



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 070-025, LYNNHAVEN RIVER

EFFECTIVE 15 FEBRUARY 2024

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 070-025, Lynnhaven River,” effective 15 February 2023, is canceled effective 15 February 2024.
2. Condemned Shellfish Area Number 070-025, shown as Sections A through W, is hereby established effective 15 February 2024. 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 maps titled “Lynnhaven River, Map Page 1 – Eastern Branch Condemned Shellfish Area Number 070-025, 15 February 2024” and “Lynnhaven River, Map Page 2 – Western Branch Condemned Shellfish Area Number 070-025, 15 February 2024” which are part of this notice.
3. Condemned Shellfish Area Number 070-025, shown as Section C1, is hereby established effective 15 February 2024. Pursuant to § 28.2-808(3) of the Code of Virginia, such conditional condemnation is predicated 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 1 inch in the Lynnhaven 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 (36.88451962,-76.110908990 decimal degrees), or (36°53'4.3",-76°06'39.3" 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 approved 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 maps titled “Lynnhaven River, Map Page 1 – Eastern Branch Condemned Shellfish Area Number 070-025, 15 February 2024” and “Lynnhaven River, Map Page 2 – Western Branch Condemned Shellfish Area Number 070-025, 15 February 2024” which are 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 070-025

- A. The condemned area shall include that portion of the Eastern Branch of the Lynnhaven River and its tributaries upstream of a line drawn between latitude/longitude map coordinate (36°52'52.5",-76°04'31.1") and map coordinate (36°53'03.5",-76°04'05.9").
- B. The condemned area shall include all of an unnamed tributary of the Eastern Branch of the Lynnhaven River inland and upstream of a line drawn between latitude / longitude map coordinate (36°53'48.2",-76°05'02.9") and map coordinate (36°53'47.4",-76°05'01.5"); as well as inland and upstream of a second line drawn between map coordinate (36°53'45.6",-76°04'57.0"), map coordinate (36°53'45.3",-76°04'54.3") and map coordinate (36°53'41.0",-76°04'41.1").
- C. The condemned area shall include all of an unnamed tributary of the Lynnhaven River upstream of a line drawn between latitude / longitude map coordinate (36°54'10.7",-76°05'09.5") and map coordinate (36°54'10.4",-76°05'09.7"); as well as upstream of a second line drawn between map coordinate (36°53'59.0",-76°05'10.7") and map coordinate (36°53'58.4",-76°05'10.6").
- D. The condemned area shall include all of Dix Creek and a portion of the Lynnhaven River inland and upstream of a line drawn between latitude / longitude map coordinate (36°53'16.3",-76°05'20.0") and map coordinate (36°53'10.3",-76°05'01.8").
- E. The condemned area shall include all of an unnamed inlet of the Eastern Branch of the Lynnhaven River upstream of a line drawn between latitude / longitude map coordinate (36°53'08.7",-76°04'59.2") and map coordinate (36°53'08.0",-76°04'58.1").
- F. The condemned area shall include all of an unnamed inlet of the Eastern Branch of the Lynnhaven River upstream of a line drawn between latitude / longitude map coordinate (36°53'07.5",-76°04'48.2") and map coordinate (36°53'06.9",-76°04'47.1").
- G. The condemned area shall include all of a tributary of the Eastern Branch of the Lynnhaven River upstream of a line drawn between latitude / longitude map coordinate (36°53'05.0",-76°04'42.1") and map coordinate (36°53'04.2",-76°04'39.6").
- H. The condemned area shall include that portion of the Western Branch of the Lynnhaven River and its tributaries upstream of a line drawn between latitude / longitude map coordinate (36°53'01.0",-76°06'50.1") and map coordinate (36°52'58.9",-76°06'32.6").
- I. The condemned area shall include all of the unnamed inlet of the Western Branch of the Lynnhaven River upstream of a line drawn between latitude / longitude map coordinate (36°53'13.6",-76°06'05.9") and map coordinate (36°53'12.0",-76°06'05.5").
- J. The condemned area shall include all of an unnamed inlet of the Western Branch of the Lynnhaven River upstream of a line drawn between latitude / longitude map coordinate (36°53'24.9",-76°05'59.7") and map coordinate (36°53'24.9",-76°06'02.2").

