

NOAA FISHERIES SERVICE

This summary provides a broad overview of restrictions and requirements; the regulations summarized here may be found at 50 CFR part 648. Please contact the Sustainable Fisheries Division at (978) 281-9315 for more information.

Updated September 20, 2012

Commercial Scup Information Sheet

The scup fishery is an important recreational and commercial fishery in the U.S. that operates from Maine to Cape Hatteras, North Carolina (35° 15.3' N. latitude). The fishing year is from January 1 through December 31. Scup are managed by the Mid-Atlantic Fishery Management Council, NOAA's National Marine Fisheries Service (NMFS), and the Atlantic States Marine Fisheries Commission. Individual states may set different commercial regulations than those in place for Federal waters. Information on the scup recreational fishery can be found on a separate information sheet.

What Federal permits are available for scup?

There are two categories of scup vessel permits:

- **Moratorium Permit** – you must have this permit to sell any amount of scup; and
- **Charter/Party Permit** – you must have this permit if carrying passengers for hire (see the Summer Flounder, Scup, and Black Sea Bass Charter/Party and Recreational Information Sheet).

You do not need a scup moratorium permit if you do not sell scup and you adhere to the established recreational possession limits. If you have both a scup moratorium permit and a charter/party permit, you may not fish under the terms of both permits at the same time. That is, you may not carry passengers for hire and sell scup on the same trip.

What is the minimum fish size?

For scup moratorium permit holders, the minimum size is 9 inches total length. The total length is the straight-line distance from the tip of the snout to the end of the tail while the fish is lying on its side (Figure 1).

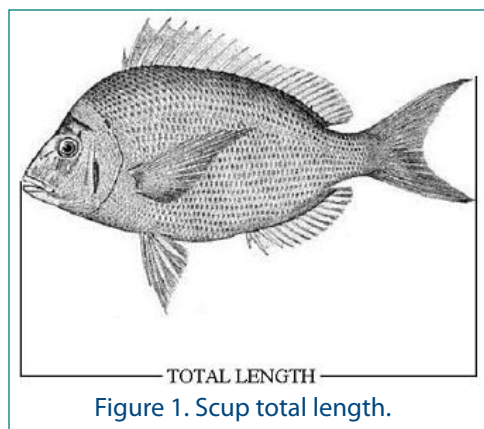


Figure 1. Scup total length.

How is the commercial quota determined and monitored?

An annual commercial quota is established by NMFS based on the recommendations of the Mid-Atlantic Fishery Management Council and is allocated into three harvest periods:

Quota Period	Months	Percentage of Annual Quota
Winter I	January to April	45.11%
Summer	May to October	38.95%
Winter II	November to December	15.94%

Note: Any unused quota from the Winter I quota period is transferred to the Winter II quota period.

The quota is applied coastwide; all scup landed for sale are applied against the quota, regardless of where they were harvested. Up to 3 percent of the quota may be set aside for research purposes.

NMFS monitors the harvest of the commercial scup quota and closes the commercial scup fishery when the quota has been harvested. Current quota and weekly landings reports are available at: www.nero.noaa.gov/ro/fso/reports/reports_frame.htm.

What are the possession limits?

Quota Period	Possession Limit (lb)
Winter I	50,000
Summer	Not Applicable
Winter II	2,000

Notes: The Winter I possession limit will be reduced to 1,000 lb when 80% of that period's quota is reached. The Winter II possession limit may be adjusted in association with a transfer of Winter I quota to the Winter II quota period. Also, check state regulations for more restrictive possession limits.

What are the gear requirements?

Otter trawl – Vessels with a scup moratorium permit may not possess 500 lb or more of scup per trip from November 1 through April 30, or 200 lb or more of scup per trip from May 1 through October 31, unless fishing with nets that have a minimum mesh size of 5-inch diamond mesh, applied throughout the codend for at least 75 continuous meshes forward of the terminus of the net, and all other nets are properly stowed. For trawl nets with codends (including the extension) of fewer than 75 meshes, the entire trawl net must have a minimum mesh size of 5 inches throughout the net. Scup on board these vessels must be stowed separately and kept readily available for inspection.

Vessels with a scup moratorium permit that are not fishing in compliance with the above mesh requirements may keep no more than 500 lb of scup per trip from November 1 to April 30, and may keep no more than 200 lb of scup per trip from May 1 to October 31. No person may possess more than 20 scup unless that person has a scup moratorium permit. Scup harvested by a scup permit holder may not be landed with the skin removed.

