


PROTECTED COASTAL AND MARINE AREAS

-  Areas of all categories (national or international) are demarcated with a line when larger than 5 000 hectares (50 km²)


National categories

IUCN
category


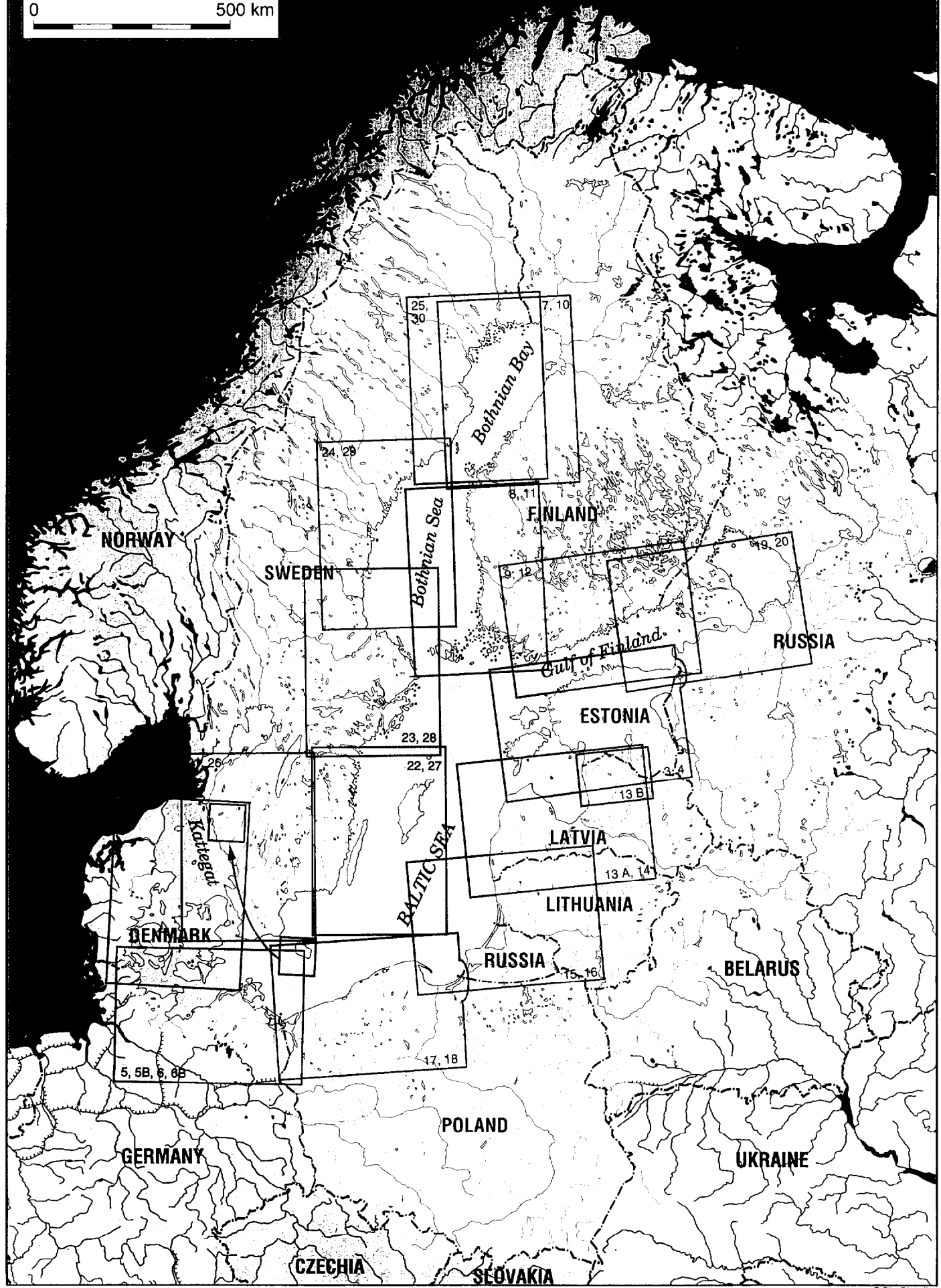
- I STRICT NATURE RESERVE
- II NATIONAL PARK
- ✕ III NATURAL MONUMENT
- IV NATURE RESERVE
 - bog reserves
 - botanical reserves
 - cranberry reserves
 - game reserves
 - nature conservation reserves
 - ornithological reserves
 - wildlife reserves
 - zoological reserves
- ▼ v LANDSCAPE RESERVE
 - complex nature reserves
 - landscape parks
 - major conservation areas
 - nature conservation areas
 - nature parks
 - regional parks

International categories

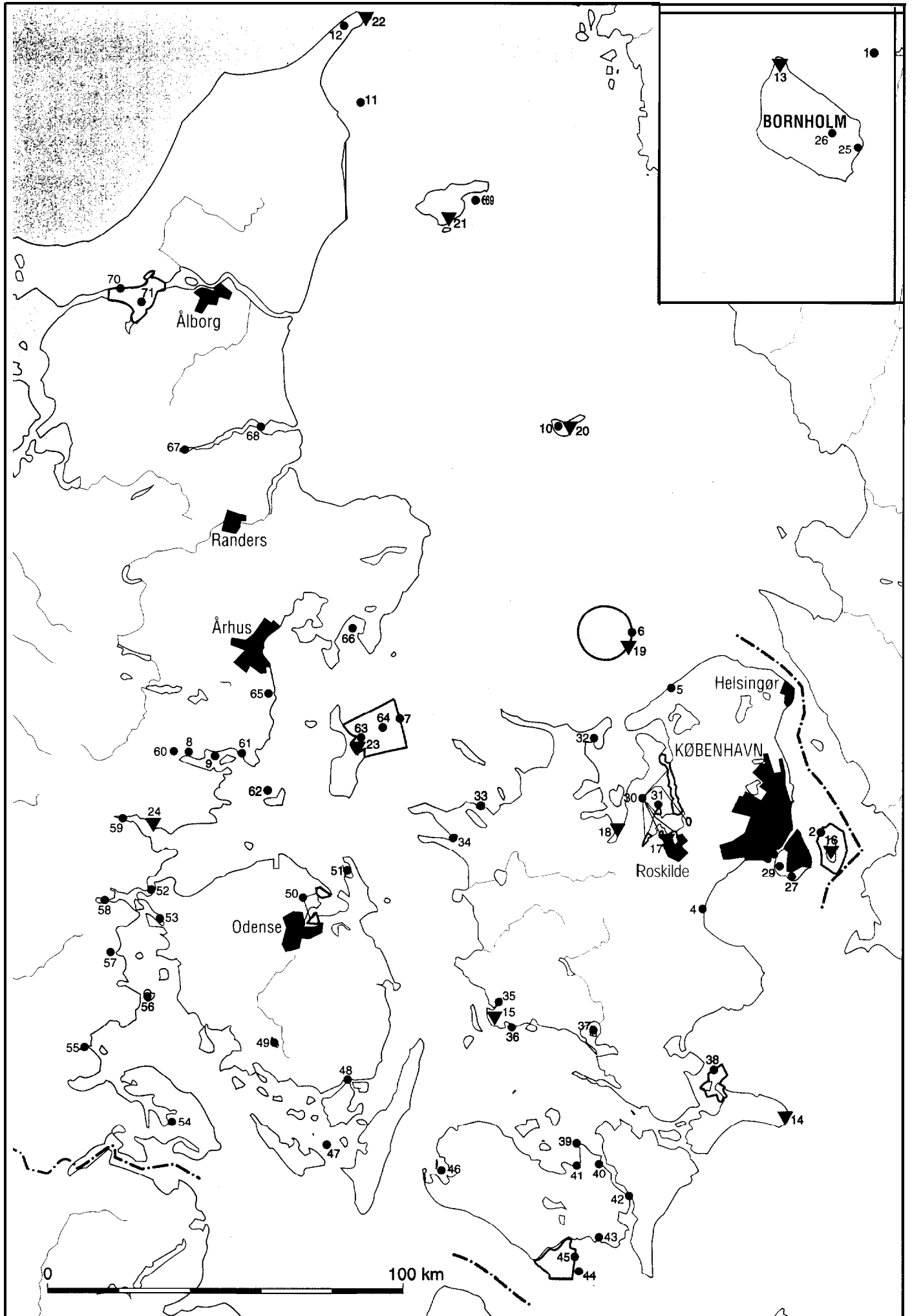
- 💧 RAMSAR SITE
- ★ BALTIC SEA PROTECTED AREA (BSPA)
- 0 EC BIRD DIRECTIVE AREA
(SPA; Special Protection Area)
- Ⓟ BIOSPHERE RESERVE


