2020 State of Conservation Report

Upper Middle Rhine Valley (Germany) (C 1066)

1. Executive Summary of the report

a) As soon as the results of the regional planning procedure that form the basis for any assessments and decisions on the planned Middle Rhine crossing are available, they will be submitted to the World Heritage Centre to make sure the Advisory Bodies will be involved in the process.

b) A study assessing the feasibility of constructing railway tracks to bypass the World Heritage property has been commissioned. However, such a bypass could only be realized in the medium to long term.

Following further fundamental restoration of the existing railway tunnels between Sankt Goar and Oberwesel in 2019, any decisions on the possible construction of new tunnels have been postponed until the results of the feasibility study are available.

The re-routing of freight trains to existing tracks in order to bypass the World Heritage property is hampered by European regulations. The new ban on loud freight train carriages is expected to reduce noise from rail freight traffic by half by the end of 2020. In addition, comprehensive noise control measures are being implemented.

c) Concerns that the Kandrich wind farm might not be compatible with World Heritage status have been rejected by the Rhein-Nahe local council. It is being examined whether it will be possible to refuse the approval of the relevant land-use plan.

Due to a decision by the Higher Administrative Court of Rhineland-Palatinate, several more wind turbines outside the buffer zone which according to the line of sight study have a high potential for conflict regarding their compatibility with World Heritage status had to be approved. The Federal State of Rhineland-Palatinate is currently trying to find a solution for dealing with wind turbines outside the buffer zone of the World Heritage property that will stand up in court.

d) As there has been no further contact with the project developer since 2017, it is not known if or to what extent they intend to proceed with their plans for a holiday park at Sankt Goar-Werlau.

e) Large parts of the Management Plan have already been drafted. The included study assessing the impact on the cultural landscape is currently being validated. The preliminary Management Plan and the included study assessing the impact on the cultural landscape are expected to be presented during the Reactive Monitoring Mission in the early summer of 2021.

f) The invitation for the Reactive Monitoring Mission is expected to be issued for the early summer 2021.

g) A grade-separated intersection is planned to the west of Rüdesheim between the B42 national road and the railway tracks in order to enhance road safety and improve traffic flow. A Heritage Impact Assessment has been commissioned that will provide the basis for the relevant UNESCO agencies to assess the different options that are being considered. Initial results suggest that an overpass might compromise the Outstanding Universal Value, whereas an underpass could probably be built without impacting the OUV.

h) Plans for the construction of a new hotel on the plateau north-east of the Loreley cliff have become more concrete. The hotel will not be visible from the observer points defined by ICOMOS Germany. The hotel will not have an obstructive effect that would create a perceived barrier between the Loreley plateau and the adjacent plateaus, nor will it affect the lines of sight from the top of the Loreley as defined by ICOMOS Germany. Therefore, the development is compatible with the OUV and does not affect the visual integrity of the World Heritage property.

i) There are plans to build a wind farm consisting of 4 wind turbines at Himmighofen and Kasdorf outside the buffer zone that has a potential for conflict with the World Heritage property. Should an incompatibility with World Heritage status be confirmed, the State Party will – to the extent legally possible – work towards achieving a refusal of the application.

j) There are plans to build a bypass road around Braubach, which may require the construction of a grade-separated intersection with the railway tracks. The state of Rhineland-Palatinate is currently examining whether a Heritage Impact Assessment is to be commissioned in order to assess the impact on the World Heritage property.

k) There are plans to expand the Sooneck quartzite open pit mine within the core zone of the World Heritage property. During the procedures for the inscription of the Upper Middle Rhine Valley in the World Heritage List, UNESCO did not exclude the site of the quarry from the core zone, despite its impact on the surrounding landscape. The impact of the expansion on the OUV and Sooneck Castle will be assessed as part of the approval procedures.
2. Response to Decision 43 COM 7B.83 of the World Heritage Committee (Baku, 2019)

Regarding paragraphs 1. and 2. of the Decision:

The World Heritage Committee
1. Having examined Document WHC/19/43.COM/7B,
2. Recalling Decision 41 COM 7B.45, adopted at its 41st session (Krakow, 2017),

No response required for paragraphs 1 and 2.

