

SSEN Project Title/Number: LT000009

Contractor Information

Contractor Name: Xodus Group Ltd

Contract/PO Number: 1219014939

Contractor Document Number: A-200409-S04-TECH-005

Contractor Revision: R01

Full Document Title: LT09 Shetland HVDC Link – Fisheries Liaison Mitigation Action Plan

SSEN Document Number: LT000009-Xodus-SMC-RPT-A-200409-S04-TECH-005

Total Number of Pages: 22

Document Revision History/Reason for Issue

Rev	R01	Review	JA	JA	PW
Rev					
Rev					
Rev					
Rev					
Rev					
Rev					
Rev					
Rev		Reason For Issue:- i.e. Design/Construction/As-Built/Closeout	*Checked By	*Approved By	SSEN Acceptance



XODUS
PROJECTS



LT09 Shetland HVDC Link

Fisheries Liaison Mitigation Action Plan

Scottish and Southern Energy plc

Assignment Number: A200409-S04

Document Number: A-200409-S04-TECH-005

Xodus Group
Xodus House, 50 Huntly Street
Aberdeen, UK, AB10 1RS

T +44 (0)1224 628300
E info@xodusgroup.com
www.xodusgroup.com





Fisheries Liaison Mitigation Action Plan

A200409-S04

Client: Scottish and Southern Energy plc

Document Type: Technical Note

Document Number: A-200409-S04-TECH-005

			[Redacted]			
R01	16/03/2021	Issued for Review	JHM	JA	JA	-
Rev	Date	Description	Issued By	Checked By	Approved By	Client Approval



CONTENTS

<u>1</u>	<u>PROJECT OVERVIEW</u>	<u>1</u>
<u>2</u>	<u>SCOPE</u>	<u>3</u>
2.1	Consents and Licenses	3
2.2	Associated Consent Plans	4
<u>3</u>	<u>POTENTIAL EFFECTS ON COMMERCIAL FISHERIES</u>	<u>5</u>
3.1	Potential Effects	5
3.2	Mitigation Measures	5
<u>4</u>	<u>FISHERIES LIAISON AND MITIGATION PLANS</u>	<u>8</u>
4.1	Communication and Information Transfer	8
4.1.1	Commercial Fisheries Liaison Activities	8
4.1.2	Fisheries Liaison Officer (FLO)	9
4.1.3	Fishing Industry Representative (FIR)	9
4.1.4	Communications Plan	9
4.2	Code of Good Practice for all Vessels	10
4.3	Guard Vessels	11
4.4	Cooperation Payment Strategy	11
4.5	Procedures in Relation to Gear Fastening, Loss, or Damage	11
<u>5</u>	<u>CONCLUSION</u>	<u>12</u>
<u>APPENDIX A</u>	<u>DAMAGE CLAIM FORM</u>	



1 PROJECT OVERVIEW

Shetland is not presently connected to the UK mainland electricity transmission grid and as such is solely reliant on island-based generation, this generation is in the majority derived from fossil fuels with the support of onshore wind.

