

The Maritime Spatial Planning in Portugal

BALTIC MARITIME SPATIAL PLANNING FORUM

Riga, 18 June 2014

Margarida Almodovar

FIRST PERIOD



MARITIME SPATIAL PLAN 2008 – 2010 - PROPOSAL

Developed according the Land Planning System



Integration of all the Sectors from the beginning of the Process

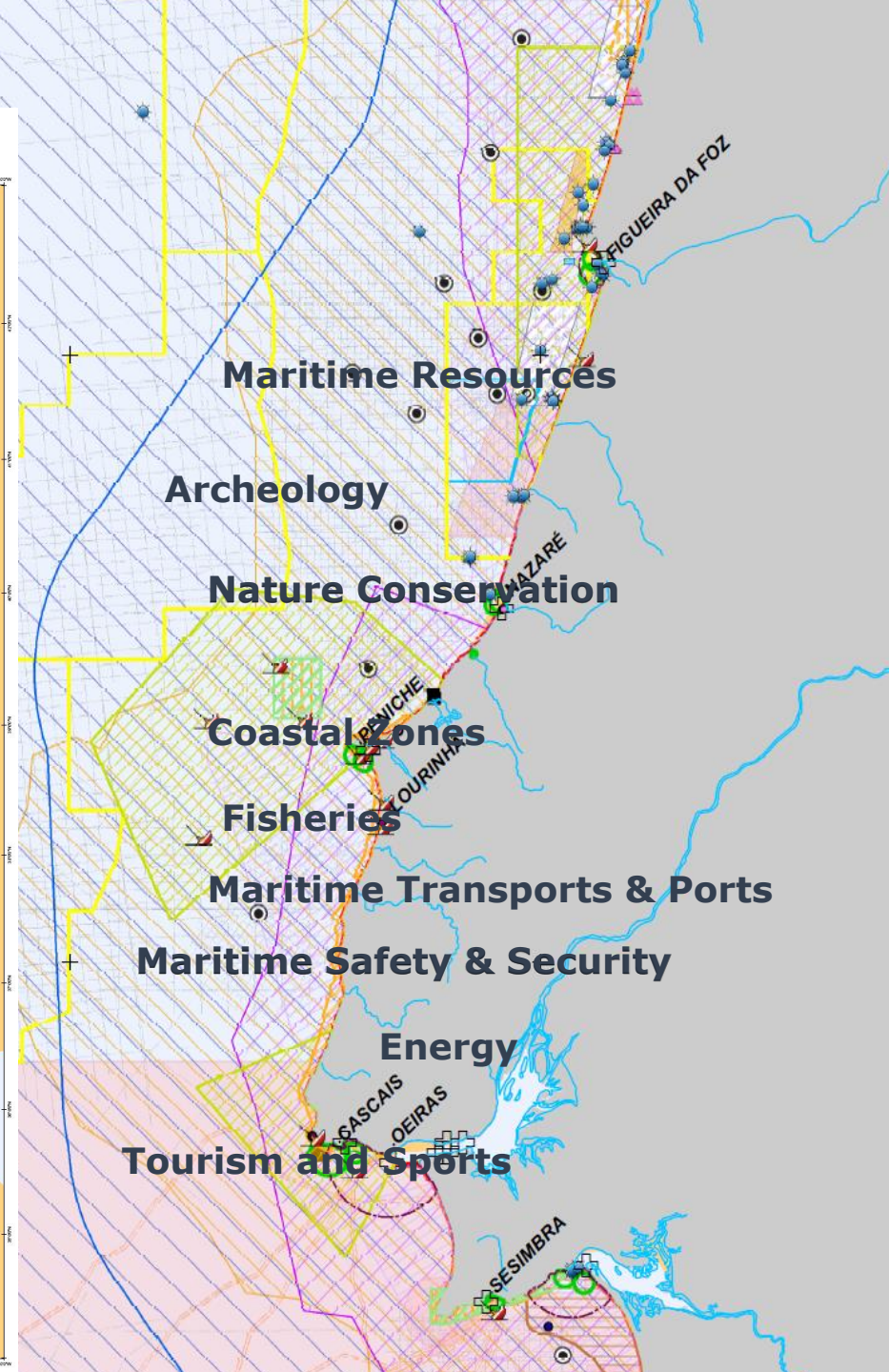
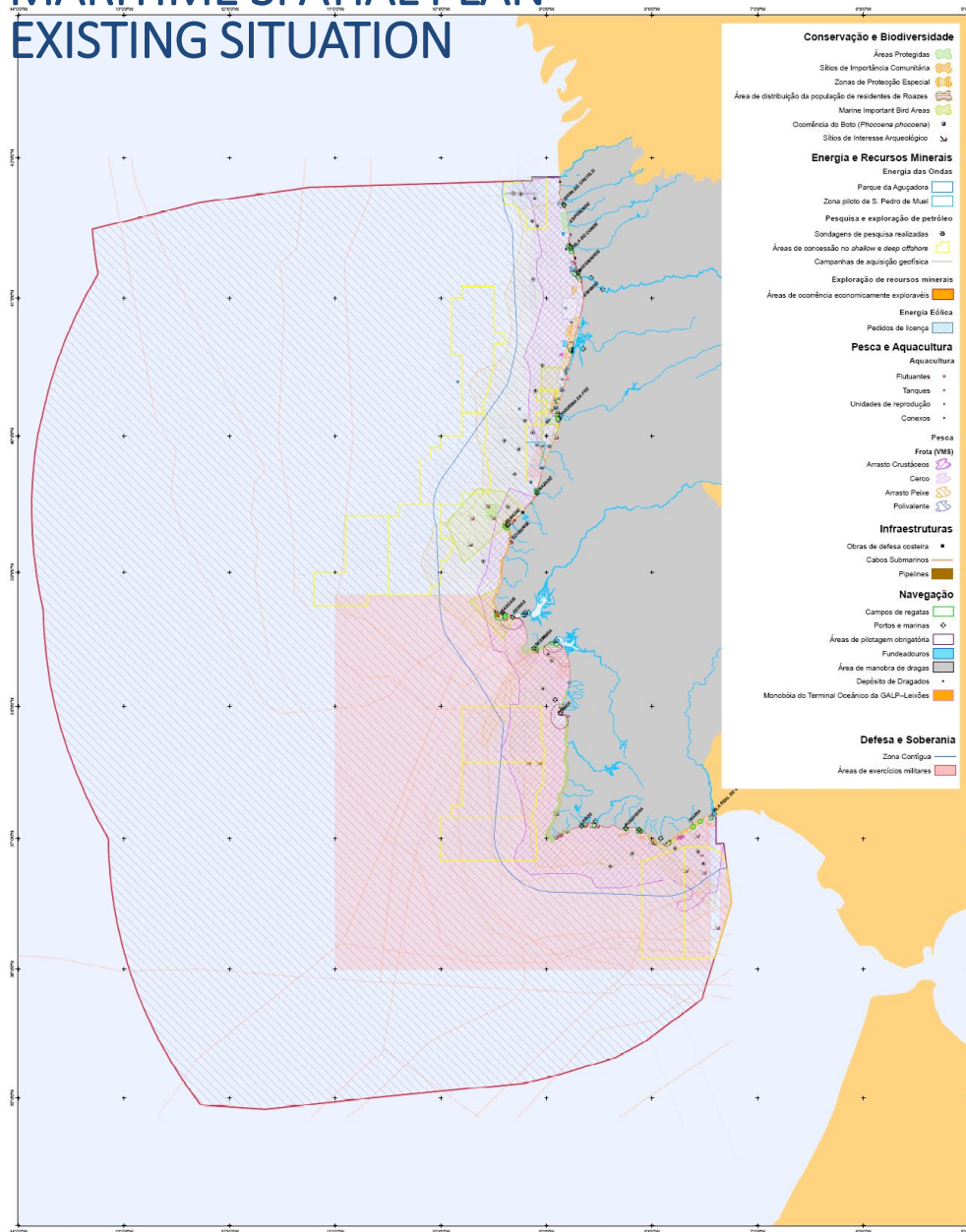
- Identify the present and future uses and activities integrated with the ICZM
- Mapping Activities and determining the maritime space settled for each activity.
- Ensure the sustainable use, conservation and regeneration of the maritime resources
- Promote the economical, social and environmental importance of the sea
- Establish a set of indicators to evaluate the sustainable performance of the activities and their monitoring.

