

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0353

**DEADLINE FOR RECEIPT: Wednesday, December 10, 2014**

***NOTE WELL: This request when viewed on computer extends 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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 5, add a comma after "Lake"*

*Line 21, to be consistent with the other Paragraphs, it appears as though there should be a hyphen between "B" and "An" Use a lowercase "a" for "An" to be consistent.*

*Line 31, please correct the length of the hyphen.*

*Page 2, line 1, what is meant by "board of Commissioners"? Can this be clarified? In 15A NCAC 10F .0355, a specific county of commissioners is identified.*

*Page 2, line 8, correct the effective date to January 1, 2015.*

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

Abigail M. Hammond  
Commission Counsel

Date submitted to agency: Wednesday, November 26, 2014

1 15A NCAC 10F .0353 is amended as published in 29:03 NCR 254-255 as follows:

2

3 **15A NCAC 10F .0353 MOUNTAIN ISLAND LAKE: MECKLENBURG, GASTON AND LINCOLN**  
4 **COUNTIES**

5 (a) Regulated Area. This Rule applies to Mountain Island Lake which is located in Mecklenburg, Gaston and  
6 Lincoln counties.

7 (1) Latta Plantation Park - The cove lying north of and adjacent to the Latta Plantation Park and  
8 adjacent to the Mecklenburg County Park and Duke Power Company properties.

9 (2) Duck Cove - The waters of Duck Cove as delineated by appropriate markers. Duck Cove is  
10 adjacent to Mecklenburg County's Cowan's Ford Wildlife Refuge and west of the portion of Neck  
11 Road that runs through Cowan's Ford Wildlife Refuge.

12 (3) Nance Cove:

13 (A) The waters of the southern portion of Nance Cove extending north from the back of the  
14 cove, at or near Shuffletown Landing, up the cove toward the main channel of Mountain  
15 Island Lake, extending to a point that is roughly even with the boundary line between  
16 Lots 166 and 167 in the Overlook subdivision, which lots are just north of the Overlook  
17 Swim & Tennis Club, and where the cove is approximately 368 feet wide.

18 (B) The waters of the western arm or sub-cove of Nance Cove, which lies west of Shadow  
19 Cove Lane and the northern-most portion of Nance Cove Road and east of Haymarket  
20 Road.

21 (4) North Carolina Highway 16 Bridge B An area extending approximately 50 yards in all directions  
22 from the NC Highway 16 Bridge also known as the Rozelles Ferry Bridge.

23 (5) Neck Cove beginning at a point on the western shore at 35.367061N, 80.932632W to a point on  
24 the eastern shore at 35.367085N, 80.931129 and extending the entire length of the cove.

25 (6) Gar Creek east of a line from a point on the north shore at 35.348851N, 80.927461W to a point on  
26 the south shore at 35.348082N, 80.927736W to a line from a point on the north shore at  
27 35.348854N,80.926821W to a point on the south shore at 35.34844 N, 80.925803W.

28 (7) Whispering Cove beginning at a point on the western shore at 35.341223N, 80.975715W to a  
29 point on the eastern shore at 35.340806N, 80.974785W and extending the entire length of the  
30 cove.

31 (8) North Carolina Highway 73 Bridge — an area extending approximately 50 yards in all directions  
32 from the NC Highway 73 Bridge: east of a line from a point on the north shore at 35.428079N,  
33 80.95799W to a point on the south shore at 35.427177N, 80.957424W to a line from a point on the  
34 north shore at 35.427845N, 80.955441W to a point on the south shore at 35.427008N,  
35 80.955422W.

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

1 (c) Placement and Maintenance of Markers. Each of the boards of Commissioners of the above-named counties is  
2 designated a suitable agency for placement and maintenance of markers implementing this Rule for regulated areas  
3 within their territorial jurisdiction in accordance with the Uniform System.  
4

5 *History Note: Authority G.S. 75A-3; 75A-15;*  
6 *Eff. May 1, 1988;*  
7 *Temporary Amendment Eff. April 1, 2000;*  
8 *Amended Eff. January 1, 2014; July 1, 2000.*

1 15A NCAC 10F .0355 is amended as published in 29:03 NCR 256 as follows:

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3 **15A NCAC 10F .0355 PERQUIMANS COUNTY**

4 (a) Regulated Areas. This Rule applies to the following waters:

5 (1) Perquimans River:

6 (A) The canals of Holiday Island subdivision; and

7 (B) Town of Hertford: that part of the Perquimans River beginning 75 yards northeast of the  
8 Perquimans River Bridge (Hertford S-shaped Bridge) parallel to the bridge, shore to  
9 shore, and ending approximately 550 yards southwest, at a line from a point on the north  
10 shore 36.19300 N, 76.46962 W to a point on the south shore 36.19150 N, 76.47099 W.

11 (2) Yeopim River:

12 (A) The canal entrance between Navaho Trail and Cherokee Trail;

13 (B) The canal entrance between Cherokee Trail and Ashe Street;

14 (C) The boat ramp at Ashe and Pine Street;

15 (D) The canal entrance between Pine Street and Linden Street;

16 (E) The canal entrance and boat ramp between Willow Street and Evergreen Drive;

17 (F) The canal entrance between Sago Street and Alder ~~Street; Street; and~~

18 (G) The swimming area at the Snug Harbor Park and ~~Beach; and Beach.~~

19 (H) Bethel Creek north of a line from a point on the west shore at 36.09552N, 76.47958W to  
20 a point on the east shore at 36.095517N, 76.47735W to a line from a point on the west  
21 shore at 36.10532N, 76.48080W to a point on the east shore at 36.10516N, 76.48047W.

22 (3) Yeopim Creek:

23 (A) The canal entrance between Mohave Trail and Iowa Trail;

24 (B) The canal entrance between Iowa Trail and Shawnee Trail;

25 (C) The area within 75 yards of the Albemarle Plantation Marina Piers; and

26 (D) The area of Beaver Cove as delineated by appropriate markers.

27 (4) Little River: The entrance to the cove known as "Muddy Gut Canal," which extends from the  
28 waters known as "Deep Creek."

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

31 (c) Placement and Maintenance of Markers. The Board of Commissioners of Perquimans County is designated a  
32 suitable agency for placement and maintenance of markers implementing this Rule.

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

35 *Eff. November 1, 1988;*

36 *Amended Eff. October 1, 1992;*

37 *Temporary Amendment Eff. October 1, 1997;*

- 1 *Amended Eff. July 1, 1998;*
- 2 *Temporary Amendment Eff. February 4, 2000;*
- 3 *Amended Eff. January 1, 2014; September 1, 2013; May 1, 2006; June 1, 2005; July 1, 2000.*