Ministerie van Infrastructuur en Waterstaat

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Our feature
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Attachments)
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Datum June 8, 2023
Re Further elaboration of shared use policy in offshore wind farms

Dear Chairman,

With this letter I would like to inform you, also on behalf of the Minister of Agriculture, Nature and Food Quality, the Minister for Nature and Nitrogen, the Minister for Housing and Spatial Planning and the Minister for Climate and Energy, about the further elaboration of the policy for shared use. in offshore wind farms. The line of reasoning for this is attached as Appendix 1 and builds on the policy established in the North Sea Program (PNZ).

2022-2027.

Further elaboration of shared use policy in wind energy areas

In the current policy for shared use, after completion of a wind farm, an area passport is issued via the Guidelines [1] for all permitted forms of shared use indicated at which location in the wind farm they have preference.

With the increasing pressure on space in the North Sea, shared use of offshore wind farms is an important theme for users of the North Sea and a topic of discussion in the North Sea Consultation (NZO). There is a shared principle both within and outside the government that development opportunities for shared uses, such as food extraction, other forms of renewable energy and nature development, within these wind farms increase when:

1) More targeted forms of shared use are facilitated by exploring, at the scale of the Dutch EEZ, per shared use form in which wind energy areas have the most potential, instead of

per wind farm;

[1] *An Area Passport Guide indicates for each wind farm, based on area-specific characteristics, where in the wind farm which forms of shared use are preferred.*
See, for example, the Borssele Area Passport Guide: https://www.noordzeeloket.nl/functions-use/windenergie/doorvaart-medeuse/borssele/

2) there is a more integrated approach to the design of offshore wind farms by including shared use earlier in the offshore wind energy process as a co-driving factor in the design.

By putting the above two principles into practice, co-use can contribute even more to a better balance between the three transitions at sea: the nature transition, the food transition and the energy transition. In this way, the government creates the preconditions to facilitate shared use initiatives that the market can then develop.

Assumptions
To arrive at a guiding document (see appendix) for shared use of wind farms, the following five principles were applied:

1. Better balance between the three transitions in the North Sea

In the NOVI, the government provides long-term direction for developments in the North Sea and various national interests are defined. Of national importance, for example, are improving biodiversity, developing sustainable food production, and achieving a reliable, affordable and safe energy supply.

The areas for offshore wind energy are designated with the aim of the rapid and affordable rollout and realization of offshore wind farms for the energy transition and achieving climate goals. In addition, we will be focusing on a nature and food transition in the coming years. In order to facilitate various forms of use within the scarce space, multiple use of space and integration of tasks is more necessary than ever. In offshore wind farms, multiple use of space means facilitating passage and large-scale shared use, provided that passage and shared use, together with all other forms of use in the North Sea, develop within the ecological carrying capacity/limits of the North Sea.

By actively controlling where and which form of shared use can take place, shared use can contribute to a balance between the energy transition and the nature and food transition. The basic principle here remains that better facilitating shared use does not lead to a delay in the rollout of offshore wind energy and that a healthy business case for offshore wind farms is maintained.

2. Shared uses

Because future developments are difficult to predict, this guiding framework, in line with point 5 below, is based on the current forms of shared use of offshore wind farms, as established in the PNZ 2022-2027. In this respect:

- Aquaculture (e.g. shellfish farming and seaweed farming);
- Passive fishing;
- Nature restoration and development (for example, construction of artificial reefs or creating hiding places for fish);
- Forms of renewable energy other than wind energy (e.g solar energy at sea and energy from water);
- Energy storage between the wind turbines, separate from the wind farm infrastructure (e.g. batteries).

Other forms of use such as shipping, cables and pipelines or mining may take place relatively close to wind turbines, but for this further elaboration they do not fall under the definition of shared use of wind farms (see also the definition in section 1.2 of the appendix). These forms of use are not part of the Area Passport Guide and follow their own permit granting process.

3. *Passage and shared use are separated, but the government continues to evaluate the policy rules regarding passage in wind farms:*

The further elaboration is based on the current policy for passage and shared use, as laid down in the PNZ 2022-2027. This means that there is space for both passage and shared use within offshore wind farms, although separated from each other. The area is divided into parts for shared use and passages for passage, which are mutually exclusive for reasons of shipping safety.

In the future, changes in the policy for shared use within offshore wind farms may provide grounds and scope to investigate whether a combination of shared use and passage may be (partly) possible. Such an investigation process is not part of the elaboration of this letter to parliament.

4. *Term*

The line of reasoning in this letter to Parliament is most relevant for the wind energy areas for which decision-making has not yet been completed. However, looking at the implementation of shared use on a Dutch North Sea scale may also be relevant for offshore wind farms, the design of which has already been determined.
Although the classification of these areas can no longer be adjusted, as long as no or few permits for shared use have been issued, the form of shared use can still be managed. The line of reasoning therefore also retains value when the decision-making and realization of the offshore wind farm has already been completed.

The Food Vision for Large Waters and the Sustainable Blue Economy exploration run until 2050. Both processes are relevant for the development of shared use in offshore wind farms. Therefore, the term for the line of reasoning in the further elaboration of shared use in offshore wind farms will be extended

parallel to these two processes also apply for a period up to 2050.

