

ACTION: Temporary rule; quota transfer.

SUMMARY: NMFS announces that the State of North Carolina is transferring a portion of its 2026 commercial summer flounder quota to the Commonwealth of Virginia. This adjustment to the 2026 fishing year quota is necessary to comply with the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) quota transfer provisions. This announcement informs the public of the revised 2026 commercial quotas for North Carolina and Virginia.

DATES: Effective June 17, 2026, through December 31, 2026.

FOR FURTHER INFORMATION CONTACT: Matthew Rigdon, Fishery Management Specialist, (978) 281-9336.

SUPPLEMENTARY INFORMATION:

Regulations governing the summer flounder fishery are found in 50 CFR 648.100 through 648.111. These regulations require annual specification of a commercial quota that is apportioned among the coastal states from Maine through North Carolina. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.102, and the final 2026 allocations were published on February 19, 2026 (91 FR 7896).

The final rule implementing amendment 5 to the FMP, as published in the **Federal Register** on December 17, 1993 (58 FR 65936), provided a mechanism for transferring summer flounder commercial quota from one state to another. Two or more states, under mutual agreement and with the concurrence of the NMFS Greater Atlantic Regional Administrator, can transfer or combine summer flounder commercial quota under § 648.102(c)(2). The Regional Administrator is required to consider three criteria in the evaluation of requests for quota transfers or combinations: (1) the transfers or combinations would not preclude the overall annual quota from being fully harvested; (2) the transfers address an unforeseen variation or contingency in the fishery; and (3) the transfers are consistent with the objectives of the FMP and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Regional Administrator has determined these three criteria have been met for the transfer approved in this notification.

North Carolina is transferring 496 pounds (lb; 225 kilograms (kg)) of summer flounder to Virginia through a mutual agreement between the states. This transfer was requested to repay landings made by an out-of-state permitted vessel under a safe harbor

agreement. The revised summer flounder quotas for 2026 are: North Carolina, 2,919,725 lb (1,324,365 kg); and Virginia, 2,421,008 lb (1,098,151 kg).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 648.102(c)(2)(i) through (iv), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempted from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: June 16, 2026.

Kelly Denit,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

[FR Doc. 2026-12307 Filed 6-17-26; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 260615-0143; RTID 0648-XF376]

Fisheries of the Exclusive Economic Zone off Alaska; Cook Inlet; Final 2026 Harvest Specifications for Salmon

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

ACTION: Final rule; harvest specifications.

SUMMARY: NMFS announces the final 2026 harvest specifications for the salmon fishery of the Cook Inlet exclusive economic zone (EEZ) Area. This action is necessary to establish harvest limits for salmon during the 2026 fishing year and to accomplish the goals and objectives of the Fishery Management Plan for Salmon Fisheries in the EEZ off Alaska (Salmon FMP). The intended effect of this action is to conserve and manage the salmon resources in Cook Inlet EEZ Area in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

DATES: Harvest specifications and closures are effective at 0700 hours, Alaska local time (A.l.t.), June 17, 2026, until the effective date of the final 2027 harvest specifications for the Cook Inlet EEZ Area.

ADDRESSES: Electronic copies of the Environmental Assessment for the

Harvest Specifications of the Cook Inlet Salmon Fisheries in the EEZ Off Alaska (EA) and the Finding of No Significant Impact (FONSI) prepared for this action are available from <https://www.regulations.gov>. The Environmental Assessment/Regulatory Impact Review for amendment 16 (A16 EA/RIR) to the Salmon FMP is available from the NMFS Alaska Region website at <https://www.fisheries.noaa.gov/action/amendment-16-fmp-salmon-fisheries-alaska>. The 2026 Stock Assessment and Fishery Evaluation (SAFE) report is available from the Alaska Region website at <https://www.fisheries.noaa.gov/alaska/commercial-fishing/cook-inlet-exclusive-economic-zone-salmon-stock-assessment-and-fishery>.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: NMFS prepared the Salmon FMP under the authority of the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*). Regulations governing U.S. fisheries and implementing the Salmon FMP appear at 50 CFR parts 600 and 679.

Section 679.118(b)(2) requires that NMFS consider public comment on the proposed harvest specifications and publish the final harvest specifications in the **Federal Register**. The proposed 2026 harvest specifications for the Cook Inlet EEZ Area were published in the **Federal Register** on April 15, 2026 (91 FR 20085). Comments were invited and accepted through April 30, 2026. The comments received and NMFS responses are addressed in the Response to Comments section below. After considering public comments submitted for the proposed rule (91 FR 20085, April 15, 2026), NMFS is implementing the final 2026 harvest specifications for the salmon fishery of the Cook Inlet EEZ Area consistent with the Scientific and Statistical Committee's (SSC) recommended overfishing limit (OFL) and acceptable biological catch (ABC) for each stock or stock complex and the North Pacific Fishery Management Council's (Council) recommended total allowable catch (TAC) levels, which account for the uncertainty associated with this fishery.

Final 2026 Overfishing Limit (OFL), Acceptable Biological Catch (ABC), and Total Allowable Catch (TAC) Specifications

The final 2026 SAFE report contains a review of the latest scientific analyses and estimates of biological parameters for the Cook Inlet EEZ Area salmon stocks and stock complexes (a stock

complex is an aggregate of multiple stocks of a species). NMFS compiled and presented the preliminary 2026 SAFE report for the Cook Inlet EEZ Area salmon stocks and stock complexes, dated February 2026, at the February Council meeting. The preliminary SAFE report provided recommendations to the SSC regarding the appropriate tiers for each stock, the status determination criteria that will be used to evaluate overfishing (including OFL), and the preliminary ABCs, which act as a ceiling when NMFS specifies TACs.

