

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: October 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
Rosemary Malfi, Xerces Society	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 SEPTEMBER 8, 2023:

Motion: K. Pearson

Second: R. Malfi

In favor: All

Abstention: None

C. PESTICIDE ENFORCEMENT UPDATES, T. LASCOLA-MINER

EPA State Plan Status: Per the federal certification and training rule which was passed back in 2015, the state lead agencies had to update their State Plans to indicate how they comply with the changes made. Massachusetts was successful in submitting and the State Plan has been approved.

Discussion

C. Richmond asked if the plan only addresses the certification and training requirements. T. LaScola explained that the plan references the federal requirement and how the state complies or will come into compliance with the changes. The plan addresses items such as exam content, licensing and record keeping. He also asked if legislation would need to be changed and T. LaScola stated that only regulations will need to be updated.

Pesticide Program End of Year Report: Each year, there are some general statics about the pesticide program in the MDAR annual report. However, given all the recent concerns and changes within the pesticide industry and to ensure transparency, MDAR provided a more detailed report to the legislature and post it on our website.

Discussion

C. Richmond stated that he thought it would be helpful if the report included more detail about products and active ingredients, specifically how many products/active ingredients are registered and how many new products/active ingredients were registered in a year.

D. SUMMARY OF WATER MONITORING PERFORMED IN 2018-2021, HOTZE WIJNJA

H. Wijnja explained that residents of Cape Cod had expressed concerns relative to the use of herbicides on Rights of Way ("ROW"). As a result, MDAR conducted some water monitoring during 2018-2021. He reviewed the outreach efforts that MDAR has conducted with various groups in the cape along with previous modeling that was conducted. He explained that specific active ingredients that are known to be used on ROWs and a few insecticides that are commonly used were selected to be monitored. Sites were selected based on:

- Willingness of public water suppliers to participate
- Consultation with the Cape Cod Commission
- Proximity of well sites to ROW's
- Groundwater flow patterns

Samples were collected prior to the public water supplier treating the water. The results showed the following:

- September 2018-September 2019: Imidacloprid was found at limits that were not of concern
- October 2019-September 2021: 2,4 D in one sample (follow up sampling did not show any detections)

None of the herbicides that were used on ROW's were found in samples which is consistent with earlier modeling-based results.

Discussion

R. LaRocque was concerned about the generalization of the results. She noted that the sampling was a small sample size based on the number of wells that exist. She asked what the half-life range was for the chemicals. H. Wijnja replied that it is dependent on each pesticide and is an input in the modeling. She stated that the half-life of chemical and when the sample was collected could impact the results and that they may never be detected depending on the timing of when samples were collected. There was discussion about the different elements that factor into environmental fate. She expressed concerns of the sampling locations given the non-ROW pesticides that were found and that the study was very limited.

T. LaScola stated this project was a monitoring project not a study where a major conclusion was made. She also stated that the project specifications were limited to resources and the participation of public water suppliers.

K. Pearson pointed out that 20-25 percent of residents have private wells whose wells are shallower than public water supply wells. She asked if the areas that were sampled had been treated with ROW herbicides. H. Wijnja stated that there was coordination with the ROW coordinator and that the some areas had been scheduled to be treated. She referenced a study that USGS had conducted and that some sampling of tap water USGS did showed detections of pesticides.

R. LaRocque pointed out that she disagrees with the statement that wide-spread occurrence of ROW herbicides in groundwater resources in Cape Cod does not occur given the limitations of the project. H. Wijnja responded that he understood her concern with the statement but that this statement was made due to the fact that if it was a wide-spread issue he would've expected there to be some detects but understood how that statement can be misinterpreted.

E. ANNUAL USE REPORT REQUEST, REGINA LAROCQUE

The Council reviewed the letter that R. LaRocque drafted to the Pesticide Board ("Board") requesting that GIS coordinates be added to the Annual Use Report. The members made some changes to the format of the letter and there was discussion about how specific the location should be. The Council ran out of time to finalize the letter and T. LaScola recommended that at the next Board meeting the Council provide an update indicating they

are developing a request for additional information on the annual use reports and will provide something more formal in the future.

F. NEW BUSINESS

There was no new business.

K. ADJOURN

Motion: K. Pearson

Second: R. Malfi

In Favor: All