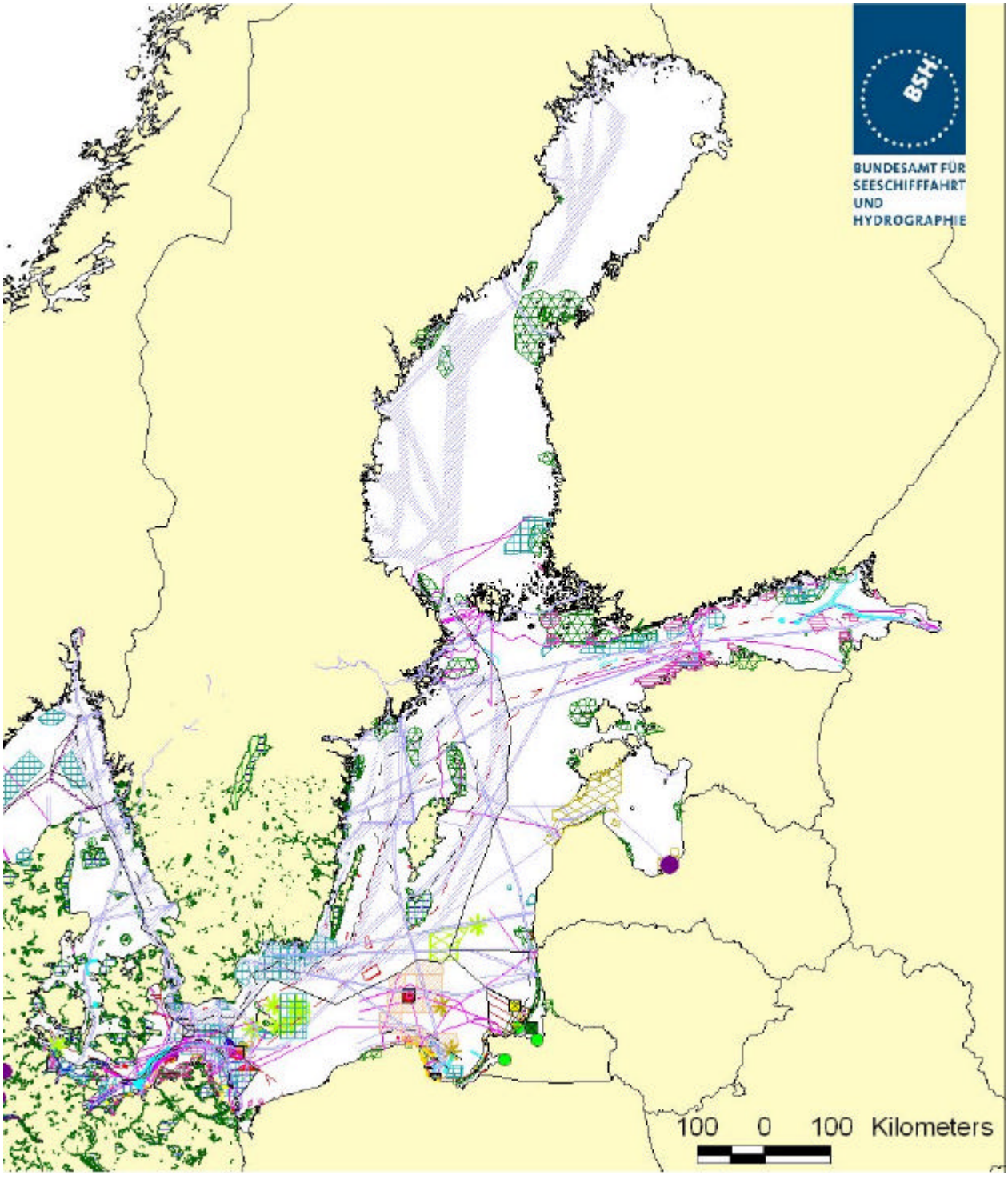
BaltCoast

Work Package 1: Framework for the co-ordinated use of offshore water areas around the Baltic Sea



Conclusions and recommendations

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Maps showing offshore uses in the Baltic Sea Region

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1 BACKGROUND

1.1 Study purpose and content

The study comprises three parts:

- Part I:
  Inventory of main existing or future expected use demands and conflicts in Baltic Sea offshore water areas including the first-ever pan-Baltic comprehensive mapping of offshore use interests;
- Part II:
  Analysis of instruments for cross-sector and cross-border coordination, particularly through spatial planning
- Part III:
  Recommendations regarding enhanced cross-sector and cross-border coordination using spatial planning instruments in BSR (Baltic Sea Region) countries.

The geographical coverage of the study is as follows:

- EU countries Sweden, Finland, Germany, Poland, Lithuania, Latvia, Estonia;
- non-EU BSR: Russia (Kaliningrad).

Not included are Denmark and the Russian BSR part of St. Petersburg-Leningrad Oblast (no Baltcoast partners). Detailed country reports are compiled in a separate volume, and summarised in this report.

1.2 Study organisation

The study was prepared as follows:

- National reports for parts I and II were prepared by experts from the respective countries appointed
  - by Baltcoast WP1 partners for Germany, Sweden and Finland
  - by the VASAB (Vision and Strategies around the Baltic Sea - a cooperation of ministries responsible for spatial planning and development of BSR countries) Secretariat under subcontract from WP1 partners for Poland, Russia (Kaliningrad) and 3 Baltic States
- Joint preparation of Part III (recommendations) by the national experts from Germany, Sweden, Finland and Poland.

2 THE CURRENT SITUATION

2.1 Offshore use demands in the Baltic Sea

Current use demands, as far as known, have been compiled in a separate volume comprising country reports for all countries listed above. They have also been mapped by BSH (Federal Maritime and Hydrographic Agency). Due to the compressed scale, this information is presented below in a set of maps showing different use categories.

The inventory demonstrates expanding use demands, including shipping, wind farming, nature protection, coastal and boat tourism, mineral extraction (oil, gas, sand), and utility networks. Many of these demands can be conflicting:

- Shipping (freedom of the seas) may conflict with wind farms, mineral extraction, and with nature protection
- Wind farms may conflict with land-side and sea-side tourism, with nature protection, mineral extraction
- Nature protection may conflict (depending on the type of protection) with most other uses
- Cables/ pipelines may be in conflict with shipping (anchors!), mineral extraction, with nature protection and with fishery (trawlers)

Use conflicts are therefore getting more numerous and more pronounced. Most approaches for conflict minimisation require spatial planning, for example:

- Shipping: assignment of shipping corridors, free of any conflicting uses such as mining, wind farms, cables, nature protection, and others;
- Utility lines (cables, pipelines): concentration of corridors to minimise the burdening of scarce sea areas (possibly parallel to shipping lines);
- Wind farms: limitation to suitable areas (= no conflicting uses, economic-financial feasibility due to favourable wind conditions, good opportunity to establish cable connections to land-side networks, good accessibility for repair and maintenance works etc.)
- Boat tourism: avoidance of coincidence with military training areas; spatial concentration of boat harbours.

Current offshore use demands and coordination needs in Baltic Sea countries

Country/ offshore zone		Pressure on use co-ordination	Main use demands requiring enhanced coordination
Germany	12 sm Mecklenburg-Vorpommern	very high	Nature protection Wind farms Shipping Utility lines Resource exploitation
	12 sm Schleswig-Holstein	high	Nature protection Wind farms Shipping
	Exclusive economic zone (EEZ)	locally high	Nature protection Wind farms Shipping Utility lines Resource exploitation
Sweden	12 sm zone	Locally very high, in most areas high	Shipping Fishing Nature protection Wind farms Tourism (boating)
	EEZ	Locally high	Shipping Fishing Wind farms Nature protection
Poland	12 sm zone	Very high & high	Nature protection Shipping Wind farms (as examples of industrial use) Utility lines Resource exploitation Defence Coastal protection
	EEZ	Locally high	Shipping Wind farms Utility lines Resource exploitation Nature protection
Russia (Kaliningrad Oblast)*)	12 sm zone	High at specific locations	Nature protection Oil mining Wind-farms Military training areas
	EEZ	restricted to specific locations	No sufficient information
Lithuania	12 sm zone	Restricted to specific locations or not known yet **)	Nature protection Recreation, tourism, Future oil extraction Possibly some wind farms
	EEZ	Not known yet	No sufficient information
Latvia	12 sm zone	Restricted to specific locations or not known yet***)	Nature protection Recreation Shipping Future oil mining Future: possibly wind farms
	EEZ	Not known yet	No sufficient information
Finland	12 sm zone	Moderate to high	Wind Farms Cables Shipping routes Nature and landscape protection
	EEZ	Low to non-existing	Shipping routes
Estonia	12 sm zone	Restricted to specific locations or not recognised yet)	Shipping Nature protection Utility lines
	EEZ	not recognised yet	to be identified

*) no information had been collected for St.Petersburg/ Leningrad Oblast

**) For Lithuania there is an environmental threat from the D-6 oil mining near Nida in Russia (Kaliningrad).

***) The Butinge terminal in Lithuania influences Latvian environment

2.2 Status of spatial coordination for offshore uses in BSR countries

2.2.1 Regulatory framework

When describing the status of spatial planning in offshore areas of BSR countries, a differentiation is required:

- 12-sm zone (= national territory) and
- EEZ = Exclusive economic zone (=international territory with national exploitation rights).

This differentiation is needed due to:

- different status of regulatory framework
- different responsible institutions
- different status of spatial planning

As regards spatial planning in the EEZ, a legal-regulatory framework does not exist in most BSR countries. Exceptions:

- Finland has recently proposed new legislation concerning the EEZ. Different responsibilities will be clarified, but no special spatial coordination has been addressed.
- Germany has adopted a new law in summer 2004

The regulatory framework for spatial planning in the 12-sm zone is more advanced in some countries. Usually, the responsibility is with local/ regional authorities as part of comprehensive planning:

- Sweden (municipalities are responsible)
- Finland (regional councils make; Ministry of Environment ratifies)
- Germany (Länder = the major regions make and ratify)

Poland as chosen a national responsible authority: the Maritime Office (planning) and seeking approval by Minister of Infrastructure. Other countries have no regulations yet. The intention is to prepare separate plans for different coastal sections.

Other countries have no regulations yet. Planning for offshore uses remains the task of different national sector institutions which to different degree seek a cross-sector consultation. (In the absence of spatial plans, even a good cross-sector consultation remains insufficient, because there is no comprehensive view on future use demands and their respective conflicts, relevance and therefore: priority.

2.2.2 Effective spatial planning

Effective spatial planning in the Baltic Sea countries is even less advanced:

- No plans existing for the EEZ (first preparations are presently underway in Germany)
- More plans exist for the 12-sm zones, but:
  - Swedish municipalities include only parts of the offshore areas into their comprehensive plans (if any)
  - in the German BSR, only Mecklenburg-Vorpommern has prepared a draft spatial plan (and Lower Saxony for its North Sea part; Schleswig-Holstein is considering to prepare such plan)
  - in Finland, offshore areas are normally not included in spatial plans of local or regional authorities, unless they are part of archipelagos.
  - in Poland, spatial planning for offshore areas has not been started yet.
  - In other BSR countries only the immediate coastal zones are sometimes included in spatial planning, but not the offshore areas.

Current status of integrated spatial use coordination in Baltic Sea countries

Country/ offshore zone		Regulatory framework existing?	Spatial plan existing?	... or planned to be prepared?	Scale of plans	Administrative levels responsible for preparing/ adopting the plan
Germany	12 sm Mecklenburg-Vorpommern	yes	yes (draft)	already existing	1 : 250.000	Region (Land, Federal Sate)
	12 sm Schleswig-Holstein	yes	no	yes	Formal plans: 1 : 250.000 for total SH 1: 100.000 for 5 sub-regional plans Informal plan: 1:300.000	Region (Land, Federal Sate)
	EEZ	yes	no	yes	unclear	Federal level (Ministry of Transport, Housing and Building; The Federal Maritime and Hydrographic Agency (BSH) will do preparatory work to formulate aims and general principles of spatial planning incl. designation of special area categories, environmental assessment and public participation.
Sweden	12 sm zone	Yes, municipalities are responsible for comprehensive plans for their total area (inside 12sm).	Yes, but for most municipalities only for parts of the area	Municipalities must review their comprehensive plan once every 4 years. It is expected that the offshore area covered by revised plans will be expanded in most cases	1:250000, 1:50000	Municipality
	EEZ	no	no	no	unclear	unclear
Poland	12 sm zone	Yes, but still not satisfactory	no	yes	1:200,000 & = 1:5,000	Preparation: Director of Maritime Office Approval: Minister of Infrastructure
	EEZ	Yes, but still not satisfactory	no	yes	1:200,000	same as for 12 sm zone
Russia (Kaliningrad Oblast)*)	12 sm zone	yes	no	no	unclear	Federal and Regional
	EEZ	no	no	no	unclear	Federal
Lithuania	12 sm zone	No for offshore planning; planning as such is regulated by the Territorial Planning Law, and two regulations of The Cabinet of Ministers: the Regulations of National Planning and the Local Municipalities Planning Regulations	No, but municipalities deal with minor issues concerning use of the territory directly adjacent to the coast (like places for swimming, location of the beach equipment, proposals for small ports development, etc.)	no	Not determined for integrated plan; for district plan 1:50 000; local municipal plan 1: 10 000; 1:2000	General plan of the county is approved by the Governors administration of county. The Ministry of Environment initiates and supports the preparation of the Counties General plans
	EEZ	No	no	no	unclear	National level (Ministry of the Environment)
Latvia	12 sm zone	No	no	no	unclear	unclear
	EEZ	No	no	no	unclear	unclear
Finland	12 sm zone	Yes. Land Use and Building Act 2000: Regional Land Use Plans made and approved by Regional Councils (associations of Municipalities)	no	no	1:100.000	Regional Councils make and approve, the Ministry of the Environment ratifies
	EEZ	No. National Land Use Objectives may refer to EEZ but until now in practice does not cover the EEZ. A law bill on forming EEZ has been before Parliament spring 2004, but covers only the 12 mile zone (areas governed by Municipalities)	no	no	unclear	unclear
Estonia	12 sm zone	No	No	No	unclear	unclear
	EEZ	No	No	No	unclear	unclear

*) no information had been collected for St.Petersburg/ Leningrad Oblast

2.2.3 Use categories considered

The following table demonstrates that the categories differentiated in spatial plans differ among the BSR countries. But as spatial plans are mostly not existing yet, and frequently even regulations are missing, there is still scope for harmonisation.

Offshore planning in Baltic Sea countries: Use categories

Country/ offshore zone		Spatial area categories (degrees of spatial prioritisation)	Uses pre-determined outside of the spatial plan (but to be considered and shown in the plan)	Other use categories shown on the plan and their respective spatial priority categories
Germany	12 sm Mecklenburg-Vorpommern	Priority areas ("Vorranggebiete") Reservation areas ("Vorbehaltsgebiete") Suitable areas ("Eignungsgebiete")	Shipping (shipping corridors, anchorage) = priority areas Nature and landscape protection = priority areas (national parks and nature protection areas) or reservation areas (bird protection and other areas of high nature potential)	Wind farms (suitable areas); Utility networks: cables, pipelines (reservation areas); Tourism, recreation (reservation areas); Exploitation of natural resources (sand and gravel): areas important for coast protection measures = priority status; other exploitation areas = reservation status
	12 sm Schleswig-Holstein	same	to be defined	to be defined
	EEZ	same	to be defined	to be defined
Sweden	12 sm zone	Protected areas (e.g. nature preservation, Natura 2000) National interest areas Areas suitable for special demands (e.g. wind farms)	Areas of national interest according to Swedish Environmental Code (SEC) chapter 3 and 4 (See next column). Protected areas (shore protection, nature protection, landscape protection, bird protection, Natura 2000.) Areas suitable for exploitation (e.g. in offshore areas for wind farms) Areas of special interest for tourism	Special provisions concerning land and water management in certain areas specified in SEC chap 4 (areas of national interest in their entirety in view of the natural and cultural assets). Areas of national interest (acc. SEC chap. 3 section 5-9) delineated by national boards in cooperation with County Adm. Boards (commercial fishing; nature conservation, cultural value, outdoor recreation; areas with valuable substances or materials; areas particularly suitable for industrial production, energy production, energy distribution, communications (e.g. shipping),water supply or waste treatment; areas needed for defence installations)
	EEZ	unclear	to be defined	to be defined
Poland	12 sm zone	No categorisation in place	to be defined	to be defined
	EEZ	No categorisation in place	to be defined	to be defined
Russia (Kaliningrad Oblast)*)	12 sm zone	unclear	to be defined; Military, Fishery, Nature protection, Boundary guard, Other uses	to be defined
	EEZ	unclear	same	to be defined
Lithuania	12 sm zone	Not determined; for municipalities: leisure activities, coastal fisheries, small ports development	to be defined	to be defined
	EEZ	unclear	to be defined	to be defined
Latvia	12 sm zone	unclear	to be defined	to be defined
	EEZ	unclear	to be defined	to be defined
Finland	12 sm zone	Areas where no other uses than the given are allowed; Areas where given use has priority. Areas with certain restrictions. Areas suitable but not limited to certain use (like wind farms). Areas where certain type of land use will be promoted. No "white " areas. Conflict areas where conflicting uses may be excluded or special development areas	Categories as in land-use plans (where applicable): Community structure: Settlement, services, production; Traffic alignments; Utilities: Water, waste and energy management; Nature resources: Groundwater, soil and peat resources; Recreation; Nature protection	Shipping and navigation Utility lines to certain extent Nature protection programmes, Natura 2000 network, protected species, certain biotopes
	EEZ	unclear	to be defined	to be defined
Estonia	12 sm zone	unclear	unclear	unclear
	EEZ	unclear	unclear	unclear

It should be noted that in some cases, the information given in the table has been derived from onshore spatial planning, as no corresponding information can be given for offshore areas yet.

2.2.4 Principles of solving use conflicts

Due to the fact that spatial planning for offshore areas is widely not existing yet, specific information on conflict solving approaches can only be given for the 12-sm zone of Mecklenburg-Vorpommern and of Sweden. For other countries and for the EEZ in general, the principles presented below are largely derived from corresponding approaches in onshore plans. Generally, shipping and environment protection are prioritised. But for other uses different approaches are practised or discussed.

Offshore use planning: principles for solving use conflicts: Nature protection and water-bound tourism

Country/ offshore zone		Nature protection	Water-bound tourism
Germany	12 sm zone Mecklenburg-Vorpommern	absolute prioritisation in priority areas; high priority in reservation areas	high priority in assigned reservation areas; concentration of boat harbours; priority of developing existing locations over new ones/ but sufficiently dense network
	12 sm zone Schleswig-Holstein	same	to be defined
	EEZ	to be defined	not relevant
Sweden	12 sm zone	Areas of national interest have priority. Nature protected areas and Natura 2000 areas are specially protected.	Areas of special interest can be stated in municipality comprehensive plans
	EEZ	Nature protection seen as a prio rity	
Poland	12 sm zone	Nature protection seen as a prio rity Strong conflict: Avoid coincidence with: mineral oil/gas extraction, dumping sites. Soft conflict: Wind farms (proper location, shipping (enforcement of regulations, VTMS, alignment of navigation routes and anchorages)	Strong conflict: Avoid coincidence with military training areas. Coastal safety & recreation (marinas and jetties significantly reduce safety of "downstream" coast t and width of beaches). Soft conflict: Wind farms (proper location), cables & pipelines (bundling, proper crossing of coastal zone), shipping (VTMS, proper alignment)
	EEZ	Nature protection seen as a prio rity	
Russia (Kaliningrad Oblast)*)	12 sm zone	Nature protection seen as a prio rity	to be defined
	EEZ	Nature protection seen as a prio rity	
Lithuania	12 sm zone	Nature protection seen as a prio rity	No specific plans under develo pment
	EEZ	Nature protection seen as a prio rity	
Latvia	12 sm zone	Nature protection seen as a prio rity	to be defined
	EEZ	Nature protection seen as a prio rity	
Finland	12 sm zone	Nature protection seen as a prio rity	Anchorage places and marinas are mainly planned locally and conflicts solved locally. Networks are planned also within Regional Plan
	EEZ	Nature protection seen as a prio rity	
Estonia	12 sm zone	to be defined	to be defined
	EEZ	to be defined	to be defined

Offshore use planning: principles for solving use conflicts: Shipping, wind farms, cables

Country/ offshore zone		Shipping	Wind farms	Cables
Germany	12 sm zone Mecklenburg-Vorpommern	Priority over other uses; only restricted possibility to assign compulsory corridors resp. areas not usable for shipping (approval by federal shipping agency required)	Use restriction to 'suitable areas'; Suitable = not unsuitable due to other use demands = no economic considerations; Detailed assessment in TIA (Territorial Impact Assessment); Criteria for suitable areas (any places not unsuitable due to competing use demands. Min. distance from shoreline 10-15 sm	Concentration in corridors; no cables (where possible) in shipping corridors and anchorage areas
	12 sm zone Schleswig-Holstein	same	Wind farms generally not within 12 sm zone (exception for testing and monitoring). In the absence of fully identified 'suitable areas' project assessment within the TIA process	to be defined
	EEZ	High priority because of UNCLOS; Art 60 VII: artificial islands, installations and structures and the safety zones (not more than 500m) around them may not be established where interference may be caused to the use of recognised sea lanes essential to international navigation.	First: identification of suitable areas according to §3a SeeAnlV (Marine facilities Ordinance). These areas may not be designated Natura 2000 areas and when safety and easy flow of shipping is endangered. Suitable areas do not exclude windfarm projects in other areas, whereas suitable areas due to spatial planning law exclude the application of projects in non-suitable areas. The suitable areas due to SeeAnlV, to be designated till end of 2005 get the legal effect of suitable areas in the meaning of spatial planning law (excluding effect).	to be defined
Sweden	12 sm zone	Nnational interests prioritised over local interests. If they are incompatible, priority is given to the purpose most likely to promote sustainable management of land, water and the physical environment in general. As shipping routes are difficult or impossible to move they generally have to be given priority	Wind farms >10 MW are prohibited in some SEC Ch. 4 areas. (Ch 4 areas are extending up to 3 sm. from coastline). Consequently in these areas wind farms >10 MW has to be located more than 3 sm. from coastline. This can be applied as a guideline also for other areas, even if it is desirable that wind farms are located more than 7 sm. from coast. Fishing interest has to be considered; same for: Bird migration; Tourism interest; Detailed assessment of influence on all matters has to be described and evaluated in EIA	Concentration in corridors if possible
	EEZ	to be defined		to be defined
Poland	12 sm zone	Strong conflict: Avoidance of coincidence with: intense fishing, military training and dumping areas, mineral oil/gas mining. wind farms Soft conflict: nature protection (VTM systems, location at proper distance), coastal safety and tourism (VTMS, contingency planning, location at proper distance & location), pipelines and cables ("bundling")	Strong conflict: Avoidance of coincidence with: oil/gas/minerals' extraction, shipping, dumping areas, trawl fishing, military training areas. Soft conflict: Nature protection (location outside area of risk to relevant natural values), coastal safety (proper crossing of cable through coastal zone), recreation (locate far enough from coast, high power generators to reduce size of area of wind farm).	Strong conflict: Avoid coincidence with: sand & gravel extraction, dumping areas, military training areas. Soft conflict: Crossing with pipelines (technical solution to reduce risk of damage), navigation & fishing (bundling).
	EEZ	to be defined	to be defined	to be defined
Russia (Kaliningrad Oblast)*)	12 sm zone	Priority over the other uses	to be defined	Not within shipping corridors
	EEZ	to be defined	to be defined	to be defined
Lithuania	12 sm zone	to be defined	to be defined	to be defined
	EEZ	to be defined	to be defined	to be defined
Latvia	12 sm zone	to be defined	to be defined	to be defined
	EEZ	to be defined	to be defined	to be defined
Finland	12 sm zone	Defined navigation channels, also elsewhere navigation has priority	Feasibility studies will be carried out before or in the starting phase of drafting the Regional Plan. Conflicts with other competing land use form are dealt with, discussed and the potential areas are prioritised. Only the feasible with no severe conflict are selected to be shown in the Draft Regional Plan	Negotiations with concerned parties and administration take place normally in early phases of planning. EIA required if on the positive list of the EIA decree.
	EEZ	to be defined	to be defined	to be defined
Estonia	12 sm zone	to be defined	to be defined	to be defined
	EEZ	to be defined	to be defined	to be defined

