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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 37 COM 7B.75**

Dear Mr Rao,

In Decision 37 COM 7B.75 from its 37th session (Phnom Penh, 2013), the World Heritage Committee asked the State Party, Germany, to submit to the World Heritage Centre, by 1 February 2015, 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 consideration by the World Heritage Committee at its 39th session scheduled for 2015. Against this background, I would like to inform you of the following with regard to the development of the Upper Middle Rhine Valley World Heritage site since the last SOC report submitted in March 2013:

#### **1. Master Plan and Implementation Concept**

Work on the Implementation Concept which – based on the groundwork done as part of the Master Plan published in March 2013 – details the general framework with regard to planning as well as financial and legal aspects concerning the protection and development of the Upper Middle Rhine Valley World Heritage site, has progressed substantially. The development of the concept is coordinated by the State Ministry of Rhineland-Palatinate for Economic Affairs, Climate Protection, Energy and Regional Planning (MWKEL), in close consultation with the World Heritage Representative for Rhineland-Palatinate.



The first steering group meeting for the Implementation Concept was held in May 2014 and included the state secretaries of the relevant government departments as well as representatives from the Zweckverband Welterbe Oberes Mittelrheintal (Upper Middle Rhine Valley World Heritage Association).

Paralleling the exemplary participatory approach taken in the elaboration of the Master Plan, the process has been designed so as to ensure broad participation by the communities of the Middle Rhine Valley in general as well as interested individuals. To this end, five subject-related working groups have been established (1. economy, 2. tourism, 3. mobility and infrastructure, 4. cultural and architectural heritage and landscape preservation, 5. sustainability). They will discuss the suggestions that were brought up during the Master Plan process and present implementation outcomes. When it comes to concrete actions, it is their task to provide suggestions for projects and funding. The kick-off meetings of the working groups took place in November and December 2014. Two to three additional meetings are scheduled for each working group up until February 2015.

In addition to the working groups, which include representatives from the relevant public institutions, action groups and local authorities from both Rhineland-Palatinate and Hesse, the process provides for another major instrument to ensure broad participation: in the spring of 2015, the results from the working groups will be presented as part of a regional conference which will also serve as a platform for citizens to share their own ideas for the Upper Middle Rhine Valley World Heritage site which can then be integrated into the Implementation Concept. Following the regional conference, there will be additional working group meetings, up until July 2015, to integrate the suggestions from the conference and to continue to fine-tune and draft out the Implementation Concept. The final editing and publication of the Implementation Concept, scheduled for September 2015, will be accomplished in consultation with the working groups and the steering group. A press conference will be organized for the publication of the concept which, at the same time, will present an opportunity for the institutions and associations involved in the process to announce their continued cooperation. Finally, the Implementation Concept will be printed and sent to UNESCO by the end of 2015.

The next step, due to be completed by the spring of 2016, will be to consolidate the Management Plan, the Master Plan, the Implementation Concept and the Zweckverband's Action Concept to create a single, consistent planning document. The finished document will also represent the revised and updated version of the Management Plan from 2001.



Based on the results of the Implementation Concept, the revised Master Plan will fully illustrate the importance of the World Heritage property and clearly define the plan's position in respect of balancing the various interests; furthermore, it will contain a procedure for future revisions, and clarify procedures, authorities, responsibilities and terminology related to World Heritage matters.

## **2. Bridge and ferry crossing**

The state government of Rhineland-Palatinate has ruled out any further planning for the construction of a bridge across the River Rhine in the vicinity of St. Goar and St. Goarshausen for the remaining legislative period which is due to end in 2016. As a result, it will not be possible to include any details in the Master Plan about what kind of river crossing (ferry, tunnel or bridge) there might be in the future.

Instead, an extended ferry service (Monday to Saturday from 5:30 am to midnight, Sunday from 6:30 am to midnight) has been operating on a trial basis since 2012 and will continue until March 2016. From an economic viewpoint, operation of the extended ferry service, in particular in the early hours of the morning and late in the evening, is not viable as it doesn't even cover the cost.

## **3. Koblenz cable car**

According to the World Heritage Committee's recommendation in Decision 37 COM 7B.75, the licence to operate the cable car service between the city of Koblenz and Ehrenbreitstein Fortress is due to expire on 30 June 2026. Since it was built in 2010, the cable car has proven very popular among the citizens of Koblenz and tourists alike. It is highly frequented, providing an ecologically sound means of transport and barrier-free access, so that everyone is afforded the opportunity to experience this very unique part of the Upper Middle Rhine Valley World Heritage site.

