



Lake Norman Marine Commission Agenda

Thursday, October 15, 2026 – 7 pm

Lincoln County: St. Peter By-the-Lake Episcopal Church
8433 Fairfield Forest Rd. Ste 1
Denver, NC 28037

1. Welcome
2. Approve Agenda
3. Approval of September 19, 2026 Meeting Minutes (*attachment*)
4. Public Comments
5. Partner Reports
 - a. Catawba County Lake Patrol
 - b. Cornelius Police Department
 - c. Iredell County Lake Patrol
 - d. Lincoln County Lake Patrol
 - e. Coast Guard Auxiliary
 - f. NC Wildlife Resource Commission
 - g. Fire partners
 - h. Mecklenburg County Water Quality
 - i. Duke Energy Lake Services
 - j. Catawba Riverkeeper
 - k. NC Wildlife Federation
6. Executive Director Report/Update (*attachment*)
7. Non-Project Use Application (*attachment*)
 - a. Duke Energy - Geotechnical Borings in Lake Norman
8. Operational Updates – Gary Mozeley
9. Committee Updates
 - a. ATONS – No wake Application (*attachment*)
 - b. Charter Boats, Rental Boats, Rafting – Charter Boat Regulations (*attachment*)
 - c. Environmental
 - d. Education
 - e. Legislative / Government Affairs
10. Open Discussion
11. Adjourn



Next meeting: Thursday, November 19, 2026 – 7pm
Mecklenburg County: Charlotte Water – Dukes Treatment Plant
7980 Babe Stillwell Farm Rd.
Huntersville, NC 28078



Lake Norman Marine Commission

Regular Meeting Minutes – September 17, 2026

The Lake Norman Marine Commission met in Regular Session on Thursday, September 17, 2026, at 7:00 p.m., at Lake Norman State Park on 759 State Park Road, Troutman, NC 28166.

Members present were Barbara Beatty, Jarid Church, Richard Gaskins, Tim Holder, Jason Ralston, Cameron Sloan, and Rob Weller. Gregory Truesdell was not present. Also present were Catawba County Manager Mary Furtado, Attorney Chris Clark (virtual), and Centralina Regional Council staff support to the board Megan Upchurch.

- 1. Call to Order and Approval of Minutes.** Commission Vice-Chair Beatty called the regular meeting of the Lake Norman Marine Commission to order at 7:00 p.m., noting a quorum was present. A motion was made by Commissioner Holder and seconded by Commissioner Sloan to approve the meeting agenda as presented. The motion passed unanimously.
- 2. Approval of Minutes.** The Commission reviewed the minutes from the regular monthly board meeting held on August 20, 2026. A motion was made by Commissioner Holder and seconded by Commissioner Sloan to approve the meeting minutes. The motion carried unanimously.
- 3. Public Comments.** Commission Vice-Chair Beatty opened the floor for public comments, establishing a three-minute limit per speaker with no back-and-forth discussion. Mr. Boots Beatty addressed the Commission regarding lake safety, commending their hard work and emphasizing the necessity of enforcing General Statutes to better address safety concerns on the lake. Ms. Pamela Hassan expressed deep concern regarding increased unsafe boating and wave runner traffic on her legal no-wake cove in McCrary Creek and requested assistance with no-wake buoy enforcement to protect private docks and public safety.



4. Partner Reports.

- **Catawba County Lake Patrol:** Staff introduced a new officer and reported 169 hours on the water, 55 boat inspections, 194 cove checks, 15 calls for service, 127 community meetings, 11 navigational hazards removed, 38 enforcement actions, 8 vessel assists, and assistance during a recent powerboat race.
- **Cornelius Police Department:** Staff provided the monthly report, noting 56 lake calls for service, 332 cove checks, 3 crime prevention activities, 16 lake patrols, 2 boat crashes, 2 navigational hazards, 3 reckless vessel complaints, 2 vessel safety checks, and 13 vessel stops.
- **Iredell County Lake Patrol:** Staff reported 428 total calls for service, 1,284 security checks, 4 community meetings, 315 late watch attempts, 20 suspected personal watercraft violations, 25 vessel violations, 21 safety violations, 11 equipment violations, 1 fire assist, 6 other assists, 3 navigational hazard removals, and over 600 combined patrol hours on land and water.
- **Lincoln County Lake Patrol:** Representatives reported 3 vessel stops, 3 voter contacts, 4 hazard responses, 1 public contact, 2 access violations, 2 road patrol assists for missing children, 1 inter-agency assist, 3 requests to speak with an officer, 3 boating complaints, 4 enforcement actions, and 3 safety checks.
- **U.S. Coast Guard Auxiliary:** Staff highlighted volunteer recreational boating safety efforts, noting 19 on-water patrols (136 hours), 12 public education classes with 198 graduates, and 389 vessel safety checks year-to-date. He noted an ongoing survey of navigation/shoal markers for active osprey nests and shared an update from Gary Mozeley regarding new marker installation at Governor's Island once nest abandonment is verified. Upcoming boating safety classes were announced for September 19 and November 21.
- **NC Wildlife Resource Commission:** Officers reported a seasonal shift towards hunting enforcement while continuing water patrols as boating activity tapers off.



- **Fire Partners:** Staff reported that dedicated weekend vessel staffing is winding down for the season, though fire departments remain fully on call 24/7 for 911 emergency responses, house fires, and water incidents.
 - **Mecklenburg County Water Quality:** Ms. Furtado provided an update from County staff. The update included routine monitoring for Lake Norman and Lake Davidson was completed, with water quality looking good overall despite lower lake levels. Full parameter lab results are anticipated to be presented at the November meeting since routine sampling is paused during October.
 - **Duke Energy Lake Services:** Ms. Casey Brennan reported the lake level at 97.5 feet. The lake remains under Stage 2 of the Low Inflow Protocol. She noted that although 3-month drought monitor averages and reservoir storage have improved, the streamflow metrics continue to require the Stage 2 protocols.
 - **Catawba Riverkeeper Foundation:** Mr. Brandon Jones announced the annual River Sweep cleanup event scheduled for Saturday, October 3, across about 50 sites in the basin. He requested financial contributions and volunteer motorboats to shuttle volunteers to island and cove cleanup sites. Following discussion confirming the funds were included in the FY27 approved budget, the Commission voted to allocate \$1,000 to the Riverkeeper for the event. He also reported on the Floating Classroom program, new sonar equipment, upcoming Christmas light cruises, summer swim guide results, and the release of the Catawba Water Management Group's Integrated Water Resources Plan.
 - **NC Wildlife Federation:** Not present. No report.
5. **Executive Director.** Ms. Furtado noted that Executive Director Jim Loftin was unable to attend the meeting but provided updates in the agenda packet.
6. **Annual Conflict of Interest Disclosure.** Ms. Furtado reminded the Commissioners of the Annual Conflict of Interest Disclosure form included in the Commissioners' agenda packet and asked that they each review, complete, and return at the end of the meeting.



