

# MEPA/NEPA/HB495 CHECKLIST

## PART I. PROPOSED ACTION DESCRIPTION

**1. Type of Proposed State Action**

Replacement of rainbow trout with westslope cutthroat trout in private pond

**2. Agency Authority for the Proposed Action**

The Montana Fish, Wildlife & Parks (FWP) "...is hereby authorized to perform such acts as may be necessary to the establishment and conduct of fish restoration and management projects..." under statute 87-1-702.

**3. Name of Project**

Replacement of rainbow trout with westslope cutthroat trout in private pond near Cherry Creek, tributary to the Big Hole River.

**4. Name, Address and Phone Number of Project Sponsor (if other than the agency)**

**5. If Applicable:**

Estimated Construction/Commencement Date \_\_\_\_\_

Estimated Completion Date \_\_\_\_\_

Current Status of Project Design (% complete) \_\_\_\_\_

**6. Location Affected by Proposed Action (county, range and township)**

The private pond is located on land owned by W.J. Ellison (T3S R10W Sec11). The ponds outlet drains into Cherry Creek, which is a tributary to the Big Hole River near the town of Melrose in Beaverhead County.

**7. Project Size: Estimate the number of acres that would be directly affected that are currently:**

- |     |  |     |                         |                |
|-----|--|-----|-------------------------|----------------|
| (a) | Developed:                               | (d) | Floodplain .....        | <u>0</u> acres |
|     | residential .....                        |     |                         |                |
|     | industrial .....                         | (e) | Productive:             |                |
| (b) | Open Space/Woodlands/<br>Recreation..... |     | irrigated cropland..... | <u>0</u> acres |
|     |  |     | dry cropland.....       | <u>0</u> acres |
|     |  |     | forestry .....          | <u>0</u> acres |
|     |  |     | rangeland.....          | <u>0</u> acres |
| (c) | Wetlands/Riparian<br>Areas .....         |     | other .....             | <u>0</u> acres |
|     |  |     |                         |                |



**9. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.**

(a) Permits:

Agency Name \_\_\_\_\_ Permit \_\_\_\_\_ Date Filed \_\_\_\_\_

(b) Funding:

Agency Name \_\_\_\_\_ Funding Amount \_\_\_\_\_

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name \_\_\_\_\_ Type of Responsibility \_\_\_\_\_

**10. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action.**

Cherry Creek harbors an unhybridized population of westslope cutthroat trout. In addition to cutthroat, brook trout also are present in the creek and dominate the fishery in the lower reaches. Access to the middle reaches Cherry Creek for fish from the Big Hole River appears to be blocked by large beaver dams in the lower reaches of the creek. A man-made pond located on private ground surrounded by national forest lands (Map 1) is permitted for, and currently contains rainbow trout. The outlet of this pond drains into Cherry Creek. Because rainbow trout can hybridize with westslope cutthroat trout and because hybridization is one of the main threats to cutthroat trout conservation, Montana Fish Wildlife and Parks (FWP) is proposing to remove the trout from the pond. FWP in cooperation with the private landowner are proposing to remove the rainbow trout from the private pond using mechanical means (i.e., gillnetting, seining and electrofishing). Removed rainbow trout will be donated to the local food bank. Once the rainbow trout are removed from the pond, it will be restocked with unhybridized westslope cutthroat trout from the Washoe Park Hatchery in Anaconda. The cutthroat trout that will be stocked will be between 4 and 9 in (a mix of age 2 and age 3 fish). It is anticipated that between 100 and 200 cutthroat will be stocked into the pond. The private pond license will be modified to allow only westslope cutthroat trout stocking in the future. There is no planned public access to the pond once the project is completed. This project is a precursor to a larger restoration effort that will likely be proposed for Cherry Creek in the near future.

**11. List of agencies consulted during preparation of the EA:**

**US Forest Service**

**Bureau of Land Management (BLM)**

## PART II. ENVIRONMENTAL REVIEW

### 1. Evaluation of the impacts of the proposed action including secondary and cumulative impacts on the physical and human environment.

#### A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
a.** Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

2. <u>AIR</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
a. **Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. **For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a)		X				
f. Other		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♪♪♪ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♪♪♪ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

3. <u>WATER</u>  Will the proposed action result in:	IMPACT*				Can Impact Be * Mitigated	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
a.* Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l.***For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)		X				
m.*** For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		X				
n. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

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**PHYSICAL ENVIRONMENT**

4. <u>VEGETATION</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				
f.*** For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

** 5. <u>FISH/WILDLIFE</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?			X		Yes	5b
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?			X		Yes	5d
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?				X	Yes	5f
g. Increase conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h.*** For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		X				
i.*** For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		X				
j. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

**5b.** The intent of this action is to remove rainbow trout from a private pond and replace them with westslope cutthroat trout. Rainbow trout, a game animal, would be directly impacted through the proposed action. However, the fish will be replaced with westslope cutthroat trout, also a game

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species and a species of special concern. This action would eliminate the potential for rainbow trout to escape from the pond and hybridize with the native, wild westslope cutthroat trout in Cherry Creek.

