

# Meeting Minutes

<b>Meeting:</b>	<b>Moray Firth Commercial Fisheries Working Group</b>
<b>Date/Time/Venue:</b>	Wednesday 21 October 2020 13:30 – 16:00 Virtual Meeting
<b>Attendees:</b>	Chris Newman (Ocean Winds - Moray East), Mark Baxter (Ocean Winds - Moray East and Moray West), Sarah Edwards (Ocean Winds - Moray West), Joe Deimel, Iain McMyn (SSE-BOWL), Monica Fundingsland, Reidun Erland (Equinor – Hywind)  Alex Winrow-Giffin, John Watt (BMM – Secretariat, Moray East, BOWL FLO).  Bruce Buchanan (CHAIR), Roger May, Kirsty Wright, Jim Watson (Marine Scotland)  Femke de Boer (SWFPA); Malcolm Morrison, Andrew Third (SFF), Jennifer Mouat (NECRIFG)  Charles Milne (Moray East, Moray West /Creels- FIR), Robert Souter (Squid FIR), Helen Macdonald (Caithness coast FIR), George West ( <i>Nephrops</i> FIR)
<b>Apologies:</b>	Rhys Potter, (Marine Scotland); Gordon Patterson (BOWL FIR); John MacAlister (Scallop FIR), Annie Breden (Crown Estate Scotland)

Item	Agenda Item	Time
1	Welcome and Introductions	13:30-13:40
2	Review of previous minutes and actions	13:40-13:50
3	Update on FIRs	13:50- 14:05
4	Update from Marine Scotland on CFWG information being added to website (Marine Scotland)	14:05- 14:15
5	Project Updates by Developers	14:15 - 14:40
6	FLOWW Best Practice guidance update by MS-LOT	14:40 - 14:50
7	FMMS Guidance update by MS-LOT	14:50- 15:00
8	SWFPA Mitigation Paper – v8	15:00- 15:30
9	FishSafe update	15:30 – 15:40
10	ScotMER update	15:40 – 15:50
11	AOB - General attendance of others, not listed in the TOR, to future CFWG meetings - Need for Dundee meeting - Next meeting – Venue/timing/Agenda items	15:50 – 16:00

## 1. Welcome and introductions

Welcome and introductions, including safety moment.

BB outlined the proposed process of chairing an online meeting e.g. raising virtual hands.

## 2. Review of previous minutes and actions

BB confirmed that no one had any comments on the previous minutes and that the minutes were agreed. BB proposed that the minutes should be high level and capture the essence of any discussions and the main points of agreement/disagreement, not a verbatim record.

BB reviewed the open actions on the summary action table:

Action 7.1 (remains open)

- BB confirmed that the action on BOWL from March 2019 was still open and ongoing.

Action 2.4 (closed)

- BB confirmed that regarding developers sharing information on fishing vessels recorded in the project areas by project vessels was closed following feedback from local fishermen that this was unnecessary.
- RS noted that all fishing vessels in the area are monitored by VMS.

Action 4.1 (remains open)

- JD stated that BOWL have been in discussions with Seafish on the possibility of capturing the functionality of FishSafe, and that research was ongoing.

Action 4.2 (remains open)

- RM confirmed that discussions had been had with Matt Frow, and an update provided in item 09.

Action 4.3 (remains open)

- BB confirmed that the discussion of overtrawl surveys is ongoing.

Action 4.4 and 4.5 (remains open)

- KW confirmed that the MS survey vessels delayed this year, due to Covid and associated social distancing issues. KW stated that discussions were ongoing in regards to undertaking squid surveys.

Action 4.6 (remains open)

- BB emailed TCE and CES. Discussed enabling actions at last FLOWW meeting. Can put forward suggestions to TCE. CES are co-funding projects with MS. Chair of Offshore Joint Industry Programme, liaising with KW, looking at priority actions for next year and looking into research into fishing. Any ideas can be put forward through the Scotmer process and FLOWW members.

Action 6.4 (closed)

- CN confirmed that PM had emailed a clarification summarising communications in regards to phasing construction activity around fishing activity. CN committed that further updates would be provided when available.
- RS stated that information was sometimes slow in getting to the fishermen.
- CN stated that the speed that information could be provided was dependent on the type of information, but that information had been provided regarding pin pile location, construction phasing and boulder data, and that the squid vessels had been able to work through the construction period this year using the pin pile data.

