

1 15A NCAC 10F .0323 is proposed for amendment as follows:

2
3 **15A NCAC 10F .0323 BURKE COUNTY**

4 (a) Regulated Areas. This Rule applies only to the following waters or portions of waters in Burke County described
5 as follows:

- 6 (1) Lake Hickory;
- 7 (2) Lake James, delineated by markers consistent with Paragraph (e) of this Rule, at the following
8 locations:
 - 9 (A) Holiday Shores Subdivision;
 - 10 (B) Lake James Campground;
 - 11 (C) Laurel Pointe Subdivision;
 - 12 (D) The waters of Boyd Moore Cove; Cove shore to shore, north of a line from a point on the
13 northwest shore at 35.76667 N, 81.82337 W to a point on the southeast shore at 35.76558
14 N, 81.82245 W;
 - 15 (E) East Shores development;
 - 16 (F) Eastern shore of Lake James at Mallard Cove;
 - 17 (G) ~~Highway 126 Bridge, area defined using the North American Datum of 1983 beginning 50~~
18 ~~yards from the northeast side defined by a shore to shore line extending from state plane~~
19 ~~coordinates: Northing = 224985.481182, Easting = 348767.698377 to Northing =~~
20 ~~224912.319514, Easting = 348805.193732, encompassing all waters to a line 200 yards~~
21 ~~south of the bridge defined by a line extending shore to shore from state plane coordinates:~~
22 ~~Northing = 224723.881492, Easting = 348679.284125 to Northing = 224835.222394,~~
23 ~~Easting = 348534.751513; That portion of Lake James shore to shore, beginning 50 yards~~
24 ~~northeast of the NC Highway 126 bridge at a line from a point on the north shore at~~
25 ~~35.74398 N, 81.88426 W, to a point on the south shore at 35.74334 N, 81.88383 W, and~~
26 ~~ending at a line 215 yards southwest of the NC Highway 126 bridge, from a point on the~~
27 ~~northwest shore at 35.74257 N, 81.88679 W to a point on the southeast shore at 35.74160~~
28 ~~N, 81.88516 W;~~
 - 29 (H) ~~Canal Bridge Boating Access Area: within~~ Within 50 yards of the Canal Bridge Boating
30 Access area dock;
 - 31 (I) ~~South Pointe/Dry Creek Community Piers in the vicinity of the point of land at Lot 86 at~~
32 ~~the South Pointe Subdivision. Area defined using the North American Datum of 1983 and~~
33 ~~encompassing waters off the point; from the shoreline, 50 yards out to a perimeter defined~~
34 ~~by the following State Plane Coordinates: Northing = 226977.08583, Easting =~~
35 ~~353148.128305; Northing = 226950.431724, Easting = 353076.195527; Northing =~~
36 ~~227004.286569, Easting = 353011.808157; and Northing = 227082.795442, Easting =~~
37 ~~353042.59595. The waters within 50 yards of the end of the South Pointe Subdivision~~

1 peninsula from a point east of the peninsula at 35.76399 N, 81.83768 W, and surrounding
2 the peninsula from a point east of the peninsula at 35.76399 N, 81.83768 W, and
3 surrounding the peninsula to a point west of the peninsula at 35.76307 N, 81.83648 W; and
4 (J) The waters of Sherman's Hollow Cove shore to shore, and contiguous with those waters
5 beginning at a point on the west shore of the mouth of Sherman's Hollow Cove at 35.76423
6 N, 81.82748 W, extending northeast within 50 yards of Linville Point to a point on the
7 northeast shore of Linville Point at 35.76596 N, 81.82432 W.

8 (3) Lake Rhodhiss.

9 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within 50 yards of any designated
10 public boat launching ramp, bridge, marina, boat storage structure, boat service area, dock, or pier; or while on
11 designated waters of the areas described in Paragraph (a) of this Rule.

12 (c) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a
13 marked mooring area established with the approval of the Executive Director, or his representative, on the regulated
14 areas described in Paragraph (a) of this Rule.

15 (d) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to
16 enter any marked public swimming area established with the approval of the Executive Director, or his representative,
17 on the regulated areas described in Paragraph (a) of this Rule.

18 (e) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Burke County is designated a suitable
19 agency for placement ~~and maintenance~~ of the markers implementing this Rule, subject to the approval of the United
20 States Coast Guard and the United States Army Corps of Engineers, if applicable. ~~With regard to marking the~~
21 ~~regulated areas described in Paragraph (a) of this Rule, all of the supplementary standards listed in Rule .0301(g) of~~
22 ~~this Section shall apply.~~

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24 *History Note: Authority G.S. 75A-3; 75A-15; 102-1.1;*