ENVIRONMENTALLY PROTECTED AREA

QUESTIONNAIRE

1. What is your organization or government’s definition of an « Environmentally Protected Area (EPA)” or “Protected Area” (PA)? If there is one.
2. What is your organization or government’s definition of a “Marine Protected Area (MPA)”? If there is one.
3. What is your organization or government’s definition of an “Environmentally Sensitive Area (ESA)”? If there is one.
4. Please provide a list the “EPAs” defined in your country?
5. Please provide a list the “MPAs” defined in your country?
6. Please provide a list the “ESAs” defined in your country?
7. Considering AtoN, is there any difference between EPAs and MPAs (At sea / shore side)? Are MPAs included in EPAs?
8. Does your organization have a procedure for creation, modification or deletion of AtoN? Could you describe these procedures in a few words?
9. Is there one or more organizations, or part of your government which manage EPA/MPA/SPA? Which one(s)?
10. Does your organization follow good practices for the maintenance of AtoN in EPA/MPA/SPA?
11. Does your organization follow good practices for the removal of AtoN in EPA/MPA/SPA?
12. Does your organization follow good practices for the creation of AtoN in EPA/MPA/SPA?
13. Do you know about International or supranational regulations for EPA/MPA/SPA? Which ones?
14. In the paragraph 1.13.3 of the draft guideline, is it essential to mention the cost and benefit analysis?
15. Does your country’s charts include EPA/MPA/SPA information? (Maritime, terrestrial, electronic).

**The attached document is a draft of the outline of the proposed guideline, the authors would appreciate your comments, feedback and suggestions. In particular any topics that have missed or those you feel need to be expanded.**

Modifications are in red color.

Guideline on the Management of AtoN in environmentally Protected Areas

# Document Structure

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## Introduction

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### Application: (what this Document applies to)

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Shore

Floating

Fixed

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## Definitions / Acronyms / Acronyms

### (Environmentally) Protected Area

**No proposed definition**

***FOR INFORMATION***

*PROTECTED AREA*

***IUCN definition***

*A clearly defined geographical space, recognized, dedicated and managed, through legal or other means to promote long-term conservation of nature and ecosystem services.*

### Environmentally Sensitive Area

### Marine Protected Area

**No proposed definition**

***FOR INFORMATION***

***IUCN definition***

*Any area of the intertidal or subtidal terrain, together with its overlying water and associated flora, fauna, historical and cultural features, which has been reserved by law or other effective means to protect part or all of the enclosed environment.*

***United States Executive Order 13158 in May 2000***

*Any area of the marine environment that has been reserved by federal, state, tribal, territorial, or local laws or regulations to provide lasting protection for part or all of the natural and cultural resources therein.*

[***Convention on Biological Diversity***](https://en.wikipedia.org/wiki/Convention_on_Biological_Diversity) ***(Rio) marine and coastal protected area MCPA***

*Any defined area within or adjacent to the marine environment, together with its overlying water and associated flora, fauna, historical and cultural features, which has been reserved by legislation or other effective means, including custom, with the effect that its marine and/or coastal biodiversity enjoys a higher level of protection than its surroundings.*

***National Ocean Service (USA)***

*Marine protected areas (MPA) are*[*protected areas*](https://en.wikipedia.org/wiki/Protected_area)*of seas, oceans or large lakes. MPAs restrict human activity for a conservation purpose, typically to protect natural or cultural resources.*

***French Organization “Aires Marines Protégées”***

*Marine protected areas (MPAs) are at sea delimited spaces that respond to long-term conservation goals.*

### ~~Endangered Species~~

### UNESCO: United Nations Educational, Scientific and Cultural Organization

### WWF: World Wide Fund For Nature

### Pollution

Proposed definition:

a. The degradation of the environment due to human activity, directly or indirectly, by substances, waste or various nuisances (sound, light, chemical, thermal, biological, mechanical …).

b. The degradation of the environment (water, atmosphere, soil, ecosystem, landscape, …), or damage to human, plant or animal life, due to installation, operation or removal of aids to navigation, by substance, waste or various nuisances (sound, light, chemical, thermal, biological, mechanical …).

