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RULES AND REGULATIONS

*pertaining to oyster, clam  
and mussel growing areas.*

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The State Department of Health of the State of New Jersey pursuant to the authority vested in it by Chapter 177, Laws of 1947 hereby establishes the following Rules and Regulations for the administration of Revised Statutes 24:2-1 and 24:14-2. All prior Rules and Regulations in these matters adopted on various dates by the Department of Health of the State of New Jersey are hereby rescinded.

NEW JERSEY (STATE) DEPARTMENT OF HEALTH

By:

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1964

Roscoe P. Kandle, M.D.  
State Commissioner of Health

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Effective Date: February 15, 1964

Filed with the Secretary of State: February 14, 1964

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The State Department of Health hereby condemns all oyster, clam and mussel growing areas or other places from which oysters, clams or other shellfish are or may be taken, at all times of the year except when otherwise noted, in:

1. (a) all the waters of the state lying west and north of Raritan Bay.
- (b) all lagoons dredged for the purpose of providing access to property and/or for the dockage of boats.
- (c) all marinas, boat yards, basins, harbors or other places where docking facilities are provided for boats.
2. Raritan Bay and Lower Bay:
  - (a) all of the waters of Raritan Bay and Lower Bay and tributaries thereof.
3. Sandy Hook Bay:
  - (a) all the waters of Sandy Hook Bay lying north and west of a straight line extending from Conover Light at Leonardo, N.J. to Sandy Hook Lighthouse.

- (b) all the waters of Sandy Hook Bay lying south of a straight line extending from the flashing green light at the end of the first spur of the naval ammunition pier at Leonardo, N.J. approximately 2,150 yards from shore in a southeasterly direction to the flashing white light at the east end of the Atlantic Highlands breakwater, then in an easterly direction to red nun buoy #4 along the Shrewsbury River entrance channel continuing in an easterly direction to the southern tip of the island lying in the mouth of Spermaceti Cove. 11.
4. Shrewsbury River: 12.
- (a) all of the waters of the Shrewsbury River and tributaries thereof except the Navesink River. 13
5. Navesink River:
- (a) all that portion of the Navesink River west of a straight line between the pier at Fairhaven Yacht Works on the south shore and the small unnamed creek just east of McClees Creek on the north shore. 14
- (b) all the area contained within a line running along the Oceanic Bridge from the south bank to the bridge opening over the channel then west along the channel to marker #15 then to the nearest point of land to the south.
6. Shark River:
- (a) all of the Shark River and tributaries.
7. Sea Girt Inlet:
- (a) all of Sea Girt Inlet (Wreck Pond) and tributaries thereof.
8. Manasquan River:
- (a) all of the Manasquan River and tributaries.
9. Barnegat Bay, Manahawkin Bay and Little Egg Harbor:
- (a) all that portion east of a straight line extending from Stony Point to Perch Hole Point, and including that portion lying east and north of the entrance to the Bay Head-Manasquan Canal, and all tributaries thereof.
- (b) all of the waters, tributaries and lagoons of Barnegat Bay within 500 feet of the eastern shoreline or any pier, bulkhead or dock from Stony Point south to the Mathis Bridge at Seaside Park.
10. Beaverdam Creek:
- (a) all of Beaverdam Creek, tributaries and lagoons, west and north of a straight line drawn from the southeast point of Wardell Neck north-east to Perch Hole Point.

11. Metedeconk River:

- (a) all that portion lying to the westward of a straight line drawn due south from the easternmost point of Wardell Neck, and tributaries thereof, including all of the dredged basins at Wardell Neck.

12. Kettle Creek:

- (a) all of Kettle Creek, tributaries and lagoons west of a line drawn from the easternmost point of Seaweed Point to the southernmost tip of Andrew Point.

13. Silver Bay (Mosquito Cove):

- (a) all of the waters of Silver Bay (Mosquito Cove), tributaries and lagoons west of a line from the southernmost tip of Andrew Point to the northernmost point of Cattus Island.