## **4. Summer toboggan run**

The state government of Rhineland-Palatinate has always stressed that it considers the site chosen for the summer toboggan run unsuitable in that it does not do justice to the significance and mysticism of the location. This was also highlighted in the run-up to the World Heritage Committee's meeting in Phnom Penh, when, during the course of the approval procedures, the Ministries for Education and Economic Affairs and SGD Nord, the relevant state authorities, issued a joint statement voicing their rejection of the project.



While this, however, is the position taken by the Federal State, the final planning decision lies with the local authorities. As a consequence, the state government was unable to prevent the final building permit for the toboggan run.

However, the conspicuous metallic reflecting surface of the chute has by now been coated green, while the overall site has been given a greener, more natural look to integrate better into the landscape. As a result, the state government – backed by almost unanimous public consent – has come to the conclusion that the visual impact of the toboggan run is now negligible.

## 5. Loreley plateau

The Loreley plateau is generally considered the focal point of the Upper Middle Rhine Valley. However, while the Loreley cliff and rapids have not lost any of their attraction when viewed from the valley, the plateau on top of the rocky massif looks disorderly and rather unattractive. Some of the buildings standing there, which predate the awarding of UNESCO World Heritage status to the Upper Middle Rhine Valley and include the sports and youth hostel, a cliff top restaurant, the Loreley visitors centre, the listed open-air theatre and a campsite, are visually unappealing and do not at all form a coherent ensemble.

Thus, an EU-wide invitation to tender was issued for an overall concept for the redevelopment of the Loreley plateau. Its aim is to strengthen the profile of the cultural landscape, to devise landscape and building designs that will bring the Loreley myth to life and to develop this place of international importance for tourism. This process will finally conclude the sustained efforts to redevelop and improve the Loreley, an absolutely necessary outcome which has been pursued for decades. The overall concept should also be able to integrate the plans of a potential hotel project in a way that is compatible with the local landscape features and World Heritage status.

In view of the World Heritage Committee's recommendation put forward in Decision 37 COM 7B.75 to deny approval for the large-scale hotel buildings envisaged for the Loreley plateau and to consider viable solutions for a smaller-scale redevelopment of the Loreley plateau in consultation with the Advisory Bodies and all stakeholders, the ICOMOS Germany Monitoring Group formulated suitable requirements which were included in the call for tenders as mandatory elements. As part of these mandatory requirements, for example, new, modern buildings must not be visible from any location in the valley, reflecting materials should be avoided, and the buildings should only be marginally visible from other peaks. Furthermore, the structures should not have an obstructive effect that would create a perceived barrier between the Loreley plateau



and the adjacent plateaus. And finally, structures that stand out from the morphology of the landscape will not be allowed, and neither will any developments in the area of the peak of the plateau. Any suggestions that do not fully meet these requirements will be disregarded in the competition process.

Based on the groundwork done as part of the line of sight study, the engineering services firm Grontmij carried out a viewshed analysis that visualizes those areas on the Loreley plateau where structures of various heights would not be visible from the valley. The results of this analysis detail the specific requirements in terms of spatial planning for any new buildings on the plateau. They are binding for any structures to be built above ground, most notably for the future hotel development. Their purpose is to ensure that any new developments on the plateau will have reasonable dimensions in line with the expectations of the Monitoring Group.

The results of the competition are now available and serve as a basis for the initial planning phase which is due to start in the coming months. The Federal State of Rhineland-Palatinate will make sure that ICOMOS is regularly involved in the planning and will also keep UNESCO informed on a regular basis. The realization of the developments resulting from the tendering competition will considerably enhance the characteristic features and the appeal that make up the OUV of the World Heritage site. It can be assumed that the redeveloped Loreley plateau will attract attention from Germany and around the world. This makeover, which will give the Loreley a much improved and more attractive appearance and turn it into the focal point of the World Heritage region, is also expected to provide momentum for the future development of the World Heritage site in general.

