

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

Name and address of applicant: D & J Robertson Farms
63654 US Highway 87
Loma, MT 59460

Is approval of private pond permit application recommended? Yes

Location of pond:

County: Chouteau

Legal description: T27N, R10E, S25 SW¼NE¼ & SE¼NW¼

Name of the drainage where the pond would be located:

Spring Coulee is a dry/ intermittent drainage that is a tributary of the Missouri River.

Does pond have legal water rights? (describe)

Yes, a water right (#41T 182018 00) with a "STOCK" purpose with a priority date of April 5, 1965 has a reservoir record. The General Abstract obtained from DNRC on 2 July 2009 shows this water right with a reservoir record with a legal description at T27NR10ES25 SW¼SW¼NE¼, a depth of 12 feet, a surface area of 9 acres, and a capacity of 43.20 Acre-feet. This matched the location of the pond shown on the aerial photograph. The abstract submitted with the application dated 6 April 2009 for this same water right contained different information that appears erroneous.

Fish species proposed for introduction:

Rainbow, Brook, Brown Trout.

Is this species legally present in the drainage?

Rainbow, brown, and brook trout are legally present in the Missouri River drainage. No fish are currently present in the pond. The application reports that the pond was formerly licensed under Pond License 4-0689. However, that pond license issued to Allen Robertson in 1969 as well as the application shows that pond to be located at T26NR9ES8SESW. The old private pond database showed a record of a previously issued Pond License 4-0919 issued to Allen Robertson at T27NR10ES25NESW.

Species of Special Concern present in the drainage:

Westslope cutthroat trout exist, but only in the headwaters of the Missouri River drainage. Sauger, blue suckers, and pallid sturgeon are present in the lower Missouri River below Morony Dam; Sauger are present in Morony Reservoir. Spring Coulee is a tributary of the Missouri River in a upstream from Coal Banks Landing, where these warm water fish are present. However, little impact would be expected from fish escaping this pond on Species of Special Concern in the Missouri River drainage.

RISKS:

Potential for impacts on genetic structure of existing fish populations: None Minor Major
Comments: No fish are currently present in the pond. The pond is located 8.2 river miles upstream from the Missouri River. There is a low probability of planted fish reaching the Missouri

River if they did escape. Low densities of rainbow and brown trout are present in this reach of the Missouri River and we do not anticipate impacts to the genetic structure of existing trout populations in the area.

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

None Minor Major

Comments: No impacts would occur since no existing fish populations are known to exist in the pond.

Impacts to other forms of aquatic life that may be caused by this introduction? None Minor Major

Comments: Aquatic invertebrates may be consumed.

Potential for the proposed new species to reproduce in this location?: None Minor Major

Comments: Trout would not have required spawning habitat in the pond and it is likely that no natural reproduction would be possible.

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

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 Restriction.

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:

Montana Department of Fish, Wildlife and Parks

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 very minor.

EA prepared by: George Liknes

Date: 07/1/09

**DECISION RECORD
FISH POND LICENSE**

DECISION: Issue

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

EA# D & J Robertson Farms 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
Regional Fisheries Manager

7/1/2009
Date