



The Commonwealth of Massachusetts

Division of Marine Fisheries

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MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director 

DATE: December 17, 2025

SUBJECT: Public Hearing Proposal to Consider Increasing Commercial Scup Limits

Proposal

This memo serves to inform the MFAC that I intend to go out to public hearing later this winter to potentially liberalize the state's directed commercial hook and line and fish pot scup limits for 2026. This will be accomplished by increasing the trip limits during the month of June from 400 pounds to 800 pounds and moving to five open fishing days per week (Sundays – Thursdays) from three (Sundays, Tuesdays, Thursdays). These proposed June limits are consistent with the commercial fishing limits that are currently in effect during May.

Background and Rationale

In late-February 2025, DMF received correspondence from a commercial scup pot fisher requesting DMF amend the directed commercial fishery limit for scup during June. The argument was made that as the black sea bass fishery does not open until July 1, scup are a primary target species during the months of May and June for fish pot and rod and reel fishers. Yet, the June regulations (400-pound trip limit and three open fishing days per week) make it cost prohibitive to target scup, but if the rules for June were liberalized to match those that currently exist in May (800-pound trip limit and five open fishing days per week) a targeted fishery could profitably occur. Concurrent with this request, DMF received comments from several dealers advocating for DMF to provide greater access to the resource to allow for a stable supply of fish in order to build markets. Of particular interest was creating uniform rules across May and June that accommodate targeted scup fishing.

By way of background, the disparate limits in May and June were the product of an action taken more than a decade ago. NOAA Fisheries declared the scup resource rebuilt in 2009, and over the course of the next several years, commercial quotas began to increase. Then in response to quota underutilization from 2010 - 2012, DMF took action to relax commercial fishing limits in 2013. This included increasing trip limits and adding open fishing days during May, July, August,

and September. However, existing rules were maintained for June in recognition of it being the peak spawning period in Massachusetts and there being an interest in protecting spawning fish from harvest.

In the years since, Massachusetts' commercial scup quota has been consistently underutilized. Part of this underutilization is driven by the fact that our quota share was developed based on landings during a period when nighttime pair trawling was allowed. This activity has been prohibited for about 30-years. Further, there are other conservation and management objectives that have placed constraints on the ability for commercial fishers to harvest large quantities of scup (e.g., net mesh sizes, pot limits). While DMF could potentially increase scup landings through revising these controls, we have opted not to because the negative impacts outweigh the relative benefits. Further, this quota underutilization is not specific to Massachusetts and is occurring coastwide, which speaks to market issues constraining overall harvest, which DMF has attempted to address through our Seafood Marketing Program.

That said, the requested increase in access to scup is modest. I anticipate it may nominally increase targeted scup effort. This may benefit a small number of inshore fish pot and hook fishers who want to target this species in June, and may in turn provide a more reliable supply of scup that could help dealers build markets. Further, there is ample quota available to accommodate this increase in harvest. In 2025, the state's summertime commercial quota was about 1.3 million pounds and about 40% of that was landed; for 2026, the state quota is expected to increase to about 1.5 million pounds. The stock also remains in a robust condition. The 2025 scup management track assessment demonstrates the stock is not overfished and overfishing is not occurring, and in 2024, the spawning stock biomass was estimated to be 322% of its target and fishing mortality is only at 56% of its threshold. Accordingly, the relative benefits of maintaining more conservative limits in June to benefit spawning may be diminished as compared to the potential economic benefits providing additional access to the quota and it is worthwhile to take public comment on this industry-driven proposal.