

Meeting Minutes

Meeting:	Moray Firth Commercial Fisheries Working Group
Date/Time/Venue:	Tuesday 23 February 2021 13:30 – 16:00 Virtual Meeting
Attendees:	Bruce Buchanan (CHAIR), Roger May (MSLOT), Kirsty Wright (MSS), Erica Knott (NatureScot) Malcolm Morrison, Andrew Third (SFF), Jennifer Mouat (NECIFG) Mark Baxter (Ocean Winds - Moray East), Nuria Abad Oliva (Ocean Winds - Moray West), Joe Deimel (BOWL), Iain McMyn (SSE Renewables), Monica Fundingsland (Equinor – Hywind) Charles Milne (Moray East, Moray West /Creels- FIR), Robert Souter (Squid FIR), Helen Macdonald (Caithness coast FIR), George West (<i>Nephrops</i> FIR), James Bremner (Wick and Caithness coast) Alex Winrow-Giffin, (BMM – Secretariat, Moray East & BOWL FLO) John Watt (BMM), Jim Watson, Rhys Potter, (Marine Scotland); Gordon Patterson (BOWL FIR); John MacAlister (Scallop FIR), Annie Breden (Crown Estate Scotland)
Apologies:	

Item	Agenda Item	Time
1	Welcome and Introductions	13:30-13:40
2	Review of previous minutes and actions	13:40-14:00
3	Update on FIRs	14:00- 14:15
4	NatureScot presentation	14:15- 14:25
5	Marine Scotland CFWG website page update	14:25-14:40
6	Project Updates by Developers	14:40 - 15:10
7	FLOWW and FMMS Best Practice guidance update by MS-LOT	15:10 - 15:25
8	FishSafe update	15:25- 15:40
9	ScotMER update	15:40 – 15:50
10	AOB	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.

BB confirmed that CFMS/FMMS will be discussed during project updates with the offer of a further meeting.

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:

- 7.1; March 2019 (closed as being progressed under **Action 2.2**)

JD stated that BOWL have been in discussions with MM and AT, and progressing with the SFF to carry out the surveys in March 2021. Also were progressing formatting the rock protection data, previously issued last year in a NtM, into plotter friendly formats.

BB proposed a monthly update date from BOWL on the status of the overtrawl surveys with an update to be provided at the interim CFWG meeting proposed for April 2020.

RS stated that considering the squid season will be starting at the beginning of June, the sooner the better. All information on rock protection should be provided to the fishermen.

AWG noted that the BOWL rock protection information was provided in a BOWL NTM last year.

MM reiterated that the squid fleet have raised concerns over fishing access to the MFCFWG a year ago and that developers should be organising their programs to enable fishing to continue without disruption.

MB confirmed that Moray East are progressing a methodology for overtrawl surveys for the EC and IAC, and it may be useful for Moray East to join the meeting. The EC data should be available from March 2021. The IAC second campaign due to completed in June 2021. All burial and rock protection data will be made available to fisheries stakeholders.

MM stated that as there were areas of confidentiality involved the developers may prefer to set up individual meetings to discuss overtrawl surveys.

ACTION 2.1: JD and MM to discuss NDA for BOWL cross section data

ACTION 2.2: JD to provide a monthly update to the CFWG regarding the overtrawl surveys, with an interim CFWG meeting to be organised to discuss overtrawl surveys

ACTION 2.3: AWG to organise interim CFWG meeting proposed for April 2021 to discuss overtrawlability.

- 4.1 (closed) – agenda item in meeting (8. FishSafe).

- 4.2 (ongoing) –agenda item in meeting (5. CFWG webpage)

- 4.3 (closed) –agenda item in meeting (5. CFWG webpage)

- 4.4 and 4.5 (closed)

KW confirmed that there were no specific surveys for squid as no specific stock assessment. The only data held is as bycatch from groundfish surveys and landings data, and fisheries observer data. ICES does have data available but surveys are not squid specific.

- 4.6 (closed)

BB confirmed that there was a TCE funding pot available for 5 years. CES also has funding opportunity and ORJIP offshore wind, where a number of different project ideas are being discussed focused on fisheries, birds and marine mammals.

MM requested clarification that TCE money will be spent in Scotland.

EK noted that funding has come from the joint UK sector deal for expenditure across the UK, therefore there is a preference for funding to go to UK wide projects. The selection criteria, however, would not exclude a solely Scottish project, although it presents another hoop to jump.

