**Meeting Agenda**

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| **Meeting:**  | **Moray Firth Commercial Fisheries Working Group** |
| **Date/Time/Venue:****Attendees:**  | Thursday 24 March 202214:00 – 16:00 Virtual MeetingBruce Buchanan (Chair – Marine Scotland; MS), Michael Bland (MS), Jim Watson (MS), Kirsty Wright (Marine Scotland Science; MSS)Jenny Mouat (North & East Coast RIFG), Andrew Third (Scottish Fishermen’s Federation; SFF), Raymond Hall (SWFPA);Ruaridh Danaher (Ocean Winds - Moray East), Nuria Abad Oliva (Ocean Winds - Moray West), Iain McMyn (Ocean Winds - Fishery Manager for UK & Ireland), Heather Shaw (BOWL), Monica Fundingsland (Equinor – Hywind), Andy Blyth (Pentland Floating Offshore Windfarm).Charles Milne (Moray East, Moray West /Creels- FIR), Robert Souter (Squid FIR), Helen Macdonald (Caithness coast FIR), James Bremner (Wick and Caithness coast)Alex Winrow Griffin (Brown and May Marine; BMM); John Watt (BMM), Hannah Fougner (BMM)  |

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| Item | Agenda Item | Time |
| 1 | Welcome, introductions and housekeeping | 14:00-14:05 |
| 2 | Review of previous minutes and actions | 14:05-14:15 |
| 3 | FIR update  | 14:15- 14:30 |
| 4 | Developer Project Updates | 14:30- 14:40 |
| 5 | Marine Scotland Update* FLOWW Guidance
* FMMS Guidance and Gap Analysis
* CFWG website
* Marine Scotland Science Update
 | 14:40-15:00 |
|  | Coffee break | 15:00-15:05 |
| 6 | Terms of Reference | 15:05 – 15:15 |
| 7 | Mitigation Paper Workshop Action Plan  | 15:15-15:45 |
| 8 | AOB* Damage to Gear forms
 | 15:45-16:00 |

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| **Item** | **Agenda Item** |
| 1 | **Welcome, introductions and housekeeping** |
|  | * Introductions made by Michael Bland (MB) and Heather Shaw (HS)
* Apologies from Joe Diemel, Roger May (RM) and Fingal McKiernan.
* Explanation of hand raising if wishing to speak during discussion.
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| 2 | **Review of previous minutes and actions** |
|  | ALL – no additional comments on final minutes from 09/12/2021 meeting – minutes accepted.

