Energistyrelsen

Annex 3.2

Model licence for construction of Thor Offshore Wind Farm ("construction licence")

The English version is a translation of the original in Danish for information purposes only. In case of a discrepancy, the Danish original will prevail.

[*The Danish Energy Agency reserves the right to make adjustments and supplements to this model licence ~~on the basis of the results from the strategic environmental assessment (SEA) and the preliminary investigations conducted by Energinet once these are available, as well as~~ on the basis of the Concessionaire's specific project and the environmental impact assessment report which the Concessionaire is to prepare. Requirements may moreover be introduced following a possible impact assessment with regard to Natura 2000 sites. The Danish Energy Agency has highlighted the sections, etc. most likely to be subject to such adjustments. Furthermore, changes may be made to the terms and conditions of the final licence pertaining to other matters currently unknown to the Danish Energy Agency or other authorities.*]

Contents

It should be emphasised that a number of the terms and conditions of this licence refer to laws and regulations issued pursuant to specific legislation falling under other authorities than the Danish Ministry of Climate, Energy and Utilities. The Danish Energy Agency cannot guarantee that all relevant regulations etc. that the Concessionaire is obligated to follow have been mentioned in this licence. In this context, it should be noted that amendments to current regulations may take place at any time and that the Concessionaire should therefore be aware that current legislation in force is to be complied with.

Costs incurred as a result of terms and conditions imposed on the basis of current legislation are of no concern to the Danish Energy Agency.

Licence pursuant to section 25 of the Promotion of Renewable Energy Act (the RE Act), see Consolidating Act no. 125 of 7 February 2020 with later amendments.

Decision

The Danish Energy Agency hereby grants [*Concessionaire*] (in the following referred to as the Concessionaire) a licence for the construction of the Thor Offshore Wind Farm electricity production plant with internal cables (internal collection grid) in the North Sea part of Danish territorial waters and in the Exclusive Economic Zone. The licence is granted on the basis of [*concessionaire*]'s tender of [*date*] submitted as part of the Thor Offshore Wind Farm tendering procedure, which resulted in [*concessionaire*] being awarded the agreement of [*date*] regarding the obligation to construct and connect to the grid Thor Offshore Wind Farm (in the following referred to as the Concession Agreement).

The basis for the decision includes [*concessionaire*'s] application for a construction licence dated [*date*] and [*concessionaire´s*] environmental impact assessment report for Thor Offshore Wind Farm dated [*date*], which describes the expected impacts on the environment from the specific project at sea, taking into account the results of the completed strategic environmental assessment (SME) and the environmental impact assessment of onshore facilities (EIA).The basis for the decision also includes consultation responses from the general public and affected public authorities, including neighbouring countries that were consulted as part of the statutory requirement for consultation concerning the potential cross-border impacts of the project pursuant to the Espoo (EIA) Convention (in the following referred to as Espoo consultation).

The licence comprises an EIA approval under section 25 of the Environmental Assessment Act[1] for the part of Thor Offshore Wind Farm with internal collection grid that is located offshore.

This licence entitles [*concessionaire*] to commence construction work pursuant to section 25 of the RE Act and section 25 of the Environmental Assessment Act, taking into account the terms and conditions listed in the licence.

This licence regulates the part of the Thor Offshore Wind Farm with internal collection grid, which is situated offshore. Regarding the part of the grid connection, which is situated onshore, referral is made to the planning basis and the EIA-permit of [date] issued by the Environmental Protection Agency.

1. General terms and conditions

1.1. The Concessionaire is to construct an offshore wind farm to supply an output of [*min. 800 and max 1,000*] MW measured at the point of connection (POC). Therefore, no more than what at the connection point corresponds to [*tendered X MW*] (Bid MW) may be connected to the grid at any given time. However, this does not preclude installation of a capacity corresponding to the nearest turbine over [*tendered X MW*] calculated according to the rule below, as any supplementary reserve turbine capacity must not at any time be used to ensure an overall larger production for the offshore wind farm than the tendered [X] MW.

[1] Consolidating Act no 973 of 25 June 2020 on environmental assessment of plans and programmes and of specific projects (EIA) with later amendments

Turbine size (TurbineSize) rounded up to the nearest nominal number of turbines over the tendered X MW (Bid MW) is calculated as: Installed capacity = (Bid MW/Turbine Size) and rounded up * Turbine Size. Turbine size is defined on the basis of the nameplate capacity, i.e. on the basis of the nominal MW capacity or rated power, as stated in the turbine type certificate.

If the turbine type applied has a type certificate with a rated power range, then the capacity can be calculated using the rated power from the lower end of the range.

[*Explanation and examples re. bullet 1.1.:*
If the turbine type has a type certificate with a rated power range (e.g. 10.4 – 11 MW), then the MW capacity at the lower end of the range may be chosen. However, note that the environmental impact assessment must use the turbine's output when the turbine is run in its highest MW mode.

Non-exhaustive list of examples of different tendered MW capacities and turbine sizes relative to the rule above:

Example: tender of 1,000 MW

15.3MW: 1,000MW / 15.3 MW = 65.36 turbines. Number of turbines rounded up to 66 turbines corresponding to 1,010 MW installed capacity.
12.0MW: 1,000 MW / 12 MW = 83.33 turbines. Number of turbines rounded up to 84 turbines corresponding to 1,008 MW installed capacity.
10.0MW: 1,000MW / 10 MW = 100 turbines.

Example: tender of 870MW

15.3 MW: 870 MW / 15.3 MW = 56.86 turbines. Number of turbines rounded up to 57 turbines corresponding to 872 MW installed capacity.
12.0 MW: 870 MW / 12 MW = 72.50 turbines. Number of turbines rounded up to 73 turbines corresponding to 876 MW installed capacity.
10.0 MW: 870 MW / 10 MW = 87 turbines].

1.2. The Concessionaire is to establish the offshore wind farm with associated internal collection grid up to the landfall, that is, the cables connecting the turbines offshore, if relevant, the offshore substation(s) and cables forward to the landfall (the project as described in section 2 below under "terms and conditions for EIA-approval").

Pursuant to point 1.1 and 1.2 in the Concession Agreement, the Concessionaire is furthermore obliged to establish the part of the grind connection, which is situated onshore, that is, the cabling from the landfall and forward to the onshore substation, and further forward to the point of connection.

Reference is made to annex 3.7 (draft grid connection agreement) and annex 3.8 (interfaces for the grind connection) to the Concession Agreement.

1.3. Energinet is to ensure the required expansion and reinforcement of the collective electricity supply grid from the grid connection point.

1.4. The electricity from the offshore wind farm plant is to be routed onshore to the Danish collective electricity supply grid, although with the exception of situations mentioned in section 22 of the concession agreement (utilization of wind energy for the production of other forms of energy, PtX, etc.).

1.5. The total electricity production plant must comply with the technical requirement set by Energinet.

1.6. The Concessionaire is responsible for applying for any relevant licences pursuant to other legislation. As the one-stop source pertaining to renewable energy installations, the Danish Energy Agency will provide guidance on the administrative process.

1.7. The Concessionaire must follow the regulations applicable at any time, including EU regulations that are immediately applicable.

1.8. This licence does not otherwise exempt the Concessionaire from any liability that may arise in connection with the existence of the plant. Nor does this licence contain a guarantee for the security, safety and stability of the proposed structures.

