

Wilderness Inventory Unit Index of Documents
Keeney Creek OR-034-035, 22 total pages

Page 1: Index Cover Sheet

[Page 2: Form 1 – Documentation of BLM Wilderness Inventory: Findings on Record](#)

[Page 5: Form 2 – Documentation of Current Wilderness Inventory Conditions](#)

[Page 9: Form 2 – Summary of Findings and Conclusion](#)

[Page 10: Wilderness Characteristics Overview – Keeney Creek OR-034-035 Map 1 of 1](#)

[Page 11: Wilderness Characteristics – BLM Photo Points – Keeney Creek Map & Log](#)

[Page 12: OR-034-35 Keeney Creek BLM Photos](#)

[Page 15: H-6300-1-Wilderness Inventory Maintenance in BLM Oregon/Washington
Appendix C – Road* Analysis: 034-RT27](#)

[Page 19: H-6300-1-Wilderness Inventory Maintenance in BLM Oregon/Washington
Appendix C – Road* Analysis: 7322-0-00](#)

Prepared by:
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H-6300-1-WILDERNESS INVENTORY MAINTENANCE IN BLM OREGON/WASHINGTON

APPENDIX B – INVENTORY AREA EVALUATION

Evaluation of Current Conditions:

- 1) Document and review the existing BLM wilderness inventory findings on file, if available, regarding the presence or absence of individual wilderness characteristics, using Form 1, below.
- 2) Consider relevant information regarding current conditions available in the office to identify and describe any changes to the existing information (use interdisciplinary (ID) team knowledge, aerial photographs, field observations, maps, etc.), and document your findings on Form 2, below.

When Citizen Information has been submitted regarding wilderness characteristics, document the submitted materials including: date of Submission; Name of District(s) and Field Office(s) Affected; Type of material Submitted (e.g. narrative, map, photo). Evaluate any submitted citizen information regarding the validity of proposed boundaries of the unit(s), the existence of roads and other boundary features, the size of the unit(s), and the presence or absence of wilderness characteristics based on relevant information available in the office (prior BLM inventories, ID team knowledge, aerial photographs, field observations, maps, etc.)

Conduct field reviews as necessary to verify information and to ascertain current conditions. Reach conclusions on current conditions including boundaries, size of areas and presence or absence of wilderness characteristics. Fully explain the basis for each conclusion on form 2, including any critical differences between BLM and citizen information.

Document your findings regarding current conditions for each inventoried area. Describe how the present conditions are similar to, or have changed from, the conditions documented in the original wilderness inventory. Document your findings on Form 2 for each inventory area. Cite to or attach data considered, including photographs, maps, GIS layers, field trip notes, project files, *etc.*

Year: 2008 **Unit Number/Name:** OR-034-035 -- Keeney Creek

**FORM 1 -- DOCUMENTATION OF BLM WILDERNESS INVENTORY
FINDINGS ON RECORD**

1. Is there existing BLM wilderness inventory information on all or part of this area?

Yes No (If yes, and if more than one unit is within the area, list the names of those units.):

A.) Inventory Source(s) -- (X) Denotes all applicable BLM Inventory files, printed maps, or published BLM Decision documents with information pertaining to this unit.

Wilderness Inventories

- 1978 – BLM Wilderness Inventory Units 3-41 of OR-03-03-13 Keeney Creek; and 3-82 of OR-03-03-13 Washboard Reservoir (unpublished BLM documents in case files)
- April 1979 – *Wilderness -- Proposed Initial Inventory – Roadless Areas and Islands Which Clearly Do Not have Wilderness Characteristics, Oregon and Washington*

Wilderness Decision Documents

- August 1979 – *Wilderness Review – Initial Inventory, Final Decision on Public Lands Obviously Lacking Wilderness Characteristics and Announcement of Public Lands to be Intensively Inventoried for Wilderness Characteristics, Oregon and Washington* (green document)
- October 1979 – *Wilderness Review – Intensive Inventory - Oregon, Proposed Decision on the Intensive Wilderness Inventory of Selected Areas* (grey document).
- March 1980 – *Wilderness Review – Intensive Inventory; Final Decisions on 30 Selected Units in Southeast Oregon and Proposed Decisions on Other Intensively Inventoried Units in Oregon and Washington* (orange document)
- November 1980 - *Wilderness Inventory – Oregon and Washington, Final Intensive Inventory Decisions* (brown document)
- November 1981 *Stateline Intensive Wilderness Inventory Final Decision, Oregon, Idaho, Nevada, Utah* (tan document).

