



Montana Fish, Wildlife & Parks

ONE-TIME STOCKING LETTER # _____

P.O. Box 200701
Helena, MT 59620-0701
(406) 444-3186
FAX: 406-444-4952
April 22, 2008

Mr. William S. Broadbent
C/o Mike Croston
Box 26
Geyser, MT 59447

Dear Mr. Broadbent and Mr. Croston:

You are hereby authorized to plant **rainbow and brook trout** in the two ponds (middle and lower) on your property located at **T19N,R11E,S31NE**. This authorization is good for one plant during 2008. This One-Time Stocking Letter is not equivalent to a Private Pond License. Fish authorized to be stocked by this letter become the property of the state of Montana once they have been stocked in the specified water. This does not mean you must provide public access for fishing, but you or any other anglers fishing your pond will be required to abide by the state limits, seasons, and licensing requirements for your fishing district. Furthermore, you may not sell fish, eggs, or fry from your pond under the terms of this One-Time Stocking Letter.

In purchasing fish for your private pond, please be very careful with your source of fish and make sure that the private hatchery from which you obtain fish is certified free of all major fish diseases. At the present time, we are not allowing importation of trout or other salmonid species from out-of-state sources. Warmwater fish such as largemouth bass may be imported from out-of-state sources, after an importation permit is approved by our Fish Health Coordinator. Attached is a list of approved in-state fish sources; never transport fish to your pond from any source except legally licensed private fish hatcheries.

As you are probably aware, whirling disease (a protozoan parasitic infection) has been recently discovered in some of our major wild trout waters in Montana. Since this disease can have serious impacts on the wild trout populations and is very contagious, special care must be taken to insure that trout stocked in your pond are free of this parasite. One of the potential sources of whirling disease infections is through the introduction of infected fish.

If you wish to plant additional fish in the future, please contact the fisheries manager in your region. Thank you for your cooperation in maintaining the health and integrity of Montana's fisheries. Good luck in your venture.

Sincerely,

M. Jeff Hagener
Director

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

Name and address of applicant: William Broadbent
C/o Mike Croston
Box 26
Geyser, MT 59447

Is approval for a private pond permit application recommended? No. These are on-stream dams. A Montana Fish, Wildlife and Parks (MFWP) employee observed about 30 brook trout about 4 miles upstream in 2006. One time stocking permit is recommended but see cautions below.

Does the landowner have legal water rights to the pond? Yes. There are decreed irrigation rights from 1894 and 1895; 41R200712-00, 41R200714-00, 41R200716-00.

Location of pond: **County:** Judith Basin
 Legal description: T19N R11E Sec 31
 (Two ponds – the middle and lower are requested for stocking)

Name of the drainage where the pond is located: Located on Davis Creek, eight miles upstream of Arrow Creek.

Fish species proposed for introduction:
Rainbow trout, brook trout

Are these species legally present in the drainage?

Pond was licensed for rainbow trout and brook trout in 1976 (4-1085). Brook trout are present in the headwater streams of the Arrow drainage. Rainbow trout are stocked in several ponds in this vicinity. An off-stream pond in the headwaters of Davis Creek is permitted for both species.

Species of Special Concern present in the drainage:

The headwaters of Davis and Martin Creeks have not been surveyed. It is remotely possible that they contain Westslope cutthroat trout (WCT). The headwaters of Cottonwood Creek, the adjacent drainage, contain pure WCT.

RISKS:

Inlets to or outlets from the pond? Yes X No ___ **Explain:** These ponds are located on Davis Creek which has approximately 14 square mile drainage area above the ponds. Outlets and inlets cannot be effectively screened due to water volume.

