

## Local Engagement Subcommittee DRAFT Recommendation Outlines

*The Local Engagement Subcommittee is sharing this living document of recommendation outlines for preliminary review by the Mosquito Control for the 21st Century Task Force. These topics represent an early snapshot of the subject of recommendations from the subcommittee. It is to be expected that topics will continue to be added and eliminated from this living document. Please note that the recommendation text presented here is still under development by the subcommittee and may not represent the ultimate majority opinion of the subcommittee.*

*Directive: (ii) promoting public participation in mosquito management decisions*

- 1. Online system for requesting property exclusions and property opt-outs**
- 2. Marking methods for property exclusions and property opt-outs**
- 3. Promote creative ways to engage the public**
- 4. Public Input for Annual Mosquito Control Planning**

*Directive: (iii) providing for local options regarding the use of pesticides.*

- 5. Menu-based Approach**
- 6. Municipal Survey**
- 7. Municipal Opt-out**

*Directive: (viii) providing for comprehensive annual evaluations of each season's mosquito control process, including the effectiveness of the process in controlling arbovirus and any effects of spraying on the environment, agriculture and wildlife.*

- 8. Pilot evaluation of environmental impacts**
- 9. Increase sharing of pesticide application locations**
- 10. Increase transparency on operational exclusions for rare species/sensitive habitats**

**Directive: (ii) promoting public participation in mosquito management decisions**

### **1. Online system for requesting property exclusions and property opt-outs**

#### **Recommendation**

The Task Force recommends that the online opt out form be amended to include an option for renewal that eliminates the need to reenter data annually and by town. The amended form should include, at a minimum, the option for landowners to re-submit previously submitted information. The system should also allow addition or removal of parcels for users with multiple parcels. If possible, the system should allow temporary waivers of the exclusion or opt-out, such as to allow spraying on neighboring properties that could drift onto an excluded parcel. Funding should be provided for the implementation and ongoing maintenance of the system. The new system should be implemented as soon as possible. The option to submit a paper form should be retained with no changes required.

#### **Recommendation Components Still Under Consideration**

- What will be the timeline for implementation? What is realistic?
- More discussion and revisions are needed on the background and rationale section.

**Background and Rationale**

Currently the subcommittee agrees there is little direct public engagement in the mosquito control process in MA. While the public can attend District Commission meetings and town meetings where residents vote on joining or withdrawing from a MCD, the public rarely attends the MCD meetings and once a town votes to join a MCD there is little opportunity for the public to participate directly in decisions regarding control.

Homeowners currently have two options for direct participation in mosquito control operations as it pertains to the application of pesticides: requesting the MCD spray their parcel(s) or requesting their parcel(s) not be sprayed. Landowners who want their parcel(s) treated can directly request this service where it is offered by contacting their MCD by phone or email throughout the mosquito season. Individuals who do not want their properties treated are required by regulation to submit their request to be excluded from the wide area use of pesticides, including MCD spraying, to MDAR in accordance with 333 CMR 13.03. A *Request For Exclusion of Wide Area Application of Pesticides* form must be mailed directly to MDAR or use the online form that requires additional information (e.g., parcel numbers) that may result in landowners not completing the request. While the online form is an improvement over the past, streamlining this service will increase its user friendliness and efficacy as a service for those not wanting their properties treated leading to greater public participation. The online request expires annually at the end of December requiring landowners to reenter data annually. Providing a renewal option on the online form will facilitate greater landowner participation.

Landowner opt out is the only direct option for public participation, especially for members of the public that feel their voice or concerns have not been fully addressed or met through other channels and do not want their properties treated. This recommendation streamlines the opt out process for individual landowners who do not want their properties treated for mosquito control through a District (MCD) and greater direct participation by the public in mosquito control.

*Note: This recommendation is also related to directive (iii) and touches on directive (viii)*

**Directive: (ii) promoting public participation in mosquito management decisions**

**2. Marking methods for property exclusions and property opt-outs**

**Recommendation**

The Task Force recommends that the landowner opt out/exclusion process as articulated in 333 CMR 13.03 be amended to remove the physical marking requirement as required under 333CMR, section 13.032) and make physical marking optional given GPS/GIS technology is used by all MCD and is readily available to private property owners.

