



# State of New Jersey

Department of Environmental Protection  
P.O. Box 420  
Trenton, New Jersey 08625

PHILIP D. MURPHY  
*Governor*

CATHERINE R. McCABE  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

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

The Department of Environmental Protection routinely monitors shellfish growing areas to assess the sanitary harvest of shellfish by the shellfish industry so it can be safely consumed by the public. Analysis of water samples indicate that the waters in the area of the mouth of Kettle Creek, the mouth of Silver Bay and the adjacent Barnegat Bay area no longer meet the current *Approved* and *Conditional Approved* shellfish growing water classifications set forth in the Shellfish Growing Water Classification rules at N.J.A.C. 7:12 ([https://www.nj.gov/dep/rules/rules/njac7\\_12.pdf](https://www.nj.gov/dep/rules/rules/njac7_12.pdf)). Additionally, analysis of water samples indicates that Gull Island Thorofare/Sturgeon Hole area south of Great Sound no longer meet the current *Approved* shellfish growing water classification set forth in the Shellfish Growing Water Classification rules.

**TAKE NOTICE**, that pursuant to N.J.A.C. 7:12-1.4(b) and the statutory authority granted the DEP at N.J.S.A. 58:24-2 to protect the public health from the risk posed by the consumption of shellfish that may have been subjected to pollution or other conditions that may render the shellfish dangerous to health, I hereby immediately suspend the harvest of shellfish from the following waters, as further described below:

*Portions of the Barnegat Bay*

*Gull Island Thorofare/Sturgeon Hole area south of Great Sound*

In accordance with N.J.A.C. 7:12-1.3, these portions of Barnegat Bay are currently classified as *Approved* and *Conditionally Approved (November - April)* and the waters in the Gull Island Thorofare/Sturgeon Hole area are currently classified as *Approved*. To be classified as *Approved*, the bacteriological quality of water samples in the growing area shall not exceed the fecal coliform median or geometric mean of 14 CFU per 100 ml and the estimated 90<sup>th</sup> percentile shall not exceed 31 CFU per 100 ml. To be classified as *Conditionally Approved (Nov - Apr)*, the bacteriological quality of water samples shall meet the *Approved* criteria during the time period of November 1 through April 30 and shall meet the *Restricted* criteria during the time period of May 1 through October 31. To be classified as *Restricted*, the bacteriological quality of water samples in the growing area shall not exceed the fecal coliform median or geometric mean of 88 CFU per 100 ml and the estimated 90<sup>th</sup> percentile shall not exceed 163 CFU per 100 ml year-round. For more information on shellfish growing water classifications please see the National Shellfish Sanitation Program, Guide for the Control of Molluscan Shellfish, 2017 Revision, [incorporated by reference at N.J.A.C. 7:12-1.3(a)] available at the U.S.

