



PA-23-2023

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 shellfish area temporary **closures will take effect immediately**.

It is unlawful for any person to take or attempt to take any oysters, clams or mussels or possess, sell or offer for sale any oysters, clams or mussels taken from the following polluted areas:

BRUNSWICK / NEW HANOVER / PENDER / ONSLOW / CARTERET 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 South Carolina State Line, to include Tubbs Inlet.

Shallotte River – All those waters in Shallotte River upstream of a line beginning at a point 33° 54.8302' N - 78° 22.3626' W near Bowen Point; running southeasterly to a point 33° 54.6139' N - 78° 21.7667' W on Long Point.

Lockwoods Folly River - All those waters north of a line beginning at a point 33° 55.5678' N - 78° 13.8043' W on the south shore of Spring Creek near the mouth; running easterly to a point 33° 55.4621' N - 78° 13.1714' W near the northern tip of Sheep Island; thence running southeasterly to a point 33° 55.2284' N - 78° 12.7791' W near the northwest point of Horse Island, to include a portion of the Intracoastal Waterway north of Horse and Sheep Islands.

All those waters in Myrtle Grove Sound bordered on the north by a line beginning at a point 34° 04.8476' N - 77° 53.0990' W on the mainland; running easterly near IWW Marker "155" to the southern tip of Masonboro Island at 34° 04.8251' N - 77° 52.9092' W; and bordered on the south by Snows Cut.

All those waters from the Intracoastal Waterway to the mainland between IWW Marker "149" (34° 06.5162' N - 77° 52.4234' W) near Peden Point and IWW Marker "155" (34° 04.8189' N - 77° 52.9654' W) near Carolina Beach Inlet, to include the Intracoastal Waterway.

All those waters in Middle Sound bordered on the north by the Figure Eight Island Bridge and bordered on the south by a line beginning at a point 34° 11.5660' N - 77° 49.6758' W on the mainland; running southeasterly near IWW Marker "129" to a point 34° 11.3991' N - 77° 49.3386' W on the south shore of Shinn Creek; thence running southeasterly to a point 34° 10.9146' N - 77° 48.9429' W on the northern tip of Masonboro Island.

All those waters bordered on the north by a line beginning at a point 34° 33.0934' N - 77° 21.6926' W on the mainland near Hatch Point, running easterly near Marker "76" to New River Inlet Channel Beacon "12", thence running southerly following the dredged channel to the eastern tip of North Topsail Beach at New River Inlet; and bordered on the south by the Surf City Bridge, to include the Intracoastal Waterway, Stump Sound, Alligator Bay, and Chadwick Bay.

All those waters from the Intracoastal Waterway to the mainland, between the Emerald Isle High Rise Bridge and IWW Beacon "65A" (34° 32.7006' N - 77° 19.0487' W), located just west of Salliers Bay near New River Inlet, to include the Intracoastal Waterway, Salliers Bay, Freeman Creek, Bear Creek, Queens Creek, and White Oak River.

Bogue Sound - All those waters from the Intracoastal Waterway to the mainland in Bogue Sound between the permanent closure line near 16th St. in Morehead City and IWW Marker "17" near Jumping Run Creek, to include the Intracoastal Waterway.

Newport River – All those waters in Newport River upstream of the Highway 70 High Rise Bridge and the Morehead-Beaufort Causeway, to include all tributaries and Core Creek.

North River - All those waters in North River upstream of a straight line beginning at a point 34° 42.1302' N - 76° 36.0815' W at the permanent closure line near Beacon "5"; running northeasterly to a point 34° 43.2724' N - 76° 34.5238' W on the mainland at the Harker's Island Bridge at The Straits, to include Ward Creek.

Whitehurst Creek – All those waters in Whitehurst Creek upstream of a straight line across the mouth, beginning at a point 34° 43.5146' N - 76° 33.3428' W on the west shore; running easterly to a point 34° 43.5511' N - 76° 33.1664' W on the east shore.

Sleepy Creek – All those waters in Sleepy Creek upstream of a straight line across the mouth, beginning at a point 34° 43.2745' N - 76° 31.4600' W on the west shore; running easterly to a point 34° 43.2672' N - 76° 31.2792' W on the east shore.

Jarrett Bay - All those waters in Jarrett Bay upstream of a line beginning at a point 34° 45.8170' N - 76° 28.7579' W on the east shore of Spit Bay; thence in a straight line to a point 34° 45.3229' N - 76° 29.1273' W at the southern tip of Davis Island; thence in a straight line near Flashing Beacon #36 to a point 34° 43.7805' N - 76° 30.0180' W the southeast end of Bells Island; thence in a straight line to a point 34° 43.5461' N - 76° 30.3917' W on the Marshallberg shoreline.

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.

Brett Bay - All those waters in Brett Bay upstream of a straight line from Piney Point to King Point.

Nelson Bay - All those waters in Nelson Bay upstream of a line from Drum Point to the northern tip of Fulchers Creek.

The following also remains closed:

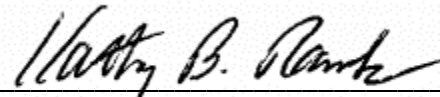
NEW HANOVER COUNTY

All those waters in the Intracoastal Waterway within 250 yards of the dredge spoil discharge pipe on US Army Corps of Engineers Spoil Island #254 near IWW Beacon "134", bounded by a line beginning at a point 34° 09.9631' N - 77° 50.6641' W on the spoil island south of the pipe, running northwesterly to a point 34° 10.0042' N - 77° 50.7691' W in the Intracoastal Waterway, thence running northeasterly to a point 34° 10.1854' N - 77° 50.6647' W in the Intracoastal Waterway, thence running southeasterly to a point 34° 10.1326' N - 77° 50.5335' W on the spoil island north of the pipe.

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 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. These temporary closures are due to rainfall and resultant runoff.

BY: _____



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

April 9, 2023
8:05 A.M.
PA-23-2023