The Salmon FMP specifies methods to calculate OFLs and ABCs by assigning stocks to one of three tiers, with annual tier recommendations for each stock or stock complex provided in the SAFE report. The tier applicable to a particular stock or stock complex is determined by the level of reliable information available. Tier 1 stocks have the highest level of information quality available, while tier 3 stocks have the lowest level of information quality available. NMFS uses this tier structure to calculate OFLs and ABCs for each salmon stock or stock complex according to the methods specified in the Salmon FMP and recommended by the SSC. Under the Salmon FMP, the annual catch limit (ACL) is set equal to ABC for each stock or stock complex, and TACs may be set below ABC to account for additional sources of management uncertainty.

For tier 1 stocks, as defined in the Salmon FMP, the SAFE report relies on forecasts of the coming year's salmon runs as the basis for the recommended OFLs and ABCs, which are included in the 2026 SAFE report. For tier 1 stocks, status determination criteria and harvest specifications are calculated in terms of potential yield for the Cook Inlet EEZ Area. The potential yield is the total forecasted run size minus the number of salmon required to achieve spawning escapement targets and the estimated mortality from other sources including in other fisheries.

For 2026, no stocks were recommended to be tier 2.

For tier 3 stocks, as defined in the Salmon FMP, NMFS used fishery catch estimates from prior years to inform the 2026 harvest specifications. This is the best available information for these stocks.

The Salmon FMP also discusses considerations for the specification of TACs, which are set at the species level. TACs must be less than or equal to the

aggregate ABCs for each stock and stock complex and should account for the estimated proportional contribution of each stock to total catch of a species, allowable de minimis harvest amounts, and projected removals from the recreational salmon fishery. TACs may be reduced from ABC if warranted on the basis of concerns about the harvest of weak salmon stocks, bycatch considerations, management uncertainty, ecosystem requirements, or social and economic considerations.

The SSC and Council reviewed NMFS's preliminary 2026 SAFE report for the Cook Inlet EEZ Area salmon fishery in February 2026. From these data and analyses, the SSC recommended an OFL and ABC for each managed salmon stock or stock complex. After considering the SSC's recommendations, the Council unanimously took action to recommend TACs, which also include a buffer to reduce TACs from ABCs to account for management uncertainty. A primary source of management uncertainty is whether, upon nearing a TAC, NMFS will have sufficient time to publish a notice of fishery closure in the **Federal Register** before additional fishing openers occur. As such, the TAC buffers and resulting TACs were calculated to ensure that even if a TAC level is reached, two additional fishing openers occurring before the fishery could be closed would not result in any ABC being exceeded. The TAC buffers were derived by calculating the maximum daily harvest after July 15 in 2024 and 2025, expressing that as a percentage of the 2026 ABC, and doubling the percentage to account for two openers of fishing at that level. For the Aggregate coho salmon stock complex, given that spawning escapement targets have not been achieved during recent years for the indicator stocks, the Council recommended a larger management buffer such that the 2026 TAC has been reduced from ABC/ACL, similar to the 2025 TAC; NMFS agrees this level of precaution is warranted on the basis of management uncertainty and ecosystem considerations related to the harvest and condition this data poor stock complex. Through this action, NMFS is implementing the OFLs and ABCs recommended by the SSC and TACs consistent with the Council's recommendations.

Following the February Council meeting, NMFS updated the 2026 SAFE report to incorporate SSC

recommendations (see **ADDRESSES** section). The specifications are based on SSC recommendations contained in the 2026 final SAFE report, which represents the best scientific information available on the biological condition of salmon stocks in Cook Inlet.

NMFS is publishing the final 2026 harvest specifications after considering: (1) comments received within the comment period; (2) information presented in the harvest specifications EA; and (3) information presented in the 2026 SAFE report prepared for the 2026 Cook Inlet EEZ Area salmon fishery (see 50 CFR 679.118(b)(2)).

The final 2026 specifications of OFL, ABC, and TAC are consistent with the harvest strategy outlined in the Salmon FMP, the biological condition of salmon as described in the 2026 SAFE report, SSC and Council recommendations, and the Magnuson-Stevens Act, including the National Standards. These specifications are based on the best scientific information available, primarily the 2026 SAFE report. The SAFE report was subject to peer review by the SSC, which recommended the ABCs and OFLs in table 1, consistent with 50 CFR 600.310(f)(3) and 600.315(c) through (d). The 2026 ABCs are less than the OFLs for each stock or stock complex. TACs are established for species rather than stocks or stock complexes because it is not possible to differentiate among stocks of the same species through catch accounting during the fishing season. The 2026 TACs, recommended by the Council in table 1, are less than the aggregate ABC for each component stock or stock complex and account for the assumed contribution of each stock or stock complex to total catch to ensure ABC is not exceeded for any stock or stock complex. These TACs account for other relevant biological and social and economic considerations presented in the resource assessment documents (*i.e.*, the 2026 SAFE report) (see § 679.118(a)(2)), as well as management uncertainty. NMFS will rely on its experience managing the fishery and inseason management authority to close the fishery when it determines a TAC has been or is likely to be reached. NMFS has determined that these harvest specifications will prevent overfishing and maintain harvest levels below the ABC/ACL for each stock or stock complex.