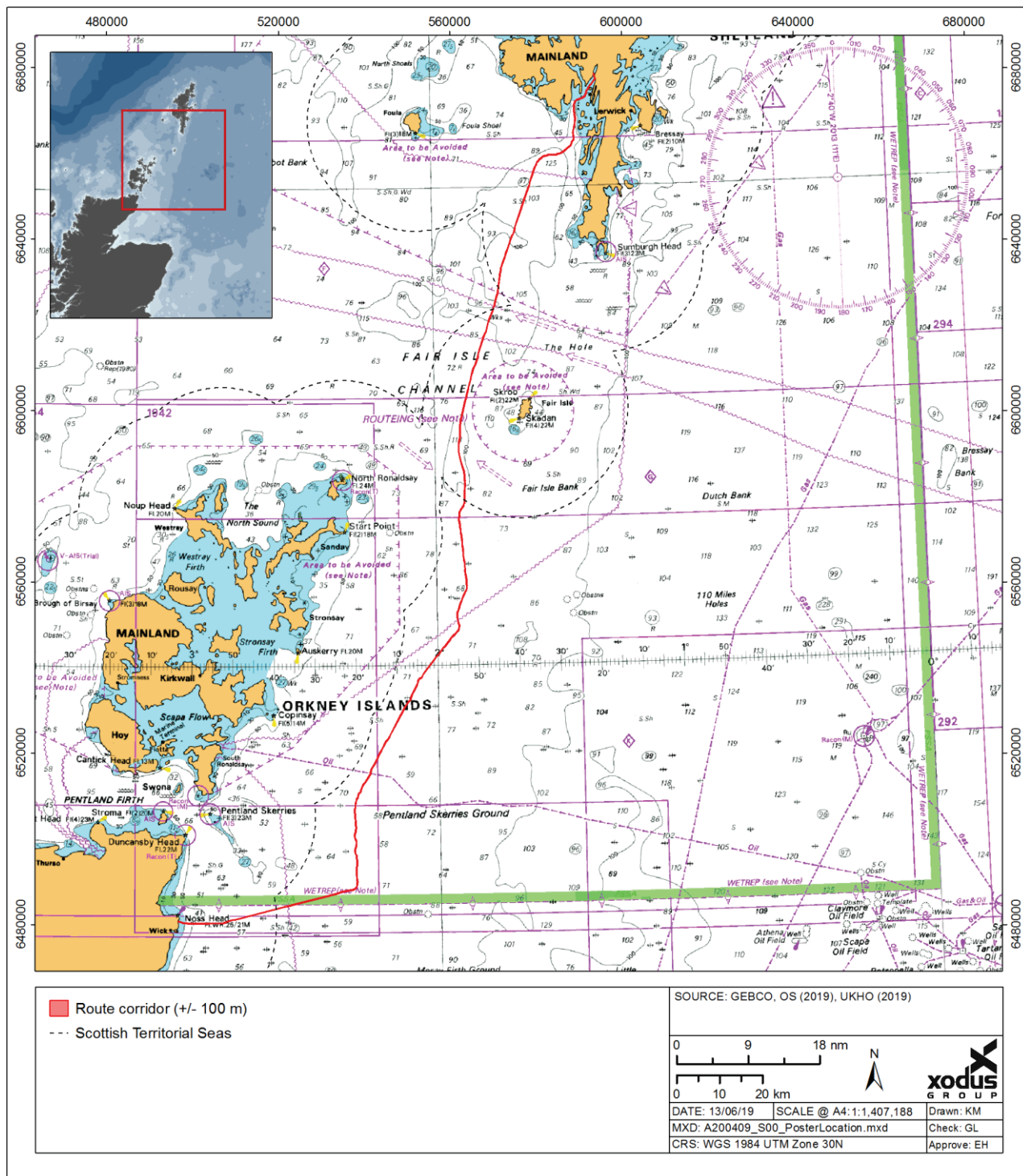
There is currently approximately 600MW of consented renewable energy generation on the Shetland Isles, which will require connection to the UK mainland transmission network once these projects are constructed. Scottish Hydro Electric Transmission Plc (SHE Transmission) is the licenced Transmission Owner in the north of Scotland, and as such, has a requirement to provide a connection to the UK's network when requested by a generator.

In order to meet the dual requirement of the provision of reliable transmission level supply, and export surplus renewable generation, SHE Transmission are planning to install a single circuit 253km long, 600MW High Voltage Direct Current (HVDC) link between Weisdale Voe in Shetland and Noss Head in Caithness ('Shetland HVDC Link' or 'the Project'). The marine cable infrastructure will consist of a single bundle comprising two conductor cables and one fibre optic communications cable, to allow control of the substation and HVDC converter station. Marine cable solution provider, NKT, will be responsible for the manufacture and installation of the subsea cable.

An overview of the marine installation corridor is provided in Figure 1-1. Further details on the planned construction and associated marine survey activities are available in the Shetland HVDC Link Marine Construction Method Statement (CMS) in combination with the Cable Burial and Protection Plan (CBPP) (NKT, 2021), while information regarding operational surveys and maintenance activities is provided in the Shetland HVDC Link Inspection, Repair and Maintenance (IRM) Plan (Xodus, 2021).



Figure 1-1 Shetland HVDC Link Marine Installation Corridor





2 SCOPE

This Fishing Liaison Mitigation Action Plan (FLMAP) is prepared by SHE Transmission to address the specific requirements of conditions of the Project's Marine Licences and Shetland Islands Council (SIC) Marine Works Licence. These licences have been granted in relation to the installation of the Shetland HVDC link, as detailed in Section 2.1. The Shetland HVDC Link activities covered by this FLMAP include the marine installation works and associated survey activities.

This FLMAP covers, in line with the requirements of the consent conditions, industry standards and good practice, the following:

- > Management and mitigation procedures to be applied to the Project throughout the construction of the Project to facilitate co-existence;
- > Good practice procedures in line with relevant industry guidelines (Fishing Liaison and Offshore Wind and Wet Renewables Group ((FLOWW); 2014; 2015); and
- > The roles and responsibilities of key Project personnel and contractors during the construction and operation of the Project with respect to commercial fisheries.

The overall aim and objective of the FLMAP is to provide details on SHE Transmission's approach to fisheries liaison and mitigation, including proposed measures to facilitate co-existence with the commercial fishing industry so that potential impacts are minimised, where possible.

The FLMAP has the following key primary functions:

- > To provide fisheries stakeholders with a clear reference document for key aspects of the Shetland HVDC Link during installation,
- > To ensure that appropriate liaison channels with the fishing industry are provided, and that effective liaison is maintained throughout the installation phase of the project; and
- > To define appropriate management and mitigation measures to minimise potential impacts on fishing activities and facilitate co-existence.

The Shetland HVDC Link project team and associated installation contractors must comply with the relevant codes of good practice provided in Section 4.2 within this FLMAP.

This FLMAP operates in conjunction with the Shetland HVDC Link Communications Plan (Xodus, 2021). Together these documents outline the programme of communication for the identified marine stakeholders and legitimate users of the sea during the installation of the Shetland HVDC Link and set out the approach for disseminating this information. This FLMAP also identifies the respective responsibilities of the Fishing Liaison Officer (FLO) and the Fishing Industry Representative (FIR), and how the FIR and FLO will operate (Section 4.1).

