

# HB215 ENGROSSED



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



## HB215 Engrossed

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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



## HB215 Engrossed

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

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

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

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

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



## HB215 Engrossed

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.



## HB215 Engrossed

63  
64  
65

### House of Representatives

66 Read for the first time and referred .....21-Feb-24  
67 to the House of Representatives  
68 committee on Ports, Waterways &  
69 Intermodal Transit  
70  
71 Read for the second time and placed .....06-Mar-24  
72 on the calendar:  
73 1 amendment  
74  
75 Read for the third time and passed .....04-Apr-24  
76 as amended  
77 Yeas 103  
78 Nays 0  
79 Abstains 0  
80  
81

82 John Treadwell  
83 Clerk  
84