

MARITIME SPATIAL PLAN

EXPLANATORY NOTES



DANISH MARITIME AUTHORITY

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EXPLANATORY NOTES

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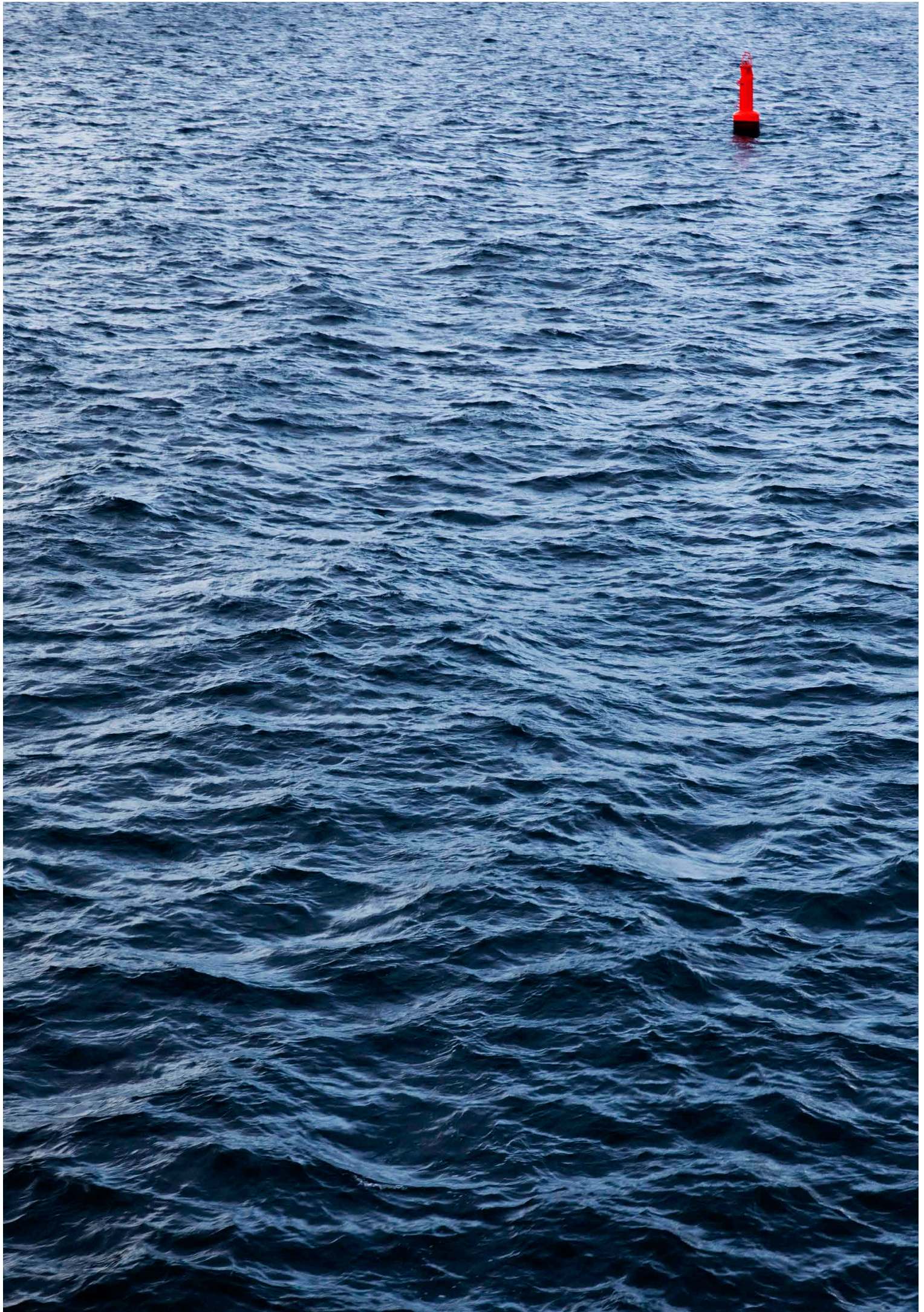
Maritime Spatial Plan Secretariat

BACKGROUND

The maritime spatial plan has been prepared by the Danish Maritime Authority under the Ministry of Trade and Industry in consultation with other affected ministries and with the involvement of coastal municipalities and relevant businesses and interest organisations.

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INTRODUCTION

The sea has always been of great importance to Denmark, both historically as a maritime and fishing nation and today, where the sea plays a crucial role for the green transition, blue bio-economy, as a source of food and for recreational activities. The demands on the sea areas have increased in step with this development, and at the same time, an increasing number of activities are moving offshore. The rising level of activity at sea requires better planning, and this is the reason why Denmark, like the rest of the EU, is making plans for the sea areas.

Denmark's first maritime spatial plan supports the objective of the Climate Act to reduce Danish CO₂ emissions by 70% by 2030, by being among Europe's most ambitious users of offshore wind energy. A significant part of the sea area is allocated for future offshore wind farms and energy islands, so that we make room for a new era in the development of renewable energy in Denmark and Europe. The energy islands must ensure that in the coming years, Denmark can electrify more parts of society, and at the same time contribute to ensuring that the electricity consumption of all Danish households and businesses is supplied by green electricity. In other words, the maritime spatial plan secures the future of the strong position of Danish industry within the green transition.

At the same time, it is important for the government to ensure a good marine environment. The maritime spatial plan therefore indicates where there are zones with protected areas. This applies to areas designated as Natura 2000 sites, marine strategy areas, nature and wildlife reserves and conservation areas. The maritime spatial plan also reflects the fact that the designation of new marine bird protection areas and new marine strategy areas has been sent for consultation. The bird protection areas shall ensure the protection of the habitats of a number of bird species, and the marine strategy areas shall help to improve protection of biodiversity in the North Sea and the Baltic Sea around Bornholm, as well

as achieving good environmental status in the sea. Overall, areas allocated in the maritime spatial plan for nature purposes cover approx. 30% of Denmark's sea area.

The vast expanses, beautiful beaches and unobstructed access to the sea are of great importance to thousands of yachtsmen, anglers, kayakers and many others, while coastal and nature tourism contributes billions of kroner in revenue to the economy. It is therefore important for the government that the Danish sea area can also be used for tourism and recreational purposes. The maritime spatial plan ensures that, in particular, many coastal areas are kept free from land allocation for new, large facilities, so that nature can continue to be enjoyed by as many people as possible.

The government also places importance on there continuing to be good conditions for those who currently have activities at sea. This includes fisheries, the mineral resource industry, maritime transport and defence activities. The Danish sea area can therefore continue to be used for these activities as before. The maritime spatial plan does not restrict commercial fishing or freedom of navigation in Denmark, which will continue to take place anywhere in Danish waters under the same conditions as before. Defence activities are exempt from the maritime spatial plan, which thus does not affect the implementation of current and future agreements in the area of defence, including training and exercises with new capabilities.

In future, the placing of the majority of the activities at sea is a political priority in the overall maritime spatial plan, which in principle applies for the next 10 years. However, the plan can be changed if the government so wishes, including as a result of directive obligations. Licenses will still have to be granted for activities at sea in accordance with existing sector legislation, including rules on nature conservation and environmental protection. The government's detailed priorities within the individual sectors are presented below.

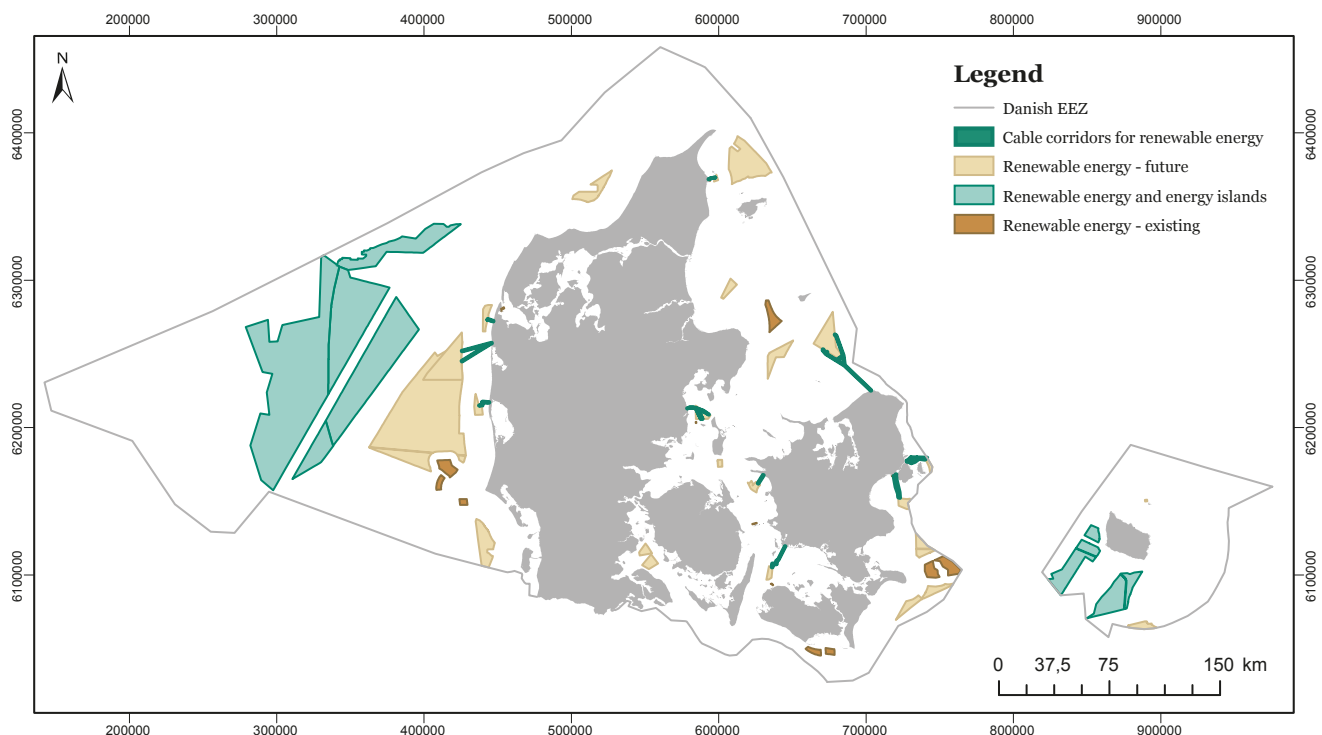
Renewable energy

The government has ambitious goals for the green transition, and the development of green technologies at sea is a key tool for achieving these goals. New large offshore wind farms and energy islands will help Denmark to comply with the Paris Agreement on the reduction of greenhouse gases and achieve the target of a 70% reduction in CO₂ in 2030 and climate neutrality in 2050. At the same time, the projects can contribute to supporting green Danish workplaces. The realisation of the first energy islands in the North Sea and on Bornholm is expected to lead to major commercial and employment potential, not least in nearby port cities.

The maritime spatial plan therefore allocates a significant part of the sea area for renewable energy, so

that there is room to establish the new offshore wind farms and the world's first energy islands. The maritime spatial plan thus sets the overall framework for a long-term development of renewable energy at sea as demand increases in the transport sector, industry and society in general.

The allocation of areas for offshore wind farms means that Denmark also supports the European Commission's strategy for renewable energy at sea. The strategy affirms the Commission's focus on offshore wind energy as a key part of Europe's green transition towards climate neutrality by 2050. The strategy also highlights Denmark as a pioneering country and emphasises the need for regional cooperation if the potential of 300 GW of offshore wind energy is to be achieved in 2050.

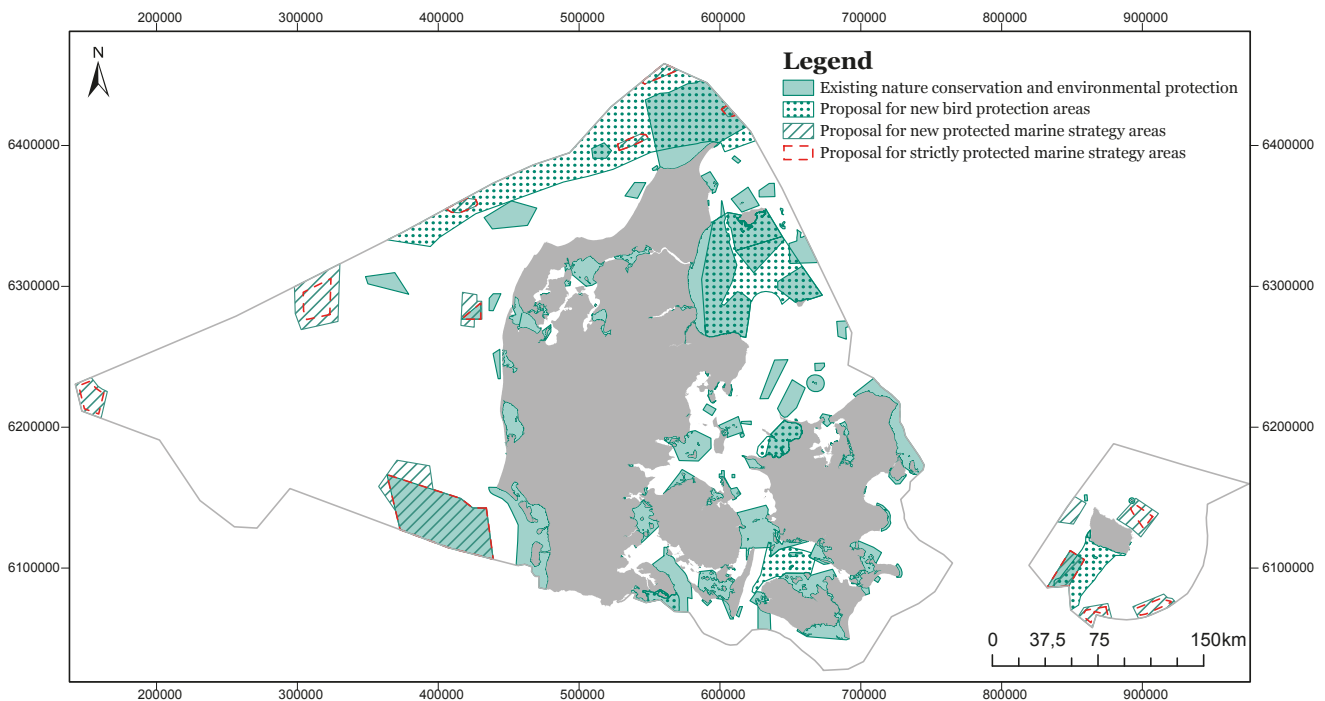


Nature conservation and environmental protection areas

We are in an international biodiversity crisis, and it is absolutely essential that Denmark takes responsibility for our commitments to take good care of nature and the environment in the sea. In parallel with the consultations on the maritime spatial plan, therefore, the government has submitted 13 new maritime conservation areas for consultation, which shall follow up on the obligations in the Marine Strategy Directive. The new conservation areas will help to preserve habitats for marine flora and fauna and restore biodiversity in Denmark's marine areas. There will be strict protection in 12 of the areas. As follow-up to directive obligations, the government has in addition sent an executive order on the designation of new bird protection areas for consultation. The purpose of these areas is to protect the birds' habitats.

With the designation of the new nature protection areas, the proportion of Danish protected sea areas will increase from approximately 19% to approximately 30% of Denmark's sea area.

With these designations, Denmark is contributing to achieving the goals of the EU's biodiversity strategy on protected and strictly protected areas, while the designations are also a significant contribution to achieving good environmental status in the Danish sea areas. A well-functioning sea is not only good for biodiversity. Protected areas safeguard well-functioning and resilient ecosystems, which can help life in the sea to better adapt to climate change. A well-functioning sea will also help to keep our climate stable.



Oil and gas activities and CO₂ storage

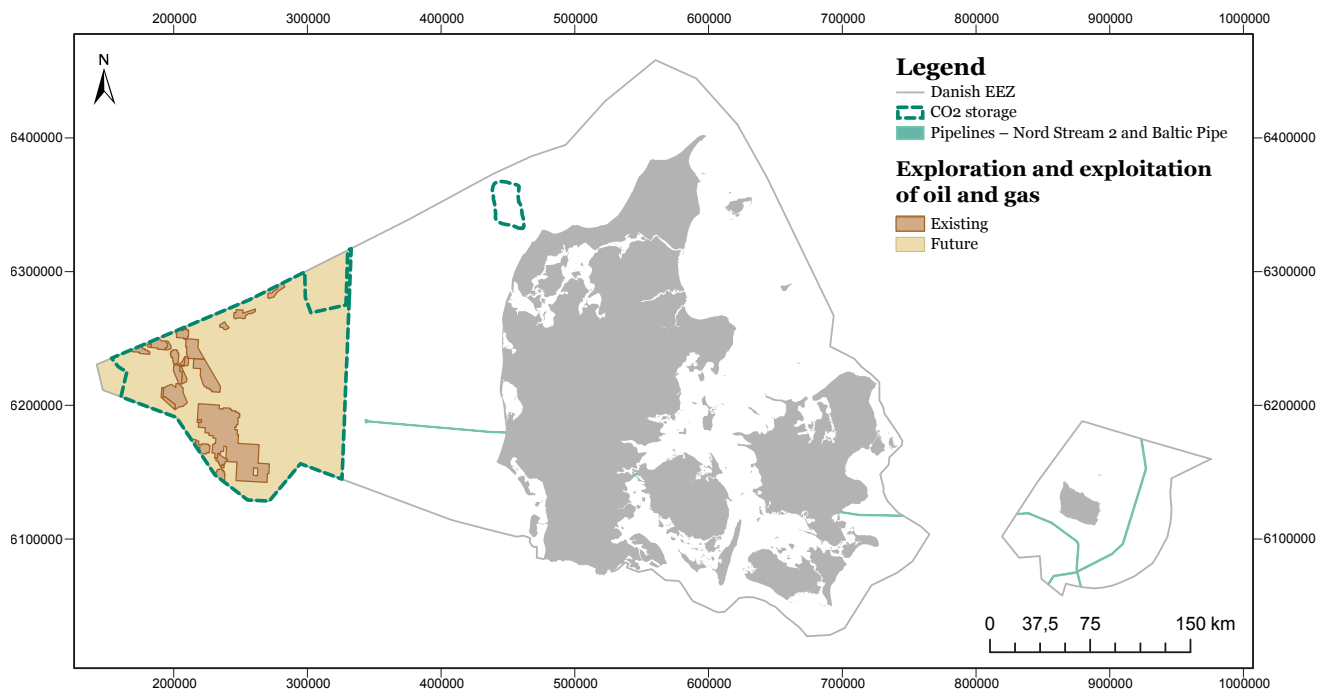
Oil and gas extraction in the North Sea has major value for society and contributes jobs, investments, tax revenue and energy supply. The maritime spatial plan continues the designation of the existing oil and gas area in the North Sea west of 6°15" east longitude, as was decided in the broad political agreement on the future of oil and gas extraction in the North Sea of 3 December 2020. The agreement means that oil and gas extraction will cease no later than in 2050, and Denmark is the largest oil producer so far to set a termination date and, at the same time, cancel all future rounds of tendering.

