

**The Wadden Sea**  
Waddenzee – Wattenmeer

**Application for Minor Boundary  
Modification of „The Wadden Sea,  
Germany and Netherlands" (N1314)**

December 2010



## Colophon

### Compilation and Layout

Common Wadden Sea Secretariat (CWSS), Wilhelmshaven, Germany

### Cover

Mosaic of satellite images of the period 2000–2002  
(Source: Eurimage, Common Wadden Sea Secretariat  
& Brockmann Consult)

### Language support

Marijke Polanski

Wilhelmshaven, December 2010

Common Wadden Sea Secretariat (CWSS)  
Virchowstr. 1, D-26382 Wilhelmshaven  
phone +49 (0)4421 9108-0  
fax +49 (0)4421 9108-30  
info@waddensea-secretariat.org  
www.waddensea-secretariat.org



## Contents

1. Area of the Property	5
2. Description of the Modification	5
3. Justification	7
4. Contribution to the Maintenance of the Outstanding Universal Value	8
5. Legal Protection	12
6. Management	14
7. Documentation	15
7a. Contact Information	15
7b. Additional Information	15
7c. Bibliography	16
Signatures	19
Annex 1 Modified Maps, Tables and Figures	21
Extra supplements 1&2	31
Annex 2	33
01 Act on the "Wadden Sea of Hamburg" National Park	35
02 Letter of consent 9th of November 2007	49
03 2010 Joint Declaration on the Protection of the Wadden Sea	53
04 Administrative Agreement	65
05 2010 Wadden Sea Plan	75
06 Ministerial Council Declaration	167



## 1. Area of the Property

The area of the proposed minor boundary modification to extend site element 006 of the Wadden Sea World Heritage property is 13,611 ha and encompasses the Wadden Sea National Park belonging to the territory of the federal state of Hamburg, Germany. The modification will result in an increase of approximately 1.4% of the inscribed property, i.e. 982,004 ha in total (Tab. 1).

Site Element	Name	Coordinates of Centre Points	Size in Hectare	Size in km <sup>2</sup>	Map No. 1:50,000
001	Key Planning Decision (PKB) Wadden Sea, part I	53° 23' 27" N 05° 39' 57" E	247,386	2,473.9	NL2/18 - NL18/18
002	Key Planning Decision (PKB) Wadden Sea, part II	53° 22' 00" N 06° 53' 47" E	790	7.9	NL1/18 - NL3/18
003	Key Planning Decision (PKB) Wadden Sea, part III / National Park Wadden Sea Niedersachsen, part I	53° 16' 31" N 07° 09' 49" E	8,931	89.3	NL1/18 D 17/19
004	National Park Wadden Sea Niedersachsen, part II	53° 41' 44" N 07° 19' 57" E	166,648	1,666.5	D15/19 - D19/19
005	National Park Wadden Sea Niedersachsen, part III	53° 37' 40" N 08° 15' 50" E	49,134	491.3	D13/19 - D14/19
006	National Park Wadden Sea Niedersachsen, part IV / Nationalpark Wadden Sea Hamburg	53° 50' 48" N 08° 26' 01" E	72,417*	724.2	D11/19 - D13/19
007	National Park Wadden Sea Schleswig-Holstein	54° 31' 43" N 08° 33' 22" E	436,698	4,367.0	D1/19 - D10/19
	<b>Total Property</b>		<b>982,004</b>	<b>9,820.0</b>	

\* The area of the proposed modification is 13,611 ha and therefore 139 ha less than the official size of the National Park Wadden Sea Hamburg. The reason is an overlap of the Wadden Sea National Park Hamburg and Niedersachsen caused by an inconsistency of geographical data based upon an unclear definition of the border between Niedersachsen, Hamburg and Schleswig-Holstein in the mouth of the river Elbe.

## 2. Description of the Modification

The proposed minor modification of the boundaries of the Wadden Sea World Heritage property with the inclusion of the Hamburg Wadden Sea National Park into the existing property closes the "triangle" in site element 006 of the National Park Wadden Sea Niedersachsen, part IV to form a coherent and continuous tidal area within the Wadden Sea World Heritage property (site element 006 National Park Wadden Sea Niedersachsen, part IV / National Park Wadden Sea Hamburg) (Fig 1 & 2). The site element is hence delimited in the north-north east by southern part of the outer Elbe estuary and connecting up to the existing north-western and western boundary of the site element.

The Hamburg National Park is delimited in the southwest by the Wadden Sea World Heritage and National Park Niedersachsen along the "Nordertill" and "Bakenloch" channels and in the north-northwest by the river Elbe estuary and the Wadden Sea World Heritage - Niedersachsen National Park. The southern tip of the national park touches the mainland south of the city of Cuxhaven within the Wadden Sea World Heritage property.

Within the proposed modification, 72% (9,900 ha) of the area is tidal area, 25% (3,500 ha) subtidal including tidal gullies, and about 3% (354 ha) cover the inhabited island of Neuwerk (300 ha) and the sand dune islands of Scharhörn and Nighörn (54 ha).

Table 1:  
Coordinates of the centre points, size and topographical maps involved of the site elements of proposed modified property.

Figure 1:  
Map of the proposed modification of the Wadden Sea World Heritage property.

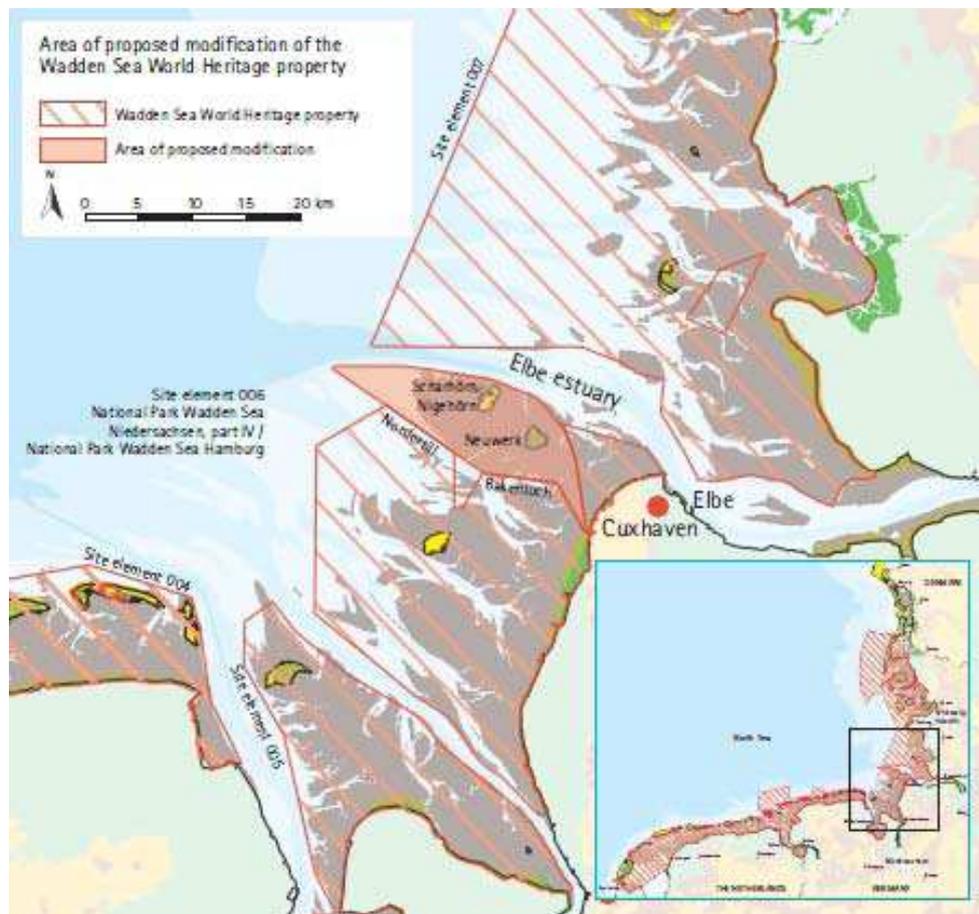
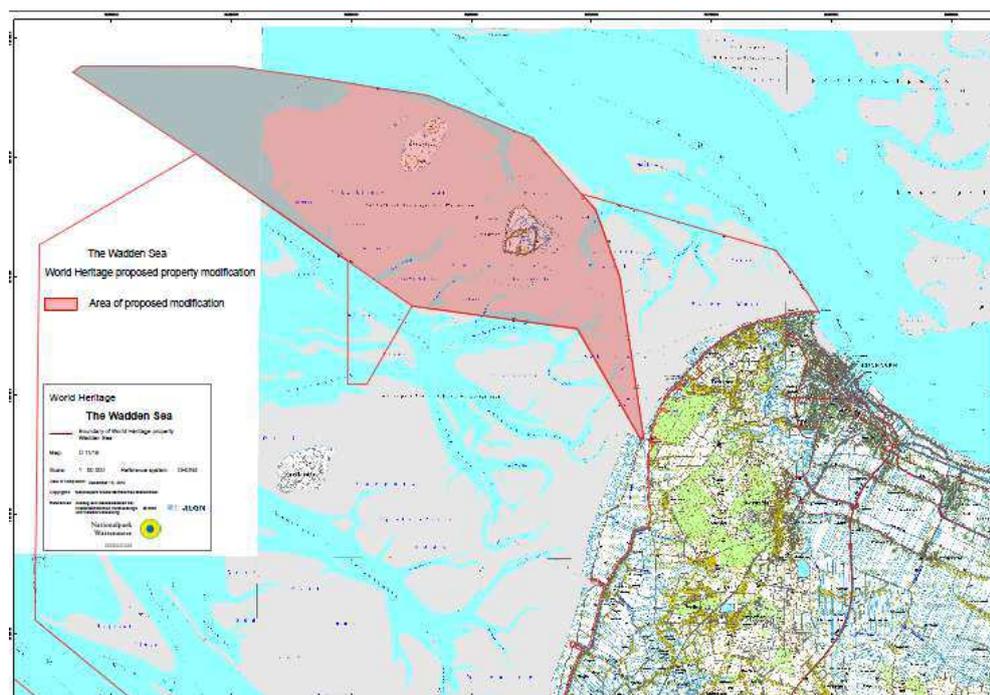


Figure 2:  
Topographic map (D 11/19) with Wadden Sea World Heritage property and proposed modification.



### 3. Justification

As outlined in the 2008 Nomination Dossier, the Wadden Sea is an extensive coastal tidal and mud flat system and characterized by a complex mosaic of sand and mudflats, tidal channels, salt marshes, seagrass meadows, mussel banks, sandbars and barrier islands extending over an area where natural processes proceed in a relatively undisturbed manner (Fig. 3).

The proposed modification area, the Hamburg Wadden Sea National Park, is an integrated and contiguous part of the Wadden Sea. All three criteria under which the Dutch and German part of the Wadden Sea have been inscribed on the World Heritage List by the World Heritage Committee unreservedly also apply to this area. All key features of the property are also present within the modification as well as the species including the endemic and threatened species which further justified the inscription of the property on the World Heritage List.

The specific location of the site at the outer part of the Elbe estuary adds a distinctive estuary feature to the property in conjunction with a highly dynamic and extended open tidal flat area. The area is also crucial for bird species (Table 2 & 3).

As outlined below, the proposed area of modification is a national park and therefore under strict legal protection and entirely embedded in the overall trilateral protection and management scheme according to the Joint Declaration on the Protection of the Wadden Sea in conjunction with the Trilateral Wadden Sea Plan. The inclusion of the Hamburg National Park into the Wadden Sea World Heritage property will strengthen the integrity of the whole property and align the Dutch and German protected areas in the Wadden Sea within the overall World Heritage approach with full support from governments and the inhabitants. It will enhance and reinforce the Statement of Outstanding Universal Value for the property as adopted by the World Heritage Committee in its decision in June 2009.



Figure 3:  
Hamburg Wadden Sea National Park from above looking in south-eastern direction. In front the dune island of Scharhörn (left) and Nigehörn (right), in the back the island of Neuwerk and the mainland near Cuxhaven (Photo: N. Kempf).

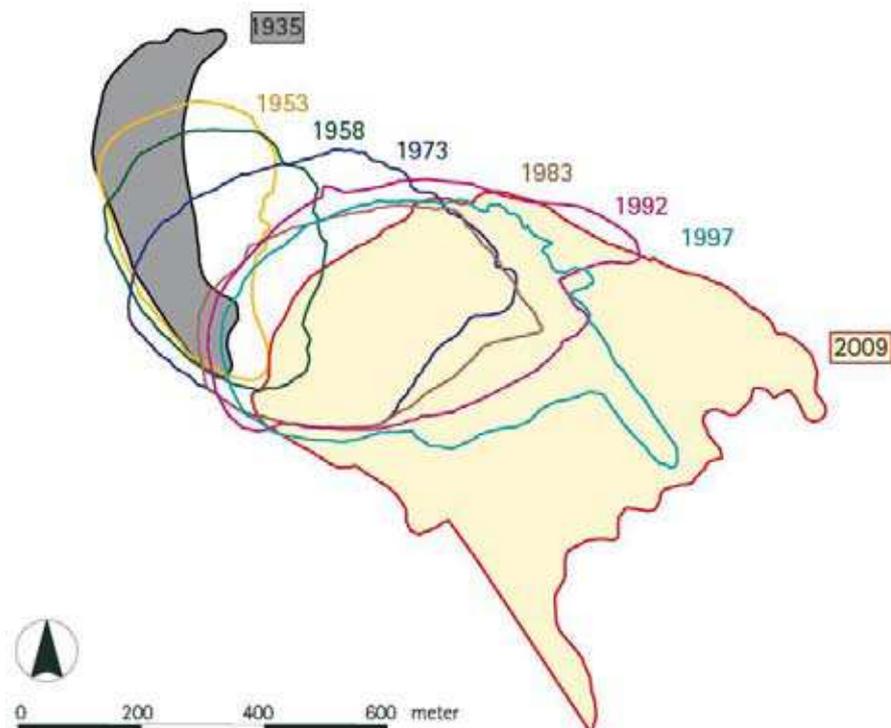
Figure 4:  
The Dune island of  
Scharhörn, photographed  
from south-east  
(Photo: National Park  
archive–A.JeB, 2005).

#### 4. Contribution to the Maintenance of the Outstanding Universal Value

As indicated in the previous chapter, the three criteria under which the property has been inscribed also apply to the proposed area of modification. The Hamburg Wadden Sea National Park is located very centrally in the property and falls in the highest tidal range of more than 3 meters and therefore a relatively open tidal flat system with only low barrier islands which are very dynamic. The proposed modification includes a large tidal area in which natural processes largely proceed in an undisturbed way. This is particularly demonstrated by the movement of the island of Scharhörn over the last 70 years (Fig. 5). Scharhörn was already declared a nature conservation area in 1939. In order to restore valuable breeding and resting areas for birds, which had been lost by the moving of Scharhörn, the island of Nigehörn was created in 1989. The island has since developed in a natural way.



Figure 5:  
Shapes of moving dune  
island of Scharhörn in the  
National Park Wadden Sea  
Hamburg 1935–2009  
(Source: Wadden Sea Park  
archive).



Another impact of the natural dynamic system is the phenomenon of large shell assemblages of the mussel *Mya arenaria* (Fig. 6). These so called "mussel graveyards" indicate strong shifts of sediments within the tidal flat area. Adult specimens of *Mya* usually live about some 30 cm deep in the ground, losing their ability to actively dig themselves into the ground, when being washed out by the shift of sediments. On the sandbank "Wittsand" (white sand) those shells are aggregated by the currents forming a light shining surface on the seafloor (Fig.7). Criterion viii of the Operational Guidelines therefore applies to the area.

In respect of criteria ix and x the proposed modification also entails all the key features and transition zones of the Wadden Sea including the embanked area of the island of Neuwerk. A large portion, 40 hectares, of the salt marsh area of the island, previously located behind a summer dike, has been opened to the tides and is now in the process of being reestablished as natural salt marshes. The pastures and meadows within the embanked area is managed in a natural way and therefore are valuable areas especially both for resting geese as well as wading and meadow birds. This adds an additional aspect to the property. The total area of salt marshes within the national park is 360 ha, of which 230 ha are regular salt marsh, 40 ha are de-embanked, 10 ha are green beaches, and the remaining 80 ha are within a summer polder (revised data, 2009, by the National Park Authority).

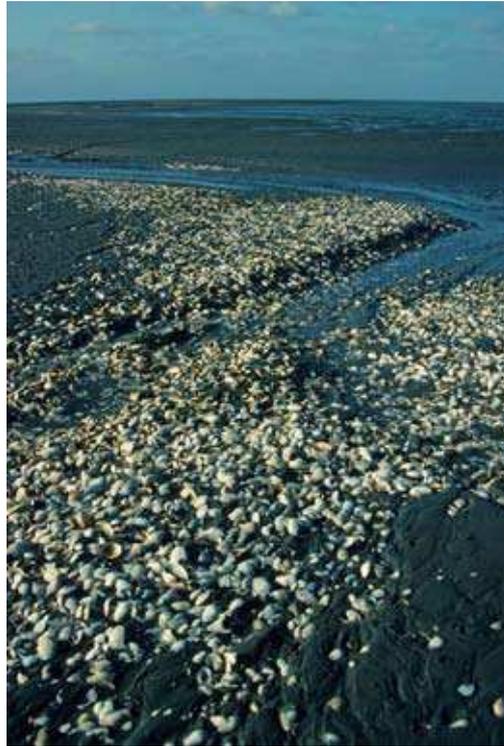


Figure 6:  
Mussel graveyards of sand  
gapers (*Mya arenaria*)  
washed out of the  
sediment  
(Photo: K. Janke).



Figure 7:  
Shell assemblages on the  
sandbank "Wittsand"  
(White Sand)  
(Photo: P. Körber).

Figure 8:  
Natural blooming salt-marshes in the eastern part of the island of Neuwerk. On the horizon the old tower and the school hostel "Meereswoge" (Photo: K. Janke).



Finally, it should be mentioned that the area is as important to migratory and breeding birds as other parts of the property, especially when the tides come in. A summary of recent populations of breeding and resting birds is shown in Tab. 2 and Tab. 3.

Table 2:  
Some resting bird counts in the Hamburg National Park Wadden Sea (2005–2010). (Source: WWZ-Monitoring, \*special geese management monitoring programme\*, both National Park Archive, 2010).

Common Name	Latin Name	2005	2006	2007	2008	2009	2010
Dunlin	<i>Calidris alpina</i>	39,000	11,901	36,225	30,930	13,848	28,711
European Oystercatcher	<i>Haematopus ostralegus</i>	21,610	29,675	49,932	33,303	22,327	17,153
European Shelduck	<i>Tadorna tadorna</i>	13,337	13,010	40,507	3,839	2,672	14,724
Spotted Redshank	<i>Tringa erythropus</i>	50	134	416	51	22	23
Eider Duck	<i>Somateria mollissima</i>	1,822	2,190	2,403	1,689	3,643	3,888
Golden Plover	<i>Pluvialis apricaria</i>	500	1,049	900	391	540	96
Curlew	<i>Numenius arquata</i>	6,861	8,863	26,587	8,644	4,727	14,386
Greenshank	<i>Tringa nebularia</i>	771	598	685	291	751	309
Lapwing	<i>Vanellus vanellus</i>	60	74	710	37	68	67
Grey Plover	<i>Pluvialis squarola</i>	3,272	5,537	6,330	3,740	574	2,213
Knott	<i>Calidris canutus</i>	1,935	4,736	3,870	130	1,100	111
Cormorant	<i>Phalacrocorax carbo</i>	776	866	845	1,103	871	1,155
Black Headed Gull	<i>Larus ridibundus</i>	14,047	11,752	15,995	8,632	8,650	10,785
Greater Black-backed Gull	<i>Larus marinus</i>	341	140	202	158	209	220
European Wigeon	<i>Anas penelope</i>	2,883	5,004	5,487	5,547	6,057	2,359
Bar-tailed Godwit	<i>Limosa lapponica</i>	2,805	1,780	1,340	832	1,687	1,796
Whimbrel	<i>Numenius phaeopus</i>	57	2	2,120	10	0	30
Brent Goose*	<i>Branta bernicla bernicla</i>	3,436	6,273	4,466	5,532	5,593	4,396
Barnacle Goose*	<i>Branta leucopsis</i>	51	361	275	696	1,061	1,741
Common Redshank	<i>Tringa totanus</i>	413	723	288	488	221	269
Avocet	<i>Recurvirostra avosetta</i>	19	31	97	44	57	52
Sanderling	<i>Calidris alba</i>	3,851	3,970	740	153	7,740	6,393
Great Ringed Plover	<i>Charadrius hiaticula</i>	1,375	1,327	308	25	984	295
Herring Gull	<i>Larus argentatus</i>	8,945	5,878	9,526	7,993	5,060	10,440
Northern Pintail	<i>Anas acuta</i>	130	696	224	1,132	684	419
European Turnstone	<i>Arenaria interpres</i>	1,799	863	2,692	997	287	293
Mallard	<i>Anas platyrhynchos</i>	453	360	448	965	413	220
Common Gull	<i>Larus canus</i>	3,193	3,318	965	1,891	2,010	4,256



Figure 9 (left):  
A flock of resting Dunlins  
at the edge of Scharhörn  
during high tide  
(Photo: K. Eisermann).

Figure 10 (right):  
Resting Brent Geese on the  
meadows of the island of  
Neuwerk  
(Photo: P. Körber).

Common Name	Latin Name	2005	2006	2007	2008	2009	2010
European Oystercatcher	<i>Haematopus ostralegus</i>	907	1074	1493	819	773	835
European Shelduck	<i>Tadorna tadorna</i>	38	75	44	44	28	94
Sandwich Tern	<i>Sterna sandvicensis</i>	95	171	224	284	567	375
Eider Duck	<i>Somateria mollissima</i>	14	30	13	7	17	26
Common Tern	<i>Sterna hirundo</i>	322	209	598	0	403	459
Lesser Black backed Gull	<i>Larus fuscus</i>	896	1107	833	298	187	231
Lapwing	<i>Vanellus vanellus</i>	25	14	20	17	17	17
Cormorant	<i>Phalacrocorax carbo</i>	265	204	238	150	265	200
Arctic Tern	<i>Sterna paradisaea</i>	504	762	573	573	174	186
Black Headed Gull	<i>Larus ridibundus</i>	3998	5562	4174	5052	2695	3184
Common Redshank	<i>Tringa totanus</i>	19	19	24	24	23	25
Avocet	<i>Recurvirostra avosetta</i>	29	30	34	24	35	34
Great Ringed Plover	<i>Charadrius hiaticula</i>	8	6	8	5	4	10
Herring Gull	<i>Larus argentatus</i>	1604	1621	2093	1206	1258	1039
Common Gull	<i>Larus canus</i>	29	32	20	1	9	17
Short-eared Owl	<i>Asio flammeus</i>	1	4	1	2	3	3
Little Tern	<i>Sterna albifrons</i>	0	0	12	0	0	0

Table 3:  
Breeding bird counts in the  
Hamburg National Park  
Wadden Sea (2005–2010).  
(Source: WWZ-  
monitoring, National Park  
Archive, 2010)



Figure 11:  
The rare Sandwich Terns  
& Black Headed Gulls  
breed in a mixed colony  
on the eastern saltmarshes  
of the island of Neuwerk  
(Photo: K. Eisermann).

Table 4: Harbour seals (*Phoca vitulina*) in the National Park Wadden Sea Hamburg. (Source: Ministry of Agriculture, Lower Saxony; National Park Agency Lower Saxony Wadden Sea National Park.).

Year	Elbe Area (North)	Till Area (South)	total
2000	64	366	430
2001	70	514	584
2002	57	479	536
2003	13	233	246
2004	43	238	281
2005	76	314	390
2006	37	387	424
2007	65	411	476
2008	70	483	553
2009	116	405	521

The Hamburg Wadden Sea National Park also contributes as retreat area for whelping and moulting harbour seals (*Phoca vitulina*) in the Wadden Sea (Tab. 4). Harbour porpoises (*Phocoena phocoena*) are also frequently seen.

Thus the inclusion of the area will enhance the integrity of the property in particular in terms of the location of the area in the outer Elbe estuary, in terms of its specific qualities and especially in terms of creating a continuous and coherent open tidal flat system. Moreover, the area is already under strict protection and well embedded in the already existing trilateral protection and management. The modification will therefore not only contribute to maintain the Outstanding Universal Value of the property but will also contribute to enhance it.

### 5. Legal Protection

The minor boundary modification of the Wadden Sea World Heritage property with the inclusion of the Hamburg National Park will result in a reinforcement of the cooperation on the protection and management of the property. The area is subject to a comprehensive protection scheme. 97.8% of the national park is owned by the Federal Government, 2% by the city of Hamburg and the remaining 0,2% is privately owned. The Hamburg Wadden Sea National Park was established in April 1990 by state law and amended in 2001 in accordance with the Federal Nature Conservation Act. The amendment led to a seaward extension of the national park up to the 3-mile line and also to a more precise definition of the protection objectives. The Act on the "Wadden Sea of Hamburg" National Park is in Annex 2.

The overall purpose according to the Act is to conserve the Hamburg Wadden Sea, including the island of Neuwerk and the dune islands of Scharhörn and Nigehörn, in its entirety and with its natural dynamics, for its own sake, and to conserve it as a habitat for species that depend on this unique tidal-flat habitat, as well as for the communities comprising such species, and to protect it against damage. In particular sand and silt flats, tidal channels, sands, intertidal mud flats and dunes, and the undisturbed and natural forces that connect these various landscape elements are to be conserved. Any activity which could cause destruction, damage or change to the protected area or any part thereof or that could lead to lasting disturbance is prohibited.

Figure 12: Hamburg Wadden Sea National Park.



The proposed area is also subject to all international protection regimes described in the 2008 Nomination Document such as the Particularly Sensitive Sea Area (PSSA), designated by the IMO, the UNESCO's Man and the Biosphere Programme (MAB), the African-Eurasian Waterbird Agreement (AEWA) and the Birds and Habitats Directives (Natura 2000) and the Water Framework Directive of the European Union. On regional level, the Hamburg National Park is part of the 'Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas' (ASCOBANS) and the 'Seal Agreement' on Harbour seals and Grey seals, which both are part of the Convention on the Conservation of Migratory Species (CMS) of Wild Animals (Bonn Convention).



The Hamburg National Park is divided into two zones (Fig. 13). Zone I is reserved for the establishment and succession of natural dynamics covering about 90% of the national park. Public access is prohibited with the exception of (mainly tidal flat) walking routes, and the tidal flats northeast of the island Neuwerk ("Kleiner Vogelsand"). Zone II (about 10 %) is reserved for recreation, sustainable tourism and nature experience activities which are in line with the national park aims.

There are also some farming activities (pastures and meadows) supporting the maintenance of the some hundred years old historically small-scale structured landscape of the island of Neuwerk (Fig. 14). The island bears the oldest secular building at the Wadden Sea coast, the old 38 meter high tower, "Nige Wark" (= new building), from 1300-1310, used as a lighthouse since 1814 (Fig. 15). It is attended by two more than 20 m high wooden and historically noted shipping signs ("Nordbake" and "Ostbake").

Commercial fishery is forbidden with the exception of shrimp fishery along three narrow shipping routes (less than 1 % of the area). Hunting is prohibited within the entire national park. It is furthermore prohibited to explore and exploit

energy resources (oil and gas) and extract sand within the national park.

With regard to harbours and shipping lanes, the factors affecting the Wadden Sea World Heritage property have been extensively described in 4b of the 2008 Nomination Document and also apply to the proposed modification. The 2008 Nomination Document inter alia refers to plans for deepening of the Elbe shipping lane and describes in detail compensation and mitigation measures. The information is still valid and the project has not yet been concluded pending further investigations. The shipping lane is located outside the Wadden Sea World Heritage property as well as outside the area proposed for modification.

The average number of guests visiting the island of Neuwerk is estimated to about 100,000 - 120,000 yearly. Public access to the Hamburg National Park is restricted to three small shipping routes and a tidal flat route being used both for pedestrians and about 60 horse waggons travelling between the mainland and Neuwerk. The island is also visited once a day (April - October) by a ship carrying up to 500 guests. There is no public car traffic on the island.

The Hamburg Wadden Sea National Park is fully subject to the agreements and decisions made in the framework of the Trilateral Wadden Sea Cooperation, as described in the 2008 Nomination Document for the Wadden Sea World Heritage property.



Figure 13:  
Within the embanked area of Neuwerk, a some hundred years old historically small-scale structured landscape is maintained (Photo K. Janke).

Figure 14:  
The oldest building at the Wadden Sea coast, the "Nige Wark" (Photo K. Janke).

## 6. Management

The Wadden Sea Plan constitutes the common framework for the protection and sustainable management of the Wadden Sea as an ecological entity. The Wadden Sea Plan is declared the coordinated management for the Wadden Sea World Heritage property which also applies to the proposed modification area. In 2010 the updated Wadden Sea Plan was adopted (see Annex 2). The updated Wadden Sea Plan has been brought into line with the inscription of the property into the World Heritage List by including the criteria for which it was inscribed on the World Heritage List and by aligning, as appropriate, policies and management. Also the requests encompassed in the decision of the World Heritage Committee on the inscription of the Wadden Sea in the World Heritage List have been included in the Wadden Sea Plan.

The area of the proposed modification, Hamburg National Park, is fully covered by and integrated into the Wadden Sea Plan. The modification will extend and enhance the common management, information and communication of the property. The proposed boundary modification of the property will also enhance the awareness, information and communication of the wider society that the area is one indivisible property which has the full German governmental backing.

The competent management authority for the national park is the National Park Office of the Urban Development and Environment Authority of the city of Hamburg. It has a staff of 6 persons including one ranger. Additionally 15 staff members of the Hamburg Port Authority are responsible for maintenance and development of the Island Neuwerk and its historical landscape. The staff is supported by the Hamburg shipping police forces, located in Cuxhaven.

The inhabitants on the island of Neuwerk are directly involved in the protection and management of the park. On invitation by the National Park Authority half-yearly meetings are held between the competent authorities and the inhabitants – so called "island talks" – where all issues with regard to the park are discussed and, as appropriate, agreed upon. The inhabitants have explicitly approved of the inclusion of the Hamburg National Park in the Wadden Sea World Heritage by letter of 9th of November 2007. The letter of consent is in Annex 2. The consent has since been reconfirmed during recent island talks.

As regards enforcement, the legal protection status of the area is supervised by members of the Hamburg National Park Authority and the NGO

partner ("Verein Jordsand zum Schutz der Seevögel und der Natur e.V."), located on the island of Neuwerk according to a contractual arrangement with the National Park Authority. The staff of the National Park Authority at the local office ("National Park Station") and the staff of the Verein Jordsand for the information centre ("Nationalpark-Haus Neuwerk") cover all disciplines necessary for the appropriate management and enforcement of and information on the site.

The level of funding for the national park including the management of the central information centre on the island of Neuwerk amounts to about € 400,000 annually. The expertise and training possibilities are sufficient to ensure a continued appropriate management and coordination with the overall management. Moreover, regularly, scientific research is done in the area in cooperation with several universities. The Hamburg National Park is furthermore fully integrated into the Trilateral Monitoring and Assessment Programme (TMAP), the data handling is part of the Schleswig-Holstein data unit as outlined in the 2008 nomination document. Recently an update of the 2004 Quality Status Report was published online <http://www.waddensea-secretariat.org/QSR-2009/index.htm>.

The national park information centre ("Nationalpark-Haus Neuwerk") on the island of Neuwerk is the information and awareness centre for the national park and provides comprehensive information on the Wadden Sea, its unique values and the national park itself (Fig. 16). The centre is also the starting point for excursions and educational activities. The new centre was opened in 2004 and now also functions as a key communal centre on the island. The centre is operated by the Verein Jordsand on behalf of and financially supported by the national park office with a budget of about € 40,000 per year. There are 3 persons employed at the centre, a centre leader and 2 assistants. There is also a bird warden for the islands of Scharhörn and Nigehörn from April to October. Also voluntary students are employed on a regular basis. The national park is furthermore embedded in the joint website of the three German Wadden Sea national parks <http://www.wattenmeer-nationalparke.de/>



Figure 15:  
National Park visitor  
centre "Nationalpark-Haus  
Neuwerk"  
Photos: K. Janke.

## 7. Documentation

### 7a. Contact Information

Dr. Klaus Janke  
Behörde für Stadtentwicklung und Umwelt  
Referat Europäischer Naturschutz und  
Nationalpark Hamburgisches Wattenmeer  
Stadthausbrücke 8  
D-20355 Hamburg  
phone: + 49(0)40 42840-3392  
fax: + 49 (0)40 42840-3552  
[Klaus.Janke@bsu.hamburg.de](mailto:Klaus.Janke@bsu.hamburg.de)

Mr Jens Enemark  
Secretary  
Common Wadden Sea Secretariat  
Virchowstrasse 1  
D-26382 Wilhelmshaven  
Phone: +49 (0)4421 9108-12  
Mob.: +49 (0)170 38 23 787  
Fax: +49 (0)4421 9108-30  
[enemark@waddensea-secretariat.org](mailto:enemark@waddensea-secretariat.org)

Cooperating Non-Governmental Organization  
Verein Jordsand zum Schutz der Seevögel und  
der Natur e.V.  
Haus der Natur, Bornkampsweg 35  
D-22926 Ahrensburg  
[info@jordsand.de](mailto:info@jordsand.de)

### 7b. Additional Information

Map of the modification and revised Maps, Tables and Figures (with reference to the nomination document) which include the modification and topographical maps 11/19 and 12/19 are in Annex 1.

At the 11th Trilateral Governmental Conference on the Protection of the Wadden Sea, 17-18 March 2010, a new Joint Declaration on the Protection of the Wadden Sea was adopted. The 2010 Joint Declaration does not alter the spirit or legal status of the Cooperation. It encompasses the overall principles for the protection of the Wadden Sea and the objectives and areas of cooperation. The 2010 Joint Declaration also introduces new governance arrangements. The Trilateral Wadden Sea Governmental Council is the politically responsible body (Ministers) for the Cooperation. The Wadden Sea Board is the governing body of the Cooperation. The new Joint Declaration and Governance Arrangements will ensure that the Cooperation will be able to meet present and future needs. In conjunction with the 2010 Joint Declaration also a new legally binding Administrative Agreement for the Common Wadden Sea Secretariat was signed to provide the secretariat with a legal status. The 2010 Joint Declaration and Administrative Agreement are in Annex 2, which encompasses

- 01 Act on the "Wadden Sea of Hamburg" National Park. In the version promulgated on 9 April 1990 (Hamburg Law Gazette (Hamburgisches Gesetz- und Verordnungsblatt), No.11/1990 of 12 April 1990, pages 64 - 66) amended by resolution of the state parliament of 5 April 2001 (Hamburg Law Gazette, No.13/2001 of 18 April 2001, pages 52-53).
- 02 Letter of consent 9th of November 2007 (consent confirmed during recent islands talks with the local population)
- 03 2010 Joint Declaration on the Protection of the Wadden Sea

04 Administrative Agreement

05 2010 Wadden Sea Plan

06 Ministerial Council Declaration. 11th Trilateral Governmental Conference of the Protection of the Wadden Sea, Sylt, 18 March 2010

### 7c. Bibliography

HELLWIG, U., 2006. Nigehörn – an artificial island goes natural. Waddensea Newsletter 32/1, 22-24.

INSTITUT FÜR NATURSCHUTZ- UND UMWELTSCHUTZ-FORSCHUNG des Verein Jordsand, 1996. Begleitendes faunistisches und vegetationskundliches Forschungsprogramm für die durch Sandaufspülung bei Scharhörn neu geschaffene Insel "Nigehörn"; Umweltbehörde Hamburg.

JANKE, K. (1997). Sieben Jahre Insel Nigehörn: Lässt sich die Aufspülung einer Vogelschutzinsel mit den Naturschutzziele des Nationalparks Hamburgisches Wattenmeer vereinbaren ? - In: Natürliche Dynamik oder Management für den Naturschutz. Schriftenreihe Nationalpark Niedersächsisches Wattenmeer Band 2, 49-53.

JANKE, K. (2000). 10 Jahre Nationalpark Hamburgisches Wattenmeer: Hamburgs größtes Schutzgebiet feiert Jubiläum. - Seevögel 21 (2), pp 41 - 46.

JANKE, K. (2006). Seevogelschutz im hamburgischen Wattenmeer. - IN. 100 Jahre staatlicher Vogelschutz in Hamburg. Behörde für Stadtentwicklung und Umwelt, Hamburg; pp 27-31.

JANKE, K. & GLITZ, D. (1992). The Story of Nigehörn.- Wadden Sea Newsletter 1/1992, 8-12.

JANKE, K. & PIPER, W. (1992). Errichtung und Sicherung schutzwürdiger Teile von Natur und Landschaft mit gesamtstaatlich repräsentativer Bedeutung. Projekt: Nigehörn - Hamburgs neue Vogelschutzinsel im Watt.- Natur und Landschaft 67, pp 340-343.

KÖRBER, P. 2005. Projekt Salzwiesen-Renaturierung auf Neuwerk. Wattenmeer International 1/2005

LEMKE, W., 1981: Die Vögel Neuwerks. Verlagsgesellschaft Cuxhaven, 247 pp.

LEMKE, W., 1995: Die Vögel Neuwerks 1981-1993. Hamburger Avifaunistische Beiträge 27, 10-132.

LUBOWSKI, Th.. 2007. Hamburgs Watt auf dem Weg zum Welterbe. Hamburg Finest 1/2007, pp 36-45.

UMWELTBEHÖRDE HAMBURG (Hrsg.), 2001. Nationalparkatlas Hamburgisches Wattenmeer.- Naturschutz und Landschaftspflege in Hamburg Nr. 50, 168 pp.









## Annex 1

**Modified Maps, Tables and Figures**

Map of the modification and revised Maps, Tables and Figures (with reference to the nomination document) which includes the modification and topographical maps 11/19 and 12/19.

In the further figures and tables the Wadden Sea World Heritage property including the area of the proposed modification is called 'World Heritage property' or 'property'. Changes in tables are marked red.

Site Element	Name	Coordinates of Centre Points	Size in Hectare	Size in km <sup>2</sup>	Map No. 1:50,000
001	Key Planning Decision (PKB) Wadden Sea, part I	53° 23' 27" N 05° 39' 57" E	247,386	2,473.9	NL2/18 - NL18/18
002	Key Planning Decision (PKB) Wadden Sea, part II	53° 22' 00" N 06° 53' 47" E	790	7.9	NL1/18 - NL3/18
003	Key Planning Decision (PKB) Wadden Sea, part III / National Park Wadden Sea Niedersachsen, part I	53° 16' 31" N 07° 09' 49" E	8,931	89.3	NL1/18 D 17/19
004	National Park Wadden Sea Niedersachsen, part II	53° 41' 44" N 07° 19' 57" E	166,648	1,666.5	D15/19 - D19/19
005	National Park Wadden Sea Niedersachsen, part III	53° 37' 40" N 08° 15' 50" E	49,134	491.3	D13/19 - D14/19
006	National Park Wadden Sea Niedersachsen, part IV / Nationalpark Wadden Sea Hamburg	53° 50' 48" N 08° 26' 01" E	72,417	724.2	D11/19 - D13/19
007	National Park Wadden Sea Schleswig-Holstein	54° 31' 43" N 08° 33' 22" E	436,698	4,367.0	D1/19 - D10/19
	<b>Total Property</b>		<b>982,004</b>	<b>9,820.0</b>	

Table S1 Mod.:  
Coordinates of the centre  
points of the site elements  
of the property  
(Volume One, page 7).

Figure S1 Mod.:  
Map of the property (A3  
map see chapter 1)  
(Volume One, page 8).

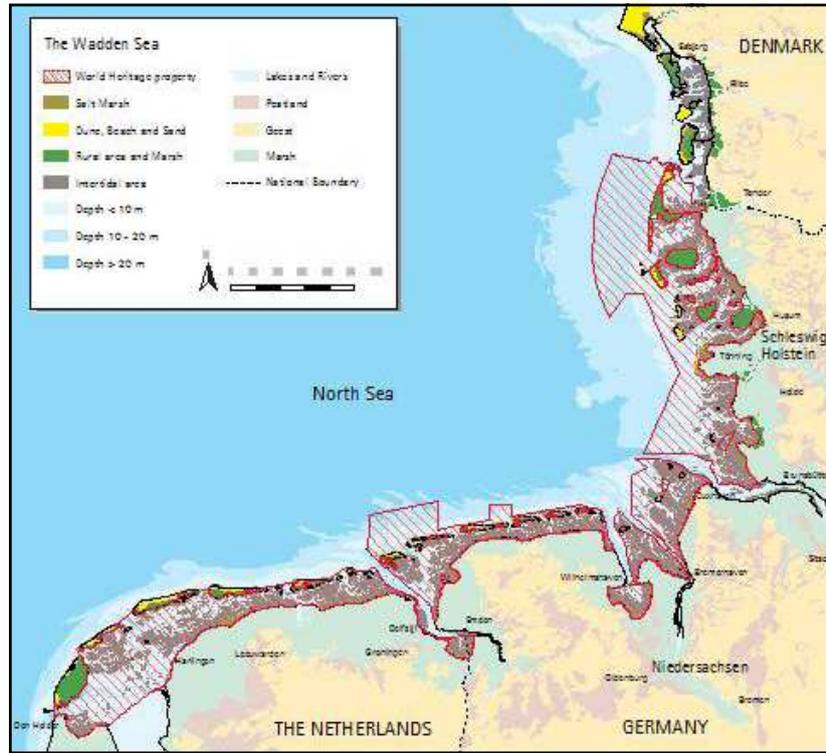


Table 1.1 Mod.:  
Coordinates of the centre  
points of the site elements  
of the property  
(Volume One, page 13).

Site Element	Name	Coordinates of Centre Points	Size in Hectare	Size in km <sup>2</sup>	Map No. 1:50,000
001	Key Planning Decision (PKB) Wadden Sea, part I	53° 23' 27" N 05° 39' 57" E	247,386	2,473.9	NL2/18 - NL18/18
002	Key Planning Decision (PKB) Wadden Sea, part II	53° 22' 00" N 06° 53' 47" E	790	7.9	NL1/18 - NL3/18
003	Key Planning Decision (PKB) Wadden Sea, part III / National Park Wadden Sea Niedersachsen, part I	53° 16' 31" N 07° 09' 49" E	8,931	89.3	NL1/18 D 17/19
004	National Park Wadden Sea Niedersachsen, part II	53° 41' 44" N 07° 19' 57" E	166,648	1,666.5	D15/19 - D19/19
005	National Park Wadden Sea Niedersachsen, part III	53° 37' 40" N 08° 15' 50" E	49,134	491.3	D13/19 - D14/19
006	National Park Wadden Sea Niedersachsen, part IV / Nationalpark Wadden Sea Hamburg	53° 50' 48" N 08° 26' 01" E	72,417	724.2	D11/19 - D13/19
007	National Park Wadden Sea Schleswig-Holstein	54° 31' 43" N 08° 33' 22" E	436,698	4,367.0	D1/19 - D10/19
	<b>Total Property</b>		<b>982,004</b>	<b>9,820.0</b>	

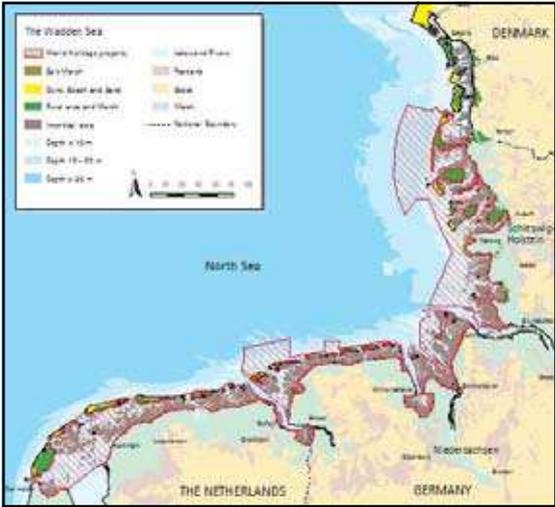


Figure 1.2 (right) Mod.: The Wadden Sea (Volume One, page 14).

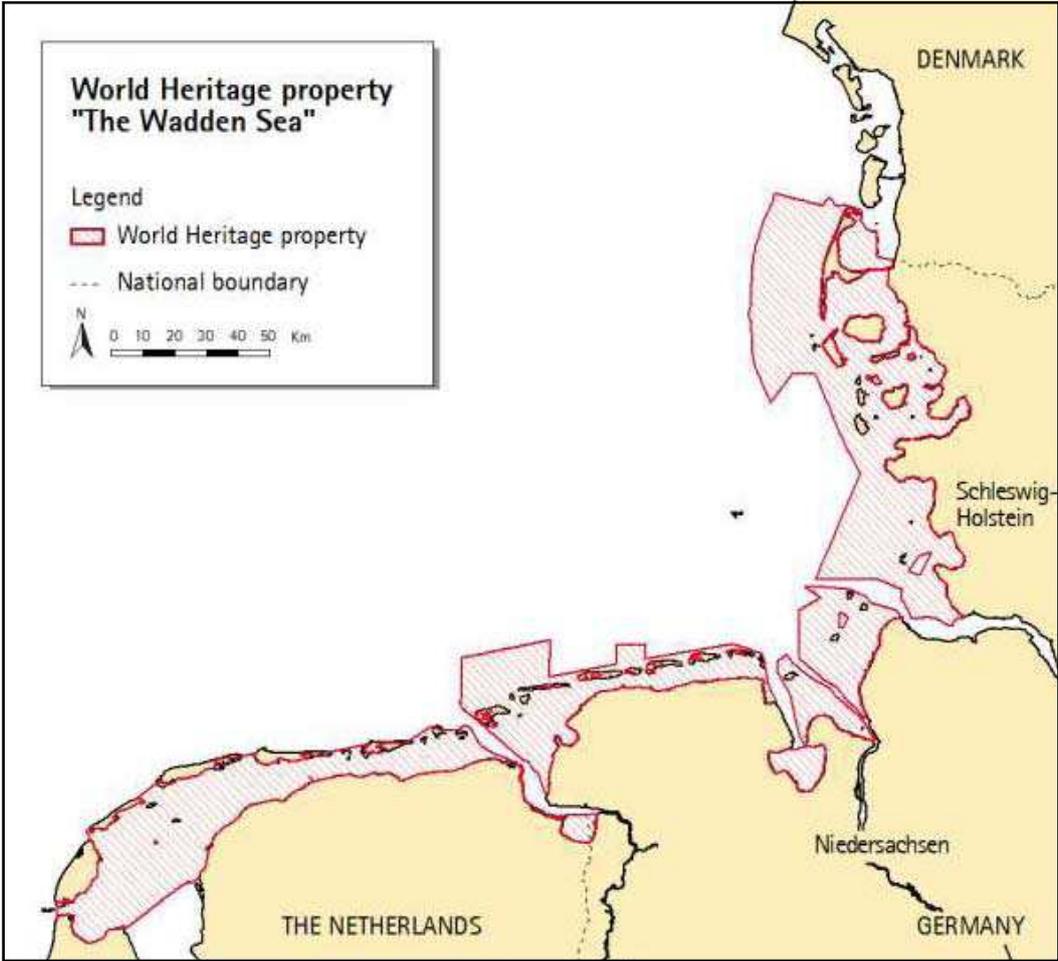


Figure 1.3 Mod.: Property "The Wadden Sea" (Volume One, page 14).

Table 1.2 Mod.:  
Coordinates of prominent  
points of the 7 site ele-  
ments of the nominated  
property  
(Volume One, page 15).

Site element	Name	Prominent Points (see A3 map)	Latitude N	Longitude E
001	Key Planning Decision (PKB) Wadden Sea, part I	1.1	53° 33' 33"	06° 36' 03"
		1.2	53° 25' 47"	05° 25' 26"
		1.3	52° 57' 13"	04° 43' 15"
		1.4	53° 19' 16"	05° 45' 16"
		1.5	53° 27' 48"	06° 49' 58"
		Centre point	53° 23' 27"	05° 39' 57"
002	Key Planning Decision (PKB) Wadden Sea, part II	2.1	53° 27' 41"	06° 50' 32"
		2.2	53° 19' 03"	06° 59' 48"
		Centre point	53° 22' 00"	06° 53' 47"
003	Key Planning Decision (PKB) Wadden Sea, part III / National Park Wadden Sea Niedersachsen, part I	3.1	53° 19' 05"	07° 14' 53"
		3.2	53° 18' 49"	07° 00' 46"
		3.3	53° 15' 58"	07° 04' 18"
		3.4	53° 13' 58"	07° 12' 32"
		Centre point	53° 16' 31"	07° 09' 49"
004	National Park Wadden Sea Niedersachsen, part II	4.1	53° 48' 44"	07° 00' 00"
		4.2	53° 37' 03"	06° 34' 51"
		4.3	53° 22' 08"	06° 59' 50"
		4.4	53° 34' 17"	07° 05' 14"
		4.5	53° 41' 02"	07° 28' 40"
		4.6	53° 38' 47"	08° 05' 29"
		4.7	53° 47' 08"	08° 01' 04"
		4.8	53° 48' 13"	07° 27' 23"
		Centre point	53° 41' 44"	07° 19' 57"
005	National Park Wadden Sea Niedersachsen, part III	5.1	53° 46' 58"	08° 07' 57"
		5.2	53° 30' 27"	08° 03' 34"
		5.3	53° 23' 26"	08° 12' 33"
		5.4	53° 31' 14"	08° 13' 53"
		5.5	53° 36' 35"	08° 19' 13"
		5.6	53° 32' 31"	08° 33' 30"
		Centre point	53° 37' 40"	08° 15' 50"
006	National Park Wadden Sea Niedersachsen, part IV / National Park Wadden Sea Hamburg	6.1	53° 56' 10"	08° 32' 09"
		6.2	53° 58' 49"	8° 12' 45"
		6.3	53° 57' 00"	08° 17' 16"
		6.4	53° 54' 32"	08° 11' 19"
		6.5	53° 46' 25"	08° 11' 32"
		6.6	53° 36' 23"	08° 31' 19"
		6.7	53° 53' 19"	08° 41' 07"
		Centre point	53° 49' 28"	08° 24' 53"
007	National Park Wadden Sea Schleswig-Holstein	7.1	55° 06' 04"	08° 02' 42"
		7.2	54° 30' 04"	08° 02' 20"
		7.3	54° 18' 06"	08° 28' 51"
		7.4	53° 59' 58"	08° 16' 03"
		7.5	53° 53' 29"	08° 59' 07"
		7.6	54° 31' 31"	08° 59' 08"
		7.7	54° 54' 02"	08° 38' 16"
		Centre point	54° 31' 43"	08° 33' 22"

Site Element	Name	Size in Hectare	Size in km <sup>2</sup>
001	Key Planning Decision (PKB) Wadden Sea, part I	248,883	2,488.8
002	Key Planning Decision (PKB) Wadden Sea, part II	779	7.8
003	Key Planning Decision (PKB) Wadden Sea, part III / National Park Wadden Sea Niedersachsen, part I	8,875	88.8
004	National Park Wadden Sea Niedersachsen, part II	166,650	1,666.5
005	National Park Wadden Sea Niedersachsen, part III	49,134	491.3
006	National Park Wadden Sea Niedersachsen, part IV / National Park Wadden Sea Hamburg	72,417	724.2
007	National Park Wadden Sea Schleswig-Holstein	439,614	4,396.1
	<b>Total Property</b>	<b>982,004</b>	<b>9,820.0</b>

Table 1.3 Mod.:  
Size and distribution of  
the property  
(Volume One, page 16).

Salt marsh type	The Netherlands	Nieder- sachsen	Hamburg	Schleswig- Holstein	TOTAL
Years	1995-2002	1997	2009	2001-2002	
1. Barrier islands					
A barrier-connected (incl. foreland)	3,500	2,820	230	1,130	7,680
B green beaches	380	310	10	0	700
C1 summer polder	0	60	80	0	140
C2 de-embanked (summer) polder	45	150	40	0	235
2. Mainland					
A barrier-connected	0	0	0	730	730
B foreland marsh	4,000	5,430	0	7,470	16,900
C1 summer polder	960	1,540	0	0	2,500
C2 de-embanked summer polder	295	90	0	0	385
3. Halligen	45			2110	2,155
<b>TOTAL</b>	<b>9,225</b>	<b>10,400</b>	<b>360</b>	<b>11,440</b>	<b>31,425</b>

Table 2.2 Mod.:  
Area of salt marsh types  
(ha) in the Wadden Sea,  
including the pioneer zone,  
except for Niedersachsen.  
The boundary between the  
pioneer zone and bare soil  
is chosen at 5% coverage  
(10% in Schleswig-Hol-  
stein) (Bakker et al. 2005).  
Barrier-connected salt  
marshes are mainly found  
on the sheltered parts of  
the islands. Green beaches  
are salt marshes growing  
on extended sand flats on  
the seaward side of the is-  
lands (Source: QSR 2004).  
(Volume One, page 42).

Figure 2.13 Mod.: Gas and oil outside the Wadden Sea (on basis of the QSR 2004) (Volume One, page 62).

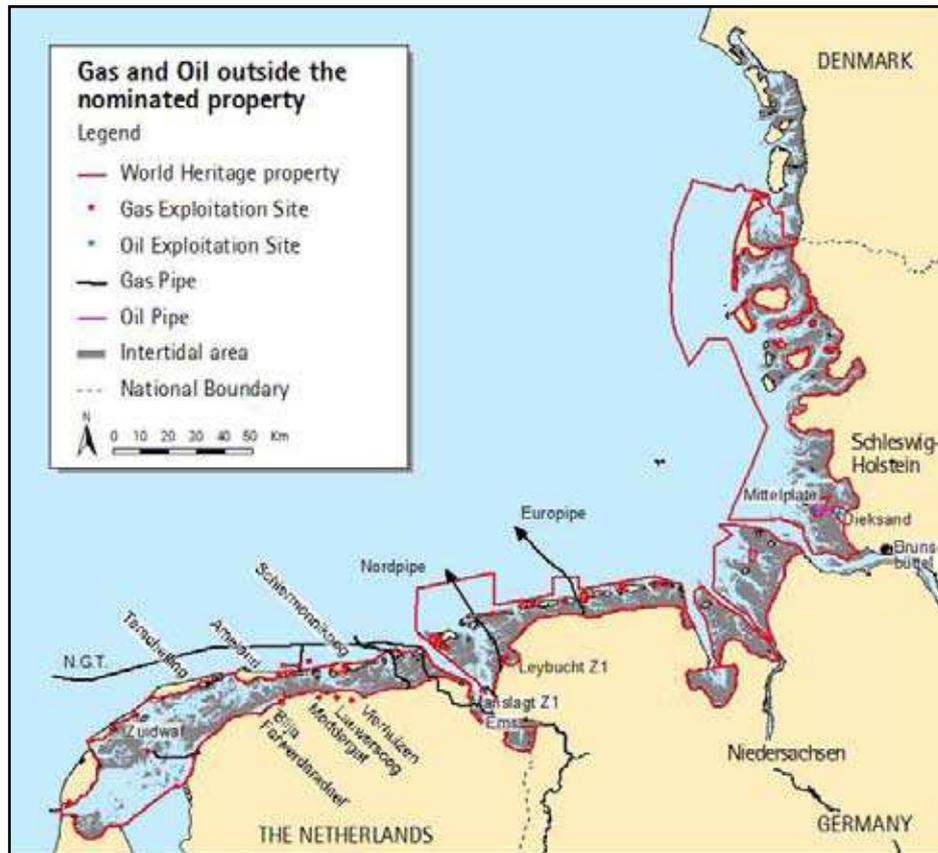


Table 5.1 Mod.: Overview of land ownership in the property (Volume One, page 115).

Area	ha	km <sup>2</sup>	%	Ownership
Key Planning Decision Area (PKB) Wadden Sea	255,031	2,550.3	93.8 %	state owned
			1.7 %	"Groninger Landschap"
			0.05 %	"Noord-Hollands Landschap"
			4.2 %	"Natuurmonumenten"
			0.3 %	"Wetterskip Fryslan"
Wadden Sea National Park Niedersachsen	276,664	2,766.6	92.5%	federally owned
			6%	state owned
			1%	owned by municipalities
			0.5%	private property
Wadden Sea National Park Hamburg	13,611 *	136.1	97.8%	federally owned
			2%	owned by the City of Hamburg
			0.2%	private property
Wadden Sea National Park Schleswig-Holstein	436,698	4,367.0	98.3%	federally owned
			1.6%	state owned
			0.1%	private property
<b>Total Property</b>	<b>982,004</b>	<b>9,820.0</b>		

\* The area of the proposed modification is 13,611 ha and therefore 139 ha less than the official size of the National Park Wadden Sea Hamburg. Reason is an overlap of the Wadden Sea National Park Hamburg and Niedersachsen caused by in-

consistency of geographical data based upon the unclear definition of the border between Niedersachsen, Hamburg and Schleswig-Holstein in the river Elbe mouth.

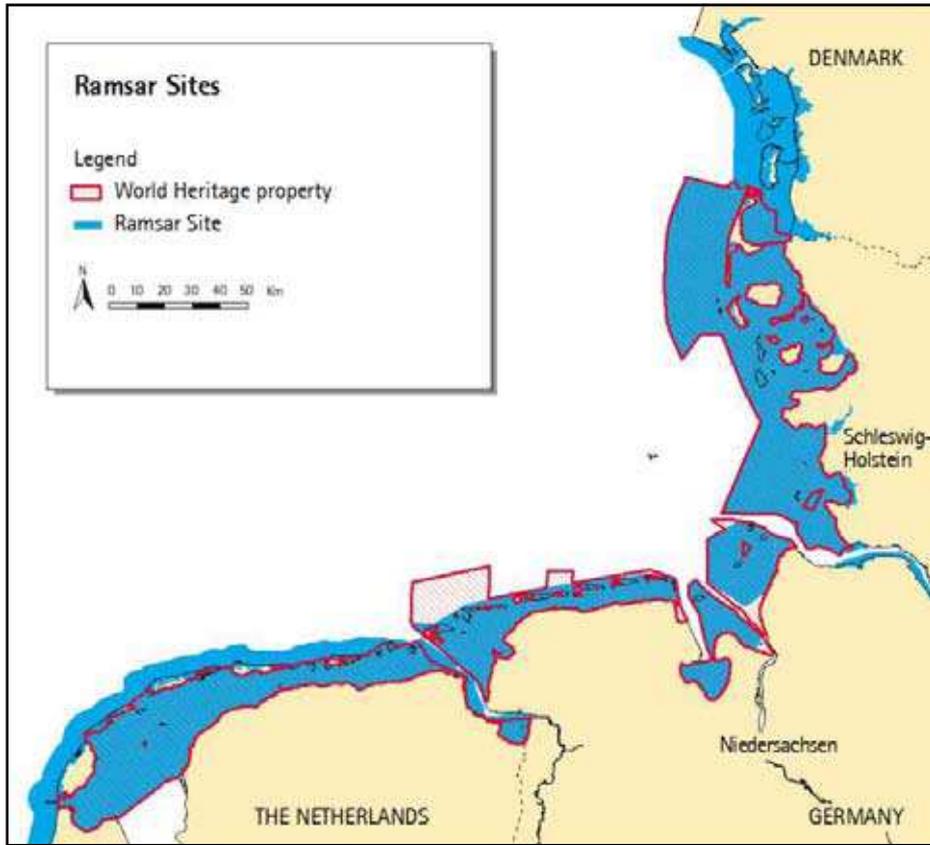


Figure 5.1 Mod.:  
Map of Ramsar sites  
within and adjacent to the  
property  
(Volume One, page 120).

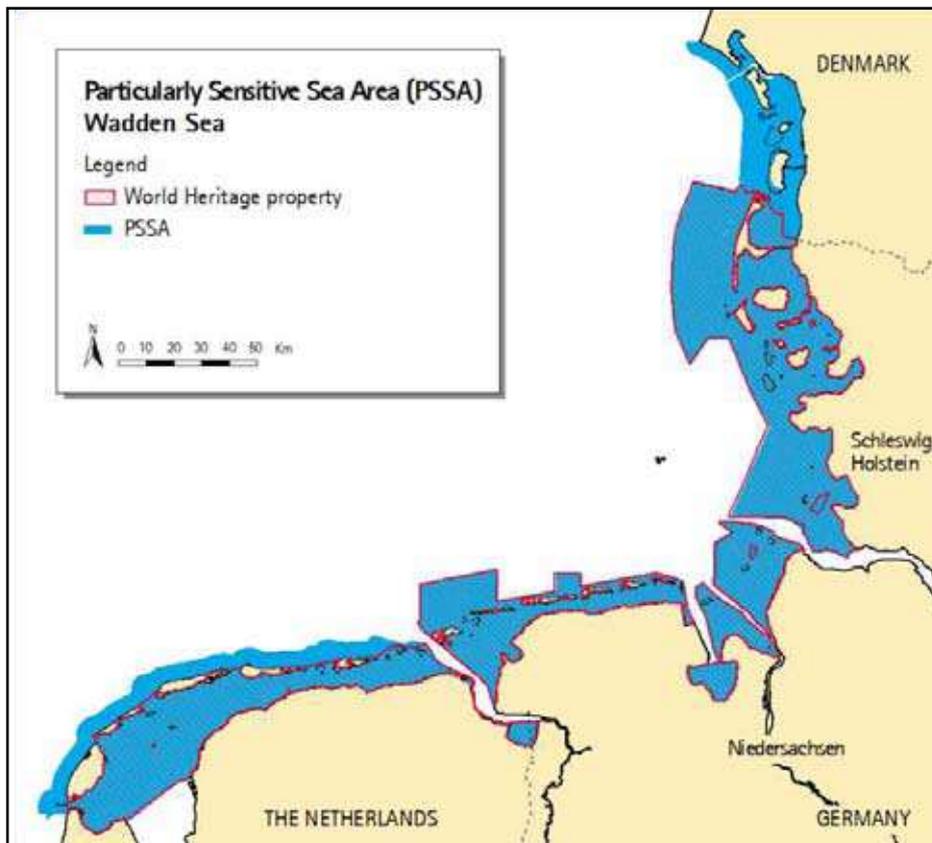


Figure 5.2 Mod.:  
Map of the Particularly  
Sensitive Sea Area (PSSA)  
Wadden Sea  
(Volume One, page 121).

Figure 5.3 Mod.:  
Map of the Special  
Protection Areas (SPAs)  
within and adjacent to the  
property  
(Volume One, page 122).

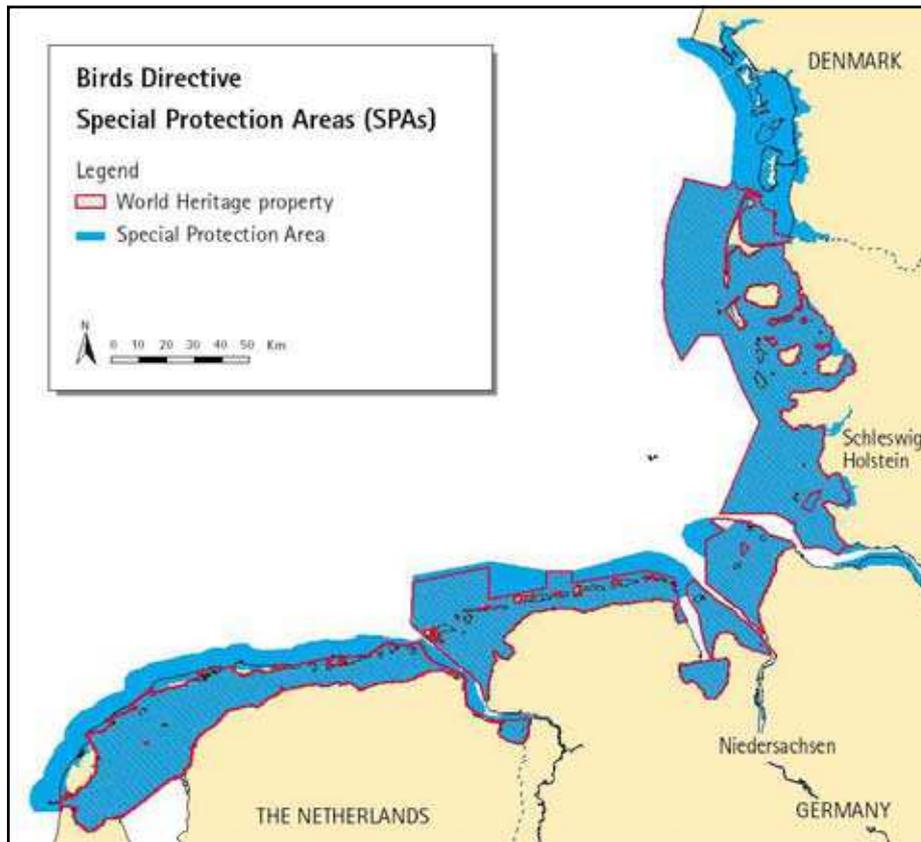
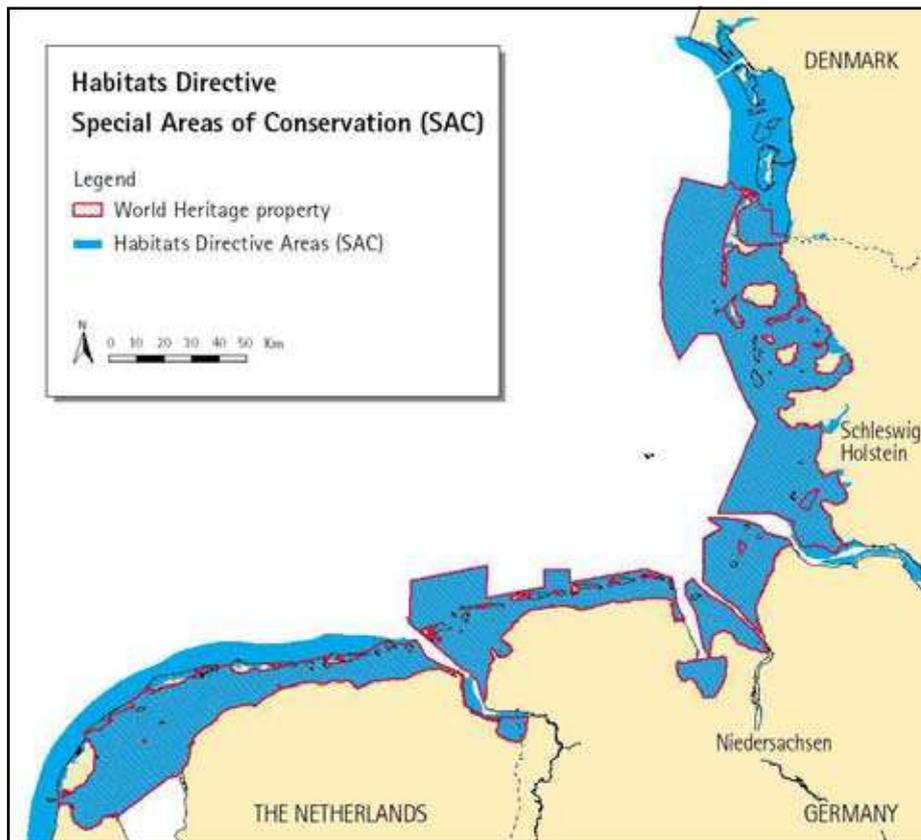


Figure 5.4 Mod.:  
Map of the Special Ar-  
eas of Conservation (SAC)  
within and adjacent to the  
property  
(Volume One, page 123).



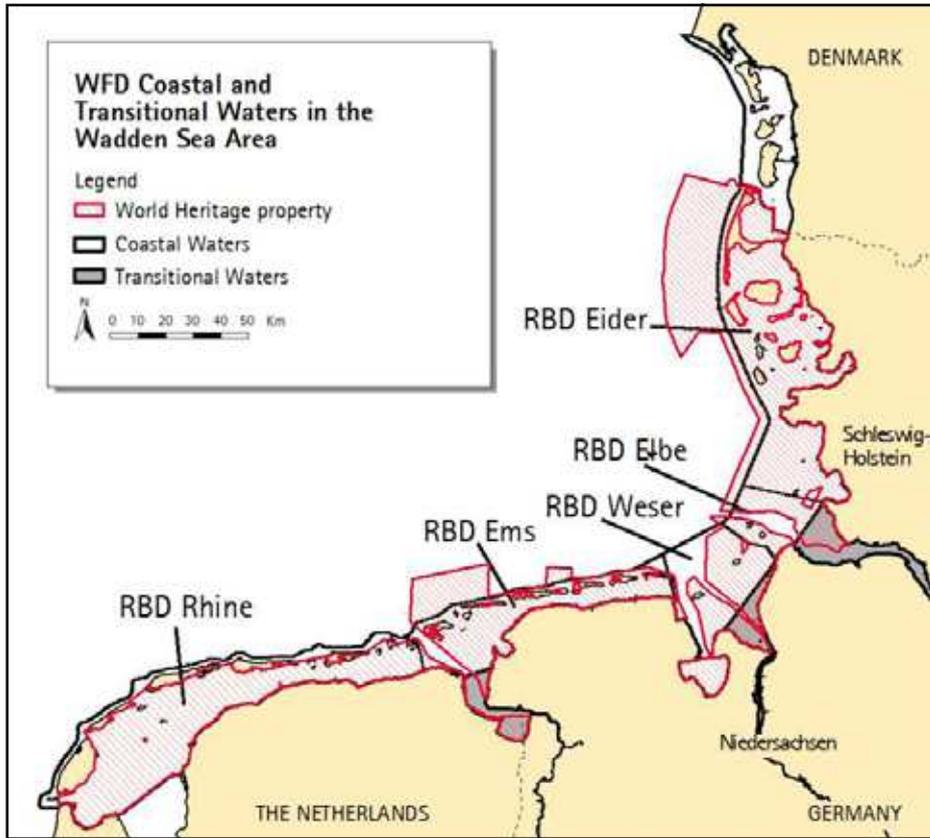


Figure 5.5 Mod.: Map of the Water Framework Directive Coastal and Transitional Waters within and adjacent to the property (Volume One, page 124).

