



Homeowners Guide to Permitting Living Shorelines in Mississippi and Alabama



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Chris Boyd and Niki Pace*

Mississippi-Alabama Sea Grant Consortium and *Mississippi-Alabama Sea Grant Legal Program

If your property is eroding, you might wonder how to protect your property by reducing or stopping erosion. The current trend in Alabama and Mississippi is to build hard structures like seawalls or bulkheads to reduce or stop erosion. In Mobile Bay alone, more than 30 percent of property owners have built some sort of hard structure for shoreline protection (Douglass and Pickel, 1999). The current prediction is that within the next 5 to 10 years, 50 percent of the Bay will have some type of hard structural protection. While hard structures may slow erosion, they also reduce habitat through loss of the land and water interface, they reflect waves to areas that are not protected, and scour the land underneath the seawall making the water body deeper and the edge steeper.

A more environmentally sustainable way to slow or stop erosion is through the construction of “living shorelines.” A living shoreline uses plants and other natural materials to stabilize the shoreline, minimize coastal erosion, and maintain coastal processes while enhancing the natural shoreline habitat for the benefit of property owners as well as fish and other wildlife. Because Gulf of Mexico habitat loss is occurring, we need to take pride in our remaining coastal property and try to develop it in a more sustainable manner.

The following steps should be taken to determine the proper erosion control alternative along with meeting the state and federal requirements to allow construction in coastal, public waters:

- Conduct site assessment to determine the amount of shoreline to be protected, feasibility, and type of structures that can be installed
- Obtain a project design and cost estimate
- Apply for and receive permit
- Hire contractor and construct project

Before constructing any type of shoreline stabilization project, property owners must contact the state regulatory agency to apply for a construction permit. Ask them for an application and information regarding the permitting process. Property owners most likely will need to contact an engineer to perform a survey of their property to determine the type of structure that will be most suitable for erosion control. It is always best to schedule a pre-application meeting with the regulatory agencies to ensure that your project can be approved and to expedite the application process.

ALABAMA

In Alabama, contact the State Lands Division of the Alabama Department of Conservation and Natural Resources (State Lands), United States Army Corps of Engineers (USACE), and the Alabama Department of Environmental Management (ADEM). The USACE and ADEM have a joint permit application (Figure 1). After determining that an application is needed, the landowner should schedule a pre-application meeting with the USACE and should send the Mobile USACE a project summary at least 10 days prior to the meeting. When submitting the permit application, the following must be attached: 1) a vicinity map and 2) a site plan.

After submitting the joint ADEM/USACE application, the land owner must also submit a permit application to State Lands. In addition to the permit, the applicant must provide the following:

- a detailed survey map of the project location (vicinity map)
- a cross-sectional drawing of the proposed work (site plan)
- evidence of ownership of the adjacent upland (such as a deed)
- the legal description of the state-owned submerged lands affected by the project
- a notarized state lands affidavit, and
- a copy of the USACE/ADEM Joint Permit Application.

Finally, a landowner may also need a construction permit from their city or county before beginning construction.

MISSISSIPPI

In Mississippi, contact the Department of Marine Resources (DMR). Other agencies involved include the USACE, Mississippi Department of Environmental Quality (MDEQ), and the Secretary of State (SOS) depending on the location and nature of the activity. To streamline the permitting process, DMR will coordinate with other agencies such as USACE and MDEQ (Figure 2). A pre-application meeting with DMR is recommended. While the meeting is not mandatory, it can reduce the likelihood of later complications. At a pre-application meeting, a landowner should bring a description and diagram of the project as well as a wetland delineation for the property.

The next step is completing a joint application with DMR/USACE. Property owners file the application with DMR which then coordinates with other applicable regulators. During this process, the following should be included:

- a narrative project description
- a vicinity map
- an agent authorization (if desired)
- an environmental assessment

For activities occurring on submerged water bottoms, the SOS should also be consulted. For property owners living outside of the Mississippi coastal area, the MDEQ may be the appropriate permitting agency and should be contacted.

Contact Information

Alabama Department of Conservation and Natural Resources State Lands Division, Submerged Lands 31115 Five Rivers Blvd. Spanish Fort, AL 36527 251-621-1238	U.S Army Corps of Engineers, Mobile District Regulatory Division Mobile, AL 251-690-2658
Mississippi Department of Marine Resources 1141 Bayview Avenue Biloxi, MS Phone:228-374-5000 http://www.dmr.state.ms.gov	U.S. Army Mobile, AL 251-690-2658 Corps of Engineers Regulatory Division, Mobile District MS Coastal Branch 228-523-4116 251-690-3188

References

Douglass, S.L. and Pickel, B.H. 1999. “The Tide Doesn’t Go out Anymore – the Effect of Bulkheads on Urban Bay Shorelines.” *Shore and Beach* 67(2&3):19-25.

