

Outer Dowsing Offshore Wind

Outline Plans

Document 8.14: Outline Fisheries
Liaison and Co-existence Plan

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Acronyms & Definitions

Abbreviations / Acronyms

Abbreviation / Acronym	Description
CBRA	Cable Burial Risk Assessment
Cefas	Centre for Environment, Fisheries and Aquaculture Science
CSIP	Cable Specification and Installation Plan
DCO	Development Consent Order
ECC	Export Cable Corridor
EEZ	Exclusive Economic Zone
EIA	Environmental Impact Assessment
ES	Environmental Statement
ESCA	European Subsea Cables Association
EU	European Union
FLCP	Fisheries Liaison and Coexistence Plan
FLO	Fisheries Liaison Officer
FLOWW	Fishing Liaison with Offshore Wind and Wet Renewables
GIG	Green Investment Group
GPS	Global Positioning System
GT R4 Limited	The Applicant. The special project vehicle created in partnership between Corio Generation (a wholly owned Green Investment Group portfolio company), Gulf Energy Development and TotalEnergies
IFCA	Inshore Fisheries and Conservation Authority
MCA	Maritime and Coastguard Agency
MMO	Marine Management Organisation
NFFO	National Federation of Fishermen's Organisations
NtM	Notice to Mariners
ODOW	Outer Dowsing Offshore Wind (The Project)
ORBA	Offshore Restricted Build Area
ORCP	Offshore Reactive Compensation Platform
OSS	Offshore Substation
PEIR	Preliminary Environmental Information Report
UK	United Kingdom
UKFEN	UK Fisheries Economic Network
UKHO	United Kingdom Hydrographic Office

Terminology

Term	Definition
The Applicant	GT R4 Ltd. The Applicant making the application for a DCO. The Applicant is GT R4 Limited (a joint venture between Corio Generation, TotalEnergies and Gulf Energy Development (GULF)), trading as Outer Dowsing Offshore Wind. The Project is being developed by Corio Generation (a wholly owned Green Investment Group portfolio company), TotalEnergies and GULF.

Term	Definition
Array area	The area offshore within which the generating station (including wind turbine generators (WTG) and inter array cables), offshore accommodation platforms, offshore transformer substations and associated cabling will be positioned.
Beam trawl	A method of bottom trawling with a net that is held open by a beam, which is generally a heavy steel tube supported by steel trawl heads at each end. Tickler chains or chain mats, attached between the beam and the ground rope of the net, are used to disturb fish and crustaceans that rise up and fall back into the attached net.
Bycatch	Catch which is retained and sold but is not the target species for the fishery.
Demersal	Living on or near the seabed.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project (NSIP).
Displacement	Displacement of fishing activity refers to the relocation of fishing activity (i.e., pressure or effort) from an area into other area(s) as a result of the presence of other licensed marine activities and/or associated infrastructure.
Environmental Impact Assessment (EIA)	A statutory process by which certain planned projects must be assessed before a formal decision to proceed can be made. It involves the collection and consideration of environmental information, which fulfils the assessment requirements of the Environmental Impact Assessment (EIA) Regulations, including the publication of an Environmental Statement (ES).
Fishery	A group of vessel voyages which target the same species or use the same gear.
Fishing ground	An area of water or seabed targeted by fishing activity.
Fleet	A physical group of vessels sharing similar characteristics (e.g., nationality).
Gear type	The method / equipment used for fishing.
Landings	Quantitative description of the amount of fish returned to port for sale, in terms of value or weight.
Mobile (fishing gear)	Fishing gear that is moved through the water to catch fish and shellfish. Examples include trawls and towed dredges.
Offshore Export Cable Corridor (ECC)	The Offshore Export Cable Corridor (Offshore ECC) is the area within the Order Limits within which the export cables running from the array to landfall will be situated.
Otter trawl	A net with large rectangular boards (otter boards) which are used to keep the mouth of the trawl net open. Otter boards are made of timber or steel and are positioned in such a way that the hydrodynamic forces, acting on them when the net is towed along the seabed, pushes them outwards and prevents the mouth of the net from closing.
Preliminary Environmental Information Report (PEIR)	The PEIR was written in the style of a draft Environmental Statement (ES) and provided information to support and inform the statutory consultation process in the pre-application phase. Following that consultation, the PEIR documentation has been updated to produce the Project's ES that accompanies the application for the Development Consent Order (DCO).
Pelagic	Of or relating to the open sea.
Pelagic trawl	A net used to target fish species in the mid water column.
Quota	A proportion of the Total Allowable Catch for a fish stock.
Scallop dredge	A method to catch scallop using steel dredges with a leading bar fitted with a set of spring loaded, downward pointing teeth. Behind this toothed bar (sword), a mat of steel rings is fitted. A heavy net cover (back) is laced to the frame, sides and after end of the mat to form a bag.

