

Standard Operating Procedures for Scottish Hydro Electric Power Distribution Projects



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1. Background

- 1.1 Fifty-nine Scottish Islands are currently connected to the electricity network that serves Great Britain by the Scottish Hydro Electric Power Distribution plc¹ network. They are connected by submarine electricity cables which supply electricity to homes and businesses on the islands.
- 1.2 The cost of maintaining the electricity distribution network involves investment from us. The cost of supplying electricity to the Scottish islands is supported by Scottish Hydro Electric Power Distribution electricity customers. The cost of operating our network is included in the bill from their electricity supplier.
- 1.3 In the past few years, Scottish Hydro Electric Transmission plc² has been developing strategic submarine electricity links to allow the bulk transfer of electricity generated on the islands to the electricity network that serves Great Britain. The cost of this development is socialised across all electricity customers in Great Britain and the businesses who generate electricity and wish to connect to the electricity grid of Great Britain.
- 1.4 This document applies to only to Scottish Hydro Electric Power Distribution.

2. Introduction

- 2.1 Our key aim is to co-exist with other legitimate sea users in the marine environment.
- 2.2 We secure any consent identified as necessary to install, maintain and operate submarine electricity cable infrastructure in the marine environment and we plan our work to seek to minimise unnecessary interference with other legitimate sea users as far as practicable.
- 2.3 We achieve this by actively engaging with legitimate sea users and those with consented development rights. The way we approach this differs on a cable by cable basis. The process for each cable; and our agreements are tracked through our Fisheries Liaison Mitigation Action Plan (FLMAP) which is submitted as part of our marine licence application to Marine Scotland. For cables installed under the previous consenting regime this is recorded within Proximity Agreements.
- 2.4 Through good communication and understanding of one another's viewpoint we aim to minimise any potential impacts by agreeing mitigation strategies before we begin the works. This approach will continue through the project design, licensing, delivery, maintenance and decommissioning phases of each submarine electricity cable. This will enable us to co-exist with other marine users.

¹ Scottish Hydro Electric Power Distribution plc are the distribution licence holder under the Electricity Act 1989

² Examples are the cables from Kintyre to Hunterston; and Caithness to Moray. Further cables to Orkney and Shetland are in planning stages

- 2.5 To ensure consistency, this Standard Operating Procedure has been developed to ensure compliance with industry best practice around communications with both commercial fishing and other legitimate sea users.

This document should be read in conjunction with:

- *the cable specific FLMAP*
- *Marine Mitigation and Co-existence Planning Statement*

3. Roles and responsibilities

- 3.1 A Company Fishing Liaison Officer, with support from the Fishing Industry Representative, is employed to support our submarine electricity cable inspections, surveys, maintenance, installations and decommissioning activities to:

- identify and pro-actively engage with commercial fishing stakeholders as well as statutory and - non-statutory organisations that have the potential to be affected by our activities
- formulate, agree and implement efficient communication channels for distributing project related information to stakeholders
- continue to obtain and address the concerns of commercial fishing stakeholders to be used in the formulation of mitigation strategies
- promote productive co-existence through pre-application consultation of construction and cable laying plans with fishing stakeholders, including the possible use of cable protection measures if required

4. Fishing gear interaction Standard Operating Procedure

- 4.1 Static fishing gear has the potential to disrupt the associated offshore survey and construction works commissioned for the survey, replacement and decommissioning of submarine electricity power cables. Static fishing gear, creeling (potting) in particular, is a significant fishery carried out by smaller vessels (>10m) in the vicinity of submarine electricity cables in Scottish waters. Temporary competition for space between static gear and construction/survey vessels is likely to be the most frequent source of conflict.
- 4.2 Whilst effort will be made to minimise disruption and reduce potential gear conflict, a process for dealing with any claims relating to legitimate loss or damage incurred through our work is in place. This process is detailed within the Marine Mitigation and Co-existence Planning³ document and will ensure that any claim is dealt with properly.

