

Map 1

# Wilderness Character Evaluation: Birch Creek

OR-054-037



U.S. DEPARTMENT OF THE INTERIOR  
Bureau of Land Management  
PRINEVILLE DISTRICT  
3050 NE Third Street  
Prineville, OR 97754  
(541) 416-6700

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.

**Legend**

**Wilderness Characteristics**

- Yes (Green box with diagonal lines)
- No (White box)

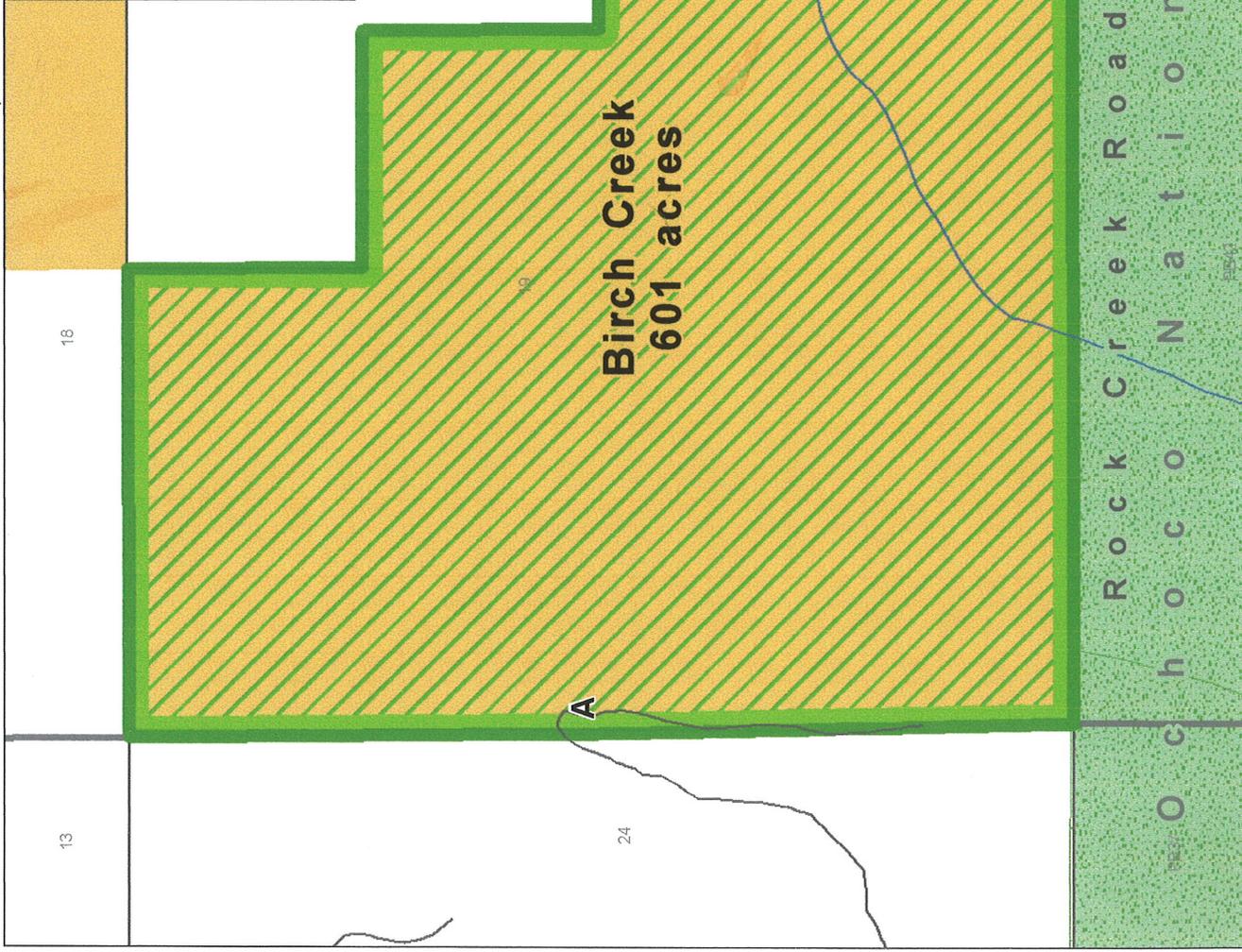
**USFS Roadless Area**

- USFS Roadless Area (Green box with diagonal lines)