“Marking Areas for Exclusion. All areas designated for exclusion from Wide Area Applications of pesticides and mosquito control applications of pesticides approved by the State Reclamation and Mosquito Control Board shall be marked as follows:

(a) Applications by Aircraft. The person requesting exclusion shall (Add) provide GIS boundary data layer(s) or clearly mark boundaries or areas to be excluded using marking methods approved by the Department.

(b) Ground Applications. The person requesting exclusion shall (Add) provide GIS boundary data layer(s) or mark the boundaries or areas to be excluded at least every 50 feet using marking methods approved by the Department which clearly defines the area of exclusion. Approved marking methods shall be listed on the Department's website at [www.mass.gov/eea/agencies/agr/pesticides/mosquito](http://www.mass.gov/eea/agencies/agr/pesticides/mosquito). (Delete) A mosquito control project or district may require a specific method from the approved list, which shall also be made available on its website.”

### **Recommendation Components Still Under Consideration**

- Confirm whether all MCDs/MCPs are equipped with GIS/GPS technology, and provide funding for districts that need this technology

### **Background and Rationale**

Currently the subcommittee agrees there is little direct public engagement in the mosquito control process in MA. While the public can attend District Commission meetings and town meetings where residents vote on joining or withdrawing from a MCD, the public rarely attends the MCD meetings and once a town votes to join a MCD there is little opportunity for the public to participate directly in decisions regarding control.

Homeowners currently have two options for direct participation in mosquito control operations as it pertains to the application of pesticides: requesting the MCD apply pesticides to their parcel(s) or requesting their parcel(s) not be subject to pesticide application. Currently landowners requesting exclusions from MCD pesticide applications and opt outs from SRB spraying are required to physically mark their property every 50 feet with markers approved by the Department as set forth in 333 CMR 13.03. This requirement is not practical for all but the smallest of parcels and is burdensome for landowners with large acres and many miles of road frontage. This can be burdensome for landowners with many parcels, especially when parcels are distributed across many towns, a common scenario for most land trusts and many institutions including universities and hospitals. Simplifying the marking requirement will facilitate greater landowner participation.

Landowner opt out and exclusion is the only direct option for public participation, especially for members of the public that feel their voice or concerns have not been fully addressed or met through other channels and do not want their properties treated. This recommendation(s) streamlines the opt out process for individual landowners who do not want their properties treated for mosquito control through a District (MCD) and greater direct participation by the public in mosquito control.

*Note: This recommendation is also related to directive (iii) and touches on directive (viii)*

*Directive: (ii) promoting public participation in mosquito management decisions*

### **3. Promote creative ways to engage the public**

#### **Recommendation**

Create more resources and methods to engage the public

#### **Recommendation Components Still Under Consideration**

This recommendation is still in preliminary discussions by the subcommittee.

Preliminary discussion topics include:

- Increasing public education before chemical control decisions are made
- Create a statewide system of outreach and encourage districts to use the same messaging.
- Promote engagement in municipalities outside MCDs.

#### **Background and Rationale**

In progress

*Directive: (ii) promoting public participation in mosquito management decisions*

### **4. Public Input for Annual Mosquito Control Planning**

#### **Recommendation**

Provide a process for meaningful public input into a mosquito-borne disease management plan and regular updates.

#### **Recommendation Components Still Under Consideration**

This recommendation is still in preliminary discussions by the subcommittee.

Preliminary discussion focused on providing a public comment period during development of the SRB's *Massachusetts Emergency Operations Response Plan for Mosquito-Borne Illness*.

#### **Background and Rationale**

In progress

**Directive:** (iii) providing for local options regarding the use of pesticides.

## 5. Menu-based Approach

### Recommendation

Determine options to allow municipalities to receive only desired services.

### Recommendation Components Still Under Consideration

This recommendation is still under discussion by the subcommittee. The subcommittee is not agreed on the content of this recommendation. The subcommittee is considering developing a recommendation for further in-depth study and consideration of this topic.

- Will the menu-based approach be available to municipalities that already belong to an MCD, or only to municipalities newly joining an MCD?
- What services will be provided by the Commonwealth to all communities?
- Other than surveillance, education, and outreach, are municipalities required to receive and pay for any other parts of IPM, such as larviciding or adulticiding needed to control disease?
- How will costs to municipalities be assessed?
- What level of control will municipalities have? e.g., if opting in to adulticiding, are applications decided by the district, or can the municipality specify timing, areas open to spraying, triggers, etc.?
- When must opt-in decisions be made in order to give MCDs time to plan and prepare for the needed services? Will opt-ins last one season, multiple seasons, or some other amount of time?

