

# Introduction to 122.2 FWMPs

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**COLORADO**  
Parks and Wildlife  
Department of Natural Resources

# WATER PROJECT PERMITTING

Federal	State	Local
<p><b>Example permitting agencies:</b></p> <ul style="list-style-type: none"> <li>Army Corps of Engineers</li> <li>Bureau of Reclamation</li> <li>Bureau of Land Management</li> <li>Forest Service</li> <li>National Parks Service</li> <li>Federal Energy Regulatory Commission</li> </ul> <p><b>All federal permitting actions require a NEPA analysis</b></p>	<ul style="list-style-type: none"> <li>CO Dept. of Public Health and Environment                             <ul style="list-style-type: none"> <li>➤ 401 Certification for Clean Water Act 404 Permit and/or FERC license</li> </ul> </li> <li><b>CO Dept. of Natural Resources (CPW and CWCB)</b> <ul style="list-style-type: none"> <li>➤ Fish and Wildlife Mitigation Plan</li> </ul> </li> <li>Office of Archaeology and Historic Preservation                             <ul style="list-style-type: none"> <li>➤ Sec 106 compliance of National Historic Preservation Act</li> </ul> </li> </ul>	<p>Counties and municipalities</p> <ul style="list-style-type: none"> <li>➤ 1041 permits</li> </ul>

