

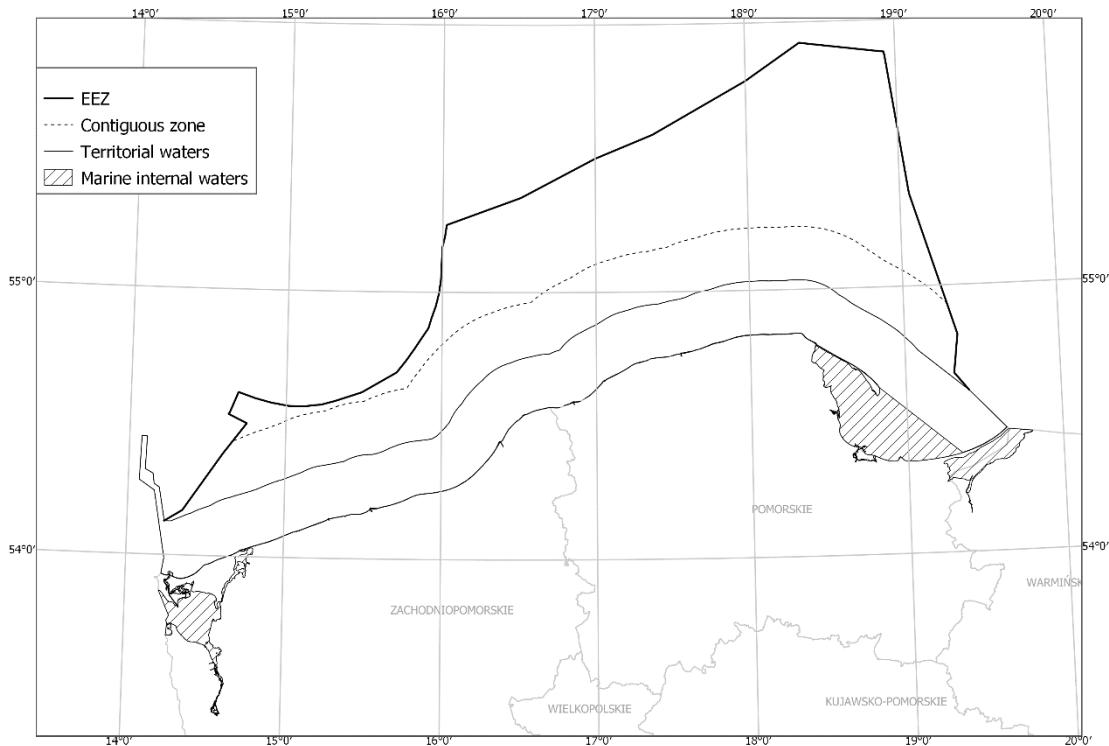
MSP

Country Fiche

Poland

Updated February 2023

1. General information



- Internal sea waters: 2 041 km²
- Territorial sea (12-nm zone): about 8 783 km²
- Marine contiguous zone (24-nm zone): about 7 787 km²
- Exclusive Economic Zone: about 19 736 km²

1.1. Governance

Polish sea areas are governed by the Minister responsible for maritime economy affairs. The sea area is administered by his regional maritime administration, i.e. the Director of Maritime Office in Szczecin and Director of Maritime Office in Gdynia.

Directors of Maritime Offices are responsible for preparation of maritime spatial plans (see section on plans). Construction, operation and use of artificial islands, installations or structures, as well as laying of cables and pipelines, in Polish sea areas require obtaining a permission. This permission is given, by means of an administrative decision. The organ issuing the decision is either the Minister responsible for maritime economy or the territorially competent Director of Maritime Office, depending on localization (EEZ, territorial sea, internal sea waters) and status of spatial planning. Other types of permits and licences for the use of the sea space (e.g., construction permits, mining licences, water law permits) are issued by other public authorities, but always after obtaining agreement of the appropriate authority of maritime administration (Minister responsible for maritime economy or Director of Maritime Office).

1.2. Contacts

1.2.1 EEZ:

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- MSP in general:

Ministry of Infrastructure

Mrs. Natalia Zajac

Head of Maritime Spatial Planning Unit

ul. Nowy Świat 6/12, 00-400 Warszawa, Poland

Phone: +48 22 522 56 04

E-mail: natalia.zajac@mi.gov.pl

Maritime Office in Gdynia

Mrs. Małgorzata Gwara

Officer for Maritime Spatial Planning

ul. Chrzanowskiego 10, 81-338 Gdynia, Poland

Phone: +48 58 355 34 36

E-mail: malgorzata.gwara@umgdy.gov.pl

Maritime Office in Szczecin

pl. Batorego 4, 70-207 Szczecin, Poland

Phone: +48 91 44 03 400

E-mail: sekretariat@ums.gov.pl

- MSP Data Focal point:

Ministry of Infrastructure

Mr. Kamil Rybka

Chief expert

ul. Nowy Świat 6/12, 00-400 Warszawa, Poland

Phone: +48 22 522 55 68

E-mail: kamil.rybka@mi.gov.pl

- Espoo contact point:

General Directorate for Environmental Protection

Wawelska 52/54, 00-922 Warszawa, Poland

E-mail: kancelaria@gdos.gov.pl

1.2.2 Internal Waters and Territorial Sea

- MSP in general:

Ministry of Infrastructure

Mrs. Natalia Zajac

Head of Maritime Spatial Planning Unit

ul. Nowy Świat 6/12, 00-400 Warszawa, Poland

Phone: +48 22 522 56 04

E-mail: natalia.zajac@mi.gov.pl

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ul. Chrzanowskiego 10, 81-338 Gdynia, Poland

Phone: +48 58 355 34 36

E-mail: malgorzata.gwara@umgdy.gov.pl**Maritime Office in Szczecin**

pl. Batorego 4, 70-207 Szczecin, Poland

Phone: +48 91 44 03 400

E-mail: sekretariat@ums.gov.pl

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ul. Nowy Świat 6/12, 00-400 Warszawa, Poland

