



REGISTRAR OF REGULATIONS

09 SEP -1 AM 10:46

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 096-218, QUINBY HARBOR AND VICINITY

EFFECTIVE 11 SEPTEMBER 2009

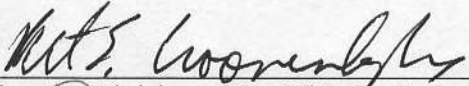
Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*:

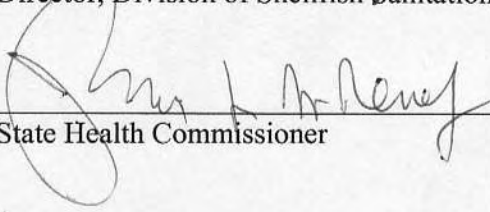
1. The "Notice and Description of Shellfish Area Condemnation Number 096-218, Quinby Harbor," effective 10 October 2006, is cancelled effective 11 September 2009.
2. Condemned Shellfish Area Number 096-218, shown as Section A, is established effective 11 September 2009. It shall be unlawful for any person, firm, or corporation to take shellfish from this area, 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 this area are shown on the map titled "Quinby Harbor and Vicinity, Condemned Shellfish Area Number 096-218, 11 September 2009" which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 096-218 shown at Section M1 is hereby established, effective 11 September 2009, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm, or corporation to take shellfish from this area during such period for any purpose, except by permit granted by Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of this area are shown on the map titled "Quinby Harbor and Vicinity, Condemned Shellfish Area Number 096-218, 11 September 2009" which is part of this notice.
4. 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 096-218

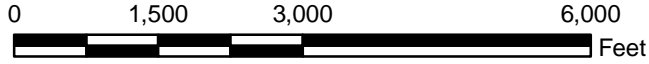
- A. The condemned area shall include that portion of the Machipongo River and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°33'49.8", -75°44'57.9") and map coordinate (37°33'40.3", -75°44'37.9").



M1. The seasonally condemned area shall include all of Quinby Harbor and that portion of Upshur Bay lying inland of a line drawn from latitude / longitude map coordinate (37°32'53.9",-75°43'47.4") to map coordinate (37°32'21.1",-75°43'35.8"), to map coordinate (37°32'47.0",-75°43'54.8").

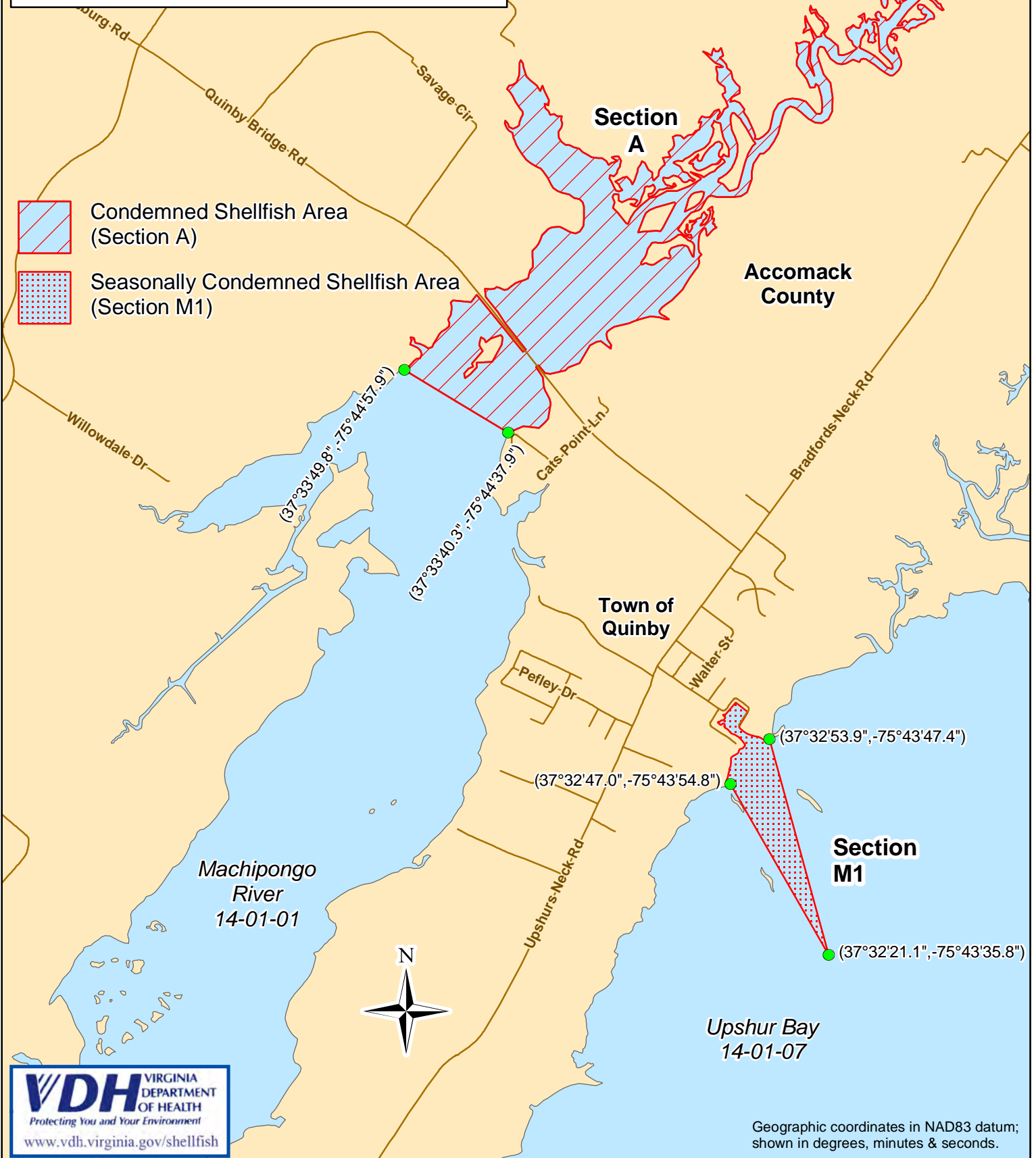
Recommended by: 
Director, Division of Shellfish Sanitation

Ordered by:  8/31/09
State Health Commissioner Date

**Virginia Department of Health
 Quinby Harbor and Vicinity
 Condemned Shellfish Area 096-218
 11 September 2009**



-  Condemned Shellfish Area (Section A)
-  Seasonally Condemned Shellfish Area (Section M1)



Machipongo River
 14-01-01

Upshur Bay
 14-01-07