

October 11, 2019

**Via U.S. Mail and Email**

Environmental Resources Section  
USACE Wilmington District  
69 Darlington Avenue  
Wilmington, NC 28403  
[WHNIP203@usace.army.mil](mailto:WHNIP203@usace.army.mil)

Re: Proposed Section 203 Wilmington Harbor Navigation Improvement Project (“WHNIP 203”): Comments Submitted Pursuant to September 13, 2019 Notice

This firm represents the Village of Bald Head Island (“VBHI”) in connection with the WHNIP 203 proposed by the North Carolina State Ports Authority (“Authority”). These comments are submitted on behalf of VBHI in accordance with the Notice soliciting public comment on the WHNIP 203, dated September 13, 2019, from the Planning and Environmental Branch of the Wilmington District for the United States Army Corps of Engineers (“USACE” or “Corps”).

**I. INTERESTS OF PARTY SUBMITTING COMMENTS**

Bald Head Island sits at the mouth of the Cape Fear River and is immediately adjacent to the shipping channel which is the subject of the WHNIP 203. The deepening in the year 2000 of that shipping channel from 40 to 44 feet in the vicinity of Bald Head Island resulted in harmful effects on the Island’s beaches, roads, homes, infrastructure and critical environmental habitat for endangered and threatened species of sea turtles, birds (including the Piping Plover and Wilson’s Plover), and other wildlife. Since 2000, VBHI has spent over \$47.0 million in public funds to address beach erosion by a terminal groin, sand placement projects, and other measures. The Draft Section 203 Report (“Draft Report”) proposes to deepen the shipping channel from 44 to 48 feet, and VBHI believes, based upon experience, as well as on consultation with experts, that this project’s impacts will be comparable to those experienced since 2000. In addition, VBHI believes there will be other synergistic, harmful effects to the Cape Fear River and adjacent environs, habitats, residents, and visitors.

**II. PRELIMINARY COMMENTS REGARDING PROCESS**

**A. Draft Report Should be Disregarded *en toto*.**

We urge the Corps not to rely on the Draft Report or any of its Appendices. The process involved in the development of that Report was fatally flawed: the Authority failed to follow any of the significant Corps guidance concerning the preparation of a 203 study, it excluded the

public from meaningful participation, and it thereby produced a document that is narrowly focused on only the Authority's interest. Attached as Appendix A to these comments is a letter submitted to the Authority outlining our objections concerning its development of the Draft Report. The Authority has not responded to this letter.

The recent comments of the Assistant Secretary of the Army (Civil Works) (ASA(CW)) made after its review of the Draft Report, attached as Appendix B, provide further evidence of the substantive deficiencies in and unreliability of the Draft Report's underlying data, analytical methods, and conclusions. These comments (and VBHI concurs with them in large part), include:

1. "[T]he objectives are not linked to a method to analyze beneficial contributions to national economic development." Comments, A.1.
2. "Many of the criteria listed are unnecessary and could potentially eliminate solutions for the identified problems." Comments, A.2.
3. "The screening of measures for the study is flawed." Comments, A.3.
4. Lack of proper documentation concerning fundamental assumptions: "the project assumptions/future without project conditions significantly affect the plan formulation and selection of a plan." Comments, A.4.
5. Lack of consideration of more than one alternative. "Reasonable alternatives other than channel depth increments with less significant environmental effects, such as relocating facilities should be considered in the report in greater detail to compare the economic and environmental advantages and disadvantages. Decision makers need sufficient information to identify the recommended plan." Comments, B.2.
6. "The report...understates environmental effects in summary statements without fully and objectively relating impacts to the resource characterizations and analysis that preceded it. [Comments then give specific examples]" Comments, B.2.
7. "The mitigation recommendations are not linked to an explicit consideration of the level of significance of the resource and impacts and may imply a greater commitment to mitigation than is justified." Comments, B.4.
8. Overestimated commodity forecast "[d]irectly impacts both plan selection and justification." Comments, C.3.
9. "[F]aulty assumption" that all USEC-Asia TEUs will be diverted to alternate ports "has direct impact on all economic benefits claimed." Comments C.4."[I]t is not realistic to assume that 100% of the fleet for USEC-Asia will transition to the largest containership vessel classes....This comment has direct impact on all of the economic benefits claimed." Comments, C.5.
10. Even assuming transition to alternative ports absent the project, the project benefits "are significantly overstated" for additional reasons specified in the Comments. Again; "This comment has direct impact on all economic benefits claimed." Comments, C.6.