Phone: +48 22 522 55 68

E-mail: kamil.rybka@mi.gov.pl

- Espoo contact point:

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Wawelska 52/54, 00-922 Warszawa, Poland

E-mail: kancelaria@gdos.gov.pl

2. General information on legislation

The first legal base for MSP was established in Poland in 2003. The main legal act is “The Act on Sea Areas of Poland and Maritime Administration of March 21st 1991” (Ustawa z dnia 21 marca 1991 r. o obszarach morskich Rzeczypospolitej Polskiej i administracji morskiej) available in Polish at: <https://eli.gov.pl/eli/DU/2022/457/ogl>

In order to implement Directive 2014/89/EU, the Polish Parliament has adopted changes on The Act on Sea Areas of Poland and Maritime Administration of March 21st, 1991, on 4th September 2015, regarding inter alia, MSP procedure in Poland. Regulations concerning maritime spatial planning are placed in Chapter 9: “Maritime spatial planning in maritime internal waters, territorial sea and exclusive economic zone”. This chapter describes the whole procedure, basis and principles of developing maritime spatial plans in Poland.

A maritime spatial plan is adopted by ordinance by the Council of Ministers. The drafts of the plans are prepared by the territorially competent Directors of Maritime Offices.

Maritime spatial plans determine:

- The destined use of the sea areas
- Prohibitions and limitations in use of sea areas, taking into account the requirements of nature protection
- Distribution of public investment

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- Directions for development of transport and technical infrastructure
 - Areas and conditions for protection of environment and cultural heritage

The supporting law is “Ministerial ordinance on required scope of MSPs in their textual and graphic parts” (Rozporządzenie Ministra Gospodarki Morskiej i Żeglugi Śródlądowej oraz Ministra Infrastruktury i Budownictwa z dnia 17 maja 2017 r. w sprawie wymaganego zakresu planów zagospodarowania przestrzennego morskich wód wewnętrznych, morza terytorialnego i wyłącznej strefy ekonomicznej) available in Polish at: <https://eli.gov.pl/eli/DU/2017/1025/>

The ordinance specifies:

- MSP terminology,
- scope of the plans and necessary links between different planning regimes (NATURA 2000, terrestrial plans),
- objects to be planned,
- textual and graphics requirements.

An important role for MSP is also played by the “Act on access to information on environment and its protection, public participation in environmental protection and on environmental impact assessment” (ustawa z dnia 3 października 2008 r. o udostępnianiu informacji o środowisku i jego ochronie, udziale społeczeństwa w ochronie środowiska oraz o ocenach oddziaływania na środowisko). It stipulates that all spatial plans (in that maritime plans) are subject to SEA procedure.

Several international conventions and binding legal acts such as UNCLOS, Espoo Convention + Kiev Protocol, Bonn Convention (including EUROBAT, ASCOBANS), CBD, La Valetta Convention, IMO Resolutions and conventions (E.G. MARPOL, COLREGS, INTERVENTION), HELCOM recommendations, EU directives (MSFD, HABITAT, BIRD, SEA, EIA) and many others are transposed to Polish national law.

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

MSP regulations apply to the whole Polish sea area, i.e. the internal marine waters, territorial sea and EEZ.

4. Spatial Plans

4.1. Maritime spatial plan for marine internal waters, territorial sea and the exclusive economic zone on a scale of 1: 200 000

4.1.1. Legal basis

Chapter 9 of the Act of 21st March 1991 on Sea Areas of Poland and Maritime Administration.

Act of 3 October 2008 on access to information on environment and its protection, public participation in environmental protection and on environmental impact assessment.

4.1.2. Legal impact

Act of law.

4.1.3. Area covered

Polish marine internal waters (excluding Szczeciński Lagoon, Kamieński Lagoon, Vistula Lagoon, waters of main ports), territorial sea and the exclusive economic zone.

4.1.4. Historic development

Preparation for this plan officially started on 15th November 2013. Plan covers sea areas referred to in the Act on Sea Areas of Poland and Maritime Administration of March 21st 1991 (with amendments), i.e.:

- exclusive economic zone and the contiguous zone,
- the territorial sea,
- internal waters adjacent to the territorial sea situated between the baseline of the territorial sea and the coastline,
- internal waters of the Gulf of Gdansk with the exception of the waters of the ports referred to in Article 4 Section 4 of the Act on Sea Areas of Poland and Maritime Administration.

The first stage: “Study on the conditions of spatial development of Polish maritime areas with spatial analysis” was completed in March 2015. The document is available in Polish at maritime offices websites, for example: https://www.umgdy.gov.pl/plany_morskie/studium-uwarunkowan-zagospodarowania-przestrzennego-polskich-obszarow-morskich/

English translation of text (without attachments) and chosen maps are available on the website:

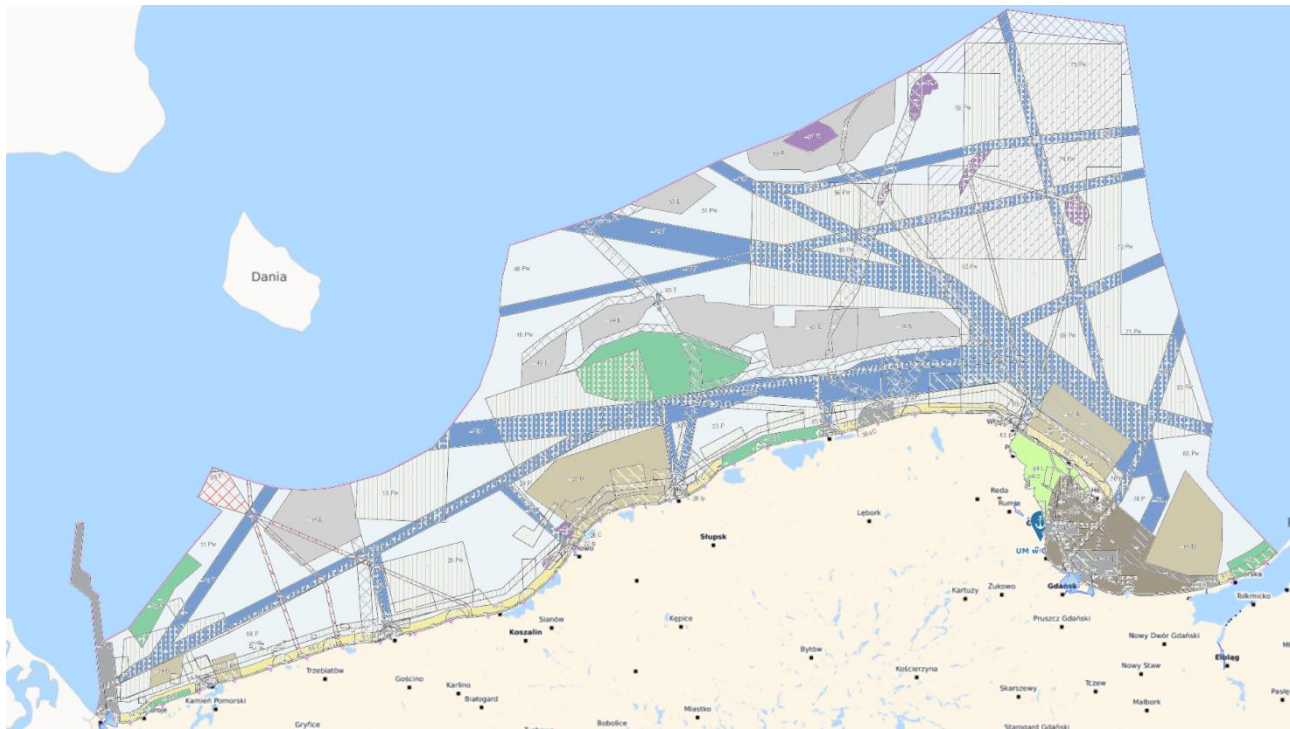
http://www.umgdy.gov.pl/wp-content/uploads/2015/04/INZ_Study_of_conditions.pdf

4.1.5. Objectives of the plan

Spatial planning of the internal sea waters, territorial sea and exclusive economic zone means the process by which the competent authorities analyze and organize the use of marine areas to achieve ecological, economic and social goals, using an ecosystem based approach, and with a view to:

- 1) support for sustainable development in the maritime sector, taking into account economic, social and environmental aspects, including improvement of the environment and resilience to climate change;
- 2) state defense and security;
- 3) coordination of activities of relevant entities and ways of using the sea.

4.1.6. Map



WMS:

https://mapy.umgdy.gov.pl/msp/services/POM/POM_RysunekPlanu/MapServer/WMSserver

4.1.7. Designation

Designation categories:

- Priority use (Funkcja podstawowa),
- Allowed use (Funkcja dopuszczalna),
- Restricted use (Funkcja ograniczona),
- Forbidden use (Funkcja zakazana).

Planned Sea-uses:

- Transportation (T);
- Defence and National Security (B);
- Technical Infrastructure (I, Ip);
- Exploration, prospecting and extraction of minerals (K);
- Coastal protection (C);
- Environmental and nature conservation (O);
- Producing and storing renewable energy (E);
- Space reserved for future use (P, Pw);
- Multi-functional economic growth (M) - specific designation for Gulf of Gdansk only;
- Environmentally conditioned local development (L) - specific designation for Puck bay only;
- Artificial islands, installations and structures (W);
- Cultural heritage (D);
- Fishery (F);
- Aquaculture (A);
- Tourism, sport and recreation (S);

Spatial efficiency

Promoting multi-use: the marine aquaculture was allowed in the Polish Plan in the same places as offshore energy production and gas and oil extraction in order to minimize the marine space occupied by immobile uses. This is important to secure top priorities of Polish plan i.e., development of shipping and securing safety of navigation.

Combining blue economy and environmental consideration: the plan reserves 4 km wide migratory corridor between wind farms free of any obstacles to secure free movement of migratory birds if such a need is envisaged during the EIA procedures.

Combining blue economy and navigation safety: the plan reserves 2 nautical miles safety buffers around wind farms free of any obstacles to secure safety of navigation.

4.1.8. Regulations

Maritime spatial plans, determine:

- 1) basic functions and allowed functions for each of the basins marked out in the plans;
- 2) prohibitions or restrictions on the use of the basins referred to in point 1, taking into account the requirements of nature protection;
- 3) distribution of public purpose investments;
- 4) directions of development of transport and technical infrastructure;
- 5) areas and conditions:
 - a) environmental protection and cultural heritage,
 - b) fishing and aquaculture,
 - c) obtaining renewable energy,
 - d) exploration, appraisal of mineral deposits and extraction of minerals from deposits.

3. The basic function means the leading purpose of the basin marked out in the plans. Allowed functions mean other uses of the areas designated in the plans, the coexistence of which does not interfere with the basic use in a way that permanently prevents the implementation of the basic function and does not adversely affect the sustainable development of the area designated in the plans.

3a. Activities whose sole purpose is defense or security of the state may be carried out regardless of the decisions of the plan, including basic and allowed functions, on the principles set out in separate provisions.

4. Maritime spatial plans may contain information arrangements regarding the expected distribution of public purpose investments.

4.1.9. Adoption

Plan was adopted by the Regulation of the Council of Ministers of April 14, 2021 (Journal of Laws of 2021, item 935). The regulation entered into force on May 22, 2021.