ACTION 2.4: EK to provide funding updates to CFWG

- 5.1 SFF O&G survey data

AT stated that he was not able to share SFF Services survey data due to client confidentiality but could share data from his own survey that he carried out.

MM stated that it was important to have something to show the developers, however the main point is that sidescan sonar is not of sufficient resolution to provide confidence to the fishing industry.

ACTION 2.5: AT to share the data of his own overtrawl survey

- 5.2 (BOWL monthly updates – ongoing)

- 8.3 (SFF Mitigation paper).

MM stated that SFF put forward a paper for discussion and it has not been discussed yet.

BB stated that FdB had notified BB that the developer response would be looked at after she returned from leave.

AWG noted that version 8 of the SFF Mitigation Paper was submitted 01/10/2020 (v1 issued 27/03/2020).

- 8.4 (Developer response to mitigation paper)

AWG noted that the majority of developers had submitted comments and was in the process of collating the responses.

MM stated that they were keen to keep momentum going on this.

ACTION 2.6: Aim for developer response to be issued at the end of March 2021 by AWG.

- 9.1 (Kingfisher/FishSafe)

AT stated that the Kingfisher bulletin was still new to the fleet and lots of fishermen still hadn't heard of it, made more difficult as exhibitions had been cancelled due to Covid-19. The system doesn't take over from FishSafe but will work hand in hand.

RS queried if the bulletins would come straight into the new FishSafe system.

AT stated that Kingfisher bulletins do not upload automatically but once everyone changes to Mark 3 the live updates will come through, but not yet as not enough uptake.

- 10.3 (Community benefits fund)

BB confirmed that he had been in touch with Lauren Frew who was finalising a draft document incorporating information received from correspondence with stakeholders, with the aim of setting up an internal meeting ahead of progressing it with stakeholders. There may be a short consultation on the draft following that.

ACTION 2.7: BB to notify LF that the CFWG would like to be included in the consultation.

3. FIRs

AWG stated that a workshop has been held for each CFWG but will aim to run another for those that have not been able to attend those.

AWG confirmed that the CFWG FIR details had been updated with the FIR areas of responsibilities, and noted that it had been suggested that a Fraserburgh rep may be helpful given that the Moray East MCC and CTV were based in Fraserburgh.

MM stated that following discussions with the previous Fraserburgh FIR, it was considered that once the cable was moved an FIR was not required for the area. MM also noted that the squid FIR was from Fraserburgh if local input was needed.

RS stated that the only thing to consider is that there will be CTVs transiting from Fraserburgh to the wind farm and the creel fishermen may want representation.

MM stated that if it became necessary to develop transit routes to Fraserburgh, consultation would be needed, but not an FIR position.

BB stated that the CFWG will proceed on the basis that no FIR is required for Fraserburgh but if there are any future issues it can be raised again.

BB noted that the intention is to put the contact details for the FIRs and FLOs on the Marine Scotland site and check that people with non-company email addresses were happy for them to do so.

BB noted that the importance of the FIR role is communication; communication between the fishermen and with the developers and asked how they felt it was going.

CM confirmed that things were working well in his area.

RS stated that sometimes it takes too long getting information back when a question is asked as would prefer an answer as quickly as possible when it relates to fishing activity,

AWG noted that if information is immediately available then it is provided but sometimes information has to be requested from the developer or is based on data that is not yet available.

MM stated that there was a consent condition in place to maintain effective communication to minimise disruption to fishing.

BB summarised that acknowledgments and updates on the status of the response regarding information requests should be provided to the FIRs as a commitment to best practice.

ACTION 3.1: AWG to obtain individual written confirmation of the contact details (email and phone numbers) that FIRs are happy to share.

ACTION 3.2: AWG to arrange an additional combined CFWG FIR workshop

4. NatureScot presentation

EK gave a powerpoint presentation regarding the role of NatureScot.

BB stated that it would be positive to have NatureScot as part of the group as there was quite a bit of crossover between the work that EK and KD do.

MM stated that he disagreed and that science is already represented by KW and that NatureScot provided advice during the application process.

EK stated that NatureScot was heavily involved in regional advisory groups so do hear issues regarding the fisheries side and do provide advice surveys etc but think that they can help join the dots for evidence-based advice and help identify funding opportunities.

MM stated that the MFRAG rejected SFF's request to be part of MFRAG, therefore does not see sufficient crossover given that commercial fisheries are not represented in consent condition survey requirements.

RS reiterated MM's concerns considering that that KW had previously said that MS could not provide evidence on squid fishery.

