

**State of California
Office of Administrative Law**

In re:
Fish and Game Commission

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections: 749.6

Amend sections:

Repeal sections:

**CORRECTED
NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

OAL File No. 2011-0705-01 EE

This is the second readopt of a prior emergency regulatory action that allowed the incidental take of Mountain Yellow-legged Frog during its candidacy for listing as an endangered or threatened species under the California Endangered Species Act (CESA), in accordance with Fish and Game Code section 2084. This action provides for take incidental to seven different activities (e.g., scientific collection, fire prevention, water storage, etc.). The Fish & Game Commission has historically relied on the authority in section 2084 to permit take of candidate species on numerous occasions, most recently in 2009.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 7/12/2011 and will expire on 10/11/2011. The Certificate of Compliance for this action is due no later than 10/10/2011.

JRAIG TARPENNING

Date: 7/12/2011

Craig S. Tarpenning for
Eric Partington
Staff Counsel

Original: Jon Fischer
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For: DEBRA M. CORNEZ
Assistant Chief Counsel/Acting Director