Term	Definition
Static (fishing gear)	Fishing gear that is set in the water to wait for fish or shellfish to swim into it or be attracted to it. Examples include pots and traps, and fixed nets.
String	A series of static fishing gear (pots) joined together to form a single deployable linear line of pots.
Subsea	Subsea comprises everything existing or occurring below the surface of the sea.
The Project	Outer Dowsing Offshore Wind, an offshore wind generating station together with associated onshore and offshore infrastructure.
Vessel Monitoring System (VMS)	A system used in commercial fishing to allow environmental and fisheries regulatory organisations to monitor, minimally, the position, time at a position, and course and speed of fishing vessels.

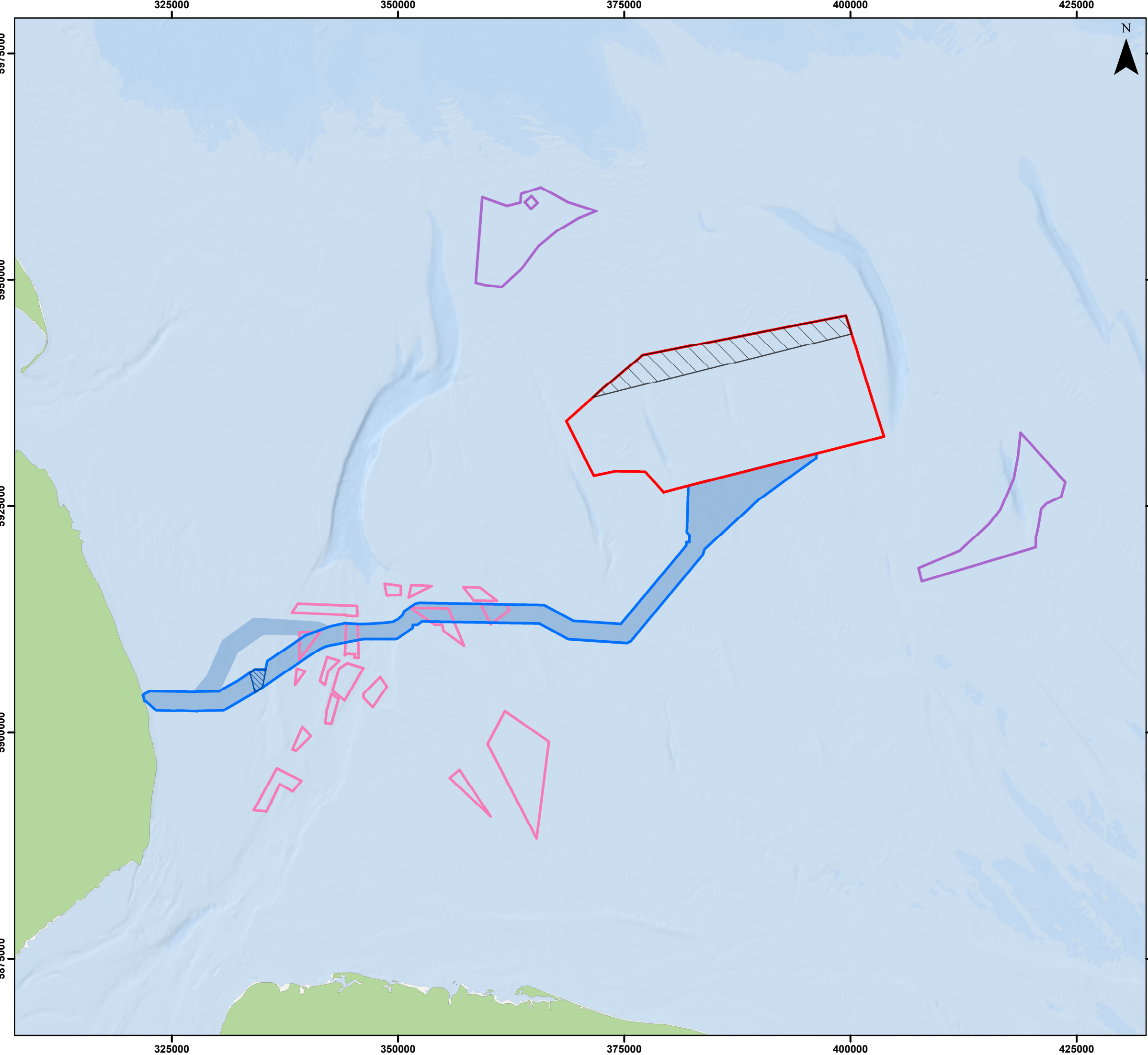
Reference Documentation

Document Number	Title
9.3	Safety Zone Assessment

1 Introduction

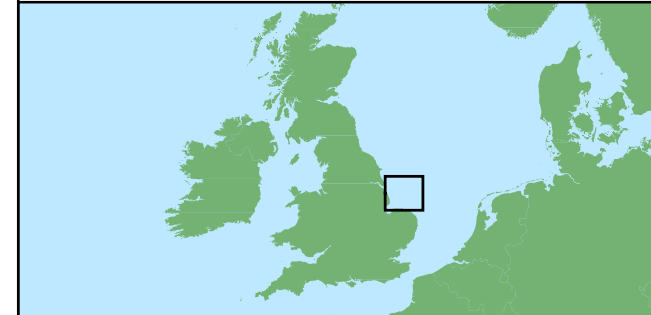
1.1 Project Background

1. GT R4 Limited (trading as Outer Dowsing Offshore Wind) hereafter referred to as “the Applicant”, is proposing to develop Outer Dowsing Offshore Wind (‘the Project’). The Project array area will be located approximately 54km from the Lincolnshire coastline in the southern North Sea.
2. The Project will include both offshore and onshore infrastructure including an offshore generating station (windfarm), export cables to landfall, Offshore Reactive Compensation Platforms (ORCPs), onshore cables, connection to the electricity transmission network and ancillary and associated development. Figure 1.1 shows the location of the Project.
3. The proposed offshore project infrastructure of relevance to this Fisheries Liaison and Coexistence Plan (FLCP) includes the following components:
 - Wind turbines (WTGs);
 - Offshore substations (OSSs);
 - Offshore Reactive Compensation Platforms (ORCPs);
 - Inter-array cables;
 - Interlink cables; and
 - Offshore export cables.
4. [Part of the Project array area includes an Offshore Restricted Build Area \(ORBA\), where no surface piercing infrastructure will be installed.](#) Main offshore construction works will take place within a 4-year period. The windfarm is anticipated to be operational in 2030.



Legend

- Array Area
- Offshore Restricted Build Area
- Offshore Export Cable Corridor
- Offshore Export Cable Corridor (ES)
- ORCP Area
- Artificial Nesting Structure Area
- Biogenic Reef Restoration Area



Coordinate System: WGS 1984 UTM Zone 31N
 0 10 20 km
 Scale: 1:400,000 A3 Page Size

Examination
 The boundaries and location of Outer Dowsing Offshore Windfarm
 Figure 1.1



Date: 09/08/2024
 Produced By: BPHB
 Revision: 0.1

Contains ESRI Basemapping; Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

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1.2 Document Objectives

