



Netherlands Enterprise Agency

Nederwiek I-B draft regulations

Commissioned by the Ministry of Economic Affairs and Climate Policy

Unofficial translation for convenience only

NW I-B draft regulations

III Regulations

Regulation 1 Definitions

In this Decision, the following definitions apply:

- *acoustic deterrent*: a device with which harbour porpoises are driven away by means of a sound signal;
- *hub height*: the height to the centre of the rotor shaft, to which the rotor blades of the wind turbine are attached, in relation to MSL;
- *cut-in wind speed*: the lowest wind speed at which the wind turbine supplies energy;
- *cybersecurity*: all security measures taken to prevent damage caused by a malfunction, failure or misuse of an information system or computer;
- *dB re 1µPa^{2s}*: unit for SEL_{ss};
- *third party (engaged by the permit holder)*: a legal entity other than the permit holder capable of managing the operational control the wind farm;
- *sound level*: the aggregated source level over the frequency bands, expressed in decibels;
- *installed capacity*: the maximum electrical power, also known as 'rated power', at which a wind turbine is designed to be used under normal conditions for the production of renewable electricity, as can also be determined by independent certifying parties;
- *foundation work (piling)*: the installation of a foundation, involving noise emissions that have an impulsive or continuous/uniform character;
- *foundation (piling) plan*: the plan referred to in Regulation 4 (2e);
- *foundation (piling) report*: the report referred to in Regulation 4 (2i);
- *migration period (spring)*: bird migration in the period from 15 February to 31 May;
- *migration period (autumn)*: bird migration in the period from 15 August to 30 November;
- *MIVSP*: Maritime Information Service Point;
- *MSL (Mean Sea Level)*: the average height of the sea level (the surface of the sea), if all variations resulting from the tides are averaged away;
- *night*: the period between 18:00 in the evening until 06:00 in the morning, according to Central European Time;
- *national security*: national security as referred to in Article 1 of the Investments, Mergers and Acquisitions (Security Assessment) Act (Vifo Act);
- *normal conditions*: the average meteorological conditions that occur in a given area during a year;
- *operational control*: the actual determination and day-to-day regulation of the operation of the wind farm with regard to the ability to influence at least a cumulative nominal capacity of 100 MW of the wind farm;
- *rotor diameter*: the diameter of the imaginary circle swept by the rotor blades of the wind turbine;
- *rotor swept area*: the surface area of the imaginary circle swept by the rotor blades of the wind turbine;
- *SEL_{ss}*: Sound Exposure Level (single strike);
- *start of construction*: the moment the first component of the wind farm is installed;
- *tip height*: the hub height plus half the rotor diameter;
- *tip lowest level*: the hub height minus half the rotor diameter;
- *UXO survey*: survey into the presence of unexploded ordnance in the seabed;
- *permit holder*: holder of a permit pursuant to Article 12 of the Offshore Wind Energy Act;
- *predicted mass bird migration*: a short period of time during migration periods at night when conditions are such that there is a predicted peak in the movement of migratory birds, based on the prediction model;
- *prediction model*: a model to be managed by or on behalf of the Government that gives a signal when mass bird migration is predicted.

Regulation 2 Boundaries of wind farm

1. The wind farm shall be located within the boundary defined by the following coordinates:

Coordinates of Site NW I-B EPSG 25831						
WFZ_1	511262,1	5861912,4		S_12	513839,6	5884436,5
S_01	506885,9	5887224,2		S_13	514716,0	5884411,3
S_02	507440,3	5886786,6		S_14	515418,5	5884437,2
S_03	508019,5	5886382,2		S_15	516072,5	5884498,5
S_04	508620,0	5886013,3		S_16	516975,1	5884642,8
S_05	508680,2	5885978,9		S_17	517864,2	5884855,2
S_06	509227,5	5885686,9		S_18	518400,1	5885018,4
S_07	509789,2	5885423,4		S_19	518927,8	5885206,4
S_08	510604,5	5885101,0		S_20	519558,9	5885468,6
S_09	511441,2	5884838,8		WFZ_6	517977,8	5880125,3
S_10	512199,2	5884657,3		WFZ_7	513135,7	5865490,3
S_11	512967,3	5884525,3				

The map showing the location of Site NW I-B is included as an appendix to this regulation in Section IV of this Decision.

2. The route of the grid connection of Site NW I-B to the TenneT platform Nederwiek 1 is bounded by the points in the table below, which are also shown on the map included in Section IV of this Decision as an appendix to this regulation.