<https://eli.gov.pl/eli/DU/2021/935/>

On December 8, 2022, the regulation of the Council of Ministers of November 9, 2022 amending the regulation on the adoption of the maritime spatial plan for the internal marine waters, the territorial sea and the exclusive economic zone on a scale of 1:200,000 (Journal of Laws of 2022, item 2518: <https://eli.gov.pl/eli/DU/2022/2518>) came into force. The ordinance amended the POM.01.lp, POM.02.C and POM.08.P basin cards in the scope of concession no. 9/2017/Ł for the exploration

and appraisal of crude oil and natural gas deposits and the production of crude oil and natural gas from deposits, and a number of minor legislative changes were introduced.

4.1.10. SEA

The official procedure of transboundary environmental impact assessment of the draft plan, led by the General Directorate for Environmental Protection, started in February 2020. Procedure of transboundary environmental impact assessment of the draft spatial development plan for marine internal waters, territorial sea and exclusion economic zone on a scale of 1: 200,000 along with the Environmental Impact Assessment was finished on December 2021.

4.1.11. Public participation

In late autumn 2015 Maritime Office in Gdynia signed grant agreement on elaboration of the plan. In July 2015 the contractor of the draft plan has been chosen. On 2nd August 2016, Director of the Maritime Office in Gdynia, acting also on behalf of the Director of Maritime Office in Słupsk and Director of the Maritime Office in Szczecin, published official information about starting of development of the “Maritime spatial plan for Polish maritime areas on a scale of 1: 200 000” and strategic environmental assessment of the above plan. In June 2018, the full first version of the plan was developed and submitted for official national consultation process. The third national consultation meeting (the public discussion) concerning the draft plan took place on 5 July 2018, in Szczecin. During the consultation period, approximately 800 comments on the draft plan were submitted. At the beginning of 2019, the second version of the plan was developed and submitted for second round of official national consultation process. Arrangements and opinions from competent authorities have been collected in February 2019. They were often contradictory. The work has been undertaken on them, which did result in development of the third version of the draft plan. The fourth and final national consultation meeting was held in Warsaw on 6 June 2019.

4.1.12. Transboundary consultation

In terms of international cooperation and consultations, there were organized meetings with representatives from Baltic Sea Region countries. First international informational and discussion meeting concerning development of the “Maritime spatial plan for Polish sea areas in scale 1:200 000” took place in Gdansk on 18-19 October 2016. Invited were representatives of national authorities responsible for planning and management of sea areas. Second international cooperation and consultations meeting, where first preliminary draft of the Polish plan was presented, took place in Warsaw on 6-7 November 2017. The third and the last international consultations meeting took place on 4-5 June 2019 in Warsaw. During this meeting the third draft of the plan was presented, and countries had the opportunity to submit substantive comments on the documentation.

4.1.13. Harmonisation with other plans

Harmonization at the international level was ensured during consultation meetings organized by Poland or other neighboring countries as part of the MSP consultation processes.

Harmonisation at the national level in Poland is ensured by Ministerial ordinance on required scope of MSPs in their textual and graphic parts. The ordinance specifies: MSP terminology, scope of the plans and necessary links between different planning regimes (NATURA 2000, terrestrial plans), objects to be planned, textual and graphics requirements.

4.1.14. Implementation, Monitoring, evaluation, follow-up MSP

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- *How MSPs are being implemented? What national processes & tools on evaluation and assessments are applied? How MSPs contribute/support/impact certain projects? What is spatial and temporal management of activities?*
 - *Identification of relevant policies or processes concerning marine and coastal domain and their relations to the achievements of targets set in maritime spatial plans. – postpone – rethink if its relevant for countries - what would be needed*
 - *Identification of MSP impacts on progress towards sustainable blue economy*
 - *Identification on how MSP contributes to the SDGs 2030? [whats the impact to blue economy and SDG – what state think relevant*

All the maritime spatial plans Poland enter into force as the ordinance of the council of ministers, constituting a generally binding law that must be obeyed by authorities (public bodies), investors and citizens.

The implementation of the plan at the level of the maritime administration is based on the use of the existing MSP in daily work. Each new investment or project planned to be implemented in the maritime area is examined for compliance with the plan. Decisions on the use of sea space must be made in accordance with the plan (there is a framework to be followed), eg.:

- issuing location permits (permits for the construction and use of artificial islands and structures and permits for laying or maintaining cables or pipelines) - checking compliance with the plan, determining the conditions for the implementation and operation of the investment (e.g. power cables, piers wharfs);
- giving opinions on the location of new projects, investment plan and ways of using sea areas that do not require the decisions mentioned above, for the needs of the other units of the maritime office and other administrative bodies (e.g. dumping area, aggregate extraction for the purposes of artificial shore recharge, geological works projects);
- providing information on the applicable planning arrangements to interested parties - mainly for the purposes of proceedings on environmental conditions for a projects;
- examination of the relationship / consistency between the existing MSPs and the draft maritime development plans prepared by neighboring countries, during the ESPOO cross-border proceedings and international consultations
- issuing the environmental conditions for the investment - testing compliance with the plan, determining the conditions for the implementation of the project, indicating which elements the SEA report should be extended with (e.g. for OWF, mining platforms, port terminal).

In Polish law there is no direct obligation for monitoring the plan. The law stipulates that it shall be periodically evaluated at least every 10 years. Also - the environmental monitoring is to be developed within the MSFD framework that can inform also MSP.

Evaluation is described in the Act on Sea Areas of Poland and Maritime Administration of 21 March 1991:

- In order to assess the validity of plans, the territorially competent director of the maritime office gathers information on changes in the spatial development of the area covered by the plan and analyses changes in this area, taking into account the permits issued for the

construction and use of artificial islands and structures and permits issued for laying or maintaining cables or pipelines.

