

*Moray Firth Commercial Fisheries Working Group*

**Meeting Agenda**

- 1 Introductions & H&S
- 2 Review of previous minutes and actions
- 3 Terms of Reference
- 4 Hywind Project Update
- 5 MS-LOT Presentation
- 6 Moray East Project Update
- 7 BOWL Project Update
- 8 AOB

**Meeting Title:** Moray Firth Commercial Fisheries Working Group Meeting

**Date / Time / Venue:** 26<sup>th</sup> March 2019 / 1pm / Best Western Palace Hotel Inverness

**Attendees:**

Chair – Bruce Buchanan (BB);  
 Marine Scotland (MS):  
 MS-LOT– Roger May (RM),  
 MS-Policy - Bruce Buchanan (BB),  
 MSS – Adrian Tait (AT),  
 MS-Inshore Fisheries - Diane Buchanan (DB);  
 BOWL – Elizabeth Reynolds (Consents Advisor, ER); Mike Nichols (Export Cable Installation Manager, MN), Joe Deimel (Operations Environmental Advisor, JD); Stephen Appleby (SA) and Jen Miller (JM) (BOWL FLO), Gordon Patterson (BOWL FIR, GP);  
 Hywind – Monica Fundingsland (Principal Engineer Impact Assessment, MF)  
 Moray East –Sarah Pirie (Head of Development, SP); Peter Moore (OFTO Development Manager, PM); John McIntyre (JMc); Gareth Ellis (GE);  
 FIRs: Charles Milne (creeling, Moray East landfall, Inverboyndie, CM); Robert Souter (squid trawler, RS);  
 SFF: Malcolm Morrison (MM);  
 SWFPA: Femke de Boer (FB).

**Apologies:** Peter Smith (creeling, north facing coast), Jim Watson, Raymond Hall, John McAlister, Mark Robertson (nephrops)

Item	Agenda Item	Actions
2	<b>Review of previous minutes and actions</b>	
	<p>No comments were given on previous minutes.</p> <p>Action 1. All to propose chairs to RM. No chairs were proposed so BB confirmed as chair for the meeting, and for the next meeting. Closed.</p> <p>Action 2. ER to confirm what was agreed regarding payments for FIRs at the Forth and Tay CFWG. Open. (Discussed as agenda item 3).</p> <p>Action 3. RM to invite someone from Jim Watson's team to next meeting to provide overview of the team's work. RM invited DB from Jim Watson's team. Closed.</p>	

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	<p>Action 4. All to review ToRs in advance of next meeting. Open.</p> <p>Action 5. ER to share export cable rock placement as placed locations with fishermen. ER confirmed NtM for rock placement locations sent out yesterday. Closed.</p> <p>Action 6. Gareth Ellis (Moray East) to meet with squid and creel fishermen at nearshore area. PM met with fishermen on N coast and Moray East are liaising with local fishermen. Closed.</p> <p>Actions and minutes signed off.</p>	<p>ACTION - All review ToRs prior to next meeting.</p>
<b>3</b>	<b>Terms of Reference</b>	
	<p>ER confirmed that the CFWG FIR ToR were being reviewed by the F&amp;TCFWG, and that the latest version was issued to the MFCFWG this morning by JM.</p> <p>MM raised concerns that payment for FIRs was not written within FIR ToR, and requested this is specified within the ToR. ER requested MM issue this comment to both CFWGs.</p> <p>BB asked if the overall ToR for the CFWG are being updated? ER replied that the ToR for CFWG is currently sitting with MS. Rosie Scurr issued the latest version to F&amp;TCFWG. BB requested the latest version could be issued to the MFCFWG.</p> <p>No further comments were made on the ToR.</p>	<p>ACTION - MM to include his comment relating to FIR payment in his overall comments on the CFWG ToR to both CFWGs (F&amp;T and MF).</p> <p>ACTION - JM to send ToR for CFWGs to all members with a request for comments within 2 weeks.</p>
<b>4</b>	<b>Hywind Project Update</b>	
	<p>MF provided an update on the Hywind development (see attached slides).</p> <p>MM asked if Hywind will be sharing survey results with the MFCFWG. MF responded that the results are still being analysed and have not been shared with MS yet, and therefore have not been distributed to group.</p> <p>SA asked if this was the 2<sup>nd</sup> survey of the export cable carried out? MF confirmed a post-lay survey was carried out and that she is happy to discuss the results. MM requested post-lay survey results be sent to SFF.</p> <p>RS queried whether over-trawl surveys will be carried out over the cable? MF confirmed that the cable was not exposed but responded that she will check to see if over-trawl surveys will be carried out. MM requested over-trawl surveys to be discussed with the SFF. RM commented that he was not aware of anything in consent conditions regarding over-trawl surveys for Hywind.</p>	<p>ACTION - MF to send the post-lay survey results to MM.</p> <p>ACTION - MF to check if over-trawl surveys are required to be carried out</p>

