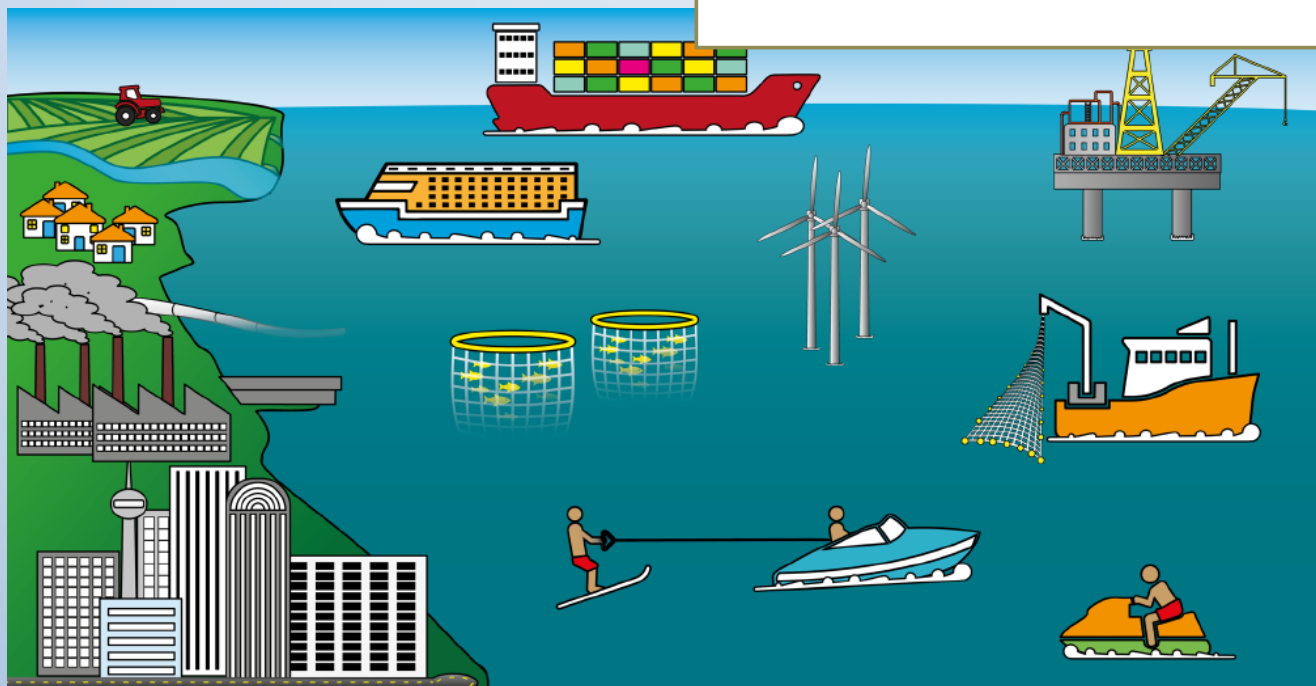


EXECUTIVE SUMMARY

MARITIME SPATIAL PLANS

FEBRUARY 2023



GOBIERNO
DE ESPAÑA

VICEPRESIDENCIA
TERCERA DEL GOBIERNO

MINISTERIO
PARA LA TRANSICIÓN ECOLÓGICA
Y EL RETO DEMOGRÁFICO

Executive summary. Maritime spatial plans

February 2023

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ÍNDICE

1. Purpose and scope	5
1.1. Introduction and regulatory framework	5
1.2. Methodology	6
Interadministrative coordination	8
Stakeholder involvement	8
Management and access to geographic information: INFOMAR	9
Cross-border cooperation	9
Consultation and participation	10
1.3. Scope of application	10
2. Guiding principles and planning objectives	13
2.1. Guiding principles and coherence	13
2.2. Objectives identified in sectoral regulations	14
2.3. Objectives of maritime spatial plans	14
3. Diagnosis: maritime sectors: current status and forecasts for future or potential development	20
4. Maritime spatial planning	22
4.1. Planning scheme	22
4.2. Coexistence of uses and activities in maritime space	24
4.3. Priority use areas	26
4.3.1. Priority use areas for biodiversity protection	26
4.3.2. Priority use areas for aggregate extraction for coastal protection	27
4.3.3. Priority use areas for the protection of cultural heritage	28
4.3.4. Priority use areas for research, development and innovation (R&D&I)	29
4.3.5. Priority use areas for National Defence	29
4.3.6. Priority use areas for the safety of navigation	30
4.4. High potential areas for different uses	30
4.4.1. High potential areas for biodiversity conservation	30
4.4.2. High potential areas for aggregates extraction for coastal protection	31
4.4.3. High potential areas for research, development and innovation (R&D&I)	31
4.4.4. High potential areas for port activity	32
4.4.5. High potential areas for offshore wind energy development	34
4.4.6. High potential areas for marine aquaculture	37
5. Implementation, evaluation and monitoring of the plans	40
5.1. Measures for maritime spatial plans	40
5.2. Strategic environmental assessment	43
5.3. Planning monitoring	43

1. Purpose and scope

1.1. Introduction and regulatory framework

The marine environment constitutes an ecosystem that supports a range of human uses and activities, delivering essential goods and services that contribute to the economic and social development of coastal regions. Accordingly, many of these uses and activities require the appropriate apportionment in the maritime space, whether on a temporary or permanent basis.

Maritime Spatial Planning (hereinafter MSP) is defined as the process through which the competent authorities assess and organise human activities within marine areas with the aim of securing ecological, economic and social objectives. The term shall be considered synonymous with “marine spatial planning”.

MSP is therefore established as a cross-cutting strategic instrument, enabling public authorities and relevant stakeholders to adopt a coordinated, integrated and transboundary approach. This facilitates a more efficient and sustainable coexistence of uses of ocean space, minimises potential conflicts and fosters coexistence and synergies between sectors.

In addition, MSP represents a valuable mechanism for ensuring the effective protection of sensitive and vulnerable ecosystems, habitats and species, including those afforded protection under regional, national or supranational legal frameworks.

Within the framework of the Integrated Maritime Policy for the European Union, **Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning** was adopted. This Directive was transposed into Spanish law by **Royal Decree 363/2017 of 8 April, which establishes the framework for maritime spatial planning in Spain**.

The Royal Decree establishes that, within Spain, a Maritime Spatial Plan shall be developed for each of the five Spanish marine subdivisions, namely: the North Atlantic, South Atlantic, Strait and Alboran, Levantine-Balearic and Canarian.

Directive 2008/56/EC, commonly referred to as the Marine Strategy Framework Directive (MSFD), sets the overarching objective of achieving or maintaining Good Environmental Status (GES) of the marine environment by 2020 at the latest. The MSFD was transposed into Spanish legislation through Law 41/2010 of 29 December, on the Protection of the Marine Environment. This law established the obligation to develop and implement **five Marine Strategies**, one corresponding to each of the five marine subdivisions defined in Article 6.2 of the legislation.

The interlinkages between both directives have been integrated into Spanish national legislation in a consistent and coordinated manner. Article 7 of Law 41/2010 states that: “Marine Strategies are the strategic planning instruments for each marine subdivision and constitute the overarching framework to which all relevant sectoral policies and administrative actions with an impact on the marine environment must conform, in accordance with the provisions of applicable sector legislation.”

Significantly, Law 41/2010, even prior to the formal adoption of the Maritime Spatial Planning Directive (MSPD), had already identified Marine Spatial Planning (MSP) as a key tool to promote sustainability and GES attainment. This is reflected in Schedule 5 of the law, which lists potential types of measures to be included within the Programmes of Measures under the Marine Strategies, explicitly referencing Marine Spatial Planning as one such measure.

In alignment with the above, Royal Decree 363/2017 of 8 April was developed as a regulatory instrument to implement the provisions set forth in Article 4.2 of Law 41/2010 on the protection of the marine environment. Accordingly, Royal Decree 363/2017 stipulates that: *“This management framework shall serve as a common guideline for all Marine Strategies, pursuant to Article 4.2(f) of the Marine Environment Protection Law.”*

In conclusion, the process of developing Maritime Spatial Plans is expected to fully use the data and knowledge generated through the Marine Strategies. It is essential that the Maritime Spatial Plans adopt an ecosystem-based approach, thereby ensuring the achievement of GES is both prioritised and not undermined.

1.2. Methodology

The methodology for the development of Maritime Spatial Plans entails a sequence of preparatory phases, each designed to support the effective formulation of the plan. Although these phases follow a chronological sequence, they must also incorporate cross-cutting elements, which are to be integrated from the outset of the planning process.

The initial phase has focused on the definition of management objectives, **structured around the various activities, uses and interests associated with the marine environment. Among these, certain activities, uses and interests are identified as being of public interest. In such instances, their associated objectives are considered a priority, as they derive from public policy mandates aimed at the protection of common heritage, as well as matters of public safety and health. Other uses of the marine space are more explicitly associated with the economic activities of maritime sectors.**

To undertake any process of natural resource planning, in this context, the maritime area, it is essential to possess a detailed understanding of the environmental characteristics within the marine environment in which the planning actions are to be carried out, based on the best available information.

The environmental data incorporated into the plans includes:

1. The oceanographic, climatic, physical and chemical characteristics of the marine environment underpinning the plans include parameters such as bathymetry, temperature, salinity, dissolved oxygen, nutrients, photic layer depth, currents, and sediments, among others
2. Spatial distribution data on habitats and species, including areas of known ecological significance for certain species or biological communities, is also incorporated
3. Comprehensive spatial information on human activities
4. Marine Protected Areas (MPAs)

In addition to this environmental characterisation, the diagnosis of the current state must also encompass socio-economic dimensions, addressing key questions such as: What are the principal uses currently present within the marine waters subject to management? What is the geographical distribution of these uses?

To support this diagnosis, information generated during the second cycle of Spain's Marine Strategies has been used, specifically the updated initial assessment of the marine environment's status, associated pressures and impacts and the economic and social analyses.

This first source of information has been supplemented by an extensive **inventory of existing and future uses and activities**. Pursuant to Article 7 of Royal Decree (RD) 363/2017, of 8 April, each relevant ministerial department, coordinating where appropriate with coastal autonomous regions, has compiled an inventory detailing the distribution of existing and as far as possible, future activities and uses, which has been submitted to the Directorate-General for the Coast and the Sea (DGCM).

The plans must also incorporate projections of future uses. This compilation has been prepared in close coordination with sectoral administrations of both the Spanish National Government and the Autonomous Communities, as applicable.

The management framework implemented within the Maritime Spatial Plans is founded on the principle that marine waters can accommodate the coexistence of multiple uses and activities, which can be carried out without compromising the attainment or maintenance of Good Environmental Status (GES).

The MSPs uphold existing restrictions on uses derived from sectoral and environmental legislation, while also establishing overarching criteria to facilitate the harmonious coexistence of uses and activities without jeopardising GES.

Within this planning process, particular emphasis is placed on activities, uses and interests in the maritime domain deemed to be of public interest, which are instrumental in achieving the overarching objectives of the MSPs. Accordingly, the geographic areas where these uses of general interest currently take place have been identified and delineated with defined perimeters, conferring upon them the designation of priority use areas.

Within each designated zone, the following are specified:

- Provisions for planning uses and activities to safeguard the priority use from compromise.
- Criteria governing the development of activities and potential spatial overlaps between two or more priority use zones.
- Measures, understood as concrete actions to be undertaken in forthcoming years to advance maritime spatial planning.

Once the safeguarding of general interest uses and activities is ensured, the MSPs, in their role of fostering the sustainable development of maritime sectors, focus particular attention on specific sectoral activities with foreseeable future growth, for which the identification of the most appropriate spatial allocation is essential. These activities or uses necessitate development in specific areas or clusters of areas within the marine subdivision due to their inherent characteristics. To this end, high potential areas have been designated for different uses and activities.

