



**Fiscal Note Review of
Proposed Wildlife Resources Commission No-Wake Zone Rules**

Rule Amendments:

- 15A NCAC 10F .0302 Atlantic Beach
- 15A NCAC 10F .0308 Clay County
- 15A NCAC 10F .0315 Polk County
- 15A NCAC 10F .0321 Pender County
- 15A NCAC 10F .0335 Swain County
- 15A NCAC 10F .0338 Caldwell County
- 15A NCAC 10F .0340 Currituck County
- 15A NCAC 10F .0342 Catawba County
- 15A NCAC 10F .0349 John H. Moss Lake
- 15A NCAC 10F .0359 Cherokee County
- 15A NCAC 10F .0367 Hoke County
- 15A NCAC 10F .0372 Hertford County

Contact:

Carrie Ruhlman, Policy Analyst
1701 Mail Service Center
Raleigh, N.C 27699-1701
(919) 707-0011
carrie.ruhlman@ncwildlife.org

Impact:

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

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

All 10F Rules were reviewed as part of the 2016 Periodic Review process. Ten of the rules proposed for amendment at this time are not required to be readopted. Rule 15A NCAC 10F .0302 ATLANTIC BEACH and 15A NCAC 10F .0321 PENDER COUNTY are required to be readopted, as they were determined to be “necessary with substantive interest.” All rules are being updated to incorporate the following changes:

- updating language and terms for consistency;
- clarifying no-wake zone boundaries;
- correcting the county location of the no-wake zone;
- removing the maintenance of markers; and
- including appropriate federal approval for placement of markers.

Proposed rules can be found in the Appendix.

State Impact Analysis: Overall, the proposed amendments to these rules are anticipated to have a minimal economic impact on the state.

Only proposed amendments to the following 10 Rules will have a fiscal impact: 15A NCAC 10F .0302, .0308, .0315, .0335, .0338, .0340, .0342, .0349, .0359, and .0372.

These proposed amendments shift marker maintenance responsibility to the agency. In general, maintenance is only required when a marker is missing or has been damaged, typically these markers last 5 – 10 years. Additionally, these proposed rule amendments only account for a portion of the estimated statewide impact of annual marker maintenance. The agency is unable to determine the costs and benefits attributable to individual counties. However, a statewide estimate for marker maintenance based on approximate costs for materials and labor provides that the agency could incur an annual cost of approximately \$5,900 to replace missing or damaged markers $((\$150/\text{marker} + \$150 \text{ materials}/\text{marker}) \times 10 \text{ markers}/\text{year}) = \$3,000/\text{year} + ((\$29/\text{hr} \times 2 \text{ techs} = \$58/\text{hr}) \times (5 \text{ hrs}/\text{marker} \times 10 \text{ markers}/\text{year} = 50 \text{ hrs}/\text{yr}) = \$2,900/\text{year}) = \$5,900/\text{year}$.¹

Local Impact Analysis: The proposed amendments to these rules will not impose any costs on local governments. Due to the Commission assuming responsibility for marker maintenance, local governments may incur benefits of approximately \$590 annually $((\$150/\text{marker} + \$150 \text{ materials}/\text{marker}) + (\$58/\text{hr} \times 5 \text{ hours}) = \$590)$ in materials savings and staff time not spent on the replacement of individual markers.²

Private Impact: The proposed amendments to these rules have no anticipated private impact. However, a potential benefit of clarifying no-wake zone boundaries is increased boater safety.

Substantial Economic Impact

There will be no substantial economic impact.

¹ Hourly rates for agency staff reflect total compensation for boating technician II.

² Estimates based on Commission staff and materials costs.

