

Wilderness Inventory Unit Index of Documents
Rufino Butte OR-034-043, 22 total pages

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Prepared by:
U.S. Department of the Interior
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Vale District Office
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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: 2009 Unit Number/Name: OR-034-043 -- Rufino Butte

**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 **X** (If yes, and if more than one unit is within the area, list the names of those units.):

NOTE: No inventory folder(s) were found which affect the public lands which this inventory maintenance is addressing. The area was originally part of a larger initial unit “3-32”, a portion which was eventually intensively inventoried and designated as Cottonwood Creek WSA (OR-3-32).

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

- () 1978-1980 – BLM Wilderness Inventory Unit (unpublished BLM documents 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)

“3-32” – (no name, but part which became Cottonwood Creek WSA)

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/Malheur Resource Area

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
(N.A.)*					
TOTAL					

* -- The area for the 2009 WC inventory maintenance is historically identified only as what was part of “3-32” (per the August 1979 WC inventory decision map) and depicted on that map as “Previously Inventoried BLM Unit Found Not to Have Wilderness Characteristics”. The final “3-32” is what today is known as OR-3-32, Cottonwood Creek WSA, which is smaller in area than the original “3-32” inventory unit. No records can be located within Vale District to either track the original acreage of “3-32”, or statement(s) of rationale for the eventual decreased size of the unit (but which then eventually became the WSA). Any record of determination of the WC criteria for the original “3-32” cannot be located.

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-034-043 -- Rufino Butte

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 unit's associated Map 1 for its location. The boundary of the 16,088 acre unit includes County Road 3583, BLM 034-RT 38 and 034-RT 43 routes, and the abutting Cottonwood Creek WSA (OR-3-32) along the unit's west side, County Road 585 and abutting Oregon State/private lands on the east side, and the ROW for the PP & L 500 kV transmission line as the unit's south boundary. The WSA's abutting boundary consists partially of a ridgeline and partially what was determined -- during the district's 1970's wilderness inventory -- to be road to Long Haul Reservoir, but which currently has changed status to a motorized primitive trail (MPT, 034-RT 38) since no known mechanical maintenance has been performed on the route and BLM has no intent to conduct such maintenance on it. Route 034-RT 43 is also partially associated with the unit's northwest boundary against the same WSA. This route is also a MPT for the same reason described for 034-RT 38. Thus, this unit OR-034-043 is presently contiguous with the WSA. This unit's files have a Road Analysis form, Photo Point Map/Log and associated BLM photos for both 034-RT 38 and 034-RT 43. A 280 acre private parcel is jointly bounded by the WSA and this contiguous inventory unit, making it an inholding and a boundary feature of the area at large. The unit's boundary roads are mechanically maintained as needed to provide for relatively regular and seasonally continuous use.

2. Is the unit in a natural condition?

Yes X No N/A

Description: The unit includes, in part, the generally central located feature of Rufino Butte and watersheds of two drainages (one being Avery Creek) which drain north to Cottonwood Creek at the unit's northwest boundary. The northern approximate half of the unit is dominated with very steep slopes and relatively narrow ridges associated with the two creeks, while the southern half is more so characterized by slight to moderate slopes associated with a series of dispersed hills and mesa tops which separate a series of drainages, many which drain in a southerly direction. Elevations range from Rufino Butte's 4,950 to 3,180 feet. The vegetation is characteristic of a sagebrush-steppe ecosystem with nonnative grasses present in some locations. Portions of the unit's steeply incised canyons support a Wyoming big-sagebrush/bluebunch wheat grass community due to rugged terrain and less accessibility to livestock. Approximately 2.25 miles of the unit's west boundary abutting the Cottonwood Creek WSA consists only of natural features, thus both the inventory unit and the WSA are influenced by each other's contiguous extent of natural conditions.

Refer to this unit's associated Map 1 and Map 2 for locations of human imprints within the unit. There are 10 earthen reservoirs within the unit (3 of them along the mutual boundary abutting the neighboring WSA). There are 16.6 miles of 11 MPTs, 14.33 miles of rangeland fences, and one small fenced enclosure within the unit. To the average visitor, there presently remains no distinguishable visual evidence of those vegetation treatments (chemical, and disc drill seedings of non-native grasses) which occurred during 1966 through 1970 within the unit. The imprints within this inventory unit, whether or not combined with the contiguous WSA with its extent of human imprints, results in the unit itself -- as well as the combined area of the unit and WSA -- to remain affected primarily by the forces of nature with the imprints of mankind being substantially unnoticeable to the average visitor. This is a result of the size and topography of the unit, itself (or when combined with the contiguous WSA), relative to the number, types, size and distribution/locations of the imprints to have a minimal visual impact to the area as a whole.