5. This Outline FLCP 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 Application, which are intended to avoid or reduce potential impacts of the Project on the fishing industry. In support of this aim, the objectives of the Outline FLCP 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 the Project and the fishing industry, including procedures relating to cooperation agreements and associated payments, to gear loss and gear relocation or removal.
6. The Applicant regards co-existence as the joint presence of both industries, working together within the Project area and believes that co-existence can be achieved by the application of measures that will be set out in the final plan which will be based on this outline FLCP and which is secured by conditions in deemed marine licences (dMLs).
7. The success of the FLCP 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.

1.3 Relevant Guidance

8. This Outline FLCP 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, 2014);
 - FLOWW Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds (FLOWW, 2015).
9. It is noted that at the time of document preparation FLOWW Best Practice Guidance is intended to be revised with revision currently ongoing. Updates to this FLCP will take account of any revised guidance as applicable.
10. In preparation of this FLCP, other relevant guidance has also been considered, including draft Marine Scotland Guidance on preparing a Fisheries Management and Mitigation Strategy (2020) and Guidelines for Mitigating Impacts to Commercial and Recreational Fisheries (Draft) prepared by the United States Bureau of Ocean Energy Management (2022). Engagement to date with fisheries stakeholders and fishermen has also informed the development of this document.

1.4 Document Structure

11. This document has been structured as outlined in Table 1.1. The final FLCP will follow the same format.

Table 1.1 FLCP document structure

Section	Summary of Content
1: Introduction	Identifies the scope and structure of this FLCP.
2: ODOW Fisheries Overview	Provides an overview of fishing activity in the Project array area and offshore ECC.
3: Fisheries Liaison Strategy	Sets out the Applicant's approach to ongoing liaison with the fishing industry and other relevant stakeholders.
4: Fisheries Co-existence Strategy	Sets out the Applicant's approach to mitigation, focused on enabling co-existence.
5: Compliance with the Application	Confirms that the details set out in this FLCP are in accordance with those presented in the Application and assessed in the Environmental Statement (ES).

2 ODOV Fisheries Overview

2.1 Fishing Activity within the Project array area and offshore ECC

12. This Outline FLCLP has been informed by the data collected to support the ES, together with subsequent engagement with commercial fisheries industry stakeholders.
13. The gathered information confirms that fishing fleets with which the Project may interact are identified in Table 2.1. Fleet activity is identified with reference to the Project array area and offshore export cable corridor (ECC) to capture fleets working both in inshore and offshore waters.