Boyd, C. A. 2007. *Shoreline Protection Alternatives*. Mississippi Alabama Sea Grant MASGP-07-026.

Figure 1. Permits Required in Coastal Alabama.

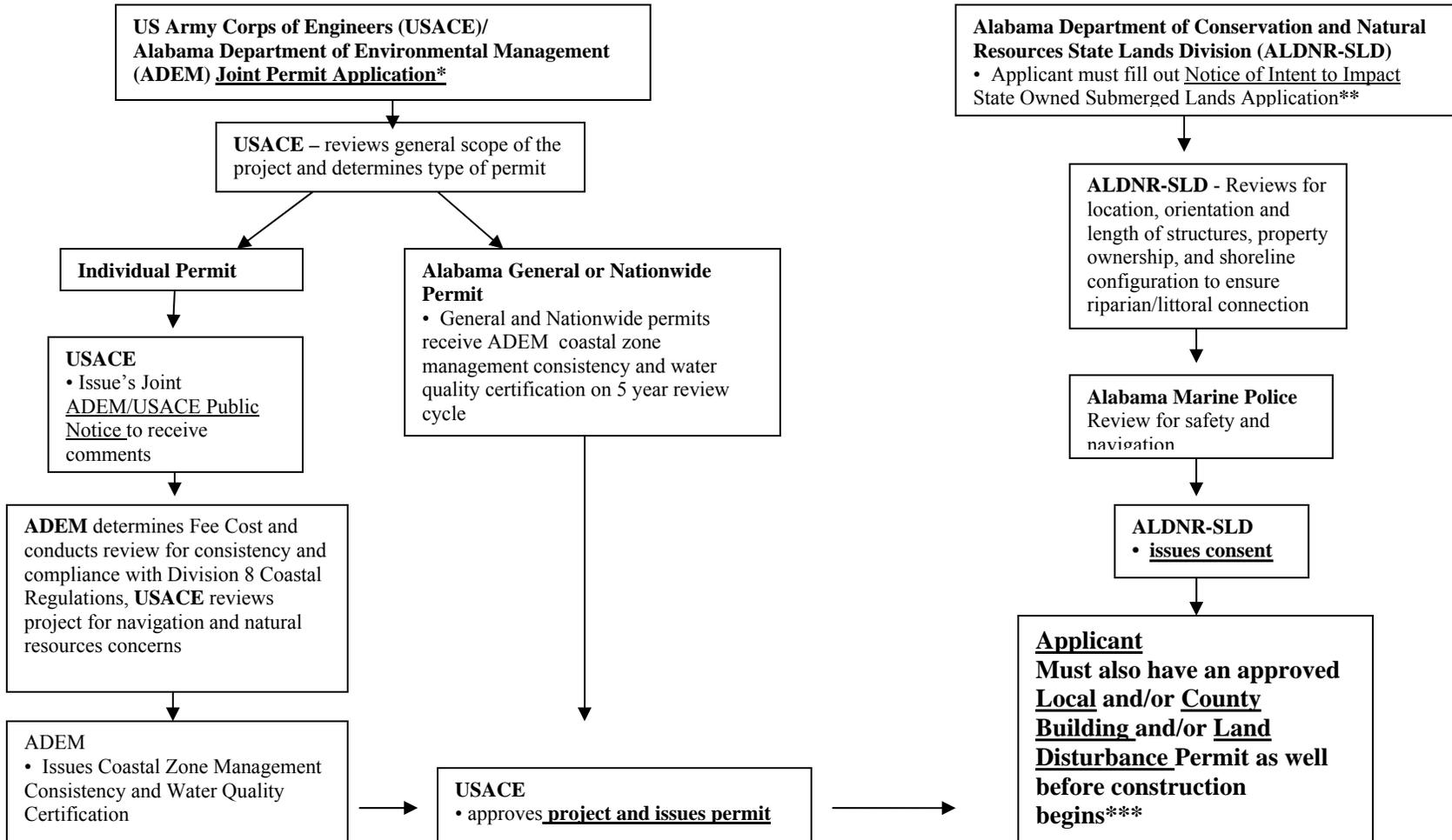


Figure 2. Permits Required in Coastal Mississippi.

