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# East Anglia ONE North Offshore Windfarm

## Outline Fisheries Liaison and Coexistence Plan

Applicant: East Anglia ONE North Limited

Document Reference: ExA.AS-5.D34.V24

SPR Reference: EA1N-DWF-ENV-REP-IBR-000504 [Rev 02](#)

Date: ~~2<sup>nd</sup> November~~ [15th December](#) 2020

Revision: Version 0042

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Applicable to **East Anglia ONE North**



Revision Summary				
Rev	Date	Prepared by	Checked by	Approved by
001	02/11/2020	Kerrie Craig / Gero Vella	Lesley Jamieson / Ian Mackay	Rich Morris
<a href="#">002</a>	<a href="#">15/12/2020</a>	<a href="#">Gero Vella</a>	<a href="#">Lesley Jamieson / Ian Mackay</a>	<a href="#">Rich Morris</a>

Description of Revisions			
Rev	Page	Section	Description
001	n/a	n/a	Final for submission
<a href="#">002</a>	<a href="#">n/a</a>	<a href="#">n/a</a>	<a href="#">Final for submission at Deadline 3</a>



# Table of Contents

<b>1</b>	<b>Introduction</b>	<b>1</b>
1.1	Purpose of the Plan	1
1.2	Structure of the Plan	2
1.3	Background to the Fisheries Liaison and Coexistence Strategies	2
<b>2</b>	<b>Fisheries Liaison</b>	<b>5</b>
2.1	Guidance and Information	5
2.2	Fisheries Liaison Roles and Responsibilities	5
2.3	Information Exchange	7
<b>3</b>	<b>Mitigation and Coexistence</b>	<b>8</b>
3.1	Working Coexistence Procedures	8
3.2	Employment of Local Commercial Fishing Stakeholders	9
3.3	Code of Good Practice for All Vessels	10
3.4	Procedures in Relation to Gear Fastening or Loss	10
<b>4</b>	<b>References</b>	<b>11</b>
<b>Appendix 1: Roles and Responsibilities</b>		<b>12</b>
<del>1</del>	<del>Introduction</del>	<del>1</del>
<del>1.1</del>	<del>Purpose of the Plan</del>	<del>1</del>
<del>1.2</del>	<del>Structure of the Plan</del>	<del>2</del>
<del>1.3</del>	<del>Background to the Fisheries Liaison and Coexistence Strategies</del>	<del>2</del>
<del>2</del>	<del>Fisheries Liaison</del>	<del>5</del>
<del>2.1</del>	<del>Guidance and Information</del>	<del>5</del>
<del>2.2</del>	<del>Fisheries Liaison Roles and Responsibilities</del>	<del>5</del>
<del>2.3</del>	<del>Information Exchange</del>	<del>6</del>
<del>3</del>	<del>Mitigation and Coexistence</del>	<del>8</del>
<del>3.1</del>	<del>Working Coexistence Procedures</del>	<del>8</del>
<del>3.2</del>	<del>Employment of Local Commercial Fishing Stakeholders</del>	<del>9</del>
<del>3.3</del>	<del>Code of Good Practice for All Vessels</del>	<del>9</del>
<del>3.4</del>	<del>Procedures in Relation to Gear Fastening or Loss</del>	<del>9</del>
<del>4</del>	<del>References</del>	<del>11</del>



## Glossary of Acronyms

CFLO	Company Fisheries Liaison Officer
CFR	Company Fisheries Representative
CFWG	Commercial Fisheries Working Group
<a href="#">COLREGS</a>	<a href="#">International Regulations for Preventing Collisions at Sea</a>
DCO	Development Consent Order
DML	Deemed Marine Licences
ES	Environmental Statement
ExA	Examining Authority
FIR	Fishing Industry Representative
FLCP	Fisheries Liaison and Coexistence Plan
FLOWW	Fishing Liaison with Offshore Wind and Wet Renewables Group
GPS	Global Positioning Satellite
IFCA	Inshore Fisheries and Conservation Authority
MCA	Maritime and Coastguard Agency
MMO	Marine Management Organisation
NFFO	National Federation of Fishermen's Organisations
NtMs	Notices to Mariners
OFLO	Offshore Fisheries Liaison Officer
PEMP	Project Environmental Management Plan
VHF	Very High Frequency



