



Cenos Offshore Windfarm Limited



Cenos EIA

Appendix 34 - Outline Fisheries Management and Mitigation Strategy

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ACRONYMS

ACRONYM	DEFINITION
ADR	Alternative Dispute Resolution
AtoN	Aids to Navigation
CaP	Cable Plan
CBRA	Cable Burial Risk Assessment
CNS	Central North Sea
COLREGS	International Regulations for Preventing Collisions at Sea
DP	Decommissioning Programme
DSLPL	Development Specification and Layout Plan
ECoW	Environmental Clerk of Works
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
EICC	Export/Import Cable Corridor
EMF	Electromagnetic Field
EMP	Environmental Management Plan
ERCoP	Emergency Response Cooperation Plan
FIR	Fishing Industry Representative
FLO	Fisheries Liaison Officer
FLOWW	Fishing Liaison with Offshore Wind and Wet Renewables
FMMS	Fisheries Monitoring and Mitigation Strategy
FTU	Floating Turbine Unit
FU	Functional Unit
IAC	Inter-Array Cables
IAIA	International Association of Marine Aids to Navigation and Lighthouse Authorities
INNS	Invasive Non Native Species
INNSMP	Invasive Non Native Species Management Plan
KIS-ORCA	Kingfisher Information Service – Offshore Renewable & Cable Awareness
LMP	Lighting and Marking Plan
MCA	Marine and Coastguard Agency
MCC	Marine Coordination Centre
MD-LOT	Marine Directorate – Licensing Operations Team
MGN	Marine Guidance Note

ACRONYM	DEFINITION
MPCP	Marine Pollution Contingency Plan
NECRIFG	North and East Coast Regional Inshore Fisheries Group
NM	Nautical Miles
NSP	Navigational Safety Plan
NtMs	Notice to Mariners
OFLO	Offshore Fisheries Liaison Officer
OSCP	Offshore Substation Converter Platform
OWF	Offshore Wind Farm
RIFG	Regional Inshore Fisheries Group
SAR	Search and Rescue
SFF	Scottish Fishermen's Federation
SWFPA	Scottish White Fish Producers Association
VMP	Vessel Management Plan
WTG	Wind Turbine Generator

GLOSSARY

TERM	DEFINITION
Array Area	The area within which the Wind Turbine Generators (WTGs), floating substructures, moorings and anchors, Offshore Substation Converter Platforms (OSCPs) and Inter-Array Cables (IAC) will be present.
Cenos Offshore Windfarm ('the Project')	'The Project' is the term used to describe Cenos Offshore Windfarm. The Project is a floating offshore windfarm located in the North Sea, with a generating capacity of up to 1,350 Megawatts (MW). The Project which defines the Red Line Boundary (RLB) for the Section 36 Consent and Marine Licence Applications (MLA), includes all offshore components seaward of Mean High Water Springs (MHWS) (WTGs, OSCP, cables, floating substructures moorings and anchors and all other associated infrastructure). The Project is the focus of this Environmental Impact Assessment Report (EIAR).
Cenos Offshore Windfarm Ltd. (The Applicant)	The Applicant for the Section 36 Consent and associated Marine Licences.
Developer	Cenos Offshore Windfarm Ltd., a Joint Venture between Flotation Energy and Vårgrønn As (Vårgrønn).
Environmental Impact Assessment (EIA)	The statutory process of evaluating the likely significant environmental effects of a proposed project or development. Assessment of the potential impact of the proposed Project on the physical, biological and human environment during construction, operation and maintenance and decommissioning.
Environmental Impact Assessment Report	A report documenting the findings of the EIA for the Project in accordance with relevant EIA Regulations.
Export/Import Cable	High voltage cable used to export/import power between the OSCP and Landfall.
Export/Import Cable Corridor (EICC)	The area within which the Export/Import Cable Route will be planned and the Export/Import Cable will be laid, from the perimeter of the Array Area to MHWS.
Export/Import Cable Route	The area within the Export/Import Export Corridor (EICC) within which the Export/Import Cable Bundle (EICB) is laid, from the perimeter of the Array Area to MHWS.

TERM	DEFINITION
Floating Turbine Unit (FTU)	The equipment associated with electricity generation comprising the WTG, the floating substructure which supports the WTG, mooring system and the dynamic section of the IAC.
Flotation Energy	Joint venture partner in Cenos Offshore Windfarm Ltd.
High Voltage Alternating Current (HVAC)	Refers to high voltage electricity in Alternating Current (AC) form which is produced by the WTGs and flows through the IAC system to the OSCP. HVAC may also be used for onward power transmission from the OSCP to assets or to shore over shorter distances.
High Voltage Direct Current (HVDC)	Refers to high voltage electricity in Direct Current (DC) form which is converted from HVAC to HVDC at the OSCP and transmitted to shore over longer distances.
Horizontal Directional Drilling (HDD)	An engineering technique for laying cables that avoids open trenches by drilling between two locations beneath the ground's surface.
Inter-Array Cable (IAC)	The cables which connect the WTGs to the OSCP. WTGs may be connected with IACs into a hub or in series as a 'string' or a 'loop' such that power from the connected WTGs is gathered to the OSCP via a single cable.
Joint Venture	The commercial partnership between Flotation Energy and Vårgrønn, the shareholders which hold the Exclusivity Agreement with CES to develop the Cenos site as an INTOG project.
Landfall	The area where the Export/Import Cable from the Array Area will be brought ashore. The interface between the offshore and onshore environments.
Marine Licence	Licence required for certain activities in the marine environment and granted under the Marine and Coastal Access Act 2009 and/or the Marine (Scotland) Act 2010.
Mean High Water Springs (MHWS)	The height of Mean High Water Springs is the average throughout the year, of two successive high waters, during a 24-hour period in each month when the range of the tide is at its greatest.