1.9. The Danish Energy Agency reserves the right to require reasonable changes to the plant for safety reasons prior to the commencement of construction.

1.10. The Concessionaire must not make substantial changes or extensions to the plant after this licence has been issued, without approval from the Danish Energy Agency.

1.11. The Concessionaire must take out insurance to cover any damage which the Concessionaire - or other persons on behalf of the Concessionaire - may cause in connection with the activities performed under this licence. Documentation for this must be presented to the Danish Energy Agency when forwarding documentation in supervision and inspection contexts, see point 3.

1.12. If the area (or parts of the area) covered by this licence is not covered by, or is exempt from, Danish sovereignty under international law (including by international agreement), then the Concessionaire must respect any resulting reduction of the area without the right to make claims against the Danish Energy Agency or the Danish state in general.

1.13. The licence does not entail any restrictions on the sovereignty of the Danish State over Danish territorial waters or the exclusive right of the Danish State to the Exclusive Economic Zone. The licence does not therefore, within the area covered by the licence, preclude other operators than the Concessionaire from being granted a licence to conduct other forms of activity than the activities covered by this licence. In this connection, the Danish Energy Agency will ensure that any such activities are not of major inconvenience to activities covered by this licence.

1.14. Large parts of the offshore wind farm are located outside the 12-nautical-mile EU customs frontier. Transport of materials to the area must therefore be notified to the customs authorities. The digital

platform Virk.dk offers a simplified procedure: "Application for making a customs declaration through an entry of data in the declarant´s records, including for the export procedure". For more information about this simplified procedure, contact Toldvejledningen on + 45 72221212.

1.15. The Concessionaire is to keep the Danish Energy Agency continuously up to date about any significant deviations from the time schedule to be submitted to the Danish Energy Agency pursuant to bullet 2.4 of the Concession Agreement.

1.16. The Concessionaire is to apply for a licence to put into operation the electricity production plant with a view to exploiting wind power pursuant to section 29 of the RE Act. This cannot take place until the construction work has been commenced and no later than two months prior to delivery of the first kWh from the first turbine to the collective grid. Production of electricity which is supplied to the collective grid must not be carried out until the licence pursuant to section 29 has been obtained. A condition for obtaining the licence pursuant to section 29 is that the Concessionaire can document in a report that all terms of this licence have been complied with, or will be complied with, see section 25 and section 29(2) of the RE Act. The report must be submitted to the Danish Energy Agency in connection with the application for a licence pursuant to section 29 of the RE Act. At the same time as this application, the Concessionaire must also apply for an authorisation to produce electricity pursuant to section 10 of the Electricity Supply Act.

1.17. This licence will expire upon issue of a licence to put into operation the electricity production plant to exploit wind power pursuant to section 29 of the RE Act.

2. Terms and conditions for EIA approval

2.1. General terms

2.1.1. The Concessionaire is responsible for ensuring that the project stays within the framework of the approved environmental impact assessment report for Thor Offshore Wind Farm dated [*date*] and the associated consultation memorandum. [Any specific conditions that the consultation memorandum or other circumstances may give rise to will be inserted here]

2.1.2. If there are changes to the project, the relevant rules applicable at any time for environmental assessment of specific projects (EIA) must be followed. Project changes or project expansions in connection with the establishment of the project which cannot be accommodated by the environmental impact assessment report dated [*date*] and this licence, and that may have substantial damaging impacts on the environment, may not be implemented without an approval from the Danish Energy Agency based on a supplementary environmental impact assessment report (EIA) or on a decision by the Danish Energy Agency that the project changes are not likely to cause substantial environmental impacts (a screening decision that an EIA is not required).

2.1.3. Establishment of cables in the coastal area must be coordinated with the Danish Coastal Authority with regard to any existing and future coastal protection in the areas in question. Routing onshore must take account of possible natural coastal erosion. This is particularly relevant for routing onshore of submarine cables in the nearshore zone.

2.1.4. When they are connected to the collective grid, the offshore wind turbines must meet the requirements for technical certification of wind turbines. These requirements entail e.g. that there is documentation that the wind turbine installation is certified, see Executive Order no. 73 of 25 January 2013 on a technical certification scheme for wind turbines with later amendments. The project certificate must be in place as soon as possible after commencement of operation and by no later than three months after all wind turbines are in operation.

2.1.5. *[If relevant, when it is connected to the collective electricity supply grid, the offshore substation(s) must meet the requirements for technical certification of the installation design (detailed design)].*

2.2. Coordinates and physical design

[The terms and conditions below are likely to be revised/supplemented as required following the Concessionaire's environmental impact assessment report on the specific project].

2.2.1. The project is to be established in the areas indicated in figure 3.2.1. below, with the coordinates provided in table 3.2.1.

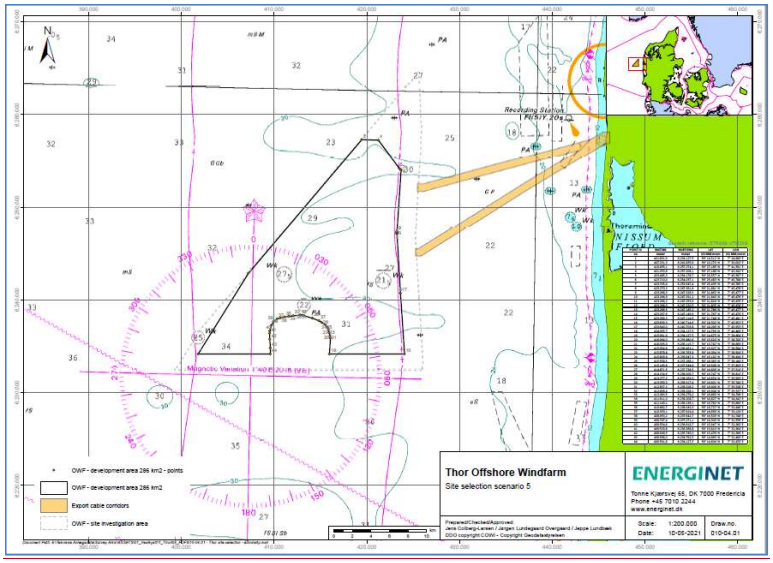
[~~At the time of publication of the tendering materials, t~~The preliminary investigation area in figure 3.2.1 below comprises ~~440km² . The area will be restricted to a~~the gross project site of no more than 286 km² ~~in connection with the preparation of the environmental report for the SEA of the plan for Thor Offshore Wind Farm~~. This area will be the Concessionaire's preliminary investigation area. ~~The figure and the coordinates in this model licence will be updated once the SEA process has been completed.~~ Within the gross project site of no more than 286 km², excluding the cable corridors, the concession winner will be granted an area in which to construct the wind turbines with a turbine density of 4.54 MW/km² (~~gross~~ project site) so that a farm of 800 MW will be granted an area of 176 km²; a farm of 900 MW will be granted an area of 198 km²; and a farm of 1,000 MW will be granted an area of ~~228~~220 km², etc. The concession winner will be free to choose the specific area within the gross project site on which to establish the wind farm.

