

THE COMMONWEALTH OF MASSACHUSETTS

*EXECUTIVE OFFICE OF ENERGY AND*

*ENVIRONMENTAL AFFAIRS*

*Department of Agricultural Resources*

**State Reclamation and  
Mosquito Control Board**

251 Causeway Street, Suite 500

Boston, MA 02114-2151



**DEVAL L. PATRICK**

Governor

**TIMOTHY MURRAY**

Lt. Governor

Mark S. Buffone, Chairman

*Department of Agricultural Resources*

*Anne Carroll*

*Department of Conservation and Recreation*

Gary Gonyea

*Department of Environmental Protection*

**IAN A. BOWLES**

Secretary

**SCOTT J. SOARES**

Commissioner

Alisha Bouchard

*Project Administrator*

Tel: (617) 626-1715

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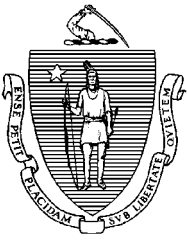
## **Meeting Agenda**

*State Reclamation and Mosquito Control Board*

Wednesday, October 14, 2009

10:00 A.M. **at 251 Causeway Street, 5<sup>th</sup> floor**

1. Call to Order and Attendance
2. Vote to approve September 9, 2009 Minutes
3. Discuss and Agree on Oct 21<sup>st</sup> Meeting Agenda
4. General Business and Discussions
5. Next Meeting Dates October 21st in Waltham @ 10 AM
6. Adjournment



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**STATE RECLAMATION AND MOSQUITO CONTROL BOARD (SRMCB)**

**Subject: Summary Meeting Minutes**

**Date / Time:** Wednesday, October 14, 2009

**Place:** 251 Causeway Street, 5<sup>th</sup> floor Conference Room  
Boston, MA 02114

**Attendees:**

SRMCB Board: Mark Buffone, Department of Agricultural Resources /SRMCB, Chairman  
Anne Carroll, Department of Conservation and Recreation/SRMCB Member  
Gary Gonyea, Department of Environmental Protection / SRMCB Member  
Alisha Bouchard, Projects Administrator

**Others**

John Doane, Superintendent, Cape Cod Mosquito Control Project  
Gabrielle Sakolsky, Cape Cod Mosquito Control Project

**1.0: Call to Order and Attendance.** Mark Buffone officially called the meeting of the State Reclamation and Mosquito Control Board to order at 10:01 AM on Wednesday, October 14, 2009 at 251 Causeway Street, 5<sup>th</sup> floor Conference Room A, Boston, MA

He stated for the record that the meeting was posted at both the Secretary of State's office and Executive Office of Administration and Finance pursuant to the Open Meeting Law.

He remarked that the three members of the Board were present and introduced himself as representing the Department of Agricultural Resources (DAR) and current Chairman. He also recognized Gary Gonyea who represents the Department of Environmental Protection (DEP) and Anne Carroll representing the Department of Conservation and Recreation (DCR) and remarked that the Board did have a quorum for voting purposes. For the record, the Chairman also acknowledged Alisha Bouchard, the projects administrator, the Superintendent of the Cape Cod Mosquito Control Project, John Doane and Gabrielle Sakolsky, Assistant Superintendent and Entomologist of the Cape Cod Mosquito Control Project.

- 1.2: **Opening Remarks:** Chairman Buffone asked those present to sign the attendance sheet and welcomed everyone.
- 2.0: **Vote to approve September 9, 2009 minutes**
- 2.1: **Background:** Chairman Buffone stated that the Board needs to approve the minutes of September 9, 2009 and entertained a motion to do so.
- 2.2: **Questions and Discussions:** Chairman Buffone distributed a copy of the minutes to John Doane, Superintendent, Cape Cod Mosquito Control Project and Gabrielle Sakolsky, Cape Cod Mosquito Control Project. He stated that these minutes would be posted on the Board's website.
- 2.3: **Action Taken:** Gary Gonyea moved to accept the September 9, 2009 minutes as written and the motion was seconded by Mark Buffone. The members unanimously voted to approve the minutes of September 9, 2009 with member Anne Carroll abstaining from the vote since she was not present at the September 9, 2009 meeting.
- 3.0: **Discuss and Agree on October 21<sup>st</sup> Meeting Agenda**
- 3.1: **Background:** Chairman Buffone distributed a draft agenda for the October 21<sup>st</sup> meeting (see page 6 of the minutes). He wanted to be sure the Board is in agreement to the items placed on the agenda and discuss the items prior to the meeting on October 21<sup>st</sup> to insure that mosquito control projects and others have an opportunity to input on the issues that need attention.
- 3.2: **Questions and Discussion:** The Board discussed the agenda items in some detail.

