

New York State Department of Environmental Conservation

Division of Fish, Wildlife & Marine Resources

Bureau of Marine Resources – Shellfisheries Section

205 North Belle Mead Road, Suite 1, East Setauket, New York 11733

Phone: (631) 444-0475 • Fax: (631) 444-0472

Website: www.dec.ny.gov



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 Section 41.4 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, and due to the potential for extremely heavy rainfall and stormwater runoff, as well as coastal flooding associated with Hurricane Sandy, which is forecast to impact Long Island on October 29, 2012 and may result in conditions causing 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 Monday, October 29, 2012 and continuing through Monday, November 5, 2012, both dates inclusive.**

Accordingly, it is unlawful to harvest shellfish 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 North Hempstead:** All that area of Hempstead Harbor lying southerly of a line extending northeasterly from Prospect Point to Matinecock Point.
- 3. Town of Oyster Bay (north shore):** All of Oyster Bay Harbor and all of Cold Spring Harbor lying southerly of a line extending easterly from the northern tip of Centre Island known as Rocky Point to Whitewood Point (Town of Huntington) on Lloyd Neck on the eastern shore of Cold Spring Harbor; and, all of Hempstead Harbor, lying southerly of a line extending northeasterly from Prospect Point to Matinecock Point.
- 4. Towns of Babylon and Islip:** All that area of Great South Bay, including tributaries.
- 5. Towns of Brookhaven (south shore):** All that area of Great South Bay, including Nicoll Bay, Patchogue Bay, Bellport Bay and their tributaries; and, all that area Narrow Bay and Moriches Bay and their tributaries.
- 6. Town of Brookhaven (north shore):** All of Stony Brook Harbor, Port Jefferson Harbor and Mount Sinai Harbor.
- 7. Town of Huntington:** All of Northport Bay, Duck Island Harbor, Centerport Harbor, Lloyd Harbor; and, all that area of Huntington Bay lying southerly of a line extending easterly from the northernmost point of Lloyd Point on Lloyds Neck to the northernmost point of Eatons Neck Point on Eatons Neck; AND, all of Cold Spring Harbor lying southerly of a line extending easterly from the northern tip of Centre Island known as Rocky Point to Whitewood Point (Town of Huntington) on Lloyd Neck on the eastern shore of Cold Spring Harbor.
- 8. Town of Smithtown:** All that area of Stony Brook Harbor and its tributaries.
- 9. Town of Riverhead:** All that area of Flanders Bay and its tributaries.

10. Town of Southampton: All that area of Flanders Bay, Great Peconic Bay, Little Peconic Bay, Noyack Bay, Shelter Island Sound, Moriches Bay, Quantuck Bay, Quantuck Canal and Shinnecock Bay and all other creeks, bay, harbors, coves and tributaries within the Town of Southampton.

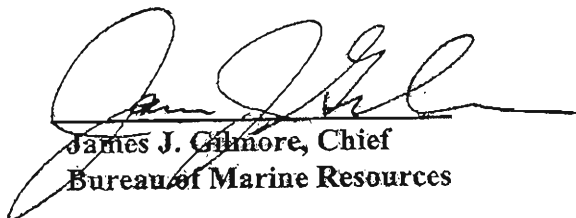
11. Town of East Hampton: All that area of Northwest Harbor, Three Mile Harbor, Accabonac Harbor, Napeague Bay, Napeague Harbor, Lake Montauk and all other creeks, bay, harbors, coves and tributaries within the Town of East Hampton.

12. Town of Shelter Island: All that area of Shelter Island Sound, Coecles Harbor, Dering Harbor, West Neck Harbor, Northwest Harbor and all the creeks, bay, harbors, coves and tributaries within the Town of Shelter Island.

13. Town of Southold: All that area of Great Peconic Bay, Little Peconic Bay, Southold Bay, Cutchogue Harbor, Pipes Cove, Orient Harbor, Hallock (Long Beach) Bay, Shelter Island Sound; Hay Harbor, West Harbor and East Harbor on Fishers Island; and, all other creeks, bay, harbors, coves and tributaries within the Town of Southold.

I hereby certify that this is the original thereof.

Dated: October 26, 2012
East Setauket, New York


James J. Gilmore, Chief
Bureau of Marine Resources

Nancy Daniel

From: William Hastback [wghastba@gw.dec.state.ny.us]
Sent: Monday, October 29, 2012 8:18 AM
To: issc
Cc: Donald Ullstrom
Subject: NYSDEC Implements Precautionary Shellfish Closures due to Hurricane Sandy
Attachments: Closure Order.SIGNED.pdf

<http://www.dec.ny.gov/outdoor/7765.html> copy of NYSDEC's signed closure order attached

Emergency Rainfall Closures - Nassau and Suffolk Counties

The DEC Bureau of Marine Resources will implement precautionary, temporary shellfish closures effective at sunrise on Monday, October 29, 2012 through Monday, November 5, 2012. DEC-BMR has implemented precautionary closures in the past prior to hurricanes and other major storm events.

The precautionary closure is being implemented based on NOAA-National Weather Service forecasts which indicate a high probability of 4 to 6 inches of rainfall on Long Island, with coastal flooding and power outages due to a prolonged period of high winds associated with Hurricane Sandy and the severe coastal storm that is expected to develop and affect much of the northeastern U.S.

Water quality data collected by DEC over the years, after rain/runoff related closures, shows that water quality in the enclosed creeks, coves, harbors and bays around Long Island is adversely affected by stormwater runoff from rain in excess of 3 inches. Coastal flooding caused by strong winds and astronomical high tide (full moon October 29), along with power outages that may affect sewage treatment facilities, can all contribute additional contamination to certified harvesting areas increasing the potential for shellfish to become hazardous for human consumption and making such closures a prudent public health measure.

This precautionary closure will cover more area than routine emergency rainfall closures and will include all of Great South Bay in Islip and Brookhaven, including all of Patchogue Bay as well as all the creeks, coves, harbors and bays within the Towns of Riverhead, Southampton, East Hampton, Shelter Island and Southold; AND, Flanders Bay, Great Peconic Bay, Little Peconic Bay, Southold Bay, Orient Harbor, Shelter Island Sound, Noyac Bay, Northwest Harbor, Napeague Harbor, Napeague Bay, Montauk Harbor; Hay Harbor, West Harbor and East Harbor on Fishers Island; AND, all of Hempstead Harbor lying southerly of a line extending northeasterly from Prospect Point to Matinecock Point; AND, all of Cold Spring Harbor and all of Huntington Bay.

Larger Map Image at: <http://www.dec.ny.gov/outdoor/86503.html>

