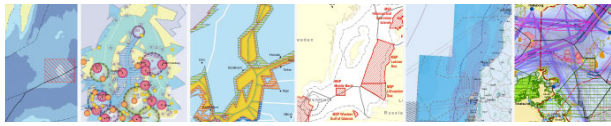
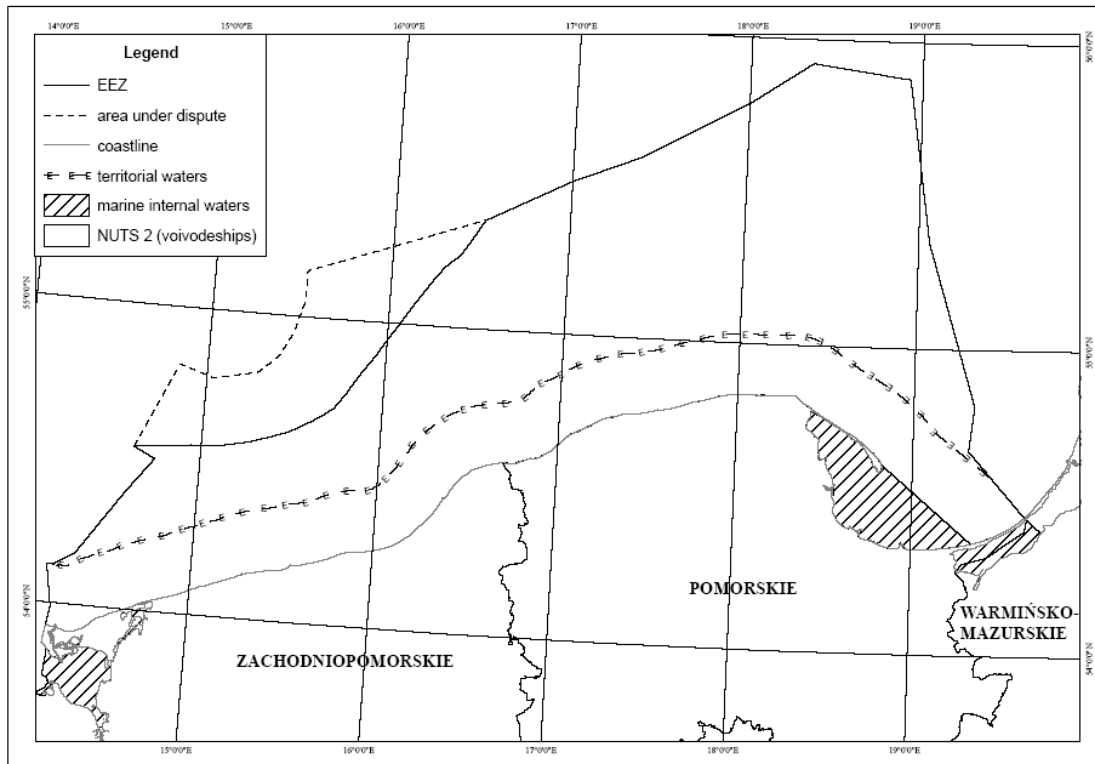




Country Fiche Poland



1. General information



- Marine internal waters: about 1 991 km²
- Territorial sea (12-nm zone): 8 682 km²
- Exclusive Economic Zone: 22 634 km²

Disputed area: south of Bornholm with unresolved claims from Denmark and Poland

1.1. Governance

Polish sea space is managed by the Minister responsible for matters of maritime economy in the name of the State. It is administered by his regional maritime administration, i.e. the Directors of Maritime Offices (Szczecin, Słupsk and Gdynia). Directors of Maritime office are responsible for preparation of maritime spatial plans (see section on plans). Directors of Maritime offices also issue permits for erecting and use (pozwolenie na wznoszenie i wykorzystywanie sztucznych wysp, konstrukcji i urządzeń) if the maritime spatial plan does exist. Other types of permits, contacts for the use of the sea space and different type of licenses are granted by other public authorities in coordination with the Minister responsible for matters of maritime economy (see section on management)



1.2. Contacts

MSP in general:

Ministry of Infrastructure and Development

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Maritime Office in Gdynia

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2. General information on legislation

The legal base in Poland for MSP was established in 2003 and seems sufficient for conducting MSP.

2.1 The main legal act is “The Act on Sea Areas of Poland and Maritime Administration of March 21st 1991” (Ustawa z dnia 21 marca 1991 r. o obszarach morskich Rzeczypospolitej



Polskiej i administracji morskiej) available in Polish at <http://isap.sejm.gov.pl/DetailsServlet?id=WDU19910320131>.

Regulations concerning maritime spatial planning are placed in Chapter 9 (articles 37a and 37b) and in Chapter 8 (article 37, para. 4) (added in 2003 and slightly amended in 2005). They regulate planning of the sea space and of a neighbouring terrestrial strip called the “coastal belt” (*pas nadbrzeżny*).

