



PA-88-2023

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 / CRAVEN / PAMLICO COUNTIES

**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 Middle Sound bordered on the north by the Figure Eight Island Bridge and bordered on the south by the Wrightsville Beach Bridge, to include Pages Creek.

**All those waters from the Intracoastal Waterway to the mainland** between the Surf City Bridge and the Figure Eight Island Bridge, to include the Intracoastal Waterway, a portion of Topsail Sound, Old Topsail Creek, Virginia Creek, and Beckys Creek.

**All those waters** bordered on the northeast by the permanent closure line near Fort Macon, and bordered on the southwest by the Surf City Bridge, to include Stump Sound, Alligator Bay, Chadwick Bay, New River, Salliers Bay, Freeman Creek, Bear Creek, Queens Creek, White Oak River, and Bogue Sound.

**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.

**All those waters** bordered on the east and south by a line beginning at a point 34° 54.2203' N - 76° 18.8592' W near Hall Point in Atlantic, running southeasterly to Beacon "20"; thence running southwesterly to Beacon "33" in Core Sound; thence running southwesterly to Green Marker "37" off Jarrett Bay; thence running southwesterly to Shell Point on Harkers Island; thence running westerly following the south shore of Harkers Island to a point 34° 42.0981' N - 76° 35.0718' W; thence running westerly to a point 34° 42.1302' N - 76° 36.0815' W at the permanent closure line near Beacon "5", to include North River, Ward Creek, Whitehurst Creek, Sleepy Creek, the Straits, Jarrett Bay, Oyster Creek, Brett Bay, Nelson Bay, and a portion of Core Sound.

**All those waters** bounded in the north and east by a line beginning at a point 34° 59.1474' N - 76° 16.3156' W on Hog Island, running southeasterly to a point 34° 58.9645' N - 76° 16.1410' W; thence following the shoreline to Hog Island Point; thence running southwesterly to Long Point; thence running to Lookout Point; thence running to Hall Point, to include Thorofare Bay, Barry Bay, Rumley Bay, Cedar Island Bay, and Lewis Creek .

**All those waters** bordered on the northwest 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, thence running southerly to Maw Point, thence running southeasterly 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, Neuse River, South River, Adams Creek, Bay River, and Jones Bay.

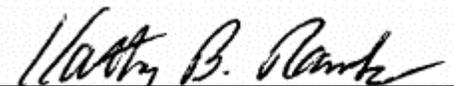
**The following also remains closed:**

**BRUNSWICK COUNTY**

**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.

**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 heavy rainfall and resultant runoff associated with Tropical Storm Ophelia.

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

September 23, 2023  
8:30 A.M.  
PA-88-2023