



## 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 053-221, CHISMAN CREEK**

**EFFECTIVE 15 JUNE 2025**

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 053-221, Chisman Creek," effective 15 May 2024, is cancelled effective 15 June 2025.
2. Condemned Shellfish Area Number 053-221, shown as Sections A through F, is hereby established effective 15 June 2025. 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 "Chisman Creek, Condemned Shellfish Area Number 053-221, 15 June 2025" which is part of this notice.
3. Condemned Shellfish Area Number 053-221, shown as Sections C14 and C16, is hereby established effective 15 June 2025. 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 Poquoson 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 (37.14032266, -76.42870872 decimal degrees), or (37° 8' 25.2", -76° 25' 43.4" 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 11<sup>th</sup> calendar day from the effective date of the closed status. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas 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 these areas are shown on the maps titled "Chisman Creek Condemned Shellfish Area Number 053-221, 15 June 2025" which is part of this notice.
4. Conditionally Approved Shellfish Area (seasonally closed status) Number 053-221, shown as Sections M1 through M3, is hereby established effective 15 June 2025, and shall remain in force annually thereafter for the period beginning the first day of April

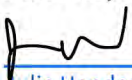
through the last day of October until rescinded. It shall be unlawful for any person, firm or corporation to take shellfish from these areas during such period for any purpose while in the closed status, except by permit granted by the Marine Resources Commission, as provided in § 28.2-810 of the Code of Virginia. The boundaries of these areas are shown on the map titled "Chisman Creek, Condemned Shellfish Area Number 053-221, 15 June 2025" which is part of this notice.

5. Conditionally Approved Shellfish Area (closed status) Number 053-221, shown as Section M4, is hereby established effective 15 June 2025. It shall be unlawful for any person, firm or corporation to take shellfish from this area during such period for any purpose while in the closed status, except by permit granted by the Marine Resources Commission, as provided in § 28.2-810 of the Code of Virginia. The boundaries of this area are shown on the map titled "Chisman Creek, Condemned Shellfish Area Number 053-221, 15 June 2025" which is part of this notice.
6. 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 053-221**

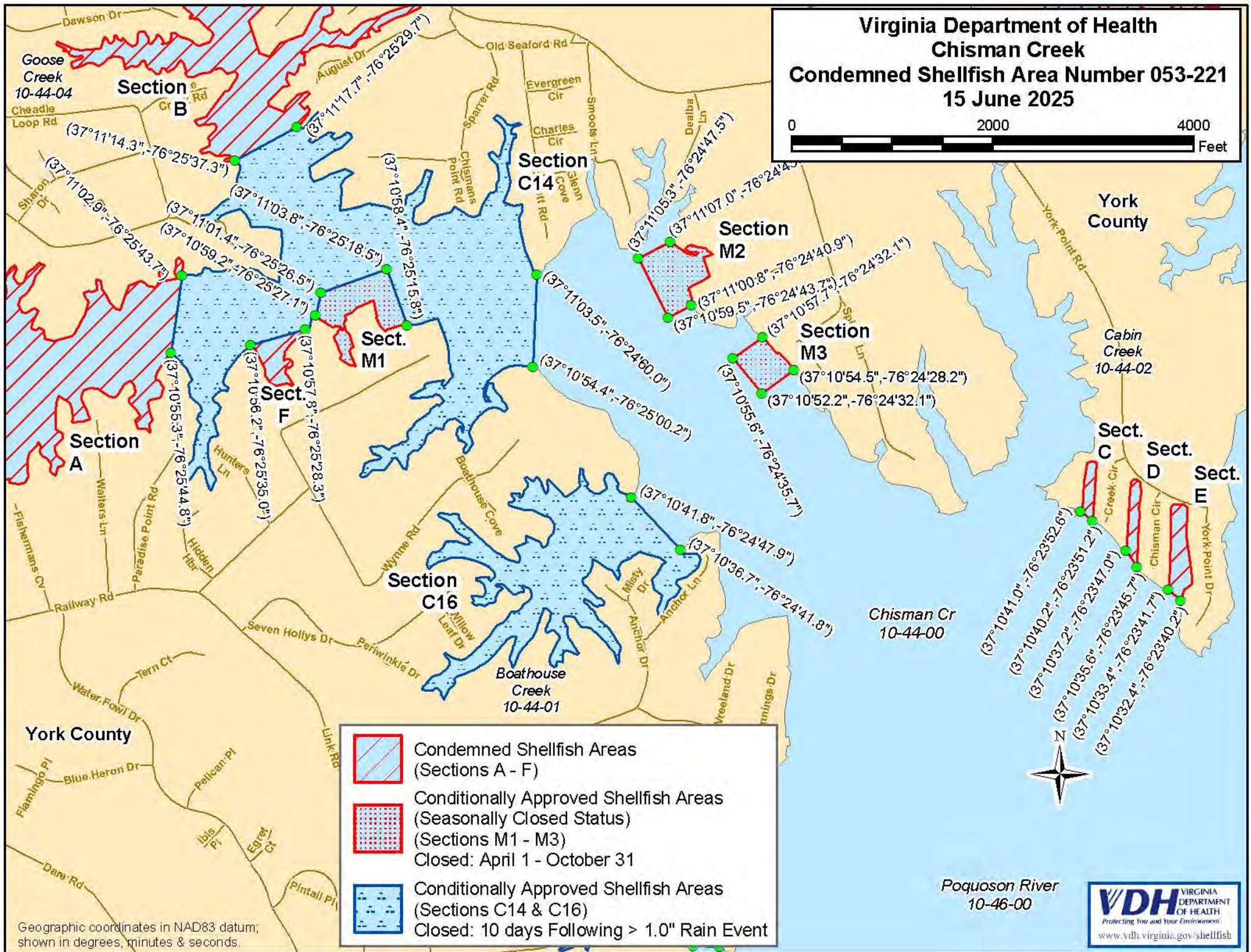
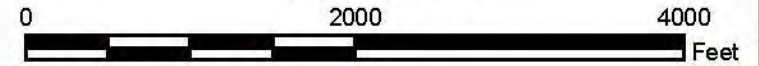
- A. The condemned area shall include that portion of Chisman Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°11'02.9", -76°25'43.7") and map coordinate (37°10'55.3", -76°25'44.8").
- B. The condemned area shall include that portion of Goose Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°11'14.3", -76°25'37.3") and map coordinate (37°11'17.7", -76°25'29.7").
- C. The condemned area shall include all of the unnamed inlet of Chisman Creek inland of a line drawn between latitude / longitude map coordinate (37°10'41.0", -76°23'52.6") and map coordinate (37°10'40.2", -76°23'51.2").
- D. The condemned area shall include all of the unnamed inlet of Chisman Creek inland of a line drawn between latitude / longitude map coordinate (37°10'37.2", -76°23'47.0") and map coordinate (37°10'35.6", -76°23'45.7").
- E. The condemned area shall include all of the unnamed inlet of Chisman Creek inland of a line drawn between latitude / longitude map coordinate (37°10'33.4", -76°23'41.7") and map coordinate (37°10'32.4", -76°23'40.2").
- F. The condemned area shall include all of the unnamed tributary of Chisman Creek upstream of a line drawn between latitude / longitude map coordinate (37°10'56.2", -76°25'35.0") and map coordinate (37°10'57.8", -76°25'28.3").
- C14. The conditionally approved area shall include that portion of Chisman Creek upstream of a line drawn between latitude / longitude map coordinate (37°11'03.5", -76°24'60.0") and map coordinate (37°10'54.4", -76°25'00.2"); but excludes the areas defined as Sections A, B, F, and M1.

