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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

37<sup>th</sup> meeting  
Strasbourg, 5-8 December 2017

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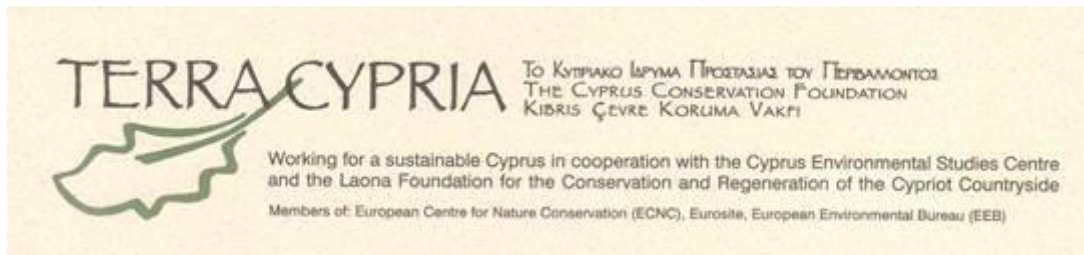
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**Akamas Peninsula  
(Cyprus)**

**- REPORT BY THE NGO -**

*Document prepared by  
Terra Cypria, Cyprus*

- OCTOBER 2017 -



## ***REPORT ON AKAMAS AND LIMNI***

### **FOLLOW-UP REPORT TO THE 37<sup>TH</sup> MEETING OF THE STANDING COMMITTEE OF THE CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE AND NATURAL HABITATS.**

By Terra Cypria, The Cyprus Conservation Foundation

Supported by BirdLife Cyprus, Cyprus Federation of Ecological and Environmental Organisations, Cyprus Wildlife Society, Ecological Movement of Cyprus, Enalia Physis Environmental Research Centre, Friends of Akamas, Friends of the Earth (Cyprus) and the Initiative for the Protection of the Natural Coastline.

#### **Conservation of the Akamas and Limni areas in Western Cyprus: Threats posed to wildlife by development near or within these areas.**

**This report is presented as a support to the new Recommendation adopted by the Bern Standing Committee in 2016, as well as a response to a letter sent by the Republic of Cyprus on 21.7.2017; it provides information on recent developments in the area and is intended as a statement of what actions we demand.**

#### **A. INTRODUCTION & CASE SUMMARY**

This case covers the lack of protection for the Mediterranean Sea turtles (*Caretta caretta* and *Chelonia mydas*) that nest on the shores of both Akamas and Limni in north-western Cyprus, as well as other habitats and rare biodiversity of Akamas. Both areas have been designated as Sites of Community Interest within the Natura 2000 Network (CY4000010 CHERSONISOS AKAMA and CY4000001 POLIS-GIALIA respectively). Akamas has also been designated a Special Protection Area (CY4000023 ZONI EIDIKIS PROSTASIAS CHERSONISOS AKAMA), due to its importance for birds.

Several management plans **that have no force of law** have been drafted, but not implemented. The 21.7.2017 report from the Environment Department to the Convention Secretariat refers to progress made, but the fact remains that **no effective protection measures are yet in place**. A new management plan, under preparation for the recently designated National Forest Park, covers only the forest and state-owned land of Akamas which corresponds to 75% of the Natura 2000 areas (SCI CY4000010 and SPA CY4000023).

In addition, the area of Akamas is fragmented into two separate Town Planning Schemes, since two Town Planning Local Plans are under preparation (one covering 90% of the area and the other covering 10%), as we explain in Appendix C.

You will note in Appendix C, that the Government is not willing to adopt some of the provisions in the new Recommendation. More specifically, the government is not willing to declare the whole of Akamas Peninsula as a national park, a biosphere reserve, or any other reserve with comparable international status (Point 1 of the Recommendation). Also, it is not willing to establish an entity for

integrated management of the area and neighbouring communities (Point 3 of the Recommendation). Moreover, the Government refuses to accept point 11 of the Recommendation which asks for an approximately 500-meter buffer zone, free of buildings, between the proposed golf development and sea turtle nesting beach at Polis Gialia Natura 2000 area (code CY 4000001).

The government report suggests that solutions to the current problems will be established under future management adjustments. For example, the reports states that the problem with illegal restaurants (recommendation point 9) will be solved under the new management regime. Also, regarding point 2 of the recommendation, the government states that the new Local Plan will manage to ensure harmonious coexistence between nature and communities. We believe that **what is needed first is enforcement of existing legislation**. The attempt to find solutions through new studies and management plans simply maintains an illegal situation and embroils all stakeholders in a continuous vicious cycle.