MARITIME SPATIAL PLAN 2008 – 2010 - PROPOSAL



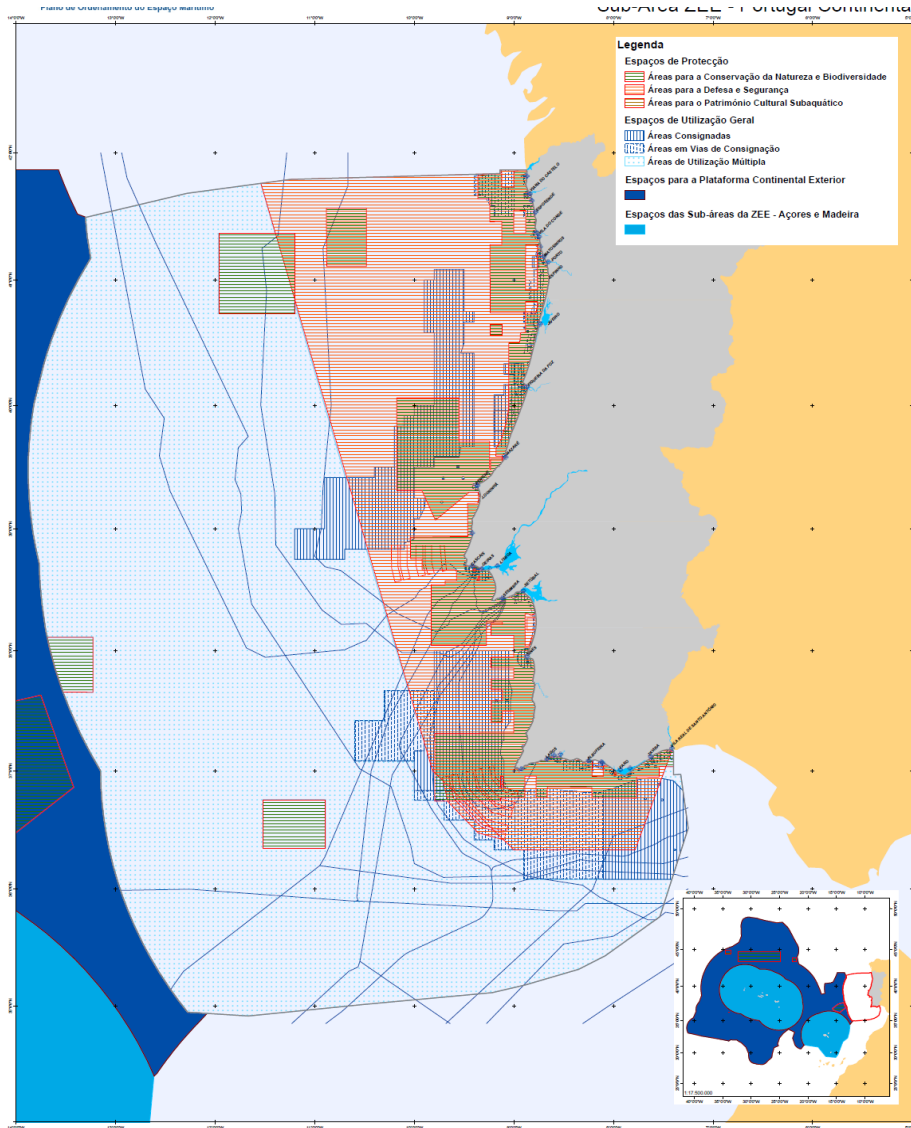
MARITIME SPATIAL PLAN (proposal) ENVIRONMENTAL STATEMENT

MARITIME SPATIAL PLAN – EXISTING SITUATION






MARITIME SPATIAL PLAN 2008 – 2010 - PROPOSAL




<http://www.dgpm.mam.gov.pt/Documents/POEM>



Protection spaces

-  Conservation and biodiversity Area
-  Defense and sovereignty Area
-  Nautical Archaeology Area

General use spaces

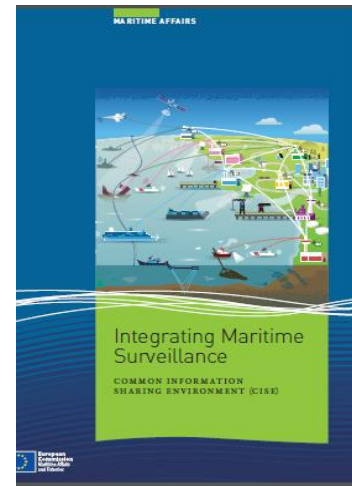
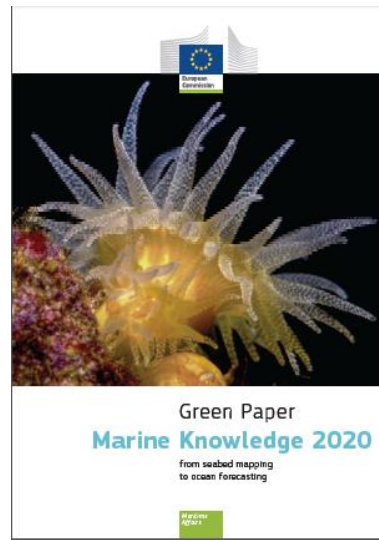
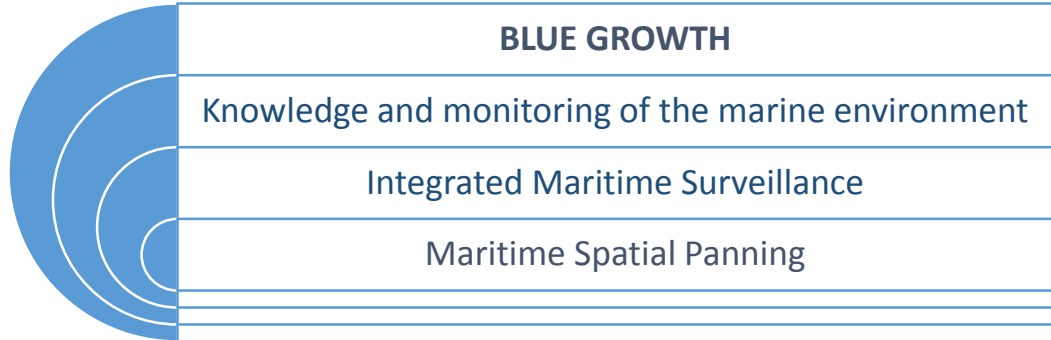
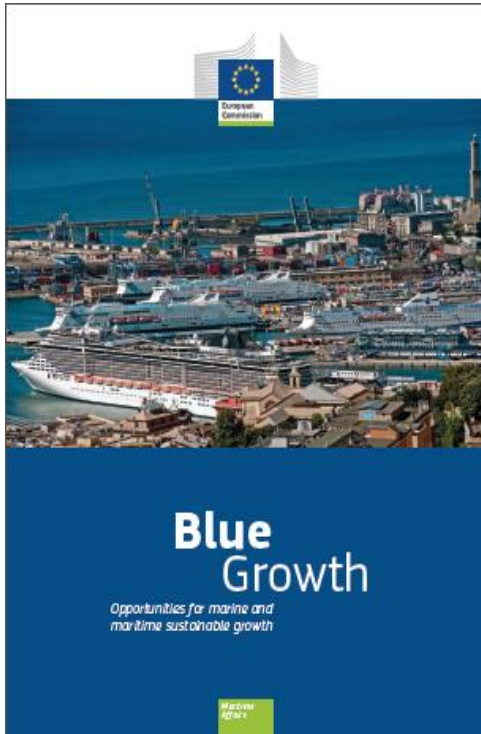
-  Reserved area
-  Reserve on going Area
-  Different uses Area

 Outer limits of the extended continental shelf



 Economic Exclusive Zone (Azores and Madeira)

