

# ***WEST OF ORKNEY WINDFARM***

## **Offshore EIA Report, Volume 3, Outline Plan 3: Outline Fisheries Management and Mitigation Strategy**

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**Approved by S. Kerr**

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## Document Role

Role	Company	Name	Aconex Signature
Author	Xodus	Jane Gordon	N/A
Checker	OWPL	Liz Foubister	N/A
Acceptor	OWPL	Stephen Kerr	

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# Contents

Summary .....	1
1. Introduction.....	2
1.1 Purpose .....	2
1.2 Objectives.....	2
1.3 Consent compliance .....	2
1.4 Scope of the plan.....	2
1.5 Guidance .....	2
1.6 Relevant other documents and plans .....	3
1.7 Structure of the plan .....	4
1.8 Location of the plan .....	4
1.9 Document control .....	4
2. Project background.....	5
3. Consultation.....	8
4. Data to Inform the FMMS .....	9
5. Fisheries Overview .....	10
5.1 Creels .....	10
5.2 Demersal trawls and seines.....	10
5.3 Scallop dredges .....	10
5.4 Pelagic trawls .....	11
6. Fisheries Liaison.....	12
6.1 Introduction.....	12
6.2 Roles and responsibilities .....	12
6.3 Communication and information dissemination .....	13
7. Fisheries management and mitigation strategy .....	15
7.1 Guard vessels.....	15
7.2 Safety zones.....	15
7.3 Dropped objects .....	15
7.4 Code of Good Practice .....	15
7.5 Navigation safety and vessel management .....	16
7.6 Transit Routes .....	16
7.7 Gear retrieval procedure.....	16
7.8 Post-installation surveys.....	16
7.9 Cooperation agreement.....	17
7.10 Fisheries Monitoring .....	17
8. References .....	18
9. Abbreviations.....	19
10. Glossary of terms .....	21
A1. Dropped objects form .....	22

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# Summary

This outline Fisheries Management and Mitigation Strategy (FMMS) has been prepared by Offshore Wind Power Limited (OWPL), hereafter referred to as ‘the Developer’ to support the Offshore Environmental Impact Assessment (EIA) Report for the West of Orkney Windfarm offshore infrastructure (hereafter referred to as ‘the offshore Project’).

The purpose of this outline FMMS is to set out the approach for fisheries liaison and mitigation during the offshore Project construction and operation and maintenance. The FMMS will be finalised for approval by Scottish Ministers ahead of construction post-consent once the offshore Project design has been further refined, and in accordance with relevant Section 36 Consent and/or Marine Licence conditions. Following approval by the Scottish Ministers, the FMMS will represent a ‘live document’ and will be revised as relevant to ensure the information is kept up to date, at intervals agreed with Scottish Ministers.

This outline FMMS covers the following:

- Section 1 – Purpose and objectives: details the purpose, scope and objectives of the outline FMMS;
- Section 2 – Project background: details the offshore Project location, design and programme. This section will be updated for the final FMMS once further detailed design work has been conducted;
- Section 3 – Fisheries overview: identification of the relevant commercial fisheries receptors potentially affected by the offshore Project. This section will be updated for the final FMMS with any new data acquired since the submission of the Offshore EIA Report;
- Section 4 – Fisheries liaison: details on the communication and information transfer (including roles and responsibilities) between the offshore Project and the fishing industry; and
- Section 5 – Fisheries management and mitigation strategy: details on the mitigation measures to be applied throughout the construction and operation and maintenance stage to promote co-existence with commercial fisheries receptors.

All Developer personnel, Contractors and Subcontractors involved in the offshore Project must comply with the FMMS.

The location of copies of the FMMS is yet to be determined but will likely include:

- The West of Orkney Windfarm Office;
- All Site offices (including contractors and subcontractors); and
- With the Fisheries Liaison Officer (FLO) and Fishing Industry Representatives (FIRs).

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# 1. Introduction

## 1.1 Purpose

This outline Fisheries Management and Mitigation Strategy (FMMS) has been prepared by Offshore Wind Power Limited (OWPL), hereafter referred to as ‘the Developer’ for the West of Orkney Windfarm offshore infrastructure (hereafter referred to as ‘the offshore Project’).

This outline FMMS will form the basis of the final FMMS. The FMMS will be finalised and adopted post-consent, ahead of construction, and following approval by Scottish Ministers in accordance with relevant conditions of the Section 36 Consent and Marine Licence.