Appendix A

1 15A NCAC 10F .0302 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 10F .0302 ATLANTIC BEACH**

4 (a) Regulated Areas. This Rule applies to the following waters in Atlantic ~~Beach;~~ Beach in Carteret County:

5 (1) the canals ~~within the subdivisions of Atlantic Beach Isles and Sound View Isles within the town~~
6 ~~limits of Atlantic Beach;~~ east of the Atlantic Beach Bridge in Sound View Isles subdivision,
7 including the waters of Money Island Slough from its east entrance at 34.70187 N, 76.72941 W to
8 its west entrance at 34.70237 N, 76.73271 W; and all canals west of the bridge including the canal
9 west of North Shore 1 Drive;

10 (2) the waters of Bogue Sound ~~from the east side of Channel Bay Mobile Home Park running westerly~~
11 ~~to the west side of North Shore Mobile Home Park extending 55 yards from the shore; within 55~~
12 yards of the north shore of Channel Bay Mobile Home Park and North Shore Mobile Home Park;

13 (3) the waters of Bogue Sound ~~extending 50 yards on each side of the entrance to Hoop Pole Creek Bay~~
14 ~~and 50 yards on each side of the four boat ramps in Hoop Pole Creek Bay; from a point~~
15 approximately 50 yards north of the entrance to Hoop Pole Creek Bay at 34.70319 N, 76.76904 W,
16 to a line approximately 150 yards south of the entrance to Hoop Pole Creek Bay, shore to shore from
17 a point on the east shore at 34.70178 N, 76.76757 W, to a point on the west shore at 34.70167 N,
18 76.76973 W, and within 50 yards of all boat ramps in Hoop Pole Creek Bay; and

19 (4) the waters of Bogue Sound beginning at ~~day markers #3PA (green) and #4PA (red) at green day~~
20 marker 3 and red day marker 4 near the entrance ~~to~~ of the 8 ½ Marina Channel ~~running to day~~
21 ~~markers #7PA (green) and #8PA (red) extending the length of the canal to and 50 yards on each side~~
22 ~~of the boat ramp at 8 ½ Marina Village, and extending within the channel to a point 50 yards west~~
23 of the boat ramp at 8 ½ Marina Village.

24 (b) Speed Limit. No person shall operate any ~~motorboat or~~ vessel at greater than no-wake speed within any of the
25 regulated areas identified in Paragraph (a) of this Rule.

26 (c) Placement ~~and Maintenance~~ of Markers. The Town of Atlantic Beach is the designated ~~as a suitable~~ agency for
27 placement ~~and maintenance~~ of the markers implementing this Rule, subject to the approval of the United States Coast
28 Guard and the United States Army Corps of Engineers.

29
30 *History Note: Authority G.S. 75A-3; 75A-15;*

31 *Eff. February 1, 1976;*

32 *Amended Eff. July 1, 1998.*

1 15A NCAC 10F .0308 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0308 CLAY COUNTY**

4 (a) Regulated Areas. It is unlawful to operate any motorboat or vessel at greater than no-wake speed in the following
5 areas on Chatuge Lake:

6 (1) within 50 yards of the boat ramp at Ho Hum Campground;

7 (2) the waters of Shooting Creek, from a line shore to shore 50 yards west of the High Bridge on NC
8 Highway 175, to a line at the southeast end of Shooting Creek shore to shore, from a point at
9 35.01960 N, 83.72752 W; to a point at 35.01979 N, 83.72638 W;

10 (3) within 50 yards of the Gibson Cove access area;

11 (4) within 50 yards of the Chatuge Cove Marina;

12 (5) that portion of the cove shore to shore, west of Cottage Court off of NC Highway 175, northeast of
13 a line from a point on the east shore at 35.02576 N, 83.73784 W; to a point on the northwest shore
14 at 35.02609 N, 83.73945 W;

15 (6) within 50 yards of the Chatuge Dam Spillway access area; and

16 (7) the waters of McCracken Cove.

17 (b) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to
18 enter any marked public swimming area established with the approval of the Executive ~~Director, or his representative,~~
19 Director on the regulated area.

