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List of remarks, opinions and comments received as part of the transnational procedure for the draft spatial plan for Polish Sea Areas on a scale of 1: 200,000, together with responses.

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Comments from Lithuania

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1	01. The Ministry of Environment of The Republic of Lithuania of. June 15, 2020	<p>Ministry of Transport and Communications</p> <p><u>Regarding shipping - HELCOM routes</u></p> <p>The Ministry of Transport and Communications highlighted that the key waterways in the MSP are not matching the waterways plan updated by HELCOM (accessed via: https://helcomresurvev.siofartsverket.se/)</p>	<p>The principles of the designation of the sea basins devoted to Transportation (T) during the development of the draft MSP were:</p> <ul style="list-style-type: none"> • Freedom of navigation guaranteed under the Law of the Sea (UNCLOS) - navigation should be allowed everywhere, except in areas posing a threat to navigation. • In order to improve the safety of navigation in accordance to IMO, in the Baltic Sea shipping routes and traffic separation systems are marked out. They are binding elements of the plan. In case of Poland - the IMO shipping routes have not been designated so far and the draft plan has taken into account the designated Traffic Separation System "Ławica Słupska" (along with the planned changes to the route) and "Zatoka Gdańska" as well as approaches to ports designated by separate regulations. • AIS data (for 2015-2016) for traffic analysis was the main criteria for determining the validity of the routes, as well as their direction and width. It was also compared with the published HELCOM waterways plan. The draft MSP did not designate the transport sea basins to some of the ports on purpose (e.g. Polish west coast - Dziwnów port), due to the identified large movement of vessels in multiple directions after departure from the port, which did not reflect the HELCOM presentation in any way. • In accordance with the priorities of the Maritime Policy of the Republic of Poland until 2030, it is necessary to secure space for safe transport from/to ports of main importance for the Polish national economy (Szczecin-Swinoujście, Gdynia and Gdańsk), and also to the main regional and fishing ports and to those being a potential OWF service base, as well as those

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			<p>securing the main transit routes.</p> <ul style="list-style-type: none"> In the case of Transportation sea basins in the vicinity of areas designated for installation (e.g. sea basins E or K), where valid decisions are in force and were issued prior to the planning process, the principle of moving the T-basins away by a buffer of 2NM was implemented to ensure navigational safety in the event of loss of ship steering. <p>It should be emphasized that the HELCOM routes are not binding, but are an element associated with the introduction of IMO navigational routes - they are set in order to perform detailed hydrographic surveys to check the navigability of the area, the bathymetric situation and to detect objects posing a potential danger to navigation.</p> <p>The provisions of the draft MSP do not contradict the proposed HELCOM routes and do not hinder navigation on these routes.</p> <p>Illustrative drawings showing the boundaries of the draft MSP designations in relation to HELCOM data and on the basis of the AIS data from 2019 are presented in Annex 1: Maps.</p>
2	01. The Ministry of Environment of The Republic of Lithuania on June 15, 2020	<p>Ministry of Energy</p> <p><u>Regarding power networks</u></p> <p>The Ministry of Energy believes that it would be useful to provide the opportunity to the institutions of the Republic of Lithuania to take part in discussion related to planning process of grid and offshore wind projects in the Polish marine territory.</p>	<p>The draft MSP v.3 does not plan the energy network, but only sets infrastructure corridors for its potential route. In accordance with the provisions of the draft Plan, these corridors are a recommendation - under certain conditions linear elements of infrastructure may be laid outside these areas. The discussion on the power grid route design should not be held within the framework of the MSP transnational impact assessment, but within the consultation processes for individual projects / investments resulting from separate regulations.</p>

Comments from Denmark

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1	01a. WWF mail from March 27, 2020 with an attachment	<p>WWF</p> <p><u>Regarding the ecosystem approach</u></p> <p>"(In the plan) an ecosystem approach to the MSP should be applied (the WWF position paper attached)"</p>	<p>In the 2016-2019 MSP process, an ecosystem approach was applied, in accordance with the Polish legislation and the guidelines of the HELCOM-VASAB Working Group on MSP. Discussions on how to effectively implement the ecosystem approach were intensified at the Baltic Sea Region international forums during the development of the draft MSP. New concepts have emerged that the draft Plan could not fully address. Therefore, this should be a very important consideration for future iterations of the plan.</p> <p>Thanks to the earlier involvement of the maritime administration and the MSP Contractor in international methodological discussions, assessment of the marine environment was carried out at the initial planning stage, before the final assessment of the draft MSP in the SEA procedure. Areas (and connections between them) valuable for individual groups / elements of the marine ecosystem (benthos, avifauna, ichthyofauna, marine mammals, etc.) were analysed as a part of the work. Key areas for maintaining biodiversity (such as the Bay of Puck, undersea shoals) but not protected by law were identified, potential threats were recognised, etc. The analyses were made on the basis of the latest available data and the best available knowledge. The integrity of the draft plan with marine and environmental policies, their objectives and indicators was assessed as part of the SEA.</p> <p>A precautionary approach was used when developing many planning solutions.</p>
2	01a. WWF mail from March 27, 2020	<p>WWF</p> <p><u>Regarding the visualization of the N2000 network</u></p>	<p>The SEA documents include 9 large-scale maps:</p> <ul style="list-style-type: none"> • Map 1. Sea area of the draft Plan's impact(...),

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		<p>"The map does not show the entire N2000 network, in fact only a few areas of the N2000 are shown. This may result in inconsistency in potential maritime uses (note that Polish MPAs are equal to Polish N2000 areas). "</p>	<ul style="list-style-type: none"> • Map 2. Land area of the draft Plan's impact, • Map 3. Ecological corridors connecting the European Natura 2000 Network in Poland, • Map 4. Precious natural areas in the Polish Sea Areas, • Map 5. Legally protected areas analysed in the SEA - special protection areas, • Map 6. Legally protected areas analyzed in the SEA - special areas of conservation, • Map 7. Legally protected areas analyzed in the SEA - national parks, nature reserves, • Map 8. Sources of pressure on areas of natural value in the Polish Sea Areas, • Map 9. The number of allowed functions in the sea basins. <p>All legally protected areas within the planning area are marked on Maps 5, 6, 7 and on Map 8, where pressure sources and all protected areas are shown.</p> <p>In addition, legally protected areas are indicated on the map of conditions, which is an integral part of the draft MSP, and information about them is provided in the individual basin sheets.</p>
3	01a. WWF mail from March 27, 2020	<p>WWF</p> <p><u>Regarding the disturbance of bird fauna migration</u></p> <p>"There are likely to be impacts on the migration routes of different species due to the location of the wind turbines near the N2000 Słupsk Bank area and similar problems are possible in some other N2000 areas (partly due to the cumulative impact of offshore wind farms)."</p>	<p>In the SEA, the Contractor identified the potential cumulative impacts related to the investment plans for the OWF. An offshore wind farm is a project, for which an environmental impact assessment and a valid legal decision on environmental conditions is necessary. The key legislation in regards to environmental impact assessment is the Act on Providing Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and on Environmental Impact Assessment , as well as the Directive on the assessment of the effects of</p>

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			<p>certain public and private projects on the environment. A detailed impact assessment of individual OWF on elements of the environment (including migrating birds and marine mammals), protected areas, taking into account the transnational and accumulated impacts will be carried out on the basis of the above mentioned regulations at the investment stage. At a present stage the knowledge about particular projects is too limited.</p>
4	<p>02. Danish Environmental Protection Agency, Maritime team - mail of April 24, 2020 02.</p>	<p>Danish Environmental Protection Agency <u>general comment</u> Denmark notes that some planned activities may potentially impact the marine environment in the Danish area, these activities include among others: "acquisition of renewable energy" and "exploration, investigation of mineral and fossil resources and extraction from the resources". Denmark expects to be heard prior to issuing permits to conduct these activities in order for Denmark to evaluate the potential for significant cross-border effects on the environment. "</p>	<p>Extraction of mineral resources and OWF are the types of investments for which it is obligatory to perform an EIA and obtain a binding legal decision regarding "environmental conditions for the investment". The key legislation in regards to environmental impact assessment is the Act on Providing Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and on Environmental Impact Assessment, as well as the Directive on the assessment of the effects of certain public and private projects on the environment. A detailed impact assessment of individual OWF on elements of the environment (including migrating birds and marine mammals), protected areas, taking into account the cross-border and accumulated impacts will be carried out on the basis of the above mentioned regulations at the investment stage.</p>

Comments from Sweden

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1	02. Swedish Environmental Protection Agency, Maritime team - letter of April 24, 2020	<p>SHMI - Swedish Institute of Meteorology and Hydrography</p> <p><u>For aquaculture</u></p> <p>The Polish Maritime Spatial Plan mentions aquaculture as a possible development. In the southern basins of the Baltic Proper, such as the Gulf of Gdansk, Hanö Bight and the Bornholm Basin, anoxia is now found regularly in the deep water. SMHI considers it important that the implementation of the Polish Maritime Spatial Plan contributes to the further reduction of eutrophication in the Baltic Sea. In this respect, SMHI discourages from the development of aquaculture in the Polish part of the Baltic Sea.</p>	<p>The aquaculture function is allowed in 30 sea basins. It is limited by the environmental conditions (depth, hydrology, etc.), and is not possible to be implemented in waters devoted to the protection of the environment and nature (O) or the protection of the seashore (C).</p> <p>The results of projects such as e.g. Submariner (http://www.submariner-project.eu) indicate the potential environmental benefits that result from the implementation of marine aquaculture. There are concepts of using mussels to minimize the negative effects of eutrophication. Mussels and macroalgae cultivation in marine areas may improve water quality. Moreover, the development of wind energy in Polish MSP rises a chance for aquaculture in context of the co-use of offshore wind farm area by other systems.</p> <p>Despite the fact that breeding of marine organisms in the Baltic Sea is limited, and the experimental stage of the technology used for the offshore wind farm structures for aquaculture is at the experimental stage, from the perspective of the timing of the plan's provisions, it seems necessary to ensure that this function can be performed.</p>
2	02. Swedish Environmental Protection Agency, Maritime team - letter of April 24, 2020	<p>SHMI - Swedish Institute of Meteorology and Hydrography</p> <p>Regarding renewable energy plants in areas close to Sweden, SMHI appreciates that the Polish Maritime Spatial Plan suggests close cooperation in order to avoid conflict of interests.</p>	<p>Polish MSP was developed in accordance with the regional guidelines developed by the HELCOM-VASAB Working Group MSP, as well as with the existing good practices in maritime planning developed within regional projects. One of the results of such an approach is the awareness of the need of bilateral cooperation, especially with regards to the Baltic shipping, which is a transboundary issue, as well as to the functions that may result in investments with a potential negative impact on the environment (such as energy production).</p>

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3	03. Swedish Transport Administration (Trafikverket) letter of 8 April 2020	<p>Swedish Transport Administration</p> <p>The important sea traffic routes between Sweden and Poland are included and clearly represented in the plan. This corresponds well with the draft for the Swedish Maritime Spatial Plan</p>	Polish MSP was developed in accordance with the regional guidelines developed by the HELCOM-VASAB Working Group MSP, as well as with the existing good practices in maritime planning developed within regional projects. One of the results of such an approach is the awareness of the need for bilateral cooperation, especially with regards to the Baltic shipping, which is a transboundary issue, and with functions that may result in investments with a potential negative impact on the environment (such as energy production).
4	04. Lansstyrelsen Skane - letter of 23/04/2020	<p>Skåne County Administrative Board</p> <p>The environmental impact assessment and related documents at this general level give a good picture of the possible impact on the water area of Scania.</p>	The Strategic Environmental Assessment of the draft MSP was carried out with care for appropriate assessment of the potential impact of the general solutions of the draft plan on the environment of neighbouring countries.