The UN Climate Panel emphasises that CO₂ must be removed from the atmosphere from 2050 if global warming is to be slowed down and the Paris Agreement is to be complied with. Against this background,

the government, together with a broad majority of the parties in the Folketing (parliament), has decided that there will be opportunities in future for the capture, transport and storage of CO₂ in Denmark, as long as it takes place under appropriate safety and environmental conditions.

The North Sea has major potential for storing CO₂ in the former oil and gas reservoirs and can support Denmark's green transition and the path to the 70% reduction target. The majority of the existing oil and gas area, as well as a new area around Hanstholm, is allocated for CO₂ storage.

Finally, space has been allocated for the two future transit pipelines, Nord Stream 2 and Baltic Pipe, in order to ensure that no obstructions are placed in the way of establishing the pipelines.



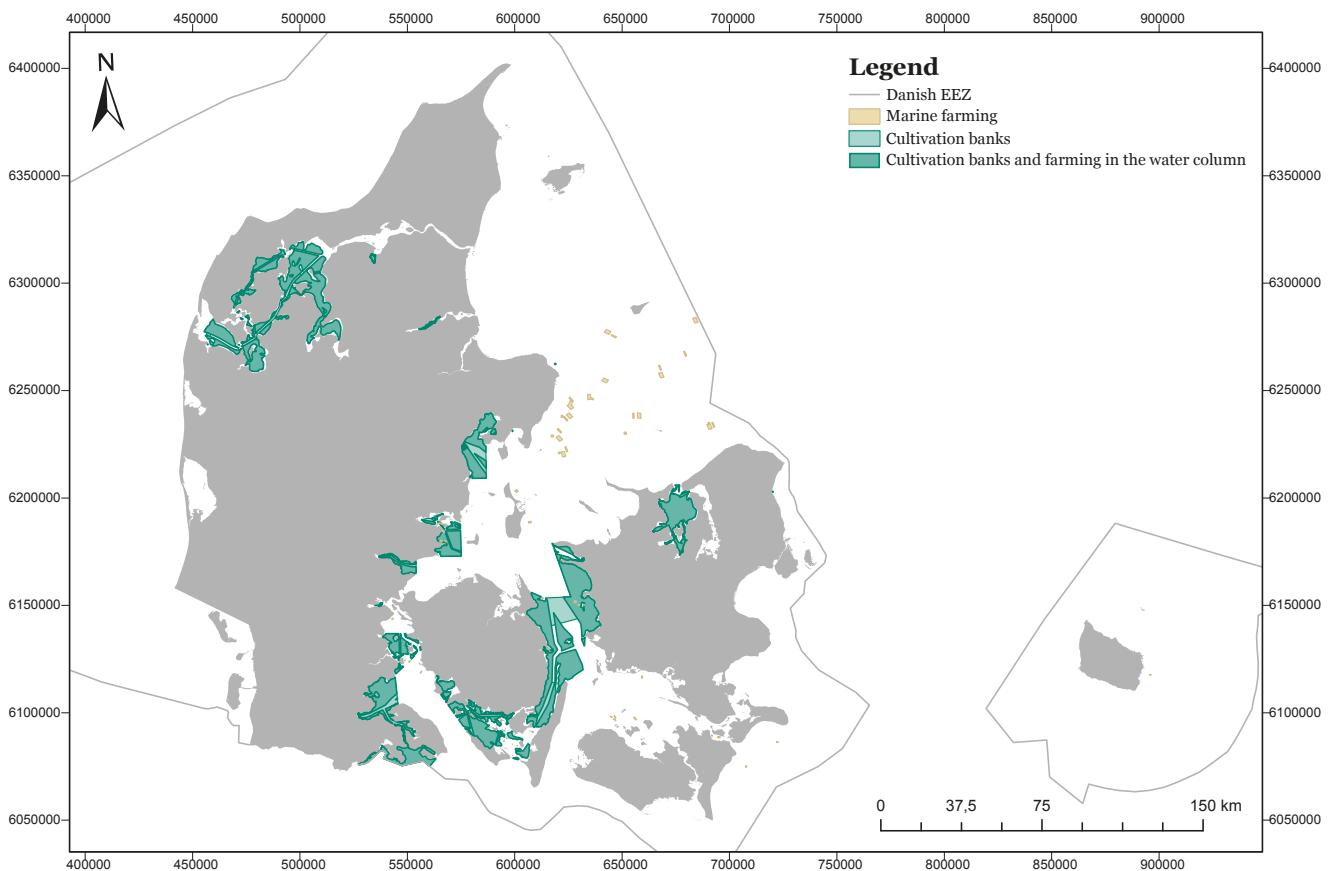
Fisheries and aquaculture

Fisheries have long been an important part of Danish society, both culturally and economically. The sea is not only an important resource that provides us with healthy food. Fisheries also contribute jobs in the coastal areas. The maritime spatial plan does not restrict fishing, and the maritime spatial plan allows fishing to continue freely in accordance with the rules that apply today. However, area-specific restrictions for fishing activities can still occur e.g. in protected areas, in accordance with other legislation. The government wants to promote careful fishing methods and will therefore provide more knowledge about the effects on the marine environment of the use of bottom trawling gear (beam trawl, demersal trawl and anchored seine net).

The government's view is that aquaculture, including fish farming, must be sustainable. The government does not want more and larger aquaculture in Den-

mark. In future, fish farming will take place to a greater extent in environmentally friendly salt and freshwater fish farms on land. Therefore, the maritime spatial plan only allocates areas for existing sea farming and currently pending applications for the establishment of sea farms, which are under official consideration.

Mussel production includes mussel and oyster cultivation banks and transplantation banks, as well as the farming of mussels and oysters in the water column. The maritime spatial plan does not plan for seaweed production, as this is a relatively new activity in Denmark and is still being developed. Seaweed production can therefore in principle take place throughout the sea area (except in the shipping corridors), but restrictions may follow from other legislation or if a licence is sought for seaweed production in a zone that is allocated for other purposes.



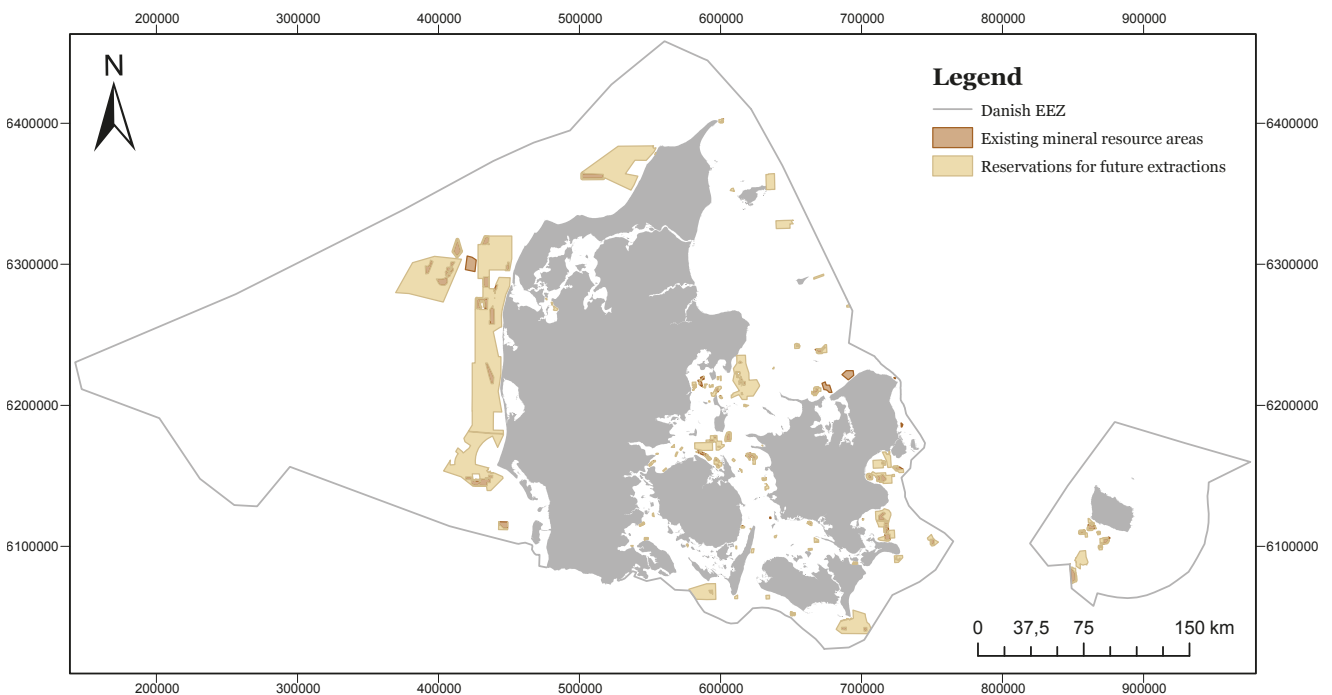
Mineral resource extraction

Urban development, new infrastructure and the need for new facilities require large quantities of mineral resources. The need for supplies of building materials increases in step with the need for new housing, coastal protection and infrastructure projects.

With the maritime spatial plan, the government wants to ensure that Denmark also has access to the necessary resources to support Danish building and construction projects in the future. Zones have therefore been allocated in the maritime spatial plan for the extraction of sand and gravel, filler sand, etc. for the supply of future coastal protection, construction, civil engineering and infrastructure projects. Mineral resource extraction at sea complements the extraction on land, which makes Denmark largely self-sufficient

in sand, gravel and stone. It is difficult to predict the need for mineral resource use in the long term, as this depends on economic conditions, implementation of major transport infrastructure projects, extraction on land and imports, etc., but Denmark must be well prepared to meet future needs.

With the maritime spatial plan, the extraction of mineral resources focuses on the places where there are currently existing mineral resource areas, in areas where mineral resource have been mapped and where other sectors are impacted as little as possible. The mineral resource areas are also allocated based on geographical considerations, so that transport is minimised as much as possible.



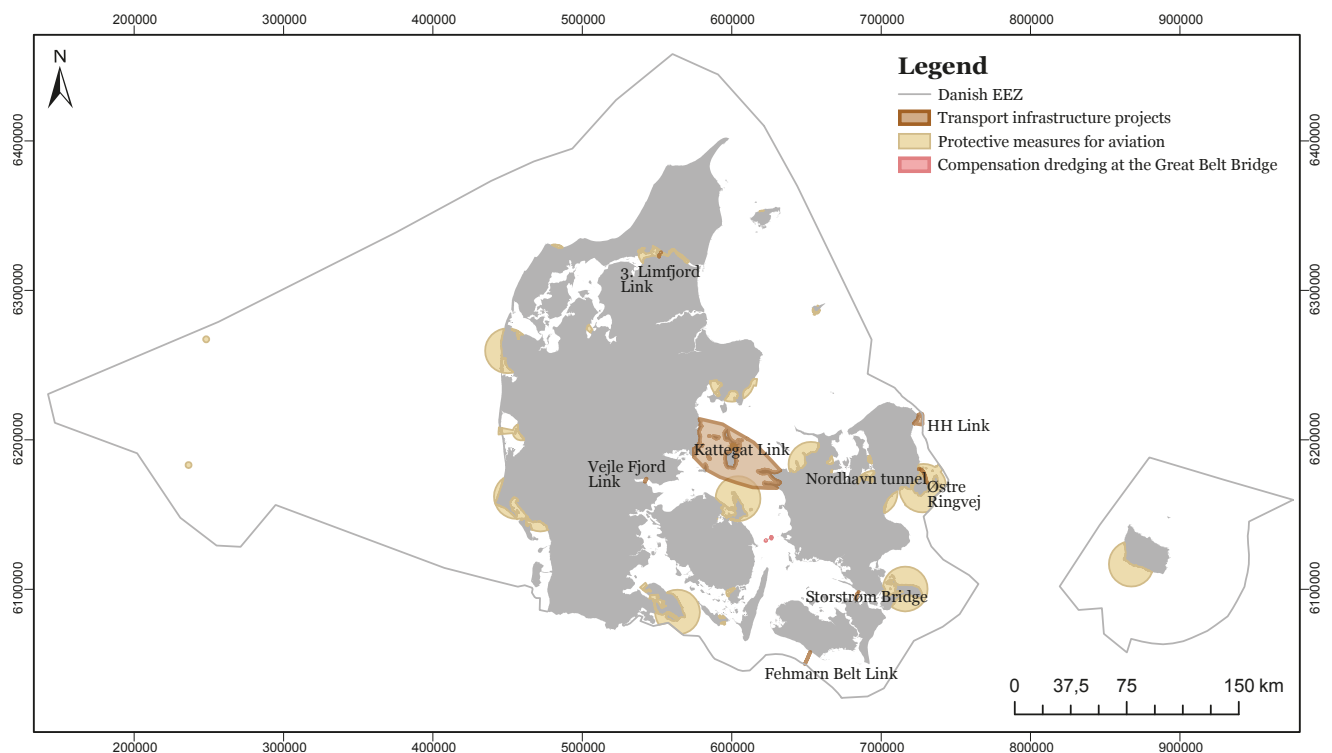
Transport infrastructure

Transport infrastructure connects the different parts of Denmark and creates a permanent connection to our neighbouring countries, Europe and the rest of the world. A well-functioning transport infrastructure across the sea thus contributes to Denmark's development and to the Danish economy. The government wants the Danish transport infrastructure to continue to be expanded and maintained so that it is coherent and adapted to the needs of the future. When allocating areas, emphasis was placed on whether the projects have been initiated, e.g. adopted through a construction act, whether feasibility studies have been commenced, funds set aside for a feasibility study or any other political decision on the project.

The maritime spatial plan's area allocations for future bridges and tunnels cannot be taken as an expression of whether the projects in question can be expected to

be realised. These are therefore only area allocations that support the possibility of a future realisation of the projects by ensuring that no other permanent facilities are established in the areas, which could obstruct or significantly increase the cost of the projects, for example as a result of expropriation of other rights. Areas are also allocated for possible future compensation dredging at the Great Belt Bridge, which is intended to ensure that the hydrographic conditions of the Baltic Sea remain unchanged throughout the life of the bridge.

Finally, areas have been allocated for current aircraft approach plans and respect distances for public airports, so that, for example, no obstructions are erected around airports that may risk affecting air safety, regularity or capacity in air traffic today or in the future.



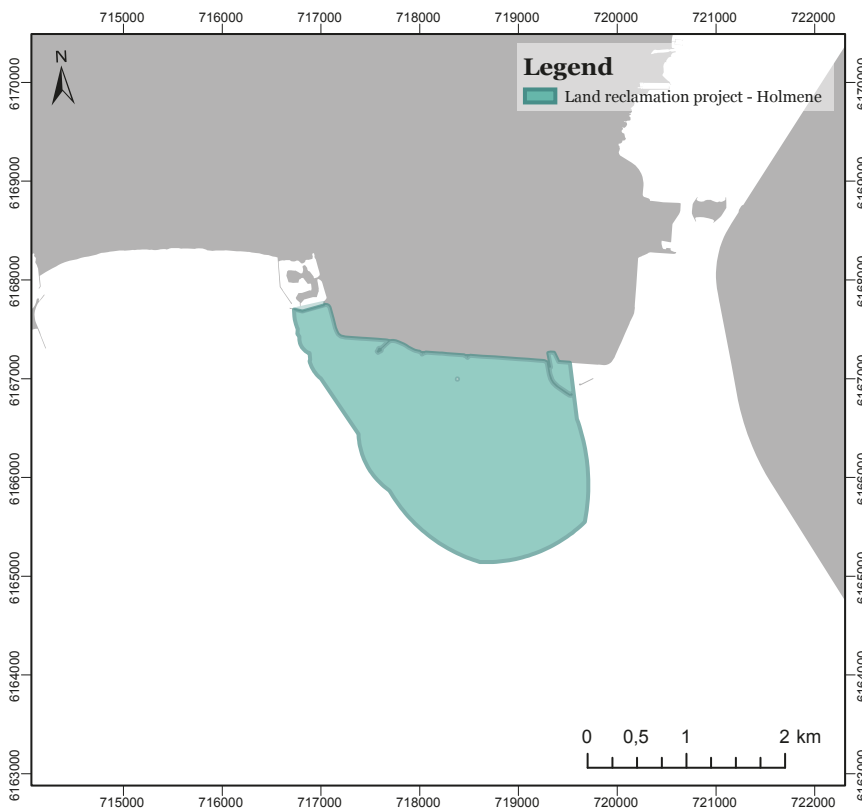
Land reclamation projects

Large land reclamation projects can have major social significance, and the maritime spatial plan can therefore exempt areas from other use if there is a land reclamation project planned that is of major importance for society.

On this basis, the maritime spatial plan sets out an area for Hvidovre municipality's land reclamation

project for up to 9 new islets as an extension of the current Avedøre Holme.

The allocation of areas for land reclamation projects does not limit the possibilities of carrying out land reclamation elsewhere in the sea, provided that it does not conflict with the sea area's other allocations.