*FOR INFORMATION*

*I. Definition from the Official journal of the European communities (Directive 2000/60/CE):*

*Pollution: means the direct or indirect introduction, as a result of human activity, of substances or heat into the air, water or land which may be harmful to human health or the quality of aquatic ecosystems or terrestrial ecosystems directly depending on aquatic ecosystems, which result in damage to material property, or which impair or interfere with amenities and other legitimate uses of the environment*

*II. Definition from dictionary:*

*Pollution: The degradation of the environment by substances (natural, chemical or radioactive), waste (household and industrial) or various nuisances (sound, light, thermal, biological, ...). [Although it may have an entirely natural (volcanic eruption, for example), it is mainly due to human activities.]*

*III. Definition from OSPAR convention:*

*"Pollution" means the introduction by man, directly or indirectly, of substances or energy into the maritime area which results, or is likely to result, in hazards to human health, harm to living resources and marine ecosystems, damage to amenities or interference with other legitimate uses of the sea.*

### IUCN: International Union for Conservation of Nature

## Identifying Protected /Sensitive Areas & Issues (to help the user to understand what the guidance applies)

### Has some degree of regulatory or legal protection for example the Great Barrier Reef

### Areas where are environmentally Fragile and extra caution is required. for example a nesting area for an endangered species / area with protected ecosystem / marine sanctuary

## Regulatory issues (To suggest to the user they types of regulations which might be applicable)

### International eg UNESCO,

### Supernational for example the European Union

### National or Federal

### State & Local

### One should develop a checklist of the regulatory authorities which may apply in your jurisdiction

## Overlapping Responsibilities (To alert the user to the difficulties which may arise due to overlapping Jurisdictions or areas of responsibilities

### National

### Federal, regional, local

### Heritage for example, Lighthouses which are no longer operationally required as is but have Heritage value

## Special Considerations (To provide some examples to the user of special considerations which may apply when managing AtoN is Environmentally Protected Areas)

### Public Concerns & other interested parties for example opinions of local Fishermen, Environmental Groups, local interest groups or individuals.

### Consequences of failure of the AtoN (for example the failure of the mooring or the collapse of a structure on the protected environment)

### Exemptions for example applying for an exemption to regulations where there is a safety of life issue

### Contended areas / Border areas / International Waters

### Temporary protected areas for nesting or changed migratory patterns etc.

## Consideration of Alternatives for new and existing AtoN (to minimise environmental impact)

### Different Locations

### Different types of AtoN

### Cost / Benefit Analysis (Q. is it necessary to have this explicitly mentioned in the guidance)

### Alternate Routes, can traffic be rerouted to avoid the area and therefore avoid the need to place the AtoN

### Use Environmentally Protected Area information on Electronic Navigational Charts

## Design & initial Installation

### Risk Mitigation (Not Navigational risk)

#### Failures of the AtoN

#### Seasonal Restrictions related to access

#### Contingency planning

Degree of Redundancy necessary (to reduce the frequency/ need to visits, seasonal restrictions etc)

### Power Requirements / Autonomy

### AtoN materials for all parts of the system

### Pollution, for example Noise, Light, paint, fuels

### Access requirements in relation to the protection regime

#### Floating

#### Fixed

### Floating

#### Anchoring

#### On position radius

### Fixed

#### Shore

Land ownership (pertains to access site aboriginal , 1st Nation rights / other private ownership)

Are there restrictions on methods of construction

#### Offshore

Sensitivity of Sea Floor in relation to construction form and methods

## On-going maintenance

### Considerations of on-site or return to base maintenance

### Access for maintenance:

#### Vehicles / Boats

#### Time /Seasonal related to environmental issues

### Replace/Re-engineer

#### Consider Replacing or Re-engineering with a AtoN which has a lower environmental impact Go to Design /Installation

### Consideration of Materials used for maintenance

### Consideration of appropriate technologies(new) to reduce the maintenance / Impact

### Consideration for Bio security

### Regular review of AtoN and maintenance practices

### Preventative Maintenance considerations for example decrease mooring change period to decrease the chance of failure.

## Removal of AtoN

### Specific consideration towards the dismantling of the AtoN in a protected area (particularly in the case of older AtoN's in designated areas)

#### Consider construction process to minimize adverse effect (eg non-vibration crushing method)

#### Waste management

### Remediation

### Closeout: considerations such as disposal of the land etc as per local practices

## Annex 1

### It is recommended that the Section 6 of IALA Guideline No.1036 is removed from that document and forms the basis of an Annex in this document