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5	05. Lansstyrelsen Kalmar län - letter of 27/04/2020	<p>Kalmar län Region Administrative Council</p> <p><u>Regarding the Natura 2000 area "Bank Hoburgs i Midsjöbankarna" and solutions for water bodies 60E and 61K</u></p> <p>The protection of important marine environments, habitats and the appointed Nature 2000 areas is a matter of greatest importance for all Baltic Sea countries. Activities that may affect conditions in Nature 2000 areas needs to be taken into certain consideration, both when planning an area as well as when the future permission may be given to a company that will establish the activities described in the plan. From the perspective of The County Administrative Board of Kalmar, large efforts have been made to protect and establish Nature 2000-site "Hoburgs bank and Midsjöbankarna" (SE0330308), with a main goal to protect the harbour porpoise (<i>Phocoena phocoena</i>) in the central Baltic sea – and in the waters surrounding at the Southern Middelbank .</p> <p>Large parts of Areas 60E and 61K, the Central Bank/Southern Middlebank, are shallow offshore areas of great importance for spawning of the turbot population, spawning of the autumn herring population and most likely used as a location of reproduction and nursing of the harbour porpoise population.1 The endangered Baltic population of the harbour porpoise needs strong protection measures to stop further reduction of the population.</p> <p>The County Administrative Board wants to emphasize the close distance to wintering areas for long-tailed duck (<i>Clangula hyemalis</i>) that are of importance in the Baltic Sea and listed as (EN) endangered on the HELCOM redlist.</p>	<p>Extraction of mineral resources and OWF are the types of projects for which it is obligatory to perform an environmental impact assessment and obtain a binding legal decision regarding environmental conditions. The key legislation in regards to environmental impact assessment is the Act on Providing Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and on Environmental Impact Assessment, as well as the Directive on the assessment of the effects of certain public and private projects on the environment. Detailed impact assessment of the investments on the elements of the environment (including migrating birds and marine mammals), protected areas, including transboundary and cumulative impacts will be carried out on the basis of the above mentioned regulations.</p> <p>Simultaneously, it should be emphasized that in the area of POM.61.K the concession 3/2016 is in force. Therefore, regulations related to the mining area remain in force here.</p> <p>The importance of sea basins 60.E and 61.K as spawning areas was taken into account in the documentation. Therefore, in the records of the sea basins 60.E and 61.K there are recommendations that the main functions have to be implemented in a way that do not threat the ecological importance of spawning grounds and survival of early stages of fish (eggs and larvae) of commercial species.</p>

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		<p>The suggested activities in the areas 60E and 61K is energy production and extraction of minerals. Both activities have potential negative effects on Baltic ecosystem, both during the initial establishing phase and most probably after the extraction has taken place and when the windmills have been built. Before establishing any of the activities in these areas, it is important to conduct detailed research within the areas in order to verify the intensity and time variability of the turbot population, fish spawning and harbour porpoise occurrence</p>	

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6	05. Lansstyrelsen Kalmar län - letter of 27/04/2020 05.	<p>Kalmar län Region Administrative Council</p> <p><u>Regarding the SEA methodology</u></p> <p>It is important that Poland interprets 'disturbance' in the context of the Habitats Directive as affecting porpoise individuals rather than only population level effects - the relevant pieces of EU legislation are the Habitats Directive, Marine Strategy Framework Directive (MSFD) and Environmental Impact Assessment (EIA) Directive.</p> <p>In addition to the MSFD, recital 12 of Directive 2014/52/EU amending Directive 2011/92/EU (the Environmental Impact Assessment (EIA) Directive) urges Member States to take into account during the EIA and screening procedures particular characteristics of projects with regard to technologies used such as seismic surveys using active sonars. This shows that the European Commission considers seismic surveys to be an activity that requires an EIA and therefore could expect EU countries to conduct such assessments for activities.</p>	<p>Strategic impact assessment is always carried out according to the specific level of detail, technological information, location of the project and according to the results of environmental research (if performed) and the most recent literature.</p> <p>No research on harbour porpoises was undertaken as part of the SEA.</p> <p>Detailed impact assessment of the planned investments included in the MSP and those to be developed in the future will be carried out in accordance with the legal requirements, in this regard:</p> <ul style="list-style-type: none"> • The Act on Providing Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and on Environmental Impact Assessment, • The Directive on the assessment of the effects of certain public and private projects on the environment.
7	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>For fisheries</u></p> <p>The county administrative board of Blekinge perceives the information regarding how and where fishing is conducted within Polish waters to be diffuse. EU and the joint fishing politics decide how fishing is allowed and it is still unclear how it will impact and cooperate with the maritime spatial planning.</p>	<p>As part of the analyses carried out at the initial stage of the planning process, analyses of fisheries' legislations and policies (national and EU) were performed. Their spatial implications were also analysed. These materials are an immanent part of the planning process. They were prepared in Polish and are available at the Maritime Office in Gdynia.</p> <p>Polish MSP does not interfere with EU fishery policy as fishing is allowed everywhere except for safety of navigation which is fully authorised by UNCLOS.</p>

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8	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Regarding cultural heritage</u></p> <p>The sea area outside of Blekinge is deemed to be an area with a great amount of cultural heritage sites, such as sunken ships, airplanes and possibly settlements from the Stone Age in certain areas. Some of them could be of important significance. The knowledge of where these sites are located, is unfortunately low and sporadic due to the lack of systematic research. Therefore necessary arrangements for protection should be taken.</p> <p>(...)</p> <p>The underwater cultural heritage in the Swedish sea area could be affected, for example by sand extraction, drilling and anchoring near the Swedish border. The area that could be affected will vary depending on the type of action that will be performed. Sand extraction could for example, affect a large area, if sand is relocated. Little is known about the underwater cultural heritage in the area.</p>	<p>Underwater cultural heritage has been one of the carefully analysed aspects from the very beginning in cooperation with entities responsible for its recognition and protection. While implementing the project, the Polish state was aware of the cultural potential of the Baltic Sea (described in the RUTILUS report) and a great deal of uncertainty as to its full recognition. For this reason, using the precautionary principle, Polish MSP created appropriate rules to protect MCH, including those still unrecognized. The plan includes the following records on maritime heritage (MCH):</p> <ol style="list-style-type: none"> 1. Spatial protection of the underwater cultural heritage is obligatory. Monuments are protected in accordance with the provisions of the Act of 23 July 2003 on the protection and care of historical monuments, the Act of 21 March 1991 on maritime areas of the Republic of Poland and maritime administration and other regulations, taking into account the established safety zones around underwater cultural heritage and the rules applied there. 2. The use of Polish sea areas may not damage or destroy the underwater cultural heritage. This particularly applies to the operation of ports and marinas, linear infrastructure, construction of artificial islands, structures and devices, protection of the seashore, tourism, sports and recreation, producing renewable energy, exploration, recognition of mineral deposits and extraction of minerals, aquaculture and scientific research. 3. In the case of locating or identifying underwater cultural heritage, until a safety zone is not designated around it and no rules for that zone are in force, it is prohibited to carry out works that may cause damage to it. 4. There is an obligation to carry out an archaeological inventory of the

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			seabed in the areas intended for investments, that if carried out, may pose a threat to the underwater cultural heritage.
9	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Concerning the protection of the environment and nature - general comment</u></p> <p>The protection of marine environments and the appointed Nature 2000 areas is of outmost importance. It is also important to have a different wider perspective when looking at protection of nature areas due to the preservation of migration corridors for animal and plant-life. In accordance with the directive 2014/89/EU of the European parliament and of the council should all member states cooperate with other member states to coordinate their national planning processes. Planning concerning the oceans ecosystem is a central part of a coordinated maritime plan and effects on the ecosystem-services should be addressed. The areas of the Blekinge archipelago and sea is home to many sea living creatures and any form of interference might have a negative impact</p>	<p>In the 2016-2019 MSP process, an ecosystem approach was applied, in accordance with the Polish legislation and the guidelines of the HELCOM-VASAB Working Group on MSP. Discussions on how to effectively implement the ecosystem approach were intensified at the Baltic Sea Region international forums during the development of the draft MSP. New concepts have emerged that the draft Plan could not fully address. Therefore, this should be a very important consideration for future iterations of the plan.</p> <p>Thanks to the earlier involvement of the maritime administration and the MSP Contractor in international methodological discussions, assessment of the marine environment was carried out at the initial planning stage, before the final assessment of the draft MSP in the SEA procedure. Areas (and connections between them) valuable for individual groups / elements of the marine ecosystem (benthos, avifauna, ichthyofauna, marine mammals, etc.) were analysed as a part of the work. Key areas for maintaining biodiversity (such as the Bay of Puck, undersea shoals) but not protected by law were identified, potential threats were recognised, etc. The analyses were made on the basis of the latest available data and the best available knowledge. The integrity of the draft plan with marine and environmental policies, their objectives and indicators was assessed as part of the SEA.</p> <p>A precautionary approach was used when developing many planning solutions.</p>
10	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Regarding the POM.12 water area</u></p>	The solutions provided in the draft MSP (v.3.) do not allow to extract mineral in this sea basin. It means that a possible mining will require a

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		<p>In the detailed decisions concerning each of the distinguished basin (it is POM.12.O - reference note) it states that in the northern part of the basin the Odra Bank is located, which consists of the natural habitat 1110 sandy undersea shoals permanently covered by shallow water. The Odra Bank has a deposit of sands with heavy minerals. The detailed decisions declare that exploration, investigation of mineral and fossil resources and extraction from the resources are prohibited within this basin. It is of great importance that this decision stays and does not change for future plans since extractions of these heavy minerals have high potential to damage the natural habitat and the sea living organisms in this protected area. The Maritime Spatial Plan of the Polish Sea Areas also reveals big areas of production of renewable energy next to the environment and nature conservation basin. The County Administrative Board of Blekinge suggest locating these areas further away from the environment and nature conservation basin to not disturb the protected habitats and organisms living and migrating within the basin</p>	<p>change of the Plan.</p> <p>Location of the sea basin POM.14.E - the size of the buffer between the sea basins devoted to generation of renewable energy and the areas valuable and protected within the NATURA 2000 network is the outcome of discussions and agreements with the users of the sea areas, environmental administration, ecologists during the three-year planning process.</p>
11	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Regarding Exploration, deposit recognition and extraction of mineral and fossil resources in the POM.61.K reservoir</u></p> <p>Large areas of the plan are reserved, or possible, for exploration, investigation and extraction of mineral and fossil resources. The possible impact of extraction of fossil resources can severely affect the entire Baltic sea, extensive safety regulations and international approval is very important.</p> <p>Area 61.K is prioritised for mineral extraction. The area has</p>	<p>A significant area of the sea basins designated for the exploration, prospection and extraction of mineral resources results from the application of the Ministry of Environment and the binding regulations concerning "integrated" permits for exploration, prospecting and extraction of hydrocarbons, requiring conducting an environmental impact assessment and having a legal decision on environmental conditions. The key legislation in regards to environmental impact assessment is the Act on Providing Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and on Environmental Impact Assessment, as well as the</p>