Maritime transport

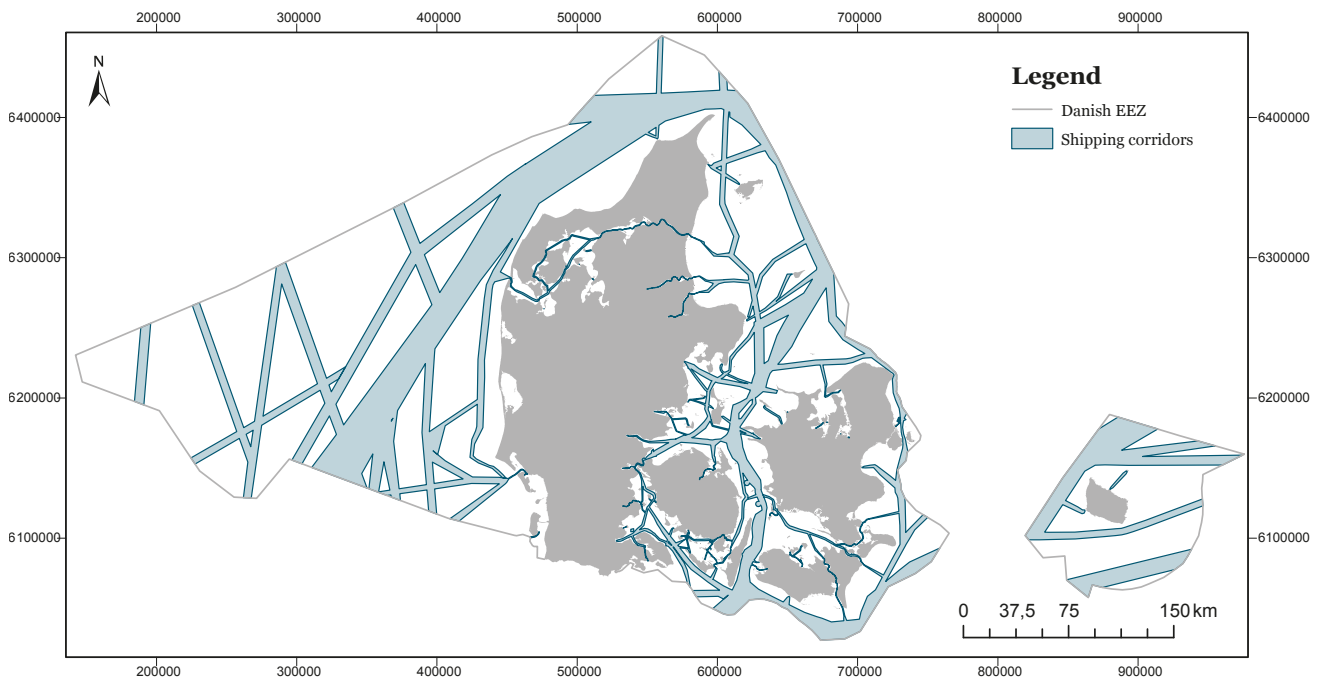
Denmark is among the world's leading maritime nations and, overall, maritime companies account for about a quarter of Denmark's total exports and 3.8% of employment in Denmark.

The Danish sea areas are of major importance to Blue Denmark and international shipping, as more than 60,000 commercial ships pass through Danish waters each year on their way to or from the Baltic Sea via the Great Belt or Øresund.

There is freedom of navigation in Denmark, but the maritime spatial plan allocates the most important shipping corridors used today, so that shipping can

continue to sail in the safest and most direct route through Danish waters. The shipping corridors are coordinated with our neighbouring countries, so that they constitute the best and most efficient routes, where the ships can use the least possible fuel and thus avoid unnecessary greenhouse gas emissions in the Danish sea areas.

Shipping corridors have also been allocated for the ferry routes to and from parts of Denmark, between the inhabited Danish islands and ports and to our neighbouring countries, which helps to enhance cohesion throughout Denmark.



Other activities

It is an important priority for the government that the Danish sea areas can continue to be used for tourism and leisure activities. The maritime spatial plan supports this by broadly exempting large coastal areas from land expropriation for new, large facilities that could have a negative effect on leisure activities. This will benefit Danish citizens and tourists who want to enjoy Denmark's beautiful nature and it is safeguarded by means of a general use zone that includes all the sea areas in the maritime spatial plan that are not allocated for specific purposes.

At the same time, it is important to emphasise that all areas set aside in the maritime spatial plan can be used as they are today until facilities are built or activities are started that restrict this use. The vast majority of the sea area can thus continue to be used as it is at present, because significantly larger areas than are intended to be used have been allocated for a number of sectors. This is partly due to the fact that further studies often have to be carried out before it can be decided whether an area can be used for the purposes for which it is allocated.



A digital maritime spatial plan

The maritime spatial plan is designed as a digital plan, which makes it easy for citizens, companies and authorities to see which areas have been allocated for which purposes, and what is the legal effect of an allocation. A digital plan also means that other information can be obtained via the maritime spatial plan,

such as where there are cultural heritage sites, defence purposes or where there is particularly intense recreational activity, and how the plans for the sea are connected with municipal plans and local plans on land.

2. BACKGROUND

Denmark's sea area is 104,632 km², which is about 2.5 times larger than Denmark's total land area. The Danish sea areas have always played a crucial role in Denmark's development. Throughout history, the sea has been the cornerstone of trade, and as a maritime nation, it was through the sea that the world was opened up for Denmark. Denmark is still a large maritime nation, but today the sea also plays an important role as a resource for recreation and, not least, in the green transition.

In recent decades, there has been an increase in the demand for the sea area and the resources found in the sea. An increasing number of activities are moving offshore. At the same time, there are increasing requirements and demands for protection of the sea.

Denmark's first maritime spatial plan focuses on the larger perspective, and it must be expected that over the years the plan will regulate in more detail, as has historically also been the case with regard to the development of plans on land.

The maritime spatial plan sets the overall planning framework for the offshore energy sector, maritime transport, transport infrastructure (e.g. bridges), fisheries and aquaculture, extraction of mineral resources at sea, land reclamation of major importance for society and for the conservation, protection and improvement of the environment.

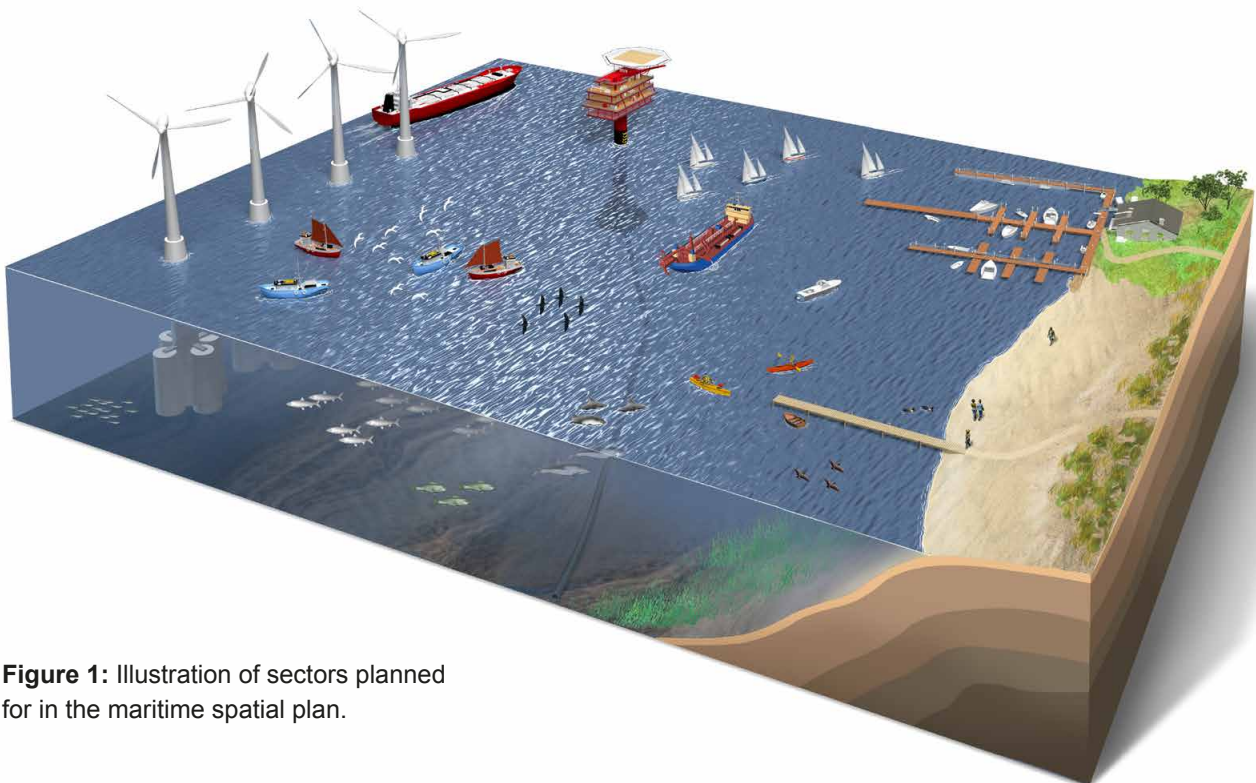


Figure 1: Illustration of sectors planned for in the maritime spatial plan.

The maritime spatial plan is binding for Danish authorities, who in future may not grant licenses or carry out planning that conflicts with the plan. The maritime spatial plan does not entitle companies or citizens to obtain a license for the activity for which an area is allocated, as this depends on the specific case processing under the sector legislation. However, the maritime spatial plan sets the framework for the government's strategic prioritisation of the use of the Danish sea area. Citizens and businesses will therefore continue to have to apply for licenses in accordance with the relevant sector legislation.

Significant areas have been set out in the maritime spatial plan that can be used for multiple purposes. It has been assessed that it is possible that multiple interests can be accommodated in these areas. Coexistence is considered to be an increasingly important instrument as the demands to use the sea areas increase, and it is often the same areas that are considered most attractive for multiple purposes.

Before an area is used for a new activity, it will be possible to continue to use it as it is used at present. The maritime spatial plan is also important for licenses for other activities at sea that are not directly planned for in the maritime spatial plan, as these licenses must not conflict with the plan. This applies, for example, to port expansions and coastal protection facilities. The many activities that take place at sea without requiring prior permission from a public authority can continue to take place after the maritime spatial plan comes into force. This applies, for example, to recreational use and tourism.

The digital design of the maritime spatial plan allows a number of additional details to be displayed about activities at sea that are not covered by the maritime spatial plan, but which help to provide a more nuanced picture of how the sea areas are used and protected. This information is presented in Chapter 4.

Stakeholders have been involved in the planning work in connection with the preparation of the maritime spatial plan. This has been achieved through dialogue with independent experts, businesses and non-gov-

ernmental organisations, as well as municipal and state authorities with maritime connections. The involvement of stakeholders has helped to increase the level of knowledge and clarify the diversity of uses of the sea.

2.1. Background for the maritime spatial plan

The framework for the maritime spatial plan is laid down in the Maritime Spatial Plan Act,¹ which implements parts of the Directive of the European Parliament and of the Council establishing a framework for maritime spatial planning.² The purpose of the directive is to contribute to the promotion of sustainable economic growth in the maritime industries, sustainable development of the sea areas and the sustainable use of marine resources using an ecosystem-based approach. The directive is also intended to promote the coexistence of various relevant activities and uses and to take account of the interaction between water and land. Finally, the directive shall also help to strengthen cross-border cooperation between EU Member States bordering the same sea areas. The maritime spatial plan is laid down in an executive order, which consists of a digital chart. The digital chart contains area allocations with both a number of general rules and area-specific rules for state and municipal authorities' ability to adopt plans or grant licenses, etc. for facilities and land uses in the Danish sea areas in accordance with other legislation. In connection with the maritime spatial plan, there are also a number of service information details that are not part of the executive order and which can be adjusted on an ongoing basis. The rules in the maritime spatial plan are binding on state and municipal authorities when they adopt plans or issue licenses, etc. for land use in the Danish sea areas. Citizens and companies are not directly bound by the maritime spatial plan, but can become so indirectly if activities or facilities at sea require a license, etc. from a public authority.

Existing facilities and uses are not affected by the maritime spatial plan. The maritime spatial plan also does not change the fact that specific projects, such as new permanent facilities, must continue to be environ-

¹ Order No 400 of 06 April 2020 of the Act on Maritime Spatial Planning.

² Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning.

mentally assessed and possibly habitat assessed in accordance with current rules, and that national, EU and other international obligations shall be complied with, including legislation and strategies or plans pursuant to the Marine Strategy Framework Directive,³ the Water Framework Directive,⁴ the Habitat Directive⁵ and the Birds Directive.⁶ The maritime spatial plan also does not affect the sovereign rights and jurisdiction of Denmark or other countries with respect to sea areas, which follow from international law, including the UN Convention on the Law of the Sea of 1982. Other relevant considerations should also be taken into account, including the Convention on Biodiversity and the underlying nature objectives, as well as the implementation of the UN Sustainable Development Goals, in particular Goal 14 on life below water. Furthermore, Denmark has obligations to ensure a good marine environment pursuant to the Helsinki Convention (HELCOM) and the OSPAR Convention.

2.2. The purpose and framework of the maritime spatial plan

The maritime spatial plan covers the entire Danish sea area, which means the territorial sea and the Exclusive Economic Zone (EEZ).⁷

Development zones have been allocated in the maritime spatial plan. These allow licenses to be granted for facilities for use in the offshore energy sector (renewable energy, oil/gas and CO₂ storage), extraction of mineral resources, transport infrastructure, land reclamation of major importance for society and aquaculture. This means that the maritime spatial plan thereby exempts other parts of the sea areas from activities such as these. For some of these activities, more or significantly larger areas are allocated than the area that is ultimately expected to be used for the activity in question.

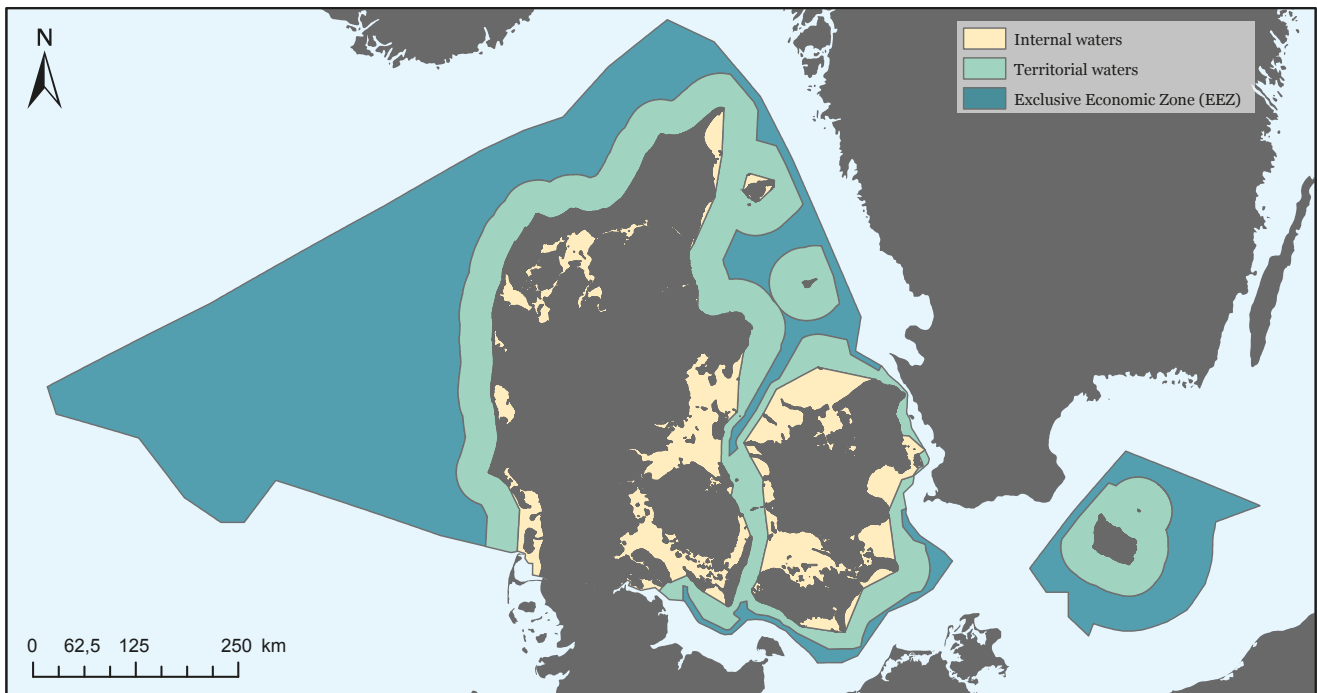


Figure 2: Chart of maritime boundaries

³ 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.

⁴ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for community action in the field of water policy.

⁵ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

⁶ Council Directive 79/409 of 2 April 1979 on the conservation of wild birds, as amended.

⁷ Refer to section 2.5 for further details.

The purpose of this is to ensure flexibility when a final decision is to be made on the specific use of the areas. The intention is that areas that are either subsequently assessed as unsuitable for the purpose in question or are no longer considered relevant to use for this purpose, will be released for other uses by amending the maritime spatial plan.

Area allocations in the maritime spatial plan for a specific purpose do not in themselves establish a right to obtain a license for that purpose. The license itself still depends on the sectoral legislation, and an application must still be submitted to the appropriate authority. It is also noted that analyses have not necessarily been carried out in connection with the maritime spatial plan as to whether the area allocations can actually be used for the specific purpose, including whether there are environmental consequences that make this difficult or impossible. An environmental assessment has been conducted of the overall maritime spatial plan, but analyses of specific projects are only carried out in connection with a specific project or plan.

The area allocations do not in themselves restrict the free use of the sea for e.g. fishing, sailing and recreational activities that exist today. It is only when a facility is established, such as a wind farm or a bridge, that the free use of the areas may be restricted in accordance with the legislation that applies to the facilities etc. in question. For example, it follows from the Order regarding protection of submarine cables and submarine pipelines,⁸ that anchoring and certain types of fishing will in principle be prohibited in a protection zone around submarine cables and pipelines. Activities that can exist in areas allocated for nature conservation are set out in nature conservation and environmental protection legislation. The new protected marine strategy areas, which enter into consultation at the same time as the maritime spatial plan, will lead to restrictions for activities, including fishing activities.

The maritime spatial plan does not entail changes in the provisions laid down in other legislation to ensure protection of nature and the environment. The maritime spatial plan entails, however, that licenses and planning must be implemented in consultation with the authorities that are responsible for the purposes for which the areas are allocated.

Public authorities continue to have the option of issuing licenses for activities at sea other than those planned for in the maritime spatial plan, as long as the licenses do not conflict with the purpose of the individual land allocations in the maritime spatial plan.

The maritime spatial plan is intended as a starting point for a 10-year period, with the possibility that amendments can be made to the plan along the way.

2.3. The elements of maritime spatial planning

Maritime spatial planning is comprised of several different principles:

- Ecosystem-based approach
- Spaciousness
- Coexistence
- The interaction between land and sea

These elements will be presented in the coming sections in 2.3.

2.3.1. Ecosystem-based approach

According to the EU directive establishing a framework for maritime spatial planning, Denmark is obliged to promote sustainable development and growth in the maritime sector using an ecosystem-based approach and to promote the coexistence of various relevant activities and uses. The maritime spatial plan shall also contribute to the conservation, protection and improvement of the natural environment. The maritime spatial plan is based on the best knowledge and methods available at the time it was created, and it is expected to be further developed as new experience and relevant knowledge are acquired.

An ecosystem-based approach should be understood here as the management of human activities to ensure that the combined impact from such activities is kept within levels that are compatible with the achievement of good environmental status, and that the capacity of marine ecosystems to cope with man-made change is not endangered, while at the same time allowing the sustainable use of the sea's resources and services.

