

RULES AND REGULATIONS

pertaining to oysters, clam and mussel growing areas. 265-855-2(3)

* * *

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Regulations in these matters adopted on various dates by the Department of Health of the State of New Jersey are hereby rescinded.

STATE DEPARTMENT OF HEALTH OF THE STATE OF NEW JERSEY

By:

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

Effective Date: June 12, 1961

Filed with the Secretary of State: June 12, 1961

* * *

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. All of the waters of the State lying west and north of Raritan Bay.
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 that portion of Sandy Hook Bay lying south of a straight line extending from the northerly corner of Waterwitch Bulkhead to Sandy Hook, intersecting the northernmost point of Plum Island (Island Beach).
 - (c) all that portion of Sandy Hook Bay lying south of a line extending 1,000 feet out from any portion of the mean high water mark on any shoreline of the bay, extending in an easterly direction from Conover Light at

DEPOSITORY COPY
Do Not Remove From Library

NJ/KA 8
H4/09
1961

Leonardo, N.J. to the westerly side of the Dredged Channel at Waterwitch.

- (d) all that portion of Sandy Hook Bay lying within a radius of one half mile from the outer end of the steamboat pier at Atlantic Highlands, N.J.
4. Shrewsbury River:
 - (a) all of the waters of the Shrewsbury River and tributaries thereof except the Navesink River.
 5. Navesink River:
 - (a) all that portion of the Navesink River west of a straight line connecting Lewis Point and the east point at the mouth of McClees Creek.
 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 to the northernmost boundary of Island Beach State Park. In addition, all of the waters, tributaries and lagoons within 500 feet of the shoreline or any pier, bulkhead or dock on Pelican Island and West Point Island.
 - (c) all of the waters, tributaries and lagoons of Barnegat Bay, Manahawkin Bay and Little Egg Harbor within 500 feet of the eastern shoreline or any pier, bulkhead or dock from Barnegat Inlet south to a line connecting can buoy C-81 with the nearest point of land to the east at Holgate, N.J.

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 northeast 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 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. Shelter Cove:

- (a) all of Shelter Cove and tributaries and lagoons thereof.

15. Toms River:

- (a) all of Toms River west of a line drawn from the easternmost point of Goodluck Point to the easternmost point of Coates Point, and all tributaries thereof.

16. Sloop Creek:

- (a) all of Sloop Creek and tributaries thereof, including all of the lagoons in Berkely Shores.

17. Potter Creek:

- (a) all of Potter Creek and tributaries thereof.

18. Clam Creek and Glen Cove:

- (a) all of the waters west of a straight line from the most easterly tip of land on the south side of Potter's Creek to the most easterly tip of land on Berkely Island on the north side of Cedar Creek, including Clam Creek, Glen Cove and Maple Creek.

19. Cedar Creek: (Ocean County)
 - (a) all of Cedar Creek and tributaries thereof.
20. Forked River:
 - (a) all of Forked River from the mouth to the head of tidewater, and tributaries thereof.
21. Oyster Creek: (Ocean County)
 - (a) all of Oyster Creek and tributaries thereof.
22. Waretown Creek and Basins:
 - (a) all of Waretown Creek, basins, lagoons and tributaries thereof, including North Harbor, South Harbor, Liberty Harbor and lagoons of Skippers Cove.
23. 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.
24. Manahawkin Creek, Cedar Creek Channel and Manahawkin Bay:
 - (a) all that portion lying west of a straight line extending in a north-easterly direction through the westernmost ice breaker on the highway bridge, beginning opposite the farthest extending point of land 200 yards south of the Bridge, and extending to a point 100 yards of the Bridge, thence bearing in a northerly direction to the east point at the mouth of Cedar Creek, thence bearing in a northwesterly direction to the west point at the mouth of Cedar Creek, and tributaries thereof.
 - (b) all of Manahawkin Creek and tributaries thereof.
25. Mill Creek (Stafford Township):
 - (a) all of the waters of Mill Creek and tributaries thereof to the north at Mill Creek Thorofare.
26. Cedar Run Creek and Cedar Run Cove:
 - (a) all of Cedar Run Creek and tributaries thereof.

- (b) all that portion of Cedar Run Cove lying on the northerly and westerly side of a line extending, at a distance of 100 feet from any dock, wharf, or bulkhead, from the mouth of Cedar Run Creek to a point 100 feet from the northernmost end of the bulkhead at the end of Cedar Run Road.

27. Westcunk Creek (West Creek):

- (a) all that portion of Westcunk Creek (West Creek) and its tributaries lying north and west of a line drawn from the southeast point of the mouth of Upper Thorofare, directly east across the creek to New Jersey Department of Conservation and Economic Development Light Pole #2, (Flashing Red #41A) on the east bank of Westcunk Creek (West Creek).

28. Tuckerton Creek and Tuckerton Cove:

- (a) all of Tuckerton Creek from the mouth to the head of tidewater, and tributaries thereof.
- (b) Tuckerton Cove - all of Tuckerton Cove west of a line drawn from the easternmost point of Thorofare Point to the easternmost point of Gaunt's Point.

29. Bass River and tributaries:

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

30. Mott Creek:

- (a) Mott Creek and all tributaries thereof.

31. Oyster Creek, Leeds Point:

- (a) all of Oyster Creek from the mouth to the head of tidewater, and tributaries thereof.

32. Conover Creek, Galloway Township, Atlantic County:

- (a) all of Conover Creek from the mouth to the head of tidewater, and tributaries thereof.

33. Reed Bay, Gull Island Thorofare, Middle Thorofare:

- (a) all that portion lying in the inland waterway channel between the channel stakes, from Meadow Cut to Absecon Channel.

