

(c) Special Local Regulations: All persons and/or vessels not registered with the sponsor as participants or official regatta patrol vessels are considered spectators. The "official regatta patrol" consists of any Coast Guard, public, state or local law enforcement and/or sponsor provided vessels assigned to patrol this event.

(1) No spectators shall block, anchor, loiter in, or impede the through transit of participants or official regatta patrol vessels in the regulated area during the effective dates, unless cleared for such entry by or through an official regatta patrol vessel.

(2) When hailed and/or signaled by horn or whistle by an official regatta patrol vessel, a spectator shall come to an immediate stop. Vessels shall comply with all directions of the designated Patrol Commander. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(46 U.S.C. 454; 49 U.S.C. 1655(b)(1); 49 CFR 146(b); 33 CFR 100.35)

Dated: August 20, 1984

F.P. Schubert,

Rear Admiral, U.S. Coast Guard, Commander, Eleventh Coast Guard District.

[FR Doc. 84-22677 Filed 8-24-84; 8:45 am]

BILLING CODE 4910-14-M

POSTAL SERVICE

39 CFR Part 111

Padded Envelopes for Registered Mail

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: In the Postal Bulletin of May 3, 1984, the Postal Service announced a test permitting the use of padded envelopes for registered mail through June 30, 1985. The Postal Service has now determined that its permanent regulation prohibiting the use of padded envelopes in the registered mail service is unnecessary. Accordingly, the Postal Service has found it in the public interest to adopt an amendment to the Domestic Mail Manual (DMM) which allows the use of padded envelopes to send registered mail, and establishes specifications for padded envelopes which may be used for that purpose following the expiration of the test period on July 1, 1985. Manufacturers of padded envelopes who wish to market them for use in sending registered mail will be required to submit the envelopes for testing before they will be allowed in the registered mail system. Once an envelope has been approved, it will be authorized to carry an endorsement that it has been approved for use in the

registered mail system by the United States Postal Service. Only approved envelopes will be accepted as registered mail. The Postal Service intends to procure quantities of approved envelopes for sale at post offices. This new rule does not supersede the existing requirements in DMM 911.33-911.34 that fragile items must be suitably packed to withstand normal handling and that all articles must be packed in accordance with DMM 120.

EFFECTIVE DATES: The DMM amendments are effective August 27, 1984. Padded envelopes meeting current postal requirements for the test period as announced in Postal Bulletin 21456 (5-3-84) will be accepted for registered mail through June 30, 1985 (subject to the indemnity limits prescribed for that test), after which only those bearing the approved endorsement under the new testing procedure will be accepted for registered mail.

FOR FURTHER INFORMATION CONTACT: Richard S. Shaver, (202) 245-4530.

SUPPLEMENTARY INFORMATION: Effective immediately, the Postal Service will permit the use of approved padded envelopes in the registered mail system. By July 1, 1985, these envelopes must meet the requirements specified in specification number USPS-E-1020 (ESC), before they will be accepted for registered mail. Manufacturers wishing a copy of these specifications may request them from the Office of Mail Classification at the address provided in DMM 911.322 as set forth below.

A manufacturer wishing to obtain Postal Service approval will be required to submit its proposed envelope to the Office of Mail Classification for testing at the manufacturer's expense. Upon the completion of the testing, the manufacturer will be advised of the results of the tests. If an envelope meets the requirements, it will be authorized to carry an approval statement from the Postal Service and can be used in the registered mail system. Postal customers will be able to purchase the approved envelopes through commercial sources and at selected post offices. A post office which identifies a demand for this product should contact its procurement office.

The current test of padded envelopes announced in Postal Bulletin 21456 (5-3-84) is still in effect and will expire July 1, 1985. Beginning with that date, only padded envelopes bearing the approval endorsement will be acceptable in the registered mail system, although all others will continue to be accepted as ordinary mail.

