

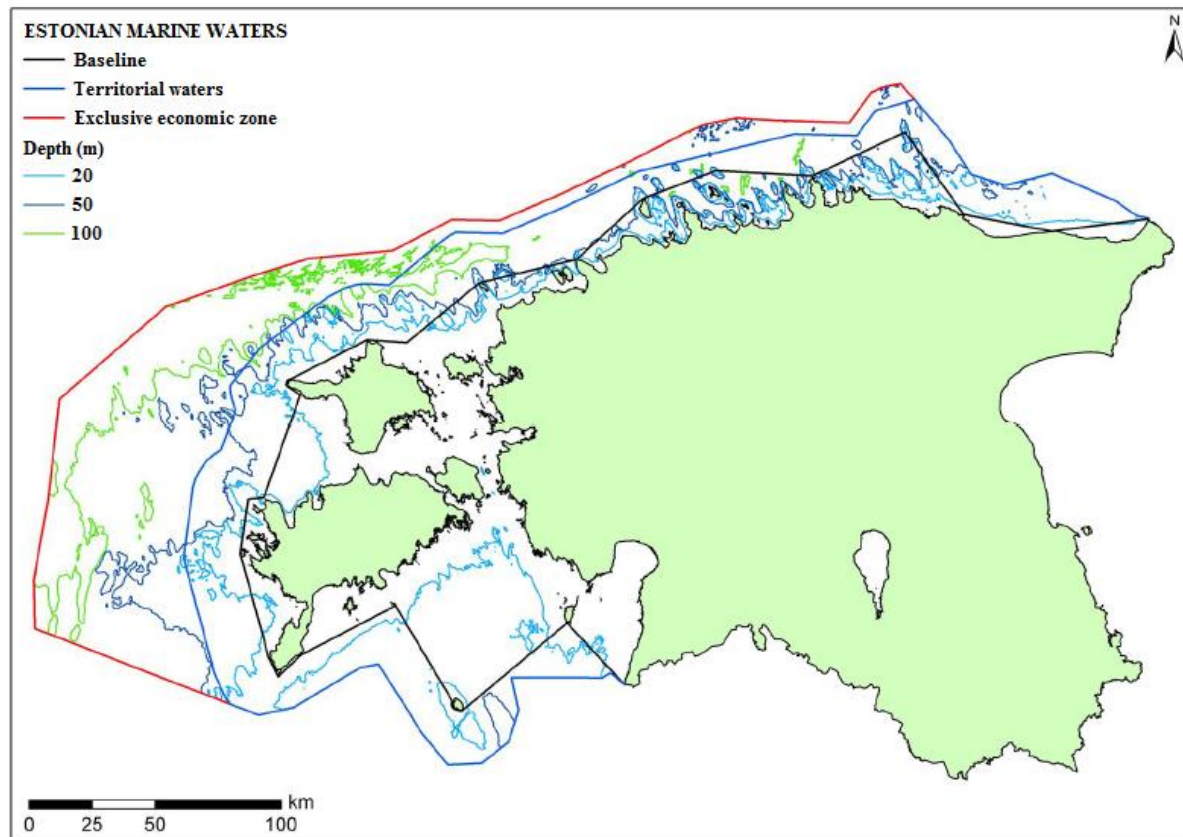


# Country Fiche

## Estonia

Updated October 2019

## 1. General information



- Size of internal waters (to the baseline) and territorial sea (12-nm zone from the baseline) approximately 25 200 km<sup>2</sup>.
- Exclusive economic zone about 11 300 km<sup>2</sup>.
- 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

As of July 1<sup>st</sup> 2015, Estonia has a new Planning Act which also regulates maritime spatial planning. Until that, maritime spatial planning was based on terrestrial planning and it was done on county level as pilot projects. According to the new Planning Act, maritime spatial planning will be carried out on state level, as an extension to the national plan. The maritime spatial plan will cover both the territorial waters and the EEZ. Possible subjects to be covered in the MSP are infrastructure (energy, transport), providing sustainable use of fisheries, taking into account the MPAs and putting down measures for maintaining the good and healthy status of the environment.

The maritime spatial plan 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 according to the Planning Act in force since July 2015.

