

Moray Firth Commercial Fisheries Working Group

Minutes of Meeting

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

**Date / Time / Venue:** 18<sup>th</sup> September 2018 / 13.30-16.00 / Mercure Hotel, Inverness

**Attendees:**

Chair – Stephen Appleby (SA) (Brown & May)  
 MS-Policy –Bruce Buchanan (BB)  
 MS-LOT - Roger May (RM),  
 MSS – Andronikos Kafas (AK)  
 BOWL – Elizabeth Reynolds (ER) (Consents Advisor)  
 Moray East – Mick Hoyle (MH) (Construction Director); Sarah Pirie (SP) (Head of Development); Peter Moore (PM) (OFTO Development Manager); Ross Cox (RC) (Interarray Cable Engineer); Gareth Ellis (GE) (OFTO Cable Engineer)  
 FIR – Gordon MacNab (GM) (creeling, east facing coast); Peter Smith (PS) (creeling, north facing coast); Charles Milne (CM) (creeling, Moray East landfall, Inverboyndie); Robert Souter (RS) (squid); John McAlister (JM) (scallops); Gordon Stephen (GS) (BOWL landfall)  
 SFF: Malcolm Morrison (MM); Raymond Hall (RH)

**Apologies:**

Craig Milroy (Moray East), John McAlister (scallops), Femke de Boer (SWFPA), Mark Roberson (Nephrops)

Agenda Item	Actions
<p><u>Terms of Reference</u></p> <p>MM talked through the proposed changes made by SFF to the TORs:</p> <ul style="list-style-type: none"> <li>Proposed to remove Crown Estate Scotland (CES) from membership. Propose instead to CES that they're not included but if need be we'll invite them as appropriate.</li> <li>Selection of a neutral chairperson. SP - CFWG is constituted under a consent condition from MS so should MS-LOT provide support in identifying chair (MS-LOT did this for Moray Firth Regional Advisory Group (MFRAG))? RM stated this would be difficult as MS is in TOR as stakeholders.</li> </ul> <p>BB stated it would be difficult to find an independent but knowledgeable contractor. RH highlighted that the role of chairperson is only to run the meeting. MM added he is happy with the role of chairperson with no casting vote but cannot see Brown &amp; May (current chair) as independent of developers.</p> <p>SP proposed that members email proposed chairpeople to RM. PS added that he would be happy with an alternating chair. Rotate between developers, fishermen and MS.</p>	<p><b>All to propose chairs to RM.</b></p>

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- Member obligations. TORs should clarify the role of FIRs and FLOs and ensure communication between the two. PS - issue is often that fishermen aren't interested in getting an update. SA highlighted that there is also the TORs for the FIRs which provides the scope of work. MM - MS have said it is the responsibility of the fishing industry to propose the FIRs. Creeling area - PS cover north facing coast, GM cover east facing coast.
- Meeting location - Inverness agreed.
- FIR payment. MM proposed day rate for attending plus day rate for attendance administered through SFF Services. SFF Services to confirm how they usually administer payments. ER to confirm what was agreed at the Forth and Tay CFWG.
- Sub groups. AK suggested that on F&T there was a request for no sub groups to ensure transparency. Suggestion nonetheless to include text in TORs in case there is ever a need to hold a sub group.
- Agreed that membership (specific names) will be moved to annex, and main body of TORs only refers to specific sectors of industry represented in the group.

BB - would it be helpful for someone from MS inshore fisheries branch (e.g. Jim Watson) to attend? Do we also need someone from IFG? MM responded that there are already several inshore fishermen on this group so that sector is probably sufficiently represented. ER added that it was decided at F&T Working Group that the IFG's remit was limited to management (SA added that the IFG also stated they were not willing to take on the role of promulgation of information to the industry) so not worth including. RS agreed that he didn't think IFG is necessary. GP added that he felt inshore fisheries are already well represented.

CM said that he felt Jim Watson should attend. However it was stated that he would be unlikely to be able to attend himself. RM suggested someone from Jim Watson's team attends. It was agreed that someone from Jim Watson's team would get invited to the next meeting to provide an overview of the work of his branch and that the members would thereafter make a decision if it would be helpful to have someone from Jim's team attend future meetings.

PS - should we not have Nephrops fishermen attend to represent those in the middle Moray Firth? It was highlighted that Mark Robertson should be here but has sent apologies.

It was highlighted that, in line with the TORs, Additional attendees should be proposed a month in advance. BB to also be added to membership list.

