



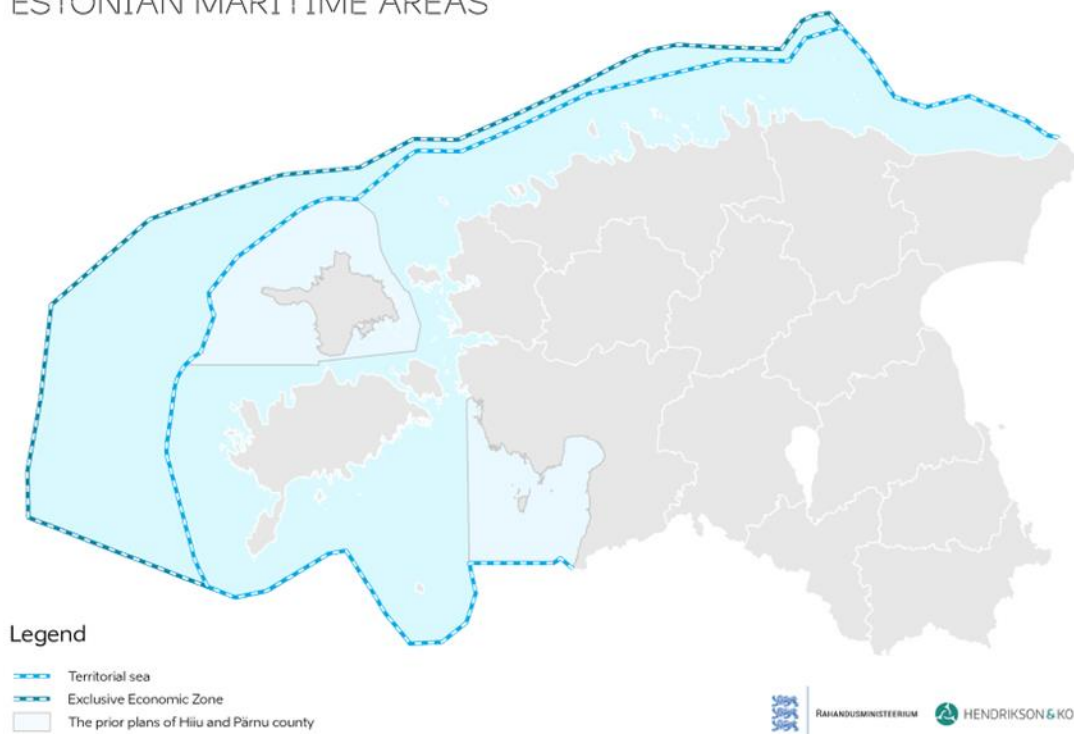
Country Fiche

Estonia

Updated September 2022

1. General information

ESTONIAN MARITIME AREAS



- 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

As of July 1st 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

4.1. Estonian Maritime Spatial Plan

4.1.1. Legal basis

Estonian Planning Act and order of the Estonian Government from May 25th 2017.

4.1.2. Legal impact

The plan was adopted in accordance with the Planning Act and is a legally binding plan.

The maritime spatial plan must be considered when drawing up spatial plans, making decisions affecting the use of the sea area, authorising the use of the sea area and when preparing strategic development documents for state and local government.

4.1.3. Area covered

The Estonian Maritime Spatial Plan solution has been drawn up for the entire Estonian maritime area (both territorial sea and exclusive economic zone), except for the previously planned maritime areas bordering the counties of Hiiu and Pärnu, which will continue to be valid.

4.1.4. Historic development

In October 2012 the Government of Estonia initiated two pilot maritime spatial plans – at the area around Hiiu island and Pärnu Bay area. Hiiu pilot¹ 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.

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 25th May 2017. A procurement procedure for the planning and

¹ 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

impact assessment consultancy was finalized in February 2018. The timeline for the planning process is conveyed below:

ACTION	DEADLINE	INCLUDED
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 – March 2020	
Second publishing of the draft reports of the main planning solution and impact assessment, including the SEA draft report	March 2020 – November 2020 ²	Neighbouring countries (Espoo consultation)
Coordination of the report of the planning solution and impact assessment, including the SEA report	May 2021 - October 2021	
Disclosure of the report of the planning solution and impact assessment, including the SEA report	November-December 2021	Notifying neighbouring countries, also informal transboundary meeting held in December 2021
Distributing the finalized plan to Government for decision	February 2022	
Adopting the plan	May 2022	

