



## NMFS Announces a New Effective Date for Vessel Monitoring System Requirements for Atlantic Highly Migratory Species

The National Marine Fisheries Service (NMFS) published a final rule on December 2, 2011 (76 FR 75492), that changed vessel monitoring system (VMS) requirements in Atlantic highly migratory species (HMS) fisheries. A type-approval notice was also published on that same day (76 FR 75523) updating the VMS units that would meet the new requirements. These new requirements were to be effective March 1, 2012.

On February 29, 2012, NMFS notified the public that, pending further notice, HMS vessels could use either old MTUs or new E-MTUs and were not required to provide hail in/hail out declarations specifying target species, gear possessed onboard, and location and timing of landing. However, no new installation of MTUs were permitted, all installations of E-MTUs were required to be done by a qualified marine electrician, and vessels were required to provide hourly position reports using VMS units starting two hours prior to leaving port and at all times while away from port.

NMFS is announcing a new effective date of January 1, 2013, for E-MTU VMS requirements.

### Who is Affected?

All vessels with Atlantic HMS permits that are required to use VMS, including vessels with pelagic longline gear on board, vessels with bottom longline gear on board in the vicinity of the mid-Atlantic closed area (between 33° N and 36° 30' N) from January 1 to July 31, and vessels with shark gillnet gear on board fishing between November 15 and April 15, must comply with the new requirements. The existing requirement to provide location reports using VMS, on an hourly basis, when vessels are away from port, would be maintained.

### How Are VMS Requirements Changing?

Consistent with the December 2, 2011, final rule, the following changes to VMS requirements are being implemented for Atlantic HMS fisheries effective January 1, 2013:

- Existing required Mobile Transmitting Unit (MTU) VMS must be replaced with NMFS-approved E-MTU VMS units;
- Any new or replacement Enhanced Mobile Transmitting Unit (E-MTU) VMS must be installed by a qualified marine electrician ; and
- Vessel operators must declare their target species and gear type(s) possessed on board prior to departing from port and provide NMFS advanced notice of landing before a trip has been completed.

The fishery declaration system, where fishermen would use their E-MTU VMS to report target fishery and gear types possessed two hours prior to leaving the dock, allows NMFS to more accurately track and monitor vessels for compliance with the regulations for relevant fisheries. Vessels would also be required to notify NMFS at least three hours prior to landing. These requirements are often referred to as "hail-in/hail-out" provisions and have been implemented in other Atlantic fisheries where E-MTU VMS are



required.

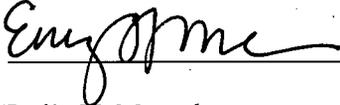
**Additional Information**

A list of NMFS-approved E-MTU VMS and communications service providers for Atlantic HMS fisheries published in the Federal Register on December 2, 2011 (76 FR 75523). The current list of VMS units that are type approved can also be found at [http://www.nmfs.noaa.gov/ole/docs/2011/07/noaa\\_fisheries\\_service\\_type\\_approved\\_vms\\_units.pdf](http://www.nmfs.noaa.gov/ole/docs/2011/07/noaa_fisheries_service_type_approved_vms_units.pdf). For copies of the list, contact information for equipment and communications service providers, and other information, please contact the VMS Support Center at 888-219-9228, fax 301-427-0049.

Currently, some reimbursement funds may be available for participants upgrading to E-MTU VMS in HMS fisheries. Vessel owners that have already received reimbursement funds for a VMS may be ineligible to receive additional funds. For more information about reimbursement, please contact the NMFS VMS Support Center at 1-888-219-9228.

This notice is a courtesy to the HMS fishery participants to help keep you informed about the fishery. Official notice of Federal actions is made through filing such notice with the Office of Federal Register. For further information on the December 2, 2011, final rule and Final Regulatory Flexibility Analysis (FRFA)/Regulatory Impact Review (RIR), contact Michael Clark at (301) 427-8503. Copies of the final rule, FRFA/RIR, and a VMS compliance guide are available upon request from the Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, MD 20910 (phone:301-427-8503, fax: 301-713-1917). The information is also posted on the HMS website at: <http://www.nmfs.noaa.gov/sfa/hms/>.

<p style="text-align: center;"><b>SIGN UP FOR <u>ATLANTIC HMS NEWS</u></b></p> <p style="text-align: center;">-- An electronic newsletter informing you of the latest HMS-related actions --</p> <p style="text-align: center;"><a href="http://www.nmfs.noaa.gov/sfa/hms/newslist/">http://www.nmfs.noaa.gov/sfa/hms/newslist/</a></p>
---



Emily H. Menashes

Deputy Director, Office of Sustainable Fisheries

**OCT 11 2012**

Date