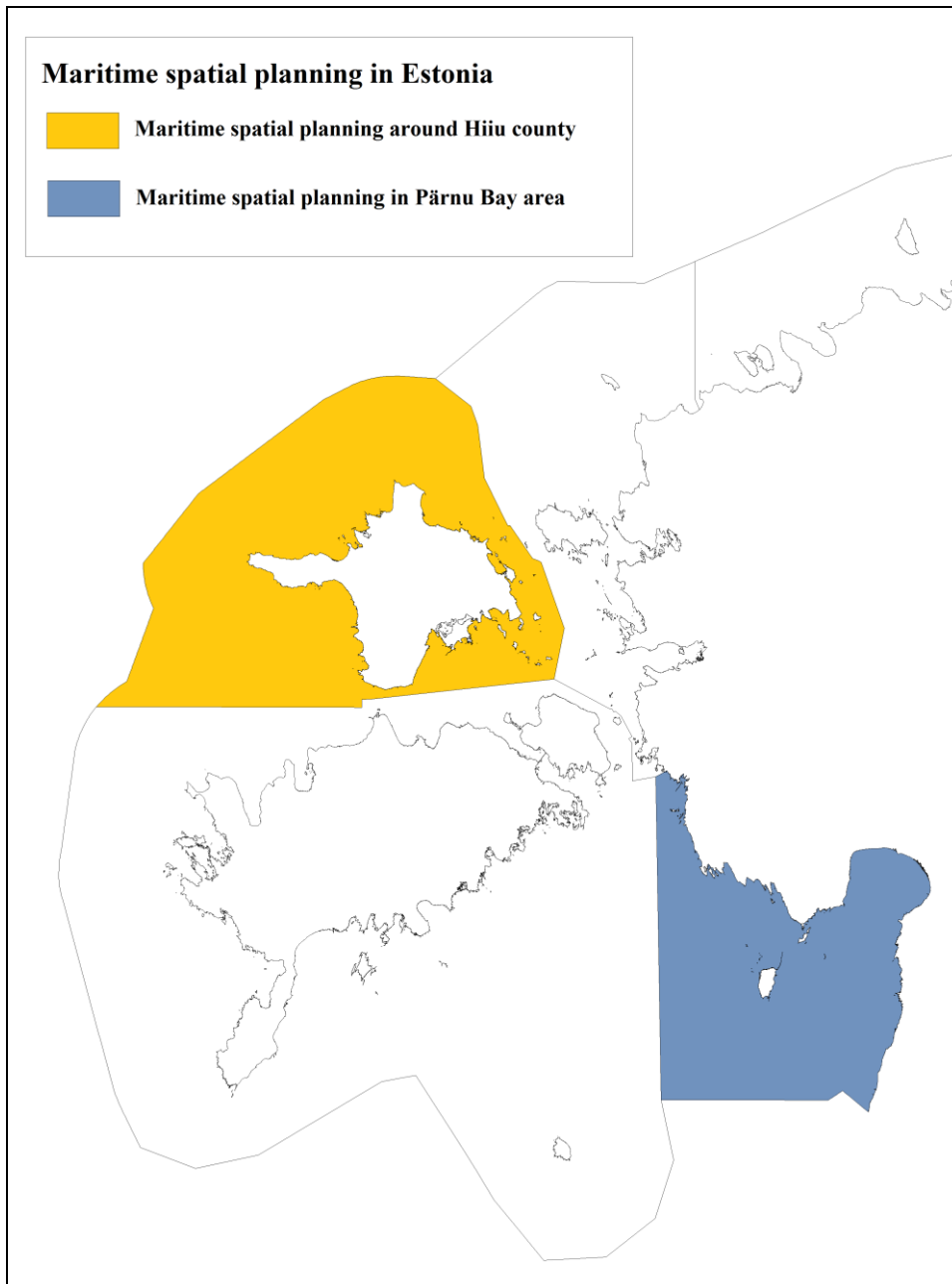
## 3. General applicability (e.g. territorial Sea, EEZ, other distinctions)

The Planning Act in force since July 2015 also applies to the EEZ (in addition to internal waters and territorial sea). The new Planning Act makes 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. Hiiu pilot<sup>1</sup> was adopted in July 2016. Pärnu pilot was adopted in April 2017.