- On those bases - a report on the maritime spatial development should be prepared. The results of this assessment and the report are forwarded to the ministers responsible for maritime economy, water management, regional development, construction, spatial planning and development, and housing for consideration. On the basis of the report and feedback obtained, the minister competent for maritime economy shall decide on the plan change and the scope of necessary changes.

Therefore, the monitoring and evaluation framework in Poland seems very general and probably will be developed further on in the future according to the needs, by the decisions of the competent authorities.

4.1.15. Electronic resources

https://www.umgdy.gov.pl/plany_morskie/projekt-planu-zagospodarowania-przestrzennego-polskich-obszarow-morskich-w-skali-1200000/

WMS and downloading data: <https://sipam.gov.pl/english/maritime-spatial-planning/>

4.2. Maritime Spatial Plans for Szczeciński Lagoon

4.2.1. Legal basis

Chapter 9 of the Act of 21st March 1991 on Sea Areas of Poland and Maritime Administration.

Act of 3 October 2008 on access to information on environment and its protection, public participation in environmental protection and on environmental impact assessment.

4.2.2. Legal impact

Act of law.

4.2.3. Area covered

Marine interal waters of Szczeciński Lagoon

4.2.4. Historic development

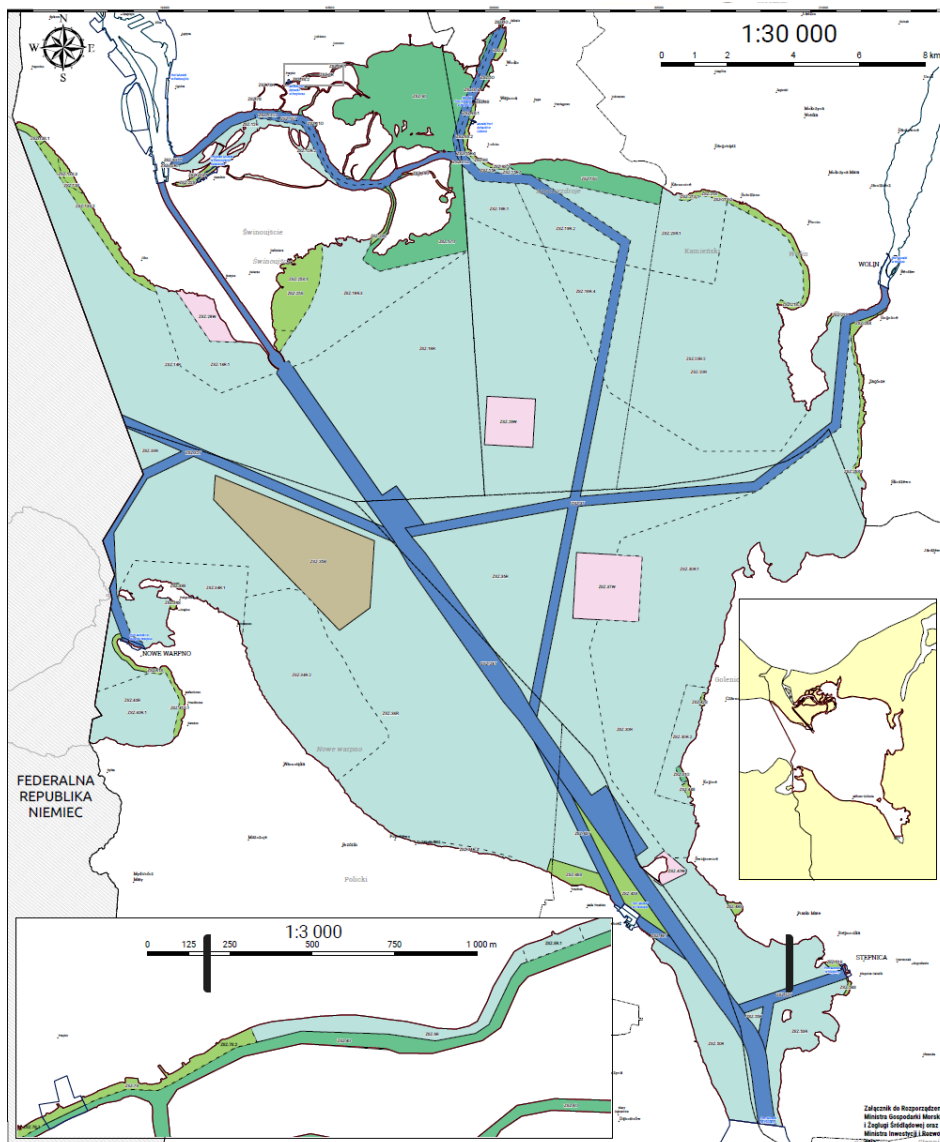
Director of Maritime Office in Szczecin has officially started to prepare draft plans for Szczeciński Lagoon in January 2017. Data inventory, study of spatial conditions and assumptions for the draft plans were prepared in the period January 2017 - March 2018. The concepts of the draft plans were elaborated in the period April - November 2018. At the end of 2018, the draft plans for lagoons were developed and submitted for official national consultation process. Each stage of work was accompanied by activities related to public participation and strategic environmental assessment. The public discussion took place in mid-January 2019. After collecting comments from competent authorities and stakeholders the second version of the draft plans were prepared and had to be the subjected to the second round of agreements and opinions. The draft plan for the Szczeciński Lagoon was presented to the German side in May 2019. Currently, documentation is being prepared in order to initiate the legislative procedure aimed at adopting the plans.

4.2.5. Objectives of the plan

Spatial planning of the internal sea waters, territorial sea and exclusive economic zone means the process by which the competent authorities analyze and organize the use of marine areas to achieve ecological, economic and social goals, using an ecosystem based approach, and with a view to:

- 1) support for sustainable development in the maritime sector, taking into account economic, social and environmental aspects, including improvement of the environment and resilience to climate change;
- 2) state defense and security;
- 3) coordination of activities of relevant entities and ways of using the sea.

