

Council Report – Fourth Quarter, FY 2023



July 1, 2023 – September 30, 2023

To Report a Violation Call
800-853-1964

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Introduction

NOAA Fisheries' Northeast Division (NED) of the Office of Law Enforcement (OLE), Division 1 and Division 2ⁱ, conducted essential operations this fall and will continue those operations as we move into winter. All OLE staff strive daily to support our mission objectives. Enforcement Officers (EOs) and Special Agents (SAs) maintain a presence in our fishing ports across the Northeast Division. They initiate and pursue investigations and provide education and offer compliance assistance when needed. OLE's Administrative and Investigative Support Program (ISP) staff work behind the scenes to assist with ongoing investigations and operations.

This report reveals the high quality work NED staff performs to protect marine wildlife and habitat. All of us at OLE work hard every day to ensure not only our nation's precious marine resources, but our global living marine resources are available for future generations.

Figures 1-7 and Tables 1-2, below, include fourth quarter, FY 2023 data from NED. Please keep in mind OLE does not release specific information on any ongoing or open investigations. OLE has also released our five year (2023-2027) [Law Enforcement Priorities](#). These priorities were developed through extensive stakeholder engagement and included an informal public comment period. They will help our enforcement team accomplish its mission, guide its strategic planning, and focus the use of law enforcement assets where they are most needed. We welcome feedback on any section of this report.

NED Enforcement Highlights

Our fourth quarter, FY 2023 law enforcement efforts continued to focus on two main priorities: Enforcing laws critical to the survival of the North Atlantic Right Whales (NARWs) and collaborating with the Northeast Fisheries Observer Program (NEFOP). Our collaboration with NEFOP aims to reduce the overall number of observer related incidents and help encourage observer retention. A third priority is our Seafood Import Monitoring Program (SIMP) and efforts to counter Illegal Unreported and Unregulated seafood commerce. Emphasis on these three priorities does not mean we stopped enforcing other important living marine resource focused laws under our jurisdiction, such as those associated with the Magnuson Stevens Fishery Conservation and Management Act, the Atlantic Coastal Fisheries Cooperative Management Act, and many others.

Our fourth quarter enforcement efforts to protect and conserve the NARW population are carefully outlined in a dedicated section of this report starting on page 4. Similarly, we outlined our fourth quarter work in support of NEFOP starting on page 9.

Enforcement and Compliance

The following metrics do not showcase the full performance of NED, but rather highlight priority and more impactful activities.

In the fourth quarter, FY 2023, there were approximately 23 high priority operations and/or patrols that occurred either on land or at sea. There were 9 documented instances of more impactful

ⁱ Both OLE and USCG separate out areas of specific geographic coverage by "Division". For OLE, NED's area of coverage is split between Division 1, covering from CT to Maine, and Division 2, covering from New York to Virginia. Similarly and overlapping this area is USCG Northeast Division 1, covering from New York to Maine, and USCG Mid Atlantic Division 5, covering from New Jersey to North Carolina.

dockside outreach and/or industry compliance assistance in the field, allowing critical face-to-face interaction between our field staff and industry members. There were 31 instances of participation in various, significant, NOAA internal and external government partner meetings/events. There were also 9 seaport or airport container inspections and inspection operations to monitor seafood imports. NED EOs and SAs initiated at least 20 high priority investigations based on previously conducted operations, patrols, and container inspections. Many of those investigations are ongoing.

The dockside outreach and/or industry compliance assistance listed in Figure 1, below, does not include the tremendous amount of industry and enforcement partner communication the ISP staff in the VMS Program, the Compliance Liaison, and administrative staff within NED conduct on a daily basis. In addition, Figure 1, below, and the metrics mentioned above do not fully capture the regular interaction our agents and officers have with industry such as patrols not captured in this report. Multiple vessels may be boarded and multiple docks may be visited across multiple days on a single operation or patrolⁱⁱ, such as listed in Figure 1. Land based operations and patrols may also involve dealer and vehicle inspections. In support of our priorities, NED also capitalizes on “force multiplication”. That is, operations and patrols may involve one or more enforcement partner.

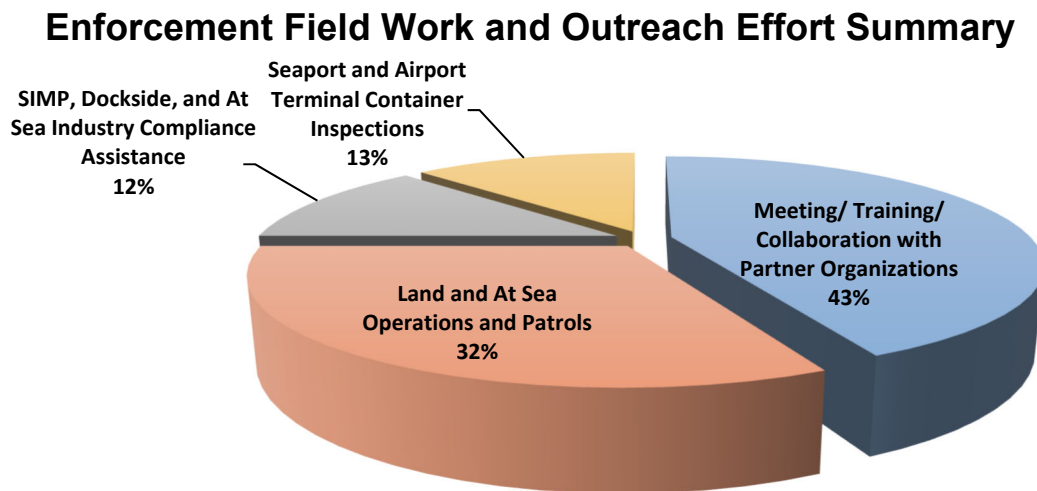


Figure 1: NED took part in roughly 72 high priority events between and July 1, 2023 and September 30, 2023. The figure is broken down by land and at sea operations and patrols, internal government meetings, training events and collaborative efforts with partner organizations, dockside and at sea outreach and industry compliance assistance, and Seaport and Airport Terminal Container Inspections.

