

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 Wednesday, November 14, 2012 and continuing through Wednesday, November 21, 2012, both dates inclusive.**

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

- 1. Towns of North Hempstead:** All that area of Hempstead Harbor lying southerly of a line extending northeasterly from Prospect Point to Matinecock Point.
- 2. Towns of Hempstead and Oyster Bay (south shore):** All that area of Hempstead Bay, East Bay and South Oyster Bay and their tributaries.
- 3. Town of Oyster Bay (north shore):** all that area of Hempstead Harbor lying southerly of a line extending northeasterly from Prospect Point to Matinecock Point and all of area in Cold Spring Harbor lying south of a line extending northeasterly from the northwestern point of Cooper Bluff (Cove Neck) to the northern side of the Town of Huntington beach pavilion at West Neck Beach.
- 4. Town of Huntington:** all of the area in Cold Spring Harbor lying south of a line extending northeasterly from the northwestern point of Cooper Bluff (Cove Neck) to the northern side of the Town of Huntington beach pavilion at West Neck Beach.
- 5. Towns of Babylon and Islip:** All that area of Great South Bay, including tributaries.
- 6. Town of Brookhaven (south shore):** All that area of Great South Bay, including Nicoll Bay, Patchogue Bay, Bellport Bay and their tributaries.
- 7. Town of Southampton:** All that area of Shinnecock Bay and all the enclosed creeks, ponds, coves and harbors along the north shore of the Town of Southampton, including Red Creek Pond, Squire Pond, Cold Spring Pond, North Sea Harbor, Noyac Creek and Sag Harbor.
- 8. Town of East Hampton:** All that area of Sag Harbor, Three Mile Harbor, Hog Creek, Accabonac Harbor, Napeague Harbor, Lake Montauk and all other creeks, bay, harbors, coves and tributaries within the Town of East Hampton.
- 9. Town of Southold:** All that area of Shelter Island Sound, Southold Bay and its tributaries, Hashamomuck Pond, Pipes Cove, Orient Harbor, Hallock (Long Beach) Bay, Little Bay; and, all other enclosed creeks, coves, and tributaries along the south shore of the Town of Southold, including Richmond Creek, Cory Creek, Cedar Beach Creek, Little Creek, Downs Creek, Haywater Cove, Broadwater Cove and Wunneweta Pond.