Contrary to what is stated in the government report, today there is no adequate management and/or protection of the areas of Akamas and Polis-Gialia. There is no mechanism and/or relevant body ensuring integrated management and protection of the area. As a result, several illegal activities took place in the area this summer, and the government did not manage to enforce the law; it was unable to stop illegal actions immediately upon notification and did not prosecute those who conducted them. Details about the illegal activities that took place are listed in Appendix C. Some examples include beach excavation during the organization of a wedding at a sea turtle nesting beach, the destruction of sea turtle nests by quad bikes, the massive use of beach umbrellas, the presence of dogs on turtle nesting beaches, the driving and parking of cars on the sand dunes and ongoing, uncontrolled jeep safaris.

## **B. ADDITIONAL FACTS**

### **B.1 Limni Area Natura 2000 site CY4000001 PERIOCHI POLIS-GIALIA**

In the Polis-Gialia area, a development project aims to create two golf courses (18 holes each) together with extensive housing (792 villas). Although the original appropriate assessment decision ruled that an area of 475m from the shore remain free of housing and other buildings, this was later reduced to 280m and eventually scrapped altogether. The buffer zone is now as per the originally proposed development, varying between 150 to 200 meters.

In April 2015, the Republic of Cyprus received a “reasoned opinion letter” from the EU Commission because, without carrying out a proper assessment of the impacts, it had authorized two golf courses and major residential infrastructure, within and adjacent to the Natura 2000 area established to protect the nesting ground of the *Caretta caretta*. The Government was asked to produce a new Appropriate Assessment and EIA study. Despite strong evidence secured from parallel experience in Florida USA, and presented to the Government by Terra Cypria regarding the unavoidable damage to turtle nesting, the Government allowed the golf courses to proceed, along with their outlying villas.

In between the first and the second EIA, the developer made no amendments in the design of his project to protect the turtle nesting area, but instead introduced a hotel structure of 160 rooms in addition to the villas already on the plans. This proposed hotel has been allowed to proceed together with everything else, apart from three rows of bungalows attached to the hotel which have been refused a permit. So now there is more construction proposed on the shore than before!

A large part of the developer’s arguments were based on very doubtful and difficult to implement mitigation measures, such as the proposal to police the shore to control numbers of tourists using the beach (unlikely) and to demand light screening by future villa purchasers (very unlikely and possibly unconstitutional if enforced). It is worth mentioning that, of the 28 lighting conditions imposed by the Environment Department, 17 are based solely or partly on residents’ compliance within their private properties.

It is our contention that acting against the evidence placed before it, the Government of Cyprus has allowed the golf project at Limni to go ahead without sufficient mitigation measures, and without respect for the precautionary principle regarding its siting. There was also no proper assessment of the cumulative effects that a project bringing hundreds of sun-seeking tourists or home-owners will have

on the turtle nesting grounds. It should be noted that the beach at Limni is very narrow, no more than 20-30 meters wide in some places, where humans and turtles will be competing for space. Limni (and the 3 adjacent beaches) host the largest nesting population of the *Caretta caretta* in the Republic of Cyprus (about 200 females nest there every other year so the population that depends on this area is at least 400 females). If this project is allowed to go ahead, it will not only be catastrophic for the *Caretta caretta* turtles that nest there, but it will also set a very bad precedent for other proposed developments, making it very difficult for authorities to refuse development permits on private beach land in the adjacent area and in Akamas Peninsula. This will have a negative impact on both the *Chelonia mydas* and *Caretta caretta* populations.

It is extremely important to note that last year, and before issuing the new Recommendation, the Bern Convention hired **IUCN Sea Turtle Expert Mr. Paolo Casale** as an independent expert to conduct an on-the-spot assessment of the situation (October of 2016) and give his views to the Convention. Amongst other things, he also suggested 475 meters as a no-buildings buffer zone.

Also, the EU Commission itself suggested a 475m. buffer zone in a letter of 18.1.2017. The Republic of Cyprus disregarded the recommendation and as a response the EU Commission has asked the Republic of Cyprus to provide more analytical data for the calculation of human disturbance to the nesting beaches and use a lighting model that is designed for pristine areas rather than the one used (which was for areas already developed).

## **B.2 Akamas (CY4000010 CHERSONISOS AKAMA)**

The first proposed draft Management Plan for Akamas went through a long process, including public consultation, and made provision for appropriate protection measures, but it did not receive Ministerial approval in the form required by the national legislation for nature, to make it a legal management instrument. Instead, the Ministry picked some of the proposals in the text and made them part of a new, separate proposal to the Council of Ministers for yet another set of decisions about Akamas.

The preparation of two new Local Plans may open the prospect of development in areas important for biodiversity. As we explain in Appendix C, a lot of pressure is applied from many directions to allow unsustainable developments, even within the current Natura 2000 area. Previous decisions of the Council of Ministers, aimed at prohibiting residential development within the Akamas Natura 2000 area, may well change in the new Local Plans.

Also a grazing capacity management plan has been prepared for Akamas but not yet implemented.

