

Note from the Codifier: The OAH website includes notices and the text of proposed temporary rules as required by G.S. 150B-21.1(a1). Prior to the agency adopting the temporary rule, the agency must hold a public hearing no less than five days after the rule and notice have been published and must accept comments for at least 15 business days.
For questions, you may contact the Office of Administrative Hearings at 984-236-1850 or email oah.postmaster@oah.nc.gov.

TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice is hereby given in accordance with G.S. 150B-21.1 that the Wildlife Resources Commission intends to amend the rule cited as 15A NCAC 10F .0314.

Codifier of Rules approved this rule as an emergency rule effective December 16, 2025 and received for publication the following notice and proposed temporary rule(s) on: December 16, 2025.

Public Hearing:

Date: January 27, 2026

Time: 2:00PM

Location: Virtual public hearing via Zoom, pre-registration is required: https://ncwildlife-org.zoomgov.com/webinar/register/WN_Bqp5q13NT5iMUSJoUJOuyg or join by telephone toll free: (833) 568-8864, Webinar ID: 161 497 3433

Reason for Proposed Temporary Action: G.S. 150B-21.1(a)(7) a. The proposed amendment creates a no-wake zone in the waters of the Cape Fear River in Wilmington, 160 yards southwest of the Cape Fear Memorial Bridge on Business US Hwy 17. NCDOT Project Number HB-0039 requires soil testing and an evaluation of the condition of the soil and rock beneath the Cape Fear River, south of the Cape Fear Memorial Bridge, to develop foundation recommendations for the bridge replacement. To gather the necessary information, a drill machine has been attached to a barge and affixed to specific points at proposed bridge bent locations. The nature of the drilling rig requires drill operators to be stationed at the rear of the equipment, placing the workers at the extreme bow or stern end of the barge. Vessels moving under and around the bridge above no-wake speed endanger the safety of operators on the barge.

The U.S. Army Corps of Engineers Wilmington District concur with proposed rulemaking in the federal channel.

The NC Department of Transportation will be responsible for implementing this rule. The temporary no-wake zone is expected to be lifted approximately two months after the effective date.

Comment Procedures: Comments from the public shall be directed to: Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email regulations@ncwildlife.gov. The comment period begins December 17, 2025 and ends January 31, 2026.

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY

SECTION .0300 - LOCAL WATER SAFETY REGULATIONS

15A NCAC 10F .0314 NEW HANOVER COUNTY

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

- (1) the area bounded on the north by the U.S. Highway 74-76 bridge crossing the Intracoastal Waterway, on the south by a line shore to shore intersecting Intracoastal Waterway channel marker number 127, on the west by the shore of Wrightsville Sound, and on the east by a line perpendicular to U.S. Highway 74-76 and intersecting channel marker number 25 in Motts Channel;
- (2) the area of Motts Channel between channel marker number 25 at the Intracoastal Waterway on the west and channel marker number 16 at the entrance from Banks Channel on the east;
- (3) Wilmington. The waters shore to shore in that portion of Bradley Creek in the City of Wilmington between the U.S. Highway 76 bridge crossing Bradley Creek and a point at 34.20794 N, 77.82158 W, near the mouth of Bradley Creek;
- (4) Lee's Cut from its western intersection with the Intracoastal Waterway at 34.21979 N, 77.80965 W, to its eastern intersection with Banks Channel at 34.21906 N, 77.79645 W;
- (5) Town of Wrightsville Beach. The unnamed channel lying between the shore west of Bahama Drive in the Town of Wrightsville Beach and an unnamed island located approximately 500 feet northeast of the U.S. Highway 74 bridge over Banks Channel; and
- (6) Castle Hayne. The waters of the Northeast Cape Fear River between the U.S. Highway 117 bridge and the railroad trestle 60 yards east of the Castle Hayne Boating Access Area, 6418 Orange Street, Castle Hayne.
- (7) the waters of the Cape Fear River in Wilmington shore to shore, 160 yards southwest of the Cape Fear Memorial Bridge on Business US Hwy 17, north of a line from a point on the west shore at 34.22675 N, 77.95400 W, to a point on the east shore at 34.22567 N, 77.95109 W.

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

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

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

(e) Placement of Markers. The North Carolina Department of Transportation shall be the designated agency implementing Subparagraph (a)(7) of this Rule.

Authority G.S. 75A-3; 75A-15.