

**APPENDIX D**

**BUREAU OF LAND MANAGEMENT  
BUFFALO FIELD OFFICE**

**BLM WILDERNESS INVENTORY FINDINGS ON RECORD**

**FORTIFICATION CREEK RESOURCE MANAGEMENT PLAN  
AMENDMENT**

**March 2011**

Year 2010

Inventory Unit Number/Name Fortification Creek (WY-060-204)

**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?**

No \_\_\_\_\_ Yes X (if more than one unit is within the area, list the names/numbers of those units.)

a) Inventory Source: 1979 Fortification Creek Wilderness Inventory

b) Inventory Unit Name(s)/Number(s): Fortification Creek (WY-060-204)

c) Map Name(s)/Number(s): Gillette and Buffalo 1:100K Quads

d) BLM District(s)/Field Office(s): High Plains District/Buffalo 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):*

The BLM Buffalo Field Office conducted an inventory of wilderness characteristics in the Fortification Creek area in 1978 and 1979 in accordance with the requirements of Section 603(c) of the Federal Lands Policy and Management Act (FLPMA). As a result of this study, the BLM determined that a portion of the Fortification Creek area met the requirements of the wilderness study process. In total, 12,419 acres were recommended to Congress as a Wilderness Study Area (WSA) for further examination and were subsequently designated as the Fortification Creek WSA. The BLM-administered lands outside of the WSA, including the acreage that constitutes the CWP, did not meet the wilderness inventory requirements (BLM, 1979). Table 1 summarizes the findings of the 1979 Fortification Creek Wilderness Inventory. Figure 1 illustrates the administrative boundaries of the Fortification Creek WSA and the CWP. For the purposes of this analysis, the CWP was divided into subunits based on road inventory data.

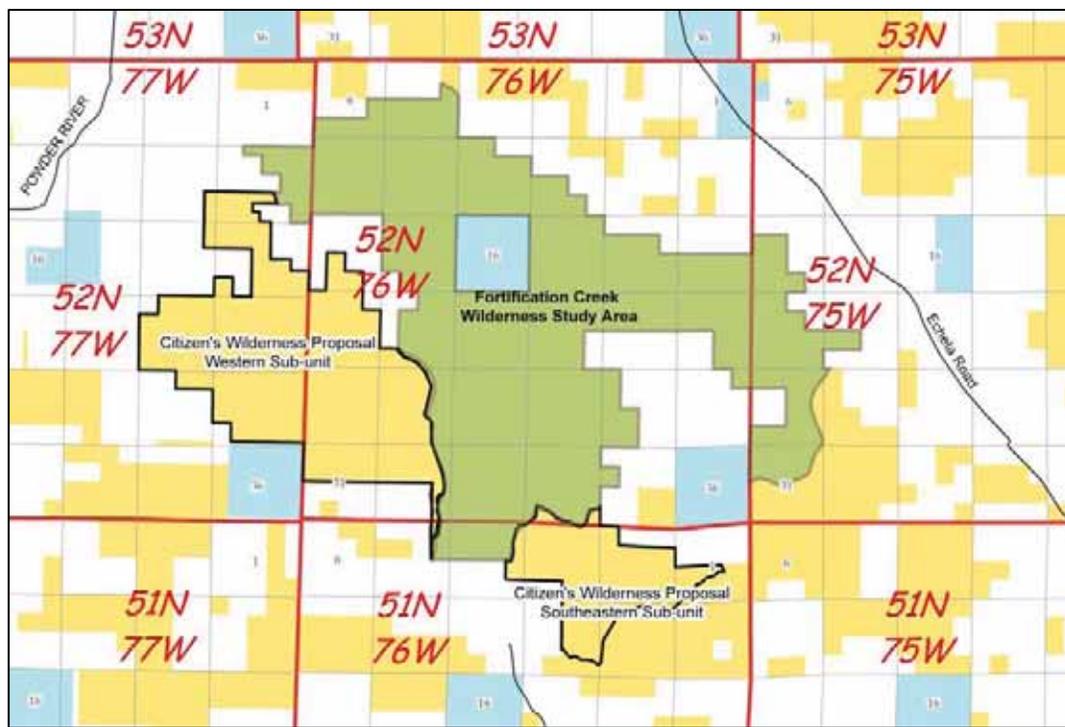
Table 1. Summary of Findings of 1979 Fortification Creek Wilderness Inventory (BLM, 1979).

Unit#/Name	Size (historic acres)	Natural Condition? Y/N	Outstanding Solitude? Y/N	Outstanding Primitive & Unconfined Recreation? Y/N	Supplemental Values? Y/N

Fortification Creek WSA	12,419	Yes	Yes	Yes	Yes
Fortification Creek CWP-Southeastern Sub-Unit	1,705*	No	Yes	Yes	Yes
Fortification Creek CWP-Western Sub-Unit	5,420*	No	Yes	Yes	Yes

\* Calculated in ArcGIS 9.3.

Figure 1. Fortification Creek Wilderness Study Area and Citizen’s Wilderness Proposal Sub-Units.



**FORM 2**

**Current Conditions: Presence or Absence of Wilderness Characteristics**

a. Area Number/Name: Fortification Creek Citizen’s Wilderness Proposal- Southeast Sub-Unit  
Acreage: 1,705 acres

(1) Is the area of sufficient size?

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

The CWP Southeastern sub-unit is 1,705 acres and is separated from the Fortification Creek WSA by a mechanically constructed and maintained road, adjacent to a fenceline, currently used for livestock operations. The boundary road has been verified to be an existing constructed route passable to vehicles and used regularly. Tracks indicated that a vehicle had been on the road within a week prior to the BLM road verification visit December 21, 2010. The southeastern sub-unit consists of BLM administered lands outside of the Fortification Creek WSA in T 52 N R 76 N Section 34 and T 51 N R 76 N Sections 3 and 4. The entire southeastern sub-unit is located within Campbell County, Wyoming. The sub-unit boundary is formed by two roads in conjunction with land tenure. Figures 2 and 3 include aerial imagery (NAIP, 2006) depicting the existing roads in the Fortification Creek CWP southeastern sub-unit.

Figure 2. 2006 Aerial Imagery Depicting Northern Boundary Road of Fortification Creek Citizen’s Wilderness Proposal Southeastern Sub-Unit.



Figure 3. 2006 Aerial Imagery Depicting Southern Boundary Road of Fortification Creek Citizen's Wilderness Proposal Southeastern Sub-Unit.



**DESCRIPTION OF CURRENT CONDITIONS:**

*(Include land ownership, location, topography, vegetation features and summary of major human uses/activities).*

Elevations within the CWP southeastern sub-unit range from approximately 4,160 ft to 4,690 ft. Slopes exceed 25% in much of the area and can exceed 30%. Vegetation in the Fortification Creek area is characterized as a mosaic of vegetation types that includes mixed grasslands, shrublands, overflow draw bottoms, and juniper woodlands. An intermittent stream runs through Cedar Draw.

