



EUROPEAN PROJECT MAREMED “Maritime Regions Cooperation for the Mediterranean”

Working Group on ICZM

FINAL REPORT Short version

ICZM implementation state
ICZM Protocol art.8-2 provision application test

Edit by
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Working Group on Integrated Coastal Zone Management

FINAL REPORT - SHORT VERSION ON ACTIVITIES AND RESULTS ACHIEVED (project period 2010-2013)

**FINAL
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Table of contents

Overview on the ICZM Working Group activity	5
--	----------

DIAGNOSTIC PHASE - RESUME REPORT

state of art of implementation of the EU Recommendation on ICZM (2002/413/CE) and of the ICZM Protocol for the Mediterranean

Goals of the ICZM Diagnostic Phase	7
---	----------

Diagnostic Phase Findings and Conclusions	8
--	----------

Messages from the partner Regions	11
--	-----------

PILOT ACTION PHASE - RESUME REPORT

on Integrated Coastal Zone Management Protocol for the Mediterranean

Pilot Action A - Comparison between local legal framework on coastal zones and ICZM Protocol provisions

Introduction to Pilot Action A	12
---------------------------------------	-----------

Results of the comparison	12
----------------------------------	-----------

<i>PACA Region</i>	<i>12</i>
---------------------------	------------------

<i>Valencia Region</i>	<i>14</i>
-------------------------------	------------------

<i>Liguria Region</i>	<i>15</i>
------------------------------	------------------

<i>Toscana Region</i>	<i>16</i>
------------------------------	------------------

<i>Lazio Region</i>	<i>17</i>
----------------------------	------------------

<i>Marche Region</i>	<i>18</i>
-----------------------------	------------------

<i>Emilia-Romagna Region</i>	<i>20</i>
-------------------------------------	------------------

<i>Corse Region</i>	<i>22</i>
----------------------------	------------------

Crete Region

22

Pilot Action B - Testing ICZM Protocol Art.8-2 (set-back zone) provisions application ICZM

Introduction to Pilot Action B **24**

Results of the testing **24**

Crete Region **24**

Liguria Region **26**

Emilia-Romagna Region **28**

Valencia Region **29**

Overall Conclusions and Perspectives **32**

Overview on to the ICZM WG activity

The Emilia-Romagna Region, Department for Soil and Coast Protection and Land Reclamation, was the coordinator of the ICZM working group within the MAREMED project.

<http://ambiente.regione.emilia-romagna.it/suolo-bacino/argomenti/difesa-della-costa>

The activity of the working group has been focused on the state of ICZM implementation in the partner Regions about 10 years after the issue of the EU Recommendation (2002/413/CE), on the further possibilities offered by the recent enter into force (March 2011) of the ICZM Protocol for the Mediterranean, of the Barcelona Convention, and on the opportunity of the launching of a political initiative of the Regions at the Mediterranean scale for the next programming period 2014-2020, taking as a starting the Bologna Charter signed in year 2007 within the RFO Beachmed-e.

In particular, a first phase of the work, "Diagnostic Phase", has been dedicated to the evaluation of the implementation state of ICZM process at regional level (also considering the national level where appropriate) investigating achievements, advancements, obstacles/difficulties and perspectives. While a second phase, "Pilot Actions Phase", was dedicated to specific actions concerning ICZM Protocol provisions.

From the **Diagnostic phase** analysis a number of indications/messages came out about policies for a further and more diffused implementation of the ICZM. These messages are included in the Diagnostic phase Report and can be considered as a "voice" from the Regions towards the EC.

The **Pilot Actions phase** allowed the identification of compliances and gaps between ICZM Protocol provisions and regional/national legal framework on coastal zones. Moreover it allowed the preliminary drawing of a set-back zone (Art. 8-2 of the Protocol) and the analysis of impacts due to its application, in relation to existing spatial planning instruments together with the identification of a path for their eventual adjustments.

About this action, it is to be underlined that the methodology for this "application test" was set up in collaboration with the PAP/RAC within the SHAPE project (IPA-Adriatic, www.shape-ipaproject.eu), of which Emilia-Romagna is the Leader partner, and exported in the MAREMED project for its implementation in a larger number of cases also outside the Adriatic. This is a good example of synergy allowed by EU projects.

Synergy, not only in words but in deeds, is the key factor to the consistency and effectiveness of public spending and, in this case, of European funds investments. This is the meaning, among other, of the action at the political level developed in MAREMED and related to the **"Bologna Charter 2012"** - *European Regions Charter for the promotion of a common Framework for Strategic Actions aimed at the Protection and Sustainable Development of the Mediterranean coastal areas.*

Promoted by Emilia-Romagna Region as a political action, the Bologna Charter is an agreement between various Mediterranean maritime Administrations, involved in different EU projects but open to the whole Med community, that outlines a Strategy and a **Macro-project** articulated in a number of Action lines (sub-projects) to be developed in the **2014-2020** period at the Mediterranean scale. Themes covered are Governance, ICZM, climate change Adaptation, Data harmonisation and interoperability, sustainable use of resources. The concept is to avoid dispersion, in a number of single separated actions/projects, the “traditional way”, to have a group of projects integrated in a shared strategic framework with specific objectives and actions. This allowing an higher level of synergy between coastal Administrations, optimisation of actions and of the EU funds investments, more opportunities to obtain useful and transferable results and to get coherent mainstreaming processes.

The idea and the general structure of the **Macro-project** responds to the need of Public Administrations in charge for coastal management to efficiently face the coastal zones protection and the climate change adaptation within the ICZM implementation process.

The main **lines of Action** envisaged to be translated into projects, for the 2014-2020 period, consist in:

- the building of a **network of local/regional coastal Observatories** (that foresees also the issue of data harmonisation and interoperability);
- the **survey and monitoring of erosion phenomena** and flood hazard/marine ingression along the Mediterranean coastal areas;
- the individuation, the characterisation and the promotion of the **sustainable use of coastal and submarine stocks of sediments**, for beach nourishment purposes;
- **cross-border integrated planning and management of coastal zones** and maritime space, for a sustainable growth and for the governance of conflicts and possible synergies between different uses;
- **sustainable use of the coastal territory** along with the implementation of the principles and provisions of the ICZM Protocol for the Mediterranean;
- the design of **interventions and structural works**, consistently with the integrated planning processes, within the adaptation policies to the natural and anthropogenic risks affecting the coastal territories.

In order to extend the adhesion to the Charter (jointly signed by 14 maritime Administrations on the 21st of March at the European Parliament in Brussels) and to the initiatives in the 2014-2020 period, different actions are envisaged, both at political and operational level, in order to possibly activate different funding opportunities (EU funding programmes, Regional Operational Programs, EC direct support). One of the operational actions already concretised, for example, is the project-clustering initiative “FACECOAST” (www.facecoast.eu), that counts today 11 projects adhering including MAREMED, launched within the Capitalisation process started by the MED Program. Further actions foreseen are dedicated to the extension of the cooperation space towards the South and East bounds of the Mediterranean basin.

DIAGNOSTIC PHASE *on the state of art of implementation of the EU Recommendation on ICZM (2002/413/CE) and of the ICZM Protocol for the Mediterranean. Resume REPORT*

Goals of the ICZM Diagnostic Phase

The diagnostic phase aims at analysing the state of implementation and the governance of the Integrated Coastal Management policy over the MAREMED partnership territory, by taking into consideration different points of view such as the administrative and technical management, the gathering of information on the departments and services concerned, the political organisation, the tools and methods of consultation processes with actors and stakeholders. This diagnostic analysis aims also at collecting all the underway and past experiences related to ICZM (projects, studies, pilot actions).

Such global view can enable the analysis of strengths and weaknesses of the ICZM governance in the MAREMED territory and allows to outline the issues and sectors that still require significant attention and actions. The synoptic analysis of the diagnostic phase results can therefore be the basis to elaborate technical, strategic, juridical and financial proposals to improve integration and innovation in the ICZM governance.

Partners involved

MAREMED partnership, involving 5 States, constitutes a significant sample which is representative of the Mediterranean issues. The ICZM questionnaire was submitted to 13 MAREMED partners as shown in the following table (the exception is the CRPM, for whom the questionnaire is obviously not applicable).

