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World Heritage Property Upper Middle Rhine Valley (Germany) (C 1066)

Report on the state of conservation of the property and the implementation of Decision 41 COM 7B.45

Dear Dr. Rössler,

in Decision 41 COM 7B.45 from its 41th session (Krakow, 2017), the World Heritage Committee asked the State Party, Germany, to submit to the World Heritage Centre, by 1 December 2018, an updated report on the state of conservation of the World Heritage property and on the implementation of the actions requested in that decision, for examination by the World Heritage Committee at its 43st session scheduled for 2019. It has been attached for your information.

Salvatore Barbaro

Prof. Dr. Salvatore Barbaro

State Commissioner for UNESCO World Heritage in Rhineland-Palatinate

World Heritage Property Upper Middle Rhine Valley (Germany) (C 1066)

Report on the state of conservation of the property and the implementation of Decision 41 COM 7B.45

I. Executive Summary of the report

- a) A spatial impact assessment (Raumordnungsverfahren) is to be initiated for a permanent Rhine crossing. As part of the current consultation and the creation of the application documents various building variations will be examined and the required studies carried out. On the basis of these results there will be an involvement of the World Heritage Centre and the Advisory Bodies.
- b) The specialist authorities are already involved at an early planning stage as part of the planning for the noise reduction measures implemented by Deutsche Bahn.
- c) In both Rhineland-Palatinate and Hesse the installation of wind turbines in the core zone is currently excluded. In Rhineland-Palatinate there is also a complete exclusion in the buffer zone, in Hesse wind turbines are not permitted in the buffer zone based on regional planning. For planned wind turbines in the areas bordering the buffer zone a case-by-case assessment also takes place, which includes World Heritage compatibility.
- d) The application for the installation of a wind farm on Ranselberg hill near Lorch has been withdrawn.
- e) According to the assessment of the specialist authorities of Rhineland-Palatinate a realisation of the Holiday Resort Sankt-Goar-Werlau in line with World Heritage compatibility is possible. The arguments submitted by ICOMOS in the technical review reports from 2014 and 2017 will be considered with close involvement of the specialist authorities as part of drawing up the specific legally binding land-use plan.
- f) The continuation of the Management Plan with integrated cultural landscape impact study for the World Heritage Property has in the meantime been commissioned. The draft should be available in spring 2020.
- g) The Zweckverband Welterbe Oberes Mittelrheintal (Administrative Union Upper Middle Rhine Valley World Heritage) has won the bid to host the Federal Horticultural Show (Bundesgartenschau) 2029 in the World Heritage Property. On the one hand this offers great opportunities; on the other hand risks to the World Heritage Property must be excluded. For this reason the specialist authorities will be involved in planning at a very early stage.
- h) The expansion of an existing wind farm is planned on the Kandrich near Oberdiebach. As the assessments of the planning authorities and the authorities responsible for World Heritage differ from each other with regard to the impact on the Outstanding Universal Value, we have asked for a technical review by the Advisory Body.
- i) For technical reasons it is necessary to upgrade three railway tunnels between Sankt Goar and Oberwesel. The Deutsche Bahn currently favours variations which could impact negatively on the Outstanding Universal Value of the World Heritage Property. The State Government of Rhineland-Palatinate advocates a variation in line with World Heritage compatibility. However the Federal Republic of Germany has the planning and decision-making power.
- j) The ICOMOS Advisory Mission for consultation with regard to the extension of the operating permit of the Koblenz cable car has been postponed until presentation of the results of the cultural landscape impact study.

II. Response to the Decision 41 COM 7B.45 of the World Heritage Committee

1. *Having examined Document WHC/17/41.COM/7B,*
2. *Recalling Decision 39 COM 7B.78, adopted at its 39th session (Bonn, 2015),*
3. *Noting the resumption of exploratory planning for a permanent river crossing, requests the State Party to closely involve the World Heritage Centre and the Advisory Bodies, at the earliest possible stage, in the appraisal of options undertaken in a wide regional strategic context, and before any decisions are taken;*

As the planning for a permanent Rhine crossing in the Middle Rhine Valley in line with World Heritage compatibility has once again resumed, a spatial impact assessment (Raumordnungsverfahren) is to be initiated. At present the consultation and the creation of the application documents, in the framework of which the necessary environmental impact, traffic, feasibility, and sight line studies are to be carried out taking into consideration Decision 34 COM 7A.13 and with the involvement of all relevant stakeholders. In this framework various building variations are to be examined. The initiation of the spatial impact assessment (Raumordnungsverfahren) will only take place when the application documents are available in full. This is not expected before 2020. On the basis of the results and insights of the submitted application documents the World Heritage Centre and the Advisory Bodies will be involved before further decisions are made.