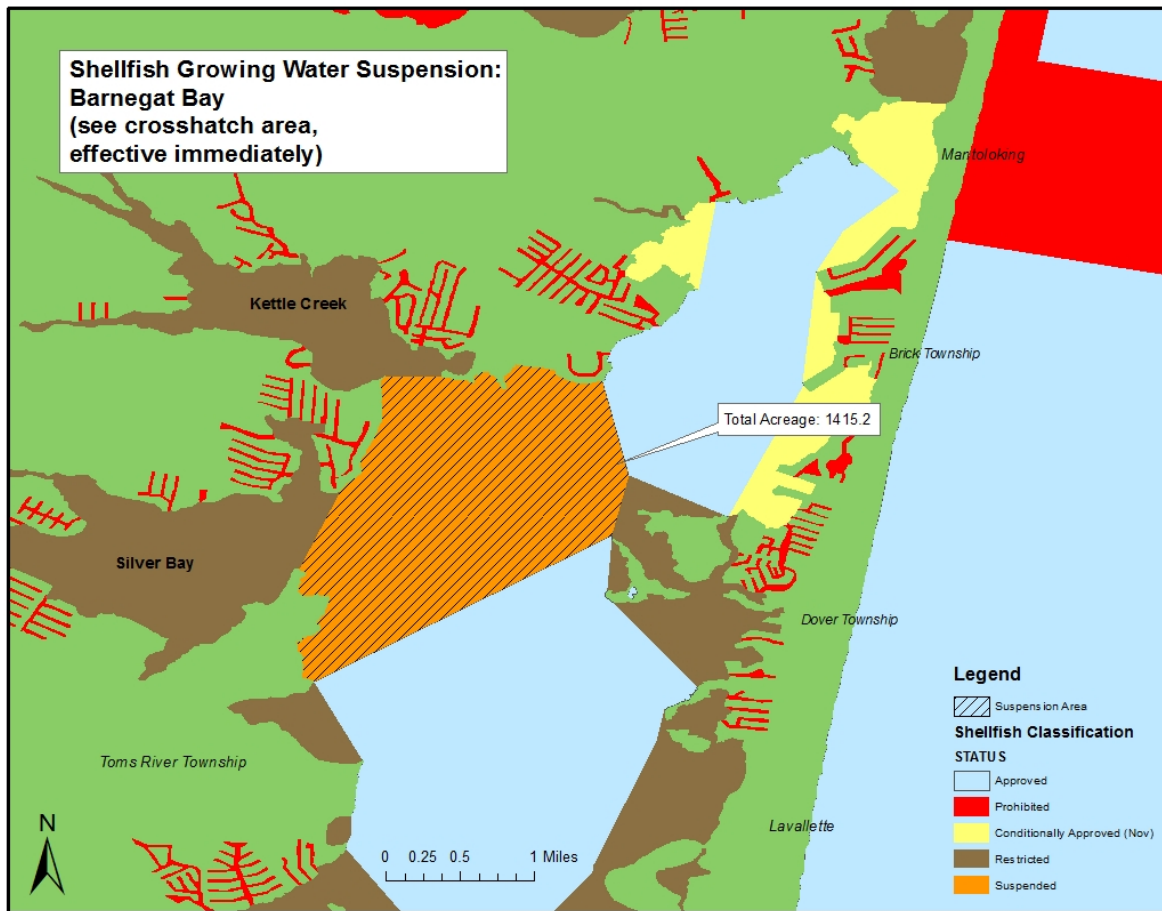
Food and Drug Administration website:

<https://www.fda.gov/Food/GuidanceRegulation/FederalStateFoodPrograms/default.htm>.

Water sampling data collected by the Department over the past three to four years indicate that the water samples from these portions of Barnegat Bay do not consistently meet the fecal coliform standards for *Approved* and *Conditionally Approved (Nov - Apr)* waters and the waters in the Gull Island Thorofare/Sturgeon Hole area do not consistently meet the fecal coliform standards for *Approved* waters. The suspension of harvest in the portions of the Barnegat Bay and the Gull Island Thorofare/Sturgeon Hole area 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. 7:12-1.4(b), or until further determination by the Department that the area of water subject to the suspension meets the standards for its current classification.