14. Applegate Cove, Shelter Cove, Goose Creek:

- (a) all of Applegate Cove and tributaries west of a straight line connecting Tilton Point and the next point of land to the north.
- (b) all of Shelter Cove and tributaries thereof.
- (c) all of Goose Creek and tributaries thereof west of a line connecting the south bank of Shelter Cove with the next point of land to the south.

15. Toms River:

- (a) all of Toms River west of a line drawn from the easternmost point of Goodluck Point to the western terminus of the Mathis Bridge.

16. Pelican Island and Seaside area:

- (a) the waters east of a line running from the most westerly tip of Pelican Island to flashing green light #3 off Seaside Heights, then to the bulkhead at the end of "N" Street in Seaside Park, then to the end of the Public dock at 14th Street in Seaside Park then to the next point of land to the south, then terminating at the next point of land to the south near the boundary of Island Beach State Park.

17. Berkeley Shores south to Berkeley Island:

- (a) the waters west of a line running from the northern tip of Berkeley Island, on the north side of Cedar Creek, to the next point of land to the northwest and continuing from point to point closing the two coves north of Cedar Creek, the cove at the mouth of Maple Creek, the next two coves north of Maple Creek, from which the lagoons of Glen Cove are dredged, Clamming Creek and the three coves north of Clamming Creek. The line then runs from the point of land on the south bank at the mouth of Potter Creek to flashing red channel marker #60, then terminates at the nearest point on the mainland.

18. Cedar Creek: (Ocean County)

- (a) all of Cedar Creek and tributaries west from a line between the east tip of Berkeley Island, and the next point of land east of Flashing Light #1 on the south side of Cedar Creek.

19. Forked River, Oyster Creek, Waretown Creek and Basins:

- (a) all of the waters of Barnegat Bay and tributaries west of a line extending from the north point at the mouth of Forked River southward to flashing red buoy #2 marking the entrance to Forked River then southwest to flashing buoy #1 marking the entrance to Oyster Creek then continuing along the shore through the outermost stakes marking the entrance channels to the various creeks, harbors and lagoons as far south as Lochiel Creek then ending at flashing red buoy #2 marking the entrance to Double Creek.

20. Double Creek:

- (a) all of Double Creek, tributaries and lagoons and other waters west and south between a line extending from the flashing red light at the North jetty off Double Creek to the most westerly tip of Little Beach (Conklin Island), and a line extending from the westernmost point on Conklin Island in a westerly direction across the mouth of the entrance to Double Creek Wide Place and continuing across the mouth of the channel leading into Arnold Pond, thence to a point of land on the south bank of Double Creek opposite Upper Dock.

21. Barnegat Bay east shore (Cedar Bonnet north to Barnegat Inlet)

- (a) That area lying between the shore of Long Beach Island and a line extending from the northeast point of the largest of the islands in Cedar Bonnet to the point of land extending from 4th Street in Surf City then to the bulkhead at 9th Street in Surf City then to the point of land at 23rd Street in Surf City then to the point of land at Barbay Road in Long Beach Township then to the next point of land to the north then to the small island east of channel marker 85 then from the most northerly point of that island the line runs directly toward Barnegat Lighthouse until it intersects the channel leading into Harvey Cedars Harbor.

There the line will run east along the channel to light standard #2 marking the entrance to Harvey Cedars Harbor. The line then turns northeast and runs to the eastern end of the channel leading to the southernmost lagoon at Loveladies Harbor, then follows the channel west and north to its northern end then extends to the nearest point of land to the north. From that point the line continues to the most easterly channel stake in the next channel to the north. The line then continues to the islands of Vol Sedge, along their southeastern shore and from the most eastern point of the islands it extends to the southeast point of the island off High Bar Harbor lagoons then along the eastern shore of those islands to the most northerly point then to its terminus at the nearest point on High Bar peninsula.

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21. (Cont.)

