

Maritime Spatial Planning – Opportunities and Limits

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Abstract

MSP is a relatively recent instrument to implement an efficient and integrated management of coastal areas and maritime space in order to reduce, as far as possible, the existing or potential conflicts between the economic development and environmental preservation activities. MSP provides to both public authorities and other economic agents a methodology that allows the coordination, in an efficient and sustainable manner, of all activities to optimize the use of natural resources.

Implementing the European Directive no. 2014/89/EU represents for Romania as well, as a EU member country, a commandment.

Therefore, Romania is required to conceive and implement a set of measures and tools that allow the identification of correct answers to the key issues arising from the necessity of preserving this vital balance between the economic development and environmental damage.

Romania is in the process of drafting and approving the legislation needed to support the implementation of the European Directive. To this end it has been initiated and implemented an EU-funded project called "Cross-Border Maritime Spatial Plan for the Black Sea - Romania, Bulgaria" (MARSPLAN-BS) which establishes the scientific and methodological basis of MSP in the Black Sea area.

Key words:

J.E.L. classification: Maritime spatial planning, MARSPLAN, limits, opportunities

1. Introduction

Human activities in coastal and marine areas are in permanent development, which leads to different ways of using resources as a result of various economic, political or social decisions. Under these conditions, we have noticed a growing competition for the use of maritime space.

Particularly promoted by the European Union, maritime spatial planning (MSP) is one of the major tools for the integration of different and sometimes divergent demands on the use of maritime space and resources.

We ask ourselves which are the opportunities offered by MSP? Is it just a rational cost-benefit analysis designed to resolve the conflicts between the environment and its use? Or are we dealing with a more complex tool? Should we identify the limitations in using this tool? This article attempts to address these questions, clear up the place and role of MSP, and the importance and its framework. We develop a new conceptual model (MSP) and we question the challenges that the strategic planning of marine areas, in general, and MSP, in particular, need to confront with.

2. What does MSP represent?

Although it is a relatively new concept in the EU, MSP has started in 1975 by addressing the

complex management of preserving the Great Barrier Reef Marine Conservation Park.

In the last few years, however, this tool has been brought to the fore, highlighted by an explosion of academic articles on this issue. Thus, we have found various definitions of the concept in the literature. Among them, we mention/ it is worth mentioning:

- 1) Maritime spatial planning is about planning when and where human activities take place at sea – to ensure that they are as efficient and sustainable as possible. It involves stakeholders in a transparent way in the planning of maritime activities (European Commission, 2014).
- 2) Marine spatial planning, maritime spatial planning, coastal and marine spatial planning, integrated ocean management, and systematic conservation and marine use planning all denote similar decision-making approaches that use scientific and geospatial information to address conflicts and organize human activities in the ocean, while maintaining ecosystem health, function, and services (Coleman et al., 2011, 3).
- 3) MSP “is a comprehensive, ecosystem-based process through which compatible human uses are objectively and transparently allocated, both spatially and temporally, to appropriate ocean areas to sustain critical ecological, economic, and cultural services for future generations”. As an adaptive process, MSP requires the participation and input of stakeholders throughout a plan’s development, implementation, monitoring, and evaluation (Eastern Research Group Inc., 2010, 6).

Synthetically, MSP can be defined as a process that aims the rational organization of the maritime space so as to obtain a more efficient interaction of its various uses. MSP aims to balance the competitive demands on development in terms of protecting the environment. In practical terms, the implementation of MSP's should help "reduce the loss of ecosystem services, help address or avoid conflict and created Economies of scale and Efficiencies for enforcement and management" (Ehler and Douvère, 2009, 18)

MSP is a planning process that aims to provide some answers to the following questions: where are we? Where do we want to be? How do we get there? What have we achieved/ accomplished?

Ehler and Douvère (2009) in "Step by Step Guide to MSP", defines the next 10 steps as necessary in the implementation of marine spatial planning:

- “1. Identify need and establish authority for planning in the marine environment
2. Obtain financial support for the marine planning process
3. Organize the process through pre-planning
4. Organize stakeholder participation
5. Define and analyze existing conditions
6. Define and analyze future conditions
7. Prepare and approve the spatial management plan
8. Implement and enforce the spatial management plan
9. Monitor and evaluate plan performance
10. Adapt the marine spatial management process” (Ehler and Douvère, 2009, 18)

Reading these 10 steps allows a rapid initiation into this instrument called MSP. What should be distinctly stated is that this process is not linear. It is an iterative process. Considering the need to involve in the process the economic actors, stakeholders, public and private institutions, the formulation / reformulation of the results obtained previously and even the objectives that will be achieved depends on their answers. It should also be noted that not all situations in which MSP has been implemented have followed all these steps. Analyzing how they actually performed the maritime spatial planning in various areas of the globe we have found that not everywhere all these steps have been followed, in this precise order. Each case study shows its particularity and in many areas some major / minor changes were found compared to the classic approach to MSP, depending on the specific circumstances of analyzed area.

MSP is a necessary tool to improve the way in which decisions are made, providing a framework to arbitrate between different human activities and maritime space in order to minimize their negative impact on the environment. Among the important objectives of MSP is balancing field interests to sustainably use the marine resources and to optimize the marine and coastal space use. The ability of an ecosystem to sustain human activities is not negotiable. Therefore, it must take into account this capacity, or MSP aims precisely to determine this capacity and to plan its

efficient use in terms of protecting the marine and terrestrial environment.

Moreover, considering that the oceans and seas in general transcend national borders, MSP requires Member States when making decisions in their own interest, to take into account the effects of these decisions on other regions or even countries. Therefore, MSP involves a cross-border, regional approach. MSP has a cross-border dimension, as the great oceans and seas are interrelated, and the actions in an area affect many other adjacent areas. In addition, this cross-border approach is imposed by the challenges brought by globalization and climate change. All these require a multi-field, multidimensional and cross-border approach.