- JW noted that all the FIRs, in addition to those that have requested to be on the distribution list, receive weekly project updates along with any NtMs.
- BB confirmed that the Moray East FLO contact numbers were available and known.

MM requested that if something is committed to being provided in a time frame that this be monitored.

AWG suggested that “nudges” could be set in calendars to act as reminders.

### 3. FIRs

AWG thanked those that have responded and returned the FIR contracts, and confirmed that the FIR workshop was being arranged with the Forth and Tay CFWG, to include those that had not been able to make their first workshop.

AWG put forward a proposal for the Wick CFWG FIR role; James Bremner, based in Murkle.

BB confirmed that the CFWG accepted the proposed FIR.

MM stated that it would be important to define the geographical area of responsibility and border between James Bremner and Helen MacDonald, including southward extent

**ACTION 3.1:** HM to liaise with JB regarding geographical areas that the FIRs are happy to cover on the Caithness coastline.

**ACTION 3.2:** AWG to invite JB to FIR workshop and next CFWG meeting.

**ACTION 3.3:** AWG to arrange a combined CFWG FIR workshop and issue paperwork to FIRs for review.

### 4. Marine Scotland website

BB provided background to proposed CFWG webpage; the key aim being to ensure information and contact details of CFWG members are provided online and easily accessible. BB proposed that a CFWG landing page with a separate page for the Moray Firth CFWG and Forth & Tay CFWG. The webpage would include links to OWF projects, FLO and FIR information and contact details, meeting minutes and newsletters from developers.

**ACTION 4.1:** AWG to update FIR annex for contact details for CFLO and FIRs.

**ACTION 4.2:** AWG to collate previous minutes and newsletters and issue to BB.

**ACTION 4.3:** MM to prepare text for the MFCFWG overview page.

### 5. Project updates

#### **Moray East**

CN provided a powerpoint presentation that included a project construction update, with key milestones and a summary of what has worked well with the fishing industry and what could go better.

MM noted that he took the points of what could go better personally but that he would be happy to discuss them directly with the developer. MM noted that there was no mention in the project timeline of overtrawl surveys after the cable is trenched and that Moray East were avoiding their consent condition by trying to redefine what overtrawl surveys are.

CN stated that the timeline for rock placement was dependent on the success of trenching and until that is completed the depth of lowering can't be confirmed. The next step is rock protection and then Moray East will be in position to have an informed discussion on overtrawl surveys with MS-LOT and the SFF, which is a commitment in the cable plan.

MM reiterated that Moray East were trying to get out of their consent condition to carry out overtrawl surveys. MM noted that the SFF had little faith in the developer survey data and that providing pictures of the seabed would not give any assurances to the fishing industry. The SFF have sidescan data from O&G sector that proves surveys do not give an accurate reflection of the seabed.

RM stated that MS have responsibility to ensure that things are fit for purpose to enable fishing to resume, and that if MS thinks overtrawl surveys are needed then they will be carried out. RM noted that it would be useful for the SFF to provide the results of the O&G trials that have been raised to be able to better understand the industry's concerns.

JiW noted that overtrawlability is a key issue and that he chairs a safety group. JW noted that he didn't know the details of the consent condition but was keen to see timelines for overtrawl surveys from the developers.

RS and MM noted that in a recent application out for consultation there was an increase in both the amount and size of rock protection.

BB noted that RS should respond to the consultation as an individual or ensure the SFF captures his concerns.

**ACTION 5.1:** AT to provide the O&G survey data that proved the sidescan surveys do not give an accurate representation of the seabed.

## **BOWL**

JD provided a summary of activity:

- In O&M phase
- Cable exposure repair planned for early November
- Project team in discussion with SFF technical reps regarding overtrawl surveys but need to resolve issues to ensure cable repair processes in place which could take between 6-8 months.

MM stated that no progress had been made since January meeting and overtrawl surveys should have been done nearly 2 years ago despite the fact that it is a consent condition. Frustrated that the fishing industry is getting the same copy-paste response from multiple developers. MM stated that overtrawl had been discussed with developers for 10 years and that developers had agreed to do them.

JD reiterated that significant effort was being made by BOWL to progress this but a key issue is ensuring that a mechanism is in place to repair an inter-array cable should one be damaged as current license conditions do not allow it. JD stated that BOWL was working with MS-LOT to progress this.