4.2.6. Map



4.2.7. Designation

Designation categories:

- Priority use (Funkcja podstawowa),
- Allowed use (Funkcja dopuszczalna),
- Restricted use (Funkcja ograniczona),
- Forbidden use (Funkcja zakazana).

Planned Sea-uses:

- Aquaculture (A);
- Scientific research (N);

-
- Cultural heritage (D);
 - Port or harbor operation (Ip);
 - Technical Infrastructure (I);
 - Defence and National Security (B);
 - Coastal protection (C);
 - Environmental and nature conservation (O);
 - Exploration, recognition of mineral deposits and extraction of minerals from deposits (K);
 - Fishery (R);
 - Artificial islands, installations and structures (W);
 - Transportation (T);
 - Tourism, sport and recreation (S).

Spatial efficiency

Title of 1 or 2 good practices on spatial efficiency (e.g., exclusive / multi-use), conflict management etc. with link to relevant report(s), if such available

The detailed provisions of the plan have been defined in a way that ensures the performance of the functions of environmental and nature conservation and fisheries throughout the area. The exceptions are basins with the basic function of transport, where environmental and nature conservation is limited, and commercial fishing is prohibited.

The erection of artificial islands and structures has been allowed in water bodies as a supplement to other functions, such as: environmental and nature conservation, port or marina operation, tourism, transport, sport and recreation, state defense and security, and fishing.

When establishing the rules for the implementation of the allowed function: technical infrastructure, the basic principle was the economical use of space - the ban on laying technical infrastructure networks in a dispersed manner. Line elements should be arranged as parallel to each other as possible, while maintaining the minimum safety buffers indicated in the technical conditions.

In order to ensure the safety of navigation on fairways, a requirement to establish a safety zone around the infrastructural elements in which anchoring will be prohibited (except for emergency anchoring and anchoring related to installation and maintenance works) has been indicated.

4.2.8. Regulations

Described in point 4.1.8. Regulations.

4.2.9. Adoption

This plan has not yet been adopted.

4.2.10. SEA

As part of the strategic environmental impact assessment of the draft plan, in May 2018, the Director of the Maritime Office in Szczecin applied to the Regional Director for Environmental Protection in Szczecin (RDOŚ) and the Zachodniopomorskie Voivodeship Sanitary Inspector (ZWIS) to agree on the scope and level of detail of information required in the impact assessment on the environment. In May 2018, the above-mentioned authorities have defined the required scope of the EIA forecast. Simultaneously with the preparation of the draft plan, the EIA forecast was developed. Both documents were presented jointly at consultation meetings and made available for public inspection. In December 2018, Director of the Maritime Office in Szczecin, applied for an opinion and approval of the draft plan together with the EIA forecast for the above-mentioned

authorities - in accordance with applicable law. In January 2019, the draft plan together with the EIA forecast received a positive opinion from ZWIS. RDOŚ (in a letter of February 2019) did not agree and gave a negative opinion on the draft plan together with the EIA forecast.

In April in 2019, the corrected draft plan was submitted to RDOŚ along with the EIA forecast, in May 2019, a positive opinion of the RDOŚ was obtained along with the approval of both documents. The final version of the draft plan together with the EIA forecast and summary has been submitted in August 2022 to the minister responsible for maritime economy, in order to conduct the legislative procedure.

4.2.11. Public participation

In August 2016, the Maritime Office in Szczecin signed an agreement for co-financing the project (with the participation of EU funds), the subject of which was the preparation of a draft maritime spatial plan for the internal sea waters of the Szczecin Lagoon.

In October 2017, an agreement was signed with the selected Contractor for the preparation of a draft plan. On February 3, 2017, the Director of the Maritime Office made public information about the commencement of the preparation of the draft plan with the environmental impact forecast and the possibility of submitting comments. The announcement was published in the nationwide press and in the Public Information Bulletin on the office's website. After developing a study of the conditions for the plan, in July 2017, the first meeting with stakeholders was organized at one of the communes on the lagoon (Wolin). The subject of the meeting was the presentation of the planning process of Polish sea areas and the study document. It was attended by representatives of communes and local fishing and tourist associations - over 20 people. In January 2018, a meeting was organized with local authorities involved in the process of giving opinions and agreeing on the draft plan, in order to present the planning procedure and the role of these authorities. Participated over 30 people in it. In February 2018, another consultation meeting with authorities, associations and private stakeholders was held, during which the assumptions for the plan were presented. It was attended by over 50 people. In November 2018, a meeting was held to present and collect comments and opinions on the concept of the draft plan, which is the initial version of the draft plan. In January 2019, the Maritime Office in Szczecin organized a public discussion on the planning decisions contained in the draft plan, as required by the Act of March 21, 1993 on maritime areas of the Republic of Poland and maritime administration. It was attended by about 50 people.

4.2.12. Transboundary consultation

The environmental impact assessment of the draft plan considered the cross-border impact, due to the fact that the area of the plan borders on the western side with the Federal Republic of Germany. The potential transboundary impact was analyzed for all environmental components. After the entry into force of the plan, the nature of the use of the "border" basins will not be changed. The plan is aimed at organizing activities in the Szczeciński Lagoon and defining the principles of spatial development within its borders. The analysis of potential impacts showed that they will not extend beyond the boundaries of the area covered by the plan. No cross-border impact was found in connection with the implementation of the provisions of the draft plan.

Nevertheless, in accordance with the guidelines of the HELCOM-VASAB on cross-border consultations, public participation and cooperation of EU countries in the field of MSP, a decision was made to present the draft plan and planning decisions in the Szczecin Lagoon to representatives of the Federal Republic of Germany.

The meeting organized by the Director of the Maritime Office in Szczecin, as the authority responsible for preparing the draft plan, took place on May 29, 2019. It was attended by 14 people,

including 3 representatives of the German side (Ministry of Energy, Infrastructure and Digitalization Mecklenburg-Vorpommern, Federal Maritime and Hydrographic Agency).

