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Ministry for Primary Industries
Manatū Ahu Matua



Operation 'Apate II'

HMNZS Taupo

20 July – 6 August 2012

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Prepared by [REDACTED] s9(2)(a)
June 2012

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Distribution

J5R-M HQJFNZ

J33-M HQJFNZ

Commanding Officer, HMNZS Taupo

Executive Officer, HMNZS Taupo

**Manager Bacteriology & Aquatic Animal Diseases,
Wellington**

District Compliance Manager, Napier

District Compliance Manager, Christchurch

District Compliance Manager, Wellington

District Compliance Manager, Nelson

District Compliance Manager, Manukau

Compliance Investigator, Petone, O/C

Acting Team Leader, Operational Co-ordination,

Petone, 2IC

Fisheries Investigator, Dunedin

Fishery Officer, Napier

Fishery Officer, Christchurch

Fishery Officer, Petone

Fishery Officer, Kaikoura

Fishery Officer, Petone

Fishery Officer, Blenheim

Fishery Officer, Auckland

MPI: Operational Co-ordination

MPI: NMCC Liaison Officer

MPI: Analyst

MPI: Communications Centre Manager

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3.5. Serious Offending

- 3.5.1. In the event that serious offending is detected in respect of any commercial fishing vessel inspected, then the MPI Operational Co-ordination Group ^{s9(2)(a)} is to be contacted at the earliest opportunity and to determine an appropriate course of action.
- 3.5.2. Serious offending may comprise, but is not limited to;
- the unauthorised discard of quota species
 - illegal nets or cod-ends
 - non-completion of fishing returns
 - fish on board that does not match completed returns

3.6. Vessel Ordered to Port

- 3.6.1. In the event that it becomes necessary to issue a direction to the Master of a commercial fishing vessel pursuant to Section 204 of the Fisheries Act 1996 [*vessel ordered to port*] then a minimum of two (2) persons including at least one (1) Fishery Officer, will remain on board that fishing vessel. Regular communication will be maintained with HMNZS Taupo and the MPI Operational Co-ordination Group until such time as the commercial fishing vessel arrives in port.
- 3.6.2. In addition the HMNZS Taupo will accompany the commercial fishing vessel back to port, maintaining both a regular communication link and visual presence.
- 3.6.3. A request will be made of the owner or charterer of the commercial fishing vessel, to advise the Master to fully comply with the directive of the Fishery Officer to return to such port as is agreed upon between the Master and the Fishery Officer.

3.7. Safety

- 3.7.1. During the course of this operation, Fishery Officers will be boarding commercial fishing vessels at sea in challenging environmental conditions.
- 3.7.2. It is likely that fishing operations will be in progress on board any commercial fishing vessel subject to boarding and there are risks presented by the presence of potentially dangerous equipment on the trawl deck area. Equally, the below decks area of a commercial fishing vessel presents a number of potential hazards, particularly in areas such as the factory or freezer holds.
- 3.7.3. The sea surface temperature in the area of operation at this time of the year will be around 10° Celsius and accordingly, even short periods of immersion in the sea can be extremely dangerous.
- 3.7.4. The health and safety of staff involved in this operation is paramount and these issues will be considered at all times. MPI staff are to comply with Navy occupational safety and health requirements at all times.

