ETIP Ocean & OES-Environmental Webinar: Marine Spatial Planning and Ocean Energy Development

Current Status of MSP and Marine Renewable Energy in OES Environmental Participating Countries

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What is MSP?

- Multiple definitions!
- Ehler and Douvere (2009):

  "a public process of analysing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic, and social objectives that usually have been specified through a political process. Characteristics of marine spatial planning include ecosystem-based, area-based, integrated, adaptive, strategic and participatory."

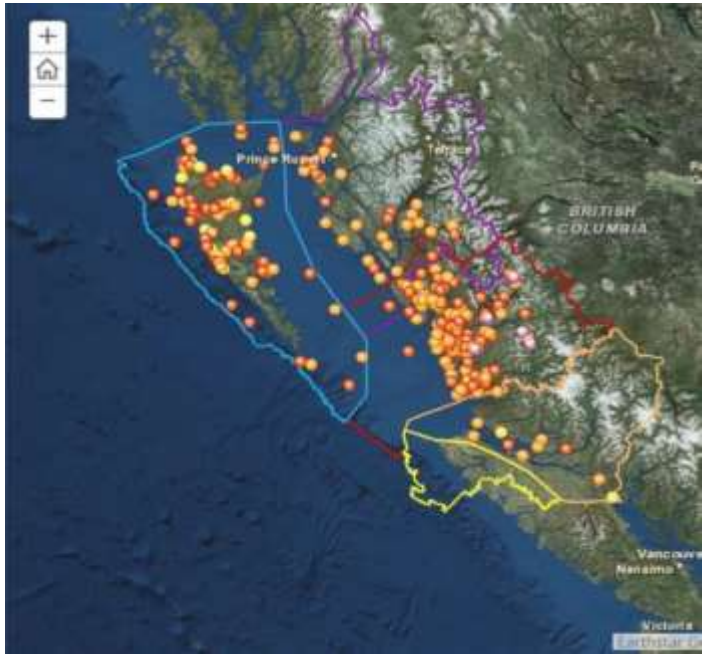
- European Commission (2014):

  "a process by which the relevant Member State's authorities analyse and organise human activities in marine areas to achieve ecological, economic and social objectives."

- Purpose is to balance demands for development with the need to protect the environment, and to deliver social and economic outcomes in an open and planned way.

Why do we need MSP?

- Increasing demand for resources
- Competition for space
- Developer-led/sectoral basis
- Policy drivers
- Legal requirements
- Changing conditions
  - > Continuing, iterative process that learns and adapts over time

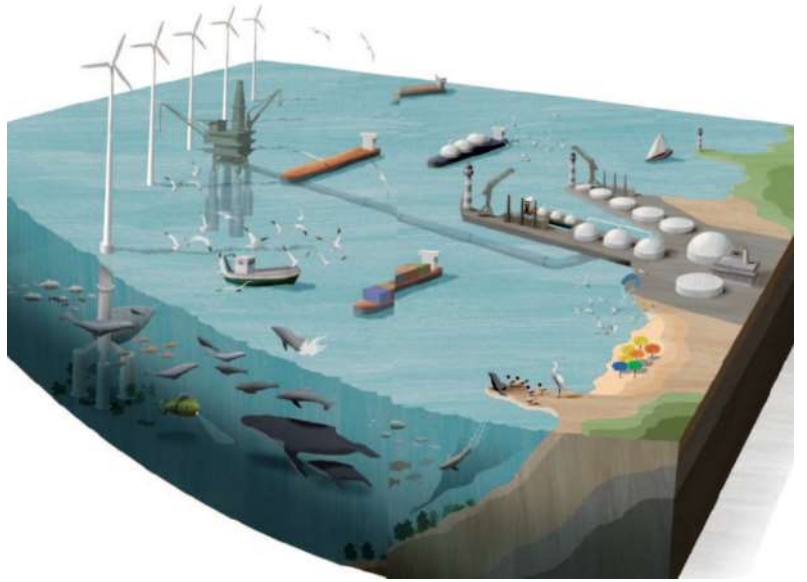


- Mix of rights, powers, responsibilities and national/regional/local interests
- MSP is not a replacement for sectoral planning and management
- MSP is not zoning

Differences to Land Planning

- Multiple dimensions: MSP must address activities on the seabed, in the water column and on the surface;
- Temporal nature of marine developments;
- Mobile nature of many maritime activities: uses such as fishing and navigation move around;
- No single owner: nothing equivalent to private land tenure rights at sea;
- Transboundary impacts and considerations.

