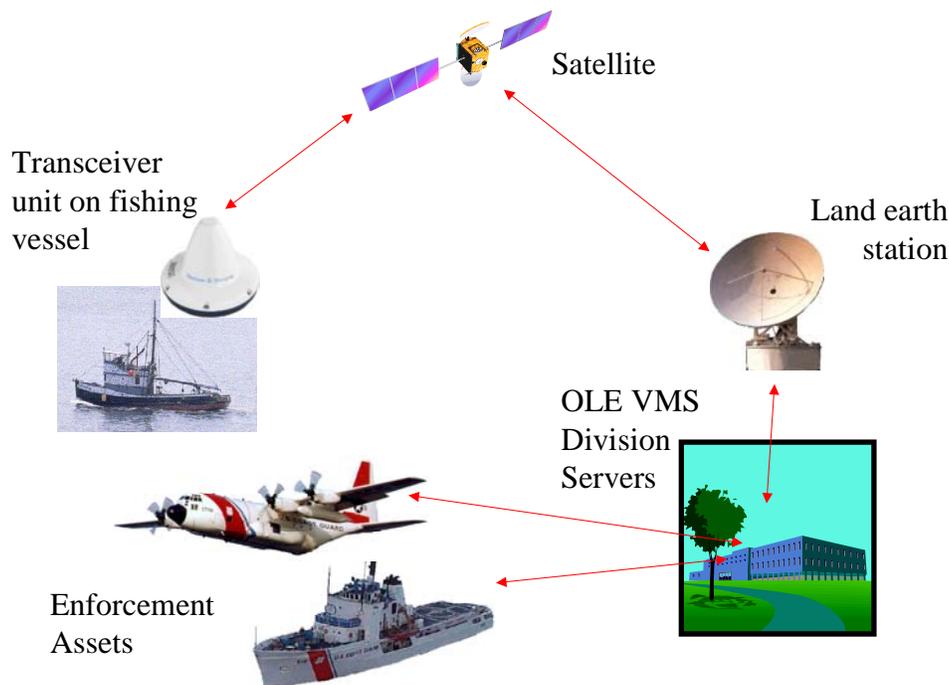


Vessel Monitoring System Program
Gulf of Mexico Commercial Reef Fish
Frequently Asked Questions
Revised April 2007

The Gulf of Mexico Fishery Management Council's (Council) proposed vessel monitoring system (VMS) program was approved by the Secretary of Commerce in August 2006. This and other regulatory actions were developed in Amendment 18A to the Reef Fish Fishery Management Plan ([Fishery Bulletin FB06-036](#)). The following frequently asked questions provide background on VMS and VMS program requirements and has been posted to NOAA Fisheries Service's Southeast Regional Office's Web site at <http://sero.nmfs.noaa.gov>.

What is VMS?

- VMS is a satellite-based vessel-monitoring program.
- Each unit transmits a signal (typically once per hour) identifying the exact latitude and longitude of a vessel anywhere in the Gulf of Mexico.
- VMS consists of a three step process:
 - The system itself, which includes a mobile transceiver unit placed on the vessel;
 - A communications service provider that supplies the wireless link between the unit on the vessel and NOAA Fisheries Service's Office for Law Enforcement (OLE); and
 - A secure OLE facility where only OLE staff can receive and monitor compliance.



Which vessels need VMS?

- All vessels with Gulf of Mexico commercial reef fish permits are required to have a type-approved VMS unit operating onboard.
- This includes for-hire vessels that are permitted to operate in the commercial reef fish fishery, even when those vessels are under charter.

Why is VMS required in the commercial reef fish fishery?

- Reef fish management measures include a number of area-specific regulations where reef fish fishing is restricted or prohibited in order to protect habitat or spawning aggregations of fish, or to reduce fishing pressure in areas that are heavily fished.
- VMS allows OLE to monitor compliance with these area-specific regulations, and track and prosecute violations.
- In addition, some VMS units provide an optional “panic button,” which can be activated during a vessel emergency to alert the United States Coast Guard to the vessel’s last known position.

