Document title	Draft report of the cross-border coherence task force
Code	3-11 Rev.1
Category	CMNT
Agenda Item	3 - Development of the regional MSP framework
Submission date	28.10.2020
Submitted by	HELCOM Secretariat
Reference	

Background

The HELCOM-VASAB MSP WG Meeting 18-2019 agreed that there is a need to create a common understanding on the coherence of the plans and subsequently on common criteria for following that the goal set in the Baltic Sea MSP Roadmap is achieved. The meeting decided to form a task force on the topic. The task force that is led by the HELCOM Secretariats has representatives from Finland, Germany, Latvia and Sweden. VASAB Secretariat contributes also to the work. The task force has worked on an online document and held several on-line meetings. Currently the report outline has content-wise three main sections:

- Challenges and good practices for cross-border coherence,
- Definition of coherence and approach of the task force,
- Cross-border coherence checklist.

The most important part of the document is the checklist. The task force concluded that the checklist approach is the most pragmatic approach. Its purpose is to support Baltic Sea countries for evaluating and improving cross-border coherence of MSP. By using the checklist, the countries can identify the important aspects of cross-border coherence that can be found both in the MSP plans and in the practices of cross-border collaboration (planning and collaboration processes). The checklist will improve understanding of the key elements of coherence and focus the attention on the critical things for achieving the coherence.

The task force will have the next online meeting in October 21st to still work on the checklist, especially on the ”Step 2”. **This revised version of the document was produced after the meeting of the task force. The meeting elaborated some aspects of the “step 2” that focuses on assessing coherence in handling of specific sectors and topics. The major changes are visible as “track changes”.**

An important addition is also in the section “Purpose of the report”. The task force proposes that the checklist would be used as one element in the follow up of the MSP in the Baltic Sea region in line with the update MSP Roadmap 2021-2027.

Action requested

The Meeting is invited to:

- discuss and agree on the suggestion for a common definition and criteria for coherent MSP plans as prepared by the Task Force on MSP Coherence (document to be submitted by HELCOM Secretariat)
- discuss on the way to integrate the proposed criteria in the regional MSP framework.
- provide guidance to the Task Force on the development of the criteria and tools for their operationalization as a part of regional MSP framework.

Report of the task force

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Introduction

Background

- Start with the existing commitments to achieve cross-border coherence (MSP Roadmap, EU directive)
- Acknowledge clearly and strongly our existing activities and processes towards the coherence (incl. the guideline)
- Cooperation between the countries is the key for enhancing cross-border coherence

- One-two paragraphs about substantial reasons why we need coherence: the ecosystem, avoid costly misalignments, etc.

Purpose of the report

The HELCOM-VASAB WG Meeting 18-2019 agreed that there is a need to create a common understanding on the coherence of the plans and subsequently on common criteria for following that the goal set in the Baltic Sea MSP Roadmap is achieved. The report gives guidance that can be used for both evaluating the existing plans for coherence and improving the plans when they will be revised.

- To use the document as a basis for follow up of the MSP. Countries to produce bi/trilateral reports on coherence based on the checklist. What are the lessons learned for the next planning round? Is there a need to revisit the guideline on cross-border collaboration?
- Linkages to the new roadmap.

Challenges of coherence and good practices for cross-border collaboration

Briefly from existing literature on coherence of spatial planning at sea and on land. Not an academic text, but main points as there are some good points presented. Gives a framing for thinking about the coherence.

Definition of coherence and our approach

One general definition for coherence is for instance the one given in Cambridge University dictionary: "*If an argument, set of ideas, or a plan is coherent, it is clear and carefully considered, and each part of it connects or follows in a natural or reasonable way*", but a more workable definition is needed for the purpose of checking coherence of the MSP plans.

Raise here the point of functional coherence that underline the substantial consequences of the coherence or lack of it. In other words, the definition is not such that would require similarity of planning and practices for the sake of similarity.

Checklist on cross-border coherence of MSP

The purpose of the checklist is to support Baltic Sea countries for evaluating and improving cross-border coherence of MSP. By using the checklist, the countries can identify the important aspects of cross-border coherence that can be found both in the MSP plans and in the practices of cross-border collaboration (planning processes). The checklist will improve understanding of the key elements of coherence and focus the attention on the critical things for achieving the coherence. The exact solutions to reach the coherence vary case by case.

The checklist is organized into three sections.

- The first section recalls the cross-border procedures that are already set in the HELCOM-VASAB Guidelines on transboundary consultations, public participation and co-operation. Cross-border consultations, informal collaboration and sharing of information are here seen as processes that can help in achieving the cross-border coherence.
- The second section aims to help identification of what are the issues that may be relevant from the cross-border perspective. This is presented as "step 1" when possible topics requiring cross-border handling are screened and understanding of their cross-border relevance is established. The "step 1" can be considered as a scoping phase, before more detailed scrutiny of the coherence.
- The third section presented as "step 2" proposes an approach to assess how the relevant topics are handled in MSP in ways that would foster the cross-border coherence. It also gives some examples of pertaining to particular topics and sectors. We do not present an exhaustive list of questions as to some extent these need to be designed for each border area.
- The cross-border collaboration and consultations addressed in the first section take place sporadically throughout the MSP planning processes. The steps 1 and 2 will be conducted then at appropriate stages of those processes as parts of the cross-border collaboration.

The second and third sections of the checklist includes lists of questions that focus on important aspects for achieving cross-border coherence. These questions are meant to be used by MSP authorities of neighbouring countries when they together assess coherence of their respective MSP plans or planning provisions. A strong recommendation is, indeed, that countries will do this assessment together. In addition, it is advised that the MSP authorities discuss with sectoral experts and stakeholders to check what might be the practical consequences of planning provisions in the MSP plans also from the cross-border perspective.

The steps described in the sections 2 and 3 focuses on cross-border topics and how they are handled in the MSP of the countries in question. There the focus is rather concrete, but there is also another level of planning approach where countries may have differences. This level concerns the general approach to MSP planning. The possible differences relate then, among others, to scale of planning that ranges in the Baltic Sea from 1:200 00 to 1:1 000 000 and to the functionality of sea use types stipulated in the plans.

TO BE INCLUDED: An example from BASEMAPS on different functionalities included in some countries MSP plans to show a concrete example of different MSP approaches.