North Atlantic Right Whale Enforcement

[NARWs](#) inhabit coastal waters, making them particularly vulnerable to [vessel strikes](#) and entanglement in fixed fishing gear. These are the two human activities responsible for the majority of NARW deaths and serious injuries. We enforce speed rules and other regulations that protect these whales so that they are less likely to be struck by vessels and entangled in fishing gear.

By enforcing both of these regulatory strategies, we play an instrumental role in protecting not only NARWs, but all large whales along the Atlantic coast. We also participate in the development of on-demand (or ropeless) technology. Work on this technology may benefit all large whale species,

ⁱⁱ Operations can be more complex than patrols and involve multiple enforcement partners over several days, often targeting specific vessel activity.

but current NARW conservation priorities drive this effort. We provide vessel owners and operators the information they need to remain in compliance with federal regulations.

The following are highlights of our second quarter FY 2023, NARW speed and Marine Mammal Protection Act (MMPA)/Atlantic Large Whale Take Reduction Plan (ALWTRP) enforcement activities.

Vessel Speed Enforcement

From November to July each year, multiple [Seasonal Management Areas](#) (SMAs) go into effect on the East Coast. During these times, most vessels 65 feet or longer are required to reduce their speeds to 10 knots or slower while transiting the designated areas. Since 2008, these areas have reduced the threat of vessel strikes to right whales in their feeding and calving grounds and on their migratory routes. These speed restrictions help reduce the lethality of strikes by allowing boaters more time to sight and respond to nearby whales and also allowing whales more time to move away from oncoming vessels.

NOAA's Office of Law Enforcement is charged with enforcing these regulations and helping the public comply with the rules. To enforce the speed rule, we deploy a number of technologies and strategies, including:

- Industry and public outreach to help prevent violations before they happen
- Automatic Identification Systems (AIS) to detect speeding
- Portable radar units to detect speeding by vessels not carrying AIS
- Active patrolling of Seasonal Management Areas

NOAA has assessed \$950,306 in civil penalties across 56 cases for violations from 2022–2023. NOAA's Office of Law Enforcement also provides the public with the information they need to comply with rules. Starting in 2018, we began sending compliance assistance letters to vessel owners in violation of the speed rule to support and enhance speed rule compliance. Since then, we have sent approximately 1,000 letters to vessel owners across multiple industries.

In addition, since November 2021, we have reacted in near-real time, leveraging satellite-based technologies to send more than 250 alerts to vessels operating in close proximity to right whales. We alert vessels of confirmed right whale presence nearby for up to 48 hours following a confirmed sighting to remind them to go slow, keep a minimum distance of 500 yards, and if sighted to please report the sighting at 866-755-6622 or the WhaleAlert App.

Our strategy to provide the impacted vessel community with compliance assistance and outreach to better accompany related case work is constantly evolving. Our hope is that our cumulative efforts will help curb the number of violations committed by all vessel types, including recreational pleasure craftⁱⁱⁱ. OLE continues to investigate these types of violations.

Fourth Quarter Vessel Speed Enforcement Activity

The following list includes related work conducted in chronological order by NED staff in the fourth quarter, FY 23^{iv}:

iii As shown in Table 1 of our second quarter, FY 2023 written report to the Council, recreational pleasure craft represent the vessel type most regularly in violation of SMA vessel speed restrictions. That [report](#) is on the Council website.

iv For specific charging information on all NOAA Fisheries cases, including those involving NARW speed rule violations, please see the GCES web page for [Enforcement Charging Information](#) and click on the appropriate month a defendant was charged.

- In early July, in support of a speed rule operation, ISP staff set up AIS alerts in Proteus, a U.S. Navy run ship tracking software program. Staff planned (and did send) to send relevant information from the alerts to EOs conducting the operation.
- In the third week of July, an SA initiated an investigation against a whale watch tour vessel for non-compliance with the speed restrictions to protect NARWs. ISP staff conducted an analysis of non-compliant periods. Following an interview with the company owner and vessel operator, the investigating SA provided compliance assistance on speed restrictions.
- Again in the third week of July, four EOs, two SAs, and MA Environmental Police and USCG D1 partners conducted seven offshore vessel patrols aboard NED's two patrol vessels and a USCG D1 vessel. Patrols covered the outer Cape Cod area from Chatham to Nantucket to approximately 30 nautical miles offshore into the Great South Channel SMA. Immediately prior to the patrols, both NED patrol vessels were outfitted with state of the art commercial Furuno electronics and were able to successfully conduct vessel speed checks using MARPA^v and handheld radar on vessels inside, entering, or exiting the SMA. Agents and officers detected no speed restriction violations on any of the related patrols, but identified multiple HMS and MSFCMA violations while on patrol.
- In support of a speed rule investigation in the middle of September, ISP staff made multiple contacts to locate and identify a vessel sending in AIS data showing it was in violation of speed restrictions.