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		<p>possibly optimal habitat and hydrological conditions for effective spawning of turbot population and it is therefore important to research these activities on resources and recruitment of fish important for fishery. The Southern bank can also be a location of reproduction and nursing of young harbour porpoises; detailed research within the bank is important in order to verify the intensity and time variability of harbour porpoise occurrence. If confirmed, the Middle bank should be protected from exploration in the area the harbour porpoise reproduces and nurse the young.</p> <p>Maritime Spatial Plan of the Polish Sea Areas also states that extraction may adversely affect the Swedish sea area environment, including the areas where harbour porpoises have been noted. The County Administrative Board of Blekinge put in great effort to protect harbor porpoises hence extractions in specific zones may interfere with the CAB and Swedish provisions.</p>	<p>Directive on the assessment of the effects of certain public and private projects on the environment.</p> <p>The integrated permit means that exploration involves the possibility of extraction. The provisions of the draft plan have been formulated in such a way that prospecting is permitted. On the other hand, extraction may be restricted under the conceding procedures when, for example, it would interfere with valuable natural values. This kind of activity can take place only after getting permissions and passing the EIA procedures.</p> <p>In the sea basin POM.61.K the concession 3/2016 was issued. Separate provisions related to the designation of the mining area apply here. Detailed assessment of the impact of the investment on elements of the environment, protected areas, including transboundary and cumulative impacts will be carried out according to the above mentioned regulations.</p>
12	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Concerning Exploration, deposit recognition and extraction of mineral and fossil resources in the POM.62.K reservoir</u></p> <p>Area 62.K is prioritised for exploration and extraction of hydrocarbons and the basin has been under mining use, pursuant to mining licence of 2007 (No 6/2007) granted for 25 years. On Areas in which locating a subbottom carbon dioxide storage complex may be allowed; location of subterranean carbon dioxide storage complex is allowed. How this will affect the Baltic sea is unclear.</p>	<p>The area of the underground CO₂ storage complex is a prospective area, designated and tested within the framework of the National Programme "Recognition of formations and structures for safe geological storage of CO₂ along with their monitoring plans". It is an area of Cambrian reservoir where hydrocarbon deposits with high storage potential occur. The area is assigned by the Minister of Environment Decree on the areas where it is allowed to locate a complex of underground storage of CO₂.</p> <p>The impact of such an activity on the environment and the marine ecosystem will require an assessment of this impact and monitoring of the actual impact on the environment. Only at that stage will the final form of this investment be determined. At the planning stage there is not</p>

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			enough information with a sufficient level of detail to assess the impact of the complex on the Baltic ecosystem. This project will require an EIA procedure.

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13	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Ref. POM.53.E and POM.60.E</u></p> <p>The areas intended for establishing windfarms, especially POM.53.E and POM.60.E, are in accordance with the proposal for a Marine Spatial Plan for the adjacent Swedish part of the Baltic. This means that synergistic effects are possible when it comes to infrastructure related to the production of wind energy, thereby making it possible to reduce the total possible negative impact on the environment.</p> <p>Large wind farms can affect the migration of birds. It is therefore important to plan the wind farms so migratory birds are not hindered. Forcing birds to take longer routes around wind farms can affect migration patterns and thereby the long-term survival of the population.</p> <p>Offshore wind farms generate underwater noise during construction and use. It is important that noise don't disturb harbour porpoises which have a very sensitive hearing. The plan refers to studies of wind farms up to 2 MW. However, modern offshore wind farms consist of much larger turbines, resulting in increased noise and bigger disturbance.</p> <p>Area 53.E is localised close to the boundary of the Natura 2000 Hoburgs bank and the Middle bank (SE0330308) area. In order to minimize the negative impact on these areas no artificial islands and installations are allowed within 2 km away from the boundary. Considering the long distance sounds can travel under water, it is important that no noise is negatively affecting the Hoburgs bank and the Middle bank area. Note also the</p>	<p>The offshore wind farm and the extraction of minerals are investments, which require an environmental impact assessment and a binding decision on environmental conditions. The key legislation in regards to environmental impact assessment is the Act on Providing Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and on Environmental Impact Assessment, as well as the Directive on the assessment of the effects of certain public and private projects on the environment.</p> <p>A detailed assessment of the investment's impact on the elements of the environment (including migrating birds and marine mammals), protected areas, including transboundary and cumulative impacts will be carried out in accordance with the above mentioned regulations on the basis of the results of pre-investment research.</p> <p>No research on harbour porpoises or birds was performed as part of the SEA. However, based on the available literature and the already issued environmental decisions for the OWFs, Chapter 12 of the SEA proposed solutions which were then transposed to the draft plan, which may contribute to the prevention or mitigation of the negative environmental impacts (including minimising the threats to sea birds and mammals). Each time, these solutions will require verification, including possible extension of their scope at the level of implementation of individual projects.</p>

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		<p>close distance to wintering areas for long-tailed duck (<i>Clangula hyemalis</i>, in polish odówka) that are of importance in the Baltic Sea and listed as (EN) endangered on the Helcom redlist.</p> <p>Area 60.E and 61.K is bordering basins where the habitat and hydrological conditions are good for effective spawning of autumn herring population, and to the lesser extent, for spring herring population, at the border with basin POM.61K there are optimum conditions for effective spawning of turbot population and harbour porpoises. Before establishing wind farms in this area, it is important to conduct detailed research within the bank in order to verify the intensity and time variability of fish spawning and harbour porpoise occurrence</p>	

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14	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>On recreation</u></p> <p>The planning for recreation and tourism are lumped together, but there can be a value in dividing those aspects. Recreation might be more directed to the local population(s), and there are other tools and actions that can be used to develop the polish recreation and make it both ecologically sustainable and make people aware of the need of keeping their source of recreation in a good state. The tourism is also important to direct in the plan, but the areas that are designated might (but do not need) to spatially overlap with the ones for recreation. Tourism is often conducted in larger groups and canalized, while recreation in marine areas are more spatially distributed and more up to individuals and their access to for example leisure boats etc.</p> <p>The CAB of Blekinge also wants to address the question of connectivity and coherence of the network on an international scale to identify corridors (connection) and areas that need to be secured for recreation and tourism purposes in the Polish MSP. There is for example a tourism value in the Stena Line route between Gdynia and Karlskrona that have touristic values on top of the transportation values. The connection between land and sea is important and mapping the “recreation-network” could help clarify needs and develop opportunities.</p>	<p>The draft MSP includes both tourism and recreation and assigns areas for recreation, giving value to both forms.</p> <p>Spatial separation of the two would be difficult. The planning analysis, however, distinguished between coastal tourism (of a dispersed nature, based mainly on the use of beaches and bathing beaches), dispersed marine tourism and organized marine tourism. Sub-sea basins were assigned for dispersed recreation (S).</p> <p>Marine tourism is also regulated by the general provisions of the plan under the transportation function. Thanks to this, important connections from the tourist point of view have been taken into account such as Gdańsk-Nynysam, Gdynia-Karlskrona, or Kołobrzeg-Bornholm.</p>
15	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>For the Marine Strategy Framework Directive (MSFD)</u></p>	<p>The Polish MSP was prepared based on the binding legal acts defining its structure, objectives, harmonization with other legal acts at international, national and regional level. It was based, among others, on</p>

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		<p>The ecological status of the Baltic Sea was assessed in 2016 within the work of the Marine Strategy Framework Directive (MSFD). The status is not in a desired state and actions need to be implemented to increase the status for 11 features – descriptive indicators identified in the MSFD work. The CAB of Blekinge would like the Polish MSP to clearly describe in what way the plan does harmonize with the intentions of the MSFD. Is there any national action plan implemented in Poland and what responsibility has the MSP in this work as a tool to make the future of the Baltic sustainable?</p>	<p>the HELCOM-VASAB guidelines.</p> <p>Chapter 4 of the SEA identifies the environmental protection objectives established at the international, member states and national level (including MSFD), relevant to the draft plan and the way of their consideration.</p> <p>The draft Plan, due to its scope, does not directly refer to the MSFD. However, the provisions introduced into the sea basins cards (in the part concerning the conditions of using the sea basins) indirectly fulfil the recommendations on improvement of the marine environment state.</p>

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16	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Regarding the maps of marine protected areas in Poland</u></p> <p>At page 23 in Environmental Impact Prediction for the Maritime Spatial Plan of the Polish Internal Sea Waters, (v.3) some maps are mentioned:</p> <p>(...)</p> <p>Map 1. Marine area affected by the “Draft Maritime Spatial Plan of the Polish Internal Sea Waters, Territorial Sea, and Exclusive Economic Zone in Scale 1:200,000” (covered by provisions of the Plan),</p> <p>Map 2. Land area affected by the Draft Plan,</p> <p>Map 3. Ecological corridors connecting the European Natura 2000 Network in Poland,</p> <p>Map 4. Areas of valuable nature in the Polish Sea Areas,</p> <p>Map 5. Legally protected areas analysed in the Prediction – areas of special birds protection,</p> <p>Map 6. Legally protected areas analysed in the Prediction – areas of special protection of habitats,</p> <p>Map 7. Legally protected areas analysed in the Prediction – national parks, nature reserves,</p> <p>Map 8. Sources of pressure imposed on areas of valuable nature in the Polish Sea Areas,</p> <p>Map 9. Number of functions allowed in basins.</p> <p>The CAB of Blekinge suggests that map 3-7 would be demonstrated in a more illustrative way.</p> <p>Analyses of ecological coherence would add value to the future</p>	<p>The maps are the SEA author's study and illustrate well the issues presented. In the Polish sea areas, one small area with the rank of a nature reserve (as an extension of an existing terrestrial reserve) has been assigned so far. This area, as well as the areas of national parks that constitute their marine part (Wolinski and Slowinski) are marked on the map and discussed in the SEA.</p>

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		<p>work on a well-managed and functioning network och marine protected areas in the Baltic Sea. The environmental impact prediction describes the values of the Natura 2000 habitats (especially for birds) in detail, but there is not much developed around the other kinds of protection of Polish marine waters, like marine nature reserves and national parks.</p>	

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17	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Regarding Marine Protected Areas in Poland</u></p> <p>On page. 216 the summary concludes: The function of the protection of the environment and nature (O) currently covers 3,85 % of Polish sea Areas. The CAB of Blekinge think that it is crucial to increase the spatial proportion in the Polish marine area that has formal protection to at least fulfil the Aichi target of 10 % protection. When designating new areas for formal marine protection, the identification of climate change refugia for the Baltic species and source populations of fish, other fauna and macroalga might be a good ground for prioritization for the benefit of the whole Baltic.</p>	<p>An area of 3.85% refers to areas where the basic function is function O - environment and nature protection.</p> <p>However, the area of protected areas in the plan area is much larger and is 21.81%.</p> <p>Nature protection in Poland operates on the basis of a legal order appropriate for this policy and, in accordance with the legislation in force, the arrangements of the MSP should not interfere with or duplicate separate provisions relating to nature protection..</p> <p>The spatial plan does not regulate the Natura 2000 areas, but takes them into account. Therefore, information on this subject is provided in the sea basin cards and on the map of conditions.</p>
18	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Regarding Marine Protected Areas in Poland</u></p> <p>The CAB of Blekinge also would like to see the Polish HELCOM MPAs (if there are any) displayed in the map of Marine Spatial Planning. In what way are they managed and protected and how are they connected to national protection and Natura 2000?</p>	<p>In Poland, HELCOM MPAs cover designated Natura 2000 sites.</p>
19	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Regarding Marine Protected Areas in Poland</u></p> <p>Is there any work in Poland on marine green infrastructure and has this information been included in the MSP? Further the CAB of Blekinge lacks an analysis on the ecosystem services produced by the marine environment. A socioeconomic analysis of the value of marine ecosystem services should be a good</p>	<p>The concept of "Green Infrastructure" in relation to maritime areas and its planning is a young one and has been discussed in the Baltic region in recent years, also within the framework of the Baltic Scope and PanBalticScope projects, in which representatives of both: the maritime administration and the MSP Contractor participated. As such, it was not fully used in the development of the draft MSP, which was prepared earlier.</p>

