



## Permitting Process Overview

To construct the Northern Integrated Supply Project, Northern Water must obtain local, state, and federal permits, which manage and regulate the aspects of the project not included in Larimer County's IGA. This section provides an overview of those permits and the associated permitting process occurring in concert with the development of the Larimer County IGA.

The primary decision on whether NISP will be permitted will come from the U.S. Army Corps of Engineers (USACE). The Clean Water Act Section 404 permit and associated regulations administered by the USACE provides overarching guidance for the development of the project. As the lead permit, it provides a framework for the project and establishes the timing and extent of the project's other permitting efforts.

Project alternatives are developed, and the impacts and benefits of those alternatives are evaluated through the developed of an environmental impact statement, which the public has the opportunity to review and provide input on. Based on the results from those assessments, the Corps will issue a permit for the alternative which has the least environmental impact. Here are the major steps in that process:

- **Letter of Intent (2004):** This provided official notification of the proposed construction of the Northern Integrated Supply Project. Northern Water met with the USACE and an independent third-party consultant was selected to prepare the environmental impact statement under the direction of the USACE.
- **Alternatives Development and Screening (2004-2008):** A comprehensive list of alternatives meeting the project's goals were prepared. These alternatives were rigorously evaluated and screened through scientific environmental, engineering, and economic studies. These studies were used to evaluate the affected environment, environmental consequences, and avoidance, minimization, and mitigation measures associated with the alternatives. Here's a representative list of the topics studied.

Environmental Impact Statement Topics		
Surface Water Quality	Wildlife Impacts	Land Use
Stream Morphology and Sediment Transport	Special Status Species Impacts	Visual Resources and Aesthetics
Groundwater Impacts	Aquatic Biological Resources	Cultural and Historical Resources
Geology	Traffic and Transportation	Paleontological Resources
Soils	Air Quality	Socioeconomic Resources
Vegetation	Noise	Hazardous Material
Wetlands and Riparian Resources	Recreation	Energy Use

- **Draft Environmental Impact Statement (2008):** A draft environmental impact statement was prepared and was made available to the public for review and input. Public hearings were also held to get input on the project.
- **Supplemental Draft Environmental Impact Statement (2015):** The USACE updated the environmental impact statement and associated alternatives to incorporate public input. They released the updated document to the public for review and input in 2015. Public hearings were also held to get input on the project.
- **Final Environmental Impact Statement (2018):** The USACE updated the environmental impact statement and associated alternatives to incorporate public input. They released the updated document to the public for review and input in 2018.
- **Record of Decision:** After input on the final environmental impact statement is addressed, the USACE will issue a Record of Decision identifying the alternative with the least environmental impact and discussing all factors used in reaching that decision.

Larimer County is a cooperating agency to the USACE in the development of the project’s environmental impact statement and has had an opportunity to review and provide input on the development of the environmental impact statement and alternatives assessments in that role.

The project also requires several other permits from other federal agencies and the State of Colorado, which also regulate aspects of the project not included in the Larimer County IGA. These permits include:

- **Endangered Special Act Consultation:** The U.S. Fish and Wildlife Service evaluates the project’s impacts to threatened or endangered species through the development of a Biologic Opinion.

- **401 Water Quality Certification:** The Colorado Department of Health and Environment analyzes the project impacts to water quality and has authority to develop permit conditions to provide mitigation for adverse impacts. This process includes a period for public review and input on water quality effects.
- **Fish and Wildlife Mitigation and Enhancement Plan:** The Colorado Parks and Wildlife Commission, Colorado Water Conservation Board, and the Governor reviewed project impacts to fish and wildlife and required mitigation and enhancement measures for those impacts as reviewed and approved in this plan. This process included an open house and multiple public hearings to solicit public input on the plan.
- **Permit for Dam Construction:** The Colorado Division of Water Resources reviews and approves the engineering evaluations and designs for reservoir and dam construction.
- **Other Construction Permits:** Permits for stormwater management, air quality management, historic preservation, protection of migratory birds and eagles, groundwater discharges, local road, development, and construction permits, and other construction topics will be acquired, as needed, as the project progresses.