ALWTRP Enforcement

To reduce entanglements in fishing gear, NOAA Fisheries worked with a team of fishermen, scientists, conservationists, and state and federal officials from Maine to Florida. The team developed the Atlantic Large Whale Take Reduction Plan in 1996, which addresses gear and closed area restrictions. The Plan has been updated several times. With the help of the Atlantic Large Whale Take Reduction Team, OLE enforces ALWTRP laws to reduce the risk of large whale entanglement in fixed gear fisheries. NOAA Fisheries added significant [regulatory changes in 2021](#) to address NARW entanglement in Northeast lobster and Jonah crab trap/pot gear. Those changes included new [Restricted Gear Areas](#) (RGAs) impacting fixed lobster and crab pot and trap gear. The new RGAs went into effect in late 2021. In addition, gear modification requirements included in those regulations went into effect on May 1, 2022.

Fourth Quarter ALWTRP Enforcement

Figures 2 and 3, below, illustrate our estimated ALWTRP compliance and patrol efforts, respectively, in the fourth quarter, FY 2023. All ALWTRP enforcement data illustrated below involves the northeast lobster and crab pot and trap fishery.

Between July 1 and September 30, about 93% of all inspected vessels were compliant with no observed ALWTRP non-compliance. This is up from 87% compliance for the previous quarter (third quarter, FY '23). Out of about 342 vessels inspected by boarding officers, 313 had no observed ALWTRP violations.

The vast majority of fourth quarter, FY '23 ALWTRP patrol efforts were carried out independently by Maine Marine Patrol (MMP). NED agents and officers will also conduct land and sea based patrols independent of an enforcement partner.

^v MARPA stands for Mini Automatic Radar Plotting Aid.

Fourth Quarter FY 23 ALWTRP Lobster Vessel Inspection Compliance Rate

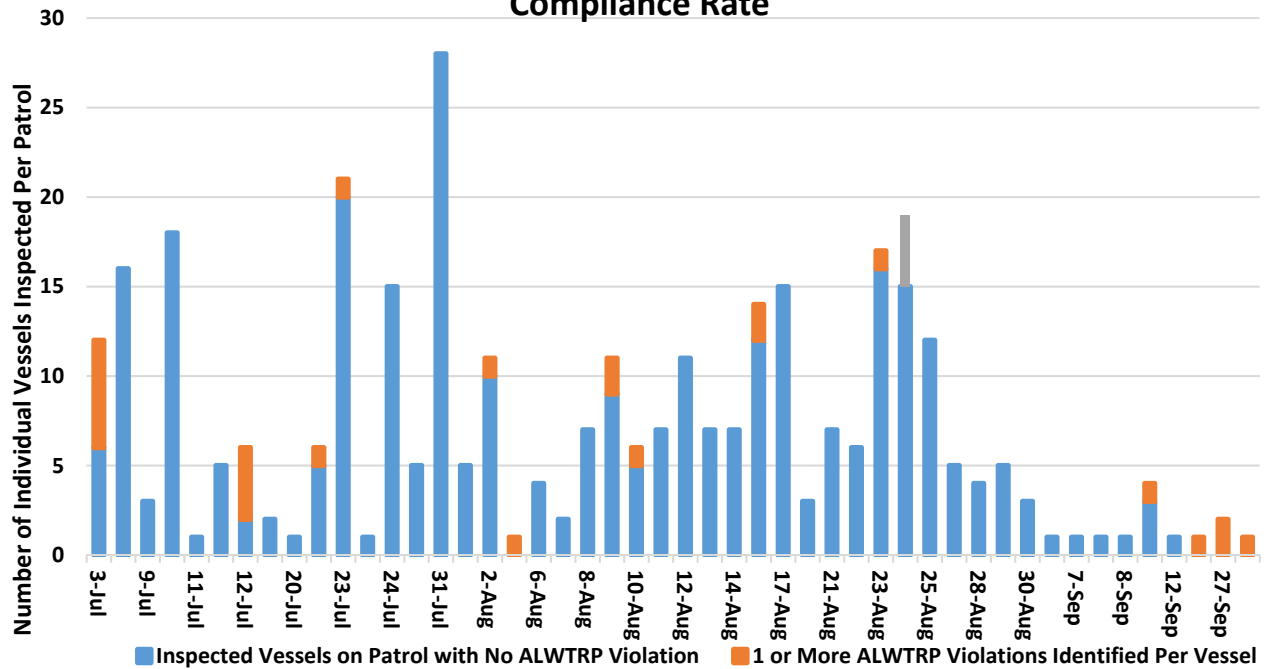


Figure 2^{vi}: Shown here is the compliance rate observed on individual patrols conducted by OLE and MMP. Each bar represents an individual patrol and the blue and/or orange color within each bar represents the total number of compliant and/or non-compliant vessels, respectively, per patrol. Combined, OLE and MMP inspected approximately 342 separate vessels for compliance with ALWTRP regulations between July 1 and September 30, 2023.

Fourth Quarter FY 2023 ALWTRP Lobster Patrols

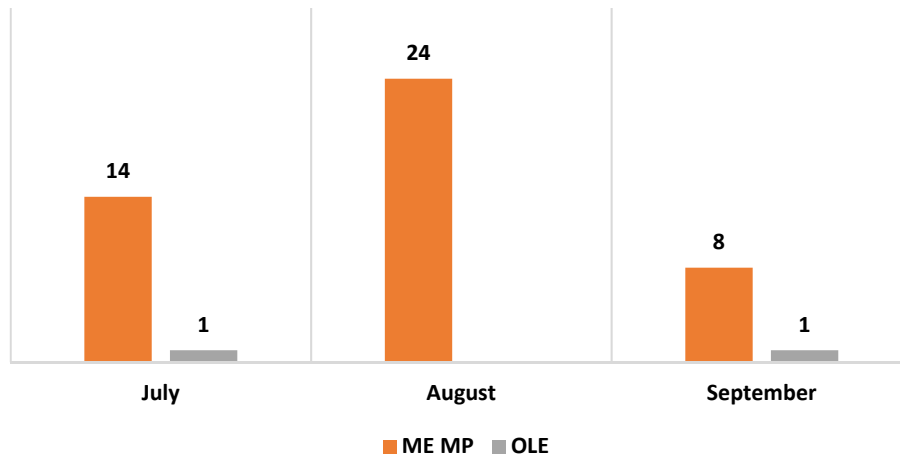


Figure 3: This figure shows a breakdown, by month and enforcement partner, of the number of patrols conducted between July 1 and September 30, 2023. NED and our enforcement partners conducted an aggregate of 48 ALWTRP patrols in this time period.