BB stated that MS would like to see regular updates provided to the CFWG on this.

**ACTION 5.2:** JD / BOWL site manager to issue a monthly update to the MFCFWG (*Calendar nudge can be set up*)

## **Moray West**

SE provided a project update, noting that a draft CFMS was submitted with the Section 36 and Marine Licence application.

MM stated that the CFWG ToR was not mentioned and that Moray West cannot have an FMMS if it has not been issued to the MFCFWG. MM queried why discussions had not been started years ago.

SE stated that the draft CFMS submitted with the application needed to be revised to comply with the Moray West Section 36 and Marine Licence consent conditions and align with the MS FMMS guidance (draft). SE also noted that there had been previous engagement at the time of the application and that Moray West plans to recommencement engagement activities along with preparation of the updated FMMS, noting that construction is not due to commence until spring 2023.

RS stated that he hoped the fishermen and not just the SFF would be able to provide input on the cable corridor as some of the corridor was harder ground and key fishing areas.

SE stated that Moray West will be consulting on this and look forward to the fishermen's input.

JM suggest that Moray West attend the North East Coast Regional Inshore Fisheries Group (NECRIFG) meetings to present their project updates.

## **Hywind**

MF provided an update on the export cable inspection survey results and the additional scientific work scope that Hywind was carrying out. MF stated that the survey was successfully carried out along the export cable with no good engagement with local fishermen. MF noted that the data was of high enough resolution to show trawl scars across the cable.

## 6. FLOWW BPG update

RM delivered a presentation that gave background on the FLOWW group and FLOWW BPG, as MS are leading a subgroup to review and update the guidance. An outline of the final document is planned to be available in November 2020.

MM raised concerns over fishing being able to continue post-construction over subsea cables, following European Subsea Cables Association (ESCA) notifying of their policy of a 0.25nm exclusion of fishing either side of seabed cables. MM stated that if these policies were included within FLOWW guidance it would represent a significant loss of fishing grounds, and because of that the SFF may not endorse the FLOWW guidance.

## 7. FMMS BPG

RM outlined MS's guidance for offshore wind developers to complete an FMMS. It is expected that FMMS guidance will align with FLOWW guidance updates and both are being progressed in parallel. MS are reviewing FMMS Guidance document following consultation (closed September 2020).

## 8. SFF Mitigation Position Paper

FdB presented version 8 of the mitigation paper and stated that the SFF hoped to have discussions over section 1A (Process that delivers equality among fishermen) and 1B (Methods that fishermen and developers can understand and administer).

SE asked FdB to explain how this position paper fits with the FLOWW guidance and draft FMMS guidance, how they are aligned and the hierarchy of the documents.

FdB noted that the paper provided a best case scenario for guidance and added that FLOWW seems to be a mix and match where developers have selected sections that suited the developers.

RM stated that he was fairly sure that what is presented fits with FLOWW guidance and does not go against the draft FMMS guidance. RM queried if fisheries stakeholders expected all developers to try and follow it. RM noted that there are sections where the SFF have stated that they want vessels to stop fishing, which has many implications. RM questioned if all fishermen would agree to moving their gear and bringing it back to shore.

FdB noted that they hadn't thought about policing the fishing industry about stopping fishing and the document gave an ideal scenario for fisheries stakeholders.

MM noted that while there has been a CFWG going back years, discussions never get to the nub of the matter on looking at how to create the FMMS, and ensure that fishermen are given the opportunity to co-exist. MM stated that the paper is to open the discussion.

MF stated that she would like to add her voice to the concern that there are already two ongoing processes and it is not clear how this will be implemented and it is not clear how the documents will be used in relation to each other.

RS stated that, as an example, the squid boats would be looking for mitigation in the Moray East site next year, after the cables have been installed, if no overtrawl surveys have been carried out by July 2021 as it is an important fishery.

CN stated that inter array cable installation had started on time and was currently on track. CN added that turbine installation would be occurring in 2021 and that weekly programme updates are given in the WNoO. CN stated that he would provide the sequencing of construction activities for inter array cable and wind turbine installation and provide updates to the CFWG if that information changes significantly.

