

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Marine Resources
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SPECIAL NOTICE TO SHELLFISH HARVESTERS, TOWN OF SHELTER ISLAND
"CONDITIONAL SHELLFISH HARVESTING PROGRAM" FOR DERING HARBOR

Pursuant to the provisions of 6 NYCRR Section 47.3(b), the New York State Department of Environmental Conservation, in cooperation with the Town of Shelter Island, will initiate a "conditional shellfish harvesting program" on **Monday, December 4, 2023**, for a portion of the uncertified shellfish lands in Dering Harbor, as described below and excerpted from 6 NYCRR, Part 41 "Sanitary Condition of Shellfish Lands."

To properly participate in this program, please take note of the following:

1. **CONDITIONAL AREA DESCRIPTION** (See the map images at the end of the document for additional information)

DERING HARBOR: All the uncertified shellfish lands in the **southern portion** of Dering Harbor, described as: all that area of Dering Harbor, including tributaries, lying south of a line extending easterly from the Northeastern-most corner of the bulkhead at the easternmost point of land at the Shelter Island Yacht Club (east of Chequit Point, local names, local landmarks), to the utility pole LIL 2 located near the shoreline, approximately 135 feet north of the intersection of Shore Road and Winthrop Road (local names, local landmarks) on the opposite shoreline and as included in subparagraph (6)(i) in the NOTICE TO ALL SHELLFISH HARVESTERS, NOTICE OF SANITARY CONDITION OF ALL SHELLFISH LANDS IN OR ADJACENT TO THE TOWN OF SHELTER ISLAND, SUFFOLK COUNTY, NEW YORK, dated: November 29, 2023,

EXCEPT all that area, including tributaries, lying south of a line extending westerly from the northwestern corner of the bulkhead protecting the shoreline at the Piccozzi Fuel Oil Company storage tank area (local landmark) to utility pole LIL 23 (located on the eastern side of Clinton Avenue approximately 500 feet northerly of the bridge crossing the entrance to Chase Creek, local names and local landmarks).

AREAS NOTED IN THE EXCEPTIONS ABOVE REMAIN UNCERTIFIED.

2. **CONDITIONS TO BE MET**

- Rainfall Limit of 0.50 inches,
- Proper Operation of the Sewage Treatment Plant,
- Boats Removed from the Marinas/Moorings.

When **no more than 0.50 inches** of liquid precipitation is recorded for each of seven (7) successive days, the areas may be "OPENED" (certified) for harvesting on the eighth (8) day and may remain "OPEN" until more than **0.50"** of rain is recorded in 24 hours. Additionally, the Shelter Island Heights Sewage Treatment Plant (SIHSTP) must operate with no malfunctions that could result in the discharge of less than fully treated sewage into Dering Harbor. The program will not begin until all boats are removed from the marinas/moorings in the conditional harvest area.

Town of Shelter Island personnel will determine the amount of precipitation that is recorded daily. Sewage treatment plant staff will determine whether the facility has operated effectively.

3. **PUBLIC NOTIFICATION** (631) 749-0400 (Option 9, then Option 7)
Daily Status Message: Open or Closed

Daily, Town personnel will determine the status of the area based on rainfall and confirmation of the effective operation of the SIHSTP. A message advising harvesters of the status of the area will be available by **calling (631) 749-0400 (Option 9, then Option 7) after 8:30 a.m.**, seven days a week.

PRIOR TO HARVESTING IN THIS AREA, IT IS THE RESPONSIBILITY OF EACH HARVESTER TO CALL THE PHONE NUMBER ABOVE TO LEARN WHETHER THE AREA IS IN THE "OPEN" STATUS FOR THAT PARTICULAR DAY. **UNTIL THE "OPEN" MESSAGE IS AVAILABLE VIA THE PUBLIC NOTIFICATION SYSTEM DESCRIBED ABOVE, THE AREA IS UNCERTIFIED AND THE HARVEST OF SHELLFISH IS PROHIBITED.**

A copy of the order designating the area as "OPEN" or "CLOSED" will be posted at the Division of Marine Resources headquarters office in Kings Park, New York.

4. **HOURS OF OPERATION & PROGRAM DURATION**

Shellfish harvesting will be permitted Monday through Friday, from 9:00 a.m. to Sunset, provided the conditional area is in the “OPEN” status.

Harvesting **shall be prohibited** in this conditional area:

- before **9:00 a.m.** and after **Sunset**, on those days the area is in the "OPEN" status;
- on **Saturday** and **Sunday**; and,
- any holidays the Town Bay Constables are not on duty.

