

Act on the Biosphere Reserve Flusslandschaft Elbe
Mecklenburg-Vorpommern and on the Amendment of other Acts

Date: 15 January 2015

GS Meckl.-Vorp. Gl. No. 791 – 10

The Federal State Parliament has passed the following Act:

Article 1

Act on the Biosphere Reserve Flusslandschaft Elbe Mecklenburg-Vorpommern
(Biosphere Reserve Elbe River Landscape)
(Biosphere Reserve Elbe Act – BRElbeG M-V)

GS Meckl.-Vorp. Gl. No. 791 – 11

Content Overview

Preamble

§ 1 Declaration of the biosphere reserve, goals	§ 8 Permitted activities
§ 2 Scope	§ 9 Exceptions
§ 3 Protective purpose and development goals	§ 10 Compensation for restrictions of use
§ 4 Conceptual framework, technical plans	§ 11 Administrative offences
§ 5 Cooperation with the administrative district	§ 12 Authorisation for statutory ordinance
§ 6 Zoning	§ 13 Collision regulations
§ 7 Prohibitions	§ 14 Advisory committee of the biosphere reserve

Preamble

The glacial valley of the Elbe river landscape is part of a unique semi-natural river landscape in Central Europe. Besides the actual valley of the Elbe, the up to 20 kilometre wide valley that was formed in the last ice age also includes the wide Talsand lowlands with the embedded tributaries of the Elbe and relatedly the existing areas of the old moraines. This landscape is influenced in multiple ways by the natural floods of the Elbe and its tributaries and is distinguished by a variety of opposite (very dry and very wet) locations, habitats, symbioses as well as species of flora and fauna. The landscape is characterised by a special uniqueness and beauty. As a consequence, the river landscape of the Elbe is a cultural landscape that has been diversely exploited.

A mosaic of uses with numerous demands from agriculture and forestry, from hunting and fishery, from residential and infrastructural development, as well as for recreational use and shipping industry shapes the river landscape and affects also the features of the natural environment. As a region that is located

on the periphery, rural in structure, and relatively sparsely populated, the territory requires in addition special socioeconomic care.

The “Flusslandschaft Elbe” has been registered with the Federal States Brandenburg, Lower Saxony, Saxony-Anhalt and Schleswig-Holstein and recognised by the UNESCO as a Biosphere Reserve. The Federal State Mecklenburg-Vorpommern understands the UNESCO recognition as a comprehensive task and as a regional chance for nature-preserving and sustainable development. With this Act, the Federal State acknowledges that the protection and use of natural resources take into account social aspects and that there is a duty to comprehensively reconcile the interests of generations. In accordance with the criteria and guidelines of the MAB programme, a voluntary, comprehensive, and permanent cooperation of the regional population is of vital importance in fulfilling the protective, developmental, and policy making functions of the biosphere reserve. By establishing a biosphere reserve administration, the Federal State ensures the well-balanced implementation of all functions. The interests of the local population in the security and the improvement of their living and working conditions as well as the concerns of the regional economic development are to be taken into account in the decisions of the administration.

The ground of the Lübtheen military training area is included in the protected territory; the military use of such ground has been relinquished by the German Armed Forces. The territory is distinguished by valuable forests and open spaces. Accordingly, they will be under protection as part of the Biosphere Reserve Flusslandschaft Elbe. The biosphere reserve will be divided into core, buffer, and development zones. In this Act, the development zones and part of the buffer zones are established, but not yet the core zones. Moreover the Act determines the search areas for the core zones and further buffer zones. At a later time, sub-areas of the search areas should be established as core zones or further buffer zones with the statutory ordinance of the above nature conservation authority.

§ 1 Declaration of the biosphere reserve, goals

(1) The territory described in § 2 is declared to be a biosphere reserve with the description “Flusslandschaft Elbe Mecklenburg-Vorpommern” to the extent specified in this Act.