## Glossary of Terminology

Applicant	East Anglia ONE North Limited
East Anglia ONE North project	The proposed project consisting of up to 67 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO project	The proposed project consisting of up to 75 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
Generation Deemed Marine Licence (DML)	The deemed marine licence in respect of the generation assets set out within Schedule 13 of the draft DCO.
Inter-array cables	Offshore cables which link the wind turbines to each other and the offshore electrical platforms, these cables will include fibre optic cables.
Monitoring buoys	Buoys to monitor in situ condition within the windfarm, for example wave and metocean conditions
Marking buoys	Buoys to delineate spatial features / restrictions within the offshore development area.
Offshore cable corridor	This is the area which will contain the offshore export cables between offshore electrical platforms and transition bays located at landfall.
<a href="#">Offshore development area</a>	<a href="#">The East Anglia ONE North windfarm site and offshore cable corridor (up to Mean High Water Springs).</a>
Offshore export cables	The cables which would bring electricity from the offshore electrical platforms to the landfall. These cables will include fibre optic cables.
Offshore infrastructure	All of the offshore infrastructure including wind turbines, platforms, and cables.
Safety Zones	A marine area declared for the purposes of safety around a renewable energy installation or works / construction area under the Energy Act 2004
Transmission DML	The deemed marine licence in respect of the transmission assets set out within Schedule 14 of the draft DCO.
Windfarm site	The offshore area within which wind turbines and offshore platforms will be located



# 1 Introduction

## 1.1 Purpose of the Plan

1. East Anglia ONE North Limited ('the Applicant') submitted a DCO application for the East Anglia ONE North Offshore Windfarm ('the Project') in October 2019.
2. The **draft DCO** ([an updated version has been submitted at Deadline 1, document reference 3.1\)APP-023](#)) includes two deemed Marine Licences (DMLs), the first (Schedule 13 of the DCO) licences the generation assets and the second (Schedule 14 of the DCO) licences the transmission assets. Although some licence conditions are relevant only to one of the DMLs, a number are relevant to both, with this document pertaining to both DMLs.
3. The purpose of this Outline Fisheries Liaison and Coexistence Plan is to demonstrate the principles of the final Fisheries Liaison and Coexistence Plan (FLCP) to be submitted for approval as required under the **draft DCO** ([an updated version has been submitted at Deadline 1, document reference 3.1\)APP-023](#)) for the Project, namely in Condition 17(1)(e)(v) of the generation DML and Condition 13(1)(e)(v) of the transmission DML which both states that:

*"The licensed activities or any part of those activities shall not commence until the following (as relevant to that part) have been submitted to and approved in writing by the MMO-*

*(e) A project environmental management plan covering the period of construction and operation to include details of— (v) a fisheries liaison and coexistence plan, [in accordance with the outline fisheries liaison and coexistence plan](#), to ensure relevant fishing fleets are notified of commencement of licensed activities pursuant to condition [\[10/6\]](#) and to address the interaction of the licensed activities with fishing activities."*

4. The final version of the FLCP will be submitted to the Marine Management Organisation (MMO) for approval in order to discharge Condition 17(1)(e)(v) of the generation DML and Condition 13(1)(e)(v) of the transmission DML, prior to the commencement of licenced activities offshore for each Project.
5. The FLCP is a live document, and as such, it will be updated as the Project develops and more information is known, for example about the methods of installation used and the timelines for each of the phases: construction, operation and decommissioning.
6. The FLCP will form part of a suite of documents associated with the requirements of Condition 17(1)(e) of the generation DML and Condition 13(1)(e) of the



transmission DML, which requires a Project Environmental Management Plan (PEMP) to be submitted to, and approved by, the Marine Management Organisation (MMO).

