

High Rock Lake Association, Inc.
P.O. Box 159
Southmont, NC 27351

July 18, 2004

Mr. Gene Ellis
APGI – Yadkin
293 NC 740 Highway
PO Box 576
Badin, NC 28009

Subject: **No Wake Zone**
Eagle Point Nature Preserve

Dear Mr. Ellis;

This letter is to address the current placement of buoys in the vicinity of the Eagle Point Nature Preserve in Rowan County. The Association is concerned that the current improper location of the buoys, coupled with the very restrictive language of House Bill 1616 that authorized the subject zone, may result in unjustified prosecution of persons boating and/or fishing on High Rock Lake.

We are sure Alcoa is well versed in the provisions of HB 1616; but we suspect the general boating public is not. Although the buoys are labeled "No-Wake", the zone created by this Bill actually prohibits the operation of any watercraft powered by an internal combustion engine within the so called "No-Wake Zone". Further, the Bill imposes broad noise restrictions within the zone.

HB 1616 specifies the zone to be within 200 feet of the boundaries of Eagle Point Nature Preserve. It appears to the Association that only the portion of the Nature Preserve on land owned by Yadkin Inc. (northern most portion of tax parcel 503-007) is the part of the Preserve that is surrounded by the No-Wake Zone, because the rest of the Preserve is landlocked. The buoys identifying this zone should be no further offshore than 200 feet from the high water mark (Yadkin Elevation 655.0). The current placement of the buoys is far in excess of the specified distance. A spot check of buoy placements shows the following:

<u>Buoy Location</u>	<u>Distance from Preserve Boundary</u>
N35° 36.945' x W080° 15.443'	2,050 ft.
N35° 36.917' x W080° 15.327'	1,900 ft.
N35° 36.911' x W080° 15.209'	1,640 ft.

Other buoys are similarly placed far outside the placement specified by HB 1616. The effect of the placement, together with the wording of HB 1616, serves to indicate boating in the entire cove west of Eagle Point is prohibited.

We checked with the Engineering Division of the North Carolina Wildlife Resources Commission, and we were informed this area and its buoys are not managed by NCWRC.

The buoy placement is wrong and should be immediately corrected. In addition, we think the so called No-Wake Zone should be clearly marked to provide information on all restrictions within the zone, including notice of prohibition of vessels powered by internal combustion engines.

The HRLA has never objected to no-wake zones when such zones have been properly established according to NCWRC guidelines. We are addressing the Eagle Point issue because it was done without public hearing, it is overly restrictive in banning all gas or diesel powered vessels from federally regulated navigable waters, and has been improperly applied.

We will appreciate Alcoa's prompt action on this issue, as we believe is required by your position as FERC licensee for High Rock Lake.

Sincerely,

High Rock Lake Association

Larry O. Jones
President