

Rear Admiral John C. Vann, Commander

Hal R. Pitts, Bridge Program Manager

Jack H. Williams, Bridge Management Specialist

**Office of the Commander
Coast Guard Fifth District
431 Crawford Street
Portsmouth, VA 23704**

Re: Comments in response to PPN D05PPN-08-2024 regarding Cape Fear Memorial Bridge Replacement Project

Commander Vann, Mr. Pitts, and Mr. Williams:

I write on behalf of the Historic Wilmington Foundation (HWF) in response to USCG's Preliminary Public Notice seeking comments from interested parties on the proposed Cape Fear Memorial Bridge replacement project. HWF has approximately 400 members and is the principal advocate for historic assets in Wilmington and the Cape Fear region. The Wilmington National Register Historic District and many historic and cultural assets are within the area of impact of the project. HWF is a consulting party to the project's NEPA and Section 106 review process. HWF and our members thank you for the opportunity to comment on the bridge replacement project and specifically on the vertical clearance options under consideration.

I. HWF's Position Regarding Vertical Clearances

For the reasons set out below and based on the data presented in the Navigation Impact Report (NIR), HWF urges the Coast Guard to make a Preliminary Navigational Clearance Determination (PNCD) of a vertical clearance of no greater than 100-feet. We also ask that you give serious consideration whether a PNCD of 65-feet (the vertical clearance of bridges on the adjacent Intracoastal Waterway) would meet reasonable navigational needs, given that all commercial vessels and the vast majority of recreational vessels operating on the waterway have heights less than 65 feet. Finally, we urge you to determine that a 135-foot vertical clearance is not reasonably needed for navigation, given that it is not justified by the heights of vessels using the waterway and a fixed span bridge with this clearance would do extensive damage to Wilmington's historic and cultural assets and thus its economy.

II. The Touchstone for Determining Clearances is "Reasonable" Needs of Navigation

We understand that the Coast Guard's goal in making navigational bridge clearance determinations is to determine needs of navigation, with a primary focus on commercial navigation, while facilitating other modes of transportation:

"As we [the Coast Guard] look at navigation on a waterway, we consider all bridges as obstructions to some extent. However, we also recognize that there is some benefit to those obstructions. So when it comes down to it, bridges do not have to accommodate absolutely every possible existing or prospective navigation on a waterway. Rather, it is our job to ensure that the bridge meets the reasonable needs of navigation while facilitating other modes of

transportation. Note the emphasis on the word reasonable. And also recall, that it is our job to advocate for maritime commerce. Publication of CG Office of Bridge Programs and Policy Divisions, p. 23, citing Rivers and Harbors Act, 33 U.S.C. § 401.”

The touchstone then is “reasonableness” in light of all circumstances and competing needs.

III. The NIR Supports a Finding that a Vertical Clearance of 65 Feet Meets Reasonable Needs of Navigation

Navigational Impact Reports provide the Coast Guard with data needed to make clearance determinations. In this case, the NIR submitted by NCDOT states that there are no vessels operating on the waterway at issue, under and north of the proposed bridge, that exceed 100 feet in height. In fact, the NIR shows that currently there are no commercial vessels operating on the waterway that exceed 65 feet in height. The existing Cape Fear Memorial Bridge has a 65-foot vertical clearance when closed. The lift logs attached to the NIR show that there have been no bridge calls for lifts for commercial vessels since the sale in June 2023 of Kinder Morgan, the last upriver commercial industrial terminal. In the entire year of 2023, only 69 vessels made bridge calls for lifts, and 67 of these (97%) were sailboats. Importantly, the lift logs do not record the air drafts of the recreational sailboats requesting lifts. The NIR finds that these sailboats do not exceed 100 feet, but a significant portion of them may have heights that are close to but less than 65 feet. Interviews with stakeholders (marinas and boatyards) reference only one 80-foot sailboat.

The NIR leaves open the possibility that “the proposed bridge” could “impact prospective commercial operations” on the “old Kinder Morgan site.” However, it is highly unlikely that Kinder Morgan or any upstream site will be used in the future for commercial purposes that require large vessels with air drafts greater than 65 feet.

