

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

Name and address of applicant:

Brian Schweitzer
2 Carson
Helena, MT 59601

Has the pond been approved for a private pond permit? Yes

Does the pond have water rights? This pond has a groundwater certificate # 76G 30048739 with both a fish & wildlife and stock use with a priority date of June 16, 2010 held by Brian D. and Nancy K. Schweitzer. This water right includes a reservoir record with a current capacity storage volume of 3.00 acre-ft, a reported depth of 12 feet and surface area of 0.50 acres. The reservoir record locates the pond at T11NR6WS20NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$. The GPS location suggests its location at T11NR6WS20SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Location of pond:

County: Lewis & Clark

Legal description: T11NR6WS20SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

GPS Location: N 46.668961 W -112.38749

Name of the drainage where the pond is located:

The pond is located between Hope Creek and Nelson Gulch, which are tributary drainages of Dog Creek in the headwaters of the Little Blackfoot River.

Fish species proposed for introduction:

Westslope cutthroat and brown trout are proposed as species that pose the least risk for introduction. The applicant also requested rainbow trout, which are not proposed for introduction.

Is this species legally present in the drainage?

Yes, the species proposed for introduction are present in the drainage.

Species of Special Concern present in the drainage:

Westslope cutthroat trout and bull trout are species of concern present in the drainage.

RISKS:

Potential for impacts on genetic structure of existing fish populations:

None Minor Major

Comments: Genetically pure populations of native westslope cutthroat trout exist in the drainage. Stocked westslope cutthroat trout that escape from this pond could potentially spawn with these wild populations and compromise their genetic integrity. This risk can be mitigated by only stocking known pure-strain westslope cutthroat trout from a state-approved private hatchery. Since introduction of rainbow trout could result in hybridization with pure westslope cutthroat trout present in the drainage, this species cannot be approved for use in this pond.

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

None Minor Major

Comments: No other fish exist in this pond. Stocked fish could potentially escape from the pond into Nelson Gulch and the Dog Creek drainage under flooding conditions and may directly compete with existing wild fish in the drainage. However, because of the relatively small size of the pond it is unlikely sufficient numbers of stocked fish would flush into the Dog/Little Blackfoot drainage to significantly affect wild fish populations.

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

None Minor Major

Comments: Trout will consume some invertebrates in pond.

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

None Minor Major

Comments: Inlet does not have suitable habitat to promote natural reproduction.

If necessary, would it be feasible to remove this species after it has been stocked? Yes. This pond could be chemically treated or species removed through attrition.

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. Species restrictions implemented for this pond include never approving brook or rainbow trout, which could pose a threat to westslope cutthroat trout populations in the drainage.

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

DNRC - water rights

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

DNRC

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 and proposed species are already abundant in the drainage. Fish screens at all outlets and inlets decrease the risk of escapement to nearby streams. The proximity of this pond to the Hope Creek floodplain increases the risk of escapement into the drainage. This environmental review concludes that the action proposed will not have a

significant effect on the quality of the human environment. Therefore, an EA is the appropriate level of analysis and an EIS will not be prepared.

EA prepared by: Eric Roberts and George Liknes **DATE:** 07/19/2010

Comments will be accepted until: No formal comment period was established because this action was deemed not to be controversial. Comments will be accepted at any time.

Comments should be sent to:

Eric Roberts, Helena Area Fisheries Biologist, PO Box 200701, Helena, MT 59620

George Likness, Regional Fisheries Manager, 4600 Giant Springs Rd., Great Falls, 59604

