

**RWE Renewables UK Dogger Bank
South (West) Limited**

**RWE Renewables UK Dogger Bank
South (East) Limited**

Dogger Bank South Offshore Wind Farms

**Outline Fisheries Liaison and Co-existence Plan (Revision 4)
(Tracked)**

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01	June 2024	Final for DCO Application	RWE	RWE	RWE
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Revision Change Log			
Rev No.	Page	Section	Description
01	N/A	N/A	Submitted for DCO Application
02	10	1.1	Updates have been made because of Marine Management Organisation (MMO) Relevant Representation RR-030: 4.7.2.
03	6	Glossary	Removed reference to Electrical Switching Platform in the definition of Offshore Export Cable Corridor.
03	9	1.1	Updates have been made following acceptance of Project Change Request 1 – Offshore and Intertidal Works [AS-141] into Examination. Some further editing has been completed in relation to acronyms included in this document.
03	12	1.3	Reference to updated ESCA guidelines added in response to NFFO Written Representation REP1-077:3
03	15-16	2.2	Detail added to denote that NEIFCA are a government body and not an industry stakeholder in response to NFFO Written Representation REP1-077:5.
03	21	3.3	Reference added to denote that the Applicants will seek to engage local fishers for the provision of support vessels where practicable in response to NFFO Written Representation REP1-077:6.
03	22-23	3.5	Detail on meaning of surface piercing structures added in response to NFFO Written Representation REP1-077:7.
03	24	Table 3-2	Clarification that the provision of 2 weeks of notice ahead of works may not be possible in certain situations in response to NFFO Written Representation REP1-077:8.
03	24	3.6	Emphasis altered to note that notices would be ‘provide to’ and not ‘distributed via’ those bodies listed in response to NFFO Written Representation REP1-077:9.
03	27	4	Reference added to denote that the Applicants will seek to engage local fishers for the provision of support vessels where practicable in response to NFFO Written Representation REP1-077:10.
03	28	Table 4-1	Clarification has been provided to denote that a number of receptors were considered in the reference to the Offshore Development Area, in addition to commercial fisheries interests in response to NFFO Written Representation REP1-077:12

Revision Change Log			
04	29	Table 4-1	Description added on how commercial fisheries receptors were considered in the refinement of the Project Area.
04	32	4.3	Cooperation agreement text updated to further explain the difference between cooperation agreement and disruption payments.

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Glossary

Term	Definition
Array Areas	The DBS East and DBS West offshore Array Areas, where the wind turbines, offshore platforms and array cables would be located. The Array Areas do not include the Offshore Export Cable Corridor or the Inter-Platform Cable Corridor within which no wind turbines are proposed. Each area is referred to separately as an Array Area.
Array cables	Offshore cables which link the wind turbines to the Offshore Converter Platform(s).
Dogger Bank South (DBS) Offshore Wind Farms	The collective name for the two Projects, DBS East and DBS West.
Inter-Platform Cables	Buried offshore cables which link offshore platforms.
Inter-Platform Cable Corridor	The area where Inter-Platform Cables would route between the DBS East and DBS West Array Areas, should both Projects be constructed.
Offshore Development Area	The Offshore Development Area for ES encompasses both the DBS East and West Array Areas, the Inter-Platform Cable Corridor, the Offshore Export Cable Corridor, plus the associated Construction Buffer Zones.
Offshore Export Cables	The cables which would bring electricity from the offshore platforms to the Transition Joint Bays (TJBs).
Offshore Export Cable Corridor	This is the area which will contain the Offshore Export Cables between the Offshore Converter Platforms and Transition Joint Bays at the landfall.
Safety zones	Legislated under the Energy Act 2004, safety zones are rolling buffer areas which protect construction activities by preventing unauthorised vessels from entering their boundary.

Term	Definition
The Applicants	The Applicants for the Projects are RWE Renewables UK Dogger Bank South (East) Limited and RWE Renewables UK Dogger Bank South (West) Limited. The Applicants are themselves jointly owned by the RWE Group of companies (51% stake) and Masdar (49% stake).
The Projects	DBS East and DBS West (collectively referred to as the Dogger Bank South Offshore Wind Farms).