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| **Actions from October 2020** |
| 6.3 | Nuria Oliva (NO) to provide draft cable route for consultation when it becomes available | * Ongoing
* NO: Two different cable plans will be presented – one to cover the export cable route and one to cover the inter-array cables in the wind farm. The cable plan for the export cable is currently in draft.
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| **Actions from 20 April 2021 meeting** |
| 2.1 | Bruce Buchanan (BB) to ensure that the CFWGs are informed in the status and outcomes of the Community Benefit Guidance. | * BB: Colleagues in the energy division will be taking this forward and will be consulting with ministers. Expect to be in contact later this year. BB will keep action ongoing and provide progress updates.
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| **Actions from 9th December 2021 meeting** |
| 7.4.1 | Raymond Hall (RH) to discuss SWFPA joining steering group for CoEX with MM and BB | * Kirsty Wright (KW): ORJIP head the project, and KW will pass on the contact details.
* Closed.
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| 7.4.2 | BB to get an update from KW regarding survey work | * BB: Provided context of action – RS enquired if this would go to tender for the purposes of using fishing vessels for survey work.
* KW: There will be a boat required to take measurements, but at this stage it is unknown in what capacity and what is required.
* Closed.
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| 7.5.1 | Alex Winrow-Giffin (AWG) to collate Action Plan responses from Forth and Tay and Moray Firth CFWG developers | Ongoing.  |
| 7.5.2 | Developers feedback and nominated leads to be sent to BB and RM to populate the action plan table.  |
| 7.5.3 | MM to collate Action Plan responses from Forth and Tay and Moray Firth CFWG fishing representatives and nominated leads for actions |
| 8.1 | BB to chase Roger, to finalise the damage to gear form document and put it into use as soon as possible. | * BB: Damage to gear form is complete. RM will be looking to issue this upon return.
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| 3 | **FIR update**  |
|  | 3.1 Robert Souter (RS): * Attended Moray West meeting a couple of weeks ago in Cullen. Those on the fishing side have asked to be brought into consultation for the cable route, but this has not happened.
* Iain McMyn (IM): Became clear that the majority of the attendees hadn’t been aware of any consultation regarding the cable route.
* NO: Was not present at the Cullen meeting but understands that the issue regards the boundary of the OfTi route. Consultation has been undertaken from pre-application until now. All project information, including the boundary has been publicly available since July 2018. There was a specific consultation event around the cable corridor in January 2018 before the application was submitted. Feedback and concerns have been welcomed throughout.
* RS: Consultation on the cable route and landfall has been requested here multiple times. The original corridor was wide and was able to avoid hard ground – the refined corridor is unlikely to avoid this area. Fishing industry should be able to help developers come in under sand rather than over rocks. Something for Marine Scotland to consider in future processes.
* AT: From Action 6.3 it was understood that there was opportunity for fishermen to give their views. However, at the meeting at Cullen, the plan was simply presented.
* Michal Bland (MB): Scoping is a key time to get engagement. Pre-application consultation is also an important method of consultation.
* RH: Fishermen need to be involved from the beginning – before scoping and the statutory process starts.
* IM: Purpose of the meeting was to provide a project update and discussion on shelter areas and transit routes. Meeting split into two; mobile gear and static gear, to ensure both views were represented. Same information given to both groups.
* Monica Fundingsland (MF): This is a topic the group keeps coming back to - what can be influenced and when? This is an area where there is still scope for improvement. For the cable route, it is complicated as consultation is difficult to undertake until the developer has received a grid connection. This forum can help provide an idea of when there should be an opportunity to influence the process.
* John Watt (JW): In 2013/2014 JW and Malcolm Morrison (MM) were involved in UK FIM data collection. It was to ensure that site selection and cable routes didn’t disrupt fishing. Still seeing the problems despite this.
* BB: UK FIM data used as part of the sectoral marine plan
* Jennifer Mouat (JM): Agree with MF, finds it disappointing that we are still trying to find a way through this. Any streamlined and better explained process is needed imminently and so that this can be improved in the future.
* MB: fishing involvement before the grid connection is given and cable route established, even if there is no way to influence these decisions would be beneficial. Important to consider for future process.
* Ruaridh Danaher (RD): It is both a complexity and time issue. A number of different processes go into the landfall location and grid connection. Developers can try to think more holistically and improve consultation at every possible point, but there is a lot of moving parts that need to be accounted for.
* BB: Asked if there is a way to simplify this in a flow chart or something similar to explain the process.
* MB: There is a narrative about this in the offshore renewables application guidance but it isn’t mapped out in a timeframe. It is due to be refreshed, so it can be updated.
* RH: would really like to be clear and transparent on the issue. Meeting with MS, CES and fishing industry to get a clear road map laid out. Would go further if fishing industry are actively involved and sitting at the table with Marine Scotland and CES

**Action 3.1 BB to set up meeting with fishing industry and Scottish Renewables to discuss opportunities for consultation in leasing stage on cable routes (to be coordinated with offshore renewables application guidance).** 3.2 Helen MacDonald (HM): * Attended meeting in Helmsdale. Didn’t realise the shelter areas will come that far north. May be difficult as the shelter areas are 6x2 miles. Why does it need to be that big?
* IM: Large vessels – don’t necessarily anchor so move about. Dornoch shelter area was not welcomed by fishing industry.
* JW: Noted that the area was up for consideration, but can be removed as an option. HM: Noted it extends through prime crab ground.
* JW: New map will be drawn with areas that are and aren’t acceptable, removing the Dornoch shelter area.