11. Other examples of key assumptions without evidence are cited. Again: “This comment has direct impact on all economic benefits claimed.” Comments, C.7.
12. The Comment’s Summary concerning economic analysis: “[T]here is a high likelihood that neither the -47FT nor -48Ft are the NED plan....Directly calls into question the NED plan and demonstrating economic feasibility as required for Sec 203 reports.” Comments, C.8. See also Comments, C.9.
13. The absence of the required independent peer review “has direct impact on all the economic benefits claimed.” Comments, C.10.
14. “The report lacks a discussion [of] relevant information about observed and expected climate change impacts in hydrologic analyses developed for the study.” Comments, D.1.
15. “The report and discussion are not fully compliant with USACE policy on S[ea] L[evel] R[ise].” As a result, “[t]hese projections are understating the changes in future water levels....Future changes in water levels, salinity intrusion due to RSLR and further channel alteration are likely understated. The section listing constraints does not include increases in water levels or induced flooding...[M]odeling is likely underestimating impacts since the RSLR rates are low by a significant amount.<sup>[1]</sup> Changes in flood risk for the project condition were not investigated.” Comment D.2.
16. The study does not cite proper authority for the report. Comments, E.1.
17. “No reference is made to the mitigation required for this project.” Comments, E.3.
18. “There is no Real Estate Plan (REP)...The significance of this concern is high because it describes a fundamental problem with the project that could affect the recommendation, success, or justification of the project.” Comment, E.5.
19. **Most significant for the DEIS process are the ASA(CW) Comments about NEPA/Impacts:** “The CFRE is a funnel shaped estuary, which has an increasing tidal range due to incremental deepening and channel maintenance over the last 150 years. Further deepening will increase these changes and create additional flood risk from coastal storms due to storm surge amplification (Familkhalili and Talke, 2016). Nuisance flooding frequency will likely increase as a result of the project. As the tide range expands, some stormwater drainage outfalls to Wilmington harbor will be impacted, resulting in decreased gravity drainage performance. Future salinity changes in the estuary have been underestimated. Future freshwater inputs from the watersheds may trend upward under climate change ameliorating the impacts of the deepening slightly” Comments D.2.

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<sup>1</sup> It appears [Draft Report, Appendix A,p.8-3] that for all shoreline and entrance modeling, only the lowest RSLR scenario was used (34FT), which is equivalent to *no increase* in sea level rise rates over those experienced historically, contrary to national Corps guidance and directives.

In addition, VBHI points out the following Draft Report deficiencies that directly impact the proper scoping of the NEPA issues:

1. Failure to consider the historical experience of the last widening/deepening project, which encountered significant unanticipated logistical problems in removal of unexpected materials, impacting cost and schedules; these same materials can be anticipated in the same Reaches projected to be widened and deepened and must therefore be considered in alternative selection.
2. The efficacy of the last channel re-alignment. Part of that re-alignment has failed (cannot be maintained to current design) in the area of BHI Reach 1, and any further project modifications in that Reach must account for this in considering alternates.
3. The analysis of the operation of the relevant sand transport systems (discussed further below) is deeply flawed. *E.g.*, littoral transport rates cited are to a large degree based on a 1999 ERDC Report (CHL-99-18) which has proven to be grossly inaccurate. Proper understanding of these systems and the potential impact on them of each possible project alternative is necessary to a proper alternatives and cost-benefit analysis.