## 1.2 Objectives

The FMMS provides the approach for fisheries liaison and mitigation for the offshore Project in order to minimise impacts and disruption on commercial fishing receptors and maximise the potential for co-existence. All Developer personnel, Contractors and Subcontractors will be required to comply with the FMMS.

## 1.3 Consent compliance

The FMMS fulfils the requirements of the consent conditions for the preparation of an FMMS as outlined in Table 1-1. Details of where specific Section 36 Consent and Marine Licence condition requirements are addressed, are also provided in Table 1-1.

**Table 1-1 Conditions Relevant to the FMMS**

Section 36 Consent / Marine Licence reference	Condition	Relevant section
[To be added post-consent]		

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## 1.4 Scope of the plan

The FMMS covers the following:

- Overview of relevant commercial fisheries receptors potentially affected by the offshore Project;
- Description of the offshore Project;
- Roles and responsibilities for implementing the FMMS; and
- Overview of management and mitigation measures.

The FMMS includes the approach for fisheries liaison and mitigation during the construction and operation and maintenance of the offshore Project.

Decommissioning of the offshore Project will be under a separate Marine Licence. The FMMS will be updated ahead of decommissioning in line with any conditions of the relevant Marine Licence and the Decommissioning Programme, required under the Energy Act 2004.

## 1.5 Guidance

The following guidance documents have been used to inform this outline FMMS:

- Marine Scotland (2020) Draft Guidance on preparing a Fisheries Management and Mitigation Strategy;
- Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW) (2014) Best Practice Guidance for Offshore Renewables Developments. Recommendations for Fisheries Liaison;

- FLOWW (2015) Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds, 2015; and
- Marine Scotland (2022) Good Practice Guidance for assessing fisheries displacement by other licensed marine activities.

Any updates to these guidance documents or new guidance will be reviewed upon finalisation of the FMMS.

## 1.6 Relevant other documents and plans

Once finalised, the FMMS will form one of several post-consent plans produced for the offshore Project that will be required as a condition of the Section 36 Consent and/or associated Marine Licences. At this stage, the list of final consent plans that will be required is not known. However, the linkages between the FMMS and other consent plans likely to be required are listed in Table 1-2.

The FMMS and other consent plans will be developed further in the post-consent stage once detailed design work has been undertaken and the post-consent requirements and consent conditions are known. The consent plans will be prepared in consultation with key stakeholders for submission to, and approval by, Scottish Ministers (via Marine Directorate - Licensing Operations Team (MD-LOT)) prior to the commencement of construction.

As per the draft FMMS guidance (Marine Scotland, 2020), links to relevant Regional Inshore Fisheries Groups (RIFGs), namely the North and East Coast RIFG and the Orkney RIFG will also be included in the final FMMS. The North and East Coast RIFG and Orkney RIFG websites can be found at <https://rifg.scot/region/north-east-coast> and <https://rifg.scot/region/orkney>.

**Table 1-2 Links with other consent plans**

Consent plan / document	Linkage with FMMS
Construction Method Statement (CMS) Construction Programme (CoP)	Specifies the offshore Project's construction methods, setting out good practice construction measures and how agreed mitigation measures from the Offshore EIA Report, associated documents, consents and those stated within this FMMS are implemented during construction.  The CMS and CoP will provide more detailed information on the construction procedures and timings and will supplement the information contained within the FMMS.
Development Specification and Layout Plan (DSLPL)	Detailed information on the offshore Project layout and design will be provided in the DSLPL, and this will supplement the information contained within the FMMS.
Navigational Safety and Vessel Management Plan (NSVMP)	The NSVMP will contain detailed information on the navigational safety measures (e.g. safety zones) to be implemented during the offshore Project construction and operation and maintenance stage. Detailed vessel information, such as vessel number and type will also be included in the NSVMP along with information on vessel coordination, transit corridors, location of working ports and anchorage areas. All vessels required to implement the FMMS will also be required to implement the approved measures under the NSVMP.
Cable Plans (CaPs)	The CaPs will provide detailed information on environmental sensitivities and design considerations to mitigate, as far as possible, the effects of cable laying and associated protection during installation of the cables. Information on the approach for monitoring cables and subsequent remediation works, if required, during the operation and maintenance stage will also

Consent plan / document	Linkage with FMMS
	be included in the CaPs. This detail will supplement the information within the FMMS.
Lighting and Marking Plan (LMP)	The LMP will provide detailed information on the marine and aviation lighting requirements for the offshore Project. This will supplement the information within the FMMS.
Aids to Navigation (AtoN) Plan	The AtoN plan will detail the marine and aviation AtoN during the offshore Project, including how these will be implemented and maintained. This will supplement the information within the FMMS.
Environment Management Plan (EMP)	The EMP will provide a consolidated document of environmental management, mitigations and control for the construction and operation and maintenance of the offshore Project. All Developer personnel, Contractors and Subcontractors implementing the FMMS will also be required to adhere to the commitments of the EMP.
Decommissioning Programme (DP)	The DP will outline all infrastructure to be decommissioned and the proposed decommissioning measures. This will supplement the information within the FMMS.

