REPUBLIC OF ESTONIA
MINISTRY OF CLIMATE

Application of enforcement mechanisms for meeting water management objectives in Estonia

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Talking points:

- Introduction
- Role of River Basin Management Plans
- Catchment Coordination
- Permitting System
- Environmental Supervision
- „Polluter Pays“ Principle
- Incentives

Who owns Estonia waters?

Registred (EELIS):

- 2874 lakes and artificial lakes
- 1772 rivers, creeks, main ditches, canals
- Costal Water
- Territorial Sea
- Groundwater

River Basin Management Units:

- 93 lake WB
- 635 riverine WB
- 16 Costal WB
- Territorial Sea
- 31GWB

Ownership:

- Public WB; territorial sea, costal waters, 5 lake WB; 5 river WB
- WB in public use: 664 lakes, 207 dam lakes, 501 creecs and rivers
- Privately ownd WB: the rest, exept GWB

"Public use of a water body" includes swimming, water sports, movement on water and ice, fishing, water abstraction, and other uses that do not constitute special use of water (Environmental Code Act, KeÜS § 37)

Who owns Estonia waters?

Public water Bodies:

- List in Water Act §23
- Belong to state, are not subject to civil turnover
- Are in public use

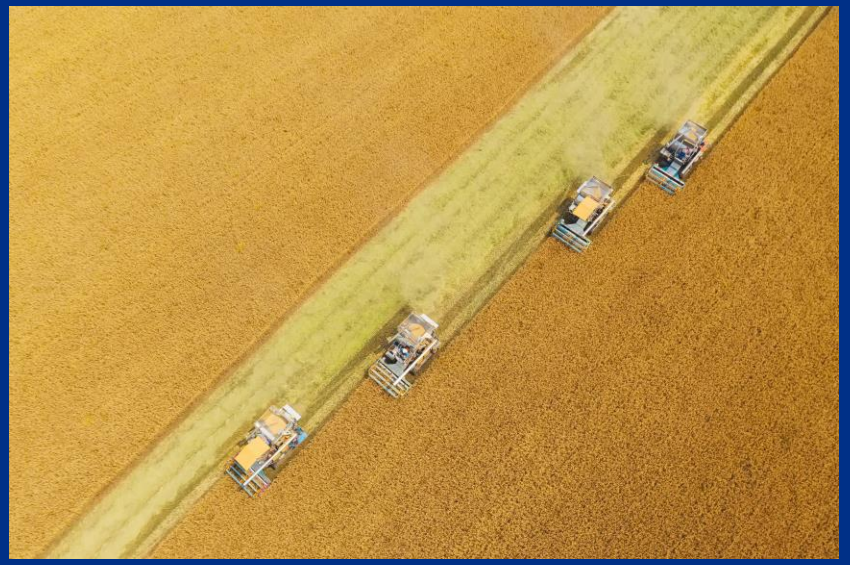
Water bodies in public use:

- Water Act §24
- List of water bodies is approved by Government Order No. 426 (09.12.2021)
- State or privately owned but are in public use

Privately owned water bodies:

- Law of Property Act §131
- Water body belongs to land owner or owners
- Groundwater is not part of real property (LPA§134)
- Groundwater is Public Natural Resource

General Principles of Water Protection



Regulated with:

- General Part of the Environmental Code Act (KeÜS)
- Water Act (VeeS)
- Nature Conservation Act (LKS)

- Environmental liability applies to everyone (Constitution §53)
- Prevention of pollution and depletion of water (Water Act §116)
- Obligations to prevent harmful effect of water (Water Act § 117)
- Does not distinguish between private person and legal entity!
- Water protection is regulated by the type of activity and the applicable thresholds
- Responsibilities are tied to operator of the entity/land user (KeÜS)