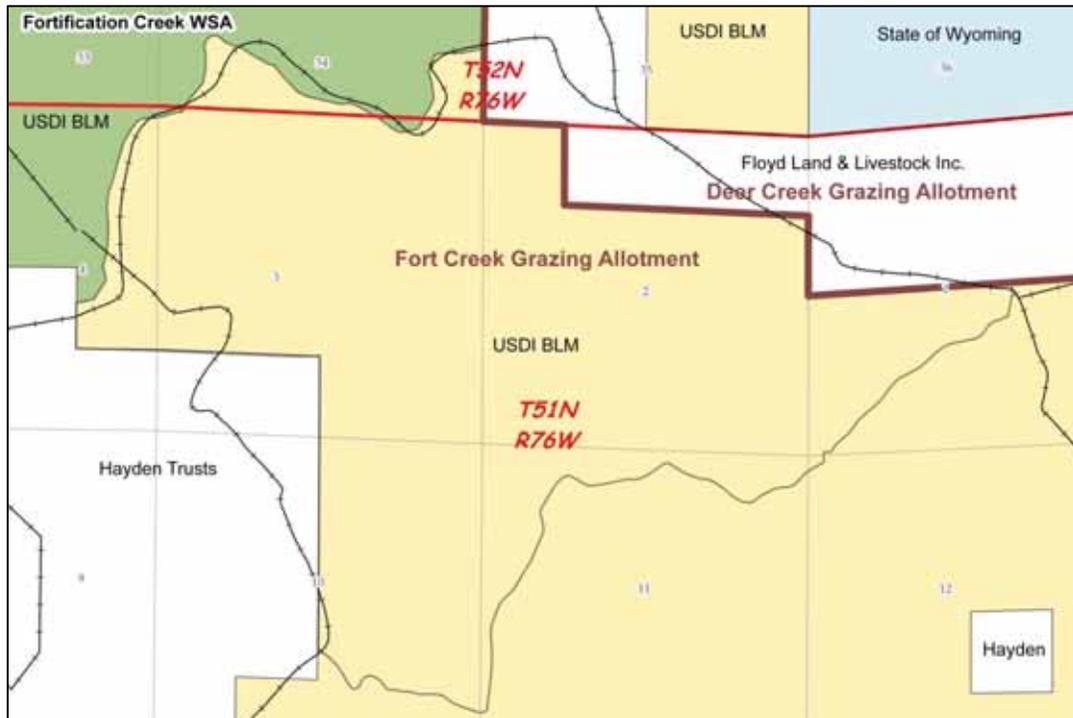
The sub-unit is within elk crucial winter, parturition, and yearlong range. While elk are the primary wildlife species of interest, other wildlife are present throughout the area including pronghorn antelope, mule deer, raptors, small mammals, game birds, waterfowl, amphibians, reptiles, and migratory birds.

Adjacent landowners are the Hayden Trust to the west and Floyd Land & Livestock Company to the east. The southeastern sub-unit is within the Fort Creek grazing allotment (Allotment #12151).

- Permittee: Kerry Hayden
- Lease #4907242
- 172 Cattle 3/1-2/28 on 31% Public Forage
- 640 AUMs total

The portion of the allotment within the CWP southeastern sub-unit is largely one pasture, with lands in T 51 N R 76 W Sec 3 & 4 being part of a second pasture. Land tenure, grazing allotment boundaries and approximate fence locations are depicted in Figure 4.

Figure 4. Land Tenure and Range Management Features within the Fortification Creek Citizen's Wilderness Proposal Southeastern Sub-Unit.



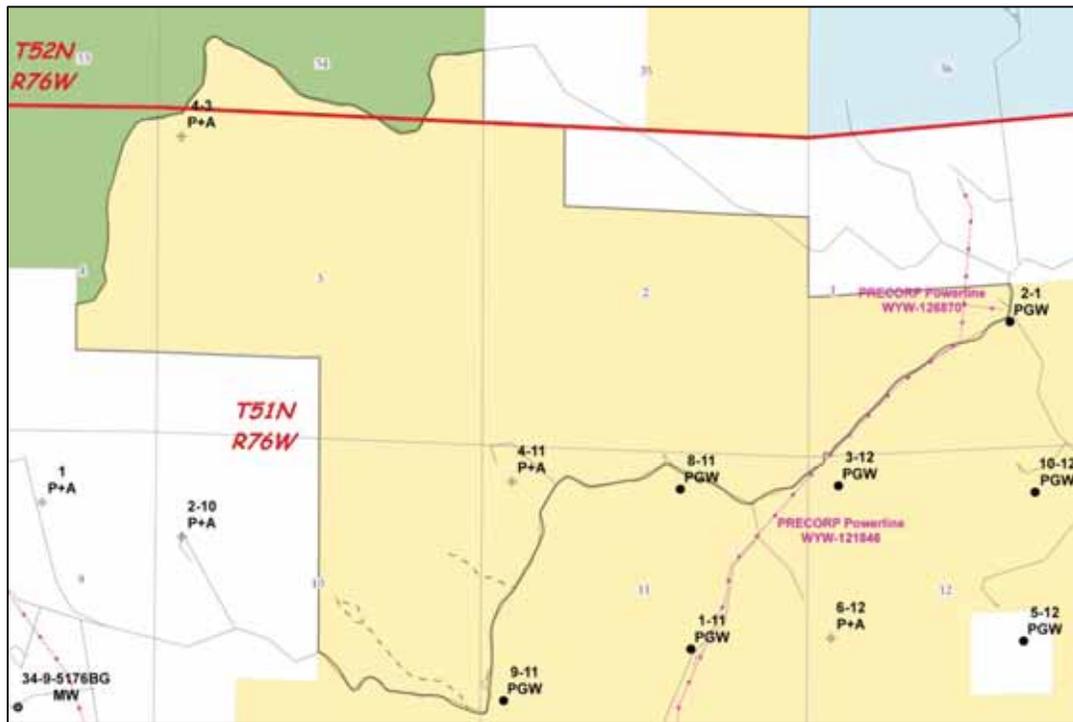
\*\* Fencelines displayed as hatched lines; boundary roads forming sub-unit are displayed as a faint solid line.

The State Engineer Office (SEO) of Wyoming database indicates that several stock water ponds exist within the vicinity of the southeastern sub-unit. These reservoirs were not verified during the monitoring trips and the locations provided by the SEO are approximate. The Elk stock reservoir (P4486.0S) is visible in aerial photos and is within the CWP. Reservoirs within or near the CWP southeastern unit that could not be verified include Roan Horse (P2606.0S) and Bullhead (P2626.0S).

Two plugged and abandoned (P&A) wells are located within the CWP southeastern unit. The P&A wells were not recontoured and were reclaimed with crested wheatgrass, which is also present along road shoulders. Crested wheatgrass is readily noticeable and predominant on previously disturbed sites. Additional producing gas wells exist along the southern boundary road outside of the CWP. There are two rights-of-ways on record for roads including WYW-158710 by Lance Petroleum and W-86221 by Plaza Resources Co. The CWP boundary roads were improved for oil and gas development. There are new coalbed natural gas (CBNG) proposals within the sub-unit that BLM is evaluating for authorization. Additionally, two overhead powerlines maintained by the Powder River Energy Company (W-121846; W-126870) exist within the unit. There are no recorded

easements within the unit. Figure 5 illustrates development associated with energy production and transmission.

