

Montreux Record Questionnaire

(adopted by the Conference of the Contracting Parties in Resolution VI.1, Brisbane, 1996, accompanying the Guidelines for Operation of the Montreux Record)

Section One:**Information for assessing possible inclusion of a listed site in the Montreux Record****Essential items**

- Name of site

Wadden Sea: East Frisian Wadden Sea and Dollart

- Ramsar Criteria for listing the site as internationally important

Daily maxima in the period 2000 - 2006 (only species "of international importance"):

Name	Individuals	Importance
Anas acuta [pintail]	< 7.515	int. imp.
Anas clypeata [shoveler]	< 2.239	int. imp.
Anas crecca [teal]	< 6.088	int. imp.
Anas penelope [wigeon]	< 56.077	int. imp.
Anas platyrhynchos [mallard]	< 45.391	int. imp.
Anser anser [greylag goose]	< 5.688	int. imp.
Arenaria interpres [ruddy turnstone]	= 1.816	int. imp.
Branta bernicla [brent goose]	= 16.275	int. imp.
Branta leucopsis [barnacle goose]	< 50.000	int. imp.
Calidris alba [sanderling]	= 9.607	int. imp.
Calidris alpina [dunlin]	< 253.688	int. imp.
Calidris canutus [knot]	< 30.707	int. imp.
Charadrius alexandrinus [Kentish plover]	< 783	int. imp.
Charadrius hiaticula [common ringed plover]	< 13.309	int. imp.
Gavia stellata [red-throated diver]	~ 1.200	int. imp.
Haematopus ostralegus [oyster catcher]	= 148.680	int. imp.
Larus argentatus [herring gull]	< 44.815	int. imp.
Larus canus [common gull]	~ 60.000	int. imp.
Larus fuscus [lesser black-backed gull]	< 14.633	int. imp.
Larus ridibundus [black-headed gull]	= 122.571	int. imp.
Limosa lapponica [bar-tailed godwit]	= 72.805	int. imp.

Numenius arquata [curlew]	= 89.359	int. imp.
Platalea leucorodia [spoonbill]	< 353	int. imp.
Pluvialis apricaria [golden plover]	= 21.433	int. imp.
Pluvialis squatarola [grey plover]	= 45.668	int. imp.
Recurvirostra avosetta [avocet]	= 17.808	int. imp.
Somateria mollissima [eider]	< 90.405	int. imp.
Sterna sandvicensis [sandwich tern]	< 6.208	int. imp.
Tadorna tadorna [common shell duck]	= 56.570	int. imp.
Tringa erythropus [spotted redshank]	= 2.521	int. imp.
Tringa totanus [redshank]	= 17.126	int. imp.

Corresponding data on the *Leybucht* and an evaluation of the sub-areas can be found in Annex 6

- Nature of the change in ecological character/potential for adverse change

In its planning approval (*Planfeststellungsbeschluss*) of 25 September 1985, the regional government of *Weser-Ems* drew up a complete list of the interventions in the natural surroundings and landscape which the coastal protection project "*Leybucht*" would entail. The main interventions were the partial dyking of the *Leybucht* and construction work affecting an area of 740 hectares on a Ramsar site.

The affected area comprised:

360 hectares of silt and mixed mud,
130 hectares of salt meadows,
70 hectares of accreted foreshore,
180 hectares of summer polder.

At the same time, a reservoir of around 270 hectares was created complete with adjacent pastures and reedbeds: NSG (nature conservation area) *Leyhörn* (around 620 hectares), which is now part of the SPA (special protection area) V04 *Krummhörn*.

Construction work started in 1986 and ended in 2003.

- Reason(s) for adverse change, or potential adverse change, in ecological character

The coastal protection project "*Leybucht*" was carried out for the purpose of creating a dyke strong enough to withstand severe floods, of ensuring inland drainage and of safeguarding the functioning of *Greetsiel* harbour (The original plans, which had involved dyking of the whole bay, had already been reduced to the smallest intervention possible). Achieving this purpose involves massive physical changes to the bay, hydrological changes due to the diversion of the *Norder Tief* channel flowing into the *Leybucht* and severe disturbances during the

construction phase of well over a decade. For that reason a very lengthy and intensive discussion process took place before the planning approval (*Planfeststellungsbeschluss*) was given. The outcome of that process is reflected in the planning approval with details of the conflicting interests and of the balancing of these interests furnished in the explanatory part. Priority was given to the interests of nature conservation and landscape management over all other interests – with the exception of dyke security and inland drainage.

