Living Shorelines: 
A Permitting Guide for 
Alabama Homeowners
The following is meant to be a permitting guide for homeowners who are interested in installing a living shoreline on their property in Alabama.
Permitting Agencies

Alabama Department of Conservation and Natural Resources State Lands Division (ADCNR-SL)
31115 Five Rivers Bend
Spanish Fort, AL 36527
(251) 621-1238
www.outdooralabama.com

U.S. Army Corps of Engineers (USACE)
P.O. Box 2288
Mobile, AL 36628-0001
(251) 690-2658
www.sam.usace.army.mil/

Alabama Department of Environmental Management (ADEM)
Mobile Coastal Field Office
3664 Dauphin Street, Suite B
Mobile, AL 36608
(251) 304-1176
Permit Application Checklist

To apply for a living shoreline permit, the following documents must be completed and turned in to the U.S. Army Corps of Engineers. Copies of these documents also need to be given to the Alabama Department of Environmental Management and the Alabama Department of Conservation and Natural Resources State Lands Division.

1. ADCNR-SL Division Notice to Impact State-Owned Submerged Lands
2. Documentation of Upland Interest
3. Survey
4. Notarized State Lands Affidavit
5. USACE/ADEM Joint Application
6. Vicinity Map
7. Site Plan
8. Cross-Section Drawing

Notice to Impact State-Owned Submerged Lands

- Land below the mean high water (MHW) line is state-owned submerged land.
- Notice to the ADCNR State Lands Division of any proposed activity on state-owned submerged lands.
- Basic information about the waterfront owner (e.g., name, address, contact information).
- Basic information about the proposed activity (e.g., project location, description, adjacent water body).
- Additional required documentation:
  1. Satisfactory Documentation of Upland Interest
  2. Survey
  3. USACE/ADEM Joint Application
  4. Vicinity Map
  5. Site Plan
  6. Notarized State Lands Affidavit
Attachments to the Notice to Impact State-Owned Submerged Lands

**Satisfactory Documentation of Sufficient Upland Interest**
- Demonstrates control and legal interest in the land adjacent to the project area.
- May be a property deed or other legal documentation of land ownership.

**Survey**
- Copy of land survey prepared by a licensed Alabama state surveyor.
- Must depict a legal description of the property, property boundaries, location of mean high water (MHW), and location of structures existing on state submerged lands.

**Notarized State Lands Affidavit**
- Shows that the applicant is aware of state regulations and setback requirements, and is the property owner.
- Must be notarized.

USACE/ADEM Joint Application

*Form requires:*

- General information about the permit applicant (e.g., name, address).
- Basic project information (e.g., location, materials).
- Optional: agent authorization if an agent is to fill out the paperwork for the property owner.
- List of adjacent property owners.
- List of certifications applied for from federal, state, and local authorities
- Required attachments (vicinity map, site plan, and cross-section drawing
- Applicant's signature

Form can be found at http://www.adem.alabama.gov/DeptForms/Form166.pdf.
**Vicinity Map**

- Accurately shows the location of the proposed living shoreline.
- Includes a written description of directions to the proposed location from major landmarks or highways.
- Internet-sourced maps, such as Google Maps, are acceptable.
- Can be made on the computer or drawn by hand.
- Must be drawn to scale or have dimensions written on the drawing.
- Must be in black and white.
- Must be done on 8½-by-11-inch white paper.

![Vicinity Map Diagram]

**Site Plan**

- Shows existing structures and proposed activities in detail.
- Must include the mean high water (MHW) and mean low water (MLW) line.
- Must include the name and width of the water body on which the proposed activity is located.
- Must include, with dimensions, all wetlands or submerged grasses on the property.
- Must include adjacent property owners.
- Must include a north arrow.
- Can be made on the computer or drawn by hand.
- Must be drawn to scale or have dimensions written on the drawing.
- Must be in black and white.
- Must be done on 8½-by-11-inch white paper.

![Site Plan Diagram]
Cross-Section Drawing

- Shows the side view and elevation of proposed work.
- Must include the mean high water (MHW) line, mean low water (MLW) line, and water depths.
- Must include, with dimensions, all wetlands and submerged grasses on the property.