(2) The declaration of the biosphere reserve also serves to implement the international agreements on the programme “Man and Biosphere” (MAB programme) adopted by the UNESCO. The territory is part of the biosphere reserve “Flusslandschaft Elbe” recognised by the UNESCO and located in the Federal States Saxony-Anhalt, Brandenburg, Lower Saxony, Schleswig-Holstein, and Mecklenburg-Vorpommern.

(3) Large parts of the biosphere reserve are an integral part of the connected European ecological network “Natura 2000”.

(4) The goal of the biosphere reserve Flusslandschaft Elbe Mecklenburg-Vorpommern is to safeguard the preservation and sustainable development of the territory based on the relationship between human and nature with the territory’s scenic, cultural, social, and economic values, potentials and functions including the flood protection system.

§ 2 Scope

(1) The biosphere reserve includes natural-geographically the valley of the Elbe in Mecklenburg-Vorpommern and the adjacent parts of the Southwest Talsand lowlands with the Elbe, Sude, and Rögnitz as well as the Southwest areas of the old moraines and outwash plain.

(2) The status of the biosphere reserve, its zoning, and the search areas for establishing the core zone or further buffer zone according to § 12 are illustrated in the overview map in the ratio 1:200,000. The overview map as part of the Act as Annex 1.

(3) The relevant borders of the biosphere reserve are illustrated with a line that is dashed on one side in the boundary maps in the ratio 1:5,000 or greater, in which the dashes point to the territory. On the boundary maps, the relevant borders of the core and buffer zones as well as the search areas mentioned in Section 2 are also indicated. The borders of the buffer and core zones can be changed according to the provision of § 12. The boundary maps are part of the Act as Annex 2¹.

(4) In case of doubt whether properties or parts of properties belong to the protected territory, it is to be assumed that the grounds are located outside the protected territory. If, besides running waters, the border line runs alongside linear structures in the landscape, for example, traffic routes, these structures, including their objects and facilities do not belong to the protected territory.

§ 3 Protective purpose and development goals

(1) The biosphere reserve is designed specifically for the following protective purposes and development goals:

1. Promoting the well-balanced ecological, economic, and social development of the biosphere reserve in particular via:

a) Supporting long-term environmentally friendly land use practices and regional economic cycles, in which the agricultural and forestry soil use is fundamentally environmentally friendly according to the rules of good professional practice,

b) Supporting the socially just and environmentally friendly orientation of the regional economic enterprises and the public authorities.

2. Conserving, maintaining, developing, or restoring the cultural landscape that is typical of the natural area, and its parts with conventional, diverse use and natural elements characterised by diversity, uniqueness, and beauty, in particular:

¹ The Annex 2 of this Law, the boundary maps according to § 2 Section 3, will be issued as the annex volume of this issue of the Gazette of Laws and Ordinances for Mecklenburg-Vorpommern. The annex volume will be delivered free of charge to subscribers of the Gazette of Laws and Ordinances on request. If desired, the Annex 2 will also be delivered free of charge to subscribers on CD-ROM by the above nature conservation authority.

a) In the flow of the Elbe and the flood plain with the flood areas, seepage water areas, backwaters, brackish water and the remains of former floodplain and marsh forests,

b) In the lowlands of its tributaries Sude, Rögnitz, Löcknitz, and Schaale with regularly flooded grassland areas and in parts well-conserved softwood forests,

c) In the adjacent dry biotopes (inland dunes, Elbe bank slopes, outwash plain areas),

3. Protecting the biological diversity by conserving, maintaining, developing, and restoring the habitats, fauna, and flora typical of the natural area.

4. Conserving or restoring a favourable conservation status of the species of flora and fauna as well as their habitats in the Natura 2000 territory of the biosphere reserve,

5. Researching to evaluate the implementation of the goals mentioned in § 1 Section 4,

6. Monitoring as the basis for a long-term environmental observation and for the evaluation of socioeconomic processes,

7. Education for sustainable development by raising awareness and promoting competences to implement sustainable development for the people living in the region and their visitors by means of information centres as well as events and educational programmes,

8. Gaining partners to implement the aforementioned goals and raise the profile of the biosphere reserve regionally and supra-regionally with public relations and communication.