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- 3.7.5. Upon embarking HMNZS Taupo, the C/O will arrange for a pre-departure safety briefing by RNZN personnel for MPI staff on all aspects of Navy ship safety procedures, including boarding procedures, so as to ensure that all health and safety considerations are met
- 3.7.6. Risks can be minimised by adherence to Navy protocols regarding sea conditions in which safe boarding can occur.
- 3.7.7. Fishery Officers unfamiliar with the craft to be used in at sea boarding [RHIB's] must advise the phase O/C at the first practical opportunity. They will make this known to the appropriate Navy personnel on board and request that appropriate training be provided before any boarding activity is undertaken
- 3.7.8. If boarding cannot be undertaken safely in open waters, consideration may be given by the phase O/C to ordering the commercial fishing vessel to steam to a more sheltered location to facilitate safe boarding. It is highly unlikely that such a direction will be made in the course of this particular operation.
- 3.7.9. Should any Fishery Officer have concerns about the circumstances or conditions in which an at sea boarding is about to take place, they must draw those concerns to the attention of the phase O/C and/or the C/O immediately.
- 3.7.10. Protective equipment [as described in the Administration and Logistics section] must be worn while boarding and extreme care taken at all times. Fishery Officers are to be alert to potential hazards, not only to themselves, but also to other members of the boarding party, both prior to and whilst undertaking the inspection of any commercial fishing vessel.

3.8. National Maritime Co-ordination Centre [NMCC]

- 3.8.1. The role of the NMCC is to co-ordinate and provide intelligence in support of personnel on board HMNZS Taupo at regular intervals throughout the duration of the operation.
- 3.8.2. Intelligence will consist of information relevant to the operation, as acquired by NMCC.
- 3.8.3. All communications from NMCC to HMNZS Taupo will be conducted via the MAN-R, NZDF secure messaging system, secure email, or where appropriate, via cell phone or Iridium phone on board HMNZS Taupo.

3.9. MPI Field Operations Communications Centre [ComCen]

- 3.9.1. The MPI Communications Centre will provide regular updates of known vessel positions from the Vessel Monitoring System [VMS] via email to the MAN-R. COMCEN can provide this info at 0730, 1200 and 1830hrs daily to assist with a morning briefing, a lunchtime update and evening planning for the following day.

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3.9.2. In addition the ComCen will also be logged in to MAN-R chat and have the MAN-R email MS Outlook open to respond to correspondence between 0700hrs and 1900hrs.

3.9.3. Outside of this time, urgent correspondence from the embarked FOs to MPI would be via the HQJFNZ watchkeeper to the MPI LO.

3.10. Debrief

3.10.1. The MPI O/C will conduct a debrief of MPI personnel at the conclusion of each phase of the operation and a copy of the complete debrief will be forwarded to the MPI Fishery Liaison Officer at the NMCC. An inter-agency debrief may also occur at a later date.

3.11. Media/Solicitors

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4. Administration and Logistics

4.1. Equipment

4.1.1. It is the responsibility of the Fishery Officers involved in this operation to ensure that they are appropriately equipped and able to fully carry out Fishery Officer functions. Standard field gear should be taken, including wet weather gear.

4.1.2. RHIB suits, life vests and hard hats will be issued to Fishery Officers and must be worn when conducting boarding of commercial fishing vessels at sea. Additionally, Fishery Officers must also ensure that suitable hand protection is worn at these times. The standard issue black gloves are suitable for boarding operations.

4.1.3. Fishery Officers are expected to have their Warrant of Authority with them at all times during the course of this operation.

4.1.4. Any equipment supplied by the RNZN must be used, stored and returned at the completion of the operation, in accordance with Naval Regulations.

4.1.5. Bedding will be supplied by the Navy, with all Fishery Officers embarking on HMNZS Taupo for this operation supplying their own towels.

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4.2. Meals and Accommodation

4.2.1. These will be provided by HMNZS Taupo for the duration of the operation.

4.3. Costs and Allowances

4.3.1. All other costs and allowances will be paid on receipt of appropriate documentation by Fishery Officers home districts.

4.4. Transport

4.4.1. Fishery Officers are to arrange their own transport to and from their port of departure/arrival, in consultation with the MPI O/C.

4.4.2. Fishery Officers will need to be at the port of departure the day before scheduled embarkation and plan to return home the day of disembarkation where possible.

5. Command and Signals

a

MPI O/C
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Compliance Investigator, Wellington.

