

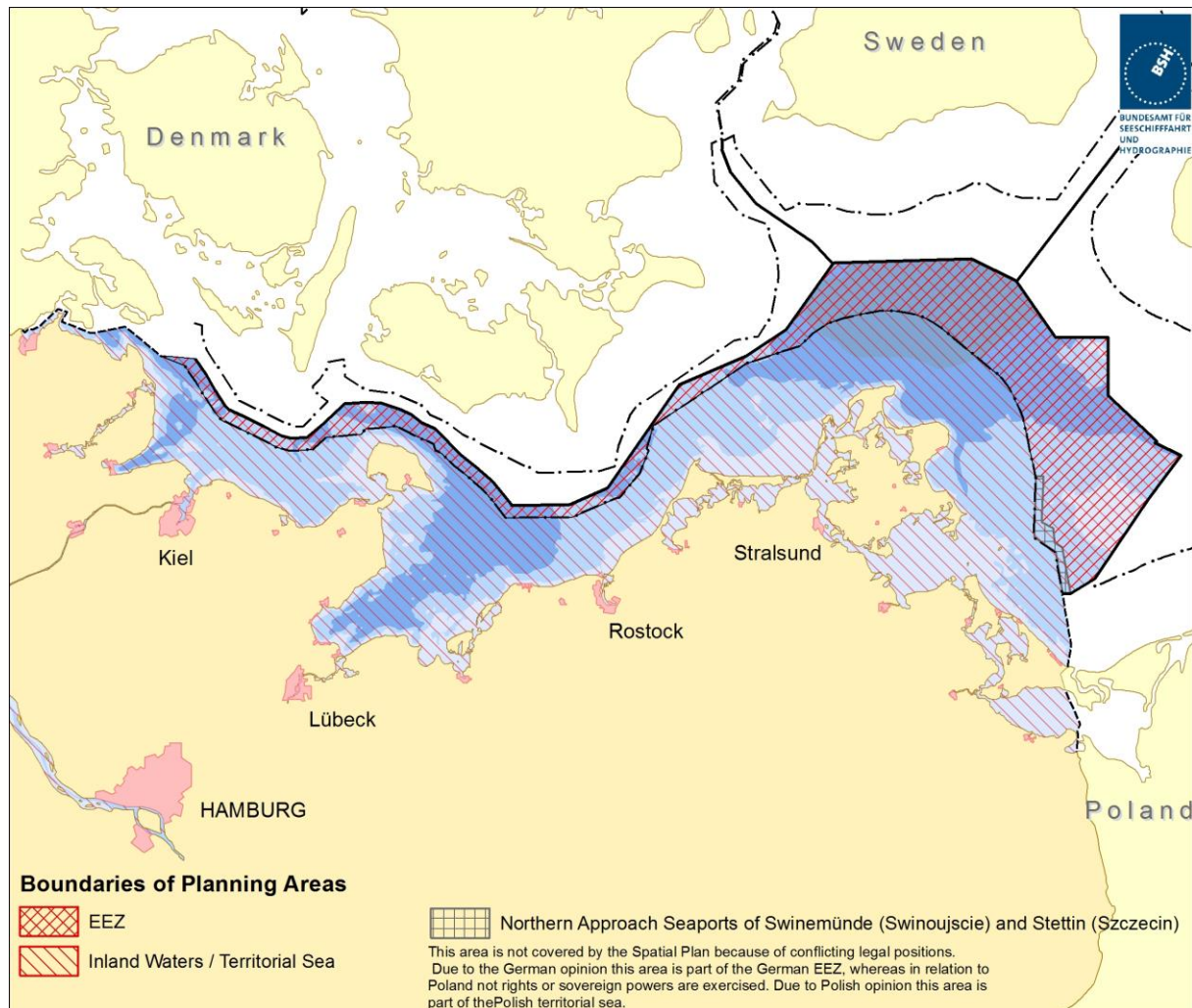


# Country Fiche

## Germany

Updated April 2017

# 1. General information



Map: German Baltic Sea EEZ and Territorial Sea / Inland Waters

Source: Federal Maritime and Hydrographic Agency (BSH)

Exclusive Economic Zone in the Baltic Sea: 4.500 km<sup>2</sup>

Inland Waters and Territorial Sea in the Baltic Sea: 10.900 km<sup>2</sup>

## 1.1. Governance

The Federal Ministry of Transport and Digital Infrastructure (BMVI) is responsible for setting up maritime spatial plans. The maritime spatial plans for the German Exclusive Economic Zone (EEZ) in the North and the Baltic Sea determine targets (legally binding) and principles (guidelines that need to be particularly considered in the decision process) of spatial planning in with regard to economic and scientific use, with regard to ensuring safety and efficiency of maritime traffic and as well with regard to protection of the marine environment. This work is undertaken in the framework of UNCLOS and other International and European legislation.

Federal Coastal States are responsible for setting up spatial targets and principles for their respective share of internal waters and territorial sea in the North and Baltic Sea.

- In Schleswig-Holstein the competent authority is the State Chancellery of the state Schleswig-Holstein, department for spatial planning, human resources and budget.

- In Mecklenburg-Vorpommern the responsibility lies with the Spatial Planning Authority in the Ministry for Energy, Infrastructure and State Development.

## 1.2. Contacts

### 1.2.1 EEZ

MSP in general:	<p><b>Federal Ministry of Transport and Digital Infrastructure</b>  <a href="http://www.bmvi.de">www.bmvi.de</a>  <a href="mailto:Ref-G31@bmvi.bund.de">Ref-G31@bmvi.bund.de</a></p> <p><b>Federal Maritime and Hydrographic Agency (BSH)</b>  <a href="http://www.bsh.de">www.bsh.de</a>  <b>Mr Kai Trümppler</b>  <b>Head of Unit Maritime Spatial Planning</b>  +494031903520  <a href="mailto:kai.truempler@bsh.de">kai.truempler@bsh.de</a></p>
Environmental concerns:	<p><b>Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety</b>  (Espoo contact point)  <a href="http://www.bmub.bund.de">www.bmub.bund.de</a></p> <p><b>Federal Environment Agency (UBA)</b>  <a href="http://www.umweltbundesamt.de">www.umweltbundesamt.de</a></p> <p><b>German Federal Agency for Nature Conservation (BfN)</b>  <a href="http://www.bfn.de">www.bfn.de</a></p>