4. *Welcoming its commitment to reduce noise levels from trains in the property, encourages the State Party to prepare and adopt relevant legal regulations for railway noise reduction;*

The Deutsche Bahn plans to implement extensive noise reduction measures in the World Heritage Property. In order to ensure planning and implementation in line with World Heritage compatibility the State Conservation Offices, the Regional and the State Planning Authorities of the Federal States of Rhineland-Palatinate and Hesse along with the Secretariat for World Heritage in Rhineland-Palatinate are involved in the preliminary planning and the planning approval procedure.

5. *Notes with concern the policies and regulations adopted concerning wind turbines within World Heritage properties and buffer zones by the Federal State of Hesse and urges the State Party to work towards common policies and regulations to exclude wind farms from World Heritage Properties and their buffer zones; and strongly encourages the State Party to develop common rules and criteria for the assessment of the impact of wind farms on the Outstanding Universal Value (OUV) of the property and its buffer zones;*

In both Rhineland-Palatinate and Hesse the installation of wind turbines in the core zone is currently excluded. In Rhineland-Palatinate there is also a complete exclusion in the buffer zone, in Hesse wind turbines are not permitted in the buffer zone based on regional planning. In Rhineland-Palatinate a general exclusion of wind turbines in the core and buffer zone was introduced through the Third Partial Forward Projection (wind power) of the Regional Development Program of the Federal State of Rhineland Palatinate (LEP IV), which came into force on 21 July 2017. In Hesse the designation of priority areas for wind energy use in the core zones of the World Heritage Properties is generally excluded in accordance with the Third Ordi-

nance regarding the alteration of the Regional Development Plan for the Federal State of Hesse 2000 (LEP) from 21 June 2018 (Law and Ordinance Gazette P. 398). Furthermore in the current draft of the Regional Development Plan for the South Hesse region, Objective Sub-Plan on Renewable Energy there is no provision for a priority area for wind energy use within the buffer zone.

For planned wind turbines on the areas bordering the buffer zone a case-by-case assessment also takes place, which includes World Heritage compatibility.

- 6. Also requests the State Party to halt the project for the installation of a wind farm on Ranselberg hill near Lorch, which has a very high adverse visual impact on the OUV of the property, due to its visibility from different points within the boundaries of the property;*

The project developer has withdrawn the application for approval of the installation of a wind farm on Ranselberg hill near Lorch.

- 7. Also encourages the State Party to provide revised plans for the Holiday Resort Sankt-Goar-Werlau to the World Heritage Centre, for review by the Advisory Bodies, and before any decisions are taken;*

The revised plans for the Holiday Resort Sankt Goar-Werlau have been presented to the World Heritage Centre and technically examined by the Advisory Bodies.

The impression which ICOMOS has that the planning has been submitted without an examination of the compatibility of the project with the Outstanding Universal Value of the World Heritage Property by local authorities is not correct. The project has been presented and comprehensively explained to the Regional and State Planning Authority of Rhineland-Palatinate, the World Heritage Secretariat Rhineland-Palatinate, the Zweckverband Welterbe Oberes Mittelrheintal and the State Conservation Office. Taking into consideration the reservations presented by ICOMOS International in the technical review report from 2014, the authorities involved consider an implementation of the measures in line with World Heritage compatibility to be possible, which was also communicated to the World Heritage Centre in the letter dated 17.5.2017.

In the current early planning phase of the project the Federal State considers the documents in the submitted quality to be sufficient. The assessment of World Heritage compatibility at this juncture is the imperative basis for the decision regarding the need for a spatial impact assessment (Raumordnungsverfahren) to be initiated, which is necessary for a project of this magnitude and which requires high financial and personnel capacities.

At this planning stage it is primarily the overall impact of the planned Holiday Resort including its buildings and planted areas in the cultural landscape which must be assessed. The submitted documents show that the Holiday Village is constituted optically as an expansion of the district of Werlau. The height and structural dimensions of the planned buildings are implemented in an appropriate scale for a locality the size of Werlau. This expansion could also have been the result of a development of the locality over several decades. Other localities in the valley and on the elevations have also increased significantly in size in recent decades. Furthermore woodlands, as they are now planned here through newly planted areas, are not un-

usual on the plateaus of the World Heritage Property. Based simply on the fact that this development is implemented not over several decades but rather as part of the implementation of a project, an adverse visual impact on the World Heritage Property cannot be derived. Furthermore adverse visual impact on a cultural monument or the Loreley Rock does not exist.

