

**New York State Department of Environmental Conservation**

**Division of Fish, Wildlife & Marine Resources**

**Bureau of Marine Resources – Shellfisheries Section**

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Joe Martens  
Commissioner

**EMERGENCY DESIGNATION OF SHELLFISH LANDS  
IN THE STATE OF NEW YORK  
AS UNCERTIFIED FOR THE HARVEST OF SHELLFISH**

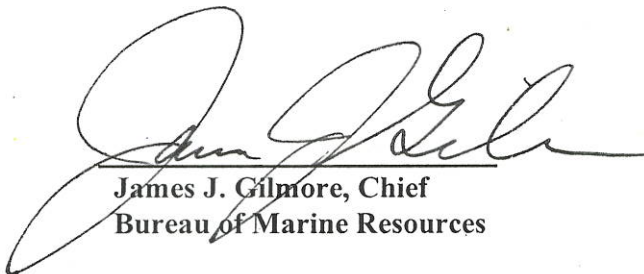
Pursuant to the provisions of Subdivisions 13-0307 (1) and (2) and Subdivision 13-0309 (1) of the Environmental Conservation Law and Sections 41.4 and 42.17 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, and due to coastal flooding associated with Hurricane Sandy, which disrupted sewage treatment plants and flooded near shore septic systems resulting in conditions which may cause shellfish to be hazardous for use as food, I, James J. Gilmore, Chief, Bureau of Marine Resources, of the Department of Environmental Conservation, hereby designate the shellfish lands described below as **UNCERTIFIED effective at sunrise on Friday, November 30, 2012 and continuing through Friday, December 7, 2012, both dates inclusive.**

Accordingly, it is unlawful to harvest shellfish, including bay scallops, from the following areas:

- 1. Towns of Hempstead and Oyster Bay (south shore):** All that area of Hempstead Bay, East Bay and South Oyster Bay and their tributaries.
- 2. Town of Babylon:** All the normally certified shellfish lands in Great South Bay, including tributaries, lying west of a line extending southeasterly from the southernmost tip of Bergen Point (also known as Fleet Point) to the eastern side of Nezeras Island (lying east of Fox Creek Channel) and continuing southeast across the State Boat Channel to Jones Island at the eastern side of Cedar Beach Park.

I hereby certify that this is the original thereof.

Dated: November 29, 2012  
East Setauket, New York



James J. Gilmore, Chief  
Bureau of Marine Resources