MAREMED Partners involved on the ICZM diagnostic phase

	MAREMED Partner involved	Reference in the text
1	Provence-Alps-Cote d'Azur Region	PACA Region
2	Port Institute of Studies and Cooperation of the Valencian Community (FEPORTS)	Valencia Region
3	Murcia Region	Murcia Region
4	Liguria Region – Territorial Planning Department	Liguria Region
5	Toscana Region	Toscana Region
6	Lazio Region	Lazio Region
7	Campania Region - European Projects Unit	Campania Region
8	Marche Region, Dep. Agriculture, Forestry and Fishery	Marche Region
9	Emilia-Romagna Region	Emilia-Romagna Region
10	Environment Office of Corse	Corse Region
11	Larnaca District Development Agency	Cyprus
12	Decentralized Administration of Crete	Crete
13	Catalunya Region	Catalunya Region

Currently Campania Region and Murcia have withdrawn from the project partnership, but the results of Murcia questionnaire are included in this report all the same for a broader and more complete framework.

Returned questionnaires were analysed to complement and validate the findings, trends and recommendations, in order to outline a likely status of implementation of ICZM policies and the overall situation of coastal zones in the partnership territory.

The Questionnaire was articulated in specific sections: **Section 0** - Status of the coastal areas; **Section 1** - Summary of ICZM related initiatives and implementation; **Section 2** - Activities undertaken in order to support ICZM implementation; **Section 3** - Evaluation on ICZM progresses and coastal zone governance status.

Detailed results and elaborations on answers to the questionnaire are available in the Final Report complete version on the project web site: www.maremed.eu

The aim of the present report is to summarize the results of the ICZM thematic questionnaire, in order to create a screenshot of the actual state of implementation of the ICZM policies and the overall coastal environment status in the partners regions.

In the 12 regions of MAREMED partnership that returned the ICZM questionnaire the status of ICZM policy implementation is synthetically as follows:

- No Country has implemented an ICZM National Strategy as prompted by the EU ICZM Recommendation (2002/413/EC);
- In Spain the implementation of an ICZM National Strategy is pending;
- France ratified the Protocol; Spain ratified the Protocol the 17th of June 2010; Italy signed the ICZM protocol in Madrid, but the ratification is still pending;
- Cyprus did not sign the Protocol.

Since the European Union signed the Protocol, it entered in force in March 2011 for all the Euro-Mediterranean Regions.

The short version Report only includes findings and conclusions of the ICZM Diagnostic Phase. The original questionnaires returned by each MAREMED partner are available on MAREMED project website.

Diagnostic Phase findings and conclusions

The answers given in **Section 0** are quite complete by almost all the partners but the data provided are greatly inhomogeneous in quality and format: ***the questionnaire therefore highlighted the need to identify the gaps in the existing data concerning the coastal areas and to harmonize them***, according to shared definitions on elements to be represented and to common standards on data collection.

The questionnaire returns on Sections 1, 2 and 3, pointed out the necessity to verify the ICZM Protocol provisions implementation effects since it entered in force at the end of March 2011, and particularly to verify the official definition of the coastal zone and of the setback zone. Therefore, MAREMED Partners propose to verify

the setback zone applicability and implementation effects basing on current situation and future provisions of urban and territorial planning as a pilot action of the project. Furthermore, as the Protocol is mandatory only for aspects for which the EU has competence, another proposal for a pilot action to develop during the second phase of MAREMED is to verify and define such aspects.

The ICZM questionnaire pointed out the fact that none among the MAREMED Partners carried out the **evaluation of the possible impacts of the ICZM Protocol application** on existent regional/national provisions systems. Furthermore, no one of the Partners carried out a **comparison between the Protocol provisions and the local (regional or national) ICZM strategy and/or tools**, with the only exception of Cyprus that did it in the occasion of the CAMP.

The ICZM questionnaire therefore underlines the need to foresee these activities, as a **pilot action of the MAREMED project**. Aspects of the Protocol on which particular focus should be put are the ones stated in art. 7 (Coordination among sectors, between governance levels), art. 8 (Protection and sustainable use of the coastal zone, with the definition of the "Setback zone"), and art.18 (National coastal strategies, plans and programs).

The ICZM questionnaire analysis highlighted some possible proposals that could be addressed to the EU Commission.

- 1) Concerning ICZM and Maritime Spatial Planning, there is the possibility of launching a Programme, by the EC, for **demonstration projects on integrated implementation of ICZM and MSP** (in compliance with Protocol Part V – International Cooperation).
- 2) Concerning Adaptation to Climate Change and Coast Protection, an updating of the assessment of Med coastal status in terms of erosion and submersion risk (dealing with Protocol Part IV – risks affecting the coastal zone) could be proposed, possibly through an **"EuroSION-Med initiative"**; another possible proposal could be done concerning the **research and estimation of sediment resources available for beach nourishment** on the continental shelf in the Med area (respectively dealing with Art. 23 – coastal erosion - and Art. 24 – response to natural disaster – of Protocol Part IV).
- 3) Concerning organizational asset and data harmonization a promotion of an **Interregional Observatory for the protection of the Mediterranean coastal areas** could be proposed at the EC level (in compliance with Protocol principles, Part III art. 16 – monitoring and observation networks – and Part V art. 27 – exchange of information and activities of common interest and art. 28 – transboundary cooperation).

In conclusion, some considerations outstanding as final results of the diagnostic phase on the coastal areas management in the 12 MAREMED partnership Regions located in 5 different Countries:

A) in terms of **ICZM governance**:

There is a great variety of governance methods regarding coastal areas management among Countries. The governance process can either be transferred to the Regions,

which themselves may delegate part of their competences to lower decision levels, or shared between the State and local governments. On the other hand, when governance is decentralized to the Regions, there may be large differences among different Regions within the same Country on how to implement the ICZM. In France, for example, a recent evolution in the ICZM governance process organizes coastal management by maritime “façade” (Mediterranean, Atlantic, English Channel), with a State control and partnerships with local authorities and professionals.

MAREMED partners support the application of **multi-level governance** models in the context of ICZM by fostering regional participation in a truly decentralized approach and strengthening the transnational, cross-border and interregional **cooperation**.

B) regarding **ICZM interpretation**:

It is not unique and must remain flexible in order to address the differences existing in local governance processes.

Local actors agree on the fact that the **management of land and sea** cannot be separated, and therefore that Maritime Spatial Planning (MSP) and ICZM should form a whole within the Integrated Maritime Policy (IMP). Therefore, the **land/sea interface** should be a focal point in ICZM.

C) concerning the **definition of the coastal zone**:

Many cases related to different local contexts have been presented: the 100 m set back zone (or different) in relation to the sea, the 30 km belt along the coast, coastal Municipality boundaries, etc. It seems therefore imperative to keep a certain level of adaptability to local contexts through more flexible definitions of the coastal strip, based on local existing problems/risks (erosion, submersion, land management, biodiversity...) and not locked in a rigid law enforcement. An example of flexible definition could be the “coastal zone of influence”.

D) **future European funds** as levers for integrated policies:

An holistic and integrated coastal management approach, that takes into account both the need/calling for economic development (“blue growth”), the social welfare and the environmental protection is needed but very difficult to implement in practice because of separated and fragmented administrative organizations, conflicts among uses and the lack of specific financial resources dedicated to ICZM. It seems therefore important to MAREMED partners the need to clearly identify **specific budget lines and funds dedicated to ICZM** and its integrated overview in the framework of future EU Operational Programmes for the period 2014-2020.

It is also necessary to foresee **future joint projects** on coastal issues in the next cross-border and transnational cooperation Programmes, this basing on two pillars:

- an explicit **political support** through agreements between Mediterranean coastal Administrations, e.g. the Bologna Charter, in order to include initiatives and projects in a shared framework strategy;
- the development of **synergies** between various projects from different Programmes addressing coastal issues, through joint activities and project clustering, like the FACECOST Med-cluster (www.facecoast.eu).

A project like MAREMED helped the different administrative departments (from the regional partnership) responsible for these issues to share and begin a constructive dialogue on their coastal zone management.

Messages from partner Regions

Over the last years, coordination of public policies in the field of ICZM was strengthened in the Mediterranean area through the follow-up of the 2002 EU Recommendation on ICZM and the adoption of the Protocol for ICZM in the Mediterranean Area. A debate is currently taking place concerning a new European initiative (Framework Directive) that the EC is proposing concerning both ICZM and MSP (proposal of Directive COM(2013) 133 final).