Offshore use planning: principles for solving use conflicts: Natural resources, dumping

Country/ offshore zone		Natural resources exploitation	Dumping
Germany	12 sm zone Mecklenburg-Vorp.	Not within shipping corridors (or limitation of such corridors)	Prohibition of poisonous materials dumping; restriction to dredged materials; dumping close to dredging places
	12 sm zone Schleswig-Holstein	same	same
	EEZ	Not in traffic separation schemes	Prohibited with exception of dredged materials
Sweden	12 sm zone	to be defined; not actual so far	Dumping of contaminated material is generally not given permission
	EEZ	to be defined	
Poland	12 sm zone	Strong conflict: Avoidance of coincidence with: wind farms, other types of extraction, navigation, nature protection, dumping areas, fishing & military training areas. Soft conflict: Cables (proper solution of crossing), shipping & fishing (bury pipelines sufficiently deep, bundling), coastal safety & recreation (proper crossing of coastline by pip elines)	Strong conflict: Avoid coincidence with: wind farms, cables, oil/gas/sand & gravel mining, nature protection Soft conflict: Fishing (proper location in deep water), coastal safety (proper selection of dumping site)
	EEZ	to be defined	
Russia (Kaliningrad Oblast)*)	12 sm zone	Not within shipping corridors	Restriction to dredged materials
	EEZ	to be defined	
Lithuania	12 sm zone	Only coastal fishing in a scale agreed under Gdansk Convention. In future according EU Common Fishing polcy	Sites are determined, fixed, reported to Helcom and monitored. No any plans to develop more
	EEZ	to be defined	
Latvia	12 sm zone	to be defined	Sites are determined, fixed, reported to Helcom and monitored. No any plans to develop more
	EEZ	to be defined	
Finland	12 sm zone	to be defined	Restriction to dredged materials
	EEZ	to be defined	
Estonia	12 sm zone	to be defined	to be defined
	EEZ	to be defined	to be defined

2.2.5 Coordination principles (cross-sector, vertical, cross-border) and duration of the planning process

As explained before, concrete experience exists only in Mecklenburg-Vorpommern and in Sweden (in both cases for the 12-sm zone only). The plan duration is 2-3 years. Plan updating needs less time. Cross-sector and vertical coordination follow general rules of onshore planning. Cross-border consultation is carried out as part of the public participation process. Similar rules as in EIA are applicable.

Offshore use planning: coordination principles

Country/ offshore zone		Duration of the planning process	Cross-sector concertation	Vertical coordination	Cross-border consultation
Germany	12 sm Mecklenburg-Vorpommern	approx. 2 years	Concertation with sector institutions in 2 stages: when preparing the first draft/ before public concertation and again before final adoption by the government	Coordination with counties and municipalities during the public participation process (comments on the draft plan). Coordination with federal bodies as part of cross-sector concertation (see above)	Concertation with neighbouring regions of other countries is compulsory part of the public participation process. This includes the Wojwodship Western Pomerania (Poland) and Storstroems Amt (DK).
	12 sm Schleswig-Holstein	no experience yet			
	EEZ	no experience yet			Network of contact person in each country. Involvement according to EIA directive + Espoo convention. Early exploration of interest to be involved. EIA study made available. Contact person ensures that the public may comment. If necessary, consultations on transboundary effects and measures. No legal veto power, but possibly political influence. Effective cooperation ranges from working fully satisfactorily to non-existing.
Sweden	12 sm zone	New or totally revised municipal comprehensive plan 2-3 years	Directly with responsible boards or via the County Administrative Board. The County Adm. Board has responsibility to co-ordinate and guard state interests. Before final adoption handling of state interests shall be scrutinized by County Administrative Board.	During the planning process the municipality has to consult affected municipalities and the County Adm. Board	Not actual in studied area as EEZ area is extending outside the area of the municipalities.
	EEZ	no experience yet			Bilateral agreement with Germany
Poland	12 sm zone	no experience yet	The plan is to be accepted by the Minister of Infrastructure in agreement with the Minister of Internal Affairs and Administration, Minister of Agriculture and Rural Development, Minister of Environment and Minister of Defence.	None provided by law	
	EEZ	no experience yet			
Russia (Kaliningrad Oblast)*)	12 sm zone	> 6 months	- coordination with federal agencies - EIA	approval by municipal and regional authorities	
	EEZ	no experience yet			
Lithuania	12 sm zone	no experience yet;; for municipal plan 1 - 1,5 years	Not determined yet. Municipal planning procedure provides for co-ordination with the Ministry of Regional Development and Self Governments, sector ministries and other state institions responsible for certain sectors	Not applicable for integrated plan. Municipalities co-ordinate the plan with the Ministry of Regional Developoment and Self Governments; local municipalities also with the respective district plans	No experience
	EEZ	no experience yet			
Latvia	12 sm zone	no experience yet			
	EEZ	no experience yet			
Finland	12 sm zone	3-5 years	carried out but not limited to 2 compulsory negotiations	State level: Defence Staff, Maritime Administration, Road and Railway administrations etc.	Concertation with neighbouring regions of other countries is inbaked to the Land Use and Building Act (which regulates Regional Planning)
	EEZ	no experience yet			Network of contact persons in countries that have ratified the convention (Sweden, Finland). Also Estonia has point of contact (also bilateral agreement between Finland and Estonia). Russia has signed but not ratified the convention. Negotiations on bilateral agreement between Russia and Finland started late 90s.
Estonia	12 sm zone	no experience yet			
	EEZ	no experience yet			

2.2.6 Public participation

Public participation follows same rules as applied for onshore planning. The public is generally given the possibility to study the proposed plan and to comment on this. The organisation responsible for planning then takes these comments into consideration as appropriate.

Current offshore use planning in Baltic Sea countries: Public participation

Country/ offshore zone		Public participation
Germany	12 sm Mecklenburg-Vorpommern	is initiated by publicising the plan and the possibility of commenting. For 3 months, the plan is made available on the internet and in regional and local administrations
	12 sm Schleswig-Holstein	
	EEZ	
Sweden	12 sm zone	When a draft of a comprehensive plan are made shall the municipality give associations and individuals having a considerable interest in the proposal opportunity to consultation Before the municipality can adopt a comprehensive plan, the plan proposal has to be exhibited to public for at least two months. The exhibition has to be announced in local papers.
	EEZ	
Poland	12 sm zone	None provided by law
	EEZ	
Russia (Kaliningrad Oblast)*)	12 sm zone	Publishing of the draft plan and organization of public discussion
	EEZ	
Lithuania	12 sm zone	Not applicable for integrated plan; municipal planning procedure includes public participation as the necessary part of it. At the beginning of planning work the municipality shall ask public for proposals (at least 4 weeks duration); when the draft plan is ready it shall be exhibited for public and public discussion shall be organised (at least 6 weeks long)
	EEZ	
Latvia	12 sm zone	
	EEZ	
Finland	12 sm zone	Onshore planning: Public consultations are initiated by publicising the so called Public participation and assessment program and that there is possibility to comment on the alternative set, studies planned, how public participation is organised and how impacts are assessed. Comments on planning solutions and draft plan are collected but this is compulsory only when final draft version is announced. Information can be obtained and normally comments can be given through the whole period of plan drafting on the internet.
	EEZ	
Estonia	12 sm zone	No information
	EEZ	

2.2.7 Cross-sector coordination for projects without a existing spatial plan

In Germany, a special procedure - territorial impact assessment TIA - is applied. The EIA is part of that procedure, but its outcome is balanced with other - social, economic - considerations. Other countries use the EIA procedure. Then, there is no specific instrument for the triple balancing - environmental, social, economical - as requested for sustainable development.

Current offshore use planning: cross-sector concertation in the absence of a spatial plan

Country/ offshore zone		Instrument of cross-sector concertation	Responsible authority for organising cross-sector concertation and for drawing final conclusions	Relationship to EIA
Germany	12 sm Mecklenburg-Vorpommern and Schlesw.H.	Territorial impact assessment procedure (TIA)	Project initiator to submit all documents supervision/ final decision by the Land government resp. its sub-regional representations	TIA includes a preliminary EIA to allow full analysis of use conflicts/ solutions. Subsequent EIA can build on these preliminary findings, but will be more detailed
	EEZ		BSH for windfarms; Landesbergämter (Mining authorities) for natural resources exploitation	same

Current offshore use planning: cross-sector concertation in the absence of a spatial plan

Country/ offshore zone		Instrument of cross-sector concer-tation	Responsible authority for organising cross-sector concertation and for drawing final conclusions	Relationship to EIA
Sweden	12 sm zone	Environmental Impact Assessment (EIA) process. TIA is not used in Sweden	County Administrative Board decides if an activity or measure is likely to have a significant environmental impact. Then,, an environment impact assessment procedure is to be carried out. In such a procedure the project initiator must consult the government agencies, the municipalities, the citizens and the organisations that are likely to be affected. The County Adm. Board usually gives advice about facts and consequences that are of special interest to be handled in the EIA. The project initiator is responsible for presenting conclusions. The approving authority (County administrative Board or Environmental Court) has to decide if the EIA satisfies requirements in Chapter 6 of SEC. (Chapter 6 is the EIA chapter)	no TIA applied; EIA as main coordination instrument
	EEZ		same	no TIA applied; EIA as main coordination instrument
Poland	12 sm zone	Contract for Use (questionable as an instrument for any kind of cross-sector or vertical concertation) Erecting and Use Permit (cables and pipelines only) Erecting and Use Permit (all structures – alternative interpretation of law)	Minister of Infrastructure Director of Maritime Office	no TIA applied; EIA as main coordination instrument
	EEZ		Minister of Infrastructure	
Russia (Kaliningrad Oblast)*)	12 sm zone	EIA procedure. Project is agreed with different organisations. Usually they are given the opportunity to examine this part of the project, which concerns the respective organisation. According to the legislation, this procedure is valid mainly for terrestrial side and to a certain extent.	Generally responsible are Federal Authorities. There are sector and cross-sector boards attached to the Administration of regions. They fulfil the consulting functions during the project discussions. In Kaliningrad Region these are: - Baltic Fishery Board - Water Monitoring Database Board - Board of Coasts	no TIA applied; EIA as main coordination instrument
	EEZ			
Lithuania	12 sm zone	For sector strategies and policies: Special constructions and buildings are accepted by sector ministries (e.g. hydrotechnical constructions in the ports etc.) Plans and programs under the Law requirements of the Law of Environmental Impact Assessment are approved only after positive EIA conclusion Cross sector co-ordination in certain construction projects is made according to the Building Law and the General Building Regulations.	Executed by respective State authority, issuing technical conditions for planning, design, construction or development projects. Law or Regulations of the cabinet of Ministers define this particular authority.	no TIA applied; EIA as main coordination instrument
	EEZ			
Latvia	12 sm zone	Special constructions are accepted by sector ministries (e.g. hydrotechnical constructions in the ports etc.) Plans and programs under the Law requirements of the Law of Environmental Impact Assessment are approved only after positive EIA conclusion Cross sector co-ordination in certain construction projects is made according to the Building Law and the General Building Regulations.	Executed by the State authority issuing technical conditions for planning, design, construction or development projects. Law or Regulations of the cabinet of Ministers define this particular authority.	no TIA applied; EIA as main coordination instrument
	EEZ			

Current offshore use planning: cross-sector concertation in the absence of a spatial plan

Country/ offshore zone		Instrument of cross-sector concertation	Responsible authority for organising cross-sector concertation and for drawing final conclusions	Relationship to EIA
Finland	12 sm zone	EIA-procedure	Project developer to organise negotiations (normally quite extensive project task forces to steer the project), make studies, and submit all documents. Regional environment centre collects opinion and statements and gives its own statement on the quality of the process and studies. For building permits the municipality has high powers. For example gas pipelines the government takes the final decision, these projects normally require EIA also.	no TIA applied; EIA as main coordination instrument
	EEZ	The government grants permits and may form restricted zones (law on continental self). The Finnish Environment Centre may grant permits to make structures in the areas of high seas. The Ministry of the Transport and Communications has to be consulted.		
Estonia	12 sm zone	The Water Act foresees a special procedure of public participation and cross-sectoral concertation for issuing permits for special use of water. The Ministry of Environment (as the authority issuing permits for special use of water for activities in the territorial sea) gives a notice about application for permit for special use of water in the Official Publications during 21 days from receiving the application. Every authority or person has the right to and make objections and proposals about the application during three months. Proceeding from the Maritime Safety Act, construction activities on waterways and in the immediate vicinity of navigational marks or in the sphere of influence thereof must have approval by the Estonian Maritime Administration	Ministry of Environment – for issuing permit for special use of water. The party who orders the works, for receiving approval of the Estonian Maritime Administration	no TIA applied; EIA statement is a precondition for issuing a permit for special use of water.
	EEZ	Legally as in 12 sm zone, not actual in practice.		

2.2.8 Cross-sector coordination for projects with existing spatial plan

As spatial plans are widely missing, little experience exists. In Mecklenburg-Vorpommern, an existing spatial plan makes a detailed concertation unnecessary for utility network projects which respect assigned corridors. For other projects, even with existing spatial plan the full cross-sector coordination procedure will be required, but:

- The existing plan makes the concertation process faster and less costly.
- The existing plan provides a significantly better basis to assess different potential conflicts or compatibilities. Without such plan there is a major risk that not all long-term demands are considered as would be required.

Current offshore use planning: cross-sector concertation with an existing spatial plan

Country/ offshore zone		Projects for which no full cross-sector concertation process (TIA or similar) is needed if they conform with the spatial plan	Projects for which a further cross-sector concertation process is needed even if they conform with the spatial plan	Instrument of cross-sector coordination
Germany	12 sm Mecklenburg-Vorpommern	utility networks in assigned corridors	wind farms mining/ dumping boat harbours	Territorial impact assessment procedure (TIA)
	12 sm Schleswig-Holstein	not yet applicable		same
	EEZ	not yet applicable		same
Sweden	12 sm zone	For all activities or operations mentioned in SEC Chapter 17 or in special appendix to Ch. 6 an environment assessment is mandatory. (Chapter 17 regulates activities for which Governments consideration of permissibility is mandatory.) The EIA-process can be significantly simplified If the Board at early consultation decide that an activity not is likely to have a significant environmental impact.	see previous column	EIA
	EEZ	not yet applicable	not yet applicable	EIA
Poland	12 sm zone	not yet applicable	not yet applicable	EIA
	EEZ	not yet applicable	not yet applicable	EIA
Russia (Kaliningrad Oblast)*)	12 sm zone	not yet applicable	not yet applicable	EIA
	EEZ	not yet applicable	not yet applicable	EIA
Lithuania	12 sm zone	not yet applicable	not yet applicable	EIA
	EEZ	not yet applicable	not yet applicable	EIA
Latvia	12 sm zone	not yet applicable	not yet applicable	EIA
	EEZ	not yet applicable	not yet applicable	EIA
Finland	12 sm zone	If spatial plan exists and is up to date, this makes the negotiations easier and in some cases shorter. Often the procedures are underway at the same time.	not yet applicable	EIA
	EEZ	not yet applicable	not yet applicable	EIA
Estonia	12 sm zone	not yet applicable	not yet applicable	
	EEZ	not yet applicable	not yet applicable	

3 THE RECOMMENDATIONS

3.1 Summary

Traditionally, sea areas were synonymous with the absence of restrictions ('open seas'). In few cases, restrictions were set to maintain shipping safety. Nature and environment protection have been added to possibly justify use restrictions. For the first time, this study provides a comprehensive offshore use map of the Baltic Sea. This map shows a growing need to compatibilise different, sometimes competing demands. Strong overlapping use interests occur in the south-western part of the Baltic Sea, but to a lesser degree also in other parts. Sea traffic continues to expand, as well as other uses such as wind farms, cables, pipelines, oil/ gas platforms, and minerals exploitation, fishing and recreation boating. New future demands may be expected, including aquaculture, industrial activities linked to wind farms, offshore tourist attractions and other use interests not even known yet.

In the past, the coordination of different demands could often be restricted to the balancing between two sectors, e.g. nature protection and free shipping. No complex coordination instruments were needed, EIA was an adequate tool. But with growing complexity and intensity of use interests, more frequently mutually excluding use interests need to be balanced in a multi-sectoral perspective. Equally important is a growing need to reserve sufficient sea space for future.

A. THE PRINCIPAL RECOMMENDATION: USE THE STRENGTHS OF SPATIAL PLANNING FOR CROSS-SECTOR CO-ORDINATION OF OFFSHORE DEVELOPMENT

Spatial planning has a proven record as a coordination tool for on-land development. This capacity shall be extended to offshore areas in national 12-sm zones and beyond, in the exclusive economic zone (EEZ). Two levels of cross-sector use coordination are recommended:

- *A.1 Strategic level*: Preparation of comprehensive spatial plans at scales of 1 : 200,000 or 250,000 (chapter 3.2.1);
- *A.2 Project level*: Systematic assessment of the impacts from contemplated use projects across all sectors possibly affected, in the offshore areas as well as in adjacent coastal land areas, considering project location, dimension and technical character. Environmental impacts would be an important part of this, but other socially and economically relevant impacts of and on other sectors have to be assessed, too, to allow a comprehensive balancing of interests (chapter 3.2.2).

B. THE IMPLEMENTATION OF THE PRINCIPAL RECOMMENDATION REQUIRES CORRESPONDING PROCEDURES, TOOLS, TO BE LAID DOWN IN REGULATIONS AND AGREEMENTS

A few countries around the Baltic Sea have established regulations for spatial planning in offshore areas - some of them for the 12-sm zone only. Many countries do not have such regulations yet (chapter 2.2.1). Only one country (Germany) has effectively started partly to prepare spatial plans for offshore areas (12-sm zone of Mecklenburg-Vorpommern; frst steps of federal level taken for the EEZ).

This situation provides a unique opportunity to introduce new planning procedures, harmonised between BSR countries and thus facilitating cross-border consultations: There is little need to change already existing methods and regulations. A number of pre-requisits must be created to initiate spatial, cross-sector co-ordination in offshore areas. These transnaitonally concerted preparations should start soon:

B.1 Improve the availability and accessibility of mapped information

The aim: A GIS-based fact-bank on offshore uses with secured updating routines and easy access across borders.

Background: In most BSR countries existing and planned offshore uses are not systematically mapped. Existing information is scattered and difficult to access.

Recommendation:

(1) Nominate national contact points with legal competence for organising offshore geo-information compilation, storage (exchangeable GIS format) and distribution;
(2) Define transnationally agreed standard information to be collected (kind and detail of information; geo-reference);
(3) Ensure collection and regular updating by various responsible institutions which shall ensure data quality.
(4) Facilitate free transnational access to relevant information for spatial planning authorities.

B.2 Define basic national policies for offshore development which are coordinated cross-sectorally

The aim: Strategic offshore development guidelines and prioritisation rules for use conflicts.

Background: Many use interests exclude or limit each other. National policies affecting offshore areas are largely sectoral, and in many cases not harmonised. Sea space is limited. Future demands are unknown, but may become important: generous reserve areas must be kept. Little experience exists with use prioritisation in offshore areas.

Recommendation:

(1) Prepare, in each country, a governmental document on the policy of using sea areas, before or parallel to the planning process, containing: (a) description of basic sector policies relevant for offshore areas; (b) prioritisation guidelines; (c) location of national priority areas; (d) guiding principles for reserving space for future unknown demand.
(2) Prepare a similar indicative document at BSR and EU levels.

B.3 Improve the effectiveness of cross-border consultation for offshore development plans and projects

The aim: Effective cross-border consultation with clear contact points and consultation procedures and complete, reliable, easy-to-obtain information across borders.

Background: Conflicting interests do occur and will become more frequent. But ways to compromise or even to obtain mutual benefits can often be found if prepared in time. Current consultation procedures are not sufficient, mutual information and dialogue depend on good will, not on established routines.

Recommendation:

(1) Identify in each country one responsible national contact point;
(1) Use, as a model, existing regulations for cross-border consultations regarding the environment (Espoo convention, EU directives), widening these for cross-sector, spatial coordination;
(2) Prepare bilateral agreements on procedures and time frames for (a) notification of proposed planning or project activity; (b) consultation; (c) dispute settlement; d) information on the final decision.

B.4 Prepare indicative guidelines for content and procedures of offshore spatial planning

The aim: available tool box for countries wishing to introduce spatial planning for offshore areas; harmonised standards for spatial plans which facilitate cross-border concertation

Background: Many BSR countries could benefit from indicative guidelines when introduce their national planning rules for offshore areas. Cross-border consultation for planned offshore uses would be easier if plans are based on common standards.

Recommendation:

(1) Agree on harmonised scales of strategic spatial plans;
(2) Define minimum content of these plans (use categories considered, levels of use reservation);
(3) Use uniform systems of plan presentation (graphical, explaining text).
(4) Apply BSR-standard procedures for plan preparation and concertation (see recommendations B.5 and B.6).

B.5 Apply ICZM principles in offshore planning

The aim: Observance of ICZM principles in the offshore spatial planning process.

The background: Spatial planning and ICZM rely on similar principles, among which: (a) consider future demands, (b) allow gradual development; (c) consider the interface of onshore-offshore (not satisfactorily done in current ICZM.

