



Municipality of Baunei

District of Ogliastra

Mayor's Office

Ref. 3069

Order n. 4

Issued on 29/04/2019

Tourist use of the Municipal Area

THE MAYOR:

- Having considered urgent and necessary to regulate the access to and the tourist use of the Coastal zones of the Municipality of Baunei - from Santa Maria Navarrese to Cala Luna- as well as the whole territory of municipal jurisdiction;
- Having regard to law n. 431/85 and the decrees of Education Councillor: a) n. 2997-3012 issued on 23.12.1985; b) n. TPUC/2 issued on 30.12.86; c) n. TPUC/03 issued on 23.03.1988; d) n. 2072 issued on 31.10.1989; e) n. 758 issued on 11.04.1990; Legislative Decree 24 March 2006, n. 157 ("*Codice dei beni culturali e del paesaggio*"- Cultural heritage and landscape Code);
- Having considered the law n.979 issued on 31.12.1982, "*Difesa del mare*" (Sea defence);
- Having considered the regional law n.45 issued on 22.12.1989, "*Norme per l'uso e la tutela del territorio Regionale*" ("*Rules on protection and safeguard of the regional territory*"), in the parts concerning the territory of this Municipality, and considered the management role entrusted to the Municipalities as for protected areas;

- Having considered the Municipal Council resolution n. 31 issued on 5.11.2012 about "*Adozione del piano di valorizzazione e recupero delle terre soggette ad uso civico*" ("implementation of the Plan for the valorisation and recovery of common land");
- Having considered the decree of the president of the region of Sardinia, n.132, issued on 15/10/2013, published on BURAS, Sardinia Region Official Bulletin, on 24.01.2014, about "*Approvazione del piano di valorizzazione e recupero delle terre soggette ad uso civico del Comune di Baunei*" ("Approval of the Plan for the valorisation and recovery of common land regarding the Municipality of Baunei);
- Having considered the orders of Maritime Authorities of Cagliari and Olbia, as well as the Council for Local Institutions and Finance – State Property and Heritage Service act, n. 19278 REP. N.922 , issued on 17.05.2016, "*Ordinanza Balneare*" ("Seaside regulations"), regulating bathing and the use of seashores that fall within the jurisdiction of this Municipality;
- Having considered the order concerning fire prevention issued by Sardinia Region;
- Having considered the article n. 42 of Italian Constitution regarding property and the urgency to protect the local authority ownership with effective and specific rules governing its use in full compliance with state and regional laws as well as municipal regulations;
- Having considered the Municipal Statute of Baunei;
- Having considered the law n. 689/81;
- Having considered the European Union Habitat Directives, concerning SIC (*Site of Community Importance*) and ZPS (*Special Protection Areas*);
- Having considered the Decree issued by Italian Ministry for Environment on 17.10.2007;
- Having considered the Regional directives concerning navigation and environmental protection, and the urgent matter of the management of the coastal belt and the management of Posidonia residue beached ashore as approved by Regional Executive Committee Act n. 27/7 issued on 13.05.2008;

Having acknowledged the urgency to

- intervene in full compliance with the Plan for the valorisation and recovery of common land implementing what is established in the Plan for Coastal Management and in the course of the Plan for the management of SIC and SPAs;
- adopt measures in order to protect public sanitation and health, public safety and security;
- regulate the access to and the tourist use of the Coastal zones of the Municipality of Baunei - from Santa Maria Navarrese to Cala Luna- as well as all public property included in the municipality jurisdiction;

Having considered that

- Pursuant to and in accordance with Regional Law 12/94 the Municipality of Baunei is required to guarantee the break-even point for the management of common land to those who hold common land rights;
- The high costs for the management of the common land are due to its use not only by those who hold common land rights but also by people transiting in the vast public territory, i.e. excursionists and non-resident tourists;
- It is not possible to charge the people resident in Baunei nor common land rights holders with the costs derived from the management of the common land and for services such as cleaning, maintenance and control of the public property;
- It is not possible to charge the people resident in Baunei with the entire costs deriving from the collection and disposal of solid waste, whereas all the waste collected in Baunei's territory, in the coves and in the back country is given to the contracting company;
- It is necessary to protect and monitor the area around the natural monument of *Punta di Cala Goloritzè*;
- It is necessary to guarantee the existence of adequate support services to volunteering groups in regards of excursions in the territory, and for anything connected to personal safety of individuals and of groups;

By virtue of the authority vested in me by regulations in force and in particular by Art. 50 Legislative decree 267/2000

It is hereby **ORDERED** that

Everybody must respect the following regulations within the limits of the jurisdiction of the municipality of Baunei.