In this context, partner Regions stress that:

1. The organisation of the coexistence of human activities in coastal areas require a holistic and integrated coastal management approach able to balance economic development ("blue growth"), social welfare and environmental protection, which are closely interrelated.
2. The implementation of the concept of multi-level governance in the context of ICZM, must be supported by promoting the participation and the role of the Regions. The Regions are better able to develop concrete actions and have a central role and skills of management in this regard.
3. In the definition of the "coastal zone", it should be taken into account a flexibility approach ("coastal zone of influence") depending on the related problems (e.g. erosion, submersion risk, land management, environment and biodiversity protection) in the different /specific geographical contexts.
4. The difficulties of achievement, beyond the different administrative organization in the different contexts of the Mediterranean, are mainly given by the lack of specific financial resources dedicated to the implementation of ICZM.
5. The implementation of ICZM and MSP must be carried on in an integrated manner and with a strong "cooperation" connotation: transnational, cross-border and interregional cooperation. The land-sea interface must considered a key element, not "separation element" between the marine and coastal ambits.
6. The European Commission should encourage and enhance the role of Regions in the implementation of the integrated vision and management of the coastal territories and of the maritime space of competence. In this perspective, new initiatives to be taken at Community level should ensure a strong and concrete involvement of the Regions.

PILOT ACTION A - Comparison between local legal framework on coastal zones and ICZM Protocol provisions – RESUME REPORT

Introduction to Pilot Action A

The aim of step A is to analyse to what extent the Country's/Region's legal framework complies with the provisions of the Protocol. The present report will thereby enable the relevant authorities to identify the legal reforms needed in order to fully comply with the Protocol legal requirements.

This analysis of the compliance of the national/regional legal framework with the provisions of the Protocol is proposed not to be conducted article by article, but rather according to the analytical reconstruction of the text following four mayor components:

1. sectoral policies (biodiversity, coastal activities, addressing risks)
2. governance (integration mechanisms, information and participation)
3. strategic planning (national ICZM strategies, coastal plans and programmes)
4. cooperation.

Such analysis was carried out through a Common Outline elaborated and provided by PAP/RAC, coordinator of SHAPE project WP3 "Integrated Coastal Zone Management". The outline foresees on the first hand to describe the legal coverage for each Protocol provision, i.e. in which current laws, decrees, by laws, plans, etc. there is an obligation to act in a way requested by the Protocol. And on the second hand to provide information on how such obligations are implemented in practice, with the description of possible gaps, needs to further implementation, etc.

The short version Report only includes a synthesis of results of Pilot Action A. The complete version is available on MAREMED project website (www.maremed.eu).

The aim of the present report is to summarize the results of the Pilot Action A, in order to build a picture on the actual state of implementation of the ICZM Protocol provisions and on the current coastal management practice, in order to identify the opportunities and possible obstacles for the Protocol implementation, as well as to propose solutions and further actions as regards to coastal zone management policies.

Results of the comparison

In this chapter are summarised the conclusions that each MAREMED partner reported at the end of the comparison between the ICZM Protocol and the local legal framework.

PACA Region

As far as Article 6 is concerned, PACA Region defended the principle of inter-dependence sea-land for several years opposite to the European Commission. Moreover, it seems that the "load capacity" is still a very difficult concept to define, describe and

implement on the territories. As a matter of fact, it should not remain a technical or scientific concept, but should be rightly appropriated by all stakeholders. Similarly, the concept of "ecosystem approach in the planning and management of coastal zones" turns out to be a pivotal notion that suffers from a lack of definition. It should be accompanied by concrete examples of implementation and by practical cases consultation worn by politicians. Without this, local considerations would still remain a priority. As far as sea activities are concerned, use conflicts related to coastal tourism and seashore real estate are particularly strong.

As for Art. 7, it seems particularly relevant and reveals a sensitive topic. The fulfilment of a shared multi-level governance between all stakeholders of the coast would be the centrepiece of the development of a truly integrated and balanced management (ICZM) that could cover all the pillars of sustainable development. In this respect, the notion of time is clearly important: at stake, the implementation of a revised management methodology of coastal land that would overcome the simple perimeter and limited duration of a "project".

Speaking of Art. 8 provisions, in France, 20 years ago, the "Loi Littoral" imposed the creation of a 100 meters "set-back zone". However, the possibilities for exemption from this Act showed the limits of the exercise upon an area very popular and crossed by high financial issues. In addition, the social dimension of access by local inhabitants to their own coastline must be defended constantly when facing the challenges of privatization of the coastal zone. The establishment of organized anchorages, accompanied by ban anchor outside authorized areas, puts the same problem of temporary confiscation of these areas by pleasure crafts coming out only a few days a year and thus entering into competition with local units. Several municipalities have faced this difficulty and had to backtrack on their projects. Furthermore, the rise of cruising activities at sea also poses anchor problems on fragile sites and damages caused by extraordinary (non-standard) units.

As for Article 9 provisions, we find the same theme of use conflicts reported to sea activities, especially those related to coastal tourism and seashore real estate. It is relevant to stress that our region developed a strategy aiming at assessing and managing its water resources (SOURCE program). The problem of sea waste from land is still real despite many efforts done. About pollution coming from land and watersheds, many efforts have been made since twenty years through sewages in the framework of the "Schéma Directeur d'Aménagement et de Gestion des Eaux" (SDAGE) coordinated by the Water Agency Rhône-Méditerranée-Corse ("Agence de l'eau RMC") competent for our territory. For maritime pollution, an agreement with Italy and Monaco (RAMOGEPOL) allows states to work together and help each other on the north-western Mediterranean area. It is noted, however, decreased capacity to enforce regulations. As mentioned above, the indicators are not really controlled and "load capacity" is not currently available at sea. Codes of good behaviour exist for divers or boaters, but consist of a voluntary approach for users to join a charter. In general, these are individuals already sensitized to the environmental issues who are involved in these processes. For others, it is necessary to make efforts to inform them by facilitating exchanges between site managers and users, or enforce regulations more strictly.

Concerning provisions of Article 19, for now an environmental assessment for programs affecting the coastal zone is not systematically established.

Regarding coastal management, there is no specific financial instrument for property policy yet (Article 21).

Concerning international cooperation (Part IV) on the Protocol themes PACA Region established coherent collaborations with neighbours and other regions of the Mediterranean area, also through EU territorial cooperation project, and signed the Bologna Charter in March 2013.

Valencia Region

In Spain, although there is a “formulation” of the ICZM National Strategy, initiatives have been taken from the central government, from some Autonomous Communities, even from some Municipal planning, but we cannot talk about compliance with Protocol provisions neither in form nor in the content; because there is no an effective State Strategy for ICZM. Spain is still in the very early steps on the long road to establish the basis for effective coordination mechanisms between all the parties involved in the State. As a matter of fact the principles of good EU territorial governance (participation, responsibility, efficacy, territorial coherence) are still practically inexistent.

As far as the different regional parliaments and governments are concerned, several laws, Plans and Strategies, have been adopted all at regional levels, or Territorial Strategy Models at sub-regional levels, and the progress in the field of diagnosis and proposals for good coastal governance are appreciable. Nevertheless, except for some very specific cases, the truth is that there are as many strategies as there are city and town halls; the real instrument for territorial management is still the General Urban Ordinance Plan at local levels.

In 2002, the Regional Government presented the “Valencian Strategy for Integrated Coast Management” (EVGIZC) which was established as “the political basis by the Valencian Regional Government in this field”. Nevertheless, it did not have the expected implementation and in general it could be said that the region has no specific Integrated Management of Coastal Areas (GIAL) governance policy, at least in an explicit manner.

In general, sectoral policies that are not sufficiently integrated: territorial governance and urban development, tourism or the port sector. These should be priorities, determining regional policies and also bringing the attention on the lack of a clear definition of a management policy for the marine environment. A common policy establishing basis and criteria for action to be carried out by the different regional departments would enable a better administrative coordination and a greater coherence among the different sectoral policies.

As for the EVGIZC, approved in 2002 and promoted by the no longer existing Council of Public Works Urban Development and Transport, follow up is scarce. It is not a real strategy itself, but more a draft document that should have led to social and institutional debate. Nevertheless, it represent a step forward by recognizing the relevant problems and the importance of the GIAL for their solutions (despite placing specific emphasis on its sectoral nature, as territorial policy). After being published, no further progress has been made in the design of the strategy and currently, except for occasional initiatives,

there are very few instruments or managing bodies with competences on the coast that actually use this document as a reference.

The “Valencian Territorial Strategy” on the other hand, includes very interesting aspects for the GIAL such as governance, and after a long period of consensus and public information that began in 2007 it has just been approved (DECREE 1/2011 of January 13th by the Council, approving the Territorial Strategy of the Valencian Community). Even though some contents are in line with those included in the EVGIZC, they make no reference to it at all. In the document made public in 2010, Objective 9 was “Integrated Planning and Management of the Coast”; this made reference to “sustainable management of the coast should be a priority territorial policy” and it also stated “this is a suitable environment for implementation of advanced formulae for territorial governance”. Nevertheless, no strategic proposals were made following these lines. Finally, after final approval, Objective 9 was re-drafted as “Recovering the coast as a territorial asset”. Afterwards, in the directives addressing the coast (Title VI), it did state the guideline “integrally managing the territory of the coastal strip, coordinating all action and promoting participation by territorial agents operating along the coast”.

