

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10A .1601

**DEADLINE FOR RECEIPT: May 7, 2024**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*On the Submission for Permanent Rule form, 8. Fiscal Impact, your agency has indicated that State funds would be affected and that a substantial economic impact would be caused by this Rule. Did your agency obtain approval of the fiscal note as required by 150B-21.4(b1)? Has your agency considered at least two alternatives to the proposed Rule as required by 150B-91.1(f)?*

*In (a), can you confirm that all fee increases proposed in this Rule comply with 113-270.1B(e)?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

1 15A NCAC 10A .1601 is amended with changes as published in 38:14 NCAC 931 as follows:

2  
3 **15A NCAC 10A .1601 LICENSE FEES**

4 (a) License fees established by the Commission in this Rule shall be subject to the requirements of G.S. 113-  
5 270.1B(e).

6 (b) The following fees shall apply to combination hunting and inland fishing licenses issued by the Commission, as  
7 set forth in G.S. 113-270.1C:

- 8 (1) Resident Annual Combination Hunting and Inland Fishing License - ~~\$35.00.~~ \$42.00.  
9 (2) Resident Disabled Veteran Lifetime Combination Hunting and Inland Fishing License - ~~\$11.00.~~  
10 \$14.00.  
11 (3) Resident Totally Disabled Lifetime Combination Hunting and Inland Fishing License - ~~\$11.00.~~  
12 \$14.00.

13 (c) The following fees shall apply to sportsman licenses issued by the Commission, as set forth in G.S. 113-270.1D:

- 14 (1) Annual Sportsman License - ~~\$53.00.~~ \$63.00.  
15 (2) Infant Lifetime Sportsman License - ~~\$212.00.~~ \$252.00.  
16 (3) Youth Lifetime Sportsman License - ~~\$371.00.~~ \$441.00.  
17 (4) Adult Resident Lifetime Sportsman License - ~~\$530.00.~~ \$630.00.  
18 (5) Nonresident Lifetime Sportsman License - ~~\$1,272.00.~~ \$1,511.00.  
19 (6) Age 70 Resident Lifetime Sportsman License - ~~\$16.00.~~ \$19.00.  
20 (7) Resident Disabled Veteran Lifetime Sportsman License - ~~\$106.00.~~ \$126.00.  
21 (8) Resident Totally Disabled Lifetime Sportsman License - ~~\$106.00.~~ \$126.00.

22 (d) The following fees shall apply to hunting licenses issued by the Commission, as set forth in G.S. 113-270.2:

- 23 (1) Resident State Hunting License - ~~\$25.00.~~ \$30.00.  
24 (2) Lifetime Resident Comprehensive Hunting License - ~~\$265.00.~~ \$315.00.  
25 (3) Controlled Hunting Preserve Hunting License - ~~\$22.00.~~ \$27.00.  
26 (4) Resident Annual Comprehensive Hunting License - ~~\$39.00.~~ \$47.00.  
27 (5) Nonresident State Hunting Licenses:  
28 (A) Season License - ~~\$100.00.~~ \$119.00.  
29 (B) Ten-Day License - ~~\$80.00.~~ \$95.00.  
30 (6) Falconry Hunting License - ~~\$25.00.~~ \$30.00.

31 (e) The following fees shall apply to special activity licenses issued by the Commission, as set forth in G.S. 113-  
32 270.3:

- 33 (1) Resident Big Game Hunting License - ~~\$14.00.~~ \$17.00.  
34 (2) Nonresident Bear Hunting License - ~~\$239.00.~~ \$284.00.  
35 (3) Bear Management Stamp - ~~\$11.00.~~ \$14.00.  
36 (4) Nonresident Big Game Hunting License:  
37 (A) Season License - ~~\$100.00.~~ \$119.00.