- Systems do need to link
  - Can be a legal requirement
  - Can help to incorporate other planning processes e.g. Integrated Coastal Management



Status of MSP implementation

- MSP is an international movement – progress in many countries: Australia, China, USA and Europe
- EU rolled out pilot projects in regional sea areas – European Atlantic, Baltic and North Seas
- Different agendas and drivers –
  - Offshore wind energy in Germany,
  - Focus on marine conservation in England and Wales,
  - Blue Growth policy in EU (?),
  - Kick-start to economic recovery in Ireland (?)
- Predominantly covers Territorial Sea and EEZ
  - Often land planning in some countries extends to nearshore waters

UNESCO MSP website http://msp.ioc-unesco.org/

EC DG MARE website https://ec.europa.eu/maritimeaffairs/policy/maritime_spatial_planning_en

MSP and MRE in *OES Environmental* Countries

Questionnaire survey designed and circulated

Purpose:

- To update 2016 information on MSP and MRE
- To understand how marine planning has advanced in those countries
- To determine if/how MSP has facilitated marine renewable energy development

Methodology:

- Questionnaire broadly similar to that circulated for 2016 SoS Report
- All 13 questions are open in format
- Also option to add additional comments / information / resources
- Circulated to all Annex IV Country Analysts on 17th June 2019 with two weeks for completion

Survey: Key Themes

- Marine Spatial Planning and Marine Renewable Energy: Plans, policies and interactions between these (4 questions)
- Scientific information in MSP i.e. the evidence base (1 question)
- Cumulative impacts (1 question)
- Conflicts and zoning (3 questions)
- Tools for MSP (1 question)
- Relationship between consenting/licensing and MSP (1 question)
- Limitations / obstacles to implementation of MSP (1 question)
- Role of the public (1 question)

Survey: MSP in *OES Environmental* Countries

Participating Country	Status of MSP (or equivalent)
Australia	Differs by jurisdiction; national ocean policy 1998, bioregional planning; State plans e.g. Victoria
Canada	*No response yet*. Nothing national. Integrated Ocean Management Plan for certain provinces
China	*No response yet*. Have a system of Marine Functional Zoning for 11 provinces & municipalities
Denmark	*No response yet*. Transposed Directive in 2016, no national MSP but numerous sectoral plans
France	Implemented through Strategic Façade Planning Documents, 4 sea basins, two implementation phases
India	No MSP or such terminology. Law and policy for coastal management
Ireland	Draft national plan published for consultation last week. Linked to reform of development consent
Japan	Ocean Policy: MSP not mentioned but proposed ocean policy measures relate to planning system
Norway	*No response yet*. Integrated Ocean Management Plan for Norwegian Sea 2017
Portugal	National Ocean Strategy, Situation Plan and Allocation Plan in place
South Africa	Legislation in place since 2019, National Working Group convened, Status Report being prepared
Spain	Transposed in 2017. Preparatory work underway. Will be 5 management plan areas
Sweden	2010 Act covers land, internal waters & territorial sea. MSP will guide municipalities on management
United Kingdom	2009 Act. England: regional level, Scotland: yes, Wales: consultation open; NI: consultation draft
United States	No overarching federal MSP; some State level initiatives e.g. Washington & Rhode Island

Survey: MRE Strategies/Plans and Targets

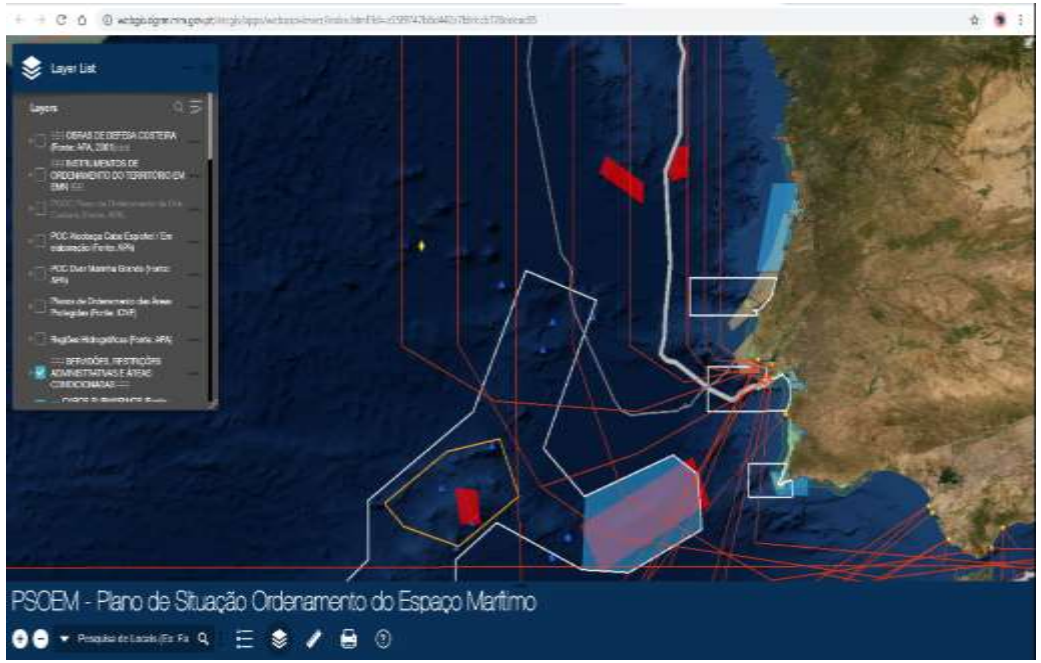
Participating Country	National RE Strategy	National MRE Strategy	Offshore wind targets	Ocean energy targets
Australia	No	No	No	No
Canada				
China				
Denmark	Yes	Wave Power Roadmap		
France	Yes	Yes	Yes	No
India	Legislation	No	No	No
Ireland	Yes	Yes	Yes	No
Japan	Yes	No	Yes	No
Norway				
Portugal	Yes	Industry Roadmap	Yes	No*
South Africa		No	No	No
Spain	Yes	No	Yes	Yes
Sweden	Yes	Through MSP	Yes	No
United Kingdom	Yes	Varies by country	Varies by country	Varies by country
United States	Policy basis	No	No	No

