



54. Annual Report 2022

Period of the Report:

01.10.2021 – 30.09.2022

State:

Federal Republic of Germany

Name of the Area:

Lüneburg Heath, (Lüneburger Heide)

**Certifications or national/
International designations**

Nature reserve area (LÜ002)
FFH- Area (Nr.70)
Bird- Saving Area number (V 24)
European Diploma for protected areas
(DE940003)

Central authority concerned:

Niedersächsisches Umweltministerium

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Conditions: List here all conditions which were attached to the award or the renewal of the European Diploma. Explain either how the conditions have been totally complied with or detail the progress in complying with the conditions. Please also indicate any unresolved difficulties that you have encountered.

There were no conditions attached to the renewal of the European Diploma (see Resolution CM/ResDip(2015)5).

Recommendations: List here all recommendations which were attached to the award or the renewal of the European Diploma. Explain either how the recommendations have been totally complied with or detail the progress in complying with the recommendations. Please also indicate any unresolved difficulties that you have encountered.

1. Pursue a reduction, or at least a limitation to no more than the current amount, of the concession of ground-water extraction and coordinate the ground-water extraction for irrigation on farmland technically and quantitatively with the activities and infrastructure of Wasserwerke Hamburg ("Hamburg Wasser"); carry out additional studies and monitoring in order to collect more information about the influences of all kinds of water extraction on species and ecosystems; and simulation modelling should be undertaken for all factors possibly influencing the groundwater level, the soil, the streams, the different types of vegetation including forests, the biotopes of red-list-species, and the natural dynamic of the whole ecosystem,.

During the last years "Hamburg Wasser" applied for a "Bewilligung" which is a "non-revocable concession", license or permission in German law, to extract an average of 18,4 Mio cubic meter of groundwater in fauna-flora-habitat area Lüneburger Heide for 30 years.

In 2019 the regional water authority in charge "Landkreis Harburg" granted "Hamburg Wasser" a "gehobene Erlaubnis" which is a revocable concession with restrictions in terms of German law. Landkreis Harburg also shortened the delivery volume to 16,1 Mio cubic meter on average. The extraction rate of 18,4 cubic meter applied by Hamburg Wasser can only be used in particular years with exceptional circumstances not in average.

In 2021 Hamburg Wasser filed a lawsuit at „Verwaltungsgericht Lüneburg“, the regional court in charge. On 7.10.21 "Verwaltungsgericht Lüneburg" has dismissed the claim of Hamburg Wasser.

The extraction rate will be limited to 16,1 Mio cubic metre on average and the "gehobene Erlaubnis", the revocable concession, was not demurred by court.

"Verwaltungsgericht Lüneburg" also stated, that the studies and data handed in by Hamburg Wasser for the concession-procedure are sufficient and meet the current standards of ecological monitoring of ground water extraction.

Verwaltungsgericht Lüneburg also dismissed claims of land owners and the environmental initiative "Landesverband Bürgerinitiativen Umweltschutz" against the concession given by Landkreis Harburg.

The court permitted an appeal because of the fundamental questions linked to the concession-process.

On 1st December 2021 Hamburg Wasser gave notice of appeal at Verwaltungsgericht Lüneburg. For Hamburg Wasser it is absolutely necessary to get a "Bewilligung" which is a "non-revocable concession", license or permission in German law and not a "gehobene Erlaubnis" which is a revocable concession with restrictions in terms of German law. The law suit will be carried on.

2. Pursue political recognition of the VNP's Lüneburger Heide Nature Reserve (NLH) and increase the public funding to the same level as is provided to Federal Nature Parks

Programs and funds for nature conservation provided by EU and the Federal State of Lower Saxony are still extremely difficult to apply to for non-profit organizations such as VNP. Application procedures are highly complicate, lengthy, costly and fraught with risk.

An example for the high risks non-profit organization have when taking part in public agri-environmental schemes is the "segetal species-problem" we illustrated in last year's report.

In 2020 VNP was accused by "Landwirtschaftskammer Niedersachsen" (the supervisory authority in charge of agri-environmental schemes in Lower-Saxony) of "illegal sowing" of endangered species. VNP had carried out experiments in cooperation with Leuphana University Lünburg to promote the population of endangered segetal species on arable fields owned by VNP by spreading of topsoil not seeds!

Landwirtschaftskammer Niedersachsen has cut the grants for the agri-environmental program for arable fields of VNP for several years. VNP filed a lawsuit against the decision of Landwirtschaftskammer Niedersachsen. Unfortunately, by the end of 2022 there is still not even a date for the beginning of the lawsuit!

3. Reconsider the ongoing practice of agricultural funding and pursue recognition of all types of heathland cultivation and all heathland restoration activities as a kind of "green land cultivation" with the same amount of funding, especially during the EC-funding period 2013-2020 and also for long term safe guarding.

Until 2022 it was very difficult to receive funding for heathland habitats as part of the subsidies paid by the EC for agriculturally used land. Until 2022 VNP has to count each tree on its several thousands of hectares to make sure, that less than 100 trees grow per hectare heathland!

VNP appealed to the minister of agriculture of Lower Saxony, Mrs. Otte-Kienast, for a more ecological and economical approach to apply for agricultural funding in heathlands

The ministry of agriculture promised a new regulation in the Lower-Saxon guideline for agricultural payments, with the beginning of 2023.