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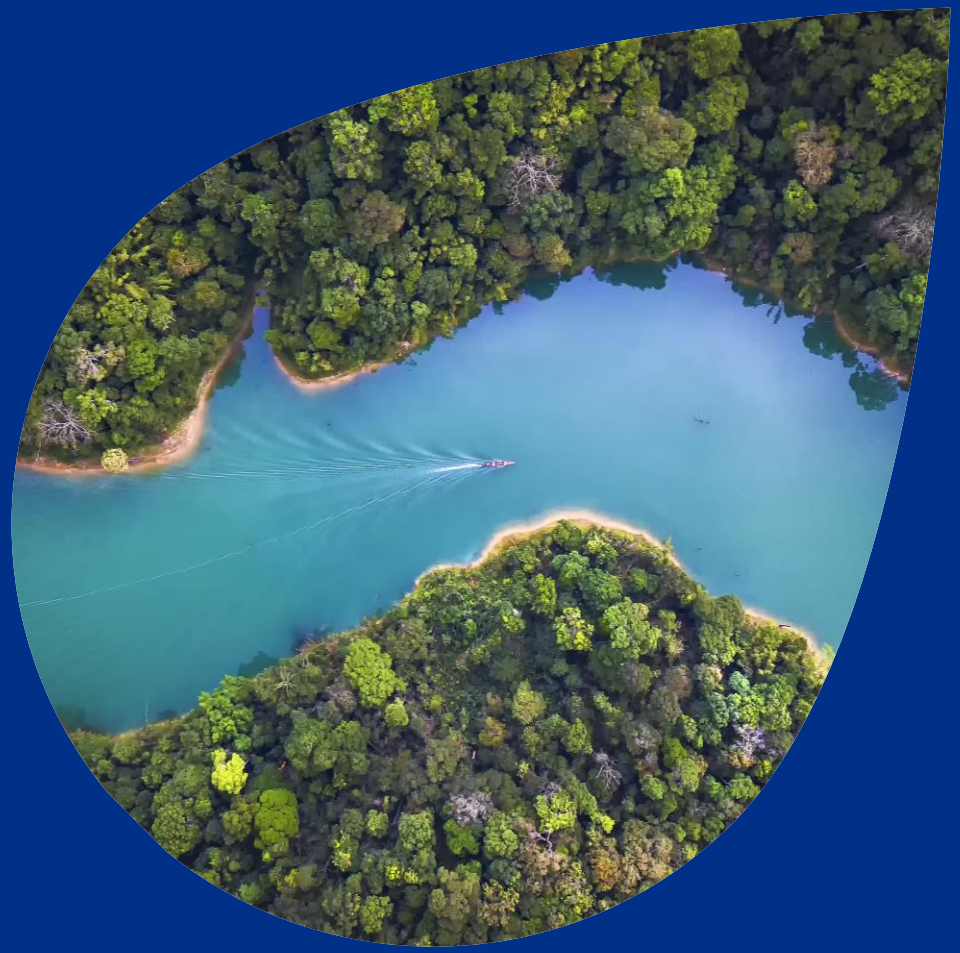
River Basin Management Plan

- Catchment, action and object based measures for:
  - Permitting
  - Supervision
  - Coordination and awareness raising
- Bases of work planning for Environment Board
- Yearly priorities of Ministry of Climate

River Basin Management Plan



Catchment coordinators system:

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Permits:

- GWB: abstraction permits
- SWB: WWTP, dams, mining+forbbiding further actions on WB or its Catchment

Supervision:

- GWB: agriculture, water abstraction
- SWB: agriculture incl plant protection, dams, WWTP, water protection zone, sanitary protection zone, drinking water intake supply area and maintenance area

Permitting system

Water Act

§ 186: The right to the special use of water is based on a water permit and an integrated permit.

§187: list of activities that require permit

§188: list of activities that does not require permit

Rewiew of permits:

- in 1-3 year cycles for integrated environmental permits
- For others risk assessment (risk and impact)+monitoring data+PoM+Ministry priority
- Annual Report on Water Use

Registration, Consent and Notice

Water Act

§196 Activities Involving Risk to Aquatic Environment need Registration (like mini-permit)

§ 121 Layers of trees and shrubs may be cut in the water protection zone of the water bodies with the consent of the Environmental Board

§ 165 It is permitted to keep deep litter manure in stacks for up to eight months, if its quantity does not exceed the quantity of use of one vegetation period, and the Environmental Board must be notified about the location of the stack by submitting a notice via the environmental decisions information system before starting to set up a stack

- **KOTKAS** (Information System for Environmental Decisions) - permits,registrations, consents, notices, environmental charge declarations, statistical annual reports on environmental use and self-monitoring information

Supervision

Supervision levels

- Local municipality
- State authorities

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Supervision on municipality level