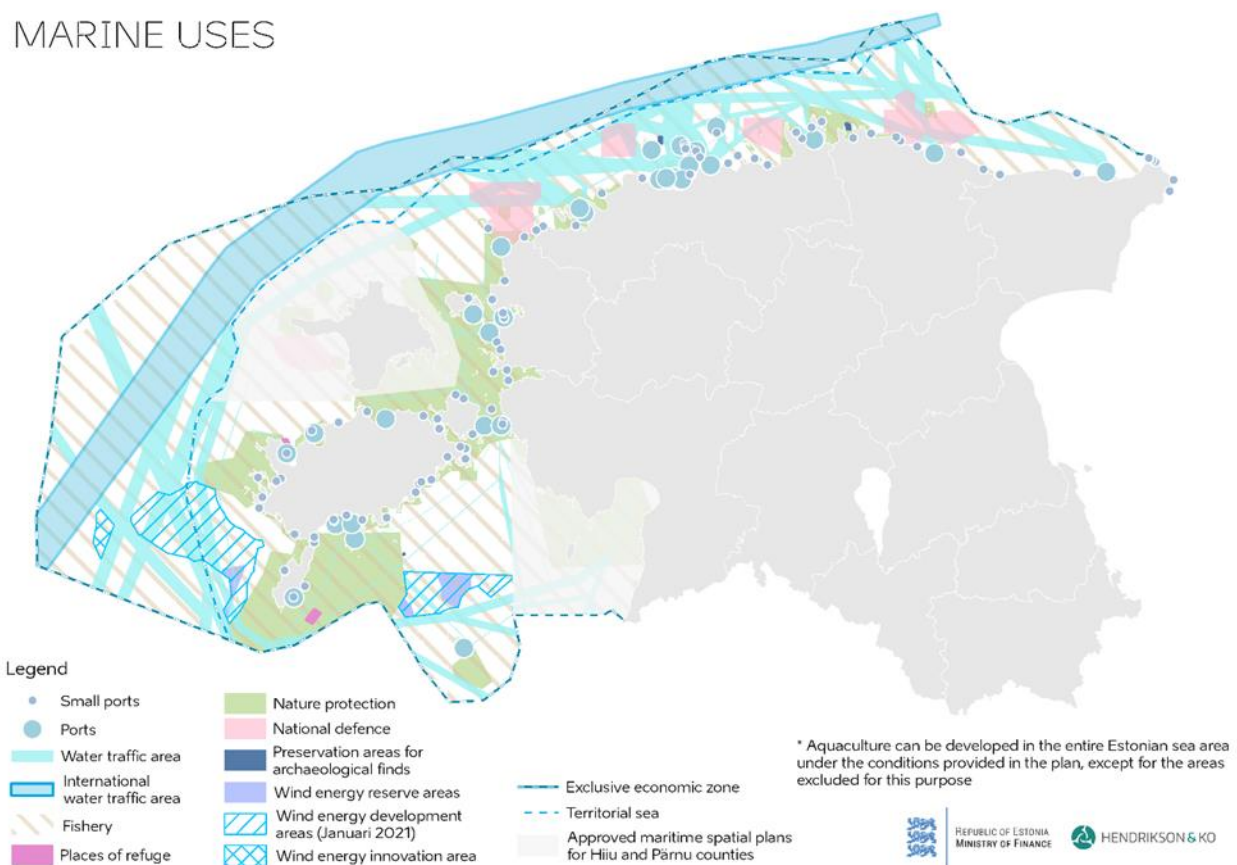
² Public process paused during March 2020-June 2020 because of the Covid-19 outbreak.

4.1.5. Objectives of the plan

The aim of the Maritime Spatial Plan (MSP) is to agree on the long-term principles of the use of the Estonian marine area in order to attain and maintain a good status of the marine environment and to promote the maritime economy. The plan identified the areas and conditions under which activities in the marine area could be carried out. During the preparation of the MSP, the synergies between the existing marine uses and the planned activities were considered. Assessment of their impact on the marine environment and the economy and the social and cultural impact of the activities was also carried out.

4.1.6. Map

MARINE USES



The adopted plan, May 2022

4.1.7. Designation

Fishing

Fishing takes place throughout the Estonian marine area, except in areas with statutory fishing restrictions. Areas that are more heavily used for fishing are well-established and, to a large extent, are preserved by the combined use of the marine area.

Fish farming

The MSP does not designate areas suitable for fish farming, as offshore farm technology is in the process of development, and therefore the designation of suitable areas may unduly restrict the development of the blue economy, taking into account the environmental status. The establishment of fish farms is not allowed in unsuitable areas.