7. The FLCP will facilitate coexistence between the Applicant and commercial fishing interests active within and around the Project's offshore infrastructure during the construction, operational and decommissioning phases of the Project.
8. This outline FLCP and the final FLCP build on the East Anglia ONE FLCP, which has been in successful use since January 2017.

## 1.2 Structure of the Plan

9. The final FLCP will set out the following:
  - **Section 1.3** - Background to Fisheries Liaison and Coexistence Strategies: this section will provide context and background to the fisheries liaison and coexistence strategies that will be developed through consultation with fisheries consultees;
  - **Section 2** - Fisheries Liaison: this section will present detail on the guidance and information used to develop the fisheries liaison strategies, with descriptions of the roles and responsibilities of those involved in implementing the strategies and details on how information will be exchanged with key stakeholders; and
  - **Section 3** - Coexistence Strategy and Procedures: this section will provide a high level overview of the coexistence procedures that will be implemented during the construction, operation and decommissioning of the Project.

## 1.3 Background to the Fisheries Liaison and Coexistence Strategies

10. This section will include agreements on the fisheries liaison and coexistence strategies made during the Application and Examination process between the Applicant and commercial fisheries stakeholders. These strategies and agreements will form the basis of the final FLCP.
11. The strategies and agreements will comprise:
  - Recognising that fishing businesses may be directly affected during pre-construction, construction, operational and decommissioning activities due to lost access and / or displacement and / or the requirement for modification of operating practices.
  - Maintaining on-going communication and liaison between the Applicant and the Commercial Fisheries Working Group (CFWG) during the pre-construction, construction, operational and decommissioning phases of the Project.



- Maintaining a Company Fisheries Representative (CFR) supported by a Company Fisheries Liaison Officer (CFLO) as the main point of contact for the Project during pre-construction, construction, operational and decommissioning activities, as well as engaging a Fishing Industry Representative (FIR) / or a number of FIRs, where appropriate and the use of an offshore Fisheries Liaison Officer (OFLO) on vessels during periods of major activity, drawn from the local fishing industry wherever possible.
- Promotion of productive coexistence through the provision of information and general pre-construction plans as appropriate.
- Preparation of a detailed cable laying plan, which incorporates a burial risk assessment (as required under Condition 17(1)(d)(ii)(bb) of the generation DML and Condition 13(1)(d)(ii)(bb) of the transmission DML) to ascertain suitable burial depths and cable laying techniques and with the objective of achieving cable burial in order to minimise as far as reasonably practicable effects on longer term fishing operations.
- In line with standard practice in the North Sea oil and gas industry, measures to ensure that where cables cannot be buried and cable protection is required, the protection methods used are compatible with fishing activities where practicable.
- Removal / recovery of construction related seabed debris, in accordance with the requirements of Condition 14 in the generation DML and Condition 10 in the transmission DML and large debris resulting from any UXO clearance, which may present an obstacle to fishing activities, in accordance with Condition 16(1)(a) of the generation DML and Condition 12(1)(a) of the transmission DML.
- Completion of a post-construction swath-bathymetry survey to assess any changes in bedform topography and such further monitoring or assessment as may be agreed with the MMO to ensure that cables have been buried or protected in accordance with Condition 22(2)(b) in the generation DML and Condition 18(2)(b) of the transmission DML. Additionally, proposals for monitoring offshore cables and the status of cable protection during the operational lifetime of the authorised scheme, which will include a risk based approach to the management of unburied or shallow buried cables, will be agreed with the MMO in accordance with Condition 17(1)(d)(ii)(cc) of the generation DML and Condition 13(1)(d)(ii)(cc) of the transmission DML.
- A strategy for a post-cable installation fishing survey to assess any seabed obstructions resulting from the burial of export cables that could have the potential to interfere with fishing activities. Should the post-lay survey identify the presence of construction related debris or seabed obstacles, the strategy will include for appropriate rectification.