- 1 (B) Ten-Day License - ~~\$80.00~~ \$95.00.
- 2 (5) Bonus Antlerless Deer License - ~~\$11.00~~ \$14.00.
- 3 (6) Game Land License - ~~\$16.00~~ \$19.00.
- 4 (7) Falconry License - ~~\$11.00~~ \$14.00.
- 5 (8) Migratory Waterfowl Hunting License - ~~\$14.00~~ \$17.00.
- 6 (9) Resident American Alligator License - ~~\$250.00~~ \$297.00.
- 7 (10) Nonresident American Alligator License - ~~\$500.00~~ \$594.00.
- 8 (11) Resident Elk License - ~~\$500.00~~ \$594.00.
- 9 (12) Nonresident Elk License - ~~\$1,000.00~~ \$1,188.00.
- 10 (f) The following fees shall apply to hunting and fishing guide licenses issued by the Commission, as set forth in G.S.
- 11 113-270.4:
- 12 (1) Resident Hunting and Fishing Guide License - ~~\$16.00~~ \$19.00.
- 13 (2) Nonresident Hunting and Fishing Guide License - ~~\$159.00~~ \$189.00.
- 14 (g) The following fees shall apply to trapping licenses issued by the Commission, as set forth in G.S. 113-270.5:
- 15 (1) Resident State Trapping License - ~~\$32.00~~ \$38.00.
- 16 (2) Resident Lifetime Trapping License - ~~\$300.00~~ \$357.00.
- 17 (3) Nonresident State Trapping License - ~~\$133.00~~ \$158.00.
- 18 (h) The following fees shall apply to hook-and-line licenses in inland and joint fishing waters issued by the
- 19 Commission, as set forth in G.S. 113-271:
- 20 (1) Resident State Inland Fishing License - ~~\$25.00~~ \$30.00.
- 21 (2) Lifetime Resident Comprehensive Inland Fishing License - ~~\$265.00~~ \$315.00.
- 22 (3) Nonresident State Inland Fishing License - ~~\$45.00~~ \$54.00.
- 23 (4) Short-Term Inland Fishing License:
- 24 (A) Resident 10-day Inland Fishing License - ~~\$9.00~~ \$11.00.
- 25 (B) Nonresident 10-day Inland Fishing License - ~~\$23.00~~ \$28.00.
- 26 (5) Age 70 Resident Lifetime Inland Fishing License - ~~\$16.00~~ \$19.00.
- 27 (6) Resident Disabled Veteran Lifetime Inland Fishing License - ~~\$11.00~~ \$14.00.
- 28 (7) Resident Totally Disabled Lifetime Inland Fishing License - ~~\$11.00~~ \$14.00.
- 29 (8) Special Landholder and Guest Fishing License - ~~\$106.00~~ \$126.00.
- 30 (9) Mountain Heritage Trout Waters ~~3-Day~~ Three-Day Fishing License - ~~\$8.00~~ \$10.00.
- 31 (i) The following shall apply to special device licenses issued by the Commission, as set forth in G.S. 113-272.2:
- 32 (1) Resident Special Device License - ~~\$80.00~~ \$95.00.
- 33 (2) Nonresident Special Device License - ~~\$530.00~~ \$630.00.
- 34 (j) The non-refundable fees fee for a collection license issued by the Commission, as set forth in G.S. 113-272.4 shall
- 35 be ~~\$10.00~~ \$12.00.
- 36 (k) The following non-refundable fees shall apply to captivity licenses issued by the Commission, as set forth in G.S.
- 37 113-272.5:

- 1 (1) Captivity License for Holding - ~~\$50.00~~ \$60.00.
- 2 (2) Captivity License for Rehabilitation - ~~\$10.00~~ \$12.00.
- 3 (l) The following non-refundable fees shall apply to dealer licenses issued by the Commission as set forth in G.S.  
4 113-273:
- 5 (1) Resident Fur-dealer License - ~~\$64.00~~ \$76.00.
- 6 (2) Nonresident Fur-dealer License - ~~\$318.00~~ \$378.00.
- 7 (3) Fur-dealer Station License - ~~\$128.00~~ \$152.00.
- 8 (4) Controlled Hunting Preserve Operator License - ~~\$100.00~~ \$119.00.
- 9 (5) Controlled Hunting Preserve Rabbit Operator License - ~~\$25.00~~ \$30.00.
- 10 (6) Game Bird Propagation License - ~~\$10.00~~ \$12.00.
- 11 (7) Furbearer Propagation License - ~~\$27.00~~ \$33.00.
- 12 (8) Taxidermy License - ~~\$50.00~~ \$60.00.
- 13 (9) Taxidermy Cervid Certification - ~~\$5.00~~ \$6.00.
- 14 (10) Wildlife Control Agent License - ~~\$50.00~~ \$60.00.
- 15 (11) Wildlife Control Technician Certification - ~~\$25.00~~ \$30.00.
- 16 (12) Alligator Control Agent Certification - ~~\$25.00~~ \$30.00.
- 17 (m) The following non-refundable fees shall apply to permits issued by the Commission, as set forth in G.S. 113-274:
- 18 (1) Possession Permit - ~~\$10.00~~ \$12.00.
- 19 (2) Exportation or Importation Permit - ~~\$10.00~~ \$12.00.
- 20 (3) Trophy Wildlife Sale Permit - ~~\$10.00~~ \$12.00.
- 21 (4) Endangered Species Permit - ~~\$10.00~~ \$12.00.
- 22 (5) Field Trial Permit - ~~\$10.00~~ \$12.00.
- 23 (n) Unified hunting and fishing licenses issued by the Commission, as set forth in G.S. 113-351:
- 24 (1) Annual Resident Unified Sportsman/Coastal Recreational Fishing License - ~~\$69.00~~ \$82.00.
- 25 (2) Annual Resident Unified Inland/Coastal Recreational Fishing License - ~~\$41.00~~ \$49.00.
- 26 (3) Lifetime Unified Sportsman/Coastal Recreational Fishing Licenses:
- 27 (A) Infant Lifetime Unified Sportsman/Coastal Recreational Fishing License - ~~\$292.00~~  
28 \$347.00.
- 29 (B) Youth Lifetime Unified Sportsman/Coastal Recreational Fishing License - ~~\$477.00~~  
30 \$567.00.
- 31 (C) Resident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing License -  
32 ~~\$716.00~~ \$851.00.
- 33 (D) Nonresident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing License -  
34 ~~\$1,643.00~~ \$1,952.00.
- 35 (E) Resident Age 70 Lifetime Unified Sportsman/Coastal Recreational Fishing License -  
36 ~~\$32.00~~ \$38.00.

- 1 (F) Resident Disabled Veteran Lifetime Unified Sportsman/Coastal Recreational Fishing  
2 License - ~~\$117.00.~~ ~~[\$140.00.]~~ \$139.00.
- 3 (G) Resident Totally Disabled Lifetime Unified Sportsman/Coastal Recreational Fishing  
4 License - ~~\$117.00.~~ ~~[\$140.00.]~~ \$139.00.
- 5 (4) Resident Lifetime Unified Inland/Coastal Recreational Fishing License - ~~\$477.00.~~  
6 \$567.00.

7 (o) The following fees shall apply to Coastal Recreational Fishing Licenses issued by the Commission, as set forth in  
8 G.S. 113-174.2:

- 9 (1) Annual Resident Coastal Recreational Fishing License - ~~\$16.00.~~ \$19.00.
- 10 (2) Annual Nonresident Coastal Recreational Fishing License - ~~\$32.00.~~ \$38.00.
- 11 (3) Ten-Day Resident Coastal Recreational Fishing License - ~~\$6.00.~~ \$8.00.
- 12 (4) Ten-Day Nonresident Coastal Recreational Fishing License - ~~\$11.00.~~ \$14.00.
- 13 (5) Infant Lifetime Coastal Recreational Fishing License - ~~\$106.00.~~ \$126.00.
- 14 (6) Youth Lifetime Coastal Recreational Fishing License - ~~\$159.00.~~ \$189.00.
- 15 (7) Resident Adult Lifetime Coastal Recreational Fishing License - ~~\$265.00.~~ \$315.00.
- 16 (8) Nonresident Adult Lifetime Coastal Recreational Fishing License - ~~\$530.00.~~ \$630.00.
- 17 (9) Resident Age 70 Lifetime Coastal Recreational Fishing License - ~~\$16.00.~~ \$19.00.
- 18 (10) Resident Disabled Veteran Coastal Recreational Fishing License - ~~\$11.00.~~ \$14.00.
- 19 (11) Resident Totally Disabled Coastal Recreational Fishing License - ~~\$11.00.~~ \$14.00.