## 1.7 Structure of the plan

The FMMS is divided into four main parts:

- Section 2 – Project background: details the offshore Project location, design and programme. This section will be updated for the final FMMS once further detailed design work has been conducted;
- Section 3 – Fisheries overview: identification of the relevant commercial fisheries receptors potentially affected by the offshore Project. This section will be updated for the final FMMS with any new data acquired since the submission of the Offshore EIA Report;
- Section 4 – Fisheries liaison: details on the communication and information transfer (including roles and responsibilities) between the offshore Project and the fishing industry; and
- Section 5 – Fisheries management and mitigation strategy: details on the mitigation measures to be applied throughout the construction and operation and maintenance stage to promote co-existence with commercial fisheries receptors.

## 1.8 Location of the plan

Online copies of the latest FMMS will be available to view on the Marine Directorate website. Hard copies of the FMMS will be held in a number of locations. The exact locations are not known at this stage and will be finalised post-consent, and this detail will be included in the final FMMS. They are likely to include:

- The West of Orkney Windfarm Office;
- All Site offices (including contractors and subcontractors); and
- With the FLO and FIRs.

## 1.9 Document control

The FMMS will be submitted to Scottish Ministers for approval ahead of construction, as dictated by the Section 36 Consent and/or Marine Licence conditions. Following approval by the Scottish Ministers, the FMMS will be a 'live document' and will be revised as relevant to ensure the information is kept up to date, at intervals agreed with the Scottish Ministers. As other post-consent plans are updated, there will be a review of inter-linkages with the FMMS to ensure this plan is also updated as relevant.

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## 2. Project background

The Developer, OWPL, is proposing the development of the West of Orkney Windfarm ('the Project'), an Offshore Windfarm (OWF), located at least 23 kilometres (km) from the north coast of Scotland and 28 km from the west coast of Hoy, Orkney. The Developer will progress both the generation and transmission assets for the offshore Project and will transfer ownership of the transmission asset to an Offshore Transmission Owner (OFTO) who will manage the transmission infrastructure and continue to adhere to the FMMS and develop their own FMMS for approval by Scottish Ministers.

The offshore Project will comprise of Wind Turbine Generators (WTGs) and all infrastructure required to transmit the power generated by the WTGs to shore. The key offshore components of the offshore Project will include:

- Up to 125 WTGs with fixed-bottom foundations (monopile, piled jacket or suction bucket jacket);
- Up to five High Voltage Alternating Current (HVAC) Offshore Substation Platforms (OSPs);
- Up to 500 km of inter-array cables;
- Up to 150 km of interconnector cables; and
- Up to five offshore export cables to landfalls at Greeny Geo and/or Crosskirk at Caithness, with a total length of up to 320 km (average of 64 km per offshore export cable).

The offshore Project boundary (Figure 2-1) includes the array area and the offshore Export Cable Corridor (ECC). The array area reflects the Option Agreement Area (OAA) awarded to OWPL through the ScotWind Leasing Round. Therefore, the offshore Project boundary encompasses:

- OAA – where the WTGs and associated foundations and supporting structures, inter-array cables, interconnector cables and the OSPs (including offshore export cable connections) will be located;
- Offshore ECC – where the offshore export cables will be located between the OAA and landfall; and
- Landfall (up to Mean High Water Springs (MHWS)) – where the offshore export cables come ashore and interface with the onshore Project.

This section is to be updated post-consent with final details of the offshore Project. As per the draft FMMS guidance (Marine Scotland, 2020), a description of the offshore Project will be included in the final FMMS, including aspects related to cable burial and protection. Full details of cable installation, burial and protection will be detailed in the relevant CaP. Where relevant, reference will be made to other consent plans where further detail on the offshore Project design will be described (see section 1.6).