B.) Inventory Unit Name(s)/Number(s)

BLM 3-41 of OR-03-03-13 Keeney Creek and 3-82 of OR-03-03-13 Washboard Reservoir

C.) Map Name(s)/Number(s)

- Final Decision – Initial Wilderness Inventory Map, August 1979, Oregon
- Proposed Decision -- Intensive Wilderness Inventory of Selected Areas Map, October 1979, Oregon
- Intensive Wilderness Inventory Map, March 1980, Oregon
- Intensive Wilderness Inventory --Final Decisions Map, November 1980, Oregon.
- November, 1981 *Stateline Intensive Wilderness Inventory Final Decision, Oregon, Idaho, Nevada, Utah* (tan document).

D.) BLM District(s)/Field Office(s)

Vale District Office/ Malheur Field Office

2. BLM Inventory Findings on Record

(Existing inventory information regarding wilderness characteristics (if more than one BLM inventory unit is associated with the area, list each unit and answer each question individually for each inventory unit):

Inventory Source: See above.

Unit#/ Name	Size (historic acres)	Natural Condition? Y/N	Outstanding Solitude? Y/N	Outstanding Primitive & Unconfined Recreation? Y/N	Supplemental Values? Y/N
(3-41) OR- 03-03-13 Keeney Creek	16,280	N	N	Y	Y
(3-82) OR- 03-03-13 Washboard Reservoir	7,040	Y	N	N	N
TOTAL	23,320				

H-6300-1-WILDERNESS INVENTORY MAINTENANCE IN BLM OREGON/WASHINGTON

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When Citizen Information has been submitted regarding wilderness characteristics, document the submitted materials including: date of Submission; Name of District(s) and Field Office(s) Affected; Type of material Submitted (e.g. narrative, map, photo). Evaluate any submitted citizen information regarding the validity of proposed boundaries of the unit(s), the existence of roads and other boundary features, the size of the unit(s), and the presence or absence of wilderness characteristics based on relevant information available in the office (prior BLM inventories, ID team knowledge, aerial photographs, field observations, maps, etc.)

Conduct field reviews as necessary to verify information and to ascertain current conditions. Reach conclusions on current conditions including boundaries, size of areas and presence or absence of wilderness characteristics. Fully explain the basis for each conclusion on form 2, including any critical differences between BLM and citizen information.

Document your findings regarding current conditions for each inventoried area. Describe how the present conditions are similar to, or have changed from, the conditions documented in the original wilderness inventory. Document your findings on Form 2 for each inventory area. Cite to or attach data considered, including photographs, maps, GIS layers, field trip notes, project files, *etc.*

FORM 2 -- DOCUMENTATION OF CURRENT WILDERNESS INVENTORY CONDITIONS

Unit Number/Name: OR-034-035 – Keeney Creek

Note: On July 26, 2010 -- during the scoping period for the BLM Vale District's Southeastern Oregon Resource Management Plan Amendment -- the Vale District received a letter from Tree Top Ranches, L.P. (henceforth herein as Tree Top). Tree Top is a grazing allotment permittee of several allotments administered by Vale District. Its letter provides information about its Wallrock Allotment, which is associated with a portion of this OR-034-035 wilderness characteristics inventory maintenance unit. For reference, a hard copy of appropriate applicable portions of Tree Top's letter, affiliated maps and other information submitted by Tree Top are retained in this unit's file. This submitted information was considered and incorporated as appropriate for this BLM wilderness characteristics (WC) inventory maintenance.

Description of Current Conditions: [Include land ownership, location, topography, vegetation features and summary of major human uses/activities.]

1. Is the unit of sufficient size?

Yes X No

Description: Refer to the unit's associated Map 1 for its location. The boundary of the 24,223-acre unit is notably larger than the late 1970's original Keeney Creek unit due to it now also including what was original unit OR-03-03-13 (3-82), Washboard Reservoir, because the vehicle route status between the two units has changed since the 1970's inventory from a road to presently being a motorized primitive trail. For this update inventory, this route is labeled 034-RT27 (also referenced in some support documentation for this inventory unit as route 3-41A; both are the same route). The route is no longer maintained or deemed necessary to maintain by mechanical means to insure regular and continuous use. For more detailed information of this route, see the associated 10/12/2007 Memo with photos, and the unit's Photo Point Map/Photo Log and affiliated 034-RT 07 photos – all retained in this unit's official folder.

