



Permitting Living Shorelines

Challenges and Opportunities

Restore America's Estuaries Conference
November 3, 2014

GEORGETOWN CLIMATE CENTER

- Convenes and serves as resource to states and localities on climate and energy issues
- Brings together academics and policymakers to improve climate policy
- Informs the development of:
 - Legislation
 - Regulation
 - Transportation policy
 - Adaptation policy



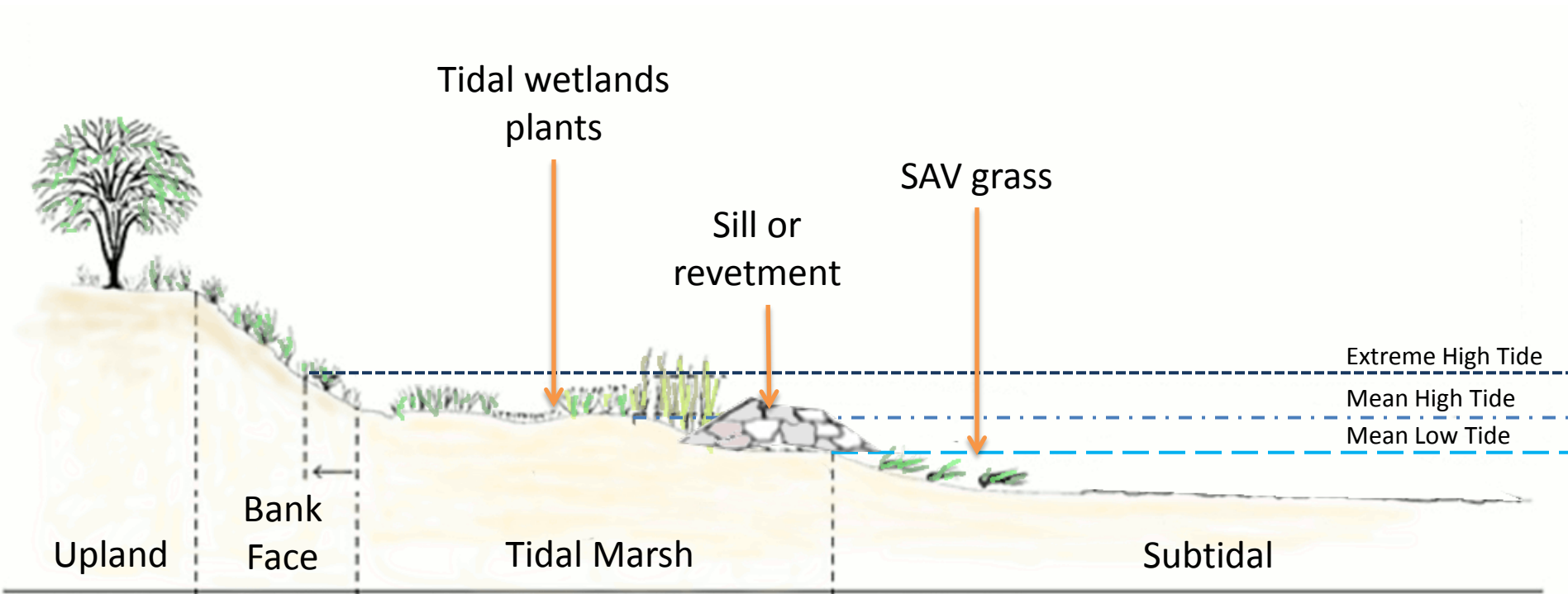
GEORGETOWN CLIMATE CENTER



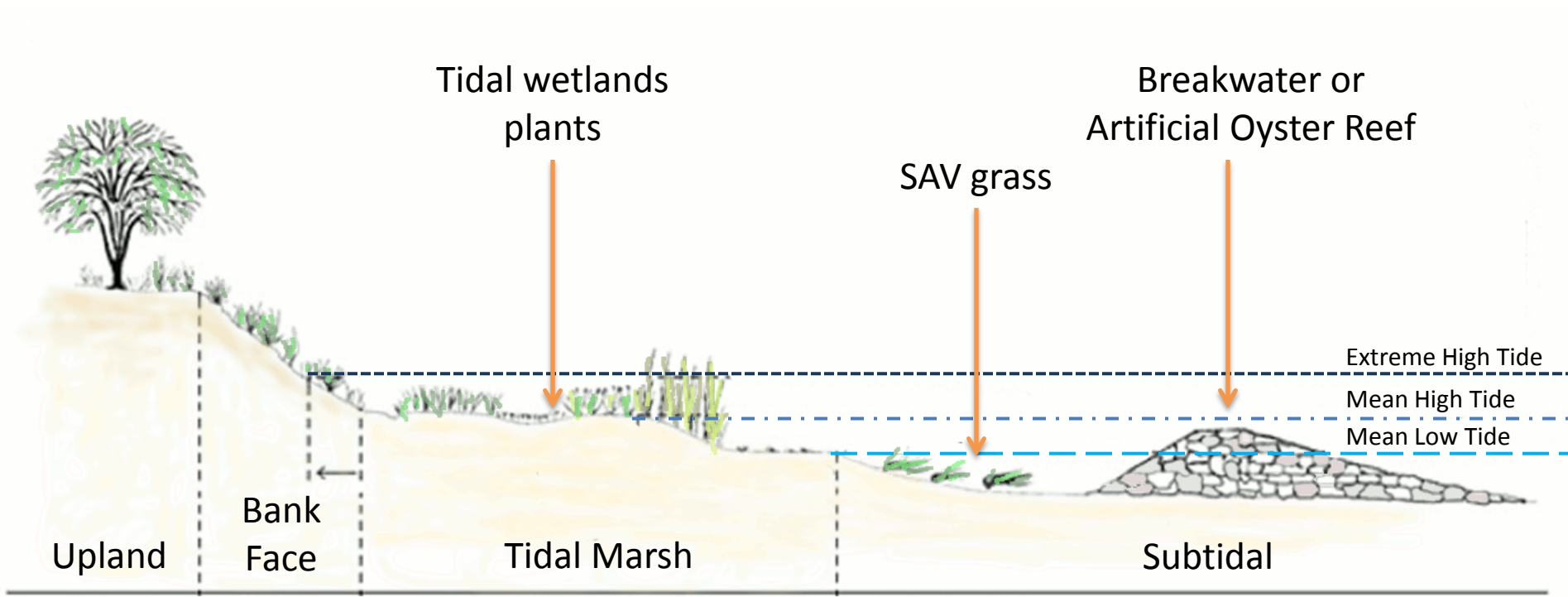
Recommendations to the Task Force: “Preparing Our Communities for Climate Impacts: Recommendations for Federal Action”