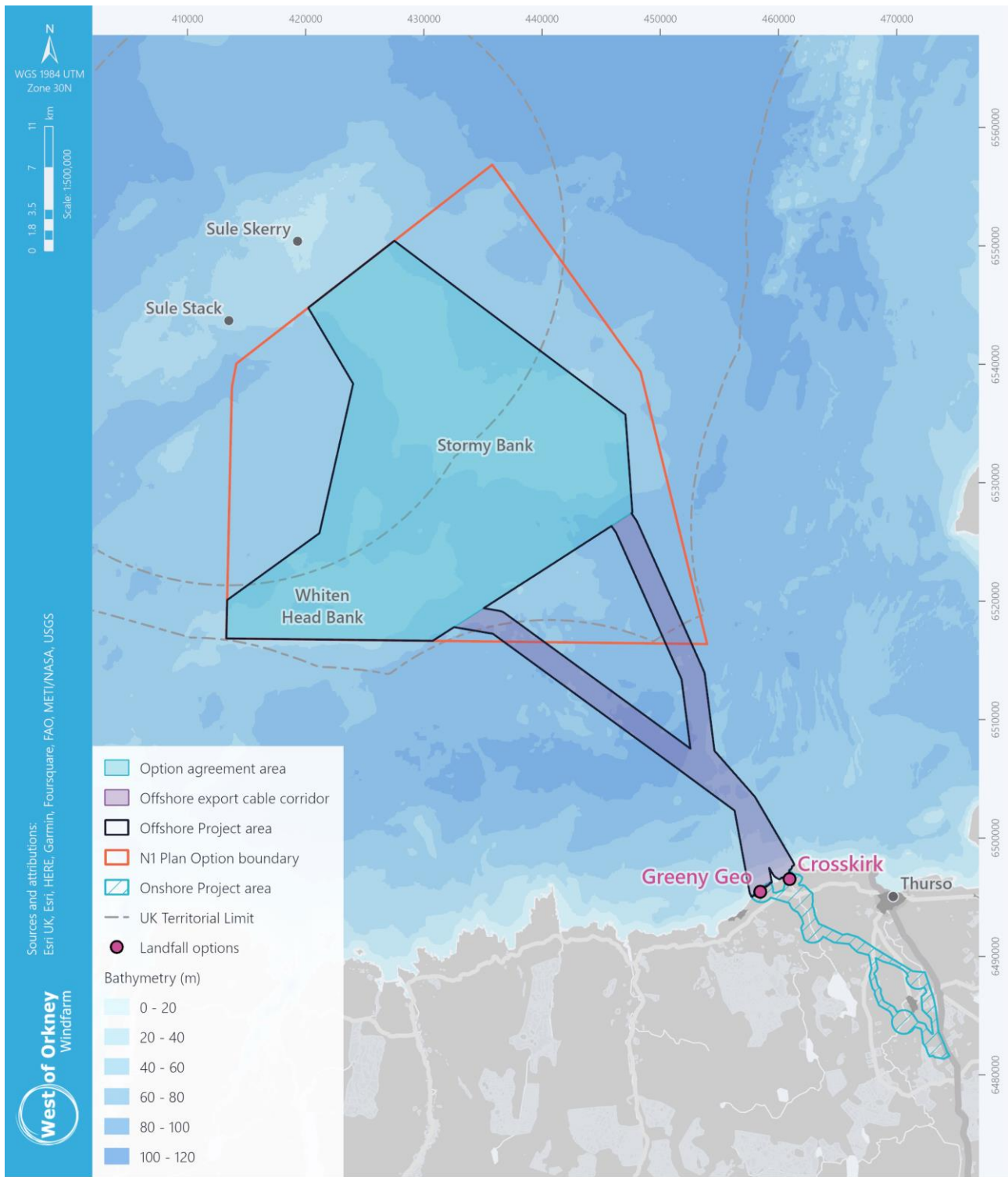


Figure 2-1 Offshore Project boundary

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The following consents and licences are required for the offshore Project:

- Section 36 consent under the Electricity Act 1989 for generating stations with capacity of > 50 Megawatts (MW) (outwith 12 nm) and > 1 MW (within 12 nm). This consent applies to the WTGs, WTG foundations, inter-array cables scour and cable protection; and
- Marine Licences under the Marine and Coastal Access Act 2009 and the Marine (Scotland) Act 2010 are required for construction or deposition in or over the sea, or on and under the seabed. Separate Marine Licences for the offshore Project are being sought for the generation and transmission assets, as follows:
  - Generation assets include foundations, WTGs, inter-array cables and the scour and cable protection associated with these assets; and
  - Transmission assets include the offshore substation platforms, interconnector cables and offshore export cables and the scour and cable protection associated with these assets.

