

MARITIME SPATIAL PLAN FOR TERRITORIAL WATERS AND ECONOMIC EXCLUSIVE ZONE OF LATVIA

A BRIEF OVERVIEW ON THE PROCESS AND CONTENT

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General information

Maritime Spatial Plan (MSP) of Latvia is a national level long-term (up to 12 years) spatial development planning document that shall define the use of the sea, considering a terrestrial part that is functionally interlinked with the sea and co-ordinating interests of various sectors and local governments in use of the sea. The MSP covers territorial waters (out to 12 nautical miles) and Exclusive economic zone (from the 12th nautical mile).

Total area of Baltic Sea waters (including Gulf of Riga) under jurisdiction of Latvia is 28,000 km². Marine waters of Latvia (the inland maritime waters, territorial sea and exclusive economic zone) takes up 7.7% of total area of the Baltic Sea. The Baltic Sea waters under jurisdiction of Latvia border with Lithuania, Estonia and Sweden.

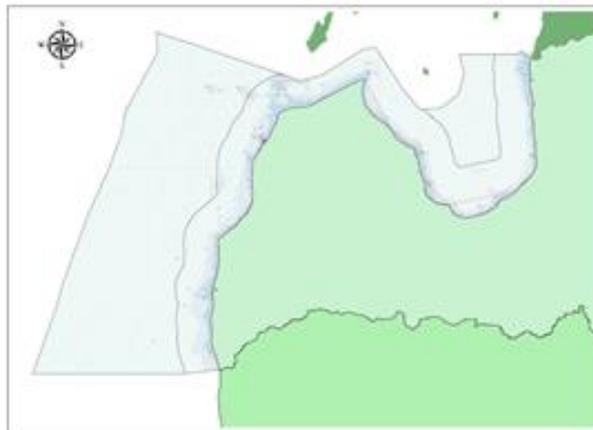


Figure 1. Maritime planning area.

Legal Framework

The legal base for MSP is laid down in the Spatial Development Planning Law enforced on 1 December, 2011. It gives the definition of the maritime spatial plan.

Regulations of the Cabinet of the Ministers Nr. 740 on Development, Implementation and Monitoring of Maritime Spatial Plan have been approved by the Latvian Government in 2012, where the content, elaboration procedure as well as implementation and monitoring procedures of MSP are defined. Plan must be submitted and announced through ordinary legislative procedures according to the Cabinet of Minister rules of order. The Government shall approve the MSP.

Marine Environment Protection and Management Law enforced on 18 November 2010 defines the maritime spatial planning as a long-term process for development planning aimed at protection of marine environment, rational use of the sea and integrated management, as well as balancing the social welfare and economic development with the environmental protection requirements. The Law requires to apply ecosystem approach, including featuring of the characteristics of the Baltic Sea, as well to take into account marine environmental status and trends.

Other relevant laws: Maritime Administration and Marine Safety Law; Fishery Law; Law on Specially Protected Nature Territories; Law on Protection Belts; Law on protection of Cultural monuments; Law On Subterranean Depths, Law on national Armed Forces, Law on environmental impact Assessment, etc. Several issues on these of the sea are regulated by the Regulations of Cabinet of the Ministers.

Components of the MSP

1. **Explanatory report**, which includes an assessment of the current situation and trends, covering:

- 1.1. Relations of the MSP to other international, national and regional planning documents
- 1.2. Existing legal frameworks regulating the use of the sea
- 1.3. General marine and environmental characteristics of the Baltic Sea
- 1.4. Overview of marine ecosystems, cultural heritage, landscapes
- 1.5. Assessment of the economic activities in the use of the sea
 - 1.5.1. Fishery
 - 1.5.2. Maritime transport and harbours
 - 1.5.3. Use of mineral resources
 - 1.5.4. Tourism and recreation
 - 1.5.5. Energy production and infrastructure (potential for offshore energy production; potential for wind energy production)
 - 1.5.6. Communication cables
 - 1.5.7. Potential for marine aquaculture development
- 1.6. National security and safety
- 1.7. Marine and terrestrial functional linkage
- 1.8. Overall assessment of the economic trends and natural processes

2. **Strategic Part**

- 2.1. Long-term development vision on the use of the sea for the next 12 years;
- 2.2. Strategic development priorities;
- 2.3. Goals and tasks;
- 2.3. Development guidelines and principles.