Roller gear – A fishing vessel must not use roller rig trawl gear with rollers greater than 18 inches in diameter.

Pots and traps – Scup pots and traps must have degradable hinges, escape vents, and identification, as follows:

- Degradable hinges made with:
 - Untreated hemp, jute, or cotton string of 3/16-inch diameter or less; or
 - Magnesium alloy, pop-up devices or similar magnesium alloy fasteners; or
 - Ungalvanized or uncoated iron wire of 0.094-inch diameter or less.
- Escape vents:
 - Circular escape vent with 3.1-inch minimum diameter;

or

- Square escape vent with sides of 2.25-inch minimum length; or
- Rectangular escape vent of equivalent size.
- Identification:
 - Marked with state identification (home port state); and/or
 - Marked with number assigned by the Regional Administrator.

Gear Restricted Areas (GRA) – The regulations restrict certain gear types from being fished in two areas of the Mid-Atlantic (see Figure 2 on page 3). Vessels fishing for longfin squid, black sea bass, or whiting in the Northern GRA from November 1 through December 31, or in the Southern GRA from January 1 through March 15, must have a minimum mesh size of 5-inch diamond mesh as specified above. Vessels may transit these areas provided that net codends of smaller mesh are properly stowed and not available for immediate use.

What are the reporting requirements?

You need to maintain on board the vessel and submit an accurate Federal fishing vessel trip report (VTR) for all fishing trips (regardless of species retained). Instructions for completing the VTR can be found at: www.nero.noaa.gov/ro/fso/vtr.htm. VTRs must be received by NMFS or postmarked within 15 days after the end of the reporting month. Copies of VTRs must be retained on board the vessel for 1 year after the date of the last entry on the log.

If no fishing activity took place during a fishing month, then a VTR must be submitted stating that no fishing trips were taken (referred to as a 'Did Not Fish' (DNF) VTR). DNF VTRs may be submitted electronically up to 3 months in advance on the 'Fish-On-Line' website at: www.nero.noaa.gov/MNFSlogin/login/login.

If a party or charter boat owner is issued only a scup charter/party permit, and is carrying passengers for hire, then he/she must complete a VTR for each trip on which scup are landed.

Any change in the permit information such as vessel name, vessel owner, address, etc., must be submitted in writing to NMFS within 15 days of the change, or the permit is void.

All federally permitted seafood dealers are required to submit trip level reports to NMFS via computer, using one of the approved electronic means, unless otherwise directed by the Regional Administrator. For more information on dealer reporting, please call the dealer electronic reporting help desk at (978) 281-9212 or contact your local NMFS Field Office: www.nero.noaa.gov/ro/fso/portoff.pdf.

How can I get a scup moratorium permit?

The commercial scup sector operates on a limited entry system. Therefore, to be eligible for a moratorium permit for scup, a vessel

must have been issued a moratorium permit in the previous year, or be replacing a vessel that was issued a moratorium permit for the previous year. No one may apply for a scup moratorium permit for a vessel after the owner retires the vessel from the fishery. All moratorium permits must be issued on an annual basis by the last day of the fishing year for which the permit is required, unless a Confirmation of Permit History has been issued. Failure to renew a moratorium permit in any fishing year bars the renewal of the permit in future years.

Can I transfer scup at sea?

Yes. The owner or operator of a vessel issued a Federal scup moratorium permit may transfer at sea scup taken in or from the Scup Management Unit, provided:

- The transfer occurs between two vessels that both possess Federal scup moratorium permits;
- The transfer occurs seaward of a boundary line that begins at 40° 50' N. lat., 70° 00' W. long., and runs south to connect points at 40° 15' N. lat., 73° 30" W. long.; 37° 50' N. lat., 75° 00'

- W. long.; and 35° 30' N. lat., 75° 00' W. long. (see Figure 2);
- The donating and receiving vessels possess gear that meets the requirements for commercial scup fishing gear;
- The transfer occurs in the Winter I or Winter II periods of the scup fishing year (i.e., transfer-at-sea of scup is prohibited from May 1-October 31);
- There is only one transfer per fishing trip for the donor vessel;
- The donor vessel removes only enough scup from the net to attain the scup possession limit;
- After removal of scup from the net by the donor vessel, the entire codend, with all its contents, is transferred to the receiving vessel;
- Only scup, in an amount not to exceed the possession limit, are retained by the receiving vessel;
- While fishing for scup, all other nets are properly stowed; and
- The donating and receiving vessels report the transfer amount on the VTR for each vessel.

