



# The Commonwealth of Massachusetts

## Division of Marine Fisheries

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*Marine Fisheries* Advisory

### Proposed Federal Closure on Recreational Scup Harvest

NOAA Fisheries is proposing a federal closure on recreational scup harvest in 2022. This closure would apply to all recreational vessels fishing in federal waters and all for-hire vessels holding a federal scup permit fishing in either state or federal waters. **Fishery participants who would be impacted by such a closure are encouraged to submit comment to NOAA Fisheries on the [proposed rule](#) using the [e-rulemaking portal](#) by the deadline of May 3.** In particular, comment is being sought on: 1) the anticipated social and economic impacts of the proposed closure, and 2) alternative approaches that would achieve the objective of reducing scup harvest and preventing overfishing while also minimizing, to the extent possible, social and economic impacts.

In December 2021, in response to a determination that prevailing recreational regulations would not be sufficient to constrain 2022 coastwide scup recreational harvest to the 2022 scup Recreational Harvest Limit (RHL), the Mid-Atlantic Fishery Management Council (MAFMC) and the Atlantic States Marine Fisheries Commission (ASMFC) voted to adopt a 1-inch increase in recreational scup minimum size in coastwide state and federal waters for 2022 (generally an increase from 9-inch to 10-inch minimum size). The increased minimum length was projected to reduce scup recreational harvest by 33% in 2022.

The ASMFC and MAFMC did not choose to adopt a more substantial regulatory change, despite projections indicating that a 56% recreational harvest reduction would be required to ensure the 2022 RHL would not be exceeded, due to:

- concerns over the socio-economic impact of imposing such a substantial harvest reduction in one year;
- recognition of the negligible probability of the scup stock becoming overfished in the near-term given the robust state of the stock (over 200% of target biomass according to 2021 stock assessment);
- the high likelihood that, as in most recent years, commercial scup harvest in 2022 will be substantially lower than the 2022 coastwide commercial quota, further reducing the likelihood of overfishing; and

- the pending implementation of a revised commercial/recreational allocation and anticipated action on other recreational fishery management reforms which would likely alleviate some of the needed reduction in the near future.

NOAA Fisheries has determined that they are required by the fishery management plan to propose additional measures to ensure the scup recreational annual catch limit is not exceeded, and has thus proposed a complete federal closure to scup recreational harvest in 2022 as “the only management measure available that would result in any meaningful reduction in harvest, even though less than 6 percent, on average, of recreational scup catch comes from Federal waters.”

Comments on NOAA Fisheries’ [proposed rule](#) may be submitted through the [e-rulemaking portal](#) by the deadline of May 3.