

Leasing and Ownership within Ocean and Coastal Waters

A Conservation Practitioner's Toolkit

Ocean and coastal waters contain a vast diversity of life that is increasingly threatened by degradation and depletion. With rapidly growing coastal populations and expanding commercial uses of the ocean, we need new strategies to conserve the oceans and coasts.



The **practitioner's toolkit for conservation leasing and ownership** was developed by The Nature Conservancy's Global Marine Team with substantial input from our partners. It is meant to help conservation organizations determine:

- What conservation leasing and ownership is.
- When leasing and ownership can help abate threats to ocean and coastal species, habitats, and ecosystems.
- How to plan and proceed with leasing and ownership projects.

Step 1: Getting Started

Questions, myths, and terms

Myth: "Everyone knows you can't buy the ocean"

Fact: Lands and resources lying within ocean and coastal waters can often be acquired in fee-title or less-than fee-title.

- States sell and lease Interests
- Federal governments lease interests
- Private owners can sell interests
- Similar to terrestrial conservation strategies



Expand All | Collapse All

- Step 1: Getting Started
- Step 2: Decision Checklist**
 - 2.1 Conservation Priorities
 - 2.2 Threats and Strategies
 - 2.3 Organization Capacity
 - 2.4 Ownership and Use
 - 2.5 Laws and Policies**
 - 2.6 Owners and Agencies
 - 2.7 Partners and Funders
- Step 3: Acquisition Checklist
- Step 4: Implementation
- Country Summaries
- U.S. State Summaries
- Resources

1. Conservation priorities and goals are place-based or affected by place-based management.
2. Threats and strategies warrant long-term exclusivity to achieve conservation goals.
3. Conservation organization is capable of acquiring lands or resources and assuming active management responsibilities.
4. Ownership and use of the lands or resources are known or knowable.
5. Laws and policies indicate that leasing or ownership of the site or resources is both possible and preferable to ensure protection and needed level of long-term exclusivity.
6. Owner, agency, and political climate are amenable to private in-water conservation projects.
7. Project partners and funders clearly understand the nature and potential consequences of strategy.

Step 3: Acquisition Checklist

Decide how to proceed



1. Initiate project.
2. Obtain title report.
3. Contact owner.
4. Complete proposal.
5. Determine terms.
6. Secure funding.
7. Develop and execute documentation.
8. Complete due diligence.
9. Apply for regulatory permits.
10. Take final actions.
11. Implement site plan.

Step 4: Implementation

Science, Habitat, Maintenance, Enforcement, Outreach

- Enforcement may involve
- Abandoned property
 - Contaminated sediments
 - Crime
 - Encroachment
 - Lands and resources targeted for conservation
 - Live-aboarders*
 - Pollution and contamination
 - Public use
 - Structures and equipment
 - Terms of the lease or sales agreement



Country and U.S. State Summaries

Includes 9 Countries and 24 U.S. States

Chile An initial assessment of options for private conservation of the oceans and coasts in Chile was completed for this toolkit by The Nature Conservancy in 2007.



- [Overview](#)
- [Managing Authorities](#)
- [Marine Pollution](#)
- [Marine Fauna and Aquaculture](#)
- [Coastal Parks, Marine Reserves, and Options for Private Conservation](#)
- [Examples of Nonprofit Marine Concessions in the Marine Environment](#)
- [Transfer Requirements](#)
- [Documentation](#)
- [Transfer Process](#)

Resources

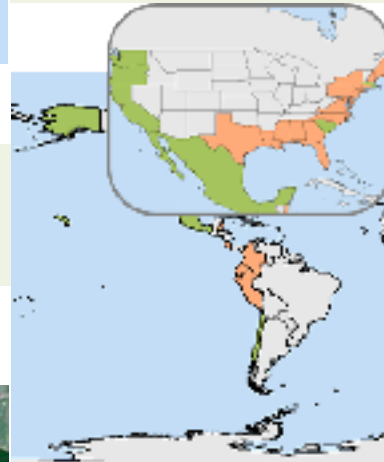
- [Assessments](#)
- [Case Studies](#)
- [Contact Information](#)
- [Funding Sources](#)
- [Maps and Data](#)
- [Publications & Presentations](#)
- [Related Tools](#)
- [Sample Documents](#)



Assessments

Legal and Spatial Data Assessment Reports

Choose an Assessment Map



- [Base Map](#)
- [Legal Assessments](#)
- [Private Leasing Existence](#)
- [Conservation Leasing Possibility](#)
- [Conservation Leasing Existence](#)
- [Private Ownership Existence](#)
- [Conservation Ownership Possibility](#)
- [Conservation Ownership Existence](#)
- [Data Assessments](#)
- [Ownership Data Availability](#)
- [Leasing Data Availability](#)

Case Studies

Documented Experiences of 15 Projects

Ownership: New York Restoration

Location

Great South Bay, Long Island, New York, USA

Description

TNC accepted ownership of 13,000 acres of subtidal bottomlands from the Bluepoints Oyster Company.



Bluepoint owned the lands in fee-title (including exclusive harvesting rights) under arrangements dating from colonial times.

Transaction Summary

Fee simple	2 deeds
Area	13,000 acres (5,260 hectares)
Resource	Bay Bottom
Dates/duration	2002 and 2004
Fee/price	\$63,000
Location	Great South Bay, south of Islip, New York
Use	Restoration of hardshell clams, seagrass, and water quality
Grantor(s)	Bluepoints Oyster Company
Grantee(s)	The Nature Conservancy

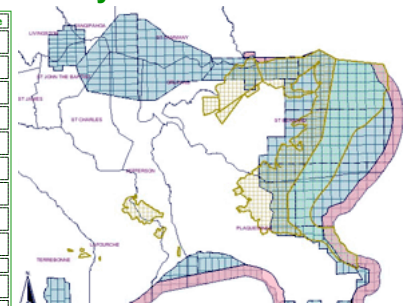
Maps and Data

U.S. State Directories of Digital Data

Louisiana Maps and Data

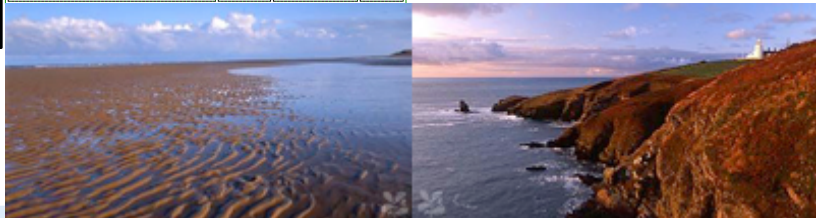
Digital Data Availability Summary

LOUISIANA	Spatial	Non-spatial	None
GIS Portals	x		
Submerged Lands	x		
Ownership			
Submerged Lands Parcels	x		
General Property and Parcel Data		x	
Public and Conservation Lands	x		
Leases and Other Use Authorizations			
Aquaculture and Shellfish	x		
Other Use Authorizations	x		
Local Parcel Information			15 coastal parishes
Deed Records		5	10
Assessment Data		7	8
Parcels	2		13



Contact Us

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