

HB215 ENGROSSED



1 HB215
2 TEP3555-2
3 By Representative Fidler
4 RFD: Ports, Waterways & Intermodal Transit
5 First Read: 21-Feb-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to natural resources; to provide that the Department of Conservation and Natural Resources may permit the dredging of material for use in constructing a residential living shoreline.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) This act shall be known and may be cited as the Joe Faust Living Shoreline Act.

(b) For the purposes of this section, the term "living shoreline" means natural shoreline restoration techniques for shoreline stabilization, including the planting of native vegetation, the placement of wave attenuation structures, the placement of fill material, and other similar techniques designed to allow natural coastal processes to continue to operate.

(c) (1) The purpose of this section is to encourage the use of living shoreline techniques in coastal areas in lieu of vertical seawalls, revetments, or bulkheads and allow for the procurement of sand and source sediment at a reduced fee.

(2) The Legislature finds that sand and sediment material available for dredging within a residential property



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29 owner's riparian area is the best compatible source material
30 and provides the highest degree of success in living shoreline
31 restoration, and that the use of the material serves a public
32 purpose to reduce erosion, improve and restore wildlife and
33 fish habitat, and increase coastal infrastructure resiliency.

34 (d) The State Lands Division of the Department of
35 Conservation and Natural Resources may issue a permit to a
36 residential riparian property owner to dredge within the
37 riparian area of the owner's riparian property, or immediately
38 adjacent property with consent of the riparian owner of that
39 property, for sand and source sediment to be used for the
40 construction of a living shoreline in front of the residential
41 owner's riparian property. The fee for the permit shall cost
42 one-half of the fees charged for a dredge permit for severance
43 of materials from state-owned submerged lands.

44 (e) The Department of Conservation and Natural
45 Resources may adopt rules to implement and administer this
46 section.

47 (f) This section shall not be construed to affect the
48 title to state-owned submerged lands.

49 Section 2. The authority of this act is limited to
50 property bounded by and touching the Gulf of Mexico proper,
51 including Mobile Bay and other bays, rivers, or creeks in
52 connection therewith located parallel to or south of Mobile
53 River mile 0.0 as defined by the United States Army Corps of
54 Engineers, which is more precisely located at Latitude 30
55 degrees 41.32848 minutes North, Longitude 88 degrees 02.39862
56 minutes West, and extending parallel to and due south from



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57 that point.

58 Section 3. The provisions of this act are supplemental
59 and shall not be construed to repeal any other provision of
60 law not in direct conflict herewith.

61 Section 4. This act shall become effective on October
62 1, 2024.



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House of Representatives

Read for the first time and referred21-Feb-24
to the House of Representatives
committee on Ports, Waterways &
Intermodal Transit
Read for the second time and placed06-Mar-24
on the calendar:
1 amendment
Read for the third time and passed04-Apr-24
as amended
Yeas 103
Nays 0
Abstains 0

John Treadwell
Clerk