

Less-Than-Fee Beachfront Acquisition Strategies to Protect and Enhance Sea Turtle

Nesting Habitat in Florida: A Feasibility Study and Pilot Project

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Objective

Identify a range of less-than-fee property interests, such as foregoing property rights or use of conservation easements, that can be used to protect critical sea turtle habitat on Florida’s coasts and elsewhere.

Project Overview

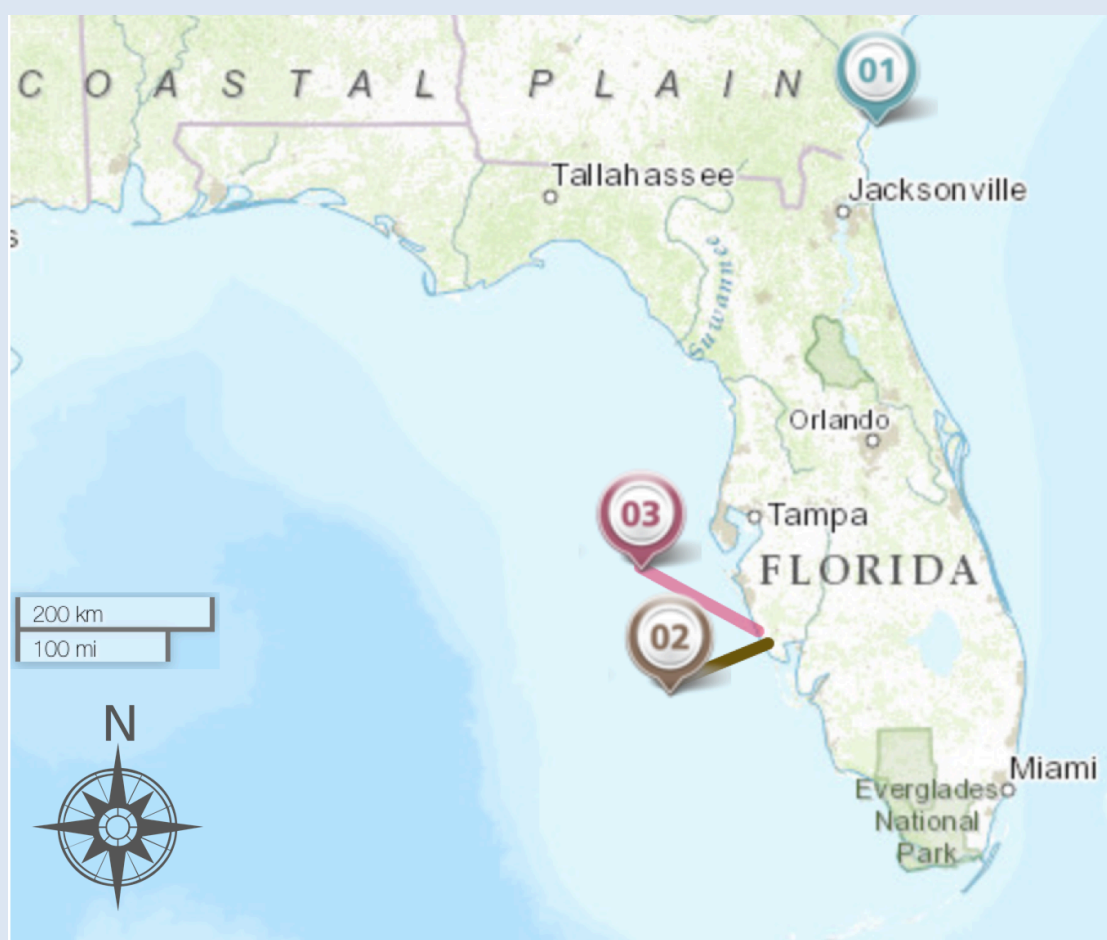
- Easements can protect crucial nesting habitat for endangered and threatened species of sea turtles by restricting artificial lighting, coastal armoring, beach erosion, and beach activities.
- Determine whether a robust less-than-fee land acquisition program will satisfy the “net conservation benefit” criteria of the Gulf Environmental Benefit Fund (GEBF).

Less-Than-Fee Easement Types

| | |
|---|---|
| Negative Lighting Easement | A landowner gives up rights to use any lighting that creates a hazard for nesting sea turtles or sea turtle hatchlings |
| Rolling Easement | A property right to ensure the shore moves inland with the natural retreat of the shore, prohibits shore protection and requires removal of pre-existing structures |
| Shoreline Mitigation Conservation Easement | A rolling easement that can be structured as a conservation easement to ensure that the land is given over to the migrating wetlands and beaches. |
| True Conservation Easement | Restrain property rights to “run with the land” via conservation purposes specifically tailored for endangered and threatened species of sea turtles. |

Samples of Coastal Easements

- Barrier Island** (2015)
Glynn County, GA
- Manasota Key** (2006)
Sarasota County, FL
- Casey Key** (2001)
Sarasota County, FL

