

Wilderness Inventory Unit Index of Documents **Trail Creek OR-034-031, 24 total pages**

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

APPENDIX B – INVENTORY AREA EVALUATION

Evaluation of Current Conditions:

1) Document and review the existing BLM wilderness inventory findings on file, if available, regarding the presence or absence of individual wilderness characteristics, using Form 1, below.

2) Consider relevant information regarding current conditions available in the office to identify and describe any changes to the existing information (use interdisciplinary (ID) team knowledge, aerial photographs, field observations, maps, etc.), and document your findings on Form 2, below.

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

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

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

Year: 2009 **Unit Number/Name:** OR-034-031 -- Trail 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

- (X) 1978 – 1980 --- BLM Wilderness Inventory Units OR-03-02-09, Trail Creek 3-09 (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 OR-03-02-09; Trail Creek 3-09

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

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

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

Vale District Office/ Malheur Field Office

2. BLM Inventory Findings on Record

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

Inventory Source: See above.

Unit#/ Name	Size (historic acres)	Natural Condition? Y/N	Outstanding Solitude? Y/N	Outstanding Primitive & Unconfined Recreation? Y/N	Supplemental Values? Y/N
(3-09) OR-03-02-09 Trail Creek	12,060	Y	N	N	*
TOTAL	12,060				

*-- This criteria was not addressed in the inventory of this unit.

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

APPENDIX B – INVENTORY AREA EVALUATION

Evaluation of Current Conditions:

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- 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-034-031 – Trail 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 45,760 acre “Black Canyon Proposed WSA”. For reference, a hard copy of ONDA’s proposal is retained in this unit’s file. OR-034-031 represents only a portion (11,890 acres) of ONDA’s proposal. Information provided by ONDA’s proposal was considered and incorporated as appropriate for this BLM wilderness characteristics inventory maintenance.

ONDA’s proposal includes basically all of each of the following BLM 1970’s inventory units: 3-9, 3-12, OR-03-02-15, and OR-03-02-18. Currently, these units are respectively associated with the following two BLM wilderness characteristic Inventory maintenance units: OR-034-031 and OR-034-063.

For BLM unit OR-034-031, differences between BLM and ONDA regarding inventory unit boundary features are that, unlike ONDA’s proposal, BLM concludes that BLM routes 7357-0-00 (ONDA’s route WF17a) and 7356-0-00 (ONDA’s WF15c) are roads (not motorized primitive trails [or which what ONDA terms a “way”]). Refer to this BLM inventory unit’s associated two Road Analysis forms, BLM Photo Points Map/Log and photos for additional documentation. An attachment to this Form 2 identifies any variances of motorized vehicle routes between ONDA’s and BLM’s findings.

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 boundary of the 11,890 acre unit is the same as for the inventory unit 3-09 identified in the late 1970’s. The variance in acreage is a result of currently applying the more accurate measurement capability of GIS. The BLM roads associated with this unit’s boundary receive mechanical maintenance as needed to keep them passable for relatively regular and continuous use. Those segments of BLM boundary roads which traverse the natural scree rock surfaces associated commonly with certain ridgelines (e.g., 7357-0-00) naturally retain their driving surface integrity with nominal if any mechanical maintenance required to provide for relatively regular and continuous use. Even if approximately 200 acres of cut juniper trees located within the northwestern-most reach of the unit and abutting its boundary road were excluded from the unit, the inventory unit would meet minimum size for consideration of wilderness characteristics.

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

Description: The unit consists of a series of north-south oriented steep sloped, rugged canyons and their affiliated predominately narrow ridgelines. Elevations range from approximately 2,760 to 5,900 feet. The entire Black Canyon drainage is within the unit. Some drainages possess varying woody riparian vegetation along portions of their canyon channels, dominated by coyote willow and Pacific willow. A predominance of upland vegetation consists of stiff sagebrush/Sandberg bluegrass and western juniper/big sagebrush/bluebunch wheatgrass communities.