5. *Adaptive*

In connection with the long duration, the design of the three transitions in the North Sea and new and unforeseen developments such as technical innovations or other social needs, an adaptive policy for shared use is being pursued. Expectations include technical developments with regard to new (passive but possibly also active) fishing techniques, new forms of renewable energy generation, energy storage installations, hubs or social developments such as a changed energy demand that will influence technical developments. Technical innovations go hand in hand with new revenue models. If the policy on the permitted forms of shared use in offshore wind farms changes, it is possible to adjust the spatial design of the Dutch North Sea. This does not affect the line of reasoning itself, but may affect the categories for shared use as mentioned above as a second principle

and thus on the concrete interpretation of (the forms of) shared use in the area passports1 .

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Coherence
Co-use in offshore wind farms is ideally a multidisciplinary dossier in which many interests such as food extraction from the sea, nature development and restoration and energy supply come together. Shared use in offshore wind farms, and therefore also the content in this letter, must always be seen in relation to developments in other files. The attached further elaboration focuses on the process of achieving the best possible implementation of shared use within offshore wind farms. Due to her adaptive nature, she is able to move along with changes.

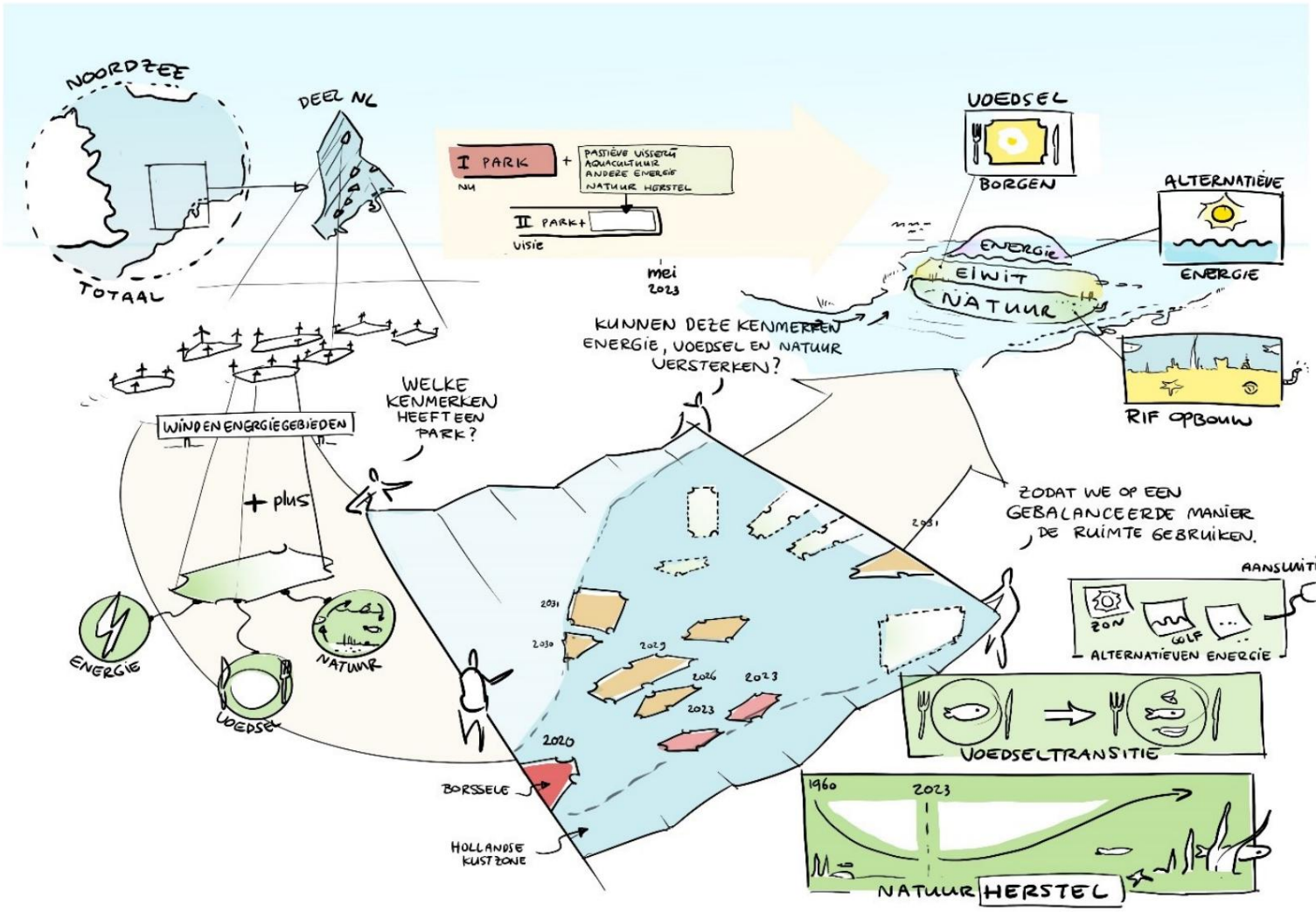
The adjustment of the process for shared use within wind farms is included in the Partial Revision of the North Sea Program 2022-
2027. The letter to Parliament about the scope of the Partial Revision was sent to you on May 17. offered (Parliamentary Papers 35 325, no. 8).

