

15A NCAC 10F .0321 PENDER COUNTY

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

- (1) Hampstead:
 - (A) the canal adjoining Olde Point Subdivision adjacent to the Intracoastal Waterway (ICW) near 2019 Kings Landing Road; and
 - (B) the waters within 50 yards of the Hampstead Boating Access Area adjacent to the ICW at 613 Lewis Road.
- (2) Town of Topsail Beach:
 - (A) the First Finger Canal northeast of Godwin Avenue adjacent to Banks Channel; and
 - (B) the waters on the eastern side of Banks Channel within 100 yards of the shoreline beginning 155 yards west of Bush's Marina, extending northeast ending 75 yards from the shoreline perpendicular to Haywood Avenue.
- (3) Castle Hayne. The waters of the Northeast Cape Fear River between the U.S. Highway 117 bridge and the railroad trestle 60 yards east of the Castle Hayne Boating Access Area.
- (4) Town of Surf City:
 - (A) the waters of the channel in Topsail Sound known as Deep Creek, from near its mouth at a point at 34.43208 N, 77.54808 W to its end west of Goldsboro Avenue;
 - (B) the waters of Topsail Sound and Topsail Creek northeast of the channel setback of the ICW, beginning north of the channel setback east of the N.C. Highway 210 Surf City Bridge at a point at 34.42975 N, 77.55213 W, then 550 yards northeastward to a line from the point north of the channel setback at 34.43294 N, 77.54837 W to a point on the island at 34.43327 N, 77.54873 W, then northward including waters of Topsail Sound and a portion known as Topsail Creek to a line from a point on the town shoreline at 34.43425 N, 77.55069 W, to a point on the island at 34.43378 N, 77.55017 W; and
 - (C) the waters of Topsail Sound southeast of the channel setback of the ICW, beginning south of the channel setback and east of the N.C. Highway 210 Surf City Bridge at a point at 34.42902 N, 77.55200 W including the waters where the Surf City Boating Access Area and Soundside Park are located at 517 Roland Avenue, then 480 yards northeastward to a point south of the channel setback at 34.43167 N, 77.54848 W, adjacent to the mouth of Deep Creek.
- (5) Burgaw:
 - (A) the waters within 50 yards of the Shelter Creek Boating Access Area on Shelter Creek, at 12380 Shaw Highway.
 - (B) the waters within 50 yards of the Sawpit Landing Boating Access Area on the Northeast Cape Fear River, at 527 Whitestocking Road Extension; and
 - (C) the waters within 50 yards of the Holly Shelter Boating Access Area on the Northeast Cape Fear River, at 7271 Shaw Highway.

(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. The following agencies shall place 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 Commissioners of Pender County for the regulated areas designated in Part (a)(1)(A) and (a)(2)(A) of this Rule; and
- (2) the Board of Commissioners of the Town of Topsail Beach for the regulated area designated in Part (a)(2)(B) of this Rule.

(d) Placement and Maintenance of Markers. The following agencies shall 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 Commissioners of the Town of Surf City for the markers for the regulated areas designated in Parts (a)(4)(A), (B), and (C) of this Rule; and
- (2) the North Carolina Wildlife Resources Commission for the markers for the regulated areas designated in Parts (a)(1)(B), and (a)(5)(A), (B) and (C) of this Rule.

*History Note: Authority G.S. 75A-3; 75A-15;
Eff. May 1, 1976;
Amended Eff. July 1, 1993; December 1, 1991; May 1, 1989; October 1, 1985;
Temporary Amendment Eff. April 1, 1999;*

Amended Eff. June 1, 2017; July 1, 2000; October 1, 2024
Readopted Eff. October 1, 2018;
Amended Eff. October 1, 2024.