A methodology for maritime spatial planning and the implementation of maritime spatial plans was derived from the two pilot MSP projects. The methodology was finished in March 2015.



<sup>1</sup> Offshore wind energy theme in Hiiu MSP is abolished by the National Court of Estonia on August 8th 2018, all other themes in Hiiu MSP are still legally binding

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 12<sup>th</sup> 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 be taken into account in the national plan for Estonian marine areas which was initiated in 2017.

##### 4.1.3. Area covered

- Internal waters and territorial sea around Hiiu island (marine areas around Hiiu County)
- Size of the area: 3786,3 km<sup>2</sup>.

##### 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 July 2016 the plan was adopted<sup>2</sup>. 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).

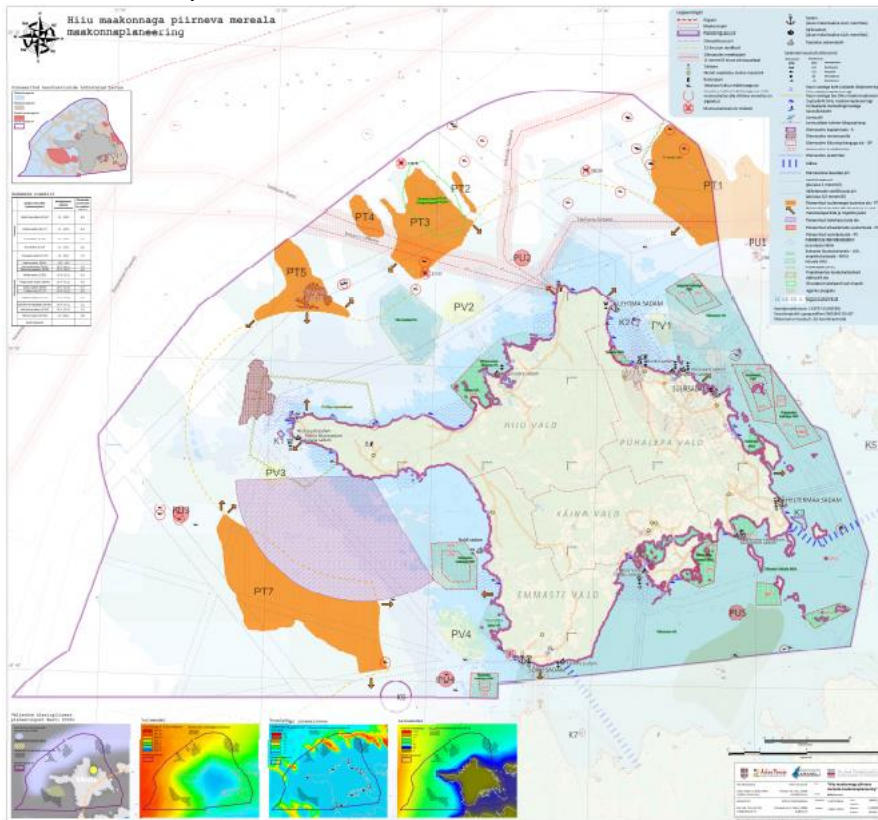
##### 4.1.5. Objectives of the plan

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.

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<sup>2</sup> Offshore wind energy theme in Hiiu MSP is abolished by the National Court of Estonia on August 8th 2018, all other themes in Hiiu MSP are still legally binding.

#### 4.1.6. Map



*The adopted plan, July 2016.*

#### 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.).

#### Planned Sea-uses:

Priority use – Shipping lanes, aquaculture areas, cultural heritage areas, recreational areas

Restriction areas – Marine protected areas, national defence area

#### 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 was adopted in July 2016. Offshore wind energy theme in Hiiu MSP is abolished by the National Court of Estonia on August 8th 2018, all other themes in Hiiu MSP are still legally binding.

#### 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 was taken into account when developing a new terrestrial county plan for Hiiu island ( it was adopted in March 2018) 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 which started in 2017. The Hiiu island plan will stay valid even when the national maritime spatial plan is enforced.

#### 4.1.14. Monitoring

According to the new Planning Act, county plans (which includes the Hiiu island maritime spatial plan) are evaluated every 5 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 <http://www.maavalitsus.ee/hiiu-maakonnaga-piirneva-mereala-maakonnaplaneering>.