Will my vessel location data be kept confidential?

- Yes. Vessel location data will not be shared with anyone without the vessel owner’s written consent, with the exception that such data can be disclosed to fishery management and enforcement agents, or when required by a court order.
- Individuals can request vessel location data only for their permitted vessel(s).
- Computers and monitors showing vessel location data are maintained in secure rooms, and access to these rooms is restricted to authorized personnel.

Is the VMS requirement mandatory?

- Yes, the requirement to have a type-approved VMS unit operating onboard vessels with commercial reef fish permits will be mandatory on May 6, 2007.

Why has the VMS effective date been delayed?

- The effective date has been delayed until May 6, 2007 ([Fishery Bulletin FB07-009](#)). This was done to:
 - Provide NOAA Fisheries Service and the vendors additional time to resolve an unanticipated technological problem with one of the approved VMS units; and
 - Provide vendors additional time to meet the customer demand for installing VMS units.

What type of VMS unit should I buy?

- Only a VMS that has been type-approved by OLE for use in the Gulf of Mexico reef fish fishery may be used.
- The following three units are type-approved:
 - Thrane and Thrane Gold TT-3026D
 - Boatracs FMCT-GPS
 - Faria WatchDog 750
- OLE continues to evaluate the approvability of additional units, but it is unknown if or when additional units will be approved for use in the Gulf of Mexico reef fish fishery.

Where can I find more information (hardware components, weight, and marine compatibility) about each type-approved unit?

- Refer to the Federal Register Notices published on September 15, 2006, and February 27, 2007:
[Vessel Monitoring Systems; Approved Mobile Transmitting Units for use in the Reef Fish Fishery of the Gulf of Mexico \[FR Doc.E6-15340\]](#)

[Vessel Monitoring Systems; Approval of Mobile Transceiver Unit \[72 FR 8695\]](#)

- Directly contact the manufacturers or vendors.

Where can I buy a type-approved VMS unit?

- NOAA Fisheries Service has provided a list of dealers and certified marine mechanics who sell and install the two type-approved VMS units. **Please Note:** This list of independent dealers is provided for convenience only, and should not be construed as an endorsement of any specific service provider. None of these dealers are a part of NOAA Fisheries Service. Fishermen should also check directly with Thrane and Thrane, Boatracs, and Faria for additional dealers.

[Boatracs Dealer/Certified Marine Electrician List](#)

[Thrane and Thrane Dealer/Certified Marine Electrician List](#)

[Faria Dealer List](#)

How much will it cost to purchase and install my VMS unit?

- The cost of purchasing a type-approved VMS unit and having the unit installed by a qualified marine electrician ranges from \$3,495.00 (Boatracs and Faria units) to \$3,800.00 (Thrane and Thrane unit).
- Basic annual VMS communication service fees are \$480.00 for the Thrane and Thrane unit, \$540 for the Faria unit, and \$660.00 for the Boatracs unit. These prices exclude email messaging fees.

Who will pay for my VMS unit? Is there a reimbursement program?

- Commercial reef fish permit holders are responsible for the costs of purchasing and installing VMS units, as well as for the monthly communication service fees.
- However, OLE has announced the availability of a **reimbursement program**.
- Reimbursement funds are available for the purchase price of the least expensive VMS unit approved for use in the Gulf of Mexico Commercial Reef Fish Fishery.
- **Important Note: There is a limited amount of funding available for reimbursement. It is important to apply for reimbursement as soon as possible. Reimbursement requests will be handled on a first-come first-serve basis.**
- For questions regarding reimbursement applications, please contact the Pacific States Marine Fisheries Commission, 205 SE Spokane Street, Suite 100, Portland, Oregon 97202, phone 503-595-3100, fax 503-595-3232.

Who should install my VMS unit?

