



**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 041-212, LOWER 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 041-212, Lower East River,” effective 30 September 2016 is cancelled effective 2 October 2017.
2. Shellfish Condemnation Area Number 041-212, shown as Sections A through C, 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 “Lower East River, Condemned Shellfish Area Number 041-212, 2 October 2017” which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 041-212, shown as Section M1, 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in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded.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 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 “Lower East River, Condemned Shellfish Area Number 041-212, 2 October 2017” which is part of this notice.
4. Seasonally Condemned Shellfish Number 041-212, shown as Section S46, 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in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded.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 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 “Lower East River, Condemned Shellfish Area Number 041-212, 2 October 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 041-212

- A. The condemned area shall include that portion of Weston Creek and its tributaries upstream of a line drawn between latitude/longitude map coordinate (37°23'38.4", -76°19'50.3") and map coordinate (37°23'34.2", -76°19'47.4").
- B. The condemned area shall include that portion of Miles Creek and its tributaries upstream of a line drawn between latitude/longitude map coordinate (37°24'15.0", -76°21'13.3") and map coordinate (37°24'12.2", -76°21'16.5").
- C. The condemned area shall include that portion of the unnamed tributary of the East River upstream of a line drawn between latitude/longitude map coordinate (37°24'09.0", -76°20'24.0") and map coordinate (37°24'05.4", -76°20'25.1").
- M1. The seasonally condemned area shall include all of the unnamed tributary north of Whites Creek upstream of a line drawn between latitude/longitude map coordinate (37°22'46.7", -76°20'41.8") and map coordinate (37°22'40.0", -76°20'43.6").
- S46. 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°24'24.8", -76°21'04.7") and map coordinate (37°24'22.2", -76°21'04.6").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:

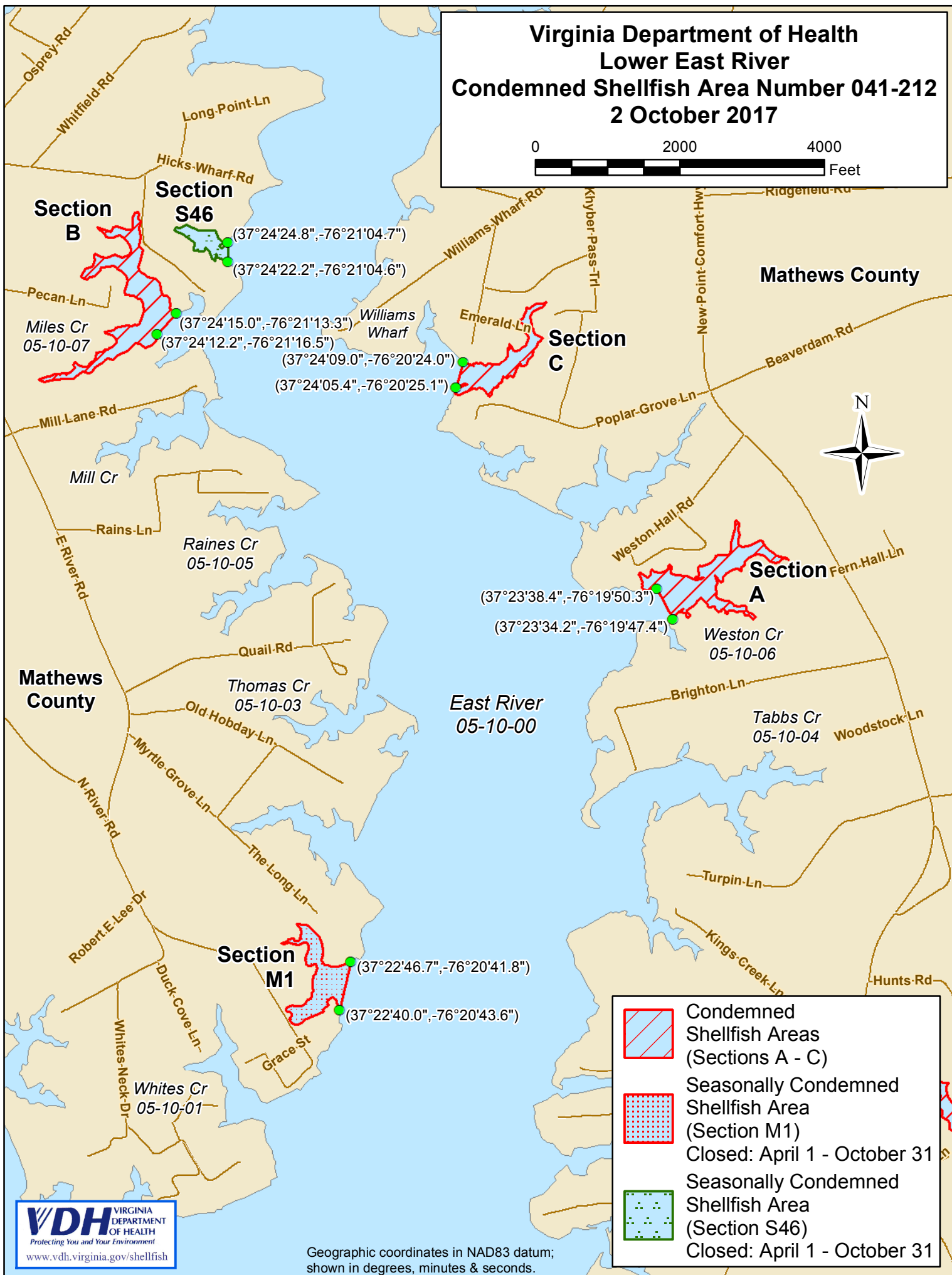
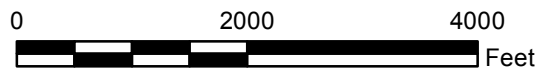





State Health Commissioner



Date 9-18-17

**Virginia Department of Health
Lower East River
Condemned Shellfish Area Number 041-212
2 October 2017**



-  Condemned Shellfish Areas (Sections A - C)
-  Seasonally Condemned Shellfish Area (Section M1)
Closed: April 1 - October 31
-  Seasonally Condemned Shellfish Area (Section S46)
Closed: April 1 - October 31