Regarding paragraph 3 of the Decision:

3. [The World Heritage Committee] Noting the recommencement of planning for a permanent river crossing, [the World Heritage Committee] reiterates its request to the State Party to 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, but focusing on developing solutions for local needs, and before any decisions are taken;

As the state of Rhineland-Palatinate and the affected local administrations need to further clarify the exact responsibilities for this project, the planning process for a permanent river crossing has been delayed. For this reason, the investigations concerning the different crossing options have not yet been concluded. The outcome and findings of these investigations will form the basis of any assessments and decisions on how to proceed in the subsequent regional planning procedure. As soon as the results of this formal procedure for defining the further planning options are available and have been translated into English, they will be submitted to the World Heritage Centre to make sure the Advisory Bodies will be involved in the process. No final decisions will be taken before hearing the positions of the World Heritage Centre and the Advisory Bodies on this issue.

Regarding paragraph 4 of the Decision:

4. [The World Heritage Committee] Welcomes the State Party’s continuous commitment to reduce rail-related noise levels in the property, notes however with regret that no effective result was achieved so far, and notes with concern the plans to upgrade railway tunnels between St. Goar and Oberwesel in a manner that could potentially harm the Outstanding Universal Value (OUV) of the property, therefore, encourages the State Party to develop long term solutions for diverting freight train traffic from the property or effectively reduce their traffic flow;

a) Before concrete planning for new railway tracks can go ahead, the project must be designated in the Federal Transportation Infrastructure Plan as “a project that is urgently needed”. Regrettably, the option to build new railway tracks between Bonn-Troisdorf and Mainz-Bischofsheim to divert freight trains from the World Heritage property is currently not included in the 2030 Federal Transportation Infrastructure Plan as a “project that is urgently needed”. It is expected that it will only be upgraded to an urgent project in the medium to long term. However, urged by the state governments of Rhineland-Palatinate and Hesse, the Federal Ministry of Transport has commissioned a study to assess the feasibility of such a bypass. As this involves an extensive survey of fundamental information, it may considerably speed up subsequent planning procedures. The feasibility study will also assess if it is possible to start by first realizing certain sections of the bypass, rather than completing it all in one go.

b) The existing railway tunnels between Sankt Goar and Oberwesel underwent fundamental restoration in 2019 in order to ensure that they can continue to be used. As building new railway tunnels involves significant investments, Deutsche Bahn will decide on their development only when the results of the feasibility study for the bypass are available. Thus, there are currently no more concrete plans for upgrading the tunnels. As soon as specific planning is resumed, the State Party will notify the World Heritage Centre and the Advisory Bodies.

c) As European law guarantees rail freight transport operators a free choice of routes, reducing freight traffic by diverting trains to other, existing routes is not an option, either.

d) For this reason, Deutsche Bahn continues to plan and implement comprehensive noise control measures in the World Heritage property as part of their continued program to reduce traffic noise on existing railway routes.

e) The Railway Noise Control Act, as adopted on July 20, 2017, bans loud freight train carriages from operating in Germany. The ban will take effect with the adoption of the new railway timetable on December 13, 2020. As of that date, any freight train carriages that have not been retrofitted with low-noise braking systems will only be allowed to go at a speed that corresponds with the sound power level of retrofitted carriages. According to data from the Federal Ministry of Transport, the goal of reducing railway noise across the German rail network by half by the end of 2020 is likely to be reached.
Regarding paragraph 5 of the Decision:

5. [The World Heritage Committee] Also welcomes the decision to withdraw the application for the installation of the wind farm project on Rainselberg Hill, near the municipality of Lorch, and strongly encourages the State Party:

a) to reject the application for the extension of the wind farm on the Kandrich Hill, near the municipality of Oberdiebach,

b) to harmonize its legislative tools and criteria for the assessment of the impact of wind farms on the OUV of the property and its buffer zone, and develop systematic mapping for identifying sensitive areas within the property, its buffer zone and beyond, also considering culturally significant visual aspects, key views, viewpoints, panoramas, silhouettes and other factors related to its OUV;

a) During the procedures for developing a land-use plan for the area, the World Heritage Office for Rhineland-Palatinate several times voiced its concerns to the effect that the planned expansion of the wind farm on Kandrich hill might not be compatible with World Heritage status, most recently also pointing out Decision 43 COM 7B.83 of the World Heritage Committee. Considering the decision by the Higher Administrative Court of Rhineland-Palatinate referred to under b) below, the Rhein-Nahe local council has rejected these concerns. The responsible authority for approving the land-use plan is the district administration of the Mainz-Bingen district. As the World Heritage Office considers the above decision of the Rhein-Nahe local council flawed, it has asked the district administration to check whether it will be possible to refuse the approval of the land-use plan.

