**PRE-VARIANCE PROCESS (Steps A - D)**

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| **√** | **Steps/Tasks** | **General Time Frames** | **Helpful References** |
|  | 1. **Encourage optional Pre-Application Meeting.**

*(Not to be confused with the required preliminary application* ***review*** *meetings.)** Discuss areas of interest, application elements, known potential resource conflicts with sensitive resources and values, including special designations or protections, conflicting applications, run through initial screening steps, etc.
* Encourage the applicant to review Appendix A of the 2012 Western Solar Plan - Current and Proposed Bureau of Land Management Solar Energy Development Policies and Design Features.
* Distribute Attachment 2 – Variance Factors Analysis Report (VFAR) Table of Contents Template.
* Distribute Attachment 3 – Factors to be Considered Checklist.
* Distribute [Solar Plan of Development (POD) Outline](https://www.blm.gov/sites/blm.gov/files/Energy_solarenergyplanofdevelopment.pdf).
* Share website to the [BLM 2012 Western Solar Plan](https://solareis.anl.gov/documents/fpeis/index.cfm).
* Share website to the [BLM Land Use Plans](https://www.blm.gov/programs/planning-and-nepa/plans-in-development).
* Encourage a one package application submission to include: Application (Form SF-299), Application Filing Fee, Preliminary POD Draft VFAR, and shapefile data.
 |  | 43 CFR 2804.10(a) 43 CFR 2804.12(b)IM 2022-027Western Solar Plan, Volume 1, Section 2.2.2.3.1 (Page 2-44) and Appendix A[Preapplication Checklist](https://www.blm.gov/sites/blm.gov/files/Lands_ROW_Pre-Application_checklist.doc.pdf) |
|  | 1. **Receive SF-299 / Variance Application Package.**
* Evaluate for completeness using IM 2022-027.
* If necessary, use a Notice of Deficiency from IM 2022-027 to request any additional application elements such as the application filing fees, Variance Application Package, corporate documents, Preliminary POD, Draft VFAR, etc. *Delays in completing the variance application package may extend processing timeframes.*
 |  | 43 CFR 2803.1043 CFR 2804.12 43 CFR 2804.25IM 2022-027 |
|  | 1. **Establish L5101 Account.**
* Setup account according to the checklists found in IM-2022-027 for application filing fee.
* Make cost recovery processing determination, notify applicant, and establish cost recovery agreement as appropriate.
 | Deposit funds within 3 business days of receiving Application Filing Fee. | IM-2022-02743 CFR 2804.12(b)(4)43 CFR 2804.14(d) |
|  | 1. **Compile and share for VFAR inclusion.** The BLM will compile and share the following with the applicant once BLM has received shapefiles from the applicant, as appropriate:
* List of Rights-of-Way (ROW), Leases, or Permits.
	+ Applicants can also gather a list of ROWs, leases, or permits by accessing the [BLM LR2000 Reports](https://reports.blm.gov/reports.cfm?application=LR2000) website.
	+ BLM to use the list to send future adjacent ROW holder notification letters.
* List of Mining Claims.
	+ Applicants can also gather a list of Mining Claims by accessing the [Minerals and Lands Records System (MLRS) Reports](https://reports.blm.gov/reports/MLRS) website.
* List of Grazing Allotments.
	+ Share with the applicant the 2-year notification requirement.
	+ Applicants can also gather a list of Allotment information by accessing the [Rangeland Administration System](https://reports.blm.gov/reports/RAS/) website.
* List of Range Improvements.
	+ Share with the applicant the requirement to compensate for lost range improvements, as applicable.
* List of completed cultural inventories and other survey data (if available).
 | Within 30 calendar days of receiving shapefile. | Adjacent ROW Holder: 43 CFR 2807.14Mining Claims: 2802 Manual Section .1(2)2-Year Notification: 43 CFR 4110.4-2(b)Range Improvements: 43 CFR 4120.3-6 |

