



ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

SF-11-2021

PROCLAMATION

RE: SHELLFISH MANAGEMENT AREA – MOUTH OF WEST BAY & MOUTH OF NEUSE RIVER, PAMLICO SOUND

This proclamation supersedes proclamation SF-8-2021 dated June 30, 2021. This proclamation designates two Oyster Sanctuaries 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 29, 2021**, the following areas are designated Shellfish Management Areas.

I. AREA DESCRIPTIONS **CARTERET COUNTY**

- A. **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:

Buoy	35° 05.6550' N	76° 27.5040' W
Buoy	35° 05.6410' N	76° 26.7650' W
Buoy	35° 05.4850' N	76° 26.7640' W
Buoy	35° 05.4990' N	76° 27.5030' W

- B. **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:

Buoy	35° 03.4710' N	76° 22.9220' W
Buoy	35° 03.4630' N	76° 22.5600' W
Buoy	35° 03.1650' N	76° 22.5700' W
Buoy	35° 03.1730' N	76° 22.9320' W

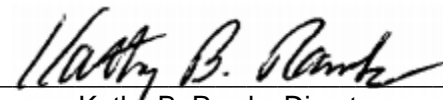
II. RESTRICTIONS

- A. In unlawful to use to use trawl nets, long haul seines, or swipe nets in the area described in I.
- B. It is unlawful to take shellfish in the area described in I.

III. **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 to identify the boundaries of the referenced area, which will be considered the actual oyster sanctuary. Unauthorized removal or relocation of any buoy 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-8-2021 dated June 30, 2021. This proclamation designates two new Oyster Sanctuaries as Shellfish Management Areas with gear and shellfish harvest restrictions.**

By: _____


Kathy B. Rawls, Director
DIVISION OF MARINE FISHERIES

October 26, 2021
1:25 P.M.