Fiscal Note Review of
Proposed Wildlife Resources Commission No-Wake Zone Rule
10F .0353

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Impact: State Government: Minimal
Local Government: No
Substantial Impact: No

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

The proposed permanent amendments to 15A NCAC 10F .0353 would codify into the rules of the N.C. Wildlife Resources Commission (WRC) three no-wake zones that were established by the Mountain Island Lake Marine Commission and create one new no-wake zone on the lake.

“Mountain Island Lake was built by Duke Energy in 1924 with the construction of Mountain Island Hydroelectric Station. The lake also supports Riverbend Steam Station by cooling the steam that drives the turbines and provides a dependable water supply for Mount Holly, Gastonia and Charlotte-Mecklenburg, North Carolina.”¹

Many of the current no-wake zones created by the Mountain Island Lake Marine Commission (MILC), which is considered a unit of local government and is charged with protecting the Lake’s resources, were not codified in the NC Administrative code. With this proposed rule change, WRC officers who currently patrol the Lake will be able to cite the specific provisions of the NCAC when enforcing water safety laws on the lake.

In September 2013, a meeting was held at Mountain Island Lake with representatives from the Mountain Island Lake Marine Commission, Duke Energy and the Wildlife Resources Commission with the intention of assessing current no-wake zone needs. Those in attendance toured the lake and determined recommendations for existing no-wake zones and any need for

new no-wake zones. All agreed that due to safety issues, the current no-wake zones at Neck Cove, Whispering Cove and Gar Creek established by the Mountain Island Lake Marine Commission should become Wildlife Resources Commission no-wake zones and that a no-wake zone is needed at the NC Hwy 73 Bridge.

WRC will mark the no-wake zones at a one-time cost and continue to maintain the buoys. The buoys are already on hand so no additional budgetary expenditure is required, although there is an small opportunity cost to using the buoys to mark the zones.

State Impact Analysis: The Commission will install buoys at a cost of no more than $2,000. 
Local Impact Analysis: None
Substantial Economic Impact: There will be no substantial economic impact to the public.
APPENDIX 1

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

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

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

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

(3) Nance Cove:
   (A) The waters of the southern portion of Nance Cove extending north from the back of the cove, at or near Shuffletown Landing, up the cove toward the main channel of Mountain Island Lake, extending to a point that is roughly even with the boundary line between Lots 166 and 167 in the Overlook subdivision, which lots are just north of the Overlook Swim & Tennis Club, and where the cove is approximately 368 feet wide.
   (B) The waters of the western arm or sub-cove of Nance Cove, which lies west of Shadow Cove Lane and the northern-most portion of Nance Cove Road and east of Haymarket Road.

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

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

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

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

(8) North Carolina Highway 73 Bridge — an area extending approximately 50 yards in all directions from the NC Highway 73 Bridge: east of a line from a point on the north shore at 35.428079N, 80.957999W to a point on the south shore at 35.427177N, 80.957424W to a line from a point on the north shore at 35.427845N, 80.955441W to a point on the south shore at 35.427008N, 80.955422W.

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

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

History Note: Authority G.S. 75A-3; 75A-15; Eff. May 1, 1988; Temporary Amendment Eff. April 1, 2000; Amended Eff. December 1, 2014; July 1, 2000.