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DRAFT COMMENT LETTER FOR COUNCIL CONSIDERATION

April xx, 2026

Highly Migratory Species (HMS) Management Division
Office of Sustainable Fisheries, National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

Re: Public Comment on Proposed Rule titled Revisions to Commercial Atlantic Blacknose and Recreational Atlantic Shark Fisheries Management Measures

The Gulf Council (Council) appreciates the extension of the comment period to allow for consideration and input on this Proposed Rule issued on January 2, 2026. In response, the Council submits the following comments:

Alternatives for Commercial Shark Fishery Management

Blacknose shark management boundary and retention limit in the Atlantic

The Gulf Council (Council) supports the preferred alternatives for the Atlantic blacknose shark commercial fishery outlined in the proposed rule. The Council agrees with HMS that the Atlantic blacknose shark management boundary should be removed (Preferred Alternative A2) and that a flexible commercial retention limit should be established for the Atlantic region (Preferred Alternative B2).

Alternatives for Recreational Shark Fishery Management

Recreational Minimum Size Limits

The Council is supportive of the HMS preferred alternative which would establish flexible recreational minimum size limits for shark groups based on an individual species' size at maturity for females (Preferred Alternative C4). Aligning recreational size limits to life history characteristics is imperative when the health of the stock or management group warrants management measures. Along those lines and within the proposed rule, HMS has also provided rationale for grouping shark species (based on life history characteristics, similar management measures, fishing behavior, etc.) for management purposes.

Specifically, within the discussion of Alternative C3 and Preferred Alternative C4 it is noted that Atlantic sharpnose sharks, bonnethead sharks, and smoothhounds have been grouped together.

The reasoning for grouping these species is that Atlantic sharpnose and bonnethead sharks are often encountered by anglers in similar habitat and that all three species are managed similarly with no size limit requirements. In both discussions of Alternative C3 and Preferred Alternative C4, HMS indicates that,

“Currently, Atlantic sharpnose, bonnethead, and smoothhound sharks are similarly managed in the recreational shark fishery (i.e., no minimum size limit) and under Alternative C3/C4, these species would continue to have no minimum size limit. Thus, NMFS grouped these species together.”

This management approach is intuitive since no stock assessment or biological indicator has been presented within the proposed rule to indicate any changes in stock health that would justify any modification to the size limit regulation. The Council understands that recreational size limit for this group could change under Preferred Alternative C4, if management was required due to new information regarding stock status for any of these species.

Recreational Retention Limits

The Council questions the rationale for modifying the current recreational retention limit for Atlantic sharpnose and bonnethead sharks from one per-**person** per-trip to one per-**vessel** per-trip. The reasoning outlined in the proposed rule states,

“NMFS would set all recreational retention limits based on a number of sharks per vessel per trip, to simplify regulations and reduce confusion regarding which species have vessel- or person-specific retention limits.”

Given the relatively high reproductive potential of these species relative to other long-lived shark species, there does not appear to be a supporting biological need for this management change. Moreover, a management action to restrict shark harvest that is not required to meet conservation requirements is likely to be poorly received by our stakeholders. Depredation events with growing shark populations in the Gulf is among our top stakeholder complaints. While the species addressed here are unlikely to be responsible for most depredation events, the action is likely to further amplify angler dissatisfaction regarding shark management from our anglers. Based on the materials provided to support the proposed rule, this regulatory change seems unjustified at this time due to the absence of data supporting such a conservation objective.

If one of the overarching purposes of the proposed management rule is allow for flexibility in shark management (which represents a variety of life history traits, distributions, fishing effort etc.) why would management need to be further constrained for recreational retention limits for two healthy stocks? As far as species mis-identification, it is difficult to argue that bonnetheads, given their size would be confused with other sphyrnid species, much less with other sharks that do not exhibit the same morphology such as distinctive cephalofoil (headshape). Similarly, Atlantic sharpnose have distinctive white spots, a pronounced snout, and distinct labial furrows that make them distinguishable to anglers in ways that other species (e.g. blacktip and spinners or finetooth and blacknose) lack. Issues that may persist species identification should be addressed by HMS through outreach efforts rather than unnecessary regulations limits that are not warranted by stock health.

The Council recommends that HMS amend Preferred Alternative D2 such that Atlantic sharpnose and bonnethead sharks retain their current catch limit of one per-person per-trip.

The Council appreciates the opportunity to comment on this rule. If you have any questions, please feel free to reach out to Dr. Lisa Hollensead on Council staff. We look forward to continued engagement with HMS in managing shark species within the Gulf of America.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Dugas", with a horizontal line extending to the right.

Jonathan Dugas, Chair
Gulf Council

CC: Council Members / Council Staff / Karyl Brewster-Geisz / Clifford Hutt, Ph.D. / Guy DuBeck/ Clay Porch, Ph.D. / John F. Walter, Ph.D. / Frank Helies / Mara Levy