

Wilderness Inventory Unit Index of Documents  
**Rinehart Creek OR-034-059, 23 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 – Rinehart Creek Map 1 of 1](#)

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

[Page 12: OR-034-059 Rinehart Creek BLM Photos](#)

[Page 16: H-6300-1-Wilderness Inventory Maintenance in BLM Oregon/Washington  
Appendix C – Road\\* Analysis: 034-17](#)

[Page 20: H-6300-1-Wilderness Inventory Maintenance in BLM Oregon/Washington  
Appendix C – Road\\* Analysis: CNTY 3627](#)

**Prepared by:  
U.S. Department of the Interior  
Bureau of Land Management  
Vale District Office  
100 Oregon Street  
Vale, Oregon 97918**



## **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:** 2009      **Unit Number/Name:** OR-034-059 – Rinehart 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 1979 -- BLM Wilderness Inventory Units OR-03-04-19 Rinehart (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 OR-03-04-19 Rinehart

**C.) Map Name(s)/Number(s) --- (not applicable)**

- 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:** (No historic found)

<b>Unit#/ Name</b>	<b>Size (historic acres)</b>	<b>Natural Condition? Y/N</b>	<b>Outstanding Solitude? Y/N</b>	<b>Outstanding Primitive &amp; Unconfined Recreation? Y/N</b>	<b>Supplemental Values? Y/N</b>
OR-03-04- 19 Rinehart	2,680	*	*	*	*
<b>TOTAL</b>	2,680				

\* These criteria were not addressed during the inventory of this unit, since the unit did not meet any size criteria.

## **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.*

## **FORM 2 -- DOCUMENTATION OF CURRENT WILDERNESS INVENTORY CONDITIONS**

**Unit Number/Name:** OR-034-059 – Rinehart Creek

**NOTE:** In February, 2004, the Vale District received from Oregon Natural Desert Association (ONDA) its evaluation of wilderness characteristics for what ONDA names its 2,700 acre –Rinehart Creek proposed WSA Addition”. For reference, a hard copy of ONDA’s proposal is retained in this unit’s file. Information provided by ONDA’s proposal was considered and incorporated as appropriate for this BLM Wilderness Characteristics Inventory maintenance. Unit OR-034-059 has the same boundaries as ONDA’s proposal.

For BLM unit OR-034-059, BLM concurs with ONDA’s determinations of route types that constitute the unit’s boundary features.

**NOTE:** The inventory finding of this OR-034-059 inventory unit results in two existing WSAs becoming contiguous to each other: Cedar Mountain (OR-3-47) and Lower Owyhee Canyon (OR-3-110).

**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 this inventory unit’s associated Map 1 for its location. With 2,694 acres, the unit, itself, does not meet the size criteria of 5,000 acres or more. However, the unit’s boundary routes 034-RT17 (its west and north segments) and County 3627 have changed status since the BLM’s late 1970’s wilderness characteristics inventory. Both routes at the time were determined to be roads, but have since changed to motorized primitive trail (MPT) status due to the absence of mechanical maintenance to provide for relatively regular and continuous use, and there is no BLM intention to perform mechanical maintenance of either these two boundary routes associated with this current inventory unit. With this change in route type to a MPT for each of the two routes, the result is OR-034-059 is contiguous with both the Cedar Mountain WSA and the Lower Owyhee Canyon WSA. Respectively, the two WSA’s now are not separated by any qualifying boundary features between each other at the common location where this OR-034-059 unit is between them. The remaining two boundary features of this unit are the south segment of county road 3627 (what ONDA names the –Rinehart Ranch Road”) and a private land parcel. That segment of county road 3627 which constitutes the south boundary of this inventory unit receives -- as a road -- mechanical maintenance as needed to ensure its ability to provide for relatively regular and continuous use.

**NOTE:** This OR-034-059 unit is associated with Cedar Mountain WSA of which its entirety BLM has identified as not being suitable and/or manageable for designation as

Wilderness by Congress. However, matters of suitability and manageability are not factors of consideration for wilderness characteristic inventory.