⁸ Executive order no. 939 of 27 November 1992 on protection of submarine cables and submarine pipelines

Refer to the environmental assessment of the maritime spatial plan for a description of the relevant environmental protection objectives and an explanation of how the maritime spatial plan relates to these objectives and other environmental considerations. The environmental assessment also indicates where planned activities could exceed expected limits or threshold values laid down in accordance with other legislation and thus, where there should be a special focus in connection with the specific processing of cases.

The environmental assessment has been conducted on the basis of data and information that can reasonably be demanded on the basis of current knowledge and current assessment methods, taking into account how detailed the plan is at the time of issue. In addition to the environmental assessment, the maritime spatial plan has been assessed for materiality, cf. the process described in Article 6.3 of the Habitats Directive.

Through the EU's Marine Strategy Directive, Denmark has committed to maintaining or establishing a good environmental status in the Danish sea areas by 2020. The means to achieve this goal is the development of maritime strategies with objectives, monitoring programmes and programmes of measures. When carrying out their tasks in accordance with the legislation, public authorities are bound by the environmental objectives of the marine strategy and by the programme of measures. Public authorities are thus obliged to promote the environmental objectives of the marine strategy by exercising their powers within the framework of existing legislation. The Maritime Spatial Planning Act assumes that the preparation of the maritime spatial plan has taken account of Denmark's Marine Strategy, which is also designed on the basis of an ecosystem-based approach. The maritime spatial plan identifies designated marine strategy areas and areas that are proposed to be designated as marine strategy areas. The environmental assessment also describes the relationship to relevant environmental goals in the marine strategy, including which environmental goals should be focused on in the specific case processing.

2.3.2. Spaciousness

In order to ensure spaciousness in the planning, the maritime spatial plan has laid out overlapping zones for multiple purposes, where the specific area use must be finally clarified in connection with the issuance of specific licenses for the purposes in question. "Spaciousness" has also been taken into account to ensure that the entire sea space (surface water, water column, seabed and subsoil) can be utilised appropriately.

The maritime spatial plan also provides a possibility for the sea areas to continue to be used for activities that are not planned for. Even though an area in the maritime spatial plan is allocated for e.g. renewable energy, the area can also be used for other purposes, such as fishing and recreational purposes. However, public authorities may not issue licenses for activities that are not compatible with the purpose of the allocation of the area, and licenses must only be granted after consultation with the relevant minister responsible. In this way, the maritime spatial plan allows for the continuation of activities that take place at sea today and for which the maritime spatial plan does not plan.

Area allocations in the maritime spatial plan also ensure space for continued maritime innovation and development, as the areas have as far as possible been allocated in a technology-neutral manner. With this approach, it is hoped that the technologies of the future can also be accommodated within the framework of the maritime spatial plan.

2.3.3. Coexistence

The maritime spatial planning seeks to promote that a sea area can to a large extent be used for multiple purposes, either simultaneously or in phases. The purpose of this is to contribute as far as possible to promoting sustainable economic growth, the development of marine areas and the utilisation of marine resources.

In connection with the preparation of the maritime spatial plan, an assessment was conducted of whether several different types of facilities or activities could take place in the same area or could possibly be phased over time.

Mineral resource extraction and shipping: as mineral resource extraction can usually take place in an area that is allocated for shipping corridors, as mineral resource extraction takes place from mobile vessels.

In the vast majority of cases, however, it will depend on a specific assessment of whether it is possible to use an area for the various purposes. This means that even though an area has been allocated for multiple purposes in the maritime spatial plan, a subsequent concrete assessment in connection with the granting of specific licenses, may find that it is nevertheless not possible in practice for the area to be used for one or more of the purposes in question.

2.3.4. The interaction between sea and land

Denmark's geography emphasises the importance of the planning process taking account of the interaction between land and sea. Development zones for transport infrastructure projects such as bridges and tunnels help to bind the individual parts of Denmark together and create permanent connections to Denmark's neighbouring countries. They also create growth for the business community and contribute significantly to the national economy. These significant transport infrastructure projects are therefore also included in the maritime planning. Similarly, it is important to ensure unhindered shipping to Denmark's many ports and free passage through the Danish sea areas. Area designations for shipping corridors in the maritime spatial plan must contribute to this.

The coastal areas have to a large extent been exempted from area allocation for new, large facilities, which could to a significant extent prevent or impede e.g. maritime transport, fishing, tourism and recreational use of the sea.

Wherever possible and relevant, the relationship between offshore installations, area use of the sea areas and land-based infrastructure has been included in the planning. These considerations have been based on the specific stages that the infrastructure projects are at.

This is the case, for example, when planning for gas pipelines that run across land and sea. Certain infra-

structure projects are still of a very preliminary nature, and it has therefore not been possible or appropriate in all cases to make further assessments of any land-based infrastructure in connection with the projects.

The maritime spatial plan largely seeks to preserve free and unimpeded access for recreational purposes and the existing natural attractions along Denmark's coasts. The maritime spatial plan also takes into account that there must be an opportunity for future development of coastal facilities, such as facilities for recreational activities, ports and coastal protection.

2.4. The maritime spatial planning process

2.4.1. The planning process leading to the issuance of the maritime spatial plan

The major importance of the sea for Denmark means that a large project like the maritime spatial plan has many stakeholders and affected parties.

The maritime spatial plan has been prepared by the Danish Maritime Authority under the Ministry of Industry, Business and Financial Affairs in cooperation with the Ministry of Finance, the Ministry of Defence, the Ministry of the Interior and Housing, the Ministry of Climate and Energy, the Ministry of Environment, the Ministry of Food, Agriculture and Fisheries, the Ministry of Transport, the Danish Housing and Planning Authority, the Danish Energy Agency, the Danish Business Authority, the Danish Fisheries Agency, the Danish Geodata Agency, the Coastal Authority, the Danish Environmental Protection Agency, the Palaces and Culture Agency and the Danish Civil Aviation and Railway Authority. KL (Local government Denmark) and the coastal municipalities were also involved during the process.

There has also been ongoing involvement of universities and relevant business and interest organisations that work to protect or utilise the sea or are otherwise connected to the sea. The purpose of this ongoing involvement has been to include the sea's many uses and perspectives in the planning process. The many inputs have contributed to as informed a decision basis as possible prior to the final preparation of the maritime spatial plan. There has also been an ongoing dialogue with Denmark's neighbouring countries with a view to minimising cross-border conflicts and safeguarding activities across borders. The Danish Maritime Au-

thority has also participated in EU projects on maritime spatial planning in the North Sea and the Baltic Sea regions, where best practices for maritime planning have been exchanged, as well as in an EU expert group on maritime spatial planning.

2.4.2. Forward-looking planning process

Within the planning period lasting up to 10 years, there may be a need for changes in the maritime spatial plan, where changes are implemented by the Minister for Industry, Business and Financial Affairs in consultation with the other relevant ministers and with the involvement of relevant coastal municipalities and regions, as well as relevant business and interest organisations. Changes will be implemented by an executive order amendment (maritime spatial plan supplement) and shall be submitted for public consultation at least 8 weeks prior to issuance. If a proposal will entail such extensive changes to the maritime spatial plan that it is in fact a new maritime spatial plan, the changes shall be submitted for public consultation at least 6 months prior to issuance of a new maritime spatial plan.

Updating of the service layers found in the maritime spatial plan can take place independently of the amendment procedures, as the service layers are not part of the executive order. Refer to Chapter 4 for a further description of service layers.

2.5. The maritime spatial plan’s relationship to other plans and laws

The maritime spatial plan has been prepared taking into account other existing legislation and planning for the Danish sea areas. The maritime spatial plan thus forms the overall geographical and planning framework for the use of the sea areas and ensures that the combined interests for the use of an area are taken into account. Thus, the appropriate protection and use of the sea areas and marine resources is supported. Note that a specific assessment must always be made in relation to current nature conservation and environmental protection legislation.

The use of the Danish sea areas is regulated by a significant number of laws and executive orders, as well as by international regulations. The most important laws are listed in the following sections.

State and municipal authorities have an obligation to ensure that licenses, etc. for area use at sea and adopted plans do not conflict with the maritime spatial plan, cf. §14 of the Maritime Spatial Plan Act. Whether a license can be granted or plans adopted for a specific activity in an area in accordance with the maritime spatial plan will still depend on the relevant main sector legislation.

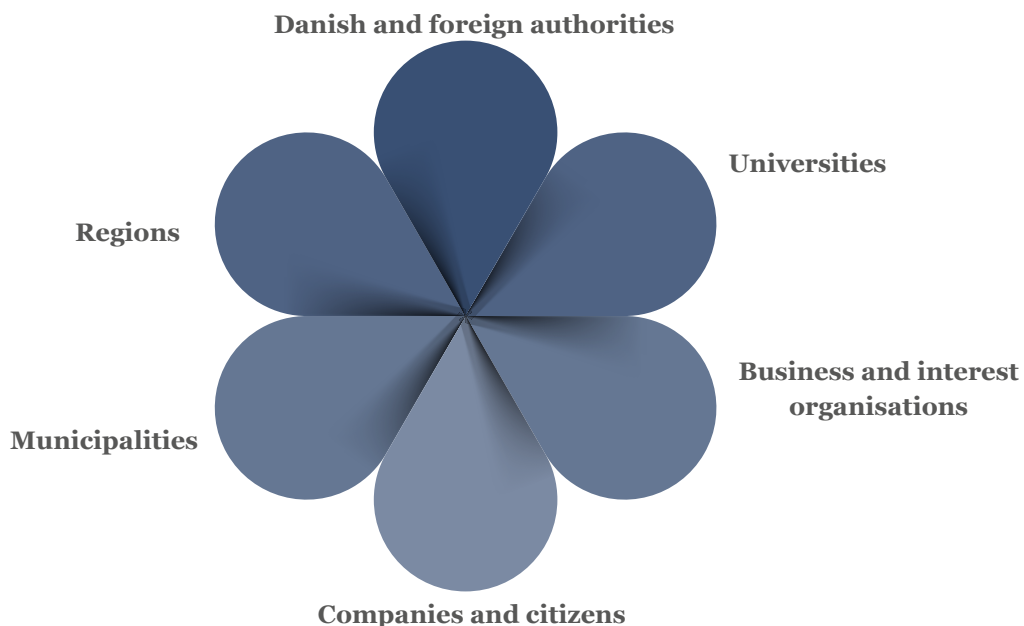


Figure 3: Stakeholder involvement



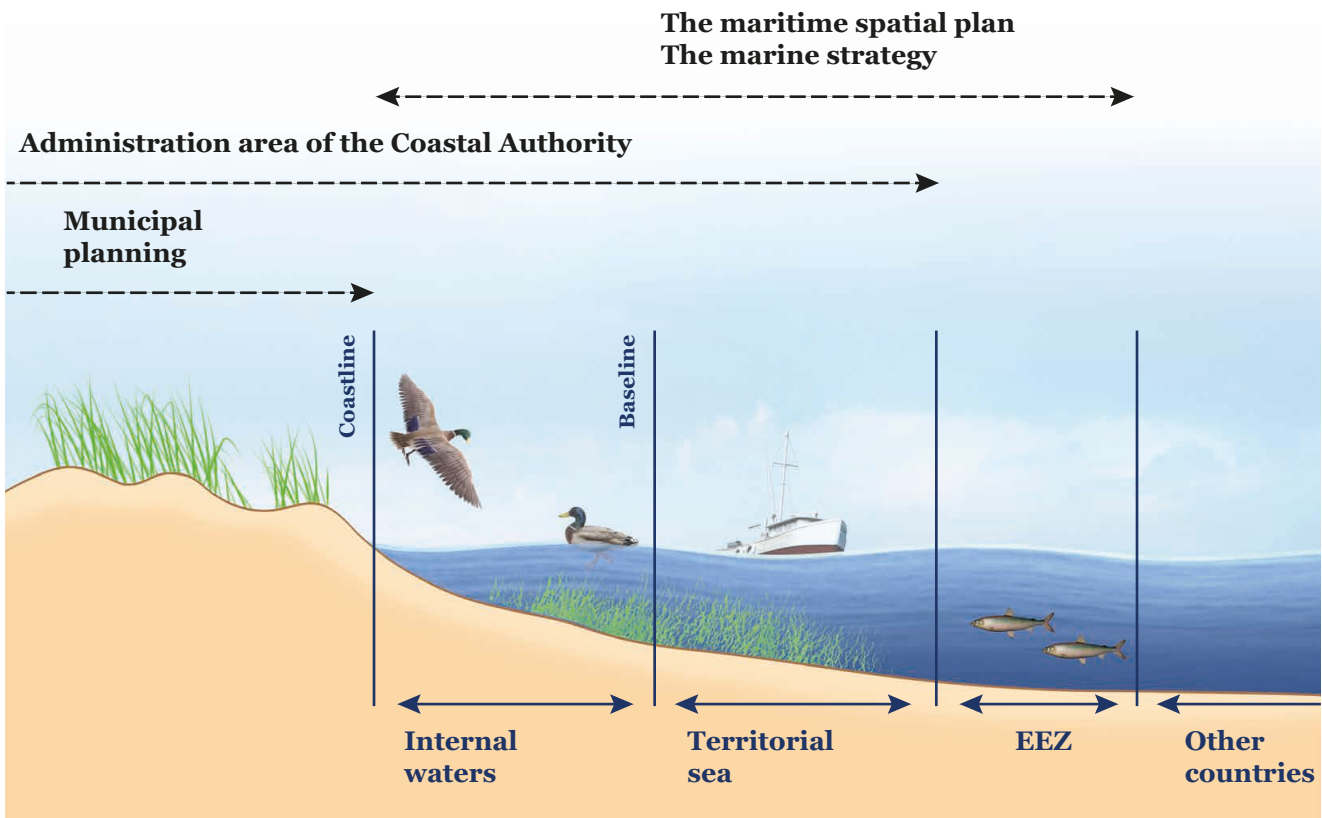


Figure 4: As a general rule, the municipalities manage and plan for the land areas, while the state manages and plans for the sea area, for example through the marine strategy and the maritime spatial plan. However, some of the Danish Coastal Authority’s administrative areas traverse land and sea, such as coastal protection issues.

2.5.1. The Planning Act and municipal activities in the coastal areas

The maritime spatial plan overlaps to a minor extent with the municipalities’ planning, as laid down in local development plans and municipal plans.

According to §11a(1), no. 20, of the Planning Act, the municipalities can lay down guidelines for the use of coastal waters, including guidelines for water quality, outdoor facilities, construction of bathing beaches, restrictions on traffic, etc.

Furthermore, according to §5(3) of the Maritime Spatial Plan Act, plans can be developed to promote sustainable tourism, recreational activities, outdoor life, etc. These provisions are not included in the maritime spatial plan, but have been accommodated instead by largely exempting coastal areas from area allocation for large physical facilities. Thus, large areas near the coast have been allocated for general use, where, apart

from permanent facilities, no areas have been allocated for either mineral resource extraction, shipping corridors, protection measures for aviation or nature conservation and environmental protection. On the other hand, these zones for general use shall ensure the possibility of using the area for e.g. fishing, navigation and activities and facilities that are not planned for in the maritime spatial plan, including e.g. port expansions, coastal protection facilities, tourism and recreational use.

It also applies for planning in accordance with the Planning Act, that apart from port facilities and other general infrastructure facilities, plans can only be developed in very special cases for buildings and facilities on land that require the inclusion of areas in the territorial sea or special coastal protection. This limited access to municipal planning may relate in particular to the use of water bodies and the design of facilities on water bodies in an urban transformation area

within, or in connection with, a port's comprehensive works. There may also be a close connection between the Danish Coastal Authority's tasks under the Coastal Protection Act and the municipal planning.

The guidelines of the municipal plans must not conflict with the maritime spatial plan, cf. §11a(4), no. 8, of the Planning Act, while local development plans that overlap with the sea must not conflict with the maritime spatial plan, cf. §13(1), no. 9.

The maritime spatial plan allocates a number of areas for major potential transport infrastructure projects, for example in the form of a Kattegat link and a new Limfjord link. These areas are categorised as development zones. Within these areas, licenses, etc. may only be granted if these licenses will not render the construction projects impossible or more complicated. It must thus be ensured that licenses are of fixed duration, or that it is otherwise ensured that the activity or use in question can be terminated without costs for the state when the establishment of the transport infrastructure project becomes relevant. Land reclamation projects, with the exception of Holmene at Avedøre Holme, are not included in the maritime spatial plan, which means that no change in the maritime spatial plan is required in connection with port expansions and other land reclamation projects, provided this does not conflict with the maritime spatial plan's other area allocations.

In practice, it is considered that municipal activities at sea can continue to take place as before, with few modifications, within the framework of the Planning Act. The allocation of areas for development zones means that licenses can still be issued or planning conducted for land use within the zones for other purposes, provided that the licenses are compatible with the purpose for which the development zone has been allocated. However, licenses, etc. will only be granted after consultation with the minister responsible.

The maritime spatial plan allows local development plans and municipal plan frameworks to be displayed as service information for the maritime spatial plan, so that one can navigate the plans that a municipality may have adopted for a given coastal area. This allows municipalities and citizens to view coastal local development plans and municipal plan frameworks in one place.

2.5.2. Marine strategy

The overall purpose of the Marine Strategy Directive and the Marine Strategy Act is to establish the framework for achieving or maintaining good environmental status in marine ecosystems and to enable the sustainable utilisation of marine resources. As part of the implementation of the EU Marine Strategy Directive, national marine strategies are prepared with a view to achieving good environmental status in the Danish sea areas. Work is currently underway on Denmark's Marine Strategy II.

Good environmental status is assessed in relation to 11 different descriptors. These are biodiversity, non-native species, commercially exploited fish, marine food networks, eutrophication, the seabed, hydrographic changes, pollutants in seafood for human consumption, marine litter and underwater noise. The maritime strategy consists of a preparation phase, which is followed by an action programme.

The preparation phase involves:

- Definition of *good environmental status for the 11 different descriptors*
- A *basic analysis*, which analyses the sea areas' significant properties and characteristics, the current environmental status, significant impacts on the sea areas and a socio-economic analysis of both the utilisation of the sea areas and the costs of a deterioration of the marine environment.
- Determination of *environmental objectives* and related indicators
- Establishment of a monitoring programme for continuous assessment and regular updating of the environmental objectives

For several parameters, good environmental status has not yet been achieved in the marine environment in Denmark. An increased focus is required for these parameters in order to achieve a good environmental status. In the coming years, threshold values will be adopted for the descriptors mentioned above. The threshold values shall contribute to the assessment of whether good environmental status has been achieved. The threshold values are a quantification of the concept of "good environmental status" and will be used as a basis for future environmental objectives and initiatives and will thus be able to influence the possibility of obtaining licenses for activities that are planned for in the maritime spatial plan.