20 (c) Placement and Maintenance of Markers. The Board of Commissioners of Clay County is the designated ~~a suitable~~
21 agency for placement of the markers implementing this Rule, subject to the approval of the Tennessee Valley
22 Authority and the United States Army Corps of Engineers.

23

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

25 *Eff. February 1, 1976;*

26 *Amended Eff. June 1, 2005; July 1, 1998; February 1, 1990; July 1, 1986; March 25, 1978;*

27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
28 *6, 2016;*

29 *Amended Eff. June 1, 2017*

1 15A NCAC 10F .0315 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0315 POLK COUNTY**

4 (a) Regulated Area. ~~The inlet of Lake Adger lying north of a line running from the end of the point on which Red~~
5 ~~Barn Landing is located South 69 degrees West (true) approximately 1,800 feet to the beach on the north side of said~~
6 ~~lake is designated as a "slow no wake" area. The waters of Lake Adger in the cove south of the Lake Adger Boating~~
7 ~~Access Area, west of a line from a point on the north shore at 35.33578 N, 82.22780 W to a point on the south shore~~
8 ~~at 35.33422 N, 82.22774 W.~~

9 (b) Speed Limit. No person shall operate a ~~motorboat vessel~~ at greater than no-wake speed within the ~~"slow no wake"~~
10 area described in Paragraph (a) of this Rule.

11 (c) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Polk County is ~~the~~ designated ~~a suitable~~
12 agency for placement ~~and maintenance~~ of markers implementing this Rule.

13

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

15 *Eff. February 1, 1976;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
17 *6, 2016.*

1 15A NCAC 10F .0321 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 10F .0321 PENDER COUNTY**

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

5 (1) the canal adjoining ~~Old Olde Point Development;~~ Development in Hampstead;

6 (2) the First Finger Canal northeast of Godwin Drive in New Topsail Beach;

7 (3) in the Town of Topsail Beach, ~~those~~ the waters on the eastern side of Banks Channel within 100
8 yards of the shoreline beginning 155 yards west of Bush's Marina, ~~and~~ extending northeast ending
9 75 yards from the shoreline perpendicular to Haywood Avenue;

10 (4) ~~those~~ the waters of the Northeast Cape Fear River between the U.S. Highway 117 bridge and the
11 railroad trestle 60 yards east of the Castle Hayne Boating Access Area; and

12 (5) in the Town of Surf City, the waters of the channel in Topsail Sound known as Deep Creek, from
13 its mouth at a point at 34.43199 N, 77.54795 W to its end west of Goldsboro Avenue.

14 (b) Speed Limit. No person shall operate any ~~motorboat or~~ vessel at greater than no-wake speed within the regulated
15 areas described in Paragraph (a) of this Rule.

16 (c) Placement of Markers. The Board of Commissioners of Pender County ~~with respect to~~ for the regulated areas
17 designated in Subparagraphs (1), (2) and (4) of Paragraph (a) of this Rule, the Board of Commissioners of the Town
18 of Topsail ~~Beach, with respect to~~ Beach for the regulated area designated in Subparagraph (3) of Paragraph (a) of
19 this Rule, and the Board of Commissioners of the Town of Surf ~~City, with respect to~~ City for the regulated area
20 designated in Subparagraph (5) of Paragraph (a) of this Rule are the designated ~~as suitable~~ agencies for placement of
21 the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States
22 Army Corps of Engineers.

23

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

25 *Eff. May 1, 1976;*

26 *Amended Eff. July 1, 1993; December 1, 1991; May 1, 1989; October 1, 1985;*

27 *Temporary Amendment Eff. April 1, 1999;*

28 *Amended Eff. June 1, 2017; July 1, 2000.*

1 15A NCAC 10F .0335 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0335 SWAIN COUNTY**

4 (a) Regulated Area. This Rule applies ~~only to that portion of Fontana Lake which is located in Swain County.~~ to the
5 waters of Fontana Lake within 50 yards of Almond Boat and RV Park at 1165 Almond Boat Park Road in Bryson
6 City.

