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## Response to consultation pursuant to Articles 4 and 5 of the Espoo Convention on the planned project entitled "MFW Baltyk I offshore wind farm"

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BirdLife Sweden has been offered to submit comments on whether the presented clarifications suffice for the Swedish Party to consider the transboundary consultation, as per Article 5 of the Espoo Convention, for the MFW Baltyk I offshore wind farm project as concluded.

Firstly, BirdLife Sweden finds that the clarifications presented by the company show a clear lack of competence about the millions of birds passing through/over the Baltic Sea during migration. The reason for our proposal to assess the passage, and to implement curtailment programs when high concentrations of migratory birds pass through the wind farm, is the mass migration (of a great variety of birds) through/over the Baltic Sea. Under specific weather conditions, many of those are attracted to "artificial light at night" (ALAN). In this respect, the company is only referring to tubenoses being attracted, which may be why no assessment has been done. The establishment of a wind farm in the immediate passage of millions of birds is not in accordance with the precautionary principle. Hence, BirdLife Sweden demands studies on potential (and actual) impacts from offshore wind farms on the seasonal mass migration of birds.

By analyses of weather data and migration patterns (e.g. with radar), high-risk situations can be identified when large concentrations of birds occur, which should trigger immediate shut-down. This technique has already been tested in The Netherlands<sup>1</sup>, where such systems are now obligatory for new projects, and must be developed and implemented further within the offshore wind industry. In relation to the total budget, curtailment will not be of significant economic proportion. High-risk situations will mainly, or exclusively, occur when wind speed is low, hence causing small/negligible economic consequences. In a German analysis, 36% of all bird mortalities at the studied offshore wind farm happened in October. By applying 30 hours of shut-down, when the migration intensity exceeded a specific threshold value, 27% of the mortality could be avoided<sup>2</sup>.

Secondly, the MFW Baltyk I offshore wind farm is – as previously stated – placed on, or in direct proximity to, *Södra Midsjöbanken* and will undoubtedly affect the Eurasian long-tailed duck population wintering in the Baltic Sea. The proposed wind farm area should probably, at least to a large extent, be designated as a Natura 2000 site (which is the case on the Swedish side of the border) to protect the long-tailed duck population from further decline, rather than being exploited. BirdLife Sweden strongly disagrees with the company's conclusion that the MFW Baltyk I offshore wind farm will not have a significantly negative effect on the threatened (endangered) population of long-tailed duck, as the wind farm will exclude them from a significant part of their (limited) winter range. This is totally unacceptable and a breach against the EU Natura 2000 legislation. Wouldn't it be realistic to assume that the long-tailed duck population might decrease (almost) with as many percentages as the proposed wind farm is shrinking the effective feeding area of the shallow banks? (It should be noted that the company is referring to a population level that is approximately three times larger than it is today, which we already pointed out in previous comments.)

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<sup>1</sup> <https://www.youtube.com/watch?v=mkScsf8NC4>

<sup>2</sup> Welcker J & Vilela R. 2019. *Weather-dependence of nocturnal bird migration and cumulative collision risk at offshore wind farms in the German North and Baltic Seas*. Technical report. BioConsult SH, Husum. 70 pp.

Our conclusion is that the transboundary consultation can not be concluded before a proper Natura 2000 assessment has been completed. If moved to deeper waters further south, outside the most important feeding/wintering areas for long-tailed ducks, the MFW Baltyk I offshore wind farm can possibly be accepted in relation to the protection of birds and Natura 2000.



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