3.3 Charles Milne (CM): All quiet. Waiting for the corridor to be established. 3.4 James Bremner (JB): * Meeting in Wick on 22nd Feb with JW about pre-lay work with the Shetland cable. Meeting with SSE reps additionally
* NtM about lidar bouy for Pentland Windfarm
* Attended meeting in Helmsdale with IM and JW.
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| 4 | **Developer Project Updates** |
|  | 4.1 Ocean Winds: * RD: Moray East- next week construction will be completed, and the Project will be moving formally into O&M phase. Start of April starting below water ROV surveys at foundation for 90 days (one vessel) out of Wick. Progressing with discussion with SFF for overtrawl trials to take hopefully take place in April.
* NO: Moray West – site investigations from June onwards to identify UXOs. Construction at landfall to start December. Submitting consent plans between now and May this year to MS.
* IM: Caledonia project (Scotwind) secured. Will be utilizing early engagement on the project.
* RH: When should the fishing industry be involved in the WTG positioning? Or is this just down to seabed make-up. One of the tools for fishermen is micro-siting but feels that this is very difficult to achieve with all the other factors that need to be accounted for in siting of WTGs.
* IM: Agrees that it is difficult, but shouldn’t be removed as an option
* MF: there is definitely scope for fishing input on WTG siting. Each site will be different in the maneuverability they have. Hard constraints cannot be done anything about.
* AB: Micrositing is a last resort so highly sensitive areas should have already been accounted for as much as possible. Hopes that developers have already accounted for areas of high fishing activity – small changes micro siting is hopefully that little bit of change but should be considering highly sensitive/active areas earlier on in the process.

4.2 Hywind Scotland (MF)* No NtMs active
* Lots of research going on
* Trying to get static fish trials into the water in June.

4.3 Pentland Floating Offshore Wind Farm (Andrew Blyth; AB)* UXO survey potentially in June (yet to be confirmed)
* Public consultation event in May
* Ten turbine floating project submitted to MS in June/July

4.4 BOWL (Heather Shaw; HS)* NtM inter-array cable survey work 4th – 10th April
* Phase 2 expected to start in mid-may
* PrePARED collab research project starting 10th April – NtM to be issued shortly
* 5th May cable and earthing survey (20 days)
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| 5 | **Marine Scotland Update** |
|  | 5.1 MS Updates FLOWW Guidance (BB)* RM has received many comments. Trying to incorporate changes into text. RM has identified a number of dates for each month to schedule meetings to discuss the guidance.

FMMS Guidance and Gap Analysis (BB)* MS to review guidance again to account for Scotwind before it is released

CFWG Website (BB)* Information has been uploaded. Once its checked, the website will be made live. The website will have contact details of FIRs, relevant information, templates and forms. Includes damage to gear form which is being finalized and will be issued soon.

**Action 5.1: BB to provide updates on all status of FLOWW guidance, FMMS guidance and CFWG website at next meeting**5.2 Marine Scotland Science (ScotMER Fish and Fisheries) (KW)– Presentation to be circulated with minutes.CoEX Project* ORJIP funded project proposal on ‘Improving the evidence base for coexistence between offshore renewables and commercial fishing – a focus on cabling (named CoEX)’

Commercial Fisheries Sensitivity Mapping* Proposal submitted to The Crown Estates ‘Offshore Wind Evidence and Change’ (OWEC) funding call. Aims to collate fisheries data and use maps and models to show areas of high and low spatial conflict between offshore wind farms and commercial fisheries.

Essential Fish Habitat Mapping* MS has funded a project to model and map ‘Essential Fish Habitat’ which includes areas that are important to fish such as spawning and nursery areas - includes commercial fish species. Hywind Static Fishing Gear Trial
* Planning to go ahead with the project this year – May-Sept/Oct. Trialing commercial fish traps, creels and electronic jiggers. Aim to test the safety and commercial viability of these fishing methods within a floating offshore wind farm.

PrePARED Project* Marine Scotland led research project to investigate predator and prey interactions around offshore wind farms – understand how fish are using offshore wind farms, are windfarms acting as Fish Aggregation Devices (FADs)?
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| 6 | **Terms of Reference** |
|  | BB: Explain that this item was added to the agenda by MM, who noted that FMMS has not been an agenda item recently, and that the CFWG should re-focus its purpose to the ToR. AWG: In the F&T meeting, there was useful discussion about including a recurring agenda item to provide updates on the status of FMMS/other consent plans. **Action 6: MS to draw up list of consent plans/relevant documents and their stages for sharing at CFWG meeting.** Regarding consent issues: * RS: Noted concern about rock dumping on Kincardine – have they exceeded the amount of rock consented for? Looked through the licenses and couldn’t see anything regarding the amount of rock dumping for Kincardine.
* MB: All rock placement goes through the consenting process. Scrutiny on the need for protection is much higher.
* RH: Explained that whole cable was rock dumped, which seems in contravention of the license. No answer from MS as to why this has happened. Test sites seem to get away with a lot more than development sites.
* MB: need for protection on any cable is under scrutiny – request justification for where rock placement is requirement, cable passes etc. Process for approving a cable plan is much more stringent. Want to see risks appropriately managed. Should be no difference with demonstrator/test sites. If there hasn’t been a response from MS-LOT, make sure to follow up (ms.marinelicensing@gov.scot, ms.marinerenewables@gov.scot)
* MF: Experience from Hywind – there should be no difference. Hywind had to add more rock and needed an additional license to do this.
* All licenses can be viewed at: <https://marine.gov.scot/marine-projects>