7 (b) ~~Speed Limit Near Boat Dock. No person shall operate a vessel at greater than no-wake speed within 50 yards of~~
8 ~~Almond Boat Dock. Limit. No person shall operate a vessel at greater than no-wake speed within the area described~~
9 ~~in Paragraph (a) of this Rule.~~

10 (c) ~~Placement and Maintenance~~ of Markers. The Board of Commissioners of Swain County is the designated a
11 ~~suitable~~ agency for placement ~~and maintenance~~ of markers implementing this Rule, subject to the approval of the
12 ~~United States Coast Guard~~ Tennessee Valley Authority and the United States Army Corps of Engineers.

13

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

15 *Eff. August 31, 1980;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
17 *6, 2016.*

1 15A NCAC 10F .0338 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0338 CALDWELL COUNTY**

4 (a) Regulated Areas. This Rule applies ~~only to the following waters which lie within the boundaries of~~ in Caldwell
5 County:

6 (1) Catawba ~~River,~~ River;

7 (2) Lake ~~Rhodhiss,~~ Rhodhiss; and

8 (3) Little Gunpowder Lake.

9 (b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any
10 public boat launching ramp while on the regulated areas described in Paragraph (a) of this Rule.

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

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

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

22

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

24 *Eff. August 23, 1981;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
26 *6, 2016.*

1 15A NCAC 10F.0340 is proposed for amendment as follows:

2
3 **15A NCAC 10F .0340 CURRITUCK COUNTY**

4 (a) Regulated Areas. This Rule applies to the waters and portion of waters described as follows:

- 5 (1) Bell's Island. ~~The waters contained in all the~~ All canals on Bell's Island.
- 6 (2) Walnut Island Subdivision. ~~The waters in all the canals~~ All canals in the Walnut Island subdivision
7 in the Village of Grandy.
- 8 (3) Waterview Shores Subdivision. ~~The waters in all the canals~~ All canals in the Waterview Shores
9 ~~subdivision~~ subdivision, off of Woodhouse Drive in the Village of Grandy. ~~The regulated area~~
10 ~~begins at the entrances to the subdivision from Dowdy Bay (Poplar Branch Bay) at 36.25148N,~~
11 ~~75.87061W; 36.24981N, 75.87042W; and 36.24872N, 75.87055W.~~
- 12 (4) Neal's Creek Landing. ~~Those~~ The waters of Currituck Sound within 50 yards of Neal's Creek
13 Landing ~~as delineated by appropriate markers.~~ at the end of Neal's Creek Road.
- 14 (5) ~~Tull's~~ Tull Bay.
- 15 (A) ~~Those~~ The waters of ~~Tull's Creek within the canal off of Tull Bay leading to Tull's Bay~~
16 ~~Marina, beginning 50 yards upstream northeast and 50 yards downstream southwest of and~~
17 ~~within the mouth of the canal leading to Tull's Bay Marina as delineated by appropriate~~
18 ~~markers.~~ canal.
- 19 (B) ~~Those~~ The waters ~~which constitute the canals of the Tull's Bay Colony subdivision in~~
20 ~~Moyock and including the waters~~ 50 yards north along the Mississippi Canal from its
21 intersection with Elizabeth Canal.

22 (b) Speed Limit. No person shall operate any ~~motorboat or~~ vessel at greater than no-wake speed within any of the
23 regulated areas described in Paragraph (a) of this Rule.

24 (c) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Currituck County is the designated a
25 ~~suitable~~ agency for placement ~~and maintenance~~ of the markers implementing this Rule, subject to the approval of the
26 United States Coast Guard and the United States Army Corps of Engineers.

