

**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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5 A BILL

6 TO BE ENTITLED

# 7 AN ACT

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

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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



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



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

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  
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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  
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