The Postal Service finds that the immediate adoption of the necessary

amendments to the Domestic Mail Manual is in the public interest because it will improve the flexibility and convenience of mail services offered to the public, will remove a restriction on the public's use of a particular secure and useful type of postal service, and will allow manufacturers to prepare to meet the specifications and testing requirements in time to have their products on the market before next July 1. Accordingly, to avoid delays contrary to the public interest, the Postal Service hereby adopts, effective immediately, the following amendments to the Domestic Mail Manual, which is incorporated by reference in the Code of Federal Regulations (39 CFR 111.1).

List of Subjects in 39 CFR Part 111.

Postal Service.

PART 111—[AMENDED]

911—Registered Mail

In Part 911.3, revise .31 and .32 to read as follows:

911.3 Preparation for Mailing

.31 Conditions and Sealing

.311 Conditions. Postal employees are not permitted to assist in the preparation or sealing of mail to be registered. The mail must bear the complete names and addresses of both sender and addressee. Envelopes or packages that appear to have been opened and resealed, or which are otherwise improperly prepared, will not be registered.

.312 Sealing. The sender must securely seal envelopes. Paper or cellulose strips or wax or paper seals must not be placed over the intersections of flaps of letter size envelopes where the postmark impressions are made. Packages must be sealed with mucilage or glue or with plain paper or cloth tape. Packages containing currency or securities may not be sealed exclusively by use of paper strips, but must first be sealed securely with mucilage or glue. Large envelopes (flaps) which are completely sealed and which also have paper strips or paper tape across the intersections of the flaps may be considered packages so far as the sealing requirements are concerned. Tape that will not adhere in such a manner as to damage the envelope or wrapper if removed, or tape which will not absorb a postmark impression, may not be used on registered mail.

.32 Padded Envelopes

.321 Types and sizes

a. Four approved standard sizes and three types of padded envelopes are approved for use in the registered mail system:

- Type I—Styrofoam Pellets
- Type II—Closed Cell Foam
- Type III—Blister Bubbles

ALL TYPES

(Inches (approximate weight))

	Height	Length	Not exceeding (ounces)
No. 0.....	6	10	.70
No. 4.....	9½	14½	1.50
No. 5.....	10½	16	1.80
No. 7.....	14½	20	2.90

b. Any other sizes between the minimum (number 0) and maximum (number 7) may be submitted for approval at the discretion of the Postal Service provided that the aspect ratio (length divided by height) is between 1 to 1.3 and 1 to 2.5 inclusive.

.322 Specifications and Drawings

Construction standards and drawings for guidance in the manufacture of registered mail padded envelopes are contained in Postal Service specification number USPS-E-1020 (ESC). Copies of the specifications may be obtained by writing to the Special Services Division, Office of Mail Classification, Rates and Classification Department, USPS Headquarters, Washington, DC 20260-5371.

.323 Approval

To secure approval of registered mail padded envelopes, submit to the Office of Mail Classification:

- a. Not less than six complete envelopes of each style made of exact materials, construction, etc., to be identical in every way with the envelopes intended to be marketed.
- b. The identification of all parts of the envelope by material and physical properties.
- c. The complete composition, formula, and trade name of all materials.

Note.—Written notification of approval or disapproval, including reasons for disapproval, will be issued. All envelopes submitted will be returned, including those damaged during testing, unless the Postal Service is authorized, in writing, to retain them.

A transmittal letter making these changes in the pages of the Domestic Mail Manual will be published and will be transmitted to subscribers automatically. Notice of issuance of the transmittal letter will be published in the *Federal Register* as provided in 39 CFR 111.3.

(39 U.S.C. 401(2), 403, 404(a))

W. Allen Sanders,

Associate General Counsel, Office of General Law and Administration.

[FR Doc. 84-22620 Filed 8-24-84; 8:45 am]

BILLING CODE 7710-12-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 3E2895/4E2973/R683; FRL-2639-4]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Norflurazon

Correction

In FR Doc. 84-19876 beginning on page 30701 in the issue of Wednesday, August 1, 1984, make the following correction.

On page 30702, first column § 180.356(a), in the table, the third entry for "Parts per million" should read "0.1".

