

Summary: Round table on MSP in Romania

DRAFT

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Ministry of Regional Development and Public Administration, Apolodor Street No. 17, "Sala Albastra", Bucharest, Romania

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1. Introduction

The idea of the round table was to share up-to-date information of on-going research and existing good practices, as well as to support the Romanian MSP authority and involved sectoral ministries. Specific needs from the MSP authority and sectoral ministries were identified beforehand:

- What is the relationship between the national plan and other national/European regulations?
- How to extract relevant conclusions from a mass of raw data?
- How to integrate cross-sectorally and analyse synergies or conflicts?
- What is the relationship between terrestrial and maritime areas and how to interact with ICZM aspects?

The roundtable addressed these identified topics and aimed to find out more about specific needs. During the day, the focus was on methodologies necessary for the elaboration of a national MSP. Discussions after the presentations linked directly to examples of current processes and provided input. The roundtable fostered a better understanding of the four selected aspects of MSP, taking into account the importance of strengthening collaboration between administrative institutions. Time for discussion and exchange concretely addressed the most pressing questions from the participants and provided answers how regarding MSP can be turned into a real planning process. The roundtable also took into account results of the MARSPLAN-BS project.

The meeting was held under the Chatham House Rule to encourage openness and the sharing of information. It was highlighted several times that further information is available on the MSP Platform website. The platform also has other experts, which could provide additional information.

Please see attached ppt. No. 1, Appendix 3

2. Participants

Participants have been selected by the Romanian MSP authority (MRDPAEF) and - other than invited experts - came from this authority (please see attendance list in Appendix 1). Some have been involved in the process for longer, whereas some are quite new to the topic and will deal with the subject during the next years.

The invited experts were:

- Steven Vandendorre (Belgian MSP authority),
- Jacek Zaucha (MSP Platform, s.Pro/MIG),
- Emiliano Ramieri (MSP Platform, Thetis), and
- Susanne Altvater (MSP Platform, s.Pro) who also moderated the meeting.

3. Format of the day

The day was a mix of presentations and group discussions. As a start, the MSP authority provided an overview of the current status of the national process, existing challenges and efforts. The following presentations brought participants up-to-date with current national MSP processes and provided ideas on how existing approaches could support the development and implementation of MSP in Romania. The day was structured into four topics although the last topic - land-sea interaction - was not debated in as much detail as the other three topics due to the strong interest of the participants in the first three topics.

After each presentation or a block of presentations on a specific topic, participants could ask questions to the presenter and collectively brainstorm about:

- a) What did I learn?
- b) What did I not understand?
- c) What can I take for my future work?

The results have been noted on a flip chart. The discussions can be a starting point for further discussion and meetings, also for example jointly with the Bulgarian MSP authority under the frame of the MSP Platform “workshops upon request” service.

Please see **Appendix 2** for a more detailed agenda.

4. Introductory remarks by authority

Bogdan Ghinea, as coordinator of the MSP process within the Romanian MSP authority, provided an overview of the current status of the national process and stressed that now the real process is starting. He expressed his hope that the round table will clarify steps within the MSP process to support the elaboration of the documents.

Afterwards, the round table continued with an overview of existing types of MSP approaches, for example in Lithuania, Belgium, England, Scotland and Germany (see presentation 2), and introduced the roundtable topics.

Participants discussed the different approaches and agreed that the strategic Lithuanian approach is of interest. It allows reservation of areas of special concern, e.g. for oil and gas, which is key for Romania, or to foresee areas already reserved by other uses like mineral resources, or priority no go areas to assure the maintenance of ecosystem services through healthy ecosystems. The approach could be implemented by a general plan and more detailed plans for specific sites, such as the Danube Delta with its very special conditions and sensitive environment. A vision for the sea space does not exist yet but a general approach to the EU Integrated Maritime Policy has been developed. The Romanian approach is to identify hot-spot areas as a first step of the stocktaking exercise to see which sectors and areas have to be planned. For example, the need for sand to mitigate coastal erosion and to ensure beach nourishment was mentioned. Finally, different options of the character of the Romanian MSP have been discussed, ranging from a) a descriptive document plus strategies, b) a strong regulatory framework to c) an in-between solution like in Poland.

