


**ISSC 2023
Committee Report**

Committee Name: Growing Area Classification
Chairperson: Bob Schuster
Date of Meeting: 2022-2023
Recorder: Chris Schillaci

Approved
By: 
Printed Name: Bob Schuster

Committee Members Present:

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| <input type="checkbox"/> Bob Schuster
(Chairperson) | <input type="checkbox"/> Vanessa Zubkousky-
White | <input type="checkbox"/> Andy Haines
(FDA Advisor) | <input type="checkbox"/> Chris Schillaci |
| <input type="checkbox"/> Alissa Dragan | <input type="checkbox"/> Jason Ragan | <input type="checkbox"/> Bryant Lewis
(NOAA Delegate) | <input type="checkbox"/> Bill Kramer |
| <input type="checkbox"/> Paul Jiapizian | <input type="checkbox"/> Kathy Brohawn | <input type="checkbox"/> Scott Berbells
(EPA Delegate) | |
| <input type="checkbox"/> Miranda Ries | <input type="checkbox"/> Jan Talbert | <input type="checkbox"/> John Veazey
(FDA Delegate) | |
| | <input type="checkbox"/> Michael Bott | <input type="checkbox"/> Quentin Forrest | |

Charges

Charge 1: Proposal 19-110: Point source approved standard station locations

Findings/Conclusions: The Committee determined that the proposal language is redundant with MO Section II, Chapter IV @.02 B, “Water Sample Stations. The Authority shall assure that the number and location of sampling stations is adequate to effectively evaluate all pollution sources.”

Recommendations: The Committee recommends Task Force I takes no action on proposal 19-110.

Charge 2: Proposal 19-112: Nonpoint source approved standard station locations

Findings/Conclusions: The Committee determined that the proposal language is redundant with MO Section II, Chapter IV @.02 B, “Water Sample Stations. The Authority shall assure that the number and location of sampling stations is adequate to effectively evaluate all pollution sources.”

Recommendations: The Committee recommends Task Force I takes no action on proposal 19-112.

Charge 3: Proposal 19-115: Emergency Conditions/closed status to reflect Chapter II use of harvest area

Findings/Conclusions: The Committee determined that the proposal language indicating that emergency closures may only require partial growing area closures is consistent with other classification language in the MO. The Committee also determined that the proposal language providing exceptions to making emergency closures is unnecessary due to existing MO language which provides alternative management approaches such as having unclassified areas.

Recommendations: The Committee recommends Task Force I adopts proposal 19-115 as amended.

@.03 Growing Area Classification

A. General. Each growing area shall be correctly classified as approved, conditionally approved, restricted, conditionally restricted, or prohibited, as provided by this Ordinance.

(1) Emergency Conditions. A growing area or a portion of a growing area (harvest area) shall be placed in the closed status under Section @.03 A. (5) when unpredicted pollution conditions exist which were not included in the data used to classify the area. If it is determined that an emergency condition or situation exists, then the growing area or harvest area will be immediately (within twenty-four (24) hours) placed in the closed status.

(2)

(3).....

(4)

(5) Status of Growing Areas. The status of a growing area is separate and distinct from its classification and may be open, closed or inactive for the harvesting of shellstock. Supporting information for all changes in the status of growing areas shall be documented by a written record in the central file.

(a) Open Status. Except for an area in the prohibited classification, any correctly classified growing area is normally open for the purposes of harvesting shellstock, subject to the limitations of its classification.

(b) Closed Status. Any classified growing area or harvest area may be closed for a limited or temporary period because of:

(i) An emergency condition or situation;

(ii) The presence of biotoxins in concentrations of public health significance;

(iii) Conditions stipulated in the management plan of conditionally approved or conditionally restricted areas;

(iv) Failure of the Authority to complete a written sanitary survey or triennial review evaluation report; or

(v) The requirements for biotoxins or conditional area management plans as established in Section @.04 and Section @.03, respectively, are met.

(c) Reopened Status. A growing area or harvest area temporarily placed in the closed status as provided in (b) above, shall be returned to the open status only when:

Charge 4: Proposal 19-116: Adding a time frame to the limited or temporary period an area can remain under a closed status prior to being reclassified

Findings/Conclusions: The Committee discussed whether there is a need to have any timeframe language at all in MO. Ch. IV @.03 A. (5) (b) and determined that it would be more appropriate to remove the “limited or temporary period” language from the MO instead of adding a defined maximum value for limited or temporary period. The rationale for removing this language is because MO. Ch. IV @.03 A. (5) states, “Supporting information for all changes in the status of growing areas shall be documented by a written record in the central file.” Since the shellfish authority already needs to document the reason for the change in status, that supporting documentation would also need to justify a growing area that remains in the closed status for an extended period utilizing the five defined reasons for the use of closed status.

Recommendations: The committee recommends Task Force I adopt proposal 19-116 as amended.

<p>12. Text of Proposal/ Requested Action</p>	<p>(b) Closed Status. Any classified growing area may be closed for a limited or temporary period, <u>not to exceed more than one year prior to a reclassification</u> because of:</p> <ul style="list-style-type: none"> (i) An emergency...; (ii) The presence...; (iii) Conditions stipulated...; (iv) Failure of...; or (v) The requirements....
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<p>12. Text of Proposal/ Requested Action as amended by the Committee</p>	<p>(b) Closed Status. Any classified growing area may be closed for a limited or temporary period, <u>not to exceed more than one year prior to a reclassification</u> because of:</p> <ul style="list-style-type: none"> (i) An emergency...; (ii) The presence...; (iii) Conditions stipulated...; (iv) Failure of...; or (v) The requirements....
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