

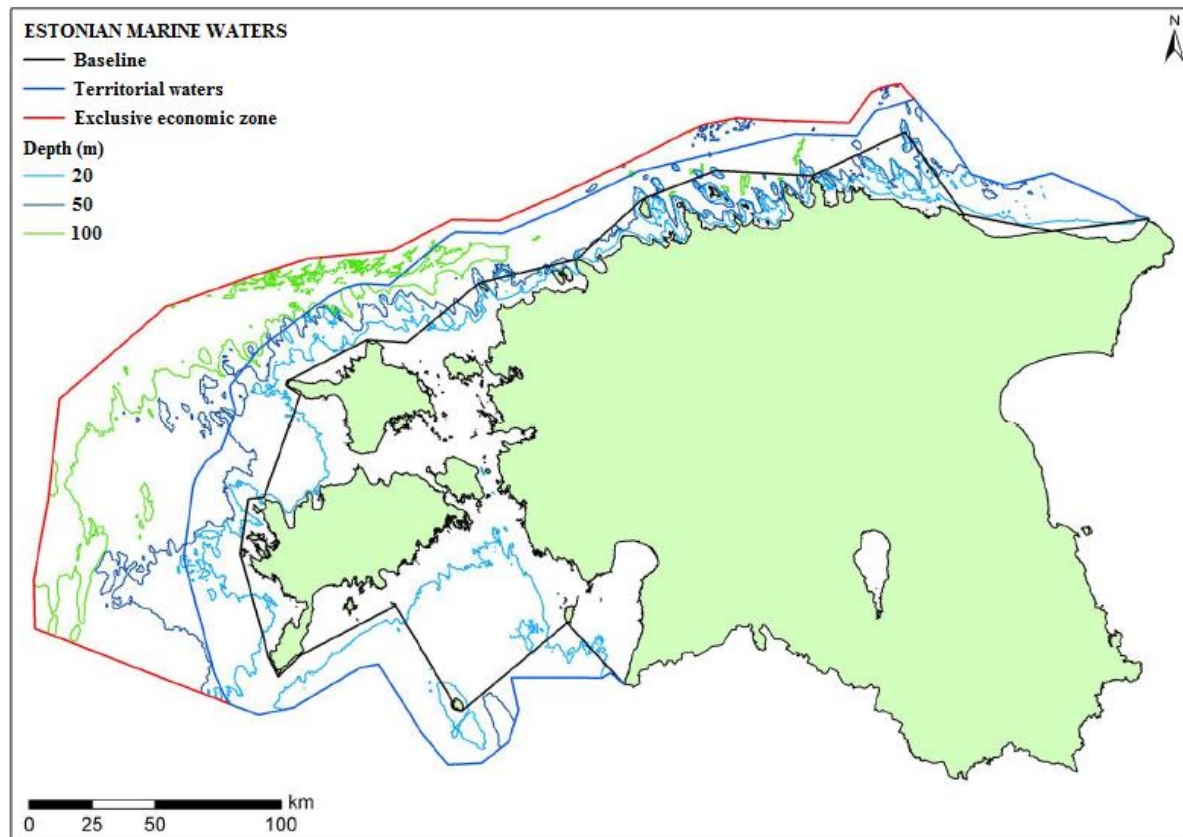


Country Fiche

Estonia

Updated January 2015

1. General information



- Size of internal waters (to the baseline) and territorial sea (12-nm zone from the baseline) approximately 25 200 km².
- Exclusive economic zone about 11 300 km².
- Exclusive economic zone between Estonia and Russia is not agreed.

1.1. Governance

Marine areas (internal waters, territorial sea) are public waters under the Water Act of Estonia, which means that marine areas are owned by the state and local authorities do not have rights on sea.

The government has the responsibility to manage the Estonian EEZ.

1.2. Contacts

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2. General information on legislation

Currently there is no specific legislation for MSP in Estonia. The current legal basis for MSP is terrestrial planning legislation. As such, maritime spatial planning is possible on county level. As the counties do not have actual territory on sea, such maritime spatial plans must be initiated by the government. The government can assign the sea area to be planned and the respective county governor will be responsible for the actual planning process.