The following nomenclature will be applied:

- ~~*Preliminary investigation area: See figure and table, 440km² for Energinet's preliminary investigations*~~
- *Project site: Area for the construction of the wind farm covering an area of between 176 km² to 220 km², determined on the basis of the wind farm's capacity of between 800 MW to 1,000 MW~~An area determined on the basis of energy density (4.54MW/km²) x capacity (interval 800-1,000MW)~~.*
- *Gross project site: ~~The project~~a site of 286km², within which the concession winner is free to optimise the project site ~~(the Concessionaire's preliminary investigation area)~~.*

The final information about the size of the project site, the coordinates and the figure will depend on the specific project for which a licence is granted on the basis of the environmental impact assessment report carried out by the Concessionaire.]

Figure 3.2.1: Gross project site ~~Preliminary investigation area~~ *[after issue of the licence for construction: Project site]* for Thor Offshore Wind Farm.



A list with coordinates for the gross project site is enclosed in sub-annex 1 to this licence.

2.2.2. The planned offshore wind farm [including offshore substation(s)], must not cover an area exceeding [xx]km^2. *[The size of the area will be determined as described above.]* The area is defined on the basis of the location of the foundations for the turbines. Calculation of this area excludes the area designated for the cable corridors for routing the internal collection grid onshore calculated from the point(s) where the cables for routing onshore leave the wind turbine array area, but including the area needed for the transformer substation. This must be confirmed in the application for a licence for construction.

2.2.3. A buffer zone will be determined around the new offshore wind farm. Until and including 20 years after the beginning of the support period on [date], the buffer zone area will be 6 km in all directions. After this time, the buffer zone area will be reduced to 4 km in all directions. Establishment of this buffer zone means that no licence will be granted for the construction of new offshore wind turbines in this area without prior consent from the Concessionaire.

2.2.4. The turbines must be white in colour (RAL no. 7035). The bottom part must be yellow, from the sea surface to a height that will be clarified with the Danish Maritime Authority prior to the detailed project plan. Furthermore, the wind turbines must be fitted with reflective numbers/letters and have a clockwise rotational direction seen from windward. Technical installations must be placed in the turbine tower, for example, so that the wind turbine appears as a homogeneous structure. A homogenous structure is to be understood as a structure which visually has a homogenous

appearance when seen from land. Furthermore, the minimum height from the bottom-most blade tip on the turbines to the sea surface (HAT) must be 20 meters.

2.2.5. Oil-free cables must be used for internal cables in order to prevent any risk of subsequent pollution, and plant must be designed with devices to collect possible oil leaks.

2.2.6. The Concessionaire must comply with the regulations set out in the Chemicals Act, see Consolidating Act no. 849 of 24 June 2014 with later amendments, and must observe the lists of harmful substances published by the Danish EPA. These lists include substances the Danish EPA recommends against using, including anti-fouling paints and biocides containing tributyltin (TBT).

2.3. Environmental considerations in connection with construction work

[The terms and conditions below will be revised/supplemented as required following the Concessionaire's environmental impact assessment report on the specific project, including possible requirements for mitigation measures in the form of bubble curtains, etc.].

2.3.1. If construction activities cause disturbance and disburse seabed sediment, e.g. in connection with excavation or sluicing, the disturbance etc. must be reduced as much as possible through the use of methods and materials which ensure best environmental practice. Actual sediment dispersion in terms of time, place and method must be agreed with the environmental authorities. It is a prerequisite that the environmental authorities can approve the actual sediment dispersion.

2.3.2. To protect marine mammals against the harmful effects of underwater noise, the following terms and conditions apply along with the terms and conditions in 2.3.6 for underwater noise in connection with the installation of foundations (pile driving):

2.3.3. The accumulated sound exposure level (SEL) from each installation sequence must not exceed a threshold value of 190 dB. When complying with this term, the Danish Energy Agency Guideline for underwater noise – Installation of impact-driven piles must be complied with. Furthermore, this procedure must be complied with both before and during the actual installation of the piles. The more detailed provisions on how to calculate the accumulated SEL and requirements for noise forecasting, control measurements, documentation and other technical matters also appear in the Guideline for underwater noise – Installation of impact-driven piles.

~~[~~*~~The guideline is being updated. The Danish Energy Agency expects to make the updated version available no later than Q4 2021.~~*~~]~~

2.3.4. At a time of the Concessionaire's choosing, however no later than two months prior to construction work, the following information must be submitted to the Danish Energy Agency:

a. An updated forecast of the source noise level and the distribution of noise from at least four piles. This must include a forecast for the four piles to be installed first. Furthermore, a forecast must be prepared for the three piles expected to cause the highest noise level. Control measurements must be performed at least in connection with installing the first four of the piles for which forecasts have been made.

b. Calculation of accumulated SEL on the basis of the forecasted source noise level. The calculation may assume that efficient use of pingers and a seal repellent system can scare off marine mammals up to 1.3km.

c. A statement of the noise abatement measures planned in accordance with the forecast and what measures have been planned as reserves in the event that the forecast underestimates the noise.

d. A programme for control measurements when installing the piles for which forecasts have been made, including how the Concessionaire will ensure compliance with the terms and conditions set out.

2.3.5. Prior to the installation of the individual foundations, marine mammals must be scared away from the vicinity using pingers and seal repellent systems.

2.3.6. The following procedure is to be complied with when installing the piles:

a. The first installation round must include between four and eight piles. Control measurements of underwater noise must be performed when installing the first four piles. If the noise distribution constants have been validated beforehand, the actual accumulated SEL can be calculated immediately after installation. If this is not the case, the noise distribution constants will have to be validated and, then, the actual accumulated SEL can be calculated. The Concessionaire must have a quality-assured value for the actual accumulated SEL, before proceeding to the next step.

b. If the actual accumulated SEL does not exceed the threshold value, installation work can proceed as planned. If, on the other hand, the actual accumulated SEL exceeds the threshold value, then the Concessionaire must take measures to identify the causes of this deviation and perform corrective measures, including adjusting the installation method. When this work has been carried out, the next pile can be installed. In this situation, control measurements of underwater noise must also be performed for this next pile, and so forth, until the threshold value is complied with or the final pile in the installation round has been installed.

c. When the first installation round including the four to eight piles has been completed, the Concessionaire must prepare a detailed report to the Danish Energy Agency about control measurements and any adjustments to the noise forecast and to the installation method. If the Concessionaire has arrived at an installation method for which control measurements and a possible adjustment of the noise forecast can document compliance with the threshold value for all piles including the piles that are expected to cause the highest level of noise, then the installation work can proceed directly to the next installation round and does not have to wait while the Danish Energy Agency processes the submitted report. In the event that the Concessionaire cannot document compliance with the threshold value through control measurements and adjustment of the noise forecast, then the Concessionaire must propose solid methods for reducing underwater noise as well as prepare a revised forecast in addition to the report. Proposals for improved methods to reduce underwater noise are to be submitted to the Danish Energy Agency for approval. The next installation round cannot be commenced until the Danish Energy Agency has approved proposals and forecasts.

2.3.7. Upon completion of the overall installation work, a detailed report on all control measurements is to be submitted as documentation to the Danish Energy Agency.

2.3.8. With regard to other construction activities, which cause underwater noise, the so-called accumulated SEL from each construction activity must not exceed a threshold value of 190 dB.

2.3.9. In order to monitor impulse noise from construction activities (pile driving, air guns, etc.), such activities must be reported to the Danish Energy Agency. Reporting must include information about the date of the noise-causing activity, the position and noise level, as well as an indication of the specific activity causing the impulse noise. [The Danish Energy Agency will develop a reporting form that can be used for reporting underwater noise. This collection of data is to help Denmark meet its obligations under the Marine Strategy Framework Directive for monitoring and assessing the environmental status of Danish marine areas.]

