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Volume 7 Standalone Appendices

Appendix 17 Caledonia North Outline Fisheries Management and Mitigation Strategy

Caledonia Offshore Wind Farm Ltd

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Acronyms and Abbreviations

ADR	Alternative Dispute Resolution
CaP	Cable Plan
CFLO	Company Fisheries Liaison Officer
CMS	Construction Method Statement
COLREGS	Convention on the International Regulations for Preventing Collisions at Sea
CoP	Construction Programme
DSLP	Development Specification and Layout Plan
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
EMP	Environmental Management Plan
FIR	Fishing Industry Representative
FLOWW	Fisheries Liaison with Offshore Wind and Wet Renewables group
FMMS	Fisheries Management and Mitigation Strategy
GPS	Global Positioning System
HVAC	High Voltage Alternating Current
ICES	International Council for the Exploration of the Sea
KIS-ORCA	Kingfisher Information Service - Offshore Renewable & Cable Awareness
LMP	Lighting and Marking Plan
MD-LOT	Marine Directorate - Licensing Operations Team
MFCFWG	Moray Firth Commercial Fisheries Working Group
MHWS	Mean High Water Springs
MMO	Marine Management Organisation

MW	Megawatt
NERIFG	North and East Coast Regional Inshore Fisheries Group
NSP	Navigational Safety Plan
NtM	Notice to Mariner
O&M	Operations and Maintenance
OECC	Offshore Export Cable Corridor
OFLO	Offshore Fisheries Liaison Officer
OSP	Offshore Substation Platform
OWF	Offshore Wind Farm
PEMP	Proposed Development (Offshore) Environmental Monitoring Programme
SFF	Scottish Fishermen's Federation
SOLAS	The International Convention for the Safety of Life at Sea
SOP	Standard Operating Procedure
SPFA	Scottish Pelagic Fishermen's Association
SWFPA	Scottish White Fish Producers Association
UK	United Kingdom
UKHO	United Kingdom Hydrographic Office
VHF	Very High Frequency
VMP	Vessel Management Plan
VMS	Vessel Monitoring System
WTG	Wind Turbine Generator

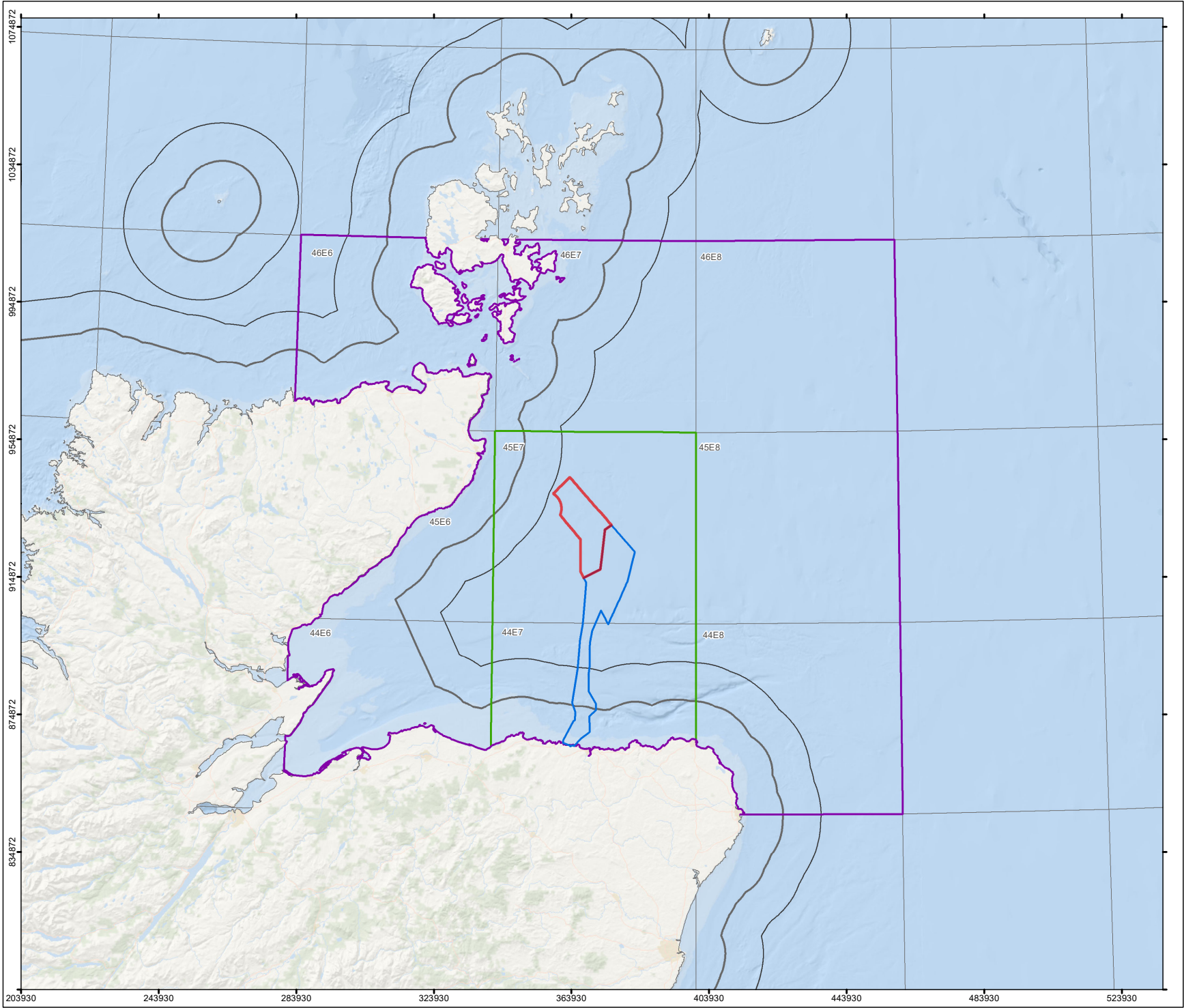
1 Introduction

1.1 Caledonia North

- 1.1.1.1 Caledonia Offshore Wind Farm Limited (the Applicant) is proposing to develop Caledonia North which includes the Caledonia North Site (Array Area) and Caledonia North Offshore Export Cable Corridor (OECC) seaward of Mean High-Water Springs (MHWS). Caledonia North, together with the Commercial Fisheries Study Areas used for the Environmental Impact Assessment (EIA) are presented in Figure 1-1.
- 1.1.1.2 The Caledonia North infrastructure of relevance to this Outline Fisheries Management and Mitigation Strategy (FMMS) includes the following components:
- Wind Turbine Generators (WTGs) with bottom-fixed foundations;
 - Offshore Substation Platforms (OSPs) with bottom-fixed foundations;
 - Inter-array cables;
 - Interconnector cables; and
 - Offshore export cables.
- 1.1.1.3 An outline description of the Caledonia North infrastructure is provided in Table 1-1. Main offshore construction works will take place within a 3-year period. Caledonia North may be operational from early 2030s. The corresponding FMMS for Caledonia South is Presented in Volume 7, Appendix 18: Caledonia South Outline Fisheries Management and Mitigation Strategy.

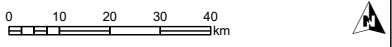
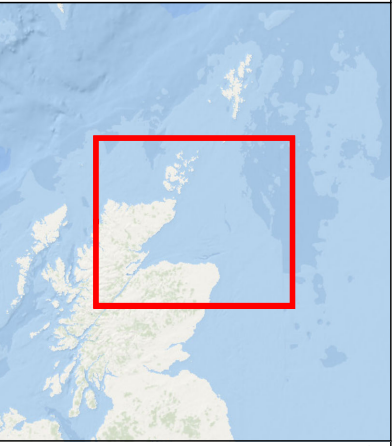
Table 1-1: Outline description of Caledonia North.

