



PA-106-2020

ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

STEPHEN W. MURPHEY  
*Director*

## PROCLAMATION

### RE: SHELLFISH POLLUTED AREA

Stephen W. Murphey, 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 changes in shellfish harvesting areas will take effect at sunrise, Wednesday, September 23, 2020.

All those waters in New Hanover and Pender Counties will return to the status in existence immediately prior to the September 17, and September 18, 2020 temporary closures **except the following which remain closed:**

### PENDER COUNTY

**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 through Marker "76" to 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 a line beginning at a point 34° 24.7539' N - 77° 35.6463' W on the mainland near Sloop Point, running southwesterly near IWW Marker "86" to a point 34° 24.6325' N - 77° 35.6860' W near Beacon "BC"; thence running southerly following Banks Channel near Green Markers "21" and "19" to a point 34° 24.0765' N - 77° 35.2697' W on Topsail Beach near Beacon "18", to include a portion of Topsail Sound, Virginal Creek, Becky's Creek, Stump Sound, Alligator Bay, and Chadwick Bay.

**The following also remains closed:**

### BRUNSWICK / ONSLOW / CARTERET / CRAVEN COUNTIES

**All those waters** bordered on the east by a line beginning at a point 33° 54.2904' N - 78° 23.6416' W on the mainland near the Bricklanding Road Public Boat Ramp and IWW Beacon "84"; running southerly to a point 33° 54.1932' N - 78° 23.6426' W on Ocean Isle Beach near Ferry Landing Park; and bordered on the west by the South Carolina State Line, to include the Tubbs Inlet area.

**Shalotte River – All those waters in Shalotte River** upstream of a line beginning at a point 33° 54.8302' N - 78° 22.3626' W near Bowen Point; running southeasterly to a point 33° 54.6139' N - 78° 21.7667' W on Long Point.

**Lockwoods Folly River - All those waters in Lockwoods Folly River** north of a line beginning at a point 33° 55.5678' N - 78° 13.8043' W on the south shore of Spring Creek near the mouth; running easterly to a point 33° 55.4621' N - 78° 13.1714' W near the northern tip of Sheep Island; thence running southeasterly to a point 33° 55.2284' N - 78° 12.7791' W near the northwest point of Horse Island, to include a portion of the Intracoastal Waterway north of Horse and Sheep Islands.

**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 through Marker "76" to 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 a line beginning at a point 34° 24.7539' N - 77° 35.6463' W on the mainland near Sloop Point, running southwesterly near IWW Marker "86" to a point 34° 24.6325' N - 77° 35.6860' W near Beacon "BC"; thence running southerly following Banks Channel near Green Markers "21" and "19" to a point 34° 24.0765' N - 77° 35.2697' W on Topsail Beach near Beacon "18", to include a portion of Topsail Sound, Virginal Creek, Becky's Creek, 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 Fl. Beacon "65A", located just west of Salliers Bay, near New River Inlet, to include Salliers Bay, Freeman Creek, Bear Creek, Queens Creek, and White Oak River.

**Bogue Sound – All those waters, from the Intracoastal Waterway to the mainland**, between the permanent closure line near 16<sup>th</sup> St. in Morehead City and IWW Beacon "19", near Gales Creek.

**Newport River - All those waters in Newport River** upstream of the Highway 70 High Rise Bridge and the Morehead-Beaufort Causeway, to include all tributaries and Core Creek.

**North River - All those waters in North River** upstream of a straight line beginning at a point 34° 42.1449' N - 76° 36.2801' W at the permanent closure line near Channel Marker #56B; 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.

**Whitehurst Creek – All those waters in Whitehurst Creek** upstream of a straight line across the mouth, beginning at a point 34° 43.5146' N - 76° 33.3428' W on the west shore; running easterly to a point 34° 43.5511' N - 76° 33.1664' W on the east shore.

**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.

**Jarrett Bay - All those waters in Jarrett Bay** upstream of a line beginning at a point 34° 45.8170' N - 76° 28.7579' W on the east shore of Spit Bay; thence in a straight line to a point 34° 45.3229' N - 76° 29.1273' W at the southern tip of Davis Island; thence in a straight line near Flashing Beacon #36 to a point 34° 43.7805' N - 76° 30.0180' W the southeast end of Bells Island; thence in a straight line to a point 34° 43.5461' N - 76° 30.3917' W on the Marshallberg shoreline.

**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.

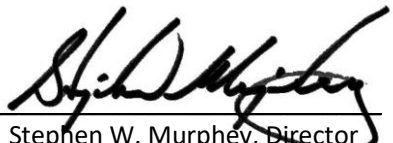
**Nelson Bay – All those waters in Nelson Bay upstream** of a line from Drum Point to the northern tip of Fulchers Creek.

**South River - All those waters in South River** upstream of a line beginning at Sandy Point; running easterly near Beacon "1" to Horton Point.

**Adams Creek - All those waters in Adams Creek** upstream of a line beginning at a point 34° 57.2754' N - 76° 42.4146' W near Great Neck; running northeasterly to a point 34° 58.0929' N - 76° 40.5944' W near Winthrop Point.

**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 his 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. This proclamation returns the following areas to normal closure boundaries: Middle Sound, Pages Creek, Old Topsail Creek, and a portion of Topsail Sound.
- E. These reopenings are due to satisfactory bacteriological sampling results.

BY:   
Stephen W. Murphey, Director  
DIVISION OF MARINE FISHERIES, DEQ

September 22, 2020  
11:50 A.M.  
PA-106-2020