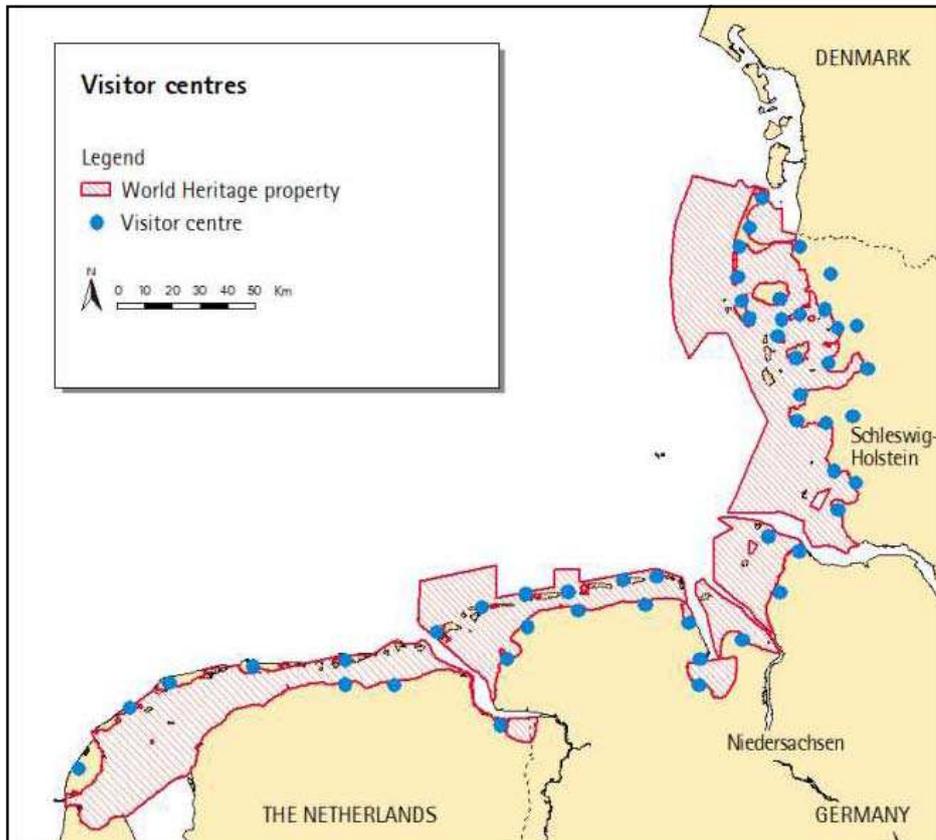
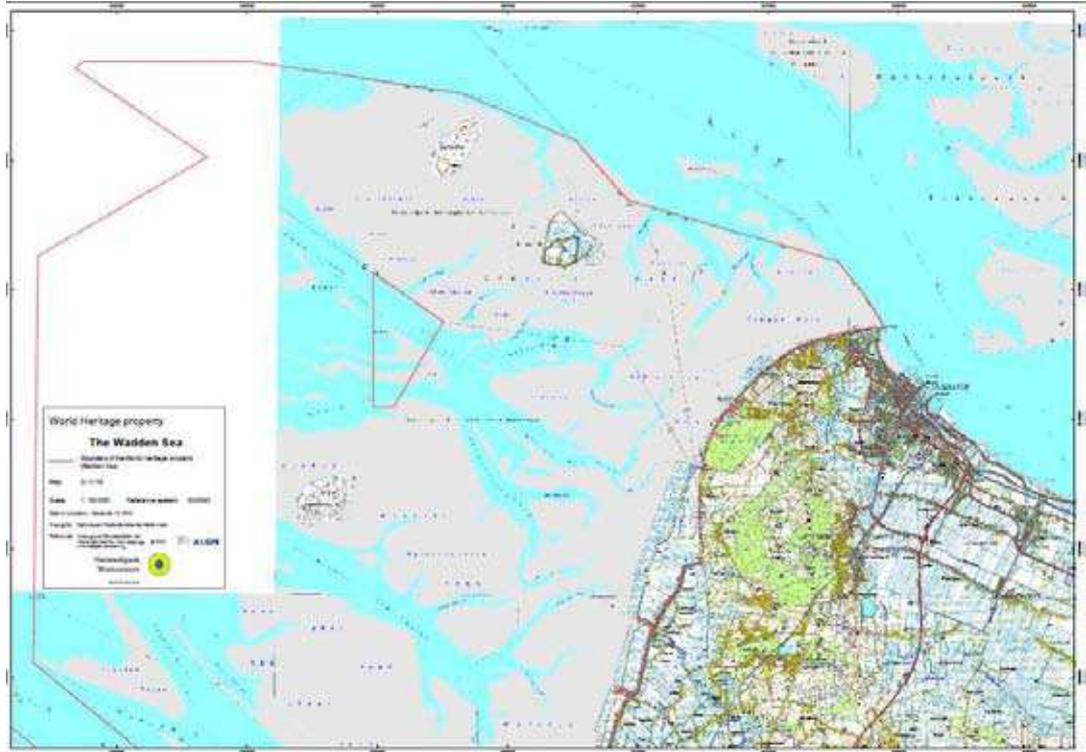
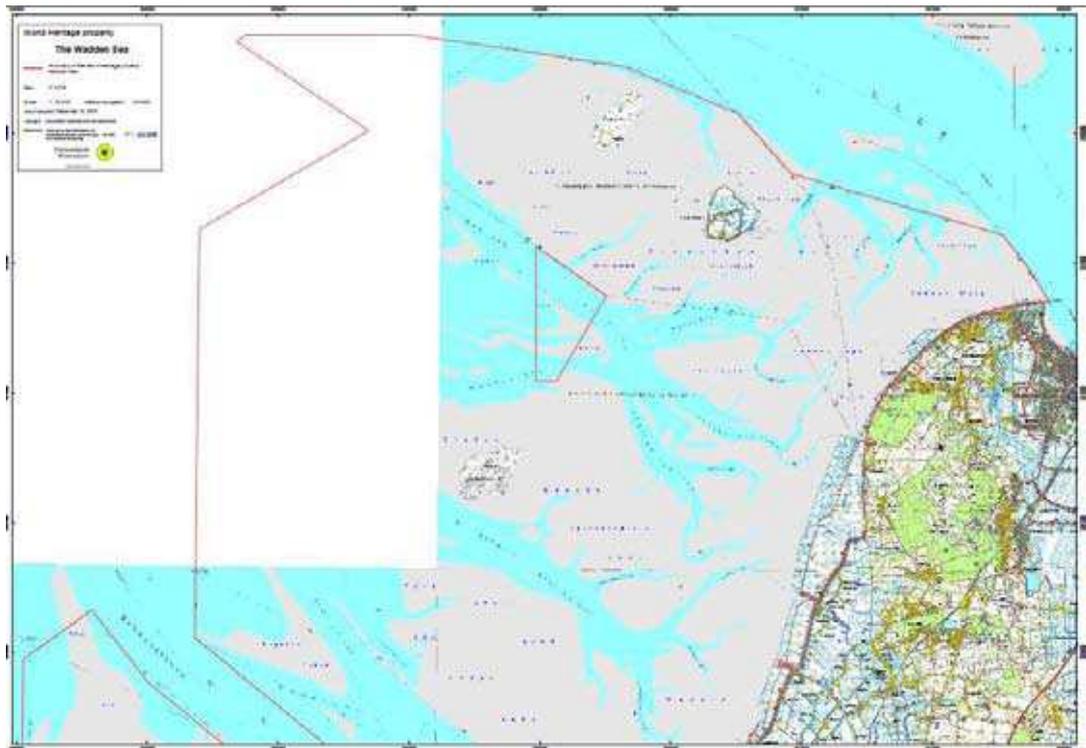


Figure 5.6 Mod.: Map of the Visitor centres within and adjacent to the property (Volume One, page 141).

Topographic map (D11/19) of the modified part of the World Heritage property.



Topographic map (D12/19) of the modified part of the World Heritage property.



**Extra Supplements 1&2**

**Extra supplement 1 (hardcopies)**

**2 Topographical maps, scale 1:50,000**

**Extra Supplement 2 (CD)**

**GIS data, topographical maps, photos and this document**



Annex 2

Annex 2 contains the following documents

- 01 Act on the "Wadden Sea of Hamburg" National Park. In the version promulgated on 9 April 1990 (Hamburg Law Gazette (Hamburgisches Gesetz- und Verordnungsblatt), No.11/1990 of 12 April 1990, pages 64 - 66) amended by resolution of the state parliament of 5 April 2001 (Hamburg Law Gazette, No.13/2001 of 18 April 2001, pages 52-53).
- 02 Letter of consent 9th of November 2007 (consent confirmed during recent islands talks with the local population)
- 03 2010 Joint Declaration on the Protection of the Wadden Sea
- 04 Administrative Agreement
- 05 2010 Wadden Sea Plan
- 06 Ministerial Council Declaration. 11th Trilateral Governmental Conference of the Protection of the Wadden Sea, Sylt, 18 March 2010



# 01

Act on the "Wadden Sea of Hamburg" National Park. In the version promulgated on 9 April 1990 (Hamburg Law Gazette (Hamburgisches Gesetz- und Verordnungsblatt), No.11/1990 of 12 April 1990, pages 64 - 66) amended by resolution of the state parliament of 5 April 2001 (Hamburg Law Gazette, No.13/2001 of 18 April 2001, pages 52-53).



## **Act on the "Wadden Sea of Hamburg" National Park**

In the version promulgated on 9 April 1990

(Hamburg Law Gazette (Hamburgisches Gesetz- und Verordnungsblatt), No.11/1990 of  
12 April 1990, pages 64 - 66)

amended

by resolution of the state parliament of 5 April 2001 (Hamburg Law Gazette, No.13/2001  
of 18 April 2001, pages 52-53)

### **Art. 1 National park**

(1) The area of the Hamburg exclave of Neuwerk that is marked in red and green in the appended map shall be designated the "Wadden Sea of Hamburg National Park".

(2) The national park shall comprise the Neuwerk tidal flats, including their sands, intertidal mud flats and tidal channel systems, and the Scharhörner Watt, Neuwerker Inselwatt, Sahlenburger Watt and Kleiner Vogelsand areas, as well as the islands Neuwerk, Nigehörn and Scharhörn. The national park's boundaries, except for its boundary on the seaward side, shall correspond to the boundaries of Hamburg's Neuwerk exclave. On the seaward side, and beginning in the west, the boundary follows the 3-sea-mile boundary and runs to the south side of the deep outer Elbe channel; from there, it runs along the channel until it reaches the boundary of the exclave. The corner points of the national park's territory are defined by the coordinates<sup>1</sup> shown in the attached map, which refer to the World Geodetic System 1984 (WGS-84).

### **Art. 2 Protection purpose**

(1) The protection purpose shall be to conserve the Wadden Sea, including the island of Neuwerk and the dune islands of Scharhörn and Nigehörn, in its entirety and with its natural dynamics, for its own sake, and to conserve it as a habitat for species that depend on this unique tidal-flat habitat, as well as for the communities comprising such species, and to protect it against damage. Furthermore, the large, undisturbed natural

landscape located between the Elbe and Weser estuaries shall be of special importance for scientific purposes.

(2) In particular, sand and silt flats, tidal channels, sands, intertidal mud flats and dunes, and the undisturbed and natural forces that connect these various landscape elements, are to be conserved. The aims for the area also include protecting its natural dune and salt vegetation and, wherever this is necessary, helping it to develop. Finally, in the interest of protecting the species that depend on tidal flats for their survival, areas in which fish spawn and rear young; resting and young-rearing grounds for seals, in the "Robbenplate", "Wittsand" and "Bakenloch" areas; tern breeding and resting areas on the islands of Neuwerk, Nigehörn and Scharhörn; breeding, resting and feeding grounds of various Wadden Sea bird species; and moulting grounds of shelducks are all especially to be protected as habitats.

### **Art. 3 Protection zones**

(1) The territory of the national park shall be divided into two protection zones, zone I and zone II.

(2) Zone I shall comprise the area marked on the attached map in red or with red-white striping; zone II shall comprise the remaining areas of the national park. Zone II is shown in green in the attached map and comprises the following areas:

1. the dike centre of Neuwerk island, including the foreland west of a virtual straight line running between the pond (Brack) in the Nordhamm area and the east shore of the Nordhafen (northern harbour) area,
2. the area outside of the dike area, to the south, west and north of the island of Neuwerk, with a boundary that runs as follows:

From the point: island "base" / south jetty (Inselfuß/Südbühne), 1300 m in a straight line in a southerly direction, then turning west and north and running, at a distance of 1300 m from the island "base" (Inselfuß), to the seaward point north of

the pond (Brack) area at the Nordhamm area, and from there, in a southerly direction, in a straight line to the island "base" (Inselfuß),

3. the area between the coastline and the Sahlenburger Loch tidal channel (Priel).

(3) The senate shall be authorised to issue ordinances that slightly modify the boundaries between zones I and II, if the relevant natural circumstances change, and if such action does not run counter to the protection purpose stated in the declaration on the national park.

#### **Art. 4 Requirements**

Required actions in the national park shall include

1. promoting natural development of salt vegetation on intertidal mud flats and in the foreland of Neuwerk,
2. protecting and promoting the development of Wadden Sea plant and animal species that are highly endangered or are threatened with extinction, by means of suitable measures, and especially by means of intensified protection and intensified care, development and restoration of their biotopes and by protecting their other necessary conditions for life.

#### **Art. 5 Prohibitions**

(1) In the national park, it shall be prohibited

1. to cut, pick, rip out or off, dig up, remove or otherwise damage plants or parts thereof,
2. to pursue or trap wild animals, or to capture, injure, kill, or disturb them by other means, or to remove, destroy or damage their eggs, larvae, pupae or other developmental forms,
3. to engage in hunting or fishing, including fishing for shrimp and mussels,

- 3a. to fish, or to capture fish or shrimp by other means, or to collect mussels,
4. to introduce or release plants or animals from exotic biotopes,
5. in the period from 1 April to 31 July of each year, to enter marked areas of that part of Neuwerk island's northern foreland that lies in zone II,
- 5a. to permit dogs or cats to run unleashed or to walk them without keeping them on a short leash,
- 5b. to fly or land balloons or other aircraft, or to fly kites or model aircraft of any kind,
6. to tent or camp, or to set up caravans, except in designated areas in zone II,
7. to despoil the area with waste or wastewater or by other means,
8. to erect, install or modify structures, of any kind, overhead transmission lines, pipelines, roads and pathways, stairs, bridges or walkways,
9. to establish or modify enclosures,
10. to change existing forms of cultivation; in particular, to plough grassland,
11. to remove or destroy trees, shrubs or hedges, either partly or completely,
12. to use pesticides or fertilizers,
13. to fill, hydraulically fill or excavate the soil, or to introduce soil components or change the soil's form by other means,
14. by means of excavation, earth removal or introduction of soil components, or by other means, to change or destroy water bodies, or the shape of water bodies, especially tidal channels (Priele) or brackish ponds (Bracks), or their shorelines, or the tidal flats, or to dry out water bodies,
15. to remove soil ore or minerals, or soil components, or to carry out detonations or drilling,
16. to damage, remove, collect or deface objects of scientific, natural-historical or cultural importance,
17. to disturb the peace of the park's nature, or to disturb other persons' enjoyment of nature, via noise or other means.

(2) In addition, in zone I it shall be prohibited

1. to leave marked pathways in relevant areas,
2. in relevant areas, to ride horses outside of marked tidal-flat trails, or to ride in foreland areas,
3. in relevant areas, to travel outside of marked tidal-flat pathways, and, in foreland areas, to operate land vehicles of any type or amphibious vehicles or hovercraft,
4. to permit watercraft to run aground or to exit such craft in order to enter tidal flats on foot,
5. in the eastern part of Neuwerk's foreland areas, to navigate tidal channels,
6. *suspended*,
7. to bathe,
8. *suspended*,
9. in the period from 1 April to 31 July of each year, to permit any animals to graze in foreland areas and, in the remaining period of the year, to permit more than two cows per hectare, or more than one horse per hectare, or more than six sheep per hectare, to graze in such areas,
10. to post signs or markers with images or text,
11. to establish reclamation fields (Lahnungsfelder) for purposes of land reclamation.

(3) Of the prohibitions of paragraphs 1 and 2,

1. numbers 1, 2, 4, 5, 9, 12 and 17 of paragraph 1 shall not apply to proper agricultural soil use, on the diked centre of the island of Neuwerk, numbers 1, 2, 5 and 17 of paragraph 1 shall not apply to proper grazing of the northern foreland located in zone II, and numbers 1 and 2 of paragraph 1 and numbers 1 and 3 of paragraph 2 shall not apply to proper grazing of eastern foreland areas outside of the period from 1 April to 31 July of each year,
2. numbers 1 and 2 of paragraph 1 and numbers 1, 3 and 10 of paragraph 2 shall not apply to measures of the German Federal Waterways Administration (WSV) for fulfilment of its legally assigned tasks, or to measures of disaster management, sea rescue and oil-spill response,

3. numbers 1, 2, 5 and 10 of paragraph 1 and numbers 1, 3 and 10 of paragraph 2 shall not apply to measures of nature conservation and landscape management,
4. numbers 1, 2, 11 and 13 of paragraph 1 shall not apply to maintenance and care of existing grasslands and gardens,
- 4a. number 1 of paragraph 1 shall not apply to collection of edible mushrooms, for the collector's own personal consumption, in zone II,
5. number 2 of paragraph 1 and numbers 1 and 10 of paragraph 2 shall not apply to measures to control Norway rats and water voles,
- 5a. number 3 of paragraph 1 shall not apply to shrimp fishing in the navigation channels Elbe-Weser-Wattfahrwasser, Neuwerker Loch and Elbe-Neuwerk-Fahrwasser, in a strip 100 m wide on the starboard side of the port-side sign used to designate tidal-flat navigation channels, or in a strip 100 m wide on the port side of the starboard-side sign used to designate tidal-flat navigation channels, or in the zone I area marked in the attached map with red-and-white striping,
- 5b. number 3 a of paragraph 1 shall not apply, in zone II, to capture of fish and edible shrimp, or to collection of mussels, for personal consumption,
- 5c. number 5 a of paragraph 1 shall not apply to dogs on the main dike of the island of Neuwerk or on trails within dikes,
- 5d. number 5 b of paragraph 1 shall not apply to kites on the body of the main dike, in an area running from the equipment storage facility of the volunteer fire department, in the northern part of the island, in a westerly direction to the traditional marina ("Bauernhafen") in the southern part of the island of Neuwerk,
6. numbers 8 and 9 of paragraph 1 shall not apply to proper maintenance of existing and legally erected structures, roads and pathways and enclosures on the diked centre of the island of Neuwerk,
7. number 13 of paragraph 1 shall not apply to sand removal, in small amounts for local use, by residents of Neuwerk,
8. number 15 of paragraph 1 shall not apply to rights of exploration for, and extraction, of soil ore and minerals, or to other usage and administrative authorisations relative to the subsoil, under public law, pursuant to Article 3 of the agreement on execution (Durchführungsabkommen) for the "Cuxhaven agreement" (Vertrag) of 14 June / 7 August 1967 (Hamburg Law Gazette

(Hamburgisches Gesetz- und Verordnungsblatt), page 285), where such rights, pursuant to Article 3 (2) of the agreement, have been granted in individual cases, by agreement with Hamburg,

9. numbers 1, 2 and 3 of paragraph 2 shall not apply to recreational use and boarding of horses in the tidal-flat area between the eastern shore of the Elbe-Neuwerk navigation channel, the protected-area boundary along the Stromelbe river channel and a virtual straight line between the new radar tower and the east marker (Ost-Bake) and beyond that marker,
10. numbers 1 and 4 of paragraph 2 shall not apply to recreational boating in the shoreline area along the Elbe-Weser-Wattfahrwasser navigation channel, the Neuwerker Loch area, along the eastern side of the Elbe-Neuwerk navigation channel, and at Scharhörn reef, for an area 100 m in diameter around the point with coordinates 53°57,50' N and 8°21,70' E,
11. *suspended.*

(4) The prohibitions of paragraphs 1 and 2 shall not apply to measures carried out by the competent state authority, in consultation with the authority responsible for nature conservation and landscape management, for fulfilment of its legally assigned tasks in the areas of flood protection, ship transports, supply and waste management, water-resources management and road/pathway construction.

(5) Agreement pursuant to paragraph 3 Number 8 may be declared only if the protection purpose of this Act (Art. 2) does not conflict with exercise of the pertinent right.

## **Art. 6 Compensation**

Where provisions of this Act, or measures on the basis of this Act, represent an expropriation outside of formal expropriation pursuant to Art. 38 of Hamburg's nature conservation act, the Free and Hanseatic City of Hamburg shall provide suitable compensation in the form of money. Art. 39 (2) to (5) of Hamburg's nature conservation act shall apply *mutatis mutandis*.

**Art. 7 Administrative offences**

(1) Anyone who violates the prohibitions of Art. 5 of this Act, either intentionally or negligently, shall be deemed to have committed an administrative offence.

(2) An administrative offence pursuant to Paragraph 1,

1. in the cases of Art. 5 (1) numbers 5, 5 a, 6, 9, 16 and 17, and of paragraph 2 numbers 1, 2, 7 and 10, shall be punishable with a fine of up to two thousand five hundred euros,
2. in the cases of Art. 5 (1) numbers 1 to 4, 5 b, 8, 11 and 12, and of paragraph 2 numbers 3 to 5 and 9, shall be punishable with a fine of up to ten thousand euros, and
3. in the cases of Art. 5 (1) numbers 7, 10 and 13 to 15, and paragraph 2 number 11, shall be punishable with a fine of up to fifty thousand euros.

**Art. 8 Confiscation, offsets in the case of violations**

(1) Where an administrative offence pursuant to this Act has been committed, objects to which the administrative offence refers and that have been used, or were intended, for its commission or preparation, may be confiscated. Art. 23 of the Act on Administrative Offences (Gesetz über Ordnungswidrigkeiten) shall apply.

(2) Notwithstanding any fixing of a fine, anyone who violates prohibitions pursuant to Art. 5 shall, by order of the competent authority, carry out suitable and reasonable compensation or substitution measures or make suitable and reasonable compensatory payments. Art. 9 (4) and (6) of Hamburg's nature conservation act shall apply *mutatis mutandis*.

**Art. 9 Final provision**

The following shall expire:

1. the Ordinance on landscape protection for the island of Neuwerk (Verordnung zum Landschaftsschutz für die Insel Neuwerk) of 25 May 1982 (Hamburg Law Gazette, page 189),
2. the Ordinance on the Neuwerker und Scharhörner Watt nature conservation area (Verordnung über das Naturschutzgebiet Neuwerker und Scharhörner Watt) of 28 October 1986 (Hamburg Law Gazette, page 329),
3. the Ordinance on the Insel Neuwerk/Kleiner Vogelsand nature conservation area (Verordnung über das Naturschutzgebiet Insel Neuwerk/Kleiner Vogelsand) of 28 October 1986 (Hamburg Law Gazette, page 330),

<sup>1</sup>Boundary coordinates for the national park

1.	53°58,88' N	8°12,77' E
2.	53°59,02' N	8°13,17' E
3.	53°59,02' N	8°18,90' E
4.	53°58,7583' N	8°21,9252' E
5.	53°58,3599' N	8°26,3121' E
6.	53°57,4174' N	8°30,2454' E
7.	53°55,8048' N	8°32,7401' E
8.	53°54,3050' N	8°33,6399' E
9.	53°51,6987' N	8°33,4133' E
10.	53°53,1051' N	8°32,0401' E
11.	53°53,6051' N	8°25,7411' E
12.	53°56,9890' N	8°17,4277' E

**The map attached to the National Park Act shows the territory of the biosphere reserve marked in solid colours. The enlargement of the national park's territory, as a result of the amendment of the National Park Act, is shown as a striped area.**

**Hamburg Nature Conservation Act (Hamburgisches Naturschutzgesetz;  
HmbNatSchG)  
(Excerpt)**

In the version promulgated on 5 April 2001

(Hamburg Law Gazette (Hamburgisches Gesetz- und Verordnungsblatt), No.13/2001 of  
18 April 2001, pages 52-53)

**Art. 22 a National parks**

(1) Natural and landscape areas may be declared as a national park only by means of a law.

(2) The law for such declaration defines the relevant protected object, the protection purpose, the requirements and prohibitions needed to achieve the purpose and, where necessary, the pertinent management and development measures or the authorisations for such measures.

(3) National parks are legally established areas that are protected as wholes, and that

1. are large and have special characteristics,
2. fulfil the criteria for a nature conservation area throughout the majority of their territory,
3. are in a condition that is free, or largely free, of human impacts, and
4. protect predominantly native plant and animal populations.

(3 a) National parks primarily the primary purposes of providing a safe haven in which natural processes can take place as undisturbed as possible, of protecting the native plant and animal populations that live in them and of permitting the undisturbed development of such plants and animals and, where the protection purpose permits, of supporting environmental monitoring, education in natural history and the opportunity for the general public to enjoy nature.

(4) All actions that could destroy, damage or change the national park, or its components, or that could create a lasting disturbance, shall be prohibited, taking account of the national park's large size and settlement, and in keeping with detailed provisions pursuant to Paragraph 1.

(5) *suspended.*



02

Letter of consent 9th of November 2007 (consent confirmed during recent islands talks with the local population)



Ortswart der Insel Neuwerk  
Volker Griebel: Haus 8  
27499 Insel Neuwerk  
Tel 04721 29076

Behörde für Umwelt und Gesundheit  
Billstraße 84  
20539 Hamburg

09th Nov 2007

**Nomination of the Dutch – German Wadden Sea as World Heritage Site**

Dear Ladies and Sirs,

Following the island talk of the National Park Agency, the inhabitants of the island of Neuwerk have decided to agree to the nomination dossier incl. the island of Neuwerk, if there will be no further restrictions for the inhabitants themselves and their guests.

Yours sincerely

The island inhabitants

(signed by Volker Griebel)



# 03

## 2010 Joint Declaration on the Protection of the Wadden Sea



# 2010 Joint Declaration on the Protection of the Wadden Sea

## Working together to meet present and future challenges

**THE GOVERNMENTS** of the Kingdom of Denmark, the Federal Republic of Germany and the Kingdom of the Netherlands:

**REALISE** that the Wadden Sea, encompassing the coastal zone from Den Helder in the Netherlands to Blåvands Huk in Denmark, is an exceptional ecosystem of world importance, and also together with its cultural landscapes, is a shared responsibility of the three countries;

**RECALL** their Joint Declaration in 1982 to cooperate on the Protection of the Wadden Sea, and the many achievements of their cooperation and in particular the high level of nature protection and wise management unprecedented throughout Europe for a transboundary wetland especially with regard to legal protection, harmonised targets, common policy and management, integrated monitoring and assessment procedures and involvement of civil society;

**CONSCIOUS** that the precious ecosystem of the Wadden Sea and its remarkable biodiversity deserves world class conservation measures;

**CONSCIOUS ALSO** of the unique landscape and cultural heritage of the Wadden Sea, which complements the natural heritage, and on which an extensive cooperation has developed;

**REALISE** that the Wadden Sea is an area where people live, work and recreate and whose interests and benefits are an integrated part of our common policy;

**RECOGNISE** that the safety of inhabitants from flooding must be secured through appropriate coastal defences;

**NOTE** that since their 1982 Joint Declaration the Wadden Sea has benefited from a comprehensive national and international nature conservation regime, including protection under European legislation, in particular the Birds and Habitats Directives and the Water Framework Directive and that there is a need to further coordinate and harmonise their efforts to ensure effective and consistent implementation of these obligations;

**ACKNOWLEDGE** the progress which has been made on other issues related to the protection of the Wadden Sea including the designation of a number of National Parks and Biosphere Reserves, education and the sustainable development of the Wadden Sea Region, and the designation by the International Maritime Organization (IMO) as a Particularly Sensitive Sea Area (PSSA) because of its vulnerability to damage by international maritime activities;

**AWARE** of the many present and future challenges to the protection, restoration and sustainable use of the Wadden Sea, in particular the long term impacts of pollution, climate change and sea level rise and the loss of biodiversity and of the necessity of raising awareness for these challenges on the basis of this declaration;

**CONCERNED** to ensure that further progress is made in restoring the natural ecosystem functions, improving water quality, integrating cultural and landscape heritage, and reducing the negative environmental impacts of developments;

**RECOGNISE** the need to continue to enhance their efforts to protect and conserve the Wadden Sea as an ecological entity and its landscapes and cultural heritage and to promote Integrated Coastal Zone Management;

**RECOGNISE ALSO** the essential need for active support and involvement of all relevant stakeholders in the future protection and management of the area;

**REAFFIRM** their intention to consolidate the existing cooperation between the States in consultation with the other governmental bodies involved, and to continue to manage the Wadden Sea as a single ecological entity for its natural, landscape and cultural heritage values, for the benefit of present and future generations.

## **SHARE THE VIEW ON THE FOLLOWING**

### **1. Geographical Area of Cooperation**

- 1.1 The participating Governments have previously identified a Wadden Sea Cooperation Area and within this a Nature Conservation Area as the geographical basis of their Cooperation:

The Wadden Sea Cooperation Area in short 'Wadden Sea Area':

- the area seaward of the main dike, or where the main dike is absent, the spring-high-tide waterline, and in the rivers, the brackish water limit;
- an offshore zone 3 nautical miles from the baseline as fixed nationally or where the Nature Conservation Area exceeds the 3 nautical mile, the offshore boundaries of the Nature Conservation Area;
- corresponding inland areas to the designated Ramsar and/or EC Bird Directive areas being the adjacent inland marsh areas of the Danish Wadden Sea Region designated as international nature protection areas and the Bird Directive Areas of Schleswig-Holstein adjacent to the Nature Conservation Area;
- the islands.

The 'Nature Conservation Area':

- In the Netherlands, the areas under the Key Planning Decision Wadden Sea;
- In Germany, the Wadden Sea national parks and the protected areas under the Nature Conservation Acts seaward of the main dike and the brackish water limit;
- In Denmark, the Wildlife and Nature Reserve Wadden Sea.

- 1.2 The current extent of the Wadden Sea Area and the Nature Conservation Area are shown in Annex 1 to this Declaration and this may be amended from time to time by the responsible authorities.

- 1.3 The protection and management of the Wadden Sea Area and the Nature Conservation Area require consideration of impacts which may arise outside these areas and these should be addressed as necessary.

- 1.4 For the specific purposes of cooperation on landscape and cultural heritage the Wadden Sea Area, and an area beyond, has been identified to include the main cultural entities and is shown in Annex 2 to this Declaration. Activities on landscape and cultural heritage should be carried out by, or in close cooperation with all relevant administrative levels and with support of the people living and working in the region.

## 2. Guiding Principle and Vision

- 2.1 The participating Governments reconfirm the guiding principle for the Nature Conservation Area:

To achieve, as far as possible, a natural and sustainable ecosystem in which natural processes proceed in an undisturbed way.

The principle aims at:

- I. maintaining the water movements and the attendant geomorphological and pedological processes;
  - II. improving the quality of water, sediment and air;
  - III. safeguarding and optimizing the conditions for flora and fauna including:
    - a) preservation of the Wadden Sea as a nursery area for North Sea fish;
    - b) conservation of the feeding, breeding and roosting areas of birds, and the birth and resting areas of seals as well as the prevention of disturbances in those areas;
    - c) conservation of salt marshes and dunes;
  - IV. maintaining the scenic qualities of the landscape, in particular the variety of landscape types and the specific features of the wide, open scenery including the perception of nature and landscape.
- 2.2 Recognising the fundamental nature of the guiding principle the participating Governments have developed a vision for the Wadden Sea:

*The Wadden Sea is a unique, natural and dynamic ecosystem with characteristic biodiversity, vast open landscapes and rich cultural heritage, enjoyed by all, and delivering benefits in a sustainable way to present and future generations.*

- 2.3 In the measures they take the participating Governments will allow themselves to be guided by the Precautionary Principle and Article 6 of the Habitats Directive.

### **3. Objectives for the Cooperation**

- 3.1 The participating Governments aim to achieve:
- a) A natural ecosystem, its functions and characteristic biodiversity.
  - b) Adaptability to climate change and other impacts.
  - c) Maintenance of the landscape and cultural heritage.
  - d) Sustainable use as defined by the Convention on Biological Diversity and as referred to in the Habitats Directive.
  - e) Public support for the protection of the Wadden Sea.
- 3.2 The participating Governments share the view that unreasonable impairment of the interests of the local population and its traditional uses in the Wadden Sea Area have to be avoided and that any user interests have to be weighed on a fair and equitable basis in the light of the purpose of protection in general, and the particular case concerned.

### **4. Areas of Cooperation**

The participating Governments will pursue these objectives through:

- a) The development and implementation of plans, policies and projects to maintain and enhance the natural values, landscape and cultural heritage of the Wadden Sea.
- b) Coordinated and consistent management, including the production and implementation of a periodically updated Wadden Sea Plan as a joint management plan to address the requirements of EC Directives and other future needs.
- c) Applying the concept of Integrated Coastal Zone Management.
- d) Contributing to secure sustainable development possibilities for the Wadden Sea taking account of the natural and cultural values.

- e) Coordinating and commissioning research and monitoring to improve understanding of the Wadden Sea ecosystem and changes to it.
- f) Providing further opportunities for the public, with a specific focus on young people, to learn about, enjoy and experience the Wadden Sea, including the cross border context.
- g) Involving all relevant stakeholders and considering their concerns in an adequate manner.
- h) Intensifying international cooperation in relevant fields.
- i) Raising the international profile of the Wadden Sea.

## **5. Institutional and Financial Arrangements**

- 5.1 The participating Governments will, in order to modernize the organisational structure of the Cooperation, establish a Trilateral Wadden Sea Governmental Council, composed of the responsible ministers of the participating Governments to oversee the Cooperation, provide political leadership and strategic guidance.
- 5.2 They will also establish a Wadden Sea Board as the governing body of the Trilateral Wadden Sea Cooperation to be responsible for the implementation of the Joint Declaration and other Council decisions, preparation, adoption and implementation of the Strategy of the Cooperation, trilateral measures and activities, monitoring performance and accountability, and for ensuring strong relations with key stakeholders.
- 5.3 The Board will adopt rules of procedure and financial regulations for the organisation and management of its activities, and in particular:
  - a) Each of the participating national Governments will continue to fund one third of the costs of the Secretariat.
  - b) Projects may be funded on a unilateral, bilateral or trilateral basis.
  - c) Other sources of funding will be pursued as necessary and the appropriate arrangements established to manage such funds.
- 5.4 The Common Wadden Sea Secretariat (CWSS) will be supervised by the Board, and will support the Council and the

Board and the implementation of the policies and projects agreed by them in accordance with the Administrative Agreement on a Common Secretariat for the Cooperation on the Protection of the Wadden Sea.

This Declaration supersedes the original 'Joint Declaration on the Protection of the Wadden Sea' signed in 1982.

Signed in English this 17 March 2010 in four original copies each being authentic, of which one is deposited at the Common Wadden Sea Secretariat.

For the Government of the Kingdom of Denmark

.....  
Helle Pilsgaard, Deputy Director General

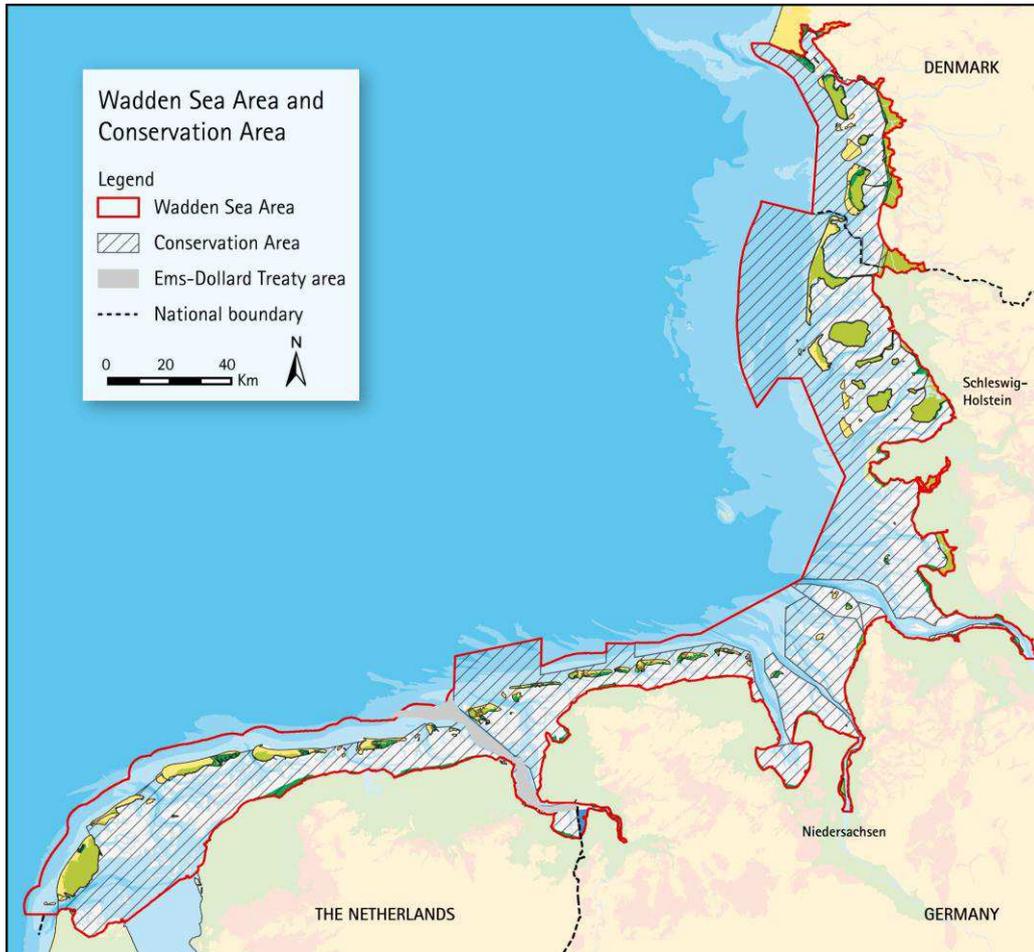
For the Government of the Federal Republic of Germany

.....  
Ursula Heinen-Esser, Parliamentary State Secretary

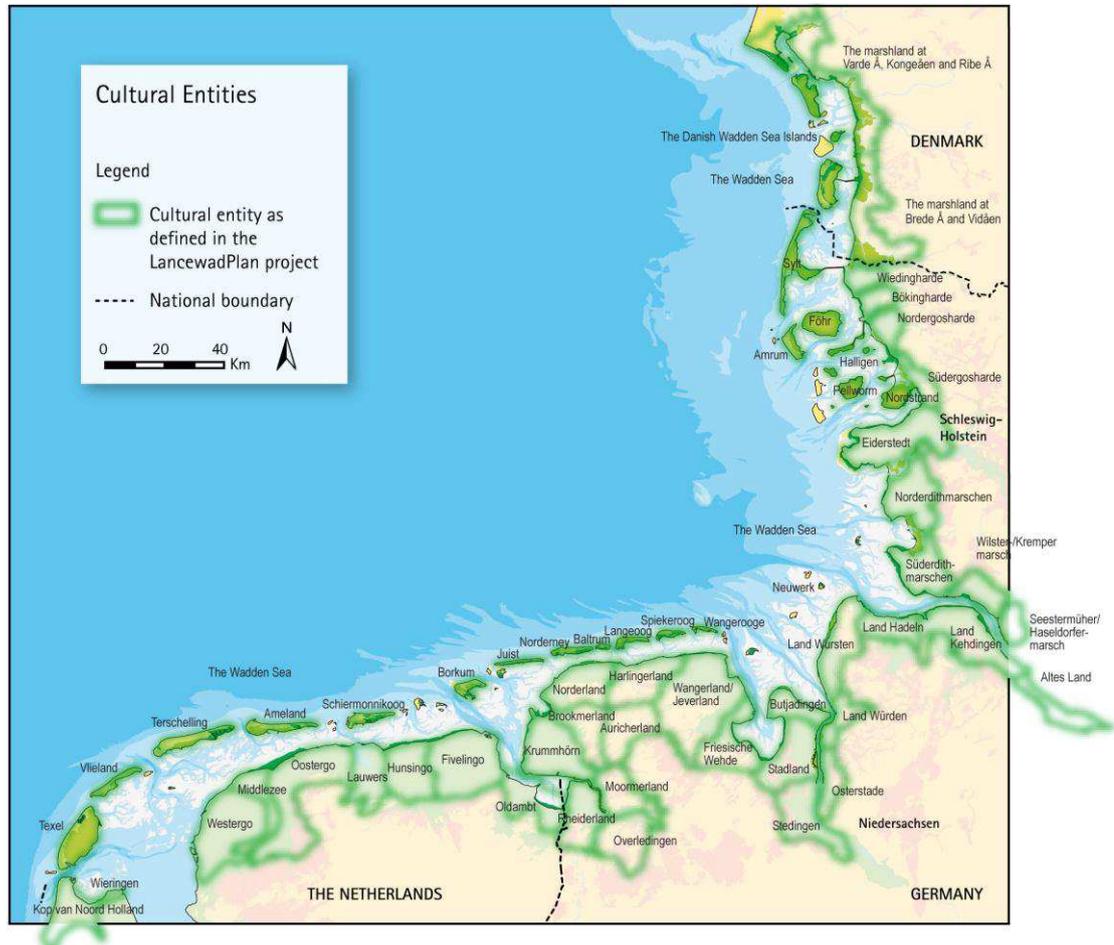
For the Government of the Kingdom of The Netherlands

.....  
Gerda Verburg, Minister of Agriculture, Nature and Food Quality

## Annex 1 Wadden Sea Area and Nature Conservation Area



## Annex 2 Cultural Entities



Note: Parts of the identified cultural entities are located outside of the Wadden Sea Cooperation Area as defined in 1.1. Activities on landscape and cultural heritage should be carried out by, or in close cooperation with all relevant administrative levels and with support of the people living and working in the region.



04

## Administrative Agreement



## Administrative Agreement 2010

on a Common Secretariat for the Cooperation  
on the Protection of the Wadden Sea

between

the Ministry of the Environment of Denmark,

the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety of the  
Federal Republic of Germany

and

the Ministry of Agriculture, Nature and Food Quality of the Netherlands

The Ministry of the Environment of Denmark and the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety of the Federal Republic of Germany and the Ministry of Agriculture, Nature and Food Quality of the Netherlands, hereinafter referred to as the Parties,

MINDFUL of the Joint Declaration dated 17 March 2010 of the Federal Republic of Germany, the Kingdom of Denmark and the Kingdom of the Netherlands on the Protection of the Wadden Sea and its implementation,

TAKING INTO ACCOUNT the conclusions arrived at in connection with the trilateral governmental conferences on the protection of the Wadden Sea,

RECALLING the Administrative Agreement on a Common Secretariat for the Cooperation on the Protection of the Wadden Sea, dated 23 October 1987 as well as the revised governmental mechanisms the cooperation agreed upon in the process of evaluation and implementation in the period from 2007 until 2009, establishing a Trilateral Wadden Sea Governmental Council to provide political leadership as well as a Wadden Sea Board, consisting of senior administrative representatives of the three Parties and headed by a Chair, to be the governing body of the Cooperation,

have agreed as follows:

**Article 1**  
**The Common Secretariat for the Cooperation**  
**on the Protection of the Wadden Sea**

- (1) The Parties shall maintain the Common Secretariat for the Cooperation on the Protection of the Wadden Sea as established through the Administrative Agreement of 23 October 1987, hereinafter referred to as “the Common Secretariat”.
- (2) The duties of the Common Secretariat shall be carried out by a Secretary who is provided with adequate support.

## **Article 2**

### **Functions of the Common Secretariat**

- (1) The Common Secretariat shall facilitate the implementation of the Joint Declaration of the Trilateral Wadden Sea Cooperation and shall provide a focal point for support and coordination of all trilateral activities.
  - (2.1) The functions of the Common Secretariat under the guidance of the Wadden Sea Board shall encompass:
    - to provide high quality Secretariat services to the Wadden Sea Governmental Council and the Wadden Sea Board;
    - communication of the work of the Cooperation;
    - maintenance and the enhancement of relationships with international partners on behalf of the Wadden Sea Board;
    - support of the implementation of the Strategy and the Wadden Sea Plan;
    - preparation of plans and reports for consideration and approval by the Wadden Sea Board;
    - to collect and disseminate information on conservation measures;
    - to analyse legal instruments and/or other means in each country, in existence or needed, in order to fulfil the obligations resulting from the instruments mentioned in the Joint Declaration;

- to make suggestions for a coordinated approach by the Parties in international fora;
- to make an assessment of measures being taken or to be taken by other states adjacent to the North Sea and by the European Union;.
- to provide assistance with regard to scientific symposia;
- management of the budget of the Cooperation.

(2.2) A more detailed description of the functions of the Common Secretariat is listed in the Rules of Procedure and Finance [http://](http:///), which shall be adopted by the Wadden Sea Board.

(3) The Wadden Sea Board shall establish the annual Work Plans of the Common Secretariat.

### **Article 3**

#### **Appointment of the Secretary**

(1) The Common Secretariat is headed by a Secretary who shall be appointed by the Wadden Sea Board. The Secretary shall be accountable to the Wadden Sea Board through the Chair of the Wadden Sea Board and shall report directly and regularly to the Chair. The Wadden Sea Board shall be responsible for reviewing the performance of the Secretary, annually.

(2) The Secretary shall be appointed for the period between two trilateral Governmental Conferences, which is normally 3 years. The tasks and duties of the Secretary are specified in the Rules of Procedure and Finance.

(3) Important decisions concerning the Secretary, including possible dismissal, shall be taken by the Wadden Sea Board according to the Rules of Procedure and Finance.

#### **Article 4**

##### **Supervision of the Common Secretariat**

The Wadden Sea Board shall supervise the performance of the duties of the Common Secretariat.

#### **Article 5**

##### **Budget of the Common Secretariat**

- (1) An indicative triennial budget for the Common Secretariat shall be prepared by the Secretary at the start of each triennium, marked by the triennial Governmental Conferences, and confirmed in annual budgets.
- (2) Each of the Parties shall finance one third of the annual budget.
- (3) The budget shares of the Parties shall be paid at the beginning of every budget year. The budget year of the Common Secretariat shall start on 1 January and end on 31 December of every calendar year. The accounts shall be closed at the end of the same year.
- (4) The Wadden Sea Board shall adopt the triennial budget, the annual budgets, and the financial statements, including the salaries of the personnel of the Common Secretariat.
- (5) Details are regulated in the Rules of Procedure and Finance.

#### **Article 6**

##### **Working Language**

The working language of the Common Secretariat is English.

## **Article 7**

### **Legal Status and Domicile**

- (1) The Common Secretariat is located in the Federal Republic of Germany.
- (2) The Federal Ministry for the Environment, Nature Conservation and Nuclear Safety shall, without prejudice to the provisions of Article 3 (1) and Article 4, ensure the transition of the Common Secretariat to an existing or newly established organisational structure under German public law.
- (3) The employees of the Common Secretariat shall be taken over with the same status as the current employment relationship. The new position should be in the same location or within the local area. Where the period of employment, service or probation governs the rights laid down in the Collective Agreement for the Public Service (TVöD) and in the collective agreements supplementing, amending or replacing the Agreement in the versions applicable for federal government employees, and in the Collective Agreement to Transfer Federal Employees to the Collective Agreement for the Public Service and to Regulate Transitory Law, periods of employment worked for the current employer shall be credited. Rights to non-cash benefits that were an integral part of the employment contract - where not covered by collective wage requirements and in due consideration of the principle of proportionality - shall be granted as special benefits outside of the collective wage framework as defined in the collective wage provisions.

## **Article 8**

### **Amendments and Denunciation**

- (1) This Agreement can only be amended with the consent of the three Parties.
- (2) Each Party may denounce this Agreement by written notification to the other Parties.

The denunciation shall take effect 12 months after the last Party has received the notification, under no circumstances however prior to expiry of the period for which the secretary is appointed.

### **Article 9**

#### **Annulment of Former Agreement**

The Danish-German-Dutch Administrative Agreement on a Common Secretariat for the Cooperation on the Protection of the Wadden Sea dated 23 October 1987 shall herewith be repealed on the date of entry into force of this Agreement.

### **Article 10**

#### **Entry into Force**

This Agreement shall enter into force on the date of signature.

Done at Westerland, Sylt on 18 March 2010 in three copies in the English language.

For the Ministry of the Environment of Denmark

For the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety  
of the Federal Republic of Germany

For the Ministry of Agriculture, Nature and Food Quality of the Netherlands

05

2010 Wadden Sea Plan



# **Wadden Sea Plan 2010**

**18 March 2010**



## Contents

INTRODUCTION .....	5
I. INTEGRATED ECOSYSTEM MANAGEMENT	
1 The Ecosystem Approach .....	11
2 Overarching themes .....	19
II. THE TARGETS	
1 Landscape and Culture .....	25
2 Water and Sediment .....	29
3 Salt Marshes .....	33
4 Tidal Area .....	39
5 Beaches and Dunes .....	47
6 Estuaries .....	51
7 Offshore Area .....	55
8 Rural Area .....	59
9 Birds .....	63
10 Marine Mammals .....	69
11 Fish .....	73
III. IMPLEMENTATION	
1 Monitoring and Assessment .....	79
2 Implementation and Review .....	85
3 Communication, Information and Education .....	87



# Introduction

## Aim and Background

The Wadden Sea, encompassing the coastal zone from Den Helder in The Netherlands to Blåvands Huk in Denmark, is an exceptional ecosystem of global importance, and together with its cultural landscapes is a shared responsibility of the three countries.

The vision of the Trilateral Wadden Sea Cooperation is a Wadden Sea which is a unique, natural and dynamic ecosystem with characteristic biodiversity, vast open landscapes and rich cultural heritage, enjoyed by all, and delivering benefits in a sustainable way to present and future generations.

1. The participating Governments have identified a Wadden Sea Cooperation Area and within this a Nature Conservation Area as the geographical basis of their Cooperation (see Map 1):

The Wadden Sea Cooperation Area in short 'Wadden Sea Area':

- the area seaward of the main dike, or where the main dike is absent, the spring-high-tide waterline, and in the rivers, the brackish water limit;
- an offshore zone 3 nautical miles from the baseline as fixed nationally or where the Nature Conservation Area exceeds the 3 nautical mile the offshore boundaries of the Nature Conservation Area;
- corresponding inland areas to the designated Ramsar and/or EC Bird Directive areas being the adjacent inland marsh areas of the Danish Wadden Sea Region designated as international nature protection areas and the Bird Directive Areas of Schleswig-Holstein adjacent to the Nature Conservation Area;
- the islands.

The 'Nature Conservation Area':

- In The Netherlands, the areas under the Key Planning Decision Wadden Sea;
- In Germany, the Wadden Sea national parks and the protected areas under the Nature Conservation Acts seaward of the main dike and the brackish water limit;
- In Denmark, the Wildlife and Nature Reserve Wadden Sea.

The Cultural Entities

For the specific purposes of cooperation on landscape and cultural heritage the Wadden Sea Area, and an area beyond, has been identified to include the main cultural entities. Activities on landscape and cultural heritage should be carried out by, or in close cooperation with all relevant administrative levels and with support of the people living and working in the region.

2. The Wadden Sea Plan (WSP-2010) provides, in accordance with the Joint Declaration on the Protection of the Wadden Sea, a framework for the integrated management of the Wadden Sea Area as an ecological entity, as well as its landscape and cultural heritage, within the cultural entities. It sets out a series of Targets, as well as policies, measures, projects and actions to achieve these Targets, to be implemented by the Wadden Sea countries.
3. The Plan is a political agreement (meaning it is a legally non-binding document of common political interest) and will be implemented by the three countries in cooperation, and individually, by the competent authorities on the basis of existing legislation and through the participation of interest groups.
4. Through WSP-2010 the objectives of the Trilateral Cooperation, as contained in the **Joint Declaration**, will be implemented, *i.e.* achieving
  - a. a natural ecosystem, its functions and characteristic biodiversity;
  - b. resilience to climate change and other impacts;
  - c. maintenance of the landscape and cultural heritage;

- d. sustainable use as defined by the Convention on Biological Diversity and the Habitats Directive;
- e. public support for the protection of the Wadden Sea.
5. In relation to the Wadden Sea World Heritage Property, the WSP-2010 also serves as the overall management plan to ensure the coordinated management of the Property.
  6. WSP-2010 was developed with the participation of local and regional authorities and interest groups. It is a further development of WSP-1997, adopted at the 8<sup>th</sup> Trilateral Governmental Wadden Sea Conference (TGC-8; Stade 1997), following a decision by the TGC-6 (Esbjerg, 1991) to elaborate a management plan covering the Wadden Sea from Den Helder to Blåvands Huk in order to further substantiate the joint coherent protection. At the 1991 Esbjerg Conference and the subsequent TGC-7, (Leeuwarden, 1994), the cornerstones of the Wadden Sea Plan were adopted: the delimitation of the Trilateral Area of Cooperation and Conservation, the Guiding Principle, the Management Principles, and the Targets.
  7. At TGC-10 (Schiermonnikoog, 2005) it was acknowledged that in order to continue and further intensify the cooperation for the protection of the Wadden Sea as an ecological entity, a coordinated and consistent implementation of the European legislation in a transparent way must be ensured. It was therefore agreed to further develop the WSP in accordance with the stipulations entailed in the Habitats, Birds and Water Framework Directives and other European Union directives and regulations, in particular Article 6 (1) of the Habitats Directive. Therefore the WSP incorporates the relevant EU directives, especially the Birds and Habitats directives, into the management of the Wadden Sea Area.
  8. This also encompasses the landscape and culture heritage of the Wadden Sea and will include the relevant regional and local level, with the task to get a detailed insight in best practice and to develop common trilateral strategies for the future management of these assets.  
It will furthermore include reviewing the Wadden Sea Forum recommendations for sustainable human use.

### **Integrated Ecosystem management**

9. The objectives of WSP-2010 will be achieved by applying *inter alia* the instrument of Integrated Coastal Zone Management and by harmonizing conservation objectives and good ecological status to the extent possible and at different levels of implementation, ranging from their definitions to harmonised methodologies for their assessment.
10. In compliance with national legal provisions, the focal point of trilateral nature conservation policy and management is directed towards achieving the Guiding Principle for "the Nature Conservation Area", as laid down in the "Joint Declaration", *i.e.* "to achieve as far as possible, a natural and sustainable ecosystem in which natural processes proceed in an undisturbed way".  
Such an ecosystem contains the full range of natural and dynamic habitats (see Map 2), each of which needing a certain quality (natural dynamics, presence of typical species, absence of disturbance, absence of pollution), which can be reached by proper conservation and management. The quality of the habitats shall be maintained or improved by working towards achieving Targets which have been agreed upon for the tidal area, the offshore area, estuaries, salt marshes, beaches and dunes, the rural area, water and sediment quality, fish, birds and marine mammals, as well as landscape and cultural aspects.

In addition to the Guiding Principle, seven Management Principles have been adopted which are fundamental to decisions concerning protection and management within the Wadden Sea Area:

- the Principle of Careful Decision Making, *i.e.* to take decisions on the basis of the best available information;
- the Principle of Avoidance, *i.e.* activities which are potentially damaging to the Wadden Sea should be avoided;

- the Precautionary Principle, *i.e.* to take action to avoid activities which are assumed to have significant damaging impact on the environment, even where there is no sufficient scientific evidence to prove a causal link between activities and their impact;
  - the Principle of Translocation, *i.e.* to translocate activities which are harmful to the Wadden Sea environment to areas where they will cause less environmental impact;
  - the Principle of Compensation, *i.e.* that the harmful effect of activities which cannot be avoided, must be balanced by compensatory measures; in those parts of the Wadden Sea where the Principle has not yet been implemented, compensatory measures will be aimed for;
  - the Principle of Restoration, *i.e.* that, where possible, parts of the Wadden Sea should be restored if it can be demonstrated by reference studies that the actual situation is not optimal, and that the original state is likely to be re-established;
  - the Principles of Best Available Techniques and Best Environmental Practice, as defined by the Paris Commission.
11. The Targets of the Wadden Sea Plan are consistent with the national conservation objectives for habitat types and species in accordance with the EC Habitats and Bird Directives and national conservation laws, as well as water bodies and definitions of good chemical and ecological status in accordance with the EC Water Framework Directive. However, the three Wadden Sea states acknowledge some differences in their implementations of definitions of the Habitats Directive.
  12. As stated in the Joint Declaration, the participating Governments will, in the measures they take, be guided by the Guiding Principle, the Precautionary Principle and Article 6 of the Habitats Directive.
  13. The Targets are a specification of the UNESCO criteria which apply to the Wadden Sea World Heritage property in The Netherlands and in Germany and serve to implement these criteria.
  14. The landscape and cultural heritage compliments the natural and environmental heritage. Despite local and regional diversity, the Wadden Sea has a common history in developing and shaping the landscape, in human survival adaptation strategies and techniques that have created a unique cultural heritage.
  15. The Integrated Ecosystem Management approach is further specified in the Chapter "Integrated management". This chapter also addresses a number of issues, with an overarching character. It concerns climate change, alien species and shipping.

### **Preconditions**

16. The inhabitants of the coastal marshes and the islands in the larger Wadden Sea region depend upon an adequate coastal protection in a changing climate. The implementation of the Plan will not affect the priority of coastal flood defence and protection and the safety of the local inhabitants against the sea.
17. In accordance with the Joint Declaration, unreasonable impairment of the interests of the local population and its traditional uses in the Wadden Sea Area has to be avoided. Any user interests have to be weighed on a fair and equitable basis in the light of the purpose of protection in general, and the particular case concerned.

### **Economic Development and Potentials**

18. Within the constraints of suitable protection and natural development of the Wadden Sea, economic activities and development remain possible. Tourism and recreation, agriculture, industry, shipping, and fisheries have considerable economic significance for the Wadden Sea and sustainable human uses will continue. They must be continuously balanced in a harmonious relationship between the needs of society and ecological integrity. This will be done in cooperation with stakeholder fora and organizations, *e.g.* the Wadden Sea Forum.

19. Parts of the Wadden Sea Area of The Netherlands and Germany have been designated by the UNESCO as biosphere reserves participating in the worldwide network of the Man and Biosphere Program (MAB). MAB Reserves are protected areas of representative terrestrial and coastal environments, which have been internationally recognized under the United Nations Educational, Scientific and Cultural Organization (UNESCO) MAB Program for their value in conservation and in providing the scientific knowledge, skills and human values to support sustainable economical development. The WSP encompasses the management of the biosphere reserves.
20. After establishment of nearly the whole German Wadden Sea as National Parks in the years 1985, 1986 and 1990, Denmark has declared most of its Wadden Sea Area, including the islands and some embanked marshlands on the mainland, as National Park in 2010. The aim of the Danish National Park is to maintain a high nature protection level and to improve the culture and landscape aspects, in combination with improved economic sustainable development in order to contribute to a more viable region.

### **Communication, Information and Education**

21. For the successful implementation of the Wadden Sea Plan and the long-term protection of the Wadden Sea as an entity, the awareness and support of the people living in this region is important. Communication, stakeholder involvement, information and education are a prerequisite for raising awareness and support. The trilateral approach to communication, information and education is specified in Chapter III.3.

### **Implementation and review**

22. Progress on implementing the trilateral policies and management in the Wadden Sea Plan will be evaluated every 6 years. As appropriate, the Plan will be amended on the basis of the conclusions and recommendations of the review process, which is specified in the Chapter III.2.
23. Projects and actions for implementing the trilateral policies are contained in a separate document to be developed and adopted by the Wadden Sea Board.

# **I. Integrated Ecosystem Management**



# 1 The Ecosystem Approach as applied to the Wadden Sea

## 1.1 INTRODUCTION

The key message of the Joint Declaration (JD) is that Wadden Sea states will "... continue to manage the Wadden Sea as a single ecological entity for its natural, landscape and cultural heritage values, for the benefit of present and future generations"

The challenge of the Trilateral Wadden Sea Cooperation (TWSC) is to implement ecosystem management of the Wadden Sea Area by applying and integrating relevant EU Directives, as set out in §6 of the Schiermonnikoog Declaration (2005):

"... a coordinated and consistent implementation of the European legislation [...] in particular Article 6 (1) of the Habitats Directive [...] and to develop common trilateral strategies for the future management of the landscape and cultural heritage."

The Objectives of the TWSC, as laid down in the JD and § 4 of the Introduction, are particularly relevant for an integrated ecosystem approach.

According to the **Convention on Biodiversity (CBD)**, the ecosystem approach

"is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. Application of the ecosystem approach will help to reach a balance of the three objectives of the Convention (conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources). It is based on the application of appropriate scientific methodologies focused on levels of biological organization which encompass the essential processes, functions and interactions among organisms and their environment. It recognizes that humans, with their cultural diversity, are an integral component of ecosystems." [CBD, 2000]

In the Preamble to the **Habitats Directive** it is stated

"Whereas, the main aim of this Directive being to promote the maintenance of biodiversity, taking account of economic, social, cultural and regional requirements, this Directive makes a contribution to the general objective of sustainable development."

Three central elements in the above definitions are essential for integrated management of human activities:

1. The conservation and protection of ecosystem processes, functions, habitats and species and their interactions;
2. Sustainable human use;
3. Cultural diversity.

According to the first element, human activities in ecosystems must be managed for all aspects of the system, not only species or habitats but also processes and interactions.

The second element acknowledges that sustainable human use must be possible and integrated with ecosystem protection and that cultural diversity is part of an integrated approach.

The remainder of this Chapter addresses these elements in more detail.

**Section 1.2** addresses the trilateral Targets and relevant EC Directives (Habitats and Birds, Water Framework, Marine Strategy Framework) from the perspective of an integrated ecosystem management approach.

**Section 1.3** deals with Landscape and Culture.

**Section 1.4** covers the World Heritage Property Wadden Sea.

**Section 1.5** deals with sustainable use, in particular its management in and adjacent to the Wadden Sea Area.

In **Section 1.6**, the overall trilateral policy regarding integrated ecosystem management is formulated.

## 1.2 EC DIRECTIVES

The 1992 Habitats Directive (HD) deals with specific habitats and species which have their own defined characteristics and are clearly delimited in space. Together with the 1979 Birds Directive (BD), it provides the legal basis for establishing a Europe-wide network of representative protected areas (Natura 2000). The Habitats Directive requires member states to designate specific habitats and habitats for specific species as conservation areas and the adoption of conservation objectives for these habitats and species.

The aim is to achieve favourable conservation status for designated species and habitats. The conservation status of a habitat is favourable if: its natural range and area is stable or increasing; if the specific structure and functions necessary for its long-term maintenance exist and are likely to continue for the foreseeable future; and if the conservation status of its typical species is favourable. The latter is the case if the species concerned is a viable part of its natural habitats on a long-term basis, its natural range is not reduced in the foreseeable future and its habitats remain sufficiently large.

The Water Framework Directive (WFD, 2000) aims at improving the aquatic environment. It requires that Member States take a new, holistic approach to managing their waters. Member states are all required to implement the necessary measures in order to achieve “good ecological status” by 2015 in all rivers, lakes, transitional waters, coastal waters and groundwater. “Good status” for surface waters is defined through biological, hydromorphological, chemical and physico-chemical Quality Elements. The specific definition of the status of each quality element for each water category is provided in the Annexes to the Directive. Additionally, surface waters also have to have a good chemical status.

The implementation of the Directive and the setting and achievement of good status and other environmental objectives and targets are to be based on a river basin district structure. Management plans and programmes of measures must be developed for each river basin district.

There is a requirement within the Directive for the linkages between surface and groundwater and water quantity and water quality to be taken into account in meeting objectives. There is also a requirement for the integration of the management of water-dependent Natura 2000 sites and river basin plans, and moreover, consideration must be given to the water needs of wetlands.

The aim of the Marine Strategy Framework Directive (MSFD, 2008) is to achieve or maintain good environmental status in the marine environment by the year 2020 at the latest. It requires the development and implementation of strategies to (a) protect and preserve the marine environment, prevent its deterioration or, where practicable, restore marine ecosystems in areas where they have been adversely affected; and (b) prevent and reduce inputs in the marine environment, with a view to phasing out pollution, so as to ensure that there are no significant impacts on, or risks to, marine biodiversity, marine ecosystems, human health or legitimate uses of the sea. It requires the application of an ecosystem-based approach to the management of human activities and the integration of environmental concerns into the different policies, agreements and legislative measures which have an impact on the marine environment.

Table 1 provides a brief comparison of the four Directives.

### EC DIRECTIVES AND THE ECOSYSTEM APPROACH

The above Directives are the main legal instruments for implementing an ecosystem approach but are not ideal for this purpose. This is due to three main factors:

1. Structural differences between the three Directives;
2. Inherent deficiencies within each Directive;
3. Differences in national implementation.

The first factor is related to the broad time span over which the Directives have been developed. This has resulted in substantial differences in structures, making it difficult to integrate the three instruments at the administrative level.

Factor 2 relates to the development history of the three Directives. The differences in contents reflect important developments in nature and environment policies over almost three decades, starting with a sectoral approach (Birds Directive) and ending with a much more integrative approach (MSFD).

**Table 1:** Comparison of EC Habitats and Birds Directives (HD, BD), Water Framework Directive (WFD) and Marine Strategy Framework Directive (MSFD).

	<b>BD + HD</b>	<b>WFD</b>	<b>MSFD</b>
<b>General objective</b>	Favourable conservation status	Good ecological status / potential & good chemical status	Good environmental status
<b>Indicators</b>	Habitat (range, structure and function, characteristic/ typical species) Rare species (population, range, maintenance)	Biological (species composition and abundance) hydro-morphological, chemical and physico-chemical Quality Elements	Biological, physical and chemical characteristics, pressures and impacts  Environmental targets and associated indicators
<b>Reporting unit</b>	Habitat type, species	Water body	Marine regions
<b>Scale</b>	Per country / bio-geographic area	River basin district	Marine (sub)regions (overlap with WFD)
<b>Time</b>	2007 <sup>1</sup> , 2015 <sup>1</sup>	2015 <sup>2</sup> , 2021 <sup>2</sup>	2020 <sup>2</sup>
<b>Management plan</b>	N2000 management plan (Art. 6)	River basins management plan (Art 13, 11)	Programme of measures (Art. 13)

<sup>1</sup> Reporting re. HD; <sup>2</sup> Reaching Status

As a result, the Directives apply principally different concepts. The HD was the first of the integrative framework directives and focuses on the protection of individual habitats and not on ecosystems as a whole with their different interacting habitats and species.

The WFD has a more integrative approach, but focuses mainly on the status of designated water bodies and not on key ecosystem processes. Biological quality elements are essential to define the status of surface water bodies according to the WFD, but only certain aquatic species are covered, e.g. not birds or mammals.

The MSFD is the "most integrated" Directive. Its relevance for an integrated ecosystem approach for the Wadden Sea ecosystem has not yet been analysed in detail.

Factor 3 is particularly relevant for the management of the Wadden Sea ecosystem, being a transboundary protected area. Because EU Member States implement framework directives at the national level (subsidiarity principle), differences may arise in the designation of areas covered by the directives, as well as conservation and protection aims.

For the Wadden Sea, the various national conservation objectives for habitats and species and the definition of good ecological status have proved to be highly comparable. Moreover, within the EU framework, work is ongoing to further harmonise and tune national implementation, as well as monitoring and assessment methodologies under the above mentioned Directives. This includes e.g. an intercalibration process under the WFD.

There are, however, also some important differences and inconsistencies (see list below).

### Habitats and Birds Directives

#### a. Differences in the designation of Wadden Sea typical habitat and species types

- NL has designated the tidal and offshore area as types 1110 (sandbanks which are slightly covered by seawater all the time) and 1140 (mudflats and sandflats are not covered by seawater at low tide) only. Germany and Denmark have also designated types 1130 (estuaries), 1150 (coastal lagoons), 1160 (large shallow inlets and bays) and 1170 (reefs).\*

(\*Following the recent clarification on the common definition of 1170 at EU level, the designation of eulitoral mussel banks as reefs in Germany will be revised at the next revision of the standard data forms.)

- There is much variation in the designation of bird species: only 25% of all relevant bird species is commonly designated.
- Variation in designation of fish species under the Habitats Directive.

#### b. Differences in the definition of habitat/species conservation objectives

- Quantified bird conservation objectives in NL and DK. Qualified objectives in D, mainly related to habitat quality.
- The marine mammal objectives formulated by The Netherlands partly comply with the relevant trilateral Target.

- c. Differences in assessment of size and quality of various habitat types
- Habitat type 1170 (reefs)
  - Habitat type 1110 (sandbanks which are slightly covered by seawater all the time )
- d. Differences in management policy
- In NL and DK region-specific Natura 2000 management plans will be developed. In D, the WSP provides the management framework for the Wadden Sea national parks, supplemented by sectoral plans and specific Natura 2000 management plans for bordering sites inside the cooperation area.

### Water Framework Directive

- a. Differences in development of WFD reference conditions and classification tools.
- The development of tools, testing and adaptation of tools as well as fine-tuning is carried out with (partly) different approaches and time scales.
- b. Differences in designation of water bodies
- Different types and numbers of water bodies (WB): In NL and DK, the Wadden Sea tidal area (intertidal and subtidal) is a single WB. In D, all four WB types have been assigned with a total number of 26 separate WBs (incl. Ems).
  - NL has assigned a 1 sm strip along the Wadden Sea mainland coast as Heavily Modified Water Body (HMWB). In D, only transitional waters are HMWB.
  - DK has no transitional water bodies within its sea territory and has not assigned HMWB in the Wadden Sea Area.
- c. Development of management plans
- Tuning of WFD and HD not yet carried out (assessment criteria, conservation objectives).
  - Regional differences (e.g. eutrophication) still exist.

### Marine Strategy Framework Directive

- a. Differences in application
- NL complies with the MSFD concerning the articles 2(1) and 3(1) sub a and b. NL will apply the MSFD to the part of the offshore area from the baseline to 3 nautical miles.
  - D and DK will apply the MSFD to the whole Wadden Sea according to Art. 3 (1) of the directive.

### THE TRILATERAL TARGET CONCEPT

The trilateral Target concept is principally an integrated ecosystem concept and therefore goes beyond the above EC directives. The Target concept fully covers and integrates the Habitats and Birds Directives, the Water Framework Directive and the World Heritage criteria (see Table 2). The Targets are consistent with the Conservation Objectives and Good Ecological Status approach from the Directives and additionally serve the World Heritage criteria. The Target concept is, furthermore, a trilateral concept relevant for the whole Wadden Sea Area. It is the common basis for the harmonisation of the different national approaches under the EC Directives.

**Table 2:** Thematic overlap of Wadden Sea Plan Targets with issues from the EC Directives and the World Heritage criteria

TOPIC	Wadden Sea Plan Targets	Habitats / Birds Directive	WFD	MSFD	World Heritage Criteria
Landscape + Culture	+	-	-		
Water and Sediment	+	(indirectly)	+	+	VIII, IX
Salt Marshes	+	+	+		VIII, IX, X
Tidal Area (eu- / sublittoral)	+	+	+	+	VIII, IX, X
Beaches and Dunes	+	+	-		VIII, IX, X
Estuaries	+	+	+		VIII, IX, X
Offshore Zone	+	+	-	+	VIII, IX, X
Rural Area	+	+	-		
Birds	+	+	-	+	X
Marine Mammals	+	+	-	+	X
Fish	+	+	+ transitional	+	X

### 1.3 LANDSCAPE AND CULTURE

The cultural landscape heritage complements the natural and environmental assets in the Wadden Sea. Despite local and regional diversity, the Wadden Sea contains a common history in developing and shaping the landscape, in human survival adaptation strategies and techniques and a unique cultural heritage.

Based upon the WSP 1997, two projects regarding the maintenance and planning of the Wadden Sea landscape and cultural heritage have been carried out (Lancewad and LancewadPlan). These projects emphasized that the management of landscape and the cultural heritage is an issue of integrated spatial planning and the implementation of a trilateral strategy should be carried out by, or in close cooperation with, all administrative levels and with support of the people living and working in the region. The involvement of stakeholders is essential for the wise management of the heritage and, in particular, further integration of natural and landscape management should be an aim.

### 1.4 WORLD HERITAGE PROPERTY

In 2009 the nominated Wadden Sea of The Netherlands, Niedersachsen and Schleswig-Holstein was inscribed in the World Heritage list.

The inscription of the Wadden Sea as **World Heritage Property** is based upon the following criteria

- Criterion VIII: "outstanding examples representing major stages of Earth's history, including the record of life, significant ongoing geological processes in the development of landforms, or significant geomorphic or physiographic features"
- Criterion IX: "outstanding examples representing significant ongoing ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals"
- Criterion X: "contain the most important and significant natural habitats for *in situ* conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation"

These criteria are fully covered by the trilateral Targets, as shown in Table 2.

### 1.5 SUSTAINABLE USE

The trilateral Wadden Sea Cooperation applies the concept of sustainable use as defined by the Convention on Biological Diversity in protecting and conserving the ecological integrity of the Wadden Sea ecosystem, thus supporting lasting economic prosperity and social well-being.

There are several approaches and instruments applied within the Wadden Sea Region through which sustainable use is developed and promoted. It concerns Integrated Coastal Zone Management (ICZM), zoning instruments, the Man and Biosphere (MAB) approach as well as many examples of interaction with stakeholders

#### 1.5.1 Integrated Coastal Zone Management

Integrated Coastal Zone Management (ICZM) is a concept for achieving sustainable use in the coastal area. In the recommendation of the EU Council and Parliament on ICZM (2002/413/), member states were asked to prepare national ICZM strategies based upon the following principles:

1. A holistic approach and strategic planning (land-sea approach);
2. A long-term perspective;
3. A long-term process;
4. Reflecting local/regional conditions;
5. Working with natural processes;
6. Participative planning;
7. Involvement of all layers of government;
8. Coherent use of a combination of instruments.

Following the ICZM Recommendation, most EU Member States have prepared national strategies for ICZM. At the 10<sup>th</sup> Wadden Sea Conference, Wadden Sea states agreed to contribute to their national ICZM strategies in a trilaterally coordinated way, in consultation with the Wadden Sea Forum (Sch.D. §13).

In §4c of the Joint Declaration, ICZM is listed as one of the areas of cooperation of the TWSC.

### **1.5.2 Zoning**

Zoning is a management instrument, partly implemented by law, to balance nature protection and human use of the Wadden Sea in space and time. Zoning covers regulations and measures related to specified geographical areas in the Wadden Sea Area to avoid and/or to alleviate conflicting interests in space and time within a protected area. This also includes temporal or permanent closure of areas. In each country, zoning regulations for specific activities like agriculture, hunting, fisheries or tourism are implemented. Additional general zoning systems are in force in the three countries, regulating several human activities in the whole Wadden Sea Cooperation Area.

Comparing the different approaches to zoning, it appears that some similarities exist with regard to the zoning systems, although, in a formal sense, different protection regimes are implemented in The Netherlands, the three German Federal States and in Denmark.

### **1.5.3 Man and Biosphere**

Biosphere Reserves are protected areas of representative terrestrial and coastal environments or a combination of both, which are designated according to international guidelines in the framework of the UNESCO "Man and Biosphere" (MaB) programme for the worldwide net of Biosphere Reserves (UNESCO 1996). Biosphere Reserves are model regions in which people's life and economic activity are in compliance with nature. The protection of nature is closely linked with sustainable use.