**Administered Land**

- Bureau of Land Management (Yellow box with diagonal lines)
- U.S. Forest Service (Green box with diagonal lines)
- Private/Unknown (White box)

0 0.1 0.2 mi  
January 2009



R 24 E

R 25 E

OR-054-037/ Birch Creek Inventory Unit

**2008 John Day Basin Wilderness Character Evaluation Form**

**Wilderness Character Evaluation For: OR-054-037/ Birch Creek Inventory Unit**

**1. Previous BLM wilderness inventory?**

No \_\_\_\_\_ Yes  Partial \_\_\_\_\_

a) Inventory Source: Inventory Source: Bureau of Land Management, OR/WA, Initial Wilderness Inventory, August 1979.

b) Inventory Unit Name(s)/Number(s): OR-05-013 / Rock Creek Rare II Area

c) Map Name(s)/Number(s) 1979 Final Decision- Initial Wilderness Inventory Map

d) BLM District(s)/Field Office(s): Prineville District, Central Oregon Resource Area

Unit#/ Name	Size (historic acres)	Natural Condition? Y/N	Outstanding Solitude? Y/N	Outstanding Primitive & Unconfined Recreation? Y/N	Supplemental Values? Y/N
OR-05-013	N/A	N/A	N/A	N/A	N/A

**2. New Wilderness Characteristic Review**

Private Recommendation: Yes \_\_\_\_\_ No  by? \_\_\_\_\_ Date \_\_\_\_\_

Results of BLM Analysis: (separate by subunit if appropriate)

Unit#/ Name	Size (acres)	Natural Condition? Y/N/NA	Outstanding Solitude? Y/N/NA	Outstanding Primitive & Unconfined Recreation? Y/N/NA	Supplemental Values? Y/N/NA
OR-054-037 Birch Creek	601	Yes	Yes	Yes	Yes

Conclusion  
Check One:

\_\_\_\_\_ Area reviewed lacks sufficient size and does not meet one of the exceptions for small size.

## OR-054-037/ Birch Creek Inventory Unit

The area-or a portion of the area-has wilderness character.

The area does not have wilderness character.

(1) Describe current conditions: (Include boundary features, land ownership, size, location, topography, vegetation features and summary of major human uses/activities).

The unit is located in Wheeler County approximately 9 miles southwest of the town of Dayville. The unit is bordered on the south by USFS Ochoco National Forest Roadless Area, and on all remaining sides by private land. This unit is 601 acres in size.

### **Original 1979 Inventory**

The Rock Creek RARE II Area (520 acres) was inventoried during the initial inventory of BLM lands. The wilderness inventory was completed by the Prineville BLM District. The original inventory found that this area was not of sufficient size to be considered as wilderness on its own, and while it was adjacent to a Forest Service RARE II area, that area was not recommended for wilderness designation. As a result, the unit was dropped from further wilderness review. Inventory notes for Rock Creek RARE II Area mention one man-made improvement, consisting of a small spring development, and mention grazing and hunting use. The inventory found that the unit was generally affected primarily by the forces of nature, but the small size of only the BLM lands would restrict the opportunity to experience solitude and/or primitive unconfined types of recreation within its boundaries.

### **2007 Inventory**

**Location of Inventory Unit:** All public lands located in T. 13 S., R. 25 E., Sections 19 and 20, except one acre surrounding Birch Spring was excluded from the inventory due to obvious human impacts from previous development of the spring.