Being necessary to analyze the various aspects both vertically and horizontally, MSP provides the necessary and appropriate framework in order to ensure an integrated, cross-field governance. In this way, MSP helps increase the coherence of national and international policies.

MSP is not a static approach, is a process that involves a large number of iterations. This adaptability enables to maintain the strength and potential of this integrated tool. Under these conditions, the current practice showed that maritime spatial planning should be taken regularly after 5-7 years from its development.

3. How does MSP function/ work?

As we stated earlier, MSP is put into practice in different ways, depending on the particular area analyzed. So, there were different analyses in the literature, presentations of case studies, which already allow the advancing of lessons learned. Although there are these significant differences on the implementation of MSP in various areas, at a first reading of some of these case studies (The Baltic Sea, The North Sea, The European (North East) Atlantic Ocean, the East Mediterranean, the Western Mediterranean sea, The Black Sea) we could detach a few common traits needed in the successful implementation of MSP:

- by successfully implementing MSP, we intended to define a planning way of maritime space similar to that of the terrestrial space;
- the plans are multidisciplinary and integrative, addressing both coastal and marine resources, as well as their multiple uses;
- in all situations we started from a scientific analysis of the ecosystem in terms of ecological, economic and social / cultural environment,;
- all the plans involved stakeholders in different drafting stages: development, implementation, monitoring etc.;
- all the plans contain explicit spatial objectives;
- in all situations we started from the existing legislation trying to incorporate both national and international legislation (conventions, treaties, etc.);
- the plans are complex issues and treat both sea and land / coastal area problems;
- the plans are in collaboration with regions, neighbouring countries that jointly use a particular marine space;
- one of the important objectives of MSP was either adopting the current legislation in order to solve the problems raised by maritime spatial planning, or to develop a new legislation suitable for the new challenges.

4. What opportunities does MSP offer?

MSP is a participatory approach involving important economic / political actors right from the initial stages. In these conditions, the implementation of MSP requires transparency. The documents produced in the process must be accessible to both the authorities and the general public, and therefore it must be written in a more accessible manner. MSP implementation will improve predictability and increase acceptance. Under these conditions, the offered strategy must satisfy both public expectations and those of decision makers. Decisions should be communicated in a clear and transparent manner and properly justified.

MSP provides the framework for a broad dialogue involving all interested stakeholders. From public to NGOs, local, regional and national authorities, anyone connected with the interests area is considered a good source of information and can help increase the process quality. We should think

that the implementation of MSP will affect entire generations living and operating in that space and, therefore, participation of stakeholders is a success factor for the whole approach.

MSP involves coordination with neighbouring states, simplifying the decisions on the regulation and licensing of certain activities. It is obvious that at present, in most areas, the activities carried out in the sea are coordinated by different actors, authorities on different levels. After the implementation of MSP we aim to identify an administrative official/ executive to coordinate all services and sectors that deal with maritime and coastal space. For this purpose it is necessary to coordinate with the neighbouring countries and to ensure a similar level of governance to help simplify decisions.

Cross-border cooperation is another opportunity offered by MSP. Cross-border cooperation will create the opportunity for common standards applied to the use of maritime space, which will ensure the success of the fundamental approach, namely preserving the environment.

MSP will provide a solid knowledge and data base used both nationally and internationally, being a powerful scientific tool.

MSP requires coherence between terrestrial and marine planning - being related to ICZM (integrated coastal zone management). The integration of the maritime space with the terrestrial space is one of the most important challenges that MSPs must answer to.

Implementing MSP will lead to a more efficient functioning, by reducing the costs of licensing activities, the costs related to the regulatory and administrative processes. By providing a supervisor of all sectors related to the use of maritime space, it is intended to create a one-stop shop-type body to facilitate business development in the area.

These are some of the most important opportunities offered by MSP. At the same time we have found important limitations, not necessarily determined by the implementation of this process, but by the resistance to this process of many of the actors involved.

5. Limitations in implementing MSP

Both in specialized literature and in MARSPLAN implementation, the project dedicated to the preparation phase of MSP in Romania, we have identified a number of limitations and difficulties in the implementation process. First, the implementation of MSP is seen as another bureaucratic barrier against the initiatives of economic agents. It requires more transparency and effective communication to show that is the opposite.

Secondly, the legislative differences, sometimes quite huge between the states, are extremely difficult to harmonize. Reaching a consensus is difficult and takes time and some external pressure.

Thirdly, the implementation of MSP involves costs that are often hard funded by authorities / states concerned. For this reason many of the measures are closed or abandoned altogether.

Fourth, the different interests of the development sectors are also difficult to reconcile. Although this is the cornerstone of this approach, it also represents the milestone for its successful completion. Involvement in the process from the very beginning of the stakeholders is key to success in this regard. Flexibility, communication and transparency are essential for the implementation of MSP.

6. Conclusions

The continuous and dynamic development of economic activities in connection with the seas and oceans, requires an increase of the competition between field interests - shipping, tourism, offshore energy, fisheries and aquaculture etc. - protecting and preserving the environment. The effects of climate change, globalization, represent new challenges for preserving the current ecosystems. MSP can play an important role in solving these conflicts, in promoting a sustainable and efficient development.

MSP is an interactive tool that can provide a predictable and transparent economic growth, in terms of reducing the operating costs for investors, especially for those operating in more than one country. MSP provides a solution for a quality management of seas and oceans, bringing investment and development in parallel with a healthier ecosystem.

7. References

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