

## How sustainable is sustainable marine spatial planning? Part II – The Portuguese experience

Catarina Frazão Santos<sup>a,b,\*</sup>, Tiago Domingos<sup>c</sup>, Maria Adelaide Ferreira<sup>d</sup>, Michael Orbach<sup>b</sup>,  
Francisco Andrade<sup>a</sup>

<sup>a</sup> Centro de Oceanografia, Laboratório Marítimo da Guia, Faculdade de Ciências, Universidade de Lisboa, Avenida Nossa Senhora do Cabo 939, 2750-374 Cascais, Portugal

<sup>b</sup> Duke University Marine Laboratory, Nicholas School of the Environment and Earth Sciences, Duke University, 135 Duke Marine Lab Road, Beaufort, NC 28516-9721, USA

<sup>c</sup> IN+, Centro de Estudos em Inovação, Tecnologia e Políticas de Desenvolvimento, Instituto Superior Técnico, Universidade de Lisboa, Avenida Rovisco Pais, 1049-001 Lisboa, Portugal

<sup>d</sup> e-GEO, Centro de Estudos de Geografia e Planeamento Regional, Faculdade de Ciências Sociais e Humanas, Universidade Nova de Lisboa, Avenida de Berna 26-C, 1069-061 Lisboa, Portugal

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### ABSTRACT

With one of Europe's largest exclusive economic zones, Portugal has a paramount role in the implementation of EU maritime policies. In the Portuguese context, ocean planning and management are presently undergoing major advances. This paper analyzes and discusses the present state of affairs regarding the Portuguese marine spatial planning (MSP) process, comprising: (1) an update on the status of MSP in Portugal; (2) an analysis on how sustainability concepts are to be implemented in the Portuguese MSP process and (3) a discussion on major challenges to Portuguese MSP long-term sustainability. The Portuguese MSP process can be divided in two phases: development of the "Plano de Ordenamento do Espaço Marítimo" (POEM) – initially intended to be the first Portuguese "marine spatial plan" but then published as a "study"; and development of the Law Proposal 133/XII on marine planning and management – soon to be approved. A key question for the long-term adequacy of Portuguese MSP is how is it addressing environmental sustainability: is it relying on soft or hard sustainability concepts? Is it prioritizing the achievement of good environmental status (GES) or blue growth? In both cases (POEM and Law Proposal), soft sustainability seems to be the underlying principle, because although the ecosystem approach is recognized as fundamental, environmental quality seems to come second when set against economic goals.

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### 1. Introduction

Having the second biggest EU's exclusive economic zone (EEZ) [1] and being one of the world's largest maritime nations, Portugal has an important role in the implementation of EU maritime policies. In the Portuguese context, ocean planning and management are presently undergoing major advances. In fact, in less than a decade, two National Ocean Strategies (NOS) have been developed and approved for Portugal – the NOS 2006–2016 [2] and, more recently, the NOS 2013–2020 [3] –, the MSFD was transposed

into national internal law [4,5], two MSFD's strategies were developed for Portugal<sup>1</sup> [6,7], and the Portuguese government started a marine spatial planning<sup>2</sup> (MSP) process.

MSP, as a "public process of analyzing and allocating the spatial and temporal distribution of human activities in [coastal and] marine areas to achieve ecological, economic, and social objectives" [8], has been thoroughly addressed in EU initiatives in the last decade [9] (Fig. 1), as well as at the national level in several countries (cf. e.g. [10,11]). In fact, according to Ehler [12] "MSP is clearly an idea whose time has come". Although MSP is expected to allow for socioeconomic development without compromising the use of resources by future generations, according to Qiu and

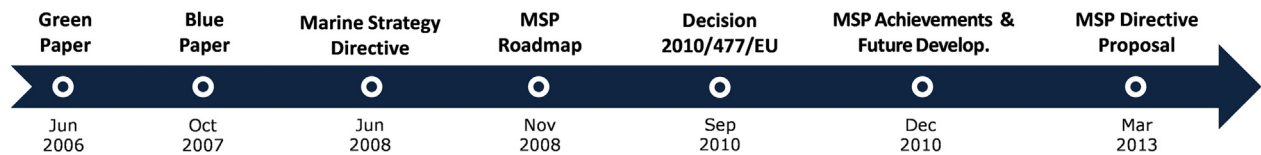
\* Corresponding author at: Centro de Oceanografia, Laboratório Marítimo da Guia, Faculdade de Ciências, Universidade de Lisboa, Avenida Nossa Senhora do Cabo 939, 2750-374 Cascais, Portugal. Tel.: +351 214869211.

E-mail addresses: [cfsantos@fc.ul.pt](mailto:cfsantos@fc.ul.pt) (C. Frazão Santos), [tdomingos@ist.utl.pt](mailto:tdomingos@ist.utl.pt) (T. Domingos), [adelaide.ferreira@fcsh.unl.pt](mailto:adelaide.ferreira@fcsh.unl.pt) (M.A. Ferreira), [mko@duke.edu](mailto:mko@duke.edu) (M. Orbach), [faandrade@fc.ul.pt](mailto:faandrade@fc.ul.pt) (F. Andrade).