b) In its decision from June 6, 2019, the Higher Administrative Court of Rhineland-Palatinate repealed a decision by the Administrative Court of Koblenz in which it had ruled that the Boppard-Weiler wind farm must not be granted approval. The site envisaged for the Boppard-Weiler wind farm is situated outside the buffer zone of the World Heritage property and, according to the line of sight study of December 2012, the wind farm poses a very high potential for conflict with regard to its compatibility with World Heritage status. The Higher Administrative Court, however, does not consider it a threat to the World Heritage status. Due to the conclusions reached in the Court’s decision, the wind turbines in Boppard-Weiler and two additional turbines outside the buffer zone near Wiebelsheim which, according to the line of sight study, also pose a high risk to the World Heritage status, were granted approval.

Evidently, in its decision, the Higher Administrative Court of Rhineland-Palatinate did not agree with the assessments of the line of sight study. For this reason, the state of Rhineland-Palatinate is currently assessing options as to how critical applications for the installation of wind turbines outside the buffer zone of the World Heritage property can be dealt with in a way that will stand up in court.

Regarding paragraph 6 of the Decision:

6. [The World Heritage Committee] Also encourages the State Party to provide revised detailed plans with a spatial assessment document that includes a Visual Impact Assessment on the cultural landscape for the Holiday Resort Sankt-Goar-Werlau, to the World Heritage Centre, for review by the Advisory Bodies, and before any irrevocable decisions are taken;

There has been no contact between the World Heritage Office and the project developer since 2017 when the relevant documents were submitted to the World Heritage Centre. At the time, the responsible local authorities were informed of the results of the ICOMOS Technical Review of the Holiday Resort Project at Werlau (Sankt Goar). Since then, there have been no further planning activities by the project developer or the local authorities. Neither do the local authorities have any information as to whether the project developer wants to continue with the project.

If planning were to recommence, we would provide the World Heritage Centre with the revised detailed plans. If the project continues, a spatial analysis will be carried out as part of the regional planning procedures which will include a Visual Impact Assessment to determine the effects on the cultural landscape as well as an assessment of any aspects that might have an impact on the area. The results of these assessments would be submitted to the World Heritage Centre, too.

Regarding paragraph 7 of the Decision:

7. [The World Heritage Committee] Commends the State Party for its effort to update the Management Plan of the property into a consolidated document with the Master Plan, and also requests the State Party to provide the draft consolidated document to the World Heritage Centre, for review by the Advisory Bodies, in order to ensure that its recommendations and comments can be appropriately taken into account in the final document;

By now, substantial parts of the Management Plan and the included study assessing the impact on the cultural landscape have been drafted. The study assessing the impact on the cultural landscape is based on a three-dimensional digital terrain model. It maps specific attributes that have been defined in the process of developing the Management Plan and will, thus, provide an improved basis for assessing the impact of large infrastructure projects on the OUV. A monitoring group has been appointed to oversee this process. This monitoring group consists of: the heads of the State Conservation Offices for Hesse and Rhineland-Palatinate, Dr. Harzenetter and Mr. Metz; the head of the World Heritage Liaison Office
at the Federal Foreign Office, Dr. Ringbeck; and Prof. Dr. Wachten as an independent expert. The meetings of the monitoring group are also attended by representatives of the Upper Middle Rhine Valley World Heritage Association (Zweckverband) and of the responsible state ministries of Rhineland-Palatinate and Hesse who contribute to the meetings in a purely advisory role. The study assessing the impact on the cultural landscape is currently being tested as part of the Heritage Impact Assessment (HIA) for a grade-separated intersection between the B42 national road and railway track no. 3507 in Rüdesheim and will be validated by the monitoring group.

However, the coronavirus pandemic has prevented essential consultations from taking place. The State Party plans to provide the World Heritage Centre and the Advisory Bodies with the preliminary Management Plan and the study assessing the impact on the cultural landscape during the Reactive Monitoring Mission which is currently scheduled for the early summer 2021.