In July 2015 a new Planning Act will enter into force, which brings MSP to state level. The new Planning Act regulates that maritime spatial planning will be initiated by the government and carried out by the Estonian Ministry of the Interior. The maritime spatial plan to be worked out will be a long-term national level plan, which will give guidelines to different institutions in charge of allowing the use of marine areas for different purposes, such as offshore energy, shipping etc.

SEA is compulsory for maritime spatial plans – whether they are county level plans in accordance with the current Planning Act or national level plans according to the Planning Act to enter into force in July 2015.

3. General applicability (e.g. territorial Sea, EEZ, other distinctions)

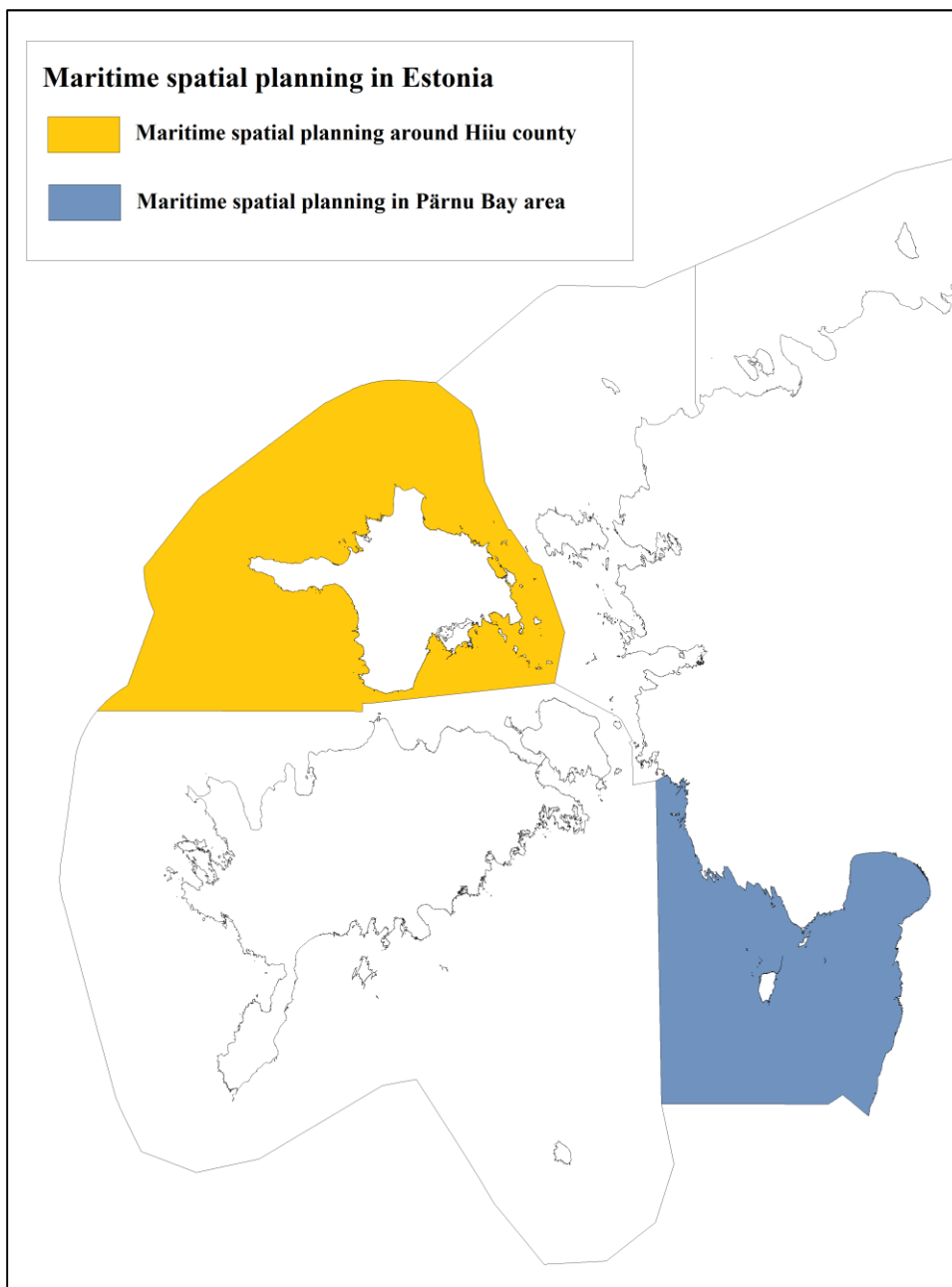
The current Planning Act applies to internal waters and territorial sea as well as to terrestrial areas. This means that the same rules apply to maritime spatial planning as they apply on land.