The potential commercial fishing activities relevant to the Shetland HVDC Link installation corridor are listed below, with further detail provided in Section 3:

- > Demersal trawling;
- > Pelagic trawling;
- > Scallop dredging;
- > Seine netting; and
- > Potting (creeling).

2.1 Consents and Licenses

SHE Transmission hold the following consents, which enable the installation, operation and maintenance of the Shetland HVDC Link:

- > Marine licence: 07203, within Scottish Territorial Waters under the (Marine (Scotland) Act 2010 (Marine Scotland Licensing Operations Team (MS-LOT), 3/7/2020);
- > Marine licence: 07357, within UK Offshore Water under the Marine and Coastal Access Act 2009, (MS-LOT, 3/7/2020); and



- > Marine works licence: 2020/11/WL within 12 NM of Shetland under the Zetland County Council Act 1974 (SIC, 26/6/2020).

According to conditions 22 and 21 of Marine Licences 07203 and 07537 respectively:

“The licensee must submit a Fisheries Liaison and Mitigation Action Plan (FLMAP) to the licensing authority no later than two months prior to the commencement of operations relating to the licence, for their written approval. It is not permissible for works relating to the licence to commence prior to the granting of such approval. In granting such approval, the licensing authority may consult any such advisors, organisations or stakeholders as may be required at their discretion. All operations relating to the licence must be undertaken and operated in accordance with the approved FLMAP. Any updates or amendments made to the FLMAP by the licensee must be submitted, in writing, by the licensee to the licensing authority for their written approval. The FLMAP must include employment of a Fisheries Liaison Officer (FLO), details regarding how the licensee intends to engage with the local small craft sector and use of guard vessels to perform the following functions:

- a) Alerting other sea users of the cable laying vessel’s presence*
- b) Guard any free ends of the cable on the seabed while the cable laying vessel reloads*
- c) Guard the unprotected cable between lay and burial”*

According to condition 15 of the Marine Works Licence 2020/11/WL:

“Prior to the works commencing a Fisheries Liaison and Mitigation Action Plan (FLMAP) will be submitted to the Planning Authority and agreed in writing.”

The provision of this FLMAP therefore fulfils the requirement of these conditions, and will be referred to and complied with during the installation of the Shetland HVDC Link.

2.2 Associated Consent Plans

The Shetland HVDC Link consent plans which are referred to within this FLMAP are provided in Table 2.1.

Table 2.1 Consent plans referred to within the Shetland HVDC FLMAP

Consent Plan	Description	Document reference
Construction Environmental Management Plan (CEMP)	Details mitigation measures and protocols which are to be followed in order to minimise environmental impacts from the installation of the subsea cables.	NKT, 2021. Ref: 1AA0395444
Construction Method Statement (CMS)	Details the overarching works which will be carried out to install the subsea cables.	NKT, 2021. Ref: 1AA0392078
Cable Burial Protection Plan (CBPP)	Describes the preparatory works (surveys, routing, ground conditions), and subsequent plan to be followed in relation to the burial and where necessary mechanical protection of the subsea cables.	NKT, 2021. Ref: 1AA0395404
Vessel Management Plan (VMP)	Details the Shetland HVDC vessel management measures which will be followed and applied during the installation of the subsea cables.	NKT, 2021. Ref: 1AA0428959
Communications Plan	Sets out the procedures for the distribution of information relating to all subsea cable laying, protection and survey activities which will be conducted to facilitate the installation of the Shetland HVDC Link	Xodus, 2021. Ref: A200409-S04-TECH-003.
Inspection, Repair and Maintenance Plan	Sets out SHE Transmission’s approach to ensuring the subsea cables are routinely surveyed and maintained as required to ensure the ongoing safety of legitimate users of the sea.	Xodus, 2021. Ref: A200409-S04-TECH-004.



3 POTENTIAL EFFECTS ON COMMERCIAL FISHERIES

3.1 Potential Effects

A full assessment of the effects of Shetland HVDC Link on commercial fisheries has been included in Chapter 12 of the Shetland HVDC Link Marine Environmental Appraisal (MEA) (Xodus, 2019), the potential impacts that were identified within the MEA which are relevant to this FLMAP are summarised in Table 3.1. Only potential impacts which are directly relevant to the mitigation measures and information within this FLMAP have been included, impacts to commercially exploited species and to aquaculture sites have not been covered here. Full details on all impacts are provided within the MEA.

Table 3.1 Potential impacts assessed within the Shetland HVDC Link MEA relevant to this FLMAP

Phase	Impact	Impact effect
Installation	Temporary loss or restricted access to fishing grounds – Static Gear	Minor
	Temporary loss or restricted access to fishing grounds – Mobile Gear	Minor
Operation	Long term/ permanent loss or restricted access to fishing grounds – all fleets	Negligible
	Snagging risk	Negligible

3.2 Mitigation Measures

The mitigation measures which were identified in relation to Commercial Fisheries assessment (Section 12.14) within the MEA (Xodus, 2019) are detailed in Table 3-2 along with references to the relevant sections of this document or standalone consent plans which provide the mechanisms for implementation.



