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> 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.*

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 X 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
- (X) 1978-1980 BLM Wilderness Inventory Unit 3-72 of OR-03-05-24 Shell Rock; OR-03-05-23 Fish Creek (unpublished BLM documents in case files)
- (X) April 1979 Wilderness -- Proposed Initial Inventory Roadless Areas and Islands Which Clearly Do Not have Wilderness Characteristics, Oregon and Washington

Wilderness Decision Documents

- (X) 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 3-72 of OR-03-05-24 Shell Rock; OR-03-05-23 Fish Creek

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

- (X) 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
3-72 of OR-	8,360	N	*	*	*
03-05-24					
Shell Rock					
OR-03-05-23	7,300*	*	*	*	*
Fish Creek					
TOTAL	15,660				

* -- Of this acreage, BLM documented that only 4,760 acres of public land was contiguous, thus not meeting size criteria. Therefore, these criteria were not addressed during the inventory of this unit.

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 – <u>OR-034-057 — Schnable Creek</u>

NOTE: In February, 2004, the Vale District received from Oregon Natural Desert Association (ONDA) its evaluation of wilderness characteristics for what ONDA names its 25,944 acre –Gin Basin 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-034-057 represents portions of ONDA's proposal, with some additional public lands being included in this BLM unit. ONDA's proposal includes two late 1970's BLM inventory units (OR-03-05-24 and partially of OR-03-05-23). ONDA's proposal includes a portion of this current OR-034-057 unit and a portion of a second current unit, OR-034-054.

For BLM unit OR-034-057, there are two differences between BLM and ONDA regarding inventory unit boundary features. Unlike ONDA's proposal, BLM concludes that County route 3209 (ONDA's route MMt8), is a road (not a motorized primitive trail –MPT--or what ONDA terms a -way"), and thus is a component of OR-034-057's north boundary. Secondly, BLM's unit extends further to the east to include a narrow segment of public land bounded by private land and the BLM 034-RT13 road (ONDA's –Fish Creek Road"). Thus, an east route segment which ONDA uses as a boundary of its proposed WSA but which it provides as an identifier on its proposed WSA map only as an unlabeled vehicular –way" (and what BLM references as 034-RT14 as a MPT), is not a qualifying boundary feature. Refer to each of four associated BLM Road Analysis forms and their affiliated Photo Point Map and photos for additional documentation of routes which were further reviewed.

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. The unit has 14,704 acres of public land. It is approximately 43% larger than the original 3-72 unit. The unit's boundaries are a combination of two BLM late 1970's inventory units: OR-03-05-24 (including 3-72), and a portion of OR-03-05-23. This is due to a change in route status between these two historic inventory units (i.e., the northern segments of what now is identified by BLM as 034-RT32 and 034-RT13) from what then was a road to now a motorized primitive trail (MPT) due to no mechanical maintenance of the segments and presently BLM's intent to not conduct such maintenance on these two segments. Boundaries of OR-034-057 consist of private lands and county roads 796 and 3209, BLM road 7302-0-00, and 2 other labeled BLM route segments determined by BLM to be roads (i.e., the southern segments of both 04-RT32 and 034-RT13, both which provide needed access to certain private lands which are boundary features of OR-034-057). The roads receive mechanical maintenance as needed to ensure their ability to provide for relatively regular and seasonally continuous use.

ONDA contends that its Gin Basin proposed WSA Addition is contiguous with Slocum Creek WSA. While much of OR034-057 is within ONDA's proposal, none of this BLM inventory unit abuts the Slocum Creek or any other WSA (also see the current BLM WC inventory file of BLM unit OR-034-054, The Tongue).

2. Is the unit in a natural condition?

Yes X No N/A

Description: The unit consists of foothills of Mahogany. Portions of the McCain, Schnable and Cove Creek drainages go through the unit; for each the associated slopes are steeper terrain in the unit's northern portion. Elevations range from approximately 4,100 feet to 6,100 feet. Vegetation is predominately of grasses and sagebrush; some scattered juniper is in the upper elevations.

