



**Shellfish Aquaculture Leasing Policy of the Atlantic Coast Section of the  
New Jersey Shellfisheries Council**



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**Adopted by Council March 21, 2016**

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*Be advised that this document and its content may change without prior notice. NJ Division of Fish and Wildlife and the Atlantic Coast Section of the NJ Shellfisheries Council should be consulted for all purposes of interpreting and applying this policy.*

*This document exclusively addresses the shellfish leasing policy for the Atlantic Coastal tidal waters of New Jersey. All existing and prospective shellfish lease holders are hereby advised that shellfish aquaculture activities are subject to licenses, permits, and other regulations not explicitly identified in this document. Other NJDEP divisions, other state agencies, and federal agencies exert authority over aspects of shellfish aquaculture activities.*

## **Introduction**

The Shellfish Aquaculture Leasing Policy of the Atlantic Coast Section of the New Jersey Shellfisheries Council is a planning and guidance document designed to assist with the development of policies for managing shellfish aquaculture leases in New Jersey's Atlantic coastal tidal waters. The document is the product of a collaborative effort between NJDEP's Marine Fisheries Administration - Bureau of Shellfisheries (Bureau), the Council, and the Leasing Committee (Committee).

The development of this leasing policy was a result of the realization that the implementation of past Council policies were made on a case by case basis. This resulted in an ad hoc allocation and establishment of shellfish aquaculture leases. The Council, Committee, and Bureau concur that a comprehensive management plan is needed.

This document is considered "living" and will be revised as often as necessary to reflect the changing needs of the shellfish aquaculture industry and capacity of the Bureau, provided the proposed changes are in compliance with all regulations and statutes. The standing Leasing Committee members will meet from time to time, at the request of the Council, to develop a general consensus among shellfish aquaculture industry members on issues related to the improvement, expansion, and general use of shellfish leases. The recommendations of the Committee will be brought before the Council, and with Council approval, will be incorporated into this policy.

## **Background on Leasing on the Atlantic Coast of New Jersey**

**(RESERVED)**

### **Council Authority**

#### **Statutory Authority**

N.J.S.A. 50:1-18 - Council establishment; division of Council sections; membership; duties and responsibilities; authority to lease lands under the tidal waters of the state

N.J.S.A. 50:1-24 - Exclusive power to lease

#### **Regulatory Authority**

N.J.A.C 7:25-24 - Leasing of Atlantic Coast Bottom for Aquaculture

## Overview and Purpose

This policy document is intended to be used by the Council, Committee, industry and Bureau as a general management tool for leasing and managing bottom areas of the Atlantic coastal tidal waters in a way that is predictable and consistent with necessary procedures. This policy attempts to capture and reflect many years of deliberations and collaboration between the Council, industry, academia, the Bureau and other state agencies. It is meant to be reflective of the State's recognition of the importance of the shellfish aquaculture industry to New Jersey while acknowledging the presence of other stakeholders and users of our coastal marine waters, as well as Bureau staffing level considerations. The intent is to provide the shellfish aquaculture industry and other interested stakeholders with an understanding of shellfish aquaculture leasing in New Jersey Atlantic coastal waters.

**A number of known policy and regulatory issues continue to be addressed by the Council and Committee. The Council and Committee are currently reviewing *lease allocation*<sup>1</sup>, *lease designated use*, and lease utilization.**

This document provides a concise snapshot of the current leasing situation:

- |           |  |
|-----------|--|
| Section 1 | Council's role in the issuance, approval and oversight of shellfish aquaculture leases |
| Section 2 | Overview of the current lease areas and options available to prospective lease holders |
| Section 3 | <i>Lease expansion</i> options for existing lease areas                                |
| Section 4 | Consideration of <i>new lease areas</i>  |

### **Section 1 Council's role in the issuance, approval, and oversight of shellfish aquaculture leases**

Following the regulatory procedures outlined in the Leasing of Atlantic Coast Bottom for Aquaculture at N.J.A.C. 7:25-24, all applications for shellfish aquaculture lease grounds on the Atlantic Coast of New Jersey are reviewed by the Council. The Council then recommends to the Commissioner of the NJDEP whether an area can be leased to an individual or should remain open for public use. The majority of the lease applications are for commercial shellfishermen who require an area for the planting and cultivating of shellfish or as relay leases (as per the relay regulations, N.J.A.C. 7:25-15).

In order to assist the Council in their decisions, each lease application is investigated for shellfish productivity by the Bureau and a biological report is submitted to the Council (as per the leasing regulations at N.J.A.C.7:25-24.6) to assist in their decision whether to approve the lease

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<sup>1</sup> *Italicized* words/phrases are defined in Appendix A (Glossary)

application. The Bureau may also conduct biological investigations adjacent to an existing lease(s) to pre-determine suitability for lease area expansion, thereby alleviating the need to conduct individual surveys. Other marine resources and user group conflicts are also evaluated, and play an important role in the Council’s determination to expand leasing in a particular area.

A biological assessment is conducted by the Bureau because the estuarine shellfish resources of New Jersey face continuing pressures which threaten the available habitat. Many productive shellfish beds have been closed or decimated as the result of pollution and development. In addition, large tracts of productive shellfish habitat were leased many years ago before biological investigations were conducted to evaluate their productivity. Over the years, the Bureau and the Council, either through regulations or policy, have attempted to maintain productive shellfish habitat as open harvest areas for the benefit of shellfish harvesters and the general public.

Since the amount of productive shellfish habitat is finite, every effort must be made to manage its conservation, but also to provide adequate opportunity to maintain shellfish aquaculture as a viable part of the shellfish industry. It is important to note that with losses of harvestable waters due to coastal development or downgrades in shellfish growing water classifications, shellfish aquaculture has become even more important in maintaining the viability of New Jersey’s shellfish industry. Less “productive areas” (waters that have the physical characteristics to grow shellfish, but for other reasons, doesn’t have a consistent history of natural recruitment) are utilized and enhanced through a carefully managed leasing program. In essence, aquaculture enhances the usage of areas that are characterized as “less than productive,” providing additional use opportunities for industry.

**Section 2 Overview of the current lease areas and options available to prospective lease holders**

As of January 11, 2016, the State of New Jersey issued 851 individual leases accounting for 2,236.7 acres and 30,137.27 linear feet (Mullica River) in New Jersey’s Atlantic coastal bays and rivers.

<b>Section</b>	<b>Geographic Location</b>	<b># Regular Leases</b>	<b># Relay Leases</b>	<b># Research Leases</b>	<b>Acres</b>	<b>Linear Feet</b>
A	Cape May County	112	0	1	256.22	
B	Great Egg to Manahawkin	683	16	1	1887.2	30,137.27
C	Manahawkin to Toms River	17	1	2	54.35	
D	Toms River to Manasquan River	18	0	0	38	
E	Shark River	1	0	0	0.95	

Each existing lease area is illustrated under Appendix B of this policy titled “Shellfish Lease Areas of the Atlantic Coast of New Jersey.” The shellfish lease area charts provide a brief description of each area and list any restrictions associated with the ability to lease a particular lot within that particular area. The official lease charts may be viewed during business hours at the Nacote Creek Shellfish Office. For convenience, prospective applicants should call ahead to schedule a time to discuss and review these official maps with a Bureau biologist by calling (609) 748-2040.

Note: if a waterbody is not a figure in this document, it means that no leases exist in that waterbody. The absence of leases may be due to such things as Council Action or water quality classification.

### **Section 3      Lease expansion options for existing lease areas**

- A lease application can be made within or contiguous to an existing lease(s) where acceptable by Council Action under Appendix B. A biological investigation shall be performed by the Bureau, unless the lease(s) is exempt from a biological investigation as per the leasing regulations N.J.A.C. 7:25-24.6(c).
- If Council Action in Appendix B does not allow for a lease to be added within or contiguous to an existing block of leases, any proposed lease(s) contrary to the Council Action shall be presented to the Council for their review.
- If the Council decides to further evaluate the establishment of the proposed lease(s), the Council shall task the standing Leasing Committee with discussing the suitability of the proposed expansion, including but not limited to, known productivity of shellfish habitat, shellfish growing water classifications, protected marine natural resources, stakeholder conflicts, uses of other natural resources such as fishing, crabbing and hunting, navigational issues, land use restrictions, tidelands, and adjacent land ownership conflicts.
- The Committee shall work with the Bureau to investigate the marine resources and potential conflicts. The staffing capacity of the Bureau should always be considered in evaluating lease expansion areas.
- The Committee shall present their findings to the Council.
- The Council may set boundaries through this policy that limit the expansion of certain lease areas.
- The Bureau may alter the proposed boundaries of a lease application.

#### **Section 4      Consideration of new lease areas**

*As per this version of the Leasing Policy, March 21, 2016, no new lease areas will be considered until revised regulations “Leasing of Atlantic Coast Bottom for Aquaculture” at N.J.A.C. 7:25-24 are adopted. Listed below will be the procedure for new lease areas once the revised regulations are implemented.*

- A proposal for new shellfish lease areas, including *Aquaculture Development Zones (ADZs)*, shall be presented to the Council for their review. New areas shall be evaluated as a block of leases rather than a single individual lease application.
  
- If the Council decides to further evaluate the establishment of the proposed leases, the Council shall task the standing Leasing Committee with discussing the suitability of the proposed new leases, including but not limited to, known productivity of shellfish habitat, shellfish growing water classifications, protected marine natural resources, stakeholder conflicts, uses of other natural resources such as fishing, crabbing and hunting, navigational issues, land use restrictions, tidelands, and adjacent land ownership conflicts.
  
- The Committee shall work with the Bureau to investigate the marine resources and potential conflicts. The staffing capacity of the Bureau should always be considered in evaluating new lease areas.
  
- The Committee shall present their findings to the Council.
  
- If the Council decides to approve the new block of leases, allocation of individual leases within the new block will be determined by the Council.
  
- The new block of leases will then be incorporated within the leasing policy.
  
- Public announcement of new lease areas (reserved).

## APPENDIX A: GLOSSARY

**Aquaculture Development Zone (ADZ):** Unique shellfish lease areas that have been identified for structural aquaculture development. This management system approach attempts to minimize environmental, social and user group conflicts while streamlining the permitting process that growers are required to navigate. The State holds all of the necessary federal and state permits. There are three ADZs currently in NJ with two offshore “deepwater” areas (currently unoccupied) and one ADZ along the nearshore area of the Cape May Peninsula (just south of the Clam Line, known as ADZ4).

**Lease Allocation:** The procedure used by the Bureau and the Council to assign individual lease applications.

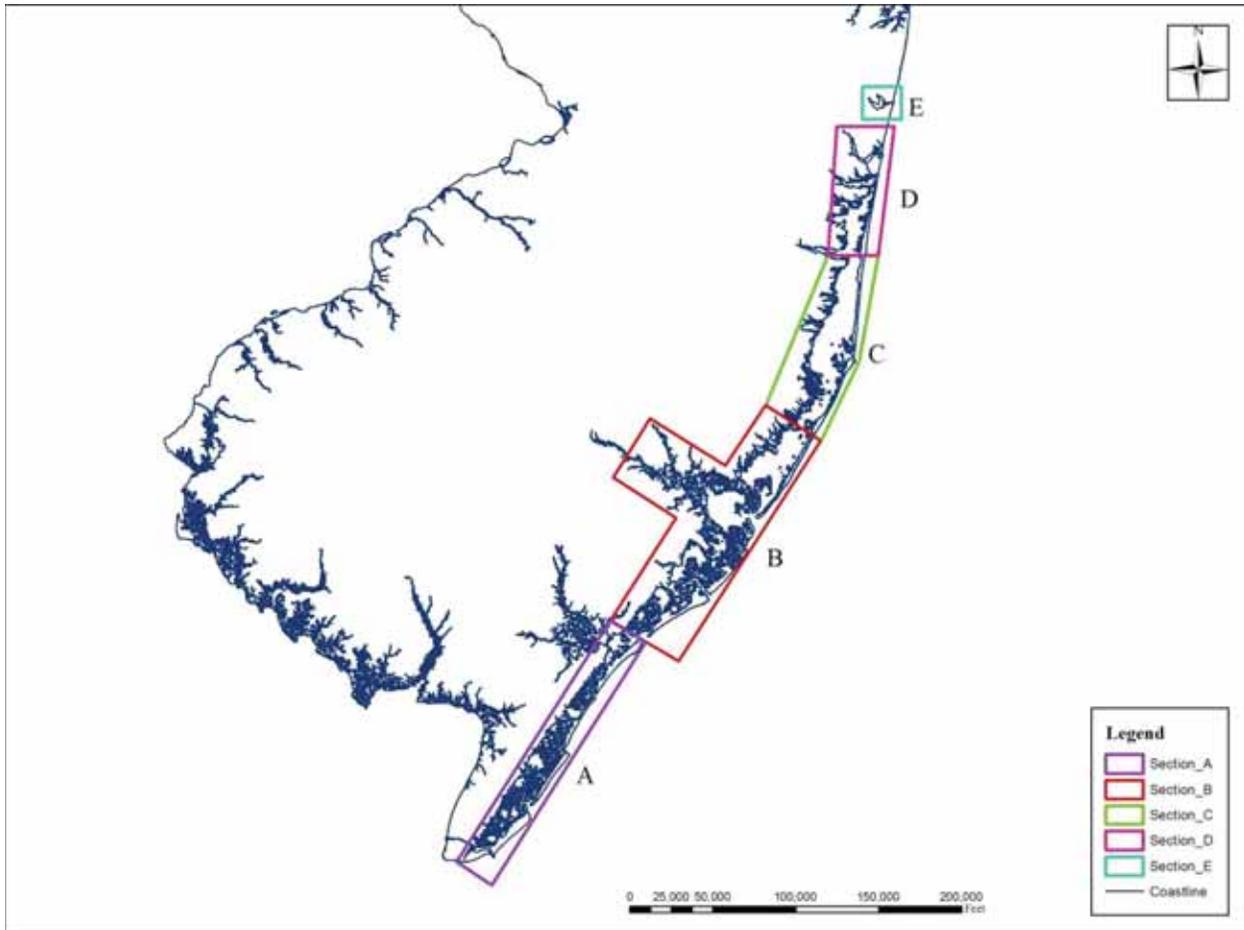
**Lease Designated Use:** Species of shellfish cultivated and the method used for cultivation within a specified lease area.

**Lease Expansion:** The addition of new leases contiguous to an existing lease or leases.

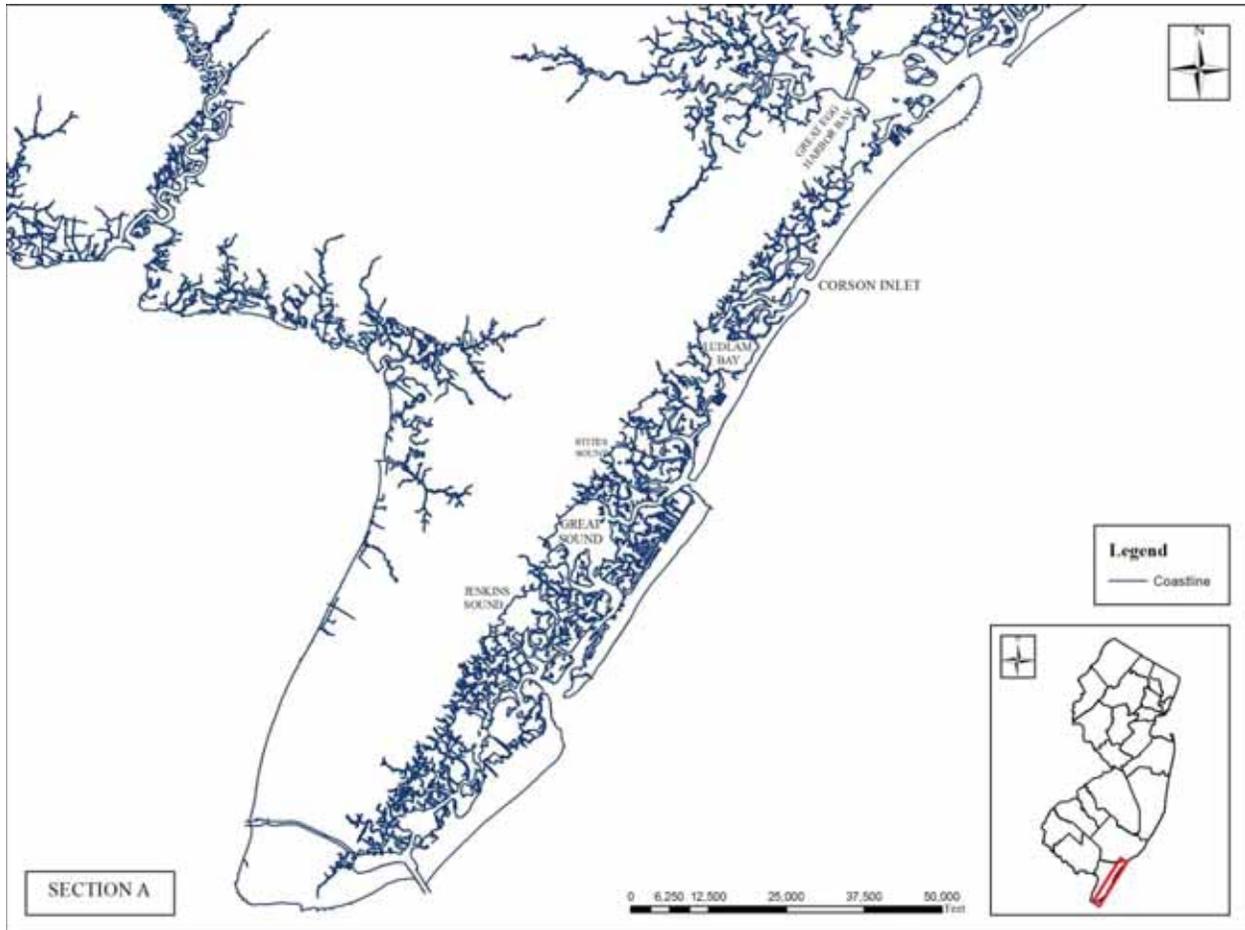
**New Lease Areas:** The addition of new leases that are not contiguous to an existing lease or leases.

**APPENDIX B: SHELFISH LEASE AREAS OF THE  
ATANTIC COAST OF NEW JERSEY**

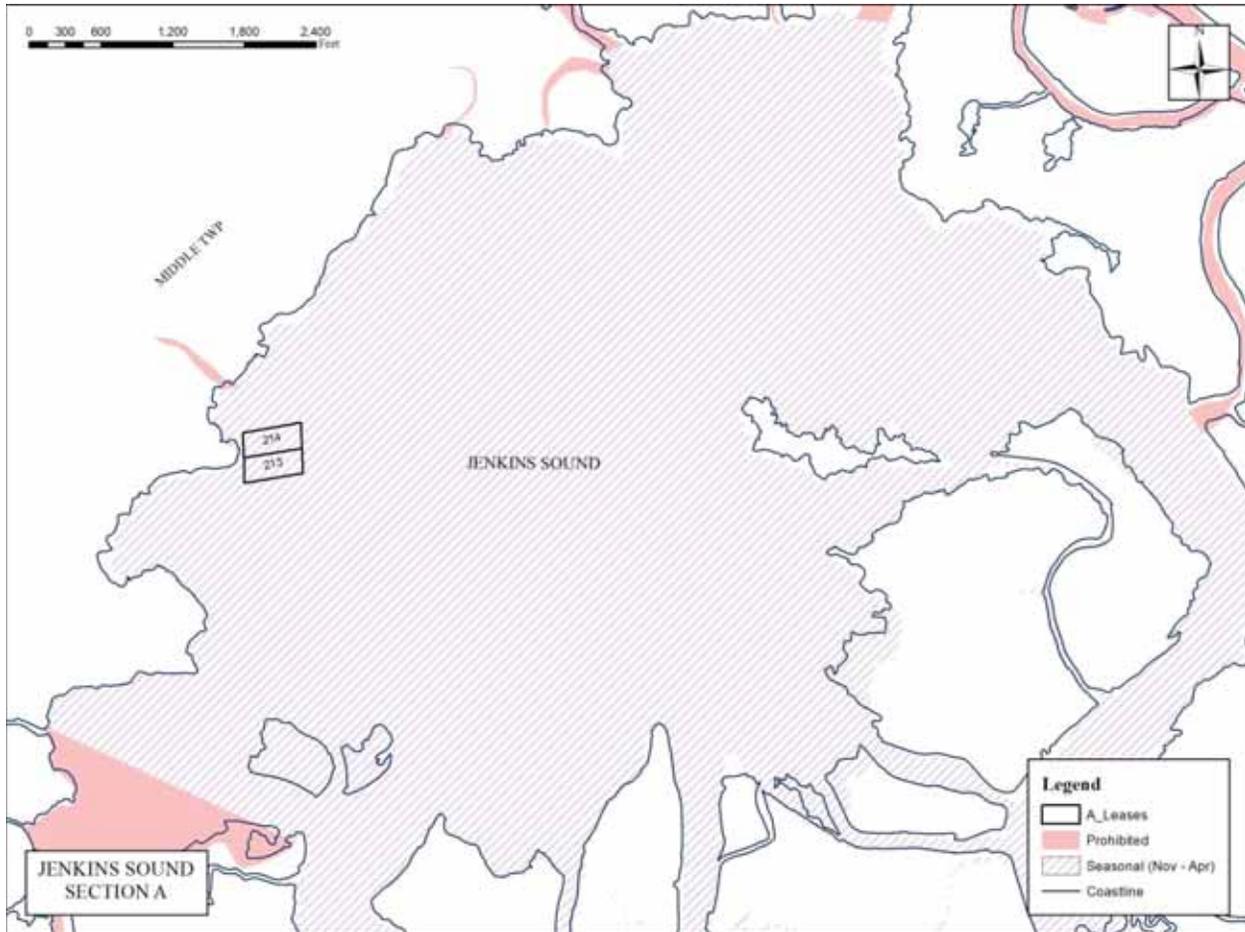
**\*Please note that the official lease charts for the tidal waters along the Atlantic coast of New Jersey are located at the Nacote Creek Shellfish Office, as per the leasing regulations at N.J.A.C. 7:25-24. The figure numbers of the charts below are not the official map numbers, but are only references for this document.**



## Section A: Cape May to Great Egg Harbor Bay



**Figure A1: Jenkins Sound**



Location: Middle Township, Cape May County

Existing Leases: 2 leases, 4.73 acres

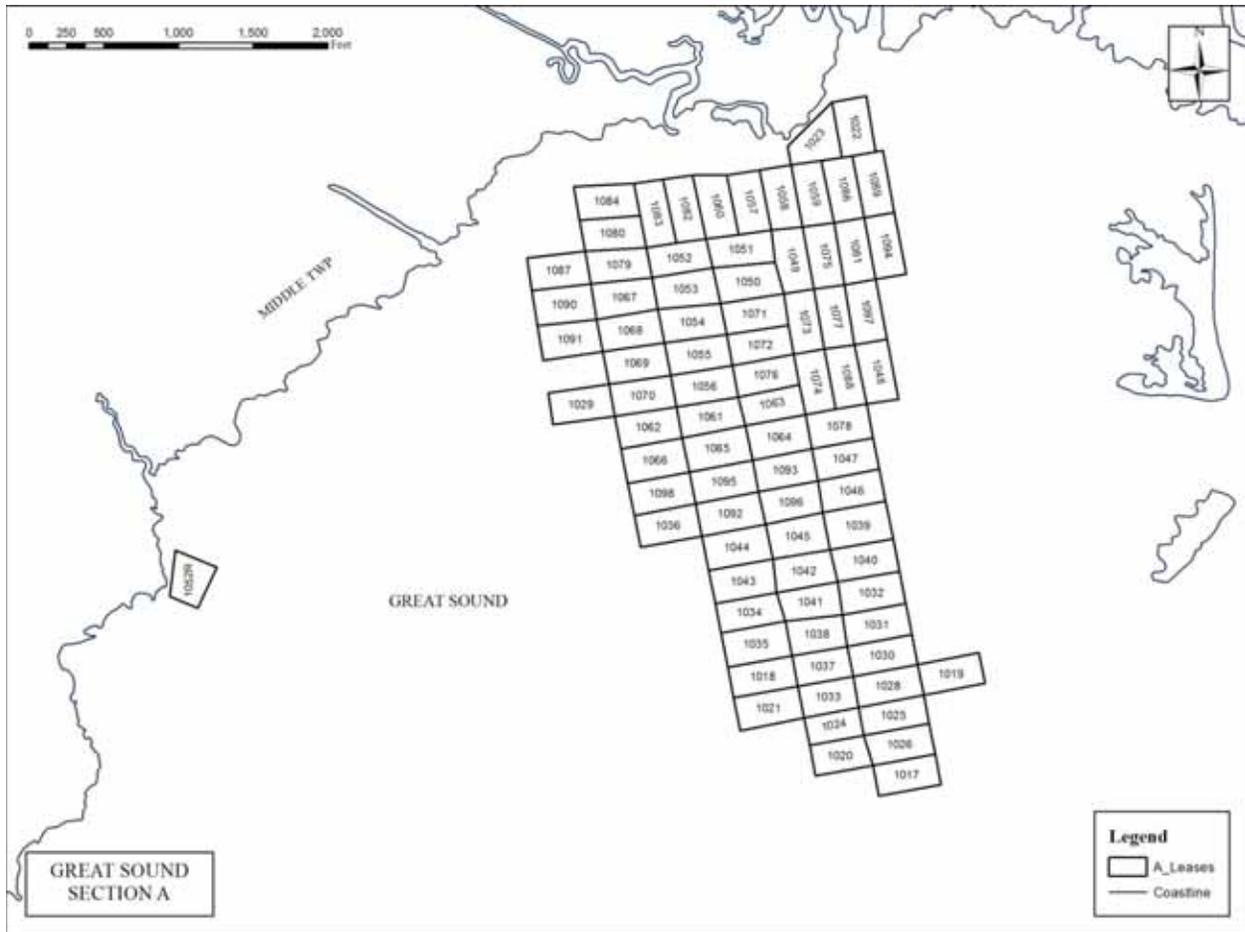
Primary Shellfish Grow Out: Hard Clam

Shellfish Growing Waters Classification: Seasonally Restricted

Known Concerns: Possible conflicts with commercial crab pot fishery

**Council Action:** New lease applications are allowed contiguous to existing lease block. Biological investigation is required as per leasing regulations N.J.A.C. 7:25-24.6. New lease proposals not contiguous to existing leases shall need Committee recommendation and Council action for the Bureau to investigate.

