

1 15A NCAC 10F .0307 is amended with changes as published in 32:19 NCAC 1845 as follows:

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3 **15A NCAC 10F .0307 CATAWBA, IREDELL, LINCOLN CATAWBA, IREDELL, LINCOLN, AND**
4 **MECKLENBURG COUNTIES**

5 (a) Regulated Area. This Rule applies shall apply to [the waters of] Lake Norman in which is located in the counties
6 of Catawba, Iredell, Lincoln Lincoln, and Mecklenburg, Mecklenburg counties:

7 (1) within 50 yards of the shoreline at Jetton Park in Mecklenburg County, from a point on the west
8 side of the park at 35.47082 N, 80.90427 W, south and around the point at 35.46703 N, 80.90360
9 W, then northeast to a point at 35.47262 N, 80.89727 W;

10 [(2) — within 50 yards of] Brown's Cove [the end of the docks at Blythe Landing Park, west of N.C.
11 Highway 73 in Huntersville;]

12 (3) (2) [the waters of] Bluff Point Cove in Cornelius shore to shore, east of a line from a point 50 yards
13 west of the south shore of the cove mouth at 35.45327 N, 80.89520 W to a point 50 yards west of
14 the north shore of the cove mouth at 35.45487 N, 80.89440 W; and

15 (4) (3) [the waters of the] Hager Creek cove in Iredell County, east of a line at the cove mouth from a point
16 on the south shore at 35.55117 N, 80.95250 W to a point on the north shore of the cove mouth at
17 35.56162 N, 80.95230 W.

18 ~~(b) Speed Limit Near Shore Facilities. No person shall operate a vessel at greater than no wake speed within 50 yards~~
19 ~~of any marked boat launching area, bridge, dock, pier, marina, boat storage structure, or boat service area on the waters~~
20 ~~of Lake Norman.~~

21 (b) Speed Limit. No person shall operate a vessel at greater than no wake speed within the regulated areas described
22 in Paragraph (a) of this Rule. Rule and as set forth in G.S. 75A-14.1.

23 ~~(c) Speed Limit Near Parks: No person shall operate a vessel greater than no wake speed within 50 yards of the~~
24 ~~following parks as designated by markers:~~

25 ~~(1) Jetton Park;~~

26 ~~(2) Brown's Cove Park.~~

27 ~~(d) Specific Speed Zones: No person shall operate a vessel at greater than no wake speed in the following designated~~
28 ~~waters:~~

29 ~~(1) the entire area of Bluff Point Cove;~~

30 ~~(2) that cove immediately north of the inlet of Hager Creek.~~

31 ~~(e)(c) Restricted~~ Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to
32 enter any marked swimming area on the waters of Lake Norman.

33 ~~(f)(d) Placement and Maintenance of Markers. Each of the boards of commissioners of the above named counties The~~
34 Lake Norman Marine Commission [or a county in that Commission] is shall be the designated a suitable agency for
35 placement and maintenance of navigational aids and regulatory markers ~~of a general nature~~ on the waters of Lake
36 Norman Norman, within the boundaries of each respective county. Provided the said counties exercise their

1 supervisory responsibility, they may delegate the actual process of placement or maintenance of such markers to some
2 other agency, corporation, group, or individual.

3 With regard to marking the restricted zones described above, markers may be placed and maintained by the individuals
4 using the protected areas and facilities in accordance with the Uniform Waterway Marking System and supplementary
5 standards as set forth in Rule .0301(g)(1) to (8) of this Section.

6 (g)(c) **Markers Reflecting County Regulation.** Where any [Any] marker conforming or required to conform to the
7 system [USATONS standards that] is placed in or near Lake Norman advising the public of the provisions of any [a
8 regulation by] local act or of county ordinances [ordinance] made under the authority of any local act and: [that is not
9 within the enforcement jurisdiction of the Commission shall bear the legend "County Regulation" to indicate the
10 regulation is not enforceable by the Commission.]

11 (1) Such provisions are not within the enforcement jurisdiction of the Commission; and

12 (2) The Commission has not passed regulations of an identical or closely similar nature to that of the
13 provisions in question, such marker to be deemed in conformity with the uniform system must bear
14 on it the legend "County Regulation" at such a place or at such places as needed to indicate which
15 provisions are not enforceable by the Commission as a matter of state law.

16 (h)(f) **Miscellaneous Restrictions.** In addition to the acts prohibited by Paragraph (f) of Rule .0301 of this Section, it
17 is [shall be] unlawful to commit any such act with respect to any marker placed or erected under the authority of
18 Chapter 1205 of the 1965 Session Laws of the State of North Carolina by any one of the above named counties or by
19 them jointly. [the Lake Norman Marine Commission or one of the counties in that Commission.]