Refer to this unit's associated Map 1 and Map 2 for human imprints. The unit has 9.1 miles of 7 MPTs, 16.4 miles of rangeland fence, 15 earthen reservoirs, and 5 developed springs. There is also remnant visual evidence of one abandoned vehicle route (0.3 mile in length). There remains no visual contrast to the average visitor of vegetation treatments that occurred in 1963 and 1968 (chemical treatment and disc-drilled seedings of unknown species). With the increased size of the unit since the late 1970's, although developments are more so visually apparent and spatially closer to each other near the unit's south boundary and southwest area, relative to the types and broad distribution of the human imprints present within the unit, the unit – overall -- 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 X No N/A

Description: The low profile of the unit's primary vegetation is inadequate to provide for sufficient screening to support an outstanding opportunity for solitude. The finger of narrow land in the unit's eastern sector -- being associated with a branch of Fish Creek – is no greater than 1.3 miles wide and about 3 miles long; its configuration combined with its topography precludes this area from providing an outstanding opportunity for solitude. The reminder of the unit is predominately 4 miles wide by between 4 -5 miles long. In this area, the very low profiles to near flat areas more so prevalent within the unit's south and west sectors provide insufficient topographic relief or features for screening to experience outstanding opportunities for solitude. However, the extent and distribution of the more so broken and steeper terrain associated predominately with some of this unit's north-central sector provides (relative to this area's size) outstanding opportunities for solitude. ONDA states that it's notably larger Gin Basin proposed WSA offers great topographical relief providing for outstanding opportunities for solitude. Although ONDA's proposal includes notably more public lands, BLM makes no determination of whether or not ONDA's proposal provides outstanding opportunities for solitude. That said, BLM does conclude that its OR-034-054 inventory unit (The Tongue) does provide outstanding opportunities for solitude. The majority of OR-034-054 is within ONDA's larger Gin Basin proposed WSA. BLM herein draws no conclusion of whether or not ONDA's larger proposed WSA provides outstanding opportunities for solitude.

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

Yes _____ No __X N/A _____

Description: Hunting of California bighorn sheep as a prized trophy game species is a rare and special opportunity associated with a portion of the area. However, the inventory unit is associated with an outer fringe of the animal's habitat area with hunting of the species not considered outstanding within this inventory unit. There are no special features or attractions which would draw a recreationist to the unit. Other primitive and unconfined recreation activities available within the unit include hunting of common big and upland game species (deer, antelope and chukar), day hiking, wildlife and botanical sightseeing, photography and less commonly horseback riding and backpacking. Due to the other game being common, and the other activities more so associated with the relatively small area of upper elevations of the unit, the activities -- individually or combination (even when including hunting of bighorn sheep) -- do not provide for outstanding opportunities to experience primitive and unconfined recreation.

ONDA states backpacking opportunities are excellent within its Gin Basin proposed WSA. BLM considers the opportunity available as an activity though not excellent in quality within this BLM unit, noting that the unit has no special or more so distinctive natural features, attractions or challenges to specifically attract this activity. ONDA also states that streams and riparian areas (ONDA references its photo EA6) increases habitat for many animals allowing outstanding opportunities in wildlife viewing and hunting. Furthermore, ONDA contends that many wildflowers would also offer outstanding opportunities for botanical studies and viewing in its proposed WSA (ONDA references 5 photos, none which are located within this BLM unit). BLM contends that wildlife viewing, hunting and wildflower study and viewing, while available, are not of such distinction or quality within the BLM unit as to be considered outstanding – as either individual activities or in combination with each other or with other primitive and unconfined recreation opportunities within this BLM inventory unit. BLM herein draws no conclusion of whether or not ONDA's larger proposed WSA provides outstanding opportunities for primitive and unconfined recreation.

Yes X No N/A

Description: The unit has habitat suitable for bighorn sheep, a BLM special status animal species in Oregon. Current BLM records indicate one Sage grouse lek is located within the unit; the bird is a BLM special status animal species.

