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# **IMPEL CAED Session**

## **Exercise 3 on Biodiversity Case Study**

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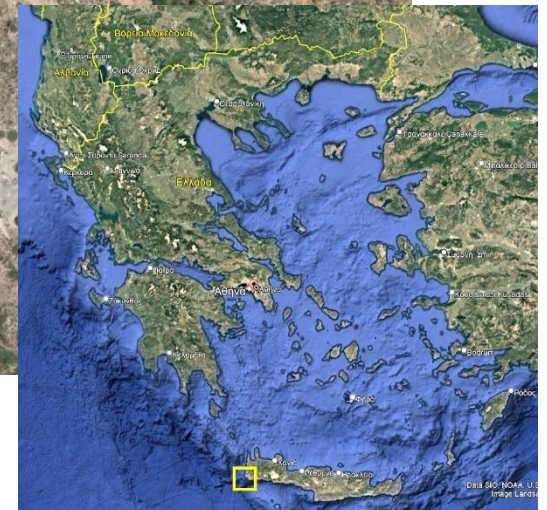
**Ministry of the Environment and Energy, Greece**

**Training Workshop on  
Environmental Liability Directive (ELD)  
Bucharest, 19-21 November 2024**



# DISCLAIMER

**The following CASE STUDY have been freely inspired by real cases, however the real cases have been modified and adapted to training purposes. Hence, the following CASE STUDY must be considered as virtual case.**



Cars are parking at the beach. Google Earth August 2019





# Request details

## Winter 2023

- Local government submitted a report referring that cars are causing habitats (sand dunes) and coastal vegetation species destruction.
- Large sections of land was removed
- Car crossing and parking occurred within a Special Area of Conservation (SAC)







### Q.1 Have you seen/detected any of the following occurrences?

Land removal

☐ 0%

Vegetation restriction

☐ 0%

Marine water quality alteration

☐ 0%

Nothing special

☐

## Q.2 There have been actual or likely adverse effects on:

Sand dunes

☐ 0%

Coastal vegetation

☐ 0%

Water quality

☐ 0%

It is obvious that so many cars will definitely affect air quality

☐ 0%

### Q.3 Is there an evidence of damage?

Yes, because the car parking is restricting vegetation

☐ 0%

I don't know yet, because we need to investigate if the vegetation is covered by Directive 92/43/EEC and if the adverse effects are significant

☐ 0%

No

☐ 0%

# Results of STEP 1 of the Screening Checklist

1. Land alteration
2. Adverse effects on sand dunes and coastal vegetation

***The answer to STEP 1 is YES***  
***Proceed to STEP 2***

# STEP 2 – ELD Exemptions

## ELD Exemptions – ELD does NOT apply to the following

- Damage caused by diffuse pollution where it is not possible to establish a causal link between damage and activity
- A natural phenomenon of exceptional and inevitable character e.g. earthquake, volcanic eruption, etc.
- An incident relating to oil pollution at sea from maritime casualties such as oil-carrying ships.
- An incident relating to damage caused during carriage of dangerous goods by road, rail and inland navigation vessels.
- Activities of national defence or international security and activities to prevent from natural disasters.
- Damage caused by nuclear risks, atomic activities and nuclear accidents.

### **Q.4 Does the case examined fall under any of the exemptions provided by ELD?**

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Yes

☐ 0%

No

☐ 0%

Don't know

☐ 0%

# **CASE SCREENING using CAED check list**

## **STEP 2 – Temporal scope** (art. 17 of ELD)

### **Does this a case fall within the scope of ELD?**

- Damage caused by an emission, event or incident which took place before 1<sup>st</sup> April 2009
- Damage caused by an emission, event or incident which takes place after the 1<sup>st</sup> April 2009, when it derives from a specific activity that took place and finished before this date
- If more than 30 years have passed since the emission, incident or event occurred

### Q.5 Does this case fall within the temporal scope of ELD?

Yes

☐ 0%

No

☐ 0%

I don't know

☐ 0%

# **STEP 2 – Liability Check**

**Is the activity listed as an Annex III (strict liability) such as**

- Requires an IED license/permit
- Requires a waste license/permit
- Discharges to waters
- Uses or transports dangerous substances like chemicals
- Relates to water abstractions
- Uses, processes, releases etc. dangerous substances or preparations, plant protection products or biocidal products
- Deliberately discharges Genetically Modified Organisms into the environment
- Transports waste
- Manages mining waste
- Involves carbon capture and storage,