³ Appendix C of Fishing Liaison Mitigation Action Plan

- 4.3 Towed gear has a higher potential to damage submarine electricity cables post-installation as demersal trawls (including trawl doors and clump weights), beam trawls and dredges are in contact with the seabed and can dig into the sediment to varying depths.
- 4.4 While fishermen will be kept up to date with construction areas and activities through the Notice to Mariners⁴ Kingfisher Weekly Notice of Operations and update emails from the developer and their subcontractors, there is scope for conflicting demands on the same area of sea. Construction schedules are fluid and dependent upon many factors and fishermen may have limited access to internet or email updates.
- 4.5 In order to standardise the response to possible scenarios of gear interactions with survey/construction vessels this document will incorporate sections detailing:
- Fishing gear that may be encountered
 - Scenarios where construction activity and fishing operations could come into conflict
 - Defined actions to take should survey/construction works and fishing gear interactions occur

⁴ See Appendix A of Fishing Liaison Mitigation Action Plan

5. Standard Operating Procedure for Unattended unmarked static gear (no co-operation agreement)

5.1 For the scenario of unattended, unidentified static gear set in an area where survey/construction works are planned, the Company Fishing Liaison Officer with support from the Fishing Industry Representative will follow a step-by-step process as detailed below. A flow diagram is also shown in Figure 1 on the next page.

Step 1 Unidentified static gear in survey/construction area.

Be aware if a particular area is regularly fished by certain vessels and know how individual fishermen mark their gear (i.e. flags, buffs, buoys, dhans, and cans).

Step 2 Exhaust all avenues to determine who owns the static gear.

Contact the fishermen known to consistently target the area and ask if the gear belongs to them, or if they know who the gear belongs to. Each CFLO would be provided with a list of known local fishermen and their contact details.

Step 3 If the owner of static gear is identified move to Step 4. If not identified move to Step 7

Step 4 Contact the owner and request removal of static gear survey/construction area. If agreed, the owner removes gear and work can continue. If not agreed move to Step 5.

Contact the owner to request removal of their gear from the area. Agreement results a final outcome of "Gear is removed and survey/construction can continue", and non-agreement leads to the static gear remaining on site.

Step 5 Gear remains on site due to fisherman's inability or refusal to remove gear. Move to Step 6.

The fisherman may be either unwilling or unable to move the static gear, resulting in delays to the survey/construction works unless further actions are taken.

Step 6 Consider offering payment for loss of catch where static gear fishermen are excluded from their fishing ground for longer than 28 days in a continuous 12 month period. If payment accepted then work can continue. If payment is not accepted, then move to Step 7.

If the fisherman is unwilling to move the static gear due to the added expense and lost time fishing, a good will payment may be offered to the fisherman to cover these losses. If the payment is accepted work can continue, and if the payment is not accepted the static gear remains on site.

Step 7 Consider legal, and health and safety implications of removing static gear without the owner's permission. If not removed, go to Step 8. If removed, go to Step 9.

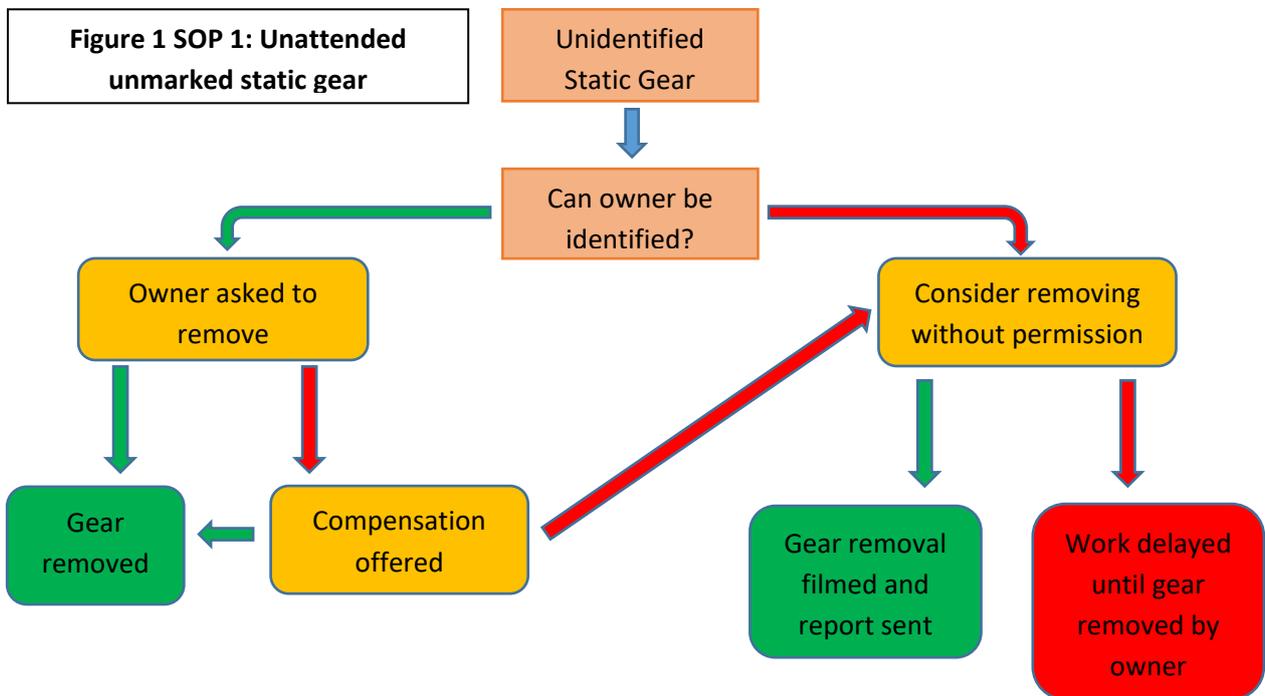
If the fisherman remains unwilling or unable to move the static gear it may be necessary to consider removing the static gear without the owner's consent in order to prevent delays to surveys/construction. The legal considerations of removing a third party's property will need to be assessed in addition to the health and safety implications.