However the issues of the specific areas which can be built on, the precisely permitted maximum building height, the design of the buildings, the dimensions etc. can only be specified in a binding form upon completion of the spatial impact assessment (Raumordnungsverfahren) in the legally binding land-use plan. For this reason as part of the spatial impact assessment (Raumordnungsverfahren) which is to be carried out, but at the latest at the beginning of specific planning of the legally binding land-use plan, the detailed planning documents in an appropriate scale, with precise information about the size and height of the planned buildings (including information about planned usage) and the intended integration in the landscape (e.g. planted areas) as well as visualisations of a more professional standard requested by ICOMOS will have to be presented and assessed from World Heritage perspectives. These documents will form the basis for the further planning.

The provisions of the German Federal Building Code already provide for this planning – as is also requested in the report by ICOMOS – being accompanied by the relevant state authorities. In the planning process a constantly accompanying expert assessment of all authorities responsible for the World Heritage Property and for state planning will take place.

As is the case for other projects of this magnitude, the World Heritage Centre will be informed of the results of the further planning stages and if required also ask for further clarification or support from ICOMOS.

8. Further requests the State Party to provide the revised and consolidated Management Plan and Master Plan, prior to their consolidation into one document, to the World Heritage Centre, for review by the Advisory Bodies;

The commission for the continuation of the Management Plan for the World Heritage Property with integrated cultural landscape impact study has been granted by the Zweckverband Welterbe Oberes Mittelrheintal to a bidding consortium which is experienced in the creation of Management Plans for World Heritage Properties and in the assessment of the impact of larger infrastructure measures on the visual integrity of World Heritage Properties. The objective of the cultural landscape impact study integrated in the Management Plan, based on a methodology coordinated with the UNESCO World Heritage Centre, is to be able to assess larger infrastructure projects more quickly with regard to their World Heritage compatibility.

The preparation of the bidding documents and the selection of the successful bidder took place in a call for competition with close involvement of the State Planning Authorities of the Federal States Hesse and Rhineland-Palatinate and the Secretariat for World Heritage in Rhineland-Palatinate.

The draft of the Management Plan with integrated cultural landscape impact study will be available in spring 2020 and will be presented to the UNESCO World Heritage Centre for review by the Advisory Bodies.

Subsequently the Management Plan together with the Master Plan and the strategic concept of the Zweckverband Welterbe Oberes Mittelrheintal is to be consolidated into one document.

9. *Requests furthermore the State Party to submit to the World Heritage Centre, by 1 December 2018, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 43rd session in 2019.*

III. Other current conservation issues identified by the State Party which may have an impact on the property's Outstanding Universal Value

Federal Horticultural Show (Bundesgartenschau) 2029

On 15 May 2018 the Zweckverband Welterbe Oberes Mittelrheintal won the bid to host the Federal Horticultural Show in 2029. The concept developed as part of a feasibility study envisages the organisation of a decentralised Federal Horticultural Show which is hosted by the entire World Heritage Site in three spatial and temporal focal points. Each municipality in the valley which is part of World Heritage is to act as a host during the Federal Horticultural Show. In the process existing offerings are also to be included.

The focal point of the Federal Horticultural Show in spring is to be the northern valley between Lahnstein and Braubach. In summer the central valley with the Loreley Plateau and Burg Rheinfels is to be the focal point. In autumn the focal point is to be in the southern valley near Rüdesheim. During the Federal Horticultural Show for the northern valley the Ehrenbreitstein Fortress, for the central valley the Loreley stage and for the southern valley the Binger Kulturufer are to be used as stages for major events.

The hosting of the Federal Horticultural Show offers on the one hand great opportunities for the World Heritage Property. High investment is expected in the restoration and preservation of historic substance, with an upgrade of the city and townscapes and the cultural landscape, and with a modernisation of the general infrastructure and tourism infrastructure. Furthermore the decline in population and the associated aging of the population in the valley is to be counteracted through the creation of jobs in the tourism sector.