Coordinates of the route for the grid connection EPSG 25831						
TOS_01	515860,7	5883116,9		TEZ_14	515647,6	5882664,7
CEZ_01	515878,6	5883084,9		TEZ_15	515514,9	5882755,8
CEZ_02	515853,7	5882986,4		TEZ_16	515418,1	5882884,4
CEZ_03	515889,2	5882877,3		TEZ_17	515367,2	5883037,1
TEZ_11	516027,4	5882645,5		TEZ_18	515367,4	5883198,0
TEZ_12	515928,6	5882621,6		CEZ_04	515381,3	5883258,8
TEZ_13	515802,4	5882620,3				

3. No wind turbines will be installed in the zones reserved for helicopter traffic to and from the TenneT platform and to and from the K13-A mining platform. These zones are bounded by the points in the table below, which are also shown on the map in Section IV of this Decision as an appendix to this regulation

Helicopter traffic zones EPSG 25831		
S_28	514772,8	5885412,0
S_29	514043,7	5885426,2
TEZ_20	510938,9	5890112,5
TEZ_21	511439,1	5890443,9

HEZ_01	514830,0	5891904,0
HEZ_02	514418,0	5891899,2
HEZ_03	514007,3	5891931,2
HEZ_04	513601,2	5892000,3
HEZ_05	513202,7	5892105,0
HEZ_06	512815,2	5892244,5
HEZ_07	512441,5	5892417,8
HEZ_08	510762,2	5890419,5
HEZ_09	509988,3	5890646,5
HEZ_10	509694,7	5890896,3
HEZ_11	509359,3	5890592,9
HEZ_12	508863,3	5890144,1
HEZ_13	508643,9	5890320,3
HEZ_14	509207,0	5891305,5
HEZ_15	508852,9	5891597,5
HEZ_16	508493,7	5892318,6
HEZ_17	510380,0	5894569,9
HEZ_18	510218,3	5894962,4
HEZ_19	510092,9	5895368,1
HEZ_20	510006,2	5895783,7
HEZ_21	509957,9	5896205,5
HEZ_22	509948,1	5896629,9
HEZ_23	509976,8	5897053,5

4. No wind turbines will be installed in the maintenance zones of pipelines and cables. These zones are bounded by the points in the table below, which are also shown on the map included in Section IV of this Decision as an appendix to this regulation.

Maintenance areas of Pipelines and cables EPSG 25831		
MZ_038	509572,7	5886694,5
MZ_039	509941,9	5884510,8
MZ_040	509915,9	5883707,7
MZ_041	509910,4	5883553,0
WFZ_2	504551,9	5900695,3
WFZ_3	506513,0	5900728,8
MZ_016	506556,6	5900682,5
MZ_017	506565,4	5900069,0
MZ_018	506594,4	5899456,1
MZ_019	506638,5	5898844,2
MZ_020	506706,1	5898234,4
MZ_021	506799,9	5897628,1
MZ_022	506892,6	5897021,6
MZ_023	507111,6	5895636,4
MZ_024	507327,0	5894250,6
MZ_025	507547,2	5892865,5

MZ_026	507764,8	5891480,0
MZ_027	507979,3	5890094,2
MZ_028	508197,7	5888708,8
S_35	509584,2	5886627,2
S_36	509085,0	5886899,5
S_37	508649,1	5887165,7
MZ_036	510568,1	5896426,1
MZ_037	511405,2	5895537,9
MZ_038	509572,7	5886694,5
S_22	519100,1	5886358,9
S_23	518570,7	5886140,4
S_24	518027,7	5885948,7
MZ_115	518275,5	5887590,3
MZ_116	518413,2	5888102,1
WFZ_4	518517,0	5887991,9
MZ_117	519241,0	5887300,8

5. No wind turbines will be placed in the buffer zone for shipping traffic. This zone is bounded by the points in the table below, which are also shown on the map included in Section IV of this Decision as an appendix to this regulation.

Buffer zone for shipping EPSG 25831		
S_21	519845,7	5886723,5
S_22	519100,1	5886358,9
MZ_117	519240,9	5887300,8

6. The rotor blades of the wind turbines shall remain entirely within the contours referred to in paragraph 1 and completely outside the zones for helicopter traffic referred to in paragraph 3 and the maintenance zones of pipelines and cables referred to in paragraph 4.
7. In the interest of an efficient connection of Sites NW I-A and NW I-B to the TenneT platform Nederwiek 1, the permit holder may, in the event of unforeseen circumstances, deviate from the provisions of the second paragraph in agreement with TenneT. The permit holder shall report this to the Minister of Climate Policy and Green Growth as soon as possible.

Regulation 3 Wind farm bandwidth

1. The wind farm consists of wind turbines, foundations, scour protection and cabling to the connection point.
2. The maximum number of wind turbines to be installed is 76.
3. Three-bladed wind turbines will be installed in the wind farm, each with a capacity of at least 15 MW.
4. The distance between wind turbines is at least four times the rotor diameter.
5. The tip lowest level is at least 25 metres above MSL.
6. The tip height is a maximum of 304.8 metres above MSL.
7. The total rotor swept area is a maximum of 3,509,788 m².