Refer to this inventory unit's Map 1 and Map 2 for human imprints. They include 5.3 miles of 7 motorized primitive trails (MPTs), 17.5 miles of rangeland fence, 3 earthen reservoirs (1 with enclosure fencing), 4 developed springs, and within one drainage the remnant evidence of a 2005 reclaimed illegal marijuana crop site and associated primitive camping area. During 2005, a western juniper tree thinning cut project within the unit -- abutting the unit's boundary road in its northwestern-most reach -- affected a total of approximately 200 acres of the unit, with the sawed effect of the cut trees still evident. Presently, the limited amount of human developments, their wide distribution within the unit, and the appearance of the reclaimed unauthorized drug-related site are, overall -- relative to the size and natural features of the unit -- substantially unnoticeable to the average visitor. Particularly when allowing for (though not dependent upon) the exclusion of the treated juniper area from the unit, the unit remains affected primarily by the forces of nature with human imprints, overall, not substantially noticeable to the average visitor.

BLM documents the presence of 6 MPTs within this unit for which no ONDA documentation is provided. ONDA's proposal does not quantify or indicate location of the other known man-made features of its proposed WSA while concluding that it appears primarily affected by the forces of nature with the imprint of man's work substantially unnoticeable. For comparative reference, refer to the BLM Maps 1 and 2 and ONDA's proposal, both located in this unit's inventory file folder.

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

Description: The unit's length is approximately 7.5 miles long. Most of the unit is narrow in width, ranging between 1 and 2.5 miles; the eastern portion of the unit's width includes drainages measuring 2.5 to 4 miles long with their associated steep slopes. Although the unit is predominately narrow in configuration and irregular in shape, the canyon systems with their incised topography result in providing the unit, as a whole, outstanding opportunities for solitude. The MRA interdisciplinary resources staff, in reconsideration of these properties associated with the inventory unit concludes differently than in August, 1979.

ONDA avails outstanding opportunities for solitude for its proposed WSA in recognition of its proposal's much larger size, its configuration, and its diverse topography. ONDA references its photo QA 36 which affects this BLM unit. Based on the current results of BLM's wilderness characteristics inventory maintenance, BLM does not have an inventory unit that approaches that of ONDA's in this general area. While drawing no conclusion regarding solitude within ONDA's proposal, BLM recognizes that a unit of the general size, configuration and topography as ONDA's proposal may possess attributes which may result in providing for outstanding opportunities of solitude.

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

Yes _____ No X N/A _____

Description: Hunting of common game species (primarily deer and chukar, elk and antelope) is the primary primitive and unconfined recreation activity within the unit. Hiking and horseback riding which may occur are primarily associated with hunting within the unit. There are no unique or special recreation-related features associated with the unit. South Cottonwood Creek Reservoir, abutting the unit's north boundary road, historically has been periodically stocked by ODFW for recreational fishing. The nature of these activities within the unit – individually or in combination – do not provide outstanding opportunities of primitive and unconfined recreation.

ONDA states that the canyons and vistas of its much larger "Black Canyon Proposed WSA" possesses outstanding opportunities for primitive recreation, including hiking, camping, wildlife watching, botany, geological and ecological study and exploration, photography and sightseeing. While BLM recognizes these activities as available opportunities within OR-034-031, it does not find any of them to possess associated unique values or other distinctive features which would provide an outstanding opportunity for primitive and unconfined recreation – individually or in combination. BLM makes no determination of whether or not ONDA's described attributes of its proposed WSA equates to outstanding opportunities for primitive and unconfined recreation. Currently, as in the past, public lands associated with unit OR-034-031 do not possess outstanding opportunities for primitive and unconfined recreation for reasons stated in the opening paragraph, above.

5. Does the unit have supplemental values?

Yes X No _____ N/A _____

Description: BLM has documented the presence of Sage Grouse, a BLM special status animal species, within this unit during the winter time. There are no known leks within this unit.