- (b) On the north side of High Bar peninsula the line runs from Barnegat Lighthouse to Red Nun buoy #4 then in a straight line between Red Nun buoy #4 and Flashing white light #1 continuing in a straight line to its terminus on High Bar peninsula.

22. Manahawkin Creek, Cedar Creek, Mill Creek and Manahawkin Bay:

- (a) all that portion lying west of a line extending from the east point at the mouth of Cedar Creek south to a small unnamed island north of the Manahawkin Bridge, then southwest to the western end of the most western island along the Manahawkin Causeway then south to the eastern tip of Thorofare Island continuing to the northern tip of Egg Island then northwest to the west bank of the unnamed creek at Popular Point.

23. Cedar Run and Cedar Run Cove: (Seasonal)

- (a) all of Cedar Run and tributaries thereof west of a line across the creek at Flashing Red light #2.
- (b) all of Cedar Run Cove between line connecting the easternmost tip of Horse Point on the south bearing  $34^{\circ}$ T to the easternmost tip of the unnamed point on the north and a line across Cedar Run at Flashing Red light #2 shall be condemned from May 1 to October 31 of each year.

24. Westcunk Creek (West Creek):

- (a) all of Westcunk Creek and tributaries.

25. Tuckerton Creek and Tuckerton Cove: (Seasonal)

- (a) all of Tuckerton Creek and tributaries thereof.
- (b) all of Tuckerton Cove west of a line connecting the easternmost point of Thorofare Point and the easternmost point of Gaunt Point.
- (c) excepting that the portion of Tuckerton Cove lying between said line connecting the easternmost point of Thorofare Point and the easternmost point of Gaunt Point and a line running from Flashing navigation light #7 in the mouth of Tuckerton Creek in an easterly direction  $78^{\circ}$  True to the 6th utility pole from the south end of South Green Street, shall not be condemned during the period from November 1, to April 30, both dates inclusive.

26. Little Egg Harbor (east shore)

- (a) that area lying between the shore of Long Beach Island and a line extending from the shore at Holgate to can buoy #81 on the inland waterway then northward to flashing white light #79 continuing to can buoy #77 then to flashing white light #75 then along the shoreline of Mordecai Island making Liberty Thorofare a prohibited area then continuing from the north end of Mordecai Island to the most easterly of the two islands known as Parkers Island, along its

26. (a) (Cont.)

shore then to the southern tip of the most easterly of the Marshelder Islands, along its shore then to flashing green light #53 then to flashing green light #47 then along the inland waterway to flashing red light #34 then to the southern tip of Flat Island, along its shore then continuing to the southern tip of the group of islands known as Cedar Bonnet then along its shore to the northern tip then to the nearest point of land on Long Beach Island.

27. Big Creek and Big Thorofare (Mystic Isles Area)

(a) all of Big Creek and Big Thorofare and tributaries thereof.

28. Bass River and tributaries:

(a) all of Bass River and tributaries thereof including Nacote Creek and Loveland Thorofare.

29. Mott Creek:

(a) all of Mott Creek and tributaries thereof.

30. Oyster Creek, Leeds Point:

(a) all of Oyster Creek and tributaries thereof.

31. Reed Bay and Conover Creek:

(a) all the cove to the south of Somers Cove along the mainland shore of Reed Bay and tributaries thereof.

(b) all of Conover Creek and tributaries thereof.

32. Golden Hammock Thorofare, Bonita Tideway, Baremore Quarters and Wading Thorofare:

(a) all of Golden Hammock Thorofare.

(b) all of Bonita Tideway.

(c) all of Baremore Quarters.

(d) Wading Thorofare from Bonita Tideway west to a line connecting Flashing Red buoy #4 at Obes Thorofare and the nearest point of land to the south.

33. Absecon Channel and Absecon Inlet:

(a) all of Absecon Inlet and Absecon Channel including Black Hole Clam Creek, Low Water Thorofare, Mankiller Bay and Point Bar Thorofare. The closure will not extend northward into Middle Thorofare past a line between Deb's Point and buoy #73. The closure will not include Wills Thorofare.