 Baltic Sea area
 and its
 drainage area

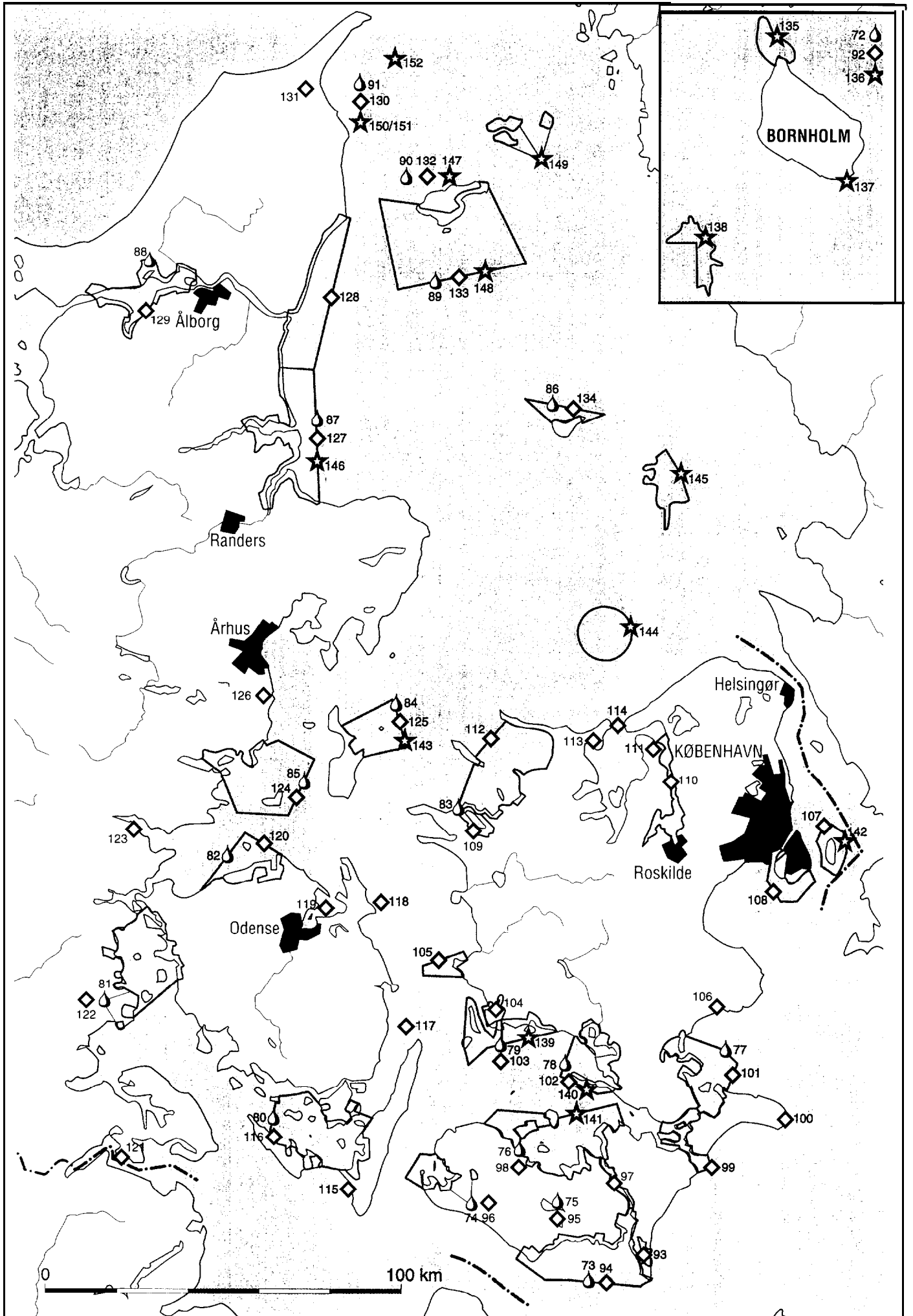
0 500 km

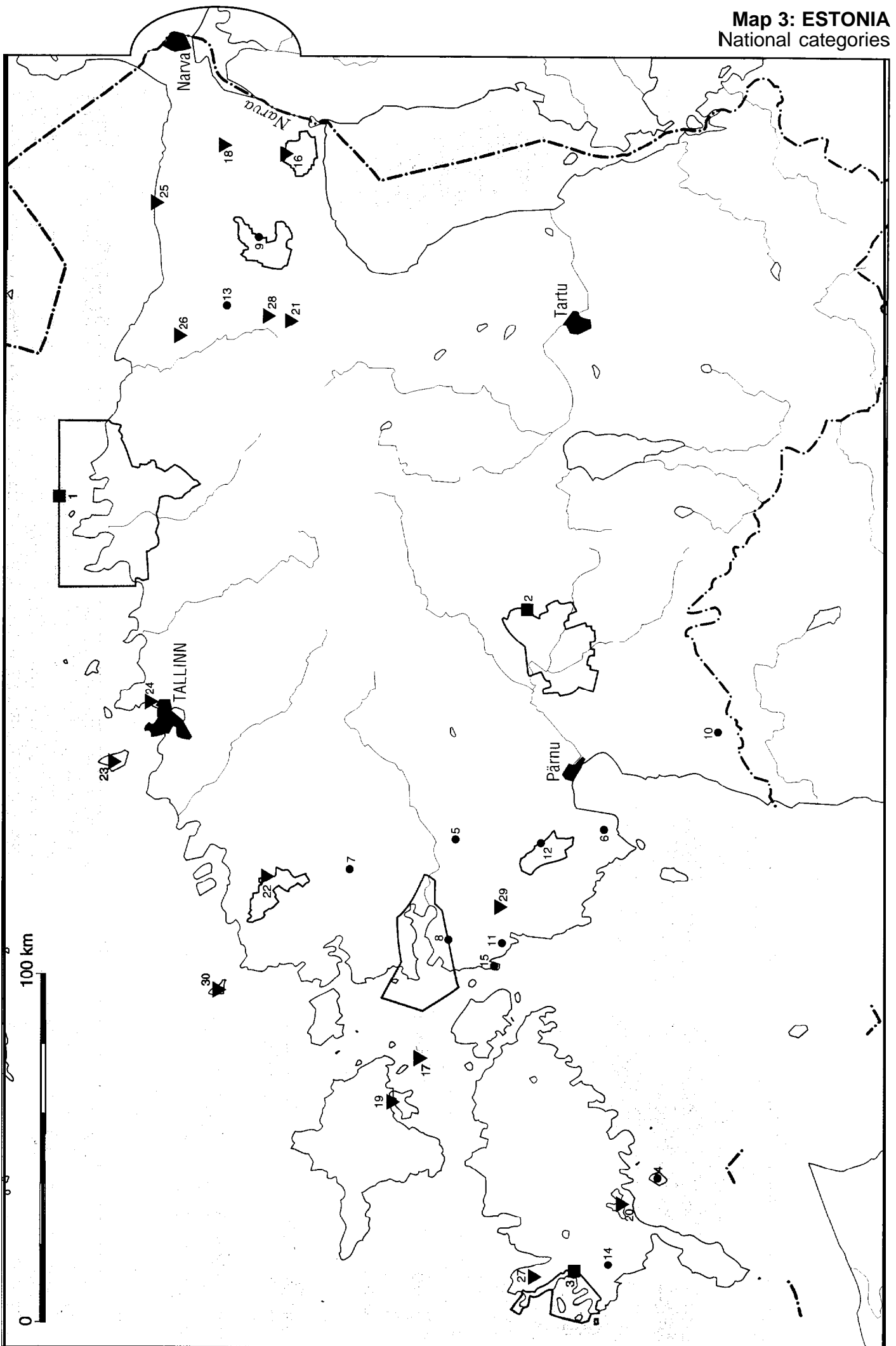
Map 1: DENMARK
National categories



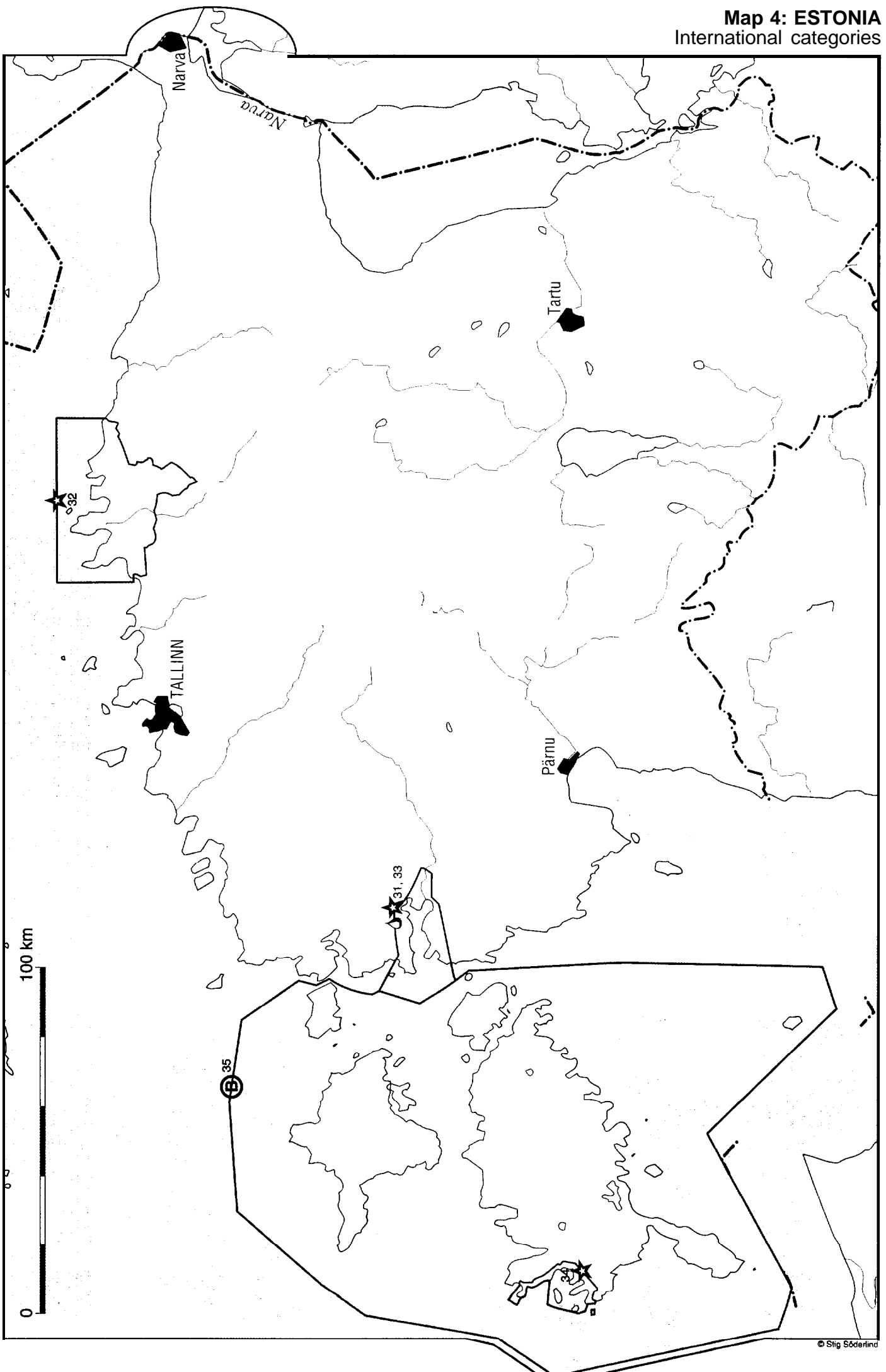
Map 2: DENMARK
International categories



Map 3: ESTONIA
National categories

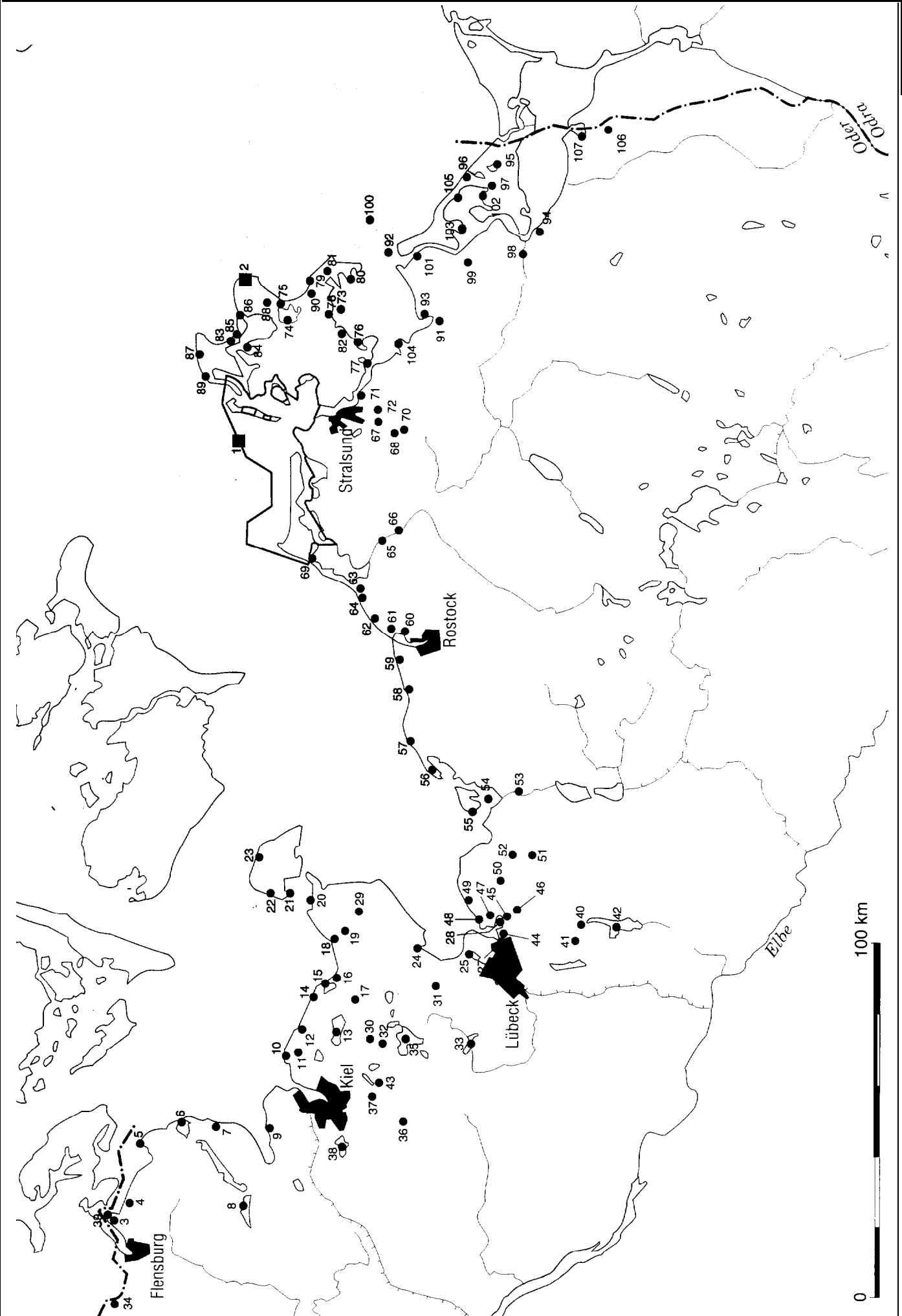


Map 4: ESTONIA
International categories

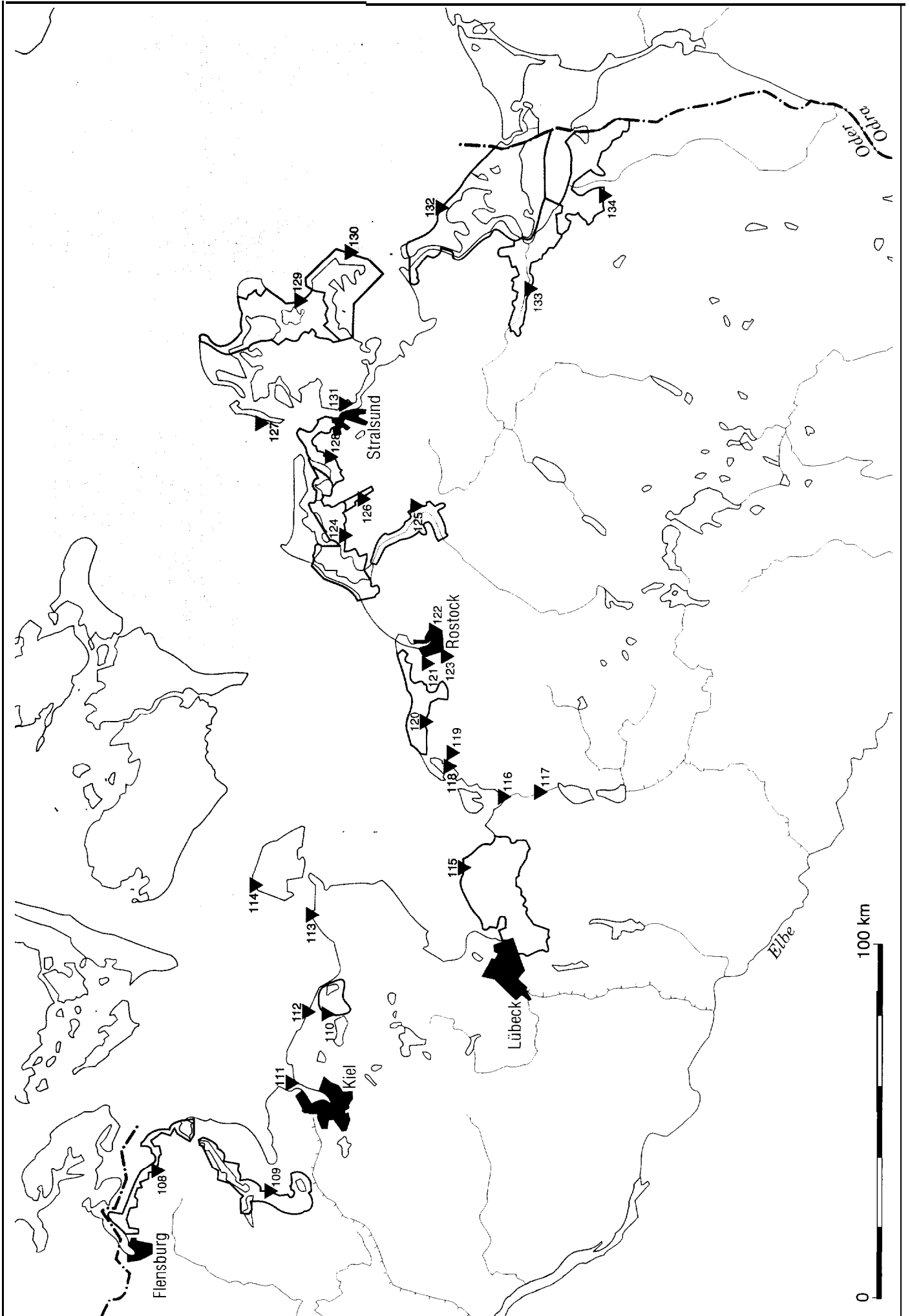


Map 5: FEDERAL REPUBLIC OF GERMANY

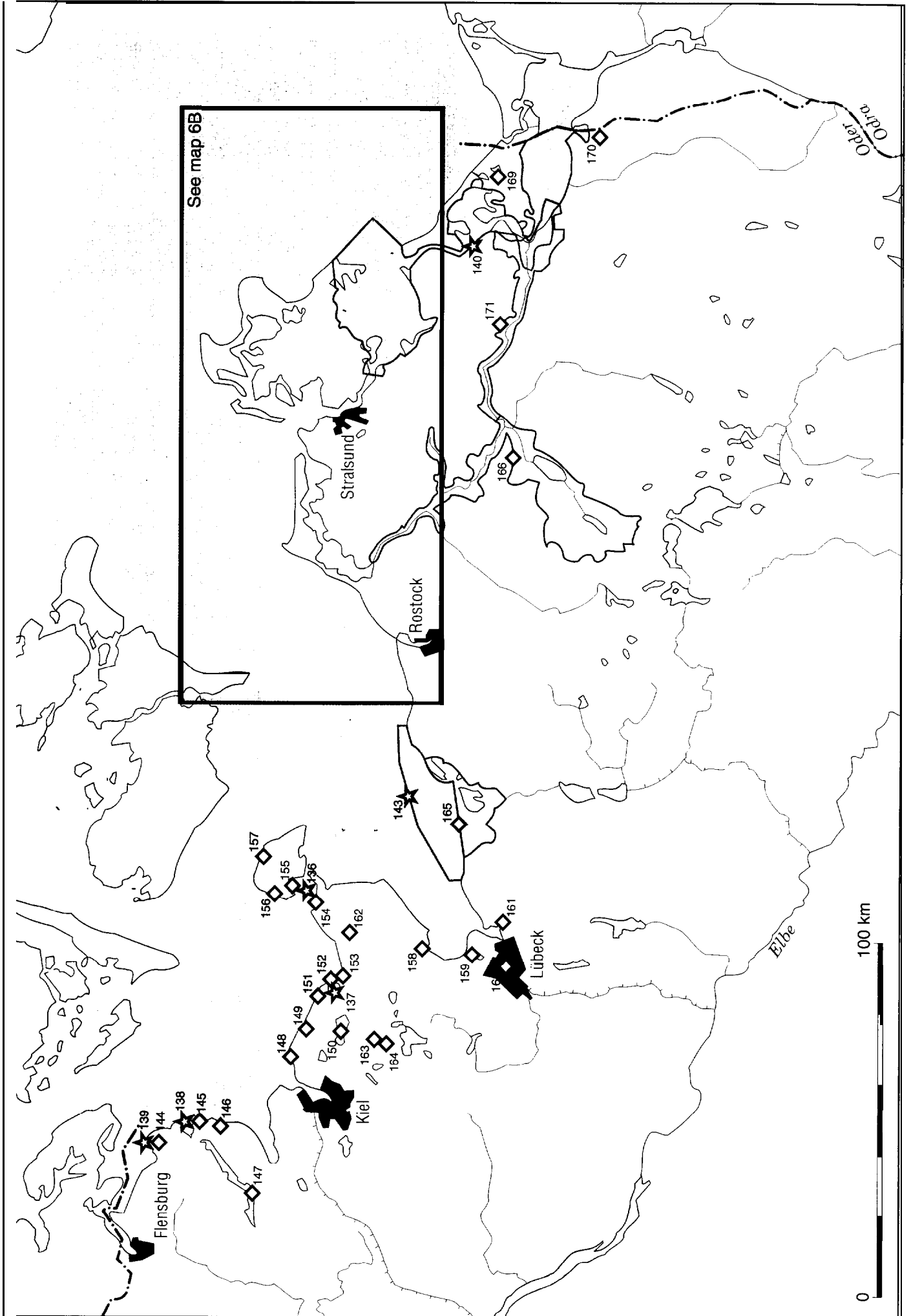
National categories



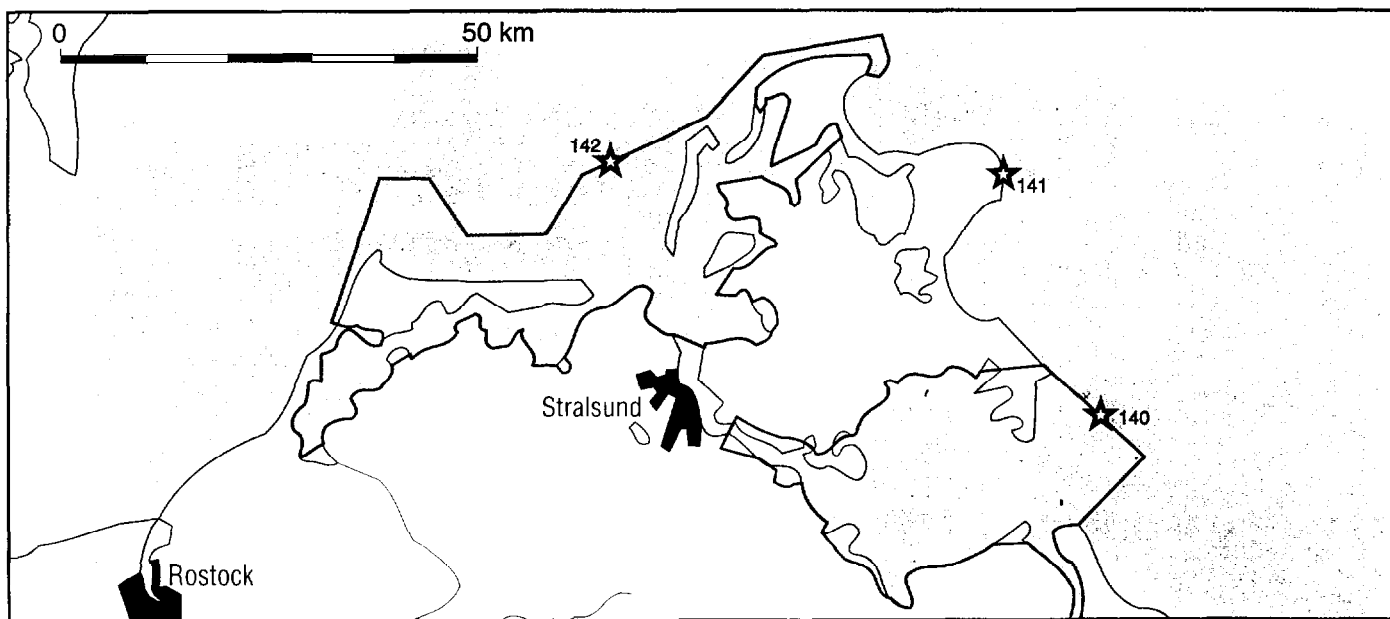
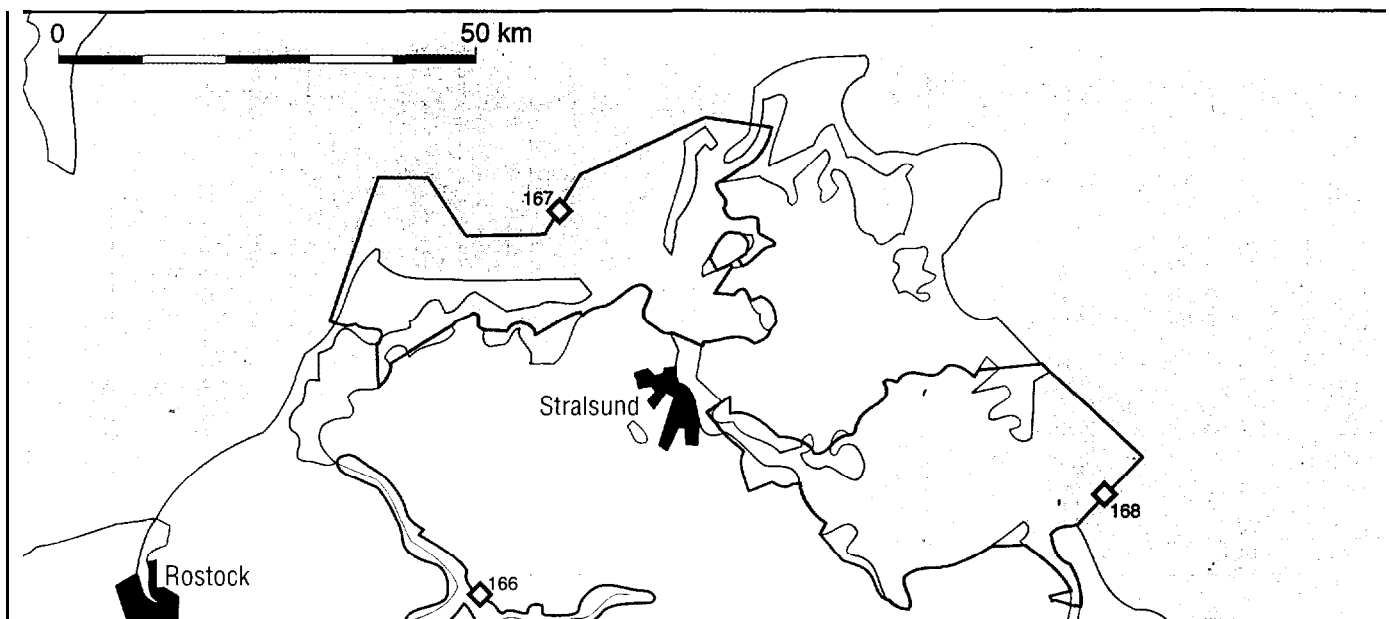
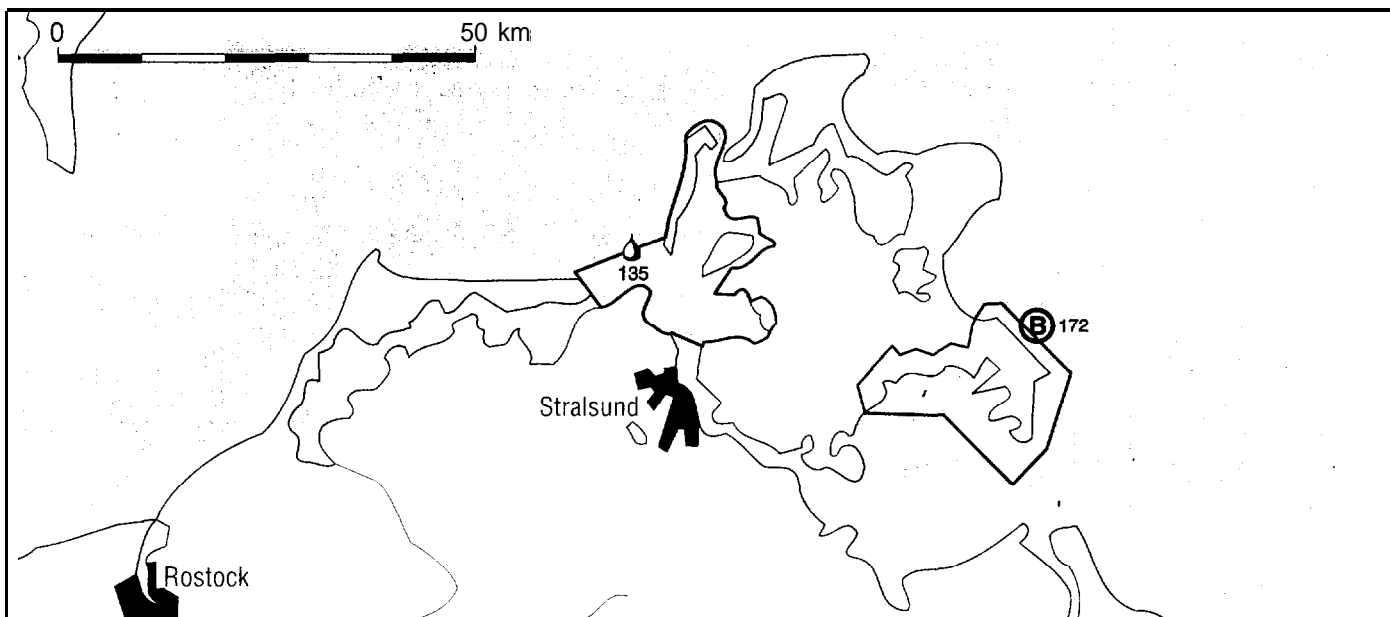
Map 5B: FEDERAL REPUBLIC OF GERMANY
National categories