Design Parameters	Units	Caledonia North Design Envelope
WTG foundation type	-	Bottom-fixed
Maximum number of WTGs	-	77
WTG foundation technology composition – Bottom-fixed	-	Up to 77
Number of OSPs	-	2
OSP foundation type	-	Bottom-fixed
Transmission system	-	High Voltage Alternating Current (HVAC)
Number of interconnector cables	-	1
Maximum length of interconnector cables	km	30
Maximum number of inter-array cables	-	77
Maximum length of inter-array cables (total)	km	360
Number of offshore export cables	-	2
Maximum length of offshore export cables (total)	km	180



- ▭ Caledonia North Site
- ▭ Caledonia North Offshore Export Cable Corridor
- ▭ Commercial Fisheries Regional Study Area
- ▭ Commercial Fisheries Local Study
- ▭ ICES Statistical Rectangles
- 12 nm Boundary
- 6 nm Boundary

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CONTRACTOR DRAWING NO 8-1	CONTRACTOR REV 01
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COORDINATE PARAMETERS
OSGB36 / British National Grid (EPSG:27700)

DRAWING TITLE
Figure 1-1
Commercial Fisheries Study Areas

STATUS Approved	SCALE 1:1,500,000
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	REV 01

1.2 Document Objectives

- 1.2.1.1 This Outline FMMS aims to document and demonstrate how the Applicant will liaise and co-exist with the commercial fishing industry and deliver commitments to mitigation made in the Applications, which are intended to avoid or reduce potential impacts of Caledonia North on the fishing industry. In support of this aim, the objectives of the Outline FMMS are as follows:
- Describe the approach to fisheries liaison, identifying how communication between the Applicant and the fishing industry will take place and confirming liaison roles and responsibilities;
 - Set out mitigation measures relevant to the fishing industry and describe how these will be delivered; and
 - Set out procedures to manage interactions between Caledonia North and the fishing industry, including procedures relating to cooperation agreements and associated payments, to gear loss and gear relocation or removal.
- 1.2.1.2 The Applicant regards co-existence as the joint presence of both industries, working together within the Caledonia North area and believes that co-existence can be achieved by the application of measures that will be set out in the Final FMMS which will be based on this Outline FMMS, and which will be secured by consent conditions.
- 1.2.1.3 The success of the FMMS in helping to ensure co-existence will require constructive and effective communication between the Applicant and the fishing industry and the support and engagement of both parties.
- 1.2.1.4 This Outline FMMS, and future updated final FMMS, covers the construction and operational phase of Caledonia North. The FMMS will be updated ahead of decommissioning in line with any conditions of the relevant Marine Licences and the Decommissioning Programme, required under the Energy Act 2004.

1.3 Relevant Guidance

- 1.3.1.1 This Outline FMMS has been developed in accordance with the following guidance:
- Fisheries Liaison with Offshore Wind and Wet Renewables group (FLOWW) Recommendations for Fisheries Liaison: Best Practice guidance for offshore renewable developers (FLOWW, 2014¹);
 - FLOWW Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds (FLOWW, 2015²);

- Marine Scotland Guidance on preparing a Fisheries Management and Mitigation Strategy (draft) (Marine Scotland, 2020³).

1.3.1.2 It is noted that at the time of writing, FLOWW Best Practice Guidance is intended to be revised with revision currently ongoing. Updates to the FMMS will take account of any revised guidance as applicable.

1.3.1.3 In preparation of this FMMS, other relevant guidance and proposals have also been considered, including Moray Firth and Forth and Tay Commercial Fisheries Working Groups Proposal for Consideration of Mobile Gear Disruption Payments for Construction Phase of Fixed Bottom Offshore Renewable Energy Installations (2024⁴) and Guidelines for Mitigating Impacts to Commercial and Recreational Fisheries (Draft) prepared by the United States Bureau of Ocean Energy Management (2022⁵). Engagement to date with fisheries stakeholders and fishermen has also informed the development of this document.

1.4 Consents and Licences

1.4.1.1 The following consents and licences are required for Caledonia North:

- Section 36 consent under the Electricity Act 1989 for generating stations with capacity of >50 megawatts (MW) (out with 12 nautical miles) and >1MW (within 12 nautical miles). 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 (UK Parliament, 2009⁶) and the Marine (Scotland) Act 2010 (Scottish Parliament, 2010⁷) are required for construction or deposition in or over the sea, or on and under the seabed. Marine Licences for Caledonia North are being sought for the:
 - Generation assets including foundations, WTGs, inter-array cables and the scour and cable protection associated with these assets; and
 - Transmission assets including the OSPs, interconnector cables and offshore export cables and the scour and cable protection associated with these assets.

1.4.1.2 This Outline FMMS sets out specific procedures relating to mitigation of effects on commercial fisheries. It will form part of a suite of documents to be approved post-consent that will provide the framework for the management of the construction and operation of Caledonia North.

1.4.1.3 A summary of the consistency and linkage of the FMMS with other Consent Plans is provided in Table 1-2.

Table 1-2: FMMS consistency and links to other Consent Plans.

Consent Plan	Consistency with and linkage to FMMS
Development Specification and Layout Plan (DSLPL)	Set out the final design and layout parameters associated with Caledonia North and the Offshore Transmission Infrastructure.
Environmental Management Plan (EMP)	Sets out the environmental management framework for the construction and operation of Caledonia North. Of relevance to the FMMS, it confirms the role of the Fisheries Liaison Officer and sets out procedures for reporting of dropped objects and pollution response procedures.
Lighting and Marking Plan (LMP)	Provides details of lighting and marking of Caledonia North during construction and operation. Of relevance to the FMMS, it confirms how Caledonia North will be marked and lit in terms of aiding safe marine navigation.
Cable Plan (CaP)	Provides details on cable specifications, routing, installation method and protection. Of relevance to the FMMS, it confirms cable burial and protection details.
Navigational Safety Plan (NSP), which includes the Vessel Management Plan (VMP)	Provides details on the navigational safety measures to be employed during the construction and operation of Caledonia North. Of relevance to the FMMS, it describes project related vessel activity and how it will be managed, covering use of Safety Zones, promulgation of information to marine users, and a de-confliction notice.
Construction Programme (CoP), and the Construction Method Statement (CMS)	Provides details on the timing and sequencing of construction works and commissioning of Caledonia North. Of relevance to the FMMS, it confirms when offshore works will commence and cease.
Proposed Development (Offshore) Environmental Monitoring Programme (PEMP)	Provides details of the environmental monitoring to be undertaken in relation to Caledonia North.

1.5 Document Structure

- 1.5.1.1 This document has been structured as outlined in Table 1-3. The Final FMMS will follow the same format.

Table 1-3: FMMS document structure.

Section	Summary of Content
Section 1: Introduction	Identifies the scope of the Outline FMMS and provides an overview of Caledonia North.
Section 2: Fisheries Overview	Provides an overview of fishing activity in Caledonia North.
Section 3: Fisheries Liaison Strategy	Sets out the Applicant's approach to ongoing liaison with the fishing industry and other relevant stakeholders.
Section 4: Fisheries Mitigation Strategy	Sets out the Applicant's approach to mitigation, focused on enabling co-existence.
Section 5: Fisheries Monitoring	Sets out the Applicant's approach to monitoring fisheries activity in response to Caledonia North
Section 6: Compliance with the Application	Confirms that the details set out in this Outline FMMS are in accordance with those presented in the Application and assessed in the Environmental Impact Assessment Report (EIAR).