- C16. The conditionally approved area shall include all of Boathouse Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°10'41.8", -76°24'47.9") and map coordinate (37°10'36.7", -76°24'41.8").
- M1. The conditionally approved area (seasonally closed status) shall include that portion of Chisman Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°10'59.2", -76°25'27.1"), map coordinate (37°11'01.4", -76°25'26.5"), map coordinate (37°11'03.8", -76°25'18.5"), and map coordinate (37°10'58.4", -76°25'15.8").
- M2. The conditionally approved area (seasonally closed status) shall include that portion of Chisman Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°11'07.0", -76°24'43.6"), map coordinate (37°11'05.3", -76°24'47.5"), map coordinate (37°10'59.5", -76°24'43.7"), and map coordinate (37°11'00.8", -76°24'40.9").
- M3. The conditionally approved area (seasonally closed status) shall include that portion of Chisman Creek and its tributaries upstream of a line drawn between latitude / longitude map coordinate (37°10'57.7", -76°24'32.1"), map coordinate (37°10'55.6", -76°24'35.7"), map coordinate (37°10'52.2", -76°24'32.1"), and map coordinate (37°10'54.5", -76°24'28.2").
- M4. The conditionally approved area (closed status) shall include that portion of Chisman Creek and its tributaries inland of a line drawn between latitude / longitude map coordinate (37°10'47.7", -76°26'21.2"), map coordinate (37°10'47.8", -76°26'17.3"), and map coordinate (37°10'49.5", -76°26'14.4"); but is shown in the report only.

Recommended by:	<i>Adam Wood</i>	per procuracionem
	_____ Director, Division of Shellfish Safety	
Ordered by:	 <u>Julie Henderson (Jun 13, 2025 12:50 EDT)</u>	06/13/2025
	_____ Director, Office of Environmental Health Services	Date



**Virginia Department of Health**  
**Chisman Creek**  
**Condemned Shellfish Area Number 053-221**  
**15 June 2025**



-  Condemned Shellfish Areas  
(Sections A - F)
-  Conditionally Approved Shellfish Areas  
(Seasonally Closed Status)  
(Sections M1 - M3)  
Closed: April 1 - October 31
-  Conditionally Approved Shellfish Areas  
(Sections C14 & C16)  
Closed: 10 days Following > 1.0" Rain Event

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



Poquoson River  
 10-46-00

