

## HB181 INTRODUCED



1 HB181

2 BYBFBJ4-1

3 By Representatives Marques, Givens, Fidler, Holk-Jones,  
4 Simpson, Brown, Wilcox, Sorrells, Easterbrook, Bracy, Jones,  
5 Clarke, Shirey, Stringer

6 RFD: Ports, Waterways and Intermodal Transit

7 First Read: 13-Jan-26



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4     SYNOPSIS:

5                 Under existing law, the Alabama Department of  
6     Environmental Management and the Alabama Department of  
7     Conservation and Natural Resources jointly administer  
8     the Alabama Coastal Area Management Program under  
9     delegated federal authority to ensure consistency in  
10   balancing conservation, economic, and other interests  
11   with regard to coastal area projects.

12                This bill would require a person who annually  
13   dredges over 1 million cubic yards of material in a  
14   coastal area to cause at least 70 percent of that  
15   material to be beneficially used.

16                This bill would also require the Alabama  
17   Department of Environmental Management and the Alabama  
18   Department of Conservation and Natural Resources to  
19   adopt rules to administer this act, including revising  
20   the Alabama Coastal Area Management Program as  
21   necessary.

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24                A BILL  
25                TO BE ENTITLED  
26                AN ACT

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28                Relating to dredging; to require persons annually



29 dredging over 1 million cubic yards of material in coastal  
30 areas to cause at least 70 percent of the dredged material to  
31 be beneficially used, subject to exceptions.

32 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

33           Section 1. (a) For purposes of this section, the  
34 following terms have the following meanings:

35           (1) BENEFICIALLY USED. The productive and positive use  
36 of dredged material, including fish and wildlife habitat  
37 development, human recreation, and industrial and commercial  
38 uses. The term does not include the deposition of dredged  
39 material into public waters unless that deposition is part of  
40 a shoreline restoration or marsh creation project.

41           (2) LIVING SHORELINE. The term as defined in Section  
42 9-7-13.1, Code of Alabama 1975.

43           (3) MARSH CREATION. The deposition of dredged material  
44 or natural or artificial material into public waters to  
45 establish a wetland, island, or marsh habitat on that site.

46           (4) PUBLIC WATERS. The term as defined in Section  
47 9-11-80, Code of Alabama 1975.

48           (5) SHORELINE RESTORATION. The deposition of dredged  
49 material or natural or artificial material directly on or  
50 adjacent to an existing shoreline to restore or preserve the  
51 shoreline and the deposition of such material south of Dauphin  
52 Island or south of the Fort Morgan Peninsula for the  
53 restoration of Dauphin Island or Sand Island. This term  
54 includes a living shoreline project.

55           (b) This section shall apply only in coastal areas.

56           (c) Any person that dredges more than one million cubic



57 yards of material in a year shall cause at least 70 percent of  
58 the dredged material to be beneficially used.

59 (d) The Alabama Department of Environmental Management  
60 and the Alabama Department of Conservation and Natural  
61 Resources shall adopt rules to implement this section,  
62 including revising the Alabama Coastal Area Management Program  
63 as necessary.

64 (e) A person shall not be required to comply with  
65 subsection (c) if the Governor, by order or proclamation  
66 declaring a state of emergency, specifically references this  
67 section and states that this section shall not be in effect.  
68 Such an order or proclamation shall provide a date on which  
69 the order shall be terminated and no longer in effect.

70 Section 2. This act shall become effective on October  
71 1, 2026.