Table 2.1 Commercial fishing fleets relevant to the Project

Fishing Fleet	Array Area	Offshore Export Cable Corridor
UK fishing fleets		
UK potting (static gear)	Vessels over 12m length primarily targeting brown crab, some whelk and lobster.	Vessels of both under and over 10m length targeting whelk, brown crab and lobster.
UK dredge (mobile gear)	Limited activity; vessels of over 15m length targeting scallop.	Negligible activity.
UK beam trawl (mobile gear)	Negligible activity.	Vessels mostly over 10m length targeting brown shrimp in the nearshore.
Other	Potential for: <ul style="list-style-type: none"> Occasional demersal seine activity, with vessels over 18m length targeting whiting, squid and mullets. 	Potential for: <ul style="list-style-type: none"> Occasional demersal seine activity with vessels over 18m length targeting whiting, squid and mullets; and Low levels of netting and hooked gear/longline activity.
Non-UK fishing fleets		
EU beam trawl (mobile gear)	Limited activity; Dutch and Belgian vessels targeting plaice and sole.	Negligible activity.
EU demersal otter trawl (mobile gear)	Negligible activity.	Limited activity; French trawlers targeting whiting across the central portion of the offshore ECC.
Other	Potential for: <ul style="list-style-type: none"> Very occasional and sporadic pelagic trawl activity, with large vessels targeting pelagic species such as herring and mackerel. 	Negligible activity.

2.2 Fisheries Stakeholders and Engagement

14. The Applicant has undertaken statutory and non-statutory consultation with fisheries stakeholders in relation to the Project since 2021. A summary of consultation undertaken prior to DCO application is provided in Section 14.3 within Volume 2, Chapter 14: Commercial fisheries of the ES and is not duplicated here.
15. Stakeholders have included the National Federation of Fishermen's Organisations (NFFO), Eastern Inshore Fisheries and Conservation Authority (EIFCA) and local fishermen.
16. Engagement with local fishermen has primarily been direct with the Applicant and their Company Fisheries Liaison Officer (CFLO), who has been in post since 2021 and who has made regular port visits to engage with fishermen active in the Project array area and offshore ECC. It is envisaged that this form of engagement with local fishermen will be ongoing throughout the lifetime of the Project.

3 Fisheries Liaison Strategy

3.1 Principles of Liaison

17. The implementation of appropriate communication and information transfer strategies is of key importance to assist in minimising interference and facilitating effective co-existence with the fishing industry.
18. In line with the FLOWW (2014) Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison, the principles of liaison are that:
- The Applicant will seek to undertake regular and routine communications with the fishing industry to provide reasonable time to enable operational fishing business decisions to be made. To enable this, the Applicant will appoint a Company Fisheries Liaison Officer (CFLO) as the main point of contact for fishermen throughout the lifetime of the Project to ensure industry concerns are appropriately answered or acknowledged on behalf of the Applicant. The CFLO, or Fishing Industry Representative(s) (FIR) if appointed (who is a counterpart to the CFLO and would support them in their duties) will be contracted throughout each phase of the development;
 - The Applicant will continue with the organisation and attendance of meetings direct with local fishermen as the primary forums for engagement with UK commercial fishing stakeholders; and
 - The Applicant will adhere to the details within this FLCP.
19. In developing the final FLCP, the Applicant intends to maintain these principles but will take account of feedback received during consultation on the plan and any updates to FLOWW guidance.

3.2 Liaison Roles and Responsibilities

20. Figure 3.1 and the following sections outline the relevant roles and responsibilities of the Applicant, the CFLO and Onshore FIRs (where relevant). Contact details are provided in Appendix A.

