15A NCAC 10F .0310 is proposed for amendment as follows:

(a) Regulated Areas. This Rule shall apply to the following waters and portions of waters in Dare County:

1. Manteo. Doughs Creek off of Shallowbag Bay and all canals off of Shallowbag Bay.
2. Hatteras.
   (A) the waters of Pamlico Sound otherwise known as Hatteras Harbor and Muddy Creek bounded on the north and south by the high-water mark, on the west by a straight line between channel markers number 20 and 17 at the entrance to Hatteras Harbor, and on the east by the mouth of Muddy Creek at Sandy Bay at a point at 35.22801 N, 75.68050 W; and
   (B) Hatteras Ferry Terminal and United States Coast Guard basins ending at Coast Guard Beacon Number One in the Hatteras Channel.
3. Mann's Harbor. Old Ferry Dock Road Canal, beginning at a point at 35.90654 N, 75.76916 W.
4. Nags Head.
   (A) the canals of Old Nags Head Cove where the canal entrance meets Roanoke Sound beginning at a point at 35.94192 N, 75.62571 W;
   (B) the Roanoke Sound inlets at Pond Island on either side of W. Marina Drive extending north from U.S. Highway 64-264.
5. Wanchese.
   (A) Wanchese Harbor otherwise known as Mill Landing Creek, beginning at its entrance from Roanoke Sound at a point at 35.84006 N, 75.61726 W; and
   (B) the canal from its beginning where it connects with Roanoke Sound south of the dead-end road SR 1141 otherwise known as Thicket Lump Drive, extending northwest roughly parallel to SR 1141, SR 1142 otherwise known as The Lane, and SR 1143 otherwise known as Tink Tillet Road, then westward roughly parallel to N.C. Highway 345, and finally curving to the southwest roughly parallel to SR 1289 otherwise known as C B Daniels SR Road to its end.
6. Stumpy Point Canal shore to shore, beginning 50 yards west of the Wildlife Resources Commission boating access area.
7. Stumpy Point Basin off of Stumpy Point Bay, east of U.S. Highway 264 where it intersects Stumpy Point Bay at a point at 35.69591 N, 75.77264 W.
8. Town of Southern Shores. canals Canals and lagoons within the Town of Southern Shores north of U.S. Highway 158.
10. Kitty Hawk. the The waters contained in the canals of Kitty Hawk Landing Subdivision.
(11) Washington Baum Bridge. Roanoke Sound from marker 24B north of the bridge to marker 24A south of the bridge, and 50 yards east of the navigation span west to the shore as designated by the appropriate markers.

(12) Kill Devil Hills. Baum Bay Harbor, beginning at a point at 36.00572 N, 75.68105 W.

(13) Avon. Mill Creek beginning at its entrance at Pamlico Sound at a point at 35.36434 N, 75.50603 W. The waters of Pamlico Sound shore to shore beginning at a line from a point on the east shore of Big Island at 35.36653 N, 75.50770 W westward to a point on the mainland at 35.36653 N, 75.50556 W, south to include the waters of the cove between North Albacore Lane and South Albacore Lane and the waters of Mill Creek, and ending east of a line from a point on the south shore of Big Island at 35.36500 N, 75.50820 W southward to a point on the mainland at 35.36358 N, 75.50826 W.

(14) Jean Guite Creek. Jean Guite Creek from where it meets Kitty Hawk Bay at 36.04887 N, 75.72754 W, north to a line from a point on the east shore in Southern Shores at 36.10460 N, 75.74192 W to a point on the west shore in Martin's Point Subdivision at 36.10452 N, 75.73948 W.

(15) Frisco. The waters of the marina canal and boat basin at Palmetto Shores Subdivision, shore to shore beginning at the canal's entrance at Pamlico Sound at a point at 35.25427 N, 75.60301 W.

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

(c) Swimming Area. No person operating or responsible for the operation of any vessel, surfboard, water skis, or jet skis shall permit it to enter the marked swimming area at Colington Island on the west shore, from a point where the canal enters the harbor at 36.01797 N, 75.72681 W, north 600 feet to a point at 36.01964 N, 75.72683 W and extending 300 feet west into Albemarle Sound.

(d) Placement of Markers. The following agencies shall be the designated agencies for placement of 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 the Town of Manteo for the areas indicated in Subparagraph (a)(1) of this Rule;

(2) the Board of Commissioners of Dare County for the areas indicated in Subparagraphs (a)(2) through (a)(7), (a)(9) and (a)(11) through (a)(15) of this Rule;

(3) the Board of Commissioners of the Town of Southern Shores for the areas indicated in Subparagraph (a)(8) of this Rule; and

(4) the Board of Commissioners of the Town of Kitty Hawk for the area indicated in Subparagraph (a)(10) of this Rule.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. February 1, 1976;
Amended Eff. April 1, 1997; December 1, 1994; May 1, 1994; March 1, 1993; May 1, 1988;
Temporary Amendment Eff. February 1, 1999; July 1, 1998;
Amended Eff. July 1, 2000; April 1, 1999;

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

Amended Eff. September 1, 2022; October 1, 2018.