## **6. Wind turbines**

In terms of energy production, the Federal Republic of Germany has decided to pursue its Energiewende policy (the transition to renewable energy sources). This policy also provides for the phasing out of nuclear power by the year 2022, an endeavour which is backed by broad cross-party consensus. Against this backdrop, the government of the Federal State of Rhineland-Palatinate, in its 2011 coalition agreement, committed itself to the goal of creating 100 percent of the electricity used in the state from renewable energy sources by 2030, and to produce two thirds of it from wind power. Furthermore, the Federal State is also committed to the goal of limiting the rise in average global temperatures to two degrees Celsius and to reducing CO<sub>2</sub> emissions by 40 percent by 2020. Equally, the Federal State of Hesse has decided to implement the Energiewende policy. To this end, Hesse decided to designate two per-



cent of the State's surface area for wind energy use, a goal which is also pursued by the state of Rhineland-Palatinate.

Apart from environmental considerations, it has to be understood that there are also considerable local policy interests associated with wind turbine developments. The towns and villages in the World Heritage region are currently facing a difficult economic environment and adverse demographic trends; as a result, there are considerable political and economic interests to build wind turbines.

The Federal States of Rhineland-Palatinate and Hesse are well aware of their responsibility to reconcile these important ecological and economic factors with their duty to protect the Upper Middle Rhine Valley World Heritage property.

Current national building legislation (Section 35 of the German Baugesetzbuch), treats wind turbines as privileged developments; this means that they cannot be refused building permission unless they threaten common public interest, such as the protection of the environment or cultural heritage, or destroy the appearance of a town or landscape. Any case-by-case assessment has to consider all relevant public interests that might be affected. Regional spatial planning instruments (i.e. development plans and programs at the federal state level and at the level of the individual subregions) as well as local land-use and development plans at the municipal level can be used to designate areas for the erection of wind turbines and even entire wind farms; on the other hand, they can also designate areas where the erection of wind turbines is excluded altogether.

For the Federal State of Rhineland-Palatinate, spatial planning at the state level is regulated in the Landesentwicklungsprogramm (LEP). The LEP regional development program specifies what a specific area of land may or may not be used for. These provisions, which are legally binding, may, for example, rule out the erection of wind turbines in certain locations. As previously communicated to the World Heritage Centre in the 2013 SOC report, in an amendment to its regional development program (LEP IV), effective as of 11 May 2013, the government of Rhineland-Palatinate stipulates that the Upper Middle Rhine Valley World Heritage site is to be kept free of wind turbines. In the buffer zone around the World Heritage site wind turbines shall not be allowed to the extent that a line of sight study, as agreed with UNESCO, confirms their incompatibility with World Heritage status due to their adverse visual impact.

As also reported in the 2013 SOC report, in December 2012 the Sekretariat für das Welterbe (World Heritage Office) at the Ministerium für Bildung, Wissenschaft, Weiterbildung und Kultur (MBWWK – State Ministry of Rhineland-Palatinate for Education,



Science, Further Education and Culture) and the Zweckverband Welterbe Oberes Mittelrheintal (Upper Middle Rhine Valley World Heritage Association), the organization responsible for managing the World Heritage site, jointly commissioned a line of sight study that would facilitate the application of LEP IV. On the one hand, the objective formulated for the study was to identify areas within the World Heritage site, as well as in the buffer zone and adjacent areas that might have a visual impact on the site, which should be kept free of wind turbines so as not to compromise the 'visual quality' of the Upper Middle Rhine Valley. On the other hand, the experts were asked to identify potential areas within the buffer zone where wind turbines could be built without compromising the OUV because they would be only marginally visible from the World Heritage site. To this end, the study selected a total of around 100 vantage points within the site that are of particular relevance for assessing the visual quality of the World Heritage property. The study concluded that all sites within the buffer zone invariably show potential for conflict regarding the visual integrity of the World Heritage property, and even potential sites outside the buffer zone have a high or very high potential for conflict.

After an extensive participatory process including consultations with all relevant stakeholders, the line of sight study was finally completed in the second half of 2013 and submitted to the World Heritage Centre in early 2014 for examination by the Advisory Bodies. A Technical Review issued by ICOMOS International in April 2014 included an overall positive appraisal of the study, calling the clear methodology applied in the first part of the study and its careful realization a highly professional piece of work. Thus, the review recommends that the results of the visualizations of the sightline study should be taken as a basis for all further reflections and decisions. Furthermore the review finds that the assessments presented in the second part of the study are well founded and reliable, forming an objective basis for further legal measures. In accordance with the study, ICOMOS therefore recommends that no further wind parks should be accepted within the buffer zone.