2 Fisheries Overview

2.1 Fishing Activity within Caledonia North

- 2.1.1.1 This Outline FMMS has been informed by the data collected to support the EIAR, together with subsequent engagement with commercial fisheries industry stakeholders.
- 2.1.1.2 The gathered information confirms that fishing fleets with which Caledonia North may interact are identified in Table 2-1. Fleet activity is identified with reference to the Caledonia North Site and Caledonia North OECC to capture fleets working both in inshore and offshore waters.

Table 2-1: Commercial fishing fleets relevant to Caledonia North.

Fishing Fleet	Target Species	Seasonality	Area
UK potting (static gear)	Brown crab; Lobster	All year, with peak from June to October	Crab: Caledonia North Site and Caledonia North OECC; Lobster: Caledonia North OECC
UK jigging	Mackerel	July to August	Caledonia North OECC and occasionally the Caledonia North Site
UK dredge (mobile gear)	Scallop	All year, with peak from May to September Cyclical across 5-7 years	Predominately across the Caledonia North Site; also across the Caledonia North OECC
UK demersal otter trawl (mobile gear)	Haddock; Nephrops; Squid; Whitefish	Haddock and Whitefish: All year Nephrops: Peak from June to August Squid: May to October	Caledonia North Site and Caledonia North OECC
UK demersal seine (mobile gear)	Whitefish	All year	Caledonia North Site and Caledonia North OECC
UK and Norwegian Pelagic trawl /Purse seine (mobile gear)	Mackerel	October	Caledonia North Site

2.2 Fisheries Stakeholders and Engagement

- 2.2.1.1 The Applicant has undertaken statutory and non-statutory consultation with fisheries stakeholders in relation to Caledonia North since 2022. A summary of consultation undertaken prior to submission of the Application is provided in Section 8.3 within Volume 3, Chapter 8: Commercial Fisheries of the EIAR and is not duplicated here.
- 2.2.1.2 Fisheries stakeholders have included the following:
- Scottish Fishermen's Federation (SFF);
 - Scottish White Fish Producers Association (SWFPA);
 - Scottish Pelagic Fishermen's Association (SPFA); and
 - North and East Coast Regional Inshore Fisheries Group (NERIFG).
- 2.2.1.3 Engagement with local fishermen has primarily been direct with the Applicant and their Company Fisheries Liaison Officer (CFLO), who has been in post since 2022 and who has made regular port visits to engage with fishermen active in Caledonia North. It is envisaged that this form of engagement with local fishermen will be ongoing throughout the lifetime of Caledonia North.

3 Fisheries Liaison Strategy

3.1 Principles of Liaison

3.1.1.1 The Applicant regards co-existence as the presence of both industries at Caledonia North. An approach of avoiding and reducing impacts to the fishing industry is regarded as the most sustainable approach to co-existence and the Applicant considers effective communication and information transfer to be a key mechanism for coexistence.

3.1.1.2 This section sets out the roles and responsibilities that the Applicant and key contractors will adopt to support its commitment to co-existence, including the appointment of a CFLO, Offshore Fisheries Liaison Officers (OFLOs), and Fishing Industry Representatives (FIRs); and voluntary attendance at the Moray Firth Commercial Fisheries Working Group (MFCFWG).

3.2 Roles and Responsibilities

3.2.1 Overview

3.2.1.1 Details of the roles and responsibility of the Applicant and its future contractors, as far as relevant to this Outline FMMS, are detailed in Table 3-1.

Table 3-1: Roles and responsibility of the Applicant and its future contractors.

Role	Responsibility
The Applicant	The Applicant has overall responsibility for the FMMS.
Project Director	Approval of the Final FMMS for submission to Marine Directorate - Licensing Operations Team (MD-LOT) for discharge of conditions; and Responsible for requiring that sufficient resources and processes are in place to deliver the FMMS.
Development Team and Commercial Fisheries Manager	Liaising with CFLO and CFWG FIRs; and Facilitating any updates to the FMMS
Contractors, Sub-contractors	Work with the Applicant to implement the FMMS, where applicable.
Company Fisheries Liaison Officer (CFLO)	Provide the Applicant with support and guidance regarding communication and coexistence with the fishing industry
Fisheries Industry Representative (FIR)	Work with the CFLO and the Applicant to provide support and guidance regarding the fishing industry
Offshore Fisheries Liaison Officer (OFLO)	Communication point between the Applicant's survey contractors and the fishing industry on site during offshore survey works

3.2.2 The Applicant

3.2.2.1 The main elements of the Applicant's commercial fisheries liaison activities will be to:

- Identify and pro-actively engage with commercial fisheries stakeholders and statutory and non-statutory bodies and organisations that have the potential to be affected by activities associated with Caledonia North;
- Actively continue liaison and consultation with the fishing industry through voluntary attendance at the MFCFWG, as the regional forum for engagement with commercial fishing stakeholders;
- Formulate, agree and implement efficient communication channels for distributing project related information to stakeholders;
- Continue to consider the concerns of commercial fisheries stakeholders in the review of mitigation strategies described in this FMMS;
- Maintain a CFLO as the main point of contact throughout the development phase of Caledonia North;
- Utilise MFCFWG FIRs as required;

- Utilise OFLOs (who may be deployed onto either contractors survey vessels or onto guard vessels) where appropriate;
- Produce and ensure implementation of Standard Operating Procedures (SOPs) to minimise and appropriately manage potential interactions with fishing vessels; and
- Establish suitable and evidence-based cooperation agreement methodologies in line with FLOWW guidelines (and forthcoming updates to that guidance).

3.2.3 Company Fisheries Liaison Officer (CFLO)

- 3.2.3.1 The Applicant has appointed Brown and May Marine as CFLO during the development phase. The CFLO reports to the Applicant's Development Team and Fisheries Manager. The CFLO will liaise regularly with the OFLOs and MFCFWG FIRs as required.
- 3.2.3.2 In accordance with Section 4.1.1 of the FLOWW guidance, the CFLO's duties will include:
- Preparing and maintaining a project-specific register of local fishermen's groups and associations;
 - Engaging in consultation with the fishing community to understand any concerns with Caledonia North and associated survey and construction activities;
 - Arranging or attending as necessary fisheries meetings (with MFCFWG, local fishermen, fisheries associations) to:
 - Promulgate information on the design envelope, construction programme, and provide updates on any changes to Caledonia North throughout the pre-construction phase;
 - Gather fishermen's views on effects of projects on their working practices; and
 - Work with fishermen to resolve any issues or conflicts arising where practicable.
- 3.2.3.3 In addition, the CFLO will assist the Applicant should there be a need for financial arrangements, such as co-operation payments for fishermen if requests for the temporary movement of static gear. This process will need to be carried out according to recognised standards throughout the UK territorial waters. The CFLO should always act professionally and not make any disclosures or commitments regarding financial arrangements without the Applicant's approval.
- 3.2.3.4 It should be noted that the CFLO is shore-based, typically working standard office hours, and is therefore not the appropriate point of contact for any offshore, non-emergency fisheries-related incident which requires an immediate or very short-term response. Contact in any such non-

emergency incident should initially be made with the OFLO on the survey vessel at the time, who together with the vessel master and the Applicant's survey manager can provide a response 24 hours per day. Details of how to contact the OFLO, vessel masters and the survey manager are included in all Notices to Mariners (NtMs) from the Applicant.