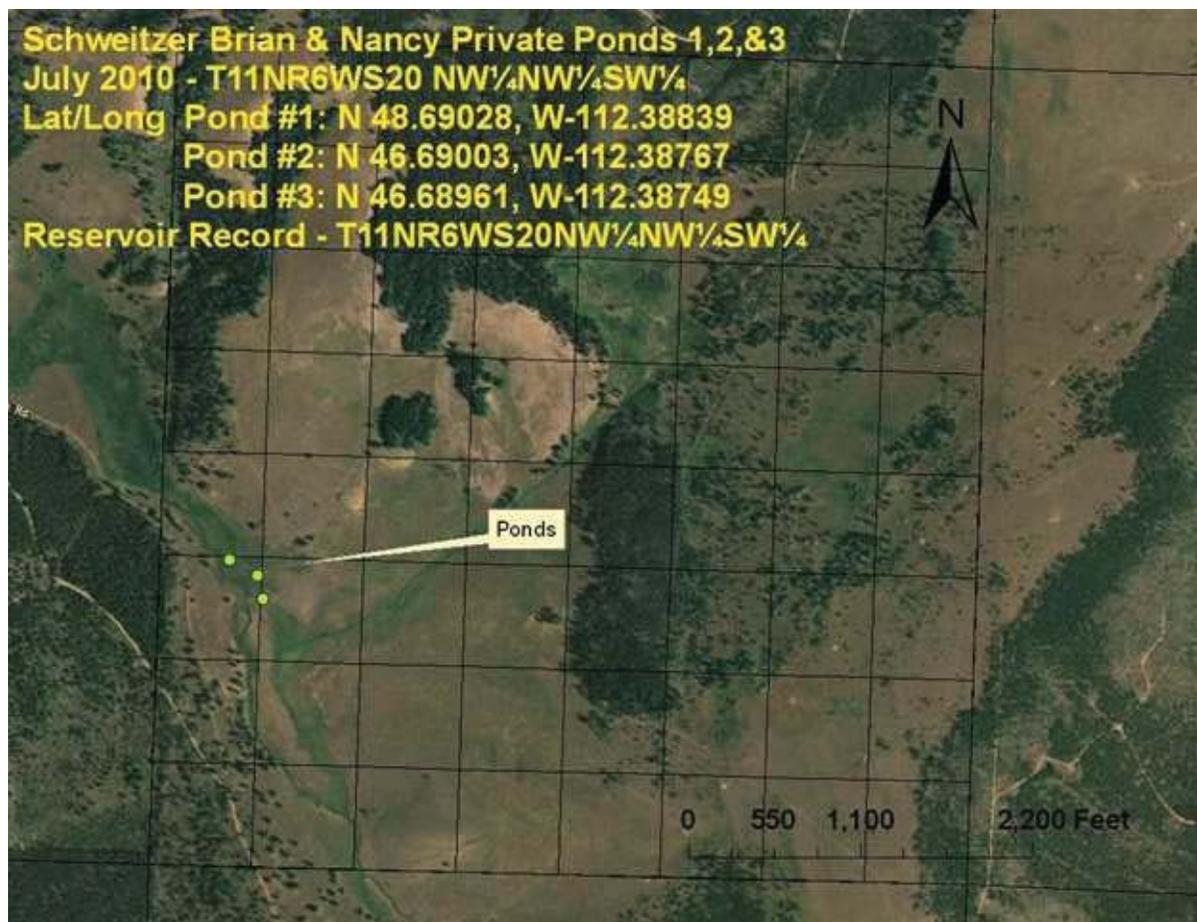


Figure 1. Aerial photo of Schweitzer Private Ponds proposed for planting fish.



Photo 1: Inlet structure of lower pond.



Photo 2: Screened pond discharge outlet for lower pond. Pond discharge runs to pasture and Hope Creek floodplain.



Photo 3: Discharge outlet for lower pond. Discharge runs to fenced riparian pasture and Hope Creek floodplain.



Photo 4: Excavated dam structure for lower pond.

**DECISION RECORD
FISH POND LICENSE**

DECISION: Issue

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

EA Title: Schweitzer, Brian & Nancy Private Pond License #3 (Lower)

APPROVED SPECIES: Westslope Cutthroat, Brown trout

LICENSE RESTRICTIONS: The License PROHIBITS Rainbow and Brook Trout.

DECISION REASONING:

- Pond meets all other requirements for Private Pond License.**



George Liknes
Regional Fisheries Manager

7/19/2010

Date