The Planning Act to be in force in July 2015 also applies to the EEZ (in addition to internal waters and territorial sea). The new Planning Act will make a clear distinction between the terrestrial planning and maritime spatial planning.

4. Spatial Plans

In October 2012 the Government of Estonia initiated two pilot maritime spatial plans – at the area around Hiiu island and Pärnu Bay area. In late 2014, both plans are in the middle of the processes. The plans are expected to be adopted by the end of 2015/beginning of 2016.

A methodology for maritime spatial planning and the implementation of maritime spatial plans will be derived from the two pilot MSP projects. The methodology will be ready by March 2015.



Pilot MSP areas initiated by the Government of Estonia in October 2012.

4.1. Hiiu island maritime spatial plan

4.1.1. Legal basis

Estonian Planning Act and order of the Estonian Government from October 12th 2012.

4.1.2. Legal impact

The plan was adopted in accordance with the Planning Act and is a legally binding county plan. It will stay in force after the new Planning Act is adopted. It will be included in the national plan for Estonian marine areas to be initiated in 2016.

4.1.3. Area covered

- Internal waters and territorial sea around Hiiu island (marine areas around Hiiu County)
- Size of the area: 3786,3 km².

4.1.4. Historic development

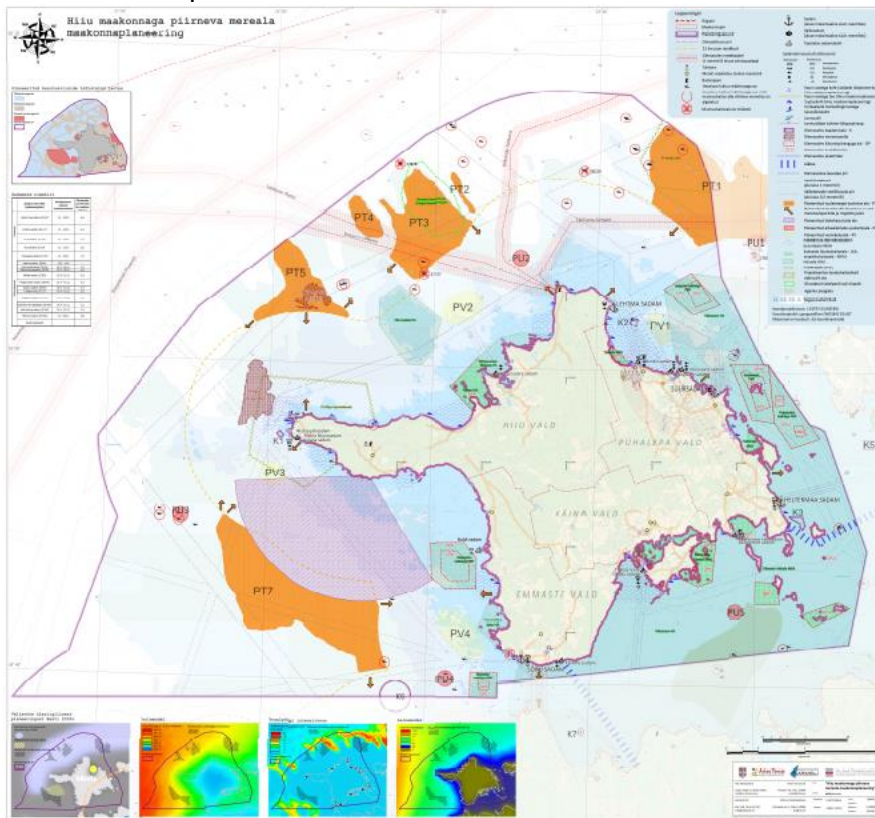
Part of the area of Hiiu island pilot project was initially covered in the BaltSeaPlan project. This meant that by 2012, when the legal process for maritime spatial planning was initiated, the first steps of the planning process, i.e. stocktaking, conflict analysis and identification of future uses, were already done.

