

Glyphosate Commission Meeting Minutes

March 8, 2022 (virtual via Zoom); Approved May 23, 2022

Martin Suuberg, Commissioner, Massachusetts Department of Environmental Protection and Chair of the Commission called the meeting to order at 4:00 p.m. and called on members of the Commission present:

John Lebeaux
Commissioner, Massachusetts Department of Agricultural Resources

Marc Nascarella
Chief Toxicologist, Massachusetts Department of Public Health
Representing Margret Cooke, Acting Commissioner, Massachusetts Department of Public Health

Eve Schlüter
Assistant Director, Assistant Director of Natural Heritage & Endangered Species Program,
MassWildlife
Representing Mark Tisa, Director, MassWildlife

Julie Richburg
Lead Ecologist, Inland Natural Resources, The Trustees of Reservations

Commissioner Suuberg opened the meeting and acknowledged agency staff members were also present, including Taryn LaScola from the Division of Crop and Pest Services at MassDAR, Mark Smith, from the Office of Research & Standards at MassDEP, Paul Locke of MassDEP and Ann Lowery of MassDEP.

1. Approval of Minutes.

First order of business was approval of the minutes of the November 30, 2021 Commission meeting. Draft minutes were distributed to the Commission members before the meeting. Commissioner Suuberg asked for comments on the draft minutes.

Julie Richburg noted that the reference to her organization should be The Trustees of Reservations and that “glyphosate” should have a lower-case g throughout the document.

Eve Schlüter noted her name is misspelled on page 2 in the second to last paragraph.

Commissioner Suuberg moved to adopt the minutes; Commissioner Lebeaux seconded the motion. The motion passed unanimously.

2. Update on Procurement.

Commissioner Suuberg introduced the topic of efforts to procure consultant assistance to accomplish the work of the Commission since the last Commission meeting. One bid was received from the second request for quotes (RFQ). The Commission expressed interest in reviewing the submittals at the first meeting.

Taryn LaScola provided an overview of the procurement effort. The first RFQ issued received no responses. It was amended to allow for bidders to provide a timeline to complete all of the deliverables

and allow bidders to provide cost estimates for completing the full scope of work. In response to the second RFQ, the one bid received was from Eastern Research Group (ERG) for an estimated cost to complete phase 1 of \$26,000, and a total project cost of ~\$178,000. \$50,000 has been appropriated for the Commission's work, leaving a gap of \$128,000. The ERG submittal provided a timeline for completion by June 30, 2022, if a contract was finalized by January 31st. An adjusted schedule will be needed allowing more time for completion.

Commissioner Suuberg noted that ERG is a known entity to both DAR and MassDEP, having provided consultant services to the state. Both DAR and MassDEP are hoping to identify and allocate additional funds to the Commission's work, while seeking additional funding from the legislature. He called for comments from the Commission Members.

Commissioner Lebeaux expressed his hope that DAR and MassDEP have demonstrated a good faith effort to procure the services to assist the Commission and meet its legislative mandate. He supports moving forward with phase one through contracting with ERG, further noting that a representative from ERG was attending the meeting and might be able to speak to the proposal submitted.

Julie Richburg requested more information on the proposal submitted and the phases of work.

Commissioner Suuberg read the deliverables for phase 1 from the RFQ document. John Wilhelmi from ERG was asked to provide more detail on the ERG proposal.

John Wilhelmi (ERG) explained that the submission included work to be done by a subcontractor – Tetratech. The work would be done in phases: phase 1 would set out the methodology. Phase 2 would execute the rest of the scope of work. In estimating the cost, the assessment will rely on published assessments and more recent publications. ERG considered submitting a bid on the initial RFQ, but the required timeline for completion was too constrained to be met.

Chair Suuberg called for any questions. None were raised.

Chair Suuberg moved:

- To direct DAR to immediately proceed to contract with ERG on behalf of the Commission for all deliverables in the RFQ scope, subject to appropriation. A schedule of deliverables shall be updated (from the dates in the RFQ) to be included in the contract.
- To direct DAR and MassDEP to identify and make additional funds available to support the ERG contract, within legal constraints on agency funding, while pursuing additional legislative appropriation for the Commission's work.
- To direct ERG through the contract to provide phase 1 report to the Commission as soon as is feasible, in accordance with updated schedule for its review and approval.
- To direct ERG to seek the Commission's approval to proceed with the remaining work after submitting the phase 1 report, subject to review and approval by the Commission and available funding at that time.

The motion was seconded by Commissioner Lebeaux.

All members called upon voted in favor of the motion.

Marc Nascarella noted that DPH is fully supportive, and leadership at DPH wanted to ensure stakeholder engagement was part of the project. He further noted that DPH may have suggestions for stakeholder outreach for ERG to use. He also suggested that the form of the reports be designed to be easily used in the Individual Review of glyphosate by the Pesticide Committee. If the report(s) include the information needed by that Committee it will facilitate its Individual Review. Requesting the information used by the Committee in advance to ensure it is included in the ERG Report could be useful.

3. Other matters.

Chair Suuberg asked for any other matters for discussion. No other items were raised.

4. Public Comments.

Chair Suuberg opened the meeting to any public comments. None were made.

Chair Suuberg thanked agency staff that worked on the procurement, and will continue to do so, as well as fiscal staff investigating the use of additional funds. He thanked the members of the Commission for their time, attention and input. The next meeting of the Commission he noted would likely be scheduled once ERG has completed the phase 1 report.

Chair Suuberg moved to adjourn the meeting, Commissioner Lebeaux seconded the motion and all members voted in favor. The meeting was adjourned at 4:30 p.m.