8. Wind turbines will be connected to the TenneT platform Nederwiek 1. Without prejudice to other requirements, the capacity to be connected shall be a minimum of 1 GW and a maximum of 1.15 GW.
9. Wind turbines are installed on a monopile foundation.
10. Coatings of underwater structures contain as few harmful substances as reasonably possible for the environment.
11. The permit holder shall take measures to prevent the spread of plastic particles from rotor blades as much as reasonably possible.
12. Sacrificial anodes will be used as little as reasonably possible as cathodic protection of steel constructions. If use of sacrificial anodes cannot be completely avoided, they must consist of alloys of aluminium or magnesium. The alloys may contain minimal amounts (<4% by weight) of other metals.
13. No later than four weeks prior to the start of construction of the wind farm, the permit holder shall notify the Minister of Climate Policy and Green Growth of the composition and quantity of the coatings referred to in the tenth paragraph and – where applicable – the sacrificial anodes referred to in the twelfth paragraph, as well as which measures as referred to in the eleventh paragraph will be taken.
14. During the construction of the wind farm, no more than 3,288,800 m² of the seabed will be disturbed.
15. No later than four weeks prior to the start of construction of the wind farm, the permit holder shall submit to the Minister of Climate Policy and Green Growth a plan setting out how the provisions of the fourteenth paragraph will be complied with, and shall carry out the work in accordance with the plan.

Regulation 4 Mitigating measures

1. Measures to reduce disturbance to harbour porpoises and seals.
 - a) Piling operations will start with extended intervals between strokes and a low pile driving energy (up to 10 percent of the maximum required pile driving energy), which is then gradually increased over a period of at least 10 minutes. The duration and power of the low pile energy should be such that harbour porpoises and seals have the opportunity to swim to a safe location. In the foundation piling plan, the permit holder substantiates the method of this slow/soft start.
 - b) If the construction of the wind farm involves an installation technique other than pile driving, the permit holder shall use one or more acoustic deterrent or deterrents adjusted to frequencies relevant to the harbour porpoise for half an hour before the start of work, as well as during the first five minutes of the work. This procedure is repeated if the work is interrupted for one hour or more. In the foundation plan, the permit holder shall justify which type(s) of deterrent will be used, and shall discuss the effectiveness of the type(s) chosen.
 - c) The permit holder may deviate from the provisions of subsection b of this paragraph if the means referred to in that subsection produce more noise at the relevant frequencies than the installation technique to be used, or if, in the foundation plan, an expert justifies that the measure as such does not contribute to the prevention of permanent effects on the hearing of harbour porpoises.
 - d) The permit holder shall make every effort to limit disturbance to harbour porpoises and seals during the construction and removal of the wind farm as much as reasonably possible.
2. Measures to reduce disturbance to harbour porpoises during construction of the wind farm.
 - a) The underwater sound level resulting impulse noise during the installation of a turbine foundation is a maximum of 160 dB re 1 µPa_{2s} SEL_{ss} (at 750 metres from the noise source).
 - b) A deviation from the underwater sound standard set in subsection a of this paragraph is permitted for a maximum of 57 turbine foundations, provided the permit holder takes all reasonable measures to prevent such a deviation and, insofar as a deviation cannot be avoided, to limit it as much as possible. In that case, the underwater sound level as a result of impulse noise during the installation of a turbine foundation is a maximum of 164 dB re 1 µPa_{2s} SEL_{ss} (at 750 metres from the sound source), subject to the provisions of section c.