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		ground for further prioritization of protection and other human activities.	<p>Valuable areas were taken into account in the planning analyses carried out at the initial planning stage and in the SEA - please see earlier response.</p> <p>Polish MSP has been prepared in accordance with binding legal acts defining its structure, objectives, harmonization with other legal acts on international, national and regional level. It was based on HELCOM-VASAB guidelines. The scope of strategic environmental assessment according to Polish legislation does not include detailed assessment of the effects on ecosystem services. However, such assessments may be addressed in the process of evaluation and monitoring of the plan implementation in the future.</p>
20	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Regarding Marine Protected Areas in Poland</u></p> <p>The CAB of Blekinge would like to see that the MSP of Poland will play a crucial role in increasing the status and mandate of the “protection plans”. There is an urge to implement the protection plans and give them binding status. Page 156-157): <i>Protection plans are a tool which would measurably support the process of spatial planning in environmental protection, including objects protected in Natura 2000 areas. An important element of the protection plans are indications (guidelines) for the change of the studies of conditions and directions of spatial development of municipalities, local spatial development plans, voivodeship spatial development plans, internal sea waters, territorial sea and exclusive economic zone development plans. At present, despite the submission of draft protection plans to the competent authorities for most of the areas within the</i></p>	<p>Polish legislation does not allow for overlapping of responsibilities of different authorities. Therefore, the MSP cannot increase the status or mandate of the Natura 2000 protection plans or lead to their adoption. Therefore, the approach was adopted that environmental protection should be treated as a condition (and not as a primary function in a limited number of areas) and should be the basis for planning, regardless of whether it relates to a legally protected area or not.</p> <p>The adoption of the first two Natura 2000 management plans is currently underway and more will follow.</p>

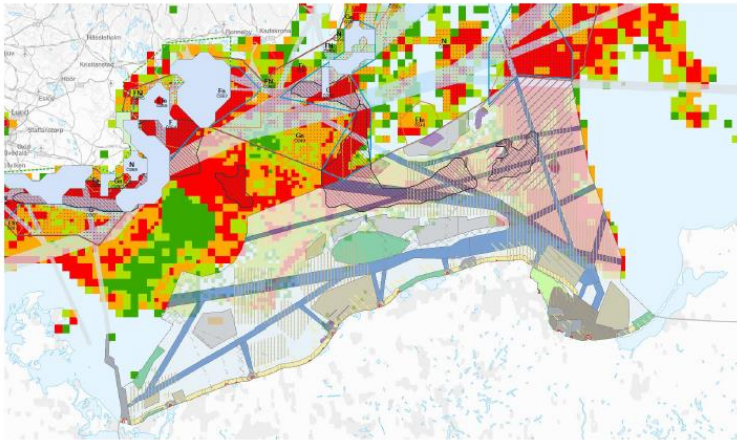
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		<p><i>scope of planning, none of these plans has been implemented and has no binding status.</i></p> <p>The CAB of Blekinge do agree with the comments that the <i>Environmental protection should be treated as a condition (and not as a basic function in a limited number of basins) and be the basis for planning; regardless of the fact if it refers to a legally protected area.</i> (page 181).</p>	
21	06. Lansstyrelsen Blekinge - letter of April 28, 2020	<p>Blekinge County Administrative Board</p> <p><u>Regarding Marine Protected Areas in Poland</u></p> <p>Page 162 states: <i>In the Draft Development Plan, 6 basins with the basic function of protection of the environment and nature were separated. The activities relating to the implementation of function of the protection of the environment and nature will cause no transboundary impacts.</i></p> <p>The CAB of Blekinge want to underline that there is a transboundary need for coherence and connectivity between marine values (ecological and biological) in the Baltic Sea. It is of highest importance to see the larger picture and recognize the corridors and linkages between hot spots of biological diversity, source-sink dynamics and genetic dispersal.</p>	The SEA took into account the need to maintain the integrity and coherence of the protected areas network.
22	07. Swedish Agency for Marine Management - letter of April 20, 2020	<p>Swedish Maritime Economy Agency (SWAM)</p> <p><u>Regarding the SEA methodology</u></p> <p>The SEA report provides a structured and detailed account of the expected impacts of the proposed marine spatial plan. The analysis covers the fundamental elements of SEA in a manner that is generally well-structured.</p>	Relevant chapters of the SEA were supplemented – Chapter 6 and 8.4 .

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		<p>(..)There are however some aspects where the SEA report could be improved, including:</p> <p>The assumptions underlying the baseline scenario (i.e. future situation without the plan, described in chapter 5) are generally very general and not quantified. It is more a discussion of the difference between "Planning" in general and "No planning", not between the difference the specific MSP-proposal would make in relation to a potential development without that plan. There is very little discussion of the expected development of maritime sectors (i.e. the 'functions' of the plan) and of the pressures associated with them. This is partly done in chapter 6, but again on a rather general level and without systematically relating changes in the sectors with changes in environmental pressures. A more detailed account of the baseline scenario would have been useful for a more accurate estimation of the distinct effects of the proposed plan.</p>	
23	07. Swedish Agency for Marine Management - letter of April 20, 2020	<p>Swedish Maritime Economy Agency (SWAM)</p> <p><u>Regarding the SEA methodology</u></p> <p>The assessment of the impacts of the different functions in the proposed plan (chapter 7.1.1) is done in generic terms for most functions and are not place-specific (exceptions are the assessment of the impacts of 'Technical infrastructure' and 'Coastal protection'). For a more detailed assessment of the effects of the proposed plan, it would have been advisable to analyse the impacts in all individual basins, in a fashion similar to what was done for Natura 2000 areas. The assessment of impacts in these areas (chapter 7.1.2, NB inconsistent chapter numbering) is comprehensive and well-developed, and could</p>	<p>The assessment was done at a strategic level to achieve its objectives, including proposing recommendations for the draft MSP. The inconsistent numbering is the result of an editorial error by the translator, in the original document it is correct.</p>

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		have served as a model for the assessment of all other basins	
24	07. Swedish Agency for Marine Management - letter of April 20, 2020	<p>Swedish Maritime Economy Agency (SWAM)</p> <p><u>Regarding the SEA methodology</u></p> <p>Chapter 8.4 does not present a convincing account of the cumulative impacts of the proposed plan. The analysis is brief and only provides an overview of the overlap of functions across the plan area. It does not discuss the additive effects of the accumulation of functions, in terms of cumulative pressures and effects on the environment.</p>	<p>The scope of the analysis and assessment of the impacts generated by individual functions and actions on the environment have been included in the SEA chapter 8 (8.1, 8.2, 8.3) and consist of 197 pages. The potential effects, including the transboundary effects of the OWFs' construction and operation on the Baltic porpoise population were discussed at the level adjusted to the content and level of detail of the provisions of the Spatial Plan.</p> <p>An offshore wind farm is an investment being a subject to an obligatory EIA and which need to obtain a decision on environmental conditions. The key legislation in regards to environmental impact assessment is the Act on Providing Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and on Environmental Impact Assessment, as well as the Directive on the assessment of the effects of certain public and private projects on the environment. A detailed assessment of the investment impact on the elements of the environment (including migrating birds and marine mammals), protected areas, including transboundary and cumulative impacts will be carried out in accordance with the above mentioned regulations on the basis of the results of pre-investment research.</p> <p>In the light of the current administrative proceedings conducted in the Polish sea areas related to the construction of the first OWF, the importance of pre-investment research should be emphasized and the fact that based on the results of these studies, it is possible to draw conclusions and make decisions about the technology investments, as well as solutions to minimize the negative impact on the environment. To illustrate this significance, it should be mentioned that in order to prepare the environmental report for one of the OWF in the POM.45.E</p>

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			<p>area, the research was carried out for almost 2 years where 18 vessels and an airplane were used.</p> <p>In order to meet the expectations of the ESPOO process, in response to the remark, the authors of the SEA included an addendum regarding cumulative impacts, resulting from the analyses already carried out. An addendum is in Chapter 8.4.</p>
25	07. Swedish Agency for Marine Management - letter of April 20, 2020	<p>Swedish Maritime Economy Agency (SWAM)</p> <p><u>Regarding the SEA methodology</u></p> <p>With regards to harbour porpoises, although the SEA does mention the potential negative impacts of underwater noise associated with the construction and decommissioning of offshore installations, it does not present any specific recommendations for how to minimise such impacts. The only such recommendation concerns the impacts of activities related to the exploration, investigation and extraction of mineral and fossil resources. Despite important gaps in knowledge about the status of conservation of the Baltic Sea harbour porpoise population, there are strong indications (namely from the SAMBAH project, which the SEA report refers to) that the population is severely threatened. There is also sufficient evidence about the negative effects of high levels of impulsive underwater noise on harbour porpoises, which could lead to behavioural changes that further endanger the population. Against this background, it would be advisable for the SEA to assess the predicted impacts on the Baltic Sea harbour porpoise, including transboundary ones, and to propose measures to minimise the potential negative impacts associated with the proposed offshore wind farm developments. This</p>	<p>According to Art. 52 sec. 1 of the EIA Act (i.e. Journal of Laws of 2018, item 2081 as amended): "The information contained in the EIA, (...) should be developed in accordance with the state of modern knowledge and assessment methods and the degree of detail of the draft document and the stage of adopting this document in the process of developing draft documents related to this document".</p> <p>In reference to the diagnosed problems with identification of the implementation of specific projects in specific locations and following the precautionary principle, the authors of the SEA assumed that the presentation of solutions aimed at prevention, limitation or compensation of negative environmental impacts for specific actions in specific sea areas should take place at the stage of environmental impact assessment, and should concern the projects indicated in the Regulation of the Council of Ministers of November 9, 2010 on projects that may significantly affect the environment (ie Journal of Laws of 2016, item 71).</p> <p>A detailed assessment of the investment impact on the elements of the environment (including migrating birds and marine mammals), protected areas, including transboundary and cumulative impacts will be carried out in accordance with the above mentioned regulations on the basis of the results of pre-investment research.</p> <p>Nevertheless, already the solutions proposed in SEA Chapter 12 and then</p>