Yours faithfully,

THE MINISTER OF INFRASTRUCTURE AND WATER MANAGEMENT,

Mark Harbers

Appendix 1 Further elaboration of shared use in offshore wind farms



1. Introduction

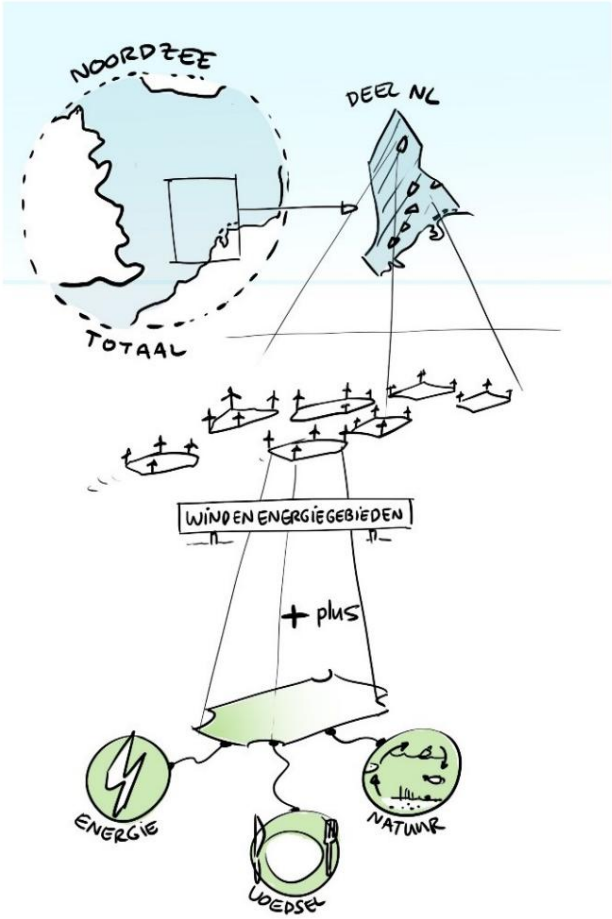


Figure 1 Shared use in wind farms

1.1 Background

The National Environmental Vision (NOVI) is based on the assessment principle 'combinations of functions take precedence over single functions'. The North Sea Agreement (NZA), together with international policy developments and the (NOVI), forms the basis for the North Sea policy established in the North Sea Program 2022 2027 (PNZ). Multiple use of space and shared use of offshore wind farms are therefore a spearhead in the spatial planning of the North Sea. The present document provides the reasoning for further elaboration of the policy established in the North Sea Program 2022-2027 (hereinafter PNZ).

1.2 Definitions

The term shared use is used in different ways in both the NZA and PNZ.
In addition, two forms of area passports are used in the North Sea Agreement. For the line of reasoning in this further elaboration the following definitions are used:

Shared use in offshore wind farms

Those forms of use in offshore wind farms that are not or are not regulated by the site decision and for which a separate permit must be applied for. In accordance with the PNZ, shared use is currently limited to aquaculture, passive fishing, nature development and other forms of renewable energy and storage. In accordance with PNZ, passage and mining do not fall under the definition of shared use in offshore wind farms (see also section 1.4).

Area passport for wind energy areas

An instrument to determine the preference for the spatial layout of shared use activities within establishing offshore wind farms. The preferences are determined on the basis of area-specific characteristics, the most favorable potential and policy (goals) and tasks. This instrument is drawn up for the benefit of the shared use initiators and in the context of the spatial assessment for granting permits for shared use (Chapter 10 PNZ, NZA art 4.16).

1.3 Management philosophy for shared use of offshore wind farms

By organizing the space in the offshore wind farms as optimally as possible, shared use is possible contribute to a better balance between the three transitions at sea: the nature transition, the food transition and the energy transition. In this way, the government also creates the preconditions to facilitate shared use initiatives that the market can develop.

With the increasing pressure on space in the North Sea, shared use of offshore wind farms is an important theme on which the various (NZO) stakeholder groups are focusing. In addition, there is a shared principle both within and outside the government that development opportunities for shared uses such as food extraction, other forms of renewable energy and nature development within these wind farms increase when:

1) More targeted forms of shared use are facilitated by:
   Dutch EEZ to explore per shared use form in which wind energy areas or search areas1 they have the most potential, instead of per wind farm. See Chapter 2 for a further explanation.

2) A more integrated approach to the design of offshore wind farms can be taken by including co-use earlier in the offshore wind energy process as a co-controlling factor in the design. See Chapter 3 for further explanation.

1.4 Principles of line of reasoning

To achieve this further elaboration for the shared use of wind farms, the following five are: principles used:

1. Better balance between the three transitions in the North Sea

In the NOVI, the government provides long-term direction for developments in the North Sea and various national interests are defined, including improving biodiversity, developing sustainable food production, and realizing a reliable, affordable and safe energy supply. The areas for offshore wind energy are designated with the aim of the rapid and affordable rollout and realization of offshore wind farms for the energy transition and achieving climate goals. In addition, we will be focusing on a nature and food transition in the coming years. In order to facilitate various forms of use within the scarce space, multiple use of space and integration of tasks is more necessary than ever. In offshore wind energy areas, multiple use of space means facilitating passage and large-scale shared use, provided that shared use, with all other forms of use in the North Sea, develops within the ecological carrying capacity/limits of the North Sea. By facilitating and encouraging shared use within offshore wind farms, the balance between the energy transition and the nature and food transition can be better achieved within the offshore wind process. For that balance, it is important to look not only at the balance between the different forms of shared use of wind energy areas, but also at the total balance between the three transitions in the North Sea. The basic principle here remains that better facilitating shared use does not delay the rollout of offshore wind and that a healthy business case for offshore wind farms is maintained. The possibilities for better facilitating shared use in the offshore wind process are further elaborated in Chapter 3.