- Agreement and implementation of a co-operation process for the exclusion of fishing activities within a construction safety zone(s) during construction of the offshore infrastructure and within a survey exclusion zone(s) during pre-construction geophysical surveys (where towed survey equipment is used). The co-operation process will be agreed with the CFWG based on the co-operation process developed for the East Anglia ONE project and will endeavour to minimise the exclusion of fishing activities from the aforementioned zones where safe and practicable.
- A strategy for establishing a good practice for guard vessels, survey vessels, and construction and maintenance vessels with the objective of as far as safe and practicable, minimising the risk of interference with fishing vessels undertaking their normal working practices. This will include ensuring that contractors will only undertake activities prescribed in their contracted work.
- Adoption of the 'loss of gear' and 'gear snagging' protocols developed for the East Anglia ONE project including an emergency plan in the event of fishing vessels fastening gear on the Project's offshore infrastructure and / or losing power and steerage.
- A strategy for communicating exposure of cables on or above the seabed, through notice to mariners and by informing Kingfisher Information Service of the location and extent of exposure in accordance with Condition 10(12) of the generation DML and Condition 6(12) of the transmission DML. . [The CFWG meetings forum will be used for discussing any cable exposures and how potential impacts on fishing activities could be mitigated on a case by case basis.](#)
- Should long lining trials to be undertaken for the East Anglia ONE project demonstrate that long lining is not feasible within the windfarm without unreasonable modification of the fishing practice, the CFWG forum will be used to discuss potential mitigation options.



## 2 Fisheries Liaison

### 2.1 Guidance and Information

12. The fisheries liaison strategy will be developed based upon the following guidance and feedback from consultation:
- FLOWW Best Practice guidance for offshore renewable developers: Recommendations for Fisheries Liaison (FLOWW, 2014);
  - Meetings with the National Federation of Fishermen's Organisations (NFFO) and VisNed and the CFWG;
  - Direct liaison undertaken to date with individual commercial fishing stakeholders, vessel owners and landing agents; and
  - Consultation with the MMO, Cefas, Eastern Inshore Fisheries and Conservation Authority (IFCA) and other relevant statutory bodies.

### 2.2 Fisheries Liaison Roles and Responsibilities

13. The key fisheries liaison roles and an overview of their responsibilities are provided below. A more detailed description of these roles and responsibilities and the interactions between them is included in [Appendix 1, which may be further refined within](#) ~~will be provided in~~ the final FLCP.

Role		Responsibility
Company Fishing Representative (CFR)	Project representative	The point of contact within East Anglia ONE North Limited and East Anglia TWO Limited for fisheries stakeholders
Company Fisheries Liaison Officer (CFLO)	Project representative	Day to day point of contact for fisheries stakeholders and the Project
Fishing Industry Representative(s) (FIR)	Stakeholder representative	Represents the fishing industry
Offshore Fisheries Liaison Officer (OFLO)	Project representative drawn from stakeholder industry	Located on survey or construction vessels working on the Project. Provides a point of contact for fishing vessels in the vicinity of the work areas of survey and construction vessels

14. The benefits of early and ongoing liaison and consultation between developers and fishing interests have been agreed by all parties. During the pre-application phase, there were opportunities for commercial fishing stakeholders to provide



their views, both informally through liaison meetings and formally through the provision of consultation responses, as well as to provide data to support the impact assessment. Early engagement also allowed for the identification of key issues and possible mitigation measures. Post application, there are further opportunities for commercial fishing stakeholders to provide their views through the submission of representations and participation in hearings.

