



To Espoo Points of Contact in
Estonia
Latvia
Lithuania
Poland
Germany
The Netherlands
The United Kingdom
Norway
Sweden
Finland

Landscape & Forest
J.nr. 2020-3411
Ref. TIJJE
Den 20. July 2023

Consultation of affected authorities and stakeholders in accordance with Article 6 of the SEA Protocol concerning proposed amendments to Denmark's Maritime Spatial Plan

The Espoo Convention¹ on Environmental Impact Assessment in a Transboundary Context, which has been incorporated into the Environmental Impact Assessment Directive² and the Danish Environmental Assessment Act³, requires the parties to notify and enter into consultations with affected countries and carry out transboundary environmental impact assessments.

The Danish Espoo authority hereby notifies, Estonia, Latvia, Lithuania, Poland, Germany, the Netherlands, the United Kingdom, Norway, Sweden and Finland of consultations of affected authorities and stakeholders on the scoping of the contents of the strategic environmental assessment (SEA) of the transboundary effects on the environment resulting from proposed amendments to Denmark's maritime spatial plan (MSP). Notification is given pursuant to Article 7 of the EIA Directive and Article 7 of the SEA Directive.

Description of proposed amendments to the Danish maritime spatial plan

Based on the public consultation in 2021, the draft MSP has been discussed at the political level. The negotiations resulted on 7 June 2023 in a political agreement on Denmark's MSP between the Government and all parties in Parliament (the Folketing). The agreement lays down the framework for maritime spatial planning in Denmark.

On this basis, an Executive Order on the Danish MSP will be issued no later than 30 September 2023, and a proposed amendment to the Executive Order on Denmark's maritime spatial plan in response to the public consultation, including

¹ *Convention of 25 February 1991 on Transboundary Environmental Impact Assessment*

² *Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (the EIA Directive), Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, and Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (the SEA Directive)*

³ *Consolidated Act no 973 of 25 June 2020 on environmental assessment of plans and programmes and of concrete projects*

the Espoo consultations and the political agreement on the MSP, will be published no later than this also.

Details of the content of the proposed amendments to the Danish MSP and the scoping of the SEA can be found in the “Draft strategic environmental assessment of proposed changes to Denmark’s maritime spatial plan”, which is attached to the email containing this notification.

This consultation covers the scoping of the SEA of Denmark’s MSP.

Possible transboundary impacts on the environment

The following have been identified by the Danish Maritime Authority as potential transboundary impacts: blocking of bird migration routes, displacement of seabirds and marine mammals, emissions of greenhouse gases, pollution of the sea, accidents, underwater noise, visual changes and changes to the seabed – see Table 1. This list is not necessarily exhaustive.

Transboundary effects	Receptors	Planned use
Blocking of bird migration routes	Migrating birds	Infrastructure (bridges), renewable energy
Displacement of seabirds and marine mammals	Resting seabirds and marine mammals	Renewable energy and cumulative effects with other human activities
Emissions of greenhouse gases	Climate	Shipping
Pollution of the sea	Water quality, impact on fish populations, seabirds, bottom fauna	Aquaculture
Accidents		Transport infrastructure, renewable energy, shipping corridors, protective measures for aviation
Underwater noise (seismic and pile-driving works)	Marine mammals	Renewable energy, CO ₂ storage, natural resource extraction
Visual changes	Population	Renewable energy, infrastructure (bridges/tunnels), aquaculture
Changes to the seabed	Oxygen depletion, fish populations	Renewable energy, infrastructure (bridges/tunnels), aquaculture (oyster and mussel beds)

Table 1: List of environmental factors and possible impacts across national borders

Strategic environmental assessment of the maritime spatial plan, incl. timetable

The proposed amendment of the Danish MSP is covered by the requirement to assess the impact on the environment laid down in Section 8(1) of the Danish Environmental Assessment Act (Miljøvurderingsloven)⁴. This requires an environmental report to be prepared.

Before preparing the environmental report, relevant authorities must be consulted on the scoping of the SEA. The scoping report will be sent out to Danish authorities for consultation in parallel with the consultations in neighbouring countries. The consultation of the affected neighbouring countries will be extended for 7 days beyond the Danish consultation process.

Invitation to participate in the consultation process

If you wish to participate in the strategic environmental assessment process or have any comments on the transboundary environmental impacts which are described in the attached scoping report and are to be examined in the environmental report, please send confirmation or comments to Espoo@mst.dk no later than **16 August 2023**, quoting reference-number 2020-3411.

The strategic environmental assessment of proposed amendments to Denmark's maritime spatial plan will then be drawn up, and it is expected to go out for public consultation for an 8-week period starting on 30 September 2023. When the proposed amendments to Denmark's MSP go out for public consultation, the documents sent out for consultation in our neighbouring countries will be translated into the relevant languages; however, maps will be published in Danish and English only.

When the Executive Order on amendments to the MSP is issued, appeals against the SEA may be submitted to the Danish Environment and Food Board of Appeal for a period of 4 weeks after publication.

Kind regards,

Best regards

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⁴ Consolidated Act no 1225 of 25 October 2018 on environmental assessment of plans and programmes and of specific projects