This is because, when carrying out their tasks in accordance with the legislation, public authorities are bound by the environmental objectives of the marine strategy and by the programme of measures. An authority that wishes to utilise an area allocation in the maritime spatial plan must thus ensure that the specific utilisation is not in conflict with the marine strategy's environmental objectives or programme of measures, regardless of whether an area in the maritime spatial plan is allocated for the purpose pursued by the project. The possibility for any license will thus always depend on a concrete assessment of the individual project in relation to the marine strategy's environmental objectives and programme of measures.

2.5.3. The Nature Directives

A key element of the Nature Directives (Habitats Directive and the Birds Directive) is the designation of protected areas in order to protect specific species or habitats. Together, these areas constitute the Natura 2000 sites, where there is an obligation to protect the sites from damage, to avoid deterioration and to take active measures to support the sites' contribution to the purposes of the directives. It must be ensured that the species and habitats in the areas for which each area is designated are not adversely affected, that favourable conservation status is maintained or achieved, and that no impediments are created to achieving the directive's objective of favourable conservation status. The species and habitats that an area is designated to protect, form the basis for the area's designation.

The Habitats Directive obliges Member States to ensure a strict protection regime for a number of species, where they occur. This means, regardless of whether the species occurs within one of the designated Natura 2000 sites or outside (Annex IV species). Animal species covered by Annex IV must not be intentionally captured, killed or disturbed, or have their breeding or resting areas damaged or destroyed. The Habitats Order contains provisions that shall help to ensure compliance with the protection of the breeding or resting areas of these protected species in connection with the authorities' administration.

For birds, the Birds Directive provides for the general protection of all wild birds and their habitats, both inside and outside Natura 2000 sites. Regarding the protection of birds in general, the Birds Directive states that Member States are obliged to take all necessary

measures to protect, maintain or restore sufficiently diverse and extensive habitats for all birds. Member States must also endeavour to avoid pollution or deterioration of habitats outside the designated areas.

In connection with the granting of licenses or planning within an area allocation in the maritime spatial plan, authorities must continue to ensure that the specific utilisation is not in conflict with the nature directives. Plans and projects will have to be subject to materiality assessment and possibly impact assessment, regardless of whether an area in the maritime spatial plan is allocated for the purpose pursued by the plan or project. The possibility for any license will always depend on a concrete assessment of the individual specific project in relation to the basis for designating the habitat area.

2.5.4. Water Framework Directive

According to the Water Framework Directive, Member States are required to ensure that groundwater and surface water, including coastal waters, are not degraded and that coastal waters generally achieve good ecological and chemical status by 2015. This deadline may, under certain conditions, be extended to 2027 at the latest. Under the Directive, Member States adopt planning (river basin management plans) and decide, in the context of the programme of measures, what action may be needed to achieve the objectives (the programme of measures). It follows from the Water Framework Directive and the case law of the Court of Justice of the European Union, that Member States may not take decisions that may lead to a deterioration in the condition of a surface water body or which pose a risk of failure to achieve the environmental objective. The Water Framework Directive has been implemented in Danish law by the Water Planning Act and the Ministry of the Environment's executive order on programmes of measures for water area districts.

Coastal waters, with or without a need for measures, are covered by the provisions of the Water Framework Directive regarding non-deterioration and the requirement that good ecological and chemical status must be achieved in coastal waters by 2027 at the latest. Activities in or (as the case may be) outside coastal waters can adversely affect the condition of coastal waters. The majority of Danish coastal waters are not yet in good ecological condition due to excessive inputs of nitrogen. Thus, it cannot be ruled out that some activities at sea that are planned for in the

maritime spatial plan, may after a concrete assessment be found to be incompatible with the obligations under the legislation on water planning. In that case, the relevant authority may not grant a license for the purpose applied for.

2.5.5. Maritime spatial plans in neighbouring countries

An important principle in maritime spatial planning is that it must be coherent and coordinated with the other countries in the maritime region.⁹ This has been achieved through the usual consultation procedures laid down by law, but also through bilateral meetings and EU projects. Among other things, this has contributed to better coherence in maritime transport across borders to neighbouring countries. Through the consultation procedures, Denmark has also contributed to ensuring that no areas have been allocated in the Swedish maritime spatial plan for offshore wind turbines in the approach zone to Copenhagen Airport.

2.5.6. UN Convention on the Law of the Sea

The UN Convention on the Law of the Sea contains legal rules that apply at sea. The most important rules concern the demarcation of the states' territorial seas and exclusive economic zones, including the rights to marine resources (fisheries, oil, gas, etc.). The Convention on the Law of the Sea also obliges the parties to protect and preserve the marine environment, so the maritime spatial plan must therefore be read in the light of these obligations. Denmark's or other countries' sovereign rights and jurisdiction over sea areas, which follow from international law, including the UN Convention on the Law of the Sea of 1982, are not affected by the maritime spatial plan.

The territorial sea consists of the internal waters and the territorial waters. The internal waters consist of bays and the like, while the territorial waters extend from the coastline or straight baselines drawn between protrusions or islands, to a maximum distance of 12 nautical miles (22 km). In the territorial sea, the coastal state has sovereignty, i.e. the right to enforce its legislation in the same way as on land, with the exception that the state must respect the right of foreign ships to innocent passage of the territorial waters.

Outside the territorial sea, the exclusive economic zone has been established. It can extend to a maximum of 200 nautical miles (370 km) from the shoreline. Here, the coastal state has the exclusive right to economic exploitation of the sea, which includes exploration and exploitation of mineral resources in the sea, on the seabed and in the subsoil. In the exclusive economic zone, the coastal state also exclusively exercises the right to utilise energy from wind, currents and water. Finally, the coastal state has jurisdiction in the zone regarding the marine environment, as well as artificial islands, installations and facilities at sea. In exercising these rights, the coastal state shall take account of the rights of other states, including the rights to lay pipelines and cables, as well as free passage for shipping.

2.5.7. UN Sustainable Development Goals

The global goals for sustainable development have been adopted by the UN and until 2030 they must set the course for more sustainable development for both humans and nature. Denmark has worked purposefully to achieve the 17 sustainable development goals and has for several consecutive years been among the countries that have progressed furthest in introducing and achieving the goals.¹⁰ Denmark has worked actively for many years to achieve sustainable management of the Danish sea areas and, in connection with the preparation of Denmark's first maritime spatial plan, has also sought to support the UN goals that are affected by maritime spatial planning. A significant part of the UN's goals are supported in connection with Denmark's first maritime spatial plan. These are as follows:

- Goal 7 - Affordable and clean energy
- Goal 8 - Decent work and economic growth
- Goal 9 - Industry, innovation and infrastructure
- Goal 11 - Sustainable cities and communities
- Goal 12 - Responsible consumption and production
- Goal 13 - Climate action
- Goal 14 - Life below water
- Goal 15 - Life on land.

⁹ Russia, Estonia, Latvia, Lithuania, Poland, Germany, Holland, the UK, Norway, Sweden and Finland

¹⁰ Sustainable Solutions Development Network (SDSN), "SDG Index and Dashboard Report"



Figure 5: UN Sustainable Development Goals (Source: United Nations Development Programme, UNDP)

The 8 goals are directly or indirectly reflected in the maritime spatial plan and in the work that has been ongoing in connection with its preparation.

2.6. CO₂-reducing activities in the maritime spatial plan

Denmark has acceded to the Paris Agreement on the reduction of greenhouse gases and has nationally committed itself to achieving a 70% CO₂-reduction in 2030 compared to the 1990 level, and climate neutrality in 2050, where no more greenhouse gas is emitted than is absorbed. The maritime spatial plan includes plans for a range of activities that support these objectives. By coordinating and combining activities, as well as securing the necessary areas for green activities, maritime spatial planning constitutes a valuable tool for achieving the Danish reduction target.

Renewable energy: Offshore wind is absolutely crucial for the green transition, not only in Denmark, but also in the rest of Europe. The expansion with offshore wind farms will contribute to the green transition, and offshore wind turbines also have the advantage that they present fewer visual nuisances than onshore wind turbines. The maritime spatial plan allocates large areas for renewable energy, which safeguards

the physical and planning framework for the development of offshore wind and other facilities for renewable energy, which supports the transition from fossil fuels to more, green and CO₂-neutral energy.

The maritime spatial plan allocates areas in the North Sea and at Bornholm in the Baltic Sea for renewable energy and energy islands, in order to ensure that within these areas, energy islands can be established with associated facilities and installations for renewable energy, as well as technical structures for interconnection, handling and transmission of electricity from offshore wind farms.

The energy islands shall contribute to Denmark being able to electrify more parts of society with green electricity over the coming years. The electricity is exported to our neighbouring countries and thus contributes to further green transition in Europe. In the longer term, it shall be possible to connect technologies that can store or convert the green power to, for example, green fuels, so-called Power-to-X. The energy islands thus play an important role for future expansion of offshore wind and electrification in both Denmark and our neighbouring countries.



DANISH MARITIME AUTHORITY

Areas are also allocated for storing CO₂ in order to ensure that one or more CO₂ storage facilities can be established within the area. Designation of areas for CO₂ storage provides the framework for studies of how CO₂ can be stored in a safe manner from an environmental and safety perspective, and then for the establishment of facilities and associated installations for CO₂ storage. CO₂ storage is an important element in the efforts to achieve the climate objectives for 2030 and 2050.

Shipping corridors: Coherence in maritime transport across borders to neighbouring countries is ensured by allocating shipping corridors in the maritime spatial plan. Transnational coordination of shipping routes can ensure the best and also the most direct shipping routes in order to achieve the least possible consumption of fuel and thereby reduce greenhouse gas emissions from maritime transport in Danish waters.

2.7. The business economics consequences of the maritime spatial plan

In order to increase transparency and ensure that companies do not incur unnecessary expenses, the Danish authorities shall submit new draft legislation and executive orders for public consultation and make a business economics assessment of what consequences a change in the rules will entail for the business community.

If draft legislation or a draft executive order entails significant business economic consequences for companies, the consequences must as a rule be assessed, quantified and submitted to a relevant government committee before the rules are sent for consultation, cf. guidance on business economics impact assessments. The requirement for economic impact assessments also applies to changes to the maritime spatial plan.



Business economic consequences include the different types of consequences that regulations have for Danish companies. This applies to both the directly covered companies and other industries, which are indirectly affected by the regulations. A business economic impact assessment includes both the immediate consequences in the form of e.g. new costs for companies or reductions in existing costs, and possible long-term consequences, e.g. in the form of behavioural changes or spin-off effects.

2.7.1. Positive consequences for businesses

The implementation of Denmark's first maritime spatial plan is expected to lead to greater transparency and appropriate coordination of activities at sea, which could provide better utilisation of the sea areas.

Notwithstanding that an area designation does not entitle companies to obtain a license or have a plan adopted, the maritime spatial plan will provide increased overall knowledge about the opportunities for using the sea areas. The maritime spatial plan will also provide access to data about the sea, which can shed light on where there are other interests in a sea area, including whether there is existing use, nature protection or anything else that can be expected to affect the possibilities of obtaining a license or having a plan adopted. The maritime spatial plan thus contributes to a more informed basis for decision-making and can reduce the companies' costs of investigating and applying for licenses in areas where the possibilities for obtaining a license are small. Instead, the resources can then be used in places where it can be assumed that there are fewer conflicts with other interests.

2.7.2. Negative consequences for businesses

The maritime spatial plan means that activities for which development zones have been allocated cannot be permitted anywhere other than in the development zones, unless the maritime spatial plan is changed. In the same way, the maritime spatial plan means that companies are excluded from obtaining new licenses within areas that have been allocated for other purposes, if the requested license is incompatible with the purpose for which the zone is allocated. In these cases, a change in the maritime spatial plan will be required before a license can be granted.

It may also be challenging for some industries that significantly larger areas (gross areas) are allocated for some purposes than are expected to be used during the plan period. This may prevent or impede others from using the area. An example could be a gross area for a bridge or tunnel, where only conditional licenses can be granted for other new permanent facilities in the area, until a decision has been made on the implementation of the project and a final alignment has been decided upon. For others, however, the fact that areas are allocated for specific purposes may be an advantage and seen as promoting investment security, even though there is no guarantee that the areas will be used.

2.7.3. Administrative consequences for businesses

The maritime spatial plan is not expected to have significant administrative consequences for businesses. Any administrative consequences for businesses will be assessed in connection with future amendments to the maritime spatial plan.



3. DESCRIPTION OF USES AND ACTIVITIES

The maritime spatial plan includes several uses and activities, each of which is subject to different legislation and whose scope varies greatly.

In the following sections, each type of zone and use will be defined in more detail, and relevant legislation in the area will be briefly presented.

The area distribution of the maritime spatial plan is based on zones. The sea areas are divided into four types of zone:

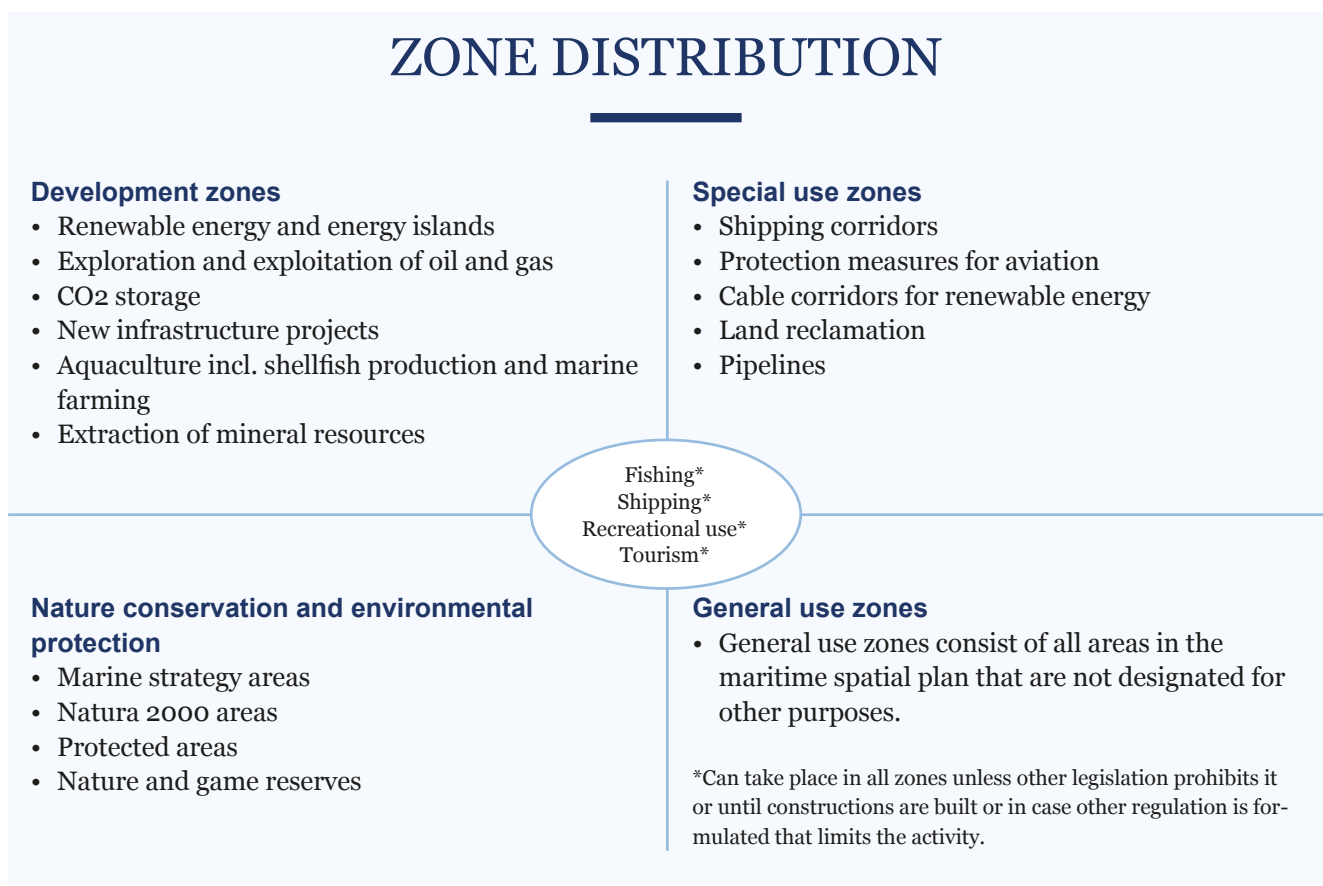


Figure 6: Zone distribution in the maritime spatial plan

3.1. Development zones

Development zones contribute to creating development and growth for the business community and contribute significantly to the national economy. The allocation of areas for development zones means that licenses can only be issued in future for the purposes in question within the allocated areas. This frees up the other areas for new facilities, etc. for the activities and uses that are planned for in the development zones, including mineral resource extraction, transport infrastructure projects, land reclamation of major importance for society, aquaculture and the offshore energy sector.

Some projects at sea are covered by the Act on environmental impact assessment of plans, programmes and projects, where a screening and/or a mandatory environmental impact assessment (EIA) must be carried out prior to granting a permit. Environmental assessments of sector plans must be carried out if they are covered by the Danish Environmental Assessment Act as well as for plans in international nature conservation areas.

3.1.1. Energy – Renewable energy (Ev)

In recent decades, Denmark has worked its way up to be among the absolute world elite in the areas of renewable energy and climate-friendly solutions. The use of renewable energy sources contributes to reducing our greenhouse gas emissions and to making Denmark independent of fossil energy.

Current use

Denmark wants to strengthen the green transition significantly, and significant investments must therefore be made over the coming years to both reach the goal of a 70% reduction of greenhouse gases by 2030 compared to the 1990 level, and the long-term goal of a low-emission society by 2050.

The energy pact of 2018 and the climate agreement of 2020 reflected a broad political consensus that the offshore wind potential must be utilised in the best possible way, so that Denmark can maintain its leading position with globally leading companies in the wind energy sector, and at the same time ensure large and cost-effective contributions to the green transition in both Denmark and the rest of the world.

As a result of the energy pact of 2018, a 10 GW screening (de facto 12.4 GW) was conducted of the territorial

sea in 2019 in order to be able to assign good, vacant locations, so that new wind turbines can be quickly established and connected to the grid when development accelerates in earnest. The offshore wind screening indicates potentially suitable offshore wind locations within a gross area totalling just over 11,000 km². The areas are distributed in both the North Sea, internal waters and the Baltic Sea, with the largest contiguous areas in the North Sea, which have extraordinarily good wind conditions and thus the potential to become a globally leading area for offshore wind.

No screenings of areas have been carried out for wave power or other renewable energy at sea. However, the areas allocated for renewable energy are not limited to one technology. The areas allocated for renewable energy also cover existing offshore wind farms and areas for offshore wind projects that are being processed by the Danish Energy Agency. No specific zones have been allocated for open-door projects. The maritime spatial plan will therefore have to be amended to allow for new open-door projects.