- 7. Bylaws Update.** Commission Attorney Chris Clark presented the revised Commission bylaws, which had been previously circulated for Commissioner review. With no further edits or questions raised, a motion was made by Commission Gaskins and seconded by Commissioner Sloan to formally adopt the updated bylaws as presented. The motion passed unanimously.
- 8. Non-project Use Application Utility Reconductoring for Lake Norman.** Ms. Furtado provided an overview of the application included in the meeting packet. Duke Energy was available to answer questions. After a brief discussion, a motion was made by Commission Holder and seconded by Commissioner Gaskins to approve the application. The motion passed unanimously.
- 9. Operational Updates.** Ms. Furtado provided a brief operational update on behalf of Gary Mozeley. Operational efforts are currently focused on coordinating with the U.S. Coast Guard Auxiliary to conduct aids-to-navigation inventory and addressing osprey nests on markers, now that nesting season has ended.
- 10. Committee Updates.**

 - **Aids to Navigation (ATON):** Ms. Furtado noted that these updates were included in the operational report regarding marker inventory and osprey nest maintenance.
 - **Rafting & Charter Boat Committee:** Commission Attorney Chris Clark provided clarification to a previous question from the Commissioners regarding fine limits, confirming that the enabling legislation caps the Commission's fine authority at a maximum of \$500 per occurrence rather than cumulatively.
 - **Environmental Committee:** It was noted that the committee needs additional members due to recent changes. The Commission will circulate committee assignment sign-up sheets to re-establish regular committee meetings at the October meeting.
 - **Legislative & Government Affairs Committee:** The Commissioners were advised to prepare for the upcoming state legislative session in November, specifically monitoring House Bill 587 and evaluating potential amendments.



11. Open Discussion. Discussion was held regarding filling the 9th Commissioner vacancy. Additionally, it was noted that updates continue regarding ongoing maintenance and construction of the Commission website, including resolving broken email links and commissioner contact listings.

12. Adjourn. There being no further business, a motion to adjourn was made by Commissioner Holder and seconded by Commissioner Ralston. The motion passed unanimously, and the meeting adjourned at 7:33 PM.

Executive Director Report

October 2026

Website – Revising the LNMC website – We have changed the structure to be more user-friendly and better organized. Please take a look.

We are currently adding Minutes and our Agenda to the LNMC website for all to review.

We will be adding applications such as No Wake and Charter Boat to our LNMC website in the near future.

We will only be distributing Agendas to LNMC Committee members in advance of meetings. The agenda will be online in advance of the regularly scheduled meetings for anyone to access.

Centraina – We are still in the process of setting up our business through Centraina. We are currently working on setting up payment systems and billing accounts and setting up banking accounts. We will be using a two-signature authentication process for payment methods.

Setting up eScribe for LNMC.

ATONS – I have met with Mozeley Construction, both Mark and Gary. We have reviewed invoicing procedures, current inventory, reporting issue procedures, marker options, and challenges to their progress.

Follow-up: We have completed an inventory of LNMC property.

In addition, we are working on an interactive for our webpage for ATON reporting.

Agenda – I have moved the agenda responsibilities to Megan Upchurch. I will obviously still be a major manager of this process.

Committee – We would like to welcome Robert Weeller as a representative from Lincoln County to the commission. He has been added to the website and all messaging moving forward.

I will start the process to add a ninth member to our LNMC Board.

I see a lack of reporting from committees. To resolve this, I will start asking for committee reports from individual committees in advance of regular LNMC meetings.

Miscellaneous - We would like to welcome Robert Weeller as a representative from Lincoln County to the commission. He has been added to the website and all messaging moving forward.

I have completed ICS 300; this is a mid-level Incident Command System class; this is needed when working on major Incident Command scenarios.

Running Calendar

10/15

No Wake Application

Discussion

eScribe

Presentation

Starting in 2027, I will be inviting the county commissioners of the county hosting our MC meetings.

12/1

No Wake Application

Published

eScribe

Go Live

1/1/27

Charter Boat Regulations

Published

**Re: Use of Duke Energy Access Areas in North and South Carolina for Staging Lake Use
Permitting Activities by Independent Contractors**

Dear Lake Construction Contractor:

The purpose of this letter and attachments is to provide you, as a lake construction contractor, information regarding a policy for allowing certain conditional uses of Duke Energy public boating access areas. The information provided beginning on page 2 of this document, "Duke Energy Public Recreation Statement of Policy" provides specific guidance and requirements for use of the public access areas by contractors involved in lake construction and stabilization activities. Issuance of a construction permit for docks or shoreline work by Duke Energy Lake Services requires this additional permit if you plan or need to use a Duke Energy owned boat access site. If you have an interest in using any of the Duke Energy-owned access areas as a point of lake access, please take time to review this document regarding this policy and apply for a permit as required. This document covers both North and South Carolina Boating Access Areas. Additional submittals are required in North Carolina to the NCWRC as noted throughout this document.

Duke Energy is required under the license granted to it by the Federal Energy Regulatory Commission (FERC) for the Catawba-Wateree, Nantahala Area, Yadkin- Pee Dee, Keowee-Toxaway and other FERC-licensed Projects to provide for the construction, maintenance and management of public access areas as part of our obligation to provide recreational opportunities for the public at the Projects. As licensee, one of Duke Energy's primary responsibilities for management of these areas is to ensure that any activity at the access areas does not prohibit or interfere with the public's use of the area for boating, fishing and other authorized recreational uses. Additionally, Duke Energy and the North Carolina Wildlife Resources Commission (NCWRC) have developed a cooperative agreement for the NCWRC to provide for the continued maintenance and operation of these public recreation areas in North Carolina to function primarily as boating access areas. Because of this agreement, the NCWRC and Duke Energy have a mutual interest in the proper use and protection of these areas and the associated access facilities.

Duke Energy and the NCWRC recognize the service provided by lake construction contractors to project front property owners (e.g., commercial marina operators, individual pier owners, etc.) for facility construction/maintenance and shoreline stabilization activities, and the necessity for lake access for these activities while minimizing environmental impacts. Duke Energy and the NCWRC further recognize that these public access areas provide a convenient means for lake construction contractors to obtain access to the lakes to carry out their activities. However, contractors' use of access areas can potentially interfere with the public's use of the access areas, cause damage to the areas, and create liability problems for both Duke Energy and the NCWRC. Therefore, conditional use of these areas is primarily being offered to allow a point of access to the lake with only very limited availability of the site for minor approved staging activities.