1. TOURS AND EXCURSIONS

The fruition of environmental, historical and cultural resources of the Municipality of Baunei (in particular caves, stretches of sand, churches, archaeological sites, woods and forests) must follow what stated in this order.

It is forbidden to cut live vegetation and wood, to light fires, to remove stones, to leave or scatter waste, to use paint or other harmful and permanent materials on rocks.

As for multi days hikes in bivouacs with no regulations it is necessary to obtain a permit from local authorities. The permit will be issued by the Ufficio di Polizia Locale (Local Police Office), in order to guarantee safety, control and security. Only requests from hiking

guides and mountain guides will be taken into account. Permit requests must be sent to [vigiliurbani@comunedibaunei.it](mailto:vigliurbani@comunedibaunei.it) or to segreteria@comunedibaunei.it .

For security reasons, the routes should be chosen according to one's physical ability and technical experience; the support of hiking guides is recommended for the more difficult trails.

Furthermore, it is necessary to bring appropriate clothing and hiking gear according to the length and to the level of difficulty of the excursion.

With regard to the path to **Cala Goloritzè**,

- Having considered the high environmental value of the area of interest and of the whole area that gives access to the backcountry;
- Having considered that the free access to the area causes persistent problems due to non-authorized bivouacs; littering; damages to the site; small fires; the sometimes critical sanitation state of some areas; the use of vehicles in small secondary dirt roads in order to reach Cala Goloritzè more easily, thus resulting in the damage of the roads to the detriment of those who need to access the road to carry out activities linked with their common land rights;
- In accordance with “Council regulation regarding the use of Common land”, art 67, par. 5;
- In accordance with the Municipal Council resolution n. 34 of 24/07/2016;
- In accordance with this order
 - it is forbidden to access Cala Goloritzè by boat;
 - returns from Cala Goloritzè by boat are allowed only after 4.30 pm and only to those participating in complex itineraries as part of package guided tours of the Supramonte;
 - the access to “Strada Comunale Ginnirco”- used to reach Cala Goloritzè or other adjacent areas- is forbidden to all vehicles starting from *Coile Irbidòtzili*. Exception is made for those who need to access the road to carry out activities linked with their common land rights.

2. CLIMBING ROUTES

Rock climbing is allowed on bolted routes or on new ones provided that it is traditional climbing, i/e. without fixed protection. Those who wish to bolt new sports climb, with fixed protection, must beforehand inform the Municipality of Baunei sending an e-mail to segreteria@comunedibaunei.it.

3. CAVES

In order to access the caves, with the exceptions of the ones who have been granted management authorisation, and to safeguard and control the territory, it is necessary to send a specific visit request to segreteria@comunedibaunei.it

4. SHEEP FOLDS

It is forbidden to bivouac in old sheep folds (*ovili/barraccus*), i.e. inside the sheep fold or in its vicinity, with the exceptions of the ones who have been granted management authorisation.

Furthermore, it is forbidden to light fires, to remove stones, wood, leave or scatter waste inside the sheep fold or in its vicinity.

5. BIVOUACKING

It is strictly forbidden to bivouac during the day and at night in tents, campervans or motorhomes, trailers or caravans anywhere in the territory of Baunei.

As an exception, stops and bivouacs in tents, campervans or motorhomes, trailers or caravans are allowed: only in the bivouac areas listed in point 6 of this present order and when connected to the project Trekking Selvaggio Blu; in areas provided with bathrooms and washrooms and only when they have been granted management authorisation, such as *Cala Luna, Cala Sisine, Golgo (Il Rifugio, Ristorante), Su Porteddu, Pedralonga*.