- Can be made on the computer or drawn by hand.
- Must be drawn to scale or have dimensions written on the drawing.
- Must be in black and white.
- Must be on 8½-by-11-inch paper.
Tips to Submitting a Successful Permit Application

Top 5 Mistakes that Lead to Permit Application Rejection

1. Application does not contain a full, narrative description of the proposed project.
2. Drawings do not display the mean high tide (MHT).
3. Drawings are not on 8½-by-11-inch paper, in grayscale (black and white).
4. Application does not list longitude/latitude and section/township/range of the project site.
5. Drawings are not drawn to scale or they do not show accurate dimensions of proposed work.

Helpful Hints to Obtaining a Living Shoreline Permit

START EARLY
Be prepared to submit your permit application at least 90 days before construction is planned to begin.

BE PREPARED
Schedule a pre-application meeting with DMR to clear up any questions and to address possible complications.

BE PATIENT
The permit application may have to be approved by several agencies, so the approval process takes time.
Additional Living Shorelines Resources

For additional information on living shoreline permitting:

- masglp.olemiss.edu/living_shorelines.pdf

To learn more about the benefits of living shorelines:

- Mississippi-Alabama Sea Grant (masgc.org/living-shorelines)
- Livingshorelinesacademy.org
- Wetland.org

For any additional questions, contact:

Mississippi State University Coastal Research & Extension Center
1815 Popps Ferry Road • Biloxi, MS
(228) 388-4710
www.coastal.msstate.edu

Example Living Shorelines Permit Application

What remains of this guide is an example permit application that resulted in a permit being issued. The permit application contains the following documents:

1. State Lands Application
2. Documentation of Upland Interest
3. Property Survey
4. State Lands Affidavit
5. USACE/adem Joint Application
6. Vicinity Map
7. Site Plan
8. Cross-Section Drawing
**Notice to Impact State-Owned Submerged Lands**

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**STATE OF ALABAMA**  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
STATE LANDS DIVISION  
5 Rivers – Alabama’s Delta Resource Center  
31115 – 5 Rivers Boulevard  
Spanish Fort, Alabama 36527  
(251) 621-1238  
(251) 621-1331 Fax  
www.outdooralabama.gov

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**NOTICE OF INTENT TO IMPACT STATE OWNED SUBMERGED LANDS**  
Request is made for review and approval of the following activities pursuant to State Lands Division Regulation 03-SL-01, Rule 220-4-09: Placement and Configuration of Piers and other Improvements on State Submerged Lands:

- **Name of Riparian Owner(s):** [Redacted]  
- **Signature of Riparian Owner:** [Redacted]  
- **Date:** [Redacted]  
- **Mailing Address:**  
  - (Street)  
  - (City)  
  - (Zip Code)  
- **Phone Number:** [Redacted]  
- **Fax Number:** [Redacted]  
- **Cell Number:** [Redacted]  
- **Email Address:** [Redacted]  
- **Contractor Name:** [Redacted]  
- **Contactor#:** [Redacted]  
- **Project Location:**  
  - (Street)  
  - (City)  
  - (Zip Code)  
- **Tax Parcel ID No.:** [Redacted]  
- **Brief Project Description:** Create living shoreline; plant marsh grasses (black needle rush) secured by coir logs & NTE 50 cu yds Sand backfill. Mean high tide line will NOT be changed. SAI 1000 sq. ft

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**Residential (Check all that apply):**  
- Dock____  
- Pier____  
- Bulkhead____  
- Walk Way____  
- Boathouse____  
- Dredge/Fill____  
- Pavilion____  
- Deck____  
- Piling/Pilings____  
- Boat Slip____

**Nonresidential Facilities (Check all that apply):**  
- Marina Complex___  
- Condominium___  
- Bulkhead___  
- Dredge/Fill COIR & FILL___  
- Dock____  
- Pier____  
- Walk Way____  
- Boathouse____  
- Pavilion____  
- Deck____  
- Piling/Pilings____  
- Boat Slip____  
- Section____  
- Township____  
- Range____

**Water Body:** [Redacted]  

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**Department Use Only**
STATE OF ALABAMA

_____________ COUNTY

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of
_________________ ($_________________) in hand paid to
_____________, a __________________, residing at ___________________.
County of ______________, City of __________________, State of ______________
(hereinafter known as the “Grantor(s)”) hereby conveys and quitclaims to
_____________, a __________________, residing at ___________________.
County of ______________, City of __________________, State of ______________
(hereinafter known as the “Grantee(s)”) all the rights, title, interest, and claim in or to the
following described real estate, situated in __________________ County, Alabama
to-wit:

________________________________________

________________________________________

[INSERT LEGAL DESCRIPTION HERE OR ATTACH AND INSERT]

