PA-87-2012

PROCLAMATION

RE: SHELLFISH POLLUTED AREA

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, upon the recommendation of Laura Gerald, M.D., M.P.H., State Health Director, Department of Health and Human Services, hereby announces that the following change in shellfish harvesting areas will **take effect at sunrise, Thursday, November 1, 2012**:

All those waters in **New Hanover, Pender, and Onslow Counties** that were temporarily closed will return to the status in existence immediately prior to the October 28, 2012, temporary closures **except the following which will remain closed:**

PENDER / ONSLOW COUNTIES

All those waters in Topsail Sound from the Intracoastal Waterway to the mainland between IWW Marker "99A" and IWW Marker "105" near Green Channel.

All those waters bordered on the northeast by a straight line from Swan Point through IWW Channel Marker #4 to the eastern tip of West Onslow Beach, (south shore of New River Inlet), and bordered on the southwest by a line beginning on the mainland south of Sloop Point; running easterly through Beacon "BC"; running easterly to Beacon "21" in Banks Channel; running easterly to Beacon "19" in Banks Channel; running easterly through Beacon "18" in Banks Channel to a point on Topsail Island, to include a portion of Topsail Sound, Stump Sound, Alligator Bay and Chadwick Bay.

All those waters from the IWW to the mainland between Salliers Bay and the Atlantic Beach High-Rise Bridge, to include Salliers Bay, Freeman Creek, Bear Creek, Queens Creek, White Oak River, Deer Creek, Hunting Island Creek, Goose Creek, Sanders Creek, Broad Creek, and Gales Creek.

The following areas remain closed:

BRUNSWICK / CARTERET / HYDE / DARE COUNTIES

All those waters between ICWW marker "84" near 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 on the west shore at a point 33°55.7954'N - 78°13.3096' W approximately midway between Genoes Point and Spring Creek; running

southeasterly to a point 33°55.2284'N - 78°12.7791' W near the northwest point of Horse Island, to include the open portion of the Atlantic Intracoastal Water Way north of Horse Island.

All those waters from the IWW to the mainland between Salliers Bay and the Atlantic Beach High-Rise Bridge, to include Salliers Bay, Freeman Creek, Bear Creek, Queens Creek, White Oak River, Deer Creek, Hunting Island Creek, Goose Creek, Sanders Creek, Broad Creek, and Gales Creek.

Newport River – All those waters in Newport River upstream of the Highway 70 High Rise Bridge and 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 at the permanent closure line near Channel Marker #56B to the mainland side of the Harker's Island Bridge at The Straits.

Whitehurst Creek – All those waters in Whitehurst Creek upstream of a straight line across the mouth.

Sleepy Creek – All those waters in Sleepy Creek upstream of a straight line across the mouth.

Jarrett Bay – All those waters upstream of a line beginning at a point on the east shore of Spit Bay; thence in a straight line to the southern end of Davis Island; thence in a straight line thru Flashing Beacon #36; thence in a straight line to the southeast end of Bells Island; thence in a straight line to a point on the Marshallberg shoreline.

Oyster Creek- All those waters in Oyster Creek upstream of a straight line across the mouth.

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.

West Bay – All those waters in West Bay upstream of a straight line across the mouth.

Turnagain Bay – All those waters in Turnagain Bay upstream of a straight line across the mouth.

South River – All those waters in South River upstream of a straight line across the mouth.

All those waters 200 yards offshore between the north side of Ocracoke Inlet and the south side of Oregon Inlet.

All those waters north and west of a line beginning at Long Shoal Point thence in a straight line to Long Point; thence in a straight line to the northernmost tip of Hog Island; thence in a straight line to Bluff Point; thence in a straight line to Juniper Bay Point on the east shore of Juniper Bay; thence in a straight line to the southernmost point of Great Island Marsh; thence in a straight line

to Shell Point on the west shore of Swanquarter Bay; thence in a straight line to Willow Point near Abel Bay; to include all of Spencer Bay, Rose Bay, Swanquarter Bay, Juniper Bay, West Bluff Bay, East Bluff Bay, Wysocking Bay, Long Shoal River and all other tributaries within said boundaries.

All those waters north of a straight line from a point on the southern end of Oregon Inlet thence across Pamlico Sound to Long Shoal Point; to include all of Stumpy Point Bay, Sandy Bay, Parched Corn Bay, Roanoke Sound, Croatan Sound, Currituck Sound, Albemarle Sound and all other tributaries within said boundaries.

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 his delegated authority pursuant to N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103.

C. This proclamation returns the following areas to normal closure boundaries: Myrtle Grove Sound, Middle Sound, a portion of Topsail Sound, and New River.

D. These reopenings are due to satisfactory bacteriological sampling results.

October 31, 2012
11:55 A.M.
PA-87-2012

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