Thank you in advance for your cooperation concerning this matter. Should you have any questions regarding this policy, please contact either Duke Energy Public Recreation or the North Carolina Wildlife Resources Commission (NC only). Questions regarding the application process in North Carolina should be directed to the NCWRC-Engineering Services at 1720 Mail Service Center, Raleigh, NC, 27699-1700 telephone (919) 707-0150 or BoatingAccess@NCWildlife.org. Questions for South Carolina sites and those relating to the necessity for contractors to provide certification of insurance should be directed to Duke Energy Public Recreation at PublicRecreation@Duke-Energy.com.

Duke Energy Public Recreation
Access Area Use Statement of Policy

Use of Duke Energy Access Areas in for Staging Lake Use Permitting Activities by
Independent Contractors

Duke Energy is required under the license granted to it by the Federal Energy Regulatory Commission (FERC) for the Catawba-Wateree, Nantahala Area, Yadkin-Pee Dee, Keowee-Toxaway and other FERC-licensed Projects to provide for the construction, maintenance and management of public access areas as part of our obligation to provide recreational opportunities for the public at the Projects. As licensee, one of Duke Energy's primary responsibilities for management of these areas is to ensure that any activity at the access areas does not prohibit or interfere with the public's use of the area for boating, fishing and other authorized recreational uses. Additionally, for North Carolina sites, Duke Energy and the North Carolina Wildlife Resources Commission (NCWRC) have developed a cooperative agreement for the NCWRC to provide for the continued maintenance and operation of these public recreation areas to function primarily as boating access areas. Because of this agreement, the NCWRC and Duke Energy have a mutual interest in the proper use and protection of these areas and the associated access facilities.

Duke Energy and the NCWRC recognize the service provided by lake construction contractors to project front property owners (e.g., commercial marina operators, individual pier owners, etc.) for facility construction\maintenance and shoreline stabilization activities, and the necessity for lake access for these activities while minimizing environmental impacts. Duke Energy and the NCWRC further recognize that these public access areas provide a convenient means for lake construction contractors to obtain access to the lakes to carry out their activities. However, contractors' use of access areas can potentially interfere with the public's use of the access areas, cause damage to the areas, and create liability problems for both Duke Energy and the NCWRC. Therefore, conditional use of these areas is primarily being offered to allow a point of access to the lake with only very limited availability of the site for minor approved staging activities. Additionally, access areas being managed under a lease with a third party are not included in this permit. Use of such sites will require specific permission from the managing entity. Sites leased by 3rd parties are listed at the end of this document.

The following Lakes are eligible for use with proper written authorization:

<u>LAKE JAMES</u>	<u>LOOKOUT SHOALS LAKE</u>
<u>LAKE RHODHISS</u>	<u>LAKE NORMAN</u>
<u>LAKE HICKORY</u>	<u>MOUNTAIN ISLAND LAKE</u>
<u>LAKE WYLIE</u>	<u>FISHING CREEK LAKE</u>
<u>LAKE WATEREE</u>	<u>CEDAR CREEK RESERVOIR</u>
<u>LAKE JOCASSEE</u>	<u>LAKE TILLERY</u>
<u>LAKE KEOWEE</u>	<u>BLEWETT FALLS LAKE</u>
<u>LAKE NANTAHALA</u>	<u>LAKE GLENNVILLE</u>
<u>LAKE WYLIE NC</u>	<u>BEAR CREEK LAKE</u>
<u>LAKE WYLIE SC</u>	
<u>LAKE WATEREE</u>	<u>CEDAR CLIFF LAKE</u>
<u>LAKE JAMES</u>	<u>WOLF CREEK LAKE</u>
<u>LAKE RHODHISS</u>	

In order to ensure that contractors' use of the public access areas does not prohibit or hinder the public from using the access areas in the manner intended and to address the other items noted above, Duke Energy Public Recreation and the NCWRC (for NC sites) have implemented a number of requirements regarding contractors' use of all public access areas regardless of location. In general, authorization for generic limited use of the area may be requested for one year. Whereas, special permits with specific concessions should be acquired for more complex work activities. Duke Energy and the NCWRC will only allow use of the public access areas to provide a point of access for individual construction activities if the respective lake construction contractor complies with the following requirements:

**North Carolina applicants must first submit to Duke Energy Public Recreation and copy the NCWRC
South Carolina applicants must submit to Duke Energy Public Recreation directly**

- 1) NC ONLY: submit to Duke Energy Public Recreation and carbon copy North Carolina Wildlife Resources Commission (NC only) two weeks prior to beginning work, a letter of application for use of specific access area(s);
- 2) SC ONLY: submit to Duke Energy Public Recreation two weeks prior to beginning work, a letter of application for use of specific access area(s);
- 3) submit to Duke Energy Public Recreation a Certificate of Insurance naming Duke Energy and in NC, the North Carolina Wildlife Resources Commission (NC only) as additional insured a minimum of two weeks prior to beginning work for short-term access area use requests;
- 4) submit as specified above, a detailed description of the proposed use, including a listing of proposed construction activities, subcontractors utilized, contractor point of contact (including contact person, phone, fax and e-mail address), specific access area(s), specific location(s) within the access area and equipment to be used;
- 5) execute a User's Agreement and receive written authorization from Duke Energy Public Recreation and the NCWRC in the form of a Special Use Permit prior to use of the access area(s);
- 6) Maintain, with personnel at the access area at all times during use of the access area, a copy of the Special Use Permit, the Contractors User's Agreement Letter and a copy of the permit application.
- 7) provide each year to Duke Energy Public Recreation, prior to long-term access area use, a certificate of insurance endorsed to add the NCWRC (NC only) and Duke Energy as an additional insured including waivers of any right of subrogation of the insurers against the NCWRC and Duke Energy, its officers, directors and employees. This insurance shall include comprehensive general liability insurance with a combined single limit of not less than \$2,000,000 per occurrence. Such insurance shall include but not be limited to owners' and contractors' protective, blanket contractual liability, personal injury liability and broad form property damage. Such insurance shall (a) be primary for all purposes; and (b) contain standard cross liability provisions. Contractors shall and will require each Subcontractor to (a) furnish properly executed certificates of insurance to Duke Energy Public Recreation prior to commencement of work under this agreement, which certificates shall clearly evidence all coverage required above and provide that such insurance shall not be terminated nor expire except on thirty days' prior written notice to Duke Energy Public Recreation, (b) maintain such insurance from the time work first commences until completion of the work under

this agreement, and (c) replace such certificates for policies expiring prior to completion of work under this agreement

In addition, the following additional restrictions are in effect:

1. **Metal Cable Anchors**
No cable anchors will be allowed in any location on any access area.
2. **Launching Ramps**
Damage to ramps may occur as a result of contractors using these ramps to load or unload heavy equipment and materials, including but not limited to tractor-trailers, loaders, tractors, pole- trailers, tandem-axle trucks and others. These ramps were designed and built for boat launching and retrieval only and are generally not intended to support heavy equipment. These ramps are not to be used for any activity other than that included in the Special Use/Contractor Permit. In no event shall the ramps be used to load, unload or transfer rip rap or other rock.
3. **Prohibited Activities**
Duke Energy has not prevented the access areas to be used as staging areas, as a courtesy to lake construction contractors and project front property owners, as long as the work being performed did not interfere with public recreation and access. Duke Energy and the NCWRC will continue to allow permitted use of these areas with the understanding that the following work practices are not allowed:
 - a. **Parking commercial vehicles**
All contractor vehicles must be parked in designated spaces.
Parking will be allowed in the turnarounds long enough to unload material, at which time the vehicle will need to be moved to a designated space.
 - b. **Leaving docks/equipment/materials unattended**
Docks, equipment, and materials will not be left unattended at the access areas at any time.
 - c. **Restricting public access**
Structures and/or materials will not be placed on the access area or within the lake that restricts recreational use by the public.
 - d. **Using the area during hours of primary recreation**
The area may not be used by contractors from 9:00am – 6:00pm on weekends and holidays during the period from Memorial Day through Labor Day.
 - e. **Using heavy equipment**
Use of heavy equipment is generally not permitted on the access area.
Permission is not granted to utilize the boat ramps for any activity other than that specified in the Special Use/Contractor Permit.
 - f. **Loading, unloading or transfer of rip rap or other rock**
In no event should rip rap or other rock be loaded, unloaded or transferred on the access area.
 - g. **Using the area for more than point of access**
Use of the area is primarily for access to the lake. Staging activities are not permitted unless specified and approved by NCWRC in the Special Use/Contractor Permit.

- h. Demolition activities
Debris may be loaded onto trailers for removal from the lake utilizing the Boat ramp as a point of access, but demolition activities are prohibited at the access area.
- i. Clearing vegetation and other damage
Removal of any vegetation from the access area is prohibited. In no event shall use of the area result in damage to access area facilities including, but not limited to, entrance roads, parking lots, turn-around, ramps, piers, pilings, signs, landscaping and shoreline stabilization including bio-engineering.
- j. Encroaching in front of adjoining property
Materials and/or structures may not encroach across the imaginary projection of the property line between the access area and any adjoining property.

These requirements for access area use will be monitored closely by NCWRC personnel/enforcement officers and Duke Energy personnel, and must be followed if availability of these areas is to be allowed. To ensure only authorized activities are being conducted on the access area, it is necessary at all times during access area use that the contractor or his representative have a copy of the application, User's Agreement and Special Use Permit available upon request for review by NCWRC and Duke Energy personnel and NCWRC wildlife enforcement officers.

Contractors are expected to leave the area(s) in the same condition as when they arrived by removing all their equipment and materials, and removing any trash and construction debris they generate. Contractors are also expected to immediately report and make arrangements for reimbursement to the NCWRC for any damage they cause as a result of utilizing the site. Duke Energy and the NCWRC consider contractor use of the areas to be a privilege that can and will be revoked individually or as a whole for any reason if deemed necessary by Duke Energy Lake Services, Duke Energy Public Recreation, the applicable wildlife resource management agency or the access area Lessee. In addition, contractors who habitually have problems complying with the Duke Energy Shoreline Management Guidelines in conducting their lake construction/stabilization/excavation activities will not be considered eligible for this privileged-use and any previously issued access area use permits will be rescinded for a specified time period or they may be revoked indefinitely. Use of the areas for any purposes, other than boat launching and retrieving, without specific written authorization in the form of a Special Use Permit from Duke Energy and the NCWRC is considered trespassing and may result in the loss of consideration for use of the access area in the future and may also result in legal action(s) being brought against the offending individual and/or business entity including, but not limited to, issuance of a wildlife citation resulting in civil penalty.

These requirements became effective July 1, 2003, and are hereby updated most recently on November 1, 2024. Use of the access areas is not authorized until a letter of application and supporting documentation is reviewed, an appropriate User's Agreement is executed and for North Carolina sites, an additional Special Use Permit is issued in writing by the NCWRC.

North Carolina Wildlife Resources Commission
Engineering Section
1720 Mail Service Center
Raleigh, NC 27699-1700
(919) 707-0150
[Boating Access@NCwildlife.org](mailto:BoatingAccess@NCwildlife.org)

Duke Energy Carolinas LLC
Public Recreation
525 S. Tryon St DEP 35B
Charlotte, NC 28202
PubicRecreation@Duke-Energy.com

The Following Sites are leased to 3rd parties and permission to use these sites for access MUST be routed through these lessees.

Lake James

- Black Bear Access Area – McDowell County
- Hidden Cove Access Area – NC Parks
- Canal Bridge Access Area – NC Parks
- Linville Access Area – Burke County

Lake Rhodhiss

- Conley Creek Access Area – Town of Sawmills

Lake Hickory

- Wittenburg Access Area – Alexander County
- Dusty Ridge Access Area – Alexander County

Lake Norman

- Beatty's Ford Access Area – Lincoln County
- Stumpy Creek Access Area – Iredell County
- Ramsey Creek Access Area – Mecklenburg County

Lake Wylie

- Allison Creek Access Area – York County
- Ebenezer Park – York County
- South Point Access Area – Gaston County
- Copperhead Island – Mecklenburg County
- Fort Mill Access Area – City of Tega Cay

Fishing Creek Lake

- Springs Park Access Area – Lancaster County

Lake Tillery

- Lilly's Bridge Access Area – Montgomery County

Lake Keowee

- South Cove County Park – Oconee County
- High Falls Park – Oconee County
- Mile Creek Park – Pickens County

Lake Jocassee

- Devils Fork State Park – SCPRT

Mayo Lake

- Triple Springs Access Area – Person County

Hycow Lake

- Hycow Lake Recreation Area – Person/Caswell Lake Authority



**CONTRACTORS “USER’S AGREEMENT” LETTER
FOR ACCESS AREA USE IN NORTH CAROLINA & SOUTH CAROLINA**
(You may use this letter and fill in the requested information. **Please Print and return to NCWRC-
Engineering Services and carbon copy Duke Energy Water Strategy & Hydro Licensing)**

Date 9/21/2026

TO: NC Wildlife Resources Commission
Engineering Services 1720
Mail Service Center Raleigh,
NC 27699-1700
boatingaccess@ncwildlife.org

CC: Duke Energy Water Strategy & Hydro
Licensing
525 S. Tryon St., DEP – 35B
Charlotte, NC 28202
publicrecreation@duke-energy.com

RE: (Lake(s) Name(s)) Norman

(Applicant’s Information) Full name Steve Hudson, P.G.

