# 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
617-626-1700 fax: 617-626-1850 www.mass.gov/agr

MDAR MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES

| DEVAL L. PATRICK | TIMOTHY P. MURRAY | IAN A. BOWLES | SCOTT J. SOARES |
|---|---|---|---|
| Governor | Lieutenant Governor | Secretary | Commissioner |

**MEMBERS**

Lee Corte-Real, **Chairman**
Department of Agricultural Resources (DAR)

Anne Carroll
Department of Conservation And Recreation (DCR)

Gary Gonyea
Department of Environmental Protection (DEP)

**ADMINISTRATION**

Mark S. Buffone
Executive Director

Alisha Bouchard
Project Administrator

**MOSQUITO CONTROL PROJECTS & DISTRICTS**

Berkshire County Mosquito Control Project

Bristol County Mosquito Control Project

Central Massachusetts Mosquito Control Project

Cape Cod Mosquito Control Project

East Middlesex Mosquito Control Project

Norfolk County Mosquito Control Project

Northeast Massachusetts Mosquito & Wetland Management District

Plymouth County Mosquito Control Project

Suffolk County Mosquito Control Project

DATE: WEDNESDAY, DECEMBER 9, 2009
TIME: 10:00 A.M. TO 12:00 P.M
LOCATION: 251 Causeway Street, Suite 500, Boston, MA

A. Start: Call to Order, Attendance, and Opening Remarks (*if any*)

**B.** Minutes: The Board will consider for approval the meeting minutes of the October 21, 2009 and November 18, 2009 meeting. **(Voting Required)**

**C.** Discuss draft mosquito control budget sign off policy and compliance certification for annual mosquito control budget and consider formal vote to adopt at the January 27th 2010 meeting. **(Voting Required)**

D. Review and discuss GEIR update concerns and next steps.

E. Adjournment.

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**Subject:** Meeting Minutes Summary

**Date / Time:** Wednesday, December 9, 2009

**Place:** 251 Causeway Street, Suite 500, Boston, MA 02114

**Present:**

**Board and Administration Members:**
Lee Corte-Real, Department of Agricultural Resources, Chairman
Anne Carroll, Department of Conservation and Recreation, Member
Gary Gonyea, Department of Environmental Protection, Member

Mark Buffone, Executive Director
Alisha Bouchard, Projects Administrator

**Mosquito Control Project Commissioners:** None

**Mosquito Control Project Directors/ Superintendents /Assistants:** None

**Others:**
Bob Ritchie, MDAR, General Counsel (*by Telephone*)

**A: Call to Order, Attendance, Introductory Remarks (if any)**

Chairman Lee Corte-Real called the meeting to order at 10:04 AM. He asked for a roll call. Anne Carroll representing the Department of Conservation and Recreation, and Gary Gonyea were present. The Chairman recognized himself representing the Department of Agricultural Resources and he stated there was a quorum.

Before he opened the first order of business, he updated and informed the Board that he attended the 55th Northeastern Mosquito Control Association (NMCA). He continued by saying that he attended only on Wednesday for the state reports. He also visited some of the vendor booths. Chairman Corte-Real told the Board he picked up some interesting information from a company called Juniper Systems that developed a unified overall system that perform GPS mapping using hand held units. He continued to say that the company sold Software for larviciding, adulticiding, surveillance, and service request.

Mark Buffone asked the Chairman if he felt this equipment would benefit the mosquito control projects and asked if the units were expensive. Mark Buffone also pointed out that some of the MCPs have GPS capabilities but that it varies.

Chairman Corte-Real responded that the anticipated NPDES monitoring requirements in the foreseeable future, he did not think that the MCPs could comply with the mapping requirement without having some kind of GIS mapping capacity. He continued that the units were not inexpensive and cost several thousand dollars per unit.

Alisha Bouchard, Projects Administrator commented that this could be put out to bid in order to obtain lower costs per unit.

Chairman Real learned that many of the states reported reductions in their mosquito control budgets. Vermont reported that it had an overall 10% reduction. Pennsylvania had a 32% reduction in the last 2 years from 7.6 million operating budget to 5.2 million along with 100 individuals losing their jobs with several counties being dropped from the program.