**Figure A2: Great Sound**



Location: Middle Township/Avalon, Cape May County

Existing Leases: 79 leases and 1 research lease, 165.58 acres

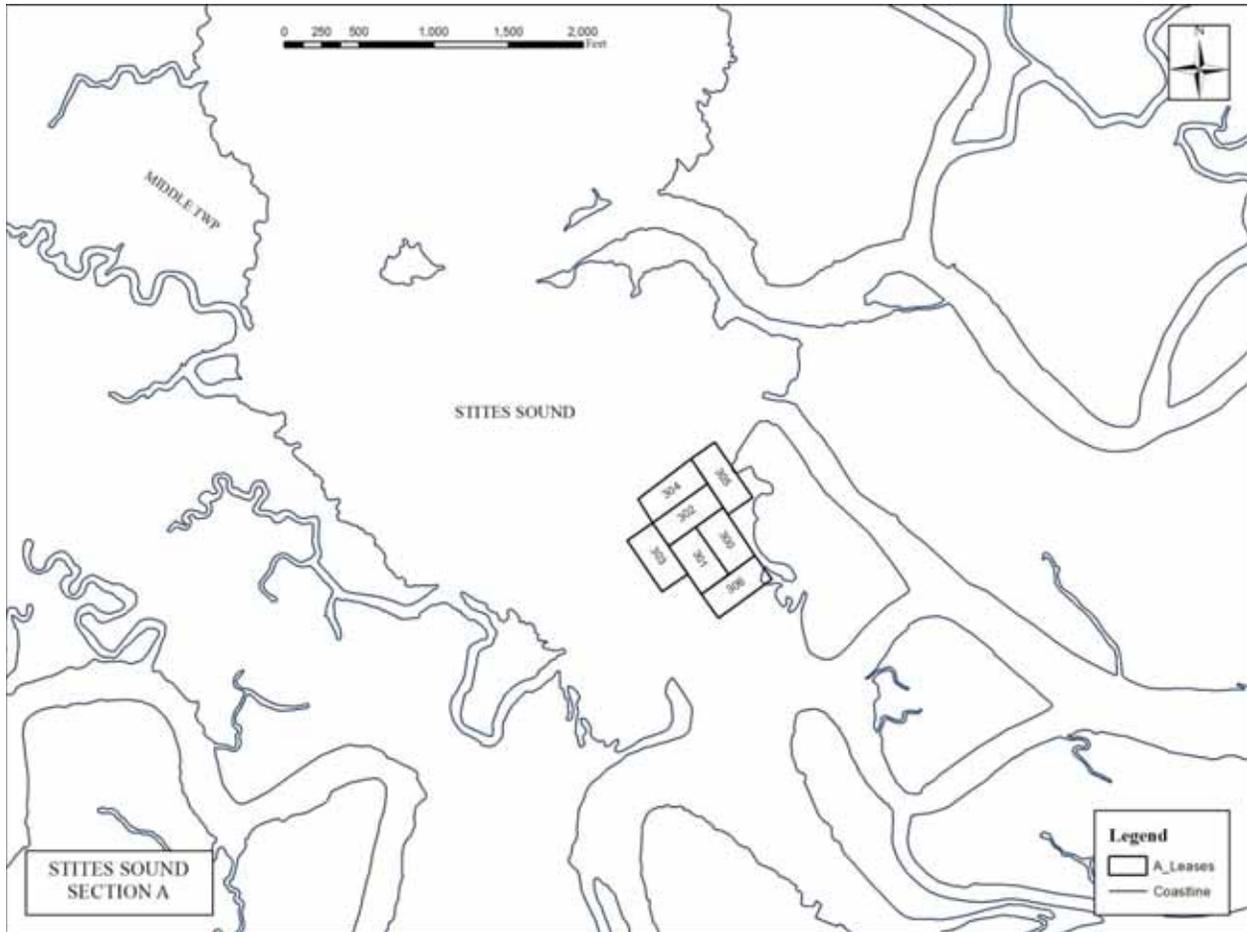
Primary Shellfish Grow Out: Hard Clams, Oysters

Shellfish Growing Waters Classification: Approved

Known Concerns: Possible conflicts with other user groups and stakeholders: commercial crab pot fishermen, wild shellfish harvesters and recreational fishermen. A petition from the New Jersey Shellfisheries Association, signed by Great Sound leaseholders, opposing new leases in Great Sound was presented to Council at the October 19, 2015 meeting.

**Council Action: New lease applications are allowed contiguous to existing lease block. Biological investigation is required as per leasing regulations N.J.A.C. 7:25-24.6. New lease proposals not contiguous to existing leases shall need Committee recommendation and Council action for the Bureau to investigate.**

**Figure A3: Stites Sound**



Location: Middle Township/Avalon, Cape May County

Existing Leases: 7 leases, 13.97 acres

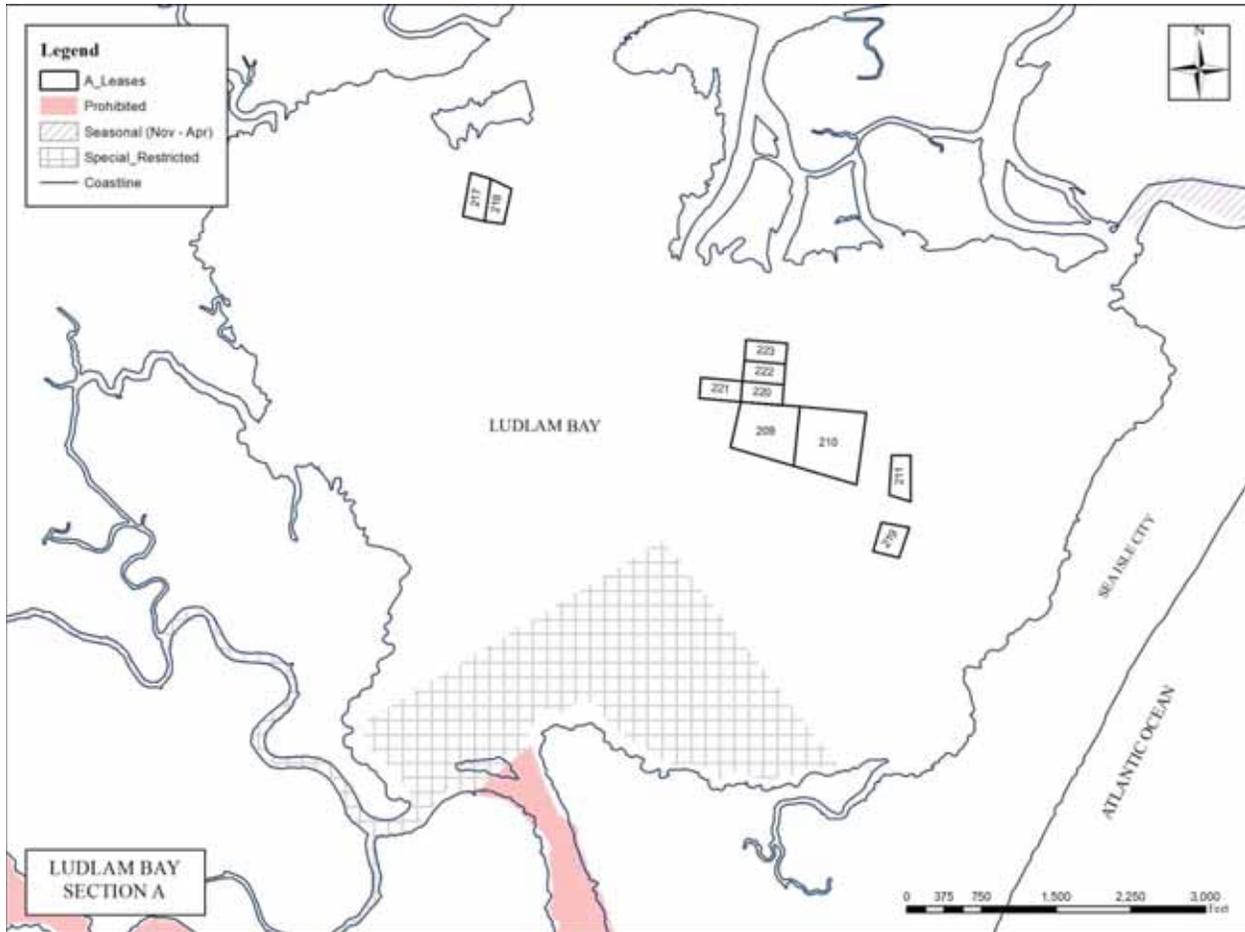
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: Possible conflicts with other user groups and stakeholders: commercial and recreational shellfish harvesters and recreational fishing. Shellfish resources need to be evaluated as Stites Sound may be productive shellfish habitat.

**Council Action: Expansion restricted due to physical limitations of the site. Expansion of existing lease block and other areas of Stites Sound will need to be carefully considered and evaluated, not only for resource, but suitability for hard clam aquaculture.**

**Figure A4: Ludlum Bay**



Location: Middle Township, Cape May County

Existing Leases: 9 leases, 32.0 acres

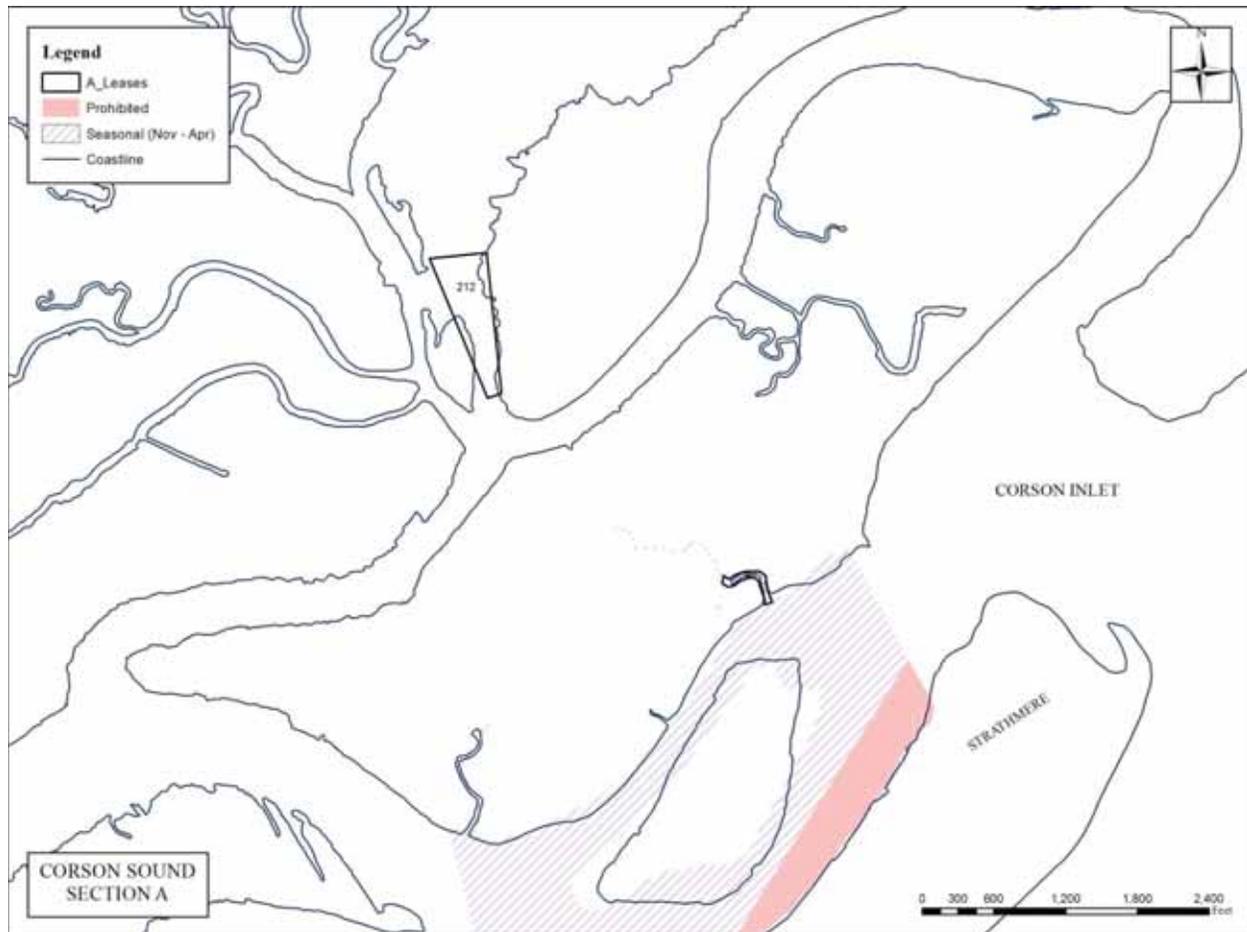
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: Possible conflicts with other user groups and stakeholders: recreational and commercial wild shellfish harvest, commercial crab harvest, recreational fishing and PWC rental operating area.

**Council Action:** Expansion of existing leases are allowed contiguous to existing lease block along northern edge of main block of leases. A pre-determined block of leases can be established pending an investigation by the Bureau. Biological investigation is required as per leasing regulations N.J.A.C. 7:25-24.6. New leases proposals not contiguous to existing block of leases shall need Committee recommendation and Council action for Bureau to investigate.

**Figure A5: Corson Sound**



Location: Strathmere and Ocean City, Cape May County

Existing Leases: 2 leases, 8.24 acres

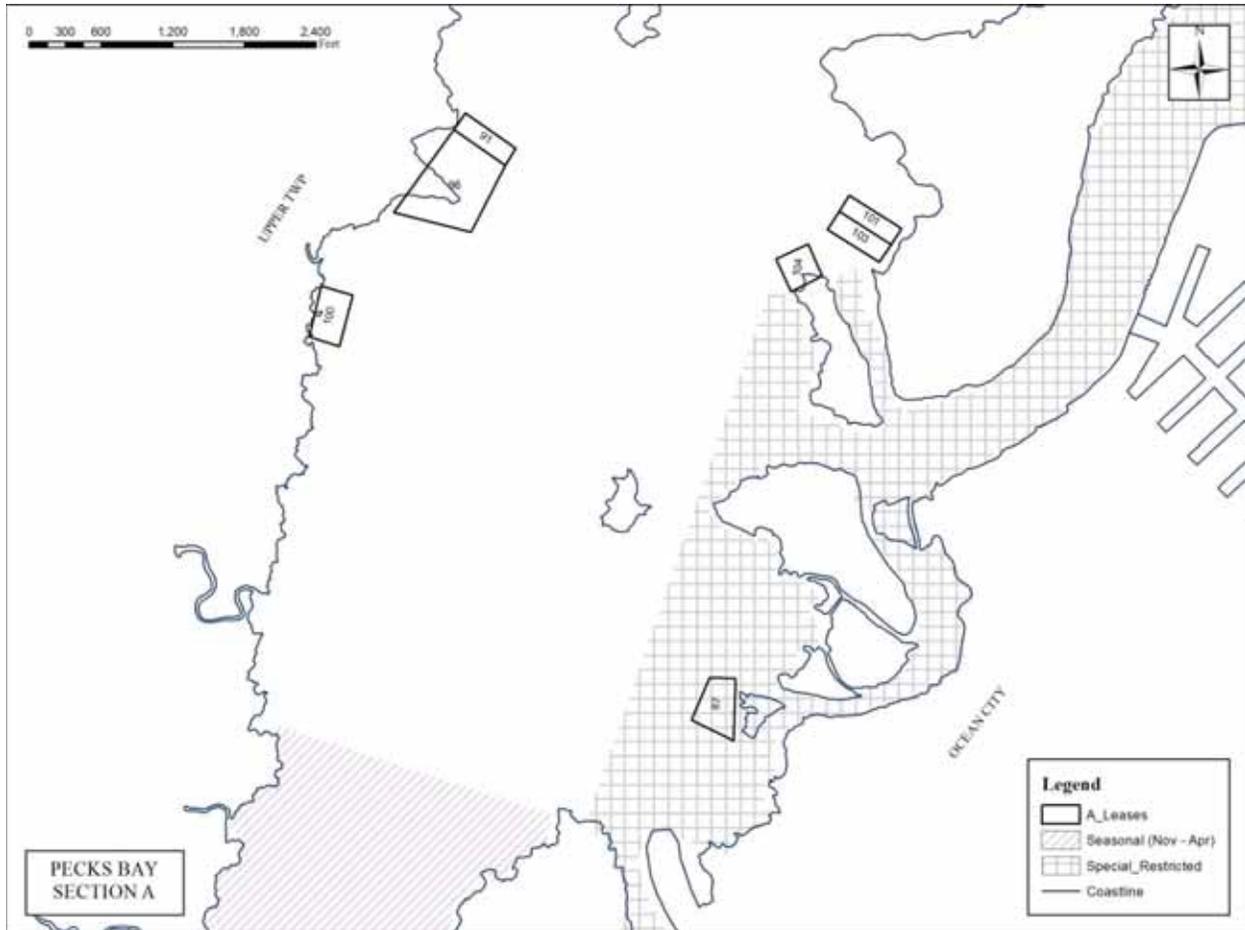
Primary Shellfish Grow Out: Unknown

Shellfish Growing Waters Classification: Approved

Known Concerns: Possible productive hard clam habitat

**Council Action: New lease proposals shall need Committee recommendation and Council action for Bureau to investigate.**

**Figure A6: Pecks Bay**



Location: Upper Township (Beasley’s Point) and Ocean City, Cape May County

Existing Leases: 7 leases, 22.32 acres

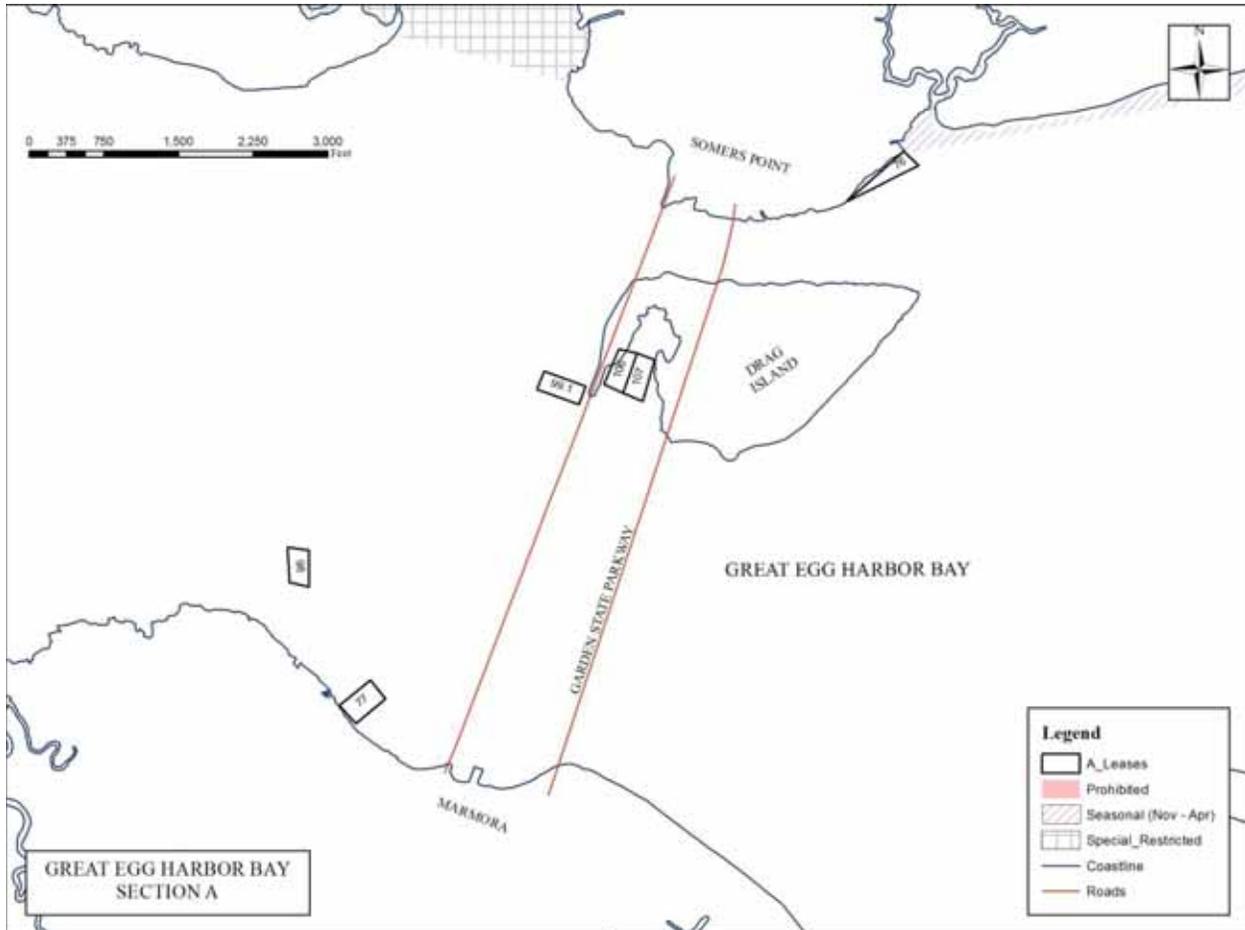
Primary Shellfish Grow Out: Hard Clams and Oysters

Shellfish Growing Waters Classification: Approved, Seasonally Approved and Special Restricted

Known Concerns: Possible conflicts with other user groups and stakeholders: commercial crab harvest, recreational and commercial fishermen, recreational boating and PWC activity. Possible riparian conflicts with establishing leases along shoreline. At the January 22, 1996 Council meeting, commercial crab pot fishermen had expressed concern over leases in Pecks Bay.

**Council Action: New lease expansion shall need a Committee recommendation and Council action for Bureau to investigate. Potential expansion of leases in Pecks Bay shall be considered as a block of leases rather than as individual applications for new leases. Potential expansion limited to “Approved” waters.**

**Figure A7: Great Egg Harbor Bay**



Location: Upper Township (Beasley’s Point), Cape May County and Somers Point, Atlantic County

Existing Leases: 6 leases, 11.38 acres.

