



NOAA
FISHERIES

Atlantic Highly
Migratory Species
Management
Division

Vessel Monitoring System Requirements

Proposed Rule for Atlantic HMS
Fisheries

September 2013

Current VMS Requirements in HMS Fisheries

- HMS permitted vessels must have VMS when:
 - Pelagic longline gear is on board, or
 - The vessel is issued a directed shark permit & gillnet gear is on board from Nov 15 – April 15, or
 - The vessel is issued a directed shark permit, has bottom longline gear on board, the vessel is between 33°00'N lat. and 36°30'N lat., and the mid-Atlantic closed area is closed (Jan 1 – July 31)
- Each VMS unit must be installed by qualified marine electrician
- Reporting requirements include:
 - Turn on VMS unit and hail-out at least 2 hours before leaving port
 - Hail-in no less than 3 hours before returning to port to land HMS
 - Provide hourly location signals while at sea using VMS units
 - VMS units may be turned off upon return to port

What the VMS units do:

- Enhanced mobile transmitting VMS units have been required in HMS fisheries since January 1, 2013
- These units:
 - Were adopted to facilitate better communication between fishermen and NOAA Office of Law Enforcement
 - Transmit location signals automatically on an hourly basis
 - Allow for declarations of target species and gear type
 - Provide for email communications while on the vessel
 - Reduce the need for enforcement to board and inspect vessels at sea

Need for Changes

- Some fishermen find the need to hail-out two hours prior to leaving port burdensome
- Enforcement reports some fishermen hail-in several days in advance of landing which makes coordinating dockside inspections difficult
- Some fishermen find the hail-out and hail-in requirements burdensome when they are not fishing for HMS
- Allowing fishermen to turn the unit off when the vessel is at port is not consistent with other fishery regulations that require 24/7 location reporting all the time

Proposed Changes to VMS Requirements

- Require hourly location signals all the time (24/7) unless the vessel operator obtains a documented exemption from NOAA Office of Law Enforcement
 - Would allow fishermen to wait until leaving port to hail-out and would make requirements more consistent with other fisheries required to use VMS
 - NMFS does not anticipate an increase in reporting costs for most vessels as most plans charge a flat rate for 24/7 reporting (\$44 per month average)
- Require hail-in no less than 3 hours, *and no more than 12 hours*, before returning to port to better facilitate dockside inspections

Proposed changes, continued

- Provide fishermen with option to “declare out” of the HMS fishery if they do not plan to fish for or retain HMS for a period of time encompassing two or more trips.
 - Hail-out / hail-in not required unless the vessel owner/operator incidentally catches HMS and wishes to land them
 - Would still require VMS to be on and providing 24/7 location signals
 - Vessel would still be bound to all other applicable HMS regulations (e.g., closed areas)

Request for Comment on the Following VMS Data Collection and Reporting Burden:

- Proposed change to 24/7 reporting, unless the vessel operator has a documented power down exemption.
- Declaring out of the fishery when not fishing for or retaining HMS for two or more consecutive trips.
- Proposed modifications to the advance timeframes for hail-out and hail-in requirements.
- Time and costs for E-MTU VMS installation.
- Time and costs of the E-MTU VMS unit operation, and time and costs for issuing transmissions (i.e., hail-out/hail-in, declarations) from E-MTU VMS.

Proposed Rule – Request for Comment

You may submit comments by any one of the following methods:

- Electronic Submission:
 - Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0132, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.
- Mail:
 - Submit written comments to Margo Schulze-Haugen, NMFS/SF1, 1315 East West Highway, National Marine Fisheries Service, SSMC3, Silver Spring, MD 20910.
- Fax: 301-713-1917, Phone: 301-427-8503; Attn: Margo Schulze-Haugen
- Include the identifier **NOAA-NMFS-2013-0132** when submitting comments. All comments received are a part of the public record and generally will be posted for public viewing on www.regulations.gov without change.

For additional questions...

- Questions about the Southeast VMS program:

Patrick O'Shaughnessy

SE Office of Law Enforcement VMS Program Manager

Telephone: (727) 824-5358

Fax: (727) 824-5318

- Questions about the Atlantic HMS VMS regulations:

Clifford Hutt or Karyl Brewster-Geisz

Atlantic HMS Management Division

Telephone: (301) 427-8503