As already mentioned in the covering letter to the line of sight study, dated 1 February 2014, the Ministerrat (state government) of the Federal State of Rhineland-Palatinate, had already decided in October 2013, based on the results of the study, that not only the core zone but also the buffer zone of the UNESCO World Heritage site must remain free of wind turbines. This resolution by the Ministerrat, which was passed before the World Heritage Centre even dealt with the matter, proves how seriously the state government takes its responsibility with regard to the Upper Middle Rhine Valley's World Heritage status. At the same time, it also intended to make sure that local land-use and development planning procedures as well as procedures according to Section



35 of the Federal Building Code affecting areas outside the buffer zone would not only consider climate issues and the expansion of renewable energies, but also take adequate account of World Heritage matters.

This resolution by the Ministerrat does not take direct legal effect by itself, though it will be implemented as part of further measures taken in the context of regional spatial planning by the Planungsgemeinschaften (planning associations) for the Mittelrhein-Westerwald and Rheinhessen-Nahe regions. The regional development plans for both regions are currently at the consultation and participation stage of the planning procedures.

On the basis of the 'Line of sight study – the Upper Middle Rhine Valley UNESCO World Heritage site and wind power' and in compliance with the requirements of the LEP IV amendment, the regional development plan for the Rheinhessen-Nahe region does not allow the erection of wind turbines in the core and buffer zones of the Upper Middle Rhine Valley World Heritage site. Only the wind turbines at the outer margins of the buffer zone in the administrative district of Rhein-Nahe which have already been built or approved remain unaffected by this ban.

The regional development plan for the Mittelrhein-Westerwald region rules out the erection of wind turbines in the core zone of the World Heritage site based on the results of the line of sight study. As a rule, wind turbines that are 'spatially relevant' (i.e. that affect the development or use of an area) are excluded in the buffer zone. Wind turbines may be allowed in the buffer zone in exceptional cases, but only if they are proven to be compatible with World Heritage status.

With regard to the areas just outside the buffer zone, there are currently no spatial planning instruments available at federal state level which could be used to ban wind turbines in order to protect World Heritage status. Here, World Heritage issues are considered as part of local land-use and development planning, which also has to take into account the protection and preservation of cultural heritage and monuments, the maintenance and development of townscapes and landscapes, as well as energy supply or climate protection.

In Hesse, the legal situation currently presents itself as follows: In June 2013, the government of the Federal State of Hesse amended its Regional Development Plan based on the results of the Hessian Energy Summit. The regional development plan specifies that areas amounting to a total of two percent of the individual planning regions have to be designated as priority areas for wind energy use, while, at the same time, the erection of wind turbines is ruled out for the remainder of the planning region.





In addition, the plan includes specific requirements for identifying priority areas for wind energy production at the level of regional spatial planning. It also rules out the erection of wind turbines within the Upper Middle Rhine Valley World Heritage site. For the buffer zone, however, there is no general ban on wind turbines. Nevertheless, the Federal State of Hesse will endeavour to keep the buffer zone free of wind turbines that have a negative impact on the visual quality of the World Heritage property.

Currently, a new Renewable Energies Plan (Sachlicher Teilplan Erneuerbare Energien) is being drafted for the South Hesse region, based on standards for the use of wind energy that are applicable across the state. The entire Hessian part of the World Heritage site is located in the territory regulated by this plan. The first draft published for stakeholder participation includes five priority areas which are at least partly located in the buffer zone of the Upper Middle Rhine Valley World Heritage site. Around 25,000 responses from stakeholders have been received; they are currently being evaluated and will be considered in the further deliberations about the draft plan. The results will then be taken as a basis for modifying the draft before its second publication.

From the moment the Renewable Energies Plan takes effect, wind energy use will be ruled out entirely for any and all areas that are not designated priority areas; this rule will apply to the entire region covered by the plan.

In the Hessian part of the buffer zone, no wind turbines have been erected so far; neither have any applications for planning permission been received.