Table 3.2 Shetland HVDC Link mitigation measures relevant to commercial fisheries

Measure	Implementation
A CEMP and an Emergency Spill Response Plan will be developed and implemented for the installation phase.	A CEMP has been produced (see Table 2.1) which includes a Marine Emergency Spill Response Plan.
A non-native species management plan / biosecurity plan for vessels will be developed as part of the CEMP.	Section 4.7 of the CEMP includes procedures relating to non-native species, with further detail provided in the Marine Non Native Species Plan (NKT, 2021).
Control measures and shipboard oil pollution emergency plans (SOPEP) will be in place and adhered to under MARPOL Annex I requirements for all vessels. In the event of an accidental fuel release occurring appropriate standard practice management procedures will be implemented accordingly.	All Shetland HVDC vessels will comply with SOPEP and MARPOL Annex 1 requirements. The procedure for emergency responses to accidental fuel release is in section 7.1.2 of the CEMP. Detailed spill response procedures and an example SOPEP are provided within the Marine Emergency Spill Response Plan and SOPEP (NKT, 2021).
Ballast water discharges from vessels will be managed under International Convention for the Control and Management of Ships' Ballast Water and Sediments.	Included in section 4.7 of the CEMP and the Marine Non Native Species Plan (NKT, 2021).
Vessels will be equipped with waste disposal facilities (sewage treatment or waste storage) to IMO MARPOL Annex IV Prevention of Pollution from Ships standards.	All Project vessels will comply with MARPOL Annex IV requirements, as per Section 4.2 of the CEMP.
Implementation of a 500 m radius safety zone around the cable installation vessel.	Vessel management and navigational safety measures are provided in section 4.10 of the CEMP.
CLV to be fitted with AIS so that it can be easily detected by other vessels transiting through the area.	Vessel management and navigational safety measures are provided in section 4.10 of the CEMP.
FLO will be employed to manage interactions between cable installation vessels, personnel, equipment and fishing activity.	A FLO has been engaged for the installation period (further information in Section 4.1.2 of this document).
Notice to Mariners (including local), Kingfisher bulletins, Radio Navigational Warnings, NAVTEX, and/or broadcast warnings will be promulgated in advance of any proposed works. The notices will include the time and location of any work being carried out, and emergency event procedures.	Notices of works will be promulgated by the FLO, details on this are provided in 4.1.4 of this document and the Communications Plan (Xodus, 2021).
Compliance with International Regulations for the Prevention of Collision at Sea (IMO, 1972) and the International Regulations for the Safety of Life at Sea (SOLAS).	All Project vessels will comply with COLREGs and SOLAS, as detailed in Section 4.2 of this document, and section 4.10 of the CEMP.
A CBP will be produced outlining the proposed method statement and cable protection requirements for approval by the Regulator and discussion with fisheries stakeholders and in accordance with relevant Marine Plans.	A CBPP has been produced (see Table 2.1), this will be provided to MS-LOT and SIC at least 2 months prior to the commencement of works, in accordance with the Communications Plan (Xodus, 2021).



Measure	Implementation
Rock protection and/or mattresses will only be deployed where adequate burial cannot be achieved to protect the cable. Rock berms and mattresses will be designed to minimise snagging risk.	The expected locations, design and installation methods of any installed cable protection is provided within the CBPP.
Employment of Guard Vessels	Guard vessels will ensure the 500 m exclusion zone remains in place during installation activities. Further information on the roles of guard vessel are provided in Section 4.3.
Post lay surveys	As built surveys will be conducted as detailed in the Construction Method Statement (NKT, 2021). Routine surveys of the Shetland HVDC Link cables will be conducted throughout the lifetime of the asset as detailed in the Inspection, Repair and Maintenance Plan (Xodus, 2021).
The location of all infrastructure will be communicated to UKHO and Kingfisher.	As detailed in the Communications Plan (Xodus, 2021), SHE Transmission will provide relevant stakeholders with details of the as built position of the cable and associated cable protection, including berm heights relative to the existing seabed (where appropriate).



4 FISHERIES LIAISON AND MITIGATION PLANS

The following sections provide details of the Project's approach to fisheries liaison and of the measures to be implemented to facilitate co-existence and minimise impacts on fishing activities.

4.1 Communication and Information Transfer

The implementation of appropriate communication and information transfer strategies is of key importance to assist in minimising interference and facilitating effective co-existence with the fishing industry.

In order to clarify the approach for communication and information transfer the following information is provided within this FLMAP:

- > Key lines of communication which can be referred to by fisheries stakeholders;
- > Roles and responsibilities of the FLO and FIR;
- > Communication management strategies which will be implemented including best practice for project vessels, and use of guard vessels; and
- > The proposed plan for the distribution of information in relation to commercial fisheries.

It is also expected that, for their part, fisheries stakeholders, including fishing vessel operators, their representatives and associations should help to maintain an ongoing and proactive dialogue. It is understood that any information provided to SHE Transmission regarding potential effects of the Shetland HVDC Link is factual and accurate, in order to prevent unnecessary escalation of issues and aid in the provision of a proportionate and appropriate response.