### 1.2.2 Internal Waters and Territorial Sea

Schleswig-Holstein	<p><b>State Chancellery of the State Schleswig-Holstein</b>  <a href="http://www.schleswig-holstein.de">www.schleswig-holstein.de</a>  <b>Mr Frank Liebrez</b>  +494319881734  <a href="mailto:frank.liebrez@stk.landsh.de">frank.liebrez@stk.landsh.de</a></p>
Mecklenburg-Vorpommern	<p><b>Ministry of Energy, Infrastructure and State Development  Mecklenburg-Vorpommern</b>  <a href="http://www.em.mv-regierung.de">www.em.mv-regierung.de</a>  +493855888400</p> <p><b>Ms Petra Schmidt-Kaden</b>  <a href="mailto:petra.schmidt-kaden@em.mv-regierung.de">petra.schmidt-kaden@em.mv-regierung.de</a></p>

## 2. General information on legislation

International / EU legislation and frameworks have to be considered in MSP, e.g.

- UNCLOS
- IMO regulations and resolutions
- MARPOL
- MSP Directive 2014/89/EU (adopted in July 2014)
- SEA Directive 2001/42/EC
- Habitats Directive 92/43/EEC
- MSFD 2008/56/EC
- Baltic Sea Action Plan
- HELCOM Convention
- VASAB Long Term Perspective
- all relevant EU communications.

National legal base is the general Spatial Planning Act („Raumordnungsgesetz“ / ROG), which was made applicable to the EEZ in 2004. It is currently under revision and due to be implemented in 2017. – mainly with regard to the MSP Directive’s requirements for transboundary consultation and coordination in MSP, for taking into account the land-sea interactions and for applying the ecosystem approach.

The public as well as public authorities, which are touched in their interests, must be informed and have the opportunity to comment on the draft before setting the maritime spatial plan into force. When setting up a maritime spatial plan an SEA must be carried out. The likely significant effects on the environment have to be described and evaluated in an environmental report; the results of the SEA and the comments of the participation process have to be taken into account when balancing the different interests (see Spatial Planning Act (ROG) and Environmental Impact Assessment Act (UVPG)).

## 3. General applicability (e.g. territorial Sea, EEZ, other distinctions)

According to the German Spatial Planning Act the Federal Government is responsible for maritime spatial planning in the German EEZ. The territorial sea is an integrated part of the (terrestrial) spatial plans of the coastal federal states. Legal bases are the German Spatial Planning Act and the respective spatial planning law of the federal state.

## 4. Spatial Plans

### 4.1. Maritime Spatial Plan for the EEZ of the Baltic Sea

#### 4.1.1. Legal basis

Legal base is the general Spatial Planning Act („Raumordnungsgesetz“ / ROG) which was made applicable to the EEZ in 2004. The Federal Ministry of Transport and Digital Infrastructure (BMVI) is responsible for setting up Maritime Spatial Plans in the German Exclusive Economic Zone (EEZ) - in the framework of UNCLOS.

#### Relevant national legislation:

- Federal Maritime Responsibilities Act (SeeAufG), as of 26 July 2002 plus related regulations, incl. Marine Facilities Ordinance (SeeAnIV)
- Federal Mining Act (BBergG) of 13 August 1980
- Renewable Energie Sources Act (EEG)
- Energy Industry Act (EnWG) of 7 July 2005 (and Grid Expansion Acceleration Act (NABEG) of 28 July 2011)
- Federal Nature Coservation Act (BNatSchG)
- Federal Water Act (WHG)
- Act on the Assessment of Environmental Impacts (UVPG)

Spatial Planning Legislation in general names requirements, tasks and guidelines of spatial planning, aiming at achieving a balanced structure of settlements and open landscapes as well as the ecosystem, avoiding uncontrolled development and maintaining efficient infrastructures. For the EEZ the maritime spatial plan shall include targets (legally binding) and principles (guidelines that need to be particularly considered in the decision process) of spatial planning with regard to a) economic and scientific use, b) ensuring safety and efficiency of maritime traffic, and c) protection of the marine environment. Respective areas for these uses and functions may be stipulated.

#### 4.1.2. Legal impact

The plan sets binding rules and regulations for authorities, mainly with regard to licensing procedures and approval of projects.

#### 4.1.3. Area covered

The plan area covers the German EEZ in the Baltic Sea, though does not cover the charted area showing the northern approaches to the harbours of Świnoujście and Szczecin and anchorage no. 3 because of contradictory legal opinions. According to German opinion this area is part of the German EEZ, whereas in relation to Poland no rights or sovereign powers are exercised. According to Polish opinion this area is part of the Polish territorial sea.

#### 4.1.4. Historic development

The planning process started in 2005 with a questionnaire sent to agencies and NGOs to obtain an overview on activities, licences and interests in the EEZ. A “scoping meeting” took place in 2005 with agencies and NGOs to discuss the scope of the necessary Strategic Environmental Impact Assessment. The Ministry of Transport, Building and Urban Development BMVBS (since December 2013: BMVI) and BSH drafted maritime spatial plans which in conjunction with the SEA report have been given into public participation in 2008; transboundary consultation was conducted and public hearings were held. In December 2009 the Maritime Spatial Plan for the German EEZ in the Baltic Sea was enacted by the Ministry of Transport. The MSP for the North Sea EEZ was set into force in September 2009.