Please see attached ppt. No. 2, Appendix 3

5. Topic 1 - Establishing a framework - link between national and non-national strategies.

An introductory presentation set the context for the session (presentation 3). Descriptors of the Maritime Strategic Framework Directive (MSFD) relevant for the MSP process were also presented (presentation 4).

Steven Vandendorpe: The Belgian experience

After highlighting the main challenges when drafting the Belgian MSP, the presentation described in more detail the MSP procedure and content. The plan will be evaluated every 6 years. The MSFD will be spatially impacted by the MSP. Techniques to coordinate several processes are:

- Coordination of procedures, e.g. the consultation period of the MSP and the SEA procedure
- Multi-use of data, e.g. initial assessment of MSFD and the stocktaking for the MSP
- Involvement of units/persons in charge of other relevant policies
- Accommodation of potential evolutions of other processes

Discussion

Discussion points included

- When elaborating the MSP, link to terrestrial planning

- Important to focus on specific aspects when linking to other strategies and not trying to meet all expectations
- Always structure the process / consultation from the very beginning to assure real involvement of stakeholders and to plan financial resources realistically
- Problem: exchange of data between units, sectors or sub-regional administration -> MSP can be a good way to foster the exchange of data and support collaboration between different governance levels; this always needs a good internal planning
- The inter-ministerial group in Romania can push the process by the (state secretary, supported by the technical level)
- So far, a national strategy covering only land exists in Romania
- The Romanian MSP Plan will be approved by law, requiring specific consultation steps
- Cross-border consultation with other Black Sea countries might be really challenging
- Process needs time (6-10 years); updating an MSP plan is challenging. A balance between updating scope and resource needs must be pursued (e.g. updating of specific aspects more frequently and full update of the plan more rarely)
- In any case one should not wait for an ideal MSP and the approach of “trial and error” should be followed
- MSP has accommodate new (foreseeable) uses, in order to avoid time-consuming intermediary changes (BE)
- Learning from the Belgian MSP process: some areas are open for commercial, not yet defined activities
- Oil / gas: knowledge quite extensive -> no big changes seem necessary in Romanian MSP
- Conclusion:
 - A wide range of adaptive tools are available
 - Not always necessary to modify the whole plan but parts or sections of the plan
 - Translation for neighbour status -> install a trans-boundary committee to discuss important issues like exchange of data or bordering pipelines

Please see attached ppt. No. 3 and 4, Appendix 3

6. Topic 2 - Data

The session started with a presentation about a data study elaborated under the EU MSP Platform and continued with insights of the Polish and Belgian approaches and experiences.

Susanne Altvater: Results of the data study (MSP Platform)

The MSP Data Study (2017) referred to the guiding questions: what do planners need and which data have been used so far. It does not answer the question about the availability of data on national levels. In general, it can be concluded that different styles of planning create different types of evidence. However, countries are using similar data categories ranging from environmental and administrative to data about human activities and socio-economic impacts of activities. A list of data categories - available on the MSP Platform - was presented and distributed as a hand-out. The presentation also referred to data infrastructure reviews and data needs like moving from descriptive to strategic evidence and the need for spatial evaluation tools and exchange of practices.

Please see attached ppt. No. 5, Appendix 3

Jacek Zaucha: The Polish experience

The Polish draft of an MSP foresees a coastal strip, which is of importance for the whole approach. The available data covers both, land and sea. The presentation showed the data gathering and data inventory process. However, only 10% of the data was finally used when drafting the plan. During the stocktaking process, the focus was on a) what is there and b) what is planned there. Some information was available in the format and resolution as being not so suitable for the planning purposes. Therefore, it is important to use new kinds of information (collected from stakeholders) as well as existing data related to the key spatial

challenges and only use what is necessary. The presentation also referred to the most useful information, such data on erosion, mineral resources and storage of CO₂. Some of these were not been clear beforehand. Also, temporal closure of uses due to environmental needs seem to be a relevant way to combine uses. In the fishing sector, the ICES reference grid squares were too big to use for the planning. Instead, the net profit of large fishing vessels was assessed to identify the most important fishing grounds. This exercise took half a year and was far cheaper than the normal assessments taking several years. Presented maps underlined the findings of the Polish planning process.