The other Board members thanked the Chairman for attending and representing the Board. Both Anne Carroll and Gary Gonyea stated that they would have liked to attend but could not due to conflicts in their schedules.

## B. Minutes: the Board will consider for approval the meeting minutes of the October 21, 2009 and November 18, 2009 meeting.

**B.1: Background:** Chairman Corte-Real asked if the Board members had time to review the minutes of October 21, 2009 and November 18, 2009 and if so entertained a motion to approve.

**B.2: Questions and Discussions:** Chairman Corte-Real asked the Executive Director, Mark Buffone if all changes noted by the other members had been incorporated into the minutes. Mark Buffone responded affirmatively.

**B.3: Action Taken:** Anne Carroll moved to approve and accept the minutes of October 21, 2009 and November 18, 2009. The motion was seconded by Gary Gonyea and was voted unanimously.

## C: Discuss draft mosquito control budget sign off policy and compliance certification for annual mosquito control budget and consider formal vote to adopt at the January 27th 2010 meeting.

**C.1: Background:** Chairman Corte-Real asked Mark Buffone to open this agenda item. Mark Buffone stated that the Board discussed at its last meeting the development of a policy and implementation strategy to provide more transparency concerning mosquito control budgets as well as elevate awareness of the state funding that flows to the MCPs as a cherry sheet deduction for regional mosquito control member municipalities. The proposed policy could achieve the Board's objective as well as provide an opportunity for the regional mosquito control member municipalities to weigh in on their regional mosquito control budgets.

At this point in the meeting, Mark Buffone telephoned Bob Ritchie, MDAR general Counsel to discuss the first drafts of a Mosquito Control Budget Notification Policy, and 2 forms titled a Mosquito Control Budget Notice (SRB-1) and Notification Certification of Compliance (SRB- 2).

**C.2: Questions and Discussion:** Bob Ritchie stated that his involvement was to assist the Board in what it discussed at its last meeting to generate a policy and to create supportive paperwork. The supporting documents created would provide a notice of a public meeting and certify that a public meeting was held to discuss mosquito control projects (MCPs) proposed budgets. The Board members were satisfied with the forms but discussed changes to the overall policy statement along with making a few refinements to the forms.

Bob Ritchie recommended that the Board make 8 templates one for each of the MCPs, because the Board would send the form with all of the member municipalities listed and the name of the MCP. Also, the Board via the projects administrator, Alisha Bouchard would obtain and provide the information for numbers 5 & 6 on the draft SRB-1 form.

A discussion ensued about when the Board could anticipate receiving MCPs preliminary budget numbers that are sent to DOR by December 18th. Gary Gonyea suggested that the projects administrator, Alisha Bouchard attempt to conduct a dry run for the numbers.

The Board agreed to send the draft policy to the MCPs to give them an opportunity to review.

The Board agreed that the forms and comments should be mailed to the Executive Director and Projects Administrator and not to each Board member.

The discussion moved to submitting the preliminary estimates to the Department of Revenue (DOR) and when the regional member municipality assessments were calculated that DOR tie in the portion of the SRMCB administration budget. Alisha Bouchard asked the Board if it should be separated. Bob Ritchie agreed that the ordinary citizen should understand and have disclosed the SRMCB part of the assessment.

Alisha Bouchard further explained to the Board that she submits the DOR all of the preliminary proposed MCPs FY 11 budget as well as the SRMCB administration budget. The DOR use the formulas and run the numbers to calculate out the individual member municipality assessment and tie into that process how much of SRMCB budget is assessed to those communities.

Alisha Bouchard provided the Board with an example stating that Plymouth County SRMCB budget amount for their share of the SRMCB budget is approximately $32,000 dollars but that she did not know how that was itemized per member city or town. She said she would petition the DOR to get another level of detail that we don't have presently.

Mark Buffone remarked that since the Board will be the one sending out the template to each of the 8 MCPs (excluding East Middlesex), in the letter of transmittal the Board can provide a clear paragraph that explains the percentage of each District budget that is earmarked for SRMCB administration to address the disclosure issue. The paragraph can also state that the SRMCB members don't get paid but do get miscellaneous expenses such as coverage of travel expenses.