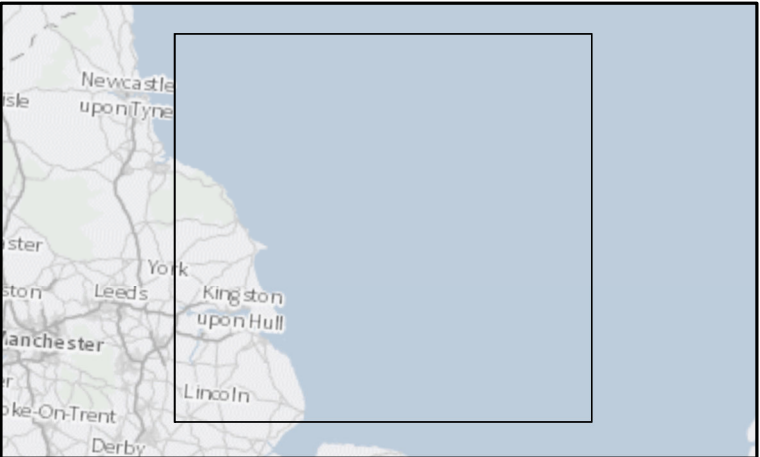
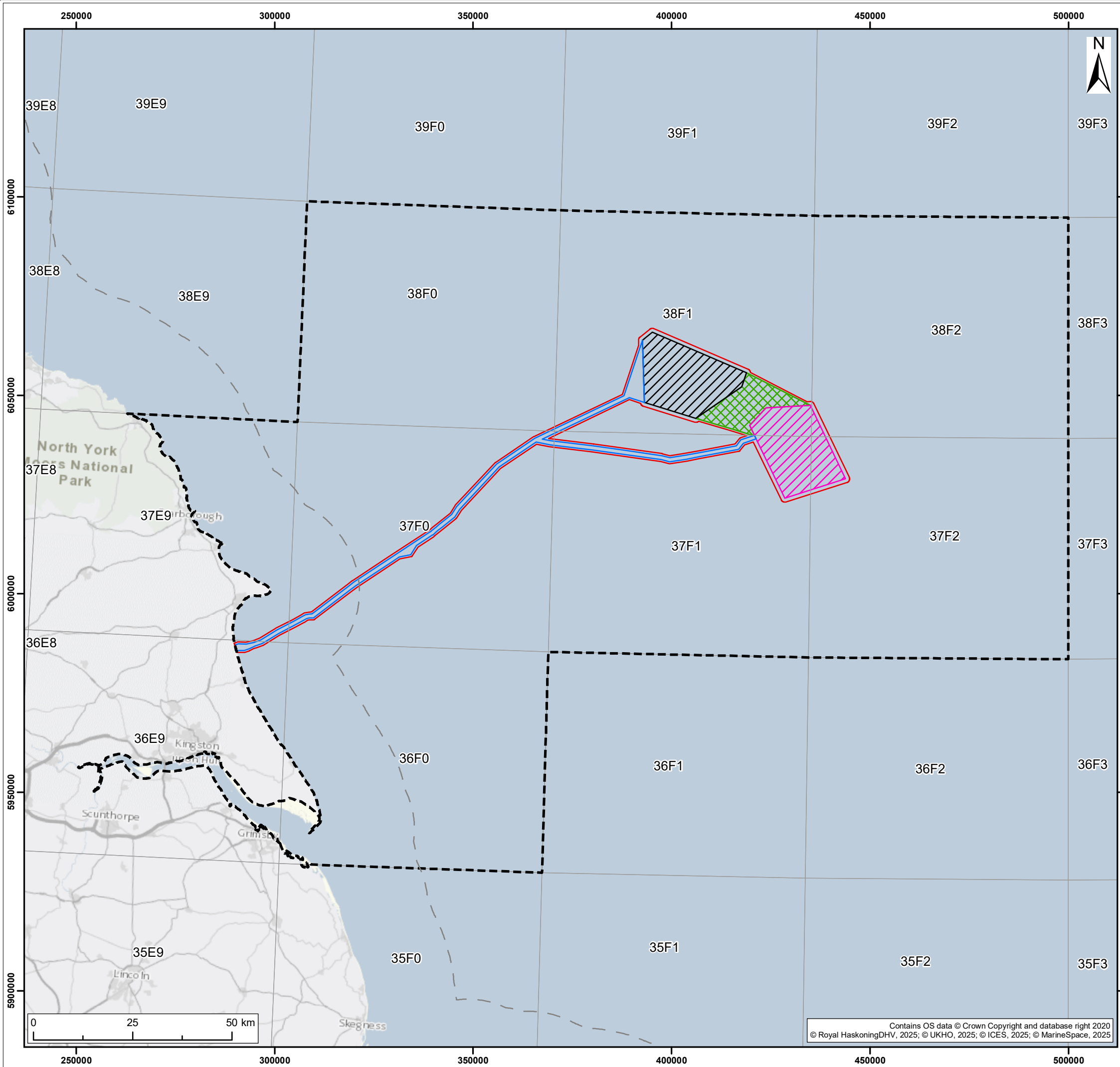
Acronyms

Term	Definition
ADR	Alternative Dispute Resolution
CFWG	Commercial Fisheries Working Group
CFA	Commercial Fisheries Advisor
DBS	Dogger Bank South
DCO	Development Consent Order
DESNZ	Department for Energy Security and Net Zero
DML	Deemed Marine Licence
EIA	Environmental Impact Assessment
ESCA	European Subsea Cable Association
FLCP	Fisheries Liaison and Coexistence Plan
FLO	Fisheries Liaison Officer
MMO	Marine Management Organisation
NFLR	Nominated Fisheries Liaison Representative
NtM	Notice to Mariners
OFLO	Offshore Fisheries Liaison Officer
OFTO	Offshore Transmission Owner
PEIR	Preliminary Environmental Information Report
PMSL	Precision Marine Survey Limited
UKHO	United Kingdom Hydrographic Office

1 Introduction

1.1 Project Background

1. In February 2021, RWE was successful in The Crown Estate's Round 4 Offshore Wind Farm auction process, securing preferred bidder status on two adjacent projects, Dogger Bank South (DBS) East and DBS West, collectively known as the DBS Offshore Wind Farms. The Applicants for the Projects are RWE Renewables UK DBS East Ltd and RWE Renewables UK DBS West Ltd. The Applicants are themselves jointly owned by the RWE Group of companies (51% stake) and Masdar (49% stake). Throughout this document DBS Offshore Wind Farms will be referred to as the Projects.
2. The DBS East Array Area is approximately 349km² and the DBS West Array Area is approximately 355km². The DBS West array boundary lies approximately 100km from shore and the DBS East boundary is approximately 122km from shore at their closest points (Flamborough Head, and East Yorkshire respectively), shown in **Figure 1-1**. The Array Areas would include up to 200 wind turbines, associated cables and up to three Offshore Platforms. The electricity generated by the Projects would be transmitted to the onshore electricity transmission network by export cables, located within an Offshore Export Cable corridor which connect the array to the coast. Based on the onshore grid connection points at Creyke Beck, East Yorkshire, a landfall location has been identified close to Skipsea.
3. The key offshore elements of the Projects are as follows:
 - Up to 200 offshore wind turbines and associated foundations and scour protection where required;
 - Up to 700km of inter-array cables;
 - Up to 3 offshore platforms; and
 - Up to 682km Offshore Export Cables, within the overall Offshore Export Cable Corridor.