BILLING CODE 1505-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Parts 1, 2, 9, 11, 12, 62, 64, 68, 71, and 77

Technical Corrections to Federal Emergency Management Regulations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: This document makes technical corrections to sundry FEMA regulations. These corrections correct errors or inaccuracies in the present regulations.

EFFECTIVE DATE: August 27, 1984.

FOR FURTHER INFORMATION CONTACT: William L. Harding, Office of General Counsel, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, Telephone (202) 289-0377.

SUPPLEMENTARY INFORMATION: The regulation makes technical corrections to FEMA regulations and is not substantive in nature. It is routine. Therefore, it is not subject to any of the requirements of 5 U.S.C. 553, Executive Order 12291, the Regulatory Flexibility Act, 44 CFR Part 10 relating to environmental matters, or the Paperwork Reduction Act.

List of Subjects

44 CFR Part 1

Administrative practice and procedure.

44 CFR Part 2

Authority delegations (government agencies), Organization and functions (government agencies).

44 CFR Part 9

Floodplains, Wetland, Coastal zone.

44 CFR Part 11

Administrative practice and procedure, Claims.

44 CFR Part 12

Advisory committees.

44 CFR Part 62

Flood insurance, Claims.

44 CFR Part 64

Flood insurance, Floodplains.

44 CFR Part 68

Administrative practice and procedure, Floodplains.

44 CFR Part 71

Flood insurance, Coastal zone.

44 CFR Part 77

Flood insurance, Floodplain grant programs, Environmental protection.

Accordingly, Chapter 1 of Title 44, Code of Federal Regulations, is amended as follows:

PART 1—RULEMAKING; POLICY AND PROCEDURES

§ 1.1 [Amended]

1. The second sentence of § 1.1(a) is amended by removing the words "Administrative Procedures Act" and adding "Administrative Procedure Act" in place thereof.

2. Section 1.1(d) is amended by removing the words "will be prepared" and adding the words "has been issued" in place thereof.

3. Section 1.1(e) is amended by removing the word "proposed."

§ 1.7 [Amended]

4. Section 1.7 is amended by revising paragraph (a) to read:

(a) The FEMA semi-annual agenda called for by Executive Order 12291 will be part of the Unified Agenda of Federal Regulations published in April and October of each year.

§ 1.11 [Amended]

5. Section 1.11(c) is amended by removing the word "or" and adding the word "on" in place thereof.

§ 1.12 [Amended]

6. Section 1.12(f)(3) is amended by removing the word "or" and adding the word "on" in place thereof.

PART 2—ORGANIZATION FUNCTIONS AND DELEGATIONS OF AUTHORITY**§ 2.66 [Amended]**

7. The introductory paragraph to § 2.66 is amended by removing "of Training and Education" and adding "for Training and Fire Programs" in place thereof.

§ 2.70 [Amended]

8. Section 2.70(a)(5) is amended by removing the words "Executive Order 12065 of June 28, 1978, as amended" and adding the words "Executive Order 12356" in its place.

9. Section 2.70(a)(6) is amended by removing the figure "2.65" and adding the figure "2.66" in its place.

PART 9—FLOODPLAIN MANAGEMENT AND PROTECTION OF WETLANDS**§ 9.7 [Amended]**

10. Section 9.7(c)(1)(ii) is amended by removing under the heading "Sources of Maps and Technical Information" the following: "FEMA Regional Offices/Division of Insurance and Hazard Mitigation" and added "FEMA Regional Offices/Natural and Technological Hazards Division" in place thereof.

§ 9.11 [Amended]

11. Section 9.11(e)(1) is amended by removing "Office of State and Local Programs of FEMA" and adding "the Federal Insurance Administration" in its place.

§ 9.181 [Amended]

12. Section 9.18(b)(1) is amended by removing the words "Associate Director for Disaster Response and Recovery" and adding in place thereof "Associate Director for State and Local Programs and Support."

PART 11—CLAIMS**§ 11.11 [Amended]**

13. Section 11.11(c) is amended by removing the subparagraph number "(1)" and by removing "Appendix A to Part 5 of the Chapter" and adding "Part 2 of this Chapter" in place thereof.

