

The role of transboundary SEA in maritime spatial planning experiences of Poland

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Introduction

- What is the potential of the transboundary SEA in coordination of MSP and maintenance of areas of high natural value based on Polish experiences from transboundary SEA for MSP?
 1. Expectations toward MSP for Baltic Sea
 2. Interest of conducting the transboundary SEA for MSP
 3. Scope and form of transboundary consultation process
 4. Unrecognized potential of transboundary SEA

Expectation towards MSP

- Maritime Spatial Planning Directive (MSP-Directive, Art. 11, 5)
- Baltic Sea Action Plan (BSAP) for HELCOM
- HELCOM recommendation on MSP
 - Ecosystem Based Approach (EBA)
 - Cumulative Assessment (CI)

Expectation towards MSP and SEA

- Preamble (23) **MSP-Directive** establishes environmental assessment as an important tool for integrating environmental considerations into the preparation and adoption of plans and programmes.
- **Directive 2001/42/EC** on the assessment of the effects of certain plans and programmes on the environment
- **Protocol on Strategic Environmental Assessment** to the Convention on Environmental Impact Assessment in a Transboundary Context

Notification

transboundary SEA for MSP

- Poland as party of origin- information on SEA for MSP to all Baltic Sea countries, parties to the strategic Protocol; notification to Germany, Sweden, Denmark
- the purpose of notification:
 - no identified significant impact on the territory of the affected party
 - exchange of information on content of the plan and environmental assessment esp. in border regions (cumulative impacts)
 - collecting opinions from neighboring countries
 - ensuring the participation of public
 - transparency of the planning process

Notification

transboundary SEA for MSP

- Poland as an affected party- notification from Sweden, Germany, Denmark and Lithuania
- the purpose of notification:
 - ???
 - No identified significant impact on the territory of the affected party

Scope of consultation comments

transboundary SEA for MSP

especially:

- content of the MSP esp. in border areas (coherency)
- impact on natural valuable areas (Natura 2000 sites, MPA), its habitats and species
- cumulative impact
- EBA

Assessment of cumulative impact

transboundary SEA for MSP

- Different approach and methodology among Baltic Sea countries
 - descriptive analysis
 - models e.g. „Symphony”
 - tendency to shifting the assessment of cumulative impact on EIA for project
- The need to develop a coherent, comparable tool for cumulative assessment for MSP

Maintenance of valuable areas

experiences for SEA for MSP

- the SEA for MSP covers large areas, from broad perspective - identification of the environmental hotspot in very early stage
- the impacts analyzed under the SEA should be assessed in the context of the entire Baltic Sea ecosystem by analyzing, e.g. the impact on the integrity and cohesion of Natura 2000 site or other areas of high importance for environment (Art. 6 (2), 6 (3) of the Habitats Directive)

Transboundary consultation

experiences from transboundary SEA

- transboundary consultation meeting under MSP-Directive, informal meeting
 - PL-SE meeting on environmental impact of MSP on Middle Bank including cumulative impacts (OWF)
- transboundary consultation in form of expert meeting - not listed in the Protocol to the Espoo Convention
- the formal character of SEA, makes the results/outcomes of consultation more applicable

Consideration of comments from consultation

experiences from transboundary SEA

- obligation to consider the opinions and comments of affected party by development of final versions of MSP
- provision of the adopted MSP with summarizing statement to the affected party and public display
- how are taken into consideration opinions of the affected party expressed during SEA (scoping, SEA report)?

Transboundary SEA in MSP-chances

experiences from transboundary SEA

- Transboundary SEA as a tool for coordination of MSP for Baltic Sea, incl. environmental aspects and exchange of information - **yes, if:**
 - procedure is treated as already established and functioning platform for cooperation and exchange of information and opinions between countries
 - procedure is not limited only to legally binding plans
 - coherent methodology for assessment of cumulative impact (comparable)
 - EBA implementation
 - well promoted in cooperation with HELCOM (HELCOM-VASAB-MSP WG)