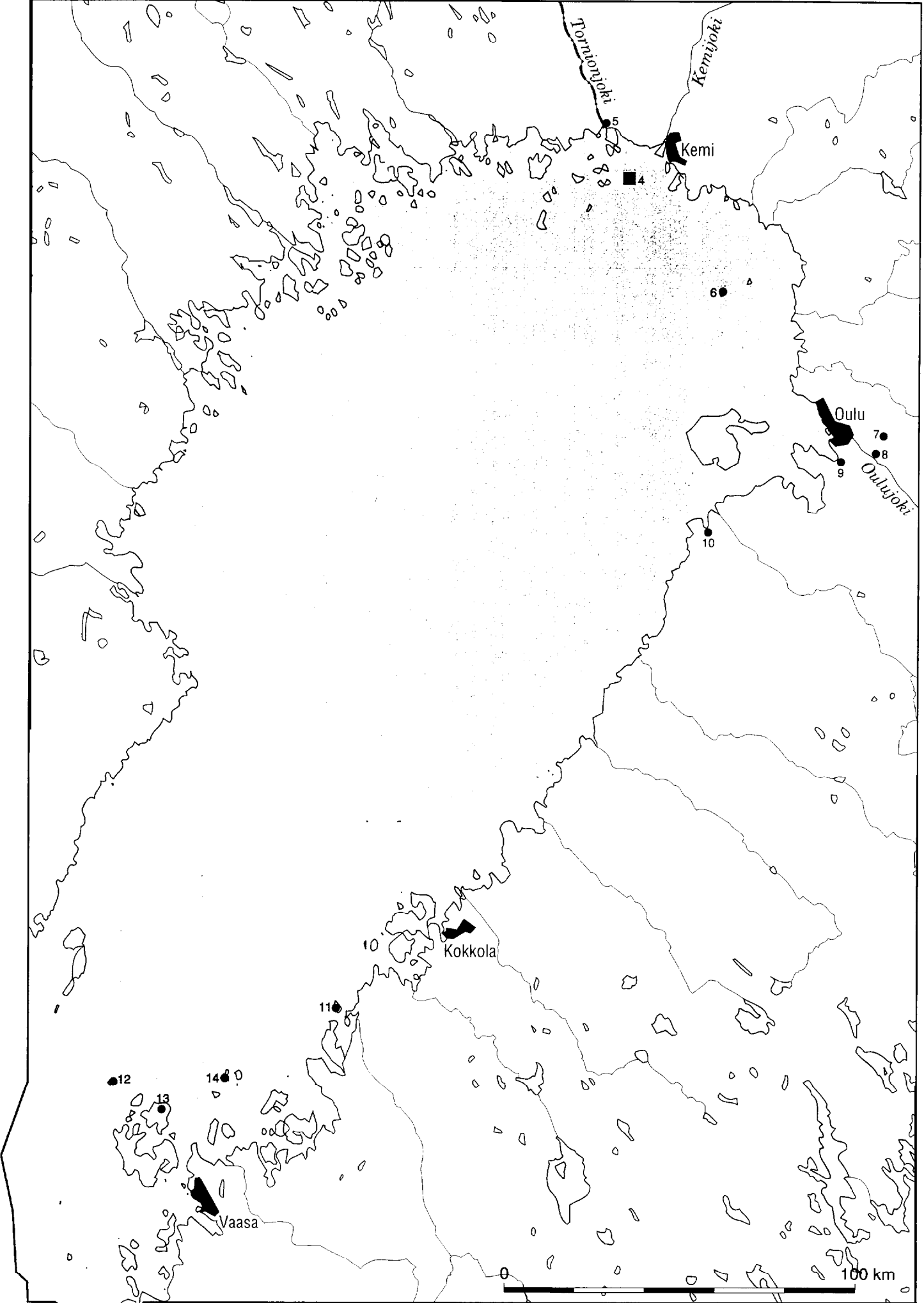
Map 6: FEDERAL REPUBLIC OF GERMANY
International categories



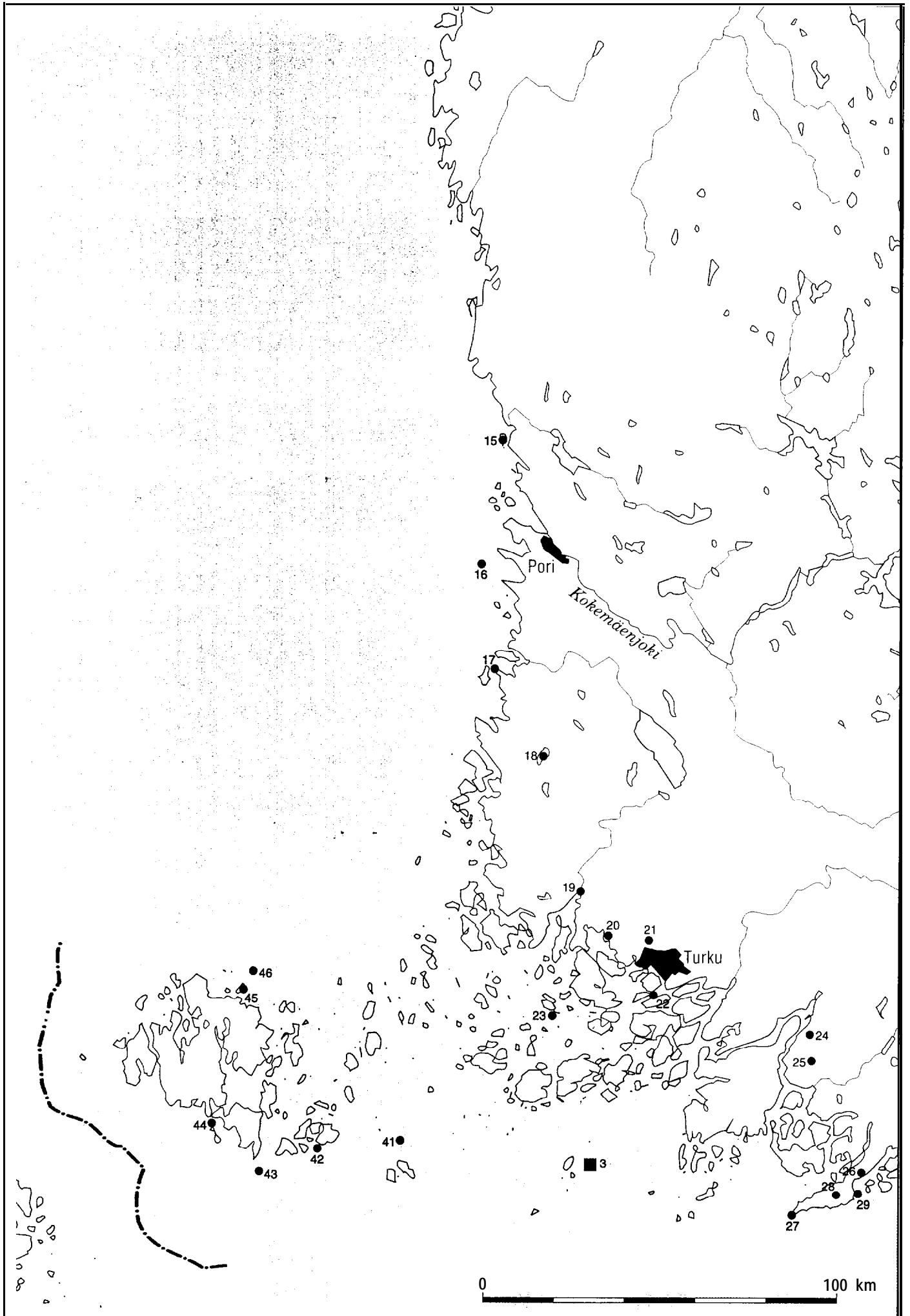
Map 6B: FEDERAL REPUBLIC OF GERMANY
International categories



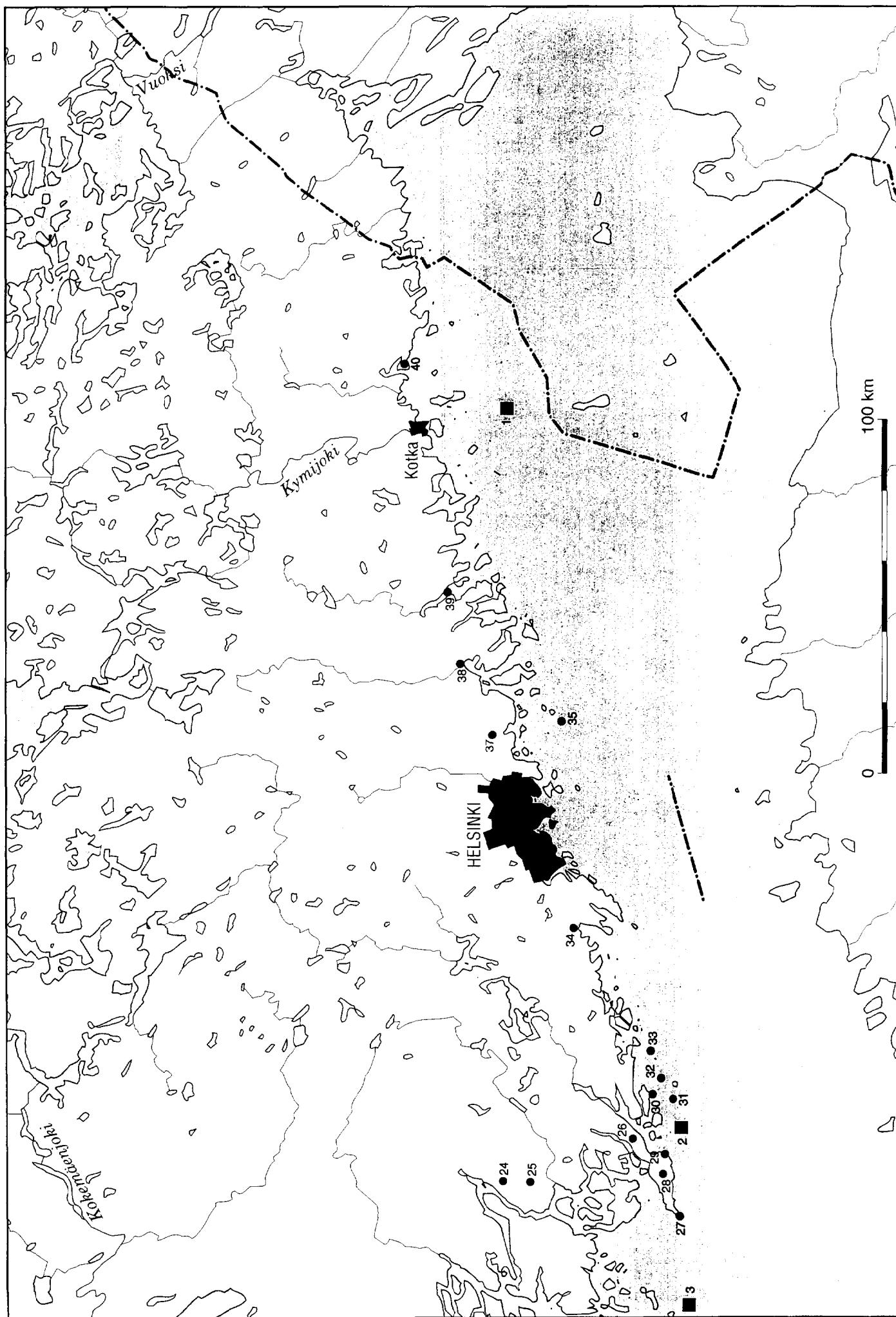
Map 7: FINLAND
National categories



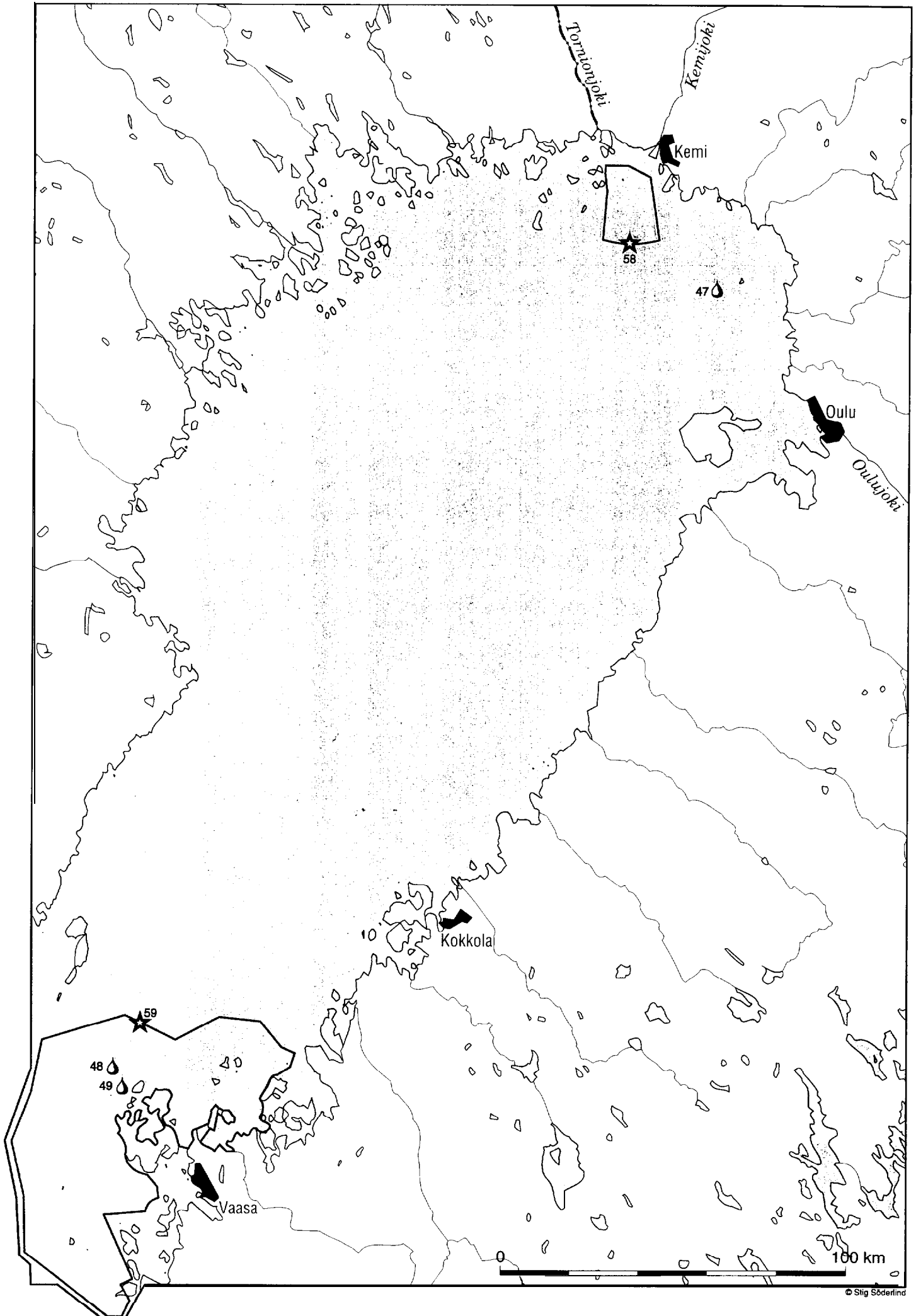
Map 8: FINLAND
National categories



Map 9: FINLAND
National categories



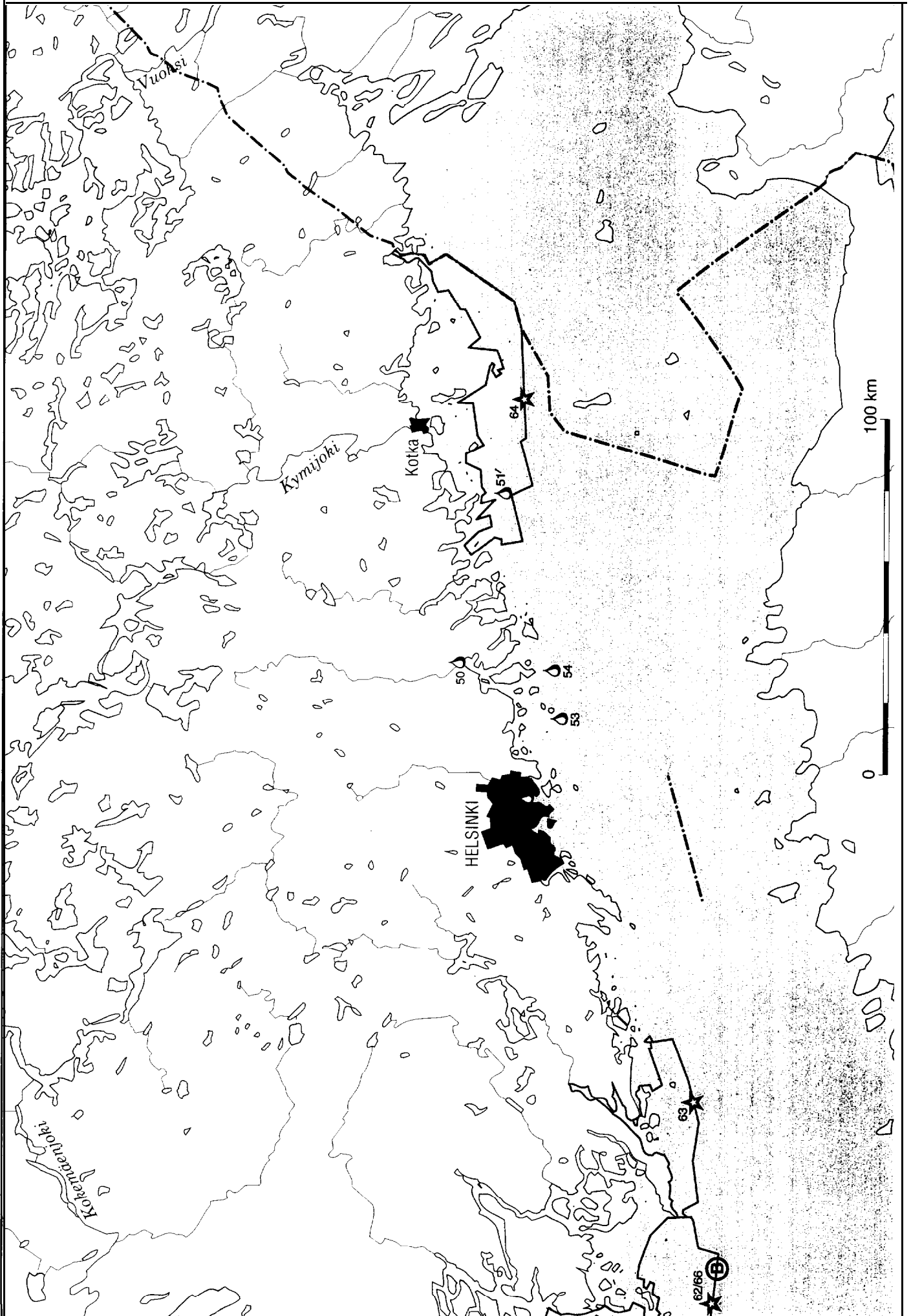
Map 10: FINLAND
International categories



