

HB20 INTRODUCED



1 BY9Z44-1
2 By Representative Brown
3 RFD: State Government
4 First Read: 07-Mar-23
5 PFD: 08-Feb-23



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SYNOPSIS:

This bill would provide for permits for shoreline restoration, including the use of living shoreline techniques, by riparian property owners in coastal areas. The bill would authorize riparian property owners to sever and use materials in their riparian rights use area for the purposes of shoreline restoration for a fee of one-half of that charged by the Department of Conservation and Natural Resources or the Department of Environmental Management for constructing bulkheads or seawalls, when the source sediment is used for the construction of living shorelines in front of a property owner's riparian property.

A BILL
TO BE ENTITLED
AN ACT

Relating to coastal areas; to provide for permits for living shoreline restoration from the State Lands Division of the Department of Conservation and Natural Resources and the Department of Environmental Management and for the use of source sediment by riparian property owners.



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29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

32 (b) For the purposes of this act, the term "living
33 shoreline" means shoreline restoration techniques for
34 shoreline stabilization, including, but not limited to, the
35 planting of native vegetation, the placement of wave
36 attenuation structures, the placement of fill material, and
37 other similar techniques designed to allow natural coastal
38 processes to continue to operate.

39 (c) (1) The purpose of this act is to encourage the use
40 of living shoreline techniques in coastal areas in lieu of
41 vertical seawalls or bulkheads and allow for the procurement
42 of sand and source sediment without an associated navigational
43 project.

44 (2) The Legislature finds that sand and sediment
45 material available for dredging within a property owner's
46 riparian use area is the best compatible source material and
47 provides the highest degree of success in living shoreline
48 restoration, and that the use of the material serves a public
49 purpose to reduce erosion, improve and restore wildlife and
50 fish habitat, and increase coastal infrastructure resiliency.

51 (d) The State Lands Division of the Department of
52 Conservation and Natural Resources and the Department of
53 Environmental Management shall issue permits to riparian
54 property owners to dredge source sediment in front of the
55 respective owners' riparian property, or immediately adjacent
56 property with consent of the riparian owner of that property,



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57 for sand and source sediment to be used in front of the
58 owners' riparian property when the sand and sediment will be
59 used for the construction of living shoreline in front of the
60 riparian property. The fee for this permit shall cost one-half
61 of the fee charged for the construction of bulkheads or
62 seawalls.

63 (e) The department of Conservation and Natural
64 Resources and the Department of Environmental Management may
65 each separately adopt rules to implement and administer this
66 act.

67 (f) This act shall not be construed to affect the title
68 to state owned submerged lands.

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

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