

XI. VESSEL MONITORING SYSTEM REQUIREMENTS

REQUIREMENTS TO INSTALL AND USE A VMS UNIT ²¹⁵

Pelagic longline vessels: All vessels with pelagic longline gear onboard.

Bottom longline vessels: All vessels with bottom longline gear onboard off South Carolina, North Carolina, and Virginia between 33°00'N and 36°30'N from January 1 through July 31.

Gillnet vessels: All vessels issued a directed shark limited access permit with gillnet gear onboard operating in the vicinity of the Southeast U.S. Monitoring Area from December 1 to March 31, pursuant to the requirements of the Atlantic large whale take reduction plan.

Purse Seine vessels: All vessels with purse seine gear onboard.

Vessel owners that are required to use a VMS in HMS fisheries may be eligible to receive reimbursement funds (up to \$3,100/unit) for procuring Enhanced Mobile Transmitting Unit (E-MTU) VMS units. The reimbursement does not cover installation or communication costs. For more information, and to see if you are eligible, contact the VMS Support Center at (888) 219-9228 or the SE Office of Law Enforcement VMS Office at (800) 758-4833.

INSTALLATION, ACTIVATION, AND OPERATION

- The VMS hardware and communications service provider must be on the VMS type approval lists for use in HMS fisheries,²¹⁶ which is available at http://www.nmfs.noaa.gov/ole/about/our_programs/vessel_monitoring.html. All VMS units must be installed by a qualified marine electrician.²¹⁷
- VMS units must always be on, operating, and reporting position data 24 hours and day, 7 days a week, and NMFS enforcement must receive these transmissions every hour without interruption. The only exception to this requirement is that vessel owners and/or operators that will not be fishing for extended periods of time, such as when placing the vessel in drydock for repairs or suspending all fishing activity for the off season, may apply for a documented power-down exemption for their vessel from NMFS Office of Law Enforcement.²¹⁸ The request must describe:
 - the reason an exemption is being requested;
 - the location of the vessel during the time an exemption is sought;
 - the exact time period for which an exemption is needed; and
 - sufficient information to determine that a power down exemption is appropriate.
- Vessel owners and/or operators experiencing unanticipated power outages or malfunctions in their VMS units should contact NMFS Office of Law Enforcement to notify them of the situation immediately and should not fish.²¹⁹ After a fishing trip during which interruption of automatic position reports has occurred, the vessel's owner or operator must have a qualified marine electrician replace or repair the VMS unit prior to the vessel's next trip.²²⁰
- Prior to leaving port for any trip, a vessel owner or operator must declare their target species and gear type(s) using the VMS terminal ("hail-out"). If the vessel is participating in multiple fisheries or switches to a different gear type or target species group, the vessel owner or operator must submit another declaration.²²¹
- At least 3 hours, but no more than 12 hours, prior to landing, the vessel owner or operator must provide NOAA Fisheries advanced notice of landing ("hail-in") using the VMS terminal. For

trips that are expected to be completed in less than three hours, vessels have the option of making a hail-in declaration at the same time (or before) the “hail out” declaration (i.e., gear and target species declaration) is made.²²² After submission of the landing notification, a confirmation code is provided through the VMS. Please note that the confirmation code does not automatically give the fisherman permission to land and offload. It simply provides NMFS a confirmation that a landing notification was received by NMFS. The owner/operator is responsible for ensuring all regulations are followed.

- HMS permitted vessels that will not be targeting or retaining HMS for 2 or more consecutive fishing trips may “declare out” of the HMS fishery. Vessels that have declared out of the fishery will be exempted from hailing in and out for each trip so long as they continue to participate in non-HMS fisheries that do not also require VMS reporting. If the vessel is participating in a non-HMS fishery that requires VMS reporting, they will still be required to follow the VMS reporting requirements for the non-HMS fishery. HMS vessels that have declared out of the HMS fishery are still required to leave their VMS units on to provide hourly position reports, and are still required to follow all other HMS regulations (e.g., closed areas). Vessels that have declared out of the fishery may still land HMS if they catch them incidentally, but would have to first declare back into the HMS fishery by hailing out and hailing in at least three hours, and no more than twelve hours, before returning to port.²²³
- If the vessel operator is aware that transmission of the reports has been interrupted, the vessel operator must notify NOAA Fisheries and follow the instructions given. If a repair is needed, the vessel owner or operator must have a qualified marine electrician repair or replace the unit before the vessel’s next trip.²²⁴

BLUEFIN CATCH REPORTING VIA VMS²²⁵

- *Vessels fishing with pelagic longline gear* must submit a “Highly Migratory Species Bluefin Tuna Catch Report” through VMS within 12 hours of completion of each pelagic longline set. Specifically, the report must include: date the set was made; area in which the set was made; the number of hooks in the set; and the approximate length of all bluefin tuna retained, discarded dead, or released alive (by standardized size ranges), including reporting of zero bluefin on a set.
- *Vessels fishing with purse seine gear* must submit a “Highly Migratory Species Bluefin Tuna Catch Report” through VMS within 12 hours of completion of each purse seine set. Specifically, the report must include: date the set was made; area in which the set was made; and the approximate length of all bluefin tuna retained, discarded dead, or released alive (by standardized size ranges), including reporting of zero bluefin on a set.²²⁶