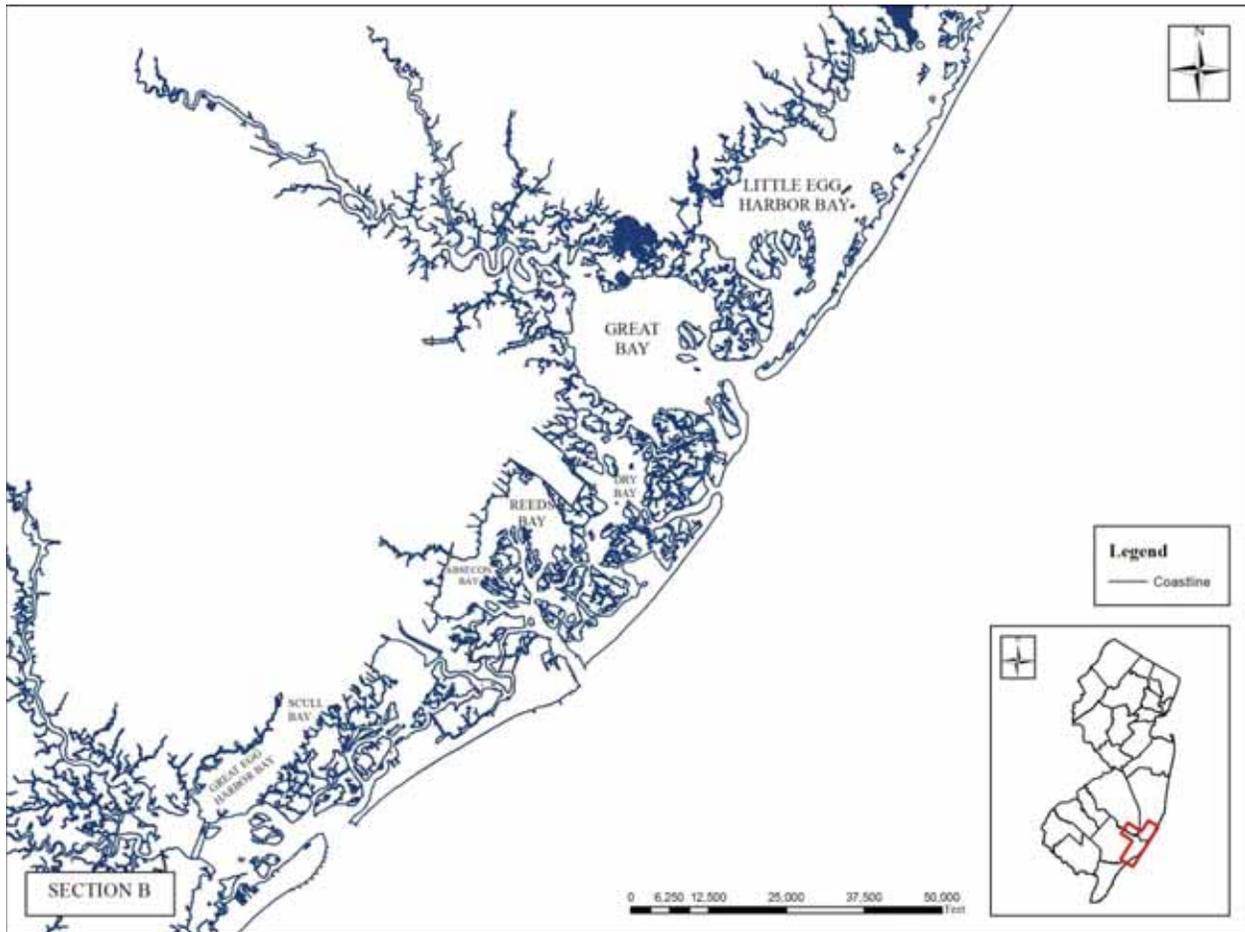
Primary Shellfish Grow Out: Hard Clams and Oysters

Shellfish Growing Waters Classification: Approved

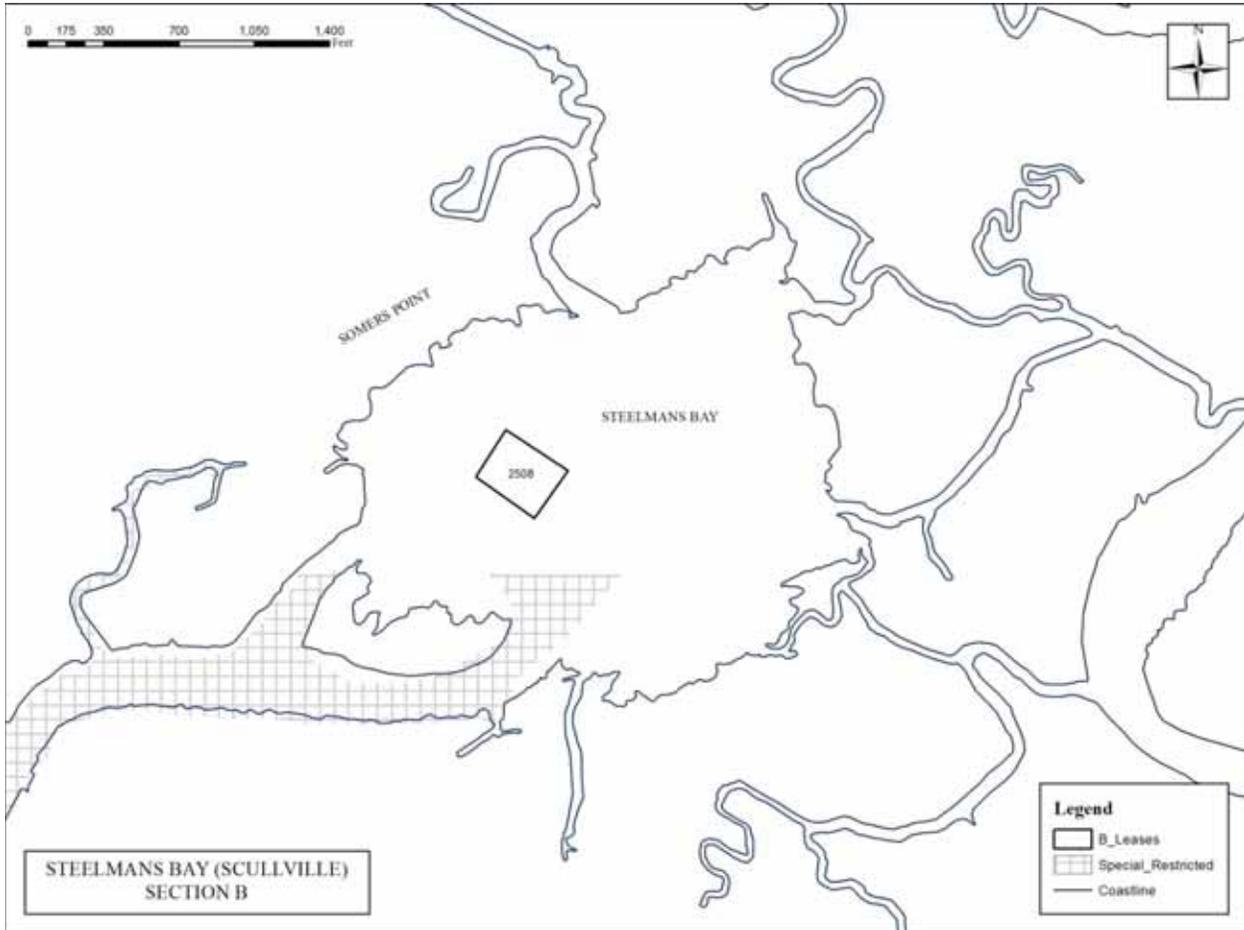
Known Concerns: Possible conflicts with other user groups and stakeholders: commercial crab harvest, recreational and commercial fishermen, wild shellfish harvest, recreational boating and PWC activity. Possible riparian conflicts with establishing leases along shoreline.

**Council Action: Lease expansion shall need a Committee recommendation and Council action for Bureau to investigate. Potential expansion of leases in Great Egg Harbor Bay shall be considered as a block of leases rather than as individual applications for new ground.**

**Section B: Great Egg Harbor Bay to Manahawkin Bay**



**Figure B1: Steelmans Bay (Scullyville)**



Location: Somers Point, Atlantic County

Existing Leases: 1 lease, 2.08 acres

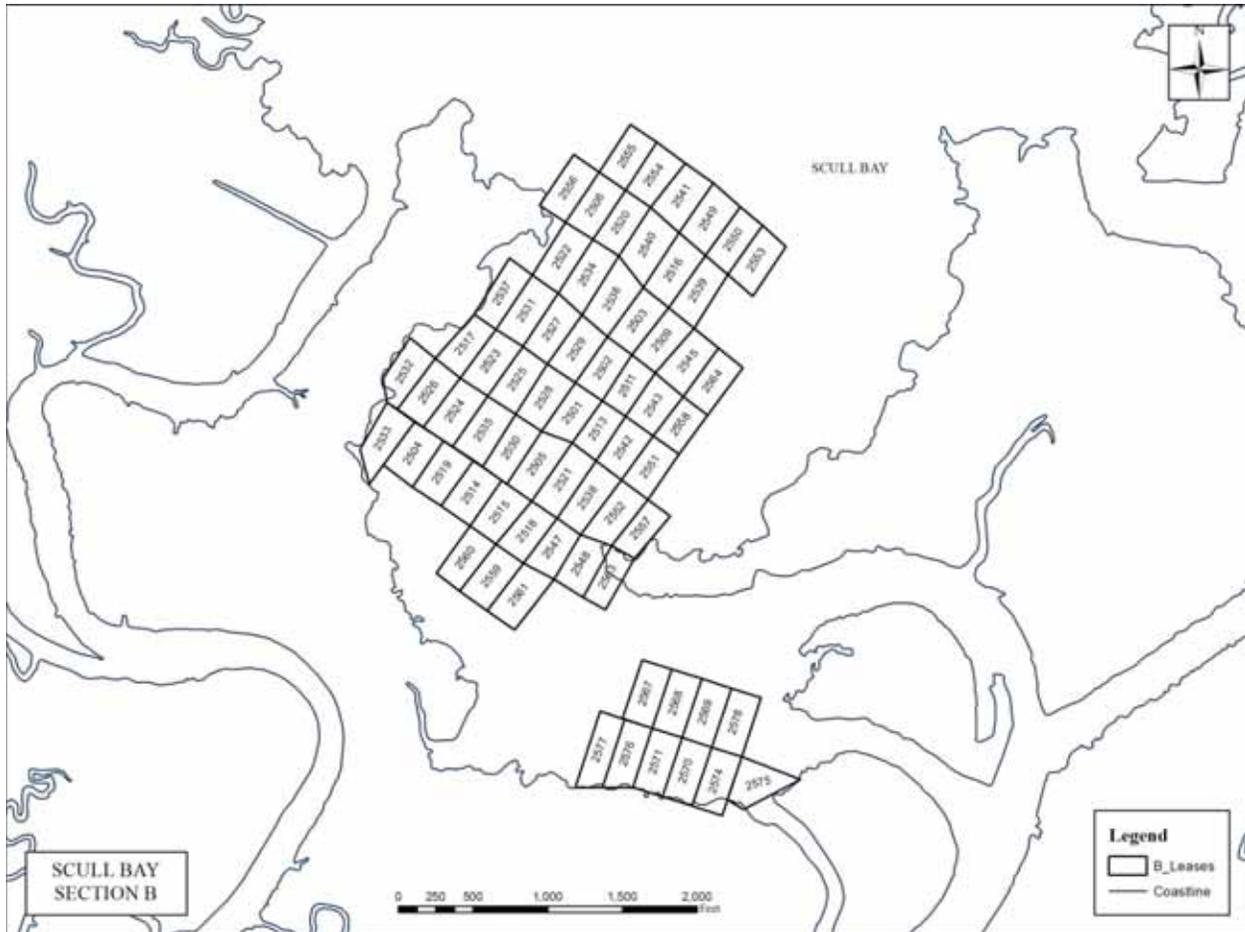
Primary Shellfish Grow Out: Hard Clam

Shellfish Growing Waters Classification: Approved

Known Concerns: No known concerns at this time

**Council Action: New lease applications are allowed contiguous to existing lease block. Biological investigation required as per leasing regulations N.J.A.C. 7:25-24.6.**

**Figure B2: Scull Bay**



Location: Linwood, Atlantic County

Existing Leases: 56 leases, 112.03 acres

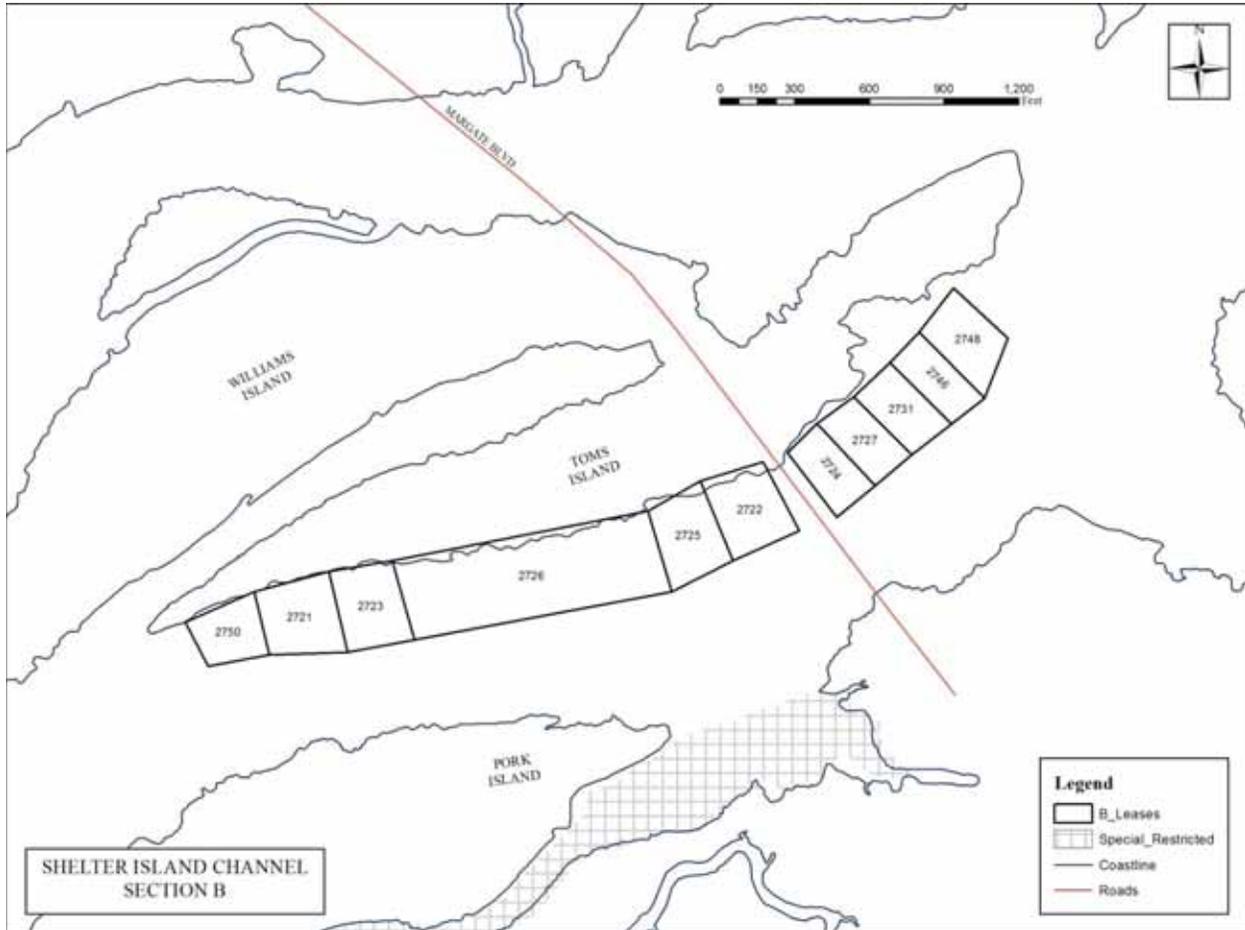
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: Possible conflicts with other user groups and stakeholders: commercial crab pot fishermen, commercial and recreational shellfish harvesters and recreational fishermen.

**Council Action:** Lease applications are allowed for vacated leases within the two existing blocks of leases. Biological investigation is required as per leasing regulations N.J.A.C. 7:25-24.6. Expansion restricted due to physical limitations of Scull Bay. Proposed outward expansion of existing lease blocks shall need a Committee recommendation and Council action for Bureau to investigate.

**Figure B3: Shelter Island Channel**



Location: Linwood and Margate, Atlantic County

Existing Leases: 11 leases, 25.28 acres

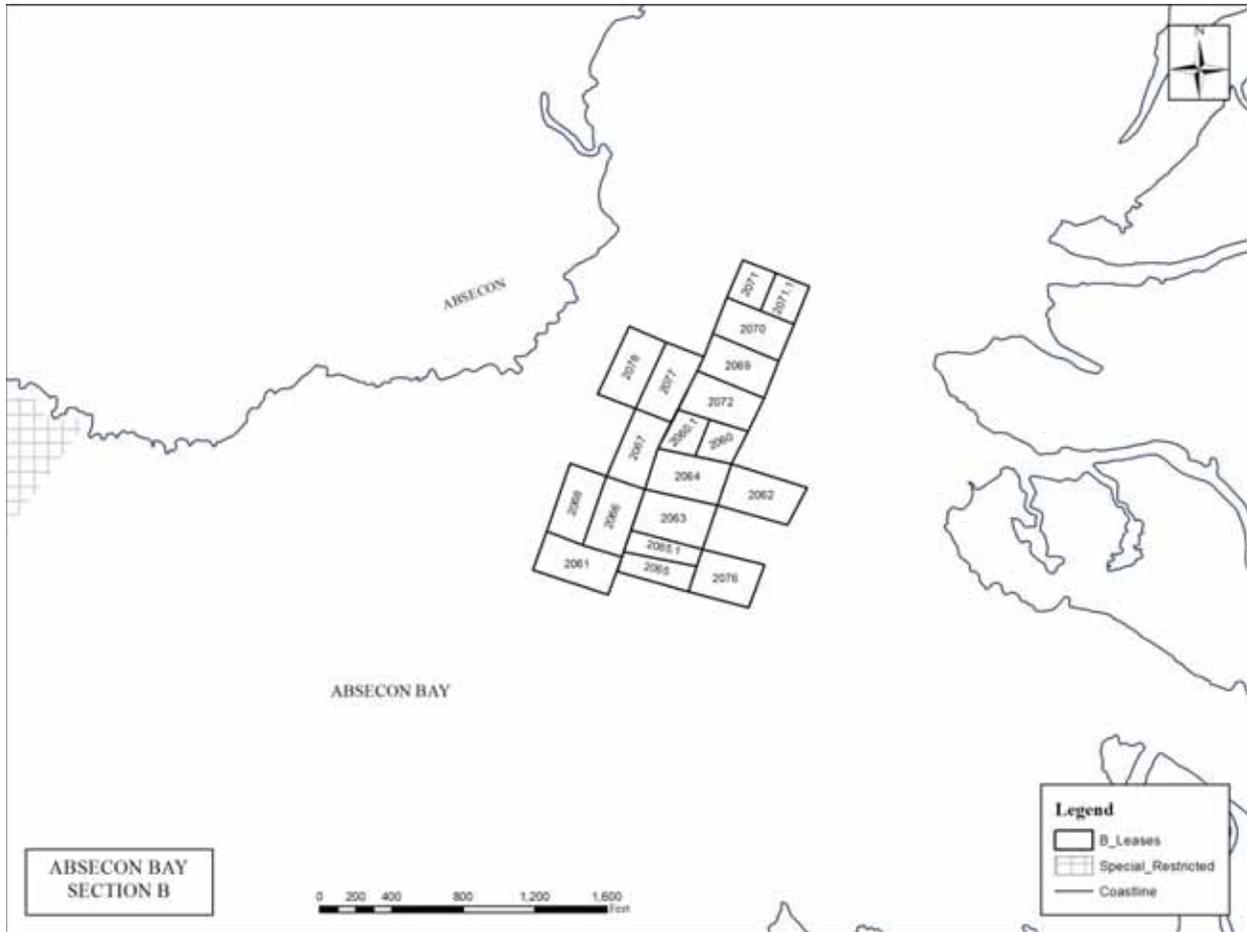
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: The waters of Shelter Island Channel are considered productive hard clam habitat. Conflicts with other user groups and stakeholders: commercial and recreational shellfish harvesters and recreational fishermen.

**Council Action: Council policy of no new leases in Shelter Island Channel due to productive hard clam habitat at the May 15, 2000 meeting. Applications can be accepted for leases in Shelter Island Channel that become vacant.**

**Figure B4: Absecon Bay**



Location: Absecon, Atlantic County

Existing Leases: 19 leases, 34.44 acres

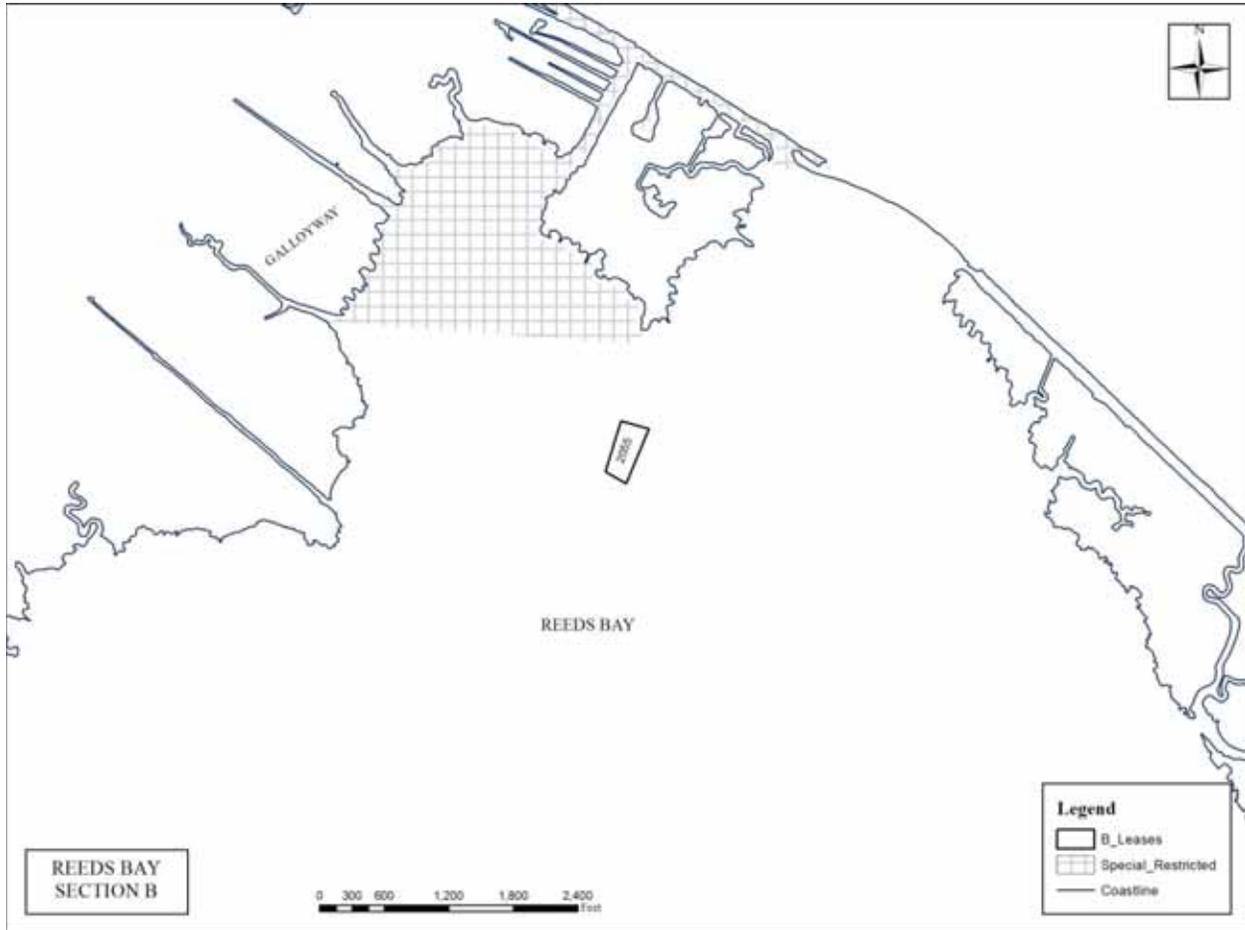
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: The waters in Absecon Bay are considered productive hard clam habitat. Conflicts with other user groups and stakeholders: commercial crab pot fishermen, commercial and recreational shellfish harvesters.

