

1 NCAC 10F .0305 is proposed for amendment as follows:

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3 **15A NCAC 10F .0305 BRUNSWICK COUNTY**

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

- 5 (1) ~~Lockwoods Folly River. An area on that portion of the Lockwood-~~ Lockwoods Folly River in the  
6 Town of Varnamtown, beginning 1500 feet from a point at 33.94966 N, 78.22587 W 500 yards  
7 north northwest of the boat ramp located at the end of State Road 1123- SR 1123 otherwise known  
8 as Fisherman Road, and extending downstream to a point 800 feet- at 33.94498 N, 78.22206 W,  
9 180 yards southeast south- of said the boat ramp- ramp, and including the portion of the river  
10 otherwise known as Mill Creek where it meets Lockwoods Folly River directly across from the boat  
11 ramp, to a point 100 feet northeast at 33.94687 N, 78.22235 W; beginning at its intersection with  
12 the Lockwood Folly River and extending upstream for 100 feet.
- 13 (2) ~~Calabash River. An area located on the Calabash River beginning 100 feet west of the Billy Cox~~  
14 ~~Landing and extending 100 feet east of Captain Harry's Landing, in the Town of Calabash, from a~~  
15 ~~point in the water at the end of Marina Drive at 33.88638 N, 78.56254 W to a point 650 yards~~  
16 ~~southwest at the southern end of the deep-sea fishing docks at 33.88344 N, 78.56751 W;~~
- 17 (3) ~~State Port Authority Small Boat Harbor. Beginning at the Intracoastal Waterway on the easterly side~~  
18 ~~of the North Carolina State Port Authority Small Boat Harbor; thence runs along and with the~~  
19 ~~easterly boundary of the said boat harbor basin and along the northerly boundary and westerly~~  
20 ~~boundary thereof to a point at the intersection of the westerly boundary of said boat harbor with the~~  
21 ~~highwater mark of the Intracoastal Waterway; runs thence in an easterly direction with the highwater~~  
22 ~~mark of the Intracoastal Waterway to the place and point of beginning, and being the entire small~~  
23 ~~boat harbor in Southport. The Small Boat Harbor, shore to shore beginning at its intersection with~~  
24 ~~the Intracoastal Waterway at a point at 33.91685 N, 78.02865 W;~~
- 25 (4) ~~Shalotte River. The portion of the Shalotte River east of SR 1233, otherwise known as Village~~  
26 ~~Point Road SW south of the Town of Shalotte, shore to shore from beginning at its intersection~~  
27 ~~with the Intracoastal Waterway at a point at 33.91477 N, 78.37103 W and extending from the~~  
28 ~~northern boundary of the Intracoastal Waterway for a distance of 500 feet to the north, to be marked~~  
29 ~~by appropriate markers. to point 500 feet north at 33.91613 N, 78.37126 W;~~
- 30 (5) ~~Big Davis Creek. That part of Montgomery Slough otherwise known as Big Davis Creek Creek,~~  
31 ~~within 100 yards of Sportsman Inn at Blue Water Point Marina near Long Beach. the hotel and~~  
32 ~~marina at the northern end of 57<sup>th</sup> Place West in the Town of Oak Island;~~
- 33 (6) ~~Town of Ocean Isle Beach. Those The waters in the natural and concrete canals, both natural and~~  
34 ~~concrete, which are canals located on the south side of the Intracoastal Waterway Waterway, east~~  
35 ~~of N.C. Highway 904 in the Town of Ocean Isle Beach. Beach;~~
- 36 (7) ~~Town Creek. The 200 yard portion of Town Creek lying in Town Creek Colony as delineated by no~~  
37 ~~wake zone markers. east of SR 1609, otherwise known as Clearview Lane in Town Creek Township,~~

1 shore to shore from a point at 34.16788 N, 78.07139 W, north and east around a bend in the creek  
2 to a point at 34.16910 N, 78.07030 W;

3 (8) Town of Oak Island. That part of Montgomery Slough, otherwise known as Big Davis Canal within  
4 the Town of Oak Island Creek, shore to shore from its starting with the entrance from at the  
5 Intracoastal Waterway at the end west of SW Yacht Drive SW at a point at 33.92145 N, 78.19408  
6 W, to the canal end at NE 40<sup>th</sup> Street in the Town of Oak Island; and upstream to the canal end at  
7 40<sup>th</sup> Street, NE.

8 (9) Intracoastal Waterway in the Town of Sunset Beach, shore to shore from a point 150 yards east of  
9 the Sunset Boulevard South bridge at 33.88173 N, 78.50995 W, to a point 50 yards west of the  
10 bridge at 33.88111 N, 78.51194 W.

