



**Fiscal Note Review of  
Proposed Wildlife Resources Commission No-Wake Zone Rule  
15A NCAC 10F .0336 – Northampton and Warren counties**

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

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

**Background:** The proposed permanent amendment to 15A NCAC 10F .0336 – Northampton and Warren counties (APPENDIX 1) will codify in the NCAC a no-wake zone in the waters of Jimmies Creek on Lake Gaston, in Northampton County.

Northampton County applied for rulemaking to mitigate hazards to boater safety in the portion of Jimmies Creek north of an island surrounded by shallow water, barely submerged rocks, and two prongs of Jimmies Creek. Both prongs are narrow, shallow, and heavily populated with multiple docks.

Northampton County will mark the no-wake zone at an estimated cost of \$716.00. The County will purchase two no-wake buoys and anchors at a cost of \$600.00 (\$300.00 per buoy). Two technicians will spend two hours each (\$29.00/hr x 2 technicians x 2 hours each\* = \$116.00).

**State Impact Analysis:** The WRC will assume responsibility for marker maintenance/replacement. In general, replacement is only required when a marker is missing or has been damaged, as markers typically last 5 – 10 years. Thus, the agency expects only minimal fiscal impacts due to the proposed amendment. The agency could incur a cost of \$416.00 per year if replacement of one marker is necessary: [ $\$300/\text{marker} \times 1 \text{ marker}/\text{year}$ ] =  $\$300.00/\text{year}$  + [ $\$29/\text{hr}^* \times 2 \text{ techs} = \$58.00 \times 2 \text{ hrs each}/\text{marker} = \$116.00/\text{year}$ ] =  $\$416.00/\text{year}$ .<sup>1</sup>

**Local Impact Analysis:** Northampton County is responsible for the purchase and placement of the two markers for Jimmies Creek on Lake Gaston. No CAMA permitting is required in the non-coastal county and no permitting is required by the US Army Corps of Engineers.

**Private Impact:** The rule has minimal private fiscal impact. The regulated community will not incur any direct financial cost as a result of this rule change, but their behavior will be restricted in the waters along this section of Jimmies Creek. However, the benefit of that restriction is increased boater safety.

**Substantial Economic Impact:** There will be no substantial economic impact to the public.

\*total compensation

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<sup>1</sup> Hourly rates for agency staff reflect total compensation for boating technician II.

# APPENDIX 1

## 15A NCAC 10F .0336 NORTHAMPTON AND WARREN COUNTIES

(a) Regulated Area. This Rule shall apply to the waters of Lake Gaston ~~the~~ in Northampton and Warren counties.

(b) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area on the waters of Lake Gaston within Northampton and Warren counties.

(c) Speed Limit Near Shore Facilities. No person shall operate a vessel at greater than no-wake speed within 50 yards of any marked boat launching area, dock, pier, bridge, marina, boat storage structure, or boat service area on the waters of the regulated areas described in Paragraph (a) of this Rule.

(d) Speed Limit in specific waters. No person shall operate a vessel at greater than no-wake speed within the following bodies of water:

- (1) the cove on the north shore of Lake Gaston in Northampton County east of SR 1252 otherwise known as Vincent Lane, shore to shore from a point on the north shore at 36.51660 N, 77.82226 W to a point on the south shore at 36.51578 N, 77.82269 W;
- (2) Big Stone House Creek in Warren County within 50 yards of the culvert under N.C. Highway 903 at 36.48789 N, 77.95009 W;
- (3) Songbird Creek in Warren County within 50 yards of the culvert under N.C. Highway 903 at 36.53260 N, 77.97330 W;
- (4) Sixpound Creek in Warren County within 50 yards of the culvert under ~~SR 1704~~ SR 1704 otherwise known as Nocarva Road at 36.52950 N, 78.07283 W; ~~and~~
- (5) Lizard Creek in Warren County within 50 yards of the culvert under SR 1362 otherwise known as Lizard Creek Road at 36.52501 N, ~~77.91187 W, 77.91187 W; and~~
- (6) Jimmies Creek in Northampton County shore to shore, north of a line from a point on the east shore at 36.52450 N, 77.82600 W to a point on the west shore at 36.52445 N, 77.82810 W.

(e) Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area on the waters of Lake Gaston in Northampton and Warren counties.

(f) Placement of Markers. The Boards of Commissioners of Northampton County and Warren County shall be the designated agencies for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and United States Army Corps of Engineers.

*History Note: Authority G.S. 75A-3; 75A-15;  
Eff. March 29, 1981;  
Amended Eff. June 1, 1994; March 1, 1993; September 1, 1989;  
Temporary Amendment Eff. March 15, 2003;  
Temporary Amendment Expired October 12, 2003;  
Amended Eff. May 1, 2014; May 1, 2004;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;  
Amended Eff. October 1, 2018.*