



PA-27-2023

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 **effective sunrise, Monday, April 17, 2023**, the following privately controlled shellfish leases or franchises as indicated below **are closed** to the harvest of oysters, clams, and mussels:

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 privately controlled shellfish leases or franchises:

| <u>NAME</u>                   | <u>LOCATION</u> | <u>NUMBER</u> |
|-------------------------------|-----------------|---------------|
| <b><u>ONSLow COUNTY</u></b>   |                 |               |
| MICHAEL W MIDGETT             | TURKEY CREEK    | 363           |
| <b><u>CARTERET COUNTY</u></b> |                 |               |
| JAMES K LILLY                 | NEWPORT RIVER   | 522-A         |
| ALTON D JOYNER                | NORTH RIVER     | 703           |
| THOMAS C MCARTHUR JR.         | NORTH RIVER     | 689           |

**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.G.S. 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. This action is being taken to protect public health and is based on polluted shellfish being relayed on these shellfish leases or franchises under the Shellfish Management Program of the Division of Marine Fisheries.
- E. The shellfish leases or franchises listed herein which will contain shellfish relayed from polluted areas must be posted with signs provided by the Division of Marine Fisheries for the closure period indicated.
- F. The shellfish leases or franchises listed herein **will remain closed** until a reopening proclamation is issued by the Division of Marine Fisheries, and under no circumstances prior to 21 days from the end of relay season.

BY: 

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

April 15, 2023  
7:00 A.M.  
PA-27-2023

State of North Carolina | Division of Marine Fisheries  
3441 Arendell Street | P.O. Box 769 | Morehead City, North Carolina 28557  
252-726-7021