

15A NCAC 10F .0375 DUKE ENERGY CORPORATION HYDROELECTRIC STATION SAFETY ZONES

(a) Regulated Area. This Rule shall apply to the area one hundred feet upstream or downstream from the stations and dams, and associated structures, abutments and equipment of the Duke Energy Corporation hydroelectric stations and dams listed in Paragraph (f) of this Rule.

(b) Fishing. Except as otherwise provided in this Paragraph or in Paragraph (c) of this Rule, no person shall enter the waters within the regulated areas described in Paragraph (a) of this Rule. Persons engaged in fishing within the regulated areas described in Paragraph (a) of this Rule may enter these waters in connection with such fishing activities and shall wear a United States Coast Guard-approved personal flotation device in serviceable condition and of appropriate size for the wearer.

(c) Boating. Any person in or upon a boat, raft or other floating object that enters the regulated area described in Paragraph (a) of this Rule shall wear a United States Coast Guard-approved personal flotation device in serviceable condition and of appropriate size for the wearer. No vessel shall tie off to any part of the dam structure or the accessory portions, nor anchor or otherwise secure a vessel within regulated areas described in Paragraph (a) of this Rule.

(d) Paragraph (c) of this Rule shall not apply to persons who enter with consent of Duke Energy Corporation for the purpose of maintaining, repairing or evaluating facilities of Duke Energy Corporation; law enforcement or emergency personnel; or North Carolina state employees acting in an official capacity.

(e) Placement and Maintenance of Markers. Duke Energy Corporation shall be the designated entity for placement and maintenance of buoys and other signs implementing this Rule.

(f) Duke Energy Corporation hydroelectric stations and dams affected by this Rule:

- (1) Bridgewater Hydroelectric Station including Paddy Creek Dam, Linville Dam and Catawba Dam in the Catawba River in Burke and McDowell counties;
- (2) Cowans Ford Hydroelectric Station including Cowans Ford Dam in the Catawba River in Lincoln and Mecklenburg counties;
- (3) Lookout Hydroelectric Station including Lookout Dam in the Catawba River in Catawba and Iredell counties;
- (4) Mountain Island Hydroelectric Station including Mountain Island Dam in the Catawba River in Gaston and Mecklenburg counties;
- (5) Oxford Hydroelectric Station including Oxford Dam in the Catawba River in Alexander and Catawba counties;
- (6) Rhodhiss Hydroelectric Station including Rhodhiss Dam in the Catawba River in Burke and Caldwell counties; and
- (7) Tuxedo Hydroelectric Station including Tuxedo Dam in the Green River in Henderson County.

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

Eff. January 1, 2008;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;

Amended Eff. October 1, 2018.