3. **Description of allowed marine uses** that includes:

- 3.1. Planning the use of the sea in the cross-border context
- 3.2. Criteria for defining allowed sea uses and their justification
- 3.3. Strategic scenarios for the use of the sea and their assessment to define optimal solution for the use of the sea
- 3.4. Categories and types of allowed use of the sea;
- 3.5. Conditions for the use of the sea defined for each category and type of the use

4. **Graphical part**, which contains a map of the use of the sea and a map on allowed sea uses and, if necessary, thematic maps and schematic maps;



Figure 2. Components of the MSP

Time schedule for the development of the MSP

The work on MSP started with the establishment of the transdisciplinary working group on Maritime Spatial Planning (WG on MSP). The aim of setting up such a work group is to ensure regular involvement and participation of public authorities, planning regions, coastal municipalities and members of society in maritime planning process. The work group is lead by the Ministry of the Environmental Protection and Regional Development (MoEPRD) which is the responsible authority of maritime spatial planning in the country.

One of the first tasks of the WG on MSP was to agree on the Terms of the References for the development of MSP. As the MSP is elaborated by contracted experts, the tasks had to be written comprehensively and thoroughly.

In summer, 2014 the public procurement was launched to contract consultant to develop MSP project and Environment report (ER). The procedure was accomplished by signing the contract at the end of 2014. The MSP project and ER is developed by the consortium lead by the Baltic environmental forum Latvia with sub- contractors (Latvian Institute of Aquatic Ecology, Latvian Maritime Administration, Coastal Planning and Research Institute in Lithuania, Hendrikson&Ko – consulting company in Estonia). The consultants are to complete their work by the end of February 2016. The approval of the MSP by the Cabinet of the Ministers is expected in the year 2017.

The MSP and ER is developed closely with stakeholders and input received via public participation activities implemented throughout the planning process.

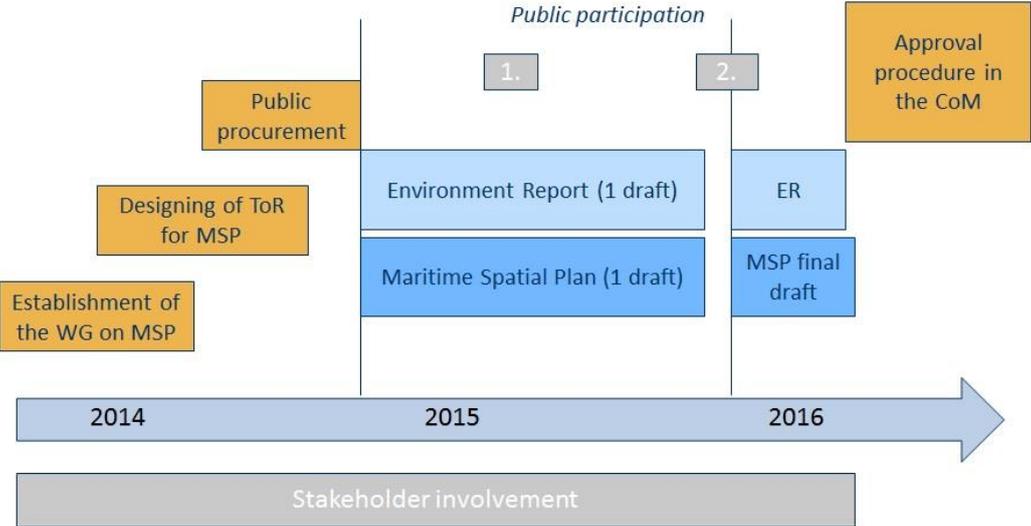


Figure 3. Time frame of the development of the MSP

The work on MSP is carried out in several steps (see figure 4). At first the existing situation with regard to environment, nature and economic activities in the sea is assessed. For that, a lot of information (in particular spatial) is collected and compiled for the first time. The assessment is included in the Explanatory report. Spatially, the assessment is reflected in the Map of the Use of the Sea.

The work on development of the long-term vision, goals and tasks was launched already with the discussions at the first regional workshops held in March, 2015. The work will be continued in parallel with the development on the optimal solution for marine uses. The development of the long term vision, goals and task will form the Strategic Part of the MSP of Latvia.

The Use of the Sea Scenarios are built in order to identify possible maritime spatial development options (alternatives), to perform their strategic assessment and as a result to arrive at an optimal solution for allowed use of the sea that are satisfactory to stakeholders and society. These strategic scenarios are developed to analyse influence of the political, economic, social and environmental driving forces on potential development of the use of the sea. Description of the scenarios consist of the narrative story line, indicator trends and spatial image. The scenarios are to be discussed and assessed in the second round of the regional seminars in July 2015.