6. SELVAGGIO BLU

In order to minimize human impact on the natural environment and to keep the “wild” aspect of the trek, the local council has decided to test a reservation system for the trek Selvaggio Blu. The significant increase in the number of people hiking the Selvaggio Blu Trek has led us to the decision of defining and organizing services to offer to hikers:

-cleaning bivouac areas;

-waste collection;

-handout disposable toilet kits;

-finding and organizing bivouacs along the trek for overnight stays;

Having considered the possibility of overnight bivouacking while trekking the Selvaggio Blu, and in order to safeguard and preserve the areas adjacent to the rest zones located by the town council in 1987.

Having considered the municipal council resolution n. 8 26/03/2019 concerning “ Approval of the project concerning the management of the itineraries used for the Selvaggio Blu Trek”;

Having obtained the approval on the project from the Commission on common land;

Having considered the minutes drafted by the Commission on 26/03/2019;

Having considered the Municipal Council resolution 26/03/2019;

The Selvaggio Blu Office has been created. Telephone number **3495462583**, e-mail address infopointbaunei@tiscali.it .

Art.1 Selvaggio Blu Office Tasks

- Reserve the starting days and the travelling dates;
- Reserve the bivouacs along the trek;
- Inform participants about the maximum number of people allowed per bivouacs, maximum 10 per group excluding the guide;
- Identify a member of the group as the person in charge when a hiking guide is not present;
- 40 excursionists per section per day along the trek;
- Verify who is carrying out the logistic support;
- Inform all participant about behaviour rules guidelines during Selvaggio Blu;
- issue the Selvaggio Blu voucher (prior payment of 30€ per person, excluding the guide);
- as for those going on the Selvaggio Blu autonomously, without logistic support, hand out the Voucher and the safety and behaviour guidelines to follow as for outdoor toilet etiquette.

Art.2 Logistics

The correct definition of “Logistics” is the practical, organizational and strategic arrangements that are necessary for a company in order to successfully sell and improve their produce, in this case to support a group during the Trek.

In the past years, this activity has been growing and it has been playing an important role in the field concerning this guidelines. There are different companies offering logistic support along the Selvaggio Blu, transporting supplies, water and provisions overland or at sea and organising bivouacs and backpack transport.

On the date of entry into force of this regulations, those offering logistic support along the Selvaggio Blu must inform and enlist at the Selvaggio Blu Office and follow these instructions:

- Logistic support is allowed in bivouac areas;
- Logistic support at sea can be carried out in the following areas *Portu Cuau, Portu Pedrosu, Baccu Mudaloru, Cala Sisine*;
- Arrangement of bivouacs at sea is allowed after 4.00 pm (set up) and by 9.30 am (collection);

- It is necessary to hand out to the clients disposable toilet kits, which will be disposed of as organic waste by logistic support companies;
- Bivouacs must be left clean and with no waste;
- Bivouacking is prohibited on the beach and in unauthorized areas.

Art.3 Bivouacs

Bivouacs are located in the following areas; there are 4 macro areas where bivouacking is allowed. Different bivouacs guarantee rest areas to slower or faster groups.

1st Macro-area

- *Ginnirco, loc. Comida Oes (4 micro-areas)*
- *Portu Pedrosu (2 micro-areas) Portu Cuau (2 micro-areas)*

2nd Macro-area

- *Genna 'e Mudregu (1 micro-area)*
- *Baccu Linnalbu (3 micro-areas)*

3rd Macro-area

- *Piredda - Su Tasaru (2 micro-areas)*
- *Baccu Mudaloru (2 micro-areas)*

4th Macro-area

- *Baccu su Padente (4 micro areas)*

The totality of the participants will be divided into 4 groups per each section per day and per Macro-area, with a maximum of 10 people, excluding the guide, per bivouac (micro-area).

Bivouacs in the same area will be located far one from the other in order to guarantee privacy and better accommodation.

Art.4 Costs for secretary work and services

The Club di Prodotto Supramonte will collect 30€ per person on behalf of the Municipality of Baunei. Hiking guides and participants will be given a voucher attesting the reservation.

Art.5 Signage

Information plaques will be located at the beginning and at the end of the Selvaggio Blu itinerary; in Santa Maria Navarrese in the area *Sa Cadrea*, at the beginning of the path in the area *Pedra Longa* and at the beginning of the path in the area *Cala Sisine*. No sign nor plaques shall be located along the paths of the Selvaggio Blu trek.