4.1.1 Commercial Fisheries Liaison Activities

The main elements of the Project's commercial fisheries liaison activities will be:

- > To identify and pro-actively engage with commercial fisheries stakeholders and statutory and non-statutory bodies and organisations that have the potential to be affected by the installation of the Shetland HVDC Link;
- > To formulate, agree and implement efficient communication channels for distributing project related information to stakeholders;
- > To continue to give consideration to the concerns of commercial fisheries stakeholders in the formulation of mitigation strategies;
- > To maintain a FLO as the main point of contact for the Project, in regard to fisheries, as well as engaging Fishing Industry Representative (FIRs) as required;
- > Promotion of productive co-existence through the early provision of information to fisheries stakeholders;
- > Provision of information on the location of installed infrastructure, the type and location of cable protection measures where this may be required (detailed within the Shetland HVDC Link CBPP (NKT, 2021);
- > To establish suitable and evidence-based cooperation agreement methodologies in line with FLOWW guidance (FLOWW 2014¹; 2015²);
- > To maintain a fisheries stakeholder database to ensure all fisheries stakeholders are adequately informed of construction activities; and
- > Maintain a communications log to keep a record of all engagement with fisheries stakeholders, including both onshore and offshore communications.

¹ FLOWW (2014) Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison

² FLOWW (2015) Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds



4.1.2 Fisheries Liaison Officer (FLO)

The principal role of the FLO will be to establish and maintain effective communications between the Project, any contractors or sub-contractors and fishermen during the installation of the Shetland HVDC Link, and to monitor compliance with good practice guidance.

The key responsibilities of the FLO are outlined below:

- > Provision of advice to the Project on Fisheries Liaison throughout the project execution phase;
- > Working with SHE Transmission to facilitate the organisation of, preparation for and attendance at fisheries meetings (working groups, local fishermen and their associations);
- > Participation and coordination of local fisheries stakeholder events as required;
- > Provision of advice on ongoing delivery of commitments identified in the FLMAP;
- > Maintain availability to receive and respond to telephone and e-mailed enquires and statements from fishermen's representatives and individual fishermen, as well as Project team enquiries;
- > Maintaining availability to resolve fisheries related issues as they arise;
- > Preparation of Standard Operating Procedures (SOPs) to help avoid and minimise interactions with fishing activities;
- > Gather information with regards to fishing activities within the Project's installation corridor; and
- > Assist and support the Project, and liaise with static fishing gear owners and skippers to facilitate the relocation or removal of static fishing gear where this may be required.

4.1.3 Fishing Industry Representative (FIR)

As counterpart to the FLO and often the first point of contact for fishermen, the FIRs will support the FLO in their duties. FIRs will make skippers of fishing vessels aware of any forthcoming project operations and other on-going activities.

The primary responsibilities of the FIRs are:

- > To be the local conduit for liaison with local fisheries stakeholders;
- > To assist the FLO at a local level in undertaking the tasks listed above;
- > To assist the FLO in maintaining mutually productive relationships between SHE Transmission and fisheries stakeholders;
- > To feedback to the FLO any fishermen's concerns communicated to the FIR;
- > To be available as required addressing local issues; and
- > To assist in the distribution of notices and relevant project information to fisheries stakeholders.

4.1.4 Communications Plan

Information regarding installation and associated marine survey works associated with the Shetland HVDC Link will be circulated to fisheries stakeholders with the aim of minimising interference and facilitating effective co-existence.

Information will be promulgated through the methods outlined in the Shetland HVDC Link Communications Plan (A-200409-S04-TECH-003), which includes the following:

- > Email;
- > Telephone call;
- > Direct mail;
- > Newsletters
- > Face to face meetings;
- > Kingfisher bulletins;
- > Website and Social Media updates;
- > Notice to Mariners (NtM); and



> Marine Stakeholder Working Groups.

The Communications Plan further provides details of the information to be distributed, timings of communications, and distribution lists. With relevance to the FLMAP, this includes:

- > Details on which Shetland HVDC Link activities which will be included in NtMs, and the information to be included;
- > Commitment that where practicable, NtMs will be issued at least 20 days in advance of an activity commencing;
- > The proposed schedule for submission of the CBPP (1AA0395404) to Marine Scotland and SIC, including details of planned external protection requirements;
- > An overview of how commercial fisheries stakeholders will be engaged during the installation of the Shetland HVDC Link;
- > Commitment that commercial fisheries representatives will be invited to participate in the Project's Marine Stakeholder Working Groups;
- > Commitment that within 8 weeks of completion of the licensed operations, SHE Transmission will provide UKHO and KIS-ORCA details of the as built position of the cable and associated cable protection, including berm heights relative to the existing seabed (where appropriate); and
- > Lists of key fisheries stakeholders (and nominated points of contact within the Shetland HVDC Link project team) including:
 - o Scottish Fishermen's Federation (SFF);
 - o Scottish White Fish Producers Association (SWFPA);
 - o Shetland Fishermen's Association (SFA);
 - o Scottish Creel Fishermen's Federation (SCFF);
 - o Local Inshore Fisheries Groups;
 - o Kingfisher Information Service; and
 - o Unaffiliated commercial fishing vessel operators.

