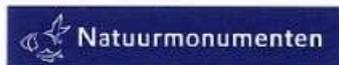


Ecology & Economy in balance

Declaration of intent

Eemshaven • 31 October 2012



DECLARATION OF INTENT

Ecology & Economy in balance

INTRODUCTION

A more attractive investment climate, the increased growth of economic activities, a healthier living environment and a richer and more varied Ems-Dollard estuary in the Ems delta: these will only be possible by means of intensive cooperation between the parties in the region.

In this declaration of intent, the Business Sector, Nature and Environmental Organisations and Government Bodies are expressing their intention to jointly achieve lasting cooperation in the areas of ecology and economy in the Ems delta. The foundations of this cooperation were laid in recent years in the 'Ecology & Economy in balance' project (see box below).

This declaration of intent completes the first phase of the project, in which shared knowledge development played an important role. This has led to a good starting point for the next phase: a clear objective based on a shared view. The process of shared knowledge development will be continued in the next phase, in order to establish joint solutions and concrete actions. This declaration of intent therefore also covers the way in which this process will be set up in the period ahead.

This declaration of intent is an important milestone which shows the progress made in the project, but at the same time it is 'just' an interim step. The parties which have signed this declaration of intent aim to sign a cooperation agreement at the end of 2013, which will form a legal basis for their further cooperation.

The Ecology & Economy in balance project

In 2009, on the initiative of the province of Groningen, the 'Ecology & Economy in balance' project came into being based on the desire to reach a new form of cooperation between the parties in and around the port and industrial estates in the Ems delta. The shared mission – achieving a healthy balance between the ecology, the living environment and the economic developments in the Ems delta – has been elaborated into targets for the year 2030¹. A distinction has been made between three separate themes: sustainable economy, rich and varied ecology and care of the environment and living environment. For each theme, projects which will bring the targets a step closer are stated. The new E&E platform will be set up to guarantee the implementation of these objectives.

¹ The 'Ecology & Economy in balance in the Ems delta' memorandum describes the shared view, see appendix 1.

PARTIES:

Interest groups:

- **Samenwerkende Bedrijven Eemsdelta (Cooperating Companies in the Ems Delta)** (see appendix 2 for the list of participating companies), legally represented in this matter by the chairman Mr C. Zijderveld.

Government bodies:

- **Groningen Seaports**, legally represented in this matter by the director Mr H.D. Post,
- **NOM**, legally represented in this matter by the Investment Promotion manager Mr S. Oosterhof,
- **N.V. Waterbedrijf Groningen (Groningen Water Authority)**, legally represented in this matter by the acting director Mr H.J.L. de Kraa.

Referred to hereafter as the '**Business Sector**'.

- **Stichting Natuur- en Milieufederatie Groningen (Groningen Federation for Nature and the Environment)**, legally represented in this matter by the director Mr S.J. van der Velde,
- **Staatsbosbeheer (State Forest Service)**, legally represented in this matter by the director Mr H. Sieben,
- **Stichting het Groninger Landschap (Groningen Landscape Foundation)**, legally represented in this matter by the director Mr M. Glastra,
- **Stichting WAD (WAD Foundation)**, legally represented in this matter by the chairman Mr L. Hofstee,
- **Vereniging tot behoud van Natuurmonumenten in Nederland (Society for the Preservation of Nature Reserves in the Netherlands)**, legally represented in this matter by the director Mr W.F.G. Alblas,
- **De Landelijke Vereniging tot Behoud van de Waddenzee (National Association for the Conservation of the Wadden Sea)**, legally represented in this matter by the director A. Berkhuisen.

Referred to hereafter as the '**Nature and Environmental Organisations**'.

- **Province of Groningen**, legally represented in this matter by Mr W. van der Ploeg, Nature, Landscape, Agriculture and Mudflats delegate for the province of Groningen,
- **Ministry of Economic Affairs, Agriculture & Innovation**, legally represented in this matter by Ms A.M. Burger, Director-General for Nature and the Region,
- **Rijkswaterstaat (Directorate General for Public Works and Water Management)**, legally represented in this matter by Mr Y.J. Heijnsman, director of Water and Shipping,
- **Municipality of Appingedam**, legally represented in this matter by Ms A. Usmany-Dallinga, Environment councillor for the municipality of Appingedam,
- **Municipality of Delfzijl**, legally represented in this matter by Mr E.A. Groot, mayor of the municipality of Delfzijl,
- **Municipality of Eemsum**, legally represented in this matter by Mr J. Dobma, Spatial Development and Finance councillor for the municipality of Eemsum,
- **Municipality of Loppersum**, legally represented in this matter by Mr H.J. Stoel, Finance and Management of Public Spaces councillor for the municipality of Loppersum,
- **Municipality of Oldambt**, legally represented in this matter by Ms H.G. van den Aker, deputy mayor of the municipality of Oldambt,
- **Waterschap Hunze en Aa's (Hunze and Aa's Water Authority)**, legally represented in this matter by M.J. Smit, member of the administrative board of the Waterschap Hunze en Aa's,
- **Waterschap Noorderzijlvest (Noorderzijlvest Water Authority)**, legally represented in this matter by Mr H.J. Ruben, member of the administrative board of the Waterschap Noorderzijlvest.

