



TO: Julia Beaty, Scup Fishery Management Specialist, MAFMC

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SUBJECT: Annual Scup Specifications – Minimum Mesh Size & Incidental Possession Limit

Overview

Massachusetts and Rhode Island would like the Summer Flounder, Scup, and Black Sea Bass Monitoring Committee to consider potential changes to the scup bottom trawl minimum mesh size and/or triggers during the specification setting process for 2019 in recognition of the small mesh squid fisheries that seasonally occur in our states' waters. These rules were important conservation measures for scup when the stock was in poor condition, but as currently set may now lead to potentially high levels of scup discarding during this period with little conservation value. Discards in the squid fishery, particularly in and around Nantucket Sound, have been the subject of much negative attention for the Council as of late.

Background

The federal/interstate plan currently mandates a bottom trawl minimum mesh size of 5" diamond when possessing more than 1,000 lb of scup during October 1–April 30 and 200 lb during May 1–September 30 (Table 1). These mesh size triggers serve to discourage a directed fishery on scup with small mesh that would cause regulatory discards due to the minimum size (9").

MA and RI have gradually been increasing our directed scup trip limit for trawl gear over multiple years as the scup annual quota has increased due to rebuilding. Currently, both states have a 10,000-lb weekly possession limit for scup caught by trawl. These higher weekly limits reflect the states' interest to accommodate the occasional large tow of scup, and thereby reduce regulatory discards.

The small mesh squid fisheries in MA and RI occur seasonally. MA allows trawl gear with a 1 7/8" minimum mesh to target squid from April 23–June 9 (or longer by Director's declaration; generally a week if at all) in the state waters south of Cape Cod; otherwise the minimum trawl mesh is 6.5" throughout the cod-end and 6" throughout the remainder of the net. RI's small mesh squid fishery is not regulated to the extent seen in MA, but has similar characteristics (mesh size and seasonality) and is impacted negatively through regulatory discards by the scup mesh trigger as is the case in MA.

Larger, adult scup generally arrive in Southern New England waters during the operation of the small mesh squid fishery and are susceptible to bycatch. Smaller scup follow, usually as the squid fishery nears its conclusion in state waters either due to regulation or squid availability.

Because of the scup minimum mesh incidental limit, one of two things is happening in the directed small mesh squid fishery off MA and RI. Vessels are fishing with small mesh to get their squid limit—potentially discarding large amounts of legal-sized scup—and then switching to at least 5" mesh to target scup. In this case, if the mesh trigger were higher, fishermen would be allowed to be more efficient by not discarding the scup during squid fishing, thereby not having to do additional tows to add value to the trip. In a worst-case scenario, fishermen are potentially unaware of or unconcerned with the scup mesh trigger rule and keep the scup intercepted while fishing for squid. Even in this case, there is value in allowing the scup to be landed rather than causing a regulatory violation for a species that is not overfished, overfishing is not occurring, and annual federal quotas are not being reached.

Request

An analysis of RI harvester and dealer data suggests that a 4,000-lb scup bycatch limit for the small mesh squid fishery would largely eliminate scup discards in the fishery. (The RI data are likely representative of MA as well given the two fisheries' similarities, e.g., common participants, identical trip limits). To reduce scup discards and improve efficiency in the small mesh squid fishery, MA and RI are interested to have this incidental limit apply during April 15–June 15 (or May–June if it is problematic to straddle the Winter I/Summer Periods). Interestingly, the first incidental limit set was for 4,000 lb in 1996, when the stock was at drastically lower levels in need of rebuilding (i.e., $SSB_{1996} = 5,535$ mt vs. $SSB_{2016} = 179,898$ mt, per the 2017 stock assessment update). An alternative option would be to seasonally eliminate the minimum mesh size requirement.

We note that there has been hesitance in the past to increase the Summer Period incidental possession limit to avoid conflict with (i.e., be higher than) the directed fishery possession limits in state waters. Due to the broad range of the states' trip limits during the Summer Period (itself a product of divergent state shares and effort levels), there is not a one-size-fits-all incidental possession limit for May–September. As previously stated, MA and RI now have Summer Period trawl trip limits for scup of 10,000 lb weekly, a level approaching that of the Winter II Period (12,000 lb or higher) when a 1,000-lb incidental possession limit applies. At a bare minimum, MA and RI should be afforded the same incidental limit as the Winter II fishery, although a 4,000-lb season limit would do much more to eliminate unnecessary discarding in our states' squid fisheries. An incidental limit higher than a state's directed trip limit need not be considered a conflict; in essence it just eliminates the minimum mesh requirement for that state's directed fishery. Given the rebuilt stock status and numerous other state and federal conservation measures, a year-round 4,000-lb incidental possession limit may not be an unreasonable approach.

Table 1. Scup Minimum Mesh Size and Landings Trigger History

Years		1996	1997-1998	1999-2001	2002-2004	2005-2015	2016-present
Minimum Mesh Size (generalized)		4"	4.5"	4.5"	4.5"	5"	5"
Incidental Limit (lbs)	Winter	4,000	4,000	200	500	500	1,000
	Summer		1,000	100	100	200	200