Recommendation: Apply spatial planning principles used on-shore, for offshore areas:

(1) Adopt a holistic, forward looking (long-term) perspective;

(2) Consider the onshore-offshore interface (often not covered in existing ICZM strategies);

(3) Allow gradual development of offshore areas, because impacts on the environment and on other uses are difficult to predict, re-planning may become necessary.

B.6 Ensure wide involvement of stakeholders in planning for offshore development

The aim: Adequate involvement of offshore and onshore stakeholders at all stages of spatial planning.

Background: Proper spatial planning must be based on public participation and stakeholder involvement. Though there are no offshore inhabitants and few industries, many may be affected or may affect offshore developments.

Recommendation:

(1) Prepare standard lists of stakeholders to be involved: (a) onshore inhabitants and enterprises whose livelihood or economic interests are affected; (b) enterprises interested in offshore projects; (c) institutions having jurisdiction over the sea; (d) those whose actions affect the sea; (e) NGOs.

(2) Apply participation procedures as used for onshore spatial planning.

C. Maintain the transnational Discussion and Development Process

The implementation of the above recommendations will largely benefit from transnational cooperation, leading to harmonised standards, but leaving room for national specificities. Such cooperation shall be arranged by national government bodies responsible for spatial planning and regional development. But transnational organisations such as VASAB, Baltic 21, HELCOM, EU Commission, can support this process by activating their networks and experience in sustainable development. Likewise, transnational initiatives for ICZM and, more general, for sustainable development, show significant gaps when it comes to integrated offshore development. They would also benefit from a dialogue with national spatial planning organisations. The following is recommended:

C.1 Implement a dialogue with international bodies (Helcom, Baltic 21, VASAB and EU Commission) on principles for offshore spatial planning

The aim: A coherent vision for offshore development principles; accelerated implementation of these recommendations.

Recommendation:

(1) Convene national focal points with transnational bodies to discuss the implementation of the recommendations made under A. and B.

(2) Prepare periodical pan-Baltic reports on progress in the management of offshore areas using inputs from national focal points.

C.2 Seek consultation with the EU regarding recommendation on ICZM, EIA and SEA Directive

The aim: A high degree of synchronisation of different organisations' approaches in overlapping themes.

Background: The interrelationship is strong between spatial planning, ICZM, EIA and SEA, all seeking a long-term strategy for sustainable development. The ongoing discussion in the EU Commission on ICZM, EIA and SEA would benefit from experience with offshore spatial planning.

Recommendation:

Discuss among national spatial planning bodies, pan-Baltic organisations and EU Commission how to best consider offshore spatial planning in the mentioned recommendations and directive.

C.3 Develop transnationally concerted plans for offshore infrastructure corridors

The aim: A coherent vision of transnational corridors for international shipping and utility networks (pipelines, cables).

Background: There is good experience with TEN as a coordination instrument for trans-European (transport) infrastructure. Concentrated corridors in sea areas (in contrast to existing non-organised cob-webs) would help to minimise conflicts with other uses and to ensure careful use of limited sea space. With agreed corridors, project licensing may be accelerated.

Recommendation:

(1) Let responsible sector institutions systematically provide information on existing and planned uses.

(2) Prepare transnational priority corridors for respective uses.

C.4 Promote transnational research and pilot projects

The aim: Enhanced knowledge on present and future use demands and their potential impacts.

Background: Available knowledge and information is not good enough to inventorise current offshore uses and to assess potentials, needs and impacts of future uses. Spatial planning for offshore areas needs more practical experience to demonstrate its benefits.

Recommendation:

(1) Initiate transnational research to improve knowledge (a) on current use demand and area suitability; (b) to assess economic, social and environmental impacts from existing and contemplated new offshore uses.

(2) Initiate pilot projects for offshore spatial planning to gather practical experience.

C.5 Promote experience exchange with other regions

The aim: Broad knowledge exchange.

Background: Countries not experienced in spatial planning for offshore areas can benefit from knowledge gained by those being more advanced. A feedback from new experience to refine existing regulations and methods would help advanced as well as less advanced countries.

Recommendation:

(1) Arrange conferences and discussion fora.

(2) Install international working groups on specific issues such as legal regulations, stakeholder involvement, impact assessment, cross-border consultation, information exchange etc.

(3) Interrelate with research and development projects in this field

The recommendations at a glance

A. Use the strengths of spatial planning for cross-sector co-ordination in offshore development

A.1 Prepare spatial plans for offshore areas
The aim: More effective and transparent co-ordination of different use interests; no transfer of unsolved onshore problems to offshore; sea area reservation for unknown future needs.

A.2 Base new offshore projects - their location, dimension, technical character - on a systematic cross-sector impact assessment
The aim: Comprehensive balancing of interests with sufficiently detailed consideration of all relevant impacts - environmental, social and economical.

B. Introduce adequate tools and methods for spatial use coordination in offshore areas

B.1 Improve the availability and accessibility of mapped information
The aim: A GIS-based fact-bank on offshore uses with secured updating routines and easy access across borders.

B.2 Define basic national policies for offshore development which are coordinated cross-sectorally
The aim: Strategic offshore development guidelines and prioritisation rules for use conflicts.

B.3 Improve the effectiveness of cross-border consultation for offshore development plans and projects
The aim: Effective cross-border consultation with clear contact points and consultation procedures and complete, reliable, easy-to-obtain information across borders.

B.4 Prepare indicative guidelines for content and procedures of offshore spatial planning
The aim: A tool box for countries wishing to introduce spatial planning for offshore areas; harmonised standards for spatial plans which facilitate cross-border concertation.

B.5 Apply ICZM principles in the offshore planning
The aim: Observancen of ICZM principles in the offshore spatial planning process.

B.6 Ensure wide involvement of stakeholders in planning for offshore development
The aim: Adequate involvement of offshore and onshore stakeholders at all stages of spatial planning.
d complete, reliable, easy-to-obtain information across borders

C. Maintain the transnational discussion and development process

C.1 Continued dialogue with international bodies (Helcom, Baltic 21, VASAB and EU Commission) **on principles for offshore spatial planning**
The aim: Coherent offshore development principles; accelerated implementation of recommendations A to C.

C.2 Consultation with the EU EU regarding recommendation on ICZM, EIA and SEA Directive
The aim: a high degree of synchronisation of different organistions' approaches in overlapping themes.

C.3 Develop transnationally concerted plans for offshore infrastructure corridors
The aim: Coherent vision of transnational corridors for international shipping and utility networks (pipelines, cables)

C.4 Promote transnational research and pilot projects
The aim: Enhanced knowledge on present and future use demands and their potential impacts.

C.5 Promote experience exchange with other regions
The aim: Broad knowledge exchange.

3.2 Recommendations Group A.
Use the strengths of spatial planning for cross-sector co-ordination in offshore development

3.2.1 Recommendation A1: Prepare strategic spatial plans for offshore areas

3.2.1.1 Justification

3.2.1.1.1 Growing use demand requires more coordination

Traditionally, the 'open seas' had been considered as synonymous with the absence of restrictions. The only exceptions were made to maintain shipping safety (low scale of collision risks) in sea areas with high traffic density. In cases of vulnerable shorelines or coastal waters and heavy ship traffic with hazardous cargo, specific shipping routes were declared to maintain a minimum distance from these sensitive areas. Since quite some time, considerations of nature and environment protection have been added as a generally accepted justification for use restrictions. Specific sea protected areas were introduced, and other uses of the sea bottom and/ or of the sea surface had to accept limitations in case of conflict with environmental objectives.

Sea traffic has been growing rapidly and is expected to continue so (and is even wished to grow fast in the light of transport policies seeking a shift 'from road to waterway'). During the last decade, new use demands emerged due to a move towards renewable energy: while large-scale wind farms in land-side or immediate coastal areas met with increasing resistance, open sea areas seem to offer not only less conflicts, but also higher wind potentials. Several offshore wind farms already implemented or under preparation have demonstrated that the 'no conflict' expectation was not always realistic.

Other use demands are also exhibiting strong growth, such as pipeline and cable corridors, sand mining, petrol oil and gas mining, consideration of cultural heritage (sunken ship wrecks and cities), growing cruise and pleasure boat tourism etc. Further new demands appear on the horizon: aqua-farming, service traffic to sea platforms, possibly even use of sea platforms for tourism. Finally, room must be left in offshore areas for other future use demands not known yet, but possibly also being valuable for the societies around the Baltic Sea.

Wide differences are observed in the intensity of the use and thus also potential to spatial conflicts, in different parts of the Baltic Sea. But even in the most extensively used Bothnian Gulf area use conflicts do exist and are growing. An example for potential conflicts among different use interests is shown in the table below. Large and bye this is valid for all BSR countries.

In the past, potential use conflicts caused by new proposed uses were normally assessed on a case-by-case basis. The overall picture of various new demands could not be taken into consideration, simply because there was (and still is) no systematic collection of information on potential future demands (even of projects already in progress).

With case-to-case assessments on a project basis, no full evaluation of the relative benefits, mutual compatibility or conflicts of different use interests can be made. With the growth of use demands, the benefits of a more comprehensive approach become apparent: Only such approach can help to avoid that the introduction of new offshore uses now will hinder or will at least be detrimental to more beneficial other ones in the future.

Efforts to arrange a more systematic assessment of future offshore uses have first been made in Mecklenburg-Vorpommern. This BSR State of Germany has chosen to use instruments of spatial planning for a broad large-scale co-ordination, by extending traditional land-side spatial planning to offshore areas. This provides a framework for a more detailed assessment of individual projects which adequately considers the wider frame.

Use conflicts among offshore uses - The example of Poland

Use Categories	x = conflict; xx = strong conflict										
	wind farms, connecting cables	other cables	mineral oil/ gas extraction & connecting pipelines	other pipelines	aquaculture	sand/ gravel extraction	shipping routes	nature protection areas	dumping areas	fishing/military training areas	Other offshore and onshore uses
Wind farms & connecting cables /landside infrastructure											
Other cables (electricity, telecom)											
Mineral oil/ gas mining and connecting pipelines	xx	x									
Other pipelines		x(?)	x(?)								
Aquaculture											
Sand/ gravel extraction	xx	xx	xx								
Shipping routes/ anchorage areas	xx	x	xx(x)								
Nature protection areas	x		xx(x)	x		x	x				
Dumping areas	xx	xx	xx			xx	xx	x(xx)			
Important fishing/ Military training areas	xx	xx	xx			xx	xx	x	xx		
Other offshore uses:											
coastal safety	x	x	x	x			x	x	x		
recreation	x	x	x	x			x			x(xx)	

The purpose of the study presented in this report is to present first, as far as possible, comprehensive information on existing and future expected offshore use demands in the BSR, and to assess the compatibility or conflicts among different uses. Secondly, the study analyses the current state of use coordination by means of comprehensive (spatial) planning in different parts of the Baltic Sea Region. On this basis, recommendations are made for a stepwise strengthening of planning practices.

Comprehensive spatial planning for offshore areas can be considered as an element of integrated coastal zone management (ICZM) which promotes an integrated view on land- and sea-side parts of coastal areas. But in fact, so far little attention is paid in ICZM processes on the offshore side, except for immediate shoreline waters.

This has also been underlined by pan-Baltic organisations (see chapters 3.4.1 and 3.5.3.

3.2.1.1.2 Insufficient current coordination procedures

In summary, spatial planning is the adequate instrument for cross-sector, cross-levels and cross-border consultation and coordination:

- Spatial plans provide wider knowledge of different use interests.
- Spatial plans facilitate the assessment of individual projects or other offshore use plans .
- This knowledge plus the broad spatial coordination of different interests through the plan allows time and cost savings when processing project proposals.
- Without existing spatial plan, there is a major risk that not all today's and future use demands are adequately considered and that sufficient room is left for still unknown future needs.
- Spatial planning makes the cross-border consultation process easier and more efficient and effective:
  - easier consideration on potential cumulative effects of different projects in different countries
  - easier identification of potential conflicts between projects in different sectors of different countries.

In spite of this, chapter 2.2 has shown that the instrument of spatial planning is not applied in most BSR countries and often does not even have the required regulations. A process must be initiated to gradually introduce spatial planning, not only for areas with apparent use conflicts, but also for other areas. Only then will it be possible to ensure long-term sustainable development.

3.2.1.2 Recommended action

Responsible institutions in the BSR countries are recommended to agree on a joint vision for the introduction of offshore spatial planning in their countries. This introduction will be a long-term process. It requires a step-wise approach:

(1) Introduction of required regulations where these are not available yet - this can be facilitated by a systematic assessment of existing tools and procedures in BSR and in other countries (see chapter 3.3, particularly 3.3.1).

(2) Exchange on current experience to draw conclusions on best approaches for the participating countries (chapter 3.4.5).

(3) Systematic mapping of use demands and identification of potential conflict areas (priority areas for spatial planning, see chapter 3.3.1).

(4) Preparation of national offshore development strategies and guidelines for use prioritisation (3.3.2).

(5) Initiation of pilot planning projects (chapter 3.4.4).

Where responsibilities for spatial planning in offshore areas are not yet clear, or are scattered, BSR countries are recommended to clarify this.

A dialogue with international bodies on principles of offshore spatial planning would be useful to support this process (see chapters 3.4.1 and 3.4.2). VASAB, Baltic 21, HELCOM and the EU Commission can play an important role to support the introduction of spatial planning for offshore areas. Principles of sustainable and balanced development shall be observed which are essential ingredients of modern spatial planning (see chapters 3.3.5 - Integrated Coastal Zone Management - and 3.3.6 - stakeholder involvement).

Methods and instruments for cross-border consultation regarding future offshore uses must be refined (see 3.3.3). Transnationally concerted plans for pan-Baltic utility networks crossing the Baltic Sea (pipelines, cables) would facilitate and accelerate the transnational consultation process, but would also help to make better use of scarce sea areas, reserving space for future demands (3.4.3).

The introduction of spatial planning for offshore areas and its implementation will take a long time. In the meanwhile, it will be essential to strengthen the spatial cross-sector coordination at project level, even without existing spatial plans (but also for more detailed coordination with existing spatial plan). This requires the widening of currently practised coordination through the Environment Impact Assessment procedure (EIA, see chapter 3.2.2).

3.2.1.3 Actors

National/ regional authorities being already responsible for spatial planning in onshore areas, international organisations such as VASAB, Baltic 21, HELCOM, EU Commission.

3.2.2 Recommendation A2: Base new offshore projects - their location, dimension, technical character - on a systematic cross-sector impact assessment

3.2.2.1 Justification

Environmental impact assessment is widely introduced into project planning in BSR countries. In this context, cross-sector and, where required, transboundary coordination is also practised. But due to the purpose of EIA, this cross-sector and cross-boundary view concentrates at environmental impacts. Less attention is paid to

broader aspects of coordination from the point of view of economic development and to balanced spatial development where different uses are considered how they impact on regional economic development and how to prioritise mutually conflicting or competing uses.

Tools and procedures for the latter do exist, but are not widely introduced. As regards offshore areas, this neglect is not surprising, because the need for cross-sector coordination emerged only recently. It is now the time to introduce territorial impact assessment as a separate tool. This tool, to be applied for the assessment of projects, is equally useful, with or without an existing offshore spatial plan. But clearly, an existing spatial plan makes it much easier (faster and less costly), because then (a) different current and future use interests have already been collected and evaluated, and (b) a framework for the use category to which a specific project belongs has already been set considering other use interests.

Comprehensive cross-sector assessment of project impacts allows to clarify substantial problems at an early stage, thus minimising planning effort and costs. Already at the beginning of a planning procedure, major mistakes in the process can be avoided. In daily planning practice, it has proved to be useful to carry out this impact assessment as early as possible and to gather information about all interests which are or which may be concerned by the proposed project. This helps to optimise different options for locations or routes, to prevent potential conflicts in good time at the stage of general project design. The benefits include:

1) Harmonisation of projects with public interests
2) Integrating Environmental Impact Assessment
3) Managing conflicts by early participation of stakeholders (different sectors and levels of administration, NGOs, the broader public)
4) Minimising negative impacts and planning/ investment costs by optimising the choice for location / routing and technical planning
5) Ensuring planning reliability by giving early and reliable information about the chance for realisation of the project
6) Accelerating the planning and approval process
7) Putting general objectives of spatial planning into practice due to the compulsory consideration of TIA results in the project approval process
8) Supporting local administrations in case of large-scale investments

The focus of comprehensive, cross-sector, impact assessment at the planning stage is not on technical details, but on balanced consideration of different interests. This provides hints for modification of technical details, if this reduces conflicts with other use interests or with environmental protection.

To summarise, comprehensive cross-sector impact assessment is – similar to EIA - restricted to considered projects and measures. But unlike EIA, it includes all aspects of spatial development, whether environmental, social, economic or cultural. It is not designed for the comprehensive assessment of plans, programmes and policies, as intended for environmental aspects according to the SEA Directive for environmental aspects (Strategic Environmental Impact Assessment = EIA at programme level).

3.2.2.2 Recommended action

It is recommended to introduce comprehensive cross-sector impact assessment for projects in the BSR countries which integrate EIA as one important dimension when seeking an optimal use of (offshore) spaces by different,

compatible, mutually conflicting, or competing interests. Procedures introduced in Germany may serve as exa m-ples requiring adaptations to specific conditions in different countries.

Therefore, the recommended procedure could be as follows:

- Evaluate pros and cons of current cross-sector impact assessment procedure in Germany in comparison to the EIA process practised in most other countries.
- Assess deficiencies in the cross-sectoral coordination process in different BSR countries, at the stage of planning of large-scale projects.
- Identify key elements (content, procedure) of comprehensive impact assessment which may be introduced in different BSR countries.
- Elaborate, in a transnational working group, a proposed standard content and procedure for consideration by different countries.

3.2.2.3 Actors

The main addressees are national ministries responsible for spatial planning and development, which are already cooperating in the framework of VASAB (Vision and Strategies around the Baltic Sea; Committee on Spatial Development).

3.3 Recommendations Group B: Introduce required tools and methods for the spatial coordination in offshore uses

3.3.1 Recommendation B1: Improve the availability and accessibility of mapped information

3.3.1.1 Justification

Any proper planning and use coordination needs information on existing and future activities in the area of inter-est, including location, extension, technical specifications, natural dynamics and processes, etc.

Maps are a basic tool for visualisation of uses, new use demands, protection areas for safe shipping, for nature preservation, for economic fish stocks and others. Geographical information systems (GIS) are an effective tool of storing, updating, analysing, querying and visualising geo-spatial data and associated information. The dy-namic development in the Baltic Sea requires a frequent updating of information which can only efficiently be realised by using GIS.

Such information system does not exist for BSR offshore waters. Information on existing offshore uses is not collected systematically and using harmonised definitions. Such information needs to be collected from different sector organisations, with varying willingness to inform (and with no obligation to do so).

With support by the BaltCoast partners, by the VASAB secretariat (Gdansk) and to a small extent by using inter-net sources, the German Federal Maritime and Hydrographic Agency (BSH - Bundesamt für Seeschifffahrt und Hydrographie) has collected geo-spatial data on offshore uses, new use demands and protection areas as far as possible using CONTIS (Continental Shelf Information System) which had already been established for the German sector.

As a result. the first more or less comprehensive map could be prepared covering the whole Baltic Sea and il-lustrating areas of different levels of conflict potential. This effort has revealed the difficulties in collecting such

geo-spatial data and background information and operating a GIS based management information system on a national and pan-Baltic level.

Therefore, it is recommended to adopt a basic uniform system of graphical presentation and textual content to make the maps (plans) comparable and understandable to authorities, planners, communities and potential investors from the whole BSR. This uniformity of content and presentation will be helpful to identify transboundary conflicts and potentials for problem-solving.

3.3.1.2 Recommended action

The aim: A database of existing and planned offshore activities (use demands, protections areas) which are relevant for spatial planning., with easy access and updating routines. Possible support by EU funding and use of additional information sources like GMES, etc.

To facilitate geo-data exchange and to ensure good data quality, a common standard shall be established - besides international (e.g. Open GIS Consortium) and national activities. In particular, it is recommended:

- To establish national contact points for offshore geo-information in each BSR country (see chapter 3.3.3). This central authority shall be responsible for organising offshore data and information flows on a national and Pan-Baltic level, involving relevant other national or regional institutions to contribute with their information.
- These central authorities shall (1) define together transnational minimum standards for the coordinate system used, (2) list relevant information needed for spatial planning as indicated by responsible spatial planning bodies (see chapter 3.3.1), to be stored in GIS databases, and (3) establish mapping guidelines (scale, layout, etc.).
- The specific (geo) information on uses, use demands, protection areas, habitats, offshore maritime traffic densities, etc. shall be collected, compiled and regularly updated, by the various responsible institutions (e.g. Board for Fisheries, Geological Survey, etc.). These authorities shall ensure data quality and accuracy for map scales relevant to spatial planning.
- To make geo-spatial data and associated information available in an exchangeable GIS format. For nautical purposes, Lat/Long (WGS 84) is the standard coordinate system, which is also recommended for spatial planning in offshore waters.
- To harmonise geo-spatial data on different scales (e.g. BSR-common GIS data on administrative boundaries in offshore waters, coastlines, water depths).
- To ensure free transnational geo-spatial data and information exchange, at least for authorities responsible for spatial planning.
- To facilitate the use of remote sensing images for spatial planning by free access to these data.

3.3.1.3 Actors

The governments of each BSR country are recommended to nominate one central authority responsible for offshore (geo)information (see chapter 3.3.3). This authority shall get sufficient legal competence for offshore information management. Its main duty is the coordination of data and information flow in close cooperation with the responsible sector or regional institutions as well as the coordination of information needs for spatial planning (including territorial impact assessment). The governments shall promote and support efforts for collection and compilation of offshore (geo)information to improve the database for spatial planning.

3.3.2 Recommendation B2: Define basic national policies for offshore development which are coordinated between sectors

3.3.2.1 Justification

Many uses of the sea exclude, or seriously limit, each other. They can significantly influence the use of the coast, just as the use of the coast may have a significant influence on possible uses of the sea. Territorial impacts are, unlike on land, difficult or even impossible to contain and can extend over large areas. These impacts are not only long lasting (sometimes over centuries rather than decades), but can strengthen with time. Removal of (negative) effects is either impossible or extremely costly, and as a rule requires long-term action.

Many use interests are of national importance, e.g. transport, energy (wind farms and possibly future hydrogen production plants), main communication systems, mining of strategic raw materials, environment and nature protection, coastal safety, defence, food production. There may also appear important new, yet unknown, ways of using the sea, and adequate free space should be left for them. As a result, the use of sea space may have an important influence on the possibility of attaining national objectives: economic growth, safety and health.

But sea space is limited, and optimum locations for different uses may coincide with each other. In the spatial planning process conflicts among different use interests, public and private, must be solved. Such problem solving must consider national sector policies, development priorities and corresponding guiding principles of sea space use, which are outside the competence of a spatial planning authority. It is therefore recommended that competent national or regional governments arrange an inter-ministerial process to prepare such guiding principles. Preferably, such offshore policy document should be available before the start of formal spatial planning.