The Wadden Sea has been designated a Man and Biosphere (MAB) Reserve under the UNESCO Man and Biosphere Program by The Netherlands and the German states. Whereas the MAB-Reserve in the Dutch, Niedersachsen and Hamburg part is almost identical with the Conservation area, the MAB Reserve in Schleswig-Holstein also includes five Halligen islands as a development zone. In Niedersachsen, the uninhabited parts of the islands are included and the designation of a development zone landward of the dikes outside the National Park is in progress.

### **1.5.4 Danish National Park**

The Danish Wadden Sea Area, including the islands and parts of the hinterland on the mainland, has been designated as National Park. Besides nature conservation and preservation of the cultural and landscape heritage, the aim is also to stimulate and promote commercial but sustainable activities like tourism and recreation. Moreover, it leaves space for the development of the more traditional industries (agriculture and fishery). It is intended that the "National Park Wadden Sea" will be a valuable contribution to regional development in the Danish Wadden Sea and serve as an example of ICZM.

### **1.5.5 Wadden Sea Forum**

The Wadden Sea Forum (WSF) was established in 2002, following a decision at the 9<sup>th</sup> Trilateral Governmental Conference 2001 in Esbjerg. The WSF acts as a cross-border stakeholder forum and an independent body consisting of representatives of Agriculture, Energy, Fisheries, Industry and Harbour, Nature Protection and Tourism, as well as local and regional authorities from The Netherlands, Germany (Niedersachsen and Schleswig-Holstein) and Denmark.

The Ministerial Declaration of the 10<sup>th</sup> Trilateral Governmental Conference 2005 in Schiermonnikoog reinforces the importance of stakeholder participation and recognizes that the achievement of the Guiding Principle of the Cooperation "can only be obtained in cooperation with those who live, work and recreate in the area and are willing to endow its protection". Geographically, the WSF deals not only with the Wadden Sea Area but with the wider Wadden Sea Region.

In its report "Breaking the Ice" (2005), the WSF developed a vision, agreed upon by all its members, that supports the protection of the Wadden Sea Area and emphasizes:

*“The Wadden Sea Region has a strong identity, which is rooted in the cultural heritage, the typical Wadden Sea landscape features and the unique, from a world wide perspective, Wadden Sea nature area. The Region has a natural biodiversity and decreasing concentrations of polluting substances. The Region is characterized by dynamic urban centres and a vital rural community with a balanced population structure and good public facilities. The Wadden Sea Region offers room for entrepreneurship and economic activities make optimal (i.e. sustainable) use of the specific advantages of the Region, in particular the location by the sea, the nature potentials and the positive population development.*

*In general people like to live in the Wadden Sea Region. For the Wadden Sea Area, which is the area covered by the Trilateral Cooperation on the Protection of the Wadden Sea, the trilateral Targets represent the ecological objectives. The Area has an unspoilt beauty, is understood as a joint heritage of the entire Region and the ecological Targets are respected by all sectors.”*

From 2006 the WSF defined the following goals:

- to oversee, stimulate, support, facilitate and evaluate the implementation of the WSF strategies and action plan for sustainable development
- to exchange information on experiences and best practice with regard to the Wadden Sea Region and foster sustainable development within it;
- to bring together the sectoral interests of its members;
- to exchange views on general themes and topical issues;
- to prepare advice on issues related to sustainable development and integrated coastal zone management;
- to initiate and implement projects and actions on topical issues;
- to serve as a consultation body for governments.

In 2008 a Memorandum of Understanding (MoU) was concluded between the WSF and the Trilateral Wadden Sea Cooperation (TWSC) recognizing the importance of a close cooperation. The MoU is based on the mutual acknowledgement by the WSF and the TWSC of the Shared Principles including the Guiding Principle, the Shared Vision and the Targets as laid down in the Wadden Sea Plan, respecting the existing protection levels and ensuring sustainable economic development and quality of life. According to the MoU, WSF serves as an independent trilateral advisory and consultation body to the TWSC and prepares relevant statements and background information. It will be consulted and prepare advice on matters regarding sustainable development of the Wadden Sea Region and will be consulted in the framework of the development of the Wadden Sea Plan, the draft Declaration of the 2010 Wadden Sea Conference, national ICZM strategies and other issues of relevance for the Wadden Sea Region in as far as this is within the mandate of the TWSC. Several joint projects have been agreed upon. Among them are the further development of ICZM and sustainability indicators, the elaboration of a guidance document for a trilateral Goose Management Plan, cooperation on shipping safety issues, including container shipping, and support for and promotion of the Wadden Sea World Heritage Property among the sectors and stakeholders. Finally, the WSF will stimulate and support the cross-border and cross-sector dialogues and will discuss and integrate, to the extent possible, relevant input to the regional Wadden Sea advisory bodies and submit the results to the TWSC on a regular basis.

## **1.6 TRILATERAL POLICIES**

1.6.1 The overall policy objective is to further develop a consistent integrated trilateral management approach to the Wadden Sea ecosystem, based on the status of protected areas there and including sustainability of uses, aspects of the landscape and cultural heritage and the integrity of the World Natural Heritage Property. To this end the implementation of relevant EC Directives will be harmonised as far as possible, in particular with regard to differences in national conservation objectives that may, in the medium or long term, aggravate differences in protection level and/or conditions for sustainable use. More specific policies, relevant to harmonisation, are in the Target chapters.

1.6.2 In line with the existing protection regimes, sustainable use will be further improved by stimulating relevant initiatives and projects, including the further development and improvement of ICZM and sustainability indicators, in close cooperation with the Wadden Sea Forum and other relevant stakeholder organisations.

1.6.3 An overall Sustainable Tourism Development Strategy for the Wadden Sea World Heritage Site will be developed, in order to meet the request of the World Heritage Committee, the Hamburg Wadden Sea National Park, and the Danish National Park, pending formal approval by its forthcoming board. As a first step, a Wadden Sea Communication and Marketing Programme 2010-13 will be adopted.

## 2 Overarching themes

This chapter concerns climate change, alien species and shipping safety – three themes relevant to all Wadden Sea habitats and for which it is essential to apply an integrated ecosystem approach.

A number of activities, the most prominent ones taking place outside the Wadden Sea Conservation Area, potentially affect the Wadden Sea ecosystem, but are essential for the regional economy and conditions for people living in the area or visiting as tourists. These activities are coastal flood defence and protection, energy generation, shipping and the related (maintenance) dredging of the shipping routes and harbour developments.

For example, the increasing energy production in the Wadden Sea Region, both onshore and offshore, will have several side-effects, such as increasing ship traffic in the coastal sea and cable crossing through the conservation area. Air pollution may increase as well as interference with bird flyways. The increasing ship traffic in general results in increased dredging and harbour extension. As far as relevant these activities are covered in the respective Target chapters. All activities likely to have a significant effect on the Wadden Sea ecosystem, either individually or in combination with other plans or projects, are subject to licensing following an impact assessment in accordance with the stipulations of the Habitats Directive.

Also, coastal defense may be regarded as an overarching theme which is essential for the safety of the inhabitants while also having impacts on the Wadden Sea ecosystem. Aspects of coastal flood defense and protection are included in the section on Climate change.

### 2.1 CLIMATE CHANGE

#### 2.1.1 Status and assessment

Climate change will have an impact on Wadden Sea habitats and species, the safety of its people and on cultural heritage and sustainable use. The impacts may become manifest in two ways: first through changes in physical, chemical and biological parameters such as sea level rise, erosion or sedimentation, water temperature, acidity and species composition, *i.e.* fish; and second, through human responses such as coastal flood defence and protection measures.

Changes will affect valuable natural and cultural heritage assets throughout the Wadden Sea. The combined impacts of these changes on the ecosystem are so diverse and numerous that predictions of the expected direction of change are very difficult and in some cases impossible to foresee. Major concerns exist with respect to latest projections on sea level rise that range between 0.5 and 1.3 m for this century. Thus it should be anticipated that, in the long term, not enough sediment will be imported and redistributed by natural processes to maintain present ecological functions. Nature protection, coastal flood defence and protection, cultural heritage and conservation policies and management must therefore become more flexible, so that adaptation to change is possible. This is particularly relevant in the implementation of conservation objectives under the Habitats and Birds Directives and the ecological quality requirements of the Water Framework Directive.

#### 2.1.2 Trilateral Policies

An integrated approach is required. As a first step, a Trilateral working group on Coastal Protection and Sea level Rise (CPSL) was established in 1998, in which experts from coastal and nature protection, and since 2005 spatial planning, have worked together.

A long-term trilateral strategy on increasing adaptability to the effects of climate change will be developed, with a view to protecting the people living in the region and conserving the natural, landscape and cultural heritage qualities of the Wadden Sea.

Such a strategy

- includes guidance on which policy steps to take for different climate impact scenarios.

- aims to make conservation management more flexible by intensifying contacts with relevant scientists so that the latest research and advice is used to adapt monitoring and management programmes.
- indicates concrete steps towards increasing the adaptability of the ecosystem *i.e.* its ability to cope with changes, the natural diversity, especially along the mainland coast. This will be done in close cooperation with responsible coastal flood defence and protection authorities and in close consultation with all stakeholders, taking into account landscape and cultural heritage features.
- contains pilot projects and research programmes on climate change adaptation of the Wadden Sea, the resilience of the ecosystem and on coastal flood defence and protection, and contains initiatives to share best practice and lessons learnt throughout the Wadden Sea. The focus will be on projects combining coastal and nature protection.
- includes concrete steps towards developing and implementing instruments for flexible spatial planning, integrating the living situation and safety of people, as well as the resilience of the ecosystem, and including landscape and cultural heritage features. These instruments will involve all relevant stakeholders and broad communication of the results in the planning process.

## 2. 2 ALIEN SPECIES

### 2.2.1 Status and Assessment

The dispersal of organisms is a natural process limited by multiple barriers, among which geographical barriers are the most evident. However, for centuries humans have introduced alien species to new areas where they were previously absent. They might survive and subsequently reproduce in a newly occupied habitat. If they are invasive, they are known or expected to have negative effects on native populations and species, natural habitats and ecosystems.

With increasing global trade, the introduction of alien species, both intentional and unintentional, has increased concomitantly and has increased in complexity. Next to global habitat loss and climate change, this biological globalization has become a key process in altering the biosphere.

At the North Sea coast, many of the introduced species, mainly algae and invertebrates, arrived via international ship traffic, especially in ballast waters, but also in aquaculture. They most often became established within estuaries and on hard substrates, with more than 80 known species. About 52 of them occur within the Wadden Sea and a preliminary assessment of the aliens' impact on the natural biodiversity of the Wadden Sea shows that presently most cause no or only minor impacts.

Of the 52, six have already had or are about to have effects on the composition of the existing biota in the Wadden Sea: cord-grass, Japanese seaweed, bristle worm, American razor clam, American slipper limpet and Pacific oyster.

Terrestrial alien plant and animal species have also found – and will find – their way into the Wadden Sea ecosystem. A well-known example is the (former) introduction of the rugose rose, which has in several places outflanked the original species and vegetation types, and reduced the typical dynamics of some dune habitat types. Of the mammalian aliens, the North American mink, ferret and muskrat have caused changes, *e.g.* in the predation pressure on breeding birds and the safety of sea dikes in some places.

### 2.2.2 Trilateral Policies

The Trilateral Cooperation will support and intensify efforts to harmonise approaches to the prevention, management and monitoring of aquatic and terrestrial alien species introductions and will develop a common strategy for dealing with invasive alien species associated with ballast waters and aquaculture. This is also in line with a request from the UNESCO World Heritage Committee.

## **2.3 SHIPPING SAFETY**

### **2.3.1 Status and Assessment**

The consequences of shipping accidents for the Wadden Sea can be immense. In order to raise awareness regarding the vulnerability of the Wadden Sea, the area has been designated as a Particularly Sensitive Sea Area (PSSA) by the IMO in 2002. Its effectiveness has been reviewed in 2010, leading to several recommendations.

The general risk and potential consequences of accidents and the PSSA designation lead to the obligation to maintain and where necessary enhance shipping safety and reduce impacts from shipping on the Wadden Sea. Also further implementation of policies and actions to prevent oil pollution from shipping - both from illegal discharges and from accidents - as well as control and enforcement measures needs to be continued. This is also valid for reducing the exhaust emissions from ships.

### **2.3.2 Trilateral Policies**

Shipping and shipping safety is considered as one of the priority issues for the Wadden Sea Region. This concern has also been raised in the Wadden Sea Forum, leading to 35 recommendations concerning policy and management necessities. These recommendations were reviewed in conjunction with the agreements taken at the Esbjerg Conference. Where not already taken, action is needed at both the trilateral and international level. Specific actions should be focused on:

- spatial planning and shipping safety in the EEZ;
- day-to-day joint cooperation in the framework of the DenGerNeth plan;
- appropriate towing and pollution response capacity;
- the practical implementation of Places of Refuge;
- harmonization of the no-special-fees system;
- aerial surveillance in the relevant coastal areas and the EEZ;
- container shipping and loss of containers.

As an important standard, the safety of shipping in the North Sea Area should be kept at least at the present level, irrespective of which kind of offshore development might occur, and where feasible be enhanced.



## **II. The Targets**



# 1 Landscape and Culture

For the specific purposes of cooperation on landscape and cultural heritage, the Wadden Sea Area and an area beyond has been identified for inclusion of the main cultural entities. As shown in Map 3, parts of the identified cultural entities are located outside the Wadden Sea Cooperation Area. Activities on landscape and cultural heritage should be carried out by, or in close cooperation with, all relevant administrative levels and with support of the people living and working in the region.

In Germany such a cooperation would fall mainly under the responsibility of the Counties (Landkreise). Although the importance of preserving the cultural heritage of the Wadden Sea is acknowledged, the development of human use in a sustainable way remains further possible, because this is the basis of life of many people on the islands and in the coastal area.

The landscape of the Wadden Sea Coast, with some 22,000 km<sup>2</sup> the world's largest transgressional coastal wetland site, consists of three parts. The Wadden Sea proper basically comprises the Wadden Sea Conservation Area (ca. 11,000 km<sup>2</sup>), consisting of water, tidal flats, salt marshes and dunes, as in Niedersachsen, where most of the islands are included in the Nature Conservation Area. Although the Wadden Sea is a natural area, it contains some very important cultural heritage features, past and present. Examples include the landscape of islands, Halligen and marsh areas, the Friesian language and regional traditions. Then there are the scores of ship-wrecks dating from Mediaeval and Early Modern Times in the western Wadden Sea and in the northern Wadden Sea there are many inundated archaeological traces of agriculture and salt mining.

The further parts are the islands which belong to the Cooperation Area and, mostly outside of the Cooperation Area, endiked former salt-marshes or polders which are landwards of the sea dikes. The endiked area forms a cultural landscape created at the interface of land and sea. Being an amphibious landscape, it constitutes a unique example of a transgressive coastal region with an occupational history of nearly three millennia. As such it is the result of the interaction of physical developments (a Holocene landscape under a relatively strong sea level rise) and intentional as well as unintentional human actions.

The 50 or so (Friesian) islands together can be roughly divided into two categories. The larger category is formed by the generally sandy islands or islands with cores formed by glacial moraines. These make up a chain of barrier islands from Den Helder at the south-western end of the Wadden Sea region up to Esbjerg at its north-eastern end. The smaller category of islands, lying inside the barrier islands and off the North Friesian coast, are the so-called Halligen marsh islands that are partial remnants of a former salt-marsh destroyed by the sea. Apart from separating the Wadden Sea from the North Sea, the islands with their age-old agrarian-maritime societies form the most dynamic eco-cultural frontier zone of the Wadden Sea.

The marshes have been settled uninterruptedly since 600 BC. Thousands of dwelling mounds, and miles of ditches (partly of a natural, partly of an artificial origin) give archaeological and visual evidence of an occupational history reaching back nearly 3000 years from today. Since about 1000 AD, intentional water and landscape management by means of dike systems has resulted in the embankment of large salt marsh areas. Dike and water management under transgressive maritime conditions originated here, in an area characterized by sluggish natural drainage. The techniques were subsequently exported to western central parts of Holland, and from there to the Elbe- and Wesermarshes, to Poland, Russia, France and England.

Sea level rise, together with the subsidence of the inland moorlands as a result of their cultivation from Carolingian times, put the inhabitants in constant jeopardy. Apart from the danger of floods, they had to adapt to an increased inflow of fresh water to the marshes by using drainage, which as a consequence caused the subsidence of inland bogs. Moreover, they faced a constant threat of diseases (endemic malaria etc.) because of the increasing volumes of fresh water. The insular character of the region (it was relatively isolated from the hinterland) combined with the commercial success of farming in a fertile but hazardous environment to create a tradition of independence and self-sufficiency. During the Middle Ages, this coastal society found its political and social expression in the so-called Friesian freedom, evolving already in pre-modern times into a rather autonomous and

individualistic society. One of the direct consequences was the high density of villages (parishes) with their still existing medieval churches as well as noble houses (*stinzen, states, borgen*), most of which have since been demolished.

## THE TARGETS

Identity - to preserve, restore and develop the elements that contribute to the character, or identity, of the landscape, which forms the basis for life of the people living in the region

Variety - to maintain the full variety of cultural landscapes, typical for the Wadden Sea landscape

History - to conserve the cultural-historic heritage

Scenery - to pay special attention to the environmental perception of the landscape and the cultural-historic contributions in the context of management and planning

## STATUS AND ASSESSMENT

The cultural landscape of the Wadden Sea is a rich, complex and irreplaceable resource. It has great potential both with regard to its intrinsic value and its role in economic development. From an economic perspective, the landscape of the Wadden Sea is gradually changing from a production area into a consumption area, as are many other cultural landscapes today. There is a growing need for distinctive and unique landscapes, for places with stories and histories that offer visitors new perceptions and experiences and that offer local inhabitants and entrepreneurs new opportunities to generate income.

Not only is the economic landscape changing; the social situation of its inhabitants has changed significantly in the last few decades. This is reflected in the way people now look at their surroundings and the issues they raise concerning the environment they want to live and stay in. An environment which local people can identify with becomes increasingly important, especially in regions with a decreasing population – such as this area.

The challenge is to safeguard cultural and landscape assets and use those strengths regionally, because only a living landscape will create living communities and vice versa. The heritage is however vulnerable to change resulting from agricultural policies, urban development, use of the landscape for energy infrastructure and change in demography.

Enlargement of land parcels, urbanization and industrialization, e.g. harbour development and construction of power plants and the associated construction of infra-structural installations, enhance this transformation. This development interferes with characteristic elements such as the openness, serenity and identity of the landscape, the topography of the landscape, the biodiversity and the cultural-historic remnants. The construction of wind turbines has increased significantly during recent years because the production of electricity from wind energy is particularly productive in the area. However, wind turbine installations also impinge upon the landscape values.

## HOW TO PROCEED

The LancewadPlan project was carried out during the period 2004-2007. It was based upon the extensive inventory of the landscape and cultural heritage in the wider Wadden Sea from the Lancewad project (1999-2001), launched on the basis of the Wadden Sea Plan. The LancewadPlan project has resulted in a draft Integrated Landscape and Cultural Heritage Management and Development Plan for the Wadden Sea Region “A Living Historic Landscape” for consideration by the Parties.

The proposed strategy “A Living Historic Landscape” is a long term vision of how this heritage will be maintained as a shared heritage. The stakeholders, both governmental and non-governmental, have an essential role and function to fulfil in conserving this heritage. It is intended to help create and extend new opportunities to stimulate local ownership and local responsibility for the maintenance and sustainable use of the cultural landscape. It is an integrated strategy which takes as its starting point the fact that the unique landscape and cultural heritage are combined and multifaceted. This strength and potential must be safeguarded and further developed through an integrated approach.

The aims of “The Wadden Sea Region: A Living Historic Landscape” are primarily

- To establish an overall framework for the management and sustainable development of the cultural landscapes and heritage in order to give the heritage a role in coastal development
- To establish and further extend a network within which the competent stakeholders act and co-operate in a trans-boundary context
- To implement sector strategies to support the opportunities that heritage presents for regional development
- To further raise awareness of the unique landscape and cultural heritage.

It is recommended to identify and evaluate the landscape and cultural heritage in an international context and on the basis hereof determine the specific features around which a cooperation should be further developed.

The development of this approach is at different stages in the three countries. Policies on landscape and culture have already been agreed upon in The Netherlands and Denmark, whereas in Germany the discussion is just beginning.

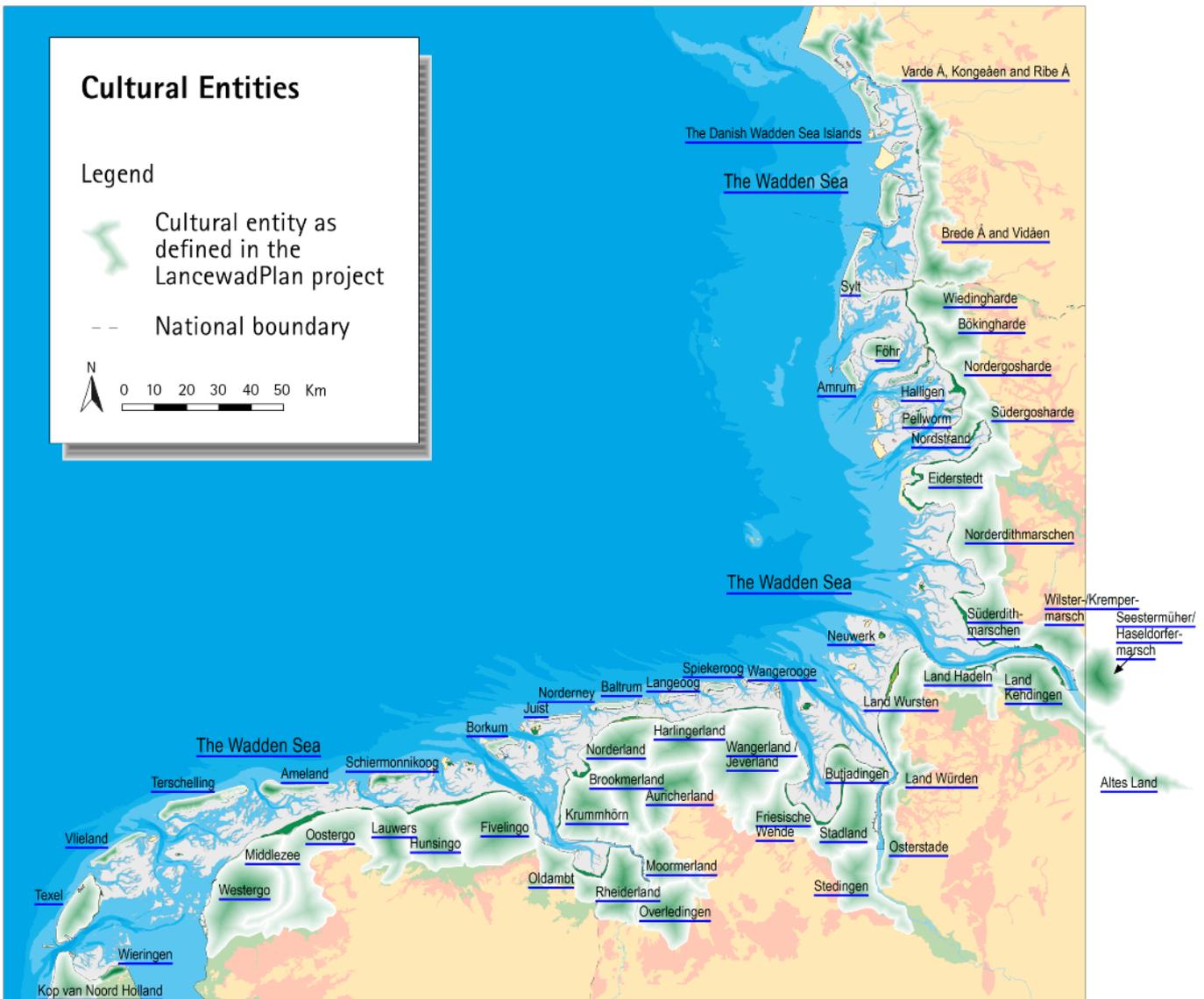
## **TRILATERAL POLICY AND MANAGEMENT**

1.1 Set up a working group of the three Wadden Sea countries including the responsible authorities and stakeholders with the aim of

- Enhancing the involvement and responsibility of relevant authorities and stakeholders for the management of the landscape and cultural heritage by, or in close cooperation with all relevant administrative levels and with support of the people living and working in the region.
- Intensifying the integration and collaboration between the natural environment and landscape management.
- Promoting the further development of appropriate planning instruments.

The group will take into account the results of the Lancewad Plan project as a starting point.

### Map 3: Cultural Entities



Note: Parts of the identified cultural entities are located outside the Wadden Sea Cooperation Area as defined in §1 of the Introduction. Activities on landscape and cultural heritage should be carried out by, or in close cooperation with, all relevant administrative levels and with support of the people living and working in the region.

## 2 Water and Sediment

The Wadden Sea is an open system. With the rising tide, marine water and sediment from the North Sea enter the Wadden Sea. Fresh water and sediments are discharged by a number of large rivers. The quality of water and sediment in the Wadden Sea is mainly determined by the external sources through which polluting substances enter the Wadden Sea. Atmospheric deposition is an additional source of pollution.

Pollutants are generally divided into three types, namely 'natural micro-pollutants', 'man-made micro-pollutants' and 'macro-pollutants'. The first class contains substances like heavy metals, which are not only produced by humans, but which also occur naturally in the environment, be it in low concentrations.

The second class, the man-made substances, also called xenobiotics, contains PCBs, pesticides and endocrine substances.

The third class, macro-pollutants, contains substances which are of natural origin and can be found in relatively high concentrations in the (marine) environment. The most important ones are nutrients, in particular phosphorus and nitrogen compounds.

Micropollutants can have toxic effects on biota, for example, through interference with the reproductive system or the immune system. These effects can be aggravated through bio-accumulation and synergism. Nutrients in excess concentrations and quantities may lead to increased primary production which, in turn, can cause negative effects like oxygen depletion as a result of decaying algal material, shifts in species composition, increased blooms of toxic algae and remobilization of micro-pollutants.

A strategy for dealing with pollution of water from chemicals is set out in Article 16 of the Water Framework Directive 2000/60/EC (WFD). As a first step of this strategy, a list of priority substances was adopted, identifying 33 substances of priority concern at Community level. The Directive 2008/105/EC of the European Parliament and of the Council on environmental quality standards in water policy (developed under Article 16 of and amending Directive 2000/60/EC) has the objective to ensure a high level of protection against risks to or via the aquatic environment arising from these 33 priority substances by setting European environmental quality standards. In addition, the WFD requires Member States to identify specific pollutants in the river basins and to include them in the monitoring programmes (both of priority substances and other pollutants for the purpose of determining the chemical and ecological status according to Article 8 and Annex V of the WFD).

### THE TARGETS

Background concentrations of natural micropollutants.

Concentration of man-made substance as resulting from zero-discharges.

A Wadden Sea ecosystem which can be regarded as eutrophication non-problem area.

Improvement of habitat quality for conservation of species.

The Targets are valid for the tidal area, the offshore area and the estuaries, and are consistent with the definitions of "good chemical status" according to the WFD. Under the WFD, Environmental

Quality Standards (EQS) have been developed for priority substances in water (Directive 2008/105/EC). Comparable standards for sediment and biota will not be available at the Community level but must be developed by the member states.

The Targets also support the World Nature Heritage criteria VIII-X.

In the assessment of the Wadden Sea Targets, the OSPAR Background Assessment Criteria (BAC) and the OSPAR Ecological Quality Objectives (EcoQOs) are applied.

## STATUS AND ASSESSMENT

The pollution of the Wadden Sea originates mainly from external sources. It concerns

- The rivers. The major rivers Elbe, Weser, Ems and the IJssel, a branch of the Rhine. In addition, a substantial part of the Rhine water enters the Wadden Sea via the North Sea through a coastal flow along the Dutch coast. Rivers are by far the largest carrier of polluting substances from the land to the Wadden Sea.
- The North Sea. Due to the net North Sea current, a substantial part of North Sea water and suspended particles - and consequently polluting substances - enter the Wadden Sea.
- The atmosphere. The Wadden Sea lies at the rim of northwestern Europe. A significant part of its pollution is caused by atmospheric deposition which originates from the highly industrialized northwestern and central European countries and exhaust emissions from ships.

Below is an assessment of the pollution status of the Wadden Sea.

### Eutrophication

Though input of nutrients, especially of phosphate, has decreased, the entire Wadden Sea still has to be considered a eutrophication problem area, meaning that the target of a Wadden Sea which can be regarded as "eutrophication non-problem area" has not yet been met. Regional differences observed indicate a more intense eutrophication in the southern as compared to the northern Wadden Sea.

### Hazardous substances

The riverine input of metals (Cd, Cu, Hg, Pb, Zn) in the period 1996 – 2007 remained at the same level as in 1995, or continued to decrease at a moderate rate. For some metals, the Target of background concentrations in sediment and biota (blue mussels and bird eggs) has not yet been reached in all sub-areas. For a number of xenobiotic compounds discharges to and concentrations in the Wadden Sea have decreased; however, the target has not yet been reached. Some of these substances still pose a risk to the ecosystem. Many newly developed xenobiotics, including hormone disruptors, occur widely in the Wadden Sea ecosystem and may have deleterious effects on the ecosystem.

### Oil and seabirds

The major sources of oil pollution at sea in the Wadden Sea region are illegal discharges of oil residues, which are a constant threat to sea- and water-birds. Although the oil rates among beached birds have decreased since the 1980s they are still high. The oil rate of the guillemot is still about three times higher than the OSPAR-EcoQO of 10% set for this species. The Wadden Sea coast is hit repeatedly by oil spills. In the period since the last QSR was published, one oil spill from a cargo ship polluted the coast of Niedersachsen and two oil spills from unknown sources polluted the Schleswig-Holstein west coast.

### Marine litter

Litter in the marine environment is a constant threat to wildlife, a hindrance to human activities, incurs high economic costs, is unsightly and reduces the recreational value of our coasts. It is a worldwide problem that doesn't stop on the borders of the Wadden Sea. Information on the levels and trends in litter pollution for the Wadden Sea region from OSPAR-Beach Litter Monitoring and other studies that have been carried out in the Wadden Sea and adjacent waters show that plastic items make up the major part of litter polluting the marine environment. Thousands of litter items per kilometre are recorded regularly during the OSPAR beach surveys. Up to 40% of the litter recorded on beaches in

the region comprises various forms of packaging. Lost or discarded nets from the fisheries industry make up 28% of the litter. The results of the OSPAR beach surveys indicate that litter pollution is presently on the increase in the southern North Sea area and a recent analysis of beached birds data indicates that entanglements with litter are also on the increase.

## **HOW TO PROCEED**

The trilateral policy and management on pollution issues is closely related to developments within the Oslo and Paris Convention (OSPAR), the International Maritime Organization (IMO) and the European Union (WFD and MSFD). It is within these frameworks that international agreements on pollution issues, relevant for the whole catchment area of the Wadden Sea Area, are made.

Water is the principal matrix for assessing compliance with the WFD Environmental Quality Standards (EQS). The Directive on environmental quality standards in the field of water policy (Directive 2008/105/EC) underlines that sediment and biota are an important matrix for monitoring and obliges member states to set up EQS for sediment and biota where necessary and appropriate to complement the EQS set at Community level. Member states have to ensure that concentrations of priority substances and other pollutants do not increase in sediment and biota.

For the Wadden Sea, the appropriate matrix for the assessment of hazardous substances will remain sediment and biota because concentrations in water are comparatively low and show high variability (in time and space). Assessment procedures and guidelines for sediment and biota will be developed in the framework of the TMAP.

Shipping safety policies are addressed in the Chapter "Integrated management".

## **TRILATERAL POLICY AND MANAGEMENT**

2.1 Trilateral policies for the reduction of inputs of nutrients and hazardous substances from all sources are congruent with those within the relevant EC Directives (WFD, MSFD) and the OSPAR framework. Special emphasis must be given to substances that cause unintended/unacceptable biological responses.

2.2 The current nutrient reduction policies within the framework of OSPAR, and the EC Urban Wastewater and Nitrogen Directives are supported by the EC Water Framework Directive and the new EU Agriculture Policy. In all three countries, these policies are being implemented together with national measures and programs in order to reach the Target. Special emphasis will be given to the trilaterally harmonised implementation of the relevant EC Directives, in particular with regard to monitoring and assessment at an integrated ecosystem level.

2.3 Policies for the reduction of hazardous substances, especially from riverine inputs as the quantitatively most important source, will be continued, in particular for newly developed xenobiotics. Special emphasis will be given to the trilaterally harmonised implementation of the relevant EC Directives on this issue.

2.4 The three countries will, in the framework of OSPAR and the EU, support the development and implementation of programmes and measures to reduce the input of marine litter and oil from its many sources, as well as removing litter and oil from the coastal and marine environments, also aiming at reducing negative effects on animal populations and ecosystem functions.

### **Pollution from ships**

2.5 With the aim of eliminating operational pollution and minimizing accidental pollution, the obligatory installation of AIS (Automatic Identification System) on ships since 2005 is an additional, informative, valuable and comprehensive tool for surveillance of ship traffic.

2.6 Harbours bordering the Wadden Sea have adequate facilities to handle all types of residues and wastes generated by ships to meet the requirements of the MARPOL Convention.

2.7 To prevent spills of oil and other hazardous substances, residual materials and litter to the aquatic environment and wildlife, activities aiming at improving enforcement (surveillance and prosecution) of agreed regulations and policies to combat illegal discharges will be continued.

2.8 The three countries will support IMO initiatives with the goal to reduce ship emissions as much as and as quickly as possible both on sea and in the harbours.

#### **Dredging and dumping of dredged material**

2.9 The three countries will develop and apply national criteria with regard to dredging operations and disposal of dredged material. They will cooperate within the framework of existing international agreements and organizations by exchanging information about their main experiences with the implementation of these criteria.

2.10 Dredged material from the Wadden Sea Area and Wadden Sea harbours will, in principle, be re-located within the system unless the contamination exceeds national criteria levels. Dredged material may be used for coastal defence measures and infrastructure works if appropriate.

#### **Discharges from oil and gas exploration and exploitation activities**

2.11 The exploration and exploitation of the energy resources in the North Sea, as well as in the Wadden Sea Area, has to comply, at least, with the international agreements in the appropriate fora. This results *inter alia* in a prohibition on discharging oil-based muds and cuttings. Dumping or discharge of water based muds and/or cuttings is only allowed in line with relevant OSPAR agreements.

2.12 The leaching of toxic substances from protective coatings of pipelines and other installations will be avoided by the use of appropriate materials.

2.13 In the Nature Conservation Area, offshore activities that have an adverse impact on the Wadden Sea environment will be limited and zero-discharges will be applied. In the Wadden Sea Area outside the Nature Conservation Area, discharges of water-based muds and cuttings will be reduced as far as possible, by applying Best Available Techniques and by prohibiting the discharge of production water from production platforms.

### 3 Salt Marshes

#### THE HABITAT

The habitat type salt marsh includes all mainland, island and hallig salt marshes, including the pioneer zone. The brackish marshes in the estuaries are also considered part of this habitat type.

All salt marshes are part of Natura 2000 areas and covered by the habitat types "1310 Salicornia and other annuals colonising mud and sand", "1320 Spartina swards", "1330 Atlantic salt meadows" and mainly within the saltmarshes "1150 coastal lagoons", for which national conservation objectives have been elaborated.

In addition, in The Netherlands, salt marshes (both area and quality) are considered as part of the quality element "angiosperms" within the Water Framework Directive (WFD), which is one element to assess the ecological status of water bodies. In Germany this is recently under discussion.

Salt marshes form the upper parts of the intertidal zone and the supralittoral, the interface between land and sea, and are strongly controlled by geomorphological, physical and biological processes, such as sedimentation in interaction with the vegetation, tidal regime and wind-wave pattern. They constitute a habitat for a wide range of organisms. On a European scale, of some 1000 plant species that are bound to coastal habitats, nearly 200 are restricted to salt marshes. The highest species diversity in salt marshes is found among the invertebrate fauna; about 1500 arthropod species inhabit salt marshes, of which a considerable number are restricted to this habitat. Salt marshes provide valuable and irreplaceable resting, breeding and feeding grounds for many bird species which are typical for the Wadden Sea. In addition, the natural salt marshes may be of importance as nursery and feeding ground for fish and for coastal flood defence and protection.

NATURALLY DEVELOPING SALT MARSHES have a drainage system of irregular, winding gullies, a zonation of subtypes reaching from a pioneer zone up to higher saltmarshes and in most cases transition to dunes, and - in the course of time - formations of salt marsh cliffs between older parts on the one side and pioneer zones on the bordering tidal flats on the other. Natural salt marshes can be found on the islands on the landside of dune areas and, in some places, along the mainland coast.

FORELAND SALT MARSHES are salt marshes which have developed or which development has accelerated through active human interference, like shelter by means of brush wood groynes on mudflats with an artificial drainage from the beginning of their development. They are mainly situated in places where natural developments would not have led to salt marsh formation.

SUMMER POLDERS are embanked parts of the salt marshes with dikes that are high enough to prevent flooding during the growing season. The frequency of inundation varies between only once per 2 or 3 years to several times per year, depending on the height of the dikes.

In many cases summer polders do not have a typical salt marsh vegetation.

#### THE TARGETS

To maintain the full range of variety of salt marshes typical for the Wadden Sea landscape.

An increased area of salt marshes with natural dynamics.

An increased natural morphology and dynamics, including natural drainage of mainland salt marshes, under the condition that the present surface area is not reduced.

A salt marsh vegetation diversity reflecting the geomorphological conditions of the habitat with variation in vegetation structure.

Favourable conditions for all typical species.

Salt marsh Targets are consistent with the relevant national conservation objectives for salt-marsh habitat types. The salt marsh Targets are consistent with the World Heritage criteria VIII, IX and X.

## STATUS AND ASSESSMENT

Large areas of natural and man-made salt marshes have been embanked in the past. This has not only caused a considerable loss of this typical Wadden Sea habitat, but also reduced the volume of the tidal area considerably. These losses have been compensated for, at least partly, on the islands where new natural salt marshes developed in the shelter of sand dikes and on the mainland through the stimulation of sedimentation. Most of the island salt marshes have developed in a natural way. Most mainland salt marshes are man made and have developed by being protected by brushwood groynes. As a result of their artificial drainage patterns, their morphology differs to natural saltmarshes. Exceptions are the area between the Varde river estuary and the peninsula of Skallingen in the far north, salt marshes at the western end of Eiderstedt and in some coastal parts of Dithmarschen in front of brushwood groynes.

The main interference with the natural development of salt marshes and summer polders is caused by coastal flood defence and protection. Salt marshes and summer dikes are important elements for coastal flood defence and protection. Salt marshes constitute an alternative to protecting the dike foot with hard constructions if the security of the dike is guaranteed.

Agricultural activities, mainly intensive grazing and mowing and the then necessary drainage, but also the application of fertilizer and pesticides, affect the natural vegetation structure and, consequently, the faunal composition.

Although different management tools (including hands-off management) are applied in different parts of the Wadden Sea, the approach to salt marsh management can be regarded as a common one to achieve the Targets. Since the mid 1980s, the Wadden Sea salt marshes in most areas have increased. Local losses occurred and were mainly due to poor sedimentation conditions or to erosion of the intertidal flat area adjacent to the marsh.

In general, livestock grazing, mowing and artificial drainage have decreased in the entire Wadden Sea since the 1980s and the salt marshes now support a variety of more naturally distributed vegetation types. Ageing of salt marshes (a development of vegetation which is dominated by some single species after cessation of farming but continuation of artificial drainage) is considered to be a problem in some areas and will require more attention in salt marsh management in future. This is valid mainly for salt marshes with artificial drainage, high sedimentation rates and lacking rejuvenation processes. The role of saltmarsh gullies for juvenile fish is still largely unknown.

In Denmark the current conservation status according to the Habitats Directive is unfavourable (bad) for Habitat Type 1330.

In Germany the conservation status of Types 1310 and 1320 is favourable and of Type 1330 unfavourable (inadequate).

In The Netherlands the conservation status of Habitat Type 1310 is favourable, for Type 1330 unfavourable (inadequate) and for Type 1320 unfavourable (bad).

## HOW TO PROCEED

Much has been achieved over the last decades to implement the Targets for salt marshes. In order to further implement the Targets and to comply with the Natura 2000 requirements, it is necessary to further increase the area of salt marshes with natural dynamics, to increase natural morphology and dynamics, and to improve natural vegetation structure of artificial salt marshes through further cessation of intensive grazing where possible, reduction of artificial drainage in salt marshes without any agricultural use, and de-embankment of summer polders where this is appropriate and compatible with the needs of coastal flood defence and protection.

Outbankment of summer polders, excluding the summer dikes of the Halligen, because these protect the inhabitants, is an effective way to enlarge the salt marsh region.

The present forelands can be protected against extensive erosion because the size of the man-made salt marshes along the mainland is still less than the total size before the embankments started. Brushwood groins in exposed positions in front of artificial salt marshes prevent erosion and also mitigate effects of stronger sea level rise.

It is important to increase natural dynamics in conjunction with dune areas and tidal flats, to allow adaptation to sea level rise and to achieve favourable conservation status where not interfering with the protection of the islands.

The width of the salt marsh is important in order to maintain or enhance zonal diversity and to slow down ageing. Sedimentation rate on the salt marshes should be sufficient to keep pace with sea level rise.

With respect to saltmarsh management it is recommended to allow dynamic processes as far as possible. If saltmarsh works are necessary, sedimentation fields with brushwood groynes should be applied if feasible. In addition, the artificial drainage in sedimentation fields should be kept to a minimum.

The assessment of the Target of a more natural vegetation structure, as well as the relevant N2000 conservation objectives, require further data analysis based on harmonised criteria. Such a Wadden-Sea-wide harmonised assessment of salt marsh development will be carried out using a common vegetation typology.

Regional salt marsh management plans have proven to be important for harmonising the interests of nature protection and coastal defence for parts of the Wadden Sea. In order to further implement the Targets, as well as achieving a good ecological status, such plans should be developed for all parts of the Wadden Sea.

The function of saltmarsh gullies for spawning and juvenile fish should be better elucidated.

## **TRILATERAL POLICY AND MANAGEMENT**

3.1 The general trilateral policy regarding salt marshes aims at adequately protecting the full range of variety of salt marshes in order to allow natural processes to take place within this habitat, with special emphasis on flora and fauna and by this maintain or restore a favourable conservation status.

3.2 Regional salt marsh management plans should be established for all Wadden Sea salt marshes, insofar this has not yet been done. These plans will contain, amongst others, Best Environmental Practice in salt marsh protection and development, taking account of experiences with local concepts and measures, as well as coastal flood defence and protection requirements, particularly focusing on possible impacts of sea level rise.

### **Salt Marsh Area**

3.3 The trilateral policy takes as a starting point that the present area of salt marshes will not be reduced and that, where possible, the area of salt marshes with natural dynamics will be extended.

3.4 The long-term goal is to maintain or restore a favourable conservation status for all salt marshes by limiting human interference, except for the edges which may need protection against erosion. In working towards this long-term goal, the interest of coastal flood defence and protection, cultural history and private rights should be taken into account.

3.5 An increase of the salt marsh area with natural dynamics will be aimed for through the restoration of salt marshes, for example by opening summer dikes or by removing sand dikes, provided that it is in line with the Targets for the region, socio-economic conditions and coastal flood defence and protection requirements. The Halligen are protected by summer dikes for the security of the inhabitants. There is no intention to open these dikes.

### **Natural Dynamics and Natural Diversity**

3.6 The natural drainage of salt marshes will be increased by-reducing artificial drainage works where possible and practicable. Artificial structures, allowing predators to reach areas which they could not use under more natural conditions, may not be constructed, respectively removal considered where possible.

3.7 It is the aim to reduce and/or diversify grazing in order to increase the natural dynamics or the diversity of vegetation and associated animal species in salt marshes, reflecting the geomorphological conditions of the habitat with the exception of those areas where grazing is necessary for coastal flood defence and protection measures. Economic dependences of farmers will be taken into account.

3.8 Disturbance and damage caused by recreation and tourism will be further reduced by information systems and/or temporal and spatial zoning e.g. network of trails and routes. (Identical with 4.31).

3.9 The application of natural and artificial fertilizers and pesticides and other toxic substances on the salt marshes will be stopped.

### **Coastal Flood Defence and Protection**

3.10 The interests of nature protection and sea defence measures will be further harmonised, through e.g. regional salt marsh/foreland management plans, giving priority to the safety of the inhabitants.

3.11 As a principle, it is prohibited to embank salt marshes and the loss of biotopes through sea defence measures will be minimised. Reinforcement of existing dikes will be carried out on the location of existing dikes and, preferably, on the land side. (Identical with 4.3).

3.12 The application of Best Environmental Practices for coastal flood defence and protection will be enhanced.

3.13 In general, clay for sea defence will be extracted behind the dikes. In special cases, i.e. where there is urgent and sudden need and if no other deposits behind the dikes are available, or if the extraction of suitable material is ecologically balanced, the extraction of clay may be allowed in front of the dike. In this case, the extraction shall be carried out in such a way that the environmental impact is kept to a minimum and permanent or long lasting effects are avoided and, if this is not possible, compensated. Additional regional regulations may complete this policy.

### **Infrastructural works**

3.14 New infrastructural works which have a permanent or long-lasting impact should not be established in salt marshes.

3.15 Infrastructural works which are necessary for the supply of the islands and the Halligen with, amongst others, gas, water and electricity, or other utilities, shall be carried out in a way that the environmental impact on the Wadden Sea is kept to a minimum and permanent, or long lasting, impacts are avoided. (Identical with 4.20)

3.16 New licenses for the construction of pipelines in the salt marshes for the transport of gas and oil shall not be issued unless in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest including those of a social or economic nature. (Identical with 4.16)

3.17 To concentrate cable crossings through the Wadden Sea within a minimum of cable corridors and a minimum of cables, using the best available techniques, e.g. cables with highest capacity available, and avoiding salt marshes crossing as far as possible, and to communicate regularly on this item in order to use synergies. (Identical with 4.19; 5.10; 7.3)

3.18 The construction of wind turbines in the Nature Conservation Area is prohibited. (Identical with 4.17; 7.4; 8.4; 9.11)

3.19 The construction of wind turbines, in the Wadden Sea Area outside the Nature Conservation Area, is only allowed, if important ecological and landscape values are not negatively affected.  
(Identical with 4.18; 7.5; 8.5; 9.12)



## 4 Tidal Area

### THE HABITAT

The tidal area covers all tidal flats and subtidal areas. The border of the North Sea side is determined by an imaginary line between the tips of the islands. The borders to the estuaries are determined by the average 10‰ isohaline at high water in the winter situation

Most of the tidal area is designated as a Natura 2000 area (see Map 4). National Conservation Objectives have been defined for Habitat Types 1110 (sandbanks which are slightly covered by sea water all the time), 1130 (estuaries), 1140 (mudflats and sandflats not covered by seawater at low tide), 1150 (coastal lagoons) 1160 (large shallow inlets and bays) and 1170 (reefs).

The entire tidal area has been assigned to 4 types of coastal water bodies and in the estuaries one type of transitional waters under the Water Framework Directive.

The tidal area, with its ever-changing pattern of tidal flats, gullies and open water, is the most characteristic habitat of the Wadden Sea. At low tide, the tidal flats cover about two thirds of the tidal area. The tidal flats of the Wadden Sea form the largest unbroken stretch of mudflats worldwide.

As a result of the daily tides and the open connection with the North Sea, the tidal area is very dynamic. It is exposed to natural impacts such as ice winters, strong gales and extreme changes in temperature.

A characteristic feature of the Wadden Sea tidal area is its high biological productivity, which is the main reason that the Wadden Sea is an important nursery area for North Sea fish and for the high numbers of breeding and migrating birds which feed in the area. Distinctive biological features of the tidal area are, amongst others, mussel beds, and *Zostera* fields. At low tide, the tidal flats are important feeding, roosting and/or moulting areas for birds and seals.

### THE TARGETS

A natural dynamic situation in the tidal area.

An increased area of geomorphologically and biologically undisturbed tidal flats and subtidal areas.

A natural size, distribution and development of natural mussel beds, *Sabellaria* reefs and *Zostera* fields.

Targets for the harbour seal, the grey seal and the harbour porpoise, see Chapter Mammals.

Targets for migrating and breeding birds, see Chapter Birds.

Targets for fish, see Chapter Fish.

Tidal area Targets are consistent with the quality objectives of the WFD and relevant national conservation objectives for tidal area habitat types. The targets are also consistent with the World Nature Heritage criteria VIII – X. There are differences in the designation of relevant Habitat Types between Wadden Sea countries, as well as size and number of water bodies (see further "Status and Assessment").

## STATUS AND ASSESSMENT

### Geomorphology

The tidal area between the mainland and the islands is characterized by a high degree of natural dynamics. The positions and structures of tidal channels and shoals and emerging sand banks are changing continuously. The total area of the intertidal flats is almost the same as in the mid 1980s. Since then no further embankments of tidal areas have been carried out. However, there seems to be a general depletion of fine-grained material close to the mainland coast due to hydromorphological changes as a combined result of land reclamations in the past and sea level rise.

The tidal area is a sediment importing system and has, therefore, been able to compensate for the subsidence of the sea bottom. Accelerated sea level rise, expected as a result of climate change, will most probably increase the sediment importing demands. Current sea level rise is about 20 cm/100 years. The system may be able to compensate for sea level increases of up to approximately 50cm/100 years (a level that will considerably vary among different tidal basins), but higher levels will possibly result in a loss of tidal flats and a transition to a coastal lagoon system. As most recent prognoses for sea level rise vary from 50 to 130 cm/100 years, the long term functionality of the area may be affected.

During the past decades, sand extraction has steadily declined. Still, a certain amount of sand is used for purposes of coastal protection, e.g. beach nourishment, dike and (on the Halligen) dwelling mound reinforcement.

The exploitation of natural gas in and adjacent to the Wadden Sea, effects in a subsidence of the sea floor. Investigations show that this subsidence of tidal flats has been fully compensated by natural sedimentation until now.

### Biology

#### MUSSEL BEDS, SEAGRASS MEADOWS AND SABELLARIA REEFS

In the past, numbers and size of mature mussel beds have seriously declined all over the Wadden Sea, although there are regional differences. The lack of spatfall since 1999, fishing for seed mussels in some areas, as well as some winters with heavy storms, have played a role. In the past 10 years, a slow recovery of intertidal mussel beds has occurred in some areas, though in others the decline is ongoing, despite a reduction of seed mussel fishery. The situation of stable subtidal mussel beds is largely unknown.

In the past, *Sabellaria* reefs and seagrass meadows in the Wadden Sea have also seriously declined, the latter varying between regions with most declines in south-western parts. It is unclear what the main causes for the decline in *Sabellaria* reefs and seagrass meadows have been. A slow recovery of seagrass stands has been observed, for which the improved water quality is deemed responsible. *Sabellaria* forming reefs are actually very rare, though single individuals are found. Generally, there is insufficient knowledge of the situation of the sublittoral part of the tidal area.

#### TEMPERATURE

Average temperatures in the Wadden Sea have increased as a result of global warming. Climate change may stress the present structure and functioning of the food web and may result in a cascade of yet unknown effects. For example, the response of organisms and of the ecosystem as a whole may not only depend on absolute shifts in temperature, but on the phasing of the new temperature regime (tidally, daily and seasonally) with other key variables as well.

#### ALIEN SPECIES

Although the present knowledge about the extent, patterns and mechanisms of aquatic bioinvasions is still in its infancy, it is clear that aliens are a significant force for change in aquatic communities globally. At the North Sea coast, many of the introduced species, mainly algae and invertebrates, arrived via shipping or via aquaculture. They most often became established within estuaries and on hard substrates, with more than 80 known species, of which about 52 also occur within the Wadden Sea. Of the 52 known introduced species, six have already had, or are about to have, effects on the composition of the existing biota in the Wadden Sea. These species differ in their effects, some of which may be of a dynamic character. Global warming may benefit some species, resulting in further changes in dominance. Some introductions have become extremely numerous locally. In particular,

pacific oysters are found today in all parts of the Wadden Sea, mainly on oyster beds and natural mussel beds, leading to the most obvious change in the community structure of mussel beds. It is as yet unknown what the community effects will be. There is, however, no evidence that introduced species have caused the extinction of natives in the Wadden Sea.

### Human Activities

There are several human activities taking place in the tidal flat area. Those which cause adverse effects are regulated in time and space or, as appropriate, are prohibited by national laws. Where appropriate, activities are subject to licensing following an assessment of their impact on the Wadden Sea in accordance with the stipulations of the Habitats Directive.

In addition, there are some activities such as leisure activities, civil air traffic, fishery, military activities, hunting and laying of cables that may potentially cause disturbance to the Nature Conservation Area. For many of these activities the natural dynamic processes which change the Wadden Sea over time have to be taken into account.

The most prominent **touristic activities** in the tidal area are boating and mudflat-walking. Flat walking takes place mainly near the recreational beaches and on guided tours on defined routes.

Though the construction of new **wind turbines** is not allowed within the Nature Conservation Area, it can be expected that cables from planned and anticipated wind farms in the North Sea will have to cross the Wadden Sea in most cases. It is also unavoidable that additional cables and pipelines for supplying the islands will be constructed through the Wadden Sea Area and, subsequently, also maintained. The construction of such infrastructure installations is subject to assessment and permission under the Habitats Directive. It is the aim to minimise the construction and maintenance effects as far as possible.

Fishery may affect the natural environment of the Wadden Sea. Most important fisheries within the Nature Conservation Area are for blue mussel and shrimp.

**Shrimp fishery** is allowed in the Dutch and German Wadden Sea with the exception of defined zero-use zones and is limited in Denmark to the area between the islands and in the offshore area. The planned WSP project in 1997 could not be conducted due to a lack of funding. Thus, there are still open questions on the influence of shrimp fishery on bottom fauna and potential to further reduce the bycatch, which is mainly fish.

Mechanical **cockle fishery** has been phased out in most parts of the Nature Conservation Area. Limited non-mechanical commercial cockle fishing (by hand digging) is allowed and regulated in The Netherlands. In other parts of the Area, non-mechanical cockle fishing is limited to private use only in accessible areas of the tidal flats.

The policy of the three countries, including the needs of the Habitat Directive for **blue mussel fishery** and aquaculture since the Wadden Sea Plan of 1997, aimed for a sustainable and ecologically sound mussel fishery. In general, major parts of the intertidal are closed for blue mussel fishery, the area of mussel culture lots has been stable or is reduced and seed mussel fishery is regulated.

In Denmark, the mussel fishery takes place only at natural mussel beds (five licenses) and has for the time being been suspended (2009) due to stock decrease. According to the actual legislation, dispensation may be acquired to fish in three well-defined areas. In Hamburg, mussel fisheries is forbidden by the National Park Act. In Schleswig-Holstein, Niedersachsen and The Netherlands mussel management programmes have been implemented and are being or will be updated.

**Hunting** is prohibited in the Nature Conservation Area, with the exception of a few areas. Further exemptions for hunting for wildlife management and pest control are possible in the whole area.

The extent of **military activities** has been significantly reduced over the last years. There are a few exercise areas such as the shooting range "Vliehors" on the island of Vlieland or the tidal area in front of the Meldorfer Bucht in Dithmarschen. All activities are limited in time to take account of the breeding and moulting times for birds and seals. In the Danish Wadden Sea, military activities take place on the northern part of the island of Rømø. Here, air-to-ground training sessions are regularly performed, but they are strictly limited in time.

## EC Directives

### DIFFERENCES IN IMPLEMENTATION

The main differences in the national designation of the Habitats Directive for the tidal area are:

- NL has designated the tidal area as Habitat Types 1110 (sublittoral banks) and 1140 (eulittoral banks) only. NL has explicitly included the protection of sublittoral mussel beds in Habitat Type 1110;
- In Germany and Denmark, additionally Types 1130, 1160 and 1170 have been designated. Germany has designated sublittoral mussel beds as Habitat Type 1170. Following the recent clarification on the common definition of 1170 at EU-level, the designation of eulittoral mussel banks as reefs in Germany will be revised at the next revision of the standard data forms.

With regard to the Water Framework Directive, size and number of water bodies in the tidal area differ between NL (6 water bodies), D (18 water bodies) and DK (4 water bodies). There are no transitional water bodies in DK. In principle, the WFD and WSP address the same area – the tidal area. There is an overlap with the offshore area and estuaries as defined in the WSP.

### CONSERVATION STATUS

In Denmark, the conservation status of HD Types 1110, 1130, 1140, 1160 and 1170 has been classified as unfavourable (bad). The status of Type 1150 is unknown.

In Germany, the conservation status of Habitat Types 1110, 1160 and 1170 is unknown, for Type 1140 it is favourable.

In The Netherlands, HD Types 1110 and 1140 are assessed as unfavourable (inadequate).

## HOW TO PROCEED

In the framework of the trilateral cooperation, a large number of measures to counteract the negative effects of human presence in the area and the exploitation of natural and mineral resources has been agreed upon.

In the light of impacts of climate change, additional or amended policies are desirable for the management of the tidal area, in particular taking account of substantial changes in the ecosystem and, consequently, dealing with HD Conservation Objectives. Such policies must be carefully tuned with those concerning the dynamic situation in the offshore area, beaches and dunes, salt marshes and estuaries.

Furthermore, a better management of characteristic tidal area communities, especially natural mussel beds, *Zostera* fields and *Sabellaria* reefs, is necessary for an effective implementation of the relevant Targets.

In light of the ecological importance of the sublittoral part of the tidal area, a more harmonised trilateral management is necessary.

Major challenges for the future tidal area policies are to collect relevant knowledge of the subtidal natural values, to develop harmonised assessment methodologies, and to specify and harmonise relevant Conservation Objectives in order to have a common approach between the Wadden Sea States.

The WFD transitional waters cover partly the tidal area and partly the estuaries. This overlap has to be clarified in the Wadden Sea also in connection with the Habitat Directive areas in the estuaries. In the development of the WFD assessment tools, various approaches and methods are under discussion to define a water body type-specific reference condition and good ecological status. It is the overall aim to harmonise these different approaches at the trilateral level to produce comparable results.

For invasive alien species, new trilateral policies will be developed (see Chapter Integrated Management).

The development of fisheries into the direction of more sustainable activities in the Wadden Sea has started and will be continued. Existing national management plans and policies for mussel fisheries are regarded as a step into this direction.

In The Netherlands, policy for mussel seed collectors will be further developed in conjunction with the transition of the mussel fishery and the Nature Recovery Programme Wadden Sea between 2009-2020.

National policies regarding the import of seed mussels are different.

Trilateral principles for sustainable shrimp fisheries should be developed in cooperation with the fisheries sector.

The management of seals in the tidal area is covered by the Trilateral Seal Management Plan. This plan is amended and updated at regular intervals.

## **TRILATERAL POLICY AND MANAGEMENT**

### **Natural Dynamics and Coastal Flood Defence and Protection**

4.1 Trilateral policies will, as a principle, be based on an integrated approach to coastal defence and nature protection on the mainland coast, the islands and the offshore zone taking into account the water management of the inland.

4.2 Future trilateral policies will aim at increasing the resilience of the Wadden Sea to impacts of climate change, in particular by promoting the development of natural dynamics.

4.3 Embankments of tidal areas will, as a principle, be prohibited and the loss of biotopes through sea defence measures minimised. Reinforcement of existing dikes will be carried out on the location of existing dikes and, preferably, on the land side. (Identical with 3.11)

4.4 Permission for small-scale modifications of jetties, piers and other infrastructural works along the Wadden Sea coast shall only be given after a careful review of all interests.

4.5 Permission for new permanent structures, which may influence the natural dynamics in the tidal area of the Nature Conservation Area, will not be granted unless for imperative reasons of overriding public interest and if no alternative can be found.

Permission for new permanent structures, which are likely to have significant effects on the natural dynamics in the tidal area outside the Nature Conservation Area, will only be granted after having been made subject to an assessment in accordance with the EC Directive on Environmental Impact Assessment.

### **Shipping, Harbours and Industrial Facilities**

4.6 The extension, or major modification, of existing harbour and industrial facilities and new construction shall be carried out in such a way that the environmental impact is kept to a minimum and permanent, or long lasting, effects are avoided and, if this is not possible, compensated.

4.7 Shipping routes and harbours are to be managed for their intended purposes, including the necessary maintenance of shipping routes; in doing so, negative impacts should be avoided, as far as possible.

Navigation dredging operations should aim at allowing natural processes to run their course, as far as possible.

4.8 New shipping routes to the harbours and the Wadden Sea islands will, in principle, not be dredged unless the present routes threaten to disappear or for shipping safety reasons.

4.9 In shipping links across the water shed and other not designated routes that exist by virtue of natural dynamics in principle, no dredging operations will be carried out.

4.10 Speed limits within the tidal area have been imposed where such is deemed necessary.

### **Mineral Extraction and Infrastructure**

4.11 In the Nature Conservation Area, new exploitation installations for oil and gas will not be permitted.

For the area of the World Heritage property, Germany and The Netherlands have confirmed their commitment not to explore and extract oil and gas at locations within the revised boundaries of the nominated property in line with law in force.

4.12 In the parts of the Nature Conservation Area not being designated as World Heritage Property exploration activities are permitted in accordance with national legislation if it is reasonably plausible that deposits can be exploited from outside the Nature Conservation Area. Net loss of nature value must be prevented. Therefore, exploration activities will be regulated in space and time. Associated studies, mitigation and compensation measures should be carried out where appropriate.

4.13 In light of the expected acceleration in sea level rise and the consequent increased sand demand of the system, trilateral policies generally take as a starting point that sand is not removed from the Nature Conservation Area.

4.14 The extraction of sand in the Nature Conservation Area will be limited to the dredging and maintenance of shipping lanes. This sand can be used for, inter alia, sea defence purposes. In specific cases, sand may also be extracted for sea defence purposes.

The extraction of sand in the Wadden Sea Area outside the Nature Conservation Area should make maximum use of sand generated by the maintenance of shipping lanes. It should be carried out in such a way that the environmental impact is kept to a minimum and permanent, or long lasting, effects are avoided and, if this is not possible, compensated.

4.15 Small scale extractions of mud and sea water for medical purposes and of sand remain licensable following national legislation.

4.16 The construction of pipelines shall be such that the environmental impact on the Wadden Sea ecosystem is kept to a minimum and permanent, or long lasting, negative impacts are avoided, and if this is not possible, compensated. In the Nature Conservation Area, new licenses for the construction of pipelines in the tidal area for the transport of gas and oil shall not be issued unless in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. (Identical with 3.16)

4.17 The construction of wind turbines in the Nature Conservation Area is prohibited. (Identical with 3.18; 7.4; 8.4; 9.11)

4.18 The construction of wind turbines, in the Wadden Sea Area outside the Nature Conservation Area, is only allowed, if important ecological and landscape values are not negatively affected. (Identical with 3.19; 7.5; 8.5; 9.12)

4.19 To concentrate cable crossings through the Wadden Sea within a minimum of cable corridors and a minimum of cables using the best available techniques, e.g. cables with highest capacity available, and to communicate regularly on this item in order to use synergies. (Identical with 3.17; 5.10; 7.3)

4.20 Infrastructural works which are necessary for the supply of the islands and the Halligen with, amongst others, gas, water and electricity, or other utilities, shall be carried out in a way that the environmental impact on the Wadden Sea is kept to a minimum and permanent, or long lasting, impacts are avoided. (Identical with 3.15)

### **Dredged Material**

4.21 The impact of re-location or dumping of dredged materials will be minimised. Criteria are, amongst others, appropriate dumping sites and/or dumping periods. This has been implemented on national level through joint concepts for dredged materials for marine and coastal waters. (Identical with 6.4)

### **Mussel, Cockle and Shrimp Fishery**

4.22 Cockle fishery is not allowed in the Wadden Sea Area, with the exception of mechanical fisheries in some small areas along the Esbjerg shipping lane and in the Ho Bay, and in Niedersachsen outside of the conservation area (but will not be carried out at present), as well as non-mechanical cockle fishing in The Netherlands. (Identical with 9.5)

4.23 The effects of mussel fishery are limited by the permanent closure of considerable areas and the reservation of sufficient amounts of mussels for birds. In addition, the management of fishery on mussels should not be in conflict with protecting and enhancing the growth of natural mussel beds and Zostera fields. (Identical with 9.6)

4.24 Mussel fishery will, in principle, be limited to designated parts of the subtidal area. Based on national management plans, fishery on the tidal flats and parts of the sublittoral may be granted. The fishery sector will, in close cooperation with competent authorities, improve existing practices in such a way that impacts of mussel fishery in general and seed mussel fishery in particular, will be minimised. (Identical with 9.7)

4.25 The current area of mussel culture lots will not be enlarged.

4.26 The existing permit for oyster culture in Schleswig-Holstein will remain in force. New permits will not be granted.

4.27 In order to reduce bycatch and to reduce impact on the sea floor, trilateral policy principles for a sustainable shrimp fishery will be developed in close cooperation with the fisheries sector.

### **Tourism and Recreation**

4.28 The recreational values of the Wadden Sea will be maintained for the benefit of man and nature. To this end in the Nature Conservation Area,

- in the ecologically most sensitive areas, zones have been or will be established where no recreational activities, including excursion ships and recreational boating, is allowed;
- the use of jet skis, water skis and similar motorized equipment has been, or will be, prohibited, or limited, to small designated areas;
- new marinas will be avoided and the extension of the existing marina capacity will only be allowed within the approved levels;
- water sports, like wind surfing have to be balanced with the needs of nature protection and bathing tourism;
- Kitesurfing can distort nature values, in particular roosting sites for birds. The aim is a harmonised approach to kitesurfing consisting of zoning where the activity is allowed under conditions. (Identical with 9.21 and 10.5)

4.29 Speed limits for ships have been imposed, taking into account safety, environmental recreational and fishery factors. (Identical with 9.22 and 10.6)

4.30 The negative effects of hovercraft and hydrofoil craft and other high-speed craft are minimised by the following strategies:

- In The Netherlands and Germany, hovercraft and hydrofoil craft are forbidden in the tidal area of the Nature Conservation Area; new, other high speed craft are forbidden (in Germany) outside the designated shipping routes in the area (in The Netherlands);
- In Denmark, applications for new, high-speed craft can only be granted on the basis of an Environmental Impact Assessment and if it is not in conflict with the nature protection targets for the area.

4.31 Disturbance and damage caused by recreation and tourism will be further reduced through information systems, and/or temporal and spatial zoning, e.g. network of trails and routes. (Identical with 3.8).

4.32 Experience of nature and landscape should be made possible by appropriate measures. It is the aim to guide recreational activities and tourism by information systems, as well as temporal and/or spatial zonation, routing systems and field guidance in such a way that people can enjoy unspoiled nature, and disturbances and damages are minimised.

## 5 Beaches and Dunes

### THE HABITAT

Beaches and dunes include beaches, sandbars, beach plains, and different types of dunes including humid dune slacks. Most beaches and dunes are situated on the North Sea side of the barrier islands. Mainland beaches and dunes can be found on the Skallingen and Eiderstedt peninsulas and near Cuxhaven.

Almost all dune areas have been designated as Natura 2000 areas under the Birds and Habitats Directives and National Conservation Objectives have been adopted for Habitat Types 2110 (embryonic dunes), 2120 (white dunes), 2130 (grey dunes), 2140 (decalcified fixed dunes with *Empetrum nigrum*), 2150 (Atlantic decalcified fixed dunes), 2160 (dunes with *Hippophae rhamnoides*), 2170 (dunes with *Salix repens*), 2180 (wooded dunes of the Atlantic, Continental and Boreal region) and 2190 (humid dune slacks). For beaches, HD types 1150 (coastal lagoons), 1220 (perennial vegetation of stony banks), 1310 (*Salicornia* and other annuals colonising mud and sand) and 1330 (Atlantic salt meadows) are relevant.

Beaches and coastal dunes together constitute one morphogenetic habitat system. Beaches and dunes play an important role in the Wadden Sea – they build up the barrier islands and provide habitats for many and often highly specialised species. At the same time, they are important for coastal defence and as recreation area.

Sandy beaches are the most dynamic physical system of the seashore. Coastal dunes develop where sand is mobilised at dry beaches and blown landwards, trapped by shells or plants and giving rise to a succession of dunes, from embryonic to white, grey and brown.

Dunes are hot spots of biodiversity. Especially wet dune slacks are of outstanding importance because they are inhabited by a number of endangered species.

Wadden Sea island dunes have a far more natural character than those of the mainland dunes along the Northwest European coast. The Wadden dunes are to a large extent embedded in the natural landscapes of the North Sea and the Wadden Sea.

### THE TARGETS

Increased natural dynamics of beaches, primary dunes, beach planes and primary dune valleys in connection with the offshore zone.

An increased presence of a complete natural vegetation succession.

Targets for Birds, see chapter Birds.

Few differences exist in the designation of HD dune types. Some types are not present in all three countries or only in very small areas with smooth transitions to other types. The national conservation objectives are largely consistent with the Targets. The Targets for beaches and dunes are consistent with the World Heritage criteria VIII, IX and X.

### STATUS AND ASSESSMENT

The dune Targets of increased natural dynamics and of an increased presence of a complete natural vegetation succession have not yet been reached. This is mainly due to:

- Stabilization of dunes resulting in decreasing dune dynamics (mainly due to coastal defence measures);
- Decrease of ground water level and impacts on dune slacks (due to water extraction);
- Eutrophication of dunes by atmospheric deposition, leading *inter alia* to increased moss coverage
- Fragmentation of dune habitats;
- Invasive alien species;
- Mass development of rabbits on some islands.

Many of the Atlantic coastal dunes are unnaturally stable. About two-thirds of the coastal dunes consist of mid- and late successional dune types. Important other types, in particular embryonic dunes and species-rich dune slacks and also grey dunes in typical appearance, are absent or show a further decline. Wet dune valleys become more and more dry.

The main reason is that dunes and beaches have an important coastal flood defence and protection function and consequently the dynamics of the coastal zone have been restricted, especially near inhabited areas, areas of drinking water extraction, buildings and other artificial structures.

The effect on the flora and fauna is that species typical of open sand dune grassland or heath are replaced by scrubs and secondary woodland. The avoidance of penetration of salt water in areas of drinking-water extraction increases unnatural ageing of dunes. If younger dune stages are not sufficiently present, biodiversity in dunes and salt marshes, not only of higher plants but also of mosses, lichens and insects, may be lower or declines. Nowadays some of the most characteristic species, also some of the birds typical for open dunes, have vanished from the Wadden Sea islands. In areas where coastal defence measures have been reduced, natural dynamics have increased.

Especially wet dune slacks are of outstanding importance because they are inhabited by a number of endangered species which have become rare during the last decades because of habitat loss, stabilization of dunes and lowering of groundwater table through drinking water extraction.

Over the last century all Northwest-European dune ecosystems have experienced changes due to increased nutrient deposition, planting of conifers, grazing pressure, or invasion of non-native species such as *Rosa rugosa*.

Long-term nitrogen deposition has a strong potential to reduce plant species richness. Fast-growing species like grasses outcompete slow-growing species, usually small herbs and lichens. Generally N-sensitive vegetation has declined in semi-natural ecosystems in Europe. Examples are heath, grasslands and fens.

There is a considerable extent and diversity of sandy beaches in the Wadden Sea Area. The biota is distinctly different in composition from that of the offshore belt and the tidal area. Beaches contribute considerably to overall faunal diversity with unique forms of life. In contrast to tidal flats, organisms have little effects on their habitat. Physical factors select the forms of life, most of which are rather small. Two of the most threatened breeding bird species in the Wadden Sea Area, the Kentish plover and the little tern, breed mainly on beaches.

In Denmark the conservation status of all dune Habitat Types is unfavourable, with the exception of 2110 and 2160 (unknown), which is mainly due to eutrophication, but there is also overgrowth, unnatural water levels/regimes, as well as lack of or reduced dynamics. In Germany, the conservation status of all dune Habitat Types is favourable with the exception of 2120 and 2190 (unfavourable, inadequate) and 2150 (unfavourable, bad). In The Netherlands, Types 1310, 2110, 2120, 2150, 2160 and 2170 have a favourable conservation status, Types 1330, 2140, 2180 and 2190 are unfavourable (inadequate) and 2130 is unfavourable (bad).

## HOW TO PROCEED

In order to implement the Targets on increased natural dynamics and natural vegetation succession, a more active policy is necessary, promoting coastal flood defence and protection techniques that allow for higher natural dynamics. In addition, active stimulation measures must be taken to enhance the dynamic situation on beaches and in dunes. Coastal management must be carefully tuned to natural

values and natural processes, taking into account the priority of safety of the islands and their inhabitants.

New insights suggest that coastal defence and nature management can benefit from each other. Where safety is provided by means of nourishments, natural processes might transfer sand from the beach inland, and consequently will result in growing dunes and rising surfaces, not only in the foredunes but also inland. Therefore, nature can serve safety. Policies for sea defences and for nature management could aim for the same goals. Sand nourishments for coastal flood defence and protection contribute positively in that they stabilize dunes under stronger sea level rise. The nourished material will, after renewed erosion during storm surges, finally accumulate in the tidal area, thereby stabilising the system under sea level rise.