- All VMS units must be installed by a certified marine electrician, using the procedures described on the [Installation and Activation Checklist](#).
- All vessel owners are required to submit to OLE at the address below:
 - An [Installation and Activation Checklist](#) that has been completed by the qualified marine electrician who installed the VMS unit; and
 - A statement certifying compliance with the [Installation and Activation Checklist](#). This statement certifying compliance was included within the certified packet each permit holder was mailed regarding VMS. Copies are also available from OLE or VMS vendors.

These installation requirements apply each time a VMS unit is installed or reinstalled on a vessel, including when VMS units are sold or transferred to new vessels.

- VMS vendors will provide dockside installations as a requirement of OLE.
- The required documents should be submitted to OLE at the following address:

**NOAA Fisheries Service
Office for Law Enforcement, Southeast Region
263 13th Avenue South
St. Petersburg, Florida 33701
Phone: (800) 758-4833; Fax: (727) 824-5318**

When does my VMS unit have to be turned on?

- Beginning May 6, 2007, VMS units must be turned on 24 hours a day, 7 days a week. However, OLE VMS program personnel recommend turning on your unit on or about April 25, 2007, to confirm sufficient reporting and verify receipt of Declaration forms software downloads (if available from each vendor). This will avoid interruptions for fishing trips after the May 6 requirement date.

How much battery power will my VMS unit use while running 24-7?

- Different units have different wattage requirements. Vendors for the different VMS units can supply information on system power requirements and provide advice on battery/shore power for different vessels.
- Some VMS units include a “sleep mode” feature that, when utilized, reduces the frequency with which the units transmit position signals. This feature may be utilized to improve battery life only when a vessel is in port. For this purpose, “in port” is defined to mean the vessel is secured at a land-based facility, or moored or anchored after returning to a dock, berth, beach, seawall, or ramp following the termination of a trip.

If my VMS unit has a “sleep mode,” may I use it?

- Not at this time. However, NOAA Fisheries is currently developing a rule which will allow a VMS unit to have a “sleep mode” of one position report every 4 hours when in port.

How often will my VMS unit transmit position signals?

- Generally, VMS units will send position signals on an hourly basis.
- However, OLE may increase, at its discretion, the frequency of position signals received from VMS vessels. For example:

- OLE will increase to 15-minute intervals the transmission frequency of VMS units onboard vessels within defined buffer zones around restricted areas.
- OLE will increase to 10-minute intervals the transmission frequency of VMS units onboard vessels within restricted areas.
- VMS units in “sleep mode” will send position signals every four hours.

Will my monthly communication service fee increase if the frequency of position signals sent by my VMS unit increases?

- No, OLE will assume the additional costs associated with increasing the transmission frequency of VMS signals above one signal per hour. However, if the unit has numerous power interruptions or frequent antenna blockages, additional costs may be incurred at the owner’s expense.
- OLE will not cover the costs of email messaging, unless the agency originates the message.

Will I be penalized if I simply travel through a buffer zone or restricted area?

- OLE will investigate vessel activity within the buffer zone or restricted area before determining whether a violation has occurred.
- Lawful transit through a restricted area will not result in a violation if proper procedures are followed (e.g., gear is appropriately stowed, etc.).

How will OLE know if my specific fishing activity is permitted within a specific restricted area?

- Each vessel owner or operator must identify their planned fishing activity (e.g., reef fish, shark, swordfish, tuna, mackerel) and the gear onboard their vessel (e.g., pelagic longline, bottom longline, vertical line gear) prior to leaving the dock.
- This declaration requirement applies to each trip, even if multiple trips occur in the same day.

How do I notify OLE of my planned fishing activity?

- Fishermen can send OLE the required pre-trip information either through their VMS terminal (computer) or through a call-in system accessible at 888-219-9228.

What if my signal is interrupted because of radio interference, or because of other factors out of my control?