2.3.10. The Concessionaire must set out guidelines for transport, including fixed sea and air transport corridors in an out of the wind turbine area, which can contribute to reducing the impact of noise and other disturbances, especially with regard to marine mammals and bird populations in the area.

2.3.11. The Concessionaire must follow the regulations set out in the Marine Environment Act, see Consolidating Act no. 1165 of 25 November 2019 with later amendments, including Executive Order no. 950 of 27 June 2016 on bypass, exploitation and clapping of excavated seabed material, as well as regulations issued in pursuance of the Environmental Protection Act with later amendments, see Consolidating Act no. 1218 of 25 November 2019, including regulations in Executive Order no. 1736 of 21 December 2015 on noise from wind turbines.

2.3.12. The Concessionaire must comply with the regulations set out in the Chemicals Act, see Consolidating Act no. 115 of 26 January 2017. Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (Biocidal Products Regulation) must be complied with when choosing anti-fouling agents, including anti-fouling paint (biocides). This means that only agents containing active substances and products approved for the purpose may be used.

2.4. Defence Command Denmark, radar and UXO

2.4.1. The construction of Thor Offshore Wind Farm will have implications for Defence Command Denmark's radar and radio communications systems. In the event that the offshore wind farm leads to changes in the quality of existing radar monitoring and radio communication, which will be determined by Defence Command Denmark, the Concessionaire will have to enter into an agreement with Defence Command Denmark about the required mitigation measures, which may include anything from updating existing hardware and/or software to more extensive procurement of supplementary radars and radio communications equipment and/or software. Defence

Command Denmark will determine which measures are necessary. Such mitigation measures will be at the expense of the Concessionaire, with regard to construction, operation and maintenance, and ultimately, phasing-out/replacement, and will have no suspensory effect on the offshore wind farm project, unless the offshore wind farm could seriously impact the authority tasks performed by Defence Command Denmark.

2.4.2. The establishment of any mitigation measures is to be based on the analyses of the possible impacts of the offshore wind farm project on the radar coverage and radio communication of Defence Command Denmark which, in consultation with Defence Command Denmark, the Danish Energy Agency has had prepared by a third party. The analysis work was based on the guidelines described in the EUROCONTROL Guidelines on How to Assess the Potential Impact of Wind Turbines on Surveillance Sensors. The analysis results subsequently formed the basis for determining Defence Command Denmark's initial need for mitigation measures and the associated estimated worst-case-scenario costs. Defence Command Denmark will be able to make a final decision on the required mitigation measures when the Concessionaire has decided on the design of the offshore wind farm (turbine type, turbine density and array). Therefore, the Concessionaire is responsible for keeping Defence Command Denmark up to date on progress in the project, as the Concessionaire's project and milestone plan for establishment of the offshore wind farm will determine the above.

2.4.3. Defence Command Denmark may moreover initiate temporary mitigation measures necessary to maintain the quality of the current radar surveillance until the necessary, permanent mitigation measures have been established and put into operation. Temporary mitigation measures will also be at the expense of the Concessionaire, if Defence Command Denmark so decides, and will have no suspensory effect on the offshore wind farm project, unless the offshore wind farm could seriously impact the authority tasks performed by Defence Command Denmark.

2.4.4. Defence Command Denmark may request that its requirement for temporary and permanent mitigation measures be registered as a restrictive covenant on the offshore wind farm.

2.4.5. If any UXO (potentially unexploded ordnance) is identified in the area, all work must be temporarily stopped immediately and Defence Command Denmark must be notified via the Joint Operations Centre (JOC), see section 14 of Executive Order no. 1351 of 29 November 2013 on safety of navigation in connection with construction work and other activities etc. in Danish waters. In connection with UXO, the following contact information for the Joint Operations Centre (JOC) should be used:

Name:	Telephone:	email:
Officer on duty:	+45 728 50380	FKO-KTP-NMOC-VO@mil.dk
Maritime Assistance Service:	+45 728 50371	mas@sok.dk
Head of on-duty team:	+45 728 50332	
Reception:	+45 728 12300	

Defence Command Denmark will be responsible for destroying explosive items. The Concessionaire is to cover the expenses of Defence Command Denmark in connection with this destruction.

2.4.6. In connection with preliminary investigations, the Concessionaire has completed UXO surveys. If, during cabling, turbine siting and other construction work there are areas that are not covered by the above UXO surveys, additional UXO surveys must be completed before work is commenced.

The results of the UXO survey must be submitted to Defence Command Denmark with an indication of what has been found, position (geographic coordinates expressed using decimal degrees (DD) and degrees minutes seconds (DMS) (XX0 XX.XXXX' N, XX0 XX.XXXX' E) in datum ETRS89), water or seabed depth. The results must be submitted as an independent report, the format of which is to be agreed with Defence Command Denmark. Defence Command Denmark will reply with any comments regarding objects that are to be investigated more closely.

If objects are identified that are to be exploded, a more detailed investigation must be completed with the Naval mines service (*Minørtjenesten*). The Concessionaire must make available platforms, manpower and equipment to complete this. The Naval mines service (*Minørtjenesten*) will make available personnel and equipment to remove any dangerous objects. Payment will be in accordance with relevant practice for the area.

2.5. Fisheries

[The terms and conditions below will be revised/supplemented as required following the Concessionaire's environmental impact assessment report on the specific project].

2.5.1. The Concessionaire must contact relevant commercial fishermen, including through the Danish Fishermen PO (Danmarks Fiskeriforening) and possibly other local commercial fishermen with a view to organising construction activities such that they do not affect commercial fishing more than necessary.

2.5.2. The Concessionaire must, prior to the issuing of the licence for construction, provide documentation to the Danish Energy Agency that contact has been made to the commercial fishermen operating in the area with a view to negotiating possible compensation for documented losses under the sections 76-80 of the Fisheries Act, see Consolidating Act no. 261 of 21 March 2019 with later amendments on documented losses. Queries about legislation pertaining to fisheries may be addressed to the Danish Fisheries Agency.

2.5.3. The Danish Fishermen's Association is responsible for compensation negotiations. However, there is no confirmation that the Danish Fishermen's Association represents all commercial fishermen. Possible compensation includes the offshore wind farm and the internal collection grid. If a compensation sum is determined, the sum must be paid by the Concessionaire.

2.5.4. The issue of compensation for nuisance to fisheries during the construction phase and for permanent losses, and the size of the possible compensation, should as far as possible be settled before the construction phase.

2.6. Cultural heritage

[The terms and conditions below will be revised/supplemented as required following the Concessionaire's environmental impact assessment report on the specific project].

2.6.1. Work must be suspended immediately if protected heritage remains are discovered, whether they be ancient monuments or historic shipwrecks, or if the Concessionaire is made aware that the construction site holds interests similar to those mentioned above, see section 29h(1) of the Museum Act, see Consolidating Act no. 358 of 8 April 2014 with later amendments. Such discoveries and information are to be notified immediately to the Agency for Culture and Palaces, possibly attn.: Kasper Sparvath, Fortidsminder, H.C. Andersens Boulevard 2, 1553 Copenhagen V, telephone +45 33 74 45 02 in connection with emergency situations.

2.7. Consideration for other offshore activities

[The terms and conditions below will be revised/supplemented as required following the Concessionaire's environmental impact assessment report on the specific project].