The Draft Report should not be relied on or form the basis for any part of the NEPA review. The proper scoping of this project should start afresh.

#### **B. Report Preparation Questions.**

We are also deeply concerned that the Draft Report may have been prepared in part by or in consultation with Tracey Jordan Sellers. On September 30, 2019, Ms. Sellers was sentenced in the United States District Court for the Southern District of Florida for making false official statements. The Joint Factual Statement for that guilty plea states that Ms. Sellers, while working for the Corps, also did work for an environmental consulting company (the “Company”) that worked on major Corps dredging projects in South Florida and other projects in North Carolina. More particularly, Ms. Sellers:

1. “participated substantially in USACE’s management of coastal dredging projects in the Southern District of Florida,” while also “perform[ing] technical reviews of [the] Company’s involvement in dredging projects in the Southern District of Florida and in Miami, Florida;”
2. reviewed and made edits on a Company project involving a state agency in North Carolina in November of 2014 and the winter and spring of 2015, which project was subject to review by the USACE Wilmington District Office, without Corps Ethics Office approval;
3. worked on and was paid for another North Carolina project for the Company, starting in October 2018, that would be subject to USACE review by the

- USACE Wilmington District Office without Corps Ethics Office approval—a project for which she was ultimately paid up to \$9,000.00;
4. “received project materials from, forwarded materials to, scheduled phone calls with, and participated in tele-conferences with Company related to the project;” and
  5. “falsely stated” to federal agents that “she had not ‘written or done anything or participated in any meetings’” about the North Carolina project.

*See* Joint Factual Statement, attached hereto as Appendix C. The Joint Factual Statement also states that Ms. Sellers violated federal ethics laws and regulations by, *inter alia*, (1) sharing confidential USACE documents with the Company, and (b) assisting the Company in contract negotiations and sharing sensitive internal government estimates in an effort to benefit the Company. *See id.*

Ms. Sellers entered into a plea agreement with the Government as part of the Government’s prosecution of her. *See* Plea Agreement, attached hereto as Appendix D. In that Plea Agreement, Ms. Sellers agreed to fully cooperate with the Government, including providing truthful and complete information and testimony before a grand jury, if called upon. *Id.* Further, a news report regarding the Port Miami dredging project that mentions the plea agreement states, “When asked if the agency was re-examining the work, a spokeswoman said officials were cooperating with the U.S. Attorney’s office, which did not respond to a request for comment.”

While none of the Plea Agreement, Joint Factual Statement, or news report say that Dial Cordy & Associates was the environmental consulting company for whom Ms. Sellers worked, given that Dial Cordy was involved in Florida and has offices in Wilmington, North Carolina, and may have been involved in the North Carolina projects (especially in light of the dates of the referenced projects), we believe these questions merit further investigation.

The Draft Report does not identify Ms. Sellers in the List of Prepares and reviewers, nor is she identified in the References section. If in fact she worked on this project, this omission in the Draft Report disclosures should also be investigated and explained.

All of the foregoing issues potentially bear on the reliability and credibility of the materials being submitted to the Corps for consideration in its evaluation of this project.

### **III. THE CORPS SHOULD CONDUCT THE CORRECT PROJECT ANALYSIS.**

The notice dated September 13, 2019 invited comments which “will be **considered during preparation of the integrated study report** and the Draft Environmental Impact Statement (DEIS).” (emphasis added). We therefore submit these comments for use in addressing the many deficiencies pointed out above (and in Appendices A and B) in the preparation methodology of the Draft Report as well as in applying the NEPA processes, including proper scoping and alternatives analysis, in analyzing the proposed project. The first

step is public involvement and a proper determination of the Federal interest, both discussed below.

