

**Gulf Coast Ecosystem Restoration Council  
Summary of Council Funding Approval  
City of Loxley Corn Creek Tributary Restoration Project  
January 17, 2024**

On January 17, 2024, the Gulf Coast Ecosystem Restoration Council (Council) voted to approve \$2,123,000 in implementation funding for the City of Loxley Corn Creek Tributary Restoration project, a component of the FPL 3b [Coastal Alabama Regional Water Quality Program](#). Background on this funding approval is provided below. Before voting on whether to approve funding, the Council requested stakeholder input during a 30-day public comment period which began on November 13, 2023 and concluded on December 13, 2023. The Council received no public comments on this proposed funding approval.

**Background:**

Pursuant to the *Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012* (33 U.S.C. § 1321(t) and *note*) (RESTORE Act), the Council is responsible for administering portions of *Deepwater Horizon* oil spill settlement funds for the purpose of restoring the environment and economy of the Gulf coast. The Council administers two funding programs, one of which is the Council-Selected Restoration Component, or “Bucket 2.” Under Bucket 2, the Council votes to approve Gulf ecosystem restoration projects and programs proposed by the Council members. Bucket 2 projects and programs approved for funding by the Council are included in what is referred to as a Funded Priorities List.

FPLs include activities in two categories. Category 1 activities are approved for Bucket 2 funding. Such approval requires a Council vote as set forth in the RESTORE Act. To be approved in Category 1, a project or program must have documentation demonstrating that all applicable environmental laws have been addressed. For example, a construction project would need documentation demonstrating compliance with the National Environmental Policy Act (NEPA) and other applicable laws.

Category 2 activities are Council priorities for potential future funding, but are not currently approved for funding. As appropriate, the Council reviews the activities in Category 2 in order to determine whether to move the given activity to Category 1 and approve it for funding via a Council vote. Such funding approvals are done via amendments to the FPL containing the given project(s) or program(s). FPL amendments are also required for other changes to listed projects (e.g., material changes in scope or cost, transfer of sponsorship to another Council member). The project that is the subject of this FPL amendment is described below.

**City of Loxley Corn Creek Tributary Restoration Project**

The Council voted to approve \$2,123,000 in implementation funding for the City of Loxley Corn Creek Tributary Restoration project (Corn Creek project) located in Baldwin County, Alabama and sponsored by the Alabama Department of Conservation and Natural Resources (ADCNR).

These implementation funds were budgeted in Category 2 of the Council's FPL 3b. This project will be implemented as a component of the FPL 3b Coastal Alabama Regional Water Quality Program.

This project will restore a channelized tributary to Corn Creek, which feeds into Fish River, Weeks Bay, and eventually Mobile Bay. This tributary runs through the Loxley Elementary School property and the City of Loxley's utilities property. These large open floodplain areas provide an opportunity to improve sinuosity and construct a more natural stream. The project will restore a tributary reach of approximately 2,660 feet with off-channel stormwater management areas utilizing Low Impact Development techniques such as bioretention cells and constructed stormwater wetlands to reduce nutrient and sediment loading. In addition, riparian buffer vegetation and interpretive signage will be established to provide a "hands-on" learning environment for the elementary school students and faculty and provide a significant enhancement to the visual aesthetics of the area. Environmental benefits include improved water quality and ecosystem function/habitat along the restored stream. The plan includes sediment removal in the existing infrastructure or pipes and culverts to avert resuspension and transport downstream.

On June 16, 2023, the City of Loxley received Clean Water Act Section 404 authorization under the Department of Army Nationwide Permit 27. To comply with NEPA, the Council is adopting the December 10, 2021, Corps of Engineers Decision Document for Nationwide Permit 27. ADCNR also completed additional environmental compliance coordination for the Fish and Wildlife Coordination Act (FWCA), Endangered Species Act (ESA) and the National Historic Preservation Act (NHPA) in coordination with the U.S. Fish and Wildlife Service (USFWS), and the Alabama Historical Commission. The Council has reviewed the applicable environmental compliance documentation. To ensure compliance with FWCA, ESA, NHPA, and other relevant laws, the Council will require that the sponsor of the project adhere to all applicable conditions in the Nationwide Permit 27 authorization the associated environmental compliance documents.