Last but not least, it needs to be stressed that the current Natura 2000 boundaries are insufficient and a lot of important habitat types (some priority ones) remain unprotected. As can be clearly seen in Appendix A, the Republic of Cyprus did not designate the area which was initially proposed as a Natura 2000 area. As a result, the EU Commission has an open infringement procedure against the Republic of Cyprus for insufficient designation of the Akamas Natura 2000 area.

## **C. WHAT WE REQUEST**

The Republic of Cyprus to implement the Recommendation No.191(2016) of the Standing Committee, adopted on 18 November 2016. Specifically:

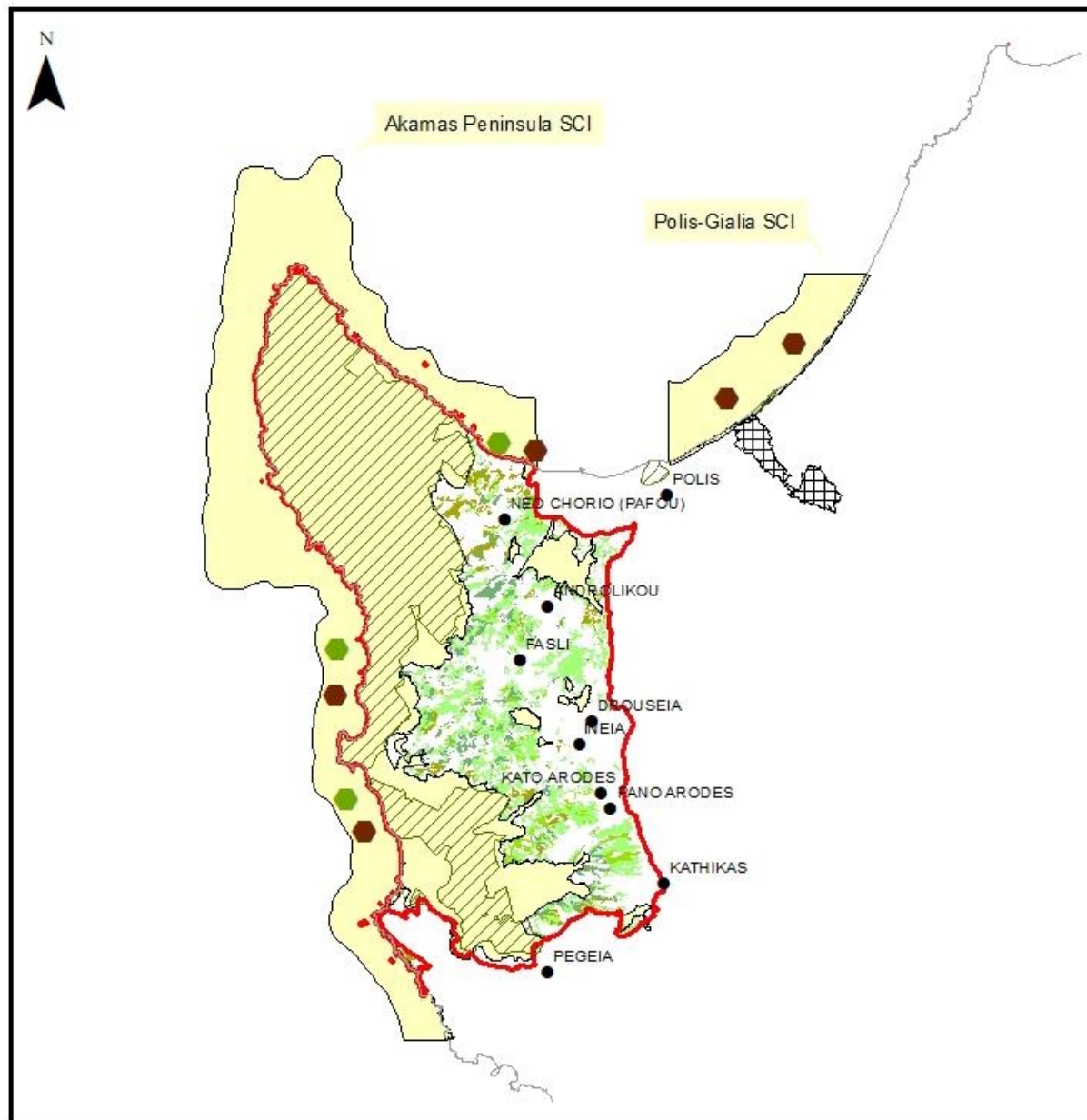
### ***For Limni:***

- To reinstate the original decision of the Environment Department providing an area of at least 475m from the shore free of all development; at the same time, to reduce the overall residential capacity of the project, since it is far beyond the long-term carrying capacity of the area's ecosystem. This precaution is essential for the protection of the turtle nesting ground and to meet future erosion of the sandy beach.
- To establish and enforce a Management Plan and Conservation Decree for the area, in accordance with the procedure advocated in the National Law; also, to allocate funding towards its implementation and the careful monitoring and patrolling of the area.