EK noted that what previously has been done for surveys has been focused on specific concerns as opposed to multipurpose, and that NatureScot's inclusion in the CFWG could raise the profile of things such as squid surveys.

RS stated that this should have been done years ago and queried why has it taken so long to be raised.

IM noted that he would support having more information and diversity available to the group through NatureScot's involvement.

MF supported IM's statement and noted that they are in an industry that has to increasingly balance different interests proposing NatureScot could join for a while with their membership to be reviewed at a later point.

KW stated that we all want fisheries advice to be backed up by evidence, and this is something where NatureScot and MSS work together to achieve.

MM stated that the ToR make no specific reference to anything that NatureScot can bring to the group.

BB stated that he appreciates that people may not want to put their viewpoints forward in a confrontational situation in a public forum given the varying viewpoints across the group.

MF noted that it was members of the group are learning from existing projects to apply to future projects, such as Scotwind, and supports that everyone puts their views to AWG.

MB confirmed that OceanWinds supported NatureScot joining in an observational capacity.

ACTION 4.1: Members to send viewpoints on the inclusion of NatureScot in the CFWG to AWG

5. CFWG website

BB noted that the website is not up and running yet but have identified a place for it. Noted that have already discussed the contact details but still need a page for the Moray Firth Group and proposes AWG to take this off from MM to complete the main page.

RM confirmed that there is a website location, within Marine Licensing and drafted a first page, with links to a MF and F&T page, with links to meeting minutes, ToRs, newsletters and separate developments, with links to the approved FMMS's. FIRs would have potentially a separate page for ease of update.

RM queried if the CFWG pages should have links to FishSafe and Kingfisher to raise awareness.

ACTION 5.1: RM will share the F&T drafts with AWG

ACTION 5.2: AWG to draft first page based on the F&T as a template.

6. Developer update

Moray East update provided by MB;

- completed jacket installation
- all three export cables (EC) now been trenched and buried with majority of rock protection completed and aiming to issue as built drawings in March
- Now started turbine installation, with seven turbines installed for a planned completion date of September 2021.
- Finished first campaign of inter array cable (IAC) installation where 99% cable burial was achieved
- Second campaign starting in Feb and aiming to complete in June
- Overtrawl survey has been discussed
- CFMS submitted for consultation and comments have been received and in the process of organizing a separate meeting to be held to discuss the comments.

MM queried which developer had construction vessels steaming up and down the Caithness coast and noted that there were pertinent consent conditions.

MB confirmed that Moray East were investigating the event that occurred last Friday and will be providing a summary to the fisherman who raised the concern.

RS queried when the rock protection data will be available.

MB stated that Moray East will get as-built drawings in March 2021 that will provide specific locations but broad areas could be provided now.

JM stated that the information should be forwarded to the SFF and NECIFG.

ACTION 6.1: MB to organise a meeting to discuss Moray East CFMS

ACTION 6.2: MB to provide the EC data to fisheries stakeholder when it becomes available

Moray West update provided by NO

- Geotechnical works planned for 26/01/2021 to refine project design.
- Aiming to submit consent plans late this year/early next year
- 2023 target date for offshore construction

RS queried when Moray West will be having consultation with the fishing industry for the cable route

NO stated that there was not a draft route yet but it will be issued to the fisheries stakeholders for consultation as soon as it is available.

RS stated that they would like to see fishermen providing input on the cable route.

MB noted that OceanWinds would propose that the overtrawl method will persist across Moray West as well.

ACTION 6.3: NO to provide draft cable route for consultation when it becomes available

BOWL update provided by JD:

- ongoing maintenance campaigns
- environmental surveys ongoing; sandeel survey took place in December 2020

Hywind update provided by MF:

- Provided results of operational survey looking at EC at the previous CFWG and overview of sound survey, however, the sound buoy inside the turbine has been lost therefore working to retrieve it.
- A member of the public fell into the harbour who was rescued by one of their CTVs.
- Carrying out a pilot test in Hywind in collaboration with MSS; testing whether fishing gear can be deployed safely within a floating offshore wind farm. Delayed last year due to Covid but hoping the test gear can go into the water in May – September

AWG noted that concerns were raised by SFF on how awareness can be increased by different projects in the same sea areas.

RM suggested that providing links on the webpage should help.

MM stated that had been trying to address it and hoping that website will help. If you are not the FIR or FLO for that project you may not receive other projects NtM.

RM noted that it is not the role of the FLO but the role of the MCC to be monitoring vessels within their own development as well as being aware of other project's vessels.