- K. The condemned area shall include all of an unnamed inlet of the Western Branch of the Lynnhaven River upstream of a line drawn between latitude / longitude map coordinate (36°53'30.0",-76°05'59.0") and map coordinate (36°53'29.5",-76°05'58.7").
- L. The condemned area shall include all of the unnamed inlet of Lynnhaven Bay near Crab Creek upstream of a line drawn between latitude / longitude map coordinate (36°54'15.0",-76°05'42.8") and map coordinate (36°54'13.3",-76°05'43.9").
- M. The condemned area shall include that portion of Pleasure House Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (36°54'05.6",-76°06'02.1") and map coordinate (36°53'59.9",-76°06'07.7").
- N. The condemned area shall include all of Keeling Cove inland and upstream of a line drawn between latitude / longitude map coordinate (36°53'29.4",-76°05'37.4") and map coordinate (36°53'27.9",-76°05'36.0").
- O. The condemned area shall include all of the unnamed inlet of Lynnhaven Bay inland and upstream of a line drawn between latitude / longitude map coordinate (36°53'23.0",-76°05'27.3") and map coordinate (36°53'22.4",-76°05'26.6").
- P. The condemned area shall include all of an unnamed tributary of the Eastern Branch of the Lynnhaven River inland of a line drawn between latitude / longitude map coordinate (36°53'39.0",-76°04'34.9") and map coordinate (36°53'38.8",-76°04'34.1").
- Q. The condemned area shall include all of an unnamed inlet of the Eastern Branch of the Lynnhaven River inland of a line drawn between latitude / longitude map coordinate (36°53'30.1",-76°04'20.8") and map coordinate (36°53'30.0",-76°04'20.2").
- R. The condemned area shall include all of Brock Cove inland and upstream of a line drawn between latitude / longitude map coordinate (36°53'32.6",-76°04'03.0") and map coordinate (36°53'33.2",-76°04'01.6").
- S. The condemned area shall include all of an unnamed tributary of the Eastern Branch of the Lynnhaven River near Brock Cove inland and upstream of a line drawn between latitude / longitude map coordinate (36°53'25.8",-76°03'55.2") and map coordinate (36°53'21.0",-76°03'55.9").
- T. The condemned area shall include all of an unnamed inlet of the Eastern Branch of the Lynnhaven River inland of a line drawn between latitude / longitude map coordinate (36°53'13.8",-76°04'04.2") and map coordinate (36°53'13.1",-76°04'03.8").
- U. The condemned area shall include all of Bayville Creek inland and upstream of a line drawn between latitude / longitude map coordinate (36°53'27.4",-76°06'22.7") and map coordinate (36°53'18.5",-76°06'36.2").
- V. The condemned area shall include all of Thoroughgood Cove inland and upstream of a line drawn between latitude / longitude map coordinate (36°53'14.0",-76°06'49.1") and map coordinate (36°53'09.7",-76°06'53.2").

W. The condemned area shall include all of an unnamed tributary of the Western Branch of the Lynnhaven River inland and upstream of a line drawn between latitude / longitude map coordinate (36°53'07.1",-76°06'18.9") and map coordinate (36°53'04.3", -76°06'20.9").

C1. The conditionally approved area shall include that portion of the Lynnhaven River and both the Eastern and Western Branches of the Lynnhaven River upstream of a line drawn between latitude / longitude map coordinate (36°54'27.6",-76°05'36.7") and map coordinate (36°54'26.7",-76°05'25.7"); but excluding the areas defined as Sections A through W as well as the area defined as Condemned Shellfish Area Number 071-095.