Legend:

- Offshore Development Area
- Offshore Export Cable Corridor
- DBS East Array Area
- DBS West Array Area
- Inter-Platform Cable Corridor
- Commercial Fisheries Study Area
- ICES Rectangles
- UK 12 nm limit

S2	P01	07/02/2025	Suitable for Information	SM	CC	RF
SUI	REV	DATE	DESCRIPTION	DRW	CHK	APR

Title:
The Projects' location and Commercial Fisheries Study Area

Figure: 1-1 Drawing No: PC2340-RHD-OF-ZZ-DR-Z-1015

Co-ordinate system: WGS 1984 UTM Zone 31N Page Size: A3 Scale: 1:950,000

Project: Dogger Bank South Offshore Wind Farms Report: Outline Fisheries Liaison and Co-existence Plan



1.2 Purpose of this Document

4. The purpose of this document is to facilitate and promote positive relationships and working between the Projects and local commercial fishing interests and provides an outline of the approach to fisheries liaison during the construction, operational and decommissioning phases. This Outline Fisheries Liaison and Co-existence Plan (FLCP) aims to document and demonstrate how the Applicants would liaise and coexist with the commercial fishing industry and deliver commitments to mitigation made in the Development Consent Order (DCO) Application, which are intended to avoid or reduce potential impacts on the fishing industry. These embedded mitigations are detailed in **Table 4-1** and section 4. This Outline FLCP provides an overview of sections that will be included in the final FLCP (to be agreed post-consent) such as procedures to manage interactions between the Projects and the fishing industry including fisheries liaison, safety issues and claims procedures as well as mitigation measures and their delivery.
5. This Outline FLCP has been developed in consultation with fishers operating in the vicinity of the Projects and was discussed at Commercial Fisheries Working Group (CFWG) meetings. This document will be made available to CFWG members upon submission of the DCO application, and feedback received will be integrated where possible during examination.
6. In line with the conditions of **Volume 3, Draft DCO (application ref: 3.1)** the Outline FLCP will be finalised post-consent and prior to the commencement of construction. The final FLCP will be subject to approval by the Marine Management Organisation (MMO) following consultation with relevant stakeholders. The final FLCP will be reviewed and updated where necessary during the lifetime of the Projects, in line with project milestones. Relevant updates to the final FLCP may be incorporated during review cycles, as considered necessary to reflect any material changes to fisheries liaison requirements at the time, and with the purpose of maintaining effective fisheries liaison and to ensure the document includes accurate and relevant details for each stage of the Projects' life cycle (i.e. pre-construction, construction, operation and maintenance and decommissioning). The MMO will be consulted on any changes to the FLCP. At the time of Offshore Transmission Owner (OFTO) Transaction, post construction, RWE and Masdar will make the latest finalised FLCP available to the OFTO for their awareness.
7. The Applicants recognise the importance of consultation in developing a successful and sustainable, coexistence plan which works for both sectors and, therefore, consultation with the CFWG will be integral to the finalisation of this document.

1.3 Legislation and Guidance

8. This FLCP has been developed and will be implemented in accordance with the following guidance and experience:
 - Best Practice Guidance for Offshore Renewables Developments, Fisheries Liaison with Offshore Wind and Wet Renewables Group (FLOWW, 2014);
 - FLOWW Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds (FLOWW, 2015);
 - Code of Practice on Interaction with Static Gear Fisheries, United Kingdom Offshore Operators Association (UKOOA) (May 2006);
 - The European Subsea Cable Association (ESCA). (2016). Guideline 01 - Fishing Liaison; and
 - Feedback from meetings undertaken with local, national and international fisheries interests.
9. It is noted that at the time of document preparation FLOWW Best Practice Guidance is intended to be revised with revision currently ongoing, and new guidance from the ESCA for cables and fisheries interactions is expected in 2025. Updates to the FLCP will take account of any revised guidance as applicable.
10. In preparation of this Outline FLCP, other relevant guidance has also been considered, including draft Marine Scotland Guidance on preparing a Fisheries Management and Mitigation Strategy (2020), Seafood / ORE Engagement in Ireland- A Summary Guide published by the Government of Ireland's Department of Housing, Local Government and Heritage (2023) and Guidelines for Mitigating Impacts to Commercial and Recreational Fisheries (Draft) prepared by the United States Bureau of Ocean Energy Management (2022).
11. The Projects' approach has considered practices of other offshore wind developers in the Southern North Sea and lessons learned from RWE's UK and Ireland portfolio of offshore wind farms, alongside the Projects' own history and experiences with contracted activities in developing a fisheries liaison and coexistence strategy which minimises disruption on fisheries stakeholders.