ONDA states that it's proposed Gin Basin WSA —may be home to Ferruginous Hawk, Pygmy Rabbit, and White-tailed Antelope Squirrel," which ONDA's February 2004 submission to the Vale District declares are listed as —sestive species" by the State of Oregon. As of 2009, White-tailed Antelope Squirrels were not considered sensitive by Oregon Department of Fish and Wildlife, BLM, or U.S. Fish and Wildlife Service. BLM observation records confirm that Ferruginous Hawks inhabit this unit and a museum record verifies Pygmy Rabbits occurred here historically. BLM acknowledges that habitat requirements may still exist for Pygmy Rabbits as well as White-tailed Antelope Squirrels, however; neither ONDA nor any other entity has provided BLM official documentation confirming the presence of these species within this inventory unit.

ONDA states that views of -Owyhee Canyon" from within its proposed WSA Addition -offer a great supplemental value". ONDA does not describe what constitutes -Oryhee Canyon", but BLM reasonably assumes ONDA is referring to the landscape setting of the Owyhee Reservoir and landscapes generally north (and substantially beyond) this current BLM unit OR-034-057. BLM notes that its inventory unit OR-034-054 (The Tongue) is located between this OR-034-057 inventory unit and the landscape ONDA is likely addressing. Thus, OR-034-057 is several miles removed from ONDA's -Owyhee Canyon" and does not provide views of it due to the unit's differing landscape and topographic orientation from it. For any given BLM inventory unit, BLM wilderness characteristics (WC) inventory criteria does not allow for inclusion of resource values located beyond the bounds of an inventory unit. Thus, such features cannot be an element of supplemental value or any other WC criteria when evaluating the unit for possession of wilderness character.

