



## INTERIOR BOARD OF INDIAN APPEALS

Drahomir Zboril, Scott Williams, Chuck Tidrington, Frank H. Riordan,  
Skagit County, Washington, and Evergreen Islands v. Acting Northwest Regional Director,  
Bureau of Indian Affairs

37 IBIA 91 (01/02/2002)



## United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
4015 WILSON BOULEVARD  
ARLINGTON, VA 22203

DRAHOMIR ZBORIL,	:	Order Vacating Decision
SCOTT WILLIAMS,	:	and Remanding Case
CHUCK TIDRINGTON,	:	
FRANK H. RIORDAN,	:	
SKAGIT COUNTY, WASHINGTON, and	:	Docket Nos. IBIA 01-169-A
EVERGREEN ISLANDS,	:	01-170-A
Appellants	:	01-171-A
	:	01-172-A
v.	:	01-175-A
	:	01-176-A
ACTING NORTHWEST REGIONAL	:	
DIRECTOR, BUREAU OF INDIAN	:	
AFFAIRS,	:	
Appellee	:	January 2, 2002

These are appeals from a July 12, 2001, decision of the Acting Northwest Regional Director, Bureau of Indian Affairs (Regional Director), to take 76.9 acres of land near Anacortes, Washington, into trust for the Samish Indian Nation.

All Appellants have filed opening briefs or statements of reasons.

The Regional Director has filed a motion for remand of this matter, and the Nation has filed a statement in support of the Regional Director's motion. The Nation states that there are factual errors in the Regional Director's decision and argues that the errors would be most efficiently addressed through an immediate remand rather than in the proceedings before the Board.

The presence of factual errors in the Regional Director's decision would almost certainly result in the eventual remand of this matter. Therefore, in the interest of efficiency, the Board will remand the matter at this time.

To further promote efficiency, the Board will require that the Regional Director review the filings made by the Appellants in these appeals before issuing a new decision. To the extent

feasible, the Regional Director shall address Appellants' concerns in his new decision—in particular, the concerns expressed by Skagit County. 1/ He shall send copies of his new decision to all Appellants.

If Appellants disagree with the Regional Director's new decision, they may again appeal to the Board.

Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Regional Director's July 12, 2001, decision is vacated, and this matter is remanded to him for further consideration in accordance with this order.

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Anita Vogt  
Administrative Judge

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Kathryn A. Lynn  
Chief Administrative Judge

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1/ Skagit County is the only Appellant with clear standing to challenge the Regional Director's decision.