Figure 5. Existing Mineral Development and Energy Transmission in the vicinity of the Fortification Creek Citizen’s Wilderness Proposal Southeastern Sub-Unit.



(2) Does the area appear to be natural?  
 Yes \_\_\_\_\_ No X \_\_\_\_\_ N/A \_\_\_\_\_

Description: A maintained and regularly used route separates the CWP from the WSA. Additionally, numerous examples of human disturbance exist along the roads and within the sub-unit. Two overhead powerlines, at least one stock reservoir, and two plugged and abandoned oil wells are present within the sub-unit. Additional producing gas wells exist along the southern boundary road outside of the CWP. Crested wheatgrass is readily noticeable and predominant on previously disturbed sites.

(3) Does the area (or the remainder of the area if a portion has been excluded due to unnaturalness and the remainder is of sufficient size) have outstanding opportunities for solitude?

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

Description: Persistent noises from county roads, oil and gas activity, compressor stations, and trains pervade the acoustic environment. Additionally, views from the

ridgelines include widespread oil and gas development, residences and other human modifications of the landscape. While these influences originate outside of the CWP, and do not affect the naturalness of the unit, the combined effect of sights and sounds are detrimental to the wilderness experience and do not provide “outstanding” opportunities for solitude.

(4) Does the area (or the remainder of the area if a portion has been excluded due to unnaturalness and the remainder is of sufficient size) have outstanding opportunities for primitive and unconfined recreation?

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

Description:

(5) Does the area have supplemental values (ecological, geological, or other features of scientific, educational, scenic or historical value)?

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

Description:

**FORM 2**

**DOCUMENTATION OF CURRENT WILDERNESS INVENTORY CONDITIONS**

a. Unit Number/Name Fortification Creek Citizen’s Wilderness Proposal- Western Sub-Unit

(1) Is the unit of sufficient size?

Yes   X   No           

The Citizen’s Wilderness Proposal Western sub-unit is approximately 5,420 acres and is separated from the Fortification Creek Wilderness Study Area by a mechanically constructed and maintained road currently used regularly for livestock operations. The boundary road has been verified to be an existing route passable to vehicles. The western sub-unit consists of BLM administered lands outside of the Fortification Creek WSA in T 52 N R 77 N Sections 11, 12, 13, 14, 23, 24, 25 and 26 and T 52 N R 76 N Sections 18, 19, 20, 29, 30, 31 and 32. There is also a sliver of CWP located outside the WSA in T 51 N R 76 W Section 5. The western sub-unit is located within Johnson and Campbell counties. The sub-unit is separated from the WSA by a constructed road that runs from the Bull Creek monitoring wells to the Hayden Ranch House. Figure 6 includes aerial imagery (NAIP, 2006) depicting the eastern boundary road of the Fortification Creek CWP western sub-unit.

Figure 6. 2006 Aerial Imagery Depicting Eastern Boundary Road of Fortification Creek Citizen’s Wilderness Proposal Western Sub-Unit.



**DESCRIPTION OF CURRENT CONDITIONS:**

Elevations within the CWP western sub-unit range from approximately 3,820 ft to 4,482 ft. Slopes exceed 25% in much of the area and can exceed 30%. Vegetation in the Fortification Creek area is characterized as a mosaic of vegetation types that includes mixed grasslands, shrublands, riparian areas, and juniper woodlands. Crested wheatgrass, an invasive species and an indicator of human modification, is noticeable and prevalent throughout the western sub-unit. Bull Creek runs along the eastern boundary of CWP western sub-unit. Several other tributaries of Fortification Creek are located within the sub-unit.

The sub-unit is within elk crucial, parturition and yearlong range. While elk are the primary wildlife species of interest, other wildlife are present throughout the area including pronghorn antelope, mule deer, raptors, small mammals, game birds, waterfowl, amphibians, reptiles, and migratory birds.

Adjacent landowners are the Hayden Trust to the northeast and south, the Hollcroft Trust to the northwest and Petro-Canada Resources to the west. A small cabin was found in T 52 N R 77 W Section 12 approximately 100 feet within the CWP boundary. The cabin is currently under administrative investigation. A State of Wyoming parcel also borders the unit to the southwest. The western sub-unit is within the Stotts Draw and Fort Creek grazing allotments.

**Fort Creek Allotment (Allotment #12151)**

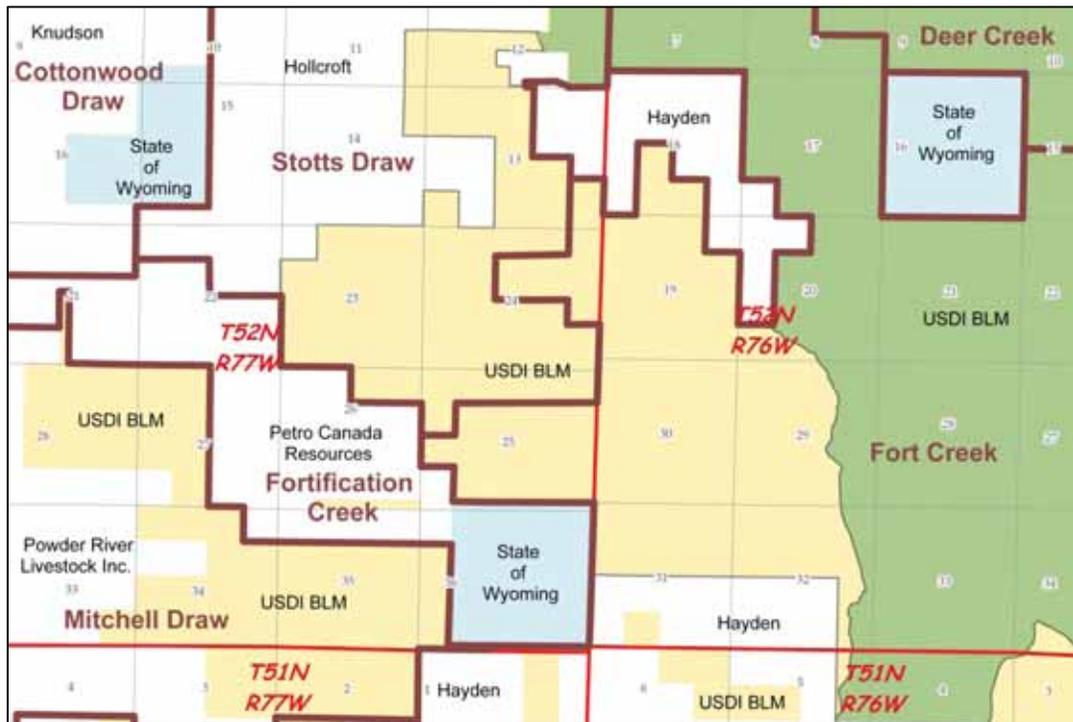
- Permittee: Kerry Hayden
- Lease #4907242
- 172 Cattle 3/1-2/28 on 31% Public Forage
- 640 AUMs total

**Stotts Draw Allotment (Allotment #12160)**

- Permittee: Leo & Claire Hollcroft
- Lease #4907253
- 215 Cattle 3/1-3/31 on 15% Public Forage = (33 AUMs)
- 215 Cattle 10/1-2/28 on 15% Public Forage (160 AUMs)
- 193 AUMs total

Data depicting fence locations for this area is inaccurate and has been omitted until on-the-ground verification can be completed. Land tenure and grazing allotment boundaries are depicted in Figure 7.

