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Elaboration of a Vision and a strategy for Integrated Coastal Zone Management in Bulgaria

Proposal for an ICZM management structure

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Table of Content

1	Introduction.....	3
1.1	Background.....	3
1.2	Context of this document.....	3
1.3	Purpose of this document.....	4
2	Proposal for an ICZM management structure.....	5
2.1	Introduction.....	5
2.2	Framework functions of the management structure.....	5
2.2.1	Regional level.....	6
2.2.2	National level.....	7
2.3	Administrative position in the government organisation.....	7
2.3.1	Regional level.....	7
2.3.2	National level.....	8
2.4	Participants in and authority of the Coastal Councils.....	8
2.4.1	Regional level.....	8
2.4.2	National level.....	9
2.5	Financing.....	9



MyCoast - Моят бряг

1 Introduction

This document is the final draft of the proposal for the establishment of an ICZM management structure. The first draft, from January 2008 has been discussed with the counterpart and beneficiaries and based on the discussions a further elaborated proposal for the administrative set up and the tasks is presented.

1.1 Background

This document is prepared as part of project PPA06/BG/7/3 entitled “Elaboration of a Vision and a Strategy for Integrated Coastal Zone Management in Bulgaria” (referred to as MyCOAST). The project was developed by the EVD, Agency for International Business and Co-operation at the initiative of the Ministry of Housing, Spatial Planning and Environment (VROM) to render assistance to the Bulgarian Ministry of Regional Development and Public Works (MRDPW) in the field of integrated sustainable development of coastal zones. After identifying the project, EVD formulated the Terms of Reference (ToR) and the Full Study to the Perspective of the Future of the Bulgarian Coast. The project is funded by VROM under the framework of the Environmental Facility of the PSO Pre-Accession Program under the contract supervision of the EVD.

The Bulgarian counterpart for the project is the Ministry of Regional Development and Public Works (MRDPW). Beneficiaries are 1) the Ministry of Environment and Water (MoEW) which has appointed the Director of the Black Sea Basin Directorate (BSBD) as participant, 2) the Ministry of Transport (MoT) and 3) the State Agency for Tourism (SAT).

Following a tender procedure during October/November 2006 the Povvik-consortium was selected to carry out the project based on the proposal dated 14 November 2006. The project duration is 24 months, starting at the beginning of January 2007. On 18 January the kick-off meeting with the Dutch Steering Group took place at EVD premises in The Hague.

1.2 Context of this document

The project’s Terms of Reference state that implementation of a coordinated state policy needs: “an administrative capacity consisting of people who are trained to implement and uphold the ICZM principles in accordance with the EU recommendation”. This administrative capacity should bring together the required skills and expertise of the core themes of the recommendation, namely:

- a) prognostication and planning in a long-term perspective
- b) bearing in mind the specific characteristics
- c) bearing in mind the natural processes in nature
- d) involvement of all interested parties
- e) development of knowledge
- f) realisation of cross-border cooperation
- g) development of a complex programme for implementation of the measures and initiatives for sustainable development

The formation of such administrative capacity was therefore made part of the deliverable results of the MyCoast project. In the technical proposal, the activities for the establishment of a management structure are incorporated in **Result 4: establishment of a legislative body devoted to upholding and enforcing the principles of ICZM** and **Result 3: development of the necessary institutional mechanisms to attain this vision and strategic objectives**. Purpose of these results is to ensure a management structure for implementation, describe the tasks and activities, as well as the means (both in terms of technical, human and financial resources) by which it performs its tasks. The management structure can range from an entity with mainly coordinating tasks (i.e. voluntary) to an administrative entity within the government with full authority to instruct and supervise lower administrative bodies (i.e. legislated).



MyCoast - Моят бряг

1.3 Purpose of this document

This document concludes the discussion on the institutional and administrative set up of the ICZM management structure. The management structure will be the responsible authority for the implementation of the ICZM Vision and Management plan. This management structure is important for the sustainability and institutional embedding of coordinated coastal policy.

This document is based on the first proposals (ICZM – 016), the formal comments from the counterpart and beneficiaries and the discussions in the project team.

If accepted by the counterpart and beneficiaries, the next step is to work out the details of the management structure in a proposal for a decree.



MyCoast - Моят бряг

2 Proposal for an ICZM management structure

2.1 Introduction

The need for the establishment of a management structure is based on the ICZM recommendation, the Marine Strategy and the identified need for concerted action for the implementation of the “land side” and “sea side” planning and regulatory systems.

Given the emphasis the EU recommendation puts on involvement and coordination, the “ICZM Management structure” should be understood as a management structure with a legal backing and not as a management structure with legislative powers.

Considering the fact that ICZM addresses a large number of sectoral issues, the management structure has mainly a coordinating role among the relevant sectoral institutions and the secretariat can be based in any of the existing institutions. Obviously the preference is to locate the secretariat at the Black Sea Coast.

Considering the regulatory framework and planning practice in Bulgaria, the management structure needs a legislative basis, meaning that the management structure is formed via a special law or via an amendment to the Rules of Procedure.

