

Edgartown Shellfish Committee
Tuesday, September 1, 2015, 4:30PM
Edgartown Town Barn

Present: Chair - Ryan Smith, Donald Benefit, Christian Thornton,
Cooper Gilkes,
Shellfish Dept. Paul Bagnall, Warren Gaines, Rob Morrison,
Others: Jack Blake, Danile Donnelly, Bob Gray, Mark Alan Lovewell,
Jeremy Scheffer, Noah Scheffer, Tracy Sharples, Joe Smith,
Nick Turner,
Press: Vineyard Gazette - Sara Brown,
Recorder - Marni Lipke

The meeting was called to order at 4:36PM.

MINUTES

• RYAN SMITH MOVED TO APPROVE THE AUGUST 18, 2015, MINUTES: CHRISTIAN THORNTON SECONDED: MOTION PASSED UNANIMOUSLY: 3 AYES, 0 NAYS, 0 ABSTENTIONS.

DEPUTIES' & CONSTABLE'S REPORT

- The Deputies reported business as usual with recreational shellfishing slowing down. The Relay was very successful with a lot of happy fishers.
- The Major's Cove Oyster Project was caught up for the time of year with another 12 cages left to be distributed after the recreational season.
- More quahogs in the pens survived the dinoflagellates than expected and they were good sized.
- Staff planted the first set of scallops from the Hatchery in Sengekontacket and reported a small seed set in Drummers Cove and North Hole.
- They had not yet netted the steamer set (see 8/18/15 Minutes p. 1).
- A Public Hearing at 4:30PM, Tuesday September 15th at Town Hall on the Bay Scallop and Oyster seasons would be advertised in tomorrow's Gazette.
- Mr. Shifter told Town Administrator Pam Dolby that he thought the Woods Hole Group (WHG) had begun testing this summer

• Chappaquiddick Nursery Update

After one more possible spawning, the Nursery would be closed down for the season. The Department fell about 20,000,000 short of its 100,000,000 goal, with a spawning of 50,000,000 going into Cape Pogue and two smaller spawns into Middle Ground and Down Harbor. Martha's Vineyard Shellfish Group (MVSG) released eggs at Crab Creek and the Katama Boat Ramp.

Edgartown Shellfish Committee
September 1, 2015

2

OLD BUSINESS

- Vibrio Update – Massachusetts Division of Marine Fisheries (DMF) Chris Scallachi (See documents on file.)

Chris Scallachi was the DMF Vibrio Coordinator and the Classification Biologist for Edgartown and Oak Bluffs.

- The National Shellfish Sanitation Program (NSSP) bylaws authorized two ways to manage *Vibrio parahaemolyticus* (*Vp*) outbreaks.

- **Risk Calculation** allowed one (1) case per 100,000 consumed oysters – assuming:

- half (50,000) are eaten raw, and
- a 13 oyster serving size.

- This model did not fit Massachusetts consumption parameters consequently DMF used the **Three-Tiered System**:

- a 7 day closure was triggered by 2 to 4 reported illnesses within a 7 day period,
- a 14 day closure triggered by 4 to 10 reported illnesses within a 30 day period,
- a 21 day closure and recall triggered by more than 10 illnesses in a 30 day period.
- However the Massachusetts Department of Public Health (DPH) also allowed DMF latitude (or flexibility) for more conservative closures. For example, awkward timing of patient reporting (sometimes as long as 28 days after seafood consumption) as well as hospital and Public Health Nurse reporting (usually on Fridays) could skew statistics.
- The Three-Tiered System did not give credit for time served; i.e. a fifth case reported within thirty days of a 7 day closure would trigger a 14 day closure—rather than an additional 7 days.
- DMF acknowledged recall complications since a slide in reputation could prompt dealers to return products before any official order.

- The DPH had directed a seven day Area V20 (Katama Bay) closure based on three cases from oysters harvested July 6th, 8th, and 20th of which only the July 6th harvest could be faulted by a July 17th consumption.

- A 7 day extension (till September 10th) was now ordered based on three more cases from oysters:

- harvested August 8th and eaten August 9th,
- harvested August 14th and consumed August 14th & 15th, and
- harvested August 17th and eaten August 18th.

- In this second set, the cases were based on strong but slightly less clean evidence in that:

- one of the restaurants had also bought some V2 area oysters; and
- one case who had also eaten V11 area quahogs.

- The current situation was a case in point for closure flexibility in the interest of public health as well as preserving the Katama aquaculture business.

Edgartown Shellfish Committee September 1, 2015

3

- As the DMF confirmed the three initial illnesses from Katama Bay they were already aware of three more in the pipeline so that the situation could quickly jump-up the statistics. In order to avoid the 21 day closure and recall, they first ordered the immediate 7 day closure to remove product from the market and stop the illness. The 7 day extension was to forestall any cases from the Friday Public Health Nurse reports that might result in an additional 14 day closure.