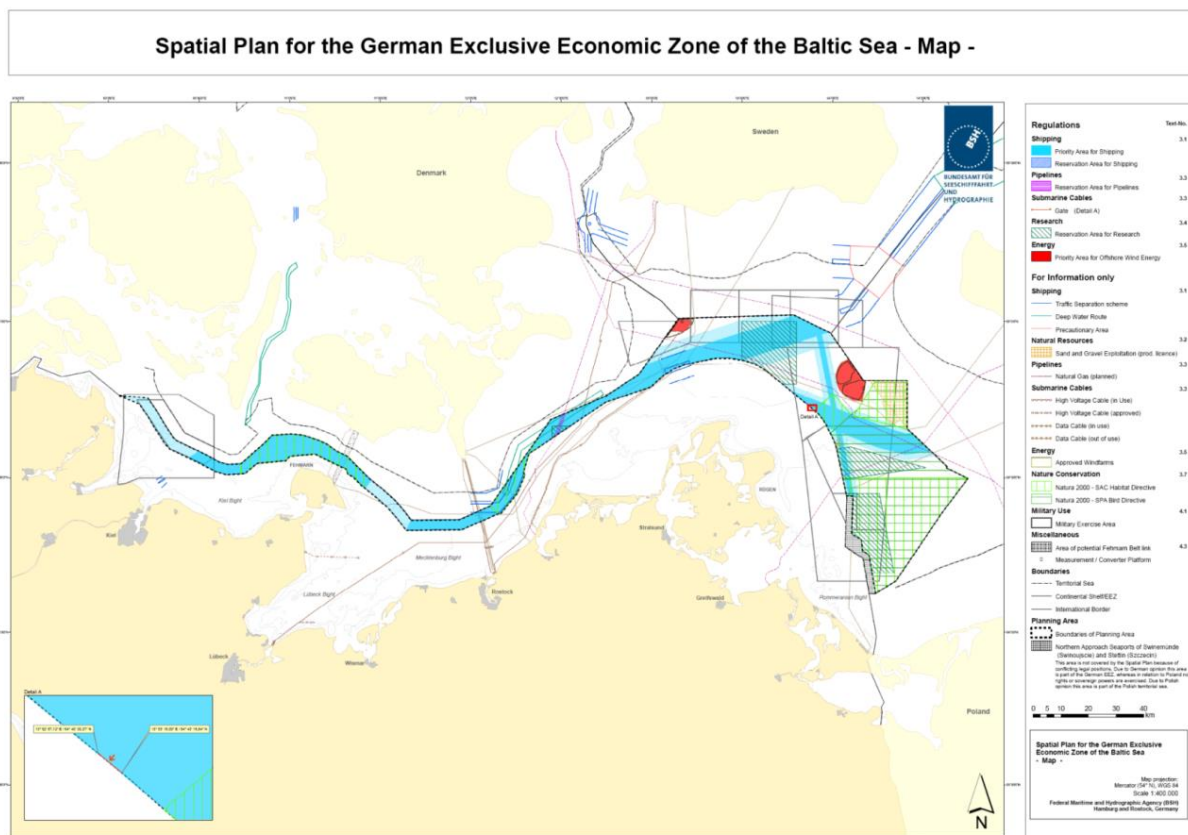
#### 4.1.5. Objectives of the plan

Starting point for Maritime Spatial Planning in Germany is the guiding principle of sustainable spatial development, which brings social and economic demands regarding space in line with the sea's ecological functions and leads to a permanent, large scale balanced order. In order to co-ordinate the growing conflicts of maritime uses, in particular between developing space intensive offshore wind farms and marine environmental protection goals as well as traditional maritime uses such as shipping and fisheries, an integrative and sustainable approach is needed for the development of the German Exclusive Economic Zone (EEZ).

#### 5 guidelines:

1. Safeguarding and strengthening maritime traffic;
2. Strengthening economic capacity through orderly spatial development and optimization of spatial use;
3. Promotion of offshore wind energy use in accordance with the Federal Government's sustainability strategy;
4. Long-term sustainable use of the features and potentials of the EEZ through reversible uses, efficient use of space, and priority of marine-specific uses;
5. Safeguarding natural environment by avoiding disruptions to and pollution of the marine environment.

