



DRAFT ENVIRONMENTAL ASSESSMENT

January 2025

**Water Quality Division
Montana Department of Environmental Quality**

PROJECT/SITE NAME: Spanish Peaks Mountain Club Reclaimed Water Snowmaking	
APPLICANT/COMPANY NAME: <u>CH SP Acquisition LLC, d/b/a Spanish Peaks Mountain Club</u> (<u>"Spanish Peaks"</u>)	
PROPOSED PERMIT/LICENSE NUMBER: <u>MT0032174</u>	
LOCATION: Section 32 Township 6S Range 3E and Sections 4 and 5 Township 7S Range 3E	COUNTY: <u>Madison and Gallatin</u>
PROPERTY OWNERSHIP: _____ FEDERAL _____ STATE _____ PRIVATE <u>_X_</u>	

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1. PURPOSE AND NEED FOR PROPOSED ACTION

1.1 AUTHORIZING ACTION

Under the Montana Environmental Policy Act (MEPA), Montana agencies are required to prepare an environmental assessment (EA) for state actions that may have an impact on the human environment. The Proposed Action is considered to be a state action that may have an impact on the human environment and, therefore, the Department of Environmental Quality (DEQ) must prepare an EA. This EA will examine the proposed action and alternatives to the proposed action and disclose potential impacts that may result from the proposed and alternative actions. DEQ will determine the need for additional environmental review based on consideration of the criteria set forth in Administrative Rules of Montana (ARM) 17.4.608.

1.2 DESCRIPTION OF DEQ REGULATORY OVERSIGHT

DEQ implements the Water Quality Act of Montana, issuing discharge permits in conformance with the federal Clean Water Act under the Montana Pollutant Discharge Elimination System (MPDES) pursuant to Section 75-5-101, *et. seq.*, Montana Code Annotated (MCA), and the Administrative Rules of Montana (ARM) Title 17, Chapter 30, Sub-chapters 2, 5, 6, 7, 12, and 13.

DEQ's Engineering Bureau implements the Public Water Supplies, Distribution, and Treatment Act, 75-6, MCA. This statute and the associated Administrative Rules require DEQ review and approval of proposed modifications to public water and wastewater systems. The purpose of DEQ's review of reclaimed wastewater systems is to ensure compliance with DEQ rules and design standards, pursuant to Section 75-6-101, *et. seq.*, MCA and ARM Title 17, Chapter 38, Sub-chapter 1.

1.3 PROPOSED ACTION

Spanish Peaks has applied for an MPDES permit to construct and operate a snowmaking system using reclaimed wastewater at the Spanish Peaks Mountain Club. The proposed action would be located on private land, near Big Sky, Montana. All information included in this EA is derived from the permit application, submitted design report and plans and specifications, discussions with the applicant, analysis of aerial photography, topographic maps, and other research tools.

Please refer to the permit Fact Sheet (MT DEQ, 2025) for additional information.

Table 1: Summary of Proposed Action

Proposed Action	
General Overview	The proposed action is to issue an MPDES permit for potential discharge of runoff from artificial snow to state waters in Section 32, Township 6S, Range 3E and Sections 4 and 5, Township 7S, Range 3E near Big Sky, Montana. See Part 1 of the permit Fact Sheet (MT DEQ, 2025).
Duration & Hours of Operation	Construction: Verification that the existing piping complies with DEQ design standards and any construction activities will be confined to typical business hours (e.g. 7:00 AM to 6:00 PM Monday through Friday). Operation: Snowmaking would occur intermittently, depending on weather.