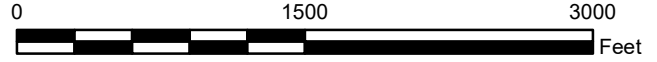
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

Director, Division of Shellfish Safety

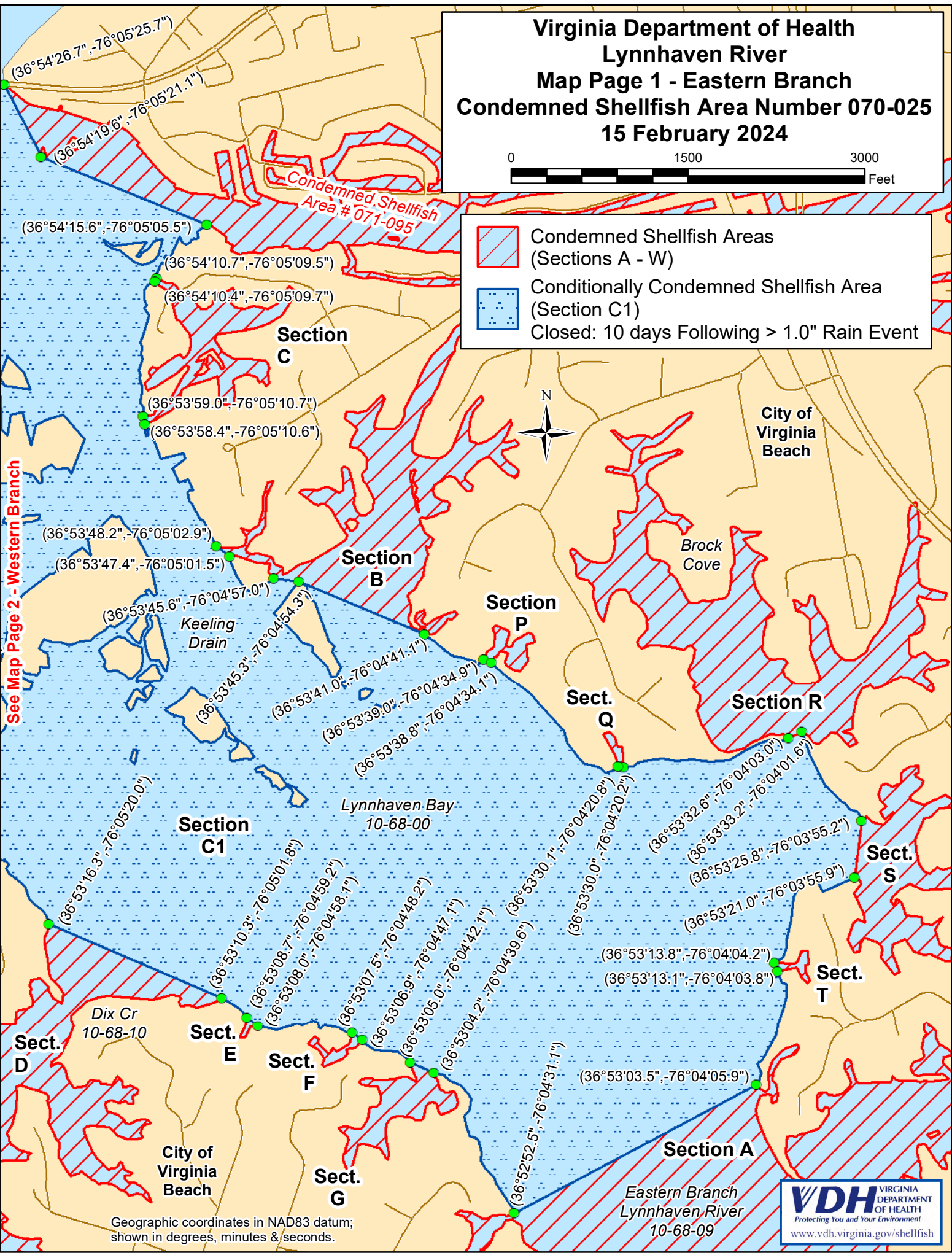
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Julie Henderson
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Director, Office of Environmental Health Services Date

**Virginia Department of Health
Lynnhaven River
Map Page 1 - Eastern Branch
Condemned Shellfish Area Number 070-025
15 February 2024**



-  Condemned Shellfish Areas (Sections A - W)
-  Conditionally Condemned Shellfish Area (Section C1)
Closed: 10 days Following > 1.0" Rain Event