(2) The authorities in charge of planning, initiatives, and measures have to take into consideration in particular the protective purposes and development goals mentioned in Section 1.

§ 4 Conceptual framework, technical plans

A conceptual framework and technical plans for the core and buffer zones will be created for the biosphere reserve Flusslandschaft Elbe Mecklenburg-Vorpommern.

§ 5 Cooperation with the administrative district

The administrative district Ludwigslust-Parchim participates in the formation of the biosphere reserve in the framework of its competence and supports the implementation of the goals according to § 1 Section 4 and § 3.

§ 6 Zoning

(1) The biosphere reserve will be divided into core, buffer, and development zones. The relevant borders of the core and buffer zones are described in the maps mentioned in § 2 Section 3 as well as the statutory ordinance to be issued according to § 12. The remaining ground is the development zone.

(2) The core zones are designed for the uninterrupted development of the natural and semi-natural symbioses and natural processes.

(3) The buffer zones are designed for the conservation, maintenance, and development of natural and semi-natural habitats and symbioses, which come into existence via human exploitation. They should support the functions of the core zones with a suitably adapted use.

(4) The development zone is the residential and economic area. It is designed for the conservation or restoration of the traditional elements in a modern residential and landscape structure, as well as for the development, experimentation, and comprehensive application of future-oriented, innovative production approaches and land use models as well as of a sustainable residential development. Based on the existing requirements and possibilities, sustainable uses and viable development of the biosphere reserve and its surrounding region are to be supported in all economic sectors and areas of life. The objective of a sustainable development of the territory should be achieved, especially via the cooperative partnership with the authorities and participants responsible for the protection, the sustainable development, and the development of the biosphere reserve. In particular:

1. All the measures for economic development, including tourism should be designed such that the damages to nature and the landscape are avoided as much as possible and the sustainable development of the region is promoted,
2. Ecologically and cultural-historically valuable landscape structures should be conserved and developed with the landscape management measures,
3. Natural experience areas should be developed with suitable measures, and
4. Schematic solutions for the problems of climate change should be developed.

§ 7 Prohibitions

(1) In the biosphere reserve, all activities that change the characteristics of the territory or are contrary to the protective purpose are prohibited. In particular, it is prohibited:

1. To build, expand, or modify constructions including traffic facilities in the outer area, even if they are not subjected to authorisation or other procedures according to the building regulations of the Federal State.
2. To perform excavations, backfilling, or washout that are more than 2 metres in height or depth or with a base area with more than 300 square metres,
3. To perform blasting, and blasting that is subjected to the notification and authorisation procedures,
4. To cause not just temporary reductions of groundwater,
5. To completely or partly remove or damage tree rows, hedges, field or bank-side woodland, and reed bed with the exception of the maintenance measures necessary for their conservation,

6. To convert grassland or uncultivated land to other forms of use,

7. To drain the grasslands beyond the extent existing at the time this Act comes into force.

(2) Additionally, in the buffer zone, all activities that may lead to the disruption, damage or change of the protected territory or its parts or may cause permanent damage are prohibited. In particular, it is forbidden to:

1. To enter areas outside roads, streets and marked trails, to ride bicycles or drive vehicles of any kind to such areas, and to park or ride there,

2. To let dogs run freely,

3. To camp, to set up caravans or camper vans, to make noises, to light up or maintain campfires, and to perform disrupting events,

4. To change, remove, create, or transform water bodies or their banks, or to perform measures that significantly change the water level or the water discharge,

5. To use motorised water vehicles in the water bodies outside the Federal waterways,

6. To dock on the bank outside the moorings locally marked for such purpose, and to use water vehicles or sport equipment of any kind in the following water bodies:

a) the Schaale,

b) other water surfaces and running water in the time period from 1 March to 30 June every year;