	The planned schedule for snowmaking is an annual application to create an artificial snow base on certain ski runs. Snowmaking is expected to occur from the beginning of November until the middle of January and be restricted to times when the public is not present. Potential discharge to State waters would occur in spring when the artificial snow melts and runs off with the natural snowpack.
Estimated Disturbance	Total snowmaking area is approximately 85 acres. Disturbance would be limited to construction of additional infrastructure (piping) and would only occur over a period of a few weeks. Verification that the existing piping complies with DEQ design standards and construction activities are expected to be limited to an approximately 16-foot-wide path along the approximate 16,200 linear feet length of the piping network.
Construction Equipment	Limited amount of construction equipment used during construction of wastewater conveyance infrastructure. Equipment is expected to be limited to an excavator and associated service vehicles.
Personnel Onsite	Construction: Personnel onsite during the investigation and construction phase would be limited to only those necessary to operate equipment and is expected to be not more than 15. Operation: Up to 15 staff to operate reclaimed water conveyance system, snowmaking guns, and to collect discharge samples.
Location and Analysis Area	Location: The MPDES permit issuance is for protection of beneficial uses in the two immediate receiving streams. Protection of the immediate receiving streams would also protect downstream beneficial uses. See Part 2 of the Fact Sheet (MT DEQ, 2025). The location of any pipeline verification or associated construction is generally along the alignment of the existing and proposed pipeline locations within the project area shown in Figure 1. Analysis Area: The area being analyzed as part of this environmental review includes the immediate project area (Figure 1), as well as neighboring lands surrounding the analysis area, as reasonably appropriate for the impacts being considered.
The applicant is required to comply with all applicable local, county, state, and federal requirements pertaining to the following resource areas.	
Air Quality	No air quality regulations apply for issuance of the MPDES permit. The inspection and construction associated with the pipeline may result in short-term, temporary decrease in air quality during construction due to vehicle exhaust associated with the work.
Water Quality	The applicant proposes to obtain MPDES permit coverage and comply with requirements for discharge to state surface waters.
Erosion Control and Sediment Transport	The applicant proposes to implement storm water Best Management Practices (BMPs; water bars, sedimentation basins, and vegetated buffers) to limit sediment transport and control erosion, see section 4 of Spanish Peaks Mountain Club Reclaimed Water Snowmaking, MPDES Permit Application Report
Solid Waste	The MPDES permit does not allow for solid waste disposal. Solid waste regulations do not apply.

Cultural Resources	Accessed Montana Cultural Resource Database on 12/20/2023. No historical sites present in project area.
Hazardous Substances	Hazardous substances associated with this permit are expected to be limited to the potential use of chlorine and those associated with construction equipment onsite during pipeline inspection and construction and include vehicle fuel and other compounds. Best management practices observed during vehicle fueling and maintenance would minimize the potential for any hazardous material spills.
Reclamation	NA