Land-sea interactions are defined in RD 363/2017 of 8 April as “the effects that human activities on land may exert on maritime space and conversely, maritime activities may have on terrestrial territory.” The Royal Decree establishes that these plans are required to account for these land-sea interactions.

Among the mandates of the Directorate-General for the Coast and the Sea (DGCM, according to its initials in Spanish) is the “coordination of the implementation of Integrated Coastal Zone Management (ICZM) within Spain.” This Directorate-General is also entrusted with responsibilities relating to the protection and conservation of the components comprising the maritime-terrestrial public domain, including the sustainable adaptation of beaches, dune systems and coastal wetlands, as well as the planning, preparation, oversight and inspection of relevant studies, projects and coastal defence works.

The integration of land-sea interactions has followed a phased approach, initially identifying the most salient issues pertinent to land-sea interactions. Subsequently, a detailed analysis of these issues has been conducted across the five marine subdivisions, where applicable. This analysis has incorporated a review of existing planning instruments that address each identified issue. Finally, the integration of land-sea interactions into the management process has been undertaken through the formulation of specific criteria and measures, designed to address issues identified as relevant and which are not adequately covered by previous existing planning instruments.

Interadministrative coordination

Administrative coordination, alongside public participation, constitutes a fundamental component of the maritime spatial planning process. This is due both to the multi-sectoral nature of the plans and to the complex distribution of competencies governing the planning and management of

human activities in Spain's marine environment, which involves multiple entities across the Spanish National Government, the Autonomous Communities (CCAA) and, in certain cases, local authorities.

This governance complexity is recognised in Royal Decree 363/2017 of 8 April, which, in Article 7, sets out the procedure for the development of the Maritime Spatial Plans. As part of this process, the Decree establishes a mechanism for inter-administrative coordination using at least three collegiate bodies:

The **Interministerial Commission on Marine Strategies** (CIEM, standing for *Comisión Interministerial de Estrategias Marinas*) serves as the coordinating body between ministerial departments. It was established under Article 22 of Law 41/2010 of 29 December, on the protection of the marine environment. CIEM is supported by working groups, including the **Working Group on Marine Spatial Planning (WG-MSP)**. This group comprises representatives from various units within the National Government with sectoral regulatory responsibility over the full range of human activities addressed in the MSPs. In some instances, members of the WG-MSP have conducted preliminary coordination with the Autonomous Communities where activities fall under regional or shared jurisdiction, such as aquaculture, for example. In other cases, coordination with coastal Autonomous Communities has been undertaken directly by the Directorate-General for the Coast and the Sea (DGCM).

To facilitate coordination with the Autonomous Communities, **Monitoring Committees** have been established for each of the five Spanish marine subdivisions. These Committees function as key platforms for dialogue between the national and regional authorities and have proven effective throughout the various phases of the Marine Strategies.

In parallel with the Committees, the DGCM has held a series of **targeted meetings with Autonomous Communities** holding sectoral competence over human activities within the marine environment.

These discussions led to the identification of priority issues or "hot topics" that required more detailed deliberation. To address these, **ad-hoc working groups** were established with the participation of representatives from both the National Government and the relevant Autonomous Communities.

These *ad-hoc* working groups have examined the planning approach, the definition of priority use areas and high potential areas and the proposal of measures or lines of action to be developed in the coming years to address outstanding challenges requiring medium- to long-term solutions.

Finally, the third collegiate body established by Royal Decree 363/2017 of 8 April is the **Government Economic Affairs Committee**, which is responsible for reviewing and deliberating on all proposals with sectoral economic implications. The mandatory report referred to in Article 7 of the Royal Decree was obtained from this Committee.

Stakeholder involvement

Directive 2014/89/EU and Royal Decree 363/2017 place particular emphasis on the active involvement of stakeholders and relevant economic sectors in the maritime spatial planning process. The early and meaningful participation of key stakeholders in the development of maritime spatial plans is recognised as a critical step in reducing, insofar as possible, potential conflicts of use within the marine areas subject to planning.

To this end, two in-person meetings were held with representatives from the main sectors concerned. In addition, a series of participatory workshops and events were scheduled to be conducted across the five Spanish marine subdivisions throughout 2020. However, the implementation of this participation plan was curtailed by the outbreak of the COVID-19 pandemic. In response, an online participatory event was held in December 2020. The event was attended by over 270 participants and included a comprehensive presentation on the status of the planning work. The session also provided an opportunity to address questions and comments raised by representatives of the various sectors involved.

It should also be noted that Article 7 of Royal Decree 363/2017, of 8 April, which regulates the procedure for the development of MSPs, establishes the requirement for a consultation with the Advisory Committee on Environmental Issues (CAMA, standing for *Consejo Asesor de Medio Ambiente*), prior to submission for consideration by the Interministerial Commission on Marine Strategies (CIEM). In this context, it is important to recall that the CAMA is the collegiate body responsible for facilitating participation in and oversight of general environmental policy related to sustainable development. The Committee was established under Law 27/2006, of 18 July.

Management and access to geographic information: INFOMAR

The Directorate-General for the Coast and the Sea is currently developing an integrated marine environmental information system known as INFOMAR, which consolidates all data produced by public administrations in the context of implementing relevant European Directives, principally the Marine Strategy Framework Directive (MSFD), but also the Maritime Spatial Planning Directive, the Water Framework Directive (WFD) and the Habitats and Birds Directives.

All geospatial data underpinning the development of maritime spatial plans, as well as the outputs resulting from the planning process, are made available through the INFOMAR viewer, a platform providing access to marine environmental information, developed and updated by the Centre for Ports and Coastal Studies of CEDEX. The system is accessible through the following web address: <http://www.infomar.miteco.es/>

Cross-border cooperation

Both the Directive and the Royal Decree establish the requirement to promote cross-border cooperation with other EU Member States, with the objective of ensuring consistency and coherence between the MSPs developed by neighbouring countries. Where relevant, cooperation should also be pursued, insofar as possible, with third countries sharing marine waters within the same marine sub-region.

To lay the foundations for effective cross-border coordination, Spain actively participates in various European Union initiatives designed to facilitate cooperation in the field of maritime spatial planning. These include the Marine Spatial Experts Group (MSEG), coordinated directly by the European Commission. Spain also contributes to the Member State assistance mechanism, which operates as a platform for information exchange and sharing of best practices (MSP Platform), as well as the EU Maritime Forum.

In parallel, the European Commission has issued calls for cross-border cooperation projects between Member States, with the aim of supporting the implementation of the Maritime Spatial Planning Directive under a transboundary framework. To date, various Spanish institutions, with the support of the Ministry for Ecological Transition and the Demographic Challenge (MITECO), have participated in four completed projects. Two additional projects are currently underway, with a third project pending formalisation.

As part of the consultation process for the initial strategic environmental assessment (SEA) documents of the MSPs, carried out between January and June 2020, a targeted consultation was undertaken with neighbouring Member States: France, Italy and Portugal, as well as Ireland. Several of these countries expressed a clear interest in being formally consulted within the SEA framework. In response, both the draft planning documents and the associated Strategic Environmental Assessment were transmitted to the relevant authorities in these neighbouring States for their consideration. In September 2021, an *ad-hoc* meeting (held online) was convened with these Member States to present the draft plans and to gather their views and observations on the proposals.

Consultation and participation

The plans have undergone public hearings, as well as formal processes of public consultation and strategic environmental assessment.

1.3. Scope of application

Regarding the uses and activities to be addressed in the plans, Royal Decree 363/2017 regulates the content of the MSPs, ensuring that they establish the spatial and temporal distribution, both current and future, of a defined set of uses and activities.

All such uses have therefore been incorporated within the Diagnosis section. These have been organised into two categories: uses of general interest and maritime sector uses, as outlined above.

Table 1. Activities, uses and interests regarded as being of general interest within the context of the MSPs, whose objectives are prioritised as they derive from public policies aimed at safeguarding the common heritage, security and health.

ACTIVITIES, USES AND INTERESTS CONSIDERED TO BE OF GENERAL INTEREST WITHIN THE CONTEXT OF THE MSPS
Marine environment, including Marine Protected Areas, coastal environment and mitigation and adaptation to climate change effects
Ensuring freshwater supply and provision, including desalination
Drainage, purification and water quality, including bathing water standards
National Defence
Maritime surveillance, control and safety
Scientific research, development and innovation
Protection of Underwater Cultural Heritage

Table 2. Maritime economic sectors identified for the formulation of MSP objectives.

ACTIVITIES, USES AND INTERESTS OF THE MARITIME ECONOMIC SECTORS
Aquaculture
Extractive fishing
Energy sector – hydrocarbons*
Energy sector – renewable energies
Electricity transport and telecommunications sector*
Navigation**
Port Activity*
Tourism and recreation

(*) Sectors marked with an asterisk possess infrastructures classified as critical or of general interest, which must be duly considered within maritime spatial planning.

(**) Certain shipping lanes have been designated as being of public interest and shall be considered within maritime spatial planning.

Special attention is warranted for marine waters under protective status. Currently, approximately 12% of Spain's marine waters are designated as Marine Protected Areas (MPAs). Some of these MPAs have established management plans or regulatory tools, while the remainder are expected to develop such instruments in the coming years.

Within these protected areas, planning and regulatory tools specific to the protected status take precedence over sectoral regulations and planning frameworks and consequently, over maritime spatial plans.

For the purposes of implementing the Law 41/2010, of December 29, on the protection of the marine environment, the Spanish marine environment is divided into two marine regions, the Mediterranean and the North-East Atlantic, which are further subdivided into three marine sub-regions: Bay of Biscay and Iberian Coast, Western Mediterranean and Macaronesian sub-regions. In turn, the legislation establishes the following five maritime subdivisions, as illustrated in Figure 1.

Royal Decree 363/2017, of 8 April, **mandates the preparation of five Maritime Spatial Plans, one corresponding to each of the five Spanish marine subdivisions.**

Areas 1 and 2 of the State-managed Ports, along with the service areas of regional ports, fall outside the scope of these plans.

Marine protected areas shall be governed by their respective management regulations, without prejudice to their designation within these plans as priority use areas for biodiversity protection.

The planning framework of these plans is founded on the respect for and maintenance of existing uses, activities and processes occurring within Spanish marine waters at the date of their entry into force, as regulated by their specific legal provisions, without prejudice to any future modifications.

Geographical information regarding the scope of the MSPs is detailed in the Annex and is accessible via the MSP geographic viewer at <http://www.infomar.miteco.es/visor.html>



Figure 1. Spain's five marine subdivisions (NOTE: This map is intended only for technical purposes and does not represent the boundaries between neighbouring States).

Regarding the **temporal framework**, as this planning instrument is closely linked to other plans, namely the Marine Strategies and, to a lesser extent, River Basin Management Plans and considering that both are subject to revision on a six-year cycle, it is deemed appropriate that the MSPs be reviewed six years following their approval by Royal Decree.

Maritime Spatial Plans shall be reviewed and updated no later than 31 December 2027.

2. Guiding principles and planning objectives

The process of setting objectives must consider the existence of prior planning processes, ensuring coherence among them, an essential factor underpinning the necessity of the MSPs.

Objectives established must be realistic, mutually reinforcing and aligned with the purpose of maritime spatial planning, thereby preventing duplication or contradictions.