^{vi} Figure 2 does not include patrols listed in Figure 3 where no vessels were located during the patrol.

The following list includes related work conducted in chronological order by NED staff in the fourth quarter, FY 23, by our EOs and SAs:

- In early July, at the request of an EO to support an upcoming Remote Operated Vehicle (ROV) operation scheduled to take place in Lobster Management Area (LMA) 3, ISP staff prepared a variety of information to aid enforcement efforts while at sea.
- Also in early July, MMP supplied OLE with inspection patrol data on 175 vessel inspections. That information is included in Figure 2, above.
- In the second week of July, an EO and SA conducted a multi-day off shore lobster gear ROV patrol in LMA 3 aboard a contracted marine service vessel to inspect Northeast trap/pot gear for compliance with MMPA/ALWTRP and Magnuson Stevens Fishery Conservation and Management Act (MSFCMA) fishery regulations. Staff inspected 187 pots from six different vessels and found multiple violations.
- In the second week of September, similar to what ISP gathered for the first ROV LMA 3 patrol at the beginning of the summer, ISP staff prepared a variety of information to aid the EO while at sea to aid enforcement efforts during the patrol.
- In mid-September, two EOs conducted another NED offshore gear inspection patrol in LMA 3. EOs inspected 256 total traps while on patrol. ALWTRP violations included but were not limited to buoy line color marking violations and MSFCMA violations included, but were not limited to obstructed escape vents.
- In the end of September, an EO and the NED Compliance Liaison attended a public hearing lead by staff from GARFO's Protected Resources Division regarding rulemaking to permanently close 'the wedge' area located off the north shore of Massachusetts. Industry comments received during the included concerns regarding future expansion of the closed area and fisherman not seeing whales in the area.

Fourth Quarter Whale Violations and Stranding Activity Response

NED staff continue to respond to, participate in, and investigate large whale stranding events any place they may occur within our range of coverage from ME down to VA. We also respond to whale related violations under the MMPA such as harassment. In the fourth quarter, FY 2023, NED responded to the following reports of whale related MMPA violations and participated in the following whale stranding event in chronological order:

- In late July, an EO responded to a report of a dead whale on a nearby beach. The EO arrived and observed that IFAW marine mammal stranding network staff were conducting a necropsy of a juvenile humpback whale, along with spectators nearby. The EO provided outreach to spectators about the MMPA and regulations prohibiting contact and/or interference with marine mammals, dead or alive.
- In the first week of August, an EO investigated a complaint about five individuals aboard an inflatable boat harassing whales as they attempted to feed at the surface off of Provincetown, MA.
- In early September, two EOs conducted an EEZ patrol on an OLE patrol vessel offshore of Massachusetts and within the Stellwagen Bank National Marine Sanctuary in response to reports of large concentrations of anglers fishing in the vicinity of feeding whales that also took place on a HMS fishery commercial restricted fishing day. A charter/head boat operating as a whale watch vessel was contacted, and another was observed from a distance. Both were compliant with MMPA regulations. Four HMS vessels were boarded as well on the patrol.

NEFOP Enforcement Collaboration

In support of our priority to aid NEFOP, our goals are to reduce the overall number of observer related incidents and help encourage observer retention. Our fourth quarter FY 2023 efforts in support of this priority involved close collaboration with staff from the Fisheries Monitoring Operations Branch (FMO) of the Northeast Fisheries Science Center (NEFSC) and industry members. We recognize that observer retention is a challenge even under ideal circumstances.

From the industry perspective we understand there are inherent challenges to collaborating with an observer in the close quarter environment of a fishing vessel. We try to keep that in mind during all of our interactions with industry members related to our observer priority. Among the observer community, our support of this priority aims to ensure that we have their safety and best interest in mind to best ensure a continued flow of the critical fishery dependent data NEFOP provides.

We work to accomplish goals under this priority by working more closely with both industry members, members of the observer program, and our enforcement partners. Our enforcement of observer related violations remains unchanged.

Our activities in support of our NEFOP priority are as follows:

- An SA (the OLE Observer Liaison) provided enforcement trainings at three new training classes of observers and participated in At-Sea Monitor safety panel discussions.
- On July 12, two SAs attended a Train the Trainer course: SASH Strategic Resistance Training course for NOAA Fishery Observers. The course was presented by Soteria Solutions and hosted by FMO in East Falmouth, MA.
- In the third week of July, an SA conducted an interview with a fleet manager for a safety deficiency/refusal complaint received from FMO. The manager confirmed corrective measures to the safety deficiencies have been completed.
- Again in the third week of July, an SA and EO provided support to FMO by meeting an observer prior to deployment on a vessel with a history of conflict with the program and previous observers. Staff conducted a follow up with the observer post trip and no issues or violations were reported.
- In the middle of September, an SA investigating an alleged SASH incident involving a female observer.
- OLE staff collaborated with FMO staff and others to host another SASH workshop with industry. Unfortunately, no industry attended the event. NEFSC broadcast the event well in advance through an industry wide permit holder letter that accompanied the Center's annual Standard Bycatch Reporting Methodology report which indicates observer coverage needs by fishery in the coming year. OLE and FMO staff are open to suggestions on how to better advertise and encourage industry participation at future scheduled workshops.
- The last week of September, an SA attended a FMO/OLE round table event held at the NOAA Narragansett field lab. The NED SA, FMO staff, three observers, an AIS area coordinator and Program Manager were in attendance.