**Council Action: Council policy of no new leases in Absecon Bay. The policy was implemented initially at the January 23, 1989 Council meeting. The Council also denied 60 applications (120 acres) at the July 20, 1998 Council meeting after a petition from commercial shellfishermen and crab pot fishermen opposed any new expansion of leases in Absecon/Reeds Bay area.**

**Figure B5: Reeds Bay**



Location: Absecon, Atlantic County

Existing Leases: 1 lease, 2.94 acres

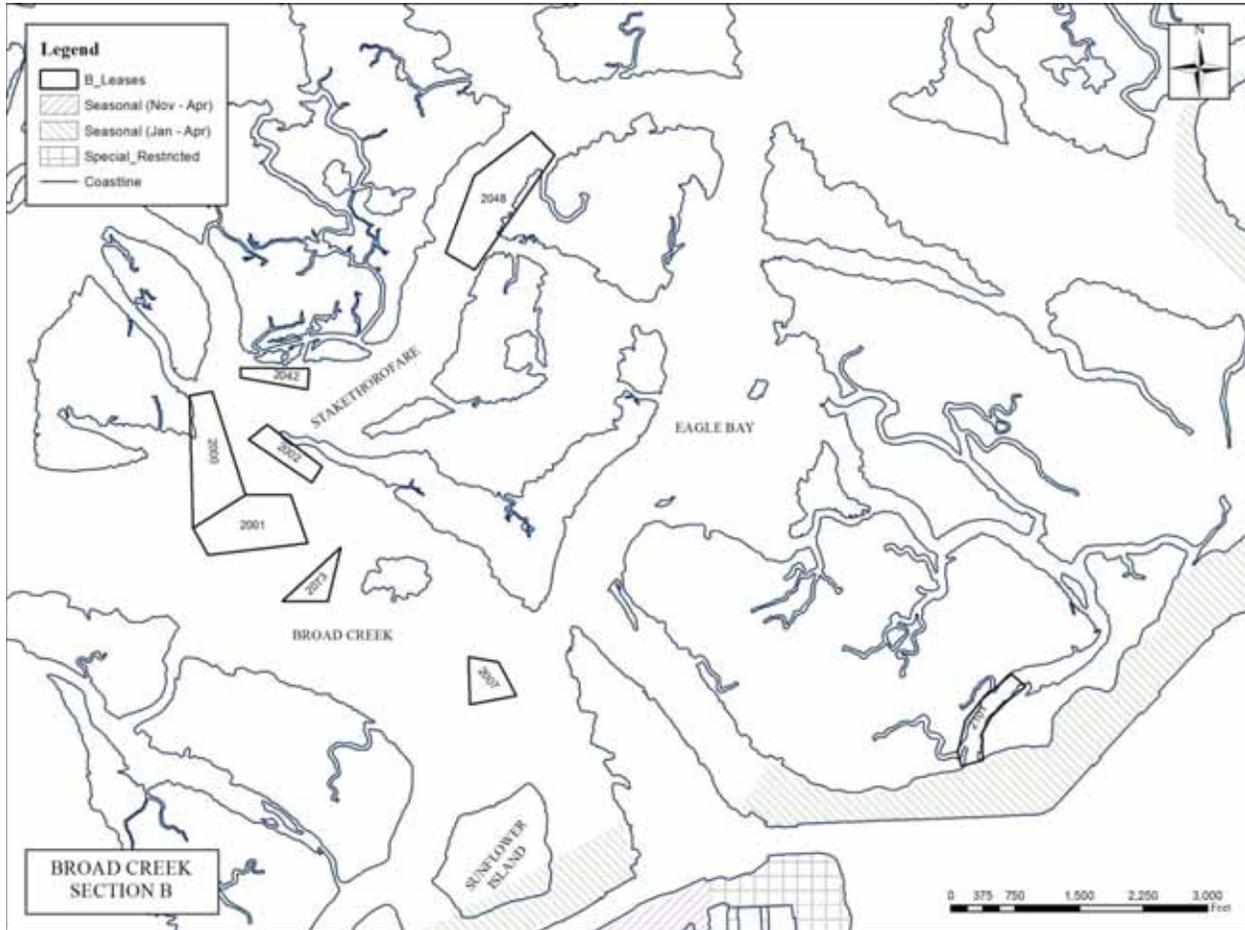
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved, Special Restricted

Known Concerns: Conflicts with other user groups and stakeholders: commercial crab pot fishermen, commercial and recreational shellfish harvesters.

**Council Action: No new leases in Reeds Bay, as per Council decision on July 20, 1998 for productive hard clam habitat and commercial crab pot fishery, after a petition from commercial shellfishermen and crab pot fishermen opposed any new expansion of leases in Absecon/Reeds Bay area. No applications shall be made for Lease 2055, Section B, if it becomes vacant.**

**Figure B6: Broad Creek Area (Brigantine)**



Location: Brigantine and Absecon, Atlantic County

Existing Leases: 7 leases, 62.59 acres

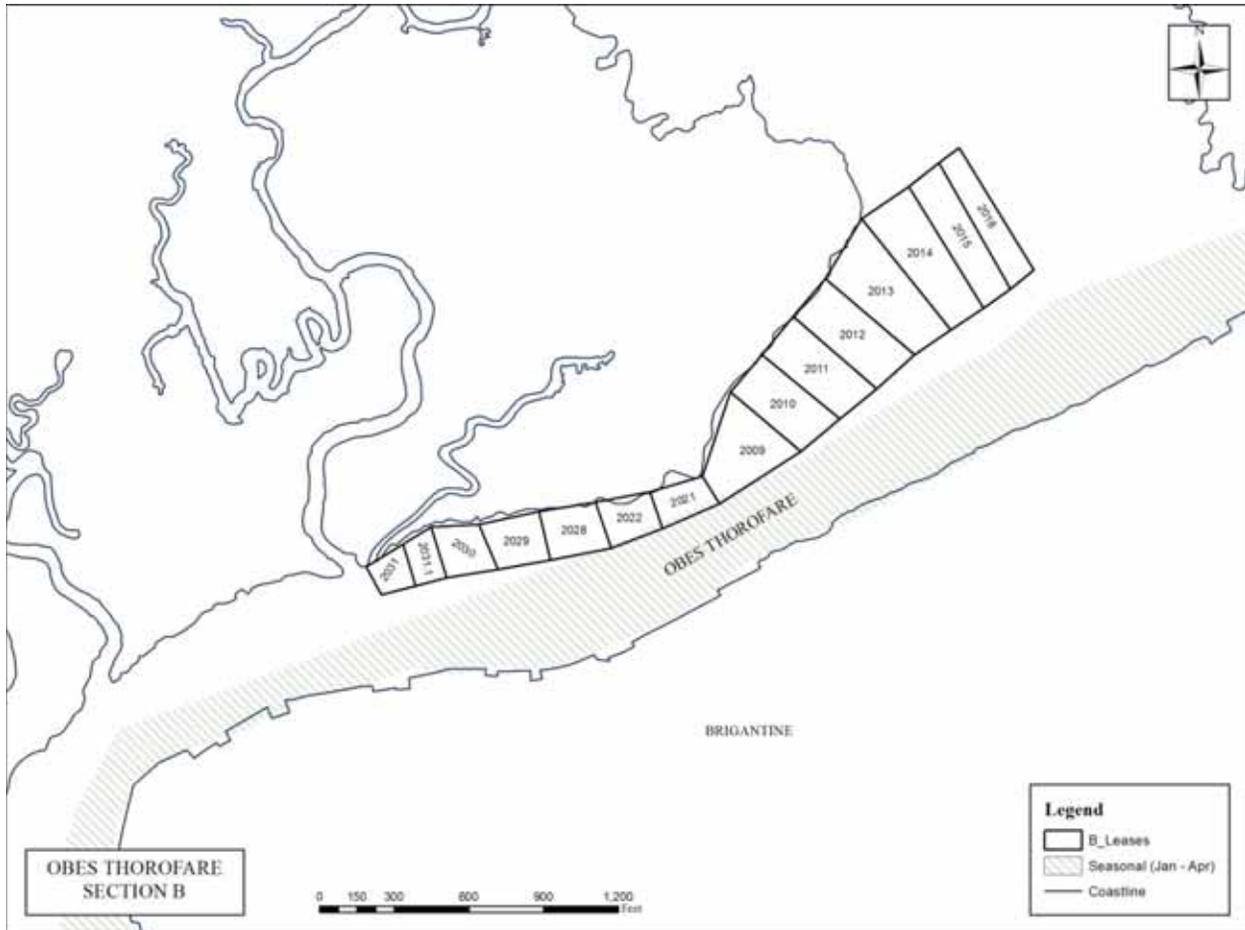
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: The waters in the Broad Creek area are considered productive hard clam habitat.

**Council Action:** No new leases due to productive bottom in area known as Sunflower Island, as per leasing regulations at N.J.A.C. 7:25-24.6(d)1iv. No new shellfish leases in Broad Creek area and Steelmans Thorofare, as per Council policy on August 20, 1990 and July 15, 1991, respectively due to productive bottom. Leasing of productive areas is discouraged as per the leasing regulations as per N.J.A.C. 7:25-24.6(d). Leases in this area that become vacant shall remain public bottom.

**Figure B7: Obes Thorofare**



Location: Brigantine, Atlantic County

Existing Leases: 15 leases, 22.41 acres

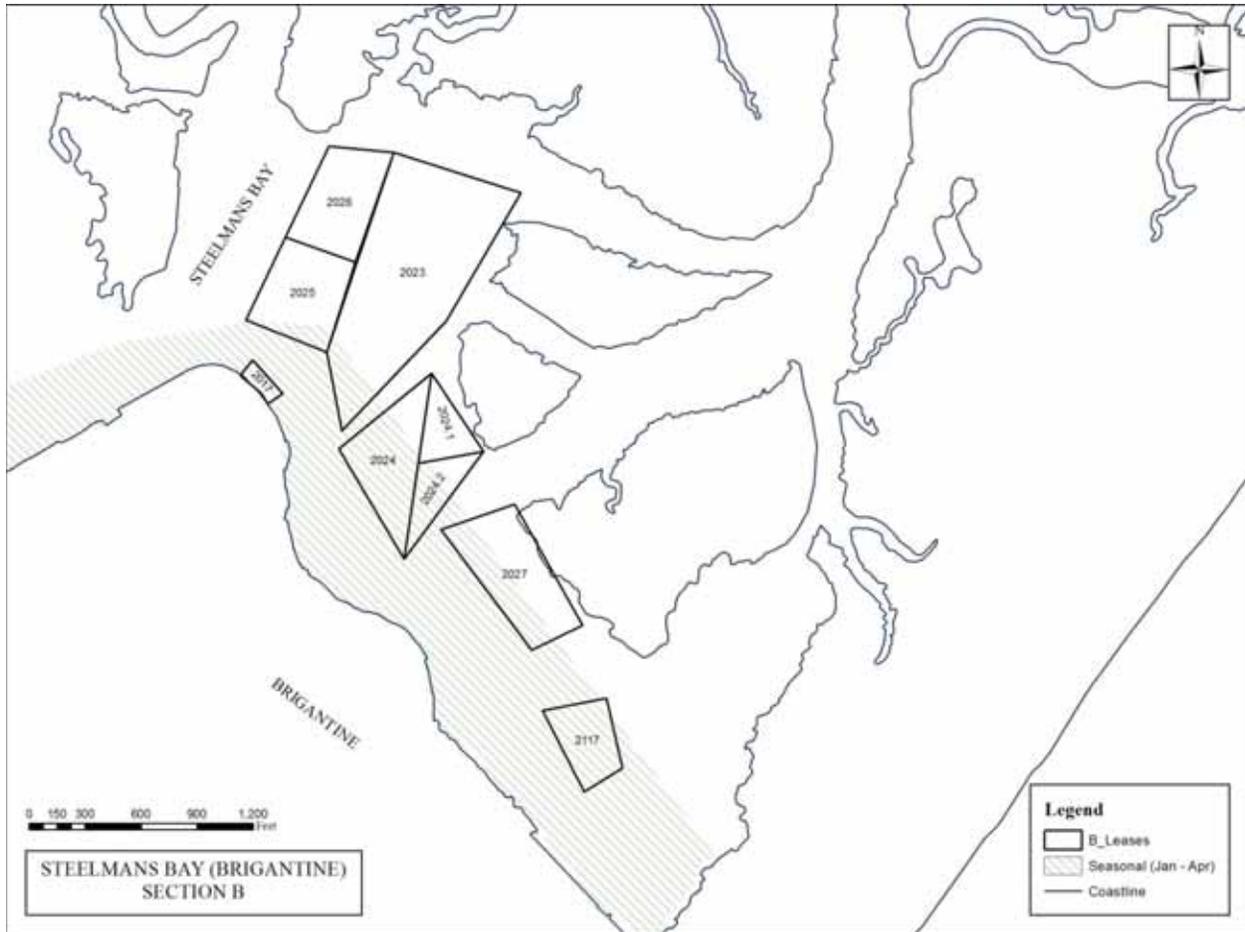
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: The waters in Obes Thorofare are considered productive hard clam habitat.

**Council Action:** No new leases in Obes Thorofare due to productive bottom as per Council Policy on January 14, 1991. In addition, if lots 2030, 2031 and 2031.1 become vacant, they will revert to public bottom. Applications can be made on the remaining leases if they become vacant. Leasing of productive areas is discouraged as per the leasing regulations as per N.J.A.C. 7:25-24.6(d).

**Figure B8: Steelmans Bay (Brigantine)**



Location: Brigantine, Atlantic County

Existing Leases: 9 leases, 45.33 acres

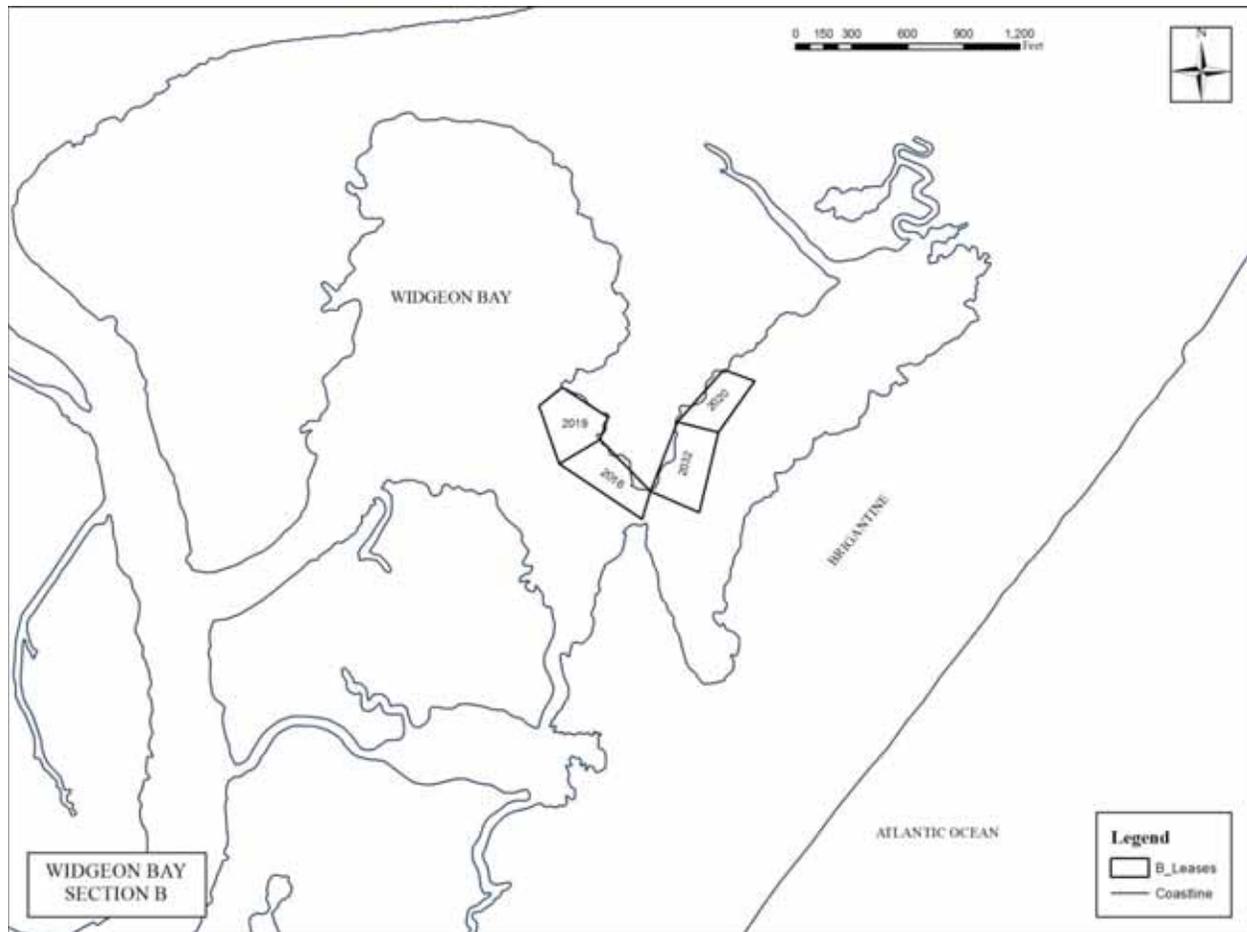
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved and Seasonally Restricted (January to April)

Known Concerns: The waters in Steelmans Bay are considered productive hard clam habitat.

**Council Action: No new leases in Steelmans Bay due to productive bottom as per Council policy on April 15, 1991. Leases in this area that become vacant shall remain public bottom. Leasing of productive areas is discouraged as per the leasing regulations as per N.J.A.C. 7:25-24.6(d).**

**Figure B9: Widgeon Bay**



Location: Brigantine, Atlantic County

Existing Leases: 4 leases, 8.46 acres

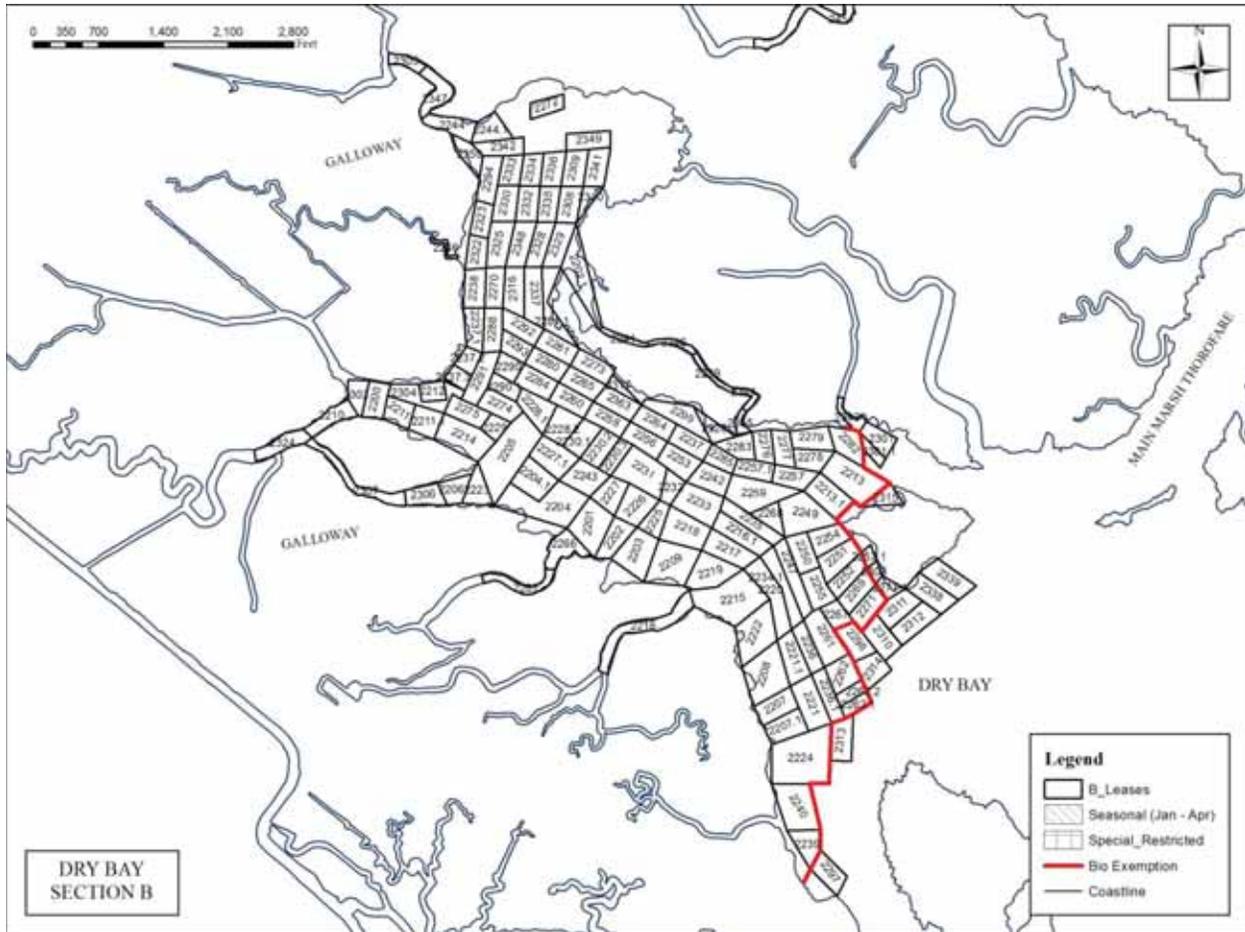
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: Limited amount of space to expand

**Council Action: New lease applications are allowed adjacent to existing leases. Biological investigation required as per leasing regulations N.J.A.C. 7:25-24.6.**

**Figure B10: Dry Bay (Hammock Cove)**



Location: Edwin B Forsythe Federal Wildlife Refuge in Galloway Township, Atlantic County

Existing Leases: 161 leases, 374.77 acres

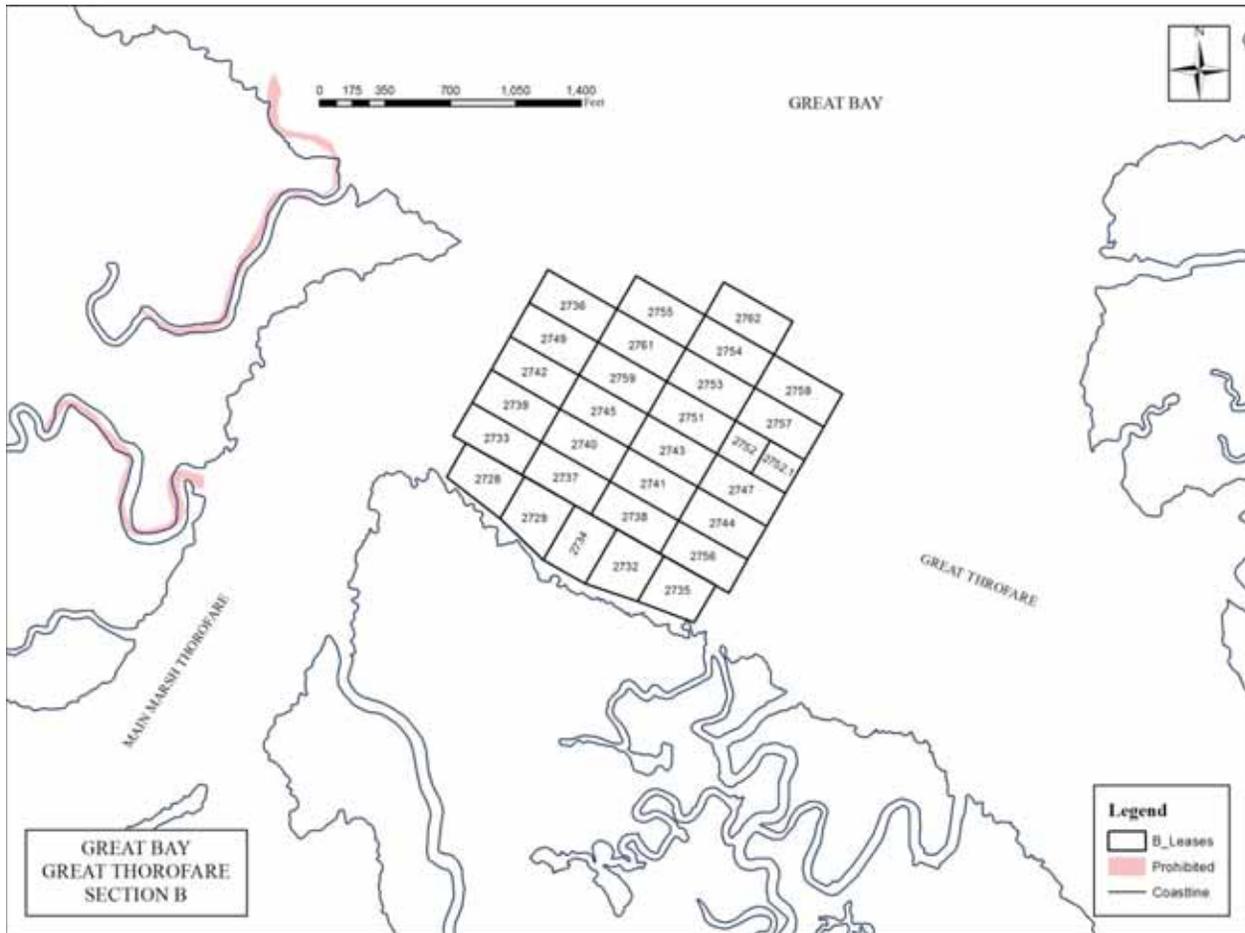
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: Limited space available. Productive shellfish habitat east of Dry Bay leases.

**Council Action:** Biological survey not required west of line delineated as per N.J.A.C. 7:24-24.6(c)1. No new leases east of line as per Council policy decision at September 17, 1990 meeting due to productivity and petition to not expand leasing east of line. Leasing of productive areas is discouraged as per the leasing regulations as per N.J.A.C. 7:25-24.6(d). Council action to not allow oyster seed importation from Virginia into Dry Bay due to *Vibrio* concerns at June, 21, 2010 meeting. As per this policy, no oysters shall be imported or cultivated in Dry Bay.