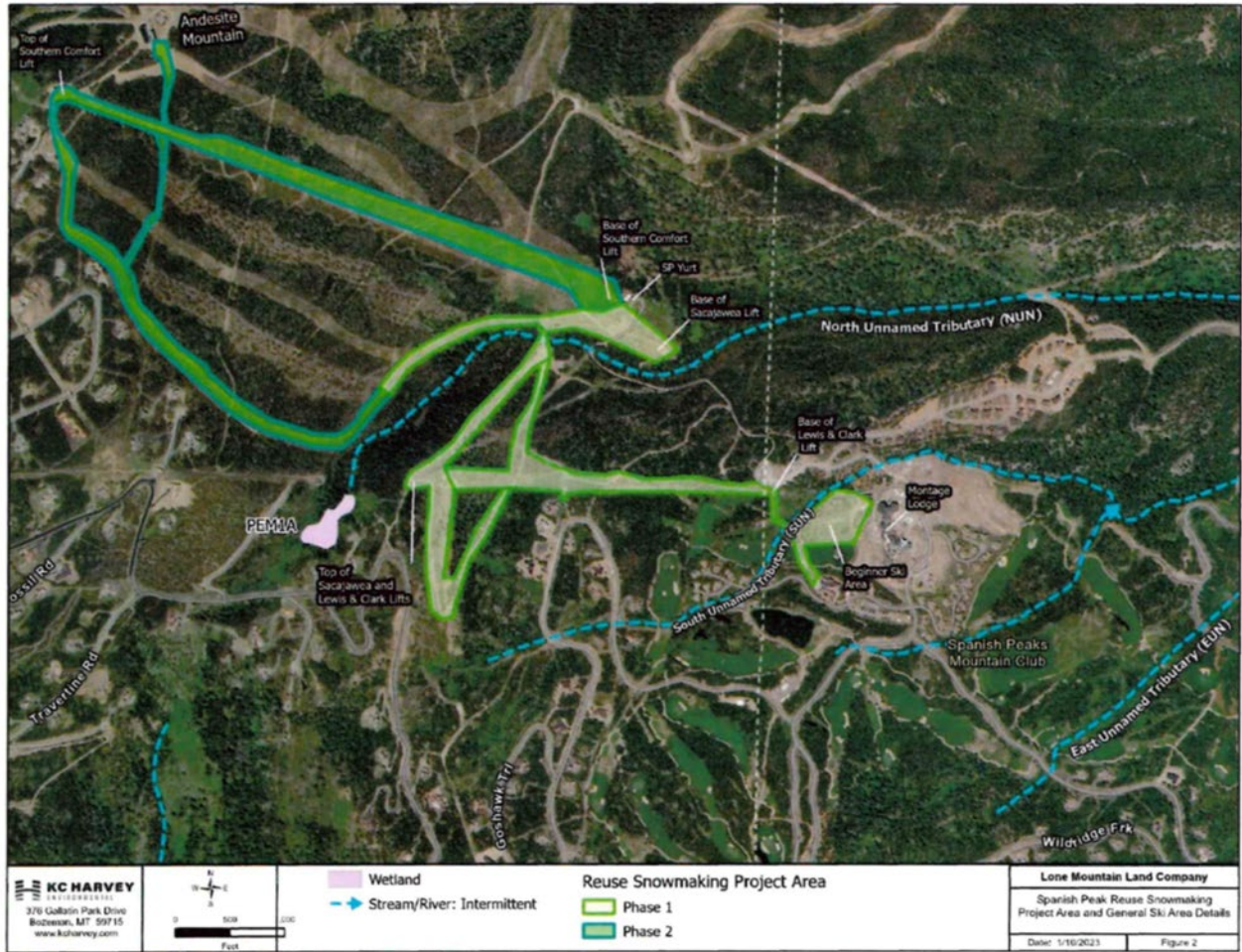
Cumulative Impact Considerations	
Past Actions	DEQ previously approved some of the piping and infrastructure for summer land application. There are no previously permitted discharges in the immediate project area. The nearest permitted sources of wastewater are for ground water discharges located downgradient in the Big Sky community. There is also an MPDES permit for snowmaking at the Yellowstone Club, which is in another drainage. Permit conditions in the proposed permit protect the water quality standards in the immediate receiving water and downstream state waters and would prevent cumulative impacts with past permitted discharges. See the permit Fact Sheet.
Present Actions	No other present DEQ actions.
Related Future Actions	No other applications under consideration.

1.4 PURPOSE, NEED, AND BENEFITS

DEQ's purpose in conducting this EA is to act upon Spanish Peaks' application for an MPDES permit and for plan and spec review for installation and operation of associated reclaimed wastewater systems and infrastructure (primarily piping, pumping and snow guns). DEQ's action on the permit application is governed by § 75-2-201, *et seq.*, Montana Code Annotated (MCA) and the Administrative Rules of Montana (ARM) Title 17, Chapter 30, Sub-chapters 2, 5, 6, 7, 12, and 13. DEQ's action on the design review is governed by § 75-6-101, *et seq.*, Montana Code Annotated (MCA) and the Administrative Rules of Montana (ARM) 17.38.101, *et seq.*

The applicant's purpose and need, as expressed to DEQ in proposing this action, is to utilize reclaimed wastewater from the Big Sky County Water and Sewer District for snowmaking. This proposal was developed in coordination with the Big Sky Sustainable Water Solutions Forum, which is a community-based initiative to identify sustainable solutions for community water supply and wastewater disposal challenges.

