

COMMITTEE FOR IDAHO'S HIGH DESERT

IBLA 82-1284

Decided February 11, 1985

Appeal from decision of Idaho State Director, Bureau of Land Management, denying protest of elimination of all or portions of eight units from further consideration as wilderness study areas. ID-16-48A, ID-16-48B, ID-16-48C, ID-16-56A, ID-16-70E, ID-17-19, ID-17-21, and ID-17-26.

Set aside and remanded in part.

1. Federal Land Policy and Management Act of 1976: Wilderness --
Wilderness Act

Where the record evidences BLM's firsthand knowledge of the lands within an inventory unit and contains comments from the public as to the area's fitness for wilderness preservation, BLM's subjective judgments of the unit's naturalness qualities and whether an inventory unit possesses outstanding opportunities for solitude or a primitive and unconfined type of recreation are entitled to considerable deference.

2. Federal Land Policy and Management Act of 1976: Wilderness --
Wilderness Act

In assessing the presence or absence of wilderness characteristics in an inventory unit, BLM necessarily makes subjective judgments which are entitled to considerable deference when challenged on appeal and such judgments may not be overcome simply by expressions of disagreement.

3. Federal Land Policy and Management Act of 1976: Wilderness --
Wilderness Act

A BLM decision to eliminate an inventory unit from further consideration as a wilderness study area, pursuant to sec. 603(a) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. § 1782(a) (1982), will be set aside and the case remanded to BLM where, on appeal, the appellant raises substantial questions concerning the adequacy of BLM's consideration of whether the unit has the requisite naturalness or outstanding opportunities for solitude or a primitive and unconfined type of recreation, and the record does not adequately support BLM's conclusions on these matters.

APPEARANCES: Bruce R. Bocard, Boise, Idaho, for the appellant; Allan D. Brock, Esq., Office of the Solicitor, Washington, D.C., for the Bureau of Land Management.

OPINION BY CHIEF ADMINISTRATIVE JUDGE HORTON

The Committee for Idaho's High Desert (CIHD) has appealed from a decision of the Idaho State Office, Bureau of Land Management (BLM), dated May 19, 1982, denying its protest of the elimination of all or portions of eight units of the public land in the Stateline area 1/ from further consideration as wilderness study areas (WSA's).

On December 17, 1981, the BLM State Office published its final intensive inventory decision in the Federal Register with respect to the designation of areas of the public land as WSA's. 46 FR 61514-15 (Dec. 17, 1981). On January 18, 1982, appellant filed a protest regarding the elimination of all or portions of various units from further consideration as WSA's. On May 19, 1982, the BLM State Office published its final decision with respect to the protest. 47 FR 22229 (May 21, 1982). This appeal from BLM's denial of appellant's protest was filed in June 1982.

The BLM State Office decision was made pursuant to section 603(a) of the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. § 1782(a) (1982), which provides, in relevant part, that: "[T]he Secretary shall review those roadless areas of five thousand acres or more and roadless islands of the public lands, identified during the inventory required by section 1711(a) of this title as having wilderness characteristics described in the Wilderness Act of September 3, 1964 [16 U.S.C. § 1131 (1982)]." 2/ From time to time thereafter, the Secretary is required to report his recommendation to the President as to the suitability or unsuitability of each such area or island for preservation as wilderness. Congress will make the final decision with respect to designating wilderness areas, after a recommendation by the President. 43 U.S.C. § 1782(b) (1982).

1/ The Stateline area consists of public land located along Idaho's border with Oregon, Nevada, and Utah.

2/ Section 2(c) of the Wilderness Act of 1964 reads as follows:

"A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value."

The wilderness review undertaken by the BLM State Office pursuant to section 603(a) of FLPMA has been divided into three phases by BLM: inventory, study, and reporting. The BLM State Office decision marks the end of the inventory phase of the review process and the beginning of the study phase. The inventory phase "was designed to determine and demarcate those areas of the public lands which were possessed of the wilderness criteria established by Congress." Union Oil Co. (On Reconsideration), 58 IBLA 166, 170 (1981). The inventory process was, itself, bifurcated into two separate phases: the initial inventory and the intensive inventory.