The inventory unit is bounded on its north by BLM roads 7321-0-00 and 7321-0-0B0; its east by BLM road 7322-0-00 and private land; its south by BLM road 7322-0-00; and its west by an Oregon State land parcel and a road traversing public lands. In this inventory unit's official file, refer to the south boundary's 7322-0-00 Road Analysis form for additional information about this route. The BLM natural-surfaced roads are in reasonably good passable condition when not water saturated, receiving a measure of mechanical maintenance as needed, or would be BLM approved for maintenance, to keep them passable for relatively regular and continuous use. Two separate 40 acre private inholdings are also features of the unit's boundaries.

2. Is the unit in a natural condition?Yes No N/A

Description: The north half of the unit is generally characterized by numerous short and predominately low profiled drainages emptying to Hurley Spring Creek and a north branch of Dry Creek. These drainages are separated by a series of low-profiled ridges of varying widths and lengths, with ridge slope gradients varying from slight to very steep. Most of the more so dissected southern portion of the unit has a complex of drainages to the main stem of Dry Creek. These drainages possess steeper slopes associated with greater variance in elevation from its surrounding terrain. Except for the canyon of the main stem of Dry Creek, the overall appearance of the unit is of rolling hills. Elevations range from approximately 3,525 to 4,990 feet with no USGS labeled landmark features. Upland vegetation consists of typical native high desert shrub and both native and non-native grass species. Dispersed short stretches of woody vegetation in the riparian zone of the main stem of Dry Creek include willow, chokecherry and mock orange.

Refer to this inventory unit's associated Map 1 for human imprints in the unit. They include approximately 9.8 miles of rangeland fence, 8 earthen reservoirs, 3 developed springs, and approximately 14.2 miles of 7 motorized primitive trails (MPTs) -- all which are located in numerous reaches of the unit. There are also three nearly indistinguishable abandoned vehicle route segments totaling about 4.1 miles. The unit's size and general topographic features mitigate the visual impact of human imprints -- individually and collectively -- to the extent that the unit appears to be affected primarily by the forces of nature with the imprint of humans being substantially unnoticeable to the average visitor.

3. Does the unit have outstanding opportunities for solitude?Yes No N/A

Description: The nature of the vegetation, even along much of the riparian area within the Dry Creek Gorge, does not provide extensive screening for visitors of the unit. The rolling terrain associated with much of the unit, while providing some settings with a sense of isolation, does not offer outstanding opportunities for solitude. However, higher and steeper sloped topographic properties of Dry Creek Gorge, in combination with the unit's increased size since the 1970's and the unit's general configuration, do result, overall, in providing outstanding opportunities for solitude.

4. Does the unit have outstanding opportunities for primitive and unconfined recreation?Yes No N/A

Description: The unit provides opportunities for hiking, backpacking, horseback riding, hunting of common game species (chukar, deer and antelope), and photography (predominately associated with the Dry Creek Gorge canyon). The lack of diverse terrain associated with the areas of generally rolling hills within the unit does not offer

challenging terrain or interesting features to provide for outstanding opportunities for primitive and unconfined recreation. However, in the Dry Creek Gorge canyon, these recreational activities are enhanced due to the geographic features and more so rugged, scenic presentation of the area. For these reasons, in the canyon-associated setting these opportunities are outstanding.

5. Does the unit have supplemental values?

Yes X No N/A

Description: The southern portion of the unit includes the western reaches of the proposed Dry Creek Gorge Area of Critical Environmental Concern (ACEC). The relevant and important values of the ACEC proposal are the visually striking high scenic qualities of the gorge canyon, the unique geologic phenomenon of deep, elongated pools resulting from the preferential erosion of a glass-rich vitrophyre zone in the rhyolite domes found along the stream's course, and the presence of two special status animal species associated with the creek's pools and riparian zone – redband trout and Columbia spotted frog. Two special status plant species, sterile milkvetch and Simpson's pincushion cactus, are located within the unit.

Summary of Findings and Conclusion

Unit Name and Number: OR-034-035 – Keeney Creek

Summary Results of Analysis:

- 1. Does the area meet any of the size requirements? X Yes No
- 2. Does the area appear to be natural? X Yes No
- 3. Does the area offer outstanding opportunities for solitude or a primitive and unconfined type of recreation? X Yes No NA
- 4. Does the area have supplemental values? X Yes No NA

Conclusion -- check one:

- X The area, or a portion of the area, has wilderness character.
- The area does not have wilderness character.