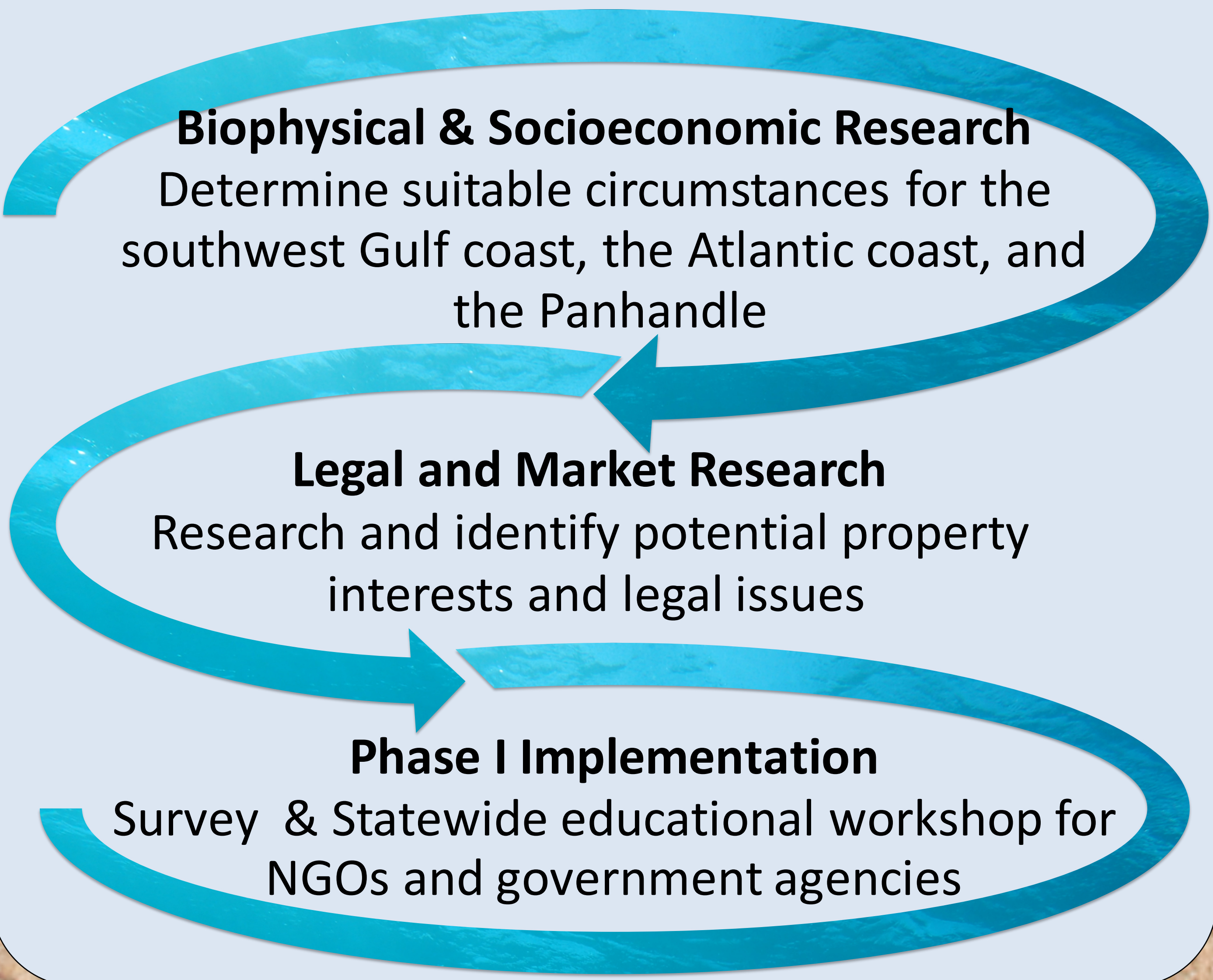


However, all allow for coastal armoring or beach renourishment.

Questions/Challenges

- ? How are these interests appraised?
- ? How can we incentivize landowners?
- ? Can we combine elements of true conservation easements with elements of other, less restrictive interests in order to create more attractive/useful options for landowners?




Project Phase I



Project Phase II

- Identify** one or more willing sellers of beachfront property interests that satisfy the criteria established in the Phase I process.
- Draft** model less-than-fee instrument(s) that are specific to the suite of property interests that best serve to protect sea turtle habitat.
- Negotiate** one or more conservation easements that explicitly protect sea turtles and their nesting beach habitat to serve as models for a more robust program of less-than-fee acquisition.

Anticipated Outcomes

-  A suite of model conservation easement provisions that reflect forgone property interests that contribute to the protection of nesting beach habitat
-  The application of these provisions to one or more beachfront parcels through donation, sale or bargain sale
-  A determination and the increased awareness of the feasibility of a less-than-fee sea turtle nesting beach habitat conservation program on high priority beaches