**A. Create Active Stakeholder Groups.**

We urge public involvement in both scoping and all other phases of the analysis of this project and its environmental impacts, as required by the rules and guidelines implementing NEPA. “As part of the scoping process the lead agency shall: (1) invite the participation of affected Federal, State, and local agencies, any affected Indian tribe, the proponent of the action, and other interested persons (including those who might not be in accord with the action on environmental grounds)....” 41 CFR §1501.7(a). Agencies must “[m]ake diligent efforts to involve the public in preparing and implementing their NEPA procedures.” 40 CFR §1506.6. See also Corps Planning Guidance Notebook ER 1105-2-100 (22 April 2000) (“PGN”) Appendix B.

In addition to being held early, scoping meetings should focus on specific issues and have multiple meetings if necessary to target specific issues and audiences. PGN B-5 c (2) (c). Public meetings “can serve five basic functions: information giving; information receiving; interaction; consensus forming/negotiation; and, summarizing.” PGN B-5 c (2) (e)(3). The public meeting held September 26, 2019 in Wilmington was useful for the first purpose—information giving. In light of the complexity of the issues already identified by the Corps, including the lengthy list of environmental and cultural resources to be assessed and the large geographic area impacted by the proposed project, and considering the lack of opportunity for public involvement heretofore, it is important to form stakeholder groups to formulate the exchange of information from interested constituents consistent with this guidance and to participate in one or more future public meetings for the other purposes described in the guidance for public meeting and workshops. In addition to stakeholders specifically interested in environmental consequences of the proposed project, and in light of the technical complexity of the alternatives, VBHI suggests that a technical advisory committee also be formed.

**B. Make the Extant Data Easily Available to the Public.**

We support the Corps’ decision to post the Draft Report on its website and can think of no justification for the Authority’s own failure to do so. It is critical that there be full disclosure of all data, reports relied on, studies conducted, and other information related to this project, and that the Authority disclose this information promptly and in a way easily accessible to the public so that the public can be informed about, and provide feedback on, the many and complex issues this project presents.

**C. Substantive Issues to be Addressed in Scoping.**

1) Federal interest (“purpose and need”).

If approved, this will be a Federal project not the Authority’s project. Therefore, the non-Federal interest (the Authority) is not free, as it has done in the Draft Report, to draft the “purpose and need” as it sees fit. PGN Chapter 2, Section 2-2 stresses the importance of focusing on the Federal objective, the Federal problems, and the Federal opportunities related to this project. To date, the analysis has been entirely parochial.<sup>2</sup> Indeed, the alternative identified in the Draft Report is in fact a local preferred alternative which when properly analyzed results in a dramatic shift in cost sharing under Federal guidelines. The DEIS process should not start from the purpose and need analysis contained in the Draft Report.

The Federal problem is the emergence of larger ships challenging the capacity of many ports (not just Wilmington) and limited Federal funds to assist ports in the accommodation of the same. The Federal opportunity is the coordination of a national maritime transportation strategy that makes the best and least environmentally damaging use of the facilities of all east coast ports, and targets Federal dollars for port enhancements in a way that advances that overall strategy in a rational manner. That is the alternatives analysis and the cost-benefit analysis that should be embraced as the first step of the scoping of this project. As the ASA(CW) Comments suggest, the economics analysis necessary to justify this as a Federal project has not been established, and the assumption that the Authority must expand to survive is unsupported by empirical data. For example, most Panamax vessels will have partially off-loaded prior to arriving at this Port (implicitly acknowledged by the project’s deepening proposal which, even if implemented, would not accommodate a fully loaded Panamax vessel drawing 51FT).