For German offshore sea areas, a first attempt for such guiding principles was made on behalf of the Federal Ministry responsible for spatial planning[1]. The result of this work is a useful systematisation and structural discussion. But it can not be considered as guiding principles as discussed above. The approach in Germany is rather to: prepare spatial plans and to clarify guiding principles as part of this process.

3.3.2.2 Recommended action

It is recommended that in each country prepares, at the beginning of the spatial planning process, a governmental document on the policy of sea (and coastal) space use. This document shall provide a general reference framework for the planning process. As an alternative, this document could be developed at a later stage, drawing on experience gained during the development of first spatial plans and specific, project oriented decision-making on the use of sea space. Obviously, a combination of the two would also be useful: start with a more general policy document, collect experience during the planning process, and then further elaborate the policy document to clarify issues which occurred during planning.

The mentioned document would ideally include inter alia:

- a short description of basic sector policies of the State (or their parts) having relevance for offshore areas and the interacting policies formulated for the coastal zone,

[1] For German offshore sea areas, a first attempt for such guiding principles was made on behalf of the Federal Ministry responsible for spatial planning (see: Hanns. J. Buchholz et. al.: Strategien und Szenarien zur Raumnutzung in den deutschen Ausschließlichen Wirtschaftszonen in Nordsee und Ostsee, Dezember 2002/ Strategies and scenarios for use of space in the German EEZ in the North and Baltic Seas, Dec. 2002). The result is a useful systematisation, but can not be considered as guiding principles as discussed above. The expectation in Germany is rather to undergo a parallel process: Prepare spatial plans and clarify guiding principles as part of this process.

- prioritisation guidelines between policies and some specific uses (without overly restricting the room for consideration of specific local circumstances),
- geographically defined national priority areas.
- guiding principles of sea space use to ensure efficient and effective use of offshore areas, allowing extensive space for future, yet unknown uses of sea space.

The document can draw from examples available in different countries (see the Swedish example below), though most of them need further development. Therefore, an international working group would be useful to prepare general recommendations which will then be adapted to specific national circumstances.

It is also recommended that, in order to prevent contradictory national solutions and to ensure proper cohesion of sea use policy over the whole Baltic Sea, a similar policy document could be developed for the Baltic Sea Region as a whole. It is also suggested that such policy documents could be developed for other regional seas of the EU and the whole EU sea area.

National Guiding Principles: The Swedish Example
No overall guiding principles for offshore spatial planning exist. But some building blocks are in place. National sector boards determine areas of national interests in their respective fields. There is no compulsory formal cross sector coordination. National boards consult the affected county administrative boards which in turn consult their municipalities. The balancing of conflicting (national or local) interests is part of the municipal comprehensive planning process. As the comprehensive plan not is binding, ultimately a decision is taken when a project is to be approved by the Environmental Court or by government.
A major part of the Swedish coastal zone (up to 3 sm distance from the shoreline) are declared areas of national interest with special use regulations. Areas of national interest according to Swedish Environmental Code (SEC) chapter 3 and 4: • Protected areas (shore protection, nature protection, landscape protection, bird protection, Natura 2000.) • Areas suitable for exploitation (e.g. in offshore areas for wind farms)
• Areas of special interest for tourism and outdoor recreation • National interest areas concerning land and water management, water supply, water treatment • Areas for commercial fishing • Areas suitable for industrial production, energy production, energy distribution, communications (e.g. shipping)
• Areas needed for defence installations
As regards national interest uses, following rules shall be applied in Sweden: • All national interests are prioritised over local interests.
• If areas are of national interest are assigned for incompatible purposes, priority shall be given to the purpose which better promotes sustainable management of land, water and the physical environment in general. • Shipping routes are generally given priority
• Wind farms >10 MW are prohibited in some coastal areas extending up to 3 sm. into the sea • Fishing interest have to be considered • Bird migration has to be considered • Tourism interest has to be considered • Detailed assessment of influence on all matters has to be described and evaluated in EIA.

3.3.2.3 Actors

It is recommended that:

- Heads of national governments initiate and monitor the process of development of the national policy document on the use of sea areas.
- Ministers responsible for the planning/ management of the sea areas organise the process and develop the national policy document on the use of sea areas, preferably through an international working group.
- VASAB 2010 in consultation with Baltic 21 and Helcom initiates, organises, and monitors the process of development of a pan-Baltic policy of sea area use for the Baltic Sea Region.
- The European Commission supports Member States and regional organisations in the development of respective national and regional policies, including through concrete regional planning projects.

- The EU Commission initiates at a later stage and monitors the development of an EU policy of sea area use.

3.3.3 Recommendation B3: Improve the effectiveness of cross-border consultation for offshore development plans and projects

3.3.3.1 Justification

The basic rationale of cross-border consultation is the principle of a "good neighbourly relation". As the Baltic sea area is comparatively small, growing use demands in the offshore areas - territorial waters and EEZ - have increasingly significant transboundary effects, e.g. on the economy or on the environment of a neighbouring country. Therefore, there is a growing need for a procedure which ensures

- that neighbouring countries are informed - as soon as possible and necessary - about (spatial, integrated) planning activities and about contemplated projects which may cause transboundary effects.
- an appropriate dispute settlement.

Presently existing rules and procedures for cross-border consultations are limited to environmental aspects at project level as part of the Environmental Impact Assessment (EIA) procedure. Main instruments in this context are the EU EIA-Directive (85/337, amended by 97/11, on the assessment of the effects of certain public and private projects on the environment) and the Espoo - Convention (convention on Environmental Impact Assessment in a transboundary context). The Helsinki Convention and various HELCOM recommendations (17/3 and 18/2) ask for international consultations, too. These general rules are in few cases complemented by more specific bilateral agreements on practical ways of consultation. But for most border countries, such bilateral ageements do not exist.

Cross-border consultation for the preparation of spatial plans is recommended for three reasons:

(1) Spatial plans express strategic considerations for the development of an area. These need to be harmonised with strategies of neighbouring regions.

(2) There is a need to develop transnationally concerted spatial plans for those offshore uses which require international co-ordination (e.g. corridors for pipelines) see chapter 3.4.3);

(3) Spatial plans come generally under EU Directive 2001/42 on strategic environmental assessment, which requests cross-border consultation (Art. 7).

3.3.3.2 Recommended action

The cross-border consultation procedure concerning spatial planning or project activities can use, as a model, existing legal regulations for cross-border consultations in an environmental context. In analogy to these regulations, the procedure for a wider spatial (= cross-sector) cross-border consultation requires agreed procedures for evaluating the likely impact of a proposed spatial use at plan or project level.

Following steps of cross-border consultation for spatial planning or for projects shall be included:

- *Notification*: For a proposed activity (spatial plan or project), that is likely to cause a significant transboundary impact, the country where the proposed activity is envisaged to take place (country of origin), shall notify any country which could be affected as early as possible and not later than when informing its own public about that proposed activity. This notification shall contain inter alia information on the proposed activity, including any available information on its possible transboundary impact.

- *Consultation*: The documentation (with a minimum content to be defined) shall be sent to the neighbouring country. The neighbouring country shall arrange for distribution of the documentation to the authorities and to the public (in the areas likely to be affected) and for the submission of comments received. Consultations shall take place concerning inter alia the potential transboundary impact of the proposed activity and measures to reduce or to eliminate an undesirable impact. In the final decision on the proposed activity due account must be taken of the documentation as well as the comments thereon received and the outcome of the consultations.
- *Dispute settlement* procedure (if required)
- The *final decision* shall be sent to the neighbouring country, which makes it available to the competent authorities and to the public concerned.

In addition to such general outline, practical procedures need to be defined. For the latter, reference can be made to the "Guidance on the practical application of the Espoo-Convention" (www.unece.org/env/eia/guidance). Following points shall be addressed when laying down detailed cross-border consultation procedures:

- Which authority shall send the notification and the documentation to the neighbouring country? This can be one national authority or the specific sector authority responsible for the decision on the proposed activity.
- Which authority in the neighbouring country is the competent addressee for mentioned documents (notification, documentation) which in turn shall to forward these to other authorities in the neighbouring country and make them available to the public?

  As a rule, there should be one authority in each country nominated as a contact point. This contact point can either assume responsibility for follow-up actions or delegate (and coordinate and monitor) these to another authority. Having one contact point is the most effective way to facilitate the flow of information: From outside, it is difficult to identify the competent authority in a neighbouring country depending on the nature of the proposed activity.
- The time frame for the different tasks in this procedure, the language (translation) and the number of copies of the documents, financial aspects (costs for documents, for translations of the documents, for public advertising etc.).

These procedures can be fixed in bilateral arrangements between neighbouring countries. It is recommended that the two "players" are the authorities responsible for the decision on the proposed activity with nominated contact points (or an authority nominated by that contact point). When preparing these bilateral agreements it should be kept in mind that all duties and tasks are reciprocal. This reciprocity principle prevents authorities from excessive demands.

3.3.3.3 Actors

The competent (national) ministers shall agree on widening the scope of the existing international agreements (e.g. Espoo convention) which deal solely with environmental issues. They shall prepare a detailed dispute settlement procedure where the Espoo convention could serve as a model.

Each government shall nominate one authority (e.g. a ministry) as a contact point for the cross-border consultation procedure. It is suggested that the authority responsible for the decision on a proposed activity and the nominated contact point in the neighbouring country agree bilaterally on a consultation procedure having regard on the above mentioned recommendations. The contact point in the neighbouring country should be free to delegate the tasks to another authority.

3.3.4 Recommendation B4: Prepare indicative guidelines for content and procedures of spatial planning

3.3.4.1 Justification

In view of the fact that spatial planning in the Baltic Sea Region is largely non-existent yet, indicative guidelines would help national governments when developing rules and regulations regarding spatial planning for offshore areas.

In order to facilitate the cross-border concertation of plans and projects, the content, way of presentation of spatial plans of sea areas, and even the technique supporting the development of such plans, should be comparable not only within the national areas, but also over the whole Baltic Sea. This would facilitate solving transborder spatial conflicts and problems and hence facilitate the optimum development and sustainable use of the Baltic Sea and its coasts.

Such uniformity would not prevent to add specific aspects in national plans. But a minimum (standard) content and system of consultation, assessment and approval would be useful for the whole BSR. It may also be advisable to adopt a basic uniform system of graphical presentation (e.g. symbols, colours) and textual content. In this way, regardless of the authority developing a spatial plan for sea areas, plans would become comparable and understandable to authorities, planners, communities and potential investors from the whole BSR.

There is a number of problems to be solved regarding the minimum (standard) content, scale, legal status and consultation system of spatial plans of sea areas. It seems that the content of the plans should include at least:

- all issues, which may take up significant areas because of their own size and/or the size of sea area impacted by them,
- all issues which have a transborder (inter- or intra-national) character,
- issues of safety and of nature and environment protection,
- transport, infrastructure and industry (including tourism and recreation industry),
- any other issues of national or provincial/municipal public importance.

The degree of detail and the problem-solving ability of the plan will depend on its scale. But the scale of the plan should be consistent with the quality (accuracy) of data used for its development. At present, for most sea areas, some important data (e.g. geology, currents, sediment transport) are inaccurate, and can be used at best for plans in scale of 1:200,000 or higher. Small-scale plans may only help to decide on a limited range of issues, which can be sufficiently properly presented in such a scale, and which have no, or very little, interaction with other, insufficiently described, issues.

Large-scale plans, e.g. 1:10,000 and even larger, may be prepared to decide on any issue, and therefore could attain compulsory local law status. As plans in such scale are costly and require long-term special measurements and analyses, they can only be prepared for areas with specific projects. As no such plans will be available for most of the sea space for considerable time, there should be a process/procedure allowing comprehensive control by the sea space managing authority of offshore and near-shore activities/developments. This procedure should be operative especially when no detailed spatial plan has been adopted for a given sea area.

If a spatial plan is to present comprehensive, integrated solutions and decisions, and if it is to be efficiently implemented, it must be subjected to a proper system of consultation and evaluation. This system shall ensure proper cross-sector consultation as well as consultation with local (provincial and municipal) authorities, stakeholder organisations and NGOs (see chapter 3.3.5).

As an example, basic aspects of the offshore spatial plan Mecklenburg-Vorpommern/ Germany are summarised in chapter 3.5.4 Appendix 4: Methodology and content of the State Spatial Program of Mecklenburg-Vorpommern (SSP-MV).

Finally, spatial plans shall undergo a process of monitoring, including periodical assessment of their effectiveness in reaching the designated goals. This will facilitate continuous rational and evolutionary improvement of the plans and of based on them decision making.

3.3.4.2 Recommended action

The legal status of the plans shall depend on general principles of national laws on spatial planning and on the quality of available data. The minimum content of spatial plans of sea areas shall include:

(1) the assignment of sea areas, including areas needed for national defence reasons,
(2) exclusions or limitations of the use of the areas, taking into account the requirements of safety and of nature protection,
(3) the allocation of areas of public importance,
(4) directions and conditions of development of transport and technical infrastructure,
(5) directions and conditions of development of significant industries (e.g. power industry, tourism and recreation),
(6) areas and conditions of protection of nature, environment and cultural heritage,
(7) location and conditions for any other uses which may take up significant space either by themselves or due to the spatial distribution of their impacts.

It is recommended that two types of plans are considered:

- Plans in small scale (1 : 200,000 or more), appropriate to the quality of data, comparable with spatial development plans of e.g. provinces/ *Länder* etc. Their status would be indicative, except for issues which can be rationally decided at such scale. This type of plans should be developed for the entire territorial sea and EEZ BSR countries.
- Plans in more detailed scale. The content and scope of these could correspond with the local spatial development plans on land. Similarly to them these plans would have local legal status. Such plans shall only be developed for designated areas (e.g. intensely used coastal waters, wind farm areas, port areas).

The planning and plan monitoring procedures and practices used on land shall be appropriately extended to the sea area. They should ensure proper cross-sectoral consultation as well as consultation with local (provincial and municipal) authorities, stakeholder organisations and NGOs as well as the public.

A procedure shall be established by national law, which ensures comprehensive control by the sea space managing authority of offshore and near-shore activities/developments in the absence of a detailed local plan. This procedure could be similar to the German Territorial Impact Assessment TIA or the Polish “Decision on Conditions of Development and Management, or it could be a mixture of both.

3.3.4.3 Actors

It is recommended that:

- Ministers responsible for spatial planning and management of the sea area develop national regulations concerning the procedures, minimum content, scales and legal status, methods of presentation and required techniques of spatial plans of the sea areas, as well as procedures to be used in the absence of detailed local plans.
- VASAB 2010 promotes and monitors the development of a cohesive system of spatial planning of sea areas within the BSR.
- the EU Commission promotes and monitors the development of a cohesive spatial planning system of sea areas within the EU.

3.3.5 Recommendation B5: Apply ICZM principles in offshore spatial planning

3.3.5.1 Justification

On 30 May 2002, the European Parliament and Council Recommendation on Integrated Coastal Zone Management (ICZM) in Europe was adopted by the fifteen Member States of the European Union. This means that there is a commitment for all EU-members to live up to the ICZM-principles.

Integrated Coastal Zone Management (ICZM) is expected to be a dynamic, multi-disciplinary and iterative process to promote sustainable management of coastal zones. “Integrated” in the ICZM refers to the integration of the objectives and to the integration of the many instruments needed to meet these objectives. It means integration of all relevant policy areas, sectors, and levels of administration. It means integration of the terrestrial and marine components of the target territory, in both time and space.

Successful coastal zone management shall be based on the following principles:

1. A broad “holistic” perspective (thematic and geographic);
2. A long term perspective;
3. Adaptive management during a gradual process;
4. Reflect local specificity;
5. Work with natural processes;
6. Participatory planning;
7. Support and involvement of all relevant administrative bodies;
8. Use of a combination of instruments.

Proper spatial planning supports all these principles. This shall also be the case for plans and projects in offshore areas.

The close links between the marine and terrestrial components of the coastal zone imply that the coastal zone management must always consider both the marine and terrestrial portions of the coastal zone. It is obvious that every human activity at sea, independent if near the coast or in open sea, is in one way or another related to activities on land and/or have influence on landside.

Some examples of activities of that kind studied in the Baltcoast project:

- *Fishing* is dependent both of harbours for landing the fish (often with fish industries) and home harbours for the boats (which can be others).
- *Shipping* is dependent of commercial harbours often with great environmental influence. Shipping can also cause considerable environmental problems at land due to erosion an oil spill.
- *Wind parks* are dependent of connecting (with underwater cables) to the electrical net at land. This regularly means need of new wires and transforming stations at landside. Wind parks are also dependent on service from landside. If the parks are located in sight of land, they have influence on view over the sea, which can affect attraction both for permanent inhabitants and for tourism.
- *Leisure boating* depends on adequately equipped home harbours and guest harbours.

Consequently implementation of the ICZM-principles in planning of the coastal zone must consider the existing and possible use of sea areas not only in the immediate coastal zone but also in the open sea further away from coastline. There is no clear limit for the seaside "coastal zone" to be considered for coastal zone management. Comprehensive spatial planning for offshore areas is to be considered as part of coastal zone management, which promotes an integrated view on land and seaside parts of coastal areas. Thus planning authorities have to consider not only possibilities and future development in sea areas outside the own planning area but also stakeholders in such marine areas.

On the other hand demands fulfilling of ICZM-principles that planning for the use of sea area (also outside the near coast zone) must consider prerequisites and possibilities on land as well as consequences on land of all activities in the sea area. Landside inhabitants as well as stakeholders affected by potential use development in offshore areas shall have possibility to participate in the planning process. The ICZM-principles are thus an important ground for the spatial planning process in sea areas not only near the coast but also in open sea, inside the territorial border as well as in the EEZ-area.

3.3.5.2 Recommended action

The recommended introduction of spatial planning for offshore areas (see chapter 3.1) shall ensure that the described ICZM principles will be respected. Proper spatial planning is more than the technical process of drawing up plans, but includes the basic ideas of ICZM - long-term vision, stakeholders involvement, cross-sectorality, offshore-onshore integration, openness for future new ideas and information etc.

A basic prerequisite is full knowledge of all today's and future potential demands (see chapter 3.3.1). the spatial coverage of planning shall go beyond the immediate coastal areas.

A regulatory framework for such planning must be created.

3.3.5.3 Actors

Responsible planning authorities, when doing spatial planning of sea areas shall adopt ICZM-principles. National authorities shall ensure that proper regulations are in place. International organisations shall monitor the planning process under the ICZM perspective.

3.3.6 Recommendation B6: Ensure wide involvement of stakeholders in planning for offshore development

3.3.6.1 Justification

The offshore spatial planning history is short and the prioritized offshore uses like shipping, fishery and laying of cables with their practices overrule the planning arena. One may say that until recent decades sector administrations and traditional private companies have been in charge of plans and projects affecting the seas. Ministries of Foreign Affairs, the Environment, Transport and Communications, Defence and other key players have not been dedicated to involve citizens into decision making. The consultations have been carried quite strictly between the developer and regulatory authorities taking into account freedom of the seas, defence and maritime safety.

Now the situation is changing because of accelareted use of the sea areas by different users. New use forms have been emerged and space have to be reserved for new not yet known uses. Thus the existence of various stakeholder and their needs ought to be taken into consideration properly.

The set of stakeholders differs from landborne activities. Some stakeholders are specific only to marine environments such as Marine Heritage Association and National Boards of Antiquities (Marine). To a large extent, interests of affected stakeholders are not in the respective offshore areas but in adjacent on-shore areas (e.g. inhabitants, tourism business, boat harbours). But with growing offshore uses, also affected offshore users (e.g. wind farm owners, fishermen, military etc.) will demand adequate involvement.

Stakeholders can be divided into categories:

- Developer or responsible authority which carries out or organises the planning and coordinates with other plans and projects;
- Regulatory authorities which coordinate, approve, monitor and enforce the plan or grant permits;
- Statutory expert organisations in spatial planning or impact assessments;
- NGOs who lobby and/or give expertise in their own field;
- The Public which uses the sea or live and act in the impact area of a proposed plan or project.

Stakeholders can also be divided based on how they are affected by plans and projects:

- Those whose livelihood or economic interests depends on the sea;
- Institutions that have jurisdiction over the sea;
- The ones living in the littoral zone on mainland or in the archipelago;
- Those whose actions affect the sea, although their activity does not depend upon the sea.

Examples for stakeholder lists are shown in chapter 3.5.2.

3.3.6.2 Recommended action

In each Baltic Sea country the responsible ministries shall promote discussion and make guidelines if appropriate on offshore public participation. Minimum would be to inform about Baltcoast project recommendations. The classification (see above) and model lists (chapter 3.5.2) shall be circulated and published on web pages of the relevant ministries.

3.3.6.3 Actors

Responsible planning authorities on national and regional (and local) level should be aware of the needs to enhance public consultation practices and involve typical onshore and offshore actors into the processes. Baltic Sea based organisations, VASAB should monitor the development.

3.4 Recommendations Group C: Maintain the transnational discussion and development process

3.4.1 Recommendation C1: Dialogue with Helcom, Baltic 21, VASAB and EU Commission on principles for offshore spatial planning

3.4.1.1 Justification

Offshore spatial planning has not been given much attention so far in the documents of the Baltic international bodies (Baltic 21, Helcom, VASAB) as well as in the work of EU Commission. All these organisations agree that adjacent marine areas should be encompassed by the ICZM process. Therefore traditional ICZM activities can serve as a useful background for spatial planning in managing offshore areas.

Spatial planning for marine areas is a newly developing issue in the Baltic Sea Region and relevant rules or regulations are missing in most BSR countries. As offshore activities have critical transnational influence to a larger extent than onshore ones, a pan-Baltic harmonisation of planning principles, rules and national regulations is required (see chapter 3.3.1 Recommendation B1: Improve the availability and accessibility of mapped information). This is also useful for adequate consideration, by offshore spatial planning, of different approaches and interests demonstrated by stakeholders pushing up ICZM in the Baltic Sea Region.

Baltic 21 (B21), Helsinki Commission (HELCOM), Vision and Strategies around the Baltic Sea (VASAB) and the European Commission (EUC), they all play important role with regard to implementation of integrated coastal zone management (ICZM) in the Baltic Sea Region (BSR). ICZM aspects are included in their mandates and all four organisations have initiated concrete actions in this field. However, they have different focus and different experience accumulated with regard to the ICZM issues (fore details see 3.5.3: Appendix 3: The agenda of BSR international organisations with regard to ICZM).

