



PA-91-2022

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

KATHY B. RAWLS

Director

PROCLAMATION

RE: SHELLFISH POLLUTED AREA

Kathy B. Rawls, Director, Division of Marine Fisheries, upon the recommendation of Betsey Tilson, M.D., M.P.H., State Health Director, Department of Health and Human Services, hereby announces that the following changes in shellfish harvesting areas will take effect at sunrise, Sunday, October 9, 2022.

All those waters in Brunswick, New Hanover, Pamlico, Beaufort, Hyde, and Dare Counties will return to the status in existence immediately prior to the July 11, July 16, July 24, August 16, September 8, and September 30, 2022, temporary closures **except the following which remains closed:**

BRUNSWICK / PAMLICO / DARE COUNTIES

All those waters bordered on the east by a line beginning at a point 33° 54.2904' N - 78° 23.6416' W on the mainland near the Bricklanding Road Public Boat Ramp and IWW Beacon "84"; running southerly to a point 33° 54.1932' N - 78° 23.6426' W on Ocean Isle Beach near Ferry Landing Park; and bordered on the west by the permanent closure line near IWW Marker "89" in Ocean Isle.

All those waters bordered on the east by Beacon "48A" (33° 55.2179' N - 78° 14.5628' W) and bordered on the west by a line beginning at a point 33° 54.6855' N - 78° 21.3550' W on the mainland; running southerly through IWW Marker "71" to a point 33° 54.4311' N - 78° 21.2898' W on Holden Beach near the end of Sea View Drive.

All those waters upstream of a line beginning at Maw Point, running southeasterly to Fl. Beacon "NR"; thence running southerly to Point of Marsh; thence running easterly to Point of Grass; thence following the shoreline of Cedar Island to the Cedar Island Ferry Terminal, to include Neuse River, Adams Creek, South River, Turnagain Bay, Long Bay, West Bay, and North Bay.

All those waters in Bay River and Jones Bay bordered on the north by a line running across the Intracoastal Waterway from a point 35° 13.2876' N - 76° 35.5883' W to a point 35° 13.2846' N - 76° 35.4993' W; and bordered on the east by a line running from Sow Island Point to Bay Point to Maw Point.

All those waters bordered on the north and west by a line beginning at a point 35° 28.2328' N - 75° 29.0549' W on the Outer Banks; thence running westerly to a point 35° 28.2938' N - 75° 31.2790' W on Gull Island; thence running southwesterly to Brooks Point.

All those waters bordered on the north and west by a line beginning at Brooks Point; thence running southwesterly to the southern tip of DOT Island near Hatteras Inlet at 35° 12.1796' N - 75° 45.6698' W; thence running southwesterly to the northern tip of Ocracoke Island.

The following also remains closed:

ONSLow / CARTERET / CRAVEN COUNTIES

Queens Creek - All those waters in Queens Creek upstream of a straight line across the mouth, beginning at a point 34° 39.8479' N - 77° 09.1171' W on the west shore; running northeasterly to a point 34° 40.2031' N - 77° 08.4408' W on the east shore near the State Park Boat Ramp.

White Oak River – All those waters in White Oak River upstream of a line beginning at a point 34° 41.9497' N - 77° 06.9846' W on the west shore, running easterly near the northern tip of Jones Island to a point 34° 41.9395' N - 77° 05.6599' W on the east shore.

Bogue Sound - All those waters from the Intracoastal Waterway to the mainland in Bogue Sound between Humphrey Point near Goose Creek (34° 41.2885' N - 77° 01.0408' W) and the Emerald Isle High Rise Bridge, to include the Intracoastal Waterway, Deer Creek, and Hunting Island Bay.

Bogue Sound - All those waters from the Intracoastal Waterway to the mainland in Bogue Sound between IWW Marker “14” and IWW Marker “24”, to include the Intracoastal Waterway and Gales Creek.

Newport River - All those waters in Newport River upstream of a line beginning at a point 34° 45.6960' N - 76° 43.5180' W on the south shore near Penn Point; running northeasterly to a point 34° 46.5733' N - 76° 42.6350' W on the north shore near the Hardesty Farms subdivision (near the Newport River DMF Shrimp Line).

Core Creek – All those waters in Core Creek upstream of a line beginning at a point 34° 46.3210' N - 76° 41.2515' W on the west shore, running easterly near IWW Marker “25” to a point 34° 46.2251' N - 76° 40.5919' W on the east shore near the mouth of Ware Creek.

North River - All those waters upstream of a straight line beginning at a point 34° 44.4581' N - 76° 37.3826' W on the shore south of Cow Pen Creek; running easterly near the old Fl. "Danger" Beacon to a point 34° 44.4929' N - 76° 35.3320' W on the northwest shore of Goose Bay, to include all of Ward Creek.

Jarrett Bay - All those waters in Jarrett Bay upstream of a line beginning at a point 34° 45.9213' N - 76° 29.2047' W on the east shore of Spit Bay; thence in a straight line to a point 34° 45.7944' N - 76° 29.3623' W at the northern tip of Davis Island; thence in a straight line to a point 34° 45.5281' N - 76° 30.1032' W at the “Chimney” near Jump Run Creek.

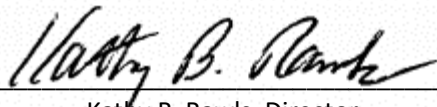
Oyster Creek - All those waters in Oyster Creek upstream of a straight line across the mouth, beginning at a point 34° 48.8185' N - 76° 26.9761' W on the west shore; running northeasterly to a point 34° 48.9768' N - 76° 26.6340' W on the east shore.

All those waters upstream of a line beginning at Maw Point, running southeasterly to Fl. Beacon “NR”; thence running southerly to Point of Marsh; thence running easterly to Point of Grass; thence following the shoreline of Cedar Island to the Cedar Island Ferry Terminal, to include Neuse River, Adams Creek, South River, Turnagain Bay, Long Bay, West Bay, and North Bay.

GENERAL INFORMATION:

- A. This proclamation is issued under the authority of N.C.G.S. 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 and 03K .0101.
- B. It is unlawful to violate the provisions of any proclamation issued by the N.C. Fisheries Director under his 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. This proclamation returns the following areas to normal closure boundaries: Cape Fear River, Bald Head Island, Pamlico River, Pungo River, Spencer Bay, Rose Bay, Swanquarter Bay, Juniper Bay, West Bluff Bay, East Bluff Bay, Wysocking Bay, and Long Shoal River.

E. These openings are due to satisfactory bacteriological sampling results.

BY: 
Kathy B. Rawls, Director
DIVISION OF MARINE FISHERIES, DEQ

October 8, 2022
12:50 P.M.
PA-91-2022