The initial inventory was designed to eliminate lands which "clearly and obviously" lacked wilderness characteristics. See Jerry D. Reynolds, 54 IBLA 300 (1981). This determination was to be made from existing and readily available information which would not normally include onsite examination of an area. Indeed, a key purpose behind the initial inventory was to obviate the need for onsite inspections of lands which were unarguably nonwilderness in character. As a corollary, however, where a realistic possibility existed that the land might possess the requisite wilderness characteristics, then the land was to undergo an intensive inventory which involved a detailed onsite inspection as an aid in determining whether or not the various wilderness criteria existed within specified units. Once BLM completes a detailed onsite analysis, it may only designate a unit or part thereof as a WSA where it has determined that the mandate of the statute has been met. Sierra Club, 61 IBLA 329, 333 (1982).

In this case, appellant contends that BLM's onsite analysis of eight units dropped from further consideration by BLM should have resulted in the units being designated WSA's. Appellant asserts that BLM violated its own guidelines in its conduct of the wilderness inventory as presented in the Wilderness Inventory Handbook (WIH) and various organic act directives (OAD's).

BLM maintains it properly analyzed each inventory unit and that its conclusions that the subject units fail to qualify for designation as WSA's are based on well-documented evaluations of the Stateline area. BLM urges the Board not to consider appellant's contentions that the Idaho BLM impermissibly modified WIH and OAD guidelines because this issue is being raised for the first time on appeal. In the alternative, BLM contends that appellant has not met its burden of proof to establish a prima facie case for modification or reversal of the decision being appealed.

[1] We have held on many occasions that where the record evidences BLM's firsthand knowledge of the lands within an inventory unit and contains comments from the public as to the area's fitness for wilderness preservation, BLM's subjective judgment of an area's naturalness qualities and its subjective determinations whether the area possesses outstanding opportunities for solitude or a primitive and unconfined type of recreation are entitled to considerable deference. John R. Swanson, 84 IBLA 127 (1984); National Public Lands Task Force, 66 IBLA 340 (1982); The Wilderness Society, 66 IBLA 287 (1982); Kennecott Corp., 66 IBLA 249 (1982); Ruskin Lines, 61 IBLA 193 (1982). Such judgments and determinations may not be overcome by expressions of simple disagreement. Mitchell Energy Corp., 68 IBLA 219 (1982); City of Colorado

Springs, 61 IBLA 124 (1982). The Board has pointed out, however, that considerable deference is not tantamount to complete deference. Union Oil Co. (On Reconsideration), supra.

[2, 3] One challenging a BLM decision of this type has a particularly heavy burden. In conducting the wilderness inventory, BLM has been guided by the WIH and various OAD's. The Sierra Club case, supra, involved a situation where guidelines were announced after a decision had been made. In such circumstances, a party challenging the decision cannot rely solely on a new interpretation to invalidate the decision. The party must show that if the new guidelines were followed, a different determination would result. The appellant in Sierra Club failed to make the necessary showing.

Subsequently, the Board made the following statement in Committee For Idaho's High Desert, 62 IBLA 319, 322 (1982), citing Sierra Club: "However, appellants' burden is not merely to show that BLM's procedures were faulty, but that its conclusions were wrong."

In Utah Wilderness Association, 72 IBLA 125, 128-29 (1983), the Board discussed the development of the burden of proof standard in wilderness cases and concluded,

The standard set forth in Sierra Club and in Idaho High Desert properly may be referred to as that which would require reversal of a BLM decision. Where an appellant establishes that BLM failed to follow its guidelines, and the appellant also affirmatively shows that such failure caused BLM to reach an incorrect conclusion, reversal of the BLM decision is required. [Emphasis in original.]

The Utah Wilderness decision then discussed another possibility:

Suppose an appellant establishes that BLM failed to follow its guidelines, or otherwise creates doubt concerning the adequacy of BLM's assessment, and the record does not adequately support BLM's conclusions. In such a situation, the BLM decision must be set aside and the case remanded for reassessment. See Sierra Club, Utah Chapter, [62 IBLA 263 (1982)]. We must point out that evidence of failure to follow guidelines alone is insufficient to require reassessment. An appellant must also point out how the errors affect the conclusions and show that a different determination might result from reassessment. [Emphasis in original.]

Utah Wilderness Association, supra at 129.

