Spatial conflicts and synergies

Jacek Zaucha, Magda Matczak, Iwona Psuty

Maritime Institute in Gdańsk
National Marine Fisheries Research Institute in Gdynia
A preliminary analysis of the conflicts / problems/intensity of use was conducted to determine the areas requiring detailed plan.
Polish maritime spatial plan (MSP-PSA)

Draft Plan in scale 1:200 000 covers almost entire Polish sea with exception of lagoons and port waters.

In January 2019 draft no. 2 was displayed to general public

Plan is under intergovernmental approval process (both central government and self-governments participate).

Preparation of the plan revealed some key conflicts. Only some of them could be tackled within MSP
MSP-PSA

**Conflict about space** – a situation between two (or more) sides (subjects) which want to exploit specific properties, resources or features of a given space (basin or its part) in mutually exclusive ways. But regulations can prevent such conflicts.

**Spatial conflict** – occurs when two mutually exclusive or counter-productive forms of space use or development cannot be implemented at the same time or within a specific space. The requirement for its occurrence is a conflict of interests between two or more parties.

**Conflict solution** – identification of the way in which a given space should or may be used in order to mitigate or limit an existing or potential conflict through deciding on exclusion, order of importance or conditions of co-existence conditions for individual forms of using this space.
The draft Plan does not recognise as a conflict a situation which had been resolved earlier within the currently binding legal order.

EXAMPLE:
- ensuring a distance of at least 12 NM between offshore wind farms and the coastline resolves the conflict between the OWFs and the seaside tourism;
- the prohibitions on anchoring in the cable protection zones issued by the maritime administration resolve the conflict between shipping and technical infrastructure;
- the separate provisions on prohibition of trawling resolve the conflict between the active and passive fisheries.
The Plan also describes the conflicts which, despite of the legal solutions (exclusion of certain forms of marine space use), still block implementation of functions important from the point of view of the strategic documents and/or arouse public opposition, as shown in the opinions and by actions of stakeholders.

- Problem
METHOD
Conflicts identification

NEW FUNCTION
Prospecting and extracting of minerals (based on the proposal)

Coastal protection

Nature protection

Tourism and recreation
Identified conflicts (functions + proposals to Plan)

only spatial conflicts

Conflicts solutions

sub-sea areas designation

Orders and limitations character

Allowable functions

SYNERGIES

Conflicts solved by existing regulations

Limitations from external legal acts (e.g. nature protection, national defence)

But MSP will not ensure synergies without support of other policies
Non-Spatial conflicts

Identified conflicts (functions + proposals to Plan)

- International level (eg. borders),
- Interministerial level (eg. Navy training grounds – shipping),
  - Binding administrative decisions (OWF, cables, ect)
- Poor implementation of the law (eg. N2000 protection plans not adopted)
  - Lack of knowledge (spawning grounds, bycatch, ect)

Initiating the dialogue at different levels in the planning process

Conflicts/issues beyond the Plan’s competences
Existing conflicts

Number of conflicts

0
1
2
3
4
7
Potential conflicts

Number of conflicts

- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
Examples of spatial conflicts/main problems and identification of areas for discussion
Existing conflicts
– nature protection –
Potential conflicts – nature protection -
Environment

**Surprise:**
- Only minor regulations in the plan related to Baltic porpoise population commercial fish effective spawning, fish migration.
- All other conflicts must be solved in other than MSP governance processes e.g. EIA.
- Due to deficiencies of SEA we have decided to add to the plan non-biding suggestions.
- The plan also indicates the existence of protected areas in the reservoirs of water bodies.

**Problem** - the projects of the Natura 2000 sites have not yet been adopted and for some areas are not even developed.
Conflicts we have tried to solve
Conflicts we have tried to solve
Fishers can sail through wind mill farms
Distribution of Navy exercise areas, routes and anchorages
New sea areas for transport
Limitation of tourist construction to the places and methods not jeopardizing natural stability of the coast.
Fishery as a general problem

Highlights

- Polish fishermen are aware of the role of Maritime Spatial Planning.
- They are less knowledgeable about the process than other sectors involved in MSP.
- They are sceptical about the impact of Maritime Spatial Planning on their sector.
- They prefer state-regulated marine governance rather than one driven by market forces.
CONCLUSIONS

Existence of approved comprehensive policy documents (e.g. Maritime Policy off the Country, Long term Development Strategy) helps in conflict solving.

Stakeholder dialogue is important but we should not expect miracles. Vested interests can block or delay MSP despite planners efforts of their stakes do not receive priorities. However frequent changing of policy priorities makes this situation even more difficult.

For conflict solving it is important the MSP is executed within correlated array of various public policies.
Thank you!

Documents about Polish maritime spatial plan in resolution 1:200 000 can be retrieved from [https://www.umgdy.gov.pl/?p=27458#more-27458](https://www.umgdy.gov.pl/?p=27458#more-27458) (in Polish)