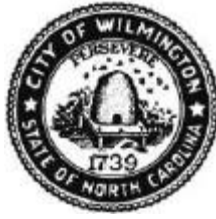


Resolution



City Council
City of Wilmington
North Carolina

Introduced By: Rebecca L. Hawke, City Manager

Date: 8/4/2026

**Resolution Adopting Comments on the Proposed Programmatic Agreement
Between the Federal Highway Administration, the Advisory Council on Historic
Preservation, the North Carolina Department of Transportation, and the North
Carolina Historic Preservation Office Regarding the Cape Fear Memorial Bridge
Project**

LEGISLATIVE INTENT/PURPOSE:

WHEREAS, the City has multiple districts and resources listed on the National Register of Historic Places, and, therefore, has an interest in protecting those historic resources; and,

WHEREAS, the City has been invited to consult on the development of a Programmatic Agreement (“PA”) to address adverse impacts associated with the replacement of the Cape Fear Memorial Bridge (“CFMB”) due to its status as a Certified Local Government; and,

WHEREAS, the CFMB has been determined to be eligible for listing in the National Register of Historic Places, as well as a contributing resource to the National Register-listed Wilmington Historic District; and,

WHEREAS, the Federal Highway Administration (“FHWA”) is preparing to replace the CFMB, a four-lane, steel vertical-lift bridge built over the Cape Fear River in 1969, that carries US 17/US 76/US 421 traffic between the cities of Leland and Wilmington because, although still safe, the CFMB is becoming functionally obsolete and lacks support for other modes of transportation, such as bicycle and pedestrian lanes; and,

WHEREAS, on July 17, 2024, the FHWA selected the North Carolina Department of Transportation (“NCDOT”) to receive \$242 million in grant funding to be used for the replacement of the CFMB (the “Project”), as part of its Bridge Investment Program, which is expected to result in operational and capacity improvement that will meet existing and growing transportation needs; and,

WHEREAS, current alternatives considered for the Project include replacement with a similar vertical lift bridge (65-feet vertical clearance when lowered, 135-feet when

raised) and a fixed 135-foot span; and,

WHEREAS, the FHWA, in consultation with NCDOT and the NC State Historic Preservation Office (“NC SHPO”), has found that either action alternative being considered for the proposed bridge replacement will have an adverse effect on the CFMB and the Wilmington Historic District due to the removal of the bridge; and,

WHEREAS, the overall adverse effect of the Project to the Wilmington Historic District and other nearby historic resources cannot be fully determined until a preferred alternative is selected, final design of the new bridge is completed, and a decision on tolling is made; and,

WHEREAS, the degree and intensity of the adverse effect will be dependent upon the Project’s selected alternative, with more significant adverse effects associated with the fixed bridge alternative, due to the height, size, and location of on- and off-ramps which will shift the main north/south corridor through Downtown from 3rd Street to 5th Avenue; and,

WHEREAS, the degree and intensity of adverse impact will also be impacted by the decision on whether the new bridge should be tolled, as the imposition of tolls is likely to change traffic patterns; and,

WHEREAS, FHWA’s Large Bridge Program grant funding obligation timeline constrains the ability to fully determine if the bridge replacement would have adverse effects on the Wilmington Historic District, or to fully avoid, minimize, or mitigate adverse effects, prior to completing the appropriate National Environmental Policy Act (“NEPA”) of 1969, 42 U.S.C. § 4321, et seq. documentation; and,

WHEREAS, FHWA and NCDOT, in consultation with NC SHPO, determined that the most effective approach to consider, avoid, minimize, and/or mitigate adverse effects to the Wilmington Historic District as a result of the Project would be through a PA; and,

WHEREAS, the PA stipulates measures to resolve known and potential adverse effects to satisfy Section 106 requirements, and the FHWA has developed this PA in consultation with the NC SHPO, in accordance with 36 CFR § 800.14(b)(1)(ii) when effects on historic properties cannot be fully determined prior to approval of an undertaking; and,

WHEREAS, the proposed PA stipulates how the FHWA, as the lead federal agency for the Project, will consider the effects of the Project on historic properties; and,

WHEREAS, the City, as an invited concurring party to the agreement, will be afforded opportunities to advocate for the protection of our historic resources and neighborhoods as this Project progresses.

THEREFORE, BE IT RESOLVED:

THAT, the City of Wilmington respectfully requests that FHWA consider extending the timeline for the Large Bridge funding grant to allow time for the preparation of an EIS for the Project to ensure that all environmental impacts of the proposed alternatives, including impacts to the Wilmington Historic District and its resources, are fully evaluated to inform the selection process for the preferred alternative.

THAT, the City of Wilmington authorizes the City Manager to sign the Programmatic Agreement as an invited signatory/concurring party and respectfully requests that the FHWA:

1. Replace references to the “Wilmington Historic Preservation Commission” with the “City of Wilmington” in the two ‘whereas’ clauses that address invitations to potential concurring parties (Page 3, lines 30-38).
2. Revise Sections IV(A)(3)(iii) and V(D) to acknowledge that the selection of the fixed bridge alternative will have broader adverse impacts on the traffic patterns within the Wilmington Historic District, particularly along the 5th Avenue corridor, due to increased traffic associated with the change in ramp locations from Dawson/Wooster and 3rd Street to Dawson/Wooster and 5th Avenue, since 5th Avenue is primarily a residential non-throughway street.
3. Revise Sections IV(A)(3)(iii) and V(C), which indicate that the adverse impact of the proposed raisable bridge alternative will have no effect, other than the removal of the bridge itself, on the Wilmington Historic District. While the City acknowledges the potential adverse effects to the Wilmington Historic District would be minimized in comparison to the fixed bridge option, alterations to the area to accommodate the southern shift of the bridge location still have the potential to adversely affect contributing resources to the historic district, particularly the two contributing dwellings along the north side of Wright Street, just west of its intersection with South 2nd Street, at the southern edge of the proposed project area. As such, the City requests that Sections IV(A)(3)(iii) and V(C) be updated to reflect the potential to result in additional adverse effects to the Wilmington Historic District and include mitigation measures, especially vibration monitoring, for any contributing structures to the historic district that may be adversely affected by the raisable bridge option as well.
4. Revise Section V(E) to include other streets within the District, as identification of impacts and mitigation should not be limited to Front Street, Third Street, and 5th Avenue.

5. Revise Section V(E) to include the development of corridor plans as part of any mitigation efforts for streets that are adversely impacted by additional traffic/changes in traffic patterns due to the selection of the fixed bridge alternative.
6. Revise Section (V)(B)(1) to include both the City and the New Hanover County Library as recipients of a copy of the documentation created as the mitigation measure.
7. Remove references to FEMA from the Dispute Resolution Sections XI(B)(1) and (2).
8. Ensure consistency regarding the use of the terms “Concurring” or “Consulting” Parties, as both seem to be used interchangeably throughout the agreement.

Adopted at a _____ meeting

On _____ 2026

Bill Saffo, Mayor

Attest:

Approved As To Form:

Penelope Spicer-Sidbury, City Clerk

City Attorney