- c) The permit holder may temporarily exceed the underwater sound level included in part b for a maximum of three of the 57 turbine foundations referred to in part b of this paragraph, provided that the exceedance is necessary in the context of testing and research purposes and is therefore in the public interest. The exceedance is limited to what is strictly necessary for the test and applies for a maximum of 25 minutes per turbine foundation.
 - d) The number of harbour porpoise disturbance days as a result of the foundation work of the wind farm is a maximum of 57,100.
 - e) The permit holder draws up a foundation plan and submits it to the Minister of Climate Policy and Green Growth no later than four weeks prior to the start of construction. The foundation plan shall contain at least:
 - a description of the installation process;
 - a communication plan;
 - a noise forecast;
 - a description of mitigation measures to be taken;
 - a description of the design and technical characteristics of noise measurements.
 - f) In the event that a technique that does not cause impulse noise is used (jointly) for the installation of turbine foundations, the foundation plan shall contain a calculation of the number of harbour porpoise disturbance days by an expert in the field, from which it follows that action is taken in accordance with part d of this paragraph.
 - g) When applying part c of this paragraph, the permit holder shall justify the deviation referred to in part c in the foundation plan prior to the construction of the wind farm. The statement of reasons shall contain at least:
 - the usefulness and necessity of the deviation;
 - a description of the technique and means to be used;
 - the anticipated noise level, and anticipated duration of the standard exceedance in the distinctive phases of the pile-driving process;
 - a calculation of the total number of harbour porpoise disturbance days by an expert in the field, showing that action is taken in accordance with part d of this paragraph;
 - a description of the measures to reduce the noise level as much as possible;
 - the method for monitoring and processing research results;
 - the period within which the research results are shared with the Minister of Climate Policy and Green Growth.
 - h) The permit holder carries out the construction work in accordance with the foundation plan.
 - i) The sound level must be continuously measured by the permit holder during the foundation work. These measurements must take place at two positions directly opposite each other 750 metres from the foundation. The noise measurements for each foundation are submitted to the Minister of Climate Policy and Green Growth in a foundation report, no later than 48 hours after the completion of the installation of the foundation. In addition, after completion of all foundation work, the permit holder shares the measurement data with the Minister of Climate Policy and Green Growth and the Minister of Infrastructure and Water Management for the purpose of cumulative impact analyses and international reporting obligations. Each foundation report shall contain at least:
 - the foundation ID, location, length and diameter of the foundation;
 - the maximum amount of energy;
 - a description of the mitigation measures applied to reduce the noise level as much as possible;
 - start and end time of foundation installation;
 - start and end time of use of an acoustic deterrent (if applicable);
 - start and end times of the measures applied to reduce the noise level as much as possible;
 - the results of the sound measurements.
 - j) If, in the case of pile driving, it appears after successive sound measurements that the underwater noise level during the foundation work does not exceed the underwater sound standard referred to in subsection a of this paragraph, the permit holder may request the Minister of Climate Policy and Green Growth to allow the frequency of the sound measurements to be reduced.
3. Measures to limit collision casualties among birds at rotor height during migration periods.

- a) During migration periods, the permit holder reduces the number of rotations per minute per wind turbine to less than two during the period in the night in which there is predicted mass bird migration.
 - b) The period during which there is predicted mass migration of birds, as referred to in subsection a of this paragraph, shall be determined by decision of the Minister of Climate Policy and Green Growth. The Minister of Climate Policy and Green Growth bases the decision on the signal from the forecast model. The Minister of Climate Policy and Green Growth will take into account an opinion from the transmission system operator in the decision and may include an opinion from bird experts. The decision shall be announced at such a time that the permit holder can reasonably comply with part a of this paragraph.
 - c) The permit holder is obliged to cooperate without financial compensation in the placement and installation of equipment on, in or to the turbines to be designated by the Minister of Climate Policy and Green Growth in order to implement the measure as referred to in subsection a of this paragraph. This includes the provision of fastening structures to the designated turbines. An agreement will be concluded with the permit holder for the placement and installation of the equipment, taking into account the operational activities in the wind farm as much as possible.
 - d) The permit holder is obliged to cooperate without financial compensation for access for the management and maintenance of the equipment as referred to in subsection c of this paragraph. For the management and maintenance of the equipment, an agreement will be concluded with the permit holder, taking into account the operational activities in the wind farm as much as possible.
 - e) The periods referred to in subsection a of this paragraph shall not exceed a total of 60 hours per year, calculated from autumn to autumn.
 - f) The Minister of Climate Policy and Green Growth shall periodically evaluate the standstill provision referred to in this paragraph.
4. Measures to limit collision casualties among bats at rotor height during autumn migration.
- a) In the period between sunset and sunrise of the days as indicated by number in the table below, the cut-in wind speed at the hub height of the wind turbines is adjusted, as shown in the table.

Day number	Cut-in windspeed [m/s]	Day number	Cut-in windspeed [m/s]
226-228	4.7	265-267	5.5
229-231	4.8	268-270	5.5
232-234	5.0	271-273	5.4
235-237	5.2	274-276	5.3
238-240	5.3	277-279	5.1
241-243	5.4	280-282	5.0
244-246	5.5	283-285	4.9
247-249	5.5	286-288	4.7
250-252	5.6	289-291	4.4
253-255	5.6	292-294	4.2
256-258	5.6	295-297	4.0
259-261	5.6	298-300	3.8
262-264	5.6	301-303	3.6

- b) In the event of a wind speed lower than the adjusted cut-in wind speed referred to in subsection a of this paragraph, the permit holder shall reduce the number of rotations per wind turbine to one per minute in the period between sunset and sunrise referred to in subsection a of this paragraph.
- c) Wind speed measurements shall be carried out per wind turbine or at one or more representative location(s) in the wind farm, at rotor height, with time intervals of no more than twenty minutes, with the last time interval measurement being decisive for the application of the measures referred to in subsections a and b of this paragraph.

