



NORTH CAROLINA AQUARIUM AT PINE KNOLL SHORES
PO Box 580 Atlantic Beach, NC 28512-0580 • (252) 247-4003 • Fax (252) 247-

**Pier Advisory Committee Meeting Minutes
March 26, 2009**

Present: All committee members were present: Malvern Boyette, Donalt Eglinton, Richard Ehrenkauffer (Dr. Bogus), Rick Luetlich, Alex MacFadyen, Greg (Rudy) Rudolph, Randy Mason and Jim Woolard. Also present were Frank Rush, Art Schools, Jay Barnes, Neal Conoley, David Griffin, Shannon Kemp from the *Carteret News-Times* and Kathy Tullis, secretary.

Jay opened the meeting at 9 a.m. by explaining how Committee members were selected. Members introduced themselves by giving brief comments on their backgrounds and why they wanted to serve. Jay reviewed contents of the notebooks, which include the committee roster. Kathy should be notified of any spelling corrections or telephone number changes.

The agenda for the meeting was to provide background and general discussion about what we are tackling. In the future, we will have the opportunity to get into details, and some may come up today.

An article in *Our State* magazine, included in the notebook, gave background on our state fishing piers. Most young people learned to fish on fishing piers; the first fishing pier was built in 1910 at Wrightsville Beach, the Seashore Pier. In 1950, there were 7 piers in the state. In 1960, we had 30, and that grew to 36 in 1983. At that time, North Carolina had a quarter of all fishing piers from Maine to Texas. At one time, we had as many as 8 piers on the island of Bogue Banks. Today, we have 3 -- the Sheraton Pier, Oceana Pier and the Bogue Inlet Pier. Unfortunately, the Oceana Pier is in question at this time. The outlook for private wooden piers is bleak, and the pier count is down to 19 in the state.

Jay reiterated that the Aquarium is excited about the three state piers. The concept is to marry the pier with education to make an educational fishing pier. By bringing the same commitment to quality programs and exhibits that are found at the Aquarium, we could create something very unique that has not been done anywhere to our knowledge. The first opportunity presented itself in Dare County in 2002 when we acquired the Jennette's Pier property, but Hurricane Isabel destroyed the pier in 2003. We ended up with a wonderful piece of property with a pier house but no pier. We began an investigation as to what it would take to build a durable pier. Materials are available to withstand strong nor'easters and hurricanes, and this is where the concrete pier idea was born.

Soon afterward, the North Carolina General Assembly began to look into the issue of waterfront access. Mayor Art Schools served on the Waterfront Access Committee and he reported that the legislature put together a study committee to try to come up with ideas to improve waterfront access. One of these ideas was for the North Carolina Aquariums to be authorized and funded to pilot a design, own and operate 3 public fishing piers that would provide angling access and educational opportunities. As a result, the state ultimately created the Waterfront Access and Marine Industry Fund, or WAMI, and \$20 million was available for projects in 2008. This program was administered by the Division of Marine Fisheries. This is one of the keys that helped us to move in the direction of the piers and water access. Enclosed in the committee notebook are excerpts from the WAMI report, including the following:

“The Committee recommends that the North Carolina Aquariums be authorized and funded to pilot the design, development and operation of three (3) public fishing piers that not only would provide angling access, but also would offer public educational opportunities.”

With this idea of durable, storm-resistant fishing piers combined with the concept of education and conservation programs, plans began to develop for the reconstruction of Jennette’s. We also recognized the potential for research that can take place. We built a checklist for the pier and knew that some criteria were obvious. We knew we needed a tackle shop, refreshment center, rest rooms, etc. We also started talking about things that are not normally associated with fishing piers such as classrooms, event facilities for hosting weddings, educational exhibits and aquarium tanks. We talked of sustainable construction techniques and renewable energy such as wind and solar so that we could be as “green” as possible. With all the possibilities we have, we know it is going to be a very exciting project. In many ways, the Jennette’s project, renamed the Aquarium Pier at Nags Head, is a model for us when designing our pier at Emerald Isle. We are not necessarily going to take an exact replica of Nags Head and do the same design here. This is an opportunity for us to put our own spin on it and design it the way we feel it should be designed, within parameters. But we will learn a lot from the Nags Head project. Once it is underway, this committee will want to spend considerable time reviewing and understanding this project.