	Priority function	**Reserved use**	**Allowed use**	**Restricted**	**Forbidden**
Country					
Country					
Country					

One difference may be also in whether the plans are binding or guiding. This distinction needs to be considered carefully as also the guiding MSP plans can be, in effect, based on strong pre-existing policies.

For instance, Sweden's guiding MSP plan incorporates in it several national and sectoral policies that have a strong steering effects on the use of the sea.

These general level difference and their possible implications on the cross-border coherence are good the keep in mind while countries collaborate together.

Cross-border procedures as a precondition for enhancing coherence

Cooperation between countries, sharing information and the procedures of cross-border consultation help in achieving the coherence of the MSP plans. The HELCOM-VASAB Guidelines on transboundary consultations, public participation and co-operation that was adopted in 2016 sets a framework for countries to cooperate with each other. It is recommended that countries will apply the guidelines when planning and organising cross-border cooperation and consultations.

There already exist international conventions and protocols that address cross-border environmental issues. The convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) is particularly relevant. Also the Protocol on Strategic Environment Assessment (Kiev Protocol) includes articles on cross-border consultation with a reference to the Espoo convention. These two set requirements for transboundary consultation and reporting. The HELCOM-VASAB guidelines on transboundary MSP collaboration reminds that focus on environmental issues covered by the existing conventions and protocols does not cover all relevant MSP issues, in particular the socio-economic ones. It is pointed out also that consultations should be extended towards encompassing not only potential conflicts such as detrimental environmental impacts, but also synergies (in particular socio-economic opportunities). Therefore, MSP-related consultations and cooperation need a broader scope and should start earlier than is required by the Kiev Protocol.

The HELCOM-VASAB Guidelines on transboundary consultations, public participation and co-operation makes a difference between consultation and cooperation.

- Consultation of more practical topics is arising in the course of elaboration of maritime spatial plans, e.g. transboundary impacts of the plan, or transboundary coherence of the planning provisions. This usually takes place in bilateral or trilateral interactions […] and refers to the formal process, which takes place between affected […] countries and their authorities on specific provisions foreseen in a given Maritime Spatial Plan.
- Cooperation on maritime spatial planning is understood as a more open and preparatory process with focus on information and knowledge exchange as well as development of common understanding.

The guidelines underline that cooperation as well as consultation at transboundary scale relate mainly to interaction between various government bodies.

The guidelines propose five steps for early communication with neighbouring countries (see the text box on the following page). These steps can be taken as a to-do list for countries when they make or review their MSP plans.

Establishing a formal process of transboundary information exchange and consultation early in the MSP process

Timing of formal transboundary consultations remains a critical issue. In order to give neighbouring countries a chance to understand the essence of the envisaged plan, and a real chance to contribute not only to the planning provisions/solutions but also to the planning process, it is necessary to start consultations before the maritime spatial plan is fully drafted. The HELCOM-VASAB Guidelines on transboundary consultations, public participation and co-operation suggest the following procedure:

a) All Baltic Sea countries should **start consulting neighbouring countries at the early stage** of preparation of a maritime spatial plan as a part of the routine MSP process. If the impact of the plan is of pan-Baltic nature, all BSR countries and the relevant pan-Baltic organisations should be informed. This applies to all national, but also to sub-national maritime spatial plans if these are expected to have cross-border impacts.

b) The competent authorities should **inform their neighbouring counterparts of their intention to start a MSP process**. This should be done in the form of a formal letter/e-mail in English (or national language of the addressees). The information should be sent to the countries affected, as well as to the relevant pan-Baltic organisations.

c) The competent authorities **clearly state the intention and the nature* of the maritime spatial plan**, so other countries can understand the possible influence and the impacts of the plan.

d) **The competent authorities** (preferably via National MSP contact points) **ask for relevant documents and any other information**, if available (or public sources of such information) from the neighbouring countries. The requested documents and information should have an impact on the development of the envisaged plan, such as environmental data and information on human uses of the sea, in particular with cross-border elements (e.g. issues suggested under Article 8 of Directive 2014/89/EU of the European Parliament and of the Council).

e) The competent authorities (preferably via National MSP contact points) also **inform the neighbouring countries, once the stakeholder process begins** in order to give the neighbouring country the option of installing a parallel domestic stakeholder process (or public participation) on issues of cross-border significance. It is suggested that the information is being given in the form of a letter/e-mail in English (or national language of the addressees) describing the location of the plan, its main objectives and possible cross-border impacts.

* Comparisons of characteristics (i.e. ”nature”) of MSP in the BSR have been done e.g.: **Baltic Lines (2018)** report on planning criteria (table 1, pages 3-4); **Pan Baltic Scope (2019)** report on ecosystem-based MSP and strategic environmental assessment (tables 3 and 4, pages 15 and 17 respectively)

It is noteworthy that the guidelines acknowledge the importance of hearing stakeholders also in transboundary matters. It suggests in step e) a practical approach that puts the competent MSP authorities in key positions. The suggestion is that the country that is preparing an MSP plan provides sufficient, understandable material to the neighbouring countries. Then the competent authorities of the neighbouring countries collect input from stakeholders in their countries. In reference to point c) in the box above this material should also explain the main characteristics or “nature” of the MSP. This will make the material more comprehensible.

The guidelines also underline the importance of informal discussions and meetings between countries and acknowledges the important role of pan-Baltic level collaboration between countries within the framework of HELCOM-VASAB MSP working group.

Step 1. Identification of cross-border issues

This section aims to help identification of what are the topics and issues that may be relevant to take up in the cross-border collaboration. This scoping phase is presented as "step 1" when possible topics requiring cross-border handling are screened and understanding of their cross-border relevance is established. Assessment of the cross-border relevance is important for focusing the attention to potential conflicts or synergies. This information will also inform cross-border consultations discussed in the previous section. The "step 2" that follows looks closer on the particular topics and on the coherence of the MSP planning decisions that concern these topics.