2.1. Guiding principles and coherence

The plans shall be developed in accordance with a set of **guiding principles** that steer the maritime spatial planning process. These are:

- Sustainable development
- Ecosystem-based approach, encompassing biodiversity, geological and hydrological diversity of marine ecosystems, including landscape, their interrelations, the utilisation of ecosystem services by society and climate change considerations
- Improving competitiveness of maritime sectors
- Optimised use of marine space
- Improved governance
- Active engagement of public and private stakeholders, including local coastal communities
- Adaptive management, incorporating climate change adaptation
- Green transition towards a low-carbon, resource-efficient economy, coupled with a just transition in employment
- Consideration of gender, as well as intra- and intergenerational equity within the planning process
- Economic diversification as a key factor for the sustainability of maritime sectors
- Circular economy
- Facilitation of access to marine data and information, ensuring their continuous updating
- Priority given to objectives of general interest
- Application of the best available scientific knowledge and analysis at the most appropriate scale
- Precautionary principle
- Principle of minimising impacts of human activities

Furthermore, objectives shall foster synergies and **remain compatible** with those established in existing sectoral planning instruments, as well as with the environmental targets set under marine strategies, ensuring that the good environmental status of the marine environment is preserved.

This approach guarantees that the objectives defined do not conflict with or duplicate existing planning frameworks.

2.2. Objectives identified in sectoral regulations

In September 2015, the United Nations General Assembly adopted the 2030 Agenda for Sustainable Development. This Agenda establishes 17 Sustainable Development Goals (SDGs), accompanied by 269 integrated and indivisible targets spanning environmental, social and economic dimensions.

Among these, Sustainable Development Goal 14¹ “Life Below Water”, commonly referred to as “Oceans”, is of relevance. This goal is structured around seven specific targets addressing the environmental protection of the oceans, the mitigation of key pressures affecting the marine environment (including those associated with climate change), the regulation of fisheries and the promotion of sustainable management of marine ecosystems and maritime economic activities.

At the international level, various multilateral conventions are of notable importance in the context of objective-setting for the marine environment.

The relevance of each of these international instruments, along with their alignment with the objectives established under the MSPs, is elaborated in the relevant accompanying sections of the plans.

The Integrated Maritime Policy (IMP) constitutes the European Union’s overarching framework for fostering coordinated and coherent decision-making with a view to optimising sustainable development, economic growth and social cohesion across Member States. This is particularly relevant to the Union’s coastal, insular and outermost regions, as well as to its maritime sectors, through the articulation of coherent maritime policies and appropriate forms of international cooperation.

The body of EU legislation applicable to the marine environment, as well as to the maritime sectors operating therein, is extensive in scope. Of relevance and not previously referenced in this document, are the following instruments: The Nature Directives (specifically, Directive 92/43/EEC on the conservation of natural habitats and wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds), the EU Strategy for Offshore Renewable Energy and the European Green Deal.

Beyond the objectives set by EU and international legal frameworks, the MSPs have undertaken a detailed examination of the specific objectives applicable to the various maritime sectors, as set out in relevant sectoral legislation and planning instruments. This assessment has been conducted both at the national level and through the compilation of **objectives established by regional authorities**, in accordance with their respective competences.

2.3. Objectives of maritime spatial plans

Maritime Spatial Planning (MSP) shall contribute to the effective governance of maritime activities and the sustainable use of coastal and marine resources by establishing a framework that facilitates coherent, transparent, sustainable and evidence-based decision-making processes. Such a governance framework shall consider land-sea interactions and shall promote cooperation between Member States.

Following the identification of the objectives articulated within each maritime sector, the plans set out a series of management objectives intended to support the achievement of one or more sector-specific aims. These objectives also aim to reduce potential conflicts between uses and, where feasible, to promote the coexistence and compatibility of maritime activities.

¹ Conserve and sustainably use the oceans, seas and marine resources.

The objectives are applicable across all five marine subdivisions. Nevertheless, their relative importance may differ between subdivisions, depending on the weight and significance of each sector within the specific subdivision context.

Accordingly, the defining features of the Maritime Spatial Plans may be summarised as follows:

- Ecosystem-based, seeking to balance ecological, economic and social objectives in pursuit of sustainable development
- Integrated, across sectors and administrative levels
- Based on spatial planning
- Adaptive, improvement based on experience
- Strategic and forward-looking, long-term oriented
- Participatory, ensuring the active involvement of stakeholders throughout the planning process

Following the analysis of the objectives presented in Section II.2, **the specific objectives of the plans have been identified**. These are structured as follows:

- a. A general planning objective
- b. Cross-cutting planning objectives, applicable across all sectors
- c. Planning objectives for uses of general interest
- d. Sector-specific planning objectives, derived from the spatial requirements of individual maritime sectors, with the overarching purpose of ensuring that the spatial planning contribute effectively to the attainment of such objectives

The overarching aim of the Maritime Spatial Plans is to foster the sustainable development and operation of maritime sectors in a manner that is fully compatible with the protection of marine ecosystem values and the sustainable use of marine resources.

In addition, the plans shall:

- Fulfil the **planning objectives of general interest**
- Support the achievement of **cross-sectoral planning objectives**
- Contribute to the fulfilment of **sectoral planning objectives**

To achieve the above, the plans shall:

- a. **Ensure the participation** of all relevant actors, both public and private
- b. Guarantee their compatibility with **achieving and maintaining the good environmental status (GES) of the marine environment**, its conservation, protection and enhancement, including resilience to climate change effects and protection of human health, via an ecosystem-based approach, while also safeguarding underwater cultural heritage

The objectives are set out as follows:

OBJECTIVES OF GENERAL INTEREST	
Protection of the marine environment, including Marine Protected Areas, the coastal environment and mitigation of and adaptation to the effects of climate change (ENV- MA, standing for Medio Ambiente)	<p>ENV. 1. Promote connectivity, ecological functionality and resilience of marine ecosystems through incorporation of Marine Green Infrastructure.</p> <p>ENV. 2. Ensure that vulnerable and/or protected habitats and species are not adversely affected by the siting of human activities requiring the use of marine space.</p> <p>ENV. 3. Ensure that the plans address the expansion of marine protected areas within the marine subdivision and that envisaged activities or uses in those areas do not compromise their designation as protected areas.</p> <p>ENV. 4. Ensure that human uses and activities within Marine Protected Areas are consistent with their conservation objectives.</p> <p>ENV. 5. Ensure that all current and forecast future human uses and activities do not undermine the achievement of GES or the environmental objectives of the Marine Strategies, as defined in the second cycle and ratified by the Council of Ministers' Agreement of 7 June 2019.</p> <p>ENV. 6. Guarantee the integrity of the maritime-terrestrial public domain for its protection and conservation, as well as to facilitate the restoration of coastal zones and promote nature-based solutions based on ecosystem functions.</p> <p>ENV. 7. Ensure that proposed future uses and activities respect the provisions of Law 22/1988 of 28 July on Coasts and do not jeopardise the objectives established within that legislation.</p> <p>ENV. 8. Guarantee the feasibility of general interest actions required to protect the integrity of the maritime-terrestrial public domain, including, among others, the assessment, access and utilisation of aggregate extraction areas for coastal protection works.</p>
Freshwater supply and water provision security, including desalination (WS - SA, standing for Suministro de Agua)	<p>WS.1. Ensure that water supply catchment areas are not subject to uses and activities in their immediate vicinity that could compromise water quality.</p>
Drainage, purification and water quality, including bathing water (WQ - CA, standing for Calidad de las Aguas)	<p>WQ.1. Ensure that bathing waters are not adversely affected by human activities carried out in the marine environment.</p> <p>WQ.2. Ensure that land-sea discharges are undertaken in a manner that does not compromise the development of human activities, nor the good environmental status in the receiving coastal waters.</p> <p>WQ.3. Ensure that both current and prospective uses and activities do not adversely affect the status of coastal water bodies, in accordance with the provisions established under the River Basin Management Plans.</p>
National Defence (D, standing for Defensa)	<p>D.1. Safeguard freedom of use and the capacity for State intervention in waters under Spanish sovereignty and jurisdiction.</p> <p>D.2. Contribute to Spain's economic and social development by promoting security and societal development.</p>
Surveillance and Control (SC - V, standing for Vigilancia)	<p>SC.1. Ensure the availability and deployment of the necessary infrastructure to support the maritime signalling service.</p> <p>SC.2 Strengthen the mechanisms for control and surveillance of uses and activities within the marine environment.</p>

OBJECTIVES OF GENERAL INTEREST	
Scientific Research, Development and Innovation (RDI - I, standing for Investigación)	RDI.1. Designate a network of areas within Spanish marine waters for research, development and innovation, to support the growth of emerging maritime sectors, with a particular emphasis on marine renewable energy technologies.
Underwater Cultural Heritage (CU, standing for Patrimonio Cultural)	CU.1. Ensure the conservation and safeguarding of known or potential underwater cultural heritage from adverse impacts arising from human activities requiring the use of marine space.

HORIZONTAL MULTI-SECTOR PLANNING OBJECTIVES
H.1. Minimise and where possible eliminate, conflicts between uses.
H.2. Assign priorities of use in specific areas for the development of human activities that require it.
H.3. Facilitate the coexistence of uses and activities.
H.4. Identify and, where possible, enhance positive synergies between uses and activities.
H.5. Consider land-sea interactions as an additional element to be assessed in the monitoring of the plans.
H.6. Improve coordination among the administrations responsible for managing the uses and activities of maritime space and the coastal area.
H.7. Improve cooperation with and involvement of all maritime stakeholders.
H.8. Improve the visibility of the activities, uses and interests of the various users or managers of maritime space.
H.9. Strengthen certainty for developers through the planned development of human activities in the marine environment.
H.10. Ensure that human activities at sea do not jeopardise the environmental status of coastal ecosystems or their natural and cultural heritage and minimise impacts on human activities at sea.
H.11. Promote scientific knowledge to determine the carrying capacity of marine ecosystems for different uses and activities.
H.12. Coordinate the scientific knowledge generated with the implementation of new uses, activities and studies in the marine environment.

SECTOR	SECTORAL PLANNING OBJECTIVES
Aquaculture (A)	<p>A.1. Design aquaculture spatial planning from a medium- and long-term perspective, ensuring compatibility with environmental conservation and protection of the marine ecosystem; considering new scientific knowledge on marine cultures - particularly algae -technological advancements and the needs for resilience, adaptation and mitigation in the context of climate change.</p> <p>A.2. Strengthen competitiveness and contribute to job creation in the aquaculture sector by facilitating access to the most suitable areas and promoting best practices regarding the location, sizing and management of aquaculture sites.</p>

SECTOR	SECTORAL PLANNING OBJECTIVES
Extracting Fishing (EF – P, standing for Pesca)	<p>EF.1. Minimise the impact of various human activities on fishing grounds and fishing zones, with particular attention to small-scale fisheries.</p> <p>EF.2. Achieve Maximum Sustainable Yield (MSY) for commercial species stocks and reduce the negative impact of fishing activities on biodiversity.</p> <p>EF.3. Strengthen and expand the Network of Marine Reserves of Fishing Interest as a key instrument for the conservation and regeneration of fishery resources and as support for small-scale fisheries.</p>
Energy Sector - Hydrocarbons (HC)	<p>HC.1. Ensure that future uses and activities consider the need to safeguard the integrity of pipelines designated as critical infrastructure.</p> <p>HC.2. Facilitate future pipeline planning by considering the location of activities that require seabed space, while also accounting for the need to preserve seabed integrity, particularly in areas with protected, biogenic and/or vulnerable habitats.</p> <p>HC.3. Do not grant new exploration authorisations, hydrocarbon research permits, or hydrocarbon exploitation concessions in the territorial sea, the exclusive economic zone, or the continental shelf.</p>
Energy Sector - Renewable Energy (Offshore) (R)	<p>R.1. Identify the areas with the highest potential for offshore wind energy development within each marine subdivision.</p> <p>R.2. Ensure that the spatial designation of areas with high potential for offshore wind energy development does not compromise ecosystem connectivity, particularly migratory species corridors.</p>
Electric Transport and Communications Sector (C)	<p>C.1. Ensure that future uses and activities consider the need to preserve the integrity of submarine cables designated as critical infrastructure.</p> <p>C.2. Facilitate future cable planning by considering the spatial requirements of other seabed-based activities, as well as the need to safeguard the integrity of the seabed, especially in areas hosting protected, biogenic and/or vulnerable habitats.</p>
Navigation (N)	<p>N.1. Ensure that principal shipping routes are not significantly altered by proposed future uses and activities.</p> <p>N.2. Ensure that the spatial alignment of shipping routes does not compromise ecosystem connectivity, particularly migratory species corridors.</p>

