



PA-39-2023

ROY COOPER  
*Governor*

ELIZABETH S. BISER  
*Secretary*

KATHY B. RAWLS  
*Director*

## **PROCLAMATION**

### **RE: SHELLFISH POLLUTED AREA**

Kathy B. Rawls, Director, Division of Marine Fisheries, upon the recommendation of Betsey Tilson, 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**.

It is unlawful for any person to 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 / CARTERET COUNTIES**

**All those waters** between IWW Beacon "1" near Southport and the South Carolina State Line, to include Tubbs Inlet, Shallotte River, the Shallotte Inlet Area, Lockwoods Folly River, and the Lockwoods Folly Inlet Area.

**North River - All those waters in North River** upstream of a straight line beginning at a point 34° 42.1302' N - 76° 36.0815' W at the permanent closure line near Beacon "5"; running northeasterly to a point 34° 43.2724' N - 76° 34.5238' W on the mainland at the Harker's Island Bridge at The Straits, to include Ward Creek.

### **The following also remains closed:**

### **NEW HANOVER COUNTY / PENDER / ONSLOW / CARTERET COUNTIES**

**All those waters** in Middle Sound bordered on the north by the Figure Eight Island Bridge and bordered on the south by the Wrightsville Beach Bridge, to include Pages Creek.

**All those waters** bordered on the north by a line beginning at a point 34° 33.0934' N - 77° 21.6926' W on the mainland near Hatch Point, running easterly near Marker "76" to New River Inlet Channel Beacon "12", thence running southerly following the dredged channel to the eastern tip of North Topsail Beach at New River Inlet; and bordered on the south by the Surf City Bridge, to include the Intracoastal Waterway, Stump Sound, Alligator Bay, and Chadwick Bay.

**All those waters from the Intracoastal Waterway to the mainland**, between the Emerald Isle High Rise Bridge and IWW Beacon "65A" (34° 32.7006' N - 77° 19.0487' W), located just west of Salliers Bay near New River Inlet, to include the Intracoastal Waterway, Salliers Bay, Freeman Creek, Bear Creek, Queens Creek, and White Oak River.

**Newport River - All those waters in Newport River** upstream of a line beginning at a point 34° 45.6960' N - 76° 43.5180' W on the south shore near Penn Point; running northeasterly to a point 34° 46.5733' N - 76° 42.6350' W on the north shore near the Hardesty Farms subdivision (near the Newport River DMF Shrimp Line).

**Core Creek - All those waters in Core Creek** upstream of a line beginning at a point 34° 46.3210' N - 76° 41.2515' W on the west shore, running easterly near IWW Marker "25" to a point 34° 46.2251' N - 76° 40.5919' W on the east shore near the mouth of Ware Creek.

**Sleepy Creek – All those waters in Sleepy Creek** upstream of a straight line across the mouth, beginning at a point 34° 43.2745' N - 76° 31.4600' W on the west shore; running easterly to a point 34° 43.2672' N - 76° 31.2792' W on the east shore.

**Oyster Creek - All those waters in Oyster Creek** upstream of a straight line across the mouth, beginning at a point 34° 48.8185' N - 76° 26.9761' W on the west shore; running northeasterly to a point 34° 48.9768' N - 76° 26.6340' W on the east shore.

**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.

**All those waters in Cedar Island Bay** bounded in the north and east by a line beginning at a point 34° 59.1474' N - 76° 16.3156' W on Hog Island, running southeasterly to a point 34° 58.9645' N - 76° 16.1410' W; thence following the shoreline to Hog Island Point; thence running southwesterly to Long Point, to include Cedar Island Bay and Lewis 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 their delegated authority pursuant to N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103.
- C. 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.
- D. These temporary closures are due to rainfall and resultant runoff.

BY:



Kathy B. Rawls, Director  
DIVISION OF MARINE FISHERIES, DEQ

May 20, 2023  
9:50 A.M.  
PA-39-2023