**Figure B11: Great Thorofare (Great Bay)**



Location: Galloway Township; Atlantic County

Existing Leases: 30 leases, 58.0 acres

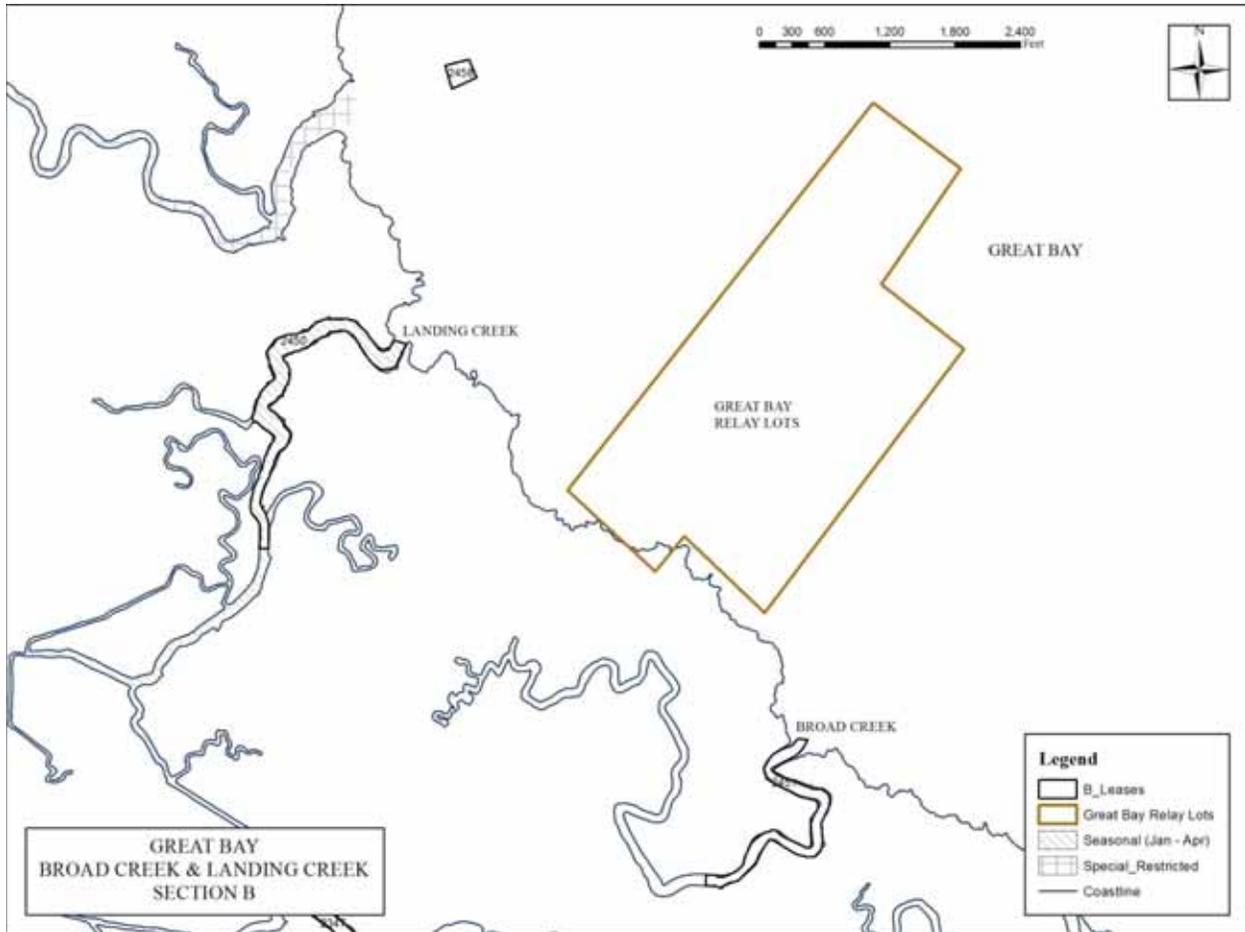
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: Conflicts with other user groups and stakeholders: commercial and recreational shellfish harvesters. Portions of Great Thorofare are considered productive hard clam habitat.

**Council Action: No expansion of established block of leases, as per Bureau policy decision on August 17, 1992. Leasing of productive areas is discouraged as per the leasing regulations as per N.J.A.C. 7:25-24.6(d). Applications can be accepted for leases in Great Thorofare that become vacant.**

**Figure B12: Great Bay, Broad Creek, Landing Creek**



Location: Located on southwestern side of Great Bay, Galloway Township, Atlantic County

Existing Leases: 3 leases, 38.35 acres, 14 relay leases, 21.0 acres

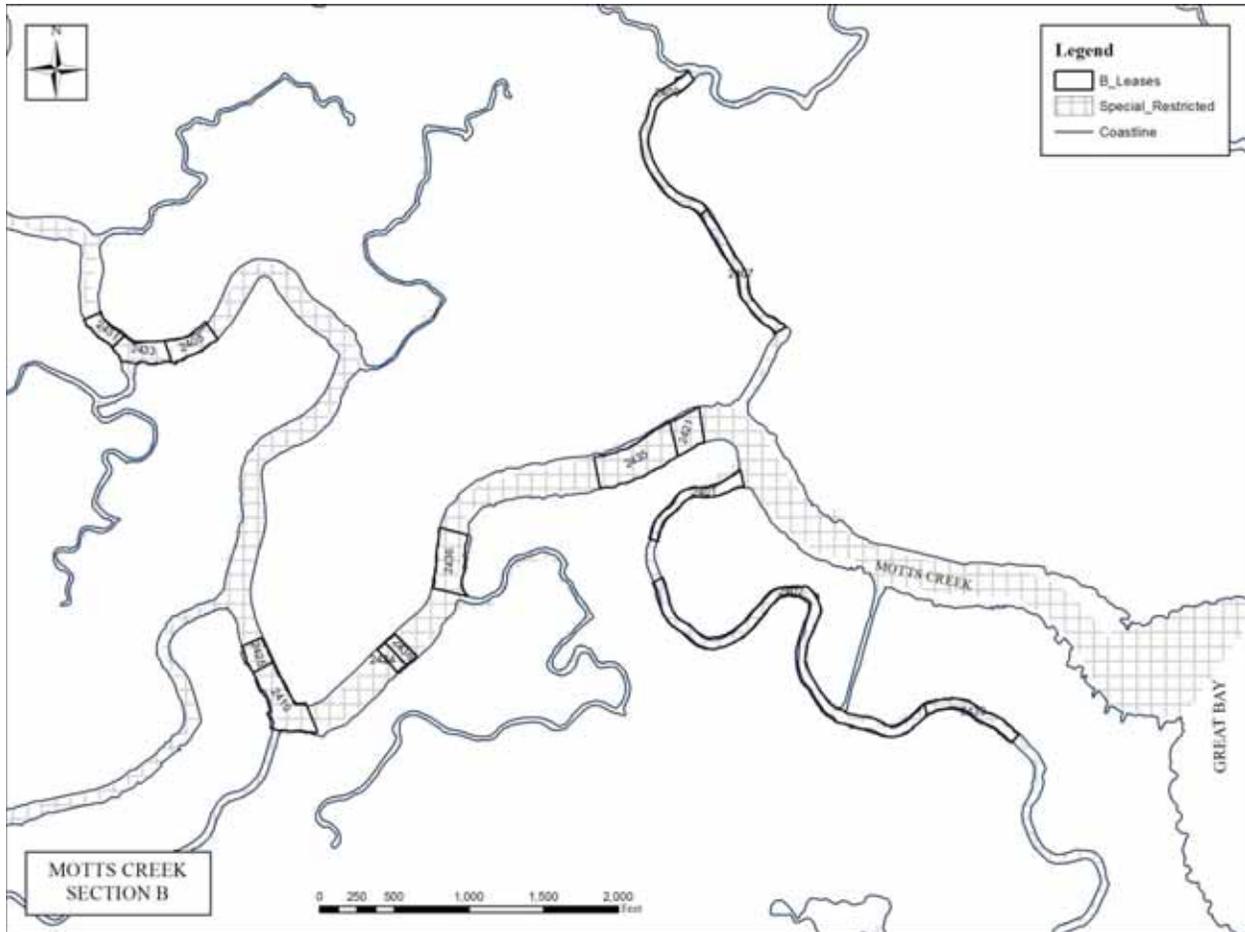
Primary Shellfish Grow Out: Oysters

Shellfish Growing Waters Classification: Approved and Seasonally Restricted

Known Concerns: Close proximity to Great Bay relay leases. Conflicts with other user groups and stakeholders: commercial crab pot fishery, recreational and commercial fishermen.

**Council Action: New lease expansion shall need a Committee recommendation and Council action for Bureau to investigate. Potential expansion of leases in Great Bay shall be considered as a block of leases rather than as individual applications for new ground. No new leases in Broad Creek and Landing Creek. Designated hard clam relay lease area is regulated under Clam Relay Program at N.J.A.C.7:25-15.**

**Figure B13: Motts Creek (Great Bay)**



Location: Galloway Township, Atlantic County

Existing Leases: 15 leases, 9,942 linear feet (shoreline boundary to 16' contour line at MLW)

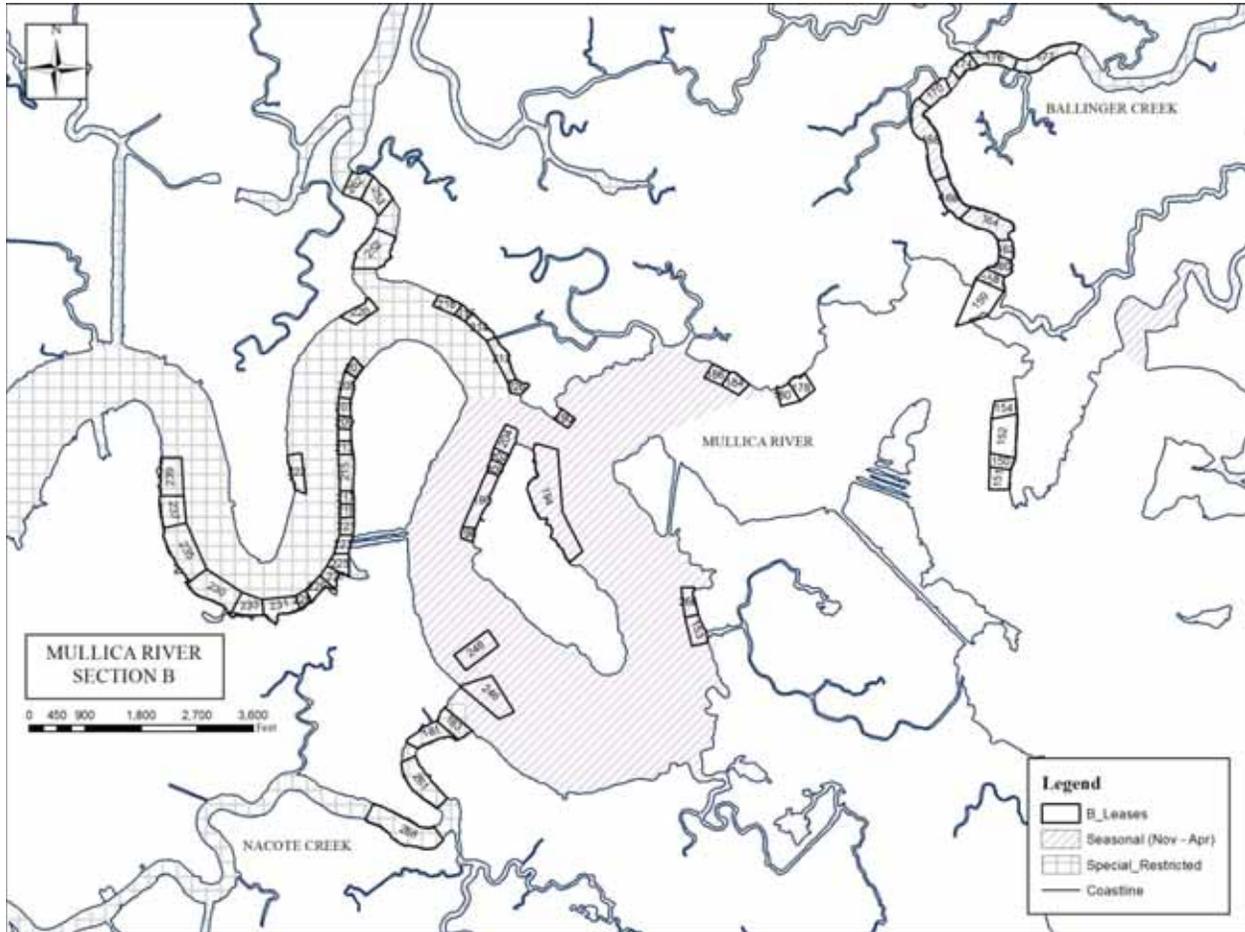
Primary Shellfish Grow Out: Oysters

Shellfish Growing Waters Classification: Special Restricted

Known Concerns: Due to the shellfish growing waters classification of other than “Approved or “Conditionally Approved” leases may be uses as a nursery under “Permit for a Hatchery to Produce and Grow Seed or for a Nursery to Grow Seed” at N.J.A.C. 7:12-9.14 and shellfish can be transplanted to leases in “Approved” waters under “Permit for the Harvest of Seed Oysters and/or Seed” at N.J.A.C. 7:12-9.9.

**Council Action: No future expansion unless water quality improves to “Approved” or “Seasonally Restricted” as per the leasing regulations N.J.A.C. 7:25-24.5(g). If existing leases in Motts Creek become vacant, the area shall remain public bottom.**

**Figure B14: Mullica River and Tributaries**



Location: Galloway Township, Port Republic, Atlantic County & Bass River Township, Burlington County

Existing Leases: 60 leases at 20,645.27 linear feet and 43.47 acres

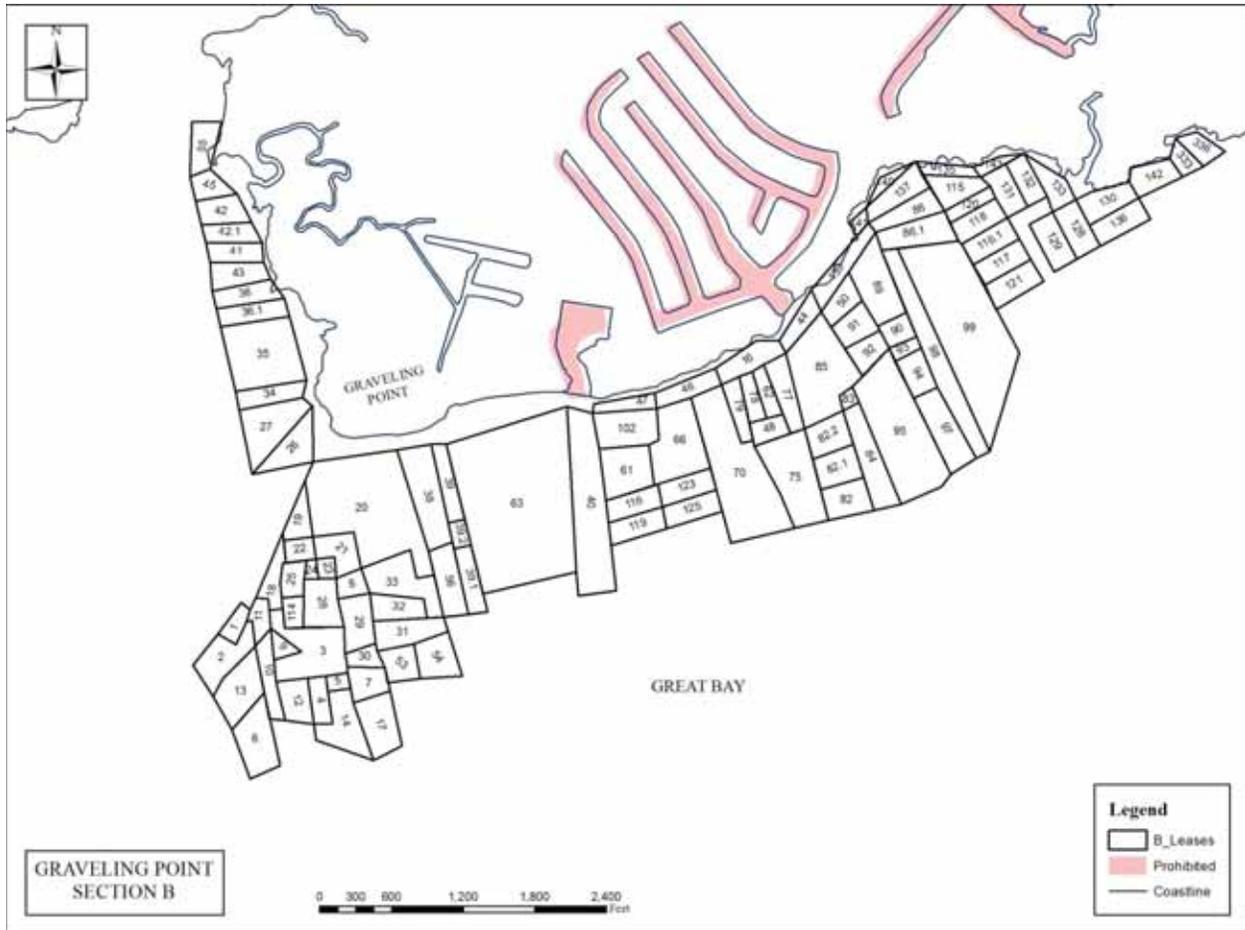
Primary Shellfish Grow Out: Oysters

Shellfish Growing Waters Classification: Special Restricted, Seasonally Restricted

Known Concerns: Due to the shellfish growing waters classification of other than “Approved or “Conditionally Approved” leases may be used as a nursery under “Permit for a Hatchery to Produce and Grow Seed or for a Nursery to Grow Seed” at N.J.A.C. 7:12-9.14 and shellfish can be transplanted to leases in “Approved” waters under “Permit for the Harvest of Seed Oysters and/or Seed” at N.J.A.C. 7:12-9.9.

**Council Action: As per N.J.S.A. 50:1-23, no new leases shall be granted under the waters of the Mullica River, above a line extending in a westerly direction from the south end of Deep Point. Leases within the Mullica River that have become vacant may be leased again.**

**Figure B15: Graveling Point (Great Bay)**



Location: Little Egg Harbor Township, Ocean County

Existing Leases: 88 leases, 291.18 acres

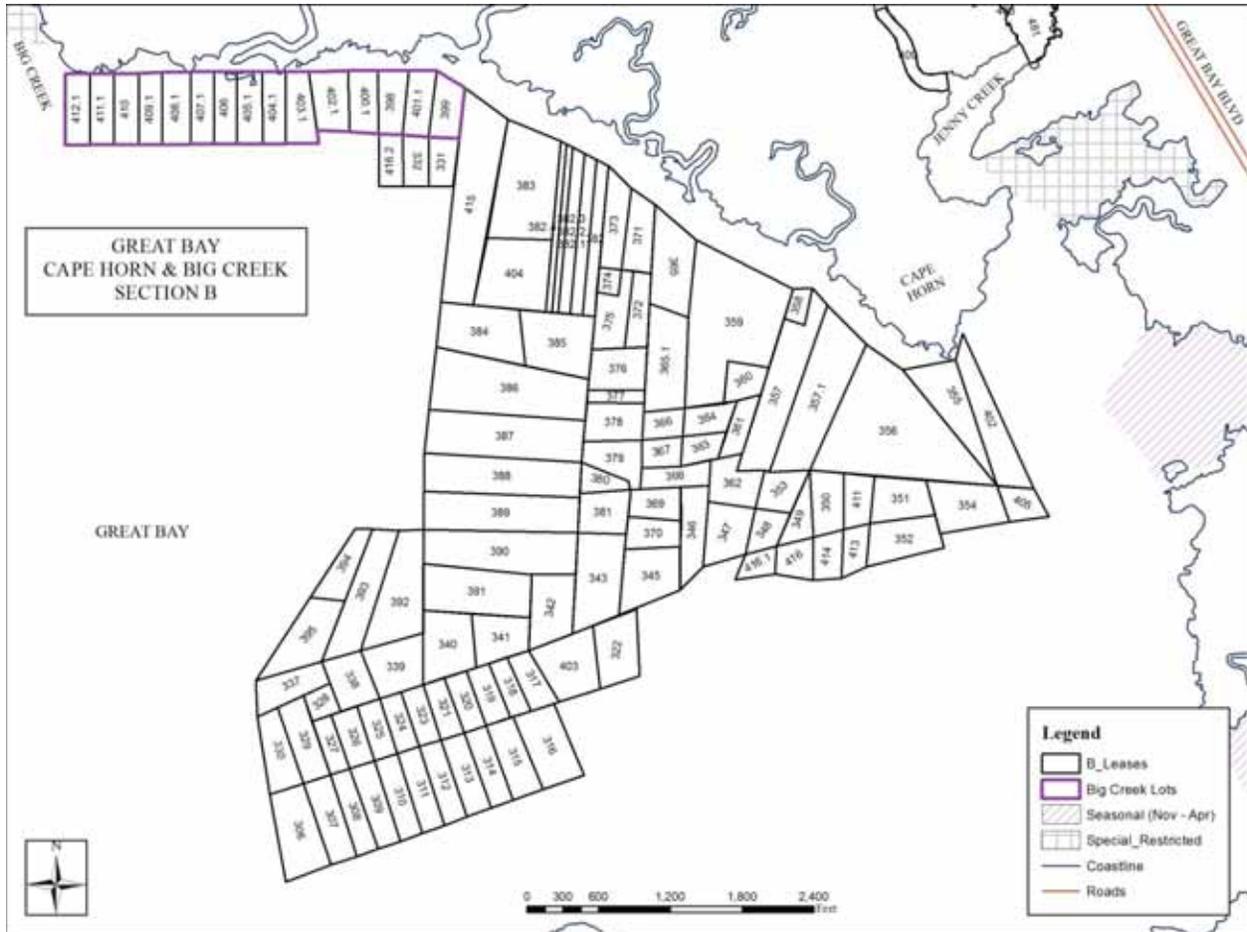
Primary Shellfish Grow Out: Oysters and Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: Existing leases adjacent to the natural oyster beds at the mouth of the Mullica River known as the Graveling beds. Conflicts with other user groups and stakeholders: commercial crab pot fishermen, commercial and recreational shellfish harvesters, commercial and recreational fishermen and recreational boaters.

**Council Action:** Expansion is limited on the west end of Graveling Point due to the location of the Graveling beds as per N.J.S.A. 50:1-23. Applications for leases within areas that were vacated will be accepted, as per the leasing regulations at N.J.A.C. 7:25-24. The Bureau may re-orient the vacated leases to maximize efficient use of leasable bottom.

**Figure B16: Cape Horn and Big Creek (Great Bay)**



Location: Little Egg Harbor Township, Ocean County

Existing Leases: 98 leases, 433.21 acres (Cape Horn), 1 lease, 2.0 acres (Big Creek)

Primary Shellfish Grow Out: Oysters and Hard Clams

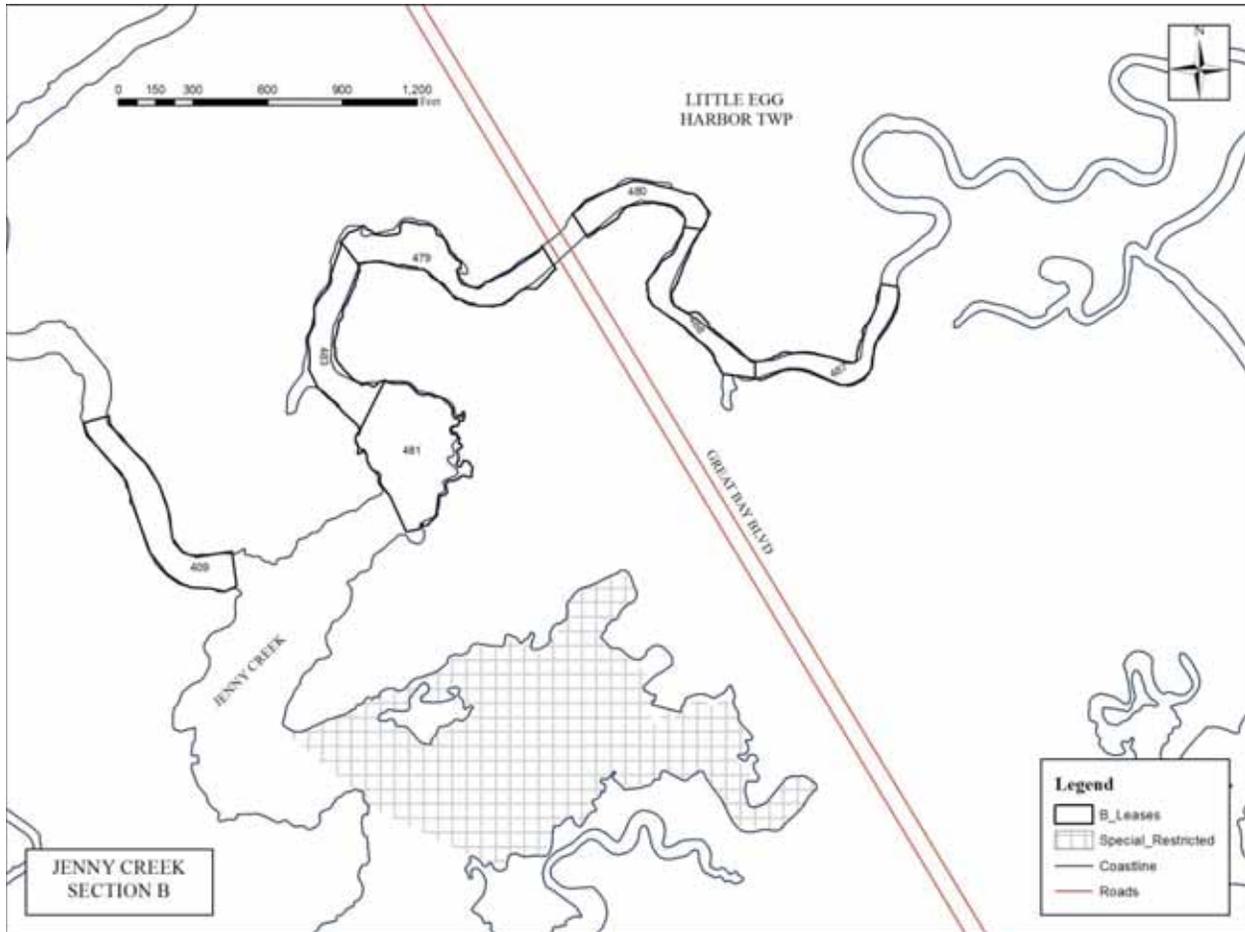
Shellfish Growing Waters Classification: Approved

Known Concerns: Productive shellfish habitat. Conflicts with other user groups and stakeholders: commercial crab pot fishermen, commercial and recreational shellfish harvesters, commercial and recreational fishermen and recreational boaters.

