

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

BRAXTON DAVIS

Director



NORTH CAROLINA
Environmental Quality

November 16, 2021

Mayor Don Kingston
Town of Duck
135 Fawn Court
Duck, NC 27949

CERTIFIED MAIL RETURN RECEIPT
REQUESTED

Drew Havens, Town Manager
Town of Duck
P. O. Box 8369
Duck, NC 27949

CERTIFIED MAIL RETURN RECEIPT
REQUESTED and electronically:
dhavens@townofduck.com

Re: Certification of Town of Duck Comprehensive and CAMA Land Use Plan

Dear Mayor Kingston and Mr. Havens:

Please find enclosed the written Final Agency Decision granting the Town of Duck's request for certification of its Land Use Plan Update. Let me know if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Braxton C. Davis".

Braxton C. Davis, Director
NC Division of Coastal Management

cc via email: M. Renee Cahoon, Chair
Mary L. Lucasse, Commission Counsel
Charlan Owens, AICP, Elizabeth City District Planner



North Carolina Department of Environmental Quality | Division of Coastal Management
Elizabeth City Office | 401 South Griffin Street, Suite 300 | Elizabeth City, North Carolina 27909
252.264.3901

IN THE MATTER OF THE REQUEST
FOR CERTIFICATION OF THE TOWN
OF DUCK COMPREHENSIVE AND
CAMA LAND USE PLAN

FINAL AGENCY DECISION

FACTS

1. This is the Town of Duck Comprehensive and CAMA Land Use Plan adopted October 6, 2021 by the Town of Duck ("Land Use Plan Update").
2. The Town of Duck is located in Dare County and is bounded by Currituck County to the north, the Atlantic Ocean to the east, the Town of Southern Shores to the south, and the Currituck Sound to the west.
3. As of 2017, the estimated permanent population of Duck was 369 persons and the estimated peak population was 21,450 persons.
4. The Town of Duck is requesting certification of the Land Use Plan Update that replaces the Duck, North Carolina CAMA Core Land Use Plan certified by the Coastal Resources Commission on April 8, 2005.
5. The Land Use Plan Update supports the Town's vision of a thriving coastal community that respects and values its delicate yet dynamic barrier island environment – clean waters and beaches, maritime forests, wetlands, and dunescapes, along with other goals, while also addressing public beach and waterfront access, land use compatibility, infrastructure carrying capacity, natural hazard areas and water quality.
6. A duly advertised public hearing on the Land Use Plan Update was held on October 6, 2021. No comments were received at the public hearing.

7. The Town of Duck adopted the Land Use Plan Update by resolution on October 6, 2021. The public had the opportunity to provide written comments on the plan to the Division of Coastal Management up to thirty (30) calendar days after local adoption. No comments were received.

CONCLUSIONS OF LAW

1. The Town of Duck Comprehensive and CAMA Land Use Plan (“Land Use Plan Update”) has met the substantive requirements outlined within the Land Use Planning Requirements effective February 1, 2016.

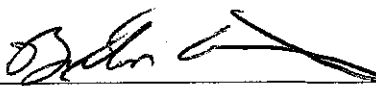
2. There are no conflicts evident in the Land Use Plan Update with either state or federal law or the State’s Coastal Management Program.

3. The elected body of the Town of Duck made a final decision on the contents of the Land Use Plan Update and provided opportunity for the public to provide written comment following local adoption of the plan, as required by N.C.G.S. § 113A-110 and 15A NCAC 7B .0802 and .0803, and the Land Use Plan Update was submitted to the NC Division of Coastal Management Commission without written objection or comment from the public.

DECISION

For the reasons stated herein, the Town of Duck’s request for certification of the Town of Duck Comprehensive and CAMA Land Use Plan (“Land Use Plan Update”) is GRANTED.

This the 17th day of NOVEMBER 2021.



Braxton C. Davis, Executive Director
N.C. Division of Coastal Management

CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the attached **Final Agency Decision** to the Town of Duck and the North Carolina Coastal Resources Commission by the means specified below:

Method of Service

Mayor Don Kingston
Town of Duck
135 Fawn Court
Duck, NC 27949

CERTIFIED MAIL RETURN RECEIPT
REQUESTED

Drew Havens, Town Manager
Town of Duck
P. O. Box 8369
Duck, NC 27949

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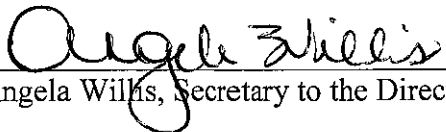
M. Renee Cahoon, Chair
Coastal Resources Commission

Electronically: Renee.Cahoon@ncdenr.gov

Mary L. Lucasse
Commission Counsel
NC Coastal Resources Commission
PO Box 629
Raleigh, NC 27602

Electronically: mlucasse@ncdoj.gov

This is the 17 day of November 2021.


Angela Wilhs, Secretary to the Director