ONDA states its proposed Little Black Canyon WSA “provides habitat for Golden Eagle and may provide habitat for Mojave Black-Collared Lizard, Desert Horned Lizard, 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, Black-Collared Lizards, Desert Horned Lizards, Ground Snakes and White-tailed Antelope Squirrels 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 the Mojave Black-collared Lizard, Desert Horned Lizard, Ground Snake, Golden Eagle, Ferruginous Hawk, Pygmy Rabbit, and White-tailed Antelope Squirrel; 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-034-031 – Trail Creek

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>Martin M. Espil</u>	<u>1-29-10</u>
Martin Espil, Rangeland Management Specialist	Date
<u>Shaney Rockefeller</u>	<u>3/10/10</u>
Shaney Rockefeller, Soil Scientist	Date
<u>Diane H. Pritchard</u>	<u>2/8/10</u>
Diane Pritchard, Archeologist	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

(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:

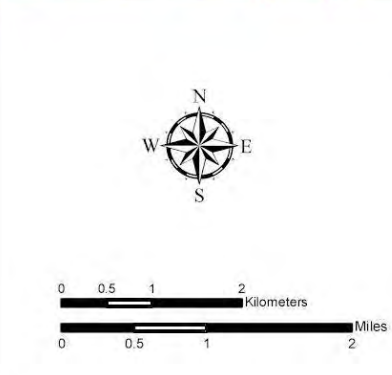
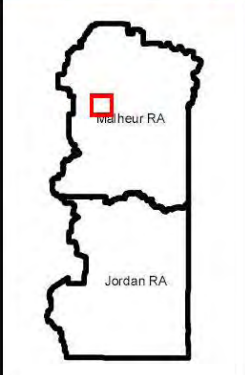
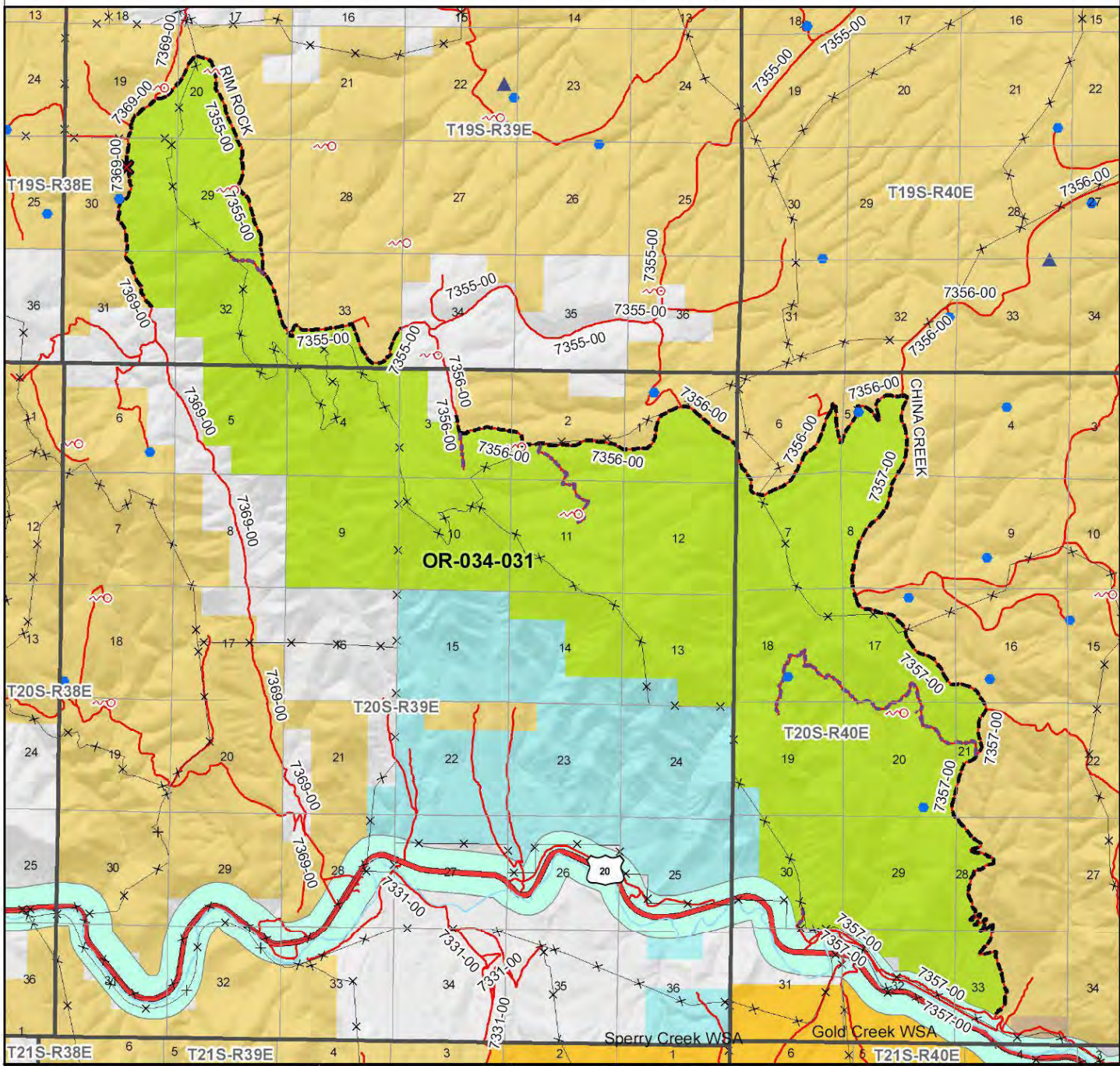
Pat Ryan
Pat Ryan, Malheur Resource Area Field Manager