The aim of the meeting was to present the draft plan together with the environmental impact assessment (nature of the plan, methodology of works, planning arrangements, etc.), with an indication of the course of works carried out so far and further steps in the planning procedure. The German party had the opportunity to express its opinion and submit comments to the presented document; no comments were made after the meeting.

4.2.13. Harmonisation with other plans

Harmonization at the international level was ensured during consultation meetings with Germany.

Harmonisation at the national level in Poland is ensured by Ministerial ordinance on required scope of MSPs in their textual and graphic parts. The ordinance specifies: MSP terminology, scope of the plans and necessary links between different planning regimes (NATURA 2000, terrestrial plans), objects to be planned, textual and graphics requirements.

4.2.14. Implementation, Monitoring, evaluation, follow-up MSP

Description in point 4.1.14.

4.2.15. Electronic resources

<http://www.ums.gov.pl/9-informacje/147-projekty-planow-zagospodarowania-przestrzennego-polskich-obszarow-morskich-morskich-wod-wewnetrznych-dla-zalewu-szczecinskiego-i-zalewu-kamienskigo-projekt-powr-02-19-00-00-pm01-16.html>

5. What countries want to share:

5.1. Pilot plans

Three pilot (non-binding) plans exist in Poland. They are used by the Polish Maritime Administration in its daily decision making as a source of best available knowledge.

Pilot maritime spatial plan for the Western part of the Gulf of Gdańsk

The Pilot maritime spatial plan for the Western part of the Gulf of Gdańsk in its character is a detailed plan with elements of a structural plan. It prioritizes certain uses and formulates general requirements and detailed use restrictions. It covers 40,550 ha of sea area between Gdynia and the Hel Peninsula. The graphic part is in scale of 1:25 000, under the "92" state coordinate system. The plan covers following sea uses: water transport, water sports and recreation, fishing, maritime structures including artificial islands and submerged structures, technical linear infrastructure, nature conservation, cultural heritage, dredging, reeds, ichthyofauna, sand extraction, dumping. It is based on a grid of sea subareas with defined functions and detailed determinants. English version is available: J. Zaucha (ed.) (2009) Pilot Draft Plan for the West Part of the Gulf of Gdansk. First Maritime Spatial Plan in Poland, Gdańsk, 80 p., ISBN 978-83-62438-05-1.

Pilot maritime spatial plan for Pomeranian Bight / Arkona Basin

Pilot maritime spatial plan for Pomeranian Bight / Arkona Basin is a strategic plan prioritizing certain sea uses. It stipulates priority to certain uses and formulates general recommendations, but it also excludes certain users from certain areas. It covers 14,100 km² of marine waters of Poland, Denmark, Germany and Sweden. The graphic part is in scale 1:2,000,000 in Mercator (54oN)

projection (WGS84). The plan covers following sea uses: water transport, water sports and recreation, fishing, maritime structures including artificial islands and submerged structures, technical linear infrastructure, nature conservation, cultural heritage, dredging, reeds, ichthyofauna, sand extraction, dumping.

English version is available: K. Gee, B. Käppeler, S. Toben, G. Chmura, S. Walkowicz, N. Nolte, P. Schmidt, J. Lamp, C. Göke, C. Mohn, (2012) Developing a Pilot Maritime Spatial Plan for the Pomeranian Bight and Arkona Basin.

Pilot maritime spatial plan for the Southern Middle Bank

Pilot maritime spatial plan for the Southern Middle Bank is a strategic plan prioritizing certain sea uses. It stipulates priority to certain uses and formulates general recommendations, requirements and prohibitions, (limitations/prohibitions introduced only in four cases). It covers 1751.5 km² of EEZ of Poland and Sweden. The map of the plan is in scale 1: 200 000, in azimuthally equal-surface Lambert projection (ETRS 1989 LAEA). The plan covers following sea uses: water transport, fishing, mariculture, maritime structures including artificial islands, technical linear infrastructure, nature conservation, ichthyofauna, cultural heritage, sand extraction, research and defense. English version is available: J. Zaucha, M. Matczak, (2012) Developing a Pilot Maritime Spatial Plan for the Southern Middle Bank.

5.2. Good practices

OCEAN GOVERNANCE	Face to face international meetings on various stages of the planning process Thematic, sectoral and bilateral meetings – solving problems oriented Transparent collection of the remarks plus the information on how they were considered – it creates the history of the changes in the project of the plan In Poland the project of the plan was prepared by the contractor within the EU funded project. Application of project management methodology enhances the MSP process.
ECOSYSTEM BASED APPROACH	Environmental impact assessment prepared for the each version of the project of the plan. Thanks to that the planners can address the environmental issues in the next versions of the project. Cooperation with the environmental authorities on every stage of the planning process, i.e., engaging them in the consultation meetings, keeping working relations. Combining blue economy and environmental consideration: the plan reserves 4 km wide migratory corridor between wind farms free of any obstacles to secure free movement of migratory birds if such a need is envisaged during the EIA procedures.
SUSTAINABLE BLUE ECONOMY	promoting multi-use: the marine aquaculture was allowed in the Polish Plan in the same places as offshore energy production and gas and oil extraction in order to minimize the marine space occupied by immobile uses. This is important to secure top priorities of Polish plan i.e., development of shipping and securing safety of navigation. combining blue economy and navigation safety: the plan reserves 2 nautical miles safety buffers around wind farms free of any obstacles to secure safety of navigation.
MONITORING AND EVALUATION	Pan Baltic Scope project activity “Monitoring and Evaluation for Selected National Processes” developed possible concepts and methods to support monitoring and evaluation of the MSP of Poland in the future. This task was conducted in collaboration with the Polish maritime administration and the consultant that was responsible for the preparation of the MSP, but the results of the activity should not be considered as official and are not necessary to be implemented in the future. The Polish team found the activity

