

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Proposed Deregulation of Blue Pike

AGENCY: Fish and Wildlife, Service, Interior.

ACTION: Proposed rule.

SUMMARY: The U.S. Fish and Wildlife Service proposes to remove the blue pike (*Stizostedion vitreum glaucum*) and the longjaw cisco (*Coregonus alpenae*) from the U.S. List of Endangered and Threatened Wildlife. This action is based on a review of all available data which indicates that these species are extinct. Blue pike populations declined in the late 1950's and never recovered with the last confirmed specimens taken in the 1960's. Historically, this subspecies was found in Lakes Erie and Ontario, and the Niagara River. Intensive surveys by the Fish and Wildlife Service and States where the species occurred, have failed to yield any additional specimens. In a 1977 survey, the Blue Pike Recovery Team contacted all Fish and Game agencies in the U.S. in an effort to determine if blue pike existed in their waters. After all responded negatively, the Blue Pike Recovery Team concluded that the blue pike was extinct and recommended removing it from the U.S. List of Endangered and Threatened Wildlife.

The longjaw cisco is one of several closely related species of ciscos which occur in the Great Lakes. It was known to occur in Lakes Michigan, Huron, and Erie. Despite the considerable effort of the Service's Great Lake Fishery Laboratory and States around the Great Lakes, there has been no reported collection of this species in U.S. waters since 1967. Recent research has indicated that some species of ciscos in the Great Lakes may constitute hybrid populations. The Fish and Wildlife Service believes *Coregonus alpenae* is extinct and should be deregulated.

DATES: Comments from the public must be received by July 26, 1982. Comments from Governors of affected States must be received by August 23, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert F. Johnson, Jr., U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

Comments and materials received will be available for public inspection by appointment during normal business hours by contacting the Region's Endangered Species staff at the above address.

SUPPLEMENTARY INFORMATION:

Background. Blue pike were abundant in the commercial fishery of the late 1800's but by 1915 landings began to fluctuate extensively. Production peaks in excess of 10,000 metric tons occurred in 1915, 1936, 1944, and 1949 and lows under 2,500 metric tons occurred in 1917-19, 1929, 1941, and 1946-47 before the fishery collapsed in 1958. During the past 10 years, the blue pike has been reported to be extinct by several fishery biologists.

Fishery biologists have evidence that an over-intensive fishery, which disrupted self-stabilizing mechanisms within the population, led to the extreme fluctuations and ultimate crash of the fishery. Since young-of-the-year blue pike inhabited the same areas as older members of the populations, they were vulnerable to cannibalism. It has been postulated that overfishing for adults caused unusual numbers of young-of-the-year to escape predation. This would lead to a short population explosion followed by several years of poor recruitment due to over-predation by abundant older fish on the young. An intensive fishery would cause increased amplitude in the fluctuations because the fish would be taken even when they were scarce. In addition, competition with and predation by the newly arrived rainbow smelt, which occupied the same habitat for part of the year, were likely detrimental to this species.

The last successful year-class occurred in 1954 and there was virtually no recruitment to the fishery after that year. Production continued at high levels for another 3 years and then collapsed. As growth rates in this period increased enormously, immature fish were readily exploited which further reduced spawning potential.

The reasons for the collapse of the fishery in 1958 have not been well defined. Summer oxygen deficiencies in the hypolimnion of the central basin probably forced the blue pike into the deeper waters of the eastern basin of Lake Erie where they were more vulnerable to an extensive fishing effort. It has also been suggested that introgressive hybridization with walleye may have been responsible for the final disappearance of the remnant stock.

The longjaw cisco, originally described in 1924, was indigenous to the Great Lakes basin and occurred only in Lakes Michigan, Huron, and Erie. The

longjaw cisco was one of several species of deepwater ciscos utilized by the smoked fish trade and was a very important species in the fishery of the Great Lakes. It was also an important prey species for lake trout and burbot before these fishes were decimated by the sea lamprey. The longjaw cisco has not been seen in Lakes Erie and Huron since the late 1950's. The most recent collection of this species in Lake Michigan was in 1967.

The ciscos, including the longjaw cisco, supported a substantial fishery until about 1950. These fishes were caught exclusively by gillnets set in deep (100-300 feet) water. As the deep water ciscos became scarce, the smaller shallow water species entered the fishery. The cisco or chub fishery of the Great Lakes ceased to exist before 1960 and presently only one cisco, the bloater (*Coregonus hoyi*), is important in the commercial fishery.

The decline of the longjaw cisco and the cisco fishery in general is usually attributed to fishery and environmental problems. The history of the cisco fishery in the Great Lakes is one of increasing exploitation and decreasing stocks. As the ciscos decreased in abundance, there was an increase in the fishery effort along with a decrease in net mesh size. This resulted in further depletion of cisco stocks. In addition to the increased fishing pressure, predation by the sea lamprey and degradation of the habitat further reduced cisco populations. In recent years, problems by hybridization between some species of ciscos has contributed to this decline.

Section 4 of the Endangered Species Act of 1973, as amended, directs the Secretary of the Interior to conduct, at least once every 5 years, a review of all species included in the list of Endangered and Threatened species to determine if any such species should be removed from the list or be changed in status from Endangered to Threatened or Threatened to Endangered. The longjaw cisco was listed in 1967 and the blue pike in 1970 and an official review of their status was initiated in 1979. The lack of recent collections indicates that these species have apparently become extinct. Based on this information, the Service proposes to deregulate the longjaw cisco and blue pike.