TERM	DEFINITION
Mean Low Water Springs (MLWS)	<p>The height of Mean Low Water Springs is the average throughout a year of the heights of two successive low waters during periods of 24 hours (approximately once a fortnight).</p>
Mitigation Measures	<p>Measures considered within the topic-specific chapters in order to avoid impacts or reduce them to acceptable levels.</p> <ul style="list-style-type: none"> • Primary mitigation - measures that are an inherent part of the design of the Project which reduce or avoid the likelihood or magnitude of an adverse environmental effect, including location or design; • Secondary mitigation – additional measures implemented to further reduce environmental effects to ‘not significant’ levels (where appropriate) and do not form part of the fundamental design of the Project; and • Tertiary mitigation – measures that are implemented in accordance with industry standard practice or to meet legislative requirements and are independent of the EIA (i.e. they would be implemented regardless of the findings of the EIA). <p>Primary and tertiary mitigation are referred to as embedded mitigation. Secondary mitigation is referred to as additional mitigation.</p>
Mooring System	<p>Comprising the mooring lines and anchors, the mooring system connects the floating substructure to the seabed, provides station-keeping capability for the floating substructure and contributes to the stability of the floating substructure and WTG.</p>
Offshore Substation Converter Platforms (OSCPs)	<p>An offshore platform on a fixed jacket substructure, containing electrical equipment to aggregate the power from the WTGs and convert power between HVAC and HVDC for export/import via the Export/Import Cable to/from the shore. The OSCP will also act as power distribution stations for the Oil & Gas platforms.</p>
Onward Development	<p>Transmission projects which are anticipated to be brought forward for development by 3rd party oil and gas operators to enable electrification of assets via electricity generated by the Project. All Onward Development will be subject to separate marine licensing and permitting requirements.</p>
Onward Development Area	<p>The area within which oil and gas assets would have the potential to be electrified by the Project.</p>
Onward Development Connections	<p>Oil and gas assets located in the waters surrounding the Array Area will be electrified via transmission infrastructure which will connect to the Project’s OSCP. These transmission cables are referred to as Onward Development Connections.</p>

TERM	DEFINITION
Project Area	The area that encompasses both the Array Area and EICC.
Study Area	Receptor specific area where potential impacts from the Project could occur.
Transmission Infrastructure	The infrastructure responsible for moving electricity from generating stations to substations, load areas, assets and the electrical grid, comprising the OSCPs, and associated substructure, and the Export/Import Cable.
Vårgrønn As (Vårgrønn)	Joint venture partner in Cenoss Offshore Windfarm Ltd.
Wind Turbine Generator (WTG)	The equipment associated with electricity generation from available wind resource, comprising the surface components located above the supporting substructure (e.g., tower, nacelle, hub, blades, and any necessary power transformation equipment, generators, and switchgears).

APPENDIX 34 OUTLINE FISHERIES MANAGEMENT AND MITIGATION STRATEGY

34.1 Introduction

34.1.1 Purpose of this FMMS

This outline Fisheries Management and Mitigation Strategy (FMMS) has been prepared for the Cenoss Offshore Windfarm (hereafter referred to as 'the Project'), which is a Joint Venture between Flotation Energy and Vårgrønn As (Vårgrønn) (hereafter referred to as 'the Developer').

This outline FMMS will form the basis of the final FMMS which will be finalised and adopted post-consent prior to the commencement of any construction works. The final FMMS will be developed in accordance with the relevant Guidance (e.g., Fishing Liaison with Offshore Wind and Wet Renewables Group Guidance (FLOWW)), in addition to the conditions of the Section 36 Consent and associated Marine Licences and submitted to Scottish Ministers for approval.

34.1.2 Objectives

The FMMS will detail the approach to fisheries liaison and mitigation for the Project in order to minimise any potential impacts to existing commercial fishing operations within the marine environment and maximise the potential for co-existence. All Developer personnel, contractors and subcontractors will be required to comply with the FMMS.

34.1.3 Consent Compliance

This FMMS fulfils the requirements of the consent conditions outlined in Table 34-1 below. Details of where specific Section 36 Consent and Marine Licence conditions requirements are addressed within this FMMS are also provided.