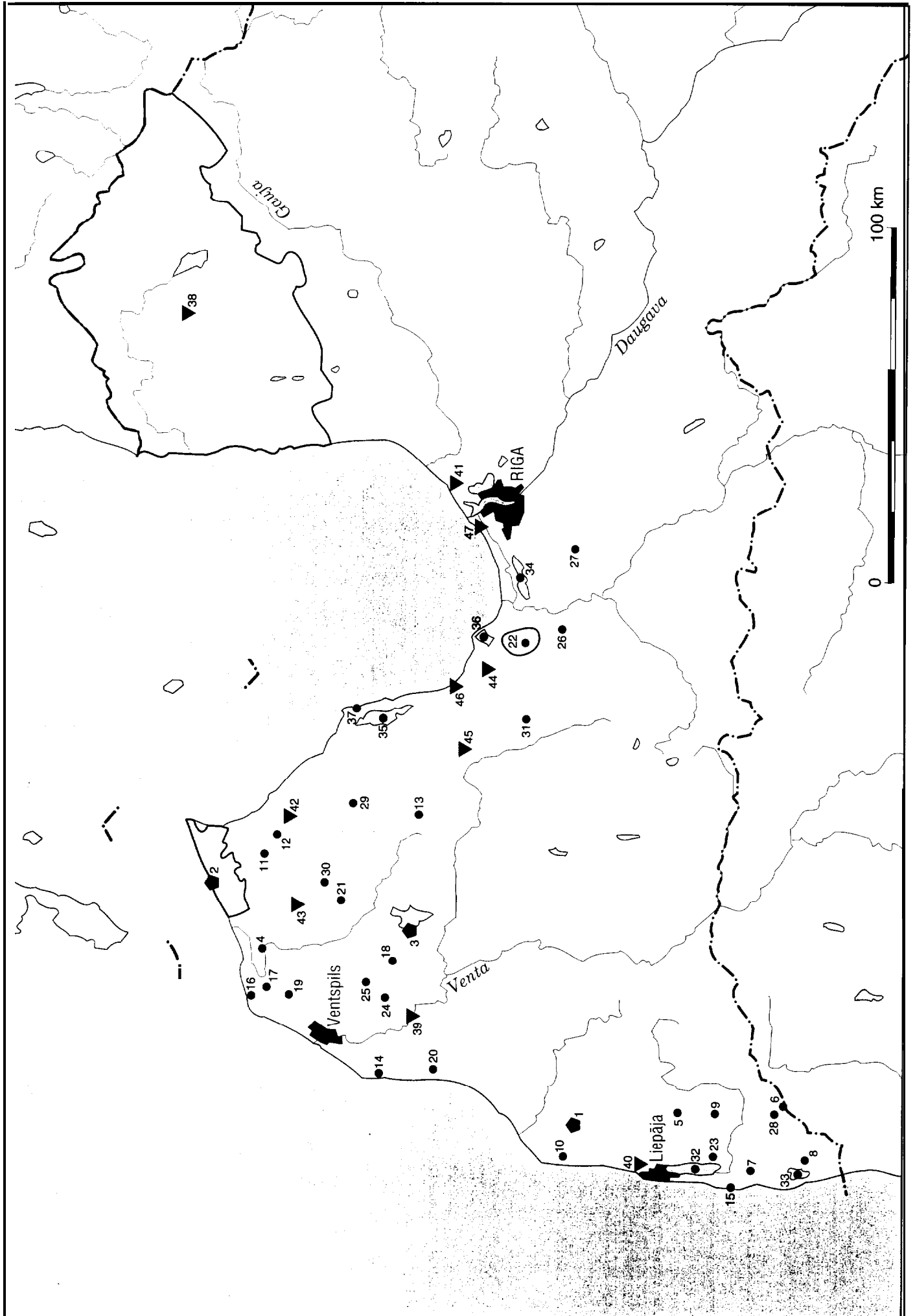
Map 11: FINLAND
international categories



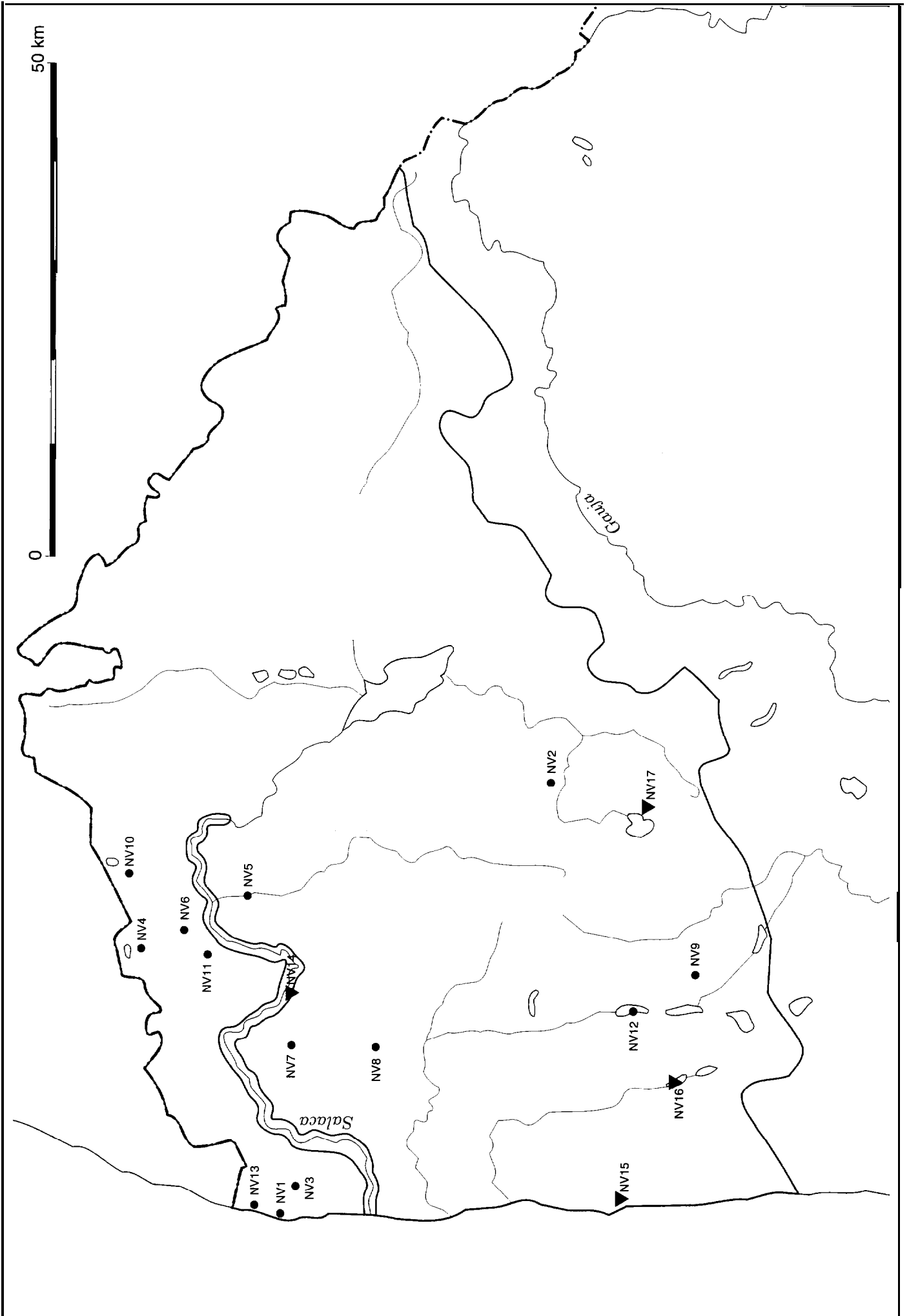
Map 12: FINLAND
International categories



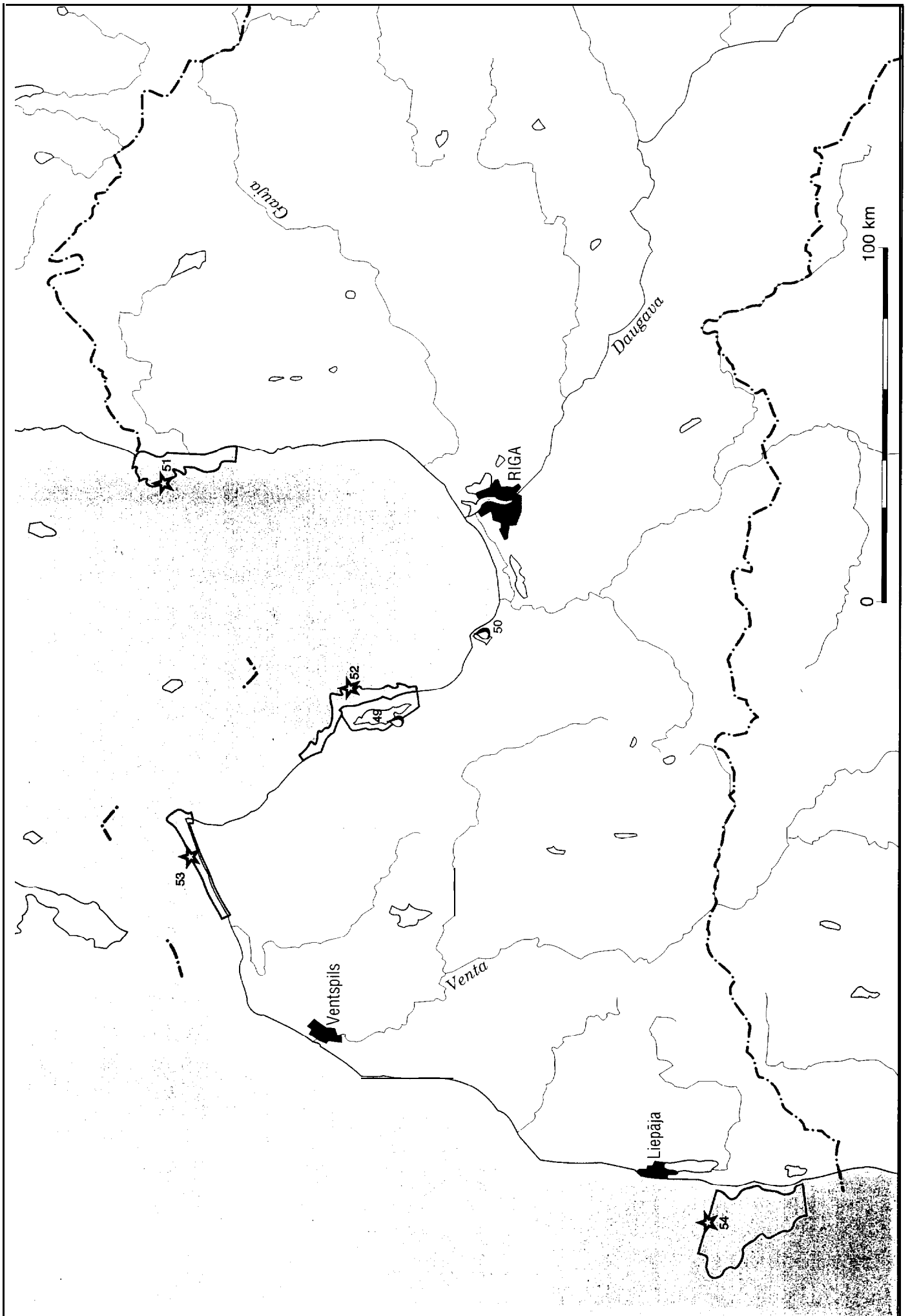
Map 13A: LATVIA
National categories



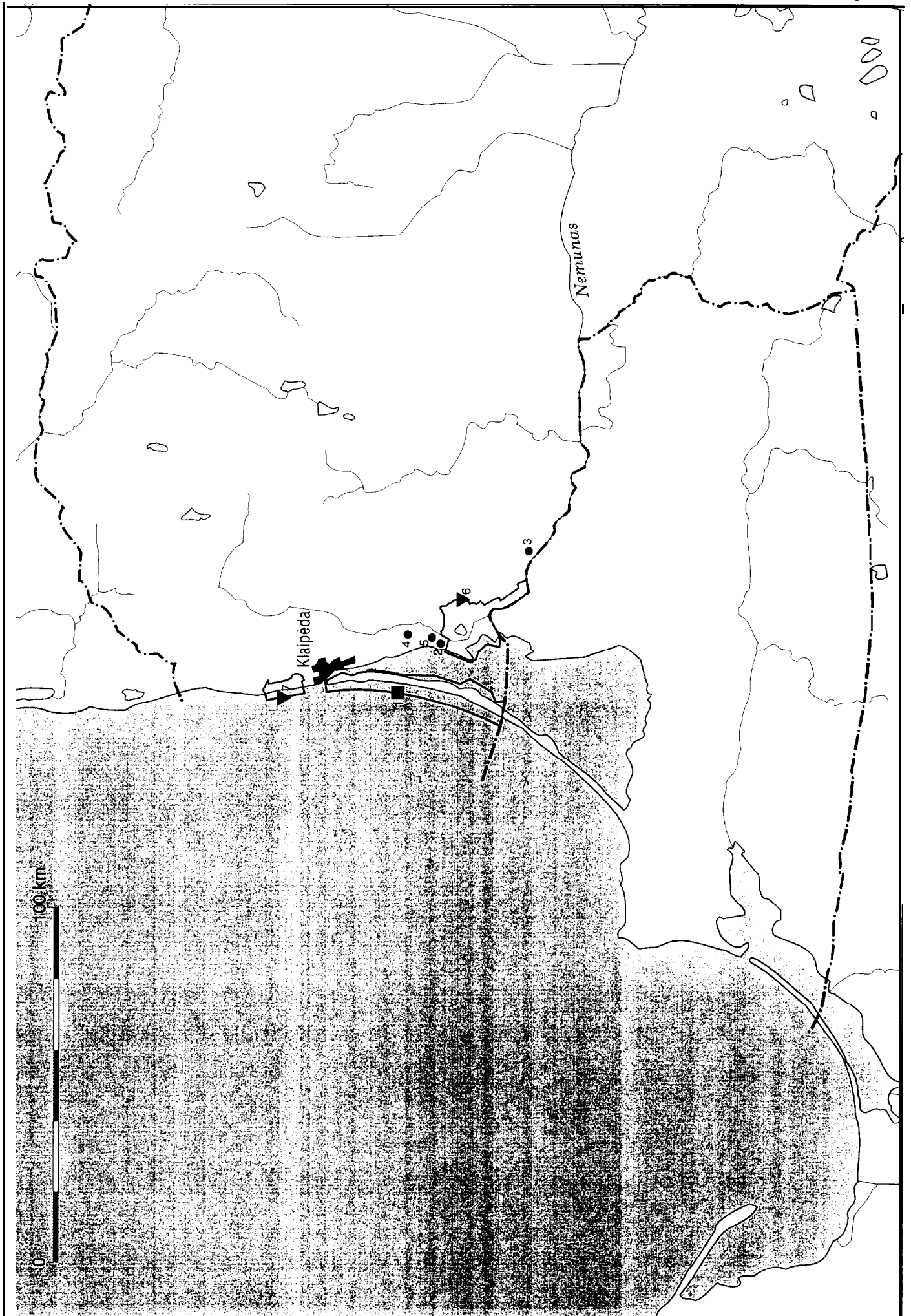
Map 13B: LATVIA
North Vidzeme Regional Nature Protection Complex



