

Stichting DLO Centre for Fisheries Research (CVO)

Annual report on the implementation of Council Regulation (EC) No 812/2004 – 2012

Netherlands

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Annual report on the implementation of Council Regulation (EC) No 812/2004¹ – 2012

Member State: Netherlands

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¹ Council Regulation (EC) No 812/2004 of 26.4.2004 laying down measures concerning incidental catches of cetaceans in fisheries and amending Regulation (EC) No 88/98. Article 6 of the Regulation,

1. Each year, Member States shall send the Commission, by 1 June, a comprehensive annual report on the implementation of Articles 2, 3, 4 and 5 during the previous year. The first report shall cover both the remaining part of the year following the entry into force of this Regulation and the entire year that follows.

2. On the basis of the observers' reports provided according to Article 5(3) and all other appropriate data, including those on fishing effort collected in application of Council Regulation (EC) No 1543/2000 of 29 June 2000 establishing a Community framework for the collection and management of the data needed to conduct the common fisheries policy, the annual report shall include estimates of the overall incidental catches of cetaceans in each of the fisheries concerned. This report shall include an assessment of the conclusions of the observers' reports and any other appropriate information, including any research conducted within the Member States to reduce the incidental capture of cetaceans in fisheries. When reporting on the results of scientific studies or pilot projects as provided for in Articles 2(4) and 4(2), Member States shall ensure that sufficiently high quality standards are reached in their design and implementation and shall provide detailed information concerning those Standards to the Commission.

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Summary

This report contains the results of the on-going monitoring programme on the incidental bycatch of cetaceans in Dutch pelagic fisheries in 2012. EU Council Regulation 812/2004 requires observer coverage in ICES areas VI, VII and VIII in the period 1 December – 31 March (fleet segment NLD003 and NLD005) and outside this area in all areas year round (fleet segment NLD004 and NLD006). In the Dutch situation the monitoring is integrated with the collection of discards data under the EC Data Collection Regulations 1543/2000 and 1639/2001.

In 2012, during 8 fishing trips, 24 days and 82 hauls were observed in fleet segment NLD003 and NLD005; 93 days and 261 hauls were observed in fleet segment NLD004. With a total number of fleet days of 563 in fleet segment NLD003 and NLD005 and 982 in fleet segment NLD004 and NLD006, the coverage was 5.3% and 9.5% respectively. Thus the targets of the Pilot Monitoring Scheme of 10% and 5% have not been fulfilled. This is due to the fact that 4 of total 12 monitored trips were on board foreign vessels: 83 days (183 hauls) have been observed on pelagic trawlers under German and French flags. The data collected during these trips have been send to the institutes carrying out the regulation in their countries.

One bycatch of a long finned pilot whale was recorded. The observed bycatch rate of 0.01 dolphins per day is in line with the findings in 2006 - 2011 when the bycatch rate was 0.00-0.01 dolphins per day.

ACOUSTIC DETERRENT DEVICES

1 General Information

The EU regulation obliges the use of pingers in certain fleet segments. According to the criteria mentioned in the regulation, the Dutch fishery includes no fleet segments in which pingers are mandatory.

2 Acoustic Deterrent Devices

2.1 Mitigation measures

Some vessels may be required to use pingers, as there is a little effort in IVb (table 3). It has to be investigated if these vessels exceed the length of 12m.

3 Monitoring and assessment

3.1 Monitoring and assessment of the effects of pinger use

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OBSERVER SCHEMES

4 General information on implementation of Articles 4 and 5

Council Regulation No 812/2004² is obliging Member States to monitor bycatches of cetaceans in certain fisheries, certain periods of the year and in certain European Waters and to report the results of the monitoring to the European Commission. In the Netherlands, the monitoring was commissioned by the Ministry of Agriculture, Nature Conservation and Food Quality to Wageningen IMARES, the former Netherlands Institute for Fisheries Research, and started on 1 January 2005.

The aim of this study is to assess the incidental bycatch of cetaceans in the Dutch pelagic fisheries. Under the regulation the following fleet segments in the Netherlands should be monitored:

- Pelagic fishery in the period of 1 December till 31 March in ICES areas VI, VII and VIII; in this report referred to as fleet segment NLD003 for single pelagic vessels and NLD005 for pair trawlers.
- Pelagic fishery in European waters during the year excluding the fishery in the period 1 December till 31 March in ICES areas IV, VII and VIII; in this report referred to as fleet segment NLD004 for single pelagic vessels and NLD006 for pair trawlers.

