

# Scientific Support in the MSP Process

October 2021





# **Report**

## **The Scientific Advisory Board in the revision process of the German Maritime Spatial Plan for the German EEZ in the North and Baltic Seas**

October 2021

Federal Maritime and Hydrographic Agency (BSH)





# Table of Contents

Table of Contents .....	5
1. Establishment of the scientific advisory board .....	6
1.1. Appointment of the board members.....	6
1.2. Function and role .....	7
1.3. The objectives and tasks .....	7
1.4. Mode of operation .....	8
2. Meetings of the Scientific Advisory Board .....	9
3. Main topics and results.....	10
3.1. MSP revision process .....	10
3.2. The vision and planning principles in MSP.....	10
3.3. Ecosystem based approach in MSP.....	10
3.4. The planning process .....	10
4. Lessons learnt.....	11
5. Annex .....	12
5.1. Terms of Reference of the Scientific Advisory Board.....	12



# Introduction

With the adoption of maritime spatial plans (MSP) for the German exclusive economic zones (EEZ) in the North and Baltic Seas in 2009, binding rules were established how the seas can be used and developed.

Maritime spatial planning in Germany is guided by the Federal Spatial Planning Act, which was updated in 2016 to accommodate the legal requirements set by the EU directive on maritime spatial planning. Since 2018, the Ministry of the Interior, Building and Community (BMI) is the mandated authority to establish the maritime spatial plan in the German EEZ. The German Federal Maritime and Hydrographic Agency (BSH) supports the BMI in preparing the MSP.

A first assessment of the North and Baltic Seas plans in 2012 mainly studied the impact of maritime spatial planning with regards to offshore wind energy development. In 2017, when the revision process of the MSP plans was initiated, the decision was made to establish a scientific advisory board to accompany the revision process. The Board was always intended to be an independent advisory body, which could be used as a sounding board by the BSH and a place for open discussion.

## 1. Establishment of the scientific advisory board

The intention was to invite experts familiar with the German MSP process and MSP more generally, representing different disciplines and fields of expertise as well as international MSP knowledge.

### 1.1. Appointment of the board members

In consultation with the BMI, potential members for the advisory board were identified. Due to the specialized topic of MSP, only few candidates were considered. Seven people were formally invited to participate in the advisory board. They represent universities, such as the University of Hamburg and the Technical University of Berlin, but also public research institutions such as the Thünen Institute für Seefischerei (fisheries research), the Leibniz Institut für ökologische Raumentwicklung (ecological spatial development) and the Institut für Küstenforschung of the Helmholtz-Zentrum Hereon (coastal research). One member works at the Office for Spatial Planning and Regional Planning of the Rostock Region.

Organisation
Helmholtz-Zentrum Hereon (Centre for Materials and Coastal Research GmbH)
Leibniz Institut für ökologische Raumentwicklung (Leibniz Institute of Ecological Urban and Regional Development)
Ministerium für Energie, Infrastruktur und Digitalisierung Mecklenburg-Vorpommern (Ministry of Energy, Infrastructure and Digitalization)
Amt für Raumordnung und Landesplanung Region Rostock (Office for Spatial Planning and Regional Planning for the Rostock region)
Helmholtz-Zentrum Geesthacht (Centre for Materials and Coastal Research GmbH)

(formerly) Universität Trier (University Trier)
Universität Hamburg (University Hamburg)
Thünen-Institut für Seefischerei (Thünen Institute for Fisheries)
Technische Universität Berlin (Technical University Berlin)

Together, the Board members cover the following field of expertise:

- maritime spatial planning (MSP) and marine policy;
- international law focusing on the United Nations Convention on the Law of the Seas (UNCLOS);
- fisheries and fishery management;
- environmental law;
- strategic environmental assessment (SUP), environmental impact assessment (EIA);
- ecosystem based approach (EBA), environmental services (ES);
- climate change;
- integrated coastal zone management (ICZM) and
- process evaluation.

## 1.2. Function and role

When it was first established, the advisory board's primary function was seen as providing input to the MSP revision process, i.e. to advise the BSH from a scientific point of view with regard to content-related issues, planning procedure and the participation process. The board was also to act as a multiplier and would liaise with other institutions and research where necessary.