- 3.2.3.5 If the incident is an emergency at sea, the fishing vessel should contact the Coastguard through the normal channels.

3.2.4 Fishing Industry Representatives (FIR)

- 3.2.4.1 Membership of the MFCFWG includes nominated FIRs representing local areas in the wider Moray Firth region. The FIR is often the first point of contact for fishermen and will support the CFLO in their duties. FIRs will assist in raising awareness of any forthcoming project activities. In addition, the Applicant may appoint a project-specific FIR, where required.

- 3.2.4.2 In accordance with MFCFWG FIR Terms of Reference, FIR duties include:

- Forming the principal link between the fishing community and developers/the CFLO, through the reliable provision of fishing industry views;
- Ensuring dissemination of information from the developer(s) and from the CFWG through associations, individual fishermen and other interested parties, across their agreed remit, subsequently allowing efficient feedback to the developer(s) or the developer's CFLO;
- Providing developers and the CFLO with guidance on fishing activity in the area and drawing attention to particular fishing sensitivities;
- Liaising with fishing skippers with the objective of accurately relaying their concerns regarding sensitivities associated with particular areas within the development site and activities, and any other issues back to the CFLO, in order to inform ongoing work programmes. All communications will be recorded in the communications log in line with the Applicant's reporting commitments; and
- Disseminating updated project information to fishermen and communicating any changes that occur.

3.2.5 Offshore Fisheries Liaison Officer (OFLO)

- 3.2.5.1 When required, the Applicant will utilise suitably qualified OFLOs throughout the construction and maintenance phases of Caledonia North. This will ensure that key Applicant survey vessels include suitably skilled and experienced OFLOs who have relevant local knowledge of the fisheries which could be affected. It is recommended that OFLOs are contracted through SFF Services to demonstrate the Applicant's commitment to working with the commercial fishing industry.

- 3.2.5.2 The primary responsibility of the OFLO is to act as an effective communication point between the Applicant's survey contractors and the fishing industry on site during offshore survey works. The OFLO will be the first point of contact for fishermen at sea whilst survey activities are taking place and should have a good standard of spoken English. The OFLO will be in communication with the Applicant's survey manager and the CFLO in order to communicate with the local fishing industry the ongoing survey activities.

3.2.6 Guard Vessels

- 3.2.6.1 During construction and maintenance, Caledonia North may have guard vessel(s) on site. The role of the guard vessel(s) is to facilitate safe construction through liaison with other sea users in the vicinity of the works.
- 3.2.6.2 Guard vessel(s) will also be in regular communications with the OFLO and CFLO to exchange information on fishing activity and any static fishing gear in Caledonia North area. The OFLO may be deployed on board a guard vessel rather than on a construction vessel.

3.2.7 Marine Coordination

- 3.2.7.1 In addition to CFLO, FIR(s) and OFLO, a Marine Coordinator for Caledonia North will be appointed. The Marine Coordinator will ensure the marine coordination function is delivered continuously (i.e., 24/7). The Marine Coordinator coordinates all marine operations relating to Caledonia North; including monitoring and managing all construction vessel activity. For dissemination of Proposed Development (Offshore) activity information to other vessels offshore in the vicinity of Caledonia North, including fishing vessels, the Marine Coordinator shall act as the principle point of reference for the CFLO/FIRs/OFLOs, and shall be a point of contact for vessels navigating close to Caledonia North.

3.2.8 Moray Firth Commercial Fisheries Working Group (MFCFWG)

- 3.2.8.1 The MFCFWG provides a forum for discussion on issues relating to commercial fisheries common to all OWF projects in the Moray Firth. The Applicant currently attends as a voluntary member of the MFCFWG, due to membership through other projects, and will continue to participate in the group if consent is granted. The Applicant will use its membership in the MFCFWG to facilitate good communications with the fishing industry.

3.3 Ongoing Engagement

- 3.3.1.1 Throughout the development phase of Caledonia North, the Applicant will remain committed to maintaining open dialogue and effective communications with the fishing industry. This is key to supporting the Applicant's commitment to co-existence where possible to enable both Caledonia North and the relevant commercial fisheries to manage works through awareness of upcoming activities, for example notification of planned survey works.
- 3.3.1.2 To facilitate this engagement, the implementation of appropriate information dissemination and communication protocols is of key importance. These are given in Figure 3-1 and Figure 3-2.

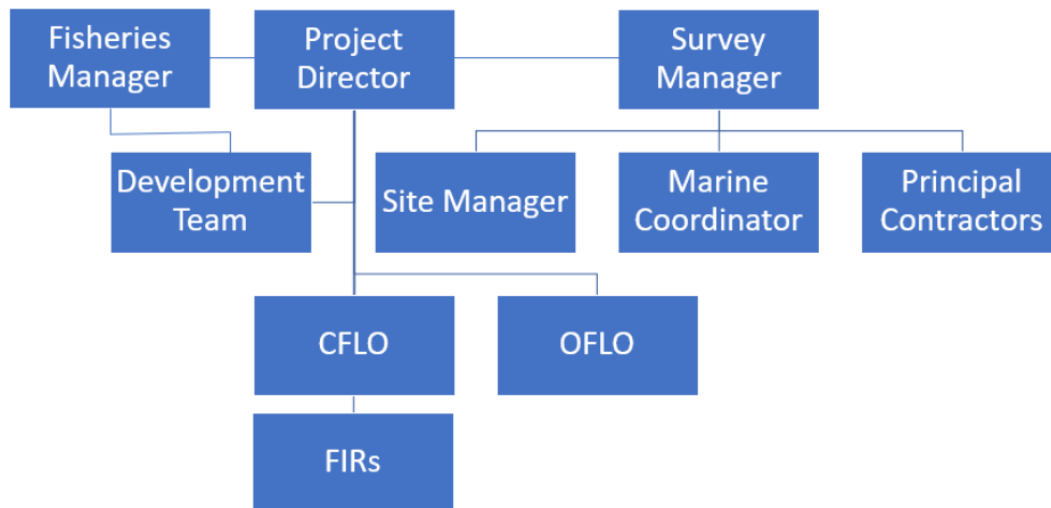


Figure 3-1: Lines of communication during surveys and reporting requirements.

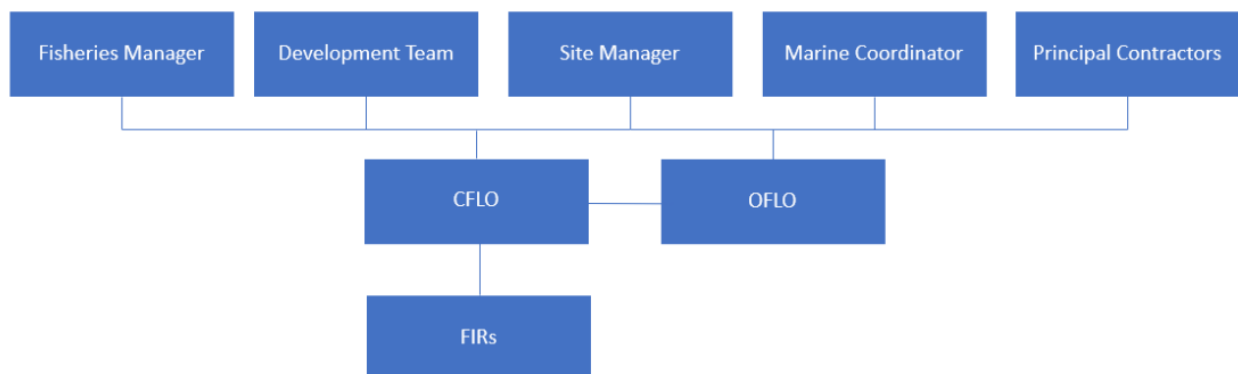


Figure 3-2: Lines of communication for commercial fisheries information dissemination.