11 (b) Speed Limit. No person shall operate any ~~motorboat or~~ 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. ~~Subject to the approval of the United States Coast Guard and the United~~  
14 ~~States Army Corps of Engineers, the~~ The following agencies are the designated ~~suitable~~ agencies for the placement  
15 ~~and maintenance~~ of markers implementing this ~~Rule~~; Rule, subject to the approval of the United States Coast Guard  
16 and the United States Army Corps of Engineers:

17 (1) The Board of Aldermen of Varnamtown ~~as to for~~ areas indicated in ~~Paragraph (a), Subparagraph (1)~~  
18 Subparagraph (a)(1) of this Rule; ~~Rule~~;

19 (2) The Board of Commissioners of Brunswick County ~~as to for~~ areas indicated in ~~Paragraph (a),~~  
20 ~~Subparagraphs (2) – (8)~~ Subparagraphs (a)(2 – 8) of this Rule; ~~Rule~~; and

21 (3) The North Carolina Wildlife Resources Commission for the area indicated in Subparagraph (a)(9)  
22 of this Rule.

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

24 *Eff. February 1, 1976;*

25 *Amended Eff. April 1, 1997; July 1, 1994; July 1, 1993; January 1, 1989; January 1, 1987;*

26 *Temporary Amendment Eff. March 1, 1998;*

27 *Amended Eff. April 1, 2009; April 1, 1999;*

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

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

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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) Specific Speed Zones. Lake Hickory within the boundaries of the City of Hickory. No one shall operate a vessel  
15 at greater than no-wake speed within 30 yards of the docks at the Lake Hickory Marina and Boat Rentals on Limbaugh  
16 Lane.

17 ~~(d)(e)~~ 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 on the regulated areas described in Paragraph (a) of this Rule.

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

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26 *History Note: Authority G.S. 75A-3; 75A-15;*  
27 *Eff. August 23, 1981;*  
28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
29 *6, 2016.*

1 15A NCAC 10F .0350 is proposed for amendment as follows:

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3 **15A NCAC 10F .0350 DURHAM AND WAKE COUNTIES**

4 ~~(a) Definitions. In addition to the definitions set forth in Paragraph (b) of Rule .0301 of this Section, the following~~  
5 ~~definitions apply for the purposes of this Rule:~~

6 ~~(1) Corps Corps of Engineers, United States Army;~~

7 ~~(2) State Parks Division of Parks and Recreation, N. C. Department of Environment, Health, and~~  
8 ~~Natural Resources;~~

9 ~~(3) Regulated Area Those portions of Falls Lake located within the boundaries of Durham and Wake~~  
10 ~~Counties.~~

11 (a) Regulated Areas. This Rule applies to the waters of Falls Lake in Durham and Wake counties.

12 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed:

13 (1) while within a designated mooring area established on the regulated area by or with the approval of  
14 the Corps and State Parks;

15 (2) within 50 yards of any public boat launching ramp or boat service facility, including docks used for  
16 fueling or boat repair, located on the regulated area;

17 (3) within 50 yards of any state road bridge crossing over ~~that~~ the portion of Falls Lake located within  
18 ~~the boundaries of Wake County;~~

19 (4) ~~within 50 yards of the area marked as~~ the waters of the Holly Point Recreation Swim and boat launch  
20 area shore to shore, from a line at a point on the southwest shore at 35.99751 N, 78.66075 W to a  
21 point on the north shore at 36.00030 N, 78.65963 W, east to a line from a point on the southeast  
22 shore at 35.99941 N, 78.65520 W to a point on the northwest shore at 36.00087 N, 78.65731 W;  
23 ~~and the New Light Road Bridge.~~

24 (5) within 50 yards east and 50 yards west of the New Light Road bridge.

25 (c) Restricted Zones. No person operating or responsible for the operation of any vessel, surfboard or water skis ~~shall~~  
26 ~~permit the same~~ is permitted to enter:

27 (1) any marked swimming area located on the regulated area;

28 (2) any areas near the dam structures located on the regulated area that ~~shall be~~ is marked against entry  
29 by vessels by or with the approval of the ~~Corps-United States Army Corps of Engineers,~~ against  
30 entry by vessels.

31 (d) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Durham County and the Board of  
32 Commissioners of Wake County are the designated ~~suitable~~ agencies for placement ~~and maintenance~~ of markers  
33 implementing this Rule ~~within in~~ their respective counties, subject to the approval of the ~~Corps- United States Army~~  
34 Corps of Engineers. ~~If these boards exercise their supervisory responsibilities, they may delegate the actual placement~~  
35 ~~and maintenance of markers to some other responsible agency.~~ With regard to marking of the regulated area described  
36 in Paragraph (a) of this Rule, all of the Supplementary standards listed in Paragraph (g) of Rule .0301 of this Section  
37 shall apply.

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*History Note: Authority G.S. 75A-3; 75A-15;  
Eff. December 1, 1984;  
Amended Eff. May 1, 2007; August 1, 1990; April 1, 1990;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December  
6, 2016.*