Prepared by: Robert Alward
Robert Alward, Wilderness Planner contractor

Team Members:

<u>Steve Christensen</u> Steve Christensen, Rangeland Management Specialist	<u>4-13-2009</u> Date
<u>Shaney Rockefeller</u> Shaney Rockefeller, Soil Scientist	<u>4/13/09</u> Date
<u>Jonathan Westfall</u> Jon Westfall, Geologist	<u>04/13/2009</u> Date
<u>Brent Grasty</u> Brent Grasty, GIS Coordinator	<u>4/13/09</u> Date

(NOTE: Previous Botanist Jean Finley (retired 7/2008) is a previous staff member who also reviewed this unit.)

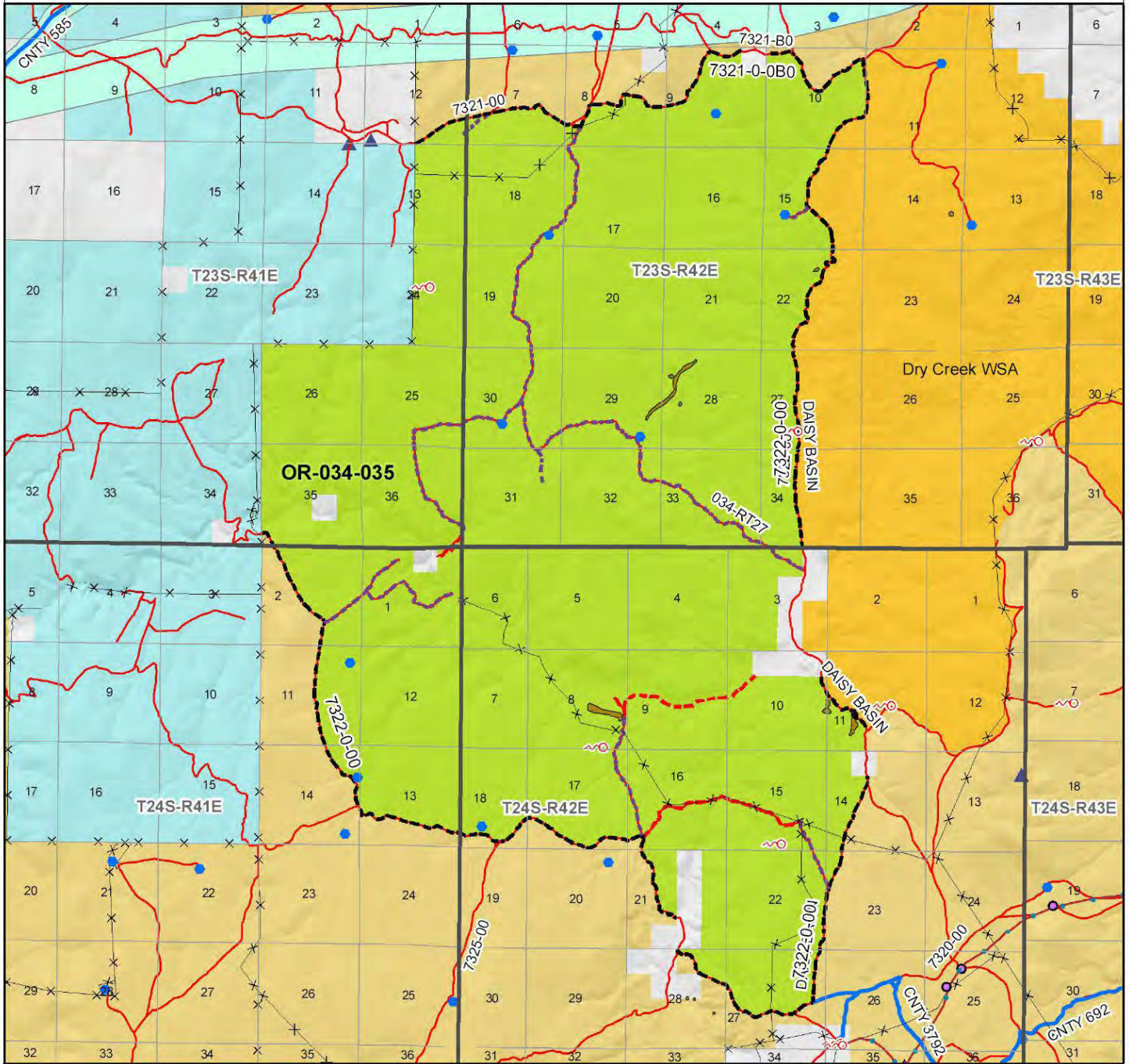
Approved by: Pat Ryan
Pat Ryan, Malheur RA Field Manager

12/13/10
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.