Shellfish and algae farming

Marine spatial planning maps the natural growth potential of algae and shellfish farming. The development of algae and shellfish farming is possible outside areas of high and moderate potential but may not be feasible there due to unfavorable growing conditions.

Aquaculture, in particular shellfish farming, is expected to have a positive synergy with the establishment of wind turbines.

Maritime transport

The maritime plan shall reflect the fairways published in the navigation information and shall determine water traffic areas based on the volume of traffic and the main directions of navigation. In the rest of the marine area, ship traffic is scattered and rare. Vessel traffic is also permitted outside fairways and water traffic areas where the natural conditions, the size of the vessel, and existing restrictions allow and where it is necessary.

Water traffic areas may overlap with other uses of the sea.

Maritime rescue, pollution response and guarding the state border

In the light of the intensification of the use of the marine area and the rapid growth of maritime transport, the functioning of maritime rescue and pollution response and guarding of state border are of great importance.

Wind energy

The MSP will determine areas (total area 1783 km², including the innovation area and the reserve areas), guidelines, and conditions for the development of wind energy. Suitable areas determined by the plan are expected to be realized to the extent of approximately 70%.

Seabed infrastructure

The MSP as a strategic national level spatial development document does not specify spatial locations for existing and prospective cables and pipelines (including the use of the coastal sea for cooling and thermal energy). The exception is the conceptual interconnection corridors for the wind energy development areas provided in the current Plan

Sea tourism and recreation

Due to the nature of the MSP as a strategic spatial development document at the national level, MSP does not determine areas for the development of marine tourism and recreation. The designation of areas requires a place-based approach and substantive discussion at the local level. The MSP provides guidelines based on combined use for the spatial development of the marine area.

Protected natural objects

The MSP takes into account the Habitats Directive and Birds Directive and protected natural objects and values their protection objective. No additional protected natural objects are planned in the MSP. The creation of new objects shall be carried out in accordance with the procedure laid down by law. In addition, it is suggested to take into account the guidelines set out in the plan, which are set in accordance with the objective of combined use of the marine area and the balancing principles.

Marine culture

The MSP does not designate specific areas of marine culture due to the strategic nature of the spatial development document at the national level. Both intangible and tangible marine culture is valued by planning through setting priorities and guidelines.

Cultural monuments

The maritime spatial plan will designate preservation areas for underwater cultural heritage. The purpose of designating the sites is to ensure the preservation of underwater cultural objects that have come to light, in a situation where they cannot be preserved in their original location, nor can they be preserved, stored or exhibited in museum collections.

National defense

The MSP takes into account the spatial needs of national defense. The creation of new areas shall be carried out in accordance with the procedure laid down by law and with the guidelines laid down in the MSP.

Mineral resources

No new mineral deposits are planned with maritime planning, but it is important to ensure that existing mineral resources remain minable. The designation of new mining assignments or deposits under the terms of the planning shall not be deemed to be a modification of the maritime plan.

Dumping

No new dumping areas are planned with the maritime plan. Priority shall be given to the use of existing dumping areas. The designation of new dumping areas shall not be considered as a modification of the maritime plan provided that the conditions laid down in the maritime plan are complied with.

Permanent Connections

In the field of transport infrastructure, a national designated spatial plan and a strategic environmental impact assessment have been initiated for the planning of the permanent connection of the Suur Strait (tunnel or bridge) and designing the infrastructure needed for its operation . The planning of the Tallinn-Helsinki railway tunnel in close cooperation with the Finnish state is likely to be the second major development project in the next decade.

Permanent connections are planned with separate and more precise plans at the state level by the decision of the Government of the Republic. In the case of connections with a neighboring country, such plans are drawn up on the basis of intergovernmental agreements.

Land-sea interactions

Most marine area activities are functionally or spatially related to land. Therefore, it is important to have a substantive link between marine and land-based planning and the integration of development documents.

4.1.8. Regulations

The memorandum provides guidelines and conditions for the future use of the marine area. The memorandum provides general principles for the development of combined use in the Estonian marine area. The spatial data of the MSP is reflected in the map application available on the website of the Ministry of Finance .

4.1.9. Adoption

Estonian Maritime Spatial Plan was approved by the Government on May 12th 2022.

4.1.10 SEA

A complete SEA for the MSP was elaborated including national and transnational consultations with stakeholders. Extended Impact Assessment - not a traditional, only natural environment-centered approach. MSP impact assessment process was integrated the SEA with the assessment of the social (including health), cultural, and economic impacts.

