



**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 2 OCTOBER 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 041-092, Upper East River," effective 30 September 2016, is cancelled effective 2 October 2017.
2. Condemned Shellfish Area Number 041-092, shown as Sections A and B is hereby established effective 2 October 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 East River, Condemned Shellfish Number 041-092, 2 October 2017" which is part of this notice.
3. Seasonally Condemned Shellfish Number 041-092, shown as Sections S42 and S43, is hereby established effective 2 October 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in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded.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 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, 2 October 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 041-092

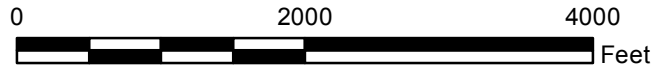
- A. The condemned area shall include that portion of the East River and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°26'13.9", -76°21'42.9") and map coordinate (37°26'12.8", -76°21'35.9").
- B. The condemned area shall include that portion of the Woodas Creek 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").



Recommended by: 
Director, Division of Shellfish Sanitation

Ordered by:  for Dr. Levine
State Health Commissioner 9-18-17
Date

Virginia Department of Health
 Upper East River
 Condemned Shellfish Area Number 041-092
 2 October 2017



Mathews County

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



(37°26'13.9", -76°21'42.9")
 (37°26'12.8", -76°21'35.9")

Section S42

Section S43

(37°25'39.6", -76°21'57.1")
 (37°25'39.2", -76°21'45.0")

(37°25'29.3", -76°21'55.5")

(37°25'24.5", -76°21'52.7")

Section A

Section B

Woodas Creek
 05-10-10

East River
 05-10-00

(37°25'23.9", -76°20'57.8")
 (37°25'21.6", -76°20'54.6")