

Practitioner's Quick Guide for Marine Conservation Agreements

Best Practices for Integrating Rights-based Incentive Agreements into Ocean and Coastal Conservation Efforts

SUMMARY POINTS

Types of Agreements

- Concessions
- Contracts
- Easements
- Informal agreements
- Leases
- Licenses
- Purchase & sales

Parties to Agreements

- Governments
- Indigenous people
- Local communities
- NGOs
- Individuals and families
- Businesses
- User groups

Benefits of Agreements

- Biodiversity protection
- Direct payments
- Ecosystem services
- Employment
- Infrastructure
- Social services

Phase 1: Feasibility Analysis

- 1.1 Contractual arrangements
- 1.2 Conservation goals
- 1.3 Right-holders and stakeholders
- 1.4 Conservation commitments
- 1.5 Exchange options
- 1.6 Conservation entities
- 1.7 Economic incentives
- 1.8 Reporting

Phase 2: Engagement

- 2.1 Team selection
- 2.2 Plan development
- 2.3 Ideas exchange
- 2.4 Agreement verification

Phase 3: Contract Design

- 3.1 Legal framework
- 3.2 Conservation Goals
- 3.3 Roles and responsibilities
- 3.4 Conservation actions
- 3.5 Duration of contract
- 3.6 Incentives package
- 3.7 Results monitoring
- 3.8 Enforcement options
- 3.9 Regulatory permits
- 3.10 Final actions

Phase 4: Implementation

- 4.1 Administration
- 4.2 Outreach
- 4.3 Funding
- 4.4 Livelihoods
- 4.5 Enforcement actions
- 4.6 Science
- 4.7 Public uses
- 4.8 Habitat management
- 4.9 Planning
- 4.10 Community development
- 4.11 Maintenance
- 4.12 Other activities
- 4.13 Close-out

FIELD GUIDE: The Nature Conservancy and partners developed the *Practitioner's Field Guide for Marine Conservation Agreements* (MCAs), a 106-page manual that includes four phases to assess, negotiate, design and implement rights-based incentive agreements for ocean and coastal conservation purposes. This *Quick Guide* provides a short introduction to MCAs and the *Field Guide*.

MCAs include any formal or informal contractual arrangement that aims to achieve ocean or coastal conservation goals in which one or more parties voluntarily commit to taking certain actions, refraining from certain actions, or transferring certain rights and responsibilities in exchange for one or more other parties voluntarily committing to deliver explicit economic incentives. MCAs can be entered into by governments, local communities and indigenous groups, private entities, and private individuals.

Examples of MCA contracts mechanisms include leases, licenses, easements, management agreements, purchase and sale agreements, and concessions. Conservationists have used MCAs to help manage ocean and coastal areas, fishing, and resource access. MCAs have helped protect marine biodiversity while positioning conservationists as vested stakeholders with governments and communities responsible for decision-making.

PHASE 1: FEASIBILITY ANALYSIS

The *Field Guide's* feasibility analysis assists conservationists in determining whether MCAs can help meet conservation goals at specific sites. Evaluation criteria include: contracts, goals, right-holders, commitments, exchange options, conservationists, incentives, and reporting.

PHASE 2: ENGAGEMENT

During engagement, a designated team discusses the MCA concept with right-holders. Formal steps within Phase 2 include selecting team members, developing an engagement plan, exchanging ideas with right-holders, and reaching a conceptual agreement.

PHASE 3: CONTRACT DESIGN

The *Field Guide's* contract design phase identifies 10 important elements to include within formal MCAs, such as the legal framework, conservation goals and commitments, roles and responsibilities, conservation actions and incentives, and monitoring and enforcement options, including sanctions in case project terms are breached.

PHASE 4: IMPLEMENTATION

The final, but most crucial phase of any MCA project is implementation. Implementation activities may include, but are not limited to, administration, outreach, fundraising, enforcement, science, public use and habitat management, planning, community development, and maintenance. Some projects will also require close-out.

*The Practitioner's Field Guide
for Marine Conservation
Agreements*

*The Field Guide provides
information to local, national
and international organizations
to help determine:*

1. What MCAs are;
2. When MCAs can help abate threats to ocean and coastal biodiversity; and
3. How to plan and proceed with MCA field projects.



Port Susan Bay Preserve is a privately-owned inter-tidal area in Washington State, U.S.A.

MCA Toolkit, Field Projects and Analyses

ONLINE TOOLKIT: The *MCA Field Guide* is supported by a large volume of information contained in an online toolkit at: www.mcatoolkit.org. In addition to providing an online version of the *MCA Field Guide*, the toolkit provides background information, dispels myths, defines terms, and provides resources such as sample contracts, publications and presentations, and (for U.S.-only) relevant contact information and mapping data. The toolkit also provides in-depth information from field projects and feasibility analyses for specific countries and U.S. states.

FIELD PROJECTS: Well over 200 MCA field projects have been inventoried to date. From these, over 20 case studies have been developed and are available online. One of the best-known MCA-related projects is the Chumbe Island Coral Park in Tanzania. Other examples include The Nature Conservancy's 54-km² Great South Bay Preserve on Long Island, New York (U.S.), and the 400,000-km² Phoenix Island Protected Area in Kiribati, being developed by the Government of Kiribati, Conservation International, and the New England Aquarium.

COUNTRY ANALYSES: In 18 of 20 countries, assessments indicate that some form of private acquisition or contractual management of ocean and coastal areas is likely possible. In Belize and Indonesia, for example, private ownership is possible, while in Chile and Tanzania private contracting is possible. Summaries and in-depth reports can be accessed through the online toolkit.

U.S. STATE ANALYSES: Assessments indicate that some form of private acquisition or contractual management of ocean and coastal areas is possible in 17 of 24 U.S. ocean coast states. States such as California, Florida, Maine and Washington, private ownership of intertidal areas is possible. In other states, such as Alabama, Alaska, Hawaii and Oregon, management contracting is likely possible (while potentially unprecedented). Summaries and in-depth reports can be accessed through the online toolkit.

The Nature Conservancy will provide consultation to entities undertaking analyses in additional countries and U.S. states.

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