The regulation does not require monitoring of fishery with set gill nets (including also tangle net and trammel net) in ICES area IVc where (most of) the fishery activity from Dutch ports takes place. The use of acoustic deterrent devices is obligatory for vessels larger than 12m, fishing in certain areas, including IVb, but not in IVc.

Under the regulation a coverage should be reached leading to a CV of the bycatch estimate of 30% or less. However, in a situation where there are very few bycatch incidents, this CV is not realistic (ICES 2009). Therefore the target of the current monitoring programme in the Netherlands is to cover the fleet effort according to the Pilot Monitoring Scheme (PMS) set for the first two years. The required pilot coverage is 10% for the period of 1 December till 31 March in ICES area VI, VII and VIII and 5% in the rest of the year with exclusion of fleet segment NLD003. In the Dutch situation the monitoring is integrated with the collection of discards data under EC Data Collection Regulations: C.R. 1543/2000³ and C.R. 1639/2001⁴ amended by C.R. 1581/2004⁵. The project under this regulation aims at an overall coverage of approximately 10% in European waters and includes pelagic trawlers under foreign flag, which land the catch in Dutch ports. Data collected under EC. Reg. 812/2004 on board of these vessels

² Council Regulation (EC) No 812/2004 of 26.4.2004 laying down measures concerning incidental catches of cetaceans in fisheries and amending Regulation (EC) No 88/98

³ Council Regulation (EC) No 1543/2000 of 29 June 2000 establishing a Community framework for the collection and management of the data needed to conduct the common fisheries policy

⁴ Commission Regulation (EC) No 1639/2001 of 25 July 2001 establishing the minimum and extended Community programmes for the collection of data in the fisheries sector and laying down detailed rules for the application of Council Regulation (EC) No 1543/2000

⁵ Commission Regulation (EC) No 1581/2004 of 27 August 2004 amending Regulation (EC) No 1639/2001 establishing the minimum and extended Community programmes for the collection of data in the fisheries sector and laying down detailed rules for the application of Council Regulation (EC) No 1543/2000

are sent to the scientists responsible for the execution of the national monitoring programs in their countries.

Earlier studies on the incidental bycatch of cetaceans have been reported by Couperus (Couperus 1995; 1997; 2006; 2007; 2008; 2009; 2010; 2011; 2012) covering the period 1992 -1996 and 2004 - 2009. The format of this report is according to the template provided by the European Commission in 2010. Monitoring of bycatch of cetaceans is conducted by of the Centre of Fisheries Research (Centrum voor Visserijonderzoek: CVO) on behalf of the Ministry of Economic Affairs, Agriculture and Innovation. CVO hires IMARES to carry out the observer trips and to prepare the report.

Difficulties: In the observer programme for pelagic fleet (NLD003-006) the observer effort is spread quasi random over the year. The observer trips are scheduled equally over the year and observers join the first trawler that comes in if accommodation is available. However, the choice of area and target species are often last minute decisions of the owner of the vessel and may even alter during the trip itself. Therefore it is impossible to foresee or plan the exact effort in the area that has to be monitored under EC Regulation No 812/2004.

Cooperation with the four big fishing companies is sometimes hampered by disagreement between the companies involved about who is going to take the burden of observers on trips where (a lot of) discards is expected. For these trips companies may claim that they are not able to accommodate an observer, hoping that vessels of the other companies will take an observer instead. This may lead to certain periods with less observer effort, meaning that the coverage is biased towards trips where less discards are to be expected.

5 Monitoring

5.1 Description of fishing effort and observer effort in towed gear

The fleet consists of 12 freezertrawlers and one set of pair trawlers. The freezertrawlers fish from December to March in ICES sub areas VI, VII and VIII comprise fleet segment NLD003. Fleet segment NLD004 are the same freezertrawlers fishing in area's I-XIV all year round. The single set of pair trawlers are here considered different fleet and are likewise divided in two fleet segments (in reports till 2007 the freezertrawlers and the pair trawlers have been treated as one fleet consisting of two fleet segments).

In 2012 on 8 trips an observer joined the vessel in segment NLD003-NLD005. NLD006 has not been covered. According to the national logbook database, the number of days fished by the whole pelagic fleet (NLD003-NLD006) in 2012 was 1545 for whole Dutch pelagic fleet. With 123 observer days the overall coverage of the pelagic fleet was 8.0%.

