



TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

1. Rule-Making Agency:

Wildlife Resources Commission

2. Rule citation & name:

15A NCAC 10F .0303 BEAUFORT COUNTY

3. Action:

☐ Adoption

☒ Amendment

☐ Repeal

4. Was this an Emergency Rule:

☒ Yes

Effective date: 8/10/2026

☐ No

5. Provide dates for the following actions as applicable:

a. Proposed Temporary Rule submitted to OAH: 7/30/2026

b. Proposed Temporary Rule published on the OAH website: 8/6/2026

c. Public Hearing date: 9/3/2026

d. Comment Period: 8/3/2026 - 9/14/2026

e. Notice pursuant to G.S. 150B-21.1(a3)(2): 8/3/2026

f. Adoption by agency on: 10/1/2026

g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:

6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.

- ☒ A serious and unforeseen threat to the public health, safety or welfare.
- ☐ The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite:
Effective date:
- ☐ A recent change in federal or state budgetary policy.
Effective date of change:
- ☐ A recent federal regulation.
Cite:
Effective date:
- ☐ A recent court order.
Cite order:
- ☒ Other: G.S. 150B-21.1 (a)(7)a.

Explain:

The amendments expand the no-wake zone in the waters of Blounts Creek in Beaufort County, 140 yards south-southeast of the Mouth of the Creek Bridge on Mouth of the Creek Road.

The NC Department of Transportation is replacing and realigning the Mouth of the Creek Bridge over Blounts Creek. A new permanent bridge, along with a temporary construction bridge, will be built just south of the current bridge. The expanded no-wake zone incorporates the waters surrounding the new bridge alignment and helps protect construction crews working on the bridge replacement project.

The Board of Commissioners of Beaufort County is the designated agency for this no-wake zone; however, NCDOT and their contractor have agreed to place regulatory markers under this temporary rule.

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

An emergency rule for this area became effective August 10, 2026. The temporary rule must be noticed concurrently with an emergency rule.

The temporary amendments significantly improve public safety for construction workers and the boating public while adding a minor regulatory burden to vessel operators.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ Yes

Agency submitted request for consultation on:

Consultation not required. Cite authority:

☒ No

9. Rule-making Coordinator:

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10. Signature of Agency Head*:



*** If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name:

Mark R. Craig

Title:

Wildlife Resources Commission Chairman

E-Mail: mcraig@rhbarringer.com

RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

☐ Date returned to agency:

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1 15A NCAC 10F .0303 is amended under temporary procedures as follows:

2
3 **15A NCAC 10F .0303 BEAUFORT COUNTY**

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

5 (1) Aurora.

6 (A) the waters within 50 yards of Smith Creek Boating Access Area on Smith Creek, 3484 NC
7 Highway 33 E; and

8 (B) the waters within 50 yards of Aurora Boating Access Area on South Creek, 1 Main Street.

9 (2) Belhaven.

10 (A) the waters within 50 yards of Belhaven Boating Access Area on Pantego Creek, 135 West
11 Water Street; and

12 (B) the waters within 50 yards of Wrights Creek Boating Access Area on Pungo Creek, 1922
13 Wilkins Road.

14 (3) Chocowinity.

15 (A) the portion of Blounts Creek north of a line ~~35~~ 175 yards south-southeast of the Mouth of
16 the Creek Bridge from a point on the east shore at 35.43187 N, 76.96823 W ~~35.43333 N,~~
17 ~~76.96985 W~~ to a point on the west shore at 35.43212 N, 76.97193 W ~~35.43267 N, 76.97196~~
18 ~~W~~ and south of a line 350 yards north-northeast of the Mouth of the Creek Bridge from a
19 point on the east shore at 35.43553 N, 76.96962 W to a point on the west shore at 35.43679
20 N, 76.97011 W;

21 (B) the canals at the eastern end of the peninsula between Chocowinity Bay and the Pamlico
22 River at Fork Point and Whichard Beach, beginning at the canal entrance off Chocowinity
23 Bay at a point a 35.50296 N, 77.03043 W and beginning at the canal entrance off the
24 Pamlico River at a point at 35.50340 N, 77.02364 W; and

25 (C) Blounts Creek south of a line 100 yards north of the Blounts Creek Boating Access Area
26 at 350 Crisp Landing Road, from a point on the east shore at 35.40846 N, 76.96091 W to
27 a point on the west shore at 35.40834 N, 76.96355 W, and north of a line 100 yards south
28 of Cotton Patch Landing, from a point on the east shore at 35.40211 N, 76.96573 W to a
29 point on the west shore at 35.40231 N, 76.96702 W.

30 (4) Washington.

31 (A) the portion of Broad Creek south of a line from a point on the east shore at 35.49472 N,
32 76.95693 W to a point on the west shore at 35.49477 N, 76.96014 W and north of a line
33 from a point on the east shore at 35.48894 N, 76.95052 W to a point on the west shore at
34 35.48660 N, 76.95879 W;

35 (B) the waters within 50 yards of Masons Landing Boating Access Area on Tranters Creek,
36 625 Clarks Neck Road; and

1 (C) the waters within 50 yards of Havens Garden Boating Access Area on Runyon Creek, 1053
2 East Main Street.

3 (5) the navigable portion of Nevil Creek extending upstream from its mouth at the Pamlico River;

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

6 (c) Placement of Markers.