TABLE 1—FINAL 2026 COOK INLET EEZ AREA SALMON OFLS, ABCs, AND TACs IN NUMBERS OF FISH

Stock or stock complex ¹	OFL	ABC	TAC
Kenai River Late-Run sockeye salmon	1,284,478	937,993	1,487,153
Kasilof River sockeye salmon	617,006	489,936	
Aggregate Other sockeye salmon	181,351	154,149	
Aggregate Chinook salmon	373	261	240
Aggregate coho salmon	67,013	26,805	16,619
Aggregate chum salmon	97,508	78,006	68,645
Aggregate pink salmon	141,406	127,266	124,721

¹ The TAC for sockeye salmon is combined for Kenai River Late-Run, Kasilof River, and Aggregate Other sockeye salmon because it is not possible to differentiate among stocks of sockeye at the time they are caught.

Response to Comments

NMFS published proposed harvest specifications on April 15, 2026 (91 FR 20085) and accepted public comment for 15 days, with the comment period closing on April 30, 2026. NMFS received 15 letters with 14 distinct comments during the public comment period. The comments were from individuals, individual drift gillnet fishermen, and a fishery organization. Several comments addressed issues governed by amendment 16 and its implementing regulations, including appropriate fishing periods (*e.g.*, time and days allowed for commercial drift gillnet gear), whether salmon fishing should be allowed in both State and Federal waters on the same day, and the possibility of opening with emergency orders as conducted by the State of Alaska. This action does not change any of the fishery management policies adopted under amendment 16; therefore, any comments related to those policies are outside the scope of this action.

Comment 1: Salmon cannot be managed effectively with a catch limit or TAC, and the harvest specifications for salmon in Cook Inlet EEZ Area must be based on inseason abundance-based data to allow for more adaptive management.

Response: The procedures for specifying TACs is described in Section 4.2.6 of the Salmon FMP and Federal regulations at 50 CFR 679.118. This action does not change any of the fishery management policies adopted under amendment 16; therefore, any comments related to the appropriateness of using TACs or inseason abundance-based data for setting the harvest specifications for the Cook Inlet EEZ Area salmon fishery are outside the scope of this action.

While this comment is outside the scope of this action, NMFS disagrees that the use of a TAC is an ineffective management tool. Further, the Magnuson-Stevens Act requires that NMFS specify ACLs in the relevant fishery management plan (16 U.S.C.

1853(a)(15)). Under the Salmon FMP, ACLs are equal to ABCs for the purposes of the Cook Inlet EEZ Area salmon fishery. Responses to similar comments were addressed in the Response to Comments section of the amendment 16 final rule (see 89 FR 34718, 34724–34751 (April 30, 2024)). Additionally, the Response to Comments sections of the Final 2024 and the Final 2025 Cook Inlet Harvest Specifications for Salmon addressed similar comments (see 89 FR 51448, 51449–51456 (June 18, 2024) and page at 90 FR 25508, 25509–25513 (June 17, 2025)).

Comment 2: The use of the term “buffer” appears to be a semantic tactic used by NMFS to avoid the rigorous analysis required by National Standard 8, which requires a detailed discussion and justification of the impacts on fishing communities. By labeling restrictive limits as “buffers” rather than harvest specifications, NMFS is attempting to bypass the transparency and accountability that Congress requires for the protection of these communities.

Response: The structure of the Cook Inlet EEZ salmon fishery, which includes the use of buffers to account for scientific and management uncertainty, was established by amendment 16 to the Salmon FMP and implementing regulations (89 FR 34718, April 30, 2024), and changes to that structure are outside the scope of this action. The term “buffer” was used in the final rule implementing amendment 16 to describe possible reductions of ABC from OFL to account for scientific uncertainty and reductions of TAC from ABC to account for management uncertainty (89 FR 34719, April 30, 2024). The use of buffers implemented by NMFS and recommended by the SSC and Council account for both scientific and management uncertainty consistent with the National Standard 1 guidelines at 50 CFR 600.310(b)(3) and 600.310(f).

NMFS disagrees that it failed to consider impacts on fishing communities or that this action is inconsistent with National Standard 8.

Section 4 of the EA for these harvest specifications discusses economic and community effects from a range of alternative specifications. NMFS has determined that these harvest specifications are consistent with the Magnuson-Stevens Act and all National Standards.

Comment 3: The only way to truly know how many fish are coming into Cook Inlet is to let the commercial drift fleet fish at least twice a week in the EEZ throughout July.

Response: NMFS disagrees. NMFS relies upon preseason forecasts of abundance described in the SAFE report to estimate run sizes for major stocks of salmon to Cook Inlet. Amendment 16 established the management structure of this fishery and the process for establishing harvest limits based on preseason data, and that management structure is outside the scope of this action. The SAFE report undergoes review by the SSC and represents the best scientific information available to assess abundance and prevent overfishing. Additional fishery openers in July would likely result in the overharvest of less abundant stocks or stock complexes within the Cook Inlet EEZ Area. In addition, the State-operated test fishery that occurs in Cook Inlet during the month of July provides important inseason abundance information to inform inseason management and is also an important historical benchmark to assess run strength and timing. The 2026 SAFE report and responses to Comments 4, 6, and 11 of this rule provide additional discussion on fishing periods and concerns regarding harvest on less abundant stocks occurring within the Cook Inlet EEZ Area.

Comment 4: The current fishing periods are not sufficient for maximizing harvest and to fully utilize the TAC; additional time and days should be allowed for commercial drift gillnet gear.

Response: Amendment 16 and its implementing regulations (89 FR 34718, April 30, 2024) established the Federal

fishing season, fishing periods, and the prohibition on fishing in State and Federal waters on the same day. This action does not change any of the fishery management regulations implemented under amendment 16, and changes to these regulations are outside the scope of this harvest specifications final rule.

