



PA-87-2020

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 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:

### CARTERET COUNTY

**Newport River - All those waters in Newport River** east of a line beginning on the southwest tip of Core Creek; running easterly to IWW Beacon "24"; running southeasterly following the Intracoastal Waterway to IWW Beacon "28"; running southwesterly following the Intracoastal Waterway to IWW Beacon "34"; running southwesterly following the Intracoastal Waterway to IWW Beacon "38"; running southerly following the Intracoastal Waterway to the Morehead High Rise Bridge; to include Core Creek, the eastern part of Newport River, and the Causeway Bays.

**North River and The Straits - All those waters in North River and the Straits** bordered on the east by a line beginning at a point 34° 43.5461' N - 76° 30.3917' W along the shore in Marshallburg, thence in a straight line to the eastern tip of Browns Island, thence in a straight line to Shell Point on Harkers Island; and bordered in the west by a line beginning at a point along the southwestern tip of Harkers Island at 34° 42.0981' N - 76° 35.0718' W; thence in a straight line near Channel Marker #56A to the permanent closure line near Channel Marker #56B, to include Ward Creek, Whitehurst Creek, and Sleepy Creek.

### The following remains closed:

### BRUNSWICK / NEW HANOVER / CARTERET COUNTIES

**All those waters** between the permanent closure line near IWW Marker "89" in Ocean Isle, and the South Carolina State Line, to include Tubbs Inlet.

**All those waters** upstream of a straight line beginning at a point 33° 55.3874' N – 78° 22.2861' W on the western shore of the Shallotte River approximately 650 yards south of The Swash; running easterly to a point 33° 55.3385' N - 78° 21.7279' W on the eastern shore of the Shallotte River approximately 650 yards south of Shallotte Creek.

**All those waters from the Intracoastal Waterway to the mainland** between IWW Marker "129" (34° 11.5153' N - 77° 49.5764' W) near Shinn Creek and IWW Marker "141" (34° 07.7515' N - 77° 51.9560' W) near Peden Point.

**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.

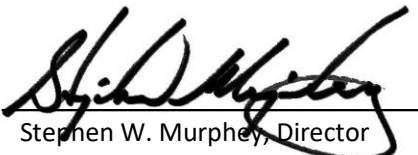
**Oyster Creek – All those waters in Oyster Creek** upstream of a straight line across the mouth, beginning at a point 34° 48.8185' N - 76° 26.9761' W on the west shore; running northeasterly to a point 34° 48.9768' N - 76° 26.6340' W on the east shore.

**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.

**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. These temporary closures are due to rainfall and resultant runoff.

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

August 15, 2020  
7:50 A.M.  
PA-87-2020