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		<p>would be particularly important in the basins designated for 'Acquisition of energy' around the Central Bank, which is believed to be an important area for harbour porpoise reproduction.</p> <p>The SEA could additionally include a more specific analysis of potential impacts from offshore energy installations on seabirds, in particular the threatened Long-tailed duck</p>	<p>transposed into the draft MSP, resulting from the application of the ecosystem approach, may contribute to the prevention or reduction of negative environmental impacts (including minimizing threats to sea birds and mammals). Each time, these solutions will require verification, including a possible extension of their scope at the level of implementation of individual projects.</p>
26	07. Swedish Agency for Marine Management - letter of April 20, 2020 with an attachment	<p>Swedish Maritime Economy Agency (SWAM)</p> <p><u>For fisheries.</u></p> <p>The Polish Exclusive Economic zone is important for Swedish commercial fisheries. Data shows an average annual value of 39 mSEK (2008-2018). The fisheries is targeting herring/sprat (pelagic fisheries) or cod (demersal passive or active fisheries). It is likely that Swedish and Polish vessels are fishing in the same areas. The western part of basin 53.E is important for Swedish fisheries. There are also Swedish fisheries interests in basins: 43.E (the entire basin), 60.E (the most eastern part) and 46.E (the most eastern part). See map in attachment.</p> <p>The overlap between areas of interest for Swedish fisheries and areas for offshore wind in the Polish plan is limited and therefore the potential impact on Swedish fisheries is likely to be small. It would however be valuable with an estimate of how Swedish fisheries will be affected.</p> <p>The draft plan shows fishery in the whole planning area. We would welcome using the plan to indicate the most important areas for fishery as a basis for future trade-offs.</p>	<p>Pursuant to Polish legislation, an assessment of the MSP solutions' impact on fisheries is not required. Such an impact assessment might be the subject of a separate project / analysis, as part of the monitoring and assessment of the plan implementation. The pre-planning analyses, however, included fisheries and spawning grounds in order to ensure the welfare of commercial fish. The MSP includes arrangements for the protection of spawning and rearing sites of commercial fish. Additionally, the permeability of migration corridors for bi-environmental organisms was ensured.</p> <p>Swedish fisheries have been discussed at international meetings and as part of international projects. The Polish maritime administration has been aware of the Swedish fishermen interests - as a result, there is little interaction between the OWFs and fisheries. The OWFs are not blocking Swedish fishermen's access to the most frequently used fisheries in the Polish EEZ.</p>

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27	07. Swedish Agency for Marine Management - letter of April 20, 2020	<p>Swedish Maritime Economy Agency (SWAM) <u>Relating to oil and gas extraction</u></p> <p>SwAM is concerned that oil and gas extraction may threaten the sensitive Baltic Sea environment including Swedish waters, an environment that is already under a lot of pressure. The characteristics of the Baltic Sea with a shallow semi-enclosed water basin and sensitive ecosystems dominated by a small number of species, in relation to the North Sea, increases the potential negative effects of leakage and accidents related to oil extraction.</p> <p>Hydrocarbon extraction may take place in areas marked "K" as well in other areas depending on the detailed area regulations. This makes it challenging to assess the environmental impacts of hydrocarbon extraction in the plan.</p>	<p>The large area of sea-basins intended for the "Exploration, exploration of deposits and extraction of resources from deposits" results from the request of the Ministry of the Environment and the national regulations on "integrated" permits for prospecting, identifying and extracting of hydrocarbons.</p> <p>This means that exploration is associated with the possibility of extraction.</p> <p>Extraction may be limited within the framework of location procedures when, for example, it would collide with valuable natural values. This activity may be conducted only after obtaining the relevant permits and after conducting the EIA procedure.</p>

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28	07. Swedish Agency for Marine Management - letter of April 20, 2020	<p>Swedish Maritime Economy Agency (SWAM)</p> <p><u>Regarding shipping</u></p> <p>The Swedish MSP-proposal delivered to Government in December 2019 includes a shipping route Karlshamn — Klaipeda which could be included in the Polish plan for the Polish EEZ contributing to coherent MSP.</p>	<p>The requested shipping route was included already in the draft MSP after it was submitted by Sweden during the third international consultation meeting. Due to the late submission date - the draft plan was ready for commissioning and after public consultations - it was decided to secure the requested area as a sub-basin with a function “Transport” (105.T) within the POM.59.Pw and POM.75.Pw. In these sub-basin the provisions were introduced to prohibit the construction of artificial islands and structures, to secure safety of navigation.</p>
29	07. Swedish Agency for Marine Management - letter of April 20, 2020	<p>Swedish Maritime Economy Agency (SWAM)</p> <p><u>Regarding the assessment of sustainable development</u></p> <p>Assessment of economic and social effects if possible in relation to ecosystem services would be relevant in a broader assessment of the plans contribution to long-term sustainable development.</p>	<p>The MSP was prepared on the basis of the binding legal acts defining its structure, objectives and harmonization with other legal acts at the international, national and regional level, among others - the HELCOM VASAB guidelines.</p> <p>In the 2016-2019 MSP process, an ecosystem approach was applied, in accordance with the Polish legislation and the guidelines of the HELCOM-VASAB Working Group on MSP. Discussions on how to effectively implement the ecosystem approach were intensified at the Baltic Sea Region international forums during the development of the draft MSP. New concepts have emerged that the draft Plan could not fully address. Therefore, this should be a very important consideration for future iterations of the plan, monitoring and assessing, e.g. the impact of the MSP provisions on ecosystem services. On the other hand, a holistic assessment of the economic and social effects of the plan is included in the “regulatory impact assessment” document, which is available in Polish at the Gdynia Maritime Office.</p>

Comments from Germany

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1	01. Bundesamt für Seeschifffahrt Und Hydrographie - letter of April 30, 2020	<p>Bundesamt für Seeschifffahrt Und Hydrographie</p> <p><u>Regarding the course of the border</u></p> <p>The Government of the Federal Republic of Germany maintains its legal position that in the German spatial development plan of the German exclusive economic zone of 2009, appropriately marked areas for northern access Szczecin / Świnoujście are part of the German exclusive economic zone. The Government of the Federal Republic of Germany reserves the right to submit a written legal declaration if no written comments are submitted regarding the areas concerned or the legal positions of Germany and Poland are not presented.</p>	<p>The answer to this question is beyond Espoo scope. The Plan was elaborated in accordance with the provisions of binding law in Poland regarding the sea border of the Republic of Poland.</p> <p>In accordance with the position presented by the Ministry of Foreign Affairs of August 28, 2020, (signature DPT.2822.8.2020/2), the area of the approach to the ports of Szczecin and Świnoujście and anchorage No. 3, in accordance with international law, lie in the Polish territorial waters, and thus, under no circumstances it is under German jurisdiction.</p> <p>The full position is attached as Appendix 3 to this document.</p>
2	02. Bundesamt für Seeschifffahrt Und Hydrographie - letter of April 30, 2020	<p>Bundesamt für Seeschifffahrt Und Hydrographie</p> <p><u>Regarding Pom 01.lp</u></p> <p>The area includes, among others northern access and anchorage to the ports of Świnoujście and Szczecin were designated in the spatial development plan not as a transport route / shipping route, but as an area with the function of "port or marina operation".</p>	<p>The POM.01.lp sea basin has been given the function of "Port infrastructure" because this area consists of an approach to the ports of Świnoujście and Szczecin including anchorages (also anchorage no. 3).</p>
3	02. Bundesamt für Seeschifffahrt Und Hydrographie - letter of April 30, 2020	<p>Bundesamt für Seeschifffahrt Und Hydrographie</p> <p><u>Regarding the POM 12.O</u></p> <p>The area with the function of Protection of the environment and nature borders with the Zatoka Pomorska nature reserve in the German exclusive economic zone and covers part of the</p>	<p>The Plan does not allow extraction in the sea-basin POM.12.O, which is in line with the remark of the German side. Detailed arrangements in this respect will be the subject of the management processes of the NATURA 2000 areas.</p>

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		<p>Odra bank in Polish waters. Initially, it was not assumed that these arrangements would have negative cross-border effects. In particular, it was established that the use of the deposit as technical sands in this area should not take place until the management systems for Natura 2000 sites "Ostoja na Zatoka Pomorska" and "Zatoka Pomorska" come into force.</p>	
4	<p>02. Bundesamt für Seeschifffahrt Und Hydrographie - letter of April 30, 2020</p>	<p>Bundesamt für Seeschifffahrt Und Hydrographie <u>Regarding POM 14.E</u></p> <p>The area designated for the offshore wind farm is approx. 13 km (the shortest distance) from the German exclusive economic zone and the Zatoka Pomorska nature reserve.</p> <p>As for other areas intended for an offshore wind farm, the environmental impact report indicates their location and course along the bird migration route and possible cumulative impacts, also transboundary. As more offshore wind farms are planned in the German, Danish and Swedish waters, we point to the need for a comprehensive study of the potential impacts of individual projects together as part of an extensive future project for an offshore wind farm area in the South Baltic. To this end, early consultation and participation of planning offices from neighboring countries should be ensured.</p>	<p>At the stage of implementation of individual investments (OWF), international dialogue is necessary in order to, inter alia, work out the best solutions to minimize the negative impact on the environment.</p>
5	<p>02. Bundesamt für Seeschifffahrt Und Hydrographie - letter of April 30, 2020</p>	<p>Bundesamt für Seeschifffahrt Und Hydrographie <u>Regarding Podakwenów 95.200.I / 11.200.I</u></p> <p>These areas include options to route the Baltic Pipe from Poland through Danish and Swedish waters: as soon as the pipeline route is approved, an area will be designated for the technical infrastructure.</p>	<p>Bltic Pipe - is an investment for which the Regional Director for Environmental Protection in Szczecin has already issued a decision on the environmental conditions for the project.</p> <p>Due to the transnational nature of the project, a cross-border environmental impact assessment was also carried out. The project was subject to both national and international public consultations resulting</p>

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		In this draft development plan that forms the basis of the environmental impact report, a large area of these findings directly borders the German exclusive economic zone. Regardless of whether or not the decision to approve a pipeline project will eventually include a route in this area, the environmental impact report should include potential transboundary environmental impacts also for routing the route in the designated area.	from the Espoo Convention, which were completed in October 2019.
6	02. Bundesamt für Seeschifffahrt Und Hydrographie - letter of April 30, 2020	<p>General Directorate of Waterways and Shipping, Aurich headquarters:</p> <p><u>Regarding shipping</u></p> <p>Based on textual and spatial findings, from the current point of view, there is no reason to believe that (...)</p> <ul style="list-style-type: none"> • safety and freedom of navigation in German waters will be disturbed, • the area arrangements made in the development plan of Germany or the Land of Mecklenburg-Vorpommern will be called into question in favor of shipping, or • Disruptions to navigation in Polish waters in relation to German ports (e.g. ferry lines between Sassnitz / Mukran and the Baltic States) should be expected. 	Polish MSP was developed in accordance with the regional guidelines developed by the HELCOM-VASAB MSP Working Group, as well as with the existing good practices in maritime planning developed within regional projects. One of the results of such an approach is the awareness of the need for bilateral cooperation, especially with regards to the Baltic shipping, which is a transboundary issue.
7		<p>DFS Deutsche Flugsicherung [German Flight Control Agency</p> <p><u>For the protection of installations</u></p> <p>The above plan is without prejudice to the cases of DFS Deutsche Flugsicherung GmbH under §18a Luftverkehrsgesetz (LuftVG, [German Air Traffic Act]). Thus, no objections or doubts</p>	No objections were raised - no reply