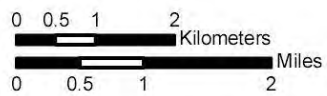
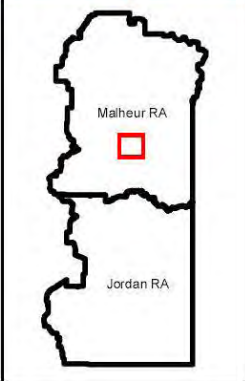
Wilderness Characteristics - Overview

Keeney Creek - OR-034-035 - Map 1 of 1



Legend

Developed Spring	Route Types - BLM Determination
Wildlife Guzzler	Boundary Road
Earthen Reservoir	Moblized Primitive Trail (MPT)
Pipeline	Discontinued Use
Trough	Routes - Outside Wild Char Unit
Fence	Major Highway
Storage Tank	BLM Numbered & Other Routes
Surface Mining Disturbance	Land Ownership
Sage Grouse Lek	Bureau of Land Management
Special Status Plant	State
BLM Wild Char Inventory Unit	Private
Wilderness Study Area	Other Federal Land
Mineral Material Site	
Road/Utility Right-of-Way	
Major Water Body	



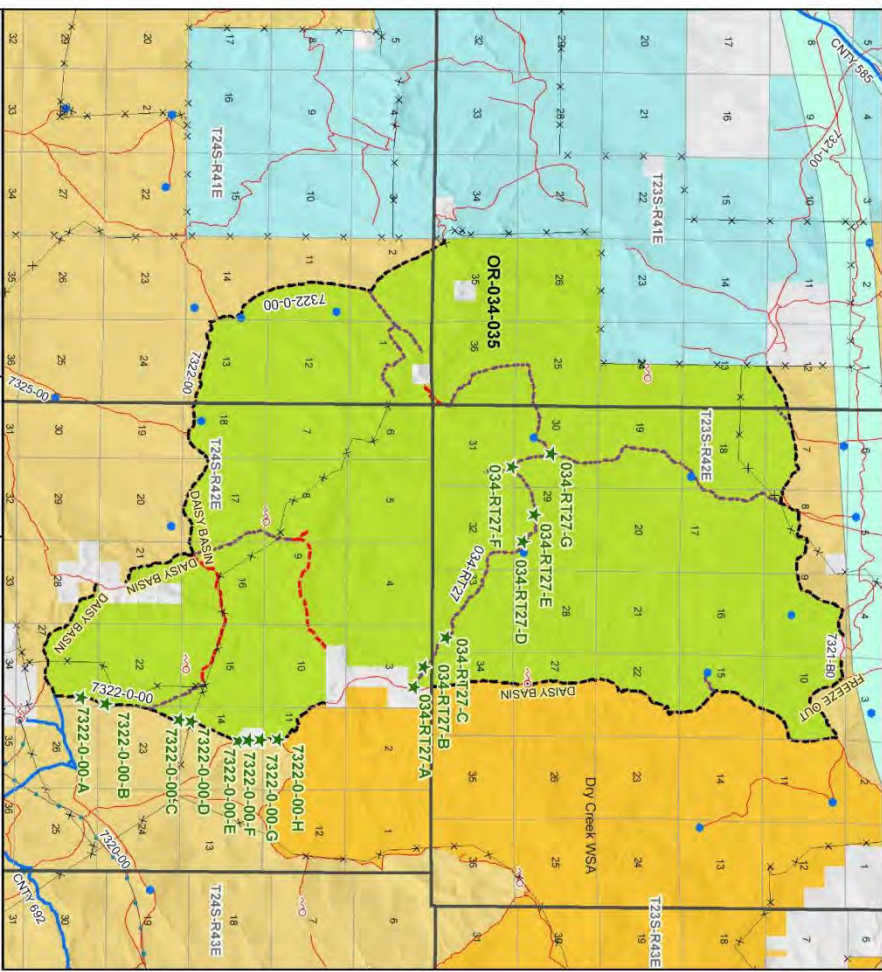
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BUREAU OF LAND MANAGEMENT