27
28 *History Note: Authority G.S. 75A-3; 75A-15;*
29 *Eff. May 1, 1982;*
30 *Amended Eff. May 1, 2015; July 1, 1993; January 1, 1991; December 1, 1990; January 1, 1989;*
31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
32 *6, 2016.*

1 15A NCAC 10F .0342 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0342 CATAWBA COUNTY**

4 (a) Regulated Areas. This Rule applies to the following waters of Lake Hickory:

5 ~~(1) the public fishing pier located at the old Wildlife Club off 12th Street Drive, NW, City of Hickory;~~

6 ~~(2) (1) the shores of the Dixie Boat Club, Inc.; the waters within 50 yards of the shoreline of the Dixie Boat~~
7 ~~Club, Inc. at 4069 54th Avenue NE in the City of Hickory, from a point on the west shore at 35.81009~~
8 ~~N, 81.23829 W to a point on the east shore at 35.81005 N, 81.23613 W;~~

9 ~~(3) (2) that the area within 50 yards of the Moore's Ferry Boat Marina and Boathouse on 44th Avenue,~~
10 ~~Circle NW; 44th Avenue Circle NW in the City of Hickory; and~~

11 ~~(4) (3) the cove entering the Lake Hickory RV Resort Marina as delineated by appropriate markers. Resort~~
12 ~~boating access area, south of a line from a point on the east shore at 35.80767 N, 81.22795 W, to a~~
13 ~~point on the west shore at 35.80818 N, 81.22899 W.~~

14 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed in the waters of the regulated areas
15 specified in Paragraph (a) of this Rule.

16 (c) Placement ~~and Maintenance~~ of Markers. The governing board of the City of Hickory and the Catawba County
17 Board of Commissioners are the designated ~~suitable~~ agencies for placement ~~and maintenance~~ of the markers
18 implementing this Rule, subject to the approval of ~~the United States Coast Guard and~~ the United States Army Corps
19 of Engineers.

20

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

22 *Eff. September 1, 1982;*

23 *Amended Eff. March 1, 1992; May 1, 1989;*

24 *Temporary Amendment Eff. February 1, 1999;*

25 *Amended Eff. July 1, 2000;*

26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
27 *6, 2016.*

1 15A NCAC 10F .0349 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0349 JOHN H. MOSS LAKE**

4 (a) Regulated Area. This Rule applies to the Kings Mountain water supply reservoir known as ~~the~~ John H. Moss
5 ~~Lake located~~ Lake, in Cleveland County.

6 (b) Speed Limit Near Boat Facilities. No person shall operate a vessel at greater than no-wake speed within 50 yards
7 of any boat launching area, dock, pier, marina, boat storage structure or boat service area located on the regulated area
8 described in Paragraph (a) of this Rule.

9 (c) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to
10 enter any marked swimming area ~~established with the approval of the Executive Director, or his representative,~~ on the
11 regulated area described in Paragraph (a) of this Rule.

12 (d) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of the City of Kings Mountain is the
13 designated ~~a suitable~~ agency for placement ~~and maintenance~~ of markers implementing this Rule. ~~Provided the said~~
14 ~~board exercises its supervisory responsibility, it may delegate the actual placement and maintenance of markers to~~
15 ~~some other responsible agency. With regard to marking the regulated area described in Paragraph (a) of this Rule, the~~
16 ~~supplementary standards set forth in Rule .0301(g) of this Section shall apply.~~

17

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

19 *Eff. August 1, 1984;*

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
21 *6, 2016.*

1 15A NCAC 10F .0359 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0359 CHEROKEE COUNTY**

4 (a) Regulated Areas. This Rule applies to the following ~~sections~~ waters of ~~Hiawassee~~ Hiwassee Lake:

5 (1) the waters ~~within 50 yards of Hiawassee Hideaway Marina;~~ of the Duke's Hideaway Marina cove
6 shore to shore, east of a line from a point on the north shore at 35.11989 N, 84.10420 W to a point
7 on the south shore at 35.11902 N, 84.10386 W;

8 (2) the waters ~~within 50 yards of Shook's Boat Dock;~~ of the Shooks Marina cove shore to shore, south
9 of a line from a point on the northwest shore at 35.15458 N, 84.14425 W to a point on the southeast
10 shore at 35.15457 N, 84.14296 W;