A Natura 2000 assessment, including an appropriate assessment to avoid adverse effects on the conservation objectives of the network sites, was carried out in the strategic environmental assessment of the Estonian Maritime Spatial Plan, with the participation of experts with relevant expertise. Natura 2000 network sites located in the Estonian Maritime Spatial Planning area, located either entirely or partly within the marine area. All environmental protection principles, including the avoidance and precautionary principle, were applied in the development of the Estonian Maritime Spatial Plan and in the impact assessment, which already at the strategic level excluded overlaps with Natura 2000 network sites (including nationally protected marine protection areas for natural objects, overlapping Natura 2000 sites within the same boundaries) for new marine uses such as wind energy development areas and fish farms.

4.1.11 Public participation

The Estonian Maritime Spatial Plan was prepared through three public displays, followed by public discussions: at the stage of the initial positions, at the draft stage and additionally at the main solution stage. In addition, the planning was disseminated to the public on the website of the Ministry of Finance. In the course of the procedure of the Estonian Maritime Spatial Plan, the material has been coordinated with all the relevant ministries and authorities, and interested parties (e.g. professional associations, developers, persons who expressed their wish

to participate in the procedure, etc.) and the above-mentioned authorities have been consulted. All relevant and up-to-date material (including background information) related to the Estonian Maritime Spatial Plan has been disseminated throughout the process on the website of the Ministry of Finance as well as on the Maritime Portal. In addition, during the drafting of the Estonian Maritime Spatial Plan, the solution has been presented several times to the Environment and Economic Affairs Committees of the parliament of Estonia (Riigikogu), to all local authorities with maritime borders, at various seminars and sectoral conferences.

4.1.12 Transboundary consultation

A formal cross-border Strategic Environmental Assessment was also carried out as part of the impact assessment and the preparation of the Estonian Maritime Spatial Plan, in line with the recommendations of the Baltic Sea Region. The cross-border process was carried out by the Ministry of Environment in cooperation with the Ministry of Finance. All Baltic Sea Region countries were given the opportunity to participate in the process. Suggestions made during the cross-border SEA process were taken into account in the development of the materials.

4.1.13 Harmonisation with other plans

The Estonian Maritime Spatial Plan has been prepared taking into account a number of strategies and development plans, including the "Development Plan for Agriculture and Fisheries 2030", "Estonia 2035", "General Principles of Climate Policy until 2050" , "Energy Roadmap until 2030", the Baltic Sea Strategy, the Marine Strategy Framework Directive and others.

4.1.14 Monitoring

According to the Planning Act, Ministry of Finance is obliged to review the national spatial plan together with county-wide spatial plans at least once every five years and to presents an overview of the findings of the review to the Government of the Republic within six months following its completion.

4.1.15 Electronic resources

MSP is available in English on the website of Ministry of Finance <https://www.fin.ee/en/MSP> .

MSP data is observable from portal <http://mereala.hendrikson.ee/kaardirakendus-en.html> and <https://basemaps.helcom.fi/> .

4.2. Hiiu island 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 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 around Hiiu island (marine areas around Hiiu County)
- Size of the area: 3786,3 km².

4.2.4. 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.

