



**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 041-092, UPPER EAST RIVER**

EFFECTIVE 24 SEPTEMBER 2018

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 041-092, Upper East River," effective 2 October 2017, is cancelled effective 24 September 2018.
2. Condemned Shellfish Area Number 041-092, shown as Sections A and B is hereby established effective 24 September 2018. 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 East River, Condemned Shellfish Number 041-092, 24 September 2018" which is part of this notice.
3. Seasonally Condemned Shellfish Number 041-092, shown as Sections S42, S43 and S45, is hereby established effective 24 September 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in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded.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 East River, Condemned Shellfish Area Number 041-092, 24 September 2018" 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 041-092

- A. The condemned area shall include that portion of the East River and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°26'02.2", -76°21'54.6") and map coordinate (37°26'00.8", -76°21'45.9").
- B. The condemned area shall include that portion of the Woodas Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°25'23.9", -76°20'57.8") and map coordinate (37°25'21.6", -76°20'54.6").

- S42. The seasonally condemned area shall include that portion of the East River and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°25'39.6",-76°21'57.1") and map coordinate (37°25'39.2",-76°21'45.0"); but excluding the area defined as Section A.
- S43. The seasonally condemned area shall include all of the unnamed tributary of the East River upstream of a line drawn between latitude / longitude map coordinate (37°25'29.3",-76°21'55.5") and map coordinate (37°25'24.5",-76°21'52.7").
- S45. The seasonally condemned area shall include that portion of the Woodas Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°25'15.6",-76°21'05.7") and map coordinate (37°25'16.7",-76°20'59.0"); but excluding the area defined as Section B.

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:

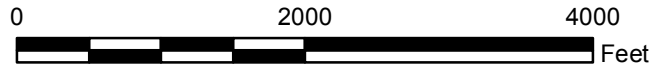


State Health Commissioner





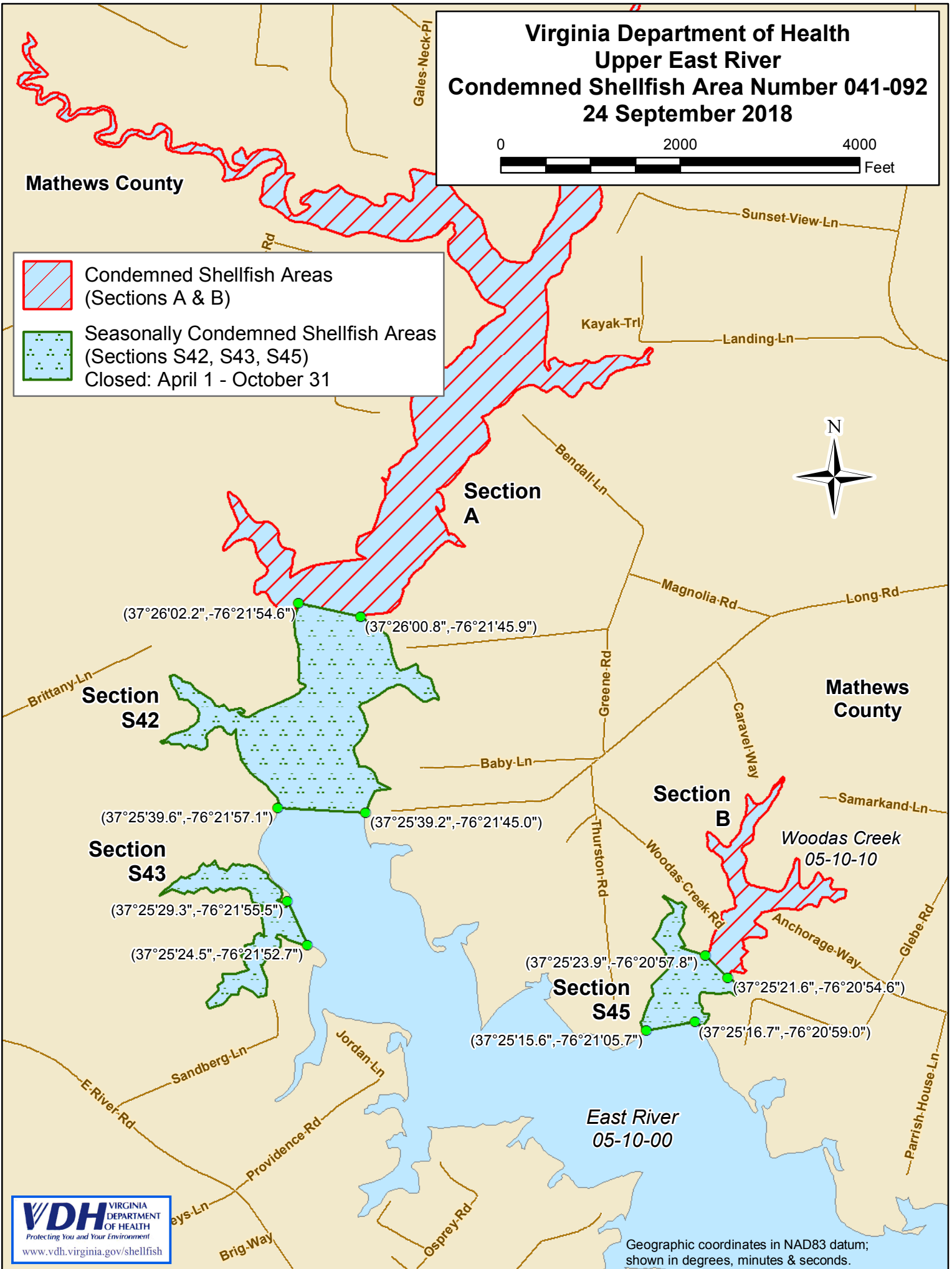
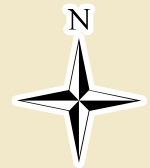
Date

Virginia Department of Health
 Upper East River
 Condemned Shellfish Area Number 041-092
 24 September 2018



Mathews County

-  Condemned Shellfish Areas (Sections A & B)
-  Seasonally Condemned Shellfish Areas (Sections S42, S43, S45)
 Closed: April 1 - October 31



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