

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

Name and address of applicant: Kenneth E. LeFurgey
10116 Colony Bay Road
Loma MT 59460

Is approval for a private pond permit application recommended? Yes

Does the landowner have legal water rights to the pond?

Yes. There are three water rights with a priority right date of 12/31/1913. These include a domestic use (3 AC-FT), agricultural spraying (0.30 AC-FT), and a stock use that is not quantified. The water rights associated with the reservoir are 41P 154664-00, 41P 154665-00, and 41P 154666-00. The water rights list the capacity of the reservoir at 49.88 Acre-Feet.

Location of pond:

County: Chouteau

Legal description: T27N R9E S34 NWSWNE

Name of the drainage where the pond is located:

The Reservoir is listed on the water right as 12.47 surface acres. It is located more than 7.7 miles upstream on an unnamed tributary coulee of Dry Fork Coulee that is 3.3 miles from where Dry Fork Coulee enters the Marias River at River Mile 2.7. The reservoir is approximately 11.0 river miles upstream of the Marias River along coulees that are intermittent in nature.

Fish species proposed for introduction:

Rainbow Trout, Brook Trout, Brown Trout, and Westslope Cutthroat Trout.

Are these species legally present in the drainage?

Yes. Also, the pond was previously licensed for rainbow and brook trout.

Species of Special Concern present in the drainage:

Blue sucker, sturgeon chub, and sauger are Species of Special Concern found in the lower Marias River. Risks to these species from potential escapement of rainbow, brook, brown and/or westslope cutthroat trout from the reservoir are negligible because water quality, and habitat in the lower Teton River are not highly suitable for the establishment of trout species. In the Teton, water volume and the factors mentioned above limit trout suitability.

RISKS:

Potential for impacts on genetic structure of existing fish populations:

None Minor Major

Comments: No significant impacts are expected. Fish have to travel more than 11.0 miles downstream to reach the Marias River, but likely would be trapped by other ponds in the coulee. Dry Fork Coulee rarely has overland discharge; the last time the landowner was aware of it was in 1978. In the unlikely event stocked trout reached a population of rainbow trout, they should have very little influence on genetics of any remaining non-native rainbow trout, brook trout and brown trout.

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

None Minor Major

Comments: Currently, there are no fish in the reservoir. Escapement of stocked fish into the unnamed coulee could potentially occur in a major run-off event that results in overland surface flow. There is potential for stocked trout to reach the Marias River. However, it is unlikely they would persist in this reach of the river because of high summer water temperatures. Escaped rainbow and brook trout may migrate to upstream reaches of the Marias and Teton rivers, but no significant impacts are expected.

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: There is little potential for rainbow, brown, and westslope cutthroat trout to spawn in this location because of the absence of flowing water and suitable habitat. Brook trout may successfully spawn in the reservoir if there are areas of groundwater upwelling.

If necessary, would it be feasible to remove this species after it has been stocked? Yes. It should be possible to use chemicals during low/no flow periods 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.

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

Species restrictions can be identified in the permitting process.

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 are expected to be very minor.

EA prepared by: George Liknes

Date: July 3, 2008

**DECISION RECORD
FISH POND LICENSE**

DECISION: Issue

- Private Pond License**
- Commercial Pond License**
- One Time Permission to Plant Letter**
- Denial**

EA# Kenneth E. LeFurgey Private Pond

APPROVED SPECIES: Rainbow Trout, Brook Trout, Brown Trout, and Westslope Cutthroat Trout.

LICENSE RESTRICTIONS:

DECISION REASONING:

- Pond meets all other requirements for Private Pond License.**
- Other (specify)**

George Liknes

George Liknes
Regional Fisheries Manager

7/3/2008
Date