



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 27, 2023.

All those waters in Carteret County will return to the status in existence immediately prior to the September 23, 2023 temporary closures, **except the following which remain closed:**

CARTERET COUNTY

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.

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.

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° 45.9213' 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.

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.

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 / NEW HANOVER / PENDER / ONSLOW / CRAVEN / PAMLICO 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.

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.

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.

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: Straits, a portion of Jarrett Bay, Core Sound, Thorofare Bay, Barry Bay, Rumley Bay, Lewis Creek, and Cedar Island Bay.
- E. These openings are due to satisfactory bacteriological sampling results.

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

September 26, 2023
1:00 P.M.
PA-89-2023