



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, Friday, September 29, 2023.

All those waters in Pender, Onslow, Carteret, Craven, and Pamlico Counties will return to the status in existence immediately prior to the September 23, 2023 temporary closures, **except the following which remain closed:**

**PENDER / ONSLOW / CARTERET / PAMLICO COUNTIES**

**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** in Stump Sound bordered on the north by the North Topsail High Rise Bridge; and bordered on the south by a line beginning at a point 34° 28.2180' N - 77° 30.5521' W on the mainland near Morris Landing, running southeasterly near Beacon "49" to a point on Topsail Island at 34° 27.273' N - 77° 29.937' W.

**All those waters** bordered on the northeast by the permanent closure line near Fort Macon, and bordered on the southwest by IWW Beacon "65A" (34° 32.7006' N - 77° 19.0487' W), to include 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.

**Bay River - All those waters in Bay River** 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 Bay Point to Maw Point.

**The following also remains closed:**

**BRUNSWICK / NEW HANOVER 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.

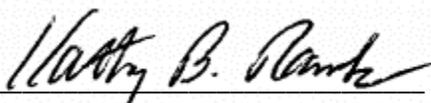
**Lockwoods Folly River - All those waters** north of a line beginning at a point 33° 55.5678' N - 78° 13.8043' W on the south shore of Spring Creek near the mouth; running easterly to a point 33° 55.4621' N - 78° 13.1714' W near the northern tip of Sheep Island; thence running southeasterly to a point 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.

**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: A portion of Stump Sound, Alligator Bay, Chadwick Bay, New River, Long Bay, West Bay, North Bay, Turnagain Bay, South River, Adams Creek, Neuse River, and Broad Creek (Pamlico County).
- E. These openings are due to satisfactory bacteriological sampling results.

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

September 28, 2023  
12:20 P.M.  
PA-91-2023