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# *Commonwealth of Massachusetts*

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### **MEMORANDUM**

TO: Julia Beaty, Scup Fishery Management Specialist, MAFMC

FROM: David Pierce, Director 

DATE: June 12, 2018

SUBJECT: Annual Scup Specifications – Recreational Minimum Size

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MA DMF would like the Summer Flounder, Scup, and Black Sea Bass Monitoring Committee to consider potential changes to the scup recreational minimum size during the specification setting process for 2019 in recognition of recreational stakeholder interest to retain smaller scup to be used for live bait.

The recreational scup minimum size in federal waters and most state waters of MA–NJ is 9”, and 8” in state waters of DE–NC. Recreational limits range from 30 to 50 fish.

In Massachusetts (and elsewhere), scup are a popular bait fish, especially for striped bass and bluefish fishing. For-hire and private vessels will often fish for scup under the recreational limits, and retain some in a live well to then use as live bait for other targets. Several recreational fishing community members have expressed a desire to be able to use scup as small as 6” for live bait purposes. At the current 9” minimum size, the hook-up ratio is reduced compared to what it could be with a smaller bait fish. Striped bass and bluefish will often bite only part of a large (9”) bait fish, missing the hook, thereby causing more bait to be wasted than if a smaller scup were used.

One our south coast in particular scup is one of three main bait sources to be used for striped bass and bluefish fishing, with eels and menhaden being the other two. Eels are depleted, posing challenges to their acquisition whether by purchase (extremely expensive) or personal harvest (low, inconsistent catch). Menhaden distribution isn’t predictable and they haven’t yet returned to many of our inshore areas, meaning they must be purchased or travel is required to harvest them. The most popular method of fishing with menhaden around the Islands is as chum, which requires substantially more bait as well. Scup are readily available and easily caught in the same places and times as striped bass and bluefish fishing occurs. Using them for live bait means any unused fish can be returned alive to the water, with little waste.

Proponents of a smaller recreational minimum size for scup (with the intent of it being for bait) argue it would be unlikely to increase landings of smaller scup (for food) because fish below the 9” minimum size provide little meat. Regardless, this abundant species should be able to accommodate limited take of smaller fish without jeopardy they believe. An allowance of 5 fish per angler has been suggested. Because it would be a compliance and enforcement challenge to assign a different size to scup being used for bait versus scup being landed for consumption, we suggest the Monitoring Committee consider a 5-fish “bait tolerance” with regards to the minimum size, possibly with a threshold size limit of 6”. The tolerance could apply to possession alone (requiring its use as bait) or landing as well.

We look forward to the Monitoring Committee’s review of this concept, and hope the Advisory Panel can be consulted as well.