SECTOR	SECTORAL PLANNING OBJECTIVES
Port Activity (PA – AP standing for Actividad Portuaria)	<p>PA.1. For State-managed Ports, in relation to general interest infrastructure, ensure the availability of water areas with adequate size, shelter conditions and depth for the types of vessels using ports of general interest and for the maritime traffic operations to be carried out therein, with particular attention to maritime signalling, pilotage and towing services.</p> <p>PA.2. For State-managed Ports, in relation to general interest infrastructure, ensure the provision of anchorage zones, quays, or mooring facilities that allow vessels requiring access to ports of general interest to approach and moor, or remain anchored, moored, or berthed under adequate safety conditions.</p> <p>PA.3. For all ports, ensure that spatial planning addresses the expansion needs of port service areas and that these needs are not constrained by the location of human activities potentially conflicting with port operations.</p> <p>PA.4. For all ports, facilitate a network of geographically designated sites for the disposal of dredged material to support port development and ensure navigational safety.</p> <p>PA.5. For all ports, ensure that the location of dredged material disposal sites outside port service waters does not jeopardise the conservation of marine biodiversity, while maintaining compatibility with the development of other economic activities.</p>
Tourism and Recreational Activities (TL – TR, standing for Turismo y actividades Recreativas)	<p>TL.1. Preserve the seascape in areas of significant tourist and/or cultural value.</p> <p>TR.2. Ensure that public use and enjoyment of the coastline, associated with tourism and recreational activities, is carried out sustainably and does not compromise the good environmental status of the marine environment.</p> <p>TR.3. Ensure that areas identified as particularly valuable for surfing are not significantly affected by other activities requiring the use of maritime space.</p>

3. Diagnosis: maritime sectors: current status and forecasts for future or potential development

Maritime spatial planning has been developed based on a detailed diagnosis for each of the five marine subdivisions. The diagnosis was carried out following the procedure established in Article 7 of the Royal Decree (RD). The diagnosis includes the following elements:

- Main features and characteristics: The fundamental characteristics of each marine subdivision are presented from a descriptive perspective, serving as an initial approximation to understanding the marine environment that supports ecosystem processes and human uses and activities. This information is extracted from the documentation prepared for the second cycle of the Spanish Marine Strategies². Certain aspects of these characteristics, particularly those related to marine biodiversity and climate change, are described in more detail in the following section.
- Maritime sectors: current situation and spatial distribution: This section presents a socio-economic characterisation and spatial analysis of the distribution of the various uses and activities present in the marine environment of each of the five subdivisions.
- Current limitations on certain uses and activities derived from sectoral regulations or marine protected area management plans: The diagnosis also identifies and compiles the limitations on existing uses and activities resulting from various regulations, with particular attention to those stemming from management plans for marine protected areas. The analysis focuses on constraints with a clearly defined spatial dimension.
- Spatial distribution of future uses and activities: This section compiles proposals submitted by the competent authorities regarding potential future uses across different sectors. Furthermore, for some sectors, an analysis is conducted on the suitability of various marine areas for the development of specific activities. It is important to note that the proposals for future uses presented here are purely indicative and do not have a normative or binding status. They are therefore subject to potential modifications, as explained in this Plan's Block 4.
- Land-Sea Interactions: plans must consider land-sea interactions, in accordance with Article 6.a of RD 363/2017 of 8 April. The methodology applied for the integration of these interactions is detailed in Section I.2. The analysis is also carried out at the level of each maritime subdivision. The final integration of these aspects into the planning and management process is presented in Block 4.
- Interactions between uses and activities: The spatial interactions between different uses and activities, both existing and particularly those proposed as future uses, within each marine subdivision have been analysed. This analysis is conceived as a tool to identify management needs, which are subsequently addressed in Block 4.

It should be noted that the first inventory of human uses and activities was prepared for the initial consultation phase of the Strategic Environmental Assessment (SEA) in January 2020. Five documents were developed, one for each of the five marine subdivisions. These documents served as the foundation for discussions during bilateral meetings held with the coastal Autonomous Communities and were subsequently enriched with contributions from both regional and national administrations, as well as feedback received through the SEA's initial consultation process.

² https://www.miteco.gob.es/es/costas/temas/proteccion-medio-marino/estrategias-marinas/eemm_2dociclo.aspx

For the purposes of this Plan, all cartographic information included in the Diagnosis of each of the five marine subdivisions is considered **informative cartography**. This cartography can be accessed via the platform's geographic viewer www.infomar.miteco.es in the section on Maritime Spatial Planning.

The diagnosis was conducted by the Centre for Ports and Coastal Studies - CEDEX, with contributions received from various regional and national administrations. The section addressing interactions between uses and activities was developed with the support of contributions from: The Directorate General of the Merchant Marine and Puertos del Estado (MITMA), for the analysis of interactions with navigation and port operations; the Directorate General for Energy Policy and Mines and IDAE (MITECO), for marine renewable energy aspects; the Directorate General for Biodiversity, Forests and Desertification (MITECO), for interactions related to biodiversity and marine protected areas; the Navy Staff (Ministry of Defence), for the identification of interactions with military exercise zones; ENAIRE and the Directorate General of Civil Aviation (MITMA), for the analysis of aeronautical easements; the Spanish Institute of Oceanography (Ministry of Science and Innovation), for bionomic characterisation and the evaluation of interactions with fishing activities; and the Directorate-General for Fisheries and Aquaculture Management, for coordinating the Autonomous Communities on matters concerning aquaculture.

4. Maritime spatial planning

Based on the findings of the diagnosis, along with the aspirations expressed by the various maritime stakeholders, this section sets out the proposed spatial planning.

The maritime spatial planning for the five Spanish marine subdivisions has been undertaken using a common conceptual framework, applying uniform criteria and zoning categories across all subdivisions. For this reason, the management of all five marine subdivisions is presented collectively in this section.

Accordingly, within the cartographic materials included in this Plan, a distinction must be made between the **cartography corresponding to the geographical delimitation of the zoning and the informative cartography**.

4.1. Planning scheme

the planning scheme applied in the MSPs is shown in Table 2. To start with it is assumed that marine waters can accommodate the **coexistence of multiple uses and activities**, provided these are managed in a manner that does not compromise the attainment or maintenance of **Good Environmental Status (GES)**.

This coexistence, along with the preservation of GES and the favourable conservation status of habitats and species, is partially safeguarded by the existing regulatory framework, which, in some cases, establishes specific limitations on use. These limitations may refer both to the spatial dimension and to the technical or operational characteristics that each use or activity must meet.

The MSPs uphold existing restrictions on uses derived from sectoral and environmental legislation, while also establishing overarching criteria to facilitate the harmonious coexistence of uses and activities without jeopardising GES.

As the planning process advances, particular emphasis is placed on uses and activities of general interest, i.e., those that contribute to the achievement of the overarching objectives of the MSPs.

To this end, the areas in which general interest uses are carried out have been identified, with corresponding spatial boundaries delineated. Among these, certain areas have been designated as priority use areas. For each type of priority use area, specific provisions are established to regulate or restrict other uses and activities, with the aim of ensuring that the priority use is not adversely affected. Furthermore, criteria are defined for managing potential spatial overlaps between two or more priority use areas.

Once the uses and activities of general interest have been secured, the MSPs, in fulfilling their role of promoting the sustainable development of maritime sectors, place particular emphasis on specific sectoral and general interest activities whose future expansion is foreseeable and for which it is necessary to identify the most suitable spatial areas for their development.

To this end, **high potential areas** have been delineated for various uses and activities. The methods used to determine the high potential of specific areas for uses are diverse. In some cases, zones have been identified through technical and scientific studies, including spatial modelling; in others, they are the result of expert judgement, within the framework of projects or through participatory processes. Regulatory provisions are established for uses and activities that may support the development of a given activity within its corresponding high potential areas. Additionally, **criteria** are defined to address potential overlaps between different high potential areas.

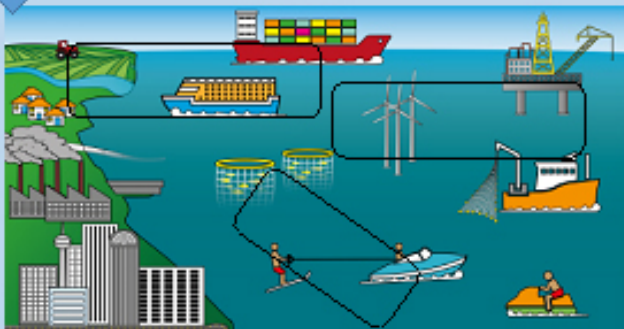
Coexistence of uses and activities in keeping with Good Environmental Status (GES)



General criteria are established for the coexistence of uses and activities.

Existing use restrictions derived from sector and environmental regulations are compiled and noted. Measures are proposed.

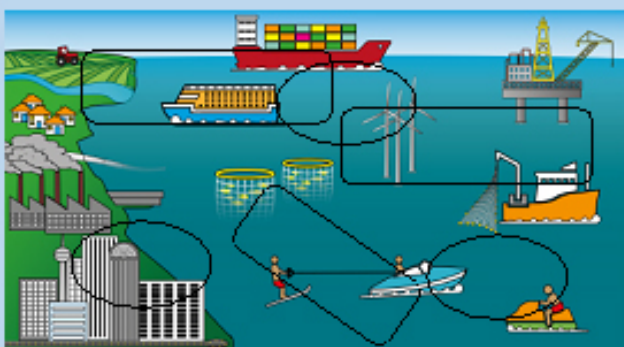
Where necessary, particularly for priority uses and those of general interest, priority use zones are designated.



Uses and activities within each priority area are organised to ensure that priority use is not compromised.

Criteria are established in the event of spatial overlap between two or more priority areas. Measures are proposed.

For certain uses and activities planned for future development that require a defined location, high-potential zones are designated.



Uses and activities within each high-potential area are organised to encourage the development of the activity within these zones.

Criteria are established in the event of spatial overlap between two or more high-potential areas. Measures are proposed.

Figure 2. Planning scheme applied in the MSPs of the five marine subdivisions.

4.2. Coexistence of uses and activities in maritime space

the human uses and activities addressed by the Plans may, in general, be carried out within the marine environment of the five marine subdivisions, if they comply with the applicable sectoral regulations.