INTEGRATED MARITIME POLICY



COUNCIL OF THE EUROPEAN UNION
Brussels, 11 March 2014 (OR. en)

7529/14
LIMITE

Interinstitutional File:
2013/0074 (COD)

POL GEN 33
POL MAR 4
POL COM 256
GEN COM 250
SRI 1
SUN 33
SUT 254
SCEF 110
SUT 745

NOTE
From: Presidency
To: Permanent Representatives Committee
No. perm. doc.: 0226/14
No. doc. doc.: 1510/13 + ADD 1 + ADD 2
Subject: Proposal for a Directive of the European Parliament and of the Council establishing a framework for Maritime Spatial Planning
- Approval of the final compromise text with a view to an agreement at first reading

MSP Directive

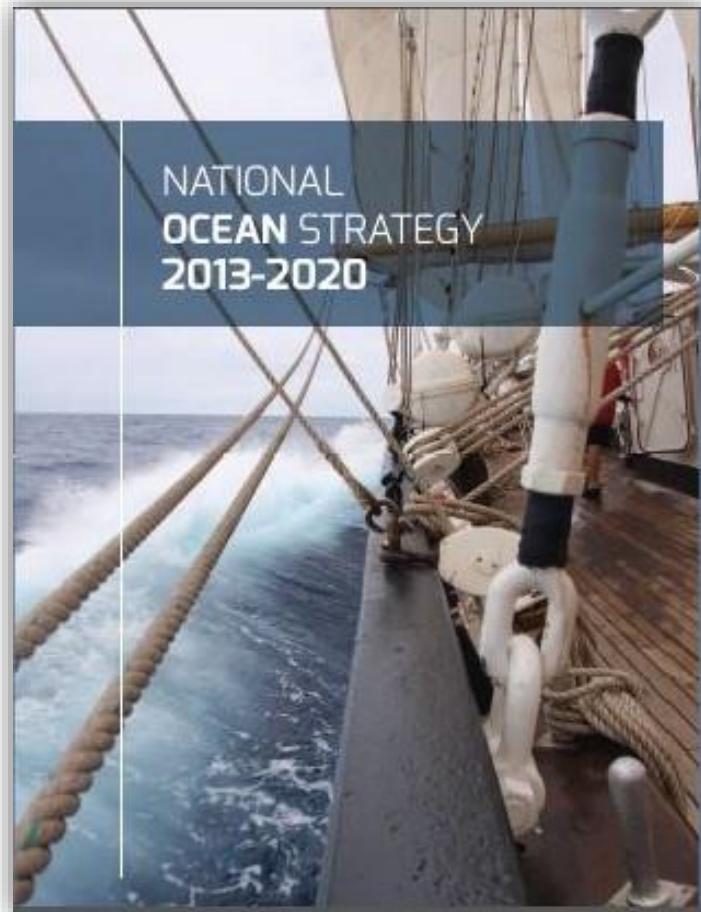
BLUE GROWTH – 5 STRTEGIC DOMAINS:

BLUE ENERGY, AQUACULTURE, TOURISM, MINERAL RESOURCES, E A BLUE BIOTECHNOLOGY

SECOND PERIOD

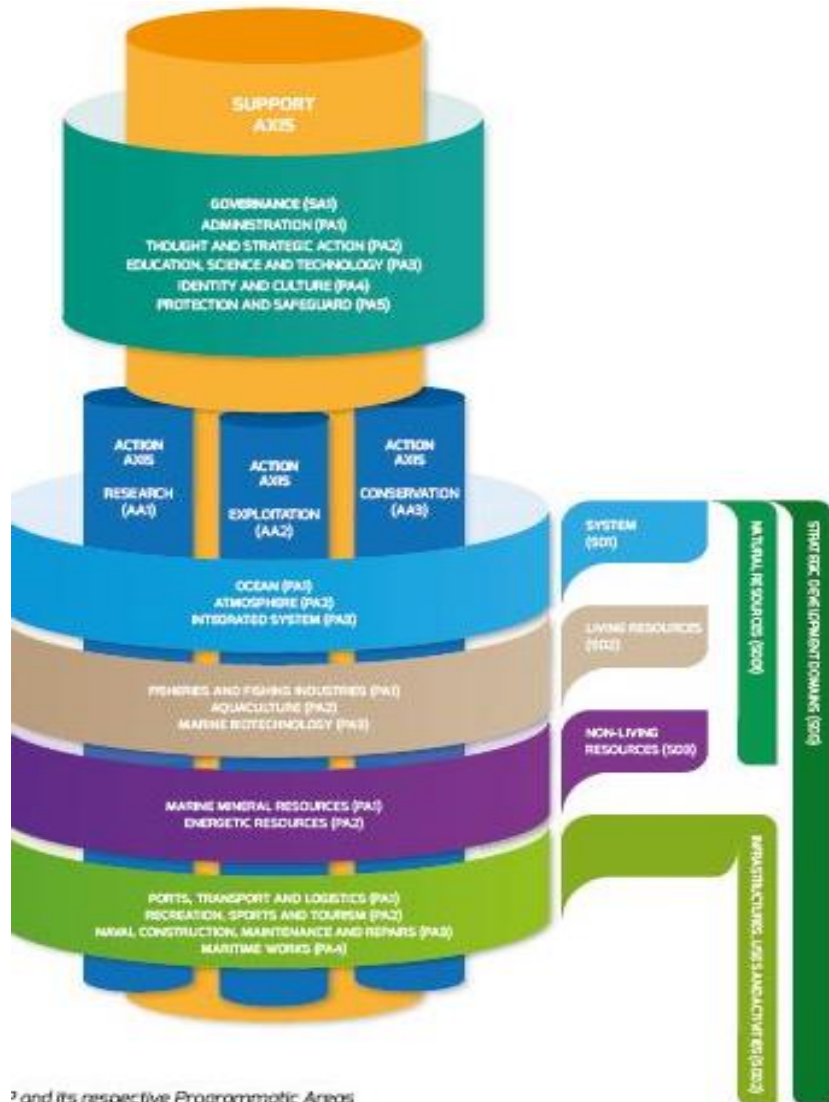


NATIONAL OCEAN STRATEGY 2013-2020



The *Mar-Portugal* is a national goal, the potential of which will be realized by the economic, social and environmental value of the ocean and the coastal areas, for the benefit of all Portuguese

