## CS'Legal Update

Proposed Allocation Plan for Offshore Renewable Energies ("PAER") under public consultation



Marta Ramalho Gomes MANAGING ASSOCIATE



Victoria Paiu TRAINEE

The Portuguese Government has set itself the ambition of achieving an installed offshore wind energy capacity of 10 GW by 2030 in the national maritime space of the Continent subdivision and achieve the targets set out in the Roadmap for Carbon Neutrality 2050. For these purposes, the Order of the Minister for the Economy and the Sea no. 4760/2023, of 20 April, determines that the Directorate-General for Natural Resources, Safety and Maritime Services, the entity responsible for planning the national maritime Space, should draw up a PAER, which will automatically update the Maritime Spatial Planning Situation Plan ("**PSOEM**") with regard to create potential areas for commercial exploitation of offshore renewable energies.

In this context, the public consultation process of the PAER was promoted, which will be open until 12 December 2023.

We highlight the following issues of the PAER under public consultation:

- Operational objectives: the PAER should be guided by the following strategic and operational objectives:
  - i) Contribution to national energy independence and the energy autonomy of the EU through 3GW concession contracts until 2025 and 10GW concession contracts until 2030;
  - Contribution to the energy transition and decarbonisation of the economy by making uses compatible with activities that can promote carbon sequestration and the elimination of CO2 from electricity production;
  - iii) Contribution to the sustainable development of the blue economy and the entire of offshore renewable energies by creating new jobs, increasing metalworking and electromechanical capacity, promoting port development, and making uses compatible with a view to the multiple use of maritime space allocated to wind farms;
  - iv) Contribution to the national production of new clean fuels, namely hydrogen through the installation of 2GW to 2.5GW of capacity by 2030 and the reduction of greenhouse gas emissions in various sectors of the economy;

- **10**<sup>23</sup>
- v) Ensure that the development of the activity is carried out while safeguarding the ecosystem services, particularly regarding fish resources and cultural heritage by increasing ocean productivity through the installation of artificial reefs, the adaptation of fishing gear to the design of commercial parks, the construction of environmentally certified floating devices and, lastly, by increasing knowledge of underwater cultural heritage.
- Allocation areas: the PAER proposes allocation areas for offshore renewable energies, focusing only on maritime areas that are adjacent to the west coast of the mainland and coast of the mainland and which present the best conditions for the establishment of renewable energies, for the installation of commercial wind farms, preferably with floating technology. The criteria used to select the preferential areas for the exploitation of offshore renewable energies for commercial purposes to be allocated to the PSOEM were the following:
  - i) Horizontal wind speed (m/s);
  - ii) number of operating hours equivalent to rated power (NEPS) (h/year);
  - iii) incident wind power flux (W/m2);
  - iv) wave energy resource (kW/m);
  - v) bathymetry (m);
  - vi) slopes (°);
  - vii) distance from coastline (mn);
  - viii) seabeds;
  - ix) tectonic faults;
  - x) easements, administrative restrictions and conditioned areas;
  - xi) private use of national maritime space.
- **Compatible uses**: Also, offshore wind energy must be made compatible with commercial fishing, nature conservation and aquaculture. The PAER has prevented the installation of commercial offshore energy parks in areas of conflict with these uses.
- **Preferred areas**: The preferred areas that were chosen considering the above were: Viana do Castelo North, Viana do Castelo South, Leixões, Figueira da Foz, Ericeira, Sines and Aguçadoura.