Potential for impacts on genetic structure of existing fish populations:

___ None X Minor ___ Major

No significant impacts are expected. It is unlikely that stocking in this pond will impact the genetics of the wild non-native brook in Arrow Creek and its tributaries. It is unlikely that trout stocked in this pond could reach any WCT populations. Unless a barrier is present, it is highly unlikely that WCT exist in the headwaters of Davis Creek; brook trout would have likely taken over years ago. Upstream

migration should be limited to flood events since the most upstream pond will not be stocked. MFWP plans to undertake surveys of the Davis Creek headwaters in 2008. If WCT are found, stocking of rainbow trout in these ponds needs to be re-evaluated. There is a pond permit (exp 2/08) for a pond in the headwaters. The nearest known pure WCT population is located in headwaters of Cottonwood Creek about 28 miles away. A barrier protects most of the WCT in the Cottonwood Creek drainage.

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

None Minor Major

No significant impacts are expected. Stocked fish will eat some minnows if present in pond. It is likely some stocked trout will end up Davis Creek, but the stocked fish should be less numerous and less adapted to stream life than the existing wild fish. Davis Creek downstream of the ponds is prairie fish habitat; it is unlikely escapees would survive long. The ponds may contain numerous white suckers and lake chub, which could impair stocked trout growth.

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: Unlikely trout would reproduce. Substrate in the vicinity has limited gravel.

If necessary, would it be feasible to remove this species after it has been stocked? Trickle tubes can drain the ponds and any remaining pool could likely be chemically treated. Davis Creek typically does not flow in the vicinity at certain times of year, which should make the project feasible.

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.

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

Species restrictions.

List any other agencies or individuals that may be affected by the proposed introduction:

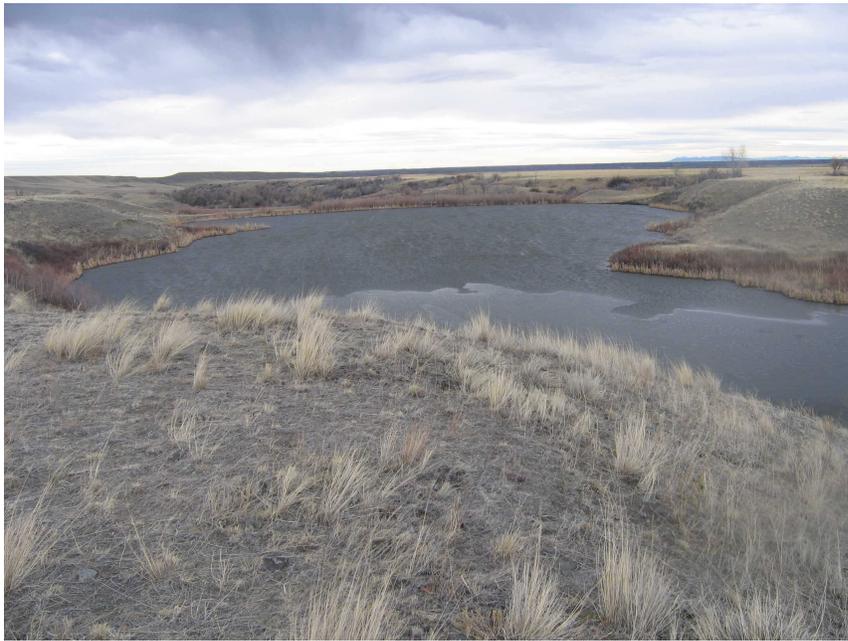
None.

List all agencies and individuals who have been notified of this proposed introduction:

Dave Moser, WCT biologist MFWP

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:** March 14, 2008



Lower Pond: March 11, 2008



Middle pond outlet structure March 11, 2008

DECISION RECORD
FISH POND LICENSE

DECISION: Do not issue Private Pond License, Issue One Time Permission to Plant

Private Pond License

Commercial Pond License

One Time Permission to Plant Letter

Denial Of Private Fish Pond License Application

EA# William S. Broadbent Private Pond

APPROVED SPECIES: Rainbow trout, Brook trout.

LICENSE RESTRICTIONS:

DECISION REASONING:

Pond meets all other requirements for Private Pond License.

Other (specify)

Issuance of private fish pond license is not recommended because the ponds are excluded from the definition of an "artificial lake or pond" or "private fish pond" since these bodies of water are impoundments on a natural stream (87-4-603(2b), M.C.A.).



George Liknes
Regional Fisheries Manager

4/21/2008

Date