#### 4.1.6. Map



Scale: 1:400.000

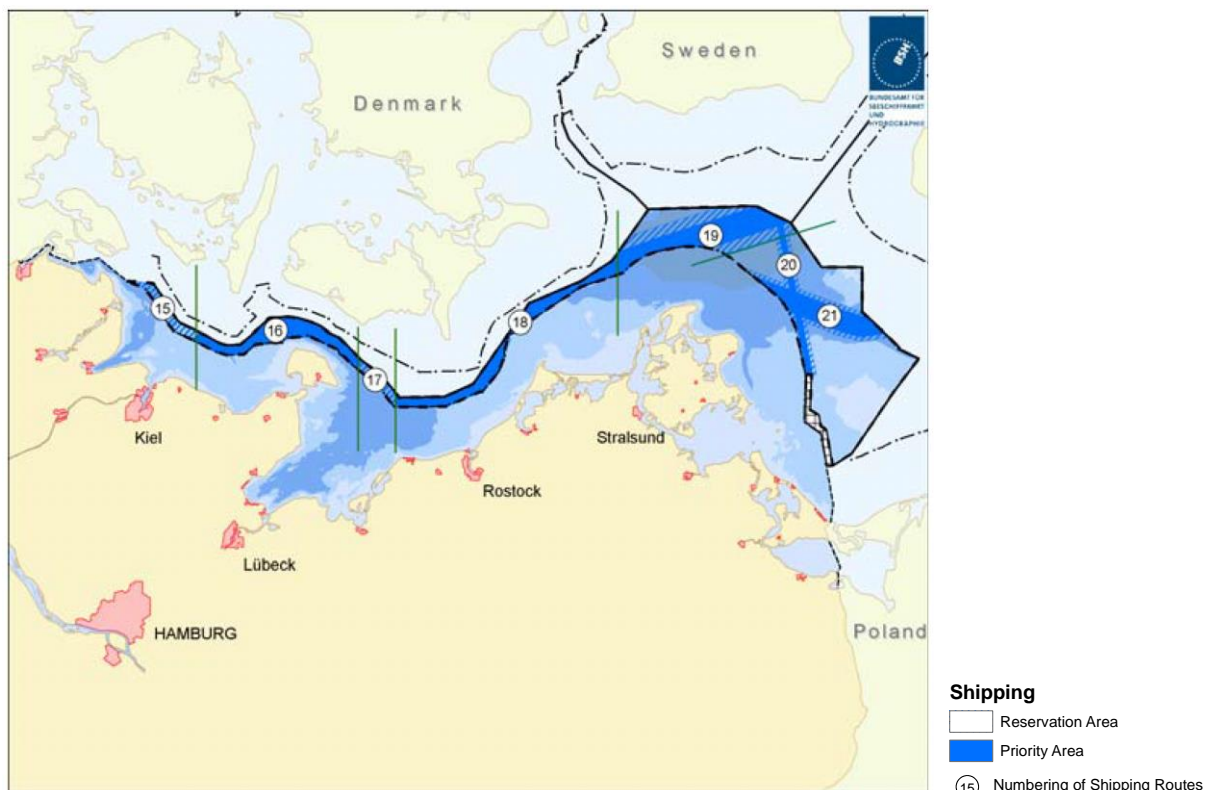
#### 4.1.7. Designation

The basic structure of the spatial plan follows the analysis of the ship traffic based on AIS-information provided by the Water- and Shipping Administration. With shipping having special weight according to UNCLOS, the main shipping routes are designated priority areas, which must be kept free from obstacles (e.g. wind farms). This designation is the result of Art. 60 para. 7 UNCLOS which rules that installations may not be established by the coastal State where they are capable of interfering with the use of recognized sea lanes essential to international navigation. The second important regulation is the designation of priority areas for offshore wind energy, which avoids and reduces significant conflicts with other uses and the marine environment. The third important regulation is the protection of the marine environment; one result is therefore that according to the spatial plan no wind turbines are allowed within Natura 2000 areas.

Spatial designations have been made by determining priority areas (planning targets, legally binding) and reservation areas (planning principles) – further regulations have been made in the text, setting binding planning priorities, planning principles, rules and objectives to be followed.

#### Shipping:

In the priority areas for shipping this activity is granted priority over other spatially significant uses and no permission is given to planning, measures and projects not compatible with the shipping priority. In reservation areas for shipping special consideration is given to shipping interests – a comparative evaluation with other spatially significant planning tasks, measures and projects has to be conducted.



Priority and Reservation Routes for Shipping  
Source. Federal Maritime and Hydrographic Agency (BSH)



#### Pipelines:

Special consideration is given to the laying, operation and maintenance of pipelines in the reservation areas for pipelines in the Baltic Sea.

#### Marine scientific research:

Special consideration is given to the conduct of scientific research activities in the reservation areas for research.

#### Energy production, wind energy in particular:

The production of wind energy is granted priority over other spatially significant uses in the priority areas for wind energy. Offshore wind turbines outside the designated priority areas are not allowed within Natura 2000 areas.

#### 4.1.8. Regulations

The Maritime Spatial Plans for the EEZ determine co-ordinated regulations for single uses and functions:

- shipping,
- pipelines and submarine cables,
- marine scientific research,
- energy production (especially wind energy),

including regulations determining areas for single uses and functions. Further activities in the EEZ such as military exercises, will find co-ordinated consideration within the regulations mentioned above. Management arrangements are taken in a later stage, for instance at project level dealing with applications for specific activities (e.g. wind farms). For Natura2000 areas management plans are to be developed by the competent Nature Conservation Agency.

#### 4.1.9. Adoption

Germany, resp. the Federal Ministry of Transport, Building and Urban Affairs (new name since December 2013: Federal Ministry of Transport and Digital Infrastructure) adopted and enacted the maritime spatial plan for the EEZ of the Baltic Sea as “Ordinance on Spatial Planning in the German Exclusive Economic Zone in the Baltic Sea (AWZ Baltic Sea-ROV)” on 10<sup>th</sup> December 2009, the plan entering into force on Dec. 19<sup>th</sup> 2009.

#### 4.1.10. SEA

As a basis for description and assessment of any substantial impacts on the marine environment that are likely to be caused by the implementation of the plan, a large scale Strategic Environment Assessment (SEA) has been carried out – for the first time in a sea area distant from the coast. The SEA predicted no significant effect on the marine environment evoked from the implementation of the plan.

#### 4.1.11. Public participation

Broad public participation was secured through consultations with stakeholders (agencies and NGOs): marine environment and nature conservation, fisheries, energy, sand and gravel, shipping, military, tourism, leisure boating, research.



A public hearing on the draft plan with ca. 80 stakeholders attending -mainly from other planning authorities, industry and NGOs – was held in Rostock in late 2008

#### 4.1.12. Transboundary consultation

Consultations with neighbouring countries were conducted by

- notifying about the intention to set up a maritime spatial plan in the initial phase of the planning process and asking about their interest in being kept informed and consulted
- consultation on the draft maritime spatial plan by written information
- several face-to-face meetings with neighbouring countries' representatives
- ESPOO consultation in the course of the Strategic Environmental Assessment, asking for potential negative impact of the plan on neighbouring countries' marine environment, the protected areas in particular.

#### 4.1.13. Harmonisation with other plans

The area which adjoins the German Baltic Sea EEZ, which already featured spatial planning provisions for marine space, was the German territorial sea administered by the federal state of Mecklenburg-Vorpommern. The Spatial Development Program had been enacted in 2005. This plan followed different planning objectives which were distinctly driven by the coastal development - with spatial designations e.g. for nature protection, sand and gravel extraction and tourism, and suitable areas for offshore wind energy which do not allow for any further offshore wind energy development outside of these areas. Shipping was not regulated, the map only depicting some major shipping routes. Thus MSP for the EEZ did not take this plan as a model, and chose another approach, with starting out to secure safe and easy shipping and regulating infrastructure development.

#### 4.1.14. Monitoring

In 2012 an evaluation report was produced by BSH and the Ministry of Transport, which assessed if and how the implementation of the plan had been successful in reaching the target set, focusing mainly on the development of offshore wind energy and the target set for offshore wind energy production by the Federal government. Steering effects were obvious, offshore windfarm applications now being limited to the priority areas for offshore wind energy and areas with no general limitation to offshore wind farm development. Thus adequate space has been secured for medium to long-term development of the sector, as a prerequisite for implementation of the government's renewable energy strategy.

#### 4.1.15. Electronic resources

MSP for the German EEZ in the North Sea, MSP for the German EEZ in the Baltic Sea:

- Legal Ordinance (English translation),
- Maritime spatial plan with justification (English translation),
- map (English version) and
- English summary of environmental report.