***For Akamas:***

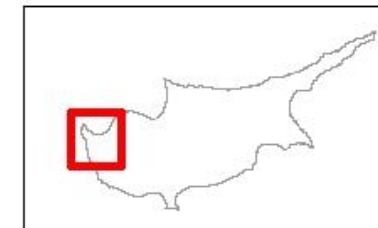
- To expand the boundaries of the Natura 2000 site in line with those proposed by LIFE project ‘Special Areas of Conservation in Cyprus’ (1998-2002). As the boundaries stand today important habitat types and species remain unprotected.
- To establish and enforce a Management Plan and Conservation Decree for the area and directly allocate funding towards its implementation and close monitoring and patrol of the area.
- To prohibit any future infrastructure for overnight and dining accommodation, outside the boundaries of the designated Development Areas of Akamas villages.

**Map of Akamas Peninsula and Polis – Gialia Natura 2000 sites**

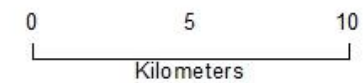


**Legend**

- Turtle Nesting Sites
  - Caretta caretta
  - Chelonia mydas
- Communities
- Limni Golf Project
- LIFE Third Countries 1998 Project
- National State Forest
- Sites of Community Importance (SCIs)
- LIFE Third Countries 1998 Project Habitats
- Habitat Code
  - Mixed habitat including 5330, 6220\* and/or 9320
  - 5330
  - 6220\*
  - 9320



This map has been created by  
The Cyprus Conservation Foundation  
Terra Cypria



## Appendix B

### Habitats and species insufficiently protected by the Cyprus Government proposal

The following **habitats** have been insufficiently covered by the current SCI, by excluding from the site boundaries large tracts of private land on which they were situated:

- 6220\* Pseudo steppes with grasses and annuals of the *Thero-brachypodietae*,
- 5330 Thermo-Mediterranean and pre-desert scrub (*Genista fasselata*),
- 5420 *Sarcopoterium spinosum* phryganas,
- 9320 *Olea* and *Ceratonia* forests and
- 62B0 Serpentinophilous grassland of Cyprus.

A significant stand of 93A0 Woodlands with *Quercus infectoria* has been totally excluded.

According to the *Biogeographical Seminar for Cyprus (2012)*, the representativity of all six habitat types is classified as “insufficiently moderate” (IN MOD). Regarding the representativity of the priority habitat type 6220\*, there is also a “scientific reserve” (IN MOD SR), whilst there is a suggestion for the “correction of data” (IN MOD CD) for the habitat type 92A0 (IN MOD CD). Lastly, there is both a “scientific reserve” and a suggestion for the “correction of data” (CD SR) for the habitat type 62B0.

The following **reptiles** are underrepresented: *Caretta caretta*<sup>1,2</sup>, *Chelonia mydas*<sup>1,2</sup>

The habitat requirements of the following **birds** are not sufficiently covered by the SPA for the Akamas Peninsula:

- *Aquila fasciata*<sup>3</sup> (the unique species of eagle that continues to nest in Cyprus)
- *Coracias garrulus*<sup>1,3</sup>
- Thirteen species of raptors passing over in large numbers during their migration
  - ('bottleneck' migration site)
- *Merops apiaster*<sup>1</sup>

The wider region of the Peninsula is very important for the birds of the island, particularly for the migratory species. A total of 197 species of birds have been recorded and Akamas provides a nesting area for 13 species from Annex I of the Birds Directive 2009/147/EC, and for 105 migratory species. The region is also a nesting ground for raptor species (*Aquila fasciata* and *Falco peregrinus*) and maintains important populations of the Roller (*Coracias garrulus*) and the endemic *Sylvia melanothorax*. In 2012 BirdLife Cyprus defined 34 Important Bird Areas (IBA) following the criteria and the well-recognised methodology of BirdLife International.

Although IBAs have been recognized by the European Court of Justice as a scientifically sound basis for the determination of SPA boundaries, this has not been followed in the case of Akamas.

