



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT
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CESAM RD-A
Regulatory Division
PUBLIC NOTICE NO. SAM-2004-03402-MBM

December 6, 2024

SPECIAL PUBLIC NOTICE

**REAFFIRMATION OF SLIP LIMITS FOR COMMERCIAL MARINA DEVELOPMENT ON
THE FOLEY LAND CUT (FLC) PORTION OF THE GULF INTRACOASTAL WATERWAY
(GIWW) IN SOUTHERN BALDWIN COUNTY, ALABAMA**

TO WHOM IT MAY CONCERN: In 2009, The U.S. Army Corps of Engineers (USACE) completed an environmental impact statement (EIS) to evaluate the potential environmental and socioeconomic consequences of granting permits for developing marinas along the Foley Land Cut (FLC) portion of the Gulf Intracoastal Waterway (GIWW) in southern Baldwin County, Alabama under permit number SAM-2004-03402-MBM. The GIWW is a federally constructed and maintained commercial shipping channel, and the FLC portion extends approximately 9.3 miles from Bon Secour Bay (Mile Marker 151) to Portage Creek at Wolf Bay (Mile Marker 160). Federal operation and maintenance funding for the GIWW is based on the commercial tonnage that is annually transported on the waterway.

The 2009 EIS included a 2007 Waterway Capacity Study (WCS) that evaluated compatible uses and potential conflicts between private and commercial use of the FLC. The study focused on safety, environmental, social, economic, recreation, aesthetic issues, with the primary focus on the commercial navigational safety of commercial cargo vessels, especially fuel-carrying tows. The WCS and EIS offered a range of alternative management measures to implement the recommendations developed from these studies.

The USACE evaluated the No Action Alternative, Maximum Boat Slip Alternative, and Minimum Boat Slip Alternative. The USACE selected the Minimum Boat Slip Alternative that would initially allow for permitting of 1,818 boat slips on the FLC through the first period of construction, with the option of phasing-in 1,150 additional boat slips until the maximum number of slips (3,093) is reached. The option of phasing-in additional slips would begin after an effects analysis is performed one year after completion of the full build-out of the initial 1,818 boat slips. An evaluation will occur each year to evaluate impacts of increased recreational boat traffic on commercial vessel navigation and overall waterway safety. The decision to release additional boat slips will adhere to the permitting processes of the USACE, Mobile District Regulatory Division. If during the evaluation period it is determined that increased recreational boat traffic is having adverse impacts on commercial barge navigation or waterway safety, the USACE has the authority to deny permits for additional boat slips on the FLC. In the EIS, additional slips could also be considered if identified alternative mitigation management options are implemented, however none have been implemented to date.

The USACE has issued permits for the initially allowed 1,818 boat slips for the FLC. The option of phasing-in additional slips on the FLC will begin after an effects analysis is performed one year after completion of the full build-out of the 1,818 boat slips. Additional

slips may be considered if the identified alternative mitigation management options are implemented.

For more information on the USACE Regulatory Program visit
<https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/>.

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U.S. Army Corps of Engineers