2.7.1. Construction work must be coordinated with the Danish Maritime Authority so that relevant information can be submitted to the shipping industry through the Danish equivalent to Notices to Mariners (*Efterretninger for Søfarende, EfS*). See Executive Order no. 1351 of 29 November 2013 on safety of navigation in connection with construction works and other activities etc. in Danish waters with regard to these works at sea and an associated assessment form, *Assessment form for assessing the safety of navigation in connection with works at sea*.

2.7.2. Siting of the individual turbine must adhere to the requirement for at least 200 meters between the turbines and the line of sight in existing radio link systems.

2.7.3. Navigation must be permitted between the turbines during the operating phase. During the construction phase, navigation will be prohibited in the work area, and any documented additional costs associated with navigation by the Danish Coastal Authority to areas where raw materials are extracted must be paid by the Concessionaire.

2.7.4. The turbine foundations must have a collision-friendly design, so as to avoid unnecessary damage to vessels in the event of a collision. The Concessionaire is responsible for providing documentation to the Danish Maritime Authority that the chosen type of foundation is safe.

2.7.5. Permanent navigational marking for the wind farm must be approved by the Danish Maritime Authority by no later than two months prior to commencement of construction activities. When

submitting documentation for use in supervision contexts, see point 4, the Concessionaire must submit documentation that the Danish Maritime Authority has approved the buoyage and marking.

2.7.6. Temporary buoyage and marking of work areas, etc. must be approved by the Danish Maritime Authority at least three months prior to commencement of the construction work.

2.7.7. During the construction phase, prohibition zones should be established to maintain order and prevent danger around the offshore wind farm. Application for this should be submitted to the Danish Maritime Authority no later than three months prior to commencement of the construction work.

2.7.8. The work and guard vessels used must comply with the regulations for equipment, crew, etc. laid down by the Danish Maritime Authority.

2.7.9. If there are plans to extract and use substantial amounts of marine raw materials, the Concessionaire must notify the Danish Environmental Protection Agency (mst@mst.dk) as early as possible in the process about expected amounts and site for extraction, see the Raw Materials Act, see Consolidating Act no. 124 of 26 January 2017 with later amendments, as well as about whether there are plans to exploit common areas, auction areas or other areas.

2.8. Beaconing and marking for turbines *[and the transformer substations]*

[*The terms and conditions below will be revised/supplemented as required following the Concessionaire's environmental impact assessment report on the specific project*].

2.8.1. The Concessionaire must follow the terms and conditions set out by the Danish Maritime Authority concerning beaconing and marking before, during and after construction, correct siting of foundations and cables, reporting of time and date of work, etc., see the annex on expected requirements from the Danish Maritime Authority for temporary work areas and temporary and permanent beaconing and marking, etc.

2.8.2. Furthermore, each offshore wind turbine must be identifiable from numbers/letters on the turbine towers. These numbers/letters must have an appropriate size (0.5-1 metre). Specific proposals must be approved by the Danish Maritime Authority along with the other navigational marking on the basis of the regulations in Executive Order no. 1351 of 29 November 2013 on navigation safety in connection with construction works and other activities etc. in Danish waters and the associated assessment form *for assessing the safety of navigation in connection with works at sea*.

2.8.3. For offshore wind turbines and maybe offshore transformer substations], see also Executive Order no. 45 of 22 January 2015 on aids to navigation in Danish and Greenland buoyage areas, etc. (the buoyage order) as well as the publications Buoyage and marking in Danish territorial waters and "IALA Recommendation 139 on the Marking of Man-Made Offshore Structures".

2.8.4. If navigation between a port and the offshore wind farm in connection with work activities crosses a sea lane, the Danish Maritime Authority may establish a navigation corridor which work vessels must use.

2.8.5. Offshore wind turbines with a height of 100 metres or more above terrain must be reported to, and approved by, the Danish Transport, Construction and Housing Authority, see section 67a of the Air Navigation Act, see Consolidating Act no. 1149 of 13 October 2017, prior to commencement. The Danish Transport, Construction and Housing Authority will then issue a certificate for the project, which contains the requirements for beaconing.

2.8.6. Beaconing must be fitted in accordance with the rules set out in Regulations for Civil Aviation (BL) 3-11, available in Danish at www.trafikstyrelsen.dk. The following standard requirements apply under BL 3-11: Wind turbines sited along the perimeter of the offshore wind farm and inside the farm proper must be marked by a permanent low-intensity red light (at least 10 candela). The light must be placed at the top of the nacelle and must be visible from all directions 360-degrees horizontally around the nacelle, which will often require fitting two lights on each nacelle. Wind turbines sited in bends and corners of the offshore wind farm perimeter must be marked by 20,000-candela white lights in the daytime and 2,000-candela red, flashing lights in the night time. Beaconing and marking for aviation may not be of nuisance to navigation at sea.

2.8.7. Where possible under Danish Transport, Construction and Housing Authority rules, less disrupting beaconing and marking are to be used, and preferably beaconing and marking controlled by radar should be used so that the visual impact is reduced when no aircraft are nearby. This is to be clarified with the Danish Transport, Construction and Housing Authority.

2.8.8. If cranes with a height of more than 1~~5~~0 m are to be used during the construction phase, these will have to be notified to, and approved by, the Danish Transport, Construction and Housing Authority before being taken into use.

2.8.9. The Concessionaire is to pay the costs of buoyage, marking and beaconing for navigation and aviation.

2.9. Environmental considerations in connection with the establishment of internal cabling etc.

2.9.1. When the cables have been established and included in the official nautical charts, a 200-metre safety zone on both sides of the subsea cables will be established pursuant to section 4 of the Danish Maritime Authority Executive Order no. 939 of 27 November 1992 on the protection of subsea cables and pipelines. This safety zone includes a ban against anchoring and against any use of gear etc. towed along the seabed. The Concessionaire must contact the Danish Maritime Authority in order to clarify the protection of subsea cables in the offshore wind farm.

2.9.2. If large rocks and boulders are removed from along the cable corridor, these are to be relocated by agreement with the Danish Environmental Protection Agency. If stones are removed and this leads

to changes in water depths, the Danish Maritime Authority and the Danish Geodata Agency must be notified about the location and water depth.

2.9.3. The Danish Maritime Authority must be notified no later than four weeks, and preferably six weeks, before cable-laying work is expected to commence. The notification must include a plan/list of coordinates of the cable corridors, a timetable and a detailed work description, describing the work vessels used, call signs, contact possibilities as well as information regarding the scope of obstacles to navigation. A proposal for possible temporary buoyage and marking during performance of the work must also be enclosed with the notification, including a proposal for possible permanent buoyage, marking or signposting for the cable corridors. On the basis of the information provided, negotiations will be instigated with the Danish Maritime Authority about how to accommodate traffic during performance of work.

2.9.4. During performance of the work, the Danish Maritime Authority must be kept continuously informed about any changes to dates and times, work methods, etc. Furthermore, on completion of work, the Danish Maritime Authority as well as the Danish Geodata Agency are to be notified that the work has been completed. Soon after this date, the same authorities are to be forwarded updated detailed drawings and information about coordinates.

2.9.5. The terms and conditions in 2.9.3 and 2.9.4 do not apply if the work is being carried out inside an area that has already been designated (marked-off) as a work area. However, information about the exact location must be provided to the Danish Geodata Agency after establishment.

