

## **Demands on expert's opinions from the point of view of local and district authorities regarding interventions in habitats of Montagu's Harrier**

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The responsibilities and tasks of lower/ local (LA) and district/county (DA) authorities in Bavaria are among others: To elaborate authorizations for

- developing or master planning (“Bauleitplanungen”) e.g. statutory plans of urban settlements (LA)
- single objects (“Einzelvorhaben”) like farms or windmills within rural areas outside towns and villages (LA)
- formal public planning procedure (“Planfeststellungsverfahren”) with complex and environmentally relevant impacts (LA)
- regional/district impact assessment (“Raumordnungsverfahren”, DA).

Within these legal planning procedures the relevant authority has to prove if there are possibilities of avoiding the intervention and, if this is not possible, minimising it and to define the requirements for compensating the negative impacts towards nature and landscape. The authority must take into account all public interests and must find out a reconciliation of interests. One of these interests is the environment including the biodiversity e.g. the conservation of endangered bird species like Montagu's Harrier. Before processing and considering a permit/ an authorization, the impacts on habitats of Montagu's Harrier must be known. The measurements for compensating the intervention must also be worked out and defined and fixed within the regular binding legal procedure. This technical prove should be based on figures as detailed as possible.

One example:

The local authority of the district Neustadt a.d. Aisch in Central Franconia has to comment and assess an application for building up some single wind turbines and a wind power plant with a height between 100 and 150 metres within a well known centre of a home range/ habitat of Montagu's Harrier.

Some key-questions (below) and their hopefully sufficient answers from the point of view of nature protection are essential for the decision-making process. The nature protection authority depends on data and hard figures of the bird experts. If there are no sufficient answers there is danger of neglecting or not respecting the general position and arguments of the responsible nature protection department or authority. That danger is mostly caused by political interventions, and on the other hand by legal privileges (since 1997: BauGB, § 35) given to wind turbines (as renewable energy).

Basic questions:

Are there models or experiences and hard figures regarding locations of wind turbines and Montagu's Harrier habitats in Germany or in Europe? Are there technical (bird) reasons that wind turbines are basically not acceptable within habitats of Montagu's Harrier? What is known about the minimum distance between the location of the nesting sites and the disturbing factors like roads, farms, wind turbines etc.?

Special questions:

Up to which distance from the wind turbines are negative impacts on the reproduction success and home range expected? What is the maximum density of nests in grain fields? In case of granting an authorization (for building a wind turbine) and, as a consequence, loss of the reproduction habitat, what kind of compensation would be acceptable from a bird conservation standpoint? Is it enough to ensure the survival of the breeding location in future or are there other demands for the conservation of Montagu's Harrier? What measures must be taken into account to ensure that?

Lastly three critical questions to the bird experts:

Is it really desirable and a strategy for the future to offer Montagu's Harriers grain fields for reproduction by different programmes, funds and sponsorships (with continuous binding of annual expenses from national and EU funds) despite of all known conflicts with the different land users? Is there a common expert agreement that Montagu's Harriers are more and more adapting themselves to the originally not used or preferred intensively used farm land? Will there be an adaptation to single wind turbines, e.g. by changing regional nesting areas?

## Perspectives for Conservation of Montagu's Harrier in Southern Portugal

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The present report reviews the current knowledge of the population trends, breeding and foraging habitats for Montagu's Harrier (*Circus pygargus*) in southern Portugal. A conservation strategy for the species is also discussed.

Montagu's Harrier is a widely distributed species in Portugal. However, in recent years a general population decline has been inferred and it is considered as "vulnerable" by the Portuguese Vertebrate Red Data Book (SNPRCN 1990). In 1993, the Portuguese breeding population was estimated at 900-1200 pairs (Onofre & Rufino 1993), but now there is no data to allow a reliable assessment of its present population size and its national or regional trends.

Harvesting machinery has caused dramatic changes in the breeding success of

birds nesting in cultivated fields, with nests of Montagu's Harrier being strongly affected by this activity. Here I present some information about the harvest impact on the reproductive success in southern Portugal.

A preliminary study done near Évora (southern Portugal) revealed the importance of the crop fields and landscape mosaic to the conservation of Montagu's Harrier. The effects of the Common Agriculture Policy and the national options which promote the conversion of large areas of cereal fields and fallow land into intensive agriculture, vineyard or afforestation, lead to a loss of breeding and foraging habitat of the species.

Accordingly, the future of the Portuguese Montagu's Harrier is still uncertain. The

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