Please see attached ppt. No. 6, Appendix 3

Steven Vandendorre: The Belgian experience

The process that is designed foresees a strong involvement of stakeholders to achieve transparency, trust and to share data. More useful information can be achieved via:

- Bond of trust - create the context for an exchange of information between authorities and stakeholders in which all parties feel that this exchange will contribute to a balanced MSP;
- Checks and balances
 - check by other stakeholders and/or independent check
 - required degree of validation depends on importance for MSP
- Smart planning
 - 'point of no return' only when information sufficiently mature
 - flexible planning process

Please see attached ppt. No. 7, Appendix 3

Discussion

- Take into account the findings of the MSP Data Study
- Data needs and types depend on step you are taking -> stocktaking, vision, compatibility assessment
- Polish experience
 - Only 10% of data have been finally used
 - Focus on: What is there and what is planned there?
 - Trial and error with most useful information
 - Use temporal data to soften conflicts
 - Assessment of most relevant fishing grounds
- Validated and non-validated data exist, e.g. data from formal monitoring and/or projects and studies. Although the latter are not validated, they can be useful if transparently shared and if all stakeholders are taken in consideration. Specific check-routines should be incorporated for accuracy, meaningfulness and security of data;
- The audience asked whether there have been any court cases related to ownership of data; in Belgium and Poland not so far
- It may useful to combine data of different time periods; however, it depends on the sector: for e.g. the fishing sector, these kind of data are useful
- Conclusion:
 - Data as incentive to support positive attitude of stakeholders
 - Use also qualitative data and local knowledge
 - Adapt indicators of how the uses affect each other in economic terms regarding MSP needs and show how uses change the value of maritime space
 - It is very important to define what MSP can deal with and what not (this affect data to be collected)
 - Multi-use of same data can be highly relevant to share cost and burden

7. Topic 3 – Cross-sector approaches

In this session, cross-sectoral approaches were discussed based on the Italian experience and complemented by insights gathered during other national processes.

Emiliano Ramieri: The Italian experience

The presentation focused on the policy perspective and dealt specifically with starting of the MSP process. In Italy, a multi-level governance system has been established. An Inter-ministerial Coordination Table elaborated the recently approved guidelines for the implementation of MSP and elaboration of MSP plans. It also identified marine areas to be covered by MSP. A Technical Committee, coordinated by the Ministry of Infrastructure and Transport (the Italian MSP competent authority) will be responsible for the elaboration of the MSP and the Strategic Environmental Assessment (SEA). The approach follows nested objectives: main scope, multi-sector strategic objectives and specific/operational objectives.