The adoption of the maritime spatial plan is a prerogative of the minister responsible for maritime affairs who should act in co-operation with the minister responsible for regional development, and in consultation with the ministers in charge of the environment, water management, culture and national heritage, agriculture, fisheries, transport, internal affairs and the national defense.

The maritime spatial plans determine:

- The destined use of the sea areas
- Prohibitions and limitations in use of sea areas, taking into account the requirements of nature protection
- Distribution of public investment
- Directions for development of transport and technical infrastructure
- Areas and conditions for protection of environment and cultural heritage

2.2 The supportive law is “Ministerial ordinance on required scope of MSPs in their textual and graphic parts” (Rozporządzenie Ministra Transportu, Budownictwa i Gospodarki Morskiej i Ministra Rozwoju Regionalnego z dnia 5 sierpnia 2013 r. w sprawie planów zagospodarowania przestrzennego polskich obszarów morskich) available in Polish at <http://isap.sejm.gov.pl/DetailsServlet?id=WDU20130001051&min=>.

The ordinance specifies:

- MSP terminology
- scope of the plans and necessary links between different planning regimes (NATURA 200, terrestrial plans)
- objects to be planned
- textual and graphics requirements

2.3 Important role for MSP also plays “The Act on access to information on environment and its protection, public participation in environmental protection and on environmental impact assessment” (ustawa z dnia 3 października 2008 r. o udostępnianiu informacji o środowisku i jego ochronie, udziale społeczeństwa w ochronie środowiska oraz o ocenach oddziaływania na środowisko).

It stipulates that all spatial plans (in that maritime plans) are subject to SEA procedure.

2.4 Several international conventions and binding legal acts such as UNCLOS, Espoo Convention + Kiev Protocol, Bonn Convention (including EUROBAT, ASCOBANS), CBD, La Valetta Convention, IMO Resolutions and conventions (E.G. MARPOL, COLREGS, INTERVENTION), HELCOM recommendations, EU directives (MSFD, HABITAT, BIRD, SEA, EIA) and many others as a rule transposed to Polish internal law.



3. General applicability (e.g. territorial Sea, EEZ, other distinctions)

The Spatial Planning Act applies to the German EEZ only. The Environmental Impact Assessment Act also applies to the sea areas administered by the coastal federal states.

4. Spatial Plans

There has been no single maritime spatial plan officially adopted in Poland.

5. What countries want to share

5.1. Pilot plans

Three pilot (non binding) plans exist in Poland. They are used by Polish Maritime Administration in its daily decision making as a source of best available knowledge.

5.1.1. Pilot maritime spatial plan for the Western part of the Gulf of Gdańsk

The Pilot maritime spatial plan for the Western part of the Gulf of Gdańsk in its character is a detailed plan with elements of structural plan. It stipulates priority to certain uses and formulates general requirements and detailed use restriction. It covers 40,550 ha Between Gdynia/Gdańsk and Hel peninsula. The map of the plan is in scale 1:25 000, under the "92" state coordinate system. The plan covers following sea uses: water transport, water sports and recreation, fishing, various maritime structures including artificial islands and submerged structures, technical linear infrastructure, nature conservation, cultural heritage, dredging, reeds, ichthyofauna, sand extraction, dumping. It is based on the grid of sea subareas with defined functions and detailed determinants. English version is available: J. Zaucha (ed.) (2009) Pilot Draft Plan for the West Part of the Gulf of Gdansk. First Maritime Spatial Plan in Poland, Gdańsk, 80 p., ISBN 978-83-62438-05-1, available at: <http://www.im.gda.pl/wydawnictwa>.

5.1.2. Pilot maritime spatial plan for Pomeranian Bight / Arkona Basin

Pilot maritime spatial plan for Pomeranian Bight / Arkona Basin is a strategic plan prioritizing certain sea uses. It stipulates priority to certain uses and formulates general recommendations, but it also excludes certain users from certain areas. It covers 14,100 km² of marine waters of Poland, Denmark, Germany and Sweden. The map of the plan is in scale 1:2,000,000 in Mercator (54oN) projection (WGS84). The plan covers following sea uses: water transport, water sports and recreation, fishing, maritime structures including artificial islands and submerged structures, technical linear infrastructure, nature conservation, cultural heritage, dredging, reeds, ichthyofauna, sand extraction, dumping.

English version is available: K. Gee, B. Käppeler, S. Toben, G. Chmura, S. Walkowicz, N. Nolte, P. Schmidt, J. Lamp, C. Göke, C. Mohn, (2012) Developing a Pilot Maritime Spatial Plan for the Pomeranian Bight and Arkona Basin, BaltSeaPlan Report 9 available at: <http://www.baltseaplan.eu/index.php/Pomeranian-Bight;832/1>.



