

ORDER OF THE STATE HEALTH OFFICER

STATE OF ALABAMA)

MONTGOMERY COUNTY)

I, Scott Harris, M.D., M.P.H., as State Health Officer, acting under the authority of Code of Alabama 1975, §9-12-126, and pursuant to the rules of the State Board of Health for Shellfish Sanitation adopted August 27, 2012, found in Alabama Administrative Code, Chapter 420-3-18 hereby order that the following designated areas of Mobile Bay are to be opened or closed to the taking of oysters as indicated herein. All areas designated as unclassified are closed to the harvesting of oysters.

AREA I

That portion of Mobile Bay and tributaries lying south of a line extending in an eastward direction from the south shore of East Fowl River at the mouth to East Fowl River Channel Marker 2, then in an eastward direction to Marker 51 at the Mobile Ship Channel, then in a northeastward direction to Daphne.

The eastern boundary of Area I extends from the western most tip of Fort Morgan Peninsula to Mullet Point.

The western boundary of Area I extends from Barron Point westward to the southern tip of Isle Aux Herbes (Coffee Island), then westward to Marker 17 at Bayou La Batre Ship Channel, then due south to Dauphin Island. Area I is designated "Conditionally Approved."

EXCEPTIONS TO AREA I

1. The area lying south of a line extending from Marker 51 at the Mobile Bay Ship Channel, then in a northeastward direction to Daphne. The southern boundary is a line extending due east from Marker 51 at the Mobile Bay Ship Channel to intersect the beach. This portion of Area I is designated "Conditionally Restricted."
2. That portion of waters extending 1,000 feet from the Fairhope Sewage Treatment outfall. This portion of Area I is designated "Prohibited."
3. That portion of waters extending 1,000 feet from the mouth of the cove containing the marina at the Marriott Grand Hotel. This portion of Area I is designated "Prohibited."
4. Access canals to Heron Bay, west of and adjacent to Alabama Highway 193. This portion of Area I is designated "Prohibited."

5. That portion of Aloe Bay and adjoining waters, lying south of a line extending eastward from the northeast corner of the Dauphin Island Airstrip to the marked bridge piling (at Bent Cap #AL-P14 54-C) on the west side of Dauphin Island Bridge where it crosses the northwest portion of Little Dauphin Island, then extending south along the bridge to Chaugae Point on Dauphin Island. This area also includes all waters 1,000 feet north of a line extending from the northwest corner of the Dauphin Island Airstrip to the north end of Port Royal Street at LaFitte Bay. This portion of Area I is designated "Prohibited."
6. That portion of Dauphin Island Bay and adjoining waters, lying south of a line extending southeastward from the marked bridge piling (at Bent Cap #AL-P14 54-C) on the east side of the Dauphin Island Bridge where it crosses the northwest portion of Little Dauphin Island, to Dauphin Island Channel Marker 14 at Confederate Pass. This portion of Area I is designated "Prohibited."
7. All of Quivera Bay, all of Polaris Lagoon, all of LaFitte Bay, all of Port Royal Lagoon and all of Graveline Bay including Bayou Heron Canal/Salt Creek. This portion of Area I is designated "Conditionally Restricted."
8. The following bays and canals adjoining Dauphin Island Bay are unclassified, including but not limited to: Indian Bay, Indian Canal, Buchanan Bay, Confederate Pass, British Bay, Columbia Bay, Colony Bay, Spanish Bay, Barcelona Bay, Government Cut, and Billy Goat Hole.

AREA II

That portion of Portersville Bay north of a line extending from Barron Point westward to the southern most tip of Isle Aux Herbes (Coffee Island), then westward to Marker 17 at the Bayou La Batre Ship Channel, then northward to Marker 22 at the Bayou La Batre Ship Channel, then due west to a point which intersects with the line of longitude 088° 18.300' W, and east of a line that runs due north until it intersects the shore at 30°22.273'N 88°18.300"W. Area II is designated "Conditionally Approved."

EXCEPTIONS TO AREA II

1. All of Bayou La Batre. This portion of Area II is designated "Prohibited."
2. All of Bayou Coden and that portion of adjoining waters bordered on the east by a line 1,000 feet east of and parallel to a line extending from the mouth of Bayou Coden southward to Marker 8, then extending westward to Marker 8, then along the southern boundary of the Bayou Coden Channel to a point due south of Niolon Lane, and then extending due north to a point on the beach at the south end of Niolon Lane. This portion of Area II is designated "Conditionally Restricted."

3. That portion of West Fowl River east of Channel Marker 28. This portion of Area II is designated "Prohibited."
4. All waters extending in all directions for a distance of 2.0 statute miles from the piling indicating the Bayou La Batre Wastewater Treatment Plant diffuser located at 30° 22'04.86" N 088° 16'36.57" W(30° 22.081'N and 088° 16.610' W). This portion of Area II is designated "Prohibited."
5. All waters inside Fowl River Bay, from Grand Point 30°21.650'N, 88°12.548'W(30°21'39.42"N, 88°12'32.46"W) to Murder Point 30°20.587'N, 88°11.724'W(30°20'36.24"N, 88°12'32.46"W). This portion of Area II is designated "Conditionally Restricted."

