

**Federal Emergency Management Agency**  
**PUBLIC NOTICE**  
**Notice of Availability of the Draft Environmental Assessment**  
**For the Town of Duck Resilient Project in Duck, North Carolina**

The Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to assist in the funding of a project located in the Town of Duck, Dare County, North Carolina. This notice applies to the Building Resilient Infrastructure and Communities (BRIC) grant program application for improving a 1,375-linear-foot stretch of North Carolina State Route 12 (NC 12) and to the adjacent Currituck Sound shoreline. BRIC grant program is authorized under Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). The Disaster Recovery Reform Act of 2018 amended Section 203 of the Stafford Act established BRIC and is funded from a six-percent set-aside of estimated disaster expenses for each disaster, as authorized by Section 203(i).

This public notice concerns activities pertaining to the efforts to minimize disruption to vital community lifelines during heavy rains and storm surge, the Town of Duck proposes to construct a three-element approach to tackling resiliency. The project will involve construction of a stormwater chamber system for inland flooding, elevate North Carolina Highway 12 (NC12) to address storm surge and flooding, and reestablish shoreline embankment and construct a living shoreline using native vegetation and breakwaters to minimize affects from storm surge and wave action erosion. The general location area is at 36.173615, -75.756515. Element number one is to construct a storm chamber drainage system east of NC 12 between Old Duck Road and Barrier Island Station. An 18-inch diameter flared RCP will extend 20 feet from the northwestern corner of the storm chamber. Element number two is to elevate a portion (approximately 1,335 linear feet) of NC12 between the NC12 – Cook Road intersection (36.171008, -75.756184) to the NC12 – Old Duck Road intersection (36.174581, -75.756348). Additionally, there will be improvements and add-ons for pedestrian sidewalks and bike lanes integrated into the newly elevated road. Element number three involves removing the existing riprap revetment along the NC12 shoreline and removing approximately 7,800 square feet of vegetation will be removed to facilitate the work to reshape the shoreline embankment between NC12 and Currituck Sound including the installation of breakwater sills and planting of native wetland vegetation. Of this amount, 3,600 square feet consist of wetland vegetation and 4,200 square feet will be upland vegetation.

An Environmental Assessment (EA) has been drafted in accordance with National Environmental Policy Act (NEPA), the President’s Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508) and regulations adopted pursuant to the Department of Homeland Security Directive 023-01, Rev 01, and FEMA Directive 108-1. An alternatives analysis was performed, which included the evaluation of the proposed action and the no action alternative. Further detailed descriptions of all alternatives may be reviewed in the draft EA conducted by FEMA or by contacting [FEMA-R4EHP@fema.dhs.gov](mailto:FEMA-R4EHP@fema.dhs.gov) for a copy. The draft EA is available for public comment and can be viewed on FEMA’s and the applicant’s website at the following locations:

**FEMA WEBSITE LOCATION:** <https://www.fema.gov/emergency-managers/practitioners/environmental-historic/nepa-repository>

**TOWN OF DUCK WEBSITE LOCATION:** <https://www.townofduck.com/frequently-visited/public-notices-duck/>

A hardcopy of the draft EA is available for review at the Town of Duck Administrative Offices located at 1200 Duck Road, Duck, North Carolina, during the following hours: Monday – Friday, 9:00 AM to 5:00 PM Eastern Time.

The Endangered Species Act (ESA) requires federal agencies to consult with the United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) for effects to federally listed threatened and endangered species. FEMA has determined, in coordination with the Town biologist and survey conducted; that there will be *no effect* to any federally listed species as a result of this project. No coordination with USFWS nor NMFS was performed.

The National Historic Preservation Act (NHPA) requires federal agencies to consider the effects of their undertakings on historic properties. FEMA consulted with the State Historic Preservation Officer (SHPO) and received concurrence for a determination of *No Historic Properties Affected*. Tribal consultation letters were submitted to three federally recognized tribes with vested interest in Dare County, North Carolina. No objections were received from the three tribes regarding the proposed work.

Presidential Executive Orders 11988 and 11990 require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate and evaluated for social, economic, historical, environmental, legal, and safety considerations. The project location is located within a special flood hazard area, per Dare County Flood Insurance Rate Map (FIRM) #3720985900K, dated June 19, 2020. Wetlands within the project area include near-shore open water habitat occupied by subaquatic vegetation. The Town of Duck completed an 8-step decision making process as part of the BRIC grant application in 2020.

President Biden issued new Executive Orders 13985 and 14008 in January 2021 to further address the need to achieve environmental justice and equity across the federal government. The issuance of the new executive orders more than 20 years after Executive Order 12898 was signed indicates the administration's directive to federal agencies to renew their energy, effort, resources, and attention to environmental justice. FEMA is working with applicants/subapplicants to identify communities with Environmental Justice concerns and provide an avenue for local groups and non-profits with an Environmental Justice mission to self-identify so that FEMA Programs can start to work with them on specific projects from the beginning of the application process.

This will serve as the final public notice regarding the above-described action funded by the FEMA BRIC grant program. Interested persons may obtain information about these actions by emailing [FEMA-R4EHP@fema.dhs.gov](mailto:FEMA-R4EHP@fema.dhs.gov). Comments should be sent in writing with the subject line "FEMA BRIC Town of Duck Resilient Project" at the above address within 30 days of the date of this notice.