PART 12—ADVISORY COMMITTEES**§ 12.5 [Amended]**

14. Section 12.5 is amended by removing "Resource Management and Administration Directorate."

PART 62—SALE OF INSURANCE AND ADJUSTMENT OF CLAIMS**§ 62.22 [Amended]**

15. Section 62.22(a) is amended by removing the words "Director, Federal Emergency Management Agency" and adding the words "Federal Insurance Administrator" in place thereof.

16. Section 62.22(b) is amended by removing the word "Director" where it appears twice and adding the word "Federal Insurance Administrator" in its place.

PART 64—COMMUNITIES ELIGIBLE FOR THE SALE OF INSURANCE**§ 64.1 [Amended]**

17. Section 64.1(a) is amended by removing the words "(herein the Associate Director)".

PART 67—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS**§ 67.12 [Amended]**

18. Section 67.12(b) is amended by removing the words "Associate Director" and adding the word "Administrator" in place thereof.

PART 68—ADMINISTRATIVE HEARING PROCEDURES**§ 68.1 [Amended]**

19. Section 68.1 is amended by removing the words "Associate Director's" and adding "Administrator's" in place thereof.

§ 68.2 [Amended]

20. Section 68.2 is amended by removing the second sentence.

§ 68.3 [Amended]

21. Section 68.3 is amended by removing the words "Associate Director's" and adding "Administrator's" in place thereof.

22. Section 68.3 is amended by removing the words "Associate Director" where they appear therein, and adding the word "Administrator" in place thereof.

§ 68.5 [Amended]

23. Section 68.5 is amended by removing the words "Associate Director" and adding the word "Administrator" in place thereof.

§ 68.6 [Amended]

24. Section 68.6(a) is amended by removing the words "Associate Director" and adding the word "Administrator" in its place.

§ 68.7 [Amended]

25. Section 68.7 is amended by removing the words "Associate Director" and adding the word "Administrator" in place thereof in paragraphs (b) and (c).

§ 68.8 [Amended]

26. Section 68.8 is amended by removing the words "Associate Director" and adding the word "Administrator" in place thereof.

PART 71—IMPLEMENTATION OF THE COASTAL BARRIER RESOURCES ACT**§ 71.2 [Amended]**

27. Section 71.2(b) is amended by removing the word "means" and adding the word "meets" in place thereof.

§ 71.3 [Amended]

28. Section 71.3 is amended by adding "a" before the word "structure".

PART 77—ACQUISITION OF FLOOD DAMAGED STRUCTURES**§ 77.2 [Amended]**

29. Section 77.2 is amended by revising paragraph (d)(3) to read:

(d) * * *

(3) The rights to enforce the restrictive covenants shall be assigned to the Administrator as assignee, together with a declaration that any future violation of the restrictive covenants or agreements, delivered in writing to the Chief Executive Officer within thirty (30) days from the date the Administrator receives actual notice of the violation, shall be deemed at the Administrator's option to cause a reversion of title to FEMA.

Dated: August 21, 1984.

George W. Jett,

General Counsel.

[FR Doc. 84-22640 Filed 8-24-84; 8:45 am]

BILLING CODE 6719-01-M

44 CFR Part 64

[Docket No. FEMA 6617]

Suspension of Community Eligibility Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule lists communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the flood plain management requirements of the program. If FEMA receives documentation that the community has adopted the required flood plain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

EFFECTIVE DATES: The third date ("Susp.") listed in the fourth column.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, (202) 287-0222, 500 C Street, Southwest, FEMA—Room 509, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4022) prohibits flood insurance coverage as authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128) unless an appropriate public body shall have adopted adequate flood plain management measures with effective enforcement measures. The communities listed in this notice no longer meet that

statutory requirement for compliance with program regulations (44 CFR Part 59 et seq.). Accordingly, the communities are suspended on the effective date in the fourth column, so that as of that date flood insurance is no longer available in the community. However, those communities which, prior to the suspension date, adopt and submit documentation of legally enforceable flood plain management measures required by the program, will continue their eligibility for the sale of insurance. Where adequate documentation is received by FEMA, a notice withdrawing the suspension will be published in the **Federal Register**.

