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**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

CATEGORICAL EXCLUSION

A. Background

BLM Office: Kremmling Field Office

Lease/Serial/Case File No.: COC-66160__

Number: DOI-BLM-CO-120-2009-0046-CX

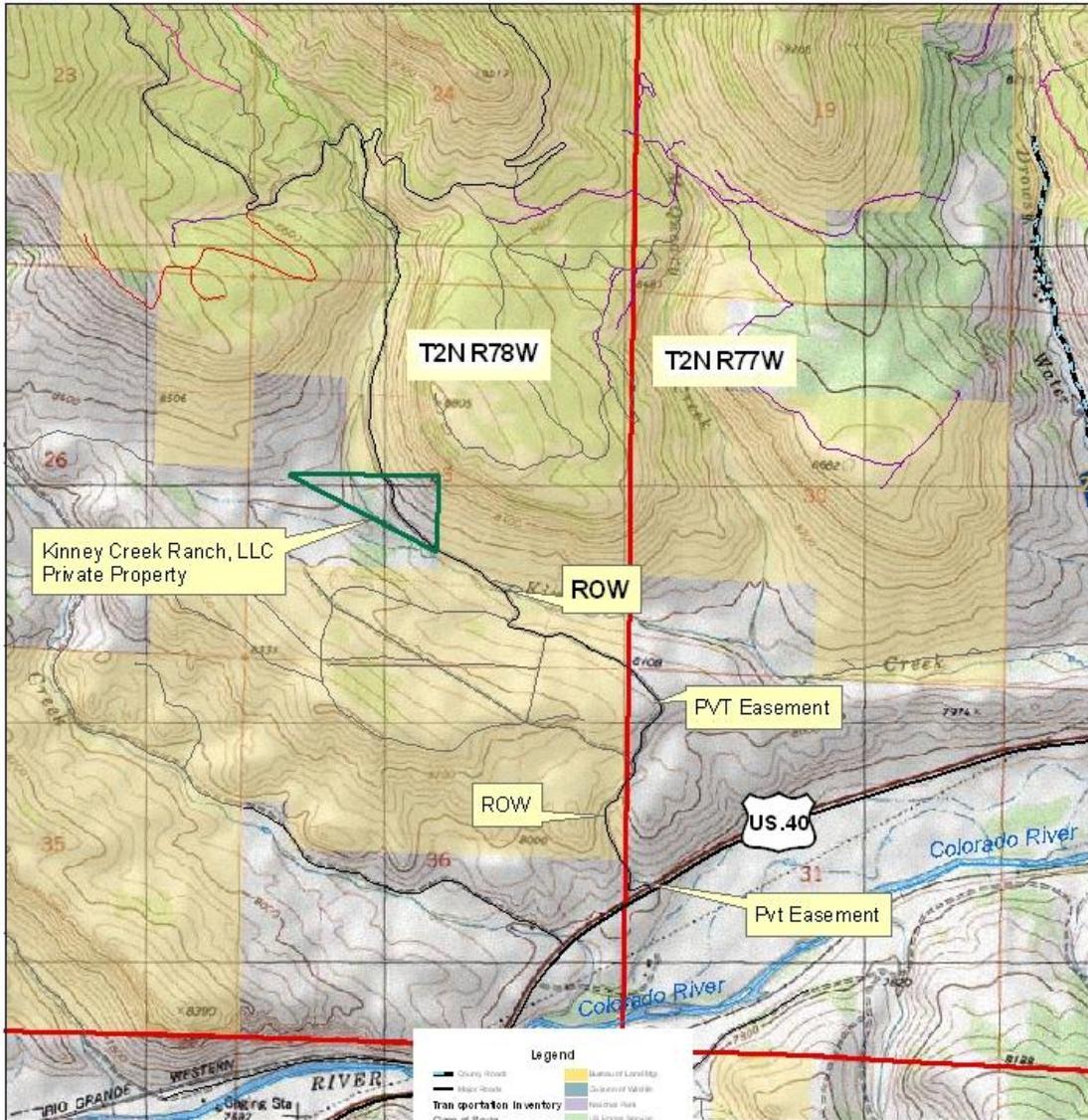
Proposed Action Title/Type: ROW Assignment between Bickler and Kinney Creek Ranch, LLC