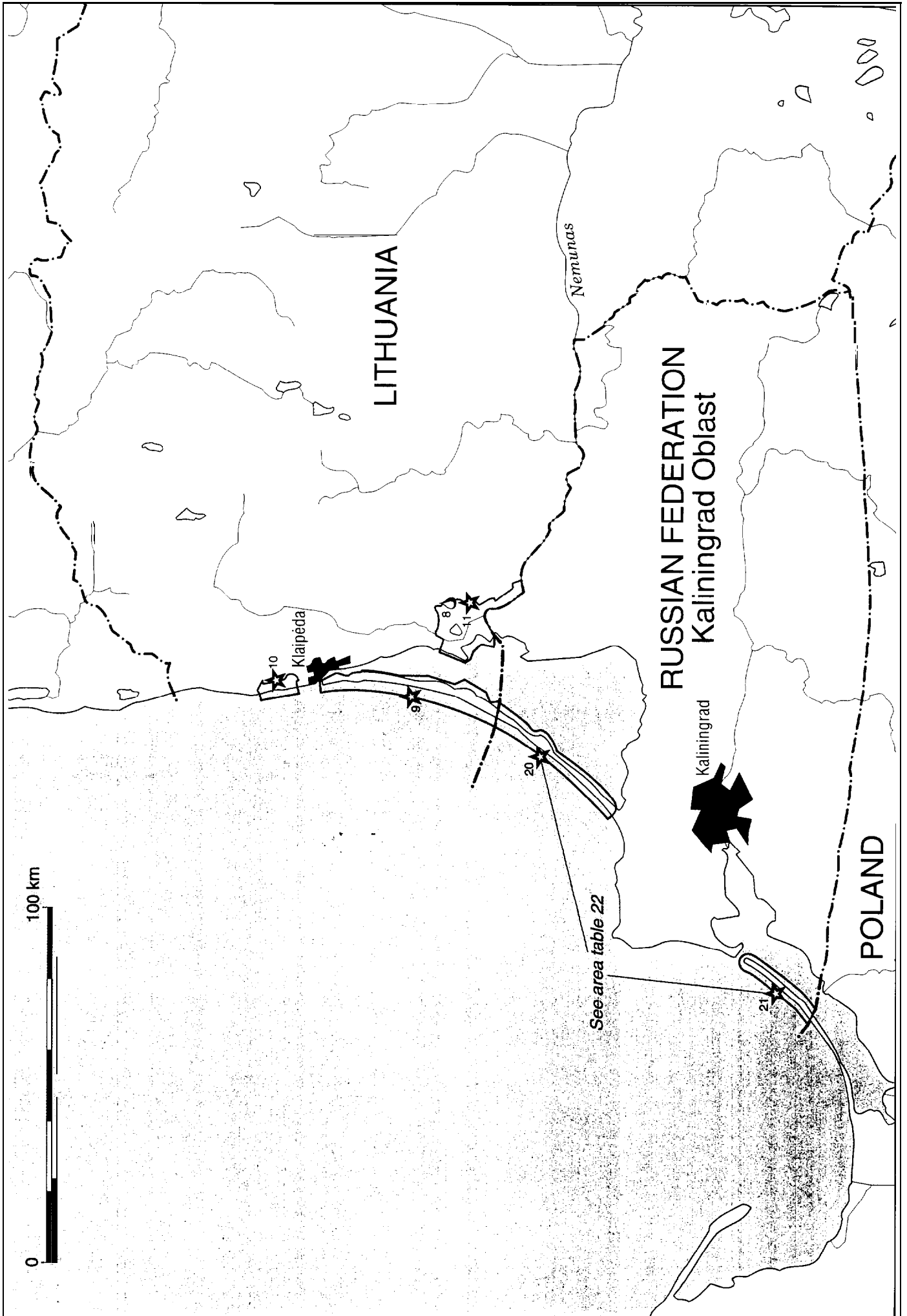
Map 14: LATVIA
International categories



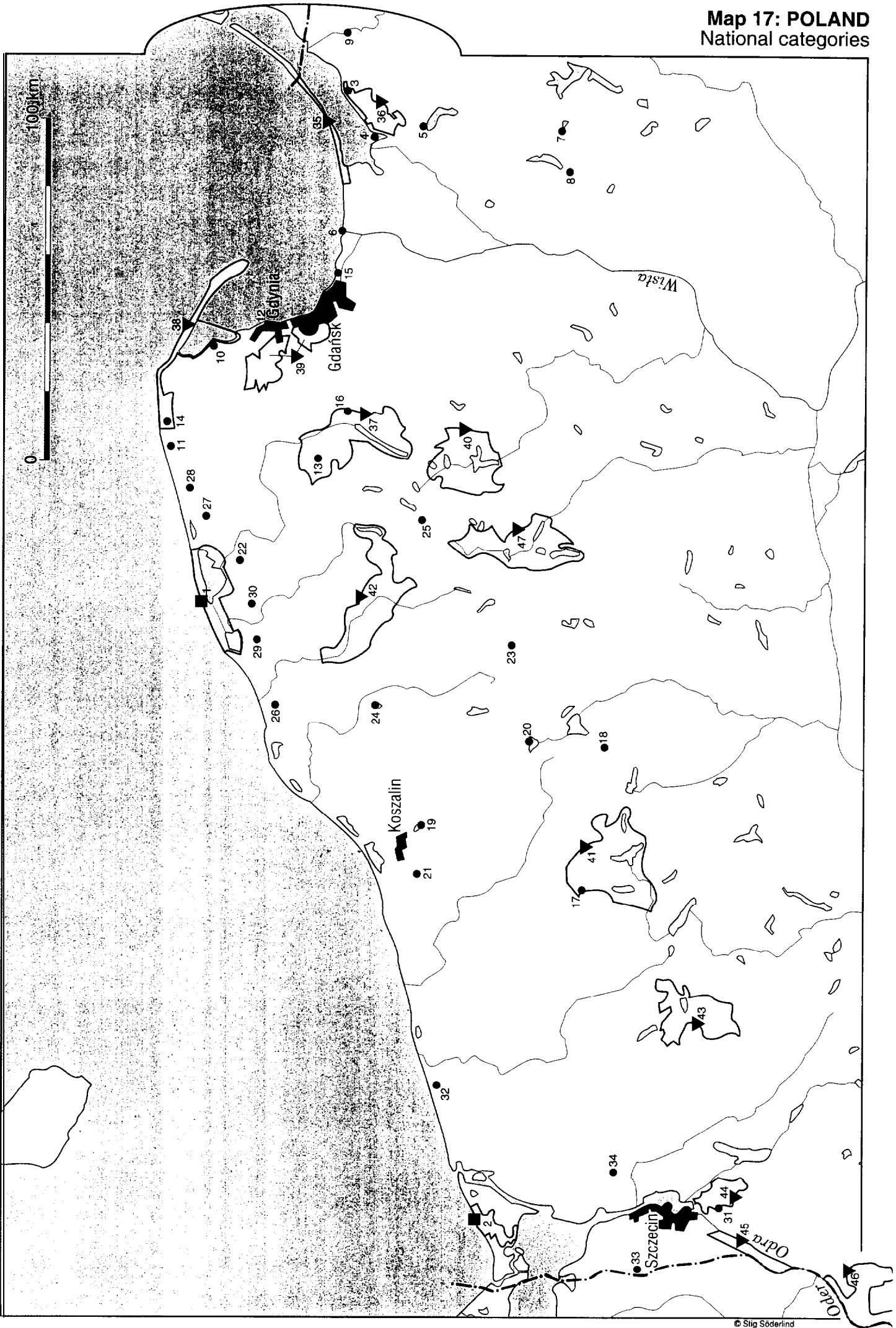
Map 15: LITHUANIA
National categories



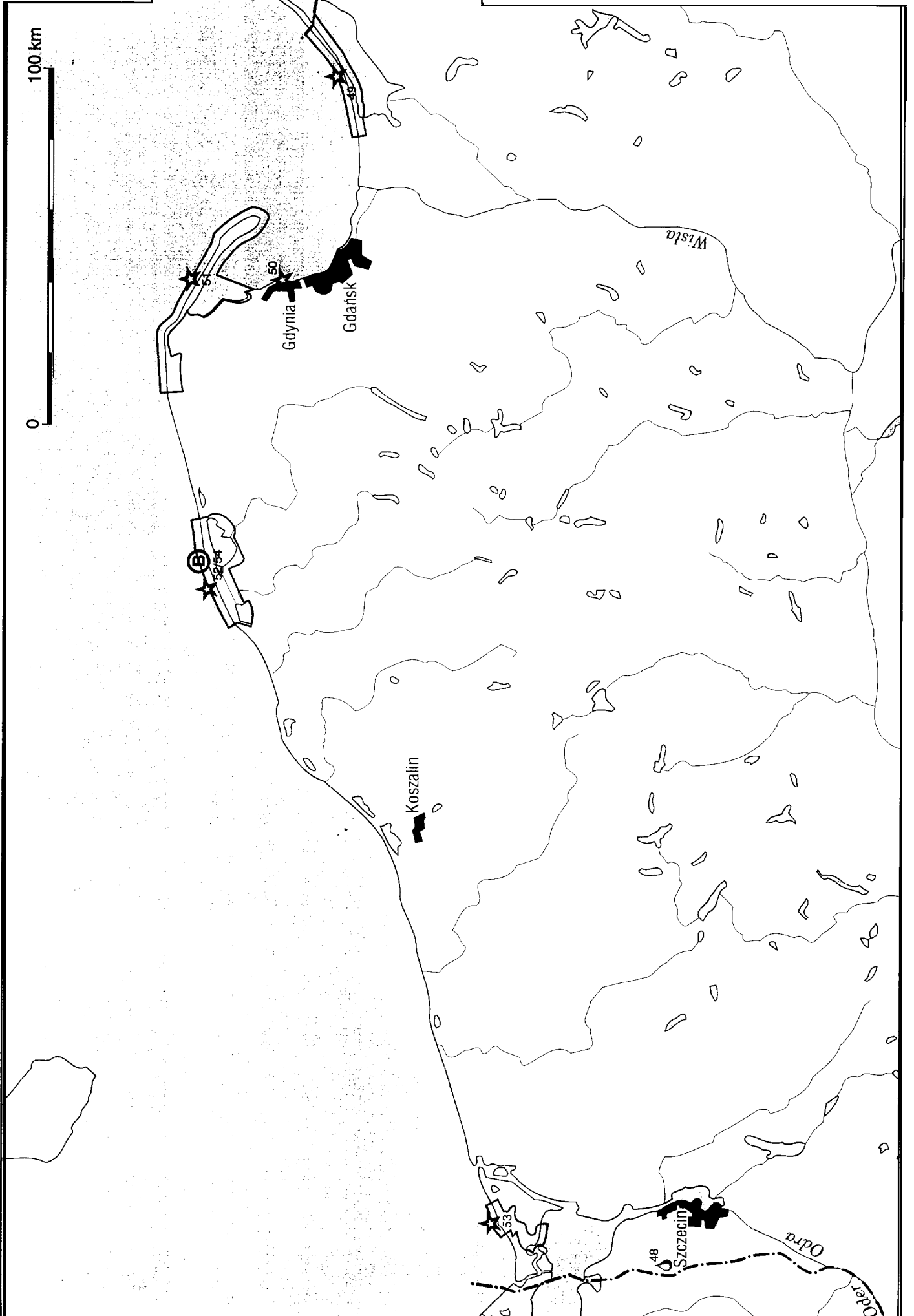
Map 16: LITHUANIA and RUSSIAN FEDERATION (Kaliningrad oblast)
International categories



