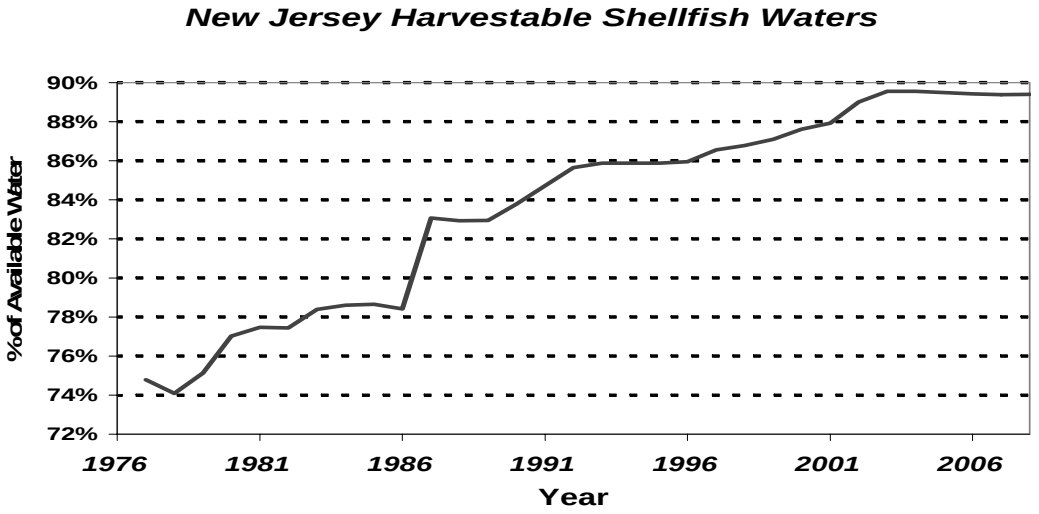
SUMMARY OF 2008 CHANGES

Lisa P. Jackson, Commissioner of the Department of Environmental Protection, readopted N.J.A.C. 7:12 pursuant to the authority of N.J.S.A. 13:1D-9 *et seq.* under Docket No. DEP 34-07-12/657 with revision to rules concerning the reclassification of certain shellfish beds.

The readoption of N.J.A.C. 7:12 revisions to the growing water classifications result from surveys conducted by Water Monitoring & Standards, Bureau of Marine Water Monitoring. These investigations consist of collection and analysis of water samples, the inventory of actual and potential sources of pollution, and hydrographic studies of flow patterns that distribute pollution. These surveys are conducted in accordance with applicable State and Federal (Food and Drug Administration, FDA) guidelines and regulations which are described in the National Shellfish Sanitation Program (NSSP) Manual of Operations (Part I - Sanitation of Growing Areas). The FDA further requires that each state annually appraise the quality of the waters classified as **"Approved," "Seasonally Approved,"** and those **"Special Restricted"** waters used for relay and depuration. New Jersey conducts scientific investigations, research and, pursuant to N.J.S.A. 58:24-1 et seq., revises the rules annually. The reasons for the revisions of these rules fall into three categories: changes in water quality enhanced monitoring, and clarification of existing rules. These particular rules result in the reclassification of approximately 953 acres that will be upgraded. The names of the waterways and the number of acres reclassified are listed below in general terms.

CHART #	AREA	ACTION	ACRES
7A	Reed Bay	Seasonally Approved to Approved	90
7B	Shelter Island Bay	Seasonally Approved to Approved	796
9A	Old Turtle Thorofare	Prohibited to Seasonal Approved	67



Source: NJDEP, Water Monitoring & Standards, Bureau of Marine Water Monitoring

HARVESTABLE WATERS %