

**CALIFORNIA FISH AND GAME COMMISSION
NOTICE OF FINDINGS**

Delta Smelt
(Hypomesus transpacificus)

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 August 7, 2008, meeting in Carpinteria, made a finding that the petitioned action to uplist the delta smelt (*Hypomesus transpacificus*) from threatened to endangered is warranted.

This change is necessary to alert the public, including those seeking take authorizations, that the delta smelt population in California has declined significantly since its listing as threatened and the species' abundance is now extremely low.

NOTICE IS ALSO GIVEN that the Commission proposes to amend Section 670.5, Title 14, California Code of Regulations, to add the delta smelt to the list of endangered 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 the Hyatt Regency Monterey Resort, 1 Old Golf Course Road, Monterey, California, on March 6, 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 February 20, 2009, to the Fish and Game Commission office at 1416 Ninth Street, Box 944209, Sacramento, CA 94244-2090, 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 March 3, 2009. All comments must be received no later than March 6, 2009, at the hearing in Monterey, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

Fish and Game Commission

January 6, 2008

John Carlson, Jr.
Executive Director