

50 CFR Part 17

Removal of the Santa Barbara Song Sparrow From the List of Endangered Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Santa Barbara Song Sparrow (*Melospiza melodia graminea*) is removed from the List of Endangered and Threatened Wildlife because of extinction.

EFFECTIVE DATE: This rule is effective on November 14, 1983.

ADDRESS: Comments and data may be mailed to the Regional Director, U.S. Fish and Wildlife Service, Suite 1692, Lloyd 500 Building, 500 Northeast Multnomah Street, Portland, Oregon 97232 (503/231-6131).

FOR FURTHER INFORMATION CONTACT: Mr. Sanford R. Wilbur, Endangered Species Specialist, Regional Office, U.S. Fish and Wildlife Service, Suite 1692, Lloyd 500 Building, 500 Northeast Multnomah Street, Portland, Oregon 97232 (503/231-6131).

SUPPLEMENTARY INFORMATION:

Background

In the August 9, 1982, Federal Register (47 FR 34436) the Santa Barbara Song Sparrow (*Melospiza melodia graminea*) was proposed for delisting under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). This subspecies of the song sparrow was known only from 2.6 km² (640 acres) Santa Barbara Island, Los Angeles County, California. This island is part of the Channel Islands National Monument. Since a 1959 fire which devastated most of the island, no Santa Barbara song sparrows have been observed. For the past decade regular visits have been made by qualified ornithologists as well as National Park Service naturalists (some of the latter have been living on the island for much of the past 5 years). The sparrows were a conspicuous part of the avifauna, when present.

A single, negative comment to the proposal was received from one individual. The person objected on the grounds that insufficient data were on hand to make the determination that the sparrow was extinct. Other questions were raised concerning the motives behind the proposal and whether the surveys were made by independent and qualified observers.

As indicated in the proposal, many efforts to find the bird on this tiny island have failed for the past 20 years. There is no benefit to the Service or any other agency in retaining this species on the Endangered species list.

The surveys were conducted by various professional ornithologists, some of whom were under contract with the Service. These contracts were to have surveys made of the endemic avifauna and were done as contracts because no Service field ornithologist was available for the lengthy surveys. The State of California and the National Park Service agree that the Santa Barbara song sparrow is extinct.

The Service, based upon all available information from Santa Barbara Island, concludes that this bird is extinct.

The regulations at 50 CFR 424.11(d)

state that a species may be delisted if it: (1) Becomes extinct, (2) recovers, or (3) if the original classification data were in error. A "sufficient period of time" must be allowed to clearly insure that a species has become extinct. The Service believes that 20 years of field observations looking for this conspicuous species on a small island is clearly sufficient to pronounce it extinct.

Effects of the Rule

The Santa Barbara song sparrow was classified as Endangered on June 4, 1973 (38 FR 14678). No Critical Habitat was designated. This action will merely acknowledge the species' extinction and remove it from protection under the Endangered Species Act of 1973, as amended. As there were no specific preservation or management programs in effect, there will be no impact on any agency or individuals.

National Environmental Policy Act

A Finding of No Significant Impact has been made based upon a Final Environmental Assessment prepared in conjunction with this rule. The assessment is on file in the Service's Regional Office (see Address above). This determination concluded that this is not a major Federal action which would affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969 and implemented at 40 CFR Parts 1500-1508.

Author

The author of this rule is Jay M. Sheppard, Staff Ornithologist, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240 703 (235-1975).

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, and Plant/agriculture.

Regulations Promulgation

PART 17—[AMENDED]

Accordingly, the Service amends Part 17 of Title 50 of the Code of Federal Regulations as follows:

1. The authority citation for Part 17 reads as follows:

Authority: Pub. L. 93-205, 87 Stat. 884; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; and Pub. L. 97-304, 96 Stat. 1411 (16 U.S.C. 1531, *et seq.*).

§ 17.11 [Amended]

2. The entry for "Sparrow, Santa Barbara . . ." under BIRDS at 50 CFR 17.11(h) is removed in its entirety.

Dated: September 28, 1983.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

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