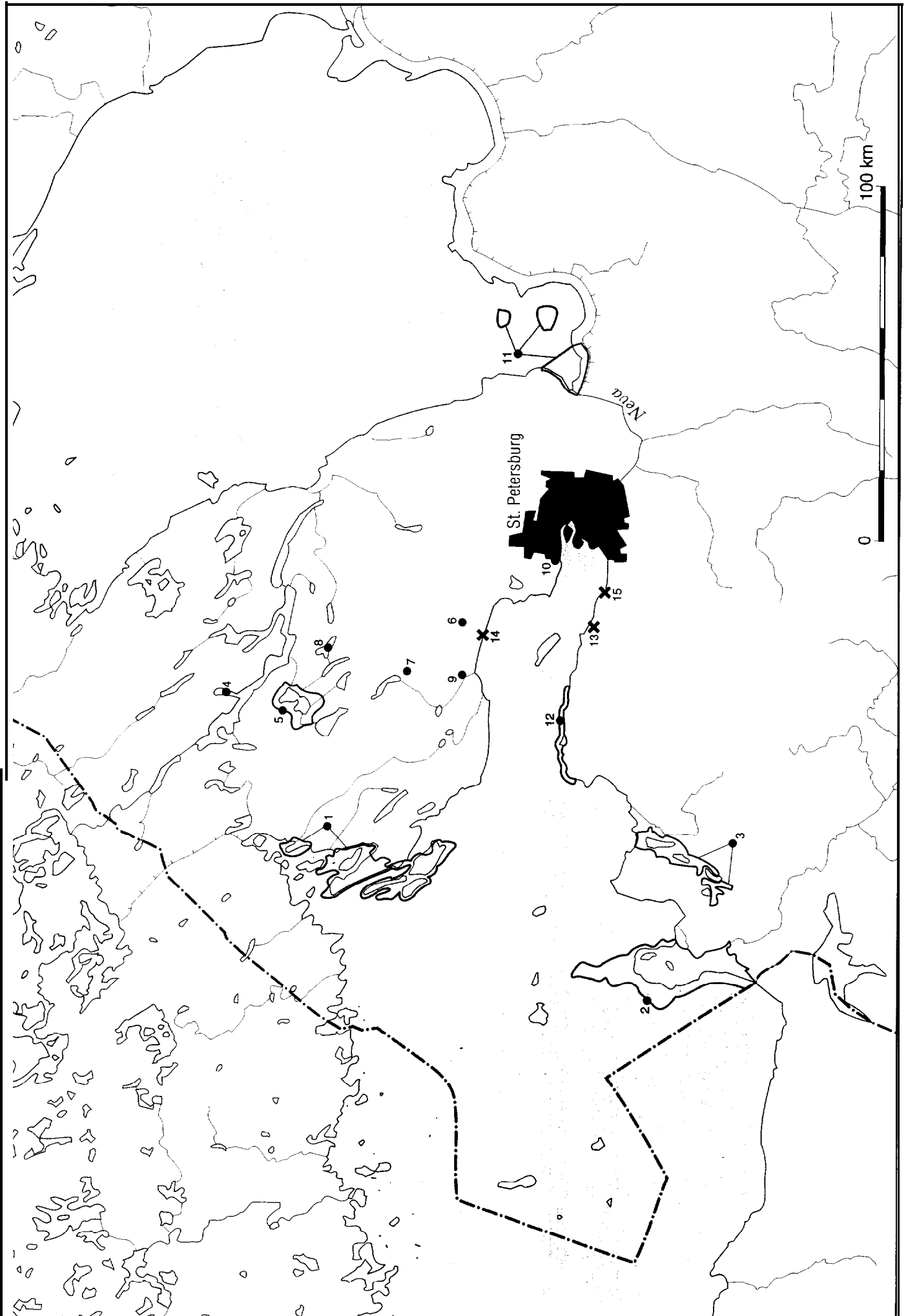
Map 17: POLAND
National categories



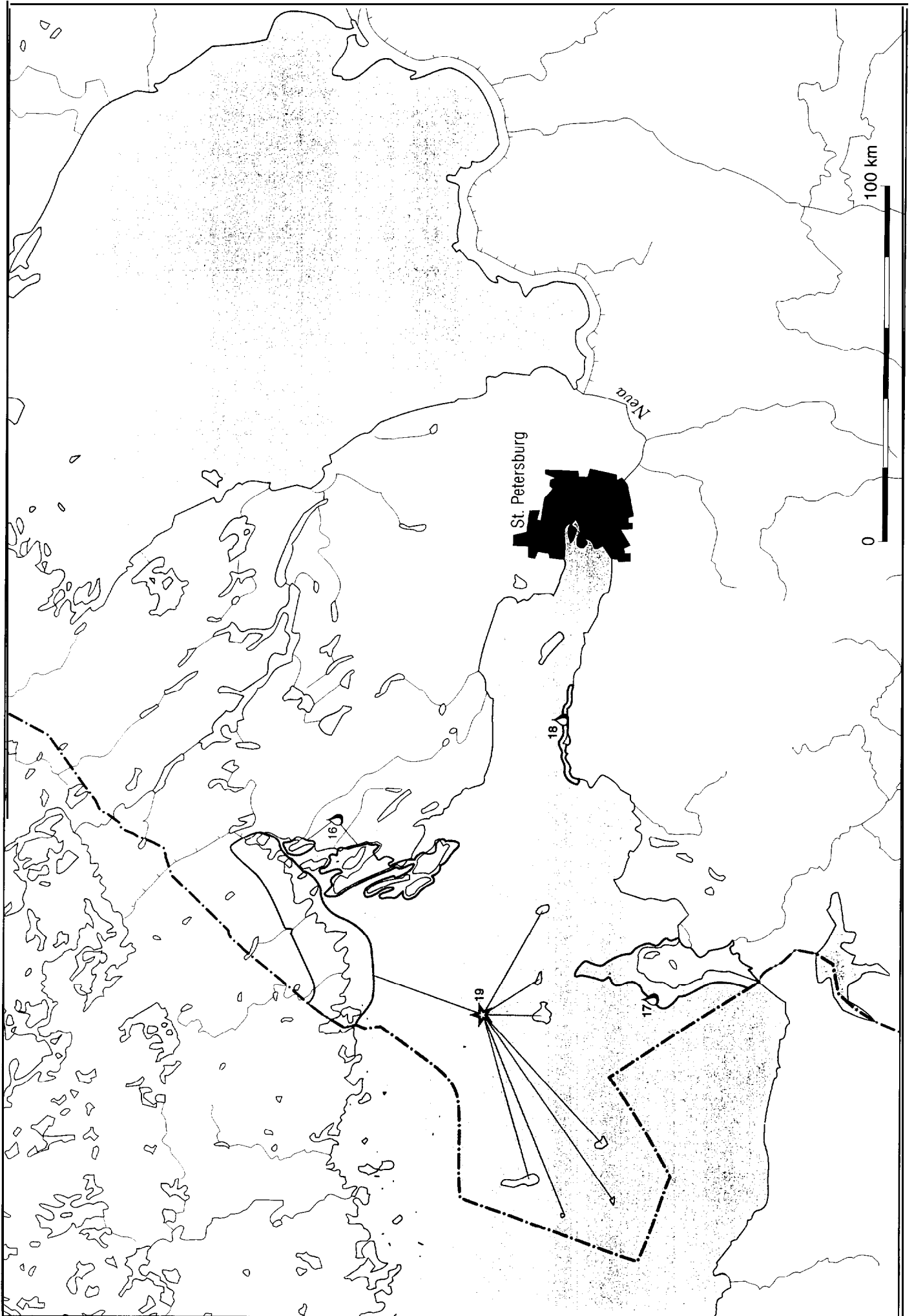
Map 18: POLAND
International categories



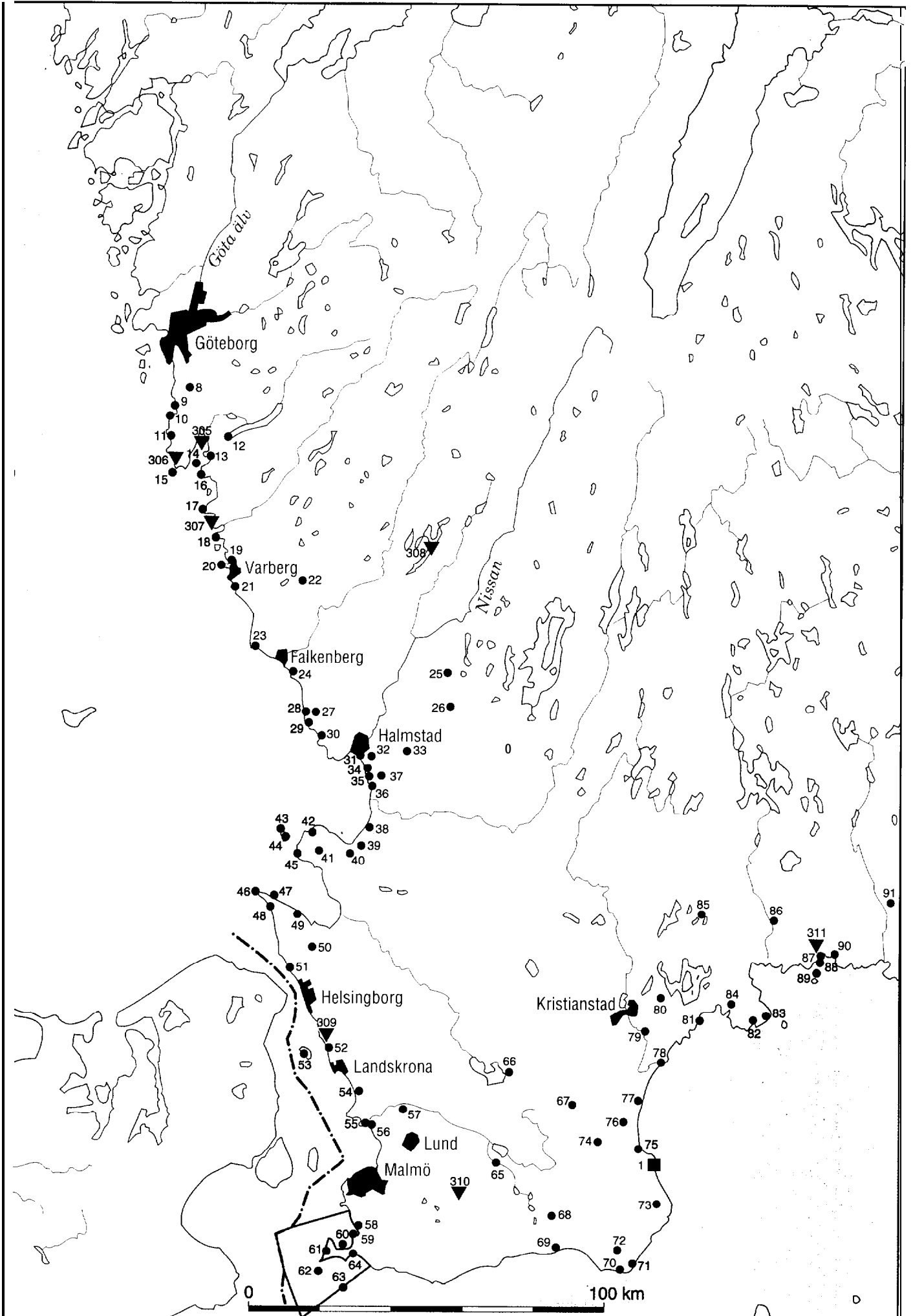
Map 19: RUSSIAN FEDERATION
National categories



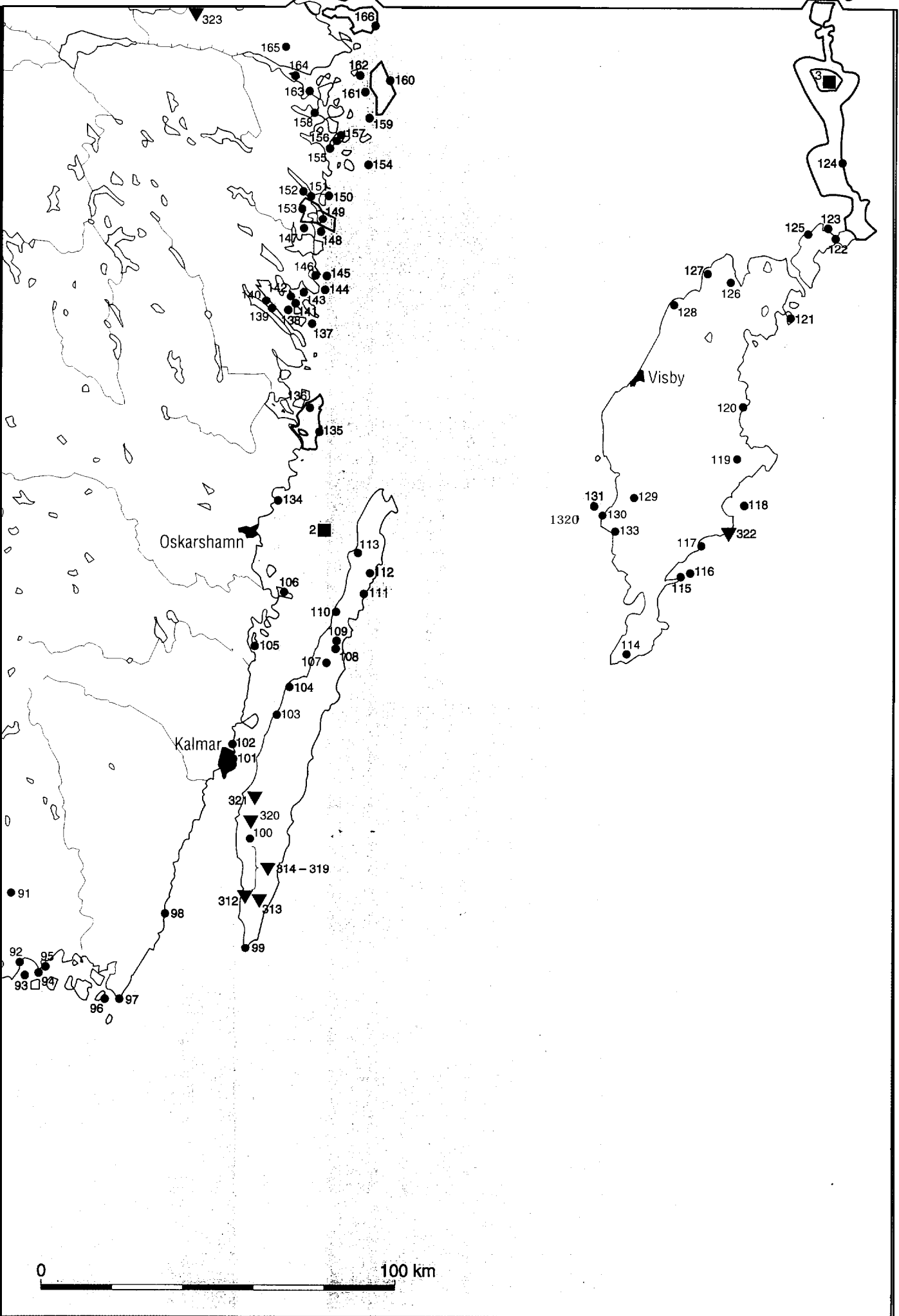
Map 20: RUSSIAN FEDERATION
International categories