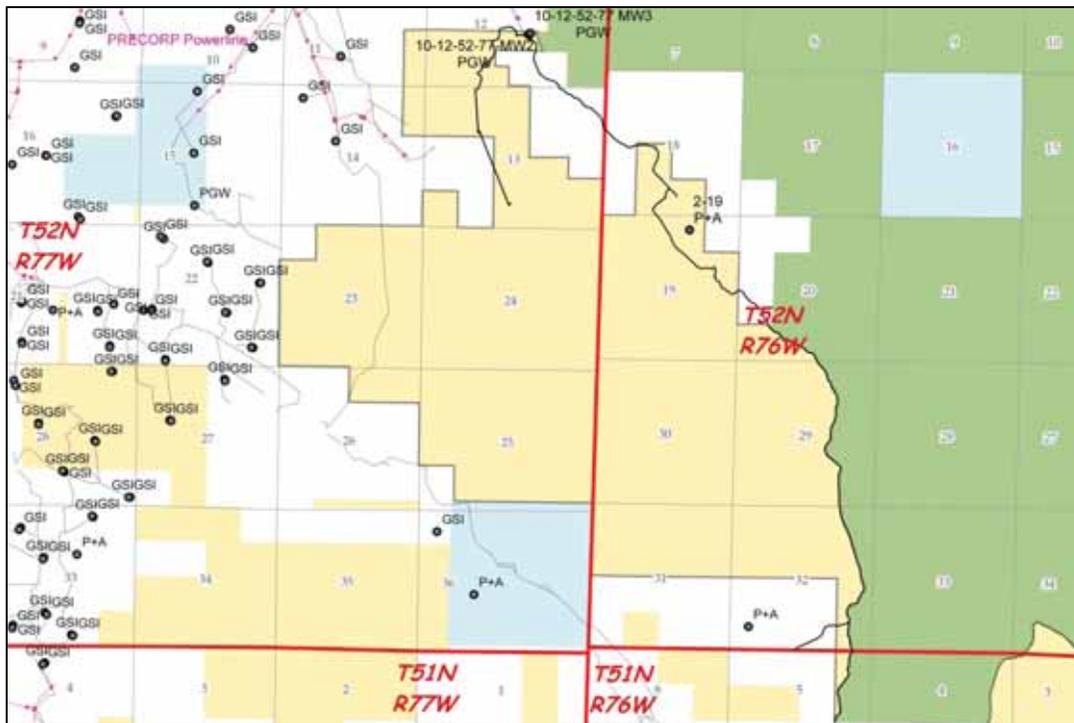
Figure 7. Land Tenure and Grazing Allotments within the Fortification Creek Citizen's Wilderness Proposal Western Sub-Unit.



The State Engineer Office (SEO) of Wyoming database indicates that several reservoirs exist within the vicinity of the western sub-unit. The reservoir in T 52 N R 77 W Section 13 SENW was verified during the September 2, 2010 monitoring trip. The dam for the reservoir was breached and the reservoir was not holding water. A solar well exists in T 52 N R 76 W Section 20 SWSE along the boundary road that separates the WSA from the CWP. A windmill exists in T 52 N R 76 W Section 19 SENE along the road within the CWP.

One plugged and abandoned well is located within the CWP western unit in T 52 N R 76 W Section 19 NWNE. Multiple gas shut ins, producing gas wells and other plugged and abandoned wells exist to the west of the unit. Valid leases exist within the area and there is evidence of CBNG development planning (well & utility stakes) along the WSA boundary road and the road with the abandoned reservoir. There are no right-of-ways on record for roads. Additionally, no overhead powerlines exist within the unit. There are no recorded easements within the unit. Figure 8 illustrates development associated with energy production and transmission in the vicinity of the sub-unit.

Figure 8. Existing Mineral Development and Energy Transmission in the vicinity of the Fortification Creek Citizen’s Wilderness Proposal Western Sub-Unit.



(2) Does the area appear to be natural?  
 Yes \_\_\_\_\_ No  X  N/A \_\_\_\_\_

Description: Several mechanically constructed and maintained routes exist within the CWP (Appendix C). A maintained and regularly used route separates the CWP from the WSA. Additionally, numerous examples of human disturbance exist along the roads. A windmill, solar well and trespass cabin are located along the road that separates the CWP from the WSA. The Bull Creek monitoring wells are located within the CWP, as well as a plugged and abandoned well in T 52N R 76W Section 19. An additional road begins in T 52 N R 77 W Section 12 and continues south to a breached reservoir located in T 52 N R 77 W Section 13. The road continues approximately 0.3 miles to a fenceline, where it becomes impassable. Another road in T 52 N R 77 W Sections 23 and 26 provides access for livestock management and has recently been used for CBNG planning and staking.

(3) Does the area (or the remainder of the area if a portion has been excluded due to unnaturalness and the remainder is of sufficient size) have outstanding opportunities for solitude?  
 Yes \_\_\_\_\_ No  X  N/A \_\_\_\_\_

Description: The interior of the unit is secluded from most unnatural disturbances. Even along roads, it is unlikely that another party will be met. Patches of thick vegetation, steep draws and substantial changes in topography within the unit supplies some opportunity for

solitude. However, at higher elevations and along ridgelines, persistent noises from nearby county road traffic, compressor stations, and even trains pervade the acoustic environment. Additionally, views from the ridgelines include widespread oil and gas development, residences and other human modifications of the landscape. While these influences originate outside of the CWP, and do not affect the naturalness of the unit, the combined effect of sights and sounds are detrimental to the wilderness experience and do not provide “outstanding” opportunities for solitude.

(4) Does the area (or the remainder of the area if a portion has been excluded due to unnaturalness and the remainder is of sufficient size) have outstanding opportunities for primitive and unconfined recreation?

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

Description: The unit has opportunities for primitive recreational activities. The WSA and surrounding area provides a challenging backdrop for hunting, and the resident elk herd is a particular draw for hunters willing to pursue landowner permission. The Fortification Creek area is within Wyoming Game and Fish Department Elk Hunt Area 2, which issued 80 tags (40-antlerless and 40-any elk) in 2010. The area also provides opportunities for horseback riding and hiking.

