

Department of the Interior
U.S. Fish & Wildlife Service
Bay-Delta Fish and Wildlife Office
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News Release



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U.S. Fish and Wildlife Service Announces Opening of 30-day Longfin Smelt Comment Period

SACRAMENTO –The U.S. Fish and Wildlife Service today announced it will accept comments through April 9, 2011 regarding a status review of the longfin smelt. To ensure that the status review is comprehensive, the Service is soliciting scientific and commercial data, as well as other information regarding this species. Based on the status review, the Service will issue a final 12-month finding by Sept. 30, 2011 that will address whether the listing may be warranted under the Endangered Species Act.

The complete *Federal Register* filing can be found at
<http://www.regulations.gov/#!documentDetail;D=FWS-R8-ES-2011-0008-0001>

Interested parties may submit comments by one of the following methods:

- *Federal eRulemaking Portal*: <http://www.regulations.gov>. Search for Docket No. FWS-R8-ES-2011-0008 and then follow the instructions for submitting comments.
- *U.S. mail or hand-delivery*: Public Comments Processing, Attn: FWS–R8–ES–2011–0008; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.
- All information received will be posted on <http://www.regulations.gov>.

The longfin smelt is a pelagic (lives in open water) estuarine fish that typically measures 3.5 to 4.3 inches standard length, although third-year females may grow up to 5.9 inches. The known range of the longfin smelt extends from the San Francisco Bay-Delta in California northward to the Cook Inlet in Alaska. The longfin smelt belongs to the true smelt family *Osmeridae*, and is one of three species in its genus.

On Aug. 8, 2007, the Service received a petition from the Bay Institute, the Center for Biological Diversity, and the Natural Resources Defense Council to list the San Francisco Bay-Delta population of the longfin smelt as a distinct population segment (DPS) and designate critical habitat for the species concurrent with the listing. On May 6, 2008, the Service published a 90-day finding which concluded that the petition provided substantial information indicating that listing San Francisco Bay-Delta Population of the longfin smelt as a DPS may be warranted, and a status review was initiated. On April 9, 2009, the Service published a 12-month finding and determined that the San Francisco Bay-Delta population of the longfin smelt did not meet the discreteness criterion of the DPS policy and therefore is not a valid DPS. A news release on the 2009 finding can be found at:

(http://www.fws.gov/sacramento/ea/news_releases/2009_News_Releases/longfin_smelt_12mo_finding_NR.htm).

On Nov. 13, 2009, the Center and the Bay Institute filed a complaint in U.S. District Court for the Northern District of California, challenging the Service on the merits of the 2009 determination. On Feb. 2, 2011, the parties agreed to a settlement to complete a new 12-month finding on the longfin smelt, based on the rangewide status review of the longfin smelt that is currently underway. If the Service determines in the course of the status review that the longfin smelt does not warrant listing rangewide, the Service will, in the same 12-month finding, consider whether any population of longfin smelt qualifies as a DPS. In considering whether any population of longfin smelt qualifies as a DPS, the Service will also reconsider whether the San Francisco Bay-Delta population of the longfin smelt constitutes a DPS.

FOR FURTHER INFORMATION CONTACT: Field Supervisor, Bay-Delta Fish and Wildlife Office, 650 Capitol Mall, Eighth Floor, Sacramento, CA 95814; by telephone at 916-930-5603; or facsimile at 916-930-5654. Persons who use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800-877-8339

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