The Federal waterways and the Sude between Brömsenberg and Gößlow are open for traffic all year,

7. To angle in the areas, in which such activity is forbidden by the general ruling of the biosphere reserve authorities. In the general ruling, provisions for fishing with hand line as well as to reach and to maintain the fishing spots can also be established,

8. To fish with electrical fishing gears. Owner of fishing rights in the respective water body is allowed to do electro-fishing once every year in the period from 1 March to 30 June,

9. To damage, gather, or to jeopardise the continuing existence of plants, plant parts or other components, or to bring in plants or plant parts,

10. To kill, injure, capture, or feed wild living animals, to pester them, to disturb them with noises or in other manners, to remove or damage their eggs, larva, pupae, or their breeding and nesting sites, or to abandon or introduce animals,

11. To hunt waterfowls,

12. To permanently set up hunting hide tents, to create artificial wallows, hunting reserves, or feedings, to set up automatic feeders or to use a chemical lure without the approval of the nature conservation authorities. The approval includes the exceptions from the prohibition of Section 1 Number 1, and is

considered to be granted when it is not denied within two weeks after the receipt of the application for hunting right.

13. To use plant protection product or other product to control plants and animals without the approval of the nature conservation authorities. The approval is considered to be granted when it is not denied within two weeks after the receipt of the application,

14. To bring in or to use fertilisers of animal origin or fertilisers from secondary raw materials without the approval of the nature conservation authorities. The approval is considered to be granted when it is not denied within a week after the receipt of the application,

15. To cultivate genetically modified plants or to produce genetically modified organisms and

16. To take off or to land aircrafts according to § 1 Section 2 of the German Aviation Act, except for the cases in § 25 Section 2 of the German Aviation Act,

(3) The prohibitions mentioned in Sections 1 and 2 apply in the core zones. Additionally, all economic uses are also prohibited,

(4) If it is necessary for the protection of resting and wintering waterfowls, the biosphere reserve office in coordination with the competent hunting authorities can limit with the general ruling the time and location for hunting waterfowls in the territory, which must not take up more than 20 percent of the development zone,

(5) The owner of the fishing rights has to report beforehand to the biosphere reserve office about fishing with the fishing gears according to Section 2 Number 8,

(6) The prohibitions mentioned in the Sections 1 and 2 do not apply to the activities within the spatial scope of a land-use plan and within the related locations according to the §§ 30 and 34 of the Building Code, as well as within the spatial scope of a project and development plan according to § 12 of the Building Code and of a statute according to § 35 Section 6 of the Building Code.

§ 8 Permitted activities

The following activities remain unaffected by the prohibitions according to

1. § 7:

a) Measures of the emergency response,

b) Measures to implement the European Water Framework Directive, the water supervision, and the flood protection, in particular to improve the flood discharge and conserve the flood discharge profiles,

c) The necessary maintenance measures for dikes, dike guard bars, water management facilities and water bodies, supply and disposal facilities, as well as public traffic routes and other roads and streets,

2. § 7 Section 1 Number 1 to 5, Section 2 Number 1, 4 to 6, and 9 as well as Section 3: the measures for the protection, maintenance, development, and restoration, which have been approved, mandated, or performed by or with the approval of the competent nature protection authorities,

3. § 7 Section 1 Number 1 and 2 as well as Section 2 Number 1, 5, 6, and 8 to 10: the measures for research, environmental observation, environmental education, and visitor guidance management, which have been approved, mandated, or performed by the competent nature protection authorities,

4. § 7 Section 2 Number 1, 2, 9 and 10: the good professional practice for agricultural soil use, according to § 5 Section 2 of the Federal Nature Conservation Act in compliance with the protective goals under § 3,

5. § 7 Section 2 Number 1 and 9: the semi-natural, sustainable, and adapted to the location forestry soil use, according to § 5 Section 3 of the Federal Nature Conservation Act as well as § 11 Section 6 and § 13 of the Federal State Forest Act in compliance with the protective goals under § 3,