The **sustainable coexistence** of different uses, activities and interests shall be pursued. To this end, in addition to adherence to the relevant sectoral regulations, developers and users of the sea, as well as the competent authorities, shall consider the following horizontal criteria:

- a. No activity may be undertaken that compromises the overarching objective of protecting the marine environment.
- b. Only those activities whose nature requires their location in the marine environment may be carried out, in accordance with the provisions of Article 32 of Law 22/1988, of 28 July, on Coasts and the applicable sectoral regulations and without causing harm to the environment on which they depend.
- c. An activity's spatial location shall ensure the environmental sustainability of the marine environment, without prejudice to the economic and/or social benefit the activity may provide to the developer.
- d. Activities undertaken in the marine environment must be designed to minimise spatial occupation and environmental impact, irrespective of whether they are subject to the corresponding state or regional environmental assessment procedures.
- e. Regarding the uses, activities and interests of the maritime sectors, preference shall be given to the spatial location of each activity within those areas identified as priority use areas or high potential areas for development in the corresponding marine subdivision.
- f. Care shall be taken to minimise environmental impact, regardless of whether the activity is subject to the applicable state or regional environmental assessment regulations.
- g. The environmental characteristics, fragility and vulnerability of the area in which the activity is to be undertaken shall be considered, including, where applicable, the potential cumulative impacts arising from the activity itself and from other pre-existing or planned activities, as well as those related to climate change.
- h. The potential socio-economic impact on all other sectors and activities present in the area, as well as on the projections set out in the Plan for possible future activities, shall also be considered.
- i. Any activity involving the execution of works or installations in marine waters, their bed or sub-soil, or the placement or deposit of materials on the seabed, shall be subject to a compatibility report with the Marine Strategy.
- j. For plans, projects or programmes derived from the activities that may significantly affect species or habitats located within or outside the Natura 2000 Network, an impact assessment shall be conducted and the corresponding measures adopted, in accordance with Article 46 of Law 42/2007, of 13 December, on Natural Heritage and Biodiversity.

In addition to the above, a set of sector criteria is established to further support the sustainable coexistence of uses and activities. These are:

- a. Unregulated, free anchoring of recreational nautical vessels involving the placement of anchors or other anchoring devices on the seabed shall be avoided in areas where marine angiosperms or other benthic species listed in the LESPRES³ or the CEEA⁴ are present. This is in accordance

³ T.N.: LESPRES (*Listado de Especies Silvestres en Régimen de Protección Especial*) is Spain's official list of specially protected wild species. It is a key tool for biodiversity conservation in the country.

⁴ T.N.: A significant subset of the LESPRES is the CEEA (*Catálogo Español de Especies Amenazadas*), which classifies species as 'Vulnerable' or 'In Danger of Extinction.'

with Law 42/2007 of 13 December, which prohibits causing harm to such species. Similarly, this type of anchoring shall also be avoided in areas containing elements of underwater cultural heritage that could be adversely affected by such practices.

- b. R&D&I facilities related to the testing and experimentation of marine renewable energy infrastructures shall preferably be in areas identified as having high R&D&I potential. Given that the spatial coverage of such facilities is currently largely unknown and that it is not yet possible to determine their exact future locations, their establishment in other areas shall also be permitted, provided they undergo the corresponding administrative, environmental and authorisation procedures and comply with the maximum permitted dimensions for this type of installation.
- c. In areas identified as having a higher probability of collisions between vessels and large cetaceans, efforts shall be made to implement impact mitigation measures aimed at preventing such collisions, in the interest of both maritime safety and species conservation.
- d. Care shall be taken to ensure that permanent closed fishing areas established by the competent authorities are not affected, to safeguard the regeneration of fishery resources. Promoters of any activity or use that may have adverse effects on fishery resources, particularly in no-take zones or other areas designated for the recovery of fish stocks, must include, as part of their authorisation process, an assessment of potential interactions with fishery resources, along with appropriate measures to avoid or minimise such effects.
- e. The installation of linear underwater infrastructures (telecommunication or electricity cables, pipelines, etc.) shall be avoided in areas where marine angiosperms or other benthic species listed in the LESPRES or the CEEA are present. This is in accordance with Law 42/2007 of 13 December, which prohibits causing harm to such species.

Land-sea interactions in each of the five marine subdivisions have been analysed in detail and for each subject-specific area addressed, the significance of the interaction in the relevant subdivision has been determined. The planning tools applicable to each of these interactions have also been assessed and proposals have been made regarding how Maritime Spatial Plans can contribute to addressing land-sea interaction issues in a more integrated manner.

As a result of this analysis, a set of criteria is outlined below to support improved coexistence of uses and activities at the land-sea interface. These criteria are intended to complement existing provisions established through previous planning instruments.

- a. For human activities that are dependent on water quality, or that may have an impact on it, the competent authorities shall, prior to authorising such activities, take into consideration the following:
 - That the chemical and ecological status of coastal water bodies, as defined in the river basin hydrological plans, permits the development of the proposed activity.
 - That the activity does not compromise the chemical and ecological status of those coastal water bodies, nor the environmental objectives set for such waters in the relevant river basin management plans.
- b. Expansions of port infrastructure shall, within the framework of the applicable environmental assessment procedure, consider the interaction such developments may have with coastal dynamics and the potential for increased coastal erosion. This assessment shall also consider the current context of climate change and the need for adaptation, along with any other impacts the infrastructure may cause to existing activities.
- c. Where human activities involving the development of infrastructure with the potential to alter the seascape are authorised, the environmental assessment process for the project shall address the landscape impact, with particular attention to areas that are especially sensitive in terms of visual and scenic value, including:

- Coastal protected landscapes and other areas safeguarded for their natural and scenic values and areas with high levels of tourism and recreational use
 - Areas with dense residential development
 - Coastal areas of cultural interest
- d. Wherever possible, efforts shall be made to ensure that new human activities in the near-shore marine environment, when they may lead to changes in the landscape, are located outside the visual catchment area of near-shore Heritage Sites of Cultural Interest (BICs according to its initials in Spanish).
- e. In the case of future human activities at sea that could increase the risk of coastal pollution, care shall be taken to ensure that such activities are not sited near the most vulnerable coastal zones, as identified in the vulnerability analysis of the *National Plan for the Protection of the Seashore Against Pollution*.
- f. All human activities carried out at sea or along the coast must, throughout their design, planning, implementation and, where applicable, decommissioning phases, consider the sectoral objectives for climate change adaptation, as well as the lines of action established in the National Climate Change Adaptation Plan 2021–2030.

Throughout the duration of the MSPs, the competent authorities shall implement the following measures, with the overarching objective of enhancing maritime spatial planning:

- Horizontal, multi-sector measures
- Improvements to specific planning aspects
- Governance-related actions
- Land-sea interaction measures

These measures are detailed in Section V.1.

4.3. Priority use areas

certain general interest uses identified in the MSPs are concentrated in specific areas of maritime space. Accordingly, the plans must ensure that these general interest uses are accorded priority status. To this end, priorities use areas have been designated, within which specific measures are established to safeguard the intended use.

4.3.1. Priority use areas for biodiversity protection

These areas include **marine protected areas**, both nationally and regionally managed, including Natura 2000 Network sites.

Regulation of uses and activities within these zones is the responsibility of the competent management authority, as set out in the relevant management instrument for each protected area.

A set of aspects to be considered within priority use areas for marine biodiversity is outlined below. These are without prejudice to the provisions of the specific management plans for each marine protected area, which shall prevail over the Maritime Spatial Plans where applicable:

- a. The installation of offshore wind farms for commercial purposes shall be avoided in areas designated for the presence of seabirds (such as SPAs or other protection categories), particularly in critical habitats of protected species. Similarly, within other protected marine areas, development shall be avoided in zones where habitats of community interest are present.
- b. All restrictions established under Law 42/2007 of 13 December, on Natural Heritage and Biodiversity, shall apply in full. It should be recalled that the permanent anchoring of tankers for the purpose of fuel supply or storage, the reception of such fuel and the supply of fuel to these tankers is prohibited within the waters of protected natural areas and Natura 2000 Network sites, as stipulated in Article 80.1(t) of Law 42/2007. Under this Article, anchoring shall be considered permanent even in cases where the vessel is temporarily absent or replaced or substituted by another vessel belonging to the same company, owner, or corporate group, provided that the anchorage's primary purpose is the storage of fuel for bunkering operations.

In addition to these management provisions and criteria, it is important to note that Block 3 of the *Diagnosis* consolidates the current limitations on certain uses and activities, as derived from sectoral regulations or from the management plans of marine protected areas within each of the five marine subdivisions.

Criteria to be applied for uses and activities within marine protected areas:

- a. Where an area of high potential for aquaculture overlaps with priority use areas designated for biodiversity protection, the potential impacts on the affected marine protected areas shall be thoroughly analysed. Marine strategy compatibility reports must confirm that the developer has provided such justification, without prejudice to any additional requirements established by the spatial management authority.
- b. In cases where an area of high potential for aggregate extraction aimed at coastal protection coincides with the priority biodiversity protection areas described herein, it must be demonstrated that no alternative suitable sites exist outside these priority areas for the relevant coastal segment. Furthermore, the impact on the marine protected areas must be analysed. The marine strategy compatibility reports shall verify the presence of this justification, subject to the provisions set forth by the spatial management body.
- c. Should an area of high potential for offshore wind energy overlap with the priority biodiversity protection areas outlined in this section, the impacts on the relevant marine protected areas must be assessed. Marine strategy compatibility reports must confirm that the developer has provided such justification, without prejudice to any additional requirements established by the spatial management authority.

Planning Measures

Two measures have been proposed: BP1 and BP2 (see section V.1).

4.3.2. Priority use areas for aggregate extraction for coastal protection

The areas identified under this category contain **strategic sand deposits**, the extraction of which may be necessary to support coastal protection initiatives, including those aimed at mitigating the impacts of climate change.

Planning of uses and activities within these areas:

- a. The installation of infrastructures involving the placement or anchoring of materials on the seabed within the spatial boundaries of these priorities use areas shall be avoided.
- b. Dumping of dredged material in these areas shall also be avoided.

Criteria:

Environmental assessment procedures for relevant plans and projects must analyse the potential effects of aggregate extraction activities within these areas.

Generally, the selection of deposits for exploitation will be based on criteria related to their technical and locational characteristics, identifying those deposits most suitable from among those with detailed studies and/or an Environmental Impact Statement in force. Suitability will also consider the destination areas where extracted materials are to be deposited.

These criteria include minimising impacts on existing fishing, shell fishing and aquaculture zones through a case-by-case assessment and consultation with the competent authorities and relevant sectors prior to implementation.

This is without prejudice to the findings and conditions stipulated in the environmental impact studies of each project, as well as in the reports derived from the corresponding environmental impact assessments.

Environmental impact studies for projects involving aggregate extraction within priority use areas and high-potential areas identified in the MSPs must provide robust justification for their coastal protection objectives. This justification must demonstrate long-term efficacy, there can be no prior actions without proven success and must be grounded in the current climate change context, incorporating the latest forecasts from the most recent scientific reports.

Planning Measures

Two measures have been proposed: AE1 and AE2 (see section V.1).

4.3.3. Priority use areas for the protection of cultural heritage

The areas identified under this category encompass two distinct typologies:

- a. **Heritage Sites of Cultural Interest** (BICs), as well as other underwater cultural heritage of particular significance.
- b. **Landscape protection zones surrounding coastal elements pertaining to BIC sites.** These designated areas include marine waters adjacent to coastal features officially recognised for their cultural interest, where the necessity of safeguarding the surrounding landscape has been identified. The identification of these areas, along with the rationale underpinning their delineation, is detailed in the section on land-sea interactions.

Planning of uses and activities within priority use areas for the protection of cultural heritage:

Beyond any specific regulations concerning uses and activities established in the designation regulation of each cultural heritage property, it is generally stipulated that:

Regarding typology zones (a) Heritage Sites of Cultural Interest (BICs), or other underwater cultural heritage elements warranting protection:

- a. Unregulated free anchoring of nautical-recreational vessels, involving the placement of anchors or any other type of anchoring device on the seabed, shall be strictly avoided within areas designated as priority use zones for the protection of underwater cultural heritage.
- b. Similarly, the installation of infrastructures requiring the placement or anchoring of materials on the seabed within these underwater cultural heritage protection areas shall be avoided.
- c. In the event of dredged material disposal, all necessary precautions will be taken to prevent any impact on cultural heritage assets, fully complying with the provisions established by the competent cultural heritage authorities.