- Local Municipality ⟶ Municipality regulations
  - On-Site Wastewater Treatment Regulation
  - Public Order and Maintenance Regulation
  - Planning and Construction
  - Urban waste water treatment

Source: MINWA project

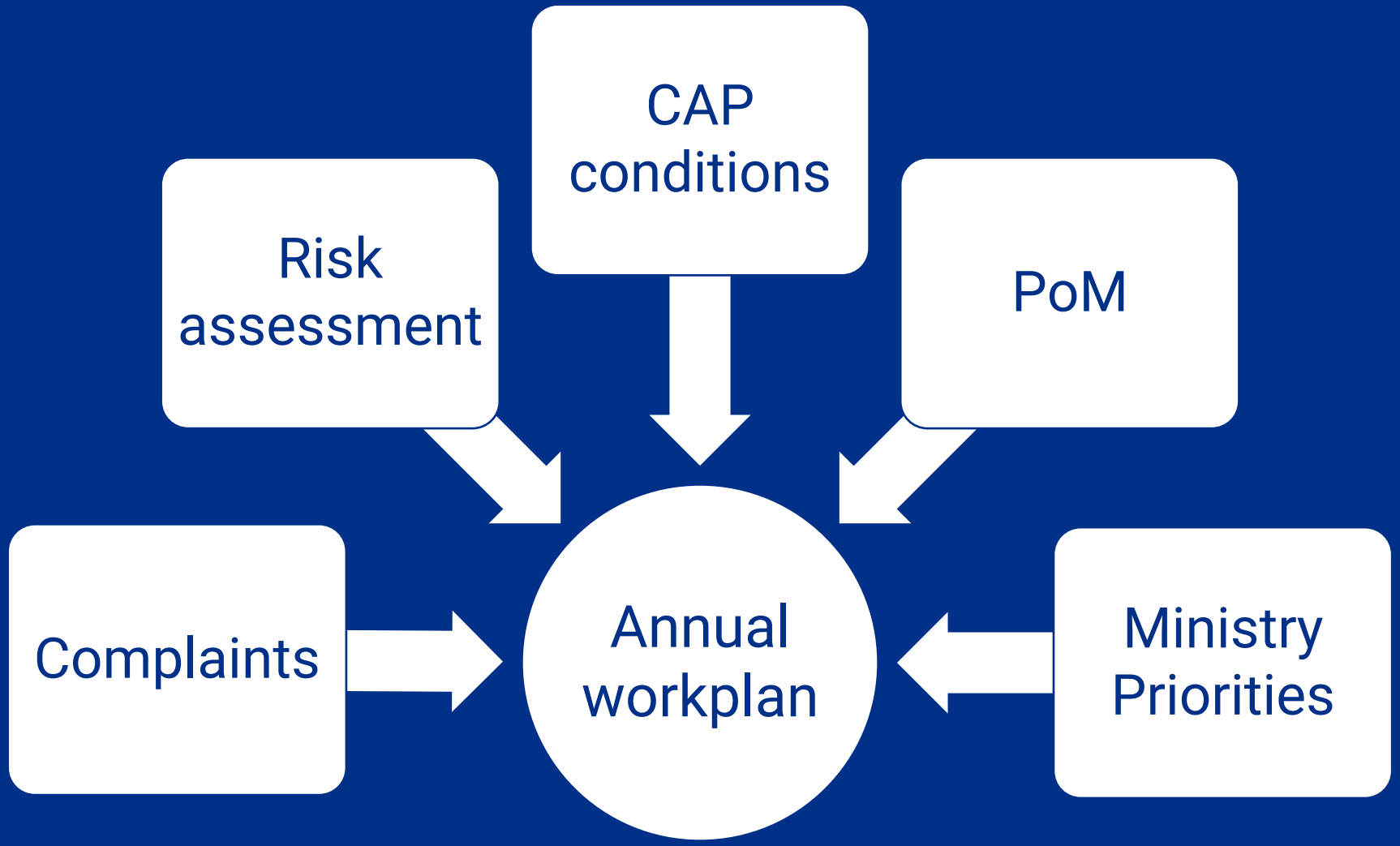
State level supervision

- Land and Spatial Development Board
  - Land Improvement Act
  - Construction and maintenance of dreinage systems
- Agriculture and Food Board
  - Plant Protection Act
  - Use of Plant Protection Products
- Health Board
  - Water Act
  - Drinking water
  - Natural Mineral water
  - Bathing water
  - Bathing area