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		<p>were raised. (...)</p> <p>Status as of April 2020 We are not currently planning any changes in the area of the plan, but we cannot rule them out due to operational conditions. We therefore recommend that you submit the wind energy plan to the relevant aviation authority for inspection in accordance with §18 LuftVG.</p> <p>Wind turbines that exceed the height of 100 m above ground level require, according to §14 LuftVG, legal approval issued by the Aviation Authority. The type and scope of day and night marking is determined as part of the authorization procedure by the Aviation Authority.</p>	
8	02. Bundesamt für Seeschifffahrt Und Hydrographie - letter of April 30, 2020	<p>Umweltbundesamt [Federal Environment Agency]</p> <p><u>Regarding marine protected areas</u></p> <p>The Aichi 11 target of the Convention on Biological Diversity, which stipulates that by 2020 at least 10 percent of coastal and marine areas, in particular areas of high importance to biodiversity and the ecosystem, should be protected through interconnected protected areas, with on our part, it is respected in terms of the percentage of the area as well as the cohesion of protected areas for the Polish waters of the Baltic Sea.</p>	<p>An area of 3.85% refers to areas where the basic function is function O - environment and nature protection.</p> <p>However, the area of protected areas in the plan area is much larger and is 21.81%.</p> <p>Nature protection in Poland operates on the basis of a legal order appropriate for this policy and, in accordance with the legislation in force, the arrangements of the MSP should not interfere with or duplicate separate provisions relating to nature protection..</p> <p>The spatial plan does not regulate the Natura 2000 areas, but takes them into account. Therefore, information on this subject is provided in the sea basin cards and on the map of conditions.</p> <p>Polish MSP allocates an area of 3.85% for the basic function of “environmental and nature protection” in situations and areas where it was required to strengthen the above mentioned provisions which are already in force.</p>

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9	03. Bundesamt für Naturschutz - letter of April 24, 2020, reference number MAR 32751/2	<p>Umweltbundesamt [Federal Environment Agency]</p> <p><u>Regarding marine protected areas</u></p> <p>The BfN supports that the aim of the draft spatial development plan for Polish sea waters is to reduce conflicts between use and nature. In all the so-called zones (designated areas) covered by the plan are to be provided with the functions of "nature and environmental protection". The provisions in the plan are the result of an ecosystem approach.</p> <p>The BfN also supports the inclusion of the Natura 2000 sites bordering the protected areas of the German EEZ as a POM 12.O zone with the primary function of "nature and environmental protection". It should be noted that on the German side there are protected areas along the entire Polish-German border of the exclusive economic zone¹ and thus the cross-border protective function, desirable from the point of view of specialist nature protection, will be performed only in an incomplete manner. Moreover, the protection areas in the German exclusive economic zone serve not only to protect birds, but also the porpoises that occur in this area of the Baltic - a particularly endangered population in the Central Baltic (according to IUCN Critically Endangered²).</p>	<p>From a logical point of view, the sea-basin which encompasses the area of a seaport should be described by the function related to the port and transport activities. This does not mean however, that the importance of this area from the point of view of "transboundary nature protection" has been ignored. Therefore, the sea-basin card includes provisions and recommendations aimed at reducing the negative environmental impact of the Port function, e.g.:</p> <ul style="list-style-type: none"> - "due to the existence of very good spawning conditions for commercial fish, it is recommended to extend the scope of the EIA report to include the impact of the investments on resources and recruitment of commercial fish"; - "the implementation of the function is limited to the methods that: <ul style="list-style-type: none"> a) do not threaten the ecological function of spawning grounds and the survival of the early development stages of fish (eggs and larvae) of commercial species; b) do not significantly and negatively affect the welfare of wintering and resting birds during migration and during their frequent occurrence from the beginning of November to the end of April "
10	03. Bundesamt für Naturschutz - letter of April 24, 2020, reference number	<p>Umweltbundesamt [Federal Environment Agency]</p> <p><u>Regarding offshore wind farms</u></p> <p>In order to obtain energy at sea in harmony with nature, BfN</p>	<p>The Polish maritime administration also attaches great importance to the impact of investments on the marine environment in Polish part of the Baltic. Great importance is attached to the preservation of ecologically</p>

¹ <https://www.bfn.de/themen/meeresnaturschutz/nationale-meeerschutzbereiche/ostsee-awz.html>

² www.iucnredlist.org

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	MAR 32751/2	<p>would like to point out that when choosing a site for an offshore wind farm (OWF), the agglomeration interdependence of animals and plants in the sea should be taken into account. Also in the design, construction and operation of installations, the marine configuration can help to minimize the negative impacts on the marine environment and ecosystem interdependencies. Great importance is attached to the preservation and development of ecologically intact space. These guidelines were also found, for example, in the form of spatial planning rules in the maritime spatial development plans of the German exclusive economic zone in the Baltic Sea³.</p>	<p>coherent space. In order to keep the marine space as unobstructed as possible from negative impacts associated the human activities, sea-basins devoted to “environmental and nature protection” have been designated. Moreover, the sea-basins devoted to “reserve for future development” (P) might play an important role in achieving this objective, because this “future use” might also mean a designation of new protected areas (e.g. if increased knowledge of the marine environment provides a basis for this).</p> <p>The general principle of the plan is: <i>In all areas covered by the plan, the functions of defence and national security as well as environmental and nature conservation are performed. /.../. Environmental protection is an important prerequisite for undertaking activities in individual sea basins regardless of whether or not a legally protected area is involved.</i></p>

³https://www.bsh.de/DE/THEMEN/Offshore/Meeresraumplanung/Nationale_Raumplanung/_Anlagen/Downloads/Raumordnung_2009/Raumordnung_Verordnung_Ostsee.html?nn=1653364

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11	03. Bundesamt für Naturschutz - letter of April 24, 2020, reference number MAR 32751/2	<p>Umweltbundesamt [Federal Environment Agency]</p> <p><u>Regarding offshore wind farms - POM.14.E</u></p> <p>In the presented spatial development plan, the construction of offshore wind farms is allowed only in zones whose primary function is "production of renewable energy". With one exception, the areas designated by this function are located more than 100 km from the easternmost point of the German EEZ, so no cross-border effects are to be expected here. The shortest distance from POM 14.E to the German EEZ or the nature reserve "Pommersche Bucht - Rönnebank" is only approx. 13 km, so a transboundary impact on porpoises related to the construction of noise emissions cannot be ruled out (Ss. U.).</p> <p>From a nature conservation point of view, the protection of the migration of birds or birds crossing the Baltic Sea should be seen as a shared responsibility of the bordering states. The plan may have an impact on this good of protection in Germany. Therefore, the migration routes of migratory birds should be included in the spatial development plan, especially HELCOM (Recommendation 34E-1), it is recommended to avoid the construction of wind turbines on important migration routes of birds through the Baltic Sea. Therefore, from the BfN point of view, the areas important for bird migration should be kept free from the negative impacts caused by offshore wind turbines.</p> <p>Within the given area of the southern Baltic Sea, there is a land bird migration route across the sea between the European continent and southern Sweden, and an East-West waterbird migration movement.</p>	<p>An offshore wind farm is an investment project for which there is an obligation to carry out an environmental impact assessment and obtain a decision on environmental conditions. The key legislation in regards to environmental impact assessment is the Act on Providing Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and on Environmental Impact Assessment, as well as the Directive on the assessment of the effects of certain public and private projects on the environment.</p> <p>A detailed assessment of the investment impact on the elements of the environment (including migrating birds and marine mammals), protected areas, including transboundary and cumulative impacts will be carried out in accordance with the above mentioned regulations on the basis of the results of pre-investment research.</p>
		<p>The BfN is not able to assess the extent to which the POM 14.E zone is on the migration route from or to South Sweden, in particular the Common Crane, however, the migration of waterbirds partially near the wharf may be within the zone.</p> <p>The BfN supports the recommendation to carry out a bird</p>	

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12	10. Bundesamt für Naturschutz - letter of April 24, 2020, reference number MAR 32751/2	<p>Umweltbundesamt [Federal Environment Agency]</p> <p><u>Regarding offshore wind farms - POM.14.E sea basin - marine mammals</u></p> <p>Harbor porpoises occur in the Baltic Sea in two genetically different (sub) populations (Lah et al. 2016), the population in the Belt Sea and the population threatened with extinction, the so-called Baltic proper in the Central Baltic (according to IUCN Critically Endangered⁴). In the eastern part of the German exclusive economic zone in the Baltic Sea or in the area of the Pomeranian Bay - Rönnebank reserve, there are - at different times of the year - animals from both populations (Benke et al. 2014, (SAMBAH 2016).</p> <p>(...)</p> <p>The draft plan for the development of Polish maritime areas presents the POM 14.E area, which is assigned the function of acquiring renewable energy. Due to the proximity to the German EEZ, it cannot be ruled out that during the construction of an offshore wind farm in these areas using techniques that produce shock noise, the existence of porpoises in the German EEZ of the Baltic Sea and in protected areas will be disturbed. justified by the fact that the impact sound can negatively affect porpoises in various ways. (...) The above leads to a significant scare of porpoises, which causes temporary habitat loss or restriction of migratory movement of porpoises and may ultimately affect their condition. Besides, it cannot be excluded</p>	<p>An offshore wind farm is an investment project for which there is an obligation to conduct an environmental impact assessment and obtain a decision on environmental conditions. The key legislation in regards to environmental impact assessment is the Act on Providing Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and on Environmental Impact Assessment, as well as the Directive on the assessment of the effects of certain public and private projects on the environment.</p> <p>A detailed assessment of the investment impact on the elements of the environment (including migrating birds and marine mammals), protected areas, including transboundary and cumulative impacts will be carried out in accordance with the above mentioned regulations on the basis of the results of pre-investment research.</p> <p>Chapter 12 of the SEA proposes solutions that may contribute to minimising the negative environmental impacts (including minimizing the risks associated with the construction of OWF in relation to sea birds and mammals). Each time, these solutions will need to be verified, including a possible extension of their scope at the level of implementation of individual projects.</p>

⁴ www.iucnredlist.org

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		<p>that</p> <p>These noise protection values have become the standard⁵ impact sound impact assessment on porpoises in the area of the German exclusive economic zone of the North Sea and are appropriately applied for the German exclusive economic zone in the Baltic Sea based on the concept developed for the North Sea⁶. The observance of these limit values, as shown by German experience, is possible with a combination of different noise reduction measures as standard. BfN will gladly exchange experiences in this area (see also: BfN 2013⁷).</p> <p>In order to avoid possible significant disturbances of porpoises in the Baltic Sea, their violation in the German exclusive economic zone and their migration, the BfN recommends that appropriate noise protection standards should be included in the spatial development plan for the planned POM 14.E zone.</p> <p>From the point of view of the BfN, it would also be possible to maintain, thanks to sea zoning plans, sea areas as a vast and barrier-free space, while maintaining the mutual interactions of protected marine mammals.</p>	
13	10. Bundesamt für Naturschutz - letter of April 24, 2020, reference number MAR 32751/2	<p>Umweltbundesamt [Federal Environment Agency]</p> <p><u>Regarding offshore wind farms - avifauna</u></p> <p>The BfN welcomes the inclusion of nature protection in the sense of the general concept of spatial planning in the</p>	

⁵ In 2013, the Ministry of Environment (BMU) published its "concept for porpoise protection against noise during the construction of an offshore wind farm in the German South Sea (noise protection concept)" https://www.bfn.de/fileadmin/BfN/aw_fi_Dokumente/schallschutzkonzept_BMU.pdf

⁶ In addition, the noise protection values are binding and monitored by the licensing and implementing procedures.