David Griffin gave an update on the Nags Head pier. The pier and pier site were under intense pressure to be sold and redeveloped, with a hotel constructed on the 5-acre oceanfront property. Nags Head town officials were concerned about that, and the loss of the history and cultural aspects of that fishing pier being there. The Aquarium Society stepped forward, obtained grant money and purchased the property and the pier and operated it until Hurricane Isabel cut short the opportunity. The land was given to the state in 2007. An advisory committee was formed, much like what we have here. In 2008, we went through a rapid process of designing and permitting that structure. Quite a few permits were needed. The role of the advisory committee was instrumental in making that happen on many fronts. We realized the marriage of the fishing pier with the Aquarium mission of providing education and inspiring conservation. In addition to the usual tackle shop or snack bar, we need to think of some lab space where we can teach. We started building in opportunity to partner with different universities and the Army Corps of Engineers. Realizing how popular the Aquariums have become for meeting sites, weddings, receptions and private functions, these plans were figured into the design.

In 2008, we were facing an energy crisis and we were looking for alternate energy sources, from wind to solar to other avenues. As an educational facility, we need to be educating the public about the opportunities. The plan calls for 3 wind turbines and solar panels on the pier itself that would supply 60 percent of the electrical needs. It also calls for rain collection and storage. The septic system, similar to the Zenon system used at this Aquarium, would reclaim wastewater. The pier house would have a geothermal heating and cooling system. It would be functional, and demonstrated as an educational tool. The architect selected was BMH out of Wilmington, the same design firm that had designed the three Aquarium expansions.

State projects are reviewed through the Office of State Construction and the Department of Insurance (DOI), which have lots of standards for egress. Two ramps leading to the pier house are required by the DOI; 3 sources of exit had to exist - 2 from the west side and the third where people can exit to the pier. All got through state construction and DOI and the plans were approved. The plans were submitted for bid in November, and bids were opened at the end of November.

The first goal was to make the pier storm-resistant. The construction was to have concrete pylons and concrete girders, then transfer to wooden decking and railings reminiscent of the older piers. The first estimated projected cost was \$15 million to 17 million. The architect hired an estimator that had never done a pier estimate. He went up and down the coast getting quotes and came back with a quote of \$18 million range. We had 6 bidders and the lowest bid came in at \$27.5 million. Everyone was stunned. We were \$10 million short. The project could be cut back \$4.5 million but will still need additional funding. We have been working with the Legislature to find money. The low bid contractor was Clancy and Theys out of Wilmington. They had built 2 of our Aquariums and they are very interested in building the pier, as it would be a feather in their cap. They are willing to hold the prices at this time. Currently there is a bill in the House that will authorize the Aquariums to build the pier using our receipt funds and, in addition, to utilize some leftover DENR water quality funds, appropriated 6 years ago to address stormwater issues in Dare County. A total of \$15 million was appropriated but only \$3-4 million was used. That bill cleared one committee in the House and will be going to the appropriations committee in the House next week. If this passes, it will go to the House floor for voting. We think if it passes the House, we have greater support for the Senate and then it should get passed. If it passes, we feel the Governor will sign the bill into a law. House bill 628 is the request.

When the Federal stimulus money came into the state, there was a call for shovel-ready projects to submit to the President. This was a project that was submitted for the full amount of \$27.5 million. In Congress, a push was made for exclusion for certain types of projects. Casinos, golf courses, zoos and aquariums were mentioned that could not use federal stimulus funds. We do not consider this as an aquarium, but rather an educational project. We are trying to get this clarified right now to see if we can get all or partial funding.

