

**Atlantic Highly Migratory Species (HMS) Vessel Monitoring System (VMS) Program
Compliance Guide
December 2011**

The National Marine Fisheries Service (NMFS) recently published a final rule (December 2, 2011; 76 FR 75492) that modifies VMS requirements for participants in Atlantic HMS fisheries. Regulations that govern VMS in Atlantic HMS fisheries may be found at in the U.S. Code of Federal Regulations Title 50 §635.69.

Background

Atlantic HMS regulations require the owner or operator of a commercial vessel, permitted to fish for Atlantic HMS to install and operate a NMFS-approved Enhanced Mobile Transmitting Unit (E-MTU) under certain circumstances:

- Pelagic Longline Vessels: Whenever the vessel is away from port with pelagic longline gear on board;
- Bottom Longline Vessels: Whenever a vessel issued a directed shark limited access permit, is away from port with bottom longline gear on board, and located between 33°00' N. lat. and 36°30' N. lat., and the mid-Atlantic shark closed area is closed (January 1 – July 31); and
- Shark Gillnet Vessels: Whenever a vessel, issued a directed shark limited access permit, is away from port with gillnet gear on board from November 15 – April 15.

Type Approved E-MTUs

Consistent with the latest type approval notice, the following E-MTUs are approved for use in HMS fisheries. Effective, **January 1, 2012**, any new VMS units must be installed by a qualified marine electrician. By **March 1, 2012**, all VMS units used in HMS fisheries must be E-MTUs. Vessel owners should contact the National Marine Fisheries Service National VMS Program Manager (contact information below) to confirm that a particular make/model is type-approved prior to purchasing. A list of type-approved units is available at:

http://www.nmfs.noaa.gov/ole/docs/2011/07/noaa_fisheries_service_type_approved_vms_units.pdf

Compliance with these regulations requires the following:

1. Installation of an approved E-MTU. A list of approved E-MTUs and vendors is provided below.
2. An active account with an approved mobile communication service provider. A list of those providers and vendors is provided below.
3. Complete VMS Installation and Activation Checklist. The checklist is mailed to new Atlantic HMS permit holders and may also be obtained by contacting the NMFS Southeast Office of Law Enforcement (contact information is provided below). The checklist must be completed, signed, and mailed back to the NMFS Southeast Office of Law Enforcement.
4. Confirm that the unit has been activated in vTrack and VMS position data is being received by NMFS.

NMFS Type Approved E-MTUs

- Skymate ST2500 (SM 250) (with messaging terminal)
- Faria Watchdog 750 (with messaging terminal)
- CLS America Thorium TST-100
- Thrane & Thrane TT-3026D - Gold

E-MTU Vendors and Communication Service Providers:

SkyMate, Inc.: Model: Stellar ST2500 (with messaging terminal)
(703) 961-5800 or 1-866-SKYMATE
4230 Lafayette Center Drive, Suite A
Chantilly, Virginia 20151
www.skymate.com

Faria: Model: WatchDog 750 (with messaging terminal)
1-877-888-5569
303 Norwich-New London Tpke
Uncasville, CT 06382
www.fariawatchdog.com

Thrane & Thrane: Model: Sailor TT-3026D Gold
GMPCS Personal Communications
1-888-664-6727
1501 Green Rd, Suite A-B
Pompano Beach, Florida 33064
www.gmpcs-us.com

CLS America: Model: Thorium TST-100
(301) 925-4411
1441 McCormick Drive, Suite 1050
Largo, Maryland 20774
www.clsamerica.com

Operation

VMS units must be turned on at least 2 hours prior to leaving port and remain on until the vessel returns to port. While at sea, the unit must always be on, operating and reporting location data and NMFS enforcement must receive these transmissions every hour without interruption.

“Hail Out”

Effective March 1, 2012, at least 2 hours prior to departure for each trip, a vessel owner or operator must report to NMFS any HMS fishery in which the vessel will participate on that trip and the type(s) of fishing gear that will be on board the vessel. If the vessel will be participating in multiple HMS fisheries, or multiple gears will be possessed on board the vessel, the vessel owner or operator must submit multiple electronic reports to NMFS. This information must be reported to NMFS using an attached E-MTU VMS terminal. For example, if a vessel were using both pelagic longline and greenstick gear to

target yellowfin tuna and swordfish, two declarations would be needed for each gear with “tuna/swordfish” declared as the target species.

“Hail In”

Effective March 1, 2012, At least 3 hours prior to landing, a vessel owner or operator must report a notice of landing to NMFS. For the purposes of this paragraph, landing means to arrive at a dock, berth, beach, seawall, or ramp. This information must be reported to NMFS using an attached E-MTU VMS terminal. For example, if a vessel were landing at Venice, LA, three hours prior to arriving at port, the operator would declare this location using the E-MTU VMS unit to NMFS enforcement. 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 gear and target species (hail out) declaration is made.

Reimbursement for VMS Units

Owners or operators of vessels with VMS units may be eligible for reimbursement of the cost of their VMS unit up to \$3,100, or as is provided for in the Federal Register. This reimbursement does not cover costs associated with installation or using the E-MTU VMS unit to transmit information. For more information about reimbursement, please contact the NMFS VMS Helpdesk at 1-888-219-9228.

For information about NMFS VMS Program, please contact:

NMFS Southeast Office of Law Enforcement
VMS Program - Southeast Division
263 13th Avenue South, Suite 109
St. Petersburg, FL 33701
727-824-5358 (tel)
727-824-5318 (fax)

NMFS Office of Law Enforcement - HQ
National VMS Program Manager
8484 Georgia Ave
Suite 415
Silver Spring, MD 20910
301-427-2300 (tel)
301-427-2055 (fax)

For information about Atlantic HMS management and regulations, please go to <http://www.nmfs.noaa.gov/sfa/hms/> or contact:

Atlantic HMS Management Division - HQ
1315 East-West Highway
Silver Spring, MD 20910
301-427-8503 (tel)
301-713-1917 (fax)

HMS Management Division - Southeast
263 13th Avenue South
St. Petersburg, FL 33701
1-800-758-4833 (tel)
727-824-5398 (fax)