Please see attached ppt. No. 8, Appendix 3

Discussion

- The Romanian authority outlined the main conflicts. For example, there are strong conflicts between the oil sector and Natura 2000 sites.
 - A specific example was presented: a pipeline from the sea to the terrestrial part was conflicting with a RAMSAR site in the Danube Delta. A first compromise was found through a technical solution allowing the pipeline through a small part of a nature reserve with the advantage to avoid a long pipeline through the whole area, reducing the impact on the area and saving natural space and costs.
 - Other conflicts: fisheries and nature protection, nature protection and military
 - Approaches were discussed how to involve mayors and other stakeholders
 - The need to find synergies to reduce conflicts was outlined with different examples in Poland, Germany and Belgium
 - Show consequences (legal) for the sectors and implement them consequently to mitigate one-side approaches which do not take into account needs of other sectors
 - Beside matrix of conflicts and synergies among uses, a matrix of stakeholders is a proven tool to get a very good overview
 - Formalise process to find out who is already on board and whom to consult again; double consultation might be necessary for specific, more reluctant sectors
 - Conclusion: In Romania the stakeholder involvement should be used to adapt decisions; while elaborating the national MSP essential steps should be continuously communicated to the stakeholders to build trust among them
- ⇒ Combination of logical structure of MSP and legal/institutional procedure similar to Belgium and Italy
- Specific case of the Danube Delta: involvement of NGOs? There exist documents which define the involvement of stakeholders
 - During the MARSPLAN-BS project implementation there were consultations with the identified stakeholders. Also, within the formal procedure for drafting and approving the MSP, clear steps are stipulated for consultation with all identified stakeholders.
- ⇒ The strategies for an integrated involvement of NGOs like the WWF and for continuous funding should be not too complicated.
- How far upstream will the MSP authority plan the Danube River? It is still not clear how far the national MSP will approach these areas. *This question directly leads to the next topic, land-sea interaction.*
 - Recommendation: learn from existing friction cases and check the FAQ page of the MSP Platform

8. Topic 4 - Land-sea interaction

In a final session, participants started to identify what input/ results from the LSI workshop in Malta (2017) would be directly useful for their national MSP process and the involved authorities. Reflections and discussions focused on the following questions:

- Which of the presented approaches is most suitable for us?
- How can we avoid the artificial segregation between terrestrial and marine areas?

Please see attached ppt. No. 9, Appendix 3

Discussion

- Participants agreed that the approach to extend terrestrial planning into the marine area may not be practical in Romania. A decision will be taken within the Committee for MSP. Far more interesting is the management of LSI through ICZM initiatives or through coordination of separate terrestrial and maritime spatial plans.
- In Italy legislation provides a definition for land-sea and sea-land interaction. The MSP guidelines issued by the Inter-Ministerial Coordination Table provide initial general criteria for the identification of land areas to be considered for the analysis of LSI.
- Other examples of Latvia and Sweden show that planning of coastal waters is possible although MSPs exist. In Latvia, within the legislation on MSP there is no indication on landward limits, but just the overall requirement that the principle of land-sea-linkage shall be implemented. Until now, the terrestrial planning excluded coastal waters, except port administrative areas. Here, coastal municipalities are responsible for ports etc. Although coastal municipalities are allowed to plan coastal water areas related to the recreational development since 2015, there are no plans drafted or initiated on local levels that include coastal waters up to 2 km. Therefore, the implemented national MSP is applicable for coastal areas.
- Germany follows in specific cases a voluntary approach regarding the implementation of the MSP Directive.
- Spain is currently establishing a framework for MSP and provides an example for the sharing of competencies in coastal zones.
- Conclusion: The Romanian MSP authority will further analyse the legal and administrative situation to find the best available way for ensuring land-sea interaction in line with the existing ICZM approach and the MSPD. The specific case of the Danube Delta could be approached by using existing management plans and integrate them into a national MSP.

9. Wrap-up

The wrap-up showed that there are still challenging issues regarding each discussed topic. Specific aspects were mentioned by participants, which seem most interesting for the development of the MSP:

- Consider so-called white areas to allow modified planning in the future
- Categories for commercial activities should be included into the plan to open space for users
- How can a plan be modified if a zone is not marked yet? Is it necessary to change the whole plan?
- Link the licensing system to the MSP process and involve licensing offices and administration in stakeholder workshops and consultation
- Permits regarding specific sectors like renewables should be linked to the plan
- Flexible planning processes allow stakeholders to create ownership and to raise acceptance also among those sectors which are currently not interested in the MSP process

10. Next steps

Romanian participants agreed to further use the opportunity to gather information offered by the MSP Platform. The wrap-up showed that there are still many open and already very detailed questions. Here, a

further round table on these specific aspects or another way of information exchange is desirable. Also a new initiative for a second meeting jointly with the Bulgarian MSP authority was taken into account. Collaboration on future work on MSP aspects seems to be key for successful planning in each of the countries.