3/30/2010
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

Trail Creek - OR-034-031 - Map 1 of 2

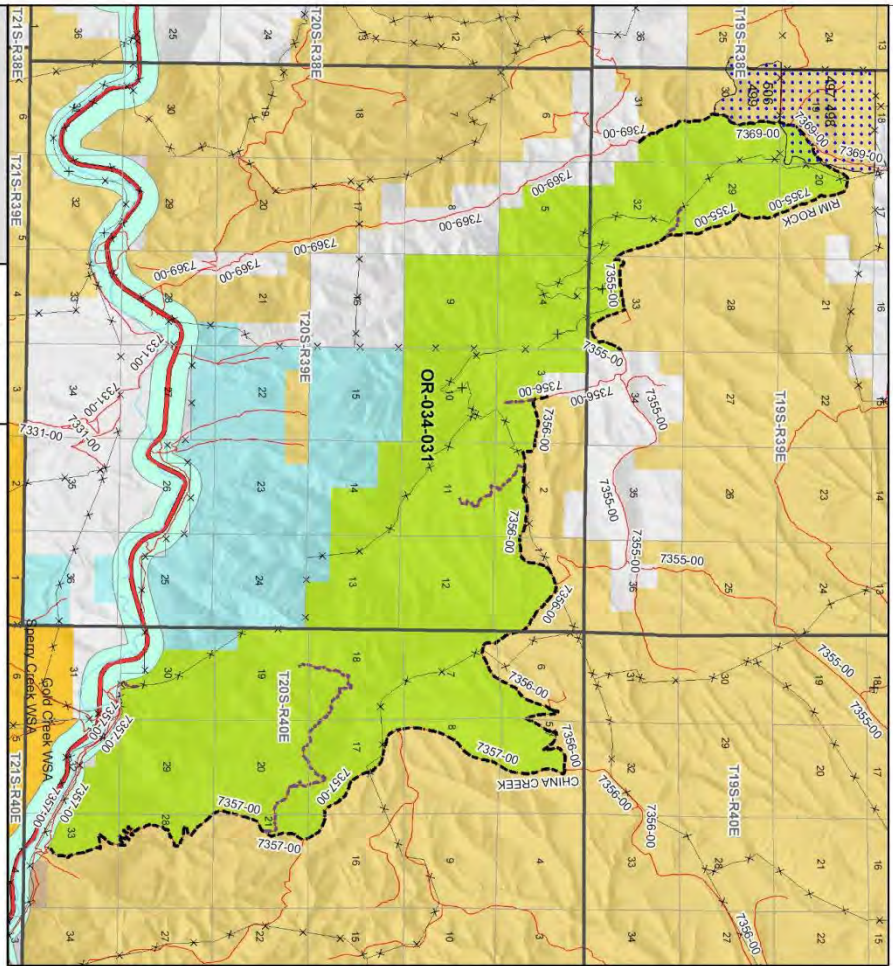


U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

VALE DISTRICT
 December 10, 2008

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-FINAL-

Wilderness Characteristics - Land Treatments
Trail Creek - OR-034-031 - Map 2 of 2



Legend