Survey: MRE in Marine Spatial Plans

- Inclusion of MRE in MSP seems dependent on the status of industry development in that country
- **France**: Regional Conference on Marine and Coast – all socio-economic sectors, academic and public bodies, and environmental organisations agree a regional ambition for MRE development, coordinated by permanent public structures
- **Sweden**: national sector agencies identify areas of national interest according to resource availability with input from industry and trade representatives then examined in the planning process
- **Scotland (UK):** Orkney was selected as the location for a Pilot Marine Spatial Plan Case Study. This included stakeholder engagement and a variety of workshops, which gave Marine Scotland, Council Planners and the general marine planning forum a vast amount of knowledge regarding the needs and wants from the MRE industry from a marine planning perspective

Survey: Scientific data and information

- Reliable and up-to-date data and information seen as key to providing the evidence base for MSP
- MSP now a driver for marine data collection in many countries
- Intention is to make this information publicly accessible through, for example, dedicated atlases, geoportals and web-based repositories
- The intention in many countries is to incorporate information from Environment Assessment processes



Survey: Dealing with Potential Conflicts [1]

- Very few Marine Spatial Plans contain mechanisms that deal with conflicts or their resolution
  - In **Portugal** MSP legislation specifies a criteria-based procedure to be utilised when two activities are competing for the same space
- Preference is to avoid conflict by having early and on-going sectoral engagement during plan development to avoid conflict (e.g. **France**)
- Often dealt with on a case-by-case basis (e.g. **Spain and Ireland**)
- Priority areas for certain activities in some countries: e.g. in **Sweden** and **France** defence is a priority; and in other locations it is nature conservation; in **Japan** it is conservation followed by shipping and emergency access routes
- In plans for **Wales (UK)** and **Victoria (Australia)**, guidance on how to consider conflicts between sectors will accompany the Marine Spatial Plan

Survey: Dealing with Potential Conflicts [2]

USES	Aquaculture	Renewable energy	Dredging	Mining	Oil & Gas	Marine resources	Cables and outfalls	Ship sinking	Multiuse platforms	Artificial reefs	Tourism and leisure	Cultural heritage	Natural heritage
Aquaculture													
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Artificial reefs													
Tourism and leisure													
Cultural heritage													
Natural heritage													
Legend													
	Synergy												
	Incompatible												
	Possible compatible uses												

Compatible, incompatible and synergistic marine sectors as identified in the Portuguese Situation Plan

Survey: Zoning for MRE

- Majority of respondent countries do not have preferred locations for MRE zoned
- **France**: macro-zones potentially suitable for MRE development have been identified in each sea basin. Following this local actors engage with socio-economic and ecological stakeholders to develop a low-cost zone for a MRE project, concluding with the Coordinating Prefecture's final administrative authorisation.
- **Portugal**: designated MRE zones exist in the Situation Plan, for development outside this an allocation plan needs to be developed and approved by authorities.
- **Japan** has changed its legislation to allow development of MRE in port and harbour areas. Local government propose demonstration site, national government approves it but agreement with fishermen is a pre-requisite

Survey: limitations to implementation

- Data – particularly as the marine environment is a dynamic system, impacts of climate change and feasibility of plans actually 'adapting' according to needs
- More information also needed on the environmental impacts of devices as well as the impacts of larger projects on the economy and social/political worlds
- Human resources can be an issue in some countries
- Key challenge is implementation – MSP is strategic so will it have any *practical impacts* on MRE projects?
- Low TRL and demonstration status of some MRE technologies mean it is not a planning or political priority
- Public understanding and acceptance of MRE and MSP is needed to foster development and implementation

Conclusions

- Still too early to say definitively what the impact of MSP is for MRE (and vice versa)
- Progress is slow but increasing worldwide
- Initiatives like ***OES Environmental*** and ***ETIP Ocean*** are important in increasing understanding of MRE and what is required from planning systems. This, in turn, should minimise the potential for future conflicts
- Need to involve industry in the planning process to ensure their needs are incorporated
- Learning and transfer of knowledge is critical to successful planning and management

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