



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Office of Law Enforcement
West Coast Division
7600 Sand Point Way NE
Seattle, WA 98115

Agenda Item G.2.a
OLE Report 1
November 2024

October 2, 2024

Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

Subject: Vessel Monitoring System (VMS) Update

National Marine Fisheries Service (NMFS) Office of Law Enforcement (OLE) currently manages NMFS' VMS program. Regulations related to required system capabilities and the type-approval process are specified in 50 CFR 600.1500 – 600.1516. OLE also maintains a list of type-approved units by region (see:

<https://www.fisheries.noaa.gov/national/enforcement/noaa-fisheries-type-approved-vms-units>). Type-approved VMS units have to meet stringent security and communication requirements, including the ability to support two-way communications and report power outages and be tamper resistant.

A significant change to the regulations, since Vessel Movement Monitoring (VMM) was evaluated for West Coast fisheries, is the inclusion of cellular-based systems. These systems must meet all of the security and communication requirements outlined in regulation, but must also have a "store and forward" capability when unable to connect to a cellular network. Under VMM, the lower-cost systems originally considered by the Pacific Fishery Management Council (Council), were satellite-based, but were less secure and only supported one-way communication. OLE reported that it will not manage systems that do not meet VMS regulatory requirements.

OLE did type-approve several cellular-based systems for use by Gulf of Mexico and Southeast Coast charter vessels for the Southeast For-Hire Electronic Reporting Program (see: <https://www.fisheries.noaa.gov/southeast/recreational-fishing/frequently-asked-questions-southeast-hire-integrated-electronic>). The maximum reimbursement available for these lower-cost units was \$950 (compared to \$3100 for satellite systems) and the average monthly costs were estimated to be half of current satellite fees (approximately \$25-35 per month for cellular-based systems compared to \$50-\$70 per month for similar satellite-based transmission rates). In the end, these cellular-based systems were not adopted due to a U.S. Court of Appeals for the Fifth Circuit decision setting aside the final rule for the Gulf program.

Lower-cost cellular-based systems can be considered by Council; however, the risk and vulnerabilities associated with being unable to receive and monitor real-time vessel

position reporting in and near sensitive areas would need to be evaluated. Should regulations allowing the use of cellular-based systems be adopted for West Coast fisheries, any companies wishing to receive type-approval would need to submit a request per the regulations and the unit would also need to be tested and evaluated by OLE's West Coast Division.

Respectfully,

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