*Summary of Discussion.*

*MEPA 2<sup>nd</sup> Filing:* Chairman Buffone commented that requests were being received for the filing and he mentioned that those requesting the filing were happy with the fact that it was posted on the Board's website.

The Board would find out whether the comment period was extended either 60 or 90 days and the date that the filing was announced in the Environmental Monitor.

The Board agree to provide notice to the mosquito control projects and DPH state Lab partners, the Chairman of the mosquito advisory group, Dr. Rich Pollack that there is an opportunity to comment and if you wish to provide comments on this filing that this is available to you and entirely appropriate it to do so. It was thought that the Mosquito control projects did not feel it was appropriate. The Board agreed that the Chairman could do this as soon as possible.

*ANNUAL REPORTS:* The Board agreed to the early submission of annual reports which is tied to potential MEPA requirements concerning public meetings in the winter/ early spring. The Board suggested that the reports should be due at the 1<sup>st</sup> meeting of the Board in January 2010. Also, the Board would canvass the MCP's to make recommendations for best facilities or venue to conduct public meetings and to assist the Board in presentations.

The Board agreed to wait for the Secretary's certificate which would spell out exactly what the Board would be required to do. Gary Gonyea remarked that the MEPA analyst commented that the public meeting process should end the MEPA filings for the future and satisfy MEPA update needs.

The Board could receive annual reports in January and post in the Environmental Monitor and state that these reports are available on the Board's website and if the public has questions to send them to the Board and copy the MCP.

The Board can have a meeting, collate and glean out pertinent information from the 9 reports, and have brief summaries for each district and what their season and submit to MEPA and perhaps piggyback this report to the public informational meetings. The Board would have to submit a report to MEPA.

*OMWM:* The Board summarized OMWM status. CZM sent the out the final comments on the final operating procedures in June 2009. Several MCP's staff reviewed and made recommendations on how to do the sampling and conduct pilot testing but the members involved needed to postpone further review and pilot testing due to the mosquito season. The next step would be to incorporate the testing results and finalize the SOP, send to CZM in order for CZM to issue a new consistency statement to allow OMWM projects. *The Chairman remarked that this is part of the OMWM requirement and that the Board will confirm the sequence of filings with MEPA and CZM.*

*CWA and NPDES:* The Chairman asked Gary to report on the Clean Water Act and NPDES permit requirement. Gary Gonyea stated that he would send Chairman Buffone a PowerPoint presentation and requested that the Chairman send this document to the mosquito control projects. Gary informed the Board of a number of key items from the October 7<sup>th</sup> WEBINAR. The EPA rule that currently allows application of pesticides will remain in effect until April 9, 2011. As of April 10, 2011 permits will be required and a General Permit will be ready. A draft general permit will be available for review in April 2010 and then a final will be available in December 2010. At this point, notices of intent will be required. Gary explained a number of other requirements that are being considered. The MCP's will need to list their activities and action thresholds that will trigger an application. He mentioned Standard Operation Procedures for equipment calibration, maintenance, use, and training will be required; Monitoring; Record-Keeping; reporting; resistance surveillance, determination of efficacy, and routine visual monitoring for signs of adverse impacts on non-targets are also being discussed. Chairman Buffone stated that the Board will need to focus on this issue and how to comply. Gary reported that there is a public health exemption for emergency situations with a requirement to file a notice of intent within 30 days.

John Doane commented that the extensive list of how to comply may take or require hiring additional personnel or at a minimum part time assistance. Gary Gonyea responded to John Doane that this may not be a case where you need to ask for more, it will be documenting what you already do and he felt that the bulk of it is already done. Additionally, each NOI will be good for five years.

Chairman Buffone stated that this would be a major undertaking and that the learning curve would be high and that education of the MCP's will be key to insure that the MCP's will know how to comply.