In accordance with established standards of review, the Board has evaluated the record in this case to determine whether BLM's final decision with respect to each of the eight units on appeal requires reversal or remand to the Bureau for reassessment. The Board is satisfied that BLM's decision as to seven of the eight units should be affirmed in toto, namely: Owyhee River Canyon (ID-16-48B); Little Owyhee River (ID-16-48C); Upper Little Owyhee River (ID-16-56A); Oregon Butte (ID-16-70E); Upper West Fork

Bruneau River (ID-17-19); Jarbidge Addition (ID-17-21); and Cottonwood Creek - Salmon Falls Creek (ID-17-26). The remaining unit, Lookout Butte (ID-16-48A), is remanded to BLM for reassessment.

The Board regards it unnecessary to specifically address the numerous disagreements appellant expresses with BLM's final decision on the seven units whose exclusion we uphold. As noted by BLM's answer brief, "CIHD's SOR [statement of reasons] on appeal concerning the individual units in the Stateline area is a verbatim reproduction of its protest to BLM's final decision. The concerns raised in [appellant's] protest were adequately answered in BLM's Protest Response."

For the units in question, BLM's final decision and the protest response show a thorough, well-reasoned analysis of why the Bureau excluded these lands as WSA's, taking into consideration the very objections raised before the Board on appeal. We find no evidence that BLM overlooked significant topographic, vegetative, or other features affecting the areas' naturalness or their opportunity for solitude or primitive, unconfined recreation. In essence, appellant merely disagrees with BLM's assessment of natural or man-made features. This is not sufficient to establish an error of either fact or law in wilderness inventories. John R. Swanson, 84 IBLA 127 (1984). As stated in Richard J. Leumont, 54 IBLA 242, 245, 88 I.D. 490, 491 (1981):

These [wilderness] evaluations are necessarily subjective and judgmental. BLM's efforts are guided by established procedures and criteria, and are conducted by teams of experienced personnel who are often specialists in their respective areas of inquiry. Their findings are subjected to higher-level review before they are approved and adopted. Considerable deference must be accorded the conclusions reached by such a process, notwithstanding that such conclusions might reach a result over which reasonable men could differ.

In consideration of the above, BLM's decision is affirmed as to all but the Lookout Butte inventory unit.

Lookout Butte (ID-16-48A)

This unit contains a total of 104,840 acres of BLM land with 65,640 acres in Oregon and 39,200 acres in Idaho. It is described at page 23 of the Stateline Intensive Wilderness Inventory Final Decision, November 20, 1981 (Final Decision), as follows:

The unit is a large sagebrush flat containing several playas and four low gently sloping buttes. Defeat Butte (5,710 ft.), Lookout Butte (5,640 Ft.), and an unnamed butte are in the center of the unit. Spring Butte (5,566 ft.) is in the northeast corner of the unit in Idaho. South of Lookout Butte is Lookout Lake, the largest playa in the unit, stretching over two miles long and a mile wide. In the southwest corner, Tent Creek forms a small canyon that dissipates and then reappears in a twisting configuration in the southeast corner. Spring Creek crosses the

center of the eastern boundary through a shallow draw. Midway along the west boundary, along the headwaters of Toppin Creek, a low rim extends east from Stoney Corral. Except for the buttes, none of the features are prominent. Vegetation is mainly sagebrush and native grasses.

BLM stated that the "inventory identified 22 reservoirs, approximately 66 miles of ways, and approximately 20 miles of bladed fenceline," and found that the unit fails to meet the naturalness criteria (Final Decision at 23, 27). According to BLM, "Due to the absence of any substantial screening, the high number of developments, and their distribution throughout the unit, the developments' cumulative impact in the unit is substantially noticeable" (Final Decision at 24). BLM also concluded that the unit lacked outstanding opportunities for solitude and primitive and unconfined recreation (Final Decision at 28).

The Board's principal concern with BLM's conclusions on the wilderness characteristics of this unit is that they are not supported by the record in this case, a charge leveled by appellant. The decision at the State Director level to eliminate Lookout Butte is contrary to the recommendations from the District Manager and Area Manager levels.

Review of the documentary record reveals the following. On January 9, 1980, the Area Manager in Idaho approved a report including a recommendation by two staff members that all of the unit but 4,800 acres in Idaho be designated as a wilderness study area (WSA). The report concluded that, except for 4,800 acres, the unit satisfied the naturalness and outstanding opportunities for solitude criteria. The report stated:

Randomly dispersed throughout the unit are 20 reservoirs and stock water ponds. Individually they are substantially unnoticeable due to their small size in relation to the large size of the unit. The excavated fills are only knee-high mounds, stabilized by sagebrush, which blend into the sagebrush flats. Since the reservoirs are spread so far from each other, their accumulative [sic] impact is also substantially unnoticeable.

