



To whom it may concern,

This written representation forms the response from the NFFO and WFA-CPC to key documentations of concern to the fishing industry as part of the examination of the Morgan offshore wind project generation assets.

The National Federation of Fishermen's Organisation (NFFO) represents the interests of over 400 commercial fishing businesses in England and Wales. The Welsh Fishermen's Association (WFA-CPC) represents over 200 commercial fishing businesses in Wales.

Please treat this written representation as a joint representation from both the NFFO and the WFA-CPC.

Commercial fisheries have existed in the proposed region for generations and are already faced with extensive spatial restrictions such as existing and proposed offshore wind developments, Marine Protected Areas and legislative restrictions in the region. The area is economically important to fishing fleets from all the devolved UK administrations, with a variety of gear type being deployed, both static and mobile. Further displacement of commercial fishing in the region will result in economic harm, through loss of earnings from the ground and additional operating costs due to increased steaming times during construction and operation of the project.

The response below is in response to specific concerns we have with regards the outline Fisheries Liaison and Co-existence Plan (FLCP).

Fisheries Liaison and Coexistence plan

Many of the suggestions and commitments highlighted in the FLCP are targeted towards static gear fisheries. As highlighted in the ES and supporting documentation, the region supports a diverse fishing fleet including both static and mobile gear types.

The scope of the FLCP needs to be balanced across all sectors with specifics important to each sector included.

1.1.1.8. It is appreciated that the scope of the FLCP is defined, however as the scope of the FLCP covers construction/operation and decommissioning phases, we would expect to see a review timetable associated with the FLCP to periodically review any updates required between construction and decommissioning. The reference to a live document (1.1.1.10) does not mandate a periodic review but only commits to further development.

1.1.1.14 Figure 1.2 describes the NFFO as a fisheries service provider. The NFFO only act as a Fisheries Industry representative under fisheries liaison. NFFO Services act as a Fisheries Service Provider but this is a separate company to the NFFO, this change is requested for clarity in Figure 1.2.

1.1.1.16 What is meant by “sufficient notice” for relocation of static gear. Sufficient notice for a contractor is likely to be very different for a small-scale potting vessel. We would expect to see a commitment to a minimum of 14 days’ notice here.

1.1.1.16 The commitment to OFLOs and guard vessels is welcome, however we would like to see a commitment to using **local** guard vessels and OFLO’s wherever possible. Not only is this part of mitigation but is best practice to use local expertise to help deconflict issues.

Table 1.1 describes the minimum notice to be given for works as 7-days. This is not sufficient, we would expect a **minimum notice of 14 days** for all works with the exception of in an emergency. This is the minimum required, especially if fishing gear is to be relocated.

Table 1.2 Cable burial and risk assessment has not been submitted as part of the examination process, this is one of the key documents the NFFO review as part of the examination process. A commitment to undertaking a risk assessment pre-installation is unlikely to allow fisheries stakeholders to review and comment on any concerns

prior to work commencing. Further commitments in Table 2 for cable mitigations need to be reviewed alongside the CMS and CSIP.

Table 1.2. The mitigation of a scallop mitigation zone is welcomed. However it is essential that for scallop fisheries to return to fish the area, cables are laid in a manner that will facilitate this mitigation.

Table 1.2 timely and efficient distribution of NTMs – this needs to be a minimum of 14 days.

Table 1.2. Fisheries activity monitoring. In the opinion of the NFFO, this is one of the key, non-structural commitments of this project. This monitoring plan will allow an empirical approach to understanding fisheries impact, displacement and also the “return to fish” mitigation. We would suggest all developers undergoing examination follow this good example. The only improvement we would suggest, is to use all available data beyond VMS to fully understand fisheries activities (eg iVMS when available and AIS).

1.3.3 This section suffers from the need to balance the FLCP across phases of the morgan project. Pre-construction and construction activities will require agreements between the developer and fisheries stakeholders to remove static gear from an area as needed, as per FLOWW guidelines, this is due to embedded mitigation not being in place during these phases. Post construction, the FLCP can define an expectation of static gear being moved due to embedded mitigation being in place. This whole section needs to reflect the different needs for the different phases.

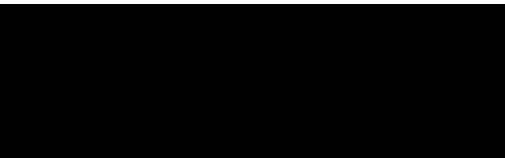
1.1.1.33 The NFFO **do not** support the developer removing static gear without the written authority of the owner, irrespective of a developers need or inclusion in the DML. There is no legal justification for this, it will class as the illegal removal of a fisher’s asset.

1.35 The minimisation process of a scallop mitigation zone is welcomed. However, it is essential that for scallop fisheries to return to fish the area, cables are laid in a manner that will facilitate this mitigation.

1.1.1.38 For true mitigation and use of the scallop mitigation zone (SMZ), the burial depth of cables in this area is of paramount importance. A possible minimum cable burial depth of 0.5m will only allow for approximately 0.2m clearance between the maximum penetration depth of a scallop dredge and the cable asset. We would expect, for asset protection, and to reduce snagging risk, this minimum depth is avoided in the SMZ.

Further comment

There is growing concern on the reliability of the modelling used by offshore developers regards cable burial and the chance of cable exposure over the lifetime of the project. It has been demonstrated at several operational wind farms that the target burial depth during construction has not been of sufficient depth resulting in remediation. There have been sites with extensive areas of cables exposed within an array that has resulted in a monitor only approach as opposed to remediation or mitigation measures. We would expect to see a commitment from the developer to remediate any cable exposures as soon as possible, if this is not the case the risk to fisheries stakeholders completely negates the return to fish mitigation during the operational phase.



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National Federation of Fishermen's Organisations