The HELCOM-VASAB Guidelines on transboundary consultations define cross-border and transboundary issues in the following way:

- *Cross-border issues: issues which are relevant for two or more neighbouring countries only.*
- *Transboundary issues: issues which are pan-Baltic and cross-border where impacts may extend across boundaries, not necessarily only immediate neighbouring countries.*

When identifying cross-border issues one needs to pay attention to **human activities** and **infrastructures,** but also to **features** such as ecologically important areas, ranges of species or sites of underwater cultural heritage. These features are typically included in countries' planning evidence and may be also marked in the plans. Paying attention to the ecological features is particularly important, because one of the key arguments for improving cross-border coherence is that ecosystem boundaries do not follow administrative boundaries. Paying attention to the cross-border coherence is thus important also for applying the ecosystem-based approach in MSP. The human activities, infrastructures and features that are addressed in the MSP plans or related documents are in this checklist called "cross-border topics" for simplicity.

The EU directive on MSP suggests several topics that countries may consider while preparing their MSP plans. All of them may be relevant for cross-border considerations and this may be a good starting point for countries to consider.

- aquaculture areas,
- fishing areas,
- installations and infrastructures for the exploration, exploitation and extraction of oil, of gas and other energy resources, of minerals and aggregates, and for the production of energy from renewable sources,
- maritime transport routes and traffic flows,
- military training areas,
- nature and species conservation sites and protected areas,
- raw material extraction areas,
- scientific research,
- submarine cable and pipeline routes,
- tourism,
- underwater cultural heritage.

Before going to more detailed discussion on the questions to assess the coherence it is important to remind that all of the above topics are regulated by national sectoral policies. The MSP can have a complementary role to sectoral decision-making or in some cases MSP simply incorporates what is decided by the sectors. It is important to be aware of national priority sectors. Another important aspect is that some sectors are regulated at an international level – such as fisheries through the EU's Common Fisheries Policy and shipping by the International Maritime Organisation.

The

HERE A TEXT BOX ON SECTORS THAT ARE REGULATED INTERNATIONALLY

AT LEAST:

- SHIPPING REGULATED BY IMO
- FISHERIES REGULATED BY EU

POSSIBLY (**Comment please**)

- EU BIODIVERSITY STRATEGY AND 30% MPA TARGET (CBD?)
- UNCLOS GIVING OVERALL INTERNATIONALLY REGULATIONS FOR GOVERNING OF THE SEAS. ALL PLANNING PROVISIONS NEED TO BE IN LINE WITH THE UNCLOS. FREEDOMS OF SHIPPING AND OTHER ACTIVITIES.

questions below help in assessing how coherently potential cross-border topics are handled in neighboring countries' MSP planning. The sets of questions (1a - 1c) should be handled together and in relation to each other.

1a) Coherent coverage of topics

One aspect of identification of cross-border topics is to check which topics are addressed in MSP in the first place. A table below includes examples of which topics some countries have covered in their MSP plans. While identifying the topics that the countries address in their MSP it is important to look beyond the MSP plan maps as some topics can be handled in the MSP documents, but not included in the map presentations. The table below only contains information what is in the MSP planning maps. As pointed above, most sectors and topics are addressed also in sectoral planning and decision-making according to the specific national planning laws and regulations, and possibly also at the international level.

Table on the topics addressed in national MSP plans. Information from the BASEMAPS

[For now, the table would only indicate which topics are included by countries MSP plan maps. For further elaboration we might think of including, e.g. the surface area of the topic in the plan. If such information is found useful]

	Aquaculture	Fishing area	Coastal protection area	Raw material extraction area	Underwater cultural heritage area	Tourism areas	Installations and infrastructures	Submarine cables and pipelines	Maritime transport areas	Military areas	Scientific research areas	Nature conservation area	Undefined activities or general use	More than one sea use areas	Other uses
Country	X	X	X	X											
Country		X	X	X											
Country					X										

Guiding questions for coverage of the topics:

- Are the same topics (human activities, infrastructures and features) addressed in MSP planning in both/all countries in question?
- Are some topics planned within sectoral decision-making and not included in the MSP planning?

Output of the identification of topics that are covered in MSP: a list of topics addressed in countries' MSP plans and related documents with an explanation of how they are addressed. Presentation in a table format.

1b) Identification of cross-border relevance

After screening the potential cross-border topics, countries need to assess which of the topics of particular concern from a cross-border perspective. The point here is to ensure that the discussion between countries addresses, at least, the sectors and topics that are important for the countries and have obvious cross-border dimension.

What topics are relevant is always a context-specific matter depending on the specifics of the border area in questions. This assessment is best produced by countries in collaboration with each other. A general guidance for approaching the question of cross-border relevance is that:

- Some human activities, infrastructures and natural or cultural features move or range across borders.
- Some topics near the borders may be of a particular concern in a cross-border context, for instance, because they have an influence on topics or features across the border. The influence may be positive or negative.

The first dimension is obvious: cross-border collaboration should address topics that cross borders to ensure their coherent handling. These are handled below in the "step 2".

The other dimension of the cross-border relevance addresses the possible influence that planning decisions may have across the border and across sectors. Planning decisions – and especially when they are implemented as concrete actions – may influence different topics across the borders, for instance, by introducing intercepting constructions or by generating impacts that range across the borders. The Espoo Convention on transboundary environmental impacts is relevant in this respect. It gives an important

framework for discussions on cross-border coherence, but one needs to consider also other than environmental impacts, e.g. economic and cultural.

The influence can also be positive, if countries manage to foster synergies. An example would be planning decisions on both sides of the border to protect a valuable habitat that ranges across the border. The cross-border influences are not limited to environmental impacts only.

Guiding questions for cross-border relevance:
- Which are the topics of particular concern in a cross-border context?
- Are there existing or planned activities, infrastructures and features within such a distance from the border that they can have negative or positive **influence across the border**?
    - What sort of negative or positive influence can be expected?
    - Consideration of influence to other types of activities or features should be included, as well. For example, designation of offshore wind park may interfere with shipping or fishing activities.

Output of the identification of cross-border relevance: a list of existing or planned topics with cross-border relevance that the countries should address in the cross-border collaboration. The list should include also justification of the relevance.

1c) Relevant authorities

A practical consideration to help communication is to identify who are the relevant authorities that are in charge of MSP planning and who are in charge of the relevant cross-border topics. Especially, if there are some topics that are handled as part of one MSP in one country, but the same topic is handled by sectoral authority in another country.

Guiding questions:
- Who are the respective MSP and sector authorities in countries responsible for the relevant cross-border topics? In some cases, also sub-national level authorities are relevant.