- Land Treatment: Juniper Cutting, Prescribed Burn, Juniper Pole
- Trail Boundary: Red line
- Other Features: RIM ROCK, CHINA CREEK, Gold Creek WSA, Sperry Creek WSA
- Map Elements: Township and Range Grid, Elevation Contours, North Arrow, Scale Bar

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

VALE DISTRICT
 December 10, 2008

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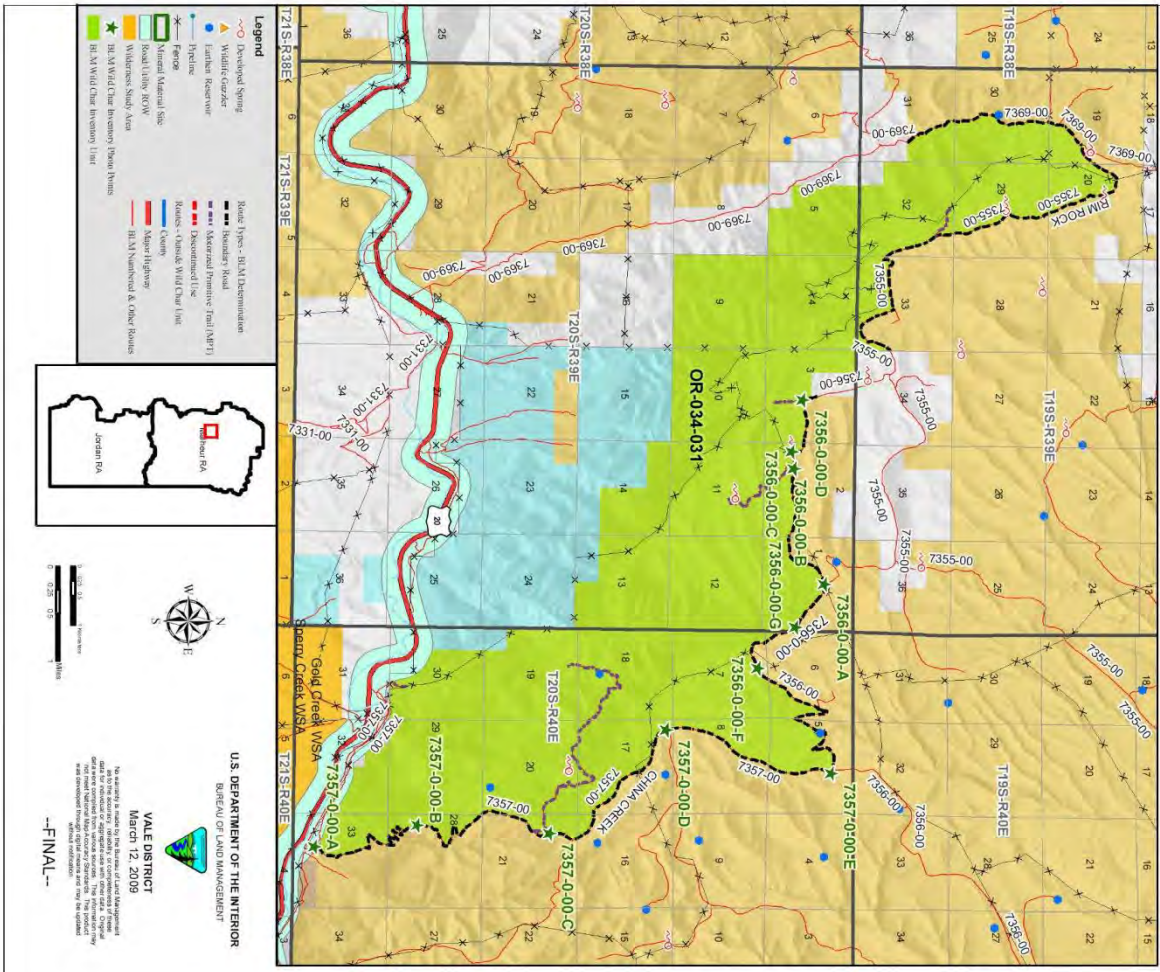
FINAL