3. Does the unit have outstanding opportunities for solitude?

Yes No N/A

Description: The inventory unit has nominal vegetative screening, and is associated only with the primary channel corridor of the two intermittent creeks. More so, the steeper and rugged topography associated with the northern half of the unit, combined with the general shape of the inventory unit, provides adequate screening relative to distances to offer outstanding opportunities for solitude. This is further enhanced by the determined outstanding solitude opportunities of the neighboring WSA when recognizing there are several miles of seamless boundary between the WSA and this inventory unit (albeit this distance being affected by the 280 acre private land inholding). Respectively, the outstanding opportunity for solitude of both this unit and the WSA are enhanced due to the mutual affect each have on the other for this wilderness characteristic.

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

Yes No N/A

Description: This inventory unit, itself, does not possess any unique or unusual features or primitive and unconfined recreation opportunities that are considered outstanding for a visitor. However, the natural features of this inventory unit enhances such outstanding opportunities as hiking, backpacking, and equestrian activities which are recognized with the abutting WSA by providing additional diversity of accessible terrain for these primitive and unconfined types of activities. Thus, with the uninterrupted extension between WSA and this inventory unit, the two areas complement each other by resulting in expanding the area as a whole to experience outstanding opportunities for the primitive and unconfined recreation.

5. Does the unit have supplemental values?

Yes No N/A

Description: Four leks of sage grouse, a BLM special status species, have been documented.

Summary of Findings and Conclusion

Unit Name and Number: OR-034-043 -- Rufino Butte

Summary Results of Analysis:

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

Conclusion -- check one:

- 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>4-13-2009</u>
Steve Christensen, Rangeland Management Specialist	Date
<u>Shaney Rockefeller</u>	<u>4/13/09</u>
Shaney Rockefeller, Soil Scientist	Date
<u>Dave Draheim</u>	<u>4.13.2009</u>
Dave Draheim, Outdoor Recreation Planner	Date
<u>Michelle Caviness</u>	<u>4/23/09</u>
Michelle Caviness, Wildlife Biologist	Date
<u>Jonathan Westfall</u>	<u>04/13/2009</u>
Jon Westfall, Geologist	Date
<u>Brent Grasty</u>	<u>4/13/09</u>
Brent Grasty, GIS Coordinator	Date

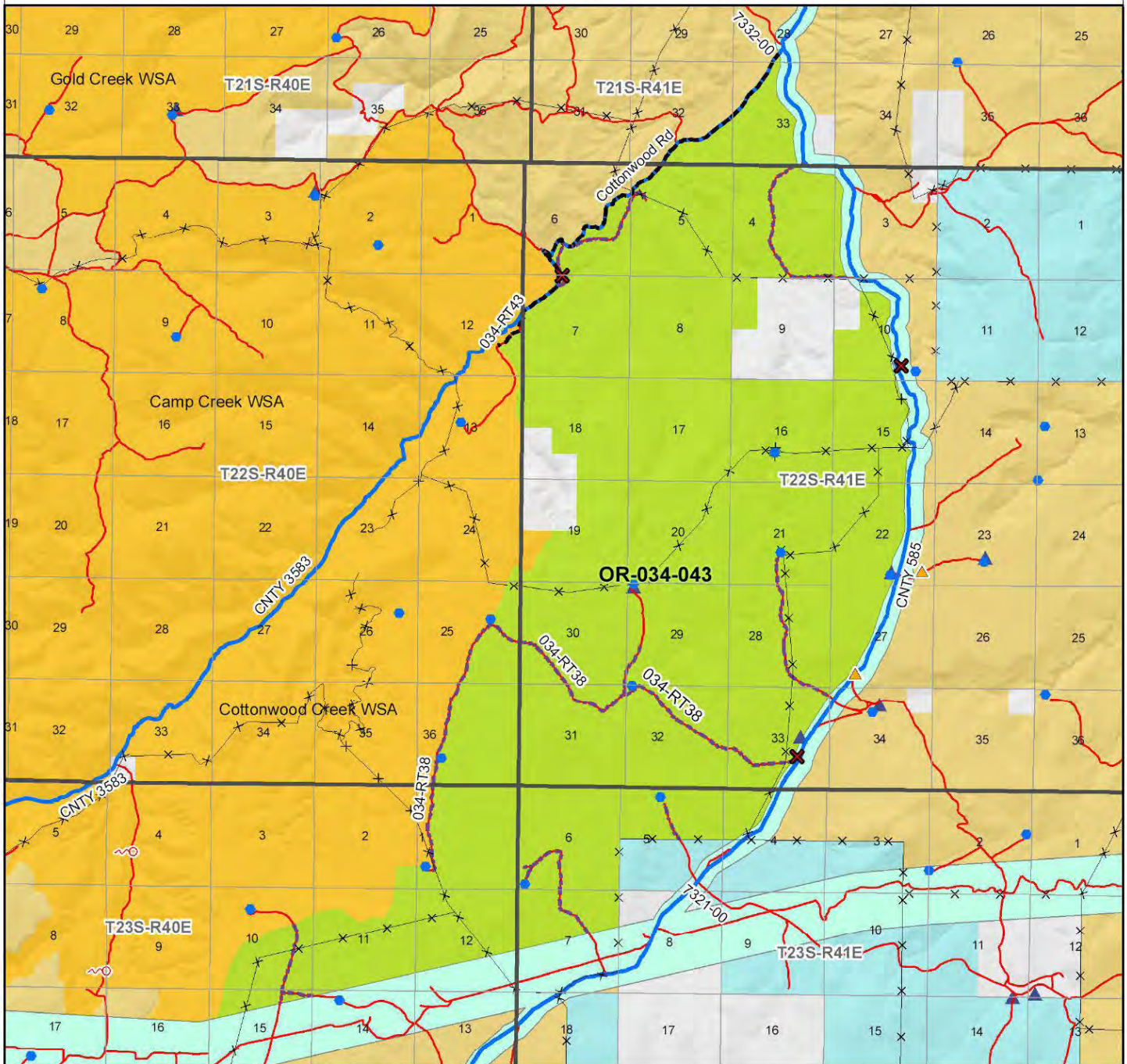
(NOTE: Previous staff members who reviewed this unit include Botanist Jean Finley (retired 7/2008), and Wildlife Biologist Technician Sandy Vistine Ambor (transferred 8/2008)).