The aspects concerning governance, those envisaged in Objective 25 “Developing innovative formulae for territorial governance” which should be transversal to all others (this being the most strategic point), make no reference to any priority or specificity of coastal/marine issues, but do discuss the previous documents including concepts concerning integrated management. The ambitious but encouraging baseline that came to light during the drafting process of the Strategy in this section, has a major obstacle in some of the risks pointed out in the same working documents: the excessive degree of political polarisation, which does not favour the search for consensus in territorial models; the lack of willingness to formal and informal cooperation by local governments; the time lag between approving plans and applying the investments foreseen in them.

It must be stressed that in this Community special attention must be paid to the significant progress observed in the landscape policy by the regional government, which is favouring progress in integration and public participation to a certain extent.

As far as international cooperation (Part IV of the Protocol) is concerned, Valencia Region established coherent collaborations with neighbours and other regions of the Mediterranean area, also through EU territorial cooperation project, and signed the Bologna Charter in March 2013.

Liguria Region

From the regional competences point of view, the comparison between the ICZM Protocol provisions and the regional current legislation allows to outline the following comments:

- several fulfilments seem to be already covered by regional legislation. In particular we underline the issues concerning coastal landscape and cultural heritage (art. 11 and 13), for which Liguria Region has a long history of planning tools (first Landscape Territorial Coordination Plan approved in Italy; Plan and projects for Use of maritime demesne areas) and activities (Nino Lamboglia, a pioneer of underwater archaeology was born in Liguria, and founded the Experimental Centre for Underwater Archaeology);

- other fulfilments, as related to the ratification of EU Directives, are foreseen by regional legislation for a long time; for example: the protection of marine ecosystems as defined in Habitat Directive (art. 10), the application of EIA and SIA in coastal zones (art. 19), the management of fisheries and aquaculture activities (art. 9);
- as far as the risks related to coastal erosion (art. 23) are concerned, Liguria Region provided itself of several tools and procedures aimed at improving coastal resilience and minimizing the effects of erosion on maritime works (see the latest Plan for the Protection of Marine and Coastal Environment, from which a first Trial Plan for Tigullio area has been recently adopted).
- on the other hand, there is no correspondence in the regional legislation with the provisions foreseen by art. 8; in our opinion, a first ratification at State level to provide implementation criteria would be necessary;
- also issues relating to institutions (art. 7) and participation (art. 14) seem to be deficient in the current legislation.

Concerning international cooperation (Part IV) on the Protocol themes Liguria Region established coherent collaborations with neighbours and other regions of the Mediterranean area, also through EU territorial cooperation project, and signed the Bologna Charter in March 2013.

Toscana Region

The Regional Development Plan and the results of the first Regional Conference on marine economy held in 2001 agree on considering the environmental balance and the hydrogeological rearrangement of the coastal zone as strategic premises for a sustainable development of marine economy in Toscana Region.

The protection of marine and coastal environment and thus the hydro-geological balance of coastal zones is one of the priority commitments took by the Region during the last years. Among the realised initiatives, which marked a real breakthrough in this sector, so important for a mediterranean region such as Toscana, insomuch as they became a "tuscan model" recognized internationally, the most important is the proposal for a **Regional Plan for the Integrated Coastal Zone Management with Hydrogeological Rearrangement Purpose**, approved by the regional government by act n. 1214 of November 2011. Such Plan is characterized by a strong link with the regional fundamental political and administrative principles, and has the central focus on the governance, giving full acknowledgement of the necessity to improve participation, responsibility, efficacy and coherence.

Later, the engagement of Toscana Region was put into practice through two other steps of great relevance. The first is the signature of an Agreement Protocol with coastal Provinces in November 2002, which stated the will to carry out joint actions between the Region and the local institutions starting from the entrustment of tasks aimed at completing the coastal knowledge framework and of the realisation of interventions aimed to restore the littoral balance for the ICZM. The second followed in March 2003, with the allocation of about 10 million Euro to fund the programme of interventions aimed at the restoration of littoral balance and at the activities for the elaboration of the ICZM Plan

(Regional Council Act n. 47/2003), which gives fundamental resources in the framework of the strategic plan for investments.

As far as Art. 8 of the ICZM Protocol is concerned, we consider the definition of the setback zone to be of utmost importance. Currently the Region is working on the elaboration of a new Regional Landscape Plan, and a study is ongoing on the definition of the baseline for calculating the non-building belt. The current Italian law sets a belt of 300 metres, but the ratification of the Protocol is still pending and the width of the setback zone still to be defined.

As far as Art. 9 is concerned, the sustainable development of the fisheries is among the priorities of Regional Law 66/2005, which states the regulation of the activities of fishery-tourism and ichthyic-tourism with the purpose to promote and develop the diversification of fishery activities. During the implementation of the European Fisheries Fund, priority was given to the projects which foresee the use of selective fishery equipments, and the actions aimed at the elaboration of local management plans and at the transfer of good mariculture practices with low environmental impact were supported. Toscana Region also elaborated a management plan dedicated to the Rossetto fish (*Aphia minuta*), aimed at a sustainable management of the species, and a plan for the restoration of heels stocks.

As far as the coastal dunes are concerned (Art. 10, point 4), they are often included in regional protected areas. With the Regional Council Act n. 47/1990 a Directive on the Coastal Belt Use was issued, which foresees the protection of the coastal dunes environment. Toscana Region has also adhered to the national network on coastal dunes (www.itdunenetwork.net).

As far as the participation process is concerned (Art. 14), the Region involved the coastal Provinces in defining the interventions of coastal defence, and this process lead to the signature of the abovementioned Agreement Protocol in November 2002. Furthermore, in every EIA and SEA process the participation of all the stakeholders is foreseen, belonging to both private and public sectors.

As far as the provisions of Art. 16 are concerned, there is a regional coastal monitoring network to evaluate the efficacy of the interventions for coastal defence realised, and also cross-border networks realised by European projects such as RESMAR.

As far as cooperation is concerned, Toscana Region cooperates with coastal Provinces and the Universities for the creation and the implementation of the Regional Centre for the study of littoral dynamics (CReStDiL) in Cecina (Livorno Province). About cross-border cooperation, currently Toscana adhered to the FACECOAST Cluster in 2012, and signed the Bologna Charter in March 2013. Furthermore, with the instruments provided by cross-border cooperation, and particularly by the O.P. Maritime Italy-France, Toscana shared the coastal monitoring strategies with Liguria, Sardinia and Corse.

Lazio Region

Thanks to Regional Law n. 1/2001 "Rules for the use and development of the coast of Lazio" Lazio Region created **a tool for testing an ICZM methodology**.

The actions related to the points discussed today by the ICZM Protocol, give the Region all the regulatory instruments and financial resources necessary to the current structured process taking place within the EU ICZM Protocol.

Thanks to Action I.1.7 "Testing ICZM (Integrated Coastal Zone Management) in pilot areas", Lazio Region has tested the methodology on 3 different pilot areas: Montalto di Castro/Tarquini; Ostia/Castel Porziano; Terracina/Fondi. Guidelines are defined for the application of ICZM methodology in each pilot area.

The ICZM methodology is a process of integrated management of the coastal zone and its watershed. This procedure can be carried out through methodologies for integrated and coordinated interventions aimed at erosion control, environmental restoration, prevention of environmental risk, fight against pollution, not only at a local level, but also at a broader level including the hinterland territories and rivers.

Guidelines represent an effective way to provide criteria and outlines for programming, planning and design of the coastal area. They are presented as a path to follow to ensure the quality of the transformation project in compliance with environmental sustainability and landscape requirements, and responding to the demand for development of tourism, the promotion of integrative forms of integrated planning, participation and involvement of public and private different stakeholders. Guidelines are represented by a matrix which highlights: the strategic objective, the specific objectives, the programs in progress, indications emerged from the forum, actions and recommendations ("Sustainable development of Latium coasts", 2009).

One of the main objectives for the ICZM methodology future application is to overcome the tendency to isolate the various coastal areas management tools (urban and territorial plans, watershed plans, community programs of recovery and environmental protection, port plans, utilization plans of beaches, etc.). This objective requires the legal jurisdiction integration between national and international legal frameworks relating to the administrative areas of land and sea, without whom it is difficult to innovate projects in coastal areas in a sustainable way.