Gary Gonyea stated that the bottom line is that the MCP's will not need to worry about applications during the 2010 season, that there will be a draft in April of 2010 to provide comments on, and finally each MCP should begin to draft SOP's and formalize the procedures that they currently carry out on a standard basis. Chairman Buffone appreciated Gary's report and asked Gary to bring a list of recommendations for the MCP's regarding the things that might be require to start pulling together.

*2010 Meeting Dates:* Chairman Buffone highlighted dates that the Board could consider for vote consistent with the Board's past meeting dates which fall on the 3<sup>rd</sup> or 4<sup>th</sup> Wednesday's of January, March, May, and October. The dates highlighted January 27, 2010, March 24, 2010, May 26, 2010, and October 20, 2010 and on an as needed basis.

*FY 2011 budgets:* Chairman Buffone stated that he asked Alisha Bouchard the projects administrator to prepare preliminary information (summary of the spending plan) based on the spending plans for the Board to get an idea of the mosquito control project anticipated spending projections. Alisha distributed a chart for the members and proceeded to explain the numbers. She asked the Board if they wanted to request that the Commissions send their approved bottom line official budget total for FY 11. The Board members had a number of questions on the numbers. Alisha said she would label the chart differently to make clearer the numbers. The board asked if Alisha could break down the FY 11 maintenance estimate numbers (numbers that were sent in with spending plans) and modify the spending plan template so that the Board can be clearer on cost categories. Gary Gonyea stated that the mosquito control projects should tell the Board how much the mosquito control projects plan to spend including the component of the balance forward. Alisha mentioned that these estimates are a "snapshot in time". Alisha suggested that the Board use the spending plan as the base and have regular exercise/review to be able to view the "snapshot in time" or updates on a regular basis.

The Board discussed at length on how to better review and evaluate budgets since the budgets are complicated with a base amount, capital expenditures, and balance forward. Gary asked if the balance forward is being used to increase the base or for one time expenditures within a fiscal year?

A vigorous budget discussion took place again continuing to reiterate what the Cape Cod representatives expressing concerns about their FY 10 budget to update Member Anne Carroll who was absent at the September 9, 2009 meeting. Gary Gonyea concluded the lengthy discussion by stating that as Board members we are assigned some financial and fiscal responsibility and that the Board has been very clear to the MCP's for several years that we are in tough economic times and requested everyone come in at 0% and the Cape Cod Commission is the only MCP that increased their budgets. All of the other District came in level funded. Last year the Board granted CCC a 2.5% or 4.5%??? increase.

**3.3: Action Taken:** The Board agreed to the agenda items discussed for the October 21<sup>st</sup>, 2009 meeting.

4.0: **General Business and Discussions**

4.1: **Background:** Chairman Buffone distributed a draft policy on Commissioner appointments and re-appointments for the Board to review before next meeting to formalize what the Board voted on at its June 2009 meeting to conduct face-to-face interviews as it was deemed necessary especially for those individuals who were applying to be a Commissioner for the first time.

4.2: **Questions and Discussions:** None

4.3: **Action Taken:** No Action.

5.0: **Next Meeting Dates** October 21st<sup>t</sup> in Waltham @ 10 AM

5.1: **Background:** None

5.2: **Questions and Discussions:** None

5.3: **Action Taken:** None.

6.0: **Adjournment**

6.1 **Background:** Before adjournment, the Chairman asked if there were any other comments or questions before the Board officially adjourned the meeting.

6.2: **Questions and Discussions:** None.

6.3: **Action Taken:** Gary Gonyea moved to adjourn the meeting at 11:55 AM. The motion was seconded by Anne Carroll and voted unanimously.

Respectfully submitted,

Mark S. Buffone  
Chairman

**(DRAFT)**

**Meeting Agenda**

*State Reclamation and Mosquito Control Board*

**Wednesday, October 21, 2009**

**10:00 A.M.** at the Waltham Field Station (UMASS Eastern Extension Center) 240 Beaver Street,  
Waltham, MA

1. Call to Order and Attendance
2. **Vote** to approve October 14, 2009 Minutes
3. **Vote** to request early submittal of 2009 Mosquito Control Annual Reports
4. Discuss MEPA 2<sup>nd</sup> Filing
5. Open Marsh Water Management (OMWM)
6. Clean Water Act (CWA) and NPDES Permit Update
7. FY 2011 Budgets
8. **Vote** to revise Commissioner Policy
9. **Vote** 2010 Meeting Dates for Waltham site @ 10 AM
10. Adjournment