Approved by: Pat Ryan 12/13/10
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.

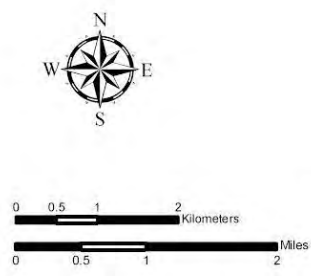
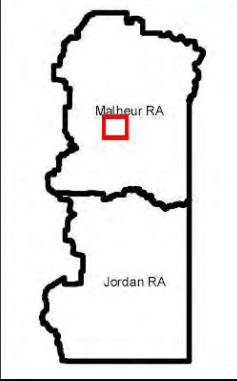
Wilderness Characteristics - Overview

Rufino Butte - OR-034-043 - Map 1 of 2



Legend

<ul style="list-style-type: none"> Developed Spring Wildlife Guzzler Earthen Reservoir Pipeline Trough Fence Storage Tank Surface Mining Disturbance Sage Grouse Lek Special Status Plant BLM Wild Char Inventory Unit Wilderness Study Area Mineral Material Site Road/Utility Right-of-Way Major Water Body 	<ul style="list-style-type: none"> Route Types - BLM Determination Boundary Road Motorized Primitive Trail (MPT) Discontinued Use Routes - Outside Wild Char Unit County Major Highway BLM Numbered & Other Routes Land Ownership Bureau of Land Management State Private Other Federal Land
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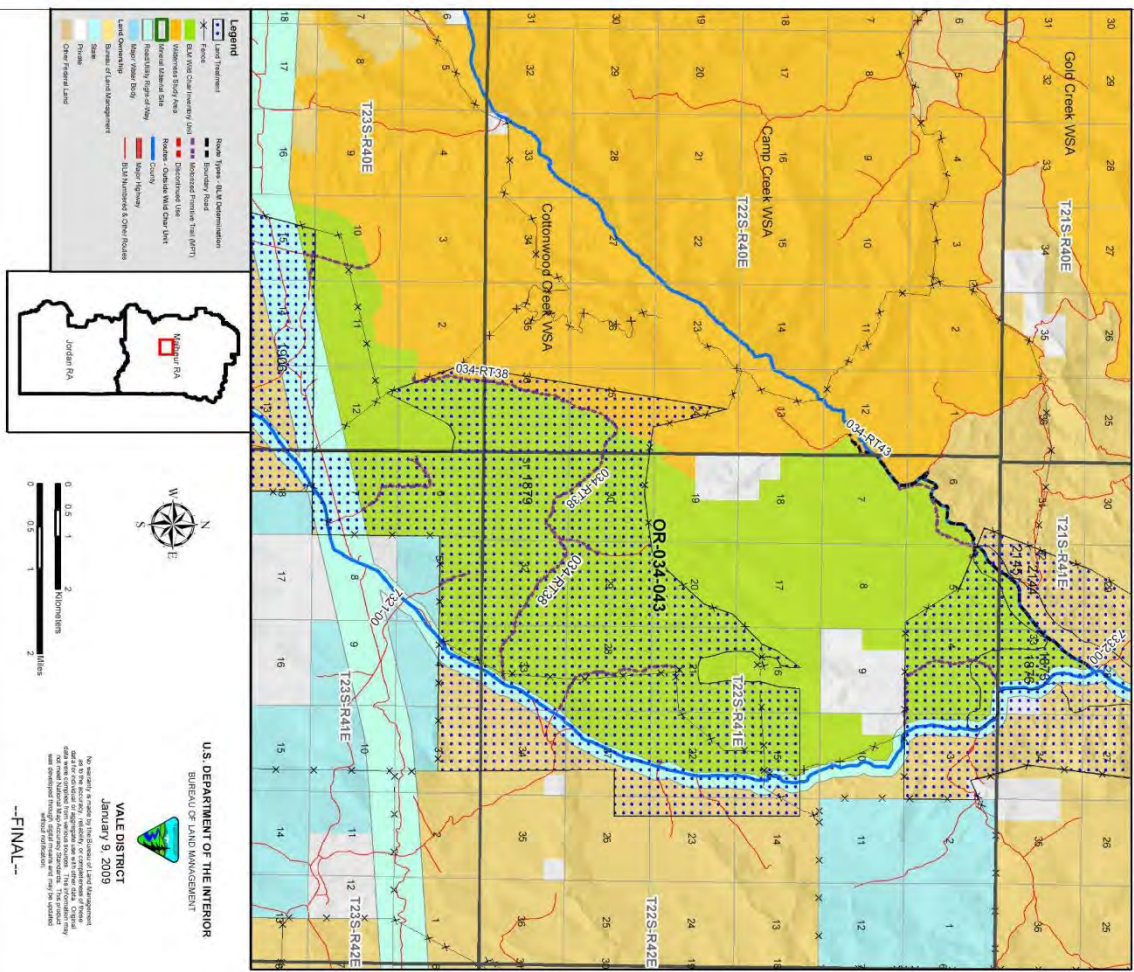
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BUREAU OF LAND MANAGEMENT

VALE DISTRICT
January 9, 2009

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--FINAL--

Wilderness Characteristics - Land Treatments
Rufino Butte - OR-034-043 - Map 2 of 2



Wilderness Characteristics - Land Treatments
Rufino Butte - OR-034-043 - Map 2 of 2

OBJECTID *	NAME	TREATMENT TYPE	SEED GROUP	DATE
1873	SQUAW CREEK SEEDING	Plow/Disc	Not Applicable	1966
1876	SQUAW CREEK SEEDING	Drill Seeding	Unknown	1966
1879	RUFINO BUTTE BRUSH CONTROL	Chemical Treatment	Not Applicable	1971
1906	RED BUTTE BRUSH CONTROL	Chemical Treatment	Not Applicable	1969
2144	SQUAW CREEK SEEDING	Plow/Disc	Not Applicable	1970
