

CALIFORNIA FISH AND GAME COMMISSION
NOTICE OF FINDING

NOTICE IS HEREBY GIVEN that the California Fish and Game Commission, at its March 4, 2009, meeting in Woodland:

(1) voided and set aside its August 7, 2008, decision rejecting the petition filed by the Center for Biological Diversity to list the Pacific fisher (*Martes pennanti*) as a threatened or endangered species under the California Endangered Species Act, Fish and Game Code section 2074.2, subdivision (a)(1); and

(2) accepted the petition filed by the Center for Biological Diversity to list the Pacific fisher (*Martes pennanti*) as an endangered or threatened species, and designated the Pacific fisher as a candidate species.

NOTICE IS ALSO GIVEN that, at its April 8, 2009, meeting in Lodi, the Commission adopted the following formal finding pursuant to Fish and Game Code section 2074.2, subdivision (a)(2):

The Commission has considered the petition to list the Pacific fisher (*Martes pennanti*) as endangered or threatened, the Department of Fish and Game's evaluation report, and all oral and written comments received in this matter. The Commission has determined that a reasonable person would conclude that there is a substantial possibility that listing could occur. Thus, the Commission finds that the petition provides sufficient information to indicate that the petitioned action may be warranted.

Fish and Game Commission

Dated: April 14, 2009

John Carlson Jr.,
Executive Director