2) Impacts

Scoping also requires the consideration of at least five significant areas of impact which require consideration at the scoping stage.

i) *Sand Management and Beach Erosion*

The sand transport systems on the coast of North Carolina are a critical part of both its Coastal Protection and Future Resiliency Plans. The Draft Report makes no commitment to retaining beach quality sand in the coastal sand transport system or placing it strategically on the beaches that will be directly affected by this project.<sup>3</sup>

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<sup>2</sup> The Report itself undercuts a finding of a Federal, rather than a purely State, interest when it reveals that 87% of the Wilmington container cargo is either from or bound to a destination in North Carolina. Draft Report, p. 111, Figure 2-18.

<sup>3</sup> The Draft Report, p. 58, states that hopper dredges will be used in the construction of the project, which are incompatible with economically efficient placement of beach quality sand on beaches. Hopper dredges cannot be used to expand the channel limits as proposed.

This flies in the face of Regional Sediment Management (“RSM”) strategies as formulated by the South Atlantic Division (“SAD”). Proper analysis of this project and alternatives to this project must consider these impacts, the costs of mitigating these impacts, and the parties who will bear the responsibility for this mitigation (as discussed more below). We know from recent prior projects that the erosion impacts on our coastal beaches is significant. VBHI alone spent nearly \$47 million protecting and re-nourishing its beaches since the last channel deepening and widening project. This project will have more profound impacts and those impacts need to be thoroughly studied, understood, and appropriately mitigated.

ii) *Estuarine and Riverine Erosion*

The project will also have significant estuarine and riverine erosional impacts. While the channel deepening itself may not directly impact the adjacent shorelines of the entire Cape Fear River, it is undisputable that the larger vessels which are to be specifically accommodated by this project will cause significant erosional impacts. The documented impacts at the Southport and Brunswick Town have already been observed and expensive protective structures were necessary to protect the historic structures associated with the latter site. The Town of Southport is currently in the permitting phase of a shoreline stabilization project. Other properties on the Cape Fear River will be similarly impacted, and sensitive habitats (such as aquatic, avian, and other wildlife nesting and nursery areas) will be damaged by the significant increase in erosion forces. The Draft Report does not even acknowledge the existence of these estuarine impacts (the discussion of erosion is limited to coastal beach erosion; Draft Report Section 2.2 and Section 8). And the Draft Report’s analysis of the erosion impacts of the larger vessels is both frightening and appallingly naive: it acknowledges that the “bed shear stress” created by the larger vessels will be 3 times greater than that caused by the current vessels, Draft Report, p. 164, but it concludes this is not significant since fewer vessels will be transiting. To paraphrase the Report’s logic: A few really big waves are less destructive than many small ones. That is not the experience of sensitive sub-aquatic vegetated (SAV) communities, flats, marshes, or developed waterfront properties. Moreover, the latter ridiculous assumption implies that the Port’s current vessel traffic will be reduced by deepening the channel—when in effect it should theoretically increase.

iii) *Salinity*

There is no doubt that increasing the depth and width of the Cape Fear River (as with the 2000 project) all the way up to Wilmington will further increase salinity intrusion along that entire stretch and upstream, as the ASA(CW) Comments noted. The effects of the prior deepening project are plainly evident by simply driving through the shorelines near Wilmington: The forests of dead trees are everywhere. The Draft Report tries to minimize these impacts by citing that “salinity intrusion  $\geq 0.2$  ppt in the Cape Fear River as far upstream as the mouth of the Black River would require the

simultaneous occurrence of an exceptionally high tide and an exceptionally low inflow rate.” Draft Report, p. 21. However, climate research widely forecasts a significant increase in the future occurrence of extreme droughts (and hence low input flow) and the Draft Report itself predicts significant increases in high tides caused by the project (discussed below). So both of the factors dismissed by the Draft Report are likely to occur simultaneously with regularity. Moreover, the salinity of the Cape Fear River itself is only one concern: the impact of that increased salinity on adjacent and connected ground waters, and its influence on the advancing “wedge” of salt water related to ongoing sea level rise should be understood, especially considering the fact that many residents are dependent on groundwater for their drinking water. The extent of the increased salinity that will be caused by this project is an important factor to be considered in the impacts of this project and the mitigation that will be necessary, assuming mitigation is feasible.

