



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 260923-0007]

RIN 0648-BN25

Fisheries off West Coast States; West Coast Salmon Fisheries; Rebuilding Plan for the Overfished Queets River Spring/Summer Chinook Salmon Stock

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

ACTION: Final rule.

SUMMARY: This final rule will implement the rebuilding plan recommended by the Pacific Fishery Management Council (Council) for the overfished Queets River Spring/Summer Chinook salmon stock (Queets sp/su Chinook salmon). This final rule identifies changes to the regulations to implement the rebuilding plan.

DATES: Effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN *FEDERAL REGISTER*].

ADDRESSES: The documents cited in this document are available on the Pacific Fishery Management Council's (Council) website (<https://www.pcouncil.org>) and the NMFS West Coast Region (WCR) website (<https://www.fisheries.noaa.gov/action/rebuilding-plan-overfished-queets-river-spring-summer-chinook-salmon-stock>).

FOR FURTHER INFORMATION CONTACT: Shannon Penna, Fishery Management Specialist, at 562-980-4239 or Shannon.Penna@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

In October 2023, NMFS determined that the Queets sp/su Chinook salmon managed under the Council's Pacific Coast Salmon Fishery Management Plan (FMP) met the overfished criteria of the FMP and the Magnuson-Stevens Act (MSA). "Overfished" is defined in the FMP as when the 3-year geometric mean of a salmon stock's annual spawning escapements falls below the reference point defined as the minimum stock size threshold (MSST). The 3-year geometric mean spawning escapement for Queets sp/su Chinook salmon for the 2019-2021 period was 314, which is less than the stock's MSST of 350. In response to the overfished determination, the Council developed a rebuilding plan, which was transmitted to NMFS for approval and implementation. NMFS published a proposed rule (91 FR 7952, February 19, 2026) describing the rebuilding plan and soliciting comments from the public on the proposed rule and draft rebuilding plan. NMFS explained in the preamble to the proposed rule the basis for its proposal to implement the Council's recommended plan; that explanation is not repeated here.

Public Comment

NMFS solicited public comments on the proposed rule through March 23, 2026. NMFS received four public comments during the open comment period. All comments addressed matters outside the scope of this specific rulemaking. The first three comments addressed concerns about offshore wind energy and the management of fisheries outside the scope of the MSA. The fourth comment is non-responsive to the proposed decision because it erroneously presumes NMFS proposed the total suspension of commercial fishing, a restrictive alternative that the Council considered but did not recommend and NMFS is not proposing. Therefore, these comments are not addressed in this final action, and no changes were made to the final rule in response to public comments.

Classification

Pursuant to section 304(b)(3) of the MSA, the NMFS Assistant Administrator has

determined that this final rule is consistent with the Salmon FMP, other provisions of the MSA, and other applicable law.

This final rule has been determined to be not significant for purposes of Executive Order 12866

This final rule is not an Executive Order 14192 regulatory action.

This action was developed after meaningful and timely consultation or engagement with Tribal officials on the Council and the Northwest Indian Fish Commission, who have agreed with the rebuilding plan. NMFS consulted with Tribal officials on the Council and the Northwest Indian Fish Commission after NMFS invited engagement on this rule. No changes were made in the final rule in response to tribal consultations.

The Senior Lead Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification. As a result, a regulatory flexibility analysis was not required and none was prepared.

This final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, Recordkeeping and reporting requirements.

Dated: September 24, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs,

National Marine Fisheries Service.

For the reasons set out above and detailed in the proposed rule, NMFS amends 50 CFR part 660 as follows:

PART 660—FISHERIES OFF WEST COAST STATES

1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

2. Amend § 660.413, by adding paragraph (b) to read as follows:

§ 660.413 Overfished species rebuilding plans.

* * * * *

(b) *Queets River Natural Spring/Summer Chinook.* The Queets River Natural Spring/Summer Chinook salmon stock was declared overfished in 2023. The rebuilding plan is to manage the fishery consistent with the FMP and this subsection. The stock will be considered rebuilt when the 3-year geometric mean of natural-area adult escapement meets or exceeds S_{MSY} (the default criterion in the Salmon FMP).

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