Regarding paragraph 8 of the Decision:

8. [The World Heritage Committee] Further welcomes the initiative of the State Party to invite an ICOMOS Advisory mission to the property in 2019 to assess the extension of the Koblenz cable car operating permit, nevertheless, further requests the State Party to invite instead a joint World Heritage Centre/ICOMOS Reactive Monitoring mission to assess the impact of already implemented changes and provide expert advice on how to assess, mitigate or avert the potential cumulative adverse impact on the OUV of the property of prospective projects, including the upgrading of three railway tunnels, and the Federal Horticultural Show 2029;

Due to the coronavirus pandemic, the necessary studies, surveys, and planning activities for many of the projects and activities that were to be presented and discussed during the Reactive Monitoring Mission could not go ahead as planned. As a result, the projects could not proceed to a stage that could have been presented at the date that was initially arranged for the Mission. For this reason, the Reactive Monitoring Mission has been postponed; it is expected that an invitation will be issued for the early summer of 2021. The World Heritage Centre has already been informed of this.

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

a) Grade-separated intersection between the B42 national road and railway track no. 3507 in Rüdesheim

The long closure times at the level crossing at the B42 national road in Rüdesheim cause long delays for road users every day, especially in the center of Rüdesheim and in the area around the car ferry landing. Apart from the delays, motorists and cyclists face dangerous situations when, for example, cars attempt to cross even as the barriers are already closing. Moreover, the long closure times of the barriers also affect emergency services. In addition, the continuous congestion exposes local residents and visitors to major traffic-related pollution, such as air and noise pollution, particularly in the town center.

In order to enhance road safety and improve traffic flow, the federal government plans to remove the level crossing and instead build a grade-separated intersection between the B42 national road and railway track no. 3507 to the west of Rüdesheim. Planning is carried out by the Federal State of Hesse (Hessen Mobil) as the responsible administrative authority acting on behalf of the federal government. The crossing is located in the core zone of the Upper Middle Rhine Valley World Heritage property. Four intersection options are being discussed in total: two overpasses and two underpasses. The cost for the underpasses is currently estimated at around 100 million Euros, which is about twice as high as the cost for the overpasses (around 50 million Euros). Moreover, if one of the underpasses were to be realized, both the B42 national road and the railway tracks would have to be closed for much longer than for the construction of the overpass options. In addition, the construction period for the overpass options is much shorter than for the underpasses.

Against this background, the Federal State of Hesse has commissioned a Heritage Impact Assessment (HIA) for the project. This HIA serves the additional purpose of testing and validating the study assessing the impact on the cultural landscape which has been developed as part of the Management Plan (see Section 2., “Regarding paragraph 7 of the Decision”). The process is monitored by the monitoring group that oversees the drafting of the Management Plan.

The HIA has not yet been concluded. However, initial results and visualizations suggest that it would be possible to build an underpass without impacting the Outstanding Universal Value or the visual integrity of the World Heritage property, whereas an overpass solution would have a substantial negative visual impact on the cultural landscape at the gateway to the World Heritage property. The monitoring group also agrees with this assessment, which also corroborates the assessment of this project provided by ICOMOS Germany and the involved authorities for the protection and conservation of cultural heritage and monuments.
In the final stage of the currently ongoing feasibility study and after receiving the HIA, the four options under consideration and their impacts will be compared and assessed on the basis of various criteria (technical feasibility; effect on traffic; economic feasibility, i.e. construction and operating costs; environmental impact; construction period; impact on cultural heritage and monuments and on the Upper Middle Rhine Valley World Heritage property). Based on these results, a "preferred option" will then be selected. The Federal Government as the principal authority for the development will be informed of the preferred option and will have to give its approval before the process can continue.

b) New hotel development at the Loreley plateau:

The World Heritage Centre was informed about the status of the large hotel development at the plateau north-east of the Loreley and the associated working party process in a letter dated April 21, 2020. By now, the number of the planned hotel villas has been reduced from 15 to 10. Moreover, plans to build a car park on the opposite side of the district road have been abandoned. The design of the main building is currently being redeveloped by an internationally renowned architecture firm.

The World Heritage Centre will be informed of the current status of this project in a separate letter shortly.

Attached to this letter will be visualizations from viewpoints/observer positions on the surrounding hills (viewpoint Maria Ruh, Loreley landscape park, district road) which prove that – as required by the ICOMOS Germany Monitoring Group – the hotel will not have an obstructive effect that would create a perceived barrier between the Loreley plateau and the adjacent plateaus, especially because the planned site of the new hotel development is not located directly on the Loreley cliff. To ensure that the new hotel will not be visible from the valley, the ICOMOS Germany Monitoring Group has defined relevant observer positions in the valley that are critical for the visual integrity of the World Heritage property. Based on the results of a viewshed analysis, visibility of the hotel from these observer positions can be excluded.