Boarding Party Personnel

Phase One
s9(2)(a)

Fisheries Investigator, Dunedin
Fishery Officer, Napier
Fishery Officer, Christchurch

Phase Two
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Fishery Officer, Petone
Fishery Officer, Kaikoura
Fishery Officer, Petone

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5.1. Role and Responsibility

- 5.1.1. Whilst MPI personnel are on board HMNZS Taupo, the C/O is in command of the vessel at all times, ensuring crew and vessel safety.
- 5.1.2. It is the responsibility of the O/C for each phase to liaise with the Captain and crew of HMNZS Taupo, taking an active part in the fisheries patrol thereby ensuring input into the decision making process.
- 5.1.3. The O/C for each phase is to establish good communications with the Captain and crew of HMNZS Taupo to ensure that there is a clear understanding of what the Fishery Officer tasks are and how they can best be achieved.
- 5.1.4. Each phase O/C will be responsible for managing the Fishery Officers on board HMNZS Taupo, as per Ministry for Primary Industries procedures.

5.2. Communications

- 5.2.1. All MPI operational communications between HMNZS Taupo and any shore based facility should be made via the NMCC. If any such communication is not made via the NMCC, then a synopsis of the message should be copied to the NMCC at the earliest practical opportunity after the communication takes place.

5.3. Contact Information

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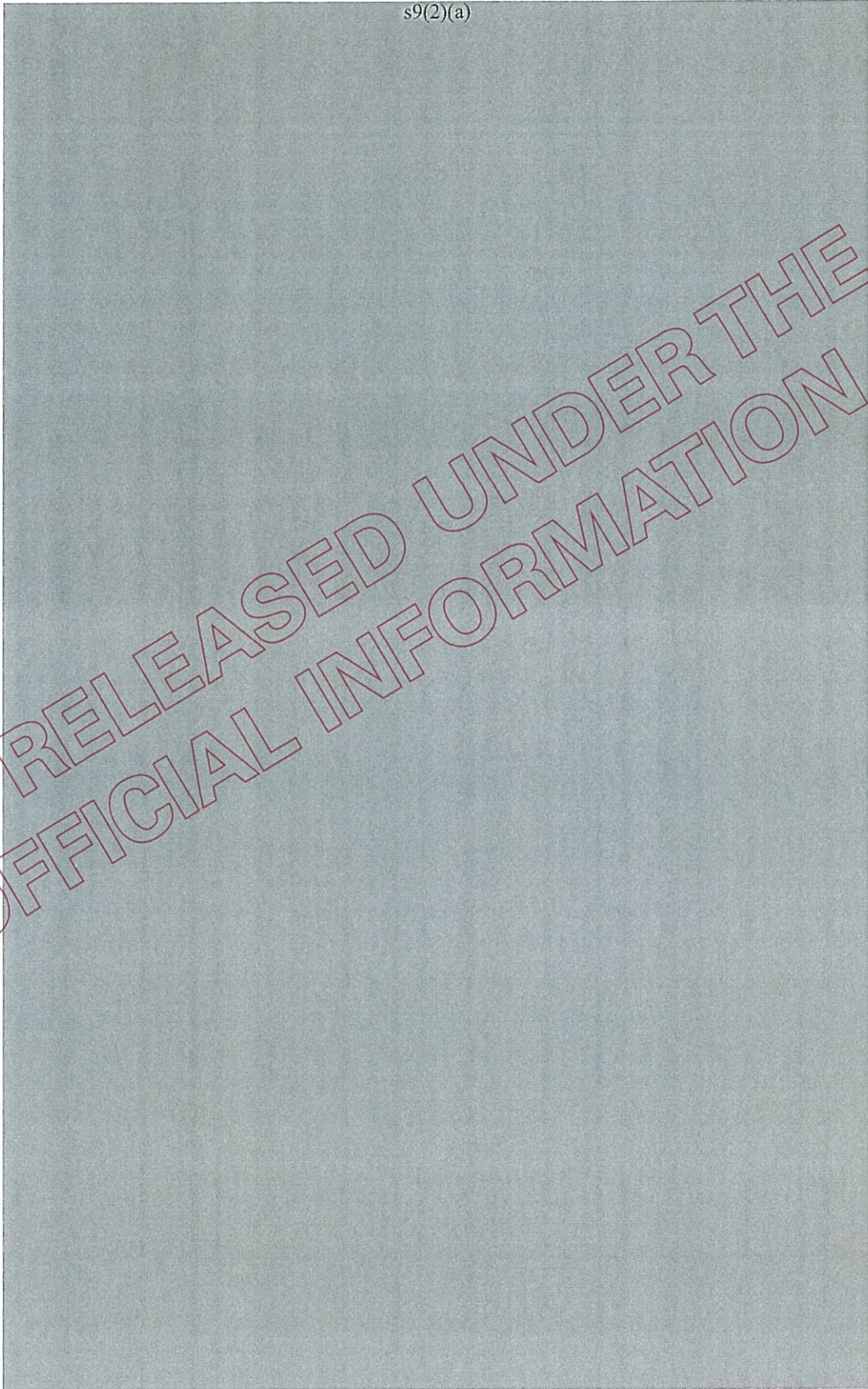
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APPENDIX 'A'