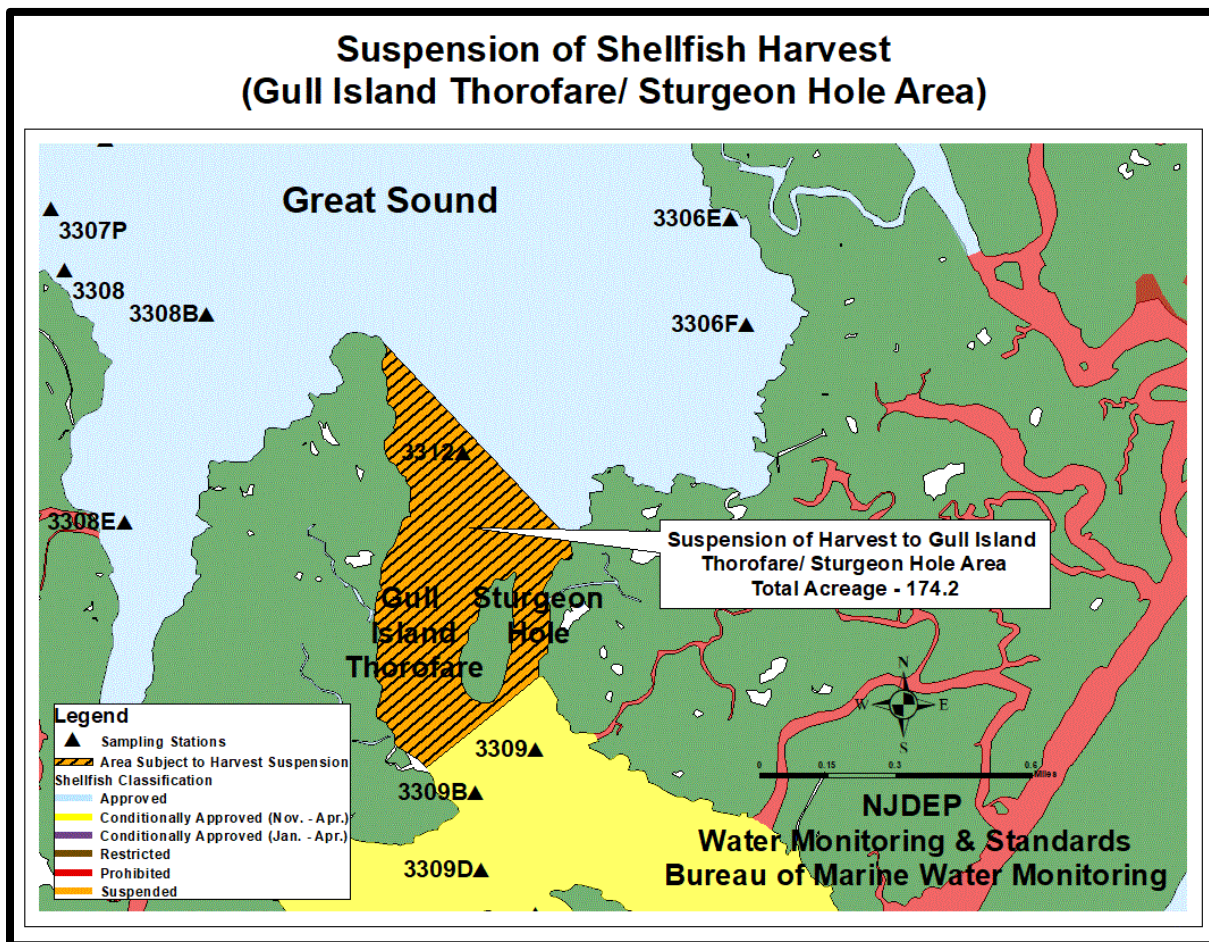
**Barnegat Bay Area (1415.2 acres)**

All of the shellfish waters inclusive of an area beginning at a point with coordinates of latitude 40 degrees 0 minutes 46.82 seconds N. and longitude 74 degrees 5 minutes 8.07 seconds W. moving along the shoreline in a westerly direction to a point with coordinates of latitude 40 degrees 0 minutes 48.52 seconds N. and longitude 74 degrees 6 minutes 3.93 seconds W., moving in a westerly direction across the waterway to a point of coordinates latitude 40 degrees 0 minutes 47.84 seconds N. and longitude 74 degrees 6 minutes 25.30 seconds W. moving along the shoreline in a south westerly direction to a point with coordinates of latitude 40 degrees 0 minutes 8.60 seconds N. and longitude 74 degrees 6 minutes 39.70 seconds W., moving in a south westerly direction across the waterway to a point with coordinates of latitude 39 degrees 59 minutes 40.42 seconds N. and longitude 74 degrees 6 minutes 54.98 seconds W., moving along the shoreline in a south easterly direction to a point with coordinates of latitude 39 degrees 59 minutes 0.45 seconds N. and longitude 74 degrees 6 minutes 51.16 seconds W., moving in a north easterly direction across the waterway to a point with coordinates of latitude 39 degrees 59 minutes 52.80 seconds N. and longitude 74 degrees 5 minutes 4.88 seconds W., moving along the shoreline in a north easterly direction to a point with coordinates of latitude 40 degrees 0 minutes 13.90 seconds N. and longitude 74 degrees 4 minutes 59.10 seconds W., moving in a north westerly direction to the point of origin and terminating.



**Gull Island Thorofare/ Sturgeon Hole Area (174.2 acres)**

All of the waters of Gull Island Thorofare and Sturgeon Hole contained within a line starting northwest of the mouth of Cresse Thorofare at a point with coordinates of latitude 39 degrees 4 minutes 28.23 seconds N., longitude 74 degrees 46 minutes 17.86 seconds W., then bearing approximately 51 degrees T in a northeast direction to a point at latitude 39 degrees 4 minutes 38.74 seconds N., longitude 74 degrees 46 minutes 1.27 seconds W., then along that shoreline in a northerly direction, including Sturgeon Hole but excluding all other tributaries, to a point at latitude 39 degrees 4 minutes 54.48 seconds N., longitude 74 degrees 45 minutes 56.88 seconds W., then bearing approximately 316.5 degrees T northwest to a point at latitude 39 degrees 5 minutes 17.16 seconds N., longitude 74 degrees 46 minutes 24.24 seconds W. on Gull Island, then along the shoreline of Gull Island Thorofare in a southeasterly direction, excluding all tributaries, back to the point of origin and terminating.



Date: 06/15/2020

  
Bruce S. Friedman, Director  
Division of Water Monitoring and Standards