## 1.3. The objectives and tasks

In order to clarify the tasks of the advisory board, BSH and the members jointly developed terms of reference for their cooperation. The terms of reference define:

- the composition of the advisory board (members, institution)
- the function and role
- objectives and tasks
- the mode of operation of the advisory board

The objectives of the Board were defined as follows:

- to review results and outputs of the revision process,
- to advise on the revision process,
- to advise on technical topics,
- to bring forward technical topics important from the board's point of view.

The specific tasks of the board were defined as:

- independent process observation and reflection
- development and review of methods, standards and scientific principles
- input on the legal framework of MSP
- input on planning procedures, including:
  - objectives of planning, success criteria, indicators
  - scenarios and alternatives in spatial planning
  - regulatory and design alternatives
  - public participation
- input on the integration of sectoral planning (sectoral, esp. site development plan) into overall spatial planning
  - integrative approach to spatial planning
  - interplan impacts
- input on nature conservation and environmental protection
  - strategic environmental assessment
  - ecosystem based approach and cumulative impacts

## 1.4. Mode of operation

- Participation in the advisory board is on a voluntary basis. Members do not receive remuneration for their work but can have travel costs reimbursed.
- The board works in such a way that it is perceived externally as a credible and independent body (e.g. relying on state of the art research).
- The board makes consensus recommendations wherever possible.
- The board can instigate discussions on topics it considers particularly important.
  
- The board and the BSH meet at least twice a year during the revision process.
- The BSH initiates and coordinates the meetings.
- Upon invitation and agreement, other persons may participate in the meetings, e.g. the Department at BMI responsible for MSP in the EEZ, colleagues representing the advisory board members' organisations, or experts from other organisations.
- If reasonable and technically possible, meetings can also be held via video conference.
  
- The BSH prepares minutes of the joint meetings.
- Meetings take place in an atmosphere of mutual trust and respect. Topics, work results and recommendations/resolutions can be made publicly available, but not the complete minutes.



## 2. Meetings of the Scientific Advisory Board

The table shows the schedule of meetings and the main topics.

Meeting	Topics
08.03.2018, Hamburg	<ul style="list-style-type: none"> <li>■ Initial meeting of advisory board</li> <li>■ Presentation of the MSP revision process</li> <li>■ Present status of revision process</li> <li>■ The status report of the MSP revision</li> <li>■ MSP projects with BSH involvement</li> <li>■ Operation of the advisory board</li> </ul>
21.06.2018, Hamburg	<ul style="list-style-type: none"> <li>■ Draft terms of reference for the Board</li> <li>■ Vision for MSP in the German EEZ</li> <li>■ Plan alternatives and planning scenarios</li> <li>■ Participation process during the MSP revision process</li> </ul>
07.11.2018, Hamburg	<ul style="list-style-type: none"> <li>■ Site development plan (offshore wind energy sector plan)</li> <li>■ Tiering system to deal with environmental assessments during various levels of planning</li> <li>■ Vision for MSP in the German EEZ</li> <li>■ Plan alternatives and planning scenarios</li> <li>■ Cartographic depiction of regulation in spatial plans</li> </ul>
14.03.2019, Hamburg	<ul style="list-style-type: none"> <li>■ Ecosystem based approach in MSP</li> <li>■ Vision for MSP in the German EEZ</li> <li>■ Participation during MSP revision</li> </ul>
24.06.2019, Hamburg	<ul style="list-style-type: none"> <li>■ MSP conception</li> <li>■ Vision for MSP in the German EEZ</li> <li>■ Ecosystem based approach in MSP</li> </ul>
11.09.2019, Hamburg	<ul style="list-style-type: none"> <li>■ Vision for MSP in the German EEZ</li> <li>■ Ecosystem based approach in MSP</li> <li>■ Concepts: Monitoring &amp; evaluation; communication, participation</li> </ul>
14.01.2020, Hamburg	<ul style="list-style-type: none"> <li>■ First draft MSP</li> <li>■ Scoping meeting</li> </ul>
30.06.2020, Online	<ul style="list-style-type: none"> <li>■ Timeline of MSP process</li> <li>■ Timeline site development plan</li> <li>■ Map of spatial designations</li> <li>■ Draft MSP designations</li> </ul>
15.09.2020, Online	<ul style="list-style-type: none"> <li>■ Timeline of MSP process</li> <li>■ Map of spatial designations</li> <li>■ Draft MSP designations</li> </ul>
21.09.2021, Online	<ul style="list-style-type: none"> <li>■ Review of MSP plan and process</li> <li>■ Lessons learned</li> <li>■ Outlook for further cooperation</li> </ul>

### **3. Main topics and results**

The Board meetings discussed a wide range of issues depending on the status of the revision process. Some topics stood out as subjects of repeated discussion.

