

Agenda Item 2 Recent MSP developments

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NATIONAL MARITIME SPATIAL PLANNING DEVELOPMENTS

The attached table contains information on Maritime Spatial Planning (MSP) developments reported by Contracting Parties/Member Countries during previous HELCOM-VASAB MSP Working Group (HELCOM-VASAB MSP WG) meetings. Countries have been requested to update the table prior to the eight meeting of the Working Group, according to the procedure agreed on by HELCOM-VASAB MSP WG 4/2012. Poland has provided some updates since HELCOM-VASAB MSP WG 6/2013.

The Meeting is invited to take note of the information and Contracting Parties/Member Countries are requested to in short inform on any additional developments within MSP.

Maritime Spatial Planning developments reported by Contracting Parties/ Member Countries

Country	Information on MSP developments
Denmark	<ul style="list-style-type: none"> • Marine policy strategy approved by the government in summer 2010. • As a part of the strategy, an inter-ministerial senior-officials group was been established, chaired by the Ministry of the Environment and with representatives from ministries of defence, transport and energy taking part, to look into management of the sea, and thus looking into MSP. The senior-officials group established a sub-group of data experts, chaired by the Danish INSPIRE authority (Agency for Cadastre), who concentrated on the data issues (gaps, data infrastructure etc.). • The senior-officials group has finalised its work, but the final report still needs to be approved. In the report three different ways for how to deal with MSP has been proposed, but no agreement was reached on any of these proposals and it will be up to the future process to discuss and agree on these. Generally it was noted that it was difficult to reach a common ground in the group, and one of the overall conclusions was to await the proposal coming from EU in this area. On the other hand it was noted that the group had served as a platform for inter-ministerial consultations, which would also be useful for the up-coming EU proposal for how to deal with MSP. • Work is ongoing (September 2012) on better coordination on national and international level in order to prepare for MSP. • A business case is being developed on marine spatial data infrastructure to look into the benefits of data availability for MSP.
Estonia	<ul style="list-style-type: none"> • The responsibility in the sea area is divided between different ministries. • A draft law (Marine Environment Act?), incorporating the EU MSFD, has been submitted to the Parliament for adoption. The draft also contains some main clauses on MSP. • For a successful implementation of MSP, basic information on environmental parameters is needed. The Marine Environment Act is being drafted also for this purpose. • The National Spatial Plan for 2030 and the Maritime Policy for 2020 have been approved by the Government in August 2012. In relation to the Maritime Policy, the Ministry of Economics is preparing an action plan for the years 2012-2015. • A new national plan is under preparation covering the territorial sea. The Ministry of Interior is dealing with the national

	<p>plans, covering the territorial seas. Whether the plan will cover the EEZ is still being discussed.</p> <ul style="list-style-type: none"> • The Parliament is dealing with Maritime Policy and discussing how to strike a balance between environmental and fishery strategies. • Two pilot projects on MSP are ongoing in Pärnu and Hiiumaa County (September 2012). • A joint MSP expert group has been established between Estonia, Latvia and Lithuania. • Estonia takes part in the BaltSeaPlan and GORWIND projects. The GROWIND project end in October 2012.
<p>European Eunion</p>	<ul style="list-style-type: none"> • The Commission has issued two Communications on the development of an EU approach to Maritime Spatial Planning. A first Communication was issued in 2008, which developed a roadmap towards a common approach in the EU and identified 10 key principles for MSP. This Communication was followed up by a second Communication in December 2010, summing up the work carried out so far on MSP. This communication also announced that the Commission intended to make an Impact Assessment to determine whether and to what extent further actions are needed on the EU level. • This Impact Assessment, which is developed internally within the Commission, covers both Maritime Spatial Planning and Integrated Coastal Zone Management and has been carried out jointly by DG Environment and DG MARE. The Impact Assessment will form the basis for future legislative action and be published together with a proposal for how to pursue this issue further within EU. It is envisaged that the whole package will be formally adopted by the Commission late 2012 or (more likely) in early 2013, at which time the policy initiative will become publically available. Major input for this impact assessment was received from stakeholders through a web based stakeholder consultation in 2011. While the replies confirmed the increasing use of the maritime space, consequential increasing conflicts, and thus the need of MSP and the usefulness for EU action, there was no clear indication as to whether a binding or non-binding EU instrument would be preferred. • In the Impact Assessment four different options examined are investigated: to do nothing (the baseline approach), the “soft approach” (in the form of supporting actions), adopting a non-binding measure, or adopting a binding measure. Among the key issues in the Impact Assessment are: a general need for the Member States to implement MSP in European waters, to enhance cross-border cooperation which will require a common framework, the importance of subsidiarity meaning that planning is best carried out at the local/regional level. EU action would not preclude action also at regional level, such as in HELCOM and VASAB. • A MSP expert group within EU has been established, as a sub-group to the Integrated Maritime Policy Group. The first meeting was held in December 2011. The group is expected to meet as regularly as possible. The last meeting took place in Copenhagen on 11-12 September 2012 and the next meeting will be held in November 2012.