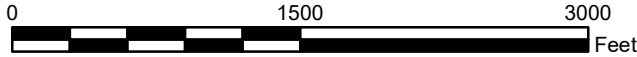




See Map Page 2 - Western Branch

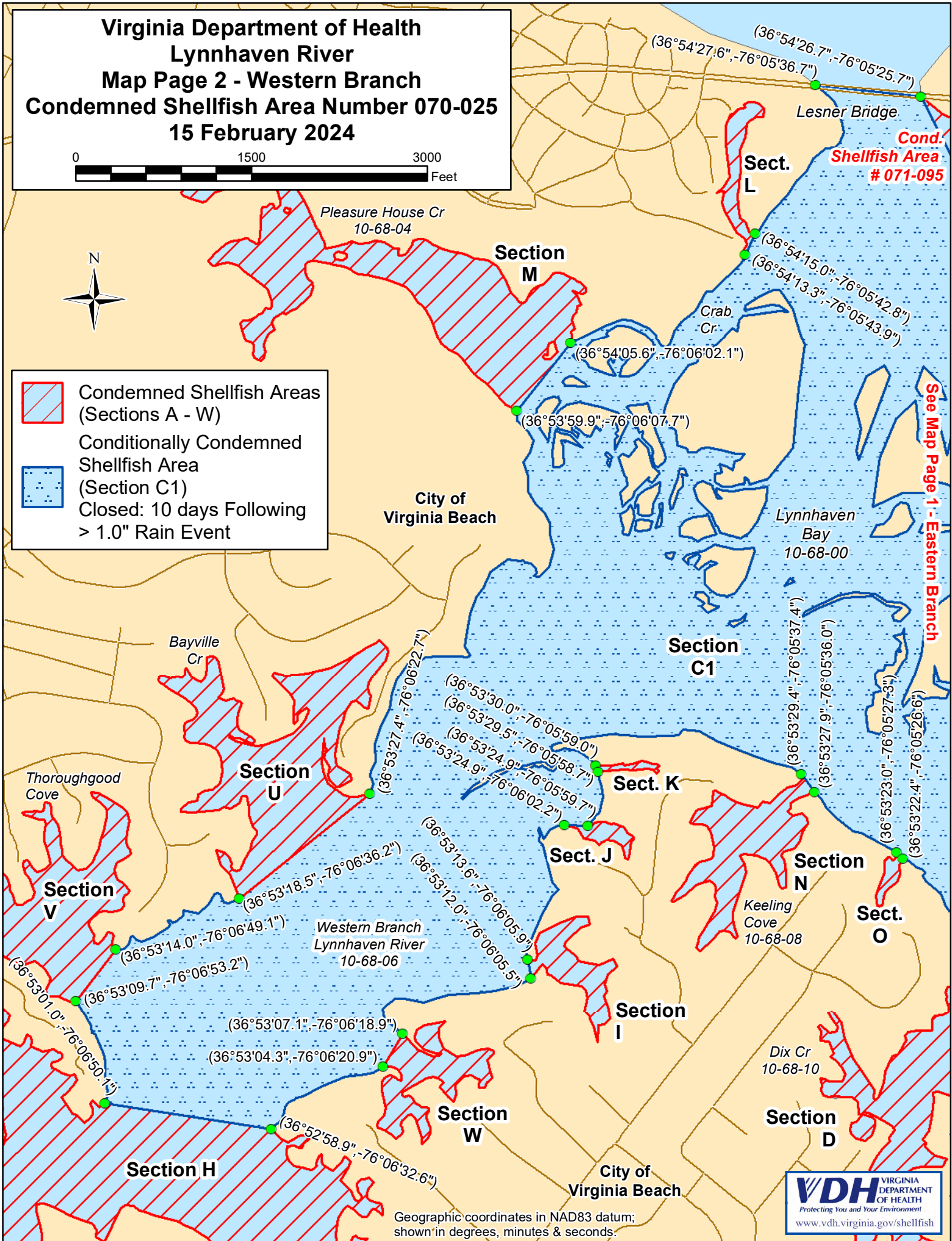
Geographic coordinates in NAD83 datum; shown in degrees, minutes & seconds.



**Virginia Department of Health
Lynnhaven River
Map Page 2 - Western Branch
Condemned Shellfish Area Number 070-025
15 February 2024**



-  Condemned Shellfish Areas (Sections A - W)
-  Conditionally Condemned Shellfish Area (Section C1)
- Closed: 10 days Following > 1.0" Rain Event



See Map Page 1 - Eastern Branch