2.9.6. Any later repairs to the cables must be notified to the Danish Maritime Authority pursuant to current regulations. If a repair necessitates a change in the position of a cable or depth of excavation, updated detailed drawings and position descriptions as stated above must be submitted to the Danish Maritime Authority following completion of the work.

2.9.7. In the event that cables etc. are no longer used for their original purpose, they must be removed completely from the territorial waters, unless otherwise approved by the relevant authorities.

2.10. Other environmental requirements

[Terms and conditions will be inserted below as required following the Concessionaire's environmental impact assessment report on the specific project.~~ This includes expected requirements for bird monitoring measures.~~]

2.11. Service, health and safety, emergency response, etc.

2.11.1. The Concessionaire must describe how maintenance and service of the offshore wind farm will be performed and submit this description to the Danish Energy Agency. This is to be done as part of the application to the Danish Energy Agency for authorisation to produce electricity and for the electricity production licence.

2.11.2. Before commencement of offshore construction work, the Concessionaire must establish a plan for environmental management and quality assurance for the work in question. The Concessionaire must carry out work in accordance with this plan.

2.11.3. The installation must be established in accordance with the Electrical Safety Act (Consolidating Act no. 26 of 10 January 2019 with later amendments).

2.11.4. An emergency response plan for the construction period and the operating period is to be prepared and submitted to the Danish Energy Agency no later than two months prior to commencement of construction work, see point 3.3. The emergency response plan must, as a minimum, contain a procedure for contact to, and involvement of, Defence Command Denmark in the event of collision risk involving one or several wind turbines. Furthermore, the plan must describe the procedure in connection with oil or chemical spills to the marine environment.

2.11.5. The Concessionaire must, as a class-1 installation, follow the rules stated in Executive Order no. 819 of 14 August 2019 on emergency preparedness for the electricity sector, see section 11(1), no. 1, of the Executive Order, including the rules concerning contingency planning, organisational concerns, securing the installation, operational conditions, etc. Furthermore, the Concessionaire must pay the costs of emergency contingency work.

2.11.6. The Concessionaire must, as a Category-1 enterprise, follow the rules stated in Executive Order no. 820 of 14 August 2019 on IT contingency for the electricity and natural gas sectors, see section 9(1), no. 1, of the Executive Order, including on IT contingency planning, organisational concerns, securing the installation, IT contingency incidents, etc. Furthermore, the Concessionaire must pay the costs of IT contingency work.

2.11.7. The Concessionaire must follow the guidelines and regulations stated in the Working Environment Act, see Ministry of Employment Act no. 375 of 31 March 2020 with later amendments, and associated executive orders, for example Executive Order no. 117 of 5 February 2013 on the contractor's duties, Executive Order no. 110 of 5 February 2013 on the duties etc. of project planners and consultants under the Working Environment Act, and Executive Order no. 1516 of 6 December 2010 on the design of construction sites with later amendments. Furthermore, a number of special executive orders apply, for example Executive Order no 302 of 13 May 1993 on work with code-numbered products, Executive Order no. 1793 of 28 December 2015 on work with substances and materials (chemical agents), Executive Order no. 612 of 25 June 2008 on the design of technical equipment, Executive Order no. 693 of 10 June 2013 on the design, etc., of machinery, Executive Order no. 1795 of 18 December 2015 on measures to protect workers from the risks related to exposure to carcinogenic substances and materials at work, and Executive Order no. 1109 of 15 December 1992 on the use of technical equipment with later amendments.

2.11.8. The Concessionaire must take out insurance to cover any damage, see 1.11

2.12. Dismantling and decommissioning plan, as well as guarantee

2.12.1 The Concessionaire is obliged, at its own cost, to restore the area in the territorial waters and the exclusive economic zone to its former condition, including to carry out the necessary remediation and clean up in the area, as well as to decommission and dispose completely of the electricity

production plant, including all components offshore, pursuant to a decommissioning plan approved by the Danish Energy Agency, in the event that

- The electricity production licence expires,
- The installation is not maintained or is wrecked,
- The installation is no longer used as a wind farm, or
- The terms and conditions of the electricity production licence are not fulfilled or complied with.

The Danish Energy Agency may order the Concessionaire to remove all installations, in whole or in part, according to a timetable stipulated by the Danish Energy Agency.

2.12.2 The Concessionaire must submit a plan for decommissioning the Offshore Wind Farm, i.e. the wind turbines and the associated internal cables (internal collective grid), including cables routing up to onshore point and [if relevant offshore substation(s)] in (decommissioning plan) the territorial waters and the exclusive economic zone, to the Danish Energy Agency for approval:

- by no later than two years prior to the expiry of the electricity production licence,
- two years before the time when one or more installations etc. are expected to come to the end of their useful lives,
- if the installation is not maintained or is wrecked, or
- if the terms and conditions of the electricity production licence are not fulfilled or complied with.

~~2.12.2.~~2.12.3. The decommissioning plan must contain an account of how the installations will be removed and a proposed time schedule for doing so. The Danish Energy Agency may stipulate further requirements for the contents of the plan.

In addition to a plan for physical decommissioning of the wind farm, pursuant to current EIA regulations in force, and together with the decommissioning plan, the Concessionaire must submit a detailed assessment of any environmental impacts entailed by the plan. This environmental assessment is to provide the Danish Energy Agency with a decision basis for whether an actual EIA report, an impact assessment concerning Natura 2000 sites and more detailed assessments concerning Annex IV species are to be prepared. If an EIA report, impact assessment, etc. are not required, the Danish Energy Agency will make this decision public at the same time as it grants authorisation to the applicant.

~~2.12.3.~~2.12.4. The Danish Energy Agency will submit the decommissioning plan and the environmental assessment for consultation with relevant authorities with a view to determining specific terms and conditions for decommissioning the offshore wind farm. For example, this includes terms and conditions pertaining to the safety of navigation, buoyage and marking, or environmental protection.

~~2.12.4.~~2.12.5. If removal of only part of a plant is required, this may be supplemented by a requirement that maining parts of the foundations are not exposed in connection with natural, dynamic changes in the sediment. Furthermore, it is likely that there will be requirements to use the best available technology and the best environmental practice when removing the plant.

~~2.12.5.~~2.12.6. See bullet 6.5 and 6.6. of the Concession Agreement with regard to a possible transfer to the state of parts of the facilities for transmission of power to shore, at the time of dismantling.

~~2.12.6.~~2.12.7. The Concessionaire must provide sufficient security (guarantee) for dismantling and decommissioning the offshore installation. The guarantee must be approved by the Danish Energy Agency. The guarantee must be provided by no later than 15 years after delivering of the first kWh from the first turbine connected to the grid. By no later than two years prior to the expiry of the electricity production licence or two years prior to when the plant is to be decommissioned, the Concessionaire must present a plan to the Danish Energy Agency for approval, with details of how dismantling of the plant will be carried out.

~~2.12.7.~~2.12.8. The guarantee will initially be DKK 1.6 bn. for the total offshore installations (wind turbines with associated internal collection grid, including cables routing up to onshore point [and *if relevant: offshore substation(s)],* cables) corresponding to 10% of the construction costs (CAPEX) estimated by the Danish Energy Agency in the Prior Information Notice of 31 March 2020. The Danish Energy Agency can approve a guarantee for a lower amount against documentation that the costs of decommissioning will be lower. If the actual costs of dismantling and decommissioning the plant exceed the guarantee, the Concessionaire will assume liability for this.