**Description of the unit:** The lands include the two upper drainage forks of Birch Creek, which run north from Spanish Peak (6,871 feet in elevation), which is located on USFS lands immediately south of the unit. A large ridgeline bisects the unit and the general slope of the land is to the north. The streams are perennial. There is an unmapped spring located in T. 13 S., R. 25 E., Section 20. The old growth forest consists of western Larch, Douglas Fir, Grand Fir, Pacific Silver Fir and Ponderosa Pine. The riparian vegetation along the stream has birch, red-twig dogwood, several species of currants, Nootka Rose, ladyfern, sword fern and several others yet identified. The forbs include twin-flower, huckleberry, greenflowered wintergreen and psipissera and four different types of Orchids. The lichen and bryophyte flora are diverse and dominated by species commonly found west of the Cascades. Several lichen species are unusual for the Ochoco mountains, and one species has not been found previously east of the Cascades Mountains.

Forage and nest holes from Pileated woodpeckers have been found in the old growth deciduous or coniferous forests. Other wildlife species are common to the region.

## OR-054-037/ Birch Creek Inventory Unit

(2) Is the unit in a natural condition?

Yes  No  NA

Describe:

The BLM inventory excluded from the unit the old road ROW (OR 15471- now closed), spring development, ditches and associated human intrusions in the vicinity of Birch Spring, which total approximately 1 acre.

The lands within the unit are commercially grazed under BLM allotments #2551 and #2645. There is a fence line associated with the grazing operation running north-south along the ridge line, which is substantially unnoticeable.

Timber on a portion of the unit was selectively logged in the 1970's, however 30 years of very little human activity has allowed the unit to rehabilitate. There is a road ROW (OR 15469) that is located within the unit and was used as a past timber hauling route. However, this ROW was issued by BLM to BLM for the 1970's timber hauling. The route has been rehabilitating and BLM does not intend to maintain this route nor harvest commercial timber in the unit in the future. The unit appears to be in a natural condition when viewed by the common observer and the naturalness of the unit is expected to increase.

(3) Does the unit have outstanding opportunities for solitude?

Yes  No  NA

Description:

The unit, when considered in conjunction with the adjacent USFS Roadless Area, does have outstanding opportunities for solitude, especially when considering that use levels are currently very low, not anticipated to rise, and that the terrain and vegetation offer outstanding screening potential. When considered by itself and not with the adjacent USFS Roadless Area, the level of solitude would be lower.

(4) Does the unit have outstanding opportunities for primitive and unconfined recreation?

Yes  No  NA

Description:

When considered in conjunction with the adjacent USFS Roadless Area, the area does have outstanding opportunities for primitive and unconfined recreation opportunities. The use levels are currently very low and are not anticipated to rise. Occasional hunting was recognized as a recreational activity in the initial inventory and this is still the primary recreational activity. When considered by itself and not with the adjacent USFS Roadless Area, the level of primitive and unconfined recreational opportunity would be lower.

(5) Does the unit have supplemental values?

Yes  No  NA

Description:

Supplemental values were identified by BLM staff during this inventory; please see the attached staff report, 10.2.2008 for details. The lands are managed as Visual Resource Management (VRM) Class III.

OR-054-037/ Birch Creek Inventory Unit

**Prepared by:**

Team Members: (Names, Titles, Date)

Initial Review Aug. 14, 2007 by: Heidi Mottl (Recreation/Wilderness), Teal Purrington (NEPA/Planning), Dorothy Thomas (GIS), Anna Smith (Hydrology), Mike Tietmeyer (Range), Dan Tippy (Assistant Field Manager), Rick Demmer (Riparian), Monte Kuk (Wildlife), Robert Vidourek (Forestry), Mike Williams (Planning), Berry Phelps (Recreation), Craig Obermiller (Range), John Morris (Fish), Dana Cork (Transportation), Christina M. Welch (Field Manager), Don Tschida (Fire), Gavin Hoban (GIS), John Zancanella (Cultural), JoAnne Armson (Plants).

Realty/Mineral Records researched by Timothy Finger, BLM Wilderness Specialist on detail from Richland, UT, October, 2008.

