

# Conservation Leasing in Puget Sound, WA

Presented at: A Private Sector Approach –  
Conservation Agreements in support of Marine Protection



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## Abstract

Puget Sound's 2,500 miles of shoreline are important to people, connecting Washington citizens to an inland sea that is at the heart of the region's cultural, social, and economic identity. Because of this vital importance, three leading conservation groups—People for Puget Sound, The Trust for Public Land, and The Nature Conservancy—launched a new partnership called the Alliance for Puget Sound Shorelines. The goals of the Alliance include creating 10 new waterfront parks, completing restoration on 100 miles of shorelines, and protecting 1,000 miles of shoreline. This case study will demonstrate how private fee acquisitions and leasing complements the other coastal and marine conservation strategies being undertaken by the Alliance. The state's Conservation Leasing Program will be highlighted as one of the only known formalized programs of its kind in the United States. [1]

[1] The Alliance for Puget Sound Shorelines: Working with partners to protect and restore Washington's remarkable inland sea. Accessed online, April 3, 2008, at: <http://www.shorelinealliance.org/index.html>

## Agreement Mechanism

**Conservation Leasing Program in Washington:** Based on statutory authority granted to WA Dept. of Natural Resources (DNR) by the state legislature. Authorizes use of state-owned aquatic lands for non-regulatory restoration, enhancement, creation or preservation

### Conservation Lease

- Continuous use of site
- Long Term Use: up to 55 Years
- Level of Exclusive Use
- Responsible for Site Protection

### Conservation License

- Non-continuous use of Site for Less than 5 years
- Continuous use for Less than 1 Year
- Non Exclusive Use
- Limited Site Protection Responsibility



Aerial view of Woodard Bay including 10 acre conservation lease site

## Project Context

**WA Dept. of Natural Resources: Proprietary manager** and steward of 2.6 million acres of state aquatic lands (68,000 acres of tidelands; 3,400 square miles of marine bedlands)

### Program Mandates

- Encouraging direct public use and access
- Fostering water-dependent uses
- Ensuring environmental protection
- Utilizing renewable resources
- Generating revenue when consistent with above mandates

### Preferences for Conservation Activities

- Connects with other conservation activities
- Restores and enhances historic habitats and functions
- Preserves naturally functioning habitat
- Creation is the least desirable of the options

### The Nature Conservancy: Washington Field Office Biodiversity Mandates

- Protection of ecologically important lands and waters
- Consistency with Ecoregional Assessments
- Habitat restoration for regional ecological targets

## Process & Issues

**Scoping** - agreement of interest from TNC and DNR; TNC secures funds for program development

**Program Development** - TNC funding (\$100,000) to develop leasing tool, policy guidance and training package for DNR staff

**Identification of Pilot Projects** - TNC proposes native oyster restoration projects and obtains funding (\$300,000)

### Conservation Lease

Who: TNC and DNR  
Where: Woodard Bay, Puget Sound, WA  
What: 10 acres subtidal  
Duration: 10 years

### Conservation License

Who: The Nature Conservancy and WA Dept. of Natural Resources  
Where: Frye Cove, Puget Sound, WA  
What: 0.5 acres intertidal  
Duration: 5 years

**Application** – Basic DNR requirements include fees, application including surveys and conservation plan and demonstrated ability to finance site management for duration

### Pre-lease surveys



**Lease Negotiation** - significant negotiation on rent and liability issues

**Implementation** – TNC initiated oyster habitat enhancement and is currently in monitoring and adaptive management phase

## Project Location



State ownership and boundaries of 10 acre conservation lease site at Woodard Bay.

Aerial view of Frye Cove including area covered by conservation license (on north side of channel) along with restoration areas on authorized through private landowner agreements (south side of channel).



## Conservation Actions

**Goal:** To restore self-sustaining populations of native oysters by providing suitable substrate (oyster cultch) for natural recruitment by remnant populations of native oysters

### Objectives:

- Identify best locations/habitat parameters for restoration
- Enhance habitat via cultch placement
- Refine methods via similar monitoring at multiple sites and adaptive management

### Actions:

**Woodard Bay** – hand placement of 150 bags oyster shell over .2 acres and 500 cubic yds. over 1+acres

**Frye Cove** - 260 cubic yds. oyster shell placed over 1 acre of intertidal habitat (public and private tidelands)



Oyster restoration: spraying shell from barge using high pressure hoses (right) and hand placement of oyster shell amongst existing oysters.

## Opportunities and Constraints

### Opportunities

- Ability to link terrestrial and marine conservation
- Complement traditional protection tools (e.g. acquisition, aquatic reserves, marine protected areas)
- Allow management and control of public lands to NGOs for properties not available for purchase
- Potential expansion of leasing to freshwater systems

### Constraints

- Limited ability to scale up due to potentially high rental costs
- Limited use for very small sites (high ratio of admin costs to biological benefit)
- High survey costs
- Liability concerns by DNR and lessees

## Conclusions

- Potential for replication and expansion with some program modifications (rent and survey costs and liability of concern)
- Need to embrace adaptive management in Conservation Plan review/approval
- Should not underestimate need for staff training and organizational buy-in
- Business partners and sub-leases may provide additional opportunities

## Acknowledgements

Washington State University, NOAA's Community Based Restoration Program, Russell Family Foundation, Puget Sound Restoration Fund, Taylor Shellfish, Dept. of Fish & Wildlife, Dept. of Ecology/Coastal Protection Fund