



WILD NATURE AND BIODIVERSITY JOURNAL NO. 2023-3424 REF. CAVEM 1. AUGUST 2023
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### *Legal basis*

The Espoo Convention<sup>12</sup> and accompanying protocol (SEA protocol) on Environmental Impact Assessment in a Transboundary Context which was incorporated into the Directive on assessment of the effects of projects on the environment (EIA Directive)<sup>3</sup> and the Danish Environmental Assessment Act (Miljøvurderingslov)<sup>4</sup> require the parties to notify and consult affected countries and to conduct environmental assessments in a transboundary context.

Therefore, this notification is being submitted according to Article 10 SEA protocol in connection with the Espoo procedure for affected neighbouring states prior to the public consultation on the proposal for new strategic MPAs, on the grounds of Article 7 EIA Directive.

### *Description of the plan/programme*

The Marine Strategy Framework Directive<sup>5</sup> requires EU Member States to develop marine strategies with the aim of achieving good environmental status. A marine strategy consists of three parts. The first part contains a description of good environmental status, a status assessment and environmental targets. The second part consists of a monitoring programme, and the third part consists of a programme of measures. Marine strategies are updated every seven years.

As part of preparing the programme of measures, it is proposed that new strategic MPAs be designated. The wish is to designate strategic marine areas in order to protect a number of species and habitats which are not sufficiently represented or protected by the Natura 2000 network, such as the seabed habitat type. Furthermore, these areas have been designated in order to geographically complement the existing network.

In selecting the areas, particular consideration has been given to certain seabed habitats that have been under-represented in the existing network of protected areas. Other biological parameters, such as upwelling zones and other pelagic habitats, have also been taken into account in the selection of the areas.

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<sup>1</sup> Convention of 25 February 1991 on Environmental Impact Assessment in a Transboundary Context

<sup>2</sup> Danish executive order on the protocol of 21 May 2003 on strategic environmental assessment for the Convention of 25 February 1991 on Environmental Impact Assessment in a Transboundary Context

<sup>3</sup> Directive 2011/92/EU of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment and Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment and Directive 2001/42/EC of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment

<sup>4</sup> Consolidated Act no. 973 of 25 June 2020 on environmental assessments of plans and programmes and of concrete projects

<sup>5</sup> Cf. Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)

All seabed habitats (benthic broad habitat types) within the protected areas will be protected, with the aim of helping to achieve a good environmental status. Among other things, this requires protection against physical loss and interference.

*Invitation to participate in the consultation process*

If you wish to participate in the environmental assessment process or if you have comments on the transboundary environmental impacts described in the enclosed delimitation report which should be investigated in the environmental report, you should submit your request for participation or comments to [Espoo@mst.dk](mailto:Espoo@mst.dk) no later than 10 September 2023, indicating journal no.: 2023 - 3424.