

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

**RECISSION 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* are not present in shellfish (hard clams) 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 rescind the designation of shellfish lands as uncertified for the harvest of shellfish dated July 12, 2012. **This order is effective at sunrise on August 4, 2012 and applies only to shellfish other than oysters in those areas described below:**

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

Town of Oyster Bay Harbor (north shore): All the normally certified shellfish lands in Oyster Bay Harbor lying westerly of a line extending southerly from the stone house at Plum Point (Centre Island) to the northwestern most point of Cove Point on Cove Neck.

Note: The harvest of oysters continues to be prohibited in all of the normally certified shellfish lands in Oyster Bay Harbor lying westerly of a line extending southerly from the stone house at Plum Point (Centre Island) to the northwestern most point of Cove Point on Cove Neck.

I hereby certify that this is the original thereof.

Dated: August 3, 2012
East Setauket, New York


**James J. Gilmore, Chief
Bureau of Marine Resources**