1.4 Developer's Approach to Fisheries Engagement

12. The development of the Projects is being led by RWE Renewables UK Dogger Bank South (East) Limited and RWE Renewables UK Dogger Bank South (West) Limited. RWE projects in the UK and Ireland are making progress towards a consistent, portfolio approach to fisheries engagement which allows for reciprocity of experience, lessons learned and best practice between 17 offshore wind projects in various life phases in the UK and Ireland. A portfolio approach is considered to be the most effective way to maximise opportunities for consistent, successful, coexistence and colocation across all projects.
13. The Projects will, therefore, work in line with RWE's ambitions for a portfolio approach to fisheries engagement. As such RWE's ambitions are embedded in this FLCP to minimise impacts on fisheries stakeholders, maximise opportunities for coexistence and colocation and ensure fair treatment of all parties across the UK and Ireland portfolio.
14. RWE appreciate the value (social, cultural and economic) of the fishing industry and acknowledge the spatial squeeze facing the fishing industry which offshore wind contributes to and are dedicated to contributing to the establishment of, and loyally complying with existing, best practice principles and guidelines (as listed in section 1.3) while also working towards an RWE portfolio approach and ensuring that the suitability of mitigation efforts and measures are considered in the context of the Projects and its stakeholders.
15. RWE's portfolio approach to fisheries engagement identifies five main pillars and is based on best practice guidance and experience from across RWE's UK & Ireland offshore wind portfolio.
16. The pillars are:
 - Honest and open communication;
 - Knowledge sharing;
 - Meaningful engagement;
 - Safety and cooperation of both industries; and
 - Data based decision making.
17. These pillars relate closely to principles of liaison laid out in liaison guidance documents listed in section 1.3, which reflects the consideration of acknowledged best practice in defining RWE's portfolio approach.

1.5 Document Structure

18. This document has been structured to meet the conditions of the Deemed Marine Licences (DMLs) as included in **Volume 3, Draft DCO (application ref: 3.1)**, 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: DBS Fisheries Overview	Provides an overview of DBS and fishing activity in the area.
3: Fisheries Management and Liaison Strategy	Sets out the Projects' approach to ongoing liaison with the fishing industry and other relevant stakeholders.
4: Fisheries Mitigation Strategy	Sets out the Projects' approach to mitigation, focused on enabling co-existence.
5: Conclusion	Brief summary of details set out in this FLCP.

2 DBS Fisheries Overview

2.1 Fishing activity within DBS

19. This Outline FLCP has been informed by the data collected to support the ES, together with engagement with commercial fisheries industry stakeholders.
20. Fishing activity in the vicinity of the Projects is outlined in **Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)**.
21. The fishing fleets identified to interact with DBS include:
 - Demersal trawls and seines;
 - Dredge;
 - Intertidal netters;
 - Otter trawlers;
 - Pelagic trawlers;
 - Inshore static gear; and
 - Offshore static gear.

2.2 Fisheries Stakeholders and Engagement

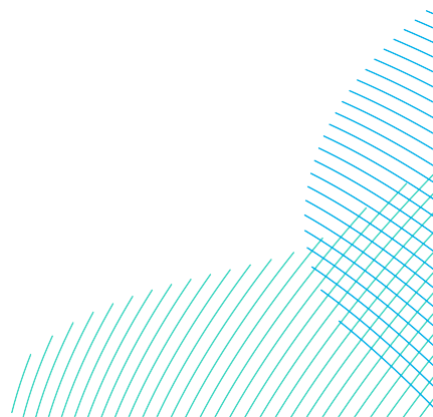
22. The Projects have undertaken statutory and non-statutory consultation with fisheries stakeholders since 2021. A summary of consultation undertaken prior to DCO application is provided in **Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)**. Consulted stakeholders include:
 - North Eastern Inshore Fisheries and Conservation Authority (NEIFCA);
 - The MMO;
 - New Under 10 Fishermen's Association (NUTFA);
 - Rederscentrale;
 - DFA (Danish Fishing Association);
 - Anglo-Dutch Fishing Industry;
 - North West Dutch Fisheries PO's & Urk Based PO's;
 - Nederlandse Vissersbond;
 - VisNed;
 - CNPME (Comité National des Pêches);
 - CRPME Normandie;
 - DfV (Deutscher Fischerei Verband) (German Fisheries Association);
 - Norwegian Fishing Vessel Owners Association (Fiskebat);

- NFA (Norwegian Fishermen's Association) (Sør-Norges Trålerlag);
- Norwegian Fishing Industry Representative;
- Swedish Fishermen's PO;
- Swedish Pelagic Federation PO;
- Scottish Fishermen's Federation (SFF);
- Scottish White Fish Producer Association (SWFPA);
- Independent Scottish Sandeel Fishermen;
- National Federation of Fishermen's Organisations (NFFO);;
- South West Fish Producer Organisation;
- Holderness Fishing Industry Group;
- Andy Wheeler Fisheries Consultancy Limited; and
- Independent Bridlington Fishermen.

23. The Applicants have set up a CFWG to support consultation and regular engagement with local fisheries stakeholders and government authorities. Engagement with local fisheries stakeholders has primarily been via the CFWG. The group includes but is not limited to the following representatives:

- Representative of Dutch Fishermen;
- German Fisheries Association;
- Representative of the Norwegian Fishermen's Association;
- Scottish Fishermen's Federation – Policy Officer;
- Scottish White Fish Producer Organisation (SWFPO);
- Swedish Pelagic Federation Producer Organisation;
- Danish Fishermen's PO;
- Danish Fishing Association;
- CRPMEM – Normandie;
- CNPMEM – Boulogne;
- A number of independent Bridlington fishermen;
- North West Dutch Fisheries Producer Organisation;
- VisNed;
- Vissersbond;
- Rederscentrale (Belgian Fisheries);
- National Federation of Fishermen's Organisations (NFFO); and
- North Eastern Inshore Fisheries & Conservation Authority (NEIFCA).

