

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 220
Department or Agency: Alabama Department of Conservation and Natural Resources
Rule No.: 220-3-.37
Rule Title: Commercial Shark Regulation
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Christopher M. Blankenship
Chris Blankenship

Date

Tuesday, June 17, 2025

REC'D & FILED
JUN 17, 2025
LEGISLATIVE SVC AGENCY

ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Conservation and Natural Resources

RULE NO. & TITLE: 220-3-.37 Commercial Shark Regulation

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To correct spelling of dumeril in paragraph (2) k.  
To add paragraph (2) q. Shortfin mako shark-Isurus Oxyrinchus  
To update paragraph (2) w. to add (unless aboard a vessel with NOAA Fisheries Shark Directed or Shark Incidental commercial vessel permit).  
To update paragraph (4) to include a minimum of 15/0 for non-offset non-stainless steel circle hooks when using natural bait.  
To add Paragraph (5) which specifies Longline fishing and gear requirements.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may present their views in writing to the Director of Marine Resources at any time during the period stated below, or orally if requested in writing 48 hours in advance to the Director of Marine Resources, and then by personally appearing at the Alabama Marine Resources Division Office located at 2 Iberville Drive, Dauphin Island, Alabama 36528 at 10:00 a.m., Monday, August 4, 2025.  
If ADA accommodations are needed, please contact Heidi Bowers at (334) 242-3165 or heidi.bowers@dcnr.alabama.gov. Requests should be made as soon as possible but at least seven days prior to the date of a personal appearance to present views regarding the proposed rules.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, August 4, 2025

CONTACT PERSON AT AGENCY:

Colonel Scott Bannon, Director,  
Marine Resources, P.O. Box 189,  
Dauphin Island, Alabama 36528.  
251-861-2882.

*Christopher M. Blankenship*

Chris Blankenship

(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

Commercial Shark Regulation.

(1) Season on Sharks for Commercial Purposes: During such period of time that the federal waters adjacent to Alabama waters are open to the commercial harvest of a shark species as defined by federal law or regulation, the Alabama waters of Mobile Bay, Bon Secour Bay, Mississippi Sound, and the Gulf of Mexico south of the Gulf Intracoastal Waterway and west of Little Lagoon Pass (87° 44.4' W longitude) shall be open to the harvest of such sharks for commercial purposes from 12:01 AM each Monday through 11:59 PM each Friday (no weekends), except that commercial harvesting of sharks shall be prohibited from 12:01 AM through 11:59 PM on each of the following holidays: Memorial Day, Independence Day, and Labor Day. When federal waters adjacent to Alabama waters are closed to the commercial harvest of a shark species, it shall be unlawful to take, harvest, or possess, or attempt to take, harvest, or possess, for commercial purposes, such sharks from the waters of the state of Alabama.

(2) Closed Season and Zero Possession Limit on Certain Species for Commercial Purposes: No person shall take, possess, or attempt to take or possess, from the waters of the state of Alabama, for commercial purposes, any of the following species:

- (a) Basking shark - *Cetorhinus maximus*
- (b) White shark - *Carcharodon carcharias*
- (c) Bigeye sand tiger - *Odontaspis noronhai*
- (d) Bigeye sixgill shark - *Hexanchus nakamurai*
- (e) Bigeye thresher shark - *Alopias superciliosus*
- (f) Sand tiger - *Odontaspis taurus*
- (g) Whale shark - *Rhincodon typus*
- (h) Dusky shark - *Carcharhinus obscurus*
- (i) Smalltooth sawfish - *Pristis pectinata*
- (j) Largetooth sawfish - *Pristis*
- (k) Atlantic angel shark - *Squatina ~~dumeril~~dumeril*
- (l) Bignose shark - *Carcharhinus altimus*
- (m) Caribbean reef shark - *Carcharhinus perezii*

- (n) Caribbean sharpnose shark - Rhizoprionodon porosus
- (o) Galapagos shark - Carcharinus galapagensis
- (p) Longfin mako shark - Isurus paucus
- (q) Shortfin mako shark - Isurus oxyrinchus
- (r) Narrowtooth shark - Carcharhinus brachyurus
- ~~(r)~~ (s) Night shark - Carcharhinus signatus
- ~~(s)~~ (t) Smalltail shark - Carcharhinus porosus
- ~~(t)~~ (u) Sixgill shark- Hexanchus griseus
- ~~(u)~~ (v) Sevengill shark - Heptranchias perlo
- ~~(v)~~ (w) Silky Shark- Carcharhinus falciformis (unless aboard a vessel with a NOAA Fisheries Shark Directed or Shark Incidental commercial vessel permit).
- ~~(w)~~ (x) Sandbar shark - Carcharhinus plumbeus (unless the fisherman ~~possess~~possesses a NOAA Fisheries sandbar shark research permit).

(3) Bycatch Provision on Sharks for Commercial Purposes:

Regardless of the open or closed status of federal and Alabama waters regarding the directed harvest of sharks, gill net fishermen targeting other fish shall be allowed to keep, for commercial purposes, an incidental bycatch of dressed weight of sharks (carcasses and fins) (except those species listed in (b) above) totaling no more than ten (10) percent by weight of other fish taken.

(4) Hook Requirement: Anglers fishing for, retaining, possessing, or landing sharks must use a minimum 15/0 non-offset non-stainless steel circle hooks when using natural bait.

(5) Longline fishing and gear requirements:

(a) Only one longline shall be in use at any time, with a maximum of 2,400 feet of line and no more than 50 hooks attached.

(b) The longline shall be marked at each terminal end with a bullet style buoy with a minimum diameter of six inches and minimum length of fifteen inches.

(c) Each buoy shall bear a number issued by the Marine Resources Division with a minimum height of four inches per character and contrasting to the buoy.

(d) The longline shall be anchored to the bottom, shall be constantly attended, and shall not be deployed longer than one hour before recovery. The deployment time begins when the last hook enters the water.

(e) Squid shall be prohibited for use as bait.

**Author:** Christopher M. Blankenship

**Statutory Authority:** Code of Ala. 1975, §§9-2-4, 9-2-7, 9-2-8, 9-2-12.

**History: New Rule:** Filed August 23, 1996; effective August 23, 1996. **Amended (PE):** Filed August 10, 1998; effective August 10, 1998. **Amended (PE):** Filed July 11, 2000; effective July 11, 2000. **Amended (PE):** Filed July 31, 2013; effective July 31, 2013. **Amended:** Filed June 17, 2019; effective August 1, 2019. \_\_\_

**Amended:** Published \_\_\_\_\_ ; effective \_\_\_\_\_ .

**Penalty:** As provided by law.