Business name ECS Southeast, LLC

Address 5260 Greens Dairy Rd, Raleigh, NC 27616

Fax _____ Phone (919) 861-9910

E-mail SHudson@ecslimited.com

hereby agrees to comply with all requirements and conditions set forth by the North Carolina Wildlife Resources Commission (NCWRC) or any federal, state, local agencies or access area Lessee pertaining to my/our proposal to utilize the following access area(s)

_____ to support lake use permitting construction/stabilization activities on Lake(s) _____. In addition, I/we have read and agree to comply with Duke Energy’s **Shoreline Management Guidelines (SMG)** and the access area use policy, and agree that written authorization must be obtained from Duke Energy’s Hydro Licensing office **prior to** beginning any activity/construction within the project boundary or on Duke Energy property.

I/we understand that the construction materials and structures to be installed are my/our property and I/we therefore agree to be fully responsible for the permitted access area use. If an activity is deemed unsafe or in violation of the access area use policy by NCWRC personnel including wildlife enforcement officers, I/we agree to stop all work and/or remove the facility, materials and any equipment at my/our own expense and within the specified timeframe. I/we understand that other consequences may result from such violations, including but not limited to suspension or cancellation of approved applications and access area use agreements, issuance of a wildlife citation resulting in civil penalty, increase in fees, modification or removal of non-complying structures and restoration of disturbed areas at the owner’s expense or loss of any consideration for future reservoir and/or access area use proposals.

I/we understand that unless the use is approved in writing in the Special Use Permit issued by NCWRC for a specific Lake(s), as identified in this User’s Agreement, use is considered trespassing and may result in

loss of consideration for future access area use and legal action(s) being brought against the offending individual and/or business entity including issuance of a wildlife citation resulting in civil penalty.

I/we agree that Duke Energy or NCWRC approval of the requested Lake/access area use in no way constitutes assignment of an interest in real property (i.e. land rights). *I/we* also understand that the permitted use may be revoked or modified at any time by Duke Energy or its successors, if deemed necessary to operate its electric business or in order to comply with an order, regulations, or other requirements of the Federal Energy Regulatory Commission or other agencies or if *I/we* fail to comply with the terms of this User's Agreement letter, the Special Use Permit or the access area use policy.

I/we agree that Duke Energy may change the operations of its hydro electric project at any time and that such changes may adversely affect *my/our* use of the access area.

I/we agree that the access area(s) will be used only for lake access and only minimal staging activities that are fully described in the information submitted to NCWRC (and included in the Special Use Permit) and other appropriate governing bodies for approval.

I/we agree to leave the access area(s) in the same condition as when *I/we* arrive by removing all *my/our* equipment, materials, trash and construction debris before leaving the site.

I/we agree to immediately report and make arrangement for reimbursement to the NCWRC/Duke Energy for the total cost of repair for any damage that *I/we* cause to the access area(s) as a result of its use.

I/we understand that this lake and all Duke Energy access areas are open for use by the general public and that maintaining safe and lawful public use is one of the primary lake management objectives of Duke Energy.

I/we agree that the use for which we are applying is a private business use and it shall not interfere with the general public's safe and lawful use of the access area(s) and/or lake(s).

I/we agree that at no time shall *my/our* use of the area for contractor business impede launching and retrieval of boats by the public.

I/we agree that the access area(s) will **not be used** during the hours of primary recreation that extend from 9:00am – 6:00pm on weekends and holidays during the period from Memorial Day through Labor Day.

I/we agree that every reasonable effort must be made to minimize any adverse impact on fish, wildlife, and other natural resources.

I/we understand that trees and vegetation growing below the project boundary play an important role in the overall environmental condition of the lake. The ecological impact the vegetation has on the fish and wildlife habitat is necessary to ensure a sound and healthy lake environment. *I/we* also understand that unauthorized removal of shoreline vegetation (i.e. button bushes, willows, cattails, etc.) and/or disturbance of the shoreline buffer may result in suspension or denial of future access area use. And re-establishment of vegetation may be required, if the disturbance is found to be in violation of the state or county watershed buffer regulations.

I/we agree to submit to NCWRC and carbon copy Duke Energy Hydro Licensing a letter of application and a copy of this User's Agreement Letter to use specific access area(s) two weeks prior to starting work.

I/we agree to submit to NCWRC and Duke Energy a detailed description of the proposed use, including a listing of proposed construction activities, subcontractors utilized, specific access area(s), specific location(s) within the access area(s) and equipment to be used. *I/we* also understand that this privilege is being granted primarily to provide a point of lake access with minimal staging activities taking place on the access area. *I/we* also understand that all use activities beyond simple lake access must be fully described in the application and approved prior to access area use.

I/we agree to execute this User's Agreement and receive written authorization from the NCWRC in the form of a Special Use Permit prior to use of the Lake access area(s).

I/we upon receipt of a Special Use Permit acknowledge I/we are responsible for contacting the NCWRC to determine if a meeting with NCWRC personnel prior to and/or immediately after completion of the approved use is necessary. I/we understand these meetings will allow the NCWRC to determine if any damage resulted from my/our use of the area. If any damage did occur, reimbursements for the damage will be submitted to the NCWRC before additional use of the area is allowed.

I/we agree to provide each year to Duke Energy Hydro Licensing, prior to long-term (i.e. on-going use during the course of a year) access area use, a Certificate of Insurance endorsed to add the NCWRC and Duke Energy as an additional insured including waivers of any right of subrogation of the insurers against the NCWRC and Duke Energy, its officers, directors and employees. This insurance shall include comprehensive general liability insurance with a combined single limit of not less than \$2,000,000 per occurrence. Such insurance shall include but not be limited to owners' and contractors' protective, blanket contractual liability, personal injury liability and broad form property damage. Such insurance shall (a) be primary for all purposes; and (b) contain standard cross liability provisions. Contractors shall and will require each Subcontractor to (a) furnish properly executed certificates of insurance to Duke Energy Lake Services prior to commencement of work under this agreement, which certificates shall clearly evidence all coverages required above and provide that such insurance shall not be terminated nor expire except on thirty days' prior written notice to Duke Energy Hydro Licensing, (b) maintain such insurance from the time work first commences until completion of the work under this agreement, and (c) replace such certificates for policies expiring prior to completion of work under this agreement.

I/we agree to submit to Duke Energy Hydro Licensing a Certificate of Insurance naming Duke Energy and the North Carolina Wildlife Resources Commission as additional insured. I/we will provide this information a minimum of two weeks prior to beginning work for short-term (i.e. single use during the course of a year) access area use requests.

I/we agree to have a copy of the application, User's Agreement and Special Use Permit available upon request for review by NCWRC and Duke Energy personnel and NCWRC wildlife enforcement officers at all times I/we are using the access area for any activity other than launching and retrieving boats.