24. It is intended that these local groups will be consulted in the finalisation of the FLCP.
25. It is envisaged that the CFWG will remain active throughout the lifetime of the Projects to support ongoing relationships between the Applicants and a wide range of fisheries stakeholders, to enable advanced notification of upcoming activities and planned works and to facilitate discussions as required. One-to-one discussions between the Applicants and individual local fishers (and their representatives) will occur as needed throughout all phases.



3 Fisheries Management and Liaison Strategy

3.1 Principles of Liaison and Coexistence

26. The Projects recognise the importance of effective communication with fisheries stakeholders and, therefore, has developed appropriate communication and information sharing strategies. The Projects consider this crucial to establishing, and subsequently building upon, good relationships and coexistence with the fishing industry.
27. It is the intention of the Projects to facilitate coexistence wherever possible during all phases of the Projects' life cycles which will include the implementation of mitigation strategies, developed in consultation with the commercial fishing industry, in managing relationships and good liaison with the fishing industry and to minimise the overall impacts of the Projects.
28. **Table 3-1** and the following sections outline the relevant roles and responsibilities of the Applicants, the Fisheries Liaison Officer (FLO) and other fisheries liaison personnel which the Applicants may employ in an effort to achieve good relations with the fishing industry. Roles and responsibilities in **Table 3-1** are not exhaustive.

Table 3-1 Roles and Responsibilities

Role	Responsibility
The Applicants	Progress the development of the Projects with the least disturbance practicable to the local fishing activities and ensuring commitments outlined in this FLCP are adhered to; • Maintain the appointment of a FLO throughout the lifetime of the Projects. • Aid in the prevention of conflict through the timely provision of information to the FLO, Fishing Industry Representative (FIR) (where utilised) and fishermen. • Prepare and issue Notices to Mariners (NtMs) for the FLO to forward to relevant fishermen and ensure upload to Kingfisher so that all mariners can be aware of activities and hazards. • All vessels under contract to the Projects will be required to adhere to The International Regulations for Preventing Collisions at Sea 1972 (COLREGs) and observe the requirements of International Convention for the Safety of Life at Sea (SOLAS), 1974. • All vessels under contract with DBS will be required to maintain polite, proactive and professional communications with fishing vessels

Role	Responsibility
	during offshore operations and to remain a reasonable speed if fishing vessels are in proximity. • All vessels under contract with DBS will be required to maintain the required open channels so as to receive communications directly from fishing vessels. • All vessels under contract with DBS will include potential interactions with commercial fishing vessels and their gears in appropriate risk assessments where relevant. • Notify fisheries stakeholders of any dropped objects which may present as a hazard to navigation or fishing activities. • Respect the confidentiality of fishers' habitual fishing grounds and information.
FLO	The Projects have appointed Precision Marine Survey Limited (PMSL) as the FLO during the Development phase. PMSL are the primary contact for all fishers. The appointed FLO will 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 wind farm life cycle: • Identify appropriate methods of communication for engaging regularly with fishers as well as circulating the Projects' related information. • Establish and maintain a strong working relationship with the fishing industry, liaising as required. • Understand the potential impact of Projects related activities on fishing. • Monitor fishing activities within and around the Projects. • Prepare and distribute the required information and notices of all Projects related activities which could potentially interact with fisheries stakeholders. • Organise and attend meetings with relevant stakeholders including coordination of the CFWG meetings. • To obtain and transmit to the Projects all relevant fishermen's concerns and sensitivities in respect of the various activities associated with the Projects.

Role	Responsibility
	The FLO will be separate from any commercial agreements arranged between DBS Offshore Wind Farms and fishers.
Offshore Fisheries Liaison Officer (OFLO)	To be stationed on a vessel to communicate directly with fishers where required. Regularly broadcast vessel locations, operations, schedules, safety zones, advisory safe passing distances and health and safety requirements on relevant Very High Frequency (VHF) and Medium Frequency (MF) radio frequencies during operations where required; - To maintain contact with fishing vessels observed to be within the vicinity of works areas of survey and construction vessels and provide sufficient notice to enable the relocation of any static fishing gears present. Similarly relaying relevant information to the masters and watch officers of survey and construction vessels. - 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.
Commercial Fisheries Advisor (CFA)	MacAlister Elliott & Partners (MEP) have been appointed by the Applicants to undertake technical assessment of the potential economic impacts to fishers with evidence of economic dependency on the Offshore Development Area as a result of the Projects' activities; - Maintain a fair and consistent approach for the Cooperation Agreement Strategy. <u>Where disruption payments are provided through Cooperation Agreements, payments should be made that is</u> in line with best practice <u>guidance</u> and any RWE portfolio level commitments or approaches. - Understand the potential impact of the Projects related activities on fishing. - Assist fishers in understanding agreement processes and methodologies and support fishers in identifying and sourcing required evidence. - Liaise with all parties to discuss the views and any concerns reported by the fishing industry with respect to brokering commercial agreements required between fishers and the Applicants,

Role	Responsibility
	To obtain and transmit to the Projects all relevant fishers' concerns and sensitivities in respect of the various activities associated with the Projects.
The Fishing Industry	Reciprocal effort by the fishing industry is crucial to the success of the Applicants' liaison strategy. Further guidance and expectations of the fishing sector can be found below in section 3.5.

3.2 Fishing Industry Representatives

29. To further aid the establishment of effective communication channels and to benefit from extensive local knowledge, one or more FIR(s) may be contracted. To date the FIR role has not been utilised. The final FLCP or any future revisions of the FLCP will reflect any changes in utilising an FIR.
30. While a FIR may be associated with a specific organisation or association, they will not be acting to the sole benefit of that association. Should an instance arise whereby an industry association or individual fishermen does not wish to communicate via the FIR for that area, the FLO will undertake such direct responsibilities to ensure that the association / fishermen still have a line of communication to the Applicants and vice versa.