5.1.3. Pilot maritime spatial plan for the Southern Middle Bank

Pilot maritime spatial plan for the Southern Middle Bank is a strategic plan prioritizing certain sea uses. It stipulates priority to certain uses and formulates general recommendations, requirements and prohibitions, (limitations/prohibitions introduced only in a four cases). It covers 1751.5 km² of EEZ of Poland and Sweden. The map of the plan is in scale 1: 200 000, in azimuthally equal-surface Lambert projection (ETRS 1989 LAEA). The plan covers following sea uses: water transport, fishing,, mariculture, maritime structures including artificial islands, technical linear infrastructure, nature conservation, ichthyofauna, cultural heritage, sand extraction, research, defence. English version is available: J.Zaucha, M.Matczak, (2012) Developing a Pilot Maritime Spatial Plan for the Southern Middle Bank, BaltSeaPlan Report 10 available at: <http://www.baltseaplan.eu/index.php/Middle-Bank;833/1>.

5.2. Good practices

Name of good practice	Where tested	Authors	Source (where can be found)
Know how on maritime spatial planning in Natura 2000 areas	Gulf of Gdańsk	Maritime Institute in Gdansk	J. Zaucha (ed.) (2009) <i>Pilot Draft Plan for the West Part of the Gulf of Gdansk. First Maritime Spatial Plan in Poland, Gdańsk</i> http://www.im.gda.pl/wydawnictwa
Methodology for SEA for maritime plans	Gulf of Gdańsk	Maritime Institute in Gdansk	L. Kruk-Dowgiałło, R. Opióła & M. Michałek - Pogorzelska (2011) <i>Prognoza oddziaływania na środowisko Pilotażowego projektu planu zagospodarowania przestrzennego zachodniej części Zatoki Gdańskiej</i> . BaltSeaPlan Report 18 available at: http://www.baltseaplan.eu/index.php/Reports-and-Publications;809/1#SEAGdasnsk N. Nolte, M. Michałek L. J. Zaucha, J. Przedzrymirska, Kruk-Dowgiałło & R. Opióła (2012) <i>Strategic Environmental Assessment in MSP. Recommendations from the German and Polish experience</i> . BaltSeaPlan Report 25 available at http://www.baltseaplan.eu/index.php/Reports-and-Publications;809/1#SEA
Planning under high level of uncertainty with regard to ecological value of the planned area (application of precautionary principle)	Southern Middle Bank	Maritime Institute in Gdansk	J.Zaucha, M.Matczak, (2012) <i>Developing a Pilot Maritime Spatial Plan for the Southern Middle Bank</i> , BaltSeaPlan Report 10 available at: http://www.baltseaplan.eu/index.php/Middle-Bank;833/1 , p.69
Identification and classification of information gaps	Southern Middle Bank	Maritime Institute in Gdansk	J.Zaucha, (2012) <i>Offshore Spatial Information - Maritime Spatial Planning in Poland "Regional Studies"</i> vol. 46, No 4, 1 April 2012, pp. 459-473



Comprehensive list of international legislation relevant for MSP in the EEZ.	Southern Middle Bank,	Maritime Institute in Gdansk	J.Zaucha, M.Matczak, (2012) <i>Developing a Pilot Maritime Spatial Plan for the Southern Middle Bank</i> , BaltSeaPlan Report 10 available at: http://www.baltseaplan.eu/index.php/Middle-Bank;833/1 pp.12,57-562
Stock taking on land necessary for elaboration of the maritime spatial plan	Gulf of Gdańsk	Maritime Institute in Gdansk	J. Zaucha (ed.) (2009) <i>Pilot Draft Plan for the West Part of the Gulf of Gdansk. First Maritime Spatial Plan in Poland, Gdańsk</i> , http://www.im.gda.pl/wydawnictw pp. 30-40
Delimitation of 'sea subareas (designated areas) based on functional characteristics in particular ecological features	Gulf of Gdańsk	Maritime Institute in Gdansk	J. Zaucha (ed.) (2009) <i>Pilot Draft Plan for the West Part of the Gulf of Gdansk. First Maritime Spatial Plan in Poland, Gdańsk</i> , http://www.im.gda.pl/wydawnictwa , pp. 47-48
Analysing national policies affecting use of the sea space	Southern Middle Bank	Maritime Institute in Gdansk	J.Zaucha, M.Matczak, (2011) <i>National and regional strategies with relevance for Polish maritime space</i> BaltSeaPlan Report 5 available at: http://www.baltseaplan.eu/index.php/Reports-and-Publications;809/1#imapctassessment

6. New developments / current status

Preparation of legally binding (regulatory) maritime plan for all Polish sea areas except areas of ports and the Szczecin Lagoon and Vistula Lagoon officially started on 15th November 2013, currently stock-taking is under preparation to be completed by December 2014.

Several NATURA 200 management plans for the marine sites are currently under preparation in Poland by the maritime administration. The first drafts have been already elaborated with intensive collaboration with stakeholders from the early stage of planning and the drafts will be submitted for the approval of the Polish Ministry of Environment starting from the mid of 2014.