**Approved by:**

Christina M. Welch  
Field Manager

Oct. 31, 2007  
Date

*This form documents information that constitutes an inventory finding on wilderness characteristics. It does not represent a formal land use allocation or a final agency decision subject to administrative remedies under either 43 CFR parts 4 or 1610.5-2.*

OR-054-037/ Birch Creek Inventory Unit

PURPOSE:

This addendum provides signatory authority across gaps in supervisory oversight in the preparation process.

DISCUSSION:

Further study has been conducted to validate the findings approved by the original signator, Christina Welch. As the new Field Manger for the Resource Area and Ms. Welch's replacement I have been briefed by the specialists assigned on the contents and underlying rationale for the findings contained in this document. I approve these findings with my signature below.

APPROVED BY:

  
SIGNATURE

Thursday, July 08, 2010

**John Day Basin RMP Road Analysis Form**

(Factors to consider when determining whether a route is a road for wilderness inventory purposes.)

**Wilderness Inventory Area Name and Number (UNIT\_ID):**

**Route Name and/or Identifier: Route A, Closed Road ROW (OR 15471) (Shown as Route A on Map 1)**

**I. LOCATION:** Please refer to attached map and BLM corporate data (GIS). The route enters the unit in T. 13 S., R. 25 E., Section 20, and travels for a distance of approximately 6 ¼ mile, south and then north until it exits the unit in T. 13 S., R. 25 E., Section 19.

**II. CURRENT PURPOSE OF ROUTE:** The route is used to access Birch Spring which is developed with a spring box and a ditch system which appears to feed the Antone Ranch located to the northwest. The route is also used by the grazing permittee.

**III. ROAD RIGHT-OF-WAY:**

Yes \_\_\_ No  X  Unknown \_\_\_

There was a ROW (OR 15471) issued by BLM to BLM in 1976 for timber hauling, but the ROW is now closed. There is no record of a ROW issued to a non-government party.

**IV. CONSTRUCTION**

Yes  X  No \_\_\_

Examples:

Paved \_\_\_ Bladed  X  Graveled \_\_\_ Roadside Berms \_\_\_  
Cut/Fill \_\_\_ Other \_\_\_

**V. IMPROVEMENTS**

Yes  X  No \_\_\_

By Hand Tools \_\_\_ By Machine \_\_\_  
Culverts  X  Stream Crossings \_\_\_ Bridges \_\_\_ Drainage \_\_\_ Barriers \_\_\_ Other \_\_\_

**VI. MAINTENANCE:**

OR-054-037/ Birch Creek Inventory Unit

A. Is there Evidence or Documentation of Maintenance using hand tools or machinery?

Yes  No

Hand Tools  (Y/N) Machine  (Y/N)

Explain: See BLM FAMS data in reference section. Is the route scheduled to receive maintenance? BLM maintained this route in the past when it was used for timber hauling. More recently, the Antone Ranch has maintained the route in order to access Birch Spring.

B. If route is in good condition, but there is no evidence of maintenance, would mechanical maintenance with hand tools or machines be approved by BLM in the event this route became impassable?

Yes  No  N/A

Comments: BLM intends to allow this route to continue to be maintained.

**VII. REGULAR AND CONTINUOUS USE:**

Yes  No

**VIII. CONCLUSION:**

To meet the definition of a road, items IV or V, and VI-A or B, and VII must be checked yes.

Road: Yes  No

Explanation: This route was constructed, has been maintained by the BLM in the past and more recently by the adjacent landowner, and BLM intends to allow this route to continue to be maintained.

Evaluator(s): Heidi Mottl Date: 9/30/07

\* **road:** An access route which has been **improved and maintained** by **mechanical means** to insure **relatively regular and continuous use**. A way maintained solely by the passage of vehicles does not constitute a road.

a. **“Improved and maintained”** – Actions taken physically by people to keep the road open to vehicle traffic. “Improved” does not necessarily mean formal construction. “Maintained” does not necessarily mean annual maintenance.

b. **“Mechanical means”** – Use of hand or power machinery or tools.

c. **“Relatively regular and continuous use”** – Vehicular use that has occurred and will continue to occur on a relatively regular basis. Examples are: access roads for equipment to

## OR-054-037/ Birch Creek Inventory Unit

maintain a stock water tank or other established water sources; access roads to maintained recreation sites or facilities; or access roads to mining claims.