Comment 5: The fishing periods in the EEZ should be on Tuesday and Friday to avoid halibut charter vessel interactions, and to reduce the potential for gear conflicts and safety issues.

Response: Fishing periods in the Cook Inlet EEZ Area were established in the final rule implementing amendment 16 to the Salmon FMP (89 FR 34718, April 30, 2024), and changes to these regulations are outside the scope of this harvest specifications final rule.

Regarding potential safety issues and gear conflicts with charter halibut vessels, it is incumbent upon all vessels to comply with the regulations for the responsibility between vessels (Rule 18; 33 CFR 83.18) and section 28 of the International Pacific Halibut Commission Fishery Regulations (2026) at, <https://www.iphc.int/fisheries/fishery-regulations/>, which describe guided recreational sportfishing regulations for the Cook Inlet area.

The NOAA Office of Law Enforcement operates in the Cook Inlet EEZ Area and all potential violations should be reported immediately, which will help NMFS determine the scope of interactions between charter and commercial vessels.

Comment 6: The drift fleet should be allowed more opportunity before July 20th to harvest sockeye salmon and less time after July 20th when coho begin to arrive in Cook Inlet.

Response: The current schedule of open fishing periods for the Cook Inlet EEZ Area were established with the final rule implementing amendment 16 (89 FR 34718, April 30, 2024, pages 34720 and 34723), and comments pertaining to changes in the number of fishing periods are outside the scope of these harvest specifications. However, NMFS acknowledges it has received a number of comments regarding the ability of the drift gillnet fleet to harvest additional sockeye salmon while conserving coho salmon, including comments that the Council considered at their February 2026 meeting prior to recommending the TACs in this final rule. Any change to the open fishing periods in the Cook Inlet EEZ Area would require amending the regulations implementing the Salmon FMP in a separate action.

Comment 7: Salmon fishing should be allowed in both State and Federal waters on the same day.

Response: The prohibition on fishing in State and Federal waters on the same day was established under amendment 16 to the Salmon FMP and its implementing regulations (89 FR 34718, April 30, 2024). This action does not change any of the fishery management regulations implemented under amendment 16, and such considerations are outside the scope of these harvest specifications.

Comment 8: Federal waters should have the ability to open up with emergency orders similar to the State. This will allow the fleet to spread out over a larger area during periods of high sockeye abundance.

Response: Under Federal regulations implementing amendment 16, NMFS does not have the ability to open additional fishing periods by issuing emergency orders, and the management structure implemented by amendment 16 is outside the scope of this action.

Comment 9: Current escapements of sockeye to the Kenai and Kasilof are double or triple the escapement goals. This over escapement results in a wasted resource causing economic harm to fisherman and communities, and ecological concerns.

Response: Sections 4.2 and 4.3 of the 2026 Cook Inlet Salmon SAFE report show that sockeye salmon spawning escapements for the Kenai and Kasilof rivers exceeded the SSC-recommended escapement targets in 2024 and 2025, and NMFS acknowledges that such escapements have resulted in foregone yield. However, the SSC has not recommended an upper threshold for spawning escapement targets to these rivers; therefore, the amount of foregone yield is not defined.

As described in the preamble to the proposed rule for amendment 16 (88 FR 72314, October 19, 2023) and the A16 EA/RIR, salmon fishing in the Cook Inlet EEZ necessarily targets mixed stocks of salmon. Conservation measures to prevent overfishing on less abundant co-occurring salmon stocks are a primary driver of this foregone yield as they limit a complete harvest of the most abundant sockeye salmon stocks to prevent overfishing on less abundant salmon stocks. As referenced within the 2024 through 2026 SAFE reports, during recent years when Kenai and Kasilof river sockeye salmon escapement goals were exceeded, some sockeye, coho, and Chinook salmon escapement goals in Cook Inlet were not achieved, thereby highlighting the difficulty of managing mixed stock fisheries to enable the harvest of

potential yield while also achieving conservation objectives.

National Standard 1 of the Magnuson-Stevens Act explicitly mandates that NMFS prevent overfishing (16 U.S.C. 1851(a)(1); 50 CFR 600.310). To achieve this statutory requirement, foregone harvest may be necessary when additional harvest of an abundant stock would also result in bycatch of species for which there is a conservation concern. Each year when setting harvest specifications, NMFS will evaluate the maximum potential harvest available in the Cook Inlet EEZ Area and will work to provide harvest opportunities, subject to legal requirements and the constraints of scientific and management uncertainty.

In establishing harvest specifications, NMFS considers the scientific and management uncertainty present and the risk that the number of returning salmon will be lower than forecasted. Because salmon fishing in the Cook Inlet EEZ Area harvests Upper Cook Inlet salmon runs before all other users in Cook Inlet, it is essential to ensure that enough salmon of all stocks can pass through the Cook Inlet EEZ Area to meet escapement goals, while also accounting for all subsequent mortality. Any salmon surplus to escapement goals may still be harvested in State of Alaska waters after moving through the Cook Inlet EEZ Area.

The A16 EA/RIR and responses to comments in the amendment 16 final rule address the topic of whether sockeye salmon spawning escapements above the escapement goal result in fewer returning adult fish in subsequent years (*i.e.*, density dependent effects, otherwise known as overcompensation). As shown in the 2025 and 2026 SAFE reports, these larger spawning escapements of sockeye salmon to the Kenai and Kasilof rivers have generally resulted in substantial yields of adult sockeye salmon in future years. NMFS will continue to monitor spawner-recruitment trends for these stocks and will adjust its status determination criteria and harvest specifications recommendations to the SSC if density dependent effects become evident in the future.