s9(2)(a)



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s9(2)(b)(ii) AND s9(2)(ba)(i)

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3.2. Forward Air Support (FAS)

- 3.2.1. FAS is scheduled for both phases of the operation. Flights are scheduled for Friday, 20th July 2011 and Tuesday, 31 July 2011.
- 3.2.2. FAS flights in the area of operation will confirm location of the fleet, in particular smaller vessels not reporting to VMS. In addition aerial surveillance will be conducted to identify (or deter) incidents of illegal discarding, fishing within the 25 nm line closure and non-compliance with bird mitigation device regulations.

3.3. Own Forces

HMNZS Taupo and crew
3 x Fishery Officers each phase

It is desirable that at least 2 of the 3 Fishery Officers involved in each phase of this operation have 'at sea' experience as either fishers or observers with an emphasis on knowledge of trawlers, gear technology/nets and the WCSI Hoki fishery and/or have participated in Op Apate during 2011.

3.4. Tasks

- 3.4.1. To board and inspect targeted commercial fishing vessels and to examine all fishing activity by said vessels in order to determine compliance with New Zealand fisheries legislation.
- 3.4.2. To board and inspect amateur charter and/or recreational vessels targeting Southern Bluefin Tuna amongst the Hoki fleet.
- 3.4.3. To gather evidence to a high evidential standard in relation to any detected breaches of New Zealand fisheries legislation.
- 3.4.4. To create a deterrent effect amongst commercial fishing vessels operating in the WCSI Hoki fishery by effecting a high profile presence in the area of operation.
- 3.4.5. To update compliance risk information and/or intelligence regarding fishing activity in the WCSI Hoki fishery.
- 3.4.6. To ensure that all documentation relating to information or intelligence gathered and tasks undertaken during the course of the operation, is completed and entered into the appropriate MPI database.
- 3.4.7. To liaise with any MPI or industry observers present on any of the targeted commercial fishing vessels that are boarded.

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- Priority targets in the WCSI fishery to be identified by MPI Operational Co-ordination Group.
- Secondary targets include amateur charter vessels fishing amongst the Hoki fleet.
- Disembark 3 x Fishery Officers alongside in Wellington on Monday, 6th August 2012.

3.1.3. Due to the likelihood of adverse weather conditions in the operating area at this time of the year, flexibility will be required in determining where and when the IPVs will operate. It will be the responsibility of each phase O/C to liaise with the Captain and crew of HMNZS Taupo in the event of adverse weather conditions or other issues that may impact upon the operational plan.

3.1.4. If weather conditions are such that boarding parties deem it unsafe to carry out boardings, and weather is expected to improve within 1-2 days, then the vessel is to remain in the patrol area to overtly monitor the hauling of nets, and vessels for accidental losses, dumping or discarding of fish.