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## 3. Consultation

The Developer set up a Project-specific Fisheries Working Group (FWG) with representatives from various fisheries groups / organisations to keep a close relationship with the fishing industry, discuss any issues arising and consult the fishing industry on relevant matters. Three fisheries working group meetings were held at various stages of the EIA process and these were a key source of information for the Offshore EIA Report. The Developer intends to continue consulting fisheries stakeholders in order to inform this FMMS, including through membership of a wider FWG (or equivalent) if established.

Details of the consultation that will be held to inform the FMMS will be described in this section post-consent.

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## 4. Data to Inform the FMMS

This outline FMMS has been informed by a review of the data sources used to inform the Offshore EIA Report, including desk-based sources and information gained through consultation. The final FMMS will be updated, as required, with any new additional data sources that are available following the submission of the Offshore EIA Report and ahead of construction.

## 5. Fisheries Overview

The commercial fishing activity within the vicinity of the offshore Project are described in Offshore EIA Report chapter 14: Commercial fisheries and the Offshore EIA Report Supporting Study (SS) 12: Commercial fisheries baseline report and summarised in Table 5-1.

It should be noted that the FMMS will apply to all fisheries active in the vicinity of the offshore Project, even if they do not fall within the categories outlined in Table 5-1.

**Table 5-1 Key commercial fisheries receptors identified for the offshore Project**

Fishing method	Target species	OAA (WTGs, OSPs, Inter-array cables and interconnector cables)	Offshore Export Cable Corridor (Offshore Export Cables)
Creels	Brown crab and lobster	✓	✓
Demersal trawls and seine nets	Whitefish, flatfish and squid	✓	✓
Scallop dredge	King scallops	✓	✓
Pelagic trawls	Mackerel, herring	✓	✓

### 5.1 Creels

Creel vessels are active throughout the offshore Project area, with the main target species being brown crab and lobster. The creeling activity at the offshore Project area includes smaller inshore vessels (10 m and under), mainly targeting grounds within the offshore ECC, as well as larger vivier crabbers<sup>1</sup> that are active in areas further offshore in the OAA. Landings data (as presented in the Offshore EIA Report) indicate that crab and lobster are targeted year-round with a peak in landings between September and January.

Creels are static traps, typically shot in fleets of a number of creels on a main line anchored to the seabed and marked at either end with a buoy. The number of creels in a fleet can vary from five in some inshore fisheries to over 100 in offshore fisheries. Small, inshore vessels often operate a few fleets whilst larger vessels (like the viviers in the OAA) operate several thousand pots in fleets of around a hundred (Seafish, 2022). These long fleets can be around 2.4 km in length. The fleets can be hauled and re-baited daily, though some vessels let the gear 'soak' up to several days.

### 5.2 Demersal trawls and seines

Demersal trawlers relevant to the offshore Project mainly target demersal whitefish (e.g. cod and haddock) and to a lesser extent squid (*Decapodiformes*). Fishing effort is mainly concentrated within the offshore ECC with comparatively lower levels of activity in the OAA. During consultation, it was also identified that Scottish seine netting vessels and trawlers are operational in the vicinity of the offshore ECC, predominantly to the west. The majority of demersal trawlers active in the offshore Project area are over 10 m in length with a wider availability of grounds, compared to the smaller creel vessels.

### 5.3 Scallop dredges

Scallop dredging is mainly concentrated within the offshore ECC and the OAA sustains low to moderate levels activity, mainly over Whitten Head Bank. Higher levels of scallop dredging occur to the west of the offshore Project. The scallop dredging activity at the offshore Project area is comparatively low when compared to other areas in Scottish waters that sustain higher levels of activity (e.g. Moray Firth).

Larger scallop dredgers are typically nomadic, meaning they operate all around the UK, to opportunistically fish in a pattern which corresponds to the cyclical and fluctuating nature of scallop density in a location over time.

<sup>1</sup> Larger vessels targeting crab with a vivier tank on board to store the specimen until landed.

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## 5.4 Pelagic trawls

Effort data show that pelagic trawling at the offshore Project area is relatively low. However, in certain years (e.g. 2021) high landings values are recorded at the offshore Project area. The high value of landings by pelagic trawls in certain areas indicates that either high valued species are being caught and/or high Catch Per Unit Effort (CPUE).

Furthermore, analysis of the annual variation in the landings statistics also indicates a high degree of inter-annual variation in the landings weights and value of pelagic species, indicating that these fish are being caught opportunistically.

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## 6. Fisheries Liaison

### 6.1 Introduction

The Developer will adhere to the FLOWW (2014) Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison. In line with this guidance, the key principle for liaison for the offshore Project will be proactive, continued, and timely engagement with fisheries stakeholders through established and agreed communication channels. The Developer remains committed to maintaining an open dialogue and effective communications with the fishing industry to promote co-existence where possible.