Reasonable public access to the western sub-unit is limited to those with landowner permission. The BLM does not currently have any easements providing public access to the WSA or the lands within the CWP. . Legal public access is available by traveling west off of Fortification Road on BLM administered lands through Windmill and Livingston draws, then traveling north in the Taylor Draw area and east across Indian Draw finally entering the CWP through the State section in T 52 N R 77 W Section 36. Access by this route would require meticulous knowledge of land tenure and more than 10 miles of non-motorized cross-country travel through steep topography to reach the CWP boundary. Recreationists attempting this route would face potential trespass charges if they miscalculate land boundaries. Alternatively, most adjacent landowners are licensed outfitters and will guide clients into the area for a fee. Trespass fees for non-guided visitors may also be collected at the landowners’ discretion. According to H-6330-1, “A trail system or convenient access is not essential for an outstanding opportunity for primitive and unconfined recreation. The absence of these facilities may increase opportunities for primitive and unconfined recreation.” We interpret convenient access to apply to physical access, rather than legal access. While the lack of convenient access does not preclude the presence of outstanding opportunities for primitive and unconfined recreation in the Fortification Creek CWP Western Sub-unit, we interpret an “outstanding” and “unconfined” opportunity to require that legal access be available without payment to private individuals or fear of trespass charges.

The dimensions of the sub-unit are roughly 3 miles x 3 miles. An average hiker could cross the sub-unit in a little over an hour. We interpret the sub-unit configuration to be confining and not a desired location for backpacking and other traditional wilderness activities. The sub-unit does not provide an “outstanding” opportunity for unconfined recreation.

(5) Does the area have supplemental values (ecological, geological, or other features of scientific, educational, scenic or historical value)?

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

Description: The sub-unit and much of the entire Fortification Creek unit are prairie breaks, deeply incised draws within a semi-arid sagebrush steppe ecosystem with fragile soils. There is a mosaic of vegetation types that includes mixed grasslands, sagebrush shrublands, overflow draw bottoms, and juniper woodlands. The streams are intermittent flowing in response to storm events. Prairie breaks are a component of the Sagebrush Steppe ecosystem, an ecosystem that is not represented in the National Wilderness Preservation System (WWA 2004).

The Fortification Creek elk herd is a small geographically isolated herd. Prairie herds were common prior to European expansion on the western plains. Today, elk herds occupying prairie habitats are unusual and are of local interest and importance. The public, conservation groups, and the State of Wyoming have all expressed their interest in maintaining a viable elk herd within the Fortification Creek area. While elk are the primary wildlife species of interest, other wildlife are present throughout the area including pronghorn antelope, mule deer, raptors, small mammals, game birds, waterfowl, amphibians, reptiles, and migratory birds.

*Note: The BLM explored several alternatives to the submitted CWP boundaries. Field investigation identified several existing roads within the western sub-unit (Appendix C). The constructed and mechanically maintained roads (Appendix C; Roads 1, 4, 5 and 7) remove 615 acres from the sub-unit due to the naturalness criteria. The resulting largest remaining block of roadless area based on these roads was 4,805 acres.*

**Summary of Analysis**

Unit Name and Number: Fortification Creek Citizen’s Wilderness Proposal- Southeastern Sub-Unit

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  N/A
- 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  N/A

Conclusion

Check One:

The area, or a portion of the area, has wilderness characteristics and is identified as Land with Wilderness Characteristics (LWC).

The area does not have wilderness characteristics.

Unit Name and Number: Fortification Creek Citizen’s Wilderness Proposal- Western Sub-Unit

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 characteristics and is identified as Land with Wilderness Characteristics (LWC).

The area does not have wilderness characteristics.

**Prepared by:**

Team Members:

Allison Barnes, BFO Outdoor Recreation Planner, 1/18/2011

Thomas Bills, BFO Planning and Environmental Coordinator, 1/18/2011

Jim Verplancke, BFO Natural Resources Specialist, 1/18/2011

George Soehn, HPDO Resource Advisor, 1/14/2011

(Names, Titles, Date)

**Approved by:**

\_\_\_\_\_

Field Manager

\_\_\_\_\_

Date

Kinney Divide Inventory Unit (WY-060-204B)  
Lands with Wilderness Characteristics Inventory

The Bureau of Land Management (BLM) Buffalo Field Office (BFO) is updating wilderness characteristics inventories as part of the Fortification Creek Resource Management Plan Amendment (RMPA) and the BFO RMP revision and in order to ensure compliance with Secretarial Order 3310 and BLM Manual 6301.

The BFO was inventoried in 1978 and 1979. Documentation remains for only three areas that received intensive inventories: Fortification Creek, Gardner Mountain, and North Fork. Based on BLM policy, Secretarial Order 3310 and minimal documentation from the original inventory process, the inventory process is being repeated for the entire planning area. An initial inventory using interdisciplinary knowledge of the field office, aerial photos and GIS data was conducted in January and February of 2011. Lands that clearly and obviously lack wilderness characteristics were identified and removed from further consideration. Remaining lands will undergo an intensive inventory during summer 2011.

According to Manual 6302, an intensive wilderness inventory is not required when wilderness characteristics, as defined by BLM Manual 6301, are clearly lacking. Lands that clearly lack wilderness characteristics are those that do not meet the size criterion of 5,000 acres or any of the size exceptions and/or do not meet the naturalness criterion because they have extensive surface disturbance.

The Kinney Divide Inventory Unit is located west of the terminus of Fortification Road, southwest of the Fortification Creek WSA and east of Lower Powder River Road. The inventory unit is within the Fortification Creek Planning Area where CBNG proposals have been deferred until the completion of the RMPA, accounting for the lack of CBNG development within the inventory unit compared to surrounding areas. The boundary of the contiguous block was drawn to account for existing wells (T 52 N R 77 W Sec 27 and 28) (WOGCC 2011), and mechanically maintained roads (T 51 N R 76 W Sec 7). The remaining parcel is approximately 5,200 acres and was recommended for further documentation of wilderness characteristics.

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?

No \_\_\_ Yes X (if more than one unit is within the area, list the names/numbers of those units.)

a) Inventory Source:

b) Inventory Unit Name(s)/Number(s):

