



**Fiscal Note Review of
Proposed Wildlife Resources Commission No-Wake Zone Rule
15A NCAC 10F .0330 – Carteret County**

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Impact: State Government: Yes
Local Government: No
Private Impact: No
Substantial Impact: No

Authority: G.S. 75A-3: 75A-15

The proposed permanent amendment to 15A NCAC 10F .0330 (APPENDIX 1) will clarify and correct the description of the existing no-wake zone in the waters of Taylor’s Creek in Beaufort, Carteret County. Permanent rulemaking will replace the temporary rule which was effective September 1, 2016.

The Wildlife Resources Commission initiated the request for rulemaking to clarify the parameters of the no-wake zone. The removal of Channel Marker 1A that used to mark the eastern end of the no wake zone and the U.S. Army Corps of Engineers’ recent redredging of the channel outside Taylor’s Creek, which has rerouted the entrance into the creek from southeast of Carrot Island to northeast of Carrot Island, have necessitated a correction of rule text and placement of new markers in the waters of Taylor’s Creek at the eastern end. Neither the removal of the channel marker nor the redredging changes the location of the existing no-wake zone within Taylor’s Creek.

Agency Law Enforcement currently enforces the no-wake zone. Placement of new buoys at the eastern end of the no wake zone will allow for more accurate enforcement at the eastern end as vessels enter from and exit to open waters outside the no-wake zone.

The Wildlife Resources Commission will mark the no-wake zone at a cost of no more than \$2,217.50. Of that cost, the agency will spend \$400.00 for the Coastal Area Management Act (CAMA) permit required under § 113A-118 before placing structures in waters in coastal counties. The installation of two buoys, anchor chains and anchors will cost no more than \$1060.00. Three WRC boating technicians will spend no more than thirty hours to place the buoys at a loaded labor rate of \$25.25, for a total of \$757.50.

State Impact Analysis: The Wildlife Resources Commission will mark the no-wake zone with two additional buoys, at a cost of no more than \$2217.50.

Local Impact Analysis: None.

Private Impact: None. This rule amendment does not change the location of the existing no-wake zone within Taylor’s Creek. It does not impose any new regulatory restrictions on the public’s use of the waters of Taylor’s Creek. Therefore, this rule change does not have an economic impact on the public. The public will benefit from increased clarity in the WRC’s rules.

Substantial Economic Impact: There will be no substantial economic impact to the public.

APPENDIX 1

15A NCAC 10F .0330 CARTERET COUNTY

(a) Regulated Areas. This Rule applies to the following waters in Carteret County:

- (1) the waters of Money Island Slough beginning at the east end of Money Island near the Anchorage Marina Basin and ending at the west end of Money Island where Brooks Avenue dead ends at the slough;
- (2) the waters of ~~Taylor Creek located within the territorial limits of the Town of Beaufort;~~ Taylor's Creek in Beaufort, shore to shore from where it meets the Newport River at the western end to a line at the eastern end between a point on the north shore at 34.70762 N, 76.61784 W, south-southwest to the eastern tip of Carrot Island.
- (3) the waters of Pelletier Creek beginning at the entrance to Pelletier Creek at the Intracoastal Waterway and ending at U.S. Highway 70;
- (4) the waters of Bogue Sound Harbor Channel in Morehead City between Sugar Loaf Island and the seawall on the south side of Evans, Shepard and Shackelford Streets and bounded on the east by the State Ports Authority and on the west by the eastern right-of-way margin of South 13th Street extended;
- (5) the waters of Gallant's Channel from the US 70 crossing over the Grayden Paul bridge to Taylor's Creek;
- (6) the waters of Cedar Island Bay and Harbor from N.C. Highway 12 to Cedar Island Bay Channel Light 8;
- (7) the waters of the small cove on the west side of Radio Island south of Old Causeway Road;
- (8) the waters of the Newport River beginning at the north side of the Beaufort Drawbridge and ending at marker #6;
- (9) the waters of Spooners Creek within the territorial limits of the Town of Morehead City as delineated by appropriate markers;
- ~~(10) the waters of Taylor's Creek from the eastern end of the current no wake zone eastward to Channel Marker #1A;~~
- ~~(11)~~ (10) the waters of the Newport River at Bogue Sound including all waters surrounding the Port of Morehead City to Brandt Island as delineated by appropriate markers;
- ~~(12)~~ (11) the waters of Morgans Creek as delineated by appropriate markers;
- ~~(13)~~ (12) the waters of Cannonsgate Marina and the Cannonsgate Marina Channel, beginning at its intersection with Bogue Sound at 34.70163 N, 76.98157 W as delineated by appropriate markers; and
- ~~(14)~~ (13) the waters of the Newport River within 200 yards of the Newport River Beach Access Boat Ramp, beginning at the shore north of the U.S. 70 bridge at a point at 34.72141 N, 76.68707 W, west to a point at 34.72128 N, 76.68893 W, north to a point at 34.72376 N, 76.68911 N, then east to the shore at 34.72371 N, 76.68631 W.

(b) Speed Limit. It is unlawful to operate a motorboat or vessel at a speed greater than no-wake speed while on the waters of the regulated areas designated in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Carteret County, with respect to the regulated areas designated in Subparagraphs (1), (3), (5), (6), (7), (8), ~~(10)~~, ~~(11)~~ and ~~(13)~~ (12) of Paragraph (a) of this Rule, and the Board of Commissioners of the Town of Beaufort, with respect to the regulated area designated in Subparagraph (2) of Paragraph (a) of this Rule, and the Board of Commissioners of Morehead City, with respect to Subparagraph (4), (9), and ~~(14)~~ (13) of Paragraph (a) of this Rule, and the North Carolina State Ports Authority, with respect to the regulated area designated in Subparagraph ~~(11)~~ (10) of Paragraph (a) of this Rule are designated as suitable agencies for placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.