- d) The permit holder shall submit a report to the Minister of Climate Policy and Green Growth each year after the end of the last period referred to in subsection a of this paragraph, and no later than 1 December of the year in question, describing how subsections a, b and c of this paragraph have been implemented.
- e) The permit holder monitors the presence of bats, by means of the monitoring equipment supplied by MIVSP, for a period of five years starting within three months of the wind farm becoming operational. If there is a significant loss of data, the missing data will be supplemented by measurements taken in the same period in the first year following the monitoring period. The permit holder will install the monitoring equipment on approximately 15 percent of the wind turbines across the site at three different heights per wind turbine: at the nacelle, at the level of the platform and halfway up the wind turbine.
- f) For each wind turbine to which the monitoring equipment referred to under e is attached, the permit holder measures the following variables within representative time intervals with its own equipment:
 - amount and type of precipitation;
 - orientation direction of the wind turbine;
 - temperature;
 - rotation speed of the rotor blades of the wind turbine;
 - wind direction;
 - wind speed.
- g) The permit holder shall ensure continuous reliable data collection when carrying out the monitoring and measurement obligations as referred to in points e and f of this paragraph.
- h) The permit holder is obliged to filter the data collected under part e of this paragraph so that noise, other than sounds from bat activity, is filtered out, and the permit holder must determine this filtered data at species level.
- i) The permit holder shall enrich both the data collected pursuant to e and f of this paragraph and the data filtered and determined pursuant to subparagraph h of this paragraph with the following data:
 - date and time of the measurement;
 - height at which the measurement took place;
 - location of the wind turbine;
 - direction of the monitoring equipment.

In this way, the permit holder guarantees that all data can be linked together.
- j) The permit holder carries out (periodic) maintenance, periodic inspection and replacement of the measuring equipment. The permit holder will ensure that twice a year, at the latest before 1 March and before 1 August, all monitoring equipment is checked and maintained, to verify that it is still working and accurate. If the monitoring equipment is not working or does not measure sufficiently accurately to be able to observe bats, it must be replaced.
- k) The permit holder submits a monitoring plan to the Minister of Climate Policy and Green Growth within six months of obtaining the permit. The permit holder shall give the Minister of Climate Policy and Green Growth the opportunity to issue advice on the monitoring plan. The installation of the monitoring equipment is carried out in accordance with the monitoring plan. The monitoring plan shall include at least:
 - a description of the monitoring set-up in accordance with the principles described under e, including a description of the method, height and location for attaching the monitoring equipment supplied by MIVSP to the wind turbines;
 - if the principles as described under part e are deviated from, a description of the adjustments to the supplied monitoring setup and a substantiation of why the adjustment is necessary.
- l) The permit holder submits a monitoring plan to the Minister of Climate Policy and Green Growth prior to the start of construction of the wind farm. The permit holder shall give the Minister of Climate Policy and Green Growth the opportunity to issue advice on the monitoring plan. The monitoring is carried out in accordance with the monitoring plan. The monitoring plan shall contain at least:
 - a description of the way in which bat monitoring will take place in accordance with part e of this paragraph;
 - a description of the manner in which, and the timeframes within which, the variables referred to under f of this paragraph will be measured;
 - a description of the way in which the enriched data is filtered and determined at species level as described under h of this paragraph;

- a description of the way in which data as referred to under e, f and h will be enriched with the data referred to under i of this paragraph;
 - a description of data management, including how data is stored and shared with the Minister of Climate Policy and Green Growth;
 - a description of the way in which the validation of the monitoring equipment is carried out and management and maintenance is set up in accordance with part j of this paragraph;
 - a description of the quality assurance of the monitoring and data management as described under e to i of this paragraph.
- m) The permit holder shall submit the following information to the Minister of Climate Policy and Green Growth twice a year, in January and July, or, where applicable, continuously via a monitoring system:
- raw data, including all data collected by means of the monitoring equipment as described under e and f of this paragraph;
 - filtered data as described under h of this paragraph, with a description of the filtering method used, as set out in the monitoring plan referred to in part l of this paragraph;
 - species-level identification as described under h of this paragraph, with a description of the way in which this analysis was carried out, as included in the monitoring plan referred to in part l of this paragraph;
 - enriched data, including all data enriched pursuant to part i of this paragraph, with a description of the way in which this enrichment was performed, as included in the monitoring plan referred to in part l of this paragraph.
- n) Twice a year, after the periodic maintenance referred to under part j of this paragraph and no later than 1 March and then 1 August at the latest, the permit holder shall submit a validation report to the Minister of Climate Policy and Green Growth, comprising a description of the precision, sensitivity and stability of the monitoring equipment, as well as an incident log recording errors, system warnings and equipment failures.
- o) The permit holder shall submit one data report to the Minister of Climate Policy and Green Growth, no later than six months after the end of the monitoring period referred to under part e of this paragraph. This data report shall contain at least a description of the information referred to in part m, covering the entire monitoring period as described under part e of this paragraph.

5. Measures to limit the disturbance of guillemots during the moulting period.

- a) The permit holder shall ensure that, for wind farm-related vessel transport within the site during the operational phase in the months of July through October, a minimum distance of 500 metres from groups of guillemots is maintained as much as possible.
- b) If the distance referred to in part a cannot be maintained due to necessary maintenance in the vicinity of groups of guillemots, the permit holder shall approach the maintenance location at a sailing speed of no more than 10 knots so the guillemots have sufficient opportunity to move away.

6. Measures to increase the suitable habitat for species native to the North Sea.

- a) If the permit holder uses stones or other loosely placed materials as scour protection around wind turbine foundations, then for at least 50 percent of all wind turbine positions, the scour protection, including the scour protection of the cable protection system, shall be installed in accordance with parts c and d of this paragraph.
- b) If the permit holder constructs cable or pipeline crossings where stones or other loosely placed materials are placed for protection, at least 50 percent of these crossings shall be constructed in accordance with part c of this paragraph.
- c) The stones or loosely placed materials referred to in parts a and b of this paragraph shall be selected and positioned in such a way that no movement takes place in storm conditions, with an average exceedance frequency of once every five years, that sedimentation is limited, and harmful contamination by leaching is prevented.
- d) The stones or other loosely placed materials referred to in part a of this paragraph shall consist of one of the standard grades listed in 'Offshore Sieved and Weighted Gradings' from Section 6.4 of the 'Handbook of Scour and Cable Protection Methods' (2023), prepared by Deltares.

- e) The scour protection installed in accordance with parts a, c and d may leave room in an inner ring for the installation of the wind turbine foundation. The diameter of this inner ring is a maximum of 125 percent of the diameter of each foundation pile, seen from the centre of the foundation pile.
- f) Parts a to e of this paragraph shall not apply to the material added to facilitate the gradual transition from the scour protection to the seabed to mitigate the effects of edge scour ('falling apron').
- g) The permit holder produces an action plan and submits this plan to the Minister of Climate Policy and Green Growth no later than eight weeks prior to the start of construction of the wind farm. The action plan shall include at least a description of the way in which parts a to d of this paragraph are complied with, including a detailed technical design of the scour protection and cable or pipeline crossings, with a substantiation of the choices made to ensure the effectiveness of the biodiversity enhancement measures.
- h) The permit holder may deviate from parts a to d of this paragraph, provided the site contributes to the enhancement of biodiversity in another way. In that case, monitoring by the permit holder for the purpose of an impact assessment is mandatory and the permit holder submits an action plan to the Minister of Climate Policy and Green Growth no later than eight weeks prior to the start of construction of the wind farm. The action plan shall, in derogation from part g of this paragraph, contain at least the following components:
 - a description of the alternative measures taken within the site to promote biodiversity;
 - a substantiation, based on the best available scientific insights, that it is plausible that the measures will contribute to the local enhancement of one or more relevant marine habitat types or habitats of species referred to in Article 5(2) or Article 5(5) of the Nature Restoration Regulation;
 - a substantiation that the surface area where the alternative measure is applied is equal to or greater than that of the modification of scour protection and cable or pipe crossings as described in parts a and b of this paragraph;
 - a substantiation that the ecological value of the alternative measure is expected to be equivalent to the measures described under parts a to d of this paragraph;
 - a copy of the environmental permit or other authorisations, insofar as the measures do not relate to the components of the wind farm;
 - a description of the monitoring programme, including at least an explanation of the methodology, aligning with standard methods used in practice and science.
- i) The work shall be carried out in accordance with the action plan referred to in part g or h of this paragraph.

7. Measures for protection of archaeology and cultural history.

- a) The permit holder shall not carry out any seabed-disturbing activities within a radius of 100 metres from (the contours of) the potentially archaeologically valuable objects and buried ferrous objects, the coordinates of which are stated in Section IV of this Decision as an appendix to this regulation. Rotor blade overlap is allowed.
- b) It is permitted to deviate from part a of this paragraph if (the contours of) the potentially archaeologically valuable objects referred to in part a of this paragraph, including the 100 metre radius, cannot reasonably be avoided during the execution of seabed-disturbing activities, and a further archaeological Inventory Field Survey (exploratory underwater survey) has been conducted for these locations beforehand into the possible presence of archaeological monuments. This research must be carried out in accordance with the current Quality Standard for Dutch Archaeology (Kwaliteitsnorm Nederlandse Archeologie, KNA) for Waterbeds.
- c) It is permitted to deviate from part a of this paragraph if the buried ferrous objects referred to in part a of this paragraph, within a radius of 100 metres, cannot reasonably be avoided for the purpose of carrying out soil-disturbing activities, and an on-site UXO survey is accompanied by archaeological supervision. This supervision must be carried out in accordance with the current Quality Standard for Dutch Archaeology for Waterbeds.

