

# Right-Of-Way Permitting Process

Pre-Application Meetings

File Application (SF-299) and initial Plan of Development (POD)

BLM Reviews Application for Completeness

## INCOMPLETE

1. Application not accepted pending required information.
2. Application denied if information not submitted.
3. Final Decision appealable to Interior Board of Land Appeals (IBLA) \*

## COMPLETE

1. Accept Application & Determine Cost Recovery/Processing Fee
2. Determine Necessary Supplemental Information.
3. Initiate Environmental Review (NEPA)
4. Complete NEPA - Issue NEPA Decision
5. Denials Appealable to IBLA\*

## APPROVE GRANT AND POD

1. Determine Cost Recovery (grant monitoring fees)
2. If Applicable – Determine Bonds, Rent, Issue Notice to Proceed (NTP).
2. Monitor Grant Construction and Reclamation

\*When the BLM issues a final decision on a right-of-way application, it may be appealed by any party adversely affected by the final decision. The appeal and request for a stay, if filed, is reviewed by the Interior Board of Land Appeals (IBLA), in the Office of Hearings and Appeals (OHA); an independent branch of the Department of the Interior. For more information on Appeals see: <http://www.doi.gov/oha/ibla/Procedural-Regulations-for-Cases.cfm>  
For Rights of Way information see: [http://www.blm.gov/wo/st/en/prog/energy/cost\\_recovery\\_regulations.html](http://www.blm.gov/wo/st/en/prog/energy/cost_recovery_regulations.html)