MSP data is observable from portal <http://mereala.hendrikson.ee/kaardirakendus-en.html> and soon via pan-Baltic web services.

## **4.2. Pärnu Bay area maritime spatial plan**

### 4.2.1. Legal basis

Estonian Planning Act and order of the Estonian Government from October 12<sup>th</sup> 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 be taken into account in the national plan for Estonian marine areas which was initiated in 2017.

### 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 km<sup>2</sup>.

### 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. The plan was adopted in April 2017.

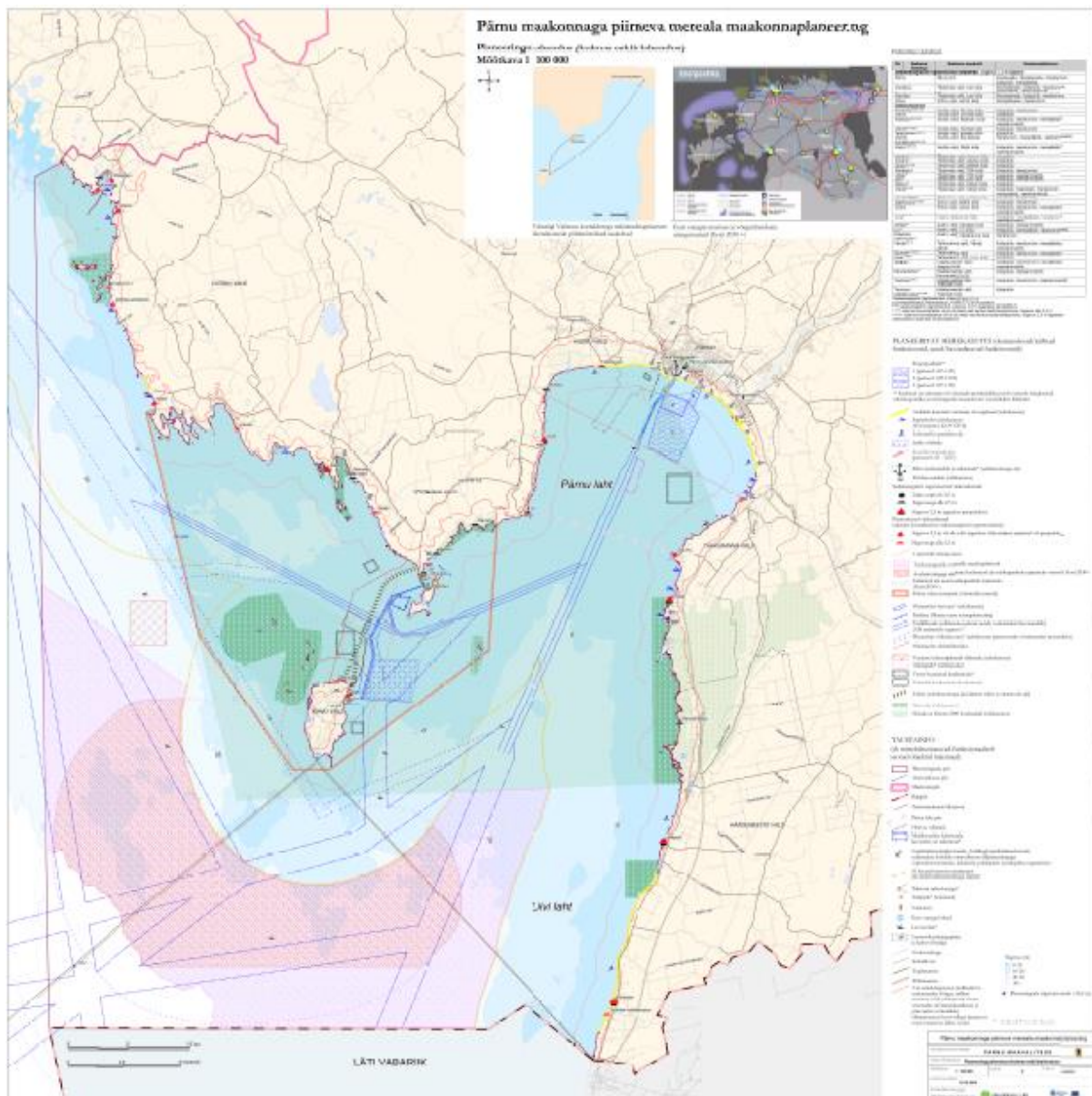
The Pärnu Bay area maritime spatial plan was developed in a very close cooperation with different stakeholders. Numerous meetings have been held in a time span of 2 years with representatives from fisheries, the energy sector, maritime transport and ports, environmental organizations and local communities. 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



*The adopted plan, April 2017*

#### 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 shipping lanes, shipping lanes must be favoured against other uses.