~~2.12.8.~~2.12.9. If the Concessionaire can document to the Danish Energy Agency no later than 14 years and 6 months after delivering the first kWh from the first turbine that the dismantling and decommissioning costs are expected to be less than DKK 1.6 bn., the Danish Energy Agency may decide to reduce this amount. The Danish Energy Agency reserves the right to order third-party verification of the assessment of the dismantling and decommissioning costs at the expense of the Concessionaire.

~~2.12.9.~~2.12.10. A guarantee of at least DKK 200 million must be provided in the form of a guarantee from a financial institution, an insurance company or similar. The financial institution, insurance company or similar that provides the guarantee must meet more detailed requirements for credit rating as laid down by the Danish Energy Agency well in advance of the deadline for providing the guarantee . The remaining part of the guarantee can be provided in the form of a parent company guarantee. In this case, the guarantee must cover all potential costs associated with the clean-up obligation.~~.~~ In order for the Danish Energy Agency to accept a parent-company guarantee for the remainder of the guarantee, the parent company must have the necessary financial capacity and this will be assessed by the Danish Energy Agency. Every five years, the parent company must also submit new documentation for the financial capacity of the company to the Danish Energy Agency so that the Danish Energy Agency may continuously ensure that the financial capacity is in place. However, the Concessionaire will be liable to cover all expenditures associated with the clean up, regardless of whether these exceed the guarantee provided.

3. Supervision and inspection

3.1. The Danish Energy Agency will carry out supervision of compliance with the terms and conditions of the licence pursuant to the provisions of the RE Act, as well as of emergency preparedness and IT security. The Danish Energy Agency will coordinate this supervision work with relevant authorities as required.

3.2. For use in the Danish Energy Agency's supervision work, no later than four weeks after having obtained this licence, the Concessionaire must submit an updated overall time schedule, see point 2 of the Concession Agreement, indicating:

a. How the Concessionaire will organise work so that the entire offshore wind farm is connected to the collective electricity supply grid by not later than 31 December 2027.
b. Suggested dates for status meetings with the Danish Energy Agency, for status reporting, etc.
c. Milestones for collaboration with Energinet with respect to the onshore part of the internal collection grid.
d. The date for the supply of the first kWh from the first turbine to the collective electricity supply grid.
e. The date for connection of the last turbine to the collective electricity supply grid.
f. When the Concessionaire expects to forward its application for a licence to exploit the wind energy (electricity production licence) and its application for authorisation to produce electricity.

3.3. For use in the supervision work, in addition to the time schedule mentioned in point 4.2, continuously or by no later than two months prior to the planned commencement of construction work, the Concessionaire must submit documentation that the terms and conditions of this licence have been met, or will be met within the relevant deadlines. This documentation is to include the following:

a. An updated noise forecast for underwater noise, see point 3.3.4.
b. The results of the geotechnical surveys as information for the Danish Energy Agency.
c. A list of subcontractors for main components, including turbines and foundations, and main tasks in the construction work, including driving of mono piles and installation of main components.
d. Final technical specifications for the selected turbine type, including a certificate according to current regulations on certification of wind turbines where such a certificate is available.
e. Documentation that the foundations meet any requirements from the Danish Maritime Authority regarding collision-friendly design.
f. Records of the installation including an illustration of turbine siting, the internal collection grid up to the substation and coordinates for each turbine.
g. Documentation that the turbines will be constructed inside the concession area.
h. Reporting (survey report) on the presence and handling of UXO in the area.
i. Management of prehistoric monuments and archaeological findings, including a statement of release from the Danish Agency for Culture and Palaces where available.
j. Temporary and permanent buoyage and marking of the work area, the offshore wind farm, cables and turbines relative to shipping and air traffic as agreed with/approved by Danish Maritime Authority and the Danish Transport, Construction and Housing Authority, as well as guidelines for transport as agreed with the Danish Maritime Authority.
k. Clarification with the Danish Transport, Construction and Housing Authority on the possibility to implement light-reducing measures and approval of such measures, see point 2.8.7.

l. Plan for environmental management and quality assurance of work performed in connection with the project, as well as emergency response plans, see points 2.11.2 and 2.11.4.

m. A preliminary risk and vulnerability analysis (ROS) based on the Danish Energy Agency's ROS material, including ROS, IT-ROS and related guidelines and the template for the conclusion report, which can be requested from the Danish Energy Agency, as well as a draft contingency plan pursuant to the executive orders mentioned in points 2.11.5 and 2.11.6.

n. Documentation for insurances taken pursuant to point 1.11.

o. Relevant correspondence with other affected authorities documenting that the concessionaire meets the terms and conditions under this licence but which do not fall under the Danish Energy Agency's competence.

p. A signed cooperation agreement between the Concessionaire and Energinet, which confirms the main elements and time schedule in the collaboration between the parties in the construction phase.

3.4. Detailed agreements concerning terms and conditions for the installation should be discussed directly with the relevant authority on behalf of which the terms and conditions have been established.

3.5. The Danish Working Environment Authority will carry out supervision of compliance with health and safety regulations before, during and after the construction of the offshore wind farm.

3.6. The Danish Maritime Authority will carry out supervision of compliance with regulations on health and safety at sea, on floating and mobile platforms (jack-up platforms etc.), and of compliance with regulations on diving operations before, during and after construction of the offshore wind farm.

3.7. The Danish Maritime Authority will carry out supervision of compliance with requirements for navigational buoyage and marking.

3.8. The Danish Maritime Authority will approve and monitor the establishment of, and compliance with, temporary (buoyed) work areas.

3.9. The Danish Maritime Authority will approve and carry out inspection of work and guard vessels, etc. used.

3.10. The Danish Environmental Protection Agency will carry out environmental supervision and inspection in connection with construction and operation of the offshore wind farm project and will supervise and inspect conditions relating to noise from the wind turbines, see Executive Order no. 135 of 7 February 2019 on noise from wind turbines. However, this does not apply to supervision work pertaining to underwater noise (see point 3.3.2).

3.11. Defence Command Denmark can stipulate requirements for the possibility to take oil samples from onshore installations as well as from individual offshore wind turbines.

3.12. The Concessionaire is otherwise obligated to allow any control measures the police, the customs service, the Naval Staff of Joint Defence Command Denmark, the fisheries inspection (Danish Fisheries Agency) or any other public authority may take to ensure compliance with the provisions

for the construction and operation of the offshore wind farm.

3.13. The Concessionaire must provide seaborne transportation and accommodation as well as internal transportation in the installation area in connection with inspections.

4. Direct and indirect transfer of the licence

4.1. The Concessionaire may not, without the consent of the Danish Energy Agency, transfer its rights and obligations under this licence to a third party, either directly or indirectly. Indirect transfer includes situations in which the holder of the licence (the concessionaire) is transferred, or situations in which control or controlling influence of the company changes. In this connection, the Danish Energy Agency will ensure that the required economic, financial and technical capacity is still in place. Consent will only be given if this is possible in accordance with the EU regulations on public procurement and state aid, the current RE Act, the Concession Agreement as well as all the terms and conditions set out in this licence.

4.2. The Danish Energy Agency is entitled to request from the Concessionaire any additional document deemed relevant by the Danish Energy Agency for assessment of the desired transfer.

