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Dominique Guihal
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Re: IMPACT OF NATURA 2000 SITES ON THE
ENVIRONMENTAL LICENSING

ANSEWERS TO THE QUESTIONNAIRE

A. Natura 2000 sites

1. Country or area
REPUBLIC OF CYPRUS
2. Number and area of sites
SCI/SAC (25)
 1. CY 2000002: ALYKOS POTAMOS – AGIOS SOZOMENOS
 2. CY 2000003: PERIOCHI MITSEROU
 3. CY 2000004: DASOS MACHAIRA
 4. CY2000005: MADARI – PAPOUTSA
 5. CY2000007: PERIOCHI PLATY
 6. CY3000005: KAVO GREKO

7. CY3000006:THALASSIA PERIOCHI NISIA
8. CY4000001: POLIS –GIALIA
9. CY4000002:CHA- POTAMI
10. CY4000004:VOUNI PANGIAS
11. CY4000005:EPISKOPI MOROU NEROU
12. CY4000006: THALASSIA PERIOCHI MOULIA
13. CY4000007: XEROS POTAMOS
14. CY4000008:MAVROKOLYMPOS
15. CY4000009: PERIOCHI SKOULLI
16. CY 40000011: PERIOCHI AGIATIS
17. CY40000012: PERIOCHI STAVROS TIS PSOKAS- KARKAVAS
18. CY5000001: DASOS LEMESOU
19. CY5000004:ETHNIKO DASIKO PARKO TROODOUS
20. CY5000006: KOILADA LIMNATI
21. CY6000002: ALYKES LARNAKAS
22. CY6000003: PERIOCHI LIMPION –AGIAS ANNAS
23. CY6000004: DASOS STAVROVOUNIOU
24. CY6000005: PERIOCHI LEFKARON
25. CY6000006: ETHNIKO DASIKO PARKO RIZOELIAS

(Was send to the European Committee for approval)

SPA (7)

1. CY 2000006- DASOS PAFOU
2. CY 4000004 – VOUNI TIS PANAYIAS

3. CY 4000007- XEROS POTAMOS

4. CY 4000011 – FAROS KATO PAFOS

5. CY 5000004 – ETHNIKO DASIKO PARKO TROODOUS

6. CY 5000005 – AKROTHRIO ASPRO – PETRA TOY ROMIOU

7. CY 6000002 – ALIKES LARNAKA

(Published on the Official Cassette No. 4057 at 9th Dec.2005. Was sent to the European Committee at 9th March 2006. Effort is being continued and looked into account to be submitted to the European Committee for the following areas: LIMNI OROCLINIS, LIMINI PARALIMNI, FRAGMA ACHNAS, PARALIAKI PERIOCHI AGIAS THEKLAS).

3. Which authority drafted the national Natura 2000 site list?

Answer: Ministry of Agriculture, Natural Resources and Environment (Section – Environment Service, Scientific Committee which was established under the Law 153(1)/2003).

4. How were the sites chosen?

Was there a screening of possible sites and field surveys of competing site candidates? **Answer:** Yes, - Were existing conservation areas designated as sites? **Answer:** Yes, - Which authorities participated in the screening process? **Answer:** The above Scientific Committee with the cooperation of many other government departments like the Land Registry Office, The Forest department, Agriculture department, Natural Resources, the Minister of Interior and the Mineral department, - Did NGOs have a say? **Answer:** Yes. - Was there a public debate on the criteria for choosing sites? **Answer:** Yes, (Cyprus signed and ratified by the Law

119(1)/04 the direction of the Public access to the environment themes EEL 141 dated 14.02.2003 p. 26), - Did (or does) the public have access to the biological data, on the basis of which decisions were made?

Answer: Yes has published on the Official Cassette and Dailies Newspapers.

5. Which authority decided which sites were to be included in the Natura 2000 network? **Answer:** Ministry Of Agriculture, Natural Resources and Environment (Section- Environment Service – The Scientific Committee which was established under the Law 153(1)/2003).