The buffer zone in Rhineland-Palatinate has largely been kept free of wind turbines so far. However, several wind turbines at the border of the buffer zone or just inside the buffer zone had already been approved before LEP IV took effect and before the line of sight study was created. One wind turbine in the area of the Rhein-Hunsrück-Kreis is located just inside the buffer zone (at Damscheid, Oberweseler Wald). As mentioned in the covering letter to the line of sight study, in 2012 a priority area for wind turbines was designated on Kandrich hill in the Mainz-Bingen district, thanks to its high average wind speeds. While large parts of this priority area are located outside the buffer zone, two wind turbines have been built just inside the buffer zone and are already connected to the grid, and another one has been approved (at Weiler bei Bingen). Even though the line of sight study has come to the conclusion that numerous locations even outside the buffer zone have high or very high potential for conflict, when it comes to case-by-case assessments and taking into account the ecological and economic interests, it will be impossible, in isolated cases, to prevent the construction of wind turbines that will have a (reversible) impact on the visual quality of



the World Heritage property. The Federal State of Rhineland-Palatinate considers this acceptable and compatible with the OUV in such locations where wind turbines only have a limited or no impact on the characteristic landscape features, buildings and townscapes that make up the Upper Middle Rhine Valley's OUV. It argues that wind turbines not only play an important role in implementing the Energiewende policy, but they are also structures that can be completely dismantled so that their negative visual impact is merely temporary and, on top of that, the Upper Middle Rhine Valley is, after all, a cultural landscape that has been continually shaped and developed by mankind for many centuries.

Currently, there are also plans for building wind turbines in other locations within the buffer zones: in the area of the Rhein-Lahn-Kreis applications for approval have been filed for 35 wind turbines, and 18 turbines are being planned (all of them in the administrative district Loreley); another application for approval has been filed for a single turbine in the area of the Rhein-Hunsrück-Kreis. On the basis of LEP IV, the line of sight study, the resolution passed by the Ministerrat in October 2013, both the regional development plans that are currently applicable and those that will come into effect in the near future, as well as spatial planning instruments available at the state level, the state government will take action against any developments that negatively affect the World Heritage property.

In conclusion, the Federal States of Rhineland-Palatinate and Hesse would like to encourage UNESCO and the Advisory Bodies to develop and communicate practicable and generally applicable standard criteria for assessing the compatibility of wind turbines in the buffer zone and adjacent areas. This would be a most welcome and helpful instrument for safeguarding the effective protection not only of the Upper Middle Rhine Valley World Heritage property, but also of many other World Heritage sites alike, especially in the case of cultural landscapes. The current practice of case-by-case assessments does not really enable the State Parties, who are responsible for the protection of World Heritage sites, to carry out consistent and comparable assessments of development projects, in particular when it comes to cultural landscapes that are complicated to assess. The Federal States of Rhineland-Palatinate and Hesse would gladly offer their support, for example by participating in symposia devoted to formulating suitable criteria.

## **7. Pump storage station at Heimbach**

Stadtwerke Mainz AG is planning to build a pump storage station at Heimbach with a capacity of 280 to 320 megawatts. The pump storage station will play an important role in the expansion of renewable energy production by contributing to the integration



of renewable energies into the power supply system and to maintaining system stability. The chief elements of the design include an upper reservoir, a lower reservoir that will make use of the Sooneck quarry near Trechtingshausen, the necessary technical facilities as well as transmission lines and access roads to the construction site.

The upper reservoir, covering an area of approximately fourteen hectares, will be situated on the hilltop plain of the Franzosenkopf which falls under the administration of the town of Niederheimbach. The lower reservoir, which covers approximately five hectares, will be located in the Sooneck quarry at Trechtingshausen.

After having received positive feedback from ICOMOS in October 2014, the regional spatial planning authority, SGD Süd, concluded the regional planning procedures relating to the construction of the Heimbach pump storage station by Stadtwerke Mainz AG, coming to the conclusion that the station meets the regional and spatial planning requirements. However, the relevant decision announced by the authority imposes a number of conditions that have to be fulfilled:

In order to minimize the impact on the World Heritage site and on the natural landscape, the integration of the upper and lower reservoirs into the landscape must result in a highly effective, quality outcome. The inner slopes must appear as natural as possible. A technical report on this issue will be required for the subsequent approval procedure. The tunnels and caverns between the upper and lower reservoirs will all be underground. This is in line with the recommendations given by ICOMOS International in the Technical Review dated October 2014, which represent the opinion that ICOMOS provided in the framework of the regional planning procedures.

In the coming months, the internal and external evaluations as well as the participatory process will continue. Stadtwerke aims to get a decision on the initiation of a Planfeststellungsverfahren (a comprehensive planning approval procedure) before the end of 2015.

