



**Fiscal Note Review of
Proposed Wildlife Resources Commission No-Wake Zone Rule
15A NCAC 10F .0355 – Perquimans County,
Town of Hertford**

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

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

The proposed amendment to 15A NCAC 10F .0355(a)(1)(B) – Perquimans County (APPENDIX 1), will extend a no-wake zone 190 yards northeast of the Perquimans River Bridge, otherwise known as the Hertford S-Bridge, in the navigation channel, and to the east and southward to the shoreline of a portion of the Perquimans River in the Town of Hertford. The current no-wake zone ends 75 yards northeast of the Perquimans River Bridge.

The Town of Hertford applied for rulemaking to mitigate hazards to boater safety. The recent replacement of the Perquimans River Bridge moved the navigational span of the bridge to the southeast where there are large shoals extending outward from the shoreline and created maneuverability issues in the very shallow waters outside the narrow navigational channel. The no-wake zone extension encompasses the navigation channel and limits vessel ability to travel on plane before approaching the shoal.

State Impact Analysis: The WRC is responsible for maintenance of buoys once installed. It is anticipated that the total annual cost to maintain the markers will be no more than \$200.00 (assuming the chain and anchor are not needed) and only if a marker is destroyed and must be replaced. Costs to maintain no-wake markers will be covered under existing funds budgeted for maintenance and upkeep and only upon request.

Local Impact Analysis: The Town of Hertford is responsible for purchase and placement of two additional markers to mark the extended no-wake zone 190 yards northeast of the bridge at a line from a point in the river at 36.19530 N, 76.46518 W, eastward to Day Marker 11, and southward back to the town shoreline at 36.19337 N, 76.46367 W. Two technicians' time to place two buoys will be \$116.00 (4 hours x \$29¹/hr = \$116). Cost for two buoys to be purchased and installed will be \$400.00 (\$200/buoy x 2 = \$400), for a total cost by the Town of Hertford of \$516.00.

¹ Calculated using average salary and benefits of current technicians as of November 2022.

Private Impact: The rule has minimal private fiscal impact. The regulated community will not incur any direct financial cost because of this rule, but their behavior will be restricted in that boaters will be required to reduce speeds for a longer distance in the navigation channel and waters near the shoreline of the Town of Hertford. The reduction in speed has the potential to improve boating traffic safety and reduce the potential for collisions. Given the increasing safety and navigation hazards caused by increasing development in this area, these potential benefits are likely to be realized; however, these benefits could not be quantified.

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

APPENDIX 1

15A NCAC 10F .0355 PERQUIMANS COUNTY

(a) Regulated Areas. This Rule shall apply to the following waters:

- (1) Perquimans River:
 - (A) the canals of Holiday Island subdivision at Albemarle Sound; and
 - (B) ~~Town of Hertford: the part of the Perquimans River beginning 75 yards northeast of the Perquimans River Bridge, otherwise known as the Hertford S-shaped Bridge, parallel to the bridge, shore to shore, and ending approximately 550 yards southwest, at a line from a point on the north shore 36.19305 N, 76.46957 W to a point on the south shore at 36.19150 N, 76.47099 W.~~ Town of Hertford: 550 yards southwest of the Perquimans River Bridge on U.S. Highway 17 Business, otherwise known as the Hertford S - Bridge, at a line from a point on the north shore at 36.19305 N, 76.46957 W to a point on the south shore at 36.19150 N, 76.47099 W, and 190 yards northeast of the bridge at a line from a point in the Perquimans River at 36.19530 N, 76.46518 W, eastward to Day Marker #11, then southeast to a point on the shore at 36.19337 N, 76.46367 W.
- (2) Yeopim River:
 - (A) the canal between Navaho Trail and Cherokee Trail beginning at a point at 36.07893 N, 76.42278 W;
 - (B) the canal between Cherokee Trail and Ashe Street beginning at a point at 36.07865 N, 76.42603 W;
 - (C) within 50 yards of the boat ramp at Ashe and Pine Street;
 - (D) the canal between Pine Street and Linden Street beginning at a point at 36.07951 N, 76.43402 W;
 - (E) the canal between Willow Street and Evergreen Drive beginning at a point at 36.08005 N, 76.43735 W;
 - (F) the canal between Sago Street and Alder Street beginning at a point at 36.07986 N, 76.44063 W; and
 - (G) Bethel Creek north of a line from a point on the west shore at 36.09566 N, 76.47928 W to a point on the east shore at 36.09534 N, 76.47738 W to a line from a point on the west shore at 36.10532 N, 76.48080 W to a point on the east shore at 36.10516 N, 76.48047 W.
- (3) Yeopim Creek:
 - (A) the canal between Mohave Trail and Iowa Trail beginning at a point at 36.08521 N, 76.41802 W;
 - (B) the canal between Iowa Trail and Shawnee Trail beginning at a point at 36.08511 N, 76.41763 W;
 - (C) the area within 75 yards of the Albemarle Plantation Marina Piers;
 - (D) the area of the cove known as Beaver Cove, shore to shore beginning at a point at 36.08767 N, 76.42151 W; and
 - (E) the waters of Yeopim Creek adjacent to Heritage Shores North, shore to shore, east of a line from a point on the north shore at 36.11356 N, 76.43138 W to a point on the south shore at 36.11288 N, 76.43173 W, to a line northwest from a point on the east shore at 36.11219 N, 76.42445 W to a point on the west shore at 36.11178 N, 76.42596 W.
- (4) Little River: the entrance to the cove known as Muddy Gut Canal that extends from the waters known as Deep Creek, shore to shore beginning at a line from a point on the east shore at 36.17729 N, 76.28011 W to a point on the west shore at 36.17667 N, 76.28331 W.

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

(c) Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter the swimming area at the Snug Harbor Park and Beach on the Yeopim River.

(d) Placement of Markers. The Board of Commissioners of Perquimans County shall be the designated for placement of markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. November 1, 1988;

Amended Eff. October 1, 1992;
Temporary Amendment Eff. October 1, 1997;
Amended Eff. July 1, 1998;
Temporary Amendment Eff. February 4, 2000;
Amended Eff. January 1, 2015; September 1, 2013; May 1, 2006; June 1, 2005; July 1, 2000;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December
6, 2016;
Amended Eff. October 1, 2018; June 1, 2017.