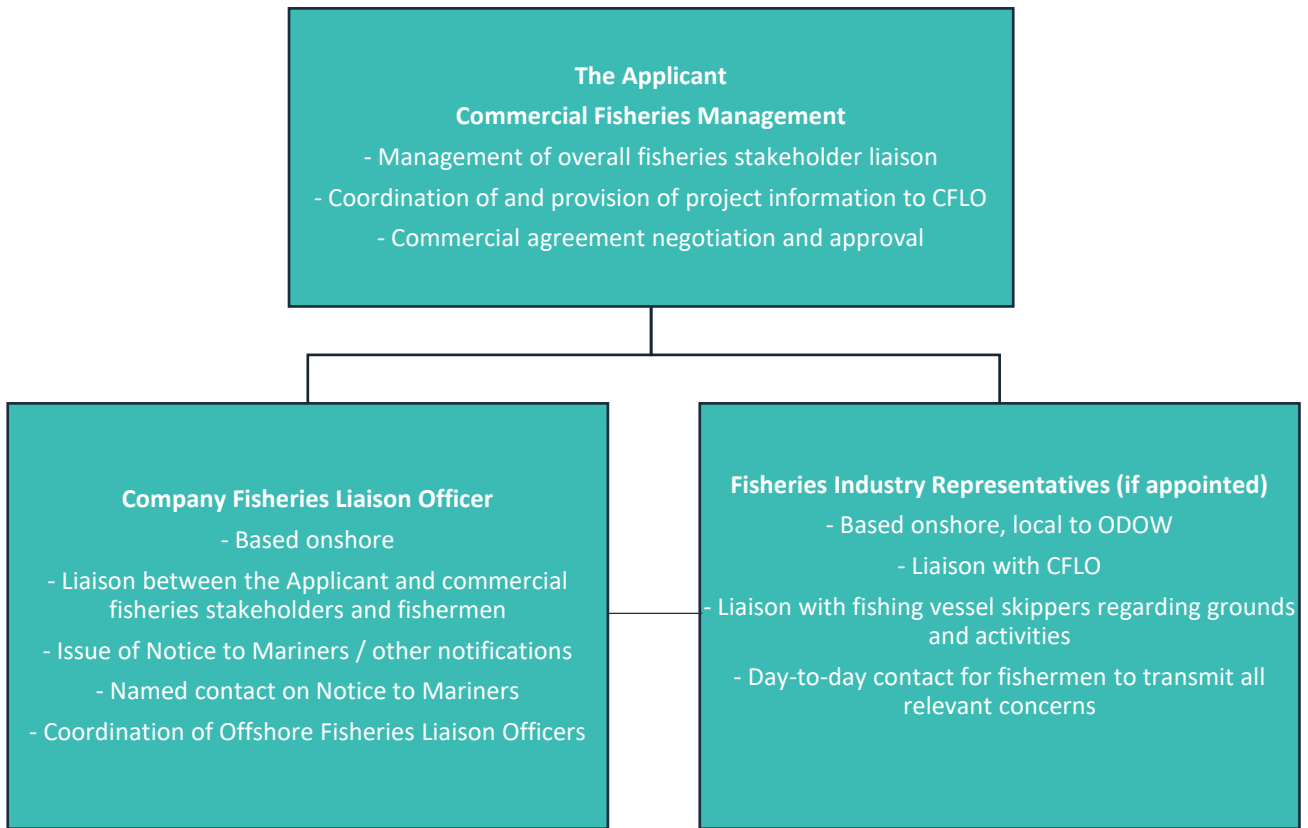


Figure 3.1 Organogram highlighting key fisheries liaison roles and responsibilities

3.2.1 The Applicant

21. The responsibilities of the Applicant in relation to this FLCP are:

- Progress the development of the Project with the least disturbance practicable to the local fishing activities;
- Maintain the appointment of a CFLO;
- Aid in the prevention of conflict through the timely provision of information to the CFLO, FIR and fishermen; and
- Provide a detailed level of information to the fishing community in relation to construction plans and the timing of Project works.

3.2.2 Company Fisheries Liaison Officer

22. The responsibilities of the CFLO are to:

- Initiate consultation with relevant fisheries stakeholders. They will be the direct point of contact for the fishing industry and will support in respect to fisheries related matters throughout all phases of the windfarm life cycle.

- Identify appropriate methods of communication for engaging regularly with fishers as well as circulating the Projects' related information. [Engagement should be sufficiently in advance of any Project activity so as to allow the local fishing industry to provide feedback.](#)
- Organise and attend meetings with independent stakeholders.

23. The CFLO will be contracted by the Applicant subject to a Terms of Reference and contract Terms and Conditions.

3.2.3 Fisheries Industry Representative

24. To further aid the establishment of effective communication channels and to benefit from extensive local knowledge, one or more FIR(s) may be appointed, noting this would be influenced by the views of the fishing industry, the Applicant and suitable FIR availability. To date no FIRs have been appointed but the Applicant will continue to review this position with fisheries stakeholders.

25. Any FIR(s) will be contracted by the Applicant subject to a Terms of Reference and contract Terms and Conditions. While a FIR may be associated with a specific organisation or association, their role as FIR will be to act for the benefit of all fishermen, regardless of whether they are a member of that organisation or association. Should an instance arise whereby an industry association or individual fishermen does not wish to communicate via the FIR for that area, the CFLO will undertake such direct responsibilities to ensure that the association/fishermen still have a line of communication to the Applicant and vice versa.

3.2.4 Offshore Fisheries Liaison Officer

26. An OFLO may be stationed on a survey/works/guard vessel to communicate directly with fishers and request them to keep works locations and transit routes free from gear and fishing activities which may pose health, safety and environmental risks.

27. When OFLOs are not present on site during offshore works, a specific point of contact, known as the Nominated Fisheries Liaison Representative (NFLR) will be identified and tasked with liaison with fisheries and the FLO as required.

3.2.5 Guard Vessels

28. During construction and maintenance the Project 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.

29. 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 the Project area. The OFLO may be deployed on board a guard vessel rather than on a construction vessel.