11 (3) the waters ~~within 50 yards of Bear Paw Marina;~~ of the Mountain View Marina cove, shore to shore,
12 west of a line from a point on the north shore at 35.15264 N to a point on the south shore at 35.15120
13 N, 84.16313 W;

14 (4) the waters within 50 yards of ~~TVA Boat Ramp at Micken's Branch;~~ and the Tennessee Valley
15 Authority boating access area at Micken Branch at 35.11890 N, 84.16806 W;

16 (5) the waters ~~within 50 yards of Harbor Cove Marina.~~ of the Harbor Cove Marina cove, shore to shore,
17 west of a line from a point on the north shore at 35.13899 N, 84.17592 W to a point on the south
18 shore at 35.13771 N, 84.17593 W;

19 (b) Speed Limit. No person shall operate any vessel at greater than no-wake speed on the waters of the regulated
20 areas as described in Paragraph (a) of this Rule.

21 (c) Placement ~~and Maintenance~~ of Markers. The Cherokee County Board of Commissioners is the designated a
22 suitable agency for the placement ~~and maintenance~~ of markers implementing this ~~Rule.~~ Rule, subject to the authority
23 of the Tennessee Valley Authority and the United States Army Corps of Engineers.

24

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

26 *Eff. May 1, 1989;*

27 *Amended Eff. November 1, 2007; May 1, 2006;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
29 *6, 2016.*

1 15A NCAC 10F .0367 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0367 HOKE COUNTY**

4 (a) Regulated Area. This Rule applies to the waters of Rockfish Creek ~~at Camp Rockfish upstream from the Hoke-~~
5 ~~Cumberland county line within the territorial limits of Hoke County as delineated by appropriate markers.~~ shore to
6 shore, from a line at a point on the north shore at 34.95415 N, 79.03833 W to a point on the south shore at 34.95372
7 N, 79.03865 W, eastward to a line from a point on the north shore at 34.95439 N, 79.03660 W to a point on the south
8 shore at 34.95351 N, 79.03773 W.

9 (b) Speed Limit. No person shall operate any ~~motorboat or~~ vessel at greater than no-wake speed within any of the
10 regulated area described in Paragraph (a) of this Rule.

11 (c) Placement and Maintenance of Markers. The Hoke County Board of Commissioners is the designated ~~a suitable~~
12 agency for placement and maintenance of the markers implementing this Rule.

13

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

15 *Temporary Adoption Eff. April 1, 1999;*

16 *Eff. July 1, 2000;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
18 *6, 2016.*

1 15A NCAC 10F .0372 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0372 HERTFORD COUNTY**

4 (a) Regulated ~~Areas~~ Area. This Rule applies to the ~~Chowan River within the territorial jurisdiction of Hertford~~
5 ~~County, in the area along the southern shoreline of the Chowan River, extending up to 600 feet in an easterly direction,~~
6 ~~and up to 1000 feet in a westerly direction, from the shore line terminus of State Road 1401 (Tuscarora Beach Road)~~
7 ~~at the site of the property commonly known as Tuscarora Beach, extending 200 feet toward the center of the Chowan~~
8 ~~River, as indicated by buoys.~~ portion of the Chowan River at Tuscarora Beach within 65 yards of the shoreline, from
9 a point on the southwest shore at 36.39028 N, 76.91214 W to a point on the southeast shore at 36.38825 N, 76.90723
10 W. -

11 (b) Speed Limit. No person shall operate ~~any motorboat or a~~ vessel at greater than no-wake speed within any of the
12 regulated areas described in Paragraph (a) of this Rule.-

13 (c) Placement ~~and Maintenance~~ of Markers. The County of Hertford is the designated ~~a suitable~~ agency for placement
14 ~~and maintenance~~ of the markers implementing this Rule.

15

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

17 *Eff. May 1, 2006;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*

19 *6, 2016.*