NATIONAL OCEAN STRATEGY 2013-2020



and its respective Programmatic Areas

ACTION PLAN *Mar-Portugal*

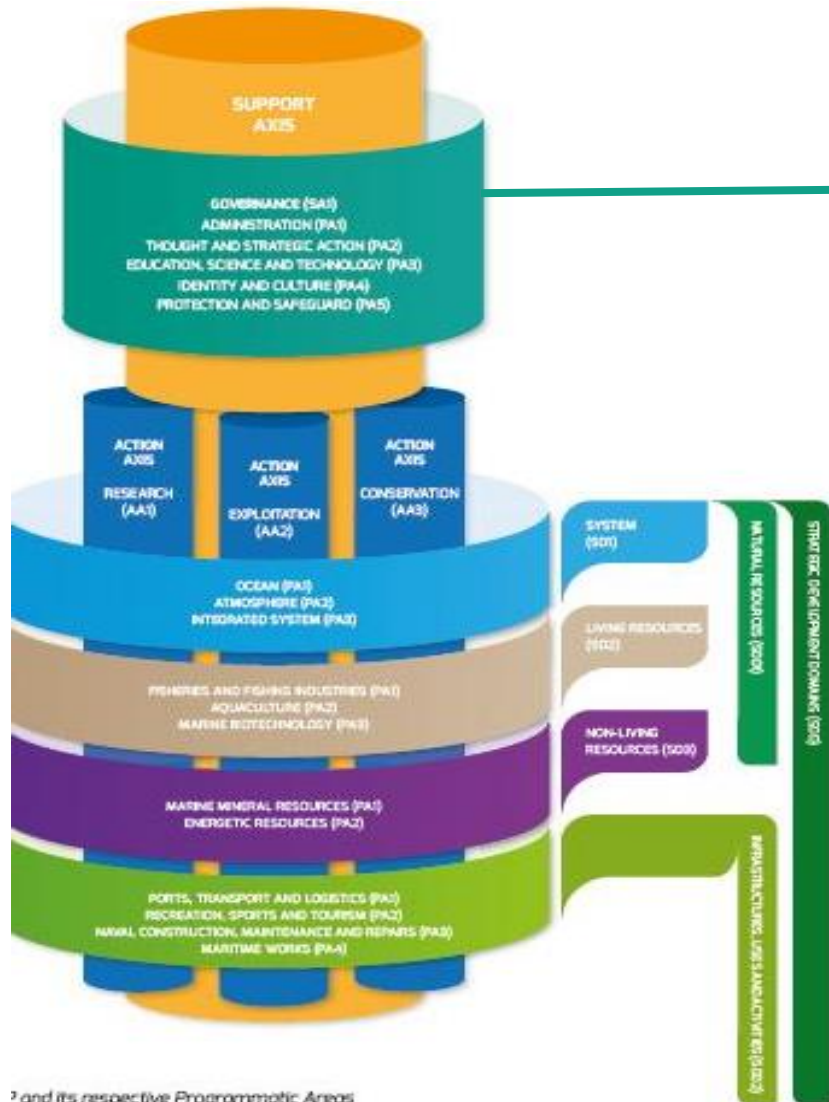
Support Axis - GOVERNANCE

- ADMINISTRATION
- THOUGHT AND STRATEGIC ACTION
- EDUCATION, SCIENCE AND TECHNOLOGY
- IDENTITY AND CULTURE
- PROTECTION AND SAFEGUARD

3 x Action Axis (RESEARCH, EXPLOITATION, CONSERVATION) 12 x Programmatic Areas:

- OCEAN
- ATMOSPHERE
- INTEGRATED SYSTEM
- FISHERIES AND FISHING INDUSTRIES
- AQUACULTURE
- MARINE BIOTECHNOLOGY
- MARINE MINERAL RESOURCES
- ENERGETIC RESOURCES
- PORTS, TRANSPORT AND LOGISTICS
- RECREATION, SPORTS AND TOURISM
- NAVAL CONSTRUCTION, MAINTENANCE AND REPAIRS
- MARITIME WORKS

NATIONAL OCEAN STRATEGY 2013-2020



Plano Mar-Portugal

Support Axis - GOVERNANCE

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- THOUGHT AND STRATEGIC ACTION
- EDUCATION, SCIENCE AND TECHNOLOGY
- IDENTITY AND CULTURE
- PROTECTION AND SAFEGUARD

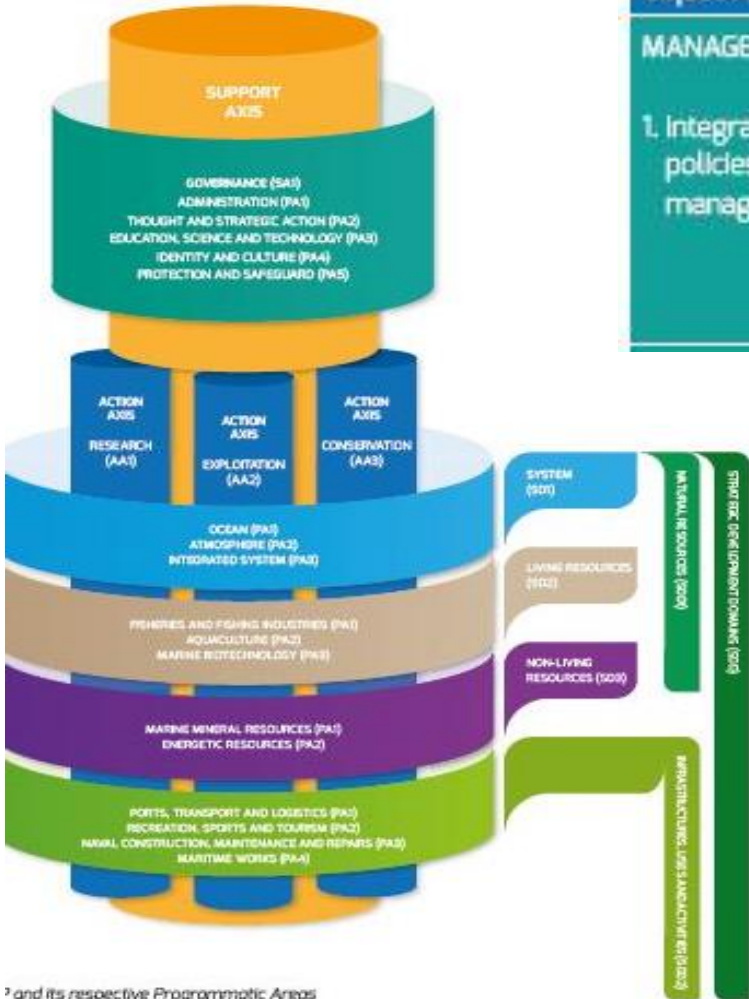
Maritime Spatial Planning (Plan)
 (National; Transboundary; Plataforma Eletrónica de Suporte)

Simplification of the procedural and administrative components of licensing, adopting the single interlocutor principle, for all stages of the licensing procedure

Data and Information
 (Developing a National Sea Data Policy)

² and its respective Programmatic Areas

NATIONAL OCEAN STRATEGY 2013-2020



Objectives of the Action Programs	Effects	GOVERNANCE	
MANAGEMENT 1. Integration of public sea policies and their respective management instruments.	#1		Legislative and regulatory action that simplifies procedures and is guided to serve citizens.
	#2		Ordering the maritime space as a basis for strategic management promoting uses and activities.
	#3		Coherent national sea data system, persistent and efficient. Integrating the set of space instruments.
	#4		Monitoring and promoting competitiveness and internationalising the sea economy.

Basis Law of the Planning and Management of National Maritime Space Law 17/2014, 10 abril abril

2358

ASSEMBLEIA DA REPÚBLICA

Lei n.º 17/2014
de 10 de abril

Artigo 1.º

Estabelece as Bases da Política de Ordenamento e de Gestão do Espaço Marítimo Nacional

A Assembleia da República decreta, nos termos da alínea c) do artigo 161.º da Constituição, o seguinte:

CAPÍTULO I
Disposições gerais

Artigo 1.º
Objeto e âmbito

1 — A presente lei estabelece as bases da política de ordenamento e de gestão do espaço marítimo nacional, identificado no artigo seguinte.

2 — A política de ordenamento e de gestão do espaço marítimo nacional define e integra as ações promovidas pelo Estado português, visando assegurar uma adequada organização e utilização do espaço marítimo nacional, na perspetiva de sua valorização e salvaguarda, tendo como finalidade contribuir para o desenvolvimento sustentável do País.

3 — Sem prejuízo do disposto no número seguinte, a presente lei não se aplica a atividades que, pela sua natureza e atendendo ao seu objeto, visem exclusivamente a defesa nacional ou a segurança interna do Estado português.

4 — No exercício das atividades referidas no número anterior, o Governo atua em conformidade com os princípios e os objetivos do ordenamento e de gestão do espaço marítimo nacional previstos na presente lei e respetiva legislação complementar.