Marche Region

The comparison between the ICZM Protocol and Marche Region's current practice highlights how the Region had already developed a comprehensive set of legislative and strategic tools on ICZM-relevant issues before the definition of the Protocol itself and, in some cases, even before Recommendation 2002/413/CE. The regional policy for territorial management and governance aims at formulating complex programmatic frameworks and strategic actions based on a common long-term vision of defence and conservation of coastal areas. The goal is to achieve a factual integrated management of coastal zones and of activities impacting on them, rather than to carry out a series of punctual interventions merely aimed at facing emergency situations.

Marche Region developed the **Integrated Coastal Area Management Plan** (ICAMP) which aims at improving the conservation and rational use of coastal areas and resources. The Plan was adopted according to Regional Law n. 15/2004 "Regulation of functions in the field of coastal defence", and approved by Regional Council's Administrative Resolution (DACR) n. 169/2005. ICAMP represents the framework to address a complex set of issues related to the interaction between the coastal territory and the sea. It was

developed through a participatory process which involved a high number of stakeholders in both private and public sectors, following a concertation method which aims at facilitating information sharing and participation.

Among the Plan's priority objectives, it is worth pointing out the planned interventions for beach restoration, especially aimed at coastal defence, environmental conservation and tourism promotion, as well as the detailed activity planning for the maintenance of existing structures. The Plan's main challenge is to achieve a satisfactory integration between the economic pressures of tourism and the well-established territorial situation on one hand, and the urgent need to improve the environmental quality of coastal areas (e.g. sediment movement and pollution, water quality, biodiversity level) on the other hand.

In December 2010, the Region delivered a Report on the 2004-2010 Implementation State of the ICAMP. The most relevant conclusions are:

- economic aspects: fund availability is a very critical issue in implementing the Plan and in general the ICZM Protocol in the current practice.
- environmental aspects: need to develop tools and measures aimed at preserving the coastal landscape and geomorphology, carrying renaturalisation /restoration interventions (i.e. soft coastal defence structures, beach nourishments), to improve coastal self-defence from extreme marine events.

A focal point is the integration among terrestrial, coastal and maritime compartments, and the development of policies to coordinate maritime, land and river defence interventions. Also, high priority should be given to (i) the protection of coastal portions still free from hard defences, (ii) the preparation of a report on the environmental status of coastal marine waters, (iii) the assessment of the economic value of beaches and related ecosystem services, in order to make a cost/benefit evaluation and define the investments to allocate to coastal conservation. Another very relevant issue which is currently being addressed is the definition of the setback zone and related interventions. Finally, the comparison between Protocol and current practice highlights the need to further develop specific actions aimed at education and training, in order to achieve a long term development of the ICZM strategy's objectives.

In order to further improve the Protocol's implementation the following objectives should also be addressed:

- A revision of available knowledge at the different spatial scales, by update, integration and adaptation of the new datasets.
- The implementation of specific actions aimed at coastal defence.
- The adoption of environmental sustainability criteria in the implementation of coastal defence measures.
- The adoption of technical and financial planning tools in the implementation of coastal defence measures.
- A further development of interregional and international cooperation at the Adriatic level, in order to identify common solutions to shared issues.
- The creation of a discussion board between Marche Region and Italian Government to solve legal issues which are of interest for the local socio-economic community.

The ICAMP developed a new approach to ICZM based on a set of macro-indicators (divided in categories addressing different ICZM relate issues) as tools to support analyses, assessments and decision-making. The macro-indicator assessment is carried out using specific spatial criteria (both physiographic and administrative) and through a participatory process involving stakeholders. The final aim is to obtain a list of territorial areas which require priority interventions ranked according to the total environmental and economic values obtained by adding all macro-indicator, which allows to define a multiannual financial planning of the interventions.

Emilia-Romagna Region

Italy has not developed a national strategy for ICZM yet. This lack of an ICZM strategic framework at State level generates a lack of coordination in the legislating activities of the different Regions. Moreover there are no national laws specifically dedicated to the costal zones.

The presence of legislative tools is wide and covers several issues, but it is far from reaching a full efficacy for a lack of coordination between the tools and the subjects that affect the coastal zones evolution. This lack concerns not only the horizontal relations existing among sectors, but also the relations between the policies and the actions carried out at different levels of territorial competence (local, regional, national, European). Following too strictly the principle of subsidiarity often brings to the fragmentation of responsibilities, which are split among different levels of competence without the possibility to take into consideration the several interactions among such levels. Due to this lack of coordination, the complex and interwoven relations existing between human activities and coastal zones are disregarded, ignoring their nature of complex areas affected by a wide range of interwoven forces and pressures (such as hydrological, geomorphological, socio-economic, administrative, institutional and cultural systems); a sustainable management of these forces and pressures would require a simultaneous and comprehensive attention on all the many systems that act on the coastal dynamics. This requires the gathering of adequate data, the elaboration and production of information and significant indicators, a good exchange and communication, a wide use of integrated evaluation methods.

A better concertation among involved subjects represents the foundation for a sustainable development. As a matter of fact, it is useful to identify synergies and contradictions that exist among the actions coming from different policies, and facilitates the acceptance of the necessary arbitration, giving responsibility to the subjects. Such concertation can only develop by starting from a complete information, understandable by all the subjects, on the environment status, on the causes of the changes it undergoes, on the implications of policies and measures at different levels and on the possible options. Concertation is a strategic choice to be developed by defining mechanisms and methodologies of work and dialogue among subjects from different sectors, and by realizing a continuous and efficient exchange of information among different levels of territorial competence (from local, to national to community and vice versa) .

While the national legal framework covers all the themes addressed by the Protocol (biodiversity, sustainable use of resources, preservation of cultural heritage and landscape, damage prevention and restoration, sustainable use and consumption of

territory, etc.), there are no laws on these themes specifically related to the coastal zones.

For example, a major gap in the management of coastal zones at national level is represented by the non-strict definition of a setback zone. The constraint introduced by Legislative Decree n. 42/2004, i.e. a belt of 300 meters from the foreshore line, is merely based on the protection and valorisation of landscape assets, and it doesn't take in consideration any environmental or hazard prevention criteria; therefore actually construction is possible as far as authorisations are granted. As a matter of fact, in Italy there's no strict regulations, at national level, on a "non-building" belt along the coasts.

As far as Emilia-Romagna regional legal framework is concerned, there are several provisional tools (Plans, regulations, etc.) that address to some extent the coastal area under the different aspects (environment preservation, management, defence, risk prevention, etc.) there are no laws on these themes specifically related to the coastal zones.

For biodiversity and vulnerable ecosystem preservation Emilia-Romagna Region operates through the different laws having instituted 153 Natura 2000 sites, 17 Regional Parks, 17 Natural Reserves and other 36 Protected Areas, in a complex system of natural heritage management. A specific Department of the regional Administration has the competence for planning, programming, monitoring and surveillance in collaboration with the various Park management boards. The Po River Delta Park is the only park in the coastal zone, including different natural protected areas and Natura 200 sites. It has specific planning and rules, a master plan and specific plans for different park areas located along the northern sector of the Emilia-Romagna coast.

For cultural and landscape heritage preservation and land management on the coastal zone, Emilia-Romagna Region bases its policies and actions on the PTR, PTRP (Region) and PTCP plans (Provinces), that find their application down to the urban planning level through the PSC level (Municipalities) and moreover, for the beach management, the Beach plans (Municipal level). These plans, and related regulations, are partially compliant with the Protocol provisions. In particular, as far as the sustainable use /consumption of the coastal territory is concerned there are some gaps in respect of the Protocol provisions. In order to better evaluate such gaps and define possible adjustments in the planning systems, a specific analysis is currently ongoing under action 3.2 of Shape project, concerning the testing of Art.8-2 implementation along the regional coast.

For the management of coastal activities since 2005 **Emilia-Romagna Region has adopted the ICZM Guidelines (DCR 645/2005)** developed following Recommendation 2002/413/CE, a non binding instrument which are acknowledged by the provincial and municipality level planning tools. Nevertheless, the implementation and application of ICZM principles needs a constant action of surveillance and monitoring by the Region, which still encounters a lot of difficulties.

The ICZM Technical Committee (Boards of Directors) and the ICZM Institutional Committee (Board of Regional Assessors, coastal Provinces Presidents and coastal Communes Mayors) constituted within the ICZM process start in 2002-2003, are the main institutional boards for the governance of relations and synergies among sector policies involved in the ICZM process. But, as a matter of fact, there's still a need of awareness

raising on ICZM among technicians of the public authorities, at the different levels, and of the private sectors, as well as among citizens and local operators, and the lack of an ICZM dedicated planning tool to better govern policies coordination and implementation of the sectors involved in ICZM.

