



Miljøministeriet  
Naturstyrelsen

# PROPOSAL FOR PROTECTED AREAS IN THE DANISH PART OF KATTEGAT

## ESPOO CONSULTATION

**Title:**

Proposal for  
protected areas in the Danish part of  
Kattegat

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# 1. Introduction

In order to improve the environmental conditions in Kattegat and to meet the requirements of the Marine Strategy Framework Directive for a coherent and representative network of protected marine areas, the Danish Government has assessed that it is necessary to protect areas of the soft seabed (“mud and sandy mud”) in the Danish part of Kattegat. This habitat is a widespread natural habitat in Kattegat for vulnerable species such as the common sea pen (*Pennatula phosphorea*) and slender sea pen (*Virgularia mirabilis*) as well as crustaceans such as the Haploops. These animals fare poorly in areas, which are also subject to fisheries using bottom-towed gear, extraction of raw materials and dumping of materials dredged from harbours and channels.

Therefore, the Danish Government proposes protection of six selected marine areas with a soft seabed on depths greater than 20 metres in the Danish part of Kattegat. The protection will include ban on physical impacts from bottom trawling,<sup>1</sup> extraction of raw materials and dumping of dredged material. The soft seabed and its habitats are vital to the ecosystem because they maintain biodiversity in the overall system. Protection is targeted towards some of the areas which are known to contain especially vulnerable and frail species.

The proposal will be part of the programme of measures under the Danish Marine Strategy to be prepared by 2015 and implemented in 2016. The purpose of the Marine Strategy Framework Directive is to establish a framework within which the necessary measures can be taken to achieve or maintain a good environmental status in the marine environment by 2020.

Article 13 (4) of the Marine Strategy Framework Directive states that the programme of measures shall include spatial protection measures contributing to coherent and representative networks of marine protected areas, adequately covering the diversity of the constituent ecosystems.

The proposed protected marine areas are to help achieve the overall goal of a good environmental status.

According to the EU Directive on the assessment of the effects of certain plans and programmes on the environment, the proposal for protected marine areas must be accompanied by an environmental impact assessment.

After the consultation, the Danish Minister for the Environment will take the final decision about the proposed protected areas.

Protection of the areas is expected to enter into force in 2016, following regional coordination and approval from the EU regarding fisheries measures.

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<sup>1</sup>Most likely the following categories of gear: OTB, OTT, PTB, TBN, TBS, TBS, TB, TBB, SDN, SSC, SX, SV. see EU No. 404/2011

## 2. Content of the proposal

In order to establish a coherent and representative network of protected marine areas, which adequately cover the diversity in the individual ecosystems, with due consideration for the social and economic consequences, it is proposed that six areas of the Danish part of Kattegat should be protected. The map below shows the areas (areas a-f indicated by red lines). (Refer to Annex 1 for the coordinates of the areas.)

The areas cover a total of 650 km<sup>2</sup>, corresponding to 4% of the Danish part of Kattegat. The areas also cover about 9% of the soft seabed, mostly on depths greater than 20 metres in the Danish part of Kattegat.

Protection of the areas will entail bans on most activities which physically impact the seabed, e.g. fisheries with bottom-towed gear, extraction of raw materials, and dumping of dredged seabed sediment from harbours and channels.

With regard to areas *a* and *e*, there is a partial overlap between the proposed protected areas and areas designated for offshore wind turbines. However, it is not attractive to erect wind turbines in areas with a soft seabed, and therefore it is assessed that it will be possible to reconcile the goal to protect the soft seabed with any future projects to erect wind turbines in the two areas.

Line fishing, floating trawls, pots, creels and traps will continue to be permitted. Moreover, activities which do not physically impact the seabed will continue to be permitted pursuant to the regulations applicable at any time.