Council Action: As per the Leasing regulations N.J.A.C 7:25-24.6(d)1i, no applications for new ground shall be accepted for Cape Horn, due to adjacent areas determined to be productive for shellfish.

Individual leases known as Big Creek leases, listed under the leasing regulations at N.J.A.C 7:25-24.6(c)2i, may be leased to individuals who possess no other shellfish lease. No biological investigation is required.

**Figure B17: Jenny's Creek**



Location: Little Egg Harbor Township, Ocean County

Existing Leases: 7 leases, 12.83 acres

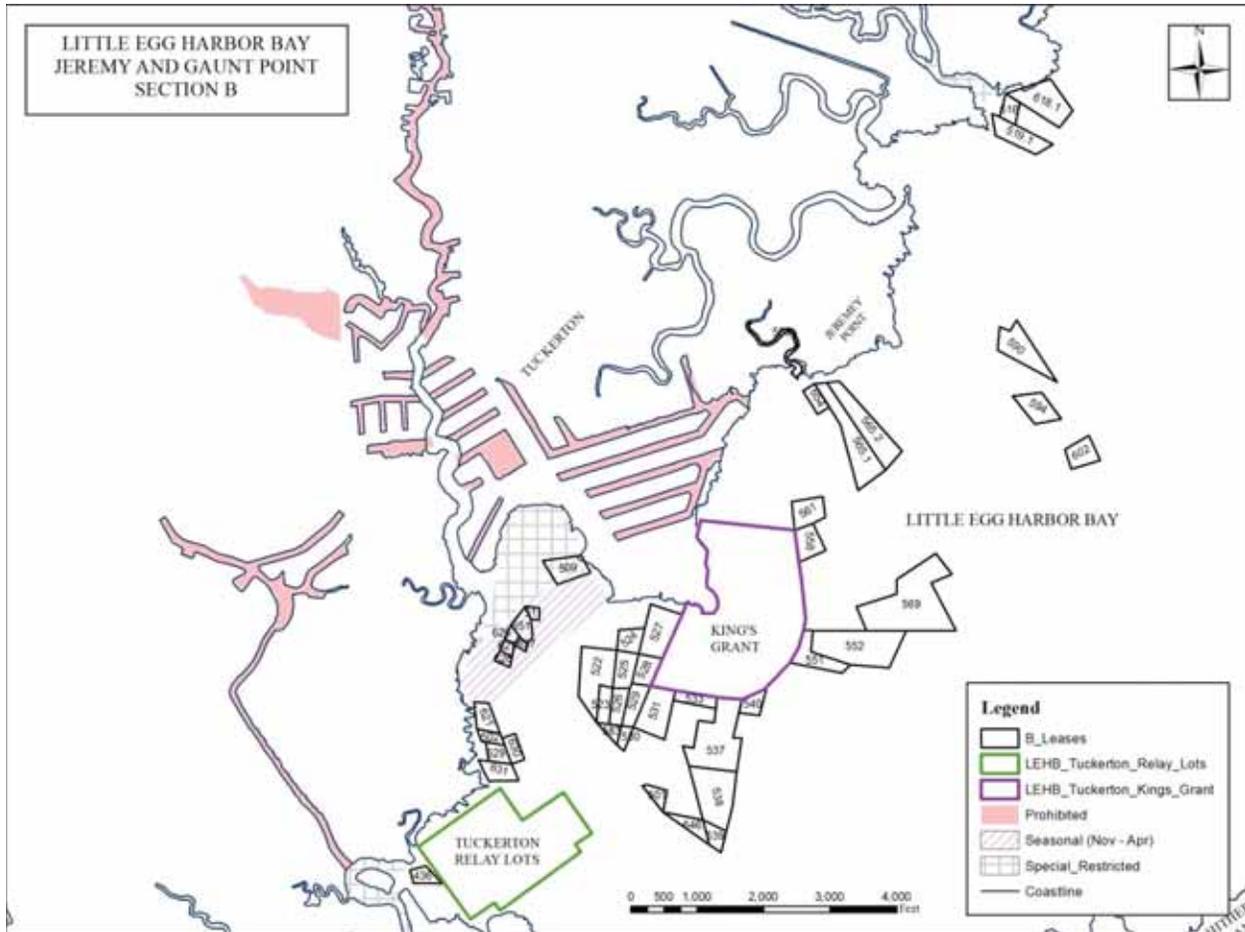
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: Expansion of existing leases limited by available space. Productive shellfish habitat. Conflicts with other user groups and stakeholders: commercial and recreational shellfish harvesters, commercial and recreational fishermen and recreational boaters.

**Council Action: New proposed leases shall need Committee recommendation and Council action for Bureau to investigate and/or accept applications.**

**Figure B18: Jeremy and Gaunt Point (Little Egg Harbor Bay)**



Location: Tuckerton and Little Egg Harbor Township, Ocean County

Existing Leases: 46 leases, 203.42 acres, 2 relay leases, 3.0 acres

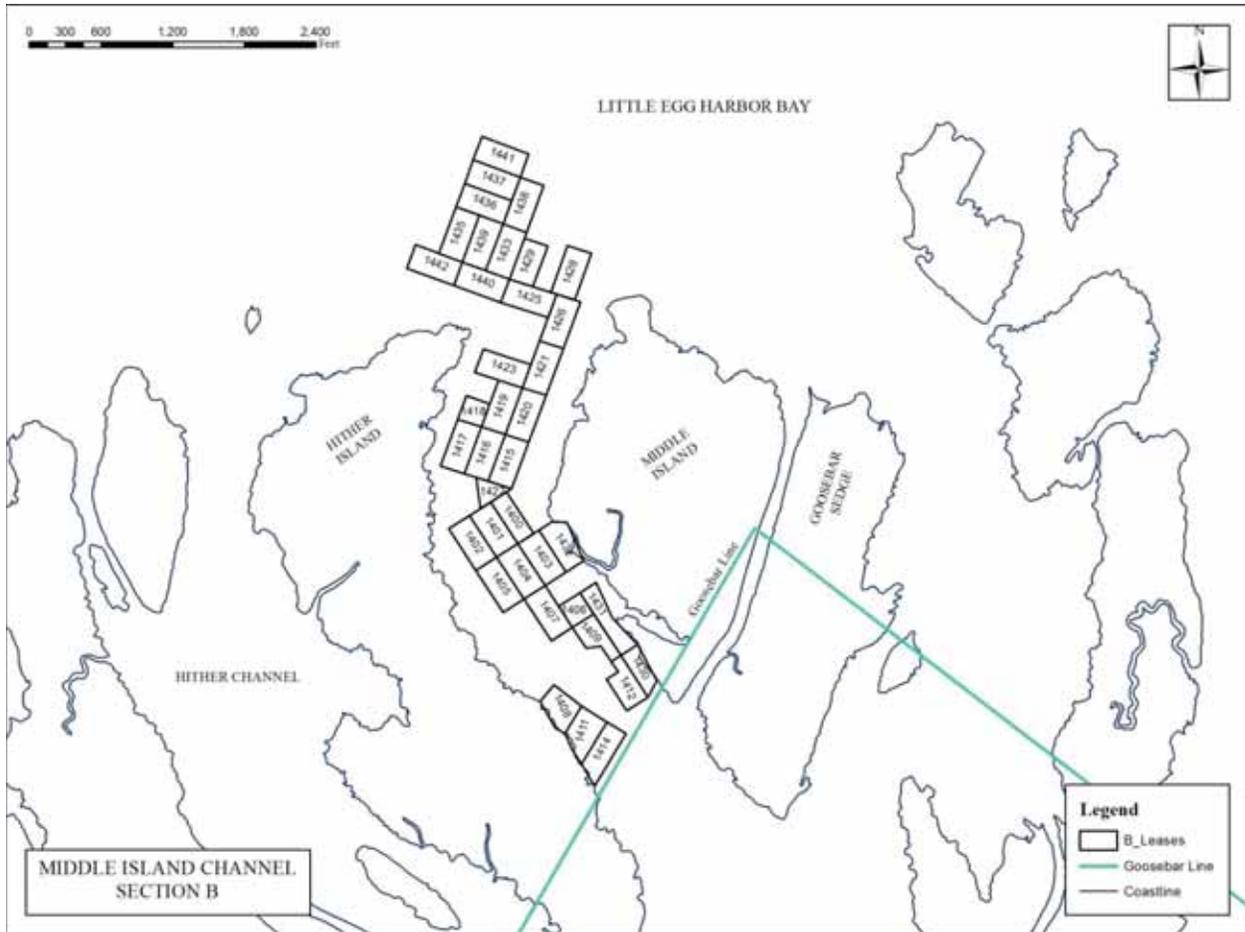
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved, Seasonally Restricted and Special Restricted

Known Concerns: The existing traditional oyster and hard clam leases are only a fraction of what previously existed, due to changes in the substrate and other physical characteristics of the area.

**Council Action: Expansion of existing leases encouraged. Potential expansion of leases in this section of Little Egg Harbor Bay shall be developed as a block of leases rather than as individual applications for new ground. Expansion limited to Approved waters. New proposed lease blocks shall need Committee recommendation and Council action for Bureau to investigate and/or accept applications. Designated hard clam relay lease area is regulated under Clam Relay Program at N.J.A.C.7:25-15.**

**Figure B19: Middle Island Channel (Little Egg Harbor Bay)**



Location: Little Egg Harbor Township and Long Beach Township, Ocean County

Existing Leases: 38 leases, 70.31 acres

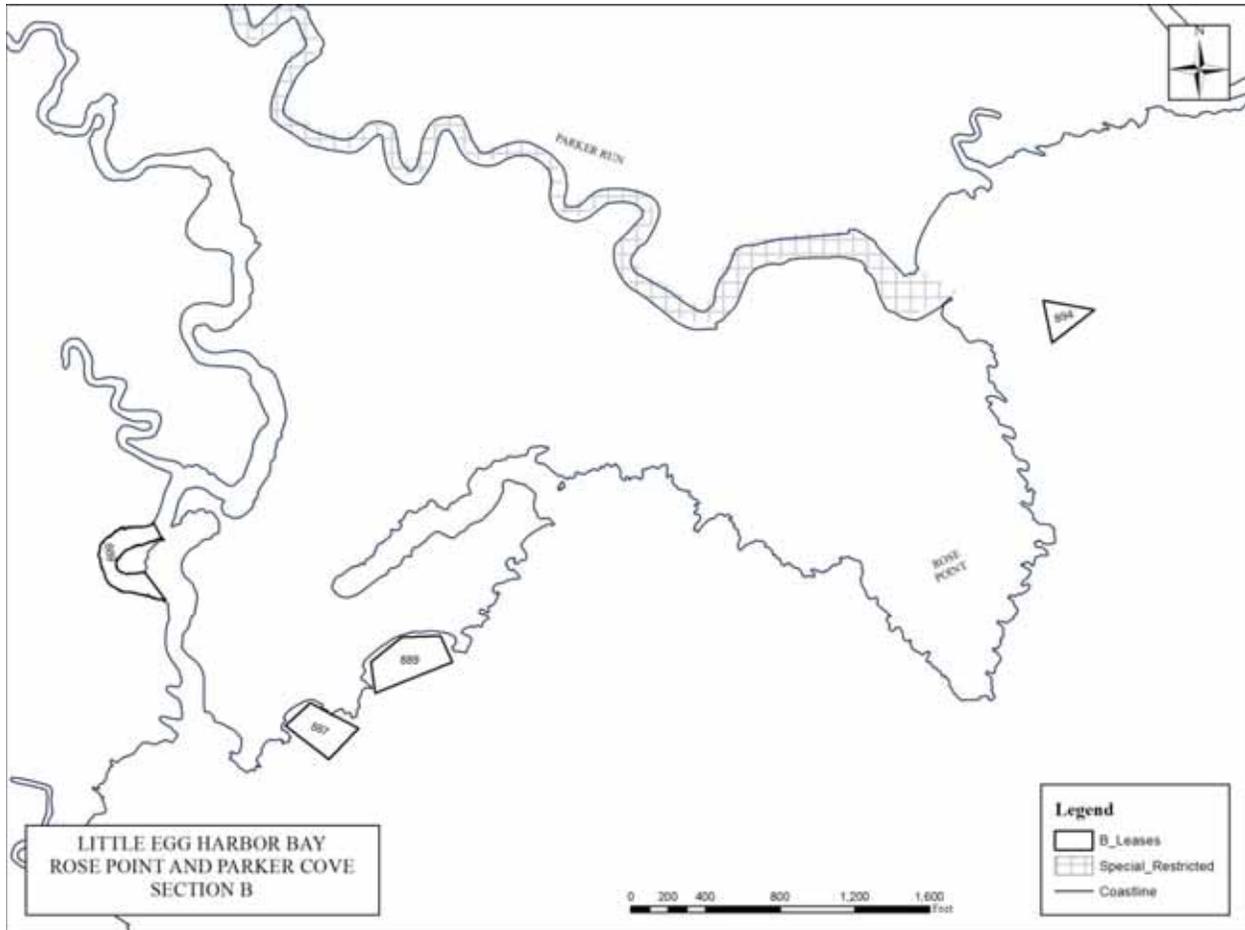
Primary Shellfish Grow Out: Hard Clams and Oysters

Shellfish Growing Waters Classification: Approved

Known Concerns: Submerged Aquatic Vegetation (SAV) and productive shellfish habitat. Shellfish leasing activity in SAV habitat is not in compliance with the Coastal Zone Management Rules at N.J.A.C. 7:7-9.6.

**Council Action: Expansion limited due to mapped/documentated SAV and productive shellfish habitat. No expansion on southeast end, known as the “Goosebar”, which is defined as productive as per the leasing regulations N.J.A.C. 7:25-24.6(d)1ii. Any proposed expansion will need Committee recommendation and Council approval.**

**Figure B20: Rose Point and Parker Cove Area (Little Egg Harbor Bay)**



Location: Little Egg Harbor Township and Eagleswood Township, Ocean County.

Existing Leases: 4 leases, 5.73 acres

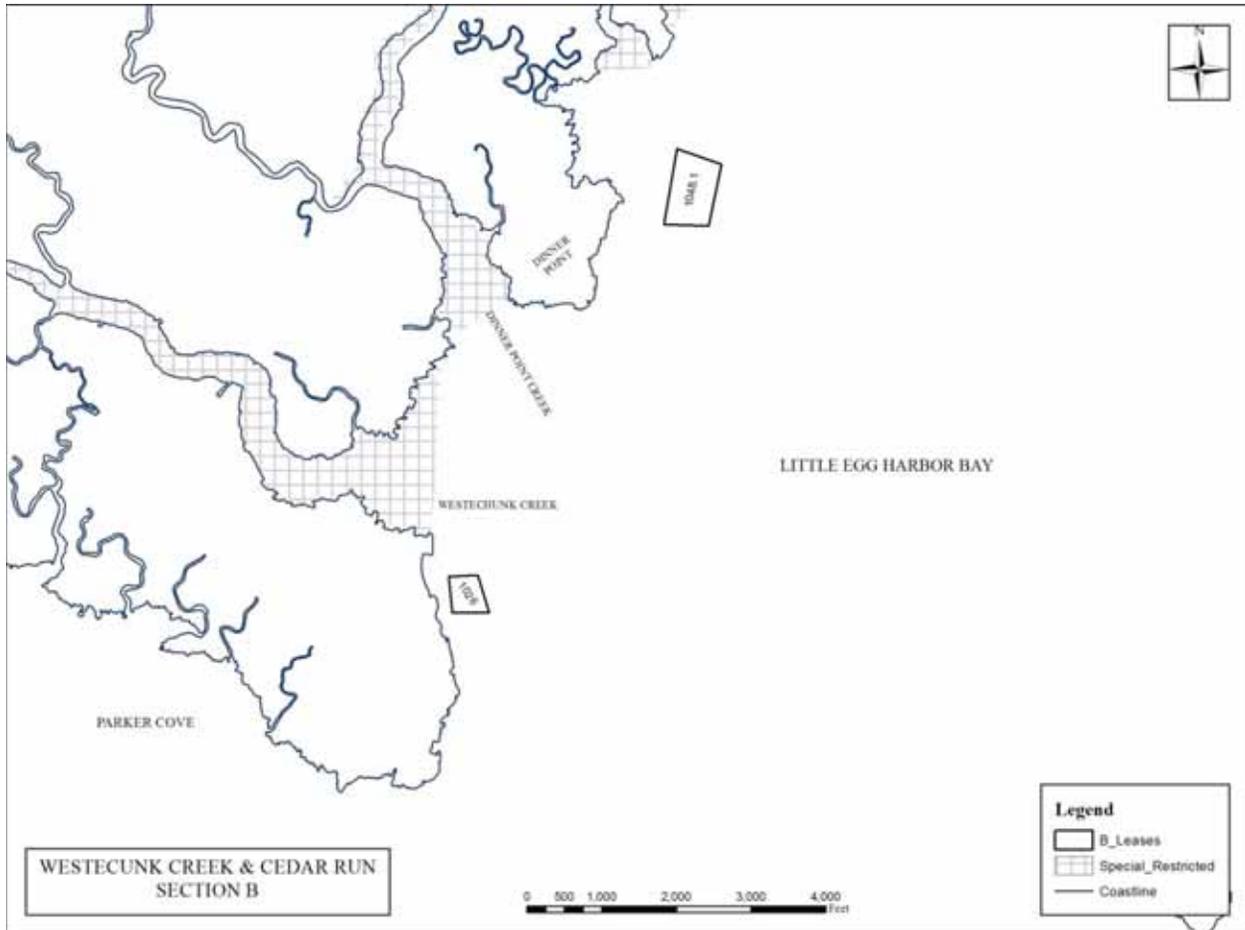
Primary Shellfish Grow Out: Oysters (structural)

Shellfish Growing Waters Classification: Approved

Known Concerns: SAV. Conflicts with other user groups and stakeholders: commercial and recreational shellfish harvesters, commercial and recreational fishermen and recreational boaters.

**Council Action: Expansion of existing leases encouraged. Potential expansion of leases in this section of Little Egg Harbor Bay shall be developed as a block of leases rather than as individual applications for new ground. Expansion limited to Approved waters. New proposed lease blocks shall need Committee recommendation and Council action for Bureau to investigate and/or accept applications.**

**Figure B21: Westecunk Creek and Cedar Run (Little Egg Harbor Bay)**



Location: Eagleswood Township, Ocean County

Existing Leases: 2 leases, 18.19 acres

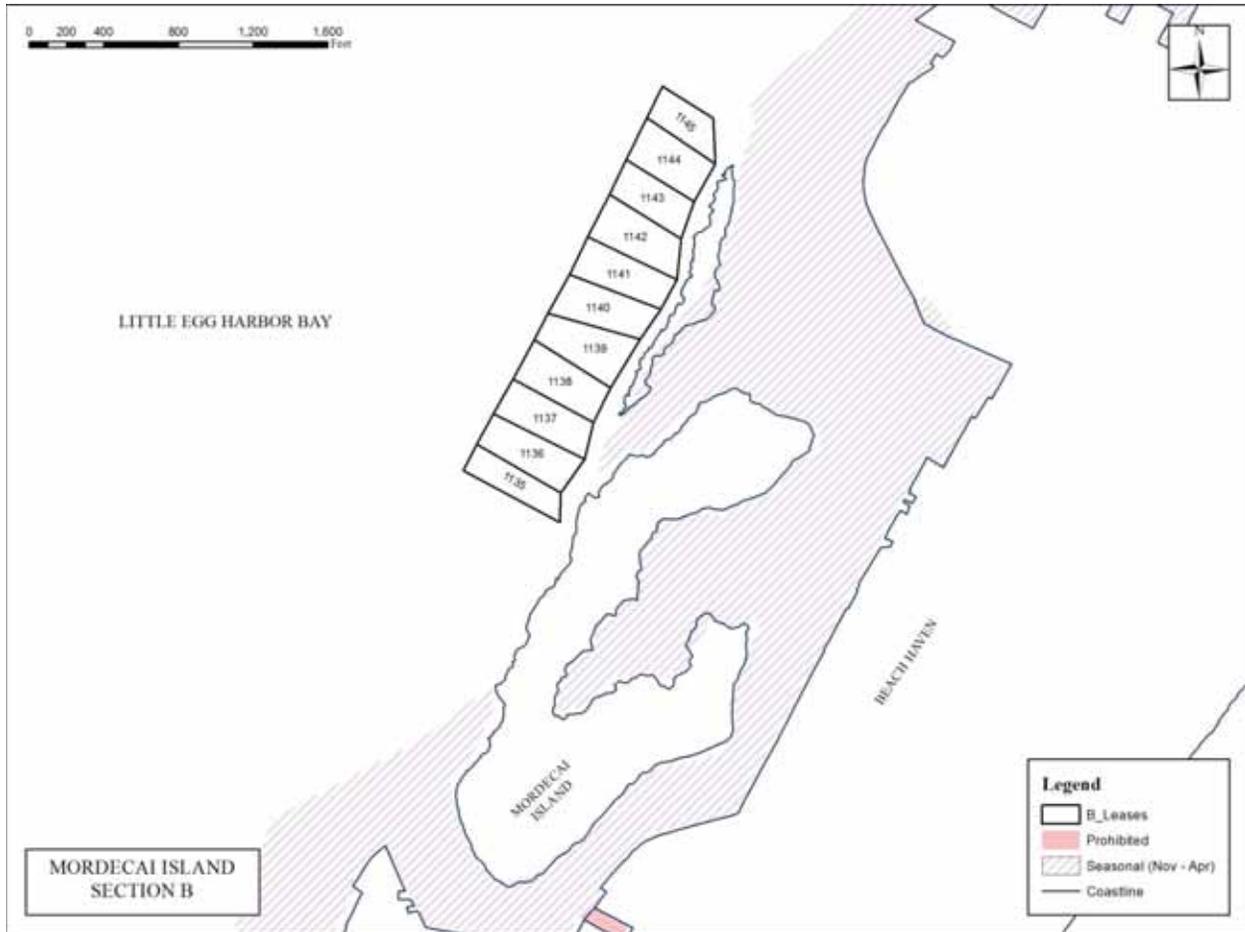
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: SAV offshore. Conflicts with other user groups and stakeholders: commercial and recreational shellfish harvesters, commercial and recreational fishermen and recreational boaters.