Figure 1: Map of general location of the proposed project



1.5 OTHER GOVERNMENTAL AGENCIES AND PROGRAMS WITH JURSDICTION:

The proposed project would be located on private land. All applicable local, state, and federal rules must be adhered to, which may also include other local, state, federal, or tribal agency jurisdiction. Other governmental agencies which may have overlapped, or additional jurisdiction include but may not be limited to: Montana Department of Natural Resources, Montana Department of Fish Wildlife and Parks, United States Forest Service, U.S. Fish and Wildlife Service, U.S Army Corps of Engineers, Madison, and Gallatin Counties.

2. AFFECTED ENVIRONMENT AND IMPACT BY RESOURCE

2.1 EVALUATION AND SUMMARY OF POTENTIAL IMPACTS

The impact analysis will identify and evaluate direct and secondary impacts TO THE PHYSICAL ENVIRONMENT AND HUMAN POPULATION IN THE AREA TO BE AFFECTED BY THE PROPOSED PROJECT. *Direct impacts* occur at the same time and place as the action that causes the impact. *Secondary impacts* are a further impact to the human environment that may be stimulated, induced by, or otherwise result from a direct impact of the action. (ARM 17.4.603(18)) Where impacts would occur, the impacts will be described in this analysis.

Cumulative impacts are the collective impacts on the human environment within the borders of Montana of the Proposed Action when considered in conjunction with other past and present actions related to the Proposed Action by location and generic type. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures. The projects identified in Table 1 were analyzed as part of the cumulative impacts assessment for each resource.

The duration is quantified as follows:

- **Short-term:** Short-term impacts are defined as those impacts that would not last longer than the installation and operation of the proposed Facility.
- **Long-term:** Long-term impacts are impacts that would remain or occur following proposed project closure and removal.

The intensity of the impacts is measured using the following:

- **No impact:** There would be no change from current conditions.
- **Negligible:** An adverse or beneficial effect would occur but would be at the lowest levels of detection.
- **Minor:** The effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.
- **Moderate:** The effect would be easily identifiable and would change the function or integrity of the resource.
- **Major:** The effect would alter the resource.

a. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE

Are soils present which are fragile, erosive, susceptible to compaction, or unstable? Are there unusual or unstable geologic features? Are there special reclamation considerations?

Soil types in project area are a combination of Mikesell clay loam, Worock-Mikesell complex and shallow very channery loam.

Direct Impacts Proposed Action: The discharge runoff flow into the receiving stream is expected to have no impacts on the geology, soil quality or stability. The artificial snowpack would melt at the same rate and within the same timeframe as the natural snowpack. Snowmaking would represent a small addition to ambient snowpack and would cause no meaningful change in natural conditions regarding geology and soils. The project is in an area that has already undergone disturbance by the construction and operation of the ski area, golf courses, and associated roads, pipelines, and homes within the Spanish Peaks Mountain Club and Big Sky communities. New impacts, if any, are expected to be short-term and negligible. Pipeline work, including verification of compliance with design standards and associated construction, would have a negligible impact to site geology. A minor amount of existing soil may be removed from pipe trenches and replaced with an imported bedding material and would then be used to backfill the trench. This work is expected to be limited to a trench width of approximately three feet and a depth of approximately six feet.

Secondary Impacts

Proposed Action: There would be no secondary impacts because the proposed action would only occur over a short timeframe each year and permit conditions would protect human health and beneficial uses of state surface waters, both at the site and downstream.

Cumulative Impacts

Proposed Action: The site was previously disturbed by golf course and residential development. No cumulative impacts are expected.

b. WATER QUALITY, QUANTITY, AND DISTRIBUTION

Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels or degradation of water quality?