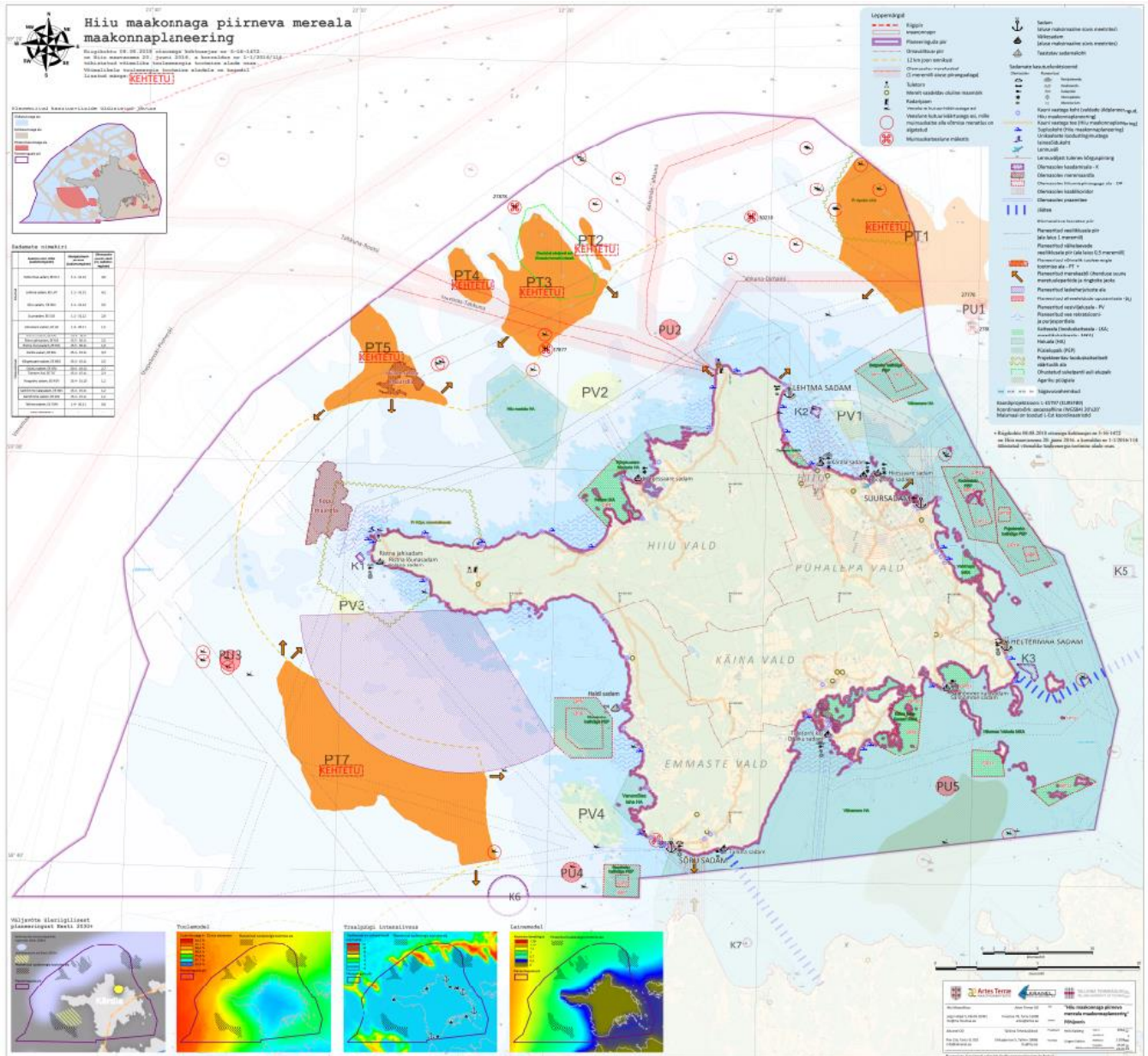
In 2012 the actual planning process started. In July 2016 the plan was adopted³. The planning proposal has been developed in close cooperation with different national authorities (ministries etc), stakeholders (energy sector, fisheries etc) and local communities (local governments).

4.2.5. 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, 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.

³ 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.

4.2.6. Map



The adopted plan, July 2016 (Offshore wind energy theme in Hiiu MSP is abolished by the National Court of Estonia on August 8th 2018).

4.2.7. 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

4.2.8. 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 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.

4.2.10. 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.

4.2.11. 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, 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.

4.2.12. Transboundary consultation

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

4.2.13. 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.

4.2.14. 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.

4.2.15. Electronic resources

All documents are available at <https://maakonnaplaneering.ee/maakonna-planeeringud/hiiumaa/hiiu-mereala-maakonnaplaneering/>

MSP data is observable from portal <http://mereala.hendrikson.ee/kaadirakendus-en.html> and <https://basemaps.helcom.fi/>.

4.3. Pärnu Bay area maritime spatial plan

4.3.1. Legal basis

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

4.3.2. 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.

4.3.3. 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.

4.3.4. 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

4.3.7. 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

4.3.8. 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.

4.3.9. Adoption

The plan was adopted in April 2017.

4.3.10. SEA

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

4.3.11. 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.

4.3.12. 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.

4.3.13. 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.

4.3.14. 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.

4.3.15. Electronic resources

All documents are available at <https://maakonnaplaneering.ee/maakonna-planeeringud/parnumaa/parnu-mereala-maakonnaplaneering/>

MSP data is observable from portal <http://mereala.hendrikson.ee/kaardirakendus-en.html> and <https://basemaps.helcom.fi/>.

5. What countries want to share

N/A

6. New developments / current status

The Plan is adopted and in action.

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. Most of the HELCOM MPAs in Estonian marine areas overlap with Natura 2000 areas, so Natura 2000 impact assessment rules was also applied.