Table 34-1 Consent conditions relevant to the FMMS

SECTION 36/MARINE LICENCE REFERENCE	CONDITION RELEVANT TO FMMS	WHERE CONDITION IS ADDRESSED WITHIN THE FMMS
To be updated post-consent		

34.1.4 Scope of the Plan

The FMMS includes the following information:

- A description of the Project;

- An overview of the relevant commercial fisheries receptors which have the potential to be affected by works associated with the Project;
- The roles and responsibilities of those implementing the FMMS (i.e. strategy for communications with fishers); and
- An overview of the management, and mitigation and monitoring measures which will be adopted for the Project.

The FMMS covers the construction, and operation and maintenance phases of the Project. Decommissioning for the Project will be undertaken under a separate Marine Licence. The FMMS will be updated ahead of decommissioning works, giving consideration to any relevant Marine Licence conditions and the Decommissioning Programme (as required under the Energy Act 2004), and any relevant legislation and guidance in force at the time.

34.1.5 Relevant Guidance

The following guidance documents have been used to inform this outline FMMS:

- Marine Scotland (2020) - Draft Guidance on preparing a Fisheries Management and Mitigation Strategy;
- FLOWW (2014) - Best Practice Guidance for Offshore Renewables Developments. Recommendations for Fisheries Liaison;
- FLOWW (2015) - Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds, 2015; and
- Marine Scotland (2022) - Good Practice Guidance for assessing fisheries displacement by other licensed marine activities.

Any updates to these guidance documents, or the publication of new guidance relevant to the FMMS, will be reviewed and finalised upon completion of the final FMMS.

34.1.6 Relevant other documents and consent plans

At this stage, the final list of consent plans that are required for the Project are not known, however the linkages between the FMMS and other known consent plans are presented within Table 34-2 below.

All consent plans (including the FMMS) will be further developed post-consent, prior to the commencement of any construction works. All consent plans will be developed in consultation with stakeholders and submitted for approval by Scottish Ministers (via the Marine Directorate – Licensing Operations Team (MD-LOT)).

In line with the draft FMMS guidance (Marine Scotland, 2020), links to relevant Regional Inshore Fisheries Groups (RIFGs), namely the North and East Coast Regional Inshore Fisheries Group (NECRIFG) will also be included within the final FMMS.

Table 34-2 Links with other consent plans

CONSENT PLAN/DOCUMENT	LINKAGES WITH THE FMMS
Cable Plan(s) (CaPs)	<p>The CaPs will contain details on environmental sensitivities and design considerations to mitigate, as far as possible, the effects of cable laying and associated protection during construction and the potential effects of the operation of cables during the operation and maintenance phase. The CaPs will include the following:</p> <ul style="list-style-type: none"> • Cable locations, cable installation techniques, timings and duration; • The results of monitoring or data collection work which will inform cable routing; • Technical specification of the cables, electro-magnetic field strengths and shielding requirements; • A Cable Burial Risk Assessment (CBRA); • Post-construction and operational survey methodologies for the operation and maintenance phase; and • Methodologies for cable inspection during operation and maintenance with measures to address and report to the Scottish Ministers any exposure of cables.
Construction Programme	<p>The Construction Programme will provide information on the commencement of the development, timings of mobilisation, timings and sequencing of work, and contingency planning.</p>
Decommissioning Programme (DP)	<p>The development of, and adherence to, a Decommissioning Programme, approved by Scottish Ministers prior to construction and updated throughout the Project's operational life.</p>
Development Specification and Layout Plan (DSLPL)	<p>The DSLPL will confirm the final specification and layout of the Project Area. The Plan will include location and coordinates of all Offshore Wind Farm (OWF) infrastructure including cables and the final design parameters of the OWF.</p>
Emergency Response Cooperation Plan (ERCoP)	<p>The ERCoP will be developed in line with the requirements of Marine Guidance Note (MGN) 654 to ensure that any search and rescue operations are facilitated.</p>
Environmental Management Plan (EMP)	<p>The EMP will set out procedures to ensure all activities with the potential to affect the environment are appropriately managed and will include a description of planned activities and procedures, roles and responsibilities, pollution control and spillage response plans, incident reporting, chemical usage requirements, waste management plans, plant service procedures, communication and reporting structures, and programme of work. It will detail the final design selected and take into account Marine Licence conditions and commitments. The EMP will additionally include an Invasive Non Native Species (INNS) Management Plan (INNSMP) and a Marine Pollution Contingency Plan (MPCP) and will be developed in consultation with stakeholders.</p>
Lighting and Marking Plan (LMP)	<p>The LMP will set out specific requirements in terms of marine lighting and marking of the WTGs and OSCPs during the construction and operational phases. This will comply with NLB requirements, the International Association</p>

CONSENT PLAN/DOCUMENT	LINKAGES WITH THE FMMS
	of Marine Aids to Navigation and Lighthouse Authorities (IALA) G1162 Guidance on the Marking of Offshore Man-Made Structures (IALA, 2021), and Marine Guidance Note (MGN) 654 (MCA, 2021).
Marine Pollution Contingency Plan (MPCP)	The MPCP will detail procedures in the event of an accidental release, characterise all sources for potential contaminant releases and provide key emergency contact details for use in the event of an accidental release.
Navigational Safety Plan (NSP)	The NSP provides information on navigational safety for the Project. It will provide the required information on navigational safety measures, construction exclusion zones (if relevant) Notice to Mariners (NtMs) and radio navigation warnings, anchoring areas, temporary construction lighting and marking, buoyage, post construction monitoring and hydrographic surveys taking into account all recommendations in the MGN 654 and its annexes.
Vessel Management Plan (VMP)	The VMP will detail types, specifications and numbers of vessels, how vessel management will be coordinated and the location of ports, routes of passage and number of transits for the Project. The VMP will refer to the Scottish Marine Wildlife Watching Code and Guide to Best Practice for Watching Marine Wildlife for guidance on how vessels should behave around Marine Wildlife.

