



PA-81-2023

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 changes in shellfish harvesting areas will take effect at sunrise, Wednesday, September 13, 2023.

All those waters in Brunswick, New Hanover, Carteret, and Pamlico Counties will return to the status in existence immediately prior to the August 5, August 17, August 28, and August 31, 2023 temporary closures, **except the following which remain closed:**

### **BRUNSWICK / NEW HANOVER / CARTERET COUNTIES**

**All those waters** between the permanent closure line near IWW Marker "89" in Ocean Isle, and the South Carolina State Line, to include the Tubbs Inlet area.

**Shallotte River – All those waters in Shallotte River** upstream of a line beginning at a point 33° 55.3874' N - 78° 22.2861' W on the western shore of the Shallotte River approximately 650 yards south of The Swash; running easterly to a point 33° 55.3385' N - 78° 21.7279' W on the eastern shore of the Shallotte River approximately 650 yards south of Shallotte Creek.

**All those waters** in Myrtle Grove Sound bordered on the north by a line beginning at a point 34° 07.7706' N - 77° 52.0833' W on the mainland near Peden Point; running easterly near IWW Marker "141" to a point 34° 07.6007' N - 77° 51.0328' W on Masonboro Island; and bordered on the south 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.

**All those waters** bordered on the north by a line beginning at Great Neck Point near Adams Creek, running northwesterly to a point 34° 58.3128' N - 76° 43.7327' W in Neuse River, thence running northeasterly to Flashing Beacon "NR", thence running southerly to Point of Marsh, thence running southeasterly to Point of Grass, thence following the shoreline of Cedar Island to the Cedar Island Ferry Terminal, to include Long Bay, West Bay, Turnagain Bay, a portion of Neuse River, South River, and Adams Creek.

**The following also remains closed:**

### **PENDER / ONSLOW / CRAVEN / HYDE / DARE COUNTIES**

**All those waters** bordered on the north by a line beginning at a point 34° 31.1227' N - 77° 22.3142' W on the mainland, running southerly near Beacon "15" to a point 34° 31.0527' N - 77° 22.2654' W on North Topsail Beach, near Galleon Bay; and bordered on the south by the Surf City Bridge, to include the Intracoastal Waterway, Stump Sound, and Alligator Bay.

**All those waters** bordered on the northeast by a line beginning at a point 34° 37.4184' N - 77° 12.7498' W on the mainland, running southeasterly near IWW Beacon "59" and following the western shore of Shacklefoot Channel to a point on Browns Island at 34° 36.7600' N - 77° 12.1416' W; and bordered on the southwest by IWW Beacon "65A" (34° 32.7006' N - 77° 19.0487' W), to include the Intracoastal Waterway, Salliers Bay, Freeman Creek, and Browns Inlet.

**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.

**All those waters** bordered on the north by a line beginning at Great Neck Point near Adams Creek, running northwesterly to a point 34° 58.3128' N - 76° 43.7327' W in Neuse River, thence running northeasterly to Flashing Beacon "NR", thence running southerly to Point of Marsh, thence running southeasterly to Point of Grass, thence following the shoreline of Cedar Island to the Cedar Island Ferry Terminal, to include Long Bay, West Bay, Turnagain Bay, a portion of Neuse River, South River, and Adams Creek.

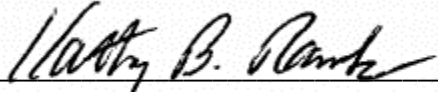
**All those waters in West Bluff Bay and Juniper Bay** upstream of a line beginning at Bluff Point, running westerly to the southern tip of Great Island Marsh; thence running northerly to a point 35° 20.4723' N - 76° 16.1193' W on the mainland.

**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, 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, 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 Channel Marker "6" off Ocracoke Village; thence running southwesterly to the northern tip of Beacon Island at 35° 05.9383' N - 76° 02.8513' W; thence running southeasterly to the southern tip of Ocracoke Island.

**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. This proclamation returns the following areas to normal closure boundaries: Cape Fear River, Bald Head Island, Newport River, Bay River, and Jones Bay.
- E. These openings are due to satisfactory bacteriological sampling results.

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

September 12, 2023  
11:45 A.M.  
PA-81-2023