The text table provides the effort and coverage by fleet segment:

Fleet segment	Fleet days	Observer days	Coverage required according to PMS	Coverage achieved
NLD003	487	24	10%	4.9%
NLD004	828	93	5%	11.2%
NLD005	76	6	10%	7.9%
NLD006	154	0	5%	0.0%
NLD003 & NLD005	449	30	10%	5.3%
NLD004 & NLD006	982	93	5%	9.5%

Table 2 provides fleet effort and observer coverage by ICES subarea.

Notice that a vessel may have visited several areas on one day which means that a day on which a vessel fished in two areas is counted as two days. Thus the sum of all days at sea is not necessarily the same as the total fishing days at sea. Observer days and fleet days during which no fishing took place are not counted as effort days.

On board two French trawlers, during two trips (21 days), 60 hauls have been monitored, no bycatches were observed. On board two German trawlers, during two trips (62 days), 123 hauls have been monitored, no bycatches were observed. The data collected during these trips have been send to the institutes carrying out the regulation in their countries.

5.2 Description of fishing effort and observer effort in static gear

Due to the assumed little effort in area IVb the set gillnet fishery has not been monitored. However, in 2012 some vessels have been fishing in IVb (Table 3). This may lead to some monitoring in the near future: it has to be investigated what size these vessels are, as vessels smaller than 15 m are not required to be monitored.

6 Estimation of incidental catches

6.1 Incidental catch rates by fleet segment and target species

In the sampled fishing area's in the pelagic fishery 1 bycatch incident, involving 1 long finned pilot whale (*Globicephala melas*) have been observed (Table 4).

7 Recording of incidental catches

On pelagic trawlers for each tow, the observer was present on the bridge during shooting and hauling. Position and time were recorded at the beginning of each haul. The time was recorded again when hauling started. The rear window of the bridge gives a good view on the rear deck, so that bycatches of cetaceans can be recorded from there. Of any bycatch, length and sex must be recorded. In the case of

cetacean bycatches, and if the crew agrees, the animals are labelled and frozen for further examination at the institute.

8 Discussion

With 5.3% coverage of fleet segment NLD003 and NLD005 and 9.5% coverage of fleet segment NLD004 and NLD006 the target of 10% and 5% has not been fulfilled, which is due to the fact that of the 12 trips of the discards sampling program 4 trips were on vessels with foreign flag. The observer programme is combined with the collection of discards data which aims at an overall random coverage of 10%. The coverage in the fleet segments varies therefore from year to year.

The recorded bycatch rate in the pelagic fishery is 0.01, which is similar to rates found in 2005 - 2011. In the Dutch fishery, bycatches of dolphins occur mainly in the fishery for horse mackerel and mackerel west of Ireland in February and March (Couperus 1997). The relatively low bycatch rates in 2005 – 2012 compared to the rates in the 1990ies are probably related to a shift in effort from horse mackerel towards the blue whiting fishery (Couperus 2006).

Due to the high number of hauls without bycatches it is not possible to estimate the bycatch rate with any accuracy with the current observer effort. The total bycatch mortality of cetaceans caused by Dutch pelagic freezer trawlers in the 2005-2012 season is in the order of magnitude of zero to several tens. However, data from the 1990ies suggest that the bycatch rate may vary, partly induced by changes in the quotas of pelagic target species.

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TABLES

Table 1. Pingers used in fleet segment set gill nets.