⁷ https://www.bfn.de/fileadmin/MDb/documents/themen/meeresundkuestenschutz_fi_downloads/lserichte- und-Positionspapiere/Entwicklung-schallmindernder-Massnahmen-beim-Bau-von-Offshore-Windenergieanlagen-2013.pdf

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		<p>development of the Polish coast and the EEZ, also outside Natura 2000 areas.</p> <p>From the point of view of nature protection, the BfN notes that, in particular for the POM 12.0 area, in order to protect the migration routes of birds on the Baltic Sea of international importance within the framework of maritime spatial planning, a study of the effects of wind farms should be carried out as part of the project EIA.</p>	
14	<p>11. Bundesamt für Infrastruktur, Umweltschutz und Dienstleistungen der Bundeswehr - letter of 27.04.202 (reference number K4 - 96-01-03)</p>	<p>Bundesamt für Infrastruktur, Umweltschutz und Dienstleistungen der Bundeswehr</p> <p><u>For NATO submarine areas east of Bornholm</u></p> <p>East of Bornholm is NATO's nine submarine system for submarines. NATO has entrusted the German Navy with their management and responsibility. They are located in parts of the Danish, Swedish and Polish exclusive economic zones and can be used by both NATO partners and friendly countries. (...)</p> <p>Six of these NATO underwater areas are partially or completely in the Polish exclusive economic zone and thus are directly subordinated to Polish maritime development plans.</p> <p>In the case of two NATO underwater areas it is about the so-called "Safe Bottoming Areas", where you can practice, among others. emergency procedures (e.g. subsidence, submersion of submarines) The ocean floor has been cleared of ammunition residues and stones in these areas in order to ensure the greatest possible safety during the exercise.</p> <p>NATO Submarines are regularly used by NATO partners'</p>	<p>A change will be introduced in the plan (in the sea basin POM.53.E), to postpone the possibility of using the function "generation of renewable energy" until after 2040.</p>

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		<p>submarines and by other friendly nations for training, training and preparation for operations. Other long-term plans, uses or purposes, such as building an offshore wind farm or hydrocarbon exploration facility, could lead to a reduction in freedom of movement and thus a reduction in training opportunities in NATO's submarine areas for submarines.</p> <p>Even cables laid flat on the bottom (submarine cables and pipelines) in NATO's submarines could lead, in particular, in Safe Bottoming Areas, to damage to submarines and laid cables due to the risk of collision when a submarine subsides.</p> <p>(...)</p> <p>The draft development plan includes the following areas that lie in the submarine areas of NATO submarines:</p> <ul style="list-style-type: none"> – Reserve for future development with production approval: POM.16.Pw, POM.48.Pw and POM.51.Pw – Transport: POM.47.T and POM.49.T – Production of renewable energy: POM.53.E <p>The areas POM.47.T and POM.49.T are intended for navigation, from the NATO point of view, with regard to the use of the submarines of NATO submarines, impeccable.</p> <p>POM.16.Pw, POM.48.Pw and POM.51.Pw areas in the draft spatial development plan are allocated as a reserve for future applications with approval for the extraction of raw materials. Depending on future specific plans, applications and intentions, there may be limitations in the usability of NATO submarines in these areas. This would be the case if permanent infrastructure</p>	

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		<p>was built in this area.</p> <p>At the moment, it seems problematic to designate the POM.53.E area for acquiring renewable energy (specifically: Wind energy from an offshore wind farm). This area is almost entirely within NATO's Submarine Safe Bottoming Area, where any infrastructure could pose a significant threat to submarines and their crews during the planned exercises and thus could make it almost impossible to perform them.</p> <p>In connection with the above, please take into account the requirements of the unlimited use of the diving areas of NATO submarines in the Polish maritime spatial development plan</p>	
15	<p>11. Bundesamt für Infrastruktur, Umweltschutz und Dienstleistungen der Bundeswehr - letter of 27.04.202 (reference number K4 - 96-01-03)</p>	<p>Bundesamt für Infrastruktur, Umweltschutz und Dienstleistungen der Bundeswehr</p> <p><u>Re: Application of underwater measuring instruments</u></p> <p>Request to inform the relevant authorities within 20 working days if research is planned in or near the diving area of NATO submarines, e.g. as part of environmental monitoring, using acoustic, optical, optronic, electrical, electronic, electromagnetic, magnetic-sensory or seismic measuring devices using, for example, unmanned vehicles (such as remotely operated vehicles, independent vehicles, sailplanes or floats) or by means of stationary measuring devices.</p>	<p>The above remark does not fall within the scope of the transnational consultation within the framework of the ESPOO Convention. It is also not exactly referring to the plan provisions.</p> <p>Relevant information relating to navigational safety, including information on research cruises, is published in Navigational Warnings and Nautical News, maintained by the Hydrographic Office of the Polish Navy. They are continuously updated and available online on the website::</p> <p>https://bhmw.gov.pl/en/warnings</p> <p>https://bhmw.gov.pl/en/news</p>
16	<p>12. Ministerium für Energie, Infrastruktur und Digitalisierung Mecklenburg-Vorpommern - letter of April 28, 2020</p>	<p>Ministerium für Energie, Infrastruktur und Digitalisierung Mecklenburg-Vorpommern</p> <p><u>Regarding POM.14.E</u></p> <p>the POM.14.E reservoir, intended for the production of</p>	<p>At the stage of implementation of individual investments (OWF), international dialogue is necessary in order to, inter alia, work out the best solutions to minimize the negative impact on the environment.</p> <p>A detailed assessment of the impact of hydrocarbon extraction on the</p>

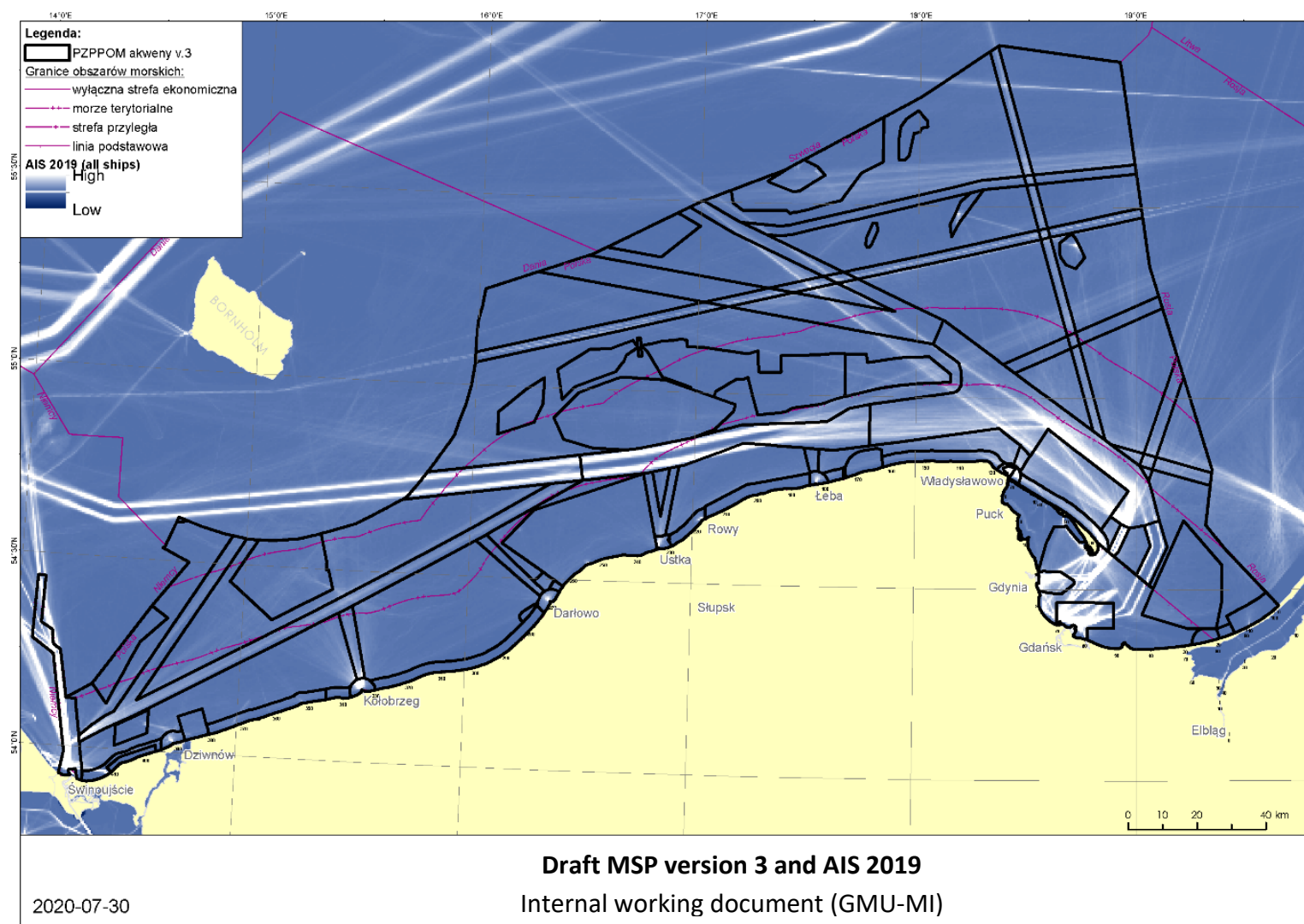
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	(reference number VIII350-1 -)	renewable energy, has been shown not far from the German border. The construction of a wind farm in this area could have negative environmental effects in German maritime areas. At present - eventaking into account this environmental report - cannot be assessed, what the specific consequences will be for the German territorial sea and for Natura sites 2000. Therefore, I am asking you to include Mecklenburg-Vorpommern in the environmental impact assessment of individual projects in POM.14.E.. In addition, I would encourage you to discuss with Mecklenburg-Vorpommern specific possibilities of preventing negative effects on the territorial sea and Natura 2000 sites and the possibilities of limiting the above-mentioned effects in connection with the appropriate permits for the implementation of projects. effects. Furthermore, I am asking for more detailed information on the effects of hydrocarbon extractionfrom the deposit opencast method on the German side Pomeranian Bay for ecology and tourism	German side of the Pomeranian Bay on the Baltic ecology and tourism may be carried out at the stage of the project's EIA procedure and obtaining a decision on environmental conditions for a specific project.
17	12. Ministerium für Energie, Infrastruktur und Digitalisierung Mecklenburg-Vorpommern - letter of April 28, 2020 (reference number VIII350-1 -)	Ministerium für Energie, Infrastruktur und Digitalisierung Mecklenburg-Vorpommern <u>Regarding POM.39.I</u> The Polish Nuclear Power Program concerns the federal state of Mecklenburg-Vorpommern. In the case of linear elements, possibly in principle permitted in POM.39a.I or POM.39b.I reservoirs to ensure cooling of nuclear power plants, the state government of Mecklenburg-Vorpommern renewed its appeal that - taking into account the terrible nuclear disasters in Chernobyl and Fukushima and taking care of the interests of the population and the protection of the natural environment on both sides of the border - give up plans to use nuclear energy to	The sea basins POM.39a.I and POM.39b.I were set aside solely for the purpose of implementing investments “accompanying” nuclear power plant facilities (elements of the nuclear power plant cooling system, port and offshore infrastructure). The Plan does not prejudge the realisation of this project. Also, the provisions of the SEA do not refer at all to the nuclear power plant. The investment appears in the document only in the context of location of the above mentioned technical infrastructure.