I/we agree not to affix any cable anchors and/or other permanent fixture(s) to the access area property or facilities.

I/we agree ramps are for lake access only and are not to be used for any activity, not included in the application and approved in the Special Use Permit, other than boat launching and retrieval with the exception of launching prefabricated portions of a floating structure.

I/we agree the following activities, more specifically identified in the "Duke Energy Public Recreation Statement of Policy" (policy), are not authorized:

- a. Parking commercial vehicles in undesignated parking spaces.
- b. Leaving materials/equipment unattended for any period of time.
- c. Restricting public access to the access facilities or the lake.
- d. Using the area during hours of primary recreation.
- e. Using heavy equipment, not approved in the Special Use Permit, on the access area.
- f. Loading, unloading or transferring rip rap or other rock on the access area or boat ramps.
- g. Using the area for more than point of access.

Application for Approval of a Special Use Event at a Duke Energy-owned Public Access Area

This application must be: (1) completed and signed by the Applicant's Agent, (2) approved and signed by the appropriate State Wildlife Resources Agency's Agent and (3) returned to Duke Energy for its approval a minimum of thirty (30) days prior to the event.

1. Name and Type of Event: Barge Drilling, NCDOT Bridge 81 over Catawba River
2. Date(s) and Hours of Event: October 5, 2026 through November 5, 2026
3. Waterbody(ies) and Public Access Area(s) To Be Used: Catawba River
4. Applicant Organization Name: ECS Souteast, LLC
5. Address: 5260 Greens Dairy Rd, Raleigh, NC 27616
6. Telephone: (919) 861-9910
7. Website: <https://www.ecslimited.com/locations/ecs-southeast-llc-raleigh>
8. Description of Event: Conducting exploratory Geotechnical Borings from a barge in Lake Norman (Catawba River) along a bridge corridor (NCDOT Bridge 81)
9. Expected Numbers of Participants: 4 Personnel and Watercraft Work barge & support boat
10. Applicant Contact Person Name: Steve Hudson, P.G.
11. Contact Person Title: Geotechnical Associate Principal
12. Telephone: (919) 675-4930
13. Address: 5260 Greens Dairy Rd, Raleigh, NC 27616
14. Email Address: SHudson@ecslimited.com

As evidenced by the Applicant's Agent signature below, *I/we* acknowledge and agree with following facts and stipulations:

1. The Duke Energy-owned reservoir(s) or lake(s) used for this event was constructed for electric power production and may be subject to requirements and limitations not applicable to lakes designed solely for recreational use.
2. Water levels on Duke Energy-owned reservoirs and lakes as well as water levels, flowrates and flow patterns downstream of Duke Energy-owned dams and powerplants are subject to rapid changes without advance warning.
3. Natural and man-made navigational hazards, whether fixed or floating, may exist in the waterbody(ies) *I/we* will be using and any such navigational hazards may or may not be marked.
4. Information on water levels and other helpful information can be accessed via the web at <https://www.duke-energy.com/community/lakes> or via toll-free phone line at 1-800-829-5253 or via the Duke Energy Lake View mobile phone app.

Y:\RecreationPlanningandDesign\AAll

Application for Approval of a Special Use Event at a Duke Energy-owned Public Access Area

Also as evidenced by the Applicant's Agent signature below, I/we agree to the following conditions for the use of the specified waterbody(ies) and Public Access Area(s).

1. Use of the waterbody(ies) and public access area(s) for this special use event is at the Applicant's own risk. I/We shall require all the Applicant to sign a waiver indemnifying Duke Energy from any claims resulting from use of the Duke Energy public access area(s) or the affected waterbody(ies) during this event. The Applicant shall require all event participants to sign a waiver indemnifying Duke Energy from any claims resulting from use of the Duke Energy public access area(s) or the affected waterbody(ies) during this event. I/We will retain the signed waivers for a period of at least two (2) years following the special use event and will make said signed waivers available to Duke Energy upon its request.
2. Approval does not provide exclusive use of the waterbody(ies) or public access area(s) for the special use event.
3. The general public shall not be prohibited from using the public access area(s) for boat launching/retrieval or from bank fishing during the special use event unless special conditions (as noted below) exist.
4. No fees for entering or parking in the public access area(s) shall be charged during the special use event.
5. Food and drink vending must be declared in this request and is only permitted during the event.
6. The Applicant shall ensure the public access area(s) is used in an environmentally sound manner, including but not limited to leaving the grounds and facilities in a clean condition, with all trash picked up and removed from the public access area(s) daily and at the end of the event. If the public access area(s) has restroom facilities, the Applicant shall clean and restock said restroom facilities with supplies daily and at the end of the event.
7. Any damage to the public access area(s) grounds or facilities which occurs as a result of the special use event shall be repaired in a timely manner and with professional workmanship in full coordination with Duke Energy and at the Applicant's sole expense.
8. The Applicant shall provide on-site staffing as needed to manage the event in a safe manner, including but not limited to directing parking and minimizing conflicts between event participants, the general public and public access area neighbors.
9. Duke Energy will provide the Applicant its written approval or denial of this special use event application. The Applicant shall not begin to set up anything on the public access area(s) until it receives written approval from Duke Energy for the special use event.

Special Conditions or Notes:

Application for Approval of a Special Use Event at a Duke Energy-owned Public Access Area

SIGNATURES:

Steve Hudson

9/21/2026 _____

Date

Applicant's Agent

_ Date

_ NCWRC Agent Approval

or

_ Date

SCDNR Agent Approval

Duke Energy Approval

_ Date

CONTACTS

North Carolina Wildlife Resources Commission

1707 Mail Service Center
Raleigh, North Carolina 27699-1700
Office (919) 707-0156
ncwildlife.org

South Carolina Department of Natural Resources

Marine Law Enforcement, P.O.Box 12559,
Charleston, SC 29422, 843-953-9378

DUKE ENERGY CONTACT AND APPLICATION RETURN ADDRESS

PublicRecreation@Duke-Energy.com

ACCESS AREA MANAGEMENT

Duke Energy
Water Strategy, Hydro Licensing & Lake Services
DEP 35B
525 S. Tryon Street
Charlotte, NC 28202

PublicRecreation@Duke-Energy.com

THE LAKE NORMAN MARINE COMMISSION

www.lnmc.org

NO-WAKE ZONE/ BUOY PLACEMENT APPLICATION

1. Applicant(s) Contact Information:

Name: _____

Street Address: _____ Zip Code: _____

City/Town: _____ County: _____

Phone: _____ Email: _____

2. Please attach a complete description with a map of the designated area to which this application applies and marking the location using Lat./ Long. coordinates (preferably in decimal degree format – N XX.XXXXX; W XX.XXXXX) where you request the No-Wake Zone Buoys be placed. Also, please complete sections 2 and 3 of the attached N.C. Wildlife Resources Commission Application for Water Safety Rulemaking on Navigable Waters of the State of North Carolina. The information provided in this form will be used by LNMC in the event application for further review is made to the North Carolina Wildlife Resources Commission (See #5 Below).