Output: a list of relevant authorities that could be presented as part of a table on cross-border topics

Points of conclusion from identification of cross-border issues

The different considerations for identifying cross-border issues and their relevance should be a basis for practical conclusions on how to improve cross-border coherence. Identification of possible conflicts or synergies and ways to address them should be done in collaboration of the countries in question. Points of conclusions are, for instance:

- Are there obvious discrepancies between countries in coverage of topics? If so, how can such discrepancies be addressed? Also, in the case that some topics are handled in MSP in one country and by sectoral planning in another country.
- Is the attention given to the most relevant cross-border issues?
- Are contacts established to all relevant authorities? Is it enough to operate through the competent MSP authorities?

Step 2. Coherent handling of different topics in MSP

The step 1 screened topics that are relevant to be addressed in cross-border collaboration between countries. This step 2 focuses on how these topics are handled in the actual MSP plan and the planning documents. **This step presents questions against which one can assess how coherently particular topics are handled in MSP.** As pointed earlier, answering the questions is easiest when countries address the questions together. Below we show four examples of typical topics that are relevant for cross-border dialogues. The topics are shipping, offshore energy installations, areas of high nature value and fishing. There may be several other relevant topics but presenting an exhaustive list here is not possible. Furthermore, each border area may have its own specific topics. These must be scrutinized case by case in cross-border dialogues.

There are three general perspectives on coherent handling of different topics in MSP. The first concerns similarities and differences in how countries address different topics in their MSP. This perspective is introduced in more details below. The second perspective concerns cross-border influence of planning decisions and how they are addressed in cross-border dialogue. These same perspectives are also discussed in relation to the topic-specific examples.

The third perspective concerns data that countries use for the planning of different topics. It is an important background factor that affects the planning decisions and may then have also implication for cross-border coherence. However, it is addressed here as a background factor and not taken directly as an indicator for cross-border coherence. The already well-progressed collaboration in the MSP data could lead, in the long run, to more coherent input data sets and thus contribute to improved coherence of MSP.

Similarities and differences in planning of different topics

Countries conduct their MSP planning in different ways. There may be differences in what topics are covered in MSP plans and related documents, how they are prioritised and how the plan is intended to influence ~~steer~~ different activities. There are also differences in how planning decisions are presented on the maps, but that does not necessarily mean that there are very substantial differences. Countries need to be aware of the differences and analyse the actual problems and risks that may be caused by the differences and, especially, to find solutions to minimise the problems.

Guiding questions:

- Are there differences in how countries handle or present the topic in their MSP plans and related documents?
    - Types of possible differences:
        - Spatial designations/no spatial designation for the topic, types of spatial designations
        - Textual regulations/guidance (topic addressed in MSP documents, but not on the map, incl. requirements on types of data to be used for decision-making based on the plan)
        - Discontinuities at the border (lack of continuity or clear difference in presentation)
        - Intended effect of the plan and the level of details
- If there are differences in how countries handle or present the topic in their MSP, what are the possible problems and risks caused by them?
- What are the possible solutions to minimise the problems and risks? What are the solutions to foster synergies?

Of the above listed types of differences, the last one – intended effects – is consequential for cross-border coherence, especially in terms of functional coherence. Countries give typically conditions for the use of different sea areas in their plans. Areas may be designated for specific uses, but it is also common to indicate

what other uses are conditionally permitted or prohibited in these areas. There can be differences between countries in how they give conditions on the use of the sea areas. In some cases, countries may also give general conditions or remarks for some types of sea uses without linking them to any specific area designations. This approach is taken, for instance, in Sweden regarding data and communications cables, carbon sequestration, aquaculture and multi-use.

Countries have different approaches for presenting the planning provisions that determine the steering effect. The following examples show how Finland, Sweden, Latvia and Germany present planning decisions.

- Finland has identified topic-specific significant and potential areas. For each these there is given:
  - General definition;
  - Marking description;
  - Planning principle;
  - Special characteristics and priorities of the planning areas;
  - Land-sea interactions; and
  - Starting points and surveys

- Sweden has defined for each area:
  - Use or uses
  - Comment if special perspectives (defense, cultural heritage or nature) should be considered
  - Prioritisations or suitability for co-existence of uses (and reasoning for them)

- The MSP documentation of Latvia defines three categories of marine space use: Priority uses, Existing uses and objects and General use. The MSP documentation gives also conditions or recommendations for different human activities and further definitions of the types of use.
  - In areas designated for priority uses the Latvian MSP gives conditions for the use those areas, e.g. requirements for further research or conditions for other activities
  - For general use areas the Latvian MSP give recommendation for how specific sea uses can be implemented in these areas

- The German MSP designates priority and reservation areas for different human activities. The planning documentation (2009) gives further information for handling of each human activity:
  - Targets and principles, including how to consider relations with other human activities and characteristics of sea areas
  - Justifications

Output: **TO BE DEFINED**

Below are some examples from different topics to illustrate how the coherence of handling of the topics can be assessed. These are shipping, fishing, offshore energy installations and valuable nature areas that are common topics for considerations of cross-border or transboundary coherence. We give also some examples of possible methods to support the consideration.

Shipping and fishing represent sectors that are mobile and operate across the borders. They are also regulated internationally, which add particular elements of handling these sectors.

Offshore energy installation is an example of concrete, fixed use of the sea area. Offshore aquaculture, could be a similar type of a sea use. The offshore energy installation include also the cables and we especially focus on the cables that cross-borders.

Valuable nature areas and nature conservation interest is not an activity as much as it is a feature in the sea. It introduces special types of challenges for cross-border coherence. Underwater cultural heritage has some similarities to valuable nature areas.

Shipping

Shipping activities are typical cross-border activities. It is regulated internationally through the International Maritime Organisation, which makes it a very special sector from the MSP perspective. Freedom of shipping or "the right of innocent passage" through a coastal state's territorial sea is a fundamental international right stipulated in the United Nations Convention on the Law of the Sea (UNCLOS). This sets limitations also on the mandate of the MSP to influence shipping, which often means that other activities are planned in order not to form obstacles for shipping. General process of designating shipping corridors in MSP vary greatly due to differences in national planning systems (see the information box below, source: Baltic LINes).