**Council Action: Expansion of existing leases encouraged. Potential expansion of leases in this section of Little Egg Harbor Bay shall be developed as a block of leases rather than as individual applications for new ground. Expansion limited to Approved waters. New proposed lease blocks shall need Committee recommendation and Council action for Bureau to investigate and/or accept applications.**

**Figure B22: Mordecai Island (Little Egg Harbor Bay)**



Location: Long Beach Township

Existing Leases: 1 lease, 1.90 acres

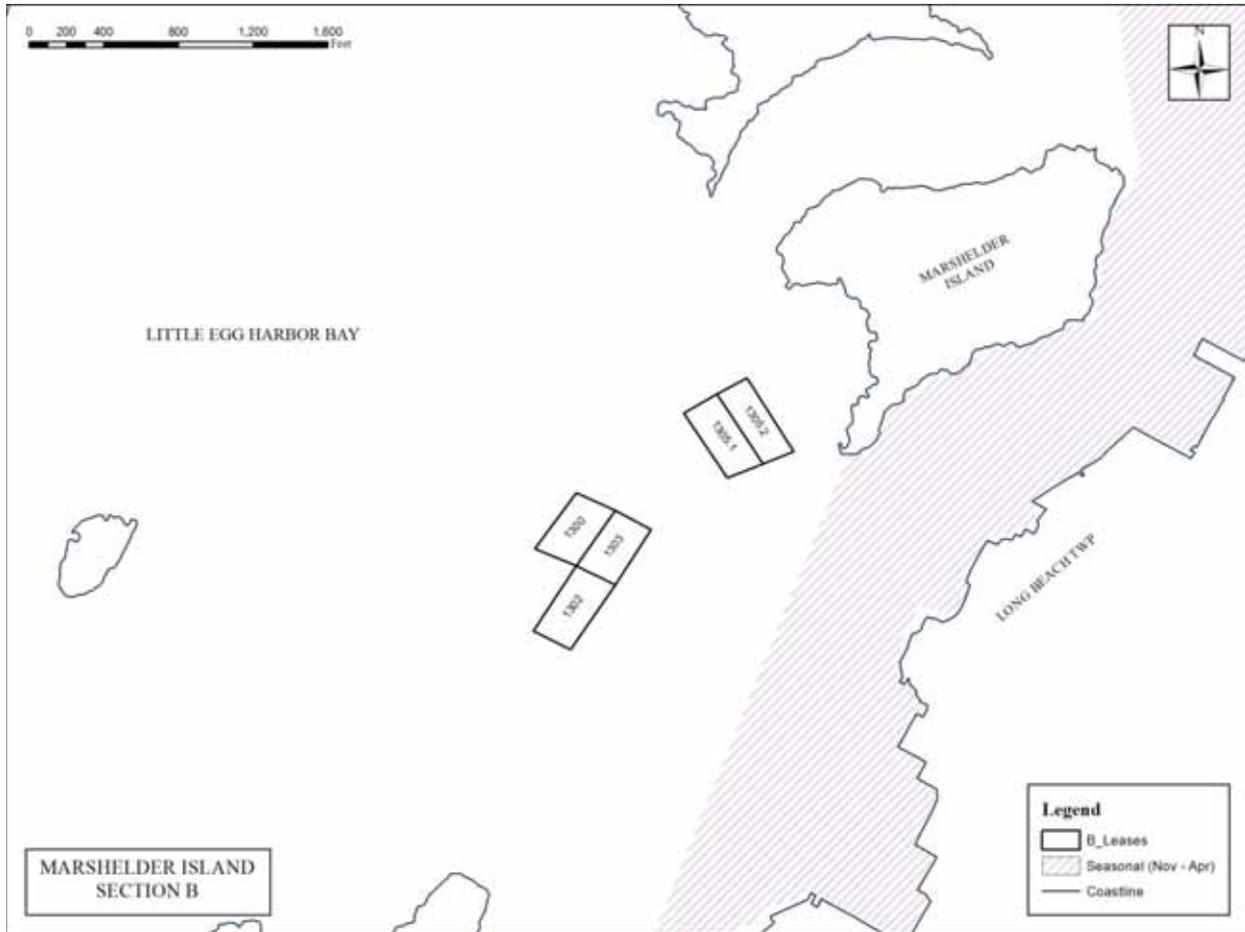
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: SAV habitat. Mordecai Island is slowly eroding and has been breached at midsection. It is now the focus of a living shoreline project to close the breach.

**Council Action: The Mordecai Island leases, as listed under the leasing regulations at N.J.A.C 7:25-24.6(c)2ii, may be leased to individuals who possess no other shellfish lease. No Biological investigation is required.**

**Figure B23: Marshelder Island (Little Egg Harbor Bay)**



Location: Long Beach Township, Ocean County

Existing Leases: 5 leases, 9.94 acres

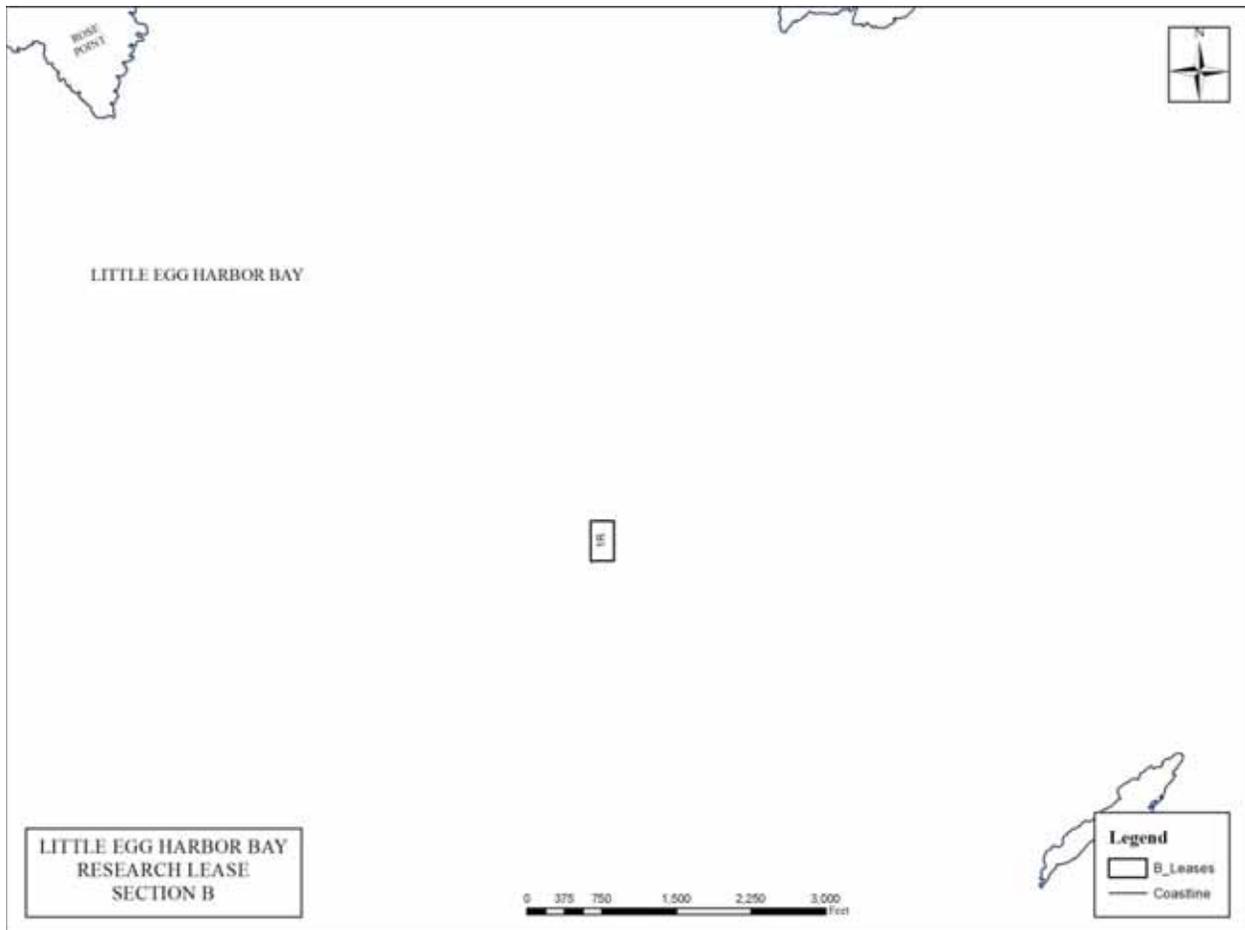
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

Known Concerns: SAV habitat. Shellfish leasing activity in SAV habitat is not in compliance with the Coastal Zone Management Rules at N.J.A.C. 7:7-9.6.

**Council Action: No new leases in mapped and documented SAV habitat as per Council policy decision on April 17, 2000. Vacated leases shall revert back to public bottom. Leases in this area that become vacant shall remain public bottom.**

**Figure B24: Little Egg Harbor Bay Research Lease**



Location: Little Egg Harbor Township, Ocean County

Existing Leases: 1 research leases, 2.18 acres

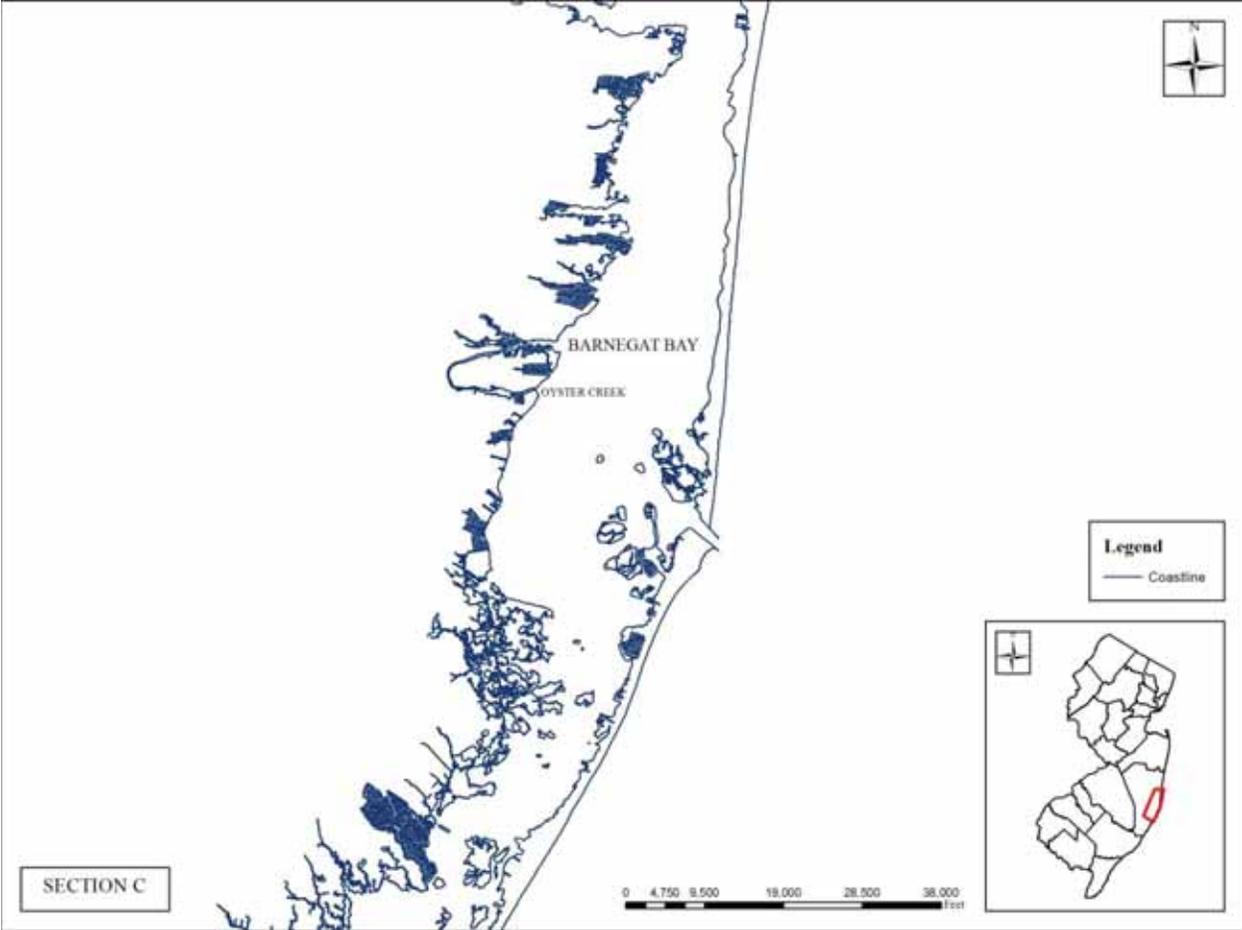
Primary Shellfish Grow Out: Oyster

Shellfish Growing Waters Classification: Approved

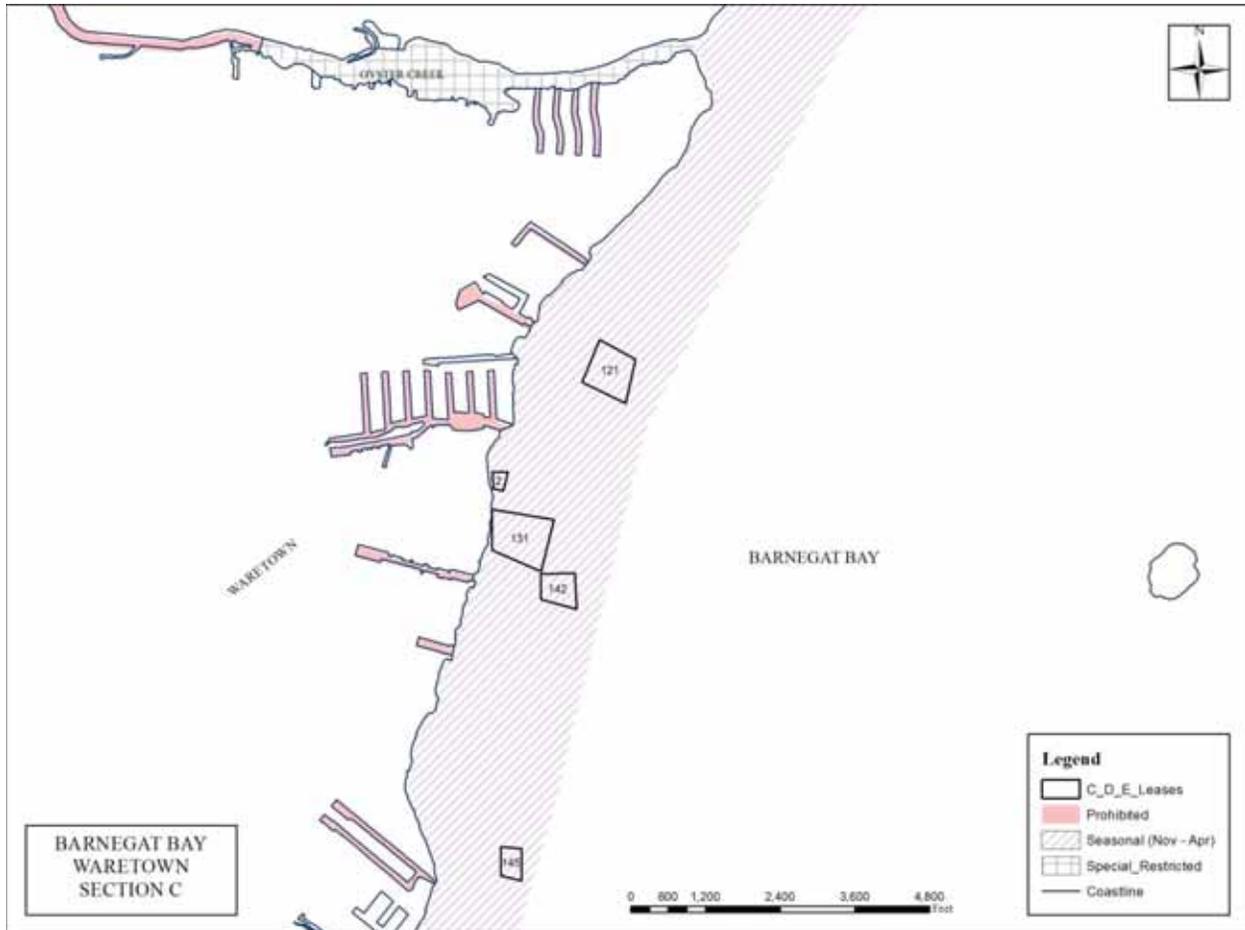
Known Concerns: No Concerns

**Council Action: Research Lease approved by Council for use by Stockton University.**

Section C: Manahawkin Bay to Toms River



**Figure C1: Waretown (Barnegat Bay)**



Location: Ocean Township (Waretown), Ocean County

Existing Leases: 4 leases, 37.03 acres and 1 research lease

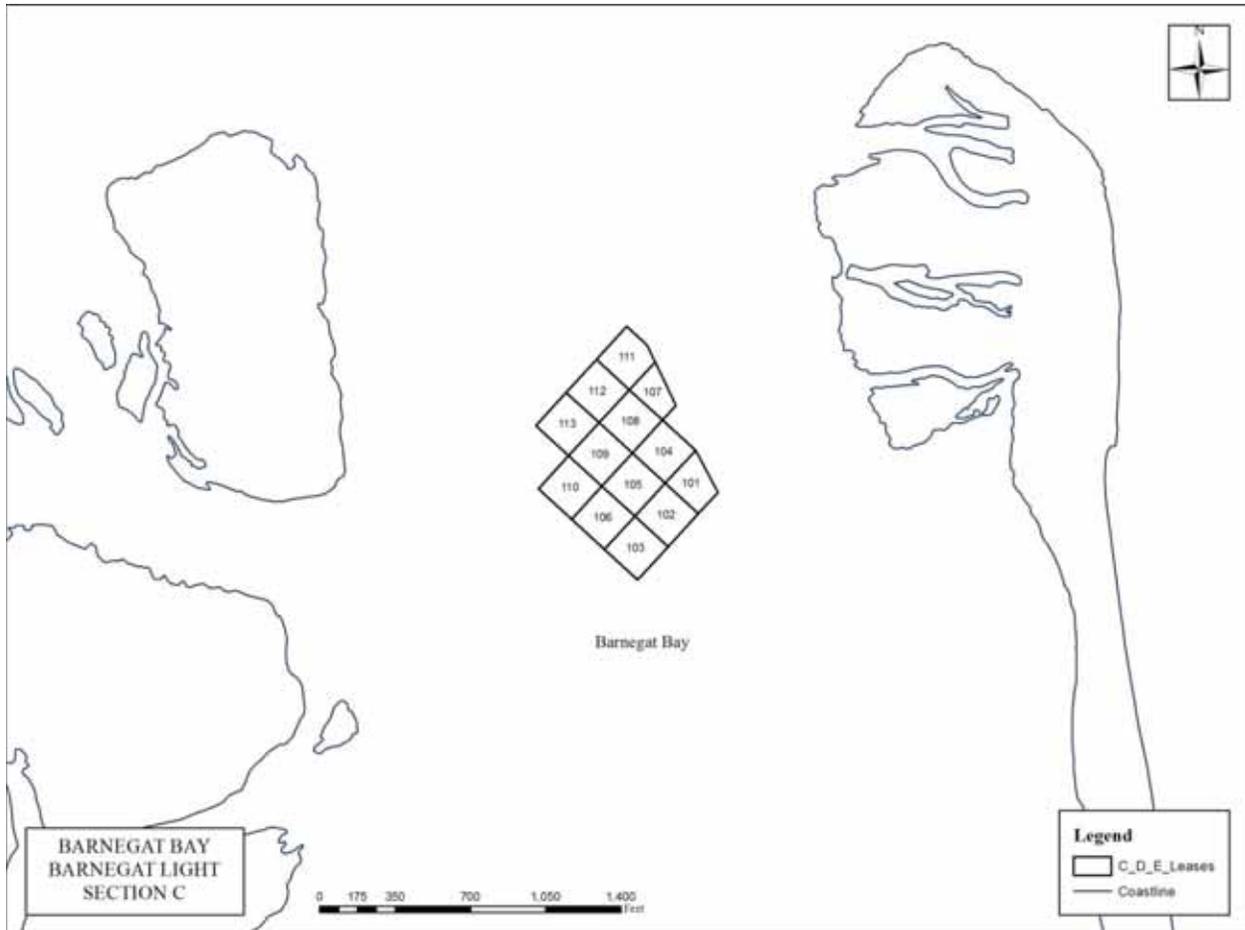
Primary Shellfish Grow Out: Oyster and Hard Clam

Shellfish Growing Waters Classification: Seasonally Restricted

Known Concerns: SAV habitat. Shellfish leasing activity in SAV habitat is not in compliance with the Coastal Zone Management Rules at N.J.A.C. 7:7-9.6.

**Council Action: Lease expansion limited by mapped and documented SAV. Leases in this area that become vacant shall remain public bottom.**

**Figure C2: Barnegat Light (Barnegat Bay)**



Location: Ocean Township, Barnegat Light, Ocean County

Existing Leases: 13 leases, 12.44 acres

Primary Shellfish Grow Out: Oyster (Structural)

Shellfish Growing Waters Classification: Approved

Known Concerns: SAV documented in vicinity of leases. Shellfish leasing activity in SAV habitat is not in compliance with the Coastal Zone Management Rules at N.J.A.C. 7:7-9.6. Potential user group/stakeholder conflicts: high recreational use area, especially with recreational boaters and fishermen area. Area is highly dynamic in that the physical characteristics of site could change quickly.

**Council Action: Expansion limited by SAV and physical characteristics of the site and existing tidelands grants. Proposals for other sites within this area must be discussed by the Leasing Committee and approved by the Council before proceeding with a site investigation.**

**Figure C3: Sedge Island Research Lease**



Location: Ocean Township, Ocean County

Existing Leases: 1 research lease, 2.0 acres

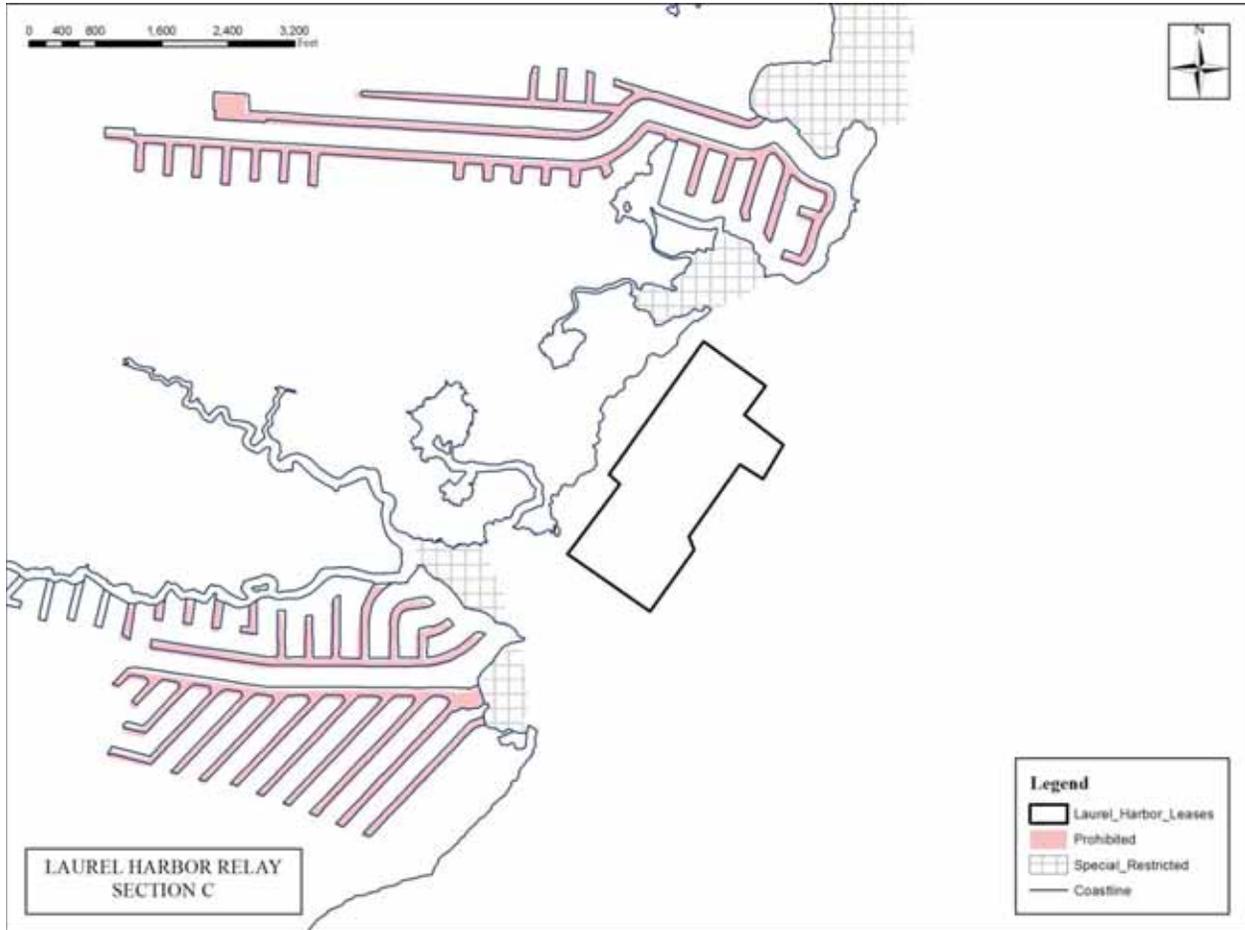
Primary Shellfish Grow Out: Hard Clams and Oysters

Shellfish Growing Waters Classification: Approved

Known Concerns: No Concerns

**Council Action: Research lease approved by Council for use by NJ Division of Fish and Wildlife, Aquatic Education Program.**