Finland	<ul style="list-style-type: none">• The national land-use guidelines have been renewed, including some minor changes concerning archipelago areas.• A Maritime Policy Division has been established under the Prime Minister's office, dealing also with MSP.• The Ministry of Environment plans to make a basic study on MSP in Finland.• Financing has been reserved for the regional councils to elaborate plans for wind energy to ensure planning, inter alia for bigger wind energy installations. Among the issues dealt with is the identification of areas for wind energy, to be taken into account in regional plans.• One activity related to MSP is on-going in the fisheries sector, making guidelines on where to place fish farms, e.g. in the Archipelago Sea to minimize environmental effects (few big farms in deeper sea areas instead of many small ones in shallow water). The guidelines are planned to be approved both by the Ministries of Environment and Agriculture and Forestry.• Additionally a four year project on MSP in a changing climate (MARISPLAN) led by SYKE and financed by the Academy of Finland, has been started, to quantify how climate change will affect the marine environment and how it needs to be taken into account in MSP. The project includes ecosystem and socioeconomic analyses of different anthropogenic activities, involving stakeholders from the three case study areas Helsinki City, the Archipelago Sea and the Quark-Bothnian Bay sea areas• Finland takes part in the PlanBothnia Project and MSP cooperation under the Nordic Council of Ministers• National Guidelines have been drafted for the construction of wind farms, on both land and sea.• Under the VELMU programme, dealing with inventories of underwater biodiversity which has been running since 2004 with funding mainly from national budgets, data is collected for modelling of underwater habitats and species distribution. Currently data on human uses of the sea areas is also being collated with the aim to in year 2013 make an assessment of the pressures on the marine environment stemming from these uses. The VELMU project received in 2011, 2012 and in 2013 financing for 1,3 million euros from the national budget.• Funding ((total budget 1,4 milj. €) has been granted for the TOPCONS (<i>Transboundary tool for spatial planning and conservation of the Gulf of Finland, 2012-2014</i>) project together with Russia dealing with data collection and MSP in the Eastern part of the Gulf of Finland.• No initiatives for legislation on MSP are under preparation, but a revision of the Building and Land Use Act will be made concerning other issues, but not MSP.• Ratified regional plans covers almost all territorial waters in Finland . At the moment all in all nine coastal regional plans are
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	being drafted, and three plans are in the Ministry of the Environment for ratification.
Germany	<ul style="list-style-type: none"> • MSP legislation and Maritime Spatial Plans are in place in the coastal sea and in the EEZ. The responsibility for MSP in the sea area is divided between the Federal government (regarding EEZ) and the coastal Länder Mecklenburg-Vorpommern and Schleswig-Holstein (regarding territorial sea). On federal level as well as on Länder level MSP is task of the authorities responsible for spatial planning. • Mecklenburg-Vorpommern has published a legally binding Spatial Development Plan in 2005 – covering the whole land territory and the territorial sea. The main issues covered in the MSP are “nature protection and management”, “tourism”, “wind energy”, “raw materials” and “cables and pipelines”. Now Mecklenburg-Vorpommern intends to deepen and complement this Spatial Development Plan. At this, the topics “fishing”, “port development”, “building on the water” and “shipping routes” should be addressed. • A legal ordinance for MSP in the EEZ in the Baltic Sea came into force in December 2009. The Federal Ministry of Transport, Building and Urban Development has elaborated legally binding targets and guiding principles for the application of the ordinance, within the framework of UNCLOS. Before, the Federal Spatial Planning Act has been made applicable to EZZ in 2004. In 2005 the Federal Maritime and Hydrographic Agency (BSH) started the preparation of the accompanying environmental report, in 2008 BSH drafted the Maritime Spatial Plan and carried out a SEA, including public participation and consultation. • Schleswig Holstein has published a legally binding spatial plan in 2010 – covering the whole land territory and the territorial sea. The main issues covered in the MSP are nature conservation and wind energy. • The Federal Government has published in 2011 an overall development concept for the sea, which constitutes the strategy for an integrated German maritime policy (“Entwicklungsplan Meer – Strategie für eine integrierte deutsche Meerespolitik”). • The INTERREG-project BaltSeaPlan (Introducing maritime spatial planning in the Baltic Sea, lead-partner is BSH) run from 2009 to 2012. This project has produced inter alia an analysis of national maritime strategies, draft plans in a national as well as transboundary context (Pomeranian Bight and Middle Bank) and the Vision for MSP in the Baltic Sea 2030 (see more: www.baltseaplan.eu). • An evaluation of the EEZ plan will be made by the summer of 2012 concerning offshore energy and whether the expectations have been met as outlined in the national Energy Strategy in 2010 (roadmap for 25.000 MW offshore wind energy by 2030). Next to it an offshore grid plan for the EEZ will be elaborated by BSH, identifying the electricity connections needed for the offshore wind farms, and the possibilities of having joint converter platforms for several wind farms (clusters), and the cables to be bundled in corridors towards land, including also a strategic forward looking approach.

