

**ENVIRONMENTAL REVIEW OF FISH INTRODUCTIONS
PRIVATE POND APPLICATION**

Name and address of applicant: David Hertzog
1650 Glen Garry Road
Lewistown, MT 59457

Is approval for a private pond permit application recommended? Yes

Does the landowner have legal water rights to the pond?

Yes. Provisional permit dated 5/31/01, since application is for a fishery. Capacity 0.90 acre-ft.

Location of pond:

County: Fergus

Legal description: T15N R17E S27 SENESE

Name of the drainage where the pond is located:

Pond is located on an unnamed tributary of Cottonwood Creek (tributary to Big Spring Creek).

Fish species proposed for introduction:

Rainbow trout, brown trout, brook trout

Are these species legally present in the drainage?

Yes, in streams and ponds throughout the Judith drainage. For example, a pond license was issued for brook trout and rainbow trout in 1961 for a pond about 0.25 miles downstream on this tributary.

Species of Special Concern present in the drainage:

The headwaters of Cottonwood Creek contain pure westslope cutthroat trout and slightly hybrid westslope cutthroat trout.

RISKS:

Inlets to or outlets from the pond? Yes No **Explain:** Outlet is screened. Another pond exists downstream. It is possible trout could occasionally reach Cottonwood Creek.

Potential for impacts on genetic structure of existing fish populations:

None Minor Major

Comments: No significant impacts are expected. Stocked trout will have to go 2 miles to reach main Cottonwood Creek. Brown trout and brook trout are common in Cottonwood Creek. If these species escape downstream, they would have little impact on the genetics of the wild non-native brown and brook trout in Cottonwood Creek. Fish appear to be unable to pass freely between the tributary and Cottonwood Creek, since no fish were sampled in the tributary by Montana Fish, Wildlife and Parks in 2001.

Stocked rainbow trout have more potential to cause an impact to the genetic structure of fish populations; but due to the distance from westslope cutthroat trout this risk is

minor and no significant impacts are expected. Slightly hybrid westslope cutthroat trout are located over 20 miles upstream of the confluence with this tributary. Rainbow trout were stocked in Cottonwood Creek until the mid-1990's by MFWP. Rainbow trout have not been sampled during the limited recent surveys in this part of Cottonwood Creek. Wild rainbow have recently been sampled near the mouth of Cottonwood Creek, ten miles downstream of the tributary and 30 miles from the westslope cutthroat trout. No know barriers exist at high flows on Cottonwood Creek; but several sections of Cottonwood Creek are dewatered during normal summer flows preventing fish access to the headwaters.

Impacts to any life stage of existing fish populations due to competition and/or predation?

None Minor Major

Comments: Fish are likely not found in pond. Stream was surveyed in this area by MFWP in 2001 (before pond was built) and fish were not found.

Impacts to other forms of aquatic life that may be caused by this introduction?

None Minor Major

Comments: Fish will consume some invertebrates in pond.

Potential for the proposed new species to reproduce in this location:

None Minor Major

Comments: Some spawning may occur upstream of pond.

If necessary, would it be feasible to remove this species after it has been stocked? Yes.

Pond is small so it should be feasible to use chemicals and draining to eradicate fish.

Would this introduction result in impacts that are individually limited, but cumulatively considerable? No.

Describe reasonable and prudent alternatives to this action, if any (including no action).

Do not stock or species restrictions (see below).

Describe and evaluate mitigation, stipulations, or other control measures enforceable by the agency, if any.

Species restrictions; could restrict to brown and brook trout and sterile rainbow trout (if available).

List any other agencies or individuals that may be affected by the proposed introduction: None.

List all agencies and individuals who have been notified of this proposed introduction: None.

Based on this evaluation, is an EIS required? YES/NO? If no, explain why the EA is the appropriate level of analysis for the proposed action. No. Impacts expected to be minor.

EA prepared by: Anne Tews, Fisheries Biologist **DATE:** May 11, 2004