1: Strictly protected fauna species in Appendix II of the Bern

2: Protected under Annex II of the Habitat Directive 92/43/EEC

3: Protected under Annex I of the Birds Directive 2009/147/EC

No.	Bern Convention Recommendation	Terra Cypria comments, on the Recommendation and the Government's response to it
1	<p><i>Declare the whole of the Akamas peninsula a national park, a biosphere reserve or a protected area with comparable international protected status, including in the protected area the Natura 2000 area "Periochi Polis-Gialia" (CY 4000001), aiming to facilitate a coordinated management of sea-turtle nesting beaches in NW Cyprus, and to ensure that the Akamas Peninsula, as a whole, including a terrestrial and a marine part, be managed in a sustainable, integrated way</i></p>	<p>Regarding the recommendation for the whole of the Akamas peninsula to be designated as protected area or to gain international protection status (as was also proposed by the 1995 World Bank study), there are currently no such plans from the Government. Additionally, as we understand, there is no intention by the government to establish any additional protection at the "Periochi Polis-Gialia" Natura 2000 site.</p> <p>The designation of the state forest area of the Akamas Peninsula as a National Forest Park (based on national legislation) cannot be compared and/or confused with the status requested by point 1 of the new recommendation (based on international standards), because a) it is a much smaller geographical area, than the area recommended by Bern Convention, b) it is based on local, rather than international standards and c) the whole peninsula is not managed in an integrated way. The recommendation clearly asks for a designation of the <b>entire</b> Akamas Peninsula, based on <b>internationally</b> comparable standards and an equivalent protection status, and managed in a sustainable <b>integrated</b> way. The designation to Forest National Park in no way complies with the standards requested by the recommendation. Moreover, the protection measures for the designated National Forest Park area remain undetermined, as they are still under discussion in the Akamas National Forest Park Management Plan, currently being developed (due end of the year).</p> <p>Regarding the commendation for coordinated management, even though the Marine Turtle Conservation Programme unequivocally contributes to the conservation efforts for the sea-turtle nesting beaches, its capacity for coordinated management is questioned, since the programme does <b>not</b> have the jurisdiction to authorise actions or respond to illegal interventions.</p> <p>Despite what the government states in its report, the management of the Akamas Peninsula and Polis Gialia is far from coordinated, as was clearly demonstrated in the summer of 2017, when there was an outbreak of illegalities including unpermitted expansion of tourist establishments and deliberate incursions on the turtle nesting beaches with quad bikes and a digger (Limni beach and Anassa Hotel beach respectively). Fragmentation of responsibilities between authorities, resulted in little coordinated action (proactive or reactive), during all above examples of illegalities. Currently there are no mechanisms in place, to deal with issues like permitting, supervision of permitted work, early response and intervention, accountability, and imposing penalties and/or fines.</p>
2	<p><i>Achieve the objective above by protecting adequately the area without undermining the existing good conservation status of the habitats and</i></p>	<p>Even though the government stated that one Local Plan is under preparation for the whole of the peninsula this is not the case, as there are actually two Local Development Plans under way by the Town Planning and Housing Department. One includes eight communities of the Akamas Peninsula (90% of the Natura 2000 site) and one focuses on the Pegeia Municipality (10% of the Natura 2000 site). This division fragments spatial and administrative planning, disregarding the uniformity and homogeneity of the natural environment of the Peninsula as a whole.</p>



	<p><i>species of the designated Natura 2000 area “Chersonisos Akamas” and by ensuring a harmonious coexistence with the neighbouring communities</i></p>	<p>So far, only a report detailing terms of reference for the upcoming Local Development Plan for the eight Akamas Communities has been completed and made available for public consultation (due by the end of the year).</p> <p>We are sceptical about the environmental parameters being applied in the Plan, our concerns arising from references in the report to quarries (within and adjacent to Andolikou Gorges), road network (within Akamas National Forest Park leading to protected beaches), aquaculture (within the designated Marine Protected Area) and research facilities (the last being a ‘Trojan horse’ for urban development through the government’s ‘back-door’ policy). We are also alarmed, by the well-coordinated pressure from land owners, to ensure that an amendment to isolated housing policy is included in the Plan, allowing isolated development of houses in rural areas.</p> <p>There has been no information on the terms of reference, or the timeline of delivery for the second Local Development Plan, that of Pegeia Municipality.</p> <p>Regarding the harmonious coexistence of Nature with neighbouring communities we believe that the forthcoming Local Development Plans will not be perceived as a solution to the current disputes regarding the coexistence of nature and communities. The number of Management Plans (SCI, SPA, Grazing Capacity Management Plan, Local Community Sustainable Development Management Plan) that precede these two Local Plans and the Forest Park Management Plan underway, the lack of congruence between all 7 plans and the fact that the measures arising from any of them have not yet been implemented, have created a justifiable feeling of stagnation, aggravation and irritation in the communities. As a conclusion we do not agree with the statement of the government that the completion of the Local Plans will establish the harmonious coexistence of nature and communities.</p>
<p>3</p>	<p><i>Establish an entity, with scientific staff and wardens, which would be responsible for the sustainable management of the protected area and the neighbouring communities, facilitating an effective implementation of protection measures</i></p>	<p>The government states that no such entity will be established “<i>at this point</i>”. However, it is our opinion that the Peninsula is in dire need of such an entity, since the current fragmentation of responsibilities between departments and services, has repeatedly demonstrated that management and protection efforts are not consistent and not coordinated with active protection. What exacerbated the havoc created in the summer of 2017, started with the District Administration Office authorising beach excavations for a wedding on Anassa turtle nesting beach, without the knowledge or consent of the competent authorities (Environment Department, Department of Fisheries and Marine Research, Forest Department and Game and Fauna Service); once public outcry stopped this however, there was complete lack of accountability or penalties for either the District Administration Office, the contractor, the Hotel, or the wedding planner. Other such examples, include the six illegal constructions (restaurants and snack-bars) within and/or adjacent to Lara – Toxeftra Marine Protected Area. In addition, the use of umbrellas and the presence of dogs on turtle beaches where they are prohibited, the driving and parking of cars on the sand dunes and the uncontrolled jeep safaris, support our opinion that the current arrangement does not ensure adequate enforcement of the relevant laws</p>