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	<p>BB asked in relation to the inability to survey a nearshore area due to high density of creeling activity: can the MFCFWG advise on the best way to communicate with fishermen, and the best timing of the survey?</p> <p>MM asked why fishermen did not move their gear for the survey? SA confirmed that gear removal was not requested, and MF confirmed that delaying the survey was the best decision and agreed with MS.</p> <p>DB asked how the surveys were communicated. MF confirmed that a NtM was distributed and that a vessel delay pushed the survey out into a peak season for the lobster fishery. MF added Hywind will work with MS to work out the best way forward for completion of the surveys. DB asked if the NtM was updated.</p> <p>DB suggested a fisheries workshop may assist with the issue of timing and communication. SA asked who would attend workshop? DB responded that the attendees would depend on the subject of the workshop. MM suggested that as scallopers and creelers are active in the nearshore area the IFG could be invited.</p>	<p>ACTION - MF to liaise with DB on workshop / meeting prior to the next survey.</p>
5	<p><b>MS-LOT Presentation</b></p>	
	<p>RM gave a presentation regarding consenting process (see attached slides).</p> <p>RM stated CFWG should be consultees on the CFMS (known as the FMMS in future consent conditions). The CFMS should include transit planning aiming to minimise the impact on local fishermen.</p> <p>SP responded that no barges will be used for Moray East turbine jackets, only for 3 OSPs which can be planned for the weather so transit planning will be different to other developments which have used barges. SP added that differences between each development are important to consider.</p> <p>GP stated that developers need to consult fishermen on their transit routes ahead of time especially given night time activity and reduced visibility of creel markers at this time, increasing likelihood of gear interactions.</p> <p>SA stated that transit routes should be indicative and that a vessel's safe navigation must be left to the vessel master, they must be able to make a decision on the best course based on all of the circumstances at the time. SA gave the example of creels being deployed within an indicative transit route and as a result the vessel master might take the decision based on safety considerations not to follow the specified route.</p> <p>RM responded that as part of the VMP the marine coordination centre of a development should monitor vessel activity within the</p>	

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windfarm site and promulgate any known creel locations which are within the site to contracted vessels and that indicative transit routes should not remove a vessel master's ability to safely transit. RM added if a fisherman believes gear has been lost, the MCC should have been informed in addition to the company FLO of where the gear was located.

GP stated that refuge areas where barges can shelter during bad weather should be identified in addition to transit routes, where relevant.

MM mentioned a previous incident during which a guard vessel lifted a fisherman's creels, and asked what the process should be in that scenario.

DB asked if a gear loss claim had been received from the owner of the lifted creels.

SA responded that a gear loss claim form was submitted, the contractor and SFF services has agreed to pay for the loss of gear and earnings, but is awaiting evidence provision by the fisherman relating to the claimed loss of earnings before it can be progressed.

ER added that Beatrice had communicated to all contracted vessels that gear should never be hauled and this guard vessel had made a mistake, after which a briefing note was distributed and training protocols were updated to ensure this did not reoccur.

RM stated that guard vessels for future developments should be made aware that gear should not be hauled . SP confirmed that BMM has been appointed as the FLO, who will be partaking in site inductions for vessel crews.