In 2012 the actual planning process started. In late 2014 the Hiiu island maritime spatial plan was approved by the county governor and is now on public display. After the display public discussions will take place. The planning proposal has been developed in close cooperation with different national authorities (ministries etc), stakeholders (energy sector, fisheries etc) and local communities (local governments).

4.1.5. Objectives of the plan

The main objective of the plan is to define the long-term uses of the assigned marine area through a public process, taking into account the different economic, social, cultural and environmental interests and needs. To achieve this, more specific aims are set in the plan, such as the development of a port network, development of an electricity grid and the sustainable use of marine resources.

4.1.6. Map



Draft of the planning proposal, November 2014.

4.1.7. Designation

There are three different areas determined in the plan: general use areas, priority use areas and restriction areas.

General use areas are open for any use as long as it is in accordance with the law.

Priority use areas means that one use has a priority over other uses. For example, in case of priority use for aquaculture, aquaculture must be favoured against other uses.

Restriction areas means that only one use is allowed in the area and all others are restricted. For example, marine protected areas are restriction areas. The restrictions may be temporary or have certain conditions or limitations (seasonality etc.).

4.1.8. Regulations

The plan spells out general guidelines for the use of marine areas. Permits for specific uses will be issued, taking into account the conditions set in the plan and the prevailing legal restrictions.

4.1.9. Adoption

The plan will be adopted in 2015.

4.1.10. SEA

A SEA has been carried out for the Hiiu island maritime spatial plan. During the process, no possible transboundary effects have been identified, which means that transboundary consultations were not carried out in the planning process.

4.1.11. Public participation

According to the Estonian Planning Act, all plans, including maritime spatial plans, must be made public throughout the process. This means that the wider public as well as any stakeholder has the right to express their opinion about the plan in every phase of the planning process. In addition, compulsory public displays and discussions are held in different stages of the planning process.

In addition to compulsory public discussions, small scale stakeholder meetings were also held throughout the planning process. The planning process was led by a steering board, which included members from different national authorities, different stakeholders (energy, fisheries) and local communities.

4.1.12. Transboundary consultation

As the SEA process did not identify any transboundary effects, no transboundary consultations were carried out.

4.1.13. Harmonisation with other plans

The Hiiu island maritime spatial plan will be taken into account when developing a new terrestrial county plan for Hiiu island (this process started in 2013) and in local level plans, mainly in the comprehensive plans of local governments.

Furthermore, the Hiiu island maritime spatial plan will also be taken into account in the national maritime spatial plan to be started in 2016. The Hiiu island plan will be one part of the national plan.

4.1.14. Monitoring

According to the new Planning Act, county plans (which include the Hiiu island maritime spatial plan) are evaluated every 7 years from their adoption. If changes are necessary, a new plan must be initiated and adopted.

4.1.15. Electronic resources

All documents are available at hiiumeri.artes.ee.

4.2. Pärnu Bay area maritime spatial plan

4.2.1. Legal basis

Estonian Planning Act and order of the Estonian Government from October 12th 2012.

4.2.2. Legal impact

The plan was adopted in accordance with the Planning Act and is a legally binding county plan. It will stay in force after the new Planning Act is adopted. It will be included in the national plan for Estonian marine areas to be initiated in 2016.

4.2.3. Area covered

- Internal waters and territorial sea in Pärnu Bay area (the area mainly consists of internal waters.
- Size of the area: 2594,3 km².