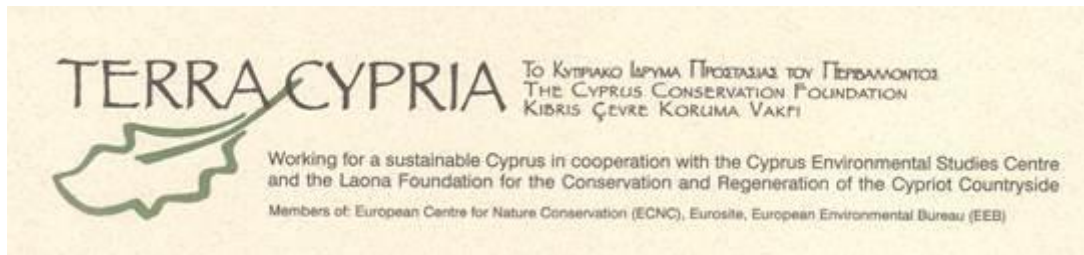
4 & 8	<p><i>4.Ensure that the protected area, through appropriate management measures, remains one of the most significant marine turtles nesting sites in Cyprus and continues to show positive trends</i></p> <p><i>8. Continue and strengthen the integrated and coordinated management of the nesting sites, through the Turtle Conservation Project which is implemented in the areas of the Republic of Cyprus under the effective control of the Government of the Republic of Cyprus, and especially in the areas of Akamas Peninsula and “Periochi Polis-Gialia”, so as to maintain positive trends</i></p>	<p>In order to ensure that appropriate management measures are taken, these need to attain legal status. Therefore, any provisions from relevant Management Plans need to be integrated into Ministerial Decrees, something that has not yet been done.</p> <p>The continuous implementation of the Marine Turtle Conservation Programme, and the positive results of its efforts starting from 25-30 years ago, are what we evidence today. Similarly, however, the effects of what is currently taking place on the ground, including lack of effective patrolling and enforcement of the law, the threat posed by the potential building of the Limni Golf course and other development impacts on the sea nesting beaches, will only be seen and understood 25-30 years down the line!</p>
5	<p><i>Maintain and, where appropriate, improve the nature protection-oriented provisions of the existing and future development plans, especially in the areas adjacent to Lara and Toxeftra beaches where building is to be avoided, so as to prevent negative impacts on nesting sites from tourist and/or housing developments;»</i></p>	<p>The current Town Planning regime is under revision by the two separate Local Development Plans under way (which are basically dividing the Akamas Peninsula into two separate planning regimes and leading to the fragmentation of biotopes of vital importance, such as the Lara – Toxeftra Marine Protected Area). We therefore remain cautious of any changes of planning zones and extension of development limits, especially in the housing and tourism sectors, as well as quarrying areas and public infrastructure / road network, given that there may be efforts to secure relaxations.</p> <p>Regarding specific plans or projects, the lack of resilience of the Appropriate Assessment process to large developments, as was proven in the case of the Limni Golf course, raises serious doubts about the process’ resilience to similar projects that may be proposed in other turtle nesting beaches like Lara and Toxeftra. At the same time, the tolerance shown by the authorities, as demonstrated by the continued existence and recent expansion of long-established illegal developments in the Lara and Toxeftra area, as well as the lack of follow up and legal consequences for illegal activities taking place on these beaches, does not substantiate the authorities’ claim that protection of the nesting beaches is a priority and under control.</p>