Additional items which may be included

- Date Information Sheet on Ramsar Wetlands submitted
- Date and source of Information Sheet updates (e.g. National Reports, national wetland inventory, specific survey)
- Benefits and values derived from the site
- Extent to which values and benefits derived from the site have decreased or changed
- Monitoring programme in place at the site, if any (technique(s), objectives, and nature of data and information gathered)
- Assessment procedures in place, if any (how is the information obtained from the monitoring programme used)
- Ameliorative and restoration measures in place or planned (if any) so far

The ancillary provisions of the planning approval contain a number of on-site and off-site measures, including ameliorative and restoration measures as well as measures to minimise and prevent negative effects (cf. Annex 3).

The measures are as follows:

- The access road to *Leysiel* and the path along the dyke for protection purposes must not be dedicated for or opened to general traffic with the exceptions mentioned in the second and third sentences; access points must be equipped with gates to be kept closed. Bicycle traffic is only admitted on the access road to *Leysiel*. Pedestrian traffic is generally permitted except on the path along the dyke between *Leysiel* and the folding bridge north-east of *Greetsiel*.
- An operation plan has to be established for *Leysiel* and the reservoir in concert with the drainage associations concerned. The higher nature conservation authority has to be involved.
- Management of the area seaward of the future main dyke line (e.g. mowing, drainage, excavation and maintenance of ditches, grazing management) requires approval by the higher nature conservation authority. Management activities have to

be restricted in so far as this is necessary in order to improve the ecological value of the salt meadows and dyke security is not at stake.

- The *Land* of Lower Saxony has to apply for designation of the area of the *Leybucht* seaward of the future main dyke line and of the area inside *Leyhörn* from *Leysiel* to the folding bridge east of *Greetsiel* as a wildlife sanctuary.
- Inland areas that are used for extraction of marsh soil (near *Hauen*) must not be refilled but used in line with landscape management purposes; if all conditions according to the nature conservation act are fulfilled, designation as a protected area must be applied for.
- No water sports activities will be allowed in the navigation channel between *Leysiel* and the area where the water expansion begins in *Hauener Hooge* including the reservoir. Landing on the banks must be prohibited.
- The *Land* will purchase the area of *Lütetsburger Sommerpolder* (at a distance of around 18 km) if the owner makes an offer compatible with the pertinent guidelines. Management of this area and measures to improve the ecological value of the salt meadows must be coordinated with the higher nature conservation authority; they are only admissible if dyke security is not at stake.
- Existing boat landing places in the *Leybucht* have to be removed.
- Construction work has to be restricted as much as possible to the narrow construction area and to be carried out in a way that minimises the impact on fauna and flora. The applicants have to designate, with approval by the higher nature conservation authority, a qualified person who will give advice to the applicant on landscape management issues during the construction phase. The applicants have to bear the cost of this consultation.
- If compatible with sheep holding, the dykes have to be equipped with sufficiently large-meshed fences which are no obstacles for hares. Appropriate measures have to be taken to prevent grazing animals from escaping to the foreshore.
- The path for removal of washed-up seaweed seaward of the dyke has to be stabilised in a way that allows integration into the landscape in the long term.
- The folding bridge north-east of *Greetsiel* must be closed to general car traffic.
- The summer dyke that borders *Hauener Hooge* east of the new main dyke has to be lowered to a height that ensures natural salt water influx to all areas of the former polder.
- Land and water surfaces of the area of *Leyhörn* east of the navigation channel towards the *Leybucht* have to be managed according to the proposals contained in the accompanying plan for landscape management. Before and during the construction phase continuous coordination with the higher nature conservation authority and the

specialised authority responsible for nature conservation is required; derogations are admissible if approved by these authorities.

- List of attachments provided by the Contracting Party (if applicable)
- List of attachments provided by the Ramsar Bureau (if applicable)

Section Two:

Information for assessing possible removal of a listed site from the Montreux Record

- Success of ameliorative, restoration or maintenance measures (describe if different from those covered in Section One of this questionnaire)

All activities in the context of the coastal protection project "*Leybucht*" that involve land use were finalised by 2001. All other work was finalised in 2003.