Referred to hereafter as the '**Government Bodies**'.

Jointly referred to hereafter as the '**Parties**'.

TAKING INTO CONSIDERATION THE FACT THAT:

- The parties agree that the Ems delta is a special region with a strong growth potential for the industrial development of the port and industrial estates in the Ems delta², which are inextricably linked with the vulnerable nature reserves Werelderfoed Waddenzee and the Ems-Dollard estuary [see appendix 3].
- The parties also acknowledge that the region is important for food production in the Northern Netherlands.
- There is a shared **ambition** to foster the economic growth of the Ems delta region while simultaneously improving the ecology, environment and living environment.
- The parties have therefore entered into a **dialogue** which focuses on regional interests and have a significant need to continue this dialogue in a **structured** way in the future in order to further optimise permit procedures and to improve the Ems-Dollard estuary, the environmental quality and the living environment.
- In a process of shared knowledge development, the parties have reached a shared view of the balanced development of the region, by means of mutual cooperation and making the most of the opportunities available. The 'Ecology & Economy in balance in the Ems delta' memorandum which describes this view is attached to this declaration of intent as appendix 1. This memorandum forms a building block for the Development Vision for the Ems Delta.
- The parties are committed to the further elaboration of this view and the subsequent conclusion of a **cooperation agreement**.

EXPRESS THE INTENTION:

To jointly dedicate themselves to the four goals which the parties wish to achieve, namely:

- achieving further growth in the economic activities, whereby sustainability is implemented as optimally as possible;
- creating a better ecological system in the Ems-Dollard estuary;
- improving the quality of the environment and the living environment;
- creating a more attractive investment climate for companies.

Here, the dialogue between the Business Sector, Nature and Environmental Organisations and Government Bodies is an important instrument for reaching agreements.

Art 1. Joint efforts by the parties

- The parties will further elaborate this declaration of intent into a cooperation agreement. The parties aim to sign the cooperation agreement by the end of 2013 at the latest.
- The parties will develop the shared view, as described in the 'Ecology & Economy in balance in the Ems delta' memorandum [appendix 1], into a concrete Ecology & Economy in balance programme.
- The parties support requests to the Waddenfonds or other sources of finance for the elaboration of the above as a precursor to a multiannual programmatic approach.
- In principle, the parties will enter into a dialogue prior to any permit applications and other relevant developments which may affect (aquatic) nature and/or the living environment and the environment or the further development of companies.
- The parties will seek out opportunities to connect the business-related activities with the goals described above and to achieve them in line with these goals.
- The parties shall principally focus on dialogue with the aim (if successful) of avoiding legal proceedings.

² Oosterhorn industrial estate, Farmsumerpoort industrial estate, Fivelpoort industrial estate, the port of Eemshaven, the port of Delfzijl and the inner harbour of Farmsumer.

Art 2. A sustainable economy

- The parties share the ambition to turn the Ems delta region into one of the most sustainable regions in the Netherlands and will dedicate themselves to this ambition. The objectives, described in the Development Vision for the Ems Delta and the Green Port Vision, are endorsed by the E&E administrative platform.
- The parties share the view that investing in a combined approach to infrastructure and fleet management makes chain cooperation between companies possible and increases the future-proof nature³ of industrial estates. The parties are committed to carrying out further research into the realisation of such technical facilities and encouraging such developments.
- As a supplement to the formal acquisition and authorisation procedures, the parties shall regularly enter into new discussions⁴. These discussions, in anticipation of the cooperation agreement, will be used to discuss the acquisition strategy for the region and new developments in the area which affect the elaboration of the E&E programme, among other subjects. Representatives of the Government Bodies, Nature and Environmental Organisations and Business Sector will participate in these informal discussions. In addition, the parties will facilitate these new companies and encourage them to enter into discussions with the Nature and Environmental Organisations at an early stage and will draw their attention to the benefits of doing so.
- The parties are prepared to examine the possibility of setting up an area in which to experiment with new legislation and regulations (zones with minimal limitations by rules and regulations, umbrella permits etc.), in order to bring the goals a step closer.
- The parties agree that the Top Sector and Innovation policy could work to its best advantage in the Ems delta region. The accent on innovations in this Top Sector policy contributes to achieving a good balance between economy and ecology.