34. Absecon Channel and Absecon Inlet:

- (a) all of Mankiller Bay, Point Bar Thorofare, Absecon Channel and Absecon

Inlet and all tributaries thereof, lying east and south of a straight line extending from the northwest bank of Point Bar Thorofare to Deb's Point.

35. Absecon Creek:

- (a) all of Absecon Creek from the mouth to the head of tidewater, and tributaries thereof.

36. Beach Thorofare, Great Thorofare, Clam Thorofare and Jonathan Thorofare:

- (a) all of Beach Thorofare from Absecon Channel on the north to a line drawn from the southernmost point of land at Longport in a northwesterly direction to the mouth of Hospitality Creek, including all of Hospitality Creek, and all of Risley Channel east of a line drawn from the west bank of Hospitality Creek at Risley Channel in a northwesterly direction to the most southwesterly tip of Dune Island, continuing in a northerly direction to the northwestern tip of Dune Island including the thoro-fare between Dune Island and Lone Cedar Island and all tributaries thereof and including West or Ventnor Canal and Inside Thorofare.
- (b) all of Jonathan Thorofare, Duck Thorofare, Newfound Thorofare, Clam Thorofare and Great Thorofare, and tributaries thereof.

37. Lakes Bay, Shelter Island Bay, and waters to the south thereof:

- (a) all of Lakes Bay and tributaries lying to the south and east thereof, including Duck Thorofare, Whirlpool Channel, Mulberry Thorofare and Risley Channel to the Longport Bridge.
- (b) all of Shelter Island Bay and waters lying to the south and east, including the Straits and Lone Cedar Channel.

38. Patcong Creek:

- (a) all of Patcong Creek from the mouth to the head of tidewater.

39. Great Egg Harbor River:

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.

40. Tuckahoe River:

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.

41. Bass Harbor and Ship Channel:

- (a) all of Bass Harbor between the northerly entrance into Steelman Bay and the southerly entrance into Ship Channel.
- (b) all that portion of Ship Channel lying north of the Somers Point-Ocean City Bridge between Somers Point and the Rainbow Islands and lying west and north of a line drawn from the most easterly tip of the most northern of the Rainbow Islands and the southerly tip of Anchorage Point.

42. Rainbow Channel, Ocean City:

- (a) all that portion lying south of a straight line extending from the south end of the Margate City-Ocean City Bridge to the easternmost point of the nearest large Rainbow Island.
- (b) all that portion lying east of a straight line drawn from the south-easterly point of the easternmost Rainbow Island southward to the easternmost point of the next large island.

43. Back Thorofare:

- (a) all of Back Thorofare from Rainbow Channel in the north to Peck Bay on the south, and all tributaries on the eastward side thereof.
- (b) EXCEPTING that those portions of Back Thorofare lying south of a line from the southern bank of Sunny Harbor in Ocean City to the northern tip of Shooting Island shall not be condemned during the period from October 16 to May 30, both inclusive.

44. Ludlam Thorofare:

- (a) all of Ludlam Thorofare and all tributaries on the eastward side, from the easterly point of the entrance of the Thorofare into the main body of 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 Township) starting at the mouth of North Channel (Middle Township) to the mouth of Leonard Thorofare.
- (c) all the waters of Graven Thorofare and tributaries thereof from Princeton Harbor to Long Reach.

47. Great Channel:

- (a) all the waters of Great Channel 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 drawn from the southwest corner of Snug Harbor to the southeast bank at the mouth of Muddy Hole including all tributaries thereof and boat basins therein and the following boat basins located in Stone Harbor: Shelter Haven, Stone Harbor and Carnival Bay.
- (b) EXCEPTING that Shelter Haven, Stone Harbor and Carnival Bay boat basins shall not be condemned during the period from October 16 to May 30, both inclusive.

48. 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 Channel.

49. Jenkins Sound:

- (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 Road, 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.

50. Hereford Inlet:

- (a) all that portion of Hereford Inlet lying west of a line extending from a point situated 1,000 feet from the shore due east of the Hereford Coast Guard Station to the southeast point of Nummy Island.

51. 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.

52. Beach Creek:

- (a) all of Beach Creek from its northerly end to its entrance into Grassy Sound, and tributaries thereof.

53. Cresse Creek and Old Turtle Thorofare:

- (a) all of Cresse Creek and Old Turtle Thorofare from Grassy Sound Channel to and including Tempe Creek and tributaries thereof.

54. 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.
- (b) EXCEPTING that those portions of Grassy Sound and Grassy Sound Channel, excluding the tributaries to the eastward thereof, lying between the southerly point of the mouth of Cresse Thorofare and the southerly point of Southern Thorofare, being the southernmost Thorofare leading from Grassy Sound Channel into Richardson Sound, shall not be condemned during the period from October 16 to May 30, both inclusive.

55. Post Creek and Ottens Harbor:

- (a) all of Post Creek and all of Ottens Harbor and tributaries thereof.

56. Richardson Channel:

- (a) all of Richardson Channel from the mouth to its entrance into Richardson Sound, and tributaries thereof.

57. Lower Thorofare:

- (a) all that portion on the eastern side of the midline of Lower Thorofare from a point 500 feet north of the fish wharves to a point 500 feet south of the wharves.

58. Cape May Harbor, Cold Spring Inlet, Cape Island Creek, Mill Creek, Skunk Creek and Cape May Canal:

- (a) all of Cape May Harbor southwest of a straight line extending from the western side of the mouth of Upper Thorofare to the southwest bulkhead of Cold Spring Inlet (Cape May 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.

59. Maurice River:

- (a) all of Maurice River from the mouth to the head of tidewater, and tributaries thereof.

60. Cohansey River:

- (a) all of Cohansey River from the mouth to the head of tidewater, and tributaries thereof.

61. 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.