Monitoring and Information Bulletins

Comment 10: Continue monitoring and announcing any additional openers via transparent bulletins.

Response: The NMFS inseason managers monitor this fishery on a daily basis and any changes, including openings, closures, or other adjustments, will be evaluated as data becomes available. NMFS will publish this information in the **Federal Register**

and post information bulletins released by the Alaska Region at <https://www.fisheries.noaa.gov/news-and-announcements/bulletins>.

Comment 11: The coho TAC is too low and the TAC buffers are too restrictive, which could lead to a premature closure of the entire fishery. NMFS should set the coho TAC equal to the SSC recommendation.

Response: As the scientific review body, the SSC does not recommend TAC; the SSC recommends the biological reference points (OFL and ABC), with ABC reduced from OFL by a buffer to account for scientific uncertainty. The Council considers social and economic considerations and management uncertainty through its TAC recommendations to NMFS. For 2026, the Council recommended and NMFS agreed that an additional buffer between ABC and TAC was warranted based on management uncertainty and ecosystem considerations related to the harvest and condition of this data poor stock complex.

The spawning escapement targets for the Aggregate coho salmon stock complex have not been achieved during recent years for the indicator stocks; therefore, the Council recommended a TAC that is very similar to the 2025 TAC, and NMFS agrees that this level of precaution is warranted in light of management uncertainty and ecosystem considerations, specifically escapement concerns for this data-poor stock complex. In addition, NMFS cannot quickly close the fishery and a significant number of coho can be harvested in a single opener (as evidenced by harvests during 2025). Including a further buffer between ABC and TAC will ensure the ABC is not exceeded for coho even if additional openers occur after NMFS decides to close the fishery. NMFS is therefore implementing TACs consistent with the Council's recommendations.

NMFS acknowledges the difficulties of participating in the Cook Inlet EEZ Area mixed stock fishery, in which the fishery closes when the TAC is reached for any species, regardless of how much TAC is remaining for other species. This topic is discussed in the A16 EA/RIR Sections 2.5.2.1 and 3.1.3 as well as in the final rule implementing amendment 16 (see 89 FR at 34729), and the approach is necessary to protect less abundant stocks such as the Aggregate coho salmon stock complex. An important management tool to help mitigate closures associated with reaching the TAC for coho has been reducing fishery openings to one, 12-hour fishing period on Thursdays from July 16 to July 31, specifically to protect

coho salmon passing through the Cook Inlet EEZ Area.

Since the advent of this Federal fishery in 2024, it has not yet been closed due to the coho salmon TAC being fully harvested. NMFS will continue to review and assess available coho salmon spawning escapement data in future years.

Comment 12: Economic benefits to fishermen, processors, communities, and the country have been lost for no reason under a management plan that does not work with salmon harvests. The FMP has resulted in a loss of opportunity for local families and processing plants, landing taxes for the community and other local jobs and has harmed businesses that are affected by this fishery.

Response: To the extent that this comment challenges the existing management structure in the Salmon FMP, that structure was established by amendment 16 to the Salmon FMP and implementing regulations (89 FR 34718, April 30, 2024), and changes to that structure are outside the scope of this action. To the extent that the comment pertains to foregone yield as a result of Federal regulations that were implemented under amendment 16 or impacts to communities from the use of buffers under amendment 16, NMFS has addressed these topics in response to Comments 9 and 11 and Comment 2, respectively.

Federal management of the Cook Inlet EEZ Area was implemented under the authority of the Magnuson-Stevens Act and is in compliance with the National Standards and the Salmon FMP. Under the authority of amendment 16 and its implementing regulations, NMFS is required to set TACs and apply management measures for the sustainability of all salmon stocks in the Cook Inlet EEZ Area; NMFS prepared these harvest specifications using the pre-season forecast, described in the 2026 SAFE report, which is the best scientific information available. The 2026 SAFE report also provides harvest estimates for the Cook Inlet EEZ Area under Federal management since 2024 and includes estimated harvests for this area under State management. Additionally, Sections 1.4 and 1.6, along with tables 3–4 of the EA, describe and summarize total catch and revenue within the Cook Inlet EEZ Area since 2024.

Comment 13: These harvest specifications do not meet National Standard 1 as defined in the Magnuson-Stevens Act, requiring the fishery to be managed based on maximum sustainable yield (MSY) in order to meet the objectives of optimum yield (OY).

The Magnuson-Stevens Act requires that the Salmon FMP comply with all National Standards.

Response: NMFS disagrees that these harvest specifications are inconsistent with National Standard 1. In brief, National Standard 1 provides that conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the OY from each fishery for the United States fishing industry. Under the National Standard 1 guidelines, OY is prescribed on the basis of MSY. Though OY is a long-term average management target and not an annual goal, NMFS notes that the 2026 harvest specifications result in harvest limits that fall within the OY range established for the Cook Inlet EEZ Area and are expected to prevent overfishing on all stocks.

To the extent this comment asserts that MSY and OY are improperly specified, those assertions are outside of the scope of this action. The definition of MSY and OY for the Cook Inlet EEZ Area are in Sections 4.2.1 and 4.2.2 of the Salmon FMP and are not part of the harvest specifications process.

Comment 14: These harvest specifications are inconsistent with all National Standards under the Magnuson-Stevens Act.

