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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

43<sup>rd</sup> meeting

Strasbourg, 28 November - 1 December 2023

**Complaint on stand-by: 2021/5**

**Habitat loss in Baden-Württemberg threatening the conservation of  
*Tetrao urogallus*  
(Germany)**

**- GOVERNMENT REPORT -**


*Document prepared by  
Ministry of the Environment, Climate Protection and the Energy Sector, Germany*

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## Baden-Württemberg

MINISTRY OF THE ENVIRONMENT, CLIMATE PROTECTION AND THE ENERGY SECTOR

 Reply to the letter from the Bureau of the Standing Committee of the Bern Convention (6th of May 2022)

Complaint No. 2021/5: Complaint on stand-by: Germany: habitat loss in Baden-Württemberg threatening the conservation of *Tetrao urogallus*

Dear Mr Miller,

in a letter dated 2 November 2021, the Ministry of the Environment, Climate Protection and the Energy Sector reported in detail on the status of concepts for the protection of the Capercaillie in the Black Forest.

Since 2008, the “Capercaillie Action Plan” (APA), a species conservation programme adopted for the State of Baden-Wuerttemberg and based on intensive scientific research, was established in order to maintain a viable Capercaillie population in the Black Forest. In an evaluation supported by species experts and completed in 2019, the validity of the technical concept of the first action plan was confirmed. However, the implementation of the plan in the field was considered inadequate. In order to improve Capercaillie protection, the action plan for 2022-2027 simplifies the complexity of the technical concept and focuses on the most important urgent measures.

In consultation with the **Ministry of Food, Rural Affairs and Consumer Protection Baden-Württemberg (MLR)**, we would like to present the current progress in the implementation of the action plan for 2022-2027 below.

### **Development of basics**

For the implementation of the **action plan 2022-2027** an **updated map** has now been drawn up representing the actual Capercaillie habitats and potential resettlement areas in the Black Forest. This cartographic basis is of key importance for the implementation of the action plan for 2022-2027, which has been evaluated by the Forstliche Versuchsanstalt Freiburg (Forest Research Institute) with scientific support from external species experts. The concept consists of areas of the current Capercaillie distribution with approximately 34.000 ha of forest areas, in which between 2014 and 2018 Capercaillies have been reliably detected and additionally potential resettlement areas with approximately 25.000 ha of forest area, which includes the highest habitat potential for the species. Complementary to this, 1 km wide interconnection corridors have been designated in order to guarantee the necessary genetic

exchange of Capercaillie populations in the Black Forest. Within these corridors are stepping-stone areas with high habitat potential, ranging from 5 ha to 100 ha.

The cartographic basis of the species' actual distribution provides the prerequisite for any further steps in Capercaillie protection. In August 2022, **a specific planning guide was published**, which comprehensively presents the conflict field **Capercaillie protection versus wind power expansion** in the Black Forest. The planning guide supports the enforcement authorities in the context of authorisation procedures. The aim is to maintain or support a viable Capercaillie population, while at the same time enabling the ongoing necessary expansion of wind energy use at suitable sites in the Black Forest.

Based on the updated map representing the actual Capercaillie habitats and potential resettlement areas, the **management plans of the SPAs** (Birds Directive), some of which are already in place and some of which have yet to be completed, can now be specified in more detail and funding scenarios determined.

In the future, forest owners can be reimbursed for additional expenses and reduced yields for Capercaillie habitat management. For this purpose, the amended version of the **Administrative Regulation Sustainable Forest Management (NWW)** provides for special funding for the Capercaillie. The subsidies are to be implemented in a targeted manner this year. **The association "Auerhuhn im Schwarzwald e. V."** (Capercaillie in the Black Forest e. V.) is partially funded by the state of Baden-Württemberg and **shall support the selection of the areas and the accompanying measures.**

### **Conservation and restoration of the habitat**

During the reporting period, **various habitat care measures were implemented in the area setting to promote Capercaillie dispersal.** Partly through financial support from the association "Auerhuhn im Schwarzwald", partly as compensatory measures for structural interventions. In the future, central controlling is to accompany and document these maintenance measures. At present, the Ministry of Food, Rural Affairs and Consumer Protection does not yet have an overall overview of the measures already implemented.

In the Black Forest National Park (approx. 10,000 ha), **a comprehensive emergency plan to safeguard the Capercaillie population** has been running since 2022 to complement the measures in the state forest outside. To this end, **more than 150 hectares of Capercaillie habitat** have already been significantly enhanced since 2014 and increasingly since 2022. The maintenance measures include in particular the improvement of the mating grounds as well as the surrounding breeding areas and the spatial networking of occurrences.

### **Reduction of anthropogenic disturbance**

Tourist infrastructure, new recreational trends, increasing visitor flows in the Capercaillie areas further restrict the usability of the already too scarce habitat. Short-term disturbances (e.g. events, forestry work, hunting) have an additional negative effect, especially during the winter and reproduction period.

To reduce disturbances in the tourism sector, there are now **various voluntary projects, including the "Bewusst Wild" campaign** in the Southern Black Forest Nature Park. On the one hand, these serve to inform visitors about the impact of disturbance on capercaillies; on the other hand, steering measures are intended to calm down habitats. Currently, **a game rest area for the protection of the Capercaillie** is being designated. In this wildlife rest area, once designated, trespassing will be restricted in order to provide low disturbance refuges for the Capercaillie. To further calm the area, a cross-country ski trail crossing the area has already been relocated to outside the designated protected area. For the future, **the designation of further wild resting areas** for the protection of the Capercaillie is planned.

In the Black Forest National Park (approx. 10,000 ha), the density **of public trails has been significantly reduced** as part of the implemented national park plan, and resting areas have been established in the winter months and during the mating and breeding season as part of the area management. The park's rangers are **specifically deployed to protect sensitive areas**.

### **Reduction of predator-related mortality through hunting management**

A spatially and temporally intensified predator management can be a fast effective measure to increase the reproductive rates of Capercaillie. **Persons responsible for the professionalisation of predator hunting will be appointed and, if necessary, employed.** Together with those entitled to practise hunting, they can ensure effective predator regulation in designated focus areas of Capercaillie reproduction.

In order to carry out the predator management in distribution priorities, hunting communities (Hegegemeinschaften) are to be formed according to the Hunting Act. **Concrete procedural steps have already taken place in the Southern Black Forest** for two sub-areas. Even if the hunting of predators takes place on the entire hunting area in the Black Forest as before, **these should be significantly intensified and professionalised in the four main distribution areas.** Thus, locally familiar hunters should be trained and trained by experienced professional hunters. In particular, **intensive trap hunting** is given great opportunities to effectively reduce the predator population by exploiting the possibilities of hunting law and thus improving the reproductive success of Capercaillie. The country's funding programmes or the use of local professional hunters are intended to provide comprehensive support to local actors.

## **Outlook**

Implementation of the 2022 to 2027 action plan has begun and is continuing at full speed. **The budgetary funds required for implementation have now been made available by the state budget** and, starting this year, should enable the urgently needed improvements in habitat design, reduction of disturbance and predator management.

Yours sincerely,

Head of the Department Nature Conservation