5 — A coordenação e o controlo do espaço marítimo de desenvolvimento económico ordenamento do território

6 — A coordenação e o controlo do espaço marítimo setorial com carácter de ponderação dos interesses e

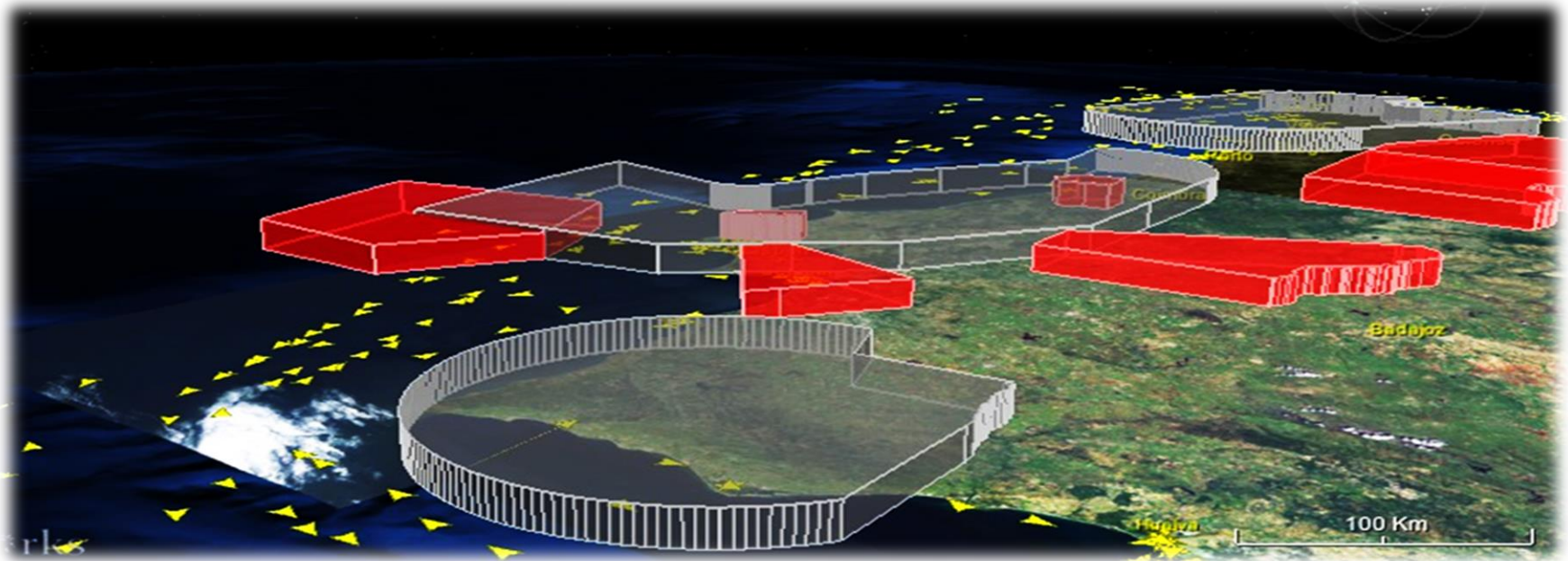
7 — A coordenação e o controlo do espaço marítimo nacional e ordenamento do das zonas costeiras;

8 — Valorização e fomento numa perspetiva de longo prazo

9 — Cooperação e coordenação assegurada a cooperação l

10 — Atividades, um curso marítimo nacional, standard

NATIONAL OCEAN STRATEGY 2013-2020



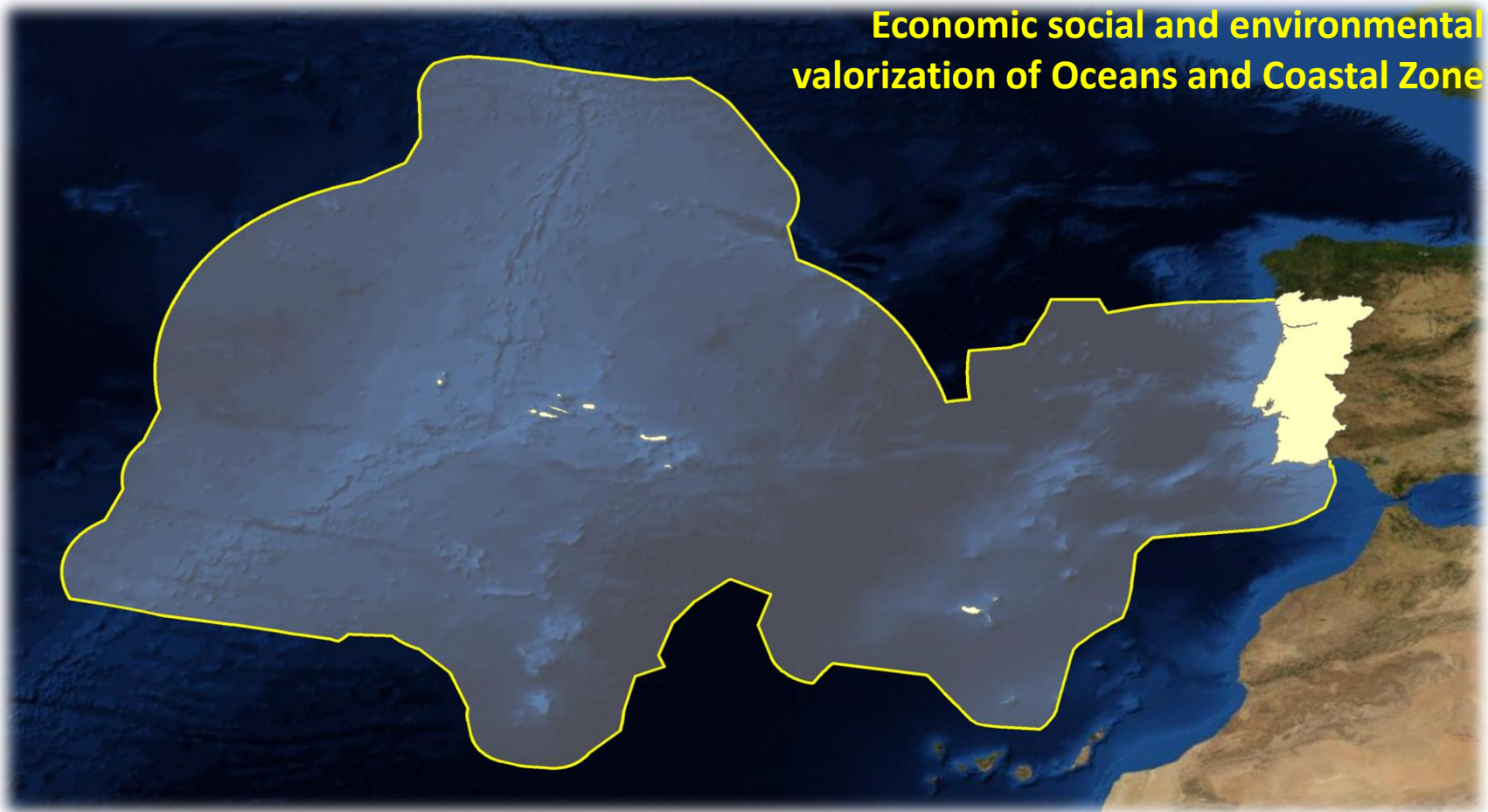
A sustainable model and valorization of maritime space – integration of three different vectors: the use of space and the economics activities, the environmental issues and the safety - a common integrated system environment

Basic Law for Spatial Planning and Management of National Maritime Space promote a new vision and a new practice, creating a fluid, streamlined and effective governance structure

Basic Law - Planning and Management of National Maritime Space

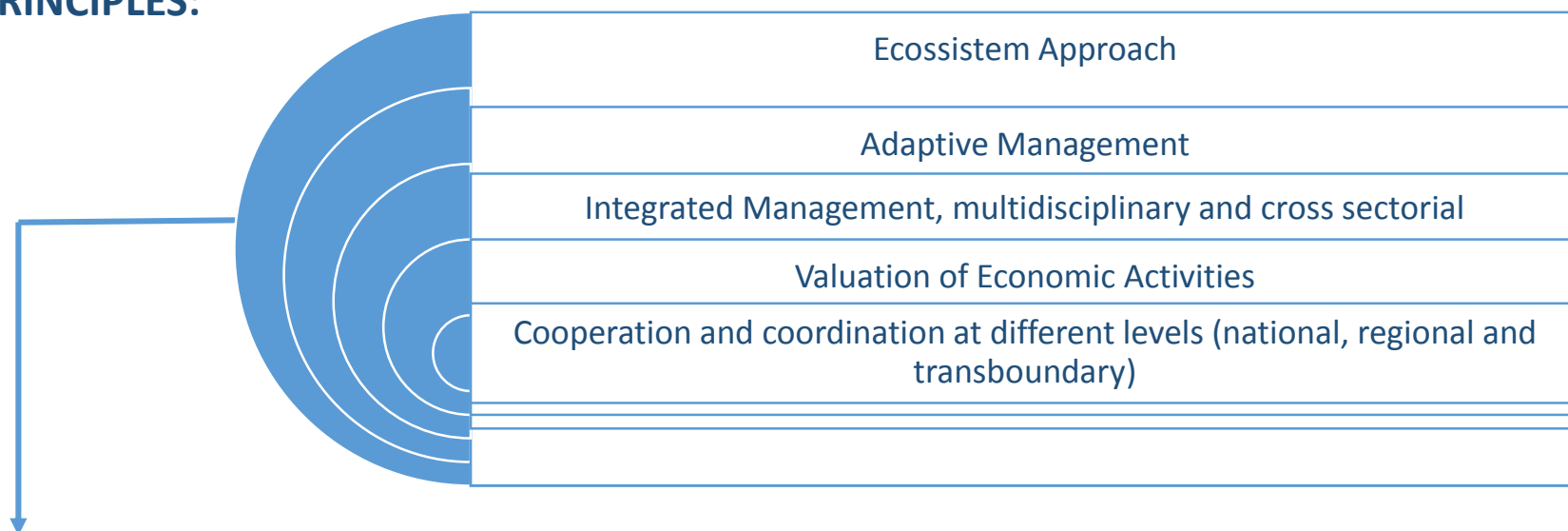
“... from base line to the external limit of the continental shelf behind 200 miles and according to UNCLOS definitions”