- Baltic 21 is the only multi-stakeholder organisation dealing with sustainable development in the whole BSR. It offers easy access to all sectors, NGOs and International Financing Institutions (IFIs) relevant for the ICZM implementation and offshore planning.
- HELCOM is, inter alia, interested in conservation of the marine biodiversity. Its strong point is a large body of scientific knowledge and expertise and also quasi binding character of HELCOM recommendations.
- VASAB, dealing with spatial planning, has focus on creation of spatial conditions for socio-economic development while respecting environment and cultural values. Since planning procedures in all BSR countries are well developed, VASAB can offer effective instruments for the ICZM implementation and can stimulate its extension into the offshore areas.
- The EU is an important player, having strong influence on national policies in different fields. Significant financial resources help to initiate qualitative (structural) changes.

In 2002 the three pan-Baltic organisations decided to support the national work on the EU's ICZM Recommendations, by offering an informal international platform for discussions in the Baltic Sea Region, and by sharing experience on ICZM.

These organisations can help to initiate a dialogue on offshore planning in the BSR.

3.4.1.2 Recommended action

For the effective implementation of recommendations prepared by the BaltCoast project, the Baltic 21 multi-stakeholder membership, HELCOM expertise, VASAB instruments and EU knowledge, experience, resources and political power shall be combined.

It is recommended to continue the BSR ICZM Platform on a more regular basis and to extend its agenda to offshore spatial planning:

(1) Discussion on main principles for spatial planning of the offshore areas in the BSR;

(2) Country "offshore" focal points reporting about internationally relevant issues from their countries, reporting progress with regard to offshore spatial planning, accumulating experience and good practices;

(3) Preparation of pan-Baltic periodical report on the management of the offshore areas - "state-of the-art" - elaborated together by the three Baltic organisations (their experts);

(4) Assisting the BSR countries in solving problems in offshore border areas or when actions taken may influence internationally important areas, or when such assistance is required;

(5) Encouraging the BSR countries to take steps towards solution of conflicting offshore use demands in an integrated and transparent manner.

The three pan-Baltic organisations (together with the EU) should discuss their possible contribution in assisting countries in building up a common project on integrated offshore spatial management and its databases.

This group of organisations can support a significant part of the international discussion and development processes as recommended in the chapters below:

- 3.2.1 Recommendation A1: Prepare strategic spatial plans
- 3.2.2 Recommendation A2: Base new offshore projects - their location, dimension, technical character - on a systematic cross-sector impact assessment
- 3.3.1 Recommendation B1: Improve the availability and accessibility of mapped information
- 3.3.2 Recommendation B2: Define basic national policies for offshore development which are coordinated between sectors
- 3.3.5 Recommendation B5: Apply ICZM principles in offshore spatial planning
- 3.3.3 Recommendation B3: Improve the effectiveness of cross-border consultation for offshore development plans and projects
- 3.4.2 Recommendation C2: Consultation with EU regarding recommendations on ICZM, EIA and SEA
- 3.4.3 Recommendation C3: Develop transnationally concerted plans for those offshore uses which require international coordination

- 3.4.5 Recommendation C5: Promote experience exchange with other regions
- 3.4.4 Recommendation C4: Promote transnational research and pilot projects

3.4.1.3 Actors

It is recommended that VASAB 2010 (given its mandate) takes the leading role in the dialogue to promote offshore spatial planning in the Region, in close co-operation with Baltic 21, HELCOM and EU. The BSR ICZM Platform should be used as a "meeting place".

3.4.2 Recommendation C2: Consultation with EU regarding recommendations on ICZM, EIA and SEA Directive

3.4.2.1 Justification

Council recommendation on Integrated Coastal Zone Management (2002/413/EC) addresses strategic approaches, sets principles of coastal management, promotes interaction and cooperation between neighbouring countries and finally gives 2006 as timeline to report on development of national strategies of EU member states.

Strategic Environmental Assessment Directive (SEA Directive 2001/42/EC) on drawing up of certain plans and programmes relating to environment covers plans and programmes such as transport plans, land use plans and other defined by member states in their own legislation. Forthcoming Directive 2003/35/EC on Public Participation provides some amendments to SEA directive.

3.4.2.2 Recommended action

Wider areal coverage of sea areas would by nature fit to recommendations on ICZM.

Plans and programmes covering sea areas should be included and highlighted in the field of application of SEA Directive. Also better coordination between ministries, defence forces and coastguard should be stressed.

3.4.2.3 Actors

Implementation of ICZM recommendation by member states and transposition of SEA directive into member state legislation is an ongoing process. The countries the latter process is underway it is bossible that responsible ministries point the special relevance of sea areas when defining field of application. For ICZM see also chapter 3.3.5. The European Commission DG Environment is in the key role when drafting and amending directives. The EIA/ SEA experts at DG Environment shall be informed about Baltcoast findings.

3.4.3 Recommendation C3: Develop transnationally concerted plans for those offshore uses which require international coordination

3.4.3.1 Justification

Some offshore uses are of local character (though maybe having supra-local impacts), while others have transnational network character. The latter comprises transnational cable links (electricity, communication), pipelines (gas and oil) and shipping corridors.

Transnational projects for such network infrastructure or routes are currently planned with little information on other use interests, whether these interests are of local or wider significance. This deficiency is mainly due to the fact that information on different use interests is not being systematically compiled which in turn is due to the non-existence of spatial planning for offshore areas in most parts of the BSR (see recommendations described under 3.2.1 and 3.3.1).

Oonce spatial planning will have been introduced and information on use demands be systematically collected, it would be useful to agree transnationally on priority corridors for infrastructure networks. This would help

- to promote the spatial concentration in corridors and to do gradually away with the current spin-web-type overcrowding of BSR seabeds;
- to allocate concentrated utility corridors which minimise conflicts with other uses and ensure careful use of limited sea space.

3.4.3.2 Recommended action

It is recommended that national sector institutions responsible for respective utility networks (mainly: shipping authorities, authorities responsible for energy resp. tele-communications) elaborate transnational network concepts similar to those prepared at EU level for transport corridors (TEN being currently extended to 'motorways of the sea').

This recommendation will develop its benefits only after secured systematic availability of information on present and potential future offshore use demands. The introduction of spatial planning for offshore areas at national levels would be beneficial for utility network planning, but is no pre-condition.

3.4.3.3 Actors

National bodies responsible for spatial planning in offshore areas shall

- support the systematic collection of information on current and potential future use demands in offshore areas
- equip sector ministries (energy, shipping, natural resources) with this information (including the sectoral information provided by these)
- Motivate these ministries to embark on transnationally coordinated corridor planning.

National sector ministries should then elaborate these corridor proposals, consulting spatial planning authorities in order to secure best possible coordination with other use interests.

3.4.4 Recommendation C4: Promote transnational research and pilot projects

3.4.4.1 Justification

First experience with offshore windfarm projects revealed a substantial lack of information on offshore environmental data. Due to the expected further increase in economic offshore activities in the BSR, relevant socio-economic information including must be collected. This information is needed to ensure that the development will satisfy the criteria of sustainability and that negative impacts on future economic development are minimised to the extent permitted in the balancing of environmental, social and economical interests.

Transnational case studies (e.g. planning projects, territorial and environmental impact assessments) should be initiated as model projects to gain experience towards a sustainable Pan-Baltic development of offshore waters. During the BaltCoast project several case studies were described.

3.4.4.2 Recommended actions

It is recommended to initiate projects aiming at:

- Improved information availability:
  - Collect data and information on population dynamics of fish, birds and marine mammals as well as socio-economic information relevant to offshore spatial planning
  - collect data and information on effective ship movements and the location of fish catches
  - easier access to remote sensing data to cover the whole BSR with respect to marine environmental parameters (e.g., plankton blooms, etc.)
  - improved transnational information and data exchange
- Enhanced and improved eco-modelling for the marine environment
- Pilot spatial planning and territorial impact assessment projects (preferably including cross-border aspects)
- Improved knowledge to assess economic impacts from offshore projects, e.g. on tourism, industry, and related employment and income.

3.4.4.3 Actors

The European Union should promote marine environmental research on the dynamics of the Baltic Sea with relevance to EIA subjects of protection (birds, mammals, etc.) and pilot projects on spatial planning and territorial impact assessment. Funds should be made available for subsequent projects to promote transnational consultation about the BaltCoast case studies.

The BSR countries, possibly coordinated through the VASAB organisation, should promote and support environmental operational monitoring systems (e.g. fixed stations).

National authorities should also prepare (more) statistical information on offshore uses.

3.4.5 Recommendation C5: Promote experience exchange with other regions

3.4.5.1 Justification

Experience with integrated spatial planning for offshore areas - at the stage of general comprehensive plans and at the stage of spatial assessment of projects (with or without existing overall spatial plan) is extremely limited in the Baltic Sea Region, but also in other regions of Europe.

Considering the growing demand for offshore uses, some of which compatible, others not compatible, planning is becoming more and more important. But spatial planning for offshore areas is more than just applying same procedures as already used on-shore. Offshore areas are characterised by:

- more frequent and stronger trans-boundary impacts
- display different impacts on the natural environment than in land areas
- different impacts on on-shore uses as compared with impacts between neighbouring land areas
- same for the dependency of offshore conditions from onshore activities

- different stakeholders: interests of affected stakeholders are to a large extent not in the respective offshore areas (with the exception of fishery, shipping), but in adjacent on-shore areas (e.g. inhabitants, tourism business, boat harbours). But with growing offshore uses, also affected offshore users (e.g. wind farm owners, fishermen, military etc.) will demand adequate involvement.
- new use demands possibly to appear in the future: aquafarming, offshore tourist attractions, new industries using marine substances.

The proper consideration of these new aspects is just beginning in few coastal regions such as Mecklenburg-Vorpommern. Rapid transfer of experience to other regions would be beneficial.

Experience exchange shall not be limited to the practical application of spatial coordination tools, as these tools are frequently not existing yet. Even more important therefore is, to exchange information on respective legislative regulations, assignment of responsibilities for spatial coordination, and organisation of the coordination process.

Experience exchange shall also deal with the question how to asses impacts from offshore uses:

- on the natural habitats
- on the regional attractiveness for tourists
- on shipping safety
- on regional economies
- on fish resources development and on fishery.

3.4.5.2 Recommended action

It is recommended that coastal regions (and countries) observing new demands for offshore uses get the possibility to benefit from first experience in regions having already started to apply spatial planning and coordination tools for offshore areas. Vice-versa, these pioneer regions are far from knowing everything about spatial planning in offshore areas. They would also benefit from learning more about considerations made in other regions, even if they don't yet apply spatial planning tools for this purpose.

This exchange of experience can be organised in different ways:

- Conferences organised e.g. under the auspices of the Council of Europe
- Joint projects with the parallel preparation of spatial plans or application of territorial impact assessment, particularly under INTERREG (follow-up of current InterregIIIB project of the BSR, but also new INTERREG IIIC project to extend the exchange particularly to North Sea, Mediterranean and Black Sea regions.
- Transnational working groups of legal experts from national/ regional spatial planning authorities as well as from respective ministries of law.

3.4.5.3 Actors

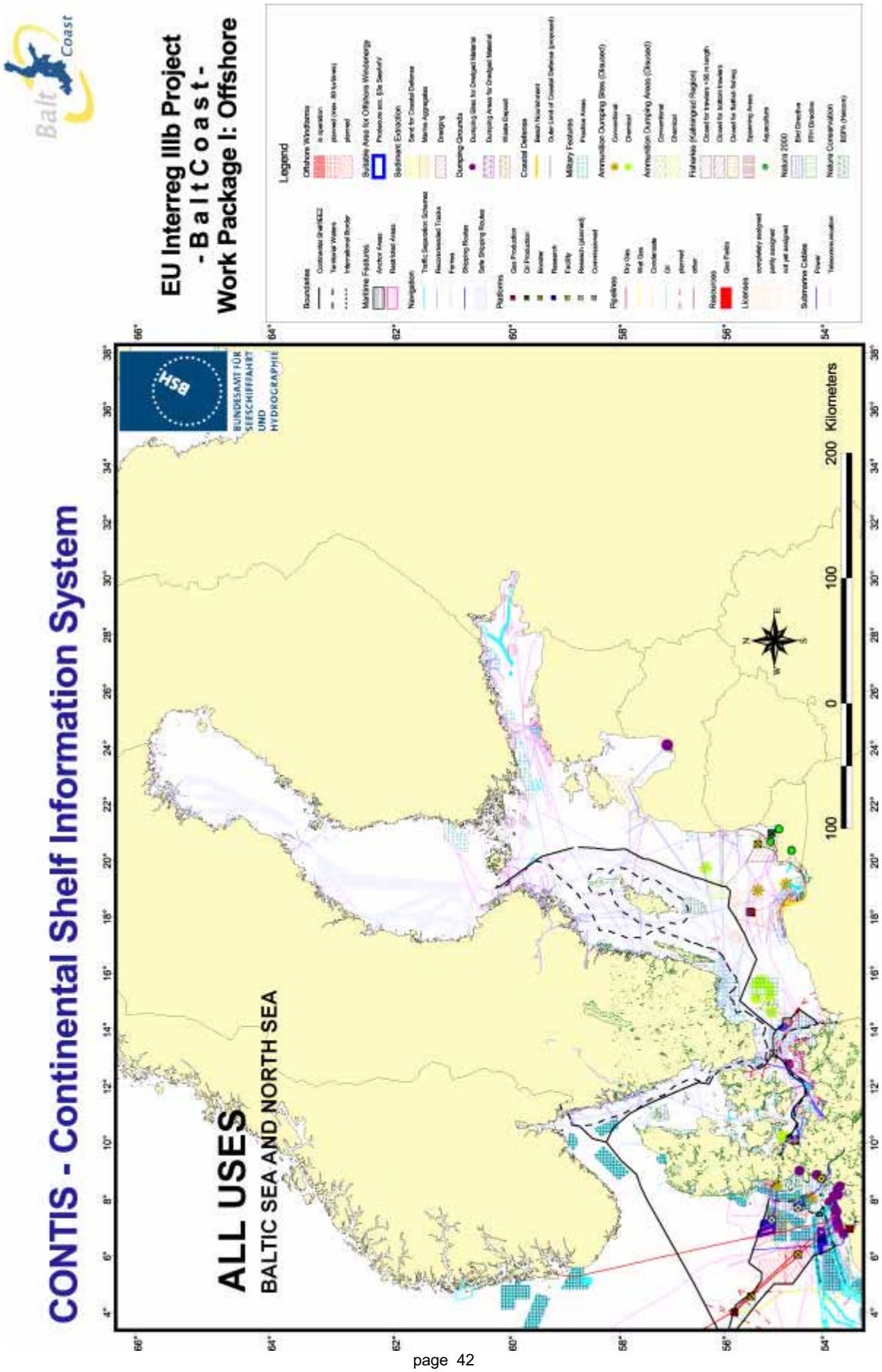
Addressees to promote the mentioned exchange of experience include:

- national governments/ ministries responsible for spatial planning where offshore planning has not yet been regulated or already are the responsibility of the national level
- VASAB as the pan-Baltic organisation dealing with spatial planning and development

- Council of Europe
- associations of spatial planners
- universities working on regulatory aspects or on the assessment of said impacts.