34. Absecon Creek and Absecon Bay:
- (a) all of Absecon Creek and tributaries thereof.
  - (b) all of Absecon Bay and tributaries lying south of a straight line running from the southwest entrance to Wills Thorofare westward to the northern point of the cove at Absecon Creek.
35. Beach Thorofare, Great Thorofare, Clam Thorofare and Jonathan Thorofare:
- (a) all of Beach Thorofare from Absecon Channel on the north to Great Egg Harbor Inlet on the south, including Hospitality Creek, West or Ventnor Canal and Inside Thorofare.
  - (b) all of Jonathan Thorofare, Duck Thorofare, Newfound Thorofare, Clam Thorofare and Great Thorofare, and tributaries thereof.
36. Lakes Bay, Shelter Island Bay, and waters to the south thereof:
- (a) all of Lakes Bay and waters lying to the south and east thereof as far as Great Egg Harbor Bay including Dock Thorofare, Whirlpool Channel, Mulberry Thorofare, Risley Channel, Scull Bay and Broad Thorofare and Sod Thorofare.
  - (b) all of Shelter Island Bay and waters lying to the south and east, including the Straits and Lone Cedar Channel.
37. Patcong Creek:
- (a) all of Patcong Creek and tributaries thereof.
38. Great Egg Harbor River:
- (a) all of the waters of the Great Egg Harbor River and tributaries west of a line drawn from the mouth of the unnamed ditch approximately 300 feet west of Jeffers Landing Road in a southerly direction to U.S. Coast Guard Light Piling #3, located on the nearest point of land southwest of Jeffers Landing.
39. Tuckahoe River:
- (a) all of the waters of Tuckahoe River and tributaries west of a line drawn from the east bank of Job Creek, in a northerly direction to the southwest tip of the unnamed island off the mouth of Job Creek, thence along the western shoreline of said unnamed island to the western entrance of the unnamed creek north of the unnamed island.
40. Bass Harbor, Steelman Bay, Ship Channel, Great Egg Harbor Inlet and Great Egg Harbor Bay:
- (a) all of Bass Harbor and Steelman Bay.

40. (Cont.)
- (b) all of Ship Channel, Elbow Thorofare, Rainbow Thorofare and Rainbow Channel north from the Ocean City - Somers Point Bridge.
  - (c) all of Great Egg Harbor Inlet.
41. Back Thorofare and Peck Bay:
- (a) all of Back Thorofare from Rainbow Channel on the north to Peck Bay on the south.
  - (b) all of Peck Bay from a line between Golder's Point and Shooting Island south to the 34th Street Bridge in Ocean City.
42. Crook Horn Creek and Beach Creek:
- (a) Crook Horn Creek from the 34th Street Bridge south to Beach Creek.
  - (b) all of Beach Creek (a tributary of Crook Horn Creek)
43. Ludlam Bay:
- (a) all of Maple Swamp (both branches) to Ludlam Bay including the small cove at the mouth.
  - (b) all of Big Elder Creek.
  - (c) all of Little Elder Creek.
  - (d) all of the southernmost cove of Ludlam Bay south from a line running across the bay through channel marker 79.
44. Ludlam Thorofare:
- (a) all of Ludlam Thorofare and all tributaries on the eastward side, from Ludlam Bay, on the north, to Townsend Channel, on the south.
45. Sunks Creek:
- (a) all of Sunks Creek to the mouth at Ludlam's Thorofare.
46. Ingram Thorofare, South Channel and Graven Thorofare:
- (a) all of the waters of Ingram Thorofare south of the Avalon road bridge to the point where Deep Thorofare, Long Reach and Paddy Thorofare merge and all tributaries thereof including the entrance to Pennsylvania and Princeton Harbors, all the waters of Pennsylvania Harbor, Princeton Harbor, Cornell Harbor, the Avalon (Canfield) Canal and the stream leading from Avalon Canal to Long Reach.
  - (b) all the waters of South Channel (Middle Twp.) from North Channel to Leonard Thorofare, including Leonard Thorofare and Deep Thorofare.
  - (c) all the waters of Graven Thorofare and tributaries thereof from Princeton Harbor to Long Reach.

