



**COMMONWEALTH of VIRGINIA
DEPARTMENT OF HEALTH
DIVISION OF SHELLFISH SANITATION**

*Marissa J. Levine, MD, MPH, FAAFP
State Health Commissioner*

*109 Governor Street, 6th Floor
P.O. Box 2448
Richmond, Virginia 23218*

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

**NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION
NUMBER 001A-036, UPPER MACHODOC CREEK**

EFFECTIVE 24 MAY 2017

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 001A-036, Upper Machodoc Creek,” effective 7 May 2013, is cancelled effective 24 May 2017.
2. Condemned Shellfish Number 001A-036, shown as Sections A through H, is hereby established effective 24 May 2017. As to Sections A through F, 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 § 28.2-810 of the Code of Virginia. As to Sections G and H, it shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose. The boundaries of these areas are shown on the map titled “Upper Machodoc Creek, Condemned Shellfish Area Number 001A-036, 24 May 2017” which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 001A-036, shown as Section M1 is hereby established effective 24 May 2017, 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in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded.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 shall be unlawful for any person, firm or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the 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 “Upper Machodoc Creek, Condemned Shellfish Area Number 001A-036, 24 May 2017” which is part of this notice.
4. Seasonally Condemned Shellfish Area Number 001A-036, shown as Section S7 is hereby established effective 24 May 2017, 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in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded.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 shall be unlawful for any person, firm, or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the 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 “Upper Machodoc Creek, Condemned Shellfish Area Number 001A-036, 24 May 2017” which is part of this notice.

5. 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 001A-036

- A. The condemned area shall include that portion of Upper Machodoc and Gambo Creeks and the Potomac River inland of a line drawn from latitude / longitude map coordinate (38°19'56.9",-77°00'54.4"), southwesterly along the Virginia-Maryland boundary to map coordinate (38°19'01.5",-77°01'35.6"), to map coordinate (38°19'03.9",-77°01'53.4"), and on to map coordinate (38°19'18.6",-77°01'29.7").
- B. The condemned area shall include that portion of Upper Machodoc Creek inland of a line drawn from latitude / longitude map coordinate (38°19'08.3",-77°01'54.8"), to map coordinate (38°19'03.9",-77°01'53.4"), and on to map coordinate (38°19'07.6",-77°02'20.7").
- C. The condemned area shall include that portion of Williams Creek and its tributaries upstream of a line drawn from latitude / longitude map coordinate (38°19'29.0",-77°03'18.9") to map coordinate (38°19'30.5",-77°03'09.6").
- D. The condemned area shall include that portion of Upper Machodoc Creek and its tributaries upstream of a line drawn from latitude / longitude map coordinate (38°18'20.2",-77°04'05.8") to map coordinate (38°18'24.3",-77°04'00.1").
- E. The condemned area shall include that portion of Upper Machodoc Creek upstream of a line drawn from latitude / longitude map coordinate (38°19'20.4",-77°02'49.4") to map coordinate (38°19'13.2",-77°02'49.2"), to map coordinate (38°19'14.9",-77°03'24.5"); but excluding the areas defined as Sections C and G.
- F. The condemned area shall include all of Deep Creek and its tributaries upstream of a line drawn from latitude / longitude map coordinate (38°19'13.4",-77°03'47.4") to map coordinate (38°19'15.5",-77°03'35.0").
- G. The condemned area shall include that portion of Williams Creek and its tributaries upstream of a line drawn from latitude / longitude map coordinate (38°19'17.0",-77°03'19.5") to map coordinate (38°19'19.9",-77°02'56.1"); but excluding the area defined as Section C.
- H. The condemned area shall include that portion of the Potomac River inland and upstream of a line drawn from latitude / longitude map coordinate (38°19'18.6",-77°01'29.7") to map coordinate (38°19'03.9",-77°01'53.4"), to map coordinate (38°19'08.3",-77°01'54.8").
- S7. The seasonally condemned area shall include that portion of Upper Machodoc Creek upstream of a line drawn between latitude / longitude map (38°19'14.9",-77°03'24.5") to map coordinate (38°19'00.4",-77°03'22.7"); but excluding the areas defined as Sections D and F.

