The Permitting Process for Christo and Jeanne-Claude’s Over The River Project (A Long Run, With Many Rapids)

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What is the Over The River Project?
The Artists plan to suspend 5.9 miles of silvery, luminous fabric panels high above the Arkansas River.
Where is the Over The River Project?

42 miles of river between Cañon City and Salida, CO
Who owns/manages the land under the Over The River Project?
What are the project phases?

Construction Staging
• Approximately 6 months

Installation
• Approximately 2 ½ years

Exhibition
• Two weeks

Removal
• Approximately 3 months following Exhibition
How the Cats Got Herded

a. Permitting “umbrella:” cooperating agencies in the Environmental Impact Statement process under the National Environmental Policy Act and 40 CFR 1501.6

b. Public outreach by artists: approximately 100 public meetings, open houses, town hall events
Federal Permitting and Approvals

Federal Land Policy and Management Act
- Section 302, Land Use Authorization
- Section 202, Resource Management Plan Conformance

Endangered Species Act
- Section 7 Consultation

National Historic Preservation Act
- Consultation with ACHP and SHPO
Federal Permitting Status

a. Permit issued
b. Litigation upheld
   • Interior Board of Land Appeals in Rocky Smith et al., IBLA No. 2012-46
   • Federal district court in Rags Over The Arkansas River, Inc. v. BLM, C.A. 12-cv-00265-WJM (Jan. 2, 2015)
State Authorizations

1. **Colorado Division of Parks and Wildlife**
   - Memorandum of Agreement executed July 2011; upheld by Denver District Court in *ROAR v. Colorado*, appeal pending.

2. **Colorado State Land Board**
   - Lease executed

3. **Colorado DOT**

4. **Colorado State Patrol**

5. **Colorado Dept. of Public Health and Environment**
   - Air Quality
   - Stormwater
   - SPCC

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Local Permitting

Fremont County Temporary Use Permit
• Status: permit issued

Chaffee County Temporary Use Permit
• Status: pre-application conference held; County cooperating agency in NEPA process; final permit pending
Union Pacific Railroad Access

- Status: Right of Entry agreement in place

Various leases (visitors’ centers, etc.)

- Status: in place
Questions?

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