Economic social and environmental valorization of Oceans and Coastal Zone



Basic Law - Planning and Management of National Maritime Space

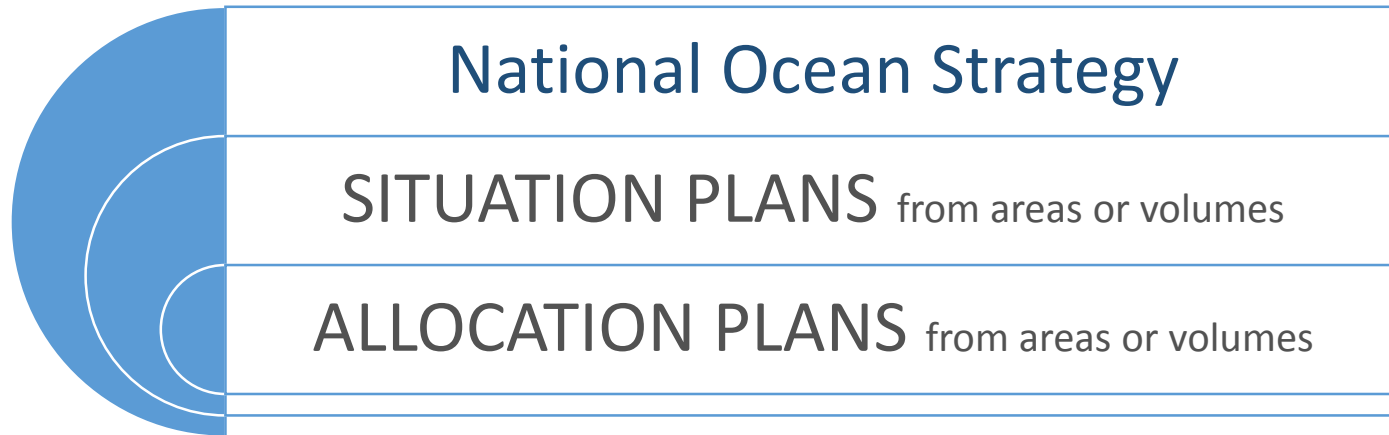
PRINCIPLES:

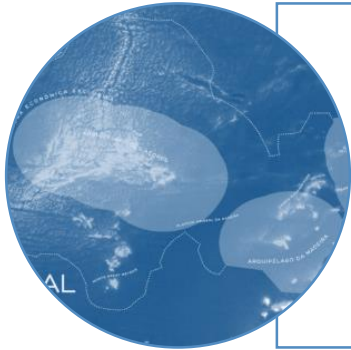


- Coordination and compatibility of national maritime space planning and management with the economic and social development policies;
- Coordination and compatibility of national MSP with sectorial policies which have an impact on it, ensuring the proper balance of public and private interests;
- Consistency between the national maritime spatial planning and the terrestrial spatial planning, including the coastal zone;

Basic Law - Planning and Management of National Maritime Space

INSTRUMENTS:



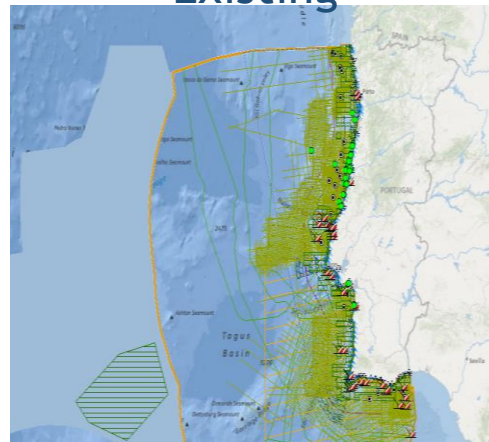


SITUATION PLANS (promoting by public institutions)

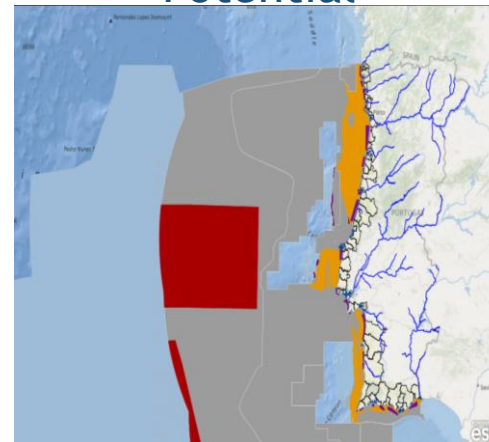
identification of marine environment protection and preservation sites and the spatial and temporal distribution of current and potential uses and activities

Binding for public and indirectly for private

Existing



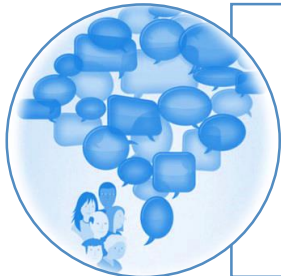
Potential

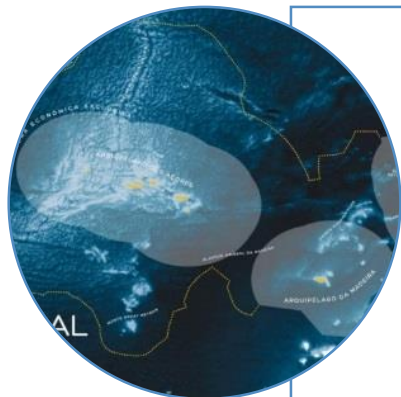


Fonte: ordenamento do espaço marítimo, Despacho n.º 14449/2012

Information and Participation rights

- Participation of all the public entities, autonomous regions governing bodies, municipalities, Associatins (professional, research, etc.)
- All stakeholders have a right to be informed and to participate in procedures
- Public Discussion

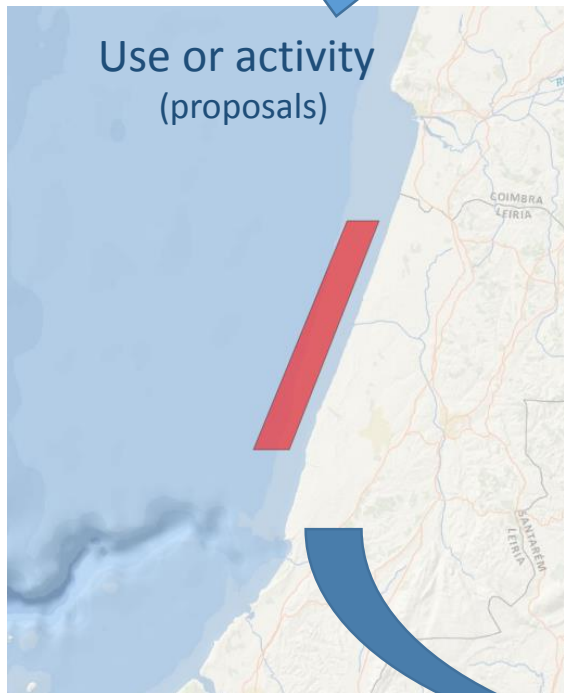




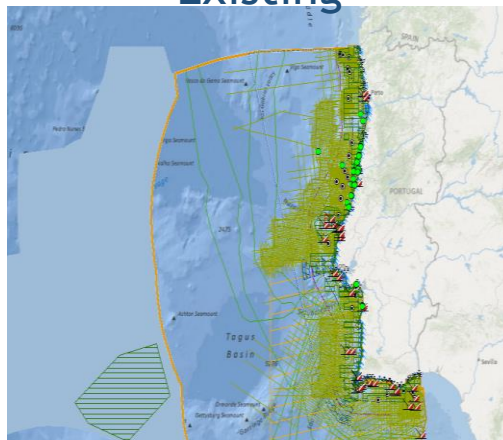
ALLOCATION PLANS (Public or private initiative)