Wilderness Characteristics - Land Treatments
Trail Creek - OR-034-031 - Map 2 of 2

OBJECTID*	NAME	TREATMENT TYPE	SEED GROUP	DATE
497	KELSA Y BUTTE	Juniper Cutting	Not Applicable	20050930
498	KELSA Y BUTTE	Prescribed Burn	Not Applicable	20050501
499	UPPER POLE	Prescribed Burn	Not Applicable	20050501
506	UPPER POLE	Juniper Cutting	Not Applicable	20050930

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.

Wilderness Characteristics - BLM Photo Points
Trail Creek - OR-034-031



Wilderness Characteristics - BLM Photo Points
Trail Creek - OR-034-031

PHOTO LOCATION*	DIRECTION	PHOTO_TYPE	PHOTO_DATE	COMMENTS
7356-0-00-A	W	Route	20080726	start of route
7356-0-00-A	E	Route	20080726	start of route
7356-0-00-B	W	Route	20080726	berms and fence
7356-0-00-B	E	Route	20080726	berms and fence
7356-0-00-C	SE	Project	20080726	OR-034-031-C-SE water trough
7356-0-00-C	E	Project	20080726	OR-034-031-C-E cattle guard
7356-0-00-D	NE	Route	20080726	berms end of route
7356-0-00-D	W	Route	20080726	berms end of route
7356-0-00-F	SW	Route	20080825	route surface change - bladed
7356-0-00-G	E	Route	20080825	cattleguard
7356-0-00-G	W	Route	20080825	cattleguard
7357-0-00-A	SE	Route	20080726	start of route
7357-0-00-A	NW	Route	20080726	start of route
7357-0-00-B	NW	Route	20080726	no evidence of maintenance.
7357-0-00-B	SE	Route	20080726	no evidence of maintenance.
7357-0-00-C	NW	Route	20080726	no evidence of maintenance.
7357-0-00-C	SE	Route	20080726	no evidence of maintenance.
7357-0-00-D	S	Project	20080726	OR-034-031-D-S cattle gate
7357-0-00-D	N	Route	20080726	cattle gate
7357-0-00-E	N	Route	20080726	end of route
7357-0-00-E	S	Route	20080726	end of route