While a goal of this priority is to help encourage observer retention, we focus our efforts on both industry members and members of the observer community. We will encourage best practices and standards of behavior among industry and the observers. If you have questions on this topic, you may contact us at the following numbers:

- Compliance Liaison; (978) 281-9213, option 2
- the Northeast Fisheries Observer Program; ne.observerprogram@noaa.gov

- the NOAA OLE Hotline (available 24/7); 1-800-853-1964

From July 1 through September 30, 2023, the NOAA Observer Program deployed on 1381 trips for 3,783 sea days. We initiated seven investigations based on incident reports we received this quarter. 99.5 percent of all selected or observed trips were completed without an enforcement referral/investigation^{vii}.

Incident Information

OLE compiles information from investigations and patrols mentioned above, referrals from external parties such as JEA and federal enforcement partners, as well as complaints and reports from industry, Non-Government Organizations, and the general public. Data presented in this section also includes ISP and other NOAA staff indicated non-compliance events. Many NED staff members contributed to the incident information presented here.

The query used to generate the data displayed in this section is based on the date incidents were created and should capture a very accurate snapshot of NED activities that occurred in the fourth quarter, FY 2023.

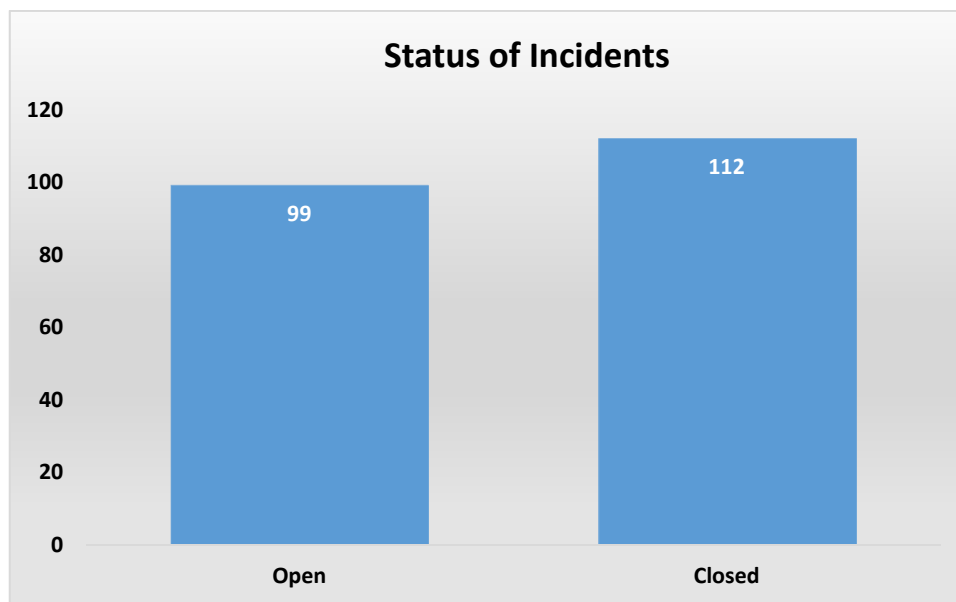


Figure 4. Status of incidents entered in NEIS between and including July 1 and September 30, 2023 (112 closed, 99 open).

Table 1: Fourth Quarter, FY 23, summary of incidents by law/regulation

Law/Regulation/Program	Incident Totals
Marine Mammal Protection Act	23
ACFCMA	2

^{vii} In some instances, a single Incident Report contained multiple complaints, and in other instances, multiple Incident Reports were received covering the same reported violation. For complaints reporting multiple potential violations, the most significant issue is the one tracked for case reporting statistics.

Endangered Species Act	5
MSFCMA	55
HMS	104
International Trade Program	19
Lacey Act	1
Other Federal Law/Regulation	2
Total	211