- For different uses and activities of national maritime space areas or volumes (compatible or made compatible with the situation plans)
- Evaluation of the effect of plans on the environment, in accordance with what is legally approved

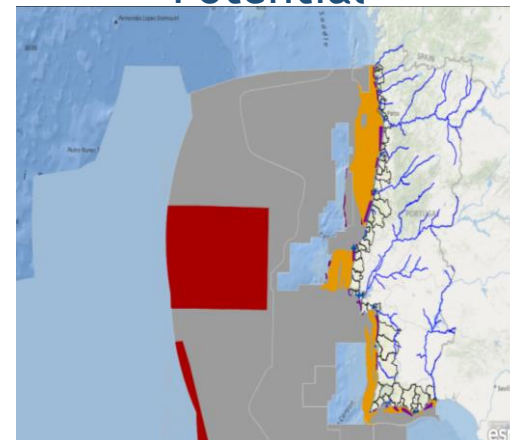
Use or activity
(proposals)



Existing

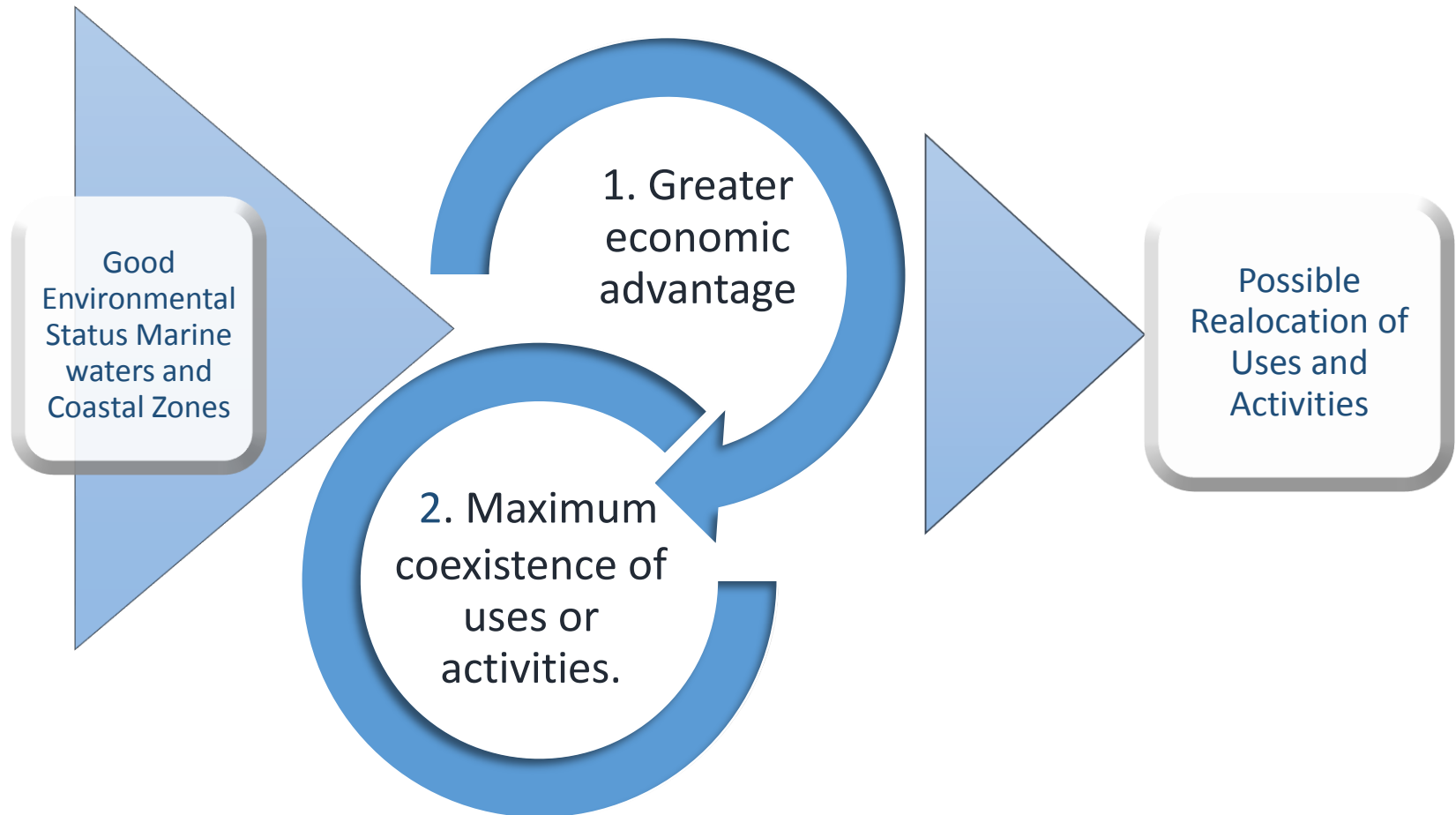


Potential



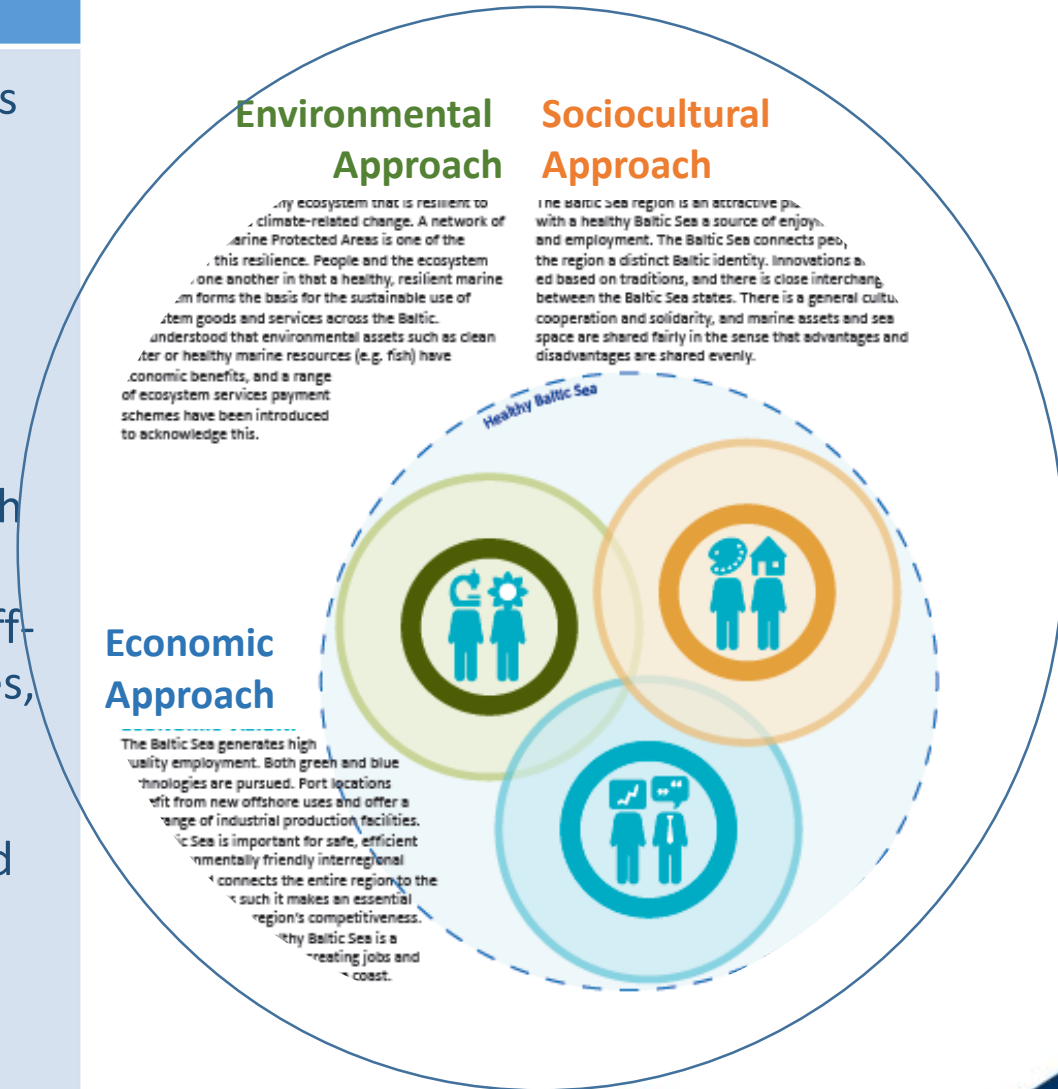
Maritime Spatial Planning Order n.º 14449/2012