GP requested that a 500m buffer is assigned to each side of transit routes, to allow for turning and stated that creels will be set along the borders of any exclusion zone. RS added that trawlers will also tow to the line of an exclusion zone.

CM asked what the main ports for Moray East transit routes were. SP confirmed Fraserburgh was the location for the marine coordination centre, and that other ports will be shown in the VMP.

RM highlighted that given the scale of BOWL few problems had occurred and that the project was a good example to learn from.

RM went on to recommend that the CFWG should be consulted on the Development Specification Layout Plan (DSLPL). SA responded that the DSLP was consulted on by the SFF. SP added that the CaP is developed through consultation with individuals and wider associations. SA queried if the purpose of the CFWGs was to cover shared general issues affecting the Moray Firth, not project specific plans and issues.

ACTION - MS to confirm what needs to be discussed at CFWG, at strategic level at local level, with the coordination of the two CFWGs and MS.

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RM stated that PEMP's within upcoming consent conditions may include socio-economic impacts, and that the phrasing used within conditions on future wind farm consents may be updated. MF raised concerns over discussions of socio-economic benefits which may require changes to the EIA process. SA added that any changes to the EIA process may need to happen prior to round 4. SP also added that developers will need improved guidance in addition to FLOWW guidance, and better definition of how to approach these subjects within CFWG's, Bringing the Offshore Wind & Fisheries Sectors Together Meeting etc.

RM highlighted the current consent condition regarding the CFMS that states fishermen are required to prove an adverse effect of a Development. MM raised concerns over lack of monitoring data for nephrops and mackerel. RM mentioned that the ScotMer evidence gaps work may be relevant to this concern.

RM requested an update on the Moray East scallop trials. SP and MM responded the best way forward was being discussed and is in process.

RM stated there has been an improvement over time of engagement between MS and fisheries, need more involvement of local fisheries and FIRs may be the way to do this. MM responded that FIRs for different regions need to be specified and the ToRs understood. RM agreed a lack of nominated FIRs is a challenge.

BB raised the request to join the CFWG group by Iain Maddox, DB confirmed that as she is attending from inshore fisheries, marine Scotland, Iain Maddox will not need to join and therefore the matter is closed.

DB asked what the purpose of the FLO and FIR are. SP clarified the roles. RS queried why he had not received any communication of transit routes from BOWL. GP responded that the route and engagement was well documented in the BOWL Vessel Management Plan, LF000005-PLN-168. ER added that BOWL has undertaken extensive fisheries engagement since 2010.

RM suggested fishermen are given the opportunity to be involved with the scoping process, to provide input not objections.

BB introduced AT, who has replaced AK at ScotMer.

AT provided an update for ScotMer. The evidence maps are online, and funding is available for internships. AT added there is opportunity for proposals based on the evidence maps and the site will be live soon.

DB provided an update on the inshore fisheries department. DB informed the group that they are deploying new technology for monitoring the inshore fleet, prioritising scallop vessels with support from the industry. DB added they have launched a future fisheries