#### Planned Sea-uses:

Priority use – Shipping lanes, marine protected areas, cultural heritage areas, recreational areas, OWE development areas

#### 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 was adopted in April 2017.

#### 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 was taken into account when putting together a new terrestrial county plan for Pärnu county (adopted in March 2018) 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 which started in 2017. The Pärnu Bay area plan will stay valid even when the national maritime spatial plan is enforced.

#### 4.2.14. Monitoring

According to the new Planning Act, county plans (which includes the Pärnu island maritime spatial plan) are evaluated every 5 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 <https://www.maavalitsus.ee/143>.

MSP data is observable from portal <http://mereala.hendrikson.ee/kaardirakendus-en.html> and soon via pan-Baltic web services.

### **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 entered into force in July 2015. Based on this national maritime spatial plan for Estonian marine areas (internal waters, territorial waters and EEZ) was initiated by the Government of Estonia on 25<sup>th</sup> May 2017. A procurement procedure for the planning and impact assessment consultancy was finalized in February 2018. Actual work on developing Estonian MSP has now started.

In April 2018, Estonia sent the initial outline of the Estonian MSP and the memorandum of interest to conduct impact assessment for consulting to ministries, agencies, local governments, environmental NGOs etc. After the consultancy period, public discussions followed in May 2018 and June 2018.

The main focus of the public discussions was to create a regional profile on the coastal way of living, taking into account that sea is used as a way to earn a living, living near the sea can be a lifestyle choice and coastal way of living might be a traditional way of living for great number of people. These regional profiles will be the bases for cultural impact assessment in the overall impact assessment of the MSP.

The initial outline of the plan was also sent out for information to neighbouring countries of Estonia in November 2018. Finland, Latvia and Sweden national authorities and agencies replied and made their proposals to the planning process.

After that a draft solution was prepared. In April-May 2019, Estonia publicised the draft plan nationally and started also a transboundary consultations with neighbouring countries. A transboundary consultation meeting was held in Tallinn in 29<sup>th</sup> May 2019. Finland, Latvia and Sweden national authorities and agencies sent their formal comments and proposals to the draft plan.

Next steps:

<b>ACTION</b>	<b>DEADLINE</b>	<b>INCLUDED</b>
Asking for proposals for outline and impact assessment, including the intention to develop the SEA	November 2018 – January 2019	Neighbouring countries (not the official Espoo consultation)
Disclosure of proposals for outline and impact assessment, including the intention to develop the SEA	January 2019	
Preparation of the draft of the planning solution and impact assessment, including the SEA report	July 2018 – March 2019	
Publishing the draft reports of the planning solution and impact assessment, including the SEA draft report	April 2019 – June 2019	Neighbouring countries (Espoo consultation)
Preparation of the main planning solution	July 2019 – December 2019	
Second publishing of the draft reports of the main planning solution and impact assessment, including the SEA draft report	January 2020 – March 2020	Neighbouring countries (Espoo consultation)
Coordination of the report of the planning solution and impact assessment, including the SEA report	April 2020 – June 2020	
Disclosure of the report of the planning solution and impact assessment, including the SEA report	July 2020 – August 2020	Notifying neighbouring countries
Approval of plans	September 2020	

## **7. How coastal and marine Baltic Sea protected areas (HELCOM MPAs) are taken into account in MSP**

Estonian Planning Act states that during the MSP process, MPAs (any MPAs) and their management measures have to be taken into account. If necessary, changes of MPA areas and management measures can be proposed with MSP. Most of the HELCOM MPAs in Estonian marine areas overlap with Natura 2000 areas, so Natura 2000 impact assessment rules also apply.