

REGULATORY FRAMEWORK ANALYSIS

(Deliverable 3.2.1 – English summary)

Notes:

- 1) Partners from the same country should collaborate for a single contribution for the National regulatory framework (section A);
- 2) Please respect the maximum number of characters for each chapter: this is important in order to ensure the homogeneity of the partners' contributions;
- 3) Please mark the relevant boxes with "X"

A. NATIONAL LEVEL

This section aims to describe the national regulatory framework for protected wetland management and governance.

Chapter number and name		Contents	
A.1	National regulatory framework for the protection, management and governance of wetlands (including specific regulation on wetland contracts, if any)	Main administrative references	
		WetNet code	RF_PORTUGAL_01
		Typology	Law
		Number	58/2005
		Date of approval	29 December 2005
		Web-link	http://www.apambiente.pt/index.php?ref=16&subref=7&sub2ref=15&sub3ref=93
		Specify in which sector the legislation is framed	
		<input checked="" type="checkbox"/>	water management
		<input type="checkbox"/>	biodiversity/nature conservation/management
		<input type="checkbox"/>	land use management
		<input type="checkbox"/>	land/water/wetland stewardship
		<input type="checkbox"/>	public participation
		<input type="checkbox"/>	river/wetland contracts
		<input type="checkbox"/>	other (please specify): <input type="text"/>
		Main scope	
		Transposes the European Water Directive. Defines objectives and principles for the management of water resources. Determines that River Basin Plans are the main planning instrument regarding the preservation and utilization of water resources. Determines the institutional framework for the management of the Portuguese River Basins.	
		If relevant, please specify the specific aspects and levels of protection that are included in this regulation	
		This regulation sets general principles and the institutional framework; it does not include specific levels of protection.	
		Main administrative references	
		WetNet code	RF_PORTUGAL_02
		Typology	Decree-Law

Number	142/2008
Date of approval	24 July 2008
Web-link	https://dre.pt/web/guest/pesquisa/-/search/454502/details/normal?!=1

Specify in which sector the legislation is framed

<input type="checkbox"/>	water management
<input checked="" type="checkbox"/>	biodiversity/nature conservation/management
<input type="checkbox"/>	land use management
<input type="checkbox"/>	land/water/wetland stewardship
<input type="checkbox"/>	public participation
<input type="checkbox"/>	river/wetland contracts
<input type="checkbox"/>	other (please specify): <input type="text"/>

Main scope

Establishes the legal framework for nature and biodiversity conservation. Creates the Fundamental Network for Nature Conservation, defining its components and institutional framework. Creates the National Network of Protected Areas.

If relevant, please specify the specific aspects and levels of protection that are included in this regulation

This regulation sets general principles, concepts and institutional frameworks. It defines criteria for the classification of protected areas to be included in the National Network of Protected Areas; it does not include specific levels of protection.

Main administrative references

WetNet code	RF_PORTUGAL_03
Typology	Resolution of the Council of Ministers
Number	115-A/2008, de 21 de julho
Date of approval	21 July 2008
Web-link	http://www.icnf.pt/portal/pn/biodiversidade/rn2000/p-set

Specify in which sector the legislation is framed

<input type="checkbox"/>	water management
<input checked="" type="checkbox"/>	biodiversity/nature conservation/management
<input type="checkbox"/>	land use management
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<input type="checkbox"/>	public participation
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Main scope

Approves the Natura 2000 National Plan. Defines the Special Protection Zones and the Sites of Community Importance classified in the Natura 2000 Network in Portugal, their geographical delimitation, their values under the Birds and the Habitats Directives and the general guidelines for management of the Natura 2000 areas.