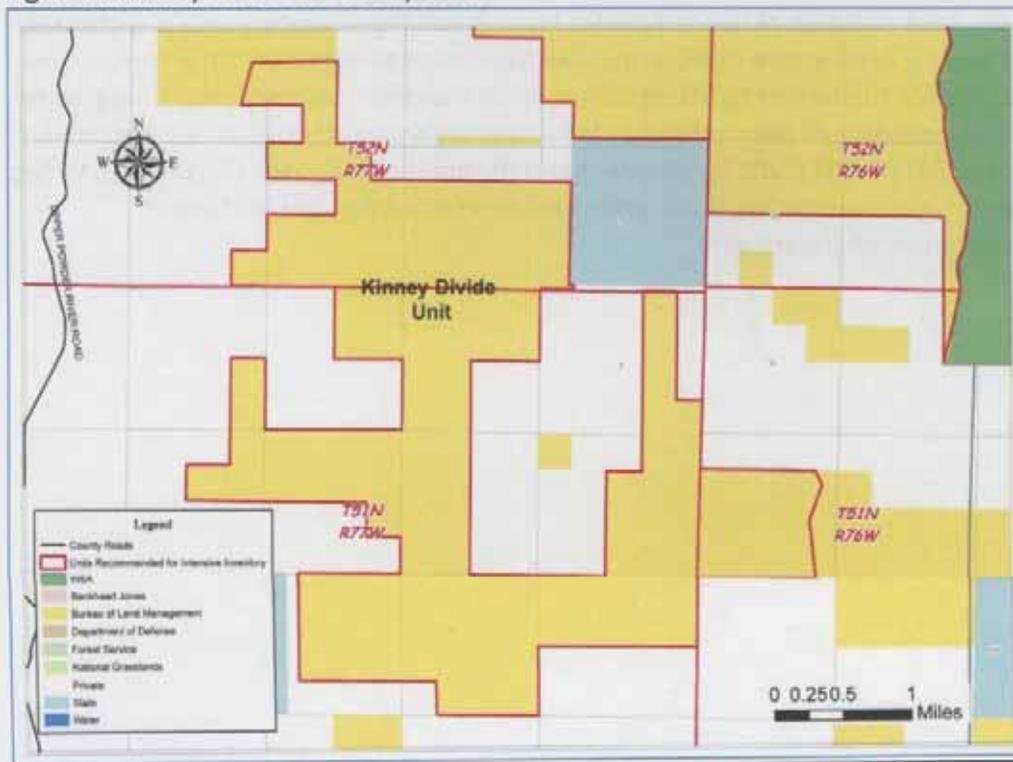
c) Map Name(s)/Number(s):

d) BLM District(s)/Field Office(s): High Plains District/Buffalo Field Office

2. BLM Inventory Findings on Record:

The BLM Buffalo Field Office conducted an inventory of wilderness characteristics in 1978 and 1979 in accordance with the requirements of Section 603(c) of the Federal Lands Policy and Management Act (FLPMA). The Kinney Divide area was not brought forward for intensive inventory.

Figure 1. Kinney Divide Inventory Unit.



**FORM 2**

**Current Conditions: Presence or Absence of Wilderness Characteristics**

a. Area Unique Identifier: Kinney Divide Inventory Unit    Acreage: 5,200 acres

(1) Is the area of sufficient size?

Yes X    No     

Description:

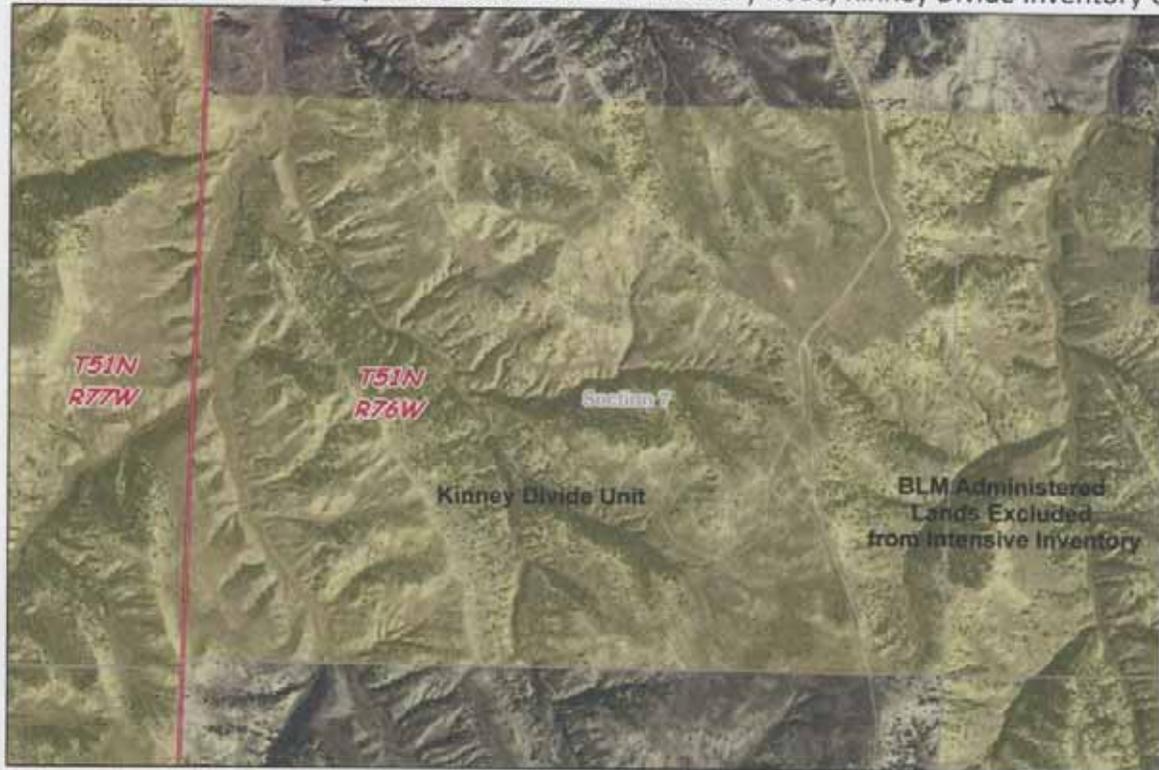
The Kinney Divide Inventory Unit consists of BLM administered surface lands in T 52 N R 77 W Sections 27, 28, 33, 34, 35, 36 and T 51 N R 77 W Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15 and T 51 N R 76 W Section 7. The inventory unit is located within Johnson County, Wyoming. The boundary of the contiguous block was drawn to account for existing wells (T 52 N R 77 W Sec 27 and 28) (WOGCC 2011) and mechanically maintained roads (T 51 N R 76 W Sec 7). Figures 2 and 3 include aerial imagery (NAIP, 2006) depicting the mechanically maintained roads forming the Kinney Divide Inventory Unit boundary. The remaining area is approximately 5,200 acres.

Two north-south routes are evident on aerial photos and USGS topographic maps (T 51N R 77W S 13 to T 52N R 77W S 35 and T 51N R 76W S 7). These routes have not received photo documentation for mechanical maintenance; however, the grazing lessee has confirmed that he regularly uses the roads for managing livestock (Personal Communication, Juaquin Michelena to Janelle Gonazles (3/07/2011)). Mr. Michelena also confirmed a stock water line buried alongside the road in T 51N R 77W S 13.

Figure 2. 2009 Aerial Imagery of the Northern Boundary Roads, Kinney Divide Inventory Unit.



Figure 3. 2009 Aerial Imagery of the Southeastern Boundary Road, Kinney Divide Inventory Unit.



(2) Does the area appear to be natural?

