



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
P.O. BOX 402
401 EAST STATE STREET
TRENTON, NJ 08625-0402

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

Public Notice of the Suspension of Harvest from Shellfish Beds Dangerous to Health

In accordance with N.J.S.A. 58:24-1, the Department has inspected places within the jurisdiction of the State from which oysters, clams or other shellfish are taken to be distributed or sold for use as food, for the purpose of ascertaining the sanitary conditions of such oyster and clam beds and other places. As a result of those inspections, the Department has determined that certain waters do not meet the standards for their classification as "Approved" and "Special Restricted" set forth in the Shellfish Growing Water Classification rules at N.J.A.C. 7:12. Accordingly, pursuant to N.J.A.C. 7:12-1.5(b) and the statutory authority granted the Department of Environmental Protection at N.J.S.A. 58:24-2 to ensure that the public health is not at risk from the consumption of shellfish that may have been subjected to pollution or other condition that may render the shellfish dangerous to health, I hereby immediately suspend the harvest of shellfish from the following waters, as further described below:

*Navesink River
Upper Barnegat Bay
Ludlam Bay*

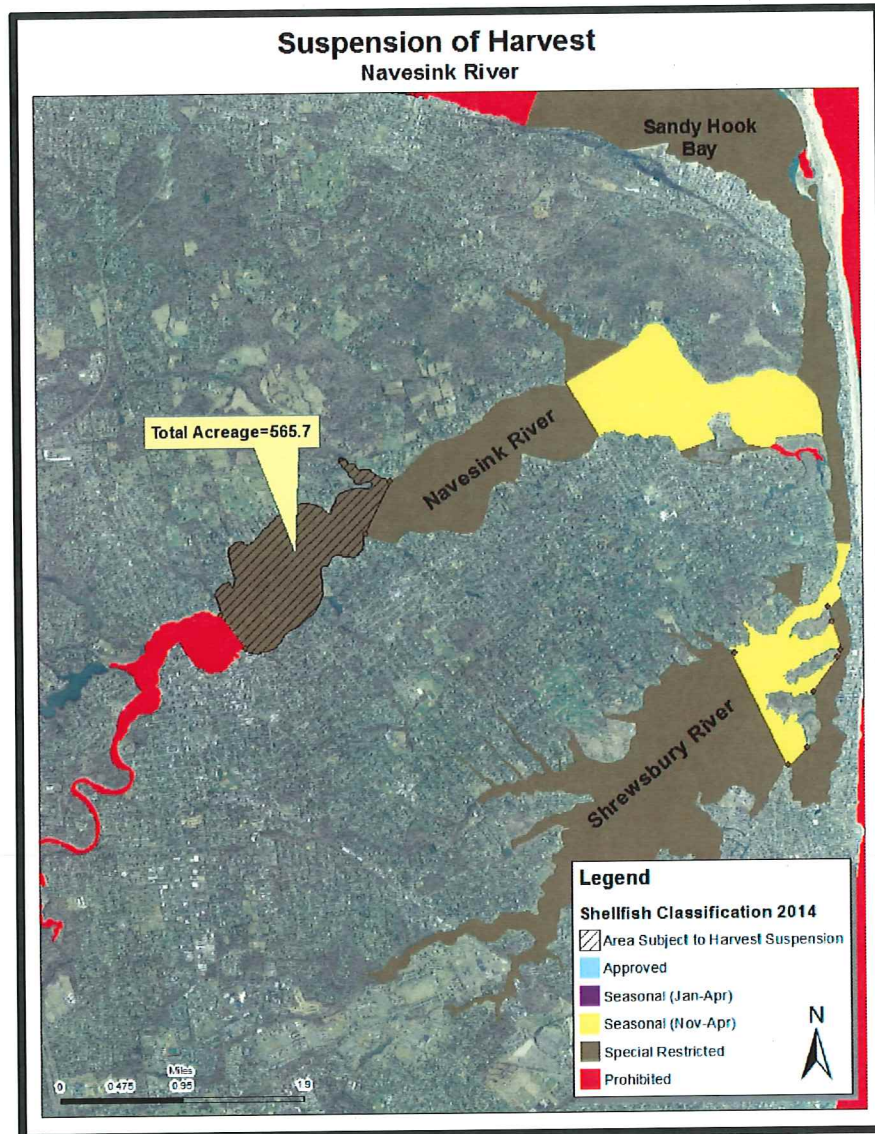
The waters in the Navesink River are classified as "Special Restricted," in accordance with N.J.A.C. 7:12-1.4. To be classified as Special Restricted, the bacteriological quality of water samples at every sample station in the growing area shall not exceed the fecal coliform median or geometric mean of 88 CFU per 100 ml and the estimated 90th percentile shall not exceed 163 CFU per 100 ml. The waters in the Upper Barnegat Bay and Ludlam Bay are classified as "Approved" in accordance with N.J.A.C. 7:12-1.4. To be classified as Approved, the bacteriological quality of water samples at every sample station in the growing area shall not exceed the fecal coliform median or geometric mean of 14 CFU per 100 ml and the estimated 90th percentile shall not exceed 31 CFU per 100 ml. See N.J.A.C. 7:12-1.4(a), incorporating by reference the National Shellfish Sanitation Program (NSSP), Guide for the Control of Molluscan Shellfish, 2013 Revision, available at the U.S. Food and Drug Administration website, www.fda.gov/Food/GuidanceRegulation/%20FederalStateFoodPrograms/ucm2006754.htm.