- 5d.** Westslope cutthroat have never been stocked into the private pond. However, it is anticipated that the impacts and benefits of westslope cutthroat trout will be very similar to those of the current rainbow trout fishery. Westslope cutthroat trout are native to Cherry Creek and rainbow trout are not.
- 5f.** If rainbow trout are not removed from the pond there exists a high likelihood that, over time, rainbow trout would be inadvertently be introduced into Cherry Creek and the native westslope cutthroat trout in the stream would become hybridized. Therefore, if the rainbow trout are not removed, a significant threat to the long-term conservation of the westslope population in the drainage will be present.

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**B. HUMAN ENVIRONMENT**

<b>6. <u>NOISE/ELECTRICAL EFFECTS</u></b>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Increases in existing noise levels?		X				
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

<b>7. <u>LAND USE</u></b>	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other: _____		X				

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8. <u>RISK/HEALTH HAZARDS</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d.***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

9. <u>COMMUNITY IMPACT</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:		X				

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<b>10. PUBLIC SERVICES/TAXES/UTILITIES</b>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify: _____			X		yes	10a
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
e.** Define projected revenue sources						
f.** Define projected maintenance costs.						
g. Other: _____		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

**10a.** Personnel from FWP, the US Forest Service and BLM would perform the netting of the pond and the stocking of the westslope cutthroat back into the pond. This would represent a minor increase in the services provided by FWP and other agencies to achieve the stated objectives. It is anticipated that mechanical removal would take 5 workdays over a period of 1-2 weeks to complete.

<b>** 11. AESTHETICS/RECREATION</b>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c.** Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)		X				
d.*** For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted?		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

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12. <u>CULTURAL/HISTORICAL RESOURCES</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a.** Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d.*** For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources, which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		x				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?			X		13d	
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f.*** For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		X				
g.*** For P-R/D-J, list any federal or state permits required.		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

**13d.** It is likely that a restoration plan for the entire Cherry Creek drainage will be developed in the near future. Because rainbow trout in the private pond is not the only threat to westslope cutthroat trout in Cherry Creek (hybridized trout are present in headwater lakes and brook trout are present in much of the lower creek), a larger, drainage-wide restoration plan will likely be developed to ensure the long-term preservation of the cutthroat trout in Cherry Creek. However, the direct threat of hybridization from rainbow trout in the private pond warrants immediate action to protect the genetic integrity of the cutthroat in the lower creek.

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## **PART II. ENVIRONMENTAL REVIEW (CONTINUED)**

2. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action, whenever alternatives are reasonably available and prudent to consider, and a discussion of how the alternatives would be implemented:

1. No action alternative

If no action is taken the following consequences are likely to result:

If no action is taken and the rainbow trout fishery remains in the pond it is likely that through time fish from the pond would escape and hybridize with westslope cutthroat trout in Cherry Creek. One of the greatest threats to westslope conservation is hybridization from non-native species, such as rainbow trout. If hybridization were to occur, the conservation value of the fish would be lessened and one of the largest and best remaining populations of native cutthroat trout in the Big Hole could be lost.

2. Chemical removal of rainbow trout

An alternative to using mechanical means to remove rainbow trout from the pond would be to apply a piscicide such as rotenone or antimycin. Both rotenone and antimycin are very effective piscicides and would likely be successful at removing rainbow trout from the pond, but their use is more controversial than the use of mechanical means because of potential impacts to water quality and to non-target organisms such as aquatic invertebrates. Further, because of the large size of the rainbow trout stocked and the relatively small size of the water body, mechanical means should be adequate to completely remove rainbow trout from the pond in a timely manner.

3. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

No mitigation or stipulations are required

## **PART III. NARRATIVE EVALUATION AND COMMENT**

## **PART IV. EA CONCLUSION SECTION**

1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO) If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

No. Only an EA is required because of the very limited impact to public resources and the non-controversial nature of the proposed action.

2. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

Given the lack of impact to the public and the non-controversial nature of the proposed action, it is anticipated that no public comment period will be necessary.

3. Duration of comment period if any:

None

4. Name, title, address and phone number of the person(s) responsible for preparing the EA:

Jim Olsen  
Fisheries Biologist  
1820 Meadowlark Lane  
Butte, MT 59701

3/1/2006