2145	SQUAW CREEK SEEDING	Drill Seeding	Non-native Grasses	1970

Note: The Land Treatments represented by navy blue dots on the map to the left are labeled with the treatments. ObjectIDs listed in the first field of the Land Treatments table shown above. Multiple types of treatments may have been applied to the same area. For example, one treatment area may have been plowed and drill seeded - a record is shown in the table for each type of treatment.

U.S. DEPARTMENT OF THE INTERIOR
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 VALE DISTRICT
 January 9, 2009
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 --FINAL--



034-RT38-A-E.JPG



034-RT38-B-W.JPG



034-RT43-A-NE.JPG

OR-034-043 Rufino Butte Page 1



034-RT38-A-W.JPG



034-RT38-C-NW.JPG



034-RT43-A-SW.JPG



034-RT38-B-E.JPG



034-RT38-C-SE.JPG



034-RT43-B-N.JPG



034-RT43-B-S.JPG



034-RT43-D-NE.JPG



034-RT43-E-W.JPG



034-RT43-C-NE.JPG



034-RT43-D-S.JPG



OR-034-043-B-N.JPG



034-RT43-C-SW.JPG



034-RT43-E-E.JPG



OR-034-043-B-S.JPG



OR-034-043-C-E.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-034-043 -- Rufino Butte

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

034-RT38

I. LOCATION: This route is the east-west route through this BLM inventory unit, to Cottonwood Creek WSA where it then goes south as the WSA's boundary. **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: This route provides access for 5 earthen reservoirs (4 which abut the route) and for a range fence. It avails monitoring and management of livestock and access for the recreating public (more so for hunters of common game of the area).