### Background and Rationale

In progress

**Directive:** (iii) providing for local options regarding the use of pesticides.

## 6. Municipal Survey

### Recommendation

A survey should be conducted of municipalities periodically, to ascertain municipal opinion on mosquito control.

### Recommendation Components Still Under Consideration

- Who will be responsible for conducting the survey?
- Who will be surveyed? i.e., will it be directed at a specific department, will there be public input, etc.?
- What will be the frequency of the survey? Will it be linked to specific events, such as EEE outbreak cycles?
- Should a mechanism for interim feedback be implemented?
- Will all municipalities be included, or will it focus on municipalities new to mosquito control services?
- What will be the survey topics and categories of questions? Is it considering satisfaction with existing processes, desired services, suggestions for changes, or something else?
- Who will receive the survey results?

### Background and Rationale

In progress

*Note: This recommendation is also related to directive (ii)*

**Directive:** (iii) providing for local options regarding the use of pesticides.

## 7. Municipal Opt-out

### Recommendation

The municipal opt out process implemented by 2A should be extended, with modifications.

- The criteria for an application to be successful should be made more clear, earlier in the process.
- Municipalities whose requests are denied should be provided with specific feedback.
- Municipalities should be given an opportunity to revise rejected applications.
- Municipalities in high-risk regions should be informed of that fact as soon as it has been determined. All municipalities should be provided with historical risk information, such as a risk map for their region, to help understand the risk from EEE.

### Recommendation Components Still Under Consideration

This recommendation is still in preliminary discussions by the subcommittee.

- Will the extension be permanent?
- Are there specific goals, benchmarks, or timelines to be included with this recommendation?

### Background and Rationale

In progress

**Directive:** (viii) providing for comprehensive annual evaluations of each season's mosquito control process, including the effectiveness of the process in controlling arbovirus and any effects of spraying on the environment, agriculture and wildlife.

## 8. Pilot evaluation of environmental impacts

### Recommendation

Request that [responsible organization] include funding specifically for initial studies of the impact of larviciding and adulticiding on non-target species in two geographic areas of Massachusetts. The studies should be conducted by a non-governmental organization, such as a research university, in partnership with the SRB and local MCD conducting spraying.

### Recommendation Components Still Under Consideration

This recommendation is still under discussion by the subcommittee.

- What organization is responsible for implementing this recommendation?
- Should the studies be limited to non-target impacts of chemical control, or more broad? Should the research cover the full suite of mosquito control services?
- Should the recommendation more broadly direct funding for research partnerships to study environmental impacts of mosquito control and options for mosquito control?

### Background and Rationale

In progress

**Directive:** (viii) providing for comprehensive annual evaluations of each season's mosquito control process, including the effectiveness of the process in controlling arbovirus and any effects of spraying on the environment, agriculture and wildlife.

## 9. Increase sharing of pesticide application locations

### Recommendation

Require annual reporting on specific treatment areas, such as a map published through MassGIS.

### Recommendation Components Still Under Consideration

This recommendation is still in preliminary discussions by the subcommittee.

Preliminary discussion focused on a lack of clarity for landowners regarding whether their property was ever treated.

- Specify what “treatment areas” are to be included
- Does this include only adulticiding, only truck-based applications, or all pesticide applications?

### Background and Rationale

In progress

**Directive:** (viii) *providing for comprehensive annual evaluations of each season’s mosquito control process, including the effectiveness of the process in controlling arbovirus and any effects of spraying on the environment, agriculture and wildlife.*

## 10. Increase transparency on operational exclusions for rare species/sensitive habitats

### Recommendation

Require dissemination to select organizations of geographic areas excluded from pesticide application

### Recommendation Components Still Under Consideration

This recommendation is still in preliminary discussions by the subcommittee.

This recommendation may consider whether additional areas undergoing restoration projects could be exempted from pesticide applications (including applications occurring under a declared public health hazard)

- Who would have access to this information?
- More specificity is needed regarding: what information is to be disseminated, who is responsible for compiling exclusions, mechanisms for dissemination, organizations allowed to receive this information, and sensitivity of information pertaining to Endangered Species Act protected areas.

### Background and Rationale

In progress