

1 HB403
2 179084-2
3 By Representatives Davis and Faust
4 RFD: State Government
5 First Read: 14-MAR-17

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8 SYNOPSIS: This bill would further provide for permits
9 for shoreline restoration, including the use of
10 living shoreline techniques, by riparian property
11 owners in coastal areas. The bill would authorize
12 riparian property owners to sever and use materials
13 in their riparian rights use area and for the
14 purposes of shoreline restoration without fee or
15 charge by the Department of Conservation and
16 Natural Resources or the Department of
17 Environmental Management when the source sediment
18 is used for the construction of living shorelines
19 in front of a property owner's riparian property.
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21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 Relating to coastal areas; to further provide for
26 permits for living shoreline restoration from the State Lands
27 Division of the Department of Conservation and Natural

1 Resources and the Department of Environmental Management and
2 for the use of source sediment by riparian property owners.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) For the purposes of this act, the
5 term "living shoreline" means shoreline restoration techniques
6 for shoreline stabilization including, but not limited to,
7 planting of native vegetation, the placement of wave
8 attenuation structures, the placement of fill material, and
9 other similar techniques designed to allow natural coastal
10 processes to continue to operate.

11 (b) (1) The purpose of this act is to encourage the
12 use of living shoreline techniques in coastal areas in lieu of
13 vertical seawalls or bulkheads and allow for the procurement
14 of sand and source sediment without an associated navigational
15 project.

16 (2) The Legislature finds that sand and sediment
17 material available for dredging within a property owner's
18 riparian use area is the best compatible source material and
19 provides the highest degree of success in living shoreline
20 restoration and that the use of the material serves a public
21 purpose to reduce erosion, improve and restore wildlife and
22 fish habitat, and increase coastal infrastructure resiliency.

23 (c) The State Lands Division of the Department of
24 Conservation and Natural Resources and the Department of
25 Environmental Management shall issue permits to riparian
26 property owners to dredge without a charge or fee for sand and
27 source sediment in front of the respective owners' riparian

1 property, or immediately adjacent property with consent of the
2 riparian owner of that property, for sand and source sediment
3 to be used in front of the owners' riparian property when the
4 sand and sediment will be used for the construction of living
5 shoreline in front of the riparian property.

6 (d) This act shall not be construed to affect the
7 title to state owned submerged lands.

8 Section 2. The provisions of this act are
9 supplemental and shall not be construed to repeal any other
10 provision of law not in direct conflict herewith.

11 Section 3. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.