Response: NMFS disagrees and has determined that the harvest specifications are consistent with all of the Magnuson-Stevens Act's National Standards.

See the response to Comment 13 regarding National Standard 1.

Consistent with National Standard 2, the data, estimates, and analyses used to conduct the stock assessment analyses and calculate status determination criteria represent the best scientific information available, and this information was peer reviewed by the SSC, which recommended OFLs and ABCs. After considering recommendations by the SSC and public testimony, the Council recommended TACs that NMFS adopts and implements in this final rule. The response to Comment 3 and the Final 2026 Overfishing Limit (OFL), Acceptable Biological Catch (ABC), and Total Allowable Catch (TAC) Specifications section in this rule provide additional general discussion of the scientific basis of these harvest specifications.

Consistent with National Standard 3, this action manages all salmon stocks as a unit throughout their range to the extent practicable. These specifications establish harvest limits for all salmon fishing in the Cook Inlet EEZ Area under NMFS's jurisdiction, while

accounting for harvests in other jurisdictions.

Consistent with National Standard 4, these harvest specifications do not discriminate between residents of different states. These harvest specifications are fair and equitable to all fishery participants by maintaining historical harvest proportions and levels, are reasonably calculated to promote conservation by avoiding overfishing, and ensure that no entity acquires an excessive share of harvest privileges.

National Standard 5 states that conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose. This action allows for the efficient commercial drift gillnet harvest of salmon stocks in the Cook Inlet EEZ Area, subject to the constraints of scientific and management uncertainty, weak stock management, allowing for escapement needs, and allowing for a harvestable surplus for other users.

Consistent with National Standard 6, these harvest specifications account for and allow for variations among, and contingencies in, fisheries, fishery resources, and catches, and provide “a suitable buffer in favor of conservation” in light of scientific and management uncertainties (see 50 CFR 600.335(c)).

These harvest specifications impose no costs and are not duplicative of any other management measures and are therefore consistent with National Standard 7.

Consistent with National Standard 8, these harvest specifications maintain historical access to the resource for all fishing communities in Cook Inlet, consistent with current conservation conditions, while also preventing overfishing on the stocks or stock complexes caught in fisheries throughout Cook Inlet. This includes maintaining conditions for fishing communities dependent on salmon fishing in the Cook Inlet EEZ Area as well as those dependent on salmon fishing within State of Alaska waters. Please also refer to the response to Comment 2 regarding this National Standard.

Consistent with National Standard 9, this action minimizes bycatch and bycatch mortality by establishing salmon TACs that can be achieved without additional or different fishing effort that would increase bycatch.

Consistent with National Standard 10, this action promotes safety by establishing TACs that can be achieved during the summer period of relatively good weather.

Changes From Proposed to Final Rule

NMFS undertook a thorough review of the relevant comments received during the public comment period. For reasons described above, NMFS made no changes from the proposed rule.

Directed Fishing Closures and Inseason Adjustments

In accordance with 50 CFR 679.118(c)(1)(i), NMFS will prohibit commercial fishing for salmon in the Cook Inlet EEZ Area if NMFS determines that any salmon TAC has been or may be reached for any salmon species or stock. NMFS may also make adjustments to a TAC for any salmon species or stock or open or close a season in the Cook Inlet EEZ Area if necessary to prevent overfishing, among other reasons, consistent with 50 CFR 679.25. Changes to the salmon fisheries in the Cook Inlet EEZ Area will be announced in the **Federal Register** and posted at the following website under the Alaska filter for Management Areas at <https://www.fisheries.noaa.gov/news-and-announcements/bulletins>.

Classification

NMFS is issuing this final rule pursuant to section 305(d) of the Magnuson-Stevens Act. Through previous actions, the Salmon FMP and regulations are designed to authorize NMFS to take this action (see 50 CFR 679.118). The NMFS Assistant Administrator has determined that this final rule is consistent with the Magnuson-Stevens Act, the Salmon FMP, and other applicable laws.

Pursuant to 5 U.S.C. 553(d)(3), the Assistant Administrator for Fisheries finds there is good cause to waive the 30-day delay in the date of effectiveness for this rule and make this rule effective immediately upon filing with the Office of the Federal Register because delaying this rule is impracticable and contrary to the public interest. If the final harvest specifications are not effective by the start of the Cook Inlet EEZ Area salmon fishery as required by 50 CFR 679.118(e), the Cook Inlet EEZ Area salmon fishery will not be able to open by June 22, 2026, the start date set in regulation and the same day as the State drift gillnet fishery opens. Immediate effectiveness will thus prevent confusion that could occur if the State of Alaska and Federal fisheries opened on different dates, as many vessels participate in both fisheries.

In addition, immediate effectiveness of this action is required to provide consistent management and conservation of fishery resources based on the best scientific information

available and to give the fishing industry the earliest possible opportunity to plan fishing operations. These final 2026 harvest specifications, as well as the earlier proposed harvest specifications, were developed as quickly as possible given the availability of essential data and required review. The SSC provided review of the 2026 SAFE report at the February 2026 Council meeting, the earliest meeting at which that scientific information was available. Relying on SSC and Council recommendations, NMFS revised the 2026 SAFE report and drafted proposed harvest specifications, which it published on April 15, 2026. NMFS then offered a 15-day public comment period on the proposed harvest specifications, which closed on April 30, 2026. After the close of the comment period, NMFS developed the final harvest specifications as quickly as possible, responding to all comments, to ensure the specifications could be implemented by the June 22, 2026, opening date for the Cook Inlet EEZ Area commercial fishery.