[http://www.bsh.de/en/Marine\\_uses/Spatial\\_Planning\\_in\\_the\\_German\\_EEZ/index.jsp](http://www.bsh.de/en/Marine_uses/Spatial_Planning_in_the_German_EEZ/index.jsp)

## **4.2. Maritime Spatial Plan for the Territorial Sea of the Baltic Sea – Schleswig-Holstein**

### 4.2.1. Legal basis

The State Development Plan for Schleswig-Holstein and the three Regional Plans are set up as statutory ordinances in the context of the State Spatial Planning Act, §§ 5 - 9, as of January, 27th, 2014, last amended May, 22nd 2015. It is based on the Federal Spatial Planning Act, §§ 7 – 11.

### 4.2.2. Legal impact

The plan sets binding rules and regulations for authorities, mainly with regard to licensing procedures and approval of projects.

### 4.2.3. Area covered

The plan covers the land as well as the marine areas of Schleswig-Holstein as far as the territorial sea border.

### 4.2.4. Historic development

The actual State Development Plan came into effect in October 2010 as a legally binding plan. A revised plan is currently under preparation and will cover the marine area, too. The start of the consultation for this plan is anticipated for autumn 2017.

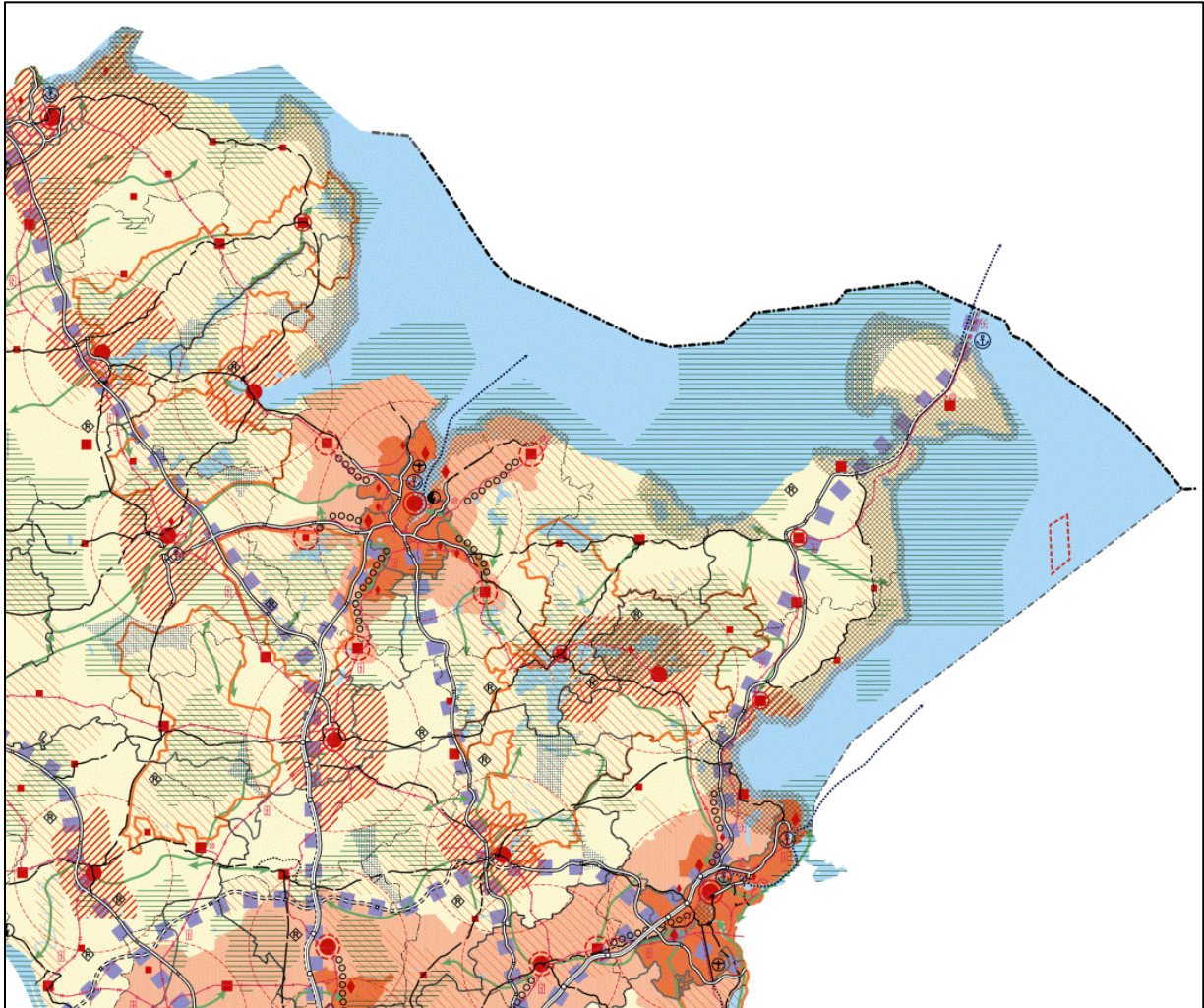
### 4.2.5. Objectives of the plan

The State Development Plan for Schleswig-Holstein regulates conclusively the spatial objectives and principles for terrestrial and for marine areas.

The guiding principle is sustainable spatial development, which brings the social and economic demands regarding space in line with its ecological functions and leads to a permanent, large-scale balanced order.

The different uses in the coastal zone should be balanced and adjusted to each other. Integrated coastal zone management should play an important role in this.

#### 4.2.6. Map



*Extract from Spatial Development Plan Schleswig-Holstein 2010*

Source: Ministry of the Interior of the State of Schleswig-Holstein 2010

#### 4.2.7. Designation

The state development plan of Schleswig-Holstein for the territorial areas of the Baltic Sea includes several areas of reservation for nature and landscape, a test field for wind energy turbines and core areas for tourism at the coasts. Shipping is allowed to use the whole area without precise shipping lanes. The four most important ports are determined in the plan: Flensburg, Kiel, Puttgarden und Lübeck.

#### 4.2.8. Regulations

Decisions, weighing and compromises regarding use conflicts at the sea are taken by and between the different ministries. The planners achieve the results afterwards and define areas for different uses based on legal exclusion criteria. The communities are responsible for ports and their developments.

#### 4.2.9. Adoption

The actual State Development Plan came into effect in October 2010 as a legally binding plan.