34.1.7 Structure of the Plan

The FMMS is divided into six main parts:

- Section 34.2 – Project background: provides details on the scope of works associated with the Project, including the location, design and programme of the Project;
- Section 34.3 – Consultation: provides details on consultation which has been undertaken with the fishing industry as part of the development of the Project which has been used to inform this FMMS;
- Section 34.4 – Data to inform the FMMS: outlines the data and information sources that have been used to inform this FMMS, supplemented by site-specific Project surveys;
- Section 34.5 – Fisheries overview: provides an overview of existing commercial fisheries activities within the Project Area;
- Section 34.6 – Fisheries liaison – provides details on the transfer of information (including the roles and responsibilities of individual parties) between the Project and the fishing industry. This section also details how communications will be maintained between the Project and the fishing industry; and
- Section 34.7 – Fisheries Management and Mitigation Strategy: provides details on the mitigation measures which will be applied throughout the construction and operation and maintenance phases of the project. The mitigation measures proposed as part of the FMMS have been developed in consideration of the relevant guidance (as detailed in Section 34.1.5), with emphasis given to measures which facilitate a positive relationship and co-existence between the Project and the commercial fishing industry.

34.1.8 Location of the Plan

Copies of the latest approved FMMS will be available to view on the Marine Directorate website. Hard copies of the FMMS will be available in a number of locations, including the Flotation Energy office (located in Aberdeen), the Marine Coordination Centre (MCC), with the Environmental Clerk of Works (ECoW), and the Fisheries Liaison Officer (FLO).

34.1.9 Document Control

The FMMS will be submitted to Scottish Ministers for approval prior to the commencement of any construction works, as required by the Section 36 and/or Marine Licence conditions. Following approval by Scottish Ministers, the FMMS will be a 'live document' which will be revised and updated as relevant to ensure that all information presented is accurate and up to date at intervals as agreed by Scottish Ministers.

34.2 Project Background

Cenos Offshore Windfarm is a floating offshore windfarm located 200 km offshore east of Aberdeen within the Central North Sea (CNS) (Figure 34-1). The Project will comprise up to 95 Floating Turbine Units (FTUs) which will each have a Wind Turbine Generator (WTG) and a floating substructure anchored to the seabed within the ~333 km² Array Area. The transmission assets for the Project will include up to two Offshore Substation Converter Platforms (OSCPs) and an offshore Export/Import Cable (which will comprise two HVDC cables and one fibre optic cable bundled in a single trench, with a maximum length of 230 km from the OSCP to the landfall at Longhaven). Up to 350 km of Inter-Array Cables (IACs) (including 280 km of buried, static cabling and 70 km of dynamic cabling) will connect to the OSCP to transmit power from the WTGs.

Details of Project-specific infrastructure will be updated post-consent. As per the draft FMMS guidance (Marine Scotland, 2020), a description of the Project will be provided within the final FMMS, including specific details on cable burial and protection of both the Export/Import Cable and IACs. Details on the nature of cable infrastructure that will be installed for the Project, alongside a construction timeline, will be provided within the CaP.

The following key consents/Marine Licences will be required for the construction and operation and maintenance phases of the Project:

- A Section 36 Consent under the Electricity Act 1989¹ (covering the generation of electricity and applicable only to the generation assets);
- A Marine Licence under the Marine and Coastal Access Act 2009 for the Generation Assets; and
- A Marine Licence under the Marine (Scotland) Act 2010 and the Marine and Coastal Access Act 2009 for the Transmission Assets.