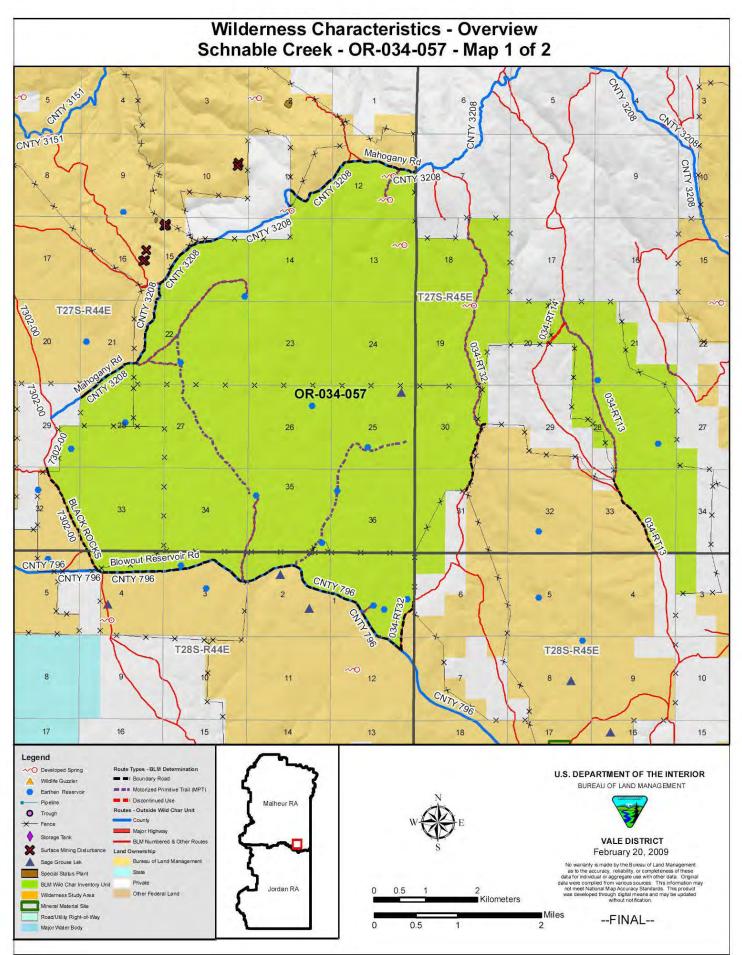
Summary of Findings and Conclusion

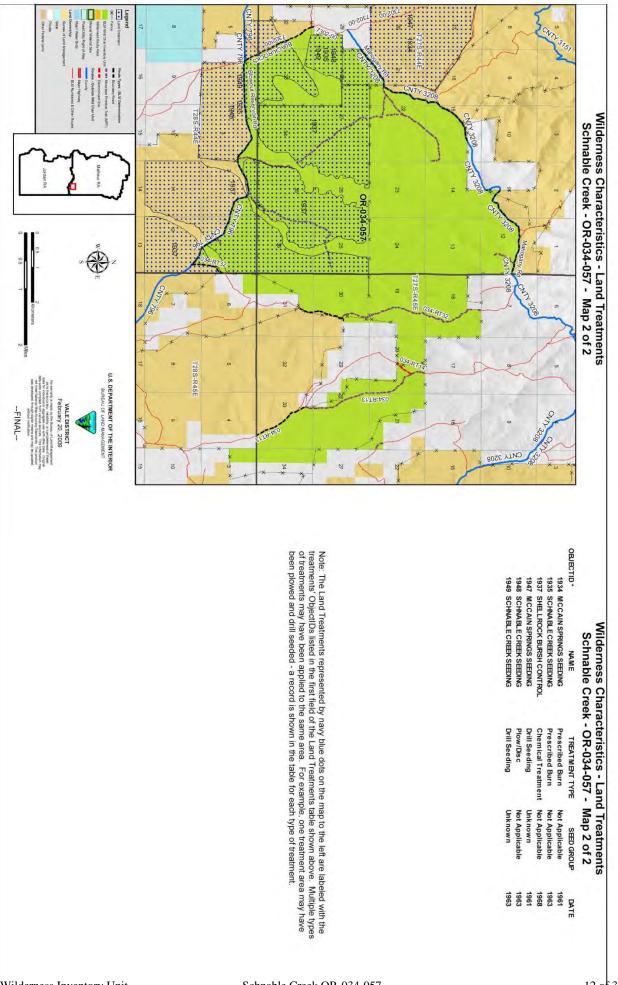
Unit Name and Number: <u>OR-034-057—Schnable Cr</u>	reek
Summary Results of Analysis:	
1. Does the area meet any of the size requirem	nents? <u>X</u> Yes <u>No</u>
2. Does the area appear to be natural?	<u>X</u> Yes <u>No</u>
3. Does the area offer outstanding opportunit and unconfined type of recreation?	ies for solitude or a primitive <u>X</u> Yes <u>No</u> NA
4. Does the area have supplemental values?	X Yes No NA
Conclusion check one:	
\underline{X} The area, or a portion of the area, h	as wilderness character.
The area does not have wilderness chara	acter.
Prepared by: hobert Alward	
Robert Alward, Wilderness Planner, contr	actor
Team Members:	0 11/1:0
Mach Suoma	214/10
Mitch Thomas, Rangeland Management Specialist	Date
Sil~ Dicl~	2/5/10
Gillian Wigglesworth, Botanist	Date
Sharm Rocky	3/10/1-
Shaney Rockefeller, Soil Scientist	Date
	2/10/10
Dave Draheim, Outdoor Recreation Planner	Date
M. 2000 Daries	2125/10
Mirhelle Caviness, Wildlife Biologist	Date Date
tin M	00/09/10
Eian Ray, GIS/Specialist, contractor	Date
Bandh Theats	2/9/10
Brent Grasty, GIS Coordinator /	Date
Approved by:	1 1
+ At bur	111110

Pat Ryan, Matheur Resource Area Field Manager

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.