**ACTION 8.1:** CN to provide sequencing of construction activity for inter array cable and wind turbine installation.

**ACTION 8.2:** CN to provide updates on inter array cable and wind turbine installation programme to the CFWG if the information provided under Action 8.1 changes significantly. (*Calendar nudge can be set up*)

**ACTION 8.3:** SFF to consider how the mitigation paper sits in line with FLOWW and FMMS BPG.

**ACTION 8.4:** AWG to coordinate a unified response to the paper from the developers of both CFWGs prior to the next meeting (FdB will provide an update of the paper at the June 2021 meeting).

## 9. FishSafe update

RM noted that the FishSafe discussions may be outdated by SeaAlarm.

BB stated that Matt Frow from Seafish had given a helpful update on the updated Kingfisher bulletin system and that it may be beneficial if a presentation on this was given at the next CFWG meeting.

AT stated that the Kingfisher bulletin is a different system and that there were issues with the information. AT stated that it could be considered an add on but not a replacement to FishSafe.

**ACTION 9.1:** FIRs and SFF to provide their experience and thoughts on the two systems.

## 10. ScotMER update

KW delivered presentation

- Addressing evidence gaps discussed at ScotMER meeting in September 2020, with the updated evidence map intended to be finalised in 2021.
- Priorities relevant to commercial fisheries from discussions were summarised.
- Fisheries literature review contract awarded to Brown and May from November 2020 until Spring 2021. The project consists of a literature review and stakeholder consultation via questionnaire.
- Lauren Frew progressing Scottish offshore wind guidance on community benefits and is producing a draft prior to contacting stakeholders.

RS – queried how ScotMER would get gear penetration depths if no one is doing a study and noted that some trawl doors are 1.5 tonnes.

JW noted that a gear penetration study was done in relation to the Hunterston-Kintyre cable (Clyde cables) where MS provided a study on gear penetration which was used to reassure the fishermen that gear would not snag. JW noted that the SFF may have some information on.

BB noted that the FLOWW group was asked about funding projects and that MS will liaise with the TCE and the Carbon Trust on projects and funding. BB requested that all members should provide suggestions for projects.

MF stated that floating wind should be included, and that while it is positive to link up with other groups, it is important that the Scottish focus is kept.

**ACTION 10.1:** All members to consider projects to progress with TCE and/or Crown Estate Scotland (CES)

**ACTION 10.2:** Kirsty to liaise with TCE/CES and the Carbon Trust on projects and funding.

**ACTION 10.3:** BB to contact Lauren Frew for a further update on Scottish offshore wind guidance on community benefits prior to next meeting.

**ACTION 10.4:** MM to dig out information regarding gear penetration surveys on the Clyde subsea electricity cable.

## 11. AOB

### **a. General attendance of others, not listed in the ToR, to future CFWG meetings**

BB requested that a pre-approval process and due notice is given to existing members, and that any requests for attendance by a non-member should be put to the CFWG for agreement.

JD stated that the BOWL site manager was keen to join the meeting and would be able to provide a more detailed updates on BOWL activities.

BB stated that a member of NatureScot (Kirstie Dearing) has requested to attend the next CFWG as a listening observer. Asked for views of the group.

MF stated that it would be useful to get a rationale on what she hopes to achieve and what groups she is a member of.

KW stated that she was in favour of her attending as she is involved in ScotMER e.g. EMF and having her expertise is beneficial to the group, having recently been brought over to provide commercial fisheries advice.

BB proposed that Kirstie Dearing attends the next CFWG and provides a 5 min rationale.

**ACTION 11.1:** BB to invite Kirsty Dearie from Nature Scot to be invited to attend the next CFWG meeting and provide a 5 min rationale.

**b. Next meeting**

BB proposed that original timeline be kept with the next meeting at the end of January/beginning of February 2021.