Art 3. A rich and varied ecology

- The parties have a shared view of the current ecological condition of the Ems-Dollard estuary, as described in the knowledge document which was drawn up on behalf of the *Naar een Rijke Waddenzee (Towards A Rich and Varied Wadden Sea)* programme.
- The parties are aware of the fact that the largest development task lies in Germany, but are also of the opinion that maximum efforts can be expected on the Dutch side in order to improve the estuary. This will take place by means of proper coordination with the measures on the German side, the development of an Integrated Management Plan for the Ems-Dollard estuary and the other interests in the region, including agriculture.

To this end, the E&E administrative platform is drawing up a regional strategy which consists of the following elements:

- a development schedule for measures on the Dutch side, which fits within the framework of the Integrated Management Plan for the Ems-Dollard estuary;
- a catalogue of nature improvement projects, with the principle of cocreation⁵ taking centre stage;
- creating involvement with the Integrated Management Plan for the Ems-Dollard estuary with the aim of harmonising the measures and frameworks.

The elaboration of this regional strategy will be included in the cooperation agreement.

- The provincial review framework with regional application (see article 6) which is to be developed will establish how the Nature Conservancy Act 1998 can contribute to the improvement of the Ems-Dollard estuary.

³ In this case, future-proof means that companies will exchange raw and auxiliary materials.

⁴ This involves the so-called E&E tables, described in the 'Ecology & Economy in balance in the Ems delta' memorandum, appendix 1.

⁵ The term cocreation refers to the establishment of intelligent combinations by means of which projects can be achieved faster, more efficiently and perhaps also more cheaply.

Art 4. Care of the environment and the living environment

- The parties share the view that, at the time of signing, the emissions from the region (with the exception of nitrogen) have not reached the limits set by the European and national nature and environmental legislation. The parties agree that it is necessary to prevent the emissions from the region possibly reaching the limits set by the environmental legislation in the future.
- The parties acknowledge that odour is a local sticking point and that fluoride and noise are perceived as local sticking points. A further investigation will clarify the significance to be assigned to the (perceived) sticking points of odour, fluoride and noise in the provincial environmental policy which is to be formulated. The parties endorse the aim of reducing the local environmental pressure. This aim will be given concrete shape in the provincial review framework with regional application which is to be developed (see article 6).
- The parties consider it important to keep the view as described in the first bullet point of this article up to date and clear, and will provide input for the shared annual sustainability report which is to be drawn up by EemsDeltaGreen in cooperation with several other parties. The annual emission report which is being set up under the responsibility of the Province of Groningen will form part of the annual sustainability report in the longer term.
- The parties acknowledge that the critical deposit levels of nitrogen, in respect of a number of sensitive habitat types in Natura 2000 areas near the Ems delta, are being reached. In order to prevent this restricting economic growth in the Ems delta in the future, the parties consider it desirable to reach good agreements with regard to improving the regional quality of nature and the environment. These will be elaborated in the development of the provincial review framework with regional application (see article 6). In addition, as a result of the (national) Programmatic Approach to Nitrogen (PAS), a regional nitrogen reduction plan is being developed.

Art. 5. Form of cooperation

- The parties will set up the E&E administrative platform and elect an independent chairman. No formal responsibilities will be transferred to the platform.
- The administrative platform will meet as often as required, but at least twice a year, to manage the implementation of this declaration of intent, the E&E programme and the process of working towards the cooperation agreement.
- The parties recognise the importance of coordination and process management. For this reason, a programme manager will be appointed by the administrative platform. The programme manager will have the support of the parties and will be familiar with the network. He/she will be able to mobilise the right (combinations of) parties for implementation purposes.
- The platform is committed to the use of cocreation. For the implementation of the declaration of intent, the E&E programme and the process of working towards the cooperation agreement, the existing work structures will be used to the greatest possible extent. For example, the EemsDeltaGreen project group will coordinate the implementation of the sustainable and green projects being carried out by the local companies. If necessary, new coalitions will be set up.
- The platform will try to achieve more intensive cooperation with Germany, based on the themes mentioned above. This will take place in a coordinated manner and in connection with other ongoing projects, particularly the Integrated Management Plan for the Ems-Dollard estuary.