20  
21 *History Note: Authority G.S. 113-270.1B(e);*  
22 *Temporary Adoption Eff. January 1, 2020;*  
23 *Eff. July 1, 2020;*  
24 *Amended Eff. July 1, 2024; May 1, 2022.*

25

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0304

**DEADLINE FOR RECEIPT: May 7, 2024**

**PLEASE NOTE:** *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (a)(3), capitalize "the" before "waters."*

*There is a commissioner on the Rules Review Commission who frequently asks about maps when reviewing rules involving geographical areas. Is your agency able to provide a map when a rule involves specific geographical areas? A map of the area may help us determine if a proposed rule complies with 150B-21.9(2).*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

Travis Wiggs  
Rules Commission Counsel

1 15A NCAC 10F .0304 is amended with changes as published in 38:14 NCR 934 as follows:

2  
3 **15A NCAC 10F .0304 BLADEN COUNTY**

4 ~~(a) Regulated Area. This Rule shall apply to the waters of White Lake in Bladen County.~~

5 ~~(b) Restricted Area. The waters of White Lake between the shoreline and the offshore marker poles shall be designated~~  
6 ~~as a restricted area.~~

7 ~~(c) Swimming. Swimming, except skin diving, shall not be permitted outside of the restricted area.~~

8 ~~(d) Skiing. No skiing shall be permitted in the restricted area, except to leave from within or return into that area. All~~  
9 ~~vessels pulling skiers shall leave from within the restricted area on a course perpendicular to the nearest shoreline.~~  
10 ~~Upon returning, all vessels pulling skiers shall reduce to no wake speed when the skiers have entered the restricted~~  
11 ~~area.~~

12 ~~(e) Speed Limit. Within the restricted area all vessels, except those engaged in skiing as regulated by Paragraph (d)~~  
13 ~~of this Rule, shall be operated at a no wake speed. Operation of any vessel on a course parallel to the shoreline is~~  
14 ~~prohibited in the restricted area.~~

15 ~~(f) Placement and Maintenance of Markers. The Board of Commissioners of Bladen County, the Town of White~~  
16 ~~Lake, and the State Parks Division shall be the designated agencies for placement and maintenance of the markers~~  
17 ~~implementing this Rule.~~

18 (a) Regulated Areas. This Rule shall apply applies to the following waters in Bladen County:

19 (1) White Lake. The water between the shoreline and no-wake markers 500 feet from the shoreline is a  
20 restricted area.

21 (2) Cape Fear River:

22 (A) the waters shore to shore between a point 100 yards east and 100 yards west of the ferry  
23 cable at Elwell Ferry and Elwells Ferry Boating Access Area, 2702 Elwell Ferry Road,  
24 Council;

25 (B) the waters within 50 yards of the Tar Heel Boating Access Area, 1000 Wildlife Landing  
26 Drive, Tar Heel; and

27 (C) the waters within 50 yards of the Tory Hole Boating Access Area, 335 N. Poplar Street,  
28 Elizabethtown.

29 (3) Black River. the waters within 50 yards of the Hunts Bluff Boating Access Area, 351 Hunts Bluff  
30 Road, Kelly.

31 (b) Restricted Area. Skiing is prohibited in the restricted area described in Subparagraph (a)(1) of this Rule.

32 (c) Diving. A person engaged in skin or scuba diving shall display a diver's flag, and no vessel shall approach within  
33 50 feet of a diver's flag, as described in G.S. 75A-13.1.

34 (d) Speed Limit. No person shall operate a vessel at greater than no-wake speed within the regulated areas described  
35 in Subparagraphs (a)(1) and (3), and Parts (a)(2)(A) through (C) of this Rule.