7. FMMS and FLOWW

RM provided an update on the FMMS:

- Revised following a full gap analysis; draft finalised on Friday and intend to publish gap analysis.
- Multiple comments received from stakeholders which are not applicable to the guidance but are worthwhile raising in CFWG for discussion.
- A paper to be produced to summarise the feedback that fell outside the guidance but requires further discussion.
- Presented modules of FLOWW guidance, also including items such as mapping using UKHO, Kingfisher and FishSafe.
- Still some sections outstanding; Dale Rodmell working on fisheries liaison and Colin Warwick on mission statement.
- Hoping to have a draft document prior to the next FLOWW group meeting.

BB noted that in regards to the reference material it may be worth cross referencing with fish and fisheries literature review.

RM stated that aiming to future proof the document to be able to include floating offshore wind, tidal, hydrogen generation etc and make the guidance more accessible.

RS stated that the claims form should be updated from the outdated process that is based on the O&G claims form, e.g. steaming in five hours if can use mobile phones and cameras to provide live review of damaged nets etc.

RM noted that MS have provided this as an example however the developers should have their own claim forms, some are based on the Marine Scotland. It should be noted that FIRs and fishery officers may be proposed to validate claims.

RS stated that he hoped that the developers update the sheets to reflect advances in current technology to evidence damage to gear.

MB confirmed that Moray East were happy to consider proposed updates.

ACTION 7.1: ALL to forward any other reference materials to RM that may be useful for FLOWW guidance.

ACTION 7.2: ALL to provide suggestions on what evidence can be accepted for gear loss/damage claims.

8. FISHSAFE

RM stated that FishSafe was being included into the FLOWW guidance as being a positive. AT has referenced the mark 3 which should automatically update. From oil industry funding was based on decommissioning. Been told that there was a very large cost to buy in to getting on to FishSafe.

JD noted that there seemed to be some flexibility in there regarding the interchangeability of data between Kingfisher and FishSafe.

MM stated that O&G invested a lot of money to ensure that good data was being input to the system and not happy at the prospect of the renewables developers getting in for free. Unaware of the costs but it seems that the regulators would need to make it a requirement.

AT stated that Charles Scott is the best contact for FLTC which oversees the FishSafe unit, as though part of the technical group they are not involved in the finances or management.

IM suggested that this be progressed through Scottish Renewables or Renewables UK.

ACTION 8.1: AT to provide Charles Scott email to RM

ACTION 8.2: RM to contact Charles Scott to enquire about the process, for the developers to progress

ACTION 8.3: RM to share Scottish Renewables contact with IM

ACTION 8.4: IM to contact Scottish Renewables to discuss inclusion of cable data in FishSafe

ACTION 8.5: AT to provide updates on FishSafe/Kingfisher to the group as they come available

9. ScotMER

KW provided a powerpoint presentation.

RS queried whether displacement was being assessed just in Scottish waters as commercial fishing is carried out year-round and cannot be limited to a summer period.

KW confirmed that it was Scottish project but with UK relevance, however, there are no active surveys involved as it is a desktop-based project that would be carried out between May and September.

AT stated that trials over a disused cable will probably not be helpful and noted that trials would need to be carried out at various water depths, seabed types and with different fishing gear and vessel sizes as one trial is just a snapshot in time.

KW noted that it is understood that multiple surveys would be needed using a variety of vessels in multiple areas.

BB noted that MM sits on the steering group on this so AT could also provide comments to MM to pass on.

KW confirmed that they had received lots of constructive comment's from SFF and NFFO.

10. AOB

BB queried if the CFWG members were interested in establishing a separate monitoring sub-group, as was done by F&T.

MM stated that it fits in with what SFF has always said that mobile fishing gear has not been considered sufficiently. Improved monitoring of mobile commercial fishing activity will support this. The most opposition we have had to monitoring commercial fish species was from MSS. For BOWL there is a cod, herring and sandeel survey but that is not the commercial species that the Smith bank is known for, which is scallops and seine net fishing.

BB queried if there was a particular forum that this should be taken under.

MM stated that the CFWG is the most likely place to discuss monitoring and that would like to see a similar level of assessment and consent condition for commercial fishing species.

RS stated that at the start of the meeting that no specific squid surveys but wondered how can historic trends be observed if MS is not using the data.

BB stated that MS can collate the data but unsure of what resolution the data will be recorded by e.g. ICES rectangles. BB proposed that this could be handled by ScotMER if they have adequate feed in by commercial fisheries.