The maritime spatial plan supports the green transition and contributes to maintaining Denmark's special role within e.g. offshore wind and renewable energy technology development and solutions worldwide.

Utilisation of the Danish sea area for renewable energy takes place today through government concessions and licenses. Licenses for the sea area are time-limited. Denmark currently has a capacity of 1,701 MW from offshore wind turbines. Offshore wind accounts for 27.8% of Denmark's total wind capacity.

Legal framework

Renewable energy in the Danish sea areas is regulated by both Danish and international rules.

Renewable energy facilities at sea can only be established with the permission of the Minister of Climate, Energy and Utilities. Relevant licenses are issued in accordance with §§22-29 of the Act on the promotion of renewable energy and the Act on electricity supply. Danish legislation implements relevant rules from e.g. the Renewable Energy Directive.

Electricity production licenses for renewable energy facilities are granted for a limited period and can be extended upon application (refer to §29 of the Act on

the promotion of renewable energy). The license can be granted for a shorter period in special cases.

There are several laws and regulations that have an impact on whether licenses can be granted, including economic, environmental and societal considerations. These considerations are dealt with in e.g. EU legal rules on environmental protection.

Future use

Several areas are allocated for renewable energy in the maritime spatial plan. The areas include the existing offshore wind farms and pending applications, as well as areas designated for renewable energy as a result of the above-mentioned screening for placement of up to 12.4 GW of offshore wind, which is a follow-up to the energy pact of 2018. It is noted that the areas from the screening are gross areas that are not necessarily expected to be fully utilised. In addition, a small Ev area has been designated in the North Sea for use in testing wave power facilities. The designation in the maritime spatial plan shall ensure that Denmark can allocate good and vacant locations, so that new renewable energy facilities and associated installations can be established quickly when developments accelerate in earnest.

The size of the areas must be seen in light of the fact that there must continue to be attractive opportunities for development of renewable energy at sea through an efficient and flexible expansion of offshore renewable energy facilities.

As a professional authority, the Danish Energy Agency will continue to carry out mapping of optimal sites for renewable energy development at sea, including offshore wind farms, etc., and ensure that the expansion takes place with due regard for socio-economics, security of supply and other general societal considerations.

3.1.2. Energy – Renewable energy and energy islands (Ei)

The “energy island” concept covers either a physical island, an artificial reclaimed island or a platform solution that acts as a hub for electricity production from surrounding offshore wind farms, which are connected and distributed between the surrounding countries. The concept can also have other electrical equipment connected, such as storage facilities, electrolysis systems or other electrical conversion tech-

nologies. Energy islands can contribute to more efficient utilisation of offshore wind far from the coast, and thus create space for significantly more offshore wind in the Danish and European energy system. The energy islands can also contribute to relatively reduced investments in transmission cables and grid reinforcements on land.

Current use

Offshore wind has enormous potential and is absolutely crucial for the green transition, not just in Denmark, but throughout the world. The EU Commission’s strategy for sustainable offshore energy highlights Denmark as a pioneering country and emphasises the necessity for regional cooperation, if the potential for 300 GW of offshore wind energy is to be achieved. It is therefore necessary to think in new and more regionally focused ways about how offshore wind and associated infrastructure can be expanded. Additional sea areas have been identified, which are included in the maritime spatial plan together with the areas from the 10 GW screening, as either Ev or Ei areas.

Energy islands (Ei) must be considered in addition to renewable energy (Ev). The Ei development zone is not currently used for renewable energy.

Legal framework

There is at present no legal basis for establishing energy islands in the form of a physical island or a reclaimed island. The Danish Energy Agency is therefore currently preparing a future legal basis.

Renewable energy in the Danish sea areas is otherwise regulated by both Danish and international rules.

Renewable energy facilities at sea can only be established with the permission of the Minister of Climate, Energy and Utilities. Relevant licenses are issued today in accordance with §§22-29 of the Act on the promotion of renewable energy and the Act on electricity supply. Danish legislation implements relevant rules from e.g. the Renewable Energy Directive.

Electricity production licenses for renewable energy facilities are granted for a limited period and can be extended upon application (refer to §29 of the Act on the promotion of renewable energy). The license can be granted for a shorter period of time in special cases.

There are several laws and regulations that have an impact on whether licenses can be granted, including economic, environmental and societal considerations. These considerations are dealt with in e.g. EU legal rules on environmental protection.

Future use

Areas in the North Sea and areas near Bornholm in the Baltic Sea are allocated for renewable energy and energy islands (Ei) in the maritime spatial plan. The allocations make it possible to designate one or more contiguous locations with space for energy islands, including at least one energy island in the North Sea with a capacity of at least 10 GW.

Several technical studies shall be conducted concerning the potential for, as well as initial dialogue initiated about, cooperation with surrounding countries before a final political decision can be made.

3.1.3. Energy – Oil and gas exploration and extraction (Eo)

There is oil and gas in the Danish part of the North Sea, and Denmark has extracted both since 1972. The North Sea Agreement of 3 December 2020 sets the framework for the future of oil and gas extraction in Denmark.

Current use

The development zone for oil and gas exploration and extraction (Eo) includes both exclusive licenses for exploration and extraction of oil and gas in Eo, and approvals for the establishment of facilities and associated installations for the exploration and extraction of oil and gas, including pipelines and cables, as well as the possibility to grant licences to neighbouring blocks for exploration and extraction of oil and gas, as well as the conducting of small rounds. A separate permit can be granted for the injection of CO₂ into oil fields, for example with the intention to increase extraction of oil or in connection with CO₂ storage, which is covered by the rules on CO₂ storage in the Danish Subsoil Act.

The Eo development zone allows for the granting of licences for exploration and extraction of oil and gas based on neighbouring block applications and small rounds in areas that are not subject to licensing.

The North Sea Agreement of 3 December 2020 cancels all future tender rounds. New exploration will in

future be conducted exclusively through the already existing options in small rounds and neighbouring blocks. This also means that a change will be made to the Danish Subsoil Act, so that the possibility for tender rounds is removed.

Legal framework

Pursuant to §12 of the Act on the use of the Danish subsoil (Subsoil Act), the Minister for Climate, Energy and Utilities may carry out small rounds for applications for licenses for exploration for and extraction of oil and gas. Pursuant to §5 of the Subsoil Act, the Minister for Climate, Energy and Utilities may also grant licenses for exploration and extraction of oil and gas (exclusive license), including neighbouring block licences. The Danish Energy Agency is the authority responsible for handling small rounds and neighbouring block applications for exploration and extraction of oil and gas. The Danish Energy Agency (by delegation) approves an extraction plan pursuant to §10 of the Subsoil Act, and specific work carried out in connection with the activities, pursuant to §28 of the Subsoil Act. The Minister for Climate, Energy and Utilities may also grant licenses for other uses of the underground (EoR) pursuant to §23 of the Subsoil Act.

Exploration licenses are valid for a period of 6 years. If there are special circumstances, they can be extended by up to 4 years at a time. However, the total exploration period can only exceed 10 years in exceptional cases.

If oil and/or gas are found, the license-holder has the right to extend the exclusive license for the purpose of extraction for 30 years. The license may be extended beyond 30 years for the purpose of extraction when special circumstances apply. It is noted that the parties to the North Sea Agreement of 3 December 2020 on the future of oil and gas extraction in the North Sea, agree that a final date of 2050 is set for all existing and any future licences for oil and gas extraction.

Storage of CO₂ is covered in e.g. the Danish Subsoil Act and in the CCS Executive Order, which is issued on the basis of the Subsoil Act. The provisions implement Directive 2009/31 of the European Parliament and of the Council on the geological storage of carbon dioxide (CCS Directive).

Future use

The future use for oil and gas exploration and extraction as well as CO₂ storage consists of the area in the North Sea, west of 6°15' east longitude and out to the Danish EEZ border. This means that the maritime spatial plan does not allocate more area for oil and gas than hitherto.

Under exclusive licenses for exploration and extraction of oil and gas, there are also the existing production installations with associated pipelines. These will be shown in the non-legally binding service layer “existing uses”.

3.1.4. Energy – CO₂ storage (Ec)

Capture and storage of CO₂ is an important tool for achieving the goal of a 70% reduction by 2030 and achieving the Paris Agreement’s goal of climate neutrality by 2050. Capture and storage of CO₂ (CCS) can be used both to reduce fossil fuel emissions and to create negative emissions when the technology is applied to biogenic material. GEUS (the National Geological Survey of Denmark and Greenland) has identified that there are many places in the Danish subsoil where there are suitable CO₂ reservoirs with sealing layers of clay stone on top.

Current use

There are currently no applications or licenses for CO₂ storage within the Ec area.

Legal framework

Rules for storage of CO₂ can be found in the Danish Subsoil Act and in the CCS Executive Order, which is issued on the basis of the Subsoil Act. The provisions implement Directive 2009/31 of the European Parliament and of the Council on the geological storage of carbon dioxide (CCS Directive).

§23 of the Subsoil Act states that the Minister for Climate, Energy and Utilities may, for a specified part of the subsoil, on specific terms, grant a license with an exclusive right to explore and use the subsoil for storage or purposes other than extraction.

Before a license can be granted for CO₂ storage, a framework must be prepared for this in the same way as there are frameworks and procedures for issuing other licenses in accordance with the Subsoil Act, such as licenses for exploration and extraction of oil and gas.

CO₂ storage is considered as dumping and is therefore prohibited under the Marine Environment Act. A change of the law will be required before the activity can legally take place. Work is underway to investigate the need to amend the legal framework before CO₂ storage can legally take place underground under the sea in Denmark.

Future use

Areas are allocated for CO₂ storage (Ec) in the maritime spatial plan in order to ensure that facilities and associated installations for the storage of CO₂ can be established within the areas.

3.1.5. Transport infrastructure – Bridges and tunnels (Ib)

Bridges and tunnels help to connect the individual parts of Denmark and create permanent connections to Denmark’s neighbouring countries. This creates growth for the business community and contributes significantly to the economy. These are also cost-intensive projects that are already part of a structured planning process.

Current use

Development zones in the maritime spatial plan for transport infrastructure projects such as bridges and tunnels designate projects with very different degrees of maturity. An area allocation in the maritime spatial plan cannot therefore be taken as an indication of whether the project can be expected to be realised. These are only area allocations that support the possibility of a realisation of the projects, by striving to ensure that the areas are not used in a way that will make the transport infrastructure projects more difficult or expensive.

Legal framework

Major transport infrastructure projects such as bridges and tunnels will normally be approved in detail by the Folketing through a construction act, whereby the project obtains the necessary environmental assessment license prior to its implementation. The construction act is thus the overall authority for the Minister of Transport to carry out the project in question.

Future use

The maritime spatial plan contains planning for a future Fehmarnbelt link, Kattegat link, new Limfjord link, new Vejle Fjord link, new Great Belt link, Helsingør-Helsingborg link, Nordhavn tunnel and

Østlig Ringvej. Through Act no. 575 of 4 May 2015 on the construction and operation of the Fixed Link across the Fehmarn Belt with hinterland connections in Denmark, the Folketing has passed a construction act for the future Fehmarnbelt link through Act no. 737 of 1 June 2015 on the construction of a new Great Belt Bridge and demolition of the existing Great Belt Bridge, and through Act no. 1552 of 27 December 2019 on the establishment of a Nordhavn tunnel, the Folketing has adopted a construction act for the future Nordhavn tunnel.

3.1.6. Aquaculture – Marine farming (Ah)

Aquaculture refers to fish farming facilities consisting of net cages and wire boxes etc. located in marine water areas, and whose operation requires the use of feed.

Current use

The Ministry of the Environment is responsible for aquaculture in Denmark. Today, fish farming takes place in net cages that are kept afloat by means of floating rings anchored directly to the seabed or to large cement blocks laid out on the seabed.

Legal framework

Aquaculture must have a number of licenses and approvals in order to operate a business.

Environmental approval: A marine farm must have environmental approval in accordance with Chapter 5 of the Environmental Protection Act¹¹, before it is established or commenced, or in the event of alterations or expansions which result in increased pollution.

Environmental approval requires that marine farming can be operated on the site without causing environmental pollution to the surroundings that is incompatible with regard to the vulnerability and quality of the environment, including consideration for current river basin management plans, Natura 2000 sites and obligations under the Marine Strategy Directive and the EIA Directive.

Since 1 January 2021, the Danish Environmental Protection Agency has authority on all marine farm-

ing. *Location licenses:* In addition to environmental approval, marine farming requires a license for fish farming according to Chapter 13 of the Fisheries Act¹². The Danish Environmental Protection Agency issues this license in accordance with the Marine Farming Order¹³. The location license ensures that the location of the facility is not in conflict with sailing routes or other interests, e.g. physical, fisheries-related, environmental, etc.

It is stated, e.g. in the executive order, that licenses pursuant to the order may only be utilised when there is environmental approval pursuant to §33 of the Environmental Protection Act.

Future use

In addition to existing facilities, areas have been allocated for marine farming for pending applications for marine farming, which are currently under official consideration by the Danish Environmental Protection Agency.

3.1.7. Aquaculture – Cultivation and transplantation banks for the production of mussels and oysters (Ak) and Aquaculture – Farming of mussels and oysters in the water column (Ao)

The development zones for shellfish farming include the farming of mussels and oysters on cultivation and transplantation banks and in the water column.

Current use

The Ministry of Food, Agriculture and Fisheries is responsible for shellfish farming in Denmark. The Ministry for Food, Agriculture and Fisheries distinguishes between shellfish farming and sea gardens. Shellfish farms are commercial facilities for the retail of e.g. mussels and oysters, while sea gardens are hobby-oriented facilities where e.g. mussels and oysters are grown only for one's own consumption.

The current use includes all licenses for mussel and oyster cultivation banks and transplantation banks, as well as the farming of mussels and oysters in the water column.

¹¹ Consolidating Regulation no. 1218 of 25 November 2019 environmental protection.

¹² Consolidating Regulation no. 261 of 21 March 2019 on fisheries and fish farming.

¹³ Order no. 1489 of 6 December 2016 on the establishment and operation of marine farming



Legal framework

Farming of mussels and oysters in the water column may only take place with permission from the Danish Fisheries Agency, cf. Order no. 1387 of 13 December 2017 on the farming of mussels and oysters in the water column, issued pursuant to the Fisheries Act. Production of mussels and oysters on banks (cultivation and transplantation) may only take place with permission from the Danish Fisheries Agency, cf. Order on cultivation bank production of mussels and oysters no. 984 of 28 June 2018 and cf. §63 of the Fisheries Act.

Future use

Areas have been allocated in Limfjorden, internal Danish waters, the Belt Sea and Ise Fjord for future shellfish farming. The areas are limited to only include areas with depths of 4 metres or more. For the sake of navigational safety, the areas for farming in the water column have also been limited, so that they do not overlap with shipping corridors. However, the areas for culture and transplantation banks have not been physically limited in relation to the shipping corridors. It should be noted that the areas for cultivation and transplantation banks and farming in the water column are gross areas, that are not expected to be fully utilised. In future, licenses can only be issued within the specified areas for cultivation and transplantation banks and farming in the water column.

3.1.8. Mineral resource extraction (R)

Mineral resource extraction at sea primarily involves the extraction of sand, gravel and pebbles at sea and the extraction thereby contributes to supplies of mineral resources for society.

Current use

The current usage includes areas where licenses have already been granted to extract mineral resources, licenses for exploration of mineral resources and areas allocated by executive order. The executive orders include areas in the North Sea that have been allocated for the purpose of securing mineral resources for coastal protection, and areas in the Baltic Sea that have been allocated for the purpose of securing mineral resources for major construction projects. The present use also includes areas which, according to the current rules, can be allocated as extraction areas (common areas).

Licenses for natural resource extraction can be granted in: 1) *Common areas* – areas where anyone can obtain a license for extraction. 2) *Builder areas* – areas reserved for builders, who can obtain exclusive rights for major construction projects or coastal protection. 3) *Auction areas* – areas where the winner of an auction can obtain exclusive rights for extraction.

In relation to builder areas and action areas, it is possible under the Mineral Resources Act to apply for a license for exploration and subsequent extraction anywhere at sea. Licenses for outside the allocated development zones for mineral resource extraction will require an amendment of the maritime spatial plan.

In addition, the Danish Environmental Protection Agency also carries out surveying of mineral resources in the territorial sea and on the continental shelf. The surveys are used to indicate and demonstrate where there are mineral resources and thus possible mineral resource interests.

Legal framework

The extraction of mineral resources at sea is primarily regulated by the Mineral Resources Act and the Order on exploration and extraction of mineral resources from the territorial sea and the continental shelf (the Mineral Resources Order), which is administered by the Danish Environmental Protection Agency under the Danish Ministry of the Environment.

§20 of the Mineral Resources Act states that exploration and extraction of mineral resources in the territorial sea may only take place with a license. Exploration in the form of geological surveys or environmental surveys with a view to obtaining a license for extraction in common areas may, however, be carried out after notification to the Danish Environmental Protection Agency, cf. §2(2) of the Mineral Resources Order.

It is not permitted to extract mineral resources in areas that the Danish marine strategy exempts from mineral resource extraction. There are also areas where mineral resource extraction is prohibited as a result of other rules, including rules that are issued by ministries other than the Ministry of the Environment.

Before a license is granted for extraction in a new mineral resource extraction area, the applicant must carry

out a mineral resource geological survey, as well as an environmental survey and assessment.

Mineral resource extraction may also be subject to assessment requirements in relation to consequences for Natura 2000 areas. Mineral resource extraction is not generally prohibited in Natura 2000 areas, but there is a mandatory requirement for the preparation of an impact assessment. This assessment must address the impact of mineral resource extraction on the basis for designation of the Natura 2000 site. There may also be requirements for impact assessments of mineral resource extraction activities that are carried out outside a Natura 2000 area, but which may have an impact on a Natura 2000 area. When deciding on an extraction license, an overall assessment will be made of the extraction activity in relation to the overall interests in the area, including the basis for designation of the Natura 2000 area. If it cannot be ruled out that damage could occur to the basis for designation, a license cannot be granted for mineral resource extraction.

A license is granted for a limited period of time and for a limited quantity of mineral resources. When the license period expires or the permitted quantity has been extracted, no further extraction is allowed in the area until a new license has been granted, first for exploration and then for extraction. If the area is not re-allocated according to this procedure, the area may still be allocated as a common area according to the current rules.

Future use

Mineral resource areas have been allocated on the basis of existing use, as well as additional areas that can help to ensure mineral resource supply for known and future coastal protection, construction and civil engineering projects.