**REFERENCES**

**a. Realty program**

Master Title Plat: T. 13 S., R. 25 E., Section 19.

Case Files: Road ROW (OR 15469) Road ROW (OR 15471-Closed)

**b. GIS Program**

USGS National Map project

BLM GIS data

Google Earth Commercial Mapping System, 2009

**c. Mapping Program**

USGS 7.5 minute Topographic Quadrangle Series, Antone, photo-revised 1985.

BLM Upper John Day River public lands map, June 1991

**d. Wildlife and Botany Programs**

See attached Staff Report 10.2.08 for details

Team Comments 8/14/07:

**Morris**-Area has a lot of roads and disturbance historic mining district.

**Cork**- Land is adjacent to Forest Service and roadless.

**Zancanella**-There may be historic ditches, and current ditches.



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Serial Number

OR 15469

MEMORANDUM

Date 12/16/75

TO: STATE DIRECTOR, 952

FROM: District Manager, PRINEVILLE

SUBJECT: Recordation and appropriation under 44 LD 513

Please record appropriation of the  road  trail delineated on the enclosed map. The right-of-way is essential for the administration of public lands under the jurisdiction of Bureau of Land Management. Status conflicts have been resolved.

BLM acquired the right-of-way by (check appropriate block)

1.  Construction under timber sale contracts by licensees of BLM
2.  Construction with appropriated funds
3.  Constructed by entryman or claimant and abandoned. Reversion to U. S.
4.  Staking and construction is planned for Fiscal Year 1977
5.  Termination of a right-of-way permit
6.  Other



Right-of-way width is 60 feet

Following are the public lands crossed by this right-of-way

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION (describe by aliquot parts)
T13S	R25E	Will	19	LOT 2, 3, 4
			19	S 1/2 SE 1/4, NW 1/4 SE 1/4, SW 1/4 NE 1/4
			19	NE 1/4 NW 1/4
			20	W 1/2 SW 1/4