4. Pursue the continuation of funding for the rearing of the „Heidschnucke“ (Heathland sheep) by Lower Saxony and the Federal Republic and recognise the „Dülmener Pferd“ (Heathland horses) as worthy of subsidy by the rear-premium of Lower Saxony

VNP calls for an equal treatment of active breeders of rare breeds in all German federal states when new EU programs are set up in the next period of financing.

5. Develop a concept for connecting the large heathlands areas east and west of Wilsede by an ecological corridor.

The Management plan for the FFH-Area Lüneburger Heide, which is now in planning process, contains several 100 m broad corridors in woodlands to link open heathland habitat.

6. Pursue restoration of streams, their associated wetland biotopes and their buffer strips.

In 2022 several ground owners were asked for permission to carry out restoration work in the streambed and along the banks of Dierkshauser Bach.

Freyerser Moor (a bog which is part of the larger Pietzmoor-Komplex) was cleared of unwanted trees and shrubs to reduce evaporation and enhance exposure to light.

Drainage ditches were banked to reduce water loss. On the eastern fringe of Freyerser Moor a further parcel of land was bought by VNP. This plot is vital for further bog restoration schemes. The drainage ditches in this parcel of land will be dammed up during the next years.

7. Reduce areas with cultivation of energy-crops to a level that does not affect the nature reserve's flora, fauna, groundwater and the scenic attractions.

In order to promote and increase the attractiveness of so-called agri-environmental measures, VNP wishes significantly higher subsidy rates. Otherwise agri-environmental schemes cannot compete with the highly profitable cultivation of energy crops.

8. Continue ecological forest management and convert mono-croppings of spruce into mixed forests including oak (Quercus spp.)

In 2022 the forestry department of VNP converted 5 ha of coniferous forests into mixed forests with Oak trees as main species combined with Lime trees and European silver fir at the fringes of the woodlands. On 18th of march 2000 Oak trees and other deciduous trees were planted in Sahrendorf in cooperation with Volksbank Lüneburger Heide a local bank.

9. Ensure that existing data are included and respected in regional planning processes and also ensure that negative impacts on the nature reserve from outside the area's boundary are prevented; before licensing a wind farm, or any other project in the neighborhood of the reserve, carry out sufficient and detailed studies taking into account the formulated VNP recommendations.

VNP is very concerned about planning procedures of Deutsche Bahn (DB) – German Railway to build a new High Speed rail track between Hamburg and Hannover parallel to the A7 motorway on the eastern fringe of Lüneburger Heide nature reserve. The proposed corridor for the new rail track would block important migration routes for black grouse between the nature reserve and the military exercise grounds further east.

10. Complete the database of Lower Saxony concerning FFH-Species so that all species existing in the reserve are listed and considered in regional, national and federal planning procedures.

In 2022 members of staff of VNP charted more than 20.000 areas with endangered species and registered the data in VNP's own data base.

There are still severe methodical problems with the public species data base of the State of Lower Saxony which make exchange of ecological data complicate.

11. Create suitable ecological corridors between the nature reserve and the black grouse biotopes outside the reserve without endangering infrastructures such as like wind turbines.

See Point 9

12. Realize the concept of buffer zone areas with a high protection status in the neighboring areas of the nature reserve

Unfortunately planning procedures to declare “Camp Reinsehlen” (an area west of Lüneburger Heide nature reserve) as FFH-Habitat no. 157 are still not finished in 2021/22. Camp Reinsehlen is a former British military exercise ground that contains large dry grasslands. It is very important to safeguard Camp Reinsehlen and link its habitats with those in Lüneburger Heide nature reserve to create a larger network of dry grassland habitats.

13. Establish a corps of rangers (Naturwacht).

There is still no sufficient public funding for a professional ranger service in Lüneburger Heide nature reserve.

14. Site Management: List here any changes to the European Diploma holding site management, in relation to both terrestrial and aquatic environments (as appropriate), and in relation to staff and finances, since the last annual report was submitted to the Council of Europe. Please also indicate any unresolved difficulties that you have encountered.

15. Boundaries: Give details of any changes to the boundaries of the European Diploma holding site since the last annual report was submitted to the Council of Europe. If there are any changes, please attach an appropriate map to this report. Please also indicate any unresolved difficulties that you have encountered.

No changes

16. Other information: List any other information on the Council of Europe's website that you believe should be made available to the Council of Europe.

Maurice Hoffmann, expert in charge of the standing committee visited Lüneburger Heide nature reserve between 16.-17.8.22. Mr. Hoffmann visited the VNPs headquarter and was shown all institutions of VNP such as Landschaftspflegehof Tütsberg (ecological farm), several sheep flocks, Hillmershof (pupils farm), Dat ole Hus (open air museum), Heide-Erlebnis-Zentrum (visitor centre).

We had long and intensive discussions with Mr. Hoffmann about ecological and administrative problems in the nature reserve such as wind mills, extensive building sites in the neighborhood of the nature reserve.

Scientist of Leuphana University Lüneburg explained Mr. Hoffmann the joined research project of VNP and University called Ökokult <https://oekokult.de/news/>

On the evening of 18th August 2022 several politicians of local and regional councils, as well as representatives of local ground owners were invited and introduced to Mr. Hoffmann for a discussion about ecological perspectives of Lüneburger Heide region.

17. Please also remember to include one or two paragraphs on the use of the EDPA logo.

VNP informs about the EDPA on its homepage, please notice:

<https://www.verein-naturschutzpark.de/europa-diplom/>