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47. Seven Mile Beach:

- (a) that body of water running parallel with Seven Mile Beach from its northern extremity south to its confluence with Great Channel including Oldman Creek.

48. Gull Island Thorofare:

- (a) the waters of Gull Island Thorofare lying between a line beginning at the easterly bank of the mouth of Oldman Creek, extending in a southerly direction to the northeast tip of Muddy Hole Island and a line connecting the northernmost tip of Gull Island and the northeast entrance to Sturgeon Hole.

49. Cresse Thorofare:

- (a) the waters of Cresse Thorofare from its confluence with Gull Island Thorofare westward to a line connecting Oyster Creek and the unnamed creek on the opposite shore including Muddy Hole.

50. Great Chammel:

- (a) the waters of Great Channel between a line beginning at the easterly bank of the mouth of Oldman Creek extending in a southerly direction to the northeast tip of Muddy Hole Island south to a line traversing the channel at red buoy #80, including the harbors of Shelter Haven, Stone Harbor and Carnival Bay.

51. Scotch Bonnett and tributaries:

- (a) all of the waters of Mulford Creek, Hetty Creek, Crooked Creek, Stone Harbor Canal, Oyster Creek and that portion of Scotch Bonnett, lying south of Cresse Thorofare and west of Great Chammel.

52. Jenkins Sound: (Seasonal)

- (a) all that portion of Jenkins Sound contained within the boundaries of a line starting at the mouth of a small ditch just north of Shellbed Landing Rd., extending east by south approximately 110° to the upper tip of a small island, then north by east approximately 38° to the inner tip of a small island, then west by north approximately 280° to a point on the mainland above Bennys Landing shall be condemned from June 1 to October 15, inclusive.

53. Hereford Inlet:

- (a) all of Hereford Inlet lying south of Great Channel and west to Grassy Sound Channel.

54. Grassy Sound Channel; North End:
- (a) all of Grassy Sound Channel from Hereford Inlet to a straight line drawn due east from the southerly point of the mouth of Cresse Creek and tributaries thereof.
  - (b) all those creeks lying between North Wildwood Boulevard and Jenkins Channel including Gravelly Run and Turtle Gut.
55. Beach Creek:
- (a) all of Beach Creek from its northerly end to its entrance into Grassy Sound, and tributaries thereof.
56. Cresse Creek, Old Turtle Thorofare and Tempe Creek:
- (a) all of Cresse Creek, Tempe Creek and Old Turtle Thorofare.
57. Grassy Sound and Grassy Sound Channel:
- (a) all of Grassy Sound and Grassy Sound Channel and tributaries thereof, from Cresse Creek on the north to Jarvis Sound on the south, and all waters lying to the eastward thereof; including Sunset Lake.
58. Post Creek and Ottens Harbor:
- (a) all of Post Creek and all of Ottens Harbor and tributaries thereof.
59. Richardson Sound:
- (a) all of Richardson Sound.
60. Richardson Channel:
- (a) all of Richardson Channel from the mouth to its entrances into Richardson Sound, and tributaries thereof.
61. Swain Channel:
- (a) all of Swain Channel shall be condemned from its confluence with Richardson Channel westward to the east bank of Reubens Thorofare.
62. Taylor Sound and Reubens Thorofare:
- (a) all of Taylor Sound and tributaries including Reubens Thorofare.
63. Jarvis Sound:
- (a) all of Jarvis Sound.