VALE DISTRICT
March 18, 2009

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--FINAL--

Wilderness Characteristics - BLM Photo Points
Keeney Creek - OR-034-035



Wilderness Characteristics - BLM Photo Log
Keeney Creek - OR-034-035

PHOTO LOCATION *	DIRECTION	PHOTO TYPE	PHOTO DATE	COMMENTS
034-RT27-A	W	Route	20071011	start of route 034-RT27
034-RT27-B	W	Route	20071011	cut & fill - signs of maintenance
034-RT27-C	W	Route	20071011	unmaintained crossing
034-RT27-D	E	Route	20071011	trail - signs of recent use
034-RT27-E	W	Route	20071011	changed route from use
034-RT27-F	E	Route	20071011	changed route from use
034-RT27-F	N	Route	20071011	intersection with unmapped spur
034-RT27-F	S	Route	20071011	intersection with unmapped spur
034-RT27-F	NE	Route	20071011	intersection with unmapped spur
034-RT27-G	E	Route	20071011	intersection near Lower Slim & Fatty Reservoir
034-RT27-G	S	Route	20071011	intersection near Lower Slim & Fatty Reservoir
034-RT27-G	SE	Route	20071011	intersection near Lower Slim & Fatty Reservoir
034-RT27-G	N	Route	20071011	intersection near Lower Slim & Fatty Reservoir
034-RT27-G	N	Route	20081119	Trend plot access
034-RT27-G	NE	Route	20081119	Water bar
7322-0-00-B	N	Route	20081119	Grader berm both sides
7322-0-00-C	N	Route	20081119	Cattle guard on route
7322-0-00-D	N	Route	20081119	Route cut into hillside
7322-0-00-E	N	Route	20081119	Canals, spring enclosure
7322-0-00-F	N	Route	20081119	Route cut into hillside
7322-0-00-H	N	Route	20081119	End at intersection.

Note: The BLM Wild Char PhotoPoints displayed on the map are labeled with their Photo Locations. The BLM Photo Log table shown above lists the photos taken at their respective Photo Locations. Multiple photos may be taken at each Photo Location. Scenery and Projected Photo Type pictures have their photo names provided in the Comments field.

Legend

- Developed Spring
- Wildlife Gazer
- Eastern Reservoir
- Fence
- Mineral Material Site
- Roadway Study Area
- Wilderness Study Area
- BLM Wild Char Inventory Photo Points
- BLM Wild Char Inventory Unit

Route Types - BLM Determination

- Boundary Road
- Accommodated Primitive Trail (APT)
- Discontinued Use
- Routes - Outside Wild Char Unit
- Canopy
- Major Highway
- BLM Maintained & Other Routes

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

VALE DISTRICT
 March 17, 2009

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-FINAL-



034-RT27-A-W.JPG



034-RT27-D-E.JPG



034-RT27-F-N.JPG



034-RT27-B-W.JPG



034-RT27-E-E.JPG



034-RT27-F-NE.JPG



034-RT27-C-W.JPG



034-RT27-E-W.JPG



034-RT27-F-S.JPG



034-RT27-G-E.JPG



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034-RT27-G-N.JPG



7322-0-00-A-N.JPG



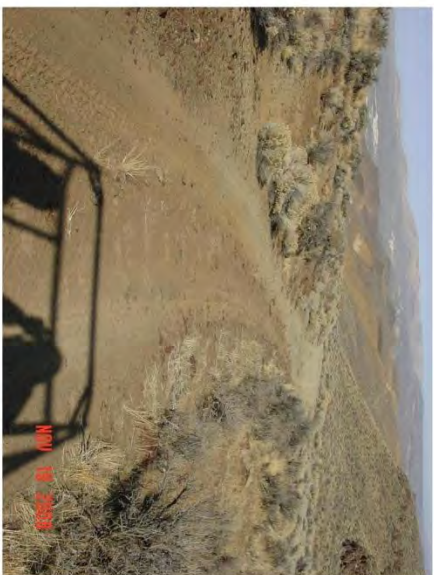
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OR-034-035 Keeney Creek Page 3



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7322-0-00-H-N.JPG

**H-6300-1-WILDERNESS INVENTORY MAINTENANCE
IN BLM OREGON/WASHINGTON**

APPENDIX C – ROAD* ANALYSIS

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

Wilderness Inventory Unit Name/Number: OR-034-035 – Keeney Creek

Route Name and/or Identifier *(Include Transportation Plan Identifier, if known; include route number supplied by citizen information when available):*

034-RT27 (alias “3-41A” in earlier documentation records for this route)

I. LOCATION:

Refer to attached map ((an east-west route 2 miles south of Hurley Spring to Lower Slim and Fatts Reservoir. (NOTE: Also refer to the 10/12/2007 Memo, map and photos – retained in this inventory unit’s official file). **List photo point references (if applicable):** Refer to this BLM inventory unit’s associated hard copy of its BLM Photo Points map, and affiliated Photo Log and photos -- retained in this unit’s permanent hard copy file, and electronically retained under this unit’s subfolder Final Findings/GIS Products.