6	<p><i>Promptly commence the implementation of the protection measures of the newly formulated management plan through appropriate and adequate funding, as to preserve the good conservation status of the habitats and species of the Natura 2000 area, as well as to maintain the strict protection provided, so far, in the areas of Lara and Toxeftra</i></p>	<p>Although the Council of Ministers approved a set of measures, provisions from relevant Management Plans are not yet integrated in to Ministerial Decrees for these measures to gain legal status. A reported relevant budget has not been made publicly available, therefore assurances that funding has been secured to preserve the good conservation status of habitats and species should be treated with caution. Moreover, the lack of protection of habitats and species exhibited this summer, as well as the non-existence of effective patrolling, demonstrates that no funding is being provided for conservation and protection actions in Akamas, thus far.</p>
7	<p><i>Continue to manage access of people and vehicles to the beaches of Lara and Toxeftra, avoiding in particular the disturbance caused by tourism</i></p>	<p>Today the access of people and vehicles to Lara and Toxeftra beaches remains uncontrolled. People visit the beaches and set their umbrellas and sunbeds wherever they want, and quad bikes and other vehicles very often drive on the turtle nesting sand dunes without control.</p> <p>Therefore, it is clear that there is no adequate coordinated (either proactive or reactive) mechanism in place to deal with issues such as patrolling, area supervision, early response and intervention, accountability and imposing of fines or penalties and the Bern Convention recommendation for consistent and continuous monitoring of the access to the turtle nesting beaches, is by no means implementable.</p>
9	<p><i>Close down illegal restaurants in the neighborhood of the beaches of Lara and Toxeftra (including Aspros river restaurant)</i></p>	<p>The new management regime and the new local plan proposed by the government to tackle this problem has become a perpetuating pretext, given that it was also proposed as a solution in the government's 2016 report to the Bern Convention. Today, all illegal establishments are still in place and some are expanding their operations, even though <b>the closing down of illegal restaurants and bars within and adjacent to the Lara – Toxeftra Marine Protected Area was initially proposed through the Bern Convention Recommendation No.63 (1997), twenty years ago</b>. The legislation that calls for their removal is in place. However, we see no will to enforce it for two whole decades.</p>
10	<p><i>Continue to offer protection to the seagrass communities in the Akamas and Limni areas on which Chelonia mydas feeds</i></p>	<p>While acknowledging the value of the seagrass mapping carried out as a basis for further action, no monitoring or protective actions, either in the form of an updated Management Plan or an issued Conservation Decree, have been initiated as a result of the particular study.</p> <p>Regarding sea turtle foraging areas in Chrysochou Bay, no anchorage facilities exist, sea traffic is not regulated and there is no prohibition on fishing.</p>

11	<p><i>Ensure, by an appropriate assessment that the golf project will not affect the Natura 2000 site “Periochi Polis-Gialia” and especially the exceptional nesting beach of Limni; in this context, avoid housing and establish a zero-lighting zone in an area of at least 200 meters south of the boundaries of the Natura 2000 site</i></p>	<p>The refusal of the Republic to enforce the 500m buffer zone, is in complete contradiction to what the government itself agreed at the last meeting of the Standing Committee of the Bern Convention.</p> <p>Assertions that the protection of the “Periochi Polis-Gialia” Natura 2000 site is ensured are unfounded, as the Environment Department overturned its own opinion by accepting the Town Planning and Housing Department’s pressure to minimise the buffer distance from the turtle-nesting beach. The Environment Department actually admitted in writing that by doing so, it violates the precautionary principle.</p> <p>While appealing to the authority of the Department of Fisheries and Marine Research to support this (previous) opinion, it should also be stressed that the Department’s expert and formal delegate, Mr Andreas Demetropoulos, stated to the Department of Environment his opposition on a scientific basis to this development. The same applies for the opinions given by the external leading experts brought in by the Department, like Mr. Margaritoulis of the Greek NGO Archelon and various other NGOs, as well as the report prepared by Mr. Paolo Casale in his on-the-spot assessment of the situation (October 2016), which was completely ignored by the Department.</p> <p>Regarding lighting, it should firstly be stressed that the lighting study submitted by the private company LUXPOPULI, appointed by the developer, has been criticised for its shortcomings, gaps and inaccuracies in a report by the Florida-based NGO Sea Turtle Oversight Protection (STOP). Experts hired by the Department of the Environment found the STOP concerns about the lighting study shortcomings, to be scientifically valid.</p> <p>We therefore are not assured that the distances proposed by the Environment Department will ensure that the turtle nesting beach remains unaffected by light pollution, and we suggest that the original 500 metre minimum buffer zone proposed by an array of experts on the subject, is followed to the letter.</p> <p>Finally, it should be pointed out, that regardless of the legally binding nature of the Environmental Opinion, 17 of the 28 conditions for lighting in this Opinion are based solely or partly on residents’ voluntary compliance within the private properties that they will purchase.</p>
12	<p><i>Take appropriate measures to avoid light pollution impacts on the beach from the planned road that will be connecting the golf development with the existing coastal road and protect the beaches from light pollution</i></p>	<p>We are not convinced of the effectiveness of the tree barrier proposed by the Environment Department to avoid light pollution on the beach from the planned road. Our concerns are based on the fact that this road will run vertically to the beach! A secondary question is what plant species will be used to create this barrier (something that has not yet been specified). Given in the semi-arid climate of Cyprus in such a short time which plants will grow consistently and densely enough to create a light break and exclude visual contact from direct and indirect light pollution.</p> <p>We reiterate our opinion that only a distance of a minimum of 500 metres can assure the avoidance of direct and indirect light pollution on the beach. With regard to a Ministerial Decree for the preparation of a site-specific management plan,</p>