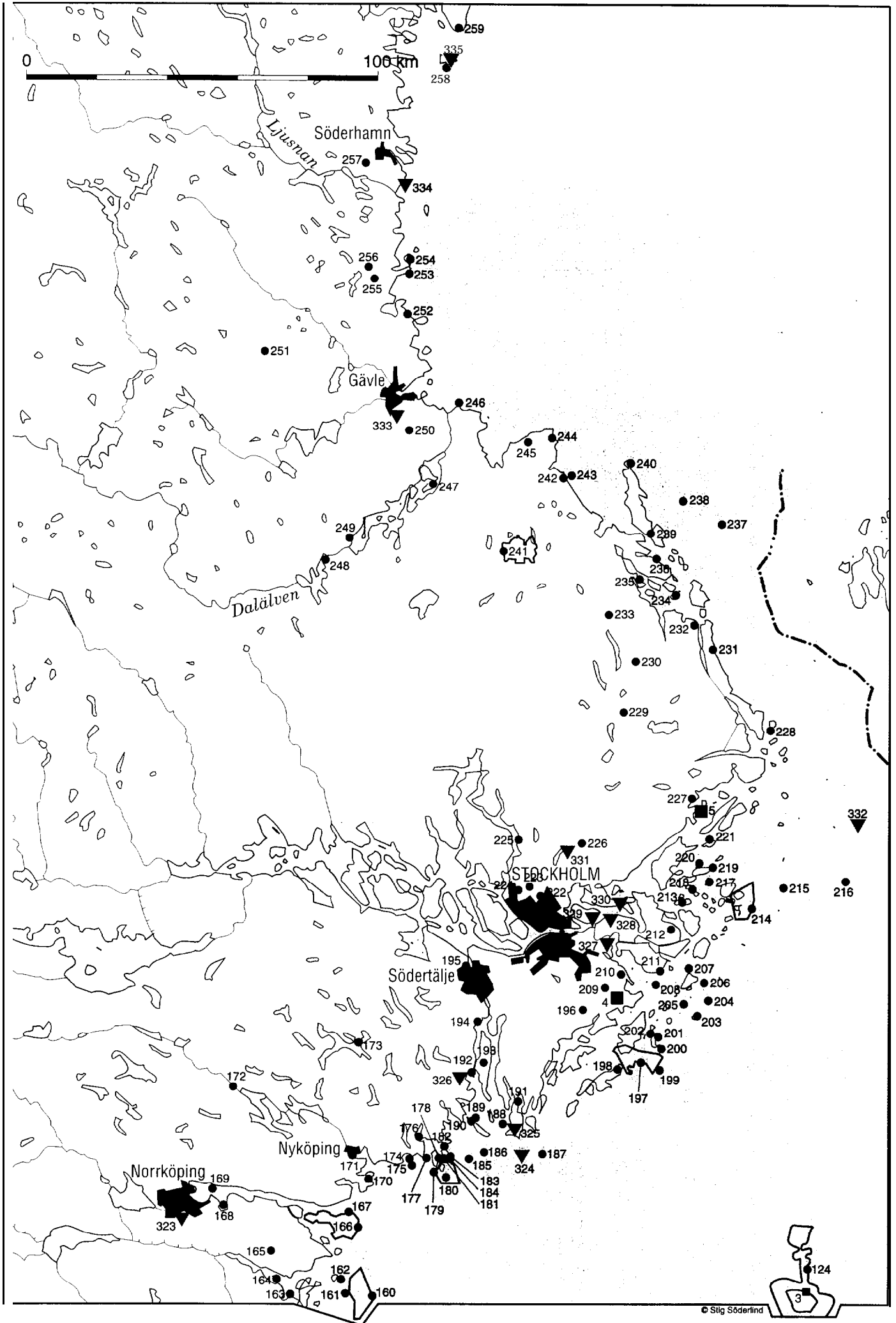
Map 21: SWEDEN
National categories



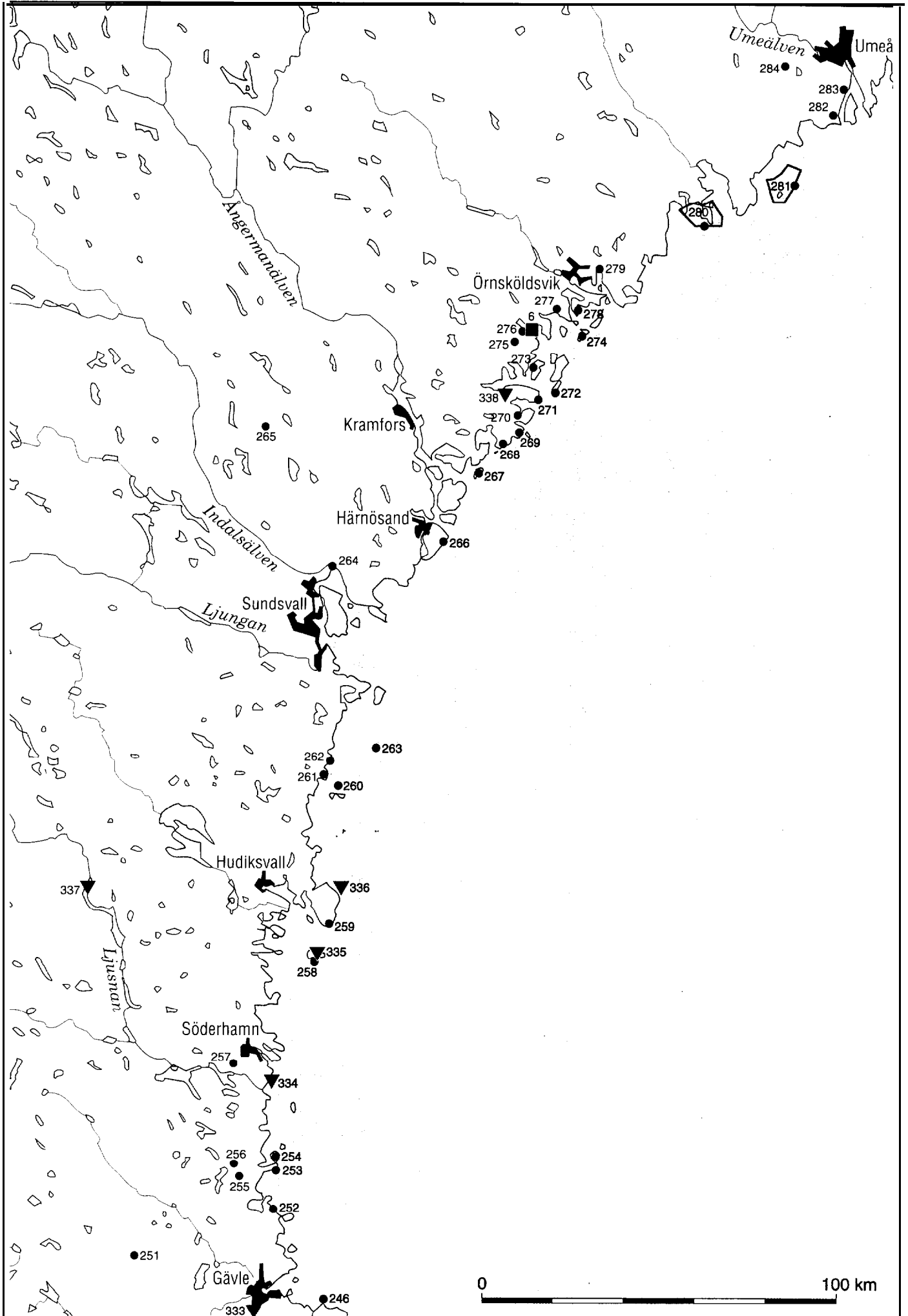
Map 22: SWEDEN
National categories



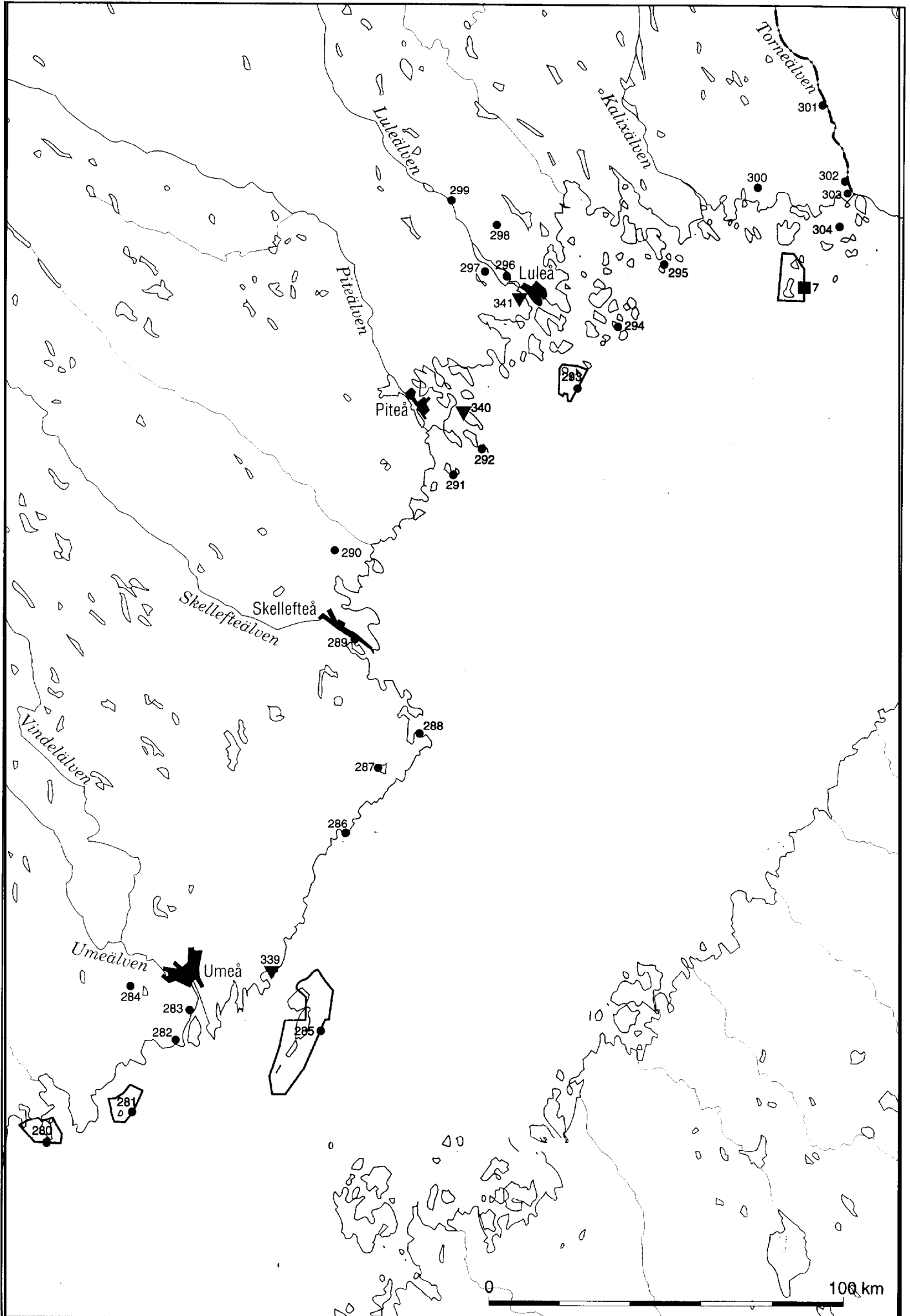
Map 23: SWEDEN
National categories



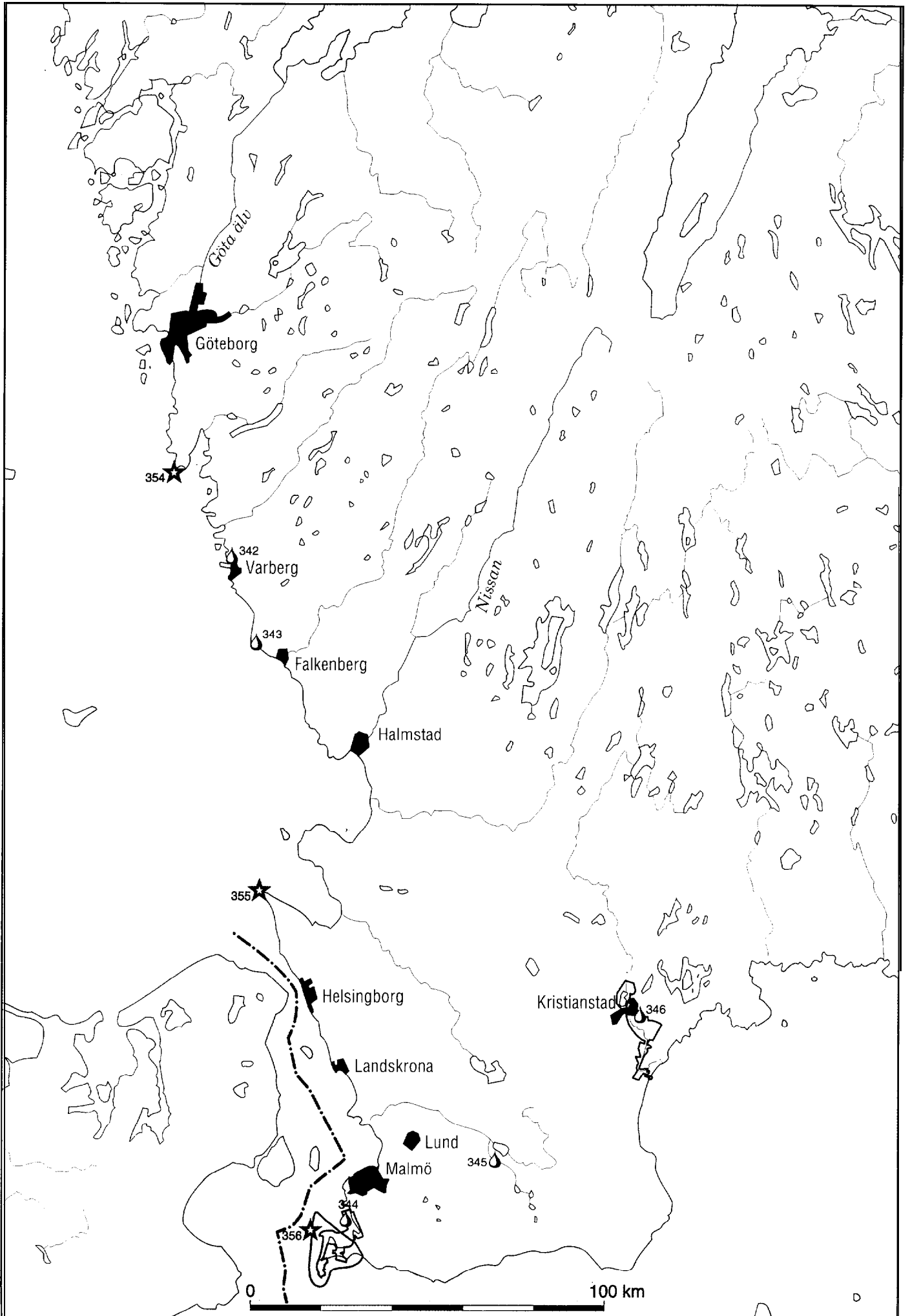
Map 24: SWEDEN
National categories



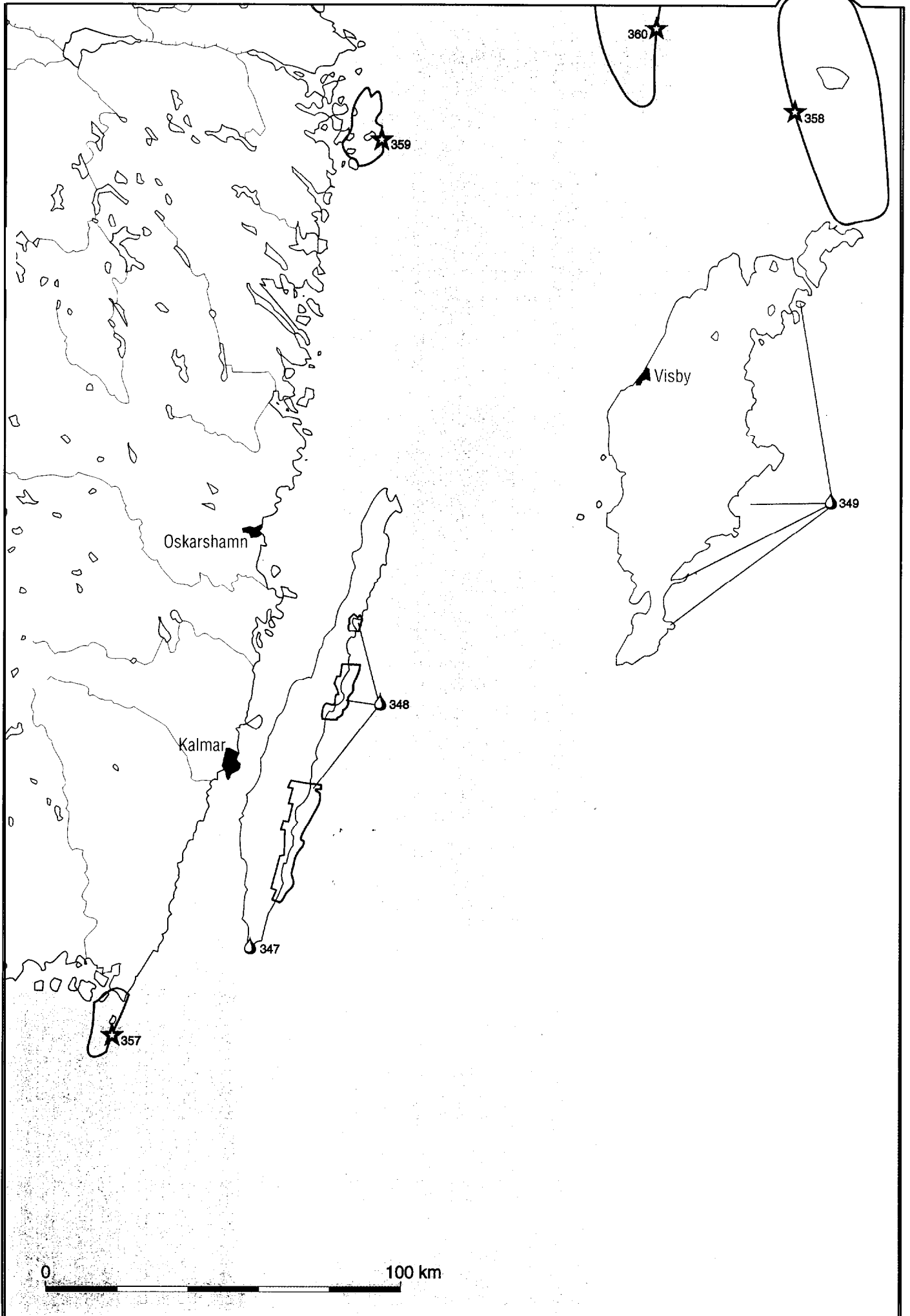
Map 25: SWEDEN
National categories



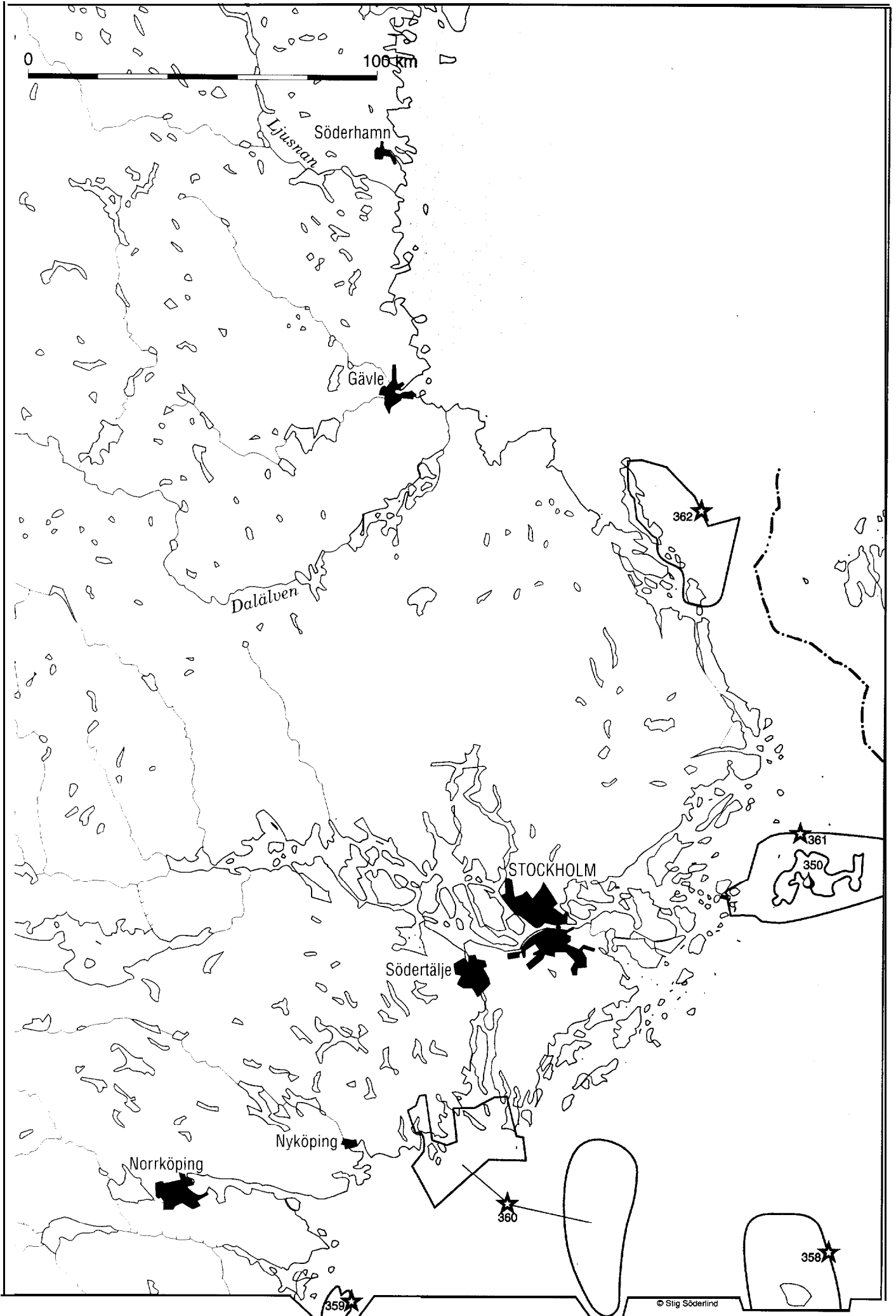
Map 26: SWEDEN
international categories



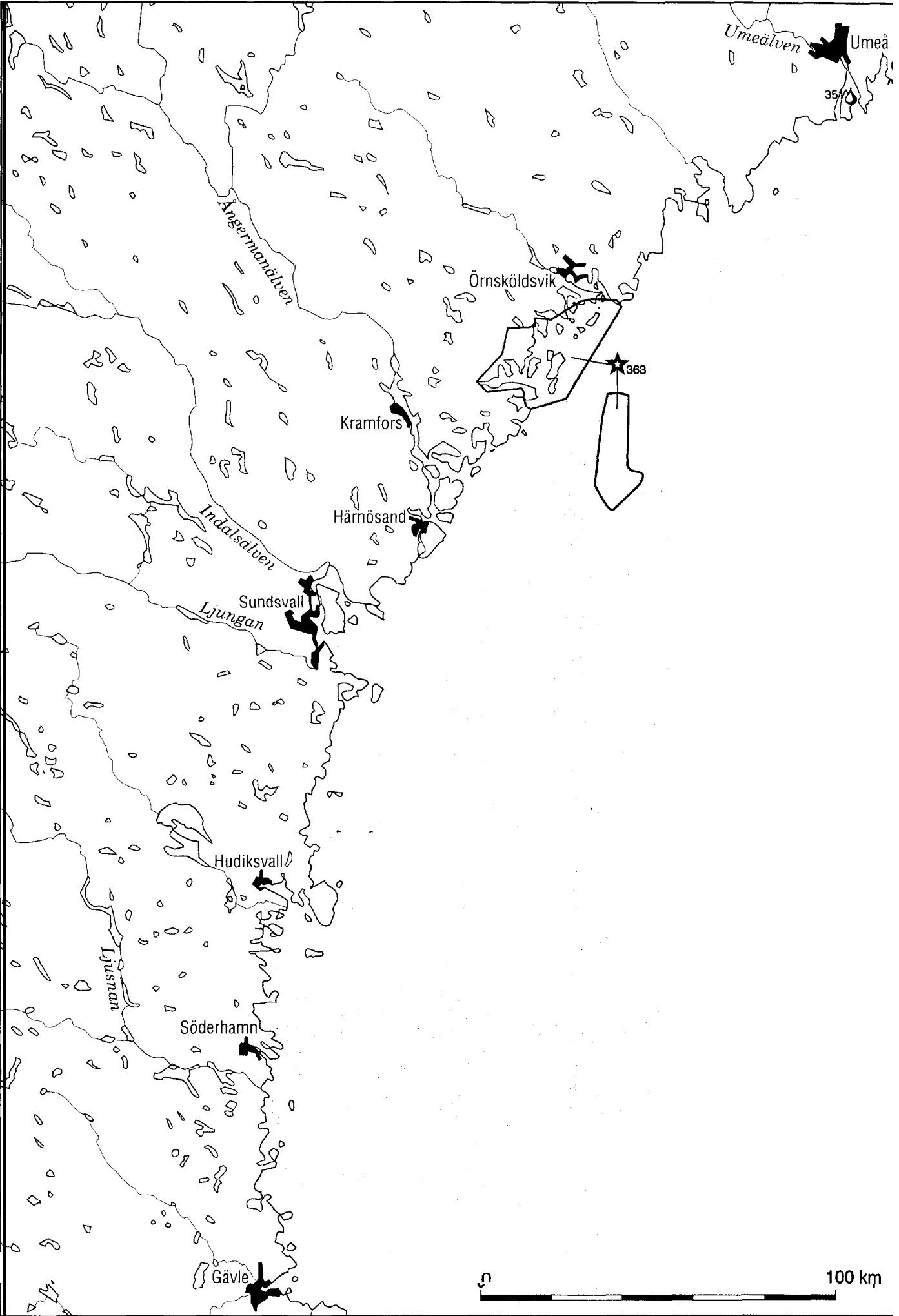
Map 27: SWEDEN
International categories



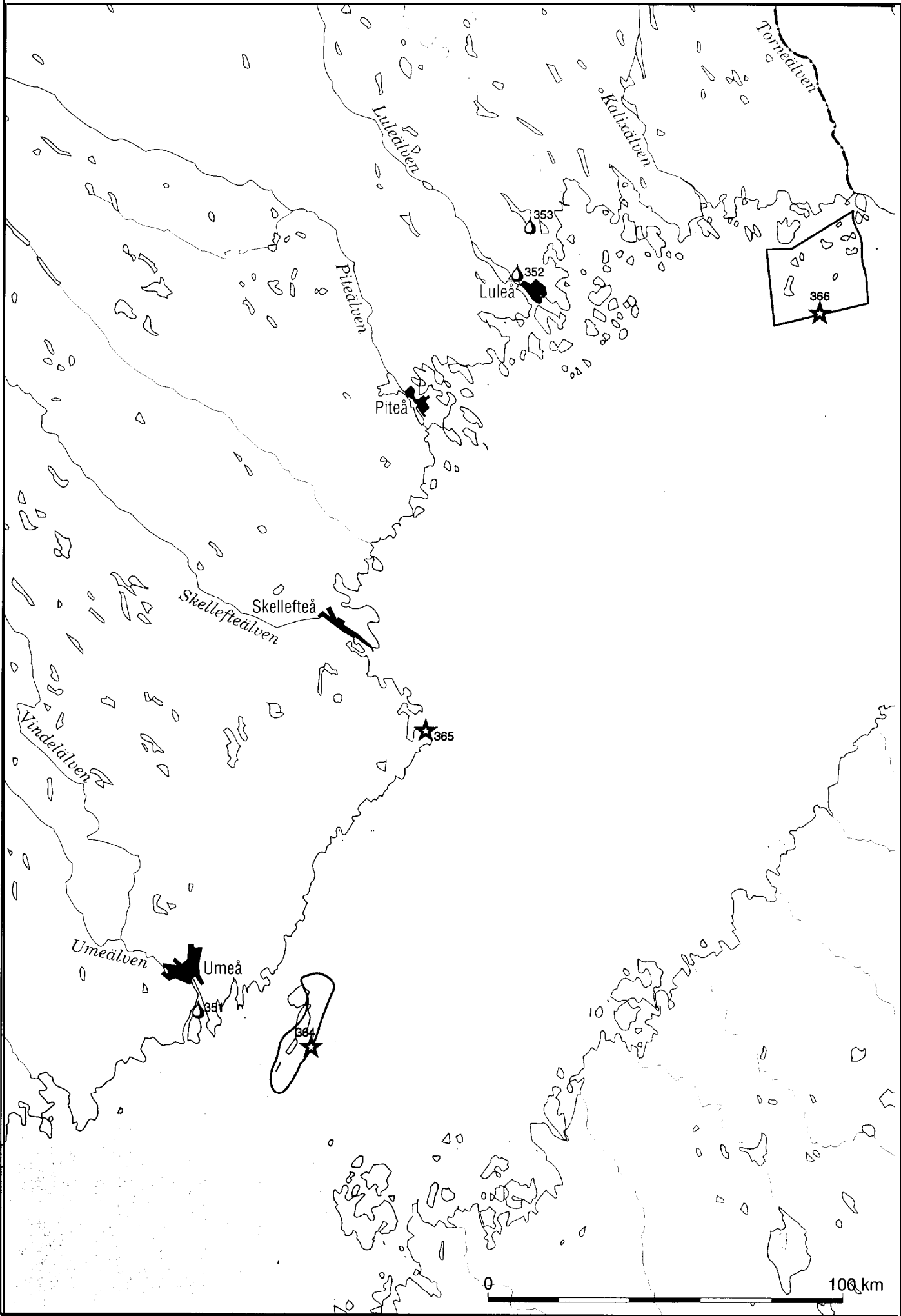
Map 28: SWEDEN
International categories



Map 29: SWEDEN
International categories



Map 30: SWEDEN
International categories



General legal protection of the coastal strip and coastal habitats in the Baltic Sea States

By Lauri Nordberg, Legislative Adviser, Ministry of Environment, Finland
(Paper submitted to HELCOM EC NATURE, 1995)

Most Baltic Sea States have provisions in their legislation to protect the coastal strip from activities which might affect nature and change the landscape. Activities like harbours and existing settlements in the coastal area are usually excluded. The aim of this legislation is partly to ensure nature conservation and free public access along the coastline mainly for recreation, and partly to protect the coast from erosion.