4.2.4. Historic development

Part of the area of Pärnu Bay area pilot project was initially covered in the BaltSeaPlan project. This meant that by 2012, when the legal process for maritime spatial planning was initiated, the first steps of the planning process, i.e. stocktaking, conflict analysis and identification of future uses, were already done.

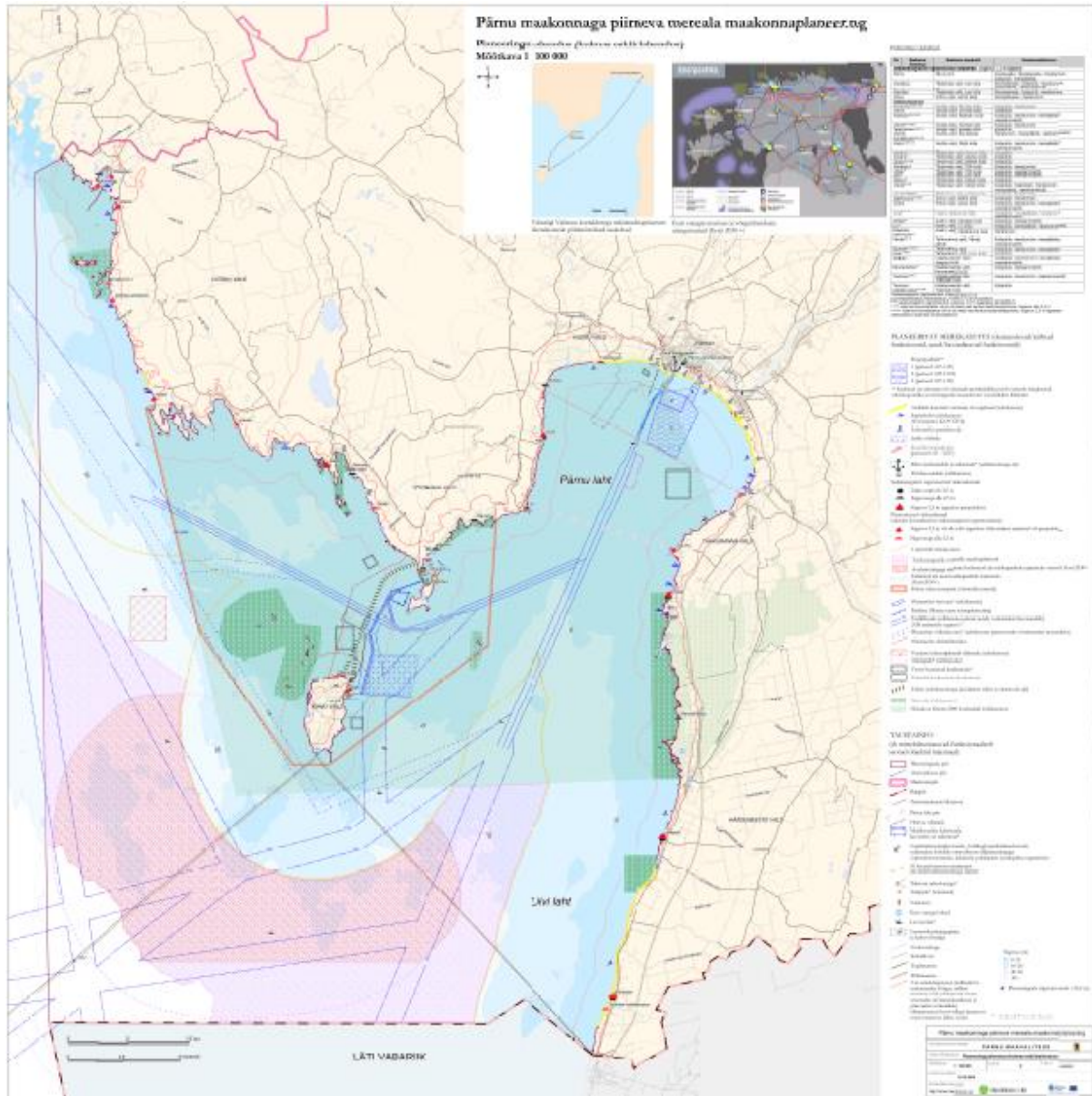
In 2012 the actual planning process started. In late 2014 a third draft of the plan was delivered which will be sent to different public authorities for approval. When this stage is concluded, the plan will be publicly displayed and public discussions will be organised. The adoption of the plan is expected in early 2016.