For this reason, the State Party considers the hotel development in its current form compatible with the OUV. In particular, it does not compromise the visual integrity of the World Heritage property.

c) Wind farm Himmighofen/Kasdorf

An application has been filed to erect a new wind farm, currently envisaging 4 wind turbines, at Himmighofen and Kasdorf outside the buffer zone of the World Heritage property. According to the line of sight analysis, this wind farm would have a very high potential for conflict with regard to the World Heritage property. As the visualizations submitted by the investor did not appear to be coherent and did not correspond with the conclusions drawn by the investor's expert either, the district administration, as the authority responsible for approvals, has requested that these visualizations be reviewed and further visualizations be provided. However, the submitted documents suggest that it is highly likely that lines of sight from important viewpoints to the Loreley cliff will be negatively affected and that the wind farm will also be visible from important viewpoints at the new Loreley landscape park. Should this be the case, the State Party will work towards achieving a refusal of the application to the extent that is legally possible. However, bearing in mind the court decision referred to in Section 2, paragraph 5b) of this SOC Report, there are tight legal limits as to what can be achieved.

d) Expansion of the quartzite open pit mine at Trechtingshausen

There are plans to expand the Sooneck quartzite open pit mine at Trechtingshausen within the core zone of the World Heritage property. The quarry had already existed long before the Upper Middle Rhine Valley was included in the World Heritage List. The origins of the quarry date back to the middle of the 17th century. During the procedures for the inscription of the Upper Middle Rhine Valley in the World Heritage List, UNESCO deliberately did not exclude the site of the quarry from the core zone, even though they were aware of its impact on the surrounding landscape and of the existence of a long-term mining and operating license.

Nevertheless, the impact of the expansion on the Outstanding Universal Value and the visual integrity of the World Heritage property as well as the impact on the nearby Sooneck Castle have to be examined. This will be done as part of the comprehensive planning approval procedures.
4. In conformity with Paragraph 172 of the Operational Guidelines, describe any potential major restorations, alterations and/or new construction(s) intended within the property, the buffer zone(s) and/or corridors or other areas, where such developments may affect the Outstanding Universal Value of the property, including authenticity and integrity.

a) Local bypass at Braubach

The regional road no. L335 passes through the town center of Braubach and is the main road connecting the national roads B42 and B260, as well as the main road to the district town of Bad Ems. A bottleneck at the listed city gate (Oberturm) causes major congestions every day, with a large number of lorries passing through the center of Braubach. Besides long delays for cars and cyclists, it exposes local residents and visitors to major traffic-related pollution, such as air and noise pollution.

For this reason, the state of Rhineland-Palatinate is currently investigating options for a bypass around Braubach. This may require the construction of an additional grade-separated intersection between the B42 national road and railway track no. 3507 within the core zone of the Upper Middle Rhine Valley World Heritage property. As a negative impact on the visual integrity of the World Heritage property cannot be excluded, the state of Rhineland-Palatinate is currently examining the possibility of commissioning a Heritage Impact Assessment (HIA) for the options under consideration. To the extent possible, the HIA is to be carried out on the basis of the study assessing the impact on the cultural landscape which has been developed as part the Management Plan process, and overseen by the monitoring group which was created to monitor the development of the Management Plan.

b) Koblenz: Koblenzer Brauerei / redevelopment of the area "An der Königsbach"

The property of the brewery is to be redeveloped into an attractive new quarter at the southern entry to the city of Koblenz. The State Party would like to take this opportunity and inform you of the plans at this early stage of the process.

Some of the existing buildings belonging to the brewery are to be architecturally enhanced and converted, while others are to be demolished and replaced by new buildings. A currently unused area to the east of the B9 national road is to be developed into residential quarters.

Generally, an upgrade of the hitherto unattractive site located in a very prominent position directly on the bank of the river Rhine in the core zone of the World Heritage property is to be welcomed. However, it is clear that special significance must be attached to the quality of the architectural design and the planning of open space on the property of the brewery and the site of the new residential quarters due to their prominent position and visibility. As soon as more concrete plans are available, the monitoring group of the German National Committee of ICOMOS will be consulted, and the development will be evaluated on the basis of the study assessing the impact on the cultural landscape developed as part of the Management Plan.

5. Public access to the state of conservation report

The State Party agrees to the publication of this SOC report.

Mainz, November 20th, 2020

[Signature]

Dr. Denis Alt
State Commissioner for UNESCO World Heritage property in Rhineland-Palatinate