AREA III

All of Bon Secour Bay, to include all waters east of a line extending from the western most tip of Fort Morgan Peninsula to Mullet Point. Area III is designated "Conditionally Approved."

EXCEPTIONS TO AREA III

1. All of Weeks Bay and that portion of waters extending 4,000 feet in all directions from the mouth of Weeks Bay. This portion of Area III is "Conditionally Restricted."
2. All of Oyster Bay. This portion of Area III is "Conditionally Restricted."
3. All of Bon Secour River. This portion of Area III is "Prohibited."
4. All of the Intracoastal Waterway east of Marker 2 at the entrance of the Intracoastal Waterway at Oyster Bay. This portion of Area III is unclassified.
5. All waters east of Oyster Bay to include Wolf Bay, Bay La Launch, Terry Cove, Bayou St. John, Cotton Bayou and Perdido Bay. This portion of Area III is unclassified.
6. Little Lagoon. This portion of Area III is unclassified.

AREA IV

That portion of Mobile Bay and tributaries lying north of a line extending in an eastward direction from a designated point on the beach at the southeast corner of the air strip at the Brookley Air Field to Mobile Ship Channel Marker 73, then in a southerly direction parallel to the west boundary of the Mobile Ship Channel to Marker 51, then in a northeastward direction to Daphne. Area IV is designated "Prohibited."

AREA V

That portion of Mobile Bay and tributaries beginning at the south shore of the mouth of the Theodore Industrial Canal, then running southeasterly in a line following the southern edge of the Theodore Ship Channel to the Mobile Ship Channel Marker 53/1A, then in a northerly direction to Mobile Ship Channel Marker 73, then in a southwesterly direction to a designated point on the beach at the southeast corner of the air strip at the Brookley Air Field. Area V is designated "Restricted."

EXCEPTIONS TO AREA V

1. All waters within 5,000 feet of the mouth of Dog River. This portion of Area V is "Prohibited."
2. All waters within 3,000 feet of the mouth of Theodore Industrial Canal. This portion of Area V is "Prohibited."
3. All waters east of the western boundary of the Mobile Ship Channel Marker 53/1A, northerly to Mobile Ship Channel Marker 73, then waters north of a line from Mobile Ship Channel Marker 73 and westerly to a designated point on the beach at the southeast corner of the air strip at Brookley Air Field. This portion of Area V is "Prohibited."

AREA VI

That portion of Mobile Bay and tributaries beginning at the south shore of the mouth of East Fowl River, then running east to East Fowl River Channel Marker 2, then in a northeasterly direction to Mobile Ship Channel Marker 51, then in a northerly direction parallel with the west boundary of the Mobile Ship Channel to Mobile Channel/Theodore Ship Channel Marker 53/1A, then northwesterly along the southern edge of the Theodore Ship Channel to the south shore of the mouth of the Theodore Industrial Canal. Area VI is designated "Conditionally Restricted."

EXCEPTIONS TO AREA VI

1. All waters within 3,000 feet of the mouth of the Theodore Industrial Canal from the south shore of the mouth of the Theodore Industrial Canal. This portion of Area VI is "Prohibited."
2. All waters within 2,000 feet of the mouth of East Fowl River from the south shore of the mouth of East Fowl River (Area I "Conditionally Approved" boundary line) to the north shore of the mouth of East Fowl River. This portion of Area VI is "Prohibited."
3. All waters of the Mobile Ship Channel from Mobile Ship Channel Marker 51 northerly to the Mobile Ship Channel/Theodore Marker 53/1A. This portion of Area VI is "Prohibited."

AREA VII

That portion of Grand Bay west of a line that starts on the southeastern shore of Point aux Pins at 30°22.273'N 88°18.300'W (30°22'16.38"N, 88°18'18.00"W) and runs due south to a point located at 30°21.707'N 88°18.300'W (30°21'42.42"N 88°18'18.00"W), then runs due west to the Alabama – Mississippi state line located at 30°21.707'N 88°23.675'W (30°21'42.42"N 88°23'40.50"W). Area VII is designated "Conditionally Approved."

The above described areas shall have the described classifications for the taking of oysters for human consumption on and after 4:15 p.m., the 7th day of December 2018, and all "conditionally approved" areas shall be opened for harvest by regulations of the Alabama Department of Public Health and on such days and during such hours as set by the laws and regulations of the Alabama Department of Conservation and Natural Resources, Marine Resources Division.

Maps showing the areas are on file with the State Health Department, Montgomery, Alabama; the Department of Conservation and Natural Resources, Montgomery, Alabama; Baldwin County Health Department, Bay Minette, Alabama; and the Mobile County Health Department, Mobile, Alabama.

Done on this, the 7th day of December, 2018.



Scott Harris, M.D., M.P.H.
State Health Officer