



Strasbourg, 16 February 2024

T-PVS/Files(2024)28

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

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**Bureau of the Standing Committee**

18-19 March 2024  
Strasbourg

**Complaint on stand-by: 2021/2**

**Alleged threat to birds and protected sites due to the  
proposed construction of windfarms (Norway)**

**- GOVERNMENT REPORT -**

*Document prepared by  
The Royal Norwegian Ministry of Climate and Environment*

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ROYAL NORWEGIAN MINISTRY OF  
CLIMATE AND ENVIRONMENT

Your ref

Our ref 24/322

Date 13 February 2024

## **Government report: Complaint No. 2021/2: Alleged threat to birds and protected sites due to the proposed construction of windfarms**

We refer to your letter dated October 7<sup>th</sup>, 2022, where Norwegian authorities are invited to send a progress report regarding complaint 2021/2, particularly requesting further updates on the complaint against the approval of the Haram Wind Power Plant monitoring program and inviting the authorities to share preliminary findings from the ongoing monitoring program. We also thank the Bureau for granting an extension of the deadline for the authority's report until February 15<sup>th</sup>, 2024. Below you will find the government's report regarding the requested information.

### **Update on the appeal against the approval of the Haram Wind Power Plant monitoring program**

The Bureau has requested that the Norwegian authorities provide further updates on the NGOs' appeal against the approval of the Haram Wind Power Plant monitoring program.

The complaint from two local organisations against the Norwegian Water Resources and Energy Directorate's (NVE) approval of the Haram Wind power plant monitoring program has, since our last progress report, been finally decided by the Norwegian Ministry of Energy.<sup>1</sup> In its decision of August 22<sup>nd</sup>, 2022, the Ministry of Energy upheld NVE's approval, with a minor adjustment of one of the conditions for the approval. The reasoning behind the adjustment was that a local organisation questioned whether NVE had the authority to approve a plan that involves extensive searches with dogs on fully cultivated areas and on areas used for livestock grazing and requested that these areas be taken out of the plan for the monitoring program during the growing season.

The original condition relating to the annual search for dead birds from March 15<sup>th</sup> and at least until October 15<sup>th</sup> for three years was adjusted to take into account the consideration of farmland and the interests of the grazing industry. Subsequently, it was additionally clarified that NVE will assess the need for further observations to ensure a satisfactory level of data following the end of the monitoring period.

### **Preliminary findings of the monitoring program and data on bird migration**

Regarding preliminary results from the monitoring program, the findings from the monitoring in 2022 have been reported to the Norwegian authorities. The report from the monitoring in 2023 is, however, not yet available. Furthermore, as referenced in our letter dated July 18<sup>th</sup>, 2022, we expect the final results from the monitoring program to be available in 2025.

The report from 2022 includes results from the monitoring of the breeding population and breeding success for the species Peregrine falcon (*Falco Peregrinus*), White-tailed Eagles (*Haliaeetus albicilla*), Eagle Owls (*Bubo bubo*), and European shag (*Phalacrocorax aristotelis*) as well as a record of birds and bats deceased in collisions. The monitoring of migratory birds and eagle owls is still ongoing. A complete overview will become available in the final monitoring report. Below, we will provide a brief overview of the preliminary results from the monitoring program from 2022, with emphasis on the results from the search for deceased birds from collisions. The complete report will be made available at your request; however, the report is only available in Norwegian.

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<sup>1</sup> At that time, it was named the Ministry of Petroleum and Energy.

### Observations of breeding population and breeding success

#### Peregrine falcon (*Falco peregrinus*)

On Haram, there is a nesting site where the peregrine falcon nests more or less every year. In addition, the species has been regularly and periodically proven to be breeding at two other locations every year. These three localities were observed as part of the monitoring program. In mid-April, a peregrine falcon was observed sitting on a large rock high up in the mountainside at the main site. No mate was seen. No peregrine falcons were recorded at the other locations. Searches for Peregrine falcons were also carried out in mid-May, early June, and mid-July. No peregrine falcons were seen at any of the sites. There were good conditions for observation, and several common kestrels (*Falco tinnunculus*) were observed. The conclusion is thus that there were no nesting or nesting attempts by peregrine falcons on Haram in 2022.

#### White-tailed Eagles (*Haliaeetus albicilla*)

There is a well-known pair of white-tailed eagles at Haram that have nested for several decades. In the first part of March, two nests were located. The pair of white-tailed eagles were observed marking in one area, and mating was also recorded. In May, the eagle was seen brooding on the nest. In mid-June, at least one baby bird was recorded in the nest, and the adult eagle was also sitting on the nest. In mid-July, the nest was empty, but an adult eagle could be heard or registered, and it is likely that the child or children were located somewhere on the mountainside. The conclusion is that there are very likely to be white-tailed eagle children flying in 2022.