Date

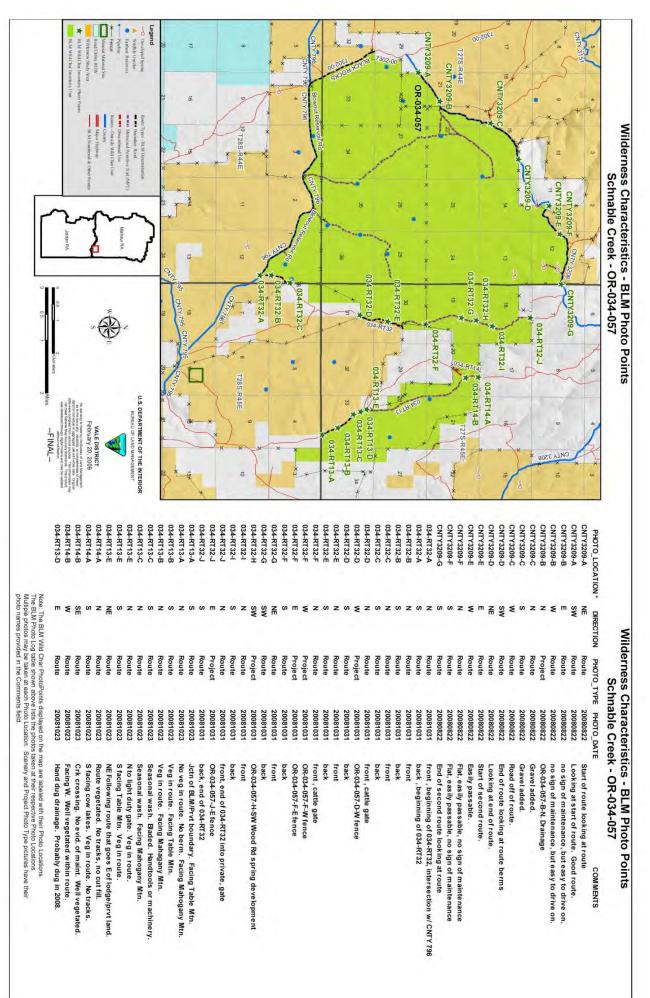




Wilderness Inventory Unit

Schnable Creek OR-034-057

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034-CNTY3209-D-SW.JPG

034-CNTY3209-D-NE.JPG



034-CNTY3209-C-S.JPG





034-CNTY3209-B-E.JPG



















034-CNTY3209-C-W.JPG



034-CNTY3209-B-W.JPG

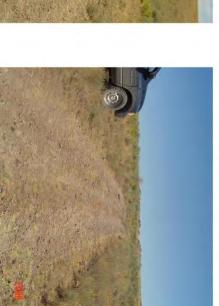
Wilderness Characteristic Photos

OR-034-057 Schnable Creek Page 1

Date Taken: 08/22, 10/23, 10/31/08

Wilderness Characteristic Photos





034-CNTY3209-E-W.JPG





034-CNTY3209-G-S.JPG





034-CNTY3209-G-N.JPG







034-CNTY3209-F-S.JPG



034-CNTY3209-E-E.JPG

Date Taken: 08/22, 10/23, 10/31/08

034-RT14-A-N.JPG



034-RT13-E-NE.JPG







034-RT13-C-S.JPG





034-RT13-C-N.JPG



034-RT13-E-N.JPG



034-RT13-E-S.JPG



034-RT13-D-E.JPG



034-RT13-B-S.JPG



OR-034-057 Schnable Creek Page 3

Date Taken: 08/22, 10/23, 10/31/08



Wilderness Inventory Unit

034-RT32-B-S.jpg





034-RT32-A-N.jpg



Date Taken: 08/22, 10/23, 10/31/08

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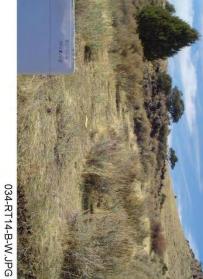
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034-RT32-B-N.jpg









034-RT32-A-S.jpg



034-RT14-B-SE.JPG



034-RT32-I-S.jpg



Wilderness Inventory Unit



034-RT32-G-NE.jpg





034-RT32-E-S.jpg

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034-RT32-I-N.jpg

034-RT32-G-SW.jpg



034-RT32-F-S.jpg













034-RT32-D-S.jpg

OR-034-057 Schnable Creek Page 5

Date Taken: 08/22, 10/23, 10/31/08

Wilderness Characteristic Photos

OR-034-057-J-E.jpg

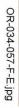












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OR-034-057-D-W.jpg



034-RT32-J-N.jpg





OR-034-057 Schnable Creek Page 6

Date Taken: 08/22, 10/23, 10/31/08

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034-RT32-J-S.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: <u>OR-034-057—Schnable Creek</u>

NOTE: This unit is affected by ONDA's proposed Gin Basin WSA.