**or non-Annex III?  
(fault-based liability)**

### Q.6 Have the adverse effects been caused by an Annex III activity?

Yes

☐ 0%

No

☐ 0%

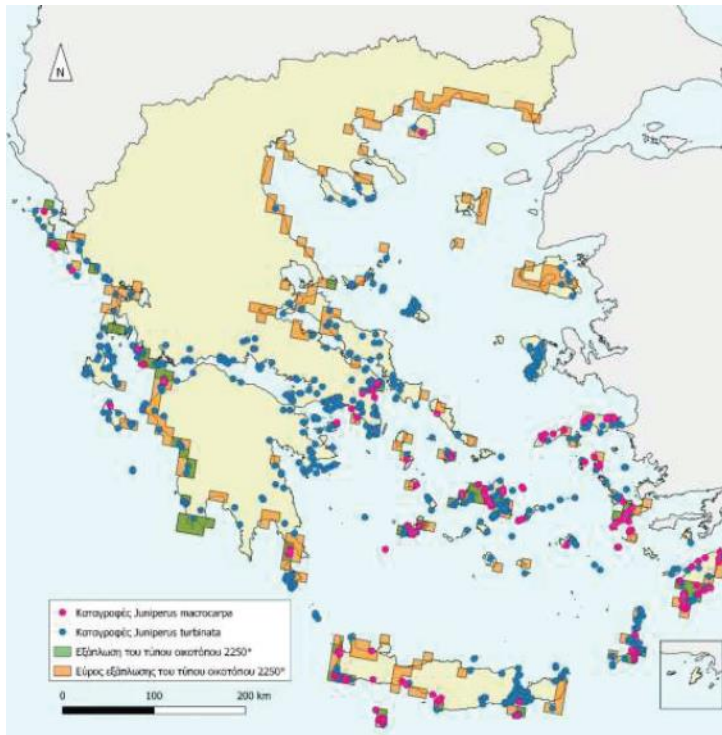
I don't know

☐ 0%

**ELD applicability check**  
**Yes it applies!**

## Part 2- Step 2 Biodiversity Screening

### What biodiversity Experts report:

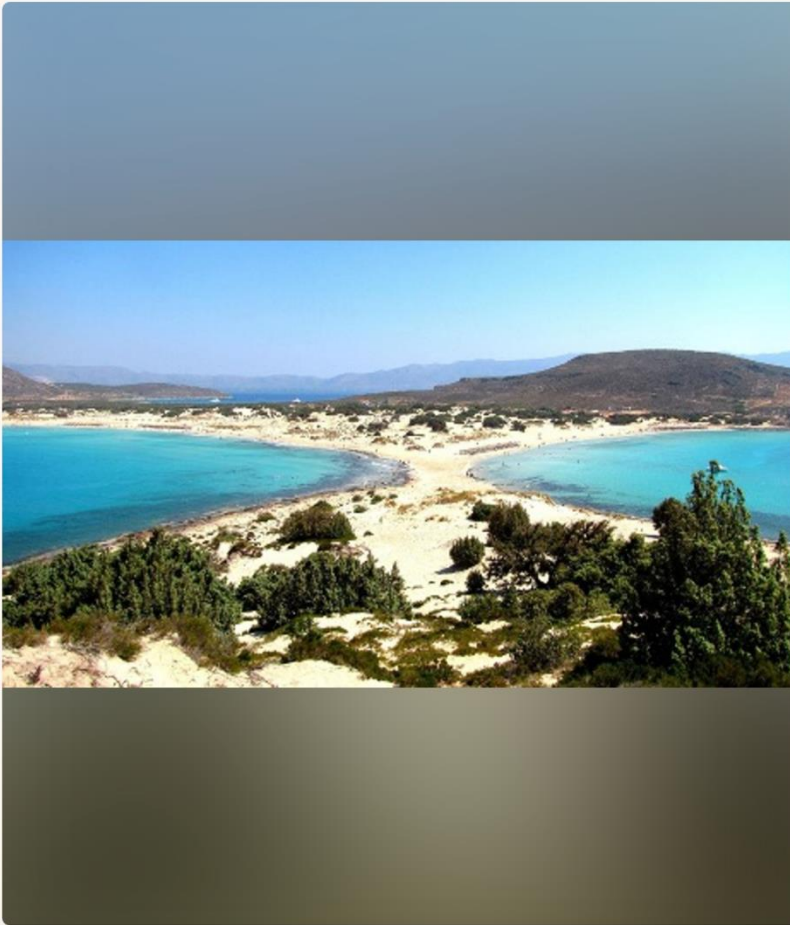


At the European Union level, the habitat type in question is found in 238 Sites of Community Importance (SCIs)/SACs of the Natura 2000 network.

In Greece, the Conservation Status (CS) of the habitat type 2250\* has been assessed at the national level as Unfavourable-Inadequate (U1), in accordance with the 4th 6-years national report (Article 17, Directive 92/43/ EEC).

**Conservation Targets for the Natura 2000 site (GR4340015) /Site of Community Importance–  
Habitats type of Annex I of Directive 92/43/EEC– Coastal dunes with *Juniperus spp.* (2250\*)**

Area	ha	26,3	Conservation	
Parameter	Unit		Target	Species
Coverage of species	%	>50%	Conservation	Species <i>Juniperus</i> spp.



## Q7. Have there been adverse effects...

On protected species

☐ 0%

On protected habitats

☐ 0%



**Q.8 Has the use of the area for car parking caused significant adverse effect on the protected species and habitat?**

Yes

☐ 0%

No

☐ 0%

I don't know

☐ 0%

## **Results of Part 2 of Step 2**

### **Biodiversity Screening**

Evidence that there have been ***significant adverse effects on the protected habitat/protected species***

The car parking has generated ***significant adverse effects on the reaching or maintaining of the favourable conservation status of the protected habitat and protected species.***



**Thank You!!!**

**Any Questions?**