**ER** to confirm what was agreed at the Forth and Tay CFWG.

**RM** to invite someone from Jim Watson's team to next meeting to provide overview of the team's work.

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- SP suggested we now recirculate the TORs (and FIR TORs) marked up to take to next meeting to agree.

**All** to review TORs in advance of next meeting.

BOWL update

ER presented an update on the BOWL development (see attached slides).

PS queried what the plan was near Buckie where there are some deep trenches that haven't been infilled.

ER - these were meant to naturally backfill but the lack of storms this summer has slowed this down but should happen this coming winter. If not, BOWL will see what else can be done.

RS queried why have no trawl sweeps been undertaken yet? RM added that BOWL needed to engage with fisheries to discuss the overtrawlability surveys – the protocol should be to undertake the rock placement, do surveys then discuss next steps with the fishing industry.

SA asked what would be used trawl sweeps? MM responded that you'd use gear appropriate to the area. It was requested that BOWL share rock placement as placed locations with fishermen.

**ER** to share rock placement as placed locations with fishermen.

RS - once the wind farms are under construction and in place in the Firth the squid fishermen are potentially getting displaced from a large area.

SP - this isn't a developer specific issue and needs to be a Moray Firth-wide discussion. What would the industry like us, as developers, to do about minimising impact on the industry?

GM - the shelter areas during the BOWL construction have been a big issue, we're being restricted more and more. PS added that it also has knock-on effects on fishermen in surrounding area, causing conflict between fishermen. GP - now that I've seen how much traffic and problems there are, next time I would spend more time speaking to and meeting with the developer ahead of construction. SA added that the issue with the shelter areas that the master of a vessel has the ultimate responsibility for the passage planning of a vessel. MM - if this is the case, this calls into question the purpose of the VMP and NSP.

RM stated that Marine Scotland hadn't fully appreciated the impact of construction vessel movements on the fishing industry.

Moray East update

SP and PM provided a project update (see attached slides).

Moray East export cables

GE provided an update on the export cable (see attached slides).

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Moray East has recently changed nearshore cable route (within the consented corridor) as the area to west was harder ground and burial would have been difficult. The current route still has rocky outcrops potentially requiring protection but we are trying to minimise this as much as possible by routeing the cables and bringing cables in closer together. In 2019 the only offshore works are 3 x five day ops with divers to pull out cable from the HDD points near the landfall. Along the export cable route, there are only two days in the programme for rock armour as it is only envisaged across a very limited area.

RS – there are squid fisheries right up to the cable quite near to shore from the west and it would be good to understand the implications. GE said he would like to discuss this area with the local fishermen to understand concerns and to try to address these in the installation of the cables.

Target burial is 1-1.7 m across most of site using jet trencher in sand and chain cutter in stiffer clay

MM – regarding the use of scar plough, has the issue of steering it been addressed?

GE - we're only using the scar plough across surface of the seabed, not to dig trenches (like it did on CMS cable). RC added that it's important to note that the seabed will resolidify after jet trencher pass and the chain cutter cuts a very distinct trench without berms. With jet trencher there will be a slight depression in the seabed up to about 30 cm. This equipment doesn't create any berms.

Crossing of CMS cable – GE added that we have no option but to protect cable at this crossing point. Option is rock placement or mattresses and our preference is rock placement. Rock berm is likely to be 1 in 3 slope. Crossing is about 100 m long.

Moray East interarray cables

RC provided an update on the interarray cables (see attached slides).

RH - how far out from substructures would rock dumping be? RC - maximum 35 but likely less than that, and only 20% of site likely to be affected. RH stated the only fishermen coming in that close will be static gear fishermen.

CFMS and scallop trials

PM provided an update on scallop trials. Since these were first proposed in 2013, there is less enthusiasm from the industry and alternative options are now being considered. One such option is to assist the local scallop industry with its attainment of MSC accreditation. We are currently awaiting the MSC Pre-Assessment to see what work is required and will then discuss with SFF and SWFPA.

**GE** to meet with squid and creel fishermen at nearshore area

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MM - Scallop Association were driving the trials, and they no longer exist. SWFPA's focus is now MSC accreditation and as such this seems appropriate.

SP - unless the group has any concerns, we will proceed on this basis

MH added that, given issues to date, Moray East is also keen to discuss refuge areas during the construction phase.

**PM** to set up meeting to discuss refuge areas.