During the period 2006-2010 Emilia-Romagna Region launched an **ICZM implementation programme** for the realisation of projects and actions concerning ICZM. Such programme, issued with a call that the Region co-financed for 5 million €, brought to the realisation of 18 projects, proposed by the 4 coastal Provinces and 14 Municipalities on the different ICZM related issues, activating a further co-financing of 2,8 million € from the proponent local Administrations.

Nowadays the regional Guidelines for ICZM represent the tool to address all the coastal activities towards an economic, social and environmental sustainability, in compliance with the EU Recommendation n. 413 of 30th May 2002.

Corse Region

The first general principle of ICZM listed in Article 6 of the Protocol states the importance of considering as a single entity the marine part and the land part, for their complementary and interdependent nature; one of the major problems is that the current legal framework keeps separated the land and the sea (for example concerning the measures against pollution).

The second principle stresses the importance of considering the carrying capacity of the coastal zone; in Corse the problem is the strong seasonality, with touristic presences peaks during the summertime (July and August). Principle h) states the importance to balance the allocation of uses along the coastline; in Corse some coastal stretches are much more stressed, and there are great differences.

As far as the setback zone is concerned, law n. 86 of January 1986 on the management protection and valorisation of the littoral (Littoral Law) forbids building within a 100 m belt from the baseline. Such law has some limits in its application, i.e. it allows building in continuity with already built zones and the extension houses built before 1986.

Concerning Article 16, Monitoring and observation mechanism and networks, there is the need to develop means to ensure public access to the information deriving from monitoring and observation activities, even if there are examples of similar networks already existent.

The major risks affecting Corse Region are floodings, forest fires, landslides. As for coastal zones, erosion and submersion occur along some stretches. Such risks are described in regional reports. Since 1999 a Network on Coastal Observation (ROL) was instituted.

Crete Region

In Greece there is a high sensibility of the public and of authorities when it comes to coastal zone management. Coastal zone management concerns 12 out of the 13 Greek Regions and the vast majority of Greek municipalities.

Greek coastal areas are a pole of attraction for all economical activities (urban development, industry, tourism, agriculture). At the same time, due to the morphology, many stretches of coastal zone are remote and isolated, especially in the islands, and they are still “pristine”. This is also reflected in the Greek map of Natura 2000 sites, which include many coastal and marine areas.

The result of the Greek morphology and the economical importance of coastal zones is that many activities and cities have already been installed in coastal areas without respecting any restrictions for setback zone. Law 2971/2001, which was issued before the ICZM Protocol and its ratification from Greece, creates a setback/ non building zone of 50 m and basing on local, case by case, criteria this zone can be extended landwards. The shoreline and the beach zone are declared public property. Currently this is the main legal instrument for the protection of the coastal zone. The law clearly exempts the existing urbanisation but it sets good foundations for future coastal development.

National Laws and Decrees on the protection of habitats and biodiversity, are useful tools for the protection of coastal habitats. Especially in the recent law 3937/2011 on the Preservation of the biodiversity there are special articles on protected coastal areas. In these areas, new roads construction is forbidden. In the “critical coastal zone” which is defined in this law as a zone including the shoreline, the beach zone, dunes and rocky cliffs, only low and medium impact land uses are permitted. This law provides the suitable legal framework for all coastal and marine protected areas creating in these areas a setback zone larger than the beach zone of law 2971/2001.

The EIA and SEA procedures also include many ICZM elements and could be used as instruments for the application of ICZM in projects or programmes affecting the coastal area.

Land management (Spatial Territorial and Urban Planning) and all the relevant procedures on National, Regional and Municipal level are the most appropriate procedures for the applying ICZM. These procedures take in consideration all the necessary variables (social needs, economic growth, population dynamics, existing infrastructure, protected areas (habitats, cultural and heritage monuments, water resources) etc.) in order to propose sustainable plans. They also offer the opportunity for collaboration among the different services and for the information and participation of the public.

Many recent Municipal Plans (“Open Cities Urban and Rural Plans” OCURP (Σχέδια Χωρικής και Οικιστικής Οργάνωσης Ανοικτών Πόλεων (Σ.Χ.Ο.Ο.Α.Π.)) give special importance to the protection of coastal zones, defining new coastal areas with building restrictions, defining enlarged parks and other open public space on coastal areas etc. These plans express the will of local authorities and local stakeholders to apply the ICZM and protect the coastal zones from excess development even before the formulation of a National ICZM strategy.

The official tool for applying ICZM on national level is the “Special Framework of Spatial Planning and Sustainable Development of the Coastal Areas and Islands” which fully complies with the 2008 ICZM Protocol. This national planning tool is expected to be issued in 2013.

PILOT ACTION B - testing ICZM protocol Art.8-2 (set-back zone) provisions application – RESUME REPORT

Introduction to Pilot Action B

This chapter briefly illustrates the results of the consultation made within the MAREMED partnership concerning the regional planning framework and the methodology assumed for the individuation of possible measures for the application of the ICZM Protocol, with a specific focus on a coastal set-back zone (Art. 8). The pilot action B involves 5 partners: Emilia-Romagna Region, Crete Region, PACA Region, Liguria Region and Valencia Region. The pilot action B was subdivided in 3 sub-actions, concerning methodologies and activities for:

- the evaluation of the state of the art of regional planning instruments provisions (B1),
- the individuation of the set-back zone methodology definition (B2),
- the individuation of possible additional measures to be introduced, according with the ICZM Protocol provisions and objectives, entailing the set-back zone role in biodiversity protection, ecosystem maintenance and coastal adaptation to climate change (B3).

The short version Report only includes a synthesis of results of the testing Pilot Action B. The complete version is available on MAREMED project website (www.maremed.eu).

Results of the testing

Crete Region

Existing methodology for defining the “set-back zone” in the municipality of Gouves (pilot site)

The OCURP (Open Cities Urban and Rural Plans) of Municipality of Gouves was issued in 2010 and it includes special provisions for the coastal zone. The whole coastal zone of the municipality, in fact, is characterized as an Area of Special Protection: the beach zone is defined 50 m landwards from the shoreline, where the shoreline has been officially defined and 100 m landwards from the shoreline, where the shoreline has not been officially defined. In this beach zone only mobile constructions are permitted for the convenience of the bathers and sun beds and parasols. The coastal road will be turned into a pedestrian and bicycle road.

For this coastal zone of approximately 13 km the shoreline has been officially defined by 23 different procedures that took place from 1972 till 2000. Each official procedure concerned a specific coastal stretch according to the local needs (ex. definition of the shoreline in front of a hotel development, definition of the shoreline in front of a new urban development etc.). According to the date that the official shoreline definition took place the relative maps can be georeferenced or not (connected to the national

georeference coordinates). These 23 different procedures do not cover the total sea front of the municipality.

From the reports, accompanying the shoreline definition procedures, it's evident that in many cases the shoreline was eroded (in one case 10 m in 10 years) making preview shoreline definition procedures invalid. Another problem frequently reported, is that preview shoreline definitions were too subjective, not taking in consideration important parameters, and thus they were invalidated some years later. These two important problems have resulted in the creation of a set back zone of less than 50 m. Many buildings and infrastructures are actually built in less than 50 m from the actual shoreline.

On areas, where the shoreline has not been yet officially defined, it will be defined according to the provisions of N.2971/2001 law. According to the N.2971/2001 law and the ministerial decision on the elements to be taken in consideration for the definition of the shoreline and the beach zone, the official shoreline and beach zone definition is necessary for all new urban plans and extension of urban plans and all isolated building or other development activities that take place in less than 100 m from the shoreline.

Historically in Greece, the shoreline was defined as the line of "high winter waves". Law N.2971/2001 and its circular of application (A.Y.O. 1008244/857/B0010/ΠΟΛ. 1097/11-3-2002) define the shoreline as "the zone of land that is wetted from the highest and frequent wave run-up" this means that the shoreline includes areas "sprinkled" by the winter storms which are not necessarily submerged by the waves. This definition excludes areas that are submerged by the waves during natural disasters and rare coastal flood events.

The municipality of Gouves, has a project in progress of creating a unique digital cartography of the shoreline definition, compare this cartography with the actual shoreline (taking in consideration the erosion effect) and promote a new unique procedure of shoreline definition for the entire municipal shoreline. The main goal behind this initiative is to promote many infrastructure and development projects, which are now "blocked/frozen" because of the ambiguity of their position "inside or outside" the shoreline and beach zone.