5. Compliance with the terms and conditions of the licence

5.1. The Concessionaire is obligated to provide the Danish Energy Agency with such information as the Danish Energy Agency deems necessary for its supervision and inspection work, see section 59 of the RE Act. The Danish Energy Agency must keep commercially sensitive information confidential.

5.2. The Danish Energy Agency may demand a fee for processing, supervision and inspection work associated with this licence, see Executive Order no. 751 of 29 May 2020 with later amendments on payment for authority processing by the Danish Energy Agency.

5.3. The licence granted may be revoked, if terms and conditions of the licence are not fulfilled.

5.4. Fines may be imposed, see section 72 of the RE Act, in the event of:

- Breach of the terms and conditions of this licence,
- Failure to comply with orders or prohibitions under the RE Act, including orders to rectify an illegal matter,
- Failure to provide the information dealt with in section 59 of the RE Act, or
- Submission of incorrect or misleading information or failure to submit information upon request.

6. Reasons for the decision

6.1. Reasons for notification of EIA approval

The EIA report of [*date*] with associated addendums for Thor Offshore Wind Farm comprises an assessment of the potential impact of the offshore wind farm project on the physical/chemical, human and natural environment during the duration of the project - the construction phase, the operating phase and the decommissioning phase - as well as an assessment of the accumulated impacts of the offshore wind farm project, see part III of the Environmental Assessment Act.

[*The following paragraph will be inserted if an impact report has been prepared:*

The EIA report also includes an assessment of impacts of the offshore wind farm on international nature conservation sites and an assessment of impacts on protected species (Annex IV species) in the area, see Executive Order no. 1476 of 13 December 2010 on impact assessments concerning international nature conservation sites and protection of certain species in connection with projects on establishment, etc. of offshore electricity production plants and offshore electricity supply grids.]

[The EIA approval can be granted if the Danish Energy Agency assesses that the project, with the terms and conditions stated in the approval, does not cause unacceptable environmental impacts, and that the project can be established in accordance with national and international environmental protection provisions, including the provisions of the Habitats Directive[2] and the Birds Directive[3].]

[The Danish Energy Agency's specific reasons with regard to the environmental assessments based on the Concessionaire's environmental impact assessment report, the consultation memorandum, and any additional information, will be inserted here. The reasons will most likely cover at least the following topics: Noise from the wind turbines, their visual appearance and impact on the landscape, Natura 2000 sites, birds and marine mammals.]

6.2. Case procedure

[A summary of the specific case procedure will be inserted here]

7. Publication and access to appeal

7.1. This decision with associated information will be published on the Danish Energy Agency website pursuant to section 37(1) of the Environmental Assessment Act and section 12 of Executive Order no. 913 of 30 August 2019 on coordination of environmental assessments and digital self-service etc. for plans, programmes and specific projects covered by the Environmental Assessment Act, and will be forwarded to the affected authorities and organisations.

7.2. Pursuant to sections 66 and 67 of the RE Act, a party entitled to appeal, including associations and organisations may bring an appeal against this licence before the Danish Energy Board of Appeal, Nævnenes Hus, Toldboden 2, 8800, Viborg, Denmark, https://naevneneshus.dk/start-din-klage.

[2] Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora with later amendments
[3] Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds

The appeal must be in writing and must be submitted within four weeks after the decision to grant this licence has been announced to the public.

The licence may not be exercised prior to expiry of the deadline for appeals.

Appeals will not have suspensory effect, unless the Energy Board of Appeal decides otherwise. Decisions by the Energy Board of Appeal cannot be appealed to another administrative authority.

Sub-annex 1: Coordinates for Thor Offshore Wind Farm (gross project site, 286 km²)

POINT ID	EASTING	NORTHING	LAT	LON
no	meter	meter	DD MM.mmm	DD MM.mmm
1	401.831,9	6.234.127,5	56° 14,512' N	7° 24,960' E
2	407.231,3	6.242.835,9	56° 19,270' N	7° 30,002' E
3	419.455,1	6.257.274,1	56° 27,185' N	7° 41,591' E
4	421.253,6	6.257.208,1	56° 27,168' N	7° 43,342' E
5	423.485,3	6.254.178,7	56° 25,557' N	7° 45,567' E
6	423.710,0	6.254.037,1	56° 25,483' N	7° 45,788' E
7	423.705,4	6.253.947,4	56° 25,435' N	7° 45,785' E
8	423.270,3	6.247.361,8	56° 21,881' N	7° 45,478' E
9	423.268,3	6.247.326,5	56° 21,862' N	7° 45,477' E
10	423.266,9	6.247.291,2	56° 21,843' N	7° 45,476' E
11	423.266,2	6.247.255,9	56° 21,824' N	7° 45,476' E
12	423.266,0	6.247.220,5	56° 21,805' N	7° 45,476' E
13	423.266,5	6.247.185,2	56° 21,786' N	7° 45,477' E
14	423.267,6	6.247.149,9	56° 21,767' N	7° 45,479' E
15	423.269,3	6.247.114,6	56° 21,748' N	7° 45,481' E
16	423.639,3	6.240.714,6	56° 18,302' N	7° 45,952' E
17	423.640,0	6.240.703,8	56° 18,296' N	7° 45,953' E
18	424.055,7	6.234.127,5	56° 14,756' N	7° 46,469' E
19	415.991,9	6.234.127,5	56° 14,675' N	7° 38,664' E
20	416.064,0	6.235.880,6	56° 15,620' N	7° 38,700' E
21	416.035,9	6.236.115,7	56° 15,747' N	7° 38,669' E
22	415.954,6	6.236.452,1	56° 15,927' N	7° 38,584' E
23	415.878,8	6.236.763,8	56° 16,094' N	7° 38,504' E
24	415.809,8	6.236.947,3	56° 16,192' N	7° 38,434' E
25	415.558,5	6.237.268,1	56° 16,363' N	7° 38,184' E
26	415.169,8	6.237.544,6	56° 16,508' N	7° 37,803' E
27	414.871,5	6.237.738,5	56° 16,609' N	7° 37,510' E
28	414.154,9	6.238.009,7	56° 16,747' N	7° 36,810' E
29	413.277,2	6.238.263,0	56° 16,874' N	7° 35,955' E
30	413.059,3	6.238.317,4	56° 16,901' N	7° 35,743' E
31	412.837,2	6.238.328,2	56° 16,904' N	7° 35,528' E
32	412.836,4	6.238.328,1	56° 16,904' N	7° 35,527' E
33	412.083,5	6.238.278,2	56° 16,869' N	7° 34,798' E
34	411.611,0	6.238.208,7	56° 16,827' N	7° 34,342' E
35	411.143,1	6.238.136,1	56° 16,782' N	7° 33,890' E
36	410.682,7	6.238.043,3	56° 16,727' N	7° 33,446' E
37	410.353,1	6.237.919,4	56° 16,656' N	7° 33,129' E
38	409.953,2	6.237.642,7	56° 16,503' N	7° 32,748' E
39	409.747,4	6.237.271,1	56° 16,300' N	7° 32,556' E
40	409.554,6	6.236.619,7	56° 15,947' N	7° 32,383' E
41	409.529,8	6.236.366,8	56° 15,810' N	7° 32,364' E
42	409.549,5	6.235.745,0	56° 15,476' N	7° 32,396' E
43	409.596,0	6.234.792,5	56° 14,963' N	7° 32,460' E
44	409.591,8	6.234.127,5	56° 14,604' N	7° 32,470' E

Feltkode ændret