

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

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

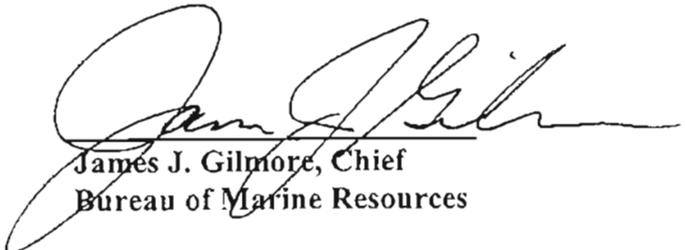
Pursuant to the provisions of Subdivisions 13-0307 (1) and (2) and Subdivision 13-0309 (1) of the Environmental Conservation Law and Section 47.4 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, and based on a determination that *Vibrio parahaemolyticus* bacteria are not present in shellfish at levels which may cause those shellfish to be hazardous for use as food, I, James J. Gilmore, Chief of the Bureau of Marine Resources, Division of Fish, Wildlife & Marine Resources of the Department of Environmental Conservation, hereby partially rescind the designation of shellfish lands as uncertified for the harvest of shellfish dated June 28, 2013. **This order is effective at sunrise on Saturday August 17, 2013 and applies only to those areas described below:**

Accordingly, the harvest of shellfish from the following areas is permitted:

Town of Oyster Bay Harbor (north shore): All the normally certified shellfish lands in Oyster Bay Harbor (West Harbor) lying west of Centre Island and westerly of a line extending southerly from the southwesternmost point of Brickyard Point on Centre Island to the landward end of the northernmost rock jetty lying north of the Town of Oyster Bay boat ramp in Theodore Roosevelt Memorial Park.

I hereby certify that this is the original thereof.

Dated: August 16, 2013
East Setauket, New York


James J. Gilmore, Chief
Bureau of Marine Resources

**Rescission of Emergency Designation fo Shellfish Lands in the
State of New York as Uncertified for the Harvest of Oysters**

Effective at sunrise on Saturday August 17, 2013, the temporary emergency shellfish closure in Oyster Bay Harbor is partially rescinded.

Accordingly, the harvest of shellfish from the following areas is permitted:

Town of Oyster Bay Harbor (north shore): All the normally certified shellfish lands in Oyster Bay Harbor (West Harbor) lying west of Centre Island and westerly of a line extending southerly from the southwesternmost point of Brickyard Point on Centre Island to the landward end of the northernmost rock jetty lying north of the Town of Oyster Bay boat ramp in Theodore Roosevelt Memorial Park.

Please Note: The harvest of shellfish continues to be prohibited in all the other normally certified shellfish lands in Oyster Bay Harbor, lying southerly and easterly of the Centre Island peninsula and all of Cold Spring Harbor lying southerly of a line extending from Rocky Point (Centre Island) to Whitewood Point (Lloyd Neck).

To reduce the potential for growth of bacteria in shellfish after they are harvested and thereby minimize the risk of future illnesses, DEC reminds shellfish harvesters to practice good post-harvest handling measures for temperature control, including:

- Keeping shellfish shaded, out of direct sunlight
- Keeping shellfish on ice or spraying with cool water from a certified area
- Never place shellfish in standing or stagnant water
- Get shellfish under refrigeration within 5 hours of the start of harvest.

The DEC will continue to collect and test shellfish samples from additional areas in eastern Oyster Bay Harbor and Cold Spring Harbor to determine the level of Vp present in shellfish. When the DEC, in consultation with the FDA, determines that Vp is no longer present in shellfish at levels that are hazardous to human health, the remaining normally certified areas of eastern Oyster Bay and Cold Spring harbors will be re-opened.

A copy of the signed order and a map of the affected areas are attached.

Karen Graulich
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Shellfish Growing Area Classification Unit
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