



REGISTRAR OF REGULATIONS

11 MAY 11 AM 11:20

COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION
109 Governor Street, Room 614-B
Richmond, VA 23219

Ph: 804-864-7487
Fax: 804-864-7481

NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 035-076, UPPER PIANKATANK RIVER

EFFECTIVE 24 MAY 2011

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Area Condemnation Number 035-076, Upper Piankatank River," effective 24 June 2010, is cancelled effective 24 May 2011.
2. Condemned Shellfish Area Number 035-076, shown as Sections A through E, is established effective 24 May 2011. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Upper Piankatank River, Condemned Shellfish Area Number 035-076, 24 May 2011" which is part of this notice.
3. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 035-076

- A. The condemned area shall include that portion of the Piankatank River and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°33'02.0", -76°31'24.1") and map coordinate (37°32'55.4", -76°31'40.7").
- B. The condemned area shall include all of Harper Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°32'12.2", -76°30'11.5") and map coordinate (37°32'05.1", -76°30'07.6").
- C. The condemned area shall include that portion of Dancing Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°30'51.5", -76°27'12.9") and map coordinate (37°30'48.5", -76°27'12.0").
- D. The condemned area shall include all of Frenchs Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°31'45.6", -76°28'51.8") and map coordinate (37°31'45.2", -76°28'52.2").

- E. The condemned area shall include that portion of Ferry Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°31'00.3", -76°27'44.7") and map coordinate (37°30'54.9", -76°27'36.5").

Recommended by: *M. E. Wooreberghs*
Director, Division of Shellfish Sanitation

Ordered by: *Karen J. Prof* *5/10/11*
State Health Commissioner Date

**Virginia Department of Health
Upper Piankatank River
Condemned Shellfish Area Number 035-076
24 May 2011**

