



ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

SF-6-2022

PROCLAMATION

RE: SHELLFISH MANAGEMENT AREAS – PAMLICO SOUND - TEMPORARY SUSPENSION OF RULE FOR COORDINATES ADJUSTMENTS

This proclamation supersedes proclamation SF-11-2021 dated October 26, 2021. This proclamation sets boundaries for five Oyster Sanctuaries designated as Shellfish Management Areas with gear and shellfish harvest restrictions.

Kathy B. Rawls, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M., October 14, 2022**, the following areas are designated Shellfish Management Areas.

I. TEMPORARY SUSPENSION OF RULES

The following portions of the N.C. Marine Fisheries Commission Rule 15A NCAC 03R .0117 are suspended:

Section (1) Pamlico Sound area subsections (c), (i), and (j) which read:

- (c) Pea Island: within the area described by a line beginning at a point 35° 05.4760' N - 76° 23.5370' W; running southerly to a point 35° 05.4760' N - 76° 23.4040' W; running westerly to a point 35° 05.3680' N - 76° 23.4040' W; running northerly to a point 35° 05.3680' N - 76° 23.5370' W; running easterly to the point of beginning.
- (i) Swan Island: within the area described by a line beginning at a point 35° 05.6170' N - 76° 27.5040' W; running southerly to a point 35° 05.6020' N - 76° 26.7650' W; running westerly to a point 35° 05.4850' N - 76° 26.7640' W; running northerly to a point 35° 05.4990' N - 76° 27.5030' W; running easterly to the point of beginning.
- (j) Raccoon Island: within the area described by a line beginning at a point 35° 05.4760' N - 76° 23.5370' W; running southerly to a point 35° 05.4760' N - 76° 23.4040' W; running westerly to a point 35° 05.3860' N - 76° 23.4040' W; running northerly to a point 35° 05.3680' N - 76° 23.5370' W; running easterly to the point of beginning.

II. AREA DESCRIPTIONS

A. CARTERET COUNTY

1. **Swan Island Oyster Sanctuary (Map 1):** The area is located near the mouth of the Neuse River, 0.96 nautical miles to the northeast of Point of Marsh. The total area is 80 acres in size and is delineated by buoys as shown on the attached map. The locations of the buoys are as follows:
 - a. Buoy 35° 05.6550' N 76° 27.5040' W
 - b. Buoy 35° 05.6410' N 76° 26.7650' W

c. Buoy 35° 05.4850' N 76° 26.7640' W

d. Buoy 35° 05.4990' N 76° 27.5030' W

2. **Cedar Island Oyster Sanctuary (Map 2):** The area is located in the mouth of West Bay, 1.5 nautical miles to the north of Cedar Island's most western point. The total area is approximately 75 acres in size and is delineated by buoys as shown on the attached map. The locations of the buoys are as follows:

a. Buoy 35° 03.4710' N 76° 22.9220' W

b. Buoy 35° 03.4630' N 76° 22.5600' W

c. Buoy 35° 03.1650' N 76° 22.5700' W

d. Buoy 35° 03.1730' N 76° 22.9320' W

3. **Raccoon Island Oyster Sanctuary (Map 3):** The area is located in southern Pamlico Sound, 4.3 nautical miles east of Neuse River Entrance Light NR. The total area is 9.97 acres and is delineated by buoys shown on the attached map. The locations of the buoys are as follows:

a. Buoy 35° 05.4760' N 76° 23.5370' W

b. Buoy 35° 05.4760' N 76° 23.4040' W

c. Buoy 35° 05.3680' N 76° 23.4040' W

d. Buoy 35° 05.3680' N 76° 23.5370' W

B. HYDE COUNTY

1. **Gull Shoal Oyster Sanctuary (Map 4):** The area is located near the mouth of the Neuse River, 0.96 nautical miles to the northeast of Point of Marsh. The total area is 162 acres in size and is delineated by buoys as shown on the attached map. The locations of the buoys are as follows:

a. Buoy 35° 23.4638' N 75° 58.5173' W

b. Buoy 35° 23.4577' N 75° 58.2851' W

c. Buoy 35° 23.4520' N 75° 58.0533' W

d. Buoy 35° 23.2000' N 75° 58.0627' W

e. Buoy 35° 22.9481' N 75° 58.0721' W

f. Buoy 35° 22.9538' N 75° 58.3039' W

g. Buoy 35° 22.9597' N 75° 58.5359' W

h. Buoy 35° 23.2116' N 75° 58.5265' W

C. DARE COUNTY

1. **Pea Island Oyster Sanctuary (Map 5):** The area is located in northern Pamlico Sound, 3.6 nautical miles southeast of Pamlico Sound North Light N. The total area is 46.33 acres and is delineated by pilings as shown on the attached map. The locations of pilings are as follows:

a. Piling 35° 39.8400' N 75° 36.8000' W

b. Piling 35° 39.8400' N 75° 37.0800' W

c. Piling 35° 40.0800' N 75° 37.0800' W

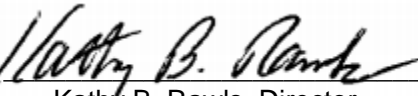
d. Piling 35° 40.0800' N 75° 36.8000' W

III. RESTRICTIONS

- A. It is unlawful to use to use trawl nets, long haul seines, or swipe nets in the areas described in Section II.
- B. It is unlawful to take, or possess after taking, shellfish from the areas described in Section II.

IV. **GENERAL INFORMATION**

- A. This proclamation is issued under the authority of G.S. 113-134; 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 .0103.
- B. It is unlawful to violate provisions of any proclamation issued by the Fisheries Director under her delegated authority per N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103.
- C. The intent of this proclamation is to designate shellfish management areas otherwise termed sanctuaries, after substrate is strategically deployed and monitored to protect areas from certain gears or activities to facilitate increased oyster larvae production and brood-stock development. Sanctuary locations are selected based on salinity gradient, bottom type, tidal flow, wave action, prevailing wind, historic oyster data, and input from stakeholders to maximize success and longevity of each reef.
- D. The Division of Marine Fisheries shall place buoys or pilings to identify the boundaries of the referenced area, which will be considered the actual oyster sanctuary. Unauthorized removal or relocation of any buoy or piling shall not change the oyster sanctuary, nor shall any such unauthorized removal or relocation or the absence of any buoy affect the applicability of any proclamation pertaining to the boundary of the oyster sanctuary. Where there is conflict between buoys, and boundaries described in this proclamation and map, boundary descriptions in the proclamation shall prevail.
- E. In accordance with N.C. General Statute 113-221.1(c) All persons who may be affected by proclamations issued by the Fisheries Director are under a duty to keep themselves informed of current proclamations.
- F. Contact N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557; 252-726-7021 for more information or visit the division website at www.ncmarinefisheries.net.
- G. **This proclamation supersedes proclamation SF-11-2021 dated October 26, 2021. This proclamation sets boundaries for five Oyster Sanctuaries designated as Shellfish Management Areas with gear and shellfish harvest restrictions.**

By: 
Kathy B. Rawls, Director
DIVISION OF MARINE FISHERIES

October 12, 2022
12:10 P.M.