3.1.5. If weather conditions are such that boarding parties deem it unsafe to carry out boardings, and those conditions are expected to persist for 2 days or more, then the vessel is to return to Tasman Bay and Golden Bay area to locate and inspect inshore commercial and recreational targets. Priority areas and targets will be confirmed at the time by the MPI Operational Co-ordination Group in conjunction with the Nelson/Marlborough District Compliance Manager while HMNZS Taupo is in transit.

3.1.6. Any such contingency plan will be communicated to the O/C phase via the NMCC LO.

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2. Mission

- 2.1. To conduct 'at sea' boarding of targeted commercial fishing vessels within the WCSI Hoki fishery in order to ensure compliance with New Zealand fisheries legislation and to detect and/or deter non-compliance by those vessels.
- 2.2. To gather information and data on all vessels fishing in the hoki fishery, processing methods, catch effort, fishing gear and by-catch of other commonly caught species in order to identify compliance issues in the WCSI fishery.

3. Execution

- 3.1. During each of the phases of this operation the boarding of commercial fishing vessels within the area of operation will be conducted. A boarding team will be deployed using the RHIBs carried on board HMNZS Taupo.
 - 3.1.1. One Fishery Officer for each phase of the operation will be delegated as the O/C of that phase.
 - 3.1.2. For each phase the composition of the boarding team will be at the discretion of the C/O, in conjunction with the MPI-phase O/C. Each boarding team will comprise a minimum of four (4) personnel including at least three (3) Fishery Officers.

Phase One

Friday, 20th July to Friday, 27th July 2012

HMNZS Taupo

- Embark 3 x Fishery Officers in Wellington on Friday, 20th July 2012, 0800 hours. Departing 1000 hours.
- Steam to area of operation and conduct vessel boardings weather permitting.
- Priority targets in the WCSI fishery to be identified by MPI Operational Co-ordination Group.
- Secondary targets include amateur charter vessels fishing amongst the Hoki fleet.
- Disembark 3 x Fishery Officers alongside in Nelson on Friday, 27th July 2012.

Phase Two

Tuesday, 31st July to Monday, 6th August 2012

HMNZS Taupo

- Embark 3 x Fishery Officers alongside at Nelson on Tuesday, 31st July 2012, 0800 hours.
- Steam to area of operation and conduct vessel boardings weather permitting.

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1.3.4. Foreign chartered vessels may not fish inside the 12-mile Territorial Sea and there are various vessel size restrictions around some parts of the coast of New Zealand. On the WCSI, a 25-mile line closes much of the Hoki spawning area in the Hokitika Canyon and most of the area south to the Cook Canyon to vessels with an overall length larger than 46m [refer Fig. 2].

