

1 15A NCAC 10F .0305 is proposed for amendment as follows:

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3 **15A NCAC 10F .0305 BRUNSWICK COUNTY**

4 (a) Regulated Areas. This Rule applies to the waters described as follows:

5 (1) ~~Lockwood Folly River in the Town of Varnamtown, from a point at 33.94966 N, 78.22587 W, 500~~
6 ~~yards northwest of the boat ramp located at the end of S.R. 1123 otherwise known as Fisherman~~
7 ~~Road, to a point at 33.94498 N, 78.22206 W, 180 yards southeast of the boat ramp, and including~~
8 ~~the portion of the river otherwise known as Mill Creek where it meets Lockwood Folly River~~
9 ~~directly across from the boat ramp, to a point 100 feet northeast at 33.94687 N, 78.22235 W;~~

10 (2) ~~Calabash River in the Town of Calabash, from a point in the water at the end of Marina Drive at~~
11 ~~33.88638 N, 78.56254 W to a point 650 yards southwest at the southern end of the deep sea fishing~~
12 ~~decks at 33.88344 N, 78.56751 W;~~

13 (3) ~~Morningstar Marinas Southport, shore to shore beginning at its intersection with the Intracoastal~~
14 ~~Waterway at a point at 33.91685 N, 78.02865 W;~~

15 (4) ~~Shallotte River east of S.R. 1233, otherwise known as Village Point Road SW south of the Town of~~
16 ~~Shallotte, shore to shore from its intersection with the Intracoastal Waterway at a point at 33.91477~~
17 ~~N, 78.37103 W to point 500 feet north at 33.91613 N, 78.37126 W;~~

18 (5) ~~Montgomery Slough, otherwise known as Davis Creek, within 100 yards of the hotel and marina at~~
19 ~~the northern end of 57th Place West in the Town of Oak Island;~~

20 (6) ~~the waters in the natural and concrete canals located on the south side of the Intracoastal Waterway,~~
21 ~~east of N.C. Highway 904 in the Town of Ocean Isle Beach;~~

22 (7) ~~Town Creek east of S.R. 1609, otherwise known as Clearview Lane in Town Creek Township, shore~~
23 ~~to shore from a point at 34.16788 N, 78.07139 W, north and east around a bend in the creek to a~~
24 ~~point at 34.16910 N, 78.07030 W;~~

25 (8) ~~Montgomery Slough, otherwise known as Davis Creek, shore to shore from its entrance at the~~
26 ~~Intracoastal Waterway west of SW Yacht Drive at a point at 33.92145 N, 78.19408 W, to the canal~~
27 ~~end at NE 40th Street in the Town of Oak Island;~~

28 (9) ~~Intracoastal Waterway in the Town of Sunset Beach in the vicinity of the S.R. 1172 Sunset Beach~~
29 ~~Bridge and Sunset Beach Boating Access Area at 101 Sunset Boulevard, shore to shore from a point~~
30 ~~150 yards east of the Sunset Beach Bridge at 33.88173 N, 78.50995 W, to a point 50 yards west of~~
31 ~~the bridge at 33.88111 N, 78.51194 W;~~

32 (10) ~~Intracoastal Waterway in the Town of Ocean Isle Beach in the vicinity of the N.C. Highway 904~~
33 ~~Odell Williamson Bridge and Ocean Isle Beach Boating Access Area at 67 Causeway Drive, shore~~
34 ~~to shore from a point 100 yards east of the N.C. Highway 904 Odell Williamson Bridge at 33.89578~~
35 ~~N, 78.43870 W, to a point 100 yards west of the Bridge at 33.89551 N, 78.44077 W;~~

- (11) ~~Lockwood Folly River at Rourk's Landing Subdivision, beginning at a point south of the subdivision at 33.95338 N, 78.22553 W, north and west around two sharp bends in the channel and ending north at a point at 33.95539 N, 78.22900 W;~~
- (12) ~~Intracoastal Waterway in the Town of Holden Beach, N.C. Highway 130 Holden Beach Bridge and Holden Beach Boating Access Area at 99 S. Shore Drive, shore to shore between a point 250 feet west and a point 100 feet east of the Holden Beach Bridge;~~
- (13) ~~Intracoastal Waterway, within 50 yards of the Oak Island Boating Access Area at 4950 Fish Factory Road SE in Southport;~~
- (14) ~~within 50 yards of the Sunset Harbor Boating Access Area adjacent to the Intracoastal Waterway at 356 Riverview Drive SE in Bolivia;~~
- (15) ~~within 20 yards of the shoreline and 50 yards east and 50 yards west of the Brick Landing Boating Access Area on the Intracoastal Waterway at 1921 Brick Landing Road SW in Shallotte;~~
- (16) ~~within 50 yards of Rices Creek Boating Access Area on Rice Creek at 797 Gordon Lewis Drive SE in Winnabow; and~~
- (17) ~~within 50 yards of the Pireway Boating Access Area on Waccamaw River at 9739 Pireway Road NW in Ash.~~

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

(e) Placement and Maintenance of Markers. The following agencies shall place or place and maintain markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:

- (1) the Board of Aldermen of Varnamtown for placement in the area indicated in Subparagraph (a)(1) of this Rule;
- (2) the Board of Commissioners of Brunswick County for placement in areas indicated in Subparagraphs (a)(2) through (8) and (a)(11) of this Rule; and
- (3) the North Carolina Wildlife Resources Commission for the placement and maintenance of areas indicated in Subparagraphs (a)(9), (a)(10), and (a)(12) through (17) of this Rule.