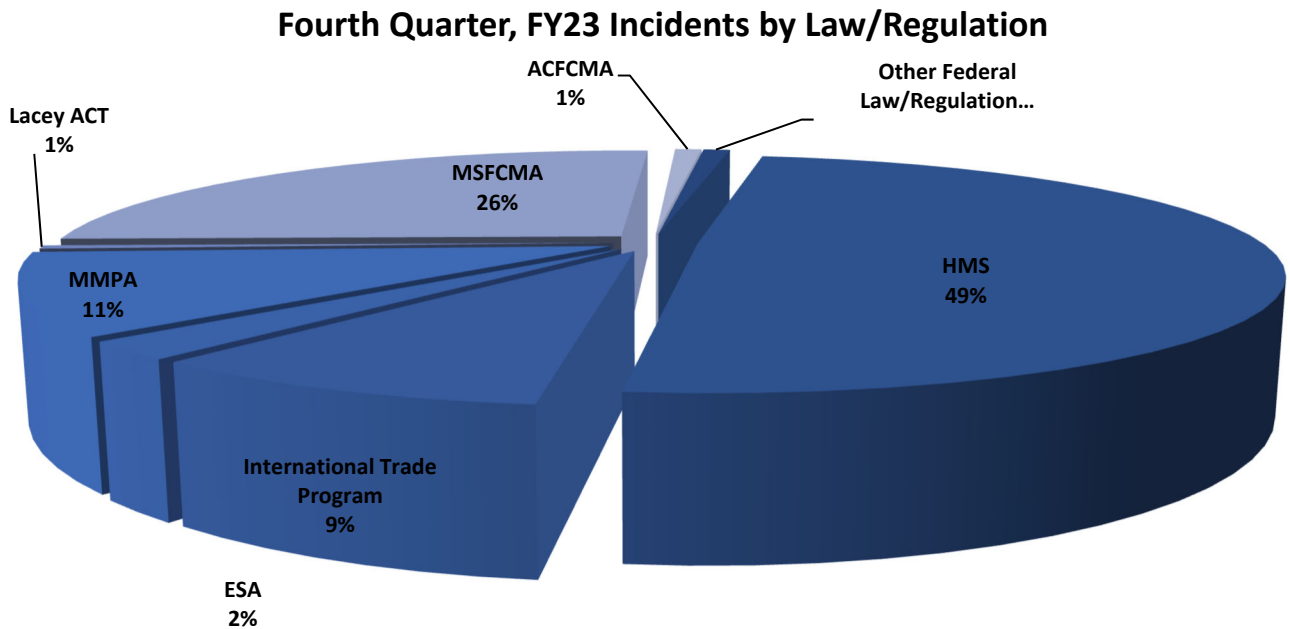


Figure 5: Incidents in NEIS broken down by specific law or program violation from July 1 through September 30, 2023.

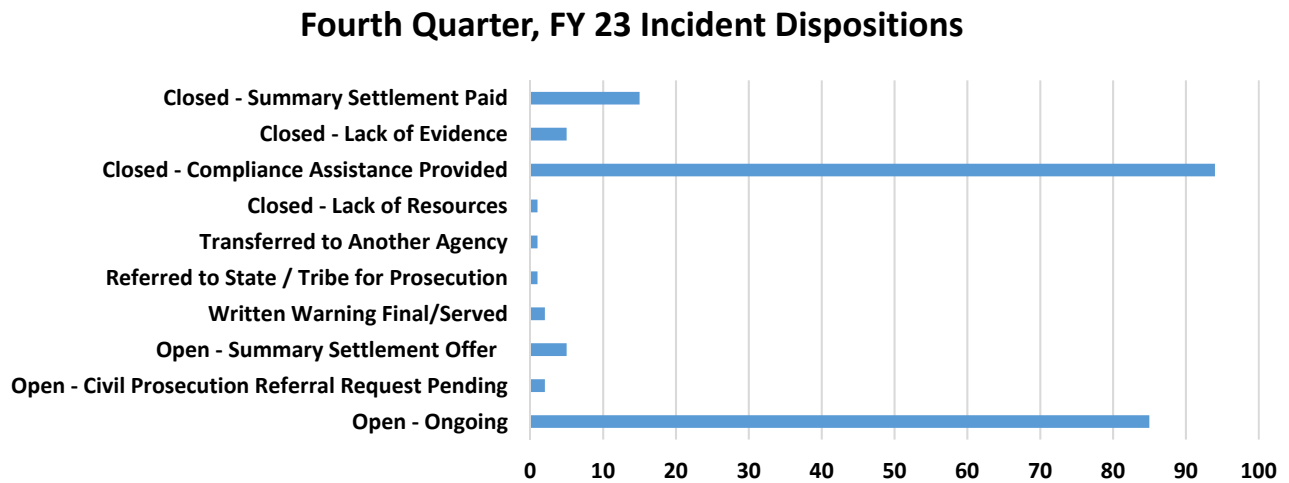


Figure 6. Incident dispositions from July 1 through September 30, 2023.

Summary of Incidents Involving OLE Partners

A total of 103^{viii} incidents entered into NEIS between July 1 and September 30 of this year involved NED collaboration with at least one other federal, state, or other enforcement partner^{ix}. Figure 7, below, shows incidents where NED staff in OLE partnered with an enforcement partner on patrols, seaport and/or airport terminal container inspections, whale stranding events, or referred case packages.

