No Wake Zone in Hyde County
15A NCAC 10F.0313

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Summary of Impact: State government: No
Local government: Yes
Substantial impact: No
Federal government: No
Small businesses: No

This rule establishes a “no wake zone” on the Lake Landing Canal in Hyde County as indicated by the proposed changes (see Appendices 1 & 2). This rule change is aimed at increasing boating safety in the area; therefore WRC believes that the rule amendment is necessary to serve the public interest.

STATE IMPACT ANALYSIS: The agency has concluded that the cost to the State will be none since this no wake zone was made at the request of Hyde County and the county has agreed to bear the cost of marking the no wake zone.

* This rule is intended to accomplish the agency’s mandate to provide for the safety of boaters and other members of the public, and is part of a regulatory program enforced by the Commission’s Division of Enforcement. The proposed change will not require any additional staffing or costs to WRC.

* The proposed rule change does not require any action by a State agency other than the Wildlife Resources Commission.

* The proposed rule change has been reviewed and evaluated pursuant to Governor Perdue’s Executive Order 70, and has been determined to be necessary and in the public interest.

LOCAL IMPACT ANALYSIS: WRC has concluded that the cost to local government as a result of the adoption of this proposal would be approximately $1,000 for the following reasons:
The proposed no-wake zone is at the request of Hyde County to minimize the risk of boat accidents in a very narrow, although navigable, drainage canal. As the entity requesting the no wake zone, Hyde County will bear the costs.

The cost of placement of markers is estimated to be $1,000 to $1,800. This estimate is based on the costs of materials and labor for similar installations by the Wildlife Resources Commission, but will be determined by the conforming materials and the contractor selected by Hyde County.

SIGNIFICANT ECONOMIC IMPACT ANALYSIS: WRC has concluded that there will be no substantial economic impact to the public as a result of the adoption of this proposal for the following reasons:

Based on its site survey, WRC does not believe that there will be any appreciable economic impact to the public. The primary use of this particular waterway is recreational, and the imposition of a “no wake” zone at this location will not result in any measurable economic loss or gain to the public.

However, boating safety will be enhanced by the implementation of this rule, resulting in less likelihood of personal injury or property damage which is a potential positive economic benefit to the public, although one which is impossible to quantify or even reasonably estimate.

Accordingly WRC has determined that the economic impact to the public is minimal to none, and does not meet the threshold impact requirement of $500,000 dollars annually.
Appendix 1

15A NCAC 10F .0313 is proposed for amendment as follows:

15A NCAC 10F .0313 HYDE COUNTY

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

(1) Swan Quarter Canal near the Town of Swan Quarter beginning at its entrance at Marker #10 in Pamlico Sound and extending the entire length of the canal;

(2) Carawan Canal near the Town of Swan Quarter beginning at its entrance located 440 yards North by Northeast from Marker #7 off Long Point in Pamlico Sound and extending the entire length of the canal;

(3) The waters within 50 yards of all public boat launching areas providing access to Pamlico Sound;

(4) Far Creek near the Town of Engelhard beginning at its entrance at Marker #10 in Pamlico Sound and extending the entire length of the canal;

(5) Fodrey Canal. That portion of Fodrey Canal beginning at its entrance at the number 3 beacon and extending inland for a distance of 300 yards;

(6) Silver Lake in Ocracoke. Harbor-wide;

(7) The entire waters of the Hydeland Canal beginning at the Hydeland Canal Access Area (35.42131N, 76.20915W) and ending at the end of SR 1122 (35.40873N, 76.21185W); and

(8) The waters of Lake Landing Canal beginning near the SR 1110 bridge at the intersection of Great Ditch Road and Nebraska Road, at a point at 35.45879 N, 76.07517 W and ending at a point at 35.45027 N, 76.06862 W.

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

(c) Placement and Maintenance of Markers. The Board of Commissioners of Hyde County is designated a suitable agency for placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

Authority G.S. 75A-3; 75A-15
Appendix 2

Aerial View of Proposed No Wake Zone