#### 4.2.10. SEA

By law, maritime spatial plans are subject to Strategic Environmental Impact Assessments according to the SEA Directive 2001/42/EC. SEAs have been conducted according to a) the Environmental Impact Assessment Act (UVPG) of June 25, 2005, and b) §12 of the county Law on Environmental Impact Assessments (LUVPG) resulting in comprehensive environmental reports. The report, which has been developed in parallel to the LEP in 2010, is an integral part of the plan.

#### 4.2.11. Public participation

Broad public participation was secured through an online-based consultation and participation procedure, as well as several public stakeholder meetings in different parts of Schleswig-Holstein and public displays.

#### 4.2.12. Transboundary consultation

Denmark as neighbouring state was also included in the participation and consultation process.

#### 4.2.13. Harmonisation with other plans

The State Development Plan for Schleswig-Holstein (SDP-SH) and the three Regional Plans have to be harmonized. According to chapter 1.2 of the SDP-SH, targets and guiding principles of relevant other technical units have to be considered account.

#### 4.2.14. Monitoring

N/A

#### 4.2.15. Electronic resources

Spatial Development Plan (LEP) 2010 for Schleswig-Holstein:

[http://www.schleswig-holstein.de/DE/Fachinhalte/L/landesplanung\\_raumordnung/allgemein/landesplanung\\_aufgaben\\_instrumente\\_raumordnungsplaene.html#doc1461094bodyText1](http://www.schleswig-holstein.de/DE/Fachinhalte/L/landesplanung_raumordnung/allgemein/landesplanung_aufgaben_instrumente_raumordnungsplaene.html#doc1461094bodyText1)

### **4.3. Maritime Spatial Plan for the Territorial Sea of the Baltic Sea – Mecklenburg-Vorpommern**

#### 4.3.1. Legal basis

In addition to ROG (4.1.1) the legal base for spatial planning in Mecklenburg-Vorpommern is the Law on Spatial Planning (“Landesplanungsgesetz, LPIG). Article 6 (1) states, the area the law is covering, is the entire “Land”, including the territorial sea. Presumably, the LPIG M-V will be revised during the next legislative period. It already meets main requirements of the

EU MSP Directive. Above all, the amendment of the ROG will foster the implementation of the EU Directive into national law.

#### 4.3.2. Legal impact

Predominantly, the plan sets binding rules and regulations for authorities, mainly with regard to licensing procedures and approval of projects. In the individual case, aims of spatial planning may influence directly measures of private actors relevant for the space. This is especially true if priority areas for wind power installations exclude the installation of plants outside of these priority areas. The new programme was adopted by ordinance of the State Mecklenburg-Vorpommern in 2016 and became a legally binding act. Responsibility for contextual issues is with the Ministry of Energy, Infrastructure and State Development of Mecklenburg-Vorpommern.

#### 4.3.3. Area covered

The programme covers both sea and land, i.e. the whole territory of Mecklenburg-Vorpommern, including shares of inland waters and territorial sea in the Baltic Sea. The following link provides the map of the Spatial Development Programme of whole Mecklenburg-Vorpommern (as well as the translation of the legend in English and Polish): <http://www.regierungmv.de/Landesregierung/em/Raumordnung/Landesraumentwicklungsprogramm/aktuelles-Programm/>

#### 4.3.4. Historic development

The Spatial Development Programme (SDP) of Mecklenburg-Vorpommern was extended to the 12-nm zone during the realignment in 2003-2005. Mecklenburg-Vorpommern is the first German coastal state that has integrated designations for single uses in the 12-nm zone into its regional development program. The extended programme was adopted in 2005 and became a legally binding act. The plan was adopted by ordinance of the Ministry of Transport, Building and Regional Development of Mecklenburg-Vorpommern of 2005.

In the years 2013 - 2015 the SDP was being updated. By updating its SDP, Mecklenburg-Vorpommern intended to intensify its comprehensive and multidisciplinary spatial planning to support the sustainable future development of the federal state and benefit its inhabitants. The updated Programme reflects current challenges, development trends and framework conditions.

The new SDP was adopted by ordinance of the State Mecklenburg-Vorpommern in 2016 and became a legally binding act, published in the Legal and Regulatory Gazette of the Federal State. Sustainable development as guiding principle of spatial development persists. The Programme aims at building harmonious relations between economy, employment, environmental conservation and development focusing on equivalent living conditions. Considering economic, social and environmental status of the federal state, its priorities include securing high quality jobs and meeting needs for qualified staff while utilizing possibilities created by administrative procedures and interpretation of laws.

#### 4.3.5. Objectives of the plan

The Spatial Development Programme Mecklenburg-Vorpommern aims to implement the principles of sustainable spatial development which may bring social and economic requirements to be met by the territory into harmony with its ecological functions, and which leads to a long-term, large-scale and balanced spatial development.

The applicability of the SDP includes territorial waters (12nm-zone) to ensure a conflict management between the demands of new technologies (offshore wind energy sites), tourism and nature protection, and traditional sectors like shipping, fishing and defence at an early stage.