Water sampling data collected by the Department over the past three to four years indicate that the water samples from the waters in the Navesink do not consistently meet the fecal coliform standards for Special Restricted and the waters in the Upper Barnegat Bay and Ludlam Bay do not consistently meet the fecal coliform standards for Approved.

The suspension of harvest in the above-referenced waters shall take effect immediately and continue pending the establishment by rulemaking of the appropriate classification and boundaries of the waters so classified, as provided by N.J.A.C. 7:12-1.5, or until further determination by the Department that the particular area of water subject to the suspension meets the standards for its current classification.

Navesink River - 565.7 acres

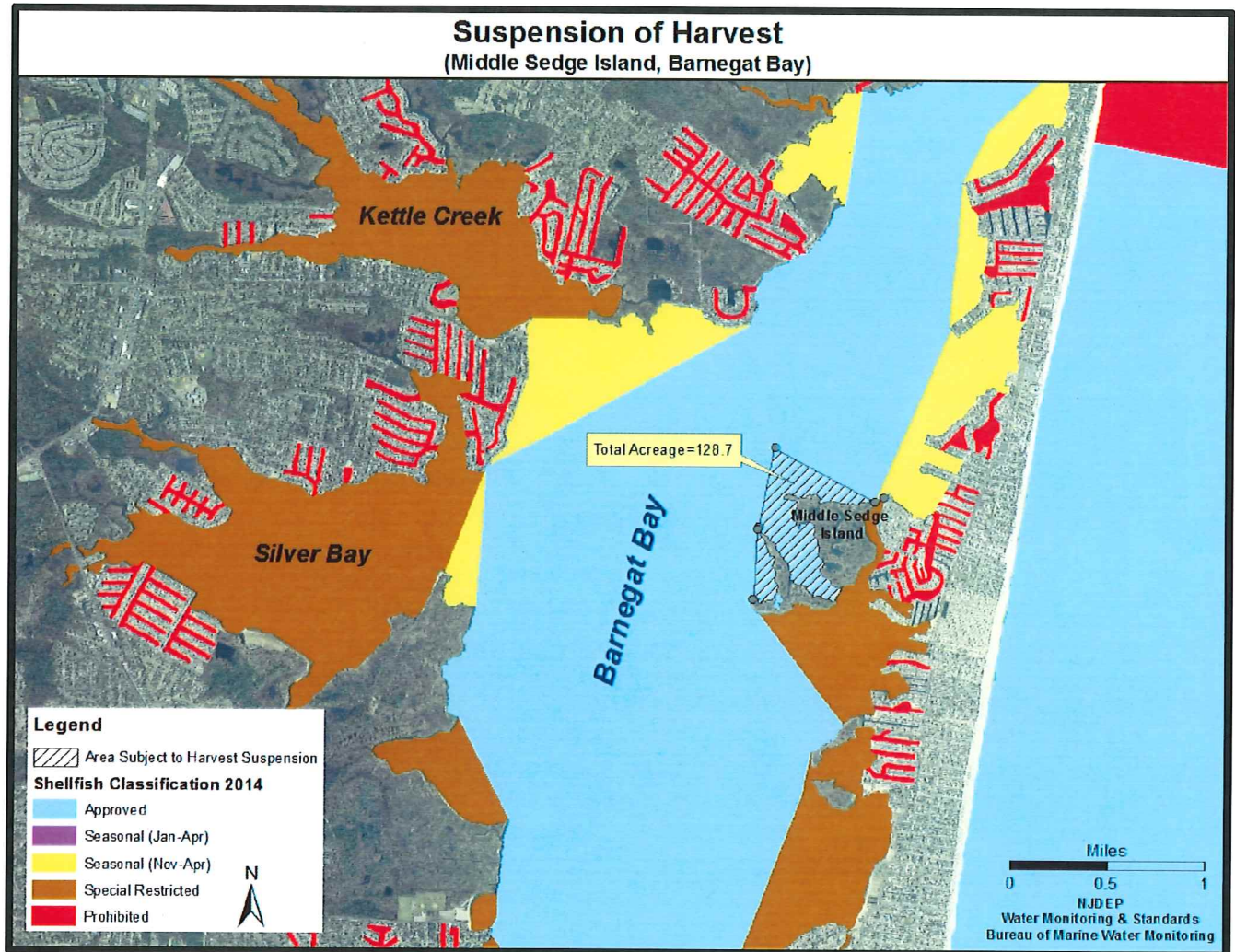
All waters west of a line beginning at latitude 40 degrees 22 minutes 3.4 seconds N., longitude 74 degrees 2 minutes 48.2 seconds W. and heading in a north-east direction to latitude 40 degrees 22 minutes 25.0 seconds N., longitude 74 degrees 2 minutes 34.1 seconds W., to the existing Prohibited waters west of Highway 35 Bridge (cooper's Bridge) in Red Bank, including all of Swimming River, Shadow Lake, McClee's Creek, and other tributaries.