- d. The unique protection afforded to such properties under Law 16/1985 of 25 June 1985 on Spanish Historical Heritage, as well as its corresponding regional regulations, shall be always upheld.

Regarding typology zones (b) - Landscape protection zones surrounding coastal elements pertaining to BIC sites:

- e. Before installing any infrastructure within these priority landscape protection zones, the competent authorities must consult with the administration responsible for cultural heritage to assess the potential impact on the landscape within these areas.

Criteria:

The environmental assessment procedures for plans and projects include the analysis of potential impacts on cultural heritage within the corresponding environmental impact study.

In general, including for activities not subject to environmental assessment, the competent authorities shall not authorise any activity that may compromise the protection of such heritage.

4.3.4. Priority use areas for research, development and innovation (R&D&I)

The areas designated under this category are intended for the development of research, development and innovation activities. They have been declared as such through the corresponding legal instrument for the occupation of the Maritime-Terrestrial Public Domain, either as a reserve (in the case of PLOCAN) or by means of a concession (in the case of BIMEP).

Permitted and restricted uses and activities within these areas are set out in the relevant occupation title of the maritime-terrestrial public domain. Accordingly, the MSPs do not establish any additional provisions regarding the management of uses and activities in these areas.

4.3.5. Priority use areas for National Defence

The areas identified under this category consist of defence training areas designated for National Defence activities, primarily supporting the permanent training of the Armed Forces through air, amphibious, submarine and land-based exercises, as well as experimentation and testing within the aerospace sector.

Planning of uses and activities within the areas:

Military activities are regularly conducted in these areas due to the ongoing training requirements of the Spanish Armed Forces; however, other potential maritime users are duly notified in accordance with the notices and procedures established by current regulations. Military exercises within defence training areas are exclusive, precluding all other activities.

Consequently, the MSPs do not envisage any additional regulatory measures for uses and activities within these zones.

Regarding offshore infrastructures dedicated to offshore wind energy, the only relevant planning provision is that their installation within these national defence training areas, which encompass all four types of military exercise zones, will generally be avoided. This approach is implicit in the MSPs, as no high-potential offshore wind energy zones have been designated within the defence training areas. The sole exception is the overlap with a high-potential offshore wind energy area (NOR8) in the North Atlantic Marine Subdivision, agreed upon between MITECO and the Navy.

Criteria:

- a) The Ministry of Defence shall, whenever possible, consider priority areas for biodiversity conservation and zones of high potential value for cetaceans when conducting underwater or surface military exercises, aiming to minimise the impact on this group of fauna, whether from underwater noise or collisions.
- b) Similarly, the Ministry of Defence shall, as far as possible, consider priority biodiversity conservation areas and zones of significant value for seabirds when carrying out military air exercises, with the goal of limiting the impact on this faunal group to the greatest extent possible.

4.3.6. Priority use areas for the safety of navigation

The areas designated under this category correspond exclusively to the Traffic Separation Schemes (TSS) approved by the International Maritime Organization (IMO) that exist within Spain, excluding the corresponding coastal navigation areas.

Planning of uses and activities within priority use areas for navigation:

Planning and regulation of uses and activities in these areas are already governed by the International Maritime Organization (IMO). This existing management framework is detailed in section 2.2.6 of Block 3 - *Diagnosis*.

Consequently, the MSPs do not envisage any additional regulatory measures for uses and activities within these zones. The sole planning provision related to offshore infrastructures dedicated to offshore wind energy stipulates that the installation of such infrastructures within this priority use areas for the safety of navigation shall be avoided. This management principle is implicit in the MSPs themselves, as no priority areas or high potential areas for offshore wind energy have been identified within this priority use areas for the safety of navigation.

4.4. High potential areas for different uses

as previously indicated, once conditions conducive to uses and activities of general interest have been assured, the plans place particular emphasis on certain sectoral activities, which are also of general interest, whose future development is foreseeable and for which it is necessary to identify the most suitable spatial locations, all aimed at promoting the sustainable development of maritime sectors.

4.4.1. High potential areas for biodiversity conservation

Areas classified under this category are considered of high value for biodiversity conservation due to the presence of habitats and/or species of significant conservation importance, which are not currently included in any formal protection status.

These areas encompass those identified as having high value for benthic habitats, for birds and cetaceans, for species of community interest and for cetaceans specifically.

Planning of uses and activities within the areas:

The competent authorities shall duly consider the conservation values present in these areas when authorising any activity.

Criteria:

In the context of environmental assessments of projects, plans and programmes, these areas shall be regarded as having high potential for biodiversity conservation; accordingly, the potential impacts of uses and activities on these areas shall be thoroughly analysed.

4.4.2. High potential areas for aggregates extraction for coastal protection

Areas identified under this category contain sand deposits whose extraction may be necessary for coastal protection measures, including those aimed at mitigating the impacts of climate change.

The spatial delineation of these areas is included in the Annex to the plans.

Planning of uses and activities within the areas:

- a. The installation of infrastructure involving placement or anchoring of materials on the seabed within these high potential areas shall be avoided.
- b. Dumping of dredged material in these areas shall also be avoided.

Criteria:

The criteria established for priority use areas designated for the extraction of aggregates for coastal protection shall also apply to these high potential areas. Furthermore, given that some of these areas overlap with priority use or high potential areas for marine biodiversity, the following additional criteria shall apply:

- a. Priority shall be accorded to sites located outside priority use areas for biodiversity conservation.
- b. In the case of marine protected areas, extraction activities shall be conducted in a manner that does not jeopardise the conservation objectives for which the area has been designated, subject to the relevant report from the managing authority of the protected area.
- c. Aggregate extraction shall be avoided in areas known to host habitats of community interest and care shall be exercised to ensure that such extraction does not compromise the favourable conservation status of these habitats in adjacent areas.
- d. In cases where an area of high potential for aggregate extraction aimed at coastal protection coincides with the priority biodiversity protection areas described herein, it must be demonstrated that no alternative suitable sites exist outside these priority zones for the relevant coastal segment. Furthermore, the impact on the marine protected areas must be analysed. The marine strategy compatibility reports shall verify the presence of this justification, subject to the provisions set forth by the spatial management body.

4.4.3. High potential areas for research, development and innovation (R&D&I)

The areas classified under this category have been proposed by various departments of the Autonomous Communities or by public entities, with a view to their identification as potential zones for the research, development and innovation of marine renewable technologies, to be undertaken during the period of application of the MSPs.

The development of R&D&I activities within these areas shall be subject to the assumption of coordination and authorisation responsibilities by a public administration or a consortium of public administrations, as well as to the processing of the corresponding title of occupancy of the Maritime-Terrestrial Public Domain (DPMT according to its initials in Spanish). This is without prejudice to the obligation to comply with all applicable sectoral and environmental regulations governing their implementation.

Planning of uses and activities within high potential areas for R&D&I:

- a. In general and wherever feasible, activities related to the testing and experimentation of infrastructures, whether concerning renewable energy (including wind or other forms of marine energy) or other types of installations, shall preferably be carried out in the areas designated as priority use zones for R&D&I (as referred to in section IV.3.4), or in the areas identified in the present section as having high potential for R&D&I. This shall be without prejudice to the complementary use of port waters, which fall outside the scope of these plans, where deemed appropriate by the port authorities acting within the limits of their respective competences.
- b. The authorities responsible for proposing these high potential areas shall carry out the necessary procedures to enable the appropriate deployment of R&D&I projects, including the processing and acquisition of the corresponding title of occupancy of the public maritime-terrestrial domain, which shall guarantee the use of the designated maritime space for the intended purposes.
- c. As soon as the corresponding DPMT title of occupancy has been granted, the area shall be considered a priority use zone for R&D&I and the criteria and conditions established in section IV.3.4 of this plan shall apply.

Criteria:

- a. Wherever possible, experimentation involving marine renewable energy technologies shall be integrated with research, development and innovation activities concerning other sectors, such as aquaculture and fisheries, as well as environmental research, with particular attention given to enhancing knowledge of the potential impacts of renewable energy infrastructures on biodiversity, without prejudice to the terms of the relevant concessions or permits granted.
- b. The necessary electrical transmission cables to be installed shall comply with the same criteria as those established for areas of high potential for offshore wind energy.
- c. Experimentation involving offshore wind energy technologies shall preferably be carried out in areas of high potential for research, development and innovation that are located outside zones identified as incompatible, or as areas in which “the installation of wind energy infrastructure (whether fixed or floating) is prohibited,” in accordance with the criteria proposed by the Directorate-General for Biodiversity, Forests and Desertification of the Ministry for Ecological Transition and the Demographic Challenge (MITECO).

Measures

The ZAPID-1 measure is established (see section V.1)

4.4.4. High potential areas for port activity

The areas identified under this category correspond to two typologies:

- a. Areas of high potential for the **expansion of port service areas**. These are areas identified by the competent port authorities as possessing the appropriate characteristics to accommodate a potential expansion of port service waters, in cases where such a need has been identified. These zones have been delineated only in those ports where a foreseeable requirement for expansion has been detected.
- b. **Dredged material disposal sites** may also be considered as areas of high potential for port activity.

Planning of uses and activities within the areas:

During the period of validity of the MSPs, measures shall be taken to ensure that the granting of concessions for the installation of new infrastructure for purposes unrelated to port activity, within areas designated as having high potential for port activity, does not adversely affect the potential for port-related development in these zones. This provision shall be without prejudice to the existence of infrastructures or rights of occupation of the public maritime-terrestrial domain already established within these areas.

It should be noted that the potential designation of new areas as part of port service waters does not automatically preclude the presence of other activities within these zones. Compatibility may be ensured, provided that any such non-port activities are subject to authorisation conditions that guarantee their compatibility with navigational safety requirements and anchorage operations, which must be safeguarded to ensure the proper functioning of port activities.

Criteria:

a. Regarding **extensions of port service areas**:

- i. Extensions of port service areas shall be undertaken in accordance with the procedure established in the Recast Text of the Law on State Ports and the Merchant Navy (TRLPEMM) or, where applicable, the Law on Coasts and its implementing regulations, always favouring the least possible occupation of the public maritime-terrestrial domain.
- ii. Such extensions must be provided for in the corresponding Port Area and Use Delimitation document or in any other instrument as established by the applicable legislation.
- iii. The adopted extension shall ensure that it does not adversely affect pre-existing aquaculture facilities, Zones of Interest for Marine Culture, or designated shellfish production zones.
- iv. In cases where the proposed extension overlaps with a priority use area for the protection of biodiversity, occupation of the protected marine area shall be limited to the minimum extent necessary and shall require a mandatory and binding report from the competent management authority of the protected area.
- v. Where areas of high potential for port activity overlap with marine protected areas forming part of the Natura 2000 network, any planned project must include a detailed analysis of technically and environmentally viable alternatives and must provide a justification of the overriding reasons for the selected option, considering the potential effects of the project on the area concerned.
- vi. The applicable procedure for extending port service areas shall also consider the presence of other pre-existing uses and activities within the area, beyond those expressly mentioned above (e.g. fishing grounds, tourism and recreational uses, artificial reefs, underwater cultural heritage, etc.). Accordingly, measures shall be taken to minimise any adverse effects on such uses, promoting, where possible, coexistence or synergies with the prospective extension of port service waters.
- vii. Generally, port service areas shall preferably be extended within the areas identified in this plan. However, where other needs are identified, or where more suitable alternatives are determined during the processing of the relevant dossier, other areas for potential extension may be proposed. These areas would then be incorporated into the port's service area, in accordance with the provisions of the TRLPEMM and the Law on Coasts.

b. Regarding **dredged material disposal sites**:

The disposal of dredged material from port operations into the marine environment, outside the boundaries of port service waters, shall be subject to authorisation by the Maritime Authority and carried out in accordance with the provisions of Law 41/2010 of 29 December on the Protection of the Marine Environment and must comply with the following general principles:

- i. It shall be demonstrated that productive use of the dredged material is not feasible, with placement on beaches being the preferred form of productive use, provided that the criteria for environmental acceptability are met.
- ii. Disposal shall preferably take place at sites designated as areas of high potential for port activity.
- iii. Any proposal for a new disposal site, understood as one where no prior disposal has occurred, shall be accompanied by a justification study and an analysis of alternatives.
- iv. In the case of “points to be studied,” the port authority shall present an alternatives analysis demonstrating either the identification of a more suitable site or, alternatively, that the designated “point to be studied” represents the optimal location from economic, environmental and interaction perspectives with other uses, activities and interests. Following this alternatives analysis, the development plans, in their subsequent revisions, may confirm such points as new areas of high potential for port activity.
- v. Proposals for new disposal sites must be supported by favourable reports from the competent authorities responsible for biodiversity, fisheries and aquaculture, as well as for coasts and the marine environment.