Direct Impacts

Proposed Action: The MPDES permit includes effluent limits, monitoring requirements and other permit conditions that would ensure the water quality standards and beneficial uses are protected. Further, DEQ found that the unnamed tributaries and downstream waters are high quality waters per Montana's Nondegradation Policy. The proposed discharges were evaluated to ensure the changes in water quality would be nonsignificant. See the Fact Sheet (MT-DEQ, 2025) for further detail. DEQ has reviewed the design of the reclaimed wastewater distribution system piping, pumping, and snowmaking equipment for compliance with current DEQ design standards.

Secondary Impacts

Proposed Action: See permit Fact Sheet (MT DEQ, 2025). The conditions and requirements of the permit would protect beneficial uses of the receiving water and downstream uses. The discharge would be seasonal and short term during high stream flows each year. Secondary impacts are not expected.

Cumulative Impacts

Proposed Action: Snowmaking and potential runoff discharge would be seasonal and short-term. There are no previously permitted discharges in the immediate project area. The only other discharge permits in the vicinity are the Yellowstone Club snowmaking permit (MT0032051) and ground water discharge permits in the Big Sky area. Each of these permits protect the beneficial uses of the receiving waters at their specific locations and cumulative effects to water quality are not expected.

c. AIR QUALITY

Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?

Operation of snowguns to generate reclaimed snow is not regulated by air quality regulations.

Direct Impacts

Proposed Action: Impacts on air quality resulting from issuance of the MPDES permit and plan approval would be due to construction dust, which would be negligible, short-lived and associated with disturbance during the installation of the discharge pipelines and pumping equipment. These short-term impacts are expected to be negligible. Impacts on air quality resulting from DEQ plan and specification approval would be short-term during construction activities. Minimizing dust and soil tracking outside of proposed development would be addressed through construction BMPs.

Secondary Impacts

Proposed Action: The construction and operation of the snowmaking project are not expected to have secondary impacts on air quality.

Cumulative Impacts

Proposed Action: All activities associated with the project would be short-term and seasonal. Cumulative impacts to air quality are not expected.

d. VEGETATION COVER, QUANTITY AND QUALITY

Will vegetative communities be significantly impacted? Are any rare plants or cover types of present?

The Montana Natural Heritage Program identified the plant species of concern (SOC) *Sarmentypnum exannulatum* (Warnstorfia Moss) and *Pinus albicaulis* (Whitebark Pine) as species occurrences within a two-mile radius of the project.

Direct Impacts

Proposed Action: The project is in an area that has already undergone disturbance by the construction and operation of the ski area, golf course, and associated roads, pipelines, and homes within the Spanish Peaks Mountain Club and Big Sky communities. New impacts, if any, would be negligible.

Secondary Impacts

Proposed Action: None anticipated.

Cumulative Impacts

Proposed Action: None anticipated.

e. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS

Is there substantial use of the area by important wildlife, birds, or fish?

The Montana Natural Heritage Program identified Westslope Cutthroat Trout, Grizzly Bear, Wolverine, Townsend's Big-eared Bat, Cassin's Finch, Clark's Nutcracker, Black Rosy Finch, Evening Grosbeak, and Pacific Wren as animal SOC present in the vicinity of the project.

Direct Impacts

Proposed Action: Effluent limits and permit conditions would ensure water quality standards for aquatic life are protected. Impacts to terrestrial or avian species are limited to the construction phase of the project when new piping and/or pumping equipment would need to be constructed/installed. The project is in an area that has already undergone disturbance by the construction and operation of the ski area, golf course, and associated roads, pipelines, and homes within the Spanish Peaks and Big Sky communities. New impacts are expected to be negligible.

Secondary Impacts

Proposed Action: Effluent limits and permit conditions would protect aquatic life from direct and secondary impacts.

Cumulative Impacts

Proposed Action: Effluent limits and permit conditions would protect aquatic life such that none are anticipated.

f. HISTORY, CULTURE AND ARCHEOLOGICAL UNIQUENESS

Are there any historical, archaeological, or paleontological resources present?

Direct Impacts

Proposed Action: None anticipated; no known historical or archaeological sites are present. (SHPO, 2023).