3.3 Fisheries Support Vessels

31. During periods of offshore work, the Projects may utilise fisheries support vessels, such as guard vessels or scout vessels to support safe operations and facilitate close communications with mariners to ensure their awareness of any hazards or activities. For example, during construction the Projects may have guard vessel(s) on site to facilitate safe construction through liaison with other sea users in the vicinity of the works. Where possible, the Projects will employ local expertise to undertake or support these roles if available.
32. Guard and/or pilot vessel(s) will also be in regular communications with the OFLO / NFLR and FLO to exchange information on fishing activity and any static fishing gear in the Offshore Development Area. The OFLO (if required) may be deployed on board a support vessel rather than on a construction vessel during the construction phase.

3.4 Marine Coordination

33. In addition to the FLO, FIR(s) (if utilised) and OFLO (if required), a Marine Coordinator for DBS will be appointed for the construction phase. The Marine Coordinator will ensure the marine coordination function is delivered continuously 24/7. The Marine Coordinator coordinates all marine operations relating to DBS; including monitoring and managing all construction vessel activity.

3.5 Guidance for Fishers and Expectations of the Fishing Sector

34. The success of the FLCP in helping to ensure co-existence will require open and transparent communication between the Applicants and the fishing industry and the support and engagement of both parties.
35. The Projects will make every effort to minimise disturbance of fisheries stakeholders and liaise in line with best practice. Subsequently, it is requested that the fishing community will take precautions and make efforts to minimise risks of conflict or interaction with infrastructure and working vessels and provide accurate information on the nature of fishing activity in locations of shared interest.
36. Commercial fishers active within the Projects' Array Areas or the Offshore Export Cable Corridor are requested to comply with the following standards:
- Contact the Marine Coordinator (where relevant) and FLO before entering the Array Areas (transiting or fishing) during periods of notified works and throughout the entirety of the operational phase;
 - Contact the Marine Coordinator if fishing gear is lost or snagged within the wind farm Array Area or the Offshore Export Cable Corridor;
 - Adhere to information provided by DBS in NtM;
 - Be open and willing to work with the Projects to provide information in a timely manner through the correct communication channels;
 - Avoid locating fishing gear in areas where offshore activities are due to take place and avoid purposeful obstruction or damage to DBS' vessels, equipment and infrastructure;
 - Liaise with the Projects' dedicated FLO in an open and transparent manner;
 - Communicate and provide accurate information on fishing activity undertaken and gear used to the FLO / OFLO / NFLR / CFA on request;
 - Take heed of information relayed through the relevant VHF radio channel from DBS vessels;

- Raise any issue through the FLO and participate in constructive discussion with the FLO to address potential areas of conflict;
- Observe and comply with legislation and industry standards e.g. following the MMO's guidance on marking of deployed gear with vessels Port Letters and Numbers (PLN); COLREGs including the correct display of lights and appropriate sound signals and International Convention for the Safety of Life at Sea (SOLAS), 1974; and
- Once the Projects are constructed, refrain from deploying fishing gear within 50m of Project infrastructure extending above the sea surface (e.g. turbines, and the offshore platforms) or any vessels conducting operational and maintenance activities, accounting for tidal flows and wind.

3.6 Information and Liaison Distribution

37. Appropriate communication channels will be established with fisheries stakeholders to ensure they are informed of the location and status of offshore activities and infrastructure. The Applicants will disseminate information to the fishing community via the FLO, OFLO (as appropriate), any appointed onshore FIRs and designated future Marine Coordinator. 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.
38. Details of information dissemination by activity type is provided in **Table 3-2**.

Table 3-2 Means of information dissemination

Activity	Timing and frequency
Construction activities	Notices and information distribution not less than 2 weeks prior to the commencement of offshore construction activities. Confirmation of final installed locations will be provided on completion of works.
Pre and post construction surveys and activities	Notices and information distribution not less than 2 weeks prior to the commencement of offshore construction activities.

Activity	Timing and frequency
Operation and Maintenance activities	Notices and information distribution not less than 2 weeks prior to the commencement of offshore construction activities. If emergency or urgent works need to be undertaken, a 2 week notice period may not be possible. In cases like this, the Projects will aim to provide as much notice a possible of the activities.
Decommissioning	Notices and information distribution not less than 2 weeks prior to the commencement of offshore construction activities.
CFWG meetings	Maximum of four meetings per year during the pre-construction and construction phases and up to two per year during the operational phase. These meetings will enable advanced notification of any planned surveys and works.
Unscheduled Liaison	Additional unscheduled liaison and consultation will be undertaken by either the FLO as required to address issues or fishermen's concerns as they arise.

39. Notices and information for fishers (including survey and construction schedules, notification of any major maintenance activity, notices and activity specific information) will be provided to the following channels:
- Individual fishermen on the Commercial Fisheries Stakeholder Database;
 - Regional fisheries contacts (based on a list of contacts curated by the FLO),
 - Local and international fishermen's associations;
 - Kingfisher updates;
 - Local harbour masters and ports;
 - MMO District Fisheries office;
 - Inshore Fisheries & Conservation Authorities;
 - Trinity House;
 - Maritime and Coastguard Agency (MCA); and
 - NFFO.

40. The Projects will provide NtMs no less than 14 days in advance of activities. The content of NtMs will be based on guidance issued by FLOWW and KIS-ORCA. Coordinates will be provided in Degrees Decimal Minutes (DDM).