All dune habitats are part of the Natura 2000 network of the EC Habitats Directive. However, the conservation status in at least parts of the dune areas has been assessed as “non-favourable”. The implementation of the European Nature Conservation Directives in the Wadden Sea requires a tuning between The Netherlands, Germany and Denmark.

Additional protection of beach breeding species may be achieved through relatively simple zoning measures limited in space and time. *inter alia* closing of areas or visitor management. Similar protection measures can be applied to seals. These policies will be continued.

## TRILATERAL POLICY AND MANAGEMENT

5.1 Dunes are protected and natural processes are allowed to take place within this habitat, with special emphasis on geomorphology, flora and fauna. To this end, HD Conservation Objectives and Best Environmental Practices will be more harmonised and commonly applied in dune protection and development.

5.2 The interests of nature protection and sea defence measures will be further harmonised, and the loss of biotopes by sea defence measures minimised, while taking into account that the safety of the inhabitants is essential.

5.3 For beaches and dunes, the trilateral policy takes into account the demands of recreation and tourism, coastal flood defence and protection and natural values, like high geomorphological dynamics and important breeding areas. Where possible, the natural situation should be increased by ‘hands-off management’.

5.4 Coastal management should aim at a natural dynamic development recognizing the necessity to protect the security of the inhabitants on the islands and safeguarding the stability and the infrastructure of the islands.

5.5 In case coastal flood defence and protection is carried out, Best Environmental Practice will be applied.

5.6 Disturbance and damage caused by recreation and tourism are already managed and will be further minimised through information systems and/or temporal and spatial zoning. (Identical with 3.12)

5.7 Driving cars in breeding areas on beaches and in dunes is prohibited (identical with 9.10)

5.8 It is important to restore the natural dynamics. This could be done by e.g.

- allowing sand drift,
- restoring natural dune vegetation.

Coastal flood-defence and protection, existing buildings and infrastructure, as well as traditional use, are not affected.

5.9 Ground water extraction on the islands will be limited to the extent possible and will be managed in such a way that negative impacts on wet dune valleys are avoided.

5.10 To concentrate cable crossings through the Wadden Sea within a minimum of cable corridors and a minimum of cables, using the best available techniques, e.g. cables with highest capacity

available, and to communicate regularly on this item in order to use synergies (Identical with 3.17; 4.19; 7.3)

5.11 To aim for natural nutrient levels in dunes.

## 6 Estuaries

### THE HABITAT

The estuaries in the Trilateral Cooperation Area are delimited on the landward side by the mean brackish water limit of the rivers, and on the seaward side by the average 10‰ isohaline at winter high water. On the landward side of the rivers, the areas outside of the main dikes or, where the main dike is absent, the spring-high-tide-water line, including the corresponding inland areas to the designated Ramsar and/or EC-Bird Directive areas, are part of the estuaries.

Estuaries include the river mouths with a natural water exchange with the Wadden Sea. Such brackish areas belong to the transition zone between rivers and tidal waters. There are five such estuaries in the Wadden Sea Area with 'open access' to the Wadden Sea, namely the Varde Å in the Danish Wadden Sea Area, the Eider, the Elbe and the Weser in the German Wadden Sea Area, and the Ems in the German and Dutch Wadden Sea Area.

Most of the estuarine area is designated as Natura 2000 area (see Maps 2 and 4) with respect to the Habitat Directive as well as to the Bird Directive. With exception of the Ems estuary, national Conservation Objectives have been defined for the estuarine Habitat Types, of which 1130 (estuaries) is dominating.

The entire estuarine area in The Netherlands and Germany has been assigned as transitional water bodies under the Water Framework Directive. Management plans for the rivers Elbe and Weser are in progress.

The estuaries are of high relevance for the Wadden Sea ecosystem in terms of input of nutrients and toxic substances, sediment dynamics, nursery and feeding area for Wadden Sea species on the one hand. However, the estuaries themselves are also viewed as a specific habitat, characterized by strong variability and dynamics of key factors such as salinity, tidal range, turbidity and others. From an ecological point of view they are important, *e.g.* for migrating species (in particular birds and fish), but additionally they are inhabited by various brackish-water and estuary-endemic species and are thus of special importance for nature protection reasons. The brackish salt marsh vegetation produces more biomass than any other salt marsh, attracting large numbers of ducks and geese.

### THE TARGETS

Protection of valuable parts of the estuaries.

Maintaining and where possible restoring natural habitats and tidal dynamics typical of estuaries.

Maintaining and, as far as possible, restoring the river banks in their natural state.

Maintaining and where possible restoring the function as migration route and breeding area for fish and birds.

The Targets are consistent with the quality objectives of the WFD and relevant national conservation objectives for tidal area habitat types. The Targets are also consistent with the World Nature Heritage criteria VIII-X.

## STATUS AND ASSESSMENT

Especially the smaller river outflows in the Wadden Sea Area have sluices or surge barriers that prevent natural mixing of fresh and salt water and the establishment of transition zones.

Of the five estuaries with open access to the Wadden Sea, the rivers Elbe, Weser and Ems constitute the seaward access routes to the major German sea ports and are among the most industrialized regions of the Wadden Sea Area. The industrial development of these rivers in the last centuries has resulted in significant alterations in morphology, hydrography (including tidal amplitude), flora and fauna, amongst others as a result of deepening and embankment and fixation of river banks, including the resulting loss of brackish marshes.

By virtue of the designation of the vast majority of the foreland and water areas of the estuaries as Natura 2000 sites, the first target can be viewed as largely achieved. However, the attempts to achieve a favourable conservation status for river banks and maintenance of good water quality failed, although loads of nutrients and several contaminants have been reduced considerably during the last 20 years.

The ecological importance of the upper Ems estuary and especially of its tidal brackish water reach has drastically deteriorated over the last 20 years. The water quality (in particular the increase of suspended solids and oxygen depletion) and the aquatic fauna have been severely depleted mainly as a result of deepening of the upper estuary for shipyard purposes. There is a strong need for improvement. A storm surge barrier (also in use as a temporary tidal weir with respect to new build ships) has been constructed.

During the last 20 years the Weser ecosystem has undergone fewer changes than that of the Ems. However, further deepening has occurred and the alteration of the tidal amplitude is highest. In the tidal freshwater reach of the Elbe estuary bad water quality (especially oxygen deficiency), high dredging volumes and further deepening have further degraded the ecological system. The Varde Å estuary has morphologically remained in its natural state, but has for decades been subject to intensive agricultural exploitation. However, a joint agricultural and environmental project for the extensive meadows around the estuary of Varde Å was initiated during the years 1998-2002, and extensification is now taking place in almost 2,400 hectares of marshland.

The houting belongs to the most endangered fish populations of the Wadden Sea/North Sea and is one of two prioritized species under the EC Habitats Directive. Previously it was common in the Wadden Sea Area and adjacent river systems. Today it is found in the Danish part of the Wadden Sea Area and in upstream river systems in self-sustaining populations. The actual conservation status is unfavourable in Denmark. In Schleswig-Holstein, single individuals are found but there is no reproducing population.

Apart from the large estuaries, there are few natural transitions between fresh and salt water left. Some progress on modifying sluice regimes, building fish passages and restoration of brackish marshes increased the opportunities to develop habitats and species depending on natural transition zones.

Climate change will also alter the ecological situation in the estuaries due to changes in the freshwater flow regime, accelerated sea level rise, rising temperature and others. Due to climate change, adaptation measures will become necessary with respect to e.g. coastal defence. This may lead to additional impacts on the estuarine ecosystem.

In all three countries, the Conservation status according to the Habitats Directive is unfavourable (bad) for Habitat Type 1130.

## HOW TO PROCEED

Because it is necessary to maintain and restore ecological functions of estuaries and to manage shipping routes and harbours for their intended purposes, assessments of the environmental impacts of new activities, compensation and mitigation, and restoration projects are central elements in policy and management.

Management plans according to the WFD (aiming in HMWB designated waterbodies at a good ecological potential) and the HD (aiming at a favourable conservation status) are currently under development, including the planning of restoration measures. These plans should be developed in a harmonised way and should also include the freshwater tidal reaches of the estuaries. Possibilities for reducing artificially increased tidal amplitude and tidal pumping in estuaries should be considered, as has been started in the Elbe estuary

In the Varde Å estuary, extensification of agricultural use is in progress and will be continued.

Further progress on modifying sluice regimes, building fish passages and restoration of brackish marshes and reconstitution of spawning areas for migrating fish species is necessary.

Long-term strategies for adaptation to climate change should be developed for the estuaries.

## **TRILATERAL POLICY AND MANAGEMENT**

The policies for important elements of the estuaries, *i.e.* the water, sediment and tidal flats, the salt and brackish marshes, the rural area, birds and fish, have been formulated in Target Chapters 2, 3, 8, 9 and 11 respectively. The relevant parts of these policies also apply to valuable parts of estuaries. It concerns here, in particular, dumping of dredged material, agriculture, hunting, fisheries, recreation and energy.

6.1 The extension, or major modification, of existing harbour and industrial facilities and new construction shall be carried out in such a way that the environmental impact is kept to a minimum and permanent, or long lasting, effects are avoided and, if this is not possible, compensated.

6.2 Large scale extractions and disposal of cooling water from power plants should be limited to a degree that is compatible with ecosystem requirements, applying best available technology to avoid incompatible heating of estuarine waters, shortage of oxygen and negative impacts on estuarine habitats and species, especially fish.

6.3 The deepening of shipping lanes in the estuaries will be carried out in conjunction with an overall assessment, according to relevant EC Directives, of how to compensate and mitigate the measures.

6.4 The impact of re-location and dumping of dredged materials will be minimised. Criteria are, amongst others, appropriate dumping sites and/or dumping periods. This has been implemented on national level through joint concepts for dredged materials for marine and coastal waters. (Identical with 4.21)

6.5 River banks will remain in and be restored to their natural state, as far as possible.

6.6 Good water quality will be maintained or restored as far as possible.

6.7 The transition zone between fresh and salt water should be as natural as possible.

6.8 Estuaries will be managed in such a way that vulnerability to climate change will be reduced.



## 7 Offshore Area

### THE HABITAT

The offshore area ranges from seaward of the tidal area to the seaward border of the Nature Conservation Area. The border between the offshore area and the beaches on the islands is determined by the average low-tide-water mark.

Most of the offshore area is designated as N2000 area (see Maps 2 and 4). National Conservation Objectives have been defined for Habitat Types 1110 (sandbanks which are slightly covered by sea water all the time), 1140 (mudflats and sandflats not covered by seawater at low tide), 1160 (large shallow inlets and bays) and 1170 (reefs).

The offshore area has been assigned to 4 types of coastal water bodies under the Water Framework Directive. The Marine Strategy Framework Directive covers the main part of the offshore area.

The offshore area is dominated by water depths of more than 10 m. There is a close connection between the tidal area and the offshore area. This connection is clear with respect to water, geomorphology and biology. The tide causes a daily exchange of water between the Wadden Sea and the North Sea, the extent of which is modified by wind conditions. The offshore area forms one coherent geomorphological system with the tidal area. This is demonstrated by the net transport of sediment from the North Sea into the Wadden Sea.

The biology of the Wadden Sea and the North Sea is intimately linked. Phytoplankton is transported from the offshore zone to the Wadden Sea proper and, after dying off, is remineralised. The import of organic matter from the offshore zone is one of the main causes of the food richness of the Wadden Sea. Both cockles and blue mussels may restock the Wadden Sea from populations in deep water refuges in the North Sea after severe winters have decimated the population of the exposed tidal flats. Motile animals like fish, shrimps and crabs largely leave the Wadden Sea in autumn to survive the winter in the relatively warm waters of the North Sea, after which they return to the Wadden Sea. Without the high productivity in the Wadden Sea, the overall stock of these species would be greatly reduced. Birds and marine mammals demonstrate both a daily and a seasonal shift in their use of the Wadden Sea and the offshore area.

### THE TARGETS

An increased natural morphology, including the outer deltas between the islands.

The Targets for birds, marine mammals and fish are relevant for the offshore area.

Targets on water quality, see chapter "Water and Sediment".

The offshore area Targets are consistent with the quality objectives of the WFD and relevant national Natura 2000 Conservation Objectives for offshore area habitat and species types. The targets are also consistent with World Nature Heritage criteria VIII – X.

### STATUS AND ASSESSMENT

The natural morphology of the offshore zone is closely related to the natural dynamics in the tidal area and the beaches and dunes: there is a net transport of sand from the seaward shores of the islands up to the so-called wave base into the Wadden Sea and this transport is determined by the overall water circulation. The wave base delineates the water depth, from below which no sediment can be stirred up by waves. In consequence, no (significant amount of) sediment is moved towards the Wadden Sea

from below this line. According to CPSL (2001), the wave base is situated in the offshore area between the 10 and 15 m isobath.

Sea level rise and bottom subsidence cause a deepening of the tidal basin resulting in an increased net sand import from the offshore zone. The extraction of sand is increasingly regulated on the basis of the importance of the offshore area and for the overall Wadden Sea sand balance.

Apart from coastal defence activities on the Wadden Sea islands (e.g., cross-shore dam at Texel) no evidence has become available of any negative development in natural dynamics of the geomorphology of the offshore area.

Birds using the North Sea off the Wadden Sea have not been subject to regular monitoring. However, knowledge of the birdlife was derived through different initiatives and in national campaigns in the 1980s and 1990s and has grown enormously in recent years. Seabird species occurring in the offshore area in specific months of the year are divers, eider, scoters, gulls and terns. The sandwich terns breeding on the Wadden sea islands feed above subtidal sand banks in the off shore area. Notwithstanding progress in protection, including the designation of the Wadden Sea PSSA in 2002, there are several activities in the offshore zone of the Wadden Sea, including shipping adjacent to the area, which can pose a threat to the area ecology. The offshore zone is important for birds in periods of food shortage. Safeguarding the food situation of (diving) birds is closely connected to the shellfish fishery in the area. Repeated inventories have demonstrated the occurrence of important stocks of the bivalve *Spisula subtruncata* along the Dutch coast, and of *S. solida* along the coast of Schleswig-Holstein. These bivalves are a major food source for diving ducks such as the common scoter and eider. For the eider in particular, these *Spisula* stocks are important for the survival when other bivalve stocks in the Wadden Sea are depleted, e.g. by severe winter conditions. *Spisula*-populations can show big natural fluctuations, e.g. *Spisula solida* off the coast of Schleswig-Holstein nearly died off during the severe winter of 1995/96 and has not recovered since.

Intensive shipping traffic by cargo and fishery vessels may result in disturbance of seabirds and especially the seaduck species eider and common scoter, which depend on the offshore area both as a major roosting and foraging area during winter and again during the sensitive moulting period in late summer.

The increased building of wind farms in the North Sea may affect both seabirds and marine mammals in the North Sea. Wind farms are not allowed in the Nature Conservation Area, but some have already been established close to this area and others are planned, and can, therefore, influence parts of the wildlife populations that use both the offshore area and the tidal area.

The environmental effects of the construction of wind farms in Danish offshore areas have been studied thoroughly during the last decade. The study includes one of the largest wind farms in the world, the Horns Rev 1 Wind Farm, constructed in 2002 (sited 14-20 km west of Blåvands Huk with 80 turbines; 20 km<sup>2</sup>). Additionally, an extension of the wind farm was completed by 2009 with another 91 turbines; 35 km<sup>2</sup>).

The main results of the ecological effects of the first phase are:

In relation to fish, data have documented some effects of the cable route on fish behaviour, indicating avoidance of the cable as well as attraction, depending on species. Further investigations were made to see if fish began to colonize the turbine foundations as artificial reefs. The early results were not clear, but the colonization of the foundations will probably progress over the coming years, and may lead to higher diversity and biomass of fish species in the wind farm area.

Hazards presented to birds by the construction include barriers to movement, habitat loss and collision risks. Observations confirmed that most of the more numerous species showed avoidance responses to the wind farm, although responses were highly species specific. Birds tended to avoid the vicinity of the turbines and there was considerable movement along the periphery of the wind farm. Post-construction studies showed almost complete absence of divers and scoters within the farm. Other species showed no significant change. Although such bird displacement represents effective habitat loss, it is important to assess the loss in terms of the proportion of potential habitat affected relative to the areas which remain available outside the wind farms. However, the cumulative impacts of many other such wind farms may constitute a more significant effect in the future.

To seals, the wind farm area is part of a much larger foraging area. No general change in behaviour at sea or at their nearby roosting sites could be linked to the construction or operation of the wind farm.

Only a slight decrease in porpoise abundance was found during the construction and no effect during operation of the wind farm was observed. However, clear effects of pile driving the foundations were observed.

Harbour seals spend part of their time in the offshore zone. Harbour porpoises appear in considerable numbers in the adjacent coastal part of the North Sea, especially in winter, partly in spring. The Schleswig-Holstein offshore area off Sylt is an important rearing area for harbour porpoises. Meanwhile there are indications that the offshore area in other parts of the Wadden Sea could also become important for these small whales.

There is little experience within the trilateral cooperation with the management of the offshore area. The whole of the Danish offshore part of the Wadden Sea Area is part of the national park. In the Danish offshore area, shellfish fishery on species other than mussel, cockle and shrimp, is not allowed. Parts of the German national parks are situated in the offshore area. The commercial extraction of sand is, in principle, not allowed. Cockle fishery is not carried out.

In Denmark, the conservation status of Habitat Type 1110, 1160 and 1170 is unfavourable (bad). In Germany, the conservation status of Habitat Types 1110, 1160 and 1170 is unknown. In The Netherlands, the conservation status of the offshore Habitat types 1110 and 1140 is unfavourable (inadequate).

## HOW TO PROCEED

For the area of the World Heritage property, the state parties of Germany and The Netherlands have confirmed their commitment not to explore and extract oil and gas at locations within the revised boundaries of the nominated property, in line with the law in force.

The offshore area in The Netherlands has been designated as a Natura 2000 area, to a limit of 3 sea miles for the Bird Directive and to the 5 meter depth line for the Habitats Directive. The management plan for this part of the offshore area must be ready by early 2012 at the latest. The Netherlands intends to enhance the designation as N2000 area to the 20 meter depth line and notified this extension to the EC in December 2008.

There is a need to evaluate differences in national policies for the offshore area, including differences in the implementation of relevant EC Directives, with the aim of identifying harmonisation needs and possibilities.

Because of the interactions between hydrological and geomorphological processes in the offshore zone, the dunes and beaches, the tidal area and the salt marshes, policies aiming at increasing the natural dynamic situation in these habitats need to be further developed and intensified. Coastal flood defence and protection needs should not be affected, in particular in the light of increasing sea level rise.

Policies for safeguarding the food situation for birds must be continued for the whole offshore area

The management of seals in the offshore area is covered by the Trilateral Seal Management Plan (see Chapter 10). This plan is amended and updated at regular intervals.

In view of the high numbers of harbour porpoises in the offshore area, policies aiming at safeguarding these values, especially in rearing areas, will be further developed.

## TRILATERAL POLICY AND MANAGEMENT

7.1 Trilateral policies will be based on an integrated approach to coastal flood defence and protection and nature protection on the mainland coast, the islands and the offshore zone.

7.2 In view of accelerating sea level rise, increased attention will be given to the role of the offshore zone in the total Wadden Sea sand balance. In this respect sand will only be extracted from outside the Wadden Sea Area. Exemptions for local coastal flood defence and protection measures may be

granted, provided it is the Best Environmental Practice for coastal protection (e.g. taking the sand from below the wave base).

7.3 To concentrate cable crossings through the Wadden Sea within a minimum of cable corridors and a minimum of cables, using the best available techniques, e.g. cables with highest capacity available, and to communicate regularly on this item in order to use synergies. (Identical with 3.17; 4.19; 5.10)

7.4 The construction of wind turbines in the Nature Conservation Area is prohibited. (Identical with 3.18; 4.17; 8.4; 9.11)

7.5 The construction of wind turbines, in the Wadden Sea Area outside the Nature Conservation Area is only allowed if important ecological and landscape values are not negatively affected. (Identical with 3.19; 4.18; 8.5; 9.12)

## 8 Rural Area

### THE HABITAT

The rural area includes meadows and arable land on the islands, Halligen and on the mainland where there is a strong ecological relationship with the Wadden Sea.

Human use, mainly agriculture, has priority in major parts of the rural area. The areas for wildlife and biodiversity have for centuries been determined by agricultural utilization. To migratory birds, in particular some wader, duck and goose species, rural areas behind the dikes on the islands and on the mainland are very important during their stay in the Wadden Sea Area. Meadows, pasture land and arable land are utilized as roosting sites by golden plover, lapwing, ruff and curlew, and other species, mainly in spring and autumn. The herbivores widgeon, barnacle goose and, to a lesser extent, brent goose, also use meadows and arable land as feeding areas during autumn and spring. Furthermore, some rural areas on the islands and on the mainland are important alternative high-tide roosting sites when there are extraordinarily high water levels in the Wadden Sea.

The rural area is in most cases not a habitat type according to the EC Habitats Directive, but it may contain designated habitat types, e.g. 3150 (natural eutrophic lakes with magnopotamion or hydracharition- type vegetation), 6510 (lowland hay meadows) and habitat types of the wet grassland and the species rich meadow grassland. The low-lying marshes and wetlands are of utmost importance to a number of breeding bird species which are characteristic of the Wadden Sea Area and which are under protection of the EC Birds Directive. Several areas within the Wadden Sea Area, as well as areas adjacent to the Wadden Sea Area, have been designated as Special Protection Areas (SPA) according to the Birds Directive and Special Areas of Conservation (SAC) according to the Habitats Directive. These areas include a number of protected habitat types and species

### THE TARGETS

Favourable conditions for flora and fauna, especially migrating and breeding birds.

Good ecological connectivity between the tidal area, salt marshes and rural areas.

### STATUS AND ASSESSMENT

#### Breeding birds

Six species that rely on rural areas behind the seawall (oystercatcher, Northern lapwing, ruff, common snipe, black-tailed godwit, and common redshank) showed significant declines in 1991-2006. Drivers for the negative trends are not known in detail in all species. Some of the nests fail due to predation (mainly mainland), whereas many other suffer from intensified agricultural practise (all areas). Numbers of spoonbill have increased, so have the numbers of them that have been observed feeding in ditches in the rural area.

#### Migratory birds

Numbers of roosting birds during high tide are mainly linked to developments in the intertidal area, or factors in breeding grounds outside the Wadden Sea Area, mentioned in the chapter Birds. The species that rely on rural areas for feeding are golden plover, brent goose, widgeon, curlew, lapwing and barnacle goose. Among these, barnacle geese have shown a significant increase since 1987 (as part of a general population increase). Brent goose shows an adverse trend (now stable, but decline in the 1990s and probably also in the near future due to lack of good breeding years in Siberia). The other species show stable trends. The exception is the golden plover, which has shown a decline since 1987. This is one of the main species relying on rural areas behind the seawall.

The herbivores wigeon, barnacle goose and, to a lesser extent, brent goose, use partly meadows and arable land as feeding areas during the period September/October to March/April. A shift in habitat use from natural feeding areas such as seagrass beds and salt marshes to agricultural land (e.g. intensively used grassland areas) has occurred and resulted in damage to agricultural land and, as a consequence, conflicts with farmers.

At night, marshes, grasslands and fields behind the dikes are utilized by wigeons. However, the use of agricultural land by geese and ducks, and in consequence also the conflicts, are concentrated in specific localized areas. This is not only dependent on the management of the concerned area, but also on the management of habitats and geese elsewhere. The developments in agricultural use (e.g. cultivation of winter grain, set-aside or transformation of meadows to farmland) also have consequences for the use by geese and ducks.

### **Human activities**

A major change in the human use of the rural area has been a further intensification of agriculture. This mainly concerns turning pastures into arable land, e.g. for growing maize. This development is enhanced by energy policies that enhance farmers to grow crops that can be used for generating energy from biomass. This change has a major (negative) impact on the biodiversity of the rural area. In all three Wadden Sea states biodiversity has decreased as a result of the abandonment of the EU set-aside policies in 2008, in order to increase production of crops. Furthermore, earlier mowing of grassland in spring has a negative impact on breeding success of meadow birds.

In the past decades numerous wind farms have been constructed in the vicinity of the Wadden Sea Area, especially in Niedersachsen and Schleswig-Holstein, which may have an impact on roosting and migrating birds.

Locally, agri-environmental schemes have been designed to improve breeding and feeding opportunities for farmland birds, but mainly species that have no direct connection with the Wadden Sea.

### **National policies**

There is a marked difference between the Wadden Sea countries regarding implementation of the EC Bird Directive. In Denmark and partly Schleswig-Holstein rural areas on the mainland, with an ecological link to the Wadden Sea, are included in the Wadden Sea Area. In Niedersachsen SPAs have been designated all along the mainland coast, not being part of the Wadden Sea Area. In The Netherlands there are only few SPAs on the mainland, directly adjacent to the Wadden Sea Area.

## **HOW TO PROCEED**

The most important element in future policy and management is to work towards sustainable agricultural use of the rural area. However, it is evident that this can only be done in close cooperation, and on a voluntary basis, with the agricultural sector.

Regional and local authorities have an important responsibility to stimulate sustainable use in cooperation with the people who live in the area.

Also, measures in the tidal area and salt marshes will help to provide favourable conditions for the concerned bird species.

There are strong interactions between the tidal area, salt marshes and the rural areas, and this connection can be strengthened by the establishment of a sustainable development strategy which integrates policies for both the tidal area, salt marshes and the adjacent areas.

The proper management of geese is an issue of increasing relevance in Wadden Sea Region due to increasing numbers of geese. On the one hand geese "belong", to the area, they are a natural asset and are a typical and to a large extent protected element of the Wadden Sea Region biodiversity. Due to the high proportion of the populations being dependent on the Wadden Sea there is also an international responsibility of the Wadden Sea countries for these species. In addition, geese also constitute an important touristic attraction.

On the other hand, some geese species cause increasing damage to farmlands, while current management schemes for geese are highly variable between countries and liable to further improvement.

It is acknowledged that a coordinated and consistent management of geese grazing in the rural area is needed.

There is a need to make consistent national policies regarding the designation of parts of the rural area as SPA.

## **TRILATERAL POLICY AND MANAGEMENT**

Trilateral measures regarding the management of human activities which are relevant for the rural area, and which have also relevance for the special Targets on birds, such as hunting, are dealt with comprehensively in Chapter 9 on birds.

8.1 Sustainable agriculture for improving nature conservation, with particular emphasis on improving conditions for breeding meadow birds, limiting the use of artificial fertilizers and pesticides and a good water management, maintaining typical landscape elements and protection of cultural heritage will be supported, amongst others, financially.

8.2 Nature areas reclaimed for agricultural purposes should be restored, where possible, through voluntary cooperation with, and active participation of, the owners.

8.3 The management of geese in the rural area will be based upon a strategic trilateral goose management plan.

8.4 The construction of wind turbines in the Nature Conservation Area is prohibited. (Identical with 3.18; 4.17; 7.4; 9.11)

8.5 The construction of wind turbines, in the Wadden Sea Area outside the Nature Conservation Area, is only allowed, if important ecological and landscape values are not negatively affected. (Identical with 3.19; 4.18; 7.5; 9.12)



## 9 Birds

### THE SPECIES

The Wadden Sea is an important area for breeding and migrating birds.

Of 5 species more than 25% of the NW-European population breeds in the Wadden Sea. A total of 14 breeding species is listed as Annex 1 species of the EC Bird Directive. Several species are included in national Red Lists in the Wadden Sea countries.

At least 52 populations of 41 different species occur in high numbers as migrant, moulting or wintering bird in the Wadden Sea. For 44 populations in 34 species, the Wadden Sea is an indispensable roosting area. All these species belong to the so-called East-Atlantic flyway, a system of migration routes between Greenland and Western Siberia in the Arctic and wetlands in Western and Southern Africa. The most important migratory and wintering birds are geese, ducks and waders.

Birds use different habitat types of the Wadden Sea Area. Therefore, all habitats which are used by one species or population are linked to and depend on each other. For example, feeding areas and appropriate roosting sites on the tidal flats or salt marshes should be available in sufficiently close distance to the breeding site of a species. During various periods, all these habitats are important habitat types for the different species and are essential for the natural development of these species in the Wadden Sea Area. Therefore, the bird Targets are more or less relevant for all habitat types in the Wadden Sea Area.

All countries have designated most of their parts of the Wadden Sea Area as SPA and/or SAC and have adopted conservation objectives for the designated species.

### THE TARGETS

Stable or increasing numbers and distribution taking into account that abundance of species is in line with prevailing physiographic, geographic and climatic conditions.

Breeding success and survival determined by natural processes.

Breeding, feeding, moulting and roosting sites supporting a natural population.

Undisturbed connectivity between breeding, feeding, moulting and roosting sites

Fluctuations in food stocks determined by natural processes.

Habitat, food stocks and connectivity between habitats supporting a favourable conservation status.

The Bird Targets are consistent with the national Natura 2000 conservation objectives.

The Targets are also consistent with World Nature Heritage criterion "X".

### STATUS AND ASSESSMENT

The conservation status of birds in the Wadden Sea Area is primarily determined by weather conditions, the availability of habitats and their quality, the availability of adequate breeding or roosting areas, food availability, disturbance from various human activities, and by pollution. For migratory and some breeding birds these factors are relevant for the whole of their flyways.

#### Migratory Birds Developments

Trends for 34 waterbirds are now available for a 20-year period for the entire Wadden Sea and show that 8 species show a strong or moderate increase, 12 species are stable and 14 species show decreasing trends. Among the increasing species are the great cormorant, Eurasian spoonbill and barnacle goose. Some of the stable species are brent goose, Eurasian wigeon, red knot and Eurasian

curlew. Among the decreasing species are common shelduck, mallard, Eurasian oystercatcher and Kentish plover. The trend for common eider covers only the last 15 years and this is also decreasing. The reason for changes in numbers for most species is not known and for future assessments more detailed information and data are necessary together with ecological studies.

### **Breeding Birds Developments**

Analyses of trends of Wadden Sea breeding birds in 1991-2006 show that 13 of the 29 monitored species for which a trend calculation was possible are actually in decline. Recent counts suggest that (further) declines are also due in common eider, arctic tern and little tern. Especially in waders, declines are most pronounced: 12 of 13 declining species represent this group and they include both typical Wadden Sea breeding species like oystercatcher, avocet and common redshank and more farmland-dependent species like Northern lapwing and black-tailed godwit. Dunlin, ruff and common snipe have nearly gone extinct and mainly depend on management of their remaining breeding sites in Denmark. Backgrounds of the observed trends are only partly known. At least in some species it has been demonstrated that breeding success has been low for many years, Depleted food stocks have had a negative impact on especially shellfish-eating species (common eider, oystercatcher and herring gull). For Kentish plover and great ringed plover, disturbance and habitat changes are important limitations that prevent a recovery from the long-term declines observed in both species. For breeding meadow species it is evident that intensification of farming practice (drainage, fertilizing, early mowing in grasslands etc.) has had clear negative effects on both breeding success and population developments. In addition an increased predation, often by invasive species, creates problems. The impact of other factors, such as changes in salt marsh management and climate change in the Wadden Sea ecosystem are largely unknown yet.

### **Breeding Success**

In 2009 a new TMAP Parameter was introduced in order to explain downward trends in several breeding bird species. The new parameter 'breeding success' performs as an early-warning system to detect changes in the ecosystem or assess human impact, since it is more directly linked with shifting conditions in the environment. Moreover, evaluation of the target 'natural breeding success', as addressed in the Wadden Sea Plan, was not possible with monitoring of only population size and distribution.

### **Contaminants in bird eggs**

In 2008, the ecological quality objectives (EcoQOs) proposed by ICES and OSPAR for contaminants in seabird eggs have already been reached for some substances at some sites in the Wadden Sea. The stagnation of the levels of various substances and some recent increases point to local problems with environmental pollutants. At the hot spots of contamination, the present concentrations of  $\Sigma$ PCB and  $\Sigma$ DDT, especially in the eggs of common tern, are still very high in comparison with the target levels.

### **Roosting Areas**

Waterbirds in the Wadden Sea gather at roosting places during high tide. Many of the important roosting sites can be found at areas with a low level of human activity and are located at close range of intertidal mudflats occur. Human disturbance is nevertheless among the most important factor with influence on bird numbers at high tide roosts, and it can put an extra stress on the species energetic balance and their tight migration schedule.

High tide roosts are relatively well protected, with more than 80% of these roosts being located within Special Protection Areas. Despite this, disturbances can occur in all parts of the Wadden Sea. A main impact is by outdoor recreation, with peaks during July and August but also, increasingly, in spring and autumn. Potential conflicts are minimized and resolved by spatial and temporal zoning of recreational activities as well as convincing visitor information systems. Different protection schemes for roosting birds are in place along the Wadden Sea.

### **Moult Areas**

Large numbers of moulting common shelduck, common eider and common scoter occur, and several sites within the Wadden Sea Area hold numbers of international importance. During the moult the species are flightless, and therefore very sensitive to disturbance, thus they choose areas with a minimum of human activity, especially by small boats. The three species differs in moult periods, moulting locations and moulting behaviour. Because shelduck and eider concentrate very much during moulting, moulting areas are well known. As result of concomitant research on planned offshore windparks more information is available about the common scoter. Common scoters are highly dispersed at a huge area during their moult. Therefore a protection scheme is difficult to find. The

northern Wadden Sea seems to be a very important moulting area for that species. Due to the concentration of almost all moulting Shelducks in just one area there is a permanent risk for this species which requires special attention.

More information is needed about the planning of offshore wind parks and the associated traffic, as well as shrimp fisheries and sand extraction, which can potentially affect the distribution and activity of common scoters at sea during the moulting season.

Generally further assessment of the demand of undisturbed moulting sites in and outside the Wadden Sea is needed.

### **Food Availability**

Large populations of herbivorous aquatic bird species, among which the barnacle goose, the dark-bellied brent goose, and the Eurasian wigeon, and semi-herbivorous aquatic bird species, such as the mallard and teal, occur in the Wadden Sea. Of these the barnacle goose shows a steady strong increase, the dark-bellied brent goose and the Eurasian wigeon are stable and the common teal together with mallard are decreasing. For none of the decreasing species food seems to be the cause.

Fertilized grasslands landwards the dikes will always be of higher food quality and could thus become more attractive for geese than the natural saltmarshes. Goose numbers (especially Barnacle goose) have increased further and with them the conflicts between different stakeholders.

Common eider, oystercatcher and herring gull depend on shellfish and both, breeding and roosting populations are decreasing. The common eider and the Eurasian oystercatcher use blue mussel as their main food source. Large scale studies in the Dutch Wadden Sea showed a possible connection between the exploitation of blue mussels and cockles and the size of bird populations. Simultaneous declines in blue mussels and local bird populations of some species have been described. While the mussel fishery was hardly regulated in the 1980s and 1990s, since then management measures for mussel fisheries including regulations for food reservation for birds have been introduced in all Wadden Sea countries.

Some bird species are now arriving earlier and staying longer during autumn, than in the past. These major changes in phenology are most likely influenced by milder climate during the last 20 years, and from a management perspective this opens new challenges, meaning that the Wadden Sea shall in the future be able to host birds that no longer use their original autumn and wintering grounds as well as those individuals that normally use to stay in the Wadden Sea during autumn and winter.

There are four military exercise sites in the Wadden Sea Area: in the Dutch Wadden Sea the exercise grounds the "Vliehors" and the "Mokbaai" are located partly within and partly outside the Nature Conservation Area. The "Vliehors" is used on work days for firing guns and rockets and bomb dropping. Explosive bombs are only used outside the breeding season. Practices with bombs, rockets and gunning from fighter planes occur on average 180 days per year. In the "Mokbaai" annually about 50 exercises involving zodiacs, landing crafts and helicopters of the naval forces are executed, confined to work days. In Germany a ballistic testing site for new weapons is located in the Meldorfer Bucht. The area has been used since the early 1980s. However, over the last ten years the range has been used on average on 0.5 days per year only. Tests are undertaken from platforms on the seawall outside the Nature Conservation Area, however the target area stretches into the Nature Conservation Area. In the Danish Wadden Sea military activities take place at the northern part of the island of Rømø. Here air-to-ground training sessions are regularly performed, and these actions are quite distinctive, but strongly limited in time.

All military activities are limited in time to take account of especially breeding and moulting times for birds and seals. An impact assessment study in the Meldorfer Bucht conducted in 2001 showed that the overall impact on birds (and seals and macrobenthos) was very small. In combination with the very low frequency of testing activities here, it can hence be stated that the testing site has no negative effects on the biological values and the integrity of the Meldorfer Bucht area. On Rømø the closure of the area for the public has delivered important breeding sites with no or very little disturbance from other human activities compared to other saltmarsh and dune areas in the Wadden Sea. An agreement between the Ministry of Defence and the Ministry of the Environment includes a management plan (2002 – 2017) for the 2.200 ha of important saltmarsh and beach areas within the shooting range.

### **EC Bird Directive**

Only 15 bird species (13% of the total number of species) have been listed commonly as designating species in all countries. Hence, there is quite a variation among countries what species they have used.

Differences were also found in implementation of the Bird Directive:

- use of numerical threshold values (number of birds) in Denmark;
- use of ecological carrying capacity of the habitat for a certain population size in The Netherlands;
- use of habitat quality as assessment parameter in Niedersachsen and Schleswig-Holstein and The Netherlands;
- no site-based conservation targets in Hamburg and Denmark.

### **HOW TO PROCEED**

An important element in future policy and management is to work towards acceptable solutions to reduce the conflict between food requirements for birds and the interests of fisheries and agriculture. It is important to avoid food shortage due to disturbance of other human uses (such as recreational activities, aerial traffic, wind turbines and hunting), as well as, human activities which favor certain species of birds by increasing their food supply, e.g. fishery discards, eutrophication and agricultural practices in island polders and areas behind the dikes. However, it is evident, that this can only be done in close cooperation with the fishery and agricultural sectors.

Policies for transition towards sustainable shellfish fisheries are described under tidal area.

Policies for goose management are presented under Rural Area.

Measures to protect breeding, roosting and feeding habitats can be achieved by establishing a sufficient number of bird reserves of proper size and through the management of human activities. Breeding populations of Kentish Plover and Little Tern, which are highly dependent on sandy beaches and primary dunes, are particularly threatened. The situation of these species will be further improved. The same is valid for migrating and moulting birds. Undisturbed moulting and roosting sites which lie close to their feeding areas are necessary for birds to avoid energy loss.

It is important to avoid the construction of wind turbines in the rural area where this may cause a significant impact on birds.

The impact of civil air traffic has been limited by, amongst others, minimum flight altitudes (Germany, and The Netherlands) and by additional voluntary agreements with pilots and airport administrations (Schleswig-Holstein and Niedersachsen). No additional measures have been taken in Denmark. Because severe disturbances are still reported, there is a need to continue to further reduce impacts by civil air traffic in close cooperation with the relevant islands.

Flyway-Cooperation Agreements have already been established with The Wash and Guinea Bissau. The Trilateral Cooperation will further strengthen the cooperation on management and research activities with state parties of the African Eurasian flyways, which also play a significant role in conserving migratory species along these flyways.

Conservation objectives according to the Birds Directive will be made consistent to the extent possible and assessment methodologies harmonised.

### **TRILATERAL POLICY AND MANAGEMENT**

Bird conservation and management at the general trilateral policy level is subordinated in the Nature Conservation Area to the Guiding Principle, *i.e.* a natural and, as far as possible, dynamic Wadden Sea ecosystem, even if natural dynamics may lead to less favourable conditions for some bird species or populations locally. That means that in the Nature Conservation Area the Guiding Principle is more important than special conservation measures for certain species. However, severe declines of protected bird species will not be accepted if the reasons are found regionally in the Wadden Sea.

The general management measures for specific habitats, listed under the headlines of the habitat categories, can be relevant for bird populations in general.

### **Site Protection**

9.1 The conditions for breeding birds will be further improved by appropriate management.

9.2 It is the aim to further improve the conditions for migratory birds during roosting and feeding, as well as, for seabirds in the offshore area during moulting, through integrated management.

9.3 Avoid barriers between feeding, roosting and/or moulting areas, e.g. by wind turbines or wind parks.

9.4 Prevent introduction and immigration of mammalian predators to the Wadden Sea islands. Artificial structures allowing predators to reach areas which they could not use under more natural conditions, may not be constructed, or, where possible, removal should be considered.

### **Food Availability**

9.5 Cockle fishery is not allowed in the Wadden Sea Area, with the exception of mechanical fisheries in some small areas along the Esbjerg shipping lane and in the Ho Bay, and in Niedersachsen outside of the conservation area (but will not be carried out at present), as well as non-mechanical cockle fishing in The Netherlands. (Identical with 4.22)

9.6 The effects of mussel fishery are limited by the permanent closure of considerable areas and the optional reservation of sufficient amounts of mussels for birds. In addition, the management of fishery on mussels should not be in conflict with, protecting and enhancing the growth of natural mussel beds and *Zostera* fields. (Identical with 4.23)

9.7 Mussel fishery will, in principle, be limited to designated parts of the subtidal area. Based on national management plans, fishery on the tidal flats may be granted. The fishery sector will, in close cooperation with competent authorities, improve existing practices in such a way that impacts of mussel fishery, in general and seed mussel fishery, in particular will be minimised. (Identical with 4.24)

### **Acoustic and Visual Disturbance**

#### RECREATIONAL AND FARMING ACTIVITIES

9.8 Disturbance in significant breeding, moulting and roosting areas will be further reduced and access to these areas will be made more predictable for birds, through clear temporal and spatial zoning (for example using only certain footpaths on salt marshes, beaches and dunes and information system for visitors). Regulations should be established in close cooperation with the involved stakeholders.

9.9 It is the aim to further reduce the disturbance in significant breeding areas caused by grazing through the reduction of the grazing pressure and through postponing the beginning of the grazing period, except where a certain intensity of grazing is necessary for coastal flood defence and protection measures.

9.10 Driving cars in breeding areas on beaches and in dunes is prohibited. (Identical with 5.7)

#### WIND ENERGY

9.11 The construction of wind turbines in the Nature Conservation Area is prohibited. (Identical with 3.18; 4.17; 7.4; 8.4)

9.12 The construction of wind turbines in the Wadden Sea Area outside the Nature Conservation Area is only allowed if important ecological and landscape values are not negatively affected. (Identical with 3.19; 4.18; 7.5; 8.5)

## HUNTING

9.13 Hunting of migratory species is prohibited, or will be progressively phased out in the Nature Conservation Area or in an ecologically and quantitatively corresponding area in the Wadden Sea Area.

9.14 Hunting of non-migratory species is prohibited, or will only be allowed in the Nature Conservation Area if migratory species are not harmed.

## CIVIL AIR TRAFFIC

9.15 The impact of civil air traffic in the Wadden Sea Area will be further limited.

9.16 New civil airports will not be constructed in the Wadden Sea Area.

9.17 The expansion of existing civil airports in the Wadden Sea Area is restricted to cases where this is essential in order to increase the safety of air traffic.

9.18 Minimum flight altitudes for civil air traffic have been or will be established in the Wadden Sea Area. Exemptions can be granted for safety reasons and for scientific purposes and will be confined to designated flight corridors situated in less vulnerable parts of the Wadden Sea Area.

9.19 Advertisement flights are, in principle, prohibited in the Wadden Sea Area.

9.20 Helicopter flight routes and altitudes are established in such a way that the disturbance to wildlife in the Wadden Sea Area is minimised.

9.21 The recreational values of the Wadden Sea will be maintained for the benefit of man and nature. To this end in the Nature Conservation Area,

- in the ecologically most sensitive areas, zones have been or will be established where no recreational activities, including excursion ships and recreational boating, is allowed;
- the use of jet skis, water skis and similar motorized equipment has been, or will be, prohibited, or limited, to small designated areas;
- new marinas will be avoided and the extension of the existing marina capacity will only be allowed within the approved levels;
- water sports like wind surfing have to be balanced with the needs of nature protection and bathing tourism;
- kitesurfing can distort nature values, in particular roosting sites for birds. The aim is a harmonised approach to kitesurfing, consisting of zoning where the activity is allowed under conditions. (identical with 4.28 and 10.5)

9.22 Speed limits for ships have been imposed, taking into account safety, environmental, recreational and fishery factors. (Identical with 4.29 and 10.6)

## MILITARY ACTIVITIES

9.23 Disturbance caused by military activities has been, or will be, reduced and the possibilities for further concentrating and/or phasing out military activities will be regularly examined.

9.24 The negative effects of low altitude flight routes of military aircraft have been, or will be, reduced by reducing the number of flights and the maximum speed.

9.25 Action to minimize disturbance caused by military air traffic in the Wadden Sea Area will be taken on a coordinated basis.

9.26 High priority will be given to the assignment of redundant shooting ranges as nature protection areas.

## 10 Marine Mammals

### THE SPECIES

The harbour (or common) seal, the grey seal and the harbour porpoise may be regarded as indigenous Wadden Sea species. Water is the main or exclusive element of these marine mammal species. The year round, the seals use other habitats than water, to haul out ashore. This includes sand banks in the tidal area and beaches or even any coastal shore. Grey seals tend to prefer areas that are available for longer periods, and could also haul out on higher grounds such as dunes. This holds especially when rearing pups, as grey seal pups do not usually swim for the first weeks of their lives. All these habitats are essential for the maintenance of the seals' vital biological functions, such as whelping, nursing, breeding, moulting, resting and feeding.

Marine mammals, as top predators and often long-lived species, have an important indicative function for the quality of the Wadden Sea ecosystem. These species, and other top predators (*i.e.* several bird species) that overlap in habitat demand, need special attention. Because of their longevity and dependence both directly and indirectly on large areas, they can be vulnerable to disturbance and pollution. On top of this they are often considered in competition with man for food resources.

The harbour seal (species type H1365), the grey seal (H1364) and the harbour porpoise (H1351) are an Annex II species under the Habitats Directive, and special areas have been designated for their conservation. Furthermore harbour seal and grey seal are listed in Annex V, where the conservation objective is that taking in the wild and exploitation may be subject to management measures. National Conservation Objectives have been defined for all three species. In addition, the harbour seal is protected through the Trilateral Seal Agreement under the Bonn Convention on the Conservation of Migratory Species of Wild Animals (UNEP/CMS) from 1990. The harbour porpoise is protected according to the Agreement on the Conservation of Small Cetaceans of the Baltic and the North Seas (ASCOBANS; UNEP/CMS, 1990).

### THE TARGETS

Viable stocks and a natural reproduction capacity of the harbour seal, including juvenile survival.

Viable stocks and a natural reproduction capacity of the grey seal, including juvenile survival.

Viable stocks and a natural reproduction capacity of the harbour porpoise

Conservation of habitat quality for conservation of species.

The Targets are consistent with the national Conservation Objectives under the Habitats Directive. The Targets are also consistent with World Natural Heritage criterion "X".

### STATUS AND ASSESSMENT

#### Harbour Seal

In the years after the virus epidemics in 1988 and 2002, the population of the harbour seal has shown a rapid recovery. During coordinated flights in the entire Wadden Sea Area in 2009, 21,500 seals were counted, the highest number ever counted in the international Wadden Sea during the moult.

#### Grey Seal

Grey seals have relative recently recolonised the Wadden Sea. Currently the species is regularly seen in all countries, including in the Danish Wadden Sea area which seems to be the last area colonised. Since 2004, there have been coordinated counts of grey seals in NL and D. Breeding, occurring in

December-January, is observed in several locations throughout the Wadden Sea. By far the largest colony is observed in the western Dutch Wadden Sea between the island of Vlieland and Terschelling. Two other breeding sites have developed in the area including Amrum and Helgoland. More scattered over the Wadden Sea, single births and small groups have been recorded, sometimes breeding, indicating that the grey seal population in the Wadden Sea might still be expanding. The maximum number of grey seals counted during the moult 2009 in the Wadden Sea and at Helgoland, was 2756 animals.

### **Harbour Porpoise**

Estimates in 2005 of harbour porpoise numbers for the total North Sea area amount to 335,000 animals. Parts of the population seem to have shifted from the northern North Sea southwards. As porpoise migrate into coastal waters and close to the Wadden Sea, numbers recorded have strikingly augmented in the early 2000s. German studies show hot spots of abundance and frequency (Sylter Außenriff, Borkum Riffgrund and the area north of Helgoland). Waters around the Knobsände off Amrum and west of the island of Sylt show a relatively high density of mother calf-groups (the suckling-period of this species lasts approx. 8 months) in this area. It can be concluded that this area is an important rearing area for harbour porpoises.

### **ASSESSMENT**

The present and short term conservation status of harbour seals, grey seals and harbour porpoises in the Wadden Sea Area is determined by several environmental factors, including disturbance as a result of various human activities (such as recreation activities, construction activities for off-shore wind parks, fisheries, air traffic, shipping and some military activities) and food availability. At present, the harbour seal population does not show any indication of density dependence.

Pollution is presently not a major issue for marine mammals in this area. The current population levels of the seal species do not seem to be affected. Attention to possible new sources of pollutants should remain however.

Though probably still not at the population level of around 1900, the harbour seal population has recovered well from the very low numbers observed in the mid-1970s after hunting was forbidden, and after the 1988 and 2002 epidemics. The total population size indicates that the present harbour seal population can be regarded as viable. Comparison with other harbour seal populations elsewhere leads to the conclusion that the reproduction capacity of the Wadden Sea harbour seal population is at a satisfying level. Still, juvenile mortality is relatively high (approx. 35% instead of 20-25%), despite good protection of the main resting and nursing places. Other factors such as disturbance are in some cases still not satisfactory.

For both the grey seal and the harbour porpoise, data are lacking to enable an assessment of whether the current stocks dependent on the Wadden Sea area are viable, or to enable an adequate estimate of the natural reproduction capacity. In both cases the current stocks show strong interdependencies with stocks subsisting elsewhere in the North Sea.

### **HOW TO PROCEED**

The quality of the habitat of harbour and grey seals, as well as harbour porpoises, needs at least to be maintained. This is the case both within the Wadden Sea area and in the adjacent North Sea, especially as extensive plans exist to further exploit the areas for a variety of industry, including sand mining and wind farming in the near future. Policies for harbour and grey seals have to be further developed in accordance with the actual Seal Management Plan 2007-2010.

For harbour porpoises, more ambitious policies for protected areas may be considered. However, with such a highly migratory species it will be difficult to identify adequate sites and design a flexible management regime.

## TRILATERAL POLICY AND MANAGEMENT

### Harbour and Grey Seal

The 'Agreement on the Conservation of Seals in the Wadden Sea' (Seal Agreement) was enacted on October 1, 1991 as the first agreement as defined in Article 4, of the Convention on the Conservation of Migratory Species of Wild Animals (The Bonn Convention). The agreement was concluded between the Wadden Sea states with the aim to cooperate closely in achieving and maintaining a favourable conservation status for the harbour seal population of the Wadden Sea Area. The Seal Agreement contains provisions, amongst others, on research and monitoring, on taking and on the protection of habitats, which have been specified in the 'Conservation and Management Plan for the Wadden Sea Seal Population 1991 - 95' (Seal Management Plan) and the revised Seal Management Plan 2007-2010. The latter also includes additional measures for the protection of the grey seal.

Regarding the implementation of the Targets for the harbour and the grey seal, reference is made to the specific measures related to the different habitat types and, especially, to the Seal Management Plan 2007-2010.

Measures for the implementation of the Targets on seals are especially listed under "Required efforts and objectives" and Actions in the Seal Management Plan 2007-2010, which are divided into actions on the trilateral and national level. These actions include measures which should be implemented in different habitats and for different purposes, such as research, monitoring and protection of habitats. The Seal Management Plan will be updated covering the period 2011-2014.

### Harbour Porpoise

The Agreement on the Conservation of Small Cetaceans of the Baltic and the North Seas (ASCOBANS) was also concluded under the auspices of the UNEP Convention on Migratory Species (the Bonn Convention) in September 1990 and came into force in March 1994. The ASCOBANS Conservation and Management Plan requires the parties to implement a variety of different measures including reducing by-catch, marine pollution and disturbance, conducting surveys and research on species ecology and abundance, adopting protective national laws and raising public awareness. A Conservation Plan for harbour porpoises in the North Sea is under development.

10.1 The trilateral policy for harbour porpoise is to ensure to the greatest possible extent low disturbance levels, to limit underwater noise to an extent that it does not cause damage for harbour porpoises, to minimize the collision risks with ships and to use fishing techniques which are not a threat to whale species.

10.2 It is the aim to protect important breeding/rearing areas of the harbour porpoise in the Wadden Sea Area and adjacent areas through appropriate measures.

10.3 The public will be informed about small cetaceans in the Wadden Sea Area and the North Sea on a common basis in cooperation with ASCOBANS.

10.4 To develop a joint monitoring strategy on harbour porpoise in cooperation with North Sea wide monitoring schemes.

10.5 The recreational values of the Wadden Sea will be maintained for the benefit of man and nature. To this end in the Nature Conservation Area,

- in the ecologically most sensitive areas, zones have been or will be established where no recreational activities, including excursion ships and recreational boating, is allowed;
- the use of jet skis, water skis and similar motorized equipment has been, or will be, prohibited, or limited, to small designated areas;
- new marinas will be avoided and the extension of the existing marina capacity will only be allowed within the approved levels;
- water sports like wind surfing have to be balanced with the needs of nature protection and bathing tourism;
- kitesurfing can distort nature values, in particular roosting sites for birds. The aim is a harmonised approach to kitesurfing, consisting of zoning where the activity is allowed under conditions. (Identical with 4.28 and 9.21)

10.6 Speed limits for ships have been imposed, taking into account safety, environmental recreational and fishery factors. (Identical with 4.29 and 9.22)

# 11 Fish

## THE SPECIES

The shallow coastal waters of the Wadden Sea and its tributary estuaries and rivers provide indispensable ecological functions to life of fish. They support functions such as reproduction, breeding and feeding and they serve as an acclimatisation area and transit route for long-distance migrants from sea to their spawning grounds located in fresh water. The estuaries, with their pronounced salinity gradient due to the mixing of riverine and marine waters, constitute a very specialised habitat within the Wadden Sea. This is reflected by the special fish fauna composition. The Wadden Sea ecosystem is also connected with and influenced by the North Sea: marine juvenile and marine seasonal species form an important constituent of the Wadden Sea fish fauna.

The tidal area, with its flats, seagrass meadows and gullies, is not only the habitat for fish species living permanently in the Wadden Sea but is also an indispensable spawning and nursery ground for those species which migrate in a latter stage of life to the North Sea and Atlantic Ocean. Many of them are of commercial importance.

The Wadden Sea fish fauna consists of approximately 150 species, including 13 freshwater species, of which about half are common or fairly common. The other half must be considered rare or even extremely rare in the Wadden Sea.

## THE TARGETS

Viable stocks of populations and a natural reproduction of typical Wadden Sea fish species.

Occurrence and abundance of fish species according to the natural dynamics in (a)biotic conditions.

Favourable living conditions for endangered fish species.

Maintenance of the diversity of natural habitats to provide substratum for spawning and nursery functions for juvenile fish.

Maintaining and restoring the possibilities for the passage of migrating fish between the Wadden Sea and inland waters

The Water Framework Directive recognizes fish as a biological quality element for transitional waters (estuaries) and selected fish species are listed in the Habitats Directive. Among those are the twaite shad, river lamprey, sea lamprey and houting. In addition, characteristic fish species may be used to assess the status of the relevant habitat types described in the HD (e.g. H1110 submerged sandbanks, H1130 estuaries, H1140 sand- and mud-flats). Furthermore, some fish species listed under the Birds and Habitats Directives for the Wadden Sea Natura 2000 network serve as main food item for birds or marine mammals.

In the Marine Strategy Framework Directive, one of the descriptors of the good environmental status deals with commercially exploited fish and shellfish.

## STATUS AND ASSESSMENT

The Wadden Sea estuaries and rivers are subject to substantial anthropogenic pressures, which are reflected in the aquatic biotic communities and in the fish fauna in particular. Among the most relevant

anthropogenic factors influencing the habitat conditions in river systems are dams, sluices, weirs and riverbed maintenance. In the estuaries, dredging and the disposal of dredged material, coastal flood protection and flood defence and the direct or diffuse input of substances from industry and agriculture are main factors. The North Sea is subject to increasing human demands for shipping, exploitation of resources (gas and oil, sand and gravel) and wind energy, and to a lesser extent for coastal fishery. Intermingled with the anthropogenic pressures that are exerted, natural variability plays a very important role. Recently, an increasing number of publications point to the relationship between the North Atlantic Oscillation, or regime shifts in the North Sea, and fish populations, or to the effects of increasing water temperatures on fish.

The diadromous fish currently seem to suffer most from bottlenecks in the upstream parts of (some) estuaries where water quality and essential habitats are failing. This has resulted in some species going missing and low abundance of the remaining species. Unhindered migration for near-extinct species like houting and salmon, plus good water quality, suitable spawning habitats and favourable conditions for larval recruitment are essential to maintain vital populations of all diadromous fish in the estuaries and river systems in the Wadden Sea. Pumps and sluices are a barrier to diadromous fish migration. Autonomous developments (sea level rise, climate change) leading to more pumps and sluices, tend to increase the pressure on diadromous fish.

The houting belongs to the most endangered fish populations of the Wadden Sea/North Sea and is one of two prioritized species under the EC Habitats Directive. Previously, it was common in the Wadden Sea Area and adjacent river systems. Today it is found in the Danish part of the Wadden Sea Area and in upstream river systems in self sustaining populations. The actual conservation status is unfavourable in Denmark. In Schleswig-Holstein, single individuals are found, but there is no reproducing population.

In order to save the houting from complete extinction in the Wadden Sea, a Danish management plan was published in 2003, and as a follow up a large-scale EU LIFE Houting Rescue Project was set up. The project is primarily focused on creating access to usable spawning grounds for the adults, and creating new nursery areas for juveniles.

The observed distribution shifts of juvenile flatfish indicate changed conditions in the Wadden Sea nursery, which may have become less favourable due to higher water temperatures during summer. At the same time the North Sea coastal and offshore area may now offer increased chances of survival due to decreased predation risk and competition since commercial fish stocks are at low levels. Here, a combination of high fishing pressure on the North Sea and regime-shifts in the North Sea and Wadden Sea ecosystems plays a role.

The estuarine resident species are the least known and understood group, although of all fish species they may reflect the status and quality of the Wadden Sea ecosystem to the largest extent.

The TMAP common package does not include fish monitoring, and the above information is derived from fish monitoring for other purposes (fish stock assessment for ICES or EU obligations).

Following the requirements of the EC Water Framework Directive, new fish monitoring was initiated in 2006 in all transitional waters of the estuaries of the Ems, Weser, Elbe and Eider, to collect data on particularly pelagic and diadromous fish species in these water bodies. The status of fish in estuaries can thus be assessed by using the estuarine fish index that was developed for the Water Framework Directive transitional waters. The status of fish in nearly all WFD transitional waters shows moderate to large deviations from the 'undisturbed' condition for natural estuaries. Although the species composition still resembles the assumed reference conditions, except for the too low number of diadromous species, the abundance of typical indicator species is currently at a very low level compared to the early 20<sup>th</sup> century.

In contrast to the assessment of the fish fauna in estuaries in accordance with the WFD, there is no existing fish index or tool to assess the status of fish fauna the entire Wadden Sea. Some fish species are not adequately covered in the current monitoring programs. The number of fish species and the species composition in terms of ecological guilds seem to have remained fairly stable over the last decades. The abundance of several fish species has decreased to levels below the long-term average, but factors causing these changes are still largely unknown. Also the role of saltmarshes for young fish is not known yet.

## HOW TO PROCEED

In general, the following conditions are necessary to reach the Fish Targets:

- Diversity of habitats (subtidal areas and tidal flats, including areas with seagrass and mussel beds), to provide shelter and food for juvenile fish (nursery function and substratum for spawning for estuarine resident species and marine seasonal species).
- Suitable physical, chemical and morphological conditions with the underlying dynamic processes typical for tidal areas (for resident species and marine seasonal species).

In addition, the existing Targets on tidal area (subtidal and intertidal) and salt marshes are regarded as beneficial.

### Estuaries and River Systems

Conservation and restoration of estuarine habitats are priority issues. Improving water quality (including sufficient oxygen and reduced suspended matter concentrations) and increasing the connectivity between waters will benefit diadromous fish populations, including the species that are protected by the EC Habitats Directive. Fish friendly management of sluices, avoidance of pumps or mitigation of these by creating fish passages and other techniques, and a more natural discharge of fresh water are needed.

### Juvenile Fish

The abundance of juvenile fish in the Wadden Sea has decreased, partly as a result of a distribution shift to the coastal zone which leads to juvenile flatfish in particular making less use of the Wadden Sea nursery. Reducing the fishing pressure on the North Sea commercial stocks leads to a more natural recruitment in the Wadden Sea.

Juvenile fish and some estuarine resident fish species are susceptible to bycatch in the shrimp fishery. Measures to increase the sustainability of this type of fishery - by reducing discards and bottom disturbance - will benefit Wadden Sea fish populations.

Because of their limited swimming capacities, marine juvenile fish are susceptible to being trapped in the cooling water of power stations and other industries. Large scale extraction of cooling water from the Wadden Sea or estuaries should be mitigated by applying the best available technology to reduce marine organism deaths caused by this entrainment.

### Research and Monitoring

For a better understanding of the observed changes in the fish community, working hypotheses and subsequent analyses need to be formulated. The functional relationship between fish species and typical habitats should be investigated to better understand the functioning and importance of those habitats for fish. Fundamental research on natural processes and anthropogenic impact affecting fish populations is needed to increase our knowledge of the ecology of Wadden Sea fish and to understand the observed changes in the fish community.

We should continue monitoring the occurring changes in the (Wadden Sea) fish fauna to advance our understanding. There are gaps concerning the monitoring of pelagic fish and the monitoring of the seasonal occurrence of species. The assessment of fish in estuaries will be advanced by the development of an assessment tool and continued (fish) monitoring, to meet the requirements of the WFD. For Wadden Sea fish, a first step toward a common assessment and the selection of suitable underlying metrics was made for the QSR 2009, but further effort is needed to develop an applicable analysis tool. In addition, the role of salt marsh gullies as habitat for fish should be better elucidated.

## TRILATERAL POLICY AND MANAGEMENT

11.1 Promote conditions for unhindered migration between the sea and upstream and/or inland waters and improvement of the physical conditions in river systems for diadromous fish.

11.2 The living conditions and the total area of habitats for Directive species will be maintained.

11.3 In order to further reduce bycatch and to reduce impacts on the sea floor, the trilateral policy principles for a sustainable shrimp fishery will be developed in close cooperation with the fisheries sector. (Identical with 4.27)

## **III. Implementation**



# 1 Monitoring and Assessment

## 1.1. OBJECTIVE OF THE TMAP

The Trilateral Monitoring and Assessment Program (TMAP) is the common monitoring program for the Wadden Sea carried out by The Netherlands, Germany and Denmark in the framework of the Trilateral Wadden Sea Cooperation.

The general aim of the trilateral Wadden Sea monitoring, assessment and research is basically twofold, namely

- to provide a scientific assessment of the status of the ecosystem; and
- to assess the status of implementation of the Targets of the Wadden Sea Plan.

Both categories of information are essential for the development and evaluation of the trilateral Wadden Sea conservation policies and management in line with the relevant EC directives, the inscription on the World Heritage list and other international obligations.

## 1.2. STATUS OF THE TMAP

### 1.2.1. Parameters

An overview of the TMAP parameters is in **Appendix 1**. It underlines that most of the TMAP parameters are part of existing or planned monitoring programs in the three countries and already cover the requirements of the EC Directives and other international agreements.

TMAP parameters are coordinated trilaterally and a number of parameters have been harmonised (breeding and migratory birds, harbour seals, blue mussels, salt marshes, contaminants in bird eggs). They have proven their value for the Target assessment (QSR 2004, 2009) and for national and international reporting obligations (such as Ramsar, OSPAR, EC Directives).

A detailed description of TMAP parameters is in the TMAP Handbook, which is accessible at the CWSS website ([www.waddensea-secretariat.org](http://www.waddensea-secretariat.org)).

### 1.2.2. TMAP Data Management

An elementary component of the TMAP is common data handling, which makes monitoring data available for trilateral assessment. For this purpose, identical TMAP Data Units have been installed in each country where the data can be stored in the same way.

The TMAP data handling system aims to exchange monitoring data in a common format so that it can be used directly in the trilateral assessment work on the following tasks:

- preparation of Quality Status Reports entailing most recent data and developments,
- preparation of trilateral reports on specific topics (thematic reports, like breeding birds, migratory birds, seals, contaminants),
- preparation of reports on unforeseeable events (e.g. eider mass mortality),
- safeguarding long-term storage of relevant Wadden Sea data,
- use of trilateral data for national and international programs.

The TMAP data handling system supports reporting obligations (e.g. national status reports, EU reports concerning Natura 2000 and the Water Framework Directive, World Heritage, international reports concerning OSPAR, RAMSAR or other international conventions) by providing up-to-date and harmonised Wadden Sea data (including GIS) from different sources on the national and international level.

### 1.2.3 Assessment Reports

Assessment reports on the Wadden Sea ecosystem (Quality Status Reports, QSR) are prepared at regular intervals related to the Trilateral Governmental Conferences. The reports

- describe and evaluate the current ecological status of the Wadden Sea,
- identify changes in this status and their possible causes,
- identify issues of concern and indicate possible measures of redress, including evaluation of the likely effectiveness of these measures,
- identify gaps in knowledge.

Assessments are carried out together with experts and relevant national institutions in charge of the national assessment. Additionally, thematic reports are prepared which entail the results of running trilateral monitoring programs, e.g. monitoring of migratory and breeding birds. The reports on selected subjects are prepared by trilateral expert groups.

### 1.2.4. Ecological Research

The research component is the flexible element of the TMAP. Ecosystem research studies the environment on a broader perspective, and weighs the more detailed species and habitat research work to gain an overall picture of the condition of the ecosystem. The foremost tasks of ecosystem research are to discriminate between natural fluctuations and human impacts to find the causes of changes observed in the ecosystem. A further task is to continuously improve the efficiency of the monitoring program. These tasks are essential for two goals of policy and management: the capability of providing evidence for man-made causes, and the capability of interpreting and predicting the reactions of the ecosystem correctly.

Because research into the cause of observed changes is a prominent task for concomitant investigations of the ecosystem, new or alternative parameters and monitoring methods must be developed in order to adapt to new developments and to increase the efficiency of the program.

So far, only a few trilateral research projects have been carried out, such as the joint seal project (1990-1994), the first pilot project on breeding success (1996-1997) and the assessment of contrasting trends in migratory birds (2009).

## 1.3. HOW TO PROCEED

### 1.3.1 Harmonization

A major challenge for the Trilateral Cooperation is fine tuning the alignment between the national monitoring programs, the requirements of the Trilateral Cooperation and the EC Directives and other international developments. This demands a consistency in parameter selection and monitoring methods, as well as assessment procedures and reporting conditions (see Appendix 1).

The national assessment schemes of the HD (definition of conservation objectives and favourable conservation status) and WFD (reference condition and a classification scheme for good ecological status) have to be linked with the Wadden Sea Plan (§6 SchD, 2005) in order to develop a harmonised assessment scheme for all parameter groups of the TMAP.

Trilaterally harmonised assessment methods, including quantitative values, should be defined, especially for issues which have to be addressed at a broader scale, such as eutrophication, climate change, neobiota, and species and habitats.

On the basis of the Wadden Sea Plan, an overall strategy will be developed on how to harmonize the assessments at national, trilateral and EU level. Thematic experts' workshops will continue to discuss, and if necessary harmonize, assessment criteria and develop quantitative values for Wadden Sea Area.

### 1.3.2 TMAP Data Handling and Information System

The TMAP data handling is an effective tool and has contributed positively to the QSR work. There is great potential to use the TMAP data for other value-added national and international purposes.

However, there are still some bottlenecks in the data flow from the monitoring institutes to the TMAP data units and the responsible authorities on national and state level need to open these up. Further investment has to be realized to improve data access for a broader public. An effective TMAP information system should be able to hold complex data like a data warehouse, to be selectively called up and analysed using standard assessment procedures running through Internet browsers. The prototype of such an information system has been set up on basis of the content of the four data units and trilateral GIS data sets from the secretariat. It was presented at the Scientific Symposium in Wilhelmshaven in March 2009 by applying the visualization software 'disy Cadenza'. The system should be further developed by the TDG in the three countries with the aim of establishing an "online-QSR" for trilateral assessments.

### 1.3.3 Parameters

For some parameter groups, new monitoring strategies have to be developed. This concerns especially monitoring of subtidal habitats and monitoring in the offshore area (up to 12 sm). Further technical adaptations of TMAP parameters (such as locations, frequencies, methods) have also to be considered, as have their alignment with the HD, WFD and, where appropriate, MSFD assessment schemes which are under development. The main parameters in need concern macrozoobenthos, macrophytes, eutrophication fish and chemical substances.

Specifically, the following is needed:

- Development of a trilateral strategy of subtidal monitoring taking into account the existing operational and planned monitoring activities. This has to be tuned with the HD, WFD, and MSFD related activities, especially with regard to assessment and reporting requirements.
- Implementation of a trilateral monitoring strategy for seabird species, in order to harmonize the existing offshore surveys and make the results comparable in a trilateral assessment.
- Investigation into the need for a joint monitoring of harbour porpoise in the framework of the Habitat Directive and, depending on the outcome, integration of such a parameter on the basis of the German monitoring of that species.

### 1.3.4 Ecological Research

A more comprehensive trilateral research agenda may facilitate ecological research in the Wadden Sea countries, gain synergies and offer an opportunity to apply for funding by EU programs. A Trilateral Research Agenda must be developed in close cooperation with national research institutes and other organizations (such as the Wadden Academy). This can be used to try to secure additional EU funding of trilateral projects (e.g. within the framework of LIFE+).