Secondary Impacts

Proposed Action: None anticipated; no known historical or archeological sties

Cumulative Impacts

Proposed Action: None anticipated; no known historical or archeological sites

g. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY

Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project?

The project would use reclaimed wastewater as its water source.

Direct Impacts

Proposed Action: Power supplied to run pumping stations and controls have been reviewed as required by DEQ design standards. Powerlines already exist to support ski lifts and other electrical demands that are proposed for use in support of this snowmaking operation. The project is in an area that has already undergone disturbance by the construction and operation of the ski area, golf course, and associated roads, pipelines, and homes within Spanish Peaks Mountain Club and Big Sky communities. New impacts are expected to be short term and negligible.

Secondary Impacts

Proposed Action: The site has already undergone disturbance from development listed above. No adverse secondary impacts are expected. The project may have positive impacts by

contributing to groundwater recharge and by preventing direct discharge of wastewater to the Gallatin River.

Cumulative Impacts

Proposed Action: The site has already undergone disturbance from development listed above. No cumulative impacts on land, water, air, or energy resources are expected.

h. HUMAN HEALTH AND SAFETY

Will this project add to health and safety risks in the area?

The applicant would be required to adhere to all applicable state and federal safety laws. The Occupational Safety and Health Administration (OSHA) has developed rules and guidelines to reduce the risks associated with this type of labor. Few, if any, members of the public would be in immediate proximity to the project during construction or operations.

Direct Impacts

Proposed Action: Effluent limits and permit conditions, including disinfection of snowmaking water would ensure water quality standards are met and human health is protected. The reclaimed wastewater would be disinfected to comply with human health standards prior to snowmaking. As part of the system's operational practices, public access would be restricted during snowmaking operations.

Secondary Impacts

Proposed Action: Snowmaking and potential discharge would be seasonal and short-term in duration. No Secondary impacts are expected.

Cumulative Impacts

Proposed Action: Snowmaking and potential runoff discharge would be seasonal and short-term. The only other discharge permits in the vicinity are the Yellowstone Club snowmaking permit (MT0032051) and ground water discharge permits in the Big Sky area. Each of these permits protect the beneficial uses of the receiving waters at their specific locations and cumulative effects to human health are not expected.

i. SOCIOECONOMICS

The project would occur on private land.

Direct Impacts

Proposed Action: The project is not expected to add to or alter industrial, commercial, or agricultural activities in the area. A few short-term jobs may be created during construction of the project. A few seasonal jobs may be created for the operation of the snowmaking equipment and collection of permit-required monitoring samples. The project is within already developed ski areas and communities and no increased demand for government services, changes in the density of population and housing, or changes in social structures or mores is expected. The project is not expected to disrupt native or traditional lifestyles and would not add additional demand for housing or create/eliminate recreational opportunities.

Secondary Impacts

Proposed Action: No impacts anticipated.

Cumulative Impacts

Proposed Action: No impacts anticipated.

j. PRIVATE PROPERTY IMPACTS

If DEQ issues CH SP Acquisition, LLC an MPDES permit, any conditions of the permit are required by either the federal Clean Water Act or the Montana Water Quality Act, as implemented by the MPDES program. DEQ does not propose to include in the permit any conditions that are not required under the applicable regulations. Therefore, DEQ is not required to determine whether there are alternatives that would reduce, minimize, or eliminate the restriction on the use of private property, and to analyze those alternatives.

4. DESCRIPTION OF ALTERNATIVES

4.1 ADDITIONAL ALTERNATIVES CONSIDERED

No Action Alternative: In addition to the proposed action, DEQ must also considered a "no action" alternative. The "no action" alternative would deny the approval of the MPDES permit and the Engineering Plan and Spec review. The applicant would lack the authority to conduct the proposed activity and alternative methods of wastewater disposal from the BSCWSD facility would have to be found.

If the applicant demonstrates compliance with all applicable rules and regulations required for approval, the "no action" alternative would not be appropriate.

Other Reasonable Alternative(s): No other alternatives were considered.