The Pärnu Bay area maritime spatial plan, in comparison to the Hiiu island plan was developed in a very close cooperation with different stakeholders. Numerous meetings have been held in a time span of 2 years with representatives from fisheries, the energy sector, maritime transport and ports, environmental organizations and local communities. In addition to stakeholder meetings, the stakeholder involvement process was discussed in a steering group, which gave input to the country governor on planning solutions.

4.2.5. Objectives of the plan

The main objective of the plan is to define the long-term uses of the assigned marine area through a public process, taking into account the different economic, social, cultural and environmental interests and needs. To achieve this, scenarios on the long-term development of the area have been developed. Eventually, a balanced use scenario was chosen featuring a sustainable use of the Pärnu Bay area through sustainable fishing, protection of culturally and naturally important areas, safe shipping routes and diverse recreation possibilities.

4.2.6. Map



Draft planning proposal, November 2015

4.2.7. Designation

There are two different areas determined in the plan: general use areas and priority use areas.

General use areas are open for any use as long as it is in accordance with the law.

Priority use areas means that one use has a priority over other uses. Other uses are allowed as long as they do not interfere with the priority use. For example, in case of priority use for aquaculture, aquaculture must be favoured against other uses.

4.2.8. Regulations

The plan spells out general guidelines for the use of marine areas. Permits for specific uses will be issued taking into account the conditions set in the plan and the prevailing legal restrictions.

4.2.9. Adoption

The plan will be adopted in the beginning of 2016.

4.2.10. SEA

SEA has been carried out for the Pärnu Bay area maritime spatial plan.

4.2.11. Public participation

According to the Estonian Planning Act, all plans, including maritime spatial plans, must be made public throughout the process. This means that the wider public as well as any stakeholder has the right to express their opinion about the plan in every phase of the planning process. In addition, compulsory public displays and discussions are held in different stages of the planning process.

In addition to compulsory public discussions, a great number of stakeholder meetings were also held throughout the planning process. The planning process was led by a steering board, which included members from different national authorities, different stakeholders (energy, fisheries) and local communities.

4.2.12. Transboundary consultation

The SEA process was carried out as a transboundary process with Latvia. At the very beginning of the process, Latvia was informed of the planning process and the SEA. The SEA results and the plan were presented to Latvia after the planning proposal was drafted.

4.2.13. Harmonisation with other plans

The Pärnu Bay area maritime spatial plan is taken into account when putting together a new terrestrial county plan for Pärnu county (started in 2013) and in local level plans, mainly comprehensive plans.

Furthermore, the Pärnu Bay area maritime spatial plan will also be taken into account in the national maritime spatial plan to be started in 2016. The Pärnu Bay area plan will be one part of the national plan.

4.2.14. Monitoring

According to the new Planning Act, county plans (which include the Hiiu island maritime spatial plan) are evaluated every 7 years from their adoption. If changes are necessary, a new plan must be initiated and adopted.

4.2.15. Electronic resources

All documents are available at parnumeri.hendrikson.ee.

5. What countries want to share

The two pilot projects for maritime spatial planning (duration 2012-2016) turned out to be very different in terms of processes and outcomes of the planning proposals. Still, the different processes of pilot plans provide a solid ground for further elaborating maritime spatial planning methodology in the future. The two different processes gave an impression of what an ideal maritime spatial planning process could look like in Estonia.

6. New developments / current status

The new Planning Act will enter into force in July 2015. Based on this national maritime spatial planning for Estonian marine areas (internal waters, territorial waters and EEZ) will be initiated in 2016.