

From: Anna Josefsson
To: Fiona Marshall
Cc: [email addresses redacted]
Date: 17/03/2015 10:38
Subject: Communication ACCC/C/2013/81

Dear Fiona,

Contacting you and the committee to inform you both that the Land and Environmental Court of appeal delivered its final judgment in case P-5593-14 and P 5504-14 last week (9 March 2015).

Proceedings before national courts in this two cases referred to by the complainant Mr Bernt Stümer in communication ACCC/C/2013/81 are hence no longer ongoing.

In the above mentioned cases the court found that a building permit for construction of two windmills on Näs 1:4 and Knutsberg 1:2 in the municipality of Strängnäs could in this case not be obtained. This since it would conflict with the protection of the Sea Eagle and the Osprey. Two protected species that - according to the information provided by the applicant regarding the potential environmental impact of the construction - use the area for foraging. In addition to the potential impact on areas used for foraging the court found that the area provides a good environment for future nesting areas for the two species and that the 2-3 kilometer buffer zone, recommended by Swedish Environmental Protection Agency, between windmills and such areas could not be upheld in this case.

Mr Bernt Stümer was in the above mentioned cases acting as legal representative for Mr Johan Andersson. The court ruled in favor of Mr Johan Andersson, who had argued that the presence of Sea Eagle in the area and the potential impact on the preservation of the eagle in the area were factors of such importance that a building permit should not be able to be obtained.

Kind regards

Anna Josefsson