

**CALIFORNIA FISH AND GAME COMMISSION
NOTICE OF FINAL CONSIDERATION OF PETITION**

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2073.3 of the Fish and Game Code, the California Fish and Game Commission (Commission), on August 14, 2007, received a petition from The Bay Institute, Center for Biological Diversity, and Natural Resources Defense Council to take emergency action to list longfin smelt (*Spirinchus thaleichthys*) as an endangered species.

Pursuant to Section 2073 of the Fish and Game Code, on August 21, 2007, the Commission transmitted the petition to the Department of Fish and Game (Department) for review pursuant to Section 2073.5 of said code.

At its October 11, 2007, meeting in Concord, the Commission denied the request to take emergency action to list the longfin smelt as an endangered species and directed the Department to review the petition to list the longfin smelt as an endangered species and report to the Commission if, at any time during the review process, it believed that emergency action was warranted.

Pursuant to the provisions of Section 2074.2 of the Fish and Game Code, the Commission, at its February 7, 2008, meeting in San Diego, accepted the petition for consideration. Pursuant to subdivision (a)(2) of Section 2074.2 of the Fish and Game Code, the Commission declared the longfin smelt a candidate species for listing as defined by Section 2068 of the Fish and Game Code.

The Department, pursuant to Section 2074.6 of the Fish and Game Code, submitted a written report to the Commission on January 23, 2009, indicating whether the petitioned action is warranted.

NOTICE IS HEREBY GIVEN that the Commission, pursuant to the provisions of Section 2075 of the Fish and Game Code, has scheduled the petition for final consideration at its March 4, 2009 meeting at the Yolo Fliers Club, 17980 County Road 94B, Woodland, California.

Copies of the petition, the Department's written report, and minutes of the October 11, 2007 and February 7, 2008 Commission meetings, are on file and available for public review from John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Written comments or data related to the petitioned action should be directed to the Commission at the aforementioned address.

Fish and Game Commission

Date: February 10, 2009

John Carlson, Jr.
Executive Director