The program will be in effect from **Monday, December 4, 2023 through Tuesday, April 30, 2024**, both dates inclusive. **The last day shellfish may be harvested is Tuesday, April 30, 2024.**

5. **SPECIAL CONDITIONS**

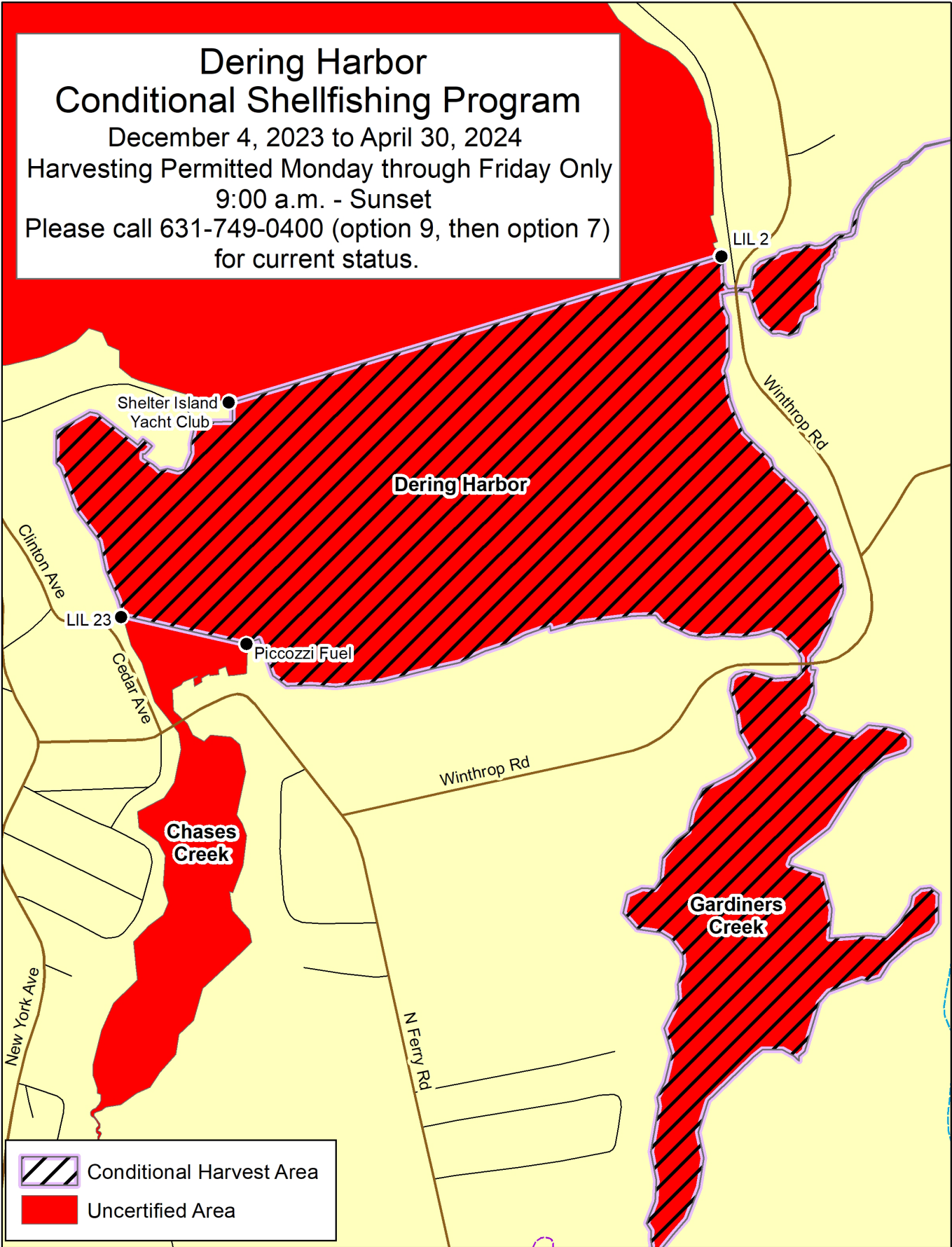
- Harvesting will **NOT** be permitted on Saturday, Sunday, and other town holidays when the Bay Constables are not on duty.
- **Any closures that may result from malfunctions at the Shelter Island Heights Sewage Treatment Plant may last longer than seven (7) days.** In those circumstances, the conditional harvest area will not re-open until water sampling and testing of shellfish determines that water quality in the area meets certified area criteria under the conditions of this program.
- **Similarly, closures due to other extraordinary pollution events, such as rainfall in excess of three (3) inches, may exceed seven days (7) duration** and will require water sampling to determine the sanitary condition of the area prior to re-opening.

This "conditional shellfish harvesting program" may be suspended, revised or terminated **at any time** if bacteriological water quality is found to be in contravention of the standards for certified shellfish lands OR if any other condition is found to exist which may be a threat to public health.

Dated: November 30, 2023
Kings Park, New York

Debra Barnes, Chief
Bureau of Shellfisheries

The graphic map image below is provided for general guidance only. It should not be used for navigational purposes.



Dering Harbor Conditional Shellfishing Program

December 4, 2023 to April 30, 2024

Harvesting Permitted Monday through Friday Only

9:00 a.m. - Sunset

Please call 631-749-0400 (option 9, then option 7)
for current status.