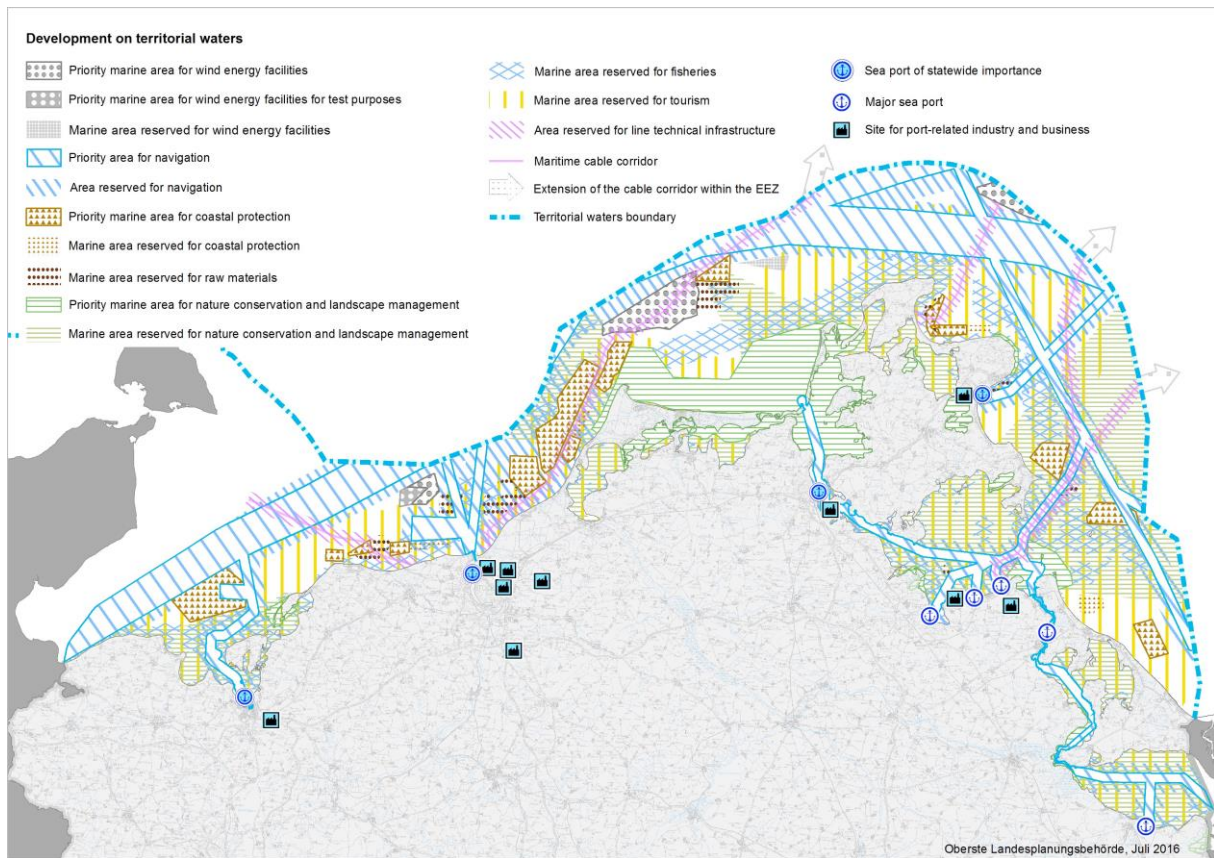
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The binding objectives, principles and other requirements of spatial planning are the framework for further development. This framework may guide those involved in public planning and those representing private interests at an early stage of preparing and implementing measures with spatial impacts.

The Spatial Development Programme M-V has strategic character and outlines the priorities concerning the spatial uses in the coastal waters of Mecklenburg-Vorpommern. The 12th guideline (assurance and use of potentials of the territorial waters) is of special importance regarding maritime spatial planning. Also guidelines 3 (new perspectives especially for young people and families), 4 (extended location for education, culture and research) and 8 (improved image as country for tourism, health and recreation) contain direct links to the territorial waters.



#### 4.3.6. Map



**MSP designations made by the LEP MV 2016**

#### 4.3.7. Designation

Spatial designations have been made by determining priority areas and suitable areas (planning targets, legally binding) and reservation areas (planning principles) – further regulations have been made in the text, setting binding planning priorities, planning principles, rules and objectives to be followed.

#### 4.3.8. Regulations

Driven mainly by coastal development main areas of intervention in the coastal waters with respective spatial designations are protection of the marine environment, sand and gravel extraction, tourism, suitable areas for offshore wind energy, which do not allow for any further offshore wind energy development outside of these areas, and corridors for linear infrastructure (cables, pipelines). Shipping is not regulated. The map only depicts some major shipping routes on a general level.

#### 4.3.9. Adoption

The programme was adopted by ordinance of the Ministry of Transport, Building and Regional Development of Mecklenburg-Vorpommern in 2005 and became a legally binding act.



#### 4.3.10. SEA

The SDP has been subjected to a strategic environmental assessment as required by European and national legislation.

#### 4.3.11. Public participation

The SDP has been developed in a multi-step process which included public participation. This wide and transparent involvement should help to gain wide acceptance for the implementation of the programme's requirements.

For the LEP M-V (2005) as well as for the LEP M-V (2016) two broad participation processes have been conducted including public participation. Additionally, both processes have been accompanied by several regional conferences organised by the responsible ministries.

#### 4.3.12. Transboundary consultation

Transboundary consultation took part with Denmark, Sweden and – with a special importance – Poland. According to intergovernmental agreements about the SEA, the complete texts of the drafts of the LEP M-V as well as of the environmental report have been translated into Polish and have been forwarded to responsible Polish administration.

#### 4.3.13. Harmonisation with other plans

The Spatial Development Programme (LEP) of Mecklenburg-Vorpommern follows the same targets and guidelines like the regional programmes for the four planning regions. In chapter 8 of the LEP about the spatial planning in marine coastal areas and ICZM it is explicitly stated as a binding target that diverging spatial demands have to be coordinated and harmonised. While the LEP determines statewide needs, the regional programmes are concretising them. The LEP also refers to the ICZM as a supportive tool for the use of synergies of different spatial developments and demands.

#### 4.3.14. Monitoring

According to the LPIG M-V an evaluation of the planning is obtained after 5 years. A monitoring system is under preparation.

#### 4.3.15. Electronic resources

MSP in Mecklenburg-Vorpommern:

<http://www.regierungmv.de/Landesregierung/em/Raumordnung/Landesraumentwicklungsprogramm/aktuelles-Programm/>

Map:

<http://www.regierungmv.de/Landesregierung/em/Raumordnung/Landesraumentwicklungsprogramm/aktuelles-Programm/>

## 5. What countries want to share

N/A

## 6. New developments / current status

Revision of the MSPs for the EEZ of the Baltic and the North Sea is currently being considered, following Interreg projects BaltSeaPlan and PartiSEApate, which BSH had been very actively involved in, and which have been co-financed by BMVI new developments with neighbouring countries starting national MSP processes, and requirements on EU level (adopted MSP Directive) etc.

Schleswig-Holstein is currently reviewing and updating their respective spatial plans / programs, taking on new developments and challenges., whereas Mecklenburg-Vorpommern has issued their updated Spatial Development Programme in summer 2016.