**2. Is the unit in a natural condition?**

Yes   X   No \_\_\_\_\_ N/A \_\_\_\_\_

**Description:** The unit is dominated primarily by two branches of Rinehart Creek; one of them is the main stem of the creek which possesses some steep to very steep slopes along much of its length within the unit. The two segments circumvent a large area of gradually rising terrain in the unit's northwest sector. The remainder of the unit is characterized by more so rolling terrain, with a ridgeline in the southwest sector separating the Rinehart Creek watershed from a segment of an adjacent drainage. Elevations range from to 3,780 to 4,360 feet. Vegetation is sagebrush and rangeland grasses; some riparian-related hardwoods are within the lowest approximate 0.15 mile of the Rinehart Creek's main stem (just before it exits the inventory unit on its south boundary against the private land parcel).

Refer to the unit's associated Map 1 for human imprints within the unit. There are 2.4 miles of rangeland fence, two earthen reservoirs, and 12.3 miles of the two boundary routes of this inventory unit which now are MPTs. The unit, itself, appears to be affected primarily by the forces of nature with the imprint of humans being substantially unnoticeable to the average visitor. This extent of naturalness is enhanced by the contiguous naturalness of the two WSAs.

**3. Does the unit have outstanding opportunities for solitude?**

Yes   X   No \_\_\_\_\_ N/A \_\_\_\_\_

**Description:** The vegetation of the unit does not provide adequate screening between visitors; nor in combination with the vegetation of the two contiguous WSAs. The rugged, steep topography of the lower-most approximate one mile of Rinehart Creek's main stem provides settings where a visitor would have a true sense of feeling isolated. The known outstanding opportunities for solitude associated with both of the contiguous WSAs positively influences opportunities for solitude within the unit, with the combined areas at large providing for outstanding opportunities for solitude.

**4. Does the unit have outstanding opportunities for primitive and unconfined recreation?**

Yes   X   No \_\_\_\_\_ N/A \_\_\_\_\_

**Description:** Within the unit itself, hunting of common game species (deer, chukar, some antelope) occurs, as does associated hiking and general sightseeing. Although within bighorn sheep habitat, the unit is not known to be visited for hunting of this highly

prized trophy game species. There are no special or unique features which would specifically draw recreationists to the area as a destination. However, the known outstanding opportunities for primitive and unconfined recreation within both contiguous WSAs positively influences the existing opportunities within the unit, though marginally because for Cedar Mountain WSA the activities are mostly associated with the mountain itself (hiking, camping, horseback riding, and bird watching), and for Lower Owyhee Canyon within the canyon along the Owyhee River (whitewater boating and associated camping, photography, fishing, bird watching and general and geologic sightseeing); that's to say, not above the rim as is this unit OR-034-059. Hiking, horseback riding and hunting are available below and above the rim as within this inventory unit. With this inventory unit being contiguous to the WSAs, there is unbroken continuity within an enlarged roadless area to participate in combinations of various activities which, together – as within and in combination with the contiguous WSAs -- provide outstanding opportunities for primitive and unconfined recreation.

#### 5. Does the unit have supplemental values?

Yes   X              No        N/A       

**Description:** The unit rest fully within bighorn sheep habitat associated with the main stem of the Owyhee River. Bighorn sheep are a BLM special status animal species in Oregon.

ONDA states that its Rinehart Creek proposed WSA Addition ~~may~~ provide habitat for Woodhouse's Toad, Mojave Black-collared Lizard, Desert Horned Lizard, Ground Snake, Ferruginous Hawk, Pygmy Rabbit, and White-tailed Antelope Squirrel, which ONDA's February 2004 submission to the Vale District declares are listed as ~~—~~ "sensitive species" by the State of Oregon. As of 2009, the Woodhouse's Toad, Mohave Black-collard Lizard, Desert Horned Lizard, Ground Snake and the White-tailed Antelope Squirrel were not considered sensitive by Oregon Department of Fish and Wildlife, BLM or U.S. Fish and Wildlife Service. BLM acknowledges that habitat requirements may exist for Woodhouse's Toad, Mojave Black-collared Lizard, Desert Horned Lizard, Ferruginous Hawk, and Pygmy Rabbit; however, neither ONDA nor any other entity has provided BLM official documentation confirming the presence of these species within this inventory unit.



