

## **MCTF Best Practices Subcommittee Meeting Minutes 10 04 21**

### **Minutes for the Mosquito Control for the Twenty-First Century (MCTF) Task Force Meeting**

#### **Subcommittee Meeting: Best Practices**

October 04, 2021, 12:00 p.m. via Zoom

#### Meeting Topics:

- Open Meeting, Roll Call, Welcome, and Meeting Purpose (chair)
- Introductions (facilitator)
- Review and Clarification of Subcommittee Guidance
- Subcommittee Charge and Purpose (*guidance, p. 1*)
  - Conduct of Subcommittee Meetings (*guidance, p. 2*)
  - Schedule (*guidance, p. 2*)
  - Protocols for Drafting Recommendations and Voting (*guidance, p. 3*)
  - Supporting Materials (*guidance, pp. 3-17*)
    - Subcommittee Members and Supporting Personnel
    - Roles of Subcommittee Participants
    - Rules and Expectations for Subcommittee Members
    - Background Materials and MCTF Report Sections Relevant to Subcommittees' Charges
    - Subcommittee Directives and Understory Questions
    - Overlapping Scope in Directives Assigned to Different Subcommittees
    - Example recommendations from the Cranberry Task Force
    - Open Meeting Law Guide
- Clarify the Process for Recommendations Development: Stage 1—Review and Discussion of Information
- Begin the Process of Developing Recommendations
- Closing Remarks (facilitator and chair)

Cheryl Keenan (Facilitator) welcomed everyone to the first meeting of the best practices subcommittee Mosquito Control Task Force (MCTF). This meeting was held as a Zoom webinar. Jennifer Forman Orth (EEA staff lead) noted that any task force members that were attending but not on this subcommittee would be there are attendees, and that any questions from attendees should be asked using the Q&A function. It was reiterated that questions would be addressed at the discretion of the chair.

Richard Robinson (subcommittee chair) welcomed everybody to the meeting, introduced himself, and had the other members of the subcommittee introduce themselves:

- Richard Robinson is a certified organic farmer in Sherborn, Massachusetts. A member of the board of the Northeast Organic Farming Association of Massachusetts. In his other job, he is a science writer.
- Kathy Baskin is Assistant Commissioner of the Bureau of Water Resources at Massachusetts Department of Environmental Protection.

- Priscilla Matton is Superintendent of the Bristol County Mosquito Control Project and in attendance to represent organized mosquito control in the Commonwealth.
- Anita Deeley is a commercial beekeeper and the owner, founder, beekeeper at Beverly Bees.
- Russell Hopping is the Lead Coastal Ecologist/Ecology Program Director for the Trustees of Reservation.
- Richard Pollack is trained as a Public Health Entomologist who has researched, thought about, and studied in the laboratory in the field of mosquitoes and mosquito-borne diseases for more than four decades.
- Helen Poynton is a UMass Boston Professor of Molecular Ecotoxicology and does a lot of work at the aquatics level and hopes this group can find best practices.
- Heidi Ricci is the Director of Policy and Advocacy at Mass Audubon and has been working in mosquito control for several years. Mass Audubon manages over 40,000 acres of land statewide, including Drumlin Farm Wildlife Sanctuary. In addition, Mass Audubon has a couple of farm operations and sells over a half-million dollars of organically grown produce each year. Although they are not a certified organic farm, they do follow organic practices.
- Kim LeBeau (arrived halfway through the meeting) is the senior program manager for water quality for MA Water Resources Authority, which provides water and wastewater services to over 3 million people in 53 communities as a public water system. Has experience dealing with source and drinking water regulatory & nonregulatory issues.

Jennifer Forman Orth, an Environmental Biologist at the Mass. Dept. of Agricultural Resources (MDAR), and was the EEA facilitator for this subcommittee, there to help things run smoothly and ensure that the MA Open Meeting Law is being adhered to. Cheryl Keenan is with ERG (Eastern Research Group, Inc.) Mosquito Control Task Force and is the facilitator of this subcommittee, focused on making sure everybody is on the same page of what the topic says going forward, covering the ground rules for the subcommittee, and guiding members through the process for the first stage of meeting development. Richard Robinson mentioned the desire for everyone participating to see each other and to use their hand-raising button on Zoom if they wish to speak. The group is mostly going to go through broad-based framework on IPM (Integrated Pest Management). It is communicated that a quorum is required for any meeting going forward, so it is important that everybody attend. The Task Force report is a primary source of information for the subcommittee.

The conversation starts with a discussion of the schedule of events that emphasizes the outlining and drafting of recommendations. It's a broad schedule, with the expectation that the final recommendation will be completed in just about 9 meetings.

