

## **Minutes for the Mosquito Control Taskforce for the Twenty-First Century Meeting**

January 27, 2021, 1:30 p.m. via Zoom

The meeting was held remotely under the Governor's Order issued on March 12, 2020, which authorizes a public body to meet remotely and suspends the requirement of a quorum on the body being physically present at the meeting location. All votes were taken as roll call votes.

**Members in Attendance:** Dan Sieger, Kevin Cranston, Kathy Baskin, Eve Schluter, Heidi Porter, Commissioner John Lebeaux, Julia Blatt, Derek Brindisi, Tonya Colpitts, Anita Deeley, Russell Hopping, Kim LeBeau, Bob Mann, Priscilla Matton, Rich Pollack, Helen Poynton, Heidi Ricci, Stephen Rich, Richard Robinson and Sam Telford.

Dan Sieger called the meeting to order at 1:35 and announced the meeting was being recorded. He requested that attendees introduce themselves by entering their name and organization into the chat box and reviewed the agenda for the meeting. He asked for comments on the minutes from the meetings on November 9<sup>th</sup> and December 2<sup>nd</sup>. Hearing none, he asked for a motion to approve the November 9<sup>th</sup> minutes. Richard Robinson moved to approve the minutes and John Lebeaux seconded the motion. A roll call vote was taken, and the November 9<sup>th</sup> minutes were approved unanimously with those absent from the last meeting abstaining. He then asked for a motion to approve the December 2<sup>nd</sup> minutes. Richard Robinson moved to approve the minutes and John Lebeaux seconded the motion. A roll call vote was taken, and the December 2<sup>nd</sup> minutes were approved unanimously with those absent from the last meeting abstaining.

Dan Sieger then turned to discussion of the RFR. While the original early January meeting was planned to be used to vote on RFR bid submissions, unfortunately no bids were submitted. The state's Operational Services Division requires submission of a waiver request in order to post the RFR to an audience outside of the statewide contract section. OSD has confirmed that we secured the waiver to post publicly which we hope to do as soon as possible.

Caroline Higley discussed outreach to the relevant entities on the list to receive feedback, which is required of the waiver process. The feedback suggested that the issue was not the RFR itself but rather the fact that mosquito policy is a new topic area to bidders and a concern about whether they were the best entities to complete the project. As a result, we do not believe there is any need to reopen up the RFR for discussion.

Dan Sieger and Caroline Higley mentioned a couple of non-substantive changes that need to be made to the RFR including updating the dates, changing the date of submittal to March 1<sup>st</sup>, and changing the progress report requirement to a progress update requirement. We also clarify that this is categorized as a large procurement with a potential cap and low range to give a sense of the scope of the budget.

Rich Robinson asked about the deadline for submission and process going forward.

Caroline Higley discussed the process moving forward. She clarified that staff will be sharing the bid packet on March 1<sup>st</sup> before the March 3<sup>rd</sup> meeting at which bids will be evaluated.

We will notify Task Force members when the RFR is posted. Under procurement law, task force members are not allowed to engage with potential bidders. The only communication allowed between task force members and potential bidders is to share a link to the bid online. In order to track outreach, EEA/MDAR staff will maintain a master outreach list; if task force members wish to contact certain entities, we request that you email EEA/MDAR staff with your request to avoid duplicative outreach. We aim to use the March 3<sup>rd</sup> meeting for bid evaluation. We are required to do all bid evaluation in a public forum. As we were planning in early January, we will share bid packages as soon as they are available for task force members to review in advance.

Heidi Ricci asked for clarification about the prohibition on communications with outside bidders.

Caroline Higley and Jessica Burgess answered that it is important to avoid discussing the bid in order to keep the procurement fair and open and not advantage any particular entity. There is a process to submit questions through COMMBUYS.

Julia Blatt asked whether a Google doc summarizing contacts could be shared with the Task Force members.

Caroline Higley answered that because of Open Meeting Law constraints sharing would not be possible.

Dan Sieger mentioned that this additional step does delay our process and the Task Force may need to consider our timeline at a future meeting.