3.2.6 Marine Coordination

30. In addition to CFLO, FIR(s) and OFLO, a Marine Coordinator for the Project will be appointed. The Marine Coordinator will ensure the marine coordination function is delivered continuously 24/7. The Marine Coordinator coordinates all marine operations relating to the Project; including monitoring and managing all construction vessel activity. For dissemination of Project activity information to other vessels offshore in the vicinity of the Project, 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 the Project.

3.3 Information Dissemination

31. The Applicant will disseminate information to the fishing community via the CFLO, Marine Coordinator, OFLO (as appropriate) and any appointed onshore FIRs. Notices and information for fishermen (including survey and construction schedules, notification of any major maintenance activity, notices and activity specific information) will be distributed to all relevant fisheries interests. OFLOs that accompany survey and works vessels will communicate directly with fishing vessels as appropriate. Details of information dissemination by activity type is provided in Table 3.1; [this will be supported by ongoing engagement by the CFLO with the local fishing industry](#).

Table 3.1 Means of information dissemination

Activity	Means of Information Dissemination	Timing and Frequency
Pre-construction surveys (e.g. geophysical)	Notice to Mariners Kingfisher Bulletin	Issued 14 days prior to survey mobilisation, as required during survey, and upon completion of survey.
	Dropped Objects Form	Dropped Objects reporting as required.
	Offshore Fisheries Liaison Officer	Provision of information to fishing vessels at sea as required.
Pre-construction activities (e.g. seabed clearance)	Notice to Mariners Kingfisher Bulletin	Issued 14 days prior to activity mobilisation, as required during activity, and upon completion of activity.
	Dropped Objects Form	Dropped Objects reporting as required.
	Offshore Fisheries Liaison Officer	Provision of information to fishing vessels at sea as required.
Construction activities (e.g. foundation installation, turbine)	Notice to Mariners Kingfisher Bulletin	Issued 14 days prior to activity mobilisation, as required during activity, and upon completion of activity.

Activity	Means of Information Dissemination	Timing and Frequency
installation, cable lay and burial)	Weekly Notice of Operations Dropped Objects Form Offshore Fisheries Liaison Officer	Weekly construction status updates. Dropped Objects reporting as required. Provision of information to fishing vessels at sea as required.
Post-construction surveys (e.g. geophysical)	Notice to Mariners Kingfisher Bulletin Dropped Objects Form Offshore Fisheries Liaison Officer	Issued 14 days prior to survey mobilisation, as required during survey, and upon completion of survey. Dropped Objects reporting as required. Provision of information to fishing vessels at sea as required.
Operation and Maintenance activities (e.g., scheduled or unscheduled maintenance)	Notice to Mariners Kingfisher Bulletin Dropped Objects Form Offshore Fisheries Liaison Officer	Issued 5 days prior (14 days where possible) to activity mobilisation, as required during survey, and upon completion of activity. Dropped Objects reporting as required. Provision of information to fishing vessels at sea as required.
Other	Port visits/meetings with fishermen Confirmation of final installed locations	Up to four visits/meetings per year during the pre-construction and construction phases and two per year during the operational phase. These meetings will enable advanced notification of any planned surveys and works. On completion of works.

32. Notices and information for fishermen (including survey and construction schedules, notification of any major maintenance activity, notices and activity specific information) will be distributed via the following channels:

- Individual fishermen on the CFLO database;
- Local and international fishermen’s associations;

- Kingfisher updates;
- Local harbour masters and ports;
- Marine Management Organisation (MMO) Local Fisheries office;
- Trinity House;
- Maritime and Coastguard Agency (MCA); and
- NFFO.

33. The content of NtMs will be based on guidance issued by FLOWW and KIS-ORCA including but not limited to:

- A description of the works to be undertaken including charts illustrating any offshore activity exclusion zones with coordinates provided in Degrees Decimal Minutes;
- The schedule of works;
- Details of the vessels involved in the works including the vessels' contact details;
- Expected transit routes of vessels where required by the conditions of the dMLs or where deemed relevant;
- The locations and timings of any advisory safety exclusion zones to be imposed around offshore works;
- Contractor obligations;
- Contact details of the CFLO/OFLO and vessel coordinators.

4 Fisheries Co-existence Strategy

34. It is the intention of the Applicant to facilitate co-existence wherever possible during all phases of the Project which will include the implementation of mitigation strategies to minimise the overall impacts of the Project.
35. 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 the Project and fishing activity.

4.1 Principles of Mitigation

36. In line with the FLOWW (2014) 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 the Project;
 - 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 the Project. 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 Project surveys, construction activities and during the operational phase of the Project; and
 - Vessels involved in the construction, and operation and maintenance of the Project, 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.

4.2 Embedded Mitigation

37. As part of the project design process, a number of designed-in measures were provided within the ES, to which the Applicant remains committed (Table 4.1).