64. Upper Thorofare, Middle Thorofare and Lower Thorofare:
- (a) all of Upper Thorofare from Jarvis Sound to Cape May Harbor.
  - (b) all of Middle Thorofare from Jarvis Sound to Cape May Harbor.
  - (c) all of Lower Thorofare from Jarvis Sound to Middle Thorofare.
65. Cape May Harbor, Cold Spring Inlet, Cape Island Creek, Mill Creek, Skunk Creek and Cape May Canal:
- (a) all of Cape May Harbor and Cape May Inlet (Cold Spring Inlet).
  - (b) all of Cape Island Creek and tributaries thereof.
  - (c) all of Mill Creek and Skunk Creek to Cape May Harbor.
  - (d) all of Cape May Canal.
66. Maurice River:
- (a) all of Maurice River from the mouth to the head of tidewater, and tributaries thereof.
67. Cohansey River:
- (a) all of Cohansey River from the mouth to the head of tidewater, and tributaries thereof.
68. Delaware Bay:
- (a) all that portion of Delaware Bay lying within a radius of one half mile from the outer end of the Cape May Sewer outfall line at Cape May Point.

Amendatory

RULES AND REGULATIONS

re: oyster, clam and mussel growing areas.

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The State Department of Health of the State of New Jersey, pursuant to the Authority vested in it by Chapter 177, Laws of 1947, hereby amends Rules and Regulations for the administration of Revised Statutes 24:2-1 and 24:14-2 filed with the Secretary of State on February 25, 1963.

NEW JERSEY STATE DEPARTMENT OF HEALTH

By:

  
Roscoe P. Kandle, M.D.  
State Commissioner of Health

Effective Date: November 17, 1965

Filed with the Secretary of State: November 15, 1965

The State Department of Health hereby repeals paragraphs 40 and 41 of Rules and Regulations condemning certain waters of the State for the taking of shellfish, filed with the Secretary of State on February 14, 1964 and establishes new paragraphs 40 and 41 of said Rules and Regulations to read as follows:

The State Department of Health hereby condemns all oyster, clam and mussel growing areas or other places from which oysters, clams or other shellfish are or may be taken, at all times of the year except when otherwise noted, in:

40. Bass Harbor, Steelman Bay, Ship Channel, Great Egg Harbor Inlet and Great Egg Harbor Bay:

(a) All of Bass Harbor from its confluence with Ship Channel to its confluence with Steelman Bay.

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- (b) All of Steelman Bay EXCEPT that all of Steelman Bay shall be opened for the harvest of shellfish from November 1 through April 30 of each year.
- (c) All of Ship Channel and Elbow Thorofare north of the Ocean City-Somers Point Bridge EXCEPT that Ship Channel and Elbow Thorofare from a straight line between Anchorage Point and the east end of the unnamed island on the south to the Somers Point-Ocean City Bridge shall be opened for the harvest of shellfish from November 1 through April 30 of each year.
- (d) All of Rainbow Thorofare, Rainbow Channel and Great Egg Harbor Inlet north from Ocean City-Somers Point Bridge.

41. Back Thorofare (Beach Thorofare) and Peck Bay:

- (a) All of Back Thorofare (Beach Thorofare) from Rainbow Channel on the north to Peck Bay on the south, including the small unnamed thorofare adjacent to Cowpens Island.
- (b) All of Peck Bay from a straight line between Golders Point and Shooting Island south to Crook Horn Creek, EXCEPT that the portion of Peck Bay lying between a straight line between Golders Point and Shooting Island and a straight line transecting the bay passing through Intracoastal Waterway Channel markers "29" and "28A" shall be opened for the harvest of shellfish from November 1 through April 30 of each year.

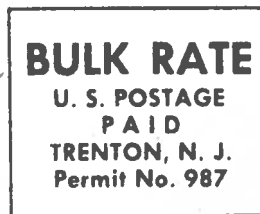
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Amendment to Health  
Regs. re: Shellfish

STATE OF NEW JERSEY  
DEPARTMENT OF HEALTH  
P.O. BOX 1540  
TRENTON, N. J. 08625



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