¹<https://www.legislation.gov.uk/ukpga/1989/29/contents>

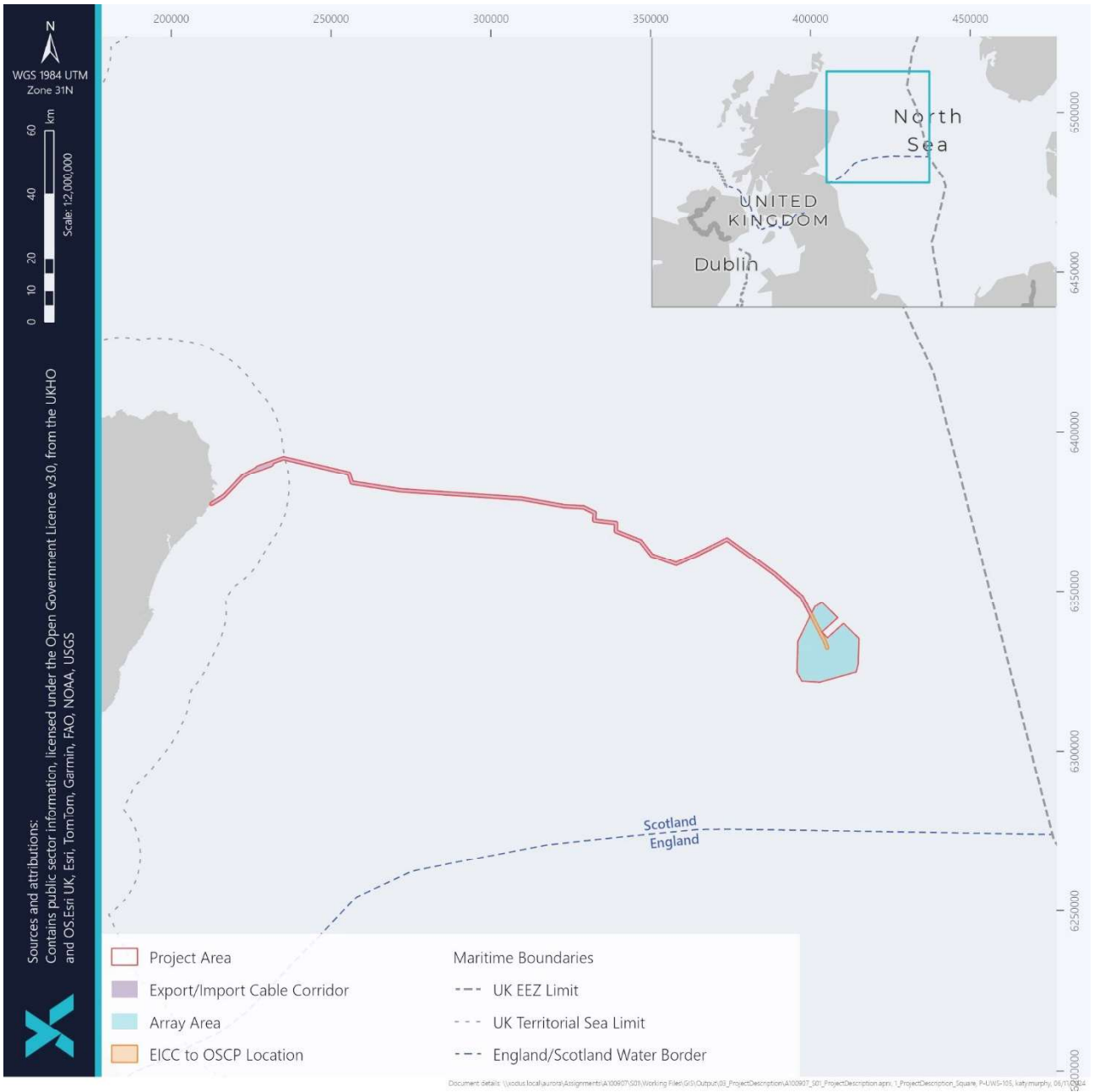


Figure 34-1 Location of the Project; Array Area, Export/Import Cable Route and EICC

34.3 Consultation

Engagement with stakeholders and representatives of the commercial fishing industry has been ongoing throughout the development of the Project via the appointment of a FLO, as well as directly through the Projects stakeholder manager. The list below summarises the consultation activities carried out in relation to commercial fisheries receptors:

- Direct consultation through the FLO;
- Meeting in Peterhead with the fishing industry;
- Meeting(s) with the Scottish Fishermen's Federation (SFF) and Scottish White Fish Producers Association (SWPFA); and
- Meeting with the SFF, SWPFA and NECRIFG representatives – to discuss outcomes of the commercial fisheries impact assessments.

The Developer will continue to engage with the fishing industry and relevant stakeholders to continue this positive relationship and will utilise further input to inform the final FMMS developed post-consent. The details on further consultation held following the submission of the Environmental Impact Assessment Report (EIAR) will be presented within this Section post-consent.

34.4 Data to Inform the FMMS

This outline FMMS has been informed by a review of the data and information sources used to inform the Commercial Fisheries chapter baseline within the EIAR, supplemented by consultation with stakeholders and outputs from Project site-specific surveys. The final FMMS will be updated, where required, with any new or updated data and information sources that are available following the submission of the EIAR and prior to the commencement of any construction works.

34.5 Fisheries Overview

Existing commercial fishing activities within the Project Area have been described in detail within **EIAR Vol. 3, Chapter 14: Commercial Fisheries**. A summary of these activities is provided in Table 34-3. Fishing fleets operating throughout the Project Area have been grouped per gear type and can be divided between "passive gear" or "mobile gear". Passive gear is defined as any gear where the catching operation does not require an active movement of the gear within the marine environment, and mobile gear is defined as fishing gear that is actively moved through the water.