iv) *Tides, Sea Level Rise, and Resiliency*

Climate change, sea level rise, storm event flooding and high frequency “nuisance” tidal flooding all will have project caused impacts especially in the developed areas of the City of Wilmington. The Draft Report starts with antiquated data (1987 projections of sea level rise), and even these result in the Draft Report projecting 4.6 inch increase in the MLW level in downtown Wilmington. As the ASA(CW) Comments point out, these impacts are repeatedly underestimated, trivialized, or ignored, and the flooding effects of the project are not even explored in the Draft Report. See ASA(CW) Comments, D.1 and D.2. The significance of these impacts bears repeating: “Further deepening will increase these changes [in tidal range] and create additional flood risk from coastal storms due to storm surge amplification [citation omitted]. Nuisance flooding frequency will unequivocally increase as a result of the project. As the tide range expands, some stormwater drainage outfalls to Wilmington harbor will be impacted, resulting in decreased gravity drainage performance.” ASA(CW) Comments, D.2.

Related to these studies is the ongoing Corps South Atlantic Coast study assessing Coastal Resiliency and threats from storms and future climate forces. Proceeding with a half billion dollar project without considering and embracing the importance of this comprehensive federal study on this significant waterway would be reckless. We believe the precepts (and inputs) from the study are an important factor to be considered in the assessment of this project.

3) Mechanisms for Assuring Mitigation

WRDA has stringent requirements concerning mitigation of impacts to fish and wildlife and their habitats. Such mitigation must be provided prior to or concurrently with construction of

the project, 33 U.S.C. § 2283(a)<sup>4</sup>, and must be pursuant to a specific mitigation plan that is submitted with the Secretary's report seeking plan authorization. Under § 2283(d), even submission of a proposal to Congress for authorization of a project alternative without such an accompanying mitigation plan is prohibited. *Id.* The statute achieves the "balanced development" of projects, assuring mitigation and fiscal accountability, through four mechanisms: (1) the Secretary must assess potential impacts in advance, as part of a project proposal; (2) the Secretary must undertake the mitigation before (or concurrently with) construction of the project (*i.e.*, before the impacts occur); (3) the cost of mitigation is included in the project budget; and (4) the cost of mitigation is borne by the project sponsors. These elements together ensure that mitigation in fact occurs and that Corps water resource projects are fiscally and environmentally sound. *See* 33 U.S.C. § 2281(b)(1) ("Assessments. For all feasibility reports for water resources projects completed after December 31, 2007, the Secretary shall assess whether—(1) the water resources project and each separable element is cost-effective"). The Draft Report ignores these statutory mandates, and development of these elements is a major part of the scoping of this project.

The impacts of this project to estuarine, coastal, and ocean habitats are significant and must be assessed and mitigated **before** they occur, as required by WRDA. For example, before vessels generating "bed shear stress up to three times greater" than that caused by the existing fleet are allowed to transit the Cape Fear River, systems and mechanisms to protect the threatened coastal and interior shorelines and habitats must already be in place, and this project must, by the terms of WRDA, have a *specific* plan in place to accomplish this prior to submission to Congress for authorization.

Mitigating the historical coastal and inlet beach erosion caused by both the project's initial construction in the 1900's through its ongoing present day authorized design and channel maintenance is even more troublesome since: the Corps cannot legally be held responsible to perform later actions that are not either (1) elements of the approved project or (2) mitigation *required* for project impacts. VBHI learned this expensive lesson when, after the last channel deepening project, the Corps' dredging and beach re-nourishment operations fell behind schedule and significant erosion of the VBHI beaches accelerated. VBHI sued the Corps to enforce the re-nourishment conditions made by the Corps, repeated as conditions of the CZMA concurrence, and specifically affirmed in the Corps' FONSI approving the prior project. VBHI, the courts held, was without a remedy because the Corps cannot be sued to enforce beach re-nourishment activities post-project construction:

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<sup>4</sup> The Senate Report to the 1986 reauthorization of WRDA, which revamped the mitigation requirement, states: "Non-Federal interests often are reluctant to support fish and wildlife mitigation efforts once a project is in place and consequently this work is frequently not performed. To assure balanced development, this section seeks several basic goals." S. Rep. No. 99-126, at 24 (1985), reprinted in 1986 U.S.C.C.A.N. 6639, 6661.