#### **3.1. MSP revision process**

The BSH prepared a status report to review and evaluate the maritime spatial plans of 2009 as well as the planning process at the time. It was to serve as a baseline report to inform the revision process. BSH discussed the findings of the status report with the advisory board, including the evaluation of the implementation of the 2009 plans, the planning process from 2005 to 2009, the framework for the MSP revision as well as the conclusions that were drawn.

The advisory board was supportive of the planning steps envisaged for the preparation of the plan. It also supported a strong link between the drafting of the plan and the strategic environment assessment (report) through joint stakeholder consultation and participation.

#### **3.2. The vision and planning principles in MSP**

The BSH discussed the intention to develop a vision and planning principles for the MSP revision with the advisory group. The vision represents the overall goal of the spatial development of the EEZ. The planning principles serve to concretize the overall objective formulated in the vision. The design and content of the vision and the planning principles were discussed in numerous meetings.

#### **3.3. Ecosystem based approach in MSP**

The discussion on how to apply the ecosystem approach (EBA) in MSP was the topic of many meetings with the advisory board. The members underlined the importance of the EBA as a fundamental principle in spatial planning.

#### **3.4. The planning process**

The importance of a transparent participatory process was discussed at several meetings, drawing on international experience and academic literature.

## 4. Lessons learnt

From the BSH's perspective, the establishment of an independent scientific advisory board for the revision of the MSP plan was a fruitful and constructive step that complemented the development of a revised plan. It enabled discussion on the content of the plan, on methods and the planning process, and allowed BSH to both test initial ideas, present concepts, and critically evaluate process steps. The board was a valuable setting for discussing overarching concepts such as the ecosystem approach; it also brought insights from ongoing research projects and international developments in MSP and ocean governance. A particular benefit was to have a broad mix of expertise, including both natural and social sciences and law, as well as added input from invited experts on particular subject areas. The board was thus able to provide expert feedback and input in numerous subject areas, and BSH received valuable support during the revision process.

After the adoption and publishing of the MSP on 1. September 2021 the board met with BSH to discuss its future. The board members also found the Scientific Advisory Board a valuable opportunity for critical discussion and expressed their support for continuing it.


The suggested topics for further cooperation are:

- Review of working results so far
- Monitoring & evaluation
  - Consultation regarding plan implementation, monitoring & evaluation, plan revision
  - Independent review of the planning process, process assessment, communication, public participation
  - Development and review of methods and standards
  - Plan and environmental monitoring
  - Criteria and indicators
- Legal framework for MSP
- The planning process generally:
  - Planning system
  - Public participation
  - Plan adoption
- Integration of sectoral planning into the overall planning framework
- Coherence of the MSP for the German EEZ with MSPs of member states and federal coastal states
- Environmental protection
  - SEA
  - Ecosystem-based approach, cumulative impacts, MSFD

## 5. Annex

### 5.1. Terms of Reference of the Scientific Advisory Board

**Wissenschaftlicher Begleitkreis (WiBeK)**  
zur Fortschreibung der maritimen Raumordnung  
in der Ausschließlichen Wirtschaftszone in Nord- und Ostsee



BUNDESAMT FÜR  
SEESCHIFFFAHRT  
UND  
HYDROGRAPHIE

### Terms of Reference

1. Entstehung des Wissenschaftlichen Begleitkreises
 

In Absprache mit dem zuständigen Referat G30 im BMVI schlug das BSH vor, im Rahmen der Fortschreibung der Raumordnungspläne für die AWZ einen wissenschaftlichen Begleitkreis einzusetzen, der den Fortschreibungsprozess kritisch und konstruktiv begleitet. Mit einem Schreiben vom 04.12.2017 wurden die Mitglieder zur Teilnahme am WiBeK eingeladen. Am 08.03.2018 fand das Auftakttreffen von WiBeK und BSH statt.
2. Zusammensetzung
 

