



Compliance Advisory

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
#2025-08 **Issued: 06/04/2025**

Commercial Shellfish Aquaculture Permit (“CSAP”)

WHO IS AFFECTED BY THIS ADVISORY?

Shellfish aquaculturists holding valid and effective CSAPs issued pursuant to N.J.A.C. 7:12-1.1, et seq.

WHY IS NJDEP ISSUING THIS ADVISORY?

Floating aquaculture gear used primarily for the purpose of growing shellfish has become more common in New Jersey over the past few years. This type of gear can attract birds that roost on floating gear where they invariably leave behind their waste both on the gear and the shellfish themselves. This creates a public health risk when potentially contaminated shellfish are sold for human consumption. There are several different human bacterial pathogens that can be transmitted to shellfish via bird excrement. Examples include *Campylobacter*, pathogenic *E. coli*, *Salmonella*, and others.

Because of this risk to public health, it is imperative that CSAP permit holders comply fully with current requirements. In addition, this advisory is being issued to notify CSAP holders of potential future permit requirements, so that they can engage in advance planning to meet those new requirements.

WHAT SHOULD I DO?

Current CSAPs require all floating aquaculture gear to have bird deterrents that prevent birds from landing on the gear. If or when birds and/or mammals are seen perching on gear and/or evidence of their waste is seen on gear, the permittees shall immediately notify the Bureau of Marine Water Monitoring via telephone (609) 748-2000 or email the New Jersey Department of Environmental Protection (NJDEP) at bmwm@dep.nj.gov. When birds are documented roosting on floating gear during routine inspections conducted by FDA and/or NJDEP, growers using floating gear are required to submerge product away from the pollution source for a minimum of twenty- one (21) days prior to sale.

Beginning with the 2026 CSAP permit cycle, NJDEP intends to add new permit requirements, including the submission of maintenance plans with the deterrent plans and aquaculture gear labeling requirements.

NJDEP plans to require future CSAP permit applicants to submit a detailed bird deterrent plan, including the type and material of deterrents and a confirmation that all floating aquaculture gear will have adequate bird deterrents. Submission of a maintenance plan will also be required and include details of all maintenance activities reasonably expected to be conducted during the season, maintenance procedures, anticipated schedule of maintenance activities, the frequency at which gear will be overturned, anticipated length of time gear will remain overturned, and actions that will be taken to deter birds during maintenance activities. In addition, permittees will be required to inform the Department 24 hours prior to conducting any maintenance that requires gear to be overturned.

Beginning with the 2026 CSAP permit cycle, the CSAPs will require labeling of floating aquaculture gear with, at a minimum, the permittee's CID number. Permittees are advised to initiate the process of labeling their gear now in anticipation of this new permit requirement.

WHERE CAN I GET MORE INFORMATION?

For more information on CSAP requirements see: <https://dep.nj.gov/wms/bmw/national-shellfish-sanitation-program-nssp/#permits>

WHO SHOULD I CONTACT WITH QUESTIONS?

Sarah Gentile, Bureau of Marine Water Monitoring

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(609) 748-2000

Please note this advisory is intended to be a summary explanation of a Department initiative, it does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the number listed above.