On the other hand risks to the Outstanding Universal Value of the World Heritage Property due to infrastructure measures as part of the specific planning must be excluded. For this reason there is already a close involvement of the specialist authorities (Secretariat for World Heritage, State Conservation Offices, Regional and State Planning Authorities) at an early planning stage. Furthermore in individual cases there is specialist advice by other national stakeholders, e.g. through the ICOMOS monitoring group in Germany.

If more specific planning is available the World Heritage Centre will be informed of the further results.

IV. In conformity with Paragraph 172 of the Operational Guidelines, describe any potential major restorations, alterations and/or new constructions intended within the property, the buffer zone and/or corridors or other areas, where such developments may affect the Outstanding Universal Value of the property, including authenticity and integrity.

1. Expansion of the wind farm on the Kandrich near Oberdiebach

On the territory of the municipality of Oberdiebach (Rhineland-Palatinate) the collective municipality "Verbandsgemeinde Rhein-Nahe", as the planning authority of zoning plan, plans the expansion of an existing wind farm by 20.3 hectares. The territory is situated just outside the buffer zone of the World Heritage Property. Through Decision 39 COM 7B78 the UNESCO World Heritage Committee has requested that the State Party accept the results of the sight line study and in this regard also assess all planned wind energy projects outside the buffer zone with regard to their impact on the Outstanding Universal Value (OUV). The assessments of the planning authority and the authorities responsible for World Heritage with regard to the impact of the expansion of the wind farm on the Outstanding Universal Value differ from each other. For this reason the World Heritage Centre has already been comprehensively informed separately about this plan in accordance with Article 172 of the Operational Guidelines.

2. Upgrading of the railway tunnels Banktunnel, Bettunnel and Kammerecktunnel between St. Goar and Oberwesel

The three railway tunnels Banktunnel, Bettunnel and Kammerecktunnel between St. Goar and Oberwesel are situated in one of the most precious and sensitive sections of the World Heritage Property Upper Middle Rhine Valley. For technical and legal reasons an upgrade of these tunnels is unavoidable in the foreseeable future. According to the assessment of the specialist authorities several of the building variations outlined by Deutsche Bahn AG demonstrate a high conflict potential with the authenticity, visual integrity and Outstanding Universal Value of the World Heritage Property. In the case of four of the possible variations the demolition of sections of the listed city wall including a fortified tower would be necessary. In the case of other variations important visual relationships with regard to the landscape aesthetics of this highly-sensitive section of the river valley and the townscape of Oberwesel which are essential for the Outstanding Universal Value could be impaired.

Up until now a selection of the variations has not yet been made by Deutsche Bahn AG or the Federal Government and a spatial impact assessment (Raumordnungsverfahren) or planning approval procedure has not yet been initiated. However it is clear that for Deutsche Bahn AG there is a preference for the more cost-effective planning variations, which from the point of view of the specialist authorities involved could negatively impact on the Universal Value of the World Heritage Property.

The State Government of Rhineland-Palatinate advocates, through political means with the Federal Government and Deutsche Bahn AG and as part of what is legally feasible in a still pending planning approval procedure, the implementation of the tunnel variation most compatible with World Heritage. However the Federal Repub-

lic of Germany has the planning and decision-making power and makes the decision regarding the provision of the required financial resources in the rail network sector.

3. Extension of the operating permit of the Koblenz cable car

In the letter dated 22.3.2018 the State Party together with the City of Koblenz informed the World Heritage Centre about the intended extension of the operating permit of the Koblenz cable car and requested an ICOMOS Advisory Mission. In view of the cultural landscape impact study to be created as part of the Management Plan the State Party has asked ICOMOS to postpone the Advisory Mission planned for August 2018 until the initial results of the cultural landscape impact study are available. In the study the important attributes for the Outstanding Universal Value of the World Heritage Property and their localisation in the World Heritage Property are put into concrete terms. The methods and the results of the cultural landscape impact study will provide, according to the assessment of the State Party and the State Conservation Office, an important instrument for the assessment of the World Heritage compatibility of infrastructure measures in the World Heritage Property. These results should also be taken into account in a reassessment of the World Heritage compatibility of the Koblenz cable car.

V. Public access to the state of conservation report

The Federal States of Rhineland-Palatinate and Hesse agree to the full SOC Report being published on the website of the World Heritage Centre's State of Conservation Information System (<http://whc.unesco.org/en/soc>).

Mainz, November 14th, 2018

Prof. Dr. Salvatore Barbaro
State Commissioner for UNESCO World Heritage in Rhineland-Palatinate