2. *Shared uses*
   Because future developments are difficult to predict, this further elaboration is based on the current forms of shared use of offshore wind farms, such as

[1] Search areas are not yet officially designated wind energy areas, but areas that have been identified in PNZ to be investigated/explored as possible wind energy areas to be designated.

established in PNZ 2022-2027. This concerns the following forms of shared use:
- Aquaculture (e.g. shellfish farming and seaweed farming)
- Passive fishing
- Nature restoration and development (e.g. construction of artificial reefs or creating hiding places for fish)
- Forms of renewable energy other than wind energy (for example solar energy at sea and energy from water)
- Energy storage through separate installations between the wind turbines (for example batteries).

Other forms of use such as shipping, cable and pipelines or mining may take place relatively close to wind turbines, but for this further elaboration they do not fall under the definition of shared use of wind farms (see also the definition in section 1.2).

3. *Passage and shared use are separated, but the government continues to evaluate the passage policy in wind farms:*

This further elaboration is based on the current policy for passage and shared use, as laid down in the PNZ 2022-2027. This means that there is space for both passage and shared use within offshore wind energy areas, although separated from each other. Passage takes place in designated passages and shared use in the areas outside that are reserved for the various shared uses through the area passport. In the future, changes in the policy for shared use within offshore wind energy areas may provide grounds and scope to investigate whether shared use and passage can be better coordinated. Such a research process is not part of this further elaboration.

4. *Term*

Integrated development and design of offshore wind energy areas is no longer possible once a wind farm has already been built. The line of reasoning in this further elaboration is therefore most relevant for the wind energy areas where decision-making has not yet been completed. Viewing the implementation of shared use on a Dutch North Sea scale may also be relevant for offshore wind farms whose design has already been determined. Although the classification of these areas can no longer be adjusted, as long as no (many) permits for shared use have been issued, the shared use form can still be controlled. The line of reasoning in this elaboration remains unchanged
therefore also valuable when the decision-making and realization of the offshore wind farm has already been completed. The vision on food extraction from the sea and large waters and the Sustainable Blue Economy exploration have a term until 2050. Both processes are relevant for the development of co-use in offshore wind farms, so the term for the line of reasoning in this elaboration will also run parallel to these two processes. apply for a period until 2050 (see also section 1.5).

5. *Adaptive*

In connection with the long duration, the design of the three transitions in the North Sea, new developments such as technical innovations or other social needs, an adaptive policy for shared use is being pursued. Expectations include technical developments with regard to new (passive but possibly also active) fishing and aquaculture techniques, new forms of renewable energy generation, energy storage installations, hubs and/or in terms of social development

for example, a changed energy demand that will influence technical development.
The adaptive policy is shaped by following a cycle of monitoring, learning lessons from practice and evaluation. If, after completing this cycle, there is reason to change the policy on the permitted forms of shared use in offshore wind farms, it is possible to do this here in the spatial planning on a North Sea scale.
to take into account. Due to its adaptive nature, an activity can still be included at any time in the offshore wind energy process (plot, wind permit and area passport). This has no further influence on the line of reasoning in this elaboration itself,
but possibly on the concrete interpretation of (the forms of) shared use.

1.5 Playing field

Shared use in offshore wind farms is ideally a multidisciplinary dossier in which many interests such as food extraction from the sea, nature development and restoration and energy supply come together. Co-use in offshore wind farms and therefore the line of reasoning in this further elaboration must therefore always be seen in relation to developments in other files. This further elaboration focuses on the process of achieving the best possible implementation of shared use within offshore wind farms. Due to its adaptive nature, there is sufficient flexibility within the line of reasoning to adapt to changes in the various external files.

At the time of writing this further elaboration, the vision on food extraction from the sea and large waters 2050, the Sustainable Blue Economy Exploration, the EU nature recovery regulation and the North Sea Nature Enhancement Program are directly important for how this will be implemented. are given to shared use in offshore wind farms. Furthermore, developments surrounding mining and the Offshore Wind Energy Landfall Connections Program 2031-2024 (VAWOZ) influence the amount of space that is ultimately available for shared use. The reason for this is that mining and the cables required to transport the generated wind energy from getting the offshore wind farms on land falls into the category of *activities of national importance.* This may mean that there will be less space between the wind turbines for shared use activities.

Results of the various EU and national processes can have an impact on the concrete implementation of shared use in wind farms in the North Sea. Due to its adaptive nature, this further elaboration can move with a changing world (see Chapter 3).

This further elaboration is secured in policy in the Partial revision of PNZ 2022-2027 and/or in the North Sea Program 2028-2032. The agreements already made following the adoption of the shared use policy in the PNZ regarding the use of permits and enforcement for shared use do not need to be changed as a result of this further elaboration.
However, if the tenders/wind permit (see section 3.4) for offshore wind energy focuses on the stimulation and development of other (innovative) activities in addition to just the generation of offshore wind energy, for which additional permits are required, this must be taken into account. taking into account the required additional efforts (capacity and specific knowledge) required for this from licensing and enforcement.

2. Optimal spatial distribution of shared use within wind farms at sea

The aim of exploring and directing various forms of shared use is to achieve a more integrated development and design of space in wind energy areas with a better balance between energy, nature and food. 'What' the government aims for in a wind energy area influences the choice of spatial layout of that wind energy area. In this further elaboration, the degree of control over the design depends on the potential for shared use in the area and a mutual consideration of the goals and tasks to be achieved for forms of use in the North Sea as a whole.

