

PROPOSED ORDER

The parties' Joint Motion to Request Amendment of Opinion and Remand is GRANTED.

The opinion of the Court in this case, *Oregon Natural Desert Association v. Bureau of Land Management*, 531 F.3d 1114 (9th Cir. 2008), is amended as follows. In light of this disposition, the appellees' Petition for Rehearing is denied as moot.

In the second paragraph of the opinion, 531 F.3d at 1116, replace the last sentence of that paragraph with the following:

“We reverse and remand to the district court for further proceedings.”

In Section II.B.5 of the Court's opinion, 531 F.3d at 1143, replace the last paragraph of that section with the following:

“BLM must address in some manner in its revised EIS whether, and to what extent, wilderness values are now present in the planning area outside of existing WSAs and, if so, how the Plan should treat land with such values. We prescribe no particular methodology for that consideration. The BLM must, however, do more than simply assert that it need not consider wilderness values because of the completion of the § 1782 process, as it did in the present EIS. We therefore remand to the district court.”

In Section III of the Court's opinion, 531 F.3d at 1145, replace the existing two paragraphs with the following single paragraph:

“The EIS violated NEPA in the ways we have stated. Having addressed the problems we have identified, the BLM may decide to make different choices. NEPA is not a paper exercise, and new analyses may point in new directions. As a result, although ONDA also raises concerns regarding alleged substantive and procedural flaws within the Plan, we do not reach those issues today. The problems it identifies may never arise once the BLM has had a chance to see the choices before it with fresh eyes.

REVERSED and REMANDED.”

IT IS SO ORDERED.