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Consultation according to the Espoo Convention about the revision of Germany's Maritime Spatial Plan for the economic zone in the North Sea and the Baltic Sea (NV-04654-19)

The South Baltic Water District Authority have received the Swedish Environmental Protection Agency's request for statements about the German revision of their Maritime Spatial Plan for the economic zone in the North Sea and the Baltic Sea (NV-04654-19). The South Baltic Water District Authority assess that the German Maritime Spatial Plan has little impact on the Swedish drainage basin the South Baltic water district and chooses therefore to only give general comments on the revised German Maritime Spatial Plan.

Summary

The South Baltic Water District Authority supports the suggested revision of the German Maritime Spatial Plan (MSP) but will at the same time highlight that the revised MSP take potential impact from the MSP (positive and negative) into too little consideration. The revised MSP also take existing EU directives into too little consideration. Coordination between the EU Maritime Spatial Planning Directive (2014/89/EU) and the Marine Strategy Framework Directive (2008/56/EG) is mentioned and especially the latter is very well integrated and described within the revised MSP. The MSP's connection to the till Baltic Sea Action Plan (BSAP) and the North-East Atlantic Environment Strategy (NEAES) is also well described. It is therefore surprising that the MSP's connection and impact on the coastal zone and hence the implementation of the Water Framework Directive (2000/60/EG) is not mentioned at all.

A better coordination and implementation of the three directives is desirable, so that responsibility can be clarified if good ecological status is not achieved. The German MSP is a part of this and should strive after accomplishing good ecological status, at the latest 2027.

General comments

MSPs covers the greater part of the territorial sea and meets the Water Framework Directive (WFD) at one nautical mile outside the baseline. In theory, there is therefore no overlaps between the WFD and Germany's revised MSP. But, activities outside one nautical mile of course impacts the internal waters (and vice versa). Even though the South Baltic Water District Authority appreciates how Germany in such a high degree has implemented the ecosystem approach in their MSP, we are still lacking a concrete description of how the MSP will contribute to reaching good ecological status in the internal waters and good environmental status in the territorial waters. This part of the MSP can be developed.

Even if the negative environmental impacts that are caused in line with the revised MSP is suggested to be small or very small, negative impacts cannot be completely excluded. Regardless of the size of impact, the South Baltic Water District Authority sees a need for that responsibility for such impacts is clarified. Within the WFD, impacts are balanced with ecological conditions, which in turn leads to measures that should be implemented to reach good ecological status. This balancing act does not necessarily mean that the responsibility for deteriorated ecological status will not fall under the MSP. The South Baltic Water District Authority therefore asks for clearer responsibility of the MSP in case of deteriorated ecological status. The open sea's impact on the coastal waters (internal waters) cannot be underestimated, and neither the implementation of the MSP nor the Marine Strategy Framework Directive (MSFD) will be without responsibility in case of that good ecological status is not reached.

There is already a lack of coordination between the WFD and the MSFD and the South Baltic Water District Authority therefore wants to underline that the suggested revised MSP now has a chance to straighten out uncertainties when it comes to responsibility and accountability in case of worsened ecological status. Impact – natural or antropogenic – from and between the internal waters, the territorial waters and the German EEZ is in turn impacting the Swedish EEZ, territorial waters, and internal waters. Consequences for implementation and compliance of the WFD, MSFD and the suggested MSP should therefore be clarified.

This statement is decided by Director of the South Baltic Water District Authority, Dr. Irene Bohman after a report by coordinator Dr. Matilda Valman, South Baltic Water District Authority.

Irene Bohman

Matilda Valman

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