Table 34-3 Commercial fishing activity in the Project Area

TYPE OF FISHERY	DESCRIPTION
Demersal and otter trawlers (mobile gear)	Demersal and otter trawler effort and landings value along the length of the EICC is generally low, and moderate within the Array Area. Effort and landings value is higher within the wider Commercial Fisheries Study Area; primarily to the north of the Project Area. The location and distribution of demersal trawling activity is consistent with <i>Nephrops</i> Functional Units (FU) within the North Sea.
Demersal seines (mobile gear)	Effort for demersal seines along the length of the EICC is low to moderate, with no evidence of vessels operating demersal seines within the Array Area. Effort and value is higher within the wider Commercial Fisheries Study Area; primarily to the north-west of the Project Area.
Pelagic trawlers (mobile gear)	Pelagic trawler effort and landings value along the length of the EICC and within the Array Area is generally low. Effort and value is higher within the wider Commercial Fisheries Study Area; primarily to the north of the Project Area.
Dredgers (mobile gear)	Effort and landings value for vessels operating dredges within the Project Area is highly concentrated within the inshore environment (i.e., inside 12 NM), where the effort and landings values are moderate to high. Along the length of the EICC beyond 12 NM and within the Array Area, average dredge fishing effort and landings value is low.
Passive gears	Effort for vessels operating passive gears is generally low along the length of the EICC and within the Array Area, with a slight increase in effort inside the 12 NM limit near landfall.

34.6 Fisheries Liaison

34.6.1 Introduction

In line with the FLOWW (2014) Best Practice Guidance, the key principle of fisheries liaison will include the proactive, ongoing and timely engagement with the fishing industry and fisheries stakeholders via pre-agreed communication channels. This section of the outline FMMS provides details on the roles and responsibilities for fisheries liaison during the construction and operation and maintenance phases of the Project.

34.6.2 Roles and responsibilities

The currently known key roles and responsibilities for fisheries liaison during the construction and operation and maintenance phases are summarised in Table 34-4 below. Within the final FMMS developed post-consent, more detailed information on the specific roles will be provided.

Table 34-4 Key roles and responsibilities

ROLE	CONTACT DETAILS	RESPONSIBILITY
The Developer	Contact details to be provided post consent.	The Developer will undertake proactive and timely engagement with the fishing industry and stakeholders and will ensure that the FMMS is implemented throughout the construction and operation and maintenance phases by all Project personnel, contractors and subcontractors.
FLO	Contact details to be provided post consent.	<p>A FLO has been appointed for the Project. The FLO will continue their established positive working relationship with the fishing industry stakeholders throughout all phases of the Project.</p> <p>The FLO will act as an interface between the Developer, contractors and subcontractors, and the fishing industry. The FLO will act as the primary point of contact for fishing industry stakeholders and will disseminate information from the fishing industry directly to the Developer. The FLO will also support the Developer in resolving any issues on behalf of the fishing industry as required.</p>
Offshore FLO (OFLO)	Contact details to be provided post consent.	The OFLO will be stationed on Project construction vessels, as required. The OFLO will seek to minimise conflict between Project vessels and fishing activities by acting as an on-site point of contact. The OFLO will maintain contact with the Developer and will record details of any fishing activity occurring within the Project area during construction works.
Fishing Industry Representative (FIR)	Contact details to be provided post consent.	The FIR will be the direct point of contact for the local fishing industry and will be the main counterpart for the FLO. The FIR may attend fisheries engagement meetings and will liaise directly with local fishers regarding their concerns to the Project. Any concerns raised will be fed back to the FLO.

34.6.3 Communication and information dissemination

Any Project information of relevance to the fishing industry will be circulated to fishers and stakeholders in a timely manner through a series of pre-established communication channels. These channels will be agreed with fishers and stakeholders prior to the commencement of any construction works and may include:

- Promulgation of information during the construction and operation and maintenance phase will be issued to fishers and relevant stakeholders by the FLO through a NtMs and Information to Sea Users Bulletins (Kingfisher Bulletin);
- Consultation meetings organised and attended by the Developer, FLO and FIR (as required); and
- Any unscheduled liaison to address concerns or issues as they arise throughout the construction and operation and maintenance phase.

The timings and frequency of communication between the Developer and the fishing industry and stakeholders will be outlined within the final FMMS developed post-consent.

As detailed in Table 34-4 above the FLO, OFLO and FIR will be the primary points of contact for the fishing industry. Table 34-5 below outlines a series of scenarios which may arise during the construction and operation and maintenance phases of the Project and who will be the primary contact in each event.

Table 34-5 Fisheries contacts

SCENARIO	CONTACT
Fishers onshore requiring further information on Project works or to provide feedback on Project works.	FIR or FLO
Fishers seeking to discuss damage to or loss of gear as a result of works of infrastructure associated with the Project.	FLO
Fishers operating within the Project Area (either steaming through or operating within the Project Area)	FLO, OFLO, or MCC

34.7 Fisheries Management and Mitigation Strategy

The final FMMS developed post-consent will outline the commitments made within the EIAR and requirements of the Section 36 and/or Marine Licence conditions which are applicable to the FMMS. Table 34-6 below outlines these commitments and references the relevant sections within the final FMMS or other post-consent plans where further details on the commitments can be found.