To have and to hold, the same together with all and singular the appurtenances
thereunto belonging or in anywise appertaining, and all the estate, right, title, interest,
lien, equity and claim whatsoever for the said first party, either in law or equity, to the
only proper use, benefit and behoof of the said second party forever.
Property Survey
ALABAMA STATE LANDS DIVISION CONSENT

AFFIDAVIT FOR RIPARIAN PROPERTY OWNERS FOR CONSTRUCTION OF PIERS AND/OR BULKHEADS

Construction of docks, piers, boathouses, bulkheads and similar structures located below the mean high tide or on public submerged lands must be consistent with Alabama State Lands Regulation 220-4-.09 Placement and Configuration of Piers and Other Improvements on State Submerged Lands. All state owned submerged lands shall be subject to a navigation priority. Structures must maintain a 10 foot setback from both adjacent properties’ riparian boundaries and may not exceed 25% of the water body at that location. Structures extending greater than 50 feet from the shore must provide safety lights as determined by the Alabama Marine Police.

NOTE: Alabama State Lands Division approval does not relieve the applicant’s responsibility to obtain any required local building permits or other state or federal permit requirements. Contact your local building departments for further information.

State of Alabama: Baldwin
County: Baldwin

AFFIDAVIT

The undersigned hereby represents that they are the legal owner(s) of real property located in Baldwin County, Alabama and that the property is located immediately adjacent to and abuts public waters and the undersigned has legal riparian rights associated with the upland property. A private pier or bulkhead structure connected to this property and located over state-owned submerged lands will be constructed and will comply with Alabama State Lands Division Regulation 220-4-.09.

I agree to build the proposed structure consistent with Alabama State Lands Regulation 220-4-.09 Placement and Configuration of Piers and Other Improvements on State Submerged Lands.

In the event the structure is determined to pose a safety hazard or obstruction to navigation as determined by the Alabama Marine Police, or is determined to be inconsistent with Alabama State Lands Regulation 220-4-.09, I agree to modify the structure to eliminate such hazard or obstruction and conform to Regulation 220-4-.09 and/or navigational concerns of the Alabama Marine Police.

[Signature] [Date] [Notary Public]

Print Name

Project Address
### JOINT APPLICATION AND NOTIFICATION

**U. S. DEPARTMENT OF ARMY, CORPS OF ENGINEERS**  
**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

This form is to be used for proposed activities in waters of the United States within the political boundaries of the State of Alabama.

**PLEASE TYPE OR PRINT IN INK**

<table>
<thead>
<tr>
<th>1. Date:</th>
<th></th>
<th></th>
<th>APPLICATION NUMBER (TO BE ASSIGNED BY CORPS)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>month</td>
<td>day</td>
<td>year</td>
</tr>
</tbody>
</table>

**COE:**  
**ADEM:**  
**ADCNR:**  
**State Clearinghouse:**  
**Date Received:**

<table>
<thead>
<tr>
<th>2. Applicant:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Name and Address:</td>
<td></td>
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<td></td>
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<tr>
<td>Telephone Number and Email during business hours:</td>
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<tr>
<td>A/C:</td>
<td>Residence</td>
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<td>A/C:</td>
<td>Office</td>
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<td>Email:</td>
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| 3. Designation of Agent, Statement of Authorization, |  |  |  |
| I hereby designate and authorize: |  |  |  |
| to act on my behalf in the processing of this permit application and to furnish, upon request, supplemental information in support of the application. |  |  |  |
| Signature of Applicant | Date |  |  |

| 4. Project Location: |  |  |  |
| Street Address: |  |  |  |
| Name of Waterway: |  |  |  |
| Geographic Location: | Section | Township | Range | County |
| Loran C coordinates (if applicable): |  |  |  |  |
| County Parcel Identification Number (PID): |  |  |  |

(located on property tax receipt)

**5. Project Description:** including all aspects of the project. Describe completely and in detail. Include any structures such as piers, wharfs, bulkheads, pipelines, boathouses, boat ramps, groins, jetties, and appurtenances, as well as any dredging, excavation, or fill activities. Attach additional sheets if necessary.
50 cu yds

Native sand
Vicinity Map

1) Proceed East on I-10
2) Turn right/South on 59 S @ Loxley/Gulf Shores Exit
3) Turn left/East on 98 at Foley
4) Turn right/South on 97 at Perdido Beach Exit
5) Destination is on the left
Site Plan
Cross-Section Drawing
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