

# COASTAL CONSERVATION EASEMENTS: A NOVEL APPROACH TO PROTECTING SEA TURTLE NESTING HABITAT

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# This presentation will cover:

- Project Context
- The Definition of a Conservation Easement
- Project Benefits
- Phase I Accomplishments
- Phase II Goals
- Survey Findings
- Next Steps



# CONTEXT

- Florida contains the majority of sea turtle nesting habitat in the country
- The majority of coastal land in Florida is privately owned
- Threats to sea turtle nesting habitat:
  - Artificial lighting, beach erosion, coastal armoring, beach furniture, beach driving, predation, pollution



**This project seeks to mitigate these issues by using conservation easements to protect sea turtle nesting habitat**

# Conservation Easements

“A **voluntary** agreement between a landowner and an easement holder that restricts certain uses of the property for the purpose of conservation.”

## Variable Components:

- Method of transfer
  - Can be donated or sold
- Types of easement holders
  - Government or NGO
- Restricted rights
  - Limitless
- Duration
  - Set duration or perpetual\*





# Potential Benefits:

## HABITAT CONSERVATION

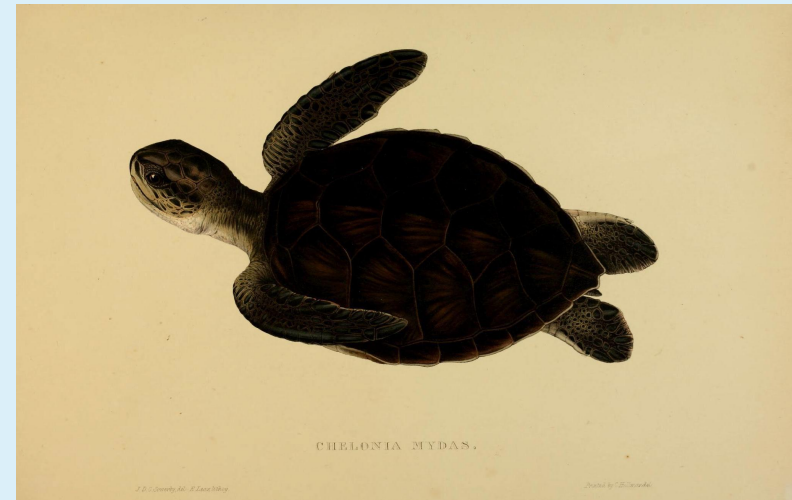
Through restricted uses on properties like:

- Subdividing
- Chemical Pesticides
- Shoreline Armoring
- Lighting
- Driving on the beach
- Bonfires/ Fireworks
- Physical obstructions
- Etc.

## PROPERTY OWNER BENEFITS

Benefits could include:

- Federal income tax deduction
- State property tax exemption

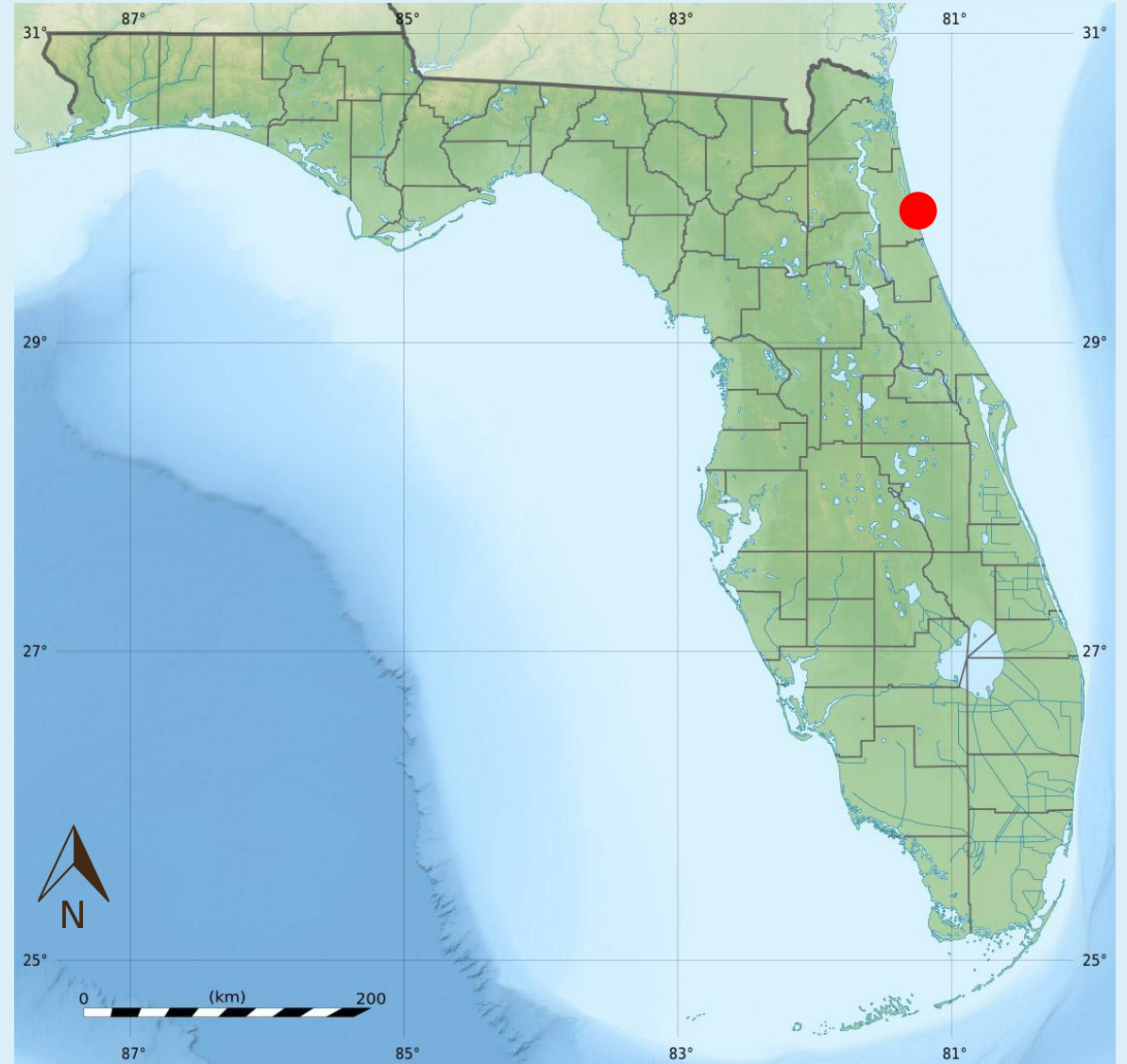


*Since a CE is specific to a property owner's needs, each CE could look a little different.*

# Project Goals Phase I

## COMPLETED

- ✓ Analyze the **biophysical and socio-economic coastal property trends** through ArcGIS and a statewide survey
- ✓ Identification and creation of the suite of **less-than-fee property interests**
- ✓ **Draft Model** Coastal Conservation Easement
- ✓ Analyze surveys to **identify appropriate circumstances** for CEs (*more on survey later*)
- ✓ **Enter into a Coastal CE to protect sea turtle nesting habitat** (as seen on right)