Based on the assessment of the strategic scenarios, the optimal spatial solution for allowed sea uses will be developed. The final task will be to define categories and types of the sea uses as well as to define the conditions for the use of the sea. The work on scenarios and definition of the allowed sea uses is planned to be included in the chapter on the Description of the Allowed Sea Uses.

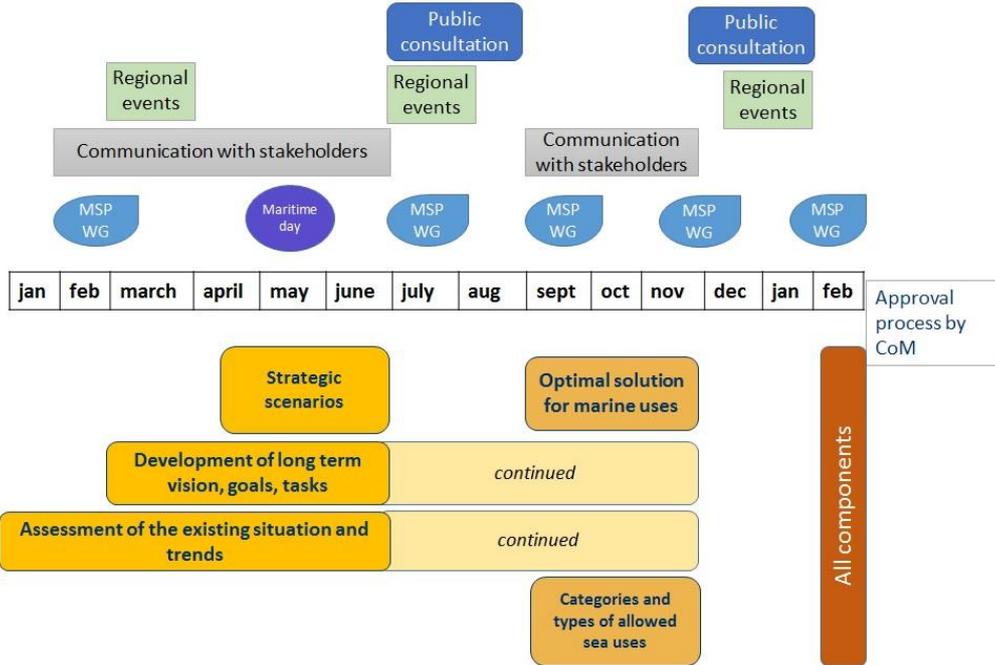


Figure 4. Time frame of the development of the MSP

Public participation in MSP

Public participation in MSP is essential element in order to balance different interests as management of marine areas is a complex covering different sectors and authorities of different levels. Involvement of stakeholders ensures that MSP is based on reliable data and information as well as secures that sectoral interests are represented in the MSP development. Moreover, the transparency and openness as key principles for successful policy development and the decision-making process are important. The work with public also results in raised awareness about the marine resources, processes, problems, challenges.

In Latvia, public participation is implemented by **formal** (for example, associations, foundations, trade unions, employers’ organisations, religious organisations) and **informal** (unregistered initiative groups, interest associations) groups of the public, as well as individual natural persons (hereinafter – public representatives).

Public representatives may participate in the MSP:

- by participating in inter-institutional working groups and advisory councils;

- by participating in public discussion;
- by getting involved in public consultation;
- by getting involved in discussion groups, forums and other participation activities (for example, video conferences and public opinion polls);
- by submitting a written opinion on a development planning document during its drafting stage;
- by preparing an opinion on a development planning document prior to taking of a decision according to the procedures stipulated by the decision-making institution

The public participation for MSP was initiated at the very early stage. At first the **national working group on Maritime Spatial Planning** (WG on MSP) was established in January 2014 (according to the Governmental Regulations on Development, Implementation and Monitoring of Maritime Spatial Plan). The legislation defines which competent authorities and representatives of NGOs shall be invited to take part in the WG on MSP. The list of members of the WG is rather comprehensive representing all relevant sectors and levels for MSP. Additionally, the MoEPRD has published an open invitation on their web-site to apply for the participation in the work group. In total 30 persons of various institutions and organizations have been delegated to the work group in January 2014.