Art. 6. Provincial review framework with regional application

- The province of Groningen will take the initiative, together with the other parties, to develop the regional application of the provincial nature and environmental policy into a review framework. In order to make this regional approach possible, the province will examine (amongst other things) how the space inside and outside the current nature and environmental legislation can be used in the best possible way. Coordination of the economic development will also take place.
- The E&E administrative platform will contribute to the development of the review framework by providing input and field-testing the results.

Art. 7. Financing

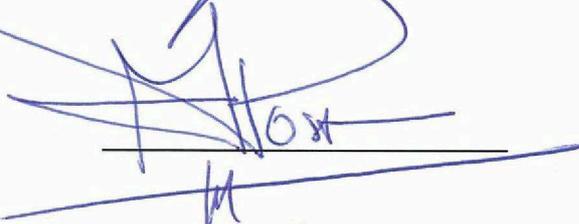
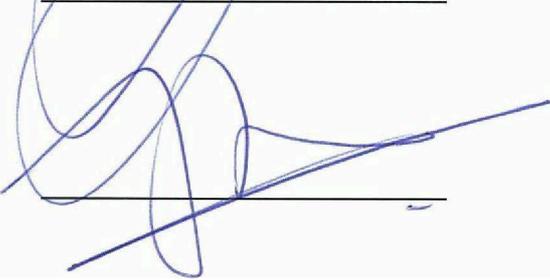
- The parties will contribute to the development of the declaration of intent into a cooperation agreement in different ways and subject to conditions to be agreed in more detail: in the form of financial resources, knowledge and/or the deployment of capacity.
- The parties are committed to generating resources for the realisation of relevant nature and environmental projects by examining the possibility of:
 - creating customised financing agreements with existing and new companies, connected with the granting of permits and/or zoning plans;
 - deploying resources for compensation and mitigation in a more targeted way and combining these resources in a fund if possible;
 - preparing targeted, combined subsidy requests.

Art. 8. Term and validity

- This declaration of intent shall remain valid until the Ecology & Economy cooperation agreement has been established, at the latest by December 2013. If the Ecology & Economy administrative platform considers it necessary, the term may be extended twice by a period of six months in each case.

SIGNING

Thus agreed and signed on 31 October 2012 in Eemshaven:

Name of organisation	Representative	Signature
Samenwerkende Bedrijven Eemsdelta (SBE)	Mr C. Zijdeveld	
Groningen Seaports	Mr H.D. Post	
NOM	Mr S. Oosterhof	
N.V. Waterbedrijf Groningen	Mr H.J.L. de Kraa	

Stichting Natuur- en Milieu-
federatie Groningen

Mr S.J. van der Velde



Staatsbosbeheer

Mr H. Sieben



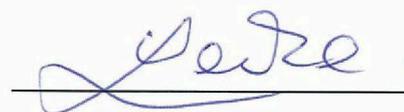
Stichting het Groninger Landschap

Mr M. Glastra



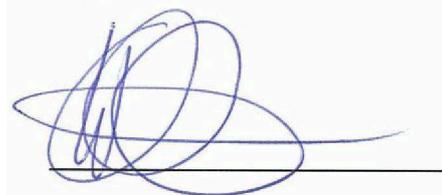
Stichting WAD

Mr L. Hofstee



Vereniging tot behoud van
Natuurmonumenten in Nederland

Mr W.F.G. Alblas



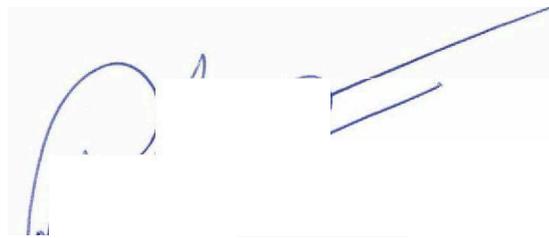
De Landelijke Vereniging tot
Behoud van de Waddenzee