We therefore conclude that the Corps' implementation of the Wilmington Harbor Project, including the ongoing periodic maintenance dredging and resulting nourishment of nearby beaches, does not constitute "agency action" within the meaning of the APA.

*Village of Bald Head Island v. U.S. Army Corps of Engineers*, 714 F.3d 186, 194 (4th Cir. 2013).

Therefore, to assure that future harm is avoided or mitigated, and to assure the on-going need for sand placement on beaches to retain sand in the delicate ecosystems of which it is a part, the project design itself must incorporate mitigation elements as project elements with the cost thereof projected and included in the cost-benefit analysis of the project, as required by WRDA. It appears that in other Corps Districts this is accomplished through the policies and principles associated with Regional Sediment Management, as adopted by SAD.

#### **IV. SUMMARY AND CONCLUSION**

In summary, VBHI asks the Corps to:

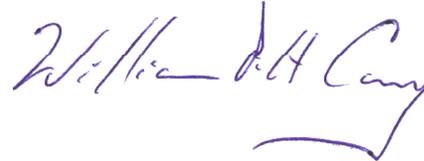
1. Disregard the Draft Report in its entirety.
2. Investigate and determine the circumstances under which the Draft Report was prepared.
3. With public involvement, appropriately address and develop the project need, scope, alternatives, costs, and benefits consistent with the requirements of NEPA.
4. Create active stakeholder groups and a technical advisory committee.
5. Make the Authority's and other data and studies cited readily available to the public.
6. Identify appropriate processes to gather data/information and analyze the following substantive issues:
  - a. The extent of the Federal interest in this project.
  - b. Impacts on local and regional sand management and beach erosion on project-adjacent areas.
  - c. Impacts on estuarine erosion and riverine flooding.
  - d. Salinity impacts.
  - e. Tidal, SLR, and resiliency impacts.
7. Identify appropriate mechanisms for assessing needed mitigation and assuring the satisfaction of mitigation requirements, especially in light of 33 USC § 2283 and *Village of Bald Head Island v. Corps*.

Items 1-5 are necessary for a fair and impartial process consistent with Corps regulations and guidance. Items 6 and 7 are necessary before a meaningful consideration of alternatives can be made, and the costs and benefits of each assessed.

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VBHI looks forward to working with the Authority, USACE, and stakeholders on this project to ensure that proper processes and sufficiently thorough and detailed analyses occur for the protection of all affected stakeholders, the public, the project sponsors, and the environment.

Sincerely,



William P.H. Cary



Joseph A. Ponzi

cc: Paul Cozza  
Andrew Sayre, Mayor, Village of Bald Head Island  
R.D. James, Assistant Secretary of the Army (Civil Works)  
Justin McCorkle, Wilmington District Counsel, U.S. Army Corps of Engineers  
Braxton Davis, Director, Div. of Coastal Management, NC DEQ  
Daniel Govoni, Federal Consistency Coordinator, Div. of Coastal Management, NC DEQ  
Susi H. Hamilton, Secretary, N.C. Dep't of Natural and Cultural Resources  
Deborah Ahlers, Mayor, Town of Caswell Beach  
Cin Brochure, Mayor, Town of Oak Island  
Tim Hutchinson, Greenberg Traurig  
The Honorable Richard Burr  
The Honorable Thom Tillis  
The Honorable David Rouzer