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FISH AND GAME COMMISSION SEEKS COMMENTS RELATED TO PROPOSED CALIFORNIA TIGER SALAMANDER RULEMAKING

By [Robert Uram](#) and [Keith Garner](#)

The Fish and Game Commission has published a [notice of proposed regulatory action](#) and invited interested parties to provide oral or written comments relevant to the proposed action prior to or at its May 5 hearing. The [proposed regulation](#) would add the California tiger salamander ("CTS") to the list of species protected under the California Endangered Species Act ("CESA"), but it provides no guidance on how hybrid salamanders would be treated under the rule.

The Commission's action follows [its earlier finding](#), on a 3-2 vote, that the CTS warrants listing as a threatened species under CESA, based in part on the Department of Fish and Game's conclusion in its [status review](#) that the California Environmental Quality Act (CEQA) provided inadequate regulatory protection for the species. However, in the notice of proposed regulatory action, the Commission concluded that listing the CTS would not result in additional economic impacts because CTS was a "*de facto* endangered species" under CEQA and impacts to the species already require mitigation under state law.

The Commission will consider the proposed regulation on May 5, 2010, at its meeting in Stockton. Written comments must be received before 5:00 p.m. on May 3, 2010. Oral comments may be provided during the May 5th hearing.

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