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	management paper, and they would like the CFWG to review. DB also raised concerns that creeling activity was not effectively managed .	ACTION - AT to provide an update at the next meeting.
<b>6</b>	<b>Moray East Project Update</b>	<b>14:30 – 15:10</b>
	<p>SP provided a project update. Pre construction surveys are complete. The herring report is due to be submitted to MS next week, and the results are in line with BOWL survey in 2013. Cod and sandeel results will be provided in due course.</p> <p>JMc provided an update on the activities at the site (see attached powerpoint).</p> <p>SP confirmed the permanent MC base is at Fraserburgh, and that Moray East are working with a group of harbour commissioners, the council, local colleges and turbine suppliers to discuss local information from around the port. If members of the CFWG group wants more information on this, SP requested they let her know.</p> <p>PM went through the current status of the Moray East consent plans.</p> <p>RM raised concerns of transit routes and creel locations. PM confirmed the transit routes will be developed with consultation with creelers to minimise the overlap. CM agreed.</p> <p>RS raised concerns of the impacts of sedimentation to trawlers and that trawlers have not been given payments to date. MM clarified that no legislation exists to pay any fishermen. GE responded that the cable installation works were localised and so low sedimentation would occur as a result. SP clarified that the sediment was not highly mobile in the Moray Firth. ER added that the impact to trawling vessels was assessed as not significant through the robust EIA process for BOWL.</p> <p>SP clarified transit planning is different for 2020 with higher activities and different vessels, not currently at high intensity phase of construction. Consultation will continue.</p> <p>GE offered to meet with GP and CM at the construction site at landfall to go through the works and HDPE pipe transit route and confirmed that the HDD works would be 22 m below shore. GE added the pipe pull out works was a non-invasive method of bringing pipes to site.</p> <p>GP asked what the burial depth is for the pipe, GE responded that 2.2 m will be fully covered at 1.5m burial.</p> <p>CM asked how big the area of clearance would be. GE confirmed a 200x100m box, with manoeuvrability of pipes requiring brief periods of additional clearance. GP requested that the clearance areas and dates were issued clearly.</p>	ACTION GE to meet with GP and CM regarding HDPE transit route.

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	<p>RS asked in which area of the WF construction will start. SP responded that a weekly notice will be distributed, including where in the WF they will be working but that it is unknown at the moment.</p>	
<p><b>7</b></p>	<p><b>BOWL Project Update</b></p>	
	<p>ER provided a project update for BOWL. 67 turbines have been installed, 65 of which are commissioned. Ongoing commissioning and snagging work on the Offshore Transmission Modules (OTMs) will continue into the summer months. Post installation surveys are in discussion and the CFWG will be notified in due course.</p> <p>MN provided an update on rock placement. The installation of the export cables (ECs) is complete. MN informed the group that 90% of the ECs were successfully buried. Where target depth of lowering of 0.6m was not achieved, rock placement was applied. This was mainly in the boulder fields near Portgordon. The berms have 1:3 slopes, and are no more than 1m high. Currently reviewing post lay burial data, which will inform the scope of any post installation surveys.</p> <p>RS raised concerns over the rock berms and asked when overtrawl surveys will be carried out. MN responded that rock placement was designed in consultation with the fishing industry and that BOWL were reviewing the data in relation to whether there is a requirement to do overtrawl surveys.</p> <p>GP raised concerns regarding trawl doors interacting with rock placement locations. SA responded that trawl door manufacturers confirmed penetration is 20cm, which is minimised to reduce fuel consumption.</p> <p>GE commented that where fishermen are trawling the ground is generally soft sediment, which is where cables are typically successfully buried.</p> <p>JD was introduced. JD confirmed the BOWL post construction survey schedule was being discussed to close off PEMP commitments. Bird aerial surveys are scheduled in summer 2019, marine mammal post-construction monitoring methods are under discussion. Post-construction cod and sandeel surveys, are scheduled in spring 2021, but may be delayed to occur at the same time as the Moray East post-construction surveys. Scour monitoring, and seabed benthic surveys are due to be carried out 1 calendar year post installation.</p> <p>MM asked about scallop surveys. JD responded no scallop surveys were within the PEMP. RM responded that an annual scallop surveys stock assessment is carried out in the Moray Firth. MM asked if this included Smith's Bank. SA responded it did, and that data showed overexploitation in the E and NE of the Smith's Bank.</p>	<p>ACTION - ER to discuss overtrawl surveys again at next CFWG.</p> <p>ACTION – AT to pass on information on scallop stock assessment.</p>

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<b>8</b>	<b>AOB</b>	
	<p>Agreement from the group that BB can fill the role as chair at next meeting and secretariat role is to remain with BMM.</p> <p>Venue / location – SA suggested Aberdeen, group agreed.</p> <p>MM raised the lack of a FIR on the northeast coast. SP responded no one had been nominated and the developers were actively working to find a suitable individual.</p> <p>Next meeting in 6 months times. Doodle poll to confirm.</p> <p>Meeting closed.</p>	<p>ACTION – JM to distribute poll to confirm time of next meeting.</p>