## **8. Railway noise**

In its Decision 37 COM 7B.75, the World Heritage Committee encourages the State Party, Germany, to reinforce efforts to reduce the noise from the railway in the most effective and sensible way. The Federal States of Rhineland-Palatinate and Hesse, like ICOMOS, are still convinced that a rapid reduction of the railway noise levels can only be achieved by a whole package of various measures. The most effective long-term solution is, however, to lay new tracks to re-route freight trains. The Federal State of Rhineland-Palatinate and Hesse have applied for the inclusion of such tracks



in the 2015 Bundesverkehrswegeplan, the federal transport infrastructure development plan. Which projects will be included in the plan is decided by the federal government.

In 1999 the federal government initiated a program to reduce traffic noise on existing railway routes (the Lärmsanierungsprogramm). The government's budget proposal provides for an increase of funding for the program from 100 to 120 million Euros as of 2014. Since the year 2000, around 100 million Euros from the program have been used for projects in the Middle Rhine Valley (mainly noise barriers and soundproof windows).

In 2009 the federal government introduced new noise control measures as part of its Verkehrslärmschutzpaket II which aims to reduce railway noise by 50 percent by the year 2020 (the year 2008 serving as the basis for comparison). The CDU/CSU and SPD coalition government reinforced this goal by including it in its coalition agreement of 2013. In 2013 and 2014, an additional 20 million Euros of funding provided by the Infrastrukturbeschleunigungsprogramm II (a program whose sole purpose is to increase transport infrastructure funding for these two years) went to noise control measures in the Middle Rhine Valley. The funding was used in particular to implement measures that would not have an adverse impact on the characteristic landscape.

The adoption of the new railway timetables in 2012/2013 also saw the introduction of noise-related train path charges, bringing higher charges for loud trains. As a consequence, at least 80 percent of the freight trains operating in Germany will be retrofitted with low-noise braking systems; the retrofitting should be finished by 2020. The ultimate objective of the federal government is to ban noisy freight cars entirely from German railway tracks by the time the noise-related charging system ends in 2020.

At the end of 2012, an advisory committee ('Leiseres Mittelrheintal') was established in Kamp-Bornhofen whose goal is to dramatically improve the situation in the Middle Rhine Valley as quickly as possible. In particular, the committee tries to find suitable technological solutions that will sustainably reduce the noise from the railway lines in the Middle Rhine Valley and, thus, increase acceptance of rail transport, and rail freight transport in particular. The advisory committee is composed of representatives from the federal government, DB AG, the environment and transport departments of the Federal States of Rhineland-Palatinate and Hesse, action groups as well as members of the German Bundestag. As part of a feasibility study commissioned by the advisory committee, additional measures to protect the areas affected by railway noise in the World Heritage region, such as acoustic rail grinding, the fitting of sound suppressing sheeting to the rails, the retrofitting of noise barriers to existing railing structures



alongside tracks, or the erection of noise barriers have been assessed and presented to the local authorities affected.

The abolition of the Schienenbonus (which rated railway noise as less serious than other traffic noise when calculating noise levels) as of 2015, as well as the transfer of responsibility for noise mitigation planning for DB AG tracks from the municipal authorities to the Eisenbahn-Bundesamt (the federal railroad authority) also happened at the initiative of the state government of Rhineland-Palatinate.

Furthermore, the governments of Rhineland-Palatinate and Hesse have played a major role in initiating a resolution by the Bundesrat which calls for the inclusion of noise limits in the European 'TSI Noise' and speedier retrofitting of freight cars with low-noise composite brake blocks. The increased implementation of state of the art low-noise technologies presents an effective means of preventing noise pollution at the point where it is created. Therefore, this issue needs to be taken up at an international level.

The governments of Rhineland-Palatinate and Hesse also initiated further Bundesrat resolutions which subsequently entered the legislative procedure at federal level. They included measures such as noise-related night-time operating restrictions for freight trains applicable from 2020 or granting the federal railway authority the power to demand the implementation of noise mitigation measures. According to DB AG, following the opening of the Gotthard Base Tunnel, the number of freight trains passing through the Middle Rhine Valley will increase by 10 to 15 percent in the period between 2016 and 2025. This will be accompanied by a rise in the average load of goods transported by each train.