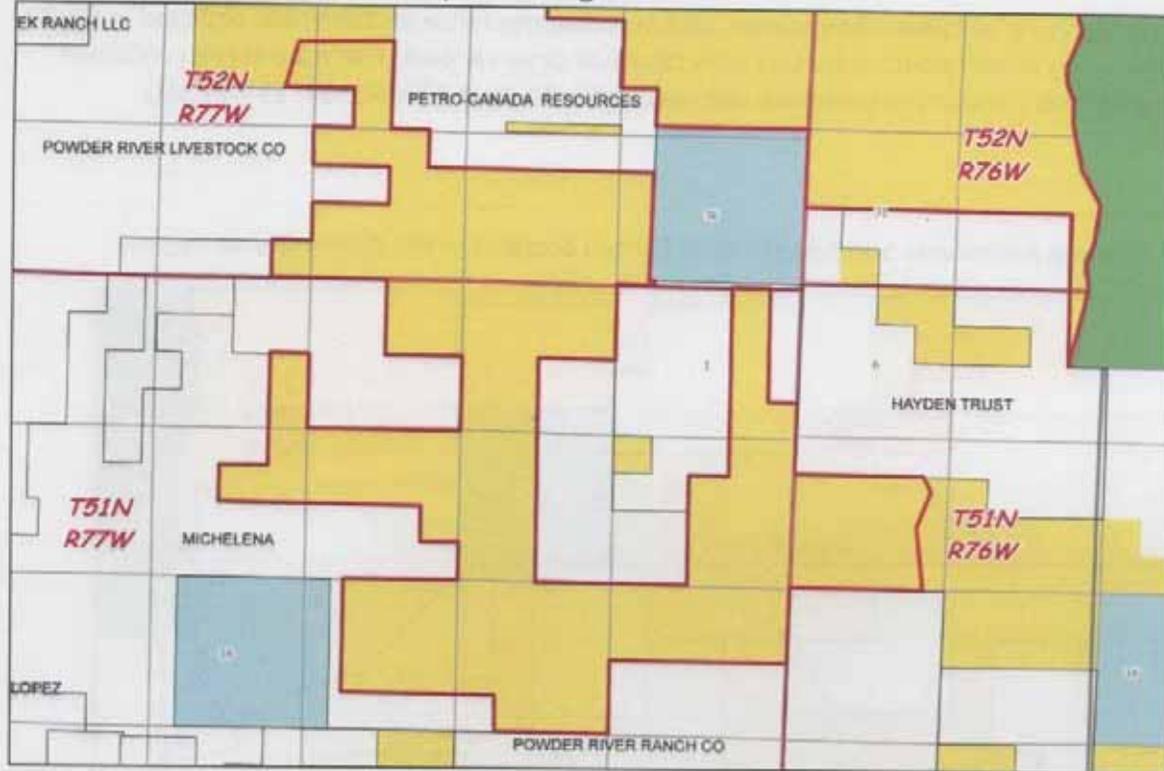
Yes  No  N/A

Elevations within the Kinney Divide Inventory Unit range from approximately 4,055 ft to 4,445 ft. Slopes exceed 25% in much of the area and can exceed 30%. Vegetation in the Kinney Divide area is characterized as a mosaic of vegetation types that includes mixed grasslands, shrublands, overflow draw bottoms, and juniper woodlands. Several tributaries of Fortification Creek run through the inventory unit.

The inventory unit is within elk crucial winter, parturition, and yearlong range. While elk are the primary wildlife species of interest, other wildlife are present including pronghorn, mule deer, raptors, small mammals, game birds, waterfowl, amphibians, reptiles, and migratory birds.

Adjacent landowners are Petro Canada Resources to the north, Powder River Livestock Company to the northwest, Juaquin Michelena to the southwest, the Hayden Trust to the east, and the Powder River Ranch Company to the south (Figure 4).

Figure 4. Land Tenure in the Kinney Divide Region.



The inventory unit is within the Mitchell Draw, Michelena, and Windmill Draw grazing allotments (Figure 5).

**Michelena Allotment (#12227)**

Lessee: Juaquin & Delores I. Michelena

- Authorization #4907364
- 82 Cattle 3/1-2/28 on 35% Public Forage for 344 AUMs
- 4 Horse 3/1-2/28 on 8% Public Forage for 4 AUMs
- 348 total AUMs
- 3 stock water reservoirs

**Mitchell Draw Allotment (#02429)**

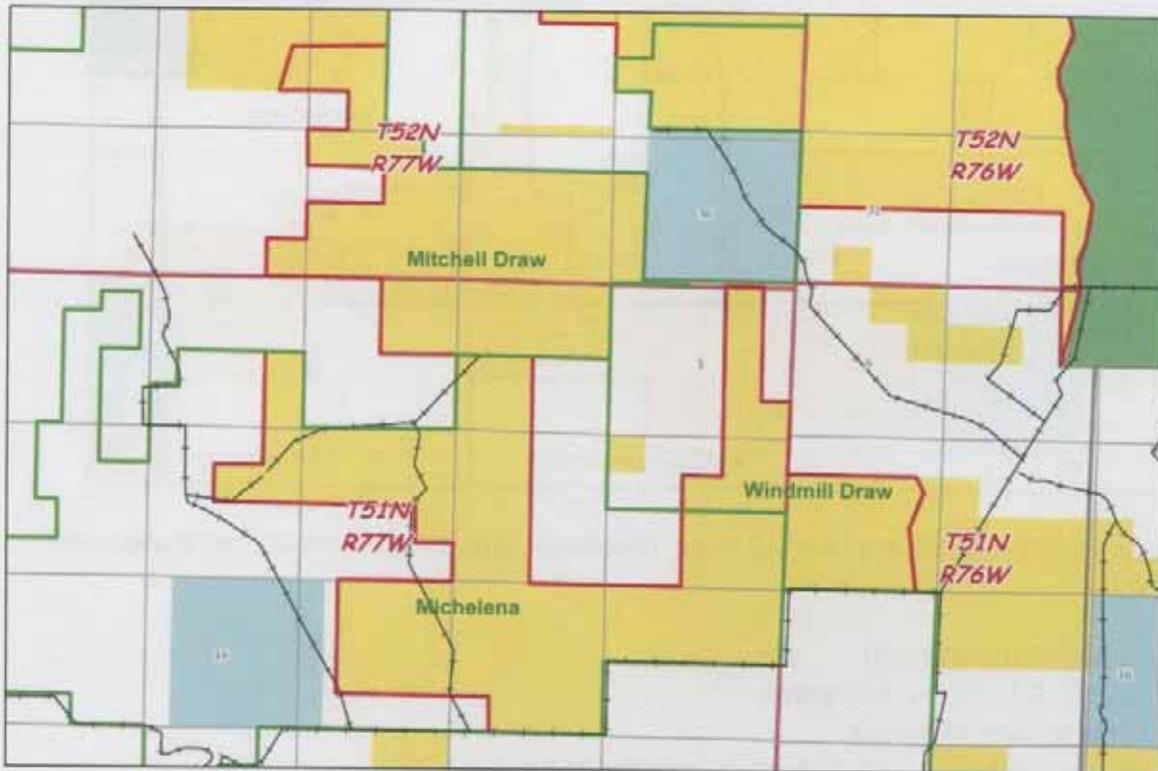
- Lessee: Flying T Land Co.
- Authorization #4907585
- 350 Cattle 3/1-5/30 on 40% Public Forage
- 419 AUMs

**Windmill Draw Allotment (#16508)**

- Lessee: Lora Amie Hayden Revocable Trust
- Authorization #4914472
- 245 Cattle 3/1-2/28 on 53% Public Forage
- 1558 AUMs total

Land tenure, grazing allotment boundaries, and approximate fence locations are depicted in Figure 5. Data depicting fence locations for this area have not been verified. There are three confirmed livestock reservoirs within the inventory unit, located in T 51N R 77W S 2, 14, 15 (WY SEO database).

