

1 15A NCAC 10F .0306 is amended with changes as published in 34:07 NCR 552 as follows:

2
3 **15A NCAC 10F .0306 CAROLINA BEACH**

4 (a) Regulated Area. This Rule applies to ~~those waters known as Carolina Beach Yacht Basin bounded on the north~~
5 ~~by a line perpendicular to Florida Avenue and intersecting marker number "2" in the channel of the yacht basin, and~~
6 ~~on the south by the terminus of the yacht basin at the Carolina Beach Municipal Marina.~~ the following waters in the
7 Town of Carolina Beach:

- 8 (1) Carolina Beach Yacht Basin shore to shore, south of a line from a point on the east shore at 34.05723
9 N, 77.88894 W to a point on the west shore at 34.05700 N, 77.89089 W; and
10 (2) a portion of the Intracoastal Waterway in Myrtle Grove Sound within approximately 50 yards of
11 the community pier and docks surrounding marinas at the Oceana Marina and Carolina Beach Yacht
12 Club, but not extending into the U.S. Army Corps of Engineers channel setback, and extending
13 south of the marinas within approximately 50 yards of the shoreline, but not extending into the U.S.
14 Army Corps of Engineers channel setback, to the intersection with the no-wake zone at the Carolina
15 Beach Yacht Basin.

16 (b) Speed Limit. It is unlawful to operate any ~~motorboat or vessel at a speed~~ greater than no-wake speed in the
17 regulated ~~area areas~~ described in Paragraph (a) of this Rule.

18 (c) Placement ~~and Maintenance~~ of Markers. The Carolina Beach Town Council ~~is~~ shall be the 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.

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

23 *Eff. February 1, 1976;*

24 *Amended Eff. March 1, 1983;*

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

27 *Amended Eff. May 1, 2020.*



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6700

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

January 16, 2020

Carrie Ruhlman
Wildlife Resources Commission
Sent via email only to: carrie.ruhlman@ncwildlife.org

Re: Extension of the Period of Review for Rule 15A NCAC 10F .0306

Dear Ms. Ruhlman:

At its meeting this morning, the Rules Review Commission extended the period of review for the above-captioned rule in accordance with G.S. 150B-21.10. They did so in response to a request from the Wildlife Resources Commission to extend the period in order to allow the agency to address the requested technical changes and submit the rewritten rule at a later meeting.

Pursuant to G.S. 150B-21.13, when the Commission extends the period of review, it is required to approve or object to the rule or call a public hearing on the same within 70 days.

If you have any questions regarding the Commission's actions, please let me know.

Sincerely,

Ashley Snyder
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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Burgos, Alexander N

Subject: FW: Request for Technical Changes - WRC Rules

From: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>

Sent: Tuesday, January 14, 2020 12:49 PM

To: Snyder, Ashley B <ashley.snyder@oah.nc.gov>

Cc: Smallwood, Michael <michael.smallwood@ncwildlife.org>; Haywood, Betsy <betsy.haywood@ncwildlife.org>;

Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: Request for Technical Changes - WRC Rules

Hi Ashley,

We would like an extension of the period of review for 15A NCAC 10F .0306. Please let me know if there are any questions. Thanks!

Carrie Ruhlman

NC Wildlife Resources Commission

Mailing Address: 1701 Mail Service Center

Raleigh, North Carolina 27699-1701

Office: 919.707.0011

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REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0306

DEADLINE FOR RECEIPT: January 10, 2020

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 (1) and (2), at lines 9, 11, 12, and 13, please add a hanging indent in accordance with 26 NCAC 02C .0108. As an example, look at the formatting in the next rule of your filing, .0336(d)(1)-(6).

At lines 10 and 12, please delete or define "approximately."

In the October 1, 2019 NC Register, this Rule was published with a proposed effective date of May 1, 2020. In your history note, please update the proposed effective date to match the date published in the NC Register.

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

Ashley Snyder
Commission Counsel
Date submitted to agency: December 31, 2019

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