### Appendix 1: Parameters of the revised TMAP

TOPIC	PARAMETER	METHOD	REMARKS
<b>1. TARGETS ON QUALITY OF WATER AND SEDIMENT</b>			
<b>1.1 Eutrophication</b>	<ul style="list-style-type: none"> <li>- nutrient inputs (river, atmosph.)</li> <li>- nutrients in water</li> <li>- chlorophyll a</li> <li>- phytoplankton</li> <li>- macroalgae</li> <li>- macrozoobenthos</li> </ul>	Using OSPAR Common Procedure (see QSR 2004), and WFD guidance	The TMAP parameters cover the existing or planned WFD monitoring programs in the three countries.
<b>1.2 Natural micro-pollutants (metals, PAH)</b>	<ul style="list-style-type: none"> <li>- metals in sediment and biota (mussel, flounder, bird eggs)</li> <li>- PAH (water, sediment, mussel)</li> <li>- Beached (oiled) birds</li> </ul>	Using JAMP guidelines and WFD guidance.  Using OSPAR resp. TMAP/TBBS guidelines	WFD priority substances to be monitored in the water column using risk analysis for individual water bodies.
<b>1.3 Man-made substances (xenobiotics)</b>	<ul style="list-style-type: none"> <li>- organochlorines in sediment and biota (mussel, flounder, bird eggs)</li> <li>- TBT (sediment, biota)</li> </ul>	Using JAMP guidelines and WFD guidance	WFD priority substances to be monitored in the water column using risk analysis for individual water bodies.
<b>2. TARGETS ON SALT MARSHES</b>			
	<ul style="list-style-type: none"> <li>- area,</li> <li>- vegetation</li> <li>- selected typical species,</li> <li>- grazing,</li> <li>- drainage</li> </ul>	Vegetation mapping (aerial photographs and ground truth); field surveys (permanent plots or stratified random sampling)	Existing monitoring schemes to be continued. Common TMAP typology can be applied.
<b>3. TARGETS ON TIDAL AREA</b>			
<b>3.1 Geomorphology</b>	<ul style="list-style-type: none"> <li>- area of tidal flats</li> <li>- sediment type distribution,</li> <li>-</li> </ul>	Remote sensing and field sampling	Comparability of methods to be enhanced.
<b>3.2 Macrozoobenthos</b>	<ul style="list-style-type: none"> <li>- species composition</li> <li>- abundance</li> <li>- biomass</li> <li>- age [not mandatory]</li> <li>-</li> </ul>	Field surveys and transects, national WFD guidelines.	
<b>3.3 Biogenic structures</b>			
<b>3.3.a seagrass</b>	<ul style="list-style-type: none"> <li>- area and distribution</li> <li>- coverage</li> </ul>	Mapping of intertidal seagrass beds (aerial mapping and field surveys).	Revised TMAP guidelines prepared by seagrass group in 2006.
<b>3.3.b mussel beds</b>	<ul style="list-style-type: none"> <li>- area and distribution</li> <li>- biomass</li> <li>- coverage</li> </ul>	Mapping of intertidal blue mussel beds (aerial photographs and field surveys)	
<b>3.3.c. Sabellaria reefs</b>	<ul style="list-style-type: none"> <li>- area and distribution</li> </ul>	Methods for subtidal habitats under development.	From research projects on subtidal mapping in Niedersachsen, Schleswig-Holstein and The Netherlands.
<b>3.4. Fish</b>			
	<ul style="list-style-type: none"> <li>- distribution and abundance of species in the Wadden Sea</li> </ul>	Existing surveys for demersal fish (IMARES, vTI-SF) and pelagic fish (LKN)	Wadden Sea fish assessment tool in preparation (similar to WFD tool in transitional waters).
	<ul style="list-style-type: none"> <li>- distribution and abundance of species in transitional waters</li> </ul>	Stow net fishery (pelagic fish), 3-4 stations in Ems, Weser, Elbe, Eider	Guidelines developed for WFD monitoring (obligatory)

TOPIC	PARAMETER	METHOD	REMARKS
<b>4. TARGETS ON BEACHES AND DUNES</b>			
	<ul style="list-style-type: none"> <li>- area</li> <li>- vegetation</li> <li>- selected typical species</li> <li>- nitrogen deposition,</li> <li>- land use</li> </ul>	Vegetation mapping (aerial photographs and ground truth); Field surveys (permanent plots or stratified random sampling)	Existing monitoring schemes to be continued. Common TMAP typology can be applied. Comparability of field survey methods to be enhanced.
<b>5. TARGETS ON OFFSHORE ZONE</b> (from baseline to 3 resp. 12 sm)			
	<ul style="list-style-type: none"> <li>- selected chemicals,</li> <li>- area and location of sand banks and reefs,</li> <li>- selected typical species (birds)</li> <li>- marine mammals</li> </ul>	Using OSPAR guidelines and WFD standards. Methods for subtidal habitats under development in HD. Methods for BD and HD species under development	Research projects on subtidal mapping area carried out in NL and D.
<b>6. TARGETS ON BIRDS</b>			
	<ul style="list-style-type: none"> <li>- number and distribution of breeding birds</li> </ul>	Using JMBB/TMAP guidelines	Existing monitoring schemes to be continued. Adaptation to 6-year reporting cycle.
	<ul style="list-style-type: none"> <li>- breeding success</li> </ul>	JMBB/TMAP Pilot project	Pilot project on "breeding success" started in spring 2009
	<ul style="list-style-type: none"> <li>- number and distribution of migratory birds</li> </ul>	Using JMBB(TMAP guidelines)	Existing monitoring schemes to be continued. Adapted to 6-year reporting cycle. Projects to be initiated to assess Targets (food availability, roosting and moulting areas, natural flight distances.)
<b>7. TARGETS ON MARINE MAMMALS</b>			
	<ul style="list-style-type: none"> <li>- numbers and distribution of harbour seals (adults &amp; pups)</li> </ul>	Using TSEG / TMAP guidelines	Existing monitoring scheme to be continued.
	<ul style="list-style-type: none"> <li>- numbers and distribution of grey seals</li> </ul>	National surveys	Harmonization of existing monitoring (ongoing by TSEG)
	<ul style="list-style-type: none"> <li>- numbers and distribution harbour porpoise</li> </ul>	National and/or North Sea wide surveys according to national HD obligations	Monitoring strategy to be developed in cooperation with North Sea wide monitoring schemes.
<b>8. HUMAN ACTIVITIES</b>			
	<ul style="list-style-type: none"> <li>- fishery</li> <li>- recreational activities</li> </ul>	Using TMAP guidelines.	Available data on all other human activities relevant for assessment should also be compiled.
<b>9. GENERAL PARAMETERS</b>			
	<ul style="list-style-type: none"> <li>- coastal protection measures</li> <li>- flooding/hydrology</li> <li>- land use</li> <li>- weather conditions</li> </ul>	All relevant available data from existing sources	Compilation in connection with trilateral assessment (QSR)



## 2 Implementation and Review

### 2.1 STRUCTURE OF THE TRILATERAL WADDEN SEA COOPERATION

Decision-making within the Trilateral Wadden Sea Cooperation (TWSC) is limited to two levels.

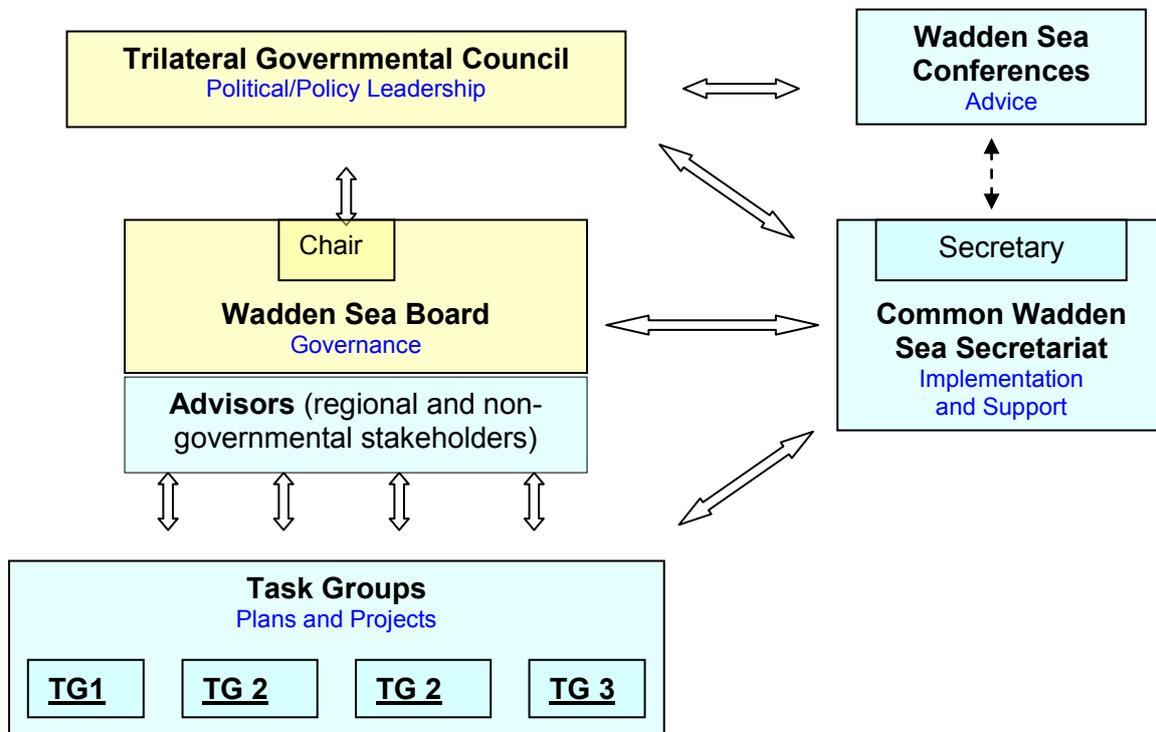
The Trilateral Wadden Sea Governmental Council (see figure) is the politically responsible body (Ministers) for the Cooperation. It establishes and oversees the Cooperation, approves its strategy, gives political leadership, assures international policy development, harmonisation and decision-making between the three governments.

The Wadden Sea Board is the governing body of the Cooperation. It prepares and implements the Strategy, oversees the operational and advisory bodies, and secures relations with key stakeholders.

The decision-making bodies are supported and advised by three types of operational and advisory bodies, namely advisors, including stakeholder representatives (WSF), Task Groups and Triennial conferences.

The Secretariat for the Trilateral Cooperation is the Common Wadden Sea Secretariat (CWSS). CWSS is responsible for support to the Board and the Council, implementation of the CWSS Work Plan, support to scientific networks and projects, communications and financial management.

Fig.: Organizational Structure Trilateral Wadden Sea Cooperation



## 2.2 IMPLEMENTATION

The Wadden Sea Board is the responsible body for the supervision of the implementation of the Wadden Sea Plan. In addition, the Wadden Sea Board

- Develops, coordinates and implements the Cooperation's policy on major issues (including responses to significant development plans and projects), for approval by the Trilateral Governmental Council.
- Provides advice to Ministers, *inter alia* through annual and triennial reports, the production of Quality Status Reports at regular intervals, and the organisation of International Scientific Wadden Sea Symposia.
- Approves terms of reference for the task groups and monitors their performance.

At the trilateral level, the Trilateral Monitoring and Assessment Program (TMAP) is the main programme for assessing progress in the implementation of the Wadden Sea Plan Targets. The TMAP provides the basis for the overall quality assessment of the Wadden Sea ecosystem (Quality Status Report: QSR) through which feedback to the Wadden Sea Board is arranged. In the framework of the implementation of the TMAP, an expert network has been established which is part of the feedback process of the Wadden Sea Plan implementation and which ensures the involvement of the operational management level in the trilateral process and which informs the regional level.

The Wadden Sea Plan is a joint framework policy and management plan for the Wadden Sea Area, and within that the National Parks the World Heritage Property and the Biosphere Reserves. For the specific purposes of cooperation on landscape and cultural heritage it is also the framework for the cultural entities. The Wadden Sea Plan will be implemented through the responsible authorities in the countries. The close relationship between the regional management of the Wadden Sea Area and the trilateral level is essential to ensure that both levels are well informed and aligned and that issues of common concern throughout the process are discussed and solved in close cooperation.

In order to perform the task of overseeing the implementation and further development of the Wadden Sea Plan, a close connection with the management level in the region is necessary.

## 2.3 REVIEW

An evaluation of the Wadden Sea Plan with a view to possible revisions takes place at 6 year intervals. Plans and measures launched in the framework of the relevant EC Directives operate within this 6 year timespan. In the framework of the World Heritage Convention, state parties must also report every 6 years on their World Heritage properties.

The Wadden Sea Board will supervise the review in particular with regard to

- the status of the implementation of the projects and actions,
- the information from the Quality Status Reports and other assessment reports and scientific findings in relation to the Wadden Sea Plan,
- the ongoing relevance of policies and management measures,
- the consequences for the Wadden Sea Plan of emerging international legislation, in particular from the European Union.

The review will be discussed by the Wadden Sea Board to determine whether and to what extent the Wadden Sea Plan needs revision after the 6 year period.

## 3 Communication, Information and Education

### 3.1. WHAT AND WHY TO COMMUNICATE

Trilateral communication will secure public and political support for the protection and integrated management of the Wadden Sea as a shared entity and it will enhance the awareness of the Wadden Sea as a shared heritage.

The Trilateral Cooperation addresses the Wadden Sea as an entity which covers *a.o.* conservation and protection of all habitats and species, policy and management related issues, as well as research, monitoring and assessment. The transboundary and cross-sectoral aspects of such an ecosystem approach and the added value of the trilateral approach in respect to the national and international instruments, such as EU Directives, is the main contents of trilateral communication. The Wadden Sea Plan and Targets are an example of a transboundary management scheme at an ecosystem level which is also unique in a global perspective.

Effective communication of this Plan and the Targets between partners is a prerequisite to securing the active support of relevant authorities, interest groups and local citizens. The close cooperation of politicians, conservationists and scientists, combined with the awareness and enthusiasm of the people living in the region, is key to the successful implementation of the Plan.

The WSP is also the management plan for the World Heritage Property. The ecosystem approach of the Wadden Sea Plan and the Targets should therefore be the focus of trilateral communication.

### 3.2. TO WHOM AND HOW TO COMMUNICATE

Trilateral communication of the Wadden Sea Plan is focused both on internal and external target groups.

The internal communication ensures that key information has been accurately conveyed to the trilateral working groups (as well as experts groups and workshops), including observer organizations. In addition, the scientific network has been involved since the 1970s in supplying information to support management and monitoring (*e.g.* in scientific projects or on Scientific Wadden Sea Symposia).

External communication of the Wadden Sea Plan and its objectives to other target groups, such as the broad public, press and media, schools and universities, interest groups and international organizations, requires communication strategies tailored to the needs of the various groups.

Trilateral communication is carried out mainly via the CWSS through a website (for internal and external use), an e-mail newsletter (a successor to the printed Wadden Sea Newsletter), leaflets and posters, and thematic workshops and conferences in which the communication of the Wadden Sea Plan and Targets plays a central role.

Comprehensive reports such as the Quality Status Reports and other thematic reports (*e.g.* on bird trends) provide substantial scientific information from the TMAP to experts and the scientific community, including an assessment of the Targets and recommendations for trilateral management.

#### Network of Information Centers

The overall visitor experience of wildlife, culture and landscape along the Wadden Sea coast has been hugely improved through an extended net of small and large information centers, visitor information systems, print and digital information and an increasing number of professional guides. This has been beneficial to people and nature.

From data supplied by Schleswig-Holstein, it can be extrapolated, that more than 3 million people a year receive information on the Wadden Sea through visiting centres or participating in guided tours.

Thus, the flow of information and communication on all Wadden Sea matters has increased very well over the past ten years. Nevertheless, there is still a gap on coordinated information about the Trilateral Cooperation and the Wadden Sea Plan, *i.e.* the Wadden Sea as a crossborder protected nature area of global importance.

### Websites

Extensive information on the Wadden Sea for the broad public is also available electronically. The common link to all aspects of trilateral Wadden Sea matters is the website of the Common Wadden Sea Secretariat ([www.waddensea-secretariat.org](http://www.waddensea-secretariat.org)).

The Dutch link to the Wadden Sea is via “Interwad”. This organization develops and operates the website [www.waddenzee.nl](http://www.waddenzee.nl). This website is a focal point for information, questions, answers and opinions related to the Wadden Sea. The objectives are to inform people, to raise awareness and to feed the discussion on all Wadden Sea-related topics.

The German link is via the national park web site [www.nationalpark-wattenmeer.de](http://www.nationalpark-wattenmeer.de). This official website includes information on practically all aspects related to the protection and management of the German Wadden Sea and the activities of the national park authorities.

In Denmark, the website [www.vadehav.dk](http://www.vadehav.dk) is based on a cooperation between all the information and education centers in the Wadden Sea area (Vadehavets Formidlerforum). The objectives are, among others, to stimulate the cooperation between Wadden Sea related institutions, to stimulate the awareness and to improve and extend the communication on nature and culture in the Wadden Sea region – with a special effort in relation to children. Vadehav.dk also keeps site visitors informed of the latest news and public events in the Wadden Sea.

Specific information on the Wadden Sea World Heritage Property can be found on [www.waddensea-worldheritage.org](http://www.waddensea-worldheritage.org)

### International Wadden Sea School

At present, 10 of the environmental education centres in The Netherlands, Germany and in Denmark work together in the International Wadden Sea School (IWSS) network ([www.IWSS.org](http://www.IWSS.org)). The IWSS is a cross-border educational project for school classes and other groups of young people from the Wadden Sea countries initiated by the Wadden Sea Cooperation, running from 2003-2010. The aim of the IWSS is to enhance the awareness of the Wadden Sea Area as a shared natural heritage and to create an understanding among young people of the need to protect and sustainably manage the Wadden Sea region as a whole.

### The Wadden Sea Forum

The involvement of stakeholders at the trilateral level is carried out via the Wadden Sea Forum (WSF). WSF has been consulted in the preparation of the WSP and is involved in several projects, relevant for the implementation of the WSP.

WSF is represented in the Wadden Sea Board as advisor, guaranteeing the interaction between the WSF members and the TWSC about the implementation of the WSP.

### 3.3. HOW TO PROCEED

1. Following the recommendation of an External Evaluation of the Trilateral Cooperation in 2007, existing means of communication such as the website and the newsletter will be given a wider audience through improved linking and distribution. We should also make full use of the attention generated by the positive results of the designation of the Dutch-German parts of the Wadden Sea Area as a World Nature Heritage Property, and capitalize on projects like Lancelwad.

2. The CWSS will also continue its work to compile and disseminate all relevant scientific information on the Wadden Sea through web-based media, symposiums, workshops and reports, as well as through meetings with other relevant organizations and institutions.
3. The results of the TMAP and assessment of the WSP Targets will be made available for relevant authorities, interest groups and local citizens.
4. The external communication and public promotion of the Wadden Sea Plan will be undertaken by circulating it via existing successful communication networks and by cooperation with external partners and relevant stakeholders such as the Wadden Sea Forum.
5. The International Wadden Sea School (IWSS) has developed specific communication activities to promote the ideas of the Trilateral Cooperation for environmental education for school children, so effectively linking the educational network in the three countries. This experience should be used to strengthen public outreach and to communicate the Wadden Sea Plan to a broader public.



06

Ministerial Council Declaration.  
11th Trilateral Governmental Conference of the  
Protection of the Wadden Sea, Sylt, 18 March 2010



11<sup>th</sup> Trilateral Governmental Conference on the Protection of the Wadden Sea  
Sylt, 18 March 2010

## **Ministerial Council Declaration**

**18 March 2010**

**TRILATERAL WADDEN SEA GOVERNMENTAL COUNCIL****SYLT DECLARATION****18 March 2010**

**Ministers** responsible for the protection of the Wadden Sea of the Netherlands, Denmark and Germany and representing their respective Governments in the **Trilateral Wadden Sea Governmental Council** on the Protection of the Wadden Sea on the island of Sylt

**Acknowledging** the positive outcome of the evaluation of the Cooperation carried out since the 2005 Schiermonnikoog Wadden Sea Conference, confirming that the Cooperation is a pioneering model for the protection and management of a trans-boundary ecological system of international importance and the need for a continued effective Cooperation to conserve the Wadden Sea;

**Appreciating** the refreshment of the Joint Declaration on the Protection of the Wadden Sea and the Governance Arrangements;

**Reaffirming** the objective of the Joint Declaration 2010 to protect and manage the Wadden Sea as a single ecological entity shared by the three countries in accordance with the Guiding Principle for the Nature Conservation Area, which is to achieve, as far as possible, a natural and sustainable ecosystem in which natural processes proceed in an undisturbed way. This is done in the recognition that this can only be attained in cooperation with those who live, work and recreate in the area and are willing to endow its protection. Conditions for safety and sustainable development must be maintained;

**Welcoming with appreciation** the inclusion of the Dutch-German Wadden Sea on the UNESCO World Heritage List and thus the global recognition of its outstanding universal value;

**Welcoming with appreciation** the designation of the Danish Wadden Sea as a national park;

**Appreciating** the support and input of the Wadden Sea Forum and other stakeholder fora and the wider community for the protection and sustainable use of the Wadden Sea and to further sustainable regional development;

**Recognizing** the unique status of the Wadden Sea, notably in the Year of Biodiversity 2010 and its contribution to the biodiversity targets of the European Union, as well as the targets of the Convention of Biological Diversity;

**Welcoming** the Quality Status Report 2009, which provides a comprehensive overview of the status of the Wadden Sea and a valuable basis for developing appropriate policies and management initiatives;

**Acknowledging** the recommendations of the 12<sup>th</sup> International Scientific Wadden Sea Symposium for the further development of the protection and management of the Wadden Sea as an ecological entity;

**Recognizing** the improvements of the environmental and natural status of the Wadden Sea and the need to continue to act on specific areas to further improve the status of the Wadden Sea and expand the cooperation for the protection and management of the Wadden Sea, as outlined in the Policy Assessment Report;

**Acknowledging** the shared landscape and cultural heritage of the Wadden Sea Region.

**Welcoming** the international cooperation, in particular with West Africa, the Republic of Korea and The Wash/North Norfolk Coast to further the international protection of tidal areas and their biodiversity;

**Concerned** about the possible impacts from human uses, invasive alien species and particularly climate change;

**Determined** to meet these challenges and to continue to protect and manage the Wadden Sea for present and future generations;

and therefore share the view to:

#### **Governance Wadden Sea Cooperation**

1. **Authorize** the Wadden Sea Board to commence its activities as the governing body of the Cooperation, to provide strategic and collective leadership and to ensure performance and accountability through good governance and good external relations and communication with all key stakeholders in accordance with Article 5 (2) of the Joint Declaration.
2. **Appreciate** the willingness of stakeholders to act as advisors to the Board.

#### **Wadden Sea World Heritage**

3. **Welcome** the inscription of the Dutch-German Wadden Sea on the World Heritage List under natural criteria (viii), (ix) and (x) by decision of the UNESCO World Heritage Committee at its 33rd Session, Seville, June 2009 and **acknowledge** that the Statement of Outstanding Universal Value adopted by the Committee encompassing the current rules and regulations and management and enforcement activities governing the protection of the Wadden Sea constitutes the basis for the future protection and management of the property according to Article 155 of the Operational Guidelines.
4. **Agree** to start in the forthcoming period a possible nomination of the Danish Wadden Sea in accordance with encouragement of the World Heritage Committee and the nomination of the Hamburg Wadden Sea National Park including, where necessary and appropriate, minor boundary modifications for inclusion on the World Heritage List to complement the existing property.
5. **Instruct** the Board to initiate and organize the development of an overall Sustainable Tourism Development Strategy for the Wadden Sea World Heritage Site, in order to meet the request of the World Heritage Committee, the Hamburg Wadden Sea National Park, and the Danish National Park, pending formal

approval by its forthcoming board, and as a first step to adopt a Wadden Sea Communication and Marketing Programme 2010-13.

6. **Engage** in a close cooperation with the African Eurasian Waterbird Agreement (AEWA) with a view to promote and strengthen cooperation on management and research on the African Eurasian Flyways with relevant state parties as requested by the World Heritage Committee and **establish** cooperation for the protection and management of migratory birds relying on the Wadden Sea.

### **Nature Conservation and Management**

7. **Adopt** the Wadden Sea Plan 2010 in Annex 1, as elaborated in accordance with §6 of the Schiermonnikoog Declaration.
8. **Acknowledge** the broad spectrum of harmonisation already achieved within the trilateral cooperation and its value added, in particular with regard to monitoring and assessment at an integrated ecosystem level.
9. **Focus** future harmonisation efforts on high priority challenges, for example climate change, invasive non-native species, decline of birds, and on fisheries, in the national implementation of the Birds, Habitats, Water Framework and Marine Strategy Framework Directives.
10. **Support** the further development of integrated assessments and reporting in the framework of these Directives, including investigating the option of preparing a common integrated Natura 2000 Wadden Sea report.
11. **Increase** collaboration in relation to appropriate assessments under the Habitats Directive, and especially to exchange experience on the interpretation and application of site integrity, in combination effects and compensation measures.
12. **Support** the start of necessary further developments of the Wadden Sea Plan during the Danish presidency, e.g. regarding the harmonized application of European legislation and taking account of the preliminary recommendations of the High Level Review study on strategic elements.
13. **Authorize** the Board to develop and adopt a programme of projects and measures for the forthcoming period to support the implementation and further development of the Wadden Sea Plan with a view to strengthen and, where necessary, also restore the natural functioning of the Wadden Sea, incorporating the appropriate actions and activities of this Declaration.
14. **Welcome** the Guidance for Goose Management in the Wadden Sea Region as prepared under the leadership of the Wadden Sea Forum, in cooperation with the Trilateral Wadden Sea Cooperation, and **declare** their willingness to support the development of a Goose Management Plan in cooperation with relevant authorities, to achieve a balanced management to accommodate geese in the Wadden Sea region.
15. **Reaffirm** the guidelines concerning taking and releasing of seals from the Leeuwarden Declaration (§§60 and 61) and **instruct** the Board to update the Seal Management Plan, which will expire this year, for the period 2011 – 2016, based on an evaluation of the current Plan.

### Sustainable Use of the Wadden Sea

16. **Reaffirm** the concept of sustainable use as defined by the Convention on Biological Diversity in protecting and conserving the ecological integrity of the Wadden Sea ecosystem, thus supporting lasting economic prosperity and social well-being.
17. **Acknowledge** promising developments of recent years towards sustainable fisheries, notably on shrimps and blue mussels, and ask the Board to develop Wadden Sea wide trilateral policy principles for a further development of sustainable fisheries, inter alia aiming at the consistent implementation of the Natura 2000 objectives, in close cooperation with the fisheries sector and nature NGOs.

### Landscape and Cultural Heritage

18. **Acknowledge** that a comprehensive draft cultural landscape strategy has been developed in the framework of the LancewadPlan project. The cooperation on landscape and cultural heritage takes place to a large extent outside the Cooperation Area, for which the governments of The Netherlands, Germany and Denmark have declared their cooperation.
19. **Request** the Board to discuss and evaluate the draft strategy in order to decide together with the relevant regions upon whether or not parts of it may be accepted by the Trilateral Wadden Sea Cooperation.
20. **Encourage** the competent authorities to develop the accepted parts into a trilateral policy provided that the principles and policies of the Wadden Sea Plan are reflected.

### Climate, Sea Level Rise and Coastal Protection

21. **Concerned** that climate change and its consequences such as enhanced sea level rise, higher storm surges, increased temperatures and increasing sediment deficits will have impacts on the ecology and landscape of the Wadden Sea and may affect the safety of the inhabitants.
22. **Aware** of the long time scales of the processes and reactions involved, and thus of the urgent need to strengthen natural processes, to continue mitigation activities and to start concrete measures for adaptation to the expected impacts of climate change in the Wadden Sea Area and to ensure the safety of the inhabitants of the region and the ecological integrity.
23. **Aware** that more knowledge is needed for adaptation and mitigation measures and therefore **determined** to improve the trilateral knowledge base and **instruct** the Board to
  - Initiate a trilateral study on sustainable solutions to balance the expected sediment deficits on the basis of research questions specified by the CPSL.

- Initiate a project developing model spatial plans for pilot sites in the Wadden Sea region with the aim of developing a practicable spatial planning methodology to meet the challenges of climate change.
  - Establish a working group focusing on increasing the adaptability of the Wadden Sea ecosystem and landscape to climate change, also responsible for coordinating and supervising the above studies.
24. **Support** the global and national efforts to mitigate causes of climate change at the regional level, by calling especially upon local and regional competent authorities and stakeholders, to work towards developing the Wadden Sea Region into a CO<sub>2</sub>-neutral area by 2030 or before, putting the focus on the special threats for coastal zones by global warming and sea level rise.

### Alien Species

25. **Support** the ongoing international efforts to prevent and manage alien species introductions *inter alia* by ratifying the 2004 International Convention for Control and Management of Ships' Ballast Water and Sediments (BWM Convention) as soon as possible, but in all cases not later than 2013 and instruct the Board to investigate the possibility to get involved in already ongoing ballast water projects covering the Wadden Sea (e.g. the Interreg Project "North Sea Ballast Water Opportunity).
26. **Instruct** the Board to develop during the period until the next Ministerial Conference a common strategy for dealing with alien species introductions in the Wadden Sea, also taking account of the request of the UNESCO World Heritage Committee and the BWM Convention.

### Shipping and Ship's Safety

27. **Acknowledge** the progress made in improving ship safety and reducing the environmental impact of shipping since the designation of the Wadden Sea Particularly Sensitive Sea Area (PSSA) in 2002 by the IMO and the improvements resulting from the implementation of the Schiermonnikoog Declaration.
28. **Welcome** all efforts to reduce air emissions and water pollution in shipping and in the harbours in the Wadden Sea Region by e.g. the introduction of environmentally friendly energy and logistic infrastructure (so called "Clean Shipping Approach")
29. **Recognize** the importance of shipping to the Wadden Sea Region but also that it is necessary to continue to raise the awareness of the Wadden Sea as a PSSA and the ongoing efforts of the IMO and the EU to enhance the shipping safety and to reduce the environmental impact from shipping.
30. **Coordinate** and **handle** within the Trilateral Monitoring and Assessment Programme the collection of relevant shipping and environmental data for the Wadden Sea PSSA, taking into account existing data bases as SafeSeaNet in order to avoid additional effort.

31. **Coordinate** and **intensify** raising the awareness and education for the Wadden Sea PSSA and other relevant regulations to mariners and relevant stakeholders.
32. **Establish** within the already existing framework of the DenGerNeth Agreement the coordination mechanisms for issues related to the Wadden Sea PSSA.
33. **Encourage** the competent authorities to complete the entries concerning the Wadden Sea PSSA in charts.
34. **Enhance** the awareness of the shipping community for container losses. and support relevant studies concerning prevention of the loss of containers.
35. **Closely follow** the steps and outcome of the project “Sub-regional risk of spill of oil and hazardous substances in the Baltic Sea (BRISK)” under HELCOM and to **encourage** the competent authorities to consider to transfer the experiences and the methodological approach accordingly to the North Sea, taking into account the objectives and requirements of the Marine Strategy Framework Directive.
36. **Reaffirm** the importance of shipping safety with respect to any offshore activity. The safety of shipping in the North Sea Area should be kept at least at the present level, irrespective of which kind of offshore development might occur, and where feasible be enhanced.
37. **Instruct** the Board to evaluate the interrelation and potential conflicts between the interests of shipping and wind energy production and their potential implications for the Wadden Sea ecosystem.
38. **Instruct** the Board to discuss the PSSA Evaluation Report and further steps of implementation with the relevant competent authorities and develop a vision on the impact of shipping and ship’s safety on the Wadden Sea PSSA.

### Communication

39. **Convinced** that the perception of and the identification with the Wadden Sea as a shared ecological and cultural heritage constitute an essential basis for a successful Wadden Sea protection in the long term, and therefore **strengthen** the communication about the Trilateral Wadden Sea and the Cooperation, in particular regarding the World Heritage Site and the Danish and Hamburg National Parks, by developing a trilateral communication strategy, which should include the activities of the International Wadden Sea School (IWSS), and **enable** the Common Wadden Sea Secretariat accordingly to fulfil these tasks.

### Monitoring, Assessment and Scientific Research

40. **Aware** that an acceleration of global change entails unprecedented effects on the geomorphology and biodiversity of the Wadden Sea ecosystem, and that in order to be able to cope with these changes, a joint interdisciplinary research agenda for the protection of natural values and the development of sustainable use perspectives in a changing world is needed.
41. **Support** the establishment of a trilateral research platform preferably directly connected with existing national networks. The platform will elaborate a trilateral agenda for policy-relevant research in consultation with the Board, based upon

the QSR analysis and the outcome of the scientific symposium, and initiate trilateral research projects, explore financing possibilities, and communicate the outcome with the Wadden Sea Board.

42. **Reconfirm** the central importance of the Trilateral Monitoring and Assessment Programme (TMAP), which was further revised to fit the requirements of relevant EC Directives as stipulated in the Schiermonnikoog Declaration, as the indispensable basis for the joint status assessment and the successful management of the Wadden Sea as a single ecological entity.
43. **Reconfirm** the continuation of TMAP and **incorporate**, as necessary, parameters to develop TMAP in order to facilitate an integrated assessment across the relevant EC Directives and better monitor new challenges, e.g. climate change and its impacts, and agree on a long term development strategy to increase its value to a wider range of stakeholders.

### Wadden Sea Forum

44. **Take into account** the activities and recommendations by the Wadden Sea Forum on sustainable development and participatory processes, in particular with regard to
  - The development of a sustainability indicator tool for the Region
  - The further development of ICZM and marine spatial planning
  - Future energy generation developments along and adjacent to the Wadden Sea
  - Trilateral goose management
  - The inscription of the Dutch-German Wadden Sea as a World Heritage site.
45. **Support** the cooperation with WSF as an independent stakeholder organisation for the period 2011-2013 with a focus on the elaboration of joint projects regarding integrated management and the protection of the Wadden Sea and **welcome** the mutual exchange of information, ideas and visions and **acknowledge** the function to act as a platform for developing conflict solutions.

### International Cooperation

46. **Welcome** the aim of the OSPAR Ministerial Meeting 2010 to further develop the ecosystem approach for the Northeast Atlantic Ocean, as well their contribution to the further specification of the Good Environmental Status (GES) definition under the Marine Strategy Framework Directive, because both activities are highly relevant for the protection of the Wadden Sea, which is the world's largest tidal flat ecosystem and World Heritage site
47. **Offer** to support these activities by contributing the extensive experience of the Wadden Sea states with integrated ecosystem management and sustainable human use in a transboundary context.
48. **Continue** the cooperation with Korea in the framework of the Memorandum of Understanding, concluded in 2009 with emphasis on information exchange and capacity building.

49. **Acknowledge** the ongoing cooperation with WWF WAMER for sustainable development of the West African Ecoregion, which plays a key role for migratory birds passing through the Wadden Sea.
50. **Continue** the exchange of information and experiences on the Wadden Sea and the Wash North Norfolk Coast with Natural England in the framework of the Memorandum of Intent, concluded in 1991.

### **Cooperation 2010 – 13**

51. **Thank** Germany for chairing the Cooperation during a prolonged period of time.
52. **Welcome** the chairmanship of Denmark for the forthcoming period 2010 – 2013.
53. **Hold** the next Trilateral Governmental Conference on the Protection of the Wadden Sea and the regular Trilateral Governmental Council meeting in 2013 on the invitation of the Danish Government.
54. **Hold** the 13<sup>th</sup> International Scientific Wadden Sea Symposium in 2012 in the Netherlands on the invitation of the Dutch Government. Sylt, Germany, 18 March 2010

For the Government of the Federal Republic of Germany

.....  
Ursula Heinen-Esser, Parliamentary State Secretary

For the Government of the Kingdom of Denmark

.....  
Karen Ellemann, Minister of Environment

For the Government of the Kingdom of The Netherlands

.....  
Gerda Verburg, Minister of Agriculture, Nature and Food Quality

# 01

Act on the "Wadden Sea of Hamburg" National Park. In the version promulgated on 9 April 1990 (Hamburg Law Gazette (Hamburgisches Gesetz- und Verordnungsblatt), No.11/1990 of 12 April 1990, pages 64 - 66) amended by resolution of the state parliament of 5 April 2001 (Hamburg Law Gazette, No.13/2001 of 18 April 2001, pages 52-53).



## **Act on the "Wadden Sea of Hamburg" National Park**

In the version promulgated on 9 April 1990

(Hamburg Law Gazette (Hamburgisches Gesetz- und Verordnungsblatt), No.11/1990 of  
12 April 1990, pages 64 - 66)

amended

by resolution of the state parliament of 5 April 2001 (Hamburg Law Gazette, No.13/2001  
of 18 April 2001, pages 52-53)

### **Art. 1 National park**

(1) The area of the Hamburg exclave of Neuwerk that is marked in red and green in the appended map shall be designated the "Wadden Sea of Hamburg National Park".

(2) The national park shall comprise the Neuwerk tidal flats, including their sands, intertidal mud flats and tidal channel systems, and the Scharhörner Watt, Neuwerker Inselwatt, Sahlenburger Watt and Kleiner Vogelsand areas, as well as the islands Neuwerk, Nigehörn and Scharhörn. The national park's boundaries, except for its boundary on the seaward side, shall correspond to the boundaries of Hamburg's Neuwerk exclave. On the seaward side, and beginning in the west, the boundary follows the 3-sea-mile boundary and runs to the south side of the deep outer Elbe channel; from there, it runs along the channel until it reaches the boundary of the exclave. The corner points of the national park's territory are defined by the coordinates<sup>1</sup> shown in the attached map, which refer to the World Geodetic System 1984 (WGS-84).

### **Art. 2 Protection purpose**

(1) The protection purpose shall be to conserve the Wadden Sea, including the island of Neuwerk and the dune islands of Scharhörn and Nigehörn, in its entirety and with its natural dynamics, for its own sake, and to conserve it as a habitat for species that depend on this unique tidal-flat habitat, as well as for the communities comprising such species, and to protect it against damage. Furthermore, the large, undisturbed natural

landscape located between the Elbe and Weser estuaries shall be of special importance for scientific purposes.

(2) In particular, sand and silt flats, tidal channels, sands, intertidal mud flats and dunes, and the undisturbed and natural forces that connect these various landscape elements, are to be conserved. The aims for the area also include protecting its natural dune and salt vegetation and, wherever this is necessary, helping it to develop. Finally, in the interest of protecting the species that depend on tidal flats for their survival, areas in which fish spawn and rear young; resting and young-rearing grounds for seals, in the "Robbenplate", "Wittsand" and "Bakenloch" areas; tern breeding and resting areas on the islands of Neuwerk, Nigehörn and Scharhörn; breeding, resting and feeding grounds of various Wadden Sea bird species; and moulting grounds of shelducks are all especially to be protected as habitats.

### **Art. 3 Protection zones**

(1) The territory of the national park shall be divided into two protection zones, zone I and zone II.

(2) Zone I shall comprise the area marked on the attached map in red or with red-white striping; zone II shall comprise the remaining areas of the national park. Zone II is shown in green in the attached map and comprises the following areas:

1. the dike centre of Neuwerk island, including the foreland west of a virtual straight line running between the pond (Brack) in the Nordhamm area and the east shore of the Nordhafen (northern harbour) area,
2. the area outside of the dike area, to the south, west and north of the island of Neuwerk, with a boundary that runs as follows:

From the point: island "base" / south jetty (Inselfuß/Südbuhne), 1300 m in a straight line in a southerly direction, then turning west and north and running, at a distance of 1300 m from the island "base" (Inselfuß), to the seaward point north of

the pond (Brack) area at the Nordhamm area, and from there, in a southerly direction, in a straight line to the island "base" (Inselfuß),

3. the area between the coastline and the Sahlenburger Loch tidal channel (Priel).

(3) The senate shall be authorised to issue ordinances that slightly modify the boundaries between zones I and II, if the relevant natural circumstances change, and if such action does not run counter to the protection purpose stated in the declaration on the national park.

#### **Art. 4 Requirements**

Required actions in the national park shall include

1. promoting natural development of salt vegetation on intertidal mud flats and in the foreland of Neuwerk,
2. protecting and promoting the development of Wadden Sea plant and animal species that are highly endangered or are threatened with extinction, by means of suitable measures, and especially by means of intensified protection and intensified care, development and restoration of their biotopes and by protecting their other necessary conditions for life.

#### **Art. 5 Prohibitions**

(1) In the national park, it shall be prohibited

1. to cut, pick, rip out or off, dig up, remove or otherwise damage plants or parts thereof,
2. to pursue or trap wild animals, or to capture, injure, kill, or disturb them by other means, or to remove, destroy or damage their eggs, larvae, pupae or other developmental forms,
3. to engage in hunting or fishing, including fishing for shrimp and mussels,

- 3a. to fish, or to capture fish or shrimp by other means, or to collect mussels,
4. to introduce or release plants or animals from exotic biotopes,
5. in the period from 1 April to 31 July of each year, to enter marked areas of that part of Neuwerk island's northern foreland that lies in zone II,
- 5a. to permit dogs or cats to run unleashed or to walk them without keeping them on a short leash,
- 5b. to fly or land balloons or other aircraft, or to fly kites or model aircraft of any kind,
6. to tent or camp, or to set up caravans, except in designated areas in zone II,
7. to despoil the area with waste or wastewater or by other means,
8. to erect, install or modify structures, of any kind, overhead transmission lines, pipelines, roads and pathways, stairs, bridges or walkways,
9. to establish or modify enclosures,
10. to change existing forms of cultivation; in particular, to plough grassland,
11. to remove or destroy trees, shrubs or hedges, either partly or completely,
12. to use pesticides or fertilizers,
13. to fill, hydraulically fill or excavate the soil, or to introduce soil components or change the soil's form by other means,
14. by means of excavation, earth removal or introduction of soil components, or by other means, to change or destroy water bodies, or the shape of water bodies, especially tidal channels (Priele) or brackish ponds (Bracks), or their shorelines, or the tidal flats, or to dry out water bodies,
15. to remove soil ore or minerals, or soil components, or to carry out detonations or drilling,
16. to damage, remove, collect or deface objects of scientific, natural-historical or cultural importance,
17. to disturb the peace of the park's nature, or to disturb other persons' enjoyment of nature, via noise or other means.

(2) In addition, in zone I it shall be prohibited

1. to leave marked pathways in relevant areas,
2. in relevant areas, to ride horses outside of marked tidal-flat trails, or to ride in foreland areas,
3. in relevant areas, to travel outside of marked tidal-flat pathways, and, in foreland areas, to operate land vehicles of any type or amphibious vehicles or hovercraft,
4. to permit watercraft to run aground or to exit such craft in order to enter tidal flats on foot,
5. in the eastern part of Neuwerk's foreland areas, to navigate tidal channels,
6. *suspended*,
7. to bathe,
8. *suspended*,
9. in the period from 1 April to 31 July of each year, to permit any animals to graze in foreland areas and, in the remaining period of the year, to permit more than two cows per hectare, or more than one horse per hectare, or more than six sheep per hectare, to graze in such areas,
10. to post signs or markers with images or text,
11. to establish reclamation fields (Lahnungsfelder) for purposes of land reclamation.

(3) Of the prohibitions of paragraphs 1 and 2,

1. numbers 1, 2, 4, 5, 9, 12 and 17 of paragraph 1 shall not apply to proper agricultural soil use, on the diked centre of the island of Neuwerk, numbers 1, 2, 5 and 17 of paragraph 1 shall not apply to proper grazing of the northern foreland located in zone II, and numbers 1 and 2 of paragraph 1 and numbers 1 and 3 of paragraph 2 shall not apply to proper grazing of eastern foreland areas outside of the period from 1 April to 31 July of each year,
2. numbers 1 and 2 of paragraph 1 and numbers 1, 3 and 10 of paragraph 2 shall not apply to measures of the German Federal Waterways Administration (WSV) for fulfilment of its legally assigned tasks, or to measures of disaster management, sea rescue and oil-spill response,

3. numbers 1, 2, 5 and 10 of paragraph 1 and numbers 1, 3 and 10 of paragraph 2 shall not apply to measures of nature conservation and landscape management,
4. numbers 1, 2, 11 and 13 of paragraph 1 shall not apply to maintenance and care of existing grasslands and gardens,
- 4a. number 1 of paragraph 1 shall not apply to collection of edible mushrooms, for the collector's own personal consumption, in zone II,
5. number 2 of paragraph 1 and numbers 1 and 10 of paragraph 2 shall not apply to measures to control Norway rats and water voles,
- 5a. number 3 of paragraph 1 shall not apply to shrimp fishing in the navigation channels Elbe-Weser-Wattfahrwasser, Neuwerker Loch and Elbe-Neuwerk-Fahrwasser, in a strip 100 m wide on the starboard side of the port-side sign used to designate tidal-flat navigation channels, or in a strip 100 m wide on the port side of the starboard-side sign used to designate tidal-flat navigation channels, or in the zone I area marked in the attached map with red-and-white striping,
- 5b. number 3 a of paragraph 1 shall not apply, in zone II, to capture of fish and edible shrimp, or to collection of mussels, for personal consumption,
- 5c. number 5 a of paragraph 1 shall not apply to dogs on the main dike of the island of Neuwerk or on trails within dikes,
- 5d. number 5 b of paragraph 1 shall not apply to kites on the body of the main dike, in an area running from the equipment storage facility of the volunteer fire department, in the northern part of the island, in a westerly direction to the traditional marina ("Bauernhafen") in the southern part of the island of Neuwerk,
6. numbers 8 and 9 of paragraph 1 shall not apply to proper maintenance of existing and legally erected structures, roads and pathways and enclosures on the diked centre of the island of Neuwerk,
7. number 13 of paragraph 1 shall not apply to sand removal, in small amounts for local use, by residents of Neuwerk,
8. number 15 of paragraph 1 shall not apply to rights of exploration for, and extraction, of soil ore and minerals, or to other usage and administrative authorisations relative to the subsoil, under public law, pursuant to Article 3 of the agreement on execution (Durchführungsabkommen) for the "Cuxhaven agreement" (Vertrag) of 14 June / 7 August 1967 (Hamburg Law Gazette

(Hamburgisches Gesetz- und Verordnungsblatt), page 285), where such rights, pursuant to Article 3 (2) of the agreement, have been granted in individual cases, by agreement with Hamburg,

9. numbers 1, 2 and 3 of paragraph 2 shall not apply to recreational use and boarding of horses in the tidal-flat area between the eastern shore of the Elbe-Neuwerk navigation channel, the protected-area boundary along the Stromelbe river channel and a virtual straight line between the new radar tower and the east marker (Ost-Bake) and beyond that marker,
10. numbers 1 and 4 of paragraph 2 shall not apply to recreational boating in the shoreline area along the Elbe-Weser-Wattfahrwasser navigation channel, the Neuwerker Loch area, along the eastern side of the Elbe-Neuwerk navigation channel, and at Scharhörn reef, for an area 100 m in diameter around the point with coordinates 53°57,50' N and 8°21,70' E,
11. *suspended.*

(4) The prohibitions of paragraphs 1 and 2 shall not apply to measures carried out by the competent state authority, in consultation with the authority responsible for nature conservation and landscape management, for fulfilment of its legally assigned tasks in the areas of flood protection, ship transports, supply and waste management, water-resources management and road/pathway construction.

(5) Agreement pursuant to paragraph 3 Number 8 may be declared only if the protection purpose of this Act (Art. 2) does not conflict with exercise of the pertinent right.

## **Art. 6 Compensation**

Where provisions of this Act, or measures on the basis of this Act, represent an expropriation outside of formal expropriation pursuant to Art. 38 of Hamburg's nature conservation act, the Free and Hanseatic City of Hamburg shall provide suitable compensation in the form of money. Art. 39 (2) to (5) of Hamburg's nature conservation act shall apply *mutatis mutandis*.

**Art. 7 Administrative offences**

(1) Anyone who violates the prohibitions of Art. 5 of this Act, either intentionally or negligently, shall be deemed to have committed an administrative offence.

(2) An administrative offence pursuant to Paragraph 1,

1. in the cases of Art. 5 (1) numbers 5, 5 a, 6, 9, 16 and 17, and of paragraph 2 numbers 1, 2, 7 and 10, shall be punishable with a fine of up to two thousand five hundred euros,
2. in the cases of Art. 5 (1) numbers 1 to 4, 5 b, 8, 11 and 12, and of paragraph 2 numbers 3 to 5 and 9, shall be punishable with a fine of up to ten thousand euros, and
3. in the cases of Art. 5 (1) numbers 7, 10 and 13 to 15, and paragraph 2 number 11, shall be punishable with a fine of up to fifty thousand euros.

**Art. 8 Confiscation, offsets in the case of violations**

(1) Where an administrative offence pursuant to this Act has been committed, objects to which the administrative offence refers and that have been used, or were intended, for its commission or preparation, may be confiscated. Art. 23 of the Act on Administrative Offences (Gesetz über Ordnungswidrigkeiten) shall apply.

(2) Notwithstanding any fixing of a fine, anyone who violates prohibitions pursuant to Art. 5 shall, by order of the competent authority, carry out suitable and reasonable compensation or substitution measures or make suitable and reasonable compensatory payments. Art. 9 (4) and (6) of Hamburg's nature conservation act shall apply *mutatis mutandis*.

**Art. 9 Final provision**

The following shall expire:

1. the Ordinance on landscape protection for the island of Neuwerk (Verordnung zum Landschaftsschutz für die Insel Neuwerk) of 25 May 1982 (Hamburg Law Gazette, page 189),
2. the Ordinance on the Neuwerker und Scharhörner Watt nature conservation area (Verordnung über das Naturschutzgebiet Neuwerker und Scharhörner Watt) of 28 October 1986 (Hamburg Law Gazette, page 329),
3. the Ordinance on the Insel Neuwerk/Kleiner Vogelsand nature conservation area (Verordnung über das Naturschutzgebiet Insel Neuwerk/Kleiner Vogelsand) of 28 October 1986 (Hamburg Law Gazette, page 330),

<sup>1</sup>Boundary coordinates for the national park

1.	53°58,88' N	8°12,77' E
2.	53°59,02' N	8°13,17' E
3.	53°59,02' N	8°18,90' E
4.	53°58,7583' N	8°21,9252' E
5.	53°58,3599' N	8°26,3121' E
6.	53°57,4174' N	8°30,2454' E
7.	53°55,8048' N	8°32,7401' E
8.	53°54,3050' N	8°33,6399' E
9.	53°51,6987' N	8°33,4133' E
10.	53°53,1051' N	8°32,0401' E
11.	53°53,6051' N	8°25,7411' E
12.	53°56,9890' N	8°17,4277' E

**The map attached to the National Park Act shows the territory of the biosphere reserve marked in solid colours. The enlargement of the national park's territory, as a result of the amendment of the National Park Act, is shown as a striped area.**

**Hamburg Nature Conservation Act (Hamburgisches Naturschutzgesetz;  
HmbNatSchG)  
(Excerpt)**

In the version promulgated on 5 April 2001

(Hamburg Law Gazette (Hamburgisches Gesetz- und Verordnungsblatt), No.13/2001 of  
18 April 2001, pages 52-53)

**Art. 22 a National parks**

(1) Natural and landscape areas may be declared as a national park only by means of a law.

(2) The law for such declaration defines the relevant protected object, the protection purpose, the requirements and prohibitions needed to achieve the purpose and, where necessary, the pertinent management and development measures or the authorisations for such measures.

(3) National parks are legally established areas that are protected as wholes, and that

1. are large and have special characteristics,
2. fulfil the criteria for a nature conservation area throughout the majority of their territory,
3. are in a condition that is free, or largely free, of human impacts, and
4. protect predominantly native plant and animal populations.

(3 a) National parks primarily the primary purposes of providing a safe haven in which natural processes can take place as undisturbed as possible, of protecting the native plant and animal populations that live in them and of permitting the undisturbed development of such plants and animals and, where the protection purpose permits, of supporting environmental monitoring, education in natural history and the opportunity for the general public to enjoy nature.

(4) All actions that could destroy, damage or change the national park, or its components, or that could create a lasting disturbance, shall be prohibited, taking account of the national park's large size and settlement, and in keeping with detailed provisions pursuant to Paragraph 1.

(5) *suspended.*



02

Letter of consent 9th of November 2007 (consent confirmed during recent islands talks with the local population)



Ortswart der Insel Neuwerk  
Volker Griebel: Haus 8  
27499 Insel Neuwerk  
Tel 04721 29076

Behörde für Umwelt und Gesundheit  
Billstraße 84  
20539 Hamburg

09th Nov 2007

**Nomination of the Dutch – German Wadden Sea as World Heritage Site**

Dear Ladies and Sirs,

Following the island talk of the National Park Agency, the inhabitants of the island of Neuwerk have decided to agree to the nomination dossier incl. the island of Neuwerk, if there will be no further restrictions for the inhabitants themselves and their guests.

Yours sincerely

The island inhabitants

(signed by Volker Griebel)



# 03

## 2010 Joint Declaration on the Protection of the Wadden Sea



# 2010 Joint Declaration on the Protection of the Wadden Sea

## Working together to meet present and future challenges

**THE GOVERNMENTS** of the Kingdom of Denmark, the Federal Republic of Germany and the Kingdom of the Netherlands:

**REALISE** that the Wadden Sea, encompassing the coastal zone from Den Helder in the Netherlands to Blåvands Huk in Denmark, is an exceptional ecosystem of world importance, and also together with its cultural landscapes, is a shared responsibility of the three countries;

**RECALL** their Joint Declaration in 1982 to cooperate on the Protection of the Wadden Sea, and the many achievements of their cooperation and in particular the high level of nature protection and wise management unprecedented throughout Europe for a transboundary wetland especially with regard to legal protection, harmonised targets, common policy and management, integrated monitoring and assessment procedures and involvement of civil society;

**CONSCIOUS** that the precious ecosystem of the Wadden Sea and its remarkable biodiversity deserves world class conservation measures;

**CONSCIOUS ALSO** of the unique landscape and cultural heritage of the Wadden Sea, which complements the natural heritage, and on which an extensive cooperation has developed;

**REALISE** that the Wadden Sea is an area where people live, work and recreate and whose interests and benefits are an integrated part of our common policy;

**RECOGNISE** that the safety of inhabitants from flooding must be secured through appropriate coastal defences;

**NOTE** that since their 1982 Joint Declaration the Wadden Sea has benefited from a comprehensive national and international nature conservation regime, including protection under European legislation, in particular the Birds and Habitats Directives and the Water Framework Directive and that there is a need to further coordinate and harmonise their efforts to ensure effective and consistent implementation of these obligations;

**ACKNOWLEDGE** the progress which has been made on other issues related to the protection of the Wadden Sea including the designation of a number of National Parks and Biosphere Reserves, education and the sustainable development of the Wadden Sea Region, and the designation by the International Maritime Organization (IMO) as a Particularly Sensitive Sea Area (PSSA) because of its vulnerability to damage by international maritime activities;

**AWARE** of the many present and future challenges to the protection, restoration and sustainable use of the Wadden Sea, in particular the long term impacts of pollution, climate change and sea level rise and the loss of biodiversity and of the necessity of raising awareness for these challenges on the basis of this declaration;

**CONCERNED** to ensure that further progress is made in restoring the natural ecosystem functions, improving water quality, integrating cultural and landscape heritage, and reducing the negative environmental impacts of developments;

**RECOGNISE** the need to continue to enhance their efforts to protect and conserve the Wadden Sea as an ecological entity and its landscapes and cultural heritage and to promote Integrated Coastal Zone Management;

**RECOGNISE ALSO** the essential need for active support and involvement of all relevant stakeholders in the future protection and management of the area;

**REAFFIRM** their intention to consolidate the existing cooperation between the States in consultation with the other governmental bodies involved, and to continue to manage the Wadden Sea as a single ecological entity for its natural, landscape and cultural heritage values, for the benefit of present and future generations.

## **SHARE THE VIEW ON THE FOLLOWING**

### **1. Geographical Area of Cooperation**

- 1.1 The participating Governments have previously identified a Wadden Sea Cooperation Area and within this a Nature Conservation Area as the geographical basis of their Cooperation:

The Wadden Sea Cooperation Area in short 'Wadden Sea Area':

- the area seaward of the main dike, or where the main dike is absent, the spring-high-tide waterline, and in the rivers, the brackish water limit;
- an offshore zone 3 nautical miles from the baseline as fixed nationally or where the Nature Conservation Area exceeds the 3 nautical mile, the offshore boundaries of the Nature Conservation Area;
- corresponding inland areas to the designated Ramsar and/or EC Bird Directive areas being the adjacent inland marsh areas of the Danish Wadden Sea Region designated as international nature protection areas and the Bird Directive Areas of Schleswig-Holstein adjacent to the Nature Conservation Area;
- the islands.

The 'Nature Conservation Area':

- In the Netherlands, the areas under the Key Planning Decision Wadden Sea;
- In Germany, the Wadden Sea national parks and the protected areas under the Nature Conservation Acts seaward of the main dike and the brackish water limit;
- In Denmark, the Wildlife and Nature Reserve Wadden Sea.

- 1.2 The current extent of the Wadden Sea Area and the Nature Conservation Area are shown in Annex 1 to this Declaration and this may be amended from time to time by the responsible authorities.

- 1.3 The protection and management of the Wadden Sea Area and the Nature Conservation Area require consideration of impacts which may arise outside these areas and these should be addressed as necessary.

- 1.4 For the specific purposes of cooperation on landscape and cultural heritage the Wadden Sea Area, and an area beyond, has been identified to include the main cultural entities and is shown in Annex 2 to this Declaration. Activities on landscape and cultural heritage should be carried out by, or in close cooperation with all relevant administrative levels and with support of the people living and working in the region.

## 2. Guiding Principle and Vision

- 2.1 The participating Governments reconfirm the guiding principle for the Nature Conservation Area:

To achieve, as far as possible, a natural and sustainable ecosystem in which natural processes proceed in an undisturbed way.

The principle aims at:

- I. maintaining the water movements and the attendant geomorphological and pedological processes;
  - II. improving the quality of water, sediment and air;
  - III. safeguarding and optimizing the conditions for flora and fauna including:
    - a) preservation of the Wadden Sea as a nursery area for North Sea fish;
    - b) conservation of the feeding, breeding and roosting areas of birds, and the birth and resting areas of seals as well as the prevention of disturbances in those areas;
    - c) conservation of salt marshes and dunes;
  - IV. maintaining the scenic qualities of the landscape, in particular the variety of landscape types and the specific features of the wide, open scenery including the perception of nature and landscape.
- 2.2 Recognising the fundamental nature of the guiding principle the participating Governments have developed a vision for the Wadden Sea:

*The Wadden Sea is a unique, natural and dynamic ecosystem with characteristic biodiversity, vast open landscapes and rich cultural heritage, enjoyed by all, and delivering benefits in a sustainable way to present and future generations.*

- 2.3 In the measures they take the participating Governments will allow themselves to be guided by the Precautionary Principle and Article 6 of the Habitats Directive.

### **3. Objectives for the Cooperation**

- 3.1 The participating Governments aim to achieve:
- a) A natural ecosystem, its functions and characteristic biodiversity.
  - b) Adaptability to climate change and other impacts.
  - c) Maintenance of the landscape and cultural heritage.
  - d) Sustainable use as defined by the Convention on Biological Diversity and as referred to in the Habitats Directive.
  - e) Public support for the protection of the Wadden Sea.
- 3.2 The participating Governments share the view that unreasonable impairment of the interests of the local population and its traditional uses in the Wadden Sea Area have to be avoided and that any user interests have to be weighed on a fair and equitable basis in the light of the purpose of protection in general, and the particular case concerned.

### **4. Areas of Cooperation**

The participating Governments will pursue these objectives through:

- a) The development and implementation of plans, policies and projects to maintain and enhance the natural values, landscape and cultural heritage of the Wadden Sea.
- b) Coordinated and consistent management, including the production and implementation of a periodically updated Wadden Sea Plan as a joint management plan to address the requirements of EC Directives and other future needs.
- c) Applying the concept of Integrated Coastal Zone Management.
- d) Contributing to secure sustainable development possibilities for the Wadden Sea taking account of the natural and cultural values.

- e) Coordinating and commissioning research and monitoring to improve understanding of the Wadden Sea ecosystem and changes to it.
- f) Providing further opportunities for the public, with a specific focus on young people, to learn about, enjoy and experience the Wadden Sea, including the cross border context.
- g) Involving all relevant stakeholders and considering their concerns in an adequate manner.
- h) Intensifying international cooperation in relevant fields.
- i) Raising the international profile of the Wadden Sea.

## **5. Institutional and Financial Arrangements**

- 5.1 The participating Governments will, in order to modernize the organisational structure of the Cooperation, establish a Trilateral Wadden Sea Governmental Council, composed of the responsible ministers of the participating Governments to oversee the Cooperation, provide political leadership and strategic guidance.
- 5.2 They will also establish a Wadden Sea Board as the governing body of the Trilateral Wadden Sea Cooperation to be responsible for the implementation of the Joint Declaration and other Council decisions, preparation, adoption and implementation of the Strategy of the Cooperation, trilateral measures and activities, monitoring performance and accountability, and for ensuring strong relations with key stakeholders.
- 5.3 The Board will adopt rules of procedure and financial regulations for the organisation and management of its activities, and in particular:
  - a) Each of the participating national Governments will continue to fund one third of the costs of the Secretariat.
  - b) Projects may be funded on a unilateral, bilateral or trilateral basis.
  - c) Other sources of funding will be pursued as necessary and the appropriate arrangements established to manage such funds.
- 5.4 The Common Wadden Sea Secretariat (CWSS) will be supervised by the Board, and will support the Council and the

Board and the implementation of the policies and projects agreed by them in accordance with the Administrative Agreement on a Common Secretariat for the Cooperation on the Protection of the Wadden Sea.

This Declaration supersedes the original 'Joint Declaration on the Protection of the Wadden Sea' signed in 1982.

Signed in English this 17 March 2010 in four original copies each being authentic, of which one is deposited at the Common Wadden Sea Secretariat.

For the Government of the Kingdom of Denmark

.....  
Helle Pilsgaard, Deputy Director General

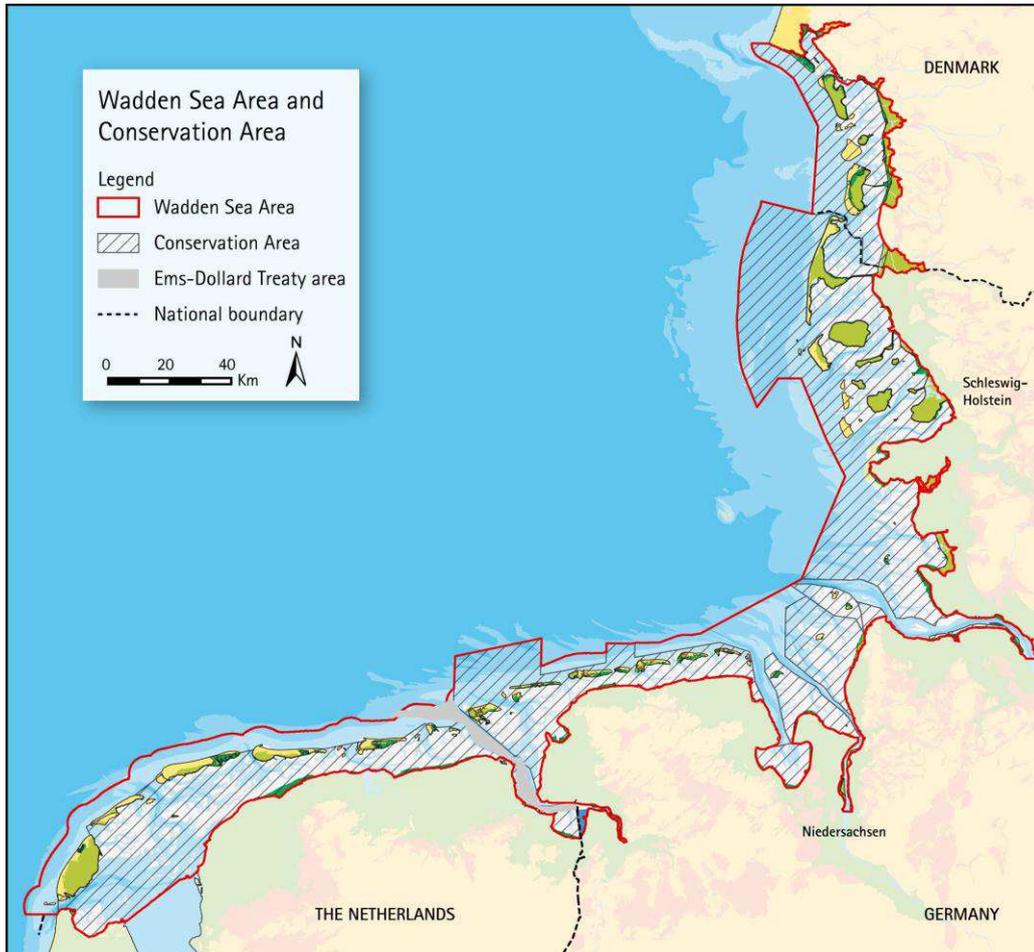
For the Government of the Federal Republic of Germany

.....  
Ursula Heinen-Esser, Parliamentary State Secretary

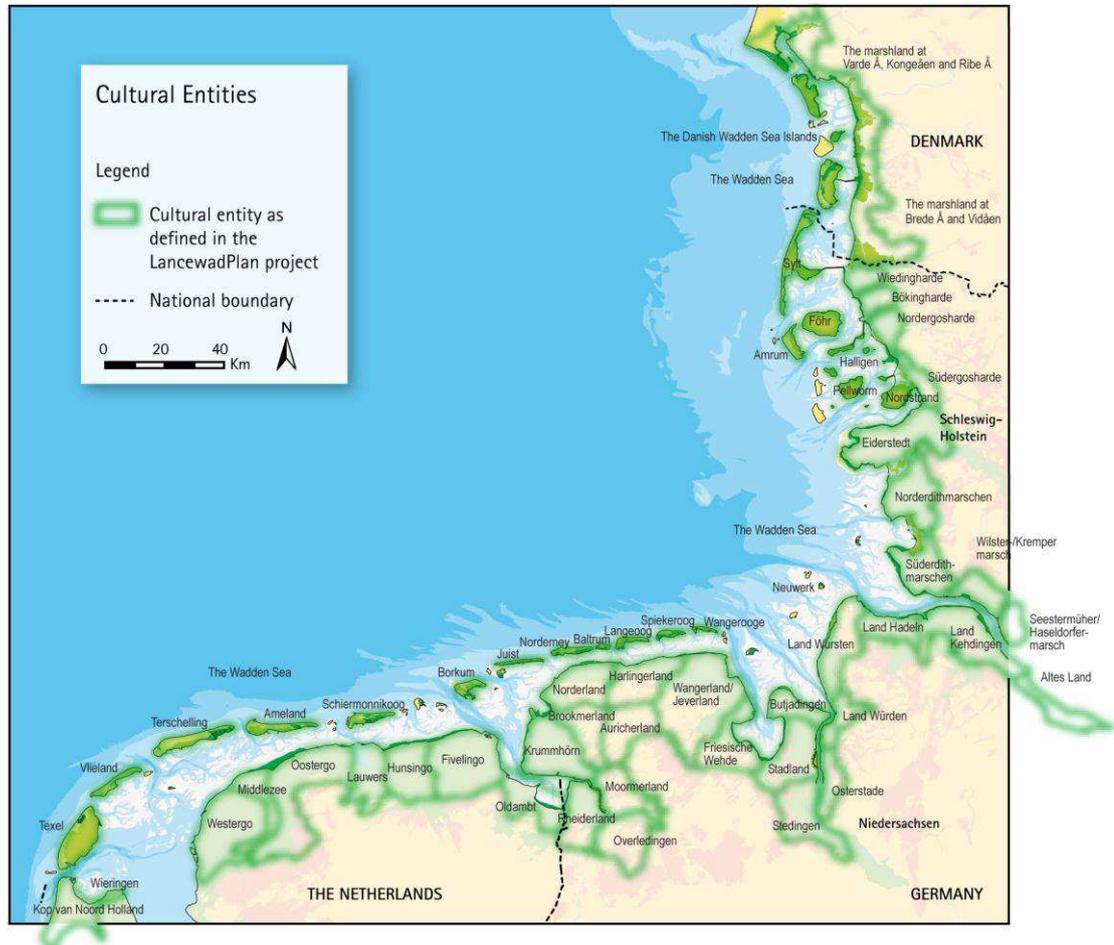
For the Government of the Kingdom of The Netherlands

.....  
Gerda Verburg, Minister of Agriculture, Nature and Food Quality

## Annex 1 Wadden Sea Area and Nature Conservation Area



## Annex 2 Cultural Entities



Note: Parts of the identified cultural entities are located outside of the Wadden Sea Cooperation Area as defined in 1.1. Activities on landscape and cultural heritage should be carried out by, or in close cooperation with all relevant administrative levels and with support of the people living and working in the region.



04

## Administrative Agreement



## Administrative Agreement 2010

on a Common Secretariat for the Cooperation  
on the Protection of the Wadden Sea

between

the Ministry of the Environment of Denmark,

the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety of the  
Federal Republic of Germany

and

the Ministry of Agriculture, Nature and Food Quality of the Netherlands

The Ministry of the Environment of Denmark and the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety of the Federal Republic of Germany and the Ministry of Agriculture, Nature and Food Quality of the Netherlands, hereinafter referred to as the Parties,

MINDFUL of the Joint Declaration dated 17 March 2010 of the Federal Republic of Germany, the Kingdom of Denmark and the Kingdom of the Netherlands on the Protection of the Wadden Sea and its implementation,

TAKING INTO ACCOUNT the conclusions arrived at in connection with the trilateral governmental conferences on the protection of the Wadden Sea,

RECALLING the Administrative Agreement on a Common Secretariat for the Cooperation on the Protection of the Wadden Sea, dated 23 October 1987 as well as the revised governmental mechanisms the cooperation agreed upon in the process of evaluation and implementation in the period from 2007 until 2009, establishing a Trilateral Wadden Sea Governmental Council to provide political leadership as well as a Wadden Sea Board, consisting of senior administrative representatives of the three Parties and headed by a Chair, to be the governing body of the Cooperation,

have agreed as follows:

**Article 1**  
**The Common Secretariat for the Cooperation**  
**on the Protection of the Wadden Sea**

- (1) The Parties shall maintain the Common Secretariat for the Cooperation on the Protection of the Wadden Sea as established through the Administrative Agreement of 23 October 1987, hereinafter referred to as “the Common Secretariat”.
- (2) The duties of the Common Secretariat shall be carried out by a Secretary who is provided with adequate support.

## **Article 2**

### **Functions of the Common Secretariat**

- (1) The Common Secretariat shall facilitate the implementation of the Joint Declaration of the Trilateral Wadden Sea Cooperation and shall provide a focal point for support and coordination of all trilateral activities.
- (2.1) The functions of the Common Secretariat under the guidance of the Wadden Sea Board shall encompass:
  - to provide high quality Secretariat services to the Wadden Sea Governmental Council and the Wadden Sea Board;
  - communication of the work of the Cooperation;
  - maintenance and the enhancement of relationships with international partners on behalf of the Wadden Sea Board;
  - support of the implementation of the Strategy and the Wadden Sea Plan;
  - preparation of plans and reports for consideration and approval by the Wadden Sea Board;
  - to collect and disseminate information on conservation measures;
  - to analyse legal instruments and/or other means in each country, in existence or needed, in order to fulfil the obligations resulting from the instruments mentioned in the Joint Declaration;

- to make suggestions for a coordinated approach by the Parties in international fora;
- to make an assessment of measures being taken or to be taken by other states adjacent to the North Sea and by the European Union;.
- to provide assistance with regard to scientific symposia;
- management of the budget of the Cooperation.

(2.2) A more detailed description of the functions of the Common Secretariat is listed in the Rules of Procedure and Finance <http:///>, which shall be adopted by the Wadden Sea Board.

(3) The Wadden Sea Board shall establish the annual Work Plans of the Common Secretariat.

### **Article 3**

#### **Appointment of the Secretary**

(1) The Common Secretariat is headed by a Secretary who shall be appointed by the Wadden Sea Board. The Secretary shall be accountable to the Wadden Sea Board through the Chair of the Wadden Sea Board and shall report directly and regularly to the Chair. The Wadden Sea Board shall be responsible for reviewing the performance of the Secretary, annually.

(2) The Secretary shall be appointed for the period between two trilateral Governmental Conferences, which is normally 3 years. The tasks and duties of the Secretary are specified in the Rules of Procedure and Finance.

(3) Important decisions concerning the Secretary, including possible dismissal, shall be taken by the Wadden Sea Board according to the Rules of Procedure and Finance.

#### **Article 4**

##### **Supervision of the Common Secretariat**

The Wadden Sea Board shall supervise the performance of the duties of the Common Secretariat.

#### **Article 5**

##### **Budget of the Common Secretariat**

- (1) An indicative triennial budget for the Common Secretariat shall be prepared by the Secretary at the start of each triennium, marked by the triennial Governmental Conferences, and confirmed in annual budgets.
- (2) Each of the Parties shall finance one third of the annual budget.
- (3) The budget shares of the Parties shall be paid at the beginning of every budget year. The budget year of the Common Secretariat shall start on 1 January and end on 31 December of every calendar year. The accounts shall be closed at the end of the same year.
- (4) The Wadden Sea Board shall adopt the triennial budget, the annual budgets, and the financial statements, including the salaries of the personnel of the Common Secretariat.
- (5) Details are regulated in the Rules of Procedure and Finance.

#### **Article 6**

##### **Working Language**

The working language of the Common Secretariat is English.

## **Article 7**

### **Legal Status and Domicile**

- (1) The Common Secretariat is located in the Federal Republic of Germany.
- (2) The Federal Ministry for the Environment, Nature Conservation and Nuclear Safety shall, without prejudice to the provisions of Article 3 (1) and Article 4, ensure the transition of the Common Secretariat to an existing or newly established organisational structure under German public law.
- (3) The employees of the Common Secretariat shall be taken over with the same status as the current employment relationship. The new position should be in the same location or within the local area. Where the period of employment, service or probation governs the rights laid down in the Collective Agreement for the Public Service (TVöD) and in the collective agreements supplementing, amending or replacing the Agreement in the versions applicable for federal government employees, and in the Collective Agreement to Transfer Federal Employees to the Collective Agreement for the Public Service and to Regulate Transitory Law, periods of employment worked for the current employer shall be credited. Rights to non-cash benefits that were an integral part of the employment contract - where not covered by collective wage requirements and in due consideration of the principle of proportionality - shall be granted as special benefits outside of the collective wage framework as defined in the collective wage provisions.

## **Article 8**

### **Amendments and Denunciation**

- (1) This Agreement can only be amended with the consent of the three Parties.
- (2) Each Party may denounce this Agreement by written notification to the other Parties.

The denunciation shall take effect 12 months after the last Party has received the notification, under no circumstances however prior to expiry of the period for which the secretary is appointed.

### **Article 9**

#### **Annulment of Former Agreement**

The Danish-German-Dutch Administrative Agreement on a Common Secretariat for the Cooperation on the Protection of the Wadden Sea dated 23 October 1987 shall herewith be repealed on the date of entry into force of this Agreement.

### **Article 10**

#### **Entry into Force**

This Agreement shall enter into force on the date of signature.

Done at Westerland, Sylt on 18 March 2010 in three copies in the English language.

