



ROY COOPER  
*Governor*

ELIZABETH S. BISER  
*Secretary*

KATHY B. RAWLS  
*Director*

## SF-6-2022 (RESCINDED)

### PROCLAMATION

#### RE: RESCINDED - SHELLFISH MANAGEMENT AREAS – PAMLICO SOUND

**Proclamation SF-6-2022 is rescinded effective 12:01 A.M., Friday, August 9, 2024 in order to set boundaries for five Oyster Sanctuaries designated as Shellfish Management Areas with gear and harvest restrictions in accordance with N.C. Marine Fisheries Commission Rules 15A NCAC 03R .0117 (c), (f), (j), (k), and (l). Requirements have not changed as all requirements are now in permanent rule and not implemented by Proclamation.**

Kathy B. Rawls, Director, Division of Marine Fisheries, hereby announces effective at **12:01 A.M., August 9, 2024**, the following restrictions implemented by Proclamation SF-6-2022 that set boundaries for five Oyster Sanctuaries designated as Shellfish Management Areas with gear and shellfish harvest restrictions are rescinded:

#### **I. TEMPORARY SUSPENSION OF RULES**

The following portions of the N.C. Marine Fisheries Commission Rule 15A NCAC 03R .0117 are suspended:

Section (1) Pamlico Sound area subsections (c), (i), and (j) which read:

- (c) Pea Island: within the area described by a line beginning at a point 35° 05.4760' N - 76° 23.5370' W; running southerly to a point 35° 05.4760' N - 76° 23.4040' W; running westerly to a point 35° 05.3680' N - 76° 23.4040' W; running northerly to a point 35° 05.3680' N - 76° 23.5370' W; running easterly to the point of beginning.
- (i) Swan Island: within the area described by a line beginning at a point 35° 05.6170' N - 76° 27.5040' W; running southerly to a point 35° 05.6020' N - 76° 26.7650' W; running westerly to a point 35° 05.4850' N - 76° 26.7640' W; running northerly to a point 35° 05.4990' N - 76° 27.5030' W; running easterly to the point of beginning.
- (j) Raccoon Island: within the area described by a line beginning at a point 35° 05.4760' N - 76° 23.5370' W; running southerly to a point 35° 05.4760' N - 76° 23.4040' W; running westerly to a point 35° 05.3860' N - 76° 23.4040' W; running northerly to a point 35° 05.3680' N - 76° 23.5370' W; running easterly to the point of beginning.

#### **II. AREA DESCRIPTIONS**

##### **A. CARTERET COUNTY**

1. **Swan Island Oyster Sanctuary (Map 1):** The area is located near the mouth of the Neuse River, 0.96 nautical miles to the northeast of Point of Marsh. The total area is 80 acres in size and is delineated by buoys as shown on the attached map. The locations of the buoys are as follows:
  - a. Buoy 35° 05.6550' N                      76° 27.5040' W

- b. Buoy 35° 05.6410' N 76° 26.7650' W
- c. Buoy 35° 05.4850' N 76° 26.7640' W
- d. Buoy 35° 05.4990' N 76° 27.5030' W

2. **Cedar Island Oyster Sanctuary (Map 2):** The area is located in the mouth of West Bay, 1.5 nautical miles to the north of Cedar Island's most western point. The total area is approximately 75 acres in size and is delineated by buoys as shown on the attached map. The locations of the buoys are as follows:

- a. Buoy 35° 03.4710' N 76° 22.9220' W
- b. Buoy 35° 03.4630' N 76° 22.5600' W
- c. Buoy 35° 03.1650' N 76° 22.5700' W
- d. Buoy 35° 03.1730' N 76° 22.9320' W

3. **Raccoon Island Oyster Sanctuary (Map 3):** The area is located in southern Pamlico Sound, 4.3 nautical miles east of Neuse River Entrance Light NR. The total area is 9.97 acres and is delineated by buoys shown on the attached map. The locations of the buoys are as follows:

- a. Buoy 35° 05.4760' N 76° 23.5370' W
- b. Buoy 35° 05.4760' N 76° 23.4040' W
- c. Buoy 35° 05.3680' N 76° 23.4040' W
- d. Buoy 35° 05.3680' N 76° 23.5370' W

#### **B. HYDE COUNTY**

1. **Gull Shoal Oyster Sanctuary (Map 4):** The area is located near the mouth of the Neuse River, 0.96 nautical miles to the northeast of Point of Marsh. The total area is 162 acres in size and is delineated by buoys as shown on the attached map. The locations of the buoys are as follows:

- a. Buoy 35° 23.4638' N 75° 58.5173' W
- b. Buoy 35° 23.4577' N 75° 58.2851' W
- c. Buoy 35° 23.4520' N 75° 58.0533' W
- d. Buoy 35° 23.2000' N 75° 58.0627' W
- e. Buoy 35° 22.9481' N 75° 58.0721' W
- f. Buoy 35° 22.9538' N 75° 58.3039' W
- g. Buoy 35° 22.9597' N 75° 58.5359' W
- h. Buoy 35° 23.2116' N 75° 58.5265' W

#### **C. DARE COUNTY**

1. **Pea Island Oyster Sanctuary (Map 5):** The area is located in northern Pamlico Sound, 3.6 nautical miles southeast of Pamlico Sound North Light N. The total area is 46.33 acres and is delineated by pilings as shown on the attached map. The locations of pilings are as follows:

- a. Piling 35° 39.8400' N 75° 36.8000' W
- b. Piling 35° 39.8400' N 75° 37.0800' W
- c. Piling 35° 40.0800' N 75° 37.0800' W
- d. Piling 35° 40.0800' N 75° 36.8000' W

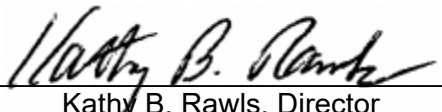
### **III. RESTRICTIONS**

- A. It is unlawful to use to use trawl nets, long haul seines, or swipe nets in the areas described in Section II.
- B. It is unlawful to take, or possess after taking, shellfish from the areas described in Section II.

### **IV. GENERAL INFORMATION**

- A. This proclamation is issued under the authority of G.S. 113-134; 113-170.4; 113-170.5; 113-182; 113-221.1; 143B-289.52; and N.C. Marine Fisheries Commission Rules 15A NCAC 03H .0103, 03K .0103, 03R .0117.

- B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under their delegated authority pursuant to N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103.
- C. In accordance with N.C. General Statute 113-221.1(c) all persons who may be affected by proclamations issued by the Fisheries Director are under a duty to keep themselves informed of current proclamations.
- D. N.C. General Statute 113-129(14) defines "shellfish" as mollusca, specifically including oysters, clams, mussels, and scallops.
- E. The intent of this proclamation is to manage oyster sanctuaries in accordance with N.C. Marine Fisheries Commission Rules 15A NCAC 03K .0103 and 03R .0117.
- F. Contact N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557; 252-515-5500 for more information or visit the division website at <https://deq.nc.gov/about/divisions/marine-fisheries/>.
- G. **Proclamation SF-6-2022 is rescinded effective 12:01 A.M., Friday, August 9, 2024 in order to set boundaries for five Oyster Sanctuaries designated as Shellfish Management Areas with gear and harvest restrictions in accordance with N.C. Marine Fisheries Commission Rules 15A NCAC 03R .0117 (c), (f), (j), (k), and (l). Requirements have not changed as all requirements are now in permanent rule and not implemented by Proclamation.**

By:   
Kathy B. Rawls, Director  
DIVISION OF MARINE FISHERIES

August 7, 2024  
10:15 A.M.