



**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 063-008, UPPER NANSEMOND RIVER**

EFFECTIVE 23 AUGUST 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:

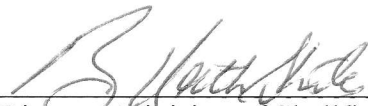
1. The “Notice and Description of Shellfish Area Condemnation Number 063-008, Upper Nansemond River,” effective 26 September 2016, is cancelled effective 23 August 2017.
2. Condemned Shellfish Area Number 063-008, shown as Sections A and B, is hereby established effective 23 August 2017. It shall be 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 Nansemond River, Condemned Shellfish Area Number 063-008, 23 August 2017” which is part of this notice.
3. Conditionally Condemned Shellfish Area Number 063-008, shown as Section C2, is hereby established effective 23 August 2017. Pursuant to § 28.2-808(3) of the Code of Virginia, such conditional condemnation is based upon predictable pollution events arising from excess rainfall. This area shall be placed in the closed status at 12:01 a.m. the day following a 24-hour rainfall event of greater than a total of 0.5 inch in the Nansemond River. The source of the data indicating the total 24-hour rainfall will be the National Oceanic and Atmospheric Administration’s Multisensor Precipitation Estimator for latitude / longitude coordinate (36.85116188,-76.52545336 decimal degrees), or (36°51'04.2",-76°31'31.6" degrees, minutes, and seconds). The time interval used to measure the 24-hour rainfall event will be the 24-hour period ending at 8:00 p.m. on the day prior to the effective date of the closed status. The closed status of the conditionally condemned area shall remain in effect for 10 calendar days, and shall revert to the open status at 12:01 a.m. on the 11th calendar day from the effective date of the closed status. It shall be unlawful for any person, firm, or corporation to take shellfish from this area for any purpose while in the closed status, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the Code of Virginia. The boundaries of this area are shown on the map titled “Upper Nansemond River, Condemned Shellfish Area Number 063-008, 23 August 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 063-008

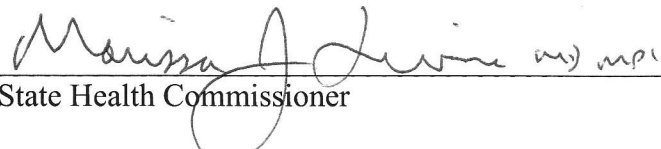
- A. The condemned area shall include that portion of the Nansemond River and its tributaries upstream of a line drawn between latitude/longitude map coordinate (36°50'37.8", -76°32'31.9") and map coordinate (36°50'02.9", -76°32'31.6").
- B. The condemned area shall include that portion of the Nansemond River and all of Wills Cove inland and upstream of a line drawn between latitude/longitude map coordinate (36°51'11.8", -76°31'12.5") and map coordinate (36°50'32.3", -76°31'26.6").
- C2. The conditionally condemned area shall include that portion of the Nansemond River and its tributaries upstream of a line drawn between latitude/longitude map coordinate (36°51'54.3", -76°31'31.7") and map coordinate (36°51'23.7", -76°30'38.7"); but excluding the areas defined as Sections A and B.

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:

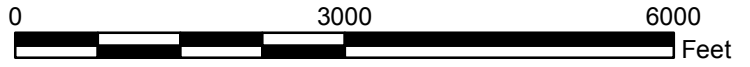
 (M) MPT



State Health Commissioner

8/10/17

Date

Virginia Department of Health
Upper Nansemond River
Condemned Shellfish Area Number 063-008
23 August 2017



-  **Condemned Shellfish Areas (Sections A & B)**
-  **Conditionally Condemned Shellfish Area (Section C2)
Closed For 10 Days Following > 0.5" Rain**