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

(1) Varnamtown. Lockwood Folly River in the Town of Varnamtown from a point at 33.94966 N, 78.22587 W, 500 yards northwest of the boat ramp at the end of S.R. 1123 otherwise known as Fisherman Road, to a point at 33.94498 N, 78.22206 W, 180 yards southeast of the boat ramp, and including the portion of the river otherwise known as Mill Creek where it meets Lockwood Folly River directly across from the boat ramp, to a point 100 feet northeast at 33.94687 N, 78.22235 W

(2) Calabash. Calabash River in the Town of Calabash, from a point in the water at the end of Marina Drive at 33.88638 N, 78.56254 W to a point 650 yards southwest at the southern end of the deep-sea fishing docks at 33.88344 N, 78.56751 W;

(3) Southport. Morningstar Marinas Southport, shore to shore beginning at its intersection with the Intracoastal Waterway at a point at 33.91685 N, 78.02865 W;

(4) Town Creek Township. Town Creek east of S.R. 1609, otherwise known as Clearview Lane in Town Creek Township, shore to shore from a point at 34.16788 N, 78.07139 W, north and east around a bend in the creek to a point at 34.16910 N, 78.07030 W;

(5) Shallotte:

- (A) Shallotte River east of S.R. 1233, otherwise known as Village Point Road SW south of the Town of Shallotte, shore to shore from its intersection with the Intracoastal Waterway at a point at 33.91477 N, 78.37103 W to point 500 feet north at 33.91613 N, 78.37126 W;
- (B) Lockwood Folly River at Rourk's Landing Subdivision, beginning at a point south of the subdivision at 33.95338 N, 78.22553 W, north and west around two sharp bends in the channel and ending north at a point at 33.95539 N, 78.22900 W; and
- (C) within 20 yards of the shoreline and 50 yards east and 50 yards west of the Brick Landing Boating Access Area on the Intracoastal Waterway at 1921 Brick Landing Road SW in Shallotte.

(6) Ocean Isle Beach:

- (A) Intracoastal Waterway in the Town of Ocean Isle Beach in the vicinity of the N.C. Highway 904 Odell Williamson Bridge and Ocean Isle Beach Boating Access Area at 67 Causeway Drive, shore to shore from a point 100 yards east of the N.C. Highway 904 Odell Williamson Bridge at 33.89578 N, 78.43870 W, to a point 100 yards west of the Bridge at 33.89551 N, 78.44077 W; and
- (B) the waters in the natural and concrete canals located on the south side of the Intracoastal Waterway, east of N.C. Highway 904 in the Town of Ocean Isle Beach.

(7) Oak Island:

- (A) Montgomery Slough, otherwise known as Davis Creek, within 100 yards of the hotel and marina at the northern end of 57th Place West in the Town of Oak Island;
- (B) Montgomery Slough, otherwise known as Davis Creek, shore to shore from its entrance at the Intracoastal Waterway west of SW Yacht Drive at a point at 33.92145 N, 78.19408 W, to the canal end at NE 40th Street in the Town of Oak Island;
- (C) Intracoastal Waterway, within 50 yards of the Oak Island Boating Access Area at 4950 Fish Factory Road SE in Oak Island; and
- (D) Intracoastal Waterway 50 yards east and 50 yards west of the G.V. Barbee Bridge otherwise known as the Oak Island Bridge, in Oak Island.

(8) Sunset Beach. Intracoastal Waterway in the Town of Sunset Beach in the vicinity of the S.R. 1172 Sunset Beach Bridge and Sunset Beach Boating Access Area at 101 Sunset Boulevard, shore to shore from a point 150 yards east of the Sunset Beach Bridge at 33.88173 N, 78.50995 W, to a point 50 yards west of the bridge at 33.88111 N, 78.51194 W;

(9) Bolivia. The waters within 50 yards of the Sunset Harbor Boating Access Area adjacent to the Intracoastal Waterway at 356 Riverview Drive SE in Bolivia;

(10) Holden Beach. Intracoastal Waterway in the Town of Holden Beach, N.C. Highway 130 Holden Beach Bridge and Holden Beach Boating Access Area at 99 S. Shore Drive, shore to shore between a point 250 feet west and a point 100 feet east of the Holden Beach Bridge;

(11) Winnabow. The waters within 50 yards of Rices Creek Boating Access Area on Rice Creek at 797 Gordon Lewis Drive SE in Winnabow; and

(12) Ash. The waters within 50 yards of the Pireway Boating Access Area on Waccamaw River at 9739 Pireway Road NW in Ash.

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

(c) Placement of Markers.

- (1) the Board of Aldermen of Varnamtown shall be the designated agency implementing Part (a)(1) of this Rule;
- (2) the Board of Commissioners of Brunswick County shall be the designated agency implementing Subparagraphs (a)(2) through (4), (a)(5)(A) and (B), (a)(6)(B), and (a)(7)(A), (B), and (D) of this Rule;
- (3) the North Carolina Wildlife Resources Commission shall be the designated agency implementing Subparagraphs (a)(5)(C), (a)(6)(A), (a)(7)(C), and (a)(8) through (12) of this Rule.

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

Eff. February 1, 1976;

Amended Eff. April 1, 1997; July 1, 1994; July 1, 1993; January 1, 1989; January 1, 1987;

Temporary Amendment Eff. March 1, 1998;

Amended Eff. April 1, 2009; April 1, 1999;

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

Amended Eff. May 1, 2021; July 1, 2018;

Temporary Amendment Eff. October 1, 2022;

Temporary Amendment Eff. August 15, 2023;

Amended Eff. February 1, 2024;

Temporary Amendment Exp. Eff. May 11, 2024;

Amended Eff. February 1, 2025.