3. Identify what type of Application this is:

- _____ Commercial Marina
- _____ Local Government
- _____ Law Enforcement
- _____ Other

4. Upon receipt of this application and the \$250.00 non-refundable fee, the application will be reviewed by the Lake Norman Marine Commission (LNMC) staff and sent to the Buoy Review Committee. Mailed to Centralina Regional Council at 10735 David Taylor Drive, Suite 250, Charlotte, NC, 28262.

5. If the Buoy Committee determines that no further review by the North Carolina Wildlife Resources Commission (NCWRC) is necessary, the application will be forwarded to the LNMC with a recommendation for approval/ disapproval within 30 days of receipt of a completed application. The LNMC may schedule the application for a public hearing and consideration by the Commissioners. If a public hearing is scheduled, the applicant may conduct a public presentation on the date the application is scheduled for consideration by the LNMC.

6. After completion of its review, the NCWRC will return its findings and recommendation to the LNMC Buoy Review Committee.

7. The LNMC Buoy Review Committee will (a) review the NCWRC findings and recommendation; and, (b) schedule the associated No-Wake Buoy Application for consideration by the LNMC within 30 days of receipt of the NCWRC review and recommendation. The applicant may conduct a public presentation on the date the application is scheduled for consideration.

8. If the application is recommended for approval by NCWRC, and approved by LNMCM, LNMCM will request that NCWRC have the No Wake Zone entered into the North Carolina Administrative Code. The LNMCM will give public notice before forwarding the application to the NCWRC. The LNMCM will also pass a resolution requesting rulemaking by NCWRC for each application.
9. If the application is entered into the N.C.A.C. and/ or approved by the LNMCM, the applicant agrees to purchase and have installed, by an approved Lake Norman Marine Commission contractor, the "No Wake" buoy(s) according to specifications and requirements provided by the Lake Norman Marine Commission. In special circumstances, the Lake Norman Marine Commission may approve daymarks (signs and flashing beacons attached to poles in the water) to mark the No Wake Zone. In these cases, the applicant agrees to purchase and have installed, by an approved Lake Norman Marine Commission contractor, the "No Wake" daymark(s) according to specifications and requirements provided by the Lake Norman Marine Commission.
10. Applicant agrees to indemnify and hold harmless the Commission from damages, claims, lawsuits, demands, liability, penalties or costs (including the costs of investigation and defense) arising from the approval or denial of this application, the placement, maintenance, and repair of buoys and/ or daymarks, and any damage to person or property relating to the same.
11. Applicant(s) agree(s) to be responsible for necessary maintenance and/or replacement of buoys and/ or daymarks. If for any reason such buoy(s) is/are displaced from the original approved location, the buoy(s) must be moved back into the proper position. It is understood if proper buoy and/ or daymark maintenance or re-positioning does not occur within one month of notification, that the Lake Norman Marine Commission may remove the buoys and/ or daymark.
12. In the event an application is denied by LNMCM, the applicant may reapply after a period of one-year.

Date of Application: _____

Names of Applicant(s) (please print):

_____	_____
_____	_____

Signature of Applicant(s):

_____	_____
_____	_____

In accordance with the Lake Norman Buoy Regulations and applicable law, this Application for a "No Wake Buoy" is:

Approved: _____ Denied: _____

Date: _____

Chairman, Lake Norman Marine Commission

LAKE NORMAN MARINE COMMISSION CHARTER BOAT REGULATIONS

SECTION 1. SHORT TITLE

These regulations may be cited as the Lake Norman Charter Boat Regulations.

SECTION 2. JURISDICTIONAL BOUNDARIES

These regulations shall apply to the waters of Lake Norman, the boundaries of which are described in Chapter 77, Article 6B of the North Carolina General Statutes.

SECTION 3. DEFINITIONS

As used in these regulations:

- (a) “Advertise” means to make an announcement, and includes, without limitation, the following ways of making an announcement: person-to-person communications, whether verbal or in writing, including by posting signs, handing out flyers, or sending letters or e-mails; communications by radio; communications by publication in a newspaper, magazine, or any other printed media; electronic communications via a website or social media; and communications by video or other visual media, such as on television or internet-based video services.
- (b) “Captain” means the individual in command of a Charter Boat who is responsible for its safe operation and for the safety of all passengers and crew, and who holds the license or documentation required by Section 4(b)(3).
- (c) “Charter Boat” means any boat that is hired for, or advertised for hire for, a cruise on Lake Norman and to provide specific services, including any of the following: sightseeing, food, beverages, or fishing. A Charter Boat that is a Commercial Non-Mechanical Powered Vessel is subject to these regulations except Sections 4(b)(4) through 4(b)(7). A fishing boat, sailboat, or other charter boat carrying eight (8) or fewer passengers is not subject to these regulations, but may be considered a charter boat by Duke Energy and subject to the Shoreline Management Plan requirements in effect at the time.
- (d) “Charter Boat Inspection” means an inspection as designated by the Lake Norman Marine Commission and the United States Coast Guard Auxiliary.
- (e) “Charter Boat Permit” means the permit issued by the Commission under Section 4 authorizing the operation of a Charter Boat on Lake Norman.
- (f) “Commercial Marina Facility” means a marina, as defined by Duke Energy’s Shoreline Management Plan, that has been specifically identified as suitable for Charter Boat operations by Duke Energy and the Commission. An eligible marina must have specific

approval from the Federal Energy Regulatory Commission (FERC) to host Charter Boat operations.

- (g) “Commercial Non-Mechanical Powered Vessel” means a Charter Boat that is not powered by a gas, electric, or diesel engine, and includes paddle boats and pedal boats.
- (h) “Commission” means the Lake Norman Marine Commission.
- (i) “Islands” means the islands located in Lake Norman that are owned by Duke Energy or designated in Duke Energy’s Shoreline Management Plan for public recreation.
- (j) “Manifest” means a listing of all charter passengers, with appropriate contact information for each passenger, prepared for each charter.
- (k) “Marine Liability Insurance” means a special liability insurance policy that covers passengers on Charter Boats while embarked, including during the loading and unloading of passengers.
- (l) “Operations Plan” means the plan prepared by the Charter Boat owner, stating at a minimum: where the boat will be permanently moored; the type of passenger service planned; the type and details of the boat(s) to be operated; the type of food and beverage service planned; and the parking arrangements that have been made.
- (m) “Public Access Area” means any Duke Energy-owned or -managed recreation site designated for public access under the FERC-approved Recreation Management Plan.
- (n) “Recreation Management Plan” or “RMP” means the FERC-approved management document required under the Catawba-Wateree Hydroelectric Project license that governs the planning, development, operation, maintenance, and use of Duke Energy-owned public recreation facilities, including Public Access Areas and designated Islands. References to the RMP mean the most current version of the RMP approved by FERC.
- (o) “Shoreline Management Plan” or “SMP” means the FERC-approved management document required under the Catawba-Wateree Hydroelectric Project (“Project”) license. The SMP is a comprehensive management tool to ensure that Duke Energy supervises and manages requests for shoreline development and usage consistent with Project purposes. References to the SMP mean the most current version of the SMP approved by FERC.