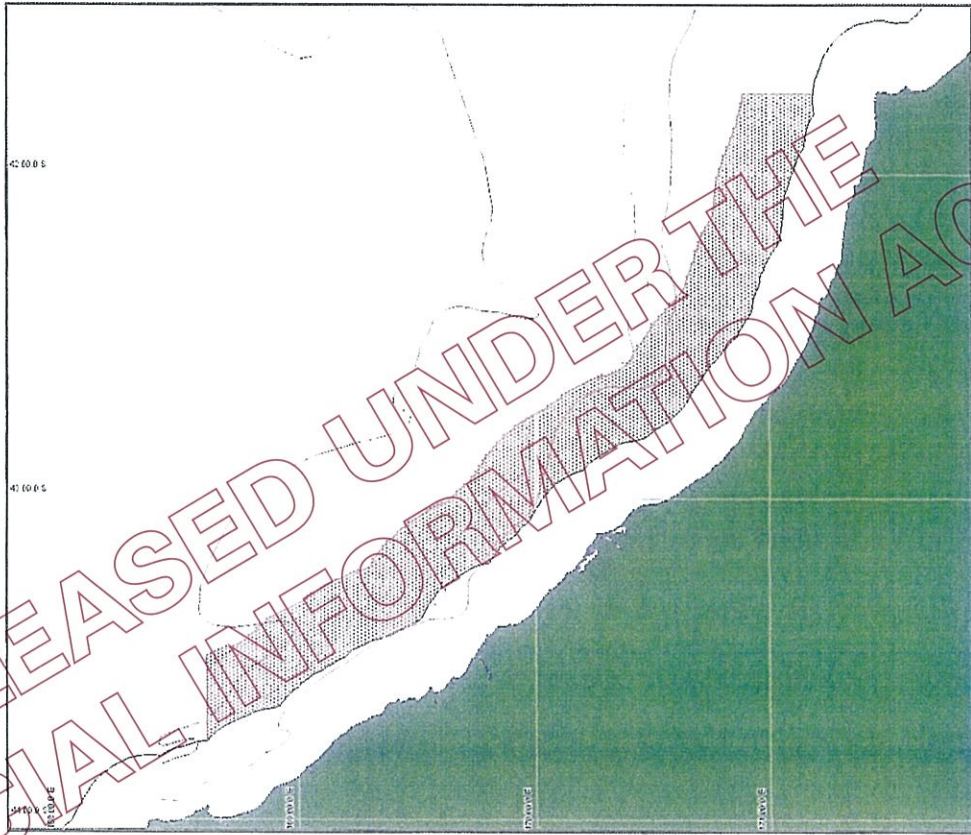


Fig.2

1.3.5. Hoki is subject to the quota management system and forms one single fish stock (and one Quota Management Area), namely HOK1.

1.3.6. At present the Hoki fishery is considered to be in a rebuilding phase. The Total Allowable Commercial Catch (TACC) for HOK1 was effectively halved in a 4 year period from 2000 to 2004, from 250,000 tonnes to 100,000 tonnes. In recent years this has been increased in moderate increments to a TACC of 130,000 tonnes.

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1.3.8. A briefing on the Hoki fishery, including vessels involved in the fishery and key issues affecting the fishery, will be provided to the crew of HMNZS Taupo by the phase one O/C enroute to the fishing grounds.

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1.2. Location

1.2.1. The area of operation is contained within Fisheries Management Area 7 [Challenger] and is best described as being bounded by latitude 40-40.00S at the northern end and 43-00.00S at the southern end and extending out from the coast by up to 60 nautical miles [refer Fig. 1].

