



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF817]

Endangered and Threatened Species; Take of Anadromous Fish

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Notification; availability of an evaluation and recommended determination.

SUMMARY: Notice is hereby given that NMFS received a Hatchery and Genetics Management Plan (HGMP) for a hatchery program rearing and releasing summer-run chum salmon in the Dungeness River basin, operated by Washington Department of Fish and Wildlife (WDFW) in collaboration with the Jamestown S’Klallam Tribe as co-managers. Following the public comment period this document serves to notify the public of the availability of an Evaluation and Recommended Determination Document (ERD) on implementing the proposed hatchery program the associated HGMP, which concludes that it will not appreciably reduce the likelihood of survival and recovery nor modify or destroy critical habitat of Hood Canal summer-run chum salmon, Puget Sound Chinook salmon, or Puget Sound steelhead.

DATES: [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: The document is available on the internet at

<https://www.fisheries.noaa.gov/action/dungeness-hatcheries-plans>.

FOR FURTHER INFORMATION CONTACT: Morgan Robinson, (253) 307-2670, morgan.robinson@noaa.gov.

SUPPLEMENTARY INFORMATION:

Endangered Species Act (ESA)-Listed Species Covered in This Notice

- Hood Canal summer-run chum salmon (*Oncorhynchus keta*): threatened, naturally

and artificially propagated;

- Puget Sound Chinook salmon (*O. tshawytscha*): threatened, naturally and artificially propagated;
- Puget Sound Steelhead (*O. mykiss*): threatened, naturally and artificially propagated.

Background

The term “take” is defined under the ESA to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The ESA prohibits the take of endangered salmonids and, pursuant to ESA section 4(d), ESA regulations can be extended to prohibit the take of threatened salmonids. However, NMFS may make exceptions to the take prohibitions for hatchery programs that are approved by NMFS under the limits on the prohibitions outlined in 50 CFR 223.203(b). The operators, WDFW collaborating with Tribal co-manager Jamestown S’Klallam Tribe, have submitted an HGMP to NMFS pursuant to NMFS’ limit 6 of the 4(d) rule of the ESA for hatchery activities in the Dungeness River basin, Washington. The ERD is NMFS’ determination for how the HGMP addresses the criteria in 50 CFR 223.203(b)(5).

The hatchery program under review is designed to contribute to the reintroduction and recovery of Hood Canal summer-run chum salmon in the Dungeness River basin. This hatchery program is intended to contribute to fulfilling Federal trust responsibilities toward Tribes with rights guaranteed through treaties, as affirmed in *United States v. Washington* (1974), by contributing to the recovery of ESA-listed salmon. Included in the HGMP is research and monitoring activities to study the effect of the program on the recovery of Hood Canal summer-run chum salmon, Puget Sound Chinook salmon, and Puget Sound steelhead.

As required in 50 CFR 223.203(b)(6), of the Endangered Species Act (ESA), exemption 6 of the section 4(d) rule for salmon and steelhead, the Secretary of

Commerce published notice of NMFS' proposed evaluation and pending determination (PEPD) together with a discussion of the biological analysis underlying that determination. NMFS received no public comments on that PEPD.

Classification

Under section 4 of the ESA, the Secretary of Commerce may issue regulations for the conservation of listed threatened species. The ESA salmon and steelhead 4(d) rule (50 CFR 223.203(b)) specifies categories of activities that contribute to the conservation of listed salmonids and sets out the criteria for such activities. The rule further provides that the prohibitions of paragraph (a) of the rule do not apply to actions undertaken in compliance with a plan developed jointly by a State and a Tribe and determined by NMFS to be in accordance with the salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000).

Authority: 16 U.S.C. 1531 *et seq.*; 16 U.S.C. 742a *et seq.*

Dated: May 29, 2026.

Jennifer Leigh Quan,

Regional Administrator, West Coast Region,

National Marine Fisheries Service.

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