Table 34-6 Commitments within the EIAR and Section 36 and/or Marine Licence conditions

COMMITMENT	DESCRIPTION	RELEVANT SECTION WITHIN THE FMMS/OTHER POST-CONSENT PLAN
<p>A FLO has been appointed by the Project.</p>	<p>The FLO will maintain communication with the fishing industry, where required, throughout all phases of the Project (including pre-construction, construction, operation and maintenance and decommissioning).</p>	<p>Details are provided within Section 34.6 above. Further details to be provided post-consent</p>
<p>Promulgation of information, such as NtM, Kingfisher notifications and other navigational warnings,</p>	<p>Timely and efficient distribution of NtM and Kingfisher notifications will inform third party vessels of the position and nature of works associated with the Project. Information will include but not be limited to vessel routes, timings and locations, safety zones and advisory safe passing distances as required.</p>	<p>Details to be provided post consent.</p>
<p>Compliance from all project vessels with International Regulations for the Prevention of Collision at Sea (COLREGs) and International Regulations for the Safety of Life at Sea (SOLAS)</p>	<p>All Project vessels will comply with the provisions of COLREGs and SOLAS, including displaying appropriate lights and shapes to indicate the nature of the work in progress and when Restricted Ability to Manoeuvre. All project vessels will also broadcast via Automatic Identification System (AIS).</p>	<p>Details to be provided post consent.</p>
<p>The use of guard vessels and OFLOs (where required)</p>	<p>Where required, guard vessels and OFLOs (where required) will be in place within the marine environment during the construction phase, major maintenance works and decommissioning works.. Guard vessels will ensure that effective communication between the Project and other sea users (including commercial fishers) is maintained, therefore reducing the potential for interactions between fishers and Project vessels and activities.</p>	<p>Details are provided within Section 34.6 above. Further details to be provided post-consent</p>

34.7.1 Guard vessels

Guard vessels will be used throughout the Project Area, where required, to ensure the safe undertaking of construction works. On-site communication will be maintained throughout construction activities with fishers via the OFLO. Monitoring of fishing activity within the vicinity of the Project will be undertaken throughout the construction phase, with support provided to fishers as required throughout the construction phase.

34.7.2 Safety zones

In line with Section 85 of the Energy Act 2004 and Schedule 16 of the Energy Act 2004 and the Electricity (Offshore Generating Stations) (Safety Zones) (Application Procedures and Control of Access) Regulations 2007 it is anticipated that the Developer will apply for safety zones throughout the construction and maintenance phases of the Project. Details on these proposed safety zones is provided below:

- Construction:
 - Statutory 500 m rolling safety zones around FTUs and OSCP's where construction is ongoing as denoted by the presence of a construction vessel Restricted in their Ability to Manoeuvre;
 - Advisory safety zones of 500 m will be in place around Project construction vessels while they are operating; and;
 - Statutory safety zones of 50 m will be in place around FTUs and OSCP's during the construction phase when construction is not underway and the risk assessments identify a need, and around any completed structure prior to commissioning.
- Maintenance:
 - Temporary 500 m safety zones around structures where major maintenance is ongoing (as defined in The Electricity (Offshore Generating Stations) (Safety Zones) (Application Procedures and Control of Access) Regulations 2007).

Statutory safety zones will be implemented on a 'rolling basis', meaning that the 500 m statutory safety zones will be phased throughout the Array Area. As such, when construction is completed in one location, the 500 m safety zone will be lifted and a subsequent 500 m statutory safety zone will be placed around the next construction location. The safety zones will be reduced to 50 m around any WTG or OSCP's where construction work is not underway, or areas with unburied cable (i.e., areas of cable awaiting burial or protection). Advisory 500 m safety zones will move with the vessel during its operation. Advanced warning of the size and location of safety zones will be disseminated to fishers via pre-agreed communication channels (including NtMs and Kingfisher Bulletins).

34.7.3 Accidental Deposit of an Object at Sea

The Accidental Deposit of an Object at Sea procedure will be followed in the event that any objects are dropped at sea. The details of this procedure will be outlined within the EMP (**EIAR Vol. 4, Appendix 32: Outline Environmental Management Plan**).

34.7.4 Code of Good Practice

All vessels contracted on behalf of the Project will be issued with a Code of Good Practice which will outline the approach to co-existence between the Project and fishers, ensuring safe construction and operation and maintenance works. The Code of Good Practice will be developed in adherence with the International Regulations for Preventing Collisions at Sea (COLREGS) and will provide details on the following:

- Established communication channels and contact information for the Project MCC; and
- Indicative transit routes.

The Code of Good Practice has not yet been fully developed, however, this will be included post-consent alongside the final FMMS and will be submitted to Scottish Ministers for approval.

34.7.5 Navigation safety and vessel management

The VMP will provide details on all measures related to vessel management to other users of the marine environment (including fishing vessels). The VMP will provide details of Project vessel specifications, location of ports, indicative transit routes and anchorage areas for all construction and operation and maintenance vessels. The VMP will also provide details on how vessel management will be coordinated, and how communication with the fishing industry will be managed along with contact information for the Marine Coordinator.

