MEETING DOCUMENT

**Task Group Management (TG-M 21-2)**

28 January 2021

Online meeting

**Agenda Item: 8. Any other business**

**Subject: Air traffic regulation**

**Document No.:** TG-M 21-2/8

**Date:** 26 February 2021

**Submitted by: Schleswig-Holstein/Lower-Saxony**

At the TG-M 21-1 meeting in January 2021 it was decided to add the topic of air traffic regulation of minimum flight heights above the Wadden Sea which potentially effect bird populations, to the agenda of this meeting.

The federal states Schleswig-Holstein and Lower-Saxony give a short description of the situation in their part of the Wadden Sea area in this document.

**Proposal:** The group is invited to note the information and initially discuss relevance and seriousness of this issue and opportunities for trilateral action.

Air traffic regulation

**Cause for exchange/setting the scene:**

With the entry into force of the EU implementing regulation 923/2012 (Standardized European Rules of the Air / SERA), and the subsequent implementation in German regulation, the Aviation Ordinance (LuftVO), the minimum flight altitude above the Wadden Sea previously applicable pursuant to § 6(3) of the old LuftVO has been lowered from 600m to 150m. This was already done around 5 years ago.

This legal change and its effects (no effective protection of the Wadden Sea areas against low-level flights) could lead to various species in the Wadden Sea being disturbed or even scared away. The question arises as to whether sufficient protection of the Wadden Sea and its species is still guaranteed. Our reporting to the World Heritage Committee on the integrity of our world heritage site might no longer be correct regarding this point.

Situation after 10 years:  
Extensive observations were made in parts of the German Wadden Sea and the result shows that low-level flights and the associated impairments have increased significantly and that, in our opinion, there is a need for action.

**First exchange of information:**

The SERA also applies in the Netherlands and Denmark

- What is the situation in your part of the Wadden Sea area?

- Are any “restricted areas” (SERA.3145) in place?

- Do you have minimum heights set over the Wadden Sea (or other nature reserves/coastal regions)?

- Do you have voluntary agreements with air operators or aviation societies?

- Is this a problem, that you know of? If so, do you have data on low-level flights and their effects on the Wadden Sea ecosystem (or other nature reserves/coastal regions)?