	a very good exercise for MSP planners and perhaps the starting point for a discussion on the need for establishing the monitoring of the maritime spatial plans in Poland.
CLIMATE CHANGE	Coastal protection areas, focusing of maintaining natural coastal processes, might be a good practice. The question is - will it be enough in light of more and more intense storms and sea level rise.
SHARING DATA	Sharing GIS MSP data for interested parties during national and international consultation makes process transparent and helps for fast and precise analysis (for example checking coherence). Final, official MSP is often an act of law like regulation or different kind of legal document which shows and describes designated areas etc. MSP GIS data are often non-official but they should be available as well. If there are more maritime spatial plans (like separate plans for Exclusive Economic Zone, territorial sea, marine internal waters) and different authorities are competent for developments, there are many benefits from having common standards for those developments (naming, data specification, visualization of data etc.).

6. New developments / current status

Poland is working on adoption of the:

- Maritime Spatial Plans for Szczeciński Lagoon
- Maritime Spatial Plans for Kamieński Lagoon
- Maritime Spatial Plans for Vistula Lagoon
- Maritime Spatial Plans for port area waters Szczecin, Świnoujście, Police, Dziwnów, Trzebież, Łeba, Ustka, Rowy, Kołobrzeg, Darłowo, Dźwirzyno, Mrzeżyno, Elbląg, Gdańsk, Gdynia, Hel, Władysławowo
- Detailed maritime spatial plan for Gdańsk Bay
- The detailed maritime spatial plan for waters adjacent to the seashore from Łeba to Władysławowo

7. MSP role in protection of marine environment

How MSPs support conservation and sustainable use in equitable way reflecting marine protected areas (MPAs) and possible Other Effective area-based Conservation Measures (OECMs) or other areas of high natural values in MSPs.

The Director of maritime office is on one hand responsible for preparation of MSP projects and also for the management of marine Natura 2000 areas – that means also for preparation of Natura 2000 protection plans. Such solution created positive synergies and exchange of information between these two processes

Poland, while elaborating its MSP, followed the HELCOM-VASAB guiding principle of spatial development of the sea areas (2012), where one of them is the so called ecosystem approach. The ecosystem approach is also underlined in Act on Sea Areas of Republic of Poland and Maritime Administration of March 21st 1991 . Pursuant to article 37b par. 1a of the Act on Sea Areas the ecosystem approach means that the management of human activities should satisfy the following conditions:

- The impact on the ecosystem of the planned human activity will be maintained at a level compatible with the achievement and maintenance of good environmental status.

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- The ability for the proper functioning of the ecosystem will be maintained, as well as resistance to the environmental changes caused by human activity.
 - At the same time, it will enable long-term/durable and sustainable use of resources and ecosystem services by present and future generations.

In Poland, MSP authorities are also obliged by law to take into consideration nature protection and conservation in the planning process. Regardless of the MSP provisions, all nature conservation and protection rules and legal provisions remain in force. In general provision is stated that nature protection is an overarching priority for the Polish sea areas.

Polish MSP includes information about MPA and is compatible with them.

Polish MSP does not **establish** nature conservation areas – in Polish legal system there are other legal acts for that purpose. However in some marine areas of high nature values the MSP establishes main function as nature protection.

The Polish MSP has designated areas where basic function is to protect the environment and nature, marked with the symbols: POM.03.O, POM.12.O, POM.32.O, POM.42.O, POM.92.O and POM.94.O, that include important shallow banks, marine parts of national parks, one marine nature reserve and one area important for birds, but not yet protected. Polish MSP also can deliver provisions enabling the implementation of this function / nature conservation. Such provisions can be applied also for areas with other basic functions. Provisions may concern:

- prohibitions or restrictions on the use of particular areas;
- terms and conditions of using the area;
- provisions binding the local government of the voivodeships and municipalities;
- rules for using the area (from documents or normative acts like Natura 2000 management plans);
- especially significant details relating to the area;
- other relevant information (sometimes in a form of recommendations).

8. MSP role in Climate change mitigation, adaptation and resilience

The climate changes were considered in the Polish maritime spatial plans to some extent.

Firstly – at the level of evidence building and knowledge gaining the information on the climate changes and impacts were gathered and analyzed. As the coastal protection is one of the state responsibilities, these activities were mainly focused on the sea level rise, rise in storms' frequency and strength. The sections of the Polish coast which were most exposed to erosion were indicated and the threats were described. Secondly – at the solutions level, the climate change mitigation goals were considered in specific plans.

The Maritime Spatial Plan in the scale 1:200 000 responded in two ways:

- Responding to sea level rise and storms - along the coast the areas devoted to the protection of natural coastal processes are designated, which are (or might be) supporting the resilience of coast by creating a natural reefs, underwater sand banks and alongside sand transportation system. In these areas the specific restrictions and prohibitions are introduced, mainly to the investment which might disturb the natural processes, e.g. the tourism, port infrastructures, like new piers, marinas, ports expansions are given restrictions.

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- Responding to RES targets – the areas suitable for energy production from wind resources were designated. The areas are located in the EEZ and were designated carefully, taking into consideration other sectors (mainly transport, fishery and national security) as well as environmental protection. There are no areas for energy production from other sources like waves and currents as their potential was assessed as not economically significant at this moment.
 - Additionally – the MSP took into consideration the designation of potential CO2 storage structure – but it was not MSP designation.
 - Also indirectly – some attention was given to the safety buffer between the OWE areas and transportation areas. While thinking about its size – the calculations were used considering the size of vessels as well as increasing storm conditions. The buffer applied is 2NM.

The areas for coastal protection, if needed, were also designated in more detailed plans e.g. of Gdańsk or Vistula Lagoon.