Guiding questions:

Area designations:

- Are shipping lanes or corridors marked in the plan on both sides? If not, what is the reasoning behind the decision.
- Do middle lines of the shipping lanes or corridors meet at the border? If not, explain the reasoning behind the decision.
- Are the widths of shipping lanes compatible on both sides of the border? If not, explain the reasoning behind the decision.
- What are the main differences between the countries regarding the area designations?

Planning provisions:

- What types of activities are considered conditionally permitted and prohibited in the area designated for shipping (fishing, for example, in some countries is allowed in areas designated for shipping)?
- What types of planning provisions there are on shipping in areas where shipping is not the prioritized activity?
- What are the main differences between the countries regarding the planning provisions?

Cross-border influences:

- In what ways are cross-border influences of shipping described and considered? (both positive and negative, e.g. environmental impacts (addressed in SEA), economic consequences on other sectors?
- What are the differences between countries in this respect?

Problems and solutions:

- If there are differences in how countries handle or present shipping in their MSP, what are the possible problems and risks caused by them? Do they represent incoherence in planning?
- What are the possible solutions to minimise the problems and risks? What are the solutions to foster synergies?

Summary of Baltic LINes project results on coherent planning of shipping. See the guidance document: https://vasab.org/wp-content/uploads/2019/01/BalticLINes_Guidance_Shipping_final.pdf

STEP 1: Data acquisition of IMO measures in the national sea area

- Transfer of existent IMO routeing and fixed uses as a basis for initial plan drafting
- Assessment of future plans for potential spatial regulation of ship traffic

STEP 2: Data acquisition and preparation of Automatic Identification System (AIS) data (see figure 13)

- Assessment of current ship traffic patterns for a first draft of ship corridor designations
- Consideration of safety issues

STEP 3: Assessment of political goals and policies that impact the shipping sector (see figure 14)

- Assessment of economic development and industrial developments in the shipping sector
- Assessment of changing natural conditions impacting the shipping sector
- Indication of an area with changing spatial needs for shipping in the future

STEP 4: Assessment of spatial demands across sectors

- Indication of potential conflicts between different uses
- Development of planning solutions

STEP 5: Assessment of transnational ship traffic (see figure 15)

- Analysis of designated ship corridors along borders
- Alignment of ship corridors across borders

STEP 6: Categorisation of areas for shipping

- Designation of shipping corridors

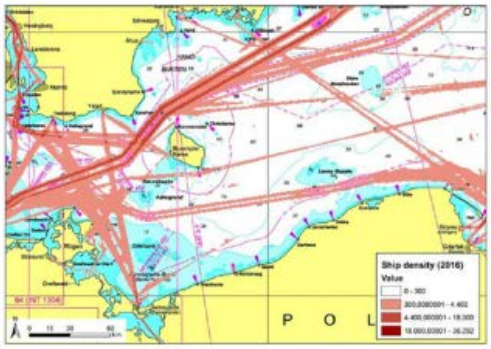


Figure 13: Step 2: AIS data needs to be analysed to designate ship corridors.

Figure 14: Step 3: Future developments need to be studied to estimate future spatial demands.

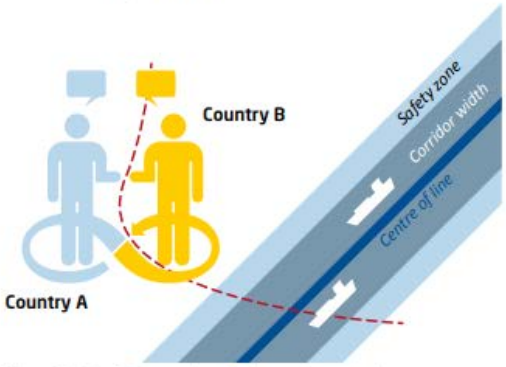


Figure 15: Step 5: Transnational exchange between planners to increase coherency of designations.

A Practical Guide to the Designation of Ship Corridors in Maritime Spatial Planning

Fishing

Fishing takes place in most of the Baltic Sea area. Fishing vessels in open sea fisheries can operate in waters of several countries. Similar to shipping, fishing of the EU countries is regulated on an international level through the EU Common Fisheries Policy. This also sets limitations for MSP and typically, MSP plans do not regulate fishing. In some countries fishing is not explicitly addressed at all in the MSP, while some countries have, at least by indicating important areas for fishing. Latvia has also given guidance on the sort of data to be used for fisheries related (spatial) decisions. Due to these substantial differences between the countries the following list of questions include questions that are not relevant for all countries.

Even if MSP does not regulate fishing, there are three fisheries-related aspects that can be considered in MSP. Locations of fishing grounds as well as routes between them and, home ports and landing sites are

obviously important to consider also in a transboundary perspective. Locations of spawning and nursery areas – so called essential fish habitats – are the third important spatial aspect. Such essential fish habitats can contribute to fisheries in large areas, also across borders.

Guiding questions:
Area designations:

- What kind of approaches are taken in relation to fisheries, e.g. textual guidance, area designations or markings, give guidance for later decision-making?
- What types of important areas for fisheries are included in MSP planning in the countries? Such as spawning and nursery areas or Essential Fish Habitats or fishing grounds.
- What are the main differences between the countries regarding the area designations?
- Are the areas for fishing or important for fishing compatible across the border? (e.g. cross-border synergies)

Planning provisions (if such are given for fishing):

- What types of activities are considered conditionally permitted and prohibited in the area designated for fishing?
- What types of planning provisions are there on conducting fishing activities in areas where fishing is not the prioritised activity?
- What are the main differences between the countries regarding the planning provisions?