		<p>If relevant, please specify the specific aspects and levels of protection that are included in this regulation</p> <p>The National Plan determines that specific protection statutes are to be defined in the local land use and management plans, such as the Municipal Master Plans and the Land Use plans of the Protected Areas. These specific plans must respect and develop the general guidelines given by the National Plan.</p>																																						
A.2	Wetland management plans at the national level	<p>Main administrative references</p> <table border="1" data-bbox="576 591 1485 689"> <tr> <td>WetNet code</td> <td>MP_PORTUGAL_01</td> </tr> <tr> <td>Name of the plan</td> <td>National Water Plan</td> </tr> </table> <p>Specify which sector the regulation is framed</p> <table border="1" data-bbox="576 757 1485 891"> <tr> <td><input checked="" type="checkbox"/></td> <td>water management</td> </tr> <tr> <td><input type="checkbox"/></td> <td>biodiversity/nature conservation/management</td> </tr> <tr> <td><input type="checkbox"/></td> <td>land use management</td> </tr> <tr> <td><input type="checkbox"/></td> <td>other (please specify): <input type="text"/></td> </tr> </table> <p>Main scope</p> <p>Defines the major strategic options of the Water Policy, setting the guidelines for the development of the new cycle of Hydrographic Region Management Plans and their associated actions programmes. Sets the prospective political guidelines for water resources management for the 2022 -2027 period, corresponding to the 3rd planning cycle of the Water Directive.</p> <p>Which is/are the Administration(s)/Authority(ies) in charge of the</p> <table border="1" data-bbox="576 1205 1485 1541"> <tr> <td>preparation</td> <td>Agência Portuguesa do Ambiente (APA) – <i>Environment Agency</i></td> </tr> <tr> <td>approval</td> <td>National Government (Decree-Law)</td> </tr> <tr> <td>implementation</td> <td>Administrações das Regiões Hidrográficas (ARH) – <i>Administrations of Hydrographic Regions</i> (regional delegations of the Environment Agency)</td> </tr> <tr> <td>monitoring</td> <td>Agência Portuguesa do Ambiente (APA) – <i>Environment Agency</i></td> </tr> <tr> <td>evaluation/update</td> <td>Agência Portuguesa do Ambiente (APA) – <i>Environment Agency</i></td> </tr> </table> <p>Please provide a synthetic and specific assessment of the planning tool take into account public participation, biodiversity protection and integrated management.</p> <table border="1" data-bbox="576 1630 1485 1771"> <thead> <tr> <th>in terms of</th> <th>Low</th> <th>Medium</th> <th>High</th> </tr> </thead> <tbody> <tr> <td>- Public participation</td> <td></td> <td>X</td> <td></td> </tr> <tr> <td>- Biodiversity protection</td> <td></td> <td>X</td> <td></td> </tr> <tr> <td>- Integrated management</td> <td></td> <td>X</td> <td></td> </tr> </tbody> </table> <p>The National Water Plan is implemented through the Hydrographic Region Management Plans (regional planning tools), which are participated by other relevant local public authorities and by the general public. The plans are prepared in close cooperation with other environmental authorities competent for biodiversity protection and with land use management authorities.</p>	WetNet code	MP_PORTUGAL_01	Name of the plan	National Water Plan	<input checked="" type="checkbox"/>	water management	<input type="checkbox"/>	biodiversity/nature conservation/management	<input type="checkbox"/>	land use management	<input type="checkbox"/>	other (please specify): <input type="text"/>	preparation	Agência Portuguesa do Ambiente (APA) – <i>Environment Agency</i>	approval	National Government (Decree-Law)	implementation	Administrações das Regiões Hidrográficas (ARH) – <i>Administrations of Hydrographic Regions</i> (regional delegations of the Environment Agency)	monitoring	Agência Portuguesa do Ambiente (APA) – <i>Environment Agency</i>	evaluation/update	Agência Portuguesa do Ambiente (APA) – <i>Environment Agency</i>	in terms of	Low	Medium	High	- Public participation		X		- Biodiversity protection		X		- Integrated management		X	
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A.3	Other strategies and governance tools at national level	Description of relevant strategies and governance tools at regional/local level concerning protected wetlands management (please copy the following box as																																						

		<p>many times as necessary)</p> <div style="border: 1px solid black; padding: 5px;"> <p>The National Ecological Reserve (Reserva Ecológica Nacional – REN), created by the Decree-Law 166/2008, is a basic and diversified landscape structure defined to guarantee the protection of ecosystems and the preservation and intensification of biological processes, such the water cycle, that are essential for the balanced support of human activities. The delimitation of the REN is done in the Municipal Master Plans as a major land use conditioning.</p> </div>
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B. PILOT AREA LEVEL

This section aims to:

- specify which international/European/national protection levels and rules are applicable for the pilot wetland;
- describe the regional/local regulatory framework relevant for the management of the pilot wetland.