Step 8 We do not remove the static gear, therefore work would be delayed.

The surveys/construction would be delayed until the fisherman moves the static gear as part of normal fishing operations. It is not possible to define a time period for when the gear would be worked, as it is affected by both physical factors (season, weather conditions, tides, working gear elsewhere) as well as personal factors (holidays, sickness, vessel breakdown).

Step 9 We remove static fishing gear.

In order for survey/construction works to continue, we authorise the removal of the static fishing gear in the site, following an agreed methodology. The removal of the static gear must be video recorded and sent along with the supporting report detailing actions taken to Marine Scotland Fishing Officer. We will reimburse the fisherman for the loss of catch, and to replace, loan, repair or reimburse for any damage caused to the static gear during its removal.



6. Standard Operating Procedure for Towed Gear Vessel

- 6.1 Scallop dredging and trawling could occur in the vicinity of submarine electricity cables. As the submarine cables are an asset in a fixed place and, as it is against the law to damage a cable wilfully or through negligence, the vessels should not be passing directly over the survey/construction area.
- 6.2 Furthermore, all vessels must adhere to the International Regulations for Preventing Collisions at Sea, 1972 in respect to vessels of limited manoeuvrability.
- 6.3 If a towed gear vessel is encountered during the survey/construction works the following steps should be taken:

Step 1 Towed gear vessel encountered

Make contact via the radio to explain the safety zones and politely request that the vessel promptly vacates the safety zone. It would be unusual for the vessel to disregard such requests.

Step 2 Towed gear vessel does not comply

If the towed gear vessel does not cooperate and continues to behave disruptively thus delaying the survey/construction works, a report should be written detailing the incident. The vessel would then be reported to the Maritime and Coastguard Agency.

7. Standard Operating Procedure for Other Legitimate Sea Users

7.1 A range of other legitimate sea users could be present in the vicinity of the submarine electricity cables and sometimes these operators can be nomadic. As such, vessels may be unaware of the survey/construction works and competition for space is likely to be the most frequent source of conflict. See previous comment in section 6.

7.2 Any interactions of vessels with survey/construction vessels will be regulated by the International Regulations for Preventing Collisions at Sea 1972 (COLREGs), in respect to vessels of limited manoeuvrability.

7.3 If a vessel is encountered during the survey/construction works the following actions should be taken:

Step 1 Towed gear vessel encountered

Make contact via the radio to explain the safety zones and politely request that the vessel promptly vacates the safety zone. It would be unusual for the vessel to disregard such requests.

Step 2 Towed gear vessel does not comply

If the towed gear vessel does not cooperate and continues to behave disruptively thus delaying the survey/construction works, a report should be written detailing the incident. The vessel would then be reported to the Maritime and Coastguard Agency.