There was a review and clarification of subcommittee guidance. Richard Robinson noted that two of the three directives are quite broad and will likely require a lot of discussion. Richard Robinson suggested that starting with the third one about organic agriculture could be a good way to get the group familiarized with the process, noting that having a focused schedule to get through everything is important. Heidi Ricci mentioned that she felt like discussing the broad framework of IPM was a necessary precursor to getting into the weeds of the third directive. All requested to revisit this discussion at the end of the meeting. Helen Poynton wanted to confirm that all attendance-related matters should be communicated with Cheryl Keenan. Heidi Ricci noted that Caroline had sent out an email with the ERG facilitators' emails.

The conversation then moved into Understory Questions. Richard Robinson had written his own set of understory questions in response to the three directives and wanted to encourage others to do the same. He was wondering whether these questions could be sent to Cheryl Keenan and sent out with the agenda for the next meeting. This raised a question of adherence to MA Open Meeting Law, as discussed extensively below when Jessica Burgess of MDAR was able to join. Richard Robinson was concerned that subcommittee members not being able to disseminate their own thoughts in-between meetings would slow the whole process down and referenced his prior experience on another committee he was involved with in the past.

Heidi Ricci and Helen Poynton both brought up that having access to the comments on ERG's report as soon as possible would be helpful. Kathy Baskin proposed setting up short fifteen-minute meetings to receive information so that subcommittee members might be able to process and be prepared for the longer meetings. Heidi Ricci had a specific comment on the first understory question for the IPM directive. Although the IPM directive was broad, Heidi Ricci felt that the understory questions were overly narrow (e.g. focusing on only MCDs' ability to carry out IPM) and might constrain the discussion. Heidi Ricci also felt like clarifying the overall goal in the beginning of the process was important, as being on the same page across all subcommittees was important.

Overlapping scope was brought up as part of the meeting conversation. Richard Robinson and Priscilla Matton brought up the issue of how some members on this subcommittee were also on other subcommittees. While there might be some benefits (e.g. being able to bring in relevant details from the other subcommittees and vice versa), perhaps this could also be a problem. Richard Robinson noted this might only be a problem if overlapping members represented a quorum on one of the subcommittees.

This was discussed further discussed via a Q&A portion of the conversation. Jennifer Forman Orth questioned whether it was necessary to have video on in Zoom to legally participate in meetings and voting. This was related to a comment Richard Robinson brought up earlier; he asked people to have video on if possible, both in case this was legally necessary and to encourage better conversational flow. Jessica Burgess noted if subcommittee members were audible, that was fine, since voting is done by roll calls. Jennifer Forman Orth asked about Richard Robinson's proposal to have subcommittee members submit questions to Cheryl and whether these questions could be disseminated to all subcommittee members before the next meeting. Jessica Burgess explained that no member of a public body can engage in deliberations outside of public meetings; the most that can be done is scheduling or sharing agenda items. If information is shared in a public meeting, that is fine. But if information is aggregated outside of meetings, it can't be automatically shared; it will need to be sent to ERG and Caroline to evaluate whether it constitutes "deliberative material", in which case it cannot be shared outside of the meeting.

Jessica Burgess also addressed Richard Robinson's proposal, specifically saying that unfortunately it probably would constitute a violation of MA Open Meeting Laws. Sending questions counts as deliberation because it is essentially bringing up ideas for other subcommittee members to consider, even if there is no response by those members. Jessica Burgess acknowledged this was a strict interpretation, but that the Open Meeting Law became stricter a couple of years ago due to concerns that were raised. Jessica Burgess noted that she doesn't want to make the process more cumbersome, but if the process isn't airtight, someone could challenge it, and everyone would have to start from square one again.

Heidi Ricci stated that she valued transparency but believed that other public bodies were able to collect materials and post them with agenda notices to make publicly available. Along those lines, she expressed a concern that the guidance document didn't seem to be publicly available yet, nor the public comments. Jessica Burgess noted they would work to make everything publicly available. Jennifer Forman Orth said that nothing was being intentionally withheld, and that EEA was likely just swamped and unable to get to posting the materials yet.

Richard Robinson said the remainder of this discussion could be taken offline. To reiterate, Jessica Burgess said the existing guidance was to not share anything with other members of the subcommittees /MCTF and to send everything to ERG/Caroline. Jessica Burgess agreed to investigate nuances. Jennifer Forman Orth asked about the issue of crossover of subjects between different subcommittees in their discussions. Is there anything that members of multiple subcommittees need to be wary of in their discussions? Jessica Burgess said she would investigate it. Jennifer Forman Orth asked about the issue of individuals sitting on multiple subcommittees and whether this constituted a violation of the open meeting law. Jessica Burgess noted she would investigate that but her initial thought was that it should be fine if the members did not constitute a quorum. However, Priscilla Matton noted that she, Heidi Ricci, and Russell Hopping were all members of the local engagement subcommittee and comprised a majority (3/5).