	<p>Similar work is carried out in the North Sea by a working group of the North Sea Countries Offshore Grid Initiative dealing with transnational cooperation in offshore grid planning.</p> <ul style="list-style-type: none"> • A project has been initiated by the Federal Nature Conservation Agency with the aim to develop, in close coordination with the Federal Environment Ministry, management plans for the Natura 2000 sites in the German EEZ under the EU BIRDS and HABITATS Directives. The management plans will include monitoring and surveillance. The work is done on the basis of existing data and in close cooperation with other research projects in the German EEZ, e.g. projects on monitoring and on the implementation of the MSFD.
Latvia	<ul style="list-style-type: none"> • Ministry of Environment and the Ministry of Regional Development and Local Government have been merged into one Ministry of Environmental Protection and Regional Development • A concept for a development of spatial planning system was approved by the Government in 2009 • The long-term Sustainable Development Strategy (Latvia-2030) and its Spatial Development Perspective, also foreseeing MSP has been elaborated and adopted by the Parliament in 2010 • A Strategy for Spatial Development of the Coastal Area has been approved on 20 April 2011 by the Government. This strategic document in its Action Plan also foresees MSP. To transpose the EU MSFD into national law, a Law on Marine Environmental Protection and Management was adopted in October 2010, also foreseeing the use of MSP. • Latvia has been involved in a range of projects on MSP, e.g. BaltSeaPlan, a bilateral project GORWIND with Estonia and at this moment - PartiSEApate. • A new Spatial Planning law was adopted in October 2011. The law foresees a single maritime spatial plan for the whole Latvian jurisdiction sea waters (i.e. internal sea waters, territorial sea and EEZ). A long-term MSP should be initiated prior to 2014 and be adopted by the Government. • A report on competencies of the institutions in MSP was adopted in the Government on 10 April 2012. The report brings clarity to the institutional framework for how to deal with MSP. It gives mandate to Latvian Institute of Aquatic Ecology to prepare MSP in cooperation with Latvian Maritime Administration that will provide graphical information for MSP. The report also suggests enlarging planning responsibility for local governments behind their administrative borders in the territorial sea. • A joint MSP expert group has been established between Latvia, Lithuania and Estonia and first meeting with participants from all three Baltic States was organized in December 2011 in Riga where MSP issues were widely discussed by the ministries representatives. It is expected to continue keeping close cooperation between the Baltic States regarding spatial

	<p>planning issues, including MSP.</p> <ul style="list-style-type: none"> • Regulations of Cabinet of Ministers No 740 'Development, Implementation and Monitoring of Maritime Spatial Plan' has been approved on 30 October 2012. Regulations define procedures of development, implementation and monitoring of MSP.
Lithuania	<ul style="list-style-type: none"> •
Poland	<ul style="list-style-type: none"> • The Maritime Administration is the responsible authority • Adopted in July 2011 amendments of the Act on Sea Areas of Poland incorporated facilitated procedures for location of wind farms at sea. In effect many applications for permissions to locate wind farms in the Polish EEZ have been submitted. • Poland has developed pilot MSPs for the western part of the Gulf of Gdansk (the first ever local plan, in quite accurate scale, for the sea) and, within the Interreg project BaltSeaPlan, further pilot plans for the offshore areas; Middle Bank (together with Sweden) and Pomeranian Bay (together with Germany and Denmark). • A first strategic environmental assessment of the pilot MSP for the Western part of the Gulf of Gdansk has been developed. • A conference has taken place in Poland in February 2011, discussing the territorial cohesion agenda within EU. The outcome of the conference was provided as an input to a meeting of EU ministers in May 2011. • The Maritime Institute has been commissioned to prepare indicators for how to measure Good Environmental Status under the EU MSFD. • As a part of the Polish EU Presidency a conference "Planning for biodiversity" took place on 7-9 November 2011, where one of the three parallel sessions was dedicated to MSP and also included a presentation of the joint HELCOM-VASAB MSP WG. • In January 2012 the National Spatial Development Concept 2030 was adopted by the Government. For the first time in Poland the sea is included in this type of document. Important statements concerning marine space management and ICZM are contained in the document. • In August 2013 the Regulation on maritime spatial plans in Polish sea areas has been adopted. It defines inter alia the required scope of MSPs in their textual and graphic content, thereby removing the one missing piece of legislation needed to start actual planning. • On 15th November 2013 the Directors of Maritime Offices in Gdynia, Slupsk and Szczecin officially announced the start of a planning process with the objective of developing a draft maritime spatial plan for the whole Polish sea area except the Vistula Lagoon, Szczecin Lagoon and port waters.