Fourth Quarter, FY 2023 Incident Partners

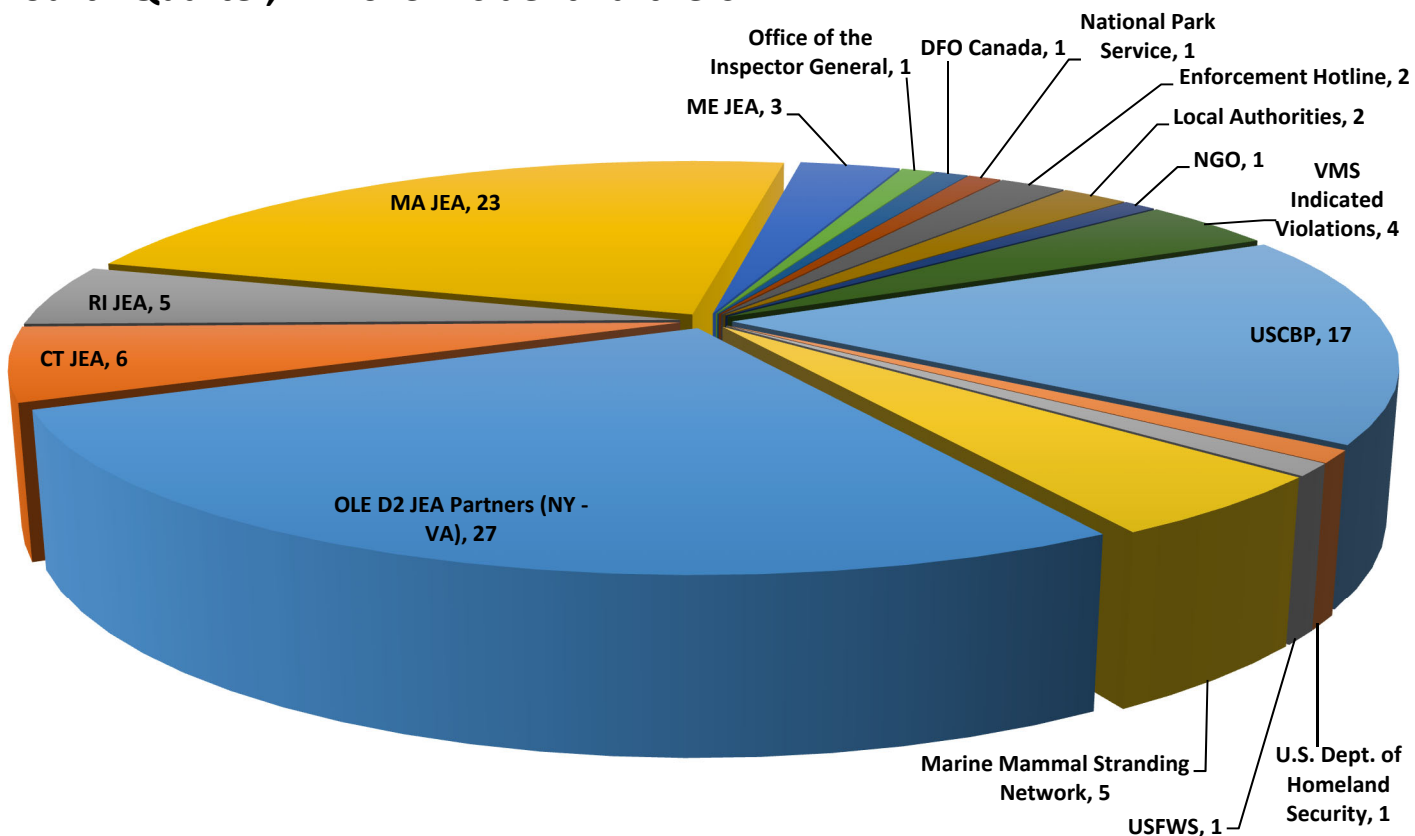


Figure 7. Incidents entered into NEIS between July 1 and September 30, 2023 where one or more federal, state, or local enforcement partners collaborated with NED staff (the number of collaboration events with a specific enforcement partner is listed by “Enforcement Partner, XX”). Observer program and VMS indicated violations from our Investigative Support Program are included here, but all other NOAA internal referrals are not.

viii The total number of instances of collaboration between OLE and at least one other enforcement partner illustrated in Figure 7 is greater than the 103 incidents referenced in this data set. Where multiple enforcement partners collaborated on a single incident, those partners were tallied separately in Figure 7.
 ix Activities such as patrols and operations involving our enforcement partners that did not result in an incident, are not captured in this graphic

Overview of Summary Settlements

NED staff issued Summary Settlements for 43 violations associated with 37 incidents between July 1 and September 30, 2023 totaling \$39008.39. Data included in this section also comes from OLE’s case management system, NEIS. Many incidents with Summary Settlements listed here predate incidents listed in the “Incident Information” section, above.

Table 2: Individual Violations Associated with Summary Settlements Issued in the fourth quarter, FY 23.

Law	Violation	SS Amount	State	Vessel Type
HMS	Failure to Report Atlantic Swordfish	\$250.00	CT	Recreational
HMS	BFT Possessed Without Valid Permit	\$2,000.00	CT	Recreational
MSFCMA	Black Sea Bass Possessed Without Valid Permit	\$500.00	DE	For Hire
HMS	Atlantic HMS Possessed Without Valid Permit	\$500.00	DE	Recreational
MSFCMA	Blueline Tilefish Possessed Without Valid Permit	\$500.00	DE	Recreational
MSFCMA	Vessel FVTR Reporting Failure	\$500.00	DE	Commercial
MSFCMA	Vessel FVTR Reporting Failure	\$500.00	DE	Commercial
MSFCMA	Vessel FVTR Reporting Failure	\$500.00	DE	Commercial
MSFCMA	Dolphin Possessed Without Valid Permit	\$500.00	DE	Commercial
HMS	BFT Possessed in Improper Form	\$1,500.00	MA	For Hire
HMS	Atlantic HMS Possessed Without Valid Permit	\$500.00	MA	Recreational
MSFCMA	Atlantic Sea Scallop MP Overage	\$3,927.40	MA	Commercial
MSFCMA	Atlantic Sea Scallop MP Overage	\$631.00	MA	Commercial
HMS	BFT Possession Below Maximum Size	\$500.00	MA	Recreational
MSFCMA	Commercial Fishing in the EEZ without Valid Permit	\$3,000.00	MA	Commercial
HMS	BFT Dealer Reporting Failure	\$1,000.00	MA	Commercial
HMS	BFT Dealer Reporting Failure	\$1,000.00	MA	Commercial
HMS	BFT Dealer Reporting Failure	\$2,000.00	MA	Commercial
MMPA	Seal Feeding Violation	\$100.00	MA	N/A
MSFCMA	Vessel FVTR Reporting Failure	\$500.00	MA	Commercial
MSFCMA	VMS Reporting Violation	\$100.00	MA	Commercial
HMS	Atlantic HMS Possessed Without Valid Permit	\$500.00	MD	Recreational
MSFCMA	Blueline Tilefish Possessed Without Valid Permit	\$500.00	MD	Recreational
MSFCMA	Blueline Tilefish Possessed Without Valid Permit	\$500.00	MD	Recreational
MSFCMA	Blueline Tilefish Possessed Without Valid Permit	\$500.00	MD	Recreational
MMPA	Vertical Line Marking Violation	\$250.00	MD	Commercial
MSFCMA	Black Sea Bass Possessed Without Valid Permit	\$500.00	MD	For Hire
MSFCMA	Operating a Vessel Without a Valid Permit	\$500.00	MD	For Hire
HMS	BFT Dealer Reporting Failure	\$1,000.00	ME	Commercial
ITP	SIMP Reporting Violation	\$1,000.00	MI	Commercial
HMS	BFT Dealer Reporting Failure	\$1,000.00	NH	Commercial
HMS	BFT Possessed Without Valid Permit	\$500.00	RI	Recreational