In addition, the Director of Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the fifth column of the table. No direct Federal financial assistance (except assistance pursuant to the Disaster Relief Act of 1974 not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood prone areas. (Section 202(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Director finds that notice and public procedure under 5 U.S.C. 533(b) are impracticable and unnecessary

because communities listed in this final rule have been adequately notified. Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required flood plain management measures are met prior to the effective suspension date. For the same reasons, this final rule may take effect within less than 30 days.

Pursuant to the provision of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. As stated in Section 2 of the Flood Disaster Protection Act of 1973, the establishment of local flood plain management together with the availability of flood insurance decreases the economic impact of future flood losses to both the particular community and the nation as a whole. This rule in and of itself does not have a significant economic impact. Any economic impact results from the community's decision not to (adopt) (enforce) adequate flood plain management, thus placing itself in noncompliance of the Federal standards required for community participation. In each entry, a complete chronology of effective dates appears for each listed community.

List of Subjects in 44 CFR Part 64

Flood insurance, Flood plains.

PART 64—[AMENDED]

Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

§ 64.6 List of Eligible Communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified	Date ¹
REGION II					
New Jersey, Sussex	Ogdensburg, borough of	340454B	July 16, 1975, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	May 17, 1974 and Oct. 31, 1974	Sept. 5, 1984
New York:					
Dutchess	Beekman, town of	361333C	Feb. 5, 1976, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	Oct. 18, 1974, Aug. 13, 1976 and Apr. 15, 1977	Do.
Columbia	Clermont, town of	361315B	Nov. 13, 1975, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	Nov. 8, 1974 and June 4, 1976	Do.
Monroe	Fairport, village of	360415B	Jan. 30, 1975, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	May 31, 1974 and Aug. 20, 1976	Do.
Rensselaer	Nassau, town of	361155A	May 16, 1977, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	Nov. 22, 1974	Do.
Dutchess	Northeast, town of	361340B	Aug. 8, 1975, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	Oct. 18, 1974 and Jan. 9, 1976	Do.
REGION III					
Maryland, Harford	Havre de Grace, city of	240043C	Feb. 26, 1975, Emerg., Mar. 15, 1977, Reg., Sept. 5, 1984, Susp.	July 26, 1974, Jan. 16, 1976, and Mar. 15, 1977	Do.
REGION IV					
Florida:					
Gilchrist and Levy	Fanning Springs, town of	120148B	Aug. 22, 1975, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	Nov. 29, 1974 and June 27, 1980	Do.
Lake	Fruitland Park, city of	120387B	July 17, 1975, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	Jan. 14, 1977	Do.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified	Date ¹
Kentucky, Floyd	Unincorporated areas	210069B	Mar. 11, 1976, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	Dec. 13, 1974 and June 17, 1977	Do.
South Carolina, Beaufort	Beaufort, city of	450026C	Nov. 27, 1970, Emerg., May 2, 1977, Reg., Sept. 5, 1984, Susp.	June 28, 1974, Sept. 5, 1975 and May 2, 1977	Do.
Tennessee: Anderson	Unincorporated areas	470217B	Aug. 5, 1975, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	June 17, 1977	Do.
Unico	Erwin, city of	470094B	Apr. 20, 1978, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	July 2, 1976, and Dec. 17, 1976	Do.
Roane	Harriman, city of	475427B	Sept. 18, 1970, Emerg., Feb. 26, 1971, Reg., Sept. 5, 1984, Susp.	Feb. 26, 1971, July 1, 1974, and Sept. 3, 1976	Do.
Campbell	LaFollette, city of	475435B	Apr. 2, 1971, Emerg., Dec. 17, 1981, Reg., Sept. 5, 1984, Susp.	Dec. 23, 1971, July 1, 1974, and Nov. 12, 1976	Do.
REGION V					
Illinois, Pike	Pearl, village of	170556C	Sept. 1, 1976, Emerg., Sept. 16, 1984, Reg., Sept. 5, 1984, Susp.	Dec. 28, 1973, Mar. 26, 1976, and Sept. 16, 1981	Do.
REGION VIII					
Montana, Flathead	Unincorporated areas	300023C	Jan. 31, 1975, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	Sept. 13, 1974, Mar. 19, 1976, and June 28, 1977	Do.
REGION IX					
California: San Diego	Oceanside, city of	060294B	June 30, 1975, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.	May 10, 1974 and Oct. 27, 1976	Do.
San Bernardino	Rancho Cucamonga, city of	060671A	Aug. 7, 1978, Emerg., Sept. 5, 1984, Reg., Sept. 5, 1984, Susp.		Sept. 5, 1985