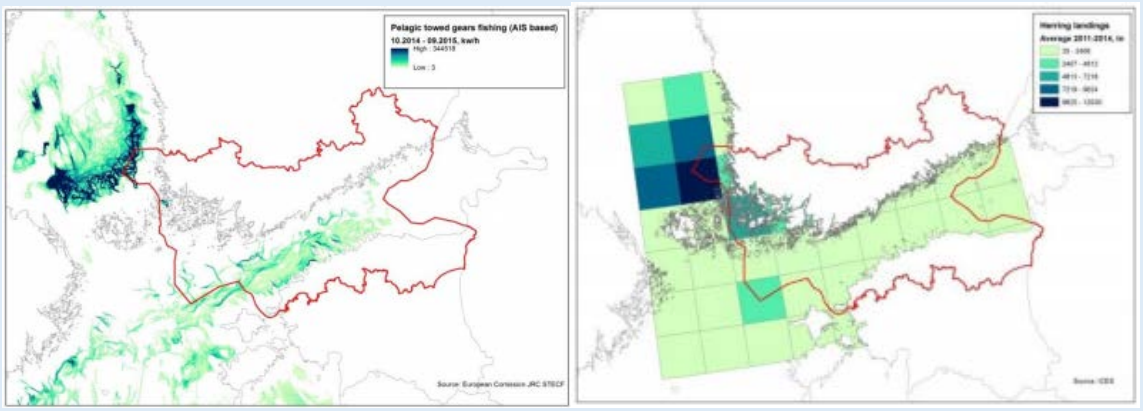
Cross-border influences:

- How are foreign fisheries interests considered in MSP planning? How are cross-border fishing activities mapped for MSP planning in both countries?
- In what ways are cross-border influences of fishing described and considered? (both positive and negative, also influences on other topics)
- What are the main differences between the countries regarding the cross-border influences?

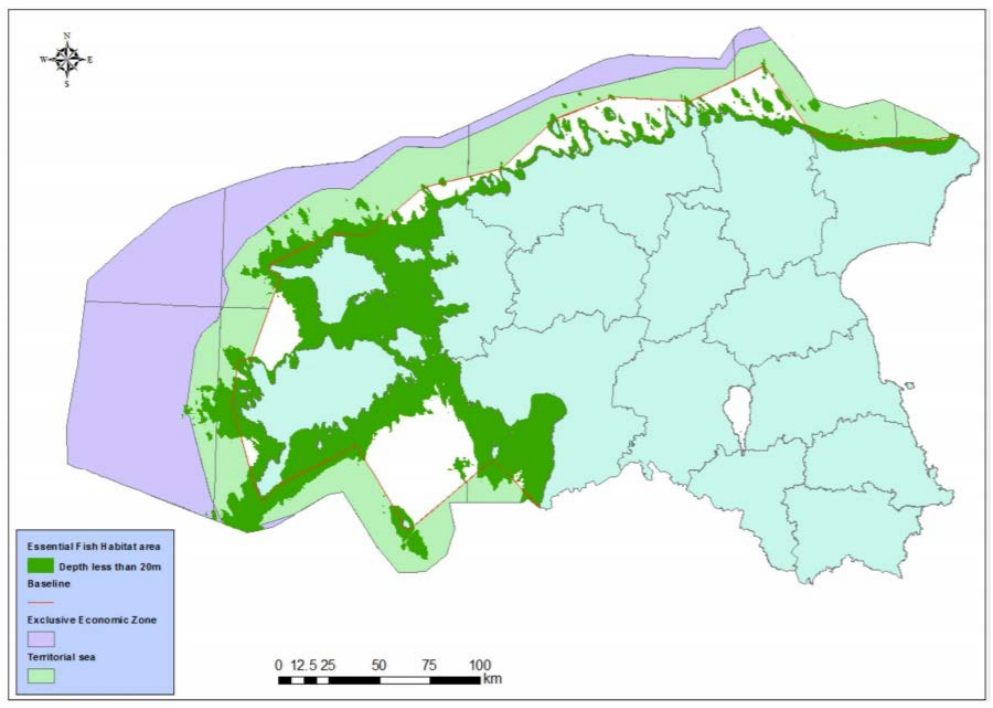
Problems and solutions

- If there are differences in how countries handle or present the fisheries in their MSP, what are the possible problems and risks caused by them?
- What are the possible solutions to minimise the problems and risks? What are the solutions to foster synergies?

Examples of spatial presentation of fishing. Left side: fishing activities of towed gear fishing (AIS based). Right side: herring catch per ICES statistical areas. See the Plan4Blue project report: https://www.syke.fi/download/noname/%7B3A487534-43BF-43E0-8213-5E96C150BB2D%7D/151008



The assessment of suitability of coastal waters for spawning of different fish species is one way to study importance of areas for fisheries. Another, more comprehensive approach that is being introduced also to the Baltic Sea is called the assessment of Essential Fish Habitats (EFH). These described as a subset of all habitats occupied by a species covering areas necessary to fish for spawning, breeding, feeding, or growth to maturity. The EFH was included as one method in the above mentioned Plan4Blue report (see picture below) and it was also part of the Pan Baltic Scope methodology for determining Green Infrastructure (report).



Essential Fish Habitat potential sea area in the waters under Estonian jurisdiction. Source: Plan4Blue report Robert Aps, Ville Karvinen, Marco Nurmi, Riku Varjopuro 2019. Pelagic fisheries of Baltic herring and sprat and Maritime Spatial Planning. Plan4Blue report: Deliverable D.T4.5.1. (link)

Offshore energy installations

Offshore energy installation either for generation or transmission are examples of large, fixed constructions that may influence other uses of the sea. They may also have impacts on the sea bottom or species. Especially production of wind energy is expected to grow in the future.

Offshore aquaculture that is not handled in this report separately has some similarities to offshore energy generation. Aquaculture facilities are fixed constructions at least seasonally and thus limit the use of the sea area. Aquaculture installations do not cover as large sea areas as wind energy, for instance. Aquaculture may also have transboundary environmental impacts close the border areas.

Planning of energy installations (offshore wind, oil & gas, energy transmission) is an iterative process starting from more general considerations of suitability of areas and corridors to more detailed construction planning, which is followed by permitting procedures before the actual construction. MSP planning does not usually go to very detailed technical planning, but still area designations in MSP play an important role in offshore energy development. There are different national approaches, but some similarities exist. Such features are summarised in the information box on the next page.

Guiding questions regarding **cables and pipelines**:
Area designations:

- Are there spatial designations for cables or pipelines (corridors) in maritime spatial plans on both sides? If not, explain the reasoning behind the decision.
- Do the planned designations of corridors meet at the border? If not, explain the reasoning behind the decision.
- Are the widths of the corridors compatible on both sides of the border? If not, explain the reasoning behind the decision.
- What are the main differences between the countries regarding the area designations?