15. The main forum for discussing concerns related to the Project is the CFWG, which was established in 2013 to cover liaison in respect to East Anglia ONE, East Anglia THREE, East Anglia TWO and East Anglia ONE North. The CFWG aims to identify and develop co-existence strategies during a project's lifecycle. The CFWG provides a means of engagement during the pre-application and examination phases of the Project. Where consent for the Project is granted, the principal objective of the CFWG will be to provide a forum for collaborative discussion and action in relation to the Project and its interactions with commercial fisheries activities.
16. The CFWG comprises representatives from the Applicant (including the CFR) and a fishing association representative, who act as the FIRs, from each of the main fishing ports: Aldeburgh, Orford, [Sizewell](#), Harwich, Southwold, Felixstowe Ferry and Lowestoft. The CFWG is supported by a CFLO as the main point of contact for the Applicant throughout the Project. The NFFO are also represented on the CFWG and the group is chaired by the Eastern IFCA.
17. Brown & May Marine are engaged as the CFLO for the Project and within the CFWG are responsible for arranging meetings, agreeing the meeting agenda with all participants, taking minutes, recording agreed actions and distributing draft and agreed minutes. The MMO have been invited to attend the meetings but have not been involved to date. The CFWG met on nine occasions during the pre-application phase of the Project, and it is expected that the CFWG will continue to meet two to three times a year, with the schedule of meetings based upon need.
18. An OFLO is appointed to provide commercial fishing stakeholders with a specific point of contact at sea and is based aboard vessels undertaking major survey, construction and maintenance works on the Project. The OFLO is selected from the local fishing industry wherever possible in consultation with the FIRs.
19. Further information on the key fisheries liaison roles will be provided in the final FLCP, alongside information on the corresponding responsibilities related to these roles.



### 2.3 Information Exchange

20. In the final FLCP this section will contain details regarding the information exchange requirements between the Applicant and fisheries stakeholders.
21. It is appreciated that information dissemination and communication are key to fostering an ongoing productive working relationship with fisheries stakeholders. Through the CFWG, the Applicant has recently committed to disseminating information to all parties as early as possible and ensure that effective lines of communication are maintained. During offshore project works, this timely communication will be maintained through emails with the CFWG, supplemented by letter when necessary.
22. All information exchange and notifications, including Notices to Mariners (NtMs), Kingfisher Bulletins and other navigational warnings, will be in accordance with Condition 10 of the generation DML and Condition 6 of the transmission DML.
23. Timings for information distribution will be provided in the final FLCP.



## 3 Mitigation and Coexistence

24. Opportunities for achieving coexistence between the Applicant and commercial fishing stakeholders will be explored via the CFWG. Further information on these opportunities will be provided in the following sections of the final FLCP.

### 3.1 Working Coexistence Procedures

25. Suitable procedures will be incorporated into the final FLCP and [are](#) anticipated to evolve through discussions with the CFWG and as construction plans become better defined. Key coexistence procedures will include:

- Regular and routine communications to provide reasonable time to enable operational fishing business decisions to be made in addition to notifications required under Condition 10 of the generation DML and Condition 6 of the transmission DML
- Ensuring that relevant Project package managers / engineers and, or contractor representatives are available to discuss pre-construction plans with the CFWG if requested. This is to ensure that relevant information such as site conditions and proposed cable installation plans are shared, including any plans for deployment and placement of export cable laying vessel anchors.
- Agreement of and implementation of a co-operation process for the exclusion of fishing activities within a construction safety zone(s) during construction of the offshore infrastructure and within a survey exclusion zone(s) during pre-construction geophysical surveys (where towed survey equipment is used). The co-operation process will be agreed with the CFWG based on the co-operation process developed for the East Anglia ONE project and will endeavour to minimise the exclusion of fishing activities from the aforementioned zones where safe and practicable. [It should be noted that the MMO will not act as arbitrator and will not be involved in discussions on the need for, or amount of, any compensatory aspect of the co-operation processes;](#)
- Removal / recovery of construction related seabed debris in accordance with the requirements of Condition 14 in the generation DML and Condition 10 in the transmission DML. Large debris resulting from any UXO clearance, [which may present an obstacle to fishing activities,](#) will be removed and disposed of in accordance with Condition 16(1)(a) of the generation DML and Condition 12(1)(a) of the transmission DML;
- [A post-cable installation fishing survey by trawl and drift nets](#) will be undertaken to assess any seabed obstructions resulting from the burial of export cables. Should the post-lay survey identify the presence of



