**PA-44-2013**

# 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 shellfish area temporary **closures** will **take effect immediately**:

No person shall 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 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.

**The following also remains closed:**

**BRUNSWICK / NEW HANOVER / CARTERET COUNTIES**

**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.

**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".

**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** - All those waters in Newport River upstream of a line beginning at a point on the south shore at 34º 45.7044' N -76º 43.4977' W near Penn Point; running northerly to a point on the west shore of Harlowe Creek at 34º 46.6935' N -76º 43.4719' W.

**North River** - All those waters in North River upstream of the North River Bridge.

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

**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 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 Rule 15A NCAC 03H .0103.

C. These temporary closures are due to rainfall and resultant runoff.

April 30, 2013
1:05 P.M.
PA-44-2013