



**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 035-076, UPPER PIANKATANK RIVER**

EFFECTIVE 14 DECEMBER 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 035-076, Upper Piankatank River,” effective 21 November 2016, is cancelled effective 14 December 2017.
2. Condemned Shellfish Area Number 035-076, shown as Sections A through F, is established effective 14 December 2017. 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. The boundaries of these areas are shown on the map titled “Upper Piankatank River, Condemned Shellfish Area Number 035-076, 14 December 2017” which is part of this notice.
3. Seasonally Condemned Shellfish Number 035-076, shown as Sections S65 and S66, is hereby established effective 1 April 2018, 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in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded.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 these areas 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 these areas are shown on the map titled “Upper Piankatank River, Condemned Shellfish Area Number 035-076, 14 December 2017” 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 035-076

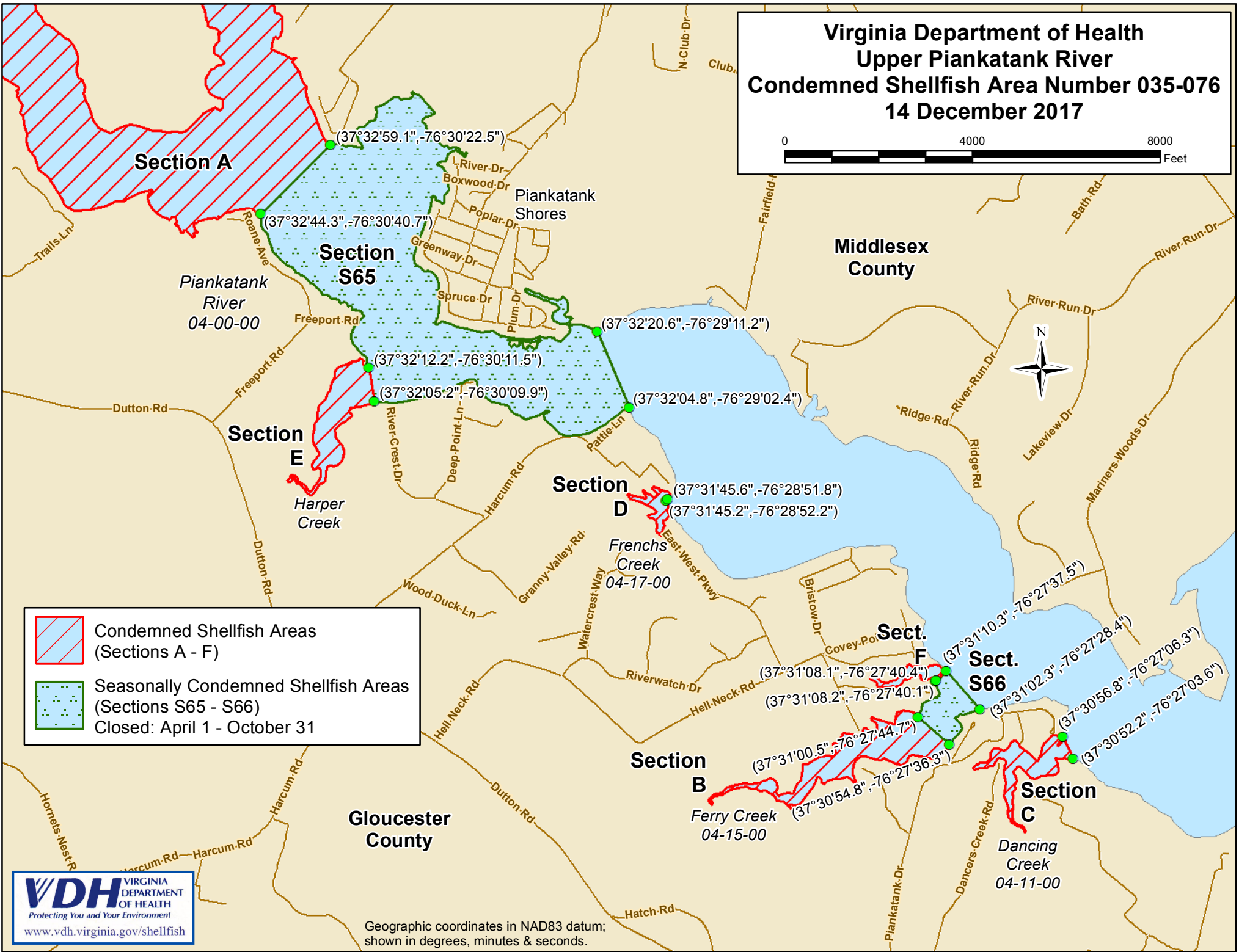
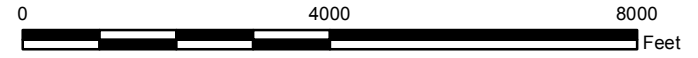
- A. The condemned area shall include that portion of the Piankatank River and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°32'59.1", -76°30'22.5") and map coordinate (37°32'44.3", -76°30'40.7").


- B. The condemned area shall include that portion of Ferry Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°31'00.5",-76°27'44.7") and map coordinate (37°30'54.8",-76°27'36.3").
- C. The condemned area shall include all of Dancing Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°30'56.8",-76°27'06.3") and map coordinate (37°30'52.2",-76°27'03.6").
- 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 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°32'05.2",-76°30'09.9").
- F. The condemned area shall include all of the unnamed tributary of Ferry Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°31'08.1",-76°27'40.4") and map coordinate (37°31'08.2",-76°27'40.1").
- S65. The seasonally condemned area shall include that portion of the Piankatank River and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°32'20.6",-76°29'11.2") and map coordinate (37°32'04.8",-76°29'02.4"); but excludes the areas defined as Sections A and E.
- S66. The seasonally condemned area shall include that portion of Ferry Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°31'10.3",-76°27'37.5") and map coordinate (37°31'02.3",-76°27'28.4"); but excludes the areas defined as Sections B and F.


Recommended by: 
Director, Division of Shellfish Sanitation

Ordered by:  for Dr. Levine 11-30-17
State Health Commissioner Date

**Virginia Department of Health
Upper Piankatank River
Condemned Shellfish Area Number 035-076
14 December 2017**



 Condemned Shellfish Areas (Sections A - F)

 Seasonally Condemned Shellfish Areas (Sections S65 - S66)
Closed: April 1 - October 31