4.2 Code of Good Practice for all Vessels

The Shetland HVDC Link project team is required to follow a code of good practice in order to ensure external communication is consistent, accurate and to aid co-existence with the fishing industry.

All vessels working on the Shetland HVDC Link installation and associated survey activities will be required to meet the following provisions:

- > Ensure that any project related debris accidentally dropped during construction and maintenance activities is removed as soon as practicably and safely feasible, and the standard dropped objects procedure is followed (detailed in section 7.1.3 of the Marine CEMP (NKT, 2021);
- > Adhere to the rules procedures outlined in the Convention on the International Regulations for Preventing Collisions at Sea (COLREGs) and International Convention for the Safety of Life at Sea (SOLAS);
- > Shall not engage in any commercial fishing activities;
- > Maintain polite, proactive and professional communications with fishing vessels during offshore operations, with the expectation that this is reciprocated; and
- > Monitor an agreed VHF channel which will be confirmed within NtMs, so as to receive communications directly from fishing vessels (with the exception of small craft); and
- > Bridge teams shall be familiar with this document, and be aware of appropriate courses of action and communication channels in the event of interactions with commercial fishing vessels.

In scenarios where Project vessels are restricted in their ability to manoeuvre, all vessels including fishing vessels will be required to keep clear, as prescribed by COLREGs Rule 18(c), and UKHO NP100 The Mariners Handbook, section 9.45.



4.3 Guard Vessels

Guard vessels (GV's) will be employed by the Project; a number of guard vessels will be utilised at an approximate spacing of 10-20 km dependent on GV size, capability and weather conditions. The GV's will be the first line of interaction between the Project and any non-Project vessels in the installation corridor and shall be used to reduce the risk of collision, fouling, and damage to the cables during the installation process. GV's will alert and redirect vessels which come too close to the cable installation vessels, as well as maintaining protection zones around exposed cable sections, in particular crossings with existing cables and pipelines, between laying and trenching or between laying and rock placement activities.

Prior to leaving shore the Guard Vessel Skippers shall be verbally briefed and provided with a briefing pack covering their specific tasks, work instructions and sailing instructions.

The GV's shall utilise a combination of visual lookout, RADAR, and Automatic Identification System (AIS) based vessel monitoring to allow them to accurately identify any approaching vessels. They will maintain a 24 hour watch, with a minimum of 2 crew members on watch at all times. The GV's will record details of encounters with vessels, including actions taken, imagery, video, and audio recordings or transcripts. This data will be used to monitor activity in the installation corridor and preserve the safety of the operation.

In line with the Marine Licence conditions, guard vessels will be expected to perform the following functions:

- > Alerting other sea users of the cable laying vessel's presence;
- > Guard any free ends of the cable on the seabed while the cable laying vessel reloads; and
- > Guard the unprotected cable between lay and burial.

Any vessel approaching the works area or guarded asset will be contacted by the guard vessel and will be advised of the works; details of their intentions will be requested, and any necessary action communicated. It is noted that the action taken by GV's will depend on the activity/feature being guarded and the nature of the vessel approaching. Navigational hazards e.g. installation vessels, and cable ends will have an appropriate protection area around them which will need to be adhered to by all vessels. It will be safe for vessels to transit over an unprotected cable; however, they will not be able to anchor in the vicinity of the cable, nor will demersal trawl fishing be acceptable within the protection area.

4.4 Cooperation Payment Strategy

At present, there is no accepted standard methodology for quantifying loss or disturbance to creel fishing activity which may occur from offshore construction activities. However, Shetland HVDC Link will follow standard procedures, in so far as they are relevant, as outlined in the Fisheries Liaison with Offshore Wind and Wet Renewables Group (FLOWW) guidance (2014; 2015).

FLOWW Best Practice Guidance for Offshore Renewables Developments states:

“Commercial compensation should only be used as a last resort when there are significant residual impacts that cannot otherwise be mitigated. Compensation should only be paid on the basis of factually accurate and justifiable claims. There is therefore an obligation upon affected fishermen to provide evidence (such as three years' worth of catch records and VMS data) to corroborate any such claims”.

4.5 Procedures in Relation to Gear Fastening, Loss, or Damage

In the event of fishing gear being fastened, lost or damaged in the vicinity of the Shetland HVDV Link cable corridor or works vessels, the fishing vessel operator should follow the advice of the coastguard and European Subsea Cables Association (ESCA) Fisheries Liaison Guidelines (2018³) with respect to any steps to be taken to ensure safety while at sea during, and remedial actions following such an event. In the event that SHE Transmission are notified of fastening, loss or damage to gear by a vessel operator, the immediate priority will be to ensure the safety of the vessel, as such the following steps will be implemented by SHE Transmission and the FLO:

³ ESCA (2018) Guideline No.1. Issue 8. Fisheries Liaison Guidelines. (section 7)