construction related debris or seabed obstacles that could have the potential to interfere with fishing activities, appropriate rectification will be undertaken by the Applicant. ~~Potential obstacles will not include cable plough furrows and mounds created during cable installation.~~ The survey will be completed as soon as reasonably practicable following installation of the export cables. Furthermore, the fishing exclusion zone for the export cable route will remain in place until the survey is complete and the area is declared safe for fishing activities. Should the survey identify obstacles to fishing activities, re-opening the fishing exclusion zone will occur after Notice to Mariners are issued to the fishing industry to notify them of the location of any obstacles requiring remediation. The scope of this survey will be consulted on with the CFWG and set out in the final FLCP for approval by the MMO.

- Should long lining trials at East Anglia ONE demonstrate that long lining is not feasible within the windfarm without unreasonable modification of the fishing practice, the CFWG forum will be used to discuss potential mitigation options.

## 3.2 Employment of Local Commercial Fishing Stakeholders

### 3.2.1 Appointing Local FIRs and OFLOs

26. It is understood that local commercial fishing stakeholder's knowledge of other fishing vessel owners and fishing practices in the area should facilitate the agreement of acceptable working practices and avoid or reduce unnecessary interruptions to both commercial fishing stakeholders and the Applicant during construction works.
27. The fisheries representatives on the CFWG will act as the FIRs for the Project. OFLOs will be appointed, where required, by the CFLO in consultation with the FIRs. Wherever possible, OFLOs will be drawn from the local fishing community. Descriptions of the roles and responsibilities of those involved will be provided in the final FLCP.

### 3.2.2 Appointment of Guard Vessels

28. Through the CFWG engagement and more general liaison with fisheries stakeholders, there has been a request for fishing vessels to be considered for guard vessel and survey work on the East Anglia offshore wind projects. The Applicant and their parent company, ScottishPower Renewables, have previously made a commitment to utilising appropriate fishing vessels active within the wind farm array where possible. However, inclusion in the tender process would depend on the suitability of vessels and crew. Details of the requirements for vessels to undertake such work will be included in the final FLCP.



29. Suitable vessels would be included in the prequalification process and those that qualify will be invited to tender under standard competitive procedures.

### 3.3 Code of Good Practice for All Vessels

30. A strategy for establishing a good practice for guard vessels, survey vessels, and construction and maintenance vessels will be provided in the final FLCP with the objective of as far as safe and practicable, minimising the risk of interference with fishing vessels undertaking their normal working practices. This will include ensuring that contractors will only undertake activities prescribed in their contracted work.

### 3.4 Procedures in Relation to Gear Fastening or Loss

31. The final FLCP will detail procedures to govern incidents of fishing gear fastening and for loss or damage of fishing gear claims. The procedures are anticipated to be adopted from the procedures agreed with the CFWG and in place for the East Anglia ONE project and in line with the latest FLOWW guidelines and any other applicable best practice. The procedures will be prepared on the basis that commercial fishing stakeholders should not engage in any activity which could put their vessel, crew or the Applicant's infrastructure at danger.



## 4 References

FLOWW (2014) Best Practice guidance for offshore renewable developers: Recommendations for Fisheries Liaison [online] Available at: <https://www.sff.co.uk/wp-content/uploads/2016/01/FLOWW-Best-Practice-Guidance-for-Offshore-Renewables-Developments-Jan-2014.pdf> [Accessed 07-10-20].





# Appendix 1: Roles and Responsibilities

## Company Fishing Representative (CFR)

32. The primary responsibilities of the CFR are:

- To act as the point of contact within the Project for fisheries stakeholders.

