

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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CONSERVATIONIST PESTICIDE ADVISORY COUNCIL

MEETING MINUTES

Date: January 13, 2023

A. ROLL CALL

Kimberly Pearson, Brewster Natural Resources Advisory Commission	Present
Clint Richmond, Sierra Club	Present
Regina LaRocque, MGH Center for Environment and Health	Present
Laura Mattei, Sudbury Valley Trustee	Present
Rosemary Malfi, Northeast Organic Farming Association	Present

The Conservationist Pesticide Advisory Council ("Council") did meet or exceed the minimum number three (3) of members present to form a quorum and conduct business.

DOCUMENT(S) PRESENTED:

Minutes

B. REVIEW OF MINUTES FROM DECEMBER 9, 2023:

Motion: L. Mattie, approve minutes with the correction of Regina LaRocque last name spelling.

Second: K. Pearson

In favor: All

Abstention: None

C. PESTICIDE ENFORCEMENT UPDATES, T. LASCOLA-MINER

Administration Update

Currently we do not have any changes relative to MDAR and Commissioner Lebeaux is still Commissioner.

Eversource Vegetation Management Plan

MDAR is working to schedule a public meeting for the Rights of Way Panel Meeting.

Comments:

R. LaRocque asked if T. LaScola-Miner could provide an update on collecting the use data electronically. She responded that MDAR was working on developing an online platform to collect the 2022 data. C. Richmond asked if a copy of annual use report had been circulated to the Council members. He asked how the units of measure and other required items would be standardized. She responded that the form would have some self-populated product information and the plan is to control the information coming in as much as possible.

There was discussion on how the information can be used and what the lack of specific location does for individuals that may be looking at the information.

L. Mattei asked about the status of the Glyphosate Commission. She responded that the Phase 1 report is up on the Glyphosate Commission website. The environmental consultant is working on the Phase 2 report.

D. EVERSOURCE VEGETATION MANAGEMENT PLAN ("VMP"), K. PEARSON

K. Pearson stated that she was hoping that MDAR can answer questions that the Cape may have. The issue at hand was relative to private wells and how they are tracked by Eversource. She reached out to Eversource to ask how wells are tracked relative to the VMP. The reply she received from Eversource they did not track private wells and that they rely on dig safe which goes against what the VMP stated. She asked how to fix this and how adherence to the VMP is being ensured.

T. LaScola-Miner stated that this concern should be and has been flagged through the comment period on the VMP. She stated that she is unaware of how Eversource is organized and who the person she spoke with is and that she suggested contacting Bill Hayes who is the point person at Eversource VMP. She also stated that MDAR ensures the rules are being followed as part of its inspection/investigation process. is the regulatory authority over the use of pesticides on rights of way which includes entities having to follow the plan. MDAR conducts routine inspections with the entities when applications are taking place.

There was discussion about if the VMP should contain records that show briefings conducted within Eversource. T. LaScola-Miner indicated that would need to be a regulation change.

C. Richmond asked about having detailed maps within the VMP. T. LaScola-Miner responded that the detailed information is in the Yearly Operational Plan ("YOP"). J. Burgess stated that during the YOP process MDAR may receive well information and that is passed along to the entity submitting the VMP/YOP. She noted that MDAR is not the entity in charge of tracking wells. L. Mattei asked if new wells are being reported to the municipal Board of Health. K. Pearson responded that all are not required to be reported. L. Mattei noted that finding the well data can be difficult.

K. Pearson indicated that she would like to see the VMP be more specific as to whose role it is to get the well data (Eversource or towns) so that it is clear what people need to do.

E. PURPOSE/INTENTIONS OF THE COUNCIL, L. MATTEI

L. Mattei stated that she wanted to talk about what the Council can best contribute given what it can and can't do. She also wanted to discuss the cadence of the meetings.

J. Burgess stated that the role of the Council is to advise the Pesticide Board ("Board"). She stated that the other Council (Pesticide Applicator Advisory Council) reviews the regulations and then they make recommendations Board relative to their thoughts or concerns.

R. Malfi indicated she liked having a standing meeting on the calendar but noted that they may not want to meet every month depending on the agenda topics.

K. Pearson indicated that she would like to bring their concerns about where/how the accountability of the execution of the Eversource VMP to the Pesticide Board. J. Burgess stated that the Board does not weigh in on the VMP process but would weigh in on any concerns relative to regulations that pertain to the VMP process.

C. Richmond indicated that he wanted to discuss fluorinated compounds at some point in the future. He stated that it came up at the last Board meeting which was prompted by a letter that was sent to the Board. T. LaScola-Miner stated that the Board directed the MDAR to review the request and report back to the Board.

G. NEW BUSINESS

C. Richmond asked that Hotze Wijnja present on PFAS and active ingredients (any updates) to the Council in the future.

R. Malfi stated that she would like to know more about the Integrated Pest Management Plans that are required of the schools. There are questions about the level of oversight given the plans and how they are submitted.

K. Pearson stated she wanted to know how MDAR and Natural Heritage work together relative to habitat and species of concern. C. Richmond indicated that he would be interested in knowing how applicators respond to state endangered species.

K. ADJOURN

Motion: K. Pearson

Second: L. Mattei

In Favor: All