3.5 Appendices

3.5.1 Appendix 1: Maps showing present and planned offshore uses in the Baltic Sea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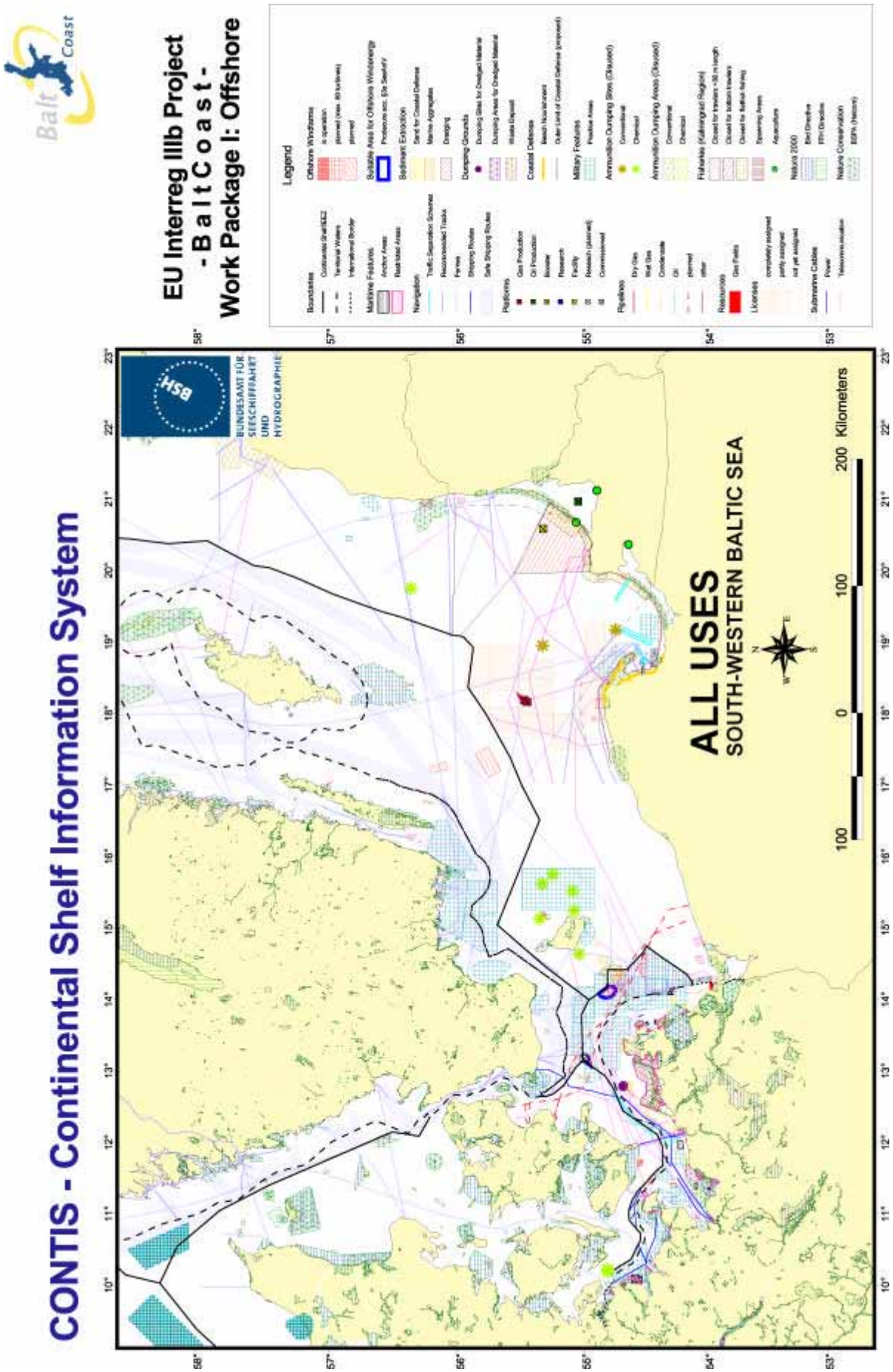
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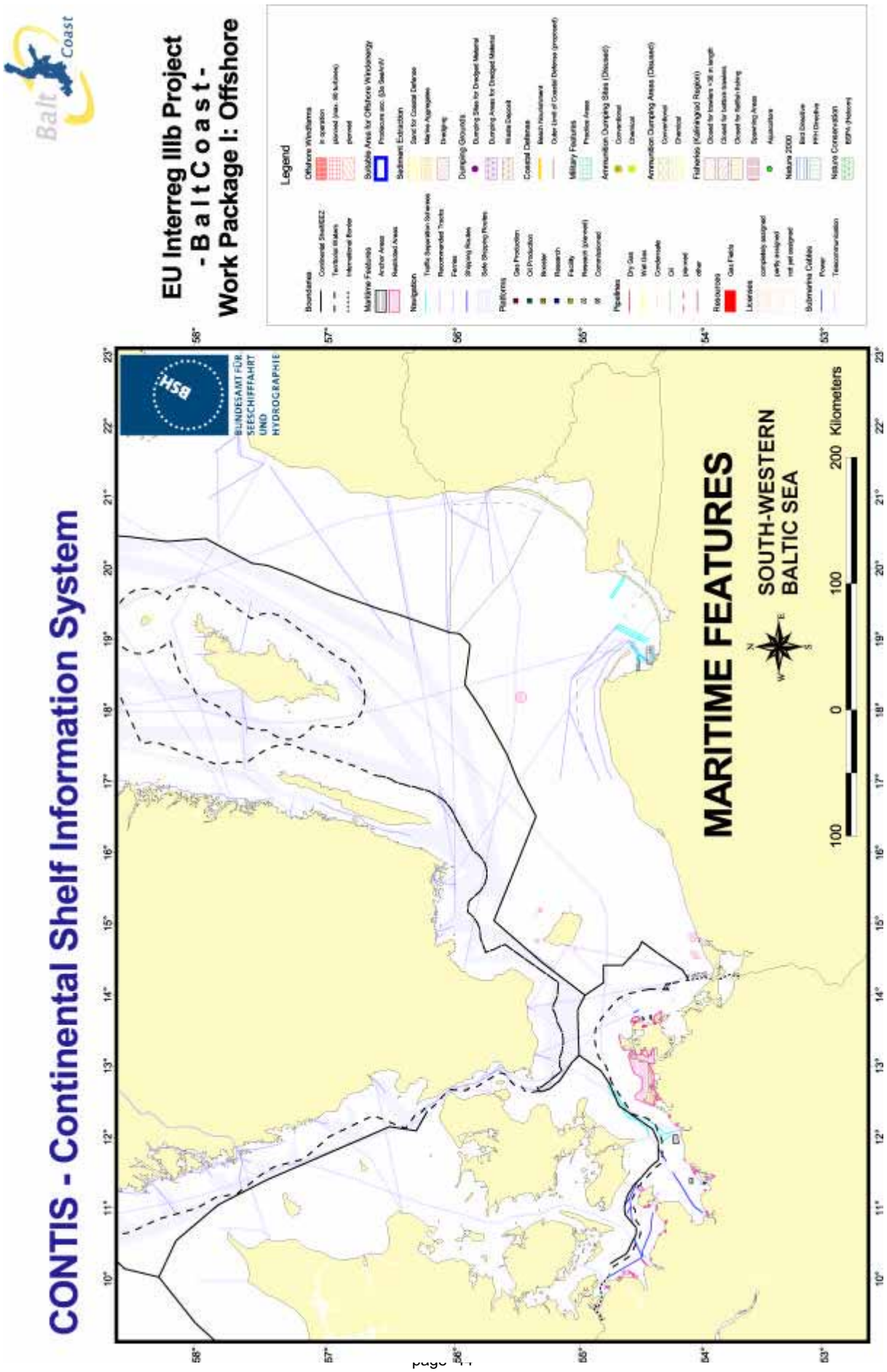
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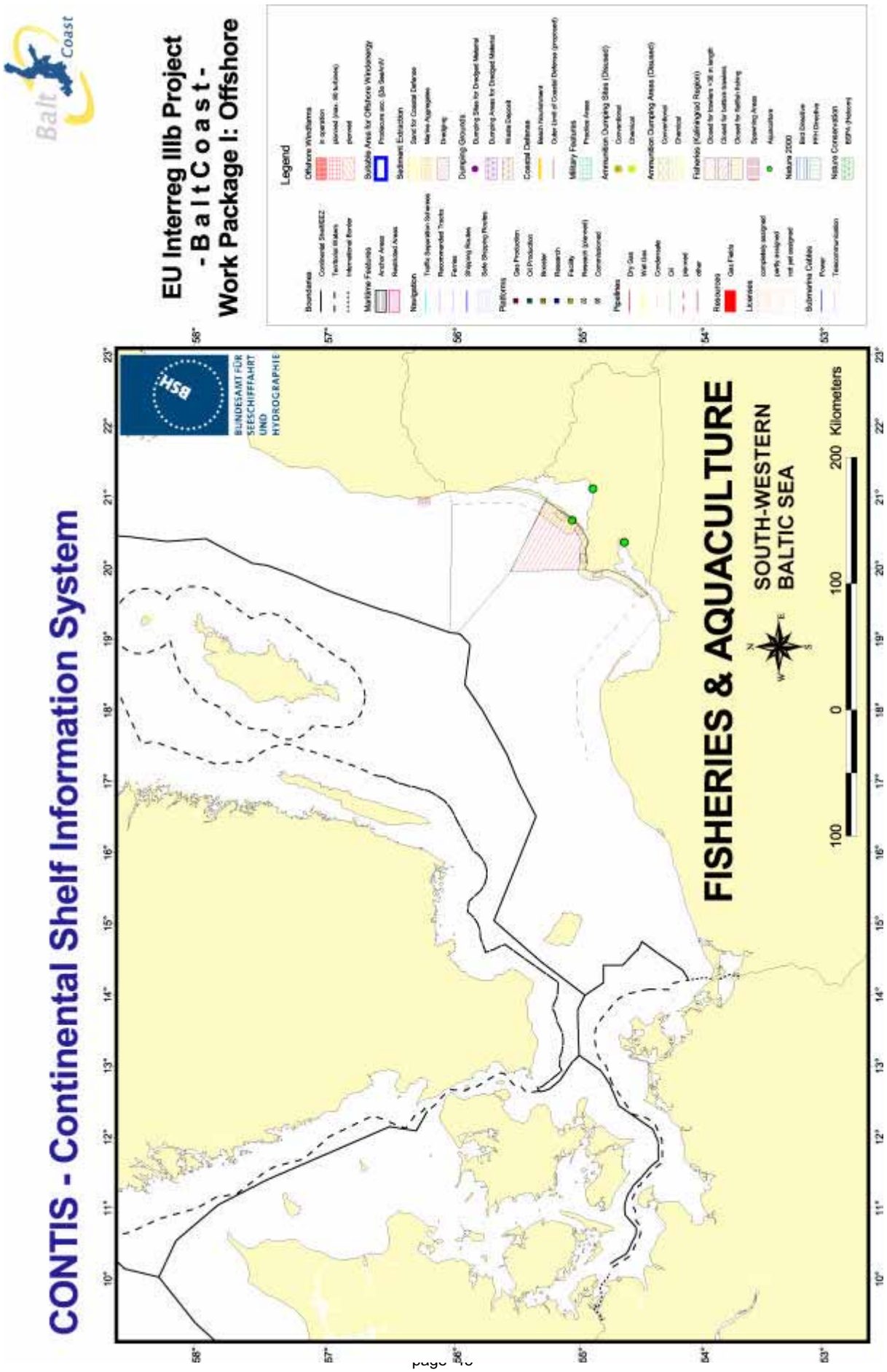
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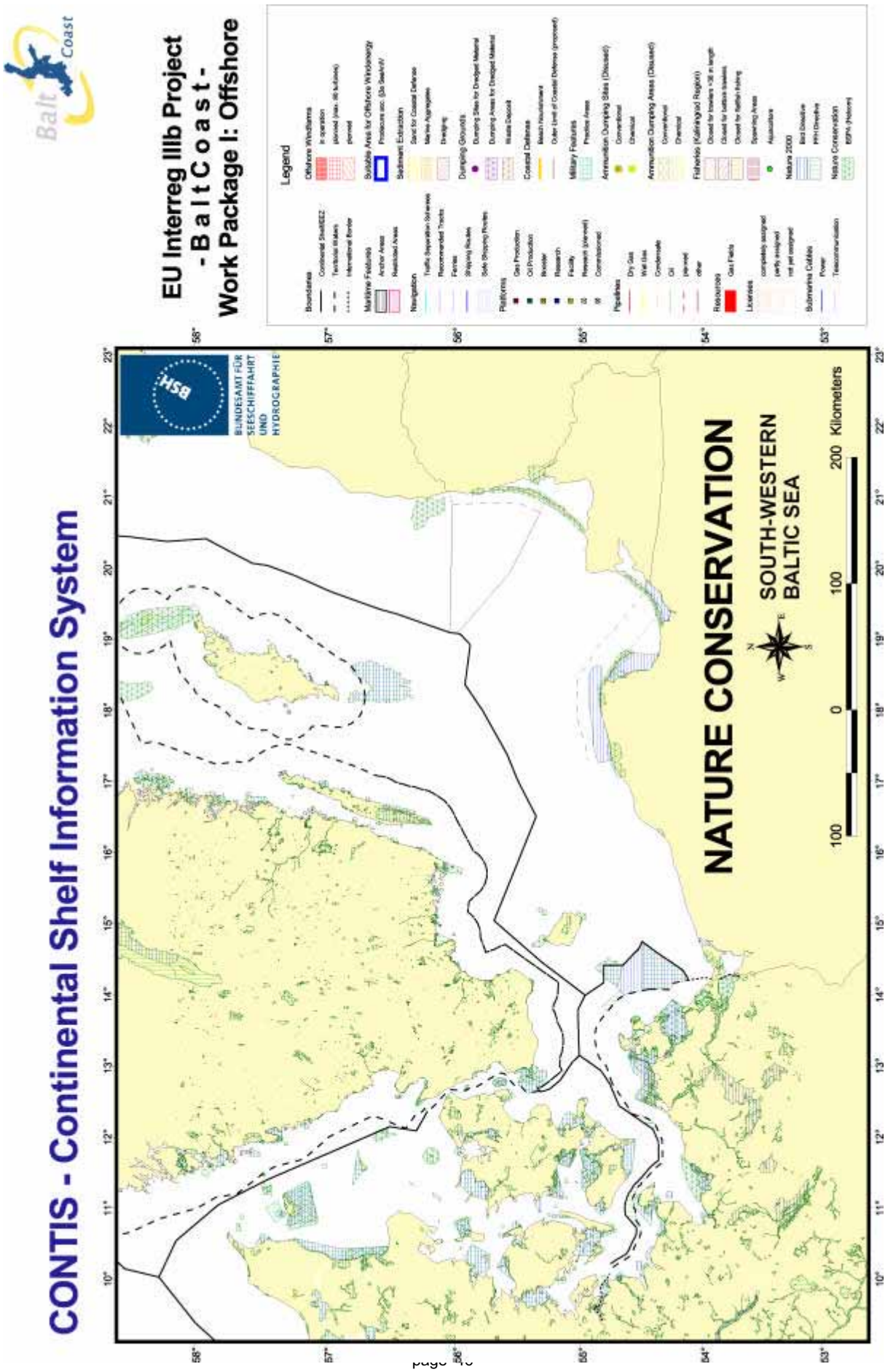
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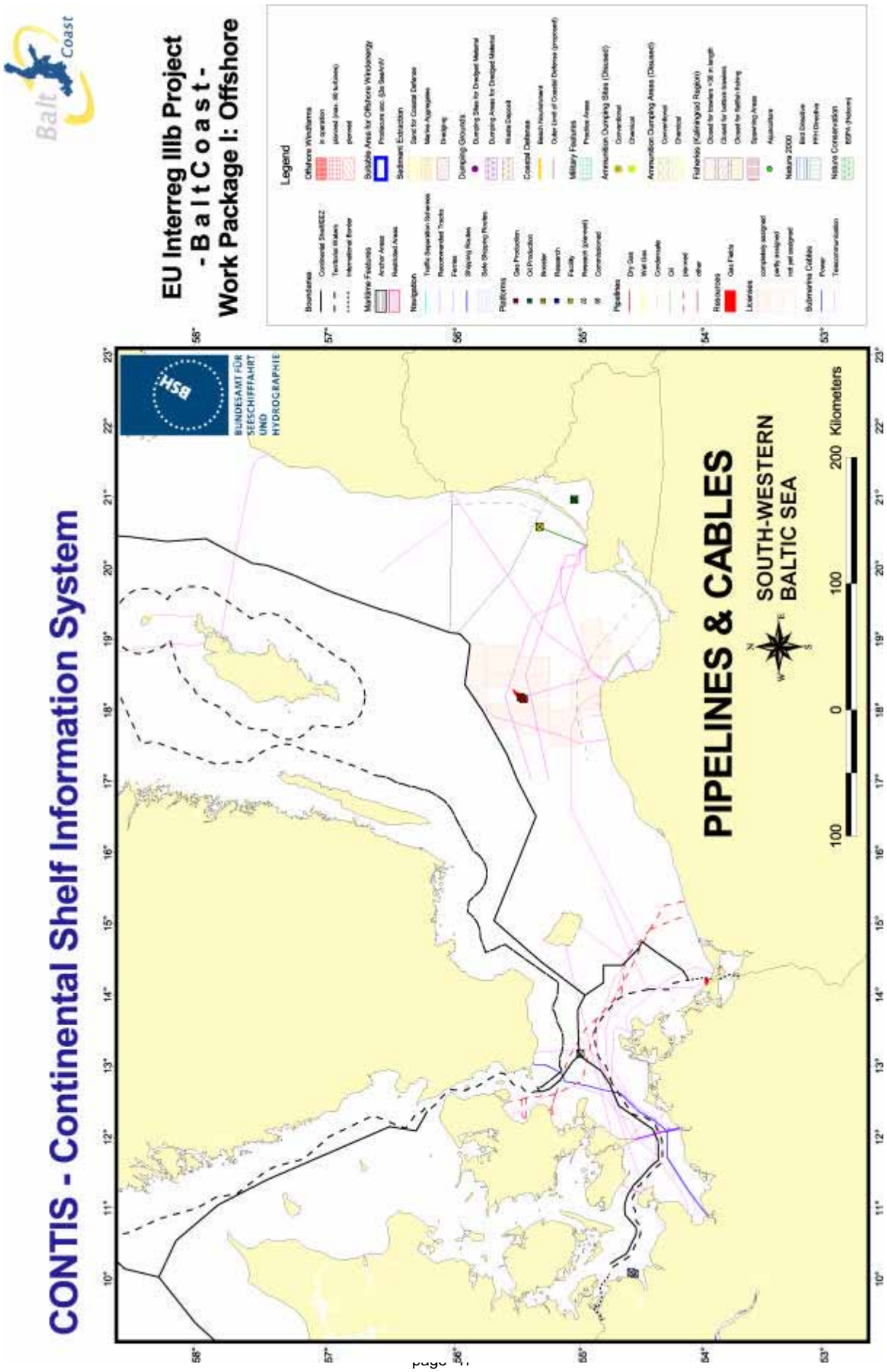
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Work Package I: Offshore
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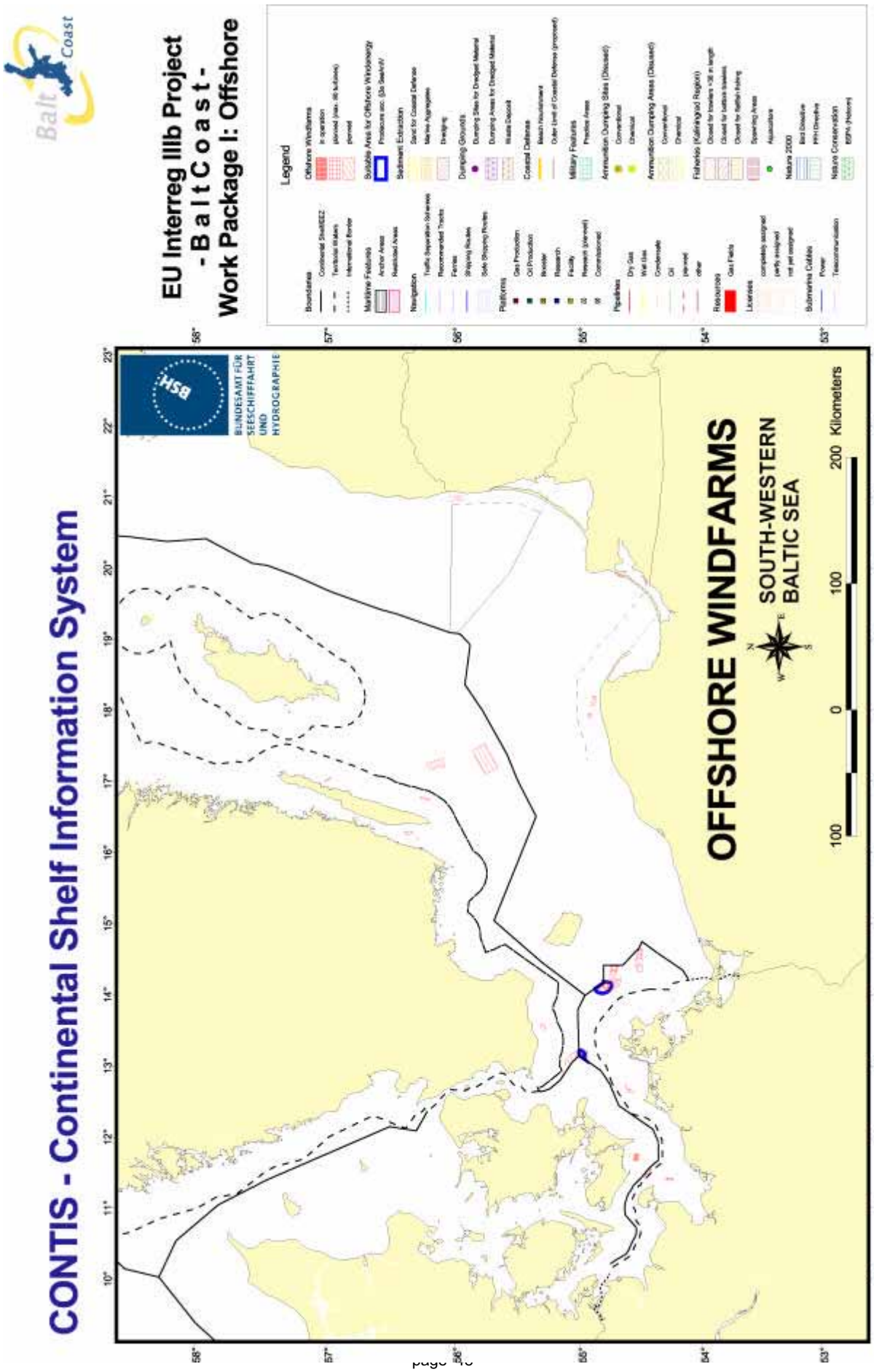
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Work Package I: Offshore
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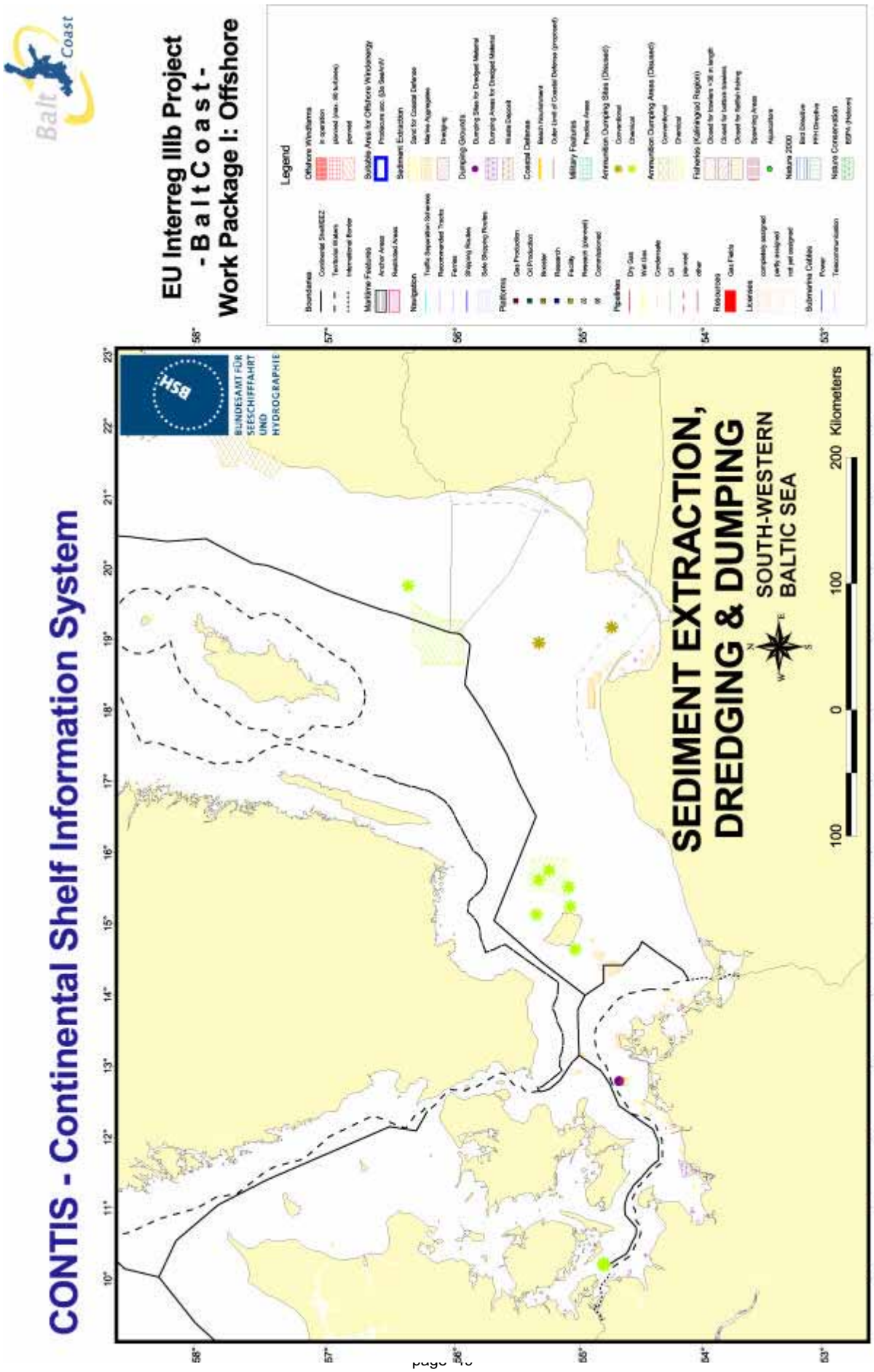
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SEDIMENT EXTRACTION,
DREDGING & DUMPING
SOUTH-WESTERN
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SEESCHIFFFAHRT
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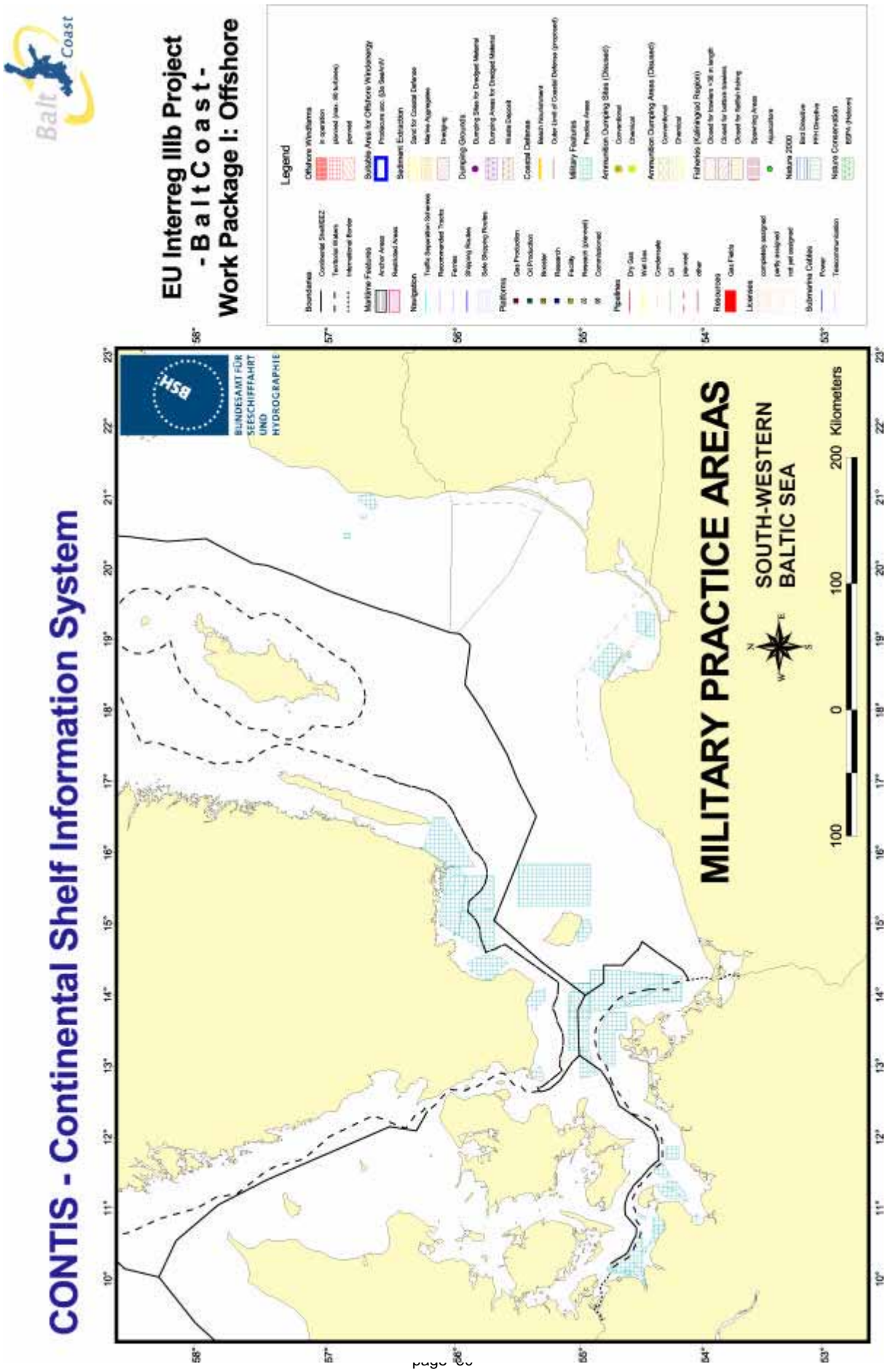
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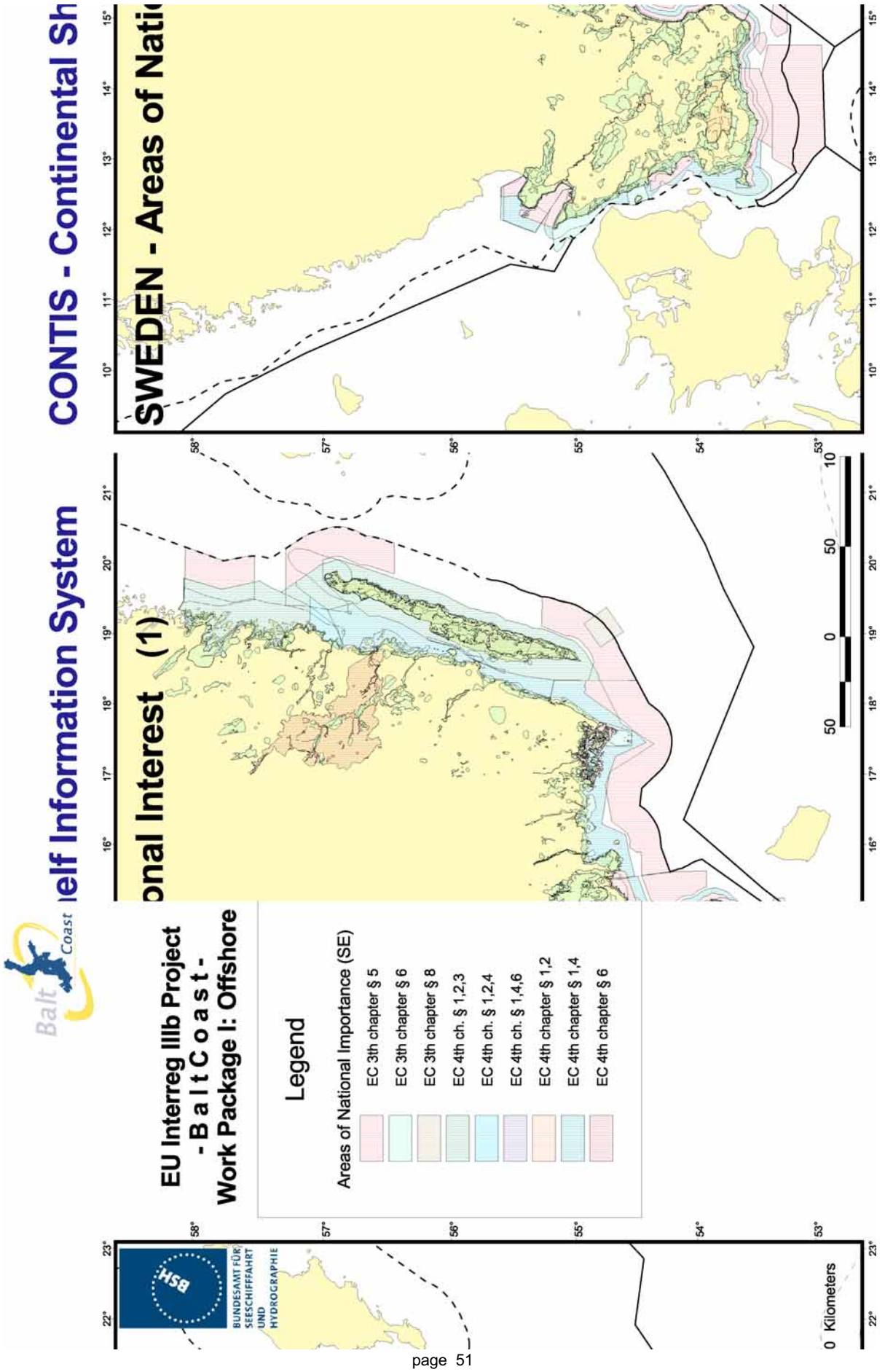
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EU Interreg IIIb Project
- B a l t C o a s t -
