PA-45-2013

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, Friday, May 3, 2013.**

All those waters in **New Hanover and Carteret Counties** will return to the status in existence immediately prior to the March 25, and April 20, 2013, temporary closures **except the following which will remain closed:**

NEW HANOVER COUNTY

All those waters 100 yards from the dredge spoils effluent pipe located across the Intracoastal Waterway from The Tides Marina at US Army Corps of Engineers Disposal Area #267 between IWW Channel Markers "149" and "150".

The following also remains closed:

BRUNSWICK COUNTY

All those waters between IWW Fl. Beacon "48A" near Lockwoods Folly Inlet and the South Carolina State Line, to include Shallotte River and Tubbs Inlet.

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 within 100 yards from the dredge spoils effluent pipe near Bald Head Island located approximately 200 yards north of the mouth of Bald Head 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 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: All those waters 100 yards from the dredge spoils effluent pipe located across the Intracoastal Waterway from Whiskey Creek at US Army Corps of Engineers Disposal Area #256 between IWW Channel Markers "135" and "137", Newport River, and Oyster Creek.

D. **It should be noted that leases closed on or after April 1, 2013, to allow relaying of shellfish from closed areas remain closed.**

E. This reopening is due to the completion of dredging activities in New Hanover County and satisfactory bacteriological sampling results in Carteret County.

May 2, 2013
10:15 A.M.
PA-45-2013