



Sportsmen's Alliance
801 Kingsmill Parkway
Columbus, OH 43229
sportsmensalliance.org

9 April, 2025

C/O Samuel D. Rauch III
Deputy Assistant Administrator for Regulatory Programs
National Marine Fisheries Service

Re: Sportsmen's Alliance Foundation Comments on NMFS's Proposed Rule and Request for Comments for Federal Salmon Regulations for Overfished Species Rebuilding Plans, March, 2025 (NOAA-NMFS-2024-0112)

Dear National Marine Fisheries Service:

The Sportsmen's Alliance Foundation (SAF) respectfully submits these comments in accordance with the notice of proposed rulemaking and request for comments by the National Marine Fisheries Service (NMFS), 90 Fed. Reg. 14062 (March 28, 2025), for revisions to regulations that would remove the rebuilding plans for Queets River natural coho salmon (Queets coho salmon) and Strait of Juan de Fuca natural coho salmon (JDF coho salmon) from regulation. (NOAA-NMFS-2024-0112).

SAF is a national non-profit organization dedicated to promoting and educating the public about our hunting, fishing, and trapping heritage, and science-based wildlife management. SAF achieves its mission through public education and issue research conducted both on its own and through partnerships with local sportsmen and conservation organizations. Our membership consists of individual and organizational members across the country, many of whom fish for salmon in the Pacific Northwest, including the Queets River and Strait of Juan de Fuca.

We support the proposal to remove the rebuilding plans for Queets and JDF coho salmon from regulation because of successful fisheries management and utilization of the Magnuson-Stevens Fishery and Conservation Management Act's (MSA) process to identify overfished stocks and rebuild them as quickly as possible. *See, e.g., Coastal Conservation Ass'n v. Gutierrez*, 512 F. Supp. 2d 896, 898 (S.D. Tex. 2007) (citing 16 U.S.C. § 1854(e)(4) and *Natural Resources Defense Council v. National Marine Fisheries Service*, 421 F.3d 872, 875–76 (9th Cir. 2005)); *see also* 50 C.F.R. § 600.310(j)(3) (National Standard 1 guidance on recovering overfished fisheries). We also support the proposed rule's reflection of effective and efficient science-based fisheries management, reduction of confusing and outdated regulatory language, and advancement of flexible management options for the stock in the future.

To begin, we agree with NMFS Pacific Fishery Management Council (Council) that the Queets and JDF coho salmon stocks are no longer overfished and are rebuilt. Both stocks have achieved geometric mean spawning escapement goals that exceed the level associated with maximum sustainable yield. In fact, both stocks have greatly exceeded escapement goals. The Queets coho salmon stock has exceeded its maximum sustainable yield escapement goal by over 14%, and the JDF coho salmon stock has exceeded its goal by over 30%. Not only do these numbers show that both stocks are rebuilt, but they also represent incredibly successful fisheries management. The Queets stock escapement

numbers have increased 54% since the stock was determined to be overfished, and the JDF stock escapements more than doubled in the same time.

Undoubtedly, the stocks are rebuilt.

The successful rebuilding of the Queets and JDF coho salmon stocks highlights how adherence to MSA guidelines, and collaboration between NMFS and regional fisheries management councils, results in efficient and effective fisheries management – including ending overfishing and rebuilding stocks – that benefits stocks, ecosystems, industry, and recreators that rely on the resource. In 2018, NMFS notified the Council that the stocks were overfished according to the MSA. The MSA required the Council to submit a rebuilding plan to NMFS within two years, and the Council transmitted that plan in 2019. NMFS approved and implemented the Council's plan, which met the MSA requirement to rebuild the stocks as quickly as possible, considering the status and biology of any overfished stock and the needs of fishing communities. 50 CFR 600.310(j)(3)(i). Then, in 2024, NMFS determined that the Queets and JDF stocks met the criteria for being rebuilt, and this proposed rulemaking was initiated. Because NMFS and the Council followed MSA processes, worked collaboratively, utilized the best available science, and focused on the needs of the resource and the fishery, Queets and JDF stocks have been rebuilt in six years. NMFS and regional fishery management councils should look to this fishery management plan as an example of how to utilize and adhere to the MSA

to implement effective and efficient fisheries management plans and policies.

We also support the proposed rule's removal of confusing and outdated regulatory language. *See generally*, Joseph Kimble, Writing for Dollars, Writing to Please, 6 Scribes J. Legal Writing 1 (1997) (summarizing studies conducted on plain language in business, government, and legal writing). Removing outdated language allows for more efficient fisheries management and better uses of resources. *Id.* at 7–8 (“When the FCC’s regulations for CB radios were written in legalese, the agency needed five full-time staff members to answer questions from the public. In 1977 or 1978, the FCC rewrote the regulations in plain language and was able to reassign the five staff members.”); *id.* at 12 (Navy officers who were given business memos in plain English had “significantly higher comprehension” than the officers who were given the memo written in “bureaucratic style.”). Removing these plans from the regulation should reduce confusion on the current status of the stocks and increase management flexibility moving forward. Since both the Queets and JDF coho salmon stocks are rebuilt, the rebuilding plans are currently unnecessary. NMFS could, however, determine that the stocks need rebuilt again in the future. Removal of the existing rebuilding plans will promote clarity and allow for flexibility in the creation of new rebuilding plans, if necessary.

We applaud the successful rebuilding of the Queets and JDF coho salmon stocks by NMFS and the Council. This proposed rule, which we support fully,

represents a successful understanding of, utilization of, and adherence to the MSA.

Undoubtedly, many stakeholders – public, private, and commercial – hold significant vested interests in sustainably managed coho salmon in the Pacific Northwest. These stakeholders – including recreational anglers – have continuously worked in collaboration with state and federal agencies to ensure recreational fishing practices do not negatively impact the health of the stock or future yields. We're happy to see those efforts pay off. We're confident that the status changes proposed in this rule, and the successful fisheries management that led to them, will lead to an even more robust stock, longer season structures, and increased sustainable yields of Queets and JDF coho salmon.

Sincerely,



Todd Adkins, PhD
Senior Vice President