Der WiBeK setzt sich aus folgenden Mitgliedern zusammen:

Mitglied	Organisation
██████████	(ehemals) Helmholtz-Zentrum Geesthacht
██████████	Leibniz Institut für ökologische Raumentwicklung
██████████	Energieministerium Mecklenburg-Vorpommern
██████████	Helmholtz-Zentrum Geesthacht
██████████	Universität Trier
██████████	Thünen-Institut für Seefischerei
██████████	TU Berlin

Die Mitglieder des WiBeK können sich für Sitzungen, an denen sie nicht selbst teilnehmen können, von Angehörigen ihrer Organisation vertreten lassen.
3. Funktion und Rolle
 

Der Begleitkreis soll vor allem inhaltlichen Input während des Aufstellungsprozesses geben, d.h. er soll das BSH aus wissenschaftlicher Sicht u.a. in Bezug auf inhaltliche Fragen sowie den Ablauf des Verfahrens und den Beteiligungsprozess beraten. Der WiBeK soll auch eine Multiplikatorenfunktion und Verbindungsglied zu ggf. anderen Institutionen und der Forschung einnehmen.
4. Ziele und Aufgaben des WiBeK
  - Review von Arbeitsergebnissen.
  - Beratung hinsichtlich des Fortschreibungsprozesses.
  - Beratung in Sach- und Einzelfragen.
  - Initiatives Ansprechen von Sachfragen.

1



ToR Wissenschaftlicher Begleitkreis (WiBeK)

Die Arbeit des WiBeK bezieht sich v.a. auf die Themen:

- Unabhängige Prozessbeobachtung und Reflexion.
- Methodenentwicklung, Review von Methoden, Standards und wissenschaftlichen Grundlagen.
- Rechtlicher Rahmen der MRO.
- Planungsverfahren
  - Zielsetzung der Planung, Erfolgskriterien, Indikatoren.
  - Szenarien- und Alternativenbildung in der Planung.
  - Regulierungs- und Ausgestaltungsalternativen.
  - Öffentlichkeitsbeteiligung.
- Integration von Fachplanung (sektoral, insb. FEP) in die gesamträumliche Planung.
  - Integrativer Ansatz der Planung.
  - Interplan-Auswirkungen
- Natur- und Umweltschutz
  - Strategische Umweltprüfung
  - Ökosystemansatz und kumulative Auswirkungen.

5. Arbeitsweise

- Die Mitarbeit im WiBeK erfolgt ehrenamtlich.
- Der WiBeK arbeitet in einer Weise, dass die Außenwahrnehmung zu Glaubwürdigkeit beiträgt.
- Der WiBeK ist ein unabhängiges Beratungsgremium, das möglichst Konsensempfehlungen abgibt.
- Der WiBeK und das BSH treffen sich mindestens zweimal pro Jahr während des Fortschreibungsprozesses. Am Anfang des Fortschreibungsprozesses können nach Bedarf auch häufigere Treffen vereinbart werden.
- Das BSH initiiert und koordiniert die Treffen.
- Auf Einladung und nach Absprache können an den Treffen weitere Personen teilnehmen, z.B. aus dem für die ROP in der AWZ zuständigen Referat im BMI, den Organisationen der WiBeK-Mitglieder oder anderen Organisationen.
- Wenn sinnvoll und technisch möglich können Treffen auch über eine Videokonferenz durchgeführt werden.
- Das BSH erstellt Protokolle der gemeinsamen Treffen und stimmt diese mit den Teilnehmern ab.
- Themen, Arbeitsergebnisse und Empfehlungen/ Beschlüsse können öffentlich zur Verfügung gestellt werden, jedoch nicht das vollständige Protokoll.

## National authorities



Federal Maritime and Hydrographic Agency

Ministry of Infrastructure and the Environment

Ministry of Transport

Scottish Government

Ministry of Climate and Environment

Swedish Agency for Marine and Water Management

## Other partners



Norwegian Environment Agency

Institute of Marine Research

Aalborg University

University of Oldenburg

World Maritime University

Breda University of Applied Sciences

Province of North-Holland