI-BLM-CO-N040-2014-0113-CX

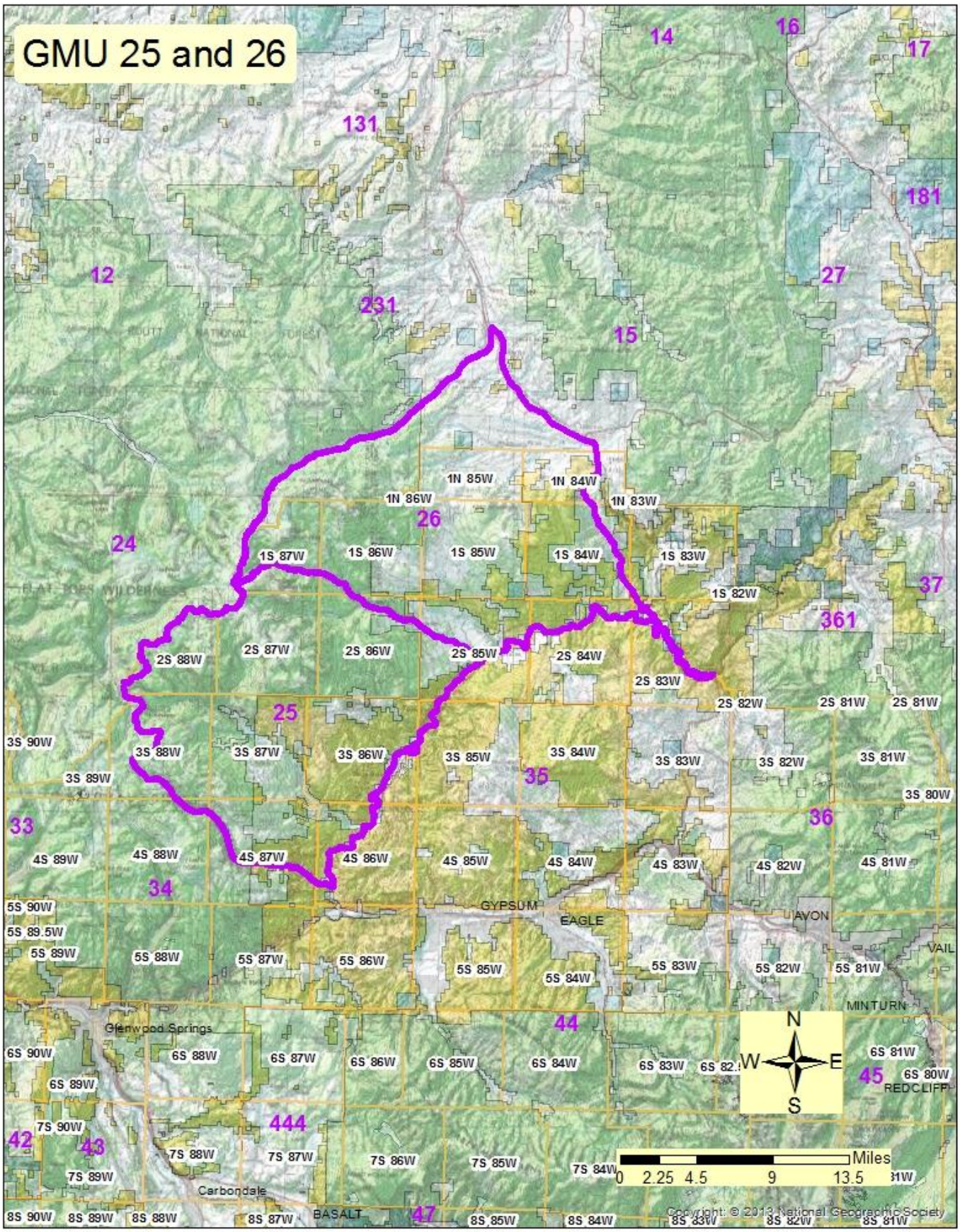
A. Background

BLM Office: Colorado River Valley Field Office Lease/Serial/Case File No: COC-76764 / 292009

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

Location of Proposed Action: Game Management Units 25 & 26, Sixth Principal Meridian, Eagle County, Colorado.

Description of Proposed Action: The applicant, Tim Burnett of Country Born LLC has applied for a land use permit to produce a potential TV episode of Solo Hunter. The Elk hunt is in Colorado's third big-game season November 1-9, and the planned hunt filming is between November 4-6, 2014 in Game Management Units 25 & 26, on private and public lands. There will be no props with one person both hunting and filming the hunt with a Go Pro 3+.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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. Adam Bronson (applicant) will be the licensed hunter, and would be accompanied by one cameraman and 2-3 spotters during the filming. It is anticipated that a promotion DVD or a TV hunting episode would be the final product for C4 Outdoors.

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		X

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.		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:

Name	Title	Area of Responsibility
Monte Senor	Lands and Realty Specialist.	IDT Lead
Carla DeYoung	Ecologist	ACECs, T/E/S Plants, Land Health Standards

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

1. Cultural Resource/Native American Concerns:
   If subsurface cultural values are uncovered during operations, all work in the vicinity of the resource will cease and the authorized officer with the BLM notified immediately. The operator shall take any additional measures requested by the BLM to protect discoveries until they can be adequately evaluated by the permitted archaeologist. Within 48 hours of the discovery, the State Historic Preservation Officer (SHPO) and consulting parties will be notified of the discovery and consultation will begin to determine an appropriate mitigation measure. BLM in cooperation with the operator will ensure that the discovery is protected from further disturbance until mitigation is completed. Operations may resume at the discovery site upon receipt of written instructions and authorization by the authorized officer.

   Native American human remains: Pursuant to 43 CFR 10.4(g), the holder must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony on federal land. Further, pursuant to 43 CFR 10.4 (c) and (d), the holder must stop activities in the vicinity of the discovery that could adversely affect the discovery. The holder shall make a reasonable effort to protect the human remains, funerary

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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: Karl B. Mendonca Date: 10/27/2014
Karl Mendonca, Associate Field Manager

Contact Person
For additional information concerning this CX review, contact Monte Senor, Colorado River Valley Office, 2300 River Frontage Road, Silt, CO 81652, 970-876-9067.