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Annual Report 2021 on the nature and protected landscape of "Wollmatinger Ried - Untersee - Gnadensee" (Germany)

Reporting period:	1 October 2020 to 30 September 2021.
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1 CONDITIONS

The renewal of the European Diploma for the Wollmatinger Ried up to 28 November 2029 was approved by the Council of Ministers of the Council of Europe on 4 September 2019 and was linked to three conditions.

a) Study on the expansion of the core zone of the NSG (nature reserve)

(Prepare a study on a the legal possibilities to enlarge the strict core zones of the Wollmatinger Ried–Untersee–Gnadensee Nature Reserve and report to the Secretariat by 2024)

A legal assessment has been performed of the legal framework for the enlargement of the nature reserve up to the state border with special consideration for bilateral agreements with Switzerland. This found that restrictions may only be imposed on fishing in this area with the approval of Switzerland, as the area is designated as a "General fishing area" within the meaning of Section 2 (3) of the Untersee Fishing Regulation (Unterseefischerei-Ordnung). If shipping should need to be restricted in any way, the International Shipping Commission Lake Constance (ISKB) would be responsible, under Article 19 (3) of the Convention concerning Navigation on Lake Constance, for providing information to both parties given that any such restrictions would directly impinge on shipping on the Lake. The Ministry of Transport Baden-Württemberg, which holds a seat in the Commission, decides on whether the ISKB should be involved or not. Concrete planned regulations have, however, had to be submitted in other NSG (nature reserve) designation proceedings. The Management Plan (PEPL) that is currently being drawn up for the Wollmatinger Ried also details the specific species (including in particular waterfowl) and habitat types found in the area which is being considered for enlargement. It will only be possible to assess fully which and where usages may have to be restricted once the results of the PEPL have been submitted and evaluated. As the plans are as yet quite vague, a submission to the Ministry of Transport without concretely planned regulations would therefore be premature and not expedient at this time. As the area concerned is located directly on the border between Germany and Switzerland in the so-called Ermatinger Basin and given that the Seerhein

(Lake Rhine) is also affected to some extent, Switzerland is substantially affected and it may therefore be assumed at present that it will be necessary to involve the ISBK.

The results of the legal review explained here will form the basis of the report that must be sent to the Bern Convention by 2024. Work will continue on the report as soon as the PEPL is submitted.

b) “Schneggliand-Wälle”, silting areas and natural processes preserved

(Reject any proposals or plans aiming to eliminate naturally-built barriers like the so-called Schneggliand and silting areas and to enable undisturbed natural processes without human intervention in a larger area, except in case of public interest e.g. flood protection)

The natural silting and erosion processes in the entire protected shallow water zones continued throughout the reporting period. No side has called for the estuaries to be dredged. If the Nature Reserve Ordinance (Naturschutzgebietsverordnung) were to be amended, an assessment would be carried out to determine whether existing prohibitions on making changes to the geology and water areas can be stipulated more precisely to ensure with complete certainty that the Schneggliande remains undisturbed without any human intervention.

c) Management plan

(By 2022 draft and adopt a management plan meeting the provisions and objectives of the European Diploma for Protected Areas and addressing the recommendations attached to the renewal of the Diploma)

The Freiburg Regional Administrative Authority has tasked the “ARGE 365° – ABL – Kiechle” Working Group with drawing up the Management Plan (also referred to as the Maintenance and Development Plan or PEPL) after the negotiated award has been made. One part of the performance specification concerns the implementation of the recommendations and conditions stipulated by the Council of Europe. Work on the faunistic and floristic survey began in 2021. Owing in particular to the high water levels in the summer (see Chapter 6.1), it was not possible to continue with the studies as planned. Relevant gaps still exist in the data for butterflies (*Lepidoptera*), ground beetles (*Carabidae*) and vegetation in particular; only small additions need to be made to the figures recorded for orthoptera (*Saltatoria*) and dragonflies (*Odonata*). The avifauna surveys are projected to be completed by the spring of 2022.

Extensive remapping will therefore be required in 2022. For this reason, the Management Plan will now only be finished in 2023.

2 RECOMMENDATIONS

In addition to the conditions stated above, the Council of Ministers has also issued six recommendations that, when implemented, will secure progress in the following areas:

a) Harmonisation of the regulations for the protection of nature and extension of the NSG (nature reserve) on the water side

(In co-operation with the Swiss authorities, assess the possibilities to harmonise the regulations for the protection of nature at both shores and to extend the Wollmatinger Ried–Untersee–Gnadensee Nature Reserve to the state border in order to enlarge the water zone, which is especially important during low water periods in winter)

The value of protecting and the need to protect further bodies of water, which were not previously included in the NSG (nature reserve), are currently being studied as part of the process of drawing up the Management Plan (see Chapter 1 c).

