



REGISTRAR OF REGULATIONS

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COMMONWEALTH of VIRGINIA

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

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**NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION
NUMBER 085-110, UPPER NASSAWADOX CREEK**

EFFECTIVE 7 OCTOBER 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 085-110, Upper Nassawadox Creek," effective 29 June 2010, is cancelled effective 7 October 2011.
2. Condemned Shellfish Area Number 085-110, shown as Sections A through F, is established effective, 7 October 2011. As to Sections A, B, C, D, and E 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*. As to Section F, it shall be unlawful for any person, firm, or corporation to take shellfish from this area for any purpose. The boundaries of these areas are shown on the map titled "Upper Nassawadox Creek, Condemned Shellfish Area Number 085-110, 7 October 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 085-110

- A. The condemned area shall include all of the unnamed tributary of Nassawadox Creek upstream of a line drawn from latitude / longitude map coordinate (37°29'14.6", -75°56'08.4") to map coordinate (37°29'14.5", -75°56'01.1").
- B. The condemned area shall include all of Kelley Cove upstream of a line drawn from latitude / longitude map coordinate (37°30'47.1", -75°54'22.0") to map coordinate (37°30'50.7", -75°54'17.9").
- C. The condemned area shall include that portion of Warehouse Creek and its tributaries upstream of a line drawn from latitude / longitude map coordinate (37°29'07.0", -75°54'19.5") to map coordinate (37°29'01.5", -75°54'29.8"); but excluding the area defined as Section F.

- D. The condemned area shall include that portion of Nassawadox Creek and its tributaries upstream of a line drawn from latitude / longitude map coordinate (37°30'54.9", -75°54'10.9") to map coordinate (37°30'51.1", -75°54'02.6").
- E. The condemned area shall include that portion of Holly Grove Cove and its tributaries upstream of a line drawn from latitude / longitude map coordinate (37°29'47.2", -75°53'46.7") to map coordinate (37°29'42.9", -75°53'48.9").
- F. The condemned area shall include that portion of Warehouse Creek and its tributaries upstream of a line drawn from latitude / longitude map coordinate (37°29'01.7", -75°53'36.1") to map coordinate (37°28'56.9", -75°53'39.4").

Recommended by:

M. E. Cronenberg
Director, Division of Shellfish Sanitation

Ordered by:

William J. Klemm
State Health Commissioner

9/23/11
Date

**Virginia Department of Health
Upper Nassawadox Creek
Condemned Shellfish Area Number 085-110
7 October 2011**