- Other determining factors included:

- ° weather conditions and high water temperatures;
- ° three of the cases and an environmental sample showed the same *Vp* genetic strain (by Pulsed field Gel Electrophoresis (PFGE)); and
- ° ongoing environmental testing (Tuesdays 6/23, 7/6, 7/13, 7/20, 7/27, etc.) found 2013-14 pathogenic indicator genes still present in the water.

• Chris Scallachi knew this was not welcome news. He was doing his best to improve communications but the process included rulings from inaccessible high-level officials.

- He was now collecting samples twice daily (7:30AM and 6:00PM) six days a week and the Hatchery had been turned into a laboratory to get as much information as possible for the most science-based decisions. Because of the excellent size of Katama Bay oysters he was able to test individual oysters to determine disease spread/strength among a 12 animal sample. He was also currently testing air-drying parameters.

A long question and answer period covered a number of issues.

• In terms of inter-state (and international) commerce, the federal Center for Disease Control (CDC) and the Food and Drug Administration (FDA) had previously decided not to remove a case because of pre-existing conditions, mostly on the grounds of likely unreported cases.

• Only well-documented extreme non-compliance could negate a case. Growers were policed by DMF, and restaurants and dealers by DPH and Wholesale Food Protection. (Dealer requirements were separated from harvester regulations to accommodate harvester methods.) A concerted education campaign had been in place on the Island for growers, restaurants and dealers since 2013 and establishments seemed to be in compliance.

• Fisherman expressed concern that donating samples for study could be contributing to the closure decisions.

• Restaurants used shellfish from multiple growing areas and had various practices of service (e.g. first in first out, or multiple areas on a single plate). Inspectors used their best judgment to identify area trace backs, and these might include evidence of other date/area specific cases. Farmers were working hard to follow all the rules and make their part as clean as possible so they were frustrated to hear about inspector 'guess work'.

• This strain of *Vp* had a fast onset (12 to 48 hours). Lags in patient reporting were remediated by the fact that any evidence of *Vp* in the gut had to be through consumption of seafood or seawater.

Edgartown Shellfish Committee September 1, 2015

4

- Confidentiality/privacy issues restricted DMF release of data on both restaurants and growers. Dealer recalls were a matter of public record. People could get sick even if everyone followed all regulations.
- Vibrio science was still fairly new in the Northeast. There were questions on: negative vibrio testing, first time oyster eaters or consumption by elders (immunity), other oyster born illnesses, *Vp* dormancy (but not elimination) at lower temperatures, activation at higher temperatures, etc.
- DMF 2015 year-to-date Massachusetts based confirmed *Vp* cases from raw oyster consumption reported 6 in Katama and 3 in other areas. On the other hand given the number of oysters generated by Katama Bay (over 4,000,000 reported for 2014) could interpret this as within acceptable risk parameters.
- Vineyard consumption patterns lent themselves to trace back in that the community had nailed the farm-to-table process.

Possible next steps were noted. All that was needed was to halve the number of cases.

- As a \$20,000,000 State industry the farmer/growers were strongly urged to develop a more powerful legislative voice. East Coast Shellfish Growers could be augmented by more regional targets to educate officials, update regulations, and accelerate investigation and regulatory process. Since the bylaw was written the industry had grown from \$1,000,000 to \$34,000,000 and, with the opening of Middle Flats and other possible locations, Edgartown growers could expand dramatically in the near future.
- DMF might order more conservative icing/temperature controls. Slurries were recommended. Growers talked about oyster bag weight logistics, slurry dips to start rapid cooling, and oyster quality.
- Growers suggested sampling other Vineyard areas (Chilmark, Aquinnah, etc.) to test for the same strain.
- Mr. Scallachi was willing to facilitate changes in lot/farm locations.
- He knew how each of the Katama Bay growers dealt with their oysters and would advocate for them.

OLD BUSINESS

Donald Benefit asked the Committee for a letter supporting dredging priorities. The following locations were noted:

- = the Narrows into Poucha Pond,
- the entrance to Cape Pogue,
- Eel Pond, and
- the Big Bridge Channel into Sengekontacket.

Edgartown Shellfish Committee
September 1, 2015

5

COMMERCIAL, FAMILY, AQUACULTURE LICENSE APPLICATIONS

- WITH THE CONSENSUS OF THE EDGARTOWN SHELLFISH COMMITTEE, CHAIR RYAN SMITH SIGNED THE COMMERCIAL SHELLFISHING APPLICATION FOR ROBERT GRAY.

Meetings/Events

- Edg. Shellfish - 4:30PM Tuesdays, September 15, and October 6, 2015 at Town Hall

ADJOURNMENT

- **CHRISTIAN THORNTON MOVED TO ADJOURN AT 5:50PM; DONALD BENEFIT SECONDED; MOTION PASSED UNANIMOUSLY.**

Actions To Be Done :

- Chris Scallachi - test oysters from other Vineyard locations,
- All/Aquaculture Growers - consider moving some lot locations.

Documents on File:

- Agenda 9/1/15
- Sign In Sheet 9/1/15
- *Martha's Vineyard map with fishing zones*
- Pierce/DMF letter re: Katama Bay Vibrio Parahaemolyticus closure (2 p.) 9/2/15