



Brussels, 7.3.2024  
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ANNEX

ANNEX

*to the*

**COMMUNICATION FROM THE COMMISSION**

**Commission Notice on the threshold values set under the Marine Strategy Framework  
Directive 2008/56/EC and Commission Decision (EU) 2017/848**

**ANNEX – ESTABLISHED THRESHOLD VALUES FOR GOOD ENVIRONMENTAL STATUS**

The Decision prescribes the use of the following threshold values stemming from existing Union legislation.

<b>Criterion</b>	<b>Threshold value(s)</b>
<b>D3C1</b> <b>Fishing mortality</b>	The Fishing mortality rate of populations of commercially exploited species is at or below levels which can produce the maximum sustainable yield (MSY).
<b>D3C2</b> <b>Spawning Stock Biomass</b>	The Spawning Stock Biomass of populations of commercially exploited species are above biomass levels capable of producing maximum sustainable yield.
<b>D5C1</b> <b>Nutrient concentrations</b>	The threshold values are as follows: (a) in coastal waters, the values set in accordance with Directive 2000/60/EC;
<b>D5C2</b> <b>Chlorophylla concentrations</b>	The threshold values are as follows: (a) in coastal waters, the values set in accordance with Directive 2000/60/EC;
<b>D5C5</b> <b>Dissolved oxygen</b>	The threshold values are as follows: (a) in coastal waters, the values set in accordance with Directive 2000/60/EC;
<b>D8C1</b> <b>Concentrations of contaminants</b>	Within coastal and territorial waters, the concentrations of contaminants do not exceed the following threshold values: (a) for contaminants set out under point 1(a) of criteria elements, the values set in accordance with Directive 2000/60/EC; [...] Beyond territorial waters, the concentrations of contaminants do not exceed the following threshold values: (a) for contaminants selected under point 2(a) of criteria elements, the values as applicable within coastal and territorial waters;
<b>D9C1</b> <b>Contaminants in seafood</b>	The level of contaminants in edible tissues (muscle, liver, roe, flesh or other soft parts, as appropriate) of seafood (including fish, crustaceans, molluscs, echinoderms, seaweed and other marine plants) caught or harvested in the wild (excluding finfish from mariculture) does not exceed: (a) for contaminants listed in Regulation (EC) No 1881/2006, the maximum levels laid down in that Regulation, which are the threshold values for the purposes of this Decision;

In addition, the following threshold values have been established through cooperation at Union level which, as explained in recital 12 of the Decision, is due to take place *‘in the framework of the Common Implementation Strategy set up by the Member States and the Commission for the purposes of Directive 2008/56/EC’*.

<b>Criterion</b>	<b>Threshold value(s)</b>
<b>D6C4</b> <b>Habitat loss</b>	The maximum proportion of a benthic broad habitat type in an assessment area that can be lost is 2% of its natural extent ( $\leq 2\%$ ) (D6C4).
<b>D6C5</b> <b>Adverse effects on habitats</b>	The maximum proportion of a benthic broad habitat type in an assessment area that can be adversely affected is 25% of its natural extent ( $\leq 25\%$ ). This includes the proportion of the benthic broad habitat type that has been lost (D6C5). A benthic broad habitat type is adversely affected in an assessment area if it shows an unacceptable deviation from the reference state in its biotic and abiotic structure and functions (e.g. typical species composition, relative abundance and size structure, sensitive species or species providing key functions, recoverability and functioning of habitats and ecosystem processes) (D6C5).
<b>D10C1</b> <b>Litter on the coastline</b>	20 litter items/100 m of coastline
<b>D11C1</b> <b>Impulsive noise</b>	For short-term exposure (1 day, i.e., daily exposure), the maximum proportion of an assessment/habitat area utilised by a species of interest that is accepted to be exposed to impulsive noise levels higher than the Level of Onset of Biologically adverse Effects (LOBE), over 1 day, is 20% or lower ( $\leq 20\%$ ). For long-term exposure (1 year), the average exposure is calculated. The maximum proportion of an assessment/habitat area utilised by a species of interest that is accepted to be exposed to impulsive noise levels higher than LOBE, over 1 year on average, is 10% or lower ( $\leq 10\%$ ).
<b>D11C2</b> <b>Continuous noise</b>	20% of the target species habitat having noise levels above LOBE not to be exceeded in any month of the assessment year, in agreement with the conservation objective of the 80% of the carrying capacity/habitat size.

The threshold values still to be defined at Union level, in line with the Decision, are those for marine litter in the surface layer of the water column and in the seabed; for micro-litter on the coastline, in the surface layer of the water column, and in seabed sediment; and for the level of adverse effects on seabed habitats. Some of the remaining threshold values have been or are being established through regional or subregional cooperation. Recital 12 of the Decision explains that, in this case, Member States should for instance refer *‘to existing values or developing new ones in the framework of the Regional Sea Conventions’*. These are clearly outlined in the Annex to the Decision<sup>1</sup>.

<sup>1</sup> See the report by the Joint Research Centre ["Marine Strategy Framework Directive - Thresholds for MSFD criteria: state of play and next steps"](#). Due to the dynamic nature of the discussions on the implementation of the GES Decision, some of the information in this report is no longer up to date.