Nearly all the reservoirs have access ways connecting them or going to them from the main road. A few had been improved at one time, but have seen little use and no maintenance since. The bladed central allotment fence is little used and not maintained. These ways are easily hidden by the knee-high sage, once again due to the flatness of the terrain. Since many of these routes have vegetation in the center equal in height to the sides, they are unobservable unless being viewed along their length or from above.

In the southeastern corner of the unit the number of ways and their close proximity to one another, plus a large reservoir in Tent Creek, causes a substantially noticeable accumulative [sic] impact. Because of the reservoir and the large number of ways throughout this area one cannot avoid noticing or coming into contact with them.

Solitude: There is virtually no vegetative screening throughout this unit. Nor is there any topographic screening except in an occasional draw. The unit is roughly triangle shaped and offers approximately a six-mile walk to the center. This shape and the large size offer outstanding opportunities for solitude primarily due to its vastness. Also, on the flat terrain optic distortion obliterates ground level objects at 2-3 miles during the spring and summer months, causing one to be hidden while out in the open. [Emphasis in original.]

(Report at 4-5).

The next report in the file contains no staff signatures, but was approved by the Area Manager (Oregon), and the Vale, Oregon, District Manager on January 22, 1980; the Boise, Idaho, District Manager on January 24, 1980; and the Idaho State Director on February 7, 1980. The change from the first report is represented on one page which states:

Naturalness: Intrusions within the unit include 22 reservoirs, approximately 66 miles of ways and approximately 20 miles of bladed fenceline. Due to the absence of any substantial screening and the high frequency of contact with these intrusions throughout the unit their cumulative impact is substantially noticeable.

Solitude: There is virtually no vegetative screening throughout this unit. Nor is there any topographic screening except in an occasional shallow draw. The unit is roughly triangle in shape. This shape and the large size offer some opportunities for solitude.

However, due to the absence of vegetative or topographic screening the opportunities are not outstanding.

Proposed Decision: Eliminate the unit from further wilderness review.

Rationale: The unit does not appear to be generally natural nor does it offer an outstanding opportunity for either solitude or recreation.

On September 5, 1980, the wilderness specialist, Boise, sent a memorandum, which was also signed by the Area Manager (Idaho), to the Boise District Manager. Therein, the wilderness specialist stated:

Naturalness:

The joint recommendation proposed by the Boise and Vale District determined that the unit was not natural because of 22 reservoirs, 66 miles of ways and 20 miles of bladed fenceline. These imprints were considered substantially noticeable because their distribution is such that a casual observer would have a

high frequency of contact with them. However, a review of adjacent lands within the proposed Louse Creek WSA shows that the concentration of the imprints of man in similar topography and vegetation far exceed that of unit OR-03-194 (16-48A), particularly in the Idaho portion of the unit. There is clearly a blatant inconsistency in the application of the naturalness criteria between these two units.

The imprints of man in the Idaho component of the unit (16-48-A) consist of 1) 6 miles of substantial ways and a reservoir in Tent Creek in the southernmost portion of the unit, 2) four miles of bladed fence and a rehabilitating bladed line marking the Idaho-Oregon border, and 3) nine miles of light ways and four reservoirs located in the northern portion of the unit. Because of their distribution and concentration, only the 6 miles of substantial ways and large reservoir occupying 4,800 acres in the southernmost portion of the unit are substantially noticeable to a casual observer, requiring that these affected acres be eliminated from further wilderness review. The remainder of the Idaho portion of the unit is natural in character.

Any re-evaluation of the remaining contiguous acreage of the unit is the responsibility [sic] of the Vale District.

Solitude:

The joint recommendation proposed by the Boise and Vale District concluded that the unit did not have outstanding opportunities for solitude because of a lack of topographic and vegetative screening.

This original recommendation did not adequately consider the relationship of unit size and topography to the screening ability of low vegetation. It is generally recognized that low vegetation can provide excellent screening on flat terrain [sic] if the area involved is large enough to provide sufficient distance for other visitors or external influences to blend or disappear into the landscape. This unit is extremely flat and extremely large (contiguous unit acreage over 100,000 acres). The bulk of this unit is over 10 miles wide. This distance is significantly more than is necessary for a reasonable number of visitor groups or limited external influences to blend or disappear into the landscape. Because of the flat character of this area, the low vegetation can blend even pick-up trucks into the landscape in one mile or less.