The Federal States of Rhineland-Palatinate and Hesse would like to appeal to UNESCO and ICOMOS to keep up their support by continuing to use their positive influence on the federal government of Germany and Deutsche Bahn and encourage them to take their responsibilities with regard to railway noise in the Upper Middle Rhine Valley World Heritage site seriously.

## **9. Tunnel project at St. Goar/Oberwesel**

In a side note contained in the Technical Review of the line of sight study and the holiday park project at Werlau (issued in April 2014), ICOMOS refers to newspaper articles reporting that Deutsche Bahn Netz AG plans to construct one or more tunnels in the Upper Middle Rhine Valley and stresses that it would be important that the plans be evaluated at an early stage in the development.



DB Netz AG is currently planning to partly or fully decommission the three existing short tunnels on the left bank of the Rhine near St. Goar (Bett tunnel, Bank tunnel and Kammereck tunnel) because they would have to undergo expensive repair and modernization work to continue operation in the future. The plan is to build one or two single-track tunnels instead. Another solution would be to build a tunnel that bypasses St. Goar. If, in addition, a new station were to be built serving St. Goar, the existing tracks running through St. Goar could be decommissioned. The town of Oberwesel, located to the south of St. Goar, has now requested that the tunnel around St. Goar be extended to also bypass Oberwesel and only rejoin the existing tracks south of Oberwesel. This would reduce noise pollution in Oberwesel as well. However, this solution would no longer represent a reinvestment to make up for the three decommissioned tunnels, but a measure taken primarily to reduce noise levels from the railway line.

The Federal State of Rhineland-Palatinate has informed the Federal Minister for Transport that it favours the latter solution. In response, the Federal Minister pointed out that DB Netz AG will have to apply for this part of the tunnel to be included in the new federal transport infrastructure plan (Bundesverkehrswegeplan). As a consequence, the Minister of the Interior of Rhineland-Palatinate sent a letter to the chairman of the DB AG management board asking him to submit the relevant application for this project.

In the near future, regional planning procedures will be initiated for the development, not least to have some influence on the selection of a solution that is compatible with World Heritage status.

#### **10. Werlau holiday park project**

In early 2014, the Federal State of Rhineland-Palatinate forwarded the requested line of sight study to the World Heritage Centre and also enclosed an early-stage concept for a holiday park at Werlau (near St. Goar), which was provided by the project developer, Dogterom, for consideration by the Advisory Bodies.

The planned site for the holiday park is an agricultural area of around 58 hectares adjacent to the existing settlement. The central section consists of new, small houses arranged around a central square and small courtyards. On the site, trees will be planted and existing green areas will be maintained. The actual architectural design for the buildings has not yet been developed.

In its Technical Review issued in April 2014, ICOMOS notes that the examples presented in the concept papers suggest that the architecture will be nostalgic and will



not have a specific cultural value. According to the review, this section of the project could harm the World Heritage property considerably should it try to imitate the appearance of historical buildings. However, this notion seems to be based on a misunderstanding: the project developer does plan to design structures that will blend into the surroundings; however, this refers to the overall surroundings and does not involve imitating the style of nearby historic buildings such as castles. On the positive side, ICOMOS appreciates that a considerably large strip of land towards the edge of the plateau is to remain green.

In conclusion ICOMOS notes that for a correct appraisal, further documents such as precise information about height, size, architectural expression and materials are indispensable. This additional information could then be used to conduct an objective visibility study illustrating the visual impact of the development on the cultural landscape

Currently, the project developer, Dogterom, is working out more detailed plans based on the requirements defined by ICOMOS last April. The Federal State of Rhineland-Palatinate will inform the World Heritage Centre as soon as these more detailed plans are available.

#### **11. Niederwald monument / Osteinscher Park restoration**

Some time ago, the Federal State of Hesse initiated restoration works on the Niederwald monument and the surrounding landscape garden, the Osteinscher Park, which have been progressing steadily over the last few years. The site is located on a plateau above the town of Rudesheim am Rhein and is, so to speak, the southern gateway to the World Heritage site. As part of the efforts to revitalize the site, a building housing an information centre for visitors and a restaurant is to be built on the way up to the Germania monument, close to the upper station of the cable car. The site is visited by almost three million people a year. With the help of a joint funding program by the Bund and the Federal State, large parts of the Osteinscher Park have been restored since 2011 with the restoration efforts continuing into 2015.

Kind regards,

Walter Schumacher

Rhineland-Palatinate World Heritage Representative