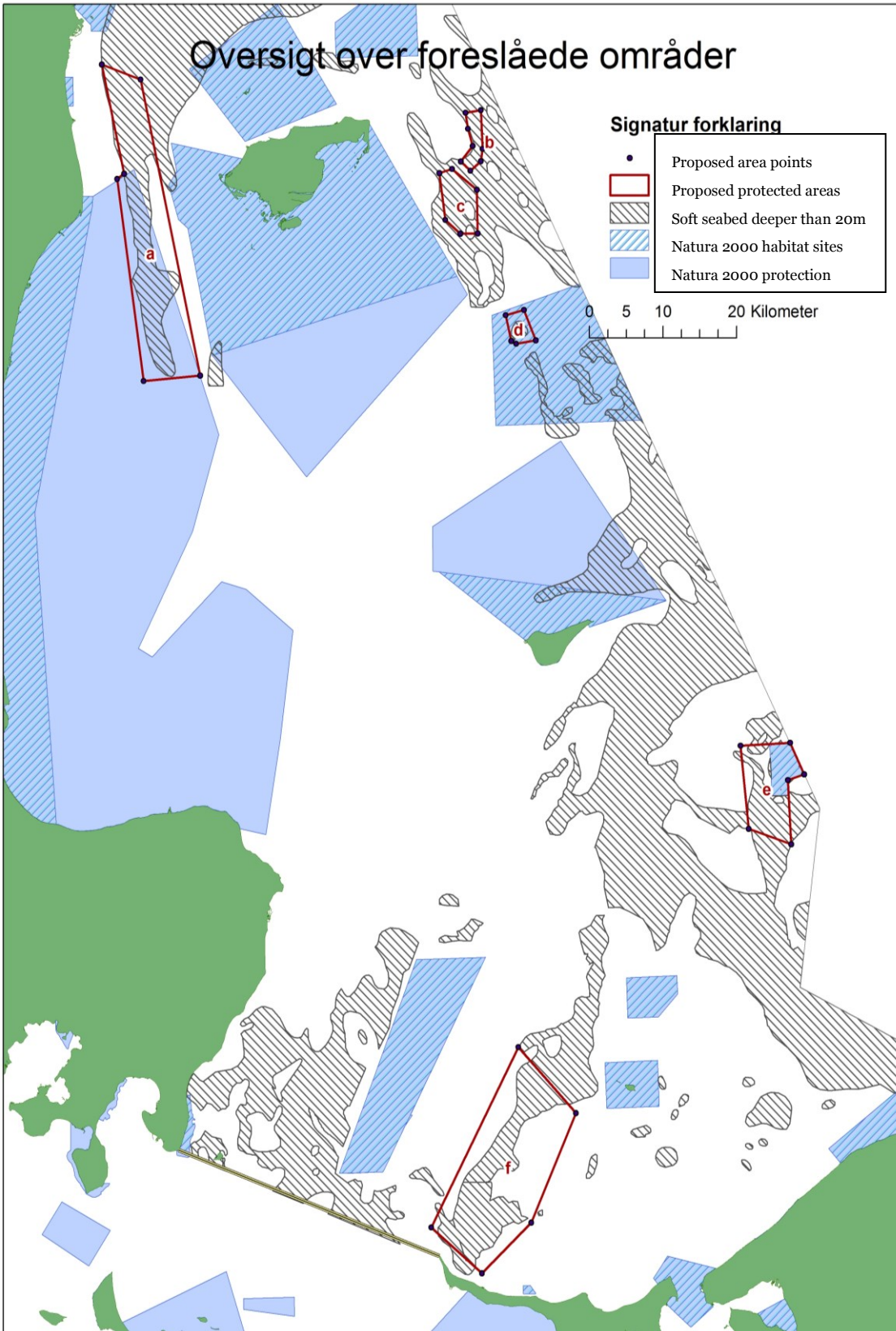
Nature restoration, such as restoration of stone reefs, may be permitted following a detailed assessment, but this should only be allowed if there was previously a stone reef at the relevant location.

# Øversigt over foreslåede områder

## Signatur forklaring

- Proposed area points
- ▭ Proposed protected areas
- ▨ Soft seabed deeper than 20m
- ▨ Natura 2000 habitat sites
- ▨ Natura 2000 protection

0 5 10 20 Kilometer



# 3. Context of the proposal

The proposal will be part of the upcoming programme of measures under the Marine Strategy Framework Directive<sup>2</sup>.

The Marine Strategy Directive was adopted by the EU in 2008 and it was implemented formally in Danish law in 2010 through the Marine Strategy Act<sup>3</sup>. The objective of the Marine Strategy Directive is to achieve or maintain good environmental status in the marine environment by no later than 2020. As part of implementation of the Marine Strategy Directive, countries must draw up a marine strategy with the following elements and deadlines:

- an initial assessment of the current environmental status, determination of good environmental status, and environmental targets for achieving good environmental status (in 2012)<sup>4,5</sup>
- a marine monitoring programme (in 2014)<sup>6</sup>
- a programme of measures, which is to be prepared by no later than 2015 and implemented in 2016.

The Marine Strategy Framework Directive states that the programme of measures is to include spatial protection measures, contributing to coherent and representative networks of marine protected areas, adequately covering the diversity of the constituent ecosystems, such as special areas of conservation pursuant to the Habitats Directive, special protection areas pursuant to the Birds Directive, and marine protected areas as agreed by the Community or Member States.

The protected areas must therefore make up a network which:

- is coherent,
- is representative, and
- adequately covers the diversity in the constituent ecosystems.

Furthermore, it is relevant to note the provisions in the Directive on:

- that the marine strategy must apply an ecosystem-based approach to the management of human activities ensuring that the collective pressure of the marine environment is kept within levels compatible with the achievement of good environmental status

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<sup>2</sup> Marine Strategy Directive: <http://naturstyrelsen.dk/media/nst/70054/HRD%202008-56.pdf>

<sup>3</sup> Marine Strategy Act (in Danish): <https://www.retsinformation.dk/Forms/RO710.aspx?id=131991>

<sup>4</sup> Initial assessment (in Danish): <http://www2.nst.dk/Download/Vandmiljø/Basisanalyse.pdf>

<sup>5</sup> Environmental targets (in Danish): [http://naturstyrelsen.dk/media/nst/66703/Havstrategi\\_miljoemaalsrapport.pdf](http://naturstyrelsen.dk/media/nst/66703/Havstrategi_miljoemaalsrapport.pdf)

<sup>6</sup> Monitoring programme (in Danish): [http://naturstyrelsen.dk/media/nst/12323931/samlet\\_overv\\_gningsprogram\\_for\\_hsd.pdf](http://naturstyrelsen.dk/media/nst/12323931/samlet_overv_gningsprogram_for_hsd.pdf)

- that the capacity of marine ecosystems to respond to human-induced changes is not compromised.
- that sustainable use of marine goods and services must be enabled.
- that the programme of measures shall give due consideration to sustainable development and, in particular, to the social and economic impacts of the measures envisaged.

