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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 Lease/Serial/Case File No.: COC-69945

Number: BLM-LLCON02000-2011-0014-CX

Proposed Action Title/Type: George Stark Land Use Permit

Location of Proposed Action: T. 1 N., R. 78 W., Section 18, Lot 4

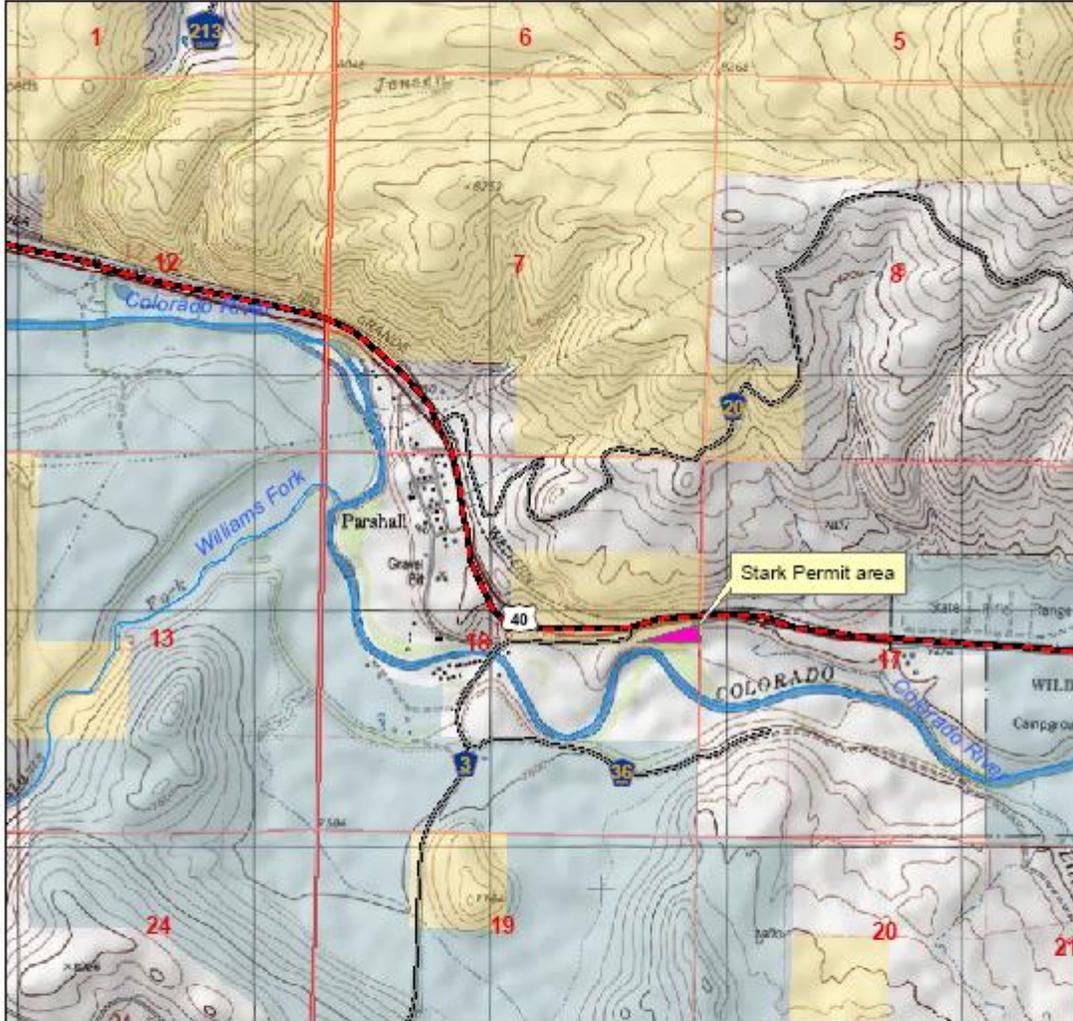
Description of Proposed Action:

Dr. George Stark built an unauthorized barn and septic facilities on the above described BLM-administered public land in 2005. The trespass was discovered in April, 2006. The public land in question is not designated for disposal in the Kremmling Resource Management Plan (RMP). The Kremmling Field Office (KFO) is revising its RMP, and will re-evaluate its land tenure decisions.

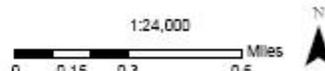
Dr. George Stark has reapplied for a 2920 permit for another period of three years to temporarily resolve his trespass. The trespass consists of a metal barn with living quarters, well, leach field, and storage of machinery on BLM-administered public land. The permit would authorize the use of 3.75 acres of BLM-administered public land. No other ground disturbing activities would be allowed. Fair market rental would be charged for the three year permit.



Stark Land Use Permit COC-69945



- Legend**
- County Roads
 - Map Roads
 - State Highways
 - ROADS
 - Interstate
 - US
 - State
 - County Boundary
 - County PT Boundary
 - LAND STATUS
 - Recreation/Leisure
 - Open Lands
 - National Park
 - Wild Forest
 - Wilderness
 - Wild
 - State
 - Map Road
 - Interstate
 - State
 - County Range



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Annie Sperandio, 12-18-2010
t:/gaworld/lands/esproject/maps/stark_COC69945.mxd

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 LUP, even though it is not specifically provided for, because it is clearly consistent with the regulations under BLM Manual 2920.1(A)(1), “Permits may be issued to resolve unauthorized residential occupancy pending ultimate termination via notice to vacate or a decision to sell the land. Such permits must include a provision prohibiting transfer, and other stipulations that will ensure removal of the occupancy, structures, and restoration of the site if the lands are not sold to the occupant.”

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.0, 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 |
|---------------|----------------------|-----------------------------------|------------------------------|
| Bill Wyatt | Staff Archaeologist | Archaeology & Indian Consultation | 12/19/2010 |
| Megan McGuire | Biologist | Wildlife, T&E | 12/21/2010 |
| Paula Belcher | Hydrologist | Soil, Air & Water | 1/03/2011 |
| Susan Cassel | Assoc. Field Manager | NEPA | 1/5/2011 |

D. Signature

Authorizing Official /s/ David Stout Date: 1/7/2011
(Signature)

Name: Dave Stout
Title: Field Manager

Contact Person

Annie Sperandio
P O Box 68
Kremmling, CO 80459
970-724-3002

DECISION RECORD
CX # BLM-LLCON02000-2011-0014-CX

DECISION: It is my decision to authorize the Proposed Action as described in the attached CX.

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 and have determined that it does not represent an extraordinary circumstance and is, therefore, categorically excluded from further environmental analysis.

RATIONALE: The proposed action to re-issue George Stark a Land Use Permit for an existing barn was chosen to resolve a trespass issue. No new ground disturbance will occur.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ David Stout

DATE SIGNED: 1/7/2011