Significantly, vertical clearances are not the only obstacles to future upstream industry and large commercial vessels. The depth of the water is the most consequential limitation north of the Cape Fear Memorial Bridge. The NIR confirms that the water depth at the old Kinder Morgan terminal is 28 to 31 feet. This shallow depth makes the old Kinder Morgan terminal economically and commercially unviable, and that depth will not be increased.

The U.S. Army Corps of Engineers eliminated potential federal funding to dredge north of the bridge in 2006 citing a marginal cost/benefit ratio. The Wilmington Harbor 403 dredging project, currently under review, does not extend north of mile 26.8; it will end well south of the proposed replacement bridge. Environmental concerns, including increased flooding risks, argue against dredging to increase channel depths north of the bridge. The NIR confirms: “while there are plans to deepen the channel to the south of the bridge, these channel modifications are not expected to extend as far north as” the bridge. In short, the depth restriction will continue to preclude larger vessels from navigating north of the bridge.

Another reason upriver industrial shipping terminals are not commercially viable is the long distance from the coastal bar, where the Cape Fear River meets the Atlantic Ocean. The old Kinder Morgan site is approximately thirty miles and over 3 hours navigation time from the bar.

Kinder Morgan operated the last shipping terminal north of the Cape Fear Memorial Bridge. It sold this property in June of 2023 and relocated to terminals south of the bridge where deeper

water and better access meet its needs. Former employees confirmed in a 2009 StarNews report that business was lost due to the site's restrictive 31-foot draft.

In sum, any upstream industry that uses larger vessels has moved on, and because of the obstacles noted above, it is not likely to return. Regarding the Kinder Morgan site, there are no current development or marketing plans for industrial uses that involve navigation on the river. The new owner stated in the NIR interview that it has no development plans for and is not marketing the site. He indicated many types of "typical" development, including residential, were possible. Given that the Coast Guard's touchstone for a PNCD is "reasonable need," speculative assumptions about future uses of these sites should not influence the navigational needs assessment.

The same can be said about large ocean-going cruise ships. The only cruise ships we are aware of that docked in Wilmington north of the bridge are small river-size American Cruise Line ships that navigate the Intercoastal Waterway (ICW). These cruise ships do not require a 135-foot vertical clearance and indeed can be accommodated by a 65-foot clearance, the minimum clearance on the ICW. Larger cruise ships, like the larger commercial vessels discussed above, are unlikely to ever navigate north of the bridge. They require a cruise ship terminal, and none is planned. When Wilmington City Council and staff considered this issue a few years ago, they were influenced by Charleston's negative experience with large cruise ships and concluded that the expense of a terminal was not justified by the small economic return. (Cruise ship passengers spend very little money at ports of call.) Large cruise ships also would be impeded north of the proposed bridge by shallow depths, a narrowing channel, and lack of a turning basin. Given environmental concerns, dredging to address these issues is risky and likely to be rejected by regulatory agencies. If in the future Wilmington desires large cruise ships, the cruise terminal is better located south of the bridge where there is deep water and access to a turning basin. The remote possibility of future ocean-going cruise ships north of the bridge is so speculative and unlikely that it should not factor into a determination of reasonable navigational needs.

The NIR identifies three alternative bridge designs currently under review in the NEPA/Section 106 process:

- **Alternative A:** Movable span with a 65' clearance, extendable to 135' when open, *essentially the same vertical clearances of the existing moveable span bridge.*
- **Alternative B:** Fixed span with a 135' clearance
- **Alternative C:** Fixed span with a 100' clearance, plus or minus 35' (65'-135')

The NIR concludes that all three of these alternatives fulfill the navigational needs of recreational, commercial, and passenger vessels. However, HWF respectfully submits that clearances above 65 feet are not "reasonably" necessary to navigation. Again, there are no commercial or passenger vessels, and relatively few recreational vessels, with heights in excess of 65 feet using the waterway. There are marine facilities south of the bridge that can serve the few recreational vessels higher than 65 feet. Industry that utilized large ocean-going vessels has moved to terminals south of the bridge. For all these reasons, a bridge clearance of 65 feet would have no negative impact on maritime commerce and little if any negative impact on recreational navigation.

