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## **ENVIRONMENTAL PROTECTION**

### **WATER RESOURCE MANAGEMENT**

#### **WATER MONITORING AND STANDARDS**

##### **Notice of Readoption**

##### **Shellfish Growing Water Classification**

##### **Readoption: N.J.A.C. 7:12**

Authority: N.J.S.A. 2C:64-1 et seq., 4:27-1 et seq., 13:1D-9, 23:2B-1 et seq., 50:1-5 et seq., and 58:24-1 et seq.

Authorized By: Shawn M. LaTourette, Commissioner, Department of Environmental Protection

Effective Date: March 11, 2022

New Expiration Date: March 11, 2029

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the Department of Environmental Protection's (Department) Shellfish Growing Water Classification rules at N.J.A.C. 7:12 are readopted and shall continue in effect for a seven-year period. The rules had been scheduled to expire on April 10, 2022. The Department has reviewed these rules and has determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

The Shellfish Growing Water Classification rules at N.J.A.C. 7:12 protect the public from the risks associated with the consumption of shellfish by establishing the requirements

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concerning the harvest or use of shellfish from waters other than those classified as Approved pursuant to N.J.S.A. 58:24-1 et seq., and the aquaculture of shellfish in all waters of the State pursuant to N.J.S.A. 50:1-5 et seq. The Shellfish Growing Water Classification rules contain the procedures for the classification of shellfish waters and the delineations for those waters classified as Prohibited, Restricted, Conditionally Restricted, and Conditionally Approved. The rules include the procedures for the Department to impose immediate shellfish harvest suspensions and restrictions in order to protect the public from the risks associated with the consumption of shellfish. The rules also set forth various aspects of the Department's enforcement powers under the governing statutes and establish permits for shellfish harvesting activities in waters other than Approved and shellfish aquaculture. The rules also contain the requirements for shellfish license holders for the harvest, handling, and transport of shellfish in order to ensure harvested shellfish are safe for human consumption.