-
- > If a gear fastening is reported to the Project, SHE Transmission will check first that all applicable safety guidelines are being followed, that the fishing vessel skipper has informed the Coastguard if there is a risk to the vessel, and that the fishing vessel skipper is aware of potential hazards associated with attempting to retrieve their gear;
 - > Following confirmation of the vessels safety, and in the event that damage or loss to fishing gear or vessel as a result of the Shetland HVDC Link is reported to SHE Transmission, SHE Transmission will advise the vessel operator to contact their local Fisheries Office to report the incident;
 - > The vessel operator will be advised to request an inspection by a Fisheries Officer to confirm the nature and extent of the loss or damage, and complete the gear-loss/damage claim form provided in Appendix A; and
 - > SHE Transmission will review the information detailed within the claim form, and provide a response and where applicable, an appropriate resolution in line with the ESCA Fisheries Liaison Guidelines.

5 CONCLUSION

SHE Transmission recognises that during cable installation works, there is a potential to have an effect on commercial fisheries. The Project is committed to minimising these effects and aims to ensure open and honest communications channels are in place with our stakeholders prior to and during the works. The aim is to work collaboratively to minimise effects as far as practicable, and to encourage coexistence with other sea users, including the fishing industry.



APPENDIX A DAMAGE CLAIM FORM

Form for claim of damage or loss of fishing gear or damage to vessel and subsequent loss of fishing time in relation to activities by Shetland HVDC Link	Ref. No.	
	Operator	

SECTION 1: To be completed by the Skipper			
1.1 Vessel Information:			
Name of Vessel		Registration No.	
Name and Address of Skipper		Name and Address of Owner/Agent	
Name of person on watch		Crew name(s) at time of incident	
1.2 Incident Information:			
Date of Incident		Type of Fishing in which engaged e.g. Creels / Trawl	
Time of Incident			
Nature of Incident e.g. how the incident occurred, how the skipper / crew responded, attempts made to retrieve gear.			



Please complete either section A <u>or</u> B depending on gear type used:				
A) Non-static Gear				
Start of Tow DD°MM.M'	Latitude:		Direction of Tow (°)	
	Longitude:		Speed of Tow (kn)	
End of Tow (position snagged) DD°MM.M'	Latitude:		Wind Force (mph)	
	Longitude:		Wind Direction (°)	
B) Static Gear (coordinates of all gear lost / damaged)				
Conditions	Wind Force (mph)		Wind Direction (°)	
Number of fleets				
Fleet lengths				
Number of pots per fleet				
	Start Position (DD°MM.M')		End Position (DD°MM.M')	
Fleet 1	Latitude:		Latitude:	
	Longitude:		Longitude:	
Fleet 2	Latitude:		Latitude:	
	Longitude:		Longitude:	
Fleet 3	Latitude:		Latitude:	
	Longitude:		Longitude:	
If more than 3 fleets were used please add details here:				
Number and description of surface markers used:				



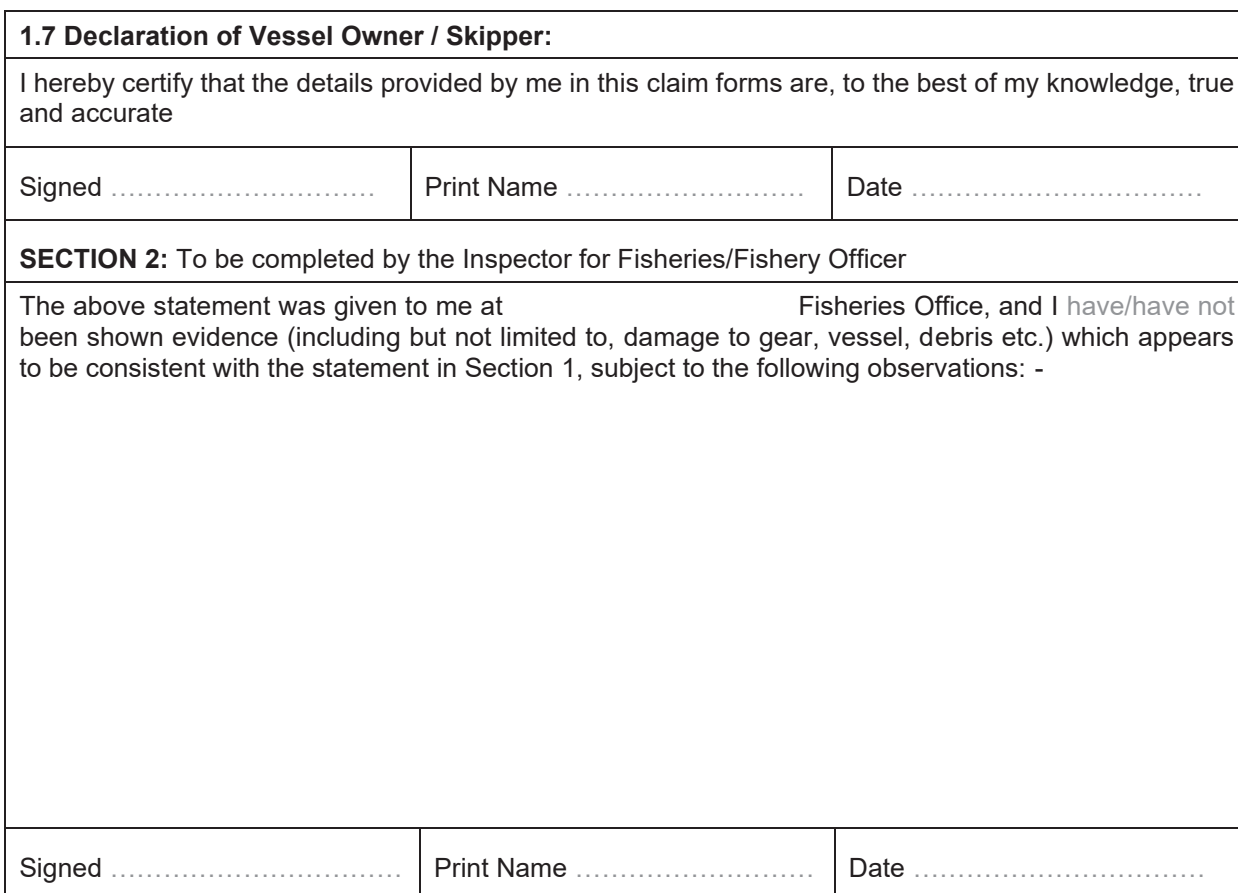
1.3 Details of implicated party (if available):			
Name of Vessel		Registration No.	
Name and Address of Skipper		Name and Address of Company	
Evidence to support this party caused the damage			
Where can the debris be inspected			
Photographs attached? (Yes/No)		AIS information attached? (Yes/No)	
Any other evidence to support damage or loss. Please add all relevant evidence			