Art.6 Surveillance and control

Upon request the voucher shall be shown to Polizia Municipale, Corpo di Barracelli and the other authorized control bodies.

7. USE OF MOTORIZED VEHICLES IN THE TERRITORY OF BAUNEI

- It is forbidden to access paths or mule tracks with motorized vehicles in the territory of Baunei.
- It is forbidden to access the dirt road route *Olobbissi-Planu 'e Murta* with vehicles other than 4x4 and off-road vehicles. Exception is made for those who hold common land rights.
- It is forbidden to access with motor vehicles routes located in the following areas: *Piredda, Su Feilau, Irbiddossili, Genna Ramene-Golgo*; Exception is made for those who hold common land rights.
- The access to motor vehicles in the route from *Bidonie* to *Cala Luna* and from *Planu e' Murta* to *Cala Sisine* is granted only to operators working in the area and for activities connected to their job (transport of supplies and goods).
- Parking is allowed in specific service areas where management authorisation has been granted and anywhere in the territory –common land- except for the areas where parking ban information linked to this Mayor's order is posted.

8. BANS ON COVES AND ALONG THE SANDY SHORES

Along the coast and in the coves it is forbidden to cut live vegetation and wood, to light fires, to remove stones, to leave or scatter waste, to use paint or other harmful and permanent materials on rocks, to make excessive noise, to cook or grill food, to serve and/or eat food whose preparation and/or consumption causes its scattering on the sandy shores.

9. USE OF COVES' BODIES OF WATER

In compliance with the orders of Port Authorities of Cagliari and Olbia, when approaching the beaches it is necessary to use the 'launching corridors'- buoy lanes perpendicular to the coast. It is forbidden to use the aforementioned buoys for mooring.

It is forbidden to obstruct the sandy shores with boats or dinghy boats;

After having left tourists on the beach, dinghy boats and motorboats organizing cruises along the coast must drop the anchor away from bathing areas.

For sanitation and safety reasons and as by Mayor's order N. 8 issued on 21 May 2012, in *Cala Goloritzè, Cala dei Gabbiani, Cala delle Sorgenti, Ispuligedenie* and *Cala Biralala*, are allowed only a limited number of people at the same time.

10. DOG BANS ON SANDY SHORES

For sanitation and safety reasons, in the municipality of Baunei dogs are banned from beaches and bathing areas. Exception is made for the beach of San Giovanni, in Santa Maria Navarrese, north of the Spanish tower, where a designated portion of the beach is set aside for dogs

11. DONATIONS FOR ENVIRONMENTAL PROTECTION

Those transiting in the common land areas, both at sea or on land, may donate 1€ per person for environmental protection of the territory. The donation will be used for the environmental protection of the coast and of common land and for the services connected to it.

You can make the donation at the following locations:

- local police Station in Baunei and Santa Maria Navarrese;
- the Tourist Information centres in Baunei and Santa Maria Navarrese,;
- accommodation facilities or companies taking part in the Club di Prodotto Supramonte,
- accommodation facilities or companies taking part in the Club di Prodotto "Costa Baunei".

Or payment on the post office checking account no.12129086, in the name of Comune di Baunei.

Municipal Police, the Barracelli and other enforcement agencies are fully responsible for ensuring what has been ordered in this Order. Moreover, they are allowed to issue administrative fines - from 100.00€ (one hundred) to 500.00€ (five hundred).

Furthermore, pursuant to art. 1162 of Navigation Code the removal of stones, sand, gravel, pebbles or cobbles and other elements of the natural environment is forbidden, hence to the offenders can be issue an administrative fine from 1.549.00€ (one thousand five hundred forty-nine) to 9.296.00€ (nine thousand two hundred ninety-six).

In all cases, the complaint to the Judicial Authority for damages to public property will not be cancelled.

It is possible to appeal this order to The Regional Administrative Court (T.A.R.) for incompetence, abuse of power or other law infringements within 60 days of its publication on the municipal notice board (art. 3. par. 4, Law n.241 issued on 07/08/1990).

Baunei, 29 April 2019

The Mayor

Dott. Salvatore Corrias