- 3.3.1.3 The relevant contacts for individual fishermen in specific scenarios are shown in Figure 3-3. Contact details of the CFLO are provided in Table 3-2. Contact details of the CFLO will be included within NtMs that will be issued a minimum of 14 days prior to the commencement of works, where feasible.

Table 3-2: Contact details for key personnel.

Name	Contact Details
Brown & May Marine Ltd	Alex Winrow-Giffin; alex@brownmay.com ; 07760 160039

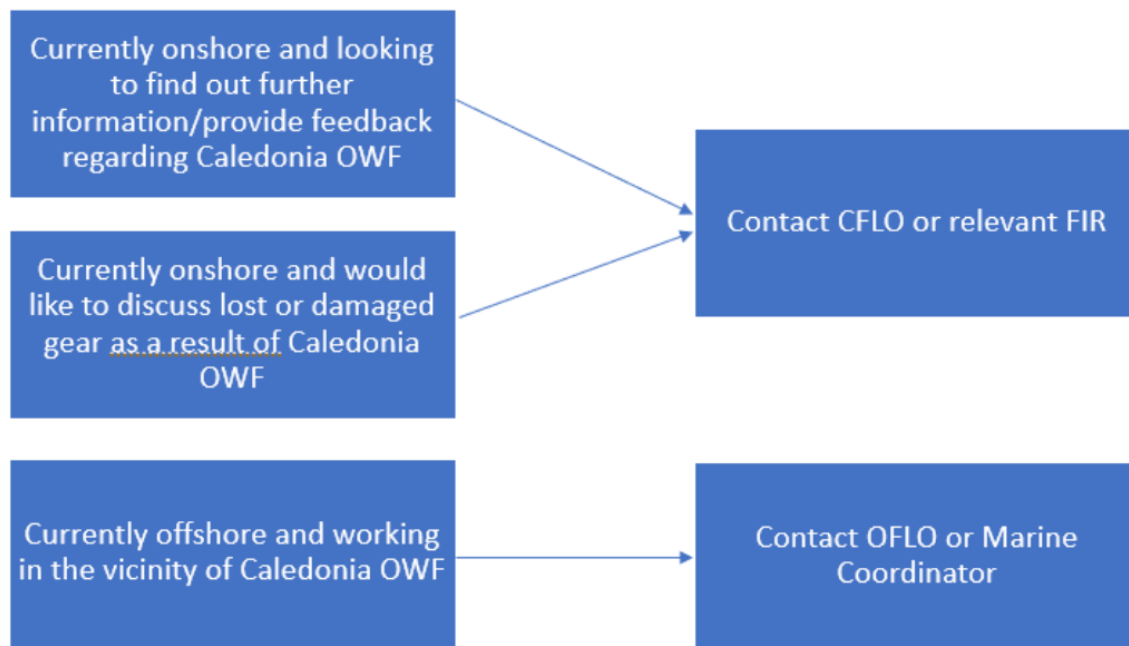


Figure 3-3: Fisheries contacts in specific scenarios.

- 3.3.1.4 Throughout the development phase, different methods of communication will be used to promulgate project information to the fishing industry. The project information to be communicated and the methods of communication are summarised in Table 3-3.

Table 3-3: Proposed Development (Offshore) information communication summary.

Communication	Information Promulgated
Notice to Mariners (NtM) Kingfisher Bulletin	A NtM will be issued to provide information such as the nature of activity, location and vessels involved prior to the commencement of new activities. The NtM will be circulated to the local distribution list, uploaded to the Kingfisher Bulletin and made available on the Applicant's website 14 days in advance of the commencement of new activities, where possible. The CFLO will further distribute this NtM to the fisheries distribution list. NtMs will include information on vessels, their operators and contact details etc. planned to engage in activities throughout works.
Surveys which may require gear relocation or may cause significant disruption to fishing activity	Notices and information distribution not less than 14 days prior to survey mobilisation (where feasible).
Dropped Objects	In the event of a dropped object offshore, the Applicant will notify MD-LOT as soon as practicable after becoming aware of the event. Should the dropped object pose a navigational risk, a NtM will be issued once the location, and details of the object can be established. Furthermore, the Applicant will issue a 'dropped objects' form to MD-LOT and other relevant stakeholders as required (including the Scottish Fishermen's Federation), in the template issued by Marine Scotland Directorate, as soon as reasonably practicable following the event. Any further steps as required in consultation with MD-LOT will be notified through an NtM where applicable.
MFCFWG	Meetings approximately every two months or as required during the development phase. Applicant CFWG Newsletters with project information updates issued at regular intervals, anticipated quarterly.
Marine Coordinator	The Marine Coordinator will provide a direct point of communication for fishing vessels when active in areas relevant to Caledonia North. Fishermen can contact the Marine Coordinator via marine radio channels (VHF, MF and LF) or the Marine Coordinator phone line.
Unscheduled and ad hoc liaison	Additional unscheduled liaison and consultation will be undertaken by either the CFLO, or the FIR as required to address issues and fishermen's concerns as they arise
Weekly Notice of Operations	During construction, the Applicant will produce and distribute a Weekly Notice of Operations to inform marine users of the ongoing and planned offshore works, including number and movements of vessels.

4 Fisheries Mitigation Strategy

4.1 Overview

- 4.1.1.1 It is the intention of the Applicant to facilitate co-existence wherever possible during all phases of Caledonia North which will include the implementation of mitigation strategies to minimise the overall impacts of Caledonia North.
- 4.1.1.2 This section of the document presents measures, in addition to fisheries liaison (see Section 3), that will be put in place by the Applicant to promote co-existence between Caledonia North and fishing activity.

4.2 Principles of Mitigation

- 4.2.1.1 In line with the FLOWW (2014¹) Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison, the principles of mitigation are that:
- The Applicant will implement measures to minimise and mitigate as far as practicable, potential impacts to commercial fishers during the lifetime of Caledonia North;
 - The Applicant will minimise the size and duration of advisory safety distances during surveys and other works where safe and practicable to do so;
 - Safe working practices underpinned by appropriate safety management systems are expected from all vessels undertaking operations related to Caledonia North. Vessels employed by the Applicant will only undertake activities prescribed in their line of work;
 - The Applicant will provide local fisheries stakeholders with procedures for registering claims for loss of/damage to fishing gear resulting from Proposed Development (Offshore) surveys, construction activities and during the operational phase of Caledonia North; and
 - Vessels involved in the construction, and operation and maintenance of Caledonia North, including guard vessels and survey vessels, will be provided with the relevant lines of communication (as outlined within this document) to minimise disruption to fishing vessels undertaking their normal activities.

4.3 Embedded Mitigation

- 4.3.1.1 As part of the design process, a number of designed-in (embedded) measures were provided within the EIAR, to which the Applicant remains committed (Table 4-1). All measures are relevant to Caledonia North, including the Caledonia North Site and Caledonia North OECC.

Table 4-1: Embedded mitigation.