Figure 5. Grazing Allotments and Approximate Fence Locations in the Kinney Divide Region.



One plugged and abandoned (P&A) well is located within the Inventory Unit, in T 51 N R 77 W S 11. Two additional P&A wells are located on adjacent lands, in T 51 N R 77 W S 2 and 12. Petro Canada submitted three federal APDs in 2008 (T 52 N R 77W S 27, 34); the APDs were not processed pending completion of the Fortification Creek RMPA. The WOGCC database includes an APD submitted by Yates Petroleum in 2010 (T 52N R77W S 35); the AFMSS database includes an additional APD submitted by Lance Oil and Gas in 2009 (T 52N R 77W S 35). These two APDs have also not been processed pending completion of the Fortification Creek RMPA. Many producing CBNG wells exist along constructed roads immediately west of the inventory unit.

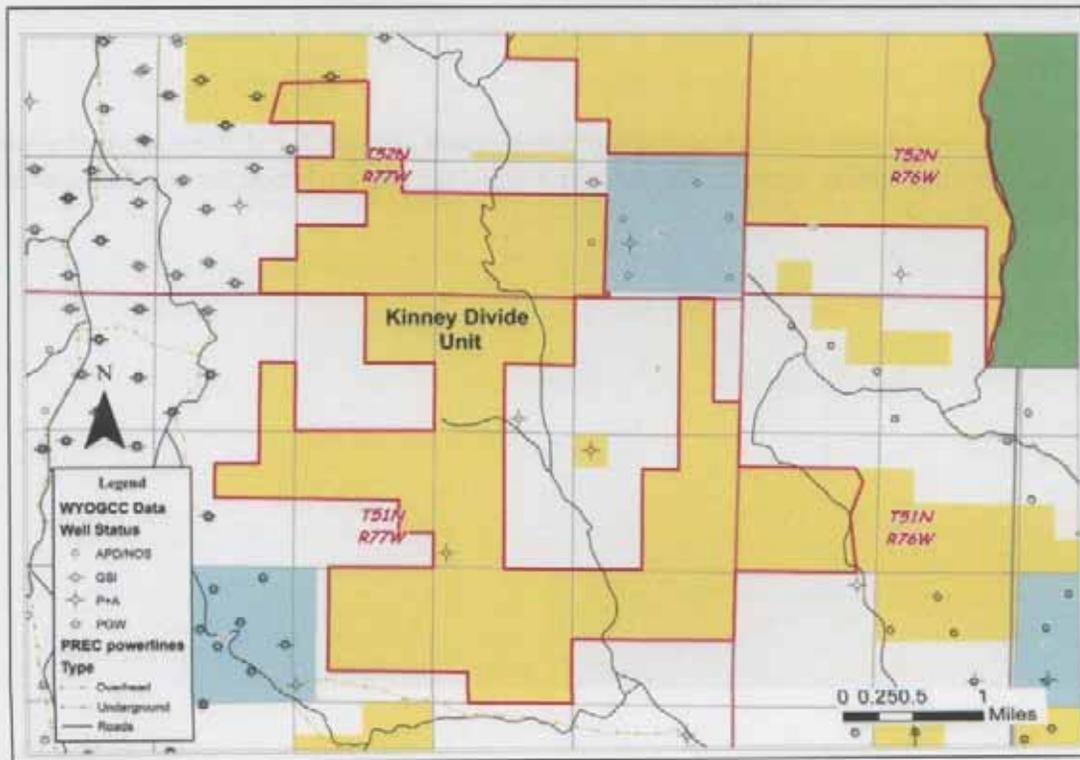
The Wyoming State Engineer Office (SEO) database includes five ground water well permits associated with proposed CBNG development within the Kinney Divide Inventory Unit. Black Diamond possesses one permit for a ground water monitoring well (T 51N R 77W S 2) and one permit in association with a CBNG well (T 51N R 77W S 9). Petro Canada holds three permits in

association with proposed CBNG wells, one in T 52N R 77W S 27 and two permits in T 52N R 77W S 34. Only the Black Diamond CBNG well has been verified as completed.

There are two rights-of-way on record for roads including WYW-161640 by Black Diamond Energy Inc. (T 51N R 77W S 9) and WYW-149530 by Yates Petroleum (T 51N R 76W S 7). The roads depicted in Figure 6 were mechanically constructed for oil and gas development. The Yates ROW is included in Figure 6 but the Black Diamond ROW is not. The Yates ROW is used to support their State land CBNG development in T 52N R 77W S 36. The Black Diamond ROW is not present on USGS topographic maps; it is present but not readily evident on aerial photography, the route has most likely not been mechanically maintained. The ROW was submitted and approved in 2005 in support of Black Diamond's proposed CBNG development. The CBNG proposal was returned pending completion of the Fortification Creek RMPA.

The road that bisects the inventory unit running along a north-south axis, T 51N R 77W S 13 to T 52N R 77W S 35, has been regularly used for livestock management and has recently been used for CBNG planning and staking. A stock water pipeline has been buried along the southern portion of this road. Overhead powerlines maintained by the Powder River Energy Company skirt the western and southern boundary, but do not intersect the inventory unit. Figure 6 illustrates development associated with energy production and transmission.

Figure 6. Existing Mineral Development and Energy Transmission in the Kinney Divide vicinity.



Aerial imagery shows many additional routes that have not been physically inventoried throughout the inventory unit (T 51N R 76W S 7; T 51N R 77W S 1, 2, 3, 9, 10, 11, 12, 13, 14, 15; T 52N R 77W S

34). Many of these routes may not meet the BLM Manual 6301 road definition but detract from the Inventory Unit's naturalness.

(3) Does the area (or the remainder of the area if a portion has been excluded due to unnaturalness and the remainder is of sufficient size) have outstanding opportunities for solitude?

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

Description:

(4) Does the area (or the remainder of the area if a portion has been excluded due to unnaturalness and the remainder is of sufficient size) have outstanding opportunities for primitive and unconfined recreation?

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

Description:

(5) Does the area have supplemental values (ecological, geological, or other features of scientific, educational, scenic or historical value)?

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

Description:

*Note: The constructed and mechanically maintained roads remove 1,761 acres from the inventory unit due to the naturalness criteria. The largest remaining block of roadless area based on these roads was 3,439 acres.*



Summary of Analysis

Inventory Unit Name and Number: Kinney Divide Inventory Unit

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  N/A
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  N/A

Conclusion

Check One:

The area, or a portion of the area, has wilderness characteristics and is identified as Land with Wilderness Characteristics (LWC).

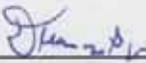
The area does not have wilderness characteristics.

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