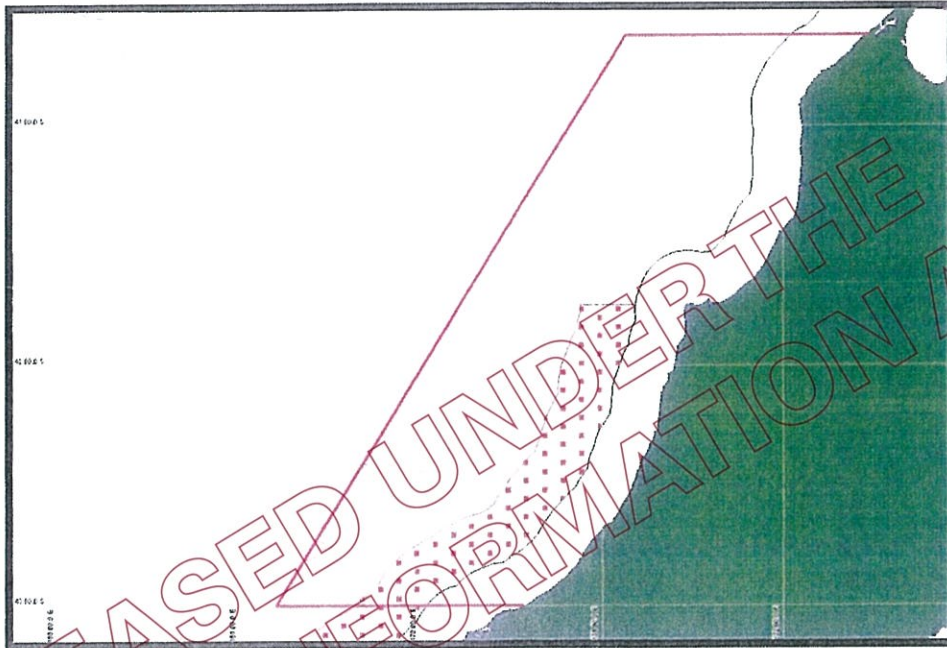


Fig. 1

1.2.2. VMS plots demonstrating the high concentration of fishing activity in the operational area during the period 20 July to 6 August, in the 2009-10 and 2010-11 fishing years, are attached as Appendix 'B'.

1.2.3. Each phase of the operation will have a dedicated O/C responsible for the co-ordination of all operational matters with the Captains and crews of the HMNZS Taupo, as well as maintaining regular liaison with NMCC and MPI (Operation Co-ordination Group).

1.3. WCSI Hoki Fishery

1.3.1. Historically, the main fishery for Hoki has operated from mid-July to late August on the WCSI where Hoki aggregate to spawn.

1.3.2. The spawning aggregations begin to concentrate in depths of 300-700 m around the Hokitika Canyon from late June, and further north off Westport later in the season. Fishing in these areas continues into September in some years.

1.3.3. It is highly probable there will be a number of vessels operating in the Hoki fishery continuously from mid July to late August. The peak of the spawn, and number of vessels operating, however may occur anytime within this period due to environmental factors such as water temperature and availability of food sources.

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1. Situation

1.1. General Information

- 1.1.1. The Royal New Zealand Navy has tasked the inshore patrol vessel HMNZS Taupo to assist the Ministry for Primary Industries (MPI) in fisheries protection duties within the New Zealand Exclusive Economic Zone from 20 July to 6 August 2012.
- 1.1.2. This will be a two phase operation comprising 'at-sea' boarding and overt surveillance of fishing vessels operating in the Hoki fishery on the West Coast of the South Island (WCSI).
- 1.1.3. Operation 'Apate II' is a follow up to Operation 'Apate', conducted in 2011, which was focussed on profiling compliance risks in the WCSI Hoki fishery.
- 1.1.4. Phase One of Operation 'Apate II' will commence with the departure of HMNZS Taupo from Wellington on Friday the 20th July 2012 with 3 x Fishery Officers embarked. Phase One will conclude with the arrival of HMNZS Taupo in Nelson on Friday the 27th July 2012.
- 1.1.5. Phase Two of the operation will commence with the departure of HMNZS Taupo from Nelson on Tuesday the 31st July 2012 with 3 x Fishery Officers embarked. Phase Two will conclude with the arrival of HMNZS Taupo in Wellington on Monday the 6th August 2012.
- 1.1.6. During these two phases, it is expected that up to thirty-one (31) fishing vessels will be targeting Hoki on the WCSI, ranging in size from smaller inshore trawlers around 20m in length to deep-sea vessels in excess of 100m in length [refer Appendix 'A'].
- 1.1.7. Targets, and their relative priority, will be identified prior to commencing, each phase. Those vessels deemed high risk, as identified by fisheries profiling work during 2011, where possible will be targeted first whilst other vessels deemed to be a lesser risk will be boarded as part of ongoing monitoring.
- 1.1.8. The O/C onboard for each phase will be keep updated with a prioritised list of targets and VMS picture of vessels currently operating on the WCSI.
- 1.1.9. This operation also presents MPI with an opportunity to board and inspect vessels belonging to the 'inshore' fleet, including vessels that are not fitted with an ALC as well as amateur charter and/or recreational vessels targeting Southern Bluefin Tuna amongst the Hoki fleet.
- 1.1.10. During each phase of the operation, each boarding team will consist of Navy personnel accompanied by no less than three Fishery Officers.

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