In conclusion, we can affirm that the existing legal framework (law N.2971/2001) and planning documents (OCURP of the Municipality of Gouves), foresee the creation of a "set-back zone". The necessary technical details and the elements to be taken in consideration for the definition of the shoreline and the beach zone are enough for creating a "set-back zone" according to Article 8 of the ICZM protocol.

Propositions for the improvement of the national legal framework

The creation of a coastal "set back" zone of 100 m in Greece, will not be an easy task because of the extended length of the coastline, the conflicting interests for economic development of the coastline and the important resources needed for this task, both technical and economical.

- The procedure for the official definition of the shoreline should be compulsory at municipal level. For example in the framework of Municipal Plans (Open Cities Urban and Rural Plans" OCURP). That way the shoreline and the beach zone of the whole municipal territory would be protected and not only the shoreline of the urban areas.

It is important to define the shoreline and the beach zone in natural and rural areas before urbanization pressure starts.

- The non building zone should be extended from 50m to 100m.
- The 100m non building zone could have a restricted land use status
- The expropriation of the beach zone could become optional according to the needs and the resources of each municipality, thus the creation of the 100m non building zone would not require excessive economical resources.
- The technical criteria for defining the shoreline could become more objective defining a detailed procedure for determining the erosion rate (for example from satellite imaging) and the winter surf zone (for example with a deterministic equation).

It is a political decision at National and European level to implement the above mentioned improvements by assigning the necessary resources.

Propositions for the improvement of the planning procedures in Crete

At regional level the Decentralized Administration of Crete can improve the implementation of Article 8 by improving the planning procedures.

A major step for the implementation of Article 8 in Crete is the creation of a unique digital database (a GIS system) which would include all the maps of prior shoreline definition procedures and all approved urban and rural plans. This database should be based on recent satellite imaging which will reveal the current position of the shoreline.

The creation of such a database is a vast investment but it will give a clear image of which zones demand new shoreline definition because of the problems of erosion, of extensive urbanization etc. Furthermore it will simplify the procedure of planning and approving new infrastructures and development projects in coastal areas.

A step further is to initiate, in collaboration with the region and the municipalities, an official procedure for the definition of the shoreline and the beach zone for the entire island of Crete. Such a project would facilitate many development projects on coastal areas, which are now blocked /frozen, because the shoreline is not yet defined. On the same time, such a project would protect the natural coastal areas from future constructions.

Liguria Region

The baseline definition

In Liguria the coastal morphology is severe. There are almost no coastal plains: typically cliffs go directly under the sea, as in Cinque Terre coastline, or a very narrow strip of land is available between the mountains and the shore, as in Genoa coast or where most of the settlements were established

Therefore, wherever a flat space is available, it's usually occupied by infrastructures, as the railway and the main road *Aurelia*, or it's almost totally built up. So Liguria coast can be a test case of special interest for assess whether is possible to implement the art.8 of the Protocol and to find how it can be applied.

According to the article 8 of the Protocol the "higher winter waterline" is the baseline for establish a "no building zone". The zone may be not less than 100 meters in width even if different provisions can be applied in particular cases. As mentioned before in

Italy there is not a national law aiming to protect the strip of land close to the shore. However the art.142 of the *Codice dei beni culturali e del paesaggio* (D.Lgs 22nd of January 2004, n. 42 e s.m.) identifies the 300 m distance from the coastline as the stretch of the coast with special requirements and limitations for landscape protection. These rules apply also to the high coast. To define the **higher winter waterline** is thus the first step for the planner in order to verify the consequences of the Protocol implementation. For this purpose we found two different references:

- in the last years, in order to protect the coastal environment and avoid floods and erosion, the Liguria Region is developing a plan, named "Piano di tutela dell'ambiente marino e costiero". The plan is organised following the partition in sedimentary cells of the 350 km of the Liguria coast. For each sedimentary cell, through specific surveys, the plan analyzes the meteo marine climate, the geomorphologic features, the seabed biocenoses, etc. (for more information: www.ambienteinliguria.it). So far the Tigullio, Baia del Silenzio e Riva Trigoso sedimentary cells plan is completed and entered in force. The Plan, with the help of a model, defines a dynamic buffer zone of the beaches based on the storms of return time of 1 and 50 years. So one of the line of the 1 or 50 years wave could be applied as the higher winter waterline.
- in Italy, the public maritime domain is defined as "*il lido, la spiaggia, i porti e le rade*" (the shore, the beach, the ports, the harbours). The word "lido" defines, following a well established legal interpretation, the area where the ordinary sea storms arrive and "spiaggia" is the land contiguous to the "lido" not more interested by the waves but still suitable for the public uses of the sea. So the public maritime domain border could be also taken in account for the baseline we need.

Finally we tried to compare the lines we have to find out if they can give some suggestions to go further with the analysis. Where there is no possibility to know with accuracy the higher winter waterline the public domain border could be used as a reliable reference, even if, in these cases, is more conservative than the model results. This at least for the low coast, given that the public maritime domain doesn't exist in the high coast. Some different considerations must be done where the coastline has been artificially modified.

Taken as valid this conclusion we can try to delimit a set back zone drawing landward a buffer of 100 meters, starting, in this case from, the 50 years return time line. The results are, as we could easily imagine, in conformity with the features of the territory.

Conclusion

In Liguria Region almost all the set back zones are already built, with very few exceptions. The urbanisation in these cases is mostly recent (sixties and seventies of the past century) but there are also villas of some historical interest. Since the in-depth analysis on the art.8 of the Protocol is at the beginning we don't want to give an early opinion on its implementation feasibility.

According to the PAP/RAC document on the "Establishment of coastal set back":

"..the Protocol fully agrees that the idea of ultimate building ban inside the 100 m coastal strip is unrealistic, and in this respect, does not require any systematic

expropriation of constructions that already exist. On the other hand, the Protocol does not specify the cases of non-application of the coastal setback zone in the already built-up areas." In that sense, the successful implementation of the Article 8 requires a considerable level of flexibility confirmed by adding the "adaptation clauses" 8-2b(1) and 8-2b(2), respectively, where Parties: *"May adapt (the implementation of the setback zone provision), in a manner consistent with the objectives and principles of this Protocol...: 1) for projects of public interest; 2) in areas having particular geographical or other local constraints, especially related to population density or social needs, where individual housing, urbanisation or development are provided for by national legal instruments.*

The art.8 Protocol implementation, in Liguria but also in territories with similar features, must follow this direction.

In the meanwhile, the Liguria Region Council recently approved the Regional law 21/2012 which ban permanent buildings on the natural public maritime domain. That was a major achievement to improve the Protocol in the coastal management. In fact, in order to build a large consensus towards the ICZM, we need to approach it by degrees, beginning with the principle that the shore must be let free from concrete.

Emilia-Romagna Region

The regional coastline is characterised by an intense urbanisation specially in the south sector, while the north sector beyond some urbanised areas is characterised by the presence of different environments such as natural areas with dunes and coastal woods, beaches with tourist infrastructures protected or non-protected by defences, river mouths, coastal lagoons and marshes. Many areas behind the coastal belt, mostly in the North sector, are below the medium sea level.

The baseline definition

Several studies carried out to manage the erosion and flooding phenomena are used to trace and to validate the coastal baseline. As suggested in the guide lines (according to the PAP/RAC "explanatory report"), the followed procedure first of all takes into account the maximum waterline computed using the run-up formula for a return period of 10 years. The T50 probability is assimilated by forcing the concomitance of T10 maximum levels of the different factors (high waters, tide, surge, run-up).

Indications for the set-back zone tracing

The first approximation of the set back zone is simply created as a 100 meters buffer of the baseline. In some cases it is adjusted (second approximation) in order to comprehend the most relevant morphologic coastal features, in particular dunes and coastal woods located outside 'special protection areas', as indicated in the ICZM Protocol.

During the activities and after the results analysis some adjustments of the set-back zone have been made (third approximation) in order achieve the final one, always according with the Protocol principles. Adjustments have been made normally in the direction of widening the set-back (more than 100 m) where opportune according with its role in biodiversity protection, ecosystem maintenance and coastal adaptation to climate change. Set-back zone narrowing (less than 100 m) should occur by "adaptation clause"

cases (8-2b), in particular for projects of public interest and for particular geographical or other local constraints.

Closing remarks, implementation and mainstreaming process

Final results of this activity, with the final set-back zone individuation and proposals for planning instruments adapting to Art. 8 provisions, should be submitted to an institutional path in order to make results be transposed to the system level (mainstreaming).