IV. A Fixed Bridge with a Vertical Clearance Greater than 100 Feet Does Significant Unjustified Harm to Wilmington’s Historic and Cultural Assets and Economy—and Alternative C (fixed, 135 feet) Is Most Damaging

The existing 65-foot lift bridge lands between South 3rd and South Front Street. By contrast, the replacement bridge plan with a fixed 135-foot span would reach much deeper into the Historic District, landing at South 5th Street. The long on/off ramps and support structures would reach into what are now residential blocks. As a result, many structures, including historic homes, would be demolished. There would be an overpass above South Front, South 3rd, and South 4th Streets, with a ramp down to South 5th. The bridge, ramps, overpass, supporting structures, and the traffic carried on them would create ugly sight lines, noise, grime, and vibrations for several blocks along their path. These ill effects would dramatically reduce properties values and cause urban blight for several blocks along the path of these structures. It would discourage private investment in and the preservation of the historic homes within this blighted area, and many eventually would be lost to demolition by neglect.

The Wilmington National Register Historic District is an important economic driver for Wilmington, supporting tourism, the film industry, downtown businesses, and the tax base. Damage to the Wilmington Historic District will damage the region’s economy. Moreover, the District’s cultural and historic assets are irreplaceable, and their loss would be irreparable.

In addition, the fixed bridge with a 135-foot vertical clearance would do significant damage to historically Black communities along and south of Dawson and Wooster Streets. Beyond ugly sight lines, the bridge, overpass, and supporting structures would create a physical barrier, further cutting off the residences and businesses of minority communities from downtown. This would subject these communities to disproportionate adverse economic and social consequences.

A fixed bridge with a 135 foot clearance also would interfere with sight lines to the USS *North Carolina* Battleship Memorial—a historically important ship, popular state park, economic driver for the region. Its historic, cultural, and economic significance cannot be overstated. As both a historic structure and a memorial to the 11,000 North Carolinians who made the ultimate sacrifice defending freedom in WWII, it is essential to protect the viewshed of this site. The Battleship should be maintained as a place of beauty, solemnity, peace, and respect. The consequences of Alternative B would undercut all of that.

V. A Fixed Span with a 65 foot Vertical Clearance Would Preserve Important Historic, Cultural and Economic Assets.

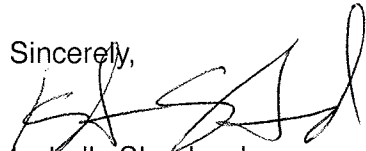
Unlike Alternative B with its 135 foot clearance, both Alternatives A (65 foot moveable span) and the lower ranges of Alternative C (65 to 100 foot fixed span) can be built mostly within the right of way of the existing bridge, greatly reducing negative impacts on the Wilmington Historic District, minority communities along and south of Dawson and Wooster, and USS *North Carolina* Battleship.

In addition, the existing Cape Fear Memorial Bridge is itself a historic structure, potentially eligible for the National Register, and an iconic symbol of Wilmington. The current plan is to demolish the existing bridge once the replacement bridge is built. However, if the replacement bridge has a vertical clearance of 65 feet, the existing bridge could exist alongside it. This would

permit the option of retaining and repurposing the historic bridge as a linear pedestrian and cycling park connecting Eagles Island and the Battleship *North Carolina* with downtown. Similar bridge parks, like the Walkway Over the Hudson and Chattanooga's Walnut Street Pedestrian Bridge, have produced great health, social, and economic benefits for their communities.

Thank you for considering the perspectives of HWF and the Wilmington community. We trust that you will make a decision that respects our historic legacy while addressing the practical and reasonable needs of modern navigation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Isabelle Shepherd', written over the word 'Sincerely,'.

Isabelle Shepherd
Interim Executive Director
Historic Wilmington Foundation

Cc: NCDOT
SHPO