Frank Rush, town manager of Emerald Isle, then reported on the history of the Emerald Isle site. He stated that the property is ideal because it has frontage on the Atlantic Ocean and Bogue Sound. As most know, it is the former site of the old Emerald Isle Pier, and Thompson's Steel Pier. The EI pier was destroyed after Hurricanes Bertha and Fran in 1996. It has 230 feet of ocean frontage that consists of 170 feet of property owned by

Emerald Isle and an additional 60 feet of public street right-of-way that extends across to Sound Drive. The ability to have ocean and soundside access made this very appealing to the Aquariums. The property has public parking and is used as a beach access. There are 250 parking spaces available. The lot is partially paved and rest is gravel. There is a small bathhouse and a handicapped-accessible walkway to the beach. The site is approximately 4 acres and has a small septic drain for the bathhouse. The actual pier house, when it is built, is proposed to be over the flat beach and will not affect the parking area. There is a possibility of some additional parking on the sound side. There have been conversations regarding acquiring an additional piece of land if needed. There are parcels of land that are for sale, and this may be beneficial. This issue will be discussed once an architect is on board.

The Town is excited about the partnership with the Aquarium. We did execute a Memorandum of Agreement (MOA) approved by the board last fall and fully executed by DENR in February 2009 that basically spells out the partnership between the town and the Aquarium. A copy is included in the notebook for review. The deed is waiting to record within the next couple of days. There is a reverter clause which states that if for whatever reason the pier is not built, the town has the right to reacquire the property at no cost and continue to use it as a public beach access facility.

Dates included in the MOA that are intended to be conservative state that if the project is not substantially complete by Dec. 31, 2012, but still good progress is being made, then the reverter clause could not kick in. It does establish an alternate day of Dec. 31, 2015 before the town could execute the reverter clause, and if good progress is being made, the chances are slim the town would enforce.

When we first put together the grant application for WAMI funds, we were looking at a 4-year time period. The goal was to have the facility open in 2012. Unfortunately the economic downturn and the state budget challenges may postpone the opening date. We will be doing everything possible to secure grants and any other funding that is available. But it is understood that the cost of the project is significant and there are many challenges ahead regarding funding.

Two significant components of the Memorandum of Agreement are:

1. Creation of this committee.
2. We are going to operate that facility as a public beach access in the interim period.

Jay added that a public meeting was held at the Aquarium last September to discuss and answer any questions that residents and the public had. It was a very positive meeting and we wanted the residents to know that we welcome their input also. Approximately 60 people showed and there was a great deal of enthusiasm.

Jay reported that in 2007 we applied for the WAMI grant for the Emerald Isle Pier and were awarded \$2.2 million that came directly from Marine Fisheries. That is the fund with which we will do our work over the next couple of years. The \$2.2 million will cover the complete design of the project; it should cover all our design needs and provide enough money to do some site improvements. The door is open also for land acquisition if needed. We can speculate that our pier might cost \$20 million and the way the designer's fees are calculated by state construction is on a percentage basis. We are

looking 8 to 10 percent for design fees. The money from WAMI is available to be invoiced when the time comes. The first thing we recognized to be important was to get an architect on board. An RFP was set up and put out by the State Construction Office in December and we received 16 proposals. From those 16 proposals, 4 were selected to be short-listed. Those 4 were interviewed last week in Raleigh. The decision is to be made by March 30. At our next meeting, we will have the selected architect attend. We will try to have the architect attend each meeting if possible.

The pier will be 1,000 feet. There was discussion about the importance of this length, because one possible cost-saving measure might be to reduce the length. However, the committee felt that 1,000 feet would be needed due to the shallow nature of the Bogue Banks beach.

Dr. Bogus (Richard Ehrenkauffer) was nominated for chairman by Mal Boyette and the nomination was approved unanimously. Dr. Bogus is the Chairman for the Pier Committee.

When the next meeting will be held needs to be determined. Kathy will send out emails or contact by phone when the meeting will take place. Because of the timing of bringing on the architect, it was decided the next meeting would be around mid-May.

The meeting was adjourned at 12 p.m.