**Figure C4: Laurel Harbor Relay Leases**



Location: Ocean Township, Ocean County

Existing Leases: 1 active relay lease, 1.5 acres

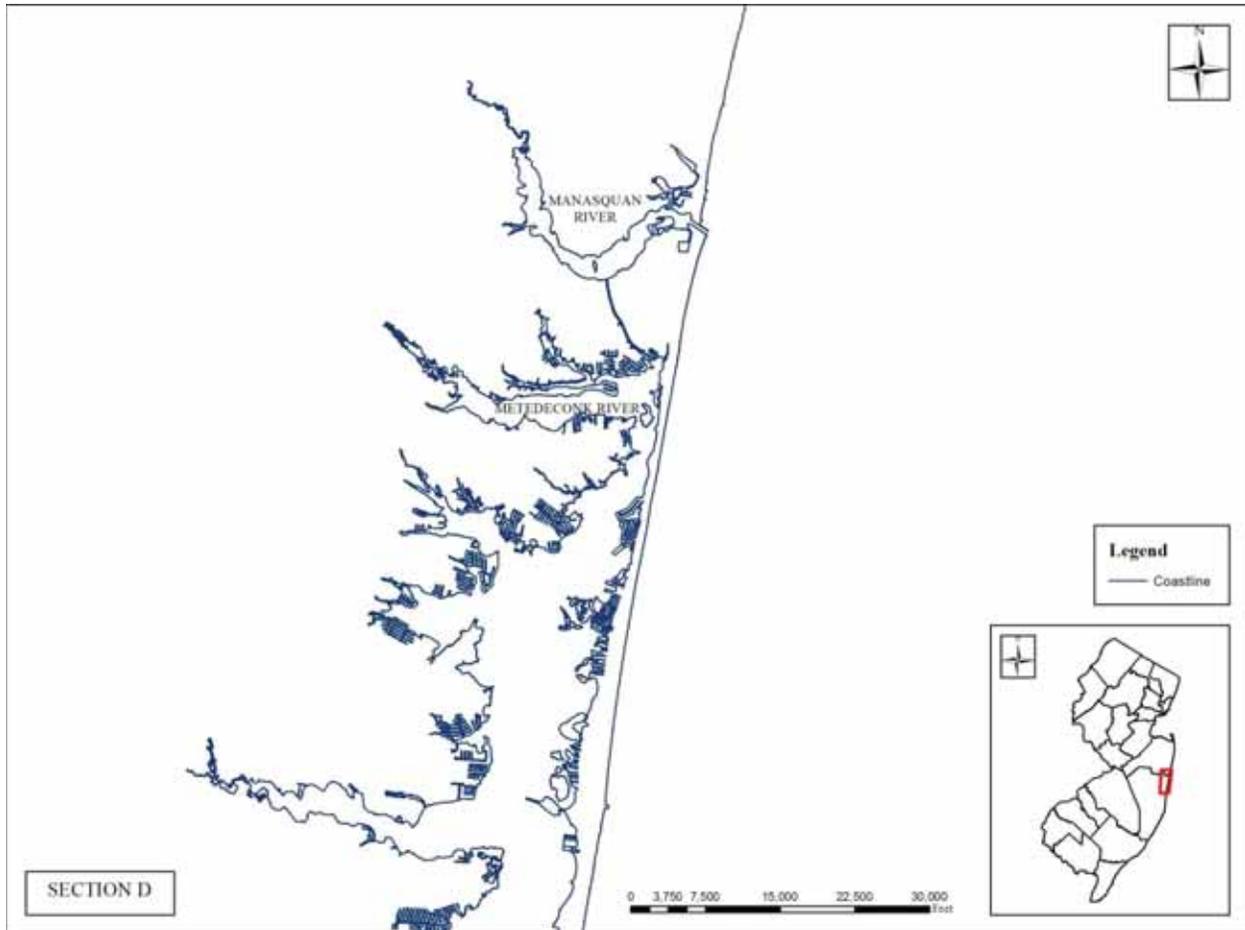
Primary Shellfish Grow Out: Hard Clams

Shellfish Growing Waters Classification: Approved

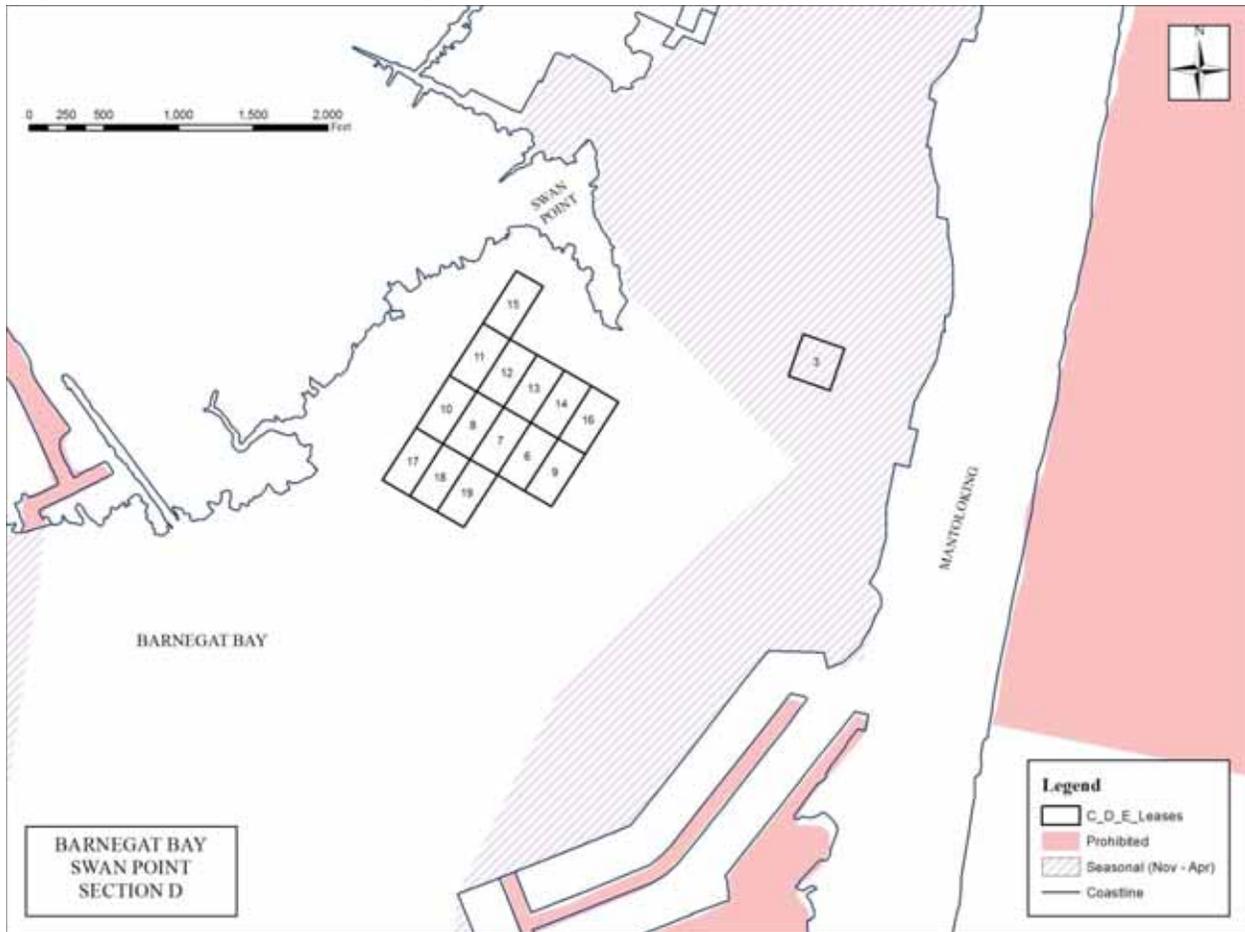
Known Concerns: No Concerns

**Council Action: Designated hard clam relay lease area. Regulated under Clam Relay Program at N.J.A.C.7:25-15.**

## Section D: Toms River to Manasquan River



**Figure D1: Swan Point (Barnegat Bay)**



Location: Brick Township, Ocean County

Existing Leases: 15 leases, 30.0 acres

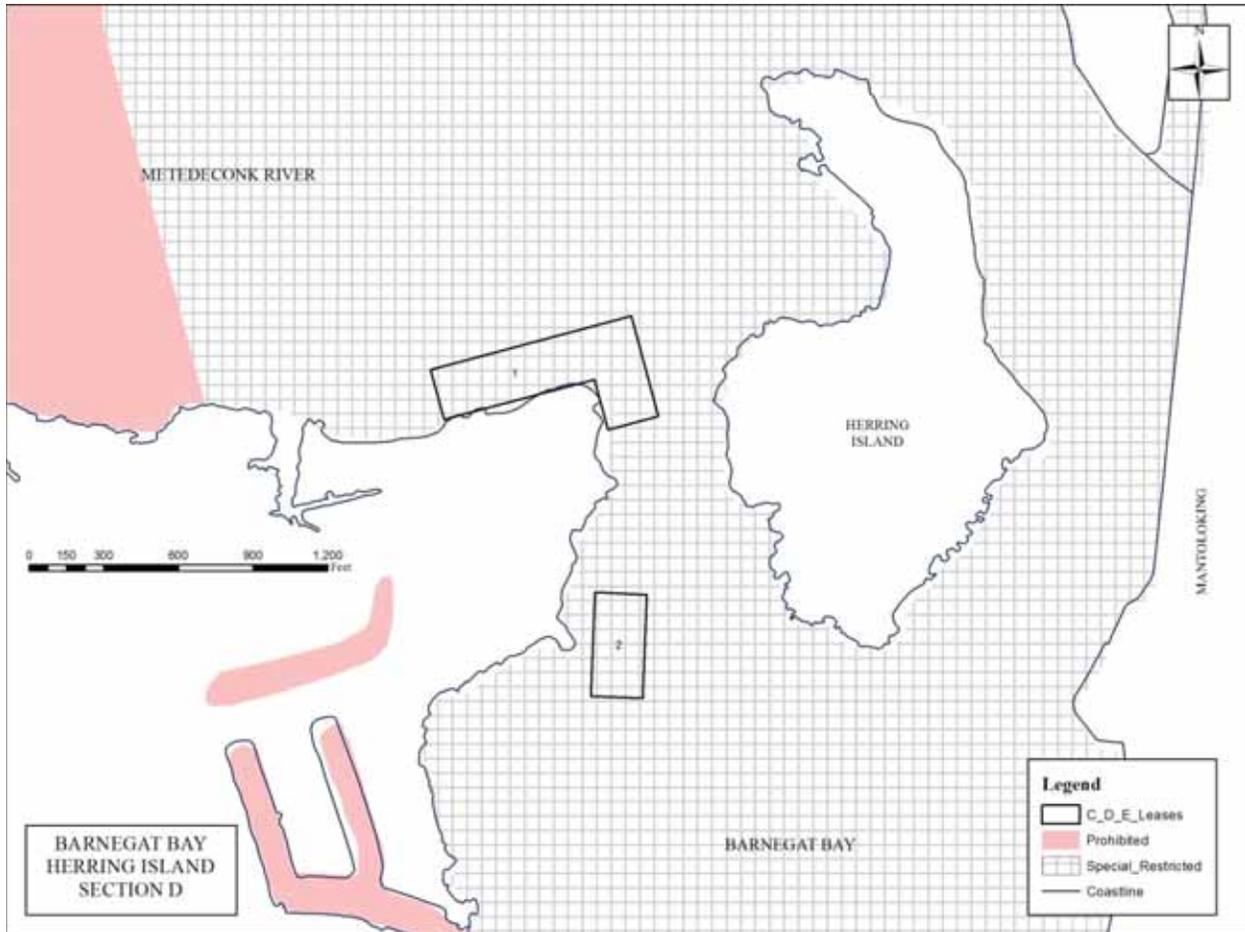
Primary Shellfish Grow Out: Oysters (structural)

Shellfish Growing Waters Classification: Approved and Special Restricted

Known Concerns: Main lease block located at former Swan Point relay lease site. SAV documented in vicinity of leases. Potential user group/stakeholder conflicts: high recreational use area with boaters and fishermen and commercial crab pot fishery.

**Council Action: No new shellfish leases in the waters classified as “Special Restricted” as per the leasing regulations N.J.A.C. 7:25-24.5(f). The main block of leases located in “Approved” waters may be expanded depending upon biological investigation, as per the leasing regulations N.J.A.C. 7:25-24.6(c). Proposals for other sites within this area must be discussed by the Committee and approved by the Council before proceeding with a site investigation. Leases in “Special Restricted” waters area that become vacant shall remain public bottom.**

**Figure D2: Herring Island (Barnegat Bay)**



Location: Brick Township, Ocean County

Existing Leases: 2 leases, 7.0 acres

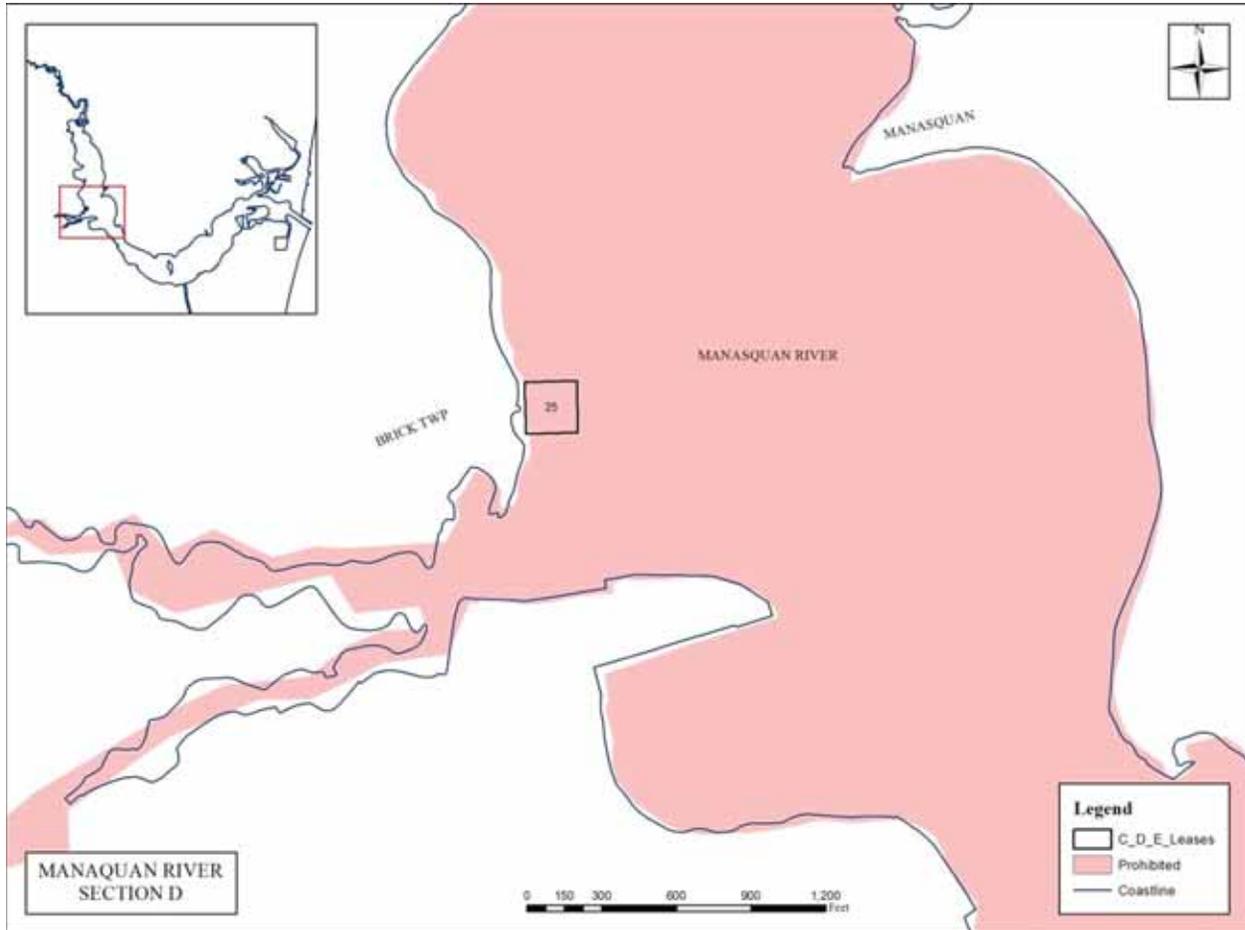
Primary Shellfish Grow Out: Unknown

Shellfish Growing Waters Classification: Special Restricted

Known Concerns: SAV habitat. Due to the shellfish growing waters classification of other than “Approved or “Conditionally Approved” leases may be used as a nursery under “Permit for a Hatchery to Produce and Grow Seed or for a Nursery to Grow Seed” at N.J.A.C. 7:12-9.14 and shellfish can be transplanted to leases in “Approved” waters under “Permit for the Harvest of Seed Oysters and/or Seed” at N.J.A.C. 7:12-9.9.

**Council Action: Shellfish leasing activity in SAV habitat is not in compliance with the Coastal Zone Management Rules at N.J.A.C. 7:7-9.6. No new shellfish leases in the waters classified as Special Restricted as per the leasing regulations N.J.A.C. 7:25-24.5(g). Leases in this area that become vacant shall remain public bottom.**

**Figure D3: Manasquan River**



Location: Brick Township, Ocean County

Existing Lease: 1 lease, 1.0 acres

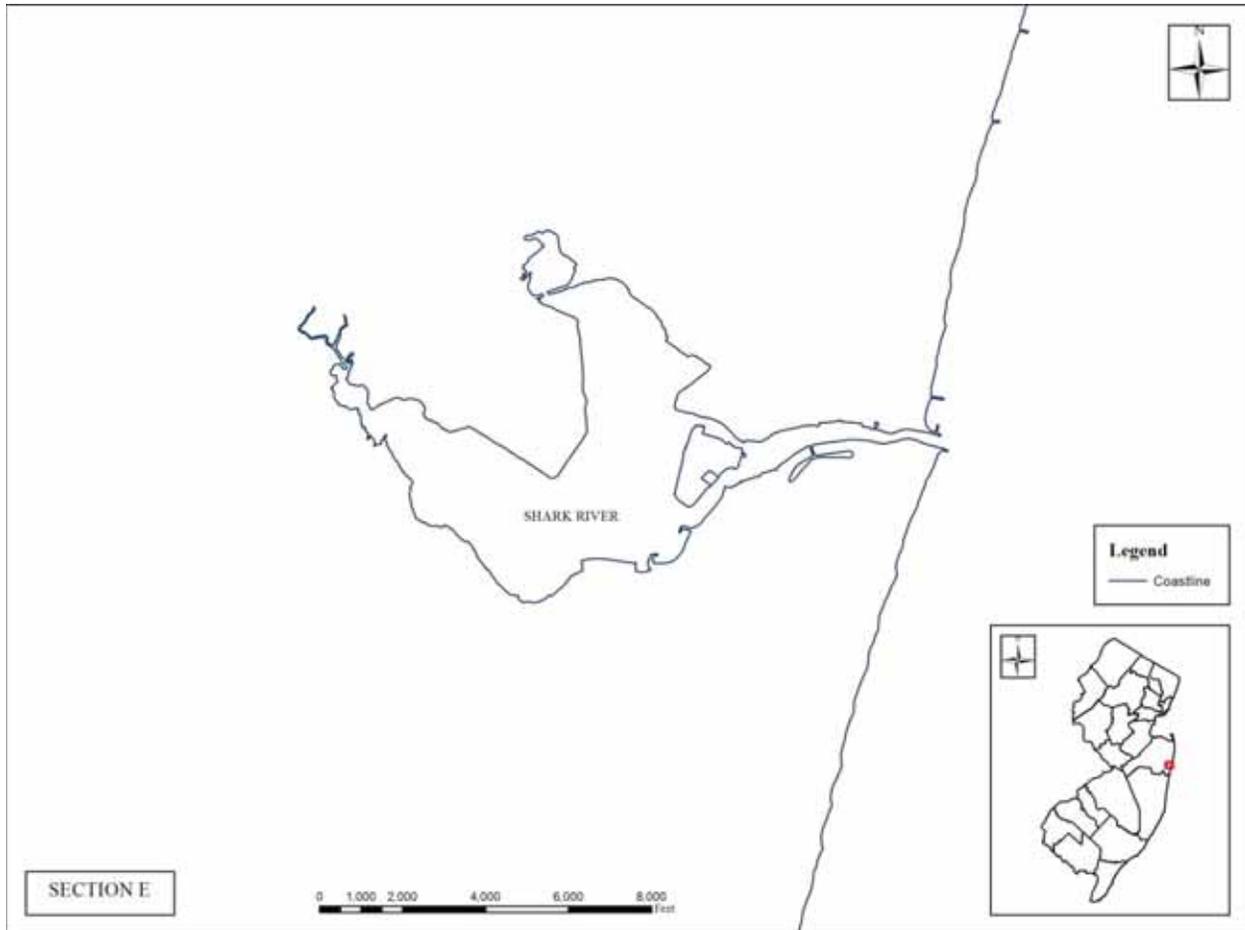
Primary Shellfish Grow Out: Unknown

Shellfish Growing Waters Classification: Prohibited

Known Concerns: Due to the shellfish growing waters classification of other than “Approved or “Conditionally Approved” leases may be used as a nursery under “Permit for a Hatchery to Produce and Grow Seed or for a Nursery to Grow Seed” at N.J.A.C. 7:12-9.14. Possible tideland’s riparian issues for the existing shellfish lease.

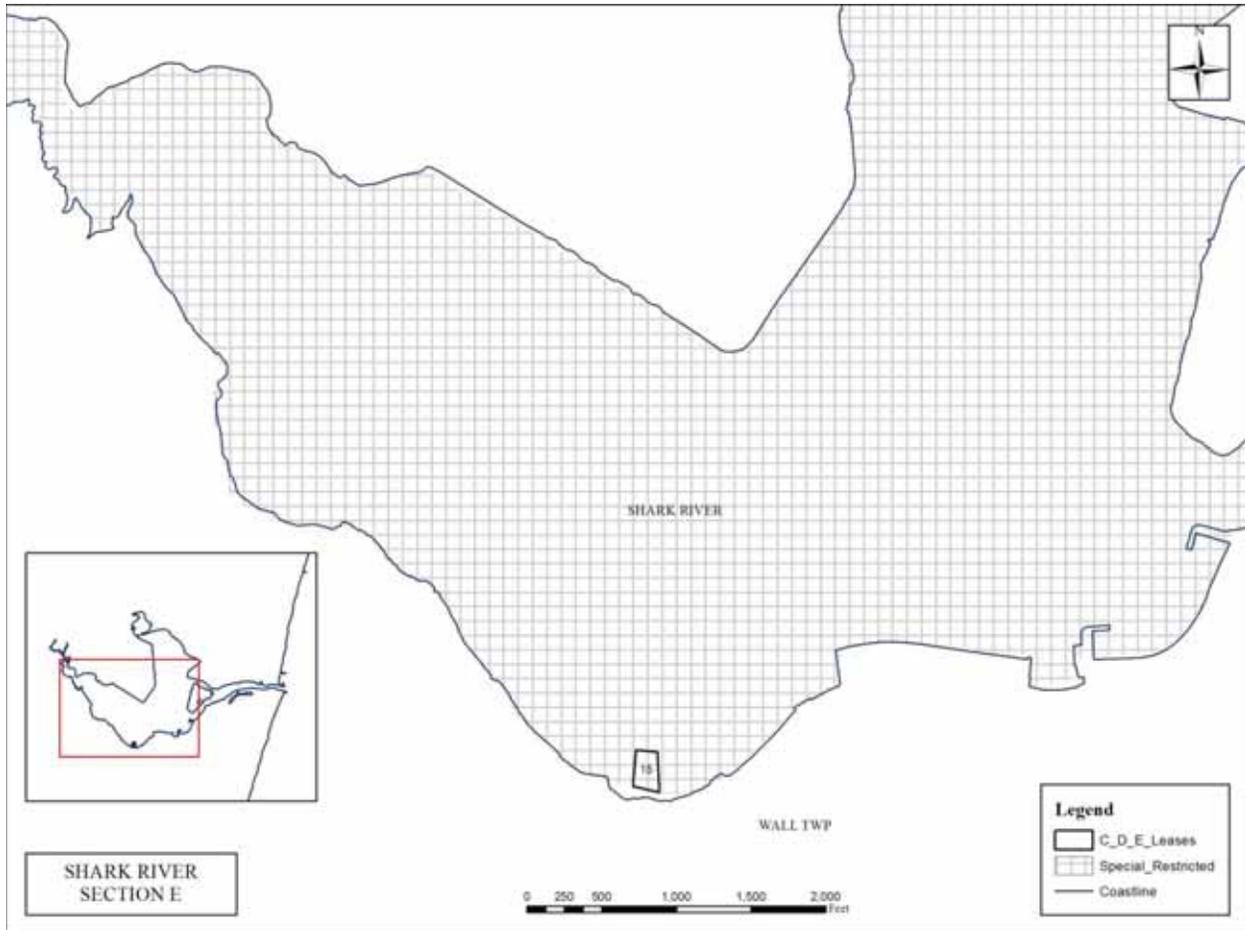
**Council Action: No new shellfish leases in the waters classified as Prohibited as per the leasing regulations N.J.A.C. &:25-24.5(g). Leases in this area that become vacant shall remain public bottom.**

## Section E: Shark River to Navesink River



*Note: As per N.J.S.A. 50:1-23: No lands under the waters of the Navesink and Shewsbury rivers shall be leased for the planting and cultivation of shellfish.*

**Figure E1: Shark River**



Location: Shark River, Wall Township, Monmouth County

Existing Leases: 1 lease, 0.95 acres

Primary Shellfish Grow Out: Unknown

Shellfish Growing Waters Classification: Special Restricted

Known Concerns: The lease is located near a municipal marina. Due to the shellfish growing waters classification of other than “Approved or “Conditionally Approved” leases may be used as a nursery under “Permit for a Hatchery to Produce and Grow Seed or for a Nursery to Grow Seed” at N.J.A.C. 7:12-9.14 and shellfish can be transplanted to leases in “Approved” waters under “Permit for the Harvest of Seed Oysters and/or Seed” at N.J.A.C. 7:12-9.9.

**Council Action: No new shellfish leases in the waters classified as Special Restricted as per the leasing regulations N.J.A.C. &:25-24.5(g). Leases in this area that become vacant shall remain public bottom.**