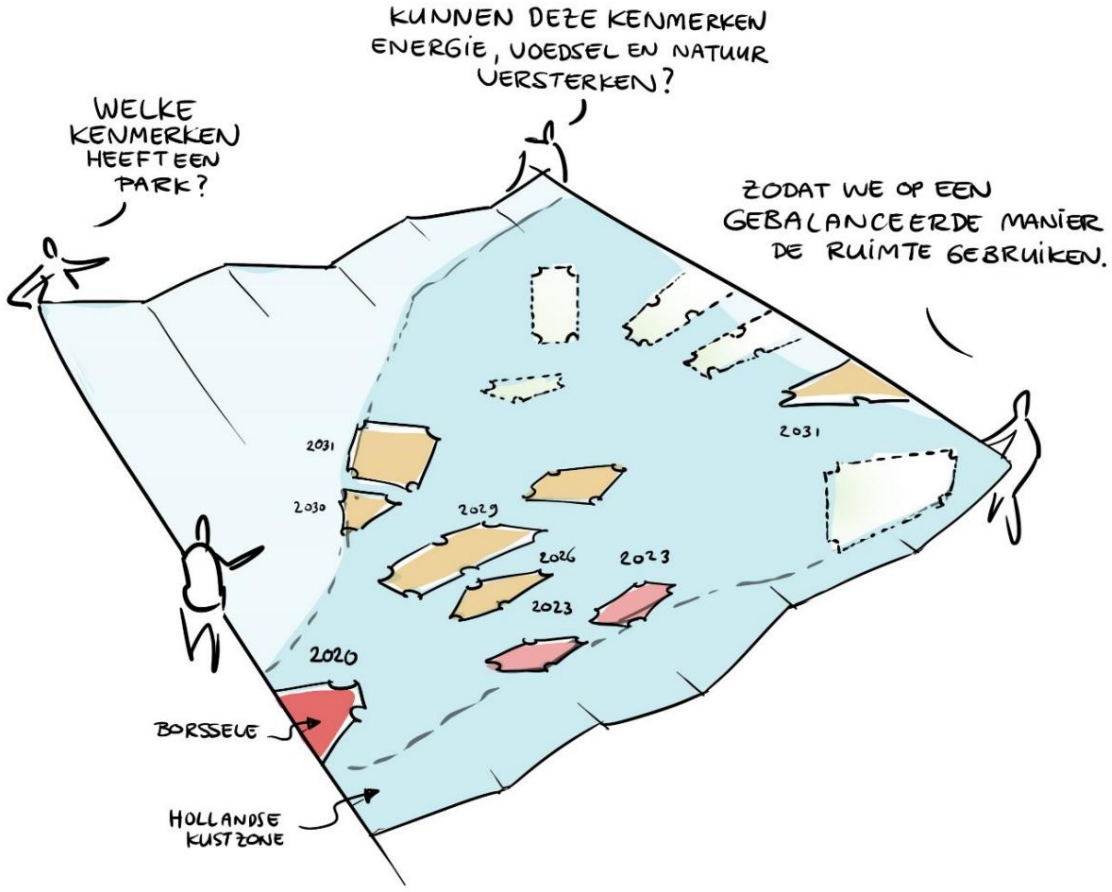


Figure 2 Shared use on a North Sea scale

There are three aspects that play a role in making a North Sea-wide assessment for the design for shared use:

1) Which forms of shared use are most effective at which location (see figure 2)?
2) Insight into the ecological limits within which the various forms of shared use should remain (which also says something about the maximum space that this form of use can take up) and/or whether there are synergy possibilities between forms of shared use and ecology or whether forms of use must take place strictly separately.

3) With input from stakeholders, the government will make a choice for the use of an area, after mutual consideration and taking into account the balancing of the three transitions, viewed from the use of space in the entire North Sea.

These steps will together lead to a sketch with a rough division of the space for shared use:
A guiding potential sketch.

