



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

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State Health Commissioner*

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**NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION
NUMBER 039-026, HORN HARBOR**

EFFECTIVE 7 MARCH 2016

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 039-026, Horn Harbor," effective 4 March 2014, is cancelled effective 7 March 2016.
2. Condemned Shellfish Area Number 039-026, shown as Sections A through E, is hereby established effective 7 March 2016. 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 "Horn Harbor, Condemned Shellfish Area Number 039-026, 7 March 2016" which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 039-026, shown as Sections M1 and M2, is hereby established effective 1 April 2016, 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in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded.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 "Horn Harbor, Condemned Shellfish Area Number 039-026, 7 March 2016" which is a 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 039-026

- A. The condemned area shall include that portion of Horn Harbor and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°22'04.5", -76°18'08.2") and map coordinate (37°22'02.5", -76°18'00.8").
- B. The condemned area shall include that portion of Doctors Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°21'01.9", -76°16'44.8") and map coordinate (37°21'00.0", -76°16'44.7").

- C. The condemned area shall include all of Borum Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°21'35.6", -76°17'20.5") and map coordinate (37°21'35.0", -76°17'24.7").
- D. The condemned area shall include all of the unnamed tributary of Horn Harbor upstream of a line drawn between latitude / longitude map coordinate (37°21'39.2", -76°17'33.4") and map coordinate (37°21'39.7", -76°17'38.6").
- E. The condemned area shall include all of the unnamed tributary of Horn Harbor upstream of a line drawn between latitude / longitude map coordinate (37°21'40.5", -76°17'54.7") and map coordinate (37°21'42.7", -76°17'59.2").
- M1. The seasonally condemned area shall include that portion of Horn Harbor and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°21'57.3", -76°18'02.2") and map coordinate (37°21'54.1", -76°17'55.7"); except for the area defined as Section A.
- M2. The seasonally condemned area shall include that portion of the unnamed tributary of Horn Harbor inland of a line drawn between latitude / longitude map coordinate (37°21'58.8", -76°17'23.0"), map coordinate (37°21'58.1", -76°17'18.4"), and map coordinate (37°21'52.3", -76°17'17.5").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:

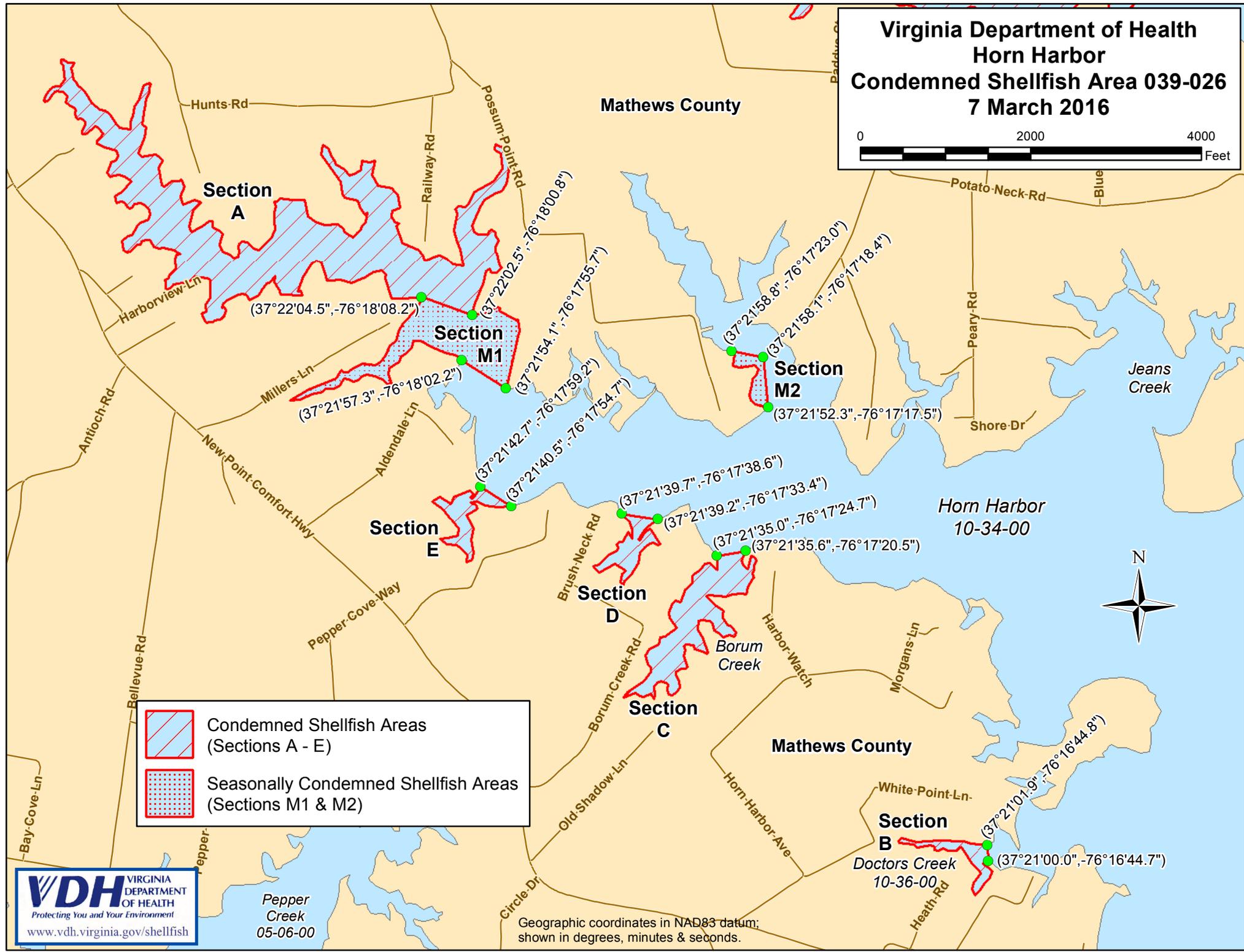


State Health Commissioner

2/22/16

Date

Virginia Department of Health
 Horn Harbor
 Condemned Shellfish Area 039-026
 7 March 2016



-  Condemned Shellfish Areas (Sections A - E)
-  Seasonally Condemned Shellfish Areas (Sections M1 & M2)