The NSP will provide information on navigational safety for the Project. It will provide the required information in line with the condition but not be limited to navigational safety measures, construction exclusion zones (if relevant) NtMs and radio navigation warnings, anchoring areas, temporary construction lighting and marking, buoyage, post construction monitoring and hydrographic surveys taking into account all recommendations in the Marine Guidance Note (MGN) 654 and its annexes.

34.7.6 Transit routes

Details on indicative transit routes from ports to the Project Area will be provided within the VMP, with information on preferred shelter areas and reporting mechanisms for any vessel unable to comply with the transit routes also provided.

34.7.7 Gear retrieval procedure

In line with the advice provided by Kingfisher Information Service – Offshore Renewable & Cable Awareness project (KIS-ORCA) (2024). The following steps will be undertaken in the event of fishing gear being fastened to Project infrastructure within the Project Area:

1. If the weight of gear fastened to Project infrastructure is heavy and cannot be easily retrieved, the fishing vessel should not attempt to recover gear (to ensure personnel safety);
2. The fishing vessel should contact the Coastguard to notify them of the situation and provide an accurate position of the vessel and/or lost gear;

3. If it is confirmed that the fishing vessel is within the immediate vicinity of Project infrastructure (i.e., cables or FTUs), serious consideration will be given to the slipping of the gear, buoying and recording its position;
4. Once lost gear has been buoyed off, the position will be confirmed by the fishing vessel and recorded with the Coastguard;
5. Once the fishing vessel has returned to port, the skipper should contact the local Fishery Office to register the incident;
6. The incident should also be reported by the skipper to the FLO, with details on the date of the incident, the time and location and a description of the lost gear; and
7. The fishing vessel should complete a gear loss/claims form and submit this to the FLO.

Further details on the gear retrieval procedure will be provided within the final FMMS developed post-consent. The final FMMS will be updated in line with any additional guidance on the retrieval of lost gear and will provide details on navigational safety measures relevant to fishing vessels operating within the Project Area and within the vicinity of Project infrastructure.

34.7.8 Post-installation surveys

Following the completion of construction works, post-installation surveys will be undertaken by the Developer to confirm cable burial depths and to confirm and plot the location of any boulders cleared from the Project Area during construction. Relevant findings from post-installation surveys will be shared with the fishing industry, when deemed necessary by Cenos.

34.7.9 Cooperation agreement

As detailed within **EIAR Vol. 3, Chapter 14: Commercial Fisheries**, it is likely that fishers operating static fishing gears will be required to relocate during the construction and maintenance phases of the Project. Where required, the Developer will establish evidence-based cooperation agreements in line with the FLOWW (2015) Best Practice Guidance.

The exact nature of cooperation agreements is not yet known and will be finalised post-consent within the final FMMS. Cooperation agreements will be developed in consultation with affected fishers and stakeholders. In the event that mutual cooperation agreements cannot be agreed, both parties can seek Alternative Dispute Resolution (ADR) which will be undertaken by a mutually agreed third party.

34.8 Fisheries monitoring

It is proposed that monitoring will be undertaken by the Project to assess the impacts on demersal trawlers, in line with the Monitoring Guidance (awaiting publication). A detailed monitoring programme will be developed through consultation with relevant stakeholders in line with the recommendations made within the ScotMER Fish and Fisheries evidence map. Details of the proposed monitoring programme will be presented within the relevant plan developed post-consent.

34.9 References

FLOWW. (2014). Best Practice Guidance for Offshore Renewables Developments. Recommendations for Fisheries Liaison. FLOWW (Fishing Liaison with Offshore Wind and Wet Renewables Group). Available at: <https://www.sff.co.uk/wpcontent/uploads/2016/01/FLOWW-Best-Practice-Guidance-for-OffshoreRenewables-Developments-Jan-2014.pdf> [Accessed on 17/06/2024].

FLOWW. (2015). Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds. FLOWW (Fishing Liaison with Offshore Wind and Wet Renewables Group). Available at: https://www.thecrownestate.co.uk/media/1776/floww_bestpracticeguidance-disruption-settlements-and-community-funds.pdf [Accessed on 17/06/2024].

IALA (2021). G1162 THE MARKING OF OFFSHORE MAN-MADE STRUCTURES. Available online at: <https://www.iala.int/product/g1162/> [Accessed on 10/12/2024].

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Marine Scotland (2020). Fisheries Management and Mitigation Strategy (FMMS) Guidance Document. Available online at: <https://marine.gov.scot/data/fisheries-management-and-mitigation-strategy-fmms-guidance-document> [Accessed on 27/09/2024].

MCA (2021). Statutory guidance - MGN 654 (M+F) Offshore Renewable Energy Installations (OREI) safety response. Available at: <https://www.gov.uk/government/publications/mgn-654-mf-offshore-renewable-energy-installations-orei-safety-response> [Accessed on 10/12/2024].

Scottish Government (2022). Assessing fisheries displacement by other licensed marine activities: good practice guidance. Available online at: <https://www.gov.scot/publications/good-practice-guidance-assessing-fisheries-displacement-licensed-marine-activities/documents/> [Accessed 06/08/2024].