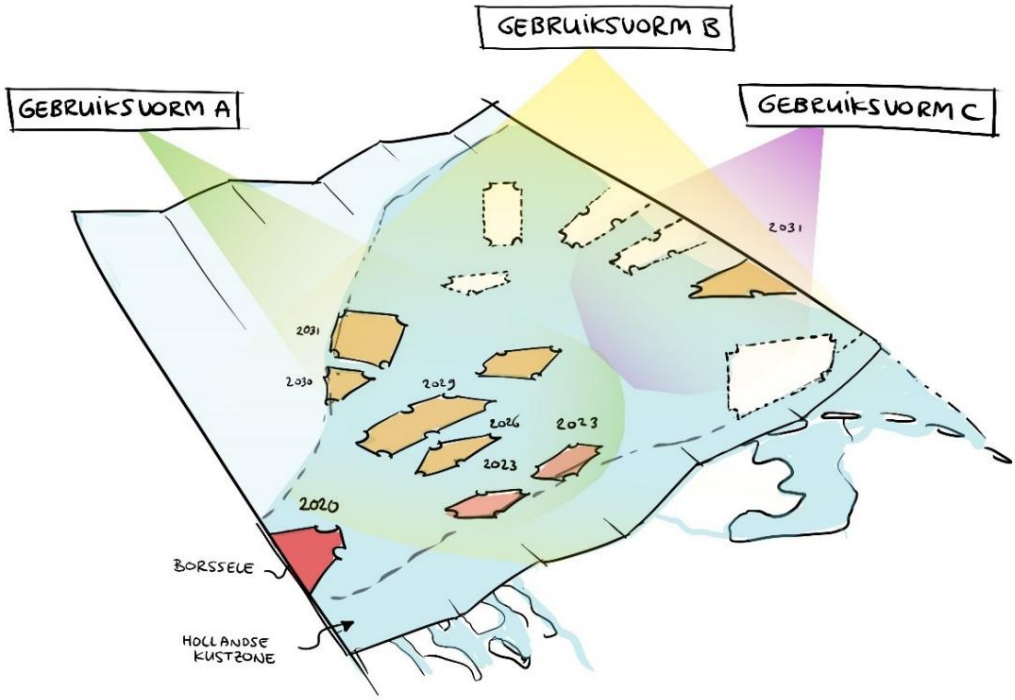
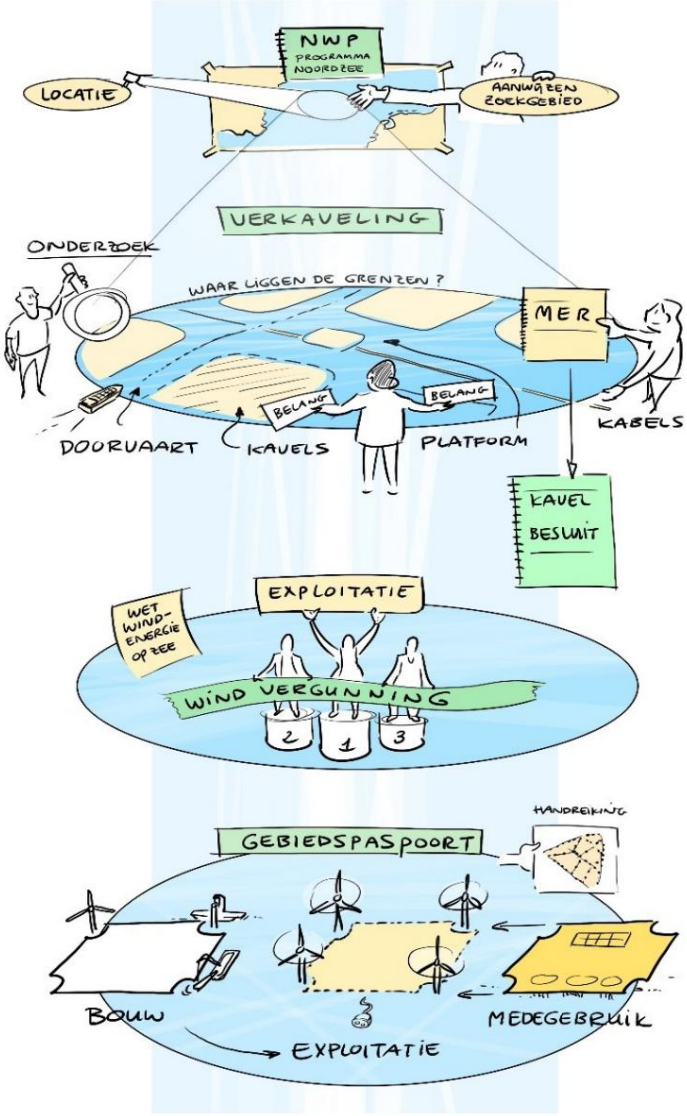


Figure 3: Example potential sketch

The above sketch (figure 3) is an example of what a global initial exploration for the pursuit of an integrated design of wind energy areas could look like. This sketch is made based on insights into where the most ecological and economic potential is within wind energy areas for the various forms of shared use.

No rights can be derived from the exploratory directional potential sketch and here too we follow the adaptive policy. Based on a potential sketch to be drawn up, the preferred forms of co-use per wind energy area can be indicated via all offshore wind energy process steps (see H3 below) in order to ultimately find a place to be obtained within the area passport. This exploratory potential sketch is made based on input from policy visions, stakeholders, research results and expert judgment, taking into account new social developments. This provides input for wind energy areas yet to be designated and for the evaluation of already designated area passports.

3. Where is what possible within the process of rolling out offshore wind energy



The extent to which integrated development and design of offshore wind energy areas is possible depends on the stage of decision-making in the wind energy area. The possibilities for shared use within the rollout of the offshore wind energy process are described in the paragraphs below. For clarification, here is a process diagram of offshore wind added (see Figure 4).

For wind energy areas in which the decision-making for the plots has already been completed and the layout of the wind farm has already been determined, the layout of the wind farms cannot be optimized for shared use. The content of shared use in these areas can still be influenced by the possibilities for optimizing shared use on a North Sea scale in combination with the area passport.

Figure 4 flow diagram of the offshore wind process

3.1 Structural vision/ environmental vision: Designation of offshore wind energy areas

Figure 5 Structural vision

The offshore wind energy process starts with the search for suitable areas in the North Sea (figure 5). This extensive process is supported by a Plan EIA (environmental impact assessment) procedure. Participation is an important part of this process. The challenge for offshore wind energy areas is to find locations in the spatial assessment where wind speeds and soil conditions are favorable and which at the same time go together as well as possible with other activities in the North Sea. This means that shipping, existing infrastructure (cables and pipes), mining, fishing, ecological effects, designated protected nature reserves and other stakeholders in the immediate area are taken into account.
Because this phase of the process carefully examines which developments in the North Sea are desirable and which are not, an initial global inventory of shared uses in these areas can also be made in this phase. The guiding potential sketch is the basis for this. Later in the process, deviations from the potential outline may be possible, provided this is substantiated based on a changed social task or new possibilities through (technical) innovations (see section 3.2). This means that the process for shared use in wind farms retains its adaptive capacity to move with new developments.