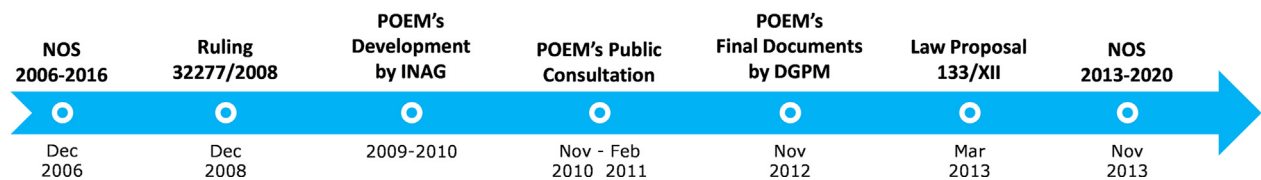
<sup>1</sup> The 'continental exclusive economic zone (EEZ) strategy', and the 'extended continental shelf strategy'. No strategies for the EEZs of the archipelagos of Madeira and of the Azores have yet been published.

<sup>2</sup> Also referred to as *maritime* spatial planning – especially in Europe.

## European Union



## Portugal



**Fig. 1.** Timeline of major maritime policy initiatives addressing marine spatial planning (MSP): at the European Union level (above) and at the Portuguese level (below). NOS: National Ocean Strategy. POEM: *Plano de Ordenamento do Espaço Marítimo*. INAG: Portuguese Water Institute. DGPM: Directorate General for Maritime Policy.

Jones [13] there are two main 'types' of MSP, depending on which sustainability concept underlies the planning process. *Integrated-use MSP*, based on 'soft' (or weak) sustainability, that aims to foster economic growth related to maritime sectors in a sustainable way; and *ecosystem-based MSP*, based on 'hard' (or strong) sustainability, which has a strong focus on preserving marine goods and services. Although ecosystem-based marine planning and management has been presented as the best way to ensure sustainability of marine ecosystems and the services they provide [8], most European and national initiatives (as it is the case of Portugal) seem to follow an 'integrated-use' approach to MSP (e.g. 'integrated management', and not 'ecosystem-based management', is stated as one of the guiding principles for the recently approved NOS 2013–2020 [3]). Here, two major challenges arise [9]: how to deal with the 'risks' inherent to integrated-use MSP, and how to identify 'points of no-return' before they are crossed? These issues are addressed in Frazão Santos et al. [9], which reviews the links between sustainability, ecosystem-based management (EBM) and MSP in EU maritime policy initiatives; analyzes differences between ecosystem-based MSP versus MSP focused on delivering blue growth; and discusses some of the main challenges found in achieving sustainable ocean management. In effect, such study sets out the framework for the analysis carried out in the present paper.

Given that present and future strategies for the Portuguese maritime space are currently being defined, understanding how the Portuguese MSP process was conducted so far, together with understanding major opportunities and threats to its long-term success, is of the utmost relevance. The present study starts by (1) reviewing the state of affairs on Portuguese MSP, and (2) further analyzes and discusses how sustainability concepts have been considered in the Portuguese MSP process, together with major challenges to its long-term suitability and sustainability.

## 2. The Portuguese MSP process: from the POEM to the Law Proposal

The first Portuguese NOS (NOS 2006–2016), published in 2006, considered MSP as a governance tool essential to ensure truly integrated, progressive and adaptive coastal and marine management, based on the principles of precaution, sustainable development and EBM [14,15]. In accordance to the NOS 2006–2016 objectives as well as in line with EU maritime policy initiatives (e.g. EU MSP Roadmap [16]), and due to the strategic role and importance of the ocean at a national level<sup>3</sup> [5], in 2008 the

Portuguese government established the need to develop a marine spatial plan (Fig. 1) for all the maritime space under its jurisdiction or sovereignty [15,17]. This encompasses the water column, seabed and subsoil, from coastal waters (defined by the maximum spring high water tide mark) to the entire Portuguese EEZ, and proposed extended continental shelf. This initiative was entitled 'Plano de Ordenamento do Espaço Marítimo' (POEM) and it was designed to analyze the existing and future uses/activities in the Portuguese maritime space according to seven major goals (Fig. 2). To develop POEM a multidisciplinary team was appointed – consisting of representatives from various ministries, all belonging to the Portuguese Inter-ministerial Commission for Sea Affairs (CIAM)<sup>4</sup> [18,19] – and the Portuguese Water Institute (INAG) was established as the responsible coordinating entity (Fig. 2).

Between 2008 and 2010, the multidisciplinary team developed the four main documents that compose the POEM (Fig. 3): (1) a framework document; (2) the plan's proposal – which includes the allocation of space to different uses (POEM's 'spatialization'), management guidelines, an action program, and a monitoring program; (3) the plan's Strategic Environmental Assessment (SEA) report; and (4) the technical rationale and diagnosis report – which encompasses the baseline characterization studies, the strategic framework, the 'spatialization' methodology, the data management and mapping methodology, and implications of legislation for MSP (for more information on POEM cf. e.g. [20]).

Afterwards, for about three months – from November 29, 2010 to February 22, 2011 – POEM's documents were subjected to a public consultation process [21], including seminars, workshops, and specific discussions on particularly relevant topics, such as marine transportation, national security, energy, tourism, fisheries, nature conservation, science and technology.

In the beginning of 2012, following a government change, the Directorate General for Maritime Policy (DGPM) was created [22] and assumed the coordination of POEM's multidisciplinary team. After incorporating relevant changes from the public consultation process, as well as from subsequent meetings of the multidisciplinary team, a final version of POEM was reached. Finally, on

<sup>3</sup> Portugal has one of the world's largest economic exclusive zones, and encompasses two MSFD marine sub-regions.

<sup>4</sup> The CIAM was created in 2007 under the coordination of the Minister of National Defence, with the main purpose of ensuring (1) coordination among ministries; (2) monitoring and evaluation of cross-cutting policies related to maritime affairs; and (3) proper implementation of the NOS 2006–2016. In 2009, the CIAM was reformulated and became chaired by the Prime Minister.

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