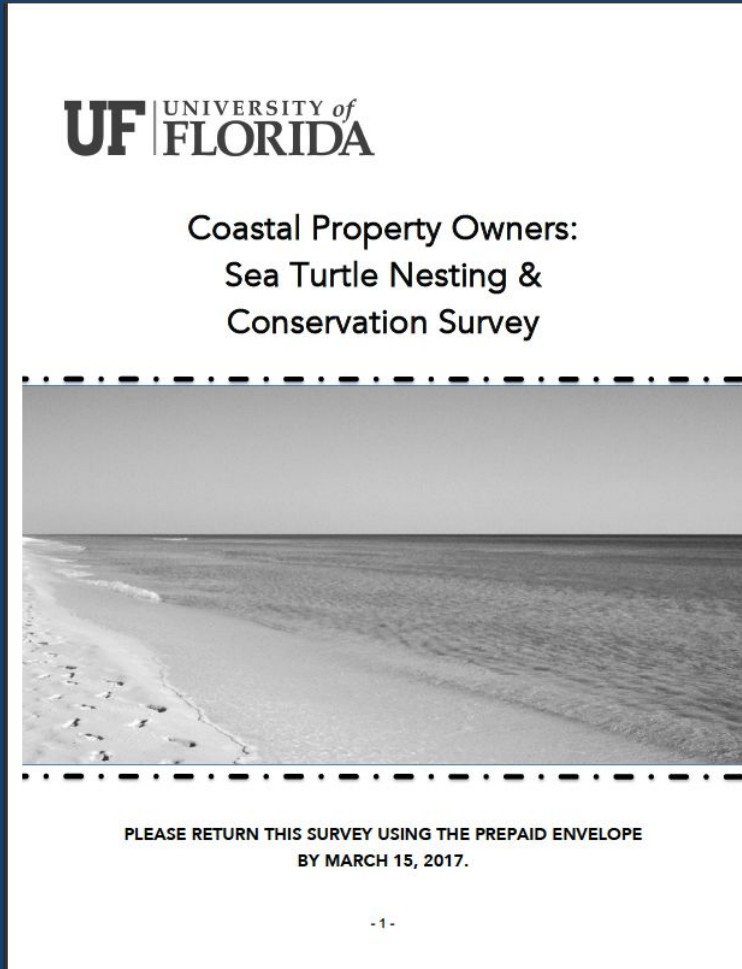
# Project Goals Phase II

## NEXT STEPS

- Continue to negotiate **CEs that explicitly protect sea turtles** and their nesting beach habitat while increasing stewardship
- **Increase educational awareness** among coastal residents for CEs and sea turtle nesting habitat through workshops and outreach
- Utilize this pilot project to understand the potential for a more **comprehensive program**
- **Collaborate** with other land trusts and interested stakeholders



# THE SURVEY SOUGHT TO UNDERSTAND:



- single-family coastal homeowners' understanding of, attitude towards, motivations for, and interest in coastal conservation easements to protect sea turtle nesting habitat
- knowledge of and interaction with sea turtles, opinions and attitudes of coastal armoring,
- geographic and demographic differences



# SURVEY POPULATION:

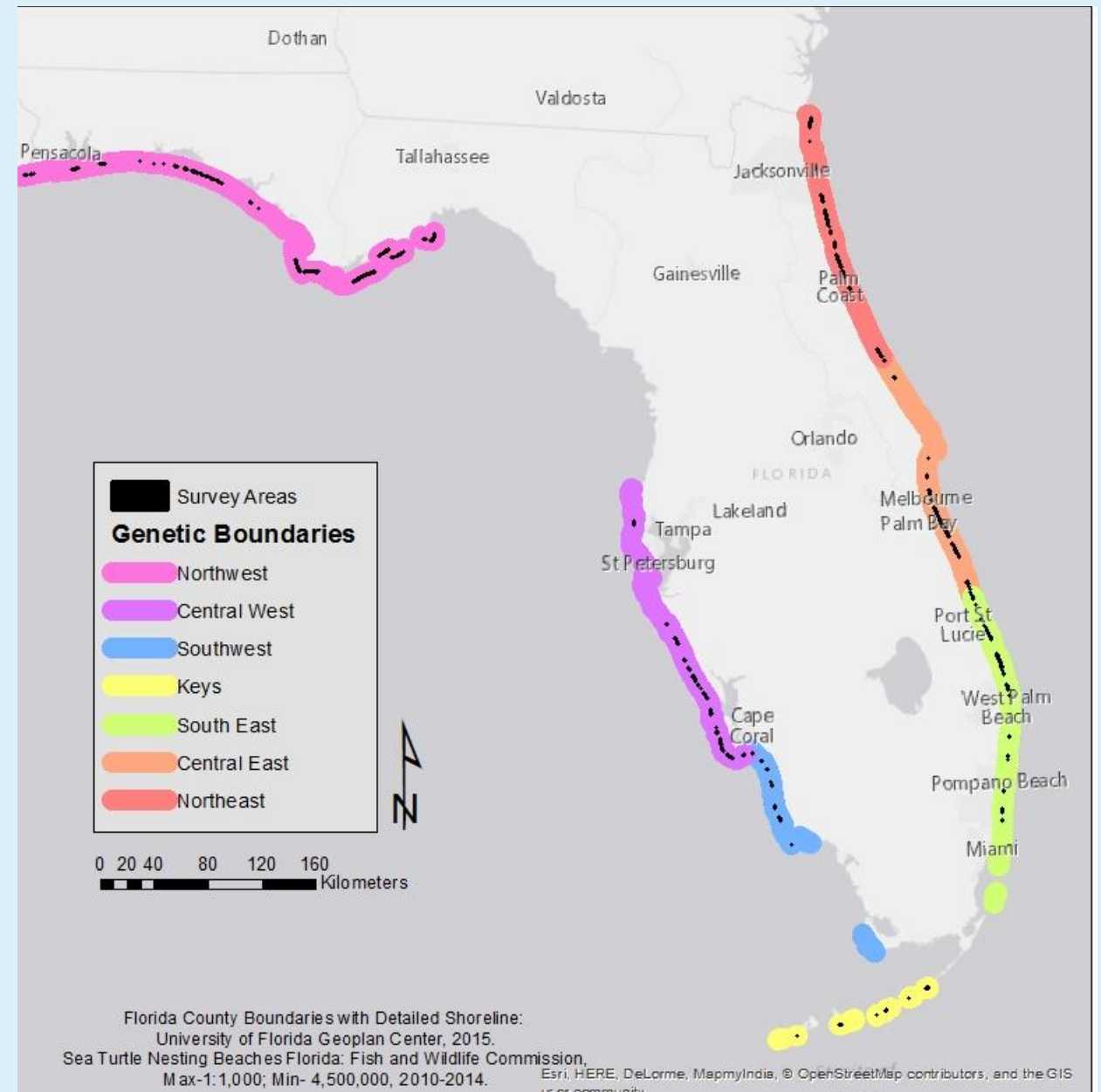
## Parcels chosen if:

- Located on a sandy nesting beach
- Within a mile of a protected section of beach (state park, preserve, etc.)
- Classified as a single family home

## ***Additional constraints:***

- *No duplexes*
- *Parcel split by road*
- *beach owned by HOA*
- *If permanent address was out of country it was removed*

- 4,588 Parcels met these requirements
- Proportional geographic sample of 1,274 homeowners
- 33% response rate



# Key Findings

## CONSERVATION EASEMENTS:

- Most respondents (57.1%) had yet to hear of a conservation easement
- ~¼ said the CE definition matched their understanding **extremely well**
- ~30% had **interest** to establish a CE on their property
- Almost one-half wanted **more information** on the project

However, confusion amongst property owners exist regarding  
1) the applicability of the project for small coastal properties; and  
2) the voluntary nature of CEs

Therefore, it is important moving forward to target our efforts to areas more likely to be engaged.

# Respondent Property Facts

- Average property size of .705 acres
- Average parcel assessed property value ~\$1.2 million
- Average length of ownership ~19.3 years
- 19% reported having coastal armoring
- 24.6% of people consider their property a rental

PERCENT OF CE INTEREST WITHIN REGIONS			
REGION	UNINTERESTED	NEUTRAL	INTERESTED
Keys	14.30%	28.60%	57.10%
CE	35%	20%	45%
NW	53.30%	13.90%	32.80%
SW	50%	21.40%	28.60%
NE	48.30%	25.80%	25.80%
SE	58.30%	20.80%	20.80%
CW	62.80%	20.90%	16.30%

# MOVING FORWARD

## Focus Geographic Areas for CEs

- Based on survey results we will focus on The Florida Keys and the Central East
  - With Central East focus in Brevard County

## Programmatic Goals

- Utilize this pilot project to understand the potential for a more **comprehensive program**
- Conduct another coastal property stakeholder workshop
- Webinar session with possible CLE (Continuing Legal Education) Credit
- Publish survey findings in appropriate journal/s
- Complete two new CEs



*Previous April 2017 workshop in Melbourne, FL.  
Photo by Cynthia Lagueux.*



# Potential Legal Obstacles

- Current CE legislation
- Valuation
- Mortgages  
Subordination



# THANK YOU

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