It has been decided to focus on Kattegat in the first marine strategy, as there is most knowledge about this sea area. Whether to designate protected areas in the Baltic Sea and North Sea will be assessed when preparing the programme of measures for the next marine strategy period (2021). The current proposal is therefore not a basis for deciding designations in the other marine areas.

The existing network of protected marine areas in the Danish part of Kattegat comprise of Natura 2000 sites which have been designated under the EU Habitats Directive and Birds Directive. The Natura 2000 sites cover approximately 18% of the total Danish marine area. Each site is designated for a number of species and habitats, which are protected in the sites. In Denmark the designation basis at sea includes eight marine habitat types: sand banks which are slightly covered by sea water all the time, estuaries, mudflats and sandflats not covered by seawater at low tide, coastal lagoons, large shallow inlets and bays, reefs, submarine structures made by leaking gases and submerged or partially submerged sea caves as well as three marine mammal species: harbour seal, grey seal and harbour porpoise.

The deep soft seabed (more than 20 metres depth) which covers about one-quarter of the Danish part of Kattegat is not part of the Natura 2000 protection. Therefore the existing protection is not representative of the marine area as required by Article 13(4) of the Marine Strategy Framework Directive.

The initial analysis in the Danish Marine Strategy assesses that today there is not good environmental status in Kattegat. Furthermore, the deep soft seabed is a habitat which has been impacted by human activities for many years, through addition of nutrients, fishing using bottom-towed gear, etc. As mentioned above, Denmark has no existing legislation to protect species and habitats in the deep soft seabed in Kattegat. The environmental targets linked to the soft seabed will therefore not be met with existing measures.

Therefore, there is an obligation to establish protection of parts of the deep soft seabed in the Danish part of Kattegat. It has been assessed that, together with the existing Natura 2000 areas, the proposal will be adequate to meet the requirements in the Directive regarding protected areas in Kattegat.



## 4. Further process

After the consultation, the Minister for the Environment will make a final decision on designation of the protected areas in the programme of measures for the Danish Marine Strategy. The programme of measures must be published by the end of 2015 and implemented before the end of 2016.

With regard to fisheries measures in the area, there will be consultations with other relevant EU Member States in order to achieve a joint recommendation for the European Commission on implementing fisheries measures in the areas. Furthermore, pursuant to the Common Fisheries Policy, there will be consultation with the North Sea Advisory Council (North Sea AC). Fisheries measures in the areas are expected to enter into force in 2016.

# 5. Annex 1: Coordinates of the proposed areas

Area	Area (km <sup>2</sup> )	X coordinate	Y coordinate	Decimal degrees (WGS84) N	Decimal degrees (WGS84) E
<b>a</b>	242	601776,29	6321983,56	10,677	57,030
		598198,24	6347974,73	10,628	57,264
		599138,71	6348631,94	10,644	57,270
		596103,58	6362647,64	10,599	57,396
		601391,72	6360702,72	10,686	57,378
		609438,84	6322695,34	10,803	57,035
<b>b</b>	14	644845,45	6350202,92	11,402	57,272
		646462,63	6352201,11	11,430	57,289
		645815,90	6354410,62	11,421	57,309
		645495,88	6356456,06	11,417	57,328
		647572,86	6356773,56	11,451	57,330
		647824,22	6351825,84	11,453	57,285
		647599,32	6350225,11	11,448	57,271
		646153,05	6348995,91	11,423	57,261
<b>c</b>	32	642759,56	6342666,69	11,363	57,205
		641937,23	6348722,27	11,353	57,259
		643643,79	6349224,98	11,382	57,263
		647018,19	6346571,39	11,436	57,239
		647143,78	6340954,11	11,435	57,188
		644781,50	6340930,28	11,396	57,189
<b>d</b>	12	653411,24	6331106,19	11,532	57,098
		655030,12	6327240,16	11,557	57,062
		652363,56	6326765,47	11,512	57,059
		651692,47	6327171,55	11,502	57,063
		650943,83	6330455,91	11,491	57,093
<b>e</b>	76	689558,16	6275505,06	12,087	56,585
		691474,73	6271483,79	12,115	56,549
		689257,90	6270735,51	12,078	56,543
		689706,93	6262511,00	12,080	56,469
		683950,73	6264494,48	11,988	56,489
		682843,96	6275156,84	11,977	56,585
<b>f</b>	276	640863,20	6213254,42	11,261	56,044
		652692,41	6236424,47	11,464	56,248
		660506,19	6227959,53	11,585	56,170
		654428,80	6213905,57	11,479	56,045
		647754,53	6207394,08	11,369	55,989





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