**VARIANCE PROCESS (Steps E - L)**

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| **√** | **Steps/Tasks** | **General Time Frames** | **Helpful References** |
|  | 1. **Receive Draft Variance Factors Analysis Report (VFAR).**
* Evaluate for completeness.
	+ As applicable, the Draft VFAR must cover the primary components provided in the Table of Contents and Factors to be Considered template.
	+ The Draft VFAR should have placeholders for forthcoming information (i.e., application review meetings and public outreach).
 | Within 14 calendar days from receiving VFAR. | IM 2022-027 |
|  | 1. **Assemble Interdisciplinary Team (IDT) and IDT Review of Draft VFAR.**
* IDT to pay particular attention to the Factors to be Considered portion of the VFAR.
	+ Remind IDT this is not a NEPA document review.
 | Allow 14 calendar days for IDT review.  |  |
|  | 1. **Schedule Preliminary Application Review Meetings.**
* Meetings to take place within six months from the time BLM receives the Application Filing Fee. The Authorized Officer retains discretion to determine the structure and attendance of these meetings.
	+ The BLM (w/IDT) and applicant.
	+ Federal and State agencies and local governments.
	+ Sovereign Tribal Nations.
	+ Public outreach.
	+ Any additional meeting as determined appropriate.
 | Within 45 calendar days from receiving VFAR. | 43 CFR 2804.12(b)(4)Western Solar Plan ROD Section B.5.4 |
|  | 1. **Host required Preliminary Application Review Meetings.**
* Create a communication strategy to provide attendees with adequate notice and necessary information (i.e., ePlanning, Social Media, etc.).
* Provide at least 30 calendar days to allow submission of written comments after each meeting.
 | Within 180-calendar days (6 months) from receiving the Application Filing Fee. | 43 CFR 2804.12(b)(4)Western Solar Plan, Volume 1, Section 2.2.2.3.1 (Page 2-44 & 2-53) |
|  | 1. **Review Prioritization Criteria (as applicable).**
* After the meeting have been concluded, the Authorized Officer may reprioritize the project based on information received to date.
 |  | IM 2022-027 |
|  | 1. **Host VFAR Meeting with Applicant.**
* The BLM and applicant meet to discuss essential feedback from the meetings to be incorporated into the Final VFAR.
* Discuss potential updates to POD and development schedule.
 | Within 45 calendar days after IDT and Preliminary Application Review Meetings.  |  |
|  | 1. **Applicant prepares Final VFAR.**
* Applicant to revise VFAR based on feedback received from IDT Preliminary Application Review Meetings and Public Outreach.
* The applicant may wish to provide updates or changes to the POD and development schedule, as well.
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|  | 1. **Variance Process Determination.**
* State Director and local Authorized Officer to decide if the variance package is either:
	+ Favorable – Proceed to Steps M-N.
	+ Unfavorable – Proceed to Step O.
 | Determination within 30 calendar days of receiving Final VFAR. | 43 CFR 2804.26IM 2022-027Western Solar Plan, Volume 1, Section 2.2.2.3.2 (Page 2-55) |

**FAVORABLE VARIANCE PACKAGE (Steps M -N)**

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| **√** | **Steps/Tasks** | **General Time Frames** | **Helpful References** |
|  | 1. **Prepare Variance Package.**
* Favorable determinations will include the following for the Variance Package:
	+ Briefing and Information Memorandum (Attachment 4).
	+ Concurrence Memorandum (Attachment 5).
	+ VFAR (Attachment 2 with information from Attachment 3).
	+ Project Map(s) with the site layout.
	+ Project Vicinity Map(s).
 | Within 30 calendar days from favorable determination. |  |
|  | 1. **Submit Final Variance Package.**
* Upload Variance Package in the Data Tracking System (DTS) for local routing/surnaming before submitting to BLM Headquarters Renewable Energy Coordination Office (HQ-330).
* State Director surnames and submits Variance Package using DTS to the BLM HQ-330 to begin the routing process for Director’s concurrence.
* Documents must be uploaded in Word format, except for maps.
 | Allow 30 calendar days for routing. |  |

**UNFAVORABLE VARIANCE PACKAGE (Step O)**

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| **√** | **Steps/Tasks** | **General Time Frames** | **Helpful References** |
|  | 1. **Resolve Deficiencies or Deny Application.**
* Unfavorable determinations by the State Director to include the following options:
	+ State Director and local Authorized Officer to work with the applicant to resolve deficiencies or issue a denial decision with rationale.
 | Within 15 calendar days from unfavorable determination. |  |