Contact had not yet been made with Switzerland regarding the harmonisation of regulations for the protection of nature during this reporting period for the reasons referred to in 1a)

above.

b) Improving the connections between the NSG (nature reserve) and the hinterland

(Pursue the efforts to improve the connections between protected sites in the hinterland and the Wollmatinger Ried–Untersee–Gnadensee Nature Reserve in connection with the extension of the trunk road B33, including the enlargement and/or adaptation of the nature reserve's boundaries. Compensation measures should be continued and the construction has to be carried out with the least impact for the protected area)

The wildlife crossing over the trunk road B33, in particular, is at present unable to fulfil its function adequately owing to inadequate maintenance.

More extensive enlargements of the areas of conservation are planned in connection with the ongoing development of the B33 (see chapter 4).

c) Ending fishing in the most sensitive areas

(End fishery in the most sensitive areas, mainly Schläuche and southern Hegne Bay, under the provisions of the bilateral treaty between Germany and Switzerland with the aim to improve the quality of the area as breeding ground, wintering place and moulting area)

More precise studies are also currently under way in connection with the drawing up of the Management Plan (see Chapter 1 c) regarding the restrictions which should be imposed on commercial fishing in order to safeguard the breeding grounds, wintering places and moulting areas of waterfowl.

d) Closure of the cycle path

(Abandon the still existing cycle path between the B33 road and the protected area boundaries, which is only used by a limited number of cyclists, and include the path into the Wollmatinger Ried–Untersee–Gnadensee Nature Reserve to enable an efficient control)

A meeting was held on 4 October 2021 between the Freiburg Regional Administrative Authority (Environment Department and Mobility Department) and the Municipality of Reichenau at which the Municipality was informed that the Regional Administrative Authority could not envisage approving a path through the connecting corridor created by the wildlife crossing.

Concrete plans to integrate the former cycle path to the south of the B33 into the "Wollmatinger Ried-Untersee-Gnadensee" NSG (nature reserve) will be assessed in connection with changes which may need to be made to the NSG Ordinance if the nature reserve is enlarged to include the area of water up to the state border.

e) Reducing or stopping disturbances

(Reduce or stop disturbances impacting on the protected area caused by leisure activities and sports through awareness raising and dissemination of information to boat rental companies, and to hot-air balloon and Zeppelin tour operators)

Throughout the entire water sports season from May to October, NABU volunteers were on duty at the floating protection and observation station to inform water sports enthusiasts about the protection regulations and considerate behaviour. Disturbances were found to occur on a regular basis. In particular stand up paddle boarders and canoeists caused massive disturbance by at times penetrating deep into the protected area. Disturbances were not found to occur from overflying hot-air balloons or Zeppelin tour operators.

No new campaigns to inform water and air sports enthusiasts were launched.

f) Consideration of interests of the area of conservation when examining further

building areas in the communities concerned

(Strictly consider the boundaries of the protected area, their potential for further development and the need of sufficient buffer zones to meet the objectives of the protected areas when examining the further extension of building areas in the communities concerned)

Urban land use planning procedures include assessments of whether areas of conservation are endangered or corridors between (parts of) FFH sites might be separated. Whether the needs of an area of conservation are taken into account depends on expert opinions and legal regulations. There are plans for further building development in the surrounding area of the Wollmatinger Ried. The authorities will need to examine the plans stringently and ensure that municipalities are aware that action to protect areas of conservation must be considered from the outset.

3 AREA MANAGEMENT

The responsible area manager with the Freiburg Regional Administrative Authority Ernst Stegmaier retired in spring 2021. Sole responsibility for area management was subsequently assumed by Dr Susanne Wolfer, who had previously been working for the District of Konstanz since 2017.

4 BORDERS

No legal changes to the borders of areas of conservation during the reporting period.

In the course of the extension of the B33, there are still plans to enlarge the area of conservation on a small scale up to the new roadway at a point between the Kindlebild crossroads and the railway level crossing. With regard to the use of the cycle path in the particularly critical areas between the Constance sewage treatment plant and Kindlebild crossroads, see above under 2.d).

In the "Bibershof" zone, areas are to be transferred from the currently protected landscape to the more strictly protected nature reserve.

5 OTHER INFORMATION

Winter water levels were again relatively high during the reporting period. The high levels of precipitation in the spring resulted in high water levels in the summer, which had a positive impact on the Ried area.

As a result, the development of value-giving plant species was average in many cases and reached record values in some cases.

The international importance of the area of conservation for resting and wintering waterfowl was also confirmed this year. The breeding success of waterfowl was strongly influenced by the water level dynamics. Two broods of the black-necked grebe were again observed.

Planned landscape maintenance work could be more or less carried out to the extent foreseen.

The area of conservation came under great pressure due to a greatly increased number of visitors during the corona lockdown. The use of land in surrounding areas for housing development also had a negative impact.

11 EFFECTS OF THE AWARDING OF THE EUROPEAN DIPLOMA ON THE AREA OF CONSERVATION

The award of the prestigious European Diploma enhanced all-round appreciation of the area of conservation among residents and visitors to the region, in local administrations and municipal councils. This prestigious award therefore made it easier to uphold the priorities of the area of conservation, particularly vis-a-vis competing interests.