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

034-RT 13

(ONDA's proposed WSA does not go this far east.)

I. LOCATION: Refer to attached map—is southeastern-most route 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 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 is a segment of a longer route – that branches from County796 on private land – which functions as an interconnector between two private land parcels, then further north becomes 034-RT-14 across public land before entering a large private land parcel associated with Mahogany Mountain. On the private parcel (starting with section 33, approaching from the south), is a cabin and developed pond, with this being the sole – and primary – route from the south to access the parcel.

III. ROAD RIGHT-OF-WAY:

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

Yes <u>No X</u> Unknown

IV. CONSTRUCTION

Yes _____ No <u>X</u>____

 Examples: Paved _____ Bladed _____ Graveled ____ Roadside

 Berms _____ Cut/Fill ____ Other _____

Describe:

V. IMPROVEMENTS

Yes <u>X</u> No <u>X</u>

By Hand Tools X By Machine

 Examples: Culverts _____ Stream Crossings _ X___ Bridges _____

 Drainage _ X___ Barriers _____ Other _____

Describe: Date(s) unknown. Two drain ditches are associated with the route segment, and a channel crossing appears to have been initially built up to facilitate crossing it. Both appear to have been done with hand tools within the past year or so.

VI. MAINTENANCE:

A. Is there Evidence or Documentation of Maintenance using hand tools or machinery? Yes <u>No X</u>

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 <u>X</u> No <u>X</u>

Comments: Between photo points (PP) 034-RT13-A and 034-RT13-D, maintenance would continue to be accomplished to provide for continued access to the private land parcel (starting in section 33 from a south approach).

From PP 034-RT13-D north to where it junctions with 034-RT14 (PP 034-RT14-B), the route has no indications of maintenance, with this segment not in good condition and no identified need to have maintenance performed on it. (NOTE: Also see Road Analysis form for 034-RT14.)

VII. REGULAR AND CONTINUOUS USE:

Yes <u>X</u> No <u>X</u>

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

Between photo points (PP) 034-RT13-A and 034-RT13-D the evidence of the recent hand tooled maintenance tasks and the extent of vehicle tracks indicate continued use of the route on a relatively regular basis.

From PP 034-RT13-D north to where it junctions with 034-RT14 (PP 034-RT14-B), there is no evidence of relatively regular use of the route.

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 <u>X</u> No <u>X</u>

Explanation: Between photo points (PP) 034-RT13-A and 034-RT13-D, the route meets road criteria, as described and explained above.

From PP 034-RT13-D north to where it junctions with 034-RT14 (PP 034-RT14-B), the route does not meet road criteria, as described and explained above. This segment of 034-RT13 is a motorized primitive trail.

Evaluator(s): Mitchy Thomas, Rangeland Management Specialist	Date: 2/17/09	
Eian Ray, Cartographic Technician	Date: 1/6/09	

* 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.

c. —**Reatively 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 <u>-road</u>" 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 _oadless' 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. —Mchanical means" – Use of hand or power machinery or tools.

c. —**Reatively 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".

APPENDIX C – ROAD* ANALYSIS

IN BLM OREGON/WASHINGTON

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

Wilderness Inventory Unit Name/Number: <u>OR-034-057—Schnable Creek</u>

NOTE: This unit is affected by ONDA's proposed Gin Basin WSA.

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

034-RT 14

(ONDA's proposed WSA does not go this far east.)

VIII. LOCATION: Refer to attached map—is northeast 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 under this unit's subfolder Final Findings/GIS Products.

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 is a segment of a longer route – which includes adjoining 034-RT 13 to its south – which functions as an interconnector between two private land parcels. The northern parcel of this route is the large private associated with Mahogany Mountain; however, the primary connector from BLM to that large parcel is via the County 3209 road, which enters the same private just north of where this 034-RT 14 enters it.