Upper Barnegat Bay – 128.7 acres

All those waters of Barnegat Bay and its tributaries east of a line beginning at the tip of Chadwick Island (with coordinates latitude 40 degrees 0 minutes 0.4 seconds North and longitude 74 degrees 4 minutes 20.8 seconds West) across Middle Thoro to the northeastern tip of Middle Sedge Island (coordinates latitude 39 degrees 59 minutes 59.5 seconds North and longitude 74 degrees 4 minutes 24.0 seconds West), thence in a westerly

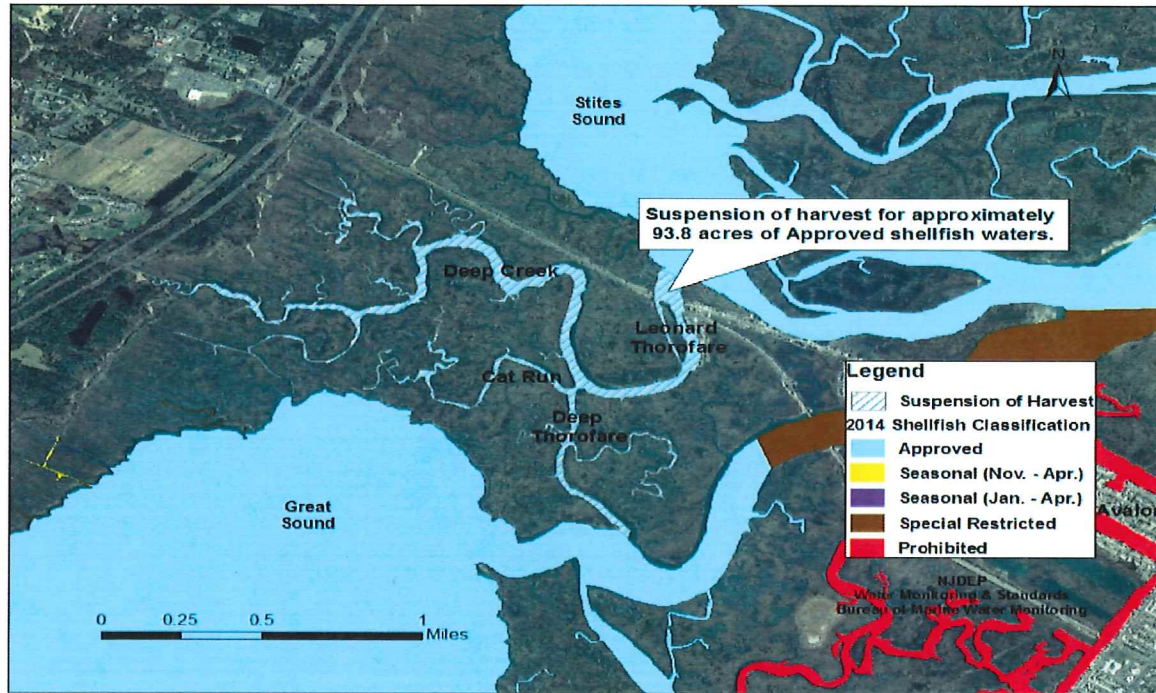
direction to coordinates latitude 40 degrees 0 minutes 13.9 seconds North and longitude 74 degrees 4 minutes 59.1 seconds West, then in a southerly direction to the northeastern tip of NW Point Island with coordinates latitude 40 degrees 0 minutes 13.9 seconds North and longitude 74 degrees 4 minutes 59.1 seconds West, then following the shoreline of NW Point Island in a southerly direction to a coordinates latitude 39 degrees 59 minutes 52.0 seconds North and longitude 74 degrees 5 minutes 5.2 seconds West, thence in a southeasterly direction to the southeastern most tip of NW Point Island with coordinates latitude 39 degrees 59 minutes 33.3 seconds North and longitude 74 degrees 5 minutes 6.7 seconds West, then joining the existing Special Restricted waters off of Ocean Beach.



Ludlam Bay (Stites Sound area) - 93.8 acres

All of Leonard Thorofare, Deep Creek, Deep Thorofare, and Cat Run and tributaries south of a line beginning from a point on the west shore of the mouth of Leonard Thorofare at latitude 39 degrees 7 minutes 4.1 seconds N., longitude 74 degrees 45 minutes 4.7 seconds W., then bearing southeast across the mouth of Leonard Thorofare to a point on the east shore of Leonard Thorofare at latitude 39 degrees 7 minutes 1.9 seconds N., longitude 74 degrees 44 minutes 59.9 seconds W., and terminating.

Suspension of Harvest for Leonard Thorofare/ Deep Thorofare/ Deep Creek/ Cat Run



DATE: _____

1/9/15

D.M. Kennedy

Daniel M. Kennedy,
Assistant Commissioner, Water Resource Management