Summary of Findings and Conclusion

Unit Name and Number: OR-034-059 – Rinehart 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?      Yes X No
- 3. Does the area offer outstanding opportunities for solitude or a primitive and unconfined type of recreation?      Yes X 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:

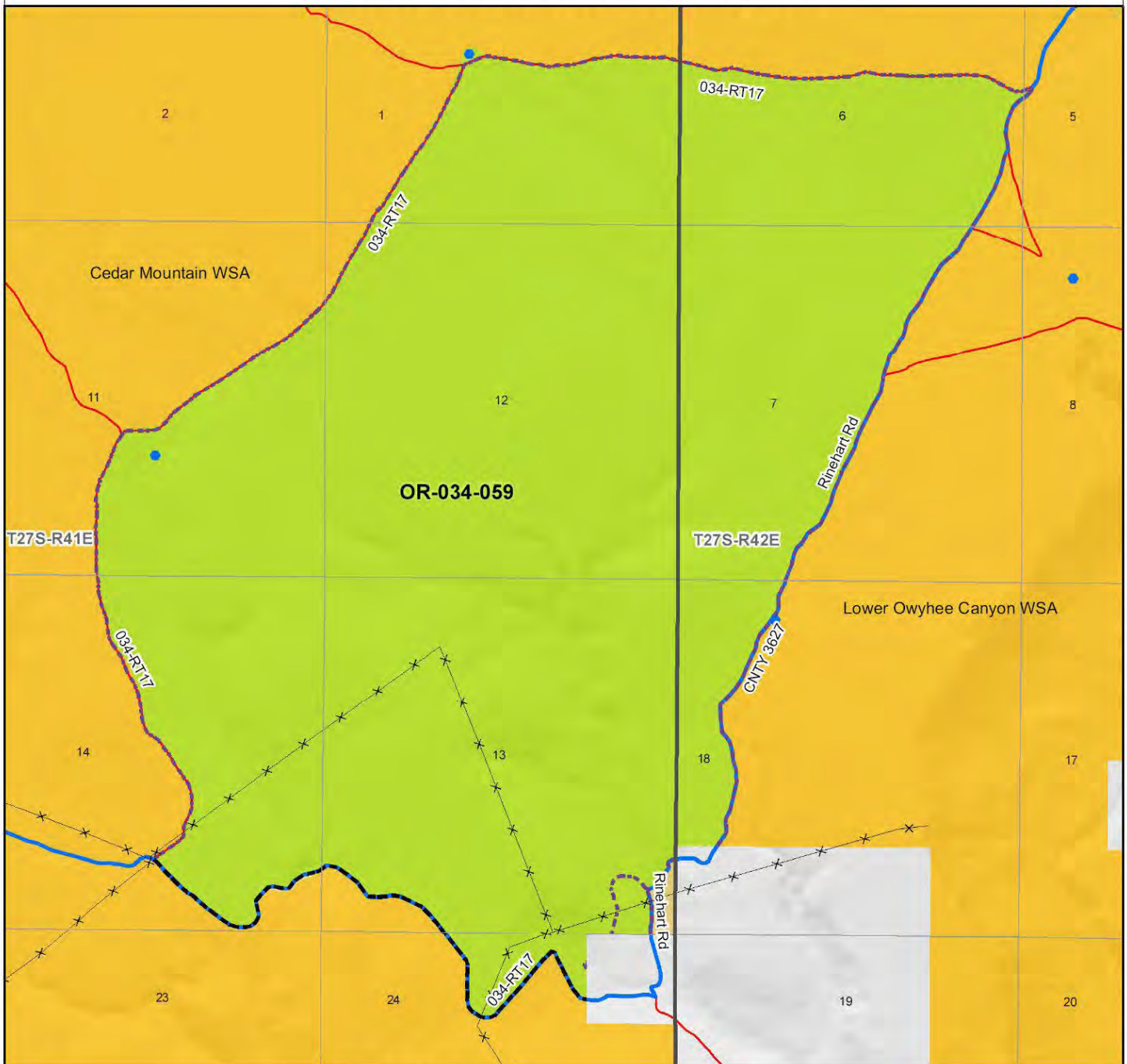
<u>Steve Christensen</u>	<u>2.25.2010</u>
Steve Christensen, Rangeland Management Specialist	Date
<u>Gillian Wigglesworth</u>	<u>2/5/10</u>
Gillian Wigglesworth, Botanist	Date
<u>Shaney Rockefeller</u>	<u>3/10/10</u>
Shaney Rockefeller, Soil Scientist	Date
<u>Dave Draheim</u>	<u>2/10/10</u>
Dave Draheim, Outdoor Recreation Planner	Date
<u>Michelle Caviness</u>	<u>2/25/10</u>
Michelle Caviness, Wildlife Biologist	Date
<u>Eian Ray</u>	<u>02/09/10</u>
Eian Ray, GIS Specialist, contractor	Date
<u>Brent Grasty</u>	<u>2/9/10</u>
Brent Grasty, GIS Coordinator	Date