For the Ministry of the Environment of Denmark

For the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety  
of the Federal Republic of Germany

For the Ministry of Agriculture, Nature and Food Quality of the Netherlands

05

2010 Wadden Sea Plan



# **Wadden Sea Plan 2010**

**18 March 2010**



## Contents

INTRODUCTION .....	5
I. INTEGRATED ECOSYSTEM MANAGEMENT	
1 The Ecosystem Approach .....	11
2 Overarching themes .....	19
II. THE TARGETS	
1 Landscape and Culture .....	25
2 Water and Sediment .....	29
3 Salt Marshes .....	33
4 Tidal Area .....	39
5 Beaches and Dunes .....	47
6 Estuaries .....	51
7 Offshore Area .....	55
8 Rural Area .....	59
9 Birds .....	63
10 Marine Mammals .....	69
11 Fish .....	73
III. IMPLEMENTATION	
1 Monitoring and Assessment .....	79
2 Implementation and Review .....	85
3 Communication, Information and Education .....	87



# Introduction

## Aim and Background

The Wadden Sea, encompassing the coastal zone from Den Helder in The Netherlands to Blåvands Huk in Denmark, is an exceptional ecosystem of global importance, and together with its cultural landscapes is a shared responsibility of the three countries.

The vision of the Trilateral Wadden Sea Cooperation is a Wadden Sea which is a unique, natural and dynamic ecosystem with characteristic biodiversity, vast open landscapes and rich cultural heritage, enjoyed by all, and delivering benefits in a sustainable way to present and future generations.

1. The participating Governments have identified a Wadden Sea Cooperation Area and within this a Nature Conservation Area as the geographical basis of their Cooperation (see Map 1):

The Wadden Sea Cooperation Area in short 'Wadden Sea Area':

- the area seaward of the main dike, or where the main dike is absent, the spring-high-tide waterline, and in the rivers, the brackish water limit;
- an offshore zone 3 nautical miles from the baseline as fixed nationally or where the Nature Conservation Area exceeds the 3 nautical mile the offshore boundaries of the Nature Conservation Area;
- corresponding inland areas to the designated Ramsar and/or EC Bird Directive areas being the adjacent inland marsh areas of the Danish Wadden Sea Region designated as international nature protection areas and the Bird Directive Areas of Schleswig-Holstein adjacent to the Nature Conservation Area;
- the islands.

The 'Nature Conservation Area':

- In The Netherlands, the areas under the Key Planning Decision Wadden Sea;
- In Germany, the Wadden Sea national parks and the protected areas under the Nature Conservation Acts seaward of the main dike and the brackish water limit;
- In Denmark, the Wildlife and Nature Reserve Wadden Sea.

The Cultural Entities

For the specific purposes of cooperation on landscape and cultural heritage the Wadden Sea Area, and an area beyond, has been identified to include the main cultural entities. Activities on landscape and cultural heritage should be carried out by, or in close cooperation with all relevant administrative levels and with support of the people living and working in the region.

2. The Wadden Sea Plan (WSP-2010) provides, in accordance with the Joint Declaration on the Protection of the Wadden Sea, a framework for the integrated management of the Wadden Sea Area as an ecological entity, as well as its landscape and cultural heritage, within the cultural entities. It sets out a series of Targets, as well as policies, measures, projects and actions to achieve these Targets, to be implemented by the Wadden Sea countries.
3. The Plan is a political agreement (meaning it is a legally non-binding document of common political interest) and will be implemented by the three countries in cooperation, and individually, by the competent authorities on the basis of existing legislation and through the participation of interest groups.
4. Through WSP-2010 the objectives of the Trilateral Cooperation, as contained in the **Joint Declaration**, will be implemented, *i.e.* achieving
  - a. a natural ecosystem, its functions and characteristic biodiversity;
  - b. resilience to climate change and other impacts;
  - c. maintenance of the landscape and cultural heritage;

- d. sustainable use as defined by the Convention on Biological Diversity and the Habitats Directive;
- e. public support for the protection of the Wadden Sea.
5. In relation to the Wadden Sea World Heritage Property, the WSP-2010 also serves as the overall management plan to ensure the coordinated management of the Property.
  6. WSP-2010 was developed with the participation of local and regional authorities and interest groups. It is a further development of WSP-1997, adopted at the 8<sup>th</sup> Trilateral Governmental Wadden Sea Conference (TGC-8; Stade 1997), following a decision by the TGC-6 (Esbjerg, 1991) to elaborate a management plan covering the Wadden Sea from Den Helder to Blåvands Huk in order to further substantiate the joint coherent protection. At the 1991 Esbjerg Conference and the subsequent TGC-7, (Leeuwarden, 1994), the cornerstones of the Wadden Sea Plan were adopted: the delimitation of the Trilateral Area of Cooperation and Conservation, the Guiding Principle, the Management Principles, and the Targets.
  7. At TGC-10 (Schiermonnikoog, 2005) it was acknowledged that in order to continue and further intensify the cooperation for the protection of the Wadden Sea as an ecological entity, a coordinated and consistent implementation of the European legislation in a transparent way must be ensured. It was therefore agreed to further develop the WSP in accordance with the stipulations entailed in the Habitats, Birds and Water Framework Directives and other European Union directives and regulations, in particular Article 6 (1) of the Habitats Directive. Therefore the WSP incorporates the relevant EU directives, especially the Birds and Habitats directives, into the management of the Wadden Sea Area.
  8. This also encompasses the landscape and culture heritage of the Wadden Sea and will include the relevant regional and local level, with the task to get a detailed insight in best practice and to develop common trilateral strategies for the future management of these assets.  
It will furthermore include reviewing the Wadden Sea Forum recommendations for sustainable human use.

### **Integrated Ecosystem management**

9. The objectives of WSP-2010 will be achieved by applying *inter alia* the instrument of Integrated Coastal Zone Management and by harmonizing conservation objectives and good ecological status to the extent possible and at different levels of implementation, ranging from their definitions to harmonised methodologies for their assessment.
10. In compliance with national legal provisions, the focal point of trilateral nature conservation policy and management is directed towards achieving the Guiding Principle for "the Nature Conservation Area", as laid down in the "Joint Declaration", *i.e.* "to achieve as far as possible, a natural and sustainable ecosystem in which natural processes proceed in an undisturbed way".  
Such an ecosystem contains the full range of natural and dynamic habitats (see Map 2), each of which needing a certain quality (natural dynamics, presence of typical species, absence of disturbance, absence of pollution), which can be reached by proper conservation and management. The quality of the habitats shall be maintained or improved by working towards achieving Targets which have been agreed upon for the tidal area, the offshore area, estuaries, salt marshes, beaches and dunes, the rural area, water and sediment quality, fish, birds and marine mammals, as well as landscape and cultural aspects.

In addition to the Guiding Principle, seven Management Principles have been adopted which are fundamental to decisions concerning protection and management within the Wadden Sea Area:

- the Principle of Careful Decision Making, *i.e.* to take decisions on the basis of the best available information;
- the Principle of Avoidance, *i.e.* activities which are potentially damaging to the Wadden Sea should be avoided;

- the Precautionary Principle, *i.e.* to take action to avoid activities which are assumed to have significant damaging impact on the environment, even where there is no sufficient scientific evidence to prove a causal link between activities and their impact;
  - the Principle of Translocation, *i.e.* to translocate activities which are harmful to the Wadden Sea environment to areas where they will cause less environmental impact;
  - the Principle of Compensation, *i.e.* that the harmful effect of activities which cannot be avoided, must be balanced by compensatory measures; in those parts of the Wadden Sea where the Principle has not yet been implemented, compensatory measures will be aimed for;
  - the Principle of Restoration, *i.e.* that, where possible, parts of the Wadden Sea should be restored if it can be demonstrated by reference studies that the actual situation is not optimal, and that the original state is likely to be re-established;
  - the Principles of Best Available Techniques and Best Environmental Practice, as defined by the Paris Commission.
11. The Targets of the Wadden Sea Plan are consistent with the national conservation objectives for habitat types and species in accordance with the EC Habitats and Bird Directives and national conservation laws, as well as water bodies and definitions of good chemical and ecological status in accordance with the EC Water Framework Directive. However, the three Wadden Sea states acknowledge some differences in their implementations of definitions of the Habitats Directive.
  12. As stated in the Joint Declaration, the participating Governments will, in the measures they take, be guided by the Guiding Principle, the Precautionary Principle and Article 6 of the Habitats Directive.
  13. The Targets are a specification of the UNESCO criteria which apply to the Wadden Sea World Heritage property in The Netherlands and in Germany and serve to implement these criteria.
  14. The landscape and cultural heritage compliments the natural and environmental heritage. Despite local and regional diversity, the Wadden Sea has a common history in developing and shaping the landscape, in human survival adaptation strategies and techniques that have created a unique cultural heritage.
  15. The Integrated Ecosystem Management approach is further specified in the Chapter "Integrated management". This chapter also addresses a number of issues, with an overarching character. It concerns climate change, alien species and shipping.

### **Preconditions**

16. The inhabitants of the coastal marshes and the islands in the larger Wadden Sea region depend upon an adequate coastal protection in a changing climate. The implementation of the Plan will not affect the priority of coastal flood defence and protection and the safety of the local inhabitants against the sea.
17. In accordance with the Joint Declaration, unreasonable impairment of the interests of the local population and its traditional uses in the Wadden Sea Area has to be avoided. Any user interests have to be weighed on a fair and equitable basis in the light of the purpose of protection in general, and the particular case concerned.

### **Economic Development and Potentials**

18. Within the constraints of suitable protection and natural development of the Wadden Sea, economic activities and development remain possible. Tourism and recreation, agriculture, industry, shipping, and fisheries have considerable economic significance for the Wadden Sea and sustainable human uses will continue. They must be continuously balanced in a harmonious relationship between the needs of society and ecological integrity. This will be done in cooperation with stakeholder fora and organizations, *e.g.* the Wadden Sea Forum.

19. Parts of the Wadden Sea Area of The Netherlands and Germany have been designated by the UNESCO as biosphere reserves participating in the worldwide network of the Man and Biosphere Program (MAB). MAB Reserves are protected areas of representative terrestrial and coastal environments, which have been internationally recognized under the United Nations Educational, Scientific and Cultural Organization (UNESCO) MAB Program for their value in conservation and in providing the scientific knowledge, skills and human values to support sustainable economical development. The WSP encompasses the management of the biosphere reserves.
20. After establishment of nearly the whole German Wadden Sea as National Parks in the years 1985, 1986 and 1990, Denmark has declared most of its Wadden Sea Area, including the islands and some embanked marshlands on the mainland, as National Park in 2010. The aim of the Danish National Park is to maintain a high nature protection level and to improve the culture and landscape aspects, in combination with improved economic sustainable development in order to contribute to a more viable region.

### **Communication, Information and Education**

21. For the successful implementation of the Wadden Sea Plan and the long-term protection of the Wadden Sea as an entity, the awareness and support of the people living in this region is important. Communication, stakeholder involvement, information and education are a prerequisite for raising awareness and support. The trilateral approach to communication, information and education is specified in Chapter III.3.

### **Implementation and review**

22. Progress on implementing the trilateral policies and management in the Wadden Sea Plan will be evaluated every 6 years. As appropriate, the Plan will be amended on the basis of the conclusions and recommendations of the review process, which is specified in the Chapter III.2.
23. Projects and actions for implementing the trilateral policies are contained in a separate document to be developed and adopted by the Wadden Sea Board.

# **I. Integrated Ecosystem Management**



# 1 The Ecosystem Approach as applied to the Wadden Sea

## 1.1 INTRODUCTION

The key message of the Joint Declaration (JD) is that Wadden Sea states will "... continue to manage the Wadden Sea as a single ecological entity for its natural, landscape and cultural heritage values, for the benefit of present and future generations"

The challenge of the Trilateral Wadden Sea Cooperation (TWSC) is to implement ecosystem management of the Wadden Sea Area by applying and integrating relevant EU Directives, as set out in §6 of the Schiermonnikoog Declaration (2005):

"... a coordinated and consistent implementation of the European legislation [...] in particular Article 6 (1) of the Habitats Directive [...] and to develop common trilateral strategies for the future management of the landscape and cultural heritage."

The Objectives of the TWSC, as laid down in the JD and § 4 of the Introduction, are particularly relevant for an integrated ecosystem approach.

According to the **Convention on Biodiversity (CBD)**, the ecosystem approach

"is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. Application of the ecosystem approach will help to reach a balance of the three objectives of the Convention (conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources). It is based on the application of appropriate scientific methodologies focused on levels of biological organization which encompass the essential processes, functions and interactions among organisms and their environment. It recognizes that humans, with their cultural diversity, are an integral component of ecosystems." [CBD, 2000]

In the Preamble to the **Habitats Directive** it is stated

"Whereas, the main aim of this Directive being to promote the maintenance of biodiversity, taking account of economic, social, cultural and regional requirements, this Directive makes a contribution to the general objective of sustainable development."

Three central elements in the above definitions are essential for integrated management of human activities:

1. The conservation and protection of ecosystem processes, functions, habitats and species and their interactions;
2. Sustainable human use;
3. Cultural diversity.

According to the first element, human activities in ecosystems must be managed for all aspects of the system, not only species or habitats but also processes and interactions.

The second element acknowledges that sustainable human use must be possible and integrated with ecosystem protection and that cultural diversity is part of an integrated approach.

The remainder of this Chapter addresses these elements in more detail.

**Section 1.2** addresses the trilateral Targets and relevant EC Directives (Habitats and Birds, Water Framework, Marine Strategy Framework) from the perspective of an integrated ecosystem management approach.

**Section 1.3** deals with Landscape and Culture.

**Section 1.4** covers the World Heritage Property Wadden Sea.

**Section 1.5** deals with sustainable use, in particular its management in and adjacent to the Wadden Sea Area.

In **Section 1.6**, the overall trilateral policy regarding integrated ecosystem management is formulated.

## 1.2 EC DIRECTIVES

The 1992 Habitats Directive (HD) deals with specific habitats and species which have their own defined characteristics and are clearly delimited in space. Together with the 1979 Birds Directive (BD), it provides the legal basis for establishing a Europe-wide network of representative protected areas (Natura 2000). The Habitats Directive requires member states to designate specific habitats and habitats for specific species as conservation areas and the adoption of conservation objectives for these habitats and species.

The aim is to achieve favourable conservation status for designated species and habitats. The conservation status of a habitat is favourable if: its natural range and area is stable or increasing; if the specific structure and functions necessary for its long-term maintenance exist and are likely to continue for the foreseeable future; and if the conservation status of its typical species is favourable. The latter is the case if the species concerned is a viable part of its natural habitats on a long-term basis, its natural range is not reduced in the foreseeable future and its habitats remain sufficiently large.

The Water Framework Directive (WFD, 2000) aims at improving the aquatic environment. It requires that Member States take a new, holistic approach to managing their waters. Member states are all required to implement the necessary measures in order to achieve “good ecological status” by 2015 in all rivers, lakes, transitional waters, coastal waters and groundwater. “Good status” for surface waters is defined through biological, hydromorphological, chemical and physico-chemical Quality Elements. The specific definition of the status of each quality element for each water category is provided in the Annexes to the Directive. Additionally, surface waters also have to have a good chemical status.

The implementation of the Directive and the setting and achievement of good status and other environmental objectives and targets are to be based on a river basin district structure. Management plans and programmes of measures must be developed for each river basin district.

There is a requirement within the Directive for the linkages between surface and groundwater and water quantity and water quality to be taken into account in meeting objectives. There is also a requirement for the integration of the management of water-dependent Natura 2000 sites and river basin plans, and moreover, consideration must be given to the water needs of wetlands.

The aim of the Marine Strategy Framework Directive (MSFD, 2008) is to achieve or maintain good environmental status in the marine environment by the year 2020 at the latest. It requires the development and implementation of strategies to (a) protect and preserve the marine environment, prevent its deterioration or, where practicable, restore marine ecosystems in areas where they have been adversely affected; and (b) prevent and reduce inputs in the marine environment, with a view to phasing out pollution, so as to ensure that there are no significant impacts on, or risks to, marine biodiversity, marine ecosystems, human health or legitimate uses of the sea. It requires the application of an ecosystem-based approach to the management of human activities and the integration of environmental concerns into the different policies, agreements and legislative measures which have an impact on the marine environment.

Table 1 provides a brief comparison of the four Directives.

### EC DIRECTIVES AND THE ECOSYSTEM APPROACH

The above Directives are the main legal instruments for implementing an ecosystem approach but are not ideal for this purpose. This is due to three main factors:

1. Structural differences between the three Directives;
2. Inherent deficiencies within each Directive;
3. Differences in national implementation.

The first factor is related to the broad time span over which the Directives have been developed. This has resulted in substantial differences in structures, making it difficult to integrate the three instruments at the administrative level.

Factor 2 relates to the development history of the three Directives. The differences in contents reflect important developments in nature and environment policies over almost three decades, starting with a sectoral approach (Birds Directive) and ending with a much more integrative approach (MSFD).

**Table 1:** Comparison of EC Habitats and Birds Directives (HD, BD), Water Framework Directive (WFD) and Marine Strategy Framework Directive (MSFD).

	<b>BD + HD</b>	<b>WFD</b>	<b>MSFD</b>
<b>General objective</b>	Favourable conservation status	Good ecological status / potential & good chemical status	Good environmental status
<b>Indicators</b>	Habitat (range, structure and function, characteristic/ typical species) Rare species (population, range, maintenance)	Biological (species composition and abundance) hydro-morphological, chemical and physico-chemical Quality Elements	Biological, physical and chemical characteristics, pressures and impacts  Environmental targets and associated indicators
<b>Reporting unit</b>	Habitat type, species	Water body	Marine regions
<b>Scale</b>	Per country / bio-geographic area	River basin district	Marine (sub)regions (overlap with WFD)
<b>Time</b>	2007 <sup>1</sup> , 2015 <sup>1</sup>	2015 <sup>2</sup> , 2021 <sup>2</sup>	2020 <sup>2</sup>
<b>Management plan</b>	N2000 management plan (Art. 6)	River basins management plan (Art 13, 11)	Programme of measures (Art. 13)

<sup>1</sup> Reporting re. HD; <sup>2</sup> Reaching Status

As a result, the Directives apply principally different concepts. The HD was the first of the integrative framework directives and focuses on the protection of individual habitats and not on ecosystems as a whole with their different interacting habitats and species.

The WFD has a more integrative approach, but focuses mainly on the status of designated water bodies and not on key ecosystem processes. Biological quality elements are essential to define the status of surface water bodies according to the WFD, but only certain aquatic species are covered, e.g. not birds or mammals.

The MSFD is the "most integrated" Directive. Its relevance for an integrated ecosystem approach for the Wadden Sea ecosystem has not yet been analysed in detail.

Factor 3 is particularly relevant for the management of the Wadden Sea ecosystem, being a transboundary protected area. Because EU Member States implement framework directives at the national level (subsidiarity principle), differences may arise in the designation of areas covered by the directives, as well as conservation and protection aims.

For the Wadden Sea, the various national conservation objectives for habitats and species and the definition of good ecological status have proved to be highly comparable. Moreover, within the EU framework, work is ongoing to further harmonise and tune national implementation, as well as monitoring and assessment methodologies under the above mentioned Directives. This includes e.g. an intercalibration process under the WFD.

There are, however, also some important differences and inconsistencies (see list below).

### Habitats and Birds Directives

#### a. Differences in the designation of Wadden Sea typical habitat and species types

- NL has designated the tidal and offshore area as types 1110 (sandbanks which are slightly covered by seawater all the time) and 1140 (mudflats and sandflats are not covered by seawater at low tide) only. Germany and Denmark have also designated types 1130 (estuaries), 1150 (coastal lagoons), 1160 (large shallow inlets and bays) and 1170 (reefs).\*

(\*Following the recent clarification on the common definition of 1170 at EU level, the designation of eulitoral mussel banks as reefs in Germany will be revised at the next revision of the standard data forms.)

- There is much variation in the designation of bird species: only 25% of all relevant bird species is commonly designated.
- Variation in designation of fish species under the Habitats Directive.

#### b. Differences in the definition of habitat/species conservation objectives

- Quantified bird conservation objectives in NL and DK. Qualified objectives in D, mainly related to habitat quality.
- The marine mammal objectives formulated by The Netherlands partly comply with the relevant trilateral Target.

- c. Differences in assessment of size and quality of various habitat types
- Habitat type 1170 (reefs)
  - Habitat type 1110 (sandbanks which are slightly covered by seawater all the time )
- d. Differences in management policy
- In NL and DK region-specific Natura 2000 management plans will be developed. In D, the WSP provides the management framework for the Wadden Sea national parks, supplemented by sectoral plans and specific Natura 2000 management plans for bordering sites inside the cooperation area.

### Water Framework Directive

- a. Differences in development of WFD reference conditions and classification tools.
- The development of tools, testing and adaptation of tools as well as fine-tuning is carried out with (partly) different approaches and time scales.
- b. Differences in designation of water bodies
- Different types and numbers of water bodies (WB): In NL and DK, the Wadden Sea tidal area (intertidal and subtidal) is a single WB. In D, all four WB types have been assigned with a total number of 26 separate WBs (incl. Ems).
  - NL has assigned a 1 sm strip along the Wadden Sea mainland coast as Heavily Modified Water Body (HMWB). In D, only transitional waters are HMWB.
  - DK has no transitional water bodies within its sea territory and has not assigned HMWB in the Wadden Sea Area.
- c. Development of management plans
- Tuning of WFD and HD not yet carried out (assessment criteria, conservation objectives).
  - Regional differences (e.g. eutrophication) still exist.

### Marine Strategy Framework Directive

- a. Differences in application
- NL complies with the MSFD concerning the articles 2(1) and 3(1) sub a and b. NL will apply the MSFD to the part of the offshore area from the baseline to 3 nautical miles.
  - D and DK will apply the MSFD to the whole Wadden Sea according to Art. 3 (1) of the directive.

#### THE TRILATERAL TARGET CONCEPT

The trilateral Target concept is principally an integrated ecosystem concept and therefore goes beyond the above EC directives. The Target concept fully covers and integrates the Habitats and Birds Directives, the Water Framework Directive and the World Heritage criteria (see Table 2). The Targets are consistent with the Conservation Objectives and Good Ecological Status approach from the Directives and additionally serve the World Heritage criteria. The Target concept is, furthermore, a trilateral concept relevant for the whole Wadden Sea Area. It is the common basis for the harmonisation of the different national approaches under the EC Directives.

**Table 2:** Thematic overlap of Wadden Sea Plan Targets with issues from the EC Directives and the World Heritage criteria

TOPIC	Wadden Sea Plan Targets	Habitats / Birds Directive	WFD	MSFD	World Heritage Criteria
Landscape + Culture	+	-	-		
Water and Sediment	+	(indirectly)	+	+	VIII, IX
Salt Marshes	+	+	+		VIII, IX, X
Tidal Area (eu- / sublittoral)	+	+	+	+	VIII, IX, X
Beaches and Dunes	+	+	-		VIII, IX, X
Estuaries	+	+	+		VIII, IX, X
Offshore Zone	+	+	-	+	VIII, IX, X
Rural Area	+	+	-		
Birds	+	+	-	+	X
Marine Mammals	+	+	-	+	X
Fish	+	+	+ transitional	+	X

### 1.3 LANDSCAPE AND CULTURE

The cultural landscape heritage complements the natural and environmental assets in the Wadden Sea. Despite local and regional diversity, the Wadden Sea contains a common history in developing and shaping the landscape, in human survival adaptation strategies and techniques and a unique cultural heritage.

Based upon the WSP 1997, two projects regarding the maintenance and planning of the Wadden Sea landscape and cultural heritage have been carried out (Lancewad and LancewadPlan). These projects emphasized that the management of landscape and the cultural heritage is an issue of integrated spatial planning and the implementation of a trilateral strategy should be carried out by, or in close cooperation with, all administrative levels and with support of the people living and working in the region. The involvement of stakeholders is essential for the wise management of the heritage and, in particular, further integration of natural and landscape management should be an aim.

### 1.4 WORLD HERITAGE PROPERTY

In 2009 the nominated Wadden Sea of The Netherlands, Niedersachsen and Schleswig-Holstein was inscribed in the World Heritage list.

The inscription of the Wadden Sea as **World Heritage Property** is based upon the following criteria

- Criterion VIII: "outstanding examples representing major stages of Earth's history, including the record of life, significant ongoing geological processes in the development of landforms, or significant geomorphic or physiographic features"
- Criterion IX: "outstanding examples representing significant ongoing ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals"
- Criterion X: "contain the most important and significant natural habitats for *in situ* conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation"

These criteria are fully covered by the trilateral Targets, as shown in Table 2.

### 1.5 SUSTAINABLE USE

The trilateral Wadden Sea Cooperation applies the concept of sustainable use as defined by the Convention on Biological Diversity in protecting and conserving the ecological integrity of the Wadden Sea ecosystem, thus supporting lasting economic prosperity and social well-being.

There are several approaches and instruments applied within the Wadden Sea Region through which sustainable use is developed and promoted. It concerns Integrated Coastal Zone Management (ICZM), zoning instruments, the Man and Biosphere (MAB) approach as well as many examples of interaction with stakeholders

#### 1.5.1 Integrated Coastal Zone Management

Integrated Coastal Zone Management (ICZM) is a concept for achieving sustainable use in the coastal area. In the recommendation of the EU Council and Parliament on ICZM (2002/413/), member states were asked to prepare national ICZM strategies based upon the following principles:

1. A holistic approach and strategic planning (land-sea approach);
2. A long-term perspective;
3. A long-term process;
4. Reflecting local/regional conditions;
5. Working with natural processes;
6. Participative planning;
7. Involvement of all layers of government;
8. Coherent use of a combination of instruments.

Following the ICZM Recommendation, most EU Member States have prepared national strategies for ICZM. At the 10<sup>th</sup> Wadden Sea Conference, Wadden Sea states agreed to contribute to their national ICZM strategies in a trilaterally coordinated way, in consultation with the Wadden Sea Forum (Sch.D. §13).

In §4c of the Joint Declaration, ICZM is listed as one of the areas of cooperation of the TWSC.

### **1.5.2 Zoning**

Zoning is a management instrument, partly implemented by law, to balance nature protection and human use of the Wadden Sea in space and time. Zoning covers regulations and measures related to specified geographical areas in the Wadden Sea Area to avoid and/or to alleviate conflicting interests in space and time within a protected area. This also includes temporal or permanent closure of areas. In each country, zoning regulations for specific activities like agriculture, hunting, fisheries or tourism are implemented. Additional general zoning systems are in force in the three countries, regulating several human activities in the whole Wadden Sea Cooperation Area.

Comparing the different approaches to zoning, it appears that some similarities exist with regard to the zoning systems, although, in a formal sense, different protection regimes are implemented in The Netherlands, the three German Federal States and in Denmark.

### **1.5.3 Man and Biosphere**

Biosphere Reserves are protected areas of representative terrestrial and coastal environments or a combination of both, which are designated according to international guidelines in the framework of the UNESCO "Man and Biosphere" (MaB) programme for the worldwide net of Biosphere Reserves (UNESCO 1996). Biosphere Reserves are model regions in which people's life and economic activity are in compliance with nature. The protection of nature is closely linked with sustainable use.

The Wadden Sea has been designated a Man and Biosphere (MAB) Reserve under the UNESCO Man and Biosphere Program by The Netherlands and the German states. Whereas the MAB-Reserve in the Dutch, Niedersachsen and Hamburg part is almost identical with the Conservation area, the MAB Reserve in Schleswig-Holstein also includes five Halligen islands as a development zone. In Niedersachsen, the uninhabited parts of the islands are included and the designation of a development zone landward of the dikes outside the National Park is in progress.

### **1.5.4 Danish National Park**

The Danish Wadden Sea Area, including the islands and parts of the hinterland on the mainland, has been designated as National Park. Besides nature conservation and preservation of the cultural and landscape heritage, the aim is also to stimulate and promote commercial but sustainable activities like tourism and recreation. Moreover, it leaves space for the development of the more traditional industries (agriculture and fishery). It is intended that the "National Park Wadden Sea" will be a valuable contribution to regional development in the Danish Wadden Sea and serve as an example of ICZM.

### **1.5.5 Wadden Sea Forum**

The Wadden Sea Forum (WSF) was established in 2002, following a decision at the 9<sup>th</sup> Trilateral Governmental Conference 2001 in Esbjerg. The WSF acts as a cross-border stakeholder forum and an independent body consisting of representatives of Agriculture, Energy, Fisheries, Industry and Harbour, Nature Protection and Tourism, as well as local and regional authorities from The Netherlands, Germany (Niedersachsen and Schleswig-Holstein) and Denmark.

The Ministerial Declaration of the 10<sup>th</sup> Trilateral Governmental Conference 2005 in Schiermonnikoog reinforces the importance of stakeholder participation and recognizes that the achievement of the Guiding Principle of the Cooperation "can only be obtained in cooperation with those who live, work and recreate in the area and are willing to endow its protection". Geographically, the WSF deals not only with the Wadden Sea Area but with the wider Wadden Sea Region.

In its report "Breaking the Ice" (2005), the WSF developed a vision, agreed upon by all its members, that supports the protection of the Wadden Sea Area and emphasizes:

*“The Wadden Sea Region has a strong identity, which is rooted in the cultural heritage, the typical Wadden Sea landscape features and the unique, from a world wide perspective, Wadden Sea nature area. The Region has a natural biodiversity and decreasing concentrations of polluting substances. The Region is characterized by dynamic urban centres and a vital rural community with a balanced population structure and good public facilities. The Wadden Sea Region offers room for entrepreneurship and economic activities make optimal (i.e. sustainable) use of the specific advantages of the Region, in particular the location by the sea, the nature potentials and the positive population development.*

*In general people like to live in the Wadden Sea Region. For the Wadden Sea Area, which is the area covered by the Trilateral Cooperation on the Protection of the Wadden Sea, the trilateral Targets represent the ecological objectives. The Area has an unspoilt beauty, is understood as a joint heritage of the entire Region and the ecological Targets are respected by all sectors.”*

From 2006 the WSF defined the following goals:

- to oversee, stimulate, support, facilitate and evaluate the implementation of the WSF strategies and action plan for sustainable development
- to exchange information on experiences and best practice with regard to the Wadden Sea Region and foster sustainable development within it;
- to bring together the sectoral interests of its members;
- to exchange views on general themes and topical issues;
- to prepare advice on issues related to sustainable development and integrated coastal zone management;
- to initiate and implement projects and actions on topical issues;
- to serve as a consultation body for governments.

In 2008 a Memorandum of Understanding (MoU) was concluded between the WSF and the Trilateral Wadden Sea Cooperation (TWSC) recognizing the importance of a close cooperation. The MoU is based on the mutual acknowledgement by the WSF and the TWSC of the Shared Principles including the Guiding Principle, the Shared Vision and the Targets as laid down in the Wadden Sea Plan, respecting the existing protection levels and ensuring sustainable economic development and quality of life. According to the MoU, WSF serves as an independent trilateral advisory and consultation body to the TWSC and prepares relevant statements and background information. It will be consulted and prepare advice on matters regarding sustainable development of the Wadden Sea Region and will be consulted in the framework of the development of the Wadden Sea Plan, the draft Declaration of the 2010 Wadden Sea Conference, national ICZM strategies and other issues of relevance for the Wadden Sea Region in as far as this is within the mandate of the TWSC. Several joint projects have been agreed upon. Among them are the further development of ICZM and sustainability indicators, the elaboration of a guidance document for a trilateral Goose Management Plan, cooperation on shipping safety issues, including container shipping, and support for and promotion of the Wadden Sea World Heritage Property among the sectors and stakeholders. Finally, the WSF will stimulate and support the cross-border and cross-sector dialogues and will discuss and integrate, to the extent possible, relevant input to the regional Wadden Sea advisory bodies and submit the results to the TWSC on a regular basis.

## **1.6 TRILATERAL POLICIES**

1.6.1 The overall policy objective is to further develop a consistent integrated trilateral management approach to the Wadden Sea ecosystem, based on the status of protected areas there and including sustainability of uses, aspects of the landscape and cultural heritage and the integrity of the World Natural Heritage Property. To this end the implementation of relevant EC Directives will be harmonised as far as possible, in particular with regard to differences in national conservation objectives that may, in the medium or long term, aggravate differences in protection level and/or conditions for sustainable use. More specific policies, relevant to harmonisation, are in the Target chapters.

1.6.2 In line with the existing protection regimes, sustainable use will be further improved by stimulating relevant initiatives and projects, including the further development and improvement of ICZM and sustainability indicators, in close cooperation with the Wadden Sea Forum and other relevant stakeholder organisations.

1.6.3 An overall Sustainable Tourism Development Strategy for the Wadden Sea World Heritage Site will be developed, in order to meet the request of the World Heritage Committee, the Hamburg Wadden Sea National Park, and the Danish National Park, pending formal approval by its forthcoming board. As a first step, a Wadden Sea Communication and Marketing Programme 2010-13 will be adopted.

## 2 Overarching themes

This chapter concerns climate change, alien species and shipping safety – three themes relevant to all Wadden Sea habitats and for which it is essential to apply an integrated ecosystem approach.

A number of activities, the most prominent ones taking place outside the Wadden Sea Conservation Area, potentially affect the Wadden Sea ecosystem, but are essential for the regional economy and conditions for people living in the area or visiting as tourists. These activities are coastal flood defence and protection, energy generation, shipping and the related (maintenance) dredging of the shipping routes and harbour developments.

For example, the increasing energy production in the Wadden Sea Region, both onshore and offshore, will have several side-effects, such as increasing ship traffic in the coastal sea and cable crossing through the conservation area. Air pollution may increase as well as interference with bird flyways. The increasing ship traffic in general results in increased dredging and harbour extension. As far as relevant these activities are covered in the respective Target chapters. All activities likely to have a significant effect on the Wadden Sea ecosystem, either individually or in combination with other plans or projects, are subject to licensing following an impact assessment in accordance with the stipulations of the Habitats Directive.

Also, coastal defense may be regarded as an overarching theme which is essential for the safety of the inhabitants while also having impacts on the Wadden Sea ecosystem. Aspects of coastal flood defense and protection are included in the section on Climate change.

### 2.1 CLIMATE CHANGE

#### 2.1.1 Status and assessment

Climate change will have an impact on Wadden Sea habitats and species, the safety of its people and on cultural heritage and sustainable use. The impacts may become manifest in two ways: first through changes in physical, chemical and biological parameters such as sea level rise, erosion or sedimentation, water temperature, acidity and species composition, *i.e.* fish; and second, through human responses such as coastal flood defence and protection measures.

Changes will affect valuable natural and cultural heritage assets throughout the Wadden Sea. The combined impacts of these changes on the ecosystem are so diverse and numerous that predictions of the expected direction of change are very difficult and in some cases impossible to foresee. Major concerns exist with respect to latest projections on sea level rise that range between 0.5 and 1.3 m for this century. Thus it should be anticipated that, in the long term, not enough sediment will be imported and redistributed by natural processes to maintain present ecological functions. Nature protection, coastal flood defence and protection, cultural heritage and conservation policies and management must therefore become more flexible, so that adaptation to change is possible. This is particularly relevant in the implementation of conservation objectives under the Habitats and Birds Directives and the ecological quality requirements of the Water Framework Directive.

#### 2.1.2 Trilateral Policies

An integrated approach is required. As a first step, a Trilateral working group on Coastal Protection and Sea level Rise (CPSL) was established in 1998, in which experts from coastal and nature protection, and since 2005 spatial planning, have worked together.

A long-term trilateral strategy on increasing adaptability to the effects of climate change will be developed, with a view to protecting the people living in the region and conserving the natural, landscape and cultural heritage qualities of the Wadden Sea.

Such a strategy

- includes guidance on which policy steps to take for different climate impact scenarios.

- aims to make conservation management more flexible by intensifying contacts with relevant scientists so that the latest research and advice is used to adapt monitoring and management programmes.
- indicates concrete steps towards increasing the adaptability of the ecosystem *i.e.* its ability to cope with changes, the natural diversity, especially along the mainland coast. This will be done in close cooperation with responsible coastal flood defence and protection authorities and in close consultation with all stakeholders, taking into account landscape and cultural heritage features.
- contains pilot projects and research programmes on climate change adaptation of the Wadden Sea, the resilience of the ecosystem and on coastal flood defence and protection, and contains initiatives to share best practice and lessons learnt throughout the Wadden Sea. The focus will be on projects combining coastal and nature protection.
- includes concrete steps towards developing and implementing instruments for flexible spatial planning, integrating the living situation and safety of people, as well as the resilience of the ecosystem, and including landscape and cultural heritage features. These instruments will involve all relevant stakeholders and broad communication of the results in the planning process.

## 2. 2 ALIEN SPECIES

### 2.2.1 Status and Assessment

The dispersal of organisms is a natural process limited by multiple barriers, among which geographical barriers are the most evident. However, for centuries humans have introduced alien species to new areas where they were previously absent. They might survive and subsequently reproduce in a newly occupied habitat. If they are invasive, they are known or expected to have negative effects on native populations and species, natural habitats and ecosystems.

With increasing global trade, the introduction of alien species, both intentional and unintentional, has increased concomitantly and has increased in complexity. Next to global habitat loss and climate change, this biological globalization has become a key process in altering the biosphere.

At the North Sea coast, many of the introduced species, mainly algae and invertebrates, arrived via international ship traffic, especially in ballast waters, but also in aquaculture. They most often became established within estuaries and on hard substrates, with more than 80 known species. About 52 of them occur within the Wadden Sea and a preliminary assessment of the aliens' impact on the natural biodiversity of the Wadden Sea shows that presently most cause no or only minor impacts.

Of the 52, six have already had or are about to have effects on the composition of the existing biota in the Wadden Sea: cord-grass, Japanese seaweed, bristle worm, American razor clam, American slipper limpet and Pacific oyster.

Terrestrial alien plant and animal species have also found – and will find – their way into the Wadden Sea ecosystem. A well-known example is the (former) introduction of the rugose rose, which has in several places outflanked the original species and vegetation types, and reduced the typical dynamics of some dune habitat types. Of the mammalian aliens, the North American mink, ferret and muskrat have caused changes, *e.g.* in the predation pressure on breeding birds and the safety of sea dikes in some places.

### 2.2.2 Trilateral Policies

The Trilateral Cooperation will support and intensify efforts to harmonise approaches to the prevention, management and monitoring of aquatic and terrestrial alien species introductions and will develop a common strategy for dealing with invasive alien species associated with ballast waters and aquaculture. This is also in line with a request from the UNESCO World Heritage Committee.

## **2.3 SHIPPING SAFETY**

### **2.3.1 Status and Assessment**

The consequences of shipping accidents for the Wadden Sea can be immense. In order to raise awareness regarding the vulnerability of the Wadden Sea, the area has been designated as a Particularly Sensitive Sea Area (PSSA) by the IMO in 2002. Its effectiveness has been reviewed in 2010, leading to several recommendations.

The general risk and potential consequences of accidents and the PSSA designation lead to the obligation to maintain and where necessary enhance shipping safety and reduce impacts from shipping on the Wadden Sea. Also further implementation of policies and actions to prevent oil pollution from shipping - both from illegal discharges and from accidents - as well as control and enforcement measures needs to be continued. This is also valid for reducing the exhaust emissions from ships.

### **2.3.2 Trilateral Policies**

Shipping and shipping safety is considered as one of the priority issues for the Wadden Sea Region. This concern has also been raised in the Wadden Sea Forum, leading to 35 recommendations concerning policy and management necessities. These recommendations were reviewed in conjunction with the agreements taken at the Esbjerg Conference. Where not already taken, action is needed at both the trilateral and international level. Specific actions should be focused on:

- spatial planning and shipping safety in the EEZ;
- day-to-day joint cooperation in the framework of the DenGerNeth plan;
- appropriate towing and pollution response capacity;
- the practical implementation of Places of Refuge;
- harmonization of the no-special-fees system;
- aerial surveillance in the relevant coastal areas and the EEZ;
- container shipping and loss of containers.

As an important standard, the safety of shipping in the North Sea Area should be kept at least at the present level, irrespective of which kind of offshore development might occur, and where feasible be enhanced.



## **II. The Targets**



# 1 Landscape and Culture

For the specific purposes of cooperation on landscape and cultural heritage, the Wadden Sea Area and an area beyond has been identified for inclusion of the main cultural entities. As shown in Map 3, parts of the identified cultural entities are located outside the Wadden Sea Cooperation Area. Activities on landscape and cultural heritage should be carried out by, or in close cooperation with, all relevant administrative levels and with support of the people living and working in the region.

In Germany such a cooperation would fall mainly under the responsibility of the Counties (Landkreise). Although the importance of preserving the cultural heritage of the Wadden Sea is acknowledged, the development of human use in a sustainable way remains further possible, because this is the basis of life of many people on the islands and in the coastal area.

The landscape of the Wadden Sea Coast, with some 22,000 km<sup>2</sup> the world's largest transgressional coastal wetland site, consists of three parts. The Wadden Sea proper basically comprises the Wadden Sea Conservation Area (ca. 11,000 km<sup>2</sup>), consisting of water, tidal flats, salt marshes and dunes, as in Niedersachsen, where most of the islands are included in the Nature Conservation Area. Although the Wadden Sea is a natural area, it contains some very important cultural heritage features, past and present. Examples include the landscape of islands, Halligen and marsh areas, the Friesian language and regional traditions. Then there are the scores of ship-wrecks dating from Mediaeval and Early Modern Times in the western Wadden Sea and in the northern Wadden Sea there are many inundated archaeological traces of agriculture and salt mining.

The further parts are the islands which belong to the Cooperation Area and, mostly outside of the Cooperation Area, endiked former salt-marshes or polders which are landwards of the sea dikes. The endiked area forms a cultural landscape created at the interface of land and sea. Being an amphibious landscape, it constitutes a unique example of a transgressive coastal region with an occupational history of nearly three millennia. As such it is the result of the interaction of physical developments (a Holocene landscape under a relatively strong sea level rise) and intentional as well as unintentional human actions.

The 50 or so (Friesian) islands together can be roughly divided into two categories. The larger category is formed by the generally sandy islands or islands with cores formed by glacial moraines. These make up a chain of barrier islands from Den Helder at the south-western end of the Wadden Sea region up to Esbjerg at its north-eastern end. The smaller category of islands, lying inside the barrier islands and off the North Friesian coast, are the so-called Halligen marsh islands that are partial remnants of a former salt-marsh destroyed by the sea. Apart from separating the Wadden Sea from the North Sea, the islands with their age-old agrarian-maritime societies form the most dynamic eco-cultural frontier zone of the Wadden Sea.

The marshes have been settled uninterruptedly since 600 BC. Thousands of dwelling mounds, and miles of ditches (partly of a natural, partly of an artificial origin) give archaeological and visual evidence of an occupational history reaching back nearly 3000 years from today. Since about 1000 AD, intentional water and landscape management by means of dike systems has resulted in the embankment of large salt marsh areas. Dike and water management under transgressive maritime conditions originated here, in an area characterized by sluggish natural drainage. The techniques were subsequently exported to western central parts of Holland, and from there to the Elbe- and Wesermarshes, to Poland, Russia, France and England.

Sea level rise, together with the subsidence of the inland moorlands as a result of their cultivation from Carolingian times, put the inhabitants in constant jeopardy. Apart from the danger of floods, they had to adapt to an increased inflow of fresh water to the marshes by using drainage, which as a consequence caused the subsidence of inland bogs. Moreover, they faced a constant threat of diseases (endemic malaria etc.) because of the increasing volumes of fresh water. The insular character of the region (it was relatively isolated from the hinterland) combined with the commercial success of farming in a fertile but hazardous environment to create a tradition of independence and self-sufficiency. During the Middle Ages, this coastal society found its political and social expression in the so-called Friesian freedom, evolving already in pre-modern times into a rather autonomous and

individualistic society. One of the direct consequences was the high density of villages (parishes) with their still existing medieval churches as well as noble houses (*stinzen, states, borgen*), most of which have since been demolished.

## THE TARGETS

Identity - to preserve, restore and develop the elements that contribute to the character, or identity, of the landscape, which forms the basis for life of the people living in the region

Variety - to maintain the full variety of cultural landscapes, typical for the Wadden Sea landscape

History - to conserve the cultural-historic heritage

Scenery - to pay special attention to the environmental perception of the landscape and the cultural-historic contributions in the context of management and planning

## STATUS AND ASSESSMENT

The cultural landscape of the Wadden Sea is a rich, complex and irreplaceable resource. It has great potential both with regard to its intrinsic value and its role in economic development. From an economic perspective, the landscape of the Wadden Sea is gradually changing from a production area into a consumption area, as are many other cultural landscapes today. There is a growing need for distinctive and unique landscapes, for places with stories and histories that offer visitors new perceptions and experiences and that offer local inhabitants and entrepreneurs new opportunities to generate income.

Not only is the economic landscape changing; the social situation of its inhabitants has changed significantly in the last few decades. This is reflected in the way people now look at their surroundings and the issues they raise concerning the environment they want to live and stay in. An environment which local people can identify with becomes increasingly important, especially in regions with a decreasing population – such as this area.

The challenge is to safeguard cultural and landscape assets and use those strengths regionally, because only a living landscape will create living communities and vice versa. The heritage is however vulnerable to change resulting from agricultural policies, urban development, use of the landscape for energy infrastructure and change in demography.

Enlargement of land parcels, urbanization and industrialization, e.g. harbour development and construction of power plants and the associated construction of infra-structural installations, enhance this transformation. This development interferes with characteristic elements such as the openness, serenity and identity of the landscape, the topography of the landscape, the biodiversity and the cultural-historic remnants. The construction of wind turbines has increased significantly during recent years because the production of electricity from wind energy is particularly productive in the area. However, wind turbine installations also impinge upon the landscape values.

## HOW TO PROCEED

The LancewadPlan project was carried out during the period 2004-2007. It was based upon the extensive inventory of the landscape and cultural heritage in the wider Wadden Sea from the Lancewad project (1999-2001), launched on the basis of the Wadden Sea Plan. The LancewadPlan project has resulted in a draft Integrated Landscape and Cultural Heritage Management and Development Plan for the Wadden Sea Region “A Living Historic Landscape” for consideration by the Parties.

The proposed strategy “A Living Historic Landscape” is a long term vision of how this heritage will be maintained as a shared heritage. The stakeholders, both governmental and non-governmental, have an essential role and function to fulfil in conserving this heritage. It is intended to help create and extend new opportunities to stimulate local ownership and local responsibility for the maintenance and sustainable use of the cultural landscape. It is an integrated strategy which takes as its starting point the fact that the unique landscape and cultural heritage are combined and multifaceted. This strength and potential must be safeguarded and further developed through an integrated approach.

The aims of “The Wadden Sea Region: A Living Historic Landscape” are primarily

- To establish an overall framework for the management and sustainable development of the cultural landscapes and heritage in order to give the heritage a role in coastal development
- To establish and further extend a network within which the competent stakeholders act and co-operate in a trans-boundary context
- To implement sector strategies to support the opportunities that heritage presents for regional development
- To further raise awareness of the unique landscape and cultural heritage.

It is recommended to identify and evaluate the landscape and cultural heritage in an international context and on the basis hereof determine the specific features around which a cooperation should be further developed.

The development of this approach is at different stages in the three countries. Policies on landscape and culture have already been agreed upon in The Netherlands and Denmark, whereas in Germany the discussion is just beginning.

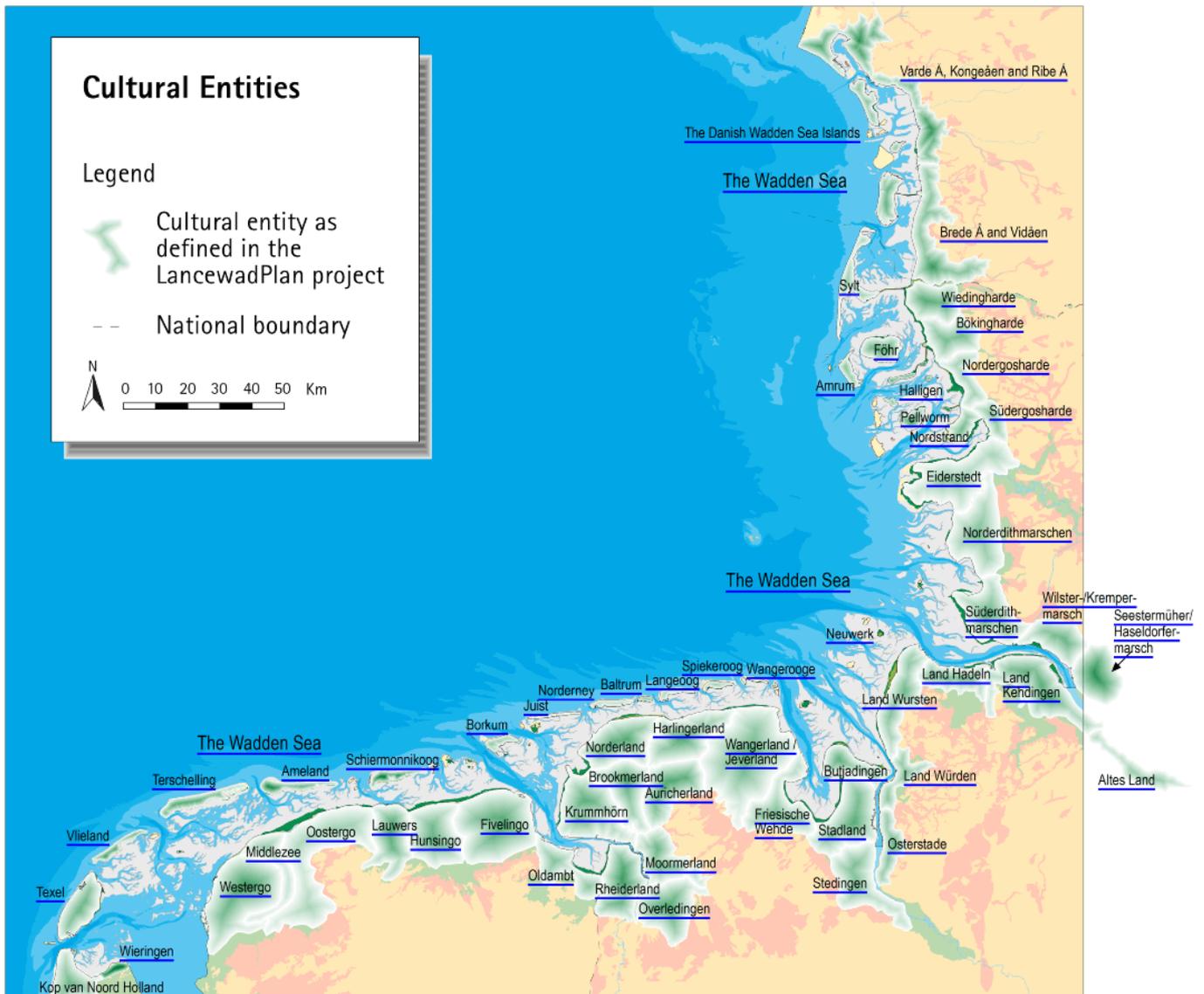
## **TRILATERAL POLICY AND MANAGEMENT**

1.1 Set up a working group of the three Wadden Sea countries including the responsible authorities and stakeholders with the aim of

- Enhancing the involvement and responsibility of relevant authorities and stakeholders for the management of the landscape and cultural heritage by, or in close cooperation with all relevant administrative levels and with support of the people living and working in the region.
- Intensifying the integration and collaboration between the natural environment and landscape management.
- Promoting the further development of appropriate planning instruments.

The group will take into account the results of the Lancewad Plan project as a starting point.

### Map 3: Cultural Entities



Note: Parts of the identified cultural entities are located outside the Wadden Sea Cooperation Area as defined in §1 of the Introduction. Activities on landscape and cultural heritage should be carried out by, or in close cooperation with, all relevant administrative levels and with support of the people living and working in the region.

## 2 Water and Sediment

The Wadden Sea is an open system. With the rising tide, marine water and sediment from the North Sea enter the Wadden Sea. Fresh water and sediments are discharged by a number of large rivers. The quality of water and sediment in the Wadden Sea is mainly determined by the external sources through which polluting substances enter the Wadden Sea. Atmospheric deposition is an additional source of pollution.

Pollutants are generally divided into three types, namely 'natural micro-pollutants', 'man-made micro-pollutants' and 'macro-pollutants'. The first class contains substances like heavy metals, which are not only produced by humans, but which also occur naturally in the environment, be it in low concentrations.

The second class, the man-made substances, also called xenobiotics, contains PCBs, pesticides and endocrine substances.

The third class, macro-pollutants, contains substances which are of natural origin and can be found in relatively high concentrations in the (marine) environment. The most important ones are nutrients, in particular phosphorus and nitrogen compounds.

Micropollutants can have toxic effects on biota, for example, through interference with the reproductive system or the immune system. These effects can be aggravated through bio-accumulation and synergism. Nutrients in excess concentrations and quantities may lead to increased primary production which, in turn, can cause negative effects like oxygen depletion as a result of decaying algal material, shifts in species composition, increased blooms of toxic algae and remobilization of micro-pollutants.

A strategy for dealing with pollution of water from chemicals is set out in Article 16 of the Water Framework Directive 2000/60/EC (WFD). As a first step of this strategy, a list of priority substances was adopted, identifying 33 substances of priority concern at Community level. The Directive 2008/105/EC of the European Parliament and of the Council on environmental quality standards in water policy (developed under Article 16 of and amending Directive 2000/60/EC) has the objective to ensure a high level of protection against risks to or via the aquatic environment arising from these 33 priority substances by setting European environmental quality standards. In addition, the WFD requires Member States to identify specific pollutants in the river basins and to include them in the monitoring programmes (both of priority substances and other pollutants for the purpose of determining the chemical and ecological status according to Article 8 and Annex V of the WFD).

### THE TARGETS

Background concentrations of natural micropollutants.

Concentration of man-made substance as resulting from zero-discharges.

A Wadden Sea ecosystem which can be regarded as eutrophication non-problem area.

Improvement of habitat quality for conservation of species.

The Targets are valid for the tidal area, the offshore area and the estuaries, and are consistent with the definitions of "good chemical status" according to the WFD. Under the WFD, Environmental

Quality Standards (EQS) have been developed for priority substances in water (Directive 2008/105/EC). Comparable standards for sediment and biota will not be available at the Community level but must be developed by the member states.

The Targets also support the World Nature Heritage criteria VIII-X.

In the assessment of the Wadden Sea Targets, the OSPAR Background Assessment Criteria (BAC) and the OSPAR Ecological Quality Objectives (EcoQOs) are applied.

## STATUS AND ASSESSMENT

The pollution of the Wadden Sea originates mainly from external sources. It concerns

- The rivers. The major rivers Elbe, Weser, Ems and the IJssel, a branch of the Rhine. In addition, a substantial part of the Rhine water enters the Wadden Sea via the North Sea through a coastal flow along the Dutch coast. Rivers are by far the largest carrier of polluting substances from the land to the Wadden Sea.
- The North Sea. Due to the net North Sea current, a substantial part of North Sea water and suspended particles - and consequently polluting substances - enter the Wadden Sea.
- The atmosphere. The Wadden Sea lies at the rim of northwestern Europe. A significant part of its pollution is caused by atmospheric deposition which originates from the highly industrialized northwestern and central European countries and exhaust emissions from ships.

Below is an assessment of the pollution status of the Wadden Sea.

### Eutrophication

Though input of nutrients, especially of phosphate, has decreased, the entire Wadden Sea still has to be considered a eutrophication problem area, meaning that the target of a Wadden Sea which can be regarded as "eutrophication non-problem area" has not yet been met. Regional differences observed indicate a more intense eutrophication in the southern as compared to the northern Wadden Sea.

### Hazardous substances

The riverine input of metals (Cd, Cu, Hg, Pb, Zn) in the period 1996 – 2007 remained at the same level as in 1995, or continued to decrease at a moderate rate. For some metals, the Target of background concentrations in sediment and biota (blue mussels and bird eggs) has not yet been reached in all sub-areas. For a number of xenobiotic compounds discharges to and concentrations in the Wadden Sea have decreased; however, the target has not yet been reached. Some of these substances still pose a risk to the ecosystem. Many newly developed xenobiotics, including hormone disruptors, occur widely in the Wadden Sea ecosystem and may have deleterious effects on the ecosystem.

### Oil and seabirds

The major sources of oil pollution at sea in the Wadden Sea region are illegal discharges of oil residues, which are a constant threat to sea- and water-birds. Although the oil rates among beached birds have decreased since the 1980s they are still high. The oil rate of the guillemot is still about three times higher than the OSPAR-EcoQO of 10% set for this species. The Wadden Sea coast is hit repeatedly by oil spills. In the period since the last QSR was published, one oil spill from a cargo ship polluted the coast of Niedersachsen and two oil spills from unknown sources polluted the Schleswig-Holstein west coast.

### Marine litter

Litter in the marine environment is a constant threat to wildlife, a hindrance to human activities, incurs high economic costs, is unsightly and reduces the recreational value of our coasts. It is a worldwide problem that doesn't stop on the borders of the Wadden Sea. Information on the levels and trends in litter pollution for the Wadden Sea region from OSPAR-Beach Litter Monitoring and other studies that have been carried out in the Wadden Sea and adjacent waters show that plastic items make up the major part of litter polluting the marine environment. Thousands of litter items per kilometre are recorded regularly during the OSPAR beach surveys. Up to 40% of the litter recorded on beaches in

the region comprises various forms of packaging. Lost or discarded nets from the fisheries industry make up 28% of the litter. The results of the OSPAR beach surveys indicate that litter pollution is presently on the increase in the southern North Sea area and a recent analysis of beached birds data indicates that entanglements with litter are also on the increase.

## **HOW TO PROCEED**

The trilateral policy and management on pollution issues is closely related to developments within the Oslo and Paris Convention (OSPAR), the International Maritime Organization (IMO) and the European Union (WFD and MSFD). It is within these frameworks that international agreements on pollution issues, relevant for the whole catchment area of the Wadden Sea Area, are made.

Water is the principal matrix for assessing compliance with the WFD Environmental Quality Standards (EQS). The Directive on environmental quality standards in the field of water policy (Directive 2008/105/EC) underlines that sediment and biota are an important matrix for monitoring and obliges member states to set up EQS for sediment and biota where necessary and appropriate to complement the EQS set at Community level. Member states have to ensure that concentrations of priority substances and other pollutants do not increase in sediment and biota.

For the Wadden Sea, the appropriate matrix for the assessment of hazardous substances will remain sediment and biota because concentrations in water are comparatively low and show high variability (in time and space). Assessment procedures and guidelines for sediment and biota will be developed in the framework of the TMAP.

Shipping safety policies are addressed in the Chapter "Integrated management".

## **TRILATERAL POLICY AND MANAGEMENT**

2.1 Trilateral policies for the reduction of inputs of nutrients and hazardous substances from all sources are congruent with those within the relevant EC Directives (WFD, MSFD) and the OSPAR framework. Special emphasis must be given to substances that cause unintended/unacceptable biological responses.

2.2 The current nutrient reduction policies within the framework of OSPAR, and the EC Urban Wastewater and Nitrogen Directives are supported by the EC Water Framework Directive and the new EU Agriculture Policy. In all three countries, these policies are being implemented together with national measures and programs in order to reach the Target. Special emphasis will be given to the trilaterally harmonised implementation of the relevant EC Directives, in particular with regard to monitoring and assessment at an integrated ecosystem level.

2.3 Policies for the reduction of hazardous substances, especially from riverine inputs as the quantitatively most important source, will be continued, in particular for newly developed xenobiotics. Special emphasis will be given to the trilaterally harmonised implementation of the relevant EC Directives on this issue.

2.4 The three countries will, in the framework of OSPAR and the EU, support the development and implementation of programmes and measures to reduce the input of marine litter and oil from its many sources, as well as removing litter and oil from the coastal and marine environments, also aiming at reducing negative effects on animal populations and ecosystem functions.

### **Pollution from ships**

2.5 With the aim of eliminating operational pollution and minimizing accidental pollution, the obligatory installation of AIS (Automatic Identification System) on ships since 2005 is an additional, informative, valuable and comprehensive tool for surveillance of ship traffic.

2.6 Harbours bordering the Wadden Sea have adequate facilities to handle all types of residues and wastes generated by ships to meet the requirements of the MARPOL Convention.

2.7 To prevent spills of oil and other hazardous substances, residual materials and litter to the aquatic environment and wildlife, activities aiming at improving enforcement (surveillance and prosecution) of agreed regulations and policies to combat illegal discharges will be continued.

2.8 The three countries will support IMO initiatives with the goal to reduce ship emissions as much as and as quickly as possible both on sea and in the harbours.

#### **Dredging and dumping of dredged material**

2.9 The three countries will develop and apply national criteria with regard to dredging operations and disposal of dredged material. They will cooperate within the framework of existing international agreements and organizations by exchanging information about their main experiences with the implementation of these criteria.

2.10 Dredged material from the Wadden Sea Area and Wadden Sea harbours will, in principle, be re-located within the system unless the contamination exceeds national criteria levels. Dredged material may be used for coastal defence measures and infrastructure works if appropriate.

#### **Discharges from oil and gas exploration and exploitation activities**

2.11 The exploration and exploitation of the energy resources in the North Sea, as well as in the Wadden Sea Area, has to comply, at least, with the international agreements in the appropriate fora. This results *inter alia* in a prohibition on discharging oil-based muds and cuttings. Dumping or discharge of water based muds and/or cuttings is only allowed in line with relevant OSPAR agreements.

2.12 The leaching of toxic substances from protective coatings of pipelines and other installations will be avoided by the use of appropriate materials.

2.13 In the Nature Conservation Area, offshore activities that have an adverse impact on the Wadden Sea environment will be limited and zero-discharges will be applied. In the Wadden Sea Area outside the Nature Conservation Area, discharges of water-based muds and cuttings will be reduced as far as possible, by applying Best Available Techniques and by prohibiting the discharge of production water from production platforms.

### 3 Salt Marshes

#### THE HABITAT

The habitat type salt marsh includes all mainland, island and hallig salt marshes, including the pioneer zone. The brackish marshes in the estuaries are also considered part of this habitat type.

All salt marshes are part of Natura 2000 areas and covered by the habitat types "1310 Salicornia and other annuals colonising mud and sand", "1320 Spartina swards", "1330 Atlantic salt meadows" and mainly within the saltmarshes "1150 coastal lagoons", for which national conservation objectives have been elaborated.

In addition, in The Netherlands, salt marshes (both area and quality) are considered as part of the quality element "angiosperms" within the Water Framework Directive (WFD), which is one element to assess the ecological status of water bodies. In Germany this is recently under discussion.

Salt marshes form the upper parts of the intertidal zone and the supralittoral, the interface between land and sea, and are strongly controlled by geomorphological, physical and biological processes, such as sedimentation in interaction with the vegetation, tidal regime and wind-wave pattern. They constitute a habitat for a wide range of organisms. On a European scale, of some 1000 plant species that are bound to coastal habitats, nearly 200 are restricted to salt marshes. The highest species diversity in salt marshes is found among the invertebrate fauna; about 1500 arthropod species inhabit salt marshes, of which a considerable number are restricted to this habitat. Salt marshes provide valuable and irreplaceable resting, breeding and feeding grounds for many bird species which are typical for the Wadden Sea. In addition, the natural salt marshes may be of importance as nursery and feeding ground for fish and for coastal flood defence and protection.

NATURALLY DEVELOPING SALT MARSHES have a drainage system of irregular, winding gullies, a zonation of subtypes reaching from a pioneer zone up to higher saltmarshes and in most cases transition to dunes, and - in the course of time - formations of salt marsh cliffs between older parts on the one side and pioneer zones on the bordering tidal flats on the other. Natural salt marshes can be found on the islands on the landside of dune areas and, in some places, along the mainland coast.

FORELAND SALT MARSHES are salt marshes which have developed or which development has accelerated through active human interference, like shelter by means of brush wood groynes on mudflats with an artificial drainage from the beginning of their development. They are mainly situated in places where natural developments would not have led to salt marsh formation.

SUMMER POLDERS are embanked parts of the salt marshes with dikes that are high enough to prevent flooding during the growing season. The frequency of inundation varies between only once per 2 or 3 years to several times per year, depending on the height of the dikes.

In many cases summer polders do not have a typical salt marsh vegetation.

#### THE TARGETS

To maintain the full range of variety of salt marshes typical for the Wadden Sea landscape.

An increased area of salt marshes with natural dynamics.

An increased natural morphology and dynamics, including natural drainage of mainland salt marshes, under the condition that the present surface area is not reduced.

A salt marsh vegetation diversity reflecting the geomorphological conditions of the habitat with variation in vegetation structure.

Favourable conditions for all typical species.

Salt marsh Targets are consistent with the relevant national conservation objectives for salt-marsh habitat types. The salt marsh Targets are consistent with the World Heritage criteria VIII, IX and X.

## STATUS AND ASSESSMENT

Large areas of natural and man-made salt marshes have been embanked in the past. This has not only caused a considerable loss of this typical Wadden Sea habitat, but also reduced the volume of the tidal area considerably. These losses have been compensated for, at least partly, on the islands where new natural salt marshes developed in the shelter of sand dikes and on the mainland through the stimulation of sedimentation. Most of the island salt marshes have developed in a natural way. Most mainland salt marshes are man made and have developed by being protected by brushwood groynes. As a result of their artificial drainage patterns, their morphology differs to natural saltmarshes. Exceptions are the area between the Varde river estuary and the peninsula of Skallingen in the far north, salt marshes at the western end of Eiderstedt and in some coastal parts of Dithmarschen in front of brushwood groynes.

The main interference with the natural development of salt marshes and summer polders is caused by coastal flood defence and protection. Salt marshes and summer dikes are important elements for coastal flood defence and protection. Salt marshes constitute an alternative to protecting the dike foot with hard constructions if the security of the dike is guaranteed.

Agricultural activities, mainly intensive grazing and mowing and the then necessary drainage, but also the application of fertilizer and pesticides, affect the natural vegetation structure and, consequently, the faunal composition.

Although different management tools (including hands-off management) are applied in different parts of the Wadden Sea, the approach to salt marsh management can be regarded as a common one to achieve the Targets. Since the mid 1980s, the Wadden Sea salt marshes in most areas have increased. Local losses occurred and were mainly due to poor sedimentation conditions or to erosion of the intertidal flat area adjacent to the marsh.

In general, livestock grazing, mowing and artificial drainage have decreased in the entire Wadden Sea since the 1980s and the salt marshes now support a variety of more naturally distributed vegetation types. Ageing of salt marshes (a development of vegetation which is dominated by some single species after cessation of farming but continuation of artificial drainage) is considered to be a problem in some areas and will require more attention in salt marsh management in future. This is valid mainly for salt marshes with artificial drainage, high sedimentation rates and lacking rejuvenation processes. The role of saltmarsh gullies for juvenile fish is still largely unknown.

In Denmark the current conservation status according to the Habitats Directive is unfavourable (bad) for Habitat Type 1330.

In Germany the conservation status of Types 1310 and 1320 is favourable and of Type 1330 unfavourable (inadequate).

In The Netherlands the conservation status of Habitat Type 1310 is favourable, for Type 1330 unfavourable (inadequate) and for Type 1320 unfavourable (bad).

## HOW TO PROCEED

Much has been achieved over the last decades to implement the Targets for salt marshes. In order to further implement the Targets and to comply with the Natura 2000 requirements, it is necessary to further increase the area of salt marshes with natural dynamics, to increase natural morphology and dynamics, and to improve natural vegetation structure of artificial salt marshes through further cessation of intensive grazing where possible, reduction of artificial drainage in salt marshes without any agricultural use, and de-embankment of summer polders where this is appropriate and compatible with the needs of coastal flood defence and protection.

Outbankment of summer polders, excluding the summer dikes of the Halligen, because these protect the inhabitants, is an effective way to enlarge the salt marsh region.

The present forelands can be protected against extensive erosion because the size of the man-made salt marshes along the mainland is still less than the total size before the embankments started. Brushwood groins in exposed positions in front of artificial salt marshes prevent erosion and also mitigate effects of stronger sea level rise.

It is important to increase natural dynamics in conjunction with dune areas and tidal flats, to allow adaptation to sea level rise and to achieve favourable conservation status where not interfering with the protection of the islands.

The width of the salt marsh is important in order to maintain or enhance zonal diversity and to slow down ageing. Sedimentation rate on the salt marshes should be sufficient to keep pace with sea level rise.

With respect to saltmarsh management it is recommended to allow dynamic processes as far as possible. If saltmarsh works are necessary, sedimentation fields with brushwood groynes should be applied if feasible. In addition, the artificial drainage in sedimentation fields should be kept to a minimum.

The assessment of the Target of a more natural vegetation structure, as well as the relevant N2000 conservation objectives, require further data analysis based on harmonised criteria. Such a Wadden-Sea-wide harmonised assessment of salt marsh development will be carried out using a common vegetation typology.

Regional salt marsh management plans have proven to be important for harmonising the interests of nature protection and coastal defence for parts of the Wadden Sea. In order to further implement the Targets, as well as achieving a good ecological status, such plans should be developed for all parts of the Wadden Sea.

The function of saltmarsh gullies for spawning and juvenile fish should be better elucidated.

## **TRILATERAL POLICY AND MANAGEMENT**

3.1 The general trilateral policy regarding salt marshes aims at adequately protecting the full range of variety of salt marshes in order to allow natural processes to take place within this habitat, with special emphasis on flora and fauna and by this maintain or restore a favourable conservation status.

3.2 Regional salt marsh management plans should be established for all Wadden Sea salt marshes, insofar this has not yet been done. These plans will contain, amongst others, Best Environmental Practice in salt marsh protection and development, taking account of experiences with local concepts and measures, as well as coastal flood defence and protection requirements, particularly focusing on possible impacts of sea level rise.

### **Salt Marsh Area**

3.3 The trilateral policy takes as a starting point that the present area of salt marshes will not be reduced and that, where possible, the area of salt marshes with natural dynamics will be extended.

3.4 The long-term goal is to maintain or restore a favourable conservation status for all salt marshes by limiting human interference, except for the edges which may need protection against erosion. In working towards this long-term goal, the interest of coastal flood defence and protection, cultural history and private rights should be taken into account.

3.5 An increase of the salt marsh area with natural dynamics will be aimed for through the restoration of salt marshes, for example by opening summer dikes or by removing sand dikes, provided that it is in line with the Targets for the region, socio-economic conditions and coastal flood defence and protection requirements. The Halligen are protected by summer dikes for the security of the inhabitants. There is no intention to open these dikes.

### **Natural Dynamics and Natural Diversity**

3.6 The natural drainage of salt marshes will be increased by-reducing artificial drainage works where possible and practicable. Artificial structures, allowing predators to reach areas which they could not use under more natural conditions, may not be constructed, respectively removal considered where possible.

3.7 It is the aim to reduce and/or diversify grazing in order to increase the natural dynamics or the diversity of vegetation and associated animal species in salt marshes, reflecting the geomorphological conditions of the habitat with the exception of those areas where grazing is necessary for coastal flood defence and protection measures. Economic dependences of farmers will be taken into account.

3.8 Disturbance and damage caused by recreation and tourism will be further reduced by information systems and/or temporal and spatial zoning e.g. network of trails and routes. (Identical with 4.31).

3.9 The application of natural and artificial fertilizers and pesticides and other toxic substances on the salt marshes will be stopped.

### **Coastal Flood Defence and Protection**

3.10 The interests of nature protection and sea defence measures will be further harmonised, through e.g. regional salt marsh/foreland management plans, giving priority to the safety of the inhabitants.

3.11 As a principle, it is prohibited to embank salt marshes and the loss of biotopes through sea defence measures will be minimised. Reinforcement of existing dikes will be carried out on the location of existing dikes and, preferably, on the land side. (Identical with 4.3).

3.12 The application of Best Environmental Practices for coastal flood defence and protection will be enhanced.

3.13 In general, clay for sea defence will be extracted behind the dikes. In special cases, i.e. where there is urgent and sudden need and if no other deposits behind the dikes are available, or if the extraction of suitable material is ecologically balanced, the extraction of clay may be allowed in front of the dike. In this case, the extraction shall be carried out in such a way that the environmental impact is kept to a minimum and permanent or long lasting effects are avoided and, if this is not possible, compensated. Additional regional regulations may complete this policy.