Chapter number and name		Contents												
B.1	Regulatory framework for the protection and management of the pilot wetland <u>INTERNATIONAL LEVEL</u>	<p>Which are the main international regulatory references for the protection of the pilot wetland? (multiple selections possible, add new lines when necessary)</p> <table border="1" style="width: 100%;"> <tr> <td><input type="checkbox"/></td> <td>Ramsar site (insert code)</td> <td><input style="width: 150px;" type="text"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Important Bird Area (insert code)</td> <td><input style="width: 150px;" type="text"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>other (please specify)</td> <td><input style="width: 350px;" type="text"/></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>none</td> <td></td> </tr> </table>	<input type="checkbox"/>	Ramsar site (insert code)	<input style="width: 150px;" type="text"/>	<input type="checkbox"/>	Important Bird Area (insert code)	<input style="width: 150px;" type="text"/>	<input type="checkbox"/>	other (please specify)	<input style="width: 350px;" type="text"/>	<input checked="" type="checkbox"/>	none	
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B.2	Regulatory framework for the protection and management of the pilot wetland <u>EUROPEAN LEVEL</u>	<p>Which are the main European regulatory references for the protection of the pilot wetland? (multiple selections possible, add new lines when necessary)</p> <table border="1" style="width: 100%;"> <tr> <td><input checked="" type="checkbox"/></td> <td>Site of Community Importance (insert code)</td> <td>PTCON0034 - Comporta/Galé</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Special Protection Area (insert code)</td> <td>XX 00 000 00</td> </tr> <tr> <td><input type="checkbox"/></td> <td>other (please specify)</td> <td><input style="width: 350px;" type="text"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>none</td> <td></td> </tr> </table> <p>If relevant, please attach the English version of the Standard Data Form of Natura 2000 sites.</p>	<input checked="" type="checkbox"/>	Site of Community Importance (insert code)	PTCON0034 - Comporta/Galé	<input type="checkbox"/>	Special Protection Area (insert code)	XX 00 000 00	<input type="checkbox"/>	other (please specify)	<input style="width: 350px;" type="text"/>	<input type="checkbox"/>	none	
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B.5	Planning and management of the pilot wetland foreseen at regional/local level	<p>Please copy the text that follows as many times as necessary.</p> <p>Main administrative references</p> <table border="1"> <tr> <td>WetNet code</td> <td>MP_PORTUGAL_ALENTEJO_01</td> </tr> <tr> <td>name of the plan</td> <td>Grandola Municipal Master Plan</td> </tr> <tr> <td>date of approval</td> <td>14 September 2017</td> </tr> <tr> <td>web-link</td> <td>http://planeamento.cm-grandola.pt/planos_vigor/PDM/?dir=</td> </tr> </table> <p>Specify in what block of legal regulation the plan is framed</p> <table border="1"> <tr> <td><input type="checkbox"/></td> <td>water regulation/management</td> </tr> <tr> <td><input type="checkbox"/></td> <td>biodiversity/nature conservation/management</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>land use regulation/management</td> </tr> <tr> <td><input type="checkbox"/></td> <td>other (please specify): <input type="text"/></td> </tr> </table> <p>Main scope</p> <table border="1"> <tr> <td>Defines land uses and regulates land occupation in the whole municipal territory. Establishes protection statutes according to the national and regional regulation, delimitating the areas that have specific conservation or protection conditions. Includes formal land use regulation to support all land use management decisions by the public authorities in the area and has the power of law for the general population.</td> </tr> </table> <p>Within the planning process, which is the Administration/Authority in charge of the</p> <table border="1"> <tr> <td>preparation</td> <td>Municipal Administration</td> </tr> <tr> <td>approval</td> <td>Municipal Parliament</td> </tr> <tr> <td>implementation</td> <td>Municipal Administration</td> </tr> </table>	WetNet code	MP_PORTUGAL_ALENTEJO_01	name of the plan	Grandola Municipal Master Plan	date of approval	14 September 2017	web-link	http://planeamento.cm-grandola.pt/planos_vigor/PDM/?dir=	<input type="checkbox"/>	water regulation/management	<input type="checkbox"/>	biodiversity/nature conservation/management	<input checked="" type="checkbox"/>	land use regulation/management	<input type="checkbox"/>	other (please specify): <input type="text"/>	Defines land uses and regulates land occupation in the whole municipal territory. Establishes protection statutes according to the national and regional regulation, delimitating the areas that have specific conservation or protection conditions. Includes formal land use regulation to support all land use management decisions by the public authorities in the area and has the power of law for the general population.	preparation	Municipal Administration	approval	Municipal Parliament	implementation	Municipal Administration
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