Code	Mitigation Measure
M-1	Development of and adherence to a Cable Plan (CaP). The CaP will confirm planned cable routing, burial and any additional protection and will set out methods for post-installation cable monitoring.
M-5	Where practicable, cable burial will be the preferred means of cable protection. Cable burial will be informed by the cable burial risk assessment and detailed within the CaP.
M-12	Development of and adherence to a Project Environmental Monitoring Programme (PEMP). The PEMP will set out commitments to environmental monitoring in pre-, during and post-construction phases of Caledonia North.
M-14	Development of and adherence to a Lighting and Marking Plan (LMP). The LMP will confirm compliance with legal requirements with regards to shipping, navigation and aviation marking and lighting.
M-17	Development of and adherence to a Fisheries Management and Mitigation Strategy (FMMS). The FMMS will set out the means of ongoing fisheries liaison through construction and operation and maintenance (O&M) phases of Caledonia North and detail any mitigation measures to be put in place to limit effects on commercial fisheries activity. This will include the following project policies: Fisheries Liaison Policy and Engagement Schedule, Conflict Avoidance Policy, Incident Response Policy.
M-18	Appointment of a Company Fisheries Liaison Officer (CFLO). The CFLO will support ongoing liaison and ensure clear communication between Caledonia North and commercial fisheries. Fishery manager employed by the Applicant to oversee liaison and detailed interaction.
M-19	Development of and adherence to a Navigational Safety Plan (NSP). The NSP will describe measures put in place by Caledonia North related to navigational safety, including information on Safety Zones, charting, construction buoyage, temporary lighting and marking, and means of notification of Project activity to other sea users (e.g., via Notice to Mariners).
M-20	Adherence to best practice guidance with regards to fisheries liaison and procedures in the event of interactions between Caledonia North and fishing activities (e.g., FLOWW, 2014 ¹ ; 2015 ²).
M-21	Advance warning and accurate location details of construction, maintenance and decommissioning operations, associated Safety Zones and advisory passing distances will be given via Notices to Mariners and Kingfisher Bulletins.

Code	Mitigation Measure
M-22	Continued participation in regional commercial fisheries working group to assist with liaison between Caledonia North and the fishing community.
M-23	Application for and use of Safety Zones of up to 500m during construction, major maintenance and decommissioning phases. Where appropriate, guard vessels will also be used to ensure adherence with Safety Zones or advisory passing distances, as defined by risk assessment, to mitigate any impact which poses a risk to surface navigation during construction, maintenance and decommissioning phases. Such impacts may include partially installed structures or cables, extinguished navigation lights or other unmarked hazards.
M-24	Any objects dropped on the seabed during works associated with Caledonia North will be reported and objects will be recovered where they pose a hazard to other marine users and where recovery is possible.

4.4 Good Practice Measures

4.4.1 Overview

4.4.1.1 The Applicant is committed to employing industry-standard good practice measures during all phases of Caledonia North. Those measures relevant to fisheries co-existence are described below. The Final FMMS will take account of any additional measures identified during consultation on the plan or resulting from new guidance.

4.4.2 Code of Good Practice for Contracted Vessels

4.4.2.1 When the Applicant appoints Contractors, these will be contractually required to follow a code of good practice in order to ensure external communication is accurate and to aid co-existence with the fishing industry. This will include the following considerations:

- Ensure that any project-related debris accidentally dropped during construction and maintenance activities is removed as practicably and safely, as is feasible;
- Ensure all vessels under contract for Caledonia North adhere to Convention on the International Regulations for Preventing Collisions at Sea (COLREGS; International Maritime Organization, 1972⁸) and The International Convention for the Safety of Life at Sea (SOLAS; International Maritime Organization, 1974⁹) requirements;
- Ensure all vessels working under contract for Caledonia North do not engage in any commercial or recreational fishing activities;

- All vessels under contract for Caledonia North will maintain collaborative, proactive and professional communications with fishing vessels during offshore operations;
- All vessels under contract for Caledonia North will monitor at all times the required Very High Frequency (VHF) channels so as to receive communications directly from fishing vessels;
- All vessels under contract for Caledonia North will adhere to sensible transit speeds, exercise caution and maintain observation during night working; and
- All vessels contracted to undertake specific work for Caledonia North will have undertaken appropriate risk assessments in respect of potential interactions with commercial fishing vessels and their gears.

4.4.3 Navigational Safety Measures

Cable Burial

- 4.4.3.1 Cable burial is the preferred means of cable protection. Details of planned cable burial will be confirmed in a Cable Specification and Installation Plan to be prepared by the Applicant and approved ahead of Proposed Development (Offshore) construction. The Plan will be informed by the cable burial risk assessment and provide detail on the final routing on the seabed of all cables, confirming target cable burial and protection measures where target burial cannot be achieved. The Plan will also set out an approach to surveys of cables and any protection during the operational life of Caledonia North, and measures to be taken in the event of cable exposure.

Safety Zones

- 4.4.3.2 The Applicant will apply for Safety Zones. Temporary Safety Zones of up to 500m will be sought during construction, major maintenance, and decommissioning phases. Where appropriate, guard vessels will also be used to ensure adherence with Safety Zones or advisory passing distances, as defined by risk assessment, to mitigate any impact which poses a risk to surface navigation during construction, maintenance, and decommissioning phases.
- 4.4.3.3 During the construction (and decommissioning) phase, the Caledonia North Site will be marked as a buoyed construction area. There will be no restriction on entry into the buoyed construction area other than through any active Safety Zones, noting the Cardinal Marks (buoys) do advise Mariners to avoid the area.
- 4.4.3.4 Safety Zones and buoyed areas will be communicated to other marine users via NtMs.

Vessel Transit Routing and Shelter Areas

- 4.4.3.5 Caledonia North vessel activity will be managed by the Marine Coordinator via a Permit to Work system, which in essence is a health and safety management tool that requires obtaining permission, assessing risks and implementing necessary precautions before entering a works area and carrying out specific activities offshore. Once the location of Caledonia North working port(s) is confirmed, indicative vessel transit routes to and from the works area will be identified and vessels will adhere to these routes wherever possible. Vessel anchorage areas, and areas to be avoided, will also be identified and contractors will be instructed to comply.
- 4.4.3.6 The designation of preferential shelter areas does not over-ride the authority of any vessel master to take whatever navigational decisions are required for the safe operation of that vessel and other sea users.
- 4.4.3.7 It is also recognised that static fishing gear may be located anywhere in the Moray Firth and there is no expectation that indicative transit routes, shelter areas, and holding areas will be cleared of static fishing gear. As such, contracted vessels associated with Caledonia North are always required to maintain a lookout for, and avoid, appropriately marked fishing gear.

Marking and Charting

- 4.4.3.8 During the construction phase, Caledonia North construction area will be clearly marked using buoys. All construction vessels and installed infrastructure will be appropriately lit and marked. All installed infrastructure will be marked on United Kingdom Hydrographic Office (UKHO) Admiralty Charts.

Dropped Objects

- 4.4.3.9 The requirement to set out procedures relating to dropped objects is set out in the Offshore Consents particularly the requirement to prepare, for approval, an EMP. The EMP confirms that any objects dropped on the seabed during works associated with Caledonia North will be reported and objects will be recovered where they pose a hazard to fishing or safe navigation, and where recovery is possible. Further details on the dropped objects reporting procedure are provided in the EMP. All Contractors will be required to comply with the approved EMP.
- 4.4.3.10 Should the dropped object pose a navigational risk, a NtM and Kingfisher Notice will be issued once the location, and details of the object can be established.