Location of Proposed Action: T. 2 N., R. 77 W., Sec. 30 & 31
T. 2 N., R. 78 W., Sec. 25 & 36

Description of Proposed Action: Kinney Creek Ranch, LLC has purchased property from David and Diane Bickler. Kinney Creek Ranch, LLC has applied for an assignment of the access road right-of-way (ROW) granted to the Bicklers in 2003. The ROW is 7,280 feet long and 30 feet wide encompassing 5.01 acres. There are two private easements, one at the beginning of the road and one between the two portions of public land. This ROW would access the holders private property. The ROW expires 8/25/2032. There are multiple ROW holders on this road with all the same stipulations attached to their grants. See attachment for ROW stipulations.

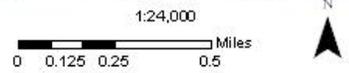


Kinney Creek Ranch, LLC



Legend

County Road	Bureau of Land Map
Major Road	Subsided Viable
Transportation Inventory	Historical Mark
Class of Route	Oil Field Service
Proposed/Improvement	Historical Middle Range
1 track line	Shaded
1 track stretch	State
1 track stretch	State Forest
ATV/Trail	
County Road	
Historical trail	
dashed line	
5 day	
protection area, potential area	
contour line	
Major Stream	
Watermark & Study Area	
ASCC	



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NAME - DATE
FILE LOCATION



B. Land Use Plan Conformance

Land Use Plan Name: Kremmling Resource Management Plan (RMP), Record of Decision (ROD) _ Date Approved/Amended: December 19, 1984; Updated February 1999

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions(s):

Decision Number/Page: II-B-12 pg. 14

Decision Language: Process and approve small scale, low impact use authorization requests.

C. Compliance with NEPA:

The Proposed Action qualifies as a categorical exclusion under 516 DM 11, Number: (E) (9) *“Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.”* 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 DM2 apply.

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Megan McGuire	Biologist	T&E	6/16/09
Paula Belcher	Hydrologist	Soil, Air & Water	6/16/09
Bill Wyatt	Archaeologist	Archaeology	6/16/2009
Susan Cassel	Asst. Field Manager	NEPA	6/19/09

Wetland/Riparian Zones: The Kinney Creek segment near this ROW was evaluated by the Colorado Natural Heritage Program in 2006 for the BLM and Grand County. This segment of creek was rated as being “functional at risk- with a downward trend” due to land uses. Livestock grazing, the proximity of the road to the channel, and the private ownership have altered the channel and introduced weedy and exotic species to the riparian zone. Although the ROW holder is not responsible for the road location, and the BLM can’t require them to improve their private land management, they should be partially responsible for weed control within the ROW to help reduce weeds invading the riparian zone.

D. Signature

Authorizing Official: /s/ Susan L. Cassel Date: 6/19/2009
(Signature)

Name: Susan Cassel
Title: Acting Field Manager

Contact Person

For additional information concerning this CX review, contact:
Susan Cassel, Asst. Field Manager
Kremmling Field Office
P O Box 68
Kremmling, CO 80459
970-724-3002

DECISION RECORD
CX # DOI-BLM-CO-120-2009-0046-CX

DECISION: It is my decision to authorize the Proposed Action as described in the attached CX. The right-of-way would be inspected and monitored periodically during terms of the grants to ensure compliance with the terms and conditions of the grant.

This decision is in compliance with the Endangered Species Act, National Historic Preservation Act, and the Clean Water Act. This decision is also in conformance with the LUP and other applicable laws, regulations and policies.

This action is listed in the Department Manual as an action that 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 extraordinary circumstance and is, therefore, categorically excluded from further environmental analysis.

RATIONALE: The proposed action is for an assignment of an existing right-of-way. The attached stipulations will ensure that the applicable natural resources are adequately protected.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Susan L. Cassel

DATE SIGNED: 6/19/09