

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: March 14, 2025

A. ROLL CALL

Kimberly Pearson, Brewster Natural Resources Advisory Commission	Present
Clint Richmond, Sierra Club	Present
Regina LaRocque, MGH Center for Environment and Health	Absent
Rosemary Malfi, Xerces Society	Present
Kristin Andres, Association of Preserve Cape Cod	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 from January 24, 2025
Notification recommendations draft letter

B. REVIEW OF MINUTES FROM JANUARY 24, 2024:

Motion: K. Andres made a motion to approve the minutes with a clarification that "other" be added to her statement about applications made to people's property.

Second: K. Pearson

In favor: All

Abstention: None

C. PESTICIDE ENFORCEMENT UPDATES, T. LASCOLA

Annual Use Report: A notification to applicators was sent out to let them know that they can submit their annual use report. T. LaScola stated that there were no changes made to the form.

Virtual Meetings: T. LaScola stated that the Executive Order/Statute that has allowed for meetings to be held virtually will expire at the end of March and it is unclear if it will be extended. However, there is a provision that would allow for a council member to participate virtually if there is a quorum of members in person and the virtual attendance of a member is approved by the Chair prior to the meeting. It was noted that the meeting itself would not be broadcast publicly, and the public would need to attend in person. T. LaScola suggested that the Council vote to accept this provision in lieu of not knowing if the current allowance for virtual meetings will be extended.

Motion: R. Malfi moved to authorize remote participation under 940 CMR 40.10 and any other applicable law to apply to future meetings if remote participation is not otherwise extended or changed.

Second: K. Pearson

In Favor: All

Opposed: None

D. NOTIFICATION REQUIREMENTS, ROSEMARY MALFI

R. Malfi shared the draft letter with the Council, and she reviewed the letter with the members. She noted the following recommendations for approval by the Council:

- Items recommended in the turf section should also be included in 333 CMR 13.09 (tree and shrub section).
- Clarification that individuals residing in multi-unit dwellings should receive information about outdoor applications.
- Occupants of non-residential properties can request information about the applications before or after the application.

The members agreed on the letter and its content. R. Malfi stated that she could send the recommendations to the Pesticide Board.

T. LaScola stated that 333 CMR 13.00 is still being drafted so the Council had time to continue to work on the recommendations which included the indoor sections. There was discussion between the members about when the best time to send the recommendations should be sent. The Council decided to wait on submitting the recommendations but would address their progress during their update at the next Pesticide Board meeting.

The Council continued to discuss notification and moved onto the indoor application section, 333 CMR 13.08. There were some questions about the use of rodenticides relative to notification and labeling. She stated that using a rodenticide notification is required when it is used indoors. It is not required for outdoor use, but she stated that she believed that most companies do. The same goes for labeling bait stations. T. LaScola also stated that the indoor application section does not apply to any structural outdoor applications. The Council went through the current requirements under the indoor application section.

R. Malfi asked why there was a waiver for sign posting. T. LaScola stated that she believed the provision was in the regulations because some contracting entities do not want signs posted and would take the signs down after the applicator hung them up.

F. NEW BUSINESS

C. Richmond stated that the next meeting of the Pesticide Subcommittee meeting was being held on the following Tuesday.

K. ADJOURN

Motion: K. Andres

Second: R. Malfi

In Favor: All