This section outlines the roles and responsibilities and lines of communication for the construction and operation and maintenance of the offshore Project.

### 6.2 Roles and responsibilities

The anticipated key roles and responsibilities for fisheries liaison during the construction and operation and maintenance of the offshore Project are outlined in Table 6-1. In the final FMMS, more detailed information on the specific roles (including contact details) will be included, once this information is known.

**Table 6-1 Key roles and responsibilities**

Role	Contact details	Responsibility
The Developer	[To be included post-consent]	<p>Key responsibilities include:</p> <ul style="list-style-type: none"><li>• Pro-active and timely engagement with commercial fisheries stakeholders, including through the FWG or equivalent forum; and</li><li>• Ensuring the effective implementation of the FMMS, including the timely provision of relevant information to the FLO, Offshore FLO (OFLO) and FIRs and onwards to fishers through agreed communication channels.</li></ul>
FLO (onshore-based)	[To be included post-consent]	<p>A FLO has been appointed for the offshore Project and will continue to be appointed for the construction and operation and maintenance stage. The FLO will develop a positive working relationship with the local fishing industry and will have a solid understanding of the potential interactions between the offshore Project and the local fishing industry.</p> <p>The FLO will be the interface between the Developer, Contractors and Subcontractors and the fishing industry, and may also represent the Developer at fisheries meetings. The FLO will act as a primary point of contact for the fishing industry where communication with the Developer is required and will also disseminate information to the fishing industry (potentially via the FIRs). The FLO will maintain a database of fisheries contacts and organisations to ensure Project-related information is circulated in a timely manner.</p> <p>The FLO will also assist the Developer in resolving fisheries issues as they arise and facilitate the relocation of static fishing gear, as required.</p>

Role	Contact details	Responsibility
Offshore FLO (OFLO)	[To be included post-consent]	<p>The main role of the OFLO is to minimise any at-sea conflict between the offshore Project and fishing activities during the construction and operation and maintenance stage.</p> <p>The OFLO will be stationed on construction vessels, as required, and will act as an on-site point of communication for fishing vessels. The OFLO will maintain contact with the FLO and the Developer in order to communicate relevant information to fishing vessels. The OFLO will also record details of any fishing activity at the offshore Project when on-site as required to the Developer and the FLO.</p>
FIRs	[To be included post-consent]	<p>The FIRs<sup>2</sup> will be the direct points of contact for the local fishing industry and will be the main counterpart to the FLO. The FIRs will circulate information from the Developer and the FLO, as required. The FIRs may attend fisheries stakeholder meetings and will liaise directly with local fishers around their concerns on the offshore Project to report back to the FLO.</p>
Marine coordinator	[To be included post-consent]	<p>The Developer will establish a Marine Coordination Centre (MCC), at which the Marine Coordinator will be responsible for managing and monitoring vessel activity. This will include the compilation of relevant documents for communication to the fishing industry, such as Notices to Mariners (NtMs), Information to Sea Users Bulletins (Kingfisher Bulletin) and Weekly Notices of Operations (WNoO) that will be issued to the FLO for distribution to the fishing industry via the FIRs.</p>

### 6.3 Communication and information dissemination

The Developer will aim to circulate information to all stakeholders in a timely manner and in line with agreed protocols. Communications channels will be agreed with fisheries stakeholders ahead of construction and it is anticipated that various methods for communication will be used, including:

- Promulgation of Project information during construction (including pre-construction) and operation and maintenance:
  - NtMs, Kingfisher Bulletins and WNoO issued by the FLO supported by the FIRs;
  - Project updates;
- Consultation meetings and FWG meetings attended by the Developer, FLO and FIR, as required; and
- Unscheduled liaison to address any concerns or issues as they arise.

The timing and frequency of the communications outlined above will be included within the final FMMS.

As outlined in Section 6.2, the FIRs, FLO and OFLO will be the main direct points of contact for the local fishing industry. Table 6-2 outlines the key contacts for fishers under different scenarios.

<sup>2</sup> More than one FIR may be required to ensure appropriate communication with the fishery communities on both mainland Scotland and Orkney.



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**Table 6-2 Fisheries contacts**

Scenario	Contact
Fishers onshore seeking further information on the offshore Project or to provide feedback to the offshore Project	FIRs or FLO
Fishers seeking to discuss damage or loss of gear as a result of the offshore Project	FLO
Fishers steaming or fishing in the vicinity of the offshore Project	FLO, OFLO or MCC

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# 7. Fisheries management and mitigation strategy

The final FMMS will account for commitments made within the Offshore EIA Report and requirements of the section 36 consent and/or marine licence conditions once available. Table 7-1 will set out these commitments and make reference to the relevant section of the FMMS and/or other post-consent plans where the details of the commitment are included.