Not only does the low vegetation on this flat terrain provide excellent screening, it also provides a sense of remoteness, vastness or wide open space; adding to the sense of solitude in the unit.

Therefore, because of the large size of the unit, the excellent screening ability of low vegetation on such flat

terrain and the sense of vastness created by the unit, the opportunities for solitude are considered outstanding in the unit.

The District Manager was apparently persuaded by the wilderness specialist's rationale because on December 12, 1980, he directed a memorandum to the Vale District Manager, in which he recommended that all the acreage in Idaho, except 4,800 acres, be designated as a WSA. The memorandum included a detailed rationale for the recommendation.

By memorandum dated January 29, 1981, the Idaho State Director was informed of the recommendation, inter alia, that all but 4,800 acres of the Lookout Butte unit be designated a WSA. The attached report supporting the recommendation was signed by Oregon and Idaho wilderness staff people, Area Managers, and District Managers.

The Idaho State Director apparently ignored this recommendation and in the spring of 1981 issued a proposed decision, inter alia, eliminating the Lookout Butte unit from WSA consideration and inviting comment.

In an August 19, 1981 memorandum to the Idaho State Director the Boise District Manager, three Area Managers, and the Wilderness Coordinator analyzed those comments and concluded at page 17 of the memorandum: "After coordinating with the Vale District we also recommend that unit OR-3-194 (16-48A) [Lookout Butte] be identified as a WSA. Public comment clearly supports our previous proposed recommendation to identify this unit as a WSA. The unit is natural and has outstanding opportunities for solitude." The text of the memorandum contains the following relevant discussion:

We concur that the evaluation of naturalness should be based upon the frequency of occurrence within a unit rather than by the mere number of imprints. The impacts of a given number of imprints can greatly vary depending upon their dispersion in a unit and the size of a unit. We agree that the proposed decision for 16-48A is not consistent with decisions rendered on other units. This unit, particularly the Idaho portion, has a frequency of imprint occurrence equal to or less than that of units already identified as WSAs. If the plateaus of the proposed adjacent WSA OR-3-195 (16-48B) have been defined as natural, OR-3-194 (16-48A) must also be natural. The frequency of occurrence of imprints in OR-3-195 (16-48B) is notably [sic] greater than those of OR-3-194 (16-48A).

* * * * *

* * * The BLM established through public involvement in the preparation of the Wilderness Inventory Handbook the additional attributes that are necessary for outstanding solitude. These attributes include size, configuration, topographic and vegetative screening, and the ability of terrain features to allow visitors the opportunity to escape others who might be utilizing the same remote areas. In other words, in order for

a unit to have outstanding [sic] opportunity for solitude, its physical attributes must be able to maintain remoteness, seclusion or isolation in the presence of increasing amounts of use to a greater degree than other public lands.

Though we don't agree that remoteness means outstanding opportunities for solitude, we do concur that this unit has outstanding opportunities for solitude because of a combination of factors. As stated in our proposed recommendations, the unit has outstanding opportunities for solitude because of its large size, the excellent blending affect [sic] of low sagebrush on flat to rolling topography, and the excellent dispersion potential for visitor use as well as its remoteness.

(Memorandum at 6-7).

The Idaho State Director did not adopt the District recommendation and in November 1981 the final decision issued. Protests to the decision were filed, and on February 23, 1982, the Boise District Manager sent a memorandum to the Idaho State Director stating:

The Boise District has completed its review of the protest letters concerning the State Director's Stateline Intensive Wilderness Inventory Decision of November, 1981. The rationales presented for protesting individual Boise District WSAs are almost identical to those provided during the public comment period opposing the proposed decision. Therefore, our response to these protests is identical to our detailed final recommendations as presented in the memorandum of August 19, 1981.

* * * * *

As in the past District recommendation memorandums, our recommendation for ID-16-48A (OR-3-194) continues to be contrary to previous State Director decisions. We continue to assert that there is a blatant inconsistency in the application of the naturalness criteria between OR-3-195 (ID-16-48B) and OR-3-194 (ID-16-48A). The unit OR-3-194 is clearly as natural or more natural than the plateau of WSA OR-3-195 yet it has been dropped for naturalness. This view has also been shared by the Vale District in past recommendations. To maintain the integrity of our wilderness inventory, we feel it is imperative that the Idaho State Office deal with this inconsistency by re-evaluating these units. [Emphasis added.]