State level supervision

- Environment Board
  - Water Act resrictions and obligations
  - Agriculture
  - Discharge of pollutants into water (WWT, storm water, mining, shale oil production, ships, sewage sludge, dredging and dumping,
  - Dams
  - Restrictions on use of shores and banks
    - limited management zone of the shore or bank
    - building exclusion zone of the shore or bank
    - water protection zone of the shore or bank

Supervision: Environment Board



Supervision: Environment Board

Source: www.keskkonnaamet.ee

A violation is an unlawful act!

- Violations are classified by severity into misdemeanrs and crimes

- If the violation causes **significant environmental damage** (in monetary terms over 4000 euros), the violation is classified as **an environmental crime**

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Supervision: Environment Board

Inspector is independent in their decisions

- Administrative proceedings (Water Act)
  - Compliance orde
- Misdemeanor proceedings (Water Act)
  - Verbal warning
  - Fast-track decision
  - Ordinary misdemeanor proceedings
  - Monetary fine (8 eur/fine-unit) + immediate termination of unlawful act
- Criminal proceedings
  - Collecting evidece: Site inspection, interrogation, wiretapping, assessment of environmental damage
  - Handing over prosecuter, offence proceeding in court (Code of Criminal Procedure)
  - Monetary fine or forced termination of activity or imprisonment (Penal Code §352-371)

Supervision statistics

2025 in water management 1397 inspections

- 931 no unlawful activity was identified
- 215 proceedings were not initiated, deficiencies were solved promptly
- 154 verbal warnings
- 81 misdemeanor proceedings
- 34 administrative proceedings

Source: www.keskkonnaamet.ee

Polluter Pays Principle

Environmental Charges Act §10

Water abstraction charge rates for the years 2016–2026

- Surface water: 1,64 eur/1000m^3 –38,34 eur/1000m^3
- Groundwater: 63,01eur/1000m^3 – 186,02 eur/1000m^3
- Natural mineral water: 230,08 eur/1000m^3 – 1755,59eur/1000m^3
- Mine water: 19,09 eur/1000m^3 – 66,83eur/1000m^3

No abstraction charge for: hydroenergy, irrigation in agriculture, aquaculture

Polluter Pays Principle

Environmental Charges Act §17 and §20

Pollution charge is imposed where the following is emitted into water bodies, groundwater or soil (2024-2027):

1) organic matter (1579-2101 eur/t)

2) phosphorous compounds (13816-21013 eur/t)

3) nitrogen compounds (3250-4943 eur/t)

4) suspended particles (609,56-672,04 eur/t)

5) sulphates (7,44-8,62 eur/t)

6) monophenols (27975-42546 eur/t)

7) oil, oil products, mineral oil or liquid products obtained from the thermal treatment of solid fuel or other organic matter (4811-5569 eur/t)

8) water which has a hydrogen ion exponent (pH) above 9.0 or below 6.0 (0,19 eur/m3)

9) other substances hazardous to the aquatic environment for the purposes of the Water Act (24214-36827 eur/t)

Exemptions: high level of stormwater

Analys of „Polluter Pays“ Principle in water sector

- map existing economic and regulatory instruments
- assess whether current instruments are sufficient, targeted and effective
- identify gaps where PPP is not yet adequately implemented
- review EU Member State practices and assess their suitability for the Estonian context
- deliver an improved PPP implementation model, including:
- recommendations to strengthen existing instruments;
- a package of new instruments
- proposals ready to be translated into legislative
- assessment of the use and governance of revenues collected through water resource and pollution charges
- roadmap for implementation

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Incentives

Substitution of pollution charge

- Environmental Charges Act §48-55
- 3 y; -15% pollution
- Pollution charge not paid, instead environment investment is made

Environment Investment Centre

- Water abstraction charge 14 Meur
- 11 programmes
  - **Water management (~4Meur/year)**
  - Fisheries
  - Marine environment
  - Nature protection
  - Awareness raising
  - Studytrips for schools and kindergardens

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Thank you!

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