36 (e) Placement and Maintenance of Markers. The following agencies shall place and maintain the markers  
37 implementing this Rule:

1           (1) North Carolina State Parks for the regulated area designated in Subparagraph (a)(1); and  
2           (2) the North Carolina Wildlife Resources Commission for the regulated areas designated in Parts  
3           (a)(2)(A) through (C), and Subparagraph (a)(3) of this Rule.

4    *History Note: Authority G.S. 75A-3; 75A-15;*  
5            *Eff. February 1, 1976;*  
6            *Amended Eff. April 1, 1990; August 1, 1988; June 17, 1979;*  
7            *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
8            *6, 2016;*  
9            *Amended Eff. June 1, 2024; October 1, 2018.*



## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0310

**DEADLINE FOR RECEIPT: May 7, 2024**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (d)(1)-(4), who will "maintain" the markers that will be placed by the Board of Commissioners listed in (1) through (4)?*

*In the History Note, "Amended Eff. June 1, 2024", why is this not a substantial change? Was this post-publication change made in response to public comment?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

1 NCAC 10F .0310 is amended with changes as published in 38:11 NCR 683-684 as follows:

2  
3 **15A NCAC 10F .0310 DARE COUNTY**

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

5 (1) Manteo:

- 6 (A) the waters of Doughs Creek off Shallowbag Bay and the canals off Shallowbag Bay; and  
7 (B) within 50 yards of the Bowsertown Boating Access Area on Croatan Sound at 35.89810  
8 N, 75.67710 W.

9 (2) Hatteras:

- 10 (A) the waters of Pamlico Sound otherwise known as Hatteras Harbor and Muddy Creek  
11 bounded on the north and south by the high-water mark, on the west by a straight line  
12 between channel markers number 20 and 17 at the entrance to Hatteras Harbor, and on the  
13 east by the mouth of Muddy Creek at Sandy Bay at a point at 35.22801 N, 75.68050 W;  
14 and  
15 (B) Hatteras Ferry Terminal and United States Coast Guard basins ending at Coast Guard  
16 Beacon Number One in the Hatteras Channel.

17 (3) Manns Harbor:

- 18 (A) Old Ferry Dock Road Canal, beginning at a point at 35.90654 N, 75.76916 W;  
19 (B) within 50 yards of the Manns Harbor Boating Access Area on Croatan Sound at 35.91020  
20 N, 75.77150 W; and  
21 (C) within 50 yards of the Mashoes Boating Access Area on East Lake at 35.92820 N, 75.81470  
22 W.

23 (4) Nags Head:

- 24 (A) the canals of Old Nags Head Cove where the canal entrance meets Roanoke Sound  
25 beginning at a point at 35.94192 N, 75.62571 W; and  
26 (B) the Roanoke Sound inlets at Pond Island on either side of W. Marina Drive extending north  
27 from U.S. Highway 64-264.

28 (5) Wanchese:

- 29 (A) Wanchese Harbor otherwise known as Mill Landing Creek, beginning at its entrance from  
30 Roanoke Sound at a point at 35.84006 N, 75.61726 W; and  
31 (B) the canal from its beginning where it connects with Roanoke Sound south of the dead-end  
32 road S.R. 1141 otherwise known as Thicket Lump Drive, extending northwest roughly  
33 parallel to S.R. 1141, S.R. 1142 otherwise known as The Lane, and S.R. 1143 otherwise  
34 known as Tink Tillet Road, then westward roughly parallel to N.C. Highway 345, and  
35 finally curving to the southwest roughly parallel to S.R. 1289 otherwise known as C B  
36 Daniels S.R. Road to its end.

37 (6) Stumpy Point:

- 1 (A) Stumpy Point Canal shore to shore on Pamlico Sound, beginning 50 yards west of the  
2 Stumpy Point Boating Access Area, 321 Bayview Drive; and
- 3 (B) Stumpy Point Basin off Stumpy Point Bay, east of U.S. Highway 264 where it intersects  
4 Stumpy Point Bay at a point at 35.69591 N, 75.77264 W.
- 5 (7) Rodanthe. Within 50 yards of the Rodanthe Boating Access Area in Roanoke Sound, 23170 Myrna  
6 Peters Road;
- 7 (8) Town of Southern Shores. The canals and lagoons within the Town of Southern Shores north of  
8 U.S. Highway 158;
- 9 (9) Colington Harbour. The waters in the canals of Colington Harbour Subdivision on Albemarle  
10 Sound;
- 11 (10) Kitty Hawk. The waters in the canals of Kitty Hawk Landing Subdivision;
- 12 (11) Washington Baum Bridge Boating Access Area. The waters within 150 yards north and south and  
13 300 yards east of the Washington Baum Boating Access Area in Roanoke Sound, at 35.89380 N,  
14 75.63710 W;
- 15 (12) Kill Devil Hills:
- 16 (A) Baum Bay Harbor, beginning at a point at 36.00572 N, 75.68105 W; and  
17 (B) the waters within 50 yards of the Avalon Beach Boating Access Area in Kitty Hawk Bay,  
18 2025 Bay Drive.
- 19 (13) Avon. The waters of Pamlico Sound shore to shore beginning at a line from a point on the east shore  
20 of Big Island at 35.36653 N, 75.50770 W westward to a point on the mainland at 35.36653 N,  
21 75.50556 W, south to include the waters of the cove between North Albacore Lane and South  
22 Albacore Lane and the waters of Mill Creek, and ending east of a line from a point on the south  
23 shore of Big Island at 35.36500 N, 75.50820 W southward to a point on the mainland at 35.36358  
24 N, 75.50826 W;
- 25 (14) Jean Guite Creek. The waters of Jean Guite Creek from where it meets Kitty Hawk Bay at 36.04887  
26 N, 75.72754 W, north to a line from a point on the east shore in Southern Shores at 36.10460 N,  
27 75.74192 W to a point on the west shore in Martin's Point Subdivision at 36.10452 N, 75.73948 W;
- 28 (15) Frisco. The waters of the marina canal and boat basin at Palmetto Shores Subdivision, shore to shore  
29 beginning at the canal's entrance at Pamlico Sound at a point at 35.25427 N, 75.60301 W; and
- 30 (16) Cape Hatteras National Seashore. The waters of Motts Creek in Roanoke Sound, shore to shore at a  
31 line from a point on the north shore where the Oregon Inlet U.S. Coast Guard Station is located, to  
32 a point near the south shore of Motts Creek at ~~35.792070 N, 75.54903 W~~, 35.79270 N, 75.54903  
33 W, then northward to include the waters at the Oregon Inlet Fishing Center and Marina, Oregon  
34 Inlet Public Boat Ramp, kayak launch area, and U. S. Coast Guard Station and Launch Area.
- 35 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within the regulated areas described  
36 in Paragraph (a) of this Rule.

1 (c) Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter the  
2 marked swimming area at Colington Island on the west shore, from a point where the canal enters the harbor at  
3 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  
4 Albemarle Sound.

5 (d) Placement of Markers. The following agencies shall place markers implementing this Rule, subject to the approval  
6 of the United States Coast Guard and the United States Army Corps of Engineers:

- 7 (1) the Board of Commissioners of the Town of Manteo for the areas designated in Part (a)(1)(A) of  
8 this Rule;
- 9 (2) the Board of Commissioners of Dare County for the areas designated in Paragraph (c),  
10 Subparagraphs (a)(2); (a)(4); (a)(5); (a)(9); (a)(13) through (15); and Parts (a)(3)(A); (a)(6)(B); and  
11 (a)(12)(A) of this Rule;
- 12 (3) the Board of Commissioners of the Town of Southern Shores for the areas designated in  
13 Subparagraph (a)(8) of this Rule;
- 14 (4) the Board of Commissioners of the Town of Kitty Hawk for the area designated in Subparagraph  
15 (a)(10) of this Rule;
- 16 (5) the National Park Service **shall place and maintain markers** for the area designated in Subparagraph  
17 (a)(16) of this Rule; and
- 18 (6) the North Carolina Wildlife Resources Commission **shall place and maintain markers** for the areas  
19 designated in Subparagraphs (a)(7) and (a)(11); and Parts (a)(1)(B); (a)(3)(B) and (C); (a)(6)(A);  
20 and (a)(12)(B) of this Rule.