The duties and rights of the work group are defined by the Rules of Procedures issued by the Minister of (MoEPRD). The work group has the following tasks: i) to participate in the development of the MSP; ii) to inform on opinions and positions of the represented institution; iii) to suggest new ideas and prepare proposals on different aspects of MSP; iv) to provide relevant information for MSP; v) to adopt the terms of the reference for development of the MSP.

A lot of work is dedicated to the **stakeholder involvement** in the MSP process. Almost 400 stakeholders have been identified, contacted and involved in one or another way in the development of MSP. The key stakeholders represent all sectors relevant to the use of the sea as well as all administrative and planning levels (Figure 5).

Thematically	Institutionally
Economic sectors: <ul style="list-style-type: none"> • Fishery and aquaculture • Ports and navigation • Energy production (renewables; hydrocarbons) • Tourism (water tourism, link to recreation) 	Ministries – responsible for state development policies
	State institutions – responsible for data, licensing, supervision
	Associations, federations, unions
	Enterprises, group of enterprises
Cultural heritage	Municipalities and planning regions
Environment and nature	
National security	

Figure 5. Key groups of stakeholders involved.

A number of events have been and will be implemented during the MSP process:

- Sectorial events – meetings with representatives from authorities and economic sectors either individually or as a group
 - To clarify the existing uses (key data to be reflected in the MSP)
 - Practices in sea uses
 - Legal frameworks for regulating, licensing, controlling, etc.
 - To discuss sectorial targets 2020/2030 and development trends: national policies, individual business plans
- Regional integrative events/workshops
 - Existing uses and policies
 - Development of future vision

- Assessment of the scenarios
- Description of allowed sea uses
- National Maritime day on 21 May, 2015.

Information about the process and all interim results is published at the website (in Latvian) – www.jurasplanojums.net; www.varam.gov.lv. For the promotion needs, a twitter account has been established <https://twitter.com/jurasplanojums>

Press releases are prepared and sent out before events. The regional media have been active to reflect the topic and the events.

It is foreseen that targeted materials to the public and stakeholders will be prepared in summer and autumn, 2015 to be used at the public hearing in winter 2015/2016.

Strategic environmental assessment of the MSP

Strategic Environmental Assessment of MSP is implemented according to the national legislation:

- Law on Environmental Impact assessment (<http://likumi.lv/doc.php?id=51522>)
- Regulations of the Cabinet of Ministers No 157, “Procedures for Carrying Out a Strategic Environmental Impact Assessment”, enforced on 05.04.2004 (<http://likumi.lv/ta/id/86512-kartiba-kada-veicams-ietekmes-uz-vidi-strategiskais-novertejums>)

The competent authority for the SEA is Environment State Bureau. The consultation on scoping the SEA took place in February 2015. The Bureau provided the guidelines on what shall be covered by the SEA as well as which institutions shall be consulted within the process.

The work on SEA can be grouped also into two phases: assessing the existing environmental situation in marine areas (by the end of June, 2015) and assessing impacts of the optimal solution of the use of the sea (by end of November, 2015). To ensure the consistency of the environmental data used for the MSP and SEA, the results of the characterisation of the environmental status and trends are similar in both documents. The main resource of the data and information is the initial assessment report developed for implementation of the Marine Strategy framework Directive in 2012. The draft Environment Report will be available by end November 2015.

Transboundary consultations on MSP and SEA

The legal procedure for transboundary consultation is laid down in the legislation on SEA. Therefore a notification letter issued by the Environment State Bureau (under MoEPRD) was sent to the competent authorities of Estonia, Sweden and Lithuania on March 27, 2015. The letter informed about launch of the MSP and asked about the interest in transboundary consultation on SEA. It was pointed out that it is rather uncertain to state about which environmental impacts will have likely to have significant effects on the environment in the neighboring country at the early stage of the development of the MSP.

The positive responses on the interest to take part in the transboundary SEA consultation were received from all three countries by the end of April, 2015. Cross-border consultation meetings with Estonian and Lithuanian stakeholders are scheduled for July 2015 and January 2016.

Ministry of the Environmental Protection and Regional Development of Latvia is taking part in the DG Environment Project “BALTIC SCOPE – Towards coherence and cross-border solutions in Baltic Sea Maritime Spatial Plans”. In the frame of the project transboundary cooperation on particular spatial planning issues will be fostered with Estonia and Sweden. It is scheduled to organise joint meetings in Autumn/Winter 2015.