6. § 7 Section 2 Number 1, 5, 6, 9 and 10: the commercial fishing in the surface water, according to § 5 Section 4 of the Federal Nature Conservation Act by owners of fishing rights in terms of § 4 Section 3 of the Federal State Fishing Act in compliance with the protective goals under § 3,

7. § 7 Section 2 Number 1, 9 and 10: angling, as long as it is in accordance with the general ruling in terms of § 7 Section 2 Number 7,

8. § 7 Section 2 Number 1, 2 and 10: regular hunting with the provision that the buffer zone outside the roads, streets, and marked trails in the framework of the exercise of hunting rights is not used for other purposes such as to transport shot games or to set up hunting facilities,

9. § 7 Section 2 Number 1 and 9 as well as Section 3: official and officially mandated or approved signage, as long as it indicates the protective purposes of the territory or is designed to be sovereignty marking, location or traffic instructions, trail markings, or information and warning boards,

10. § 7 Section 2 Number 1 and 9: entering the grounds designated for the purpose of collecting mushrooms, berries, herbs, and nuts for personal use in limited quantities, as long as the species are not specially protected,

11. § 7 Section 3: hunting with the goal of preventing damages caused by wild animals and of supporting the objective of § 6 Section 2,

12. § 7 Section 2 Number 1 and Section 3: entering or travelling in the territory, as long as it is necessary for the regular use or management, and performed by the owners of the rights of use or property owners and their contractors as well as by the staff of the authorities and their contractors in fulfilling their legal duties,

13. § 7 Section 1 Number 1: fencing in the customary and landscape-compatible manner of private properties, grounds used for agricultural purposes, and silvicultures in need of protection,
14. § 7 Section 1 Number 1: building shelters that are adjusted to the landscape with up to 150 square metre base areas and cattle watering bases, as long as they are intended exclusively for agricultural livestock management on grounds used for agricultural purposes,
15. § 7 Section 1 Number 7: draining in certain places of excessive surface water on cohesive soils,
16. § 7 Section 2 Number 1 and 2: the use of recreational areas, accesses to water bodies and moorings for water vehicles. At the request of the local municipality concerned, the biosphere reserve office can decide with the general ruling the necessary recreational areas, accesses to water bodies and moorings as well as the type and scope of their use,
17. § 7 Section 1 Number 1: building hunting facilities in the development zone,
18. § 7 Section 1 Number 5: maintaining and re-cultivating existing gardens and parks, according to the law on monument conservation,
19. § 7 Section 2 Number 11: hunting waterfowls on certain grounds of the buffer zone. The biosphere reserve office can decide in coordination with the competent hunting authorities with the general ruling the grounds as well as the type and scope of hunting,
20. § 7 Section 1 Number 1: the immediate re-construction in the same style and at the same location of buildings that were built in an approved manner and have been destroyed by fire, natural disasters or other extraordinary events,

§ 9 Exceptions

- (1) The competent nature conservation authorities can permit exceptions from the prohibitions under § 7, when it does not cause a significant or long-lasting negative effect and does not interfere with the protective purpose. § 67 Section 3 of the Federal Nature Conservation Act applies accordingly.
- (2) In addition to what is mentioned in Section 1, the competent biosphere reserve office can allow exceptions from the prohibitions of § 7 on a case-by-case basis:
 1. In the development zone, for the structural expansion of agricultural, forestry, fishery, or commercial businesses that have been set-up in an approved manner when the expansion is reasonable in proportion of the existing buildings and businesses,
 2. In the development zone, for projects that are designed for the regenerative energy production, or for the adaptation and implementation of use in accordance with the protective purpose and the development goals, or for flood protection,
 3. In the development zone, for setting up, changing, or expanding land-use plans, project and development plans, or a statute according to § 34 Section 4 Clause 1 Number 3 or § 35 Section 6 of the

Building Code as well as for structural facilities within the future scope of the plan, when the plan has reached the status defined under § 33 of the Building Code, and

4. for animal disease control and for the prevention of damages by wild animals.

