



# Permitting & Funding Issues for Texas Living Shorelines

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# Overview

- GLO's Permit Service Center
- Coastal Boundary Survey Requirement
- Joint Permit Application Form
- Corps Permit Process
- Funding Assistance for Living Shorelines





# What Permits Do I Need To Build a Living Shoreline on the Texas Coast?

- Check with your local (city or county) planning department
- If construction will be below mean high tide, you'll need the following:
  - ✓ For most sites, a coastal boundary survey (CBS) by a licensed state land surveyor
  - ✓ Permission from the General Land Office (GLO) for your living shoreline to occupy state-owned submerged land (GLO easement)
  - ✓ Permit from the U.S. Army Corps of Engineers (Corps permit), Galveston District
  - ✓ If plantings are involved, a species introduction permit from Texas Parks & Wildlife Department (TPWD)
  - ✓ Additional permits and clearances as determined during the Corps permitting process





# How Do I Start the Texas Permitting Process?

- Contact the GLO's Permit Service Center (PSC) for your area
- PSC services
  - Provides free permitting assistance to all small businesses, private individuals, and local government organizations planning coastal projects
  - Offers technical assistance before the permitting process begins
  - Helps locate the line of mean high tide on your site
  - Provides information about obtaining a CBS
  - Helps applicant complete the Joint Permit Application Form
  - Coordinates with regulatory staff in other agencies to facilitate the permitting process





# What Do I Do To Get Permitting Started?

- Determine whether your living shoreline will occupy land seaward of the line of mean high tide
- Most living shorelines will be located below mean high tide
- If project is located below mean high tide, obtain a CBS if advised to by PSC staff





# How Do I Obtain a Coastal Boundary Survey?

- CBS determines boundary between private uplands and state-owned submerged land
- Must be performed by a **licensed state land surveyor**, who has special qualifications and state certification
- PSC cannot recommend surveyors, but can provide resources on finding a licensed state land surveyor
- Surveyor must work with the GLO's Surveying Division and obtain GLO approval for the CBS





# When Do I Submit the Joint Permit Application Form?

- You can submit the Joint Permit Application Form when you have the following documentation:
  - ✓ Coastal boundary survey if needed
  - ✓ Proof of ownership of littoral property
  - ✓ Map showing the geographic features of the site
  - ✓ Drawings depicting the location of all structures occupying state-owned submerged land (e.g., piers, docks, etc.)
  - ✓ Technical plans and drawings for your living shoreline





# What Happens After the Joint Permit Application Form is Submitted?

- PSC staff facilitates the application process
  - Submits the easement application to the GLO
  - Submits the Corps permit application
  - Coordinates with regulatory staff
  - Contacts you if more information or documentation is needed





# How Long Does the Corps Permit Process Take?

- Corps permit determines the speed of the overall process
- Can take from 3 to 18 months
- Some projects will proceed more quickly than others
  - Projects with minor environmental impacts may be eligible for an abbreviated process through a Letter of Permission (LOP)
  - Projects consistent with Nationwide Permits (NWPs) can proceed more quickly because less environmental review is required
  - NWP 54 applies to some living shoreline projects
  - Projects that require individual permits usually take the longest





# Can Anything Speed Up the Permitting Process?

- Design your project to fall within the LOP or NWP process
- Work with professionals experienced in coastal construction and permitting
- Participate in a pre-submittal Corps Joint Evaluation Meeting (JEM)
- Manage your expectations & plan accordingly





# What If My Project Changes After Permitting?

- Contact PSC if project changes after permitting
- GLO will need to approve if footprint of project changes
- Corps permit usually can be amended without significant delays





# Is Funding Available for Living Shorelines?

- Funding for private individuals is scarce
- Non-profits and local governments may apply for grants
- Texas Coastal Management Program (CMP) grants from NOAA through GLO
  - Annual grant opportunities
  - Up to \$200,000
  - 40% non-federal match required
- Texas Coastal Erosion Planning & Response Act (CEPRA) grants through GLO
  - Biennial grant opportunities
  - 40% match required





# What Other Funding Is Available for Living Shorelines?

- RESTORE Act grants
  - Texas RESTORE grant program administered by TCEQ
  - No match required but extremely competitive
  - Check with TCEQ for funding opportunities
  - <http://www.restorethetexascoast.org>
- National Fish & Wildlife Foundation (NFWF)
- NOAA





# Thank you!



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