Dan Sieger then turned to the next item on the agenda, a discussion of the municipal opt-out provision in the legislation. EEA, MDAR and DPH are close to completing development of a process to permit municipalities to opt-out of spraying conducted by the SRB. The agencies are discussing some of the details and potential concerns in an effort to finalize the work product as soon as possible. We are carefully considering the type of guidance to be provided to municipalities that wish to opt-out, including requirements to submit alternative mosquito management plans, to be approved by EEA and we are hoping to craft a template for municipalities to use in the development of these alternative mosquito management plans. We are also discussing how to assess impacts to the regional mosquito control. A communication strategy will be developed to ensure municipalities are aware of the process and the requirements.

John Lebeaux discussed the elements that would likely be included in a template such as an integrated management plan, trapping, surveillance and testing, water management, source reduction, education and outreach and control of mosquitos at the early stages through larviciding. We are considering elements related to efficacy, adverse effects, overall public health considerations and the impact of not spraying.

Julia Blatt mentioned that allowing either the Board of Selectmen or Town Meeting might be the best approach.

Derek Brindisi asked whether there would be a public comment period for the process and Dan Sieger replied that is a helpful suggestion.

Heidi Ricci commented that she has heard from some communities that they are interested in surveillance, public education and source reduction but do not want the pesticide application. The point of this was to give communities options they feel most appropriate.

Rich Pollack asked whether we are viewing the opt out as all or nothing and recommended being clear about what we are discussing.

Jessica Burgess clarified that this discussion is based on a specific, narrow legislative mandate and is not in relation to receiving services. This allows municipalities to opt out of spraying once DPH has deemed there to be an elevated risk and SRB is conducting additional spraying. The mechanism for opting out of that spraying is to file the alternative plan. This is separate and distinct from the work of the projects.

Richard Robinson commented that model plans/programs would be helpful, especially for small towns.

Dan Sieger asked for additional comments.

Brian Rosman from Senator Comerford's office stated that he appreciated the update and reiterated the importance of public comment to receive feedback and ideas.

Alisha Bouchard flagged the issue of timing going into the mosquito season and Dan Sieger reiterated that we would be mindful of the timing constraints.

John Lebeaux flagged the need to consider COVID implications in the Town Meeting context.

Jessica Burgess mentioned that this part of the legislation sunsets in 2022 so this process would be in place for the short term.

Dan Sieger then turned to discussion of the listening session for the public required by the legislation and asked for feedback from Task Force members.

Rich Pollack mentioned that the most insightful sessions are when we just listen and allow people to pose questions, air concerns and offer suggestions with time limits.

Heidi Ricci agreed and recommended keeping the first session open-ended after a presentation in the beginning to provide context. The second session should be more structured when we have draft recommendations.

Eve Schluter mentioned that it is sometimes easier for people to react to something but agrees the second session should solicit comments.

Dan Sieger mentioned that it may be helpful to pose questions for people to react to.

Stephen Rich mentioned the possibility of a skilled facilitator.

Dan Sieger stated that additional thoughts will be provided at an upcoming meeting but envisions that the session would be posted, and members could attend although it would not an official Task Force meeting.

Dan Sieger then turned to the subject of PFAS. As discussed previously, PEER found PFAS in a sample of Anvil, which was confirmed by independent testing by the state. EPA initiated a process to identify the source and confirmed fluorinated high-density polyethylene (HDPE) containers that are used to store and transport a mosquito control pesticide product contain PFAS compounds that are leaching into the pesticide product. EPA announced that the affected pesticide manufacturer has voluntarily stopped shipment of any products in fluorinated containers and is conducting its own testing to confirm EPA results and product stability in un-fluorinated containers and issued a subpoena under the Toxics Substance Control Act to obtain information about the fluorination process used by the company that fluorinates the containers used by the pesticide manufacturer. We have invited EPA to attend the next meeting and present on their findings and the current status of their process.

Dan Sieger then mentioned the second item for the next meeting, a presentation by Chief Apiary Inspector at MDAR, Kim Skyrin in response to task force member Brad Mitchell's request to have a presentation on honeybee health.

Russell Hopping requested that native species also be included in the honeybee presentation.

Dan Sieger then opened the discussion to comments from the public.

Pine DuBois thanked the Task Force for their work and asked about tests on other products in Plymouth.

Taryn LaScola-Miner mentioned that there are plans to take additional samples going forward.

Dan Sieger stated that we will provide an update in the near future.

Dan Sieger asked for a motion to adjourn the meeting which was provided by Richard Pollack and seconded by Julia Blatt. The meeting ended at 2:50 p.m.