HMS	Atlantic HMS Possessed in Improper Form	\$750.00	RI	Recreational
HMS	Fishing for BFT Without Valid Permit	\$500.00	RI	Recreational
HMS	BFT Possession Below Minimum Size	\$500.00	RI	Recreational
HMS	Atlantic HMS Possessed in Improper Form	\$2,500.00	RI	Recreational
HMS	Failure to Report BFT	\$416.66	RI	Recreational
HMS	BFT Possession Limit Violation	\$416.66	RI	Recreational
HMS	BFT Possession Below Minimum Size	\$416.67	RI	Recreational
HMS	BFT Dealer Reporting Failure	\$1,000.00	RI	Commercial
HMS	Atlantic HMS Possessed in Improper Form	\$3,000.00	RI	For Hire
Lacey Act	Illegal Interstate Transport	\$1,125.00	VT	Commercial
ESA	Interstate Commerce of Listed Species	\$1,125.00	VT	Commercial
Total		\$39,008.39		-

Northeast VMS Program

Updated November 13, 2023

NE VMS Unit Population (active):

<https://www.fisheries.noaa.gov/national/enforcement/noaa-fisheries-type-approved-vms-units>

- Woods Hole Group - Thorium Leo & Thorium Triton
- SkyMate - I1500 & M1600
- AddValue - Wideye iFleetONE
- MetOcean OmniCom VMS & Global

NE VMS Unit Population (active):

- 957 registered vessels
 - Woods Hole Group 460
 - SkyMate 492
 - MetOcean^x 5
 - AddValue 0
- 5 vendor test units (installed at NED OLE)

NE VMS Population breakdown by Permits (Note: The total count below exceeds the VMS population count since most vessels hold multiple permits):

- 582 Surfclam (SF-1)
- 581 Ocean Quahog (OQ-6)
- 530 Scallop General Category (LGC-A,B,C)
- 345 Multispecies (MUL-A,D,F)
- 345 Scallop Limited Access (SC-2,3,5,6,7,8)
- 260 Longfin Squid (SMB-1A, 1B)
- 118 Herring (HER-A,B,C,E)
- 115 Mackerel (SMB-T1,T2,T3)
- 68 Illex Squid (SMB-5)

^x This number includes 3 Canadian Transshipment vessels.

- 45 Combination (MUL-E)
- 16 Monkfish (MNK-F)
- 5 Maine Mahogany Quahog (OQ-7)

Groundfish Sector/Common Pool:

There are 264 groundfish sector vessels and 133 common pool vessels registered to the NE VMS Program. The number of sector vessels registered has remained unchanged since the second quarter, FY 23 report and the common pool (vessels fishing under the “Days at Sea” program) gained 2 vessels since the last report (third quarter, FY 23).

Power-Down & Letter of Exemption (LOE) Program:

A total of 45 VMS equipped vessels are on a NMFS approved power down LOE; of these, no owners have deactivated their VMS with their vendor during the LOE period. Additionally, there are 14 vessels with LAGC scallop permits on a Power Down declaration in port.

Industry Contact Log Report:

In the fourth quarter of FY23, ISP staff and the Compliance Liaison addressed 172 industry issues. The most-frequently reported issue was VMS non-reporting and power down issues. The second most frequently reported issue was VMS declaration/forms assistance and compliance. The third most frequently reported issue was closed area and other regulatory concerns and questions.

VMS Notes and Significant Events:

As a general reminder, we encourage all owners and operators in VMS fleets to monitor their VMS units for all incoming messages.

VMS Fleet-Wide Message

ISP staff send VMS messages to specific VMS fleets announcing fishery closures and other news. In fourth quarter FY 23, ISP staff sent one message for the Longfin squid Trimester 2 closure. So far in the first quarter FY 24, ISP staff sent one message for the 1A herring closure.

Monitoring of Closed Areas

For vessel owners and operators, please remember that there are no buffer zones around closed areas and that VMS is actively monitored for closed area compliance. We encourage industry to keep onboard electronics updated with the correct closed area boundaries.

NARW Notices

ISP staff now broadcast VMS messages to alert vessels if there are NARWs in the vicinity of their activity. Staff send messages based on regional survey data. Recently, in the fourth quarter FY 23, ISP staff sent 218 compliance notification letters to vessel owners across multiple industries.

Stellwagen Bank National Marine Sanctuary Shipwreck Avoidance

ISP staff now send VMS messages to vessels that enter specific areas to notify owners and operators of known shipwreck locations inside SBNMS. Since July 1, 2013, ISP staff coordinated sending 908 automated messages to vessels entering the defined geofenced areas. If there are any questions about the messages or shipwrecks please contact the Sanctuary at 781-424-0699 or Ben.Haskell@noaa.gov.

Cases sent to NOAA General Counsel Enforcement Section (GCES)

NED forwarded 5 cases to GCES between July 1 and September 30, 2023. The cases involve but are not limited to: speed restriction violations to protect North Atlantic Right Whales, SIMP violations, HMS violations, false data submissions, permit violations, whale harassment, and interference with an OLE officer.