



COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION
109 Governor Street, Room 614-B
Richmond, VA 23219

REGISTRAR OF REGULATIONS
AUG 26 AM 11:37

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EMERGENCY REGULATION

NOTICE OF ESTABLISHMENT AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 210G VIRGINIA PORTIONS OF THE CHESAPEAKE BAY AND VIRGINIA INSIDE PASSAGE

EFFECTIVE AUGUST 28, 2011 THROUGH SEPTEMBER 3, 2011

1. Pursuant to §28.2-809, §32.1-13, §32.1-20 and §2.2-4002 B.16, and §2.2-4028 of the *Code of Virginia* an emergency closure on the Virginia portion of the Chesapeake Bay and west of and including the Virginia Inside Passage of the Eastern Shore is hereby established, effective August 28, 2011. It shall be unlawful for any person, firm, or corporation to take shellfish from this area for any purpose except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*.
2. Due to the severe weather associated with Hurricane Irene, the areas described below have potential microbiological and chemical pollution hazards, and are not safe areas from which to take shellfish for direct marketing. Because shellfish exist in such areas, an emergency exists and the immediate promulgation of this regulation is needed to protect the public health.
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 emergency regulation.

BOUNDARIES OF EMERGENCY CLOSURE 210G

The condemned area shall include all of the Virginia portion of the Chesapeake Bay and its tributaries, including the tributaries of the Potomac River. The Condemned area shall also incorporate the waters upstream of a line beginning at the northernmost point of Cape Henry and extending to the intersection of Route 13 with Fisherman Island; thence north along the eastern side of Route 13 to its intersection with the Virginia Inside Passage; thence along the southern and eastern boundaries of the Virginia Inside Passage as it traverses Magothy Channel, The Thorofare, Mockhorn Channel, Ramshorn Channel, The Ramshorn, The Deeps, Great Machipongo Channel, North Channel, Cunjer Channel, Sloop Channel, Little Sloop Channel, Swash Bay Channel, Seal Creek, Millstone Creek, Bradford Bay Channel, Haulover, Wachapreague Channel, Custis Channel, Virginia Inside Passage through Burtons Bay, Teagles Ditch, Cedar Island Bay, Longboat Creek and north to Folly Creek (buoy "91"); thence northwesterly to buoy "87"; thence north to buoy "85";

thence north across Metompkin Bay and along the eastern edge of Wire Passage; thence east to the shore across Gargathy Creek at Gargathy Inlet.

Recommended by: Alt E. Loomis
Director, Division of Shellfish Sanitation

Ordered by: Y. G. Jones 8/26/11
State Health Commissioner Date

**Virginia Department of Health
Virginia Tributaries and Waters
of the Chesapeake Bay
and Delmarva Peninsula
Condemned Shellfish Area Number 210G
Emergency Closure
28 August 2011**