	<p><i>in the entire coastal length of the Natura 2000 site</i></p>	<p>mentioned by the Environment Department, this has been spoken of but not published. Our past experience with such Decrees, does not inspire confidence on the matter.</p> <p>Furthermore, the Bern Convention Recommendation refers to “the entire coastal length of the Natura 2000 site”, following the On-the-spot appraisal report prepared by the IUCN Sea Turtle Expert, Mr. Paolo Casale, which states: “In addition to the intrinsic difficulty of estimating the potential impact of such a complex in terms of light pollution and human disturbance, doing this exercise for each development plan separately is <b>pointless</b>. Both light pollution and human disturbance have <b>cumulative effects</b> when acting on the same turtle nesting beach. For instance, even if an increased sky glow generated by a single project could be assumed to be low, the cumulative sky glow deriving from multiple projects in the same area would be <b>certainly much higher</b>. Regarding direct lights and human disturbance, while a single project would affect only a tract of the coast and therefore a minor part of the total nests in a nesting site, <b>multiple projects could easily affect the majority of the coast and of the nests</b>. For this reason, <b>a project potentially affecting a nesting site should only be evaluated in the context of the entire development plan of the area</b>”. Unfortunately, this was not the case either with Chrysochou Bay Local Plan (published in 2013 and approved in 2015 by the Town Planning and Housing Department) or the Appropriate Assessment Report and the Environmental Impact Assessment Authorization (published on June and August 2016 respectively, by the Environment Department).</p>
<p>13</p>	<p><i>Revisit the local development plan of the Polis Gialia so as to ensure, through an Strategic Environmental Assessment, that it will not affect the integrity of the nesting habitats of marine turtles</i></p>	<p>During the last revision of the Chyrsochou Bay Local Development Plan, the Environment Department advised that no Strategic Environmental Impact Assessment (SEA) was necessary. The next revision process will start in 2020. We are not optimistic and do not rely on this future revision to ensure the integrity of the Limni sensitive area, given that the previous such Plan has not undergone an SEA. Worse, even where an SEA has been done, it has not managed to control or mitigate impacts of dangerous developments such as the Limni golf project.</p> <p>Most importantly, even though a SEA Study is conducted in the framework of the next revision of the Chrysochou Bay Local Plan, the proposed project (including two golf courses, a 160-rooms hotel and 792 villas) <b>will be already under construction and/or operation, with significant, devastating and irreversible impacts to the nesting habitats of sea turtle within and adjacent to the Natura 2000 Polis – Gialia area, mostly due to the dramatic increase of building facilities, human pressure and light pollution.</b></p>

**- AUGUST 2017 -**



**BRIEF ACCOUNT OF CURRENT SITUATION RE AKAMAS-LIMNI  
A MORE DETAILED REPORT WILL BE SUBMITTED FOR CIRCULATION TO THE  
STANDING COMMITTEE**

Following the Casale on-the-spot investigation and your Committee's Recommendation, we understand that you are expecting a Government report on progress achieved. Our own understanding of where matters stand, which we ask you to pass on to the Bureau is as follows:

**AKAMAS**

The Government has appointed a consultancy bureau, to provide guidelines on how to plan and implement that part of the Akamas peninsula which has been declared a 'national forest park' (almost the same area as the Natura site).

The Government has directed the Town Planning Department to develop a 'Local Plan' for the Peninsula outlining amongst other things where and what kind of development can take place.

The European Commission continues to have an open infringement procedure since 2011, against the Republic of Cyprus for insufficient designation of the specific Natura 2000 area.

**LIMNI GOLF, HOTEL AND VILLA COMPLEX**

On the basis of the Casale Report, your Recommendation No 191/2016, and further NGO submissions, the European Commission presented the Cyprus Government with a number of matters which had to be implemented, including the distance of any building developments from the beach.

We are informed that the Government has recently responded to the Commission explaining why NO changes are necessary to be made to the original plan. In other words the developer has not been directed to make changes to his plans. Instead the Government is placing its faith on imposing 'conditions' which will apply after the development is in place. Most of these conditions in our view depend solely on the good will of the developer, his visitors, and future occupants of his villas and are such that they could not solve the lighting and human disturbance problem.

We had expected that this would lead to the instigation of legal measures against Cyprus by the Commission. This has not yet happened.