



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

REPLY TO
ATTENTION OF:

CESAM-RD-C
PUBLIC NOTICE

21 March 2009

PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)
FOR THE PROPOSED DEVELOPMENT ALONG THE FOLEY LAND CUT PORTION OF THE
GULF INTRACOASTAL WATERWAY, GULF SHORES AND ORANGE BEACH ALABAMA

TO ALL CONCERNED: The U.S. Army Corps of Engineers (Corps), Mobile District, has received the following applications for Department of the Army Permits pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and 404 of the Clean Water Act (33 USC 1344). An Environmental Impact Statement (EIS) is being used as a basis for ensuring compliance of these projects with the National Environmental Policy Act (NEPA). This public notice is being distributed to all known interested persons to inform them of the availability of the Draft Environmental Impact Statement for review and comments.

LOCATION: 10-mile length of Foley Land Cut Portion of the Gulf Intracoastal Waterway, located between Oyster Bay and Wolf Bay, Gulf Shores and Orange Beach, Baldwin County, Alabama.

WORK: The Mobile District, U.S. Army Corps of Engineers (Corps), has prepared a Draft Environmental Impact Statement (DEIS) to address the potential impacts associated with mixed-use waterfront development along the Gulf Intracoastal Waterway (GIWW) in Baldwin County, AL, specifically the stretch known as the "Foley Land Cut". The DEIS is available on the Mobile District Regulatory Division website at <http://www.sam.usace.army.mil/RD/>. The DEIS is evaluating the following proposed projects along the GIWW:

1. Forty Seven Canal Place, SAM-2004-3402-MBM
2. Walker Creek, SAM-2005-466-MBM
3. Bon Secour Village, SAM-2005-1741-MBM
4. Bayside Harbour, SAM-2005-3418-MBM
5. Bon Secour Village West, SAM-2005-4850-MBM
6. Harbour Lights, SAM-2006-206-MBM
7. The Oyster, SAM-2006-310-MBM
8. 501 Point West, SAM-2006-949-MBM
9. Waterways East, SAM-2006-951-MBM
10. Summerdance, SAM-2006-952-MBM
11. KFPH Properties, SAM-2006-685-MBM
12. Delfino Resort 1, SAM-2006-686-MBM
14. Delfino Resort 2, SAM-2006-687-MBM
14. Lawrenz Western Marina, SAM-2006-2329-MBM
15. Lawrenz Eastern Marina, SAM-2006-2330-MBM

PUBLIC NOTICE: Availability of GIWW Draft EIS

The EIS will analyze the social, economic, and environmental impacts to the local area resulting from the proposed projects and alternatives. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposal on the public interest. That decision will reflect the national concern for both protection and use of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors and their cumulative effects relevant to the proposal will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, property ownership, general the needs and welfare of the people, alternatives, secondary and cumulative impacts, socioeconomic impacts, environmental justice (effect on minorities and low-income groups) (Executive Order 12898), and protection of children (Executive Order 13045).

To evaluate the impacts of these proposals the Corps is soliciting comments on the DEIS from the public; Federal, State and local agencies and officials; Indian Tribes; and other interested parties. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Comments will be considered to determine whether to issue, modify, condition or deny a permit.

Comments concerning the DEIS referenced in this Public Notice should be received by **April 12, 2009**, and should refer to **GIWW DEIS STUDY** and direct your correspondence to the District Commander, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Ms. Linda Brown, U.S. Army Corps of Engineers, Planning Division, Coastal Environment Team, telephone number (251) 694-3786.

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U.S. Army Corps of Engineers