6. Appeals against the Natura 2000 national network decision. **Answer:** There has been various oppositions.

Which authority decided on the appeals, which parties had legal standing and on what grounds could appeals be lodged? **Answer:** The Scientific Committee decided on the appeals, after a dialogue with the local societies.

7. Number and success of appeals. **Answer:** There was a dialogue between the Scientific Committee, the concerned persons and organizations etc the cities and villages authorities and non governmental organizations, which had the above result.

B. Conservational status of Natura 2000 sites

8. Status of Natura 2000 sites

Do Natura 2000 sites also have the status of nature reserves, national parks or other nature protection areas? **Answer:** Yes

9. Protection of Natura 2000 sites

How has Article 6 of the Habitats Directive been transposed into national law in your country? By special national law implementing the Directive, by other national law, etc. **Answer:** Yes, by Law 153(1)/2003

How is the protection of Natura 2000 sites ensured? Are there site-specific management plans or other rules of conduct regulating activities within the sites? **Answer:** Process to prepare management plans was prepared under the program LIFE for four areas: KAVO GRECO, ETHNIKO DASIKO PARKO TROODOUS, DIARIZOS POTAMOS, VOUNI TIS PANAYIAS.

Activities for five areas: To the above areas ALIKES LARNACAS are included.

Transitional Facilitation

PHASE A'

Management plans preparation for eight areas (2006-2007): MADARI – PAPOUTSA, POLIS- YIALIA, LIMNATIS, SKOULLI, ALYKOS POTAMOS – AYIOS SOZOMENOS, LIMPIA –AYIA ANNA, MITSERO, MAMMARI – DENIA

PHASE B'

Management plans preparation for other seven areas (2007- 2008): HA POTAMI, EPISKOPI MOROU NEROU, XEROS POTAMOS,

MAVROKOLIMPOS, PERIOHI ASGATAS, AKROTIRIO ASPRO – PETRA
TOU ROMIOU, PERIOHI LEVKARON

10. Coverage of implementation

Do national acts, plans and other rules implement the Habitats Directive fully? **Answer:** No - Are there types of enterprises, impacts on nature or licensing procedures where the requirements of the Directive are not altogether taken into account? **Answer:** Yes

11. Assessment of impacts

- Which authority decides on whether an assessment is to be made or not? **Answer:** Environment Service
- If harmful effects on a Natura 2000 site are probable, which party is responsible for assessing the impacts: Applicant, Environmental authority, Licensing authority, etc? **Answer:** Environment Service
- How is the appropriateness of the assessment ascertained? **Answer:** **Answer:** Technical Committee
- If the applicant is required to assess impacts, does he/she have access to the data that prompted the inclusion of the area into a Natura 2000 site? **Answer:** Yes
- How is assessment of impacts caused by projects or plans in combination with other projects or plans safeguarded? **Answer:** Studies are being prepared by the Scientific Committee

C. Case examples of how possible impacts on Natura 2000 areas is taken into account in the licensing procedure

12. Examples of licensing decisions regarding projects outside or inside Natura 2000 sites, where

- Assessment of impacts was not deemed necessary
- Impacts were assessed but not deemed adversely affect the integrity of the site concerned
- Impacts were assessed and deemed significant

13. Relevance of Community decisions

- What kind of influence has the judicature of the ECJ had on national decisions (e.g. the precautionary principle)
- Relevance of the Commission guidelines on Managing Natura 2000 sites?

14. Examples of licensing decisions concerning exemptions from protection (Article 6 para 4)

- Which authority decides on exemptions and which authority on appeals?
- Have exemptions been applied for and have they been granted?
- Grounds for refuting and allowing an exemption (alternative solutions, imperative reasons of overriding public interest, opinions of the Commission)
- In case an exemption has been granted, how has the incurred loss to protected values of nature been recompensated? How has the Commission reacted? **Answer:** No such circumstances.

(Concerning the matters in questions 12 & 13, more information is necessary).

Yours sincerely,

Christos G. Philippou