§ 10 Compensation for restriction of use

If the administrative decisions and measures of the nature conservation authorities cause in individual cases unreasonable economic disadvantages to the property owners or other owners of rights of use, they are to be financially compensated according to § 68 Section 1 and 2 of the Federal Nature Conservation Act, as long as a compensation is not possible via voluntary agreements, in the framework of the contractual nature conservation, via exchange of premises, or in any other manner.

§ 11 Administrative offences

(1) An administrative offence is considered to have been committed by any person who intentionally or negligently violates a prohibition according to § 7 Section 1 Number 1 to 7, § 7 Section 2 Number 1 to 16, § 7 Section 3 or a general ruling on the basis § 7 Section 4, as long as the activity is not permitted according to § 8 or not granted an exception under § 9 or an exemption under § 67 of the Federal Conservation Act.

(2) Administrative offences according to Section 1 can be prosecuted with a fine up to 100,000 Euro.

(3) § 43 Section 4 to 6 of the Nature Conservation Implementation Code applies accordingly.

§ 12 Authorisation for statutory ordinance

To implement the goals of this Act, the above nature conservation authority is authorised to establish via statutory ordinance as core zone or further buffer zone parts of the areas designated as search areas in the overview map according to § 2 Section 2 and in the boundary maps according to § 2 Section 3. In this respect, the boundary maps according to § 2 Section 3 can be changed with the statutory ordinance according to Clause 1. For the ordinance procedures, § 15 Section 1 to 7 and § 16 Section 2 to 4 of the Nature Conservation Implementation Code apply accordingly.

§ 13 Collision regulations

(1) This Act takes precedence over other Federal State legal regulations in the protection of certain parts of the nature and landscape. As long as the legal regulations contain stricter protection requirements, they remain unaffected.

(2) The regulations of the Nature Conservation Implementation Code remain unaffected.

§ 14 Advisory Committee of the biosphere reserve

For the biosphere reserve office Schaalsee-Elbe, an advisory committee will be set up, which supports the establishment of the biosphere reserve Flusslandschaft Elbe and in particular is to participate in the preparation of the statutory ordinance according to § 12. The advisory committee consists of up to four representatives of the Federal Parliament, who are to be approved by the agricultural committee, as well as the district commissioner of the administrative district Ludwigslust-Parchim.

Article 2

Amendment of the Federal State Environmental Impact Analysis Act²

The Federal State Environment Impact Analysis Act in the public announcement version from 27 July 2011 (GVOBl. M-V p. 855) is amended as follows:

1. In Annex 1, the Number 28 is repealed.
2. The following Number 1.4 is inserted to the Annex 3 Number 1:

No.	Plan or programme
"1.4	Conceptual framework and technical plans, according to § 4 of the Biosphere Reserve Elbe Act".

Article 3

Amendment of the Large-scale Protected Territory Organisation Act³

The Large-scale Protected Territory Organisation Act from 18 December 1995 (GVOBl. M-V p. 659), which was last amended by Article 6 of the Act from 11 July 2005 (GVOBl. M-V p. 326, 332), is amended as follows:

1. § 1 is amended as follows:

a) Section 1 Number 2 is worded as follows:

"2. as the below nature conservation authorities

a) the biosphere reserve office Schaalsee-Elbe for the biosphere reserves Schaalsee and Flusslandschaft Elbe Mecklenburg-Vorpommern and

b) the biosphere reserve office Southeast Rügen for the biosphere reserve Southeast Rügen".

² Amends Act i. d. F. d. B. from 27 July 2011; GS Meckl.-Vorp. Gl. No. 2129 - 8

³ Amends Act from 18 December 1995; GS Meckl.-Vorp. Gl. No. 791 – 3

b) In Section 3, the words “Ministry of Food, Agriculture, Forestry and Fishery” are replaced by the words “Ministry of Agriculture, Environment, and Consumer Protection”.