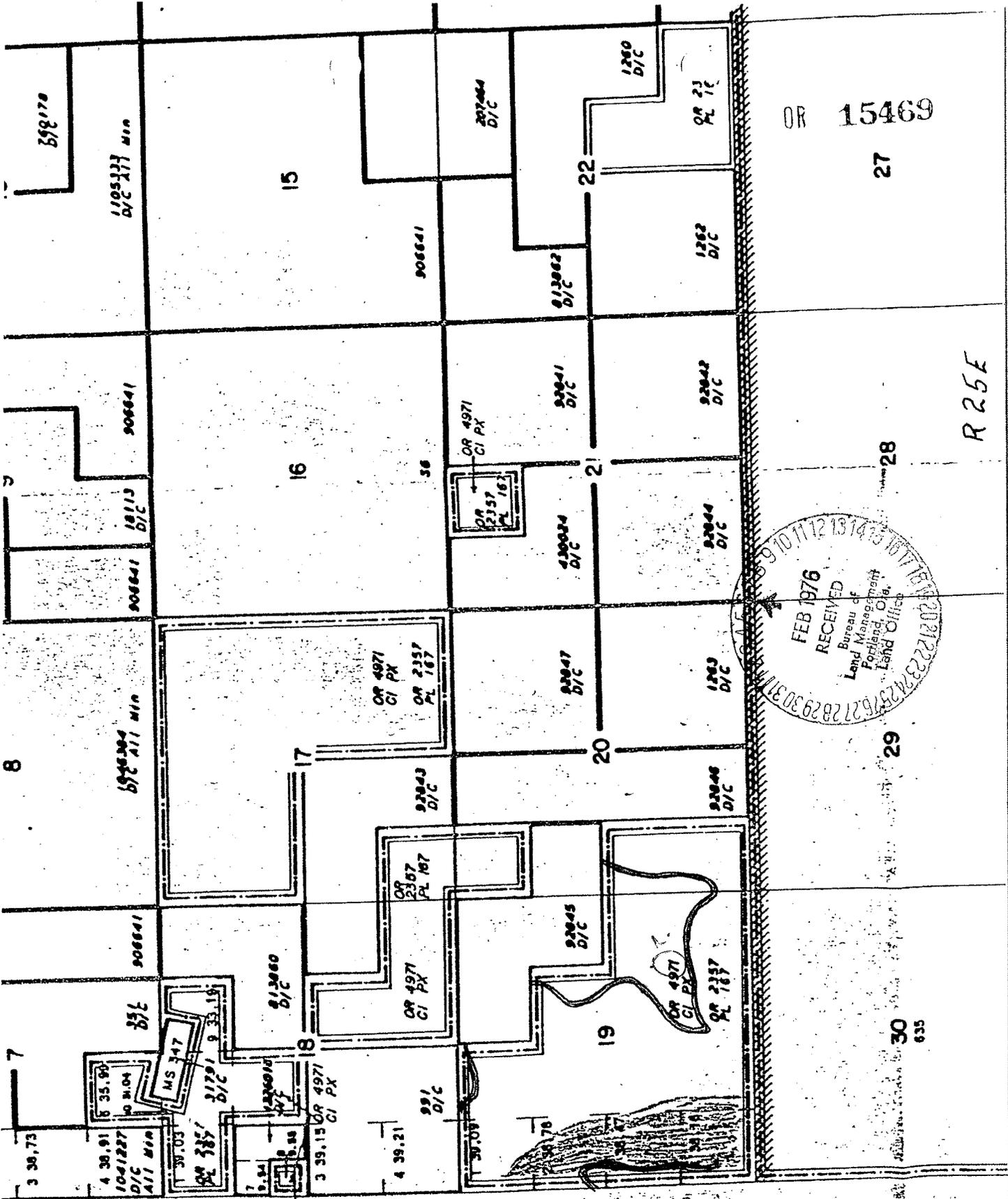
*Paul W. [Signature]*  
(District Manager)

On (date) Jan 11, 1976 appropriation of the  road  trail was noted on the official records.

*[Signature]*  
(Signature)

Chief, Branch of  
Records & Data Management  
(Title)

MTP  USE  LSBL  HI  ACB  HI   
 MIN LOC  OTHER  SR  Date Feb 11, 1976 AIP



3 38.73  
 4 38.91  
 1041227  
 D/C  
 All Min  
 38.03  
 MS 347  
 31791 9 33.19  
 D/C  
 3 39.15  
 OR 4971  
 CI PX  
 4 39.21  
 991  
 D/C  
 30.09  
 178  
 30

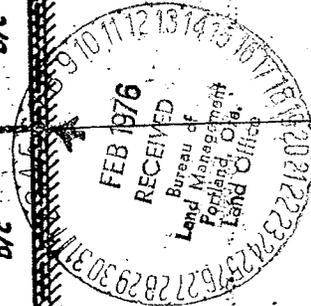
T 13E

OR 15469

27

R 25E

28



29

30  
635

Right-of-Way 44 LD 513

2098.1 OR 15469

Bureau of Land Management  
Prineville, Oregon

~~XXXXXX~~

T. 13 S., R. 25 E., W. M., Oregon

Wheeler County

Sec. 19: Lots 2, 3, 4, S $\frac{1}{2}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ W $\frac{1}{2}$

20: W $\frac{1}{2}$ SW $\frac{1}{4}$

Feb. 6, 1976 Request recd. far

Prineville  
File

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Serial Number

OR 15471

MEMORANDUM

Date 12/16/75

TO: STATE DIRECTOR, 952

FROM: District Manager, PRINEVILLE

SUBJECT: Recordation and appropriation under 44 LD 513

Please record appropriation of the  road  trail delineated on the enclosed map. The right-of-way is essential for the administration of public lands under the jurisdiction of Bureau of Land Management. Status conflicts have been resolved.