Summary of Factors Affecting the Species

Section 4(c) of the Endangered Species Act (16 U.S.C. 1531 seq.) directs the Secretary to review, at least once every 5 years, all listed species to determine if any species may be delisted or be eligible for a change in status. As part of this review the influence of the

five factors listed in Section 4(a) of the Act must be considered. These factors and their effects on the blue pike and longjaw cisco are as follows:

Blue Pike

1. *Present or Threatened Destruction, Modification, or Curtailment of its Habitat or Range.* Pollution and oxygen depletion may have contributed to the decline of this species.

2. *Overutilization for Commercial, Sporting, Scientific, or Educational Purposes.* Selective fishing by commercial interests may have been a factor in the disappearance of the blue pike.

3. *Disease or Predation.* Predation on adults by the sea lamprey may have contributed to the decline of the species.

4. *The Inadequacy of Existing Regulatory Mechanisms.* The absence of regulations sufficient to protect the fishery may have contributed to the decline of the blue pike.

5. *Other Natural or Manmade Factors Affecting Its Continued Existence.* Competition with rainbow smelt may have been one of the factors contributing to the decline of this species.

Although the exact cause of the disappearance of the blue pike is not known, it appears that the aforementioned factors were major contributing influences.

Longjaw Cisco

1. *Present or Threatened Destruction, Modification, or Curtailment of Its Habitat or Range.* The longjaw cisco was historically recorded from Lakes Michigan, Huron, and Erie. There have been no known adverse effects on the cisco from water quality degradation or habitat elimination in Lakes Huron and Michigan. Extensive industrial and municipal wastes that contributed to an overall deterioration of water quality in Lake Erie may have led to the decline in the cisco population there.

2. *Overutilization for Commercial, Sporting, Scientific, or Educational Purposes.* An intensive commercial fishery for large ciscos in Lakes Michigan and Huron may have contributed to the decline of *Coregonus alpenae* in these lakes.

3. *Disease or Predation.* Sea lamprey predation in Lakes Michigan and Huron may account for a portion of the longjaw cisco's decline.

4. *The Inadequacy of Existing Regulatory Mechanisms.* The absence of regulations sufficient to maintain the fishery may have contributed to the decline of this species.

5. *Other Natural or Manmade Factors Affecting Its Continued Existence.*

Competition with smaller ciscos, as well as with alewife (*Alosa pseudoharengus*) and rainbow smelt (*Osmorus mordax*), was a suspected contributory factor in the decline of the longjaw cisco.

Hybridization with other cisco species may also have been a contributing factor in the species' disappearance.

Effects of this Proposal if Published as a Final Rule

Deregulation of the blue pike and longjaw cisco would result in the removal of these species from the U.S. List of Endangered and Threatened Wildlife. Federal agencies would no longer be required to consult with the Secretary to insure that any action authorized, funded, or carried out by them would not jeopardize the continued existence of the blue pike and longjaw cisco or result in the destruction or adverse modification of their habitat. Restrictions on taking of this species would no longer apply.

Effect Internationally

The blue pike and longjaw cisco are listed in Appendix I of the Convention of International Trade in Endangered Species of Wild Fauna and Flora. Promulgation of this proposal as final rule may influence their removal from Convention's protection.

National Environmental Policy Act

A draft Environmental Assessment was prepared in conjunction with this proposed rule. It is on file in the Regional Office, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling; Twin Cities, Minnesota 55111, and may be examined by appointment during regular business hours. This assessment is the basis for a decision that this is not a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969 and 40 CFR Parts 1500-1508.

Note.—The Department of the Interior has determined that this is not a major rule and does not require preparation of a Regulatory Impact Analysis under Executive Order 12291. The Department has also determined, in accordance with the Regulatory Flexibility Act, that this rule will not have a significant economic effect on a substantial number of small entities. The Service is not aware of negative impacts on small entities from the delisting.

Primary Author

The primary author of this proposed rule is Mr. Robert F. Johnson, Jr., U.S. Fish and Wildlife Service, Twin Cities, Minnesota.

Public Comments Solicited

The Director intends that the rules finally adopted be as accurate and effective as possible. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning any aspect of this proposed rule are hereby solicited. The Service particularly requests comments on the following: (1) Biological or other relevant data concerning any blue pike and longjaw cisco populations which may still exist and (2) additional information concerning the historical range and distribution of this species.

Also, the Service is requesting information on environmental and economic impacts and effects on small entities (including small businesses, small organizations, and small governmental jurisdiction) that would result from the delisting of these species. This information will aid the Service in complying with the requirements of the National Environmental Policy Act, Executive Order 12291 on Federal Regulation, and the Regulatory Flexibility Act, and in preparing any required analyses of effect.

All comments and additional information received will be considered by the Director in the promulgation of a final rule.

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife,
Fish, Marine mammals, Plants
(agriculture)

Regulation Promulgation**PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

Accordingly, it is proposed that part 17, Subchapter B of Chapter I, Title 50 of the U.S. Code of Federal Regulations be amended as follows:

§ 17.11 [Amended]

1. Section 17.11 is amended by removing the following from the List of Endangered and Threatened Wildlife:

Cisco, longjaw (*Coregonus alpenae*)

Pike, blue (*Stizostedion vitreum glaucum*)

Dated: April 15, 1982.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

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