33. To this end, the CFR's duties are:

- To maintain regular liaison with the CFLO; and
- To attend CFWG and any other relevant meetings.

## Company Fisheries Liaison Officer (CFLO): Example Scope of Work

34. The primary responsibilities of the CFLO are:

- To establish and maintain a strong positive working relationship with the fishing industry;
- To have a detailed understanding and awareness of the fishing industry active within the offshore development area;
- To understand the potential impact of the Project on fishing; and
- To communicate with the fishing industry, government agencies and other developers.

35. To this end, the CFLO's duties are:

- To maintain the fisheries stakeholder database which contains the details of fishing vessel operations within the area of the Project;
- To organise and minute CFWG and any other relevant meetings;
- To maintain regular liaison with the CFWG, NFFO and other fishing interests active within the offshore development area;
- To prepare and distribute, with appropriate timing, the required information and notices for all project related activities which could potentially interact with fisheries stakeholders. This will include:
  - A description of the works to be undertaken;
  - The schedule of works;
  - Details of the vessels involved in the works including the vessels contact details;
  - Expected transit routes of installation vessels;
  - The locations and timings of safety exclusion zones to be imposed around installation activities;



- Health & Safety standards;
- Environmental standards;
- Contractor obligations; and
- Conflict avoidance response procedures.
- To obtain and transmit to the developer all relevant fishermen's concerns in respect of the various activities associated with the project;
- To advise fishermen of any changes in project design, scheduling, policies or relevant legislation;
- In consultation with the Project Construction Manager and Shipping & Navigation Manager, to assess the need for and to organise guard vessels, scout vessels and offshore fisheries liaison officers;
- To monitor fishing activities within the wind farm array;
- To instruct contractors as to the fishing activities in the areas of works and provide details of vessel and gear types which could be present, any relevant fishermen's sensitivities and channels and contact details for communicating with fishing vessels at sea; and
- To coordinate the activities and responsibilities of the project Fishing Industry Representative (FIR).

### **Fishing Industry Representative (FIR): Example Scope of Work**

36. FIRs representing the key fishing ports in the region have been appointed (by the members they represent) and sit on the CFWG. The primary responsibilities of the FIR are:

- To liaise with fishing skippers with the objective of providing details of fishing activities in the area and particular sensitivities;
- To assist Project representatives to identify areas of concern and/or potential conflict at a sufficiently early stage to enable as far as practicable appropriate measures to be implemented to address these;
- To assist in the distribution of notices and relevant project information to local fisheries stakeholders, and updating the contacts database; and
- To act as primary Offshore Fisheries Liaison Officer (OFLO), and assist in selecting additional OFLOs, as required.

### **Offshore Fisheries Liaison Officer (OFLO): Example Scope of Work**

37. An OFLO would be maintained on board survey and construction vessels as required. The primary responsibilities of the OFLO would be:

- To regularly broadcast survey and construction vessel locations, operations, schedules, safety zones and Health & Safety requirements on relevant VHF and MF frequencies during operations;



- To maintain daily contact with fishing vessels observed to be within the vicinity of the work areas of survey and construction vessels, and providing sufficient notice to enable the relocation fishing activity within the defined safety zones;
- To keep the masters and watch officers of survey and construction vessels informed of fishing vessels in the vicinity of their vessels working area and the gears and modes of operation of such vessels;
- To maintain a log of vessels and marked gears observed within the area of operations, including a provision of daily progress reports to CFLO;
- To assist and advise survey and construction vessel officers with the objective of minimising hindrance to fishing vessels, avoiding conflicts and ensuring the required Health & Safety and (International Regulations for Preventing Collisions at Sea) COLREGS compliance;
- To report immediately any conflicts to the CFLO and if necessary to the relevant authorities; and
- To maintain a log of and reporting of vessels not cooperating with or adhering to OFLO instructions or advice to CFLO and if necessary to the relevant authorities.