II. CURRENT PURPOSE OF ROUTE:

(Examples: Rangeland/Livestock Improvements (stock tank, developed spring, reservoir, fence, corral), Inholdings (ranch, farmhouse), Mine Site, Concentrated Use Site (camp site), Utilities (transmission line, telephone, pipeline), Administrative (project maintenance, communication site, vegetation treatment).)

Describe: Provides access from the east to rangeland livestock improvement – Lower Slim and Fatts Reservoir from the east where the route junctions on private land with the north-south oriented BLM 7322-0-00 road. Additionally, the route is used for dispersed recreation activities, primarily hunting of common game species.

III. ROAD RIGHT-OF-WAY:

Is a road right-of-way associated with this route?

Yes _____ No X Unknown _____

IV. CONSTRUCTIONYes _____ No X Examples: Paved _____ Bladed _____ Graveled _____ Roadside
Berms _____ Cut/Fill _____ Other _____

Describe: Date of construction is not known, although it existed in the late 1970's when BLM conducted its initial wilderness characteristics inventory. Remnant visual evidence of only one short (about 300 feet) cut/fill, likely done for access during reservoir construction more than 40 years ago. Otherwise, route's presence is dominated by the result of repeated use of traveling vehicles. There is one segment of re-routing for approximately 300 feet where the original route washed on a grade (photo point 034-RT27-E, alias photos 9 and 10 for the 3-41A route references).

V. IMPROVEMENTSYes _____ No X

By Hand Tools _____ By Machine _____

Examples: Culverts _____ Stream Crossings _____ Bridges _____
Drainage _____ Barriers _____ Other _____

Describe: Drainage crossings do not have cut banks or fill. No roadside berm from mechanized maintenance.

VI. MAINTENANCE:

A. Is there Evidence or Documentation of Maintenance using hand tools or machinery? Yes _____ No X

If yes: Hand Tools (Y/N) _____ Machine (Y/N) _____

Explain: Route maintained by repeat traffic passage with limited rock or other obstructions to use.

B. If the 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 X No _____

Comments: The route is passable by a high clearance vehicle. BLM funding would likely not be available for this low priority route, but authorization would likely be given for maintenance if the public were to request for through access between 7322-0-00 and 7321-0-0B0.

VII. REGULAR AND CONTINUOUS USE:Yes No

Describe evidence (vehicle tracks observed) and other rationale for whether use has occurred and will continue to occur on a relatively regular basis:

Route is two distinct treads with only limited vegetation in the center. Encroachment on the route by shrub establishment and growth is minimal. It appears the route would continue to receive relatively regular use on a seasonal basis when soil conditions are more so not water saturated.

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: The route does not meet road criteria, as described and explained, above. This is due to virtually no evidence of construction; rather, the route appears created by repeat traffic passage.

Evaluator(s): Steve Christensen **Date:** 3-6-2009
Steve Christensen, Rangeland Management Specialist

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

Following is the definition from Glossary of OSO 7-3-2007 Draft H-6300-1:

road: The BLM will continue to base the definition of what constitutes a “road” from the FLPMA’s legislative history. The language below is from the House of Representatives Committee Report 94-1163, page 17, dated May 15, 1976, on what became the FLPMA. It is the only statement regarding the definition of a road in the law or legislative history.

“The word ‘roadless’ refers to the absence of roads which have 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.”

The BLM previously adopted and will continue to use the following sub-definitions of certain words and phrases in the BLM road definition stated above:

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

A road that was established or has been maintained solely by the passage of vehicles would not be considered a road, even if it is used on a relatively regular and continuous basis. Vehicle roads constructed by mechanical means but that are no longer being maintained by mechanical methods are not roads. Sole use of hands and feet to move rocks or dirt without the use of tools or machinery does not meet the definition of “mechanical means.” Roads need not be “maintained” on a regular basis but rather “maintained” when road conditions warrant actions to keep it in a usable condition. A dead-end (cherry-stem) road can form the boundary of an inventory area and does not by itself disqualify an area from being considered “roadless”.

