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CONSENTING PROCESS FOR OCEAN ENERGY IN SPAIN



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This project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 646436.

- National strategy and targets
- Marine Spatial Planning
- Consenting process
- EIA
- Challenges





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The Spanish Renewable Energy Plan 2011-2020, approved in November 2011, included targets for ocean energy (100 MW of installed power by 2020).

However, these targets seem now difficult to achieve due to the lack of support to all renewables and no specific strategic plans for ocean energy.

RIC & RE RISK BASED CONSENTING FOR OFFSHORE RENEWABLES	MSP	CONSENTING PROCESS	EIA	CHALLENGES

- Marine Spatial Planning and Strategic Environmental Assessment have been identified as tools which can support and inform future consenting of ocean energy projects.
- Some countries are in the process of developing MSP systems and others have already zoned sea areas for marine renewable energy development



In Spain there is no a specific MSP policy for wave and tidal projects....but.....



Galparsoro, I., P. Liria, I. Legorburu, J. Bald, G. Chust, P. Ruiz-Minguela, G. Pérez, J. Marqués, Y. Torre-Enciso, M. González, A. Borja, 2012. A <u>Marine Spatial Planning</u> approach to select suitable areas for installing wave energy converters on the Basque continental shelf (Bay of Biscay). *Coastal Management Journal*, 40: 1-19.





For offshore wind projects.....

After been subject of evaluation according to the Law 9/2006 of SEA

In 2009, the Strategic Environmental Study of the Spanish coasts for the installation of offshore wind farms (<u>http://www.aeeolica.org/uploads/documents/562-estudio-estrategico-ambiental-del-litoral-espanol-para-la-instalacion-de-parques-eolicos-marinos_mityc.pdf</u>)



EIA

RESULTS

- Exclusion zones (Red) 62%
- Areas with some environmental restrictions (Yellow) 34%

MSP

• Suitable Zones (Green) 3%



In Spain no dedicated consenting process exists for ocean energy technologies

The consenting process is based on **three main legal instruments**:

- **Royal Decree 1028/2007** establishes the administrative procedure for processing applications for electricity generating facilities in territorial waters
- Law 21/2013, December 9th, on Environmental Impact Assessment
- Law 2/2013, of 29 May, for protection and sustainable use of the coast





The **Ministry of Agriculture, Food and Environment**, through the Directorate General of Coasts - is in charge of the authorizations and concessions regarding the occupation of maritime-terrestrial areas



The **Ministry of Development**, through the Directorate General of Merchant Navy - authorizes the precise activities when they affect maritime safety, navigation and human life at sea



The **Ministry of Industry**, through the Directorate General for Energy Policy and Mines is the decision-making body and it is responsible for granting the administrative authorization

Regional governments can participate in the process depending on their competences. In particular, regional governments (there are 17 in Spain) are the decision-making bodies when the site is in internal sea areas (i.e. sea areas lying between two capes)



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RIC & RE RISK BASED CONSERTING FOR OFFSHORE RENEWARLES	MSP	CONSENTING PROCESS	EIA	CHALLENGES

According to the Law 21/2013, December 9th, on Environmental Impact Assessment, all projects devoted to the production of energy on the marine environment are subject to be evaluated through a simplified environmental impact assessment process



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RIC # RE RISK BASED CONSENTING FOR OFFSHORE RENEWARLES	MSP	CONSENTING PROCESS	EIA	CHALLENGES

Consenting is still regarded as a non-technological barrier to the progress of marine renewable energy industry, due to the complexity of consenting processes and the lack of dedicated legal frameworks

Barriers	Recommendations
Uncertainties regarding environmental aspects of the projects. Uncertainties and lack of information of the different public agents who have to take decisions	Public database on monitoring results and conclusions, implement a risk-based approach during the decision-making process
Lack of guidance to developers	Development of procedures and guidelines
Lack of an integrated planning	Implementation of strategic plans like MSP and SEA
Administrative procedures	The implementation of a 'one-stop-shop' approach or a well coordinated procedures between different consenting bodies
Long lead-in times for approvals	Establishment of fixed time frames and deadlines



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CONSENTING PROCESSES FOR OCEAN ENERGY ON OES MEMBER COUNTRIES

February 2015 A seport prepared by WavEC for the DES under AWKEX (- Revenand Disconsistion of Information on Crisis Present Sectors)

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IEA-OES, 2015. **Consenting processes for ocean energy on OES member countries**. 58 pp. <u>http://www.ocean-energy-systems.org/news/consenting-</u> <u>processes-for-ocean-energy/</u> Expert Workshop 2. Dealing with the risk of licensing marine renewables: the role and experience of regulators Thursday, May 21st, 2015 – Paris, France

iiiThank you very much for your attention!!!

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