With the BLM late 1970's wilderness characteristics inventory, this route was identified by BLM as a vehicular way (i.e., motorized primitive trail), part of which abuts against and has been the east boundary of Cottonwood Creek WSA.

III. ROAD RIGHT-OF-WAY:

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

Yes _____ No X Unknown _____

IV. CONSTRUCTIONYes No _____Examples: Paved _____ Bladed _____ Graveled _____ Roadside
Berms Cut/Fill _____ Other _____**Describe:** Date of construction is unknown (likely when the reservoirs were developed prior to the late 1970's). There remains some visual evidence of berm scattered along the route, and all which presently is heavily vegetated with sagebrush and grasses.**V. IMPROVEMENTS**Yes _____ No

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

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

Explain: There is no evidence to indicate mechanical maintenance performed along this route.**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:** The route is in fair to poor condition, passable with a high clearance vehicle. Any required mechanical maintenance of the reservoirs would be performed by heavy equipment which for access would not require mechanical maintenance of this route. Repeated passage by vehicles has and would likely continue to provide passage for the recreating public.

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:

Although tracking has been present over time, the travel on it remains sporadic and with it being a dead-end route located in very remote country with no substantial destination to draw travelers, it is not utilized on a relatively regular basis.

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: This route does not meet road criteria, as described and explained above. As a motorized primitive trail, that segment of it which abuts Cottonwood Creek WSA results in this OR-034-043 BLM inventory unit being contiguous with the WSA.

Evaluator(s): Steve Christensen **Date:** 3-6-2009
 Steve Christensen, Range 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: OR-034-043 -- Rufino Butte

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

034-RT43

VIII. LOCATION: This route is on this BLM unit’s Northwest boundary, along Cottonwood Creek WSA. **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. Photo Points specific to this route are 034-RT43-B-South, 034-RT43-C, 034-RT43-D (not 034-RT-A or 034-RT43-E).

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: This short, dead-end route branches from the northeast end of a route which went through the canyon bottom of Cottonwood Creek, separating two abutting 1980 BLM-designated WSAs -- Cottonwood Creek and Camp Creek. Historically, this dead-end route lead to the then active sheep “Stringer sheering plant”, located adjacent to Cottonwood Creek and then beyond it (south) to Sheering Plant Reservoir. With BLM’s late 1970’s wilderness characteristics inventory, the route is just outside of the determined topographic contour boundary (at this location) of what became the Cottonwood Creek WSA. Currently, the route is occasionally used by the recreating public, primarily by hunters of game species.

X. ROAD RIGHT-OF-WAY:

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

Yes _____ No X Unknown _____

XI. CONSTRUCTIONYes X No _____Examples: Paved _____ Bladed _____ Graveled _____ Roadside
Berms X Cut/Fill _____ Other _____**Describe:** Date of construction is unknown. There remains scattered remnant evidence of berm by blading, it overgrown with sagebrush and grasses where present.**XII. IMPROVEMENTS**Yes _____ No X

By Hand Tools _____ By Machine _____

Examples: Culverts _____ Stream Crossings _____ Bridges _____
Drainage _____ Barriers _____ Other _____**Describe:** None present.**XIII. 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: When the sheep shearing structure was there and utilized, the livestock operator performed what mechanical maintenance was needed at the Cottonwood Creek channel crossing to access it. Since the structure's removal (over 10 years), no known maintenance of this route has occurred.**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 route north of the Cottonwood Creek channel is in fair condition. Beyond (south of) the creek, the route deteriorates to very poor condition the further it is traveled to a point (see photo 034-RT43-D-S, approximately a mile north of the reservoir) where it is so overgrown with vegetation that vehicle travel no longer occurs. The reservoir would be able to be accessed by heavy equipment vehicles for any determined needed maintenance of the reservoir without performing mechanical maintenance of this route.

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:

Although tracks may be occasionally observed, the degenerated condition of the route is indicative of the route not being traveled on a relatively regular basis, particularly south of the Cottonwood Creek crossing.

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: This route does not meet road criteria, as described and explained above. As a motorized primitive trail within this BLM inventory unit, the unit is contiguous to the Cottonwood Creek WSA at this location.

Evaluator(s):  **Date:** 4-13-2009
 Steve Christensen, Range 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”.