**H-6300-1-WILDERNESS INVENTORY MAINTENANCE
IN BLM OREGON/WASHINGTON**

APPENDIX C – ROAD* ANALYSIS

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

**Wilderness Inventory Unit Name/Number (UNIT_ID): OR-034-035 -- Keeney
Creek**

Notes: (1) This BLM unit not affected by any submitted public proposal. Also, refer to other supplemental information on another route associated with the unit --- found in the 10/12/07 field trip documentation notes and photographs by Steve Christensen, located in this inventory unit's 6-way folder.

Route Name and/or Identifier (*Include Transportation Plan Identifier, if known; include route number supplied by citizen information when available*):

BLM route 7322-0-00 (is part of the route which is the south/southeast boundary of unit; a shared boundary with BLM WC units OR-034-047 [Juniper Creek] and OR-034-052 [Wall Rock Ridge]).

I. LOCATION: Refer to attached map and BLM corporate data (GIS). **List photo point references (if applicable):** As of 12/20/07, no specific BLM photos accompany this form.

II. CURRENT PURPOSE OF ROUTE:

(Examples: Rangeland/Livestock Improvements (stock tank, developed spring, reservoir, fence, corral), Inholdings (ranch, farmhouse), Mine Site, Concentrated Use Site (camp site), Utilities (transmission line, telephone, pipeline), Administrative (project maintenance, communication site, vegetation treatment).)

Describe: Access for rangeland/livestock improvements (spring developments and reservoir enclosures; access route to private inholdings and cow camps), concentrated use sites (camping, hunting, fishing); administrative (project maintenance)

III. ROAD RIGHT-OF-WAY:

Is a road right-of-way associated with this route?

Yes _____ No _____ Unknown X

IV. CONSTRUCTION

Yes X No _____

Examples: Paved _____ Bladed occasionally bladed (no specific date-related documentation available) Graveled _____ Roadside Berms _____ Cut/Fill _____
Other _____

Describe: Original construction of this route required some mechanical construction. Topography and lay of land does not require much in the way of maintenance of this route.

V. IMPROVEMENTS

Yes _____ No X _____

By Hand Tools _____ By Machine _____

Examples: Culverts _____ Stream Crossings _____ Bridges _____
Drainage _____ Barriers _____ Other _____

Describe:

VI. MAINTENANCE:

A. Is there Evidence or Documentation of Maintenance using hand tools or machinery? Yes X _____ No _____

If yes: Hand Tools (Y/N) _____ Machine (Y/N) Y _____

Explain: This BLM route would receive mechanical maintenance as needed to insure ability to provide for regular and continuous use.

B. If the 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 _____

Comments:

VII. REGULAR AND CONTINUOUS USE:

Yes X _____ No _____

Describe evidence (vehicle tracks observed) and other rationale for whether use has occurred and will continue to occur on a relatively regular basis: BLM personnel and livestock permittees use this road many times throughout the summer to maintain projects, administer grazing, and access other areas. This road provides recreational access and receives heavy use throughout the summer, fall, and early winter.

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: Meets established criteria of above.

Evaluator(s):  **Date:** 11/28/07
Steve Christensen, Range Management Specialist 3-6-2009

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

Following is the definition from Glossary of OSO 7-3-2007 Draft H-6300-1:

road: The BLM will continue to base the definition of what constitutes a “road” from the FLPMA’s legislative history. The language below is from the House of Representatives Committee Report 94-1163, page 17, dated May 15, 1976, on what became the FLPMA. It is the only statement regarding the definition of a road in the law or legislative history.

“The word ‘roadless’ refers to the absence of roads which have 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.”

The BLM previously adopted and will continue to use the following sub-definitions of certain words and phrases in the BLM road definition stated above:

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

A road that was established or has been maintained solely by the passage of vehicles would not be considered a road, even if it is used on a relatively regular and continuous basis. Vehicle roads constructed by mechanical means but that are no longer being maintained by mechanical methods are not roads. Sole use of hands and feet to move rocks or dirt without the use of tools or machinery does not meet the definition of “mechanical means.” Roads need not be “maintained” on a regular basis but rather “maintained” when road conditions warrant actions to keep it in a usable condition. A dead-end (cherry-stem) road can form the boundary of an inventory area and does not by itself disqualify an area from being considered “roadless”.