Metier	Fishing area	Pinger characteristics	Other mitigation measures
-	-	-	-

Table 2. Fleet effort and observer effort in towed gear

Fishery segment (ref in this report)	Metier	Fishing area	Total fishing effort						Total observer effort achieved						Type of monitoring*	Coverage
			No. of vessels	No. of trips	Days at sea	Months of operation	No. of hauls	Total towing time	No. of vessels	No. of trips	Days at sea	Months of operation	No. of hauls	Total towing time		
NLD003	OTM small pelagic fish	VIa	10	17	103	1,2,3 & 12	unk	unk	1	1	1	1,2,3 & 12	1		PMS	1.0%
NLD003	OTM small pelagic fish	VIIb	2	2	5	1,2,3 & 12	unk	unk	0	0	0	1,2,3 & 12	0		PMS	0.0%
NLD003	OTM small pelagic fish	VIIb	10	18	124	1,2,3 & 12	unk	unk	1	1	4	1,2,3 & 12	15		PMS	3.2%
NLD003	OTM small pelagic fish	VIIc	6	11	48	1,2,3 & 12	unk	unk	1	1	5	1,2,3 & 12	20		PMS	10.4%
NLD003	OTM small pelagic fish	VIIId	8	9	45	1,2,3 & 12	unk	unk	1	1	11	1,2,3 & 12	35		PMS	24.4%
NLD003	OTM small pelagic fish	VIIe	1	1	1	1,2,3 & 12	unk	unk	0	0	0	1,2,3 & 12	0		PMS	0.0%
NLD003	OTM small pelagic fish	VIIh	5	5	19	1,2,3 & 12	unk	unk	1	1	3	1,2,3 & 12	11		PMS	15.8%
NLD003	OTM small pelagic fish	VIIj	10	20	141	1,2,3 & 12	unk	unk	0	0	0	1,2,3 & 12	0		PMS	0.0%
NLD003	OTM small pelagic fish	VIIk	1	1	1	1,2,3 & 12	unk	unk	0	0	0	1,2,3 & 12	0		PMS	0.0%
NLD004	OTM small pelagic fish	IIa	1	1	3	1-12	unk	unk	1	1	2	1-12	2		PMS	66.7%
NLD004	OTM small pelagic fish	IIb	3	3	24	1-12	unk	unk	1	1	16	1-12	36		PMS	66.7%
NLD004	OTM small pelagic fish	IVa	7	20	161	1-12	unk	unk	2	2	22	1-12	78		PMS	13.7%
NLD004	OTM small pelagic fish	IVb	7	13	72	1-12	unk	unk	1	1	15	1-12	64		PMS	20.8%
NLD004	OTM small pelagic fish	IVc	2	6	19	1-12	unk	unk	1	1	4	4-11	6		PMS	21.1%
NLD004	OTM small pelagic fish	VIa	10	18	187	4-11	unk	unk	1	1	11	4-11	29		PMS	5.9%
NLD004	OTM small pelagic fish	VIIb	7	8	22	4-11	unk	unk	1	1	1	4-11	1		PMS	4.5%
NLD004	OTM small pelagic fish	VIIc	7	12	50	4-11	unk	unk	1	1	7	4-11	13		PMS	14.0%
NLD004	OTM small pelagic fish	VIIId	9	16	102	4-11	unk	unk	0	0	0	4-11	0		PMS	0.0%
NLD004	OTM small pelagic fish	VIIe	6	11	62	4-11	unk	unk	1	1	2	4-11	2		PMS	3.2%
NLD004	OTM small pelagic fish	VIIh	5	6	16	4-11	unk	unk	0	0	0	4-11	0		PMS	0.0%
NLD004	OTM small pelagic fish	VIIj	7	9	110	4-11	unk	unk	1	1	12	4-11	29		PMS	10.9%
NLD004	OTM small pelagic fish	VIIk	0	0	0	4-11	unk	unk	1	1	1	4-11	1		PMS	-
NLD005	PTM small pelagic fish	VIIId	2	5	6	1,2,3 & 12	unk	unk	1	1	1	4-11	1		PMS	16.7%
NLD005	PTM small pelagic fish	VIIe	2	4	18	1,2,3 & 12	unk	unk	0	0	0	1,2,3 & 12	4		PMS	0.0%
NLD005	PTM small pelagic fish	VIIh	2	8	19	1,2,3 & 12	unk	unk	1	1	2	1,2,3 & 12	3		PMS	10.5%
NLD005	PTM small pelagic fish	VIIj	2	8	32	1,2,3 & 12	unk	unk	1	1	3	1,2,3 & 12	5		PMS	9.4%
NLD005	PTM small pelagic fish	VIIlb	1	1	1	1,2,3 & 12	unk	unk	0	0	0	1,2,3 & 12	1		PMS	0.0%
NLD006	PTM small pelagic fish	IVa	2	14	73	4-11	unk	unk	0	0	0	4-11	0		PMS	0.0%
NLD006	PTM small pelagic fish	IVb	2	8	17	4-11	unk	unk	0	0	0	4-11	0		PMS	0.0%
NLD006	PTM small pelagic fish	IVc	2	2	3	4-11	unk	unk	0	0	0	4-11	0		PMS	0.0%
NLD006	PTM small pelagic fish	VIIId	2	10	33	4-11	unk	unk	0	0	0	4-11	0		PMS	0.0%
NLD006	PTM small pelagic fish	VIIe	2	10	28	4-11	unk	unk	0	0	0	4-11	0		PMS	0.0%