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21 *History Note:* Authority G.S. 75A-3; 75A-15; **S.L. 1965, c. 1205;** **S.L. 1969, c. 1089;**

22 *Eff. February 1, 1976;*

23 *Amended Eff. July 1, 1998; October 1, 1992; May 1, 1989; March 25, 1978;*

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

26 *Amended Eff. October 1, 2018.*

1 15A NCAC 10F .0308 is amended with changes as published in 32:14 NCAC 1390 as follows:

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

4 (a) Regulated Areas. It is [shall be] unlawful to operate any motorboat or [a] vessel at greater than no-wake speed in
5 the following areas on Chatuge Lake: This Rule shall apply to the following waters in 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 the portion of the cove shore to shore, west of Cottage Court off of NC Highway 175, northeast
13 of a line from a point on the east shore at 35.02576 N, 83.73784 W; to a point on the northwest
14 shore 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) Speed Limit. It shall be unlawful to operate a vessel at greater than no-wake speed within any of the regulated
18 areas identified in Paragraph (a) of this Rule.

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

22 (e) (d) Placement and Maintenance of Markers. The Board of Commissioners of Clay County is shall be the designated
23 a suitable agency for placement of the markers implementing this Rule, subject to the approval of the Tennessee Valley
24 Authority and the United States Army Corps of Engineers.

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

27 *Eff. February 1, 1976;*

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

29 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
30 *6, 2016;*

31 *Amended Eff. June 1, 2017-2017; October 1, 2018.*

32 *[Amended Eff. October 1, 2018.]*

1 15A NCAC 10F .0375 is amended with changes as published in 32:19 NCAC 1848-1849 as follows:

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3 **15A NCAC 10F .0375 DUKE ENERGY CORPORATION HYDROELECTRIC STATION SAFETY**
4 **ZONES**

5 (a) Regulated Area. This Rule applies shall apply to the area one hundred feet upstream or downstream from the
6 stations and ~~dams (and dams, and~~ associated structures, abutments and equipment of ~~these~~ the Duke Energy
7 Corporation hydroelectric stations and ~~dams~~) dams, dams listed in Paragraph (f) of this Rule.

8 (b) Fishing. Except as otherwise provided in this Paragraph or in Paragraph (c) of this Rule, no person may shall enter
9 the waters within the regulated areas described in Paragraph (a) of this Rule. Persons engaged in fishing within the
10 regulated areas described in Paragraph (a) of this Rule may enter these waters in connection with such fishing activities
11 provided that and they shall wear at all times a U.S. Coast Guard ~~United States Coast~~ [Guard approved] Guard-
12 approved personal ~~floatation~~ flotation device in serviceable condition and of appropriate size for the wearer.

13 (c) Boating. Any person in or upon a boat, raft or other floating object that enters the regulated area described in
14 Paragraph (a) of this Rule shall wear at all times a U.S. Coast Guard ~~United States Coast~~ [Guard approved] Guard-
15 approved personal ~~floatation~~ flotation device in serviceable condition and of appropriate size for the wearer. No vessel
16 may shall tie off to any part of the dam structure or the accessory ~~portions thereof~~ portions, nor anchor or otherwise
17 secure a vessel within regulated areas described in Paragraph (a) of this ~~Rule, or to anchor or otherwise secure a vessel~~
18 ~~in these areas. Rule.~~

19 (d) Paragraph (c) of this Rule does shall not apply to persons who enter with consent of Duke Energy Corporation for
20 the purpose of maintaining, repairing or evaluating facilities of Duke Energy Corporation; law enforcement or
21 emergency personnel; or North Carolina state employees acting in an official capacity.

22 (e) Placement and Maintenance of Markers. Duke Energy Corporation is shall be the designated ~~as a suitable~~ entity
23 for placement and maintenance of buoys and other signs implementing this Rule.

24 (f) Duke Energy Corporation hydroelectric stations and dams affected by this Rule:

- 25 (1) Bridgewater Hydroelectric Station (~~Paddy~~ including Paddy Creek Dam, Linville Dam and Catawba
26 ~~Dam~~) Dam in the Catawba River in Burke and McDowell counties;
- 27 (2) Cowans Ford Hydroelectric Station (~~Cowans Ford Dam~~) including Cowans Ford Dam in the
28 Catawba River in Lincoln and Mecklenburg counties;
- 29 (3) Lookout Hydroelectric Station (~~Lookout Dam~~) including Lookout Dam in the Catawba River in
30 Catawba and Iredell counties;
- 31 (4) Mountain Island Hydroelectric Station (~~Mountain Island Dam~~) including Mountain Island Dam in
32 the Catawba River in Gaston and Mecklenburg counties;
- 33 (5) Oxford Hydroelectric Station (~~Oxford Dam~~) including Oxford Dam in the Catawba River in
34 Alexander and Catawba counties;
- 35 (6) Rhodhiss Hydroelectric Station (~~Rhodhiss Dam~~) including Rhodhiss Dam in the Catawba River in
36 Burke and Caldwell counties; and

1 (7) Tuxedo Hydroelectric Station (~~Tuxedo Dam~~) including Tuxedo Dam in the Green River in
2 Henderson County.
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4 *History Note:* *Authority G.S. 75A-3; 75A-15;*
5 *Eff. January 1, 2008;*
6 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
7 *6, 2016.*
8 *Amended Eff. October 1, 2018.*