**BB thanked the attendees and closed the meeting.**

**Summarised actions from the Moray Firth CFWG meeting minutes**

Item	Action	Responsible	Open/Closed
<b>Actions from 23 March 2019 meeting</b>			
Item 7 (BOWL)	7.1 discuss overtrawl surveys at next CFWG.	Joe Deimel (SSE)	<b>Ongoing</b> Active discussions are continuing
<b>Actions from 22 January 2020 meeting</b>			
2.2	To review if Dundee meeting is required at next meeting	CFWG	<b>Action for next meeting</b>
4.1	JD to seek further information on FishSafe	Joe Deimel (BOWL)	<b>Ongoing</b> Initial research carried out on FishSafe and the viability of including renewables projects.  Carried out discussions with Seafish on possibility of capturing the functionality of FishSafe.
4.2	RM to consider how MS-LOT could progress FishSafe	Roger May (MS-LOT)	<b>Ongoing</b> In discussions with Seafish
4.3	Discussion of overtrawl surveys to be kept on agenda	Bruce Buchanan (MS) / Alex Winrow-Giffin (BMM)	<b>Ongoing</b>
4.4	KW to contact other colleagues in regards to survey trips	Kirsty Wright, (MSS)	<b>Ongoing</b> Survey vessels delayed this year, due to Covid and associated social distancing issues.
4.5	Marine Scotland to review if feasible for squid surveys to be carried out as part of their survey scope	Kirsty Wright, (MSS)	<b>Ongoing</b> Discussions are ongoing
4.6	BB to check funding streams for commercial fish studies	Bruce Buchanan (MS)	<b>Ongoing</b> Emailed TCE and CES. Discussed enabling actions at last FLOWW meeting. Can put forward



			suggestions to TCE. CES are co-funding projects with MS. Chair of Offshore Joint Industry Programme looking at priority actions for next year and looking into research into fishing.
7.3	AWG and JW to contact MM, FdB and DB for potential FIRs for Caithness coast, Fraserburgh/ Peterhead, scallops and Nephrops	Alex Winrow-Giffin / John Watt (BMM)	<b>Ongoing</b> Discussion on requirement for Fraserburgh/Peterhead FIR ongoing
<b>Actions from October 2020 meeting</b>			
3.1	HM to liaise with JB regarding geographical areas that the FIRs are happy to cover on the Caithness coastline	Helen MacDonald (FIR) / James Bremner (FIR)	
3.2	AWG to invite JB to FIR workshop and next CFWG meeting	Alex Winrow-Giffin (BMM)	Closed
3.3	AWG to arrange a combined CFWG FIR workshop and issue paperwork to FIRs for review.	Alex Winrow-Giffin (BMM)	Closed - additional workshop to be run for those that could not attend first one with date TBC
4.1	AWG to update FIR annex for contact details for CFLO and FIRs.	Alex Winrow-Giffin (BMM)	
4.2	AWG to collate previous minutes and newsletters and issue to BB.	Alex Winrow-Giffin (BMM)	
4.3	MM to prepare text for the MFCFWG overview page.	Malcolm Morrison (SFF)	
5.1	AT to provide the O&G survey data that proved the sidescan surveys do not give an accurate representation of the seabed.	Andrew Third (SFF)	
5.2	JD or BOWL site manager to issue a monthly update to the MFCFWG. ( <i>Calendar nudge can be set up</i> )	Joe Deimel (BOWL)	Ongoing
8.1	CN to provide sequencing of construction activity for inter array cable and wind turbine installation.	Chris Newman (Moray East)	Closed
8.2	CN to provide inter array cable and wind turbine installation programme to the CFWG if the information provided under Action 8.1 changes significantly	Chris Newman (Moray East)	Closed
8.3	SFF to consider how the mitigation paper sits with FLOWW and FMMS BPG.	Femke de Boer (SWFPA) / Malcolm Morrison (SFF)	

8.4	AWG to coordinate a unified response to the paper from the developers of both CFWDs prior to the next meeting (FdB will provide an update of the paper at the June 2021 meeting).	Alex Winrow-Giffin (BMM) / Both CFWD developers	Ongoing
9.1	FIRs/SFF to provide their experience and thoughts on the two systems.	Andrew Third (SFF) / All FIRs	
10.1	All members to consider projects to progress with TCE and/or Crown Estate Scotland (CES)	All members	
10.2	KW to liaise with Liam (Carbon Trust), and Sean (FLOWW) on collaboration and data sharing	Kirsty Wright, (MSS)	
10.3	BB to contact Lauren Frew for a further update on Scottish offshore wind guidance on community benefits prior to next meeting.	Bruce Buchanan (MS)	
10.4	MM to dig out information regarding gear penetration surveys on the Clyde subsea electricity cable.	Malcolm Morrison (SFF)	Closed
11.1	BB to invite Kirsty Dearie from Nature Scot to attend the next CFWD meeting and provide a 5 min rationale.	Bruce Buchanan (MS)	