#### Eagle Owls (*Bubo Bubo*)

There are uncertainties regarding the status and number of eagle owls in the Haram area. There are, however, observations of birds and recordings of shouting eagle owls from the last decades. Specific breeding sites are not known. For the monitoring, recording boxes were set up in a total of three locations. The recording boxes were placed outside on March 10th and recorded for approximately four weeks, during the period that the eagle owl is at its most active. The recording boxes were programmed to record sound for two hours from sunset, as well as for two hours before sunrise until sunrise. This is within the time period that the eagle owl most frequently makes noise. No recordings were made of eagle owls at the recording sites, and it is thus very unlikely that the eagle owls had nesting areas at any of these locations in 2022.

#### European shag (*Phalacrocorax aristotelis*)

In total, there were several observations of *Phalacrocorax aristotelis* from a total of nineteen observation points. There were likely approximately 60 pairs of birds nesting in total during the observation period. In comparison, the number of nesting pairs in 2011 was estimated to be between 55 and 75.

### Results: search with dogs for birds deceased from collision

In accordance with the monitoring program, searches were carried out at a total of eight wind turbines, and the searches were carried out in the period between March 15th and October 15th. The search was carried out in a radius of 100 meters around each turbine, with the exception of one of the turbines, where no search was carried out on the west side due to steep terrain that was not justifiable with regard to safety. The results are presented in Figure 1 below.

A total of 65 bird carcasses were found in the period between March 12 and October 19, 2022. Seventeen different species were found (18, including A1—unknown), and most of the observations were found around turbine 6 (41.5% of the finds). 48 of the observations were recorded within a distance of 0–40 meters from the wind turbines. This indicates that a large proportion of the reported bird carcasses were found near the wind turbines, which may indicate that they may have been injured or killed due to a collision with the turbines. The search crews reported that 96% of the finds were either possible or probable collision victims from the turbines. Considering that the majority of the finds were made within 0–40 meters and the assessments from the crews, it is highly likely that these finds are collision victims in connection with the wind power plant.

In addition, one ruff (*Calidris pugnax*) was found on the internal road up to turbine 4 on September 24th, between turbines 5 and 8, as well as one European golden plover (*Pluvialis apricaria*) on September 18th, near turbine 7, and one American kestrel (*Falco sparverius*) on October 19th, near turbine 8. These findings have been removed from the data set because they were not observed in the search radius of the turbines. Additionally, a white-tailed eagle (*Haliaeetus albicilla*) was reported to have been found by private individuals. The observation is, however, not included in the report because it has not been verified or found during the searches with dogs.

**Figure 1**

Species	Wind Turbine 1	Wind Turbine 2	Wind Turbine 3	Wind Turbine 4	Wind Turbine 5	Wind Turbine 6	Wind Turbine 7	Wind Turbine 8	Total
A1 - unknown	1	1	0	1	3	12	1	1	20
<i>Linaria flavirostris</i>	0	0	1	0	3	3	0	1	8
<i>Acanthis cabaret</i>	0	1	0	0	0	0	0	0	1
<i>Falco columbarius</i>	0	0	0	0	0	2	0	0	2
<i>Gallinago gallinago</i>	3	4	0	0	0	0	0	0	7
<i>Larus canus</i>	0	0	0	0	0	1	0	0	1
<i>Larus argentatus</i>	0	0	0	0	0	0	1	1	2
<i>Pluvialis apricaria</i>	0	0	0	0	2	4	0	0	6
<i>Anthus pratensis</i>	0	1	2	0	0	0	1	1	5
<i>Parus major</i>	0	0	1	0	0	0	0	0	1
<i>Lyrurus tetrix</i>	0	0	0	0	0	1	0	0	1
<i>Turdus iliacus</i>	0	0	1	0	0	0	0	0	1
<i>Alauda arvensis</i>	0	1	0	0	0	2	1	0	4
<i>Oenanthe oenanthe</i>	0	1	0	0	0	0	0	0	1
<i>Turdus merula</i>	0	0	0	0	2	0	0	0	2
<i>Linaria cannabina</i>	0	0	0	0	0	1	0	0	1
<i>Certhia familiaris</i>	0	0	0	0	0	1	0	0	1
<i>Anthus trivialis</i>	0	0	0	0	1	0	0	0	1
Total	4	9	5	1	11	27	4	4	65
Percentage of total	6,2	13,8	7,7	1,5	16,9	41,5	6,2	6,2	100

Monitoring of migratory birds

Investigations of migrating birds were carried out using sound recorders (Acoustic Song Meter SM4) during the spring migration (15 March to 31 May) and during the autumn migration (15 August to 15 October). Two permanent listening stations were established. The surveys span three seasons, from 2022 to 2024, and this data will be presented in the final report.

Yours sincerely

Torbjørn Lange  
Deputy Director General

Tia Sophie Jacobsen  
Higher Executive Officer

*This document is signed electronically and has therefore no handwritten signature*

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Miljødirektoratet