Measures

Three measures have been proposed: PA1, PA2 and PA3 (see section V.1).

4.4.5. High potential areas for offshore wind energy development

The areas identified under this category are defined as highly suitable for the potential deployment of **commercial offshore wind energy infrastructure**, without prejudice to the fact that such projects may involve hybridisation with other offshore renewable energy technologies.

High Potential Areas for Offshore Wind Energy (ZAPER) comply with the following technical criteria:

- The wind resource is optimal for commercial exploitation, with wind speeds exceeding 7.5 m/s measured at 100 m height for the four peninsular marine subdivisions and at 140 m height in the Canary subdivision.
- The depth does not exceed 1,000 metres.
- Where possible, they are in proximity to onshore areas equipped with adequate electrical infrastructure to facilitate the evacuation of generated energy.
- They have been specifically identified as such within these plans.

They also satisfy the criterion of not being situated within areas designated as incompatible or as prohibiting the installation of wind power (whether fixed or floating), according to the criteria established by the Directorate General of Biodiversity, Forests and Desertification of the Ministry for Ecological Transition and the Demographic Challenge (MITECO). These criteria are:

- Special Protection Areas (SPAs) declared at sea

- Two areas currently under study within the framework of the INTEMARES project, anticipated to be designated as SPAs soon (namely, the coastal marine area north of Barcelona and the Strait of Gibraltar)
- Areas identified as valuable or of interest for seabirds, as determined through the gap analysis of the Natura 2000 marine network under the INTEMARES project
- Within Special Areas of Conservation (SACs) or Sites of Community Importance (SCIs), those zones where Habitats of Community Interest (codes 1110, 1120, 1170, 1180, 8330) are present. The presence of such habitats shall be established based on official information, or where such information is lacking or unavailable, through the relevant surveys to be conducted by the project developer
- In areas identified as valuable or of interest for habitats within the framework of the INTEMARES project - including six zones under study expected to be declared SCIs soon, specifically the underwater mountains of Mallorca, Cap Breton and Seco de Palos - those areas where Habitats of Community Interest are present. The presence of such habitats shall be established based on official information, or where such information is lacking or unavailable, through the relevant surveys to be conducted by the project developer
- Critical areas for species (notably killer whales, beaked whales, sperm whales, porpoises, turtles and pilot whales)⁵

From the perspective of interactions with maritime traffic and port operations, the areas identified as having high potential for offshore wind energy development do not interfere with access routes to ports or with manoeuvrability within port waters, including those within designated service areas.

In these areas of high potential for offshore wind energy, interactions have been identified with certain priority use areas, high-potential areas, or other spatial uses, which will require detailed consideration at the project level.

Planning of uses and activities within the areas:

Planning shall be governed by the following provisions:

- a. The competent authorities shall ensure that no activity entails a permanent occupation of space that could compromise the development and implementation of offshore wind energy installations.
- b. Once the area is occupied by offshore wind energy infrastructure, additional measures may be established for the management of uses and activities necessary to ensure its appropriate development.
- c. Human uses and activities adjacent to these areas, particularly those located between the high-potential areas for offshore wind energy and the coastline, shall facilitate the passage of electricity transmission infrastructure (cabling and potential substations) required to connect the offshore wind energy area to land.

Criteria:

In addition to the provisions established in the preceding section and solely for the purpose of facilitating the deployment of offshore wind energy for commercial exploitation, as well as ensuring its coexistence with other human uses and activities, the following criteria are established, without

⁵The requirements for the inclusion of these areas are: (1) declared as such (e.g.: orca), (2) identified in RN2000 site draft management plans or conservation/recovery plans; 3) have a scientific basis (scientific article indicating that an area that meets the definition of a critical area in Law 42/2007 of 13 December).

prejudice to those determined, where applicable, during the authorisation process or the environmental assessment of each project:

- a. Commercial offshore wind farms to be installed in such areas **shall occupy the minimum marine space necessary**.
- b. Projects shall be developed, within each ZAPER, in locations identified through *ad-hoc* prospective analysis as having the least impact on **seabird communities** inhabiting the area. An acoustic study shall be conducted to characterise the average background noise levels.
- c. Offshore wind projects shall consider the following environmental aspects for a comprehensive assessment of their environmental impact, without prejudice to other relevant factors and those set out in the guidance provided under measure ER3:
 - A study of avifauna potentially affected by the installation, with a minimum duration of one complete biological cycle of all species present in the project area and its area of influence. For the bird species identified, the study must include: their level of protection and threat, conservation status at various scales, habitat use and type of flight behaviour (e.g. foraging, reproduction, migration, movement), to assess potential impacts from the wind infrastructure
 - Study of fauna potentially affected by noise emissions from the installation
 - Characterisation of marine habitats affected by the project (including wind turbines and transmission lines)
 - Analysis of the cumulative and synergistic effects of nearby offshore wind projects and other types of projects likely to have negative environmental impacts, including on biodiversity
 - Acoustic studies shall be conducted prior to installation, during construction and throughout operation of the offshore wind farm to monitor changes in noise levels in affected areas. The data shall contribute to a potential noise database managed by the Sub-directorate-General for Marine Protection (MITECO) under the Marine Strategies framework
 - A landscape impact and integration study, considering visual receptors from the coast and, where relevant, from coastal and marine viewpoints of interest due to the area's characteristics
 - Analysis of fishing activity in the area. Description of the types of fisheries affected by the project and assessment of the impact in relation to the specific fishing methods used. Priority shall be given to ensuring the coexistence of the wind farm with ongoing fishing activity in the area, with special consideration for traditional fishing gear and sustainably managed fishing grounds
- d. In cases where high potential areas for offshore wind energy overlap with protected marine areas of the Natura 2000 network, project developers shall conduct a detailed analysis of technically and environmentally viable alternatives and provide justification for the selected solution, considering the effects of the project on the affected area. This shall include both the wind farm installation and the electricity evacuation infrastructure.
- e. Efforts shall be made to minimise the visual impact of projects developed within each ZAPER, especially from protected areas, well-established tourist or residential zones and coastal Heritage Sites of Cultural Interest (BIC).
- f. Commercial offshore wind farms shall comply with the conditions that may be required by the relevant air and maritime authorities, in accordance with applicable regulations.
- g. Wherever feasible, **fishing gears compatible with the operation of the commercial wind farm** or other renewable energy developments shall be identified and project developers shall facilitate such coexistence.

- h. In areas where significant interaction with fishing grounds, including small-scale fisheries, is identified, mitigation options shall be proposed to minimise such impacts.
- i. Where possible, **compatible forms of aquaculture** shall be identified and project developers shall facilitate their **coexistence with the commercial wind farm** or other renewable energy developments.
- j. Efforts shall be made to identify **vessel types capable of navigating** within the space occupied by the wind farm and where appropriate, to facilitate such navigation.
- k. When commercial offshore wind farms are installed within each zone, particularly in larger ZAPER running parallel to the coastline, the necessary **permeability** of these areas shall be ensured to allow vessel transit, with particular attention to the needs of the fishing fleet operating from various coastal points.
- l. The **evacuation routes for the electrical energy** generated by the activity to land shall be designed in accordance with the following criteria, among others:
 - The minimum possible marine area shall be occupied.
 - Efforts shall be made to utilise, where available, pre-existing cable routes or other seabed infrastructure.
 - A bionomic characterisation of the area to be traversed shall be conducted to avoid impacts on habitats of Community interest, or other vulnerable and/or protected benthic habitats.
 - The evacuation route shall also avoid impacting areas of priority use for the protection of underwater cultural heritage, or other zones where the presence of cultural heritage elements has been documented.
 - Areas important for small-scale fisheries and aquaculture shall be avoided to the greatest extent possible.
 - The environmental and territorial planning protection provisions applicable on land shall be respected in areas where the connection and integration into the electricity grid is to be undertaken.
 - Considering the above, work shall be carried out in coordination with the relevant authorities to ensure the availability of a viable evacuation route for the transmission of electrical energy from installations located in the vicinity.
- m. In addition to the foregoing, the conditions and criteria established in the Strategic Environmental Declaration for Spain's 2021-2030 Integrated National Energy and Climate Plan (PNIEC), published by the Decision agreed on 30 December 2020, of the Directorate General for Environmental Quality and Assessment (BOE of 11 January 2021), shall also be considered.

Three measures are envisaged for development during the first implementation cycle of the plans: Measures RE1, RE2 and RE3.

4.4.6. High potential areas for marine aquaculture

The areas identified under this category are considered highly suitable for the development of aquaculture facilities. They include the areas submitted by the competent authorities of the Autonomous Communities, through JACUMAR, in the Proposal for the Spatial Marine Planning of Aquaculture.

These ZAPAC (standing for high potential areas for marine aquaculture) comprise:

- Potential areas
- Conditional potential areas
- Preferred areas

- Conditional preferred areas
- Zones of interest declared by the various Autonomous Communities (Aquaculture Interest Zones – ZIA) and Marine Culture Interest Zones – ZICM)

It should be noted that some existing aquaculture facilities are located within these zones, while others operate outside the designated ZAPAC.

Existing aquaculture operations are safeguarded under the terms and conditions under which they have been authorised or declared. Accordingly, the MSPs do not introduce any additional regulations or conditions for existing aquaculture facilities (whether located inside or outside the ZAPAC). The provisions of this section apply exclusively to the potential development of future aquaculture facilities.

Planning of uses and activities within high potential for marine aquaculture

Given the recognised suitability of these areas for marine aquaculture development, future growth of the sector shall be primarily encouraged within these zones. However, this does not preclude the development of aquaculture facilities outside the designated areas, provided such proposals comply with the applicable criteria and conditions set out in the plans. Therefore:

- Developers of aquaculture activities shall, as far as possible, site their proposed marine aquaculture facilities within the designated ZAPAC.
- Similarly, the competent aquaculture authorities shall, as far as possible, prioritise the granting of authorisations for future marine aquaculture facilities within the established ZAPAC.