Cable Protection Surveys

- 4.4.3.11 The Applicant commits to surveys across areas of cable protection deployed across inter-array cables and offshore export cables to establish that fishing can resume safely post construction, this may include over-trawl surveys following consultation with commercial fishing industry.

4.4.4 Procedures specific to fisheries interactions

Procedure in Relation to Gear Fastening or Loss

- 4.4.4.1 The Kingfisher Information Service - Offshore Renewable & Cable Awareness project (KIS-ORCA) is a joint initiative between Subsea Cables UK and RenewableUK and is being managed by the Kingfisher Information Service of Seafish. All Proposed Development (Offshore) details will be provided within KIS-ORCA data, which should be downloaded onto a vessel's fishing plotter. To reduce the risks of fishing near offshore structures, it is essential to be up to date with KIS-ORCA information.
- 4.4.4.2 As per the Seafish *et al.* (2016¹⁰) guidance on reducing the risks while fishing:
- "In the interests of fishing safety and to prevent damage to subsea structures, fishermen are advised to exercise caution when fishing in the vicinity of subsea cables and renewable energy structures. If it is suspected that gear has snagged a subsea cable, DO NOT endanger vessel and crew by attempting to recover gear. If gear is snagged and it is thought prudent to slip or cut the fishing gear in an attempt to clear a subsea structure, the gear should always be lowered to the seabed first. To slip or cut anything bearing excessive weight should never be attempted".*
- 4.4.4.3 The following procedure replicates that which has been in place in respect of the UK offshore oil and gas industry. It reflects Seafish and KIS-ORCA guidance and describes the steps that should be undertaken in the event of fishing gear becoming fastened within the Caledonia North area:
- If the fastened gear is not easily retrieved, fishermen should not apply excessive winch, line or net hauler loads or engine powers in attempts to retrieve fastened gear;
 - Fishing vessel should advise the coastguard or the Marine Coordinator, giving an accurate position of the vessel and/or lost gear;
 - If the coastguard or the Marine Coordinator, confirms that the vessel is in the immediate vicinity of a cable, serious consideration will be given to the slipping of the gear and buoying and recording its position;
 - After buoying off the gear, the position should be confirmed with the coastguard or the CFLO;

- On return to port, the local Fishery Office should be contacted, and the incident registered in the normal manner; and
- On no account should skippers grapple in an attempt to recover fishing gear lost or cut away in the vicinity of Caledonia North cables.

4.4.4.4 The following procedure, based on the same sources of guidance as referenced above, should be followed in the event of fishing gear becoming lost or damaged within the Caledonia North area:

- On discovery of the lost or damaged gear at sea, the fisherman must record the date, time, location (coordinates) and description of the gear lost, or the damages sustained within the vessel logbook;
- On return to port, the fisherman must report the incident to the CFLO within 5 days and if possible, provide photos of the damaged gear;
- Once the CFLO has been informed of the incident, the CFLO will provide a gear loss or damage claim form to the fisherman. The fisherman will be asked to complete the fishing gear loss or damage claim form which will provide the relevant details for assessment of the likely cause of the loss of or damage to the gear, the value of the lost or damaged fishing gear and any subsequent loss of earnings which incurred as a result of the incident;
- Once completed, the fishing gear loss or damage claim form should be sent to the CFLO as soon as possible. This should be supported with photographs of the damaged fishing gear, evidence of the earnings from fishing at the time of the incident, and a quote of the cost for either repair of the damaged fishing gear by a third party or the costs of labour and materials should the skipper and crew undertake replacement of gear themselves; and
- Following the receipt of this fishing gear loss or damage claim form, the Applicant will review the information provided and carry out appropriate further investigations. The Applicant will respond to the claim via their CFLO as soon as possible.

4.4.4.5 Claims for loss or damage to fishing gear will not be considered where a skipper of a vessel has ignored notices, guard vessel communications, NtM, FLO communications, infringed Safety Zones, or in any other circumstances where the damage to or loss of the gear is as a result of the neglect or default of the skipper of a vessel.

Procedure for Gear Relocated/Removed by Gear Owner

4.4.4.6 During the construction and operational phases, Safety Zones around construction and maintenance works will be determined and communicated to the commercial fishing industry. The owner of gear within the offshore Safety Zones and works areas will be requested by the Applicant and/or its related parties or its contractors to relocate or remove gear from within the Safety Zone provided that:

- Safety Zones are communicated to the affected recipients at the earliest possible time, and within a reasonable period to allow gear to be relocated/removed prior to works being undertaken; and
- The gear owner is reimbursed for gear relocation/removal based on acceptable evidence, where it appears to be justifiable, fair, and reasonable.

4.5 Further Mitigation Measures

4.5.1 Overview

4.5.1.1 The EIAR found significant impacts during the construction phase for the following fleets:

- Caledonia North Site (bottom-fixed): Squid trawl; finfish trawl and seine; and scallop dredge;
- Caledonia North OECC: Nephrops trawl; squid trawl; finfish trawl and seine; scallop dredge; and potting crab and lobster.

4.5.1.2 In response to this, it was identified that further mitigation beyond that described in Section 3 and Sections 4.2 to 4.4, and specific to identified fleets during construction, may be required to address the potentially significant impact.

4.5.1.3 Significant impacts during the operational phase are not anticipated in Caledonia North, including areas where bottom-fixed foundations are deployed and across the Caledonia North OECC, given there will be no restriction on fishing activity except for within any Safety Zones around major maintenance works. The full justification for these assumptions is provided in the EIAR (see Volume 3: Chapter 8: Commercial Fisheries).

4.5.1.4 Further detail on the principles that the Applicant will apply in delivery of further mitigation measures are set out below.

4.5.2 Disturbance Payments

4.5.2.1 Where significant impacts remain after minimisation and mitigation efforts have been considered for any construction, or pre-construction phase temporary disruption to fishers, the Applicant may consider evidence-based commercial disturbance agreements with fishers as a last resort, in line with FLOWW (2014¹) guidance and redrafting efforts.

4.5.2.2 The Applicant will consider entering these agreements with those targeting fisheries upon which Caledonia North has been identified to have a significant impact on within the EIAR during the construction phase.

4.5.2.3 The Applicant is committed to following FLOWW (2015²) guidance in respect of consideration and interaction with the fishing industry. Co-

operation payments will only be established based on factually accurate and justifiable claims to achieve a position whereby fishing interests are neither advantaged nor disadvantaged, in accordance with the FLOWW (2015²) guidance. Affected fishermen will be required to provide evidence to corroborate any claims (FLOWW, 2014¹). Payments will be considered for justifiable claims submitted by individuals only, ensuring that those who are impacted will receive fair payment in line with potential losses; the Applicant will not consider association agreements.

- 4.5.2.4 If mutual agreement cannot be reached then both parties should seek to undertake Alternative Dispute Resolution (ADR), in line with FLOWW (2015²) guidance.

Procedure for Disturbance Payment

- 4.5.2.5 All claims must satisfy the following points:
- Claims will be paid only for losses caused due to the construction of Caledonia North;
 - There must be a close link between the construction of Caledonia North and the claimant's losses (e.g., due to exclusion from fishing grounds and/or disruption to normal activities);
 - All claims should be reasonable and justified based on demonstrable economic loss;
 - Evidence must be provided to support the claim; and
 - Payment will be paid only if business is being carried out within the relevant legislation (i.e., the vessel is licensed to operate as a commercial fishing vessel and adheres to fisheries legislation).

