



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

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

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

The proposed amendment to 15A NCAC 10F .0330 (APPENDIX 1) will establish a no-wake zone in a portion of the canal at Dolphin Bay Estates in Cedar Point, Carteret County.

The Town of Cedar Point submitted a formal application to establish a no-wake zone in a portion of the waters of the canal at Dolphin Bay Estates. The canal is narrow and makes a right angle turn, providing limited sight lines for vessels entering and exiting. Wildlife Enforcement has concurred that placement of one buoy inside the canal will mitigate hazards to boater safety.

A shoal at the entrance to the canal makes it necessary to place one no-wake buoy 30 yards inside the canal where there is deep water. Vessels cannot travel at no-wake speed while going over the shoal since at low tide the entrance of the canal is less than one foot deep.

The Town of Cedar Point will mark the no-wake zone at a cost of no more than \$1,400. Of that cost, the Town may spend \$400.00 for the Coastal Area Management Act (CAMA) permit required under § 113A-118 before placing structures in waters in coastal counties. One buoy, anchor chain and anchor will cost no more than \$600.00. Estimated cost for two staff members to place the buoy is four hours, for a total of \$400.00.

State Impact Analysis: None.

Local Impact Analysis: The Town of Cedar Point will incur an expense of no more than \$1,400.00 to purchase and place one buoy to mark the no-wake zone.

Private Impact: This rule has minimal private fiscal impact. The regulated community will not incur any direct financial cost as a result of this rule change, but their behavior will be restricted in a portion of the canal. However, the benefit of that restriction is increased boater safety.

Substantial Economic Impact

None. 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's Creek in Beaufort, shore to shore from where Taylor's Creek 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 the Newport River at Bogue Sound, including all waters surrounding the Port of Morehead City to Brandt Island as delineated by appropriate markers;
- (11) the waters of Morgans Creek as delineated by appropriate markers;
- (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;
- (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; and
- (14) the waters of Palmetto Drive canal, a tributary to the White Oak River, beginning at a point on the western shore at 34.67903N, 77.10142W to a point on the eastern shore at 34.67899 N, 77.10098 W and extending the entire length of the canal.
- (15) a portion of the waters of the canal at Dolphin Bay Estates in the Town of Cedar Point, shore to shore, beginning at a point thirty yards inside the canal entrance.

(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 following agencies shall be 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:

- (1) the Board of Commissioners of Carteret County, with respect to the regulated areas designated in Subparagraphs (1), (3), (5), (6), (7), (8), (11) and (12) of Paragraph (a) of this Rule;
- (2) 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;
- (3) the Board of Commissioners of Morehead City, with respect to Subparagraph (4), (9), and (13) of Paragraph (a) of this Rule;
- (4) the North Carolina State Ports Authority, with respect to the regulated area designated in Subparagraph (10) of Paragraph (a) of this Rule; and
- (5) the Board of Commissioners of the Town of Cedar Point with respect to the regulated ~~area~~ areas designated in ~~Subparagraph~~ Subparagraphs (14) and (15) of Paragraph (a) of this Rule.

History Note: Authority G.S. 75A-3; 75A-15