The width of the protected strip varies from 100 to 300 m from the shoreline landwards. Latvia, Sweden and in some respects Denmark and Estonia, also have a protected strip offshore.

In Denmark, the Federal Republic of Germany, Lithuania and Sweden there is a general legal protection of certain biologically important habitats, among them many coastal habitats.

DENMARK

Protection of the coastal strip

The Nature Conservation Act of 1992 was amended in 1994 in order to strengthen the protection of coastal areas. Consequently, the previously protected coastal strip was extended from 100 to 300 m. The distance is measured from the point where continuous vegetation starts. Within urbanized areas and areas designated in land-use plans for summer houses, the protected belt will remain 100 m. A commission has been set up to examine all Danish coasts in order to define the stretches where the protected belt, due to existing buildings, should be less than 300 m.

The law prohibits the erection of new buildings or other constructions, as well as fencing and placing of camping cars etc. within the protected strip. The most important exceptions are harbours and constructions for military purposes. Existing farming and forestry is also allowed to continue.

The County Councils can grant exceptions from the above-mentioned rules, but special reasons are required. The decision by the Council can be appealed against to the Nature Protection Board of Appeal, which is a mixed legal-administrative body.

In dune areas, however, the Ministry of Environment and Energy is the authority for granting exceptions from the law. The Ministry has delegated this right to the Forest Districts, the decisions of which can be appealed against to the Forest and Nature Agency, a body under the Ministry. The implementation of the provisions for protection of the coastal strip has been rigorous and very few exceptions have been granted.

The Raw Materials Act of 1977, amended in 1991, regulates extraction of sand, gravel and stones from land and from the sea bottom. By ministerial order, in accordance with the Act, tight restrictions are put on the extraction of such materials from the sea bottom within 300 m from the high-water mark. Within 500 m, the depth of the extraction must not exceed 1/50 of the distance to land.

According to the Saltwater Fisheries Act of 1986, restrictions are put on trawling within three

nautical miles from the low-water mark, and the use of gill nets is prohibited within 100 m from the low-water mark.

As part of the physical planning process, the Ministry of the Environment previously gave directives for the planning on regional and local level of the coastal zone. The Physical Planning Act of 1993 was also amended in 1994, with the aim of transferring these directives into this legislation. According to the Act, it is now declared as an overall goal that undeveloped coasts are to remain essential nature and landscape resources. According to other provisions, coastal areas are to be kept free from constructions and installations which do not require a location close to the coast. No new areas may be planned for summer houses, and recreational centres must be located in the vicinity of towns or existing centres. In accordance with the Act, all land-use planning must be guided by the principles above within a coastal zone which is generally three km wide. Regional and local planning authorities are to review all plans in this respect.

Protection of coastal habitats

The Nature Conservation Act comprises regulations of general protection for all natural lakes the size of more than 100 m², and for all other watercourses which the Ministry of Environment has declared protected on request of the County Council.

In addition, a number of habitats are protected wherever they exist:

- heaths;
- bogs, marshes, moors and the like (with or without a peat layer);
- coastal meadows, salt marshes and swamps;
- wet freshwater meadows and dry grasslands.

In order to be placed under protection, these habitats – alone, together or in connection with protected lakes -must be at least the size of 2,500 m². However, bogs and corresponding areas smaller than 2,500 m² are protected if they adjoin a protected lake or watercourse.

The above-mentioned rules imply that all coastal wetlands and a great deal of other natural habitats in the coastal area are protected. Any change of the natural state of these habitats is prohibited. Existing farming may continue but the Ministry of the Environment can impose restrictions on the use of fertilizers. The Ministry can also give other instructions and exclude certain categories of nature types from protection.

Restrictions apply to fishing in certain large bays and straits and off freshwater outlets and narrow bays.

In some coastal areas it is, furthermore, of importance that both public and private forests extending over more than 20 hectares are protected from building and similar activities. In addition, it is not allowed to erect buildings closer than 300 m to such a forest.

ESTONIA

In 1995, the Parliament adopted the Act on the Protection of Marine and Freshwater Coasts, Shores and Banks to replace a previous ministerial regulation of similar content. Under the new Act, a protected strip is established along all shores, including the coast of the Baltic Sea. The protected strip is divided into a water protection zone, a zone where construction is prohibited, and a general coastal zone.

Within the water protection zone, which extends to 20 m from the coastline, economic activities (except grazing and mowing of meadows) is prohibited.

The where construction is prohibited extends to 100 m on mainland coasts, to 200 m on islands, and to 50 m in cities, towns and villages. The distances are normally measured from the mean water mark. In case there is a terrace on the coast, the distance is measured from the upper edge of the terrace. An

exception is made for activities like harbours, fishing facilities etc., and also for the reconstruction of destroyed farm buildings (used for agriculture or forestry) on their original sites.

The extent of this zone can be increased or reduced within the framework of a general plan. General plans are drawn up by the municipalities, but they must be made in accordance with a land-use plan approved by the County Government. The purpose of this procedure is to have the exact width of the protected zone determined through physical planning taking into account natural circumstances, in order to avoid a situation where homogenous land-use areas are split up and to make use of recognizable natural boundaries. In a general plan, the width of the protected coastal strip can be extended up to 300 m. It can also be reduced for the above reasons, but such a reduction must always be approved by the Ministry of the Environment.

The Estonian coast is already covered by general plans approved by the appropriate authorities. In these plans, the required distances from the shoreline have been measured from the high-water mark, which is 1.5 m above the mean water mark. This means that the protected belt clearly is larger than the minimum requirement of the law, particularly in low-lying Western Estonia.

The general plans form the basis of agreements with previous landowners when coastal land is returned to them. In case of the entire land of an owner falling within the zone where construction is prohibited, the owner is entitled to a piece of state-owned land to build on outside the protected zone but in the same region.

It is also stipulated in the Act that a general protection zone of 200 m is established on all coasts. Certain constructions and facilities which might cause water pollution are prohibited in that zone. The same holds true for storage of polluting substances in the protected zone.

FEDERAL REPUBLIC OF GERMANY

Protection of the coastal strip

Neither the Federal Act on Nature Conservation, nor other federal German legislation provides specific rules for the protection of the coastal strip. This issue is considered a matter of the federal states (*Liinder*).

In Mecklenburg-Vorpommern, it is declared in the First Nature Protection Act, of 1992, that building constructions may not be erected or essentially enlarged within a 200 m wide strip from the coastline, including the *Bodden* bay shores (*Außen- und Boddenküste*).

In Schleswig-Holstein, it is stipulated in the Nature Conservation Act, amended in 1993, that a coastal strip should be set aside for water protection and recreation. The protected strip is 100 m wide measured from the shoreline of all coastal waters.

In both federal states, the nature protection authority is entitled to grant exceptions in certain cases and under certain conditions. Exceptions mostly refer to harbours, water sports, bathing and other activities connected to the shore. There could also be exceptions made within existing settlements. Similarly, a building plan under preparation can form the basis of an exception.

In Schleswig-Holstein, a specific condition for granting an exception is that the existing or future options for public recreation near the water and the coastal habitat structure are not jeopardized.

In Germany, both the federal and state planning and building legislation contains many provisions by which an effective control of development can be achieved and which are relevant for the protection of the coastal zone. Generally, the right to construct new buildings outside settlements, or areas covered by a building plan, only applies to certain "privileged projects" (farm buildings or buildings with a public supply functions such as energy, gas, water supply, communication etc.) or constructions that for safety reasons must be located outside settlements. Other buildings can be permitted in single cases, but only if they do not affect public interests like nature or landscape protection.

Protection of coastal habitats

The Federal Nature Conservation Act, as amended in 1987, contains provisions for general protection of certain habitats. The aim is to protect habitats of importance for the wild flora and fauna, in particular endangered species. The Act includes a list of protected habitats, but it is the responsibility of the individual *tinder* to implement habitat protection through their own legislation. They can add further habitats to the list of the federal Act, and they can also grant exceptions in cases where the loss of a habitat can be compensated or when certain measures are considered necessary following an overwhelming public interest.

Certain habitats which are frequently found in the coastal zone are, with minor variations, protected in Mecklenburg-Vorpommern and in Schleswig-Holstein alike. The most important ones are:

- dunes and sand banks;
- cliffs and steep shores;
- most types of heaths;
- coastal meadows and certain types of wet meadows;
- coastal swamps;
- reeds;
- dry grasslands;
- wet forests;
- natural and non-built creeks and rivers, including river banks;
- spring areas and pools with standing water.

In addition, *Bodden* and *Haffs* (shallow lagoon areas), typical for Mecklenburg-Vorpommern, are protected in that region. Outside settlements in Schleswig-Holstein also other areas of succession, which have not been economically used for more than five years, are protected habitats.

FINLAND

Neither the Nature Conservation Act of 1923, nor the Building Act of 1958 includes any provisions on shore protection. The municipalities can, however, in the building bylaws stipulate a minimum distance from the shoreline to be respected when building new houses. Most municipalities require a distance of 20-30 m, but sauna buildings are excluded from this rule.

The Finnish law is based on the right of the landowner to disperse settlement. Without having to present any plan, the owner is considered to have the right to construct 4-5 buildings per km of shoreline. The owner can also prepare a shore plan for the area and, thus, be allowed to build even more. The municipality is obliged to adopt, and the state authorities to ratify, any such plan if the proposed development is dispersed. In fact, shore plans including up to ten building sites per km of shoreline have in legal practice sometimes been considered as dispersed settlement.

The municipality can prepare a master plan for a larger shore area. Where such plans have been made for coastal areas, they have usually included 5-8 building sites per km of shoreline on the mainland and 3-5 building sites in the archipelago. The planner can try to have these building rights within a landowner's area transferred in order to keep some shores free and allow others to be more densely developed. However, this is difficult or even impossible when the land is divided into small ownership units – which most often is the case on the Finnish coast.

The state or a municipality can only prevent dispersed settlement as described above by purchasing the land at the current market price, which must include the speculative building rights. The same applies in case of compulsory acquisition or protection by contract with the owner. Consequently, public protection of even small coastal areas becomes extremely expensive.

The Province of Åland has its own legislation, but it is basically the same as in other parts of Finland. One exception is that shore plans as a planning instrument is not used in Åland.

LATVIA

The Law on Environmental Protection, adopted in 1991, contains provisions for a protected belt along the shore of the Baltic Sea and Gulf of **Riga**. Most of the Latvian coast consists of sand beaches with coniferous forest. The purpose of establishing a protected belt is to preserve all the protective functions of the forest, to conserve the littoral landscape and to provide sustainable utilization of natural and recreational facilities in the littoral zone.

In the Act, strict protection is declared for a 300 m wide belt starting from the water's edge and including the beach and coastal formations (dunes, coastal sand shores and sand hills) directly above the abrasive slope. Where the dune or other coastal formation exceeds 300 m, the protected zone is extended to its natural boundaries, e.g., to the point where the dune ends.

A 300 m wide protected belt is also established from the water's edge in the offshore direction to conserve the underwater slope of the shore and the dynamic processes there.

These protected belts are taken into consideration in planning and in any activity within the littoral zone, including drawing of master plans and development projects for towns and villages. The borders of the protected belt are marked on land-use maps.

Among the activities mentioned in the Act as prohibited within the protected belt are construction of buildings (including recreational centres), camping sites and sports facilities outside existing settlements, extraction of minerals, clear-cutting of forest and cutting of impressive solitary trees.

The Environment Protection Committee working under the Latvian Parliament is administering the Act in the dry-land part of the protected belt. The Committee can grant permission to use the belt for certain purposes, e.g., the construction of facilities for tourism or building of new private farm houses in old villages. Approval must also be obtained from an expert body and from the local authority.

In addition to the 300 m belt under strict protection, there is a wider belt stretching from three to five (and in some places, eight) km inland. Within this belt, building is restricted and a special permission is required. The exact width of that zone will be determined in land-use planning.

LITHUANIA

There is no general legal protection of the coastal strip in Lithuania. The short (94 km) coast mainly comprises urban areas, protected areas or former military areas. About 66 per cent of the coastline is included in a national park or a regional park. Development is allowed only according to a land-use plan (a master plan, a development project for a town or a management plan for a protected area).

Natural watercourses, high bogs, fens bigger than 0.5 ha, natural meadows and pastures are protected wherever they exist. The use of forests is specially regulated – e.g., prohibition against **privatization** – within a 3-7 km wide zone.

There are plans to adopt an Act on Marine Environmental Protection, with more detailed provisions concerning the protection of the coastal strip.

POLAND

On the open sea coast, over 68 per cent of the shoreline is protected. Of this area, 10.5 per cent lies within national parks or nature reserves where all natural features are protected. The rest consists of landscape parks and protected landscape areas, where new building and other development is severely restricted.

The administration of the Polish coast is the responsibility of the Maritime Offices under the Ministry of Transport and Maritime Economy. The shoreline consists of a technical belt and a protective belt.

On dune shores, the technical belt embraces the beach, the dune ridge and a zone up to 200 m behind

the dune ridge. On cliff shores, it consists of the cliff foot, the cliff and a belt of land up to 100 m from the upper edge of the cliff. On lagoon shores, it includes the land between the shore and the flood embankment or, in areas without embankments, a belt of a width up to 200 m.

The protective belt, which is considered to be the natural reserve of the technical belt, extends two km inwards from the shoreline. The boundaries of both belts are marked in the terrain.

The main aim of the legislation on the technical and protective belts is to protect the coast against erosion and floods, but in practice it can also serve natural protection purposes. The administrative powers of the Maritime Offices are quite extensive and they control all economic activities within both zones. For instance, new buildings and other utilization of the area must be approved by the Maritime Office. The areas under the administration of the Maritime Offices are mainly state-owned.

RUSSIAN FEDERATION

In the Russian Federation, there is no general law concerning the protection of the coastal strip. However, the use of coastal zones is regulated by some statutory regulations from the Soviet time and still in force. The basic legal document for the protection of the coastal strip is the Rules of the Protection of the Coastal Waters of the Sea, from 1984. In this document, a coastal zone of two km is defined from the highest water level ever observed. In that zone, all kinds of work which could have a harmful effect on the marine habitats can only be carried out after special authorization of the ministries concerned.

Some coastal areas belong to a resort zone. Land use in these areas is regulated by the Statement of the Council of Ministers of the Russian Federation of 1982. In these resort zones, building, extraction of soil, and many other activities, are forbidden within a 100 m wide strip measured from the shoreline.

In the Kaliningrad region, there is also a local statutory regulation of 1979 concerning the protection of the coast. According to that document, a one km wide zone outside urbanized areas is protected. Within it, all kinds of constructions, as well as many other installations and activities, are prohibited.

SWEDEN

Protection of the coastal strip

The Nature Conservation Act of 1974 includes provisions on general protection of the shoreline. The original aim was to safeguard public access to the water for bathing and other kinds of recreation. By an amendment of the Act in 1994, the purpose of preserving good living conditions for wild flora and fauna was added.

The protected belt generally stretches 100 m from the mean water mark, inland and offshore. The County Administration can, where needed for fulfilling the purposes of the Act, extend the protected belt up to 300 m from the shoreline in both directions. It is also within their jurisdiction to exclude an area from shore protection if the area is unimportant for the purposes of the Act.

In the Act on Nature Resources, from 1987, it is stipulated that all Swedish coasts from the Norwegian border to the northern part of the Åland Sea, as well as some parts of the coast along the Bothnian Sea and Bothnian Bay, are of national interest. These coasts comprise altogether about 70 per cent of the Swedish coastline. The possibility to enlarge the protected belt to up to 300 m has very often been used in these areas by the County Administrative Boards. This holds true, for instance, in most parts of the archipelagos.

It is, furthermore, stipulated in the Act on Nature Resources that areas which are of national interest for nature conservation, outdoor recreation or cultural environment protection are to be protected against measures that cause considerable damage to the natural environment. There are about one hundred such areas along the Swedish Baltic coast.

In the protected belt it is forbidden to construct new buildings, change the use of existing buildings, extract substances from soil, and build fences which could prevent people from walking along the shore. Constructions necessary for farming, fishing or forestry (not dwelling houses) are excluded from the shore protection.

The County Administrative Board can, for special reasons, grant exceptions from the shore protection. This right can be and largely has been transferred to the municipalities, and about 70 per cent of them are now authorized to grant such exceptions. However, in areas of national interest (like most of the coastline), this right has remained in the hands of state authorities.

According to the justifications of the law, there should be great restrictions in granting exceptions. The Swedish Environmental Protection Agency can appeal to the Government (in practice, to the Ministry of the Environment) when it considers an exception made on **insufficient** grounds.

The protected belt must be taken into account in all planning. In areas intended for inclusion into a detailed plan or covered by legally binding provisions, the County Administrative Board can, if special reasons apply, exclude an area from the shore protection.

Protection of coastal habitats

A new article concerning habitat protection was in 1991 added to the Nature Conservation Act. According to that article, activities which might cause damage to the natural surroundings are not allowed within minor terrestrial or marine areas which are habitats for endangered species of flora or fauna, or which for other reasons are particularly worthy of protection.

The habitats which enjoy protection are listed in the Nature Conservation Decree of 1994. Some of the habitats are protected directly under the Decree, whereas others need to be demarcated by the County Administrative Board or the Regional Board of Forestry before the protection status enters into force. Most of the protected habitats are

- certain types of forests or groups of trees:
- springs:
- other minor waters;
- wetlands;
- certain swamps and mires;
- natural meadows or pastures.

As many of these habitats can also be found near the coast, the Decree is clearly of relevance for coastal conservation.

The Nature Conservation Act also restricts drainage. Generally, a permit issued by the County Administrative Board is required for drainage activities. The Government can also directly forbid drainage in areas where the preservation of wetlands is particularly essential. In several provinces, municipalities and other areas, drainage is prohibited through the Nature Conservation Decree. These areas include most of the coastal wetlands in the southern part of Sweden up to and including the province of Uppland.

Percentage of Baltic Sea coastline covered by some protective measure.

(The information in the table was collected through EC Nature in 1994-95.)

	National park or nature reserve	Protected landscape area or similar	Area with other protective measure*	Total
Denmark	17.8	–	≈ 52	≈ 70
Estonia	16.7	4.7	46.2	67.6
Finland	3	–	≈ 1	≈ 4
Fed. Republic of Germany:				
<i>Mecklenburg-Vorpommern</i>	27.9	65.3	–	93.2
<i>Schleswig-Holstein</i>	11	65	–	76
Latvia	9	11	72	92
Lithuania**	54.9	11.5	–	66.4
Poland* *	10.5	58.2	–	68.7
Russian Federation:				
<i>Leningrad region</i>	–	≈ 10	≈ 70	≈ 80
Sweden	11.3	–	≈ 58	≈ 69

* Legally protected **biotope** or coastal strip, extending at least 200 m from the mean water line, where constructions of new buildings, except for farming, forestry and fishery or other coast-bound activity is not allowed

** Excluding lagoons.

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