Evidence Base

- 4.5.2.6 The following documentation and data are expected to be required to form an evidence base to support any claim for disruption payment:
- Copy of certificate of registry for each vessel for which a claim is being made;
 - Copy of a valid Maritime and Coastguard Agency certification or equivalent;
 - Copy of the relevant vessel fishing licences and entitlements;
 - Sight of vessels' fishing charts or Global Positioning System (GPS) plotter records to provide clear historic evidence of potential disruption in the area of the operations. Alternatively, where such data is not attainable, provide annotated admiralty charts indicating areas fished, this may be undertaken with assistance from the CFLO who will provide graphics and work with the claimant to understand the areas fished;

- Evidence of monthly sales notes for the three-year time period prior to the claim;
- Annual fishing accounts of the vessels concerned for a three-year time period or equivalent evidence of annual earnings (e.g., self-assessment tax return); and
- Monthly fishing vessel landings data or and/or fisheries landings data held by fisheries authorities (requiring declaration from vessel owner for release of individual records).

4.5.2.7 The purpose of the evidence base is to document active fishing across the area of works and demonstrate the level of economic loss that is expected over the period of works.

4.5.3 Alternative Mitigation Measures

4.5.3.1 The Applicant is committed to continued exploration with the fishing industry of potential alternative mitigation measures. The Final FMMS will confirm commitment to any additional mitigation measures if demonstrated to be appropriate to the affected fishing industry and the Applicant.

4.5.3.2 In particular, the following measures have been identified as mitigation during the operational phase of Caledonia North:

- Monitoring commercial fisheries activity and data and commitment to update the FMMS based on findings to ensure the FMMS remains valid and appropriate for the operational phase (see Section 5 for proposed approach to fisheries data monitoring).

5 Fisheries Monitoring

5.1 Overview

5.1.1.1 The aim of commercial fisheries monitoring is to understand variations in commercial fisheries activity in response to the construction of Caledonia North and use this to inform updates to the FMMS. The key objectives are to:

- Collate data on commercial fisheries landings and activity by International Council for the Exploration of the Sea (ICES) rectangle, including landing statistics and Vessel Monitoring System (VMS) data with the objective to extend the baseline assessment provided within the EIAR (see Volume 3, Chapter 8: Commercial Fisheries and Volume 7B, Appendix 8-1: Commercial Fisheries Technical Report).
- Collate data on commercial fisheries landings by port monthly;
- Collate such other sources of evidence of commercial fisheries activity as may be reasonably available on a regular basis; and
- Monitor available data and evidence to better understand any variations and patterns in commercial fisheries activity.

5.1.1.2 Mitigation and/or any updates to the FMMS may be informed by an understanding of any changes in fishing activity as picked up by the monitoring proposed.

5.2 Monitoring Data Sources

5.2.1.1 Monitoring will involve:

- Review of Marine Management Organisation (MMO) landings data by port to allow monitoring of size, target species, tonnage of catch and first sales value monthly;
 - For each port, monthly data will be analysed to determine live weight of key species landed by all vessels, specifically for nephrops, brown crab, lobster and squid fisheries; and
 - Inter annual variations between monthly landings will be examined.
- Additional sources of information will be reviewed to corroborate findings of the analysis of the MMO landing statistics and identify trends not detected by the MMO landings data;
- Analysis of OFLO and guard vessel records (where available);
- Analysis of marine traffic surveys in respect of fishing vessel activity (where available);
- Analysis of Marine Coordination Centre records in respect of fishing vessel activity;

- Analysis of VMS data in respect of fishing vessel activity, based on annual geographic datasets produced by MMO for VMS on UK vessels; and
- Consultation with the commercial fishing industry via the CFLO.

5.3 Monitoring Reporting Deliverables

5.3.1.1 Data will be collated quarterly, to examine monthly landings and activity over that preceding period. It is proposed that reporting outputs will be delivered to cover monitoring results for the following phases:

- Post-consent phase (from consent award onwards provided as a continuation of the baseline presented in the EIAR);
- Pre-construction phase;
- During construction phase: Start of construction to end of construction, including reporting on an annual basis; and
- Post-construction phase: End of construction to three years after the completion of construction, or as agreed with MD-LOT.

6 Compliance with the Application

- 6.1.1.1 The Application and EIAR set out several commitments in relation to various aspects of Caledonia North. The effects of Caledonia North on commercial fishing activities have been assessed in Volume 3, Chapter 8: Commercial Fisheries on the basis that these commitments would be implemented. The commitments were made to ensure that Caledonia North followed good practice in relation to its interaction with commercial fisheries interests.
- 6.1.1.2 Table 4-1 provides an overview of the commitments made in the Application and EIAR with respect to commercial fisheries, and highlights where these commitments are carried through in this Outline FMMS.

7 References

- ¹ Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW) (2014) 'Best Practice Guidance for Offshore Renewable Developments: Recommendations for Fisheries Liaison'. Available at: <https://www.thecrownestate.co.uk/media/1775/ei-km-in-pc-fishing-012014-floww-best-practice-guidance-for-offshore-renewables-developments-recommendations-for-fisheries-liaison.pdf> (Accessed 28/08/2024)
- ² Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW) (2015) 'FLOWW Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds Fisheries Liaison with Offshore Wind and Wet Renewables Group (FLOWW)'. Available at: <https://www.thecrownestate.co.uk/media/1776/floww-best-practice-guidance-disruption-settlements-and-community-funds.pdf> (Accessed 28/08/2024)
- ³ Marine Scotland (2020) 'Guidance on Preparing a Fisheries Management and Mitigation Strategy DRAFT REV 2.2'
- ⁴ Moray Firth and Forth and Tay Commercial Fisheries Working Groups (2024) 'Proposal for Consideration of Mobile Gear Disruption Payments for Construction Phase of Fixed Bottom Offshore Renewable Energy Installations'
- ⁵ Bureau of Ocean Energy Management Office of Renewable Energy Programs (2022) 'Guidelines for Mitigating Impacts to Commercial and Recreational Fisheries on the Outer Continental Shelf Pursuant to 30 CFR Part 585 (Draft)'. Available at: https://www.boem.gov/sites/default/files/documents/renewable-energy/DRAFT_Fisheries_Mitigation_Guidance_06232022_0.pdf (Accessed 28/08/2024)
- ⁶ UK Parliament (2009) 'Marine and Coastal Access Act 2009'. Available at: <https://www.legislation.gov.uk/ukpga/2009/23/contents> (Accessed 28/08/2024)
- ⁷ Scottish Parliament (2010) 'Marine (Scotland) Act 2010'. Available at: <https://www.legislation.gov.uk/asp/2010/5/contents> (Accessed 28/08/2024)
- ⁸ International Maritime Organization (1972) 'Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs)'. Available at: <https://www.imo.org/en/About/Conventions/Pages/COLREG.aspx> (Accessed 28/08/2024)
- ⁹ International Maritime Organization (1974) 'International Convention for the Safety of Life at Sea (SOLAS), 1974'. Available at: [https://www.imo.org/en/About/Conventions/Pages/International-Convention-for-the-Safety-of-Life-at-Sea-\(SOLAS\),-1974.aspx](https://www.imo.org/en/About/Conventions/Pages/International-Convention-for-the-Safety-of-Life-at-Sea-(SOLAS),-1974.aspx) (Accessed 28/08/2024)
- ¹⁰ Seafish, The Kingfisher Information Service and DONG Energy (2016) 'Reducing the risks while fishing'. Available at: <https://kis-orca.org/safety/reducing-risks-while-fishing/> (Accessed 28/08/2024)

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