Given the planning system and relative legal framework arrangement in Emilia-Romagna, the proposals for the introduction of Art. 8 provisions should be acknowledged first in the regional level planning instrument and rules (PTPR), in order to be introduced in the provincial instruments (PTCP) and then in the Municipal level instruments (PSC, POC) – and relative Building and Urban Regulations (RUE) – where such provisions should find their actual implementation.

In order to activate a mainstreaming process, it should be opened an internal discussion (regional level) on results and proposals coming from this Action, accompanied by the direct involvement of Provinces and Municipalities (local government level), according with the participatory approach assumed by the regional Guidelines for Integrated Coastal Zone Management (DCR 645/2005).

The institutional boards that should be used for the implementation of the process are the “Integration Area for ICZM” (Board of regional Directorates General – coordination level) and the “ICZM Institutional Committee” (political level) composed by competent regional Assessors, Presidents of Provinces and Municipalities Majors of the coastal area, introduced within the regional ICZM Guidelines formulation process.

Following this approach, any decision on the Art. 8 provisions on the defined set-back zone will be supported by a coordination board and finally taken by a political board, thus finding the needed applicability conditions.

Valencia Region

Analysis of the applicability of article 8

The current Spanish coastal law includes the delimitation of the MTPD (Maritime-Terrestrial Public Domain) and the creation of a protection zone of 100 meters (20 meters in urban areas), expandable to 200 meters whenever an agreement has been entered into with the State, the Autonomous Community and the municipality in question. Moreover, servitudes of traffic and access to the sea are also set forth.

Jurisdiction in relation to the MTPD in the Valencian Community is the responsibility of the central government. The autonomous government is responsible for issues in relation to the oversight and administration of works and uses in the protection zone, and coastal planning.

The demarcation process in the Valencian Community has almost been concluded. On 31 December 2012, the percentage of concluded demarcated regions registered 96% in the province of Castellon, 98% in Valencia and 94% in the province of Alicante¹. This demarcation has been significantly restricted by the considerable degree of erosion of certain coastal areas, which in some cases has forced the government to conduct second-

generation demarcation, moving the demarcation line back in accordance with the changed coastline, generating countless conflicts due to the repercussions of this new demarcation on private property.

By delimiting the MTPD and defining the protected zone at 100 meters inland from the inner limit of the shoreline, the Coastal Law is preserving the 100-meter coastal protection zone set forth in article 8 of the ICZM Protocol although it is sure the delimitation of the MTPD and protection zone has not been conducted in accordance with the criterion for the mitigation of climate change; in fact, this is one of the critical aspects addressed by the new bill on the Protection and Sustainable Use of the Coastline and the amendment of the Coastal Law (due to replace the current Coastal Law), specifically the effects of climate change were not taken into consideration at the time of defining the protection zone. In fact, certain pressure groups are demanding the new law revising the MTPD include a new demarcation region including the potential effects of climate change in different scenarios in the areas of risk.

Main critical aspects detected

The review of the land classification maps conducted in the Valencian Community in relation to the coastal strip revealed numerous exceptions where the criterion of maintaining a 100-meter protection zone in accordance with article 8 of the ICZM Protocol has not been complied with (see the review on the complete report published in the Maremed website)

Consideration about Protocol art.8.2 applicability

In the scope of the Valencian Community, the management of the coastal region is conducted using different sectoral policies (land planning, landscaping, tourism, ports, protected areas, etc.), whereby there is no general policy facilitating the coordination between the different administrative bodies with jurisdiction in the coastal strip, and establishing the common bases and criteria for activity in the different autonomous regions with jurisdiction in this field. The ETCV approved in the year 2011 is of a recommendatory nature and not a document binding for all effects and purposes.

The absence of a general policy in relation to the management of the coastal region has led to coastal planning in the Valencian Community developing under isolated and disjointed urban plans, resulting in ineffective management, whereby economic (urban planning) interests are often placed above respect for and the protection of the environment. The existence of tools of a supramunicipal nature providing coherence to the development of the coastal region would be highly advantageous.

The demarcation of the Spanish coastline, executed by the Ministry of Agriculture, Food and the Environment, has been a laborious process surrounded by controversy, and is yet to be concluded despite being approved by the Coastal Law in 1988. The definition and delimitation of the MTPD, in addition to the definition of the 100-meter protection zone (20 meters on urban land, or up to 200 meters in cases where it is necessary to ensure the effectiveness of the servitude, in accordance with the peculiarities of the stretch of coastline in question) helps maintain the 100-meter coastal protection zone defined in article 8 of the ICZM Protocol, even though numerous examples of failure to comply with the 100-meter protection zone exist along the Valencian coastline.

The planning and management of the Valencian coastal region requires the inclusion of criteria capable of dealing with the potential effects of climate change in the area, and particularly at the time of delimiting a protection zone on the coastline. Failure to do so will almost certainly result in many beaches disappearing or dwindling in size within a few decades, and in significant damage to urban coastal facades. This is also one of the weaknesses attributed to the bill on the protection and sustainable use of the coastal region (state level), set to amend the current 1988 Coastal Law, in which there is no mention of strategies and policies in relation to the mitigation of the effects of climate change. Different pressure groups have demanded the need for this bill to include a new demarcation line taking these potential effects into account in order to protect both the population and economic activity, infrastructure, etc, in light of the potential impacts of climate change, in accordance with the principles and goals of the ICZM Protocol and article 8 of the same in particular.

Overall Conclusions and Perspectives

The important experience of MAREMED project, in which the Emilia-Romagna Region had the role of coordinator of the Working Group on ICZM, has allowed to develop effective cooperation, discussion and reflection among the Mediterranean region on policies related to the Integrated Management of Coastal Zones and Maritime Spatial Planning.

This confrontation took as a reference the ICZM Protocol for the Mediterranean (entered into force in March 2011) together with the policies put in place by the European Union in the last years on issues as Integrated Coastal Zone Management, Maritime Spatial Planning, Climate Change adaptation, and mitigation of Coastal Risks by erosion and flooding. The comparison allowed the partner regions to formulate a framework of purposeful activities, contributing to the construction of specific European policies for the Mediterranean for the period 2014-2020. This to support the action of the maritime regions in tackling these themes with a level of efficacy adequate to the specific challenges.

From the Diagnostic phase analysis a number of indications/messages came out about policies for a further and more diffused implementation of the ICZM. These messages, included in the Diagnostic phase report (pp. 47-50), can be considered as a "voice" from the Regions towards the European Commission.

The Pilot Actions work phase allowed, on one hand, the identification of compliances and gaps between ICZM Protocol provisions and regional/national legal framework on coastal zones, on the other hand, the preliminary drawing of a set-back zone (Art. 8-2 of the Protocol) and the analysis of impacts due to the application of the same Art.8, in relation to existing spatial and urban planning instruments together with the identification of a path for their eventual adjustments. This analysis and test can be an useful reference for the future application of the ICZM Protocol by the signatories parties.

The "Bologna Charter 2012", jointly signed by 14 maritime Administrations on the 21st of March at the European Parliament in Brussels, within an event dedicated to MAREMED project, represents first and foremost a political commitment to cooperate in addressing these issues in a shared way.

The Charter also represents the consolidation and the extension of a Mediterranean partnership of maritime Regions and other Administrations (NUTS II and III) coming from previous project experiences of the former (2000-2006) and present programming period (2007-2013) as the BEACHMED project, the RFO BEACHMED-e (Interreg III C South), COASTANCE (MED program), MEDGOVERNANCE (MED program), SHAPE (IPA-Adriatic), RESMAR (CBC Italy-France), achieving recognized and appreciated results.

The Charter is also a vehicle of concrete proposals inscribed in the Macro-project outlined in the political document that sets out a strategy declined in a number of lines of Action (sub-projects) that the adherent parties, and others that will join in the future, are intended to support and implement in the 2014-2020 period. This in a logic of cooperation and extension of the area of cooperation at the basin scale and of

contribution to the implementation of European policies for the Mediterranean that, we believe, will meet the interest and support of the European institutions.

The project proposal COASTGAP recently approved within the call for Capitalisation projects of the MED Programme, will provide, within 18 months from July 2013, the opportunity to prepare in detail the Macro-project and its sub-projects ready to be implemented over the next seven-year period of the Structural Funds programming.

In conclusion of the fruitful experience of MAREMED, that represents on one hand a synthesis of previous and still on going European projects and on the other hand a step forward into the next programming period, we see the opportunity and formulate the auspicious that for the next period can be activated specific financial instruments to support system initiatives that can address the major issues of the Mediterranean. Because it is in this way that we can help create that economy and that smart, sustainable, inclusive growth that we all share as an important goal to pursue with decision and determination.