2. In § 2 Clause 1, the words “Ministry of Food, Agriculture, Forestry and Fishery” are replaced by the words “Ministry of Agriculture, Environment, and Consumer Protection”.

Article 4

Amendment of the Nature Conservation Implementation Act⁴

The Nature Conservation Implementation Act from 23 February 2010 (GVOBl. M-V p. 66), which was last amended by Article 14 of the Act on 12 July 2010 (GVOBl. M-V p. 383, 395), is amended as follows:

1. In § 1 Section 3 Number 3 and § 4, the words “Offices of the biosphere reserves” are replaced respectively with the words “biosphere reserve offices”.

2. In § 3 Clause 1 Number 5, the words “enforcement of the §§ 37 to 55 of the Federal Nature Conservation Act” are replaced with the words “enforcement of the §§ 37 to 41 and 44 to 55 of the Federal Nature Conservation Act”.

3. In § 6 Clause 1, the words “legal regulations of the nature conservation law” are replaced with the words “regulations of the nature conservation law”.

4. § 12 Section 1 will be amended as follows:

a) In Number 19, the period at the end is replaced with a comma.

b) The following Number 20 is inserted:

“20. The conservation of forest to other uses according to § 15 of the Federal State Forest Act.”

5. In § 20 Section 3, the following Clause 2 is inserted after Clause 1:

“In addition to Clause 1, an exception is permitted when it concerns the biotopes or geotopes which come into being after the introduction of a land-use plan, and when an admissible use should be realised according to the land-use plan.”

6. § 21 is changed as follows:

a) Section 1 Clause 1 is amended as follows:

aa) In Number 1 the indication “Article 4 Section 1” is replaced with the indication “Article 4 Section 2 Subsection 3”.

bb) In Number 2 the indication “Directive 79/409/EEC” is replaced with the indication “Directive 2009/147/EC”.

⁴ Amends Act from 23 February 2010; GS Meckl.-Vorp. Gl. No. 791

b) Section 3 is amended as follows:

aa) In Clause 5, the words “nature conservation authorities, offices and the municipalities without administrative bodies” are replaced with the words “the nature conservations authorities mentioned in § 1 Section 3 Number 3 to 5”.

bb) In Section 6 after the word “that”, the words “the interpretation only applies for the nature conservation authorities mentioned in § 1 Section 3 Number 3 to 5 and” are inserted.

7. In § 23 Section 3 Clause 1, the indication “§ 43 Section 2” is replaced with the indication “§ 43 Section 3”.

8. The wording of § 36 Section 1 is prefixed with the following sentence:

“To perform the compensation according to § 68 Section 1 and 2 of the Federal Nature Conservation Act, the party responsible for the public administration has the duty that the legal regulation has been introduced and the measure has been taken under their authority.”

9. § 39 Section 6 Clause 1 is worded as follows:

“The board of the foundation consists of a full-time chairperson and at most two honorary representatives.”

10. In § 40 Section 1 Clause 2, a period is inserted after the indication “§ 13”.

11. In § 42 Section 3 the indication “according to §§ 51, 52 Section 1 to 5, §§ 53 to 57, 126 and 127 of the Federal Mining Act” is replaced with the indication “according to §§ 51, 52 Section 1, 2 and 3 to 5, §§ 53 to 57, 126 and 127 of the Federal Mining Act”.

12. § 43 is amended as follows:

a) Section 1 is amended as follows:

aa) Number 1 is prefixed by the following Number 1:

“1. performs, contrary to § 12 Section 6, an intervention of the type described in § 14 Section 1 of the Federal Nature Conservation Act and § 12 Section 1 Number 1 to 20 without permission.”

bb) the current Number 1 becomes Number 1a.

b) In § 43 Section 2 Number 1, the words “as well as an ordinance mentioned in § 22 Section 1 Clause 3” are inserted after the word “statute”, and the words “; § 22 Section 3 applies accordingly” are inserted after the word “refers”.

