

## **21st International Conference of The Coastal Society**

### **Marine Aquaculture: Examples of Emerging Property Interests**

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In 1967, economist Harold Demsetz offered “some guidance for investigating the emergence of property rights.” Over the course of the four decades since he issued that guidance, many legal scholars have assessed the tension between public and private interests as they relate to a particular space and/or resource. And, increasingly, economic and legal commentators have been drawn to these issues as they arise in relation to the use of marine areas and resources. Recently, James Anderson and other scholars have been constructing and applying property rights indices to evaluate the influence that property rights play in fish harvesting (wild and aquaculture). While both approaches shed some light on how, when, where and under what circumstances property rights “evolve,” few efforts have been made to employ Demsetz’s guidance in conjunction with Anderson’s index approach. This article represents an effort to examine a discrete set of situations where private property rights have emerged in the context of marine aquaculture development in the United States. It also works to then apply the property rights index approach in an effort to compare and contrast the result of the various emerging aquaculture property rights attributes. This work is the result of research sponsored in part by the National Oceanic and Atmospheric Administration, U.S. Department of Commerce under Grant Number NA16RG1606. Additional support has been provided by the University of Massachusetts/Boston.

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