Table 4.1 Commitments to mitigation provided within the ES

Project phase	Mitigation measures embedded into the project design
General	
Project design	The Applicant has reduced the project design from that proposed during the scoping phase in order to reduce the potential impacts as far as practicable. The array area has been refined from 500 km ² to an area of 436km ² . The number of export cables has been reduced from six to four. A commitment has been made to a maximum of 50% of foundations utilising a gravity base option.
Marking and lighting	The Applicant is committed to marking and lighting the project in accordance with relevant industry guidance and as advised by relevant

Project phase		Mitigation measures embedded into the project design	
		<p>stakeholders including the Maritime and Coastguard Agency (MCA), Civil Aviation Authority (CAA) and Trinity House. The Applicant will also ensure the project is adequately marked on nautical charts. An aids to navigation management plan will be developed post consent.</p>	
Cable burial		<p>Where possible, subsea cable burial will be the preferred option for cable protection. Cable burial will be informed by the cable burial risk assessment (CBRA) – which will take account of the presence of designated sites - and detailed within the Cable Specification and Installation Plan). An outline Cable Specification and Installation Plan (Document 8.5) has been prepared in support of the Application, this plan, like the outline FLCP, will be finalised post-consent.</p>	
Safety Zones		<p>The Applicant will apply for Safety Zones for Offshore Renewable Energy Installations post consent. Safety Zones of up to 500m will be sought during construction, major maintenance and decommissioning phases as detailed within the Safety Zone Statement (document reference 9.3). 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.</p>	
Dropped objects		<p>The Applicant will ensure that any objects dropped on the seabed during works associated with the project are reported and that objects are recovered where they pose a hazard to other marine users and where recovery is possible.</p>	
Commercial fisheries			
Fisheries liaison		<p>The Applicant is committed to ongoing liaison with fishermen throughout all stages of the project, based upon FLOWW (2014, 2015) guidance and the following:</p> <ul style="list-style-type: none"> ▪ Appointment of a company Fisheries Liaison Officer (FLO) to maintain effective communications between the project and fishermen (a company FLO is already appointed and active); ▪ Appropriate liaison with relevant fishing interests to ensure that they are fully informed of development planning and any offshore activities and works; ▪ Timely issue of notifications including Notice to Mariners (NtMs), Kingfisher Bulletin notifications and other navigational warnings to the fishing community to provide advance warning of project activities and associated Safety Zones and advisory safety distances; and ▪ Development, prior to construction, of a FLCP, setting out in detail the planned approach to fisheries liaison and means of delivering any other relevant mitigation measures. This document provided the outline version of the FLCP, to be finalised post-consent and prior to commencement of construction. 	

4.3 Good Practice Measures

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

4.3.1 Code of good practice for contracted vessels

39. 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 the Project adhere to Convention on the International Regulations for Preventing Collisions at Sea (COLREGS) and The International Convention for the Safety of Life at Sea (SOLAS) requirements;
- Ensure all vessels working under contract for the Project do not engage in any commercial or recreational fishing activities;
- All vessels under contract for the Project will maintain collaborative, proactive and professional communications with fishing vessels during offshore operations;
- All vessels under contract for the Project 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 the Project will adhere to sensible transit speeds, exercise caution and maintain observation during night working; and
- All vessels contracted to undertake Project-specific work will have undertaken appropriate risk assessments in respect of potential interactions with commercial fishing vessels and their gears.

4.3.2 Navigational safety measures

4.3.2.1 Cable burial

40. 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 Project construction (see Table 4.1). 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 the Project, and measures to be taken in the event of cable exposure.

4.3.2.2 Safety Zones

41. As per Table 4.1, the Applicant will apply for Safety Zones as detailed in the Safety Zone Statement (document reference 9.3). 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. During the construction (and decommissioning) phase, the array area 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.
42. Safety Zones and buoyed areas will be communicated to other marine users via Notice to Mariners (NtMs).

4.3.2.3 Vessel movements

43. Project 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 areas and carrying out specific activities offshore. Once the location of Project working ports 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.

4.3.2.4 Marking and charting

44. During the construction phase, the Project construction area will be clearly marked using buoys.
45. All construction vessels and installed infrastructure will be appropriately lit and marked.
46. All installed infrastructure will be marked on United Kingdom Hydrographic Office (UKHO) Admiralty Charts.

4.3.2.5 Dropped objects

47. In the event of a dropped object offshore, the Applicant will notify the MMO and other relevant stakeholders using the standard Marine Licence Dropped Incident Report proforma.
48. 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.
49. Any further steps as required in consultation with the MMO will be notified through a NtM where applicable.

4.3.3 Procedures specific to fisheries interactions

4.3.3.1 Procedure in relation to gear fastening or loss

50. 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 Project details will be provided within KIS-ORCA data (as detailed in Table 3.1), 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.

51. As per the Seafish *et al.* 2016 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.”

52. The following procedure replicates that which has been in place in respect of the UK offshore oil & 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 Project 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 the Project cables.

53. 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 Project 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 log book;
- 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. An example form is included at Appendix B. 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.

