

**PROCLAMATION**

**RE: SHELLFISH MANAGEMENT AREA**

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at **6:00 A.M., Monday, February 7, 2011**, the following areas will be designated as a **Shellfish Management Area (SMA)** and **WILL CLOSE** to the taking of shellfish by any method:

**I. AREA DESCRIPTIONS**

**HYDE COUNTY**

**Oyster Creek, Swan Quarter Bay SMA #1** - The area is approximately 5.3 acres and is delineated by five pilings and signs as shown on the attached map. The location of the pilings are as follows:

1. 35° 23.0156' N 76° 19.1936' W
2. 35° 23.0305' N 76° 19.2000' W
3. 35° 22.9943' N 76° 19.2784' W
4. 35° 22.8681' N 76° 19.3519' W
5. 35° 22.8625' N 76° 19.3434' W

**Ocracoke Island SMA #2** – The area is approximately 0.7 acre and is delineated by four pilings and signs as shown on the attached map. The location of the pilings are as follows:

1. 35° 07.6810' N 75° 57.4350' W
2. 35° 07.6640' N 75° 57.4310' W
3. 35° 07.6540' N 75° 57.4880' W
4. 35° 07.6700' N 75° 57.4950' W

**CARTERET COUNTY**

**North Bay SMA #3** – The area is approximately 3.3 acres and is delineated by four pilings and signs as shown on the attached map. The location of the pilings are as follows:

1. 35° 01.1780' N 76° 19.7820' W
2. 35° 01.1360' N 76° 19.6790' W
3. 35° 01.1030' N 76° 19.7260' W
4. 35° 01.1370' N 76° 19.8070' W

**North River SMA #4** – The area is approximately 3.5 acres and is delineated by four pilings and signs as shown on the attached map. The location of the pilings are as follows:

1. 34° 47.7700' N 76° 36.5700' W
2. 34° 47.6750' N 76° 36.5820' W
3. 34° 47.6750' N 76° 36.6220' W
4. 34° 47.7660' N 76° 36.6390' W

**Old Swansboro Channel SMA #5** – The area is approximately 0.1 acre and is delineated by four pilings and signs as shown on the attached map. The location of the pilings are as follows:

1. 34° 41.8450' N 77° 06.2100' W
2. 34° 41.8330' N 77° 06.2030' W
3. 34° 41.8290' N 77° 06.2070' W
4. 34° 41.8410' N 77° 06.2180' W

**ONSLOW COUNTY**

**Permuda Island Bay SMA #6** – The area is approximately 10.7 acres and is delineated by five pilings and signs as shown on the attached map. The location of the pilings are as follows:

1. 34° 27.8210' N 77° 30.1930' W
2. 34° 27.8370' N 77° 30.0370' W
3. 34° 27.7380' N 77° 30.0460' W
4. 34° 27.7110' N 77° 30.1240' W
5. 34° 27.6740' N 77° 30.1630' W

**NEW HANOVER COUNTY**

**Wrightsville Marshes "The Lollipop" SMA #7** – The area is approximately 0.9 acre and is delineated by four pilings and signs as shown on the attached map. The location of the pilings are as follows:

1. 34° 13.7760' N 77° 47.3900' W
2. 34° 13.7320' N 77° 47.4010' W
3. 34° 13.7780' N 77° 47.4080' W
4. 34° 13.7210' N 77° 47.3630' W

**II. HARVEST RESTRICTIONS**

The Shellfish Management Areas designated above will **remain closed to the taking of shellfish by any method until October 1, 2014 and will open on that date by this proclamation.**

**III. 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 implementing N.C. Marine Fisheries Rules 15A NCAC 03H .0103 and 03K .0103.
- B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under his delegated authority pursuant to N.C. Marine Fisheries Rule 15A NCAC 03H .0103.
- C. This action is being taken in order to protect Shellfish Management Areas constructed by commercial fishermen using oyster shells purchased with funds provided by a National Oceanic and Atmospheric Administration American Recovery and Reinvestment Act grant. As a condition of that grant, these cultch planting sites shall remain closed to harvest for four years.
- D. The Fisheries Director may by proclamation, designate Shellfish Management Areas in accordance with NC Marine Fisheries Rule 15A NCAC 03K .0103.
- E. The Division of Marine Fisheries will mark the areas to be closed with signs insofar as may be practicable. No unauthorized removal or relocation of any such sign shall have the effect of changing the areas closed, nor shall any such sign affect the applicability of any proclamation or portion thereof. Where there is conflict between signs and maps, maps shall prevail.

BY: \_\_\_\_\_  
Dr. Louis B. Daniel III, Director  
DIVISION OF MARINE FISHERIES