Until now, it has been possible to apply continuously for new areas, after both auctions and applications from builders, which can come at any time.

Licenses for mineral resource extraction outside the mineral resource areas allocated in the maritime spatial plan will in future require the preparation of maritime spatial plan supplements: 1) *Common areas*: All existing and potential common areas are allocated as mineral resource development zones, and mineral resource extraction licenses can be granted in these

areas without a maritime spatial plan supplement. 2) *Builder areas*: Licenses for mineral resource extraction in builder areas outside mineral resource development zones will in future require the preparation of maritime spatial plan supplements. The maritime spatial plan will not in itself prevent the granting of a license for exploration outside mineral resource development zones, but the provision in §43(1), no. 1, of the Mineral Resources Order means that the area must be allocated as a mineral resource development zone before an exploration license can be granted. 3) *Auction areas*: The maritime spatial plan will not in itself prevent the holding of an auction for an area outside mineral resource development zones, but the provision in §19(1), no. 1, of the Mineral Resources Order means that the auction area must be allocated as a mineral resource development zone before an auction can be held. The license for extraction in an auction area also requires that the area is allocated as a mineral resource extraction zone.

The maritime spatial plan does not affect the right to grant a license for a mineral resource exploration without a subsequent right of extraction pursuant to §20(2), no. 4, of the Mineral Resources Act.

The needs of mineral resource extraction companies and builders for the allocation of new areas depend on the needs for mineral resources and thus on building and construction activities, as well as the needs for coastal protection.

3.2. Special use zones

Designating sea areas as special use zones involves pipelines, cable corridors for renewable energy, protection measures for aviation, compensation dredging at the Great Belt Bridge, land reclamation of major importance for society and shipping corridors. Special use zones allocate space for these activities and uses, but do not exclude them from taking place elsewhere.

3.2.1. Energy – Pipelines – Nord Stream 2 and Baltic Pipe (Er)

Pipelines are widely used for the transport of natural gas and oil products. The two cases in questions concern natural gas.

Current use

Development zones have been allocated for the two future transit pipelines, Nord Stream 2 and Baltic

Pipe. Current pipelines for the transport of foreign-produced hydrocarbons are not included in the Danish maritime spatial plan.

Legal framework

The Maritime Spatial Plan Act covers the offshore energy sector, including the laying of pipelines for the transport of hydrocarbons.

Denmark is obliged under the UN Convention on the Law of the Sea, with respect to resources and the environment, to allow the construction of transit pipelines on the Danish continental shelf area. However, Denmark can specify where on the continental shelf such installations shall be located. The obligation does not extend to the territorial sea. Denmark is thus not internationally obliged to allow the construction of transit pipelines in the territorial sea, but may grant permission to do so.

In principle, therefore, the coastal state cannot prevent the laying of pipelines outside the territorial sea. This must generally be seen in light of the coastal state's right to take reasonable measures in order to explore the continental shelf, exploit its mineral resources and prevent, restrict and control pollution from pipelines. The routing of pipelines on the continental shelf must also be approved by the coastal state.

States' extensive freedom to lay pipelines does not apply correspondingly to the territorial sea, as the coastal state exercises sovereignty here pursuant to Article 2 of the Convention on the Law of the Sea. This also gives the coastal state the right to lay down rules for pipelines that continue into the territorial sea.

Future use

The maritime spatial plan only contains plans for Nord Stream 2 and Baltic Pipe.

3.2.2. Energy – Cable corridors for renewable energy (Ek)

Denmark has extensive experience with the transforming and bringing onshore large amounts of electricity from offshore wind farms.

Legal framework

Cables for renewable energy in the Danish sea areas is regulated by both Danish and international rules.

Renewable energy facilities at sea can only be established with the permission of the Minister of Climate, Energy and Utilities. Relevant licenses are issued in accordance with §§22-29 of the Act on the promotion of renewable energy and the Act on electricity supply. Danish legislation implements relevant rules from e.g. the Renewable Energy Directive.

The electricity supply grid at sea is regulated by e.g. the Energinet Act. Establishment of new transmission grids in the territorial sea and in the exclusive economic zone, as well as significant changes in similar existing grids, may only occur after prior approval from the Minister for Climate, Energy and Utilities. The electricity supply grid at sea and the bringing onshore of electricity from wind turbines at sea are also regulated by the Order on grid connection of wind turbines.

Future use

The development zones for cable corridors include allocations for cable routing between selected areas for offshore wind and the coast.

The purpose of allocating the corridors is to ensure that cables can be landed from the renewable energy facilities where there is a pending case.

The designation of cable corridors does not prevent the establishment of corridors outside the allocated areas. If the areas where there is a requirement to lay cables have been allocated for other purposes, the laying of cables in the area can only be approved if this is compatible with the purpose of allocating the area for the other purpose. If there is a requirement to lay cables in zones that have been allocated for development zones or zones for other purposes, the approval of the cable laying must take place in consultation with the ministers responsible for the purposes in question.

3.2.3. Protective measures for aviation (II)

Public aerodromes, including airports, help to bind together the individual parts of the country, and to bind Denmark together with the rest of the world. The airports have an enormous socio-economic significance for Denmark, and it is therefore crucial that no obstacles are erected around airports that could pose a risk to the safety, regularity or capacity of air traffic today or in the future.

Current use

Approach plans help to ensure aviation safety. In order to protect aircraft on land and in the air, obstruction limitation surfaces have been provided around the aerodrome for the purpose of creating obstruction clearance for aircraft manoeuvring in connection with take-off and landing. The approach plan area refers to the area of an aerodrome that is located within the projection of the obstruction limitation surfaces on land and sea.

In addition to approach plans, some respect distances have been defined for construction and civil engineering (1-3 km) and wind turbines (15 km) in relation to public aerodromes and aviation facilities in international guidelines.

Legal framework

§63(1) of the Civil Aviation Act states that the Minister of Transport shall approve approach plans for public aerodromes, both on land and at sea.

The obstruction limitation surfaces in the approach plan must be safeguarded in accordance with §§62-65 of the Aviation Act. According to §63(2) of the Aviation Act, the plan indicates the area outside the landing area within which it is deemed necessary to set height restrictions with regard to aviation obstructions, including buildings, vegetation, masts, wires and wind turbines. In seaplane and iceplane ports, the plan may also include the port area itself. Within the landing area, the height restriction required for the aircraft's safe take-off and landing when approaching and departing over the area in question have been specified in certain areas, cf. §63(3) of the Aviation Act.

The rules for handling aviation obstructions of certain heights on land within approach plans follow from §64 and §65 of the Aviation Act. The rules for handling aviation obstructions on land outside approach plans follow from §67 and §67a of the Act. In principle, easements regarding height restrictions and other declarations in this regard are registered in the relevant land registers.

As far as the sea area within the approach plans is concerned, easements regarding height restrictions and other declarations cannot be registered on the territorial sea, as registration requires cadastral numbers. Pursuant to the state's sovereignty over the territorial sea, aviation obstructions cannot be erected on the

territorial sea without permission from the relevant state authorities. If an authority wants to erect something in the territorial sea within an approach plan, the affected authorities, including the Danish Civil Aviation and Railway Authority, shall be consulted. In this connection, the Danish Civil Aviation and Railway Authority will enforce the approach plan if the construction will involve an obstruction to aviation.

Aviation obstructions and their light markings are further regulated in BL 3-10 Provisions on aviation obstructions and BL 3-11 Provisions on aviation markings of wind turbines. These rules apply to both land and sea.

In general, no penetration of the approach plan may take place. However, it is possible in both national and EU law to dispense with certain obstruction limitation surfaces, provided that there are aeronautical studies and risk assessments that demonstrate that erecting aviation obstructions within the relevant obstruction limitation surfaces does not present a danger to aviation safety. The Danish Civil Aviation and Railway Authority makes a specific assessment in each individual case.

In addition to the statutory frameworks, some respect distances have been defined for construction and civil engineering (1-3 km) and wind turbines (15 km) in relation to public aerodromes and aviation facilities in international guidelines. International guidelines have no basis in national law, which is why the stated respect distances are used as guidelines in connection with the enforcement of legislation regarding aviation obstructions inside and outside approach plans, cf. §65 and §67a, BL 3-10 and BL 3-11 of the Aviation Act and the Aerodrome Ordinance.

The guiding respect distances have thus achieved a heightened awareness regarding the safety of aviation, and these distances are used as a planning tool.

Order no. 135 of 4 March 2005 on a ban on sailing, anchoring and fishing, etc. in certain areas of Danish waters, specifies some more defined areas where sailing, anchoring and fishing, etc. are prohibited. Some of these areas are designated for the sake of aviation, including §15, which prohibits sailing with ships higher than 6 metres near Sønderborg Airport, and §19, which prohibits visiting and fishing in defined areas around Copenhagen Airport.



Future use

Only the current approach plans and respect distances to aerodromes, whose use for aviation is open to the public (public aerodromes), are included in the maritime spatial plan.

3.2.4. Compensation dredging at the Great Belt Bridge (Ik)

The Great Belt Bridge helps to connect the individual parts of Denmark, which creates growth for the business community and contributes significantly to the national economy, among other things.

Current use

Compensation dredging at the Great Belt Bridge helps to ensure that the Great Belt Bridge does not have a negative impact on the aquatic environment in the Baltic Sea due to changes in the hydrographic conditions in the Baltic Sea.

Compensation dredging was carried out in connection with the establishment of the facility. So far, only this compensation dredging has been carried out at the Great Belt Bridge.

Legal framework

§5 of the Act on the construction of a fixed link across the Great Belt states that the two stages of the construction shall be carried out separately, so that an unchanged water flow in the Great Belt is ensured after completion in order to protect the aquatic environment in the Baltic Sea.

This involves, among other things, that the hydrographic conditions of the Baltic Sea must remain unchanged when the Great Belt Bridge is established. The same applies throughout the lifetime of the link.

Future use

The areas where compensation dredging has previously been carried out at the Great Belt link are included in the maritime spatial plan. This is to ensure that no obstructions are created for any future compensation dredging, which will ensure that the hydrographic conditions of the Baltic Sea remain unchanged throughout the life of the Great Belt link.

3.2.5. Land reclamation of major importance for society – Holmene (L)

Large land reclamation projects such as Holmene at Avedøre Holme can have great major importance for society. By allocating areas for these purposes in the maritime spatial plan, the area can be exempted from other use that would limit the implementation of the project.

Legal framework

Major land reclamation projects will normally be approved in detail by the Folketing through a construction act, whereby the project obtains the necessary environmental assessment license prior to its implementation. The construction act is thus the overall authority to carry out the project in question.

If the project is not implemented by a construction act, it will therefore still be up to the Danish Coastal Authority to assess whether a license can be granted under the Coastal Protection Act. This is not changed by any planning in the maritime spatial plan.

It is also not intended that the maritime spatial plan should plan generally for the expansion of existing commercial ports, which takes place for example by reclamation in the territorial sea within a commercial port's protective works.

Future use

The maritime spatial plan only contains planning for the Holmene project at Avedøre Holme. According to the Maritime Spatial Plan Act, planning can also be carried out for other projects of major importance for society that require containment or reclamation in the territorial sea for purposes other than coastal protection, but this will require an amendment of the maritime spatial plan.

Land reclamation projects apart from Holmene at Avedøre Holme are not included in the maritime spatial plan, which means that no change in the maritime spatial plan is required in connection with port extensions and other land reclamation projects, provided this does not conflict with the maritime spatial plan's other area allocations.

3.2.6. Shipping corridors (S)

Denmark is internationally obliged to ensure freedom of navigation in the Danish sea areas. Zones have been

allocated in the maritime spatial plan for shipping corridors in the most important shipping corridors that are used today, in order to continue to ensure that shipping can take the most direct route through Danish waters as more physical facilities are established in the sea areas. Zones have also been allocated for shipping corridors in the interests of navigational safety, so that the maritime spatial plan also supports the safety of navigation.

The shipping corridors are coordinated with Denmark's neighbouring countries, so that they constitute the best and most direct routes, where the ships can use the least possible fuel and thus avoid unnecessary greenhouse gas emissions in the Danish sea areas.

Finally, shipping corridors have been allocated for the ferry routes to and from parts of Denmark and between the inhabited Danish islands and ports, which contributes to enhancing cohesion throughout Denmark.

Current use

It follows from Danish and international law that it is possible to navigate anywhere, unless special sailing bans have been imposed. Navigational safety in Danish waters is regulated in the Order on the Safety at Sea Act, no. 72 of 17 January 2014 (the Safety at Sea Act) with accompanying executive orders. These provisions can be called the traffic rules of the sea and they regulate several different important matters for the safety of navigation and the maintenance of order and they ensure that freedom of navigation is not impeded.

Legal framework

Maritime traffic in the Danish sea areas is regulated by a large number of international and Danish rules.

Rules are laid down, measures are taken and general and specific prohibitions or injunctions are issued pursuant to §6 of the Safety at Sea Act in order to safeguard navigation, compliance with order and the prevention of danger, as well as preventing obstacles to freedom of navigation.

International shipping to and from the Baltic Sea through the Danish straits (Little Belt, Great Belt and the Baltic Sea) is regulated by the provisions of the UN Convention on the Law of the Sea on the right to in-

nocent passage. The more specific regulations, such as shipping routes, deepwater routes and traffic separation systems, are also regulated internationally by the UN's International Maritime Organisation (IMO).

A very important part of the waters for maritime traffic consists of "the Danish straits", i.e. the Great Belt, Little Belt and the Danish part of the Sound. These are legally subject to the historical strait regime, which is mainly based on the Copenhagen Convention of 1857. The straits are to be regarded as territorial waters, subject to the right of foreign ships to innocent passage, which cannot be suspended.

In its internal waters, Denmark also exercises full national sovereignty with respect to maritime traffic. The outer territorial waters are also considered to be part of Denmark's territory and thus subject to Danish sovereignty. However, the exercise of sovereignty is limited by the right of all other states to free and innocent passage, including through the Danish straits.

In the economic zone (EEZ – up to 200 nautical miles from the baseline), the coastal state has exclusive rights to living and non-living resources in the sea, as well as the subsoil (continental shelf). Artificial islands, installations, facilities and the safety zones around them may not be established in the EEZ, where they may interfere with the use of recognised shipping routes of major importance to international shipping.

Future use

No new obstructions to navigation will be introduced with the issuance of an executive order on Denmark's maritime spatial plan. Thus, unless otherwise laid down in other legislation, it is still possible to navigate freely in the entire Danish sea area. The maritime spatial plan allocates shipping corridors, which among other things are allocated where there are existing infrastructure routes, transit routes and anchorages, as well as for the busiest waters.

The purpose of allocating the area for shipping corridors is to ensure that no obstacles are placed in the way of freedom of navigation, or that this is not unnecessarily impeded. The corridors are coordinated with Denmark's neighbouring countries. The corridors have been laid out in order to ensure a high level of navigational safety with respect to fixed installations. This includes, among other things, ensuring a safety

margin for establishing/planning permanent facilities such as offshore wind farms, wave energy, aquaculture, etc. This supports that the ferry routes between the regions, the Danish islands and to the neighbouring countries are affected as little as possible.

Navigation is a special priority within these shipping corridors and in principle, no area use or facilities that may impede or significantly complicate navigation can be permitted or planned. The Danish Maritime Authority is today consulted as a competent authority in accordance with the Safety at Sea Act, before licenses are issued for permanent facilities in accordance with special legislation that may impede navigation. This applies regardless of in which zone the fixed facility is to be established. This practice is continued.

3.3. Nature and environmental protection areas (N)

The purpose of protected areas at sea is the conservation and improvement of nature and biodiversity. Nature and environmental protection areas include marine strategy areas, Natura 2000 sites (habitat areas, bird protection areas and Ramsar sites), protected areas and nature and wildlife reserves¹⁴. The areas cover existing and anticipated nature reserves based on the nature directives, the Marine Strategy Directive, national protected areas and nature and wildlife reserves.

Current use

Natura 2000 areas: The Natura 2000 sites consist of bird protection areas, habitat areas and Ramsar sites and constitute international nature protection areas in Denmark. These designated areas are part of a larger European nature network.

Marine strategy areas: The marine strategy areas complement the existing Natura 2000 sites. Marine strategy areas set out specific protection measures in the designated areas. There are currently six selected sea areas with deep soft seabeds designated in the Danish part of the Kattegat, which are protected against physical influences, for example from bottom trawling, mineral resource extraction and dumping of dredged seabed material. The soft seabed and its habitats have a crucial function in the ecosystem, includ-

ing in relation to maintaining the biodiversity of the overall ecosystem. The protection is targeted at some of the areas where vulnerable species are known to exist. The Ministry of the Environment has also sent a proposal for consultation concerning new maritime strategy areas in the North Sea and the Baltic Sea around Bornholm. The proposal shall help to ensure an ecologically coherent and representative network of protected sea areas in Denmark and thus ensure the achievement of good environmental status in the sea areas. Proposals for the new marine strategy areas are included as part of the proposed maritime spatial plan and the final marine strategy areas will be included in the final maritime spatial plan. The northern part of Øresund is a protected marine strategy area and is also included in the proposed maritime spatial plan.

Protected areas: Typical marine conservation orders concern the regulation of traffic in the form of navigation, the regulation of hunting at sea, prohibition of various measures (e.g. dumping of oil, waste and sewage from ships, marine dumping and the release of animals and plants that are not native to Denmark). Marine conservation orders have especially been used during the period before the designation and regulation of international nature conservation areas, and the majority of the current conservation orders thus date from before 1998. Until 1992, protected areas (decisions on protected areas taken by a conservation board or appeals board (today the Danish Environment and Food Board of Appeal)) could only include land and freshwater areas. In 1992, the possibility was introduced to use this type of protected area to also protect shallow parts of the territorial sea in connection with protected areas on land. The option is only rarely used.

Nature and wildlife reserves: Wildlife reserves are areas where wildlife is protected from human disturbance such as hunting, sailing and traffic in general. The wildlife reserves are also included as measures to fulfil Denmark's obligations to comply with the international obligations in e.g. the Birds Directive. Approximately 100 reserve notices have been issued.

Legal framework

Nature Directives – Natura 2000 sites: The purpose of the Habitats Directive (92/43/EC) is to help

¹⁴ Cf. the Act on Hunting and wildlife Reserves (Consolidation Act 265 of 21/03/2019).

promote biodiversity in the Member States by safeguarding or restoring favourable conservation status for species and habitats covered by the directive. The Birds Directive (147/2009/EC) covers all wild birds and is intended to protect, maintain and restore the biotopes and habitats of birds.

A key element of both directives is the designation of protected areas in order to protect specific species or habitats. Together, these areas constitute the Natura 2000 sites, where there is an obligation to protect the sites from damage, to avoid deterioration and to take active measures to support the sites' contribution to the purposes of the directives.