7 (1) the Board of Commissioners of Beaufort County shall be the designated agency implementing the
8 portion of Parts (a)(3)(C) south of the Blounts Creek Boating Access Area; and Parts (a)(2)(A) and
9 (B), (a)(3)(A) and (B), and (a)(5) of this Rule;

10 (2) the City of Washington shall be the designated agency implementing Parts (a)(4)(A) through
11 (a)(4)(C) of this Rule; and

12 (3) the North Carolina Wildlife Resources Commission shall be the designated agency implementing
13 the portion of Part (a)(3)(C), the waters of Blounts Creek shore to shore from 100 yards north of the
14 Blounts Creek Boating Access Area to 100 yards south of the Boating Access Area; and Parts
15 (a)(1)(A) and (B) of this Rule.

16
17 *History Note: Authority G.S. 75A-3; 75A-15;*

18 *Eff. February 1, 1976;*

19 *Amended Eff. September 1, 2013; September 1, 2010; June 1, 1998; April 1, 1997; June 1, 1989;*
20 *March 1, 1987; April 1, 1986; March 4, 1979;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
22 *6, 2016;*

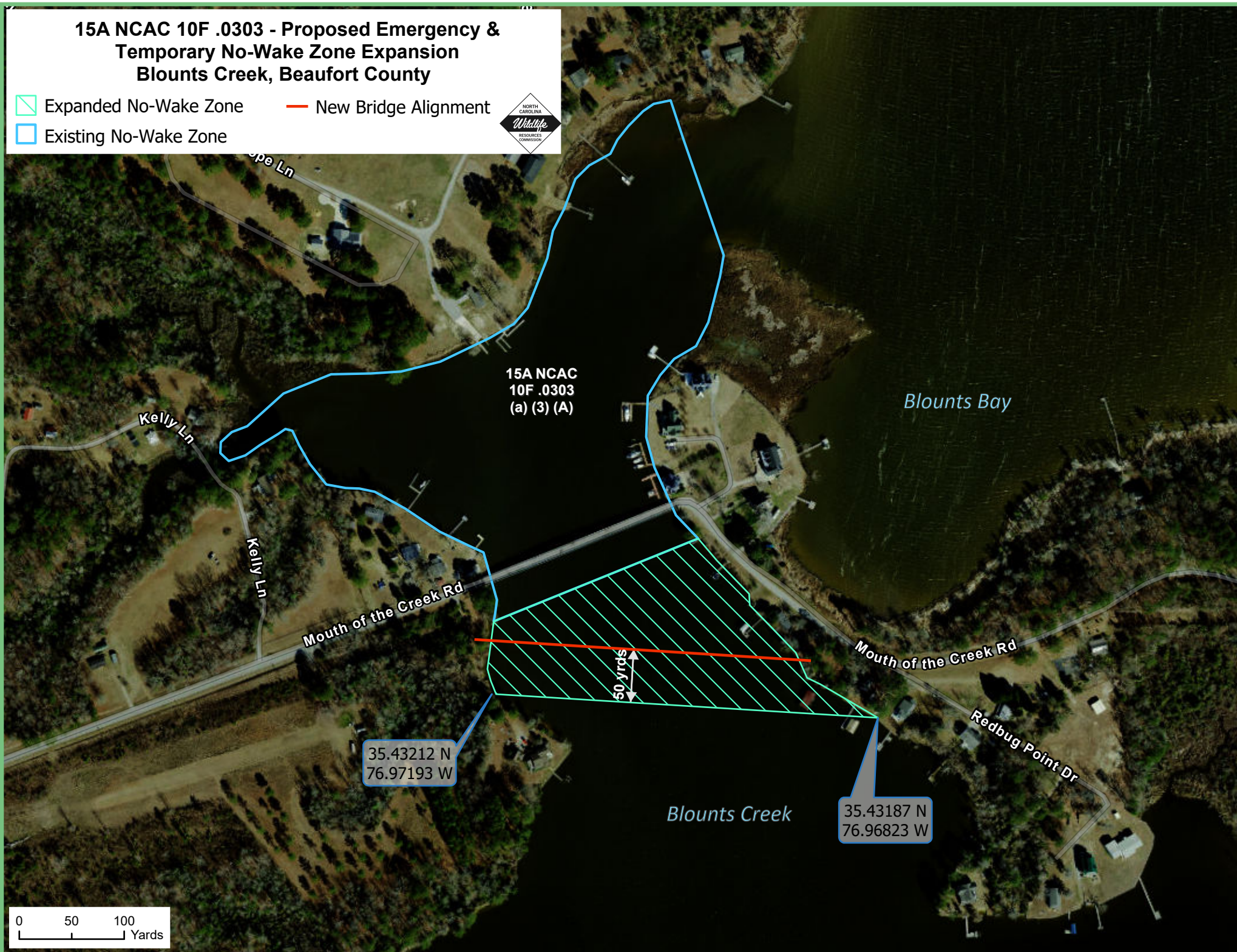
23 *Amended Eff. April 1, 2026; May 1, 2019; October 1, 2018; November 1, ~~2017~~, 2017;*

24 *Emergency Amendment Effective August 10, ~~2026~~, 2026;*

25 *Temporary Amendment Eff. November 10, 2026.*

**15A NCAC 10F .0303 - Proposed Emergency &
Temporary No-Wake Zone Expansion
Blounts Creek, Beaufort County**

-  Expanded No-Wake Zone  New Bridge Alignment
-  Existing No-Wake Zone



0 50 100
Yards