Work Package I: Offshore
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Areas of National Importance (SE)
EC 3th chapter § 5
EC 3th chapter § 6
EC 3th chapter § 8
EC 4th ch. § 1,2,3
EC 4th ch. § 1,2,4
EC 4th ch. § 1,4,6
EC 4th chapter § 1,2
EC 4th chapter § 1,4
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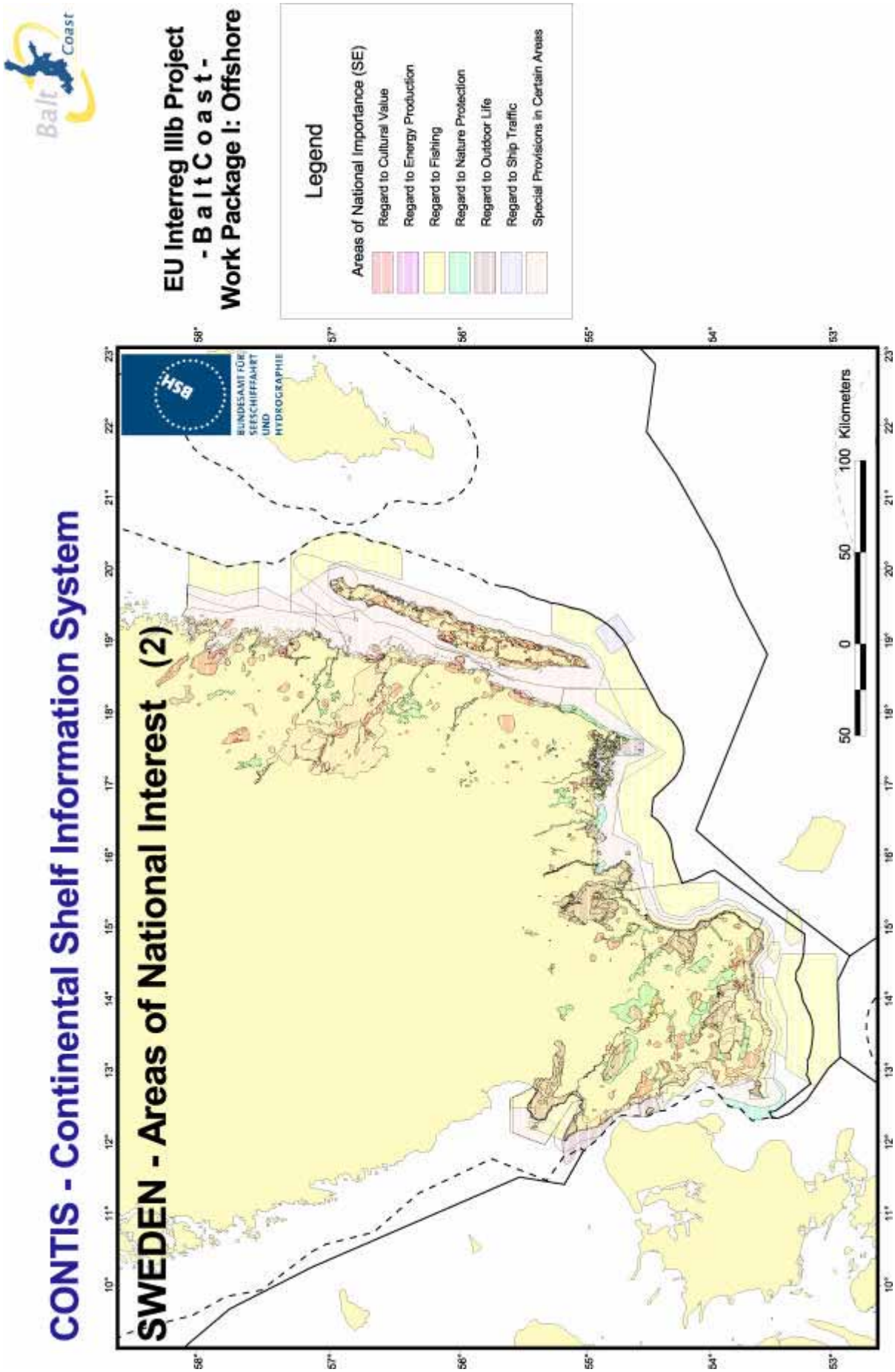
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SWEDEN - Areas of National Interest (2)
EU Interreg IIIb Project
-BaltCoast-
Work Package I: Offshore
Legend
Areas of National Importance (SE)
Regard to Cultural Value
Regard to Energy Production
Regard to Fishing
Regard to Nature Protection
Regard to Outdoor Life
Regard to Ship Traffic
Special Provisions in Certain Areas
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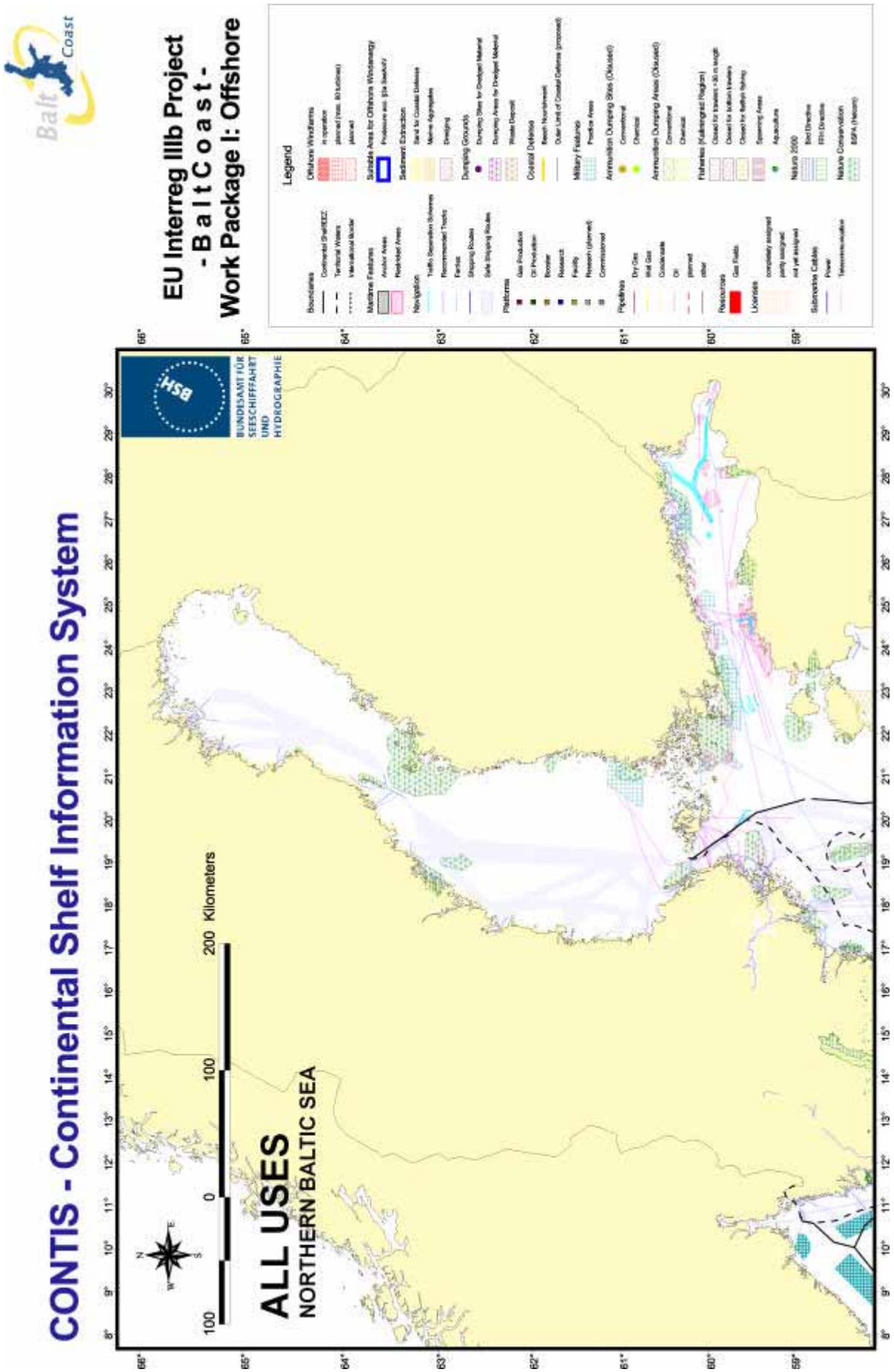
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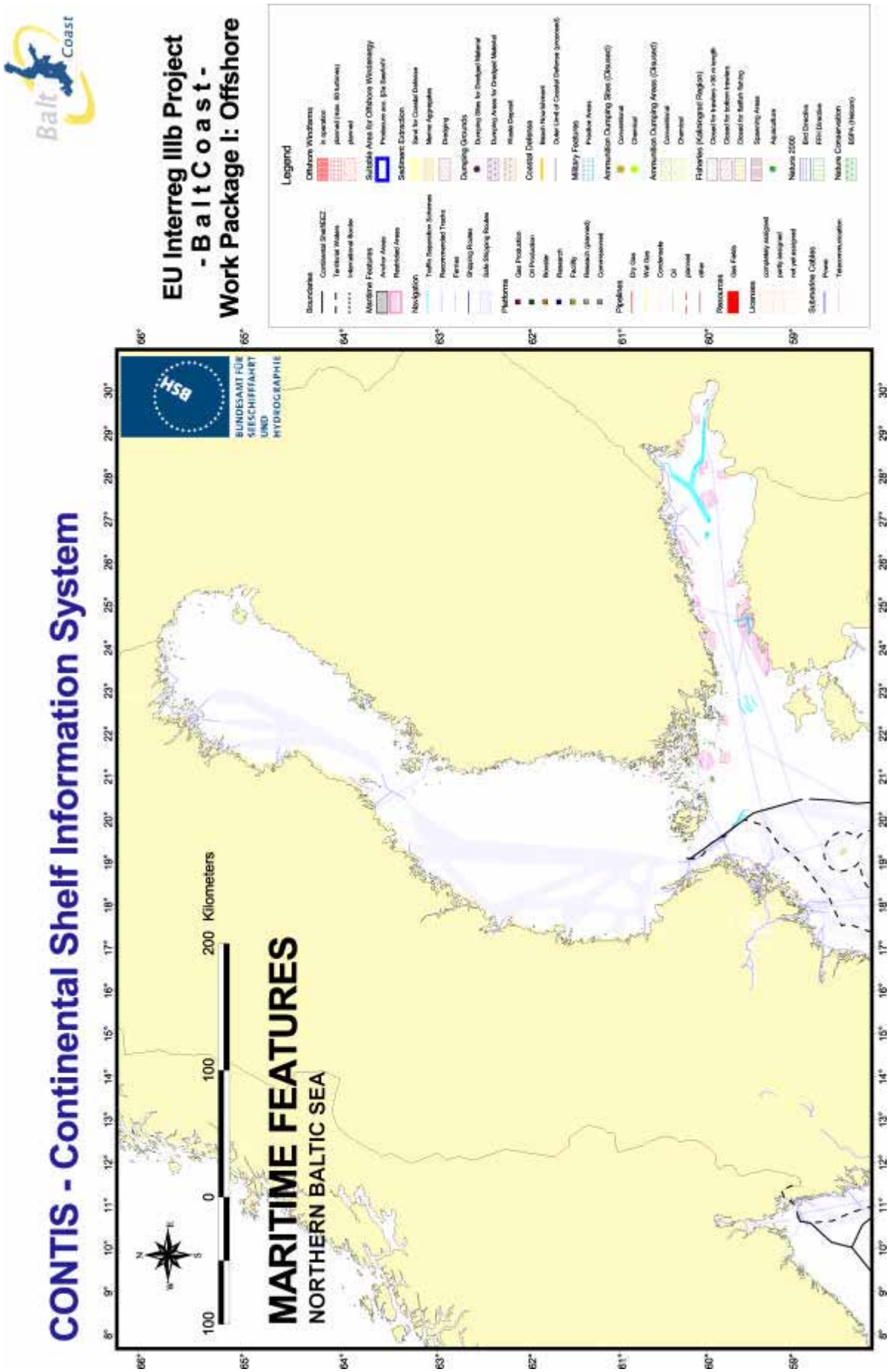
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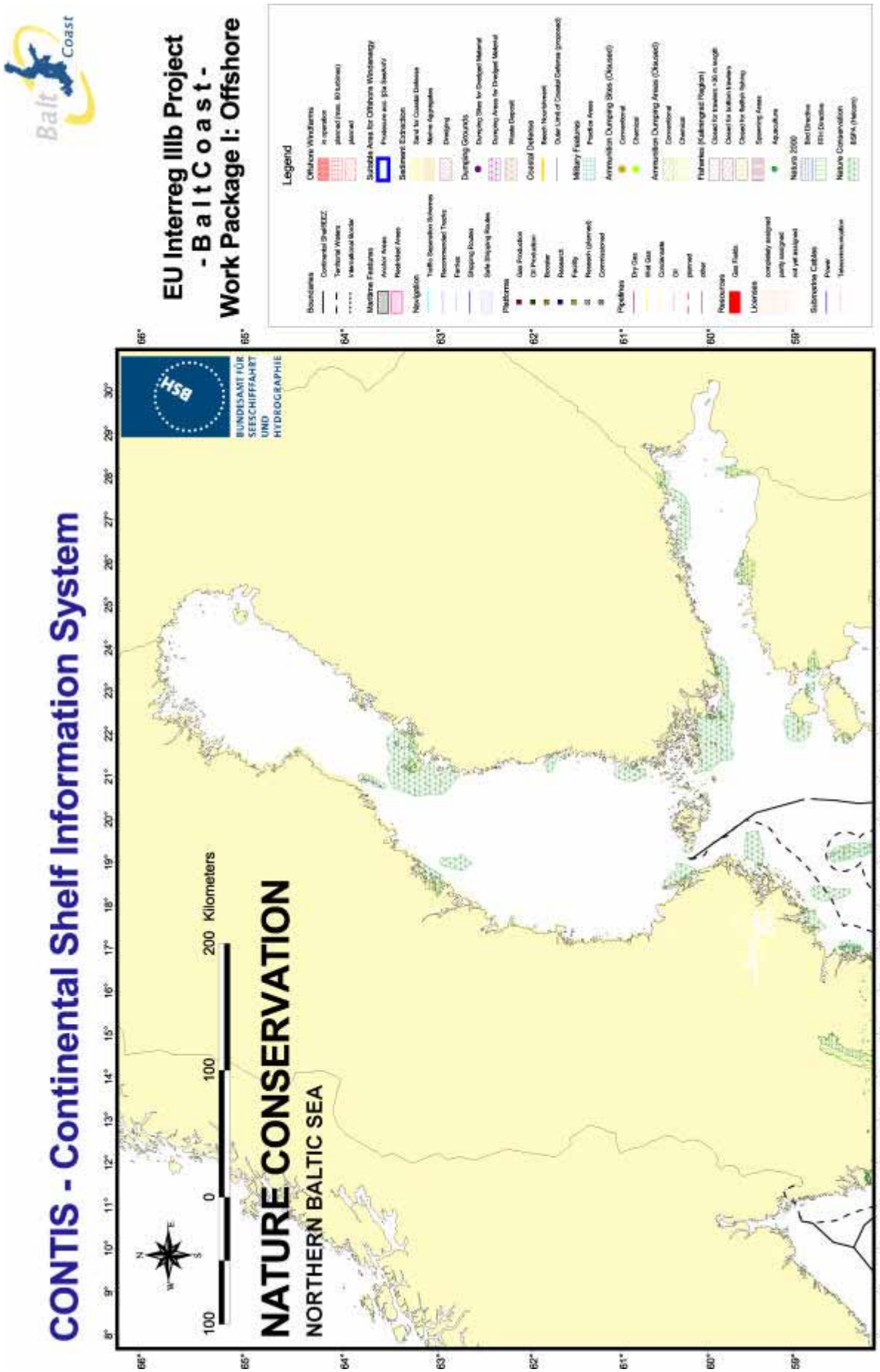
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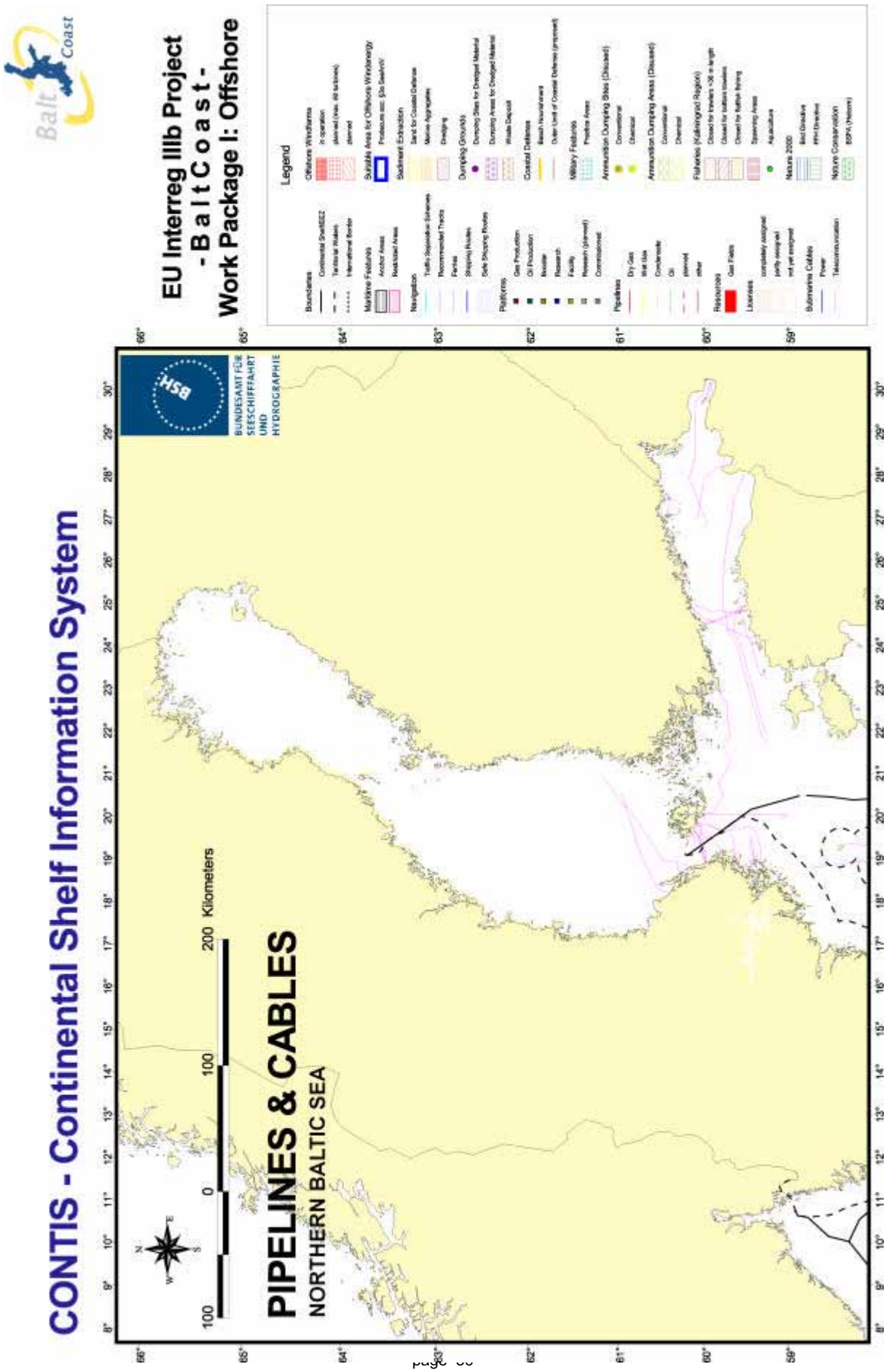
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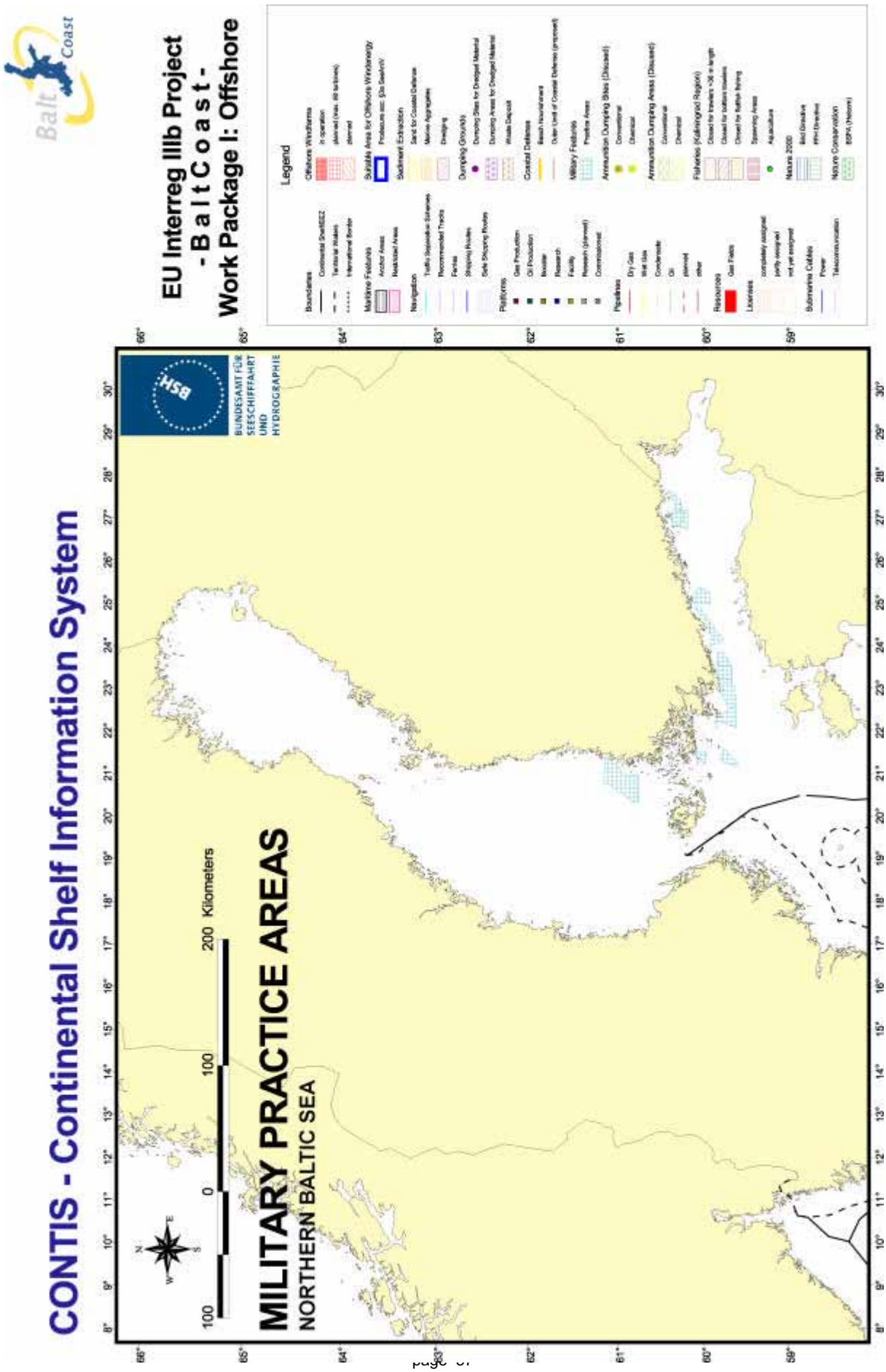
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3.5.2 Appendix 2: Examples for stakeholder lists in the participation process (Germany and Finland)