It must be ensured that the species and habitats in the areas for which each area is designated are not adversely affected, that favourable conservation status is maintained or achieved, and that no impediments are created to achieving the directive's objective of favourable conservation status. The species and habitats that a habitat area is designated to protect, form the basis for the area's designation.

Several habitats and species are prioritised. The prioritisation entails a special responsibility for protection in the form of further restrictions on the possibility of deviating from the rules that are intended to ensure protection.

When an area has been designated as a Natura 2000 site, it means that no plans may be adopted or projects launched that could damage the area's integrity, unless the conditions for exemption are satisfied. In Danish law, Article 6(3) and (4) of the Habitats Directive is implemented through §6 and §9 of the Habitat Order, and a number of laws and executive orders that regulate the adoption, approval, etc. of plans and projects that may affect the physical environment. If a plan cannot in itself damage the integrity of an area, it can be adopted without the conditions for exemption being satisfied. The concept of plans or projects must be understood broadly. The existing requirement that plans and projects that may affect Natura 2000 sites must be subject to materiality assessment and possibly impact assessment will thus apply to existing and future Natura 2000 sites, even if the plan or project is located in a relevant development zone. The same applies to Annex IV on species protection and the protection of wild bird habitats, which also sets restric-

tions outside Natura 2000 sites, even if the plan or project is in a relevant development zone.

Marine strategy areas: §10(2) of the Marine Strategy Act states that the marine strategy's programme of measures shall include geographical protection measures that contribute to coherent and representative networks of protected sea areas and that adequately cover the diversity of the individual ecosystems.

In exercising their powers pursuant to the legislation, public authorities are bound by the programme of measures, cf. §18 of the Act. Thus, if the programme of measures contains guidelines for the protection of sea areas, whether it is the seabed or the water column in a particular area, public authorities may not issue a new license, for or approval of, activities in violation of the guidelines.

In the case of activities that require the approval or permission of public authorities, therefore, the above considerations cannot be set aside by the maritime spatial plan.

Protected areas: Protected areas in the sea may occur in accordance with §51(1) of the Nature Protection Act, within the framework of the purpose of the Act (§1). It follows from §51(1) of the Nature Protection Act, that protection at sea takes place by issuing a protection order.

No detailed framework has been set for what such a protection order can regulate. It therefore depends on what is traditionally covered by the concept of protection, legislative preparatory works and practice. It follows from the Guidance on the Nature Protection Act and the preparatory works for the Nature Protection Act that protection at sea is in principle only used when it is not possible to safeguard the protection interests satisfactorily with the administration of other legislation, and in cases of particularly important and vulnerable nature and cultural heritage sites.

Nature and wildlife reserves: Chapter 5 (§§33-36) of the Act on Hunting and Wildlife Management on wildlife reserves is intended to "protect and assist the country's wildlife populations and secure rest and feeding grounds for migratory birds", cf. §33(1).

An authority that wishes to utilise an area allocation in the maritime spatial plan must ensure that the utilisation is not contrary to nature purposes. The general rules on nature conservation and environmental protection also apply, cf. section 3.5.

Future use

The existing nature reserves are indicated in the maritime spatial plan. The natural values in these areas are protected according to the designation. Continued implementation of the Marine Strategy Directive, new knowledge or new political priorities may in future justify further designations of areas for nature protection.

It is assumed in the legal comments to the Maritime Spatial Plan Act that existing nature reserves cannot be disregarded if future activities are desired in another sector. This also applies to future Natura 2000 sites. The existing environmental and nature legislation must be complied with everywhere, and thus also in development zones and other zones without special nature purposes.

There may be nature and environmental protection considerations which preclude the development of the sector within the area or sub-area in question. An authority that wishes to utilise an area allocation in the maritime spatial plan must ensure that the utilisation is not contrary to the environmental and nature legislation, cf. section 3.5. Any license will always depend on a concrete assessment of the individual project.

3.4. General use zone (G)

The general use zone covers all the areas in the maritime spatial plan that have not been allocated for other purposes. Many areas have especially been allocated for general use in the coastal areas in order to exempt the areas from land allocation for new, large facilities, which could to a significant extent prevent or complicate e.g. sailing, fishing, tourism or recreational use of the sea. The general use zone thereby creates good opportunities for activities and facilities that are not planned for in the maritime spatial plan.

Note that the mentioned activities do not appear with independent area allocations in the maritime spatial plan, and that they could also to a large extent take place in other zones.

3.4.1. Facilities and activities covered by §3, §16a and §16b of the Coastal Protection Act.

The purpose of coastal protection is to protect people and property by reducing the risk of flooding or coastal degradation from the sea, fjords or other parts of the territorial sea.

Current use

Facilities and activities covered by §16a of the Coastal Protection Act cover a wide range of facilities and activities, including the laying of stone reefs, the establishment and expansion of marinas, dredging works and the establishment of moorings. Most facilities and activities are located in the coastal zone. The facilities and activities are very different in terms of purpose, scope and environmental impacts.

No specific sectoral plans have been drawn up for the individual types of facilities and activities, and there are major differences in the degree of organisation of the various applicants. Often, facilities according to §16a are applied for by private individuals, municipalities or smaller associations.

Legal framework

According to §16a of the Coastal Protection Act, the Danish Coastal Authority grants licenses for the placement of fixed or anchored devices or objects in the territorial sea, which are not regulated by the legislation of another authority. The Danish Coastal Authority also grants permission for state coastal protection pursuant to §3(5) of the Act and bypass pursuant to §16b of the Act. The municipalities grant permission for non-state coastal protection pursuant to §3(2) of the Act.

The Danish Coastal Authority has traditionally granted permission for facilities and activities under the Coastal Protection Act without time limit. In recent years, however, several licenses have been granted for a limited number of years.

In assessing whether a license can be granted for facilities and activities pursuant to §16a of the Coastal Protection Act, emphasis is placed on e.g. the purpose, location, commercial fishing, navigation, nature and environment and the other uses of the area in question.

Future use

Facilities and activities covered by §16a of the Coastal Protection Act are not covered by the maritime spatial plan or requirements for plan supplements, and can thus be located everywhere as before, as long as they are not in conflict with area allocations in the maritime spatial plan.

The same applies to coastal protection pursuant to §3 of the Act and bypass pursuant to §16b of the Act.

Facilities and activities covered by §16a of the Coastal Protection Act are included in the maritime spatial plan as a service layer and will be continuously updated. Facilities and activities that are already established are not affected by the maritime spatial plan.

Facilities and activities covered by §16a of the Coastal Protection Act may therefore in principle be located in the territorial sea as hitherto within the general use area, and in other zones, if this is not contrary to the purpose of these zones.

The same applies to coastal protection facilities and bypass pursuant to §3 and §16b of the Act.

No new restrictions or obstacles are introduced in relation to projects covered by §3, §16a and §16b of the Coastal Protection Act, which can continue to be carried out in accordance with the current provisions and procedures.

3.5. Tourism and recreational activities

Tourism and recreational activities are important for Denmark and help to create both growth and jobs throughout the country. This applies not least in the coastal areas, where tourists like to experience the Danish nature, and where opportunities for nature experiences help to make Denmark a sustainable tourist destination. Participation in recreational activities can also promote citizens' physical and mental health.

The freedom of navigation is of great value to the recreational users of the sea. The maritime spatial plan allows broad freedom of navigation in Danish waters. This freedom of navigation also applies in and around areas with offshore wind turbine installations, where it is permitted to sail very close to the large structures, for the benefit of those who may wish to experience the large offshore wind turbines up close.

Legal framework

Certain protected areas, military areas, etc. may restrict public access to selected sea areas.

Current use

The sea can continue to be used for tourism and recreational activities as occurs today. This applies both in the general use zone and outside it, unless otherwise stated in other legislation.

3.6. Fisheries

Fishing generally takes place everywhere in Danish waters, unless special area-specific restrictions apply. Fishing is a dynamic activity that can move quickly depending on species stocks and the season. These are often dependent on the season and fishing gear, and the geographical areas associated with the restrictions are in many cases of a degree of detail that goes far beyond the other area allocations in the maritime spatial plan. In principle, therefore, the maritime spatial plan does not contain restriction areas or priority areas for fishing.

Relevant legislation

According to the Maritime Spatial Plan Act (Order no. 400 of 6 April 2020 of the Maritime Spatial Plan Act), Denmark's maritime spatial plan must contribute to a sustainable development of fisheries. The maritime spatial plan only aims to include commercial fishing.

Danish fisheries are part of the EU's common fisheries policy, and Denmark's exclusive economic zone is included in that context as part of the EU's fishing zone. If Denmark wishes to restrict fishing to certain parts of Denmark's exclusive economic zone, this must be done within the framework of the common fisheries policy, where there are fixed procedures for the protection of areas.

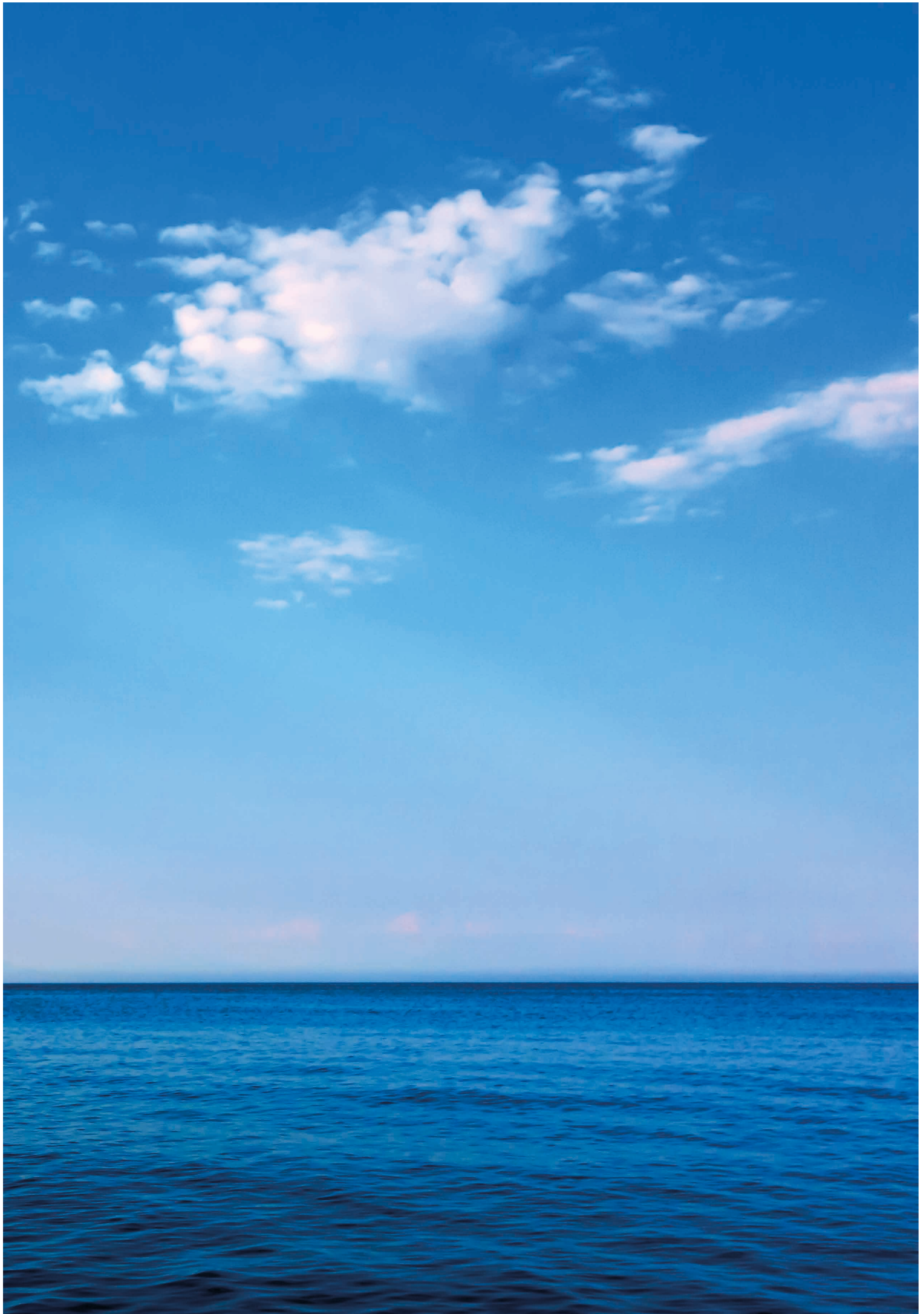
Denmark has the right of initiative and the duty to protect the Danish marine environment through fisheries regulation, but affected Member States must in principle consent to the regulation, and it is also required that the protection is based on underlying protection considerations and a clear scientific rationale.

Pursuant to the Fisheries Act, measures or interventions that may cause inconvenience or hinder fishing in coastal waters, make the bottom conditions unsuitable for fishing or otherwise affect fauna and flora in

the fisheries area, may only be implemented with the permission of the Minister for Food, Agriculture and Fisheries. The Fisheries Act also states that in connection with the issuance of a license, it must be taken into account that a decision has been made on compensation.

Current use

As fishing is not restricted in the maritime spatial plan, fishermen have the right to fish anywhere, but restrictions may follow from other legislation. Restrictions etc. are not included in the maritime spatial plan.



4. DESCRIPTIONS OF OTHER RELEVANT ACTIVITIES

In addition to the zones specified in the executive order, several service layers have been indicated in connection with the maritime spatial plan, which illustrate other activities and uses than those that are planned for. All this information, which is not part of the maritime spatial plan, is included as a service layer and will be continuously updated. However, the service layers are not complete for all activities at sea.

The maritime spatial plan also identifies nature conservation and environmental protection areas at sea, which include areas that have been designated as marine strategy areas, Natura 2000 sites (habitat areas, bird protection areas, Ramsar sites), nature and wildlife reserves or areas that are protected. Note that the designation of nature conservation and environmental protection areas and their legally binding demarcation are set out in the nature conservation and environmental protection legislation and not in the maritime spatial plan. The designated areas according to the nature conservation and environmental protection legislation, including areas that overlap with land, can be illustrated in the maritime spatial plan as a service layer.

Service layer:

- AIS data for pleasure craft
- Facilities in the territorial sea
- Drillings for oil/gas
- Existing facilities and uses for the sectors for which development zones have been allocated
- Danger and exercise areas
- Danger and exercise areas in the future
- Prohibition areas – due to shooting/exercises etc. or unexploded war gas/explosives (determined by Danish Defence)

- Prohibition areas (determined by the Danish Maritime Authority)
- Proposal for new bird protection areas
- Proposal for new protected marine strategy areas
- Proposal for strictly protected marine strategy areas
- Ancient monuments on the seabed
- Protected areas
- Geological drilling for mineral resources
- The marine strategy's major habitat types (MSFD Benthic Broad Habitat Types)
- Marine strategy areas
- Hot spots for outdoor activities
- Yacht racing tracks
- Dredging sites
- Municipal plan frameworks
- Local development plans
- Marine habitats in Natura 2000 habitat areas
- Natura 2000 habitat areas
- Natura 2000 bird protection areas
- Nature and wildlife reserves
- Places of refuge
- Potential ancient monuments
- Ramsar sites
- Restriction areas
- Pipelines for transporting hydrocarbons
- Mineral resources at sea
- Governmental offshore wind reservations
- Tourism consumption in the municipalities
- Seaweed farms
- Ecologically and biologically significant areas (EBSA areas)

For further information about conditions at sea, refer to the Marine Map of Denmark at msdi.dk and plan-data.dk for the relationship to land, where you can access e.g. data on monitoring of the marine environment.

Appendix 1 - List of zone types and data sets included in the maritime spatial plan

Table 1: List of data sets included in the maritime spatial plan

Purpose	Abbreviation	Dataset	Existing use
Aquaculture (marine farming)	Ah	Applications for marine farming	No
Aquaculture (marine farming)	Ah	Existing marine farming	Yes
Aquaculture (cultivation banks)	Ak	Licenses for cultivation banks	Yes
Aquaculture (cultivation banks)	Ak	Potential areas for cultivation banks	No
Aquaculture (farming in the water column)	Ao	Farming licenses	Yes
Aquaculture (farming in the water column)	Ao	Potential areas for farming in the water column	No
Energy (cable corridors for renewable energy)	Ek	Cable corridors	No
Energy (exploration and extraction of oil and gas)	Eo	Offshore facilities (platforms)	Yes
Energy (exploration and extraction of oil and gas)	Eo	Exclusive licenses	Yes
Energy (CO ₂ storage)	Ec	Development areas for CO ₂ storage	No
Energy (pipelines)	Er	Nord Stream 2	Yes/no (partially installed)
Energy (pipelines)	Er	Baltic Pipe	Yes/no (partially)
Energy (renewable energy)	Ev	Offshore wind farms	Yes
Energy (renewable energy)	Ev	Open-door applications	No
Energy (renewable energy)	Ev	Screening area	No

Purpose	Abbreviation	Dataset	Existing use
Energy (renewable energy and energy islands)	Ei	Energy island	No
General use zone	G	General use zone	Yes/no
Transport infrastructure (bridges/tunnels)	Ib	Future bridge/tunnel links	No
Protective measures for aviation	Il	Respect distances for aviation	Yes
Protective measures for aviation	Il	Aircraft approach zones	Yes
Compensatory excavations	Ik	Compensatory excavations	Yes
Land reclamation of major importance for society	L	Holmene	No
Nature conservation and environmental protection	N	Nature and wildlife reserves	Yes
Nature conservation and environmental protection	N	Natura 2000 habitat areas	Yes
Nature conservation and environmental protection	N	Natura 2000 bird protection areas	Yes
Nature conservation and environmental protection	N	Ramsar sites	Yes
Nature conservation and environmental protection	N	Protected areas	Yes
Nature conservation and environmental protection	N	Marine strategy areas	Yes
Nature conservation and environmental protection	N	Proposals for new protected marine strategy areas	No
Nature conservation and environmental protection	N	Proposals for bird protection areas	No
Mineral resource extraction	R	Auction licenses	Yes
Mineral resource extraction	R	Builder licenses	Yes
Mineral resource extraction	R	Exploration areas	Yes
Mineral resource extraction	R	Common areas	Yes
Mineral resource extraction	R	Potential common areas	No
Mineral resource extraction	R	Reservation areas	No
Mineral resource extraction	R	Zones around common areas	No
Mineral resource extraction	R	Potential development areas (January 2020)	No
Navigation corridors	S	Anchorage plotted on charts	Yes
Navigation corridors	S	Infrastructure routes	Yes
Navigation corridors	S	Transit routes	Yes