X. ROAD RIGHT-OF-WAY:

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

Yes <u>No X</u> Unknown

XI. CONSTRUCTION

XII.

XIII.

Yes No _X			
Examples: Paved Berms Cut/Fill	Bladed Other	Graveled	Roadside
Describe:			
IMPROVEMENTS			
Yes <u>No X</u>			
By Hand Tools	By Machine		
Examples: Culverts Drainage Barriers			
Describe:			
MAINTENANCE:			
A. Is there Evidence or Docu machinery? Yes		ance using hand	tools or
If yes: Hand Tools (Y/N)	Machine (Y/	N)	
Explain:			
B. If the route is in good con mechanical maintenance wit event this route became imp	th hand tools or machi		· · · · · · · · · · · · · · · · · · ·

Yes _____ No ____

Comments: Route is not in good condition. Another route (County 3209 road -- see its Road Analysis form for this BLM inventory unit) serves as the primary connector to the same large private land parcel which this 034-RT14 also goes to.

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 evidence of vehicle tracks is present, this route is heavily vegetated with lowlying grasses and forbs. This route does not receive relatively regular use since the proximate County 3209 road to its north serves as the primary connector to the private land parcel which this route also enters.

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: Route does not meet road criteria, as described and explained, above.

_ Date: <u>2/17/09</u> _ Date: <u>4/6/C4</u> **Evaluator(s):** Mitch Thomas, Rangeland Management Specialist Eian Ray, Cartographic Technician

* 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. —Mchanical means" – Use of hand or power machinery or tools.

c. —**Reatively 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 _oadless' 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. —Mchanical means" – Use of hand or power machinery or tools.

c. —**Reatively 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 <u>-mechanical means</u>." Roads need not be <u>-maintained</u>" on a regular basis but rather <u>-maintained</u>" 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 <u>-roadless</u>".

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: <u>OR-034-057—Schnable Creek</u>

NOTE: This unit is affected by ONDA's proposed Gin Basin WSA.

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

034-RT 32

(ONDA's WSA proposal has no route identifier or information on this route, although its proposed WSA map depicts certain segments of this route as a -subunit boundary".)

XV. LOCATION: Refer to attached map—is a segment of this WC inventory unit's east 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. There are no ONDA photos of this route, and the route is not noted by ONDA on either its Road Log or Photo Log for its proposed Gin Basin WSA.

XVI. 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 for access from the south to three private land parcels, the northern-most being a very large tract on Mahogany Mountain. A central segment of the route is adjacent to an existing rangeland fence on public land, so the route there may be used, in part, to support upkeep of this fence. Also, further north of the fence line is a developed spring on public land adjacent to this route.

XVII. ROAD RIGHT-OF-WAY:

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

Yes <u>No X</u> Unknown

XVIII. CONSTRUCTION

Yes <u>X</u> No _____

 Examples: Paved
 Bladed
 Graveled
 Roadside

 Berms
 X
 Cut/Fill
 Other

Describe: There remains some visual evidence of now old berms along the southern stretches of this route.

XIX. IMPROVEMENTS

Yes _____ No _X____

By Hand Tools _____ By Machine _____

 Examples: Culverts
 Stream Crossings
 Bridges

 Drainage
 Barriers
 Other

Describe:

XX. MAINTENANCE:

A. Is there Evidence or Documentation of Maintenance using hand tools or machinery? Yes <u>No X</u>

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 <u>X</u> No <u>X</u>

Comments: From photo point (PP) 034-RT32-A to just north of PP 034-RT32-E (to the middle private parcel), the route is in good condition. Maintenance actions on public lands would be authorized as needed, if requested, so to continue provide access to the affected two private land parcels this route leads to.

From the above-described point north to the largest private land tract, no maintenance would be conducted on the route because there exists County 3209 road, located just north from PP 034-RT32-J, for ready access to the same private parcel (see Road Analysis form for County 3209, affiliated with this BLM WC inventory unit).