3.5.2.1 Finland: Stakeholders in procedures concerning coastal and offshore windfarms

1) Authorities

Municipalities

Regional Councils (draft regional plans)

Regional Environmental Administrations

Ministry of the Environment (will confirm regional plans)

Regional Centres for Trade and Employment

National Forest Board (owns the sea areas); various Departments dealing with sand and gravel extraction, Tourism and others.

Maritime Administration; National and Regional

National Defence Staff, Army, Navy, Air Force

Coast Guard

The Finnish Aviation Administration

Finnish Environment Institute

Finnish Institute for Marine Research

Finnish Game and Fisheries Research Institute

National Board of Antiquities, Department of Archaeology, Marine Archaeology

Local Museums (with statutory responsibilities and voluntary operations)

Geological Survey of Finland (only partly statutory responsibilities)

2) NGOs

Bird Associations

Fishermen's associations

Associations of divers

WWF, selected working groups such as Sea Eagle working Group and Grey Seal Working Group

Nature Associations

Yachting Clubs

3) Private companies

Port administrations, companies and operators

Tele Operators

Energy and energy transmission companies (electricity, oil, gas)

3.5.2.2 Germany: Participants in procedures concerning offshore-windfarms in the EEZ

1. Authorities

Water and Shipping Directorate

Federal Agency for Nature Protection

Federal Environmental Agency

State Ministry for Environment

Federal Research Centre for Fisheries

State Agency for Fishing

Federal Agency for Agriculture and Food

Mining Authority

Military Administration

Aviation Agency

Regional Administration, Council Administration, City Administration (depending on place of the envisaged windfarm respectively onshore point for the grid connection)

2. NGOs

Association of Fishermen (federal and state)

Associations for Nature Protection (several NGOs on federal and state level)

Association of Ship owners

Sea Rescue Service

Association for Sailing and Motor yachts

Associations for the Promotion of Wind Energy

Nautical Association

3. Private companies

Telecom companies

Pipeline companies

Electricity companies

Oil and Gas companies

3.5.3 Appendix 3: The agenda of BSR international organisations with regard to ICZM

3.5.3.1 European Union

On 30 May 2002 the European Parliament and the Council adopted the Recommendation concerning the implementation of Integrated Coastal Zone Management (ICZM) in which all riparian countries are encouraged to prepare national strategies for integrated coastal zone management, taking as one of the strategic basis the improved co-ordination of the actions taken by all the authorities concerned both at the sea and on land. It also recommends that the member states should encourage, enter into or maintain dialogue with neighbouring countries to establish mechanisms for better co-ordination of responses to cross-border issues.

Also the European Commission issued the communication to the Council and European Parliament regarding the marine strategy (Communication from the Commission to the Council and the European Parliament "Towards a Strategy to Protect and Conserve the Marine Environment, COM 2002 539 final) which should constitute a contribution to the Community Strategy for Sustainable Development and provides basis for an integrated approach to the coastal areas and offshore planning and management. The strategy describes the threats to the marine environment including among others commercial fishing, oil and gas exploration, shipping, deposition waste dumping, degradation of habitats due to dredging and extraction of sand and gravel. One of the strategy objective is to realise a more effective co-ordination and co-operation between the different institutions and regional and global conventions, commissions and agreements governing marine protection.

The EU has initiated and has run for several years the ICZM Expert Group consisting of the representatives of EU 25 bodies responsible for the above mentioned ICZM recommendations implementation.

3.5.3.2 BALTIC 21

The Baltic 21 Action Programme was adopted in 1998 by the Foreign Ministers from the Baltic Sea Region with the overriding objective to contribute to achieving sustainable development in the Baltic Sea Region in a 30-year perspective. Baltic 21 addresses the three dimensions of sustainable development – environmental, social and economic aspects.

Baltic 21 focuses on the sustainable development of seven economic sectors of crucial economic and environmental importance in the region, education and spatial planning and seven joint actions. The main responsibility for this work is distributed among the SOG members co-ordinated by the Lead Parties. Within the Action Program for Spatial Planning (VASAB 2010 as a Lead Party) the issue of Further development of Integrated Coastal Zone Management has been given great attention and encourages strengthened co-operation in this area between VASAB 2010 and HELCOM.

Baltic 21 can offer for ICZM implementation its multi-stakeholder membership including CBSS member states, the European Commission, intergovernmental organisations, international financial institutions, international subregional, city and business community networks and other international non-governmental networks.

3.5.3.3 HELCOM

The ICZM has been already recognised by HELCOM in the Baltic Sea Joint Comprehensive Environmental Action Programme (JCP), mandated by the Prime Ministers of the Baltic Sea States in Ronneby, Sweden, in September 1990, and subsequently approved in 1992. The Helsinki Commission was requested to co-ordinate the

JCP process. The fourth component of the Programme „Management Plans for Coastal Lagoons and Wetlands" concerns environmental protection, management and planning with respect to coastal lagoons and wetlands.

HELCOM as an environmental focal point in the BSR is managing the GEF-funded Baltic Sea Regional Project which long-term objective is to introduce ecosystem-based assessments to improve the management of coastal and marine environments around the Baltic Sea. One of the elements of this multi-action project is the Land-Based Coastal Zone Management actions in four beneficiary countries: Estonia, Latvia, Lithuania and Russian Federation. The aim is to introduce ICZM practices in some coastal zone demonstration sites. At the 24 HELCOM Meeting (Bremen, Germany, 25 June 2003) the representatives of High Level Session adopted the Declaration which emphasises the importance of HELCOM ensuring co-operation on integrated management of human activities in coastal and open sea areas. Besides Declaration, a new HELCOM Recommendation 24/10 on Implementation of Integrated Marine and Coastal Management of Human Activities in the Baltic Sea Area was adopted by the Ministers. A proposal of recommendation was elaborated by the HELCOM HABITAT Group which is mandated to continue HELCOM's work on ICZM.

The Recommendation commends to develop and implement an overall management plan for human activities for marine areas and requires that the plan addresses all issues relevant for successful management of offshore areas and identifies gaps in data and knowledge that may impede the plan implementation. One of the crucial steps in plan development is organisation and implementation of offshore (planning) and management process that brings together identified public and private stakeholders.

[Additionally, a document supports implementation of other recommendations relating to marine and coastal areas, mentioning one on the Baltic Sea Protected Areas, and encourages the Contracting Parties to develop a national strategies (in accordance with the EU ICZM Recommendation) to implement the principles for integrated management of human activities in the coastal areas and to extend these principles to marine offshore areas.]

HELCOM implements its recommendations through network of Ministries of the Environment in the Baltic Sea Region countries.

3.5.3.4 RECOMMENDATION 24/10 Adopted 25 June 2003 by the Ministerial Conference: Implementation of Integrated Marine and Coastal Management of Human Activities in the Baltic Sea Area

The recommendations focus on the preparation of the national strategies (in accordance with the EU ICZM Recommendation) to implement the principles for integrated management of human activities in the coastal areas and to extend these principles to include marine offshore areas as well. In details these recommends the Contracting Parties to the Helsinki Convention to organise and implement an offshore [planning and] management process that brings together the groups of stakeholders with interests concerning the marine areas (interacting and/or conflicting); to develop criteria, standards and guidelines that are needed for integrated management of human activities by sector authorities, as well as development of practical and applicable ways to share responsibility for plan management, implementation and enforcement; to identify the major planning and management issues for human activities in offshore areas; to identify data gaps and gaps in knowledge that may impede planning and management of human activities in offshore areas, e.g. lack of spatial data on marine and coastal biodiversity (distribution of habitats and species) and natural resources, use of land and water areas, demography, traffic, oil transport, etc., as well as problems connected with access to data; and finally to develop and implement an overall management plan for human activities for marine areas addressing the tasks mentioned above.

The implementation of this recommendation should be evaluated at regular intervals, at least every three years.

3.5.3.5 VASAB 2010

The mission of VASAB 2010 is to introduce spatial planning as an interactive, interdisciplinary and democratic instrument to promote sustainable and balanced spatial development and spatial cohesion in the Baltic Sea Region. National governments and PAN-Baltic organisations should use this instrument more actively in promotion of integration and competitiveness of the BSR. In 1996 VASAB 2010 Ministerial Conference adopted the Common Recommendations for Spatial Planning of the Coastal Zone in the Baltic Sea Region, proposing objectives and planning procedures concerning spatial planning of the coastal zone to be included in national legislation or policies (however limited to the 3 km wide strip). The VASAB 2010 PLUS Spatial Development Action Program (adopted in 2001) introduces the new concept of Integrated Coastal Zone Management, demanding to include equally off-shore and land-side coastal areas. The main reason was the awareness that the growing spatial conflicts in coastal waters, like the one between off-shore wind-mill parks and undisturbed sea traffic, show a need to apply instruments of spatial planning. The VASAB concept contributes to one of the three priority Spatial Planning Actions within the Baltic 21 Action Programme (SP2 Action). To enable the integration of land-side with sea-side coastal zone planning and to effectively link coastal zone management with statutory spatial planning it was recommended to launch demonstration projects going beyond the scope of previous ICZM projects and being initiated and carried out by local and regional actors. Such an role has an INTERREG III B project BaltCoast, having strong Working Group on offshore spatial planning issues. The Project recommendations regarding offshore and coastal planning will be introduced to the Ministerial Conference in 2005 for approval.

VASAB implements its actions using the network of the Ministries responsible for spatial planning and development in the Baltic Sea Region countries.

3.5.3.6 Existing cooperation between BALTIC 21, HELCOM and VASAB 2010

These three pan-Baltic organisations have always been co-operating in the field of coastal zone management, planning and protection by attending common meetings, participating in joint projects and consulting strategic documents. In 2002 the three pan-Baltic organisations decided to support the national work on EU ICZM Recommendation by offering an informal international platform for joint discussions in the Baltic Sea Region, and also by sharing experience on integrated coastal zone management. The Baltic Sea Region Platform has been launched having its first meeting in 2003, with main aim to exchange experiences between actors in charge for preparation of the National ICZM Strategies. It is also worth of notice, that the Council of the Baltic Sea States (CBSS), in its Communiqué from the last Pori Ministerial Session, noted with satisfaction co-operation between VASAB 2010, HELCOM and Baltic 21 with regard to implementation of the relevant EU recommendation on ICZM in the Baltic Sea Region.

3.5.4 Appendix 4: Methodology and content of the State Spatial Program of Mecklenburg-Vorpommern (SSP-MV)

3.5.4.1 Scale

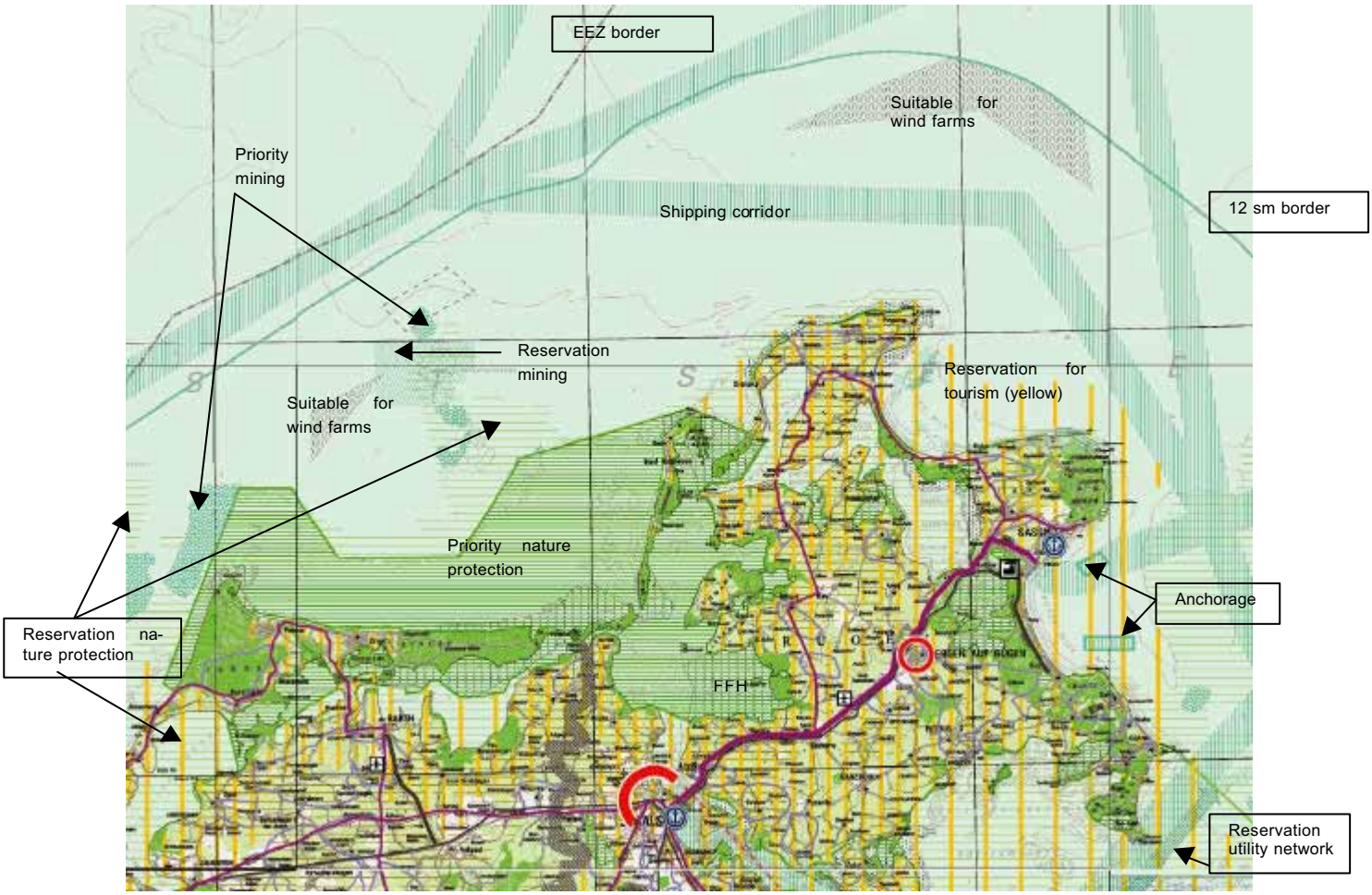
The scale of the plan is 1 : 250,000.

3.5.4.2 Use categories

For the offshore area, the SSP-MV specifically considers 6 use categories:

(1) Shipping (shipping corridors, anchorage)
(2) Nature and landscape protection
(3) Wind farms
(4) Utility networks: cables, pipelines
(5) Tourism, recreation
(6) Exploitation of natural resources (particularly sand and gravel)

State Spatial Program Mecklenburg-Vorpommern 2004 (preliminary version for public concertation) - Section coastal zone Rügen-Fischland/Darss



3.5.4.3 Area categories

The State Spatial Program for the 12-sm offshore (sea) area of Mecklenburg-Vorpommern considers three different degrees of use prioritisation for specified areas:

(1) Priority areas ("Vorranggebiete")

(2) Reservation areas ("Vorbehaltsgebiete")

(3) Suitable areas ("Eignungsgebiete")

These three classes represent a declining degree of use prioritisation. They are explained in the table below.

Area classification system in German spatial planning for offshore areas

Classification of areas ➲	**➲ ➲ declining degree of use prioritisation ➲ ➲**		
	Priority areas ("Vorranggebiete")	**Reservation areas ("Vorbehaltsgebiete")**	**Suitable areas ("Eignungsgebiete")**
Definition of area assignment ➲	• highest priority status • reserved for a defined use	• no absolute priority • defined spatial use shall be given priority, but a case-by-case decision is required to evaluate competing use demands	• no anticipated priority decision for cases of conflicting use interests; • specified use would be acceptable in principle; • in areas not classified as suitable the use in question is excluded (exceptions may be made for research purposes)
Other uses in conflict with the prioritised one ➲	• excluded	• may be permitted if a comparative evaluation shows their relative significance and lack of acceptable alternatives.	• may be permitted if a comparative evaluation shows their relative significance and lack of acceptable alternatives.
Legal character of area assignment ➲	• legally binding	• not legally binding • but reflects a relevant principle of spatial planning.	• not legally binding • sets a relevant principle of spatial planning; • a final permission of specific projects requires a more detailed territorial impact assessment TIA through the 'Spatial Planning Procedure' (the scale of the general spatial plan is not sufficient for a definite assessment). As a result, permission can be bound to changed location, dimension or layout of a project

3.5.4.4 Spatial prioritisation of use demands

For each use category specific areas are assigned according to their degree of priority. But not each use category receives all three area categorisation:

- *Shipping corridors* and anchorage places are always categorised "priority" - in these areas no other potentially conflicting use will be permitted. These corridors are defined by the Federal Ministry of Transport
- *Nature and landscape protection* gets two different area assignments - priority areas (national parks and nature protection areas) and - representing a lower degree of prioritisation - reservation areas (bird protection and other areas of high nature potential). In these areas, other uses, even if conflicting, are not excluded ex ante, but require a comparative assessment.
- For *wind farms* only the lowest priority category has been reserved (suitable areas), meaning that if any wind farms shall be built this shall not happen other than in assigned suitable areas. But there, still a comparative evaluation with other potentially conflicting uses will be required (to be assessed in a more specific territorial impact assessment.
- *Utility network* corridors (cables, pipelines) get no priority area, but only reservation area status. Thus, they shall not be built outside assigned corridors, but even within corridors they may have to compete with other conflicting uses.

- The same as for utility networks applies for *tourism/ recreation* (water) areas: these, too, don't get highest priority, but only reservation area status, and have to be evaluated against potential other conflicting uses (if there are any).
- For *natural resource exploitation* areas, two different priority assignments are applied: areas which are important for coast protection measures (sand/ gravel exploitation) get priority status; other potential exploitation areas are only classified as 'reservation areas, meaning that they should not occur elsewhere, but even within declared areas they have to be evaluated against potential other conflicting uses (if there are any).