<p>Russia</p>	<ul style="list-style-type: none"> • While land use planning is much regulated under the Federal Town-Planning Code, the marine areas have not yet been widely regulated, and MSP is just about to start up. • In December 2010 the “Strategy of the Russian Federation marine activity development till the year of 2030” was adopted by the Russian Federation Government’s Act. It foresees use and development of MSP approaches as one of the perspective areas of marine activity development. • The issue of MSP is under the responsibility of the Federal Government. • In 2012 the scientific work on the elaboration of the legal basis for MSP was completed, which provided the foundation for pilot projects on MSP. The work is planned to run up until the end of 2012. The work was organized by the Ministry of Economics supported by the Ministry of Regional Development. At present, work is considered by the relevant Ministries of the Russian Federation • The results of this work could be applied by the development of a pilot maritime plan for the Gulf of Finland. Project is expected to start in 2014-2015, and will be carried out by three neighbouring countries - Finland, Russia and Estonia.
<p>Sweden</p>	<ul style="list-style-type: none"> • A Swedish Commission on MSP in marine waters was appointed by the Government in November 2009 with a mission to propose a reformed physical planning for most of the Swedish Territorial Sea and the Swedish EEZ. The Commission started its work in January 2010 and was given an additional Terms of Reference by the Government in January 2011 to look into information and data needs for MSP. • The Swedish Commission on MSP has produced two reports to the Swedish Government. <ul style="list-style-type: none"> ○ The first report (In-depth planning MSP in Sweden; Special studies SOU 2010:91), delivered in December 2010, proposes a new MSP Act. The report also discusses the legal base for MSP and the ecosystem approach. The report points out the inter-linkage between MSP and the EU MSFD, e.g. the use of the Initial Assessment on the status of the marine environment as a basis for the MSP’s as well as the programmes of measures and the monitoring programmes, contributing to the follow-up and review. ○ The second report, delivered in June 2011 (Knowledge in depth – knowledge for MSP; Special studies SOU 2011:56), proposes measures and guidelines for an improved system to provide a knowledgebase (data and information) for the introduction of MSP. • The Commission finds that no comprehensive MSP for all Swedish territorial sea and EEZ exist in Sweden and that only four out of 80 municipalities have taken special planning initiatives for their part of the territorial sea. The Commission therefore proposes to establish a new law on MSP, which stipulates that national MSP shall be drafted for all Swedish waters starting from 1 nautical mile outside the baseline and covering the rest of the Territorial Sea and the EEZ. MSP shall be

simultaneously developed for the following three areas: the Gulf of Bothnia, Baltic Sea Proper, and Skagerrak and Kattegat. The plans are proposed to be adopted by the Government. Within the framework of this plan the municipalities will develop their comprehensive plans for the territorial sea, which have to take into account i.e. national interest given in the overall national MSP.

- A new public authority – the Swedish Agency for Marine and Water Management - was inaugurated in summer 2011 and is located in Gothenburg on the Swedish west coast. It will be responsible for elaborating the national MSP. The new agency is an environmental agency with focus on the marine environment and water, dealing with the conservation and preservation of the marine environment and its sustainable use and is responsible for the implementation of the MSFD. It is also responsible for fishery.
- It is proposed that the newly established Swedish Agency for Marine and Water Management shall develop a system to collect data and information for MSP, in cooperation with the agencies concerned.
- Work is ongoing for a Governmental bill based on the proposals of the Commission. The Commission suggested that the National Plan will cover all waters, starting from the baseline and up until the EEZ.
- The Government in May 2011 appointed a new committee for a review of the Swedish maritime boundaries. The committee is also to propose a contiguous zone for Sweden. The committee is to report on its results by the end of 2013.
- Sweden takes part in the Plan Bothnia transboundary pilot MSP project, which was initiated by the Swedish and Finnish Ministries of the Environment and HELCOM. Swedish partners also took part in the BaltSeaPlan project.