Step 1a - Pre-Application

- Right-of-Way (ROW) applicant is notified of other users and conflicting uses that should be considered in their application
- Discuss 2-year prior notification to cancel grazing permit/lease, in whole or in part

Step 1b - Variance Process

- The Authorized Officer (AO) informs grazing permittee/lessee of the project application and encourages communications between them and the ROW applicant
- Conduct site visit with ROW applicant and permittee/lessee and discuss alternatives to minimize impacts to grazing operations

Concurrent

Step 1c - Application

- Should disclose other users and conflicting uses with potential ROW
- The ROW applicant submits a proposed Plan of Development (POD) and Variance Factors Analysis Report (VFAR)

Step 2 - Pre-NEPA

- Encourage ROW applicant and permittee/lessee to consider agreement that addresses mitigation and compensation strategies
- Issue 2-year prior notification, with option to waive, is issued via certified mail to permittee/lessee
- POD development and revisions should address on-the-ground grazing mitigation

Step 2a - Agreement between parties not reached

Conduct appraisal of Range Improvements

Create Contributed Funds Account and notify ROW applicant of cost

Step 2b - Agreement between parties reached

File agreement with AO

Step 3 - NEPA

- Encourage permittee/lessee to participate in NEPA process
- Evaluate alternatives and impacts to livestock grazing including the grant/denial or the ROW, and cancellation/continuation of permit/lease

Step 4 - Issue FONSI/DEIS and Proposed Grazing Decision

- Issue proposed grazing decision via certified mail to affected permittee/lessee and courtesy copy the ROW applicant, any agents or lienholders of record, and interested parties for allotment defining the cancelation of the permit/lease, in whole or in part, and any mitigation and compensation in the event an agreement is not reached between the ROW applicant and the permittee/lessee
- Proposed grazing decision may be protested by any party within 15 days of receipt

Step 4a - Proposed Decision Protested

Step 4b - Absence of Protest

Step 5 – Issue EA/Decision Record or Final EIS/ROD

- If the proposed decision is protested, the AO will issue a final grazing decision concurrent with the EA/Decision Record or Final EIS/ROD
- If the proposed decision is not protested, the decision becomes final, without further notification, upon issuance of the EA/Decision Record or Final EIS/ROD
- Any appeals of the final decision will be addressed prior to the issuance of the ROW Grant (Step 6)

Step 6 - Issue ROW Grant

- If the AO receives a written waiver of the 2-year notification, it will be documented and filed in the lands and grazing casefiles
- If the AO **does not** receive a written waiver of the 2-year notification, and the NEPA analysis concludes that livestock grazing can be accommodated with the energy project development during the 2-year notification period
- If the AO **does not** receive a written waiver of the 2-year notification, and the NEPA analysis does not conclude that livestock grazing can be accommodated during the 2-year notification period, the AO may issue the ROW grant and any NTP **after the 2-year period has ended.**

Step 7 - Cancel or Issue Modified Grazing Permit/Lease

- If the permit/lease is not canceled in full, issue modified permit/lease with new terms and conditions
- Issue reimbursement for permittee/lessee interest in range improvements