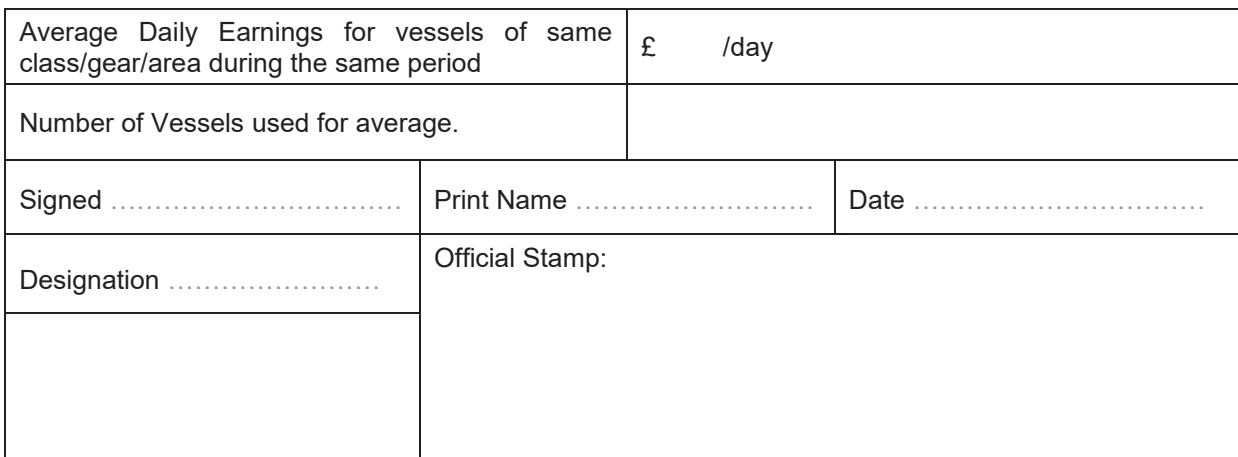
1.4 Supporting evidence of vessels witnessing the incident: (if none write "NONE")	
Name of Vessel(s)	Statement(s) are: (attached or to follow)
1.5 Details of Damaged Gear:	
Full details of vessel damage or gear damaged:	
Value of replacement or repairs (excluding VAT)	Fishing gear: £
	Vessel damage: £
Loss of fishing time	Hours: Value: £
Fish lost/dumped due to contamination	Quantity: Value: £
	Total: £
1.6 Details of Lost Gear:	
Full details of vessel damage or gear lost:	



Value of replacement or repairs (excluding VAT)	Fishing gear:		£		
	Vessel damage:		£		
Loss of fishing time	Hours:		Value:	£	
Fish lost/dumped due to contamination	Quantity:		Value:	£	
			Total:	£	
1.7 Details of Insurance:					
The following details of the vessel's Hull and Machinery Insurance are required if part of this claim relates to damage to the vessel					
Insurer		Hull Excess		£	
Policy No.		Machinery Excess		£	
Documentation: Please enclose with this form a copy of the fishing licence, MCA safety cert, photo plotter, photos of damaged gear, original receipts from gear purchase. If claiming loss of earnings, please provide evidence of e.g. sales notes for time of year and accounts. Please list all documents included with this claim form:					



LT09 Shetland HVDC Link – Fisheries Liaison Mitigation Action Plan
Assignment Number: A200409-S04
Document Number: A-200409-S04-TECH-005



Please enter address of developer or contractor: