

NOTIFICATION TO AN AFFECTED PARTY OF A PROPOSED PLAN OR PROGRAMME UNDER ARTICLE 10 OF THE PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT TO THE CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT	
General information on the plan or programme	
Name of the plan or programme	Additional Draft North Sea Programme 2022 – 2027
Type and sector of plan or programme (e.g., local land-use plan, national energy strategy)	Spatial reservation for areas designated for off-shore wind energy
Territorial coverage (e.g., regional, national)	North Sea
Main content and purpose of the plan or programme (e.g., framework setting for projects, determination of use of land) and its links with other plans or programme	The Draft North Sea Programme determined the search areas for offshore wind energy, the Additional Draft North Sea Programme designates some of these search areas as offshore wind farm zones.
Whether the plan or programme is binding	Self-binding for the Dutch Government.
Submitted documents	
Draft plan or programme	Additional Draft North Sea Programme 2022 – 2027
Environmental report	The Strategic Environmental Assessment Report for the Additional Draft North Sea Programme 2022 – 2027, including an appropriate assesment
Other documents (with description)	-
Languages into which documents are or will be translated	The Additional Draft North Sea Programma 2022-2027 is translated in English The summary of the SEA is translated in English, German and French
Description of the decision-making procedure and of the strategic environmental assessment (SEA) procedure in the Party of origin	
Description of the phases of the planning procedure	<p>1. Public notification SEA-procedure and Draft Additional Draft North Sea Programme 2022 – 2027, for public consultation and reviewing advice through ESPOO (16 November up and to 27 December 2021)</p> <p>Note: the public consultation period in the Netherlands takes place from 9 November up and to 20 December. Due to later delivery of the translations, the ESPOO contacts are allowed the same amounts of weeks (6).</p> <p>Anyone can submit opinions on these documents in accordance with the public consultation procedure. The neighboring countries are consulted on the SEA report and Additional Draft North Sea Programme 2022 – 2027. There will also be a review of the SEA by the Netherlands Commission on Environmental Impact Assessment. Simultaneously with the public consultation, the SEA and Additional Draft North Sea Programme 2022 – 2027 and its annexes will</p>

	<p>be offered to the House of Representatives of the Netherlands.</p> <p>2. Preparation and adoption of final North Sea Programme 2022 – 2027</p> <p>In March 2022 at the latest, the Minister of Infrastructure and Water Management will determine the national water policy and its implementation for the Netherlands with the National Water Programme, including the North Sea Programme 2022 – 2027. It will be stated here how the SEA and the views and recommendations have been considered. The National Water Programme and North Sea Programme 2022-2027 are expected to enter into force on 22 March 2022.</p>
Legal basis for the planning procedure (quoting the regulation or other legal basis)	<p>Eventually, the North Sea Programme 2022 – 2027 will constitute a framework for future decisions regarding off shore windfarms in the Netherlands. If the government has such plans, the SEA procedure must be completed. This is regulated by law in the Environmental Management Act (“Wet milieubeheer”, Article 7) and the Environmental Impact Assessment Decree (“Besluit m.e.r.”), in which European legislation on environmental assessments is laid down.</p> <p>Sections C and D of the appendix to the Decree list the activities that require an SEA Report if these are made possible in a plan within the meaning of Articles 2.1, 2.2 and 2.3 of the Spatial Planning Act (“Wet ruimtelijke ordening”). In addition, a Strategic Environmental Assessment may become mandatory if – as a result of potential significant negative impacts on the conservation targets of Natura2000 areas – an Appropriate Assessment is required.</p>
Present phase of the planning procedure and of the SEA procedure	Public notification of the strategic environmental assessment and Additional Draft North Sea Programme 2022 – 2027
Time schedule of the foreseen continuation of the planning procedure and of the SEA procedure	November 2021 – March 2022
Process and timing of the possible adoption of the plan or programme	November 2021 – March 2022
Information on the public participation process in the Party of origin	
Opportunities for the public to participate:	
Start and end dates for the public to provide comments on the environmental report and draft plan or programme	<p>Start date: 16 November 2021</p> <p>End date: 27 December 2021 (including)</p>
How the public is informed of the public participation process	All translated documents will be available at: www.platformparticipatie.nl/programmanoordzee

	<p>from 16 November 2021. The Dutch documents have been published since 9th of November and can be inspected until Monday 20 December 2021 during normal opening hours at:</p> <p>- Ministry of Infrastructure and Water Management, Rijnstraat 8, The Hague, tel. +31 (0)70 456 89 99 (by appointment only).</p> <p>- Rijkswaterstaat, Griffioenlaan 2, Utrecht, tel. +31 (0)88 797 11 11.</p> <p>The documents will also be available for public inspection at the offices of every province in the Netherlands. The addresses of all locations where the documents can be inspected are listed on: www.platformparticipatie.nl/programmanoordzee.</p>
Whether a public hearing is organized and, if so, when	No public hearing is organized during this phase
How the public is informed of the adoption of the plan or programme and how the information specified in article 11, paragraph 2, is made available	<p>Website: www.platformparticipatie.nl/programmanoordzee contains the specific information regarding the public consultation procedure and the SEA report and Additional Draft North Sea Programme.</p>
Expected time schedule for transmittal of comments and questions by the public of the affected Party on the draft plan or programme and on the full environmental report	16 November 2021 to 27 December 2021
Affected Parties	
List of Parties to which notification has been sent	See list
Point of contact for the transboundary procedure	
Authority responsible for coordinating activities relating to the transboundary SEA procedure: name, address, e-mail, telephone and fax numbers	<p>Minister of Infrastructure and Water Management</p> <p>Ministry of Infrastructure and Water Management Bart Barten Telephone +31 6-21649676 PostbusProgrammaNoordzee@minienw.nl</p>
Deadlines for response to the notification	
Deadline for responding to indicate whether the affected Party wishes to participate	6 weeks
Deadline for transmission of comments on the draft plan or programme and the full environmental report by authorities of the affected Party (if different from above)	6 weeks
Means of communication	
Means by which letters from the Party of origin are sent (e.g., e-mail, fax, post, via embassy)	e-mail: PostbusProgrammaNoordzee@minienw.nl.
Means by which affected Parties are asked to send their letters	<p>Reactions can be sent to the following email address:</p> <p>PostbusProgrammaNoordzee@minienw.nl</p>

	<p>or per letter to: Participation Directorate Ministry of Infrastructure and Water Management attn. Additional Draft North Sea Programme 2022 – 2027 Postbus 20901 2500 EX The Hague The Netherlands</p>
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PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT TO THE CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT

Article 10

TRANSBOUNDARY CONSULTATIONS

1. Where a Party of origin considers that the implementation of a plan or programme is likely to have significant transboundary environmental, including health, effects or where a Party likely to be significantly affected so requests, the Party of origin shall as early as possible before the adoption of the plan or programme notify the affected Party.

2. This notification shall contain, inter alia:

(a) The draft plan or programme and the environmental report including information on its possible transboundary environmental, including health, effects; and

(b) Information regarding the decision-making procedure, including an indication of a reasonable time schedule for the transmission of comments.

3. The affected Party shall, within the time specified in the notification, indicate to the Party of origin whether it wishes to enter into consultations before the adoption of the plan or programme and, if it so indicates, the Parties concerned shall enter into consultations concerning the likely transboundary environmental, including health, effects of implementing the plan or programme and the measures envisaged to prevent, reduce or mitigate adverse effects.

4. Where such consultations take place, the Parties concerned shall agree on detailed arrangements to ensure that the public concerned and the authorities referred to in article 9, paragraph 1, in the affected Party are informed and given an opportunity to forward their opinion on the draft plan or programme and the environmental report within a reasonable time frame.

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A4.5.2 Possible practical arrangements

106. At the latest, transboundary effects may be identified during preparation of the environmental report, but if identified earlier then notification would best be begun earlier as well, during scoping; doing so may reduce delays in reaching the decision-making stage. However, such early notification would necessarily be informal, as the formal notification has to include, among other things, the environmental report. The following paragraphs provide additional suggestions on transboundary consultations, adapted from the EC Guide (paras. 7.26–7.29).