BLM acquired the right-of-way by (check appropriate block)

1.  Construction under timber sale contracts by licensees of BLM
2.  Construction with appropriated funds
3.  Constructed by entryman or claimant and abandoned. Reversion to U. S..
4.  Staking and construction is planned for Fiscal Year 19
5.  Termination of a right-of-way permit
6.  Other



Right-of-way width is 80 feet

Following are the public lands crossed by this right-of-way

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION (describe by aliquot parts)
T13S	R25E	Will	19	NE 1/4 SE 1/4
			20	NW 1/4 SW 1/4
			18	W 1/2 SE 1/4, SE 1/4 SE 1/4

*Paul W. Carruth*  
(District Manager)

On (date) June 11, 1976 appropriation of the  road  trail was noted on the official records.

*Robert A. Weising*  
(Signature)

Chief, Branch of  
Records & Data Management  
(Title)

MTP  USE  LSBL  HI  AOR  HI  
 MIN LOC  OTHER  SR  Date 6/11/76 R/P



Right-of-Way 44 LD 513

2098.1 OR 15471

Bureau of Land Management  
Prineville, Oregon

T. 13 S., R. 25 E., W. M., Oregon  
Sec. 18: W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$   
19: NE $\frac{1}{4}$ SE $\frac{1}{4}$   
20: NW $\frac{1}{4}$ SW $\frac{1}{4}$

Wheeler County

Feb. 6, 1976 Request recd.far

Prineville  
File

West Birch Creek Parcel *Staff Report*  
T.1 3 S.; R. 25 E.; Sections 19 & 20; W.M.

October 20, 2008

This 160 acre parcel is an isolated piece of BLM land adjacent to the north end of the Ochoco National Forest. Several perennial streams and an unmapped spring are within this area. The vegetation is very unusual for the east side of the Cascade mountains. The old growth forest consists of Western larch, Douglas fir, Grand fir, Pacific silver fir and Ponderosa pine. The riparian vegetation along the streams has birch, red-twig dogwood, several species of currants, Nootka rose, ladyfern, sword fern and several others that have not been keyed out. Forbs include twin-flower, huckleberry, greenflowered wintergreen and pipsissewa or Prince's pine. 4 orchid species are also located in this parcel: mountain lady's slipper, fairy slipper or Calypso orchid, summer coralroot and western rattlesnake plantain.

The lichen and bryophyte flora are diverse and dominated by species found in moist old-growth mixed conifer forests more typical of the Cascades. Several lichen species collected are unusual for the Ochoco mountains and one species has not been seen before east of the Cascade mountains.

Forage and nest holes from Pileated woodpeckers have been observed in this area for years, but on my last visit one was actually seen. Pileated woodpeckers are found in deciduous or coniferous forests with large trees (old growth).



The West Birch Creek parcel has been a part of a long term monitoring for Douglas-fir Tussock Moth populations conducted by the USDA Forest Service Forest Insects and Diseases Program. The trapping has occurred since 1983 on a yearly basis.

A water right occurs on West Birch Creek and was established in the 1870's. There is however no recorded ROW on BLM for a diversion dam. During the trip to collect the moth traps earlier this month new construction was found. All the water was being diverted from the creek.