The management structure will work under the name “Coastal Councils”.

2.2 Framework functions of the management structure

The tasks of the management structure follow directly from the need to cover the development that is **not** regulated. In other words: **“to facilitate engagement of all interests in the coastal zone”**. This requires first of all an agreement that some developments **cannot** be regulated but need to be agreed.

The task resulting from this is to balance the interests of the stakeholders (including the authorities) for as much as these are not subject to regulation and laws. The first task for the management structure is to devise a decision making and co-ordination procedure for those developments, working along the principles of project management.

A proposed first step towards the achievement of the ICZM is to set out and agree the fundamental principles for planning and management of the coast. Based on the principles of the EU recommendation and the Bucharest convention, eight principles can be formulated, which are of equal importance. These principles aim to put the overall concept of sustainability - sustainable use and development - into practical effect on the Black Sea Coast:

- Principle 1: The need for long-term conservation of the coast
- Principle 2: The need for equivalent recognition for sea and land, within realistic limits
- Principle 3: The need to support sustainable use of coastal resources
- Principle 4: The need to maximise prosperity and quality of life
- Principle 5: The need to particularly encourage coastal development in line with the environment
- Principle 6: The need for effective local involvement on coastal decisions
- Principle 7: The need to work towards a integrated approach to transport, ensuring coastal issues are firmly on the agenda
- Principle 8: The need to work together

Having in mind the above, the following scope of activities should be undertaken.



MyCoast - Моят бряг

2.2.1 Regional level

The focus of the activities of the Coastal Councils should be on regional level, given the fact that coordination and joint recommendations from all stakeholders is most relevant at the level of implementation. The main function of the Coastal Councils is to review cumulative and non regulated impacts. At regional level the following activities should take place:

- coordination and joint recommendations from all stakeholders of regional ICZM-related initiatives: discussion of local development documents and initiatives, local legislation amendments, incl. territorial concepts and master plans etc.;
- coordination and joint recommendations from all stakeholders, discussion and assessment of the cumulative regional impacts of development initiatives and programmes (i.e. development of certain types of tourism and recreation, change of prevailing economic activities and territorial maintenance regimes, development of transport and environmental infrastructure facilities, municipal and district development plans, local action groups' development strategies, single project proposals and project pipelines for the Structural funds OPs under Objectives 1 and 3 etc.), with powers of issuing comments and proposals to the relevant authorities in charge;
- Identification and development of ideas, concepts and proposals for development initiatives (mutually or following the individual proposals issued by their members or submitted by third parties) and as such provide the basis for the next planning cycle;

Additional tasks could be:

- Stimulate marine and coastal zone relevant research;
- Organization of regular (i.e. twice per year) public reports and discussions on the ICZM implementation and associated ongoing developments;
- Participation in the organization of public discussions on large investment projects (proposed volume: higher than 10 MEUR) – investment intentions, OP project ideas, LAG strategies, territorial branding and regional marketing initiatives etc.;
- Technical support for voluntary initiatives of local development networks: stakeholder workshops, regular and thematic discussions etc.

The meetings of the coastal councils will be at least twice per year; following the proposals of their chairpersons or of one third of their members, the councils could arrange additional meetings. By their discretion in certain cases the councils will also apply a correspondence coordination and joint recommendations from all stakeholders procedure via their secretariats.

The Coastal Councils need to be supported by coastal council secretariats. The tasks of the secretariats is:

- Assistance in the logistics of the coastal councils correspondence and meetings;
- Expert and methodological assistance in the data collection and storage, monitoring and assessment of certain indicators related with the status of ICZM quality, or related with some specific development initiatives and programmes discussed by the coastal councils;
- Ongoing communication with the other Coastal Council secretariats to coordinate on relevant issues and processes, pertaining to the entire coast.
- Promotion of publicity on the coastal councils' activities – scope of the concept, best practices for sustainable development and ICZM etc.;
- Preparation of reports to the public;
- Maintenance of open discussion procedure (i.e. web site, public access forum facility) on discussion topics related with the concepts of integrated or sustainable local development and ICZM, initiated by third parties (i.e. local action groups, social economic partners, etc).
- Preparation of quarterly reports on the operation of the relevant coastal councils.

The Coastal Councils will have the authority to issue comments on development proposals such as municipal spatial plans, municipal and regional development plans, SEA and EIA. The Coastal



MyCoast - Моят бряг

Councils will not have the authority to approve or reject such proposals but the relevant authority will have the obligation to reflect and consider the comments of the Coastal Councils in the final proposal.

The strategic and coordination and joint recommendations function of the ICZM administration structures should be supported by a set of workshops and discussion forums consisting of representatives of local communities, appointed stakeholder organizations, plus other entities and networks willing to cooperate. The initiative for organization of such events should be generated by both the national and the regional ICZM bureaus through their own initiative or by request of local, regional or national institutions and by communities, networks and entities involved in the ICZM process.