Planning provisions:

- What types of activities are considered conditionally permitted and prohibited in the area designated for cable or pipeline corridors?
- In what ways are the safety zones to the corridors determined?
- What are the main differences between the countries regarding the planning provisions?

Cross-border influences:

- In what ways are cross-border influences of cables or pipelines described and considered? (both positive and negative) What are the differences between countries in this respect?

Guiding questions regarding **offshore energy** areas:
Area designations:

- Are existing and planned offshore energy production areas marked in the MSP plans of the countries? If not, explain the reasoning behind the decision.
- Are the existing or planned energy production areas coordinated with cable corridor planning? If not, explain the reasoning behind the decision.
- What are the main differences between the countries regarding the area designations?
- Are the existing or planned energy production areas compatible across the border? (e.g. cross-border synergies)

Planning provisions:

- What types of activities are considered conditionally permitted and prohibited in the offshore energy production areas?
- In what ways are the safety zones to the energy production areas or installations (such as turbines) determined?
- What are the main differences between the countries regarding the planning provisions?

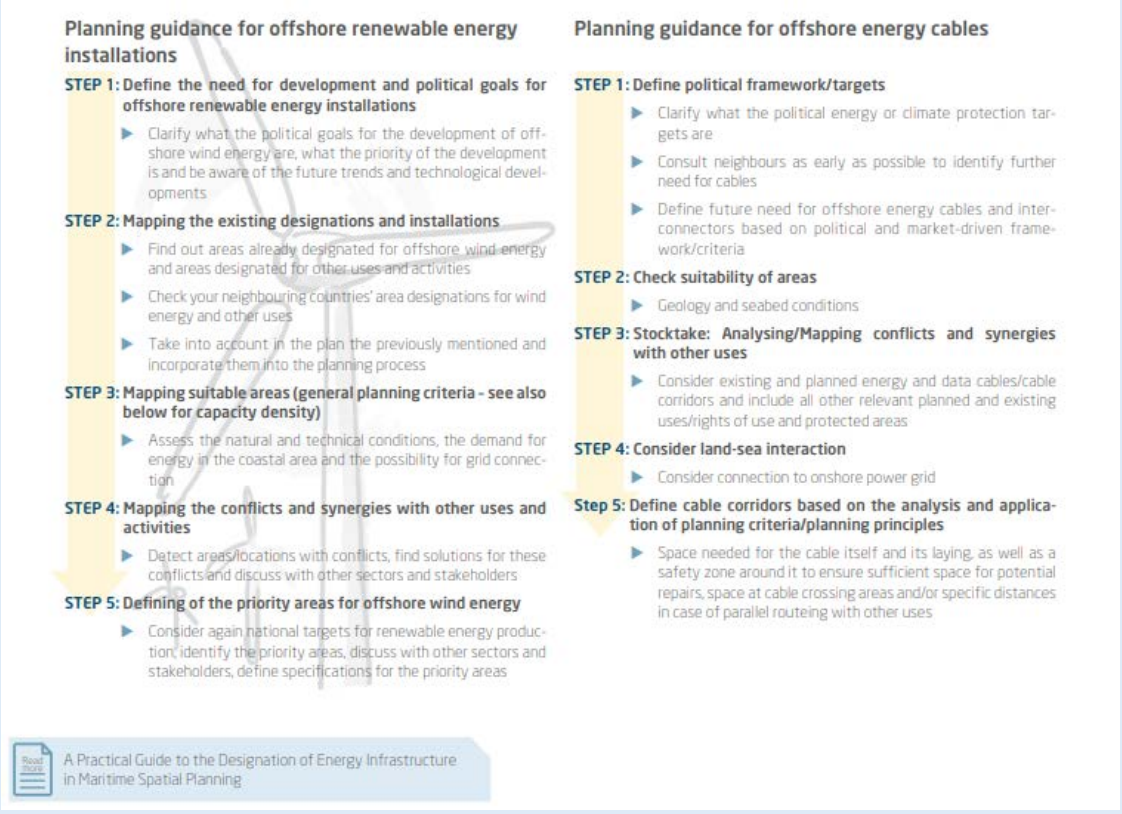
Cross-border influences:

- In what ways are cross-border influences of the offshore energy production areas described and considered? (both positive and negative (incl. cumulative influence), also interactions with other uses influences on other topics)
- What are the differences between countries in this respect?
- Is potential for joint (hybrid) projects considered?

Problems and solutions to increase coherence of handling of all offshore energy installations:

- If there are differences in how countries handle or present offshore energy installations in their MSP, what are the possible problems and risks caused by them? Do they represent incoherence in planning?
- What are the possible solutions to minimise the problems and risks? What are the solutions to foster synergies?

Summary of Baltic LINes project results on coherent planning of offshore energy installations. See the guidance document: https://vasab.org/wp-content/uploads/2019/01/BalticLINes_Guidance_Energy_final.pdf



Planning guidance for offshore renewable energy installations

STEP 1: Define the need for development and political goals for offshore renewable energy installations

- Clarify what the political goals for the development of offshore wind energy are, what the priority of the development is and be aware of the future trends and technological developments

STEP 2: Mapping the existing designations and installations

- Find out areas already designated for offshore wind energy and areas designated for other uses and activities
- Check your neighbouring countries' area designations for wind energy and other uses
- Take into account in the plan the previously mentioned and incorporate them into the planning process

STEP 3: Mapping suitable areas (general planning criteria - see also below for capacity density)

- Assess the natural and technical conditions, the demand for energy in the coastal area and the possibility for grid connection

STEP 4: Mapping the conflicts and synergies with other uses and activities

- Detect areas/locations with conflicts, find solutions for these conflicts and discuss with other sectors and stakeholders

STEP 5: Defining of the priority areas for offshore wind energy

- Consider again national targets for renewable energy production, identify the priority areas, discuss with other sectors and stakeholders, define specifications for the priority areas

Planning guidance for offshore energy cables

STEP 1: Define political framework/targets

- Clarify what the political energy or climate protection targets are
- Consult neighbours as early as possible to identify further need for cables
- Define future need for offshore energy cables and interconnectors based on political and market-driven framework/criteria

STEP 2: Check suitability of areas

- Geology and seabed conditions

STEP 3: Stocktake: Analysing/Mapping conflicts and synergies with other uses

- Consider existing and planned energy and data cables/cable corridors and include all other relevant planned and existing uses/rights of use and protected areas

STEP 4: Consider land-sea interaction

- Consider connection to onshore power grid

Step 5: Define cable corridors based on the analysis and application of planning criteria/planning principles

- Space needed for the cable itself and its laying, as well as a safety zone around it to ensure sufficient space for potential repairs, space at cable crossing areas and/or specific distances in case of parallel routeing with other uses

A Practical Guide to the Designation of Energy Infrastructure in Maritime Spatial Planning

Valuable nature areas/protected areas

Valuable nature areas and nature conservation interest is not an activity as much as it is a feature in the sea. It introduces special types of challenges for cross-border coherence. Underwater cultural heritage has some similarities to valuable nature areas.