The meeting group discussed next steps and Cheryl Keenan asked whether anyone had any objections to doing some "homework" before the next meeting. Helen Poynton strongly urged the release of other MCTF members' comments on the ERG report ASAP so that the subcommittee could identify critical data gaps. Jennifer Forman Orth noted she had put the question out there as to its status. Heidi Ricci reiterated this, asking for access to all comments on the report because there may be some important technical comments beyond what MCTF members shared. Heidi Ricci reiterated her desire for everyone to arrive at a firm and shared understanding of the overall goal, especially regarding IPM. Heidi Ricci cited Appendix B as having some good materials to look at (additional documents reviewed), calling out a Xerces Society document on ecological mosquito control and a file from Boulder Colorado. She also recommended a joint statement from CDC & EPA on mosquito control, a short and readable document. Heidi Ricci noted that each member of the MCTF brings their own expertise that could help supplement the report, although she didn't know how this might come into play during deliberations.

Russell Hopping asked whether there was any concrete way in which the subcommittee members are meant to be evaluating the overall strength of the information in the report. Cheryl Keenan stated that it was qualitative, and the main aim was to identify critical data gaps. Cheryl Keenan asked whether anyone had objections to taking the homework on. No one spoke up, so Cheryl Keenan assumed that everyone agreed. Richard Robinson had a comment about how he was a little worried that the next meetings would get bogged down in procedural discussions and that the subcommittee might have to rush through the actual decision-making. He asked for thoughts, but no one had any. Cheryl Keenan then posed the question of which directive to focus on first, reminding everyone that Heidi Ricci had implied she wanted to focus on the first directive while Richard Robinson had said the third.

Russell Hopping noted he felt like there was quite a steep learning curve with the process and felt like starting with the third one, the most defined of all the questions, could be a good idea. Heidi Ricci said that she was happy to go with the third one if that was the consensus, but firmly wanted it to be in the context of IPM. Cheryl Keenan reminded everyone that this didn't have to be a directive-by-directive process.

Richard Pollack and Helen Poynton expressed a desire to first look at all the directives more generally because they are related. More concrete recommendations could come later; Richard Pollock said they could go from the top, Helen Poynton said they could go from organic farming. Richard Robinson, Russell Hopping, Anita Deeley and Priscilla Matton vocalized their support for this approach. Priscilla Matton said that then maybe they could start with organic farming for the specific recommendations. Richard Robinson noted he liked the idea of identifying gaps across all three directives from the outset. Richard Robinson reiterated his desire for people to come up with their own understory questions to help frame the discussion. He also suggested that people focus on identifying specific data gaps for the directives and figure out how to fill those gaps within the constraints of the time available. He noted that he wanted to get more information about nuisance spraying by private contractors to help evaluate IPM needs because the ERG report didn't touch on this much. He thought that someone at some point might've mentioned the data was available, it just wasn't included. He hoped Cheryl Keenan and ERG could note this.

Cheryl Keenan recapped the discussion by saying that next meeting, the subcommittee would not necessarily focus on one specific directive; it would have a general review/discussion. Richard Pollock and Heidi Ricci wanted to see Richard Robinson's understory questions. Jessica Burgess noted that Richard Robinson could say it verbally in the meeting and follow up with written confirmation (also it would be in meeting minutes); he could also share his screen. Screen shot that was shared is below:

Additional understory questions for the best practices subcommittee

**(i) facilitating the use of integrated pest management, including surveillance, public education, enhanced habitat for mosquito predators and storm water management;**

- What training/monitoring/incentive structures are in place, or should be in place, for MCDs to improve their IPM activities?
- What resources do MCDs need that they currently lack to improve their IPM activities?
- What priority weights on the range of IPM activities should be offered to guide MCD IPM practices? (eg, should public education be the top priority?)
- Are MCDs the only practitioners of IPM we should be addressing?

**(vi) developing procedures to protect human and ecological health and minimize non target impacts of mosquito pesticides, including, but not limited to, effects on persons with respiratory or immune system illnesses, drinking water supplies, pollinators and aquatic life;**

- What types of procedures, and carried out by whom, should be contemplated outside of the IPM guidance above?
- Is it possible to develop an algorithm/decision tree for determining when to do aerial spraying, and would this be the minimum we would need to achieve the goals of this best practice recommendation?
- Do decision-makers need/have access to infections data below the county level?
- How should nuisance spraying requests from individuals be handled?



**(iv) protecting organic agriculture from pesticide use;**

- What procedures are already in place to protect a certified farm from spray? How should these be modified?
- Should any farm be able to take advantage of these protections? Why or why not?
- Is it possible to develop a second tier or protections for non-certified farms?
- Should there be a buffer zone around a farm that is also protected from spray, as any farm in MA is only a part of a local ecosystem?

Cheryl Keenan and Richard Robinson will develop the agenda for the next meeting. Richard Robinson asked for specific agenda items to be sent to Cheryl Keenan within the next three days. The next meeting will include soliciting overall thoughts/viewpoints based on the subcommittee's review of the report, perhaps framed by revisited understory questions, and will be held on 10/13 from 12pm-2pm. Richard Robinson motioned to adjourn the meeting, which was seconded from Richard Pollock. The subcommittee supported the motion. The meeting was adjourned at 2:00 p.m.