What is a living shoreline?



What is a living shoreline?



Regulatory Challenges: Overlapping Jurisdiction

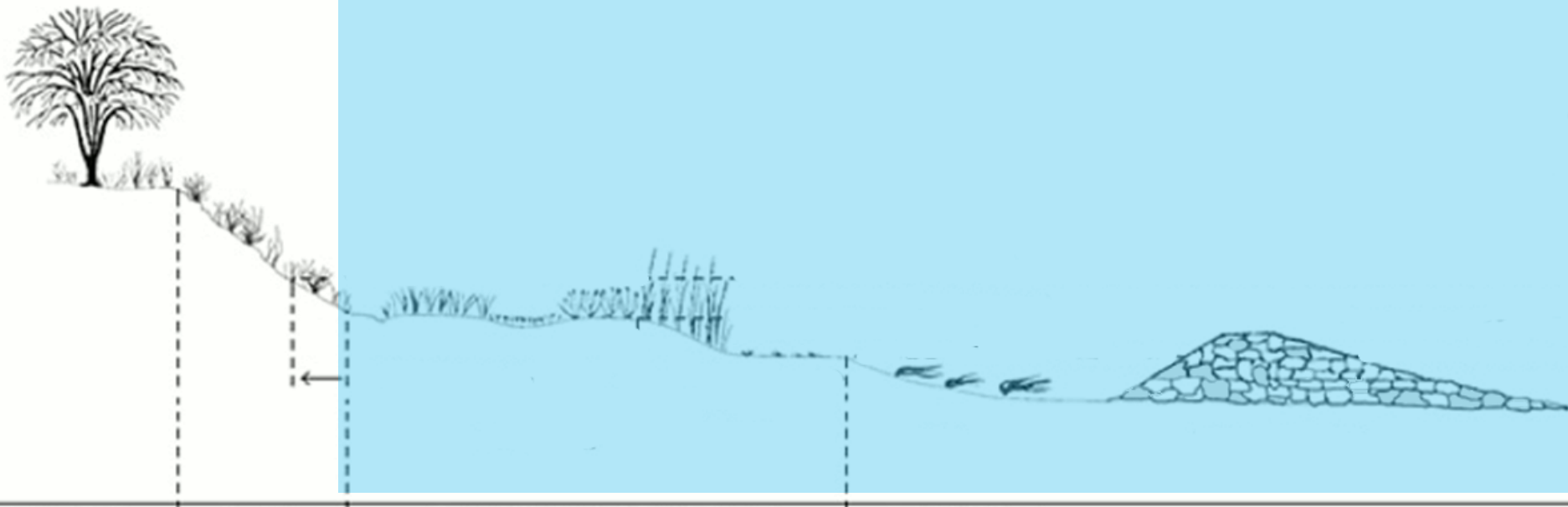
Local (in some states)
Land-Use Powers



State
State Water Quality Program
State Coastal Management Program

Army Corps of Engineers
Sec. 404 Clean Water Act
Sec. 10 Rivers and Harbors Act

Regulatory Authority



Army Corps of Engineers
Sec. 404 Clean Water Act
Sec. 10 Rivers and Harbors Act

Army Corps Permitting



Nationwide
General Permit (NWP)



- **Army Corps** does administrative work



Individual Permit (IP)