54. 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. .

4.3.3.2 Procedure for gear relocated/removed by gear owner

55. During construction and operational maintenance works, Safety Zones around construction and maintenance works will be determined and communicated to the commercial fishing industry using the notifications set out in Table 3.1. 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.

4.3.3.3 Procedure for gear relocated/removed from within Safety Zone

56. Should fishing gear belonging to a recipient be located in the offshore Safety Zone during the exclusion period (i.e. the owner that has entered a cooperation agreement with the Applicant to relocate gear – see Section 4.4.1 – has not done so as requested), then the Applicant and/or its related parties or its contractors (e.g. a guard vessel) shall make arrangements for such fishing gear to be moved/relocated provided that:

- The gear owner is notified of the discovery of located gear and subsequent action;
- The vessel carrying out the removal is equipped with appropriate hauling equipment;
- All reasonable care is taken to remove the fishing gear in a manner that minimises the risk of damage to the fishing gear or any damage to the catch, which will be immediately returned to the sea;

- The location, detail of gear (e.g. number of pots/fleets), condition of fishing gear, date and time when recovered is recorded, including photographic evidence of gear condition;
- Arrangements are made to relocate the fishing gear outside of the offshore exclusion area or to store gear in a secure location onshore; the gear owner is notified of the relocation of the gear as soon as possible, or if onshore, of a time it can be collected from secure storage; and
- The gear owner is reimbursed for damage to fishing gear, if caused during recovery, based on acceptable evidence, where it appears to be justifiable, fair, and reasonable.

4.4 Further Mitigation Measures

57. The ES identified potentially significant effects on the local UK potting fleet during the construction phase of the Project resulting from temporary reduced access to or exclusion from established fishing grounds. In response to this, it was identified that further mitigation beyond that described in Sections 3 and 4.2, and specific to the local UK potting fleet during construction, may be required to address the potentially significant impact. Significant impacts on other fleets during construction are not anticipated. Significant impacts on fishing fleets during the operational phase of the Project are not anticipated given there will be no restriction on fishing activity with the exception of within any Safety Zones around major maintenance works (as detailed within the Safety Zone Statement (document reference 9.3)). The full justification for these assumptions is provided in the ES.

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

4.4.1 Cooperation agreements and associated payments

59. Where residual 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 non-interference agreements with static gear fishers as a last resort, in line with FLOWW (2014) guidance and redrafting efforts.

60. The Applicant will consider entering these agreements with those targeting fisheries upon which the Project has been identified to have a significant impact on within the ES.

61. The Applicant is committed to following FLOWW (2015) guidance in respect of consideration and interaction with the fishing industry. Co-operation payments will only be established on the basis of factually accurate and justifiable claims to achieve a position whereby fishing interests are neither advantaged nor disadvantaged, in accordance with the FLOWW (2015) guidance. Affected fishermen will be required to provide evidence to corroborate any claims (FLOWW, 2014). 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.

62. If mutual agreement cannot be reached then both parties should seek to undertake Alternative Dispute Resolution (ADR), in line with FLOWW (2015) guidance.

~~62.63.~~ 63.64. The Applicant and CFLO will engage directly with fishers in developing any commercial agreements; it is noted that external organisations with regulatory functions, including the MMO, will not act as arbitrator in regard to commercial discussions nor be involved in discussions on the need for or value of any commercial payments.

4.4.1.1 Procedure for co-operation payment

~~63.64.~~ Claimants will be asked to submit the form provided in Appendix C.

~~64.65.~~ All claims must satisfy the following points:

- Claims will be paid only for losses caused due to the construction of the Project;
- There must be a close link between the construction of the Project 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).

4.4.1.2 Evidence base

~~65.66.~~ 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 (MCA) certification or equivalent;
- Copy of the relevant vessel fishing licences and entitlements;
- Sight of vessels' fishing charts or 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).

~~66.67.~~ 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.

4.4.2 Alternative mitigation measures

~~67-68.~~ The Applicant is committed to continued exploration with the fishing industry of potential alternative mitigation measures; the final FLCP will confirm commitment to any additional mitigation measures if demonstrated to be appropriate to the affected fishing industry and the Applicant.

5 Compliance with the Application

~~68-69.~~ The Application and ES set out a number of commitments in relation to various aspects of the Project. The effects of the Project on commercial fishing activities were assessed in ES Chapter 14: Commercial Fisheries on the basis that these commitments would be implemented. The commitments were made to ensure that the Project followed good practice in relation to its interaction with commercial fisheries interests. Table 4.1 provides an overview of the commitments made in the Application and ES with respect to commercial fisheries, and highlights where these commitments are carried through in this Outline FLCP.

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Appendices

Appendix A. Contact Details

[To be provided in final FLCP]

Appendix B. Claim form for damage/loss of gear

[To be provided in final FLCP]

Appendix C. Claim form for co-operation payment

[To be provided in final FLCP]