Conflict between uses or activities- ALLOCATION PLANS

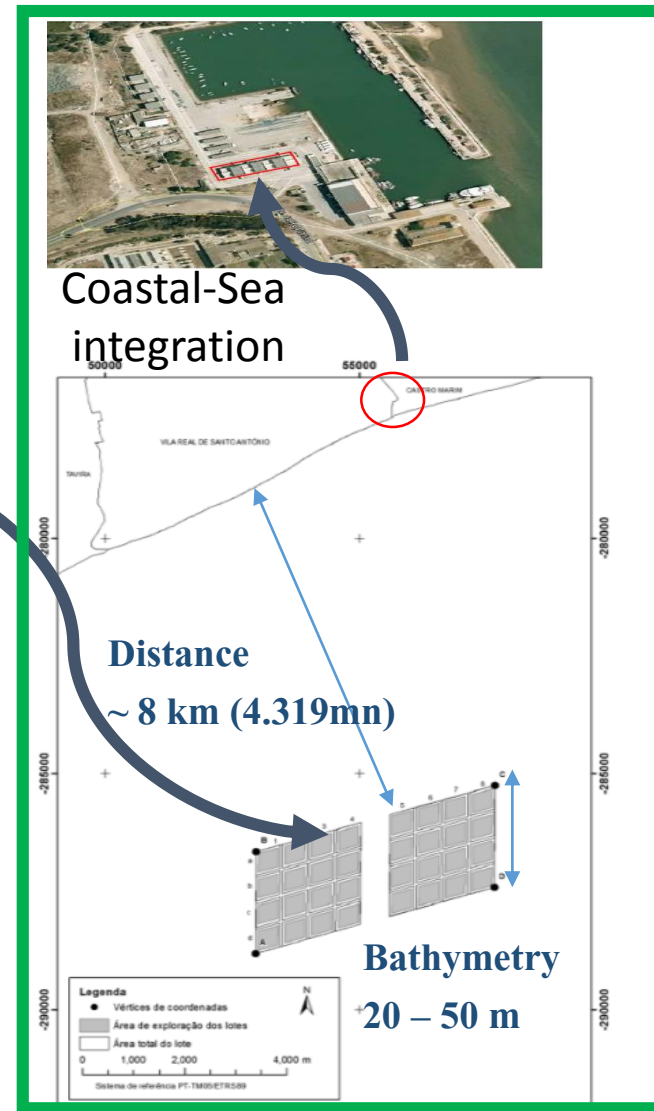
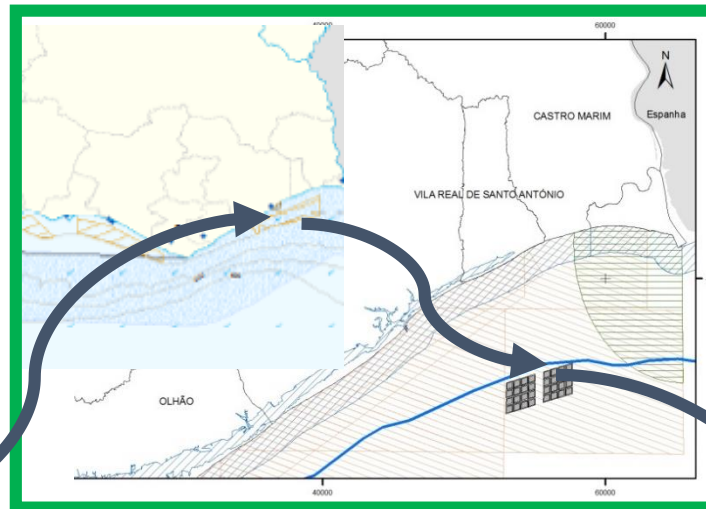


The MSP Benefits

- **Reducing Conflicts** – between sectors and promoting synergies between activities;
- **Promoting the Investment** – more predictability and transparency and clear rules
- **More Coordination** – between public entities due to an integrated approach
- **Promoting the transboundary cooperation** – between states (i.e. offshore structures, linear infrastructures, etc.)
- **Protecting the Environment** – promoting the multi use and uses and activities monitoring as part of the national monitoring program (good environmental state)

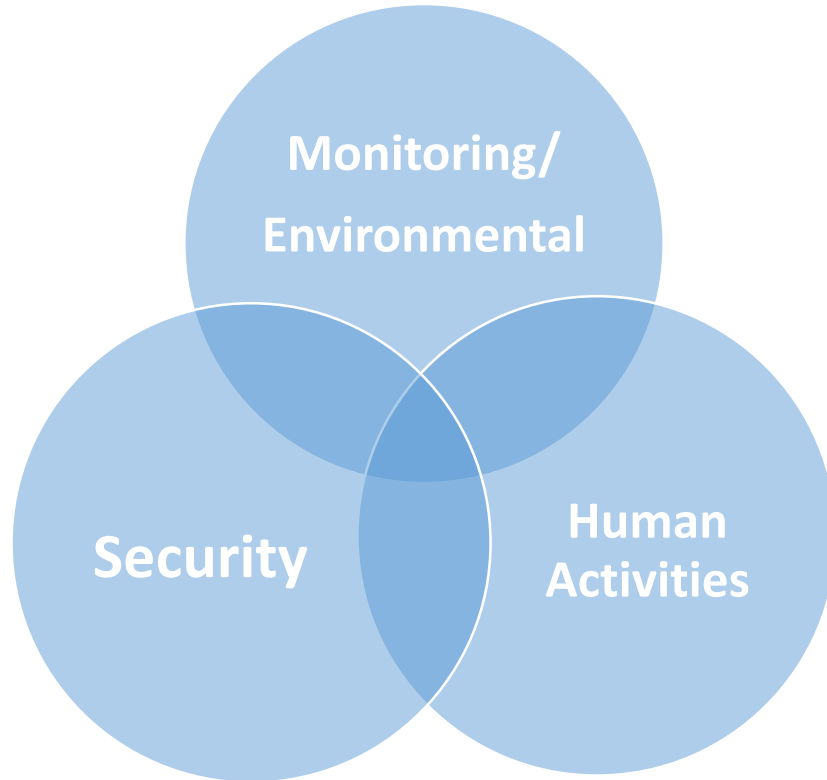


SOME EXAMPLES – AQUACULTURE – Public initiative



- oceanographic characteristics, physico-chemical, biological, sea floor, currents, tides, depths
- compatibility with other uses and activities (fishing, tourism, shipping, etc.).
- natural resources, environmental impacts
- Onshore/land support areas

NEXT STEPS:



- Regulation of the Basis Law
- Developed, implementing and evaluation of MSP instruments
- +
— Integrated Approach
- crossborder cooperation
- Common Information System Environment (CISE)
- +
— European Funds (i.e. EMFF)

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