- d) The results of the surveys referred to in parts b and c of this paragraph shall be submitted to the Minister of Climate Policy and Green Growth no later than six months before the start of construction of the wind farm.
 - e) Depending on the conclusions drawn from the surveys referred to in parts b and c of this paragraph:
 - the work can proceed unchanged;
 - a follow-up investigation is required;
 - physical measures are taken to protect archaeological sites;
 - sites are definitively excluded from interventions, subject to a buffer zone;
 - or,
 - the work will be archaeologically supervised.
 - f) The permit holder shall draw up a plan setting out how the requirements arising from this paragraph and Articles 5.10 of the Heritage Act and 7.37 of the Environmental Activities Decree will be implemented, and shall submit this to the Minister of Climate Policy and Green Growth no later than three months before the start of construction.
 - g) The work shall be carried out in accordance with the plan referred to in part f of this paragraph.
8. Measures to limit nuisance caused by lighting and to promote safety for seafarers and aviation.
- a) If visibility outside the daylight period exceeds 5 kilometres, the nominal light intensity of aeronautical obstacle lights outside the daylight period is reduced by up to 30 percent. If visibility outside the daylight period exceeds 10 kilometres, the nominal light intensity of aeronautical obstacle lights outside the daylight period is reduced by up to 10 percent.
 - b) All wind turbines are equipped with nautical identification markings on panels that are indirectly illuminated with a dedicated low-intensity light source. The identification markings are positioned on the turbine at intervals of 120 degrees. The identification codes shall be clearly legible from a position 3 metres above MSL and at least 150 metres away from the wind turbine.
 - c) Without prejudice to the provisions of parts a and b of this paragraph, and in derogation from Article 7.40, paragraph 2, of the Environmental Activities Decree, the permit holder shall draw up the notification referred to in Article 7.34, paragraph 2, part d, of the Environmental Activities Decree in accordance with the information sheet 'Designation of offshore wind turbines and offshore wind farms in relation to aviation safety' and the IALA guideline G1162.
 - d) In the notification referred to in Article 7.34(2)(d) of the Environmental Activities Decree, the permit holder shall also take into account requirements arising from safety investigations in the context of helicopter flights to and from the TenneT platform.
 - e) On the instructions of the Minister of Climate Policy and Green Growth or the Coast Guard, turbines are illuminated in the event of a rescue operation in or within the immediate vicinity of the wind farm.
 - f) The work shall be carried out in accordance with the notification referred to in part c of this paragraph.
 - g) For the purpose of air traffic safety, the permit holder shall submit the following information (per turbine position) to the Minister of Infrastructure and Water Management no later than four months prior to installation of the first foundation:
 - turbine ID;
 - coordinates (both in WGS84 and ETRS89 zone 31);
 - rotor diameter (in metres);
 - hub height (in metres, MSL);
 - tip height (in metres and feet, MSL);
 - horizontal and vertical measurement accuracies (in accordance with EU 469/2019 AIS. TR.360);
 - number of obstacle lights per wind turbine;
 - type and colour of the obstacle lights;
 - luminous intensity of obstacle lights (in candela);
 - markings;
 - height and color of lighting halfway up the tower (in metres, MSL);

- intended date of installation of the first foundation of the wind farm and the intended date of installation of the last wind turbine of the wind farm.
 - h) For the purpose of air traffic safety, the permit holder shall report deviations from what has been submitted pursuant to part g of this paragraph to the Minister of Infrastructure and Water Management as soon as possible after the installation of a wind turbine.
9. Measure to promote safety when working on cables, pipelines and boreholes.
- a) During work on cables (other than inter-array cables), pipelines and boreholes, the number of rotations per minute of wind turbines located within a radius of 1,000 metres from the work site will be reduced to less than two, on the instructions of the Minister of Climate Policy and Green Growth.
10. Measures for the protection of boreholes.
- a) The permit holder shall not carry out any soil disturbance activities within a radius of 150 metres from the borehole locations listed in Section IV of this Decision as an appendix to this regulation. Overlap of rotor blades is allowed.
 - b) Deviations from part a of this paragraph are permitted if a borehole cannot reasonably be avoided by a distance of 150 metres for the execution of soil-disturbing activities, and it has been demonstrated beforehand, by means of a further investigation and with the consent of the borehole operator, that no safety risks may occur.
 - c) The results of the investigation referred to in part b of this paragraph shall be submitted to the Minister of Climate Policy and Green Growth no later than three months prior to the start of construction of the wind farm.