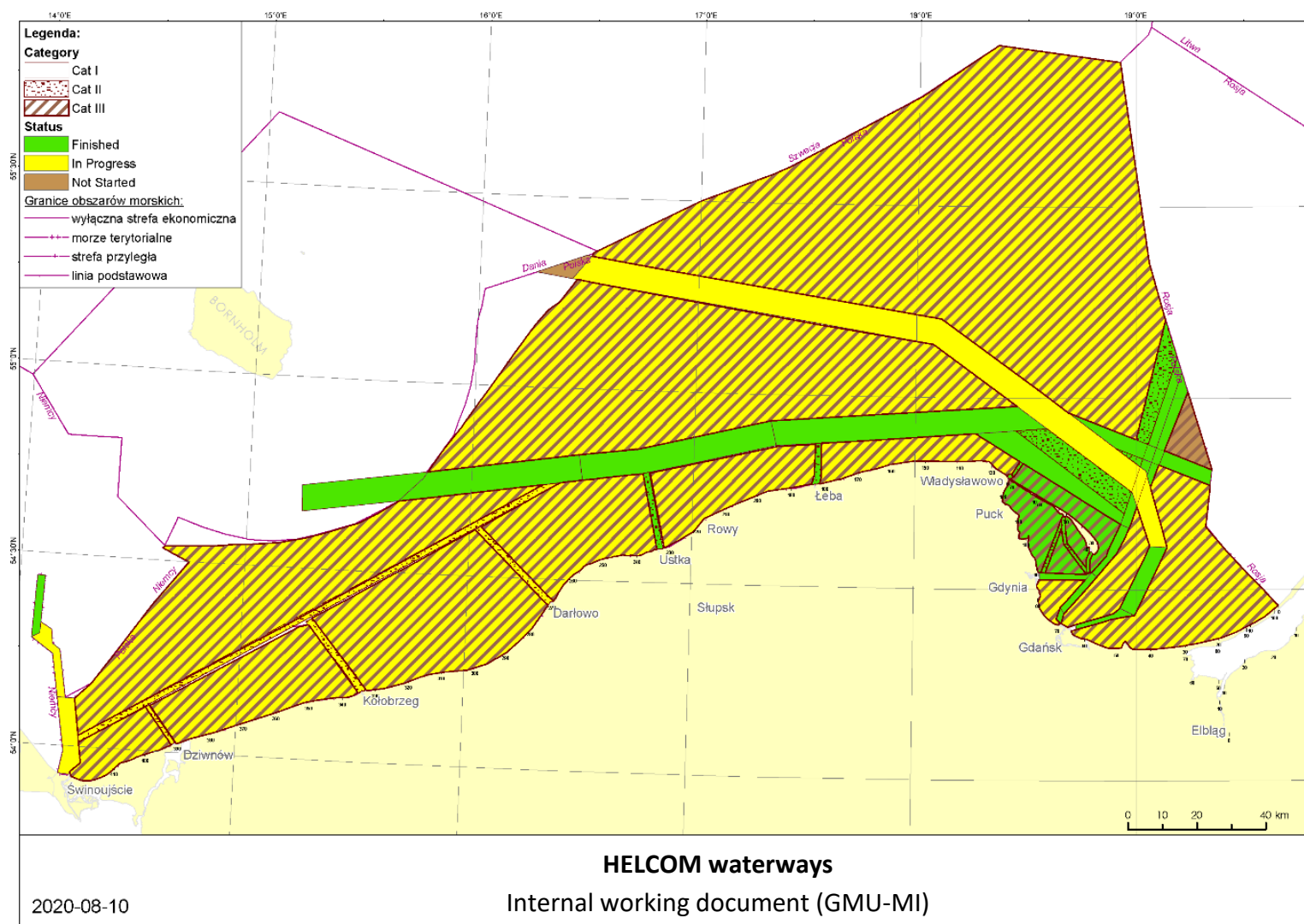
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		generate electricity. Bearing the above in mind, we support the planned development of offshore wind energy.	
18	SEAWIND	note on birds corridors	<p>The current provision in the Plan is general and reads as follows: <i>Should it be necessary to establish a “corridor” for migratory birds, their exact direction and size will be determined as part of the environmental impact assessment of individual projects. It is recommended that the width of such a corridor should not be less than 4 km and that its axis should be a straight line.</i></p> <p>Most species of seabirds move low over the water. Their seasonal migrations are wide-front and they do not form “migratory streams” over offshore sea areas, as is the case in the terrestrial environment. This migration pattern has just been confirmed by a large-scale study commissioned by one of the OFW investors in the Słupsk Bank area. Construction of a wind farm at sea will always create a barrier effect, as most seabird species (except for gulls and cormorant) avoid the proximity of wind farms, and in case of birds flying towards the farm a change of direction is observed already at a distance of about 2 km before the obstacle. There is no doubt that for seabirds the wind farm is a kind of barrier. Not only migrating birds, but also foraging birds mostly avoid the proximity of such structures. Such results were obtained by conducting research on several already operating farms in the North Sea and Western Baltic Sea. However, these were single farms. The barrier created by them was not large and the additional energy input related to the extension of the flight path when avoiding them was relatively small. A number of wind farms are to be constructed north of the Słupsk Bank, with the distance between extreme locations exceeding 130 km. These farms are to be built along the east-west axis, i.e. almost perpendicular to the dominant seabird migration directions in this part of the Baltic</p>

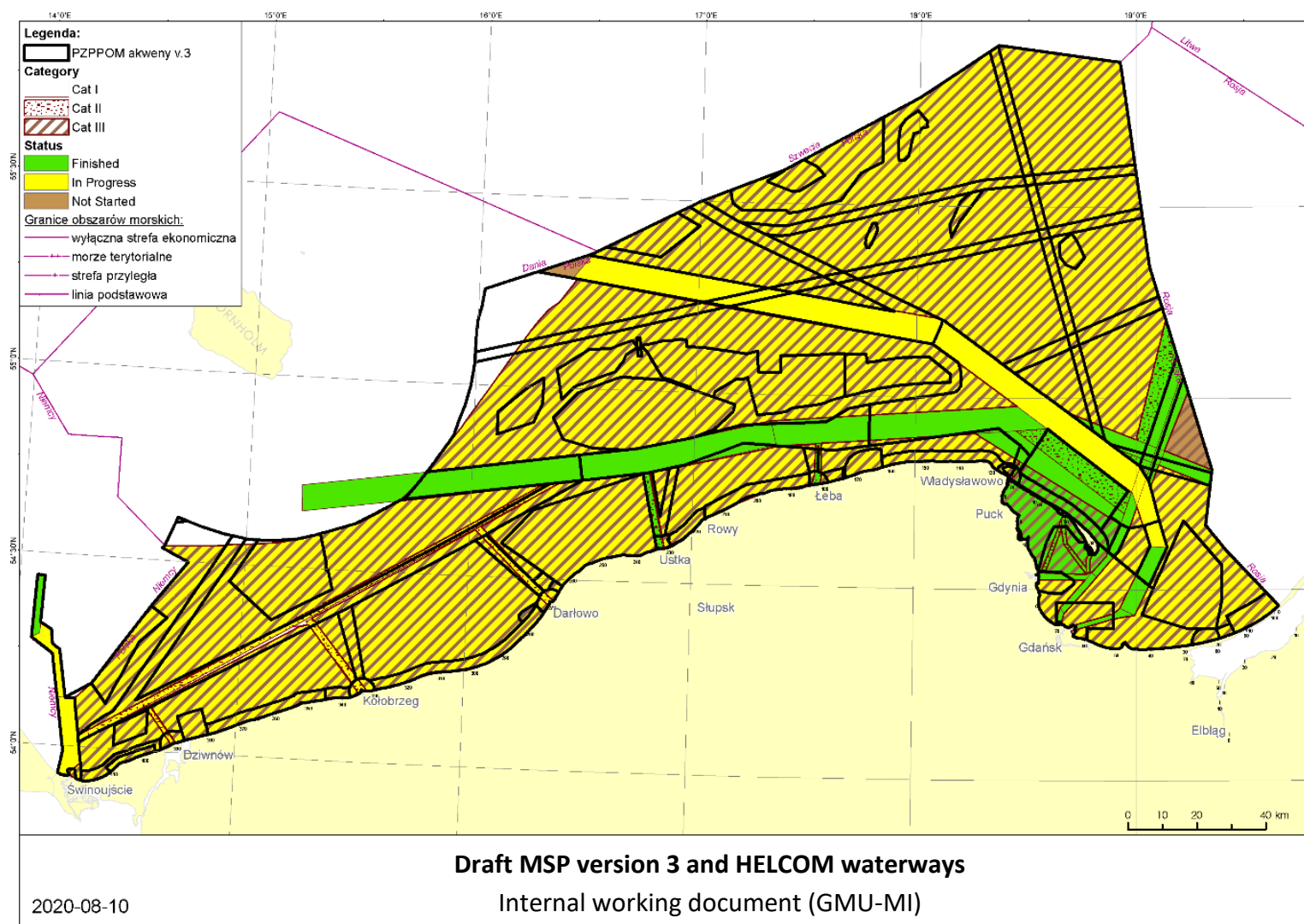
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			<p>Sea. These directions were confirmed in the already mentioned large-scale research. Such a system of farms will constitute a barrier on the migration routes of many seabirds' species and the vast majority of them will be forced to avoid this extensive obstacle. It should also be noted that these species do not fly over the wind farms, but avoid them without changing the altitude. This extensive barrier applies not only to birds flying to the Słupsk Bank, but also to the central and western part of the Polish coastal waters.</p> <p>The system of several corridors planned between the farms at Słupsk Bank is intended to allow the birds to cross the barrier with less energy input than would be required to avoid the entire complex of offshore wind farms. The width of the corridor (4 km) results from research carried out on single-standing farms. This is an innovative solution, not used so far, but its implementation is to be combined with the monitoring of the intensity and directions of flights, which will allow to assess the effectiveness of such a solution. In addition, a system of cameras and radars will make it possible to temporarily switch off wind turbines standing on the edges of a corridor. In creating these corridors, we were guided by the precautionary principle, not knowing the magnitude of the cumulative impact of a large group of neighbouring offshore wind farms on migrating seabirds. Studies carried out on single-standing farms show that birds avoid flying over and staying close to them, therefore it can be assumed with a high degree of probability that this effect will be no smaller in the case of a large complex of such installations.</p> <p>The comments indicated three publications that were supposed to indicate that offshore wind farms are not a barrier for migrating birds. Two of these publications are not available on the Internet (at least they</p>

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			<p>could not be located and the indicated website address does not work), while the third (Skov et al. 2015) does not refer to studies on the effect of an existing wind farm on birds, but to studies conducted before the farm was built. This publication only confirms that the barrier effect of offshore wind farms is very poorly understood.</p> <p>Data on bird abundance on Słupsk Bank exist, as well as for the Polish coastal waters, because they are covered by national monitoring of wintering seabirds.</p>
19	SEAWIND	note on sea basin POM.93.T	<p>According to the opinion of the Ministry of Maritime Economy and Inland Navigation, this sea basin is necessary to ensure the safe access to the fishing grounds while passing between sea basins devoted to the generation of renewable energy (E). Sea basin 93.T has been designated to use the space left between the areas 44.E and 45.E (which can also be a migration corridor for birds). The maritime administration does not plan to designate a fairway to Ustka, on the extension of the 93.T, running through the Słupsk Bank. Ship traffic through the Słupsk Bank area will be carried out as before. The designation of the 93.T basin is intended to improve the safety of navigation by allowing ships to navigate between wind farms in a situation where weather conditions or other factors (e.g. size of the vessel or location of turbines) will prevent safe navigation through the OWF areas. In 2019, the Hydrographic Office of the Polish Navy conducted bathymetric measurements of the above-mentioned basin.</p>

Annex 1: Maps







Appendix 2: Position of the Ministry of Foreign Affairs;

Appendix 3: Relevant chapters of the SEA – Chapter 6 and 8.4.

Attachment in a separate file