The areas that are considered suitable for offshore wind energy are designated in the PNZ, which is also the structural vision for the North Sea. The guiding potential sketch is included as a first indicative figure for a balanced rollout of shared use of wind farms.

A roadmap for offshore wind energy then indicates the order in which the wind energy areas will be developed.

3.2 Allocation of wind energy areas and area exploration for shared use

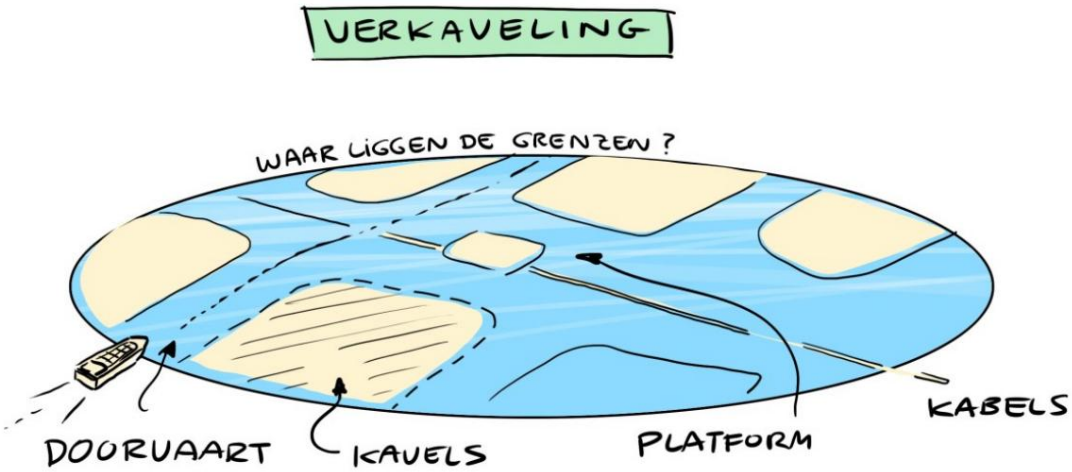


Figure 6 Allocation of wind energy areas

After designating the offshore wind energy areas, consideration is given to how the areas can be parceled out (see Figure 6). The subdivision is created, among other things, by mapping obstacles and user functions that impose restrictions on the placement of wind turbines in the area, such as the existing cables and pipes and the associated maintenance zones, the location of transformer and possible mining platforms and the associated safety zones.
and passages for ships up to 46 meters in length. Based on extensive research

into the characteristics and existing use of a wind energy area, a - provisional - plot mapped out.

The information from this extensive research is recorded in the Project Site Description. The Project Site Description contains information about the physical conditions at the location of the future wind farm, such as wind speed, water depth, wave height, seabed conditions, archeology and the presence of shipwrecks and unexploded ordnance (Unexploded Ordnance, UXO). This information is mainly intended for potential wind farm operators to base their bid on the tender, but this information package is certainly also useful for shared use initiators in the development of their project. If the current research for Project Site Description is expanded with an indication of the natural values present in the area, it will contain all the information needed to function as an area exploration for shared use. This report is a useful tool for anticipating joint use within offshore wind farms at an early stage, making a separate area exploration (partly duplicating the information from the Project Site Description) unnecessary.

