INFRASTRUCTURE AND ENERGY

RIO DE JANEIRO INSTITUTES STATE POLICY TO SUPPORT OFFSHORE ENERGY TRANSITION AND MARINE SPATIAL PLANNING

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The state of Rio de Janeiro, through theLaw 11.095/26, institutesu the State Policy to Support Offshore Energy Transition and Marine Territorial Planning in the State do Rio de Janeiro, in force since January 8 – date of its publication.

The rule establishes guidelines for state action in the context of the energy transition, focusing on offshore projects, respecting the constitutional competences of the Federal Government on the exploration of electricity in the territorial sea and on the assets of the Federal Government.

Although it does not change the federal regime for granting, authorizing or licensing offshore energy projects, the law creates a state framework for institutional and territorial organization applicable to projects that may be developed in the coastal territory if possible of Rio de Janeiro, with potential striking, impact about the stages of planning, structuring and institutional dialogue of these projects.

State policies are guided by principles such as compliance with the federative pact and the competences of the Federal Government, environmental and climate sustainability, cooperation between federative entities and jointly with civil company, rectitude, social participation and the promotion of sustainable economic development – with an emphasis on the generation of green jobs.

Among its objectives are:

- technical support for national planning for the use of offshore areas for energy purposes;
- the contribution of the state with territorial, socioeconomic and environmental data, studies and diagnoses;
- the promotion of the territorial planning of the state coastal territory if possible;
- support to the Federal Government in the processes of environmental licensing and inspection, through the execution of agreements; and
- the stimulus to the training of labor and the development of local production chains related to the offshore energy transition.

With regard to coastal territorial planning, the rule provides that state action must occur in an articulated format with federal planning instruments, including the National Energy Plan, Ecological-Economic Zoning and the Marine Space Plan, within the scope of Marine Spatial Planning, respecting coastal management plans and applicable federal laws and regulations.

In this context, the law authorizes the execution of agreements and agreements jointly with Federal Government, municipalities and public or private entities for cooperation technique, switch of information never plural and implementation joint actions for coastal and environmental monitoring and planning.

The new rule allows the Executive Branch to create a State Registry for Monitoring Offshore Energy Projects. This registration will not be mandatory and will have the aim to give higher rectitude, support territorial planning and to facilitate the public consultation process. The provision of this instrument indicates the possibility of higher systematization of territorial and institutional information never plural related to offshore projects at the state level, even if without authorizing effects.

In the social participation axis, state policies establish the realization of public hearings and consultations, especially in potentially impacted coastal regions. It also encourages the creation and strengthening of regional forums for dialogue on the energy transition and its socio-environmental impacts.

Regarding support for local development, the rule provides that the state may support training, survey and technological innovation initiatives aimed at the renewable energy business, in addition to instituting qualification programs professional and inclusion of small and medium-sized local business dealings in the offshore energy production chain, respecting the competences of the Federal Government and the applicable laws and regulations.

These guidelines tend to dialogue with public policies, development instruments and regional development strategies associated with offshore projects.

Law 11,095/26 provides that the actions resulting from it must be aligned with the Strategic Plan for Economic and Social Development of the State of Rio de Janeiro 2024/2031 and

It represents a strategic milestone for the State, as it to take a stand on the circuit as a protagonist in the national energy transition, consolidating a more organized and open and aboveboard institutional environment for the development of offshore projects.

By establishing mechanisms for federative cooperation, social participation and promotion of local production chains, the law creates favorable conditions for attracting investments, generating green jobs and strengthening Rio de Janeiro's competitiveness in the renewable energy business.

For companies in the business, the new policy signals higher predictability in relationship with the state public authorities and opens concrete opportunities for engagement in public consultations, qualification programs and initiatives to technological innovation.

In summary, the law reinforces Rio de Janeiro's commitment to sustainable economic development and positions the state as a reference in structuring public policies aligned with the decarbonization diary comprehensive.