It should be mentioned that the European Court of Justice, in its decision of 28 February 1991 (cf. Annex 6), declared the measures detailed in the planning approval notice of 25 September 1985 on coastal protection in the *Leybucht* legitimate, as sufficient compensatory measures had been adopted in a legally binding way. The Court of Justice recognized in particular that the ecological character of the region would not deteriorate as a result of the planned activities, but that on the contrary the ecological quality of the area would be enhanced thanks to the compensatory measures adopted.

- Proposed monitoring and assessment procedures (describe if different from those in Section One of this questionnaire)

In the context of the coastal protection project "*Leybucht*" exhaustive surveys of breeding and visiting birds have been conducted since 1986 following a standardised procedure. The surveys of breeding birds were continued until 2004 and then reconducted in 2006, the surveys of visiting birds are conducted continuously as part of the monitoring programmes for the Wadden Sea as agreed at the trilateral level. We also dispose of data on breeding and visiting birds from the pre-construction period (cf. Annex 5, page 2-7).

- Extent to which the ecological character, benefits and values of the site have been restored or maintained (provide details)
 - The planning approval recognises that the considerable negative effects on the *Leybucht* have to be counterbalanced by extensive countermeasures and by a development concept that takes the safeguarding and the stabilisation of the natural space into account to the extent possible. This is reflected in a number of ancillary provisions in the planning approval for the coastal protection project "*Leybucht*" as well as in the planning approval issued by the rural district of *Aurich* on 1 March

1988 for extraction of marsh soil (for covering the new dyke) outside the Ramsar site near *Hauen* (cf. Annex 2 and Annex 3 page 1 to 3 as well as data in paragraph 1).

- Rationale for removing the site from the Montreux Record (refer to "Guidelines for operation of the Montreux Record", together with Section One of this questionnaire)
 - All activities in the context of the coastal protection project "*Leybucht*" have been concluded.
 - All compensatory measures have been realised. The last activity to be carried out was the rehabilitation of the *Lütetsburg* summer polder at a distance of 18 km in 2005: conditions for the introduction and the reproductive success of meadow birds have been improved on that site of around 50 hectares by closing off several drainage ditches and at the same time increasing the influx of salt water. Ditches and shallow pools have been enlarged in order to accommodate the increased water quantities (cf. Annex 1).
 - The new land area behind the dyke, *Leyhörn*, has been protected as a nature conservation area whereas the areas that have remained seaward of the dyke are part of the *Lower Saxony Wadden Sea* National Park .
 - The new land area behind the dyke is part of EU SPA V06 *Krummhörn* whereas the areas that have remained seaward of the dyke are part of EU SPA V01 *Lower Saxony Wadden Sea and adjacent territorial sea*.
 - Long-term monitoring of visiting bird stocks shows that the *Leybucht* as part of the area "*Wadden Sea: East Frisian Wadden Sea and Dollart*", a wetland of international importance, continues to have an extraordinary importance as a resting, stopover and wintering area. Several species continuously fulfil the criterion for "international importance" even in the *Leybucht* itself (including the new reservoir of *Leyhörn*) (cf. Annex 5 and 6).
 - Long-term monitoring of breeding stocks also confirms the great importance of the *Leybucht* as a habitat for wetland species (cf. Annex 7). Populations are strongly increasing in the case of species of unmanaged salt meadows (e.g. redshank); they are decreasing in the case of species that benefited in the past from more intensive use or in the meantime from construction work (e.g. avocet).
- List of further attachments (if applicable)

Annex 1	Map of compensatory measure " <i>Lüttesburger Sommerpolder</i> " linked to coastal protection project " <i>Leybucht</i> "
Annex 2	Map of compensatory measures
Annex 3, page 1	Table of preventive, ameliorative and restoration measures
page 2	Map of preventive, ameliorative and restoration measures
page 3	Map of measure B4
Annex 4	Decision of the European Court of Justice of 28 February 1991
Annex 5	Map showing status after conclusion of the coastal protection project " <i>Leybucht</i> " with contemporary evaluation of bird populations
Annex 6	Evaluation tables for visiting birds

Annex 7 Table of contemporary breeding stocks