MSP planning considers existing or planned marine protected areas. These can be presented in the MSP plans or included in background documentation. The planning process considers also available ecological information as criteria for planning of the use of the sea areas. Such criteria are not identical between countries, but the topic is taken into account in all countries. The existing HELCOM-VASAB MSP guideline for the implementation of ecosystem-based approach in MSP in the Baltic Sea area is an important reference on handling valuable nature areas in MSP (link, opens a pdf file). The guideline is being updated during 2020-2021.

Valuable nature areas such as habitats, important areas of species in different life stages (spawning, nesting, nursery, resting areas, etc.) can be close to borders and even can extend across the borders. Pan Baltic Scope project tested methods for determining Green Infrastructure areas. See the information box below and the full report.

Guiding questions:
Area designations:

- In which ways have the countries included high nature values in the MSP plans or planning documentation?
- In which ways have the countries included marine protected areas in the MSP plans or planning documentation?
- What methods or concepts are used for identification of high nature values in the countries? For example, concepts such as Ecosystem Services, Green Infrastructure or Ecologically or Biologically Significant Areas (EBSA).
- What are the main differences between the countries regarding the area designations?

Planning provisions:

- What types of activities are considered conditionally permitted and prohibited in the areas of high nature value?
- What types of activities are considered conditionally permitted and prohibited in marine protected areas? Does MSP add something to the MPA management plans?
- What are the main differences between the countries regarding the planning provisions?

Cross-border influences:

- Do areas with high nature values extend across the border or are close to the border? In what ways are such cases considered in MSP plans or documentation of the countries?
- How are possible negative impacts to high nature values from activities on the other side of the border considered? Are sectoral developments coordinated to avoid the cumulation of impacts across the borders?
- What are the main differences between the countries regarding the planning provisions?

Problems and solutions:

- If there are differences in how countries handle or present high nature values or protected areas in their MSP, what are the possible problems and risks caused by them? Do they represent incoherence in planning?
- What are the possible solutions to minimise the problems and risks? What are the solutions to foster synergies?

Example of Green Infrastructure mapping as a possible method for identifying cross-border areas with high nature values. See the Pan Baltic Scope report: http://www.panbalticscope.eu/wp-content/uploads/2019/12/Green-Infrastructure-brochure-print-FINAL.pdf

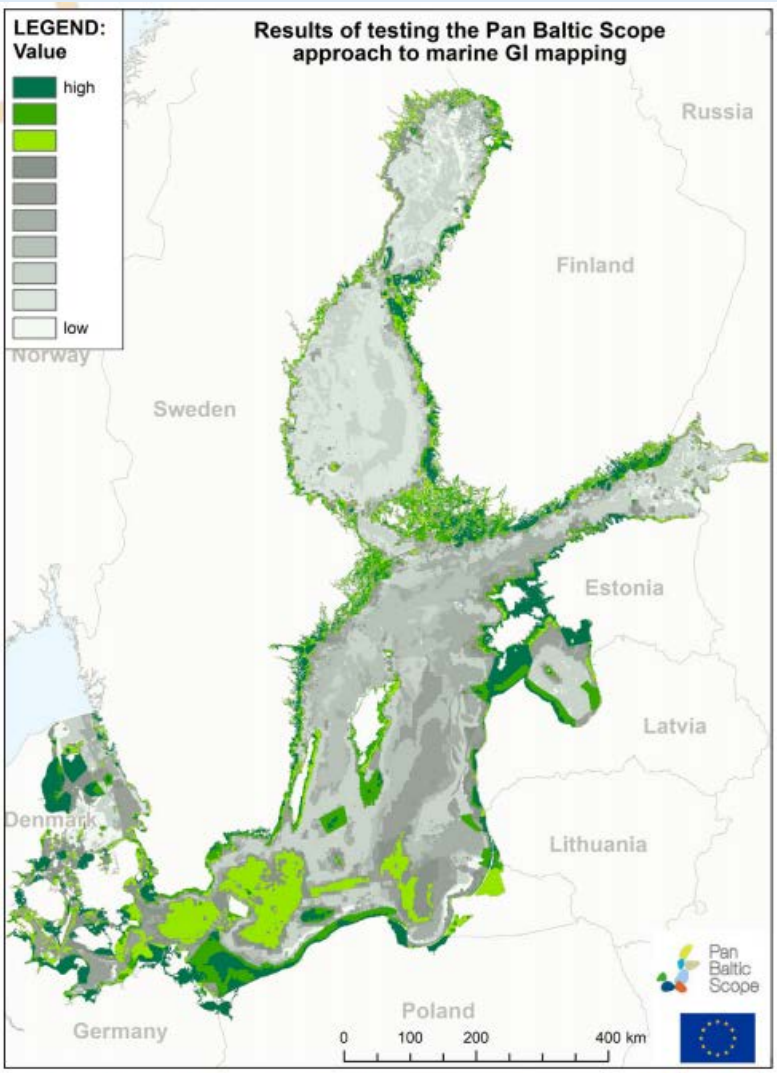


Fig.14 Results of testing Pan Baltic Scope approach to marine GI mapping based on available spatial data: green colour indicates the 30 % of the Baltic Sea area which represents the highest ecological and ecosystem service supply value (the most valuable areas in dark green, other highly valuable areas in light green).

Other examples ??? Will we have any???

- Tourism
- Sand and gravel extraction
- Defence
- Keeping of space free for precaution/future use
- Multi-use
- On a meta level it could be assessed how the EBA is approached in the MSPs. And if or how the (different) SEAs could have an impact on coherence.