This action is exempt from review under Executive Orders 12866 and 14192.

NMFS prepared an EA for the 2026 harvest specifications of the Cook Inlet EEZ Area salmon fishery, which incorporates by reference the A16 EA/RIR and the 2026 SAFE report (see **ADDRESSES** section). These analyses evaluate the potential environmental and socioeconomic impacts of three alternative catch limits for the Cook Inlet EEZ Area salmon fishery, as is consistent with the National Environmental Policy Act. The NMFS Assistant Administrator concluded that there will be no significant impact on the quality of the human environment as a result of this rule, which will not change the spatial or temporal distribution of the fishery, and is expected to result in harvests consistent with historical levels, will prevent overfishing, and is intended to be of limited duration as the TACs are recommended annually.

Executive Order 13175

To provide for meaningful and timely consultation or engagement in the development of this action, NMFS invited Alaska Federation of Natives, Kenaitze Indian Tribe, Knik Tribe, Chickaloon Native Village/Chickaloon Village Traditional Council, Native Village of Eklutna, Ninilchik Village, Native Village of Tyonek, Seldovia Village, and Cook Inlet Region Inc. to participate in consultation or engagement. NMFS held a Tribal engagement session prior to the

February Council meeting. No comments were submitted by Tribal organizations for these harvest specifications.

A Tribal summary impact statement under section (5)(b)(2)(B) and (c)(2) of E.O. 13175 was not required for this final rule because this action does not impose substantial direct compliance costs on Alaska Native Tribal Governments and this action does not preempt Tribal law. A Tribal summary impact statement is not required and has not been prepared.

Final Regulatory Flexibility Analysis (FRFA)

Section 604 of the Regulatory Flexibility Act (RFA) (5 U.S.C. 604) requires an agency that promulgates a final rule under 5 U.S.C. 553, after being required by that section or any other law to publish a general notice of proposed rulemaking, to prepare a final regulatory flexibility analysis (FRFA). The following constitutes the FRFA prepared for these final 2026 harvest specifications.

Section 604 of the RFA describes the required contents of a FRFA: (1) a statement of the need for, and objectives of, the rule; (2) a statement of the significant issues raised by the public comments in response to the initial regulatory flexibility analysis, a statement of the assessment of the agency of such issues, and a statement of any changes made in the rule as a result of such comments; (3) the response of the agency to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration in response to the proposed rule, and a detailed statement of any change made to the final rule as a result of the comments; (4) a description of and an estimate of the number of small entities to which the rule will apply or an explanation of why no such estimate is available; (5) a description of the projected reporting, recordkeeping, and other compliance requirements of the rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record; and (6) a description of the steps the agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency that affect the impact on small entities was rejected.

A description of this action, its purpose, and its legal basis are included in the **SUPPLEMENTARY INFORMATION** section of this final rule and are not repeated here.

NMFS published the proposed rule on April 15, 2026 (91 FR 20085). NMFS prepared an Initial Regulatory Flexibility Analysis (IRFA) to accompany the proposed action and included the IRFA in the proposed rule. The comment period closed on April 30, 2026. No comments were received specifically on the IRFA.

The Chief Counsel for Advocacy of the Small Business Administration did not file any comments on the proposed rule.

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (North American Industry Classification System (NAICS) code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual gross receipts not in excess of 11 million dollars for all its affiliated operations worldwide. In addition, the Small Business Administration has established a small business size standard applicable to charter fishing vessels (NAICS code 713990) of 9 million dollars, at <https://www.sba.gov/document/support-table-size-standards>.

Number and Description of Small Entities Regulated by This Final Rule

This final rule directly regulates commercial salmon fishing vessels that operate in the Cook Inlet EEZ Area and charter guides and charter businesses fishing for salmon in the Cook Inlet EEZ Area. Because NMFS expects the State of Alaska to maintain current requirements for commercial salmon fishing vessels landing any salmon in Upper Cook Inlet to hold a Commercial Fisheries Entry Commission (CFEC) drift gillnet (S03H) permit, NMFS does not expect participation from non-S03H permit holders in the commercial federally managed salmon fishery in the Cook Inlet EEZ Area. Therefore, the number of S03H permit holders represents the maximum number of directly regulated entities for the commercial salmon fishery in the Cook Inlet EEZ Area. From 2020 to 2024, there was an average of 544 S03H permits in circulation, with an average of 292 active permit holders, all of which are considered small entities based on the 11-million-dollar

threshold. The evaluation of the number of directly regulated small entities and their revenue was conducted via custom query by staff of the Alaska Fish Information Network utilizing both Alaska Department of Fish & Game and Fish Ticket revenue data and the CFEC permits database. Revenue data is not yet available for Salmon Federal Fisheries Permit (SFFP) holders.

The commercial fishing entities directly regulated by the 2026 salmon harvest specifications are the entities operating vessels with SFFPs catching salmon in Federal waters. For purposes of this analysis, NMFS assumes that the number of small entities with SFFPs that are directly regulated by the salmon harvest specifications is the average number of S03H permits in circulation (*i.e.*, 544 permits). This may be an overstatement of the number of directly-regulated small entities since some entities may hold more than one permit and some permits are not active.

