



## COMMONWEALTH of VIRGINIA

Department of Health  
P O BOX 2448  
RICHMOND, VA 23218

TTY 7-1-1 OR  
1-800-828-1120

### **NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 043-096, WARE RIVER**

**EFFECTIVE 15 AUGUST 2023**

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 043-096, Ware River," effective 15 August 2022, is cancelled effective 15 August 2023.
2. Condemned Shellfish Area Number 043-096, shown as Sections A through C, is hereby established effective 15 August 2023. 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 "Ware River, Condemned Shellfish Area Number 043-096, 15 August 2023" which is part of this notice.
3. Seasonally Condemned Shellfish Number 043-096, shown as Section S25 and S26, is hereby established effective 15 August 2023, 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in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded.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 "Ware River, Condemned Shellfish Area Number 043-096, 15 August 2023" 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 043-096**

- A. The condemned area shall include that portion of the Ware River and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°23'55.7", -76°28'45.3") and map coordinate (37°23'40.0", -76°28'46.8").
- B. The condemned area shall include that portion of Wilson Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°21'51.9", -76°28'33.8") and map coordinate (37°21'46.4", -76°28'26.6").

- C. The condemned area shall include all of the unnamed tributary of the Ware River upstream of a line drawn between latitude / longitude map coordinate (37°23'22.6", -76°27'59.8") and map coordinate (37°23'18.5", -76°27'54.3").
- S25. The seasonally condemned area shall include that portion of Wilson Creek upstream of a line drawn between latitude / longitude map coordinate (37°22'04.0", -76°28'11.9") and map coordinate (37°21'59.5", -76°28'02.1"); but excludes the area defined as Section B.
- S26. The seasonally condemned area shall include that portion of the Ware River and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°23'44.7", -76°28'14.5") and map coordinate (37°23'29.1", -76°28'12.9"); but excludes the areas defined as Section A.

Recommended by:

DocuSigned by:

*Danielle Schools*

Director, Division of Shellfish Safety

Ordered by:

DocuSigned by:

*Julie Henderson*

Director, Office of Environmental Health Services

7/10/2023 | 4:41:24 PM EDT

Date

**Virginia Department of Health**  
**Ware River**  
**Condemned Shellfish Area**  
**Number 043-096**  
**15 August 2023**

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