

**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 30048737 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 storage volume of 3.79 acre-ft, a reported depth of 12 feet and surface area of 0.50 acres. The reservoir record locates the pond at T11NR6WS20NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>. The GPS location suggests its location at T11NR6WS20 SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>.

**Location of pond:** County: Lewis & Clark  
**Legal description:** T11N R6W S20  
**POND#1(Upper)** **GPS Location:** N 46.69028 W 112.38839

**Name of the drainage where the pond is located:**

The pond is located near Hope Creek, which is a tributary 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 the species proposed for introduction are already abundant in the drainage. Fish screens at all outlets and inlets decrease the risk of escapement to nearby streams. 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: 07/16/2010

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

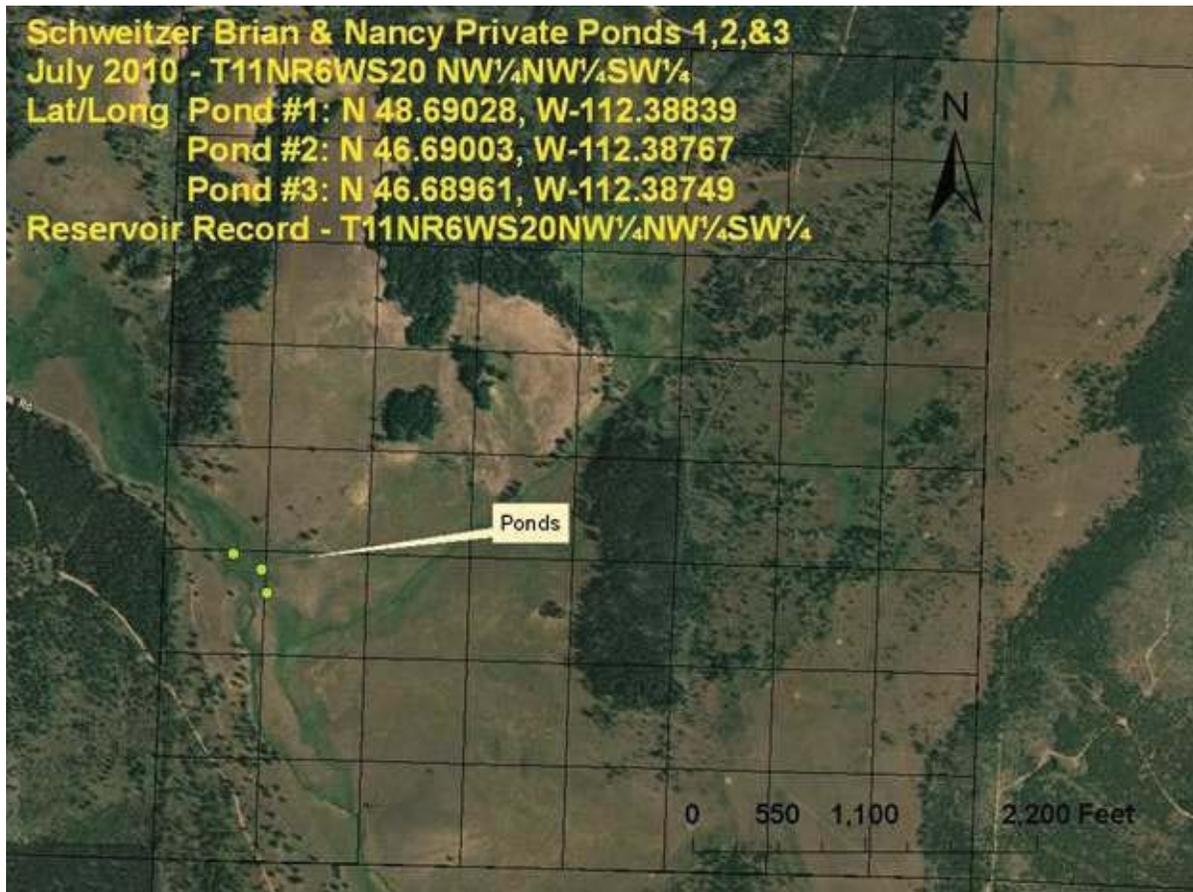


Figure 1. Aerial photograph of T11NR6WS20 showing the Proposed Private Ponds to be licensed by Brian & Nancy Schweitzer as green dots.



Photo 1: Outlet structure of upper (#1) pond.



Photo 2: Pond discharge ditch below upper pond.



Photo 3: Screened culvert plug/crossing in discharge ditch.



Photo 4: Pond inlet.

**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**

**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.**



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George Liknes  
Regional Fisheries Manager

7/16/2010

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Date