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



7356-0-00-A-E.JPG



7356-0-00-B-W.JPG



7356-0-00-F-SW.JPG

OR-034-031 Trail Creek Page 1



7356-0-00-A-W.JPG



7356-0-00-D-NE.JPG



7356-0-00-G-E.JPG



7356-0-00-B-E.JPG



7356-0-00-D-W.JPG



7356-0-00-G-W.JPG



7357-0-00-A-NW.JPG



7357-0-00-B-SE.JPG



7357-0-00-D-N.JPG



7357-0-00-A-SE.JPG



7357-0-00-C-NW.JPG



7357-0-00-E-N.JPG



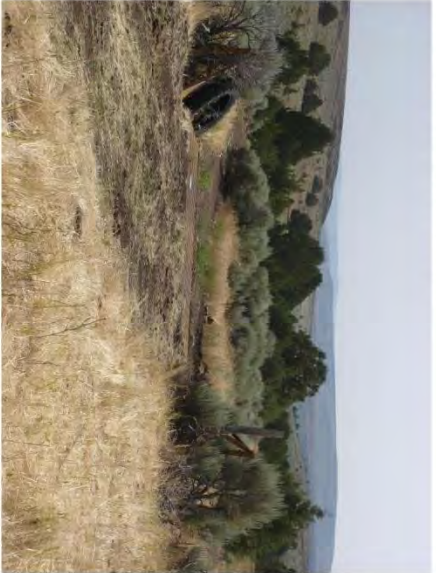
7357-0-00-B-NW.JPG



7357-0-00-C-SE.JPG



7357-0-00-E-S.JPG



OR-034-031-C-E.JPG

OR-034-031 Trail Creek Page 3



OR-034-031-C-SE.JPG



OR-034-031-D-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: OR-34-031 – Trail Creek

NOTE: This unit is affected by ONDA’s proposed Black Canyon WSA.

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

7356-0-00

(The route is ONDA’s WF15c, a vehicular way (i.e., motorized primitive trail.)

I. LOCATION: Refer to attached map. Is the portion of the BLM inventory unit’s north boundary, south of the private tract. **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 photos and affiliated Photo Log are electronically retained under Wilderness Characteristics/S/Citizen Proposals.

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 preferred east-west connector route segment from Harper Valley area west to Kelsay Butte area and the 7369-0-00 road which (to its south) branches from US Highway 20 in the Malheur River canyon corridor. With much more of this route being located on public land than the segment of 7355-0-00 just north of it, travelers need not cross the extensive private land parcel. It provides important access for an extensive area of public lands for managing rangeland improvements and livestock operations, avails access to private lands, and supports outdoor recreation activities (primarily hunting of common game species and vehicle-supported dispersed camping).

III. ROAD RIGHT-OF-WAY:

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

Yes _____ No X Unknown _____

IV. CONSTRUCTIONYes X No _____Examples: Paved _____ Bladed X Graveled _____ Roadside
Berms X Cut/Fill X Other _____**Describe:** Date of construction is unknown. Evidence remains of blading and associated berms, and of cut/fill through shrub communities.**V. IMPROVEMENTS**Yes _____ No X

By Hand Tools _____ By Machine _____

Examples: Culverts _____ Stream Crossings _____ Bridges _____
Drainage _____ Barriers _____ Other _____**Describe:****VI. MAINTENANCE:****A. Is there Evidence or Documentation of Maintenance using hand tools or machinery?** Yes X No _____If yes: Hand Tools (Y/N) _____ Machine (Y/N) Y **Explain:** This route receives periodic (estimated 5 – 10 years) mechanical maintenance where and as needed from Harper to 7369-0-00.**B. If the route is in good condition, but there is no evidence of maintenance, would mechanical maintenance with hand tools or machines be approved by BLM in the event this route became impassable?**Yes X No _____**Comments:** The route is in reasonably good condition, passable by a high clearance vehicle. It provides important east-west access on public lands for an extensive area of public lands for managing rangeland improvements and livestock operations, avails access to private lands, and supports outdoor recreation activities (primarily hunting of common game species and vehicle-supported dispersed camping). It serves as an important option to crossing a large private land parcel just to its north. Mechanical maintenance as needed would be authorized to keep the route passable.