4 Fisheries Mitigation Strategy

41. It is the intention of the Projects to facilitate coexistence wherever possible during all phases of the Projects which will include the implementation of mitigation strategies to minimise the overall impacts of the Projects. Where identified within the Environmental Impact Assessment (EIA) process, and if consented, where laid out in the DCO and DML conditions, the Projects will implement measures to minimise and mitigate the potential impacts of project activity in line with national best practice and guidance.
42. Advice within FLOWW (2014) has been duly considered while identifying suitable coexistence promoting procedures and mitigation measures. Though suitable mitigation procedures to facilitate coexistence may evolve through discussions with fisheries stakeholders and detailed design of the Projects post-consent, the Applicants have identified, and are willing to implement, a variety of mitigation commitments, including several good practice measures, so that successful coexistence and long-standing good relationships with fisheries stakeholders can be achieved. These mitigation measures are listed below:
 - The Applicants will implement measures to minimise and mitigate as far as practicable, potential impacts to commercial fishers during the lifetime of the Projects;
 - The Applicants will minimise the size and duration of advisory safety distances and / or fishing clearance areas during periods of offshore work during construction and operation where safe and practicable to do so;
 - The Applicants will encourage early dialogue between the Projects and the affected fisheries stakeholders in order to understand the importance of the fishing ground;
 - The Applicants will ensure regular and routine communications to provide reasonable time to enable decisions around operating practices to be made;
 - The Applicants will endeavour to provide timely construction and cable laying plans, including location and methods for cable protection, if required;
 - The Applicants expect that all vessels undertaking operations related to Projects affiliated vessels will undertake safe working practices, underpinned by appropriate safety management systems. Vessels employed by the Applicants will only undertake activities prescribed in their line of work;

- The Applicants will provide local fisheries stakeholders with procedures for registering claims for loss of / damage to fishing gear in association with surveys, construction activities and during the operational phase of the Projects;
 - The Applicants will ensure consideration of the use of guard vessels and OFLOs, where appropriate during the construction phase, to ensure good communication is maintained between Project vessels and fishing vessels offshore during periods of offshore activities. Where possible, the Projects will employ local expertise to undertake or support these roles if available.;
 - The Applicants will ensure appointment of a NFLR during the operations phase to ensure a single point of contact for fishers;
 - The Applicants will provide a Code of Good Practice for all vessels involved in the pre-construction, construction, and operation and maintenance of DBS, including guard vessels and survey vessels. All vessels will also be provided with the relevant lines of communication (as outlined within the final FLCP) to minimise disruption to fishing vessels undertaking their normal activities;
 - The Applicants will develop a summarised fisheries guidance document to reduce interactions with fishing activity and provide easy reference to response and communication procedures;
 - The Applicants will ensure appropriate communication with the fishing industry in the event that cables become unburied during the operational phase (i.e. through the -FLO and appropriate channels such as the Kingfisher Information Service);
 - The Code of Good Conduct and procedure for processing lost or damaged gear forms will be provided either in the main body or as an appendix to the final FLCP; and
 - The final FLCP will take account of any additional measures identified during consultation on the plan or resulting from new guidance.
43. The Applicants and their consultants will work, in collaboration with the CFWG, to identify the most appropriate mitigation options.
44. As part of the Projects' design process, a number of designed-in mitigation measures are described within the ES. Commitments have been made in relation to:
- Marking and lighting;
 - Cable burial; and

- Safety zones.
45. These commitments are in line with best practice and industry guidance. Full detail of these measures can be found in **Table 4-1**, with further clarification on navigational safety measures in section 4.1.
46. The Projects have also made commitments in relation to fisheries liaison as detailed in section 3 of this document. Additionally, the Applicants have made efforts to refine the Offshore Development Area with fishing interests in mind.

Table 4-1 Mitigation measures embedded within project design

Parameter	Mitigation Measures Embedded into the Project Design
Project Design	The Applicants have reduced the Project Design in order to reduce potential impacts across a range of different receptors EIA topics including, but not limited to, commercial fisheries, as far as practicable. The DBS West and DBS East Array Areas in which the turbines are proposed to be installed have been reduced from a combined 989km ² to 704km ² , a reduction of approximately 30% when compared to the design put forward for consultation in the Preliminary Environmental Information Report (PEIR). <u>This reduction removed areas towards the western boundary of DBS West where the greatest concentrations of fishing activity had been recorded during surveys. This project refinement reduced the impacts on key static gear fishing grounds within the Array Areas. In addition, the selection of one of the more northerly export cable corridors and landfall options help to avoid impacts to fishing grounds towards the south of the Holderness Coast which are understood to be more heavily fished than areas to the north.;</u>
Fisheries Liaison	Ongoing liaison with the fishing industry through the FLO will be maintained during pre-construction, construction, maintenance and decommissioning activities. The most recent available FLOWW best practice Guidance with regards to fisheries liaison will be adhered to where feasible, in order to maintain effective communications between the Projects and the fishing industry. Updated FLOWW best practice guidelines are expected to be released in 2024, which will be reviewed and followed by the Applicants once released where possible.
Communication	Ongoing liaison with the fishing industry through the FLO and adhere to good practice guidance with regards to fisheries liaison. Advance warning and accurate location details will be provided to fishing fleets of pre-construction, construction, maintenance and decommissioning activities, associated safety zones and advisory