Mr A. Berkhuisen



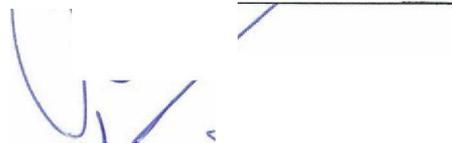
Provincie Groningen

Mr W. van der Ploeg



Ministerie van Economische Zaken,
Landbouw & innovatie

Ms A.M. Burger



Rijkswaterstaat

Mr Y.J. Heijman



Gemeente Appingedam

Ms A. Usmany-Dallinga



Gemeente Delfzijl

Mr E.A. Groot



Gemeente Eemsmond

Mr J. Dobma



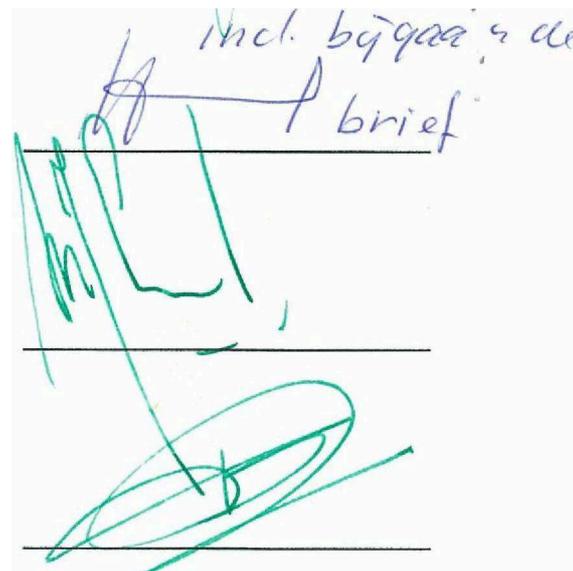
Gemeente Loppersum

Mr H.J. Stoel



Gemeente Oldambt

Ms H.G. van den Aker



Waterschap Hunze en Aa's

Mr M.J. Smit



Waterschap Noorderzijlvest

Mr H.J. Ruben



APPENDICES

1. Ecology & Economy in balance in the Ems Delta memorandum
2. List of companies represented by SBE
3. Map showing the area of validity

Harbours and Logistics

AG Ems Nederland bv
Contitank
DB Schenker Rail NL
Gebroeders Borg
Groningen Seaports
Havenbedrijf Delfzijl
Heuvelman Ibis
Kon. Niestern Sander
Kon. Wagenborg
Management Facilities Group
Ned. Loodswezen
Reym
IMS
Orange Blue Terminals
Van der Veen Bevrachting
Vopak
Wijnne Barends

Industry

Akzo Nobel Industrial Chemicals
Akzo Nobel MCA
Akzo Nobel MEB
Akzo Nobel Salt
Aluminium Delfzijl
Beton Bouw Delfzijl/Farmsum
Bollegraaf Recycling Machinery
Delamine
Dow Benelux
Draka Comteq
Dynea
Ensartech
ESD-Sic
FMC Industrial Chemicals
Holland Malt
KBM Master Alloys
Lafarge Gips
Lubrizol
North Refinery
PPG Industries Chemicals
Teijin Aramid
Theo Pouw Groep
Zeolyst

Energy

Bio MCN
Biovalue
Delesto
E.On Energy from Waste
Eneco
GDF SUEZ Energie NL
Heveskes Energy
KDE Energy
NAM
Nederlandse Gasunie
NUON Power Projects I B.V.
* RWE-Essent

Services (industrial)

A.Hak Noord-Oost
ABB
Actemium Engineering
Alert
Arcadis Nederland bv
Arnicon Ecoloss
BAM Civiel Noord
BHC Holding
Bioclear
BMD Advies Noord-Nederland
Chemcom B.V.
Cofely Noord
Delftechniek
Detasafe
DHV Noord-Nederland
Ecoreest
Eekels Elektrotechniek b.v.
Geertsema Staal
Grontmij
Industrie-Service B.V.
Imtech
Ingenieursbureau Nieuwhof bv
Jansen & Heuning
Joulz Projecten
JPB Industrial Services
Kampen Industrial Care
Maxgrip
MCS
North Water
PMF (Delfzijl/Eemshaven)
Royal Haskoning
RUBB Building Systems
SGS
SPIE Noord locatie Delfzijl
Stevens Engineering
Stork Technical Services
Tauw
Tebodin Netherlands B.V.
Viro Engineering
Visser Smit Hanab
Waterbedrijf

Services (commercial)

ABN AMRO Bank
Arbo Unie
Atos Origin
BMT De Beer
Beowulf
Dallinga b.v.
Eemsdeltacollege
ING bank Noord-Nederland
Noorderpoort
Parkdiensten Eemsdelta
Ommelander Ziekenhuis Groep
Rabobank Noord-Groningen
Randstad
RBO Groningen
Seaports Xperience Center
Smit Accountants
STS Automatisering
UWV Werkbedrijf

SBE

SAMENWERKENDE BEDRIJVEN EEMSDelta

PO Box 130
9930 AC Delfzijl
T 0596 - 634030

E info@sb-eemsdelta.nl
I www.sb-eemsdelta.nl

* = does not endorse the signing of the
Declaration of intent E&E in balance

Appendix 3 - Map showing the area of validity of the E&E project