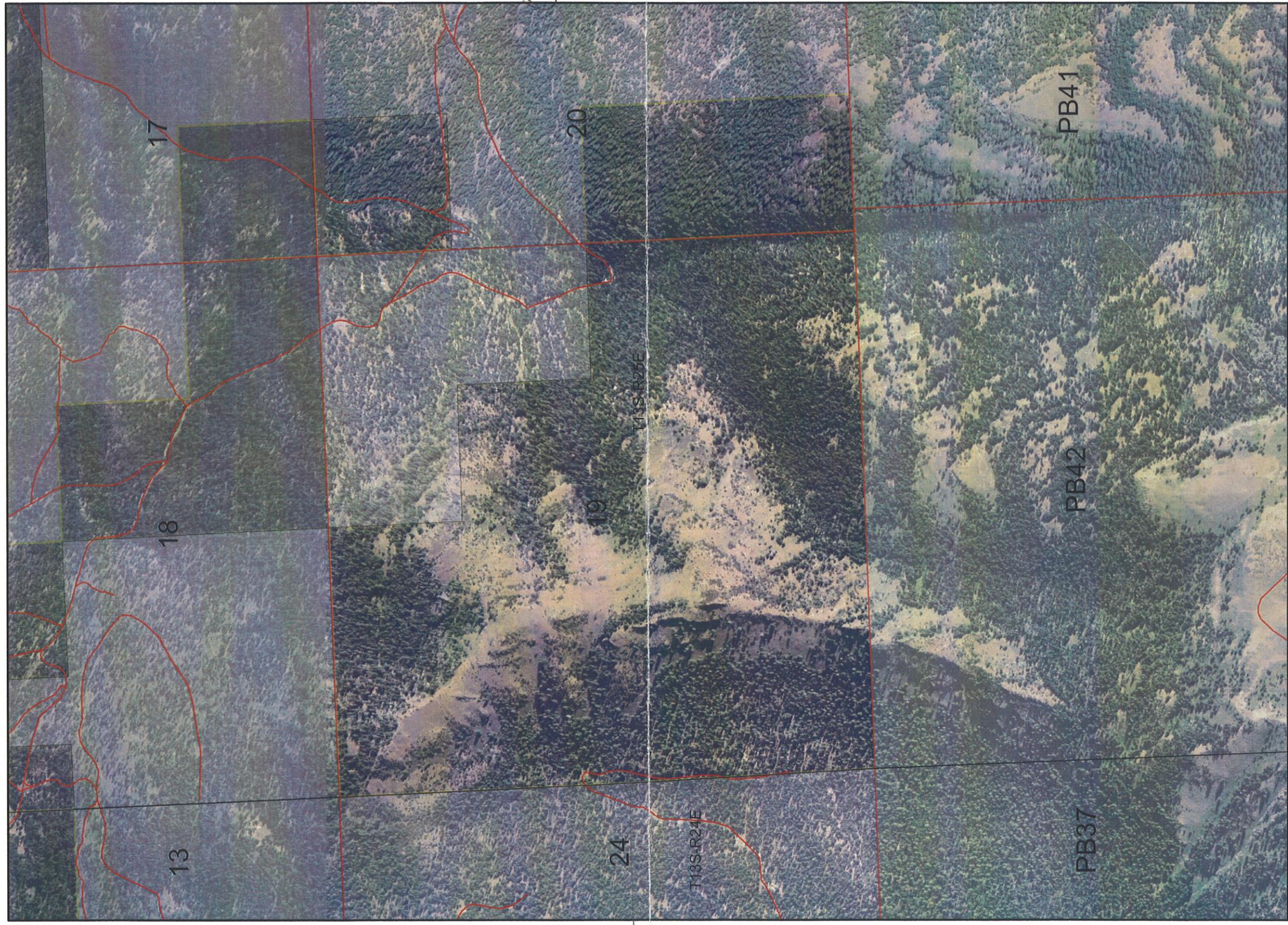
The water rights apparently belong to the Antone Ranch but the Ditch runs through BLM and the Tri-Creeks Ranch.

If the trade goes through the Tri-Creeks Ranch will lose a portion of its grazing allotment.

The Antone Ranch has obtained a 99 year lease on the Antone Ranch Highway from Wheeler County. The Ranch was/is in the process of installing locked gates at both ends of the ROW.

*James Anderson*  
BLM Botanist





Remove  
small  
piece @  
road  
w/  
culvert

CONSTRUCTED  
ROAD  
FOR LOGGING

WC 9-2-3 Birch Ck.  
Birch Creek  
sections  
19 + 20

T18S R25E

PB41

PB42

PB37

17

18

13

20

19

24

T18S-R25E

T18S-R24E