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 **closure** 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:

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 / NEW HANOVER / CARTERET COUNTIES

<u>All those waters</u> between Southport and the South Carolina State Line.

<u>All those waters</u> 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.

<u>All those waters</u> 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".

<u>Newport River</u> - 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.

<u>North River</u> - 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.

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<u>Jarrett Bay</u> – 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.

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. This temporary closure is due to dredging from a prohibited shellfishing area at The Tides Marina in New Hanover County with disposal to an open shellfishing area.

April 22, 2013 9:45 A.M. PA-36-2013