



**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 009-161, CUBITT AND HACK CREEKS**

EFFECTIVE 27 APRIL 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 009-161, Cubitt and Hack Creeks," effective 26 March 2014, is cancelled effective 27 April 2018.
2. Condemned Shellfish Area Number 009-161, shown as Sections A through C, is hereby established, effective 27 April 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 "Cubitt and Hack Creeks, Condemned Shellfish Area Number 009-161, 27 April 2018" which is part of this notice.
3. 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 009-161

- A. The condemned area shall include all of Cubitt Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°56'54.2",-76°20'56.7") and map coordinate (37°56'54.1",-76°20'56.4").
- B. The condemned area shall include all of Hack Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°56'01.5",-76°18'53.8") and map coordinate (37°56'01.4",-76°18'53.5").
- C. The condemned area shall include all of Flag Pond and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°55'37.1",-76°18'01.5") and map coordinate (37°55'36.6",-76°18'00.9").

Recommended by:

B. Keith Shile

Director, Division of Shellfish Sanitation

Ordered by:

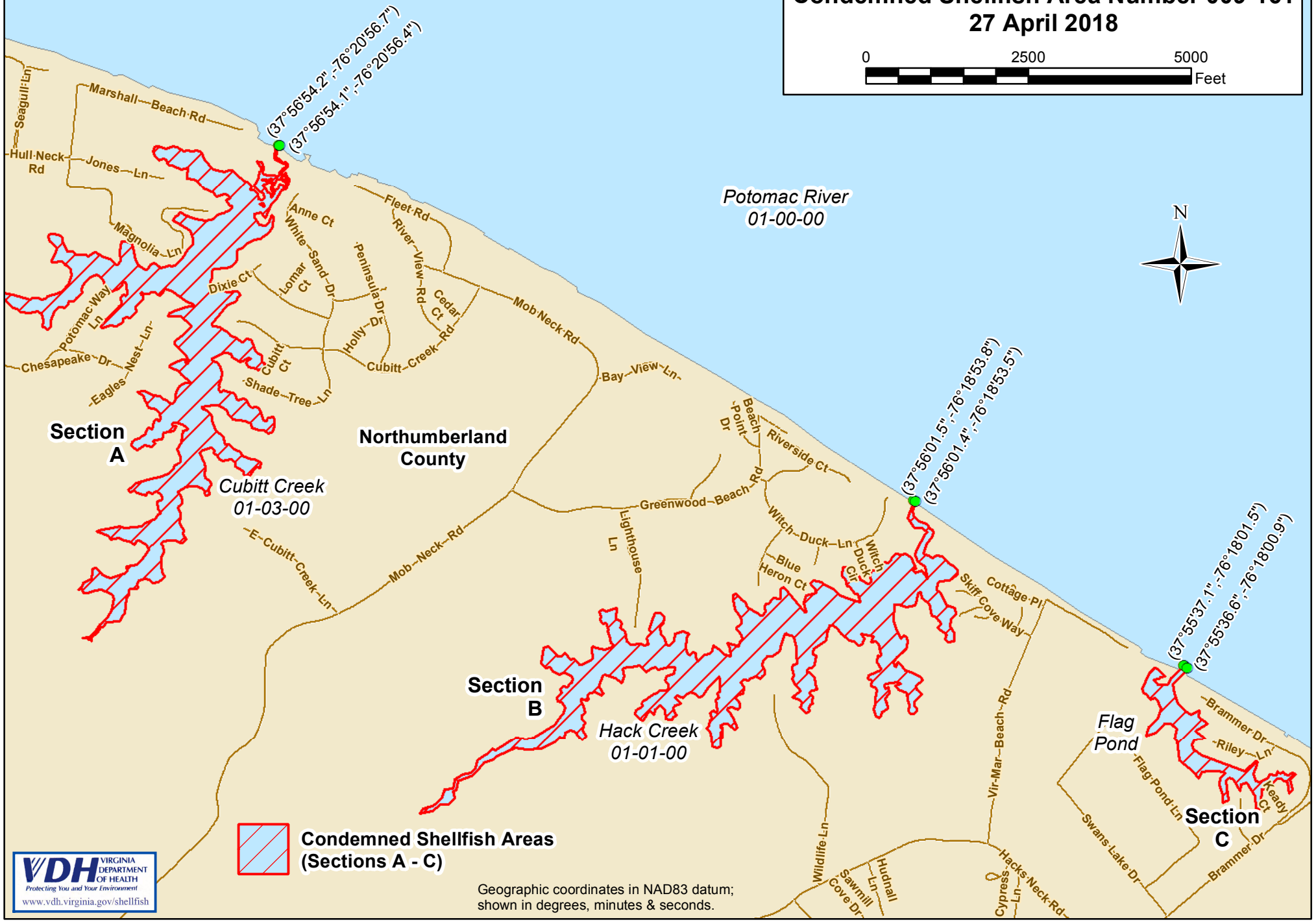
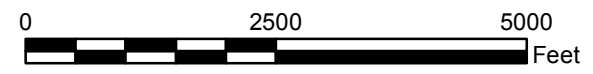
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
State Health Commissioner

4-13-18

Date

**Virginia Department of Health
Cubitt and Hack Creeks
Condemned Shellfish Area Number 009-161
27 April 2018**



 **Condemned Shellfish Areas
(Sections A - C)**

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