



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 241203-0308; RTID 0648-XF089]

Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2025 Winter II Quota

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and
Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; in-season adjustment.

SUMMARY: NMFS adjusts the 2025 Winter II commercial scup quota and per-trip
Federal landing limit. This action is necessary to comply with regulations implementing
Framework Adjustment 3 to the Summer Flounder, Scup, and Black Sea Bass Fishery
Management Plan that established the rollover of unused commercial scup quota from the
Winter I to the Winter II period. This notification informs the public of the quota and trip
limit changes.

DATES: Effective October 1, 2025, through December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Matthew Rigdon, Fishery
Management Specialist, (978) 281-9336; or Matthew.Rigdon@noaa.gov.

SUPPLEMENTARY INFORMATION: NMFS published a final rule for Framework
Adjustment 3 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management
Plan in the **Federal Register** on November 3, 2003 (68 FR 62250), implementing a
process to increase the Winter II (October 1 through December 31) commercial scup
quota by the amount of the Winter I (January 1 through April 30) under-harvest and to
adjust the Winter II possession limits consistent with the amount of the quota increase,

based on the possession limits established through the annual specifications-setting process.

For 2025, the initial Winter II quota is 3,114,608 pounds (lb; 1,412,762 kilograms (kg)). The best available landings information through July 10, 2025, indicates that 1,047,723 lb (475,239 kg) remain of the 8,814,300 lb (3,998,099 kg) Winter I quota. Consistent with Framework 3, the full amount of unused 2025 Winter I quota is being transferred to Winter II, resulting in a revised 2025 Winter II quota of 4,162,331 lb (1,888,02 kg). Because the amount transferred is between 1 and 1.5 million lb (453,592 and 680,338 kg), the Federal per-trip possession limit will increase from 12,000 lb (5,443 kg) to 15,000 lb (6,804 kg), as outlined in the final rule that established the possession limit and quota rollover procedures for this year, published on December 10, 2024 (89 FR 99138). The new possession limit will be effective October 1 through December 31, 2025. The Winter II possession limit will revert to 12,000 lb (5,443 kg) at the start of the next fishing year, which begins January 1, 2026.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 648.122(d), which was issued pursuant to section 304(b), and is exempted from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be contrary to the public interest. This action transfers unused quota from the Winter I Period to the Winter II Period to make it accessible to the commercial scup fishery and increase fishing opportunities. If the implementation of this in-season action is delayed to solicit prior public comment, the objective of the fishery management plan to achieve the optimum yield from the fishery could be compromised. Deteriorating weather conditions during the latter part of the fishing year may reduce fishing effort, and could also prevent the

annual quota from being fully harvested. If this action is delayed, it would reduce the amount of time vessels have to plan their fishing activities and potentially limit their ability to realize the benefits of this quota increase, which would result in negative economic impacts on vessels permitted to fish in this fishery. Moreover, the rollover process being applied here is routine and formulaic and was the subject of notice and comment rulemaking, and the range of potential trip limit changes were outlined in the final 2025 scup specifications that were published on December 10, 2024, which were developed through public notice and comment. The benefit of soliciting additional public comment on this formulaic adjustment would not outweigh the benefits of making this additional quota available to the fishery as quickly as possible.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 25, 2025.

Kelly Denit,

Director, Office of Sustainable Fisheries,

National Marine Fisheries Service.