KW confirmed that both commercial fisheries and developers were involved in ScotMER.

Next meeting.

BB noted that a dedicated meeting was planned for April to discuss overtrawlability.

MM suggested having meeting every three months e.g. April and early July given that there was lots of activity at the moment.

ALL agreed that the CFWG should have standing agenda items as FMMS/CFMS.

MM stated that it should be the first item of the agenda.

BB thanked the attendees and closed the meeting.

Summarised actions from the Moray Firth CFWG meeting minutes

Item	Action	Responsible	Open/Closed
Actions from 22 January 2020 meeting			
4.3	Discussion of overtrawl surveys to be kept on agenda	Bruce Buchanan (MS)	Closed Agenda item for April meeting
4.5	Marine Scotland to review if feasible for squid surveys to be carried out as part of their survey scope	Kirsty Wright, (MSS)	Ongoing Discussions are ongoing
Actions from October 2020 meeting			
4.2	AWG to collate previous minutes and newsletters and issue to BB.	Alex Winrow-Giffin (BMM)	Ongoing
5.2	JD or BOWL site manager to issue a monthly update to the MFCFWG regarding overtrawl surveys. (<i>Calendar nudge can be set up</i>)	Joe Deimel (BOWL) / Iain McMyn (SSER)	Closed – taken forward as ACTION 2.2
8.3	SFF to consider how the mitigation paper sits with FLOWW and FMMS BPG.	Femke de Boer (SWFPA) / Malcolm Morrison (SFF)	Ongoing
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).	Alex Winrow-Giffin (BMM) / Both CFWG developers	Closed – taken forward as ACTION 2.6
Actions from February 2021 meeting			
2.1	JD and MM to discuss NDA for BOWL cross section data	Joe Deimel (BOWL) / Malcolm Morrison (SFF)	Closed
2.2	JD to provide a monthly update to the CFWG regarding the overtrawl surveys, with an interim CFWG meeting to be organised to discuss overtrawl surveys	Joe Deimel (BOWL)	Ongoing
2.3	AWG to organise interim CFWG meeting date proposed for April 2021 to discuss overtrawlability.	Alex Winrow-Giffin (BMM) / Developers	Closed – meeting organised for 20/04/2021
2.4	EK to provide funding updates to CFWG	Erica Knott (NatureScot)	n/a as membership of CFWG has not been offered
2.5	AT to share the data of his own overtrawl survey	Andrew Third (SFF)	Ongoing
2.6	Developer response to be issued at the end of March 2021 by AWG.	Alex Winrow-Giffin (BMM)	Ongoing
2.7	BB to notify LF that the CFWG would like to be included in the consultation	Bruce Buchanan (MS)	Closed

3.1	AWG to obtain individual written confirmation of the contact details (email and phone numbers) that FIRs are happy to have on the website.	Alex Winrow-Giffin (BMM)	Closed
3.2	AWG to arrange an additional combined CFWG FIR workshop	Alex Winrow-Giffin (BMM)	Closed – held 01 April
4.1	Members to send viewpoints on the inclusion of NatureScot in the CFWG to AWG	ALL	Closed; CFWG membership not offered to NatureScot at this time
5.1	RM will share the F&T drafts with AWG	Roger May (MS-LOT)	Closed
5.2	AWG to draft first page based on the F&T as a template	Alex Winrow-Giffin (BMM)	Ongoing
6.1	MB to organise a meeting to discuss Moray East CFMS	Mark Baxter (Moray East)	Closed CFMS call held 19/02/2021
6.2	MB to provide the EC data to fisheries stakeholder when it becomes available	Mark Baxter (Moray East)	
6.3	NO to provide draft cable route for consultation when it becomes available	Nuria Abad Oliver (Moray West)	
7.1	ALL to forward any other reference materials to RM that may be useful for FLOWW guidance.	ALL	
7.2	ALL to provide suggestions on what evidence can be accepted for gear loss/damage claims.	ALL	
8.1	AT to provide Charles Scott email to RM	Andrew Third (SFF)	
8.2	RM to contact Charles Scott (FLTC) to enquire about the process, for the developers to progress	Roger May (MS-LOT)	
8.3	RM to share Scottish Renewables contact with IM	Roger May (MS-LOT)	
8.4	IM to contact Scottish Renewables to discuss inclusion of cable data in FishSafe	Iain McMyn (SSER)	
8.5	AT to provide updates on FishSafe/Kingfisher to the group as they come available	Andrew Third (SFF)	