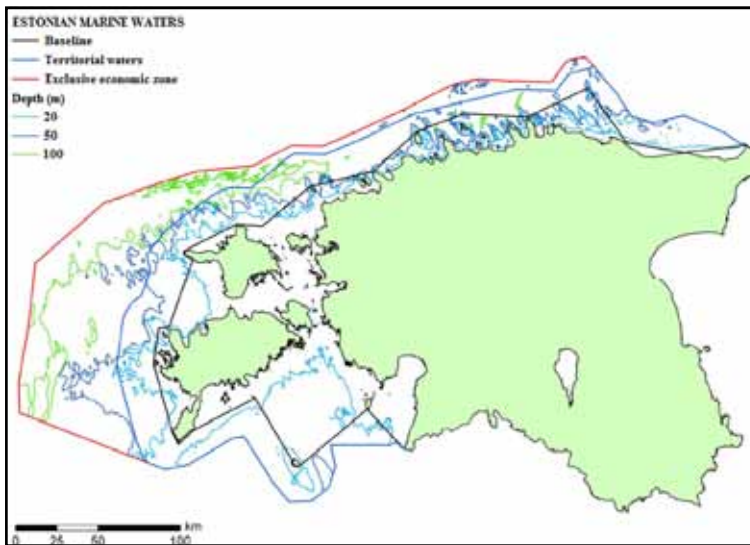




Maritime Spatial Planning in Estonia

Estonian Marine Waters



Estonian marine waters

- Territorial sea (12-nm zone) and marine internal waters: approximately 25 200 km²
- Exclusive Economic Zone: about 11 300 km²
- Disputed area: EEZ between Estonia and Russia

Governance of the Sea Space

According to the Water Act of Estonia, public bodies of water, including the territorial sea and internal waters, belong to the state. Currently, there is not only one ministry responsible for managing the sea space but several:

- The Ministry of Economic Affairs and Communication gives out permits for building in public bodies of water (e.g. permits for offshore wind parks) and manages transportation (e.g. shipping lanes, ports).
- The Ministry of Environment manages protected areas, including Natura 2000 sites.
- The Ministry of Agriculture manages and organises fishing.
- The Ministry of Defence organises defence activities and uses sea space for military purposes.
- The Ministry of Culture manages cultural heritage.
- The Ministry of the Interior is in charge of coordinating spatial planning, including maritime spatial planning.
- Local governments can plan maritime areas bordering with their territory, in case of planning a development that is permanently connected to the shore.

On August 2nd 2012, the Estonian Government adopted the “Estonian Marine Policy 2011-2020”. One of its objectives is to plan Estonian marine areas and solve existing conflicts by 2020.

Use of the Sea Space

- Current uses: shipping, fishing, ports, cables, gravel and sand extraction, national defence, recreation.
- The density of sea use on Estonian marine areas is relatively high, but varies depending on the region. Not all marine areas are equally used. Growing interest for building offshore wind farms has emerged in the past few years. Offshore energy has also been the main driving force behind maritime spatial planning in Estonia.
- The main conflicts have emerged between new sea uses like offshore wind energy and more traditional sea uses like fishing or shipping.

Maritime Spatial Planning Legislation

The main legal act regulating maritime spatial planning is the Estonian Planning Act. The Planning Act regulates spatial planning of the sea and other water areas on different planning levels:

- National spatial plan: Defines principles that apply for the entire territory of Estonia and creates spatial connections with the rest of Europe.
- County plan: Main level for dealing with marine areas, sets general principles for sea use.
- Local level planning: Local governments can plan maritime areas bordering with their territory, in case of planning a development that is permanently connected to the shore.
- Other relevant legal acts concerned with maritime spatial planning are the Water Act and the Environmental Impact Assessment and Environmental Management Act.
- Since February 2010 the Water Act regulates building in public water bodies through a building permit. The process of giving out a building permit cannot be initiated if a county plan has been initiated on the specific sea uses.
- The Environmental Impact Assessment and Environmental Management Act regulates impact assessments necessary for spatial plans, including cross-border environmental impact assessments.
- The main drawback of the current law is the fact that there is not one competent authority for managing the use of marine areas. Every ministry manages a small proportion, one topic of sea use management.
- Maritime spatial planning is not thoroughly regulated either. Currently, maritime spatial planning in Estonia is derived from land-based spatial planning, not keeping in mind that land and sea have different legal backgrounds.

Maritime Spatial Plans

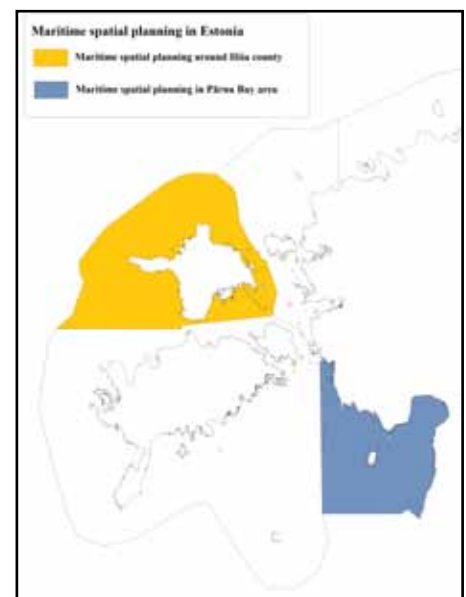
- On October 11th 2012, the Government of Estonia initiated maritime spatial plans on two marine areas in Estonia: the marine areas around Hiiumaa island and those around Pärnu Bay, both territorial waters.
- Two maritime plans initiated in 2012 are county level plans, administered by county governors. The main purpose of both plans is to plan the long-term use of the sea through a public process, taking into account the different economic, social, cultural and environmental interests and needs. The plans are prepared in accordance with the Estonian Planning Act. The plans should be adopted in 2016. Both planning areas are partly covered by the BaltSeaPlan Project (2009-2011) which covered stock-taking, conflict analysis and identification of future uses, but did not have any legal consequences.

Maritime Spatial Planning and Environmental Protection

- Establishment of marine protected areas is regulated through the Estonian Nature Conservation Act and is not done through the process of spatial planning.
- Marine protected areas are taken into account as restrictions on certain marine areas.
- A compulsory SEA is conducted for maritime spatial plans as regulated by the Estonian Environmental Impact Assessment and Environmental Management System Act.

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Maritime spatial planning in Estonian territorial waters