Parameter	Mitigation Measures Embedded into the Project Design
	passing distances; communication will be via timely and efficient NtMs and Kingfisher Bulletins. This is to ensure that the fishing industry is fully informed, in advance, of any offshore activities. During operations, an NFLR will be identified onboard the site vessels to encourage a single point(s) of contact with the fishing industry to support liaison and relations. This will be secured through conditions attached to the Deemed Marine Licences of the draft DCO, Volume 3, Draft DCO (application ref: 3.1)
Cable burial	Development of a cable burial plan, to outline cable burial depth and monitoring of cables. This will ensure navigational safety and minimise risk of gear snagging. Final Cable Burial Risk Assessments and Cable Protection Plans will be produced in line with the detail provided in Volume 8, Cable Statement (application ref: 8.20) that has been submitted with the DCO application, and in accordance with conditions attached to the DMLs in Volume 3, Draft DCO (application ref: 3.1).
Cable protection and maintenance	To ensure safety of fishing activity and to minimise the amount of fishing grounds lost, cable protection in areas where the minimum target burial depth of cable cannot be achieved shall be designed to minimise snagging hazards as far as possible. For example, minimising height above seabed, smooth and shallower profiles, grade used for rock placement, type of rock (e.g. smoother edges). This will be committed to within Volume 8, Cable Statement (application ref: 8.20) secured within the Deemed Marine Licences of the draft DCO (Volume 3, Draft DCO (application ref: 3.1)).
Navigation	Aids to navigation (marking and lighting) will be deployed in accordance with the latest relevant available standard industry guidance and agreed with the Maritime and Coastguard Agency and Trinity House. This will be committed to within the Aids to Navigation Management Plan and secured within the Deemed Marine Licences of Volume 3, Draft DCO (application ref: 3.1). One or more Aids To Navigation Management Plans (including marking and lighting) for the Projects would be agreed with the MMO following consultation with MCA, the United Kingdom Hydrographic Office (UKHO) and Trinity House post-consent.

Parameter	Mitigation Measures Embedded into the Project Design
	The UKHO will be notified of both the commencement, progress, and completion of offshore construction works, to allow marking of installed infrastructure on nautical charts. Agreement on this will be secured through Volume 3, Draft DCO (application ref: 3.1).
Safety zones	One or more applications would be made to the Department for Energy Security and Net Zero (DESNZ) for Safety Zones post consent including up to 500m around ongoing activities during construction, major maintenance during the operations and maintenance phase, and decommissioning and up to 50m for installed structures pre commissioning. The application will be made in compliance with MGN654. This is within the limits of standard safety zones and would ensure navigational safety and minimise risk of fishing gear snagging. - The Projects' do not intend to apply for any other restrictions to fishing activity within the array area to support the resumption of fishing once construction is complete.
Guard vessels	Where appropriate, guard vessels will also be used to ensure navigational safety to mitigate impacts which pose a risk to surface navigation during construction and maintenance. This will be committed to within the Fisheries Liaison and Coexistence Plan(s) and secured through Volume 3, Draft DCO (application ref: 3.1).

4.1 Safety Measures

47. In addition to safety zones, it is requested that in order to maintain access to as built assets, fishers do not anchor or place gear within 50m of turbines or the offshore platforms, in line with guidance from the MCA and UKHO.

4.1.1 Transit Routes

48. The Applicants will provide indicative vessel transit routes to and from the works area once the location of DBS working ports is confirmed. Working vessels will adhere to these routes wherever possible. Vessel anchorage areas, and areas to be avoided, may also be identified and notified to contractors, however, it should be noted that transit routes will ultimately be at the vessel masters discretion as they are responsible for the safety of their vessel and crew.

4.1.2 Dropped Objects

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

4.2 Further Mitigation Measures

51. **Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)** identifies significant impacts on fishing fleets during the operational phase of DBS are also not anticipated given there will be no restriction on fishing activity with the exception of within any safety zones during periods of major maintenance.

4.3 Cooperation Agreements

52. Where residual impacts remain after minimisation and mitigation efforts have been considered, the Applicants may consider [Cooperation Agreements with affected fishers. As a last resort these Cooperation Agreements may act as a vector for](#) evidence based [disruption payment commercial cooperation agreements with static gear fishers as a last resort](#), in line with FLOWW (2014) and FLOWW (2015) guidance and redrafting efforts.
53. The Applicants are committed to an evidence-based approach to [cooperation agreements any disruption payment](#) as well as following RWE's fleetwide portfolio alignment [ambitions which to](#) act as guidance to encourage consistency and commitment to best practice across all offshore wind farm projects. [Disruption payments Cooperation Agreements](#) will only be provided [to members of affected fleets identified in the EIA to be significantly impacted by the construction phase of DBS](#), 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, ensuring that those who are impacted will receive fair payment in line with potential losses.

54. If mutual agreement cannot be reached then both parties should seek to undertake Alternative Dispute Resolution (ADR), in line with FLOWW (2015) guidance. Either party can activate the ADR process in relation to any stage of the disruption payment process, prior to reaching agreement, in an attempt to resolve disagreements or stalemates generated through the process of agreeing disruption payments~~establishing cooperation agreements~~, so that a mutually agreed position can be reached. Both parties have to agree to refer their dispute to ADR, which will be undertaken by a mutually agreed third party by both sides of the dispute. ADR will be considered as an escalation process and an effort to avoid any contentious and unpreferable legal procedures. Mediation is the preferred ADR mechanism, which is confidential in nature.
55. The MMO will not act as arbitrator or be involved in any commercial negotiations with any association / organisation, and / or individual fishermen.

5 Conclusion

56. The strategies and information outlined in this document are anticipated to facilitate successful co-existence between the Projects' and Fisheries in the area. Enacting strategy and principles will require open communication and engaged parties. The Projects will adhere to current FLOWW guidance where possible and continue to update local fisheries with interest in the Projects. Engagement with local fisheries shall continue throughout the lifetime of the Projects through mediums such as CFWG and where necessary manage issues raised by individuals or representatives.

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