



# COMMONWEALTH of VIRGINIA

Department of Health  
P O BOX 2448  
RICHMOND, VA 23218

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

## NOTICE OF ESTABLISHMENT AND DESCRIPTION OF SHELLFISH AREA EMERGENCY CONDEMNATION NUMBER 001-088C, ROSIER CREEK

**EFFECTIVE 5 JULY 2023 THROUGH 25 JULY 2023**

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 in Rosier Creek and its tributaries is hereby established 5 July 2023. 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. The boundaries of this area are shown on the map titled "Rosier Creek, Emergency Condemned Shellfish Area Number 001-088C, Emergency Closure" which is a part of this notice.
2. Because the area described below may have been subjected to a sewage spill likely containing pathogenic bacteria and viruses, and because the area is not a safe area from which to take shellfish for direct marketing, and because shellfish exist in this area, 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 condemnation. The area will be reopened once it has been shown to meet the guidelines for an approved shellfish harvesting area.

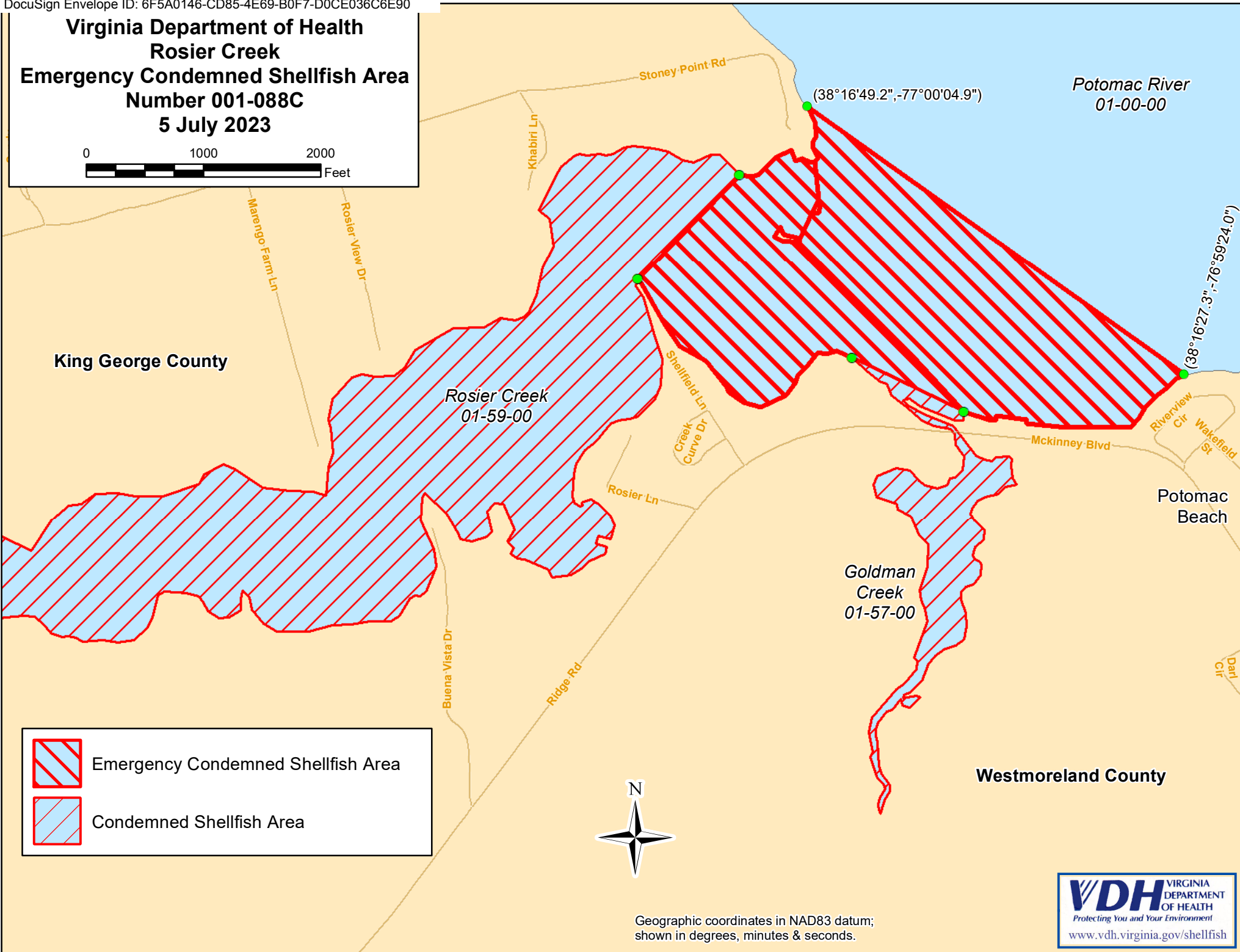
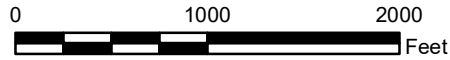
### BOUNDARIES OF EMERGENCY CLOSURE 001-088C


The condemned area shall include that portion of Rosier Creek and its tributaries located upstream and inland of a line drawn between latitude / longitude map coordinate (38°16'49.2",-77°00'04.9") and map coordinate (38°16'27.3",-76°59'24.0"), but excludes any areas otherwise classified as condemned by separate order.


Recommended by: DocuSigned by:  
*Sarah Good*  
 Director, Division of Shellfish Safety      Acting Division Director - Sarah Good

Ordered by: DocuSigned by:  
*[Signature]*      7/5/2023 | 11:44:29 AM EDT  
 State Health Commissioner      Date

**Virginia Department of Health**  
**Rosier Creek**  
**Emergency Condemned Shellfish Area**  
**Number 001-088C**  
**5 July 2023**



 Emergency Condemned Shellfish Area

 Condemned Shellfish Area



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