VII. REGULAR AND CONTINUOUS USE:

Yes X No _____

Describe evidence (vehicle tracks observed) and other rationale for whether use has occurred and will continue to occur on a relatively regular basis: Access for monitoring livestock grazing and maintenance of rangeland improvements (e.g., earthen reservoirs, fences, protective enclosure fences and developed springs) would continue to occur on a regular basis. Recreational access would continue, being more so associated with hunting of common game species and dispersed vehicle-supported camping activities.

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 X No _____

Explanation: This route meets road criteria, as described and explained, above. Significantly, it provides access across public (vs. private) land along one stretch of it.

Evaluator(s): Steve Christensen Date: 4-6-2009
Steve Christensen, Range Management Specialist

Martin M. Espil Date: 4/6/09
Martin Espil, Range Management Specialist

Shaney Rockefeller Date: 4/6/09
Shaney Rockefeller, Soil Scientist

* **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-34-031 – Trail Creek

NOTE: This unit is affected by ONDA’s proposed Black Canyon WSA.

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

BLM route 7357-0-00

(Route is ONDA’s WF17a, a vehicular way (i.e., motorized primitive trail.)

IX. LOCATION: Refer to attached map. Route is the east boundary of the BLM 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 under this unit’s subfolder Final Findings/GIS Products. Any applicable ONDA photos and affiliated Photo Log are electronically retained under Wilderness Characteristics/S/Citizen Proposals.

X. 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 serves as one of only about 3 primary routes branching from US Highway 20 within the Malheur River canyon corridor to expansive public land tracts so to access multiple rangeland improvements, and to support hunting, dispersed camping and other general recreational activities. It is also the primary access to the Coyne Point communications site (located just east of this unit and associated with the adjacent BLM OR-034-063 Hog Creek wilderness characteristics inventory unit).

XI. ROAD RIGHT-OF-WAY:
Is a road right-of-way associated with this route?
Yes No Unknown

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

Describe: Date of construction is unknown. It has been established since before the BLM's late 1970's wilderness characteristics inventory. The switchbacks on the south end of the route were engineered; on the ridge top high levels of construction was not required since the terrain is a natural gravel and shale types of material.

XIII. IMPROVEMENTSYes No

By Hand Tools _____ By Machine _____

Examples: Culverts _____ Stream Crossings _____ Bridges _____
Drainage _____ Barriers _____ Other _____**Describe:****XIV. 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: Due to high level of hunter use and recent access to the Coyne Point communications site, this route (especially in the south end) gets maintained with hand tools as needed; administrative use has included hand tool maintenance on this road within the past 5 years. Mechanical work may have been done to repair a washout near photo point 7357-0-00-C in the same timeframe as indicated by signs this significant erosion event may have healed by itself or mechanically repaired.

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: Overall this route is in good condition, being passable by a high clearance vehicle. It is recognized by the BLM as a primary access route to a number of range improvement projects and as a significant access route for rangeland administration, a

recent establishment of a communication site and public access for recreation, hunting camping, etc. BLM would approve mechanical maintenance as needed to provide access, although the very nature of the natural surface materials on much of the route has not and would not in the future require much if any maintenance activities.

XV. REGULAR AND CONTINUOUS USE:

Yes X No _____

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

Periodic regular and continuous use over time will occur for accessing the communications site. Access for monitoring livestock grazing and maintenance of rangeland improvements (e.g., earthen reservoirs, fences, protective enclosure fences and developed springs) would continue to occur on a regular basis. Recreational access would continue, being more so associated with hunting of common game species and dispersed vehicle-supported camping activities.

XVI. 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 X No _____

Explanation: This route meets road criteria, as described and explained, above.

Evaluator(s): Steve Christensen Date: 4-6-2009
 Mart M. Espil Date: 4/
Steve Christensen, Range Management Specialist

Mart M. Espil Date: 4/6/09
Martin Espil, Range Management Specialist

Shaney Rockefeller Date: 4/6/09
Shaney Rockefeller, Soil Scientist

* **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”.