Approved by: Pat Ryan 7/11/10  
Pat Ryan, Malheur Resource Area Field Manager Date

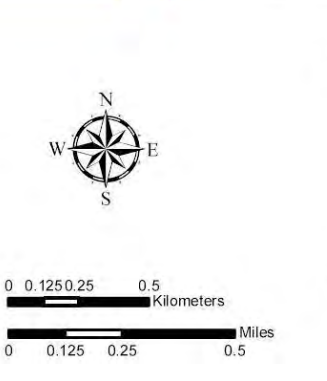
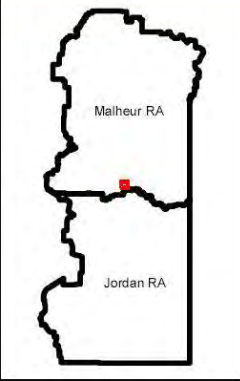
*This form documents information that constitutes an inventory finding on wilderness characteristics. It does not represent a formal land use allocation or a final agency decision subject to administrative remedies under either 43 CFR parts 4 or 1610.5-2.*

# Wilderness Characteristics - Overview

## Rinehart Creek - OR-034-059 - Map 1 of 1



Legend	
	Route Types - BLM Determination
	Routes - Outside Wild Char Unit
	Land Ownership



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

**VALE DISTRICT**  
December 15, 2009

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. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