13. In Annex 3 Number 1.2 Clause 2, the word “Saßnitz” is replaced by the word “Sassnitz”.

Article 5

Amendment of the Large-scale Protected Territory Organisation Ordinance⁵

§ 2 of the Large-scale Protected Territory Organisation Ordinance from 22 February 1996 (GVOBl. M-V p. 147), which was last amended with the Ordinance from 19 December 2006 (GVOBl. M-V p. 859), is amended as follows:

1. In Number 3, the words “office of the biosphere reserve” are replaced by the words “biosphere reserve office”.
2. In number 4, the words “office the biosphere reserve Schaalsee” are replaced by the words “biosphere reserve office Schaalsee-Elbe”.

Article 6

Amendment of the Federal State Ordinance on the competent authority in the framework of environmental impact assessment⁶

§ 1 Section 1 of the Federal State Ordinance on the competent authority in the framework of environmental impact assessment from 23 July 1992 (GVOBl. M-V p. 483), which was last amended by Article 7 of the Act from 20 May 2011 (GVOBl. M-V p. 323, 324), is amended as follows:

1. In Number 3, the words “projects according to Number 17 of Annex 1” are replaced with the words “projects according to the Numbers 17.1 and 17.2 of Annex 1”.
2. In Number 5, the words “projects according to Number 28 of Annex 1 to § 3 Par. 1 of the Federal State Environmental Impact Assessment Act” are replaced with the words “projects according to number 17.3 of Annex 1 of the Act on environmental impact assessment”.

Article 7

Repeal of legal regulations

The following legal regulations are repealed:

1. the Decision of the District Council Schwerin Number 89 from 15 May 1990 on the establishment of the nature reserves
 - a) Bollenberg bei Gothmann,
 - b) Elbdeichvorland,
 - c) Elbhang Vierwald,

⁵ Amends Ordinance from 22 February 1996; GS Meckl.-Vorp. Gl. No. 791 – 3 – 1

⁶ Amends Federal State Ordinance from 23 July 1992; GS Meckl.-Vorp. Gl. No. 200 – 1 – 67

- d) Krainke from the source to the estuary of the Sude (the part in Mecklenburg),
- e) the Sude lowlands between Boizenburg and Besitz,
- f) Rögnitzwiesen bei Neu-Lübtheen,
- g) the Schaale lowlands from Zahrendorf to Blücher,
- h) Rüterberg,
- i) Togerwiesen bei Garlitz,
- j) Löcknitztal-Altlauf

2. the order of the Head of the Agriculture Council of the GDR from 11 September 1967 on the establishment of the nature reserve “Elbtaldünen bei Klein-Schmölen”,

3. the Ordinance on the landscape protected territory “Mecklenburg Valley of the Elbe” in the administrative district Ludwigslust from 21 March 1996 (the District Courier issue 04/1996, p. 6), which was last amended with the 11 Ordinance on the amendment of the Ordinance on the landscape protected territory “Mecklenburg Valley of the Elbe” from 13 December 2012 (publicly announced in the Internet portal of the administrative district on 19 December 2012).

4. the Ordinance on the landscape protected territory “Boize” in the administrative district Ludwigslust from 19 August 2003 (the District Courier issue 09/2003, p. 20), which was last amended with the first Ordinance to amend the Ordinance on the landscape protected territory “Boize” from 23 January 2006, as long as it is within the scope of this Act,

5. the Ordinance on the establishment of the nature park “Mecklenburg Valley of the Elbe” from 5 February 1998 (GVOBl. M-V p. 187).

Article 8

Entry into force, abrogation

(1) This Act comes into effect on 1 February 2015.

(2) Article 1 § 14 ceases to be effective on 1 February 2015.

The above Act is hereby issued. It is to be announced in the Gazette of Laws and Ordinances for
Mecklenburg-Vorpommern

Schwerin, 15 January 2015

The Chief Minister
Erwin Sellering

The Minister of Agriculture, Environment and
Consumer Protection
Dr. Till Backhaus