- **Landowner** does administrative work



Army Corps “administrative work”

Environmental Review

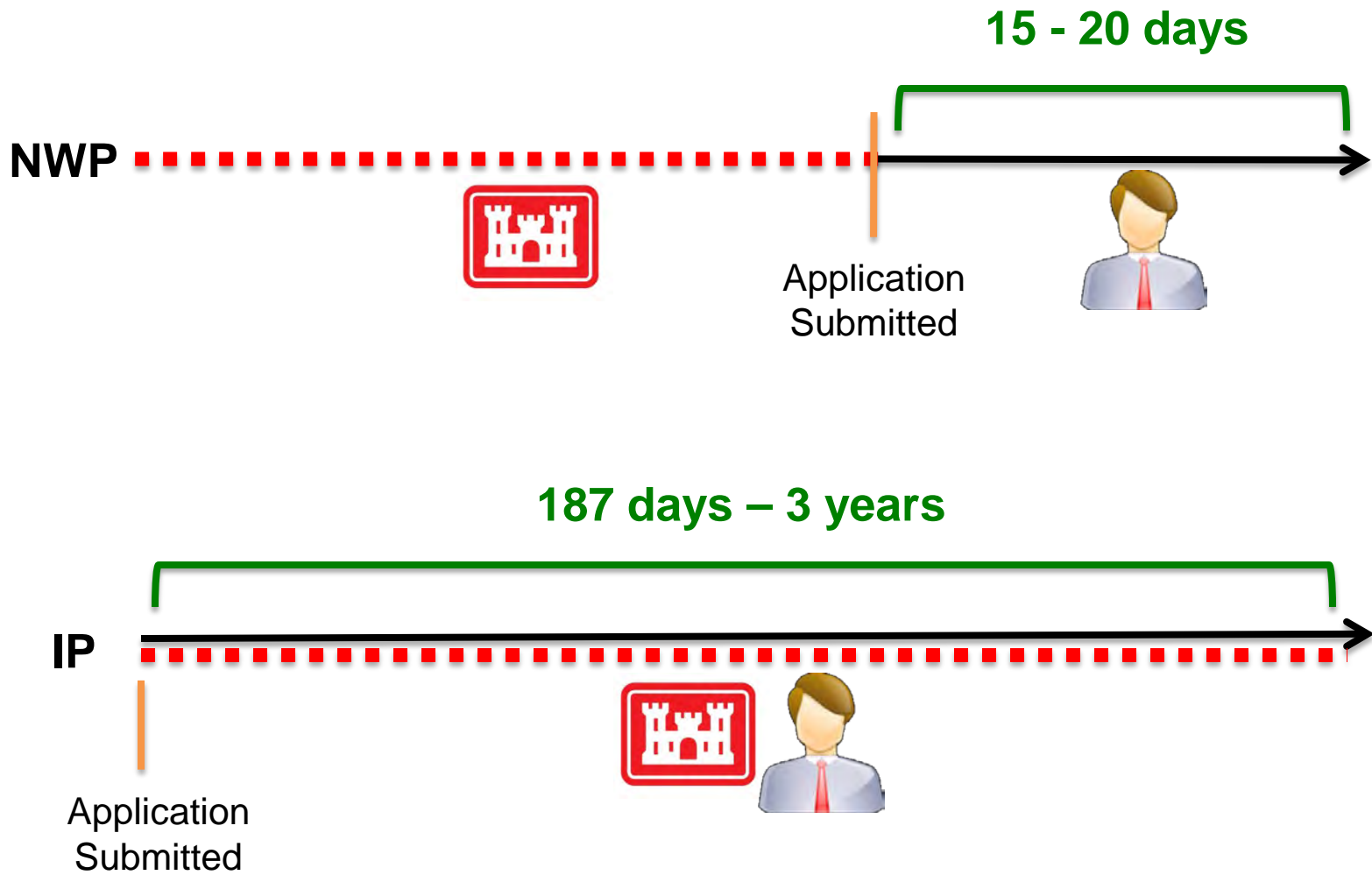
Public Interest Review

Endangered Species

State Certification



Permit Comparison



Programmatic General Permit

Army Corps issues PGP



State given authority to verify federal permits for living shorelines



Category A

- Minimal impact
- Only need state review (80% of projects)



Category B

- More significant impact
- Reviewed by Army Corps

Regional General Permit

Army Corps issues RGP
for living shorelines



Individual permits no longer necessary
for living shorelines



Army Corps issues RGP
for armoring



Armoring permitted only if no feasible
alternative



Nationwide Permits



Living shorelines authorized
through NWP 13 and 27

Today's Line Up

- **Maryland Living Shoreline Protection Act**

Dr. Bhaskar Subramanian, Maryland Department of Natural Resources

- **Mobile Bay Alabama Regional General Permit**

Niki Pace, Mississippi-Alabama Sea Grant Consortium

Dr. Chris Boyd, Troy University

- **Army Corps Nationwide Permits**

Desiree Morningstar, Army Corps of Engineers