Regulation 5 Data collection, monitoring and evaluation

1. Obligation to cooperate with regard to research as well as the installation, management and maintenance of equipment and sensors in the wind farm on behalf of the Government.
- a) Without prejudice to the provisions of Regulation 4.3 (c), the permit holder is obliged to cooperate, without financial compensation, in the design, installation, management and maintenance of sensors and equipment in the wind farm by or on behalf of the Government, in the context of performance of public tasks regarding the following aspects:
 - digital connectivity,
 - ecology,
 - hydro/meteo information,
 - maritime security,
 - shipping and aviation safety.
 - b) The obligations referred to in part a of this paragraph may include:
 - the provision of an MIVSP installation point inside the wind turbine for equipment, including network equipment for fibre optic communication to the TenneT platform,
 - the provision of a safely accessible attachment point for sensors and equipment on the wind turbine (outside),
 - the provision of an attachment point for sensors and equipment to the wind turbine foundation, and to or near the scour protection and cabling,
 - installing cabling between the equipment in the wind turbine and sensors and equipment on the wind turbine,
 - supplying power for the sensors and equipment in and to the wind turbine,
 - the provision of fibre optic infrastructure from wind turbines to the TenneT platform,
 - patching the fibre optic infrastructure to the MIVSP facility.
 - c) Without prejudice to the provisions of Regulation 4.3 (d), the permit holder is obliged to cooperate without financial compensation, whether or not with vessels made available by the permit holder, in the timely granting of access to all parts of the wind farm to persons performing tasks and activities on behalf of the

Government in the context of the aspects referred to in part a of this paragraph and related research activities.

2. After laying the inter-array cables, at the request of the Minister of Climate Policy and Green Growth, the permit holder will share data about these inter-array cables that may provide insight into the field strengths of cables. This data comprises:
 - type of cable;
 - material used;
 - initial burial depth;
 - cable design;
 - 'as-laid' data;
 - lay-length of the cable;
 - (a bandwidth of) the actual amount of electricity transmitted through the cable.

Regulation 6 Authorisation

The permit referred to in Article 12 of the Offshore Wind Energy Act is granted for a period of 40 years.

Regulation 7 Safety Strategy

1. The entity that operationally controls the wind farm, i.e. the permit holder or a third party engaged by it, is established in the EEA.
2. The permit holder shall submit a safety plan to the Minister of Climate Policy and Green Growth no later than six months prior to the start of construction of the wind farm, in which the permit holder addresses the components of cybersecurity, national security and physical resilience on the basis of the components described in the third paragraph. The plan covers both the construction and the operational phases and states which risks are managed and which are excluded from the scope.
3. The safety plan referred to in the second paragraph shall contain the following components:
 - a) An analysis of the most important security risks, based on an explanation of:
 - the continuity and integrity of (the management of) the wind farm (hereinafter: interests);
 - the threat against which interests must be protected, including the threat posed by state actors;
 - the extent to which the interests to be protected are resistant to the threat, the so-called resilience.
 - b) The measures to be taken to achieve and maintain resilience at an appropriate level throughout the operation, including technical, operational and organisational measures, to manage risks to the security of the network and information systems used by the permit holder for its activities or for the provision of its services.
 - c) A description of the high-level architecture of the entire IT/OT environment.
 - d) A description of the digital security.
 - e) A description of the physical security.
 - f) A description of at least the following topics, based on the ISO/IEC27001 or IEC62443 standard:
 - setting up the Information Security function within the organisation, including the associated monitoring and control mechanisms;
 - personnel requirements, such as screening, knowledge and skills;
 - a description of the management processes in relation to cybersecurity, covering:
 - asset management;
 - risk management;
 - vulnerability management;
 - incident detection, response and recovery;
 - business continuity management;
 - identity and access management in the physical and cyber domains;
 - backup and restore;

- exercise structure with realistic scenarios.
 - g) Supply chain risks.
 - h) A description of the experience and approach to receiving and sharing security information and knowledge.
4. Every five years, the permit holder shall submit an up-to-date version of the safety plan referred to in the second paragraph to the Minister of Climate Policy and Green Growth.
 5. If the permit holder is under the jurisdiction of a third country that meets at least one of the two criteria set out in Article 5(b) of Implementing Regulation 2025/1176, the permit holder shall provide an additional cybersecurity plan that complies with the requirements of that same section.
 6. If the permit holder relies on suppliers for the provision of ICT products used in the wind turbines or the provision of ICT services related to their operation, the permit holder shall provide documentation showing that the suppliers are taking the measures referred to in Article 5(a) of Implementing Regulation 2025/1176.
 7. If a supplier as referred to in paragraph 6 meets at least one of the two criteria referred to in Article 5(b) of Implementing Regulation 2025/1176, the permit holder shall provide documentation showing that those suppliers are also taking the measures referred to in that section.

Regulation 8 Disposal

The permit holder must decommission (remove) the wind farm no later than two years after operation has ceased and, in any event, no later than within the term of the permit.

Regulation 9 Financial security

1. No later than when RVO has received proof that Guarantees of Origin (GO) have been issued for the electricity supplied, the permit holder shall provide a bank guarantee to the Government for an amount of €172,000 per installed MW to cover the decommissioning of the wind farm.
2. The permit holder shall increase the amount referred to in the first paragraph by two percent annually due to indexation for a period of 12 years after the bank guarantee for the removal of the wind farm has been issued.
3. After periods of 12 years and 24 years of operation, and one year before the decommissioning date, the Minister of Climate Policy and Green Growth may redetermine both the amount referred to in the first paragraph and its indexation.



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