With respect to the public role of the Coastal Councils, a clear procedure on how public events will be initiated should be included in the operational ordinances of the Coastal Councils.

The Coastal Councils will report on a quarterly basis to the Council of Ministers, via the Minister of Regional Development and Public Works. These reports will include an overview of achieved results and requests for national coordination.

2.2.2 National level

At national level the coordination of national strategic and programming documents and legislation is undertaken via already functioning procedures to ensure cross sectoral compliance, to avoid conflicting planning and to ensure effectiveness of legislation. With respect to the ICZM principles, on national level the coordination needs to be strengthened. The quarterly reports of the Coastal Councils will act as agenda setting for the Council of Ministers.

On national level the following activities should take place:

- Monitor ongoing developments at the Black Sea Coast with national relevance;
- Exchange relevant information and experiences between the regions;
- Compile and compose the national ICZM reports;
- Maintenance of ICZM database;
- Publicity functions at national level such as maintaining a national ICZM web-site with demonstration of best practices and ICZM news; issuing six-month ICZM news bulletin etc.

2.3 Administrative position in the government organisation

2.3.1 Regional level

Considering the geographical and economical differentiation within the Black Sea Region and considering the need for direct involvement of the local stakeholders, it is proposed to establish three Coastal Councils, one in each of the three oblasts.

Considering the present government organisation, there is no need for establishment of a new administrative organisation.

Candidates for hosting the secretariat of the management structure are the Oblast Administrations and the Black Sea Basin Directorate. The Oblast Administrations already have a coordinating role in the regional development plans and the structural funds. The Oblast Administrations however lack the capacity (and authority) to manage the "sea side" spatial planning. The BSBBD has the authority for the "sea side" planning but lacks the capacity and authority for the "land side" planning.

Considering the main tasks of the Coastal Councils (cross sectoral coordination and joint recommendations and inter municipal cooperation) and considering that the present institutions have sufficient sectoral authority and capacity, it is preferred to host the Coastal Councils in the Oblast Administrations.



MyCoast - Моят бряг

Three Coastal Councils will be established under the auspices of the three marine oblasts on the black sea coast: Dobrich, Varna and Bourgas. Via the oblasts, the national government is represented.

The secretariats organizing and serving the Coastal Councils operation will be structured as directorates within the Oblast Administrations. The Oblast Administration will act as project and daily management secretariat. The Oblast Administration initiates the activities of the Coastal Councils, is responsible for agenda setting, communication and secretarial services.

2.3.2 National level

The “Strategic programming Directorate” of the Council of Ministers will establish an ICZM secretariat consisting of experts of ministries and state agencies and supported by relevant national and regional based research institutions.

2.4 Participants in and authority of the Coastal Councils

2.4.1 Regional level

The members should represent the target groups of ministries with responsibilities in specific structural policies (regional development, transport, environment, rural development, tourism, fishing and aquaculture etc.), local municipalities, local regional development agencies and local offices of the relevant ministries, local action groups under the Rural development programme 2007-2013, and social-economical partners (business, environment, trade unions and social partners).

Considering the need for involvement of all authorities, the municipalities need a strong representation in the Coastal Councils.

Considering the need for involving all relevant stakeholders, representatives of environmental and other NGOs and industry associations should be invited to participate.

The number of participants in the councils should be determined by a quota principle, should be odd and their maximum number should be 15 seats.

The proposed set up is as follows:

- 1 seat is reserved for the chair: the district governor
- 2 seats are reserved for state institutions such as the Black Sea Basin Directorate and the State Agency for Tourism, other ministries and state institutions can send observers (without voting rights, their opinions are represented via the Oblast Governor);
- ½ of the remaining seats are for the coastal municipalities and those municipalities where the impact of activities in the coastal municipalities is high (notably Malko Tarnovo and Dobrich)
- ½ of the remaining seats are for non governmental stakeholders where the environmental NGOs, the tourism industry and the other business organisations are represented in equal numbers.

The vote of the chair is only used if the vote is not decisive. The governor can appoint an expert mediator or facilitator to act as chair.

The Coastal Council can invite experts in any field when considered needed. The experts have no voting rights.

The involvement of the municipalities, NGOs and private sector should be on a voluntary, participative basis. With respect to the representation of the NGOs and private sector, they have to appoint their own representatives in case the total number of organisations exceeds their quota.



MyCoast - Моят бряг

2.4.2 National level

Considering the diversity of issues related to the management and the development of the Black Sea coast, the participants in the ICZM secretariat need to include MRDPW, MoEW, MoT, MoAFS, MoEE, the State Agency for Forestry and the State Agency for Tourism.

It can be considered to include experts of the ministry of the State Policy for Disasters and Accidents and the ministry of State Administration and Administrative Reform and the ministry of Finance into the structure.

2.5 Financing

The required financing for the operation of the coastal councils and their secretariats will be provided on annual basis within the budgets of Oblast Administrations. For public activities an additional budget will be allocated, based on a proposal from the Coastal Council. The members of the Coastal councils will receive a financial compensation for their travel costs.