BSH/Germany has taken part in the DG Mare project Baltic SCOPE (2015-2017), and is Lead Partner of the Interreg projects NorthSEE and Baltic LINes, which have both been approved in the first calls of the North Sea and Baltic Sea Region Programmes respectively. Both projects. which address major transnational issues in MSP in the respective sea areas, started in spring 2016 and will run until 2019.

Currently two applications are pending for projects in the framework of a new call by DG Mare for projects supporting the implementation of the MSP Directive: SEANSE for the North Sea, and PanBalticScope for the Baltic Sea, both setting focus on addressing the ecosystem approach and SEA. BSH will be involved as project partner in both projects, aiming at integrating work and outcome of the projects into the concurrently running national process of updating MSPs for the North Sea and Baltic Sea EEZ. The Ministry for Energy, Infrastructure and Regional Development of Mecklenburg-Vorpommern will participate in PanBalticScope as associated partner.

There are further MSP projects and initiatives on national and international level with a special environmental focus, which UBA and BfN support. BMVI/BSH are members in the informal working group set up by the European Commission to discuss all aspects in connection to the implementation of the MSP directive.

Further developments, initiatives and projects related to MSP:

- The Federal Government has published in 2011 an overall development concept for the sea, which constitutes the strategy for an integrated German maritime policy (“Entwicklungsplan Meer – Strategie für eine integrierte deutsche Meerespolitik”).
- An offshore grid plan for the EEZ of the Baltic Sea has been elaborated by BSH in 2013 (to be regularly revised and updated), identifying the electricity connections needed for the offshore wind farms, and the possibilities of having joint converter platforms for several wind farms (clusters), and the cables to be bundled in corridors towards land, including a strategic forward looking approach.
- In 2011 the Federal Agency for Nature Conservation (BfN) started a project with the aim to develop management plans for the Natura 2000 sites in the German EEZ under the EU BIRDS and HABITATS Directives, in close coordination with the Federal Environment Ministry. The management plans will include monitoring and surveillance. The work is done on the basis of existing data and in close cooperation

with other research projects in the German EEZ, e.g. projects on monitoring and on the implementation of the MSFD.

- The project UBA-MRO (2013-2015) elaborated solutions for taking into account environmental concerns, protection goals of the MSFD and of the ecosystem based approach during spatial planning processes in the German EEZ. The project was inter alia aiming to show scopes of an environmental friendly steering of offshore wind farm planning. <http://www.io-warnemuende.de/project-details/items/398.html> - Final report will be available end of 2016. (NaBel-MSP, <http://www.io-warnemuende.de/project/112/nabel-msp.html>). The project ends 2016.
- In 2014 UBA together with BfN also initiated an advisory assistance project on Maritime Spatial Planning: “Environmentally sound concepts for spatial use in the Baltic Sea coastal area of the Russian Federation”, with representatives from several relevant authorities and organisations in Germany and Russia involved. Phase I included, inter alia, an information exchange on the Russian legislative initiative to maritime planning and an agreement on a project design for a pilot project (phase II). The report on project phase I was published in July 2015 in German and Russian language, including a summary in English. Phase II started with a kick off workshop, presenting the selected region: Russian part of the Gulf of Finland including the Neva Bay. The project will finish early 2017 with an prolongation option for another year. [http://www.umweltbundesamt.de/sites/default/files/medien/378/publikationen/doku\\_5\\_6\\_2015\\_umweltvertraegliche\\_raumnutzungskonzepte\\_0.pdf](http://www.umweltbundesamt.de/sites/default/files/medien/378/publikationen/doku_5_6_2015_umweltvertraegliche_raumnutzungskonzepte_0.pdf)
- Another on-going project (2015-2017) seeks to broaden the knowledge base on the marine environment with regard to upcoming revision of the MSPs. Based on scientific research, the aim of the project is to integrate nature conservation concerns into the MSP processes: (FABENA, <http://www.iowarnemuende.de/project/126/fabena.html>).
- The “Guiding principles and strategies for the spatial development in Germany “ are currently under revision. They include a separate chapter concerning the sustainable use of coastal and marine areas.
- Several portals have been created to support planners and other stakeholders, also for cross-border collaboration. These portals are continuously improved in terms of content and features:
  - Online-Plattform to support participation: [http://www.raumordnung-mv.de/pages/Online-Beteiligung\\_Raumordnung.html](http://www.raumordnung-mv.de/pages/Online-Beteiligung_Raumordnung.html)
  - German-Polish Spatial-Planning Portal: <http://kooperation-ohne-grenzen.de/de/zukunftskonzept/>
  - MDI-DE: <https://www.mdi-de.org/mdi-portal/ui>

## **7. How coastal and marine Baltic Sea protected areas (HELCOM MPAs) are taken into account in MSP**

In the 2009 MSPs for the German EEZ protected areas – Natura2000 areas or MPAs – have not been given a special status, such as designated areas for nature protection. They have been included in the map for information only, based on the appreciation, that the status as

protected areas would be sufficient to achieve the related protection objectives in relation to other activities and interests. The more so, as there have been made provisions in the plan to exclude potentially damaging activities, such as construction of offshore wind farms, from these areas.

In the Spatial Plan (LEP 2016) covering sea areas in Mecklenburg-Western Pomerania National Parks, MPAs and other valuable areas have been given the status as a) priority area: specifically important for Nature Protection and site preservation, such as national parks, nature protection areas, core areas within areas of major national significance); b) reservation area: specifically important for recreation in nature, many activities and functions possible; marine Natura2000 areas, provisionally secured protected areas acc. to M-V law).

In the Schleswig-Holstein Spatial Plan (LEP 2010) only the Wadden Sea national park in the North Sea has been depicted in the map as priority area for nature protection. Other large areas have been outlined in the map as Reserved Areas for Nature and Landscape. These are to be designated in more detail and distinction on the next lower spatial planning level, in the “regional plans”. The LEP states that in the regional plans priority status has to be given to national parks, existing nature protection areas, protected biotopes according to national and state law, NATURA2000 areas as well as potential nature protection areas. In the regional plans further areas shall be delineated as reservation areas for nature and landscape, including some areas that have not been considered as priority areas (potential nature protection areas, NATURA2000 areas, important areas for biotope networks, areas under the Ramsar convention).