Gary Gonyea suggested that the same letter include a paragraph that explains what the SRMCB does such as administrative support for all 9 MCPs, centralized processing of invoices, payroll payments, and other financial matters.

A question came up if the Board should have its own hearing?

Mark Buffone stated that each member assessment includes the SRMCB portion of the budget.

Gary Gonyea expressed concern about the draft policy wording.

Bob Ritchie responded that he felt that the Board was trying to reconcile with prevailing state fiscal policy saying that the proposed budget is going to being given great deference and the Board needs to make sure it does not breach current state fiscal policy. Further, Bob Ritchie expressed that the following language states satisfactorily the objective of the Board. He remarked that "In its review and certification of the proposed mosquito control budgets to DOR and the Comptroller, the Board will show great consideration to the budget as proposed. It offers that the goal of the Board is to reconcile those budgets s with prevailing state fiscal policy.**"**

The consensus of the Board was that this Board is trying to make this process transparent.

Chairman Corte-Real suggested that a worthy goal would be to have a Board member at each of the public hearings and to notify the MCPs that the Board fully intends to be at these meetings so that a report can be made to the full Board. Anne Carroll also agreed that the policy needs wordsmithing, and the Executive Director, Mark Buffone agreed to work with Anne to make changes on behalf of the Board.

The Board asked if Bob Ritchie could plan on attending the meeting in January.

**C.3:** **Action Taken:** Gary Gonyea made a motion saying after the edits are made that were discussed today and additional editorial comments that Anne Carroll and Mark Buffone will make on the notification budget policy; that the final draft policy and the forms SRB-1 and SRB- 2 be sent to the MCPs one week prior to the meeting January 27, 2010 meeting. Also, all the changes discussed, including but not limited, to modifying slightly the SRB form 1 by inserting a footnote that states *that the public hearing will take place no later than March 30th* and that a sentence be added to number 7 in the SRB-1 form that states that *Comments can also be sent directly to the Board via the Executive Director or Projects Administrator by April 15th*. Anne Carroll seconded the motion. The motion was unanimously voted and accepted.

## D: Review and discuss GEIR update concerns and next steps

**D.1:** **Background:** The Board discussed communications from Heidi Ricci, Senior Policy Analyst of Mass Audubon pertaining to her concern that the Board's 2nd submittal to MEPA lacked essential information required by the Secretary Certificate such as monitoring protocols for ground based adult mosquito control and environmental monitoring for emergency aerial sprays.

**D.2:** **Questions and Discussions**:

Chairman Corte-Real stated that her concern was focused on monitoring which is a requirement in the certificate. He believed that the word monitoring could have other meanings to the public and could be used to denote surveys to determine distribution of mosquitoes, and could also be used as monitoring for environmental monitoring. For example in an area wide type application, one could identify what would be the appropriate type of monitoring pre and post application. He stated that there is no consideration for paying for this type of monitoring and may be outside the scope of the GEIR. He also thinks that there has to be some further consideration of the fact in cases where there is an imminent public health emergency monitoring pre-application is near impossible and consequently conducted after via post application monitoring which is somewhat difficult.

Mark Buffone stated that the Board's operation emergency plan identifies a number of environmental monitoring protocols that would be addressed in an emergency situation such as water quality sampling, bees etc. Mark Buffone further stated that the main concern was that the Board's 2nd filing did not include a set of recommended monitoring protocols and Ms. Ricci contended that this was a central point of the MEPA Certificate scope.

Additionally, her concern is with the Board's emergency operational response/ adulticiding plan apparently does not have monitoring. The key points that need to be addressed before this process can be concluded are:

- Pre and post monitoring for standard ground based adult mosquito spraying
- Environmental/ecological monitoring for aerial spraying/emergency events

Mark Buffone stated that Dr. Sam Telford did address the ground base spraying and larviciding concerns recently by drafting some minimal protocols. Also, he noted that the Board's plan was sent to DPH for comments and those comments were incorporated into the plan. Ultimately, Mark Buffone suggested that the environmental monitoring goes beyond the expertise of the Board and/or the Board's contractor who drafted the update.