- If you discover your unit is not working properly, then contact OLE immediately and they will assist you with troubleshooting.
- If OLE cannot help resolve the problem at sea, then they will provide the captain of the vessel with the appropriate guidance.
- The VMS Support Center can be contacted either through the VMS terminal or by calling the 24-hour toll-free number at 888-219-9228.
- If you cannot contact OLE while at sea, then complete the fishing trip as planned and contact OLE once you have returned to port.

What if I live in an area where quick, inexpensive VMS technicians aren’t available?

- Vendors who install type-approved VMS units are required to perform this service dock-side. However, some vendors may charge an additional fee to travel outside a defined service area.

- To minimize any additional fees associated with installing and repairing your VMS unit, talk to different vendors about their fees and service plans before purchasing a unit.

Can I remove any part of the VMS unit for safe keeping?

- The signal transmitter component cannot be removed and must stay onboard continuously operating 24 hours a day -7 days a week.
- The computer/monitor components can be removed when back at the dock for safe storage.

Are there any exceptions to the 24-7 operating requirement? Can I ever turn off my VMS unit?

- VMS systems may be turned off only if OLE has provided the vessel owner a power-down exemption.

In which situations would OLE grant a power-down exemption?

- A vessel owner can apply for a power-down exemption from OLE if:
 - The vessel will be continuously out of the water or in port (i.e., secured at a land-based facility, or moored or anchored after returning to a dock, berth, beach, seawall, or ramp following the termination of a trip) for more than 72 consecutive hours; or
- NOAA Fisheries Service is currently developing a rule which would revise criteria for a power-down exemption to situations where:
 - The vessel would be continuously out of the water or in port, as defined for more than 72 consecutive hours. The vessel owner obtains a valid letter of exemption from OLE VMS program office and complies with all conditions and requirements of that letter, and a copy of the letter of exemption is on the vessel with their permit at all times.
 - Prior to the power down, the owner or operator of the vessel must file a report to OLE VMS program personnel via the VMS unit's e-mail, that includes the name of the person filing the report, vessel name, vessel U.S. Coast Guard documentation number or state registration number, commercial vessel reef fish permit number, vessel port location during VMS power down, estimated duration of the power down exemption, and reason for power down.
 - The owner or operator enters the power-down code through the use of the VMS Declaration form on the terminal and receives an e-mail confirmation of the power-down authorization from OLE.

How do I apply for a power-down exemption?

- [Power-down exemption applications](#) are available online or from OLE at the address provided above.
- NOAA Fisheries Service is currently developing a rule which would revise the application process to include requests through the VMS unit's e-mail capability or VMS Declaration form.

If I have both a commercial and for-hire reef fish permits on my vessel, may I apply for a power-down exemption if I plan to only conduct for-hire fishing for one month or longer?

- No. Any vessel that has a commercial reef fish permit and is actively fishing, whether commercially for reef fish or in some other fishery (e.g., for-hire reef fish), must have an active VMS unit providing position reports.
- Previously, NOAA Fisheries Service in response to a comment in the final rule for Amendment 18A (71 FR 45428), inaccurately indicated a vessel with a commercial and for-hire reef fish permit, could obtain a power-down exemption if it was not commercially reef fish fishing for more than one month. NOAA Fisheries Service clarified this point with the Council at their March 2007 meeting. The Council indicated it was not their intent to allow a vessel with both a commercial and for-hire reef fish permit to obtain an exemption if not fishing commercial for an extended period of time.

What if I store my vessel in a covered marina or other structure under which the signal may be interrupted?

- VMS units will store position signals during times when signals are interrupted. These stored positions will be transmitted to OLE once the signal is restored, allowing OLE to determine whether the vessel was being stored or the VMS unit was illegally powered down.
- OLE will fully investigate the cause of any signal interruptions before determining whether a violation has occurred.

Who can I contact for more information?

- For general questions about the VMS program and requirements, please contact OLE at 800-758-4833.
- For technical support with your VMS unit, please contact the VMS Support Center 24-hour toll-free number at 888-219-9228.