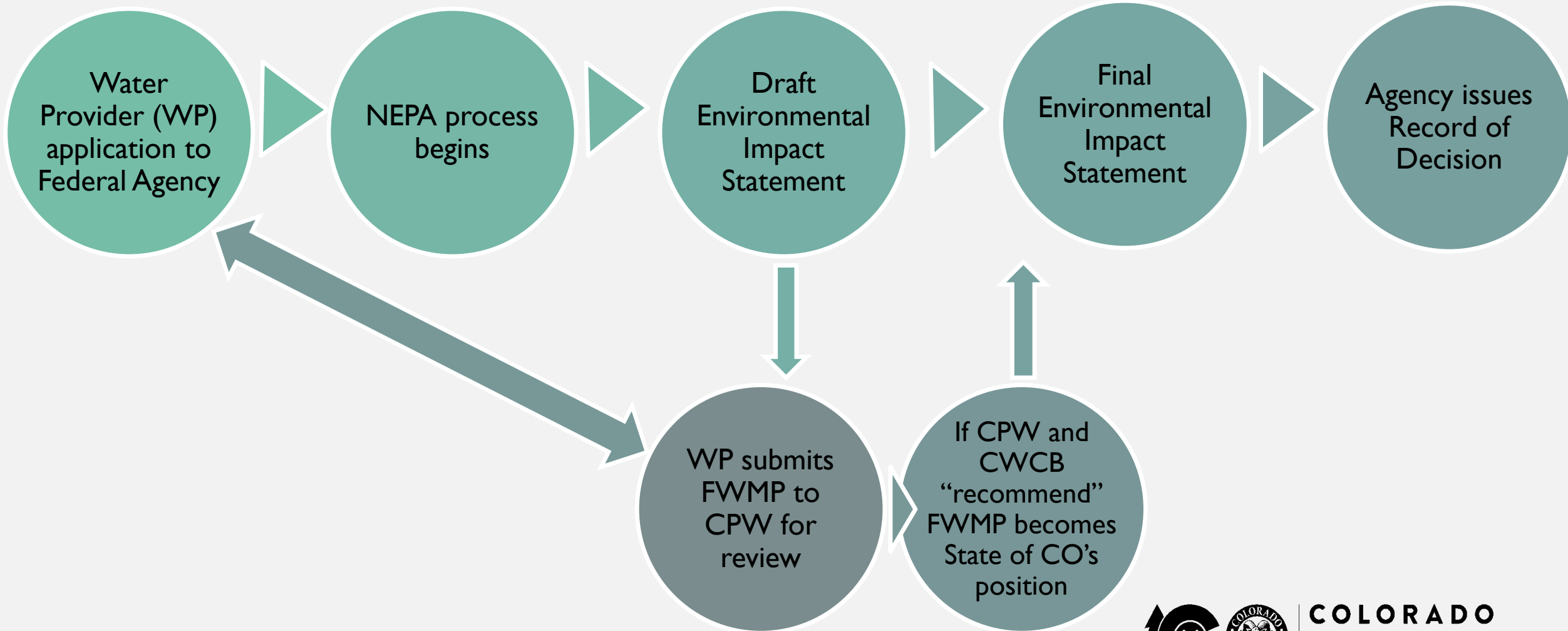


# FISH AND WILDLIFE MITIGATION PLANS

- Required by state statute (37-60-122.2, C.R.S.) only for water projects that are going through a NEPA process.
- Fish and Wildlife Mitigation Plans (FWMPs) detail how those impacts to fish and wildlife resources created by a water project will be mitigated by the project proponent.
- Serve as the State of Colorado's position on the mitigation of fish and wildlife resources related to impacts of water projects.
- *FWMPs are not permits.*



# FWMP PROCESS WITHIN NEPA PROCESS



# FWMP IMPLEMENTATION

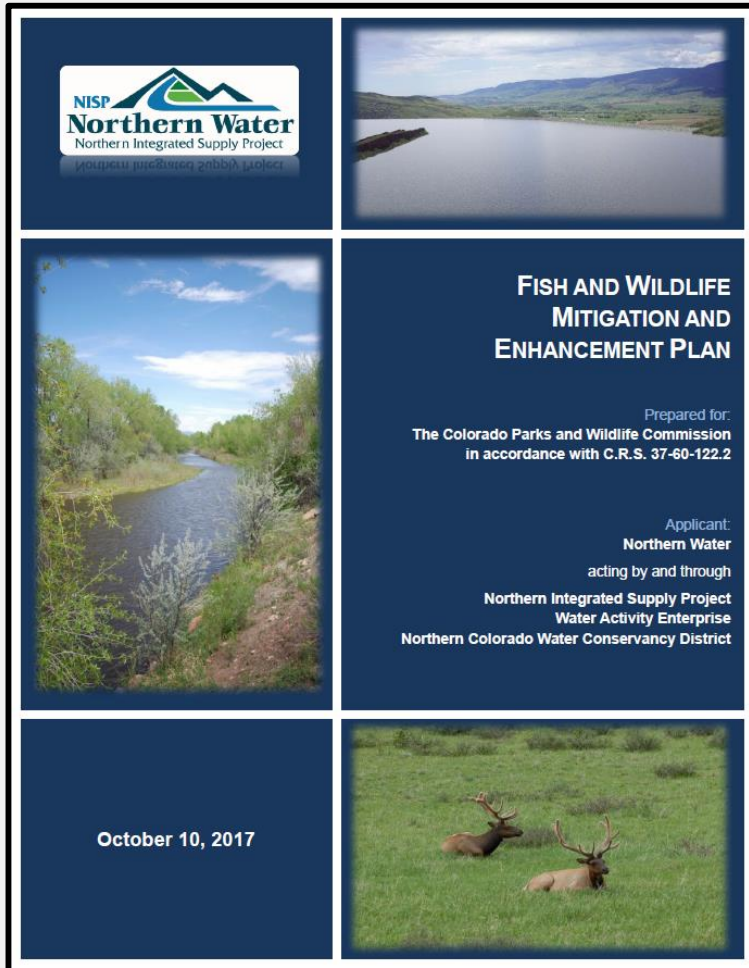


- Federal agencies are encouraged to consider the FWMP in their permitting processes.
- Often, some or all of the concepts developed in the FWMP are implemented by the federal permitting agency.
- FWMPs can be implemented through individual agreements between the Project Proponent and the Colorado Department of Natural Resources.



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# NISP FWMEP



- NISP FWMEP includes mitigation and enhancement measures
- Fall 2017: CPW Commission and CWCB Board recommended NISP FWMEP to be the state's position on the mitigation of fish and wildlife resources. Governor sent FWMEP was sent to federal permitting agencies.
- 2018: FWMEP implemented through IGA between DNR and NISPWAE.
- 2019-2020: State and Northern Water developing Adaptive Management Program.