3.3 Decision-making on site decisions for offshore wind farms

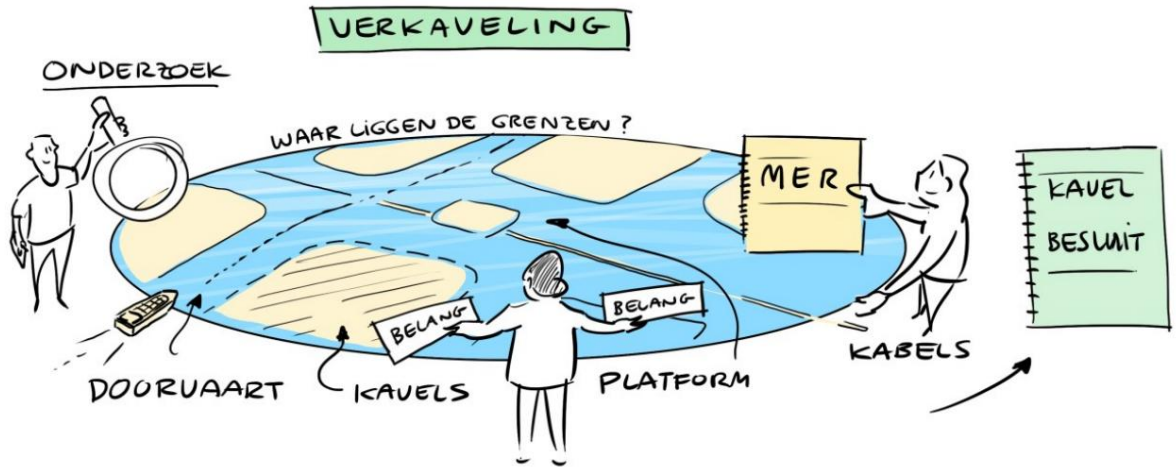


Figure 7 Drawing up a site decision

Based on the site layout, an environmental impact report (MER) is drawn up, which forms the basis for the site decision to be drawn up (see Figure 7). A site decision determines under what conditions an offshore wind farm must be built, operated and dismantled within the site. The site decision contains, among other things, bandwidths for the number of wind turbines and their dimensions, but may also contain regulations for the protection of birds and bats, combating underwater noise and encouraging nature-inclusive construction. The site decision can also include regulations to make the wind farm more user-friendly. The regulations to make the wind farm more user-friendly relate to the wind farm itself (turbines and cabling) and must be technically regulated in a site decision. If these regulations relate to the design of offshore wind farms, this must always be weighed against the effects on the electricity yield of wind farms and the costs for the sectors. Including shared use regulations in a site decision is only possible if the lead time for the preparation to be drawn up is of the site decision is not delayed as a result.

3.4 Tender as the basis for granting the permit for offshore wind farms

Figure 8 Wind permit

The Offshore Wind Energy Act currently provides four options for granting a permit for an offshore wind farm. This can be done by applying the procedure with granting a subsidy, the procedure of a comparative test, the procedure of a comparative test with a financial bid, or the procedure of an auction. To date, the procedure that can contribute most to an integrated design of the wind farm and the stimulation of shared use is the tender procedure with a comparative test.2 This procedure can stimulate innovation (for example in system integration), but there is relatively little guidance from the government on the outcome as possible. For the future, it will be examined whether qualitative preconditions can be included in the auction procedure. This concerns, for example, conditions regarding ecology, system integration, International Corporate Social Responsibility (IMVO), circularity, safety, aquaculture, fishing or shipping. In accordance with the Offshore Wind Energy Act, prior to each permit being granted, it will be reconsidered which permit procedure is most appropriate, taking into account the lessons from the previous permit procedures.

3.5 Area passport for offshore wind energy areas

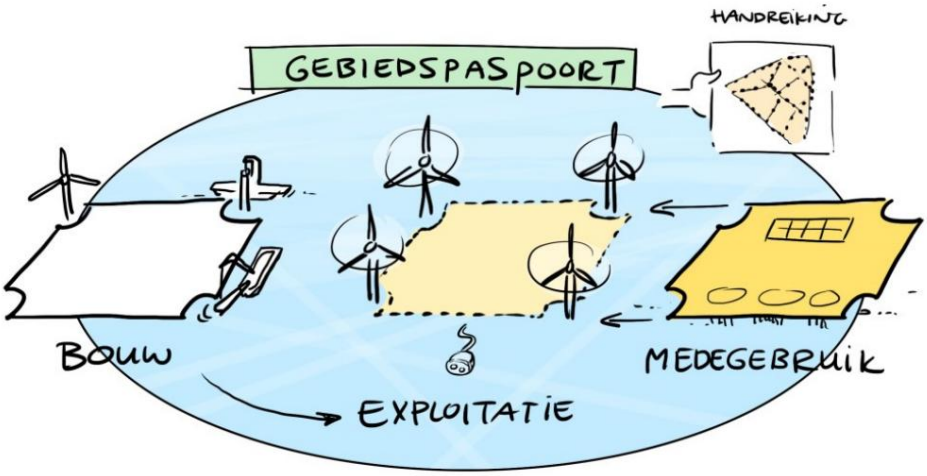


Figure 9 Area passport guide

[2] V an der Wees Consulting and Mulder Coastal Consultancy 2022; *Analysis of possibilities for achieving operational policy objectives for nature restoration, passive fishing and aquaculture in offshore wind farms by means of the tender instruments from the Offshore Wind Energy Act*

An Area Passport Guide provides information per wind energy area on an area-specific basis characteristics indicate which forms of shared use are preferred where in the wind farm or wind farms. In the first area passports for Borssele and Hollandse Kust (south), all forms of shared use were given a place after completion of the wind farm. With the application of the line of reasoning in this further elaboration, it will be pre-sorted earlier in the offshore wind energy process as to which forms of shared use can have a place in specific wind energy areas to contribute as optimally as possible to the (balance between) the three on a North Sea scale transitions.

However, the required level of detail for the initiators and for permitting is only available when the design of the wind farm (both the position of wind turbines and the location of all cables and NIB) is known and approved. The area passport guideline instrument is therefore still created after completion of the wind farm, but because we now focus on shared use earlier in the offshore wind energy process, the design of the wind farm can be designed as optimally as possible, taking into account the intended types of shared use.

The Area Passport Guide is a guideline. The area passport guide provides interested parties for shared use with detailed information on the basis of which they can submit a permit application for a shared use activity. The legal framework, the area passport and the shared use assessment framework (PNZ 2022-2027) together form the instruments for the permit granting process for shared use activities within offshore wind farms.

4 Final conclusion

Shared use of wind farms can play a role in further balancing the three transitions: energy, food and nature. They can do this partly by facilitating and optimizing space for food and nature restoration/ development early in the offshore wind process, but also partly by facilitating and optimizing space in wind farms for forms of renewable energy other than wind energy, so that there may be outdoor wind farms. more space remains for other uses.

The line of reasoning in this further elaboration aims to provide more clarity about how shared use will be included in the rollout process for offshore wind energy in the future and outlines the principles that are important in the considerations surrounding shared use in offshore wind farms.