*PMS = Pilot Monitoring Scheme

Table 3. Fleet effort and observer effort in static gear

Metier	Fishing area	Total fishing effort						Total observer effort achieved						Type of monitoring*	Coverage
		No. of vessels	No. of trips	Days at sea	Months of operation	Total length of nets	Total soak time	No. of vessels	No. of trips	Days at sea	Months of operation	Total length of nets	Total soak time		
Nets	IVb	2	2	2	1-12	unk	unk	0	0	0	0	0	0		
Nets	IVc	9	24	24	1-12	unk	unk	0	0	0	0	0	0		
GTR 140/320	IVb	4	8	17	10-12 & 1-4	unk	unk	0	0	0	0	0	0		
GTR 140/320	IVc	22	234	271	10-12 & 1-4	unk	unk	0	0	0	0	0	0		
GNS	IVb	12	44	106	1-12	unk	unk	0	0	0	0	0	0		
GNS	IVc	105	2209	2732	1-12	unk	unk	0	0	0	0	0	0		

Table 4. Bycatch rates

Metier	Fishing area	Main target species	Incidentally caught cetacean species	Number of incidents	Number of specimens incidentally caught by species		Incidental catch rates*		Total incidental catch estimate	CV
					With pingers	Without pingers	With pingers	Without pingers		
OTM small pelagic fish1,2,3 & 12	Via	Blue Whiting	0	0	0	0	0	0	0	
OTM small pelagic fish1,2,3 & 12	Vib									
OTM small pelagic fish1,2,3 & 12	VIIb	Blue Whiting	0	0	0	0	0	0	0	
OTM small pelagic fish1,2,3 & 12	VIIc	Blue Whiting	0	0	0	0	0	0	0	
OTM small pelagic fish1,2,3 & 12	VIIId	Herring	0	0	0	0	0	0	0	
OTM small pelagic fish1,2,3 & 12	VIIe									
OTM small pelagic fish1,2,3 & 12	VIIHh	Horse Mackerel	0	0	0	0	0	0	0	
OTM small pelagic fish1,2,3 & 12	VIIj									
OTM small pelagic fish1,2,3 & 12	VIIk									
OTM small pelagic fish1-12	IIa	Herring	0	0	0	0	0	0	0	
OTM small pelagic fish1-12	IIb	Herring	0	0	0	0	0	0	0	
OTM small pelagic fish1-12	IVa	Herring	0	0	0	0	0	0	0	
OTM small pelagic fish1-12	IVb	Sprat	0	0	0	0	0	0	0	
OTM small pelagic fish1-12	IVc	Sprat	0	0	0	0	0	0	0	
OTM small pelagic fish4-11	Via	Blue Whiting	0	0	0	0	0	0	0	
OTM small pelagic fish4-11	VIIb	Horse Mackerel	0	0	0	0	0	0	0	
OTM small pelagic fish4-11	VIIc	Horse Mackerel	0	0	0	0	0	0	0	
OTM small pelagic fish4-11	VIIId									
OTM small pelagic fish4-11	VIIe	Horse Mackerel	0	0	0	0	0	0	0	
OTM small pelagic fish4-11	VIIHh									
OTM small pelagic fish4-11	VIIj	Horse Mackerel	Pilot whale	1	0	1	0	0.08	9.17	3.46
OTM small pelagic fish4-11	VIIk	Horse Mackerel		0	0	0	0	0	0	
PTM small pelagic fish1,2,3 & 12	VIIId	Herring	0	0	0	0	0	0	0	
PTM small pelagic fish1,2,3 & 12	VIIe									
PTM small pelagic fish1,2,3 & 12	VIIHh	Horse Mackerel	0	0	0	0	0	0	0	
PTM small pelagic fish1,2,3 & 12	VIIj	Horse Mackerel	0	0	0	0	0	0	0	
PTM small pelagic fish1,2,3 & 12	VIIIf									
PTM small pelagic fish4-11	IVa									
PTM small pelagic fish4-11	IVb									
PTM small pelagic fish4-11	IVc									
PTM small pelagic fish4-11	VIIId									
PTM small pelagic fish4-11	VIIe									

Signature

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Approved by:

Drs. F.A. van Beek

Head WOT, Centre for Fisheries Research

Signature:

A handwritten signature in black ink, appearing to read 'F.A. van Beek', with a long, sweeping underline that extends to the right and then loops back under the main text.

Date:

4 June 2013