### **Infrastructural works**

3.14 New infrastructural works which have a permanent or long-lasting impact should not be established in salt marshes.

3.15 Infrastructural works which are necessary for the supply of the islands and the Halligen with, amongst others, gas, water and electricity, or other utilities, shall be carried out in a way that the environmental impact on the Wadden Sea is kept to a minimum and permanent, or long lasting, impacts are avoided. (Identical with 4.20)

3.16 New licenses for the construction of pipelines in the salt marshes for the transport of gas and oil shall not be issued unless in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest including those of a social or economic nature. (Identical with 4.16)

3.17 To concentrate cable crossings through the Wadden Sea within a minimum of cable corridors and a minimum of cables, using the best available techniques, e.g. cables with highest capacity available, and avoiding salt marshes crossing as far as possible, and to communicate regularly on this item in order to use synergies. (Identical with 4.19; 5.10; 7.3)

3.18 The construction of wind turbines in the Nature Conservation Area is prohibited. (Identical with 4.17; 7.4; 8.4; 9.11)

3.19 The construction of wind turbines, in the Wadden Sea Area outside the Nature Conservation Area, is only allowed, if important ecological and landscape values are not negatively affected.  
(Identical with 4.18; 7.5; 8.5; 9.12)



## 4 Tidal Area

### THE HABITAT

The tidal area covers all tidal flats and subtidal areas. The border of the North Sea side is determined by an imaginary line between the tips of the islands. The borders to the estuaries are determined by the average 10‰ isohaline at high water in the winter situation

Most of the tidal area is designated as a Natura 2000 area (see Map 4). National Conservation Objectives have been defined for Habitat Types 1110 (sandbanks which are slightly covered by sea water all the time), 1130 (estuaries), 1140 (mudflats and sandflats not covered by seawater at low tide), 1150 (coastal lagoons) 1160 (large shallow inlets and bays) and 1170 (reefs).

The entire tidal area has been assigned to 4 types of coastal water bodies and in the estuaries one type of transitional waters under the Water Framework Directive.

The tidal area, with its ever-changing pattern of tidal flats, gullies and open water, is the most characteristic habitat of the Wadden Sea. At low tide, the tidal flats cover about two thirds of the tidal area. The tidal flats of the Wadden Sea form the largest unbroken stretch of mudflats worldwide.

As a result of the daily tides and the open connection with the North Sea, the tidal area is very dynamic. It is exposed to natural impacts such as ice winters, strong gales and extreme changes in temperature.

A characteristic feature of the Wadden Sea tidal area is its high biological productivity, which is the main reason that the Wadden Sea is an important nursery area for North Sea fish and for the high numbers of breeding and migrating birds which feed in the area. Distinctive biological features of the tidal area are, amongst others, mussel beds, and *Zostera* fields. At low tide, the tidal flats are important feeding, roosting and/or moulting areas for birds and seals.

### THE TARGETS

A natural dynamic situation in the tidal area.

An increased area of geomorphologically and biologically undisturbed tidal flats and subtidal areas.

A natural size, distribution and development of natural mussel beds, *Sabellaria* reefs and *Zostera* fields.

Targets for the harbour seal, the grey seal and the harbour porpoise, see Chapter Mammals.

Targets for migrating and breeding birds, see Chapter Birds.

Targets for fish, see Chapter Fish.

Tidal area Targets are consistent with the quality objectives of the WFD and relevant national conservation objectives for tidal area habitat types. The targets are also consistent with the World Nature Heritage criteria VIII – X. There are differences in the designation of relevant Habitat Types between Wadden Sea countries, as well as size and number of water bodies (see further "Status and Assessment").

## STATUS AND ASSESSMENT

### Geomorphology

The tidal area between the mainland and the islands is characterized by a high degree of natural dynamics. The positions and structures of tidal channels and shoals and emerging sand banks are changing continuously. The total area of the intertidal flats is almost the same as in the mid 1980s. Since then no further embankments of tidal areas have been carried out. However, there seems to be a general depletion of fine-grained material close to the mainland coast due to hydromorphological changes as a combined result of land reclamations in the past and sea level rise.

The tidal area is a sediment importing system and has, therefore, been able to compensate for the subsidence of the sea bottom. Accelerated sea level rise, expected as a result of climate change, will most probably increase the sediment importing demands. Current sea level rise is about 20 cm/100 years. The system may be able to compensate for sea level increases of up to approximately 50cm/100 years (a level that will considerably vary among different tidal basins), but higher levels will possibly result in a loss of tidal flats and a transition to a coastal lagoon system. As most recent prognoses for sea level rise vary from 50 to 130 cm/100 years, the long term functionality of the area may be affected.

During the past decades, sand extraction has steadily declined. Still, a certain amount of sand is used for purposes of coastal protection, e.g. beach nourishment, dike and (on the Halligen) dwelling mound reinforcement.

The exploitation of natural gas in and adjacent to the Wadden Sea, effects in a subsidence of the sea floor. Investigations show that this subsidence of tidal flats has been fully compensated by natural sedimentation until now.

### Biology

#### MUSSEL BEDS, SEAGRASS MEADOWS AND SABELLARIA REEFS

In the past, numbers and size of mature mussel beds have seriously declined all over the Wadden Sea, although there are regional differences. The lack of spatfall since 1999, fishing for seed mussels in some areas, as well as some winters with heavy storms, have played a role. In the past 10 years, a slow recovery of intertidal mussel beds has occurred in some areas, though in others the decline is ongoing, despite a reduction of seed mussel fishery. The situation of stable subtidal mussel beds is largely unknown.

In the past, *Sabellaria* reefs and seagrass meadows in the Wadden Sea have also seriously declined, the latter varying between regions with most declines in south-western parts. It is unclear what the main causes for the decline in *Sabellaria* reefs and seagrass meadows have been. A slow recovery of seagrass stands has been observed, for which the improved water quality is deemed responsible. *Sabellaria* forming reefs are actually very rare, though single individuals are found. Generally, there is insufficient knowledge of the situation of the sublittoral part of the tidal area.

#### TEMPERATURE

Average temperatures in the Wadden Sea have increased as a result of global warming. Climate change may stress the present structure and functioning of the food web and may result in a cascade of yet unknown effects. For example, the response of organisms and of the ecosystem as a whole may not only depend on absolute shifts in temperature, but on the phasing of the new temperature regime (tidally, daily and seasonally) with other key variables as well.

#### ALIEN SPECIES

Although the present knowledge about the extent, patterns and mechanisms of aquatic bioinvasions is still in its infancy, it is clear that aliens are a significant force for change in aquatic communities globally. At the North Sea coast, many of the introduced species, mainly algae and invertebrates, arrived via shipping or via aquaculture. They most often became established within estuaries and on hard substrates, with more than 80 known species, of which about 52 also occur within the Wadden Sea. Of the 52 known introduced species, six have already had, or are about to have, effects on the composition of the existing biota in the Wadden Sea. These species differ in their effects, some of which may be of a dynamic character. Global warming may benefit some species, resulting in further changes in dominance. Some introductions have become extremely numerous locally. In particular,

pacific oysters are found today in all parts of the Wadden Sea, mainly on oyster beds and natural mussel beds, leading to the most obvious change in the community structure of mussel beds. It is as yet unknown what the community effects will be. There is, however, no evidence that introduced species have caused the extinction of natives in the Wadden Sea.

### Human Activities

There are several human activities taking place in the tidal flat area. Those which cause adverse effects are regulated in time and space or, as appropriate, are prohibited by national laws. Where appropriate, activities are subject to licensing following an assessment of their impact on the Wadden Sea in accordance with the stipulations of the Habitats Directive.

In addition, there are some activities such as leisure activities, civil air traffic, fishery, military activities, hunting and laying of cables that may potentially cause disturbance to the Nature Conservation Area. For many of these activities the natural dynamic processes which change the Wadden Sea over time have to be taken into account.

The most prominent **touristic activities** in the tidal area are boating and mudflat-walking. Flat walking takes place mainly near the recreational beaches and on guided tours on defined routes.

Though the construction of new **wind turbines** is not allowed within the Nature Conservation Area, it can be expected that cables from planned and anticipated wind farms in the North Sea will have to cross the Wadden Sea in most cases. It is also unavoidable that additional cables and pipelines for supplying the islands will be constructed through the Wadden Sea Area and, subsequently, also maintained. The construction of such infrastructure installations is subject to assessment and permission under the Habitats Directive. It is the aim to minimise the construction and maintenance effects as far as possible.

Fishery may affect the natural environment of the Wadden Sea. Most important fisheries within the Nature Conservation Area are for blue mussel and shrimp.

**Shrimp fishery** is allowed in the Dutch and German Wadden Sea with the exception of defined zero-use zones and is limited in Denmark to the area between the islands and in the offshore area. The planned WSP project in 1997 could not be conducted due to a lack of funding. Thus, there are still open questions on the influence of shrimp fishery on bottom fauna and potential to further reduce the bycatch, which is mainly fish.

Mechanical **cockle fishery** has been phased out in most parts of the Nature Conservation Area. Limited non-mechanical commercial cockle fishing (by hand digging) is allowed and regulated in The Netherlands. In other parts of the Area, non-mechanical cockle fishing is limited to private use only in accessible areas of the tidal flats.

The policy of the three countries, including the needs of the Habitat Directive for **blue mussel fishery** and aquaculture since the Wadden Sea Plan of 1997, aimed for a sustainable and ecologically sound mussel fishery. In general, major parts of the intertidal are closed for blue mussel fishery, the area of mussel culture lots has been stable or is reduced and seed mussel fishery is regulated.

In Denmark, the mussel fishery takes place only at natural mussel beds (five licenses) and has for the time being been suspended (2009) due to stock decrease. According to the actual legislation, dispensation may be acquired to fish in three well-defined areas. In Hamburg, mussel fisheries is forbidden by the National Park Act. In Schleswig-Holstein, Niedersachsen and The Netherlands mussel management programmes have been implemented and are being or will be updated.

**Hunting** is prohibited in the Nature Conservation Area, with the exception of a few areas. Further exemptions for hunting for wildlife management and pest control are possible in the whole area.

The extent of **military activities** has been significantly reduced over the last years. There are a few exercise areas such as the shooting range "Vliehors" on the island of Vlieland or the tidal area in front of the Meldorfer Bucht in Dithmarschen. All activities are limited in time to take account of the breeding and moulting times for birds and seals. In the Danish Wadden Sea, military activities take place on the northern part of the island of Rømø. Here, air-to-ground training sessions are regularly performed, but they are strictly limited in time.

## EC Directives

### DIFFERENCES IN IMPLEMENTATION

The main differences in the national designation of the Habitats Directive for the tidal area are:

- NL has designated the tidal area as Habitat Types 1110 (sublittoral banks) and 1140 (eulittoral banks) only. NL has explicitly included the protection of sublittoral mussel beds in Habitat Type 1110;
- In Germany and Denmark, additionally Types 1130, 1160 and 1170 have been designated. Germany has designated sublittoral mussel beds as Habitat Type 1170. Following the recent clarification on the common definition of 1170 at EU-level, the designation of eulittoral mussel banks as reefs in Germany will be revised at the next revision of the standard data forms.

With regard to the Water Framework Directive, size and number of water bodies in the tidal area differ between NL (6 water bodies), D (18 water bodies) and DK (4 water bodies). There are no transitional water bodies in DK. In principle, the WFD and WSP address the same area – the tidal area. There is an overlap with the offshore area and estuaries as defined in the WSP.

### CONSERVATION STATUS

In Denmark, the conservation status of HD Types 1110, 1130, 1140, 1160 and 1170 has been classified as unfavourable (bad). The status of Type 1150 is unknown.

In Germany, the conservation status of Habitat Types 1110, 1160 and 1170 is unknown, for Type 1140 it is favourable.

In The Netherlands, HD Types 1110 and 1140 are assessed as unfavourable (inadequate).

## HOW TO PROCEED

In the framework of the trilateral cooperation, a large number of measures to counteract the negative effects of human presence in the area and the exploitation of natural and mineral resources has been agreed upon.

In the light of impacts of climate change, additional or amended policies are desirable for the management of the tidal area, in particular taking account of substantial changes in the ecosystem and, consequently, dealing with HD Conservation Objectives. Such policies must be carefully tuned with those concerning the dynamic situation in the offshore area, beaches and dunes, salt marshes and estuaries.

Furthermore, a better management of characteristic tidal area communities, especially natural mussel beds, *Zostera* fields and *Sabellaria* reefs, is necessary for an effective implementation of the relevant Targets.

In light of the ecological importance of the sublittoral part of the tidal area, a more harmonised trilateral management is necessary.

Major challenges for the future tidal area policies are to collect relevant knowledge of the subtidal natural values, to develop harmonised assessment methodologies, and to specify and harmonise relevant Conservation Objectives in order to have a common approach between the Wadden Sea States.

The WFD transitional waters cover partly the tidal area and partly the estuaries. This overlap has to be clarified in the Wadden Sea also in connection with the Habitat Directive areas in the estuaries. In the development of the WFD assessment tools, various approaches and methods are under discussion to define a water body type-specific reference condition and good ecological status. It is the overall aim to harmonise these different approaches at the trilateral level to produce comparable results.

For invasive alien species, new trilateral policies will be developed (see Chapter Integrated Management).

The development of fisheries into the direction of more sustainable activities in the Wadden Sea has started and will be continued. Existing national management plans and policies for mussel fisheries are regarded as a step into this direction.

In The Netherlands, policy for mussel seed collectors will be further developed in conjunction with the transition of the mussel fishery and the Nature Recovery Programme Wadden Sea between 2009-2020.

National policies regarding the import of seed mussels are different.

Trilateral principles for sustainable shrimp fisheries should be developed in cooperation with the fisheries sector.

The management of seals in the tidal area is covered by the Trilateral Seal Management Plan. This plan is amended and updated at regular intervals.

## **TRILATERAL POLICY AND MANAGEMENT**

### **Natural Dynamics and Coastal Flood Defence and Protection**

4.1 Trilateral policies will, as a principle, be based on an integrated approach to coastal defence and nature protection on the mainland coast, the islands and the offshore zone taking into account the water management of the inland.

4.2 Future trilateral policies will aim at increasing the resilience of the Wadden Sea to impacts of climate change, in particular by promoting the development of natural dynamics.

4.3 Embankments of tidal areas will, as a principle, be prohibited and the loss of biotopes through sea defence measures minimised. Reinforcement of existing dikes will be carried out on the location of existing dikes and, preferably, on the land side. (Identical with 3.11)

4.4 Permission for small-scale modifications of jetties, piers and other infrastructural works along the Wadden Sea coast shall only be given after a careful review of all interests.

4.5 Permission for new permanent structures, which may influence the natural dynamics in the tidal area of the Nature Conservation Area, will not be granted unless for imperative reasons of overriding public interest and if no alternative can be found.

Permission for new permanent structures, which are likely to have significant effects on the natural dynamics in the tidal area outside the Nature Conservation Area, will only be granted after having been made subject to an assessment in accordance with the EC Directive on Environmental Impact Assessment.

### **Shipping, Harbours and Industrial Facilities**

4.6 The extension, or major modification, of existing harbour and industrial facilities and new construction shall be carried out in such a way that the environmental impact is kept to a minimum and permanent, or long lasting, effects are avoided and, if this is not possible, compensated.

4.7 Shipping routes and harbours are to be managed for their intended purposes, including the necessary maintenance of shipping routes; in doing so, negative impacts should be avoided, as far as possible.

Navigation dredging operations should aim at allowing natural processes to run their course, as far as possible.

4.8 New shipping routes to the harbours and the Wadden Sea islands will, in principle, not be dredged unless the present routes threaten to disappear or for shipping safety reasons.

4.9 In shipping links across the water shed and other not designated routes that exist by virtue of natural dynamics in principle, no dredging operations will be carried out.

4.10 Speed limits within the tidal area have been imposed where such is deemed necessary.

### **Mineral Extraction and Infrastructure**

4.11 In the Nature Conservation Area, new exploitation installations for oil and gas will not be permitted.

For the area of the World Heritage property, Germany and The Netherlands have confirmed their commitment not to explore and extract oil and gas at locations within the revised boundaries of the nominated property in line with law in force.

4.12 In the parts of the Nature Conservation Area not being designated as World Heritage Property exploration activities are permitted in accordance with national legislation if it is reasonably plausible that deposits can be exploited from outside the Nature Conservation Area. Net loss of nature value must be prevented. Therefore, exploration activities will be regulated in space and time. Associated studies, mitigation and compensation measures should be carried out where appropriate.

4.13 In light of the expected acceleration in sea level rise and the consequent increased sand demand of the system, trilateral policies generally take as a starting point that sand is not removed from the Nature Conservation Area.

4.14 The extraction of sand in the Nature Conservation Area will be limited to the dredging and maintenance of shipping lanes. This sand can be used for, inter alia, sea defence purposes. In specific cases, sand may also be extracted for sea defence purposes.

The extraction of sand in the Wadden Sea Area outside the Nature Conservation Area should make maximum use of sand generated by the maintenance of shipping lanes. It should be carried out in such a way that the environmental impact is kept to a minimum and permanent, or long lasting, effects are avoided and, if this is not possible, compensated.

4.15 Small scale extractions of mud and sea water for medical purposes and of sand remain licensable following national legislation.

4.16 The construction of pipelines shall be such that the environmental impact on the Wadden Sea ecosystem is kept to a minimum and permanent, or long lasting, negative impacts are avoided, and if this is not possible, compensated. In the Nature Conservation Area, new licenses for the construction of pipelines in the tidal area for the transport of gas and oil shall not be issued unless in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. (Identical with 3.16)

4.17 The construction of wind turbines in the Nature Conservation Area is prohibited. (Identical with 3.18; 7.4; 8.4; 9.11)

4.18 The construction of wind turbines, in the Wadden Sea Area outside the Nature Conservation Area, is only allowed, if important ecological and landscape values are not negatively affected. (Identical with 3.19; 7.5; 8.5; 9.12)

4.19 To concentrate cable crossings through the Wadden Sea within a minimum of cable corridors and a minimum of cables using the best available techniques, e.g. cables with highest capacity available, and to communicate regularly on this item in order to use synergies. (Identical with 3.17; 5.10; 7.3)

4.20 Infrastructural works which are necessary for the supply of the islands and the Halligen with, amongst others, gas, water and electricity, or other utilities, shall be carried out in a way that the environmental impact on the Wadden Sea is kept to a minimum and permanent, or long lasting, impacts are avoided. (Identical with 3.15)

### **Dredged Material**

4.21 The impact of re-location or dumping of dredged materials will be minimised. Criteria are, amongst others, appropriate dumping sites and/or dumping periods. This has been implemented on national level through joint concepts for dredged materials for marine and coastal waters. (Identical with 6.4)

### **Mussel, Cockle and Shrimp Fishery**

4.22 Cockle fishery is not allowed in the Wadden Sea Area, with the exception of mechanical fisheries in some small areas along the Esbjerg shipping lane and in the Ho Bay, and in Niedersachsen outside of the conservation area (but will not be carried out at present), as well as non-mechanical cockle fishing in The Netherlands. (Identical with 9.5)

4.23 The effects of mussel fishery are limited by the permanent closure of considerable areas and the reservation of sufficient amounts of mussels for birds. In addition, the management of fishery on mussels should not be in conflict with protecting and enhancing the growth of natural mussel beds and Zostera fields. (Identical with 9.6)

4.24 Mussel fishery will, in principle, be limited to designated parts of the subtidal area. Based on national management plans, fishery on the tidal flats and parts of the sublittoral may be granted. The fishery sector will, in close cooperation with competent authorities, improve existing practices in such a way that impacts of mussel fishery in general and seed mussel fishery in particular, will be minimised. (Identical with 9.7)

4.25 The current area of mussel culture lots will not be enlarged.

4.26 The existing permit for oyster culture in Schleswig-Holstein will remain in force. New permits will not be granted.

4.27 In order to reduce bycatch and to reduce impact on the sea floor, trilateral policy principles for a sustainable shrimp fishery will be developed in close cooperation with the fisheries sector.

### **Tourism and Recreation**

4.28 The recreational values of the Wadden Sea will be maintained for the benefit of man and nature. To this end in the Nature Conservation Area,

- in the ecologically most sensitive areas, zones have been or will be established where no recreational activities, including excursion ships and recreational boating, is allowed;
- the use of jet skis, water skis and similar motorized equipment has been, or will be, prohibited, or limited, to small designated areas;
- new marinas will be avoided and the extension of the existing marina capacity will only be allowed within the approved levels;
- water sports, like wind surfing have to be balanced with the needs of nature protection and bathing tourism;
- Kitesurfing can distort nature values, in particular roosting sites for birds. The aim is a harmonised approach to kitesurfing consisting of zoning where the activity is allowed under conditions. (Identical with 9.21 and 10.5)

4.29 Speed limits for ships have been imposed, taking into account safety, environmental recreational and fishery factors. (Identical with 9.22 and 10.6)

4.30 The negative effects of hovercraft and hydrofoil craft and other high-speed craft are minimised by the following strategies:

- In The Netherlands and Germany, hovercraft and hydrofoil craft are forbidden in the tidal area of the Nature Conservation Area; new, other high speed craft are forbidden (in Germany) outside the designated shipping routes in the area (in The Netherlands);
- In Denmark, applications for new, high-speed craft can only be granted on the basis of an Environmental Impact Assessment and if it is not in conflict with the nature protection targets for the area.

4.31 Disturbance and damage caused by recreation and tourism will be further reduced through information systems, and/or temporal and spatial zoning, e.g. network of trails and routes. (Identical with 3.8).

4.32 Experience of nature and landscape should be made possible by appropriate measures. It is the aim to guide recreational activities and tourism by information systems, as well as temporal and/or spatial zonation, routing systems and field guidance in such a way that people can enjoy unspoiled nature, and disturbances and damages are minimised.

## 5 Beaches and Dunes

### THE HABITAT

Beaches and dunes include beaches, sandbars, beach plains, and different types of dunes including humid dune slacks. Most beaches and dunes are situated on the North Sea side of the barrier islands. Mainland beaches and dunes can be found on the Skallingen and Eiderstedt peninsulas and near Cuxhaven.

Almost all dune areas have been designated as Natura 2000 areas under the Birds and Habitats Directives and National Conservation Objectives have been adopted for Habitat Types 2110 (embryonic dunes), 2120 (white dunes), 2130 (grey dunes), 2140 (decalcified fixed dunes with *Empetrum nigrum*), 2150 (Atlantic decalcified fixed dunes), 2160 (dunes with *Hippophae rhamnoides*), 2170 (dunes with *Salix repens*), 2180 (wooded dunes of the Atlantic, Continental and Boreal region) and 2190 (humid dune slacks). For beaches, HD types 1150 (coastal lagoons), 1220 (perennial vegetation of stony banks), 1310 (*Salicornia* and other annuals colonising mud and sand) and 1330 (Atlantic salt meadows) are relevant.

Beaches and coastal dunes together constitute one morphogenetic habitat system. Beaches and dunes play an important role in the Wadden Sea – they build up the barrier islands and provide habitats for many and often highly specialised species. At the same time, they are important for coastal defence and as recreation area.

Sandy beaches are the most dynamic physical system of the seashore. Coastal dunes develop where sand is mobilised at dry beaches and blown landwards, trapped by shells or plants and giving rise to a succession of dunes, from embryonic to white, grey and brown.

Dunes are hot spots of biodiversity. Especially wet dune slacks are of outstanding importance because they are inhabited by a number of endangered species.

Wadden Sea island dunes have a far more natural character than those of the mainland dunes along the Northwest European coast. The Wadden dunes are to a large extent embedded in the natural landscapes of the North Sea and the Wadden Sea.

### THE TARGETS

Increased natural dynamics of beaches, primary dunes, beach planes and primary dune valleys in connection with the offshore zone.

An increased presence of a complete natural vegetation succession.

Targets for Birds, see chapter Birds.

Few differences exist in the designation of HD dune types. Some types are not present in all three countries or only in very small areas with smooth transitions to other types. The national conservation objectives are largely consistent with the Targets. The Targets for beaches and dunes are consistent with the World Heritage criteria VIII, IX and X.

### STATUS AND ASSESSMENT

The dune Targets of increased natural dynamics and of an increased presence of a complete natural vegetation succession have not yet been reached. This is mainly due to:

- Stabilization of dunes resulting in decreasing dune dynamics (mainly due to coastal defence measures);
- Decrease of ground water level and impacts on dune slacks (due to water extraction);
- Eutrophication of dunes by atmospheric deposition, leading *inter alia* to increased moss coverage
- Fragmentation of dune habitats;
- Invasive alien species;
- Mass development of rabbits on some islands.

Many of the Atlantic coastal dunes are unnaturally stable. About two-thirds of the coastal dunes consist of mid- and late successional dune types. Important other types, in particular embryonic dunes and species-rich dune slacks and also grey dunes in typical appearance, are absent or show a further decline. Wet dune valleys become more and more dry.

The main reason is that dunes and beaches have an important coastal flood defence and protection function and consequently the dynamics of the coastal zone have been restricted, especially near inhabited areas, areas of drinking water extraction, buildings and other artificial structures.

The effect on the flora and fauna is that species typical of open sand dune grassland or heath are replaced by scrubs and secondary woodland. The avoidance of penetration of salt water in areas of drinking-water extraction increases unnatural ageing of dunes. If younger dune stages are not sufficiently present, biodiversity in dunes and salt marshes, not only of higher plants but also of mosses, lichens and insects, may be lower or declines. Nowadays some of the most characteristic species, also some of the birds typical for open dunes, have vanished from the Wadden Sea islands. In areas where coastal defence measures have been reduced, natural dynamics have increased.

Especially wet dune slacks are of outstanding importance because they are inhabited by a number of endangered species which have become rare during the last decades because of habitat loss, stabilization of dunes and lowering of groundwater table through drinking water extraction.

Over the last century all Northwest-European dune ecosystems have experienced changes due to increased nutrient deposition, planting of conifers, grazing pressure, or invasion of non-native species such as *Rosa rugosa*.

Long-term nitrogen deposition has a strong potential to reduce plant species richness. Fast-growing species like grasses outcompete slow-growing species, usually small herbs and lichens. Generally N-sensitive vegetation has declined in semi-natural ecosystems in Europe. Examples are heath, grasslands and fens.

There is a considerable extent and diversity of sandy beaches in the Wadden Sea Area. The biota is distinctly different in composition from that of the offshore belt and the tidal area. Beaches contribute considerably to overall faunal diversity with unique forms of life. In contrast to tidal flats, organisms have little effects on their habitat. Physical factors select the forms of life, most of which are rather small. Two of the most threatened breeding bird species in the Wadden Sea Area, the Kentish plover and the little tern, breed mainly on beaches.

In Denmark the conservation status of all dune Habitat Types is unfavourable, with the exception of 2110 and 2160 (unknown), which is mainly due to eutrophication, but there is also overgrowth, unnatural water levels/regimes, as well as lack of or reduced dynamics. In Germany, the conservation status of all dune Habitat Types is favourable with the exception of 2120 and 2190 (unfavourable, inadequate) and 2150 (unfavourable, bad). In The Netherlands, Types 1310, 2110, 2120, 2150, 2160 and 2170 have a favourable conservation status, Types 1330, 2140, 2180 and 2190 are unfavourable (inadequate) and 2130 is unfavourable (bad).

## HOW TO PROCEED

In order to implement the Targets on increased natural dynamics and natural vegetation succession, a more active policy is necessary, promoting coastal flood defence and protection techniques that allow for higher natural dynamics. In addition, active stimulation measures must be taken to enhance the dynamic situation on beaches and in dunes. Coastal management must be carefully tuned to natural

values and natural processes, taking into account the priority of safety of the islands and their inhabitants.

New insights suggest that coastal defence and nature management can benefit from each other. Where safety is provided by means of nourishments, natural processes might transfer sand from the beach inland, and consequently will result in growing dunes and rising surfaces, not only in the foredunes but also inland. Therefore, nature can serve safety. Policies for sea defences and for nature management could aim for the same goals. Sand nourishments for coastal flood defence and protection contribute positively in that they stabilize dunes under stronger sea level rise. The nourished material will, after renewed erosion during storm surges, finally accumulate in the tidal area, thereby stabilising the system under sea level rise.

All dune habitats are part of the Natura 2000 network of the EC Habitats Directive. However, the conservation status in at least parts of the dune areas has been assessed as “non-favourable”. The implementation of the European Nature Conservation Directives in the Wadden Sea requires a tuning between The Netherlands, Germany and Denmark.

Additional protection of beach breeding species may be achieved through relatively simple zoning measures limited in space and time. *inter alia* closing of areas or visitor management. Similar protection measures can be applied to seals. These policies will be continued.

## TRILATERAL POLICY AND MANAGEMENT

5.1 Dunes are protected and natural processes are allowed to take place within this habitat, with special emphasis on geomorphology, flora and fauna. To this end, HD Conservation Objectives and Best Environmental Practices will be more harmonised and commonly applied in dune protection and development.

5.2 The interests of nature protection and sea defence measures will be further harmonised, and the loss of biotopes by sea defence measures minimised, while taking into account that the safety of the inhabitants is essential.

5.3 For beaches and dunes, the trilateral policy takes into account the demands of recreation and tourism, coastal flood defence and protection and natural values, like high geomorphological dynamics and important breeding areas. Where possible, the natural situation should be increased by ‘hands-off management’.

5.4 Coastal management should aim at a natural dynamic development recognizing the necessity to protect the security of the inhabitants on the islands and safeguarding the stability and the infrastructure of the islands.

5.5 In case coastal flood defence and protection is carried out, Best Environmental Practice will be applied.

5.6 Disturbance and damage caused by recreation and tourism are already managed and will be further minimised through information systems and/or temporal and spatial zoning. (Identical with 3.12)

5.7 Driving cars in breeding areas on beaches and in dunes is prohibited (identical with 9.10)

5.8 It is important to restore the natural dynamics. This could be done by e.g.

- allowing sand drift,
- restoring natural dune vegetation.

Coastal flood-defence and protection, existing buildings and infrastructure, as well as traditional use, are not affected.

5.9 Ground water extraction on the islands will be limited to the extent possible and will be managed in such a way that negative impacts on wet dune valleys are avoided.

5.10 To concentrate cable crossings through the Wadden Sea within a minimum of cable corridors and a minimum of cables, using the best available techniques, e.g. cables with highest capacity

available, and to communicate regularly on this item in order to use synergies (Identical with 3.17; 4.19; 7.3)

5.11 To aim for natural nutrient levels in dunes.

## 6 Estuaries

### THE HABITAT

The estuaries in the Trilateral Cooperation Area are delimited on the landward side by the mean brackish water limit of the rivers, and on the seaward side by the average 10‰ isohaline at winter high water. On the landward side of the rivers, the areas outside of the main dikes or, where the main dike is absent, the spring-high-tide-water line, including the corresponding inland areas to the designated Ramsar and/or EC-Bird Directive areas, are part of the estuaries.

Estuaries include the river mouths with a natural water exchange with the Wadden Sea. Such brackish areas belong to the transition zone between rivers and tidal waters. There are five such estuaries in the Wadden Sea Area with 'open access' to the Wadden Sea, namely the Varde Å in the Danish Wadden Sea Area, the Eider, the Elbe and the Weser in the German Wadden Sea Area, and the Ems in the German and Dutch Wadden Sea Area.

Most of the estuarine area is designated as Natura 2000 area (see Maps 2 and 4) with respect to the Habitat Directive as well as to the Bird Directive. With exception of the Ems estuary, national Conservation Objectives have been defined for the estuarine Habitat Types, of which 1130 (estuaries) is dominating.

The entire estuarine area in The Netherlands and Germany has been assigned as transitional water bodies under the Water Framework Directive. Management plans for the rivers Elbe and Weser are in progress.

The estuaries are of high relevance for the Wadden Sea ecosystem in terms of input of nutrients and toxic substances, sediment dynamics, nursery and feeding area for Wadden Sea species on the one hand. However, the estuaries themselves are also viewed as a specific habitat, characterized by strong variability and dynamics of key factors such as salinity, tidal range, turbidity and others. From an ecological point of view they are important, *e.g.* for migrating species (in particular birds and fish), but additionally they are inhabited by various brackish-water and estuary-endemic species and are thus of special importance for nature protection reasons. The brackish salt marsh vegetation produces more biomass than any other salt marsh, attracting large numbers of ducks and geese.

### THE TARGETS

Protection of valuable parts of the estuaries.

Maintaining and where possible restoring natural habitats and tidal dynamics typical of estuaries.

Maintaining and, as far as possible, restoring the river banks in their natural state.

Maintaining and where possible restoring the function as migration route and breeding area for fish and birds.

The Targets are consistent with the quality objectives of the WFD and relevant national conservation objectives for tidal area habitat types. The Targets are also consistent with the World Nature Heritage criteria VIII-X.

## STATUS AND ASSESSMENT

Especially the smaller river outflows in the Wadden Sea Area have sluices or surge barriers that prevent natural mixing of fresh and salt water and the establishment of transition zones.

Of the five estuaries with open access to the Wadden Sea, the rivers Elbe, Weser and Ems constitute the seaward access routes to the major German sea ports and are among the most industrialized regions of the Wadden Sea Area. The industrial development of these rivers in the last centuries has resulted in significant alterations in morphology, hydrography (including tidal amplitude), flora and fauna, amongst others as a result of deepening and embankment and fixation of river banks, including the resulting loss of brackish marshes.

By virtue of the designation of the vast majority of the foreland and water areas of the estuaries as Natura 2000 sites, the first target can be viewed as largely achieved. However, the attempts to achieve a favourable conservation status for river banks and maintenance of good water quality failed, although loads of nutrients and several contaminants have been reduced considerably during the last 20 years.

The ecological importance of the upper Ems estuary and especially of its tidal brackish water reach has drastically deteriorated over the last 20 years. The water quality (in particular the increase of suspended solids and oxygen depletion) and the aquatic fauna have been severely depleted mainly as a result of deepening of the upper estuary for shipyard purposes. There is a strong need for improvement. A storm surge barrier (also in use as a temporary tidal weir with respect to new build ships) has been constructed.

During the last 20 years the Weser ecosystem has undergone fewer changes than that of the Ems. However, further deepening has occurred and the alteration of the tidal amplitude is highest. In the tidal freshwater reach of the Elbe estuary bad water quality (especially oxygen deficiency), high dredging volumes and further deepening have further degraded the ecological system. The Varde Å estuary has morphologically remained in its natural state, but has for decades been subject to intensive agricultural exploitation. However, a joint agricultural and environmental project for the extensive meadows around the estuary of Varde Å was initiated during the years 1998-2002, and extensification is now taking place in almost 2,400 hectares of marshland.

The houting belongs to the most endangered fish populations of the Wadden Sea/North Sea and is one of two prioritized species under the EC Habitats Directive. Previously it was common in the Wadden Sea Area and adjacent river systems. Today it is found in the Danish part of the Wadden Sea Area and in upstream river systems in self-sustaining populations. The actual conservation status is unfavourable in Denmark. In Schleswig-Holstein, single individuals are found but there is no reproducing population.

Apart from the large estuaries, there are few natural transitions between fresh and salt water left. Some progress on modifying sluice regimes, building fish passages and restoration of brackish marshes increased the opportunities to develop habitats and species depending on natural transition zones.

Climate change will also alter the ecological situation in the estuaries due to changes in the freshwater flow regime, accelerated sea level rise, rising temperature and others. Due to climate change, adaptation measures will become necessary with respect to e.g. coastal defence. This may lead to additional impacts on the estuarine ecosystem.

In all three countries, the Conservation status according to the Habitats Directive is unfavourable (bad) for Habitat Type 1130.

## HOW TO PROCEED

Because it is necessary to maintain and restore ecological functions of estuaries and to manage shipping routes and harbours for their intended purposes, assessments of the environmental impacts of new activities, compensation and mitigation, and restoration projects are central elements in policy and management.

Management plans according to the WFD (aiming in HMWB designated waterbodies at a good ecological potential) and the HD (aiming at a favourable conservation status) are currently under development, including the planning of restoration measures. These plans should be developed in a harmonised way and should also include the freshwater tidal reaches of the estuaries. Possibilities for reducing artificially increased tidal amplitude and tidal pumping in estuaries should be considered, as has been started in the Elbe estuary

In the Varde Å estuary, extensification of agricultural use is in progress and will be continued.

Further progress on modifying sluice regimes, building fish passages and restoration of brackish marshes and reconstitution of spawning areas for migrating fish species is necessary.

Long-term strategies for adaptation to climate change should be developed for the estuaries.

## **TRILATERAL POLICY AND MANAGEMENT**

The policies for important elements of the estuaries, *i.e.* the water, sediment and tidal flats, the salt and brackish marshes, the rural area, birds and fish, have been formulated in Target Chapters 2, 3, 8, 9 and 11 respectively. The relevant parts of these policies also apply to valuable parts of estuaries. It concerns here, in particular, dumping of dredged material, agriculture, hunting, fisheries, recreation and energy.

6.1 The extension, or major modification, of existing harbour and industrial facilities and new construction shall be carried out in such a way that the environmental impact is kept to a minimum and permanent, or long lasting, effects are avoided and, if this is not possible, compensated.

6.2 Large scale extractions and disposal of cooling water from power plants should be limited to a degree that is compatible with ecosystem requirements, applying best available technology to avoid incompatible heating of estuarine waters, shortage of oxygen and negative impacts on estuarine habitats and species, especially fish.

6.3 The deepening of shipping lanes in the estuaries will be carried out in conjunction with an overall assessment, according to relevant EC Directives, of how to compensate and mitigate the measures.

6.4 The impact of re-location and dumping of dredged materials will be minimised. Criteria are, amongst others, appropriate dumping sites and/or dumping periods. This has been implemented on national level through joint concepts for dredged materials for marine and coastal waters. (Identical with 4.21)

6.5 River banks will remain in and be restored to their natural state, as far as possible.

6.6 Good water quality will be maintained or restored as far as possible.

6.7 The transition zone between fresh and salt water should be as natural as possible.

6.8 Estuaries will be managed in such a way that vulnerability to climate change will be reduced.



## 7 Offshore Area

### THE HABITAT

The offshore area ranges from seaward of the tidal area to the seaward border of the Nature Conservation Area. The border between the offshore area and the beaches on the islands is determined by the average low-tide-water mark.

Most of the offshore area is designated as N2000 area (see Maps 2 and 4). National Conservation Objectives have been defined for Habitat Types 1110 (sandbanks which are slightly covered by sea water all the time), 1140 (mudflats and sandflats not covered by seawater at low tide), 1160 (large shallow inlets and bays) and 1170 (reefs).

The offshore area has been assigned to 4 types of coastal water bodies under the Water Framework Directive. The Marine Strategy Framework Directive covers the main part of the offshore area.

The offshore area is dominated by water depths of more than 10 m. There is a close connection between the tidal area and the offshore area. This connection is clear with respect to water, geomorphology and biology. The tide causes a daily exchange of water between the Wadden Sea and the North Sea, the extent of which is modified by wind conditions. The offshore area forms one coherent geomorphological system with the tidal area. This is demonstrated by the net transport of sediment from the North Sea into the Wadden Sea.

The biology of the Wadden Sea and the North Sea is intimately linked. Phytoplankton is transported from the offshore zone to the Wadden Sea proper and, after dying off, is remineralised. The import of organic matter from the offshore zone is one of the main causes of the food richness of the Wadden Sea. Both cockles and blue mussels may restock the Wadden Sea from populations in deep water refuges in the North Sea after severe winters have decimated the population of the exposed tidal flats. Motile animals like fish, shrimps and crabs largely leave the Wadden Sea in autumn to survive the winter in the relatively warm waters of the North Sea, after which they return to the Wadden Sea. Without the high productivity in the Wadden Sea, the overall stock of these species would be greatly reduced. Birds and marine mammals demonstrate both a daily and a seasonal shift in their use of the Wadden Sea and the offshore area.

### THE TARGETS

An increased natural morphology, including the outer deltas between the islands.

The Targets for birds, marine mammals and fish are relevant for the offshore area.

Targets on water quality, see chapter "Water and Sediment".

The offshore area Targets are consistent with the quality objectives of the WFD and relevant national Natura 2000 Conservation Objectives for offshore area habitat and species types. The targets are also consistent with World Nature Heritage criteria VIII – X.

### STATUS AND ASSESSMENT

The natural morphology of the offshore zone is closely related to the natural dynamics in the tidal area and the beaches and dunes: there is a net transport of sand from the seaward shores of the islands up to the so-called wave base into the Wadden Sea and this transport is determined by the overall water circulation. The wave base delineates the water depth, from below which no sediment can be stirred up by waves. In consequence, no (significant amount of) sediment is moved towards the Wadden Sea

from below this line. According to CPSL (2001), the wave base is situated in the offshore area between the 10 and 15 m isobath.

Sea level rise and bottom subsidence cause a deepening of the tidal basin resulting in an increased net sand import from the offshore zone. The extraction of sand is increasingly regulated on the basis of the importance of the offshore area and for the overall Wadden Sea sand balance.

Apart from coastal defence activities on the Wadden Sea islands (e.g., cross-shore dam at Texel) no evidence has become available of any negative development in natural dynamics of the geomorphology of the offshore area.

Birds using the North Sea off the Wadden Sea have not been subject to regular monitoring. However, knowledge of the birdlife was derived through different initiatives and in national campaigns in the 1980s and 1990s and has grown enormously in recent years. Seabird species occurring in the offshore area in specific months of the year are divers, eider, scoters, gulls and terns. The sandwich terns breeding on the Wadden sea islands feed above subtidal sand banks in the off shore area. Notwithstanding progress in protection, including the designation of the Wadden Sea PSSA in 2002, there are several activities in the offshore zone of the Wadden Sea, including shipping adjacent to the area, which can pose a threat to the area ecology. The offshore zone is important for birds in periods of food shortage. Safeguarding the food situation of (diving) birds is closely connected to the shellfish fishery in the area. Repeated inventories have demonstrated the occurrence of important stocks of the bivalve *Spisula subtruncata* along the Dutch coast, and of *S. solida* along the coast of Schleswig-Holstein. These bivalves are a major food source for diving ducks such as the common scoter and eider. For the eider in particular, these *Spisula* stocks are important for the survival when other bivalve stocks in the Wadden Sea are depleted, e.g. by severe winter conditions. *Spisula*-populations can show big natural fluctuations, e.g. *Spisula solida* off the coast of Schleswig-Holstein nearly died off during the severe winter of 1995/96 and has not recovered since.

Intensive shipping traffic by cargo and fishery vessels may result in disturbance of seabirds and especially the seaduck species eider and common scoter, which depend on the offshore area both as a major roosting and foraging area during winter and again during the sensitive moulting period in late summer.

The increased building of wind farms in the North Sea may affect both seabirds and marine mammals in the North Sea. Wind farms are not allowed in the Nature Conservation Area, but some have already been established close to this area and others are planned, and can, therefore, influence parts of the wildlife populations that use both the offshore area and the tidal area.

The environmental effects of the construction of wind farms in Danish offshore areas have been studied thoroughly during the last decade. The study includes one of the largest wind farms in the world, the Horns Rev 1 Wind Farm, constructed in 2002 (sited 14-20 km west of Blåvands Huk with 80 turbines; 20 km<sup>2</sup>). Additionally, an extension of the wind farm was completed by 2009 with another 91 turbines; 35 km<sup>2</sup>).

The main results of the ecological effects of the first phase are:

In relation to fish, data have documented some effects of the cable route on fish behaviour, indicating avoidance of the cable as well as attraction, depending on species. Further investigations were made to see if fish began to colonize the turbine foundations as artificial reefs. The early results were not clear, but the colonization of the foundations will probably progress over the coming years, and may lead to higher diversity and biomass of fish species in the wind farm area.

Hazards presented to birds by the construction include barriers to movement, habitat loss and collision risks. Observations confirmed that most of the more numerous species showed avoidance responses to the wind farm, although responses were highly species specific. Birds tended to avoid the vicinity of the turbines and there was considerable movement along the periphery of the wind farm. Post-construction studies showed almost complete absence of divers and scoters within the farm. Other species showed no significant change. Although such bird displacement represents effective habitat loss, it is important to assess the loss in terms of the proportion of potential habitat affected relative to the areas which remain available outside the wind farms. However, the cumulative impacts of many other such wind farms may constitute a more significant effect in the future.

To seals, the wind farm area is part of a much larger foraging area. No general change in behaviour at sea or at their nearby roosting sites could be linked to the construction or operation of the wind farm.

Only a slight decrease in porpoise abundance was found during the construction and no effect during operation of the wind farm was observed. However, clear effects of pile driving the foundations were observed.

Harbour seals spend part of their time in the offshore zone. Harbour porpoises appear in considerable numbers in the adjacent coastal part of the North Sea, especially in winter, partly in spring. The Schleswig-Holstein offshore area off Sylt is an important rearing area for harbour porpoises. Meanwhile there are indications that the offshore area in other parts of the Wadden Sea could also become important for these small whales.

There is little experience within the trilateral cooperation with the management of the offshore area. The whole of the Danish offshore part of the Wadden Sea Area is part of the national park. In the Danish offshore area, shellfish fishery on species other than mussel, cockle and shrimp, is not allowed. Parts of the German national parks are situated in the offshore area. The commercial extraction of sand is, in principle, not allowed. Cockle fishery is not carried out.

In Denmark, the conservation status of Habitat Type 1110, 1160 and 1170 is unfavourable (bad). In Germany, the conservation status of Habitat Types 1110, 1160 and 1170 is unknown. In The Netherlands, the conservation status of the offshore Habitat types 1110 and 1140 is unfavourable (inadequate).

## HOW TO PROCEED

For the area of the World Heritage property, the state parties of Germany and The Netherlands have confirmed their commitment not to explore and extract oil and gas at locations within the revised boundaries of the nominated property, in line with the law in force.

The offshore area in The Netherlands has been designated as a Natura 2000 area, to a limit of 3 sea miles for the Bird Directive and to the 5 meter depth line for the Habitats Directive. The management plan for this part of the offshore area must be ready by early 2012 at the latest. The Netherlands intends to enhance the designation as N2000 area to the 20 meter depth line and notified this extension to the EC in December 2008.

There is a need to evaluate differences in national policies for the offshore area, including differences in the implementation of relevant EC Directives, with the aim of identifying harmonisation needs and possibilities.

Because of the interactions between hydrological and geomorphological processes in the offshore zone, the dunes and beaches, the tidal area and the salt marshes, policies aiming at increasing the natural dynamic situation in these habitats need to be further developed and intensified. Coastal flood defence and protection needs should not be affected, in particular in the light of increasing sea level rise.

Policies for safeguarding the food situation for birds must be continued for the whole offshore area

The management of seals in the offshore area is covered by the Trilateral Seal Management Plan (see Chapter 10). This plan is amended and updated at regular intervals.

In view of the high numbers of harbour porpoises in the offshore area, policies aiming at safeguarding these values, especially in rearing areas, will be further developed.

## TRILATERAL POLICY AND MANAGEMENT

7.1 Trilateral policies will be based on an integrated approach to coastal flood defence and protection and nature protection on the mainland coast, the islands and the offshore zone.

7.2 In view of accelerating sea level rise, increased attention will be given to the role of the offshore zone in the total Wadden Sea sand balance. In this respect sand will only be extracted from outside the Wadden Sea Area. Exemptions for local coastal flood defence and protection measures may be

granted, provided it is the Best Environmental Practice for coastal protection (e.g. taking the sand from below the wave base).

7.3 To concentrate cable crossings through the Wadden Sea within a minimum of cable corridors and a minimum of cables, using the best available techniques, e.g. cables with highest capacity available, and to communicate regularly on this item in order to use synergies. (Identical with 3.17; 4.19; 5.10)

7.4 The construction of wind turbines in the Nature Conservation Area is prohibited. (Identical with 3.18; 4.17; 8.4; 9.11)

7.5 The construction of wind turbines, in the Wadden Sea Area outside the Nature Conservation Area is only allowed if important ecological and landscape values are not negatively affected. (Identical with 3.19; 4.18; 8.5; 9.12)

## 8 Rural Area

### THE HABITAT

The rural area includes meadows and arable land on the islands, Halligen and on the mainland where there is a strong ecological relationship with the Wadden Sea.

Human use, mainly agriculture, has priority in major parts of the rural area. The areas for wildlife and biodiversity have for centuries been determined by agricultural utilization. To migratory birds, in particular some wader, duck and goose species, rural areas behind the dikes on the islands and on the mainland are very important during their stay in the Wadden Sea Area. Meadows, pasture land and arable land are utilized as roosting sites by golden plover, lapwing, ruff and curlew, and other species, mainly in spring and autumn. The herbivores widgeon, barnacle goose and, to a lesser extent, brent goose, also use meadows and arable land as feeding areas during autumn and spring. Furthermore, some rural areas on the islands and on the mainland are important alternative high-tide roosting sites when there are extraordinarily high water levels in the Wadden Sea.

The rural area is in most cases not a habitat type according to the EC Habitats Directive, but it may contain designated habitat types, e.g. 3150 (natural eutrophic lakes with magnopotamion or hydracharition- type vegetation), 6510 (lowland hay meadows) and habitat types of the wet grassland and the species rich meadow grassland. The low-lying marshes and wetlands are of utmost importance to a number of breeding bird species which are characteristic of the Wadden Sea Area and which are under protection of the EC Birds Directive. Several areas within the Wadden Sea Area, as well as areas adjacent to the Wadden Sea Area, have been designated as Special Protection Areas (SPA) according to the Birds Directive and Special Areas of Conservation (SAC) according to the Habitats Directive. These areas include a number of protected habitat types and species

### THE TARGETS

Favourable conditions for flora and fauna, especially migrating and breeding birds.

Good ecological connectivity between the tidal area, salt marshes and rural areas.

### STATUS AND ASSESSMENT

#### Breeding birds

Six species that rely on rural areas behind the seawall (oystercatcher, Northern lapwing, ruff, common snipe, black-tailed godwit, and common redshank) showed significant declines in 1991-2006. Drivers for the negative trends are not known in detail in all species. Some of the nests fail due to predation (mainly mainland), whereas many other suffer from intensified agricultural practise (all areas).

Numbers of spoonbill have increased, so have the numbers of them that have been observed feeding in ditches in the rural area.

#### Migratory birds

Numbers of roosting birds during high tide are mainly linked to developments in the intertidal area, or factors in breeding grounds outside the Wadden Sea Area, mentioned in the chapter Birds. The species that rely on rural areas for feeding are golden plover, brent goose, widgeon, curlew, lapwing and barnacle goose. Among these, barnacle geese have shown a significant increase since 1987 (as part of a general population increase). Brent goose shows an adverse trend (now stable, but decline in the 1990s and probably also in the near future due to lack of good breeding years in Siberia). The other species show stable trends. The exception is the golden plover, which has shown a decline since 1987. This is one of the main species relying on rural areas behind the seawall.

The herbivores wigeon, barnacle goose and, to a lesser extent, brent goose, use partly meadows and arable land as feeding areas during the period September/October to March/April. A shift in habitat use from natural feeding areas such as seagrass beds and salt marshes to agricultural land (e.g. intensively used grassland areas) has occurred and resulted in damage to agricultural land and, as a consequence, conflicts with farmers.

At night, marshes, grasslands and fields behind the dikes are utilized by wigeons. However, the use of agricultural land by geese and ducks, and in consequence also the conflicts, are concentrated in specific localized areas. This is not only dependent on the management of the concerned area, but also on the management of habitats and geese elsewhere. The developments in agricultural use (e.g. cultivation of winter grain, set-aside or transformation of meadows to farmland) also have consequences for the use by geese and ducks.

### **Human activities**

A major change in the human use of the rural area has been a further intensification of agriculture. This mainly concerns turning pastures into arable land, e.g. for growing maize. This development is enhanced by energy policies that enhance farmers to grow crops that can be used for generating energy from biomass. This change has a major (negative) impact on the biodiversity of the rural area. In all three Wadden Sea states biodiversity has decreased as a result of the abandonment of the EU set-aside policies in 2008, in order to increase production of crops. Furthermore, earlier mowing of grassland in spring has a negative impact on breeding success of meadow birds.

In the past decades numerous wind farms have been constructed in the vicinity of the Wadden Sea Area, especially in Niedersachsen and Schleswig-Holstein, which may have an impact on roosting and migrating birds.

Locally, agri-environmental schemes have been designed to improve breeding and feeding opportunities for farmland birds, but mainly species that have no direct connection with the Wadden Sea.

### **National policies**

There is a marked difference between the Wadden Sea countries regarding implementation of the EC Bird Directive. In Denmark and partly Schleswig-Holstein rural areas on the mainland, with an ecological link to the Wadden Sea, are included in the Wadden Sea Area. In Niedersachsen SPAs have been designated all along the mainland coast, not being part of the Wadden Sea Area. In The Netherlands there are only few SPAs on the mainland, directly adjacent to the Wadden Sea Area.

## **HOW TO PROCEED**

The most important element in future policy and management is to work towards sustainable agricultural use of the rural area. However, it is evident that this can only be done in close cooperation, and on a voluntary basis, with the agricultural sector.

Regional and local authorities have an important responsibility to stimulate sustainable use in cooperation with the people who live in the area.

Also, measures in the tidal area and salt marshes will help to provide favourable conditions for the concerned bird species.

There are strong interactions between the tidal area, salt marshes and the rural areas, and this connection can be strengthened by the establishment of a sustainable development strategy which integrates policies for both the tidal area, salt marshes and the adjacent areas.

The proper management of geese is an issue of increasing relevance in Wadden Sea Region due to increasing numbers of geese. On the one hand geese "belong", to the area, they are a natural asset and are a typical and to a large extent protected element of the Wadden Sea Region biodiversity. Due to the high proportion of the populations being dependent on the Wadden Sea there is also an international responsibility of the Wadden Sea countries for these species. In addition, geese also constitute an important touristic attraction.

On the other hand, some geese species cause increasing damage to farmlands, while current management schemes for geese are highly variable between countries and liable to further improvement.

It is acknowledged that a coordinated and consistent management of geese grazing in the rural area is needed.

There is a need to make consistent national policies regarding the designation of parts of the rural area as SPA.

## **TRILATERAL POLICY AND MANAGEMENT**

Trilateral measures regarding the management of human activities which are relevant for the rural area, and which have also relevance for the special Targets on birds, such as hunting, are dealt with comprehensively in Chapter 9 on birds.

8.1 Sustainable agriculture for improving nature conservation, with particular emphasis on improving conditions for breeding meadow birds, limiting the use of artificial fertilizers and pesticides and a good water management, maintaining typical landscape elements and protection of cultural heritage will be supported, amongst others, financially.

8.2 Nature areas reclaimed for agricultural purposes should be restored, where possible, through voluntary cooperation with, and active participation of, the owners.

8.3 The management of geese in the rural area will be based upon a strategic trilateral goose management plan.

8.4 The construction of wind turbines in the Nature Conservation Area is prohibited. (Identical with 3.18; 4.17; 7.4; 9.11)

8.5 The construction of wind turbines, in the Wadden Sea Area outside the Nature Conservation Area, is only allowed, if important ecological and landscape values are not negatively affected. (Identical with 3.19; 4.18; 7.5; 9.12)



## 9 Birds

### THE SPECIES

The Wadden Sea is an important area for breeding and migrating birds.

Of 5 species more than 25% of the NW-European population breeds in the Wadden Sea. A total of 14 breeding species is listed as Annex 1 species of the EC Bird Directive. Several species are included in national Red Lists in the Wadden Sea countries.

At least 52 populations of 41 different species occur in high numbers as migrant, moulting or wintering bird in the Wadden Sea. For 44 populations in 34 species, the Wadden Sea is an indispensable roosting area. All these species belong to the so-called East-Atlantic flyway, a system of migration routes between Greenland and Western Siberia in the Arctic and wetlands in Western and Southern Africa. The most important migratory and wintering birds are geese, ducks and waders.

Birds use different habitat types of the Wadden Sea Area. Therefore, all habitats which are used by one species or population are linked to and depend on each other. For example, feeding areas and appropriate roosting sites on the tidal flats or salt marshes should be available in sufficiently close distance to the breeding site of a species. During various periods, all these habitats are important habitat types for the different species and are essential for the natural development of these species in the Wadden Sea Area. Therefore, the bird Targets are more or less relevant for all habitat types in the Wadden Sea Area.

All countries have designated most of their parts of the Wadden Sea Area as SPA and/or SAC and have adopted conservation objectives for the designated species.

### THE TARGETS

Stable or increasing numbers and distribution taking into account that abundance of species is in line with prevailing physiographic, geographic and climatic conditions.

Breeding success and survival determined by natural processes.

Breeding, feeding, moulting and roosting sites supporting a natural population.

Undisturbed connectivity between breeding, feeding, moulting and roosting sites

Fluctuations in food stocks determined by natural processes.

Habitat, food stocks and connectivity between habitats supporting a favourable conservation status.

The Bird Targets are consistent with the national Natura 2000 conservation objectives.

The Targets are also consistent with World Nature Heritage criterion "X".

### STATUS AND ASSESSMENT

The conservation status of birds in the Wadden Sea Area is primarily determined by weather conditions, the availability of habitats and their quality, the availability of adequate breeding or roosting areas, food availability, disturbance from various human activities, and by pollution. For migratory and some breeding birds these factors are relevant for the whole of their flyways.

#### Migratory Birds Developments

Trends for 34 waterbirds are now available for a 20-year period for the entire Wadden Sea and show that 8 species show a strong or moderate increase, 12 species are stable and 14 species show decreasing trends. Among the increasing species are the great cormorant, Eurasian spoonbill and barnacle goose. Some of the stable species are brent goose, Eurasian wigeon, red knot and Eurasian

curlew. Among the decreasing species are common shelduck, mallard, Eurasian oystercatcher and Kentish plover. The trend for common eider covers only the last 15 years and this is also decreasing. The reason for changes in numbers for most species is not known and for future assessments more detailed information and data are necessary together with ecological studies.

### **Breeding Birds Developments**

Analyses of trends of Wadden Sea breeding birds in 1991-2006 show that 13 of the 29 monitored species for which a trend calculation was possible are actually in decline. Recent counts suggest that (further) declines are also due in common eider, arctic tern and little tern. Especially in waders, declines are most pronounced: 12 of 13 declining species represent this group and they include both typical Wadden Sea breeding species like oystercatcher, avocet and common redshank and more farmland-dependent species like Northern lapwing and black-tailed godwit. Dunlin, ruff and common snipe have nearly gone extinct and mainly depend on management of their remaining breeding sites in Denmark. Backgrounds of the observed trends are only partly known. At least in some species it has been demonstrated that breeding success has been low for many years, Depleted food stocks have had a negative impact on especially shellfish-eating species (common eider, oystercatcher and herring gull). For Kentish plover and great ringed plover, disturbance and habitat changes are important limitations that prevent a recovery from the long-term declines observed in both species. For breeding meadow species it is evident that intensification of farming practice (drainage, fertilizing, early mowing in grasslands etc.) has had clear negative effects on both breeding success and population developments. In addition an increased predation, often by invasive species, creates problems. The impact of other factors, such as changes in salt marsh management and climate change in the Wadden Sea ecosystem are largely unknown yet.

### **Breeding Success**

In 2009 a new TMAP Parameter was introduced in order to explain downward trends in several breeding bird species. The new parameter 'breeding success' performs as an early-warning system to detect changes in the ecosystem or assess human impact, since it is more directly linked with shifting conditions in the environment. Moreover, evaluation of the target 'natural breeding success', as addressed in the Wadden Sea Plan, was not possible with monitoring of only population size and distribution.

### **Contaminants in bird eggs**

In 2008, the ecological quality objectives (EcoQOs) proposed by ICES and OSPAR for contaminants in seabird eggs have already been reached for some substances at some sites in the Wadden Sea. The stagnation of the levels of various substances and some recent increases point to local problems with environmental pollutants. At the hot spots of contamination, the present concentrations of  $\Sigma$ PCB and  $\Sigma$ DDT, especially in the eggs of common tern, are still very high in comparison with the target levels.

### **Roosting Areas**

Waterbirds in the Wadden Sea gather at roosting places during high tide. Many of the important roosting sites can be found at areas with a low level of human activity and are located at close range of intertidal mudflats occur. Human disturbance is nevertheless among the most important factor with influence on bird numbers at high tide roosts, and it can put an extra stress on the species energetic balance and their tight migration schedule.

High tide roosts are relatively well protected, with more than 80% of these roosts being located within Special Protection Areas. Despite this, disturbances can occur in all parts of the Wadden Sea. A main impact is by outdoor recreation, with peaks during July and August but also, increasingly, in spring and autumn. Potential conflicts are minimized and resolved by spatial and temporal zoning of recreational activities as well as convincing visitor information systems. Different protection schemes for roosting birds are in place along the Wadden Sea.

### **Moult Areas**

Large numbers of moulting common shelduck, common eider and common scoter occur, and several sites within the Wadden Sea Area hold numbers of international importance. During the moult the species are flightless, and therefore very sensitive to disturbance, thus they choose areas with a minimum of human activity, especially by small boats. The three species differs in moult periods, moulting locations and moulting behaviour. Because shelduck and eider concentrate very much during moulting, moulting areas are well known. As result of concomitant research on planned offshore windparks more information is available about the common scoter. Common scoters are highly dispersed at a huge area during their moult. Therefore a protection scheme is difficult to find. The

northern Wadden Sea seems to be a very important moulting area for that species. Due to the concentration of almost all moulting Shelducks in just one area there is a permanent risk for this species which requires special attention.

More information is needed about the planning of offshore wind parks and the associated traffic, as well as shrimp fisheries and sand extraction, which can potentially affect the distribution and activity of common scoters at sea during the moulting season.

Generally further assessment of the demand of undisturbed moulting sites in and outside the Wadden Sea is needed.

### **Food Availability**

Large populations of herbivorous aquatic bird species, among which the barnacle goose, the dark-bellied brent goose, and the Eurasian wigeon, and semi-herbivorous aquatic bird species, such as the mallard and teal, occur in the Wadden Sea. Of these the barnacle goose shows a steady strong increase, the dark-bellied brent goose and the Eurasian wigeon are stable and the common teal together with mallard are decreasing. For none of the decreasing species food seems to be the cause.

Fertilized grasslands landwards the dikes will always be of higher food quality and could thus become more attractive for geese than the natural saltmarshes. Goose numbers (especially Barnacle goose) have increased further and with them the conflicts between different stakeholders.

Common eider, oystercatcher and herring gull depend on shellfish and both, breeding and roosting populations are decreasing. The common eider and the Eurasian oystercatcher use blue mussel as their main food source. Large scale studies in the Dutch Wadden Sea showed a possible connection between the exploitation of blue mussels and cockles and the size of bird populations. Simultaneous declines in blue mussels and local bird populations of some species have been described. While the mussel fishery was hardly regulated in the 1980s and 1990s, since then management measures for mussel fisheries including regulations for food reservation for birds have been introduced in all Wadden Sea countries.

Some bird species are now arriving earlier and staying longer during autumn, than in the past. These major changes in phenology are most likely influenced by milder climate during the last 20 years, and from a management perspective this opens new challenges, meaning that the Wadden Sea shall in the future be able to host birds that no longer use their original autumn and wintering grounds as well as those individuals that normally use to stay in the Wadden Sea during autumn and winter.

There are four military exercise sites in the Wadden Sea Area: in the Dutch Wadden Sea the exercise grounds the "Vliehors" and the "Mokbaai" are located partly within and partly outside the Nature Conservation Area. The "Vliehors" is used on work days for firing guns and rockets and bomb dropping. Explosive bombs are only used outside the breeding season. Practices with bombs, rockets and gunning from fighter planes occur on average 180 days per year. In the "Mokbaai" annually about 50 exercises involving zodiacs, landing crafts and helicopters of the naval forces are executed, confined to work days. In Germany a ballistic testing site for new weapons is located in the Meldorfer Bucht. The area has been used since the early 1980s. However, over the last ten years the range has been used on average on 0.5 days per year only. Tests are undertaken from platforms on the seawall outside the Nature Conservation Area, however the target area stretches into the Nature Conservation Area. In the Danish Wadden Sea military activities take place at the northern part of the island of Rømø. Here air-to-ground training sessions are regularly performed, and these actions are quite distinctive, but strongly limited in time.

All military activities are limited in time to take account of especially breeding and moulting times for birds and seals. An impact assessment study in the Meldorfer Bucht conducted in 2001 showed that the overall impact on birds (and seals and macrobenthos) was very small. In combination with the very low frequency of testing activities here, it can hence be stated that the testing site has no negative effects on the biological values and the integrity of the Meldorfer Bucht area. On Rømø the closure of the area for the public has delivered important breeding sites with no or very little disturbance from other human activities compared to other saltmarsh and dune areas in the Wadden Sea. An agreement between the Ministry of Defence and the Ministry of the Environment includes a management plan (2002 – 2017) for the 2.200 ha of important saltmarsh and beach areas within the shooting range.

### **EC Bird Directive**

Only 15 bird species (13% of the total number of species) have been listed commonly as designating species in all countries. Hence, there is quite a variation among countries what species they have used.

Differences were also found in implementation of the Bird Directive:

- use of numerical threshold values (number of birds) in Denmark;
- use of ecological carrying capacity of the habitat for a certain population size in The Netherlands;
- use of habitat quality as assessment parameter in Niedersachsen and Schleswig-Holstein and The Netherlands;
- no site-based conservation targets in Hamburg and Denmark.

### **HOW TO PROCEED**

An important element in future policy and management is to work towards acceptable solutions to reduce the conflict between food requirements for birds and the interests of fisheries and agriculture. It is important to avoid food shortage due to disturbance of other human uses (such as recreational activities, aerial traffic, wind turbines and hunting), as well as, human activities which favor certain species of birds by increasing their food supply, e.g. fishery discards, eutrophication and agricultural practices in island polders and areas behind the dikes. However, it is evident, that this can only be done in close cooperation with the fishery and agricultural sectors.

Policies for transition towards sustainable shellfish fisheries are described under tidal area.

Policies for goose management are presented under Rural Area.

Measures to protect breeding, roosting and feeding habitats can be achieved by establishing a sufficient number of bird reserves of proper size and through the management of human activities. Breeding populations of Kentish Plover and Little Tern, which are highly dependent on sandy beaches and primary dunes, are particularly threatened. The situation of these species will be further improved. The same is valid for migrating and moulting birds. Undisturbed moulting and roosting sites which lie close to their feeding areas are necessary for birds to avoid energy loss.

It is important to avoid the construction of wind turbines in the rural area where this may cause a significant impact on birds.

The impact of civil air traffic has been limited by, amongst others, minimum flight altitudes (Germany, and The Netherlands) and by additional voluntary agreements with pilots and airport administrations (Schleswig-Holstein and Niedersachsen). No additional measures have been taken in Denmark. Because severe disturbances are still reported, there is a need to continue to further reduce impacts by civil air traffic in close cooperation with the relevant islands.

Flyway-Cooperation Agreements have already been established with The Wash and Guinea Bissau. The Trilateral Cooperation will further strengthen the cooperation on management and research activities with state parties of the African Eurasian flyways, which also play a significant role in conserving migratory species along these flyways.

Conservation objectives according to the Birds Directive will be made consistent to the extent possible and assessment methodologies harmonised.

### **TRILATERAL POLICY AND MANAGEMENT**

Bird conservation and management at the general trilateral policy level is subordinated in the Nature Conservation Area to the Guiding Principle, *i.e.* a natural and, as far as possible, dynamic Wadden Sea ecosystem, even if natural dynamics may lead to less favourable conditions for some bird species or populations locally. That means that in the Nature Conservation Area the Guiding Principle is more important than special conservation measures for certain species. However, severe declines of protected bird species will not be accepted if the reasons are found regionally in the Wadden Sea.

The general management measures for specific habitats, listed under the headlines of the habitat categories, can be relevant for bird populations in general.

### **Site Protection**

9.1 The conditions for breeding birds will be further improved by appropriate management.

9.2 It is the aim to further improve the conditions for migratory birds during roosting and feeding, as well as, for seabirds in the offshore area during moulting, through integrated management.

9.3 Avoid barriers between feeding, roosting and/or moulting areas, e.g. by wind turbines or wind parks.

9.4 Prevent introduction and immigration of mammalian predators to the Wadden Sea islands. Artificial structures allowing predators to reach areas which they could not use under more natural conditions, may not be constructed, or, where possible, removal should be considered.

### **Food Availability**

9.5 Cockle fishery is not allowed in the Wadden Sea Area, with the exception of mechanical fisheries in some small areas along the Esbjerg shipping lane and in the Ho Bay, and in Niedersachsen outside of the conservation area (but will not be carried out at present), as well as non-mechanical cockle fishing in The Netherlands. (Identical with 4.22)

9.6 The effects of mussel fishery are limited by the permanent closure of considerable areas and the optional reservation of sufficient amounts of mussels for birds. In addition, the management of fishery on mussels should not be in conflict with, protecting and enhancing the growth of natural mussel beds and *Zostera* fields. (Identical with 4.23)

9.7 Mussel fishery will, in principle, be limited to designated parts of the subtidal area. Based on national management plans, fishery on the tidal flats may be granted. The fishery sector will, in close cooperation with competent authorities, improve existing practices in such a way that impacts of mussel fishery, in general and seed mussel fishery, in particular will be minimised. (Identical with 4.24)

### **Acoustic and Visual Disturbance**

#### RECREATIONAL AND FARMING ACTIVITIES

9.8 Disturbance in significant breeding, moulting and roosting areas will be further reduced and access to these areas will be made more predictable for birds, through clear temporal and spatial zoning (for example using only certain footpaths on salt marshes, beaches and dunes and information system for visitors). Regulations should be established in close cooperation with the involved stakeholders.

9.9 It is the aim to further reduce the disturbance in significant breeding areas caused by grazing through the reduction of the grazing pressure and through postponing the beginning of the grazing period, except where a certain intensity of grazing is necessary for coastal flood defence and protection measures.

9.10 Driving cars in breeding areas on beaches and in dunes is prohibited. (Identical with 5.7)

#### WIND ENERGY

9.11 The construction of wind turbines in the Nature Conservation Area is prohibited. (Identical with 3.18; 4.17; 7.4; 8.4)

9.12 The construction of wind turbines in the Wadden Sea Area outside the Nature Conservation Area is only allowed if important ecological and landscape values are not negatively affected. (Identical with 3.19; 4.18; 7.5; 8.5)

## HUNTING

9.13 Hunting of migratory species is prohibited, or will be progressively phased out in the Nature Conservation Area or in an ecologically and quantitatively corresponding area in the Wadden Sea Area.

9.14 Hunting of non-migratory species is prohibited, or will only be allowed in the Nature Conservation Area if migratory species are not harmed.

## CIVIL AIR TRAFFIC

9.15 The impact of civil air traffic in the Wadden Sea Area will be further limited.

9.16 New civil airports will not be constructed in the Wadden Sea Area.

9.17 The expansion of existing civil airports in the Wadden Sea Area is restricted to cases where this is essential in order to increase the safety of air traffic.

9.18 Minimum flight altitudes for civil air traffic have been or will be established in the Wadden Sea Area. Exemptions can be granted for safety reasons and for scientific purposes and will be confined to designated flight corridors situated in less vulnerable parts of the Wadden Sea Area.

9.19 Advertisement flights are, in principle, prohibited in the Wadden Sea Area.

9.20 Helicopter flight routes and altitudes are established in such a way that the disturbance to wildlife in the Wadden Sea Area is minimised.

9.21 The recreational values of the Wadden Sea will be maintained for the benefit of man and nature. To this end in the Nature Conservation Area,

- in the ecologically most sensitive areas, zones have been or will be established where no recreational activities, including excursion ships and recreational boating, is allowed;
- the use of jet skis, water skis and similar motorized equipment has been, or will be, prohibited, or limited, to small designated areas;
- new marinas will be avoided and the extension of the existing marina capacity will only be allowed within the approved levels;
- water sports like wind surfing have to be balanced with the needs of nature protection and bathing tourism;
- kitesurfing can distort nature values, in particular roosting sites for birds. The aim is a harmonised approach to kitesurfing, consisting of zoning where the activity is allowed under conditions. (identical with 4.28 and 10.5)

9.22 Speed limits for ships have been imposed, taking into account safety, environmental, recreational and fishery factors. (Identical with 4.29 and 10.6)

## MILITARY ACTIVITIES

9.23 Disturbance caused by military activities has been, or will be, reduced and the possibilities for further concentrating and/or phasing out military activities will be regularly examined.

9.24 The negative effects of low altitude flight routes of military aircraft have been, or will be, reduced by reducing the number of flights and the maximum speed.

9.25 Action to minimize disturbance caused by military air traffic in the Wadden Sea Area will be taken on a coordinated basis.

9.26 High priority will be given to the assignment of redundant shooting ranges as nature protection areas.

## 10 Marine Mammals

### THE SPECIES

The harbour (or common) seal, the grey seal and the harbour porpoise may be regarded as indigenous Wadden Sea species. Water is the main or exclusive element of these marine mammal species. The year round, the seals use other habitats than water, to haul out ashore. This includes sand banks in the tidal area and beaches or even any coastal shore. Grey seals tend to prefer areas that are available for longer periods, and could also haul out on higher grounds such as dunes. This holds especially when rearing pups, as grey seal pups do not usually swim for the first weeks of their lives. All these habitats are essential for the maintenance of the seals' vital biological functions, such as whelping, nursing, breeding, moulting, resting and feeding.

Marine mammals, as top predators and often long-lived species, have an important indicative function for the quality of the Wadden Sea ecosystem. These species, and other top predators (*i.e.* several bird species) that overlap in habitat demand, need special attention. Because of their longevity and dependence both directly and indirectly on large areas, they can be vulnerable to disturbance and pollution. On top of this they are often considered in competition with man for food resources.