SECTION 4. REGULATIONS FOR OPERATING CHARTER BOATS

- (a) Permit Required. Operating a Charter Boat on Lake Norman requires a Charter Boat Permit from the Commission, which must be prominently displayed on the boat at a location visible to passengers. The Charter Boat Permit must identify the period for which it is valid and must be renewed by April 1 of each year. Upon request, the Captain must allow any law

enforcement officer to examine the Charter Boat Permit. A fee is required for each permit requested. The fee will be set annually, before distribution of the application materials, in an amount necessary to cover the expense of inspections and permits.

Among the factors the Commission will consider before issuing a Charter Boat Permit are any matters pertaining specifically to public safety and any violations of federal, state, or local laws, including Duke Energy's Shoreline Management Plan or Recreation Management Plan. Once the Commission has issued a Charter Boat Permit, the owner must apply to the appropriate county or municipality for a business permit and approval of the boat's Operations Plan.

(b) Permit Requirements. Owners of Charter Boats wishing to obtain a Charter Boat Permit and operate on Lake Norman must, at a minimum, satisfy the following requirements:

- (1) Liability Insurance. Submit proof of Marine Liability Insurance of at least \$300,000, with a minimum of \$15,000 per person based on the rated boat capacity. For example, a boat with a rated capacity of 75 persons would need a minimum of \$1,125,000 of liability insurance.
- (2) Charter Boat Inspection. Submit proof of a successful Charter Boat Inspection. A list of qualified inspectors will be provided when a Charter Boat Permit is requested.
- (3) Captain(s). Submit proof that the Captain(s) of the Charter Boat are qualified. A Captain must hold a valid U.S. Coast Guard Master's license and must submit a copy of that license to satisfy this requirement. The Captain is solely responsible for the safe operation of the vessel and for the safety of all passengers and crew, and is not subordinate to any other person on board, including the vessel owner. Captains and operators of Commercial Non-Mechanical Powered Vessels are not required to hold a U.S. Coast Guard Master's license, but must submit a letter attesting that the vessel meets applicable Coast Guard requirements and that the operator has the experience and training (including first aid and CPR) required of a holder of an "Operator of Uninspected Passenger Vessels" (OUPV) license, a type of U.S. Coast Guard charter license.
- (4) Permanent Location. Obtain written permission from an appropriate Commercial Marina Facility for Charter Boat operations, including vessel mooring and the loading and unloading of passengers. The location must have 24-hour direct access to a fixed, working, commercial marine-grade sewage pump-out facility.
- (5) Other Sites and Operations. The owner must agree in writing: (i) not to use any facility other than a Commercial Marina Facility in compliance with Duke Energy's Shoreline Management Plan for docking or berthing; (ii) not to operate from a Duke Energy Public Access Area or in any manner that violates Duke Energy's Recreation

Management Plan - Charter Boat operations, including advertising, staging, launching, pickup or drop-off of passengers, and conducting rental transactions, are prohibited at Duke Energy Public Access Areas; and (iii) not to moor at Islands, except those approved by Duke Energy for public recreation purposes, and not to moor after sunset at those approved Islands except by approved special request. While cruising on the lake, the boat must operate at no-wake speed within 200 feet of the shoreline and within 150 feet of any dock or other structure.

(6) County or Municipality Requirements.

- (A) Harboring or mooring of any existing or proposed Charter Boat, whether on an incidental, occasional, routine, or permanent basis, shall occur only within a Commercial Marina Facility approved by Duke Energy and the Commission.
- (B) Before consideration by the county or municipality, the applicant must submit an Operations Plan incorporating the requirements of these regulations to the Commission for approval. If the plan is approved, the Commission will issue a Charter Boat Permit and advise the appropriate county or municipality, which will then decide whether to issue the appropriate business permit.
- (C) Adequate on-site parking must be provided at the Commercial Marina Facility specifically to serve this use.

(7) Boat Requirements.

- (A) The boat must be equipped with radar, must meet all Coast Guard requirements for its class, and must not exceed 90 feet in registered or documented length.
- (B) The boat must meet applicable passenger weight limit requirements, based on an assumed passenger weight of 185 pounds per passenger, in accordance with Coast Guard regulations (46 C.F.R. § 170.090(g)).

(8) Manifest. All Charter Boats must prepare and retain a Manifest for each charter.

SECTION 5. VIOLATIONS; PENALTY

- (a) It shall be unlawful to operate a Charter Boat on the waters of Lake Norman without a valid Charter Boat Permit prominently displayed as required by these regulations.
- (b) It shall be unlawful for any person to offer to provide Charter Boat services, to Advertise that they are operating a Charter Boat on the waters of Lake Norman, or to Advertise that they have a Charter Boat available to operate on the waters of Lake Norman, unless the Charter Boat has a valid Charter Boat Permit.

- (c) It shall be unlawful for the Captain of a Charter Boat to operate the boat without having in the Captain's possession the license or documentation required by Section 4(b)(3), or to refuse to allow a law enforcement officer to examine that license or documentation.
- (d) It shall be unlawful to operate a Charter Boat on the waters of Lake Norman between the hours of 12:00 midnight and 9:00 a.m., except while moving the boat with only a crew of no more than six (6) persons aboard, and except on New Year's Eve, July 4th, or other special occasions approved by the Commission upon request.
- (e) It shall be unlawful for any facility other than an eligible Commercial Marina Facility to service a Charter Boat.
- (f) It shall be unlawful to operate a Charter Boat after receiving written notice from the Commission that the boat is operating in violation of these regulations.
- (g) Any person who violates any provision of these regulations shall be guilty of a Class 3 misdemeanor and, upon conviction, shall be subject to a maximum fine of five hundred dollars (\$500.00), imprisonment, or both. Each violation shall be considered a separate and distinct offense, and each day of continued violation shall be considered a separate offense. In addition, a violator may be subject to appropriate injunctive relief.
- (h) Any person who violates any provision of these regulations and whose Charter Boat Permit is revoked as a result shall not be eligible to apply for a new Charter Boat Permit for one (1) year.

SECTION 6. EFFECTIVE DATE

These regulations shall take effect on January 1, 2027, and shall supersede all prior charter boat regulations.