M1. The seasonally condemned area shall include that portion of Upper Machodoc Creek inland of a line drawn from latitude / longitude map coordinate (38°19'12.1", -77°02'24.9"), to map coordinate (38°19'13.2", -77°02'49.2"), and on to map coordinate (38°19'20.4", -77°02'49.4").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:



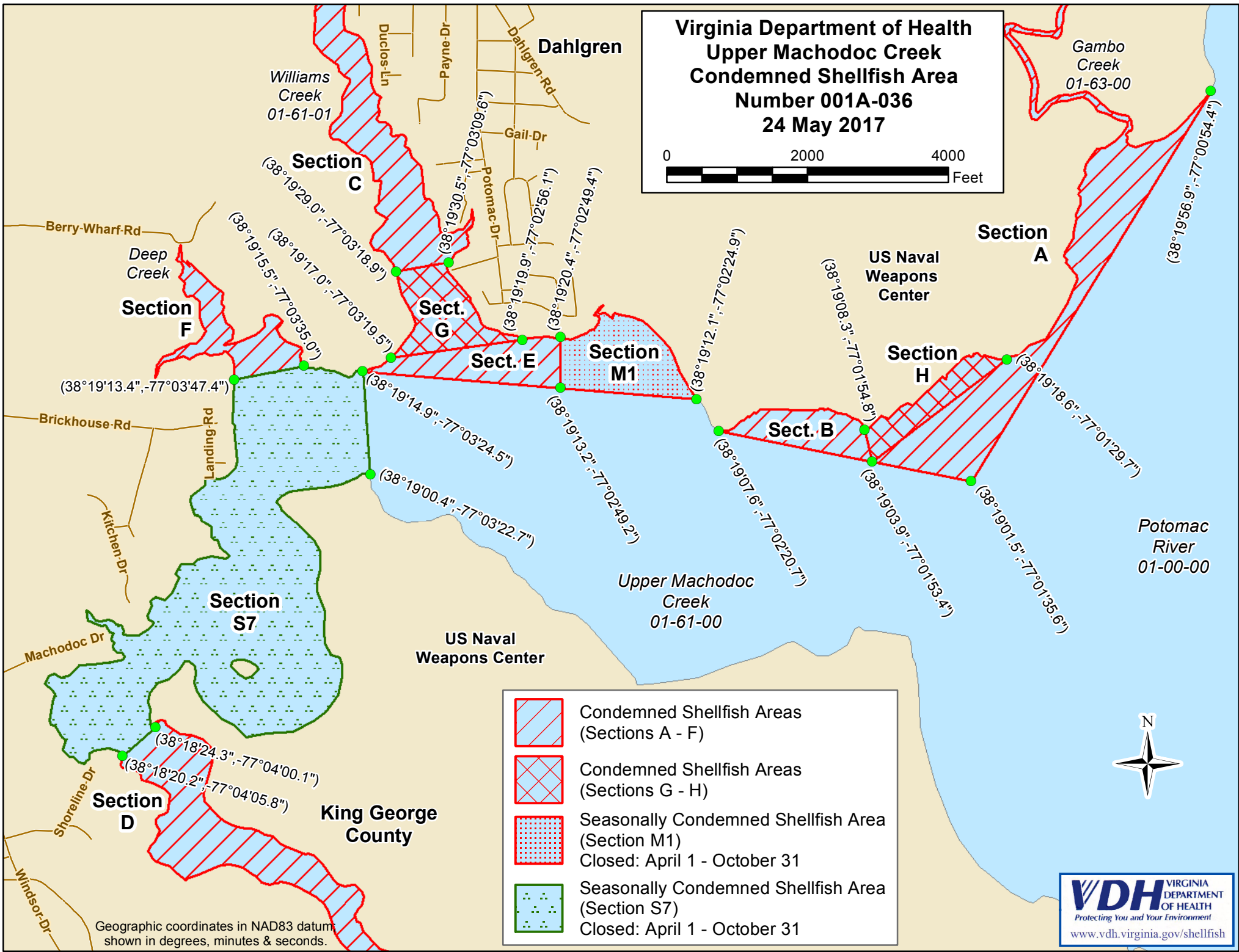
State Health Commissioner

for Dr.
Levine

5-10-77

Date

**Virginia Department of Health
Upper Machodoc Creek
Condemned Shellfish Area
Number 001A-036
24 May 2017**



-  Condemned Shellfish Areas (Sections A - F)
-  Condemned Shellfish Areas (Sections G - H)
-  Seasonally Condemned Shellfish Area (Section M1)
Closed: April 1 - October 31
-  Seasonally Condemned Shellfish Area (Section S7)
Closed: April 1 - October 31



Geographic coordinates in NAD83 datum shown in degrees, minutes & seconds.