**Table 7-1 Commitments within the Offshore EIA Report and Section 36 Consent and/or Marine Licence conditions**

Topic	Commitment	Relevant section of the FMMS / other post- consent plans
[To be completed post-consent]		

## 7.1 Guard vessels

Guard vessels will be used on site, where required, and will enable safe construction through on-site communication with other sea users during construction activities. The guard vessels will be in contact with the OFLO and will provide support on the monitoring of fishing activity during construction.

## 7.2 Safety zones

It is anticipated that the Developer will apply for the following Safety Zones under Section 95 of the Energy Act 2004 and in accordance with Schedule 16 of the Energy Act 2004 and the Electricity (Offshore Generating Stations) (Safety Zones) (Application Procedures and Control of Access) Regulations 2007:

- Construction:
  - 500 m safety zones around the outer edge of the proposed WTG and OSP locations where construction activities are underway;
  - A 50 m pre-commissioning safety zone, at infrastructure where construction is not on-going, prior to wind farm commissioning; and
- Operation and maintenance:
  - 500 m operational safety zones for major maintenance activities.

Statutory safety zones cannot be established around vessels themselves. However, it is standard safe working practice to establish advisory minimum safe passing distances, as defined by a risk assessment, around areas of vessel activity that present a navigational safety risk to marine users. These advisory safety zones are generally 500 m and move with the vessel during its operation. Advisory safety zones will also be in place along vulnerable sections of cables (e.g. cables awaiting burial or protection). Advanced warning and details of both safety zones and any minimum advisory safe passing distances will be provided by NtMs and Kingfisher Bulletins.

## 7.3 Dropped objects

The dropped objects at sea procedure will be followed in the event that any objects are dropped at sea, and this procedure will be provided in detail within the EMP.

## 7.4 Code of Good Practice

All contracted vessels will be issued with a Code of Good Practice that will facilitate co-existence between offshore Project vessels and the fishing industry and ensure the safe operation of construction and operation and maintenance activities. This Code of Good Practice is likely to include; adherence to the International Regulations for Preventing Collisions at Sea (COLREGS) and standard operating procedures outlined by the Developer, maintaining open Very High Frequency (VHF) channels and contact with MCC at all times, following indicative transit routes wherever possible, ensuring that communication with fishers is polite, proactive and through the OFLO where possible and not engaging in any form of

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commercial or recreational fishing activity. The Code of Good Practice is yet to be fully developed; however, this will be included within the final FMMS for approval by Scottish Ministers.

## 7.5 Navigation safety and vessel management

The NSVMP will outline measures related to navigation safety and vessel management to manage any potential impacts from offshore Project vessels on other marine users (including fishing vessels). The NSVMP will provide information on the vessel specifications and indicative transit routes and anchorage areas for construction and operation and maintenance. It will also detail information about the Developer's MCC including how it will be managed and how commercial fisheries can contact the Marine Coordinator.

## 7.6 Transit Routes

Details on the transit routes to and from the offshore Project and construction and operation ports will be detailed within the NSVMP. It will include information on preferred shelter areas and the reporting mechanism for any ships unable to comply with the transit route.

## 7.7 Gear retrieval procedure

The following steps will be undertaken in the event of fishing gear being fastened within the offshore Project, and this procedure is in line with the advice provided by KIS-ORCA<sup>3</sup>:

1. If the weight of gear potentially fastened to a cable / structure is excessive and not easily retrieved, the fishing vessel and crew should not be endangered by attempting to recover gear and skippers should not attempt to recover fishing gear lost or cut away in the vicinity of offshore Project infrastructure;
2. The fishing vessel should contact the Coastguard to explain the situation with an accurate position of the vessel and/or lost gear;
3. If the Coastguard or the Marine Coordinator confirms that the fishing vessel is in the immediate vicinity of a cable or windfarm related infrastructure, serious consideration will be given to the slipping of the gear, buoying and recording its position;
4. After buoying off the gear, the position should be confirmed by the fishing vessel with the Coastguard and the FLO;
5. On return to port, the local Fishery Office should be contacted by the skipper / a member of the fishing vessel crew to register the incident;
6. The skipper / a member of the fishing vessel crew should report the incident to the FLO, along with the date, time location and description of gear lost or damaged, who will provide a gear loss / claims form; and
7. The fishing vessel should complete a gear loss / claims form (see below) and send this to the FLO.