21  
22 *History Note: Authority G.S. 75A-3; 75A-15;*  
23 *Eff. February 1, 1976;*  
24 *Amended Eff. April 1, 1997; December 1, 1994; May 1, 1994; March 1, 1993; May 1, 1988;*  
25 *Temporary Amendment Eff. February 1, 1999; July 1, 1998;*  
26 *Amended Eff. July 1, 2000; April 1, 1999;*  
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, 2024**; September 1, 2023; October 1, 2022; October 1, 2018.*

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0314

**DEADLINE FOR RECEIPT: May 7, 2024**

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In reviewing this Rule, the staff recommends the following technical changes be made:

*In (d), why is this not a substantial change? Was this post-publication change made in response to public comment?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

1 15 NCAC 10F .0314 is amended with changes as published in 38:14 NCR 934-935 as follows:

2  
3 **15A NCAC 10F .0314 NEW HANOVER COUNTY**

4 (a) Regulated Areas. This Rule ~~shall apply~~ applies to the following waters in New Hanover County:

- 5 (1) the area bounded on the north by the ~~US U.S. Highway~~ U.S. Highway 74-76 ~~Bridge bridge~~ crossing the Intracoastal  
6 Waterway, on the south by a line shore to shore intersecting Intracoastal Waterway channel marker  
7 number 127, on the west by the shore of Wrightsville Sound, and on the east by a line perpendicular  
8 to ~~US U.S. Highway~~ U.S. Highway 74-76 and intersecting channel marker number 25 in Motts Channel;
- 9 (2) the area of Motts Channel between channel marker number 25 at the Intracoastal Waterway on the  
10 west and channel marker number 16 at the entrance from Banks Channel on the east;
- 11 (3) ~~Wilmington. the The~~ Wilmington. ~~the The~~ waters of ~~the navigation channel shore to shore~~ in that portion of Bradley Creek  
12 in the City of Wilmington between the ~~US U.S. Highway~~ U.S. Highway 76 ~~Bridge bridge~~ crossing Bradley Creek  
13 and ~~channel marker 4, near the mouth of Bradley Creek at 34.20858 N, 77.82272 W; and a point at~~  
14 34.20794 N, 77.82158 W, near the mouth of Bradley Creek;
- 15 (4) Lee's Cut from its western intersection with the Intracoastal Waterway at 34.21979 N, 77.80965 W,  
16 to its eastern intersection with Banks Channel at 34.21906 N, 77.79645 W;
- 17 (5) ~~Town of Wrightsville Beach. the The~~ Town of Wrightsville Beach. ~~the The~~ unnamed channel lying between the shore west of Bahama  
18 Drive in the Town of Wrightsville Beach and an unnamed island located approximately 500 feet  
19 northeast of the ~~US U.S. Highway~~ U.S. Highway 74 bridge over Banks Channel; and
- 20 (6) ~~Castle Hayne. the The~~ Castle Hayne. ~~the The~~ waters of the Northeast Cape Fear River between the ~~US Hwy. U.S. Highway~~  
21 117 bridge and the railroad trestle 60 yards east of the Castle Hayne Boating Access ~~Area. Area.~~  
22 6418 Orange Street, Castle Hayne.

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

25 (c) Placement of Markers. The Board of Commissioners of New Hanover County ~~shall be the designated agency for~~  
26 ~~placement shall place of~~ the no-wake markers implementing Subparagraphs (a)(1), (a)(2), (a)(3), (a)(4), and (a)(5) of  
27 this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

28 (d) Placement and Maintenance of Markers. The Wildlife Resources Commission shall place and maintain markers  
29 for the area designated in Subparagraph (a)(6) of this Rule, subject to the approval of the United States Coast Guard  
30 and the United States Army Corps of Engineers.

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

32 *Eff. February 1, 1976;*

33 *Amended Eff. July 1, 1993; May 1, 1989; June 1, 1987; May 1, 1987;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
35 *6, 2016;*

36 *Amended Eff. June 1, 2024; July 1, 2023; February 1, 2023; October 1, 2018; April 1, 2017.*