XXI. REGULAR AND CONTINUOUS USE:

Yes <u>X</u> No <u>X</u>

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

From PP 034-RT32-A to just north of PP 034-RT32-E (to the middle private parcel), use appears to be relatively regular in a continuous manner, albeit use levels appear to be low based on the tracking appearance on the route's surface.

From the above-described point north to the largest private land tract, the route's visual appearance and change in visible tracking by vehicles is progressively less, to the point of the route being heavily vegetated with perennial grasses at the point of entering the large private land parcel in section 18 (PP 034-RT32-J).

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 <u>X</u> No <u>X</u>

Explanation: From PP 034-RT32-A to just north of PP 034-RT32-E (to the middle private parcel), the route meets road criteria – as described and explained above.

From the above-described point north to the largest private land tract, the route is not a road, but rather a motorized primitive trail.

The result of this field verification is that BLM's inventory unit extends further east than does ONDA's proposed Gin Basin WSA.

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Mitch Thomas, Rangeland Management Specialist Date: 2/17/09

Date:	

* 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. —Mchanical means" – Use of hand or power machinery or tools.

c. —**Reatively 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. —Mchanical means" – Use of hand or power machinery or tools.

c. —**Reatively 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: <u>OR-034-057—Schnable Creek</u>

NOTE: This unit is affected by ONDA's proposed Gin Basin WSA.

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

CNTY 3209

(ONDA references County 3209 as -MMt8", a vehicular way [i.e., motorized primitive trail].)

XXII. LOCATION: Refer to attached map—is north 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 under this unit's subfolder Final Findings/GIS Products. Any applicable ONDA map, photos and affiliated Photo Log are electronically retained under Wilderness Characteristics/Citizen.

XXIII. 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: Is a primary access route to large tracks of private lands on Mahogany Mountain; is the sole access route to two adjoining routes to an existing hard rock mining site on public lands (in sections 15 and 16; has a 2008 submitted Plan of Operations [POO] for BLM review); and, provides access for recreating public land visitors and for three small earthen reservoirs and three developed springs on adjacent public lands.

XXIV. ROAD RIGHT-OF-WAY:

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

Yes _____ No ____ Unknown _____

XXV. CONSTRUCTION

Yes <u>X</u> No _____

Describe: Original dates of construction is unknown. The nature of the terrain requires minimal construction to maintain the route, particularly the first 1/3 of the route from the south. Certain segments of the route has a dated appearance of possibly been graveled. Evidence of berms is sporadically present (whether created during route construction or during mechanical maintenance of the route is not known).

XXVI. IMPROVEMENTS

Yes <u>X</u> No _____

By Hand Tools _____ By Machine _X___

 Examples: Culverts _____ Stream Crossings _____ Bridges _____

 Drainage ___X Barriers _____ Other _____

Describe: Evidence is present of some mechanically developed drainage ditches associated with County 3209.

XXVII. MAINTENANCE:

A. Is there Evidence or Documentation of Maintenance using hand tools or machinery? Yes <u>No X</u>

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

Explain: On public lands, County 3209 traverses largely gentle terrain, thus not requiring maintenance actions for extended timeframes. The nature of the terrain required minimal construction activities, and, respectively, to maintain the route, particularly the first 1/3 of the route from the south. There is little if any evidence of maintenance, perhaps since the route's construction.

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 <u>X</u> No _____

Comments: While not needed at this point in time, maintenance would be performed as needed to provide for continued regular (mostly seasonal) travel on the route. Access to the substantial blocks of private lands associated with County 3209 would continue to be provided.

XXVIII. REGULAR AND CONTINUOUS USE:

Yes <u>X</u> No _____

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

Evidence of vehicle tracks is present consistently, year to year. In 2008, with increased activity at the mining site, signs (e.g., tracks) of an increased degree of continued use – particularly on its western third – is evidenced.

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 <u>X</u> No _____

Explanation: County 3209 meets the criteria for road, as described and explained, above.

Date: 2/17/09 ecialist **Evaluator(s):** Thomas, Rangeland Management Specialist Date: Jon Westfall, Geologist

* 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.

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