Anne Carroll asked if the protocols that Dr. Telford submitted have been sent to other stakeholders for comments. Mark Buffone stated that he sent the protocols to the MCPs first for comments and noted that he will send to the other stakeholders for comments.

Gary Gonyea alerted his colleagues at the DEP. He remarked that the DEP does not have the resources to conduct additional environmental monitoring.

Chairman Corte-Real suggested that the Board ask those expressing concern what they are asking for specifically and incorporate these concerns into the GEIR update to the extent possible. Thereafter, the Board could identify the costs of conducting the aerial application and the additional amount of funding needed for environmental monitoring. He continued to say that the fact that there are little, if any state resources. However, he noted that although the certificate states that the proponent will work with other state resources to get this work done, the fact of the matter is that the resources are not there. If the resources are not there, an outside consultant would be required to do this work.

Gary Gonyea expressed concern that the Board does not have the time to obtain this information by the upcoming deadlines for comments.

Mark Buffone stated that the Board would need to develop an RFR and post to obtain estimated cost.

Mark Buffone stated that the Board has already responded 2 times to the public comments citing that resources were non-existent for research type work and comprehensive environmental monitoring. Also, he noted that the Board participated in a number of winter workgroup meetings in 2007 and 2008 and as a result incorporated a number of comments made from the environmental community into the Board's operational plan.

Gary Gonyea expressed his concern about monitoring and commented that the MCPs are already conducting monitoring. He noted that the task is to put the data or compile it in one central location in order to allow access to it by those who have concerns about mosquito control activities.

He stated that his concern was data quality issues and that their needs to be consistency between the MCPs. He felt that can be best accomplished via Standard Operating Procedures (SOPs). He asked several questions regarding storage of reports, analysis where the data stored is and what format? He asked if this information is compiled or stored in a central location. Is it submitted to the Board's staff? Who analyzes this data? What do we do with reports?

Mark Buffone responded to the Board members that the data MCPs collect or keep is for carrying out the mandate of Chapter 252 MGL and not necessarily for publication. In fact, the data would not likely be publication quality. It is for their own practical means to carry out the work to control mosquitoes.

Gary Gonyea further cited some examples of concern such as landing rates. He mentioned that when virus risk elevated, the MCPs stop conducting landing rates due to potential hazard to personnel.

Mark Buffone commented that the protocols developed by Dr. Telford's are standard or routine operational methods employed to conduct monitoring for either adult or larval mosquitoes.

Gary Gonyea agreed. However, he felt that there should be a caveat regarding landing rates protocol that cites that MCPs will be protective of their personnel and not employ this method in an area(s) of higher risk to mosquito-borne disease.

**D.3:** **Action Taken:** No vote was taken. The Board agreed and requested the Executive Director, Mark Buffone should contact Heidi Ricci and request on behalf of the Board what the monitoring specifics she is looking for in order to incorporate into the Board's plan. The Board would attempt to incorporate these specifics into its plan along with the caveat that the Board may be unable to commit to the specifics because there are no resources available at this time. Also, in the event of a public health emergency, at a time when budgets are projected to be tight, the Board should inform her that cost(s) associated with the monitoring specifics she desires could be well beyond the ability of the Commonwealth to fund.

## E: Adjournment

**E.1:** **Background:** Before adjournment, the Chairman Corte-Real asked if there were any other comments or questions before the Board officially adjourned.

**E.2:** **Questions and Discussions**: Mark Buffone informed the members of the Board that he reproduced and placed in their meeting package copies of two recent studies regarding Open Marsh Water Management (OMWM) citing OMWM as an effective tool to control mosquitoes on salt marshes. The titles of the studies were as follows:

*Effects of Open Marsh Water Management on Numbers of Larval Salt Marsh Mosquitoes* in the 2009 Journal of Medical Entomology, 46 (6) (pages) 1392-1399: and

*Geostatistical evaluation of integrated marsh management impact on mosquito vectors using before –after-control impact (BACI) design* in the 2009 International Journal of Health Geographics, 8 (35) (pages) 1-20.

**E.3**: **Action Taken:** Anne Carroll made motion to adjourn the meeting at 11:47 AM and seconded by Gary Gonyea and unanimously voted.

Respectfully submitted,

Mark S. Buffone
Executive Director