Criteria:

- In areas of high potential for marine aquaculture that overlap with areas of priority use for biodiversity protection, all necessary measures shall be taken to ensure that aquaculture facilities do not compromise the conservation values for which the marine protected area has been designated. Compliance with the corresponding management plan for the protected area shall be ensured. Furthermore, where such overlaps occur, project developers shall obtain a mandatory and binding report from the managing authority of the protected marine area prior to authorisation.
- In areas of high potential for marine aquaculture that overlap with **areas of high potential for biodiversity conservation**, similar care shall be taken to ensure that the installations do not undermine the conservation values of the area.
 - a. In areas of importance for seabirds, potential synergies shall be explored and efforts shall be made to ensure the coexistence of both uses.
 - b. In areas where species of Community interest are present, aquaculture activities shall be developed with due regard to the necessary limitations to ensure the conservation of these species.
 - c. In areas containing habitats of community interest, the siting of new installations over such habitats shall be avoided, based on the best available scientific information. Where feasible, protection or buffer zones shall be established for the following sensitive habitats: *Posidonia oceanica* meadows; mixed *Cymodocea-Caulerpa* meadows; algae; maërl beds; communities of suspension-feeding organisms; and communities on vertical substrates.
- In cases where areas of high potential for marine aquaculture overlap with marine protected areas of the Natura 2000 Network, proposed projects shall include a detailed analysis of technically and environmentally viable alternatives. A justification of the preferred option must be provided, considering the potential impacts of the project on the area concerned.
- Where areas of high potential for marine aquaculture overlap with areas of priority use for national defence, care shall be taken to ensure that aquaculture facilities are not located within designated military exercise and manoeuvre zones.

- In areas of high potential for marine aquaculture that overlap with priority areas for the protection of underwater cultural heritage, facilities shall be sited to avoid impacts on such heritage. To this end, appropriate safety distances and preventive measures shall be established.
- In areas of high potential for marine aquaculture that coincide with areas designated for landscape protection around coastal cultural heritage sites, aquaculture development shall consider appropriately defined parameters for landscape integration.
- The competent authorities shall consider the marine environment's carrying capacity and the cumulative effects of all existing and planned installations within the area.
- In the case of ZAPACs that overlap with zones designated as priority use areas for aggregate extraction, the competent administrations shall prioritise the authorisation of aquaculture installations outside these areas. Where this is not possible, the installations shall be developed with due regard to appropriate safety distances and preventive measures. In all cases, a report shall be requested from the Directorate-General for the Coast and the Sea regarding the potential impact on the relevant aggregate deposits.

Measures

Measures AC1, AC2 and AC3 have been considered (see section V.1).

5. Implementation, evaluation and monitoring of the plans

the implementation of Maritime Spatial Plans shall be carried out through the application of the provisions governing the management of uses and activities, as well as the criteria set out in detail in Section IV. It is expected that the combined application of these management provisions, the criteria and the proposed measures will facilitate the achievement of the objectives established in the plans.

Finally, the plans include a monitoring programme. This programme has been designed to track the evolution of the various human uses and activities within the marine environment, to assess the effectiveness of the plan and identify any potential shortcomings. In doing so, it will support adaptive management and inform the steps required for the revision and updating of the plans, scheduled to take place in 2027.

5.1. Measures for maritime spatial plans

during the design phase of the plans, a set of measures was identified that must be addressed throughout their period of validity, with the aim of improving the management of uses and activities. Some of these measures were proposed by various stakeholders and competent authorities during the coordination and participation process. Others are the result of identified needs, such as better collection of baseline information, management at a more detailed scale, or improved governance.

The **Programmes of Measures of the Marine Strategies** are currently being updated as part of their second cycle (2018-2024). The proposal for these Programmes of Measures is to be completed by 31 December 2021. The drafting of the MSPs is being carried out in coordination with this update and it is anticipated that some of the measures included in the MSPs will be incorporated into the Programmes of Measures under the Marine Strategies. Furthermore, **the development of the MSPs constitutes a measure within the Marine Strategies**. In accordance with Article 4.2 of Law 41/2010 of 29 December, on the Protection of the Marine Environment, the management of activities in the marine environment must contribute to ensuring the coherence of the objectives set out in the Marine Strategies.

Table 3. Measures proposed in the MSPs		
Measure	Planning objectives concerned	Managing Authority
MSP1: Spatial analysis of cumulative pressures resulting from the spatial concentration of certain uses and activities	It will contribute, either directly or indirectly, to all the objectives set out in the MSPs and especially to objective ENV.5.	Directorate-General for the Coast and the Sea (DGCM)
MSP2: Foresight study and socio-economic characterisation of the different sectors of Spain's blue economy	It will contribute, either directly or indirectly, to all the objectives set out in the EMFF and to the sector objectives	DGCM
MSP3: Definition and incorporation in the MSPs, of the set of elements that make up the marine green infrastructure	ENV.1, ENV.2, ENV.3, ENV.4, ENV.5, ENV.6, ENV.7, ENV.8, H.1, H.2, H.3, H.4, H.5, H.6, H.7, H.8, H.9, A.1, A.2, CF.1, CF.2, CF.3, HC.2, R.1, C.2, N.2, PA.5.	Directorate General of Biodiversity, Forests and Desertification (DGBBD) and DGCM
MSP4: Elaboration of anchoring plans for recreational vessels	ENV.2, ENV.3, ENV.4, ENV.5, ENV.6, ENV.7, WS.1, WQ.1, WQ.1, WQ.3, SC.2, CU.1, H.1, H.2, H.3, H.4, H.5, H.6, H.7, H.8, H.9, CF.1, HC.1, C.1, N.1, PA.3, TL.1, TL.2, TL.3	DGCM and administrations included in the <i>ad-hoc</i> group on nautical-recreational activities created within the maritime spatial planning process
MSP5: Creation of working groups to address management issues with appropriate detail and scale	It will contribute, either directly or indirectly, to all the objectives set out in the MSP and especially to objectives H.6 and H.7.	DGCM
MSP6: Developing a blue economy strategy at the national level	This measure could contribute, either directly or indirectly, to all the objectives of the MSPs and to the sectoral objectives.	DGCM, in coordination with the administrations of the National Government and the Autonomous Communities with the requisite devolved powers.
MSP7: Developing a strategy for stakeholder participation and involvement	This measure can contribute to all objectives, either directly or indirectly and directly especially to objectives H.7 and H.8.	DGCM
MSP8: Creation of a web/app application relating to the uses of the sea	This measure can contribute to all general interest, horizontal multi-sector and sector objectives. It will contribute to objectives H.7, H.8 and H.9.	DGCM
MSP9: Establishment of a marine data infrastructure	H.11, H.12	DGCM, IEO (CSIC)
ITM1: National Strategic Plan for the Protection of the Spanish Coast considering the Effects of Climate Change	ENV.5, ENV.6, ENV7, ENV.7, H.5	DGCM
ITM2: Update of the Plan Ribera coastal vulnerability analysis	ENV.5, ENV.6, WS.1, WQ.1, WQ.3, SC.2, CU.1, H.1, H.5, H.6, H.7, H.8, H.9, TL.1, TL.2.	DGCM
ITM3: Proposed criteria for land-sea discharges in the framework of maritime spatial planning	H.1, WQ.2	DGCM

Table 3. Measures proposed in the MSPs

Measure	Planning objectives concerned	Managing Authority
BP1: identification of new proposals for declarations of marine protected sites	ENV.1, ENV.2, ENV.3, ENV.4, ENV.5, H.2, H.5, H.6, H.7, H.8, H.9, A.1, A.2, CF.2, CF.3, HC.2, R.1, C.2, N.2, TL.2.	DGBBD and Autonomous Communities
BP2: Approval and development of the Direction Plan for Spanish Network of Marine Protected Areas (RAMPE)	ENV.1, ENV.2, ENV.3, ENV.4, ENV.5, H.2, H.5, H.6, H.7, H.8, H.9, A.1, A.2, CF.2, CF.3, HC.2, R.1, C.2, N.2, TL.2.	DGBBD
AE1: Declaration of a DPMT Reserve, if appropriate, of those deposits considered strategic for their contribution to beaches	ENV.5, ENV.6, ENV.7, ENV.8, H.1, H.5, H.9	DGCM
AE2: Expansion of geophysical surveys and reservoir characterisation surveys	ENV.5, ENV.6, ENV.7, ENV.8, H.2, H.3, H.5, H.8, H.9.	DGCM
ZAPID-1: Identification of potential new R&D&I areas	1.1, H.1, H.2, H.3, H.4, H.6, H.7, H.8, H.9.	Ministry of Science and Innovation, MITECO, State Ports and Autonomous Communities
PA1: Individual analysis of the dredged material discharge points identified as “to be studied”.	ENV.2, ENV.4, ENV.5, ENV.6, ENV.7, ENV.8, WS.1, WQ.1, WQ.3, UCH.1, H.1, H.3, CF.1, PA.4 and PA.5.	Port authorities and autonomous port administrations
PA 2: Analysis of possible proposals for new dumping points for dredged material.	ENV.2, ENV.4, ENV.5, ENV.6, ENV.7, ENV.8, WS.1, WQ.1, WQ.3, UCH.1, H.1, H.3, P.1, PA.4 and PA.5.	Port authorities and autonomous port administrations
PA 3: Creation of a database on the use of the maritime-terrestrial public domain for port, maritime, nautical-sports or fishing activities.	ENV.6, ENV.7, ENV.8, H.6, H.9, PA.1, PA.2, PA.3, PA.4, PA.5.	DGCM
AC1: Declaration of Areas of Interest.	A.1, A.2, A.3.	Autonomous Communities
AC2: Preparation of planning and management instruments for the declared Zones of Interest (ZIA and ZICM).	A.1, A.2, A.3.	Autonomous Communities
AC3: Actions related to spatial planning in the framework of the Sustainable Development Strategy for Aquaculture 2021-2030.	ENV.5, H.1, H.2, H.3, H.5, H.5, H.6, H.8, H.9, A.1, A.2, A.3.	DGOPA and Autonomous Communities
RE1: Analysis and modelling of the landscape impact of offshore wind energy infrastructures in Spanish waters	H.5, R.1	DGCM
RE2: Analysis of the fisheries sector potentially affected by offshore wind energy development in the areas proposed in the MSPs	H.1, R.1	DGCM
RE3: Analysis of the potential effects of offshore wind farms on marine ecosystems	ENV.2, ENV.4, ENV.5, R.1, R.2	DGBBD

5.2. Strategic environmental assessment

law 21/2013 of 9 December, on Environmental Assessment, establishes environmental assessment as the principal instrument for integrating environmental considerations into the preparation and adoption of plans and programmes.

The Strategic Environmental Declaration, whose Decision was signed on 2 December 2022 by the Director-General for Environmental Quality and Assessment, sets out the environmental determinations to be incorporated into the Maritime Spatial Plans because of the strategic environmental assessment process.

The environmental determinations contained in the Strategic Environmental Declaration are incorporated into the final version of the maritime spatial plans.

5.3. Planning monitoring

as with any planning instrument, the MSPs must be subject to periodic monitoring to assess their effectiveness and to detect potential changes in the context (geographical-environmental or socio-economic) in which they are applied, which may necessitate their adaptation or revision.

To this end, a monitoring programme has been developed for the plans. This programme will be informed by data from various sources and planning instruments, which will serve to construct a set of indicators specific to the plans.

Spain's Marine Strategies include a set of monitoring programmes that have been designed and implemented and which were recently updated as part of the second cycle (2019). These monitoring programmes will provide the necessary information for updating the diagnosis required in the revision of the plans, alongside the updated assessment of the state of the marine environment to be carried out within the third Marine Strategy cycle (2024-2030).

The evaluation of the objectives of the MSPs will be carried out using a set of associated indicators. These indicators should provide information on the effectiveness of the plans, the degree of achievement of the objectives and, where applicable, the obstacles hindering their attainment.

Royal Decree 363/2017 of 8 April establishes, in Article 12, that: *"Once the maritime spatial plans have been approved, each competent department, within the scope of its responsibilities, shall prepare an annual report on the implementation of these plans, which shall be submitted to the Directorate-General for the Sustainability of the Coast and the Sea. The Directorate-General for the Sustainability of the Coast and the Sea shall assess the content of these reports and submit an annual analysis to the Interministerial Commission for Marine Strategies. **The Interministerial Commission for Marine Strategies shall ensure the coordinated implementation and management of the Maritime Spatial Plans and their subsequent updates.**"*