**Action 7: MB to review Kincardine license.**  |
| 7 | **Mitigation Paper Workshop Action Plan**  |
|  | * To be discussed at Joint CFWG meeting to be set up in 4-5 weeks’ time to cover mitigation action plan and developer tugs.
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| 8 | **AOB**8.1 Newsletter* Will be provided in advance of each meeting from this meeting forward. Where there are no updates, the text in the newsletter can carry over.

8.2 Meeting frequency* Meetings to be held every two months in line with meetings held in F&T CFWG.
* Will continue online for the time being – suggestion of a hybrid approach moving forward with one annual in-person meeting.
* Joint CFWG meeting to be set up in 4-5 weeks’ time to cover mitigation action plan and developer tugs.

8.3 Community benefits* BB: Previous discussion on the West of Morecambe fisheries fund. Annie Breaden (AB) from CES had agreed to take forward a project that would start in the next financial year.
* *CES has been working with NnG, Inch Cape, Ocean Winds and SSE to draft and ITT for services in relation to setting up of the fund. AB will be in touch with the fishing industry reps before the ITT is issued to discuss initial thoughts and to gain an understanding of the fishing industry’s expectations for the fund. Longer term, the engagement of the fishing industry will be key in forming the setup of the fund.*
* BB: Further information will be provided in due course.

8.4 Regarding the monitoring group, MSS has been considering the proposed monitoring group further. MS are currently getting more staff and funding for ScotMER. MSS thinks that EMF sits better within ScotMER due to additional staff and funding to focus on monitoring and research. Kirsty Wright (KW) chairs the Fisheries ScotMER group and will act as a link to provide feedback in both directions. 8.5 BB: MS has had some requests for individuals to join the CFWG. MS have considered the ToR and have turned down the requests. Propose that future requests are dealt with in the same manner. No objections were raised on this approach.  |

**Outstanding Actions for Next Meeting**

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| **Item** | **Action** | **Responsible** | **Open/Closed** | **Action Taken** |
| **Actions from October 2020 meeting** |
| 6.3 | NO to provide draft cable route for consultation when it becomes available | Nuria Abad Oliver (Moray West) | Ongoing Two different cable plans will be presented – one to cover the export cable route and one to cover the inter-array cables in the wind farm. The cable plan for the export cable is currently in draft.  |  |
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| **Actions from 9th December 2021 meeting** |
| 7.5.1 | AWG to collate Action Plan responses from Forth and Tay and Moray Firth CFWG developers | Alex Winrow-Giffin (BMM) | To be dealt with in separate joint CFWG action plan meeting. Responses to be circulated in advance of said meeting.  | Closed. Action Plan responses from developers collated and issued to CFWG |
| 7.5.2 | Developers feedback and nominated leads to be sent to BB and Roger May to populate the action plan table.  | ALL | Action Plan responses from developers collated and issued to CFWG |
| 7.5.3 | MM to collate Action Plan responses from Forth and Tay and Moray Firth CFWG fishing representatives and nominated leads for actions | Malcolm Morrison | Action Plan responses from fishing reps collated and issued to CFWG |
| 8.1 | BB to chase Roger, to finalise the damage to gear form document and put it into use as soon as possible. | Bruce Buchanan (BB) and Roger May (RM) (MS) | Will be circulated once RM returns from sick leave.  |  |
| **Actions from 24th March 2022 Meeting** |
| 3.1 | BB to set up meeting with fishing industry and Scottish Renewables to discuss opportunities for consultation in leasing stage on cable routes (to be coordinated with offshore renewables application guidance). | BB |  |  |
| 5.1 | BB to provide updates on all status of FLOWW guidance, FMMS guidance and CFWG website at next meeting | BB |  |  |
| 6 | MS to draw up list of consent plans/relevant documents and their stages for sharing at CFWG meeting. | Marine Scotland |  |  |
| 7 | MB to review Kincardine license | MB |  |  |