--FINAL--





034-CNTY3627-A-N.JPG



034-CNTY3627-B-S.JPG



034-CNTY3627-D-N.JPG



034-CNTY3627-A-S.JPG



034-CNTY3627-C-N.JPG



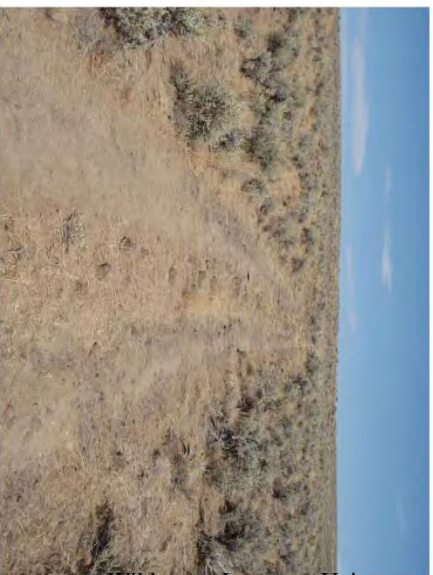
034-CNTY3627-D-S.JPG



034-CNTY3627-B-N.JPG



034-CNTY3627-C-S.JPG



034-CNTY3627-E-N.JPG



034-CNTY3627-E-S.JPG



034-RT17-A-E.JPG



034-RT17-B-S.JPG

OR-034-059 Rinehart Creek Page 2



034-CNTY3627-F-E.JPG



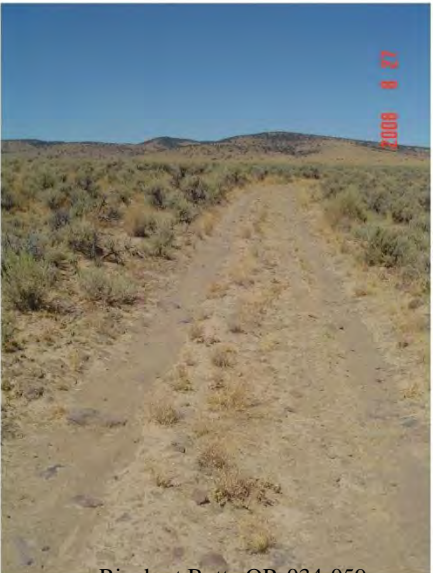
034-RT17-A-N.JPG



034-RT17-C-NE.JPG



034-CNTY3627-F-W.JPG



034-RT17-B-N.JPG



034-RT17-C-SW.JPG



034-RT17-D-N.JPG



034-RT17-E-W.JPG



034-RT17-G-E.JPG

**OR-034-059 Rinehart Creek Page 3**



034-RT17-D-S.JPG



034-RT17-F-E.JPG



034-RT17-G-SW.JPG



034-RT17-E-E.JPG



034-RT17-F-S.JPG

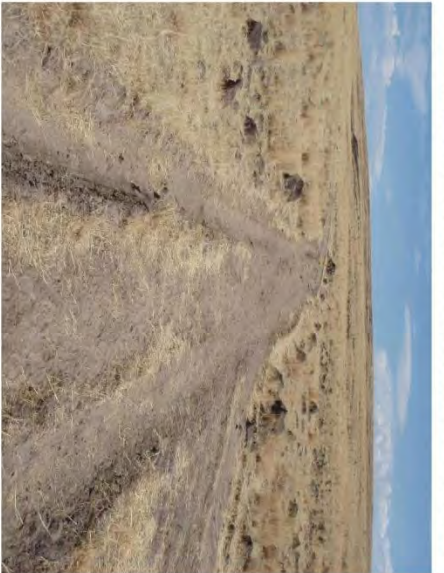


034-RT17-H-E.JPG



034-RT17-H-W.JPG

**OR-034-059 Rinehart Creek Page 4**



034-RT17-I-E.JPG.JPG



034-RT17-I-W.JPG.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-034-059-- Rinehart Creek

**NOTE:** This unit is affected by ONDA’s ~~–Rinehart Creek proposed WSA Addition~~”

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

**034-RT17** (The south boundary route segment of this route is what BLM also identifies as the County 3627 Road).

**NOTES:** ONDA references this 034-RT17 route as a combination of its ~~–CM18~~” on the north and west sides of its proposed WSA addition, and as a portion of the ~~–Rinehart Ranch Road~~” on the proposed WSA’s south boundary (aka County 3627).

BLM concurs with ONDA that the Rinehart Ranch Road (aka, County 3627) is a road. Thus, the information -- below -- does not apply to that portion of the BLM 034-RT17 route which is the south boundary road of this BLM inventory unit or to the BLM Photo Points/Photos of 034-RT17-D, 034-RT17-E, and 034-RT17-F.

**I. LOCATION:** Refer to attached map—is north and west boundary routes of this BLM WC inventory unit. **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 in this unit’s file.

**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:** This route leads to two earthen reservoirs adjacent to it; one on the route’s west segment and one where the west and north segments of the route meet each other. A rangeland fence with a drop gate crosses the route where it junctions with County road 3627 (BLM Photo Point photo 034-RT17-A-N), but otherwise is not oriented or associated with any fences. Presently the route is traveled occasionally by the hunting public and provides access to the reservoirs.



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

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

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

**IV. CONSTRUCTION**

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

**Examples:** Paved \_\_\_\_\_ Bladed \_\_\_\_\_ Graveled \_\_\_\_\_ Roadside  
Berms \_\_\_\_\_ Cut/Fill \_\_\_\_\_ Other \_\_\_\_\_

**Describe:** Although the route may at one time have been mechanically constructed, presently there is no visual evidence. If constructed, when it occurred is unknown, although it likely was the route that equipment traveled and created at the time the two reservoirs were constructed. In the late 1970's, BLM identified the route as a boundary road for the adjacent Cedar Mountain WSA.

**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 \_\_\_\_\_ No  X

If yes: Hand Tools (Y/N) \_\_\_\_\_ Machine (Y/N) \_\_\_\_\_

**Explain:**

**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  X

**Comments:** The entire route appears to be in fair condition. This is due more so to the nature of the surface materials on fairly flat to slightly sloped terrain. None of the route is in good condition, though is passable by a high clearance vehicle. Motorized heavy equipment to maintain the earthen reservoirs associated with this route would not require mechanical maintenance of this route to access the reservoirs.

#### VII. REGULAR AND CONTINUOUS USE:

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

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

Use does occur, but not on a relatively regular basis along this route's entire length; occasional travel occurs predominately by seasonal big or small game hunters and much less so by livestock operators or administratively by BLM for either livestock management activities or monitoring of the adjacent WSA.

#### 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  X

**Explanation:** Does not meet road criteria, as described and explained, above. Thus, this route has changed since the late 1970's from a road to a MPT, resulting in this inventory unit being contiguous with the Cedar Mountain WSA.

Evaluator(s):



Steve Christensen, Rangeland Management Specialist

Date:  6-28-2010

-----

\* **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: OR-034-059 -- Rinehart Creek**

**NOTE:** This unit is affected by ONDA’s proposed “Rinehart Creek proposed WSA Addition”.

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

CNTY 3627

**NOTE:** ONDA references this route as “East Boundary Way” on the map of its proposed WSA. ONDA did not submit to Vale District any photographs of this route and does not identify any photo point associated with this route. ONDA’s vehicular “way” is what BLM terms a motorized primitive trail (MPT) in this BLM m inventory maintenance.

**VIII. LOCATION:** Refer to attached map — is east boundary of this BLM WC unit. **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 in this unit’s file.

**IX. 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:** For more than the past 20 years from the present, travel of this route is dominated by the occasional recreating public (predominately hunting). Near its northern end, a tangent MPT goes to an earthen reservoir within the adjacent Lower Owyhee Canyon WSA. There are no other developments associated with this route. BLM rarely travels the route any longer for administrative purposes, and primarily for monitoring of the adjacent Lower Owyhee Canyon WSA. Originally this route segment served as part of a through route associated with the Rinehart Creek Ranch property (located in the southeast corner area of this inventory unit). Following new ownership, approximately 7 years ago a southern-most section of this route segment was re-routed to skirt the private ranch property. Presently, this entire route segment along the east side of this inventory unit serves no other known purpose.

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

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

Yes  No  Unknown

That portion re-routed around the private property has a 2004 BLM issued right-of-way (ROW) associated with it. The ROW, issued to the land owner (not Malheur County), stipulates —“blading or mechanical soil disturbance shall occur during the construction of the road, except for the passage of rubber-tired vehicles on the route.” Copies of support documents of this ROW are retained in the hard copy file for this wilderness characteristics inventory unit. For the rest of the route segment associated with this inventory unit, there is no known ROW.

**XI. CONSTRUCTION**

Yes  No

**Examples:** Paved \_\_\_\_\_ Bladed \_\_\_\_\_ Graveled \_\_\_\_\_ Roadside Berms \_\_\_\_\_ Cut/Fill \_\_\_\_\_ Other \_\_\_\_\_

**Describe:** In the late 1970's, BLM determined this route segment to be a road, thus being a boundary feature of the Lower Owyhee Canyon WSA. Except for the section under the 2004 issued right-of-way, the initial date of establishment is not known for this route. The original route may have been mechanically constructed using some type of earth-altering equipment, but presently the only visual evidence of construction is found at/near the Rinehart Creek crossing of the original route (see BLM photo 034-CNTY 3627-F-W). Furthermore, the rerouted southern end of this route (under the ROW) displays no evidence of mechanical construction, but rather has been created by repeated vehicular travel (which is in compliance with the issued right-of-way).

**XII. IMPROVEMENTS**

Yes \_\_\_\_\_ No   
By Hand Tools \_\_\_\_\_ By Machine \_\_\_\_\_

**Examples:** Culverts \_\_\_\_\_ Stream Crossings \_\_\_\_\_ Bridges \_\_\_\_\_  
Drainage \_\_\_\_\_ Barriers \_\_\_\_\_ Other \_\_\_\_\_

**Describe:** No evidence.

**XIII. MAINTENANCE:**

**A. Is there Evidence or Documentation of Maintenance using hand tools or machinery?** Yes \_\_\_\_\_ No

**If yes:** Hand Tools (Y/N) \_\_\_\_\_ Machine (Y/N) \_\_\_\_\_

**Explain:** No evidence of mechanically performed maintenance on the route is present. It is very rocky in certain sections.

**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:** This route segment is in fair to poor condition. Should maintenance of the earthen reservoir within the adjacent WSA be performed, mechanical maintenance of the route would not be required for access to the reservoir by any heavy equipment performing such maintenance.

**XIV. REGULAR AND CONTINUOUS USE:**

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

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

At the time BLM photographed this route segment (September, 2008), there was no evidence of vehicle travel on it. Use of this route has substantially declined since some point following its original establishment. Vehicle access to the Rinehart Creek property continues to be that portion of County 3627 which approaches the property from the east (that is, in part, what is the present south boundary road of this wilderness characteristics inventory unit).

**XV. 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 X

**Explanation:** Does not meet road criteria, as described and explained, above. Thus, this route has changed since the late 1970's from a road to a MPT, resulting in this inventory unit being contiguous with the Lower Owyhee Canyon WSA.

**Evaluator(s):** Steve Christensen **Date:** 6-28-2010  
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~~”.