4.2 CONSULTATION

DEQ engaged in internal and external efforts to identify substantive issues and/or concerns related to the proposed project. Internal scoping consisted of internal review of the environmental assessment document by DEQ staff. External scoping efforts also included queries to the following websites/databases/personnel:

Montana Natural Heritage Program Environmental Summary Report for Latitude 45.24489 to 45.29108 and Longitude -111.35244 to -111.413330, retrieved on 10/12/2023

State Historic Preservation Office (SHPO, Montana Historical Society. Retrieved 2023 from Montana Cultural Resource Database, <https://svc.mt.gov/adsams/>

U.S. Department of Agriculture, Natural Resources Conservation Service. 2021. National Cooperative Soil Survey. Retrieved from <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>.

4.3 NEED FOR FURTHER ANALYSIS AND SIGNIFICANCE OF POTENTIAL IMPACTS

When determining whether the preparation of an environmental impact statement is needed, DEQ is required to consider the seven significance criteria set forth in ARM 17.4.608, which are as follows:

- The severity, duration, geographic extent, and frequency of the occurrence of the impact;
- The probability that the impact will occur if the proposed action occurs; or conversely, reasonable assurance in

- keeping with the potential severity of an impact that the impact will not occur;
- Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts – identify the parameters of the proposed action;
- The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources and values;
- The importance to the state and to society of each environmental resource or value that would be affected.
- Any precedent that would be set as a result of an impact of the proposed action that would commit the department to future actions with significant impacts or a decision in principle about such future actions; and
- Potential conflict with local, state, or federal laws, requirements, or formal plans.

An EIS is not required under the Montana Environmental Policy Act (MEPA) because the project lacks significant adverse effects to the human and physical environment based on above listed criteria.

As described above, DEQ's decision to issue MPDES Permit No. MT0032174 authorizes discharge of treated wastewater as man-made snow to ski slopes at the Spanish Peaks Mountain Club. The discharges and subsequent snowmelt runoff are subject to permit conditions and limitations that would protect beneficial uses and prevent significant changes in water quality. The impacts from construction of the discharge piping and pumping equipment may result in dust but are expected to be of short duration and not significant. Environmental impacts resulting from issuance of the MPDES permit are localized and would be managed through permit conditions and limitations. At the time of this analysis, there are no known conflicts with local, state, or federal laws, requirements, or plans.

5. PUBLIC INVOLVEMENT

A 30-day public comment period will be held.

6. CONCLUSIONS AND FINDINGS

The preferred proposed action is to issue the MPDES permit. This action is preferred because the permit program provides the regulatory mechanism for protecting water quality by enforcing the terms of the MPDES permit.

Environmental Assessment and Significance Determination Prepared By:

DEQ Water Protection Bureau
DEQ Engineering Bureau

Environmental Assessment Reviewed By:

Alanna Shaw, MPDES Section Supervisor

Approved By:

SIGNATURE _____DRAFT_____

Date

Tatiana Davila, Chief
Water Protection Bureau
Department of Environmental Quality

I. REFERENCES

Montana Natural Heritage Program Environmental Summary Report for Latitude 45.24489 to 45.29108 and Longitude -111.35244 to -111.413330, retrieved on 10/12/2023

MT-DEQ. 2025. Fact Sheet for Montana Pollutant Discharge Elimination System Permit MT0032174, CH SP Acquisitions, LLC.

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State Historic Preservation Office (SHPO, Montana Historical Society. Retrieved 2023 from Montana Cultural Resource Database, <https://svc.mt.gov/adsams/>

Spanish Peaks Mountain Club Resort. 2023. Spanish Peaks Mountain Club Reclaimed Water Snowmaking MPDES Permit Application Report.

U.S. Department of Agriculture, Natural Resources Conservation Service. 2021. National Cooperative Soil Survey. Retrieved from <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>.

II. COMMENT SUMMARY AND RESPONSES TO SUBSTANTIVE COMMENTS

Responses to substantive comments.