The commercial charter fishing entities directly regulated by the salmon harvest specifications are the entities that hold commercial charter licenses and that choose to fish for salmon in the Cook Inlet EEZ Area where these harvest specifications will apply. Salmon charter operators are required to register with the State of Alaska annually, and the number of registered charter operators in the Cook Inlet area varies. Available data indicates that, from 2019 to 2023, the total number of directly regulated charter vessel small entities that have participated in the Cook Inlet EEZ Area was 209. The same data indicates that from 2019 to 2023, an annual average of 92 charter guides fished for salmon at least once in the Cook Inlet EEZ Area. All of these entities, if they choose to fish in the Cook Inlet EEZ Area, are directly regulated by this action and all are considered small entities based on the 9-million-dollar threshold. Updated charter vessel counts for 2024 to present have not yet been published.

Recordkeeping, Reporting, and Other Compliance Requirements and Relevant Federal Rules That May Duplicate, Overlap, or Conflict With This Rule

This action does not impose or modify recordkeeping or reporting requirements or duplicate, overlap, or conflict with any Federal rules.

Description of Significant Alternatives That Minimize Adverse Impacts on Small Entities

This action implements the final 2026 harvest specifications for the Cook Inlet EEZ Area salmon fishery in accordance

with the Salmon FMP and pursuant to the Magnuson-Stevens Act. The establishment of the harvest specifications is governed by the process for determining harvest levels for salmon in the Cook Inlet EEZ Area described in the Salmon FMP and implementing regulations (50 CFR 679.118(a) and (b)). As described above, NMFS establishes harvest specifications for each stock and stock complex prior to the commercial salmon fishing season.

For these final 2026 harvest specifications, NMFS prepared the preliminary 2026 SAFE report and consulted with the Council consistent with the Salmon FMP and implementing regulations. The final TACs are based on the final SAFE report and are consistent with the Salmon FMP process for determining harvest levels for salmon in the Cook Inlet EEZ Area. Based on the manner in which the fishery will operate, including the limited number of openers and NMFS's ability to monitor the TAC for each salmon species and implement closures in-season, NMFS has determined that the final TACs will prevent exceeding the ABC (and therefore ACL) for any stock or stock complex and prevent overfishing.

Under this action, the ABCs reflect harvest amounts that are less than the specified OFLs, and the TACs are set less than the biological reference points (*i.e.*, the ABCs and OFLs) recommended by the SSC. The Salmon FMP specifies that the Council's annual TAC recommendations should account for the estimated proportional contribution of component stocks to total catch of each species. NMFS's regulations specify that TACs may account for social and economic considerations, including the need to promote efficiency in the utilization of fishery resources (*e.g.*, minimizing costs); the desire to conserve, protect, and rebuild depleted salmon stocks; the importance of the salmon fishery to harvesters, processors, local communities, and other salmon users in Cook Inlet; and the need to promote utilization of certain species (see 50 CFR

679.118(a)(2)(ii)). The final TACs account for these considerations.

This action is economically beneficial to entities operating in the Cook Inlet EEZ Area salmon fishery, including small entities. The action adopts TACs for commercially valuable salmon stocks that allow for the prosecution of the salmon fishery in the Cook Inlet EEZ Area, thereby creating the opportunity for fishery revenue. The TACs for each salmon stock or stock complex, except for Aggregate coho salmon, are higher than the recent 10-year average harvest estimated to have occurred in the Cook Inlet EEZ Area, which may help to reduce foregone yield and allow for additional harvest opportunity.

Based upon the best scientific information available and in consideration of the objectives for this final action, there are no significant alternatives to this final rule for salmon harvest specifications that have the potential to comply with the Salmon FMP, accomplish the stated objectives of the Magnuson-Stevens Act, and minimize any significant adverse economic impact of the action on small entities. After a public process during which the Council and NMFS solicited input from the public and after consultation with the Council, NMFS has determined that the TACs recommended by the Council would best accomplish the stated objectives articulated in the preamble for this final rule, and in applicable statutes, and would minimize to the extent practicable adverse economic impacts on directly regulated small entities.

Small Entity Compliance Guide

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996, as amended (Small Business Regulatory Enforcement Fairness Act, Pub. L. 104–121, 110 Stat. 857), states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule, and shall designate such publications as “small entity compliance guides.” The agency shall

explain the actions a small entity is required to take to comply with a rule or group of rules.

Information provided online at <https://www.fisheries.noaa.gov/alaska/commercial-fishing/salmon-management-federal-waters-cook-inlet-cook-inlet-eez#small-entity-compliance-guide> serves as the small entity compliance guide to assist small entities in complying with this final rule and the final rule that implemented amendment 16 to the Salmon FMP as required by the Small Business Regulatory Enforcement Fairness Act.

The table contained in this final rule is provided online and also serves as a plain language guide to assist small entities in complying with this final rule and is provided online at <https://www.fisheries.noaa.gov/alaska/commercial-fishing/cook-inlet-salmon-harvest-specifications>.

This final rule's primary purpose is to establish the final 2026 harvest specifications for the salmon fishery of the Cook Inlet EEZ Area, and to accomplish the goals and objectives of the Magnuson-Stevens Act, Salmon FMP, and regulations at 50 CFR parts 600 and 679.

NMFS will announce other closures or openings of directed fishing in the **Federal Register** and information bulletins released by the Alaska Region.

Paperwork Reduction Act

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

Authority: 16 U.S.C. 773 *et seq.*; 16 U.S.C. 1540(f); 16 U.S.C. 1801 *et seq.*; 16 U.S.C. 3631 *et seq.*; Pub. L. 105–277; Pub. L. 106–31; Pub. L. 106–554; Pub. L. 108–199; Pub. L. 108–447; Pub. L. 109–241; Pub. L. 109–479.

Dated: June 15, 2026.

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[FR Doc. 2026–12303 Filed 6–17–26; 8:45 am]

BILLING CODE 3510–22–P