Any gear lost or damaged at-sea that the skipper believes is as a result of the offshore Project should be reported to the FLO. Further details on this procedure will be included within the final FMMS.

The final FMMS will be updated with any additional guidance on the retrieval of gear that is fastened or lost at the offshore Project. Further details on navigational safety measures relevant to fishing vessels during the construction and operation and maintenance stage will be included within the NSVMP.

## 7.8 Post-installation surveys

The Developer will undertake post-installation surveys to confirm cable burial depths and potential changes to seabed conditions. The exact nature of these surveys is yet to be determined. However, it is expected that following completion of these surveys fisheries stakeholders will be provided with information such as as-laid cable data and the locations and dimensions of any areas of cable protection.

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<sup>3</sup> <https://kis-orca.org/safety/emergency-procedures/>

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## 7.9 Cooperation agreement

It is possible that instances may arise during construction, operation and maintenance where relocation of static fishing gear will be requested. Where required, the Developer will establish evidence-based cooperation agreements, in line with FLOWW (2015) guidance. Further details on this procedure will be included within the final FMMS.

The Offshore EIA Report has also committed to establishing cooperation agreements with vivier crabbers affected by the construction works within the OAA. The exact nature of these cooperation agreements is yet to be determined, and this will be further discussed during the post-consent stage as the offshore Project design is refined, and in consultation with the affected fishers.

In relation to cooperation agreements, both parties can seek Alternative Dispute Resolution (ADR) in the event that mutual cooperation agreements cannot be agreed. This will be in line with FLOWW (2015) guidance and be undertaken by a mutual agreed third party.

## 7.10 Fisheries Monitoring

No monitoring is currently proposed for commercial fisheries, as the Developer has built a strong relationship with the local fishing industry through our FIR, FLOs and the FWG. Following engagement with the fishing industry, it was concluded that it would be more meaningful to put resources into research projects for commercially important fish and shellfish species. Consultation with fisheries will continue throughout the Project development.

Any future monitoring requirements for commercial fisheries that are identified post-consent will be included within the final FMMS.

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## 8. References

FLOWW (2014). FLOWW Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison.

FLOWW (2015). FLOWW Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds.

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Marine Scotland (2022) Good Practice Guidance for assessing fisheries displacement by other licensed marine activities. Available online at: <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2022/06/good-practice-guidance-assessing-fisheries-displacement-licensed-marine-activities/documents/good-practice-guidance-assessing-fisheries-displacement-licensed-marine-activities/govscot%3Adocument/good-practice-guidance-assessing-fisheries-displacement-licensed-marine-activities.pdf> [Accessed 23/08/2023]

Seafish (2022) Pots and Traps - General. Available online at: <https://www.seafish.org/responsible-sourcing/fishing-gear-database/gear/pots-and-traps-general/> [Accessed 06/10/2022].

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## 9. Abbreviations

Abbreviation	Term
ADR	Alternative Dispute Resolution
AtoN	Aids to Navigation
CaP	Cable Plan
CMS	Construction Method Statement
COLREGs	International Regulations for Preventing Collisions at Sea
CoP	Construction Programme
CPUE	Catch Per Unit Effort
DP	Decommissioning Programme
DSLIP	Development Specification and Layout Plan
ECC	Export Cable Corridor
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
FIR	Fishing Industry Representative
FLO	Fisheries Liaison Officer
FLOWW	Fishing Liaison with Offshore Wind and Wet Renewables Group
FMMS	Fisheries Management and Mitigation Strategy
FWG	Fisheries Working Group
HVAC	High Voltage Alternating Current
LMP	Lighting and Marking Plan
MCC	Marine Coordination Centre
MD-LOT	Marine Directorate – Licensing Operations Team
MHWS	Mean High Water Springs
MW	Megawatt
NSVMP	Navigational Safety and Vessel Management Plan
NtM	Notice to Mariners
OAA	Option Agreement Area
OFLO	Offshore Fisheries Liaison Officer
OFTO	Offshore Transmission Owner

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Abbreviation	Term
OSP	Offshore Substation Platform
OWF	Offshore Windfarm
OWPL	Offshore Wind Power Limited
RIFG	Regional Inshore Fisheries Groups
SS	Supporting Study
VHF	Very High Frequency
WNoO	Weekly Notice of Operations
WTG	Wind Turbine Generator

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## 10. Glossary of terms

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Term	Definition
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[To be included post-consent].

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# A1. Dropped objects form