¹ Date certain Federal assistance no longer available in special flood hazard areas.
Code for reading 4th column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Administrator, Federal Insurance Administration)

Jeffrey S. Bragg,
Administrator, Federal Insurance
Administration.

[FR Doc. 84-22644 Filed 8-24-84; 8:45 am]

BILLING CODE 6718-03-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Seven Birds and Two Bats of Guam and the Northern Mariana Islands

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Service determines endangered status for seven birds—Guam broadbill, Mariana crow, Mariana gallinule, Micronesian kingfisher, Guam rail, Vanikoro swiftlet, and bridled white-eye—and two mammals—the little Mariana fruit bat and Guam population of Mariana fruit bat. All nine animals have declined drastically in numbers and distribution, and several appear close to extinction. This rule implements the protection provided by the Endangered Species Act of 1973, as amended, for these nine species of

Guam and the Northern Mariana Islands.

DATES: The effective date of this rule is August 27, 1984. Although the effective date of rules is normally 30 days from publication, the Service considers the status of the species covered by the present rule to be so critical that protection of the Endangered Species Act should be implemented immediately.

ADDRESSES: The complete file for this rule is available for inspection during normal business hours, by appointment, at the Service's Office of Environmental Services, 300 Ala Moana Boulevard, Room 6307, Honolulu, Hawaii 96850.

FOR FURTHER INFORMATION CONTACT: Mr. Sanford R. Wilbur, U.S. Fish and Wildlife Service, Lloyd 500 Building, Suite 1692, 500 NE Multnomah Street, Portland, Oregon 97232 (503/231-6131 or FTS 429-6131).

SUPPLEMENTARY INFORMATION:

Background

The islands of Micronesia, in the western Pacific, support relatively few native vertebrate animals, except for those forms that, during some stage of their evolution, developed a capacity for flight. Many kinds of birds, and some bats, have been discovered in the region, often with species or subspecies restricted to a single island. Because of their limited range and specialized ecological needs, island animals have generally proved highly vulnerable to extinction, especially as their habitat was invaded by people and associated disturbances, domestic animals, introduced predators, and diseases.

The jurisdiction of the United States extends over much of Micronesia, including the Territory of Guam and the Commonwealth of the Northern Mariana Islands. In these areas are found the following seven birds and two bats that are the subjects of this rule:

Guam broadbill (*Myiagra freycineti*), described by Oustalet in 1881, a small flycatcher, slate-blue above and cinnamon-white below, endemic to Guam, forages mainly in forest understory;

Mariana crow (*Corvus kubaryi*), described by Reichenow in 1885, similar in appearance and habits to the common crow (*C. brachyrhynchos*) of North America, occurs only on Guam and Rota;

Mariana gallinule (*Gallinula chloropus guami*), described by Hartert in 1917, a long-legged inhabitant of wetlands, largely dark in color, endemic to Guam and several of the Northern Mariana Islands;

Micronesian kingfisher (*Halcyon cinnamomina cinnamomina*), described by Swainson in 1821, largely brown in color, differs from many members of the kingfisher family (*Alcedinidae*) in having a broad and flattened bill, does not catch fish but forages in the forest for small land animals, endemic to Guam;

Guam rail (*Rallus owstoni*), described by Rothschild in 1895, a flightless bird with long legs and small wings, formerly found throughout the forests and grasslands of Guam;

Vanikoro swiftlet (*Aerodramus vanikorensis bartschi*), described by Mearns in 1909, a small member of the swift family (Apodidae), dark green-