The harbour seal (species type H1365), the grey seal (H1364) and the harbour porpoise (H1351) are an Annex II species under the Habitats Directive, and special areas have been designated for their conservation. Furthermore harbour seal and grey seal are listed in Annex V, where the conservation objective is that taking in the wild and exploitation may be subject to management measures. National Conservation Objectives have been defined for all three species. In addition, the harbour seal is protected through the Trilateral Seal Agreement under the Bonn Convention on the Conservation of Migratory Species of Wild Animals (UNEP/CMS) from 1990. The harbour porpoise is protected according to the Agreement on the Conservation of Small Cetaceans of the Baltic and the North Seas (ASCOBANS; UNEP/CMS, 1990).

### THE TARGETS

Viable stocks and a natural reproduction capacity of the harbour seal, including juvenile survival.

Viable stocks and a natural reproduction capacity of the grey seal, including juvenile survival.

Viable stocks and a natural reproduction capacity of the harbour porpoise

Conservation of habitat quality for conservation of species.

The Targets are consistent with the national Conservation Objectives under the Habitats Directive. The Targets are also consistent with World Natural Heritage criterion "X".

### STATUS AND ASSESSMENT

#### Harbour Seal

In the years after the virus epidemics in 1988 and 2002, the population of the harbour seal has shown a rapid recovery. During coordinated flights in the entire Wadden Sea Area in 2009, 21,500 seals were counted, the highest number ever counted in the international Wadden Sea during the moult.

#### Grey Seal

Grey seals have relative recently recolonised the Wadden Sea. Currently the species is regularly seen in all countries, including in the Danish Wadden Sea area which seems to be the last area colonised. Since 2004, there have been coordinated counts of grey seals in NL and D. Breeding, occurring in

December-January, is observed in several locations throughout the Wadden Sea. By far the largest colony is observed in the western Dutch Wadden Sea between the island of Vlieland and Terschelling. Two other breeding sites have developed in the area including Amrum and Helgoland. More scattered over the Wadden Sea, single births and small groups have been recorded, sometimes breeding, indicating that the grey seal population in the Wadden Sea might still be expanding. The maximum number of grey seals counted during the moult 2009 in the Wadden Sea and at Helgoland, was 2756 animals.

### **Harbour Porpoise**

Estimates in 2005 of harbour porpoise numbers for the total North Sea area amount to 335,000 animals. Parts of the population seem to have shifted from the northern North Sea southwards. As porpoise migrate into coastal waters and close to the Wadden Sea, numbers recorded have strikingly augmented in the early 2000s. German studies show hot spots of abundance and frequency (Sylter Außenriff, Borkum Riffgrund and the area north of Helgoland). Waters around the Knobsände off Amrum and west of the island of Sylt show a relatively high density of mother calf-groups (the suckling-period of this species lasts approx. 8 months) in this area. It can be concluded that this area is an important rearing area for harbour porpoises.

### **ASSESSMENT**

The present and short term conservation status of harbour seals, grey seals and harbour porpoises in the Wadden Sea Area is determined by several environmental factors, including disturbance as a result of various human activities (such as recreation activities, construction activities for off-shore wind parks, fisheries, air traffic, shipping and some military activities) and food availability. At present, the harbour seal population does not show any indication of density dependence.

Pollution is presently not a major issue for marine mammals in this area. The current population levels of the seal species do not seem to be affected. Attention to possible new sources of pollutants should remain however.

Though probably still not at the population level of around 1900, the harbour seal population has recovered well from the very low numbers observed in the mid-1970s after hunting was forbidden, and after the 1988 and 2002 epidemics. The total population size indicates that the present harbour seal population can be regarded as viable. Comparison with other harbour seal populations elsewhere leads to the conclusion that the reproduction capacity of the Wadden Sea harbour seal population is at a satisfying level. Still, juvenile mortality is relatively high (approx. 35% instead of 20-25%), despite good protection of the main resting and nursing places. Other factors such as disturbance are in some cases still not satisfactory.

For both the grey seal and the harbour porpoise, data are lacking to enable an assessment of whether the current stocks dependent on the Wadden Sea area are viable, or to enable an adequate estimate of the natural reproduction capacity. In both cases the current stocks show strong interdependencies with stocks subsisting elsewhere in the North Sea.

### **HOW TO PROCEED**

The quality of the habitat of harbour and grey seals, as well as harbour porpoises, needs at least to be maintained. This is the case both within the Wadden Sea area and in the adjacent North Sea, especially as extensive plans exist to further exploit the areas for a variety of industry, including sand mining and wind farming in the near future. Policies for harbour and grey seals have to be further developed in accordance with the actual Seal Management Plan 2007-2010.

For harbour porpoises, more ambitious policies for protected areas may be considered. However, with such a highly migratory species it will be difficult to identify adequate sites and design a flexible management regime.

## TRILATERAL POLICY AND MANAGEMENT

### Harbour and Grey Seal

The 'Agreement on the Conservation of Seals in the Wadden Sea' (Seal Agreement) was enacted on October 1, 1991 as the first agreement as defined in Article 4, of the Convention on the Conservation of Migratory Species of Wild Animals (The Bonn Convention). The agreement was concluded between the Wadden Sea states with the aim to cooperate closely in achieving and maintaining a favourable conservation status for the harbour seal population of the Wadden Sea Area. The Seal Agreement contains provisions, amongst others, on research and monitoring, on taking and on the protection of habitats, which have been specified in the 'Conservation and Management Plan for the Wadden Sea Seal Population 1991 - 95' (Seal Management Plan) and the revised Seal Management Plan 2007-2010. The latter also includes additional measures for the protection of the grey seal.

Regarding the implementation of the Targets for the harbour and the grey seal, reference is made to the specific measures related to the different habitat types and, especially, to the Seal Management Plan 2007-2010.

Measures for the implementation of the Targets on seals are especially listed under "Required efforts and objectives" and Actions in the Seal Management Plan 2007-2010, which are divided into actions on the trilateral and national level. These actions include measures which should be implemented in different habitats and for different purposes, such as research, monitoring and protection of habitats. The Seal Management Plan will be updated covering the period 2011-2014.

### Harbour Porpoise

The Agreement on the Conservation of Small Cetaceans of the Baltic and the North Seas (ASCOBANS) was also concluded under the auspices of the UNEP Convention on Migratory Species (the Bonn Convention) in September 1990 and came into force in March 1994. The ASCOBANS Conservation and Management Plan requires the parties to implement a variety of different measures including reducing by-catch, marine pollution and disturbance, conducting surveys and research on species ecology and abundance, adopting protective national laws and raising public awareness. A Conservation Plan for harbour porpoises in the North Sea is under development.

10.1 The trilateral policy for harbour porpoise is to ensure to the greatest possible extent low disturbance levels, to limit underwater noise to an extent that it does not cause damage for harbour porpoises, to minimize the collision risks with ships and to use fishing techniques which are not a threat to whale species.

10.2 It is the aim to protect important breeding/rearing areas of the harbour porpoise in the Wadden Sea Area and adjacent areas through appropriate measures.

10.3 The public will be informed about small cetaceans in the Wadden Sea Area and the North Sea on a common basis in cooperation with ASCOBANS.

10.4 To develop a joint monitoring strategy on harbour porpoise in cooperation with North Sea wide monitoring schemes.

10.5 The recreational values of the Wadden Sea will be maintained for the benefit of man and nature. To this end in the Nature Conservation Area,

- in the ecologically most sensitive areas, zones have been or will be established where no recreational activities, including excursion ships and recreational boating, is allowed;
- the use of jet skis, water skis and similar motorized equipment has been, or will be, prohibited, or limited, to small designated areas;
- new marinas will be avoided and the extension of the existing marina capacity will only be allowed within the approved levels;
- water sports like wind surfing have to be balanced with the needs of nature protection and bathing tourism;
- kitesurfing can distort nature values, in particular roosting sites for birds. The aim is a harmonised approach to kitesurfing, consisting of zoning where the activity is allowed under conditions. (Identical with 4.28 and 9.21)

10.6 Speed limits for ships have been imposed, taking into account safety, environmental recreational and fishery factors. (Identical with 4.29 and 9.22)

# 11 Fish

## THE SPECIES

The shallow coastal waters of the Wadden Sea and its tributary estuaries and rivers provide indispensable ecological functions to life of fish. They support functions such as reproduction, breeding and feeding and they serve as an acclimatisation area and transit route for long-distance migrants from sea to their spawning grounds located in fresh water. The estuaries, with their pronounced salinity gradient due to the mixing of riverine and marine waters, constitute a very specialised habitat within the Wadden Sea. This is reflected by the special fish fauna composition. The Wadden Sea ecosystem is also connected with and influenced by the North Sea: marine juvenile and marine seasonal species form an important constituent of the Wadden Sea fish fauna.

The tidal area, with its flats, seagrass meadows and gullies, is not only the habitat for fish species living permanently in the Wadden Sea but is also an indispensable spawning and nursery ground for those species which migrate in a latter stage of life to the North Sea and Atlantic Ocean. Many of them are of commercial importance.

The Wadden Sea fish fauna consists of approximately 150 species, including 13 freshwater species, of which about half are common or fairly common. The other half must be considered rare or even extremely rare in the Wadden Sea.

## THE TARGETS

Viable stocks of populations and a natural reproduction of typical Wadden Sea fish species.

Occurrence and abundance of fish species according to the natural dynamics in (a)biotic conditions.

Favourable living conditions for endangered fish species.

Maintenance of the diversity of natural habitats to provide substratum for spawning and nursery functions for juvenile fish.

Maintaining and restoring the possibilities for the passage of migrating fish between the Wadden Sea and inland waters

The Water Framework Directive recognizes fish as a biological quality element for transitional waters (estuaries) and selected fish species are listed in the Habitats Directive. Among those are the twaite shad, river lamprey, sea lamprey and houting. In addition, characteristic fish species may be used to assess the status of the relevant habitat types described in the HD (e.g. H1110 submerged sandbanks, H1130 estuaries, H1140 sand- and mud-flats). Furthermore, some fish species listed under the Birds and Habitats Directives for the Wadden Sea Natura 2000 network serve as main food item for birds or marine mammals.

In the Marine Strategy Framework Directive, one of the descriptors of the good environmental status deals with commercially exploited fish and shellfish.

## STATUS AND ASSESSMENT

The Wadden Sea estuaries and rivers are subject to substantial anthropogenic pressures, which are reflected in the aquatic biotic communities and in the fish fauna in particular. Among the most relevant

anthropogenic factors influencing the habitat conditions in river systems are dams, sluices, weirs and riverbed maintenance. In the estuaries, dredging and the disposal of dredged material, coastal flood protection and flood defence and the direct or diffuse input of substances from industry and agriculture are main factors. The North Sea is subject to increasing human demands for shipping, exploitation of resources (gas and oil, sand and gravel) and wind energy, and to a lesser extent for coastal fishery. Intermingled with the anthropogenic pressures that are exerted, natural variability plays a very important role. Recently, an increasing number of publications point to the relationship between the North Atlantic Oscillation, or regime shifts in the North Sea, and fish populations, or to the effects of increasing water temperatures on fish.

The diadromous fish currently seem to suffer most from bottlenecks in the upstream parts of (some) estuaries where water quality and essential habitats are failing. This has resulted in some species going missing and low abundance of the remaining species. Unhindered migration for near-extinct species like houting and salmon, plus good water quality, suitable spawning habitats and favourable conditions for larval recruitment are essential to maintain vital populations of all diadromous fish in the estuaries and river systems in the Wadden Sea. Pumps and sluices are a barrier to diadromous fish migration. Autonomous developments (sea level rise, climate change) leading to more pumps and sluices, tend to increase the pressure on diadromous fish.

The houting belongs to the most endangered fish populations of the Wadden Sea/North Sea and is one of two prioritized species under the EC Habitats Directive. Previously, it was common in the Wadden Sea Area and adjacent river systems. Today it is found in the Danish part of the Wadden Sea Area and in upstream river systems in self sustaining populations. The actual conservation status is unfavourable in Denmark. In Schleswig-Holstein, single individuals are found, but there is no reproducing population.

In order to save the houting from complete extinction in the Wadden Sea, a Danish management plan was published in 2003, and as a follow up a large-scale EU LIFE Houting Rescue Project was set up. The project is primarily focused on creating access to usable spawning grounds for the adults, and creating new nursery areas for juveniles.

The observed distribution shifts of juvenile flatfish indicate changed conditions in the Wadden Sea nursery, which may have become less favourable due to higher water temperatures during summer. At the same time the North Sea coastal and offshore area may now offer increased chances of survival due to decreased predation risk and competition since commercial fish stocks are at low levels. Here, a combination of high fishing pressure on the North Sea and regime-shifts in the North Sea and Wadden Sea ecosystems plays a role.

The estuarine resident species are the least known and understood group, although of all fish species they may reflect the status and quality of the Wadden Sea ecosystem to the largest extent.

The TMAP common package does not include fish monitoring, and the above information is derived from fish monitoring for other purposes (fish stock assessment for ICES or EU obligations).

Following the requirements of the EC Water Framework Directive, new fish monitoring was initiated in 2006 in all transitional waters of the estuaries of the Ems, Weser, Elbe and Eider, to collect data on particularly pelagic and diadromous fish species in these water bodies. The status of fish in estuaries can thus be assessed by using the estuarine fish index that was developed for the Water Framework Directive transitional waters. The status of fish in nearly all WFD transitional waters shows moderate to large deviations from the 'undisturbed' condition for natural estuaries. Although the species composition still resembles the assumed reference conditions, except for the too low number of diadromous species, the abundance of typical indicator species is currently at a very low level compared to the early 20<sup>th</sup> century.

In contrast to the assessment of the fish fauna in estuaries in accordance with the WFD, there is no existing fish index or tool to assess the status of fish fauna the entire Wadden Sea. Some fish species are not adequately covered in the current monitoring programs. The number of fish species and the species composition in terms of ecological guilds seem to have remained fairly stable over the last decades. The abundance of several fish species has decreased to levels below the long-term average, but factors causing these changes are still largely unknown. Also the role of saltmarshes for young fish is not known yet.

## HOW TO PROCEED

In general, the following conditions are necessary to reach the Fish Targets:

- Diversity of habitats (subtidal areas and tidal flats, including areas with seagrass and mussel beds), to provide shelter and food for juvenile fish (nursery function and substratum for spawning for estuarine resident species and marine seasonal species).
- Suitable physical, chemical and morphological conditions with the underlying dynamic processes typical for tidal areas (for resident species and marine seasonal species).

In addition, the existing Targets on tidal area (subtidal and intertidal) and salt marshes are regarded as beneficial.

### Estuaries and River Systems

Conservation and restoration of estuarine habitats are priority issues. Improving water quality (including sufficient oxygen and reduced suspended matter concentrations) and increasing the connectivity between waters will benefit diadromous fish populations, including the species that are protected by the EC Habitats Directive. Fish friendly management of sluices, avoidance of pumps or mitigation of these by creating fish passages and other techniques, and a more natural discharge of fresh water are needed.

### Juvenile Fish

The abundance of juvenile fish in the Wadden Sea has decreased, partly as a result of a distribution shift to the coastal zone which leads to juvenile flatfish in particular making less use of the Wadden Sea nursery. Reducing the fishing pressure on the North Sea commercial stocks leads to a more natural recruitment in the Wadden Sea.

Juvenile fish and some estuarine resident fish species are susceptible to bycatch in the shrimp fishery. Measures to increase the sustainability of this type of fishery - by reducing discards and bottom disturbance - will benefit Wadden Sea fish populations.

Because of their limited swimming capacities, marine juvenile fish are susceptible to being trapped in the cooling water of power stations and other industries. Large scale extraction of cooling water from the Wadden Sea or estuaries should be mitigated by applying the best available technology to reduce marine organism deaths caused by this entrainment.

### Research and Monitoring

For a better understanding of the observed changes in the fish community, working hypotheses and subsequent analyses need to be formulated. The functional relationship between fish species and typical habitats should be investigated to better understand the functioning and importance of those habitats for fish. Fundamental research on natural processes and anthropogenic impact affecting fish populations is needed to increase our knowledge of the ecology of Wadden Sea fish and to understand the observed changes in the fish community.

We should continue monitoring the occurring changes in the (Wadden Sea) fish fauna to advance our understanding. There are gaps concerning the monitoring of pelagic fish and the monitoring of the seasonal occurrence of species. The assessment of fish in estuaries will be advanced by the development of an assessment tool and continued (fish) monitoring, to meet the requirements of the WFD. For Wadden Sea fish, a first step toward a common assessment and the selection of suitable underlying metrics was made for the QSR 2009, but further effort is needed to develop an applicable analysis tool. In addition, the role of salt marsh gullies as habitat for fish should be better elucidated.

## TRILATERAL POLICY AND MANAGEMENT

11.1 Promote conditions for unhindered migration between the sea and upstream and/or inland waters and improvement of the physical conditions in river systems for diadromous fish.

11.2 The living conditions and the total area of habitats for Directive species will be maintained.

11.3 In order to further reduce bycatch and to reduce impacts on the sea floor, the trilateral policy principles for a sustainable shrimp fishery will be developed in close cooperation with the fisheries sector. (Identical with 4.27)

## **III. Implementation**



# 1 Monitoring and Assessment

## 1.1. OBJECTIVE OF THE TMAP

The Trilateral Monitoring and Assessment Program (TMAP) is the common monitoring program for the Wadden Sea carried out by The Netherlands, Germany and Denmark in the framework of the Trilateral Wadden Sea Cooperation.

The general aim of the trilateral Wadden Sea monitoring, assessment and research is basically twofold, namely

- to provide a scientific assessment of the status of the ecosystem; and
- to assess the status of implementation of the Targets of the Wadden Sea Plan.

Both categories of information are essential for the development and evaluation of the trilateral Wadden Sea conservation policies and management in line with the relevant EC directives, the inscription on the World Heritage list and other international obligations.

## 1.2. STATUS OF THE TMAP

### 1.2.1. Parameters

An overview of the TMAP parameters is in **Appendix 1**. It underlines that most of the TMAP parameters are part of existing or planned monitoring programs in the three countries and already cover the requirements of the EC Directives and other international agreements.

TMAP parameters are coordinated trilaterally and a number of parameters have been harmonised (breeding and migratory birds, harbour seals, blue mussels, salt marshes, contaminants in bird eggs). They have proven their value for the Target assessment (QSR 2004, 2009) and for national and international reporting obligations (such as Ramsar, OSPAR, EC Directives).

A detailed description of TMAP parameters is in the TMAP Handbook, which is accessible at the CWSS website ([www.waddensea-secretariat.org](http://www.waddensea-secretariat.org)).

### 1.2.2. TMAP Data Management

An elementary component of the TMAP is common data handling, which makes monitoring data available for trilateral assessment. For this purpose, identical TMAP Data Units have been installed in each country where the data can be stored in the same way.

The TMAP data handling system aims to exchange monitoring data in a common format so that it can be used directly in the trilateral assessment work on the following tasks:

- preparation of Quality Status Reports entailing most recent data and developments,
- preparation of trilateral reports on specific topics (thematic reports, like breeding birds, migratory birds, seals, contaminants),
- preparation of reports on unforeseeable events (e.g. eider mass mortality),
- safeguarding long-term storage of relevant Wadden Sea data,
- use of trilateral data for national and international programs.

The TMAP data handling system supports reporting obligations (e.g. national status reports, EU reports concerning Natura 2000 and the Water Framework Directive, World Heritage, international reports concerning OSPAR, RAMSAR or other international conventions) by providing up-to-date and harmonised Wadden Sea data (including GIS) from different sources on the national and international level.

### 1.2.3 Assessment Reports

Assessment reports on the Wadden Sea ecosystem (Quality Status Reports, QSR) are prepared at regular intervals related to the Trilateral Governmental Conferences. The reports

- describe and evaluate the current ecological status of the Wadden Sea,
- identify changes in this status and their possible causes,
- identify issues of concern and indicate possible measures of redress, including evaluation of the likely effectiveness of these measures,
- identify gaps in knowledge.

Assessments are carried out together with experts and relevant national institutions in charge of the national assessment. Additionally, thematic reports are prepared which entail the results of running trilateral monitoring programs, e.g. monitoring of migratory and breeding birds. The reports on selected subjects are prepared by trilateral expert groups.

### 1.2.4. Ecological Research

The research component is the flexible element of the TMAP. Ecosystem research studies the environment on a broader perspective, and weighs the more detailed species and habitat research work to gain an overall picture of the condition of the ecosystem. The foremost tasks of ecosystem research are to discriminate between natural fluctuations and human impacts to find the causes of changes observed in the ecosystem. A further task is to continuously improve the efficiency of the monitoring program. These tasks are essential for two goals of policy and management: the capability of providing evidence for man-made causes, and the capability of interpreting and predicting the reactions of the ecosystem correctly.

Because research into the cause of observed changes is a prominent task for concomitant investigations of the ecosystem, new or alternative parameters and monitoring methods must be developed in order to adapt to new developments and to increase the efficiency of the program.

So far, only a few trilateral research projects have been carried out, such as the joint seal project (1990-1994), the first pilot project on breeding success (1996-1997) and the assessment of contrasting trends in migratory birds (2009).

## 1.3. HOW TO PROCEED

### 1.3.1 Harmonization

A major challenge for the Trilateral Cooperation is fine tuning the alignment between the national monitoring programs, the requirements of the Trilateral Cooperation and the EC Directives and other international developments. This demands a consistency in parameter selection and monitoring methods, as well as assessment procedures and reporting conditions (see Appendix 1).

The national assessment schemes of the HD (definition of conservation objectives and favourable conservation status) and WFD (reference condition and a classification scheme for good ecological status) have to be linked with the Wadden Sea Plan (§6 SchD, 2005) in order to develop a harmonised assessment scheme for all parameter groups of the TMAP.

Trilaterally harmonised assessment methods, including quantitative values, should be defined, especially for issues which have to be addressed at a broader scale, such as eutrophication, climate change, neobiota, and species and habitats.

On the basis of the Wadden Sea Plan, an overall strategy will be developed on how to harmonize the assessments at national, trilateral and EU level. Thematic experts' workshops will continue to discuss, and if necessary harmonize, assessment criteria and develop quantitative values for Wadden Sea Area.

### 1.3.2 TMAP Data Handling and Information System

The TMAP data handling is an effective tool and has contributed positively to the QSR work. There is great potential to use the TMAP data for other value-added national and international purposes.

However, there are still some bottlenecks in the data flow from the monitoring institutes to the TMAP data units and the responsible authorities on national and state level need to open these up. Further investment has to be realized to improve data access for a broader public. An effective TMAP information system should be able to hold complex data like a data warehouse, to be selectively called up and analysed using standard assessment procedures running through Internet browsers. The prototype of such an information system has been set up on basis of the content of the four data units and trilateral GIS data sets from the secretariat. It was presented at the Scientific Symposium in Wilhelmshaven in March 2009 by applying the visualization software 'disy Cadenza'. The system should be further developed by the TDG in the three countries with the aim of establishing an "online-QSR" for trilateral assessments.

### 1.3.3 Parameters

For some parameter groups, new monitoring strategies have to be developed. This concerns especially monitoring of subtidal habitats and monitoring in the offshore area (up to 12 sm). Further technical adaptations of TMAP parameters (such as locations, frequencies, methods) have also to be considered, as have their alignment with the HD, WFD and, where appropriate, MSFD assessment schemes which are under development. The main parameters in need concern macrozoobenthos, macrophytes, eutrophication fish and chemical substances.

Specifically, the following is needed:

- Development of a trilateral strategy of subtidal monitoring taking into account the existing operational and planned monitoring activities. This has to be tuned with the HD, WFD, and MSFD related activities, especially with regard to assessment and reporting requirements.
- Implementation of a trilateral monitoring strategy for seabird species, in order to harmonize the existing offshore surveys and make the results comparable in a trilateral assessment.
- Investigation into the need for a joint monitoring of harbour porpoise in the framework of the Habitat Directive and, depending on the outcome, integration of such a parameter on the basis of the German monitoring of that species.

### 1.3.4 Ecological Research

A more comprehensive trilateral research agenda may facilitate ecological research in the Wadden Sea countries, gain synergies and offer an opportunity to apply for funding by EU programs. A Trilateral Research Agenda must be developed in close cooperation with national research institutes and other organizations (such as the Wadden Academy). This can be used to try to secure additional EU funding of trilateral projects (e.g. within the framework of LIFE+).

### Appendix 1: Parameters of the revised TMAP

TOPIC	PARAMETER	METHOD	REMARKS
<b>1. TARGETS ON QUALITY OF WATER AND SEDIMENT</b>			
<b>1.1 Eutrophication</b>	<ul style="list-style-type: none"> <li>- nutrient inputs (river, atmosph.)</li> <li>- nutrients in water</li> <li>- chlorophyll a</li> <li>- phytoplankton</li> <li>- macroalgae</li> <li>- macrozoobenthos</li> </ul>	Using OSPAR Common Procedure (see QSR 2004), and WFD guidance	The TMAP parameters cover the existing or planned WFD monitoring programs in the three countries.
<b>1.2 Natural micro-pollutants (metals, PAH)</b>	<ul style="list-style-type: none"> <li>- metals in sediment and biota (mussel, flounder, bird eggs)</li> <li>- PAH (water, sediment, mussel)</li> <li>- Beached (oiled) birds</li> </ul>	Using JAMP guidelines and WFD guidance.  Using OSPAR resp. TMAP/TBBS guidelines	WFD priority substances to be monitored in the water column using risk analysis for individual water bodies.
<b>1.3 Man-made substances (xenobiotics)</b>	<ul style="list-style-type: none"> <li>- organochlorines in sediment and biota (mussel, flounder, bird eggs)</li> <li>- TBT (sediment, biota)</li> </ul>	Using JAMP guidelines and WFD guidance	WFD priority substances to be monitored in the water column using risk analysis for individual water bodies.
<b>2. TARGETS ON SALT MARSHES</b>			
	<ul style="list-style-type: none"> <li>- area,</li> <li>- vegetation</li> <li>- selected typical species,</li> <li>- grazing,</li> <li>- drainage</li> </ul>	Vegetation mapping (aerial photographs and ground truth); field surveys (permanent plots or stratified random sampling)	Existing monitoring schemes to be continued. Common TMAP typology can be applied.
<b>3. TARGETS ON TIDAL AREA</b>			
<b>3.1 Geomorphology</b>	<ul style="list-style-type: none"> <li>- area of tidal flats</li> <li>- sediment type distribution,</li> <li>-</li> </ul>	Remote sensing and field sampling	Comparability of methods to be enhanced.
<b>3.2 Macrozoobenthos</b>	<ul style="list-style-type: none"> <li>- species composition</li> <li>- abundance</li> <li>- biomass</li> <li>- age [not mandatory]</li> <li>-</li> </ul>	Field surveys and transects, national WFD guidelines.	
<b>3.3 Biogenic structures</b>			
<b>3.3.a seagrass</b>	<ul style="list-style-type: none"> <li>- area and distribution</li> <li>- coverage</li> </ul>	Mapping of intertidal seagrass beds (aerial mapping and field surveys).	Revised TMAP guidelines prepared by seagrass group in 2006.
<b>3.3.b mussel beds</b>	<ul style="list-style-type: none"> <li>- area and distribution</li> <li>- biomass</li> <li>- coverage</li> </ul>	Mapping of intertidal blue mussel beds (aerial photographs and field surveys)	
<b>3.3.c. Sabellaria reefs</b>	<ul style="list-style-type: none"> <li>- area and distribution</li> </ul>	Methods for subtidal habitats under development.	From research projects on subtidal mapping in Niedersachsen, Schleswig-Holstein and The Netherlands.
<b>3.4. Fish</b>			
	<ul style="list-style-type: none"> <li>- distribution and abundance of species in the Wadden Sea</li> </ul>	Existing surveys for demersal fish (IMARES, vTI-SF) and pelagic fish (LKN)	Wadden Sea fish assessment tool in preparation (similar to WFD tool in transitional waters).
	<ul style="list-style-type: none"> <li>- distribution and abundance of species in transitional waters</li> </ul>	Stow net fishery (pelagic fish), 3-4 stations in Ems, Weser, Elbe, Eider	Guidelines developed for WFD monitoring (obligatory)

TOPIC	PARAMETER	METHOD	REMARKS
<b>4. TARGETS ON BEACHES AND DUNES</b>			
	<ul style="list-style-type: none"> <li>- area</li> <li>- vegetation</li> <li>- selected typical species</li> <li>- nitrogen deposition,</li> <li>- land use</li> </ul>	Vegetation mapping (aerial photographs and ground truth); Field surveys (permanent plots or stratified random sampling)	Existing monitoring schemes to be continued. Common TMAP typology can be applied. Comparability of field survey methods to be enhanced.
<b>5. TARGETS ON OFFSHORE ZONE</b> (from baseline to 3 resp. 12 sm)			
	<ul style="list-style-type: none"> <li>- selected chemicals,</li> <li>- area and location of sand banks and reefs,</li> <li>- selected typical species (birds)</li> <li>- marine mammals</li> </ul>	Using OSPAR guidelines and WFD standards. Methods for subtidal habitats under development in HD. Methods for BD and HD species under development	Research projects on subtidal mapping area carried out in NL and D.
<b>6. TARGETS ON BIRDS</b>			
	<ul style="list-style-type: none"> <li>- number and distribution of breeding birds</li> </ul>	Using JMBB/TMAP guidelines	Existing monitoring schemes to be continued. Adaptation to 6-year reporting cycle.
	<ul style="list-style-type: none"> <li>- breeding success</li> </ul>	JMBB/TMAP Pilot project	Pilot project on "breeding success" started in spring 2009
	<ul style="list-style-type: none"> <li>- number and distribution of migratory birds</li> </ul>	Using JMBB(TMAP guidelines)	Existing monitoring schemes to be continued. Adapted to 6-year reporting cycle. Projects to be initiated to assess Targets (food availability, roosting and moulting areas, natural flight distances.)
<b>7. TARGETS ON MARINE MAMMALS</b>			
	<ul style="list-style-type: none"> <li>- numbers and distribution of harbour seals (adults &amp; pups)</li> </ul>	Using TSEG / TMAP guidelines	Existing monitoring scheme to be continued.
	<ul style="list-style-type: none"> <li>- numbers and distribution of grey seals</li> </ul>	National surveys	Harmonization of existing monitoring (ongoing by TSEG)
	<ul style="list-style-type: none"> <li>- numbers and distribution harbour porpoise</li> </ul>	National and/or North Sea wide surveys according to national HD obligations	Monitoring strategy to be developed in cooperation with North Sea wide monitoring schemes.
<b>8. HUMAN ACTIVITIES</b>			
	<ul style="list-style-type: none"> <li>- fishery</li> <li>- recreational activities</li> </ul>	Using TMAP guidelines.	Available data on all other human activities relevant for assessment should also be compiled.
<b>9. GENERAL PARAMETERS</b>			
	<ul style="list-style-type: none"> <li>- coastal protection measures</li> <li>- flooding/hydrology</li> <li>- land use</li> <li>- weather conditions</li> </ul>	All relevant available data from existing sources	Compilation in connection with trilateral assessment (QSR)



## 2 Implementation and Review

### 2.1 STRUCTURE OF THE TRILATERAL WADDEN SEA COOPERATION

Decision-making within the Trilateral Wadden Sea Cooperation (TWSC) is limited to two levels.

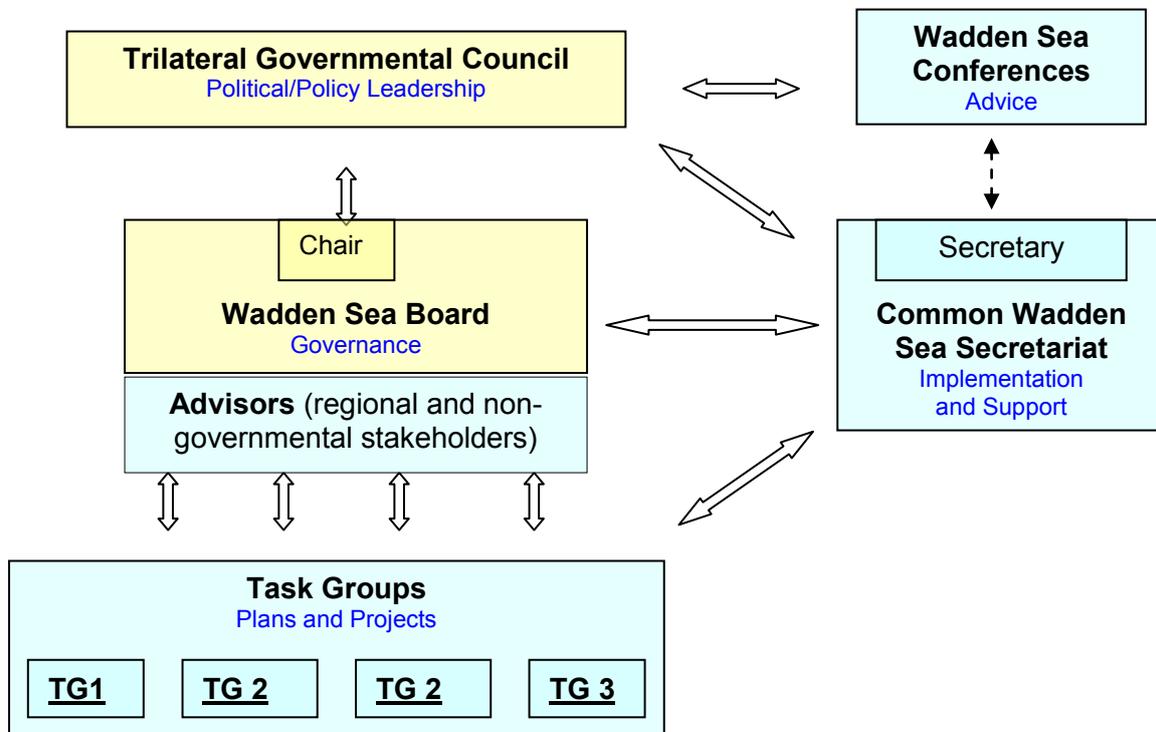
The Trilateral Wadden Sea Governmental Council (see figure) is the politically responsible body (Ministers) for the Cooperation. It establishes and oversees the Cooperation, approves its strategy, gives political leadership, assures international policy development, harmonisation and decision-making between the three governments.

The Wadden Sea Board is the governing body of the Cooperation. It prepares and implements the Strategy, oversees the operational and advisory bodies, and secures relations with key stakeholders.

The decision-making bodies are supported and advised by three types of operational and advisory bodies, namely advisors, including stakeholder representatives (WSF), Task Groups and Triennial conferences.

The Secretariat for the Trilateral Cooperation is the Common Wadden Sea Secretariat (CWSS). CWSS is responsible for support to the Board and the Council, implementation of the CWSS Work Plan, support to scientific networks and projects, communications and financial management.

Fig.: Organizational Structure Trilateral Wadden Sea Cooperation



## 2.2 IMPLEMENTATION

The Wadden Sea Board is the responsible body for the supervision of the implementation of the Wadden Sea Plan. In addition, the Wadden Sea Board

- Develops, coordinates and implements the Cooperation's policy on major issues (including responses to significant development plans and projects), for approval by the Trilateral Governmental Council.
- Provides advice to Ministers, *inter alia* through annual and triennial reports, the production of Quality Status Reports at regular intervals, and the organisation of International Scientific Wadden Sea Symposia.
- Approves terms of reference for the task groups and monitors their performance.

At the trilateral level, the Trilateral Monitoring and Assessment Program (TMAP) is the main programme for assessing progress in the implementation of the Wadden Sea Plan Targets. The TMAP provides the basis for the overall quality assessment of the Wadden Sea ecosystem (Quality Status Report: QSR) through which feedback to the Wadden Sea Board is arranged. In the framework of the implementation of the TMAP, an expert network has been established which is part of the feedback process of the Wadden Sea Plan implementation and which ensures the involvement of the operational management level in the trilateral process and which informs the regional level.

The Wadden Sea Plan is a joint framework policy and management plan for the Wadden Sea Area, and within that the National Parks the World Heritage Property and the Biosphere Reserves. For the specific purposes of cooperation on landscape and cultural heritage it is also the framework for the cultural entities. The Wadden Sea Plan will be implemented through the responsible authorities in the countries. The close relationship between the regional management of the Wadden Sea Area and the trilateral level is essential to ensure that both levels are well informed and aligned and that issues of common concern throughout the process are discussed and solved in close cooperation.

In order to perform the task of overseeing the implementation and further development of the Wadden Sea Plan, a close connection with the management level in the region is necessary.

## 2.3 REVIEW

An evaluation of the Wadden Sea Plan with a view to possible revisions takes place at 6 year intervals. Plans and measures launched in the framework of the relevant EC Directives operate within this 6 year timespan. In the framework of the World Heritage Convention, state parties must also report every 6 years on their World Heritage properties.

The Wadden Sea Board will supervise the review in particular with regard to

- the status of the implementation of the projects and actions,
- the information from the Quality Status Reports and other assessment reports and scientific findings in relation to the Wadden Sea Plan,
- the ongoing relevance of policies and management measures,
- the consequences for the Wadden Sea Plan of emerging international legislation, in particular from the European Union.

The review will be discussed by the Wadden Sea Board to determine whether and to what extent the Wadden Sea Plan needs revision after the 6 year period.

## 3 Communication, Information and Education

### 3.1. WHAT AND WHY TO COMMUNICATE

Trilateral communication will secure public and political support for the protection and integrated management of the Wadden Sea as a shared entity and it will enhance the awareness of the Wadden Sea as a shared heritage.

The Trilateral Cooperation addresses the Wadden Sea as an entity which covers *a.o.* conservation and protection of all habitats and species, policy and management related issues, as well as research, monitoring and assessment. The transboundary and cross-sectoral aspects of such an ecosystem approach and the added value of the trilateral approach in respect to the national and international instruments, such as EU Directives, is the main contents of trilateral communication. The Wadden Sea Plan and Targets are an example of a transboundary management scheme at an ecosystem level which is also unique in a global perspective.

Effective communication of this Plan and the Targets between partners is a prerequisite to securing the active support of relevant authorities, interest groups and local citizens. The close cooperation of politicians, conservationists and scientists, combined with the awareness and enthusiasm of the people living in the region, is key to the successful implementation of the Plan.

The WSP is also the management plan for the World Heritage Property. The ecosystem approach of the Wadden Sea Plan and the Targets should therefore be the focus of trilateral communication.

### 3.2. TO WHOM AND HOW TO COMMUNICATE

Trilateral communication of the Wadden Sea Plan is focused both on internal and external target groups.

The internal communication ensures that key information has been accurately conveyed to the trilateral working groups (as well as experts groups and workshops), including observer organizations. In addition, the scientific network has been involved since the 1970s in supplying information to support management and monitoring (*e.g.* in scientific projects or on Scientific Wadden Sea Symposia).

External communication of the Wadden Sea Plan and its objectives to other target groups, such as the broad public, press and media, schools and universities, interest groups and international organizations, requires communication strategies tailored to the needs of the various groups.

Trilateral communication is carried out mainly via the CWSS through a website (for internal and external use), an e-mail newsletter (a successor to the printed Wadden Sea Newsletter), leaflets and posters, and thematic workshops and conferences in which the communication of the Wadden Sea Plan and Targets plays a central role.

Comprehensive reports such as the Quality Status Reports and other thematic reports (*e.g.* on bird trends) provide substantial scientific information from the TMAP to experts and the scientific community, including an assessment of the Targets and recommendations for trilateral management.

#### Network of Information Centers

The overall visitor experience of wildlife, culture and landscape along the Wadden Sea coast has been hugely improved through an extended net of small and large information centers, visitor information systems, print and digital information and an increasing number of professional guides. This has been beneficial to people and nature.

From data supplied by Schleswig-Holstein, it can be extrapolated, that more than 3 million people a year receive information on the Wadden Sea through visiting centres or participating in guided tours.

Thus, the flow of information and communication on all Wadden Sea matters has increased very well over the past ten years. Nevertheless, there is still a gap on coordinated information about the Trilateral Cooperation and the Wadden Sea Plan, *i.e.* the Wadden Sea as a crossborder protected nature area of global importance.

### Websites

Extensive information on the Wadden Sea for the broad public is also available electronically. The common link to all aspects of trilateral Wadden Sea matters is the website of the Common Wadden Sea Secretariat ([www.waddensea-secretariat.org](http://www.waddensea-secretariat.org)).

The Dutch link to the Wadden Sea is via "Interwad". This organization develops and operates the website [www.waddenzee.nl](http://www.waddenzee.nl). This website is a focal point for information, questions, answers and opinions related to the Wadden Sea. The objectives are to inform people, to raise awareness and to feed the discussion on all Wadden Sea-related topics.

The German link is via the national park web site [www.nationalpark-wattenmeer.de](http://www.nationalpark-wattenmeer.de). This official website includes information on practically all aspects related to the protection and management of the German Wadden Sea and the activities of the national park authorities.

In Denmark, the website [www.vadehav.dk](http://www.vadehav.dk) is based on a cooperation between all the information and education centers in the Wadden Sea area (Vadehavets Formidlerforum). The objectives are, among others, to stimulate the cooperation between Wadden Sea related institutions, to stimulate the awareness and to improve and extend the communication on nature and culture in the Wadden Sea region – with a special effort in relation to children. Vadehav.dk also keeps site visitors informed of the latest news and public events in the Wadden Sea.

Specific information on the Wadden Sea World Heritage Property can be found on [www.waddensea-worldheritage.org](http://www.waddensea-worldheritage.org)

### International Wadden Sea School

At present, 10 of the environmental education centres in The Netherlands, Germany and in Denmark work together in the International Wadden Sea School (IWSS) network ([www.IWSS.org](http://www.IWSS.org)). The IWSS is a cross-border educational project for school classes and other groups of young people from the Wadden Sea countries initiated by the Wadden Sea Cooperation, running from 2003-2010. The aim of the IWSS is to enhance the awareness of the Wadden Sea Area as a shared natural heritage and to create an understanding among young people of the need to protect and sustainably manage the Wadden Sea region as a whole.

### The Wadden Sea Forum

The involvement of stakeholders at the trilateral level is carried out via the Wadden Sea Forum (WSF). WSF has been consulted in the preparation of the WSP and is involved in several projects, relevant for the implementation of the WSP.

WSF is represented in the Wadden Sea Board as advisor, guaranteeing the interaction between the WSF members and the TWSC about the implementation of the WSP.

### 3.3. HOW TO PROCEED

1. Following the recommendation of an External Evaluation of the Trilateral Cooperation in 2007, existing means of communication such as the website and the newsletter will be given a wider audience through improved linking and distribution. We should also make full use of the attention generated by the positive results of the designation of the Dutch-German parts of the Wadden Sea Area as a World Nature Heritage Property, and capitalize on projects like Lancelwad.

2. The CWSS will also continue its work to compile and disseminate all relevant scientific information on the Wadden Sea through web-based media, symposiums, workshops and reports, as well as through meetings with other relevant organizations and institutions.
3. The results of the TMAP and assessment of the WSP Targets will be made available for relevant authorities, interest groups and local citizens.
4. The external communication and public promotion of the Wadden Sea Plan will be undertaken by circulating it via existing successful communication networks and by cooperation with external partners and relevant stakeholders such as the Wadden Sea Forum.
5. The International Wadden Sea School (IWSS) has developed specific communication activities to promote the ideas of the Trilateral Cooperation for environmental education for school children, so effectively linking the educational network in the three countries. This experience should be used to strengthen public outreach and to communicate the Wadden Sea Plan to a broader public.



06

Ministerial Council Declaration.  
11th Trilateral Governmental Conference of the  
Protection of the Wadden Sea, Sylt, 18 March 2010



11<sup>th</sup> Trilateral Governmental Conference on the Protection of the Wadden Sea  
Sylt, 18 March 2010

## **Ministerial Council Declaration**

**18 March 2010**

**TRILATERAL WADDEN SEA GOVERNMENTAL COUNCIL****SYLT DECLARATION****18 March 2010**

**Ministers** responsible for the protection of the Wadden Sea of the Netherlands, Denmark and Germany and representing their respective Governments in the **Trilateral Wadden Sea Governmental Council** on the Protection of the Wadden Sea on the island of Sylt

**Acknowledging** the positive outcome of the evaluation of the Cooperation carried out since the 2005 Schiermonnikoog Wadden Sea Conference, confirming that the Cooperation is a pioneering model for the protection and management of a trans-boundary ecological system of international importance and the need for a continued effective Cooperation to conserve the Wadden Sea;

**Appreciating** the refreshment of the Joint Declaration on the Protection of the Wadden Sea and the Governance Arrangements;

**Reaffirming** the objective of the Joint Declaration 2010 to protect and manage the Wadden Sea as a single ecological entity shared by the three countries in accordance with the Guiding Principle for the Nature Conservation Area, which is to achieve, as far as possible, a natural and sustainable ecosystem in which natural processes proceed in an undisturbed way. This is done in the recognition that this can only be attained in cooperation with those who live, work and recreate in the area and are willing to endow its protection. Conditions for safety and sustainable development must be maintained;

**Welcoming with appreciation** the inclusion of the Dutch-German Wadden Sea on the UNESCO World Heritage List and thus the global recognition of its outstanding universal value;

**Welcoming with appreciation** the designation of the Danish Wadden Sea as a national park;

**Appreciating** the support and input of the Wadden Sea Forum and other stakeholder fora and the wider community for the protection and sustainable use of the Wadden Sea and to further sustainable regional development;

**Recognizing** the unique status of the Wadden Sea, notably in the Year of Biodiversity 2010 and its contribution to the biodiversity targets of the European Union, as well as the targets of the Convention of Biological Diversity;

**Welcoming** the Quality Status Report 2009, which provides a comprehensive overview of the status of the Wadden Sea and a valuable basis for developing appropriate policies and management initiatives;

**Acknowledging** the recommendations of the 12<sup>th</sup> International Scientific Wadden Sea Symposium for the further development of the protection and management of the Wadden Sea as an ecological entity;

**Recognizing** the improvements of the environmental and natural status of the Wadden Sea and the need to continue to act on specific areas to further improve the status of the Wadden Sea and expand the cooperation for the protection and management of the Wadden Sea, as outlined in the Policy Assessment Report;

**Acknowledging** the shared landscape and cultural heritage of the Wadden Sea Region.

**Welcoming** the international cooperation, in particular with West Africa, the Republic of Korea and The Wash/North Norfolk Coast to further the international protection of tidal areas and their biodiversity;

**Concerned** about the possible impacts from human uses, invasive alien species and particularly climate change;

**Determined** to meet these challenges and to continue to protect and manage the Wadden Sea for present and future generations;

and therefore share the view to:

#### **Governance Wadden Sea Cooperation**

1. **Authorize** the Wadden Sea Board to commence its activities as the governing body of the Cooperation, to provide strategic and collective leadership and to ensure performance and accountability through good governance and good external relations and communication with all key stakeholders in accordance with Article 5 (2) of the Joint Declaration.
2. **Appreciate** the willingness of stakeholders to act as advisors to the Board.

#### **Wadden Sea World Heritage**

3. **Welcome** the inscription of the Dutch-German Wadden Sea on the World Heritage List under natural criteria (viii), (ix) and (x) by decision of the UNESCO World Heritage Committee at its 33rd Session, Seville, June 2009 and **acknowledge** that the Statement of Outstanding Universal Value adopted by the Committee encompassing the current rules and regulations and management and enforcement activities governing the protection of the Wadden Sea constitutes the basis for the future protection and management of the property according to Article 155 of the Operational Guidelines.
4. **Agree** to start in the forthcoming period a possible nomination of the Danish Wadden Sea in accordance with encouragement of the World Heritage Committee and the nomination of the Hamburg Wadden Sea National Park including, where necessary and appropriate, minor boundary modifications for inclusion on the World Heritage List to complement the existing property.
5. **Instruct** the Board to initiate and organize the development of an overall Sustainable Tourism Development Strategy for the Wadden Sea World Heritage Site, in order to meet the request of the World Heritage Committee, the Hamburg Wadden Sea National Park, and the Danish National Park, pending formal

approval by its forthcoming board, and as a first step to adopt a Wadden Sea Communication and Marketing Programme 2010-13.

6. **Engage** in a close cooperation with the African Eurasian Waterbird Agreement (AEWA) with a view to promote and strengthen cooperation on management and research on the African Eurasian Flyways with relevant state parties as requested by the World Heritage Committee and **establish** cooperation for the protection and management of migratory birds relying on the Wadden Sea.

### **Nature Conservation and Management**

7. **Adopt** the Wadden Sea Plan 2010 in Annex 1, as elaborated in accordance with §6 of the Schiermonnikoog Declaration.
8. **Acknowledge** the broad spectrum of harmonisation already achieved within the trilateral cooperation and its value added, in particular with regard to monitoring and assessment at an integrated ecosystem level.
9. **Focus** future harmonisation efforts on high priority challenges, for example climate change, invasive non-native species, decline of birds, and on fisheries, in the national implementation of the Birds, Habitats, Water Framework and Marine Strategy Framework Directives.
10. **Support** the further development of integrated assessments and reporting in the framework of these Directives, including investigating the option of preparing a common integrated Natura 2000 Wadden Sea report.
11. **Increase** collaboration in relation to appropriate assessments under the Habitats Directive, and especially to exchange experience on the interpretation and application of site integrity, in combination effects and compensation measures.
12. **Support** the start of necessary further developments of the Wadden Sea Plan during the Danish presidency, e.g. regarding the harmonized application of European legislation and taking account of the preliminary recommendations of the High Level Review study on strategic elements.
13. **Authorize** the Board to develop and adopt a programme of projects and measures for the forthcoming period to support the implementation and further development of the Wadden Sea Plan with a view to strengthen and, where necessary, also restore the natural functioning of the Wadden Sea, incorporating the appropriate actions and activities of this Declaration.
14. **Welcome** the Guidance for Goose Management in the Wadden Sea Region as prepared under the leadership of the Wadden Sea Forum, in cooperation with the Trilateral Wadden Sea Cooperation, and **declare** their willingness to support the development of a Goose Management Plan in cooperation with relevant authorities, to achieve a balanced management to accommodate geese in the Wadden Sea region.
15. **Reaffirm** the guidelines concerning taking and releasing of seals from the Leeuwarden Declaration (§§60 and 61) and **instruct** the Board to update the Seal Management Plan, which will expire this year, for the period 2011 – 2016, based on an evaluation of the current Plan.

### Sustainable Use of the Wadden Sea

16. **Reaffirm** the concept of sustainable use as defined by the Convention on Biological Diversity in protecting and conserving the ecological integrity of the Wadden Sea ecosystem, thus supporting lasting economic prosperity and social well-being.
17. **Acknowledge** promising developments of recent years towards sustainable fisheries, notably on shrimps and blue mussels, and ask the Board to develop Wadden Sea wide trilateral policy principles for a further development of sustainable fisheries, inter alia aiming at the consistent implementation of the Natura 2000 objectives, in close cooperation with the fisheries sector and nature NGOs.

### Landscape and Cultural Heritage

18. **Acknowledge** that a comprehensive draft cultural landscape strategy has been developed in the framework of the LancewadPlan project. The cooperation on landscape and cultural heritage takes place to a large extent outside the Cooperation Area, for which the governments of The Netherlands, Germany and Denmark have declared their cooperation.
19. **Request** the Board to discuss and evaluate the draft strategy in order to decide together with the relevant regions upon whether or not parts of it may be accepted by the Trilateral Wadden Sea Cooperation.
20. **Encourage** the competent authorities to develop the accepted parts into a trilateral policy provided that the principles and policies of the Wadden Sea Plan are reflected.

### Climate, Sea Level Rise and Coastal Protection

21. **Concerned** that climate change and its consequences such as enhanced sea level rise, higher storm surges, increased temperatures and increasing sediment deficits will have impacts on the ecology and landscape of the Wadden Sea and may affect the safety of the inhabitants.
22. **Aware** of the long time scales of the processes and reactions involved, and thus of the urgent need to strengthen natural processes, to continue mitigation activities and to start concrete measures for adaptation to the expected impacts of climate change in the Wadden Sea Area and to ensure the safety of the inhabitants of the region and the ecological integrity.
23. **Aware** that more knowledge is needed for adaptation and mitigation measures and therefore **determined** to improve the trilateral knowledge base and **instruct** the Board to
  - Initiate a trilateral study on sustainable solutions to balance the expected sediment deficits on the basis of research questions specified by the CPSL.

- Initiate a project developing model spatial plans for pilot sites in the Wadden Sea region with the aim of developing a practicable spatial planning methodology to meet the challenges of climate change.
  - Establish a working group focusing on increasing the adaptability of the Wadden Sea ecosystem and landscape to climate change, also responsible for coordinating and supervising the above studies.
24. **Support** the global and national efforts to mitigate causes of climate change at the regional level, by calling especially upon local and regional competent authorities and stakeholders, to work towards developing the Wadden Sea Region into a CO<sub>2</sub>-neutral area by 2030 or before, putting the focus on the special threats for coastal zones by global warming and sea level rise.

### Alien Species

25. **Support** the ongoing international efforts to prevent and manage alien species introductions *inter alia* by ratifying the 2004 International Convention for Control and Management of Ships' Ballast Water and Sediments (BWM Convention) as soon as possible, but in all cases not later than 2013 and instruct the Board to investigate the possibility to get involved in already ongoing ballast water projects covering the Wadden Sea (e.g. the Interreg Project "North Sea Ballast Water Opportunity).
26. **Instruct** the Board to develop during the period until the next Ministerial Conference a common strategy for dealing with alien species introductions in the Wadden Sea, also taking account of the request of the UNESCO World Heritage Committee and the BWM Convention.

### Shipping and Ship's Safety

27. **Acknowledge** the progress made in improving ship safety and reducing the environmental impact of shipping since the designation of the Wadden Sea Particularly Sensitive Sea Area (PSSA) in 2002 by the IMO and the improvements resulting from the implementation of the Schiermonnikoog Declaration.
28. **Welcome** all efforts to reduce air emissions and water pollution in shipping and in the harbours in the Wadden Sea Region by e.g. the introduction of environmentally friendly energy and logistic infrastructure (so called "Clean Shipping Approach")
29. **Recognize** the importance of shipping to the Wadden Sea Region but also that it is necessary to continue to raise the awareness of the Wadden Sea as a PSSA and the ongoing efforts of the IMO and the EU to enhance the shipping safety and to reduce the environmental impact from shipping.
30. **Coordinate** and **handle** within the Trilateral Monitoring and Assessment Programme the collection of relevant shipping and environmental data for the Wadden Sea PSSA, taking into account existing data bases as SafeSeaNet in order to avoid additional effort.

31. **Coordinate** and **intensify** raising the awareness and education for the Wadden Sea PSSA and other relevant regulations to mariners and relevant stakeholders.
32. **Establish** within the already existing framework of the DenGerNeth Agreement the coordination mechanisms for issues related to the Wadden Sea PSSA.
33. **Encourage** the competent authorities to complete the entries concerning the Wadden Sea PSSA in charts.
34. **Enhance** the awareness of the shipping community for container losses. and support relevant studies concerning prevention of the loss of containers.
35. **Closely follow** the steps and outcome of the project “Sub-regional risk of spill of oil and hazardous substances in the Baltic Sea (BRISK)” under HELCOM and to **encourage** the competent authorities to consider to transfer the experiences and the methodological approach accordingly to the North Sea, taking into account the objectives and requirements of the Marine Strategy Framework Directive.
36. **Reaffirm** the importance of shipping safety with respect to any offshore activity. The safety of shipping in the North Sea Area should be kept at least at the present level, irrespective of which kind of offshore development might occur, and where feasible be enhanced.
37. **Instruct** the Board to evaluate the interrelation and potential conflicts between the interests of shipping and wind energy production and their potential implications for the Wadden Sea ecosystem.
38. **Instruct** the Board to discuss the PSSA Evaluation Report and further steps of implementation with the relevant competent authorities and develop a vision on the impact of shipping and ship’s safety on the Wadden Sea PSSA.

### Communication

39. **Convinced** that the perception of and the identification with the Wadden Sea as a shared ecological and cultural heritage constitute an essential basis for a successful Wadden Sea protection in the long term, and therefore **strengthen** the communication about the Trilateral Wadden Sea and the Cooperation, in particular regarding the World Heritage Site and the Danish and Hamburg National Parks, by developing a trilateral communication strategy, which should include the activities of the International Wadden Sea School (IWSS), and **enable** the Common Wadden Sea Secretariat accordingly to fulfil these tasks.

### Monitoring, Assessment and Scientific Research

40. **Aware** that an acceleration of global change entails unprecedented effects on the geomorphology and biodiversity of the Wadden Sea ecosystem, and that in order to be able to cope with these changes, a joint interdisciplinary research agenda for the protection of natural values and the development of sustainable use perspectives in a changing world is needed.
41. **Support** the establishment of a trilateral research platform preferably directly connected with existing national networks. The platform will elaborate a trilateral agenda for policy-relevant research in consultation with the Board, based upon

the QSR analysis and the outcome of the scientific symposium, and initiate trilateral research projects, explore financing possibilities, and communicate the outcome with the Wadden Sea Board.

42. **Reconfirm** the central importance of the Trilateral Monitoring and Assessment Programme (TMAP), which was further revised to fit the requirements of relevant EC Directives as stipulated in the Schiermonnikoog Declaration, as the indispensable basis for the joint status assessment and the successful management of the Wadden Sea as a single ecological entity.
43. **Reconfirm** the continuation of TMAP and **incorporate**, as necessary, parameters to develop TMAP in order to facilitate an integrated assessment across the relevant EC Directives and better monitor new challenges, e.g. climate change and its impacts, and agree on a long term development strategy to increase its value to a wider range of stakeholders.

### Wadden Sea Forum

44. **Take into account** the activities and recommendations by the Wadden Sea Forum on sustainable development and participatory processes, in particular with regard to
  - The development of a sustainability indicator tool for the Region
  - The further development of ICZM and marine spatial planning
  - Future energy generation developments along and adjacent to the Wadden Sea
  - Trilateral goose management
  - The inscription of the Dutch-German Wadden Sea as a World Heritage site.
45. **Support** the cooperation with WSF as an independent stakeholder organisation for the period 2011-2013 with a focus on the elaboration of joint projects regarding integrated management and the protection of the Wadden Sea and **welcome** the mutual exchange of information, ideas and visions and **acknowledge** the function to act as a platform for developing conflict solutions.

### International Cooperation

46. **Welcome** the aim of the OSPAR Ministerial Meeting 2010 to further develop the ecosystem approach for the Northeast Atlantic Ocean, as well their contribution to the further specification of the Good Environmental Status (GES) definition under the Marine Strategy Framework Directive, because both activities are highly relevant for the protection of the Wadden Sea, which is the world's largest tidal flat ecosystem and World Heritage site
47. **Offer** to support these activities by contributing the extensive experience of the Wadden Sea states with integrated ecosystem management and sustainable human use in a transboundary context.
48. **Continue** the cooperation with Korea in the framework of the Memorandum of Understanding, concluded in 2009 with emphasis on information exchange and capacity building.

49. **Acknowledge** the ongoing cooperation with WWF WAMER for sustainable development of the West African Ecoregion, which plays a key role for migratory birds passing through the Wadden Sea.
50. **Continue** the exchange of information and experiences on the Wadden Sea and the Wash North Norfolk Coast with Natural England in the framework of the Memorandum of Intent, concluded in 1991.

### **Cooperation 2010 – 13**

51. **Thank** Germany for chairing the Cooperation during a prolonged period of time.
52. **Welcome** the chairmanship of Denmark for the forthcoming period 2010 – 2013.
53. **Hold** the next Trilateral Governmental Conference on the Protection of the Wadden Sea and the regular Trilateral Governmental Council meeting in 2013 on the invitation of the Danish Government.
54. **Hold** the 13<sup>th</sup> International Scientific Wadden Sea Symposium in 2012 in the Netherlands on the invitation of the Dutch Government. Sylt, Germany, 18 March 2010

For the Government of the Federal Republic of Germany

.....  
Ursula Heinen-Esser, Parliamentary State Secretary

For the Government of the Kingdom of Denmark

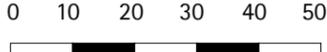
.....  
Karen Ellemann, Minister of Environment

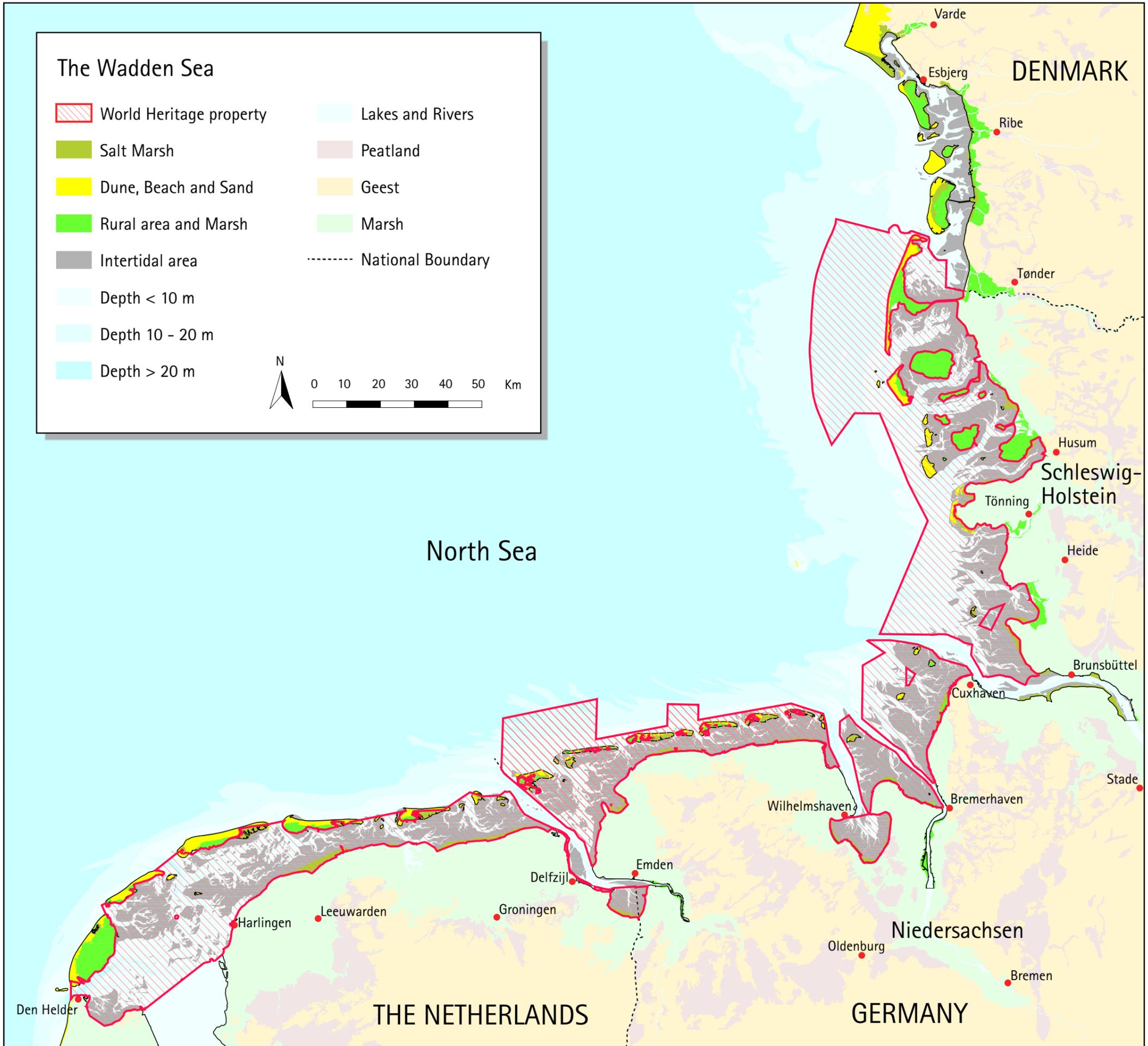
For the Government of the Kingdom of The Netherlands

.....  
Gerda Verburg, Minister of Agriculture, Nature and Food Quality

### The Wadden Sea

 World Heritage property	 Lakes and Rivers
 Salt Marsh	 Peatland
 Dune, Beach and Sand	 Geest
 Rural area and Marsh	 Marsh
 Intertidal area	 National Boundary
 Depth < 10 m	
 Depth 10 - 20 m	
 Depth > 20 m	

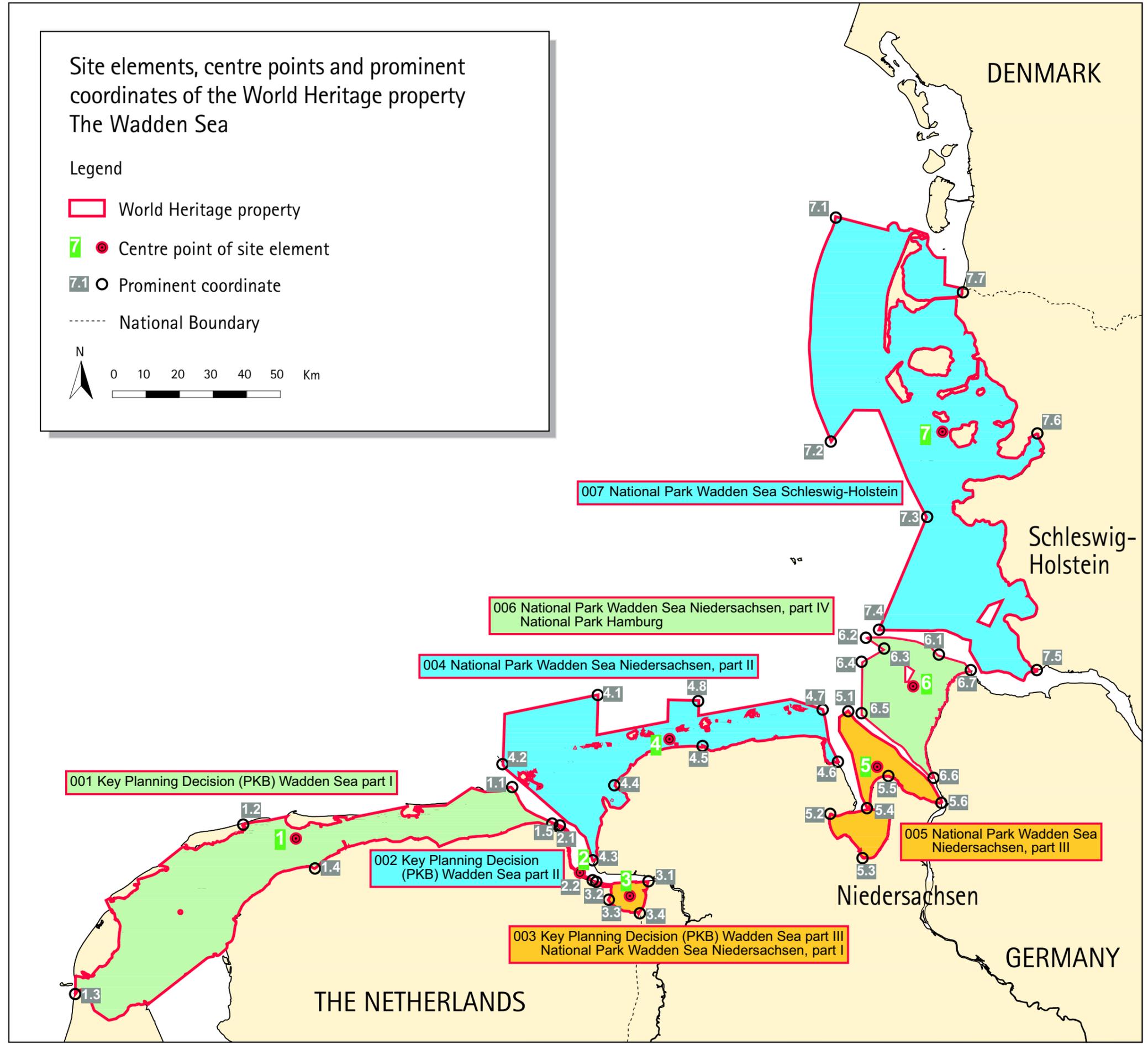


Mod.: The Wadden Sea (Volume One, A3 folded map).

Site elements, centre points and prominent coordinates of the World Heritage property  
The Wadden Sea

Legend

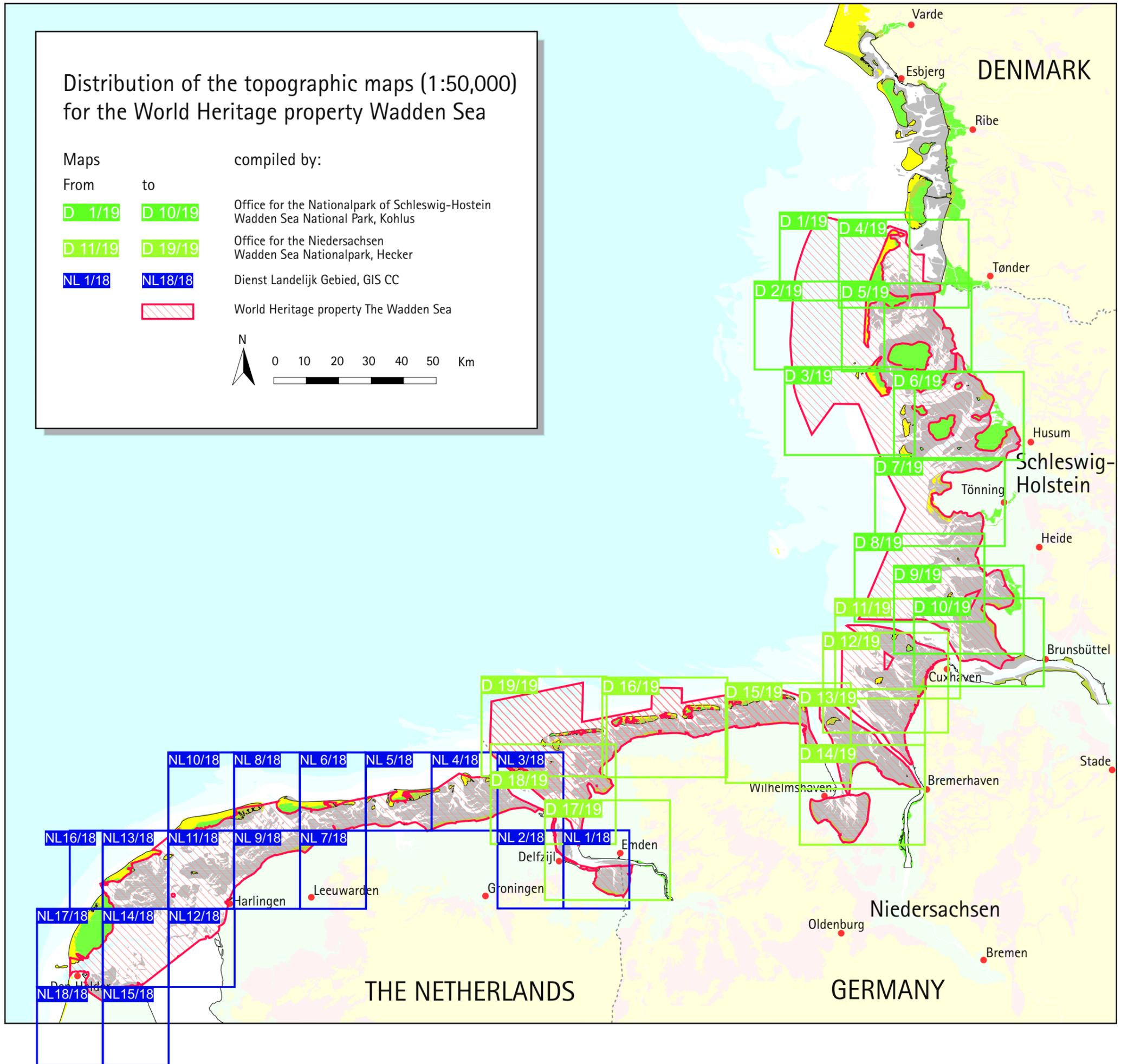
- World Heritage property
- Centre point of site element
- Prominent coordinate
- National Boundary



Mod.: Different site elements of the World Heritage property (Volume One, A3 folded map).

## Distribution of the topographic maps (1:50,000) for the World Heritage property Wadden Sea

Maps		compiled by:
From	to	
D 1/19	D 10/19	Office for the Nationalpark of Schleswig-Holstein Wadden Sea National Park, Kohlus
D 11/19	D 19/19	Office for the Niedersachsen Wadden Sea Nationalpark, Hecker
NL 1/18	NL 18/18	Dienst Landelijk Gebied, GIS CC
		World Heritage property The Wadden Sea



Mod.: Distribution of the topographic maps for the World Heritage property (Volume One, A3 folded map) (only maps D 11/19 and D12/19 are modified).