Subsequently, the Idaho, Oregon, and Nevada State Directors issued their decision denying appellant's protest.

The State Directors of Idaho and Oregon did not rely on the staff work that was part of the record or on the proposed recommendations offered by both the Idaho and Oregon staffs up through the District Managers. The conclusion reached on Lookout Butte was expressed in an April 1981 proposed

decision from which the final decision was taken word for word. As to naturalness, the State Directors recounted the impacts, and cited the bladed fence line, observing how "noticeable" it was. The record indicates, however, that the bladed central allotment fence is little used, is not maintained, and is unobservable unless being viewed along its length or from above. The State Director's conclusion that the cumulative impact of the intrusions in the unit is substantially noticeable is not supported by the record. Further, the record reflects that when analyzing the various factors of solitude, which according to the WIH include size, natural screening, and ability of the user to find a secluded spot, the Districts concluded that the Lookout Butte Unit offers outstanding opportunities for solitude because of the large size of the unit, the excellent screening ability of low vegetation on such expansive, flat terrain, and the sense of vastness created by the unit. In this unit, according to the record, visitors and external influences blend and disappear into the landscape. The final decision essentially determines there is no outstanding opportunity for solitude because of the low vegetation and flat terrain. Organic Act Directive (OAD) 78-61, Change 3 at page 3, states, "It is erroneous to assume that simply because a unit or portion of a unit is flat and/or unvegetated, it automatically lacks an outstanding opportunity for solitude." (Emphasis added.) The District recommendations in the record follow the guidance offered in the WIH and OAD's and include the large size of the unit, as well as other factors, in reaching their conclusions.

There is no explanation in the record of the reasons why the State Office refused to accept the District Office level recommendation on this unit. Such an explanation is required. In Utah Wilderness Association, 72 IBLA 125, 179 (1983), the Board explained the circumstances under which documentation of disagreements would be necessary. We stated:

Likewise, appellants have failed to establish that there was staff disagreement such as would require documentation in the record. Although the field notes of one of the BLM field teams to visit the area reflected that opportunities for solitude were outstanding, and the final staff recommendation differed from that, this is not the type of disagreement that is required to be documented by OAD 78-61, Change 3 at page 1. That guideline states: "In cases where staff, District Manager, and/or State Director recommendations do not agree, a narrative explanation of the changed recommendation must be included in the intensive inventory documentation file, in all summary narrative documents, and in any other information available to the public."

Thus, the documentation guideline is directed to differences in recommendations. The field notes in question represent conclusions based on observation by one BLM staff team. The final staff recommendation obviously represents a consensus opinion based on observations by a number of staff members. Personal disagreement among observers is to be expected; documentation of that disagreement was not required. However, if the District Manager had disagreed with the staff recommendation concerning this unit, OAD 78-61, Change 3 at page 1 would have been applicable. Under the circumstances reflected in the record, it did not apply in this situation. [Emphasis added.]

The circumstances in this case require explanation. The Board's deference to BLM's judgments in wilderness cases rests on the nature of the evaluations involved and the fact that such judgments are arrived at after careful examination by experienced personnel in accordance with established procedures. Richard J. Leumont, 54 IBLA 242, 245, 88 I.D. 490, 491 (1981).

Here, the Idaho Wilderness Coordinator and the Idaho and Oregon District Managers all agreed that this unit, except for 4,800 acres, should be designated a WSA. The State Directors obviously disagreed; however, the record does not contain the explanation required by OAD 78-61, Change 1.

Thus, appellants have established that BLM failed to follow its guidelines, and the record clearly does not adequately support BLM's conclusions. Accordingly, the decision as to this unit is set aside and the case remanded. See Utah Wilderness Association, supra at 129; Sierra Club, Utah Chapter, 62 IBLA 263 (1982). Failure to provide adequate justification for the determination to delete this unit should result in its designation as a WSA.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is set aside and the case remanded for appropriate action.

Wm. Philip Horton
Chief Administrative Judge

We concur:

Bruce R. Harris
Administrative Judge

Edward W. Stuebing
Administrative Judge

