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STATE OF CALIFORNIA
Fish and Game Commission

June 9, 2009

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Findings, resulting from the Commission's March 4, 2009, meeting when it made a finding pursuant to Section 2075.5, Fish and Game Code, that the longfin smelt warrants listing to threatened species status. The Notice of Findings will be published in the California Regulatory Notice Register on June 12, 2009. The Notice of Proposed Regulatory Action was published in the California Regulatory Notice Register on May 8, 2009.

In accordance with the California Endangered Species Act, at its June 25, 2009, meeting, the Commission will consider amending Section 670.5, Title 14, California Code of Regulations, to list the longfin smelt as a threatened species.

Sincerely,


Sheri Tiemann
Staff Services Analyst

Attachment

BOARD OF SUPERVISORS
2009 JUN 12 1 P 2:58

CALIFORNIA FISH AND GAME COMMISSION
NOTICE OF FINDINGS
Longfin Smelt
(*Spirinchus thaleichthys*)

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2075.5 of the Fish and Game Code, the California Fish and Game Commission, at its March 4, 2009, meeting in Woodland, made a finding that the petitioned action to add the longfin smelt (*Spirinchus thaleichthys*) to the list of threatened species is warranted.

The basis for the listing relied most heavily on the following information:

- (1) longfin smelt abundance has declined substantially and in relation to increases in freshwater outflow;
- (2) low numbers of spawning longfin smelt may result in reproductive failure and increase the likelihood that a catastrophic event could severely affect the population;
- (3) longfin smelt are entrained by and lost at water diversions;
- (4) operations of the State Water Project and the Central Valley Project alter the character and position of the upper estuary salinity gradient;
- (5) longfin smelt habitat has changed and the change may be a threat to longfin smelt recovery;
- (6) continuing water pollution may be threat to longfin smelt recovery;
- (7) dredging and sand mining operations in the San Francisco Estuary could be a threat to longfin smelt recovery;
- (8) a commercial bait fishery for bay shrimp in the San Francisco Estuary takes longfin smelt as by-catch;
- (9) managed and other fishes prey on longfin smelt; and
- (10) loss of longfin smelt to scientific collection is a threat to longfin smelt recovery.

NOTICE IS ALSO GIVEN that the Commission proposes to amend Section 670.5, Title 14, California Code of Regulations, to add the longfin smelt to the list of threatened species.

NOTICE IS FURTHER GIVEN that, any person interested may present statements orally or in writing, relevant to this action at a hearing to be held at Yolo Fliers Club Ballroom, 17980 County Road 94B, Woodland, California, on June 25, 2009, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not

required, that written comments be submitted on or before June 19, 2009, to the Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, California 95814, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on June 22, 2009. All comments must be received no later than June 25, 2009 at the hearing in Woodland, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

Fish and Game Commission

May 29, 2009

John Carlson, Jr.
Executive Director

